



Mayor & City Council
Regular Meeting Agenda

Tuesday, October 12, 2021, 7:00 PM

Tucker City Hall & Video Conference

1975 Lakeside Pkwy, Suite 350 Tucker, GA 30084

Members:

Frank Auman, Mayor

Pat Soltys, Council Member District 1, Post 1

Matt Robbins, Council Member District 2, Post 1

Michelle Penkava, Council Member District 3, Post 1

Vacant, Council Member District 1, Post 2

Noelle Monferdini, Council Member District 2, Post 2

Anne Lerner, Council Member District 3, Post 2

ZOOM link; <https://us02web.zoom.us/j/81092222489> or Phone: 877 853 5247 (Toll Free) ID: 810 9222 2489

Pages

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

The pledge will be led by Boys Scout Troop 129.

D. MAYOR'S OPENING REMARKS

D.1. Proclamation for Red Ribbon Week P21-08

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D.2. Legislative Update by State Representative Billy Mitchell

D.3. November 8, 2021 Council Meeting Time

E. PUBLIC COMMENTS

F. APPROVAL OF THE AGENDA

G. APPROVAL OF THE MINUTES

G.1. Regular Meeting - September 13, 2021

6

G.2. Work Session - September 27, 2021

14

G.3. Special Called - September 27, 2021

17

H. STAFF REPORTS - None

I. OLD BUSINESS

I.1. Ordinance O2021-09-19

21

Brian.Anderson

Second Read and Public Hearing of an Ordinance to Amend the City of Tucker Code CH 10 BUSINESSES to state the current Exemptions to Local Occupation Taxes

I.2. Ordinance O2021-09-18 Robert.Porche 25

Second Read and Public Hearing of an Ordinance to Amend the 2022 Fiscal Year Budget

I.3. Ordinance O2021-09-17 Courtney.Smith 28

Second Read and Public Hearing of an Ordinance for a Special Land Use Permit (SLUP-21-0003) in Land Lot 143 of the 18th District to allow a Personal Care Home, Group (4-6) in a Residential Zoning District for Developmental Disabilities Ministries Inc. at 3710 S. Marlborough Drive.

I.4. Ordinance O2021-09-16 Courtney.Smith 76

Second Read and Public Hearing of an Ordinance of the Mayor and City Council of Tucker, Georgia for the Purpose of Amending the Code Chapter 34 - Signs to strengthen and clarify the code as it relates to sign regulations. (TA-21-0005)

J. NEW BUSINESS

J.1. Contract C2021-015-CE2205 Ken.Hildebrandt 112

Contract Award ITB 2021-015 for Church Street and Tucker Industrial Road Sidewalk Project

J.2. Contract C2021-OMNIA-PR2102 Carlton.Robertson 171

Contract Award for the Rosenfeld Park Playground Project

J.3. Resolution R2021-10-17 Carlton.Robertson 177

A Resolution to submit the pre-application for the Georgia Outdoor Stewardship Program Grant.

J.4. Resolution R2021-10-18 Courtney.Smith 179

A Resolution to Accept the Donation of a Portion of Richardson Street Parcel 18-125-01-015

J.5. Ordinance O2021-10-20 Courtney Smith 217

First Read and Public Hearing of an Ordinance for a text amendment to the City of Tucker Code Chapter 46: Zoning for Sidewalk Café and Entertainment District (TA-21-0006)

J.6. Ordinance O2021-10-21 Courtney.Smith 222

First Read and Public Hearing of an Ordinance for a text amendment to the City of Tucker Code Chapter 46: Zoning (TA-21-0007)

J.7. Ordinance O2021-10-22
Smith

Courtney

314

First Read and Public Hearing of an ordinance for a Special Land Use Permit (SLUP-21-0004) to allow a drive-through restaurant with three concurrent variances (CV-21-0002, CV-21-0003, and CV-21-0004) for inter-parcel access, setbacks, and drive-through location.

K. MAYOR AND COUNCIL COMMENTS

L. EXECUTIVE SESSION (As required for Litigation, Personnel and/or Real Estate)

M. ACTION AFTER EXECUTIVE SESSION - As Needed

N. ADJOURNMENT



MEMO

To: Honorable Mayor and City Council Members
From: Matt Holmes, Director of Communications and Administrative Services
CC: Tami Hanlin, City Manager
Date: October 12, 2021
RE: Red Ribbon Week Proclamation

Issue:

Proclamation in honor of Red Ribbon Week

Recommendation:

Issuance of proclamation to the Young Marines in honor of Red Ribbon Week

Background:

The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention efforts. October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment.

Summary:

n/a

Financial Impact:

None

Proclamation

In honor of Red Ribbon



Week

Whereas, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic them; and

Whereas, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

Whereas, government and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs; and

Whereas, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention efforts; and

Whereas, October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

Now, therefore, let it be proclaimed by the Mayor and City Council of the City of Tucker that October 23-31, 2021 will be Red Ribbon Week in the City of Tucker.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Tucker to be affixed this 9th day of August 2021.

Attest:

Frank Auman, Mayor

Bonnie Warne, City Clerk



**MAYOR & CITY COUNCIL
REGULAR MEETING MINUTES**

**Monday, September 13, 2021, 7:00 PM
Tucker City Hall
1975 Lakeside Pkwy, Ste 350B, Tucker, GA 30084**

Members Present: Frank Auman, Mayor
Pat Soltys, Council Member District 1, Post 1
Matt Robbins, Council Member District 2, Post 1
Michelle Penkava, Council Member District 3, Post 1
Noelle Monferdini, Council Member District 2, Post 2
Anne Lerner, Council Member District 3, Post 2

Members Absent: Vacant, Council Member District 1, Post 2

Zoom Link: <https://us02web.zoom.us/j/84364470685>

A. CALL TO ORDER

Mayor Auman called the meeting to order at 7:03 PM. Medical excuse for Councilmembers Soltys and Monferdini: attended via Zoom.

B. ROLL CALL

The above were in attendance.

C. PLEDGE OF ALLEGIANCE

The pledge will be led by former Tucker Middle School STEM students.

D. MAYOR'S OPENING REMARKS

Mayor Auman recognized the Communications Dept for the awards received, to sign up for the In-Tucker Magazine, and that 18 new businesses received an Occupational Tax Certificate (OTC) since last month.

E. PUBLIC COMMENTS

Nobody spoke during public comments.

F. APPROVAL OF THE AGENDA

Motion to approve the agenda as presented passed unanimously.

MOVER: M. Penkava

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

G. APPROVAL OF THE MINUTES

G.1 Regular Meeting - August 9, 2021

Motion to approve the minutes as presented passed unanimously.

MOVER: N. Monferdini

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

G.2 Work Session - August 23, 2021

Motion to approve the minutes as presented passed unanimously.

MOVER: N. Monferdini

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

H. STAFF REPORTS - None

I. OLD BUSINESS

I.1 Ordinance O2021-08-14

Robert Porche, Finance Director, spoke on the ordinance to amend the FY22 Budget. Mayor Auman held a public hearing which nobody spoke in favor or opposition.

Motion to adopt Ordinance O2021-08-14 to amend the FY22 Budget as presented in Exhibit A carried unanimously in favor.

MOVER: M. Penkava

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

I.2 Ordinance O2021-08-13

Courtney Smith, Planning and Zoning Director, spoke on the SLUP application. Mayor Auman opened a public hearing. The applicant and 4 citizens spoke in favor of the application and nobody spoke in opposition. Public hearing was closed.

Motion to adopt Ordinance O2021-08-13 for SLUP-21-0002 with 16 conditions carried (5 -1) in favor.

MOVER: A. Lerner

SECONDER: M. Penkava

AYES: (5): F. Auman, P. Soltys, M. Penkava, N. Monferdini, and A. Lerner

NAYES: (1): M. Robbins

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (5 to 1)

J. NEW BUSINESS

J.1 Ordinance O2021-09-16

Planning and Zoning Director Courtney Smith spoke on the text amendment TA-21-0005 for Chapter 34 - Signs code to strengthen and clarify the code as it relates to sign regulations. Mayor Auman opened a public hearing. Nobody spoke in favor or opposition. Public hearing was closed. Second Read October 12, 2021.

FIRST READ

J.2 Ordinance O2021-09-17

Planning and Zoning Director Courtney Smith spoke on the SLUP application. Mayor Auman opened a public hearing. The applicant and one citizen spoke in favor of the application. Nobody spoke in opposition. Public hearing was closed. Second Read October 12, 2021.

FIRST READ

J.3 Resolution R2021-09-16

Brandon Bowen spoke on a moratorium for the City of Tucker for certain specified light industrial parcels within the area bounded by E. Ponce De Leon Avenue, Juliette Road, U.S. 78, and Georgia 10.

Motion to adopt the moratorium by Resolution R2021-09-16 carried unanimously in favor.

MOVER: A. Lerner

SECONDER: M. Penkava

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.4 Intergovernmental Agreement 09132021

City Engineer Ken Hildebrandt spoke on an intergovernmental agreement (IGA) with the Tucker Summit Community Improvement District for engineering services on improvements to the intersection of Mountain Industrial Boulevard and U.S. 78.

This IGA is a partnership between the City of Tucker and the Tucker Summit CID with the following provisions: Georgia DOT has agreed to fund up to \$5.12M for construction based on this approved traffic study. The Tucker Summit CID applied for and received a grant from the Georgia Transportation Infrastructure Bank which will reimburse them up to \$600,000 for engineering design.

Engineering Tasks

Task 1 – Concept Report	Task 2 – Database Preparation (Survey)
Task 3 – Environmental Analysis/Reports	Task 4 – Engineering Design
Task 5 – Right-of-Way Plans	Task 6 – Meetings and GDOT Coordination

Task 7 – Tucker Summit CID Initiatives (not part of IGA)

- Analyze locations for a potential Bus Rapid Transit Station, potential redevelopment opportunities for northeast quadrant of interchange, and potential road connection from Mountain Industrial Blvd to Tucker Industrial Dr

Project Scope

- Realign US 78 off-ramps to improve sight distance
- Traffic signal improvements at the ramps
- Install narrow center median from Greer Cir to Elmdale Dr
- Allow truck u-turns where feasible
- ADA sidewalks
- Turn lane and radius improvements
- Signal timing upgrades
- Ramp lighting improvements

Project Funding

- The City will be responsible for 50% of the engineering costs in excess of \$600,000 (\$49,441.50). (TSCID responsible for other 50%)
- The City will be responsible for 100% of the right-of-way costs (estimated at \$100,000).
- The City will be responsible for 100% of the utility costs, if required.
- The City will be responsible for 50% of the construction costs exceeding \$5.12M paid by GDOT. (TSCID responsible for other 50%)

Motion to approve the IGA with Tucker Summit CID as presented carried unanimously in favor.

MOVER: M. Robbins

SECONDER: M. Penkava

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.5 Contract C2021-013-CE2006-CE2203

City Engineer Ken Hildebrandt spoke on the bid ITB 2021-013 for the construction of MARTA bus pads and sidewalk at various locations, which 6 submittals were received.

Motion to award the contract to Lagniappe Development Company in the amount of \$27,490.50 carried unanimously in favor.

MOVER: M. Robbins

SECONDER: N. Monferdini

AYES: (5): F. Auman, P. Soltys, M. Robbins, M. Penkava, and N. Monferdini

NAYES: (1): A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (5 to 1)

J.6 Contract C2021-011-SP2005

City Engineer Ken Hildebrandt spoke on the bid RFP 2021-011 for Engineering Design Services for Mountain Industrial Boulevard at U.S. 78, which 7 submittals were received.

Motion to award the contract to Atlas Technical Consultants in the amount of \$698,859.50 carried unanimously in favor.

MOVER: P. Soltys

SECONDER: M. Penkava

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.7 Contract C2021-005-SP1910

Parks and Recreation Director Carlton Robertson spoke on the bid ITB 2021-005 to add new sidewalks along Henderson Park Road from the Livsey Street entrance to the first parking lot. 9 contractors submitted bids.

Motion to award the contract to AJB Construction Group, INC for a total of \$117,400.00 carried unanimously in favor.

MOVER: M. Penkava

SECONDER: A. Lerner

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.8 Contract C2021-003-PR2114

Parks and Recreation Director Carlton Robertson spoke on the bid ITB 2021-003 to construct the Probst Memorial along the northern loop of the trail that encircles the park. 3 contractors submitted bids.

Motion to award the contract to Willow Construction, INC for a total of \$125,800.00 carried unanimously in favor.

MOVER: P. Soltys

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.9 Contract TO2021-33-2018-016-OP2201

City Manager Tami Hanlin spoke on the Task Order for Program Management of capital projects. Three of the on-call firms were contacted to identify qualified consultants with availability to assist with the purchasing function on a trial basis. Atlas Technical Consultants presented a highly qualified individual who have decades of experience in managing and delivering recreation, public works, and SPLOST projects from start to finish. Rates for consultants with this much experience were not included in the on-call contract with Atlas and the on-call contracts are not going to be re-bid until June of 2022. As a result, Atlas has proposed a rate for a "Program Manager" with a rate of \$210 per hour and "Principal in Charge", with a rate of \$250 per hour.

Motion to award the on-call contract to Atlas Technical Consultants for Project Management in an amount not to exceed \$50,000 carried unanimously in favor.

MOVER: M. Penkava

SECONDER: A. Lerner

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

J.10 Contract C2021-08-ARPA2201

Assistant City Manager/Community and Economic Development Director John McHenry spoke on the contract with local Non-profit NETWorks Cooperative Ministry for \$1,226,000.00 from American Rescue Plan Act (ARPA) funding to assist with housing relief.

NETWorks Cooperative Ministry polled nineteen apartment complexes, of which nine responded. The tally of need included over 500 households behind in rent, with a total amount due of almost \$2 million. That does not include smaller operators or house renters or homeowners behind on their mortgages. It also does not include arrearages for utilities (having utilities turned off for non-payment is reason for eviction, even if rent is current). The need is great and without assistance many families will face eviction and homelessness in the middle of a resurgent COVID variant.

NETWorks Cooperative Ministry proposes regranting and/or expending up to \$1,226,000.00 in American Rescue Plan Recovery Act (ARPA) Fiscal Recovery Funds to eligible citizens of Tucker, Georgia. Residents can request financial assistance for arrearage in rent, mortgage, and/or utility bills. NETWorks Cooperative Ministry will screen applicants for financial assistance and request and review supporting documents for the level of assistance being requested.

Motion to authorize the Mayor to sign a substantially similar contract to what is provided in the packet with NETWorks Cooperative Ministry for \$1,226,000.00 from American Rescue Plan Act Funding for Housing Relief carried unanimously in favor.

MOVER: M. Penkava

SECONDER: M. Robbins

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

K. MAYOR AND COUNCIL COMMENTS

The Mayor and Council thanked everyone for attending, thanked staff for all they do, encouraged residents to get to know the candidates running for office, to give input on what public art should look like in Tucker (the Art in the Alleys Project), mentioned upcoming events and to enjoy the Tucker parks, and to remember that COVID still exists - be responsible and safe.

L. EXECUTIVE SESSION

MOVER: M. Robbins

SECONDER: N. Monferdini

Motion to enter into Executive Session for the purpose of real estate and litigation at 9:14PM carried unanimously in favor.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

MOVER: M. Penkava

SECONDER: M. Robbins

Motion to exit Executive Session and return to the Regular Meeting at 9:35 PM carried unanimously in favor.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

M. ACTION AFTER EXECUTIVE SESSION - None

N. ADJOURNMENT

MOVER: M. Penkava

SECONDER: A. Lerner

Motion to Adjourn at 9:38 PM passed unanimously.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

APPROVED: Frank Auman, Mayor

ATTEST: Bonnie Warne, Clerk

Date Approved



MAYOR & CITY COUNCIL

WORK SESSION MINUTES

**Monday, September 27, 2021, 7:00 PM
Tucker City Hall & Video Conference
1975 Lakeside Pkwy, Suite 350 Tucker, GA 30084**

Members Present: Frank Auman, Mayor
Pat Soltys, Council Member District 1, Post 1
Matt Robbins, Council Member District 2, Post 1
Michelle Penkava, Council Member District 3, Post 1
Noelle Monferdini, Council Member District 2, Post 2
Anne Lerner, Council Member District 3, Post 2

Members Absent: Vacant, Council Member District 1, Post 2

ZOOM link; <https://us02web.zoom.us/j/87413287525>

A. CALL TO ORDER

Mayor Auman called the meeting to order at 7:00 PM.

B. ROLL CALL

The above were in attendance.

C. MAYOR'S OPENING REMARKS

Mayor Auman mentioned that there are two meetings. A Special Called meeting will follow the Work Session.

D. APPROVAL OF THE AGENDA

Motion to approve the agenda as presented passed unanimously.

MOVER: M. Penkava

SECONDER: N. Monferdini

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

E. NEW BUSINESS

E.1 Development Update

John McHenry, Assistant City Manager/Community & Economic Development Director gave an update on the Economic Development in Tucker: Downtown Redevelopment, Church Street Properties, Park Improvements, Rosser Road, Hugh Howell Marketplace, and Northlake Redevelopment/Reimagined.

E.2 Discussion of Richardson Street

Courtney Smith, Planning and Zoning Director and Ken Hildebrandt, City Engineer gave a presentation on Richardson Street possible road improvement project. The northern portion of Richardson Street is privately owned and the southern portion is public. The two portions do not connect. There is currently only one access point in and out of the Juliette Road corridor. The owners of the northern portion of Richardson Street are willing to dedicate the land to the city of Tucker. Both portions of the road are currently substandard. In order to bring both sections up to code the road, 1/4 mile in length, would need rebuilt, which would include a new base, asphalt, curb and gutter, drainage, sidewalks, streetscaping, and lighting.

E.3 Sidewalk Café and Entertainment District Text Amendment

Courtney Smith, Planning and Zoning Director, spoke on the proposed amendment to the Downtown District regulations in Article 3 of Chapter 46 Zoning to expand on the current outdoor dining standards, introduce the requirement of sidewalk café licenses for outdoor dining in the public right-of-way, and create a downtown entertainment district that allows for the open container of alcoholic beverages.

E.4 Presentation on Brockett Road Traffic Calming

Ken Hildebrandt, City Engineer, gave a presentation on the preliminary data and concept design for traffic calming measures on Brockett Road and get direction for moving forward with the final design, and discuss options for the funding for implementation. Kimley Horn was contracted to provide data collection of traffic volumes, speeds, and accidents and provide a concept design to install various forms of traffic calming along Brockett Road to reduce speeds while not blocking access to side streets and driveways.

F. EXECUTIVE SESSION - None

G. ACTION AFTER EXECUTIVE SESSION - None

H. ADJOURNMENT

Motion to Adjourn at 8:00 PM passed unanimously.

MOVER: P. Soltys

SECONDER: N. Monferdini

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

APPROVED: Frank Auman, Mayor

ATTEST: Bonnie Warne, Clerk

Date Approved



MAYOR & CITY COUNCIL

SPECIAL CALLED MEETING MINUTES

Monday, September 27, 2021, 8:00 PM

Tucker City Hall

1975 Lakeside Pkwy, Ste 350B, Tucker, GA 30084

Members Present: Frank Auman, Mayor
Pat Soltys, Council Member District 1, Post 1
Matt Robbins, Council Member District 2, Post 1
Michelle Penkava, Council Member District 3, Post 1
Noelle Monferdini, Council Member District 2, Post 2
Anne Lerner, Council Member District 3, Post 2

Members Absent: Vacant, Council Member District 1, Post 2

ZOOM link; <https://us02web.zoom.us/j/87413287525>

A. CALL TO ORDER

Mayor Auman called the meeting to order at 8:01 PM.

B. ROLL CALL

The above were in attendance.

C. MAYOR'S OPENING REMARKS

D. NEW BUSINESS

D.1 Contract C2021-005-SP1910

Parks and Recreation Director Carlton Robertson spoke on the bid ITB 2021-005 that is being brought back to Council to add the necessary bonds due to the amount of the project. The new contract total will be \$120,922.00 (\$117,400.00 base bid with \$3,522.00 for performance and payment bonds) with AJB Construction Group, INC to add new sidewalks along Henderson Park Road from the Livsey Street entrance to the first parking lot.

Motion to award the contract to ABJ Construction Group, INC for the new amount of \$120,922.00 carried unanimously in favor.

MOVER: M. Penkava

SECONDER: A. Lerner

AYES: (7): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

D.2 Contract C2021-003-PR2114

Parks and Recreation Director Carlton Robertson spoke on the bid ITB 2021-003 that is being brought back to Council to add the necessary bonds due to the amount of the project. The new contract total of \$129,611.00 (\$125,800.00 base bid with \$3,811.00 for performance and payment bonds) with Willow Construction, INC to construct the Probst Memorial along the northern loop of the trail that encircles the park.

Motion to award the contract to ABJ Construction Group, INC for the new amount of \$129,611.00 carried unanimously in favor.

MOVER: P. Soltys

SECONDER: M. Robbins

AYES: (7): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

D.3 Contract C2021-300-1330-CC2201

Finance Director Robert Porche spoke on the contract upgrade with BS&A to the "cloud" version and asked if the City of Tucker would be the initial client to install and upgrade. The upgrade will address and solve several current problems that some departments are experiencing with the client-hosted version at a cost of \$116,565.00.

Motion to approve the BS&A contract upgrade to the "cloud" version carried unanimously in favor.

MOVER: N. Monferdini

SECONDER: M. Penkava

AYES: (7): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

D.4 Ordinance O2021-09-18

Finance Director Robert Porche spoke on the ordinance to amend the fiscal year 2022 budget, which include:

- The largest part of this budget amendment is to move from ARPA Contingency to Payments to Other Agencies (NETWorks). Please note that the funding came from the U.S. Treasury in the amount of \$6,795,608.
- To move funds from ARPA Contingency to Land Acquisition.

- Increase professional services in the amount of \$50,000 and fund the increase from Contingency-General Fund (Atlas).
- Recognize additional contributions in the amount of \$40,000 and transfer funds to the Capital Project (William R. Probst Memorial-PR2114).
- Increase Project BS&A Cloud Version (CC2201) in the amount of \$80,210 and utilize Capital Contingency and re-allocate from the Court Kiosk project (CT2201), as it is not feasible at the current location.

Mayor Auman opened a public hearing. Nobody spoke in favor or opposition. Public hearing was closed. Second Read October 12, 2021.

FIRST READ

D.5 Ordinance O2021-09-19

City Attorney Brian Anderson spoke on the ordinance to amend Section 10-42 of the City of Tucker Code Chapter 10: Businesses, which the existing language cause conflict with the State law.

Mayor Auman opened a public hearing. Nobody spoke in favor or opposition. Public hearing was closed. Second Read October 12, 2021.

FIRST READ

E. EXECUTIVE SESSION

MOVER: M. Penkava

SECONDER: P. Soltys

Motion to enter into Executive Session for the purpose of real estate at 8:16 PM carried unanimously.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

MOVER: N. Monferdini

SECONDER: A. Lerner

Motion to exit Executive Session and return to the Special Called Meeting at 8:33 PM carried unanimously.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

F. ACTION AFTER EXECUTIVE SESSION

F.1 Contract C2021-09-ARPA2202

Motion to take action after Executive Session to authorize Mayor Frank Auman to sign and date the contract for the purchase and sale of real property consisting of the following four parcels for \$1.2 million:

18 213 14 001 4236 Railroad Avenue

18 213 14 015 2301 Second Street

18 213 14 016 2295 Second Street

18 213 14 019 4226 Railroad Avenue

Vote carried unanimously in favor

MOVER: M. Penkava

SECONDER: P. Soltys

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

G. ADJOURNMENT

MOVER: M. Penkava

SECONDER: N. Monferdini

Motion to Adjourn at 8:40 PM passed unanimously.

AYES: (6): F. Auman, P. Soltys, M. Robbins, M. Penkava, N. Monferdini, and A. Lerner

ABSENT: (1): Vacant, Council Member District 1, Post 2

APPROVED (6 to 0)

APPROVED: Frank Auman, Mayor

ATTEST: Bonnie Warne, Clerk

Date Approved



MEMO

To: Honorable Mayor and City Council Members
From: Brian Anderson
CC: Tami Hanlin, City Manager
Date: 09/27/2021
RE: Ordinance O2021-09-19 to Amend CH 10 BUSINESSES

Issue:

Existing language in the code conflicts with the State law.

Recommendation:

Replacing Section 10-42 of the City of Tucker Code in its entirety with the following:

Sec. 10-42. Exemption for certain people and businesses.

- (a) This Chapter expressly exempts the following people and businesses from paying occupation taxes:
- (1) Disabled veterans of any war or armed conflict in which any branch of the United States armed forces was involved, whether under United States command or otherwise;
 - (2) Blind persons;
 - (3) Veterans of peace-time service in the United States armed forces who have a physical disability which was incurred during that service;
 - (4) A practitioner whose office is maintained by, and who is employed exclusively by, the United States, the State of Georgia, a city or county in Georgia, or instrumentalities thereof;
 - (5) Any state or local authority, nonprofit organization, or vendor acting pursuant to a contract with a tax-exempt agricultural fair;
 - (6) Businesses regulated by the Georgia Public Service Commission;
 - (7) Electrical service businesses organized under Chapter 3 of Title 46 of the Georgia Code;
 - (8) Any farm operation producing agricultural products, but not including agribusiness;
 - (9) Persons purchasing guano, meats, meal, flour, bran, cottonseed, or cottonseed meal and hulls in carload lots for distribution among the purchasers for use and not sale;
- (b) Notwithstanding the exemption from payment of city occupation taxes, an exempt person or business shall comply with the same laws and regulations as are required of other registered businesses.

Background:

The existing language cause conflict with the State law. It reads as follows:

Sec. 10-42. - Exemption for disabled veterans, disabled indigent persons, certain organizations.

(a) Persons who qualify for a state veteran's or disabled indigent person's license shall be eligible for exemption from the city occupational tax fee. Any such person claiming an exemption shall secure evidence of qualification for the exemption from the proper authority and present it to the finance department.

(b) Organizations which are exempt from federal income taxation under section 501(c)(3) or section 501(c)(4) of the United States Internal Revenue Code shall be eligible for exemption from the city occupational tax. Any such organization claiming an exemption shall provide to the finance department a federal tax exemption letter showing the code section under which an exemption is claimed. However, with respect to any activity for which an organization otherwise entitled to an exemption under this section shall be liable for federal income tax on unrelated business income or shall be deemed to be a feeder organization under the United States Internal Revenue Code, the exemption from payment of occupational taxes shall not be available.

(c) Notwithstanding the exemption from payment of city occupation taxes, an exempt person or business shall comply with the same laws and regulations as are required of other registered businesses.

(Ord. No. 2016-03-04, exh. (16-44), 3-29-2016; Ord. No. 2017-06-73, exh. (16-44), 7-10-2017)

Financial Impact:

This change will improve the city's efficiency in the collection of occupational taxes.

**AN ORDINANCE TO AMEND THE CITY OF TUCKER CODE CHAPTER 10
BUSINESSES TO STATE THE CURRENT EXEMPTIONS TO LOCAL OCCUPATION
TAXES; AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and City Council desire to amend Chapter 10 Businesses of the City Code to state the current exemptions to local occupation taxes specified in the Official Code of Georgia Annotated;

NOWTHEREFOR, the Mayor and City Council hereby ordains that Chapter 10 Businesses of the City Code is hereby amended by replacing Section 10-42 in its entirety with the following:

Sec. 10-42. Exemption for certain people and businesses.

- (a) This Chapter expressly exempts the following people and businesses from paying occupation taxes:
 - (1) Disabled veterans of any war or armed conflict in which any branch of the United States armed forces was involved, whether under United States command or otherwise;
 - (2) Blind persons;
 - (3) Veterans of peace-time service in the United States armed forces who have a physical disability which was incurred during that service;
 - (4) A practitioner whose office is maintained by, and who is employed exclusively by, the United States, the State of Georgia, a city or county in Georgia, or instrumentalities thereof;
 - (5) Any state or local authority, nonprofit organization, or vendor acting pursuant to a contract with a tax-exempt agricultural fair;
 - (6) Businesses regulated by the Georgia Public Service Commission;
 - (7) Electrical service businesses organized under Chapter 3 of Title 46 of the Georgia Code;
 - (8) Any farm operation producing agricultural products, but not including agribusiness;
 - (9) Persons purchasing guano, meats, meal, flour, bran, cottonseed, or cottonseed meal and hulls in carload lots for distribution among the purchasers for use and not sale;
- (b) Notwithstanding the exemption from payment of city occupation taxes, an exempt person or business shall comply with the same laws and regulations as are required of other registered businesses.

Any ordinance or parts of an ordinance that conflicts with this amendment is hereby repealed.

SO ORDAINED AND EFFECTIVE this _____ day of September 2021.

Approved:

Frank Auman, Mayor

Attested:

Bonnie Warne, City Clerk



MEMO

To: Honorable Mayor and City Council Members
From: Robert J. Porche, Jr., Finance Director
CC: Tami Hanlin, City Manager
Date: September 27, 2021
RE: FY22 Budget Amendment#2

Issue:

This is a first read and public hearing for an ordinance to amend the fiscal year 2022 budget. The following items are included in this budget amendment:

- The largest part of this budget amendment is to move from ARPA Contingency to Payments to Other Agencies (NETWorks). Please note that the funding came from the US Treasury in the amount of \$6,795,608.
- To move funds from ARPA Contingency to Land Acquisition.
- Increase professional services in the amount of \$50,000 and fund the increase from Contingency-General Fund (Atlas).
- Recognize additional contributions in the amount of \$40,000 and transfer funds to the Capital Project (William R. Probst Memorial-PR2114).
- Increase Project BS&A Cloud Version (CC2201) in the amount of \$80,210 and utilize Capital Contingency and re-allocate from the Court Kiosk project (CT2201), as it is not feasible at the current location.

Recommendation:

Council to consider and approve Budget Amendment#2

Background:

Summary:

Financial Impact:

Utilization of existing funds

AN ORDINANCE TO AMEND THE 2022 FISCAL YEAR BUDGET

WHEREAS, the City of Tucker may amend an operating and capital budget in accordance with Section 5.04 of the Charter;

WHEREAS the City of Tucker held a public hearing on the amendment to the 2022 Operating and Capital and Grant Budget on October 12, 2021; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Tucker while at a regular meeting on October 12, 2021 that the attached Exhibit A 2022 amendment to the operating and capital and grant budget is hereby adopted for the fiscal year 2022 and becomes effective upon its adoption;

SO ORDAINED AND EFFECTIVE this 12th day of October 2021.

Approved:

Frank Auman, Mayor

Attest:

Bonnie Warne, City Clerk (Seal)



MEMO

To: Honorable Mayor and City Council Members
From: Courtney Smith, Planning and Zoning Director
CC: Tami Hanlin, City Manager
Date: Sept. 7, 2021
RE: SLUP-21-0003; Personal Care Home at 3710 S Marlborough Drive

Issue:

Personal Care Homes, group (4 – 6 residents) are only allowed in single-family residential zoning districts (RE, R-100, R-85, R-75, R-60) with the approval of a Special Land Use Permit to ensure the operation of the facility will not be a detriment to the character of the residential neighborhood.

Developmental Disabilities purchased the property in August of 2020 and has had 3 unrelated individuals in the home under the definition of family. The City of Tucker definition of family includes the following: “not more than three persons not so related who live together in a dwelling unit.” They now desire to add a fourth resident which triggered the need for a SLUP, as four unrelated people in this scenario would be considered a Personal Care Home.

Recommendation:

Staff recommends approval with conditions.

Planning Commission recommends approval with conditions (Aug. 19, 2021 meeting).

Background:

The applicant is requesting a Special Land Use Permit (SLUP) for the property located at 3710 S. Marlborough Drive to allow for a Personal Care Home (4-6) in the R-75 (Residential Medium Lot – 75) zoning district. The subject property is 0.24 acres and is developed with a one-story, approximately 1,859-square foot single-family detached home.

Summary:

The proposed use complies with the criteria (standards and factors) for special land use permits provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The proposed use also complies with the Supplemental Regulations for Personal Care Homes (Section 46-1185).

Financial Impact: None



City of Tucker

Land Use Petition: SLUP-21-0003

Date of Staff Recommendation Preparation: July 20, 2021

Planning Commission: August 19, 2021

Mayor and City Council, 1st Read: September 13, 2021

Mayor and City Council, 2nd Read: October 12th, 2021

PROJECT LOCATION:	3710 S. Marlborough Drive
APPLICATION NUMBER	SLUP-21-0003
DISTRICT/LANDLOT(S):	Land District 18, Land Lot 143
ACREAGE:	0.24 acres
EXISTING ZONING	R-75 (Residential Medium Lot-75)
EXISTING LAND USE	Residential
FUTURE LAND USE MAP DESIGNATION:	Suburban
OVERLAY DISTRICT:	N/A
APPLICANT:	Developmental Disabilities Ministries, Inc. c/o Sylvia Crowe
OWNER:	Developmental Disabilities Ministries, Inc.
PROPOSED DEVELOPMENT:	Special Land Use Permit to allow a Personal Care Home, Group (4-6) in a residential zoning district
STAFF RECOMMENDATION:	APPROVAL WITH CONDITIONS of SLUP-21-0003

BACKGROUND

The applicant is requesting a Special Land Use Permit (SLUP) for the property located at 3710 S. Marlborough Drive to allow for a Personal Care Home (4-6) in the R-75 (Residential Medium Lot – 75) zoning district. The subject property is 0.24 acres and is developed with a one-story, approximately 1,859-square foot single-family detached home.

PROJECT DATA

Personal Care Homes, group (4 – 6 residents) are only allowed in single-family residential zoning districts (RE, R-100, R-85, R-75, R-60) with the approval of a Special Land Use Permit to ensure the operation of the facility will not be a detriment to the character of the residential neighborhood. The proposed Personal Care Home will be located in an existing single-family house and must maintain the exterior appearance of a residential structure. Pursuant to Section 46-1185, supplemental regulations for Personal Care Homes, the proposed business shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport. No group personal care homes may be operated within 1,000 feet of any other group personal care home.

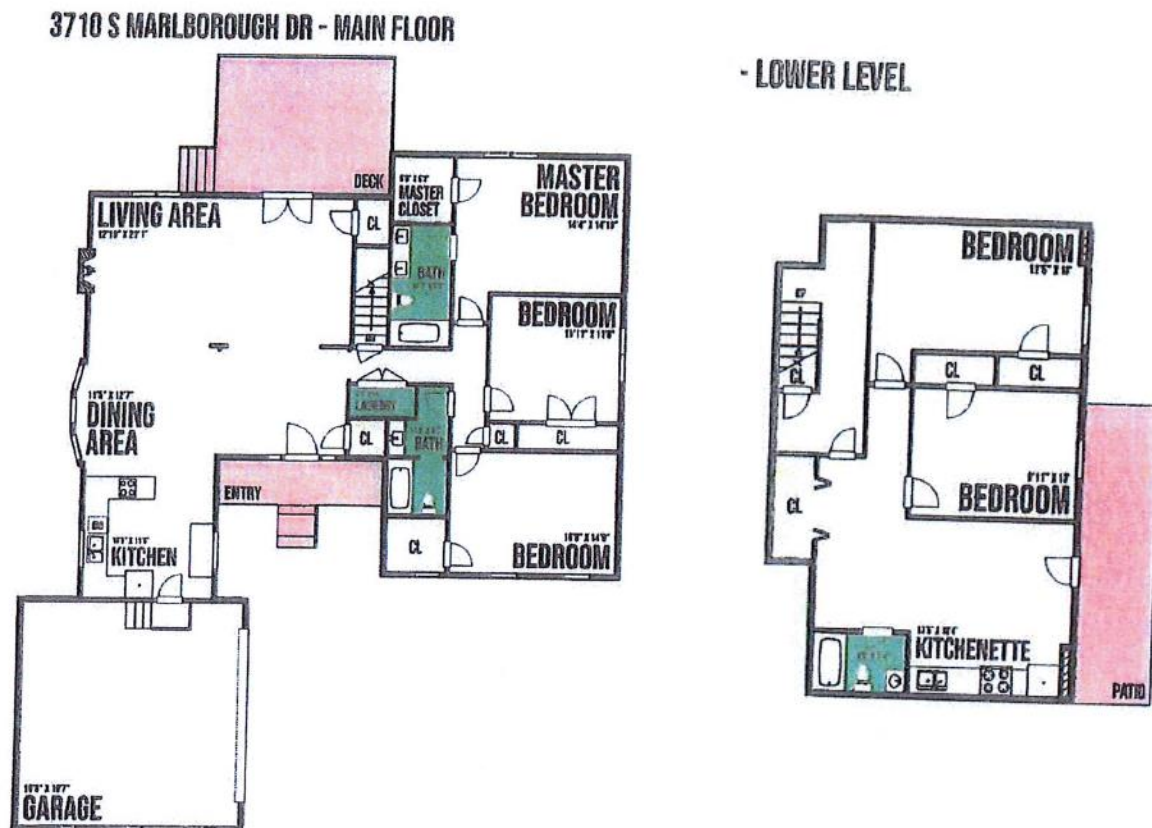
The City of Tucker defines a Personal care home as:

“a building in which housing, meals, personal assistance services, and 24-hour continuous watchful oversight for adults are provided and which facility is licensed or permitted as a personal care home by the state. The term "personal care home" shall not include the term "childcare institution," "transitional housing," "rehabilitation housing facility," "roominghouse" or "boardinghouse." The term "personal care home" includes the term "community living arrangement," which is an establishment licensed by the state and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases.”



The application states the intent is to allow the owners of the property to operate a Personal Care Home (PCH) licensed by the State of Georgia, Department of Community Health (DCH) as a Community Living Arrangement (CLA) that provides or “arranges for the provision of daily services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities (DBHDD)”. The application further states that the intent is to provide a living arrangement for 4 unrelated people with an intellectual and developmental delay, such as Down Syndrome or Autism, to live together in the home under a rental agreement.

Developmental Disabilities purchased the property in August of 2020 and has had 3 unrelated individuals in the home under the definition of family. The City of Tucker definition of family includes the following: “not more than three persons not so related who live together in a dwelling unit.” The request for the addition of a fourth resident triggered the need for a SLUP, as four unrelated people in this scenario would be considered a Personal Care Home.



Per the interior layout submitted by the applicant, the floor plan shows 5 bedrooms (one of which is the master bedroom), 3 bathrooms, a living room, a kitchen on the main floor and a kitchenette on the lower level, and a separate dining room. The Department of Behavioral Health and Developmental Disabilities (DBHDD) allows a maximum of 4 people for any Community Living Arrangements (CLA). DBHDD only

allows one resident per bedroom for Community Living Arrangements. Additionally, the applicant is not proposing any exterior renovations or modifications to the site. It should be noted, however, that if any of this work is needed in the future, a building permit for renovations would likely be required. The applicant would also be required to submit a trade permit if they replace the water heater, electrical service upgrade or change out, replacing relocating panel box, installation of a new irrigation system, electrical re-wire, addition of circuits, or adding switches or receptacles, replacement of light fixtures requiring electrical work, replacement of main breaker or air conditioner change out.

The existing dwelling, an approximately 1,859-square foot, is a single-family detached home, with a two-car garage that was constructed in 1984. The submitted site plan depicts room for four vehicles-two cars in the garage and two additional spots located in the driveway. Employees and guests would be encouraged to park in the driveway when possible to limit the impact on the neighboring residences.

OVERVIEW OF JUSTICE DEPARTMENT AGREEMENT WITH STATE OF GEORGIA

On May 18, 2016, the United States Justice Department (“DOJ”) announced an extension agreement with the state of Georgia to improve the quality and availability of services for people with developmental disabilities living in the community. According to the DOJ, *“the extension agreement builds upon a 2010 settlement agreement resolving a lawsuit brought by the department under the Americans with Disabilities Act and the Supreme Court’s ‘Olmstead’ decision. The case involves Georgia’s provision of community services for individuals with mental illness and developmental disabilities.”* Under the agreement, Georgia will help people with developmental disabilities move from its state hospitals to integrated settings and will monitor services and track outcomes for people after their discharge. This includes monthly visits by the state of Georgia to each Community Living Arrangement.

USE ANALYSIS AND DEVELOPMENT PERMISSIONS

The subject property is located in the R-75 (Residential Medium Lot – 75) zoning district. The purpose and intent section of the R-75 zoning district (Sec. 46-224) indicates in part that the R-75 zoning district is established to “ensure that the uses and structures authorized in the R-75 (Residential Medium Lot–75) district are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood”. The R-75 zoning district allows for “Personal Care Homes” only as a special use (Table 4.1. Use Table). The intent of the City of Tucker Zoning Ordinance is that the proposed uses be determined on a case-by-case basis to ensure compatibility with the surrounding area including maintaining the residential character of the immediate area. In the City of Tucker all Personal Care Homes, group (4-6) require a SLUP and must meet supplemental use regulations in Article 4.

CHARACTER AREA (Future Land Use)

The subject property is designated Suburban on the Future Land Use Map. The proposal is consistent with the intent of the Suburban Character Area strategy to be compatible with the existing housing stock. The Personal Care Home will be required to maintain an exterior appearance of a single-family home and there will be no signs located on the subject property advertising the Personal Care Home. Additionally, the applicant is not proposing any interior or exterior renovations to the house, thus; the

dwelling will remain compatible with the existing housing stock in terms of building height, footprint and massing, particularly as viewed from the street.

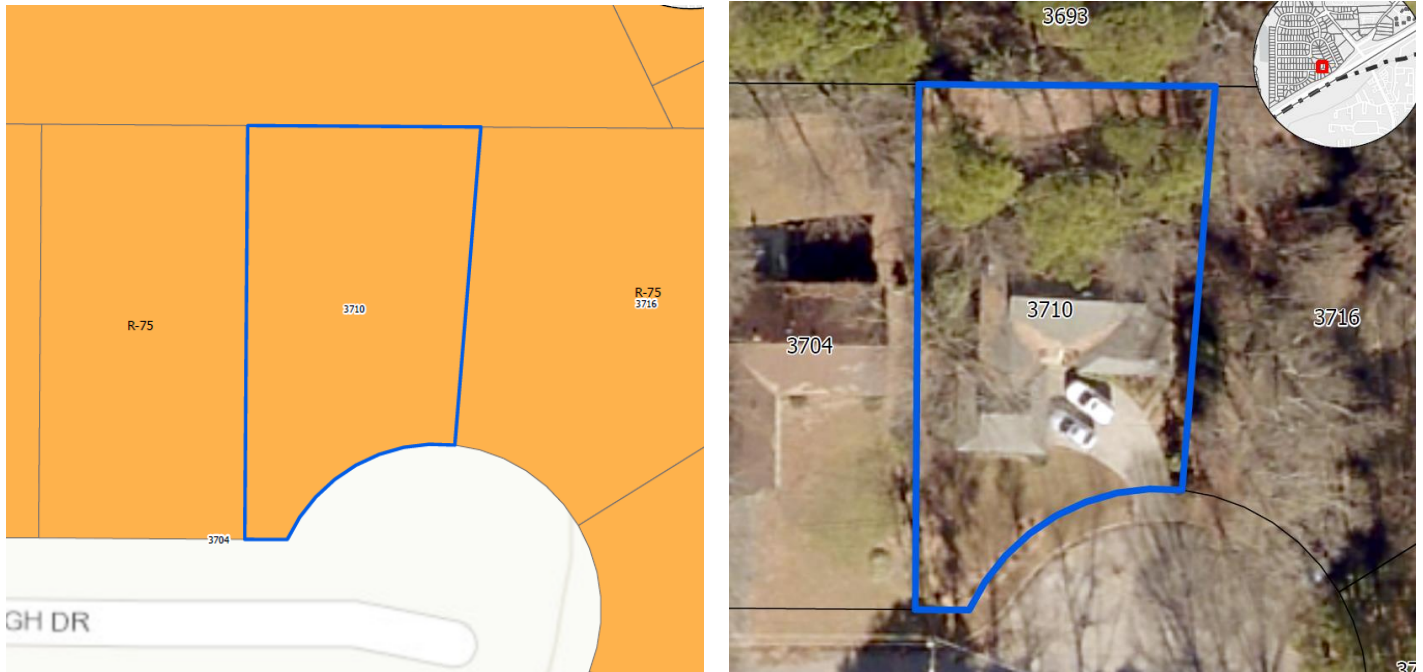
The introduction of a Personal Care Home is not entirely consistent with the intent of the Suburban Character Area and does not align with preservation of existing neighborhoods because it creates a use that could institutionalize the area. The Zoning Ordinance does however, define institutionalization as two (2) Personal Care Homes within 1,000 feet of each other. The closest existing Personal Care Home is approximately 2,600 feet away, on Zemory Drive.

PUBLIC PARTICIPATION PLAN REPORT

The applicant hosted a two-hour long community meeting on May 1, 2021 after mailing a letter and site plan explaining the proposed project to all property owners within 500 feet of the subject parcel. There were 13 people in attendance including the applicant, staff, and two community members. The applicant's report stated the format was a drop-in type meeting and that staff members and Board Members were in attendance to help answer questions. The applicant stated there were no issues, concerns or questions raised by the community members at the meeting. Although it does not appear that any changes were made to the site plan as a result of the Public Participation Meeting, it should be noted that the applicant has proposed no interior or exterior renovations to the property.

NEARBY/SURROUNDING LAND ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Existing Land Use
Adjacent: North	R-75 (Residential Medium Lot – 75)	Single-family home
Adjacent: East	R-75 (Residential Medium Lot – 75)	Single-family home
Adjacent: South	R-75 (Residential Medium Lot – 75)	Single-family home
Adjacent: West	R-75 (Residential Medium Lot – 75)	Single-family home



Zoning and Aerial Exhibits showing surrounding land uses.

SLUP-21-0003: Personal Care Home, Group (4-6)

CRITERIA TO BE APPLIED – SPECIAL LAND USE PERMIT

Criteria (standards and factors) for special land use decisions are provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff's findings which are independent of the applicant's responses to these criteria.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The subject site is approximately 0.24 acres. The lot is developed with an 1,859-square foot, single-family detached dwelling within a neighborhood of similarly sized homes. The applicant is not proposing to expand the existing structure's footprint and the property meets the dimensional standards for lot coverage, off street parking, and other applicable requirements of the R-75 zoning district. The site appears to be adequate for the proposed use including the existing dwelling, 2-car garage, and driveway parking spaces. Additionally, the backyard is fenced.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed Personal Care Home is in a traditional suburban neighborhood, completely surrounded by single-family homes. The proposed Personal Care Home is located on a local street in a quiet

residential setting in the Edinburgh Estates subdivision. Care should be taken to protect the established neighborhood from impacts of institutionalization such as: future Personal Care homes, daycares, and home-based businesses with customer contact. It should also be noted that a Personal Care Home could have a greater impact on an established, traditional residential subdivision, compared to a non-traditional neighborhood, such as a residential home located on a minor arterial street.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

Schools. There will be no impact on public school facilities.

Stormwater management. The applicant does not propose any alterations to the property which would require review of stormwater management.

Water and sewer. DeKalb Watershed Management will complete a full review as part of the Occupational Tax Certificate (OTC) process, if the SLUP is approved. The Department of Watershed Management did however have the following comment: "This location will need additional sewer capacity allotment, based on the number of residents they have. The single-family home has a credit of 185 gpd, and each bed in a personal care home will need 120 gpd allotted."

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The traffic impacts as a result of the proposed Personal Care Home will be minimal. The applicant has stated a single, unmarked, handicapped accessible van would remain parked in the garage or driveway and would be used as transportation to and from community outings. Additionally, the application states "typically one staff member would be on site and that there could be three times per day that staff would change shifts; between 7am-8am, between 3pm-4pm, and between 9pm-10pm." Additionally, an agency contracted by DBHDD will visit the home once a month to audit for compliance.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

Existing land uses would not be adversely affected in terms of the character of the vehicles or the volume of traffic generated by the proposed use. The applicant has stated one unmarked handicapped accessible van would be parked in the driveway or garage. There would be a slight impact, but would be minimal compared to other single-family homes.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

The applicant is proposing no modifications to the interior or exterior of the home. The property is located in a cul-de-sac, which would provide adequate access for emergency services vehicles and the DeKalb County Fire Department expressed no concerns regarding access for emergency vehicles. If approved, the applicant shall be required to submit a life safety plan to the DeKalb County Fire Department including location of fire alarms/smoke detectors, ramps, location of kitchen stove, inside/outside stairs, and location of furnace and hot water.

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed development will not generate excessive noise, nor will it emit smoke, odor, dust or vibration.

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The property is surrounded by single family detached homes zoned R-75 (Residential Medium Lot – 75) on all sides. According to the applicant, staffing needs would be the same for 4 residents as they are for 3. The staff members will work in shifts, with shift changes occurring around 7am, 3pm, and 9pm, which would be similar to single-family residences.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The hours of operation will be 24 hours a day, however, shift changes will happen between the hours of 7am-8am, 3pm-4pm, and 9pm-10pm, which is similar to the commuting hours of residential neighborhoods. The occupants will not be drivers, so there should be minimal traffic impacts compared to a typical single-family home. The applicant has stated the residence shall appear as a single-family home and no signage will be erected for the PCH. If developed in accordance with the staff recommended conditions, nearby single-family homes should not be adversely affected by the manner or operation of the PCH.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

If approved by SLUP, the proposed Personal Care Home will comply with the R-75 zoning district. The proposed PCH will be located in an existing single-family house and must maintain the exterior appearance as a residential structure

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.

The subject property is designated Suburban on the Future Land Use Map. While the proposed use is consistent with the intent of the adopted comprehensive plan, care must be taken to preserve existing neighborhoods from institutionalization. The introduction of a Personal Care Home does not align with preservation of existing neighborhoods because it could institutionalize the area. However,

the zoning ordinance defines institutionalization as two Personal Care Homes within 1,000 feet of each other. In research of other nearby and surrounding Personal Care Homes, it appears as though the closest Personal Care Home is located approximately 2,600 feet away.

- L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

There are no transitional buffer requirements on this parcel.

- M. Whether or not there is adequate provision of refuse and service areas.**

The proposed use should not generate excessive refuse and the applicant has stated that they will be serviced by DeKalb County sanitation.

- N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff does not recommend any limits on the length of time of the special land use permit (if granted), so long as the applicant obtains all local licensing requirements including compliance with approved conditions and annual occupational tax certificate renewal.

- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.**

The applicant proposes no changes to the existing building size, mass, and scale.

- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are no known historic buildings, sites, districts or archaeological resources on the subject properties. Therefore, no adverse effects are anticipated.

- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

The proposed Personal Care Home **is in compliance with the supplemental regulations for Personal Care Homes (4-6)** [Sec. 46-1185. - Personal care homes].

Sec. 46-1185. - Personal care homes

(a) Personal care homes, general requirements.

- (1) Each personal care home must obtain all licenses and/or permits required by the state in order to operate. Each personal care home licensed and/or permitted by the state must display its**

state-issued licenses and/or permits in plain view, visible from the front doorway of the facility.

The applicant's letter of intent states that they will comply with all required state and county requirements for Personal Care Homes and that the state-issued license and/or permit will be displayed at the front doorway once obtained.

- (2) No personal care home may display any exterior signage that violates the sign ordinance in chapter 34 or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.**

The applicant has stated they will be in compliance and are not proposing to post any signs.

- (3) Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639.**

The application has stated there is no need for an FHA Accommodation Variance.

(b) Personal care home, group (four to six persons).

- (1) Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the community development director prior to issuance of a building permit or business license.**

No changes to the interior of the home are being requested, however a floorplan was submitted with the application. Additionally, the applicant is aware that 2 copies of architectural plans signed and sealed by a registered architect will be required prior to issuance of a building permit or occupational tax certificate.

