MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 21, 2023
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, November 21, 2023, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner JoAnn Birrell – left the hearing at 2:14 p.m.
Commissioner Jerica Richardson
Commissioner Monique Sheffield

Commissioner Keli Gambrill – not present

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:02 a.m.

Clerk's Note: *Due to the absence of Commissioner Gambrill, Commissioner Birrell handled the District 1 cases during the hearing.*

The following statement that Commissioner Birrell read in at the February 21, 2023, BOC Zoning Hearing was attached to each vote taken at today's hearing (attached and made a part of these minutes):

> *I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map 3 times in 2022 (1/25/22, 10/11/22 and 10/25/22).*
>
> *I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022, under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Cobb Board of Elections on November 15, 2022. Thank you.*

Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued.*

WITHDRAWN, HELD, AND CONTINUED CASES

Z-50 **CIVF VII - GA1M01 & GA1M02, LLC** (R. Britt Harris, Jr.; Cityview Grove, LLC; Edith W. Lee Trust, owners) requesting rezoning from **NS, TS,** and **RM-12** to **LI** for a warehouse and distribution facility in land lots 592, 593, 594, 603, and 604 of the 18th district. Property is located on the south side of Cityview Drive, on the north side of I-20, northeast of Riverside Parkway (Cityview Drive). ***(Continued by Staff from the November 7, 2023, Planning Commission (PC) hearing until the December 5, 2023, PC hearing). WITHDRAWN WITHOUT PREJUDICE***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-15 **SDP ACQUISITIONS, LLC** (McCamy Investments, L.P.; McCamy Properties, LLC; BK Properties, L.P.; VKEP-B, LLC owners) requesting rezoning from **R-20, RA-4, GC, O&I, NS,** and **OS** to **PVC** and **OS** for a mixed-use development consisting of townhomes, multifamily residential, office, retail, and warehouse in land lots 364, 365, 428, and 429 of the 16th district. Property is located on the south side of Chastain Road, on the west side of Chastain Meadows Parkway (Chastain Road, Chastain Meadows Parkway). ***(Previously continued by Staff from the May 2, 2023, through the September 5, 2023, Planning Commission (PC) hearings until the October 3, 2023, PC hearing; held by the PC from the October 3, 2023, and November 7, 2023, PC hearings until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-30 **QUIKTRIP CORPORATION** (BK Canton, LLC, owner) requesting rezoning from **GC** to **NRC** for a convenience store with fuel sales in land lot 60 of the 16th district. Property is located on the south side of Jamerson Road, and the west side of Canton Road (4815 Canton Road). ***(Previously held by the Planning Commission (PC) from the September 5, 2023, through the November 7, 2023, PC hearings until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-36 **MICHESTER INC.** (Michester, Inc., owner) requesting rezoning from **R-20** to **LRO** for an office in land lot 15 of the 17th district. Property is located on the east side of Austell Road, north of Hicks Road (2513 Austell Road). ***(Previously held by the Board of Commissioners (BOC) from the October 17, 2023, BOC Zoning hearing until the November 21, 2023, BOC Zoning hearing; continued by Staff from the November 21, 2023, BOC Zoning hearing until the December 19, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

Z-40 **ATLANTA REMEDIATION GROUP, LLC** (Vanessa Pichardo, owner) requesting rezoning from **R-20** to **LI** for specialty contractor, parking of RVs & boats in land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Canton Road (1018 Shallowford Road). ***(Previously continued by Staff from the October 3, 2023, and November 7, 2023, Planning Commission (PC) hearings until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-43 **SUHEL KAZANI** (Global Finvest L.L.C., owner) requesting rezoning from **GC** to **NRC** for a convenience store with fuel sales and retail in land lot 180 of the 17th district and land lot 42 of the 18th district. Property is located on the southeast side of Cooper Lake Road, on the northeast side of Veterans Memorial Highway (8 and 5699 Cooper Lake Road and Veterans Memorial Highway). ***(Previously continued by Staff from the October 3, 2023, Planning Commission (PC) hearing until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-47 **BENTLEY RESIDENTIAL PROPERTIES, LLC; SUMMEROUR PROPERTIES, LLLP** (Bentley Residential Properties, LLC; Summerour Properties, LLLP, owners) requesting rezoning from **R-20** and **R-15** to **LI** for a landscaping and tree service in land lot 1137 of the 16th district. Property is located north of Gresham Road and east of Fairview Street (0, 1306, and 1330 Gresham Road). ***(Continued by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-48 **OSCAR FACTORY** (Neal T. Radford, owner) requesting rezoning from **PSC** to **PSC** for an office in land lot 677 of the 17th district. Property is located on the south side of Main Street, west of Lois Street (1880 Main Street). ***(Continued by Staff from the November 7, 2023, Planning Commission (PC) hearing until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-49 **DG EAST COBB GUTHRIES, LLC** (DG East Cobb Guthries, LLC, owner) requesting rezoning from **PSC** to **NRC** for a restaurant in land lot 69 of the 1st district. Property is located on the south side of Lower Roswell Road, west of Johnson Ferry Road (4774 Lower Roswell Road). ***(Continued by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-52 **1054 INVESTMENT GROUP, LLC** (1054 Investment Group, LLC; James Vincent Manley, owners) requesting rezoning from **R-20** to **LI** for contractor offices and parking of vehicles on land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Old Shallowford Road (1022, 1028, and 1054 Shallowford Road). ***(Held by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; therefore, was not considered at this hearing).***

O.B. 40 To consider amending the site plan for Kerley Family Homes, LLC regarding rezoning application Z-43 of 2019, for property located on the southeast side of Cooper Lake Road, south of Vinings Lake Drive in land lot 181 of the 17th district (Cooper Lake Road). ***(Previously continued by the Board of Commissioners (BOC) from the September 19, 2023, BOC Zoning hearing until the October 17, 2023, BOC Zoning hearing; continued by Staff from the October 17, 2023, and November 21, 2023, BOC Zoning hearings until the December 19, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

O.B. 52 To consider amending the site plan for Emily Sidner regarding rezoning application Z-108 of 1999, for property located at the southwest intersection of Austell Road and East Callaway Road in land lots 628 and 629 of the 19th district (East Callaway Road). ***(Continued by Staff from the November 21, 2023, Board of Commissioners' (BOC) Zoning hearing until the December 19, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

O.B. 56 To consider a reduction of public road frontage from 75-feet to zero-feet for Tracts 2, 3, 5, and 6, to waive the impervious buffer on Tract 2, and to allow setback and location variances for the existing sheds on Tracts 4 and 6 for Justin K. Willis for property located on the north side of Turnstone Drive in land lot 145 of the 20th district (4060 Turnstone Drive). ***(Continued by Staff from the November 21, 2023, Board of Commissioners' (BOC) Zoning hearing until the December 19, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

Mr. Pederson made the following announcement and read in the cases for the Consent Agenda:

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-42 **WILLIAM AND LYDIA TIKU** (William Tiku and Lydia Tiku, owners) requesting rezoning from **CF** to **NRC** for climate-controlled self-storage facility in land lot 583 of the 18th district. Property is located on the south side of Blair Bridge Road, east of Thornton Road (Blair Bridge Road). ***(Previously held by the Planning Commission (PC) from the October 3, 2023, PC hearing until the November 7, 2023, PC hearing).***

To **approve** Z-42 to the **NRC** zoning district, subject to:

1. **Letter of agreeable conditions from David Meyer dated October 29, 2023 (attached and made a part of these minutes), with the following change:**

CONSENT AGENDA (CONT.)

Z-42 **WILLIAM AND LYDIA TIKU (CONT.)**

A. Item No. 2 – The Rezoning Plat and Conceptual Landscape Plan prepared by DGM Land Planning Consultants, Inc., are dated October 29, 2023

2. The building structure shall have four-sided architectural features similar to the example on Exhibit A attached to the Mableton Improvement Coalition's letter of support dated November 1, 2023 (attached and made a part of these minutes); the final design of the building will be subject to the Architectural Review Committee referenced in David Meyer's stipulation letter dated October 29, 2023, with final approval by the District Commissioner, with the following changes:

A. Amend Zoning Division comments #6 (attached and made a part of these minutes) to include the final Landscape Plan to be approved by the District Commissioner

B. Hours of construction shall be Monday through Friday from 7 a.m. until 8 p.m.

C. Revise David Meyer's stipulation letter dated October 29, 2023, to remove "stucco" from stipulation #15

D. Revise stipulation #17 to reflect that dumpsters shall be stored in a masonry enclosure with a metal or steel gate and constructed with the same materials as the primary structure

E. Revise stipulation #18 to include that the final elevations shall be approved by the District Commissioner

3. Staff comments and recommendations

Z-44 **GINA SULLIVAN** (200 Village Parkway, LP, owner) requesting rezoning from **CF** and **R-40** to **NRC** for a personal care home in land lot 73 of the 1st district. Property is located on the north side of Paper Mill Road and on the east side of Village parkway (200 Village Parkway).

To **approve** Z-44 to the **NRC** zoning district, subject to:

1. Site Plan received by the Zoning Division on August 16, 2023 (attached and made a part of these minutes), with the District Commissioner approving minor modifications

2. Letter from Gina Sullivan dated November 20, 2023 (attached and made a part of these minutes)

3. Any future exterior modifications to the existing building to be approved by the Paper Mill Village Architectural Control Committee, with final approval by the Cobb County District Commissioner

CONSENT AGENDA (CONT.)

Z-44 **GINA SULLIVAN (CONT.)**

4. **District Commissioner shall have the authority to approve minor modifications to this rezoning as the development proposal proceeds through the Design Review Process and thereafter, *except for those that:***
   A. **reduce the size of an approved buffer adjacent to a property which is zoned in a more restrictive zoning district**
   B. **relocate the structure closer to the property line to an adjacent property which is zoned in a more restrictive zoning district**
   C. **increase the height of a building adjacent to a property which is zoned in a more restrictive zoning district**
   D. **change access location to different roadways**
5. **Variances as stated in the Zoning comments**
6. **Planning Division comments and recommendations**
7. **Fire Department comments and recommendations**
8. **Water and Sewer Division comments and recommendations**
9. **Department of Transportation comments and recommendations**
10. **Stormwater Management Division comments and recommendations**

Z-45 **MICHAEL S. PRIEST AND TARA P. PRIEST** (Michael S. Priest and Tara P. Priest, owners) requesting rezoning from **TS** to **R-30** for an undeveloped lot in land lot 1 of the 20th district. Property is located on the north side of Rutledge Drive and on the west side of Black Acre Trail (Rutledge Drive).

To **approve** Z-45 to the **R-30** zoning district, subject to:

1. **Single-family use *only***
2. **No access to Black Acre Trail**

Z-51 **BRIAN DORSEY WHITE AND SAMANTHA H. PATTILLO** (Brian Dorsey White and Samantha H. Pattillo, owners) requesting rezoning from **R-20/OSC** to **R-30** for a single-family residence in land lot 527 of the 19th district. Property is located on the south side of Gaydon Road, east of Florence Road (5225 Gaydon Road).

To **approve** Z-51 to the **R-30** zoning district, subject to:

1. **Site Plan received by the Zoning Division on September 7, 2023 (attached and made a part of these minutes)**
2. **Fire Department comments and recommendations**
3. **Water and Sewer Division comments and recommendations**
4. **Stormwater Management Division comments and recommendations**
5. **Department of Transportation comments and recommendations**

CONSENT AGENDA (CONT.)

Z-54 **Alan Norman Taylor, as Executer of the Estate of Barbara Brickley Taylor; Arthur H. Sundquist and Melanie A. Sundquist** (Barbara Brickley Taylor, Arthur H. Sundquist and Melanie A. Sundquist, owners) requesting rezoning from **RSL** and **R-20** to **R-20** for single-family residences in land lots 605 and 606 of the 19th district. Property is located on the east side of Old Lost Mountain Road, north of Meek Road (2727, 2785, and 2801 Old Lost Mountain Road).

To **approve** Z-54 to the **R-20** zoning district, subject to:

1. **Site Plan received by the Zoning Division on September 12, 2023 (attached and made a part of these minutes), with the District Commissioner approving minor modifications**
2. **Variances as stated in the Zoning Division comments**
3. **Fire Department comments and recommendations**
4. **Water and Sewer Division comments and recommendations**
5. **Stormwater Management Division comments and recommendations**
6. **Department of Transportation comments and recommendations**

SLUP-7 **WILLIAM AND LYDIA TIKU** (William Tiku and Lydia Tiku, owners) requesting a **Special Land Use Permit** for a climate-controlled self-storage facility in land lot 583 of the 18th district. Property is located on the south side of Blair Bridge Road, east of Thornton Road (Blair Bridge Road). ***(Held by the Planning Commission (PC) from the October 3, 2023, PC hearing until the November 7, 2023, PC hearing).***

To **approve** SLUP-7, subject to:

1. **Letter of agreeable conditions from David Meyer dated October 29, 2023 (attached and made a part of these minutes), with the following change:**
   A. **Item No. 2 – The Rezoning Plat and Conceptual Landscape Plan prepared by DGM Land Planning Consultants, Inc., are dated October 29, 2023**
2. **The building structure shall have four-sided architectural features similar to the example on Exhibit A attached to the Mableton Improvement Coalition's letter of support dated November 1, 2023 (attached and made a part of these minutes); the final design of the building will be subject to the Architectural Review Committee referenced in David Meyer's stipulation letter dated October 29, 2023, with final approval by the District Commissioner, with the following changes:**

CONSENT AGENDA (CONT.)

SLUP-7 WILLIAM AND LYDIA TIKU (CONT.)

A. **Amend Zoning Division comments #6 (attached and made a part of these minutes) to include the final Landscape Plan to be approved by the District Commissioner**
B. **Hours of construction shall be Monday through Friday from 7 a.m. until 8 p.m.**
C. **Revise David Meyer's stipulation letter dated October 29, 2023, to remove "stucco" from stipulation #15**
D. **Revise stipulation #17 to reflect that dumpsters shall be stored in a masonry enclosure with a metal or steel gate and constructed with the same materials as the primary structure**
E. **Revise stipulation #18 to include that the final elevations shall be approved by the District Commissioner**

3. **Staff comments and recommendations**

OTHER BUSINESS

At the call for O.B. 45 (Alan Baran), opposition was present; therefore, O.B. 45 was pulled from the Consent Agenda and added to the Regular Agenda to be heard in its numerical order (see page 12 of these minutes).

O.B. 51 To consider a public frontage reduction from 75-feet to zero-feet for Ashley Nicole Hubbs for property located on the north side of Due West Road in land lot 298 of the 20th district (4430 Due West Road).

To **approve** O.B. 51, subject to:

1. **Tract 1B approved for zero-feet public road frontage and a gravel driveway**
2. **No further subdivision of Tract 1B**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

O.B. 53 To consider a lot size reduction from 20,000 square-feet to 13,310 square-feet and a front setback variance from 35-feet to 20-feet for Turren Construction LLC for property located on the south side of Daniel Street in land lot 695 of the 17th district (1980 Daniel Street).

To **approve** O.B. 53, subject to:

1. **Lot size to be 13,310 square-feet with the front setback to be 20-feet**

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 53 **(CONT.)**

2. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
3. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

O.B. 54 To consider a request from OUTFRONT Media, LLC regarding an oversized sign face replacement located at the southwesterly intersection of Asberry Drive and Cobb Parkway. Property is located in land lot 866 of the 16th district (1435 Asberry Drive).

To **approve** O.B. 54, subject to:

1. **Conversion to electronic sign faces for both sides of the sign, in compliance with the sign code**
2. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
3. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

O.B. 57 To consider a lot size reduction from 20,000 square-feet to 18,990 square-feet for Susan H. Pryor for property located on the south side of Lane Drive in land lot 75 of the 18th district (275 Lane Drive).

To **approve** O.B. 57, subject to:

1. **Lot size to be 18,990 square-feet for Lot 2**
2. **Letter from Ernest J. Campbell, III dated November 15, 2023 (attached and made a part of these minutes)**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

CONSENT VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

Chairwoman Cupid called for a brief recess from 9:22 a.m. until 9:25 a.m.

Following the recess, Mr. Pederson announced that LUP-26 (Mielke Way Manor, LLC) should have been added to Consent. Since the Consent Agenda had already been voted on, with direction from the County Attorney, the Board decided to approve LUP-26 as a standalone Consent case. The Applicant was present, and there was no opposition present. Mr. Pederson read in the case and its stipulations, and the motion was made to approve the case.

CONSENT AGENDA (CONT.)

LUP-26 **MIELKE WAY MANOR, LLC** (Gordy Property Group, LLC, owner) requesting a **Temporary Land Use Permit** to allow a family farm, wildlife sanctuary, event center, and educational facility in land lot 710 of the 19th district. Property is located on the south side of Pair Road, east of Sasanqua Lane (1901 Pair Road).

To **approve** LUP-26 for **12 months**, subject to:

1. **Letter of agreeable conditions from Adam Rozen dated October 30, 2023 (attached and made a part of these minutes)**
2. **Shared parking agreement dated November 19, 2023 (attached and made a part of these minutes), with the Trinity Baptist Church of Smyrna, Inc. and Mielke Way, LLC**
3. **Staff comments and recommendations**

MOTION: Motion by Sheffield, second by Birrell, to **approve** LUP-26 as previously read in.

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

REGULAR AGENDA

Z-32 **TOLL SOUTHEAST LP COMPANY, INC** (Cameron Farms, LLC, owner) requesting rezoning from **RR** to **RA-6** for a single-family residential subdivision in land lots 736 and 777 of the 16th district. Property is located on the northwest side of Ross Road, north of Sandy Plains Road (1901 Ross Road, 4299 Farmbrook Lane). ***(Previously continued by Staff from the September 5, 2023, Planning Commission (PC) hearing until the October 3, 2023, PC hearing; held by the PC from the October 3, 2023, PC hearing until the November 7, 2023, PC hearing).***

The public hearing was opened, and Kevin Moore addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **delete** Z-32 to the **RA-5** zoning district, subject to:

REGULAR AGENDA (CONT.)

Z-32 **TOLL SOUTHEAST LP COMPANY, INC (CONT.)**

1. **Letter of agreeable conditions from Kevin Moore dated October 30, 2023 (attached and made a part of these minutes), with the following changes:**
   A. **Item No. 4 – add to the end: *"Minimum lot size of 4,000 square feet up to 7,000 square feet or greater for the lot size."***
2. **Maximum 40% impervious surface**
3. **Maximum 91 homes**
4. **Maximum 5 units per acre and detached *only***
5. **Lot sizes: minimum 4,000 square feet to 7,000 square feet or greater**
6. ***Revised* Department of Transportation (DOT) comments and recommendations (attached and made a part of these minutes)**
7. **Land on the west side of the creek that abuts St. Charles Square remains undisturbed**
8. **Final Site Plan, Landscape Plan, and elevations to be approved by the District Commissioner**
9. **All Staff and Planning Commission comments and recommendations, *not otherwise in conflict***
10. **Hydrology Study will be required at Plan Review as indicated in the Stormwater Management Division comments and recommendations**

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

Z-39 **TUNNEL TO TOWERS FOUNDATION** (High End Group Inc, owner) requesting rezoning from **GC** to **RRC** for multifamily residential in land lot 603 of the 18th district. Property is located on the south side of South Service Road, west of Six Flags Parkway (65 South Service Road). ***(Previously continued by Staff from the October 17, 2023, Board of Commissioners' (BOC) Zoning Hearing until the November 21, 2023, BOC Zoning hearing).***

The public hearing was opened; Kevin Moore, Gavin Naples, and T.J. Ferguson addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **delete** Z-39 to a **SLUP (Special Land Use Permit)**, subject to:

1. **This SLUP is for this Applicant *only* and for a period of five years**
2. **Letters of agreeable conditions from Kevin Moore dated November 15, 2023 (attached and made a part of these minutes) and ~~October~~ September 25, 2023 (attached and made a part of these minutes), with the following changes:**

REGULAR AGENDA (CONT.)

Z-39 **TUNNEL TO TOWERS FOUNDATION (CONT.)**

A. **Item No. 3 – remove the words: *"Applicant states"* at the beginning of the sentence**
B. **Item No. 4 – add to the end: *"Final elevations to be approved by the District Commissioner."***
C. **Item No. 5 – add to the end: *"The Veterans Village Site Safety Protocol Manual/Emergency Operations Plan for the Atlanta Veterans Village, the Weapons Policy of November 1, 2020, and the Perimeter Security Plan received on November 4, 2023, from Gavin Naples shall be included as a safety plan for the development."***
D. **Item No. 7 – add to the end: *"Final landscape to the approved by the District Commissioner."***
E. **Item No. 8 – amend the second sentence to read: *"Any future use is to come back through the regular zoning process."***

3. **Any future *use* shall come back before the Board of Commissioners as a regular zoning application**
4. **Applicant to provide a Noise Attenuation Plan (should be considered when the Six Flags Park is open) for the building; such plan to be submitted during the Site Plan Review process**
5. **Quarterly meetings to be held with the community**
6. **All other Staff comments and recommendations, *not otherwise in conflict***

Clerk's Note: *In stipulation #2, the Applicant's letter with changes is dated September 25, 2023, rather than October 25, 2023, as read in.*

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

Chairwoman Cupid called for a brief recess from 11:44 a.m. until 11:54 a.m.

Following the recess, Mr. Pederson announced that there was no longer opposition to O.B. 45 (Alan Baran); therefore, the case was approved as a standalone Consent case. Mr. Pederson read in the case and its stipulations, and the motion was made to approve the case.

CONSENT AGENDA (CONT.)

O.B. 45 To consider amending the site plan and stipulations for Alan Baran regarding rezoning application Z-38 of 2012, for property located on the south side of Six Flags Parkway, east of Bishop Road in land lot 505 of the 18th district (320, 350, and 370 Six Flags Parkway). ***(Previously continued by Staff from the October 17, 2023, Board of Commissioners' (BOC) Zoning hearing until the November 21, 2023, BOC Zoning hearing).***

CONSENT AGENDA (CONT.)

O.B. 45 (CONT.)

To **approve** O.B. 45, subject to:

1. **Letter of agreeable conditions from Adam Rozen dated November 15, 2023 (attached and made a part of these minutes)**
2. **Site Plan contained in the Other Business packet (attached and made a part of these minutes), with the District Commissioner approving minor modifications**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Stormwater Management Division comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **Hours of repair shall be the same as business hours; power tools can be used from 9:00 a.m. until 5:00 p.m.**
6. **No outside storage of any trucking or repair parts, materials, or tools**
7. **Fence screening shall be added along the Six Flags Parkway frontage**
8. **All previous stipulations and conditions, *not otherwise in conflict,* to remain in effect**

MOTION: Motion by Sheffield, second by Birrell, to **approve** O.B. 45 as previously read in.

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

REGULAR AGENDA (CONT.)

LUP-19 **GONZALO CASTILLO** (Gonzalo Castillo and Beatriz Hernandez, owners) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 143 of the 20th district. Property is located on the north side of Memorial Parkway, west of Jim Owens Road (3570 Memorial Parkway). ***(Previously held by the Board of Commissioners (BOC) from the September 19, 2023, and October 17, 2023, BOC Zoning hearings until the November 21, 2023, BOC Zoning hearing).***

The public hearing was opened; Maria Morales, interpreter for Beatriz Castillo, Robert Madden, and Robert Bradford addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **deny** LUP-19, subject to:

1. **Applicant to come into compliance with only four vehicles on the property within 90 days**

REGULAR AGENDA (CONT.)

LUP-19 GONZALO CASTILLO (CONT.)

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

LUP-23 **ALFREDO DIAZ** (Alfredo Diaz Camargo, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 485 of the 18th district. Property is located on the northwest side of Grinder Court, north of Ling Way (7058 Grinder Court). ***(Held by the Planning Commission (PC) from the October 3, 2023, PC hearing until the November 7, 2023, PC hearing).***

The public hearing was opened; Sammy Ngalame, interpreter for Alfredo Diaz, and Robin Meyer addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Richardson, to **approve** LUP-23 for **12 months**, subject to:

1. **Two vehicles are to be parked in the garage**
2. **Accessory structure is not to serve as a residential dwelling or for commercial use**
3. **All other Staff comments and recommendations, *not otherwise in conflict,* with the exception of the Planning Commission recommendations 1, 2, and 3, dated November 7, 2023 (attached and made a part of these minutes)**
4. **If there is a plan to have the work vehicle past 12 months, the Applicant will be required to submit another application before the expiration of the 12-month period**

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

Chairwoman Cupid called for a lunch recess from 12:35 p.m. until 1:10 p.m.

Following the recess, due to Commissioner Birrell having a prior commitment and having to leave the hearing early, by general consensus, the Board agreed to hear three District 3 cases (Z-53 – Past Properties, LLC, LUP-25 – Anna Marie Ibarra, and OB-59 – Town Park Apts, LLC) next.

Z-53 **PAST PROPERTIES, LLC** (Estate of Etta Jean Goss, owner) requesting rezoning from **R-20** to **RA-5** for a single-family subdivision in land lot 594 of the 16th district. Property is located on the south and west side of Brown Circle and on the north side of Fairview Drive (1671 Fairview Drive).

REGULAR AGENDA (CONT.)

Z-53 **PAST PROPERTIES, LLC (CONT.)**

There was no public hearing for the case since there was no opposition present, and the Applicant waived his right to give a presentation; therefore, the following motion was made:

MOTION: Motion by Birrell, second by Richardson, to **delete** Z-53 to the **RA-5** zoning district, subject to:

1. **Maximum five units per acre**
2. **Maximum impervious surface of 40%**
3. **Final Site Plan, Landscape Plan, and elevations to be approved by the District Commissioner**
4. **All other Staff and Planning Commission comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

LUP-25 **ANNA MARIE IBARRA** (Enrique Ibarra, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 284 of the 17th district. Property is located on the north side of Carruth Drive, and on the east side of Myers Avenue (241 Carruth Drive).

There was no public hearing for the case since there was no opposition present, and the Applicant waived her right to give a presentation; therefore, the following motion was made:

MOTION: Motion by Birrell, second by Cupid, to **approve** LUP-25 for **12 months**, subject to:

1. **Applicant approved for no more than seven related adults and five vehicles in the driveway or behind the house; all vehicles shall be parked on a hardened surface**
2. **Applicant to remove two of the current seven vehicles from the property within six months**
3. **All other Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

OTHER BUSINESS

O.B. 59 To consider a stipulation amendment for Town Park Apts, LLC regarding rezoning application Z-52 of 2022 for property located on the east side of Townpark Drive, north of Chastain Road, and on the west side of I-575 in land lot 363 of the 16th district (108 Townpark Drive).

There was no public hearing for the case since there was no opposition present, and the Applicant waived his right to give a presentation; therefore, the following motion was made:

MOTION: Motion by Birrell, second by Cupid, to **approve** O.B. 59, subject to:

1. **Approve the height of the stairwell opening enclosure (65 feet 8 inches) and elevator mechanical room (71 feet 4 inches) as shown on the renderings contained in the Other Business packet (attached and made a part of these minutes); the rest of the building shall be a maximum height of 55 feet**
2. **Cobb DOT comments and recommendation contained in the Other Business packet (attached and made a part of these minutes)**
3. **Email correspondence from Kevin Moore showing support from Robin Grajeda, Board member from the Townhome HOA located off Town Park Drive (attached and made a part of these minutes)**
4. **All previous stipulations and conditions, *not otherwise in conflict with this amendment,* to remain in effect**

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

O.B. 55 To consider a stipulation amendment for Christopher Broughton regarding rezoning application Z-1 of 2023 for property located on the north side of Barber Road, west of Old Concord Road, in land lot 296 of the 17th district (411 Barber Road).

The public hearing was opened; Christopher Broughton and Sherri Barge addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Richardson, to **approve** O.B. 55, subject to:

1. **Allow Applicant two additional trucks with grinders (total of four trucks) for 12 months with the provision of installing the security cameras by November 30, 2024; Applicant to come back to the Board prior to November 30, 2024, if requesting an increase in the number of trucks**

OTHER BUSINESS (CONT.)

O.B. 55 (CONT.)

2. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
3. **All previous stipulations and conditions, *not otherwise in conflict,* to remain in effect**

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

REGULAR AGENDA (CONT.)

Z-46 **MORRISON BUILDING & INVESTMENT, LLC** (Morrison Building & Investment, LLC, owner) requesting rezoning from **R-20** to **NRC** for an office in land lot 42 of the 18th district. Property is located on the south side of Veterans Memorial Highway, north of Lee Road (259 Veterans Memorial Highway).

The public hearing was opened, and Rodney Morrison addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **delete** Z-46 to the LRO zoning district, subject to:

1. **Business hour shall be 8:00 a.m. until 7:00 p.m.**
2. **Maximum number of parking spaces to be six**
3. **No outside storage or display of merchandise**
4. **All lighting to be permanently installed and shall not illuminate adjacent residential properties**
5. **A Landscape Review Committee shall be created and composed of the Applicant, the County Arborist, and the Mableton Improvement Coalition for the landscaping enhancement strip and the landscape buffer along the residential property line**
6. **Final Landscape Plan to be approved by the District Commissioner**
7. **Landscaping to be installed no later than February 21, 2024**
8. **All other Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Gambrill not present *(Statements read in by Commissioner Birrell are attached and made a part of these minutes.)*

REGULAR AGENDA (CONT.)

LUP-24 **KENDY PIERRE** (Sonata Exavier, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 83 of the 17th district. Property is located on the northeast side of Bertram Lane and on the southwest side of Cunningham Road, northwest of Hatteras Drive (1714 Bertram Lane).

The public hearing was opened, and Kendy Pierre addressed the Board. Prior to the motion being made, Commissioner Birrell left the hearing. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **deny** LUP-24, subject to:

1. **Applicant to come into compliance with the code by November 28, 2023**

VOTE: **ADOPTED** 3-0, Birrell and Gambrill not present

OTHER BUSINESS (CONT.)

O.B. 58 To consider a stipulation amendment for Bennett Real Estate Holdings, LLC regarding rezoning application Z-48 of 2020 for property located on the south side of Veterans Memorial Highway, east of Kitchens Road, and on the north side of Wallace Road in land lot 44 of the 18th district (10 Veterans Memorial Highway).

The public hearing was opened; Sandi Bennett and Robin Meyer addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Richardson, to **approve** O.B. 58, subject to:

1. **Landscape buffer to be approved by the County Arborist, with final approval by the District Commissioner**
2. **Landscape buffer to be completed by March 1, 2024**
3. **Final Site Plan and *future use*, including a daycare or childcare related businesses, is to come back to the Board of Commissioners as a regular zoning item or application**
4. **Final elevations and Landscape Plan to be approved by the District Commissioner**
5. ***Prohibited uses* to include any car related businesses, any smoke or vape shops, check cashing businesses, pawn shops, and liquor stores**

VOTE: **ADOPTED** 3-0, Birrell and Gambrill not present

ADJOURNMENT

The hearing adjourned at 2:38 p.m.

Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

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Min. Bk. 98 Petition No. All, except
Doc. Type Comm. Birrell's LUP-24 and
statement added to the vote OB.58
Meeting Date 11-21-2023

For the record, please add to each vote taken:

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map 3 times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Cobb Board of Elections on November 15, 2022.

JoAnn K. Birrell

JoAnn K. Birrell

District 3 Commissioner

MOORE INGRAM JOHNSON & STEELE

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HARRISBURG, PENNSYLVANIA
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CAMP HILL, PA 17011
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October 30, 2023

Via E-mail Only

Min. Bk. 98 Petition No. Z-32
Doc. Type letter
Meeting Date 11-21-2023

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-32 (2023)
Applicant: Toll Southeast LP Company, Inc.
Property Owner: Cameron Farms, LLC
Property: 18.105 acres, more or less, located along the westerly side of Ross Road, northwesterly of Sandy Plains Road, Land Lots 736 and 777, 16th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent the Applicant, Toll Southeast LP Company, Inc. (hereinafter "Applicant"); as well as, the Property Owner, Cameron Farms, LLC (hereinafter "Owner" or "Property Owner"), in the above-referenced Application for Rezoning with regard to approximately 18.105 acres located along the westerly side of Ross Road, northwesterly of Sandy Plains Road, Land Lots 736 and 777, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff and County representatives, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses of surrounding properties, and ongoing communications with civic representatives and area residents, we have been authorized by the Applicant to submit this revised letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested rezoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the previous letters of agreeable stipulations and conditions dated and submitted on August 28, 2023, and September 25, 2023. The proposed, revised stipulations are as follows:

(1) Rezoning of the Subject Property shall be from the existing zoning category of Rural Residential ("RR") to the proposed, deleted zoning category of RA-5, site plan specific to the revised Zoning Site Plan prepared for Applicant by Christopher Planning & Engineering dated June 14, 2023, last revised September 21, 2023, previously submitted on September 25, 2023. A reduced copy of the revised Zoning Site Plan is attached as Exhibit "A" and incorporated herein by reference.[1]

(2) By the filing of this revised letter of agreeable stipulations and conditions, Applicant formally amends its Application for Rezoning by deleting the requested category from the RA-6 zoning category to the proposed RA-5 zoning category.

(3) The Subject Property shall be developed for a single-family residential community consisting of a maximum of ninety-one (91) homes.

(4) Applicant agrees the minimum house size for the homes in the proposed development shall be 2,600 square feet of heated and cooled living space, and shall have a minimum two-car garage.

(5) Homes in the proposed community shall contain exterior materials of brick, stone, stacked stone, cedar shake, board and batten, traditional lap-siding, hardi-plank, or any combination thereof, and shall be similar to those shown in the renderings attached collectively as Exhibit "B" in terms of exterior materials, finishes, and level of quality.

(6) No garage areas of homes within the proposed community shall be converted into heated living space or permanent storage areas for the homes. All garages shall be used primarily for the parking of vehicles with only incidental storage that does not interfere with parking for vehicles. Such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.

(7) Entrance signage shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof. Entrance landscaping shall be professionally designed, implemented, and maintained. Maintenance of the entrance area shall be by the mandatory homeowners

[1]The overall site area is 19.68 acres, as shown and reflected on the referenced, revised Zoning Site Plan. Approximately 1.575 acres is zoned R-1 pursuant to the Zoning Ordinance for the City of Marietta, Georgia, and is not part of the referenced Application for Rezoning. Applicant proposes the amenity area for the proposed residential community be located on the portion of the Property located in the City of Marietta.

association as set forth in the Declaration of Covenants, Easements, and Restrictions.

(8) All homes within the proposed community shall be "for sale" residences. There shall be no more than a maximum of ten (10) percent of the homes leased at any one time; and such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.

(9) Applicant agrees to the creation of a mandatory homeowners association consistent with communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all private streets, entrance areas, common areas, open space areas, amenity area, mail kiosk, landscaping around detention areas, and the like, contained within the proposed residential community.

(10) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which will contain covenants, rules, and regulations applicable to the proposed development.

(11) Landscaping of the entrance areas; as well as the frontage of the proposed community along the public street shall be professionally designed and implemented.

(12) The proposed community shall have private streets.

(13) Applicant agrees the Declaration of Covenants, Easements, and Restrictions shall include a provision the community streets will remain private, in perpetuity.

(14) Applicant agrees to establish and fund a separate account for the benefit of the future homeowners association for purposes of future private street maintenance. Prior to approval of the initial final plat, Applicant agrees to perform a third-party street maintenance reserve study, subject to review and approval by the Cobb County Department of Transportation, and Applicant shall fund the private street maintenance reserve fund with the prescribed amount as determined in the reserve study.

(15) Applicant agrees the construction of the private streets shall be to public street standards with respect to the profile of the pavement sections.

(16) Applicant shall be permitted to install mountable curb, rather than high-back curb, to provide better aesthetics and less transitions.

(17) As a result of the imposition of the above-referenced conditions related to private streets, Applicant shall not be required to meet Cobb County Department of Transportation standards related to the distance between driveways, width of required County right-of-way, orientation of on-street parking, and the distance between driveways and the intersection of Ross Road.

(18) Minor modifications to the within stipulations, the referenced, revised Zoning Site Plan, lighting, signage, landscaping, building architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:

(a) Increase the density of a residential project or the overall square footage of a non-residential project;

(b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

(c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;

(d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;

(e) Change an access location to a different roadway;

(f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;

(g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or

(h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

Petition No. Z-32
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Continued

(19) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.

(20) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed areas must be replanted with like vegetation.

We believe the requested zoning, pursuant to the revised Zoning Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the Property, the residents and communities surrounding the Property, and the community and area surrounding the proposed development as a whole. The proposed community shall be a quality development, as established by Applicant in previous developments in Cobb County and the Metropolitan Atlanta area, and shall provide a much needed and highly sought-after type of community within the Cobb County area. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments

Petition No. Z-32
Meeting Date 11-21-2023
Continued

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

Cobb County Planning Commission:
Stephen Vault, Chairman
David Anderson
Fred Beloin
Deborah Dance
Michael Hughes
(With Copies of Attachments)

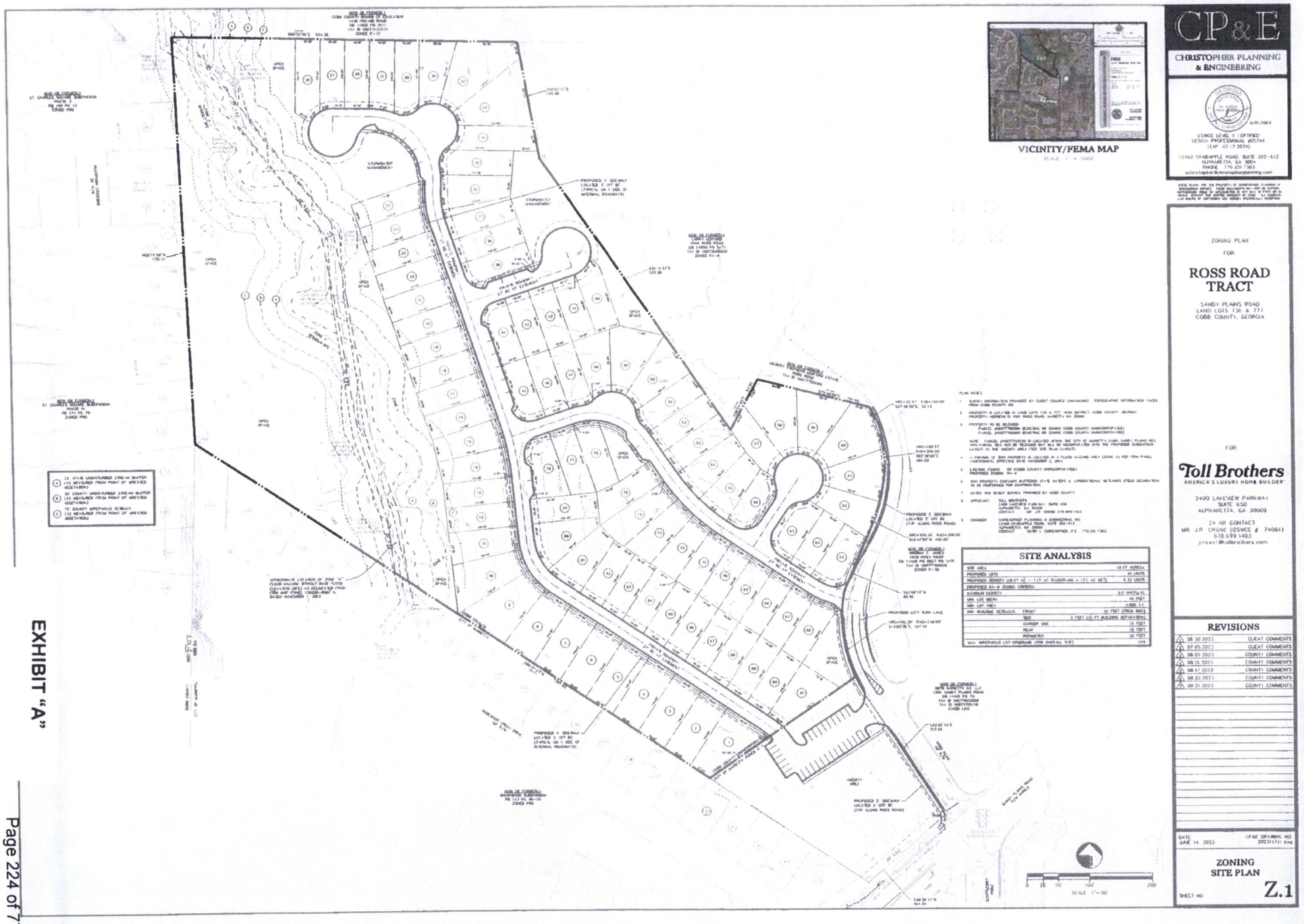
Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Carol Brown
Canton Road Neighbors
(With Copies of Attachments)

Loraine DiSalvo
Area Resident
(With Copies of Attachments)

Toll Southeast LP Company, Inc.
(With Copies of Attachments)

Petition No. Z-32
Meeting Date 11-21-2023
Continued



CP&E
CHRISTOPHER PLANNING & ENGINEERING
GSWCC LEVEL II CERTIFIED DESIGN PROFESSIONAL #05744 (EXP. 02.17.2024)
12980 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
PHONE: 770.331.7303
schris1@alo4@chrisplanningplanning.com

ZONING PLAN
FOR:
ROSS ROAD TRACT
SANDY PLAINS ROAD
LAND LOTS 736 & 737
COBB COUNTY, GEORGIA

FOR:
Toll Brothers
AMERICA'S LUXURY HOME BUILDER
2400 LAKEVIEW PARKWAY
SUITE 650
ALPHARETTA, GA 30009
24 HR CONTACT:
MR. J.R. CROWE (GSWCC # 74061)
678.699.1403
jrcrowe1@tollbrothers.com

EXHIBIT "A"

Petition No. Z-32
Meeting Date 11-21-2023
Continued

Sawnee-6ZT Cottage-0K



EXHIBIT "B"

Petition No. Z-32
Meeting Date 11-21-2023
Continued

Sawnee-6ZT Farmhouse-14



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Sawnee-6ZT Traditional-20



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Chestatee-6ZS Cottage-0K



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Chestatee-6ZS Farmhouse-14



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Chestatee-6ZS Traditional-20



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Tallulah-8SD Cottage-0K



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Tallulah-8SD Farmhouse-14



Petition No. Z-32
Meeting Date 11-21-2023
Continued

Tallulah-8SD Traditional-20



Min. Bk. 98 Petition No. Z-32
Doc. Type Revised DOT comments and recommendations
Meeting Date 11-21-2023

Z-32-2023 **DEPARTMENT COMMENTS – CCDOT** **REVISED 11/17/23**

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Ross Road	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Ross Road	NA	NA	NA

NA = Not Available

ITE Land Use	Description	Expected Size (units)	AM			PM			Daily (vpd)
			In (vph)	Out (vph)	Total (vph)	In (vph)	Out (vph)	Total (vph)	
210	Single Family Homes	105	19	54	**74**	62	37	**99**	**990**

vph = vehicles per hour, vpd = vehicles per day

Development gross trip generation based on available development size and rates from the Institute of Transportation Engineers (ITE) Trip Generation, 11th edition.

Comments and observations

Ross Road is classified as a local roadway and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

In accordance with Cobb County Code 134-121 and based on site plan received July 6, 2023, this development requires a traffic impact study submittal. Our department received a Submittal 1 traffic study dated July 6, 2023. The recommendations below are based on the information received. Cobb DOT provided traffic study comments for Submittal 1 on 8-29-2023 and gave approval for proceeding to Submittal 2. Submittal 2 was received on 10/17/2023 and approved on 10/30/2023. The traffic study requirement is considered satisfied for this zoning case.

A revised Stipulation Letter and Site Plan was received on October 30, 2023. The Cobb DOT recommendations below were revised based on this additional information.

Recommendations

1. Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Ross Road, a minimum of 25' from the roadway centerline. The revised site plan (received September 25, 2023) appears to comply with this recommendation with the proposed right of way line shown on the site plan.

Petition No. Z-32
Meeting Date 11-21-2023
Continued

Z-32-2023 **DEPARTMENT COMMENTS – CCDOT** **REVISED 11/17/23**

(continued)

2. Recommend installing curb, gutter, and sidewalk along the Ross Road frontage to meet Cobb DOT standards. This recommendation is pursuant to Cobb County Development Standard 401.15, Curbs and Gutters (including subsections), Cobb County Development Standard 404 Sidewalks and Pathways, Cobb County Development Standard 405 Accessibility Requirements, and Cobb County Development Standard Detail 106, Concrete Curbs, Medians. The revised site plan (received September 25, 2023) appears to comply with this recommendation.

3. Recommend Ross Road access include left turn lane to address safety due to the density of the proposed development. This recommendation is pursuant to Cobb County Development Standard 402.10, Left Turn Lane Design Guidelines, and Cobb County Development Standard Detail 401F, Left Turn Lane. Cobb DOT also follows Table 9-24 and Figure 9-35 recommendations published in the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (Green Book), 7th Edition. Recommend location and design of the left turn lane be determined during plan review, subject to Cobb DOT approval. The revised site plan (received September 25, 2023) appears to comply with this recommendation with the conceptual left turn lane shown on the site plan.

4. All signage and landscaping should be installed off county right-of-way and where it will not impede the line of sight for the driveways or roadways. The revised site plan received (received September 25, 2023) does not show location of landscape. However, the revised stipulation letter (received September 25, 2023) acknowledges this recommendation.

5. Recommend mail kiosk for proposed development be located off the right-of-way and either on the inward traffic flow or adjacent to off-street guest parking. This recommendation is to address safety because of the potential of illegal parking movements crossing opposing traffic. The revised site plan (received September 25, 2023) does not show location of mail kiosk.

6. Recommend a minimum of 50' feet straight-line distance (from end of intersection curb return to start of driveway curb return) between the first residential driveway and Ross Road. This recommendation is pursuant to Cobb County Development Standard 402.7 and Cobb County Development Standard Detail 116R, Residential Driveway Standard. Based on revised site plan (received September 25, 2023) sites 65 and 66 appear to have difficulty meeting this requirement. The revised stipulation letter (received October 30, 2023) addresses this comment in stipulation (17). CCDOT is aggregable to the stipulation, except for, the distance to Ross Road. Anything that affects the public ROW, must still comply

Z-32-2023 **DEPARTMENT COMMENTS – CCDOT** **REVISED 11/17/23**

(continued)

with the County standards. Final location of driveways can be determined during plan review.

7. Recommend a minimum of 50 feet straight-line distance (from end of curb return to start of adjacent curb return) between any residential driveways and interior roadways, adjacent curves, on-street parking or driveways. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways and Cobb County Development Standard Detail 116R, Residential Driveway Standard. Based on the revised site plan (received September 25, 2023), the proposed lots do not appear to have sufficient frontage to meet this requirement.

8. Recommend curb and gutter along both sides and sidewalk along one side of proposed private roadway. Because of the tight driveway spacing, interior rollback curb may be considered for implementation in Plan Review, subject to Cobb County DOT approval. The revised site plan (received September 25, 2023) appears to comply with this recommendation.

9. Recommend private streets, lighting, and utilities be constructed to the Cobb County Standard Specifications for public streets. Private streets that do not meet Cobb DOT specifications for public streets cannot be considered for potential future transfer to Cobb County. This recommendation is pursuant to Cobb County Development Standard 401, Streets and Access (including subsections) and Cobb County Development Standard Details, including the following: Detail 110A, Typical Section Residential Street; Detail 100B, Residential Street Grading; Detail 104a, Typical Residential Cul-de-sac; Detail 104b, Typical Offset Cul-de-sac; and Detail 113, Sidewalks. The revised site plan and stipulation letter (received September 25, 2023) do not comply with this recommendation, primarily due to frontage length limitations. The revised stipulation letter (received October 30, 2023) addresses this comment in stipulations (12) through (17). CCDOT is aggregable to the stipulations except for the distance to Ross Road, as described in comment #6 above.

10. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

11. Recommend coordination with City of Marietta for any improvements that impact City right of way.

12. Recommend a traffic study pursuant to Code Section 134-121(b)(8). Study assumptions (such as study intersections, trip distribution, future analysis years, and annual growth rate) should be submitted in a memorandum (Submittal 1) and agreed to by Cobb DOT before continuing the full traffic study (Submittal 2). A traffic Submittal 1 (dated July 6,

Petition No. Z-32
Meeting Date 11-21-2023
Continued

Z-32-2023 **DEPARTMENT COMMENTS – CCDOT** **REVISED 11/17/23**

(continued)

2023) was received for this development and was approved by Cobb DOT on August 29, 2023. Cobb DOT recommendations may be revised after the Submittal 2 study's receipt. Submittal 2 was received on 10/17/2023 and approved on 10/30/2023. The traffic study requirement is considered satisfied for this zoning case.

MOORE INGRAM JOHNSON & STEELE

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JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
390 N. ORANGE AVENUE
SUITE 625
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PA 17011
TELEPHONE (717) 790-2854

November 15, 2023

Via E-mail Only

Min. Bk. 98 Petition No. Z-39
Doc. Type Letter from Kevin Moore (74 pages w/attachments)
Meeting Date 11-21-2023

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-39 (2023)
Applicant: Tunnel to Towers Foundation
Property Owner: High End Group Inc.
Property: 3.34 acres, more or less, located on the southerly side of South Service Road, south of Interstate 20, easterly of Riverside Parkway, and westerly of Six Flags Parkway, being more particularly known as 65 South Service Road, Land Lots 603 and 690, 18th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant, Tunnel to Towers Foundation (hereinafter "Applicant"); as well as, the Property Owner, please allow this correspondence to serve as a supplement to the letter of agreeable stipulations and conditions dated and submitted to your office on September 25, 2023, as follows:

Upon review of the Cobb County Professional Staff's recommendation to delete the subject rezoning request to approval of a Special Land Use Permit ("SLUP") in compliance with § 134-227 ("GC") (12)(i), which contains minimum standards for suite hotels, Applicant is agreeable only if the following is included:

(1) Due to the nature of the proposed use which converts existing hotel rooms into occupied residential units, subsection (15) that "no facility under this section is to

be converted or used as an apartment or condominium," shall be revised and only applicable as follows:

> No facility under this section is to be converted or used primarily as a market-rate apartment or condominium.

(2) Applicant agrees to implement the Safety and Security Plans which may only be modified in the future by approval of the Cobb County Public Safety Director. Copies of the Safety and Security Plans are attached collectively as Exhibit "A" and incorporated herein by reference.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

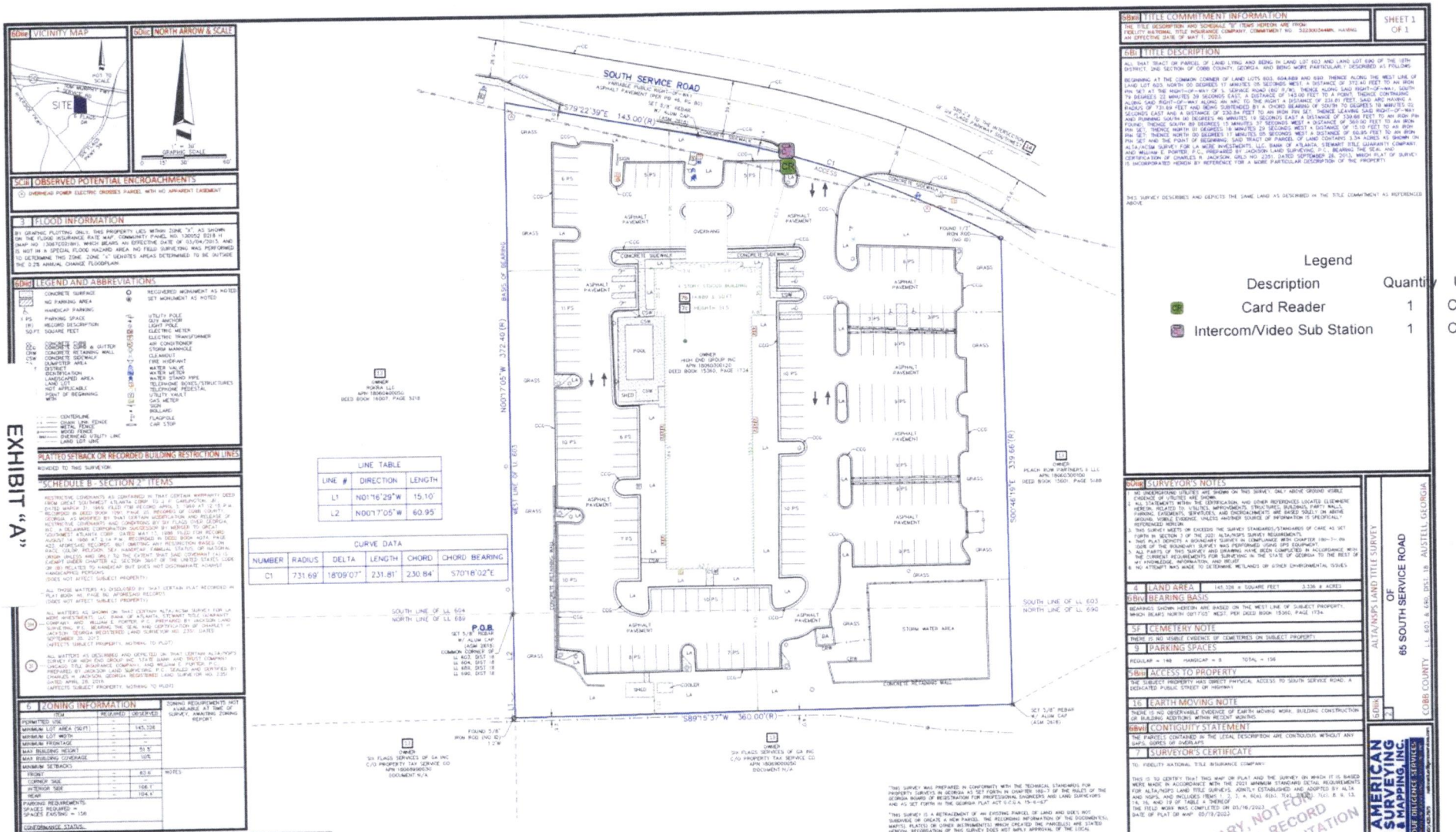
JKM:cc
Attachments
c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Mableton Improvement Coalition
(With Copies of Attachments)

c: Tunnel to Towers Foundation
(With Copies of Attachments)

EXHIBIT "A"



LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N01°16'29"W	15.10'
L2	N00°17'05"W	60.95'

CURVE DATA

NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	731.69'	18°09'07"	231.81'	230.84'	S70°18'02"E

6bii TITLE COMMITMENT INFORMATION

THE TITLE DESCRIPTION AND SCHEDULE "B" ITEMS HEREON ARE FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 5323001244RR, HAVING AN EFFECTIVE DATE OF MAY 1, 2023

SHEET 1 OF 1

6bi TITLE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 603 AND LAND LOT 690 OF THE 18TH DISTRICT, 2ND SECTION OF COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE COMMON CORNER OF LAND LOTS 603, 604,689 AND 690 THENCE ALONG THE WEST LINE OF LAND LOT 603, NORTH 00 DEGREES 17 MINUTES 05 SECONDS WEST A DISTANCE OF 372.40 FEET TO AN IRON PIN SET AT THE RIGHT-OF-WAY OF S. SERVICE ROAD (60' R.W.); THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 79 DEGREES 22 MINUTES 39 SECONDS EAST, A DISTANCE OF 143.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG AN ARC TO THE RIGHT A DISTANCE OF 231.81 FEET, SAID ARC HAVING A RADIUS OF 731.69 FEET AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 70 DEGREES 18 MINUTES 02 SECONDS EAST AND A DISTANCE OF 230.84 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING SOUTH 00 DEGREES 48 MINUTES 15 SECONDS EAST A DISTANCE OF 339.66 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 15 MINUTES 37 SECONDS WEST A DISTANCE OF 360.00 FEET TO AN IRON PIN SET; THENCE NORTH 01 DEGREES 16 MINUTES 29 SECONDS WEST A DISTANCE OF 15.10 FEET TO AN IRON PIN SET; THENCE NORTH 00 DEGREES 17 MINUTES 05 SECONDS WEST A DISTANCE OF 60.95 FEET TO AN IRON PIN SET AND THE POINT OF BEGINNING, SAID TRACT OF PARCEL OF LAND CONTAINS 3.34 ACRES AS SHOWN ON ALTA/NSPS SURVEY FOR LA MORE INVESTMENTS, LLC, BANK OF ATLANTA, STEWART TITLE GUARANTY COMPANY AND WILLIAM E. PORTER, P.C., PREPARED BY JACKSON LAND SURVEYING, P.C., BEARING THE SEAL AND CERTIFICATION OF CHARLES H. JACKSON, GRLS NO. 2351, DATED SEPTEMBER 26, 2012, WHICH PLAT OF SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY.

THIS SURVEY DESCRIBES AND DEPICTS THE SAME LAND AS DESCRIBED IN THE TITLE COMMITMENT AS REFERENCED ABOVE.

Legend

Description	Quantity	Ur
Card Reader	1	Co
Intercom/Video Sub Station	1	Co

6biii SURVEYOR'S NOTES

1. UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN.
2. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
3. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 5 OF THE 2021 ALTA/NSPS SURVEY REQUIREMENTS.
4. THIS PLAT DEPICTS A BOUNDARY SURVEY IN COMPLIANCE WITH CHAPTER 180-7-.05 (3)(B) OF THE BOUNDARY SURVEY WAS PERFORMED USING GPS EQUIPMENT.
5. ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS FOR SURVEYING IN THE STATE OF GEORGIA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.
6. NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES.

4 LAND AREA

145,328 ± SQUARE FEET | 3.336 ± ACRES

6bvi BEARING BASIS

BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SUBJECT PROPERTY, WHICH BEARS NORTH 00°17'05" WEST, PER DEED BOOK 15361, PAGE 1734.

5F CEMETERY NOTE

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

9 PARKING SPACES

REGULAR = 148 HANDICAP = 8 TOTAL = 156

5Biii ACCESS TO PROPERTY

THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO SOUTH SERVICE ROAD, A DEDICATED PUBLIC STREET OR HIGHWAY.

16 EARTH MOVING NOTE

THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

6bvii CONTIGUITY STATEMENT

THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS.

7 SURVEYOR'S CERTIFICATE

TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 13, 14, 16, AND 19 OF TABLE A THEREOF.
THE FIELD WORK WAS COMPLETED ON 05/16/2023
DATE OF PLAT OR MAP: 05/18/2023

DATE

REGISTERED LAND SURVEYOR NO.
STATE OF GEORGIA
PROJECT NO. 2023-0043

SURVEY PERFORMED BY:
AMERICAN SURVEYING & MAPPING, INC.
221 CRESTMOOR DRIVE, MAITLAND, FL 32751
OR
CERTIFICATE OF AUTHORIZATION # LSF001134
PHONE (407) 426-7979
FAX (407) 426-9741 THIS DOCUMENT SHOULD BE CONSIDERED INVALID WITHOUT INFO@AMERICORPORATE.COM A LICENSED SURVEYOR'S SIGNATURE AND SEAL

PRELIMINARY, NOT FOR CONSTRUCTION, RECORD PURPOSES, OR IMPLEMENTATION

6bvi VICINITY MAP

6bvi NORTH ARROW & SCALE

5Ciii OBSERVED POTENTIAL ENCROACHMENTS

- OVERHEAD POWER ELECTRIC CROSSES PARCEL WITH NO APPARENT EASEMENT

3 FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13067C 0218 H (MAP NO. 13067C0218H), WHICH BEARS AN EFFECTIVE DATE OF 03/04/2013, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

6bviii LEGEND AND ABBREVIATIONS

- CONCRETE SURFACE
- NO PARKING AREA
- HANDICAP PARKING
- 5 PS — PARKING SPACE
- (R) — RECORD DESCRIPTION
- SQ.FT. — SQUARE FEET
- CONCRETE CURB & GUTTER
- CRW — CONCRETE RETAINING WALL
- CSW — CONCRETE SIDEWALK
- DUMPSTER AREA
- DISTRICT
- DEMARCATION
- LANDSCAPED AREA
- LAND LOT
- NOT APPLICABLE
- POINT OF BEGINNING
- WITH
- CENTERLINE
- CHAIN LINK FENCE
- METAL FENCE
- WOOD FENCE
- OVERHEAD UTILITY LINE
- LAND LOT LINE
- RECOVERED MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- UTILITY POLE
- GUY ANCHOR
- LIGHT POLE
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- AIR CONDITIONER
- STORM MANHOLE
- CLEANOUT
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- WATER STAND PIPE
- TELEPHONE BOXES/STRUCTURES
- TELEPHONE PEDESTAL
- UTILITY VAULT
- GAS METER
- SIGN
- BOLLARD
- FLAGPOLE
- STOP — CAP / STOP

PLATTED SETBACK OR RECORDED BUILDING RESTRICTION LINES

NOTED(S) TO THIS SURVEYOR:

SCHEDULE B - SECTION 2* ITEMS

(10) RESTRICTIVE COVENANTS AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM GREAT SOUTHWEST ATLANTA CORP TO J. F. CARLINGTON, JR., DATED MARCH 31, 1969, FILED FOR RECORD APRIL 3, 1969 AT 12:15 P.M., RECORDED IN DEED BOOK 1797, PAGE 22, RECORDS OF COBB COUNTY, GEORGIA, AS MODIFIED BY THAT CERTAIN MODIFICATION AND RELEASE OF RESTRICTIVE COVENANTS AND CONDITIONS BY BY FLAG STOP GEORGIA, INC., A DELAWARE CORPORATION SUCCESSOR BY MERGER TO GREAT SOUTHWEST ATLANTA CORP., DATED MAY 15, 1986, FILED FOR RECORD AUGUST 14, 1986 AT 3:14 P.M., RECORDED IN DEED BOOK 4019, PAGE 422, AFORESAID RECORDS, BUT OMITTING ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS. (DOES NOT AFFECT SUBJECT PROPERTY)

(11) ALL THOSE MATTERS AS DISCLOSED BY THAT CERTAIN PLAT RECORDED IN PLAT BOOK 46, PAGE 80, AFORESAID RECORDS. (DOES NOT AFFECT SUBJECT PROPERTY)

(12) ALL MATTERS AS SHOWN ON THAT CERTAIN ALTA/ACSM SURVEY FOR LA MORE INVESTMENTS, LLC, BANK OF ATLANTA, STEWART TITLE GUARANTY COMPANY AND WILLIAM E. PORTER, P.C., PREPARED BY JACKSON LAND SURVEYING, P.C., BEARING THE SEAL AND CERTIFICATION OF CHARLES H. JACKSON, GEORGIA REGISTERED LAND SURVEYOR NO. 2351, DATED SEPTEMBER 26, 2012. (AFFECTS SUBJECT PROPERTY, NOTHING TO PLOT)

(13) ALL MATTERS AS DISCLOSED BY THAT CERTAIN ALTA/NSPS SURVEY FOR HIGH END GROUP INC, STATE BANK AND TRUST COMPANY, CHICAGO TITLE INSURANCE COMPANY, AND WILLIAM E. PORTER, P.C., PREPARED BY JACKSON LAND SURVEYING, P.C., SEALED AND CERTIFIED BY CHARLES H. JACKSON, GEORGIA REGISTERED LAND SURVEYOR NO. 2351, DATED APRIL 28, 2016. (AFFECTS SUBJECT PROPERTY, NOTHING TO PLOT)

6 ZONING INFORMATION

ITEM	REQUIRED	OBSERVED
PERMITTED USE	-	-
MINIMUM LOT AREA (SQFT)	-	145,328
MINIMUM LOT WIDTH	-	-
MINIMUM FRONTAGE	-	-
MAX BUILDING HEIGHT	-	51.5'
MAX BUILDING COVERAGE	-	10%
MINIMUM SETBACKS		
FRONT	-	63.6'
CORNER SIDE	-	-
INTERIOR SIDE	-	198.1'
REAR	-	194.1'

PARKING REQUIREMENTS:
SPACES REQUIRED =
SPACES EXISTING = 156

CONFORMANCE STATUS:

ZONING REQUIREMENTS NOT AVAILABLE AT TIME OF SURVEY, AWAITING ZONING REPORT.

NOTES

ALTA/NSPS LAND TITLE SURVEY IDENTIFICATION TABLE

1	"TABLE A" PROPERTY ADDRESS	5Biii	CONTIGUITY STATEMENT
2	"TABLE A" FLOOD INFORMATION	5Biv	TITLE COMMITMENT INFORMATION
3	"TABLE A" LAND AREA	5Bv	BOUNDARY ENCROACHING MARKS IF FOUND
4	ACCESS TO PROPERTY	6bvi	NORTH ARROW & SCALE
5	OFFSITE EASEMENTS BENEFITING PROPERTY	6bviii	LEGEND & ABBREVIATIONS
5Ci	OFFSITE EASEMENTS AFFECTING PROPERTY	6bvi	VICINITY MAP
5F	CEMETERY NOTE	6biii	SURVEYOR'S NOTES
6	"TABLE A" ZONING INFORMATION	7	SURVEYOR'S CERTIFICATE
6bi	TITLE DESCRIPTION	8	"TABLE A" BUILDING AREA
6bvi	BEARING BASIS	9	"TABLE A" BUILDING HEIGHT
6bii	TITLE COMMITMENT INFORMATION	10	"TABLE A" PARKING SPACES
6bvii	CONTIGUITY STATEMENT	11	"TABLE A" DIVISION/PARTY WALLS
6biii	SURVEYOR'S NOTES	12	"TABLE A" UTILITY INFORMATION
7	SURVEYOR'S CERTIFICATE	13	"TABLE A" ADJOINING OWNERS
8	"TABLE A" BUILDING AREA	14	"TABLE A" INTERSECTING STREET
9	"TABLE A" BUILDING HEIGHT	16	"TABLE A" EARTH MOVING NOTE
10	"TABLE A" PARKING SPACES	17	"TABLE A" RIGHT-OF-WAY CHANGES
11	"TABLE A" DIVISION/PARTY WALLS	18	"TABLE A" OTHER EASEMENT OR ENTITLEMENT

GLOBAL POSITIONING SYSTEM NOTE

POSITIONAL ACCURACY:	DOES NOT EXCEED 0.07' PLUS 50 PARTS PER MILLION
TYPE OF GPS FIELD PROCEDURE:	RTK
TYPE OF EQUIPMENT USED:	SOKKIA GRX3
DATES OF SURVEY:	05/14/2023–05/16/2023
DATUM/EPOCH:	NAD 83(2011) (EPOCH 2010.0000)
PUBLISHED/FIXED—CONTROL USE:	LOCAL
GEOID MODEL:	18
COMBINED GRID FACTOR(S):	1
CONFIDENCE LEVEL:	95%

DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET

TABLE OF REFERENCES

DEED BOOK 15361	PAGE 1734
DEED BOOK 15361	PAGE 1738
DEED BOOK 15361	PAGE 1742
PLAT BOOK 46	PAGE 80

8 SUBSTANTIAL FEATURES OBSERVED

SUBSTANTIAL ABOVE GROUND FEATURES THAT WERE OBSERVED ON THE SUBJECT PARCEL, SUCH AS PARKING AREAS, DRIVES, WALKS, PLANTERS/LANDSCAPE AREAS AND OTHER, HAVE BEEN LOCATED AS SHOWN HEREON. NOTE: THERE WERE NO OBSERVED SUBSTANTIAL AREAS OF REMISE ON THE SUBJECT PARCEL PER THE DATE OF THIS SURVEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

"THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE."

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 152,378 FEET.

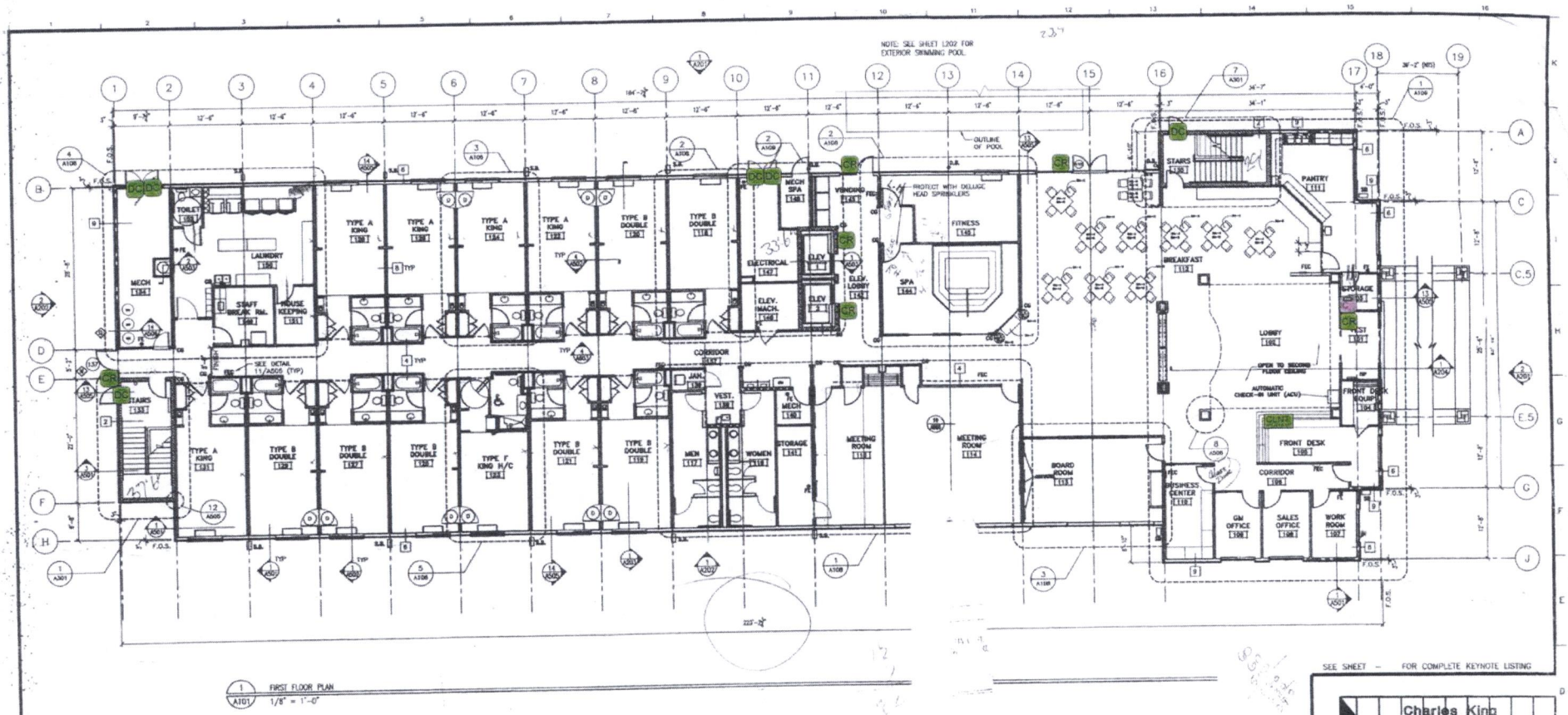
DATE	REVISIONS	TECH	DATE	REVISIONS	TECH

FIELD	JS	GRAPHIC SCALE	1"=30'
DRAWN BY	SBN	DC BY	TAE/05/18/23
DRAWING NAME	2318589-ASBUILT-GA DWG		

ALTA/NSPS LAND TITLE SURVEY
OF
65 SOUTH SERVICE ROAD
COBB COUNTY, LL 603 & 690, DIST 18, AUSTELL, GEORGIA

SDNK | 2

AMERICAN SURVEYING & MAPPING, INC.
NDDS NATIONAL DUE DILIGENCE SERVICES
221 Crestmoor Drive, Maitland, FL 32751 | Phone (407) 426-7979 | www.americorporate.com



1 / A101 FIRST FLOOR PLAN
1/8" = 1'-0"

SEE SHEET – FOR COMPLETE KEYNOTE LISTING

Legend

	Description	Quantity	Unit
ACU	Access Control Client Workstation, Desk Mount	1	Count
CR	Card Reader	6	Count
DC	Door Contact	6	Count
	Intercom/Video Sub Station	1	Count

REFER TO ENLARGED PLANS FOR ADDITIONAL DIMENSIONING AND INFORMATION.

DIMENSIONING

EXTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

INTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

FEC	10# FIRE EXTINGUISHER CABINET - SEE 11/A505
FE	10# FIRE EXTINGUISHER, WALL MOUNTED
CG	CORNER GUARD - SEE 7/A506
FAP	FIRE ANNUCIATOR PANEL
EWC	ELECTRIC WATER COOLER
C.B.	CONC. SPLASH BLOCK (SEE SITE PLAN)
D.B.	ROOF DRAIN BOOT (SEE SITE PLAN)
S.B.	SPLASH BLOCK

NOTES:
1. EXTEND ALL FIRE PARTITIONS TO DECK ABOVE. SEAL AS REQUIRED TO MAINTAIN FIRE RATING.
2. SEE SHEET A607 FOR A COMPLETE LISTING OF ALL FINISHES.
3. SEE SHEET A109 FOR A COMPLETE LISTING OF COMMON AREA FURNITURE.
4. AT LEAST 5% OF BREAKFAST TABLES TO HAVE TOPS 28"-34" HIGH, WITH AT LEAST 27" HIGH KNEE SPACE.

PARTITION LEGEND
- DRYWALL PARTITION (AS NOTED)
- ACOUSTICAL PARTITION
- GWB PARTITION
- ONE-HOUR FIRE RATED PARTITION
- TWO-HOUR FIRE RATED PARTITION

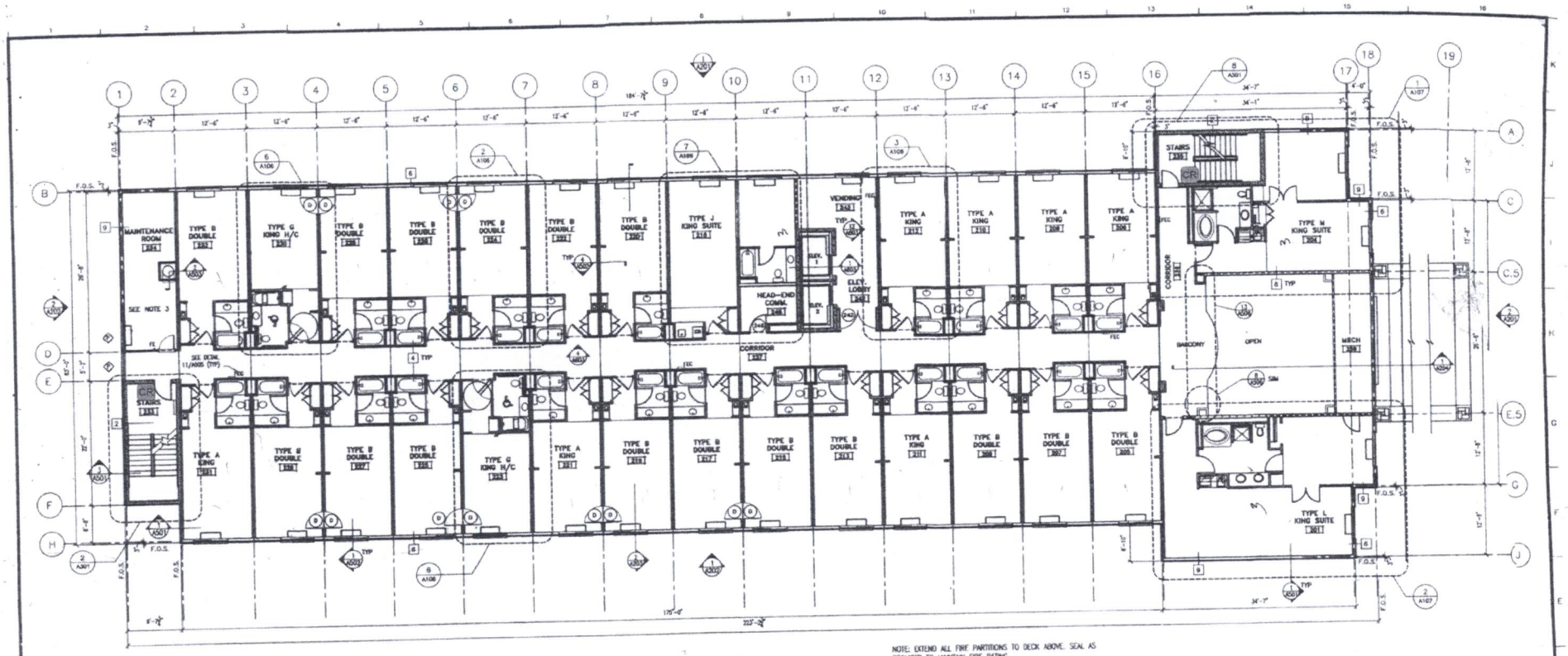
Charles King Architects & Associates, Inc.
1200 Market St. #25
Chattanooga, TN 37402
(423)267-2464 Fax(423)267-2457
www.CKAA.NET/e-mail ckaa@mindspring.com

WINGATE INN
AUSTELL GA.

Job No.	0124
Drawn by:	VJL
Checked by:	CDK
Date:	1/16/02
Title:	1ST FLOOR PLAN
Page:	A101

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0124A101



NOTE: EXTEND ALL FIRE PARTITIONS TO DECK ABOVE. SEAL AS REQUIRED TO MAINTAIN FIRE RATING

SEE SHEET – FOR COMPLETE KEYNOTE LISTING

1 / A102 SECOND FLOOR PLAN
1/8" = 1'-0"

23
of
161

Legend

Description	Quantity	Unit
Card Reader	2	Count

REFER TO ENLARGED PLANS FOR ADDITIONAL DIMENSIONING AND INFORMATION.

DIMENSIONING

EXTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

INTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

FEC	10# FIRE EXTINGUISHER CABINET –SEE 5/A–6.06
FE	10# FIRE EXTINGUISHER, WALL MOUNTED
CG	CORNER GUARD –SEE 7/A–6.07
FAP	FIRE ANNUCIATOR PANEL
EWC	ELECTRIC WATER COOLER
C.B.	CONC. SPLASH BLOCK (SEE SITE PLAN)
D.B.	ROOF DRAIN BOOT (SEE SITE PLAN)

NOTES:
1. EXTEND ALL FIRE PARTITIONS TO DECK ABOVE. SEAL AS REQUIRED TO MAINTAIN FIRE RATING.
2. SEE SHEET A607 FOR A COMPLETE LISTING OF ALL FINISHES.
3. SEE ELECTRICAL DRAWINGS FOR LOCATION AND TYPES OF ELECTRICAL AND PHONE OUTLETS TO BE USED IN MAINTENANCE ROOM (#234).

PARTITION LEGEND
- DRYWALL PARTITION (AS SCHEDULED)
- ACOUSTICAL PARTITION
- GWB PARTITION
- ONE-HOUR FIRE RATED PARTITION
- TWO-HOUR FIRE RATED PARTITION

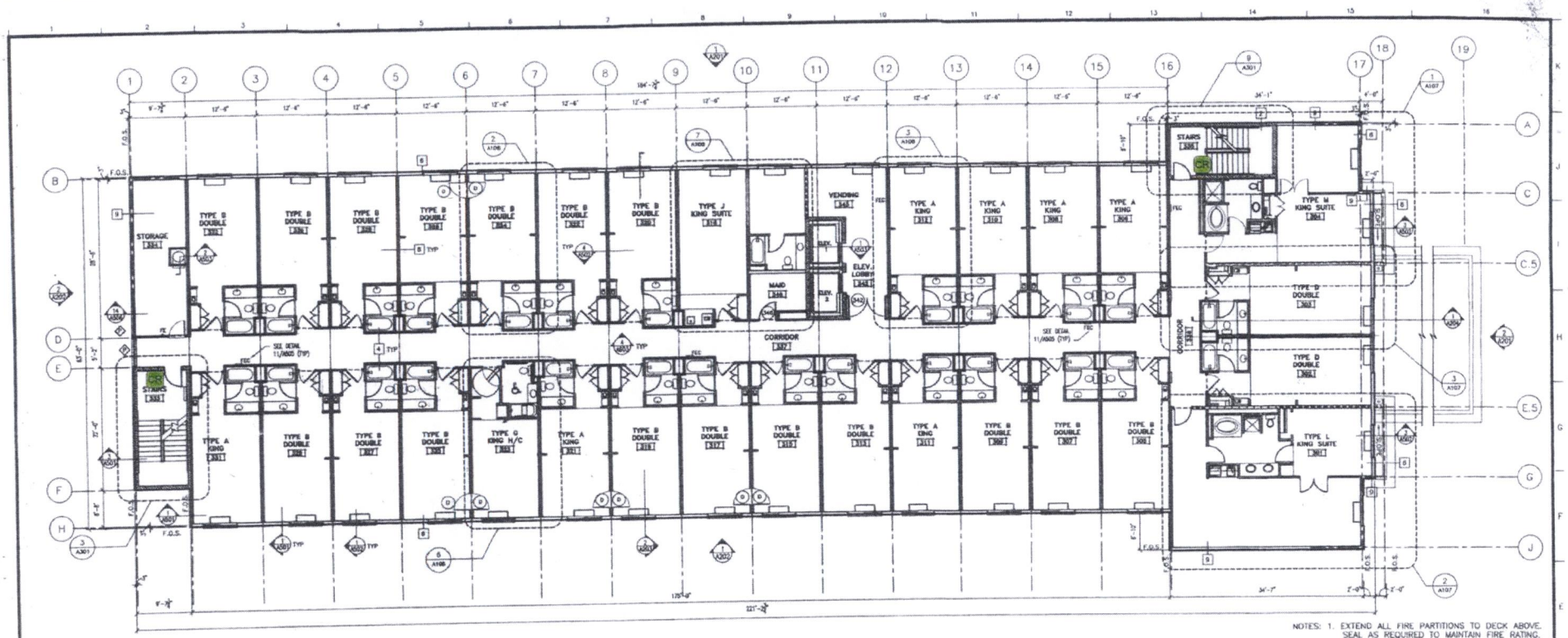
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1206 Market St. #25
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(423)267-2464 FAX(423)267-7467
www.CKAA.NET/e-mail ckaa@ckaa.net

WINGATE INN
AUSTELL, GA.