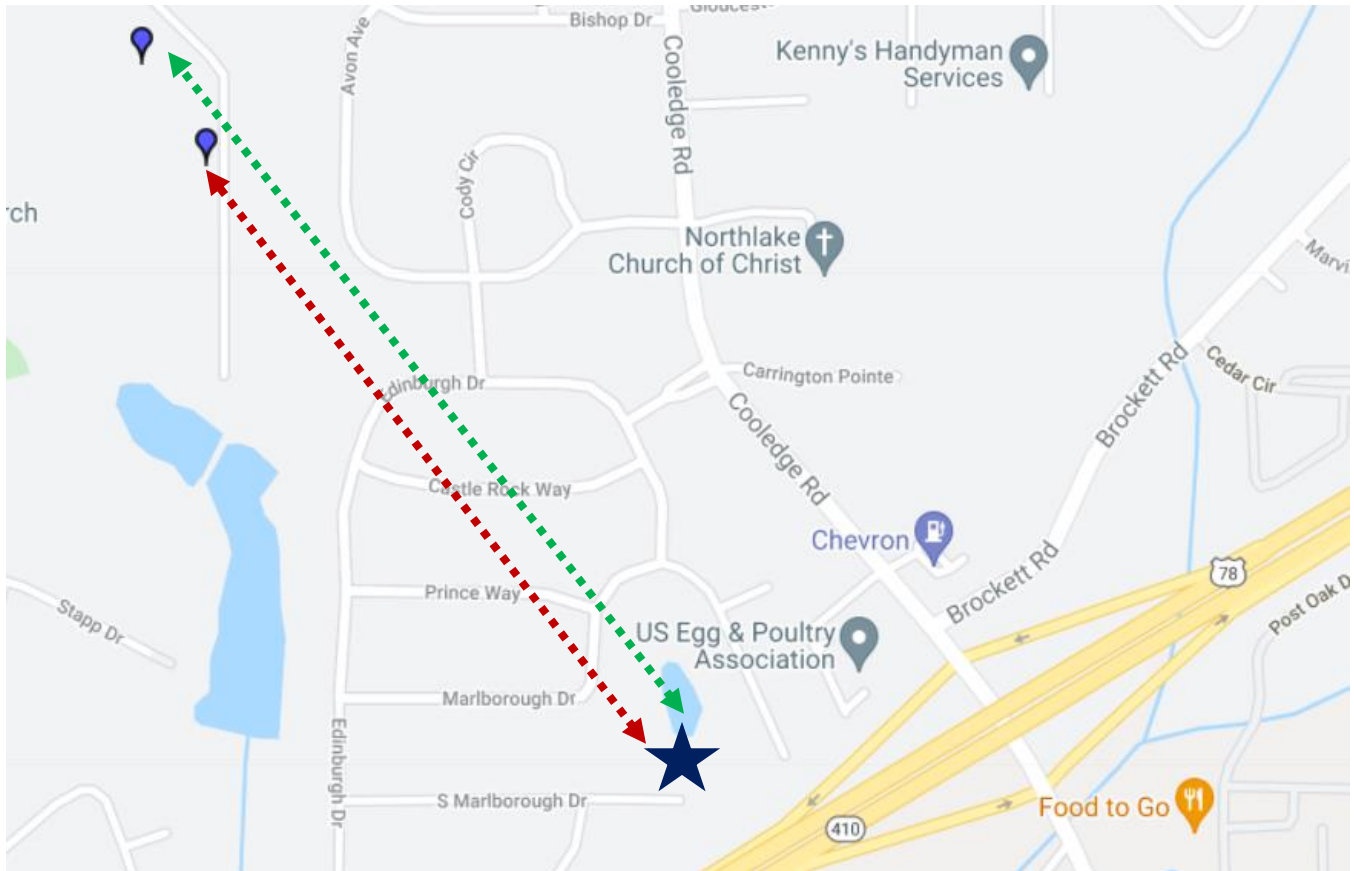
- (2) Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article VI of this chapter.**

The site plan provides four parking spaces, two of which will be located in the 2-car garage. Additional spaces are available within the driveway.

- (3) In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the "...R-85..." zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.**

There is another Personal Care Home (Tucker PCH) located approximately 2,600 feet northwest of the proposed PCH at 1660 Zemory Drive. The State of Georgia Department of Community Health Lists Tucker PCH, located at 1660 Zemory Drive, as having a licensed capacity of 4 (shown in red below). This PCH received a SLUP from DeKalb County in 2015.

The State of Georgia Department of Community Health lists another Personal Care Home located approximately 3,100 feet northwest of the subject property at 1708 Zemory Drive. It is listed under the name Zemory and is licensed for 3 residents. (shown in green below). It is operating under the definition of family.



4310

R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use will not produce an adverse shadow effect. No changes are being proposed to the existing structure regarding increasing the footprint or height of the building.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The supplemental regulations pertaining to Personal Care Homes (4-6) require that PCHs shall be located at a minimum of 1,000 feet from another PCH. There are no other PCHs located within 1,000 feet of the proposed location. However, there is another Personal Care Home, registered with the State of Georgia Health Department, approximately 2,600 feet from the proposed location (1660 Zemory Drive). This proposed use would not result in a disproportionate proliferation of uses if approved, as explicitly stated in the supplemental regulations (Section 46-1185).

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

Suburban Character Area. The proposal is consistent with the intent with the Suburban Character Area strategy to be compatible with the existing housing stock. The applicant is not proposing any interior or exterior renovations to the house and will remain compatible with the existing housing stock in terms of building height, footprint and massing, particularly as viewed from the street. The proposed use is not entirely consistent with the intent of the Suburban Character Area by introducing an institutional-like use in an established residential neighborhood; however, with proposed conditions to preserve the suburban character of the residential neighborhood the proposal may be consistent.

CONCLUSION

The proposed use complies with the criteria (standards and factors) for special land use permits provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The proposed use also complies with the Supplemental Regulations for Personal Care Homes (Section 46-1185).

Therefore, Staff recommends **APPROVAL WITH CONDITIONS** of the requested special land use permit.

Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **SLUP-21-0003**.

1. The proposed use shall be limited to a group personal care home (community living arrangement), with no more than 4 residents.
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. At all times, the applicant shall be in compliance with the State of Georgia, Rules and Regulations for Community Living Arrangements, Chapter 290-9-37, as amended.
4. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
5. The Personal Care Home shall maintain an exterior appearance of a single-family home.
6. There shall be no signs located on the subject property advertising the Personal Care Home.
7. The Special Land Use Permit shall not be transferred to another business.

PLANNING COMMISSION RECOMMENDATION

Based upon the findings and conclusions herein, at its August 19, 2021 public hearing, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of **SLUP-21-0003** subject to the following staff condition: (additions = **bold**; deletions = ~~striketrough~~).

1. The proposed use shall be limited to a group personal care home (community living arrangement), with no more than 4 residents.
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. At all times, the applicant shall be in compliance with the State of Georgia, Rules and Regulations for Community Living Arrangements, Chapter 290-9-37, as amended.
4. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
5. The Personal Care Home shall maintain an exterior appearance of a single-family home.
6. There shall be no signs located on the subject property advertising the Personal Care Home.
7. The Special Land Use Permit shall not be transferred to another business.

DEPARTMENT COMMENTS

ARBORIST

No new development occurring on the site.

DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT

This location will need additional sewer capacity allotment, based on the number of residents they have. The single-family home has a credit of 185 gpd, and each bed in a personal care home will need 120 gpd allotted

DEKALB COUNTY FIRE MARSHAL OFFICE

The SLUP would be conditionally approved by Fire, pending there is 24 hr. care provided by the applicant, since the residents may not meet the terms for "self- preservation".

DEKALB COUNTY SCHOOL SYSTEM

Not applicable; no comments.

LAND DEVELOPMENT

No comments.

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**AN ORDINANCE FOR SPECIAL LAND USE PERMIT (SLUP-21-0003) IN
LAND LOT 143 OF THE 18th DISTRICT TO ALLOW A PERSONAL CARE HOME,
GROUP (4-6) IN A RESIDENTIAL ZONING DISTRICT FOR DEVELOPMENTAL
DISABILITIES MINISTRIES INC**

WHEREAS: Notice to the public regarding said special land use permit have been duly published in The Champion, the Official News Organ of Tucker; and

WHEREAS: A Public Hearing was held by the Mayor and City Council of Tucker on September 13, 2021 and October 12, 2021;

WHEREAS: The Mayor and City Council is the governing authority for the City of Tucker;

WHEREAS: The Mayor and City Council has reviewed the special land use request based on the criteria found in Section 46-1594 of the Zoning Ordinance of the City of Tucker;

NOW THEREFORE, the Mayor and City Council of the City of Tucker while in Regular Session on October 12, 2021 hereby ordains and approves Special Land Use Permit (SLUP 21-0003) to allow for a personal care home, group (4-6) in a residential zoning district subject to the following conditions. Note that the special land use permit shall expire automatically if a building permit or other required approval(s) is not applied for within twelve (12) months and construction pursuant to such permit(s) does not promptly begin and is not diligently pursued (Section 46-1599).

1. The proposed use shall be limited to a group personal care home (community living arrangement), with no more than 4 residents.
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. At all times, the applicant shall be in compliance with the State of Georgia, Rules and Regulations for Community Living Arrangements, Chapter 290-9-37, as amended.
4. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
5. The Personal Care Home shall maintain an exterior appearance of a single-family home.
6. There shall be no signs located on the subject property advertising the Personal Care Home.

7. The Special Land Use Permit shall not be transferred to another business.

So effective this 12th day of October 2021.

Approved by:

Frank Auman, Mayor

Attest:

Bonnie Warne, City Clerk

SEAL



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
Email: permits@tuckerga.gov
Website: www.tuckerga.gov

Land Use Petition Application

Slup-21-0003

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☒ Special Land Use Permit
☐ Concurrent Variance ☐ Modification

APPLICANT INFORMATION		
Applicant is the: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser		
Name: <i>Developmental Disabilities Ministries, Inc</i>		
Address: <i>3710 S. Marlborough Drive</i>		
City: <i>Tucker</i>	State: <i>GA</i>	Zip: <i>30084</i>
Contact Name: <i>Sylvia Clowe</i>		
Phone: <i>706 2078703</i>	Email: <i>scrowe@ddmga.org</i>	
OWNER INFORMATION		
Name: <i>Developmental Disabilities Ministries, Inc</i>		
Address: <i>6320 Amherst Court</i>		
City: <i>Placette Corners</i>	State: <i>GA</i>	Zip: <i>30092</i>
Contact Name: <i>Ryan Whitmire</i>		
Phone: <i>770-623-4899</i>	Email: <i>rwhitmire@ddmga.org</i>	
PROPERTY INFORMATION		
Property Address: <i>3710 S. Marlborough Drive, Tucker, GA 30084</i>		
Present Zoning District(s):		Requested Zoning District(s):
Present Land Use Category: <i>Residential</i>		Requested Land Use Category: <i>Residential</i>
Land District: <i>18</i>	Land Lot(s): <i>143</i>	Acreage: <i>0.2 acres</i>
Proposed Development: <i>Existing</i>		
Concurrent Variance(s):		
RESIDENTIAL DEVELOPMENT		
No. of Lots/Dwelling Units: <i>1</i>	Dwelling Unit Size (Sq. Ft.): <i>2700</i>	Density:
NON-RESIDENTIAL DEVELOPMENT		
No. of Buildings/Lots: <i>NA</i>	Total Building Sq. Ft.:	Density:

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APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

Ryan E Whitmire
Signature of Applicant

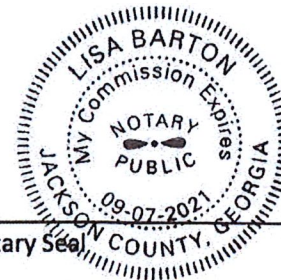
11/10/2020
Date

Ryan E Whitmire/CEO
Type or Print Name and Title

Lisa Barton
Signature of Notary Public

11/10/2020
Date

Notary Seal



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PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, DDM, authorize, Sylvia Crowe
(Property Owner) (Applicant)

to file for SLUP at 3710 S. Marlborough Dr. Tucker, GA 30084
(RZ, CA, SLUP, M, CV) (Address)

on this date Nov 10, 20 20
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

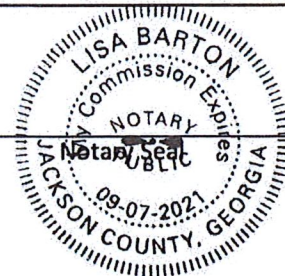
Ryan E Whitmire
Signature of Property Owner

11/10/2020
Date

Ryan E Whitmire / CEO
Type or Print Name and Title

Lisa Barton
Signature of Notary Public

11/10/2020
Date



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SLUP-21-0003

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4);

NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (if party to petition, complete sections 2, 3 and 4 below)

In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

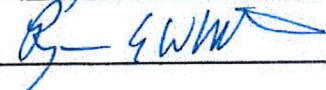
1.	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Ryan E Whitmore

Signature: 

Date: 11/10/2020

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Environmental Site Analysis Form

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. Conformance with the Comprehensive Plan:

Developmental Disabilities Ministries, Inc. (DDM) owns 3710 S. Marlborough Drive, Tucker, Georgia 30084 located in the City of Tucker (Parcel ID 18 143 01 127). DDM is requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is requesting an allowance for 4 unrelated individuals with an intellectual and developmental disability (for example, Down Syndrome, Autism) to live together in the home under a rental agreement with DDM. The Department of Behavioral Health and Developmental Disabilities (DBHDD) administers the Medicaid Wavier monies that will support the individuals to live in the community along with their social security disability monthly income. DBHDD requires the home to be licensed by the Department of Community Health (DCH). The home will be licensed by DCH as a Community Living Arrangement (CLA). Community Living Arrangements (CLA) means any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the DBHDD. State Rules and Regulations for Community Living Arrangements can be found in detail at this website.

https://dch.georgia.gov/sites/dch.georgia.gov/files/imported/vgn/images/portal/cit_1210/44/152311939CLARULES0209.pdf

DBHDD will oversee the care of the resident renters in accordance with federal and state laws, and regulations. A business license will be obtained from the City of Tucker.

The provision of care will be provided through DDM, a nonprofit, charitable corporation serving adults with developmental disabilities and their families. DDM is a licensed private home care provider by DCH and is an approved provider of care with DBHDD. Licenses attached to the application. DDM is also a CARF accredited agency. CARF is an organization that benchmarks quality of care internationally. Certificate attached to the application.

Staff will be in the home 24/7 (whenever the residents are there) to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (i.e., bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and care as ordered by a physician (examples include but not limited to administration of medications, monitoring of vital signs, monitoring of respiratory and GI symptoms). All residents have been determined appropriate to live in the community with supports by DBHDD.

Care provided in the home will meet the federal mandate under the Americans with Disabilities Acts of 1990 and Olmstead and complies with the rules and regulations under the Centers for Medicare/Medicaid Home and Community Based Services (HCBS) settings rate. The residents will not have drug or alcohol addictions.

Renovations within the home have been completed to meet ADA compliance standards so that individuals with physical handicaps will have access to all parts of the home.

City of Tucker has a major theme in its comprehensive plan: Promoting Connectivity and Community. Quoted from the City of Tucker Comprehensive Plan.

2. Environmental Impacts of the Proposed Project:

- a) Wetlands
 - There are no wetlands on the property.
- b) Floodplain
 - The property is not located in a floodplain.
- c) Streams/stream buffers
 - There are no streams or stream buffers on the property.
- d) Slopes exceeding 25 percent over a 10-foot rise in elevation.
 - The property does not have a slope exceeding 25% over a 10-foot rise in elevation.
- e) Vegetation
 - Vegetation on the property is consistent with other homes on the street.
- f) Wildlife Species (including fish)
 - There is no pond or lake on or near the property. There is no wildlife on the property.
- g) Archeological/Historical Sites
 - This property is not listed as an archeological/historical site.

3. Project Implementation Measures:

- a) NOT APPLICABLE
- b) NOT APPLICABLE
- c) The home having 4 individuals living in it will not negatively impact the existing infrastructure of the City of Tucker.
- d) NOT APPLICABLE
- e) NOT APPLICABLE
- f) The home is an existing structure. We are not changing the structure of the home.
- g) The home will not create any noise or lighting issues and is used for residential purposes for the 4 individuals.
- h) NOT APPLICABLE
- i) NOT APPLICABLE

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SLUP-21-0003



U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands

3710 S. Marlborough Dr.
Tucker, GA 30084



April 1, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The U.S. Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

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National Wetlands Inventory (NWI)

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SLUP-21-0003

Analysis of Standards/Criteria

Section 46-1560 Zoning Map Amendment Criteria—City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant for evaluating applications for amendments to the comprehensive plan map and the Official Zoning map. **This is not applicable because we are not requesting a change to the zoning of the home.**

Section Sec. 46-1559 Comprehensive Plan Map Amendment Criteria—City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant for evaluating applications for amendments to the comprehensive plan map and shall govern the review of all proposed amendments to the comprehensive plan map. **This is not applicable because DDM is not requesting a change to the comprehensive plan map.**

Section 46-1594 and 46-1595 Special land use permit—criteria to be considered. The following criteria shall be considered by the community development department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the may and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in Article 4:

Developmental Disabilities Ministries, Inc. (DDM) owns 3710 S. Marlborough Drive, Tucker, Georgia 30084 located in the City of Tucker (Parcel ID 18 143 01 127). DDM is requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is requesting an allowance for 4 unrelated individuals with an intellectual and developmental disability (for example, Down Syndrome, Autism) to live together in the home under a rental agreement with DDM. The Department of Behavioral Health and Developmental Disabilities (DBHDD) administers the Medicaid Wavier monies that will support the individuals to live in the community along with their social security disability monthly income. DBHDD requires the home to be licensed by the Department of Community Health (DCH). The home will be licensed by DCH as a Community Living Arrangement (CLA). Community Living Arrangements (CLA) means any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the DBHDD. State Rules and Regulations for Community Living Arrangements can be found in detail at this website.

https://dch.georgia.gov/sites/dch.georgia.gov/files/imported/vgn/images/portal/cit_1210/44/152311939CLARULES0209.pdf

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Staff will be in the home 24/7 (whenever the residents are there) to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (i.e., bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and care as ordered by a

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physician (examples include but not limited to administration of medications, monitoring of vital signs, monitoring of respiratory and GI symptoms). All residents have been determined appropriate to live in the community with supports by DBHDD.

Care provided in the home will meet the federal mandate under the Americans with Disabilities Acts of 1990 and Olmstead and complies with the rules and regulations under the Centers for Medicare/Medicaid Home and Community Based Services (HCBS) settings rate. The residents will not have drug or alcohol addictions.

Renovations within the home have been completed to meet ADA compliance standards so that individuals with physical handicaps will have access to all parts of the home.

City of Tucker has a major theme in its comprehensive plan: Promoting Connectivity and Community. Quoted from the City of Tucker Comprehensive Plan.

Sec. 46-1594—Special Land Use Permit; criteria to be considered:

(1) Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The residential home (1,859 square feet) has 4 bedrooms, and each individual would have their own room. There are 3 bathrooms for the residents. The lot size is 0.2 acres. The interior of the home meets ADA standards for any individual that needs physical accommodations.

The home has a 2-car garage and space for 3 additional cars in the concrete paved driveway. Off street parking, is not needed to accommodate the residents and caregivers. We are not requesting rezoning. There is a front yard and back yard with a deck for the individuals to enjoy. The back yard is fenced in.

(2) Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The home is a single family home zoned residential and located in a neighborhood that allows the property to be rented. The residents will be renting the home from the owner (DDM). The provision of their care requires the home to be licensed for their protection. There are currently other licensed CLA's in the city of Tucker but none within a 0.5-mile radius of 3710 S. Marlborough Drive that could be found.

(3) Adequacy of public services, public facilities, and utilities to serve the proposed use.

The 4 residents will enjoy use of the public parks and facilities in the same capacity as 3 residents. The water and sewer are Dekalb County, Infinite Energy provides gas, and Georgia Power provides the electricity. Garbage pickup is Dekalb County. No generated medical waste is anticipated. If this changes in the future, Stericycle will be the contracted agency to handle any biohazard material via DDM.

(4) Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Typically, 1 staff will be on site. There could be 3 times per day that staff will change shifts: 1) between 7am to 8am, 2) between 3pm to 4pm, and 3) between 9pm to 10pm. The street traffic in both directions can accommodate this staffing time change. Resident's families will visit also when they wish to see their loved ones.

Monthly, an outside agency that is contracted through DBHDD will visit the home to audit for compliance with all federal, state, and local rules and regulations.

(5) Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the per Article 7.

One unmarked handicapped accessible van will be in the driveway or garage. This van will be used to accommodate individuals that could be wheelchair bound that need transportation to and from community outings. No labels or signage will be on the van. There will be NO sign erected that identifies this residence as a licensed home. It will continue to look like any other home in the neighborhood.

(6) Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

The ingress and egress on S. Marlborough Drive can be accessed from Bonnie Glen Lane or Edinburgh Drive. Fire and emergency vehicles can easily enter and exit because S. Marlborough Drive is a 2-way street.

(7) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

None. No adverse impact from noise, smoke, odor, dust, or vibration is expected to be generated by elderly residents or staff of the PCH.

(8) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Care of the individuals living in the home will have staff 24/7 available to assist them with toileting, bathing, grooming, ambulation, meal preparation, laundry, and housekeeping.

(9) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

We do not anticipate any adverse impacts on any adjoining land use since the same activities that we will be assisting the residents with is the same as the activities that other homeowners can do for themselves.

(10) Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The home is zoned residential. DDM is not seeking a different zoning classification.

(11) Whether or not the proposed use is consistent with the policies of the comprehensive plan.

Yes. The proposed use is consistent with the policies of the comprehensive plan.

(12) Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

No buffer zones apply.

(13) Whether or not there is adequate provision of refuse and service area.

Dekalb County waste management will pick up the household garbage just like the other homes in the neighborhood.

(14) Whether the length of time for which the special land use permit is granted should be limited in duration.

The length of time for which the Special land use permit is granted should not be limited in duration as the residents would like the right to rent the home as long as they are happy to live in it.

(15) Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

The lot size is in line with other lot sizes in the neighborhood. We are not requesting to change the size of the home or lot. Attached to this application is a map detailing all adjacent lots and their sizes.

(16) Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed use will not adversely affect any historic buildings, site, districts, or archaeological resources.

(17) Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed use satisfies the requirements contained within the supplemental regulations for such SLUP.

(18) Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The SLUP permit allowing rental of the home to 4 unrelated residents with intellectual and developmental disabilities will not create a negative impact on any other adjoining lot or building as a result of the building height because we are not changing the building height.

(19) Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area:

I do not believe that renting to 4 unrelated individuals with intellectual and developmental disabilities will cause a disproportionate proliferation of similar rental homes in the area. Our google search for other licensed community living arrangements yielded no one within a 0.5-mile radius.

(20) Whether the proposed use would be considered with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

Having a home that provides care to individuals with intellectual and developmental disabilities (IDD) is in line with the comprehensive plan for the City of Tucker. The plan seeks to provide quality residential opportunities for all the City of Tucker's residents. Many aging parents of children with IDD are seeking quality care in their community for their loved ones. Tucker is a diverse city that seeks to create a sense of community for all

individuals. This home will provide for community inclusion in a safe neighbor that supports and embraces diversity.

Additional criteria for specified uses.

In addition to the criteria contained above, for which each applicant for a special land use permit is required to provide information, the following additional criteria shall apply to specific uses as specified below. No application for a special land use permit for the uses specified below shall be granted by the mayor and city council unless it is determined that, in addition to meeting the requirements contained within the zoning district in which such property is located and the criteria contained in the section above, and complying with applicable regulations in Article 4, satisfactory provisions and arrangements have been made concerning each of the following criteria:

A. Telecommunications towers and antennas: In determining whether to authorize a special land use permit for a telecommunication tower or antenna, the mayor and city council shall comply with and apply the requirements of section 4.2.57. *NOT APPLICABLE*

B. Mine, mining operation, gravel pit, quarry, or sand pit: In determining whether to authorize a special land use permit for a mine, mining operation, gravel pit, quarry, or sand pit, the may and city council shall also consider each of the following criteria: *NOT APPLICABLE*

C. Child day care facility: In determining whether to authorize a special land use permit for a child day care facility, the mayor and city council shall also consider each of the following criteria: *NOT APPLICABLE*

D. Biomedical waste disposal facilities, disposal facilities, landfills, solid waste disposal facilities, solid waste landfills, private industry solid waste disposal facilities, solid waste handling facilities, solid waste thermal treatment technology facilities, and disposal facilities for hazardous and/or toxic materials including radioactive materials: *NOT APPLICABLE*

Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances. *NOT APPLICABLE*

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SLUP-21-0003

Supplemental Criteria Addressed

Sec. 46-1185.-Personal care homes and child caring institutions.

a) Personal care homes, general requirements.

1. Each personal care home must obtain all licenses and/or permits required by the state in order to operate. Each personal care home licensed and/or permitted by the state must display its state-issued licenses and/or permits in plain view, visible from the front doorway of the facility. The state-issued license and/or permit will be displayed at the front doorway once obtained.
2. No personal care home may display any exterior signage that violates the sign ordinance in chapter 34 or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located. There will be no signs erected on the property for any reason.
3. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639. There is no need for an FHA Accommodation Variance and will not be requested.

b) Personal care home, group (four to six persons).

1. Two copies of completed architectural plans for the subject group care home, signed or sealed by a registered architect, shall be submitted to the community development director prior to issuance of a building permit or business license. No changes to the interior of the home are being requested.
2. Each group personal care home must provide at least four parking spaces within a driveway, garage, or carport and must comply with any applicable requirements in article VI of this chapter. The 2-car garage and the driveway can easily accommodate 4 cars. See attached drawing.
3. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000 foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located. I contacted Department of Community Health and they showed me how to search on their website all licensed homes in the 30084 zip code. The nearest licensed community living arrangement or personal care home is over 1 mile away. I could not find any licensed homes within 1,000 feet of 3710 S. Marlborough Drive.

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LEGAL DESCRIPTION 3710 SOUTH MARLBOROUGH DRIVE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 143 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING LOT 15, BLOCK B, EDINBURGH WOODS SUBDIVISION, UNIT TWO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION FORMED AT THE EASTERLY RIGHT-OF-WAY OF EDINBURGH DRIVE AND THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE THENCE RUNNING EASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE 1,075' TO AN OPEN TOP PIPE, SAID OPEN TOP PIPE BEING THE POINT OF BEGINNING; THENCE RUNNING N0°19'00"E FOR A DISTANCE OF 150.08' TO A REBAR FOUND; THENCE RUNNING S89°37'34"E FOR A DISTANCE OF 85.09' TO A REBAR FOUND; THENCE RUNNING S4°33'17"W FOR A DISTANCE OF 115.77' TO A REBAR FOUND LOCATED ON THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE; THENCE RUNNING ALONG SAID RIGHT OF WAY ALONG A CURVE HAVING A RADIUS OF 60.00', AN ARC DISTANCE OF 74.83' AND BEING SUBTENDED BY A CHORD BEARING OF S60°40'48"W FOR A DISTANCE OF 70.07' TO A REBAR FOUND; THENCE CONTINUING ALONG AFOREMENTIONED RIGHT-OF-WAY N89°17'43"W FOR A DISTANCE OF 15.63' TO AN OPEN TOP PIPE, SAID OPEN TOP PIPE BEING THE POINT OF BEGINNING

SAID TRACT OR PARCEL OF LAND CONTAINS 10,391 SQUARE FEET OR 0.239 ACRES.

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Letter of Intent

We, Developmental Disabilities Ministries, Inc., (DDM) own 3710 S. Marlborough Drive, Tucker, Georgia 30084, located in the City of Tucker (Parcel ID 18 143 01 127). We are requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker, Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is requesting an allowance for 4 unrelated people with an Intellectual and Developmental Delay (for example, Down Syndrome or Autism) to live together in the home under a rental agreement with DDM. The Department of Behavioral Health and Developmental Disabilities (DBHDD) administers the Medicaid Waiver monies that will support the individuals to live in the community along with their social security disability monthly income. The home will be licensed by the Department of Community Health (DCH) as a Community Living Arrangement (CLA). Community Living Arrangement (CLA) means any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities (DBHDD). Attached to this Letter of Intent is an explanation from DCH regarding what a CLA is and what it is not. State Rules and regulations for Community Living Arrangements can be found in detail at this website (it is 44 pages long).

https://dch.georgia.gov/sites/dch.georgia.gov/files/imported/vgn/images/portal/cit_1210/44/55/152311939CLARULES0209.pdf

DBHDD requires the home to be licensed by the Department of Community Health (DCH). DBHDD will oversee the care of resident renters in accordance with federal and state laws, and regulations. A business license will be obtained from the City of Tucker.

The provision of care will be provided through Developmental Disabilities Ministries, Inc. (DDM), a nonprofit, charitable corporation serving adults with developmental disabilities and their families. DDM is a licensed a private home care provider by DCH and is an approved provider of care with DBHDD. License attached to this application. DDM is also a Commission on Accreditation of Rehabilitation Facilities (CARF) accredited agency. CARF is an organization that benchmarks quality care internationally. Certification attached to application. DDM started serving individuals with developmental disabilities in 1981 under the auspices of Georgia Baptist Children's Home. For over a quarter of a century, DDM has flourished as a ministry and continues to open additional community-based group homes as needed for adults with developmental disabilities. In 1999, DDM became an independent agency. DDM currently owns and operates 18 homes throughout the state.

Staff will be in the home 24/7 to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (ie, bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and nursing care as ordered by a physician (examples include but not limited to administration of medications, monitoring of vital signs, monitoring of respiratory and GI systems). All residents have been determined appropriate to live in the community with supports by DBHDD.

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Care provided in the home will meet the federal mandate under the Americans with Disabilities Act of 1990 and Olmstead, and complies with the rules and regulations under the Centers for Medicare/Medicaid Home and Community Based Services (HCBS) settings rule. The residents will not have drug or alcohol addictions and will not have criminal records or charges.

I have researched the Department of Community Health for other licensed homes within 1000ft and have found the nearest home 1 mile from 3710 S. Marlborough Drive, Tucker, Georgia 30084.

<https://dch.georgia.gov/documents/provider-directory>

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**Community Living Arrangements (CLAs)
Programs and Services
Georgia Department of Community Health**

Community Living Arrangement are residences, whether operated for profit or not, which undertake through their ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavior Health and Developmental Disabilities.

Exemptions:

- Boarding homes or rooming houses that provide no personal services other than lodging and meals;
- Facilities offering temporary or emergency shelter, such as those for the homeless or victims of family violence, respite homes serving persons for 30 days or less, or homes serving one person;
- Emergency receiving, evaluation, and treatment facilities that provide medical and nursing services and that are approved by the state and regulated under other more specific authorities;
- Facilities providing residential services for federal, state, or local correctional institutions under the jurisdiction of the criminal justice system;
- Hospices that serve terminally ill persons as defined in O.C.G.A. § 31-7-172(3);
- Therapeutic substance abuse treatment facilities and residences that are not intended to be an individual's permanent residence;
- Group residences organized by or for persons who choose to live independently and manage their own care and who share the cost of services including but not limited to attendant care, transportation, rent, utilities, and food preparation;
- Charitable organizations providing shelter and other services without charging any fee to the resident and without billing other agencies for services provided;
- Residences in which a person lives with his or her family;
- Residences in which a person lives under his or her own lease or warranty deed, in which the agency providing services does not manage the person's residence and the resident is not required to move when the agency providing services is changed;
- Apartments or other clustered residential arrangements where staff is available that are developed as permanent housing for adults with mental illness, in which each person lives within his or her residential arrangement without immediate support of staff; or
- Personal care homes as defined in Chapter 111-8-62

Type Regulation:

A home must obtain a license.

Legal Authority:

O.C.G.A. § 31-2-4 Department's power, duties, functions

Rules:

- Rules and Regulations for Community Living Arrangements, Chapter 290-9-37, effective November 13, 2002; updated February 12, 2008.
- Enforcement of Licensing Requirements, Chapter 111-8-25, effective August 3, 2010

Fees:

- License: \$350 Annually

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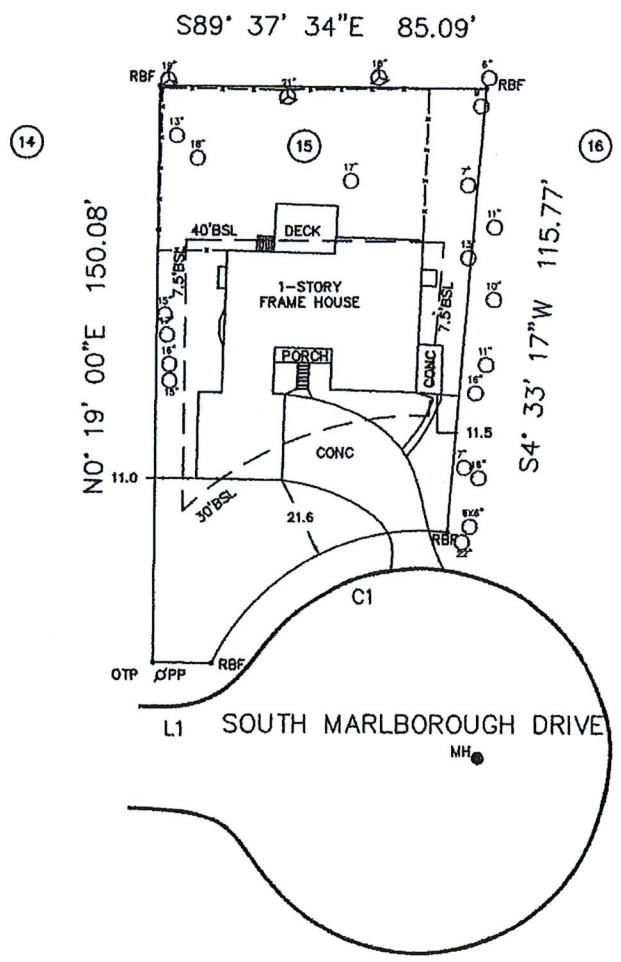


The Georgia Department Community of Health - www.dch.georgia.gov

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
 NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.
 THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.
 BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS. TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRUPLINE).
 NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C1	60.00'	74.83'	70.07'	S 60°40'48"W

LINE	DIST.	BEARING
L1	15.63'	N 89°17'43"W



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LEGEND
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.

AKA ALSO KNOWN AS	N/F NOW OR FORMERLY
APD AS PER DEED	NAIL NAIL FOUND
APP AS PER PLAT	P PLAT (BOOK/PAGE)
BSL BUILDING (SETBACK) LINE	POB POINT OF BEGINNING
CP COMPUTED POINT	POC POINT OF COMMENCEMENT
CTP CRIMP TOP PIPE FOUND	R RADIUS LENGTH
D DEED (BOOK/PAGE)	R/W RIGHT-OF-WAY
DP DRIVEWAY	RBF REINFORCING BAR FOUND (1/2" UNO)
EP EDGE OF PAVEMENT	RBS 1/2" REINFORCING BAR SET
FTE FINISH FLOOR ELEVATION	SW SIDEWALK
FKA FORMERLY KNOWN AS	SSE SANITARY SEWER EASEMENT
IPF IRON PIN FOUND	SSCO SANITARY SEWER CLEANOUT
L ARC LENGTH	-X- FENCE LINE
LL LAND LOT	WALL
LLL LAND LOT LINE	HARDWOOD
N NEIGHBOR'S	PINE TREE

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

PROPERTY ADDRESS: 3710 S Marlborough Dr Tucker, GA 30084 LAND AREA: 10391 SF 0.239 AC IMPERVIOUS AREA: DW: 808 SF SW: 31 SF PORCH: 56 SF PATIO: 122 SF PAD: 17 SF HOUSE: 2262 SF DECK: 217 SF EXIST= 3513 SF=33.8% ZONING: R-75	PLAT PREPARED FOR: 3710 S Marlborough Dr <table> <tr> <td>LOT 15</td> <td>BLOCK B</td> <td>UNIT 2</td> <td>EDINBURGH WOODS SUBDIVISION</td> </tr> </table> <table> <tr> <td>LAND LOT 143</td> <td>18th DISTRICT</td> <td>BY:</td> </tr> </table> <table> <tr> <td>DeKALB COUNTY, GEORGIA</td> <td>FIELD DATE: 6-15-2021</td> <td>NH</td> </tr> </table> <table> <tr> <td>LOCATED IN TUCKER</td> <td>DRAWN DATE: 6-21-2021</td> <td>TH</td> </tr> </table> <table> <tr> <td>REFERENCE: PLAT BOOK 69, PAGE 44</td> <td>ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.</td> </tr> </table> <p>THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.</p> <p>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.</p>	LOT 15	BLOCK B	UNIT 2	EDINBURGH WOODS SUBDIVISION	LAND LOT 143	18th DISTRICT	BY:	DeKALB COUNTY, GEORGIA	FIELD DATE: 6-15-2021	NH	LOCATED IN TUCKER	DRAWN DATE: 6-21-2021	TH	REFERENCE: PLAT BOOK 69, PAGE 44	ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.	  SURVEY SYSTEMS ATLANTA 2156 W Park Ct, Ste D, Stone Mtn, GA 30087 COA #LSF000867, info@SurveySystemsAtlanta.com Cell 678-591-8064 ~ Office 404-760-0010
LOT 15	BLOCK B	UNIT 2	EDINBURGH WOODS SUBDIVISION														
LAND LOT 143	18th DISTRICT	BY:															
DeKALB COUNTY, GEORGIA	FIELD DATE: 6-15-2021	NH															
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REFERENCE: PLAT BOOK 69, PAGE 44	ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.																



3710 S. Marlborough Dr.
Tucker, GA 30084

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100%

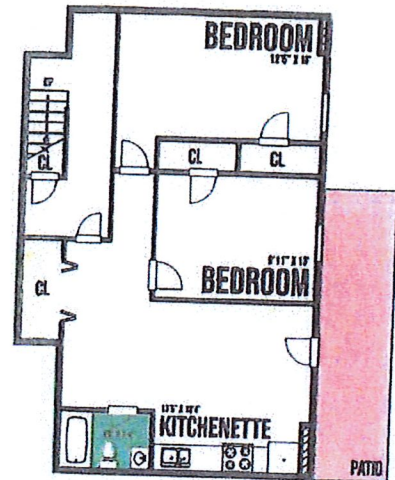
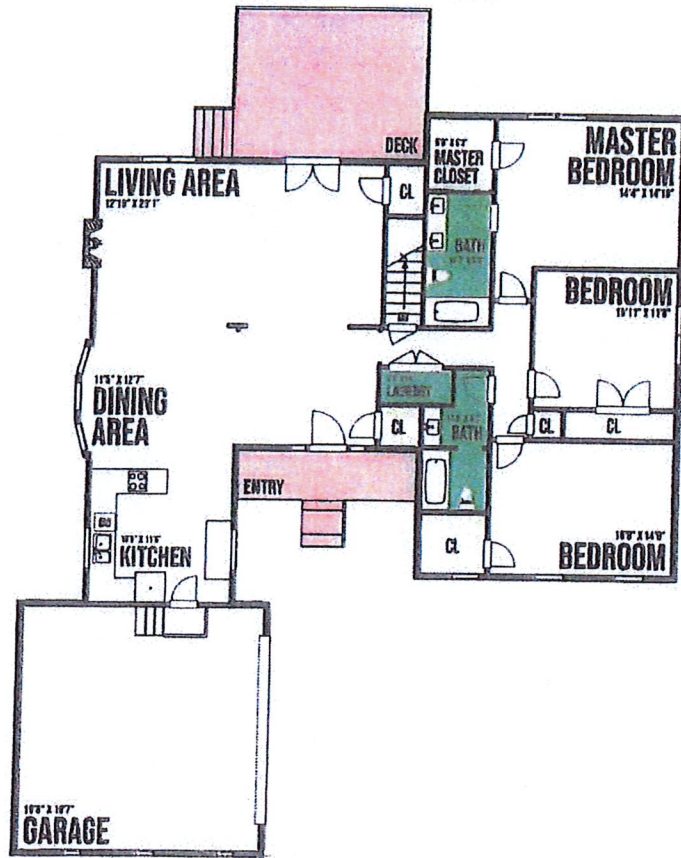
SLUP-21-0003



Google Camera: 353 m 33°49'28"N 84°14'11"W 313 m

- LOWER LEVEL

3710 S MARLBOROUGH DR - MAIN FLOOR



Layout of house with walls
and doors.

No proposed changes to
interior.

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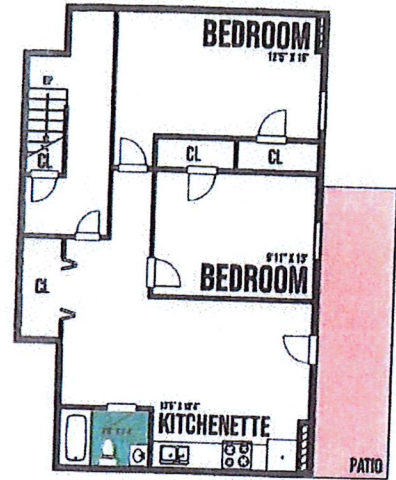
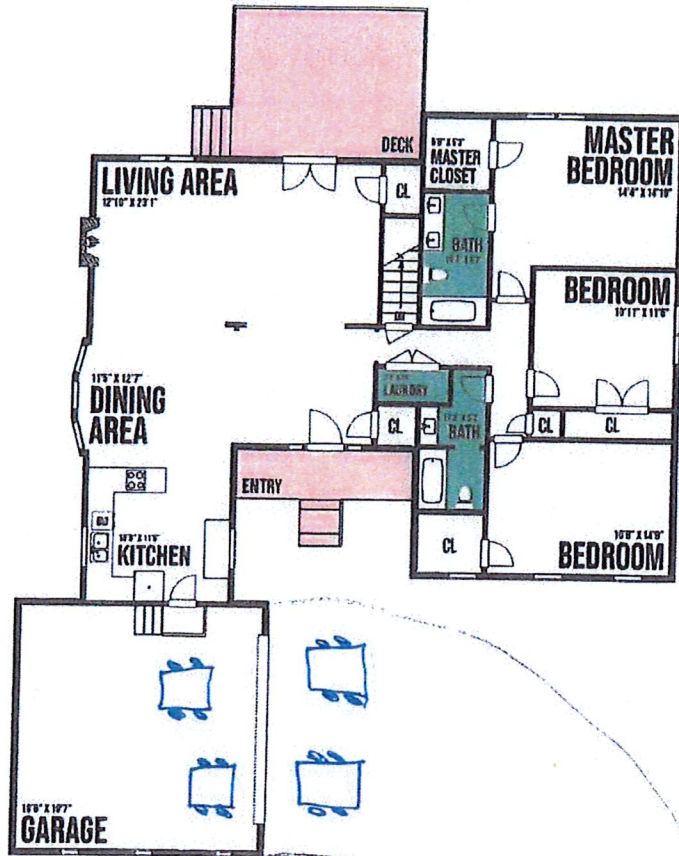
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- LOWER LEVEL

3710 S MARLBOROUGH DR - MAIN FLOOR



2 car garage with
additional spots
in driveway

S. Marlborough Drive

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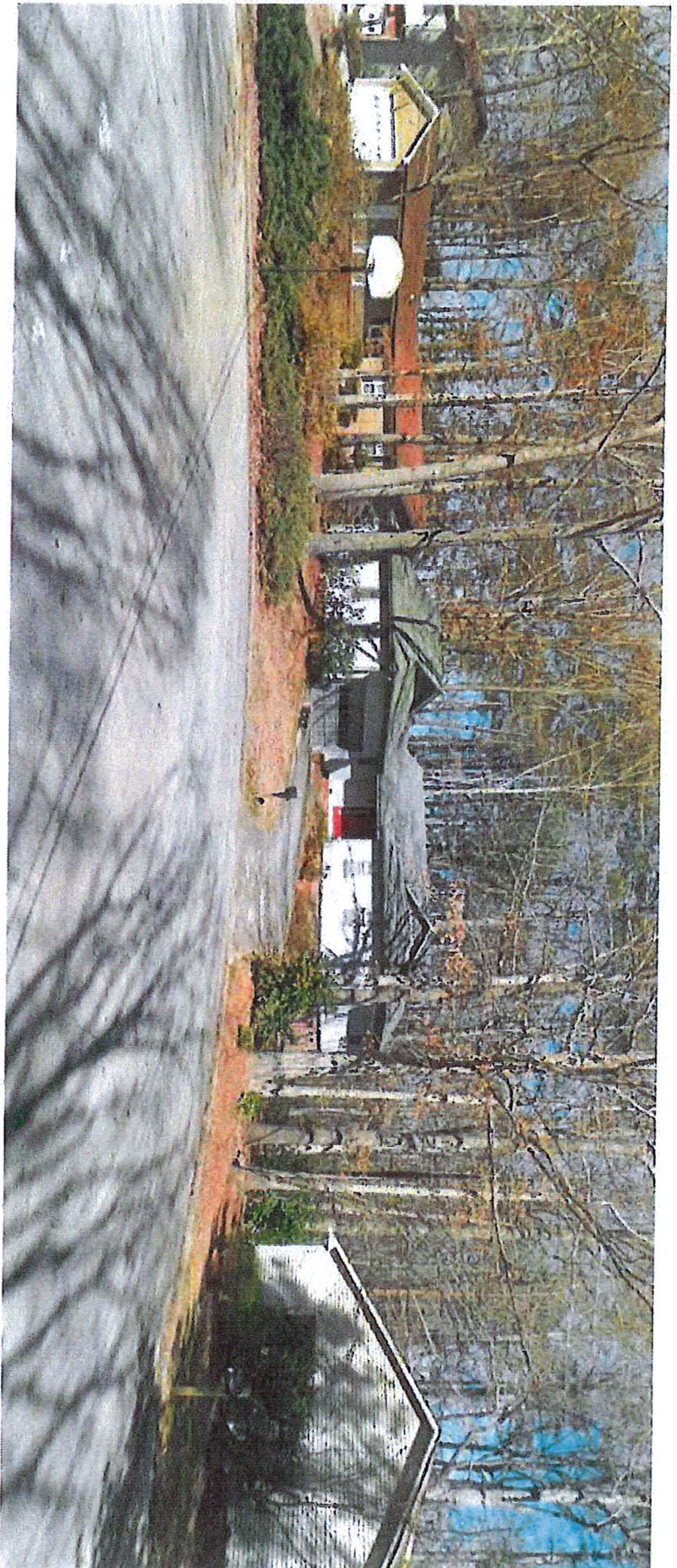
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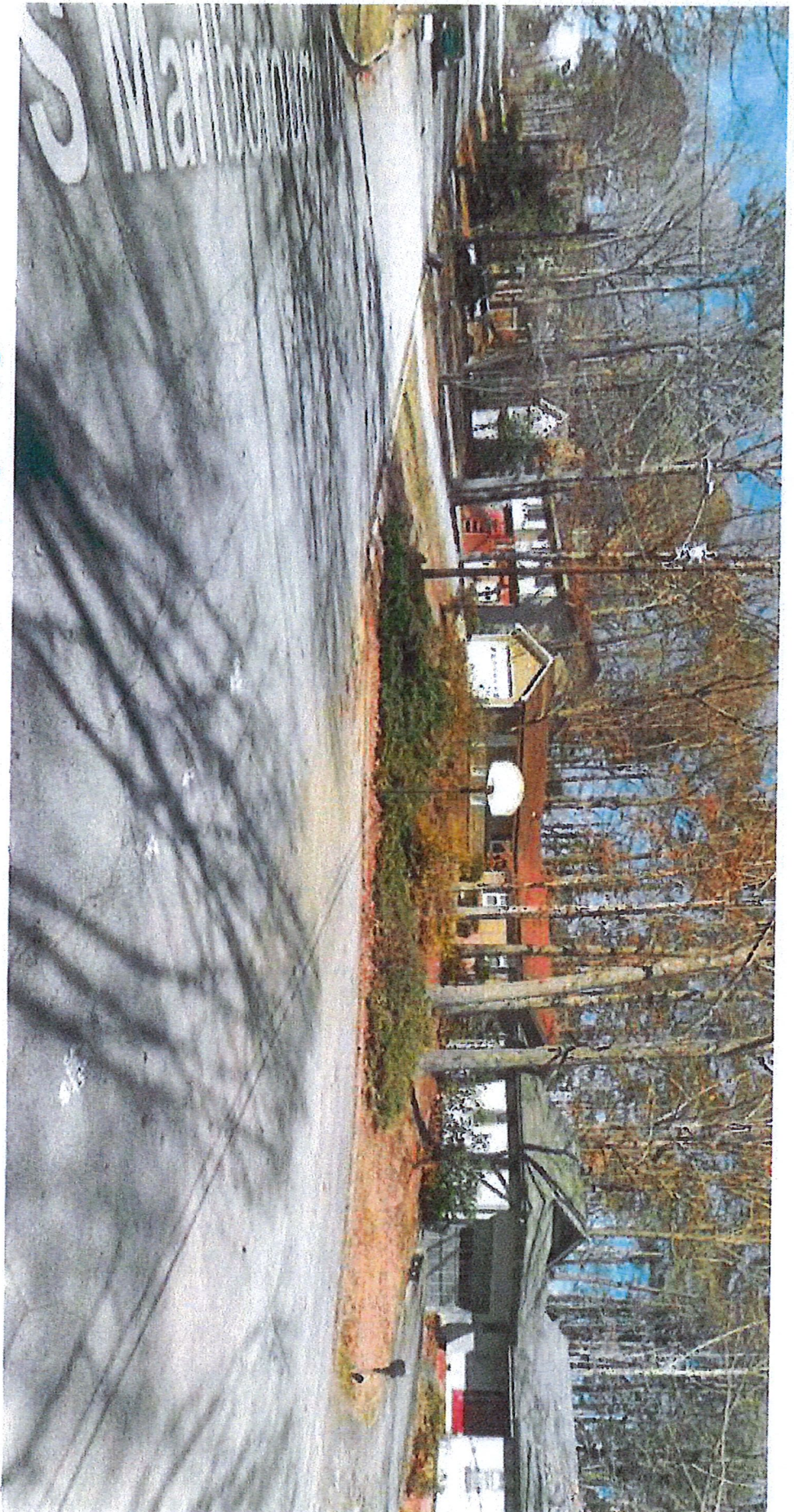
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3710 S. Marlborough Drive
Tucker, GA 30084

- Building Elevations - Single Story with basement
- Driveway showing parking spaces
- Details country water and sewer





3710 S. Marlborough Drive, Tucker, GA

- Speed limit is 15 mph
- Power lines showing

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Public Participation Plan Report

Project Name: *Tucker Home for Developmental Disabilities Ministries, Inc.*

Contact Name: *Ryan Whitmire or Sylvia Crowe*

Meeting Date: *5-1-2021*

Meeting Start Time: *11:00 am*

Meeting End Time: *1:00 pm*

Number of people in attendance: *13 Guests, 1 Neighbor, 1 Community Person, 10 Staff*

Date of Filing of Land Use Petition Application: *Original sent 4-21-21, updated June 2021*

General Introduction: *DDM sent out 55 invitations/letter to surrounding neighbors that the City of Tucker provided to us. 4 invitations were returned via the post office. The letter that was sent introduced DDM, who we serve, and what we hoped to accomplish with this home.*

DDM was there to answer any concern or questions about having a Community Living Arrangement in the neighborhood. The format was laid back and welcoming. DDM had several staff available to answer questions and Board Members were available to share their thoughts. We had 1 neighbor walk by and DDM engaged her in conversation. While we were having our meet and greet the local postal person stopped by and told us that she appreciated all that we do for our residents and she had meet the guys who live there and that they were a delight.