Job No.	0124
Drawn by:	V.E.
Checked by:	C.K.
Date:	1/15/02
Title:	2ND FLOOR PLAN
Page:	A102

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0124A102



1/A103 THIRD FLOOR PLAN
1/8" = 1'-0"

NOTES: 1. EXTEND ALL FIRE PARTITIONS TO DECK ABOVE. SEAL AS REQUIRED TO MAINTAIN FIRE RATING.
2. SEE SHEET A607 FOR A COMPLETE LISTING OF ALL FINISHES.

SEE SHEET A001 FOR COMPLETE KEYNOTE LISTING

Legend

Description	Quantity	Unit
CR Card Reader	2	Count

REFER TO ENLARGED PLANS FOR ADDITIONAL DIMENSIONING AND BFORMATION.

DIMENSIONING

EXTERIOR
TO COLUMN LINE IR
TO FACE OF STUDOR MASONRY
UNLESS OTHERWIDE NOTED

INTERIOR
TO COLUMN LINEOR
TO FACE OF STUI OR MASONRY
UNLESS OTHERWSE NOTED

FEC	10# FIRE EXTINGUISHER CABINET -SEE 5/A-6.06
FE	10# FIRE EXTINGUISHER, WALL MOUNTED
CG	CORNERGUARD -SEE 7/A-6.07
FAP	FIRE ANNUCIATOR PANEL
EWC	ELECTRIC WATER COOLER
C.B.	CONC. SPLASH BLOCK (SEE SITE PLAN)
D.B.	ROOF DRAIN BOOT (SEE SITE PLAN)

PARTITION LEGEND

- DRYWALL PARTITION (AS SCHEDULED)
- ACOUSTICAL PARTITION
- CMU PARTITION
- ONE-HOUR FIRE RATED PARTITION
- TWO-HOUR FIRE RATED PARTITION

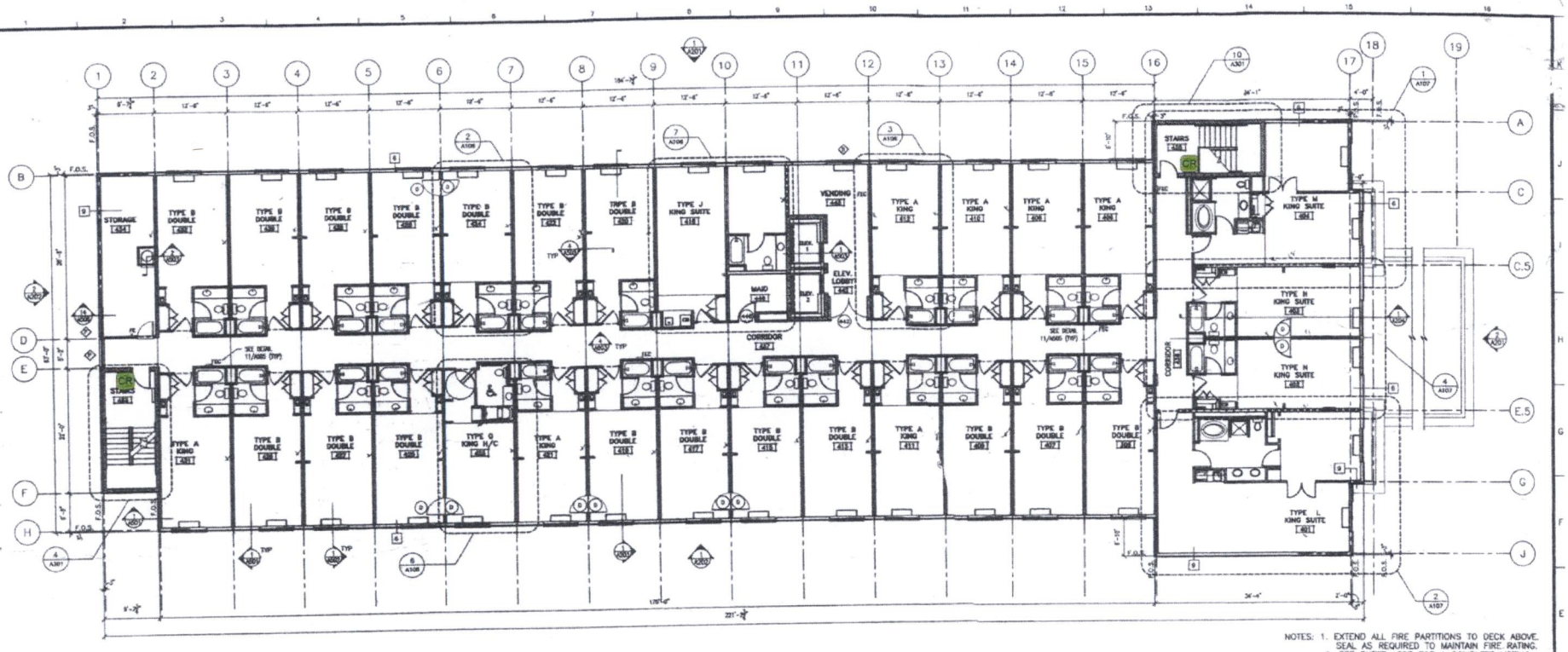
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Checked by:	C.K.
Date:	1/15/02
Title:	THIRD FL. PLAN
Page:	A1(

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0124A1Q3



1 / A104 FOURTH FLOOR PLAN
1/8" = 1'-0"

NOTES: 1. EXTEND ALL FIRE PARTITIONS TO DECK ABOVE. SEAL AS REQUIRED TO MAINTAIN FIRE RATING.
2. SEE SHEET A607 FOR A COMPLETE LISTING OF ALL FINISHES.

SEE SHEET A001 FOR COMPLETE KEYNOTE LISTING

Legend

Description	Quantity	Unit
CR Card Reader	2	Count

REFER TO ENLARGED PLANS FOR ADDITIONAL DIMENSIONING AND INFORMATION.

DIMENSIONING

EXTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

INTERIOR
TO COLUMN LINE OR
TO FACE OF STUD OR MASONRY
UNLESS OTHERWISE NOTED

FEC	10# FIRE EXTINGUISHER CABINET -SEE 5/A-06
FE	10# FIRE EXTINGUISHER, WALL MOUNTED
CG	CORNER GUARD -SEE 7/A-6.07
FAP	FIRE ANNUCIATOR PANEL
EWC	ELECTRIC WATER COOLER
C.B.	CONC. SPLASH BLOCK (SEE SITE PLAN)
D.D.	ROOF DRAIN BOOT (SEE SITE PLAN)

PARTITION LEGEND

- DRYWALL PARTITION (AS SCHEDULED)
- ACOUSTICAL PARTITION
- CMU PARTITION
- ONE-HOUR FIRE RATED PARTITION
- TWO-HOUR FIRE RATED PARTITION

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Title:	FOURTH FLOOR PLAN
Page:	A104

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0124A104

Weapons Policy

Purpose

The purpose of the Weapons Policy is to maintain a safe environment and ensure the safety of the clients that we serve, our guests, and our staff. Items which could be used to threaten or cause bodily harm or death are regulated in accordance with this policy to maintain a safe environment.

Policy

No weapons are permitted at Tunnel to Towers facilities unless they are under the lawful control and possession of law enforcement officials. Examples of weapons include, but are not limited to, a device principally designed, made or adapted for delivering or shooting an explosive weapon, a machine gun, a short-barrel rifle or shotgun, a handgun, a firearm silencer, a switchblade knife or any other type of knife, or knuckles, or any other items which may cause bodily injury or death. Clients, staff, and visitors must comply with the Weapons Policy. In the event a weapon is brought onto the Tunnel to Towers site, it must be surrendered for proper disposal or safe keeping if applicable. Upon discharge from the program, Tunnel to Towers will retain possession of a previously surrendered weapon for no longer than 72 hours.

Procedure

1. The Weapons Policy is reviewed with clients at the time of intake at which point they are given the opportunity to disclose the possession of any weapons they may have.
2. Clients will be asked to store or dispose of weapons offsite prior to admittance into the program.
3. During the intake process, Veteran Service Coordinators (VSCs) and/or an appropriate designee will conduct a search of the client's belongings. This search is conducted in the presence of the client. If at any point a weapon is found, the client is once again asked to store the weapon off site. If the client truly has no place off site to store the weapon, he/she may surrender the weapon to staff to be stored safely on site at the discretion of Tunnel to Towers.
4. If a site agrees to store a client's weapon on site, the following actions take place:
    a. The weapon is surrendered or confiscated.
    b. VSA or appropriate designee and client will document and log any stored weapons and notate the client file.
    c. VSA or designee provides the weapon inventory to Veteran Services Coordinator (VSC).
    d. The weapon is inventoried by the VSC.
    e. The inventoried weapon is stored in a secure location.
    f. Access to the stored weapon is strictly prohibited while a client is enrolled in the program.
5. Tunnel to Towers reserves the right to refuse to store weapons. Tunnel to Towers **will not store** guns that use bullets or cartridges, any explosives, any illegal weapons, or defensive weapons such as mace, tasers or pepper spray.
6. When clients are discharged from the program, he/she may retrieve any stored weapons within 72 hours of discharge. The client will contact staff to schedule a time to retrieve any weapons. The client may not come on site to retrieve a weapon. The client may retrieve the weapon at the property line. If a client does not contact staff to retrieve a weapon within 72 hours, the weapon will become the property of Tunnel to Towers and will be donated or disposed of.
7. If anyone is discovered, reported, or suspected as being in possession of a firearm while on Tunnel to Towers grounds the police will be called immediately for assistance.

a. Once the police arrive, staff will take direction from the law enforcement officers
b. For the safety of all involved, staff members are not allowed to assist in the physical removal of a firearm

8. Non-compliance with the Weapons Policy may result in the progression of discipline up to and including discharge from the program. Tunnel to Towers may contact the appropriate authorities for assistance with enforcing the policy and/or proper disposal of weapons as needed.

Responsibility/Governance

The Director of Behavioral Health, Program Manager, and/or designee are responsible for ensuring the Weapons Policy and procedures are implemented, monitored, and regularly reviewed.

VETERANS VILLAGE SITE SAFETY PROTOCOL MANUAL

EMERGENCY OPERATIONS PLAN

ATLANTA VETERANS VILLAGE



Tunnel to Towers Foundation

U.S. VETS

65 S Service Road, Austell, GA

Endorsement from the Vice President of Tunnel to Towers and Chief Operating Officer of USVETS

The Tunnel to Towers/U.S.VETS – Atlanta Emergency Operations Plan was created to protect our staff, veterans, and property while providing a safe, coordinated response to emergency situations that may arise. This plan addresses the four areas of emergency management: Mitigation, Preparedness, Response, and Recovery, while providing guidelines to assist staff in executing the plan for specific emergencies, as well as management responsibilities to specify order of operations and chain of command.

_____ _____

Gavin Naples, Vice President, Tunnel to Towers Date

_____ _____

Darryl Vincent, Chief Operating Officer, USVETS Date



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Note: At no time is the staff or the residents to endanger themselves in Rescue Operations. If a situation is dangerous, they must wait until the appropriate Public agency can provide assistance.

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INTRODUCTION

The Emergency Operations Plan is a site-specific, all- hazards disaster response plan which provides overarching principles and operational guidelines used to coordinate an effective response to all types of emergencies that may affect staff, residents, and facilities. It is intended to address all emergencies which require the coordinated effort and resources of multiple departments, agencies, and organizations.

Purpose & Scope:

The purpose and scope of the Emergency Plan is to ensure that our facility:

- Maintains a continuous state of readiness to manage a disaster response.
- Minimizes the actual or potential danger to individuals, resident, staff, volunteers, or visitors.
- Minimizes the damage or potential damage to the property to the highest degree possible.
- Ensures the continuity of operations to the highest degree possible.

Objectives:

The objectives of this Emergency Response Plan are to:

- Provide a common organizational structure, and control method for the management of personnel, equipment, facilities, and resources during an emergency.
- Outline the roles and responsibilities of key staff in preparation for responding to, and recovering from emergencies.
- Enhance communication between the facility and other agencies in the preparation, and implementation of emergency response activities.
- Establish a clear line of authority during an emergency, and clearly defined operational roles for management staff.
- Provide a basis on which policies, procedures, training, and exercises relating to emergency management may be developed.
- Minimize the impacts of an emergency by maintaining a standard of operational readiness, awareness, and preparedness.
- Ensure, as much as possible, the wellbeing of patients, residents, staff, and all others on site in the event of an emergency, or disaster.
- Minimize the impacts of emergency expenses by being prepared to respond quickly to any equipment or building system failures.

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Site Description

The following site description identifies the physical location and construction of the facility, layout of operations and key utilities and services that support the facility.

The Tunnel to Towers Veterans Village is located on South Service Road, adjacent to Six Flags in the west Atlanta area. The facility amenities will include a kitchen and dining area, several resident lounges, workforce development areas, a canteen, a theater room, a game room, and a fitness center. Other services include complimentary laundry machines, vending machines, shuttles to the Veterans Hospital and a 24-Hour Emergency Maintenance Program. The facility is secured with one single point of access into the building and state of the art security cameras & monitoring services. Supportive services and case management staff are on-site 24/7.

Site	Tunnel to Towers Veterans Village Atlanta
Street Address	65 S Service Rd, Austell, GA
Legal Description	Permanent Supportive Housing for Veterans
GPS Coordinates	Long, Latitude: 33.947055, -84.562361
General Directions	Exit 46 from Interstate 20. Follow sign to S Service Road
General Area	Close to Six Flags and Riverside EpiCenter

Facility Location

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Facility Construction

Number of floors	4	1st level- supportive services and amenities 2nd level- Permanent Housing 3rd level- Permanent Housing 4th level - Permanent Housing
Date of Initial Construction	2001	Previously Wyndham Garden Hotel
Date of last renovation	2023/2024	Full renovation expected to begin Q1 2024
Building materials of construction	Masonry Building	
# of Stairwells	2	1 north side, 1 south side.
# of Boilers	2	Last inspection:
# of Elevators	2	Last inspection:
# of Aon Units		
# of ADA Rooms	7	

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Residents & Programs

Floor	Services/Population provided:	Number of beds:
Services on floor 1	Clinical Offices	
Services on floor 1	Amenities/Fitness Center	
Services on floor 1	Kitchen & Dining Hall	
Services on floor 1	Program & Rental Rooms	5
Services on floor 2	Program & Rental Rooms	29
Services on floor 3	Program & Rental Rooms	29
Services on floor 4	Program & Rental Rooms	29

Facility Utilities

Utility	Description	Contingency
Natural Gas		
Electrical Panels		
Water Shut Off Valves		
Alternative water source		
Air conditioning units/ Aon Units		
Mechanical room (s)		
Elevator(s)	Location(s): 2 elevators, 1 located on the North Side, 1 on the South Side of the bldg.	Last inspected:

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Facility Services

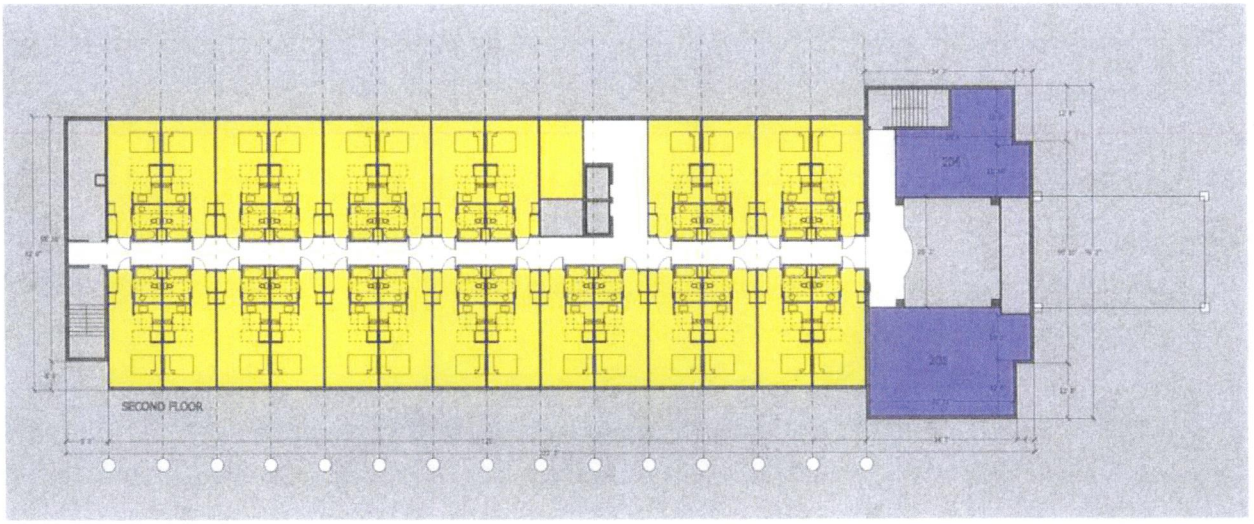
Service	Description	Contingency
IT systems	Internet: Client records: Provider/Site Lead:	Staff with smart phones can access internet.
Phone system	VOIP system.	Staff cell phones.
Food services	Locations of Dining areas: Kitchen: 1st floor Food Storage: 1st floor Refrigeration: 1st floor Provider/Site Lead: Food Service Coordinator	Emergency food & water supplies maintained by the Food Service Coordinator. Supplies provide for 92 program veterans for 3 days.
Laundry	Location: 1st, 2nd, and 3rd floors. Equipment: washer, dryer Provider/Site Lead: Veteran Services Coordinator. Site maintains 1st floor. Property office maintains 2nd and 3rd floors.	
Housekeeping – chemical storage		
Resident transportation	On site: 2 passenger vans and 1 ADA compliant van. External resources: bus	Alternative service providers: VA, and chartered buses.

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Floor 1



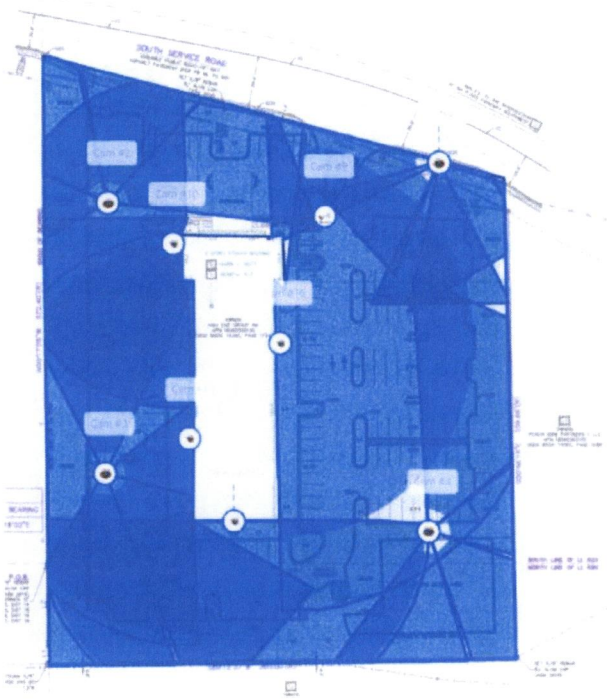
Floors 2-4



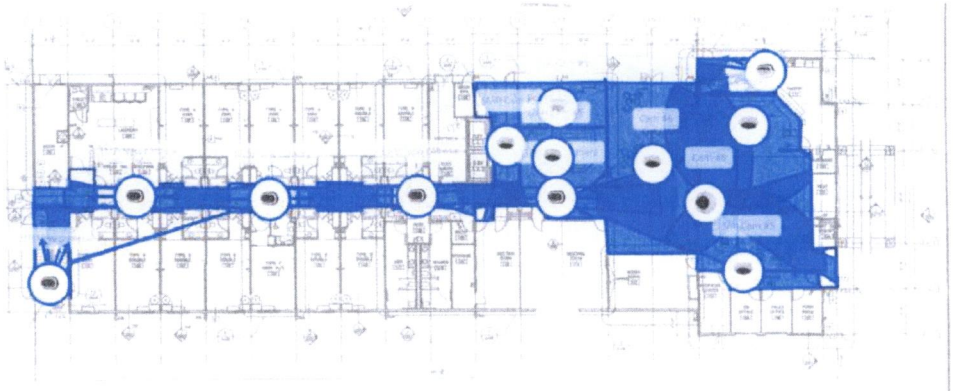
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CCTV Site Map and Protocol

Exterior – 65 S. Service Rd, Austell, GA



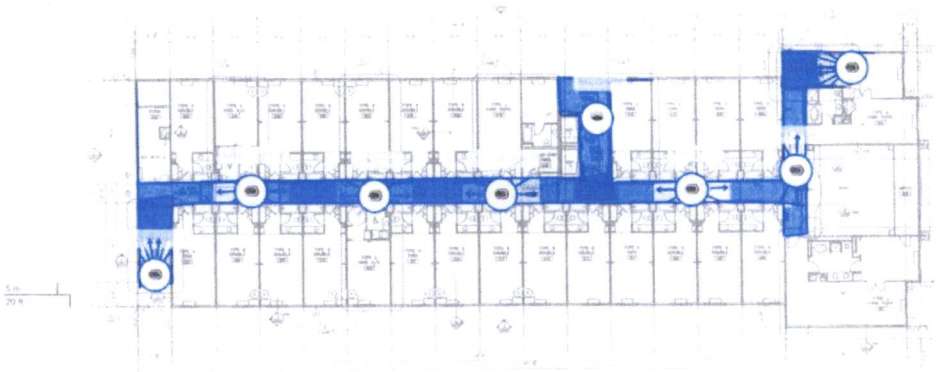
1st Floor – 65 S. Service Rd, Austell, GA



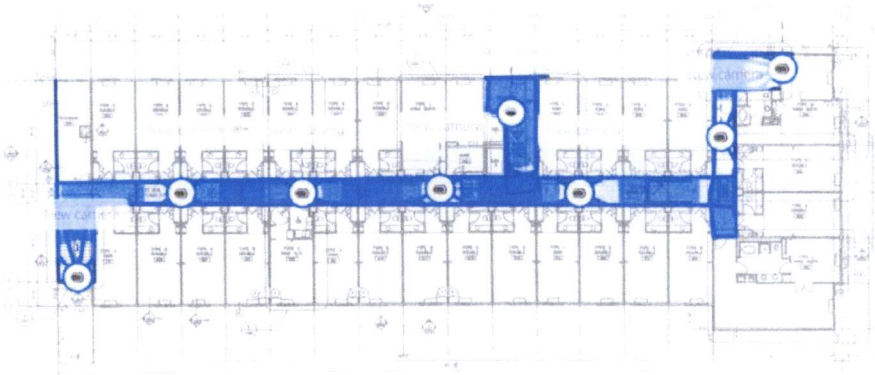
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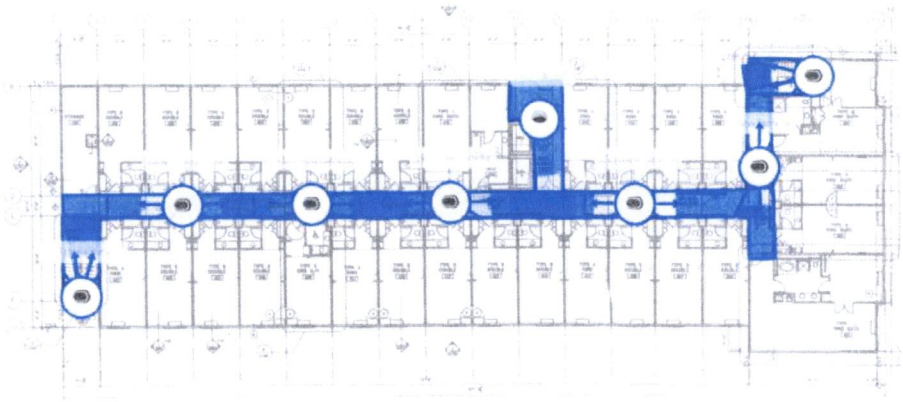
2nd Floor – 65 S. Service Rd, Austell, GA



3rd Floor – 65 S. Service Rd, Austell, GA



4th Floor – 65 S. Service Rd, Austell, GA



Tunnel to Towers Foundation

I. ORGANIZATION

The Standard Operating Procedure for the Security Surveillance applies to all employees and vendors with access.

II. POLICY

This policy is meant to guide Staff members in ensuring that all installed security cameras in our facilities are functioning properly and monitored regularly.

III. EMPLOYEE'S RESPONSIBILITIES

Those employees granted access to the Security Surveillance will be responsible for monitoring any Security Surveillance equipment. All employees are responsible for proper use of the Tunnel to Towers Security Surveillance in accordance to the following procedures:

1. Security Surveillance Cameras are installed in places where the security and safety of either persons or property would be enhanced. Cameras are limited to uses that do not violate the reasonable expectation of privacy as defined by law.

2. All Veteran Services Office (VSO) Personnel are required to have access to VSO computer (all areas), VSO Monitor, and IT Room Monitor at all times.

a. All malfunctions or equipment damages must be reported to the Site Safety Coordinator (SSC) or Veteran Service Coordinator (VSC) immediately. The SSC, VSC or designated employee will contact the system Administrator (Convergint) within 24 hours to request technical support.

3. The functions of these cameras fall into three main categories:

a. Personal Safety: Where the main intent is to enable video to be available and stored so that if a person's safety was affected, the video may show the perpetrator.

b. Property Protection: Where the main intent is to enable video to be available and stored so that if property is reported stolen or damaged, the video may show the perpetrator.

c. In the event that 3a or 3b occurs and is reported:

i. Employee receiving the report will assess the situation, and call 911 for assistance if necessary.

ii. A Critical Incident Report (CIR) is completed by person(s) reporting the incident.

iii. VSO Personnel will conduct a Q & A with person(s) who completed CIR to gather additional pertinent information.

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iv. The SSC, VSC or designated employee will review the video footage, in attempt to identify persons involved and verify information reported in CIR, within 24 hours of report.

d. Extended Responsibility: Where the main intent is to have live or recorded video stream monitored or reviewed by the Health & Safety Committee or Veteran Services Office (VSO) Personnel to detect and deter violations of program rules and regulations and/or any unlawful acts according to city, state or federal law.

4. The VSO Personnel are required to have the Security Surveillance application running on the VSO

Computer at all times. The SSC and VSC are required to have remote access to the system at all times via assigned Tunnel to Towers/U.S.VETS Computer and Phone. The SSC and VSC only have access to video footage for the last 168 hours (7 days). In the event that it is needed, the SSC and VSC are required to contact Convergint for access to video footage outside of this timeframe.

IV. MANAGER'S RESPONSIBILITIES

Program Manager (PM)

PM will ensure compliance with the policy and will ensure that all assigned employees are trained in appropriate use of the Security Surveillance in the workplace. PM will also oversee quarterly (4x/year) testing of the Security Surveillance to ensure regular monitoring of equipment. PM will ensure that equipment malfunctions are addressed within 24 hours of identifying and/or being informed of an issue or concern.

Veteran Services Coordinator (VSC)

VSC will ensure compliance of policy and maintain the SOP by conducting monthly equipment inventory. VSC will assist with ensuring that equipment malfunctions are addressed within 24 hours of identifying and/or being informed of an issue or concern. Health & Safety Committee Members. All other Health & Safety Committee Members will be responsible for informing PM and VSC of misuse of or equipment malfunctions within 24 hours of identifying an issue or concern.

V. FRAUD

Significant discrepancies may be subject to further review. If evidence of fraud is discovered during an internal investigation, the employee will be subject to disciplinary action up to and or including termination of employment.

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VII. APPROVAL

The policy described herein has been reviewed and approved by:

Darryl Vincent, Chief Operating Officer, USVETS

_____

Gavin Naples, Vice President, Tunnel to Towers Foundation

_____

Facility Emergency Supplies

Floor	Cabinet Number and/or Location	Access: Key Location
1	Room ---	Program Manager Office
	Portable CERT Kit	See list below
	First Aid Kit including splints	See list below
	Whistles	at each employee desk
2	Room ---	Clinical Director Office
	Portable CERT Kit	
	First Aid Kit	
3	Room ---	Veteran Service Office
	2 Portable CERT Kits	
	First Aid Kit	
1	Kitchen 1st floor inside Dining Hall	Kitchen
	Portable CERT Kit	
	First Aid Kit	

5 portable emergency CERT kits with first aid kits are located in the following areas:

1. Program Manager office (1)
2. Clinical Director office (1)
3. VSA office (2)
4. Kitchen (1)

Client Natural Disaster Supplies: Food, water, blankets for 126 people for 3 days already stored

PROPERTY MANAGEMENT NATURAL DISASTER SUPPLIES

- 10 Sheets of Plywood for glass entry doors
- Sandbags
- Cold weather pipe covers

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ROLES & RESPONSIBILTIES

Property Manager/Program Director

• Manage the creation and maintenance of the emergency program and plan for the facility.

• Manage the development the annual training and exercise program including personal preparedness training for staff, monthly evacuation drills and an exercise of the emergency plan, at least once a year.

• Maintain records and documentation of emergency training, exercises and maintenance of supplies and equipment.

• Lead the response to incidents and work with local authorities as needed as the on-site incident commander and designate alternates in absence.

• Establish agreements with re-location facilities and essential vendors/suppliers.

All Staff

• Develop and maintain personal emergency plan and preparedness.

• Participate, review, and assist in the development of the emergency plans and procedures.

• Attend and participate in emergency training and exercises.

Food Services

• Participate, review, and assist in the development of the facility emergency plans and procedures.

• Maintain a sufficient supply of food and water in case of emergency, minimum 3 days.

• Develop contingency plans to support the emergency stockpile of food and water.

• Attend and participate in emergency training and exercises.

Facilities/Maintenance

• Participate, review, and assist in the development of the facility emergency plans and procedures.

• Participate or lead the hazard site assessment to identify and mitigate physical hazards.

• Provide and maintain facility specific information in the emergency plan, such as the location of utility controls and procedures for managing in an emergency.

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RESPONSE ORGANIZATION:

This section outlines the framework for facility response. It includes an organizational structure to provide overall direction and control of facility's emergency operations.

Levels of Response & Coordination

The majority of incidents are minor and can be managed by the of the facility or site. In the event that the incident cannot be adequately managed from the site due to insufficient resources, an escalating threat, or an incident that impacts multiple sites, site support can be provided by the organization's corporate leadership, health authority or local government.

Incidents in the community are managed daily by first responders – police, fire, and ambulance. Emergency calls are prioritized based on the severity of the incident and the availability of resources. In a larger scale event, local authorities may also activate emergency operations centers or mobilize staff to coordinate the response. During these major emergencies, the local authority, together with first responders, will assess and prioritize community needs, allocate resources, and respond based on the determined priorities. In a major emergency such as a severe storm, hurricane, tornado, or earthquake which causes a major disruption to transportation networks, outside assistance or community resources may not be immediately available. High demand for limited resources, and the nature of the emergency itself may mean that facilities need to be as self-sufficient as possible at the site level and look to corporate leadership for site support where possible. Tunnel to Towers will cooperate with local authorities for matters of public safety.

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Site:

The majority of incidents are managed by the site and are the responsibility of the facility. During an emergency at Tunnel to Towers Veterans Village Atlanta, the **Incident Command System (ICS)** will be used as a framework for command, control, and coordination of emergency operations. It provides a way of coordinating staff and resources toward safely responding, controlling, and mitigating an emergency incident. ICS is an organized response management structure used by local governments and agencies that applies key principals and goals in a standardized way.

The Framework

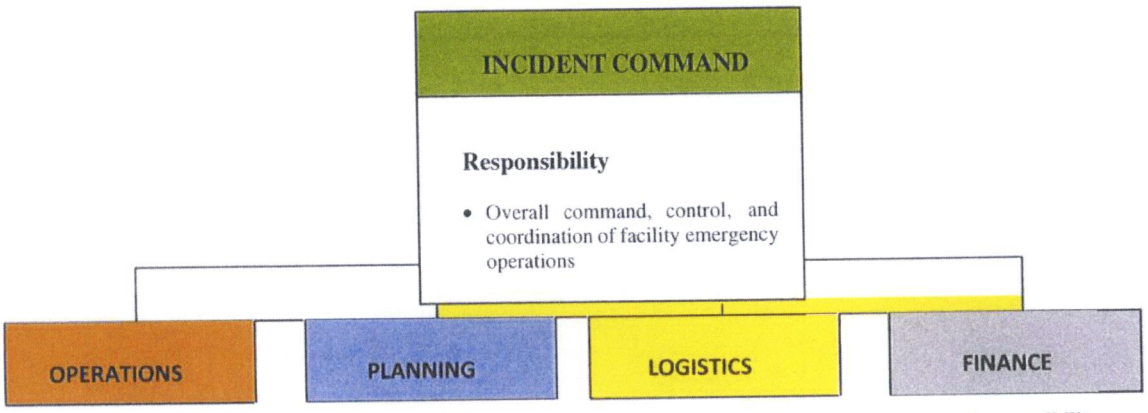
ICS is organized into 5 key functions as described below:

FUNCTION	ROLE
Incident Command (Green)	Responsible for overall command, control, and coordination of site emergency operations, including public information/media relations, agency liaison and safety/risk management.
Operations (Orange)	Responsible for providing a communications link with the site or units and coordinating operations in support of the emergency response.
Planning (Blue)	Responsible for collecting, evaluating, and disseminating information within the ICP, developing the Action Plan, and the Situational Report in coordination with other functions; and maintaining all ICP documentation.
Logistics (Yellow)	Responsible for ensuring that the ICP is operational; and providing staff, services, equipment and supplies to fulfill any approved resource requests.
Finance (Grey)	Responsible for all aspects of financial management including cost tracking, financial reporting, administering procurement contracts, and overseeing the procurement process.

The basic principles of ICS include:

- Appointment of an Incident Commander who has overall responsibility of the agency's response. (In most cases this will be the Property Manager.)
- All functions remain with the Incident Commander unless otherwise assigned.
- Pre-defined, clear reporting channels (chain of command).
- Common nomenclature for Command Staff and Section Chief positions.
- Pre-defined responsibilities (emergency response functional roles).
- Management by objectives.

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Responsibility

- Track and account for all staff and residents.
- Care for residents' medical needs.
- Conduct evacuation, relocation, or other emergency procedures, as necessary.

Responsibility

- Collect, evaluate, and disseminate information.
- Develop the Action Plan, and the Situational Report in coordination with other functions.

Responsibility

- Maintain emergency food & water supplie
- Obtain & track medical supplies.
- Make alternate shelte arrangements.
- Arrange transportation.
- Maintain communications equipment.

Responsibility

- Track expenses & administer procurement processes associated with disaster.

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Incident Command:

Responsibilities of the Incident Commander include:

- Exercise overall management responsibility for the facility emergency operations, including establishing priorities for response efforts.
- Ensure all actions are accomplished within priorities established.
- Liaise with Senior Management.
- Determine if Command Post activation is required and establish appropriate staffing level for the Command Post and monitor effectiveness of the response.
- Ensure interagency coordination is accomplished effectively
- Assure employee safety and risk management principles / procedures are applied for all activities.
- Direct appropriate emergency public and internal information actions using the best methods of dissemination to ensure effective communication with staff, residents, volunteers, families, the public and other key stakeholders
- Ensures risk management principles and procedures are applied to all ICP activities.

Operations

The Operations Section is involved in carrying out response activities including developing key response objective and directing resources. Operations section provides minute-by-minute support to functional areas, departments, and services in the facility.

Responsibilities of the Operations include:

- Coordinate response and organizational structure with functional areas, departments, and services in the facility.
- Ensure that operational objectives and assignments identified in the Action Plan are carried out effectively
- Determine resources required to complete assignments and direct those resources once acquired.

Planning

The Planning Section is responsible for gathering, analyzing, and evaluating information and forwarding recommendations on appropriate response options. Essentially, the planners work with the other functions to determine what needs to be done, how it will be accomplished and ensure that this information is captured and disseminated.

Responsibilities of the Planning Section include:

- Collects, evaluates, and displays situational information
- Facilitates, prepares, and maintains all documentation, including action plans, situational reports, advance planning, demobilization, and recovery planning
- Maintains and tracks patient, resident, or resident information
- Provide technical expertise, as required

Logistics

The Logistics Section is tasked with locating and acquiring all the necessary personnel, equipment, and material items needed. This section is also involved in the provision of communications services, human resources, transportation, food, or other necessary items to deal with the Incident and in support of the Command Post.

Responsibilities of the Logistics Section include:

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- Coordinates closely with the Operations Section Chief to establish priorities for resource allocation
- Ensures critical resources are allocated, according to established and approved ICP priorities
- Provides telecommunication and information technology services
- Locates or acquires equipment, supplies, personnel, facilities, and transportation; and
- Arranges for food, lodging, and other support services, as required

Finance

The Finance is responsible for financial management of the Incident including:

- In consultation with the Incident Commander, determines spending limits (if any) for overall response & recovery related expenditures
- Tracks and monitors incident-related expenses including personnel, equipment, and procurement contracts
- Collects and records on-duty time of all personnel

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Incident Command Job Action Sheet

Incident Commander	
The incident commander is responsible for directing site emergency response activities, including oversight of the other disaster response teams.	
Primary Incident Commander is the Site Director	
Assigned to:	Primary
Alternates:	Designates
Report to:	Incident Command Post Location
Responsibilities:	1. Direct and coordinate emergency response activities 2. Determine the need for and request outside assistance 3. Interact with and assist first responders with requests for information and access to facility 4. Collect, analyze, and report information on facility damage, injuries, and other response issues 5. Responsible for the safety of staff and residents
Checklist:	☐ Assess the situation, impact to facility, staff, and residents ☐ Activate the Incident Command Post ☐ Establish appropriate staffing levels ☐ Obtain a status of facility, operations, staff, and residents ☐ Schedule an action planning meeting with key staff to determine objectives, priorities, resource needs and assignment of tasks ☐ Notify appropriate staff and external agencies of the situation and activation of command post ☐ Maintain contact with first responders and key external agencies, senior management ☐ Monitor general staff activities to ensure that all appropriate actions are being taken ☐ Ensure staff and site safety and security ☐ Maintain and provide situational awareness and communication with key stakeholders
Forms:	Situation Report Action Plan Log Sheet

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Incident Command Post

The incident command post is a centralized location for the Tunnel to Towers Veterans Village Atlanta response team to convene to coordinate response activities, resources, and the flow of information. After the immediate life safety response (evacuation due a fire) the incident command post should be activated to manage the ongoing activities in a sustained response.

An ICP has overall responsibility for the following activities:

- Policy direction and support
- Information collection, evaluation, and display
- Establishment of priorities
- Resource management
- Communications

The following staff, or the most senior staff on site at the time of an incident, has the authority to activate the incident command post:

- Executive Director, Operations Manager, Clinical Director, Program Manager, Veteran Services Coordinator, Outreach Coordinator, Food Service Coordinator, VSA on duty

To set up the Incident Command Post:

Retrieve Portable CERT Kit from Room -- or Kitchen (or other department office location if rooms 7 or Kitchen are inaccessible)

CERT Kit includes:
Vest, Hard Hat, Gloves, Goggles, Mask, Flashlight, tape, whistle, First Aid kit, Light stick, thermal blanket, Incident Command Forms with Clip Boards & pens

Incident Command Forms

To support the Incident Command Post activities, ICP forms are provided in *Appendix 2 Forms*, including:

- **Situation Report** – documented on forms and displayed in the command post to provide a situational overview and maintain information on the current status of the incident, resource needs and staffing levels, key activities, and priorities.

- **Action Plan** – a document and process to help the incident management team establish and communicate response objectives, identify response needs, and resolve obstacles associated with meeting objectives. Also, a useful tool for transition of operations activities to relief personnel

- **Sign in Sheet** – to track staff attendance and assignments in the ICP.

- **Log Sheet** - to record key decisions and actions taken by individual staff

Site Support

In the event that the response cannot be adequately managed by the facility or site, site support for Tunnel to Towers Veterans Village Atlanta can be provided by either the Tunnel to Towers

Foundation or the U.S.VETS National Office Staff. The National Office Staff serves to provide support to the facility or site in the following areas:

- inter-agency coordination
- communications & media relations
- policy guidance
- logistics - resource acquisition, transportation, and staffing

The Tunnel to Towers Foundation is located at 2361 Hylan Blvd, Staten Island, NY 10306. The U.S.VETS National Office is located at 800 W. 6th Street, Los Angeles, 90017. To notify and/or activate the National Office Staff, refer to the contact information provided in the Communications Directory in Appendix 1, or list below.

COMMUNICATIONS

To ensure alternative modes of communications are deployable should one system fail during an emergency, the following equipment or communication systems can be used:

- Main Land Line: ----------
- Mobile Phone List (Appendix 1)
- Email List (Appendix 1)
- 2-way Radios
- [*list the alternative modes of communications available – can include telephone lines (include analog phones in case of power outage, mobile both personal and facility issued, radio (handheld, am/fm and amateur), pager, electronic – email, intranet and internet sites, public announcement/broadcast systems]*

Communications Directory

The communications directory, provided in Appendix 1 [*Page 41*] identifies the location of communications equipment and provides the contact information of key staff, agencies, and vendors. The directory is updated annually by the site Operations Coordinator.

Staff Directory and Call Back

The staff directory holds staff contact information based on their distance from and travel time to work. Depending on the emergency and condition of major transportation routes, contact staff in closest proximity to your facility first. The forms provided in Appendix 1 [*Page 41*] can be used to track staff availability and estimated time of arrival both during actual emergencies and during call back drills to test your procedures and contact information.

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RESPONSE PROCEDURES

General Response Procedures:

This section provides general planning considerations and response procedures to address the following hazards:

- Fire
- Flooding
- Extreme Heat
- Bomb Threat
- Active Shooter
- Adverse Behavior
- Infectious Diseases
- Hazardous Material Spill
- Earthquake
- Lockdown
- Shelter In Place
- Utility Failures – Power, Water, Gas, Sanitation
- Elevator Failures
- Evacuation
- Reception & Relocation

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Fire

Definition & Overview

Fire is the rapid oxidation of a material in the exothermic chemical process of combustion, releasing heat, light, and various reaction products. At a certain point in the combustion reaction, called the ignition point, flames are produced. The flame is the visible portion of the fire. All fires whether big or small should be treated seriously.

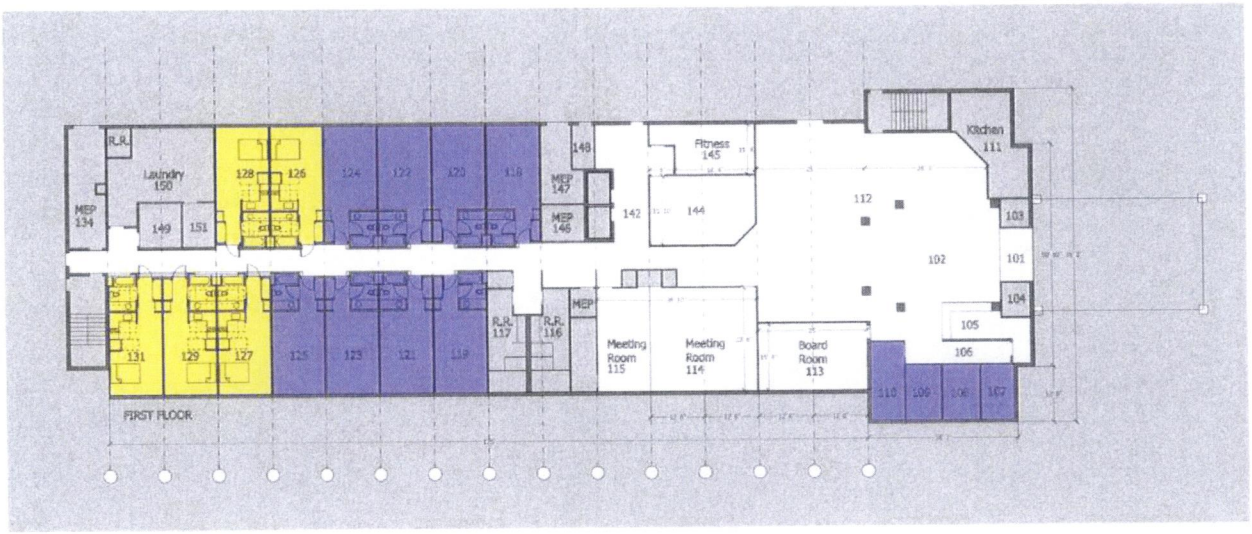
Planning Considerations

- Ensure all staff are aware of their role if a fire should occur
- Reception and frontline staff should always have immediate access to fire procedures and forms

Assigned to/Lead:	
Upon discovering a fire (or smoke) employees should:	
	Go to the nearest "fire pull" in the building and pull immediately; even for small fires (This will alert everyone to be on the lookout & it will dispatch the Fire Department Automatically)
	Remove anyone in immediate danger and confine the fire by closing the door
	Attempt to extinguish the fire only if it is a small fire and only if it is safe to do so.
	If the fire cannot be immediately extinguished, commence evacuation procedures, notify the Site Emergency Coordinator of action. Evacuate all areas of the building affected by smoke or fire.
	Call 911- Give the following information: a. Name of the Community b. Street address c. What is burning (electrical, trash, kitchen, etc) d. Do not hang up. Let the person you are talking to end the conversation. Other information may be needed.
	Remain calm avoid panic
	Know the location of the exits- Do not use Elevators
	Make sure, once all apartments on a floor are evacuated, that main hallway and fire doors are closed to prevent further spread of fire.
	Don't break windows or open doors to vent smoke
	Follow protocol for evacuation site
	Notify appropriate staff –director/administrator on call

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Fire Map (In Progress)



Evacuate to front parking lot or parking lot at the south side of building.

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Flood Emergency Procedures

Definition & Overview

Floods are the most widespread natural disaster aside from wildfires. 90% of all U.S. natural disasters declared by the President involve some sort of flooding. After a flood, there are many protocols to make the property habitable again.

Planning Considerations

- Ensure all staff are aware of their role if a flood should occur
- Reception and frontline staff should always have immediate access to flood procedures and forms

Assigned to/Lead:	
After an extreme flooding event has occurred	
	Do not attempt to walk through the water to salvage items
	Do not try to gas back on yourself
	Do not use fresh food or canned goods that have come in contact with flood waters
	Follow local instructions regarding safety of drinking water. If in doubt, Boil or Purify water before drinking.
	Do not handle any electrical equipment in wet areas. If electrical equipment or appliances have been in contact with water, have them checked before use.
	Remain calm avoid panic
	Alert the proper channels
	Take pictures before any remediation occurs (for insurance purposes)
	Call the proper remediation companies
	Follow protocol for evacuation of site if necessary
	Notify appropriate staff –director/administrator on call

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Bomb Threat:

Definition & Overview

Bomb threats can be received by telephone, note, or by suspicious package. Generally, bomb threats are made to create anxiety, panic and to disrupt operations; however, all threats should be taken seriously.

Planning Considerations

- Ensure all staff are aware of their role in a bomb threat situation
- Reception and frontline staff should always have immediate access to bomb threat procedures and forms

Assigned to/Lead:	
Bomb threat by telephone	
	Listen carefully, be calm and courteous. DO NOT interrupt the caller
	Keep the caller on the line as long as possible. DO NOT put the caller on hold or ask to wait
	Hand a co-worker a note asking that they call 911 immediately and notify appropriate staff – security, resident manager/director/administrator on call of the situation
	Do not use radios unless cleared by the Police Department (could accidentally detonate the device)
	Record specific details and characteristics of the call on the Detail Sheet Template
	If caller hangs up phone, keep your receiver off the hook to allow tracing of the call
Written or suspicious package	
	Do not touch the package or put down the letter
	Call 911 immediately
	Notify appropriate staff –director/administrator on call
All staff upon notification of bomb threat or seeing suspicious package	
	Secure area and do a visual check for suspicious packages & persons
	Conduct a systematic search of area looking for unusual and unidentified objects – do not touch or remove anything
	Mark rooms that have been searched
	Restrict movement of people until further instructions are provided. Do not evacuate.
	Restrict access to facility
	If you see a suspicious package or object, **DO NOT TOUCH IT**. Call 911 immediately
	Follow instructions provided by the Police Department

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Bomb Threat Detail Form Bomb

Threat by Phone

Phone Number (Check call display)	
Date & Time of Call	
When is the bomb going off?	
Where is the bomb?	
What kind of bomb is it?	
What does it look like?	
Why did you place the bomb?	
Who and where are you?	

Distinguishing Voice Characteristics:	
□ Male	□ Female
Accent	
Age	
Tone	
Background Noise	
Other Information	

Actions Taken:	
Completed by:	
Department:	
Location:	



Active Shooter:

Definition & Overview

An "active shooter" is considered to be a suspect or assailant whose activity is immediately causing serious injury or death and has not been contained. Violent incidents, including but not limited to: acts of terrorism, an active shooter, assaults, or other incidents of workplace violence can occur at the site or in close proximity with little or no warning. The following information regarding law enforcement response will enable you to take appropriate protective actions for yourself. Try to remain calm as your actions will influence others. The following instructions are intended for incidents that are of an emergent nature (i.e., imminent or in progress).

Planning Considerations

- Ensure all staff are aware of their role in an active shooter situation
- Provide educational material or sessions to help staff understand how to protect themselves during an active shooter incident.

Immediate Action to be taken:

1. Secure the immediate area. Whether an office area, resident room, or meeting room:
• Lock or barricade the door, if able. Block the door using whatever is available – desks, tables, file cabinets, other furniture, books, etc.
• After securing the door, stay behind solid objects away from the door as much as possible.
• If the assailant enters your room and leaves, lock or barricade the door behind them.
• If safe to do so, allow others to seek refuge with you.
2. Protective Actions. Take appropriate steps to reduce your vulnerability:
• Close blinds.
• Block windows.
• Turn off radios and computer monitors.
• Silence cell phones.
• Place signs in interior doors and windows but remember the assailant can see these as well.
• Place signs in exterior windows to identify your location and the location of injured persons.
• Keep people calm and quiet.
• After securing the room, people should be positioned out of sight and behind items that might offer additional protection – walls, desks, file cabinets, bookshelves, etc.
3. Unsecured Areas: If you find yourself in an open area, immediately seek protection:
• Put something between you and the assailant.
• Consider trying to escape, if you know where the assailant is and there appears to be an escape route immediately available to you.
• If in doubt, find the safest area available and secure it the best way that you can.

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4. Call 911. Emergency situations should be reported to law enforcement by dialing 911. You may hear multiple rings – stay on the line until it is answered - do Not hang up. Be prepared to provide the 911 operator with as much information as possible, such as the following:
• Describe the emergency.
• Where you are located, including building name and room number.
• Number of people at your specific location.
• Injuries, if any, including the number of injured and types of injuries.
• Your name and other information as requested.
5. Try to provide information in a calm clear manner so that the 911 operator quickly can relay your information to responding law enforcement and emergency personnel.
6. What to Report. Try to note as much as possible about the assailant, including:
• Specific location and direction of the assailant.
• Number of assailants.
• Gender, race, and age of the assailant.
• Language or commands used by the assailant.
• Clothing color and style.
• Physical features – e.g., height, weight, facial hair, glasses.
• Type of weapons – e.g., handgun, rifle, shotgun, explosives.
• Description of any backpack or bag.
• Do you recognize the assailant? Do you know their name?
• What exactly did you hear – e.g., explosions, gunshots, etc.
7. Treat the Injured. The 911 operator will notify law enforcement and other emergency service (EMS) agencies – fire and rescue. EMS will respond to the site but will not be able to enter the area until it is secured by law enforcement. You may have to treat the injured as best you can until the area is secure. Remember basic first aid:
• For bleeding apply pressure and elevate. Many items can be used for this purpose – e.g., clothing, paper towels, feminine hygiene products, newspapers, etc.
• Reassure those in the area that help will arrive – try to stay quiet andcalm.
8. Un-securing the Area
• The assailant may not stop until his objectives have been met or until engagedand neutralized by law enforcement.
• Always consider the risk exposure by opening the door for any reason.
• Attempts to rescue people only should be made if it can be done without further endangering the persons inside of a secured area.
• Be aware that the assailant may bang on the door, yell for help, or otherwise attempt to entice you to open the door of a secured area.
• If there is any doubt about the safety of the individuals inside the room, the area needs to remain secured.

It is important to anticipate and be prepared to react appropriately to law enforcement when they arrive on scene. An active shooter is a highly stressful and most likely new situation for most first responders so their emotions will also be heightened during the

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Situation. Be prepared to engage with law enforcement and do not give them reason to confuse you with the assailant.

1. Help is on the way. It is important for you to remember:
• Remain inside the secure area.
• Law enforcement will locate, contain, and stop the assailant.
• The safest place for you to be is inside a secure room.
• The assailant may not flee when law enforcement enters the building, but instead may target arriving officers.
2. Injured Persons. Initial responding officers will not treat the injured or begin evacuation until the threat is neutralized and the area is secure.
• You may need to explain this to others in order to calm them.
• Once the threat is neutralized, officers will begin treatment and evacuation.
3. Evacuation. Responding officers will establish safe corridors for persons to evacuate.
• Evacuation may be time consuming.
• Remain in secure areas until instructed otherwise.
• You may be instructed to keep your hands on your head.
• You may be searched.
• You may be escorted out of the building by law enforcement personnel - follow their directions.
• After evacuation you may be taken to a staging or holding area for medical care, interviewing, counseling, etc.
• Once you have been evacuated you will not be permitted to retrieve items or access the area until law enforcement releases the crime scene.

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Adverse Behavior

Definition & Overview

Violence in the workplace, or the community is increasing and must be considered carefully as to what type of threat leads to what type of response. There are two basic categories of threats, one is "Implied" the other is "Real."

Planning Considerations

- Ensure all staff are aware of their role with adverse behavior
- Reception and frontline staff should always have immediate access to adverse behavior procedures and forms

Assigned to/Lead:	
IMPLIED THREAT (a threat of a return promised visit to "get even" or to harm.	
	This type of threat should be evaluated very carefully as to the emotions at the time Of the threat or the cause of the threat. This could easily escalate into violence.
	Stay calm and try to calm the person down verbally. Agree with the person, even if you disagree; it is safer to agree than to force a quick confrontation.
	Do not do anything to escalate the situation. Try to notify the staff of the situation without being obvious.
	If you can, try to call 911, emphasize key words to tip the police to your circumstances: weapon, bomb, hostage, location; and keep talking on the phone as long as you can.
	Ask questions that will direct the anger away from you. Do everything you can to direct the person's anger to something in another location. Try to remove yourself from the threat if you are able.
REAL THREAT (you are physically confronted by an employee or resident with intent and ability to do bodily harm. A person finding themselves in this situation has very few options readily available to them.)	
	You must stay calm and try to calm the person down. Agree with the person, even if you disagree; it is safer to agree than to force a quick confrontation.
	Do not do anything to escalate the situation. Try to notify the staff of the situation without being obvious.
	Let the person know, you have someone that can help them; then ask them if it's okay to call the person over to help assist them.
	As soon as it's possible, call 911
	Alert the property lead for further instruction

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INFECTIOUS DISEASES

PURPOSE

To provide guidance to long term care providers on how to prepare for new or newly evolved Infectious diseases whose incidence in humans has increased or threatens to increase in the near future and that has the potential to pose a significant public health threat and danger of infection to the residents, families and staff of the skilled nursing center.

ASSUMPTIONS

This document contains general policy elements that are intentionally broad. It is customizable depending the specific care center demographics, location, and current disease threats. It is not comprehensive and does not constitute medical or legal advice.
Every disease is different. The local, state, and federal health authorities will be the source of the latest information and most up to date guidance on prevention, case definition, surveillance, treatment, and skilled nursing center response related to a specific disease threat.
This document contains recommendations that may not be applicable to all types of long-term care facilities. Modifications should be made based upon the regulatory requirements and the structure and staffing for the specific care setting.

GOAL

To protect our residents, families, and staff from harm resulting from exposure to an emergent infectious disease while they are in our care center.

1. General Preparedness for Emergent Infectious Diseases (EID)

A. The care center's emergency operation program will include a response plan for a community-wide infectious disease outbreak such as pandemic influenza. This plan will: i. build on the workplace practices described in the infection prevention and control policies ii. Include administrative controls (screening, isolation, visitor policies and employee absentee plans iii. address environmental controls (isolation rooms, plastic barriers sanitation stations, and special areas for contaminated wastes) iv. Address human resource issues such as employee leave v. Be compatible with the care center's business continuity plan

B. Clinical leadership will be vigilant and stay informed about EIDs around the world. They will keep administrative leadership briefed as needed on potential risks of new infections in their geographic location through the changes to existing organisms and/or immigration, tourism, or other circumstances.

C. As part of the emergency operations plan, the care center will maintain a supply of personal protective equipment (PPE) including moisture-barrier gowns, face shields, foot and head coverings, surgical masks, assorted sizes of disposable N95 respirators, and gloves. The amount that is stockpiled will minimally be enough for several days of center-wide care but will be determined based on storage space and costs.

D. The care center will develop plans with their vendors for re-supply of food, medications, sanitizing agents and PPE in the event of a disruption to normal business including an EID outbreak.

E. The care center will regularly train employees and practice the EID response plan through drills and exercises as part of the center's emergency preparedness training

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2. Local Threat

A. Once notified by the public health authorities at either the federal, state and/or local level that the EID is likely to or already has spread to the care center's community, the care center will activate specific surveillance and screening as instructed by Centers for Disease Control and Prevention (CDC), state agency and/or the local public health authorities.

B. The care center's Infection Preventions' (IP) will research the specific signs, symptoms, incubation period, and route of infection, the risks of exposure, and the recommendations for skilled nursing care centers as provided by the CDC, Occupational Health and Safety Administration (OSHA), and other relevant local, state and federal public health agencies.

C. Working with advice from the care center's medical director or clinical consultant, safety officer, human resource director, local and state public health authorities, and others as appropriate, the IP will review and revise internal policies and procedures, stock up on medications, environmental cleaning agents, and personal protective equipment as indicated by the specific disease threat.

D. Staff will be educated on the exposure risks, symptoms, and prevention of the EID. Place special emphasis on reviewing the basic infection prevention and control, use of PPE, isolation, and other infection prevention strategies such as hand washing.

E. If EID is spreading through an airborne route, then the care center will activate its respiratory protection plan to ensure that employees who may be required to care for a resident with suspected or known case are not put at undue risk of exposure.

F. Provide residents and families with education about the disease and the care center's response strategy at a level appropriate to their interests and need for information.

G. Brief contractors and other relevant stakeholders on the care center's policies and procedures related to minimizing exposure risks to residents.

H. Post signs regarding hand sanitation and respiratory etiquette and/or other prevention strategies relevant to the route of infection at the entry of the care center along will the instruction that anyone who sick must not enter the building.

I. To ensure that staff, and/or new residents are not at risk of spreading the EID into the care center, screening for exposure risk and signs and symptoms may be done PRIOR to admission of a new resident and/or allowing new staff persons to report to work.

J. Self-screening – Staff will be educated on the care center's plan to control exposure to the residents. This plan will be developed with the guidance of public health authorities and may include:

   a. Reporting any suspected exposure to the EID while off duty to their supervisor and public health.
   b. Precautionary removal of employees who report an actual or suspected exposure to the EID.
   c. Self-screening for symptoms prior to reporting to work. iv. Prohibiting staff from reporting to work if they are sick until cleared to do so by appropriate medical authorities and in compliance with appropriate labor laws.

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K. Self-isolation - in the event there are confirmed cases of the EID in the local community, the care center may consider closing the care center to new admissions, and limiting visitors based on the advice of local public health authorities.

L. Environmental cleaning - the care center will follow current CDC guidelines for environmental cleaning specific to the EID in addition to routine cleaning for the duration of the threat.

M. Engineering controls – The care center will utilize appropriate physical plant alterations such as use of private rooms for high-risk residents, plastic barriers, sanitation stations, and special areas for contaminated wastes as recommended by local, state, and federal public health authorities.

2. Suspected case in the care center

A. Place a resident or on-duty staff who exhibits symptoms of the EID in an isolation room and notify local public health authorities.

B. Under the guidance of public health authorities, arrange a transfer of the suspected infectious person to the appropriate acute care center via emergency medical services as soon as possible.

C. If the suspected infectious person requires care while awaiting transfer, follow care center policies for isolation procedures, including all recommended PPE for staff at risk of exposure.

D. Keep the number of staff assigned to enter the room of the isolated person to a minimum. Ideally, only specially trained staff and prepared (i.e. vaccinated, medically cleared and fit tested for respiratory protection) will enter the isolation room. Provide all assigned staff additional "just in time" training and supervision in the mode of transmission of this EID, and the use of the appropriate PPE.

   a. If feasible, ask the isolated person to wear a facemask while staff is in the room. Provide care at the level necessary to address essential needs of the isolated individual unless it advised otherwise by public health authorities.
   b. Conduct control activities such as management of infectious wastes, terminal cleaning of the isolation room, contact tracing of exposure individuals, and monitoring for additional cases under the guidance of local health authorities, and in keeping with guidance from the CDC.
   c. Implement the isolation protocol in the care center (isolation rooms, cohosting, cancelation of group activities and social dining) as described in the care center's infection prevention and control plan and/or recommended by local, state, or federal public health authorities.

   d. Activate quarantine interventions for residents and staff with suspected exposure as directed by local and state public health authorities, and in keeping with guidance from the CDC.

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3. Employer Considerations

A. Management will consider its requirements under OSHA, (Center for Medicare and Medicaid (CMS), state licensure, Equal Employment Opportunity Commission (EEOC), American Disabilities Act (ADA) and other state or federal laws in determining the precautions it will take to protect its residents. Protecting the residents and other employees shall be of paramount concern. Management shall consider:

1. The degree of frailty of the residents in the care center.
2. The likelihood of the infectious disease being transmitted to the residents and employees.
3. The method of spread of the disease (for example, through contact with bodily fluids, contaminated air, contaminated surfaces)
4. The precautions which can be taken to prevent the spread of the infectious disease and
5. Other relevant factors

B. Once these factors are considered, management will weigh its options and determine the extent to which exposed employees, or those who are showing signs of the infectious disease, must be precluded from contact with residents or other employees.

C. Apply whatever action is taken uniformly to all staff in like circumstances.

D. Do not consider race, gender, marital status, country of origin, and other protected characteristics unless they are documented as relevant to the spread of thedisease.

E. Make reasonable accommodations for employees such as permitting employees to work from home if their job description permits this.

F. Generally, accepted scientific procedures, whenever available, will be used to determine the level of risk posed by an employee.

G. Permit employees to use sick leave, vacation time, and FMLA where appropriate while they are out of work.

H. Permit employees to return to work when cleared by a licensed physician, however, additional precautions may be taken to protect the residents.

I. Employees who refuse at any time to take the precautions set out in this and other sections of this policy may be subject to discipline.

4. Definitions

Emerging Infectious disease -- Infectious diseases whose incidence in humans has increased in the past two decades or threatens to increase in the near future have been defined as "emerging." These diseases, which respect no national boundaries, include:

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1. New infections resulting from changes or evolution of existing organisms
2. Known infections spreading to new geographic areas or populations
3. Previously unrecognized infections appearing in areas undergoing ecologic transformation
4. Old infections reemerging as a result of antimicrobial resistance in known agents or breakdowns in public health measures

Pandemic -- A sudden infectious disease outbreak that becomes very widespread and affects a whole region, a continent, or the world due to a susceptible population. By definition, a true pandemic causes a high degree of mortality. Isolation – Separation of an individual or group who is reasonably suspected to be infected with a communicable disease from those who are not infected to prevent the spread of the disease. Quarantine – Separation of an individual or group reasonably suspected to have been exposed to a communicable disease but who is not yet ill (displaying signs and symptoms) from those who have not been so exposed to prevent the spread of the diseases

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Hazardous Materials Spill

Definition & Overview

A minor hazardous material spill is defined as a spill of a known substance in a manageable quantity that does not cause a chemical reaction.

A major spill or hazmat incident can be defined as:

- a known substance that cannot be contained or cleaned up
- a substance of significant quantity that poses an immediate risk to staff and residents
- the material is unknown
- a chemical reaction is present, or incident could escalate and increase level of risk

Planning Considerations

- Determine what resources are needed on site to clean up the spill , such as absorbent pads and materials
- Contact external agencies that can assist with the mitigation and cleanup of hazardous material incidents.
- Include this information in the communications directory
- Ensure all hazardous materials are securely stored and maintained

General Response Procedures

Assigned to/Lead:	
Minor spill of a known substance	
	Protect yourself – avoid contact with skin, eyes, and inhalation.
	Notify staff of the spill and cordon off area
	Use biohazard kit or absorbent material to clean up spill
	Dispose of contaminated material as per your facility policies and protocols
Major Spill or unknown substance	
	Protect yourself – avoid contact with skin, eyes, and inhalation.
	Notify staff of the spill
	Remove anyone in immediate danger
	Cordon off and secure the area to prevent re-entry
	Call 911 immediately if there is a risk of explosion, chemical reaction or to staff. Advise first responders of details – location, type of spill
	Contact emergency response contractors to assist with mitigation and clean up.

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Earthquake/ Hurricane/ Tornado

Definition & Overview

During an Earthquake/ Hurricane/Tornado, the majority of injuries are caused by non-structural items falling and becoming projectiles. The best way to protect yourself is to drop, cover and hold. Drop under a sturdy desk, table, or piece of furniture; cover your face, head, and neck; hold onto the legs of the furniture and hold this position until the shaking stops.

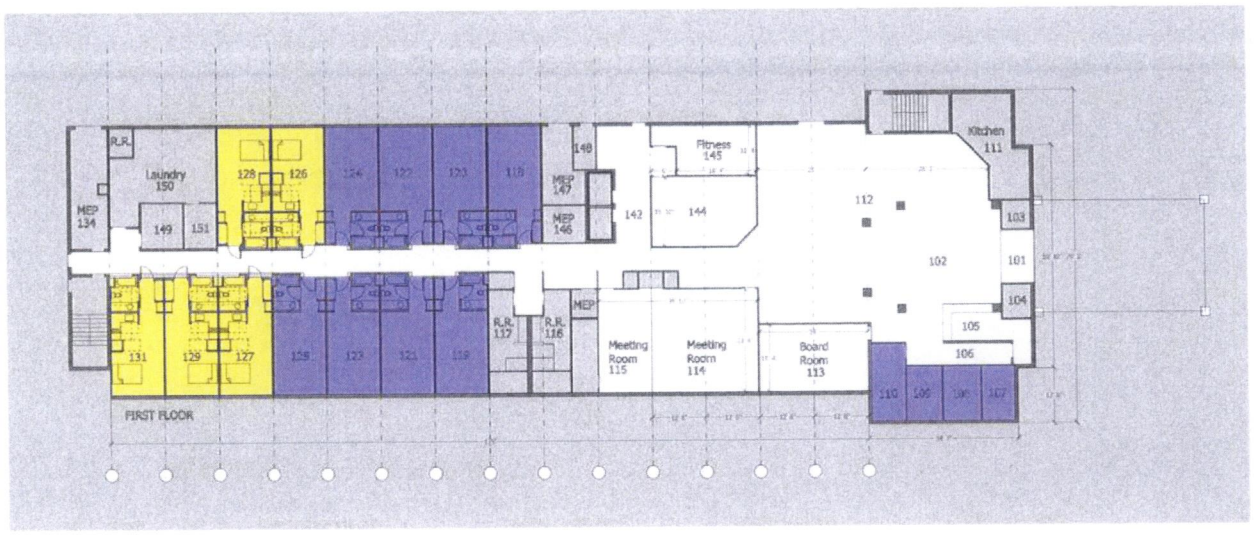
Planning Considerations

- Complete the hazard site assessment and mitigate as many of the Earthquake/ Hurricane/Tornado hazards as possible.
- Identify safe places in each room and areas within the facility and site.
- Note all locations on your facility map.
- Provide educational material or sessions to help staff understand how to protect themselves during an earthquake and how to prepare at home.

Response Guidelines

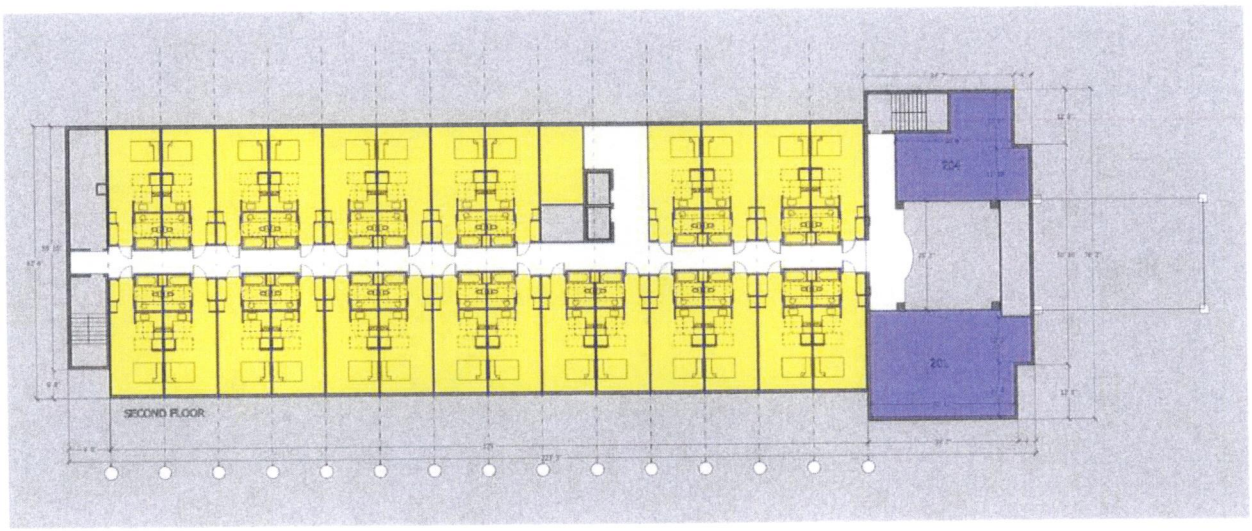
Assigned to: All Staff	
During an Earthquake/ Hurricane/Tornado, immediately:	
	Protect yourself – drop, cover and hold
	Calmly call out your earthquake command
	Direct all staff, residents, volunteers, and visitors to drop, cover and hold until the shaking stops
	Stay away from windows, bookcases, and other hazards
If no shelter/furniture is available:	
	Choose an inner wall, hallway, or corner
	Crouch down with your back to the wall and protect your head and neck
	Place blankets over head to prevent debris from entering or injuring eyes/face
To follow after the immediate threat of an Earthquake/ Hurricane/Tornado or other emergency:	
	Protect yourself – wear sturdy shoes, gloves, and other protective gear, as needed
	Check for immediate hazards – fire, flooding, chemical spills
	Determine if evacuation or shelter-in-place is required Account for all staff & children
	Check for injuries & provide first aid
	Inspect for and respond to a disruption to utilities – gas, hydro, water, and sewer lines
	Assess damage to your building
	Establish communications – listen to radio for local updates, check phone lines, if the phone is off the hook hang it up

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Level 1

Yellow: residential units / Purple: Supportive Service Space



Levels 2-4

Yellow: residential units / Purple: Supportive Service Space

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Lockdown

Definition & Overview

A lockdown of your facility may be required to ensure an external hazard does not enter your facility. Lockdown procedures are implemented to secure and protect staff and residents when an unauthorized or suspicious person enters your facility or grounds.
Lockdown procedures are similar to shelter-in-place procedures in that they are to be used when it may be more dangerous to evacuate the facility than stay inside. If the intruder is outside the facility secure all windows and doors and gather all staff and residents inside the building. If the intruder has entered the facility, secure staff, and residents in a safe room.

When implementing lockdown procedures, ensure that you are communicating with staff as calmly as possible, call 911 immediately and follow the direction of the police. By controlling access to, and movement and noise within the facility, emergency personnel are better able to manage and respond to the threat.

Planning Considerations

- Similar to sheltering-in-place, select an interior room to shelter in with the fewest windows, access to a telephone or an alternative means of communication. Identify this room in advance and note it on your facility map
- Determine how to alert and notify all staff of the threat and to initiate lockdown procedures.

Response Guidelines

Assigned to/Lead:	
	Call 911 as soon as possible
	Communicate with staff to initiate lockdown procedures
	Gather residents, staff, and volunteers inside, preferably in an interior room away from the intruder with access to telephone and other communications (turn phones on quiet or vibrate)
	Keep everyone away from windows and doors. Choose an inner wall
	Close, lock and cover all windows and doors. Barricade doors if possible.
	Speak as calmly as possible. Provide quiet activities to help keep residents focused and quiet
	Remain indoors until you receive further instruction from emergency personnel/the police

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Shelter in Place

Definition & Overview

Sheltering in place is a process of taking immediate shelter in a location by typically sealing a room from outside contaminants for a short period of time.

In the event of a chemical release, local authorities and/or first responders may instruct people in the affected area to remain indoors and shelter-in-place. The goal is to prevent inhalation or ingestion of the chemical by remaining indoors and preventing the contaminant from entering the facility.

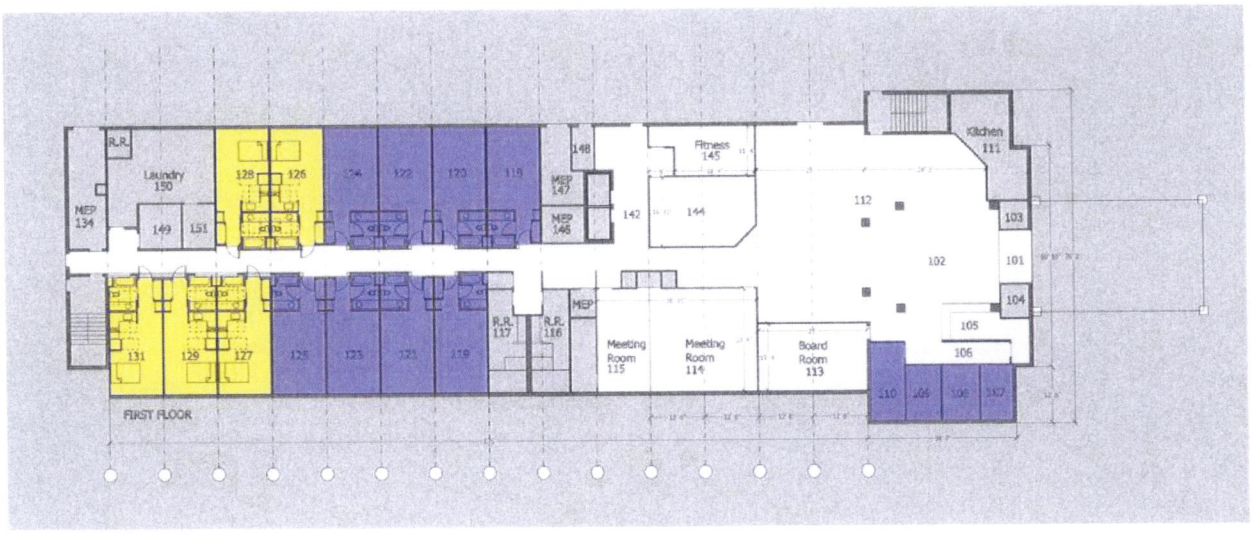
Planning Considerations

- Select an interior room to shelter in with the fewest windows and vents, access to a telephone or an alternative means of communication. Identify this room in advance and note it on your facility map
- Learn the location and how to turn off ventilation systems for the entire facility.
- Note all locations on your facility map.
- If you lease space in a building, managed by a property management company, municipality, or school, talk to them about how to access the necessary controls.
- Ensure you have adequate supplies to seal windows and doors to prevent contaminants from entering the room.

Response Guidelines

Assigned to/Lead:	
	Gather all staff and residents into the room(s) with the least windows & doors
	Place emergency supplies in the room(s) you plan to shelter in
	Ensure you have access to a telephone or alternate communications
	Turn off ventilation systems, including heat, air conditioning and fans
	Close and lock all windows, doors, and vents
	Close off non-essential rooms – storage areas, laundry room
	Seal gaps around windows, doors, vents, exhaust fans with pre-cut plastic sheeting and duct tape (use painters tape first to protect walls)
	Place a damp towel or blanket at bottom of door opening
	Come out of the building only when an all clear has been issued
	Keep staff and families informed and advise them to listen to the radio for safety instructions prior to coming to the facility

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1st Floor Shelter in Place – Safe Places (No Windows)

- North and South stairwells
- Windowless offices
- Common bathrooms

Utility Outage

Definition & Overview

Utility outages, such as power outages can occur frequently and are generally manageable. They can have a greater impact depending on the duration of the outage, the functions they support and the time of year and weather conditions.

Electricity & Gas

Leave the gas on unless you suspect that there is a leak – if you smell the "rotten egg" smell of gas, hear the hiss of escaping gas or see a ruptured gas line or connection.
Gas could be an excellent source for heating and cooling your facility. If you turn it off, only a qualified gas technician can turn it back on safely.

Water & Sewer Lines

Water and sewer lines can be damaged in a significant earthquake. If you experience a water leak there could be various shut-off locations:

- Localized at the appliance
- Valve inside your home or facility, where water supply enters your facility, often located in the basement or garage
- Valve outside your home or facility at the municipal source

Following a major earthquake, you should assume that sewer lines are broken and that using the toilet could cause a sewage spill. Include in your emergency kit, supplies to create alternative

Tunnel to Towers Foundation

toilets - a portable toilet or industrial pail & sealable lid, garbage bags, and hydrated lime for disinfecting waste.

Planning Considerations

- Identify all critical operations that rely on the key utilities & determine the impact of service disruption and include this information the site description
- Establish procedures for restoring systems
- Determine alternatives or resources to manage consequences e.g. storing potable water, warm blankets, emergency generators, temporary toilets
- Establish preventive maintenance schedules for all systems and equipment
- Identify the location of utility controls and shut offs on your facility map
- Label the controls and shut-off valves at the source, tag them with instructions on how to properly turn them off, including ventilation systems
- Teach all staff how, when, and where to turn them off
- Keep utilities clear of debris and hazards

Gas Leak

Response Guidelines

Assigned to/Lead:	
If you do not detect the rotten egg smell, hear the hissing of escaping gas, or see a broken gas line, consider leaving the gas on.	
If a gas odor or sound of escaping gas is detected:	
	Do not smoke, light matches, operate electrical switches, use either cell or telephones, or create any other source of ignition
	Immediately evacuate staff and residents to the assembly point (following evacuation procedures and routes)
	Leave doors open and any windows that may already be open
	Turn off the gas at the meter located outside your home or facility
	Turn the shut-off valve ¼ turn
	Gas is off when the valve is perpendicular to the pipe
	Do not turn the gas back on, only a certified gas technician can do it safely
	Call 911, or the CenterPoint Energy emergency line at: 713-659-2111 or 888- 876-5786

Power Outage

Response Guidelines

Assigned to/Lead:	
Check neighboring facilities power. If the power outage is limited to your facility:	
	Check your circuit breaker panel or fuse box
	To turn off the power at the breaker, turn your face away from the panel. Start by turning off the individual breakers then the main switch
If the power is out in your surrounding area:	
	Turn down thermostats and disconnect all electrical heaters and appliances to reduce the initial demand when the power is reconnected
	Unplug computers, DVD players, TV's, microwaves to protect against possible surges when the power is restored

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	Turn off all lights except one, which will alert you when the power has been restored
	Keep the doors of your refrigerator and freezer shut as much as possible to maintain the cold temperature
	Once the power is restored, turn on only the most essential appliances and wait 30 minutes before reconnecting others
	To report an outage or downed power lines call CenterPoint Energy at: 713-207- 2222

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Sanitation

Response Guidelines

Assigned to/Lead:	
Following a major earthquake, assume that sewer lines have been damaged:	
	Ensure sewer lines are intact
	If not, do not allow toilets to be flushed
	Use an alternate toilet - portable toilet, industrial pail with seat lid, or remove water from toilet bowl, line with two garbage bags (puncture holes in the inner bag to separate liquid)
	Dispose of waste wisely – Separate liquid and solid waste
	Disinfect solid waste – use gloves and powdered hydrated lime
	Store solid waste in industrial pail with tight fitting lid

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Elevator Procedures

Planning Considerations

- Ensure all staff are aware of their role in a power outage
- Reception and frontline staff should always have immediate access to outages/ emergency elevator procedures and forms

Assigned to/Lead:	
Power Outage- Elevator	
	If the power goes out, staff needs to check all elevators to determine if anyone is in a car.
	If any riders are trapped inside a car, staff should notify the building maintenance staff for assistance.
	If the car is stuck at floor level; maintenance can assist using a key to open the elevator doors.
	If the doors will not open, immediately call 911 for the fire department
	Do not attempt to use any elevator keys to remove anyone; wait for maintenance or the fire department.
Earthquake/ hurricane/ tornado	
	Building management should shut down both elevators for use during disasters

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Evacuation

Definition & Overview

Emergency evacuation is the immediate and rapid movement of people away from the threat or actual occurrence of a hazard.

Immediate or crisis evacuations occur when there is an immediate threat to the health and safety of occupants – any employee can initiate an evacuation from an affected area. Preventative evacuations occur when there is a credible, potential threat – the most senior staff member decides to carry out a preventative evacuation often made in consultation with local authorities.

The scale or level of the evacuation can vary depending on the threat. A horizontal evacuation involves the movement of people away from the immediate threat but remaining in an area of refuge on the same floor; a vertical evacuation involves the movement of people to a different floor or a complete or facility evacuation requires the movement of people out of the facility to an assembly point outside and potentially to a relocation site.