Summary of concerns and issues raised at the meeting:

1. List questions/concerns/comment/request for changes to proposed plans

Applicant Response: *None*

2. List questions/concerns/comment/request for changes to proposed plans

Applicant Response: *None*

The following must be submitted at time of application submittal:

- o Copy of the letter that was mailed to neighbors
- o Copy of address list for mailing
- o Meeting sign-in sheet
- o Meeting Minutes
- o Copy of plan that was presented at the neighborhood meeting

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

[Signature] /CEO

Signature of Applicant or Authorized Representative

6/29/2021

Date

Ryan E Whitmire /CEO

Type or Print Name of Applicant or Authorized Representative

6/29/2021

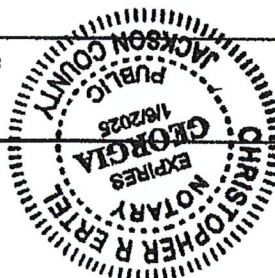
Date

[Signature]

Signature of Notary

6/29/2021

Date



Notary Seal

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Developmental Disabilities Ministries

6320 Amherst Court

Norcross, GA 30092

770-623-4899

www.ddmga.org

April 16, 2021

Dear Neighbor:

I would like to introduce myself on behalf of Developmental Disabilities Ministries (DDM). I am Denel James, Residential Director for DDM and we are an organization that supports individuals with disabilities. *Our mission is to empower persons with developmental disabilities to achieve their highest level of social, physical, emotional, and spiritual maturity.* The organization currently supports the individuals living in the home at 3710 South Marlborough Drive, Tucker Georgia. We are now seeking a Special Land Use Permit (SLUP) which would allow a fourth person to rejoin his friends at this location.

We want to invite you to a **Drop-In Informational Gathering at the home on May 1, 2021 from 11 am to 1 pm**. On May 1, we plan to provide information and a hotdog lunch. DDM will have written information and staff that can answer your questions regarding the SLUP and our plans to continue to support the individuals in the home. We hope we can meet with you and answer any questions you have regarding our plans. A flyer has been included. We will observe social distance requirements.

You are receiving this letter and invitation because you own property within 500 feet of 3710 South Marlborough Drive. We are working with the city of Tucker to ensure we follow guidelines and partner with the neighborhood. DDM also works with the state of Georgia to maintain a home environment that is reflective of the support any individual requires to have a quality home. Our CEO, Ryan Whitmire will be at this event. If you would like to have a snapshot of our agency our website is www.ddmga.org. We also have a video on our website featuring some of those we serve. We look forward to meeting you.

If you are unable to attend and would like more information, feel free to contact through email@ddmga.org.

Sincerely,

Denel James

Denel James

Residential Director

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DDM Drop-In Informational Gathering Sign-In Sheet

5-1-2021

11am to 1pm

1	JOEL GILBERT
2	SUSAN GILBERT
3	Beth Willetts
4	Elaine Harris
5	David Harris
6	Ross Jones
7	Cole Jones
8	Lisa Jones
9	Kay Jowers
10	Ronnie Jowers
11	Robin Palmer & Frankie Palmer
12	Mary Alice Hardin
13	Gail Lutz
14	Sheila McKie
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3681 Marlborough Drive Tucker, GA 30084	SIMSON WILLIAM R
3710 South Marlborough Drive Tucker, GA 30084	DEVELOPMENTAL DISABILITIES MINISTRIES IN
3709 South Marlborough Drive Tucker, GA 30084	RAMOS AURELIO
3783 Marlborough Drive Tucker, GA 30084	JOYNER DOROTHY BEAVERS LIVING TRUST
3682 Bonnie Glenn Lane Tucker, GA 30084	BRYANT HANNAH H
3786 Marlborough Drive Tucker, GA 30084	SHEFFIELD KRISTEN
3697 Marlborough Drive Tucker, GA 30084	ALEXANDER GLENDA
3811 Marlborough Drive Tucker, GA 30084	SPRATT TERESA R
3765 Marlborough Drive Tucker, GA 30084	MURRAY KEVIN V
3691 South Marlborough Drive Tucker, GA 30084	BRYAN MARILYN DEE
3804 Marlborough Drive Tucker, GA 30084	LORTZ LESLIE A
3727 Tweed Place Tucker, GA 30084	CAUTHEN JAMES
3792 Marlborough Drive Tucker, GA 30084	REH SU
3693 Marlborough Drive Tucker, GA 30084	CRUZ DAIVY ORTEGA
3698 South Marlborough Drive Tucker, GA 30084	KHAN NEHA
3735 Marlborough Drive Tucker, GA 30084	GELAN SISAY MECHEO
3722 South Marlborough Drive Tucker, GA 30084	MEMOLO TRUST
3797 Marlborough Drive Tucker, GA 30084	OPENDOOR PROPERTY TRUST I
3774 Marlborough Drive Tucker, GA 30084	THANG EN SAWM
3680 South Marlborough Drive Tucker, GA 30084	HAGEDORN REBEKAH
3709 Marlborough Drive Tucker, GA 30084	3709 MARLBOROUGH TRUST
3667 South Marlborough Drive Tucker, GA 30084	LEVENGOOD GARY A
3673 Marlborough Drive Tucker, GA 30084	TANG HOA
3716 South Marlborough Drive Tucker, GA 30084	GOBLE BONNIE RUTH
3674 Marlborough Drive Tucker, GA 30084	TANKESLEY WILLIAM R
3703 South Marlborough Drive Tucker, GA 30084	KHAREL DAMBER
3780 Marlborough Drive Tucker, GA 30084	KYAW THAN
3703 Marlborough Drive Tucker, GA 30084	GURAGAI BIRKHA
3686 South Marlborough Drive Tucker, GA 30084	JOLLEY CAREY F
3673 South Marlborough Drive Tucker, GA 30084	WALTER THOMAS R II
3667 Marlborough Drive Tucker, GA 30084	KROC PATRICIA J
3757 Marlborough Drive Tucker, GA 30084	HARVEY HOPE ANN
3805 Marlborough Drive Tucker, GA 30084	SPRATT TERESA R
1530 Cooledge Road Tucker, GA 30084	U S POULTRY AND EGG ASSOCIATI
3666 Marlborough Drive Tucker, GA 30084	COLE STEPHANIE ANNE
3668 South Marlborough Drive Tucker, GA 30084	HUNTER JESSICA M
3687 Marlborough Drive Tucker, GA 30084	HAIZLIP ROBERT PETER
3725 Marlborough Drive Tucker, GA 30084	MISHRA BHIM N
3704 South Marlborough Drive Tucker, GA 30084	OXFORD SHANNON M
3777 Marlborough Drive Tucker, GA 30084	JONES WILLIAM RANDOLPH
3714 Marlborough Drive Tucker, GA 30084	BHANDARI TIL BAHADUR
3676 Bonnie Glenn Lane Tucker, GA 30084	PATTERSON EDWARD H
3674 South Marlborough Drive Tucker, GA 30084	JONES KATHRYN C
3671 Bonnie Glenn Lane Tucker, GA 30084	HURST STEVEN D
3717 Marlborough Drive Tucker, GA 30084	QUINTANILLA NEHEMIAS JORGE
3702 Marlborough Drive Tucker, GA 30084	TAMANG PASAND
3771 Marlborough Drive Tucker, GA 30084	BARNES JENNIFER C

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3697 South Marlborough Drive Tucker, GA 30084	TUTTLE CONNIE
3670 Bonnie Glenn Lane Tucker, GA 30084	DOTSON MICHAEL
3798 Marlborough Drive Tucker, GA 30084	BURDETT NANCY J
3692 South Marlborough Drive Tucker, GA 30084	GIOVINE PETER M
3745 Marlborough Drive Tucker, GA 30084	SHIN AH RIM SHIN CHANG SUG
3715 South Marlborough Drive Tucker, GA 30084	MEMOLO TRUST
3791 Marlborough Drive Tucker, GA 30084	LUSTER WESLEY M
3686 Bonnie Glenn Lane Tucker, GA 30084	HARDIN MARY ALICE

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**You are Invited to a
Drop In Informational Gathering
with
Developmental Disabilities Ministries
Supporting Individuals
at
3710 South Marlborough Drive**

**May 1, 2021
11 am to 1 pm**

**Meet the Owners
Ask Questions
Gather Information
Have Lunch**

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Community Development
Department

SLUP-21-0003



This map is for informational purposes only and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For inquiries, please contact the City of Tucker.

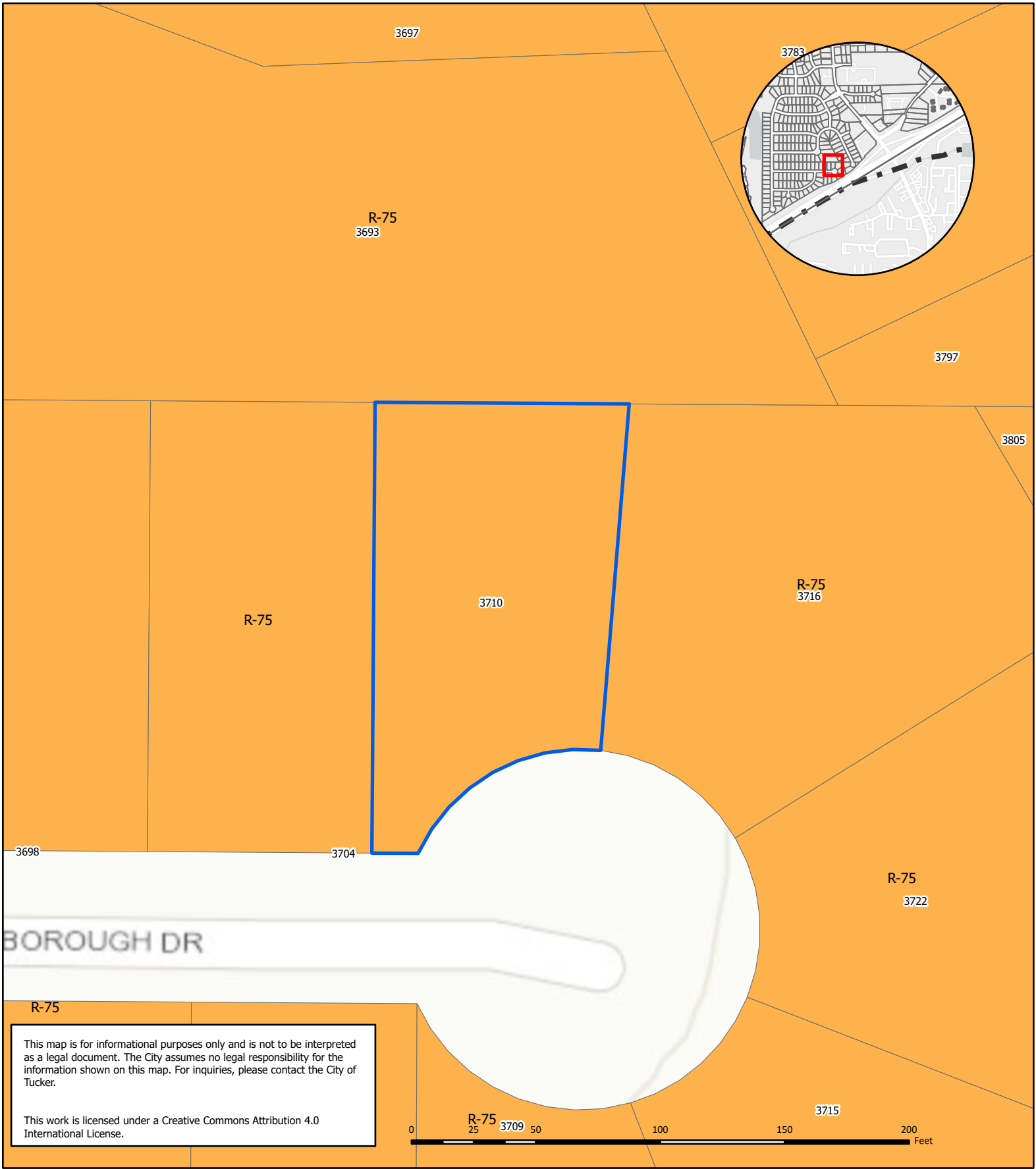
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Aerial
SLUP-21-0003
3710 S. Marlborough Drive

 SLUP





Zoning
SLUP-21-0003
3710 S. Marlborough Drive

R-75 (Residential Medium Lot -75)
 SLUP





MEMO

To: Honorable Mayor and City Council Members
From: Courtney Smith, Planning and Zoning Director
CC: Tami Hanlin, City Manager
Date: Sept. 7, 2021
RE: O2021-09-16 TA-21-0005 - Ch. 34 Signs Text Amendment

Issue:

Staff has identified several minor edits to Chapter 34 Signs. These edits include providing clarification, addressing grammatical errors, and removing references to overlay districts that no longer exist.

Recommendation:

Staff recommends code amendments to strengthen and clarify our code as it relates to sign regulations. Planning Commission recommended approval of TA-21-0005 at their August 19, 2021 meeting.

Background:

The current sign code was adopted in May of 2019.

Summary:

Sec. 34-3 Definitions

- Remove references to overlay districts

Sec. 34-52 Prohibited signs

- Clarify language

Sec. 34-56 Sign area allocation

- Under canopy signs
 - Replace definition with the language used in Sec. 34-3
 - Add provisions for ATMs/ITMs
- Under canopy, wall, monument, double-post, entrance, and directional signs
 - Remove conflicting language and add clarifying language

Other: Replace references to Community Development Director to Planning and Zoning Director

Financial Impact: None

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF TUCKER, GEORGIA, FOR THE PURPOSE OF AMENDING THE CODE CHAPTER 34 – SIGNS ORDINANCE FOR TUCKER, GEORGIA.

WHEREAS, The Mayor and City Council desires to promote the public health, safety, and general welfare of the citizens of the city, and to implement the policies and objectives of the comprehensive plan through the enactment of a comprehensive set of regulations governing signs in the city; and

WHEREAS, the Mayor and City Council desires to maintain an aesthetically attractive environment for the city’s residents, workers, and visitors and to improve aesthetics; and

WHEREAS, the Mayor and City Council desires to ensure the protection of free speech rights under the Georgia and United States Constitutions; and

WHEREAS, the Mayor and City Council desires to provide clarity on existing regulations; and

WHEREAS, the Mayor and City Council desires to provide for protection of the constitutional rights and obligations of all citizens within the city; and

WHEREAS, the Mayor and City Council wish to amend Article 1, Section 34-3 to replace “community development” with “planning and zoning” under the definition for “Director;” and

WHEREAS, the Mayor and City Council wish to amend Article 1, Section 34-3 to remove the references to the Downtown Tucker Compatible Use Overlay District, the Downtown Tucker Compatible Use Overlay District “Neighborhood Zone,” the Downtown Tucker Compatible Use Overlay District “Corridor Zone,” the Downtown Tucker Compatible Use Overlay District “Village Zone,” the Northlake Overlay District, the Northlake Overlay District “Tier 1,” the Northlake Overlay District “Tier 2,” the Northlake Overlay District “Tier 3,” and the Northlake Overlay District “Tier 4,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-52(1) so that it states “signs on any right-of-way other than publicly owned or maintained signs and signs pertaining to railroad crossings,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-53(4)a by adding the language “No single sign may exceed six square feet in size;” and to strike the text in Section 34-52(4)e and replace it with “Reserved,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to revise Article 3, Section 34-58 by replacing the definition under (a) with “A sign placed on a canopy so that the display surface is parallel to the plane of the front building façade,” and amending section (e)(3) by adding “per sign” and adding (e)(4) to state “one canopy sign is allowed per interactive teller machine/automated teller machine along its primary façade and one along its secondary façade. Signs must be within the limits of the canopy covering the teller machine and may not exceed six square feet per sign,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-59(e)(1) to remove the word “along” from between “allowed along per establishment” as shown in Exhibit A;

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-61(d)a to add “square” to “90 feet,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-62(d)a to add “square” to “90 feet,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-64(e), to replace “sign” with “development,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-65(e) to add the word “not” to “may exceed,” as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to amend Article 3, Section 34-76(a) to replace “community development” with “planning and zoning,” as shown in Exhibit A; and

WHEREAS, Notice to the public regarding said amendment has been duly published in The Champion, the Official News Organ of Tucker; and

WHEREAS, A Public Hearing was held by the Mayor and City Council of Tucker on September 13, 2021 and October 12, 2021; and

WHEREAS, The Mayor and City Council is the governing authority for the City of Tucker;

NOW THEREFORE, the Mayor and City Council of the City of Tucker while in Regular Session on October 12, 2021, hereby ordains and approves the amendment of Chapter 34 Signs as shown in Exhibit A.

So effective this 12th day of October 2021.

Approved by:

Frank Auman, Mayor

Attest:

Bonnie Warne, City Clerk

SEAL

Chapter 34 - SIGNS^{[\[1\]](#)}

Footnotes:

--- (1) ---

Editor's note— Ord. No. O2019-04-16, adopted May 13, 2019, amended Ch. 34 in its entirety, in effect repealing and replacing said chapter to read as herein set out. Former Ch. 34, §§ 34-1—34-2, 34-23—34-28, 34-60—34-80, pertained to similar subject matter, and derived from Ord. No. 2016-07-18, exh. (21-1—21-29), adopted Sept. 1, 2016; Ord. No. 2017-06-70, exh. (21-1—21-29), adopted June 28, 2017.

ARTICLE I. - IN GENERAL

Sec. 34-1. - Purpose and findings.

The mayor and city council finds that signs provide an important medium through which persons may convey a variety of messages. However, left completely unregulated, the number, size, design characteristics, and locations of signs in the city can become a threat to public safety as a traffic hazard and a detriment to property values and to the city's general public welfare, as well as create an aesthetic nuisance. The city, further, finds that signs have become excessive and that many signs are distracting and dangerous to motorists and pedestrians, are confusing to the public, and substantially detract from the beauty and appearance of the city. The city finds that there is a substantial need directly related to the public health, safety, and welfare to comprehensively address these concerns through the adoption of the following regulations. The purpose and intent of the governing authority of the City of Tucker in enacting this chapter are as follows:

- (1) To protect the health, safety and general welfare of the citizens of the city, and to implement the policies and objectives of the comprehensive plan through the enactment of a comprehensive set of regulations governing signs in the city;
- (2) To regulate the erection and placement of signs in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distractions to drivers or pedestrians;
- (3) To preserve the value of the property on which signs are located and from which signs may be viewed;
- (4) To maintain an aesthetically attractive city in which signs are compatible with the use patterns of established zoning districts and the preservation of the city's historical and culturally significant features and landmarks;
- (5) To maintain a safe and aesthetically attractive environment for the city's residents, workers, and visitors and to improve aesthetics;
- (6) To establish comprehensive sign regulations that effectively balance legitimate business and development needs with a safe and aesthetically attractive environment for residents, workers, and visitors to the city;
- (7) To provide fair and reasonable opportunities for the identification of businesses, and to provide for the identification of the availability of products, goods, or services so as to promote the economic vitality of businesses;
- (8) To ensure the protection of free speech rights under the Georgia and United States Constitutions;
- (9) To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent, and character of those districts;
- (10) To allow certain signs that are small, safe, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter but without a requirement for permits;

- (11) To provide for temporary signs in limited circumstances;
- (12) To place reasonable controls on nonconforming signs that are by definition contrary to the public health, safety, and welfare while protecting the constitutional rights of the owners of said nonconforming signs; and
- (13) To prohibit all signs not expressly authorized by this chapter, to provide for the maintenance of signs, and to provide for the enforcement of the provisions of this chapter.

(Ord. No. O2019-04-16, Exh. A(21-1), 5-13-2019)

Sec. 34-2. - Use of graphics.

Illustrations, photos, and graphics are included in this division to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustrations, photos, or graphics, the text governs.

(Ord. No. O2019-04-16, Exh. A(21-2), 5-13-2019)

Sec. 34-3. - Definitions.

The following terms have the meanings indicated below as used in this chapter. In addition, words used in the present tense include the future, the singular number includes the plural, and the plural the singular, the words "shall" and "must" are mandatory and not directory, the word "person" includes a firm, organization, partnership, trust, corporation or other legal entity.

Aggregate sign area. The sum total of the sign area of any and all signs for a given lot. Entrance signs and street numbers assigned by the United States Postal Service are excluded from any computation of aggregate sign area.

Animated sign. A sign that has any visible moving part, flashing or oscillating lights, or varying light intensity, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, oscillate, or visibly alters in appearance in a manner that is not permitted by these regulations.

Awning sign. A sign where graphics or symbols are sewn on, printed on, or otherwise adhered to the awning material as an integrated part of the awning itself.

Banner. A piece of fabric or similar material which is attached to a pole, enclosed in a frame, or mounted to allow movement caused by the atmosphere.

Business day. Any day during which city government offices are open for public business. For purposes of this chapter, a "business day" does not include any day during which city government offices are closed after a partial business day due to a holiday, emergency, inclement weather, or the like.

Canopy sign. A sign placed on a canopy so that the display surface is parallel to the plane of the front building facade.

City. The City of Tucker, Georgia.

Construction sign. A temporary sign erected and maintained on premises during permitted construction activity.

Directional sign. An on-site sign on private property, the sole purpose of which is to direct the flow of traffic, transmit parking information, or convey similar information.

Director. The director of the city ~~community development~~ planning and zoning department or their designee.

Double-faced sign. A sign which has two display areas placed back to back against each other and the interior angle formed by the display areas is less than 59 degrees, where one sign face is designed to be seen from one direction and the other face from another direction.

Double-post sign. A type of ground sign where the primary support is supplied by two posts positioned no more than two inches from the outer edge of the sign face.

DT-districts. The ~~Downtown Tucker Compatible Use Overlay District or the~~ Downtown Tucker Zoning Districts.

DT-1. The ~~Downtown Tucker Compatible Use Overlay District "Neighborhood Zone" or the~~ Downtown Neighborhood district.

DT-2. The ~~Downtown Tucker Compatible Use Overlay District "Corridor Zone" or the~~ Downtown Corridor district.

DT-3. The ~~Downtown Tucker Compatible Use Overlay District "Village Zone" or the~~ Downtown Village district.

Electronic sign. A sign that requires electrical energy that may be changed at intervals by an electronic process or by remote control, or a sign that requires electrical energy and has any of the following: action, motion, changing colors, or videos. Electronic signs are not allowed in the city.

Entrance sign. Any ground sign placed at the entrance into a development that either includes two or more lots or exceeds 30 acres in area.

Feather sign. Any shape of lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a single pole or staff for support and designed to move in the wind. Feather signs are prohibited except where permitted by this chapter as part of a special event.

Flag. A piece of fabric or other flexible material attached to or designed to be flown from a flagpole.

Flagpole. A freestanding structure used for the sole purpose of displaying flags.

Ft. An abbreviation for "foot" and "feet".

Ground sign. A permanently affixed sign which is wholly independent of a building for support.

Historic sign. A sign deemed by the city to be worthy of preservation by reason of its value to the city for one or more of the following reasons:

- (1) It is an outstanding example of a sign representative of its era;
- (2) It is one of the few remaining examples of past sign design or style;
- (3) It is a sign associated with an event or person of historic or cultural significance to the city; or
- (4) It is a sign of aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the city.

Illegal sign. Any sign that was erected in violation of the laws, as they existed at the time the sign was built or the sign permit issued, or signs that were not built in conformance with the issued permit.

Illuminated sign. A sign that is lit from a source either internal to the sign or from an external light source directed primarily toward such sign.

In. An abbreviation for "inch" and "inches".

Lot, substandard. A designated parcel, tract, or area of land created after the time of enactment of this chapter or amendment of this chapter which does not meet the lot area, lot width, or public street frontage and access requirements of this chapter. Such a lot is illegal except where created by governmental action in which case such lot will have the status of a nonconforming lot of record as defined in the city zoning ordinance.

Monument sign. A type of ground sign that is attached to the ground for at least 75 percent of the width and depth of the sign face.

Mtn. Industrial Blvd. Overlay. An abbreviation for "Mountain Industrial Boulevard Overlay district".

NL-districts. The ~~Northlake Overlay District or the~~ Northlake Zoning Districts.

NL-1. The ~~Northlake Overlay District "Tier 1" or the~~ Northlake High-Intensity Commercial district.

NL-2. The ~~Northlake Overlay District "Tier 2" or the~~ Northlake Office Park district.

NL-3. The ~~Northlake Overlay District "Tier 3" or the~~ Northlake Employment Center district.

NL-4. The ~~Northlake Overlay District "Tier 2" or the~~ Vista Dale Court district.

Nonconforming sign. Any sign that does not conform to the provisions of this chapter.

Non-residential zoning district. Any of the following zoning districts: NS, C-1, C-2, O-I-T, O-I, O-D, M, and M-2.

Portable sign. Any sign, except a sandwich board sign, which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support constructed without wheels is converted to a "T" frame sign or attached temporarily or permanently to the ground.

Primary facade. The building facade that is most nearly parallel to the front lot line, except that, when two or more facades are equally parallel to the front lot line, the primary facade is whichever is closest to the lot line.

Projecting sign. A sign which is attached perpendicular to a building or other structure and extends more than 12 inches horizontally from the plane of the building facade.

Pump-island sign. A sign located under a canopy over pump islands of a service station or convenience store with gas pumps.

Residential zoning district. Any of the following zoning districts: RE, R-LG, R-100, R-85, R-75, R-60, MHP, R-NC, R-SM, MR-1, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, and MU-5.

Road, accessible. Any road or street that provides a means of ingress and egress to the lot.

Roof sign. A sign attached to or supported by the roof of a building that extends above the immediately adjacent roof line of the building or a sign that is wholly or partially above the roof line of a building.

Rotating sign. See *animated sign*.

Sandwich board sign. A portable sign not secured or attached to the ground or surface upon which it is located having two panels hinged at the top and capable of standing on its own frame without external support or attachment. Synonym: "A" frame sign.

Sec. An abbreviation for "Section".

Secondary facade. Any facade that is not the primary facade.

Sign. A device, structure or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others. A device, structure, or representation for visual and/or verbal communications associated with and located as part of drive-through facilities are considered signs only if visible from off-site. For purposes of this chapter, the term "sign" includes the structure upon which a sign face is located. Flags and banners are included in this definition only as provided elsewhere herein. Seasonal holiday decorations are not included in the definition of "sign" and are not regulated as such.

Sq. ft. An abbreviation for "square feet".

Storefront. The ground floor facade of a store, office, or other business.

Street frontage. The lot line that is coincident with any road or street that provides a means of direct ingress and egress to the lot.

Suspended sign. A sign securely suspended above a pedestrian passageway from beneath a canopy or awning and oriented perpendicular to the adjacent building facade.

Tri-faced sign. A sign structure with more than two sign faces situated so that each sign face is facing a different direction.

Wall sign. A sign fastened, placed, or painted upon or parallel to the exterior wall of the structure itself, whether front, rear, or side of the structure.

Window. An opening in the wall of a building for admission of light and air that includes a frame containing and supporting single pieces of glass, sashes, or multiple lights.

Window sign. A sign attached to the exterior or interior face of a window or door, or installed in the interior of a building flush with a window or door, or otherwise intended to be viewed from the outside.

(Ord. No. O2019-04-16, Exh. A(21-3), 5-13-2019)

Secs. 34-4—34-23. - Reserved.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

Sec. 34-24. - Sign permit required.

- (a) Except as specifically excluded from the provisions of this chapter, it is unlawful for any person to post, display, substantially change, or erect a sign without first having obtained a sign permit or any other permit required by this chapter or other ordinances of the city.
- (b) Existing signs that conform to the provisions of this chapter and would be required to obtain a permit under the regulations of this chapter must register with the director and pay a permit fee. Registration and payment of permit fee must be completed within one year of the effective date of this chapter if such signs do not have a valid permit pursuant to a previous ordinance. The information provided for registration will be the same information required in a permit application under section 34-26. No permit fee will be required for the registration of existing signs that have a currently valid permit under any previous ordinance regulating signs.

(Ord. No. O2019-04-16, Exh. A(21-4), 5-13-2019)

Sec. 34-25. - Owner's consent required.

No sign may be permitted or posted on a property without the consent of the property's owner or authorized agent. If it is determined that a sign was erected on a lot pursuant to an alleged agent's incorrect representation that the record owner of the lot, in fact, gave permission for the erection of a sign, the permit for such sign will be revoked as provided in section 34-29.

(Ord. No. O2019-04-16, Exh. A(21-5), 5-13-2019)

Sec. 34-26. - Application information.

- (a) Applications for sign permits required by this chapter must be filed by the sign owner or the owner's agent with the director. The application must describe and set forth the following:
 - (1) The street address of the lot upon which sign is to be located, unit number (if applicable), and a plat map of the lot which bears the location of the proposed sign, including distances of the sign from the right-of-way;
 - (2) The name(s) and address(es) of the owner(s) of the lot upon which the sign is to be placed;

- (3) Consent of the owner, or the owner's agent, granting permission for the placement and/or maintenance of the sign;
- (4) Name, address, phone number and occupational tax certificate number of the sign contractor;
- (5) The type of sign to be erected, the area of the sign, the height of the sign, the shape of the sign, sign materials, electrical plans showing how the sign is to be illuminated (if at all), colors, and an explanation of how the sign is to be mounted or erected, including necessary structural and construction details (or shop drawings) if appropriate;
- (6) The size of the lot on which the sign is to be placed;
- (7) Other materials determined by the director to be necessary to review the application; and
- (8) The payment in full of the applicable application fee.
- (9) An application for ground signs must include either:
 - a. A site plan drawn to scale, including a closed boundary survey of the lot gross acreage, the proposed location of subject sign, sign and building setbacks, approximate location of all ground signs on the lot, aggregate area of existing signs per this chapter, entrance driveways from public streets, street rights-of-way, public or private easements, building locations, gross area of buildings and floor area occupied by subject owner or tenants; or
 - b. The director may reduce the area included in paragraph "a" immediately above when a reduced area is satisfactory to establish conformance with the requirements of this chapter.
- (b) The director will develop the forms necessary to facilitate the permit application process.
- (c) The applicant must demonstrate that the sign installer holds a valid business license, except when the application is for a sandwich board sign.
- (d) The applicant must obtain all other permits or licenses required by city ordinance, state law, or other regulation. No sign permit will be valid unless all necessary permits have been obtained by the applicant from the appropriate authorities and submitted to the city.
- (e) Each application must contain an agreement to indemnify and hold harmless the city of all damages, demands or expenses in any manner caused by the sign or sign structure. Each applicant must present to the department, on request, a certificate of liability insurance prior to the issuance of a sign permit.

(Ord. No. O2019-04-16, Exh. A(21-6), 5-13-2019)

Sec. 34-27. - Fees.

The cost of a sign permit will be established by the mayor and city council and collected by the director.

(Ord. No. O2019-04-16, Exh. A(21-7), 5-13-2019)

Sec. 34-28. - Time for consideration and issuance.

The director must process sign permit applications within 45 business days of the director's actual receipt of a completed application and permit fee. Applications not processed within 45 business days will be deemed approved and a permit will be issued. A sticker or other device bearing the sign permit number must be affixed to the sign structure.

(Ord. No. O2019-04-16, Exh. A(21-8), 5-13-2019)

Sec. 34-29. - Denial and revocation.

- (a) *Procedure.* The director will deny permit applications, or revoke existing permits issued under this chapter, that are found to be or have been:

- (1) Not in compliance with the provisions of this chapter or other applicable city regulations;
- (2) In violation of state or federal laws;
- (3) Based upon incomplete application information; or
- (4) Were based upon and/or contain any false material statements.

Notice of a denial of an application or revocation of a permit issued in error under this chapter must either be by hand delivery or by U.S. Postal Service certificate of mailing. It must be sent to the address on the permit application on or before the 45th business day after the director's receipt of the completed application. If mailed, notice will be deemed to have been given upon the date of mailing in conformity with this section. Any application denied and later resubmitted will be deemed to have been submitted on the date of resubmission.

- (b) *Appeal.* An applicant whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the director to the zoning board of appeals as provided in city zoning regulations.
- (c) *Certiorari.* If an applicant or permittee whose permit has been denied or revoked is dissatisfied with the decision of the zoning board of appeals, that person may file an appeal to the Superior Court of DeKalb County by writ of certiorari as provided by law.

(Ord. No. O2019-04-16, Exh. A(21-9), 5-13-2019)

Sec. 34-30. - Permit expiration.

A sign permit becomes null and void if the sign for which the permit was issued is not completed and fully installed within six months after the date of issuance. No refunds will be made for fees paid for permits that expired due to failure to erect a permitted sign. If an individual later desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

(Ord. No. O2019-04-16, Exh. A(21-10), 5-13-2019)

Sec. 34-31. - Enforcement and penalties.

- (a) The city may issue a citation for violation of this chapter by any person, including if applicable, the owner, manager or tenant of the lot upon which a sign is located. Violations may include, but are not limited to, improper installation, improper maintenance, conversion, alteration, or used in violation of this chapter or in violation of any other applicable ordinance, including, but not limited to, building and electrical codes.
- (b) The director or any designated city employee will have the same duties, authority, and obligations regarding access to private property, inspections, including the procurement of inspection warrants provided in city zoning regulations with regard to the enforcement of this chapter.
- (c) Any person violating any provision of this chapter will be guilty of an offense and upon conviction, will be subject to the general penalty provided in section 1-7 of the city Code. Each sign installed, created, erected or maintained in violation of this chapter will be considered a separate violation, and each day of a continued violation for each sign will be considered a separate violation when applying the penalties authorized in section 1-7.
- (d) The city may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this chapter or other city ordinances.

- (e) The director or any city employee who operates an authorized city vehicle, or any person contracting with the city for such purpose may, without notice, remove and dispose of any prohibited sign, signal, device, or other structure erected, placed or maintained on the dedicated right-of-way of any public road. Such removal and disposal of a prohibited sign, signal, device, or other structure will not preclude the prosecution of any person for erecting, placing or maintaining such item in the dedicated public right-of-way.

(Ord. No. O2019-04-16, Exh. A(21-11), 5-13-2019)

Secs. 34-32—34-51. - Reserved.

ARTICLE III. - REGULATIONS AND RESTRICTIONS

Sec. 34-52. - Prohibited signs.

The following types of signs are not allowed anywhere in the city:

- (1) Signs on ~~the any dedicated~~ right-of-way ~~of any public road~~ other than publicly owned or maintained signs and signs pertaining to railroad crossings;
- (2) Signs that contain words, pictures, statements, or any other materials which are obscene, as defined by O.C.G.A. § 16-12-80, as amended;
- (3) Signs, except flags allowed by section 34-53(2), that simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal, or public service sign;
- (4) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road, highway, or adjacent sidewalk by a person with normal hearing abilities;
- (5) Signs that interfere with road or highway visibility, or that obstruct or otherwise interfere with the safe and orderly movement of traffic, or that otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs;
- (6) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, curb, utility pole, natural feature, or other structure except as may be set forth herein;
- (7) Animated signs, including rotating or revolving signs (except for time and weather informational signs, official warning and other regulatory signs);
- (8) Electronic signs;
- (9) Neon signs, except as authorized under section 34-53(3) for window signs;
- (10) Signs that obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape;
- (11) Signs that cover and obscure windows, doors, cornices, or other architectural features;
- (12) Signs that do not conform to applicable building and electrical codes;
- (13) Signs for which a permit is required that do not display the sign permit number;
- (14) Monopole signs and other signs with exposed structural supports that are more than three feet in height and have post supports larger than two inches in diameter or a total of four square inches in cross-section area, except for authorized double-post signs in DT districts;
- (15) Roof signs;
- (16) Tri-faced signs;

- (17) Signs that are in violation of the rules and regulations of any special district or overlay district presently existing or as may later be enacted;
- (18) Any sign constructed of non-durable material including, but not limited to, paper, cardboard, fabric, or flexible plastic. This provision does not apply to flags, awning signs, or banners which are otherwise allowed by this chapter;
- (19) Portable signs, except authorized sandwich board signs;
- (20) Signs attached to, painted on, or otherwise positioned in or on any vehicle or truck, whether having a current license or not, that is located in view of the street right-of-way when in a location or for a period of time that indicates that the use of the vehicle is for displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit;
- (21) Signs located on any substandard lot created after the enactment of this chapter unless the substandard lot is created as the result of governmental action;
- (22) *Abandoned signs in a non-residential zoning district, DT district, and NL district.* Signs (including sign structures) will be deemed abandoned if the use, business, service, or commercial transaction to which it relates has been discontinued for six months. The sign owner must provide proof of continued use within the six month period. Such proof may include, but not be limited to, utility bills, tax records, business licenses, advertisements in dated publications, Insurance policies, leases, receipts, and other appropriate evidence as determined by the director. Furthermore, in reviewing said proof, the director must consider any evidence of vacancy or not-use, including, but not limited to, failure to maintain regular business hours, typical or normal for the use; failure to maintain equipment, supplies or stock-in-trade that would be used for the active operation of the use; failure to maintain utilities that would be used for the active operation of the use; failure to pay taxes, including but not limited to sales tax, workers' compensation taxes, corporate taxes that would be required for the active operation of the use; failure to maintain required local, state or federal licenses or other approvals that would be required for the active operation of the use; failure to maintain applicable business license(s); and other appropriate evidence as determined by the director;
- (23) Any sign that is structurally unsound or is a hazard to traffic or pedestrians;
- (24) *Dilapidated or neglected signs.* A sign (including sign structure) will be dilapidated or neglected if it does not present a maintained, neat, and orderly appearance, which may be manifested by the following, including, but not limited to, rust or holes on or in the sign or sign structure; broken, missing, loose, or bent parts; faded or flaking paint; non-operative or partially non-operative illumination (including any light elements within legal non-conforming electronic signs); non-operative mechanical devices; or missing letters in sign copy;
- (25) Window shades used as signs; and
- (26) Illegal signs.

(Ord. No. O2019-04-16, Exh. A(21-12), 5-13-2019)

Sec. 34-53. - Signs not requiring a permit.

The following types of signs do not require a sign permit or temporary sign permit from the city in any zoning district.

- (1) *Public interest signs.* Signs erected by a public officer in the performance of their duties, including but not limited to: public notices, safety signs, danger signs, official traffic control devices, memorial plaques, and historical markers are exempt from the provisions of this chapter.
- (2) *Flags.*

- a. Flags must be displayed on flagpoles, which may be vertical or mast arm flagpoles. In non-residential districts, DT districts, and NL districts, flagpoles may not exceed the height allowed in the applicable zoning district, or 60 feet, whichever is less. Flagpoles in residential districts may not exceed 25 feet in height or the height of the primary structure on the lot, whichever is less.
- b. The maximum dimensions of any flag must be proportional to the flagpole height. The hoist side of the flag may not exceed 20 percent of the vertical height of the flagpole. In addition, flags are subject to the following limitations:

Pole Height (feet)	Flag Size Max. (total square feet)
Up to 25 ft.	24 sq. ft.
25 to 39 ft.	40 sq. ft.
40 to 49 ft.	60 sq. ft.
50 to 60 ft.	99 sq. ft.

- c. Each lot is allowed a maximum of three flagpoles.
 - d. A maximum of two flags is allowed per flagpole.
 - e. A vertical flagpole must be set back from all lot boundaries a distance which is at least equal to the height of the flagpole.
 - f. Flags and flagpoles must be maintained in good repair, and to the extent applicable must be in compliance with the building code. Flagpoles with broken halyards may not be used and flags which are torn or frayed may not be displayed.
 - g. On officially designated city, state, or federal holidays, subsections (1) through (6) immediately above do not apply.
- (3) *Window signs.*
- a. Window signs may not exceed 30 percent of the area of the individual window they are located in; and
 - b. One internally illuminated window sign stating "open" and/or "closed" is allowed per establishment. It may not exceed three square feet in area and is included in the 30 percent window sign area limitation.
 - c. Neon window signs are allowed, provided no individual sign exceeds three square feet in area, the sign is included in the 30 percent sign area limitation, and the number of signs allowed is limited to a minimum separation of eight feet between such neon signs.
- (4) *Residential district signs.* The following signs in residential districts are not subject to the ground sign or entrance sign permit requirements of section 34-54 but are subject to indicated limitations:

- a. Lots used for residential purposes other than a multifamily dwelling, mobile home, or townhouse dwelling developments may not have an aggregate sign area greater than 24 square feet per lot. No single sign may exceed six square feet in size.
 - b. Lots used for multifamily dwelling, mobile home, or townhouse dwelling developments may not have an aggregate sign area exceeding six square feet per unit, not to exceed an aggregate of 100 square feet for the development.
 - c. Signs may exceed a height of four feet above the grade level of the adjacent street (as measured from the top of the sign or support included), or a height of three feet above ground level (measured from the top of the sign or support structure to ground level), whichever is taller.
 - d. Signs may not be illuminated.
 - e. ~~No single sign regulated by subsections (1) through (4) above may exceed six square feet in size.~~ Reserved.
- (5) *Suspended signs.* One suspended sign per tenant or dwelling unit when the area of the sign is less than six square feet per side.
 - (6) *Street number signs.* Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
 - (7) *Nongovernmental traffic control devices.* Nongovernmental traffic control devices in or adjacent to parking areas and driveways and signs located at railroad crossings.
 - (8) *Historic signs.* Historic signs where:
 - A. The lot, building, or structure where the historic sign is to be located was built before 1950;
 - b. The owner of the property where the historic sign is to be located has obtained a certificate of appropriateness authorizing the sign from the city's historic preservation commission, if such body exists; and
 - c. A previous sign must have been located on the property before 1950. The historic sign's former existence, original design, original size, original color(s), original composition, and other original aesthetic qualities of the historic sign must be documented and shown to the director's satisfaction by photograph(s) or other sufficient evidence as it existed before 1950. The new historic sign must be an exact replica of the pre-1950 sign that was located on the property.

(Ord. No. O2019-04-16, Exh. A(21-13), 5-13-2019)

Sec. 34-54. - Signs requiring a temporary sign permit.

The following types of signs require a temporary sign permit from the city in all zoning districts.

- (1) *Banners.*
 - a. Each temporary sign permit authorizes one banner at a time.
 - b. On lots that do not contain multiple business establishments, banners are allowed for a period not exceeding 14 days and with no more than four such 14-day periods allowed per calendar year per lot.
 - c. On lots that contain multiple business establishments, banners are allowed for each establishment for a period not exceeding 14 days and with no more than four such 14-day periods allowed per calendar year per establishment.
 - d. Individual banner permits may be divided into two non-consecutive weeks, provided the dates are stated on the permit.

- e. Banner may not exceed 32 square feet in area.
 - f. No banner must be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five feet above grade when on the ground.
 - g. Banners must be erected with supports or other means so that they do not sag.
 - i. Banners must be maintained in good condition as provided for flags in section 34-53(b).
- (2) *Special event signs.* A site holding a valid special administrative permit in any zoning district, or a site containing an authorized use and located in a non-residential zoning district, DT district, or NL district is allowed special event signs, subject to the following requirements:
- a. The signs and devices must be constructed of, or must be described as, banners, metal, wood, pennants, flags, feather signs, balloons, or streamers;
 - b. The maximum size allowance for all the devices and signs may not exceed 150 square feet;
 - c. The signs may be attached to the exterior wall or walls of a building, no higher than the top of the parapet or roof and may not be placed, located or connected nearer than 50 feet from the center of the street or roadway, or 20 feet from the curb or edge of the pavement, whichever is further from the center of the street or roadway and shall be out of the dedicated right-of-way;
 - d. The signs must be removed within 48 hours of the completion of the event;
 - e. Special event signs may not be used for more than 16 consecutive days; and
 - f. Special event signs may not be used more than two times per calendar year on the same site.
- (3) *Other temporary signs.* The following applies to temporary signs other than banners or special event signs:
- a. One sign is permitted per lot, except that corner lots may have one sign located on each adjacent street.
 - b. Signs may not exceed 32 square feet in area.
 - c. Signs may not exceed eight feet in height.
 - d. Signs may not be illuminated.
 - e. Signs must be rigid and may not be made of fabric or similar materials.
 - f. Sign faces must be constructed of materials that present a finished appearance. Rough-cut plywood and plastic are not allowed.
 - g. Any sign frames must be made of painted or stained wood, anodized aluminum, or metal. Plastic frames are not allowed.
 - h. Signs must be maintained in good condition as provided for flags in section 34-53(b).
 - i. Construction signs must comply with the following time limits:
 - 1. Signs may not be erected until the first development permit for the project has been issued. If development is not begun in 60 days or if construction is not continuously and actively pursued to completion, all signs must be removed.
 - 2. Signs must be removed when a certificate of occupancy is issued, or when the permanent sign is installed, or when the development permit expires, whichever occurs first.
 - j. Temporary signs other than construction signs may be used for a period not exceeding 60 consecutive days. Additional posting time may be allowed by the director, provided the temporary activity on the site is continuing.

(Ord. No. O2019-04-16, Exh. A(21-14), 5-13-2019)

Sec. 34-55. - Signs requiring a permit.

Signs are allowed by district as set forth in Table 21.1 Specific requirements for each sign are shown on the following pages. All of the sign types show in Table 21.1 require a sign permit.

Table 21.1 Signs Requirement a Permit							
	Residential Zoning Districts	Non-Residential Zoning Districts	DT Districts		NL Districts	Mountain Industrial Boulevard Overlay	Standards
			DT-1	DT-2, DT-3			
Awning Sign, or Canopy Sign, or Wall Sign	—	■	■	■	■	■	Sec. 34-57, Sec. 34-58, Sec. 34-59
Projecting Sign	—	■	■	■	■	■	Sec. 34-60
Ground Signs: Monument, or Double-post	□	■	■	■	■	■	Sec. 34-61, Sec. 34-62
Sandwich Board Sign	—	■	■	■	■	■	Sec. 34-63
Entrance Sign	■	■	■	■	■	■	Sec. 34-64
Directional Sign	□	■	■	■	■	■	Sec. 34-65

Key:

■ = Allowed

□ = Allowed for nonresidential, townhouses, and multifamily uses only

— = Not Allowed

(Ord. No. O2019-04-16, Exh. A(21-15), 5-13-2019)

Sec. 34-56. - Sign area allocation.

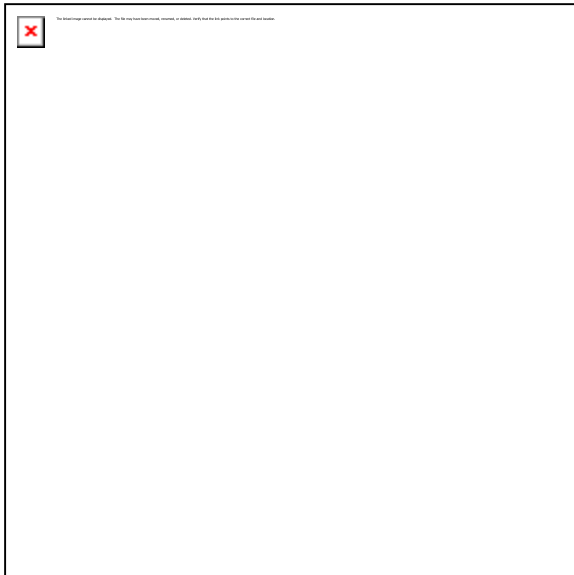
(a) *Awning, canopy, and wall signs.*

- (1) *Allocation not transferable.* Sign area allocation must be used on the building facade that is used to measure the allocation, and may not be transferred to any other building facade.
- (2) *Primary facades.* Awning signs, canopy signs, and wall signs are allocated a combined sign area of four square feet of per linear foot of the primary façade.

- (3) *Secondary facades.* Awning signs, canopy signs, and wall signs are allocated a combined sign area of four square feet per linear foot of any one secondary facade.
- (4) *Maximum combined sign area.* The maximum combined awning sign, canopy sign, and wall sign area along any one façade may not exceed:
 - a. DT-1, DT-3, NL-4: 32 square feet.
 - b. Developments under 30 acres in all other districts: 150 square feet.
 - c. Developments 30 acres or larger in all other districts: 500 square feet.
- (b) *Other signs.* The maximum combined area for signs other than awning, canopy, and wall signs is not regulated except by the dimension requirements for each sign and the number of signs allowed.

(Ord. No. O2019-04-16, Exh. A(21-16), 5-13-2019)

Sec. 34-57. - Awning signs.



- (a) **Definition.**

A sign where graphics or symbols are sewn on, printed on, or otherwise adhered to the awning material as an integrated part of the awning itself.

(b) **General provisions.**

- (1) Signs may not extend outside the awning.
- (2) Only awnings over ground story doors or windows may contain signs.
- (3) The awning that the sign is attached to must be opaque.
- (4) Signs may be on the front valance, the side valance, or on the sloping face of the awning.
- (5) Signs may not be internally illuminated.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign:

- a. DT-1, DT-3, NL-4: maximum 32 square feet.
 - b. Developments under 30 acres in all other districts: maximum 150 square feet.
 - c. Developments 30 acres or larger in all other districts: maximum 500 square feet.
- Ⓐ Sign width (percent of awning width): maximum 80 percent.

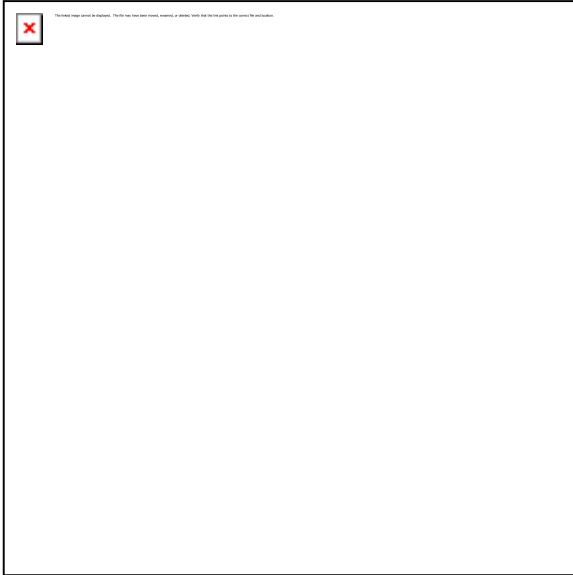
Projection from façade: maximum six feet.

(e) **Number of signs.**

- (1) One awning sign, or one building canopy sign, or one wall sign is allowed along per establishment along its primary facade.
- (2) One awning sign, or one building canopy, or one wall sign is allowed per establishment along its secondary facade.

(Ord. No. O2019-04-16, Exh. A(21-17), 5-13-2019)

Sec. 34-58. - Canopy signs.



(a) **Definition.**

A sign placed on a canopy so that the display surface is parallel to the plane of the front building facade. A sign affixed to, superimposed upon, or painted on any roof or roof-like structure which is extended over a sidewalk, walkway, or vehicle access area.

(b) **General provisions.**

- (1) Signs cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
- (2) Raceways are permitted for signs extending below or above the canopy. Otherwise, raceways are not permitted and the sign must be flush with the canopy face.
- (3) Signs may not extend above the height of the building, including any parapet wall.
- (4) Signs may not be located on a roof.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign:

- a. DT-1, DT-3, NL-4: maximum 32 square feet.
 - b. Developments under 30 acres in all other districts: maximum 150 square feet.
 - c. Developments 30 acres or larger in all other districts: maximum 500 square feet.
- Ⓐ Sign width (percent of canopy width): maximum 80 percent.
 - Ⓑ Clear height above sidewalks or other non-vehicular areas: minimum eight feet.
 - Ⓑ Clear height above parking, driveways, or other vehicle access: minimum 14 feet.

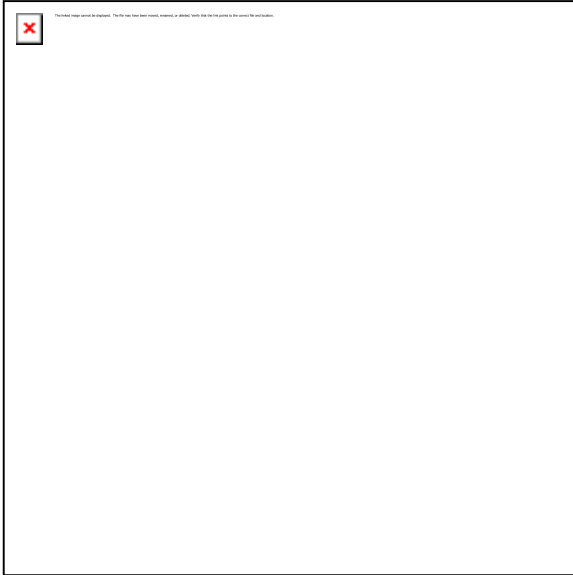
Projection from building façade: maximum six feet.

(e) **Number of signs.**

- (1) One awning sign, or one building canopy sign, or one wall sign is allowed along per establishment along its primary façade.
- (2) One awning sign, or one building canopy, or one wall sign is allowed per establishment along its secondary façade.
- (3) One canopy sign is allowed per street frontage on canopies covering vehicle fueling areas. Signs must be within the limits of the canopy covering the pump and may not exceed six square feet per sign.
- (4) One canopy sign is allowed per interactive teller machine/automated teller machine along its primary façade and one along its secondary façade. Signs must be within the limits of the canopy covering the teller machine and may not exceed six square feet per sign.

(Ord. No. O2019-04-16, Exh. A(21-18), 5-13-2019)

Sec. 34-59. - Wall signs.



(a) **Definition.**

A sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, whether front, rear or side of the structure.

(b) **General provisions.**

- (1) Signs must be securely fastened to the building surface.
- (2) Signs may not extend above the height of the building, including any parapet wall.
- (3) Signs may not be located on a roof.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign:

- a. DT-1, DT-3, NL-4: maximum 32 square feet.
- b. Developments under 30 acres in all other districts: maximum 150 square feet.

c. Developments 30 acres or larger in all other districts: maximum 500 square feet.

Ⓐ Sign width (percent of wall width): maximum 80 percent.

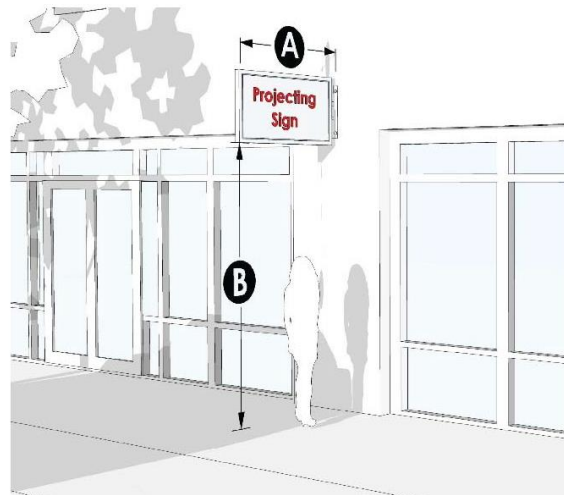
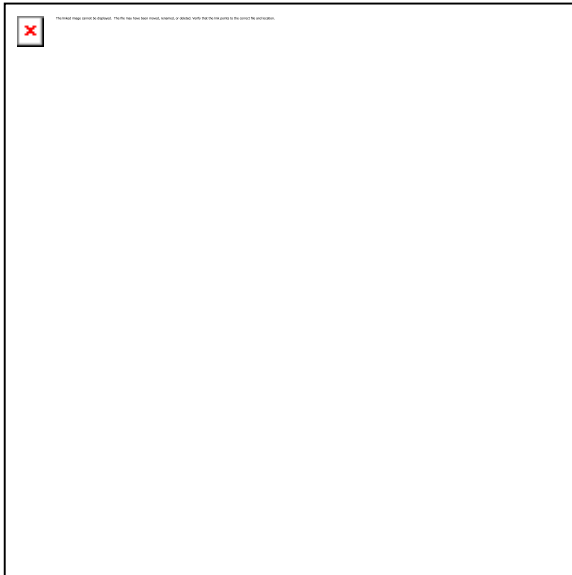
Projection from façade: maximum two feet.

(e) **Number of signs.**

- (1) One awning sign, or one building canopy sign, or one wall sign is allowed ~~along~~ per establishment along its primary facade.
- (2) One awning sign, or one building canopy, or one wall sign is allowed per establishment along its secondary facade.
- (3) One wall sign is allowed per facade of an on-site accessory drive-through car wash building. However, no more than two total signs may be provided and the combined area of both signs may not exceed five square feet. This area is not included in the sign area allocation above.

(Ord. No. O2019-04-16, Exh. A(21-19), 5-13-2019)

Sec. 34-60. - Projecting signs.



(a) **Definition.**

A sign which is attached perpendicular to a building or other structure and extends more than 12 inches horizontally from the plane of the building facade.

(b) **General provisions.**

- (1) Signs must be securely fastened to the building surface.
- (2) Signs may not extend above the height of the building, including any parapet wall.
- (3) Signs may not be located on a roof.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign: maximum nine square feet.

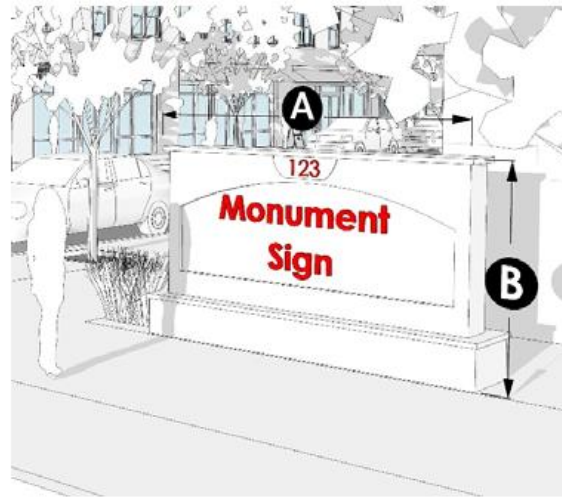
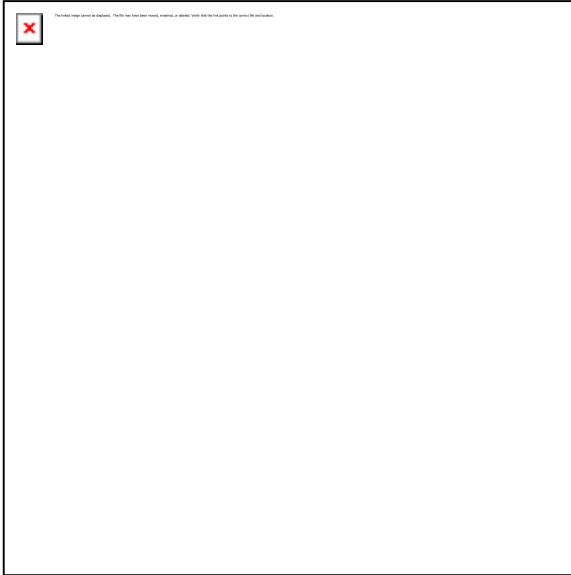
- Ⓐ Projection from façade: maximum two feet.
- Ⓑ Clear height above sidewalks or other non-vehicular areas: minimum ten feet.
- Ⓑ Clear height above parking, driveways, or other vehicle access: minimum 14 feet.

(e) **Number of signs.**

- (1) One projecting sign is allowed along per establishment along its primary facade.
- (2) One projecting sign is allowed per establishment along its secondary facade.

(Ord. No. O2019-04-16, Exh. A(21-20), 5-13-2019)

Sec. 34-61. - Monument sign.



(a) **Definition.**

A type of ground sign that is attached to the ground for at least 75 percent of the width and depth of the sign face.

(b) **General provisions.**

- (1) Signs must have a base made of brick or stone. Any framework must also be made of brick or stone.
- (2) Signs must display the address of the property. Where multiple addresses exist, the highest and lowest address numbers must be identified. This does not apply to any ground sign where the sign is located on property which has more than one street frontage and the property address is assigned from a street other than the street frontage where the ground sign is erected. Numbers must be a minimum of eight inches in height and be visible from both directions of travel.
- (3) Sign must be set at least ten feet from electrical transmission lines.
- (4) Signs allowed for primary facades must be placed between the primary frontage and the street the primary facade faces.
- (5) Signs allowed for secondary facades must be placed between the secondary facade and the street the secondary facade faces.

- (6) No lot may have more than a combined total of one monument sign or double-post sign that is oriented towards travelers along the same street.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign:

- a. DT districts: maximum 90 square feet.
- b. Developments under 30 acres in all other districts: maximum 150 square feet.
- c. Developments 30 acres or larger in all other districts: maximum 270 square feet.

Ⓐ Sign width: maximum 15 feet.

Ⓑ Sign height:

- a. DT districts: maximum eight feet.
- b. Developments under 30 acres in all other districts: maximum 12 feet.
- c. Developments 30 acres or larger in all other districts: maximum 20 feet.

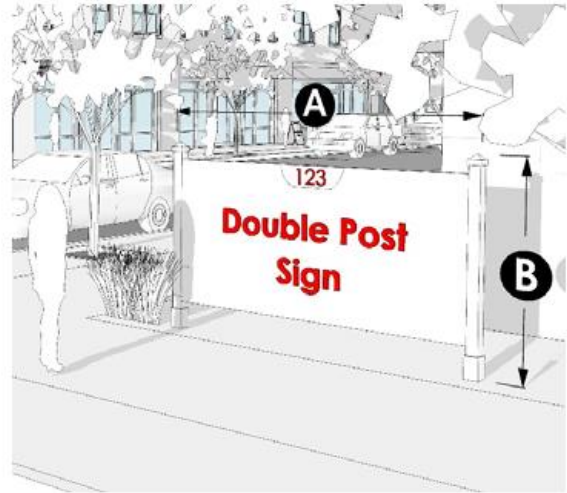
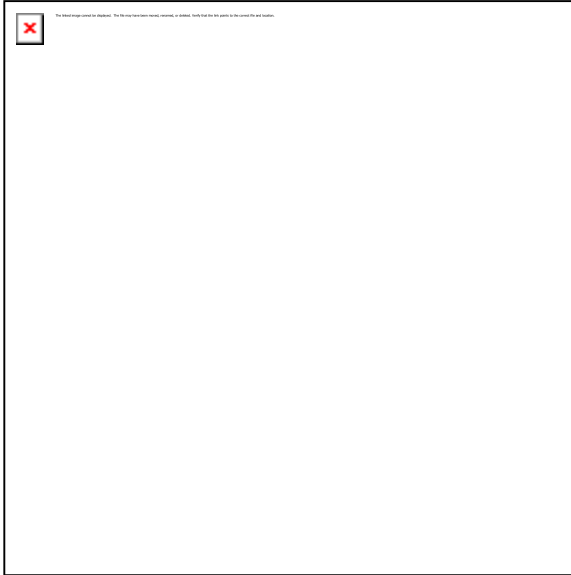
Ⓒ Sign must incorporate a base between two and four feet in height.

(e) **Number of signs.**

One ground sign is allowed per street that the lot has frontage on.

(Ord. No. O2019-04-16, Exh. A(21-21), 5-13-2019)

Sec. 34-62. - Double-post sign.



(a) **Definition.**

A type of ground sign where the primary support is supplied by two posts positioned no more than two inches from the outer edge of the sign face.

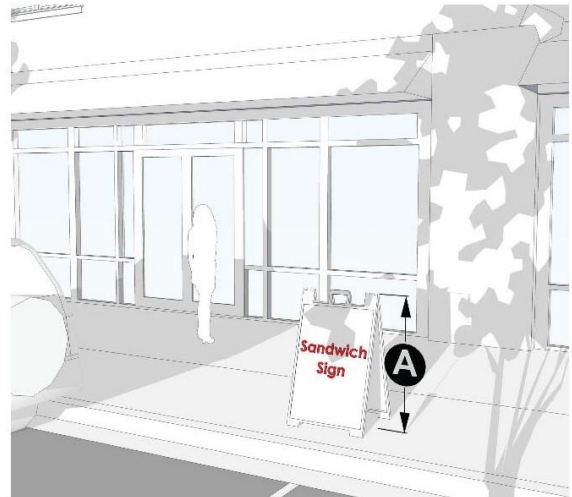
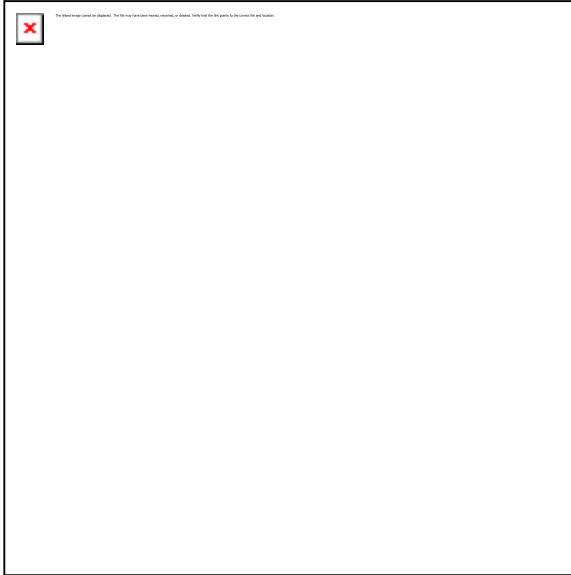
(b) **General provisions.**

- (1) Post supports must be between four and six inches in width or diameter. When square posts are used, a nominal four x four-inch post may be used.
- (2) Sign faces must be constructed of materials that present a finished appearance. Rough-cut plywood and plastic are not allowed.
- (3) Sign frames must be painted or stained wood, anodized aluminum, or metal. Plastic frames are not allowed.
- (4) Signs must display the address of the property. Where multiple addresses exist, the highest and lowest address numbers must be identified. This does not apply to any ground sign where the sign is located on property which has more than one street frontage and the property address is assigned from a street other than the street frontage where the ground sign is erected. Numbers must be a minimum of eight inches in height and be visible from both directions of travel.
- (5) Signs must be set at least ten feet from electrical transmission lines.

- (6) Signs allowed for primary facade must be placed between the primary facade and the street the primary facade faces.
- (7) Signs allowed for secondary facade must be placed between the secondary facade and the street the secondary facade faces.
- (8) No lot may have more than a combined total of one monument sign or double-post sign that is oriented towards travelers along the same street.
- (c) **Sign area allocation.**
 - See section 34-56.
- (d) **Dimensions.**
 - Area of individual sign:
 - a. DT districts: maximum 90 square feet.
 - b. Other districts: maximum 150 square feet.
 - Ⓐ Sign width: maximum 15 feet.
 - Ⓑ Sign height:
 - c. DT districts: maximum eight feet.
 - d. Other districts: maximum 12 feet.
- (e) **Number of signs.**
 - One ground sign is allowed per street that the lot has frontage on.

(Ord. No. O2019-04-16, Exh. A(21-22), 5-13-2019)

Sec. 34-63. - Sandwich board signs.



(a) **Definition.**

A portable sign not secured or attached to the ground or surface upon which it is located having two panels hinged at the top and capable of standing on its own frame without external support or attachment. Synonym: "A" frame sign.

(b) **General provisions.**

- (1) Signs may not be located in a public right-of-way.
- (2) Signs may not exceed three and one-half feet in height and seven square feet in area (per side).
- (3) Signs must be removed and placed indoors at the end of each business day.
- (4) Signs may not obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility.
- (5) Sign faces must be constructed of materials that present a finished appearance. Rough-cut plywood and plastic are not allowed.
- (6) Sign frames must be painted or stained wood, anodized aluminum, or metal. Plastic frames are not allowed.
- (7) Signs may not be illuminated.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign: maximum seven square feet per side.

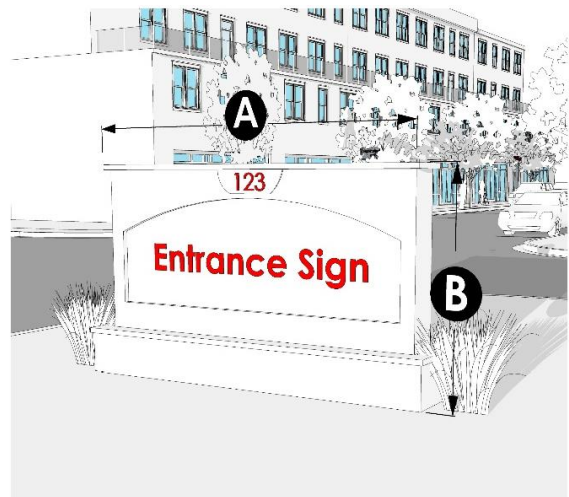
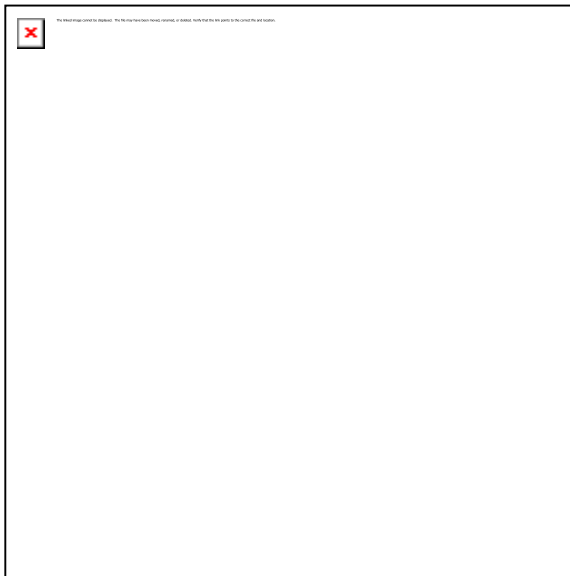
Ⓐ Sign height: maximum 42 inches.

(e) **Number of signs.**

One sandwich board sign is allowed per establishment.

(Ord. No. O2019-04-16, Exh. A(21-23), 5-13-2019)

Sec. 34-64. - Entrance signs.



(a) **Definition.**

Any ground sign placed at the entrance into a development that either includes two or more lots or exceeds 30 acres in area.

(b) **General provisions.**

- (1) Signs must conform to the general provisions for ground signs.
- (2) Signs must conform to the illumination requirements for ground signs in the applicable zoning district.
- (3) Signs in new detached single-family dwelling developments must be placed on land owned by a homeowners association.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign:

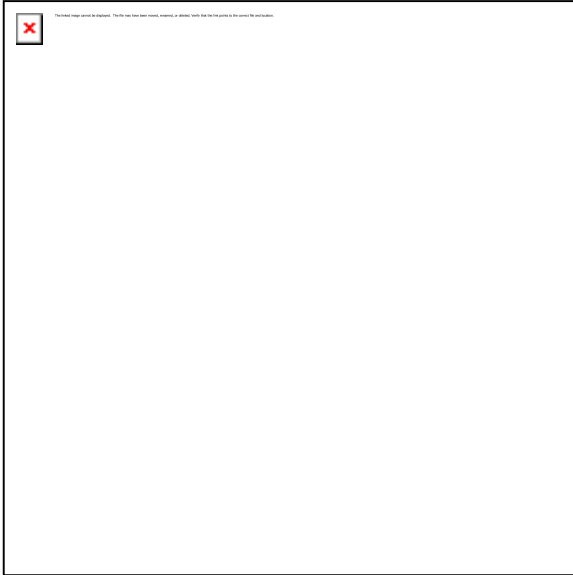
- a. Developments under 30 acres: maximum 32 square feet.
 - b. Developments 30 acres or larger: maximum 300 square feet.
- Ⓐ Sign width: maximum 15 feet.
- Ⓑ Sign height:
- c. Developments under 30 acres: maximum eight feet.
 - d. Developments 30 acres or larger: maximum 20 feet.

(e) **Number of signs.**

One entrance sign is allowed at each street entrance or driveway into the ~~sign~~development, but no two entrance signs for the same development may be placed less than 500 feet apart along the same external street.

(Ord. No. O2019-04-16, Exh. A(21-24), 5-13-2019)

Sec. 34-65. - Directional sign.



(a) **Definition.**

An on-site sign on private property, the sole purpose of which is to direct the flow of traffic, transmit parking information, or convey similar information.

(b) **General provisions.**

- (1) Signs must be set at least ten feet from electrical transmission lines.

(c) **Sign area allocation.**

See section 34-56.

(d) **Dimensions.**

Area of individual sign: maximum six square feet.

- Ⓐ Sign width: maximum three feet.
- Ⓑ Sign height: maximum three feet.

(e) **Number of signs.**

Two directional signs are allowed for every curb but may not exceed a total of eight per lot.

(Ord. No. O2019-04-16, Exh. A(21-25), 5-13-2019)

Sec. 34-66. - DT districts.

The following additional standards and restrictions apply in DT districts.

- (1) *Prohibited signs.* The following signs are prohibited in addition to those prohibited by section 34-52:
 - a. In DT-1 and DT-3, internally illuminated signs, including internally illuminated cabinet signs, except as allowed for window signs stating "open" and/or "closed" and neon window signs.
 - b. In all DT districts, back-lit channel signs.
- (2) *Ground signs.* When the building is less than five feet from a public right-of-way, no ground sign may be placed between the building and said right-of-way.

(Ord. No. O2019-04-16, Exh. A(21-26), 5-13-2019)

Sec. 34-67. - NL districts.

The following additional standards and restrictions apply in NL districts.

- (1) *Wall signs.*
 - a. Wall signs must be channel cut letters applied directly to the facade.
 - b. Wall signs may not exceed eight inches in depth.
- (2) *Ground signs.* Ground signs must be externally illuminated using ground-mounted floodlighting.

(Ord. No. O2019-04-16, Exh. A(21-27), 5-13-2019)

Sec. 34-68. - Mountain Industrial Boulevard Overlay.

The following additional standards and restrictions apply in the Mountain Industrial Boulevard Overlay.

- (1) Sandwich board signs must be placed with five feet of a building entrance.
- (2) Wood and flexible plastic are prohibited for use in permanent signs in non-residential zoning districts.

(Ord. No. O2019-04-16, Exh. A(21-28), 5-13-2019)

Sec. 34-69. - Signs setbacks.

- (a) No sign may be in required interior side yards, required rear yards, or required buffers.
- (b) Signs must conform to the sight visibility triangle requirements of city zoning regulations.
- (c) Signs must be located to provide enough vertical clearance for safe, convenient and unobstructed passage for pedestrians and vehicles.
- (d) Signs must be set back at least five feet from any right-of-way.

(Ord. No. O2019-04-16, Exh. A(21-29), 5-13-2019)

Sec. 34-70. - Measurements.

(a) *Computation of sign area.*

- (1) For wall signs, awning signs, and canopy signs and consisting of freestanding letters or logos, sign area is calculated as the total area of the smallest single rectangle, circle, or square that fully encloses all the letters and images.
- (2) For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure on which it is mounted. For ground signs, entrance signs, projecting signs, and sandwich board signs, sign area includes the face of the structure that the message is affixed to, not including any street number, supports, base, apron, bracing, or other structural members.
- (3) The sign area for double-faced signs is computed as the side of the sign with the largest sign face.

(b) *Measurement of ground sign height.*

- (1) When the ground level at the ground sign's base is higher than the level of the adjoining street pavement, the height of a sign is measured from the ground level at the base to the highest point of the sign or supporting structure.
- (2) When the ground level at the ground sign's base is lower than the level of the adjoining street pavement, the height of a sign is measured from the level of the closest adjoining street pavement to the highest point of the sign or supporting structure.
- (3) The level of the ground may not be altered in such a way to provide additional sign height.

(Ord. No. O2019-04-16, Exh. A(21-30), 5-13-2019)

Sec. 34-71. - Nonconforming signs.

- (a) The city finds that nonconforming signs may adversely affect the public health, safety, and welfare. Such signs may adversely affect the aesthetic character of the city and may adversely affect public safety due to the visual impact of said signs on motorist and the structural characteristics of said signs.
- (b) Any nonconforming sign that is not used or leased for a continuous period of six months may not be reused for sign purposes unless and until it fully conforms with the terms and requirement of this chapter.
- (c) Illegal signs must be removed within 30 days of notice from the city.
- (d) Except as provided for in "E" immediately below, no structural repairs or changes in shape, size, or technology on any nonconforming sign is permitted except to make a nonconforming sign comply with all requirements of this chapter. Routine maintenance and changing of copy is permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or technology. Signs which are structurally unsound or present a hazard to persons or property must be removed within five days upon notification by the city.
- (e) A nonconforming sign structure may not be replaced by another nonconforming sign structure, except that a non-conforming sign may be rebuilt where the original sign structure has been damaged or destroyed by nature or an act of God. No such replacement structure may have a sign area or height greater than the original structure.

(Ord. No. O2019-04-16, Exh. A(21-31), 5-13-2019)

Sec. 34-72. - Illumination.

Illumination of signs must be in accordance with the following requirements.

- (1) *Location restriction.* No internally illuminated sign may be constructed or maintained within 75 feet of any single-family lot property line.
- (2) *Prohibited light sources.* The following light sources are not allowed:
 - (1) Blinking, flashing, and chasing.
 - (2) Bare bulb illumination.
 - (3) Colored lights used in any manner so as to be confused with or construed as traffic control devices.
 - (4) Direct reflected light that creates a hazard to operators of motor vehicles.
- (3) *Brightness.* The light from any illuminated sign must not be of an intensity or brightness that will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.
- (4) *Internal illumination.*
 - (1) Channel letters may be internally lit or white backlit.
 - (2) For internally illuminated signs on a background, the background must be opaque and a contrasting color.
 - (3) Light emitting diodes (LED)s are allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED module light sources are not visible from the exterior of the sign.
- (5) *External illumination.*
 - (1) Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto public right-of-way, the sky, or adjacent properties.
 - (2) Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.
- (6) *Raceways and transformers.*
 - (1) If a raceway is necessary, it must not extend in width or height beyond the area of the sign.
 - (2) A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
 - (3) Visible transformers are not allowed.

(Ord. No. O2019-04-16, Exh. A(21-32), 5-13-2019)

Sec. 34-73. - Building code.

To the extent that it is not inconsistent with this chapter, the most current published edition of the Standard UCC Building Code and other building and construction codes as adopted and modified by the city and the Georgia Department of Community Affairs are incorporated as a part of this chapter as if fully restated herein for the same purposes stated in section 34-1 and for the same purposes for which the Standard UCC Building Code was promulgated and enacted, which purposes are expressly incorporated herein.

(Ord. No. O2019-04-16, Exh. A(21-33), 5-13-2019)

Sec. 34-74. - Zoning ordinance.

Except as provided elsewhere in this section, to the extent that it is not inconsistent with this chapter, the zoning ordinance, as amended including, but not limited to definitions of terms contained therein is incorporated as a part of this chapter as if fully restated herein for the same purposes stated in section 34-1 and for the same purposes for which the zoning ordinance and any amendments thereto, were adopted, which purposes are expressly incorporated herein. However, to the extent that any regulations governing any zoning overlay district now existing or later enacted conflict with this article, the rules of the zoning overlay district will control.

(Ord. No. O2019-04-16, Exh. A(21-34), 5-13-2019)

Sec. 34-75. - Variances.

- (a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals after receiving evidence that the applicant meets all of the following criteria:
 - (1) Exceptional conditions regarding the lot size, shape or topography of the lot where the sign is to be located, which are not applicable to other lands or structures in the area;
 - (2) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
 - (3) The exceptional circumstances are not the result of action by the applicant;
 - (4) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
 - (5) Granting of the variance would not violate more than one standard of this chapter; and
 - (6) Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (b) No variance may be granted to increase the aggregate area of signs permitted on a lot.
- (c) No variance may be granted to allow a prohibited sign.

(Ord. No. O2019-04-16, Exh. A(21-35), 5-13-2019)

Sec. 34-76. - Alternative compliance.

- (a) On developments 30 acres or larger, the ~~community development planning and zoning~~ director may approve alternative sign materials when said materials are part the development's overall design program.
- (b) Applicants shall submit evidence of the development's overall design program, which may include, but is not limited to, a master sign plan, architectural pattern book, renderings, or other items conveying the development's character and design to the director's satisfaction.
- (c) Alternative compliance may not be used to:
 - (1) Permit a materials that is specifically prohibited by this chapter, or
 - (2) Permit a sign that is prohibited by section 34-52.

(Ord. No. O2019-04-16, Exh. A(21-36), 5-13-2019)



MEMO

To: Honorable Mayor and City Council Members
From: Ken Hildebrandt
CC: Tami Hanlin, City Manager
Date: October 12, 2021
RE: Bid Award – Church Street and Tucker Industrial Road Sidewalks

Issue:

Award of ITB #2021-015 for the construction of sidewalks on Church Street and Tucker Industrial Road.

Recommendation:

Staff recommends the award of ITB #2021-015 to DAF Concrete in the amount of \$175,867.50.

Background:

Plans for these sidewalks were developed in-house. Thirteen bids were received. DAF Concrete was the lowest responsive bidder.

Summary:

Sidewalk on Church Street will be on the south side from Lynburn Drive to 4th Street, and on the north side from 4th Street to the Hearthside condominiums.

Sidewalk on Tucker Industrial Road will be on the east side from Hirsch Drive to Hugh Howell Road.

Financial Impact:

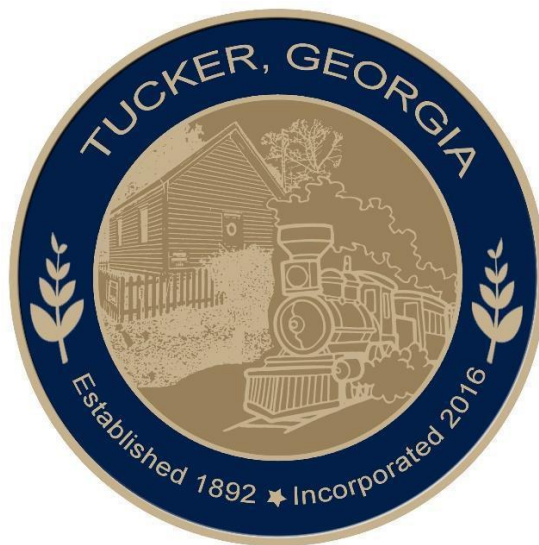
\$175,867.50 will be funded from the Capital Sidewalk account.

City of Tucker

INVITATION TO BID

ITB # 2021 - 015

Church Street & Tucker Industrial Road Sidewalk Project



City of Tucker Invitation to Bid

INVITATION:

The City of Tucker, Georgia is seeking competitive bids for a sidewalk construction contract. Proposals will be accepted until **1:00 p.m. EST on September 16, 2021** complete scope and other relevant information for **ITB 2021-015. Church Street & Tucker Industrial Road Sidewalk Project** is available for download on the City of Tucker website at <http://tuckerga.gov> or send request via email to procurement@tuckerga.gov.

SCOPE OF WORK: Refer to Exhibit A and the attached plans.

PROPOSED SCHEDULE	
Bid Release	August 19, 2021
Pre-Proposal Conference	N/A
Deadline for Questions	September 7, 2021
Responses to Questions Posted	September 9, 2021
Bid Deadline	September 16, 2020 @ 1:00 p.m. EST
Award at Council Meeting	October 12, 2021
Anticipated Notice to Proceed	October 15, 2021
Completion Date	February 18, 2022

QUESTIONS: Submit in writing to procurement@tuckerga.gov reference ITB #2021-015

PRE-PROPOSAL CONFERENCE MEETING: N/A

SUBMITTAL REQUIREMENTS:

Submit your **ITB Response and Disclosure Form** electronically to: procurement@tuckerga.gov

Your response must be received by the date and time specified. On the subject line of the email write "RFP #2021-015". Please include vendor contact information.

Your response must be received by the date and time specified. Late receipt of bids will not be considered. Proposals received after the due opening time will be filed unopened. The City of Tucker reserves the right to reject any and all qualifications or any part and to waive any formalities or informalities to make an award in the best interest of the City. No proposals will be received orally, via phone, or fax responses.

Exhibit A
Project Specifications / Scope of Work
ITB #2021-015 Church Street & Tucker Industrial Road Sidewalk Project

PURPOSE, INTENT AND PROJECT DESCRIPTION

The City of Tucker (City), requests that interested parties submit formal sealed bids/proposals to construct 5-foot wide sidewalks along the south side of Church Street, from Lynburn Drive to 4th Street, along the north side of Church Street, from 4th Street to the entrance of the Hearthside Club at Tucker, and along the east side of Tucker Industrial, from the back entrance of 4535 Hugh Howell Road to Hirsch Drive. Some sidewalks will require the contractor to tie into existing sidewalks and related structures. All sidewalks are to be constructed per the following specifications.

GENERAL CONDITIONS

The contractor shall execute the work according to and meet the requirements of the following:

- Attached construction plans;
- Georgia Department of Transportation (GDOT) Specifications, Standards, and Details;
- The Contract Documents including but not limited to the scope of work, and specifications;
- City of Tucker ordinances and regulations;
- OSHA standards and guidelines;
- Any other applicable codes, laws and regulations including but not limited to Section 45-10-20 through 45-10-28 of the Official Code of Georgia Annotated, Title VI of the Civil Rights Act, Drug-Free Workplace Act, and all applicable requirements of the Americans with Disabilities Act of 1990.

The contractor will be responsible for providing all labor, materials, and equipment necessary to perform the work. This is a unit price bid. Payment will be made based on actual work completed.

The contractor is responsible for inspecting the jobsite prior to submitting a bid. No change orders will be issued for differing site conditions.

Materials must come from GDOT approved sources. The contractor will be required to submit in writing a list of proposed sources of materials. When required, representative samples will be taken for examination and testing prior to approval. The materials used in the work shall meet all quality requirements of the contract. Materials will not be considered as finally accepted until all tests, including any to be taken from the finished work, have been completed and evaluated. Standard Specification 106 – Control of Materials will be used as a guide. All materials will be tested according to the GDOT Sampling, Testing, and Inspection Manual by an approved consultant/lab hired by the City.

The successful bidder must have verifiable experience at construction of similar projects in accordance with these specifications.

Bidder shall provide references demonstrating experience completing projects of similar scope.

Retainage in the amount of 10% of the total amount due will be withheld from the contractor until Final Acceptance of work is issued by the City. The City will inspect the work as it progresses.

PROSECUTION AND PROGRESS

The Contractor will mobilize with sufficient forces such that all construction identified as part of this contract shall be substantially completed by **February 18, 2022**. The contractor will be considered substantially complete when all work required by this contract has been completed (excluding final striping and punch list work).

Upon Notice of Award, the Contractor will be required to submit a Progress Schedule.

Normal workday for this project shall be 9:00AM to 4:00PM and the normal workweek shall be Monday through Friday. The City will consider extended workdays or workweeks upon written request by the Contractor on a case by case basis. No work will be allowed on national holidays (i.e. Memorial Day, July 4th, Labor Day, etc.)

The work will require bidder to provide all labor, administrative forces, equipment, materials, and other incidental items to complete all required work. The City shall perform a Final Inspection upon substantial completion of the work. The contractor will be allowed to participate in the Final Inspection. All repairs shall be completed by the contractor at his expense prior to issuance of Final Acceptance.

The contractor shall be assessed liquidated damages in the amount of \$200.00 per calendar day for any contract work (excluding punch list and permanent striping) that is not completed by **February 18, 2022**. Liquidated damages shall be deducted from the 10% retainage held by the City. The contractor will also be assessed liquidated damages for not completing any required Punch List work within 45 calendar days.

The contractor shall provide all material, labor, and equipment necessary to perform the work without delay unto completion.

The contractor shall provide a project progress schedule by subdivision prior to or at the preconstruction meeting. This schedule should accurately represent the intended work and cannot be vague or broad such as listing every road in the contract.

The contractor shall submit a two-week advance schedule every **Friday by 2:00 PM**, detailing scheduled activities for the following week.

BONDING AND INSURANCE REQUIREMENTS

No bid may be withdrawn for a period of ninety (90) days after the time has been called on the date of opening.

Any bid equal to or greater than \$100,000 must be accompanied by a bid bond (see Exhibit D) of a reputable bonding company authorized to do business in the State of Georgia, in an amount equal to a least five percent (5%) of the total amount of the bid. Bids equal to or greater than \$100,000 will also require the successful contractor to provide a performance and payment bond (for any subcontractor). Upon Notice of Award, the successful contractor shall submit a Performance Bond payable to the City of Tucker in the amount of 100% of the total contract price. The successful Contractor shall submit a Payment Bond for work being done by a subcontractor pursuant to O.C.G.A. § 36-91-70 and 90.

Upon Notice of Award, the successful contractor shall procure and maintain a General Liability Insurance Policy with minimum limits of \$1,000,000 per person and \$1,000,000 per occurrence.

PERMITS AND LICENSES

The contractor shall procure all permits and licenses, pay all charges, taxes, and fees, and give all notices necessary and incidental to the due and lawful prosecution of the work.

MATERIALS

The City will provide a Construction Engineering & Inspections (CEI) Consultant to inspect the work and provide materials testing. All materials will meet appropriate GDOT specifications. Materials quality control test types will meet GDOT specifications at a frequency equal to or exceeding that set by those specifications. Contractor will be responsible for replacing any work performed with material from rejected sample lot at no cost to the City.

EXISTING CONDITIONS / DEVIATION OF QUANTITIES

All information given in this ITB concerning quantities, scope of work, existing conditions, etc. is for information purposes only. It is the Contractors responsibility to inspect the project site to verify existing conditions and quantities prior to submitting their bid. This is a Unit Price bid, and no payment will be made for additional work without prior written approval from the City. At no time will Contractor proceed with work outside the prescribed scope of services for which additional payment will be requested without the written authorization of the City.

The City reserves the right to add, modify, or delete quantities. The City may also elect to add or eliminate certain work locations at its discretion. The Contractor will not be entitled to any adjustment of unit prices or any other form of additional compensation because of adjustments made to quantities and/or work locations. Contractor will be paid for actual in-place quantities completed and accepted for pay items listed in the Bid Schedule. All other work required by this ITB, plans, specs, standards, etc. but not specifically listed in the Bid Schedule shall be considered “incidental work” and included in the bid prices for items on the Bid Schedule.

TRAFFIC CONTROL

The contractor shall, at all times, conduct his/her work so as to assure the least possible obstruction of traffic. The safety and convenience of the general public and the residents along the roadway and the protection of persons and property shall be provided for by the contractor as specified in the State of Georgia, Department of Transportation Standard Specifications Sections 104.05, 107.09 and 150.

Traffic whose origin and destination are within the limits of the project shall be provided ingress and egress at all times unless otherwise specified by the City. The ingress and egress include entrances and exits via driveways at various properties, and access to the intersecting roads and streets. The contractor shall maintain sufficient personnel and equipment (including flaggers and traffic control signing) on the project at all times, particularly during inclement weather, to ensure that ingress and egress are safely provided when and where needed.

Two-way traffic shall be maintained at all times, utilizing pilot vehicles, unless otherwise specified or approved by the City. In the event of an emergency situation, the Contractor shall provide access to emergency vehicles and/or emergency personnel through or around the construction area. Any pavement damaged by such an occurrence will be repaired by the Contractor at no additional cost to the City.

The contractor shall furnish, install and maintain all necessary and required barricades, signs and other traffic control devices (including suitable lighting for night work) in accordance with the MUTCD and

DOT specifications, and take all necessary precautions for the protection of the workers and safety of the public.

All existing signs, markers and other traffic control devices removed or damaged during construction operations will be reinstalled or replaced at the Contractor's expense. At no time will the Contractor remove regulatory signing which may cause a hazard to the public. The Contractor shall, within 24 hours place temporary pavement markings (paint or removable tape) to match existing pavement markings. No additional payment will be made for this work.

PROTECTION AND RESTORATION OF PROPERTY AND LANDSCAPE

The contractor shall be responsible for the preservation of all public and private property, crops, fish ponds, trees, monuments, highway signs and markers, fences, grassed and sodded areas, etc. along and adjacent to the highway, road or street, and shall use every precaution necessary to prevent damage or injury thereto, unless the removal, alteration, or destruction of such property is provided for under the contract.

When or where any direct or indirect damage or injury is done to public or private property by or on account of any act, omission, neglect or misconduct in the execution of the work, or in consequence of the non-execution thereof by the Contractor, he/she shall restore, at his/her own expense, such property to a condition similar or equal to that existing before such damage or injury was done, by repairing, rebuilding or otherwise restoring as may be directed, or he/she shall make good such damage or injury in an acceptable manner. The contractor shall correct all disturbed areas before retainage will be released.

ADJUSTING UTILITY STRUCTURES TO GRADE

Sewer manholes, water valves, etc. if required, are to be adjusted by the DeKalb County Department of Watershed Management. The contractor shall coordinate required utility adjustments with the City of Tucker.

CLEANUP

All restoration and clean-up work shall be performed daily. Operations shall be suspended if the contractor fails to accomplish restoration and clean-up within an acceptable period of time. Any existing or new debris shall be removed from gutters, sidewalks, yards, driveways, etc. within the project limits. Failure to perform clean-up activities may result in suspension of the work.

SAFETY

Beginning with mobilization and ending with acceptance of work, the contractor shall be responsible for providing a clean and safe work environment at the project site. The contractor shall comply with all OSHA regulations as they pertain to this project.

CHURCH STREET SPECIAL CONDITIONS

1. Remove and properly dispose of all demolished asphalt and concrete.
2. All disturbed or damaged grassing and landscaping on backside of sidewalk to match surrounding conditions. Cost to be included in Grassing Complete bid item.
3. Two-foot grassing strip between back of curb and front of sidewalk shall be Sod.

CHURCH STREET SPECIAL CONDITIONS

1. Remove and properly dispose of all demolished asphalt and concrete.
2. All disturbed or damaged grassing and landscaping on backside of sidewalk to match surrounding conditions. Cost to be included in Grassing Complete bid item.

3. Two-foot grassing strip between back of curb and front of sidewalk shall be Sod.
4. All existing broken or damaged driveway curb radii shall be replaced with 6-inch header curb and tied into existing granite curb line.
5. Radius improvement at Tucker Industrial and Hirsch Drive shall be constructed with Curb and Gutter 6"x24" TP2.
6. Specified granite header curb to be excavated carefully and reset. Remove existing granite header curb and saw cut adjoining asphalt approximately six inches from the front of curb. Have city inspector determine if removed curb is of acceptable condition. Install 4"-6" base of GAB, and then place back extracted curb such that curb rises 6 inches above the top of pavement on the road. Use Class B concrete and lay asphalt to fill in gaps between header curb and existing road. Locations of sunken curb are specified on drawing sheets. If extracted granite curb is not in acceptable condition, replace with new granite curb but do not intersperse salvaged and new curb sections. Place all salvaged curb continuously and then place new curb to span the remainder of the project as necessary.

Exhibit B
Church Street & Tucker Industrial Road Sidewalk Project Cost Proposal

ITEM CODE	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	COST
150-1010	TRAFFIC CONTROL - COMBINED	1	LS		
210-0100	GRADING COMPLETE - COMBINED	1	LS		
441-0104	CONC SIDEWALK, 4 IN	2,680	SY		
441-6012	CONC CURB & GUTTER/ 6"X24"TP2	65	LF		
441-5001	HEADER CURB, 6 IN	25	SY		
652-5701	SOLID TRAF STRIPE, 24 IN, WHITE	15	LF		
653-2804	THERMOPLASTIC SOLID TRAF STRIPE, 8 IN, WHITE	375	LF		
700-9300	SOD	1,350	SY		
999-5200	DETECTABLE WARNING SURFACE	50	EA		
	DIAMOND GRID GALVANIZED STEEL PLATE	2	EA		
	PARKING WHEEL STOP AND INSTALLATION	4	EA		
	PARKING SPACE STRIPING	1	LS		
	GRANITE CURB RESET	270	LF		
	DECORATIVE STREET POLE (TAPCO OR EQUIVALENT)	2	EA		
	PEDESTRIAN CROSSING SIGN (W11-2)	2	EA		
	PEDESTRIAN CROSSING ARROW (W16-7P)	2	EA		
	ADJUST UTILITY STRUCTURES TO GRADE	1	LS		
	GRASSING COMPLETE - COMBINED	1	LS		
	EROSION CONTROL INSTALLATION & MAINTENANCE	1	LS		

TOTAL \$ _____

Company Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Contact Person: _____

Signature: _____

****In case of discrepancy between the unit price and the total price on the completed Bid Schedule, the unit price will prevail, and the total price will be corrected.**

EXHIBIT C
CITY OF TUCKER DISCLOSURE FORM: ITB# 2021-015

BIDDERS MUST RETURN THIS FORM WHICH WILL BE ADDED TO SUBMITTED PROPOSAL

This form is for disclosure of campaign contributions and family member relations with City of Tucker officials/employees.

Please complete this form and return as part of your bid package when it is submitted.

Name of Bidder _____

Name and the official position of the Tucker Official to whom the campaign contribution was made. (Please use a separate form for each official to whom a contribution has been made in the past two (2) years.)

List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Tucker Official.

Amount/Value

Description

_____	_____
_____	_____
_____	_____

Please list any family member that is currently (or has been employed within the last 9 months) by the City of Tucker and your relation:

Signature

EXHIBIT D – BOND

KNOW ALL MEN BY THESE PRESENTS, THAT _____

(Name of Contractor) _____

(Address of Contractor) at _____

(Corporation, Partnership and or Individual) hereinafter called Principal, and

(Name of Surety)

(Address of Surety)

A corporation of the State of _____, and a surety authorized by law to do business in the State of Georgia, hereinafter called Surety, are held, and firmly bound unto

City of Tucker Georgia

(Name of Obligee)

1975 Lakeside Parkway, Suite 350, Tucker, Georgia 30084

(Address of Obligee)

Hereinafter referred to as Obligee, in the penal sum of _____ Dollars (\$_____) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit, or has submitted, to the City of Tucker, Georgia, a proposal for furnishing materials, labor, and equipment for:

Church Street & Tucker Industrial Road Sidewalk Project

WHEREAS, the Principal desires to file this Bond in accordance with law in lieu of a certified Bidder's check otherwise required to accompany this Proposal.

NOW, THEREFORE, the conditions of this obligation are such that if the bid is accepted, the Principal shall within ten days after receipt of notification of the acceptance execute a Contract in accordance with the Bid and upon the terms, conditions, and prices set forth in the form and manner required by the City of Tucker, Georgia, and execute a sufficient and satisfactory Performance Bond and Payment Bond payable to the City of Tucker, Georgia, each in an amount of 100% of the total Contract Price, in form and with security satisfactory to said the City of Tucker, Georgia, and otherwise, to be and remain in full force and virtue in law; and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the City of Tucker, Georgia, upon demand, the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

PROVIDED, FURTHER, that Principal and Surety agree and represent that this bond is executed pursuant, to and in accordance with the applicable provisions of the Official Code of Georgia Annotated, as Amended, including, but not limited to, O.C.G.A. SS 13-10-1, et. Seg. And SS 36- 86-101, et. Seg. And is intended to be and shall be constructed as a bond in compliance with the requirements thereof.

Signed, sealed, and dated this _____ day of _____ A.D., 20

ATTEST:

(Principal Secretary)

(SEAL)

(Principal)

BY: _____

(Witness to Principal)

(Address)

(Address)

(Surety)

ATTEST

BY: _____
(Attorney-in-Fact) and Resident Agent

(Attorney-in-Fact)

(Seal)

(Address)

(Witness as to Surety)

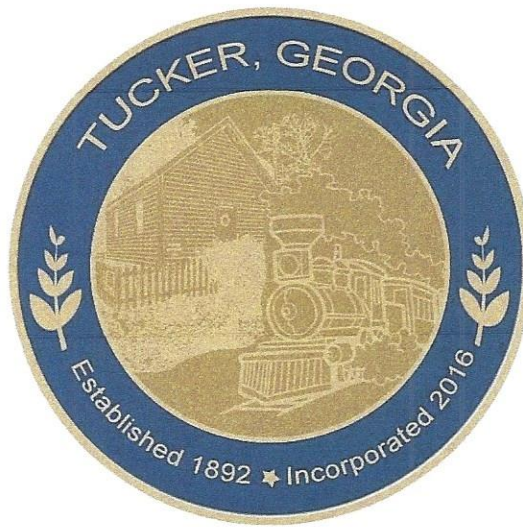
(Address)

City of Tucker

INVITATION TO BID

ITB # 2021 - 015

Church Street & Tucker Industrial Road Sidewalk Project



City of Tucker Invitation to Bid

INVITATION:

The City of Tucker, Georgia is seeking competitive bids for a sidewalk construction contract. Proposals will be accepted until **1:00 p.m. EST on September 16, 2021** complete scope and other relevant information for **ITB 2021-015. Church Street & Tucker Industrial Road Sidewalk Project** is available for download on the City of Tucker website at <http://tuckerga.gov> or send request via email to procurement@tuckerga.gov.

SCOPE OF WORK: Refer to Exhibit A and the attached plans.

PROPOSED SCHEDULE	
Bid Release	August 19, 2021
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Completion Date	February 18, 2022

QUESTIONS: Submit in writing to procurement@tuckerga.gov reference ITB #2021-015

PRE-PROPOSAL CONFERENCE MEETING: N/A

SUBMITTAL REQUIREMENTS:

Submit your **ITB Response and Disclosure Form** electronically to: procurement@tuckerga.gov

Your response must be received by the date and time specified. On the subject line of the email write "RFP #2021-015". Please include vendor contact information.

Your response must be received by the date and time specified. Late receipt of bids will not be considered. Proposals received after the due opening time will be filed unopened. The City of Tucker reserves the right to reject any and all qualifications or any part and to waive any formalities or informalities to make an award in the best interest of the City. No proposals will be received orally, via phone, or fax responses.

Exhibit A
Project Specifications / Scope of Work
ITB #2021-015 Church Street & Tucker Industrial Road Sidewalk Project

PURPOSE, INTENT AND PROJECT DESCRIPTION

The City of Tucker (City), requests that interested parties submit formal sealed bids/proposals to construct 5-foot wide sidewalks along the south side of Church Street, from Lynburn Drive to 4th Street, along the north side of Church Street, from 4th Street to the entrance of the Hearthside Club at Tucker, and along the east side of Tucker Industrial, from the back entrance of 4535 Hugh Howell Road to Hirsch Drive. Some sidewalks will require the contractor to tie into existing sidewalks and related structures. All sidewalks are to be constructed per the following specifications.

GENERAL CONDITIONS

The contractor shall execute the work according to and meet the requirements of the following:

- Attached construction plans;
- Georgia Department of Transportation (GDOT) Specifications, Standards, and Details;
- The Contract Documents including but not limited to the scope of work, and specifications;
- City of Tucker ordinances and regulations;
- OSHA standards and guidelines;
- Any other applicable codes, laws and regulations including but not limited to Section 45-10-20 through 45-10-28 of the Official Code of Georgia Annotated, Title VI of the Civil Rights Act, Drug-Free Workplace Act, and all applicable requirements of the Americans with Disabilities Act of 1990.

The contractor will be responsible for providing all labor, materials, and equipment necessary to perform the work. This is a unit price bid. Payment will be made based on actual work completed.

The contractor is responsible for inspecting the jobsite prior to submitting a bid. No change orders will be issued for differing site conditions.

Materials must come from GDOT approved sources. The contractor will be required to submit in writing a list of proposed sources of materials. When required, representative samples will be taken for examination and testing prior to approval. The materials used in the work shall meet all quality requirements of the contract. Materials will not be considered as finally accepted until all tests, including any to be taken from the finished work, have been completed and evaluated. Standard Specification 106 – Control of Materials will be used as a guide. All materials will be tested according to the GDOT Sampling, Testing, and Inspection Manual by an approved consultant/lab hired by the City.

The successful bidder must have verifiable experience at construction of similar projects in accordance with these specifications.

Bidder shall provide references demonstrating experience completing projects of similar scope.

Retainage in the amount of 10% of the total amount due will be withheld from the contractor until Final Acceptance of work is issued by the City. The City will inspect the work as it progresses.

PROSECUTION AND PROGRESS

The Contractor will mobilize with sufficient forces such that all construction identified as part of this contract shall be substantially completed by **February 18, 2022**. The contractor will be considered substantially complete when all work required by this contract has been completed (excluding final striping and punch list work).

Upon Notice of Award, the Contractor will be required to submit a Progress Schedule.

Normal workday for this project shall be 9:00AM to 4:00PM and the normal workweek shall be Monday through Friday. The City will consider extended workdays or workweeks upon written request by the Contractor on a case by case basis. No work will be allowed on national holidays (i.e. Memorial Day, July 4th, Labor Day, etc.)