Planning Considerations

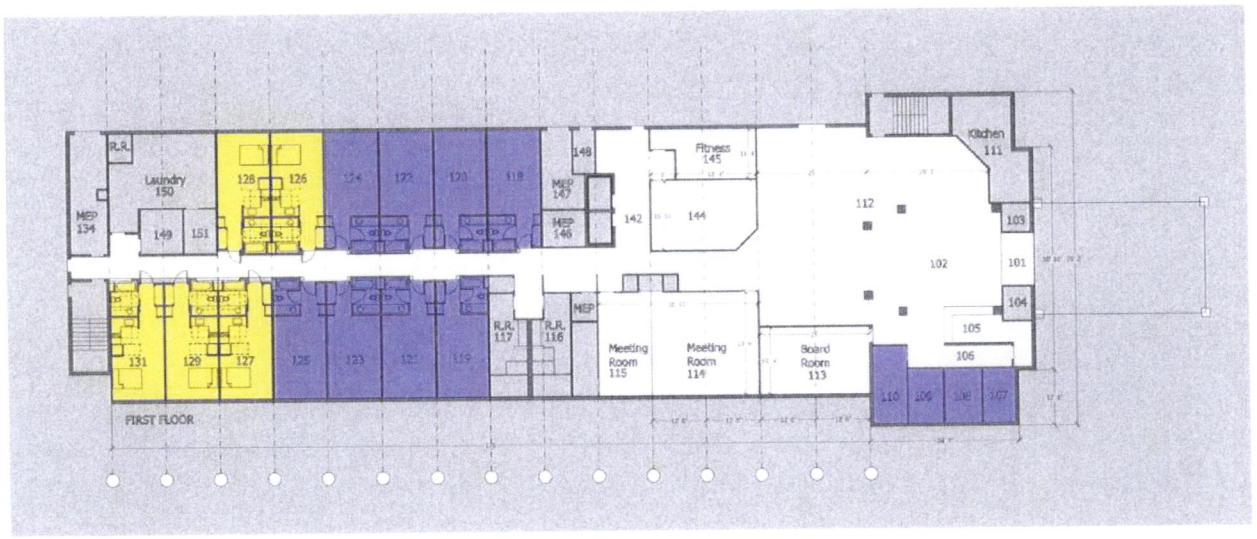
- Identify wardens or evacuation leads for every floor.
- Identify areas of refuge on every floor and assembly points outside of your facility. Locate these areas on your facility map.
- Conduct and maintain an assessment of residents based on their mobility and ability or requirements for evacuation.
- Determine criteria and priority for evacuation
- Consider devices and training staff in special lift techniques for non-ambulatory patients
- Ensure plans are current and posted, reflecting any changes to your facility
- Evaluate your existing evacuation routes to ensure you have 2 unobstructed escape routes. Indicate the routes and exits on your facility map
- Determine who will lead the evacuation and has the authority to initiate a preventative or complete evacuation, such as the facility administrator or most senior staff member
- Consider transportation resources and procedures – keep vehicle gas tanks half full of gas

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Assigned to/Lead:	
	Make a quick assessment of the situation
	Evaluate the evacuation route to ensure a safe and clear route
	Notify staff in the immediate area or entire facility depending on the scale of the evacuation, possibly through paging systems, operator, or switchboard
	Give instructions to evacuate and to meet at the assembly point
	Depending on the threat call in additional resources to assist and notify senior management
	Evacuate based on priority: 1: move those closest to immediate danger 2: direct ambulatory patients and visitors 3: move non ambulatory and immobile patients
	Designate someone to open and close fire doors
	Check all rooms in the evacuation zone and close doors and windows
	Mark rooms that have been searched to inform others they are empty
	Take resident medical records
	Follow evacuation routes
	Proceed to designated muster/meeting areas
	Account for all staff and patients
	Evaluate the situation with the help of first responders (police, fire, and ambulance) prior to re-entry

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Evacuation Map (In Progress)



Evacuate to Front and Southside of building by way of stairwells

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Relocation & Reception

Definition & Overview

If a complete or facility evacuation is required and re-entry is not possible, the facility, operations, staff, and residents will need to relocate.

Planning Considerations

- Identify similar facility for relocation
- Determine and negotiate requirements including space, staffing, supplies, medical management, and additional support required
- Secure access to sufficient transportation
- Determine how notification, activation and transportation will occur to facilitate relocation of residents
- Develop a letter of agreement/memorandum of understanding with transportation providers and relocation site

Response Guidelines

Site Evacuation & Relocation	
If further evacuation is required or you are unable to re-enter your facility:	
	Determine host facility based on situation, hazard, and weather
	Contact host facility with estimated arrival time of residents and staff.
	Secure your facility if possible, shutting off utilities as required
	Arrange for sufficient transportation
	Transport all necessary medications, supplies, signs, emergency contacts, medical records, record of attendance/sign-in sheet
	Take attendance again once you arrive at the re-location site
	Notify families of evacuation and host facility information
	Plan for support of residents at host facility until re-entry or an alternate facility is available.

Evacuation & Relocation Sites

Evacuation Assembly Point	Six Flags Entrance
Location	West of the property; on right side of main entrance
Secondary Assembly Point	Riverside EpiCenter
Location	East of the property; on left side of main entrance down the street

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RECOVERY

Recovery planning is just as important as preparedness planning. Many facilities that have not planned for business disruption have never recovered from a disaster. If you are forced to close over a long period of time, what will happen to your workforce and your clients?

To assist in the recovery of your facility and operations,

- Identify critical supplies, equipment, and key suppliers that support your facility to determine strategies to protect key resources or to identify alternatives. Include contact information of key suppliers in the communications directory
- Determine critical operations and make plans to ensure the continuity of those operations or to bring those systems back online.
- Indicate back up or store off-site copies of key documents, files, and business records
- Identify and plan for an alternate location where you can continue to provide services, if you cannot re-occupy your site
- Determine if you have adequate insurance coverage, including earthquake coverage
- Maintain adequate records to inventory furniture, equipment, and high-cost items
- Conduct a thorough damage assessment of your facility following the disaster
- Consider plans for supporting staff - cash advances, salary continuation, flexible work hours, reduced work hours, crisis counseling, care packages, daycare
- Identify restoration companies that can assist with the cleanup of your facility and include their 24-hour contact information in the communications directory

Appendix 3 lists critical equipment and information required to aid in the recovery phase.

APPENDIX 1: Communications Directory & Forms Emergency

Communications Directory

Emergency Contacts					
Internal	**Contact**	**Number/Frequency/Channel**		**Location**	**Serial Number**
Handheld Radios					
	Phone	**Cell Phone**	**Pager**	**Email**	**Fax**
Incident Command Post	**832-390-3544**	**832-317-8552**		**ohervey@usvetsinc.org**	**281-888-5306**
National Office	**213-542-2600**				
Agency	**Phone**	**Cell Phone**	**Pager**	**Email**	**Fax**
Fire, Police, Ambulance	911				
Property Management	----------	----------			
Relocation Site #1					
Relocation Site #2					
------ Energy					
------ Energy					
Insurance Company Policy					
Updated by:			**Date: 11/3/2023**		

Tunnel to Towers Foundation

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Staff Call Back Records Sheet

Incident:			**Date:**		
Recorder:			**Signature**		
Facility			**Return form to:**		
Name	**Time**	**Contact** (yes/no)	**Message Left** (yes/no)	**Available** (yes/no)	**Estimated Time of Arrival**

Staff Call Back Summary

Incident:		**Date:**	
Recorder:		**Signature**	
Facility		**Return form to:**	
Number of Staff Called		Number of Staff Available	
Number of Staff Contacted		Number Staff Not Available	
Number of Staff Not Contacted		Duration of Call Back Process	
Number of Messages Left			

APPENDIX 2: Incident Command Forms Situational

Report

Residential Facility: Westside Residence Hall	
Date:	**Time:**
Prepared By:	**Signature:**
Approved By Incident Commander:	**Signature:**
Command Post Contact: Name:_____ Position: _____ _____ Phone #: _____ Fax #: _____ E-mail: _____	**Report Type:** Initial Update #_____ Final **Situation Forecast:** Improving Unchanged Deteriorating

Highlights (*Situational Overview – Key Points*):

Current Priority Needs: (*Resources / Information / Support*):

Facility Status

Operational Status: Yes / No			
Communication	Power	Water	Other Utilities/Systems
Structural Damage:			
Comments:			

People Impacted (*Estimated / Confirmed*):

No. Injured	**No. Hospitalized**	**No. Discharged**	**No. Transferred**

Current Resource Information

No.	Resource Type	Assigned	Available	Critical Need

Communication Methods

Still Functioning	☐ Telephone	☐ E-mail
	☐ Cellular	☐ Fax
	☐ Radio Communication	☐ Amateur (Ham) Radio _____
	☐ Satellite Phone	☐ Other
Anticipated Communication Problems:		

Future Outlook / Planned Actions:

Other Comments:

Action Plan

Event:	**Date:**
Time:	**Prepared By:**
ACTION PLAN	

Objectives		
Tasks & Action Items	**Assigned To:**	**Estimated Completion:**
Attachments (Check if attached)		
Recommended By:	**Approved By:**	
Distribution:		

Incident Command Post Staff Sign In Sheet

Date	Name	Organization/Dept	Phone No.	Time in	Time out

Position Log

Event:			Position:		
Event Start Time			Date:		
Log					
Time	To	From	Action	Follow Up	Closed

APPENDIX 3: EMERGENCY SUPPLIES INVENTORY & MAINTENANCE FORM

Emergency Supplies Inventory & Maintenance Form

Location:				
Qty	**Item**		**Comment**	**Date Replaced**
General Supplies				
5	CERT kits			
5	First Aid kits			
126	Food & Water 3-Day Emergency Supply		Inventoried by food services	As needed
Date of Inspection:		**Inspected by:**		

Petition No. Z-39 (last page of attachment to letter)
Meeting Date 11-21-2023
Continued

Date Replacements Complete:	Replaced by:

APPENDIX 4: CRITICAL EQUIPMENT & INFORMATION INVENTORY

Critical Equipment & Information Inventory

Insurance Policy		**Company**		
Policy Number		**Contact Information**		
Critical Equipment/Information	**Location**	**Alternate**	**Preventive Action Required**	**Back-up**
Computers	Staff desks	Staff laptops	Keep files on network	RSM backs up network
Operations Manual	Exec. Office		Keep copy on network	RSM backs up network
Client Files	Case Mgmt. office		HMIS entry current	HMIS system
Food Services	kitchen		3-day supply	Food banks, Red Cross, client supplies

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
390 N. ORANGE AVENUE
SUITE 625
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PA 17011
TELEPHONE (717) 790-2854

September 25, 2023

Min. Bk. 98 Petition No. Z-39
Doc. Type 9-25-2023 letter from Kevin Moore
Meeting Date 11-21-2023

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-39 (2023)
Applicant: Tunnel to Towers Foundation
Property Owner: High End Group Inc.
Property: 3.34 acres, more or less, located on the southerly side of South Service Road, south of Interstate 20, easterly of Riverside Parkway, and westerly of Six Flags Parkway, being more particularly known as 65 South Service Road, Land Lots 603 and 690, 18th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Tunnel to Towers Foundation, the Applicant (hereinafter referred to as "Applicant"), and High End Group Inc., the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in the above-referenced Application for Rezoning with regard to a total tract of 3.34 acres, more or less, located on the southerly side of South Service Road, south of Interstate 20; easterly of Riverside Parkway; and westerly of Six Flags Parkway, being more particularly known as 65 South Service Road, Land Lots 603 and 690, 18th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After communications with Planning and Zoning and other County Staff, reviewing the Departmental Comments and Staff Recommendations, communications and discussions with area residents and homeowner representatives, and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part

of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed, stipulations are as follows:

(1) Rezoning of the Subject Property shall be from the existing General Commercial ("GC") zoning category to the Regional Retail Commercial ("RRC"), site plan specific to the revised ALTA/NSPS Land Title Survey ("Survey") prepared by American Surveying & Mapping, Inc., dated May 19, 2023, and filed with the Application for Rezoning on August 3, 2023. A reduced copy of the Survey is attached as Exhibit "A" and incorporated herein by reference.

(2) Applicant proposes the conversion and renovation of the existing hotel structure into a maximum of ninety-five (95) units for the purposes of providing permanent housing for veterans.

(3) Applicant states the existing structure will be fully renovated, both interior and exterior, with the exterior being substantially similar to the architectural rendering attached as Exhibit "B" and incorporated herein by reference.

(4) Applicant agrees to the creation and establishment of an Architectural Review Committee consisting of a representative of Applicant, a representative of the Mableton Improvement Coalition, and a representative of the Cobb County Community Development Agency.

(5) The proposed community shall have twenty-four hour, monitored security systems.

(6) Applicant will provide supportive services and case management on-site to support the needs of its residents and the surrounding community.

(7) Applicant agrees to the creation and establishment of a Landscape Review Committee consisting of a representative of Applicant, a representative of the Mableton Improvement Coalition, and a representative of the Cobb County Community Development Agency.

(8) Rezoning of the Property will be approved for this Applicant only, and for the proposed use only. Any future changes in use must be approved by the Cobb County Board of Commissioners as part of the "Other Business" process; or, other applicable or similar process at such time.

(9) Minor modifications to the within stipulations, the referenced Survey, lighting, signage, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:

(a) Increase the density of a residential project or the overall square footage of a non-residential project;

(b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

(c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;

(d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;

(e) Change an access location to a different roadway;

(f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;

(g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or

(h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

(10) Applicant agrees to comply with the Departmental Comments and Staff Recommendations compiled by County Staff for the proposed redevelopment.

We believe the redevelopment of the Property for the proposed project, pursuant to the stipulations set forth herein, is an appropriate use of the Subject Property. This is an exciting project which redevelops an existing dilapidated commercial property into a much-needed community to provide for individuals who once served our country but now are in need of assistance from those whom they once served and the community in which they presently live. Thank you for your consideration in this request.

Petition No. Z-39
Meeting Date 11-21-2023
Continued

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments
c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

Cobb County Planning Commission:
Stephen Vault, Chairman
David Anderson
Fred Beloin
Deborah Dance
Michael Hughes
(With Copies of Attachments)

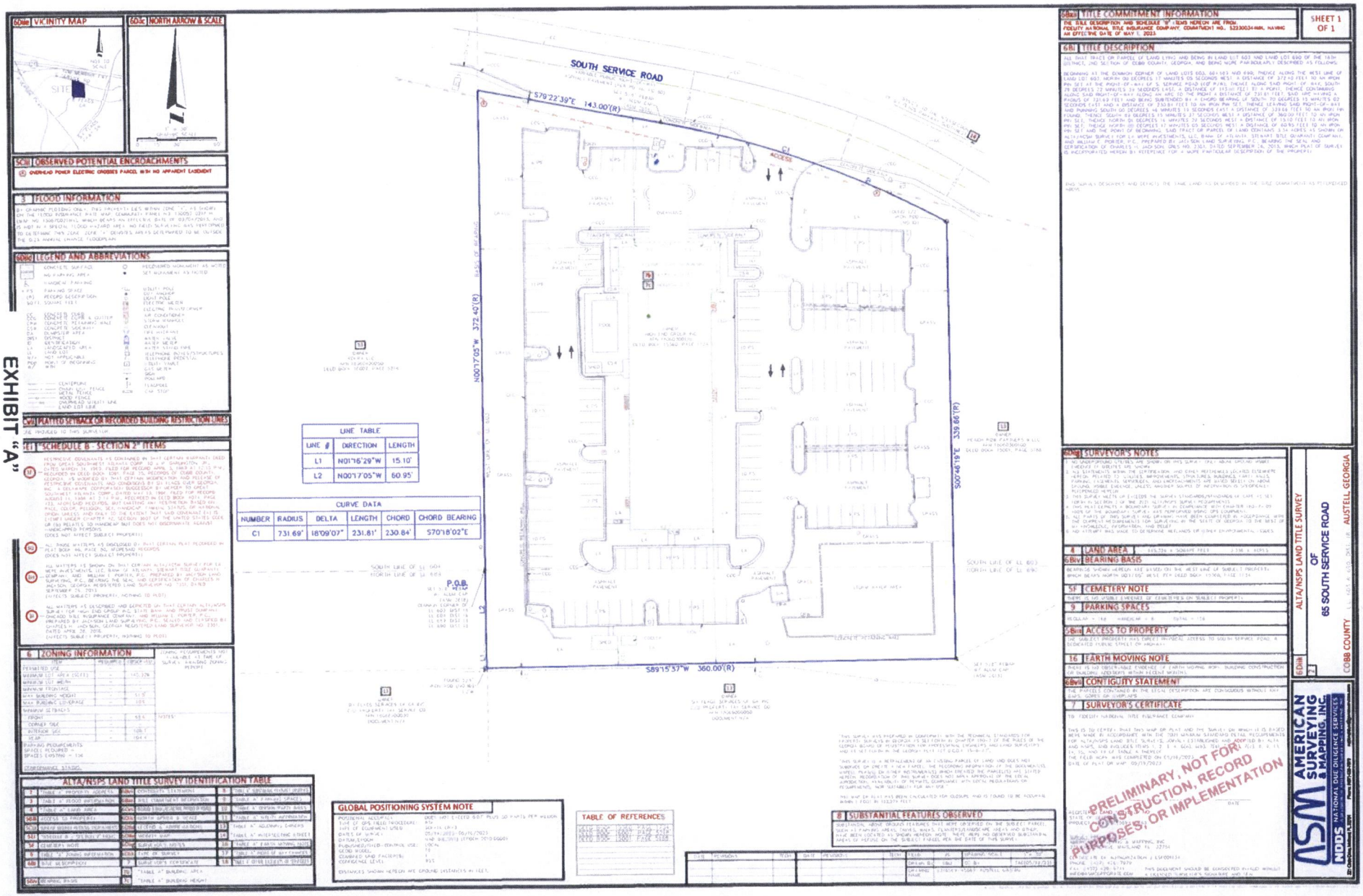
Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Mableton Improvement Coalition
(With Copies of Attachments)

Tunnel to Towers Foundation
(With Copies of Attachments)

Petition No. Z-39
Meeting Date 11-21-2023
Continued

EXHIBIT "A"



Petition No. Z-39
Meeting Date 11-21-2023
Continued



EXHIBIT "B"

Min. Bk. 98 Petition No. Z-42 and SLUP-7
Doc. Type letter
Meeting Date 11-21-2023

October 29, 2023

Mr. John Pederson, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, Georgia 30064

RE: Stipulation Letter for 1.81 AC Blair Bridge Tract, rezoning petition #Z-42 and Special Land Use Permit 7-23

Dear Mr. Pederson:

On behalf of my client and applicant of Z-42 and SLUP 7-23, William Tiku and Lydia Tiku this letter will serve as the stipulation letter that reflects William Tiku and Lydia Tiku's agreement to the following stipulations becoming conditions and a part of the grant of the requested rezoning.

1. These stipulations and conditions set forth shall replace and supersede all prior stipulations And conditions previously proposed.

2. The rezoning of this property shall be from CF to NRC (with SLUP) based on the Rezoning Plat and Conceptual Landscape Plan prepared by DGM Land Planning Consultants, Inc., dated October 24, 2023.

3. The subject property consisting of 1.81 AC shall be developed as a Climate Controlled Self Service Storage Building. Two floors @ 23,630 SF + Basement floor @ 11,873 SF for a total building area of 59,133 SF. The resulting floor area ratio (FAR) is: 59,133 SF / total site area of 78,844 SF (or 1.81 AC) = .75 (75%)

4. The Storage Building will contain approximately 304 individual storage units (Estimate of Unit sizes shown on site plan).

5. All non-impervious disturbed areas around building are to be landscaped with either sod, Shrubs, trees, and/or groundcovers. All planting material will be of quality specified in the Latest edition of American Standards for Nursery Stock.

6. A 20' landscape buffer shall be implemented along the east property line against the Residentially zoned property (RM-8). Buffer shall consist of existing vegetation and Proposed evergreen screen planting as per Cobb County Code.

7. Stormwater Management Area shall be fenced with black vinyl coated chain link fence 6' in height with accompanying landscaping for visual screening.

8. Proposed development will comply with all recommendations from the Stormwater Management Division with respect to stormwater management, detention, hydrology and downstream considerations.

9. All state, county, and local stream buffer ordinances will be adhered to throughout the development and life of the development.

DGM
LAND PLANNING CONSULTANTS, INC.
SITE PLANNING
LANDSCAPE ARCHITECTURE

770 514·9006
FAX 514·9491
975 COBB PLACE BLVD, SUITE 212
KENNESAW GA 30144
DGMLPC.COM

Petition No. Z-42 and SLUP-7
Meeting Date 11-21-2023
Continued

10. Applicant is agreeable to entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Blair Bridge Road, a minimum of 40' from the roadway centerline.

11. Applicant agrees to comply with all recommendations from Cobb County DOT as it relates to traffic and transportation considerations.

14. Building will be fortified with security cameras covering ingress and egress points of Building, as well as interior hallways.

15. Architectural finishes for the exterior of building shall consist of brick, stone, stacked stone, Stucco, or combinations. Materials shall comply with high quality construction industry Standards.

16. All outdoor lighting shall be shielded to ensure that light and glare are limited to the premises and are directed away from adjacent properties. Lights shall be low intensity. If a self-service storage facility abuts a residentially zoned property, outdoor lighting shall be limited to a maximum height of 15 feet.

17. Dumpsters and trash receptacles. Dumpsters and trash receptacles shall be located where they are not visible from adjacent residentially zoned properties, and adequately screened from view from all other adjacent properties and streets. Dumpster locations are to be approved by the staff during the plan review process.

18. Applicant agrees to participate in an Architectural Review Committee and Landscape Review Committee with members of Mableton Improvement Coalition concerning the design of the subject structure once this zoning has been approved.

19. Conceptual Landscape Plan by DGM Land Planning Consultants, Inc. dated 2023-10-29 will become part of this stipulation letter.

20. Applicant agrees to provide public sidewalks as recommended by Cobb County D.O.T.

21. Access hours for the building shall be: For regular storage gate access 6 am to 10 pm. (seven days per week) For office hours from 9:30 am to 6 pm (Monday to Saturday)

22. The District Commissioner shall have the authority to make minor modifications to the Site Plan and these stipulations/conditions during the Plan Review process.

Petition No. Z-42 and SLUP-7
Meeting Date 11-21-2023
Continued

23. All staff's comments and recommendations not otherwise in conflict.

Please give me a call if you have any questions, Mr. Pederson. Thank you again for your consideration.

Kind Regards,

David G. Meyer
President

Petition No. Z-42 and SLUP-7
Meeting Date 11-21-2023
Continued

Rezoning Plat page 1 of 2

Blair Bridge Tract

Cobb County, Georgia Land Lot 583, 18th District, 2nd Section

prepared for:

Tiku and Associates, P.C.
2470 Windy Hill Road, Suite 116
Marietta, Georgia 30067

0 15 30 60 120
Scale: 1" = 30'

October 29, 2023

DGM
LAND PLANNING CONSULTANTS, INC.
1635 OLD HWY 41
SUITE 112–314
KENNESAW, GA 30152
770–514–9006
DGMLPC.COM

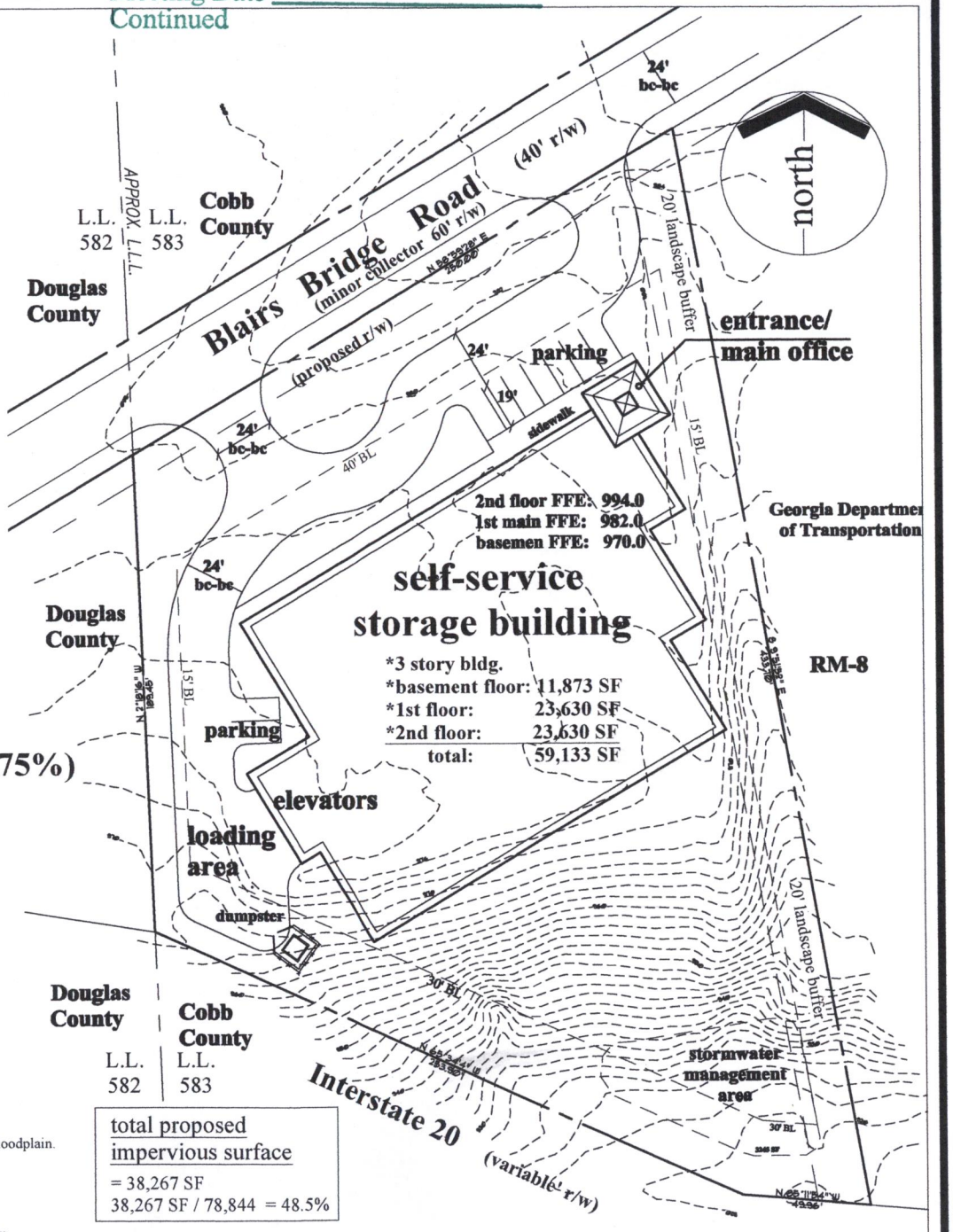
Site Data

Total Site Area: 1.81 AC
Present Zoning: CF
Proposed Zoning: NRC (w/SLUP)
NRC Setbacks:
- front 40'
- side 15'
- rear 30'

Total Building Area: 59,133 SF
Resulting Floor Area Ratio: .75 (75%)

Total Units Shown: 304

5' x 5' x 4' locker	= 18
5' x 5' x 8' standard	= 91
5' x 10'	= 21
10' x 10'	= 28
10' x 15'	= 26
10' x 20'	= 6
10' x 25'	= 36
10' x 30'	= 78



total proposed impervious surface
= 38,267 SF
38,267 SF / 78,844 = 48.5%

General Notes:

1. Boundary taken from Cobb County Plat Book 23, page 147.
2. Topographic information from Cobb County GIS.
3. According to Flood Insurance Rate Map (FIRM) #13067C0204 G, December 16, 2008, no portion of this site contains floodplain.
4. No cemeteries are known to exist on site.
5. No streams and/or wetlands are known to exist on site.
6. No archeological or architectural landmarks are known to exist on site.
7. Utility easements exist on site and are shown on site plan.
8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.

Conceptual Landscape Plan page 2 of 2

Blair Bridge Tract

Cobb County, Georgia Land Lot 583, 18th District, 2nd Section

prepared for:

Tiku and Associates, P.C.
2470 Windy Hill Road, Suite 116
Marietta, Georgia 30067

0 15 30 60 120

Scale: 1" = 30'

October 29, 2023

DGM
LAND PLANNING CONSULTANTS, INC.

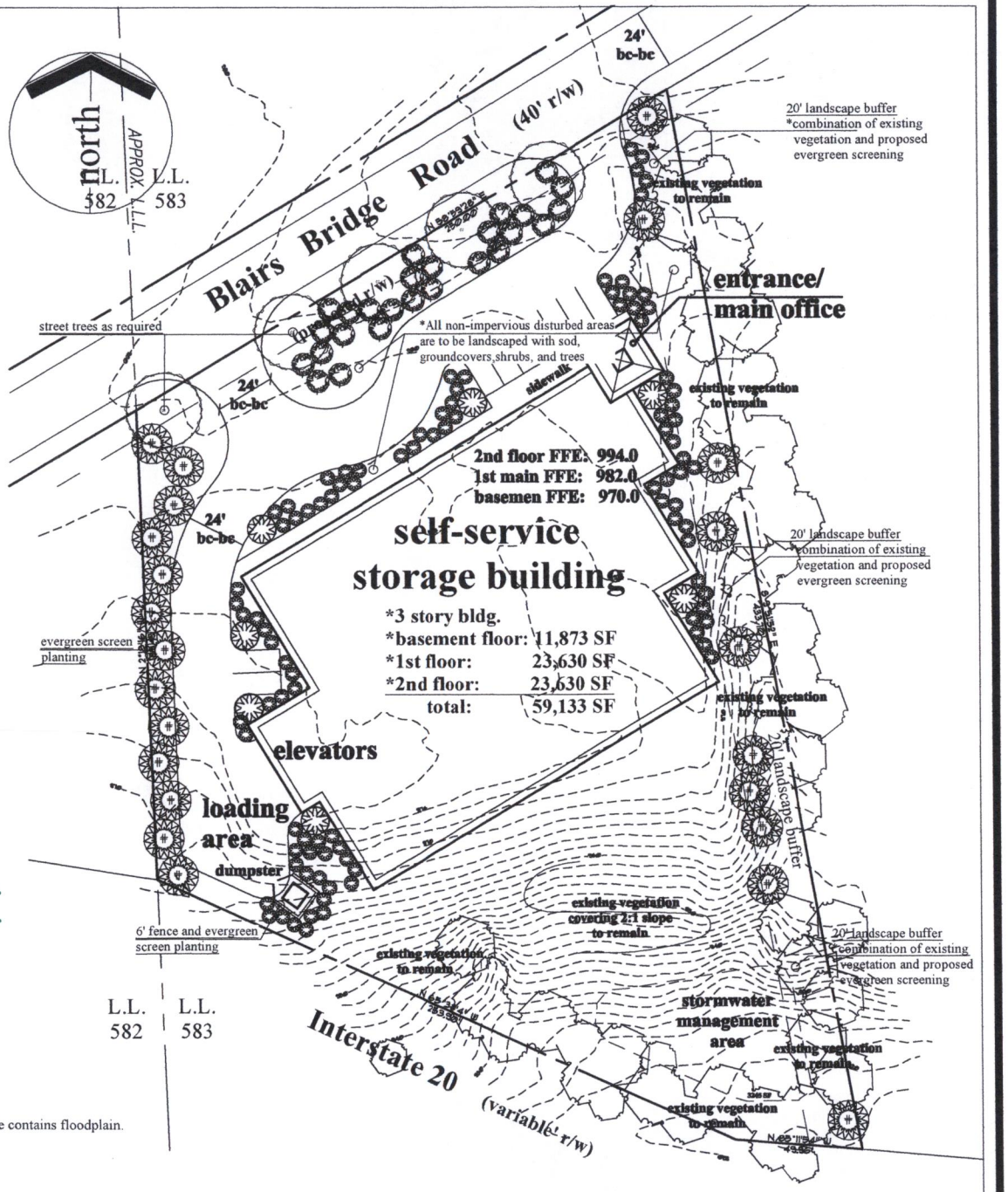
1635 OLD HWY 41
SUITE 112–314
KENNESAW, GA 30152

770–514–9006
DGMLPC.COM

Site Data

Total Site Area: 1.81 AC
Present Zoning: CF
Proposed Zoning: NRC (w/SLUP)
NRC Setbacks:
- front 40'
- side 15'
- rear 30'

Petition No. Z-42 and SLUP-7
Meeting Date 11-21-2023
Continued



General Notes:

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2. Topographic information from Cobb County GIS.
3. According to Flood Insurance Rate Map (FIRM) #13067C0204 G, December 16, 2008, no portion of this site contains floodplain.
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7. Utility easements exist on site and are shown on site plan.
8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.

Min. Bk. 98 Petition No. Z-42 and SLUP-7
Doc. Type Mableton Improvement Coalition's letter of support
Meeting Date 11-21-2023

November 1, 2023

Cobb County Planning Commission
100 Cherokee Street
Marietta, GA 30090

Re: Z-42 William and Lydia Tiku

Dear Mr. Chairman and Commissioners:

I am writing on behalf of the Mableton Improvement Coalition Board to recommend approval of this application for a self-storage facility on Blair Bridge Road. This is a change from our previous position. The applicant's representative has improved the plan by removing variances and adding important information with the recent stipulation letter. However, we do ask that you add one condition to any recommendation for approval. We believe that the applicant will be agreeable to this condition:

- The building architecture will be "4 sided", meaning that there will be architectural features on all sides of the building. The building will be similar to the example found in Exhibit A, except that there will be no stucco used; the building will be 100% brick. The roof gables shown in Exhibit A may exceed the 35-foot building height limitation. The final design of the building will be subject to the Architectural Review Committee in Mr. Meyer's stipulation letter and subject to final approval by the District Commissioner.

As always, thank you for the opportunity to be a part of the public comment process. If you have any questions, please feel free to contact me at 770 948-5394.

Sincerely,

Robin Meyer
Zoning Committee Chair

Cc: Cobb County Board of Commissioners
John Pederson, Cobb County Zoning Division Manager
Robin Stone, Deputy County Clerk
David G. Meyer
MIC Board of Directors and Zoning Committee

Petition No. Z-42 and SLUP-7
Meeting Date 11-21-2023
Continued

Exhibit A



Min. Bk. 98 Petition No. Z-42 and SLUP-7
Doc. Type Zoning Division comments and recommendations
Meeting Date 11-21-2023

Z-42-2023 DEPARTMENT COMMENTS – Zoning Division

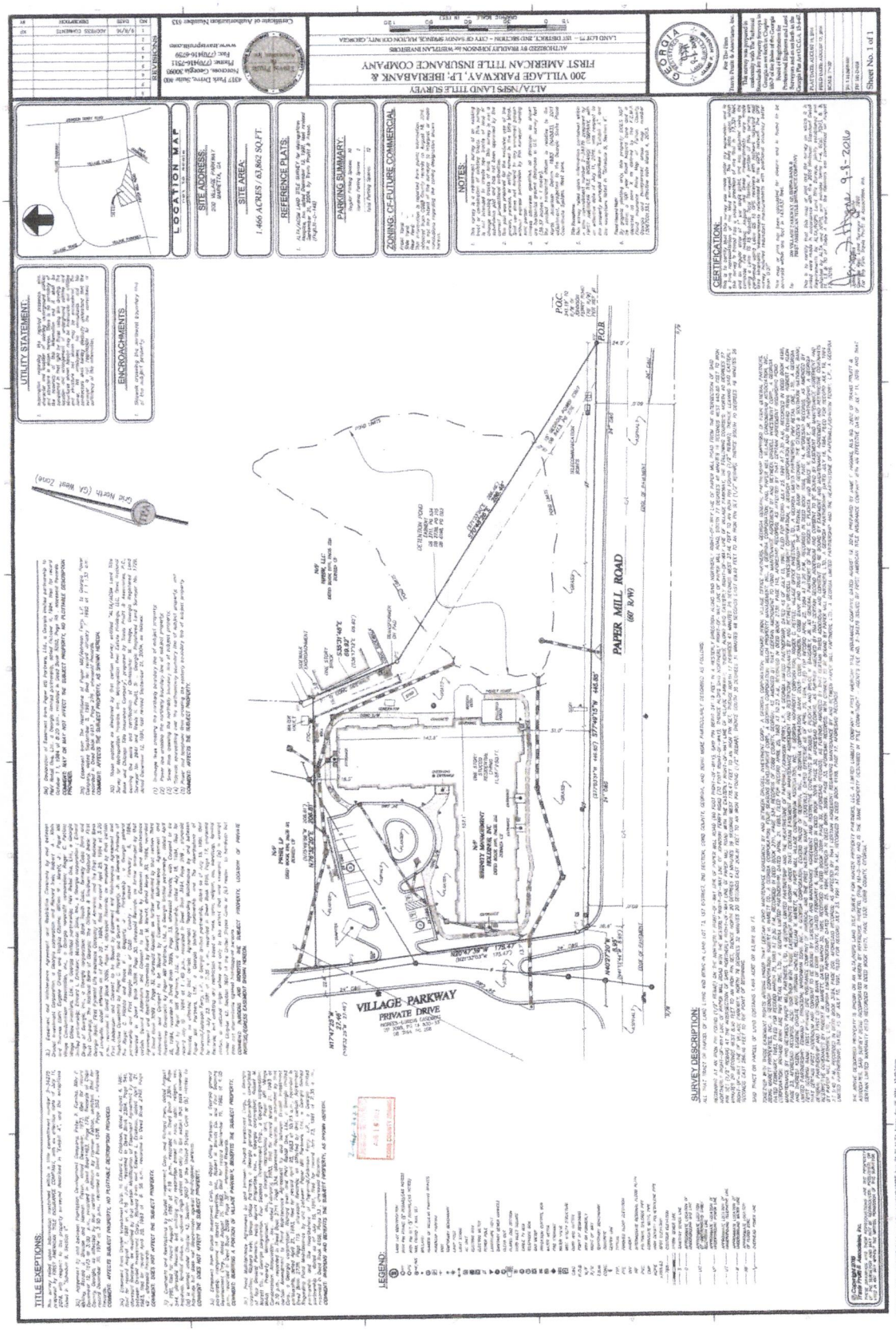
SLUP-7-2023

1. The District Commissioner to approve the final site plan;
2. The District Commissioner to approve final building elevations;
3. The District Commissioner to approve lighting plan;
4. FAR not to exceed 0.75;
5. Height of building not to exceed 35 feet;
6. Landscaping plan to be approved by County Arborist with emphasis on planting within the parking facilities.
7. Adherence to landscape enhancement strip regulations;
8. Fire Department comments and recommendations;
9. Water and Sewer Division comments and recommendations;
10. Stormwater Management Division comments and recommendations; and
11. Department of Transportation comments and recommendations.

Min. Bk. 98 Petition No. Z-44
Doc. Type Site Plan

Meeting Date 11-21-2023

Z-44-2023 **DEPARTMENT COMMENTS – Zoning Division**



Gina Sullivan
Sullivan House Senior Living
770-318-9344 sullycrew@gmail.com

Min. Bk. 98 Petition No. Z-44
Doc. Type letter
Meeting Date 11-21-2023

November 20, 2023

Via E-Mail Attachment

Mr. John P. Pederson
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning – Application No. Z-44 (2023)
follow up for letter dated 11/15/23
Applicant – Gina Sullivan, Village Parkway 200 LLC
Property Owner – 200 Village Parkway LP, Westplan Investors
Property – 200 Village Parkway NE, Marietta, GA 30067
In the Paper Mill Village, Johnson Ferry Rd and Paper Mill Rd
Parcel ID – 01007300550

Dear Mr. Pederson,

I am the applicant for rezoning for 200 Village Parkway NE, Marietta, referenced above, and the application is on behalf of current owner referenced above. My reason for the rezoning application is to rezone the current property from CF to NRC, prior to the selling of said property from current owner to me (future owner and representative of Village Parkway 200 and Sullivan House Senior Living). This property's intended use will be a personal care home for seniors, as it has been under that business category since 1991. After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses/recent re-zonings of surrounding properties in the Paper Mill Village, and reviewing the input from East Cobb Civic Association at the Public Hearing on 11/7/23, I submitted a letter for consideration on 11/15/23.

After submitting a letter of consideration last week for additional uses of the Village Parkway property, I have spoken with Joe Gavalis, Chattahoochee Plantation Chair, and his support has been given in full. Also since that time, I have been in contact with Richard Gnomes, President of East Cobb Civic Association, and gained full support by adding the additional stipulations found below, highlighted in blue. In addition I met with Mrs. Jerica Richardson, District 2 Commissioner, to convey the obtained agreements/terms of the parties, answer any questions she may have, and seek next steps as we proceed to this week's commissioner's meeting.

Gina Sullivan
Sullivan House Senior Living
770-318-9344 sullycrew@gmail.com

It is my intent to communicate the involved community parties (Cobb Civic and Chattahoochee Plantation) and applicant have reached an agreement. My hope is this agreement may facilitate the consideration of the Z-44 case and its continued inclusion on the consent agenda for the 11/21/23 Board of Commissioners meeting.

Included below is an UPDATED list of agreeable stipulations and conditions for your review, that if approved by Commissioners, would become a part of the requested rezoning. The information highlighted in blue has been added since the initial letter for consideration dated 11/15/23.

Applicant agrees the following uses ***shall be prohibited***:

1) Billiards and pool halls and pool rooms
2) Car washes
3) Commercial Produce and agricultural product stands
4) Convenience food Stores with self-service fuel stations
5) Designated recycling stations
6) Emissions or inspection stations
7) Executive golf courses
8) Freestanding climate controlled self-storage facilities
9) Freestanding ice machines
10) Full service gas stations
11) Golf course
12) Golf course par 3
13) In home day care
14) Light automotive repair establishments
15) Non-automotive repair establishments
16) Nonprofit fishing lakes
17) Parking for vehicles
18) Radio, television, and other communication towers and antennas
19) Self-service fuel sales
20) Self-service laundry facilities
21) Churches - storefront or free standing
22) Community Fairs
23) Cultural Facilities
24) Funeral Home
25) Automotive Parts Store
26) Sex and/or adult themed novelty stores
27) Supermarkets
28) Video stores for rental or sale as principal use
29) Stores which principally feature and sell CBD and CBD related products, remedies or novelties, and stores which constitute "Vape Shops" or feature smoking related paraphernalia
30) Rentals/Leases for large truck, van, or other such vehicles, such as U-Haul
31) Package stores selling beer, wine, or alcohol
32) Drinking establishments (i.e. Bars) that are not primarily a restaurant

Petition No. Z-44
Meeting Date 11-21-2023
Continued

Gina Sullivan
Sullivan House Senior Living
770-318-9344 sullycrew@gmail.com

In addition, applicant agrees to the following:

1) That any future exterior modifications to the existing building, as well as any new building, be approved by Paper Mill Village Architectural Control Committee.
2) That the District Commissioner shall have the authority to approve minor modifications to this rezoning as the development proposal proceeds through the Plan review process and thereafter, except for those that:
    a. Reduce the size of an approved buffer adjacent to property which is zoned in a more restrictive zoning district.
    b. Relocate a structure closer to the property line to an adjacent property which is zoned in a more restrictive zoning district.
    c. Increase the height of a. building. Adjacent to property which is zoned in a more restrictive zoning district.
    d. Change access location to different roadways.
3) Variances as stated in zoning department comments from 11/7/23 public hearing-
    a. Decrease the required parking from the required 16 spaces to 12 spaces (existing).
    b. Reduce the side setback from 15 feet to 13 feet on the western property line (existing).
    c. Reduce the rear setback from 30 feet to 18 feet (existing).
4) Requested Certificate of Occupancy from Fire Department noted on public hearing dated 11/7/23.
5) Any and all other uses of the property in question must meet Cobb County Code Section 134-213 in its entirety.
6) That the decrease in required parking spaces from 16 to 12 spaces, be specific to the properties use as a Group Home for a Senior Living Facility (Personal Care Home), and that any other permitted NRC use meet code specific parking requirements for the intended use.
7) The zoning be site plan specific.

Thank you for your time and consideration.

Sincerely,
Gina Sullivan, Applicant and Future Owner
Village Parkway 200 LLC
Sullivan House Senior Living

Petition No. Z-44
Meeting Date 11-21-2023
Continued

Gina Sullivan
Sullivan House Senior Living
770-318-9344 sullycrew@gmail.com

Mr. John P. Pederson
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
4 total pages
November 15, 2023

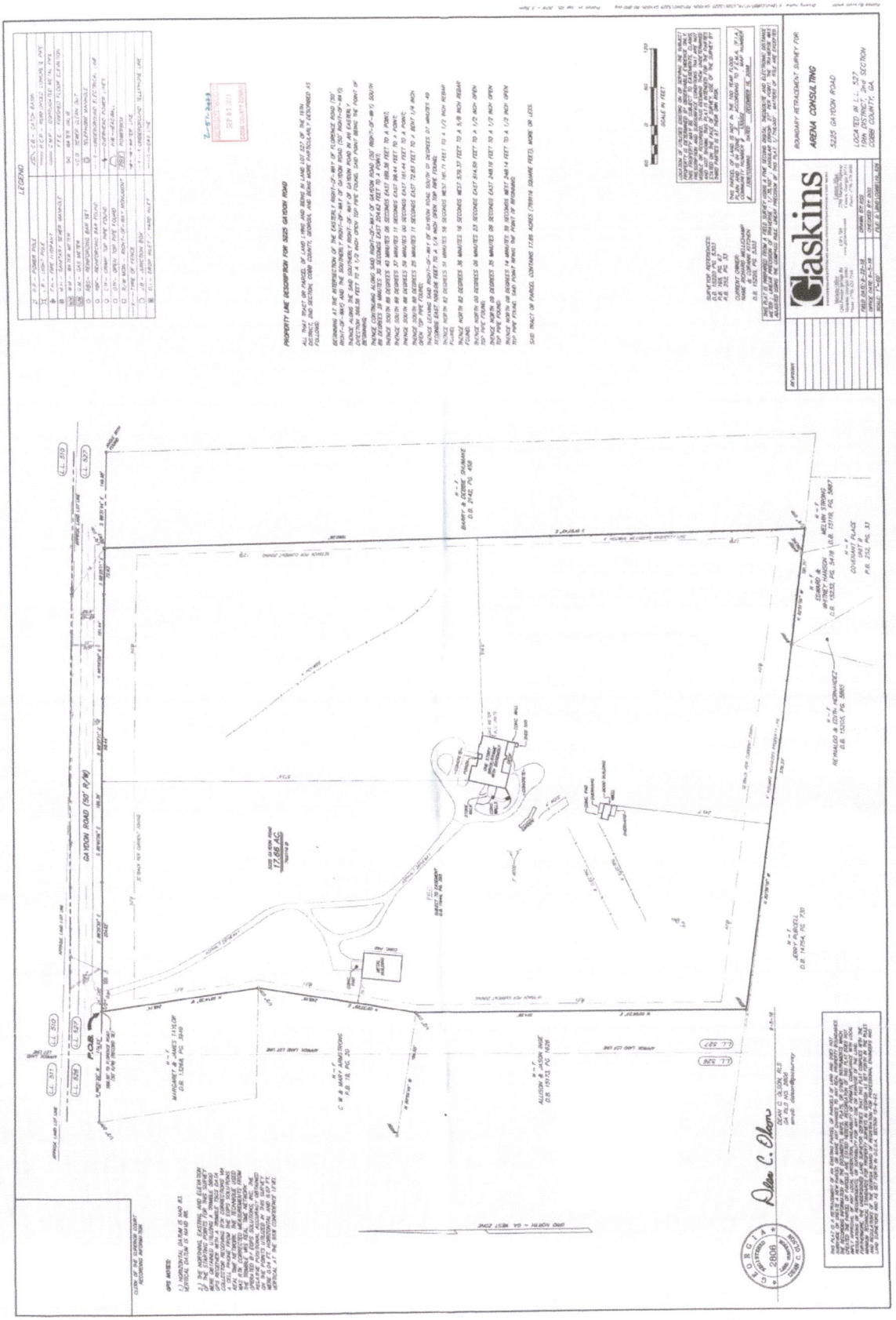
cc: Cobb County Board of Commissioners
Lisa Cupid, Chairwoman
JoAnn Birrell
Keli Gambrill
Jerica Richardson
Monique Sheffield

Jeannie Peyton
Senior Planner Zoning Division
Cobb County Community Development Agency

Min. Bk. 98 Petition No. Z-51
Doc. Type Site Plan

Meeting Date 11-21-2023

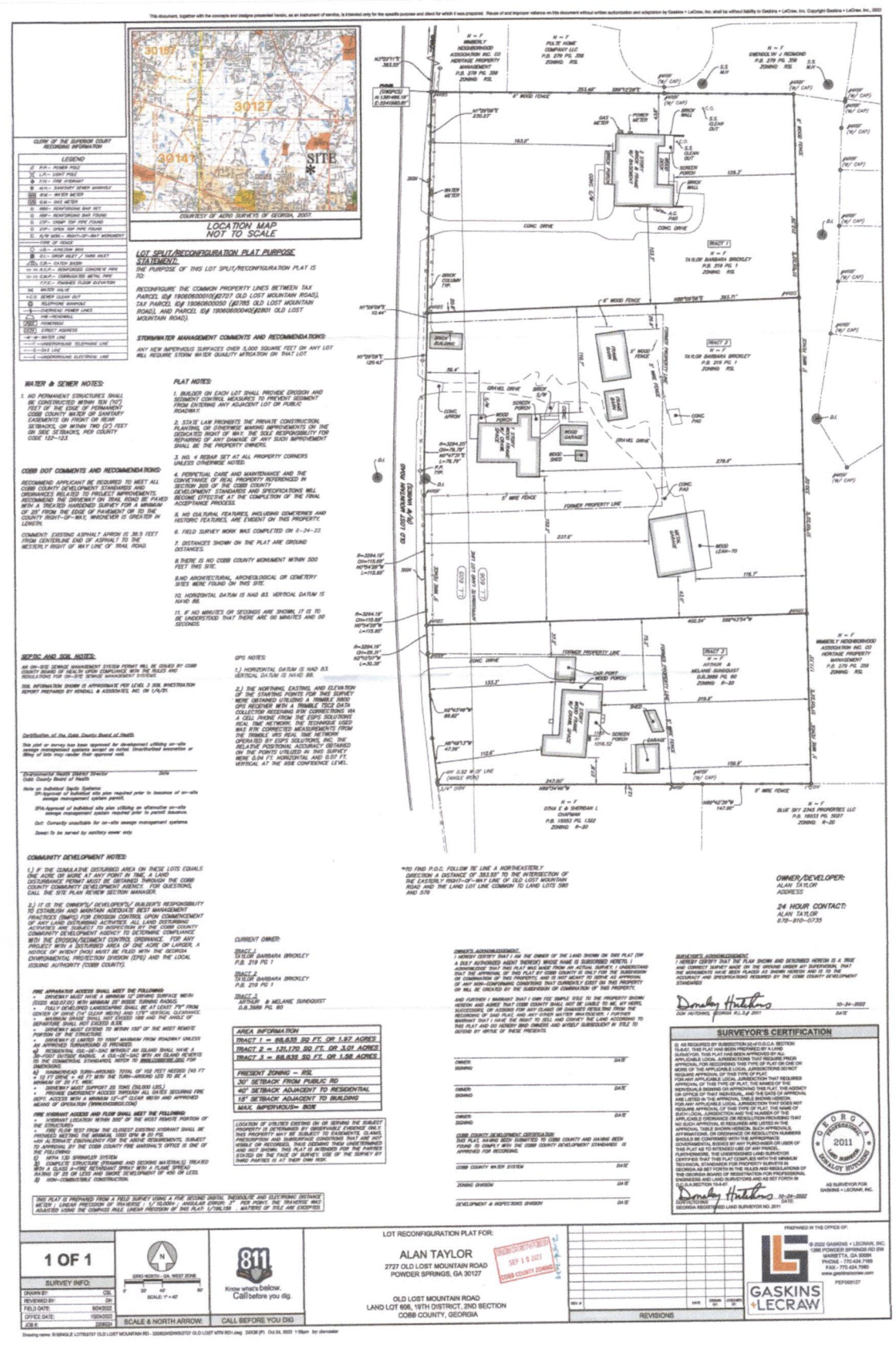
Z-51-2023 DEPARTMENT COMMENTS – Zoning Division



Min. Bk. 98 Petition No. Z-54
Doc. Type Site Plan

Meeting Date 11-21-2023

Z-54-2023 DEPARTMENT COMMENTS – Zoning Division



Min. Bk. 98 Petition No. LUP-23
Doc. Type Planning Commission's recommendations for LUP-23
Meeting Date 11-21-2023

REGULAR AGENDA (CONT.)

~~**SLUP-7 WILLIAM AND LYDIA TIKU (CONT.)**~~

After the vote for Z-42, the following motion was made for companion case, SLUP-7:

MOTION: Motion by Hughes, second by Beloin, to recommend **approval** of SLUP-7, subject to:

~~1. **Same stipulations as stated in companion case Z-42**~~

~~VOTE: **ADOPTED** 5-0~~

LUP-23 **ALFREDO DIAZ** (Alfredo Diaz Camargo, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 485 of the 18th district. Property is located on the northwest side of Grinder Court, north of Ling Way (7058 Grinder Court).

The public hearing was opened; Sammy Ngalame (interpreter for the Applicant, Alfredo Diaz) and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Beloin, to recommend **approval** of LUP-23 for **12 months**, subject to:

1. **Schematic dated November ~~6~~ 7, 2023, and shown at today's hearing (on file in the Zoning Division)**
2. **From the schematic, the *proposed parking* area shall be constructed of either cement or paver (temporary) type materials**
3. **The Applicant shall provide visual screening around the *proposed parking* area, subject to approval by the District Commissioner**
4. **Applicant to proceed with attaining the proper building permits for the structure currently under construction**
5. **Code Enforcement Staff to meet with the Applicant quarterly during the 12-month period to assess ongoing circumstances at the property**

VOTE: **ADOPTED** 5-0

Clerk's Note: *The schematic was dated today's date of November 7, 2023.*

Min. Bk. 98 Petition No. LUP-26
Doc. Type letter
Meeting Date 11-21-2023

ROZEN, ROZEN & REILLY, LLP
248 Roswell Street, SE
Marietta, Georgia 30060
(770) 427-7004 (T)
(770) 426-9584 (F)

ROGER J. ROZEN
rjrozen@rozenandrozen.com
ADAM J. ROZEN
ajrozen@rozenandrozen.com
JEFFREY M. REILLY, JR.
jreilly@rozenandrozen.com

Injury, Land Use,
Criminal Defense,
Domestic
& Business

October 30, 2023

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Mielke Way Manor, LLC for a Temporary Land Use Permit regarding a 14.825 Acre Tract - Land Lot 710, 19th District, 2nd Section, Cobb County, Georgia; LUP 26

Dear John:

This firm represents the Applicant Mielke Way Manor, LLC ("Mielke Way") in LUP 26 which is set to be heard by the Planning Commission on November 7, 2023 and for final action by the Board of Commissioners on November 21, 2023.

This Application seeks a Temporary Land Use Permit ("LUP") to allow a family farm, wildlife sanctuary and an events and educational facility on an approximate 14.825 acre tract of land located at 1901 Pair Road, Marietta, Georgia.

The property ("Subject Property") is presently zoned in the R-15 zoning classification and is identified as Low Density Residential ("LDR") on Cobb County's Future Land Use Map ("FLUM"). The property is a uniquely and rarely preserved approximately 15 acre parcel situated within a residential area. The subject property historically has been utilized for

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

ROZEN, ROZEN & REILLY, LLP
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

residential and conservation activities preserving opportunities for farming, agricultural and aquatic recreational and educational activities.

The proposal will preserve the subject property similar to its current and historical state in a manner consistent with and restricted by its current dedication to conservation pursuant to O.C.G.A 48-5-7.4 for agricultural and environmentally sensitive land. The Subject Property is currently bound by the Applicant's existing conservation covenant through 2032.

The proposed uses are less intense and utilize the land in a way that preserves its natural character in a manner that could not be accomplished if developed as currently zoned or as the surrounding residential properties.

Mielke Way is owned and operated by husband-and-wife Ian and Andrea Mielke. The Subject Property is their primary residence. Ian and Andrea are certified educators with Andrea holding a PHd in curriculum, instruction and assessment. Ian and Andrea started a company called Really Fun Science and began their educational journey creating outdoor, science and animal-based curriculum for metro Atlanta schools and created the curriculum for Athens-Clarke County. Ian and Andrea are now focused on bringing similar educational opportunities to their children and children in the Cobb County community in many ways but including partnerships with other home-school children and local City and County private and public schools. Mielke Way provides a great resource for learning in an outdoor environment with animals, plants, Olley Creek and a private pond. Mielke Way is currently partnered with Cobb County's Adopt a Stream Program for the section of Olley Creek running through their Subject Property, the Cobb County Watershed Stewardship Program and is a Certified Wildlife Sanctuary through the Georgia Audubon Society. All of the foregoing provide a foundation and basis for the events and education operations that Mielke Way proposes.

In furtherance of this Application, this letter will serve as the Applicant's expression of agreement with the following stipulations which shall, upon the requested LUP Application being approved, become conditions and a part of the grant of the Application and binding upon the Subject Property thereafter. The referenced stipulations are as follows:

1. The LUP shall be applied to the Subject Property specifically for a family farm, wildlife sanctuary, event center and educational facility and related activities in a manner similar

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

October 30, 2023
Page 3

to the Revised Site Plan dated October 12, 2023 attached hereto and incorporated herein ("Revised Site Plan").

2. The LUP shall be for this Applicant only as Mielke Way, LLC, Mielke Way Manor, LLC or related entity owned by the Applicant.

3. The LUP approval shall be for an initial period of twelve (12) months with the allowance for the Applicant to seek twelve (12) or twenty-four (24) months renewals thereafter.

4. Entrance signage shall be consistent with the signage currently existing inside the entrance to the property and shall remain inside the entrance and gate.

5. Mielke Way's regular days and hours of operation are proposed to be Monday through Sunday with the hours and type of operation being limited to those outlined in the County Noise Ordinance with Sunday through Thursday operations being limited to 8:00 am to 8:00 pm. There shall be no events on National Holidays.

6. The granting of contemporaneous variances to:
   a. Reduce the side setback for the existing barn to sixty-five feet (65');
   b. Allow vehicle parking on a non-hardened surface in identified areas on the Revised Site Plan;
   c. Allow shared parking among the Applicant and other off-street property(ies). The Applicant currently has an agreement with Trinity Fellowship Church for off-site parking when needed.

7. Compliance with the recommendations from Cobb County DOT, Cobb County Fire Department and the Cobb County Water System with respect to the availability of water and sewer to the site (the subject property is already connected to both with sufficient capacity).

8. The District Commissioner shall have the authority to make minor modifications to the site plan and these stipulations/conditions.

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

Please do not hesitate to contact me should you or your staff have any questions or require any additional information or documentation.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
ajrozen@rozenandrozen.com

AJR/
Enclosures

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

MielkeWAY MANOR
Family Farm and Wildlife Sanctuary

north

October 12, 2023

DGM
LAND PLANNING CONSULTANTS, INC.
1635 OLD HWY 41
SUITE 112-314
KENNESAW, GA 30152
770-514-9006
DGMLPC.COM

Site Data

Total Site Area: 14.825 AC

(13.7 AC in floodplain)

Present Zoning: R-15

Proposed Zoning: R-15

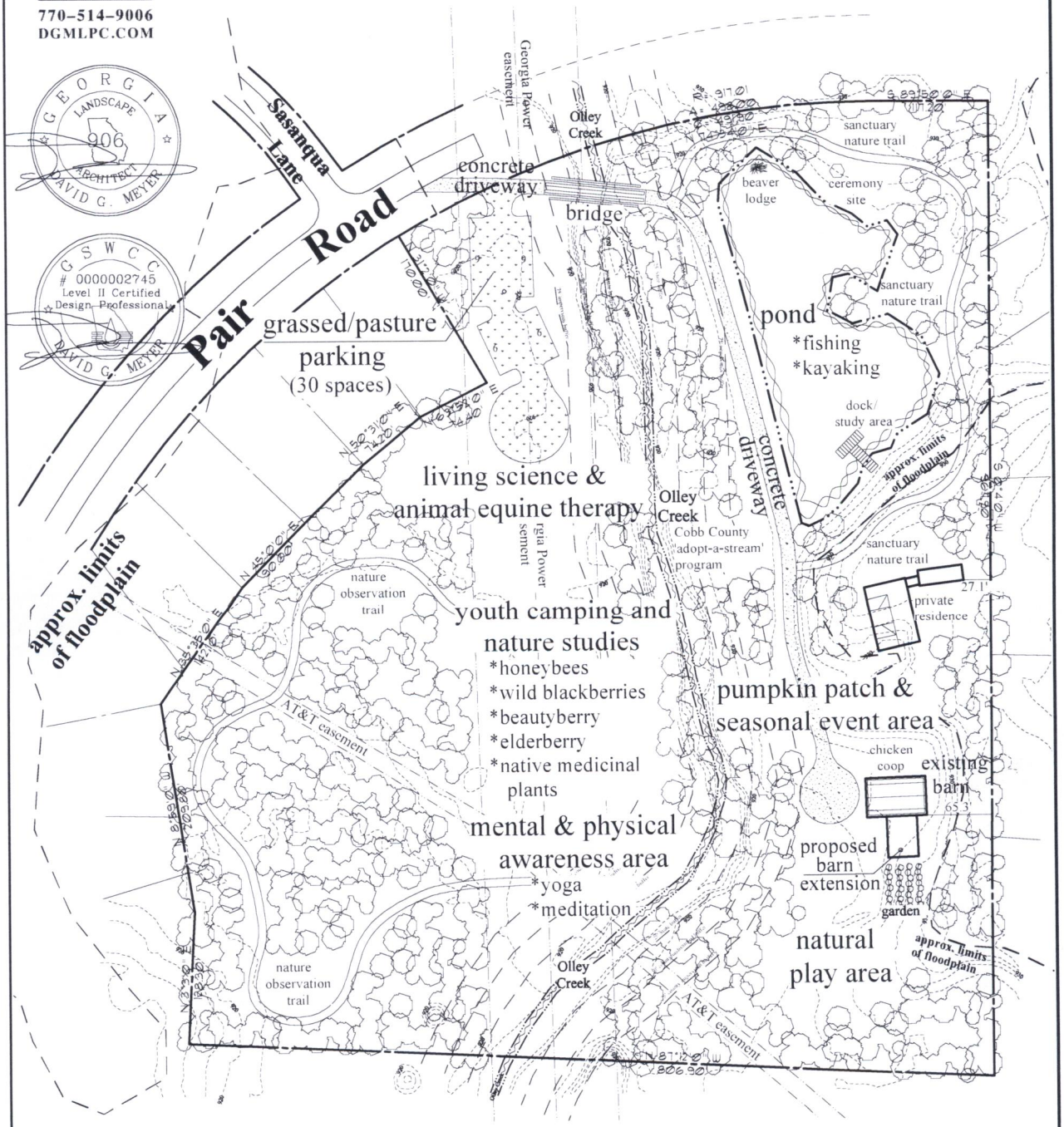
(w/temporary land use permit)

0 50 100 200 400

Scale: 1" = 100'

GEORGIA LANDSCAPE ARCHITECT 906 DAVID G. MEYER

GSWCC # 0000002745 Level II Certified Design Professional DAVID G. MEYER



Min. Bk. 98 Petition No. LUP-26
Doc. Type Shared Parking Agreement
Meeting Date 11-21-2023

PARKING LICENSE AGREEMENT

THIS PARKING LICENSE AGREEMENT (the "Agreement") made this 19th day of November 2023, by and between Trinity Baptist Church of Smyrna, Inc., a Georgia non-profit corporation (hereinafter known as "Trinity"), and Mielke Way, LLC, a Georgia limited liability company (hereinafter called "Mielke Way" and collectively with Trinity known as the "Parties").

WITNESSETH:

WHEREAS, Trinity is the owner of that certain tract of land known as 2115 pair Road, Marietta, GA, Tax Parcel ID 19069500160, located in unincorporated Cobb County, Georgia, which is described on Exhibit "A" and the parking area contemplated by this Agreement shown cross-hatched on Exhibit "B" (the "Parking Area") attached hereto; and

WHEREAS, Mielke Way is the owner of that certain tract known as 1901 Pair Road, Marietta, GA, Tax Parcel ID 19071000010 ("Mielke Way Manor") located in unincorporated Cobb County, Georgia; and

WHEREAS, the Parties previously entered into discussions and came to a general agreement that Mielke Way could utilize the Parking Area for its customers and guests visiting Mielke Way Manor with advance notice and scheduling between the Parties; and

WHEREAS, the parties desire to enter into a more detailed license agreement to provide specifics on the use of the Parking Area.

NOW, THEREFORE, for and in consideration of the premises and the covenants herein set forth, the Parties declare as follows:

1. **Use:** Trinity agrees that Mielke Way has the right for Mielke Way's customers and guests to park their vehicles on the Parking Area depicted in Exhibit "B" subject to the provisions of this Agreement and consistent with Cobb County Parking Standards.

2. **Term:** The term of this Agreement shall be for an initial period of twelve (12) months beginning on **November 22, 2023,** ("Effective Date") and ending at midnight on **November 21, 2023**, with Mielke Way's right to seek extension of this Agreement to coincide with any extensions of time granted by Cobb County for Mielke Way's LUP 26 (2023) of November 21, 2023 ("LUP 26") or subsequent entitlement.

3. **Indemnification:** Mielke Way shall, except to the extent of any gross negligence or willful intentional act by Trinity, defend, indemnify and save Trinity and the Parking Area harmless from any and all liens, judgments, fines, penalties, costs, expenses, damages, or liability occasioned by any act of Mielke Way, its agents or guests or by their failure to act in connection with the Parking Area or arising out of any accident causing injury or death to any person whomsoever or damage to any property whatsoever, and due directly to the use of the Parking Area by Mielke Way or its guests.

4. **Maintenance:** Mielke Way shall maintain the Parking Area in a clean and safe manner, and free from litter and debris. If Mielke Way agents, employees, customers or guests damage the Parking Area, Mielke Way shall repair the damage done by the customers. Mielke Way's use shall be consistent with the stipulations and conditions of LUP and any subsequent entitlement from Cobb County.

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Petition No. LUP-26
Meeting Date 11-21-2023
Continued

5. **Notices:** Notices will be properly directed if delivered in person, by nationally recognized overnight mail service, or by electronic mail as set forth below:

To Trinity:
Mark Conner, Pastor
Trinity Baptist Church of Smyrna, Inc. dba Trinity Fellowship Church
2115 Pair Road
Marietta, GA 30008
info@tfmarietta.org

To Mielke Way:
Ian Mielke
Mielke Way, LLC
1901 Pair Road
Marietta, GA 30008
mielkewaymanor@gmail.com

6. **Counterparts:** A facsimile, telecopy, or other reproduction of this Agreement may be executed by the parties (in counterparts or otherwise) and shall be considered valid, binding and effective for all purposes. At the request of any party, the parties hereto agree to execute an original of this Agreement as well as any facsimile, telecopy or other reproduction hereof.

7. **Binding Effect:** Trinity covenants and agrees that this Agreement shall run with the land and be binding upon its successors and assigns. Absent a recorded document, Trinity shall give a copy of this Agreement to any purchaser of the property of which the Parking Area is a part.

8. **Jurisdiction**. This Agreement shall be administered, construed and enforced according to the laws of GA.

9. **Severability**. The invalidity or unenforceability of any provision of this Agreement shall not in any way affect the validity or enforceability of any other provision and this Agreement shall be construed in all respects as if such invalid or unenforceable provision has never been in the Agreement.

10. **Counterparts**. This Agreement may be executed in any number of counterparts with the same effect as if allof the parties hereto had signed the same document. All counterparts shall be construed together and shallconstitute one agreement.

[SIGNATURES SET FORTH ON FOLLOWING PAGE]

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Petition No. LUP-26
Meeting Date 11-21-2023
Continued

IN WITNESS WHEREOF, the undersigned Parties have set their hands under seal as of the Effective Date.

TRINITY:

TRINITY BAPTIST CHURCH OF SMYRNA, INC.
A Georgia non-profit corporation

By: Mark Conner
Mark Conner,

MIELKE WAY:

MIELKE WAY, LLC,
A Georgia limited liability company

By: Mielke
Ian Mielke, Manager

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Petition No. LUP-26
Meeting Date 11-21-2023
Continued

Exhibit "A"

Trinity

All that tract or parcel of land lying and being in Land Lots 695, 696 and 712 of the 19th District, 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin situated at the common corners of Land Lots 695, 696, 711 and 712; running thence along the line dividing Land Lots 695 and 712 on a bearing of South 88 degrees 35 minutes 45 seconds West 180.40 feet; continuing thence along the line dividing said Land Lots 695 and 712 on a bearing of South 89 degrees 19 minutes 58 seconds West 187.21 feet to an iron pin; running thence South 21 degrees 10 minutes 24 seconds East 321.89 feet to an iron pin; running thence North 88 degrees 23 minutes 47 seconds West 358.87 feet to an iron pin; running thence North 05 degrees 45 minutes 42 seconds West 86.08 feet to an iron pin; running thence North 00 degrees 13 minutes 59 seconds East 35.72 feet; running thence North 24 degrees 11 minutes 26 seconds West 46.75 feet; running thence North 25 degrees 34 minutes 26 seconds East 21.94 feet; running thence North 32 degrees 16 minutes 01 seconds East 58.50 feet; running thence North 32 degrees 15 minutes 58 seconds East 5.87 feet; running thence North 62 degrees 17 minutes 59 seconds East 32.98 feet; running thence North 00 degrees 19 minutes 06 seconds East 60.38 feet; running thence North 33 degrees 15 minutes 37 seconds East 89.28 feet; running thence North 47 degrees 10 minutes 03 seconds East 24.30 feet; running thence North 30 degrees 32 minutes 41 seconds West 38.81 feet; running thence North 09 degrees 43 minutes 00 seconds West 51.20 feet; running thence North 21 degrees 45 minutes 36 seconds West 89.22 feet; running thence North 24 degrees 13 minutes 55 seconds West 51.92 feet; running thence North 26 degrees 45 minutes 51 seconds West 19.76 feet; running thence North 00 degrees 25 minutes 20 seconds East 10.97 feet; running thence North 33 degrees 38 minutes 24 seconds West 26.26 feet; running thence North 32 degrees 23 minutes 04 seconds West 135.08 feet to an iron pin; running thence South 46 degrees 35 minutes 47 seconds East 212.27 feet to an iron pin; running thence South 52 degrees 23 minutes 53 seconds East 211.22 feet to an iron pin; running thence North 39 degrees 59 minutes 28 seconds East 354.42 feet to an iron pin situated on the southwesterly right-of-way of Pair Road (right-of-way varies); running thence South 48 degrees 30 minutes 13 seconds East along said right-of-way 364.30 feet to an iron pin; running thence South 48 degrees 10 minutes 27 seconds West 196.41 feet to an iron pin situated on the line dividing Land Lots 695 and 696; running thence along said line dividing Land Lots 695 and 696 on a bearing of South 00 degrees 01 minute 40 seconds East 111.32 feet to an iron pin situated at the common corner of Land Lots 695, 696, 711 and 712 and the point of beginning.

The property herein described consists of 6.902 acres according to a plat of survey prepared for Trinity Fellowship/Regions Bank dated July 1, 1999 by Paul Lee Consulting Engineering Associates, Inc. which plat is made a part hereof by reference.

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

Mielke Way

ALL THAT TRACT or parcel of land lying and being in Land Lot 710, 19th District, 2nd Section, Cobb County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin located on the east line of Land Lot 710, 250.0 feet northerly of the southeast corner of said Land Lot 710, as measured along the east line of said Land Lot; from said point of beginning, run North 87 degrees 12 minutes West 806.9 feet to an iron pin and corner; running thence North 03 degrees 03 minutes East 128.3 feet to an iron pin; running thence North 08 degrees 59 minutes West 209.8 feet to an iron pin; running thence North 35 degrees 35 minutes East 142.1 feet to an iron pin; running thence North 45 degrees 00 minutes East 90.0 feet to an iron pin; running thence North 45 degrees 35 minutes East 82.4 feet to an iron pin; running thence North 50 degrees 31 minutes East 74.2 feet to an iron pin; running thence North 63 degrees 52 minutes East 74.4 feet to an iron pin and corner; running thence North 31 degrees 02 minutes 170.0 feet to an iron pin and corner located on the southerly right of way of Pair Road; running thence northeasterly and easterly along the southerly right of way of Pair Road and following the curvature thereof a distance of 498.0 feet to an iron pin; continuing thence along the southerly right of way of Pair Road South 89 degrees 50 minutes East 117.2 feet to an iron pin and corner located on the east line of Land Lot 710; running thence South 00 degrees 04 minutes West along the east line of Land Lot 710 a distance of 967.9 feet to the iron pin at the point of beginning, being 14.825 acres as shown on survey prepared by West Georgia Surveyors, Inc., GA RLS No. 2235, dated November 21, 1994.

Petition No. LUP-26
Meeting Date 11-21-2023
Continued

Exhibit "B"

Parking Area



Min. Bk. 98 Petition No. OB-45
Doc. Type letter

Meeting Date 11-21-2023

ROZEN, ROZEN & REILLY, LLP
248 Roswell Street, SE
Marietta, Georgia 30060
(770) 427-7004 (T)
(770) 426-9584 (F)

ROGER J. ROZEN
rjrozen@rozenandrozen.com
ADAM J. ROZEN
ajrozen@rozenandrozen.com
JEFFREY M. REILLY, JR.
jreilly@rozenandrozen.com

Injury, Land Use,
Criminal Defense,
Domestic
& Business

November 15, 2023

VIA ELECTRONIC MAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Other Business Application of Alan Baran regarding Rezoning Application No. Z-38 (2012), OB 1 (2013) & OB 80 (2018); OB 45 (2023)

Dear John:

This firm represents the Applicant in this Other Business Application regarding property which was the subject of the rezoning application known as No. Z-38 (2013) & OB 80 of 2018 as enclosed ("Rezoning and OB Applications").

The Subject Property is located in a Priority Industrial ("PI") classification which covers the entire southern side, and portions of the northern side, of Six Flags Parkway and stretches south and east across Lee Industrial Boulevard down to the County border with Fulton County and stretches east along Discovery Boulevard.

Recognizing this character area, the Subject Property was rezoned to the Light Industrial ("LI") zoning classification by the Cobb County Board of Commissioners ("BOC") on December 18, 2012 (Z-38 2012) to allow its current use as a truck terminal and truck repair facility, subject to numerous conditions/stipulations. An Other Business Item (OB-1 of 2013) was brought before

Petition No. OB-45
Meeting Date 11-21-2023
Continued

ROZEN, ROZEN & REILLY, LLP

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VIA ELECTRONIC MAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

the BOC and approved on July 16, 2013 to amend the stipulated time frame for development. Mr. Baran acquired this property in 2017 and since then has made various improvements to the site in compliance with the conditions imposed in 2012. These include demolition of existing dilapidated structures; installation of the stipulated solid wooden privacy fence along the easterly property line of the Subject Property; installation of a black, vinyl-clad chain-link fence and a staggered row of landscaping trees along the frontage of the Subject Property on Six Flags Parkway; and the office structure has been remodeled and renovated.

However, certain other conditions/stipulations have not been satisfied by the prior and current owner. A portion of those conditions/stipulations formulated the basis of OB 80 of 2018. After further developmental analysis, the Applicant now seeks to revise existing conditions and, pursuant to prior stipulations, seeks to approve building location and architecture and move forward with final site development.

In this Application, the Applicant requests and proposes to install additional landscaping along the frontage of Six Flags Parkway as well as landscaping in planter and median islands throughout the parking area; to modify the allowable parking spaces and vehicles on site to be consistent with the Site Plan dated June 12, 2023 ("Site Plan"); to approve the location, orientation and architecture of the building as identified on the Site Plan and submitted architecture reflecting a brick exterior ("Architecture"); to relocate the proposed detention to its originally proposed location and as reflected on the Site Plan; and to establish timeframes within which these items shall be accomplished.

The Applicant previously requested but is no longer seeking waiver of the existing stipulations related to the surface parking standards to allow for a gravel surface for parking or to waive the DOT recommendations regarding installation of a deceleration lane, sidewalk, curb, gutter and closing the secondary entrance driveway.

In furtherance of this Application, this letter will serve as the Applicant's expression of agreement with the following stipulations which shall, upon the requested OB Application being approved, become conditions and a part of the grant of the Application and binding upon the Subject Property thereafter. The referenced stipulations are as follows:

1. The approval of the Other Business Application shall be in substantial conformity to the Site Plan dated June 12, 2023. The Site Plan shall be subject to review by a Site Plan

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Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

Review Committee ("SPRC") comprised of a representative of the Mableton Improvement Coalition ("MIC"), the Applicant and Community Development subject to final approval and modifications approved by the District Commissioner.

2. The Applicant shall install additional landscaping throughout the site at a minimum:

    a. To maintain and replant where necessary the additional screen landscaping along the frontage on Six Flags Parkway to include a minimum of two staggered rows of evergreens a minimum of six feet (6') in height;

    b. To install the New Ornamental Shrubs and New Trees similar to as identified on the Site Plan within ninety (90) days of final approval of this Application;

    c. Any dead or dying plantings and damaged landscaping materials shall be replaced within ninety (90) days of final approval of this Application;

    d. The type and location of the landscaping are to be subject to engineering and review by a Landscape Review Committee ("LRC") to be comprised of the County Arborist, a representative of MIC and the Applicant with final approval of the District Commissioner.

3. The new office and repair building is permitted to be located and oriented as identified on the Site Plan and Architecture with final building architecture to be approved by the District Commissioner.

    a. When the office and repair building is constructed, the building pad will contain stormwater systems to catch and direct all fluids through an oil/water separator filtration system prior to entering the general stormwater system for discharge. All on-site maintenance and repairs shall be performed inside the building.

4. Applicant agrees to comply with Surface Parking Standards to include:

    a. improving all drive and parking surfaces with a treated and hardened surface as defined in the Cobb County Ordinance;

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VIA ELECTRONIC MAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

b. installing curb, gutter and sidewalk as recommended by the Department of Transportation; and
c. installing a deceleration lane as substantially similar to that identified on the Site Plan.

5. There shall be no junk/inoperable vehicles on site.

6. There shall be no outside storage as that term is defined by applicable Cobb County Ordinance.

7. The number of vehicles on site shall be limited to the number of parking spaces and each vehicle shall be parked in a space at all times while on site.

8. The Applicant shall submit for plan review, building and land disturbance permit within sixty (60) days of final approval of this Application.

9. The District Commissioner may, but shall not be required to, extend or otherwise modify the time requirements as stated herein as a minor modification.

10. The Applicant shall be permitted to relocate the detention back to its original location approved in 2012 in a location similar to that identified on the Site Plan and required to install a staggered row of evergreen trees a minimum of six feet (6') in height along and in front of a black vinyl-clad chain link fence surrounding the detention area for screening purposes.

11. Compliance with Department of Transportation recommendations to include the closing of the Secondary Driveway Access closely aligned to Hillcrest Drive.

12. Compliance with Stormwater Management Division recommendations as stated in Z-38 and to include that any oil/water separator shall be installed subject to approval and recommendation by the Stormwater Management Division.

The Subject Property is located within and around one of the few areas of Cobb County which have been specifically identified as "Priority Industrial". Beyond the Comprehensive Plan, the Subject Property is bordered by Industrial Compatible businesses located to the west and south,

Petition No. 08-45
Meeting Date 11-21-2023
Continued

ROZEN, ROZEN & REILLY, LLP

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VIA ELECTRONIC MAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

as well as across Six Flags Parkway. Many of these properties are zoned Heavy Industrial. This use also strikes a balance to reflect the transition from heavy industrial uses to residential uses in the surrounding area. Therefore, we believe that this request is appropriate for the Subject Property.

Nonetheless, the Applicant recognizes that a number of years have passed since original approval and looks forward to finalizing this Application and bringing a finalized and professionally maintained product to this important sub-area of the District. The Applicant greatly appreciates the patience afforded from the County Staff, the Mableton Improvement Coalition and the District Commissioner in the processing and collaboration of this Application.

Please do not hesitate to contact me should you or your staff require any further information or documentation prior to the formulation of your Other Business Analysis and Staff Recommendations.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
ajrozen@rozenandrozen.com

Enclosures
AJR/

cc: Members, Cobb County Board of Commissioners (via email)
Ms. Robin Meyer, Mableton Improvement Coalition (via email)
Mr. Alan Baran (via email)

Petition No. 08-45
Meeting Date 11-21-2023
Continued



SITE PLAN

MFS OFFICE AND TRUCK TERMINAL
Mableton, GA

MILLENNIUM FREIGHT SOLUTIONS

06/12/2023

22232

ROBERTSON LOIA ROOF
ARCHITECTS & ENGINEERS
3460 Preston Ridge Road Suite 275 Alpharetta, Georgia 30005 (770) 674-2600

Petition No. OB-45
Meeting Date 11-21-2023
Continued



PERSPECTIVE RENDERING

MFS OFFICE AND TRUCK TERMINAL
Mableton, GA

MILLENNIUM FREIGHT SOLUTIONS

05/24/2023
22232

ROBERTSON LOIA ROOF
ARCHITECTS & ENGINEERS
3460 Preston Ridge Road Suite 275 Alpharetta, Georgia 30005 (770) 674-2600

Min. Bk. 98 Petition No. OB-45
Doc. Type Site Plan

Meeting Date 11-21-2023



SITE PLAN

RECEIVED
SEP 07 2023
COBB COUNTY ZONING

OB-45-2023
proposed
Site plan

MFS OFFICE AND TRUCK TERMINAL Mableton, GA	MILLENNIUM FREIGHT SOLUTIONS	06/12/2023 22232	RLR ROBERTSON LOIA ROOF ARCHITECTS & ENGINEERS

Min. Bk. 98 Petition No. OB-45
Doc. Type Stormwater Mngmt and Cobb DOT comments and recommendations
Meeting Date 11-21-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

ITEM OB-45-2023

PURPOSE

To consider a site plan and stipulation amendment for Alan Baran regarding case Z-38 of 2012. The property is located on the south side of Six Flags Parkway, east of Bishop Road, in Land Lot 505 of the 18th District (320, 350 & 370 Six Flags Parkway). ***(Continued by Staff from the October 17, 2023 hearing until the November 21, 2023 hearing).***

BACKGROUND

The property was rezoned to Light Industrial in 2012 for a truck terminal and truck repair facility. The applicant purchased the property from the original applicant in 2017 and would like to finish the process of developing their plan for the property. The applicants plan proposes for some modifications which include:

1. Relocate the detention pond from the front of the property to the rear of the property (and making the pond larger).
2. Amending the site plan to replace the existing office (converted house) with a larger office building that would also have a two-bay service area. The proposed building would be brick.