The work will require bidder to provide all labor, administrative forces, equipment, materials, and other incidental items to complete all required work. The City shall perform a Final Inspection upon substantial completion of the work. The contractor will be allowed to participate in the Final Inspection. All repairs shall be completed by the contractor at his expense prior to issuance of Final Acceptance.

The contractor shall be assessed liquidated damages in the amount of \$200.00 per calendar day for any contract work (excluding punch list and permanent striping) that is not completed by **February 18, 2022**. Liquidated damages shall be deducted from the 10% retainage held by the City. The contractor will also be assessed liquidated damages for not completing any required Punch List work within 45 calendar days.

The contractor shall provide all material, labor, and equipment necessary to perform the work without delay unto completion.

The contractor shall provide a project progress schedule by subdivision prior to or at the preconstruction meeting. This schedule should accurately represent the intended work and cannot be vague or broad such as listing every road in the contract.

The contractor shall submit a two-week advance schedule every **Friday by 2:00 PM**, detailing scheduled activities for the following week.

BONDING AND INSURANCE REQUIREMENTS

No bid may be withdrawn for a period of ninety (90) days after the time has been called on the date of opening.

Any bid equal to or greater than \$100,000 must be accompanied by a bid bond (see Exhibit D) of a reputable bonding company authorized to do business in the State of Georgia, in an amount equal to a least five percent (5%) of the total amount of the bid. Bids equal to or greater than \$100,000 will also require the successful contractor to provide a performance and payment bond (for any subcontractor). Upon Notice of Award, the successful contractor shall submit a Performance Bond payable to the City of Tucker in the amount of 100% of the total contract price. The successful Contractor shall submit a Payment Bond for work being done by a subcontractor pursuant to O.C.G.A. § 36-91-70 and 90.

Upon Notice of Award, the successful contractor shall procure and maintain a General Liability Insurance Policy with minimum limits of \$1,000,000 per person and \$1,000,000 per occurrence.

PERMITS AND LICENSES

The contractor shall procure all permits and licenses, pay all charges, taxes, and fees, and give all notices necessary and incidental to the due and lawful prosecution of the work.

MATERIALS

The City will provide a Construction Engineering & Inspections (CEI) Consultant to inspect the work and provide materials testing. All materials will meet appropriate GDOT specifications. Materials quality control test types will meet GDOT specifications at a frequency equal to or exceeding that set by those specifications. Contractor will be responsible for replacing any work performed with material from rejected sample lot at no cost to the City.

EXISTING CONDITIONS / DEVIATION OF QUANTITIES

All information given in this ITB concerning quantities, scope of work, existing conditions, etc. is for information purposes only. It is the Contractor's responsibility to inspect the project site to verify existing conditions and quantities prior to submitting their bid. This is a Unit Price bid, and no payment will be made for additional work without prior written approval from the City. At no time will Contractor proceed with work outside the prescribed scope of services for which additional payment will be requested without the written authorization of the City.

The City reserves the right to add, modify, or delete quantities. The City may also elect to add or eliminate certain work locations at its discretion. The Contractor will not be entitled to any adjustment of unit prices or any other form of additional compensation because of adjustments made to quantities and/or work locations. Contractor will be paid for actual in-place quantities completed and accepted for pay items listed in the Bid Schedule. All other work required by this ITB, plans, specs, standards, etc. but not specifically listed in the Bid Schedule shall be considered "incidental work" and included in the bid prices for items on the Bid Schedule.

TRAFFIC CONTROL

The contractor shall, at all times, conduct his/her work so as to assure the least possible obstruction of traffic. The safety and convenience of the general public and the residents along the roadway and the protection of persons and property shall be provided for by the contractor as specified in the State of Georgia, Department of Transportation Standard Specifications Sections 104.05, 107.09 and 150.

Traffic whose origin and destination are within the limits of the project shall be provided ingress and egress at all times unless otherwise specified by the City. The ingress and egress include entrances and exits via driveways at various properties, and access to the intersecting roads and streets. The contractor shall maintain sufficient personnel and equipment (including flaggers and traffic control signing) on the project at all times, particularly during inclement weather, to ensure that ingress and egress are safely provided when and where needed.

Two-way traffic shall be maintained at all times, utilizing pilot vehicles, unless otherwise specified or approved by the City. In the event of an emergency situation, the Contractor shall provide access to emergency vehicles and/or emergency personnel through or around the construction area. Any pavement damaged by such an occurrence will be repaired by the Contractor at no additional cost to the City.

The contractor shall furnish, install and maintain all necessary and required barricades, signs and other traffic control devices (including suitable lighting for night work) in accordance with the MUTCD and

DOT specifications, and take all necessary precautions for the protection of the workers and safety of the public.

All existing signs, markers and other traffic control devices removed or damaged during construction operations will be reinstalled or replaced at the Contractor's expense. At no time will the Contractor remove regulatory signing which may cause a hazard to the public. The Contractor shall, within 24 hours place temporary pavement markings (paint or removable tape) to match existing pavement markings. No additional payment will be made for this work.

PROTECTION AND RESTORATION OF PROPERTY AND LANDSCAPE

The contractor shall be responsible for the preservation of all public and private property, crops, fish ponds, trees, monuments, highway signs and markers, fences, grassed and sodded areas, etc. along and adjacent to the highway, road or street, and shall use every precaution necessary to prevent damage or injury thereto, unless the removal, alteration, or destruction of such property is provided for under the contract.

When or where any direct or indirect damage or injury is done to public or private property by or on account of any act, omission, neglect or misconduct in the execution of the work, or in consequence of the non-execution thereof by the Contractor, he/she shall restore, at his/her own expense, such property to a condition similar or equal to that existing before such damage or injury was done, by repairing, rebuilding or otherwise restoring as may be directed, or he/she shall make good such damage or injury in an acceptable manner. The contractor shall correct all disturbed areas before retainage will be released.

ADJUSTING UTILITY STRUCTURES TO GRADE

Sewer manholes, water valves, etc. if required, are to be adjusted by the DeKalb County Department of Watershed Management. The contractor shall coordinate required utility adjustments with the City of Tucker.

CLEANUP

All restoration and clean-up work shall be performed daily. Operations shall be suspended if the contractor fails to accomplish restoration and clean-up within an acceptable period of time. Any existing or new debris shall be removed from gutters, sidewalks, yards, driveways, etc. within the project limits. Failure to perform clean-up activities may result in suspension of the work.

SAFETY

Beginning with mobilization and ending with acceptance of work, the contractor shall be responsible for providing a clean and safe work environment at the project site. The contractor shall comply with all OSHA regulations as they pertain to this project.

CHURCH STREET SPECIAL CONDITIONS

1. Remove and properly dispose of all demolished asphalt and concrete.
2. All disturbed or damaged grassing and landscaping on backside of sidewalk to match surrounding conditions. Cost to be included in Grassing Complete bid item.
3. Two-foot grassing strip between back of curb and front of sidewalk shall be Sod.

CHURCH STREET SPECIAL CONDITIONS

1. Remove and properly dispose of all demolished asphalt and concrete.
2. All disturbed or damaged grassing and landscaping on backside of sidewalk to match surrounding conditions. Cost to be included in Grassing Complete bid item.

3. Two-foot grassing strip between back of curb and front of sidewalk shall be Sod.
4. All existing broken or damaged driveway curb radii shall be replaced with 6-inch header curb and tied into existing granite curb line.
5. Radius improvement at Tucker Industrial and Hirsch Drive shall be constructed with Curb and Gutter 6"x24" TP2.
6. Specified granite header curb to be excavated carefully and reset. Remove existing granite header curb and saw cut adjoining asphalt approximately six inches from the front of curb. Have city inspector determine if removed curb is of acceptable condition. Install 4"-6" base of GAB, and then place back extracted curb such that curb rises 6 inches above the top of pavement on the road. Use Class B concrete and lay asphalt to fill in gaps between header curb and existing road. Locations of sunken curb are specified on drawing sheets. If extracted granite curb is not in acceptable condition, replace with new granite curb but do not intersperse salvaged and new curb sections. Place all salvaged curb continuously and then place new curb to span the remainder of the project as necessary.

Exhibit B
Church Street & Tucker Industrial Road Sidewalk Project Cost Proposal

ITEM CODE	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	COST
150-1010	TRAFFIC CONTROL - COMBINED	1	LS	\$5,000.00	\$5,000.00
210-0100	GRADING COMPLETE - COMBINED	1	LS	\$20,000.00	\$20,000.00
441-0104	CONC SIDEWALK, 4 IN	2,680	SY	\$38.00	\$101,840.00
441-6012	CONC CURB & GUTTER/ 6"X24"TP2	65	LF	\$18.00	\$1,170.00
441-5001	HEADER CURB, 6 IN	25	SY	\$15.00	\$375.00
652-5701	SOLID TRAF STRIPE, 24 IN, WHITE	15	LF	\$8.00	\$120.00
653-2804	THERMOPLASTIC SOLID TRAF STRIPE, 8 IN, WHITE	375	LF	\$3.50	\$1,312.50
700-9300	SOD	1,350	SY	\$7.00	\$9,450.00
999-5200	DETECTABLE WARNING SURFACE	50	EA	\$150.00	\$7,500.00
	DIAMOND GRID GALVANIZED STEEL PLATE	2	EA	\$500.00	\$1,000.00
	PARKING WHEEL STOP AND INSTALLATION	4	EA	\$300.00	\$1,200.00
	PARKING SPACE STRIPING	1	LS	\$1,500.00	\$1,500.00
	GRANITE CURB RESET	270	LF	\$40.00	\$10,800.00
	DECORATIVE STREET POLE (TAPCO OR EQUIVALENT)	2	EA	\$4,000.00	\$8,000.00
	PEDESTRIAN CROSSING SIGN (W11-2)	2	EA	\$500.00	\$1,000.00
	PEDESTRIAN CROSSING ARROW (W16-7P)	2	EA	\$150.00	\$300.00
	ADJUST UTILITY STRUCTURES TO GRADE	1	LS	\$500.00	\$500.00
	GRASSING COMPLETE - COMBINED	1	LS	\$300.00	\$300.00
	EROSION CONTROL INSTALLATION & MAINTENANCE	1	LS	\$4,500.00	\$4,500.00

TOTAL \$ 175,867.50

Company Name: DAF Concrete, Inc.

Address: 9160 Turner Road, Jonesboro, GA, 30236

Phone Number: (770) 629-4036

Email Address: daf_concrete_inc@yahoo.com

Contact Person: Antonio Sanchez

Signature: ANTONIO SANCHEZ

**In case of discrepancy between the unit price and the total price on the completed Bid Schedule, the unit price will prevail, and the total price will be corrected.

EXHIBIT C
CITY OF TUCKER DISCLOSURE FORM: ITB# 2021-015

BIDDERS MUST RETURN THIS FORM WHICH WILL BE ADDED TO SUBMITTED PROPOSAL

This form is for disclosure of campaign contributions and family member relations with City of Tucker officials/employees.

Please complete this form and return as part of your bid package when it is submitted.

Name of Bidder **DAF Concrete, Inc.**

Name and the official position of the Tucker Official to whom the campaign contribution was made. (Please use a separate form for each official to whom a contribution has been made in the past two (2) years.)

List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Tucker Official.

Amount/Value

Description

_____	_____
_____	_____
_____	_____

Please list any family member that is currently (or has been employed within the last 9 months) by the City of Tucker and your relation:

Antonio Sanchez

Signature

EXHIBIT D - BOND

KNOW ALL MEN BY THESE PRESENTS, THAT _____

(Name of Contractor) DAF CONCRETE INC(Address of Contractor) at 212 HICKS DR, MARIETTA, GA 30060

(Corporation, Partnership and or Individual) hereinafter called Principal, and

NATIONWIDE MUTUAL INSURANCE COMPANY

(Name of Surety)

1100 LOCUST ST, DEPT 2006, DES MOINES, IA 50391-2006

(Address of Surety)

A corporation of the State of OHIO, and a surety authorized by law to do business in the State of Georgia, hereinafter called Surety, are held, and firmly bound unto

City of Tucker Georgia

(Name of Obligee)

1975 Lakeside Parkway, Suite 350, Tucker, Georgia 30084

(Address of Obligee)

Hereinafter referred to as Obligee, in the penal sum of FIVE PERCENT OF BID Dollars (\$ 5% of bid) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit, or has submitted, to the City of Tucker, Georgia, a proposal for furnishing materials, labor, and equipment for:

Church Street & Tucker Industrial Road Sidewalk Project

WHEREAS, the Principal desires to file this Bond in accordance with law in lieu of a certified Bidder's check otherwise required to accompany this Proposal.

NOW, THEREFORE, the conditions of this obligation are such that if the bid is accepted, the Principal shall within ten days after receipt of notification of the acceptance execute a Contract in accordance with the Bid and upon the terms, conditions, and prices set forth in the form and manner required by the City of Tucker, Georgia, and execute a sufficient and satisfactory Performance Bond and Payment Bond payable to the City of Tucker, Georgia, each in an amount of 100% of the total Contract Price, in form and with security satisfactory to said the City of Tucker, Georgia, and otherwise, to be and remain in full force and virtue in law; and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the City of Tucker, Georgia, upon demand, the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

PROVIDED, FURTHER, that Principal and Surety agree and represent that this bond is executed pursuant, to and in accordance with the applicable provisions of the Official Code of Georgia Annotated, as Amended, including, but not limited to, O.C.G.A. SS 13-10-1, et. Seg. And SS 36- 86-101, et. Seg. And is intended to be and shall be constructed as a bond in compliance with the requirements thereof.

Signed, sealed, and dated this 15th day of SEPTEMBER A.D., 2021

ATTEST:

Antonio Sanchez
(Principal Secretary)

(SEAL)

Andrew Clyde
(Witness to Principal)

9160 Turner Road. Jonesboro, GA
(Address)

(Surety)

ATTEST

BY: [Signature]
(Attorney-in-Fact) and Resident Agent

KEITH A GRIFFIN
(Attorney-in-Fact)

(Seal)

(Address)

Kelly Worthy
(Witness as to Surety)

1100 EAGLES LANDING PKWY STE C

(Address)

STOCKBRIDGE, GA 30281

DAF CONCRETE INC

(Principal)

BY: Antonio Sanchez

212 HICKS DR, MARIETTA, GA 30060
(Address)

NATIONWIDE MUTUAL INS CO

1100 LOCUST ST, DEPT 2006
DES MOINES, IA 50391

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:
KEITH GRIFFIN;

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

TWO MILLION AND NO/100 DOLLARS(\$2,000,000.00)

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

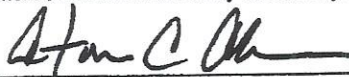
"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 27th day of February, 2019.



Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company

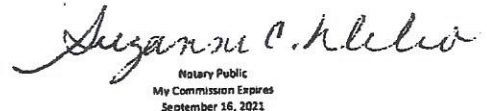


ACKNOWLEDGMENT

STATE OF NEW YORK, COUNTY OF NEW YORK: ss

On this 27th day of February, 2019, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.

Suzanne C. Delio
Notary Public, State of New York
No. 02DE6126649
Qualified in Westchester County
Commission Expires September 16, 2021



Notary Public
My Commission Expires
September 16, 2021

CERTIFICATE

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 15th day of September, 2021.



Assistant Secretary

BDJ 1(02-19)00



DAF Concrete

Reliability is our promise!

9160 Turner Rd Jonesboro, GA, 30236

P: 770.629-4036 Cell: 404.433.8824

OBJECTIVE

DAF Concrete Inc. has been in business since 2003. We have grown from doing residential foundation to working with counties repairing, removing, and installing driveways, sidewalks, storm drains etc. DAF also lays Asphalt for roadways and parking lots. We are known for getting the job done with the best quality and professionalism.

SKILLS & ABILITIES - Concrete Estimator -Concrete Finishing - Asphalt repairs - Repair, Remove and install of Storm drains, Catch Basin Tops, Sidewalks, Curbing, Driveways, etc. - Brick Pavers - Stone and Brick Masonry - Concrete Retaining Wall - Concrete Covers

Contacts

Antonio Sanchez – President (404) 433-8824

Osvaldo Sanchez – Project Manager (404) 395-8464

Audrey Clyde – Secretary (770) 629-4036

Office Address

9160 Turner Road

Jonesboro, GA, 30236

Office #: (770) 629-4036

Fax #: (678) 545-6218

Email: daf_concrete_inc@yahoo.com

Website: www.dafconcreteinc.com

EIN # 30-0217601

EXPERIENCE

YR 2021

- ❖ Wynne Russell Sidewalk Improvements, City of Lilburn, Kim Conroy – (
- ❖ Elmdale Drive Sidewalk Improvements, **City of Tucker**, Ken Hilderbrandt – (770) 865-5645
- ❖ Ashford Dunwoody/ Montgomery Elementary Intersection, **City of Brookhaven**, Don Sherrill - 404) 637-0682
- ❖

YR 2020

- ❖ Ashford Dunwoody/ Montgomery Elementary Intersection, **City of Brookhaven**, Don Sherrill - 404) 637-0682
- ❖ Annual Contract for Sidewalk Construction Services, **City of Hampton**, Alex Cohilas – (770) 897-2119
- ❖ Stucco Repair, **CWC Office Furnishings**, Jeffrey Jones – (404) 895-5697
- ❖ Washington Road Sidewalk Improvements, **City of East Point**, Cadell Hall – (404) 291-7245
- ❖ BL076-20; Restoration Utility Repairs on an Annual Contract, **Gwinnett County**, Christopher Neidlinger – (678) 376-6969
- ❖ Annual Contract 2019 Standby Miscellaneous Construction – Paving & Concrete Services, **Fulton County**, Pamela Keel – (678) 778-7040
- ❖ S. Clayton St. Addition Improvements, **City of Lawrenceville**, Johannes Louw – (770) 277-7533
- ❖ Avondale Stadium Parking Lot, **Dekalb County School District**, Fred Scheonfeld – (678) 676-1408
- ❖ Ashford Dunwoody/ Johnson Ferry Rd Intersection, **City of Brookhaven**, Don Sherrill - 404) 637-0682
- ❖ Cedar Grove Middle Patching Pothole, **Dekalb County School District**, Fred Scheonfeld – (678) 676-1408
- ❖ Annual Contract for Miscellaneous Concrete Work, **Clayton County Water Authority (Still affective)** Marcus Mclester– (404) 593-3614
- ❖ Annual Contract for Asphalt Repairs, Paving, Patching and Milling, **Dekalb County School District**, Fred Schoenfield – (678) 676-1408
- ❖ Annual Contract for Asphalt Patching and Paving, **Clayton County Water Authority (Still affective)** Scott Mask – (678) 699-0759
- ❖ FY2020 Sidewalk Repairs, **City of Alpharetta**, Joshua Chance – (678) 297-6234
- ❖ Canton Street Pedestrian Improvements, **City of Alpharetta**, Andrew Echols – (678) 297-6238
- ❖ W Pike St Sidewalk Addition, **City of Lawrenceville**, Johannes Louw – (770) 277-7533
- ❖ Idlewood Road Sidewalk Improvements, **City of Tucker**, Ken Hilderbrandt – (770) 865-5645
- ❖ Nuckolls Road Sidewalk Improvements, **Forsyth County**, Charlie Crowe - (770) 781-2165
- ❖ W Taylor Avenue Sidewalk Improvements, **City of East Point**, Cadell Hall – (404) 291-7245
- ❖ CDBG Governors Drive Sidewalk, **City of Forest Park**, Jeff Eady – (404) 608-2310

YR 2019

- ❖ Street Repairs/ Richard D. Sailors, **City of Powder Springs**, Dwayne Eberhart – (404) 273-4509
- ❖ Echols Rd Sidewalk Improvements, **Forsyth County**, Charlie Crowe - (770) 781-2165
- ❖ Street Repairs/ Hopkins Road, **City of Powder Springs**, Dwayne Eberhart – (404) 273-4509
- ❖ Fire station #20 Driveway Replacement, **Gwinnett County**, Michael R. Williamson – (404) 391-1145
- ❖ Headland Drive and Delowe Drive Sidewalks Phase III, **City of East Point**, Vincent Reynolds – (404) 270-7114

- ❖ Curb & Gutter Repair, **Henry County**, Marvin Wiley – (770) 288-7262
- ❖ Driveway and Curb Repair, **Fayette County**, James Munster – (770) 320-6082
- ❖ Nichols Rd & Nichols Dr Sidewalk Improvements, **Forsyth County**, Charlie Crowe – (770) 781-2165
- ❖ E. Drew Valley Sidewalks Project, **City of Brookhaven**, Don Sherrill - (404) 637-0682
- ❖ Cheshire Way Sidewalks Project, **City of Brookhaven**, Don Sherrill – (404) 637-0682
- ❖ Woodrow Way Sidewalks Project, **City of Brookhaven**, Don Sherrill – (404) 637-0682

YR 2018

- ❖ Evans Drive Sidewalks Project, **City of Riverdale**, Lisa Kopro – (404) 491-5044
- ❖ Mill Creek Road Sidewalks Project, **City of Brookhaven**, Don Sherrill – (404) 637-0682
- ❖ Cartecay Drive Sidewalks Project, **City of Brookhaven**, Greg Smith – (404) 735-7838
- ❖ Lanier Drive Sidewalks Project, **City of Brookhaven**, Don Sherrill – (404) 637-0682
- ❖ Tyron Rd Sidewalks Project, **City of Brookhaven**, Don Sherrill – (404) 637-0682
- ❖ Installing Speed Tables, **City of Milton**, Matthew Fallstrom – (678)-242-2558
- ❖ Headland Drive and Delowe Drive Sidewalks, **City of East Point**, Vincent Reynolds – (404) 270-7114

YR 2017

- ❖ Asphalt/ Concrete Pavement Maintenance and Repairs Services, Fulton County, Mark Moore – (404) 285-1307
- ❖ CDBG – West Street Roadways and Sidewalks, **City of Forest Park**, Jeff Eady – (404) 608-2310
- ❖ Moon Road Sidewalks, **City of Lawrenceville**, Johannes Louw – (678) 618-2839
- ❖ East Crogan Street Sidewalks, **City of Lawrenceville**, Johannes Louw – (678) 618-2839
- ❖ Annual Contract for Miscellaneous Concrete Work, **Clayton County Water Authority (Still affective)** Scott Mask – (678) 699-0759
- ❖ Annual Contract for Asphalt Patching and Paving, **Clayton County Water Authority (Still affective)** Marcus Mclester– (404) 593-3614
- ❖ Annual Contract for BL065-15 (Concrete & Asphalt), **Gwinnett County, GA (Still affective)**, Christopher Neidlinger – (678) 376-6969
- ❖ Annual Contract for BL032-17 (Poured-in-Place Concrete & Associated Miscellaneous Site Work) **Gwinnett County, GA (Still affective)**

YR 2016





- ❖ Panhandle Road Sidewalk Construction from McDonough Rd to Tara Rd for **Clayton County, GA** Project Manager: Jatta Battery – (404) 655-2582

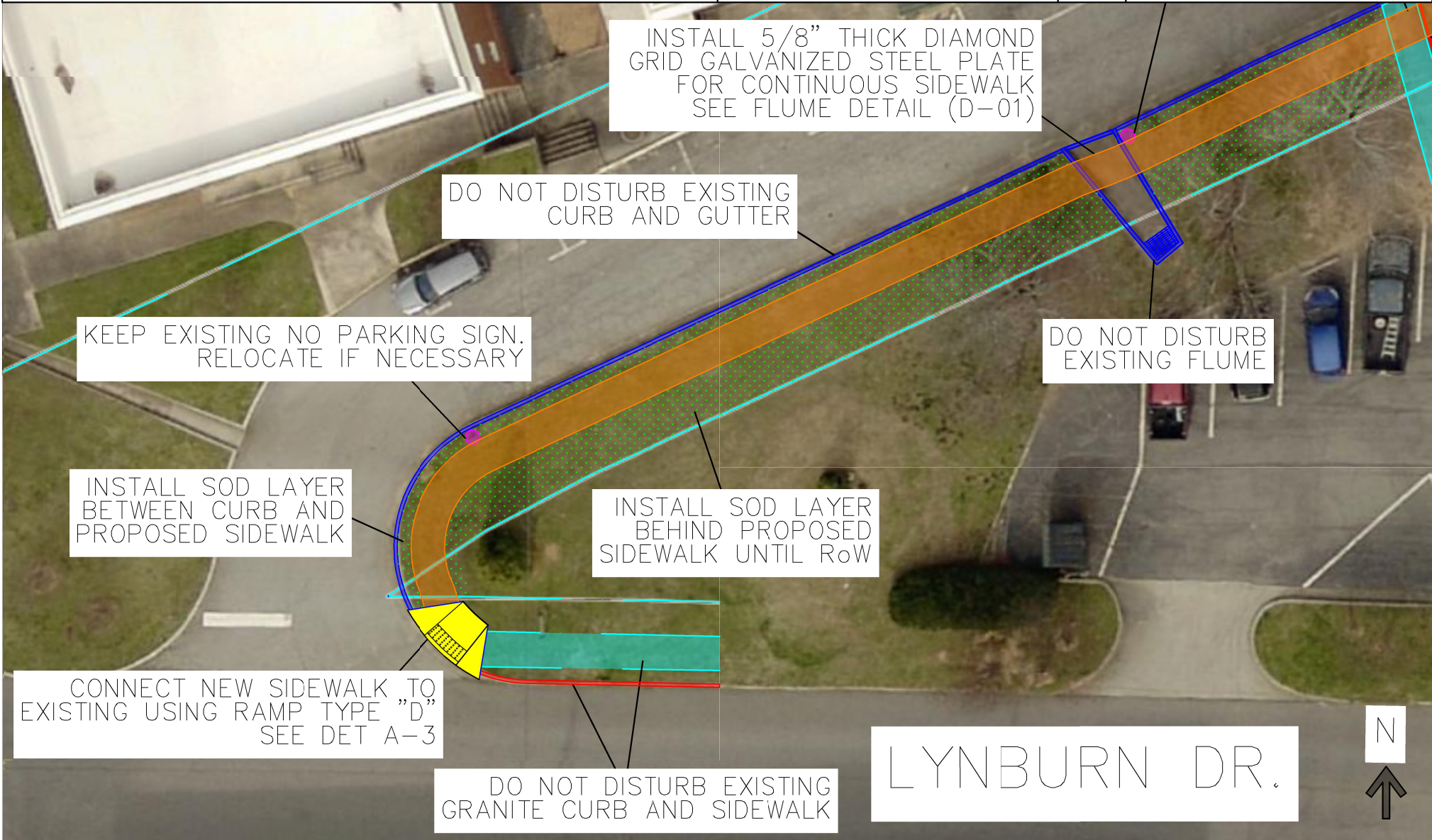
YR 2015

- ❖ Austell Powder Springs Road, **City of Powder Springs**
- ❖ Old Monticello Street Stream and Shoulder Improvements, **City of Covington, GA** Project Manager: Ken Swain - (770) 778-5830
- ❖ Restoration of Utility Repairs on an Annual Contract (Still affective) Project Manager: Chris Neidlinger – (678) 725-9805

YR 2014

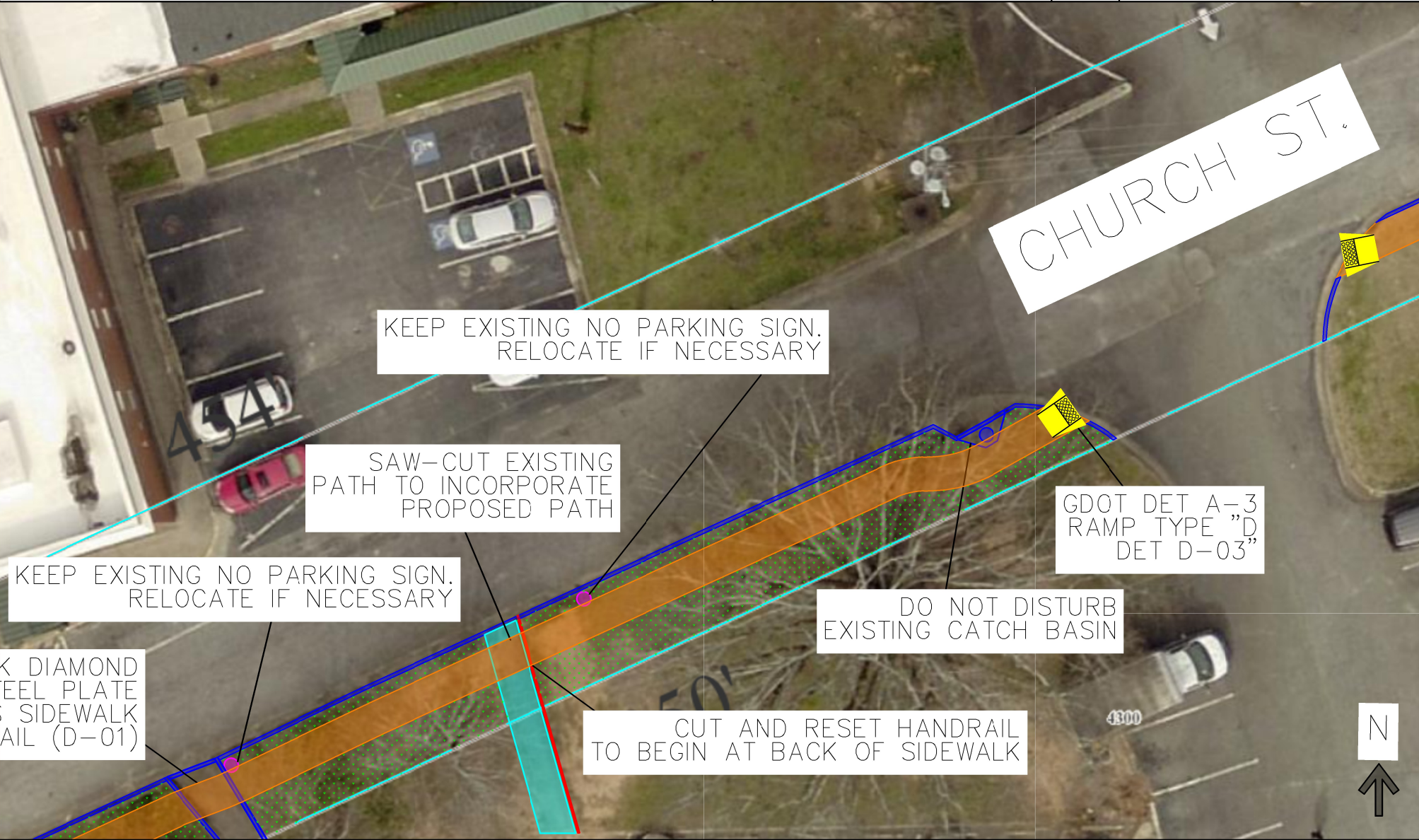
- ❖ North Fulton Ave. CDBG Sidewalk, **City of Hapeville** Project Manager: Keck & Wood Inc. (678) - 417-4000
- ❖ Lake Ridge Pkwy Sidewalk Installation, **Board of Commissioners of Clayton County Central Services Department, GA**
- ❖ Cemetery Street Sidewalk, **City of Austell** Project Manager: Keck & Wood Inc. (678) -417-4000 ☐
CDBG Sidewalk Improvements Glenn Dr. Sharon Street and School Place, **Forest Park Department of Public Work** Project Manager: Jeff Eady 678) 300-4314
- ❖ Annual Contract for Miscellaneous Concrete Work, **Clayton County Water Authority** (Still affective)

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING		STATE	PROJECT
		GA	






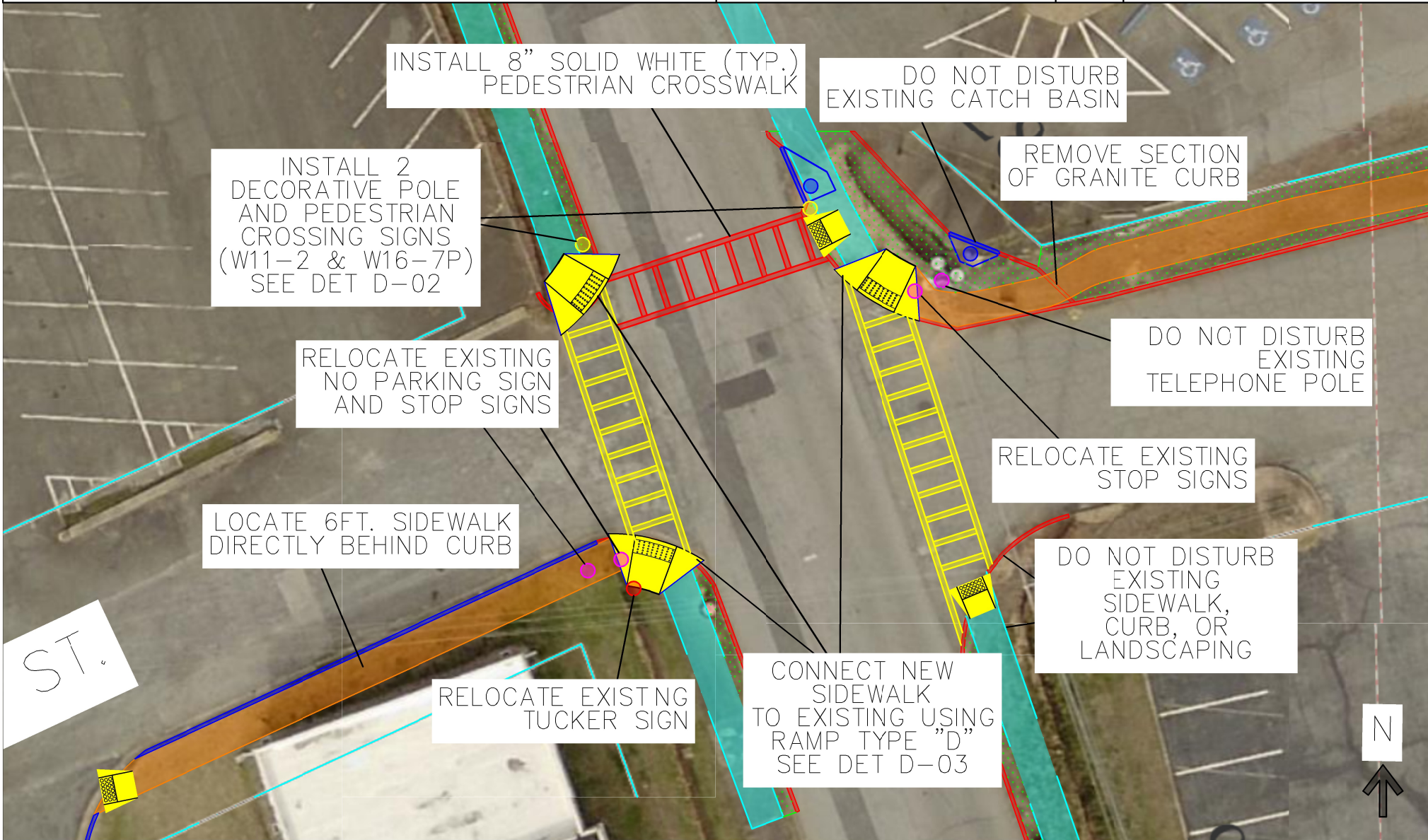
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			CHURCH STREET SIDEWALK
Page 140 of 494		C-01	

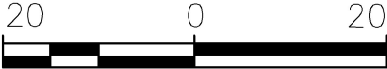
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			GA	







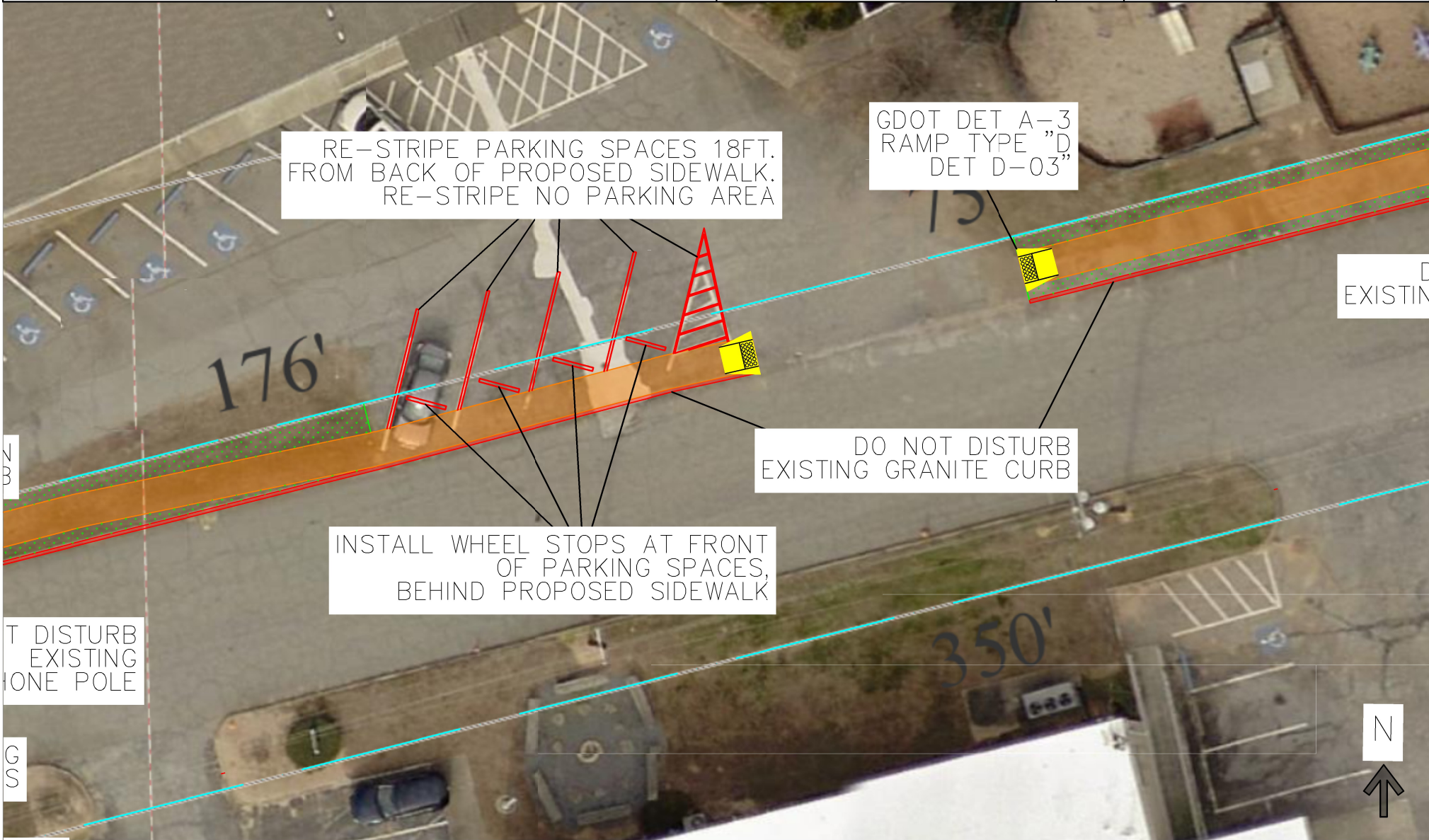
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			CHURCH STREET SIDEWALK	
			C-02	

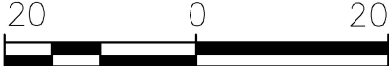
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		GA	










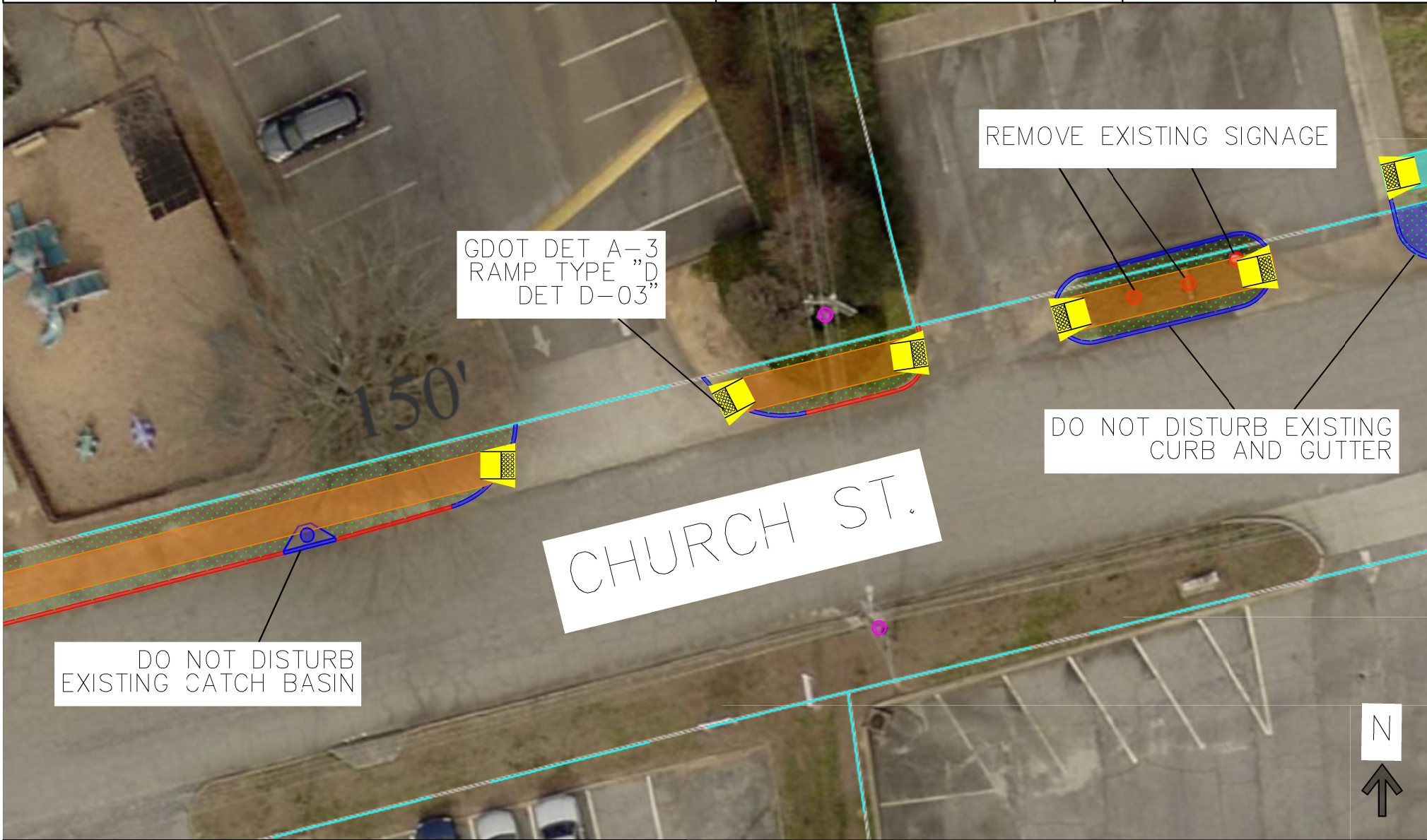
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			CHURCH STREET SIDEWALK
			C-03

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	



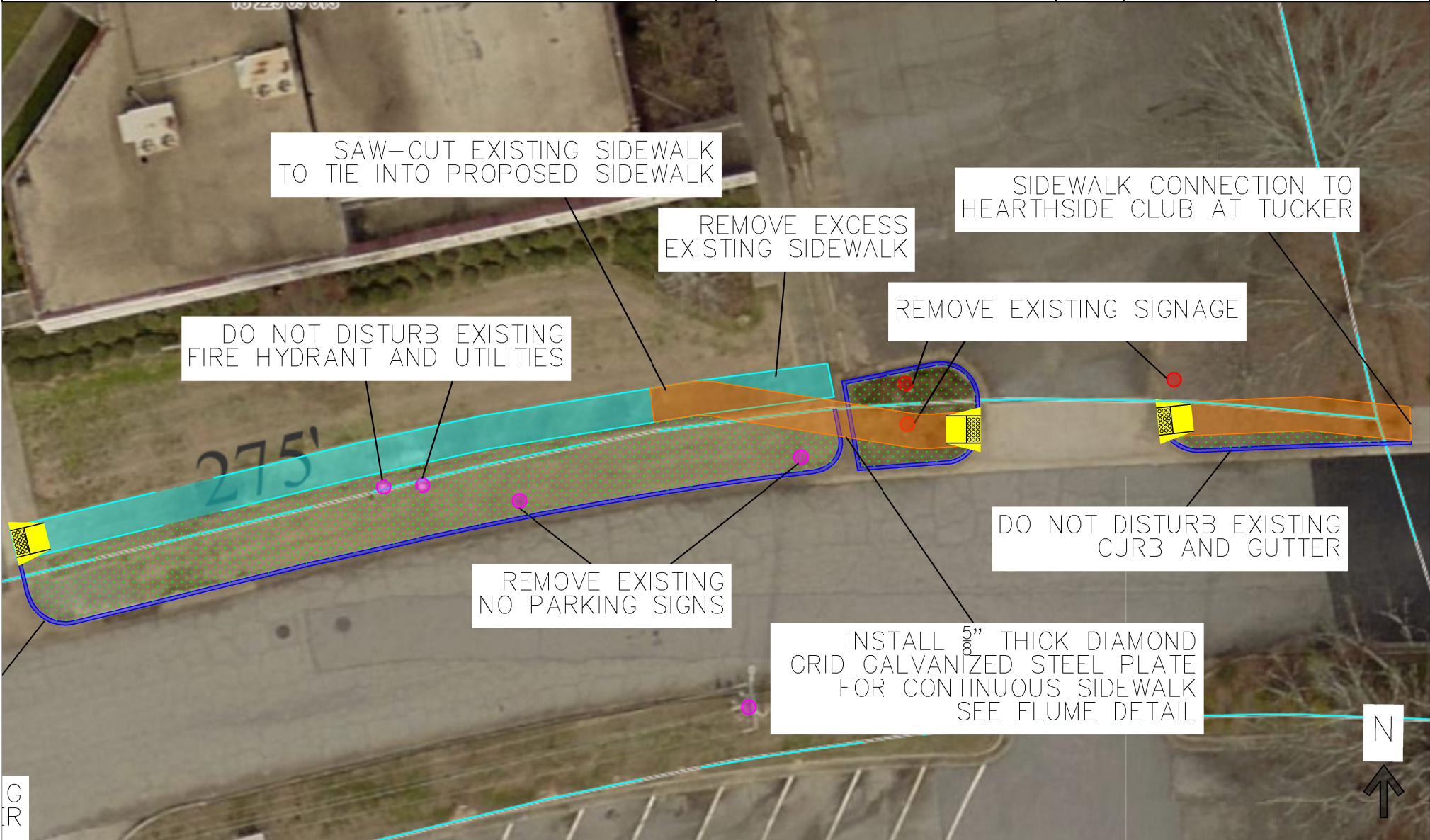
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			CHURCH STREET SIDEWALK
			C-04

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	










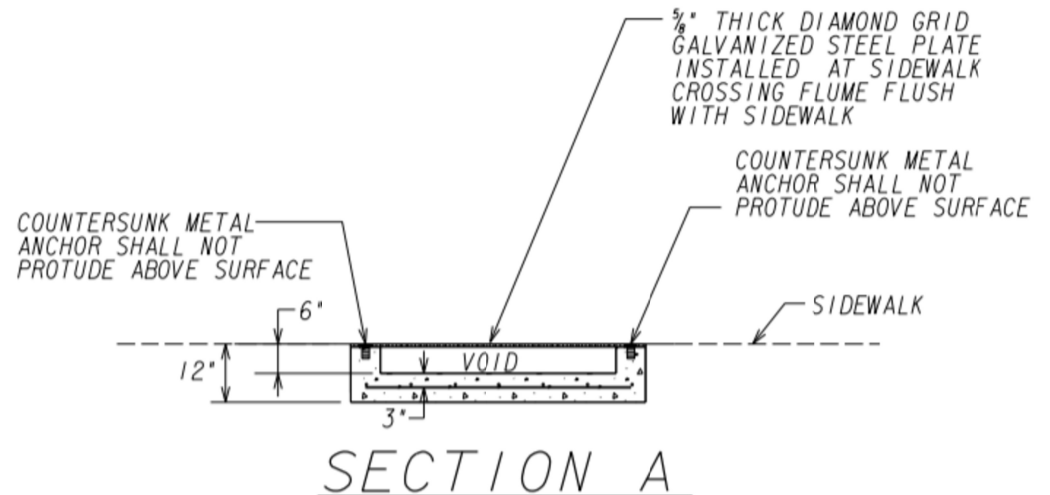
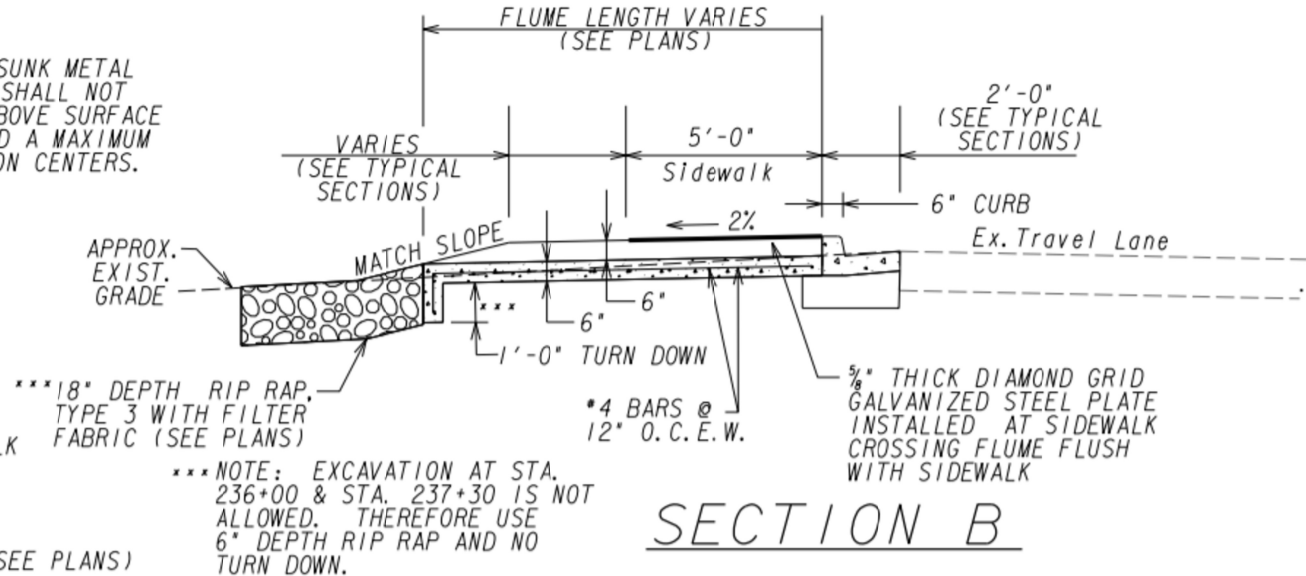
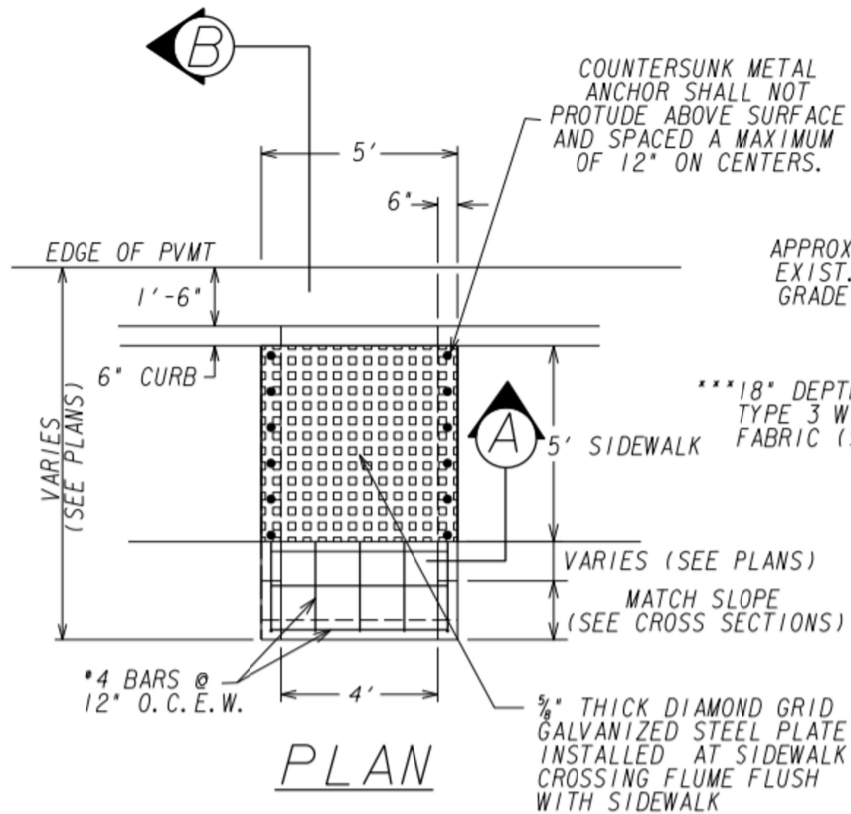
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			CHURCH STREET SIDEWALK
			C-05

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			GA	



REVISIONS		<div> <div>20</div> <div>0</div> <div>20</div> </div> <div>SCALE: 1" = 20'</div>	CITY OF TUCKER	
			CHURCH STREET SIDEWALK	
			C-06	

LEGEND:		STATE	PROJECT
 PROPOSED SIDEWALK	 EXISTING CURB AND GUTTER	GA	
 PROPERTY LINE	 EXISTING GRANITE CURB		
 RAMPS	 OBSTRUCTIONS/UTILITIES		
 LANDSCAPING			



BASED ON 100 P. S. I. LIVE LOAD AND MAX.
DEAD & LIVE LOAD DEFLECTION OF L/240
BOLT PLATE DOWN WITH BRASS BOLTS.
BOLTS SHALL BE 1/2" DIA. RECESSED TO
FLUSH WITH TOP OF PLATE AND SPACED A
MAXIMUM OF 12" ON CENTERS. 1/2" DIA.
SELF-DRILLING ANCHORS SHALL BE USED
AND SPACED THE SAME.
SURFACE OF PLATE SHALL BE NON-SKID
MATERIAL.