If approved, all previous stipulations not in conflict with this amendment would remain in place.

STAFF COMMENTS

Stormwater Management: Stormwater Management has no objection to this other business item as requested. The location and design of the detention pond would be subject to Plan Review comments and all previous Stormwater Management Zoning comments to remain in effect.
Water and Sewer: No additional comments.
Fire Department: CCFMO does not have any objections to OB-45-2023 as presented.
Cobb DOT: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan and stipulation amendment.

ATTACHMENTS

Other Business Application and zoning stipulations.

Petition No. OB-45
Meeting Date 11-21-2023
Continued

ITEM OB-45-2023

Cobb DOT:

Comments and observations:

A new site plan (dated September 7, 2023) was received as part of this application. The recommendations below are based on review of the new site plan.

In accordance with Cobb County Code 134-121, this development does not require a traffic study submittal based on the September 7, 2023, site plan.

Recommendations:

1. Recommend retaining all DOT recommendations from zoning case Z-38-2012, which include the following:
    a. Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Six Flags Parkway, a minimum of 40' from the roadway centerline.
    b. Recommend one access to Six Flags Parkway. Site plan received on September 7, 2023, shows a deceleration lane.
    c. Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement.
    d. Recommend curb, gutter, and sidewalk along Six Flags Parkway frontage.
    e. Recommend a deceleration lane on Six Flags Parkway for the entrance. *Site plan received on September 7, 2023, complies with this comment.*
    f. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1

Min. Bk. 98 Petition No. OB-51
Doc. Type Cobb DOT, Fire Dept, and Site Plan Review comments and recommendations
Meeting Date 11-21-2023

ITEM OB-51-2023

To consider a public frontage reduction from 75-feet to zero-feet and allow access on a non-hardened and treated surface (gravel driveway) for Ashley Nicole Hubbs for property located on the north side of Due West Road in Land Lot 298 of the 20th District (4430 Due West Road).

BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-30 and is required to have 75-feet of public road frontage. The proposed lot has zero-feet public road frontage and accesses from a recorded 30-foot ingress/egress and utility easement. The proposed lot would meet the building setbacks, lot size, and impervious coverage. Additionally, the applicant would need a variance to allow access on a non-hardened and treated surface, which is the existing gravel driveway.

STAFF COMMENTS

Cobb DOT: See attached.
Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water & Sewer Comments: No comments.
Site Plan Review: If this OB request is approved, a lot-split plat must be submitted to the Site Plan Review Section, Community Development Agency. Once the plat has been approved and recorded, individual building permits can be issued.
Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage and variance for the gravel driveway.

Petition No. OB-51
Meeting Date 11-21-2023
Continued

FIRE COMMENTS: OB-51-2023

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County.

RESIDENTIAL SINGLE-FAMILY ACCESS:

Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with a minimum 25 foot inside turning radius.

Fully developed landscaping shall be at least 7 feet 0 inches from center of drive (14 foot clear width) and 13 foot 6 inches vertical clearance.

Maximum grade shall not exceed 18%, angle of departure shall not exceed 8.5%.

Driveway must extend within 150 feet of the most remote portion of the structure.

Driveway is limited to 1000 feet maximum from roadway unless an approved turn-around is provided:

a) Residential cul-de-sac without an island shall have a 38 foot outside radius. A cul-de-sac with an island reverts to the commercial standards, refer to www.cobbfire.org for dimensions.

b) Hammerhead turn-around: total of 102 feet needed (45 feet + 12 foot drive + 45 feet) with the turn-around leg to be a minimum of 20 feet wide.

Driveway must support 25 Tons (50,000 lbs.).

FIRE HYDRANTS:

Hydrant location must be within 500 feet of the home.* (Additional hydrant may need to be installed)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,000 gpm @ 20 psi for detached single-family homes)

* An alternative equivalency for the above requirements, subject to the approval by the Cobb County Fire Marshal's Office is one of the following:

1.) NFPA 13D sprinkler system.
2.) Complete structure (framing and decking materials) treated with a Class A-Fire Retardant spray with a flame spread rating of 25 or less and smoke development of 450 or less.
3.) Non-Combustible construction.
(Indicate on the site plan which option will be utilized.)

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd
(770) 528-8814
jeffrey.byrd@cobbcounty.org

Petition No. OB-51
Meeting Date 11-21-2023
Continued

Cobb DOT- OB-51-2023

Recommendations:

1. Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Due West Road, a minimum of 50' from the roadway centerline. This recommendation is pursuant to Cobb County Development Standard 401.2, Right-of-Way.

2. Recommend applicant verify that minimum intersection sight distance is available for Due West Road access. This recommendation is pursuant to Cobb County Development Standard Detail 401B, Intersection Sight Distance. If minimum intersection sight distance is not available, recommend implement remedial measures to address safety, subject to the Department's approval, to achieve the minimum requirement of 500'.

3. Recommend driveway on Due West Road meet residential driveway standards per Section 402.7.1, Residential Driveways, of the Cobb County Development Standards.

4. Recommend all driveways be treated with a hardened surface a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways, and Cobb County Development Standard Detail 116R, Residential Driveway Standard.

5. Recommend a minimum of 80 feet straight-line distance (from end of driveway curb return to start of driveway curb return) between driveways on Due West Road. This recommendation applies to both the spacing of new driveways in relation to each other, as well as spacing from adjacent driveways. If necessary, recommend implementation of shared driveways to achieve a minimum spacing between driveways. This recommendation is pursuant to Cobb County Development Standard 402.2, Access from Thoroughfare Streets and Cobb County Development Standard Detail 116R, Residential Driveway Standard.

6. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 98 Petition No. OB-53
Doc. Type Cobb DOT and Fire Dept. comments and recommendations
Meeting Date 11-21-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2

ITEM OB-53-2023

To consider a lot size reduction from 20,000 square-feet to 13,310 square-feet and a front setback variance from 35-feet to 20-feet for Turren Construction LLC for property located on the south side of Daniel Street in Land Lot 695 of the 17th District (1980 Daniel Street).

BACKGROUND

The Board of Commissioners considers all reductions to minimum lot size pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-20 and is required to have 20,000 square-feet of lot size. The proposed lot has 13,310 square-feet. Staff researched the plat records and could not locate a plat that showed the property with its current square-footage. The existing lot has a one-story house that was built in 1946. The owner would like to demolish the house and build a new house on the lot. The proposed house would need a front setback variance from 35-feet to 20-feet, due to a stream buffer on the west side of the property that pushes all the buildable area to the east side of the lot.

STAFF COMMENTS

Cobb DOT: See attached.
Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water & Sewer Comments: No comments.
Site Plan Review: No comments.
Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum lot size and the front setback variance.

APPLICANT: Turren Construction LLC **PETITION NO.:** OB-53

PRESENT ZONING: _____ **PETITION FOR:** _____

* * * *

Recommendations:

1. Recommend residential driveways on Daniel Street be installed to Cobb County standards. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways and Cobb County Development Standard Detail 116R, Residential Driveway.

2. Recommend applicant verify that minimum intersection sight distance is available for Daniel Street access. This recommendation is pursuant to Cobb County Development Standard Detail 401B, Intersection Sight Distance. If minimum intersection sight distance is not available, recommend implement remedial measures to address safety, subject to the Department's approval, to achieve the minimum requirement of 280'.

3. Recommend driveway on Daniel Street be paved with a treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways and Cobb County Development Standard Detail 116R, Residential Driveway Standard.

4. Recommend replacing any disturbed curb, gutter, and sidewalk along Daniel Street frontage to meet Cobb DOT standards. This recommendation is pursuant to Cobb County Development Standard 401.15, Curbs and Gutters (including subsections), Cobb County Development Standard 404 Sidewalks and Pathways, Cobb County Development Standard 405 Accessibility Requirements, and Cobb County Development Standard Detail 106, Concrete Curbs, Medians.

5. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 98 Petition No. OB-54
Doc. Type Cobb DOT and Fire Dept. comments and recommendations
Meeting Date 11-21-2023

ITEM OB-54 (continued)

STAFF COMMENTS

Cobb DOT: Recommend GDOT permits for any work that encroaches upon State right-of-way.

Fire Department: Where monument signs are used address numbers shall be installed on both side of the monument sign. Suite and building numbers shall comply with Section 106-2(b)(3) Cobb County Code. Landscaping materials shall not obstruct the street numbers. The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Site Plan Review: No comments.

Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.

Water and Sewer: No comments.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed billboard placement.

ATTACHMENTS

Other Business application.

Min. Bk. 98 Petition No. OB-55
Doc. Type Cobb DOT comments and recommendation
Meeting Date 11-21-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 3

ITEM OB-55-2023

PURPOSE

To consider a stipulation amendment for Christopher Broughton regarding rezoning application Z-1 of 2023 for property located on the north side of Barber Road, west of Old Concord Road, in Land Lot 296 of the 17th District (411 Barber Road).

BACKGROUND

The property was rezoned to Neighborhood Retail Commercial (NRC) with a Special Exception on February 21, 2023 for a specialized contractor (landscaping and trees). Stipulation #10 limited the applicant to two trucks with grinders attached. The applicant would like to increase the number of trucks to eight trucks since their business is growing and there is room on the property to park the extra equipment. If approved, all previous stipulations not in conflict with this amendment would remain in place.

STAFF COMMENTS

Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water and Sewer: CCWS records show public sewer in East Callaway Road and at southern property line via existing sewer line and platted easement.
Fire Department: CCFMO does not have any objections to OB-55-2023 as presented.
Cobb DOT: See attached.
Site Plan Review: No comments.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

Other Business Application and zoning stipulations.

Petition No. OB-55
Meeting Date 11-21-2023
Continued

Cobb DOT- OB-55-2023

Recommendations:

1. Recommend retaining all recommendations from zoning case Z-1-2023, including:

a. Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Barber Road, a minimum of 25' from the roadway centerline.

b. Recommend replacing any disturbed curb, gutter, and sidewalk along the Barber Road frontage.

c. Recommend replacing the existing residential driveway on Barber Road with one commercial driveway per Section 402.08, Non-Residential Driveways, of the Cobb County Development Standards. Recommend location and design be determined during plan review, subject to Cobb County DOT approval. Only one driveway is approved for this location.

d. Recommend any gate and all parts of be set back a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

e. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

MAILING ADDRESS
1635 OLD 41 HWY
STE 112-346
KENNESAW, GA 30152

CAPITAL ASSOCIATES
REAL ESTATE LLC

ERNEST J. (E.J.) CAMPBELL III
PRINCIPAL BROKER
GA LIC: 321328

678-283-4994
EJCAMPBELL@COMCAST.NET

November 15, 2023

VIA Hand Delivery: 11/15/2023
VIA Email: 11/15/2023

TO: **Mr. John Pederson, AICP**
Zoning Division Manager
Cobb County Community Development Agency
1150 Powder Springs Rd. STE 400
Marietta, GA 30064
7770-528-2024
john.pederson@cobbcounty.org

Min. Bk. 98 Petition No. OB-57
Doc. Type letter
Meeting Date 11-21-2023

RE: **"Other Business" Application No. 57 (2023)**
Agreeable Stipulations, Revised Site Plan and Additional Information
Applicant: Susan H. Pryor
Subject Property: 275 Lane Dr. Mableton, GA 30126

Mr. Pederson:

I hope this letter finds you well. The above referenced "Other Business" Application is currently scheduled to be heard by the Board of Commissioners (BOC) on Tuesday, November 21, 2023. This letter and attachments provide additional information, a revised site plan and agreeable stipulations for this application.

The Applicant seeks approval for a lot split and minor modifications to the existing R-20 district regulations pursuant to construction of a new single-family dwelling on the vacant lot identified as Lot 1 on the Lot Division Plan dated October 3, 2023 and submitted concurrently with the Application on October 17, 2023. The Application seeks to utilize the regulations for the existing R-20 zoning district throughout the two parcels and requests the following modifications:

1. Approval of a lot split consistent with the Lot Division Plan dated October 3, 2023;

2. Reduction in the minimum lot size of Lot 2 from 20,000 square feet to 18,990 square feet. This is a 5.05% reduction in lot size;

3. Reduction in the front building setback of Lot 1 from 35 feet to 27.5 feet. This is a 22% reduction in the front building setback requirement for Lot 1. This request anticipates the need for additional buildable area on the lot to facilitate on-site water quality facilities.

A total of one new residential lot is created with this Application. The existing dwelling shall remain on a newly sized and configured Lot 2 and maintain its current driveway location on Lane Dr. The

Petition No. OB-57
Meeting Date 11-21-2023
Continued

MAILING ADDRESS
1635 OLD 41 HWY
STE 112-346
KENNESAW, GA 30152

CAPITAL ASSOCIATES
REAL ESTATE LLC

ERNEST J. (E.J.) CAMPBELL III
PRINCIPAL BROKER
GA LIC: 321328

678-283-4994
EJCAMPBELL@COMCAST.NET

Applicant intends to maintain ownership of both parcels and construct a new single-family residential dwelling on Lot 1. The new home will be of a style and size consistent with adjacent and nearby properties. The construction will also feature traditional architecture and a minimum house size of 1,200 square feet. Existing structures on Lot 1 will be removed.

In regards to the concept of a lot split for this property, it is important to note that the proposed Lot 1 was previously a separate parcel with a substantially congruent size and shape. A survey for Brenda Nash by KENCO Engineering and Surveying Co. dated April 17, 1980 and recorded Plat Book 75 Page 130 is attached for reference. The previous location of the eastern property line is identified as "original property line" on Lot Division Plan dated October 3, 2023.

A conversation and correspondence with Mr. Frank Gipson, CPESC, Erosion Control Division Manager, resulted in Mr. Gipson determining that the 50' and 75' stream buffers would not apply if the property was platted prior to the year 2000. A copy of Mr. Gipson's email is attached for your reference.

An updated Lot Division Plan dated October 3, 2023 is attached hereto and replaces the version submitted with the application. This version of the Lot Division Plan was developed as a result of conversations with County departmental staff and members of the Applicant's project team. Changes included in the revised Lot Division Plan are:

1. The proposed 27.5' front setback / building line is shown on Lot 1 as per the request in the Application,

2. The 50' and 75' stream buffers have been removed,

3. Additional existing structures on Lot 1 are labeled 'to be removed'

Additionally, a House Floor Plan Study produced by the project architect, Peter Polite, is attached and provided to further illustrate the concept for the dwelling to be constructed relative to site and regulatory conditions.

With respect to the information provided herein, this letter constitutes the Applicant's agreement with the stipulations as identified below. This agreement is subject to the Application approval in substantial conformity to the revised Lot Division Plan submitted concurrently with this document. The Applicant agrees that the following stipulations shall become binding conditions upon the approved application (language is specific to ITEM OB-57-2023 case notes made available to applicant's representative on November 9, 2023 and attached hereto):

A. Compliance with the comments and recommendations of the Cobb County Fire Marshal's Office.

Petition No. OB-57
Meeting Date 11-21-2023
Continued

MAILING ADDRESS
1635 OLD 41 HWY
STE 112-346
KENNESAW, GA 30152

CAPITAL ASSOCIATES
REAL ESTATE LLC

ERNEST J. (E.J.) CAMPBELL III
PRINCIPAL BROKER
GA LIC: 321328

678-283-4994
EJCAMPBELL@COMCAST.NET

B. Compliance with the comments and recommendations of the Cobb County Department of Transportation (DOT) inclusive of the following:

1. Donation of land area for the purpose of right-of-way (ROW) on the south side of Lane Drive. The new ROW shall extend 25' from the center line of the existing roadway as currently shown on the revised Lot Division Plan dated October 3, 2023 and attached hereto.

2. Compliance with sight distance requirements for the driveway / access to Lane Drive.

3. Compliance with residential driveway design requirements pursuant to Cobb County Development Standard 402.7.1 and Standard Detail 116R – Residential Driveway.

4. Driveways on Lane Drive will be treated with a hardened surface pursuant to Cobb County Development Standard 402.7.1 and Standard Detail 116R – Residential Driveway.

C. Compliance with the Cobb County Stormwater Management and Erosion Control codes and regulations.

D.

Please feel free to contact me with any questions regarding these items or the application at large. Thank you for your time and expertise.

Best regards,

CAPITAL ASSOCIATES REAL ESTATE LLC

Ernest J. (E.J.) Campbell III
Applicant Representative
678-283-4994
ejcampbell@comcast.net

cc: Mrs. Susan H. Pryor
attachments

Petition No. OB-57
Meeting Date 11-21-2023
Continued

This box reserved for Clerk of Superior Court Clerk for Filing Information

General Notes:

Property Addresses:

Lot 1:
Vacant lots are assigned addresses once plans are submitted to the GIS Section of Community Development showing development on the property and access to the lot has been defined.

Lot 2:
275 Lane Drive, SW, Mableton, Georgia 30126

Date of Field Survey:
June 21, 2023.

Original Date of Plat:
June 28, 2023

Equipment Used: Topcon GTS 225 Total Station

Statement of Encroachments:
None observed on date of field survey.

Closure Statement:
The field data upon which this map or plat is based was obtained with an open traverse and was not adjusted.
This map or plat has been computed for closure and is found to be accurate within one foot in 186,916 feet.

All distances shown on survey are horizontal distances.
All distances shown on survey are "ground distances".

References:

"East Portion of Original Parcel"
Deed Book 1905, Page 412

"West Portion of Original Parcel"
Deed Book 10813, Page 539
Deed Book 13451, Page 2485
Plat Book 75, Page 130

Flood Hazard Note:
By graphic plotting only, this property **is not located** in an identified **100-year flood hazard area** per official **F.I.R.M. Panel No. 13067C0215H** which bears an **effective date of March 4, 2013**.
A portion of this property **is located within the 500-year flood hazard area"** per this F.I.R.M. Panel.

Surveyor's Acknowledgment

I hereby certify that the plan shown and described hereon is a true and correct survey made on the ground under my supervision; that the monuments have been placed as shown hereon; and is to the accuracy and specifications required by the Cobb County Development Standards

James A. Evans, Jr. — James A. Evans, Jr. — 08/15/2023
Signature — Printed Name — Date
Registered Ga. Land Surveyor

GEORGIA REGISTERED No. 2167 PROFESSIONAL LAND SURVEYOR JAMES A. EVANS, JR.

SURVEYOR'S CERTIFICATION:
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to the intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

James A. Evans, Jr. 08/15/2023
James A. Evans, Jr., GA RLS #2167
Certificate of Authorization (COA) No. LSF002348

Additional Notes:

- If the cumulative disturbed area on these lots equals one acre or more at any point in time, a land disturbance permit must be obtained through the Cobb County Community Development Agency. For questions, call the Site Plan Review Section Manager.
- It is the owner's/developer's/ builder's responsibility to establish and maintain adequate Best Management Practices (BMPs) for erosion control upon commencement of any land disturbing activities. All land disturbing activities are subject to inspection by the Cobb County Community Development Agency to determine compliance with the erosion/sediment control ordinance. For any project with a disturbed area of one acre or larger, a Notice of Intent(NOI) must be filed with the Georgia Environmental Protection Division (EPD) and the local issuing authority (Cobb County).
- This survey has been prepared for the exclusive use of the person, persons, or entities named hereon. No expressed or implied warranties with respect to the information shown hereon is to be extended to any other person, persons, or entities without an expressed re-certification by the surveyor.
- **Cobb Department of Transportation Note:** Existing asphalt driveway apron to be removed. New driveway location shall be entirely on Lot 1.
- **Lot 1 - Existing Improvements Note:**
All existing improvements on Lot 1to be removed.
- An on-site sewage management system permit will be issued by Cobb County Board of Health upon compliance with the Rules and Regulations for On-Site Sewage Management Systems.

Owner's Acknowledgement:
I hereby certify that I am the owner of the land shown on this plat (or a duly authorized agent thereof) whose name is subscribed hereto. I ackowledge that this plat was made from an actual survey. I understand that the approval of this plat by Cobb County is only for the subdivision or combination of this property, and is not meant to serve as approval of any non-conforming conditions that currently exist on this property or will be created by the subdivision or combination of this property. And futher, I warrant that I own fee simple title to the property shown hereon and agree that Cobb County shall not be liable to me, my heirs, successors or assigns for any claims or damages resulting from the recording of said plat, and any other matter whatsoever. I further warrant that I have the right to sell and convey the land according to this plat, and do hereby bind owners and myself subsequent in title to defend by virtue of these presents

signature — Susan H. Pryor — date

signature — Bradley Q. Pryor — date

Cobb County Development Certification

This plat, having been submitted to Cobb County and having been found to comply with the Cobb County Development Standards is approved for recording.

Cobb County Water System — date

Zoning Division — date

Development & Inspections Division — date

"Per Cobb County Code Sec. 134-267(b), No fence or freestanding wall (both herein referred to as fence) other than a retaining wall shall be more than eight feet in height (not adjacent to a road), or be constructed in a public road right-of-way (road). If a fence is adjacent to a public road right-of-way, or is in front of or to the side of the house in a residential district, or is in front of or to the side of a building in a nonresidential district, such fence shall not exceed six feet in height and shall further meet the requirements set forth in section 134-263 if a corner lot (intersection site distance). The required height limitation (which includes posts or columns and ornaments on top of fence) must be met on both sides of fence, and measured from the existing grade upon which it is erected. No more than six inches of backfill shall be included when determining the height of the fence. Fences shall be maintained in a structurally sound condition. Furthermore, no freestanding wall or fence adjacent to a public road right-of-way, or in front of or to the side of the house in a residential district, or in front of or to the side of the building in a nonresidential district is permitted to be more than 6-feet in height unless approved by the Board of Zoning Appeals or the Board of Commissioner."

Certification of the Cobb County Board of Health

This plat or survey has been approved for development utilizing on-site sewage management systems except as noted. Unauthorized excavation or filling of lots may render their approval void.

Environmental Health District Director — Date
Cobb County Public of Health

Note on Individual Septic Systems:
SP: Approval of individual site plan required prior to issuance of on-site sewage management system permit
SPA: Approval of individual site plan utilizing an alternative on-site sewage management system required prior to permit issuance
Out: Currently unsuitable for on-site sewage management systems
Sewer: To be served by sanitary sewer only.

Lot and Area Summary:

Number of Lots = 2

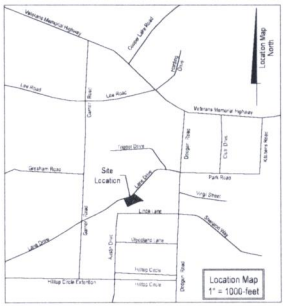
Total Area
+/- 0.895 Acres
38,991 square feet

"Lot 1"
+/- 0.459 Acres
+/- 20,001 square feet

"Lot 2"
+/- 0.436 Acres
+/- 18,990 square feet

Abbreviations:

BL	building setback line
calc	calculated point
EP	edge of pavement
FH	fire hydrant
IPP	#4 rebar placed
IPF	#4 rebar found
POB	point of beginning
OTF	open top pipe found
PP	power pole
R/W	right-of-way
STA	station
SSMH	sanitary sewer manhole
WM	water meter



Current Zoning Information:
Zoned R-20 (Residential)
Minimum Lot Size = 20,000 square feet
Front Setback (FBL) = 35-feet
Side Setback (SBL) = 10-feet
Rear Setback (RBL) = 35-feet
Maximum Impervious Surface Area Allowed = 35%

F

Fire Apparatus access shall meet the following:
- Driveway must have a minimum 12' driving surface width (CCDS 400.07.01) with minimum 25' turning radius
- Show driveway of each parcel (CCDS 103.31.4)
- Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance.
- Maximum grade shall not exceed 18% and the angle of departure shall not exceed 8.5%
- Driveway must extend to within 150' of the structure.
- Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. Approved turn-arounds include the following:
  - Residential cul-de-sac without an island shall have a 38-foot outside radius. A cul-de-sace with an island reverts to the commercial standards (96' diameter)
  - Hammerhead turn-around: total of 100' feet: needed (45 ft + 12 ft drive + 40 ft) with the turn-around leg to be a minimum of 20 ft wide
- Driveway must support 25 Tons (50,0000 lbs)
- Provide emergency access through all gates securing Fire Dept. access with a minimum 12'-0" clear width and approved means of operation (sewer K-rad/box cam).

Fire Hydrant access and flow shall meet the following:
- Hydrant must be located within 500' of all single family homes (CO 419.5.2)
- Fire Flow Test from closest existing hydrant shall be provided meeting the minimum 1000 gpm @ 20 psi (CO 419.5.2)
- An alternate equivalency for the above requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:
  1.) NFPA 13D sprinkler system
  Add this symbol and legend where fir sprinklers are added:

F/S

Stream Buffer Note:
The stream running through this platted property is considered as **"State Waters"** by the Cobb County Water System and/or the State of Georgia and subject to **"stream buffers"** as defined by Cobb County and/or the State of Georgia as published on Cobb County Water System's Stream Buffer Tile No. 18, dated August 1, 2018.

"State Waters" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation, except as may be defined in 13-7-17(8) (O.C.G.A. 12-7-3(18).

Title Note:
The survey shown hereon was prepared without the benefit of an abstract of title. Therefore, the undersigned and J. A. Evans and Associates, Inc. make no guarantees or representations regarding information shown hereon pertaining to easements, rights-of-way, setback lines, agreements, reservations, and other similar matters.

Underground Utility Note:
Visible evidence of underground utilities **"as shown on this plat of survey"** are for the clients' convenience only. There may be other underground utilities not shown. The surveyor assumes responsibility only for the visible evidence of underground utilities **"as shown on this plat of survey"**. All damage made to existing utilities by the owner, or owner's agent shall be the sole responsibility of the owner, or owners' agent. Owner is cautioned to contact **www.Georgia811.com** prior to any type of excavating activity.

Drainage, Sanitary Sewer and Easement Note:
- **In all cases, only "visible evidence" of drainage and sewer structures are located when conducting the field(s) performed for this "plat of survey".**
- When visible, evidence of drainage and sewer structures such as **catchbasins (CB), drop inlets (DI), headwalls (HW), junction boxes (JB), and sanitary sewer manholes (SSMH)** are field located while performing the field(s) for this **"plat of survey"**.
- When these **"types of structures are not visible"**, but are graphically shown on the record plat of survey, these **"structures"** and **"associated easements"** are scaled from the recorded plat referenced on this "plat of survey".
- Furthermore, evidence of these **"types of structures"** shown on official documents **"provided to the surveyor"** that have been obtained from city, county or state officials responsible for compiling evidence of infrastructure and documentation of easements can be graphically shown on this plat of survey if the surveyor is informed of them **"prior to the date of plat"** as shown on this **"plat of survey"**.

PDF and AutoCAD (.dwg) File and Copyright Notice:
PDF copies of the AutoCAD file that this "plat of survey" was prepared from are provided to the client. The **AutoCAD (.dwg and/or .dxf) file** of this drawing is the sole ownership of J. A. Evans and Associates Land Surveyors and is not provided to clients or their representatives.
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J. A. Evans and Associates
3279 Powder Springs Road
Powder Springs, GA 30127
770-943-0000
evansassoc@att.net

"Basis of Bearings" Plat Book 75, Page 130

N

0 20 40
1" = 20 feet

SPR-2023-00317

Lot Division and Retracement Survey for:

Susan H. Pryor and Bradley Q. Pryor

Land Lot 75
18th District, 2nd Section
City of Mableton
Cobb County, Georgia

REVISIONS

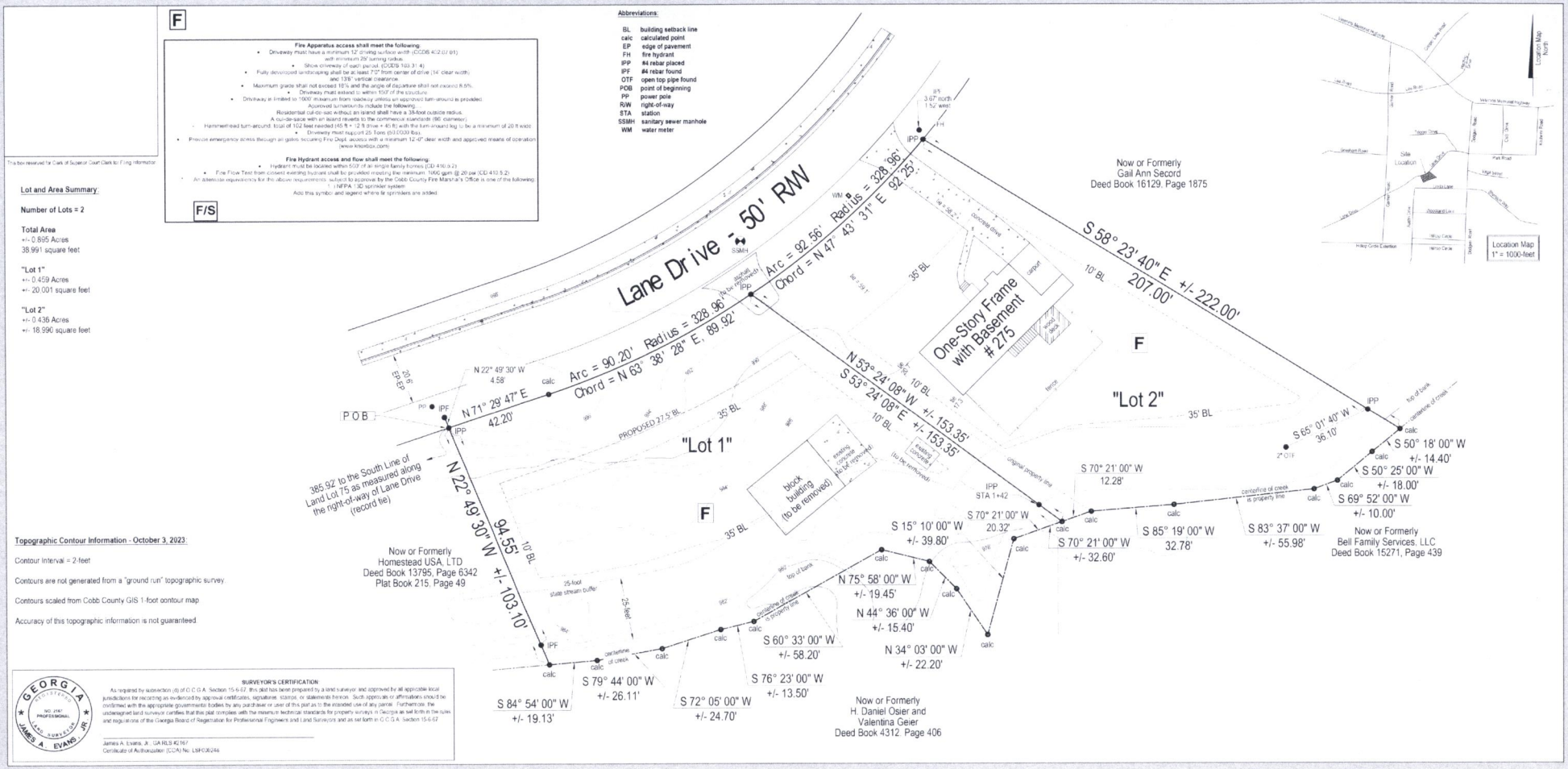
NO.	BY	DATE	DESCRIPTION
1	jae	07/20/2023	- revised to re-divide property per request by owner
2	jae	08/15/2023	- address county comments

Contact: James A. Evans, Jr., GA RLS #2167
Phone: 770-943-0000
Email: evansassoc@att.net

1-2

JAE Job# 230080

Petition No. 0B-57
Meeting Date 11-21-2023
Continued



J. A. Evans and Associates
3279 Powder Springs Road
Powder Springs, GA 30127
770-943-0000
evansassoc@att.net

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SPR-2023-00317

Lot Division and Retracement Survey for:

Susan H. Pryor and Bradley Q. Pryor

Land Lot 75
18th District, 2nd Section
City of Mableton
Cobb County, Georgia

REVISIONS

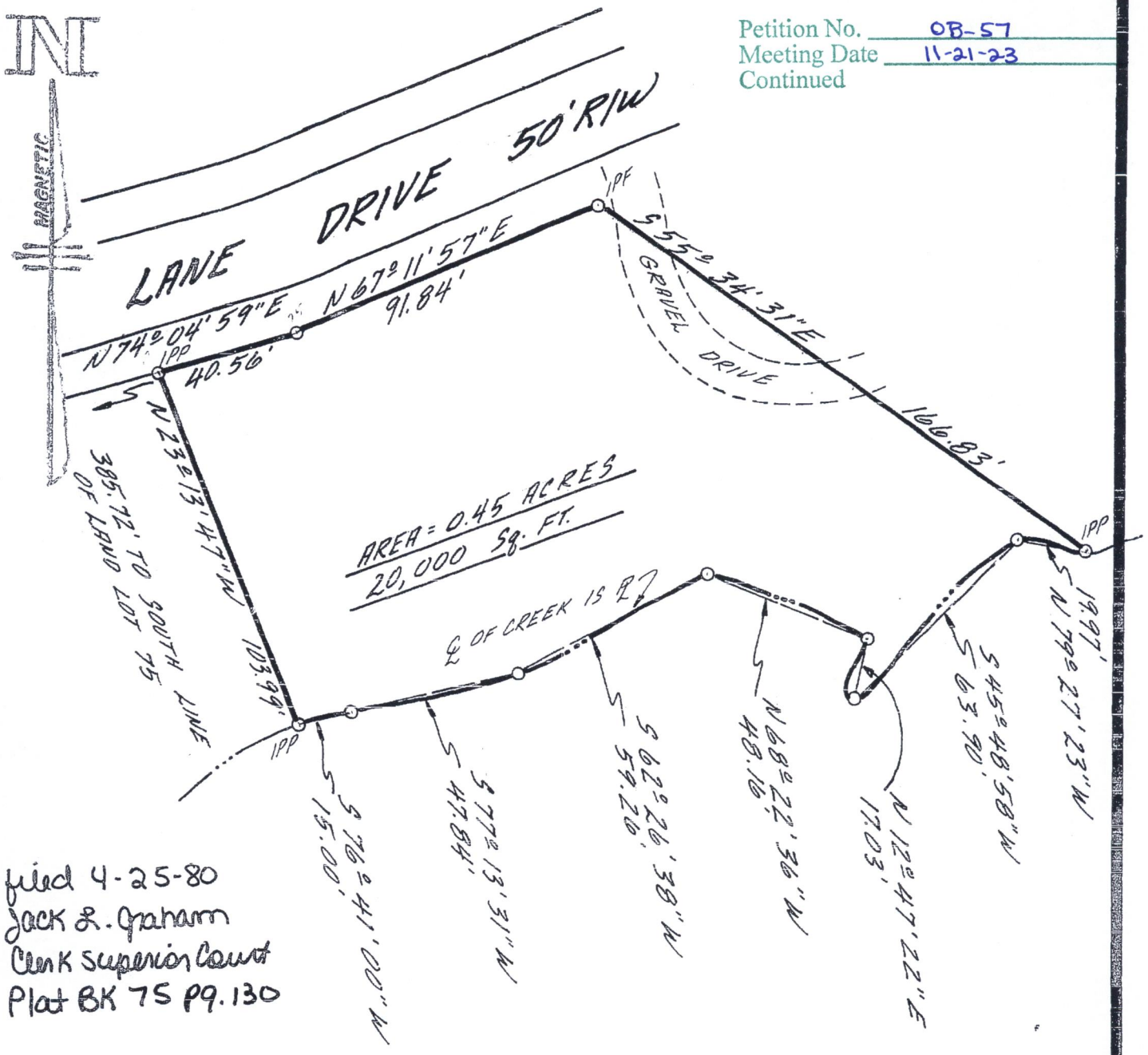
NO.	BY	DATE	DESCRIPTION
1	jae	07/20/2023	- revised to re-divide property per request by owner
2	jae	08/15/2023	- address review comments
3	jae	10/03/2023	- added 2-foot contours from Cobb GIS 1-foot contour map.

Contact: James A. Evans, Jr., GA RLS #2167
Phone: 770-943-0000
Email: evansassoc@att.net

2-2

JAE Job# 230080

Petition No. OB-57
Meeting Date 11-21-23
Continued



filed 4-25-80
Jack L. Graham
Clerk Superior Court
Plat BK 75 PG. 130

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS BY LAW.

MEMBER GA. ASSN. REG. LAND SURVEYORS

GEORGIA REGISTERED No. 1343 LAND SURVEYOR DANIEL N. BARFIELD

KENCO ENGINEERING AND SURVEYING CO.
Mableton, Georgia

SURVEY FOR
BRENDA NASH

LAND LOTS - 75	REVISIONS
DISTRICT - 18TH SECTION - 2ND	CC - H.P.
COUNTY - COBB	DWN - P.L. CHKD - K.R.
STATE - GEORGIA	JOB NO.
DATE 4-17-80 SCALE 1" = 40'	

Dietzgen N. O. 198M "Ageproof"

Petition No. OB-57
Meeting Date 11-21-2023
Continued

Subject: RE: 275 Lane Drive - SPR-2023-00317 - Lot Split for New Home and Stream Buffers
From: "Gipson, Frank" <Frank.Gipson@cobbcounty.org>
Sent: 10/16/2023 8:47:00 AM
To: "'EJ Campbell'" <ejcampbell@comcast.net>;
CC: "'Susan Pryor'" <susan.pryor@benchmark.us>;

Morning Mr. Campbell,

If the lots at the above location was platted prior to the year 2000 only a 25' state buffer will be required and the 50' and 75' buffer can be removed from the plat. Also if the block building is to remain no further encroachment is allowed into the 25' buffer area. Thanks Frank

Thank you,
Frank Gipson, CPESC
770-528-2191
Erosion Control Division Manager
Cobb County Community Development Agency

COVID-19 Notice:
Erosion Control operations will continue on an as-needed basis.
For assistance you may reach the Erosion Control office by calling 770-528-2190 or emailing frank.gipson@cobbcounty.org.
For an up-to-date status on all Community Development Agency operations, please visit https://www.cobbcounty.org/community-development/news/covid-19-agency-update .

From: EJ Campbell <ejcampbell@comcast.net>
Sent: Friday, October 13, 2023 2:25 PM
To: Gipson, Frank <Frank.Gipson@cobbcounty.org>
Cc: 'Susan Pryor' <susan.pryor@benchmark.us>; EJ Campbell <ejcampbell@comcast.net>
Subject: 275 Lane Drive - SPR-2023-00317 - Lot Split for New Home and Stream Buffers

Frank,

Good afternoon and happy Friday, hope you had a great week. I have a quick question regarding an Other Business case to be submitted this Tues 10/17/23.

Previously, Mrs. Susan Pryor has been in contact with you regarding stream buffers at her property at 275 Lane Dr. Mableton 30126 (Parcel ID 18007500380). Email string is below for reference.

I am working with Mrs. Pryor and her husband to obtain approval for a lot split through an Other Business zoning request of this parcel pursuant to building a single family home on proposed Lot 1 as per the survey attached.

Petition No. 08-57
Meeting Date 11-21-23
Continued

We have developed an updated survey and concept house location sketch from the architect. I have attached both for your review. I would like to confirm that the 50' undisturbed buffer and 75' impervious buffers are not applicable to this tract because of original plat date. Please advise when possible.

I am available to answer any questions or provide additional information if necessary. Please feel free to contact me if I can be of assistance.

Thank you for your time and expertise!

E.J. Campbell | Ga Lic: 321328
Principal Broker, Realtor®
Capital Associates Real Estate LLC
Direct: 678-283-4994

Offers subject to errors, changes, omissions, prior sales and withdrawals without notice. Information deemed reliable but not guaranteed and should be independently verified. This is not an attempt to solicit properties currently listed with a real estate broker. Equal Housing Opportunity.

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Capital Associates Real Estate LLC | Ga Firm Lic: H65998
1635 Old 41 Hwy NW Suite 112 346 Kennesaw, GA 30152

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------ Original Message ------
From "Gipson, Frank" <Frank.Gipson@cobbcounty.org>
To "'Susan Pryor'" <susan.pryor@benchmark.us>
Cc "EJ Campbell" <ejcampbell@comcast.net>
Date 9/8/2023 10:50:51 AM
Subject RE: 275 Lane Drive

Hi Susan,

Please feel free to give me a call. Thanks Frank

Thank you,
Frank Gipson, CPESC
770-528-2191
Erosion Control Division Manager
Cobb County Community Development Agency

Petition No. 08-57
Meeting Date 11-21-2023
Continued

COVID-19 Notice:
Erosion Control operations will continue on an as-needed basis.
For assistance you may reach the Erosion Control office by calling 770-528-2190 or emailing frank.gipson@cobbcounty.org.
For an up-to-date status on all Community Development Agency operations, please visit https://www.cobbcounty.org/community-development/news/covid-19-agency-update .

From: Susan Pryor <susan.pryor@benchmark.us>
Sent: Thursday, September 7, 2023 4:56 PM
To: Gipson, Frank <Frank.Gipson@cobbcounty.org>
Cc: EJ Campbell <ejcampbell@comcast.net>; Susan Pryor <susan.pryor@benchmark.us>
Subject: 275 Lane Drive

Hello Mr. Gipson,

Mr. Campbell suggested you might be willing to help give me some direction on my challenge.

I have a home on a lot at 275 Lane Drive in Mableton.

We submitted a request to have the lots split in two so we could build a small house for my son on the second lot. Attached is the revised survey after comments and where we plan to make the house. As far as I can tell, I have three issues.

1. The lot divide leaves one of the lots a bit short of 20k sq feet
2. Mr. Campbell is concerned about the creek buffer – I have not received any comments in the plan review. Does that mean I don't have an issue? My surveyor said he thought I might be okay because the buffer rules were not in place when I bought the lot.
3. There is a comment that I need to develop a plan for hooking up the sewer. Do you have any recommendations on who I should talk to – to get what you need?

Can you give me direction on possible next steps? I would be super grateful for any guidance you could provide.

Yours truly,

Susan Pryor
NMLS # 157369 /GRMA 28766 Licensed Mortgage Loan Originator
Ark-La-Tex Financial Services, LLC / NMLS # 2143
3855 Shallowford Rd. Suite 120, Marietta, GA 30066
Office Phone: 678-712-2063
Cell phone: 770-331-6952
https://susanpryor.benchmark.us

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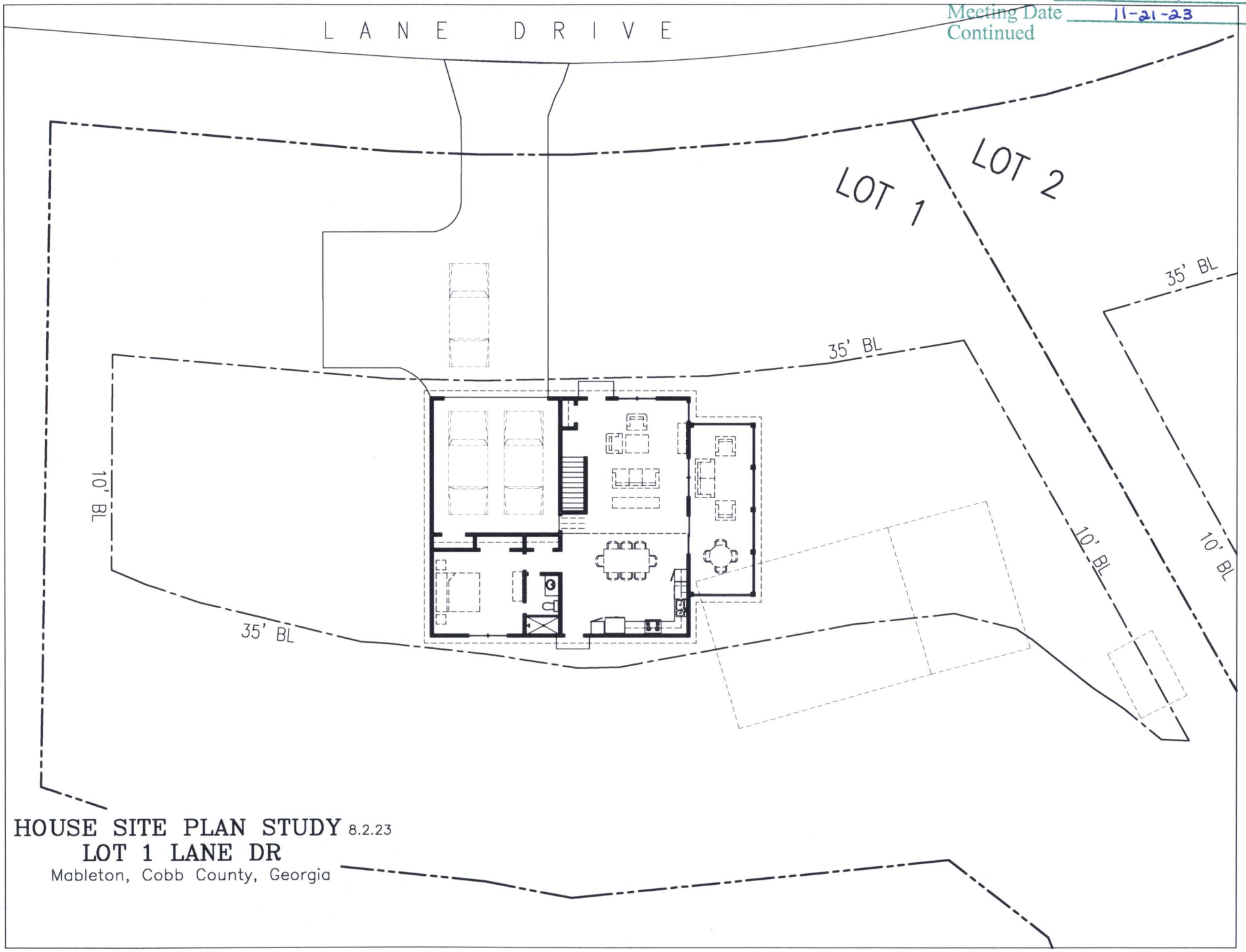
Petition No. OB-57
Meeting Date 11-21-2023
Continued

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Petition No. 08-57
Meeting Date 11-21-23
Continued



HOUSE SITE PLAN STUDY 8.2.23
LOT 1 LANE DR
Mableton, Cobb County, Georgia

CA-PRYOR-LD275-R1
11-9-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

Petition No. OB-57
Meeting Date 11-21-2023
Continued

ITEM OB-57-2023

To consider a lot size reduction from 20,000 square-feet to 18,990 square-feet for Lot 2 for Susan H. Pryor for property located on the south side of Lane Drive in Land Lot 75 of the 18th District (275 Lane Drive).

BACKGROUND

The Board of Commissioners considers all reductions to minimum lot size pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property (Lot 2) is zoned R-20 and is required to have 20,000 square-feet of lot size. The proposed lot has 18,990 square-feet. The applicant has owned the property since 1997 and desires to split the property into two lots. Lot 1 meets the minimum lot size of 20,000 square-feet and the detached garage will be demolished, and a new house will be constructed. Lot 2 would retain the existing one-story house which was built in 1979. The houses on both lots would meet the building setbacks, impervious coverage, and minimum house size.

STAFF COMMENTS

Cobb DOT: See attached.
Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water & Sewer Comments: No comments.
Site Plan Review: No comments.
Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum lot size.

Petition No. OB-57
Meeting Date 11-21-2023
Continued

APPLICANT: Susan H. Pryor **PETITION NO.:** OB-57

PRESENT ZONING: **PETITION FOR:**

* *

FIRE COMMENTS:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

RESIDENTIAL SINGLE FAMILY ACCESS:
Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with a minimum 25 foot inside turning radius.

Fully developed landscaping shall be at least 7 feet 0 inches from center of drive (14 foot clear width) and 13 foot 6 inches vertical clearance.

Maximum grade shall not exceed 18%, angle of departure shall not exceed 8.5%.

Driveway must extend within 150 feet of the most remote portion of the structure.

Driveway is limited to 1000 feet maximum from roadway unless an approved turn-around is provided:
a) Residential cul-de-sac without an island shall have a 38 foot outside radius. A cul-de-sac with an island reverts to the commercial standards, refer to www.cobbfire.org for dimensions.
b) Hammerhead turn-around: total of 102 feet needed (45 feet + 12 foot drive + 45 feet) with the turn-around leg to be a minimum of 20 feet wide.

Driveway must support 25 Tons (50,000 lbs.).

FIRE HYDRANTS:
Hydrant location must be within 500 feet of each home.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

* An alternative equivalency for the above requirements, subject to the approval by the Cobb County Fire Marshal's Office is one of the following:
1.) NFPA 13D sprinkler system.
2.) Complete structure (framing and decking materials) treated with a Class A-Fire Retardant spray with a flame spread rating of 25 or less and smoke development of 450 or less.
3.) Non-Combustible construction.
(Indicate on the site plan which option will be utilized.)

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd
(770) 528-8814
jeffrey.byrd@cobbcounty.org

Petition No. OB-57
Meeting Date 11-21-2023
Continued

Cobb DOT- OB-57-2023

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Lane Drive	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Lane Drive	N/A	N/A	N/A

Comments and observations

Lane Drive is classified as a Local roadway and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

In accordance with Cobb County Code 134-121 and based on site plan received October 17, 2023, this development does not require a traffic study submittal.

Recommendations:

1. Recommend applicant confirm that Lane Drive has a 50' public right of way or consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Lane Drive, a minimum of 25' from the roadway centerline. This recommendation is pursuant to Cobb County Development Standard 401.2, Right-of- Way.

2. Recommend applicant verify that minimum intersection sight distance is available for Lane Drive access. This recommendation is pursuant to Cobb County Development Standard Detail 401B, Intersection Sight Distance. If minimum intersection sight distance is not available, recommend implement remedial measures to address safety, subject to the Department's approval, to achieve the minimum requirement of 280'.

3. Recommend installing curb and gutter along Lane Drive frontage to meet Cobb DOT standards. This recommendation is pursuant to Cobb County Development Standard 401.15, Curbs and Gutters (including subsections) and Cobb County Development Standard Detail 106, Concrete Curbs, Medians.

4. Recommend residential driveways on Lane Drive be installed to Cobb County standards. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways and Cobb County Development Standard Detail 116R, Residential Driveway.

5. Recommend driveways on Lane Drive be paved with a treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length. This recommendation is pursuant to Cobb County Development Standard 402.7.1, Residential Driveways and Cobb County Development Standard Detail 116R, Residential Driveway Standard.

6. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 98 Petition No. OB-57
Doc. Type Cobb DOT and Fire Dept. comments and recommendations
Meeting Date 11-21-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

ITEM OB-57-2023

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STAFF COMMENTS

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Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water & Sewer Comments: No comments.
Site Plan Review: No comments.
Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum lot size.

Petition No. OB-57
Meeting Date 11-21-2023
Continued

APPLICANT: Susan H. Pryor **PETITION NO.:** OB-57

PRESENT ZONING: **PETITION FOR:**

* * * *

Petition No. OB-57
Meeting Date 11-21-2023
Continued

Cobb DOT- OB-57-2023

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Lane Drive	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Lane Drive	N/A	N/A	N/A

Comments and observations

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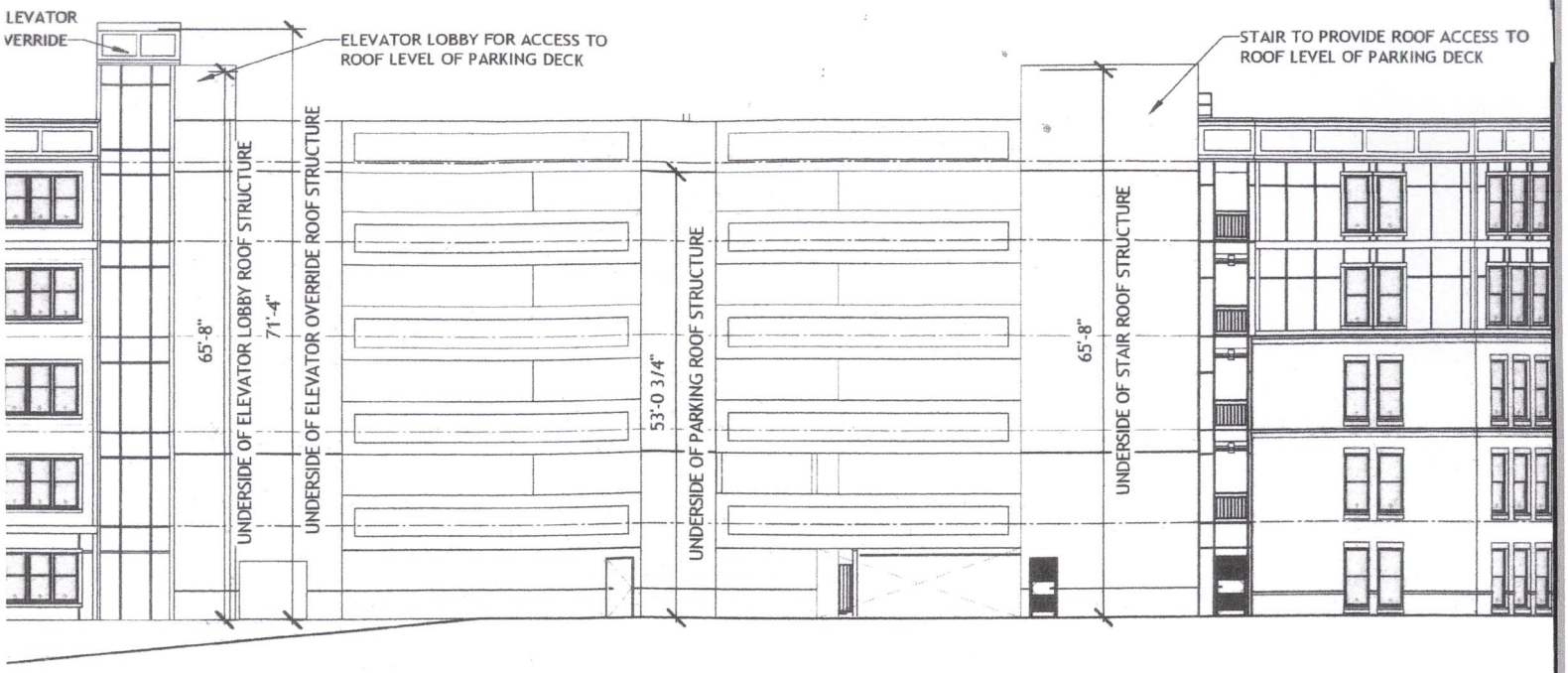
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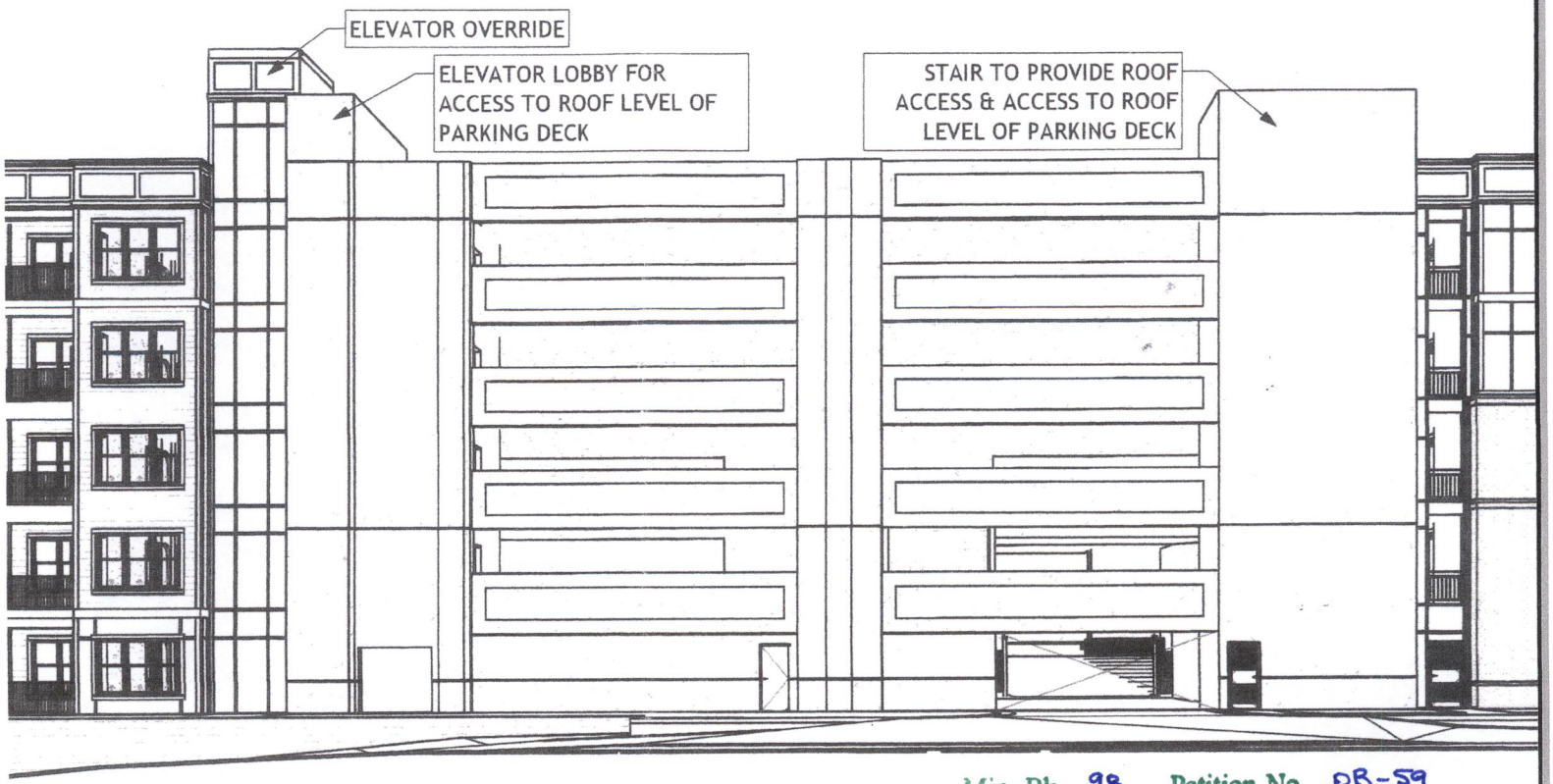
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6. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

OB-59-2023





Min. Bk. 98 Petition No. OB-59
Doc. Type Building renderings

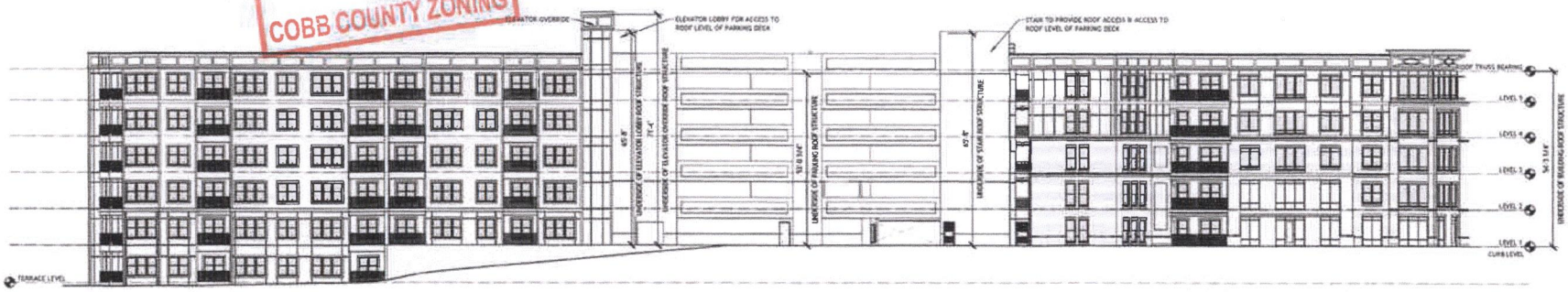
Meeting Date 11-21-2023

PER COBB COUNTY CODE OF ORDINANCE

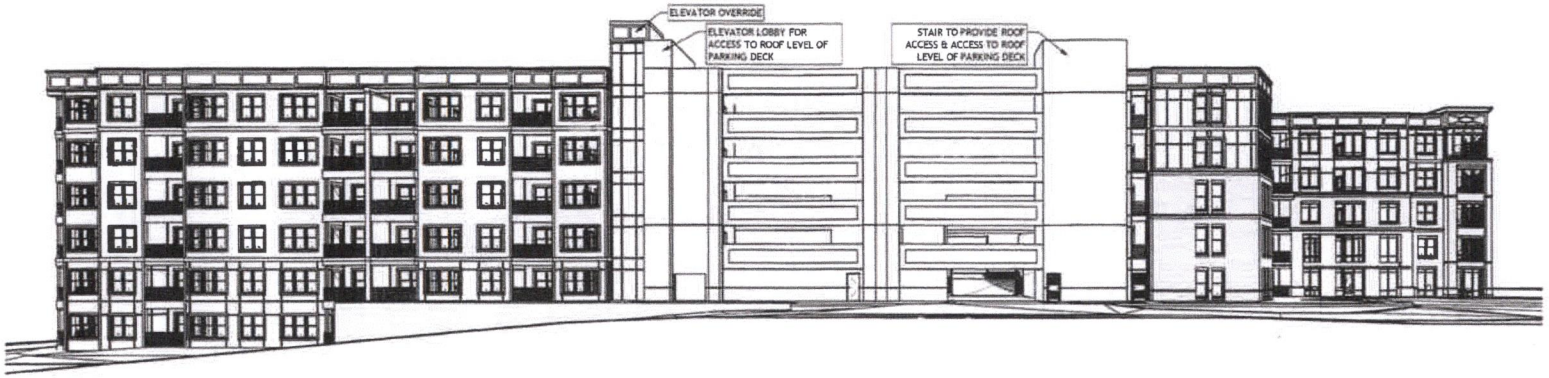
Petition No. 08-59
Meeting Date 11-21-2023
Continued

OCT 17 2023
COBB COUNTY ZONING

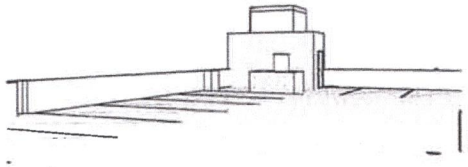
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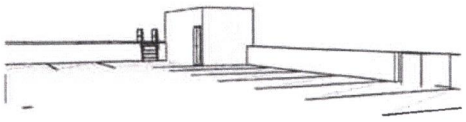
1 A3-00 NORTH ELEVATION
1/16" = 1'-0"



2 A3-00 NORTH VIEW



4 A3-00 PARKING DECK ELEVATOR



3 A3-00 PARKING DECK STAIR

PER COBB COUNTY CODE OF ORDINANCES:
BUILDING HEIGHT "MEANS THE VERTICAL DISTANCE FROM THE CURB LEVEL, OR ITS EQUIVALENT, TO THE HIGHTST POINT OF THE UNDERSIDE OF THE CEILING BEAMS, IN THE CASE OF A FLAT ROOF"

PER SECTION 503.1.4.1 OF INTERNATIONAL BUILDING CODE 2018 EDITION:
"ELEMENTS OR STRUCTURES ENCLOSING THE OCCUPIED ROOF AREAS SHALL NOT EXTEND MORE THAN 48 INCHES (1220 MM) ABOVE THE SURFACE OF THE OCCUPIED ROOF.
EXCEPTION: PENTHOUSES CONSTRUCTED IN ACCORDANCE WITH SECTION 1510.2 AND TOWERS, DOMES, SPIRES AND CUPOLAS CONSTRUCTED IN ACCORDANCE WITH SECTION 1510.5"

PER SECTION 1510.2 OF INTERNATIONAL BUILDING CODE 2018 EDITION:
"PENTHOUSES [...] SHALL BE CONSIDERED AS A PORTION OF THE STORY DIRECTLY BELOW THE ROOF DECK ON WHICH SUCH PENTHOUSES ARE LOCATED. OTHER PENTHOUSES SHALL BE CONSIDERED AS AN ADDITIONAL STORY OF THE BUILDING.
1510.2.1 HEIGHT ABOVE ROOF DECK.
PENTHOUSES CONSTRUCTED ON BUILDINGS OF OTHER THAN TYPE I CONSTRUCTION SHALL NOT EXCEED 18 FEET (5486 MM) IN HEIGHT ABOVE THE ROOF DECK AS MEASURED TO THE AVERAGE HEIGHT OF THE ROOF OF THE PENTHOUSE. PENTHOUSES LOCATED ON THE ROOF OF BUILDINGS OF TYPE 1 CONSTRUCTION SHALL NOT BE LIMITED IN HEIGHT.
EXCEPTION: WEHRE USED TO ENCLOSE TANKS OR ELEVATORS THAT TRAVEL TO THE ROOF LEVEL, PENTHOUSES SHALL BE PERMITTED TO HAVE A MAXIMUM HEIGHT OF 28 FEET (8534 MM) ABOVE THE ROOF DECK.
1510.2.2 USE LIMITATIONS.
PENTHOUSES SHALL NOT BE USED FOR PURPOSES OTHER THAN THE SHELTER OF MECHANICAL OR ELECTRICAL EQUIPMENT, TANKS, ELEVATORS AND RELATED MACHINERY, OR VERTICAL OPENINGS IN THE ROOF ASSEMBLY."

ARCHITECTS NAME
ARCHITECTS AR NUM 2016/XX/XX
PROJECT #: 122001
DRAWN BY: Author
CHECKED BY: Checker
NILES BOLTON ASSOCIATES
COMPANY NAME
COMPANY AR NUM
3060 Peachtree Rd. N.W.
Suite 600
Atlanta, GA 30305
T 404 365 7600
F 404 365 7610
www.nilesbolton.com

No.	Description	Date

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TOWNPARK DRIVE
108 TOWNPARK DRIVE
KENNESAW, GA, 30144
NEWPORT DEVELOPMENT / 360 RESIDENTIAL

SHEET TITLE:
ELEVATION EXHIBIT

SHEET NUMBER:
A3-00

10-06-2023

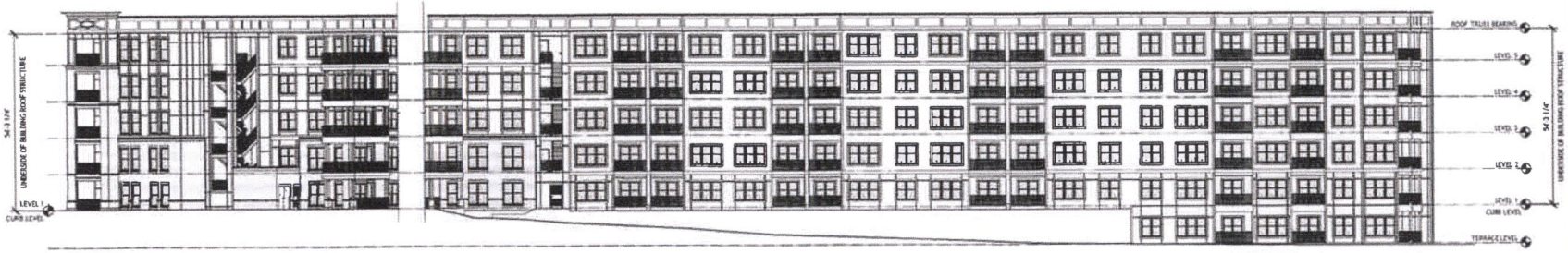
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Petition No. OB-59
Meeting Date 11-21-2023
Continued

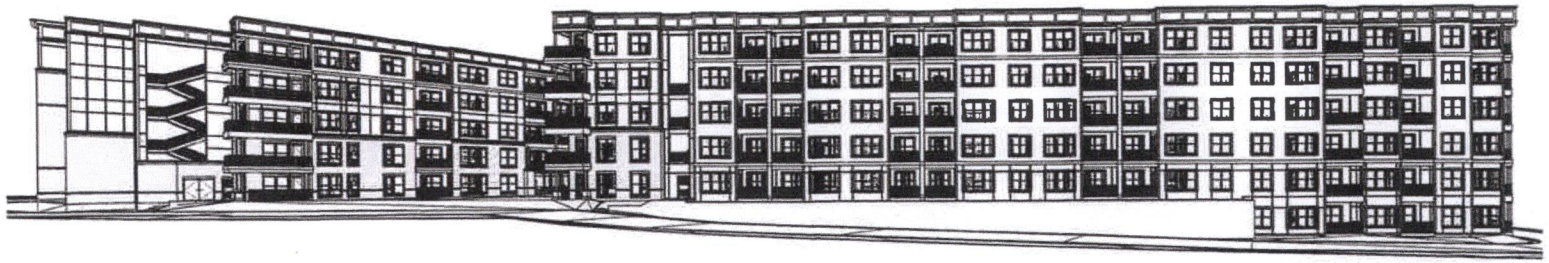
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OCT 17 2023
COBB COUNTY ZONING



1 A3-01 WEST ELEVATION 1/16" = 1'-0"



2 A3-01 SOUTH ELEVATION 1/16" = 1'-0"



3 A3-01 SOUTH VIEW

ARCHITECT'S NAME
ARCHITECT'S AR NUM: 201419X/XX

PROJECT #: 122001
DRAWN BY: Author
CHECKED BY: Checker

NILES BOLTON ASSOCIATES

COMPANY NAME
COMPANY AR NUM

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Suite 600
Atlanta, GA 30305

T 404 365 7600
F 404 365 7610

www.nilesbolton.com

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TOWNPARK DRIVE
108 TOWNPARK DRIVE
KENNESAW, GA, 30144

NEWPORT DEVELOPMENT / 360 RESIDENTIAL

SHEET TITLE:
ELEVATION EXHIBIT

SHEET NUMBER:
A3-01

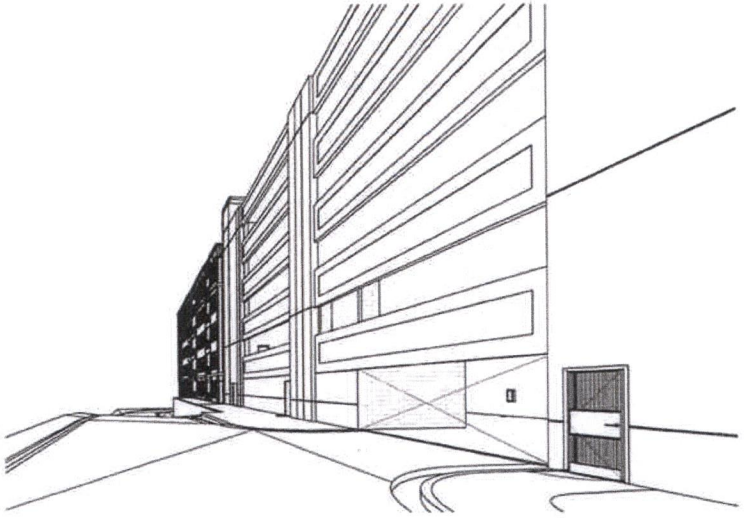
10-06-2023

Petition No. OB-59
Meeting Date 11-21-2023
Continued

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COBB COUNTY ZONING



1 NORTHWEST CORNER
A3-02



3 PARKING DECK ENTRY
A3-02



2 SOUTHWEST CORNER
A3-02

ARCHITECTS NAME
ARCHITECTS AR NUM

PROJECT # : 122001
DRAWN BY: Author
CHECKED BY: Checker

NILES BOLTON ASSOCIATES

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T 404 365 7600
F 404 365 7610

www.nilesbolton.com

No.	Description	Date

TOWNPARK DRIVE
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KENNESAW, GA, 30144

NEWPORT DEVELOPMENT / 360 RESIDENTIAL

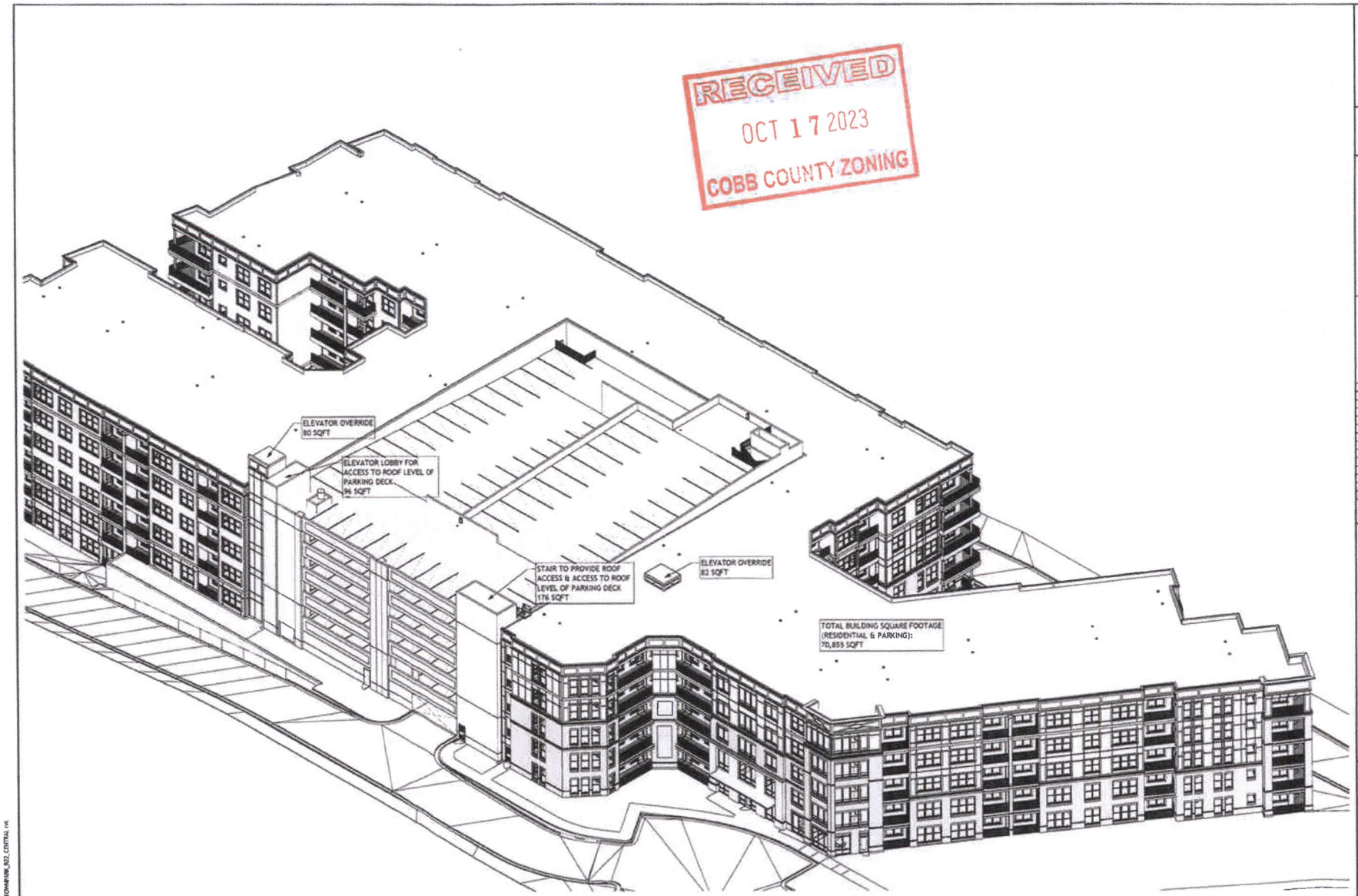
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ELEVATION EXHIBIT

SHEET NUMBER:
A3-02

10-06-2023

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Petition No. 0B-59
Meeting Date 11-21-2023
Continued



1 A3-03 NORTHWEST CORNER- AERIAL

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OCT 17 2023
COBB COUNTY ZONING

ARCHITECTS NAME
ARCHITECTS AR NUM 2016/XX/XX

NILES BOLTON ASSOCIATES

COMPANY NAME
COMPANY AR NUM

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T 404 365 7600
F 404 365 7610

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PROJECT #: 122001
DRAWN BY: Author
CHECKED BY: Checker

No.	Description	Date

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108 TOWNPARK DRIVE
KENNESAW, GA, 30144

NEWPORT DEVELOPMENT / 360 RESIDENTIAL

SHEET TITLE:
ELEVATION EXHIBIT

SHEET NUMBER:
A3-03

10-06-2023

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10/10/2023 11:48:43 AM

Min. Bk. 98 Petition No. OB-59
Doc. Type Cobb DOT comments and recommendations
Meeting Date 11-21-2023

NOVEMBER 21, 2023 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 3

ITEM OB-59-2023

PURPOSE

To consider a stipulation amendment for Town Park Apts, LLC regarding rezoning application Z-52 of 2022 for property located on the east side of Townpark Drive, north of Chastain Road, and on the west side of I-575 in Land Lot 363 of the 16th District (108 Townpark Drive).

BACKGROUND

The property was rezoned to Regional Retail Commercial (RRC) on October 18, 2022 for multifamily residential. Stipulation #2 limits the height of the building to 55-feet. The applicant has completed their architectural building plans and finds that two small areas of the building exceed the 55-foot height maximum. The elevator mechanical room and the stairwell opening enclosure on the north side of the building are 71'4" and 65'8" respectively. All other parts of the building meet the 55-foot height limitation. If approved, all previous stipulations not in conflict with this amendment would remain in place.

STAFF COMMENTS

Stormwater Management: The applicant to meet all Cobb County Stormwater Management and Erosion Control codes and regulations.
Water and Sewer: No additional comments.
Fire Department: CCFMO does not have any objections to OB-59-2023 as presented.
Cobb DOT: See attached.
Site Plan Review: No comments.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

Other Business Application and zoning stipulations.

Petition No. OB-59
Meeting Date 11-21-2023
Continued

OB-59-2023 DEPARTMENT COMMENTS - CCDOT

Recommendations:
1. Recommend retaining DOT comments from zoning case Z-52-2022, including: a. Recommend replacing disturbed curb, gutter, and sidewalk along the Townpark Drive frontage.

b. Recommend applicant verify that minimum intersection sight distance is available for the northern driveway on Townpark Drive, and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 490'.

c. As necessitated by this development, recommend Townpark Drive northern driveway include a deceleration lane. Recommend final location and design be determined during plan review, subject to Cobb County DOT approval.

d. As necessitated by this development, recommend Townpark Drive northern driveway include a left turn lane using the existing landscaped median and existing left turn lane storage for the One Townpark Commons driveway to the north. Recommend final location and design be determined during plan review, subject to Cobb County DOT approval.

e. Cobb County DOT Airport Manager will require additional information from the developer. This requirement is triggered by for having a building 40' or taller or is located within 4,000' of a runway for Cobb County International Airport-McCollum Field, Dobbin ARB, or Fulton County Airport – Brown Field.

f. If the proposed emergency access is to be gated, recommend knox (or equivalent) box for the gated entry be set back a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

g. Recommend extending driveway uninterrupted access to a minimum of 50' from the edge of right-of-way to the first parking space per Development Standard 402.08.

h. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 98 Petition No. OB-59
Doc. Type Email correspondence from Kevin Moore
Meeting Date 11-21-2023

Jorgensen, Kimberly

From: J. Kevin Moore <JKM@mijs.com>
Sent: Wednesday, November 1, 2023 11:25 AM
To: Pederson, John
Cc: Birrell, JoAnn
Subject: FW: OB-59

FILED WITH COUNTY CLERK THIS 21st DAY
OF November 2023 BY JoAnn Birrell
RE OB-59
Rob C Stone
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
COBB COUNTY, GEORGIA

John,

The purpose of this email is to submit the below communication with Robin Grajeda, Board member of the Townhome HOA located off Town Park Drive, which is in support of the requested stipulation modification for OB-59. Please add this email to the zoning file for the record.

Thanks,

Kevin

J. Kevin Moore
Partner
Moore Ingram Johnson & Steele, LLP

MIJS
MOORE INGRAM JOHNSON & STEELE

Tel: 770-429-1499
Fax: 770-429-8631

JKM@mijs.com
Attorney Bio

Emerson Overlook,
326 Roswell Street,
Suite 100
Marietta Georgia 30060

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From: Taylor Hawke <thawke@360res.com>
Sent: Wednesday, November 1, 2023 9:08 AM
To: J. Kevin Moore <JKM@mijs.com>
Cc: Jeff Warshaw <jwarshaw@360res.com>; Bob Krause <BKrause@newport-development.com>; Andrew Keith <akeith@360res.com>; Carol Gaultney <cgaultney@360res.com>
Subject: Fwd: 108 Town Park Drive

FYI see below. Robin is a board member for the Townhomes. He is the gentleman who previously opposed last time but then ultimately was in favor.

Thanks!

Taylor Hawke
229-881-5336
Sent from my iPhone

Begin forwarded message:

From: Robin Grajeda <robin.pgrajeda@gmail.com>
Date: November 1, 2023 at 9:05:23 AM EDT

Petition No. 08-59
Meeting Date 11-21-2023
Continued

To: Taylor Hawke <thawke@360res.com>
Subject: Re: 108 Town Park Drive

Hi Taylor, I am OK with the proposed elevation with the stair and elevator "parapets" exceeding the 55-foot height requirement.

Regards,
Robin

On Fri, Oct 27, 2023 at 3:06 PM Taylor Hawke <thawke@360res.com> wrote:

> Hey Robin-
>
> Great speaking you and glad to hear you are doing well!
>
> Do you mind sending me an email stating you all are OK with the proposed elevation with the stair and elevator "parapets" exceeding the 55-foot height requirement?
>
> Thank you!
>
> Taylor
>
> 360° RESIDENTIAL
>
> Taylor Hawke
>
> 2060 Mount Paran Road, N.W.
>
> Suite 105
>
> Atlanta, Georgia 30327
>
> 770-975-2804 Office
>
> 229-881-5336 Mobile