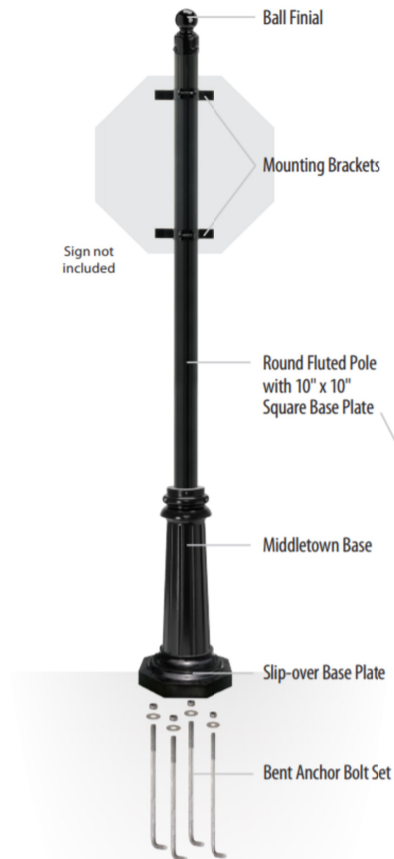
REVISIONS				CITY OF TUCKER

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CHURCH STREET SIDEWALK
D-01

LEGEND: PROPOSED SIDEWALK PROPERTY LINE RAMPS LANDSCAPING EXISTING CURB AND GUTTER EXISTING GRANITE CURB OBSTRUCTIONS/UTILITIES		STATE	PROJECT
		GA	

Decorative Pole Package with Anchor Bolts



Specifications

Ball Finial 203-00031, 203-00032

Cast aluminum, powder coated black, fits 3" or 4" outer diameter pole, three stainless steel set screws

Mounting Brackets 203-00025

(2X) Z-bracket single sided round pole mounting bracket, Aluminum, powder coated black
(2X) 1/4" x 1/4" bolt and nut set

Round Fluted Pole with 10" x 10" Square Base Plate (3"OD 12' 203-09712, 4"OD 12' 203-01291, 4"OD 15' 203-09815)

Fluted .125" thick Aluminum, 3" or 4" outer diameter, powder coated black, 10" x 10" base plate on one end

Middletown Base 3"OD 12' 203-00131, 4"OD 12' 203-00133

Cast aluminum, powder coated black, fits 3" or 4" outer diameter pole, two stainless steel set screws

Slip-over base 203-00130

Aluminum, powder coated black, fits over Middletown Base

Bent Anchor Bolt 111937

(4X) 1/2" x 18", galvanized steel bent anchor (foundation bolt), nut and washer



TAPCO®

1-800-236-0112

www.tapconet.com



REVISIONS



USE SIGN "W11-2" AND SIGN "W16-9p" IN ADVANCE OF CROSSWALK.








PLAQUE SHALL BE 30" X 18" WHEN USED WITH 36" X 36" SIGN.

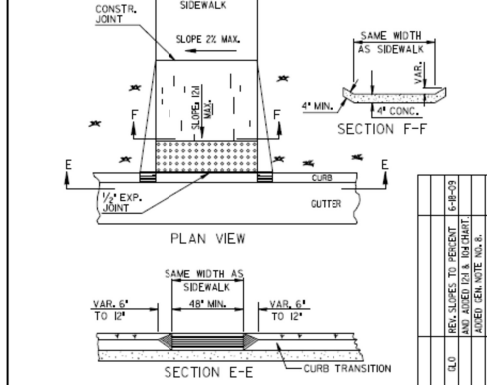
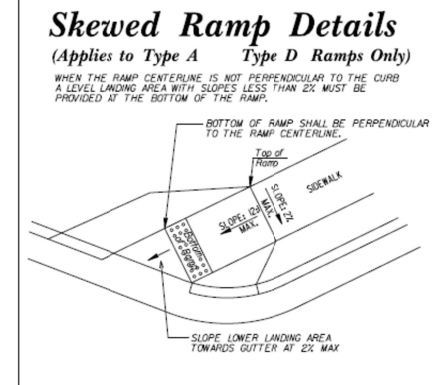
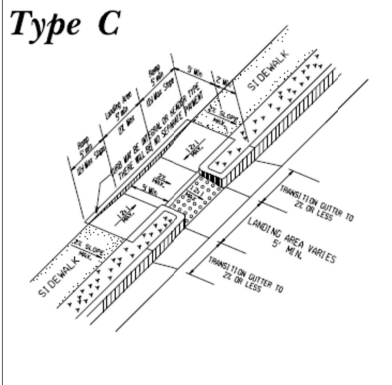
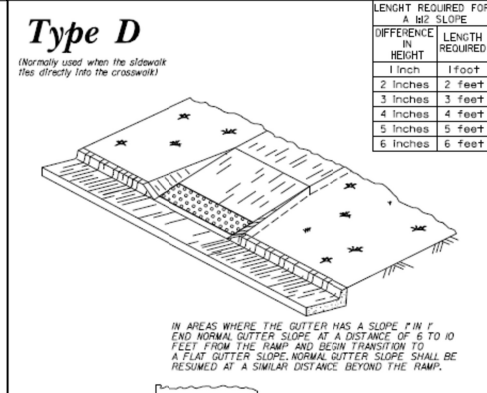
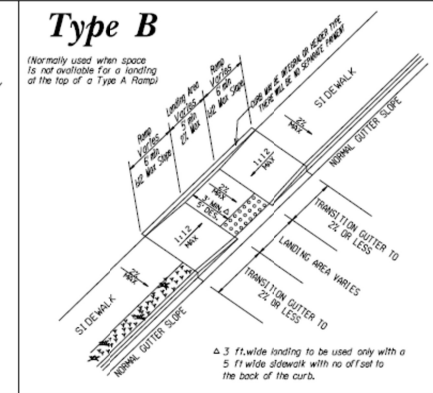
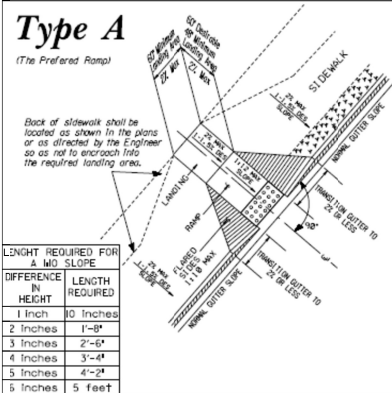
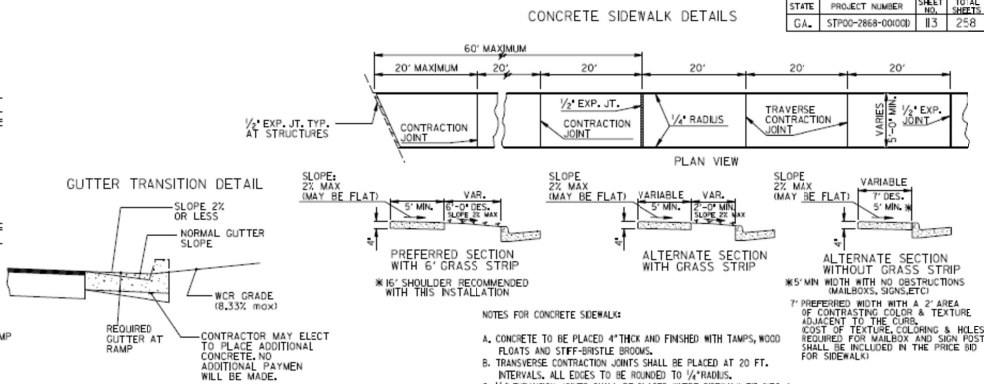
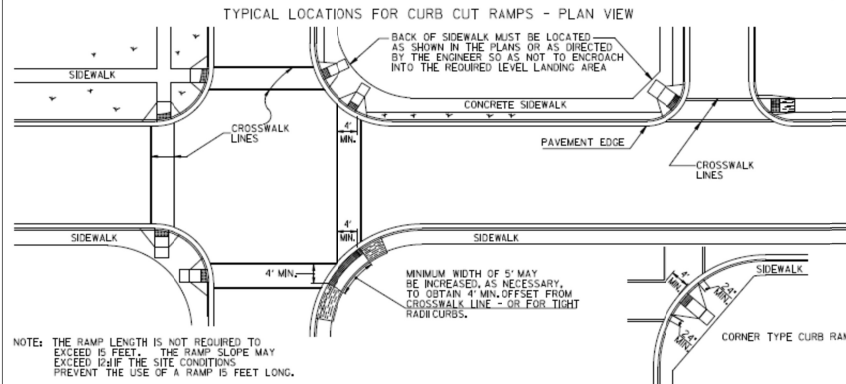
SIZE ENGLISH (METRIC)	CONVENTIONAL ROAD	EXPRESSWAY	FREEWAY	MINIMUM	OVERSIZED
	30 X 30 (750 X 750)	36 X 36 (900 X 900)	—	—	—

CITY OF TUCKER

CHURCH STREET SIDEWALK

D-02

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES		STATE GA	PROJECT
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This Detail Replaces Ga Standard 9031W
Guidelines For Usage On Metric Projects

When these details are incorporated into plans and or projects that are being prepared or constructed, in metric units, exact or precise conversion to metric units is not required. The dimensions shown that are in feet and inches may be converted to corresponding metric units using the following: *Rounded-off conversion factors: 1"=25.4mm, 4"=102mm, and 12" or 1' =305mm. All measurement notes that refer to linear feet and square yards shall be interpreted to mean linear meters and square meters.

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12-1-03	4	REVISED
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12-1-03	100	REVISED

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

SPECIAL DETAIL
CONCRETE SIDEWALK DETAILS
CURB CUT (WHEELCHAIR) RAMPS

NO SCALE

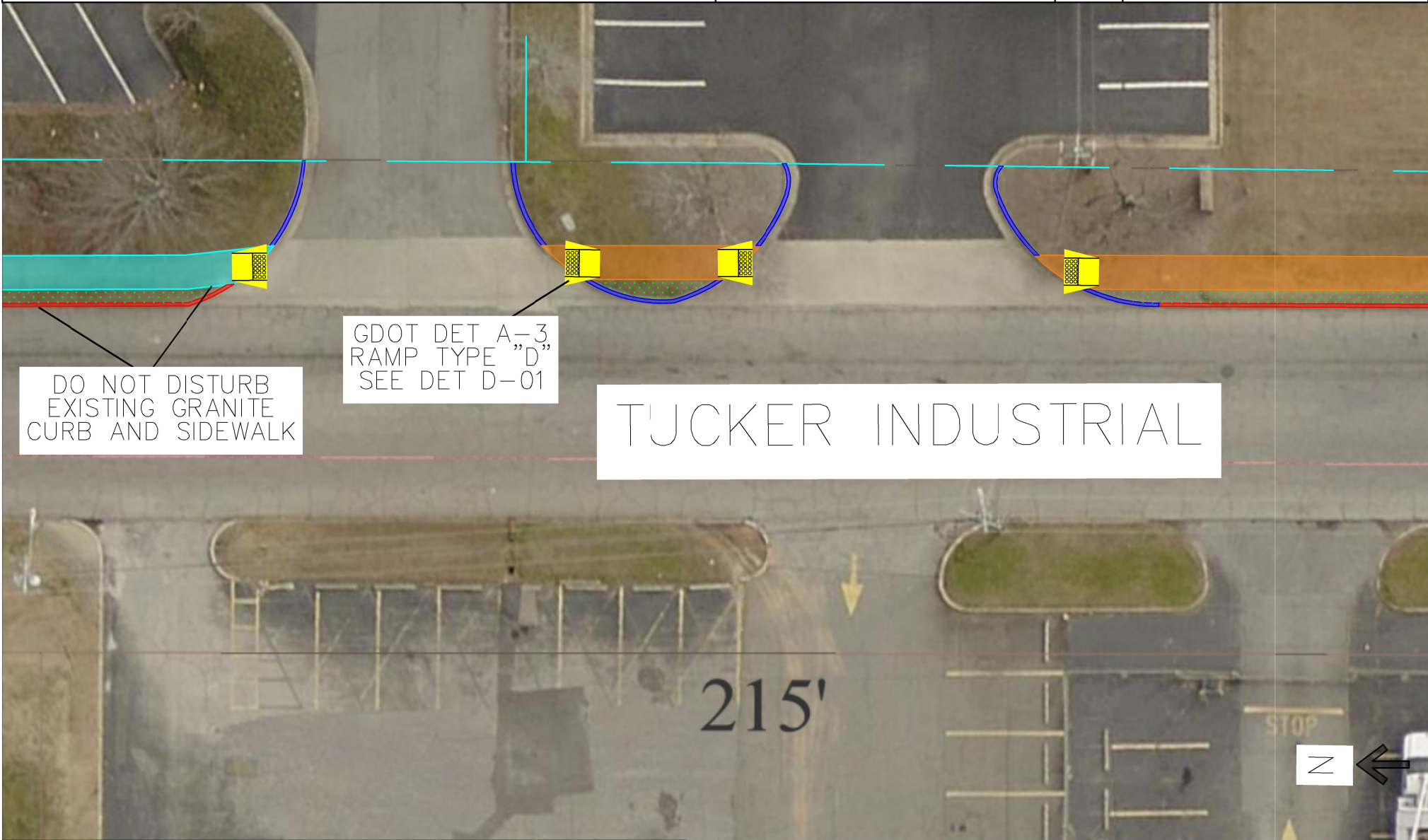
MARCH 12, 2002

NUMBER
A3





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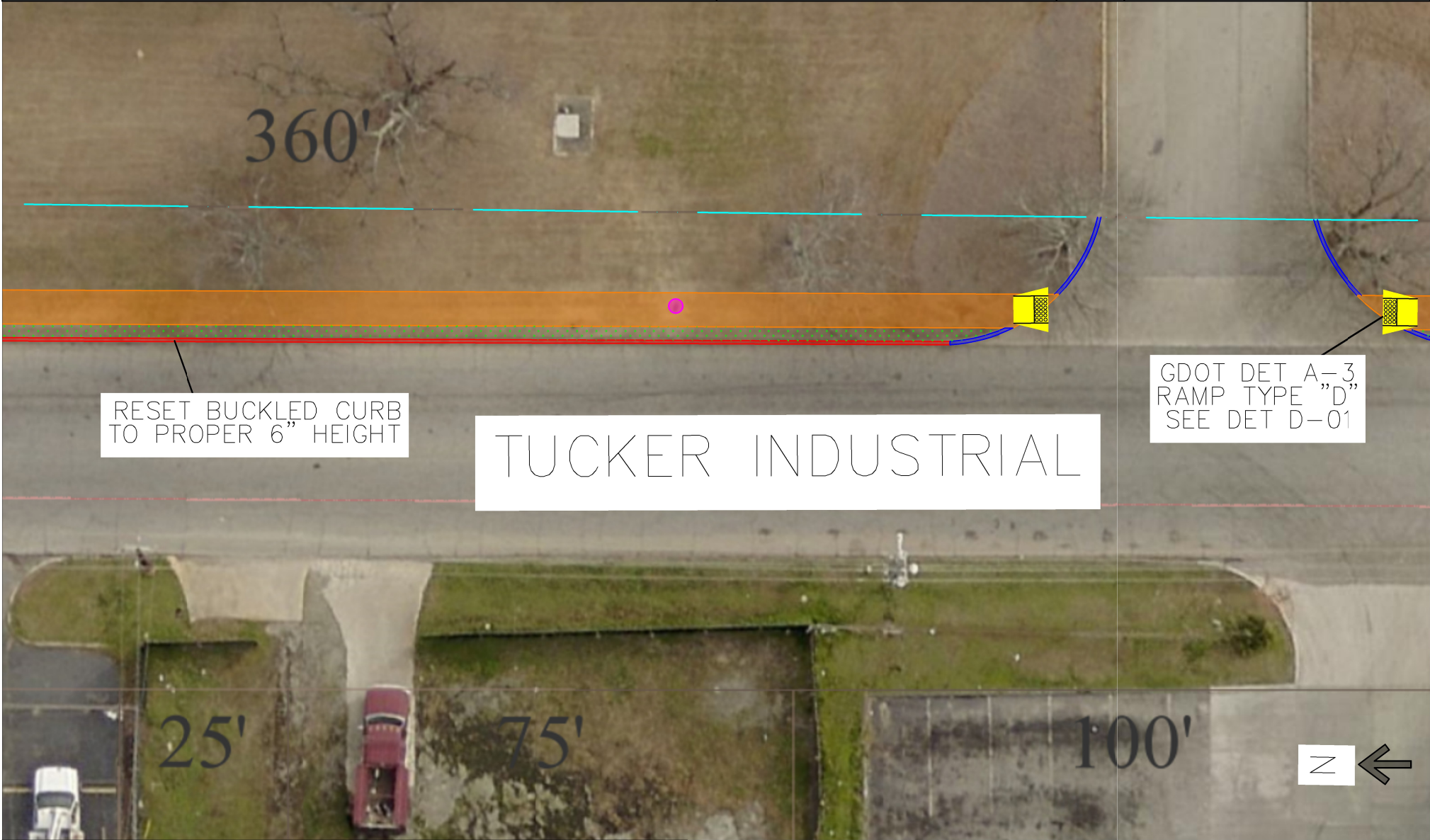
CITY OF TUCKER	
CHURCH STREET SIDEWALK	
D-03	

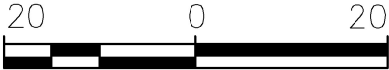
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		GA	







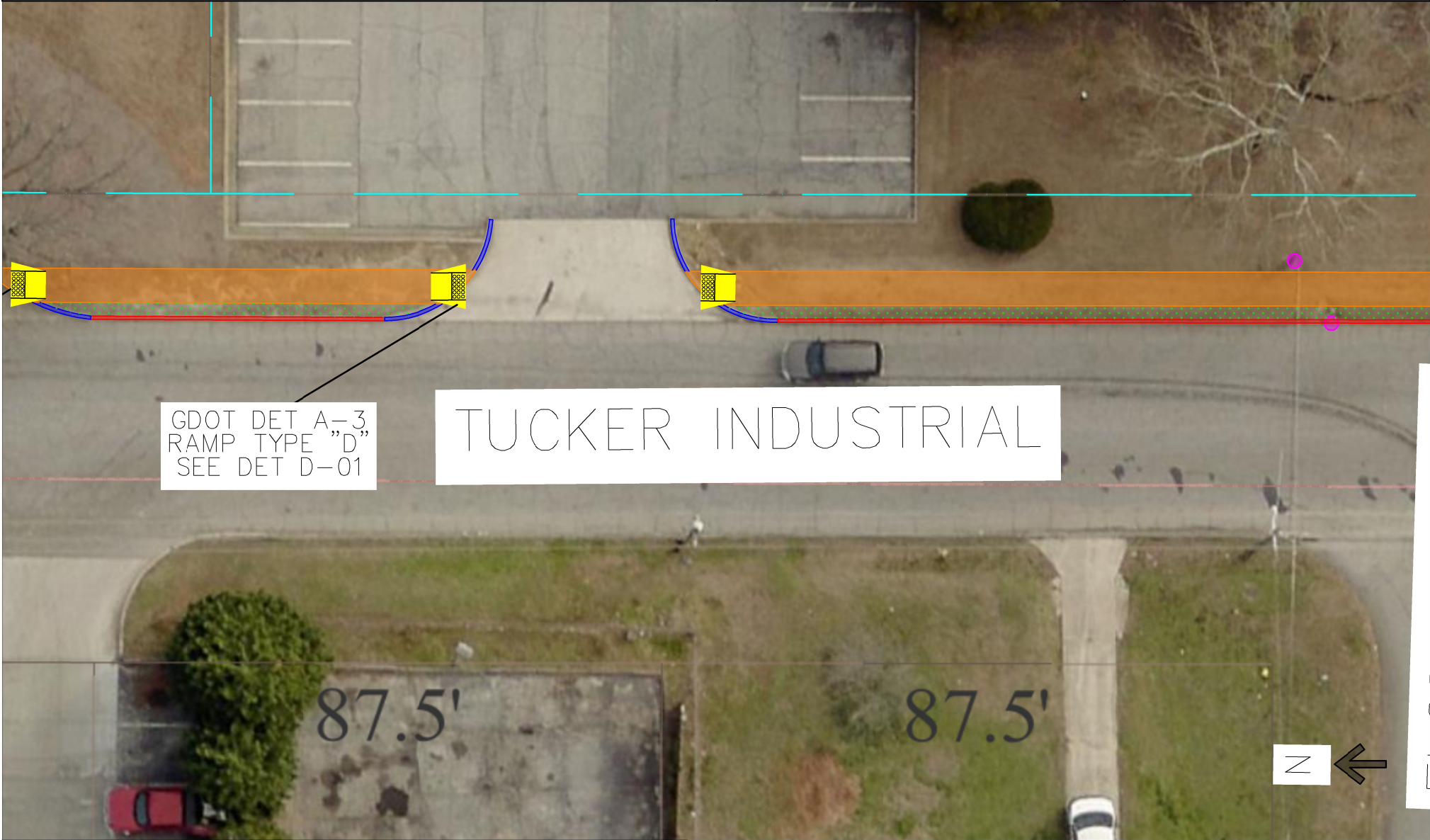
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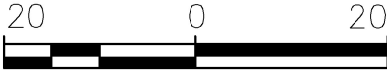
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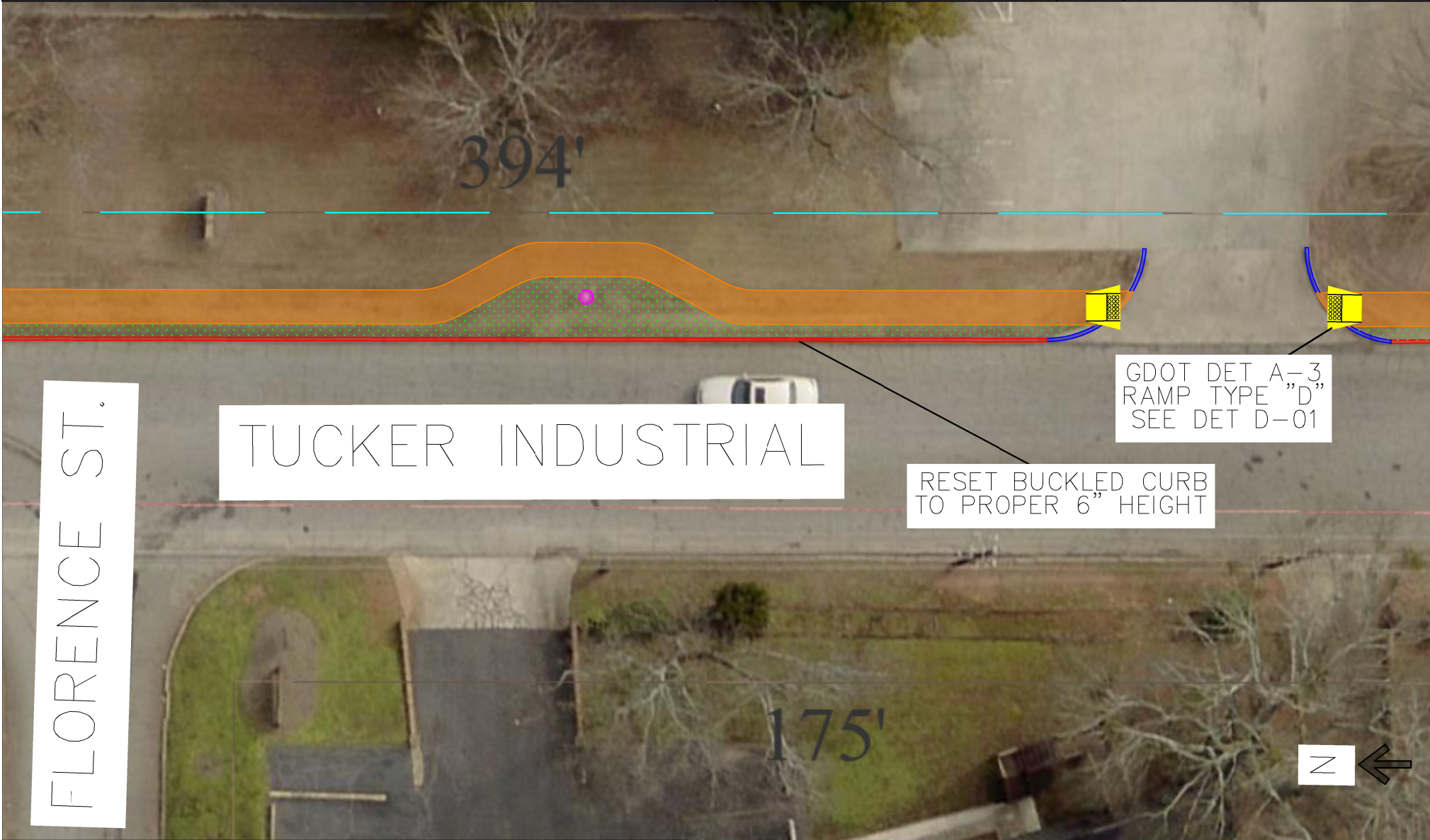
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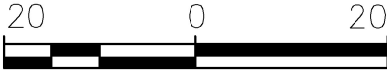
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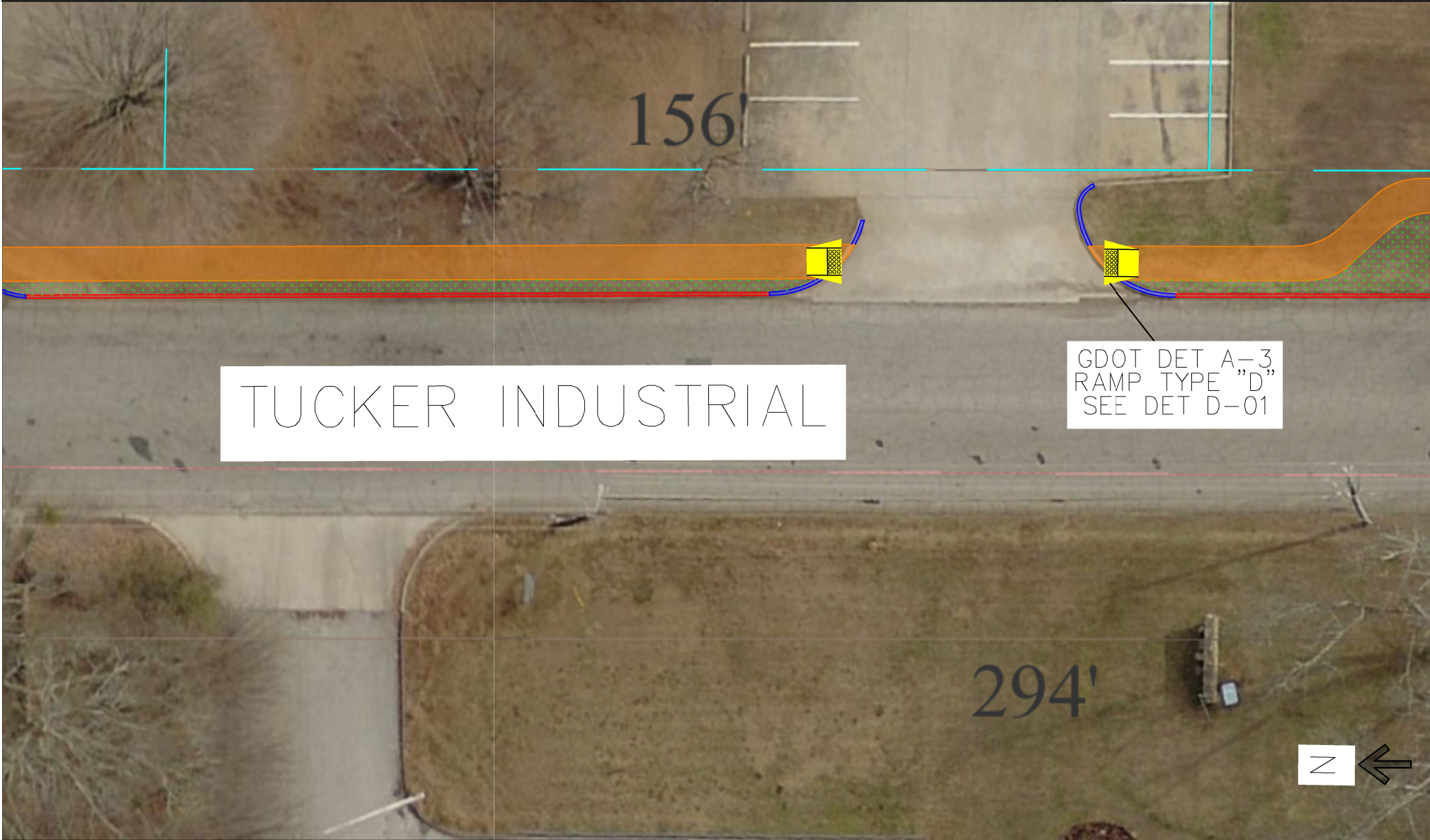
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			TUCKER INDUSTRIAL SIDEWALK	
			C-03	

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING		STATE	PROJECT
		GA	



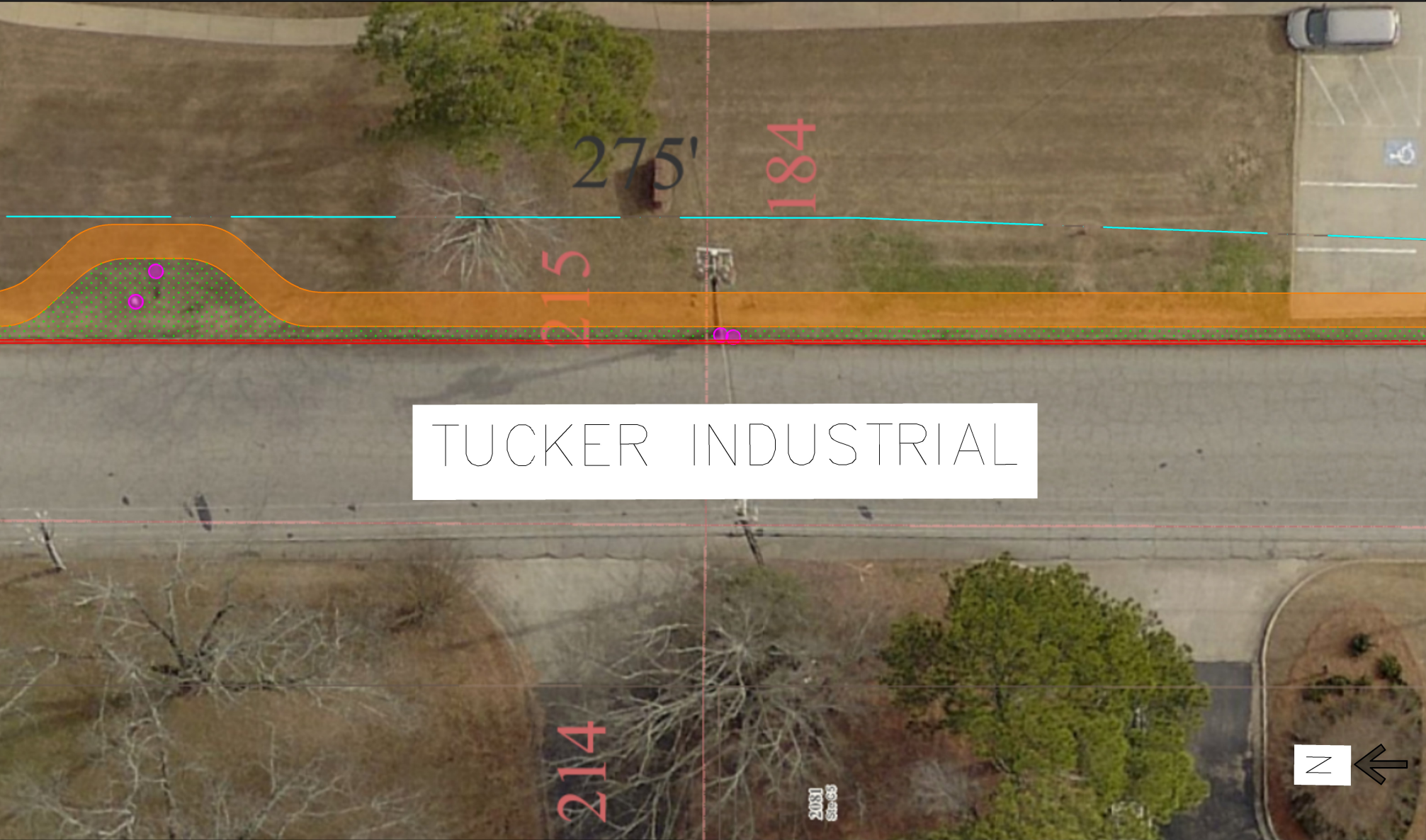
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			C-04

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	



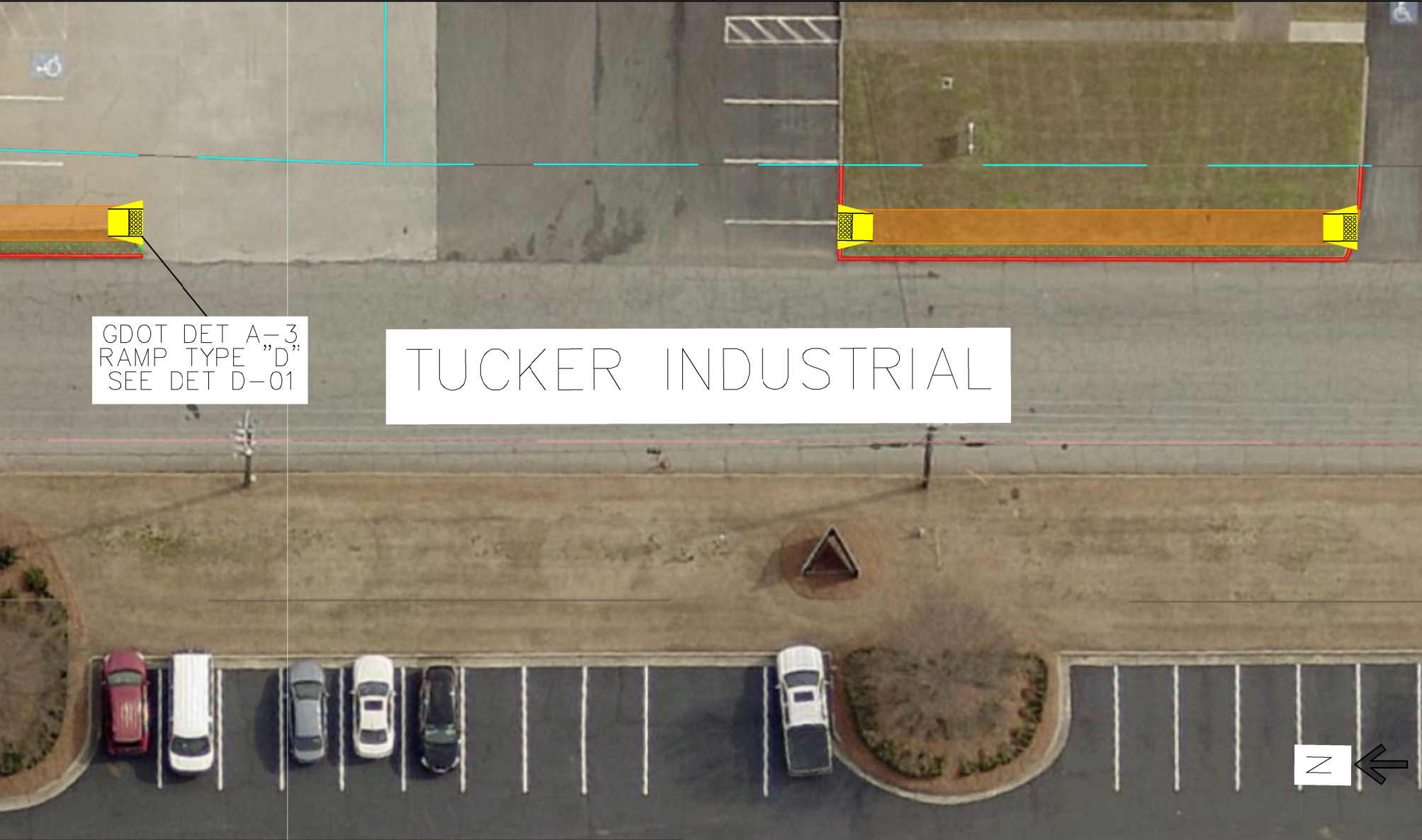
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			C-05	

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		GA	



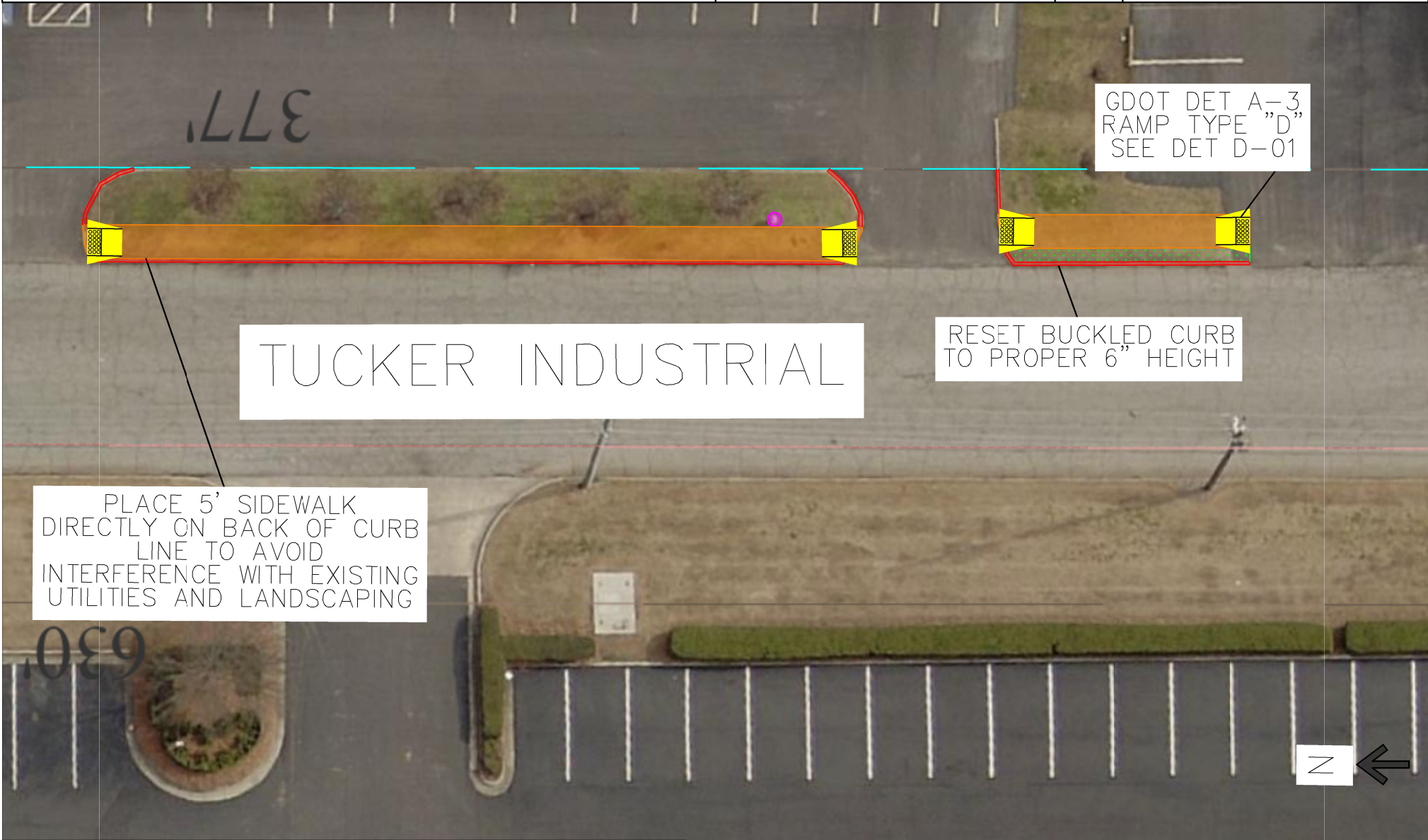
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			TUCKER INDUSTRIAL SIDEWALK
			C-06

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			GA	










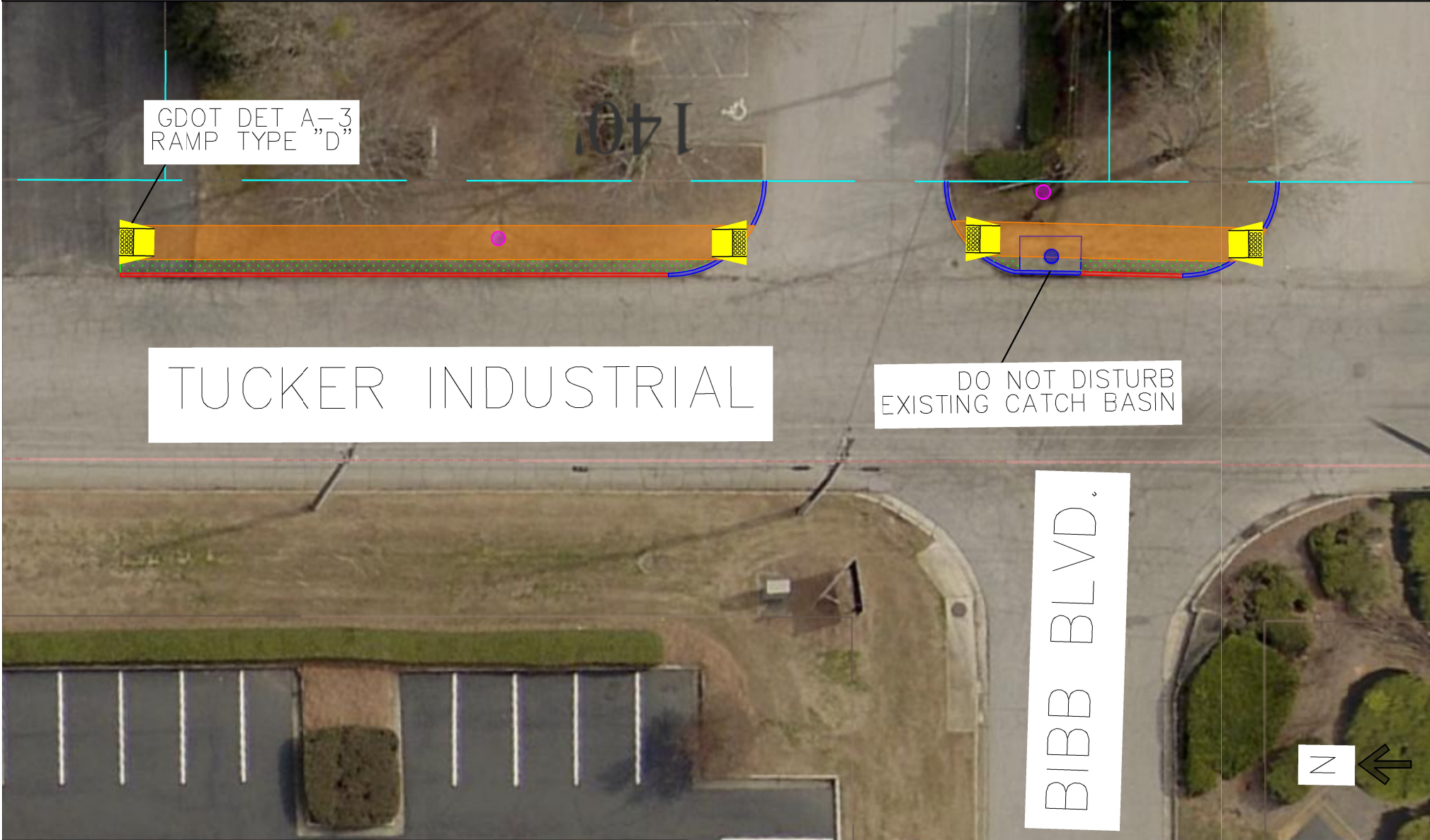
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			C-07	

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		GA	










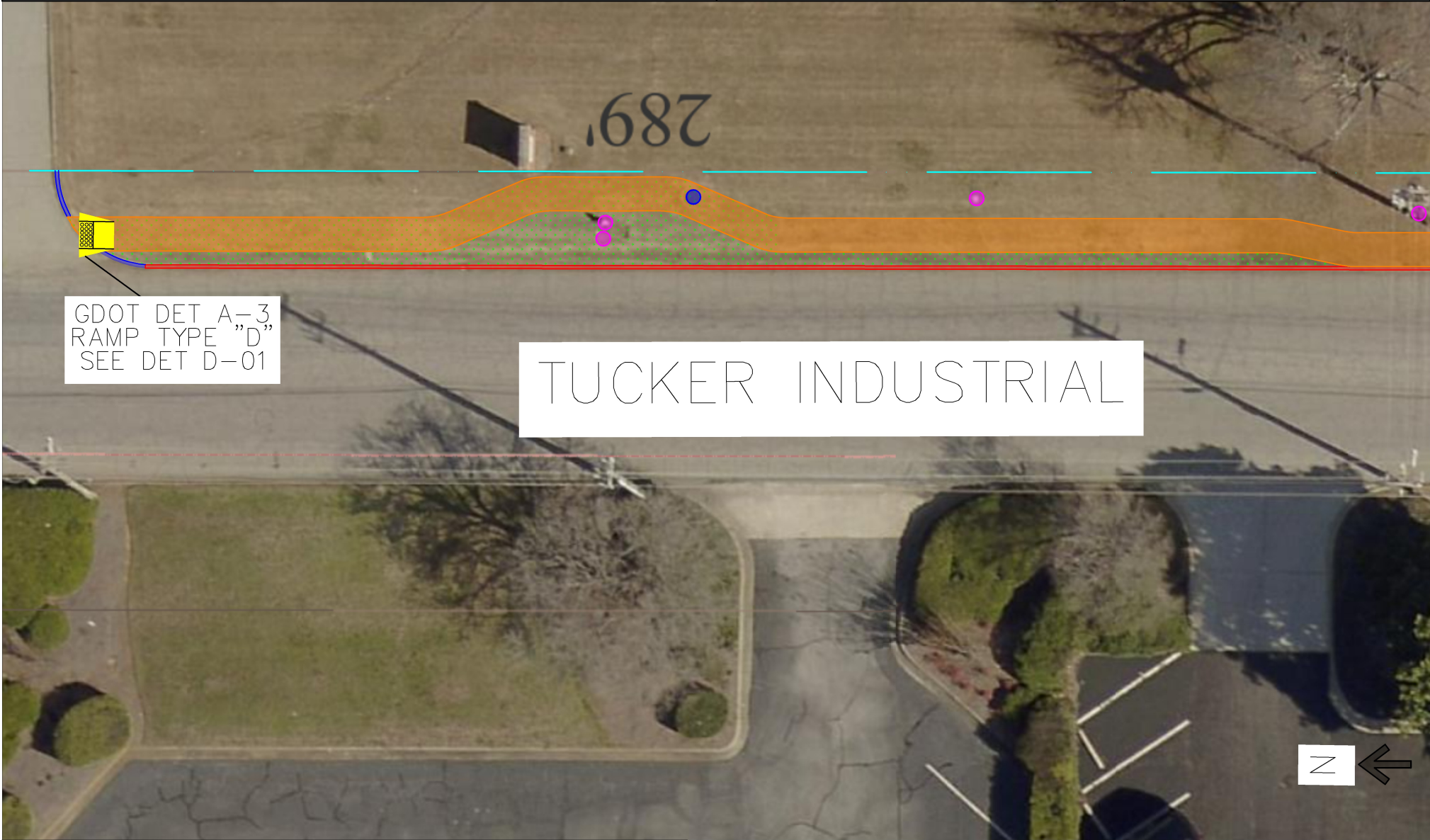
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			TUCKER INDUSTRIAL SIDEWALK
			C-08

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	










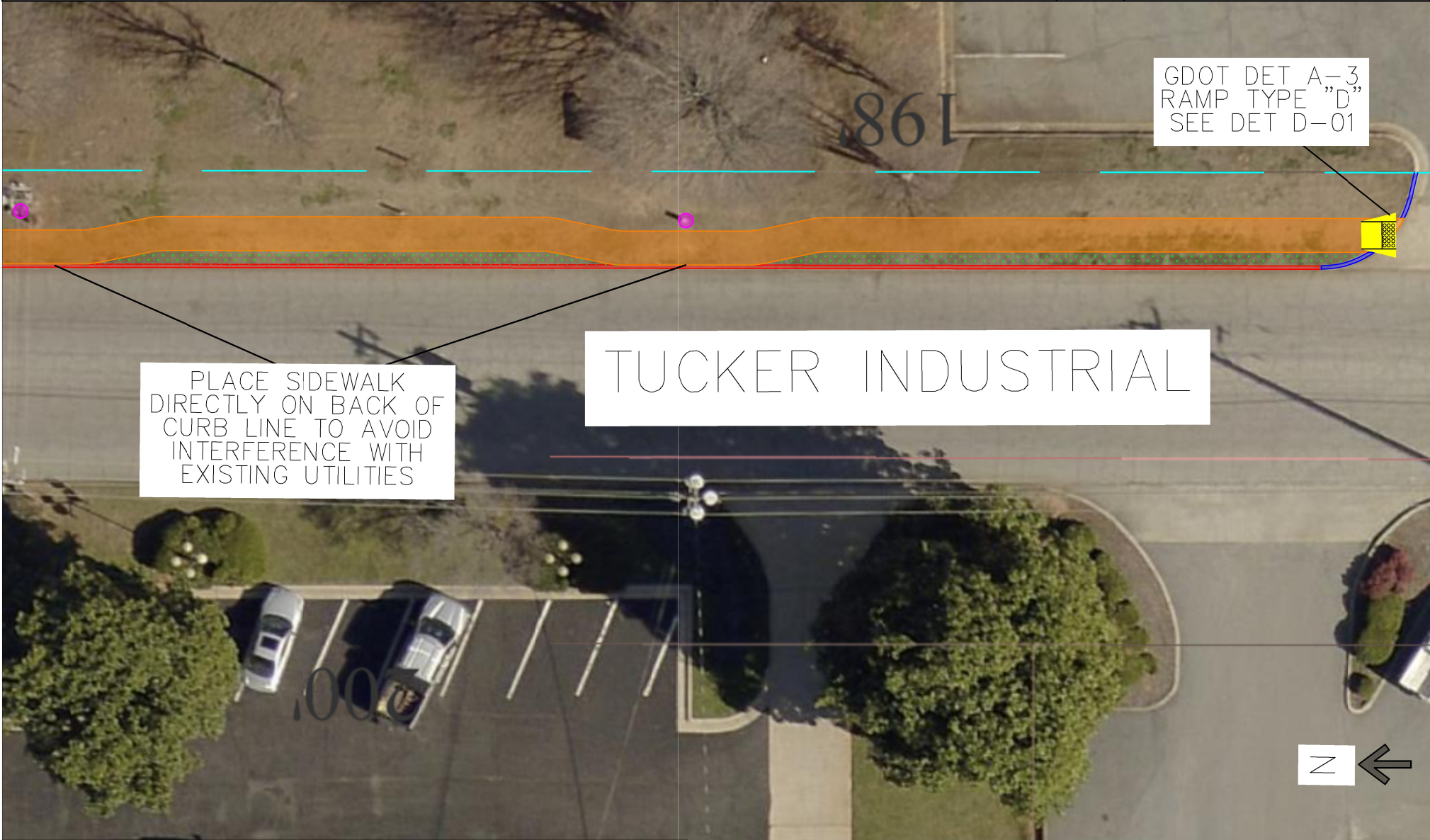
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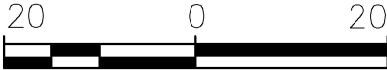
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		GA	










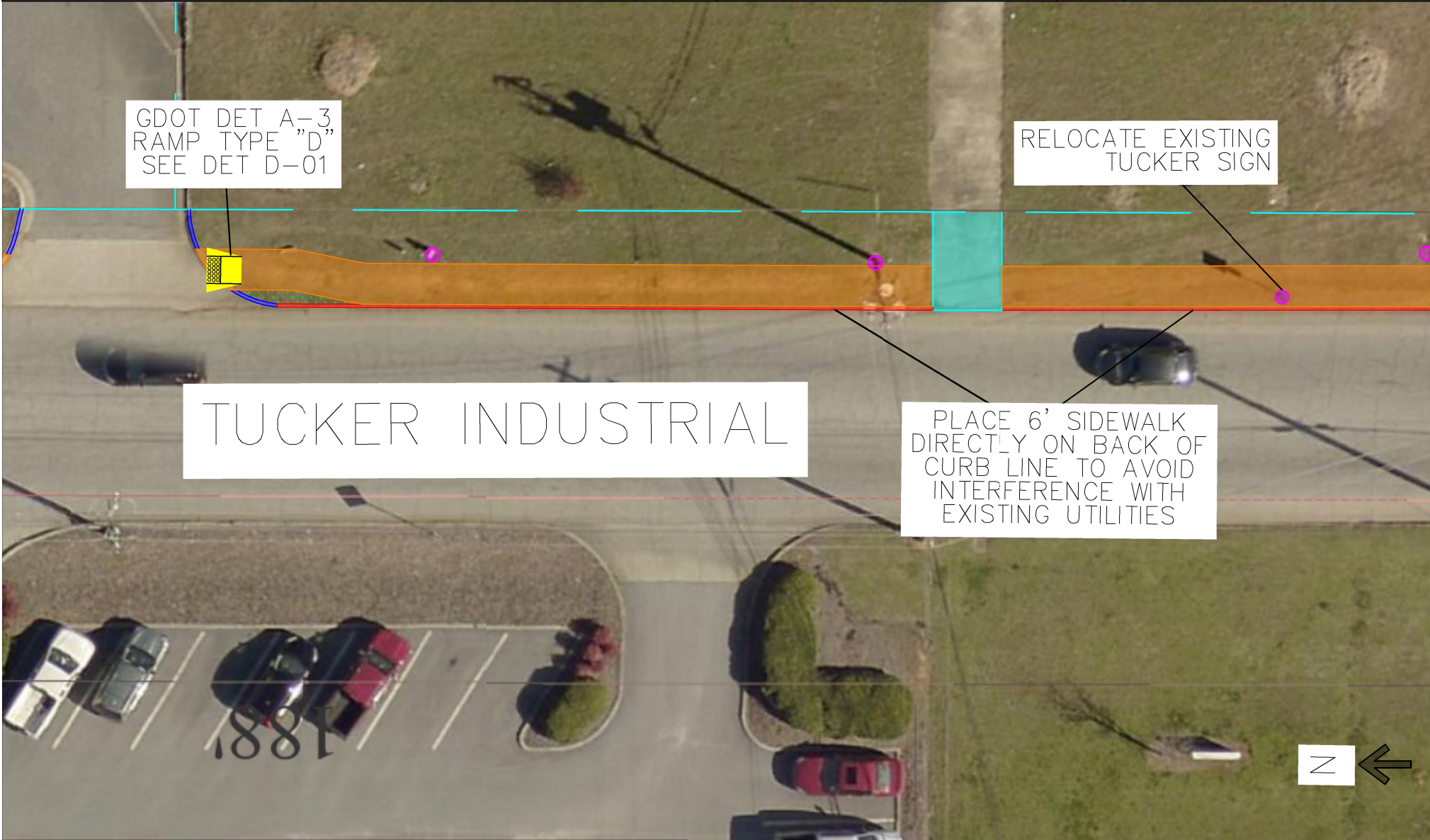
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			TUCKER INDUSTRIAL SIDEWALK	
			C-10	

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	









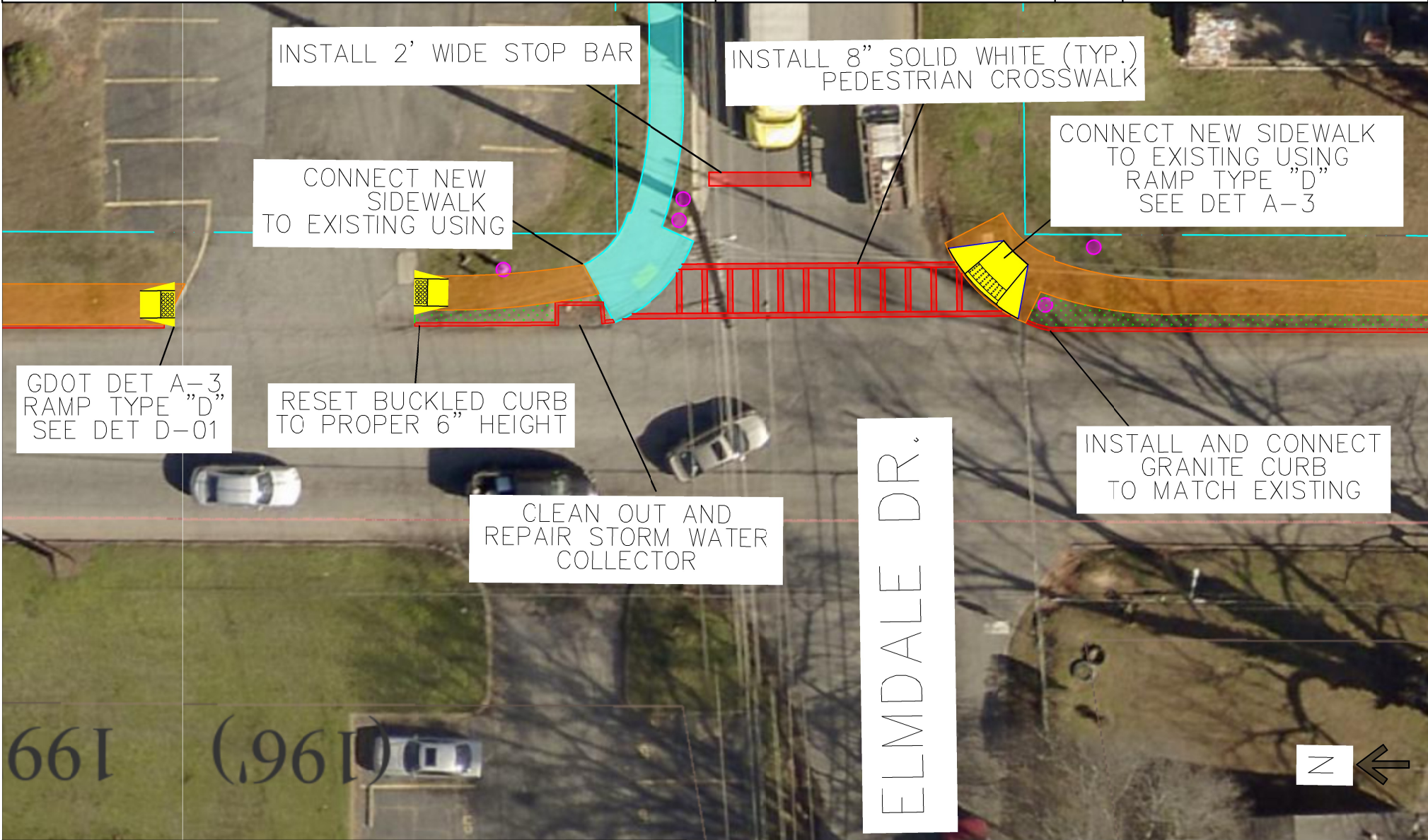
REVISIONS		 SCALE: 1" = 20'	CITY OF TUCKER
			TUCKER INDUSTRIAL SIDEWALK
			C-11

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING  EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES			STATE	PROJECT
			GA	



REVISIONS		<div> <div>2000</div> <div>0</div> <div>20</div> </div> <div>SCALE: 1" = 20'</div>	CITY OF TUCKER	
			TUCKER INDUSTRIAL SIDEWALK	
			C-12	

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING  EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE		PROJECT
	GA		









REVISIONS		<div> <div>200</div> <div>0</div> <div>200</div> </div> <div>SCALE: 1" = 20'</div>	CITY OF TUCKER	
			TUCKER INDUSTRIAL SIDEWALK	
			C-13	

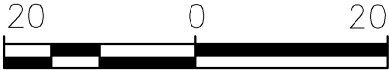
LEGEND: <div> <div>PROPOSED SIDEWALK</div> <div>PROPERTY LINE</div> <div>RAMPS</div> <div>LANDSCAPING</div> </div> <div> <div>EXISTING CURB AND GUTTER</div> <div>EXISTING GRANITE CURB</div> <div>OBSTRUCTIONS/UTILITIES</div> </div>		STATE	PROJECT
		GA	









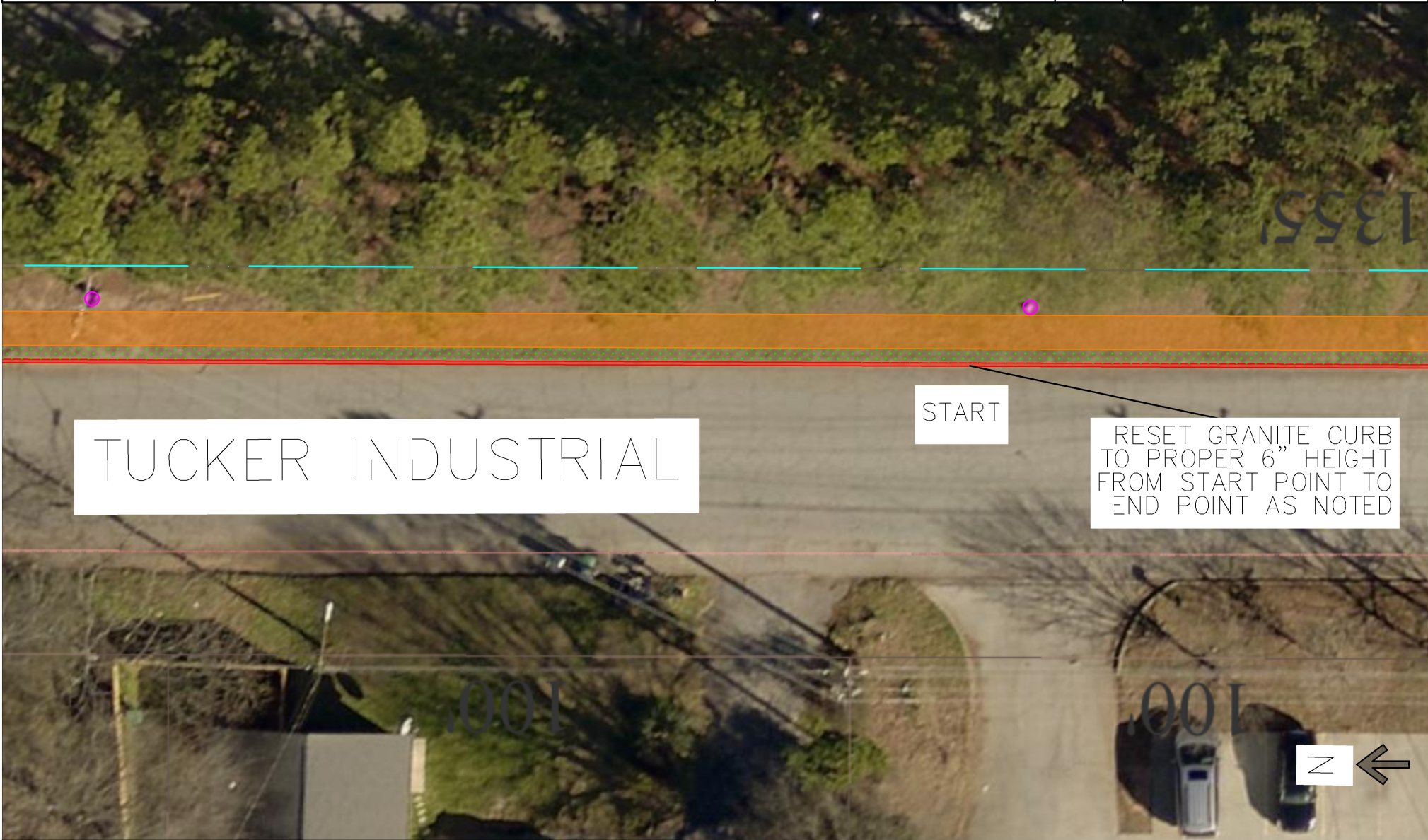
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			TUCKER INDUSTRIAL SIDEWALK
			C-14

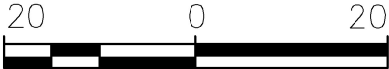
LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING  EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES			STATE	PROJECT
			GA	



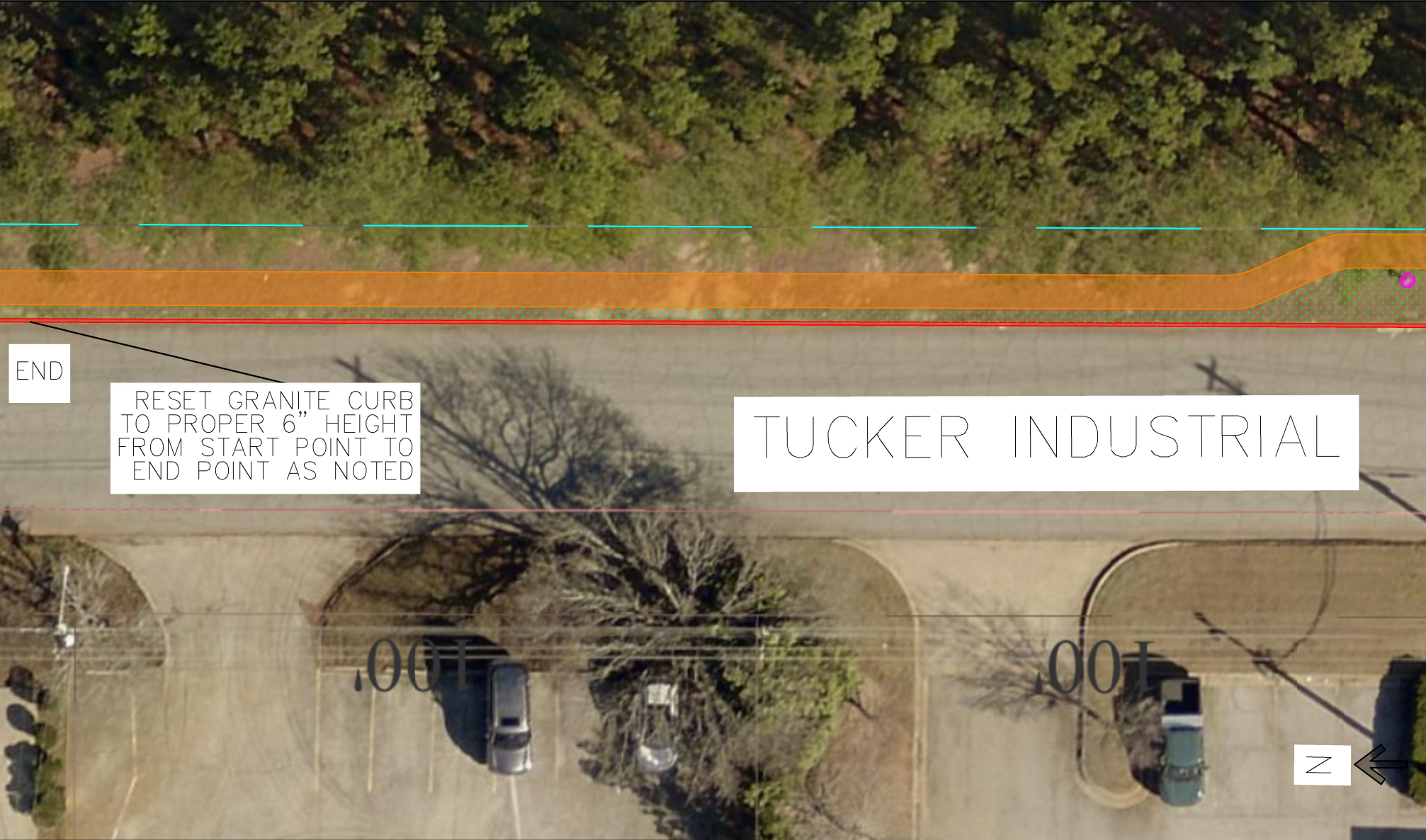
REVISIONS		 SCALE: 1" = 20'	CITY OF TUCKER	
			TUCKER INDUSTRIAL SIDEWALK	
			C-15	

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	









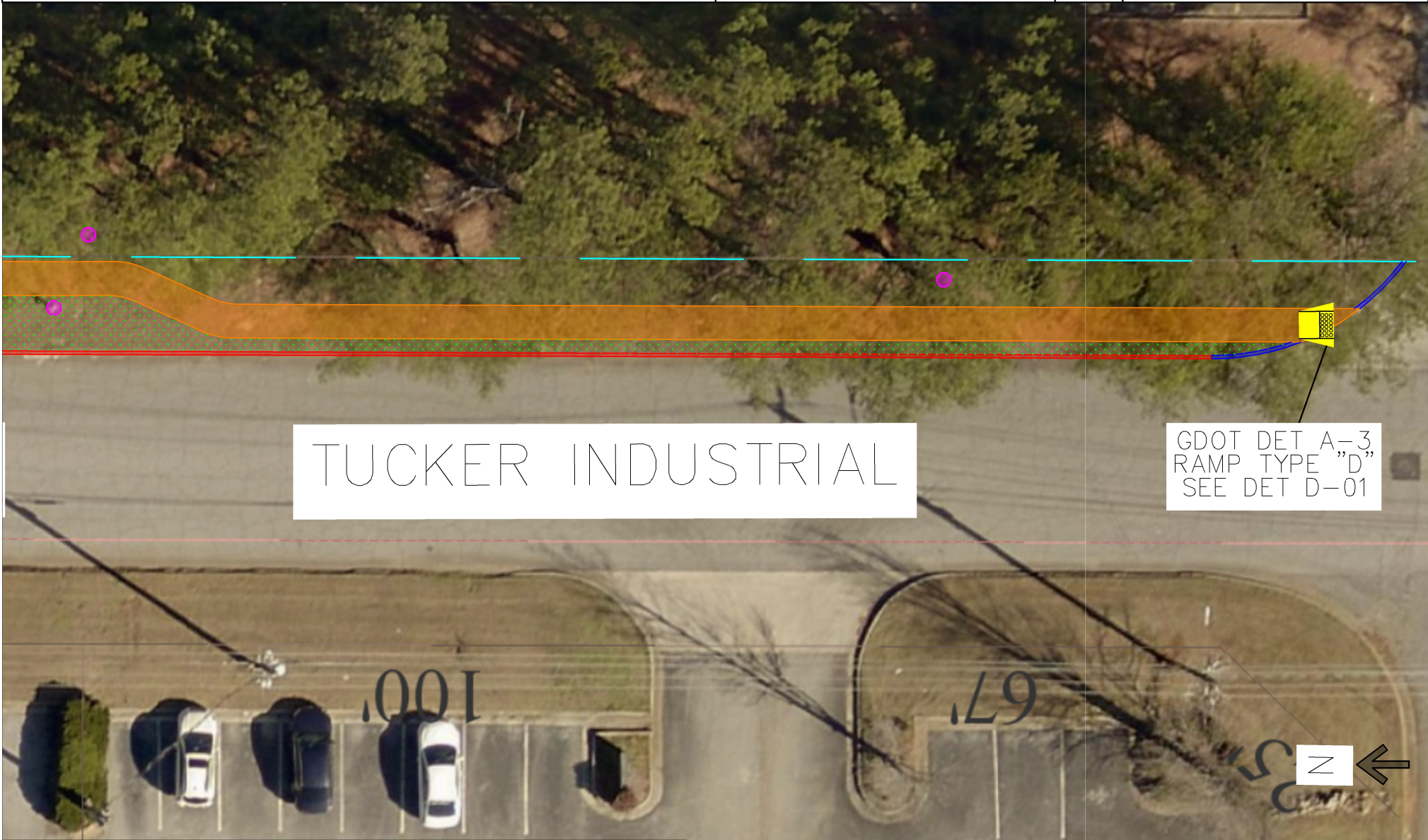
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			TUCKER INDUSTRIAL SIDEWALK
			C-16

LEGEND: <div> <div>PROPOSED SIDEWALK</div> <div>PROPERTY LINE</div> <div>RAMPS</div> <div>LANDSCAPING</div> </div> <div> <div>EXISTING CURB AND GUTTER</div> <div>EXISTING GRANITE CURB</div> <div>OBSTRUCTIONS/UTILITIES</div> </div>		STATE	PROJECT
		GA	









REVISIONS		<div> <div>20</div> <div>0</div> <div>20</div> </div> <div> <div></div> <div></div> <div></div> </div> <div>SCALE: 1" = 20'</div>	CITY OF TUCKER
			TUCKER INDUSTRIAL SIDEWALK
			C-17

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	



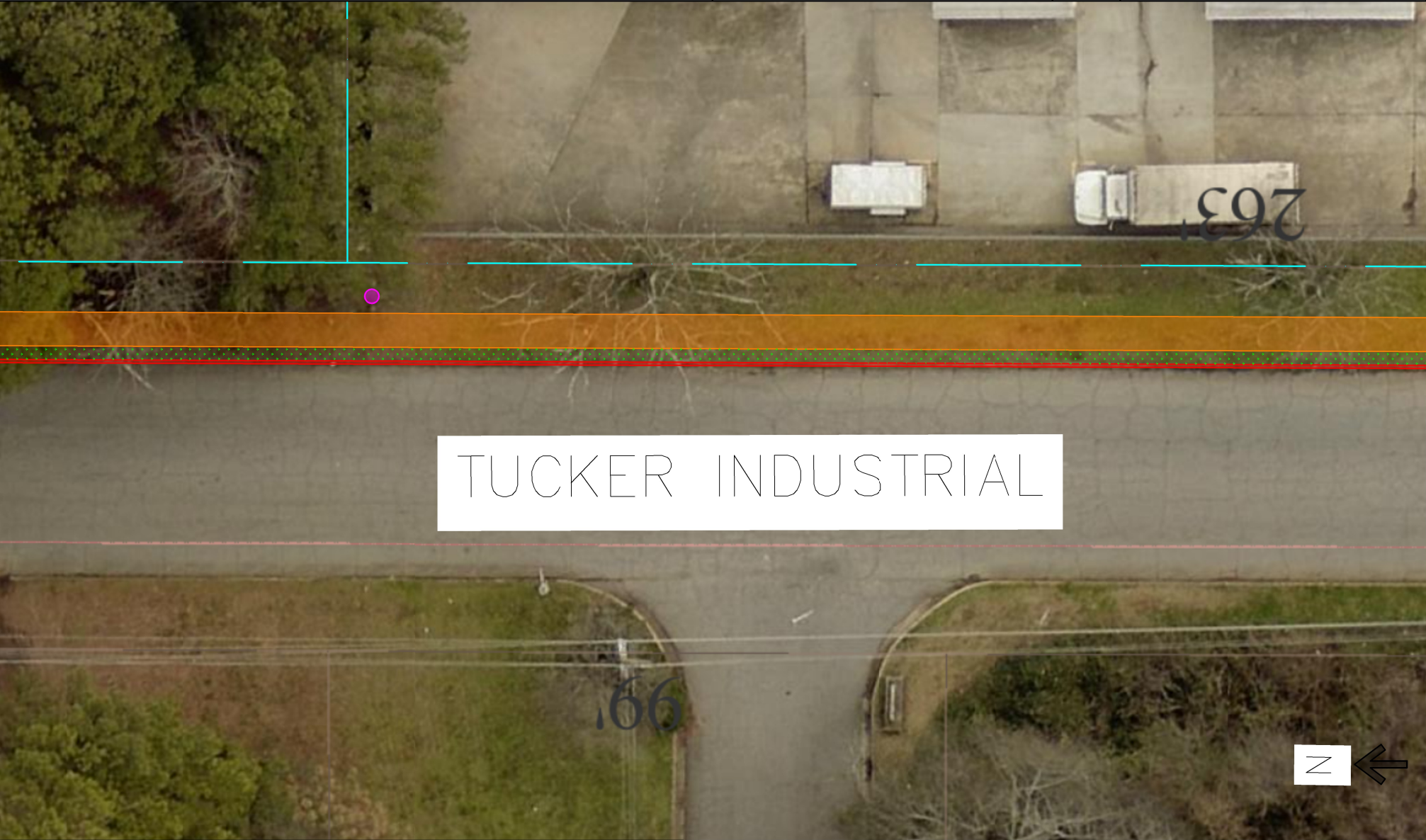
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			TUCKER INDUSTRIAL SIDEWALK	
			C-18	

LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	









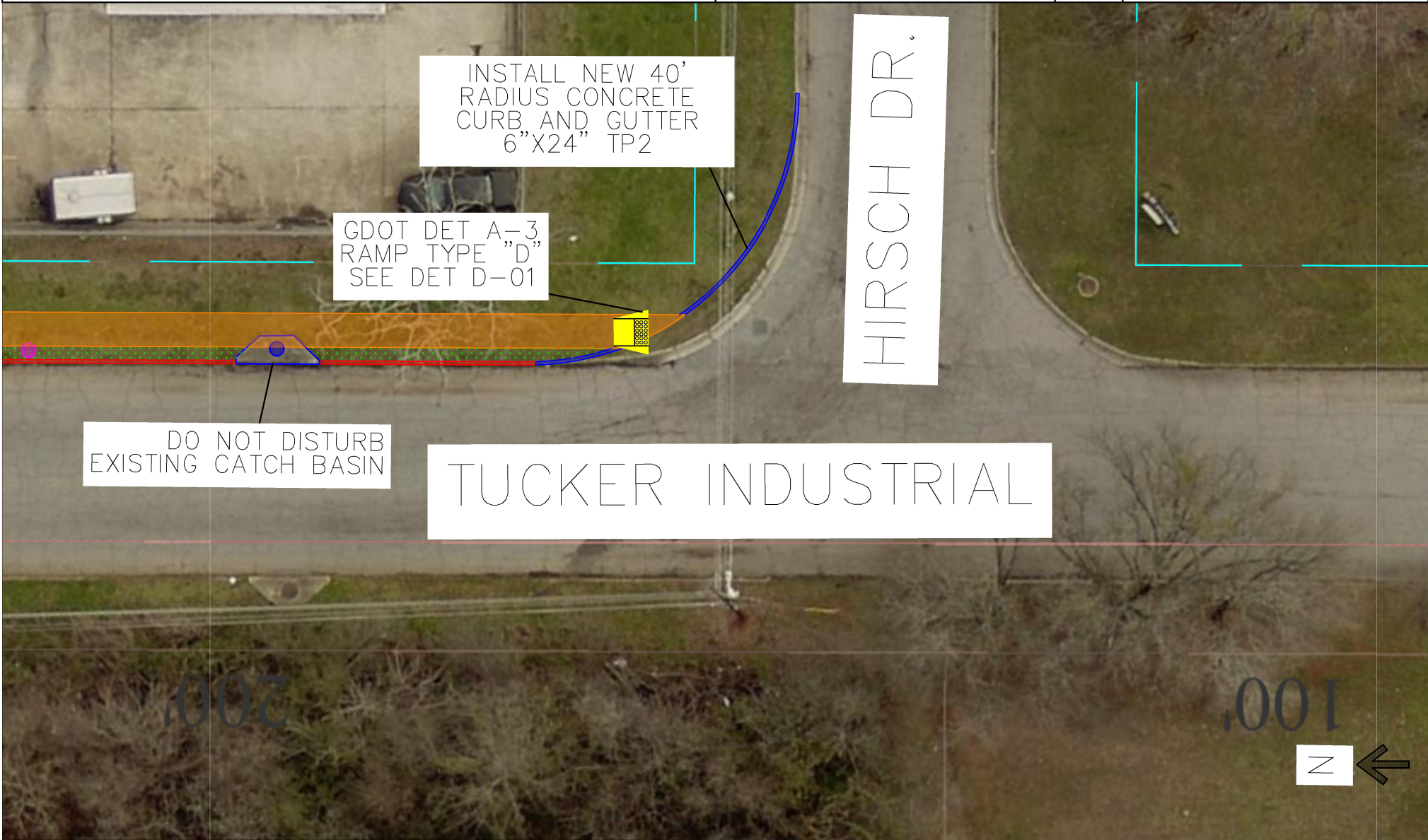
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			TUCKER INDUSTRIAL SIDEWALK	
			C-19	


LEGEND: <div> <div>PROPOSED SIDEWALK</div> <div>PROPERTY LINE</div> <div>RAMPS</div> <div>LANDSCAPING</div> </div> <div> <div>EXISTING CURB AND GUTTER</div> <div>EXISTING GRANITE CURB</div> <div>OBSTRUCTIONS/UTILITIES</div> </div>		STATE	PROJECT
		GA	



REVISIONS		<div> <div>20</div> <div>0</div> <div>20</div> </div> <div>SCALE: 1" = 20'</div>	CITY OF TUCKER
			TUCKER INDUSTRIAL SIDEWALK
			C-20

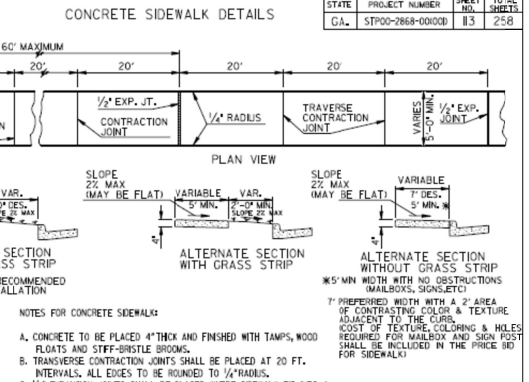
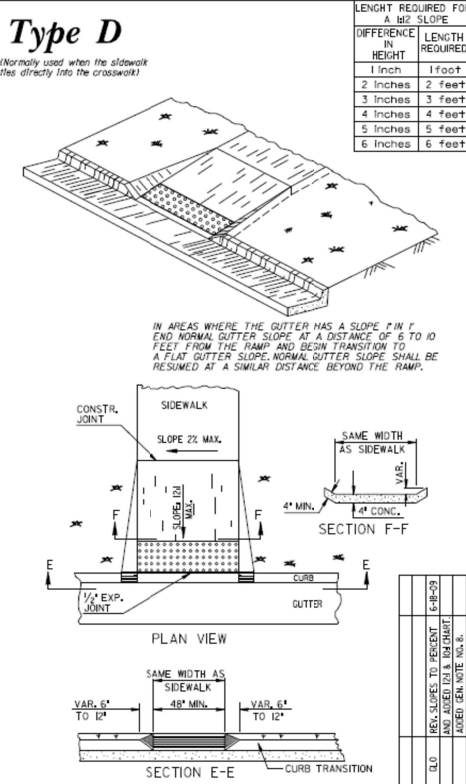
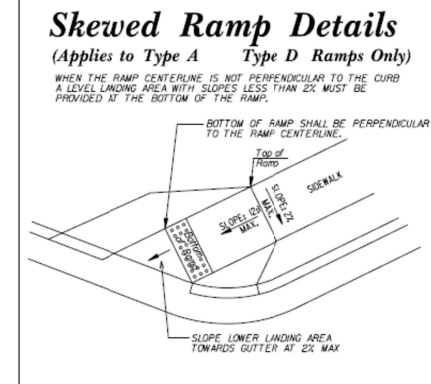
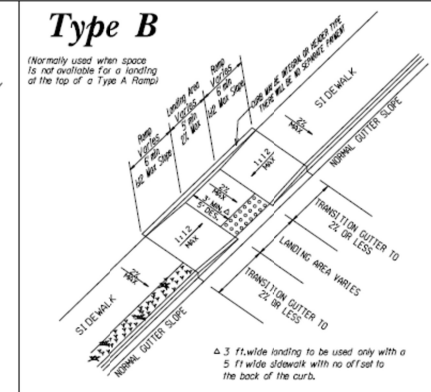
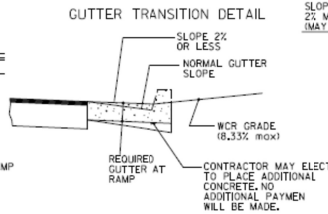
LEGEND:  PROPOSED SIDEWALK  PROPERTY LINE  RAMPS  LANDSCAPING	 EXISTING CURB AND GUTTER  EXISTING GRANITE CURB  OBSTRUCTIONS/UTILITIES	STATE	PROJECT
		GA	



REVISIONS		 SCALE: 1" = 20'	CITY OF TUCKER
			TUCKER INDUSTRIAL SIDEWALK
			C-21

 EXISTING CURB AND GUTTER
 EXISTING GRANITE CURB
 OBSTRUCTIONS/UTILITIES

GA



- C. 1/2" EXPANSION JOINTS SHALL BE PLACED, WHERE SIDEWALK MEET INTO A STRUCTURE OR TERMINATE AT CURBS, RAMPS OR DRIVEWAYS AT 60' INTERVALS.
- NOTES FOR CURB CUT RAMPS:
1. CURB CUT RAMPS WILL BE LOCATED AS FOLLOWS UNLESS PLANS OR CONTRACT SPECIFY OTHERWISE.
 - a) AT ALL PEDESTRIAN CROSSWALKS WHERE CURB IS CONSTRUCTED OR REPLACED.
 - b) WHERE THE SIDEWALK, CONCRETE OR UNPAVED, IS INTERRUPTED BY THE CURB AT TUNOUTS OR AT INTERSECTIONS.
 - c) AT OTHER LOCATIONS SUCH AS HOSPITALS, NURSING HOMES, REST AREAS, ETC., WHERE THE CURB WOULD OTHERWISE BE AN OBSTRUCTION TO THE PHYSICALLY DISABLED.
 2. RAMPS WILL BE CONSTRUCTED FROM CONCRETE. SPECIFICATIONS FOR RAMPS WILL BE THE SAME AS FOR CONCRETE SIDEWALK. RAMPS SHALL HAVE EITHER A ROUGH OR A TEXTURED FINISH.
 3. DROP INLETS ARE NOT TO BE LOCATED DIRECTLY IN FRONT OF RAMPS. CATCH BASINS SHOULD BE LOCATED AT LEAST 10 FT. FROM RAMPS WHEN FEASIBLE.
 4. WHERE RAMPS ARE LOCATED IN RADIUS, THE DIMENSIONS SHOWN FOR RAMP WIDTHS AND TAPER ARE MEASURED PERPENDICULAR TO THE RAMP AND NOT TO THE CURB.
 5. WHERE UTILITY STRUCTURES CONFLICT, WHERE SIDEWALK GEOMETRY VARIES, AT SKEWED INTERSECTIONS, OR IN OTHER SPECIAL CASES, THE RAMP DESIGNS MAY BE MODIFIED BY THE DESIGNER OR ENGINEER, PROVIDED THAT THE WIDTH REMAINS A MINIMUM OF 48 INCHES, AND NO SLOPE ON THE ACCESSIBLE PART OF THE RAMP IS STEEPER THAN 1:21.
 6. L.I.N. FT. OF CURB AND GUTTER WILL INCLUDE THE TRANSITIONED CURB IN FRONT OF RAMPS, SO. YDS. OF CONCRETE SIDEWALK AND CONCRETE MEDIAN PAVING WILL INCLUDE RAMPS. NO ADDITIONAL PAYMENT WILL BE MADE FOR CURB RAMPS. NO ADDITIONAL PAYMENT WILL BE MADE FOR SAWING AND REMOVING EXISTING SIDEWALK OR CURB WHERE NECESSARY FOR RAMP CONSTRUCTION.
 7. WHEN A CURB RAMP IS PLACED ON EXISTING PAVEMENT, THE PAVEMENT SHALL BE REMOVED TO PROVIDE A MINIMUM THICKNESS OF 3 INCHES OF CONCRETE AT ALL LOCATIONS. NO SEPARATE PAYMENT WILL BE MADE FOR REMOVAL OF THE PAVEMENT.
 8. DETECTABLE WARNING SURFACES ARE REQUIRED ON ALL INTERSECTIONS WITH PUBLIC STREETS, SIGNALIZED COMMERCIAL DRIVEWAYS, AND COMMERCIAL DRIVEWAYS WITH AN ADT OF 25,000.

This Detail Replaces Ga Standard 9031W
Guidelines For Usage On Metric Projects

When these details are incorporated into plans and/or projects that are being prepared or constructed in metric units, exact or precise conversion to metric units is not required. The dimensions shown that are in Feet and Inches may be converted to corresponding metric units using the following "Rounded-Off" conversion factors: 1"=25mm, 4"=100mm, and 12"=300mm. All measurement notes that refer to linear feet and square yards shall be interpreted to mean linear meters and square meters.

REV. SLIPES TO PERCENT		6-08-29		DEPARTMENT OF TRANSPORTATION	
AND ADDED 1/4" & 1/8" CHART				STATE OF GEORGIA	
REVISED		5-9-06		<p style="text-align: center;">SPECIAL DETAIL CONCRETE SIDEWALK DETAILS CURB CUT (WHEELCHAIR) RAMPS</p>	
REVISED		7-4-03			
REVISED		2-0-03			
REVISED		7-29-02			
REVISED		5-23-02			
REVISED		5-19-02			
REVISED		4-29-02			
REVISED		4-4-02			
REVISED		4-5-02			
REVISED		DATE			
NO SCALE		MARCH 12, 2002		NUMBER	
				A3	

REVISIONS	

CITY OF TUCKER

TUCKER INDUSTRIAL SIDEWALK

D-01



MEMO

To: Honorable Mayor and City Council Members
From: Rip Robertson, Director, Parks & Recreation
CC: Tami Hanlin, City Manager
Date: October 12, 2021
RE: Rosenfeld Park Playground project

Issue: With the City of Tucker's commitment to quality parks and outdoor activity, we continue to make improvements in our park system. This project will create a new and unique playground in the Smoke Rise community of Tucker in newly dedicated Rosenfeld Park.

Recommendation:

Staff recommends approving a contract, for a total of \$93,820.76 with Bliss Products to construct a new playground and swings in Rosenfeld Park. This is bid through OMNIA/US Communities, which is a government purchasing alliance. Bliss Products is the contractor we have utilized for all our park playgrounds and most of the amenities (benches, trash cans, etc.).

Background: There are no playgrounds or swings in the parks in the Smoke Rise community. With the recent dedication of Rosenfeld Park and the need to add playgrounds and swings in the community, the department began the process to prepare an area within Rosenfeld Park. We expanded the area adjacent to the new pavilion to a size appropriate for a play area. We plan to add a walk to access the area from the new sidewalk to the pool area. The new playground should be ready by spring 2022.

Summary: The project consisted of expanding the area at the pool/pavilion and installing a unique climber/adventure feature with slides and 2 bays of swings.

Financial Impact: This item is funded in the Department's General Fund CIP. Fund # 300-6211-54.12000 (PR2102).



UPRIGHT BLUE ACCENT SKY BLUE DECK N/A PLASTIC ORANGE HDPE SPRING GREEN HDPEX N/A SHADE N/A ROOF N/A CABLE BLACK MAX/APEX N/A

ROSENFELD PARK
STONE MOUNTAIN, GEORGIA

645-146125

PLEASE NOTE: RENDERINGS ARE FOR VISUAL PURPOSES ONLY. ANY PRODUCTS AND/OR SITE DETAILS HEREIN MAYBE SUBJECT TO CHANGE WITHOUT NOTICE.



544 CHESTNUT ST.
CHATTANOOGA, TN 37402
800.727.1907
PLAYANDPARK.COM



UPRIGHT BLUE ACCENT SKY BLUE DECK N/A PLASTIC ORANGE HDPE SPRING GREEN HDPE/C N/A SHADE N/A ROOF N/A CABLE BLACK MAX/APEX N/A

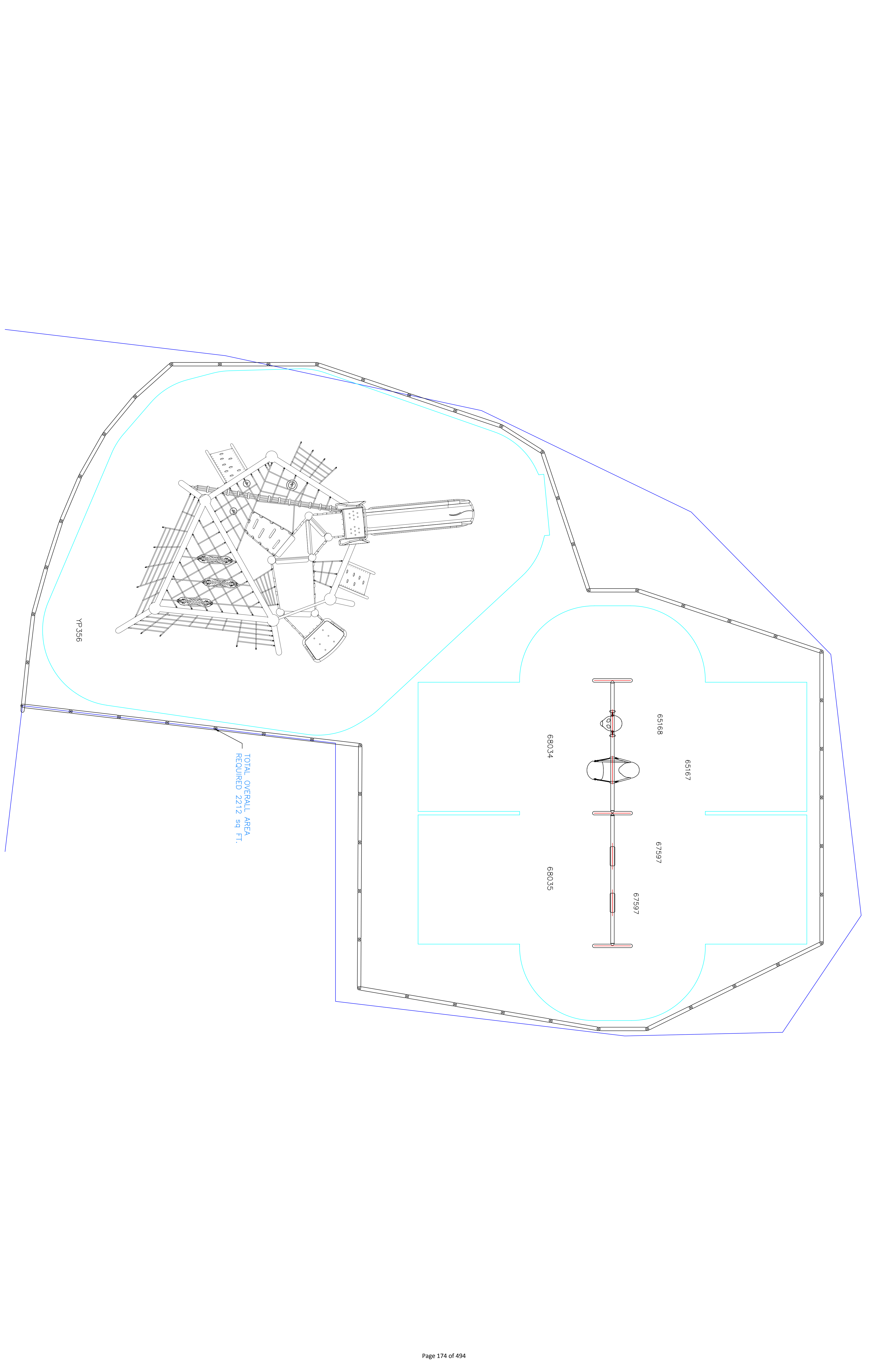
ROSENFELD PARK STONE MOUNTAIN, GEORGIA

645-146125

PLEASE NOTE: RENDERINGS ARE FOR VISUAL PURPOSES ONLY. ANY PRODUCTS AND/OR SITE DETAILS HEREIN MAYBE SUBJECT TO CHANGE WITHOUT NOTICE.



544 CHESTNUT ST.
CHATTANOOGA, TN 37402
800.727.1907
PLAYANDPARK.COM





Bliss Products
6831 S. Sweetwater Rd
LithiaSprings, Georgia, 30122
Phone: 770.944.8290
Fax:
Email:
Contact: Adam Schmansky

Rosenfeld Park

City of Tucker
 Attn:
 Tucker, GA 30087
 Phone: 678-597-9040

Quote Number: 645-146125
 Quote Date: 9/16/2021

Stock ID	Description	Quantity	Weight	Unit Price	Amount
YP356	MYSTIC ADVENTURE	1	0	\$49,999.00	\$49,999.00
OMNIA	OMNIA DISCOUNT	1	0	(\$999.98)	(\$999.98)
	--				
RDU	Swing Set	1	638	\$5,386.00	\$5,386.00
	65167 -- REFLECTIONS SELFIE SWING 3.5"	1			
	65168 -- TOT SELFIE SWING 3 1/2"	1			
	67597 -- BELT SEAT 3 1/2"OD	2			
	68034 -- 3.5"OD STANDARD ARCH SWIN	1			
	68035 -- 3.5"OD STD ARCH SWING AAB	1			
OMNIA	OMNIA DISCOUNT	1	0	(\$430.88)	(\$430.88)
	--				
66576	4'PARK TIMBER	52	780	\$57.00	\$2,964.00
OMNIA	OMNIA DISCOUNT	52	0	(\$4.56)	(\$237.12)
	--				
67755	ACCESS PLAYCURB-W/ADAP-BK	1	107	\$575.00	\$575.00
OMNIA	OMNIA DISCOUNT	1	0	(\$46.00)	(\$46.00)
	--				
INSTALL	INSTALLATION	1	0	\$20,623.40	\$20,623.40

Total Weight: 1525

Pricing per National IPA / OMNIA Partners Public Sector Contract
 #R170303. Please reference contract number on your purchase order
 made out to Play and Park Structures.

SubTotal: \$77,833.42
 Material Surcharge: \$8,743.31
 Freight: \$7,244.03
Total Amount: \$93,820.76

THIS QUOTATION IS SUBJECT TO POLICIES IN THE CURRENT PLAY & PARK STRUCTURES CATALOG AND THE FOLLOWING TERMS AND CONDITIONS. OUR QUOTATION IS BASED ON SHIPMENT OF ALL ITEMS AT ONE TIME TO A SINGLE DESTINATION, UNLESS NOTED, AND CHANGES ARE SUBJECT TO PRICE ADJUSTMENT. PURCHASES IN EXCESS OF \$1,000.00 TO BE SUPPORTED BY YOUR WRITTEN PURCHASE ORDER MADE OUT TO PLAY & PARK STRUCTURES, C/O Bliss Products.

Pricing: f.o.b. factory, firm for 30 days from date of quotation.

Freight charges: Prepaid & added

Installation: A certified Play & Park Structures Installer is recommended for play equipment installation. Customer shall be responsible for scheduling coordination and site preparation. Site should be level and permit installation equipment access. Purchaser shall be responsible for unknown conditions such as buried utilities, tree stumps, bedrock or any concealed materials or conditions that may result in additional labor or material costs.

Submittals: our design proposal reflects the spirit and intent of the project plans and specifications. While some variations may exist between our quotation and the project design, the differences do not materially affect the intended use. Play & Park Structures designs and specifications are unique and not intended to be identical in all respects to other manufacturers. We shall submit for review and approval by the owner's representative detailed drawings depicting the equipment to be furnished accompanied by specifications describing materials. Once approved, these drawings and specifications shall constitute the final documents for the project and shall take precedence over all other requirements.

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.

Acceptance of quotation:

Accepted By (printed): _____

Signature: _____

Title: _____

Purchase Amount: _____ \$93,820.76

Order Information

Bill to:

Company: _____

Attn: _____

Address: _____

City/State/Zip: _____

Billing Contact: _____

Billing Phone: _____

Billing Fax: _____

Enter desired color palette name: _____

OR

Enter desired color: Uprights (_____)

Decks (_____)

Accents (_____)

Roofs/Tubes (_____)

Slides/Panels (_____)

Bliss Products

By: _____

Salesperson's signature

P.O. No: _____

Date: _____

Phone: _____

Facsimile _____

Ship to:

Company: _____

Attn: _____

Address: _____

City/State/Zip: _____

Jobsite Contact: _____

Jobsite Phone: _____

Jobsite Fax: _____

Salesman's Signature

Customer's Signature

PLAY



SITE FURNISHINGS



Shade, Shelter, Dog Agility
Equipment, Outdoor
Fitness Equipment

SPECTATOR SEATING



SURFACING





MEMO

To: Honorable Mayor and City Council Members
From: Rip Robertson, Director, Parks & Recreation
CC: Tami Hanlin, City Manager
Date: October 12, 2021
RE: Georgia Outdoor Stewardship Program grant

Issue: With the City of Tucker's commitment to quality parks and outdoor activity, we continue to make improvements in our park system. This grant is to fund the dam repairs and park renovations at John's Homestead Park. This grant has a minimum 25% match and will be negotiated with the County for possible assistance.

Recommendation:

Staff recommends approving this resolution to submit the pre-application for the Georgia Outdoor Stewardship Program grant.

Background: The City is applying for a \$3.0M grant to make repairs/replace the existing dams at Twin Brothers Lake and to make park renovations recommended by both the Parks and Recreation Master Plan and the AECOM recommendations. This will require a minimum of \$750K matching funds. The city is also working on additional funding from the JHP Friends group, the Tucker-Northlake CID and in-kind services from several partners. This will increase our match and provide additional points in the grading system.

Summary: This grant would provide majority funding for a necessary project consisting of dam replacement, which would restore proper flow from the lakes to the stream. It will also provide funding to complete park renovations and additions included in our Master Plan and recommendations in the AECOM study.

Financial Impact: The funding of this project will be negotiated with the County and can be added to our CIP listing for FY2023.

STATE OF GEORGIA

CITY OF TUCKER

RESOLUTION 2021-

WHEREAS, at the regular meeting of Mayor and City Council of the City of Tucker in Dekalb County, Georgia, held on October 12, 2021, a motion was made and duly seconded that the City of Tucker agrees to submit a pre-application for funding from the Georgia Outdoor Stewardship Program. The City of Tucker further agrees that in the event the City of Tucker's pre-application is recommended for funding by the Department of Natural Resources, the City of Tucker certifies and assures that it has the ability and intention to finance their 25 percent of the total project cost and will move forward with due diligence to prepare, or have prepared, appropriate documentation required for a formal GOSP application.

SO RESOLVED, this the 12th day of October 2021.

APPROVED:

ATTEST:

Frank Auman, Mayor

Bonnie Warne, City Clerk

(seal)



MEMO

To: Honorable Mayor and City Council Members
From: Brian Anderson and Courtney Smith
CC: Tami Hanlin, City Manager
Date: October 6, 2021
RE: Resolution for Acceptance of Richardson Street Parcel

Issue:

Dedication of the privately owned portion of Richardson Street.

Recommendation:

Staff recommends this portion of Richardson Street be dedicated to the city so that it can become public right-of-way.

Background:

The northern portion of Richardson Street is privately owned by East Ponce Village (formerly 1310). The southern portion, which is substandard, is public. The two portions do not connect. The city has been working to resolve various issues in this community, including life safety, crime, and access issues. The dedication of this parcel, coupled with a future road improvement project, will help to further address these issues.

Summary:

The owners of the northern portion of Richardson Street are willing to dedicate the land to the city of Tucker so long as a permanent and perpetual access easement over, through and across the property is maintained.

Financial Impact: None

**STATE OF GEORGIA
CITY OF TUCKER**

RESOLUTION R2021-10-18

A RESOLUTION TO ACCEPT DONATION OF REAL PROPERTY

WHEREAS, per O.C.G.A. 32-3-1, the City may acquire in fee simple, or in any lesser interest, through gift, devise, exchange, purchase, prescription, dedication, eminent domain, or any other manner provided by law for present or future public road or other transportation purposes;

WHEREAS, the attached Quitclaim Right-Of-Way Deed conveys real property consisting of a private portion of Richardson Street and more particularly described therein (the "Property"); and

WHEREAS, Grantors reserves for itself and its successors a permanent perpetual access easement over, through and across the Property; and

WHEREAS, the elected officials of the City of Tucker support this action and desire to extend the connectivity of this area;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council, that the City of Tucker accepts the conveyance of the said property via the attached Quitclaim Right-Of-Way Deed (Exhibit A) or by a deed that is substantially similar.

SO ORDAINED this the 12th day of October, 2021.

Approved:

ATTEST:

Frank Auman, Mayor

Bonnie Warne, City Clerk (SEAL)

(Above Reserved for Recording)

After recording, please return to:

Chris H. Atkinson
Atkinson Ferguson, LLC
118 Court Street
Monroe, Georgia 30655

STATE OF GEORGIA
COUNTY OF DEKALB

QUITCLAIM RIGHT-OF-WAY DEED

THIS INDENTURE, made effective as of the ____ day of _____, 20____, between **AIGP 13TEN, LLC**, a Delaware limited liability company ("Grantor") and the **City of Tucker, Georgia** ("Grantee") (the words "GRANTOR" and "GRANTEE" to include their respective legal representatives, successors and assigns where the context requires or permits);

W I T N E S S E T H:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery hereof, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, released, conveyed and forever quitclaimed and by these presents does remise, release, convey and forever quitclaim unto the said GRANTEE all that tract or parcel of land lying and being in DeKalb County, Georgia as more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference, TOGETHER WITH any and all tenements, hereditaments, improvements, appurtenances, rights, easements, licenses and benefits appurtenant thereto (hereinafter the "Property").

TO HAVE AND TO HOLD the Property in order that neither GRANTOR nor any person claiming under GRANTOR shall at any time, by any means or ways, have, claim or demand any right or title to the Property or any of the rights, members and appurtenances thereof.

GRANTOR hereby reserves for itself and its successors and assigns a permanent and perpetual access easement over, through and across the Property.

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year first above written.

GRANTOR:

AIGP 13TEN, LLC, a Delaware limited liability company

By: AIGP 13Ten Manager, LLC, a Delaware limited liability company, its Manager

By: ADAMS INVESTOR GROUP, LLC, a Pennsylvania limited liability company, its Manager

**By: _____
Brian K. Adams, Authorized Person**

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

EXHIBIT A

All of that tract or parcel of land lying and being in Land Lot 125 of the 18th District, City of Tucker, DeKalb County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at a point formed by the intersection of the easterly right-of-way of Juliette Road (80' r/w) and the southerly r/w of Stone Mill Way (60' r/w) and proceed thence along said southerly r/w of Stone Mill Way (60' r/w) the following courses and distances:

- (1) South 86°58'58" East, 33.90 feet to a point;
- (2) 140.13 feet along the arc of a curve to the Left, said curve having a radius of 509.77 feet and being subtended by a chord of North 85°14'00" East, 139.69 feet to an iron pin found (1.25 inch open top pipe);
- (3) 245.75 feet along the arc of a curve to the Left, said curve having a radius of 580.95 feet and being subtended by a chord of North 61°52'28" East, 243.92 feet to a point;
- (4) North 49°45'22" East, 59.15 feet to a point;
- (5) 82.66 feet along the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 55°02'55" East, 82.54 feet to a mag nail placed at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the westerly side of Richardson Street (60-foot ingress/egress easement) and the Point of Beginning.

From the Point of Beginning thus established, proceed thence 66.82 feet along the southerly r/w of Stone Mill Way (60' r/w) following the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 64°37'10" East, 66.76 feet to an iron pin placed (1/2 inch rebar with cap) at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the easterly side of Richardson Street (60-foot ingress/egress easement); thence depart the southerly r/w of Stone Mill Way (60' r/w) and proceed South 00°37'40" West for a distance of 578.36 feet to an iron pin placed (1/2" rebar with cap) at the intersection of the easterly side of Richardson Street (60-foot ingress/egress easement) and the northerly r/w of Spring View Avenue (50' r/w); thence departing the easterly side of Richardson Street (60-foot ingress/egress easement) North 89°22'20" West across Richardson Street (60-foot ingress/egress easement) along the northerly r/w of Spring View Avenue (50' r/w) for a distance of 57.97 feet to an iron pin placed (1/2 inch rebar with cap) on the westerly side of Richardson Street (60-foot ingress/egress easement); thence along the westerly side of Richardson Street (60-foot ingress/egress easement) the following courses and distances:

- (1) North 02°38'51" West for a distance of 35.53 feet to an iron pin found (1 inch open top pipe);
- (2) North 00°37'40" East for a distance of 513.62 feet to the Point of Beginning.

Said tract or parcel containing 0.77693 of an acre or 33,843 square feet.

THE LAW FIRM OF JOHN W. BELL, P.C.

ATLANTA OFFICE:
5 CONCOURSE PARKWAY
SUITE 3000
ATLANTA, GEORGIA 30328

ALPHARETTA OFFICE:
12600 DEERFIELD PARKWAY
SUITE 100
ALPHARETTA, GEORGIA 30004

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TELECOPIER: (770) 783-8706
EMAIL: jwbell@jwb-law.com

ATTORNEY'S TITLE CERTIFICATE AND OPINION ON THE PROPERTY OF

AIGP 13TEN, LLC, a Delaware limited liability company

CLIENT:	City of Tucker	TAX PARCEL:	18 125 01 015
PROJECT:	Richardson Street Ownership Determination	OUR FILE:	21-51255CK
DISTRICT:	18	LAND LOT(S):	185
PARCEL:	Richardson Street	EFFECTIVE DATE:	April 17, 2021

This is to certify that in consideration of a fee to be paid to the undersigned attorneys, the undersigned does hereby certify that a careful examination has been made of the public records of DeKalb County, Georgia affecting title to property described in Caption insofar as is correctly shown by indexes to said records from which indexes this certificate is furnished; and we hereby certify that record fee simple title to said property is now vested in **AIGP 13TEN, LLC, a Delaware limited liability company**, by virtue of a **Limited Warranty Deed** dated **February 26, 2021** and recorded in **Deed Book 29119, Page 83**, DeKalb County, Georgia records, as described therein; subject, however, to the below referenced objections. This title certificate and opinion is prepared solely for the use of the client and project listed herein for the property interests described by the above referenced parcel designation and may not be relied upon by any third party or for any other purpose.

STANDARD EXCEPTIONS

- (a) The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which would be disclosed by an accurate survey and inspection of the property.
- (b) Any matters not shown by the public records or which are improperly indexed of record.
- (c) Any documents, instruments, or encumbrances filed under names other than those appearing in the chain of title.
- (d) Title to that portion of the property included within the bounds of roads, highways, easements and rights of way, particularly roads and easements which are created by adverse or prescriptive usage.
- (e) Rights of upper and lower riparian owners to the streams, creeks and branches crossing, abutting, or located on the property, free from diminution or pollution thereof.
- (f) Rights, if any, of tenants or other persons who may be in possession under claims not appearing of record.
- (g) Possible liens of architects, laborers and materialmen for improvement of the property, not filed for record as of the effective date of this Certificate of Title.
- (h) All municipal or county zoning laws, ordinances and regulations, and all governmental regulations of the use and occupancy of the property.
- (i) Any matters relating to the presence or absence of any hazardous materials or waste on or within the property, and any violations with regard to hazardous materials or waste under any and all Federal and State environmental protection laws, rules or regulations.
- (j) Pay-as-you-enter water or sewer lines, which, while not technically liens, will be payable upon connection with such lines.
- (k) The location of any portion of the property within the limits of any "wet lands," and any laws, rules and regulations affecting wet land areas.
- (l) Any matters relating to past due utility bills, including but not limited to gas, water, electricity, telephone, sewer, and sanitary services.
- (m) Liens for taxes not yet due and payable.

SPECIAL EXCEPTIONS

SECURITY DEEDS

1. Multifamily Deed to Secure Debt, Assignment of Leases and Rents, Security Agreement and Fixture Filing from Landmark East Ponce LP to Arbour Commercial Funding I, LLC, dated as of February 28, 2019, filed February 28, 2019 and recorded in Deed Book 27407, Page 566, DeKalb County, Georgia records, listing an original principal amount of \$47,000,000.00 and a maturity date of March 1, 2031.
 - a. UCC Financing Statement listing Landmark East Ponce LP as the debtor and Fannie Mae as the secured party, filed February 28, 2019 and recorded in Deed Book 27407, Page 593, aforesaid records.
 - b. Assignment of Security Instrument by Arbour Commercial Funding I, LLC to Fannie Mae, dated February 28, 2019, filed February 28, 2019 and recorded in Deed Book 27407, Page 605, aforesaid records.
 - c. Assumption and Release Agreement by and among Landmark East Ponce LP; AIGP 13Ten, LLC; ZVI Smurtz; Isaac Kassirer; Brian Adams; Clyde C. Leaver, III; Robert E. Campbell; and Fannie Mae, dated as of February 26, 2021, filed March 1, 2021 and recorded in Deed Book 29119, Page 108, aforesaid records.

PROTECTIVE COVENANTS AND SURVEY AND PLAT RESTRICTIONS

1. None.

EASEMENTS, RIGHT-OF-WAY DEEDS AND AGREEMENTS

1. Easement from The Ervin Company to Georgia Power Company, dated December 15, 1972 and recorded in Deed Book 2951, Page 562, aforesaid records.
2. Declaration of Easements by Woodstream Real Estate Corporation, dated October 6, 1975, filed October 16, 1975 and recorded in Deed Book 3403, Page 40, aforesaid records.
3. Easement from FPT Atlanta, Ltd. to Georgia Power Company, dated July 17, 1986, filed October 15, 1986 and recorded in Deed Book 5618, Page 292, aforesaid records.
4. Easement Agreement by and between FPI Atlanta, Ltd. and Walton C. Glover, dated September 30, 1986, filed and recorded in Deed Book 5632, Page 550, aforesaid records.
5. Easement from F.P.I. Atlanta, Ltd. to Georgia Power Company, dated December 15, 1987, filed and recorded in Deed Book 6045, Page 92, aforesaid records.

6. Grant of Easement by and between Landmark at Mountain View, LLC and Comcast Cable Communications, LLC, dated March 21, 2016, filed July 25, 2016 and recorded in Deed Book 25690, Page 309, aforesaid records.
7. Sanitary Sewer and Construction Easement by and between Landmark East Ponce, LP and Tucker Land Group, LLC, dated August 26, 2020, filed February 22, 2021 and recorded in Deed Book 29093, Page 58 aforesaid records.
8. Rights of others, including prescriptive rights, across the private right-of-way of Richardson Street.

LIENS AND JUDGMENTS

1. None.

TAXES

1. For informational purposes only, please see the attached tax information obtained from the DeKalb County Tax Commissioner's office. Tax information is not certified.
 - a. Note that the subject property is not currently taxed as a distinct parcel.


OTHER EXCEPTIONS

1. This title certificate is limited to the portion of Richardson Street located between Stone Mill Way and Spring View Avenue.

This the 24th day of May, 2021.

JOHN W. BELL, P.C.

By:



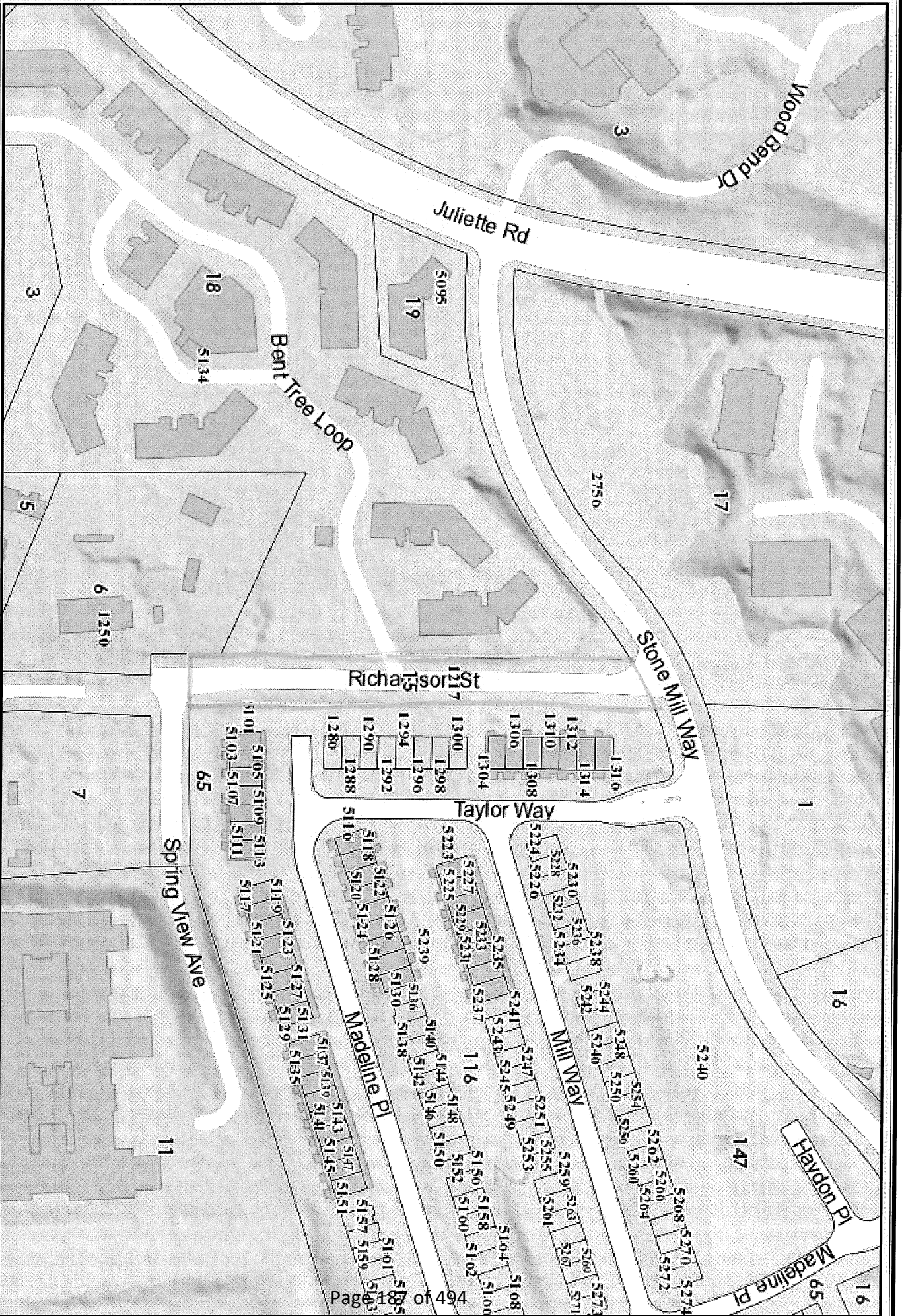
John W. Bell, Attorney at Law



Dekalb County Parcel Map

0 0.00025 0.015 0.03 0.045 0.06
mi

Date Printed: 5/20/2021



Dekalb County GIS Disclaimer:
The maps and data contained on Dekalb County's Geographic Information System (GIS) are subject to change without notice. While Dekalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation, or guarantee. Dekalb County explicitly disclaims all representations and warranties, including but not limited to, the accuracy, completeness, reliability, and fitness for a particular purpose, in no event shall Dekalb County be liable for any special, indirect, or consequential damages or for any loss of profits, use, data, or other information, whether in an action of contract, negligence, or other tortious action, arising out of or in connection with the use of the maps and/or data. These maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should they be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

2021040172 DEED BOOK 29119 Pg 83
Filed and Recorded: 3/1/2021 9:51:00 AM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$28,000.00
Prepared By:
6405611605

TMS Nos: 18-125-07-002; 18-137-02-003;
18-125-01-018; 18-125-01-021; 18-125-01-015

(Above Reserved for Recording)

After recording, please return to:

Chris Atkinson, Esq.
Atkinson Ferguson, LLC
118 Court Street
Monroe, Georgia 30655

STATE OF GEORGIA
COUNTY OF DEKALB

After recording return to:
Calloway Title and Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, GA 30319

2-39834

LIMITED WARRANTY DEED

THIS INDENTURE is made effective on the 26th day of February, 2021, by **LANDMARK EAST PONCE LP**, a Delaware limited partnership ("Grantor"), and **AIGP 13TEN, LLC**, a Delaware limited liability company ("Grantee").

WITNESSETH:

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby transfer and convey unto Grantee, that certain real property lying in DeKalb County, Georgia being more fully described in Exhibit "A" attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the "Property");

TO HAVE AND TO HOLD the Property unto Grantee forever in fee simple; subject only to those matters described on Exhibit "B" attached hereto and made a part hereof (hereinafter the "Permitted Encumbrances") and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor but against none other. "Grantor", "Grantors" and "Grantee" shall include their respective heirs, successors and assigns;

Exhibit "A"

TRACT ONE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 125, 137 & 172 OF THE 18TH DISTRICT, CITY OF TUCKER, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN PLACED (1/2" REBAR) AT THE INTERSECTION FORMED BY THE SOUTHWESTERLY RIGHT-OF-WAY OF U. S. HIGHWAY NO. 78/GEORGIA HIGHWAY NO. 410 A.K.A. STONE MOUNTAIN FREEWAY (VARIABLE R/W) AND THE WEST LINE OF LAND LOT 172, AND PROCEED IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) AND ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 957.30 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND (SAID ARC HAVING A CHORD DISTANCE OF 956.55 FEET ON A BEARING OF SOUTH 58°28'00" EAST AND A RADIUS OF 7011.98 FEET);

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 35°10'26" WEST A DISTANCE OF 104.88 FEET TO AN IRON PIN PLACED (1/2" REBAR @ BROKEN CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 55°28'53" EAST A DISTANCE OF 57.87 FEET TO AN IRON PIN PLACED (1/2" REBAR);

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 56°08'13" EAST A DISTANCE OF 50.24 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 62°37'15" EAST A DISTANCE OF 49.88 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 (VARIABLE R/W) AND ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 426.30 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AT THE INTERSECTION FORMED BY THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY 78 (VARIABLE R/W) AND THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) (SAID ARC HAVING A CHORD DISTANCE OF 426.23 FEET ON A BEARING OF SOUTH 52°07'15" EAST AND A RADIUS OF 6918.22 FEET);

THENCE SOUTH 07°51'11" WEST ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) A DISTANCE OF 80.30 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 82°08'49" EAST ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) A DISTANCE OF 21.36 FEET TO AN IRON PIN PLACED (1/2" REBAR) AT THE POINT WHERE JULIETTE ROAD BECOMES AN 80' RIGHT-OF-WAY;

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) THE FOLLOWING COURSES AND DISTANCES:

1) ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 603.30 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 599.36 FEET ON A BEARING OF SOUTH 11°37'41" WEST AND A RADIUS OF 1521.01 FEET);

2) THENCE SOUTH 22°59'28" WEST A DISTANCE OF 43.48 FEET TO A POINT;

Page 1 of 12

3) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 439.31 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 438.77 FEET ON A BEARING OF SOUTH 27°54'48" WEST AND A RADIUS OF 2556.90 FEET);

4) THENCE SOUTH 32°50'07" WEST A DISTANCE OF 41.81 FEET TO A POINT;

5) THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 513.05 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 506.03 FEET ON A BEARING OF SOUTH 16°23'35" WEST AND A RADIUS OF 893.90 FEET);

6) THENCE SOUTH 00°02'57" EAST A DISTANCE OF 314.11 FEET TO A POINT;

7) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 412.30 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 411.79 FEET ON A BEARING OF SOUTH 04°51'12" WEST AND A RADIUS OF 2409.31 FEET);

8) THENCE SOUTH 09°45'20" WEST A DISTANCE OF 1190.72 FEET TO A POINT;

9) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 769.91 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 754.65 FEET ON A BEARING OF SOUTH 29°34'19" WEST AND A RADIUS OF 1113.03 FEET);

10) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 35.26 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 35.26 FEET ON A BEARING OF SOUTH 50°17'45" WEST AND A RADIUS OF 1113.03 FEET);

11) THENCE SOUTH 51°12'12" WEST A DISTANCE OF 3.71 FEET TO AN IRON PIN PLACED (1/2" REBAR) AT THE INTERSECTION FORMED BY THE NORTHWESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) AND THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE R/W, 50' TO CENTERLINE OF ORIGINAL PAVEMENT);

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE R/W), NORTH 40°00'55" WEST A DISTANCE OF 167.96 FEET TO AN IRON PIN PLACED (1/2" REBAR) LOCATED AT THE INTERSECTION FORMED BY THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE AND THE WEST LINE OF LAND LOT 125;

THENCE DEPARTING SAID RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE R/W) AND PROCEED NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 125 FOR A DISTANCE OF 59.34 FEET TO AN IRON PIN PLACED (1/2" REBAR) ON SAID WEST LINE OF LAND LOT 125;

THENCE NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 125 FOR A DISTANCE OF 1013.44 FEET TO AN IRON PIN PLACED (1/2" REBAR) AT THE NORTHWEST CORNER OF LAND LOT 125 (SAID CORNER BEING THE COMMON CORNER OF LAND LOTS 124, 125, 137 & 138);

THENCE DEPARTING SAID LAND LOT CORNER AND PROCEED NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 200.93 FEET TO AN IRON PIN PLACED (1/2" REBAR);

THENCE NORTH 00°36'08" EAST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 143.17 FEET TO AN IRON PIN PLACED (1/2" REBAR);

THENCE NORTH 00°30'28" EAST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 198.08 FEET TO AN IRON PIN PLACED (1/2" REBAR);

THENCE NORTH 00°42'32" EAST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 201.71 FEET TO AN IRON PIN PLACED (1/2" REBAR);

THENCE NORTH 01°09'35" EAST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 341.19 FEET TO AN IRON PIN FOUND (1/2" REBAR);

THENCE NORTH 00°19'46" EAST ALONG THE WEST LINE OF LAND LOT 137 FOR A DISTANCE OF 2273.15 FEET TO AN IRON PIN FOUND (1-1/2" OPEN TOP PIPE, 2' TALL) AT THE NORTHWEST CORNER OF LAND LOT 137 (SAID CORNER BEING THE COMMON CORNER OF LAND LOTS 137, 138, 171 & 172);

THENCE DEPARTING SAID LAND LOT CORNER AND PROCEED NORTH 00°12'24" WEST ALONG THE WEST LINE OF LAND LOT 172 FOR A DISTANCE OF 568.93 FEET TO AN IRON PIN PLACED (1/2" REBAR) ON THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U. S. HIGHWAY NO. 78 AND THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINING 86.51855 ACRES OR 3,768,748 SQUARE FEET.

TRACT THREE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 125 OF THE 18TH DISTRICT, CITY OF TUCKER, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL PLACED AT THE INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) AND THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE R/W, 50' TO ORIGINAL CENTERLINE OF PAVEMENT) AND PROCEED NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) THE FOLLOWING COURSES AND DISTANCES:

1) NORTH 51°12'12" EAST A DISTANCE OF 2.00 FEET TO A POINT;

2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 40.78 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 40.78 FEET ON A BEARING OF NORTH 50°13'27" EAST AND A RADIUS OF 1193.03 FEET);

3) THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 498.50 FEET TO AN IRON PIN PLACED (1/2" REBAR) (SAID ARC HAVING A CHORD DISTANCE OF 494.88 FEET ON A BEARING OF NORTH 37°16'29" EAST AND A RADIUS OF 1193.03 FEET);

THENCE NORTH 86°43'39" EAST AND DEPARTING THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD FOR A DISTANCE OF 174.13 FEET TO AN IRON PIN FOUND (3/4" REBAR);

THENCE NORTH 21°41'09" EAST FOR A DISTANCE OF 124.56 FEET TO AN IRON PIN FOUND (1-1/4" OPEN TOP PIPE, BENT & STRAIGHTENED) ON THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W);

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W) THE FOLLOWING COURSES AND DISTANCES:

1) ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 245.75 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 243.92 FEET ON A BEARING OF NORTH 61°52'28" EAST AND A RADIUS OF 580.95 FEET);

2) THENCE NORTH 49°45'22" EAST A DISTANCE OF 59.15 FEET TO A POINT;

3) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 82.66 FEET TO A MAG NAIL PLACED AT THE INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W) AND THE WESTERLY MARGIN OF RICHARDSON STREET (60' INGRESS/EGRESS EASEMENT, PER DEED BOOK 3403, PAGE 40) (SAID ARC HAVING A CHORD DISTANCE OF 82.54 FEET ON A BEARING OF NORTH 55°02'55" EAST AND A RADIUS OF 447.44 FEET);

THENCE DEPARTING SAID SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W) AND PROCEED SOUTH 00°37'40" WEST ALONG THE WESTERLY MARGIN OF RICHARDSON STREET FOR A DISTANCE OF 513.62 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE);

THENCE DEPARTING SAID WESTERLY MARGIN OF RICHARDSON STREET AND PROCEED NORTH 64°48'16" WEST FOR A DISTANCE OF 247.49 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE);

THENCE SOUTH 01°40'56" EAST FOR A DISTANCE OF 304.56 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE WITH 3/4" SOLID ROD IN CENTER);

THENCE SOUTH 01°55'41" EAST FOR A DISTANCE OF 100.33 FEET TO A POINT;

Page 4 of 12

THENCE NORTH 66°13'16" WEST FOR A DISTANCE OF 249.89 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE);

THENCE SOUTH 80°40'00" WEST FOR A DISTANCE OF 179.19 FEET TO AN IRON PIN FOUND (1/2" REBAR);

THENCE SOUTH 01°04'21" WEST FOR A DISTANCE OF 178.33 FEET TO A POINT;

THENCE CONTINUING SOUTH 01°04'21" WEST FOR A DISTANCE OF 68.09 FEET TO AN IRON PIN PLACED (1/2" REBAR) ON THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE RW, 50' TO CENTERLINE OF ORIGINAL PAVEMENT);

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE (VARIABLE RW) THE FOLLOWING COURSES AND DISTANCES:

1) ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 314.01 FEET (SAID ARC HAVING A CHORD DISTANCE OF 313.18 FEET ON A BEARING OF NORTH 47°13'22" WEST AND A RADIUS OF 1248.10 FEET);

2) THENCE NORTH 40°00'55" WEST A DISTANCE OF 36.04 FEET TO A MAG NAIL PLACED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) AND THE POINT OF BEGINNING;

SAID TRACT CONTAINING 7.61314 ACRES OR 331,628 SQUARE FEET.

ALSO DESCRIBED AS FOLLOWS:

SITUATED IN LAND LOTS 125, 137 & 172 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

TRACT ONE:

BEGINNING AT AN IRON PIN FOUND AT THE INTERSECTION FORMED BY THE SOUTHWESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 78/GEORGIA HIGHWAY NO. 410 A.K.A. STONE MOUNTAIN FREEWAY (VARIABLE R/W) AND THE WEST LINE OF LAND LOT 172, SAID POINT ALSO BEING AT THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OWNED BY GWINNETT INDUSTRIES, INC. AS RECORDED IN DEED BOOK 5897, PAGE 614 OF DEKALB COUNTY, GEORGIA RECORDS;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 78 (VARIABLE R/W) AND ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 957.30 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND (SAID ARC HAVING A CHORD DISTANCE OF 956.55 FEET ON A BEARING OF SOUTH 58°28'00" EAST AND A RADIUS OF 7011.98 FEET) (FORMERLY A RECORD ARC DISTANCE OF 957.35 FEET, A RECORD CHORD DISTANCE OF 956.60 FEET AND A RECORD BEARING OF SOUTH 58°28'01" EAST);

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 35°10'26" WEST A DISTANCE OF 104.88 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 35°04'21" WEST, 104.63 FEET) TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 78 (VARIABLE R/W) SOUTH 55°28'53" EAST A DISTANCE OF 57.87 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 55°22'22" EAST, 57.76 FEET) TO AN IRON PIN PLACED;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 78 (VARIABLE R/W) SOUTH 56°08'13" EAST A DISTANCE OF 50.24 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 56°01'42" EAST, 50.15 FEET) TO A CONCRETE MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 78 (VARIABLE R/W) SOUTH 62°37'15" EAST A DISTANCE OF 49.88 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 62°34'30" EAST) TO A CONCRETE MONUMENT FOUND;

THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 78 (VARIABLE R/W) AND ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 426.30 FEET TO A CONCRETE MONUMENT FOUND AT THE INTERSECTION FORMED BY THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 78 (VARIABLE R/W) AND THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) (SAID ARC HAVING A CHORD DISTANCE OF 426.23 FEET ON A BEARING OF SOUTH 52°07'15" EAST AND A RADIUS OF 6918.22 FEET) (FORMERLY A RECORD ARC DISTANCE OF 426.36 FEET, A RECORD CHORD DISTANCE OF 426.19 FEET AND RECORD BEARING OF SOUTH 52°08'35" EAST);

THENCE SOUTH 07°51'11" WEST ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) A DISTANCE OF 80.30 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 06°47'53" WEST, 80.18 FEET) TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 82°08'49" EAST ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (VARIABLE R/W) A DISTANCE OF 21.36 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 83°12'08" EAST, 18.08 FEET) TO AN IRON PIN PLACED AT THE POINT WHERE JULIETTE ROAD BECOMES AN 80' RIGHT OF WAY;

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) THE FOLLOWING COURSES AND DISTANCES:

ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 603.30 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 599.36 FEET ON A BEARING OF SOUTH 11°17'41" WEST AND A RADIUS OF 1521.005 FEET);

THENCE SOUTH 22°59'28" WEST A DISTANCE OF 43.48 FEET TO A POINT;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 439.31 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 438.77 FEET ON A BEARING OF SOUTH 27°54'48" WEST AND A RADIUS OF 2556.896 FEET;

THENCE SOUTH 32°50'07" WEST A DISTANCE OF 41.81 FEET TO A POINT;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 513.05 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 506.03 FEET ON A BEARING OF SOUTH 16°23'35" WEST AND A RADIUS OF 893.897 FEET);

THENCE SOUTH 00°02'57" EAST A DISTANCE OF 314.11 FEET TO A POINT;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 412.30 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 411.79 FEET ON A BEARING OF SOUTH 04°51'12" WEST AND A RADIUS OF 2409.305 FEET);

THENCE SOUTH 09°45'20" WEST A DISTANCE OF 1190.72 FEET TO A POINT;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 769.91 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 754.65 FEET ON A BEARING OF SOUTH 29°34'19" WEST AND A RADIUS OF 1113.034 FEET);

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 35.26 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 35.26 FEET ON A BEARING OF SOUTH 50°17'45" WEST AND A RADIUS OF 1113.034 FEET);

THENCE SOUTH 51°12'12" WEST A DISTANCE OF 24.79 FEET TO THE INTERSECTION FORMED BY THE NORTHWESTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) AND THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE;

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE THE FOLLOWING COURSES AND DISTANCES:

ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 56.97 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 56.97 FEET ON A BEARING OF NORTH 40°48'49" WEST AND A RADIUS OF 2135.30 FEET) FORMERLY A RECORD DISTANCE OF 53.30 FEET AND A RECORD BEARING OF NORTH 40°48'06" WEST);

THENCE NORTH 40°02'57" WEST A DISTANCE OF 84.29 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 40°01'10" WEST 83.00 FEET) TO THE INTERSECTION FORMED BY THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE AND THE WEST LINE OF LAND LOT 125;

THENCE NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 125 A DISTANCE OF 93.55 FEET TO AN IRON PIN PLACED ON SAID WEST LINE OF LAND LOT 125 AND AT THE SOUTHEASTERLY CORNER OF LAND NOW OR FORMERLY OWNED BY GWINNETT INDUSTRIES, INC. AS RECORDED IN DEED BOOK 3211, PAGE 591 OF DEKALB COUNTY, GEORGIA RECORDS;

THENCE NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 125 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 1013.44 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°09'22" WEST, 1039.55 FEET) TO AN IRON PIN PLACED AT THE NORTHWEST CORNER OF LAND LOT 125 (SAID CORNER BEING THE COMMON CORNER OF LAND LOTS 124, 125, 137 & 138 AND ALSO THE SOUTHEASTERLY CORNER OF LAND NOW OR FORMERLY OWNED BY GWINNETT INDUSTRIES, INC.);

THENCE NORTH 00°09'14" WEST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 200.93 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°09'22" WEST, 200.94 FEET) TO AN IRON PIN PLACED;

THENCE NORTH 00°36'08" EAST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 143.17 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°36'00" EAST, 143.18 FEET) TO AN IRON PIN PLACED;

THENCE NORTH 00°30'28" EAST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 198.08 FEET (FORMERLY A RECORD BEARING OF NORTH 00°30'20" EAST) TO AN IRON PIN PLACED;

THENCE NORTH 00°42'32" EAST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 201.71 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°42'24" EAST, 201.72 FEET) TO AN IRON PIN PLACED;

THENCE NORTH 01°09'35" EAST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 341.19 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 01°09'27" EAST, 341.21 FEET) TO AN IRON PIN FOUND;

THENCE NORTH 00°19'46" EAST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINES OF SAID GWINNETT INDUSTRIES, INC. PROPERTY AND LAND NOW OR FORMERLY OWNED BY JACK GREENE AS RECORDED IN DEED BOOK 2910, PAGE 551 OF DEKALB COUNTY, GEORGIA RECORDS, A DISTANCE OF 2273.15 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°12'50" EAST 2275.32 FEET) TO AN IRON PIN FOUND AT THE NORTHWEST CORNER OF LAND LOT 137 (SAID CORNER BEING THE COMMON CORNER OF LAND LOTS 137, 138, 171 & 172 AND ALSO THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OWNED BY GWINNETT INDUSTRIES, INC. AS RECORDED IN DEED BOOK 5897, PAGE 614 OF DEKALB COUNTY, GEORGIA RECORDS);

THENCE NORTH 00°12'24" WEST ALONG THE WEST LINE OF LAND LOT 137 AND ALONG THE EAST LINE OF SAID GWINNETT INDUSTRIES, INC. PROPERTY A DISTANCE OF 568.93 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 00°12'50" EAST 566.74 FEET) TO THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO 78 AND THE POINT OF BEGINNING; SAID TRACT CONTAINING 86.59588 ACRES OR 3,772,116.5 SQUARE FEET.

TRACT THREE:

BEGINNING AT THE INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT OF WAY OF JULIETTE ROAD (80' R/W) AND THE NORTHEASTERLY RIGHT OF WAY OF EAST PONCE DE LEON AVENUE AND RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY OF JULIETTE ROAD (80' R/W) THE FOLLOWING COURSES AND DISTANCES:

NORTH 51°12'12" EAST A DISTANCE OF 19.40 FEET TO A POINT:

THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 40.78 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 40.78 FEET ON A BEARING OF NORTH 50°13'27" EAST AND A RADIUS OF 1193.034 FEET);

THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 498.50 FEET TO AN IRON PIN PLACED AT THE SOUTHWEST CORNER OF LAND NOW OR FORMERLY OWNED BY WALTON C. GLOVER AS RECORDED IN DEED BOOK 5632, PAGE 548 OF DEKALB COUNTY, GEORGIA RECORDS (SAID ARC HAVING A CHORD DISTANCE OF 494.88 FEET ON A BEARING OF NORTH 37°16'29" EAST AND A RADIUS OF 1193.034 FEET);

THENCE NORTH 86°43'39" EAST ALONG THE SOUTHERLY LINE OF SAID WALTON C. GLOVER PROPERTY AND DEPARTING THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD. A DISTANCE OF 174.13 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 86°44' 039" EAST, 174.44 FEET) TO AN IRON PIN FOUND;

THENCE NORTH 21°41'09" EAST ALONG THE EASTERLY LINE OF SAID WALTON C. GLOVER PROPERTY A DISTANCE OF 124.56 FEET (FORMERLY A RECORD BEARING OF NORTH 21°39'39" EAST) TO AN IRON PIN PLACE ON THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W);

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W) THE FOLLOWING COURSES AND DISTANCES;

ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 245.75 FEET TO A POINT (SAID ARC HAVING A CHORD DISTANCE OF 243.92 FEET ON A BEARING OF NORTH 61°52'28" EAST AND A RADIUS OF 580.95 FEET) (FORMERLY A RECORD BEARING OF NORTH 61°54'03" EAST);

THENCE NORTH 49°45'22" EAST A DISTANCE OF 59.15 FEET (FORMERLY A RECORD BEARING OF NORTH 49°46'57" EAST);

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 82.66 FEET TO THE INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT-OF-WAY OF STONE MILL WAY (60' R/W) AND THE WESTERLY RIGHT-OF-WAY OF RICHARDSON

STREET (60' R/W) (SAID ARC HAVING A CHORD DISTANCE OF 82.54 FEET ON A BEARING OF NORTH 55°02'55" EAST AND A RADIUS OF 447.440 FEET) (FORMERLY A RECORD BEARING OF NORTH 55°04'31" EAST);

THENCE SOUTH 00°37'40" WEST ALONG THE WESTERLY RIGHT-OF-WAY OF RICHARDSON STREET (60' R/W) A DISTANCE OF 513.62 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 00°39'56" WEST, 513.56 FEET) TO AN IRON PIN FOUND AT THE NORTHEAST CORNER OF LAND NOW OR FORMERLY OWNED BY PEARSON LANDSCAPES AS RECORDED IN DEED BOOK 6159, PAGE 386 OF DEKALB COUNTY, GEORGIA RECORDS;

THENCE NORTH 64°48'16" WEST ALONG THE NORTHERLY LINE OF SAID PEARSON LANDSCAPES PROPERTY A DISTANCE OF 247.49 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 64°45'13" WEST, 247.22 FEET) TO AN IRON PIN FOUND;

THENCE SOUTH 01°40'56" EAST ALONG THE WESTERLY LINE OF SAID PEARSON LANDSCAPES PROPERTY A DISTANCE OF 304.56 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 01°38'39" EAST, 304.63 FEET) TO AN IRON PIN FOUND AT THE NORTHWEST CORNER OF LAND NOW OR FORMERLY OWNED BY ROY LAMAR NELMS AS RECORDED IN DEED BOOK 6073, PAGE 149 OF DEKALB COUNTY, GEORGIA RECORDS;

THENCE SOUTH 01°55'41" EAST ALONG THE WESTERLY LINE OF SAID ROY LAMAR NELMS PROPERTY A DISTANCE OF 100.33 FEET (FORMERLY A RECORD BEARING THE DISTANCE OF SOUTH 01°59'39" EAST, 100.30 FEET) TO AN IRON PIN ON THE NORTHERLY LINE OF LAND NOW OR FORMERLY OWNED BY GWINNETT INDUSTRIES AS RECORDED IN DEED BOOK 4548, PAGE 73 OF DEKALB COUNTY, GEORGIA RECORDS;

THENCE NORTH 66°13'16" WEST ALONG THE NORTHERLY LINE OF SAID GWINNETT INDUSTRIES PROPERTY A DISTANCE OF 249.89 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF NORTH 66°12'39" WEST, 249.80 FEET) TO AN IRON PIN FOUND AT THE NORTHEAST CORNER OF LAND NOW OR FORMERLY OWNED BY STONE MOUNTAIN INDUSTRIAL PARK, INC.;

THENCE SOUTH 80°40'00" WEST ALONG THE NORTHERLY LINE OF SAID STONE MOUNTAIN INDUSTRIAL PARK, INC., A DISTANCE OF 179.19 FEET (FORMERLY A RECORD BEARING AND DISTANCE OF SOUTH 80°40'12" WEST, 179.20 FEET) TO AN IRON PIN FOUND;

THENCE SOUTH 01°04'21" WEST ALONG THE WESTERLY LINE OF SAID STONE MOUNTAIN INDUSTRIAL PARK, INC., A DISTANCE OF 252.72 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE;

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF EAST PONCE DE LEON AVENUE AND ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 356.18 FEET (SAID ARC HAVING A CHORD DISTANCE OF 355.77 FEET ON A BEARING OF NORTH 48°30'30" WEST AND A RADIUS OF 2135.30 FEET) (FORMERLY A RECORD DISTANCE OF 355.97 FEET, A RECORD CHORD DISTANCE OF 355.56 FEET AND A RECORD BEARING OF NORTH 48°30'40" WEST) TO THE SOUTHEASTERLY RIGHT-OF-WAY OF JULIETTE ROAD (80' R/W) AND THE POINT OF BEGINNING; SAID TRACT CONTAINING 7.67863 ACRES OR 334.481 SQUARE FEET.

TRACT FOUR**Richardson Street Tract**

All of that tract or parcel of land lying and being in Land Lot 125 of the 18th District, City of Tucker, DeKalb County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at a point formed by the intersection of the easterly right-of-way of Juliette Road (80' r/w) and the southerly r/w of Stone Mill Way (60' r/w) and proceed thence along said southerly r/w of Stone Mill Way (60' r/w) the following courses and distances:

- (1) South 86°58'58" East, 33.90 feet to a point;
- (2) 140.13 feet along the arc of a curve to the Left, said curve having a radius of 509.77 feet and being subtended by a chord of North 85°14'00" East, 139.69 feet to an iron pin found (1.25 inch open top pipe);
- (3) 245.75 feet along the arc of a curve to the Left, said curve having a radius of 580.95 feet and being subtended by a chord of North 61°52'28" East, 243.92 feet to a point;
- (4) North 49°45'22" East, 59.15 feet to a point;
- (5) 82.66 feet along the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 55°02'55" East, 82.54 feet to a mag nail placed at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the westerly side of Richardson Street (60-foot ingress/egress easement) and the Point of Beginning.

From the Point of Beginning thus established, proceed thence 66.82 feet along the southerly r/w of Stone Mill Way (60' r/w) following the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 64°37'10" East, 66.76 feet to an iron pin placed (1/2 inch rebar with cap) at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the easterly side of Richardson Street (60-foot ingress/egress easement); thence depart the southerly r/w of Stone Mill Way (60' r/w) and proceed South 00°37'40" West for a distance of 578.36 feet to an iron pin placed (1/2" rebar with cap) at the intersection of the easterly side of Richardson Street (60-foot ingress/egress easement) and the northerly r/w of Spring View Avenue (50' r/w); thence departing the easterly side of Richardson Street (60-foot ingress/egress easement) North 89°22'20" West across Richardson Street (60-foot ingress/egress easement) along the northerly r/w of Spring View Avenue (50' r/w) for a distance of 57.97 feet to an iron pin placed (1/2 inch rebar with cap) on the westerly side of Richardson Street (60-foot ingress/egress easement); thence along the westerly side of Richardson Street (60-foot ingress/egress easement) the following courses and distances:


- (1) North 02°38'51" West for a distance of 35.53 feet to an iron pin found (1 inch open top pipe);
- (2) North 00°37'40" East for a distance of 513.62 feet to the Point of Beginning.

Said tract or parcel containing 0.77693 of an acre or 33,843 square feet.

After recording return to:
Calloway Title & Escrow, LLC
David W. Dudley 2-34985
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, Georgia 30319

Prepared by, and after recording
return to:

Cornelius R. O'Brien, Esquire
Troutman Sanders LLP
P.O. Box 1122
Richmond, VA 23218

2019038219 DEED BOOK **27407** Pg **566**

Filed and Recorded:
2/28/2019 2:38:35 PM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia
Georgia Intangible Tax Paid \$25,000.00

**MULTIFAMILY DEED TO SECURE DEBT,
ASSIGNMENT OF LEASES AND RENTS,
SECURITY AGREEMENT AND FIXTURE FILING**

(GEORGIA)

Fannie Mae Multifamily Security Instrument
Georgia

Form 6025.GA
01-16

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13Ten Apartment Homes

**MULTIFAMILY DEED TO SECURE DEBT,
ASSIGNMENT OF LEASES AND RENTS,
SECURITY AGREEMENT AND FIXTURE FILING**

This MULTIFAMILY DEED TO SECURE DEBT, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Security Instrument") dated as of the 28 day of February, 2019, is executed by LANDMARK EAST PONCE LP, a limited partnership organized and existing under the laws of Delaware, as grantor ("Borrower"), to and for the benefit of ARBOR COMMERCIAL FUNDING I, LLC, a limited liability company organized and existing under the laws of New York, as grantee ("Lender").

Borrower, in consideration of (i) the loan in the original principal amount of Forty-Seven Million and 00/100 Dollars (\$47,000,000.00) (the "Mortgage Loan") evidenced by that certain Multifamily Note dated as of the date of this Security Instrument, executed by Borrower and made payable to the order of Lender maturing on March 1, 2031 (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Note"), (ii) that certain Multifamily Loan and Security Agreement dated as of the date of this Security Instrument, executed by and between Borrower and Lender (as amended, restated, replaced, supplemented or otherwise modified from time to time, the "Loan Agreement"), and (iii) the security title created and transferred to Lender by this Security Instrument, and to secure to Lender the repayment of the Indebtedness (as defined in this Security Instrument), and all renewals, extensions and modifications thereof, and the performance of the covenants and agreements of Borrower contained in the Loan Documents (as defined in the Loan Agreement), excluding the Environmental Indemnity Agreement (as defined in this Security Instrument), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, irrevocably and unconditionally grants, warrants, conveys, bargains, sells, and assigns to and for the benefit of Lender, with power of sale and right of entry and possession, the Mortgaged Property (as defined in this Security Instrument), including the real property located in DeKalb County, State of Georgia, and described in Exhibit A attached to this Security Instrument and incorporated herein by reference (the "Land"), to have and to hold such Mortgaged Property unto Lender and Lender's successors and assigns, forever; Borrower hereby releasing, relinquishing and waiving, to the fullest extent allowed by law, all rights and benefits, if any, under and by virtue of the homestead exemption laws of the Property Jurisdiction (as defined in this Security Instrument), if applicable.

Borrower represents and warrants that Borrower is lawfully seized of the Mortgaged Property and has the right, power and authority to grant, warrant, convey, bargain, sell, and assign the Mortgaged Property, and that the Mortgaged Property is not encumbered by any Lien (as defined in this Security Instrument) other than Permitted Encumbrances (as defined in this Security Instrument). Borrower covenants that Borrower will warrant and defend the title to the Mortgaged Property against all claims and demands other than Permitted Encumbrances.

Borrower and (by its acceptance hereof) Lender covenants and agrees as follows:

The name, chief executive office and organizational identification number of Borrower (as Debtor under any applicable Uniform Commercial Code) are:

- Debtor Name/Record Owner: Landmark East Ponce LP
- Debtor Chief Executive Office Address:
1 Battery Park Plaza, 31st Floor
New York, New York 10004
- Debtor Organizational ID Number: 6325848

The name and chief executive office of Lender (as Secured Party) are:

- Secured Party Name: Arbor Commercial Funding I, LLC
- Secured Party Chief Executive Office Address:
333 Earle Ovington Boulevard, Suite 900
Uniondale, New York 11553
- Secured Party Notice Address:
3370 Walden Avenue, Suite 114
Depew, New York 14043

Tract 4 ~ Richardson Street Tract

All of that tract or parcel of land lying and being in Land Lot 125 of the 18th District, City of Tucker, DeKalb County, Georgia and being more particularly described as follows:

To reach the **Point of Beginning** commence at a point formed by the intersection of the easterly right-of-way of Juliette Road (80' r/w) and the southerly r/w of Stone Mill Way (60' r/w) and proceed thence along said southerly r/w of Stone Mill Way (60' r/w) the following courses and distances:

- (1) South 86°58'58" East, 33.90 feet to a point;
- (2) 140.13 feet along the arc of a curve to the Left, said curve having a radius of 509.77 feet and being subtended by a chord of North 85°14'00" East, 139.69 feet to an iron pin found (1.25 inch open top pipe);
- (3) 245.75 feet along the arc of a curve to the Left, said curve having a radius of 580.95 feet and being subtended by a chord of North 61°52'28" East, 243.92 feet to a point;
- (4) North 49°45'22" East, 59.15 feet to a point;
- (5) 82.66 feet along the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 55°02'55" East, 82.54 feet to a mag nail placed at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the westerly side of Richardson Street (60-foot ingress/egress easement) and the **Point of Beginning**.

From the **Point of Beginning** thus established, proceed thence 66.82 feet along the southerly r/w of Stone Mill Way (60' r/w) following the arc of a curve to the Right, said curve having a radius of 447.44 feet and being subtended by a chord of North 64°37'10" East, 66.76 feet to an iron pin placed (1/2 inch rebar with cap) at the intersection of the southerly r/w of Stone Mill Way (60' r/w) and the easterly side of Richardson Street (60-foot ingress/egress easement); thence depart the southerly r/w of Stone Mill Way (60' r/w) and proceed South 00°37'40" West for a distance of 578.36 feet to an iron pin placed (1/2" rebar with cap) at the intersection of the easterly side of Richardson Street (60-foot ingress/egress easement) and the northerly r/w of Spring View Avenue (50' r/w); thence departing the easterly side of Richardson Street (60-foot ingress/egress easement) North 89°22'20" West across Richardson Street (60-foot ingress/egress easement) along the northerly r/w of Spring View Avenue (50' r/w) for a distance of 57.97 feet to an iron pin placed (1/2 inch rebar with cap) on the westerly side of Richardson Street (60-foot ingress/egress easement); thence along the westerly side of Richardson Street (60-foot ingress/egress easement) the following courses and distances:

- (1) North 02°38'51" West for a distance of 35.53 feet to an iron pin found (1 inch open top pipe);
- (2) North 00°37'40" East for a distance of 513.62 feet to the **Point of Beginning**.

Said tract or parcel containing 0.77693 of an acre or 33,843 square feet.

2019038220

DEED BOOK

27407 Pg 593

Filed and Recorded:

2/28/2019 2:38:35 PM

Debra DeBerry

Clerk of Superior Court
DeKalb County, Georgia

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)
B. E-MAIL CONTACT AT FILER (optional)
C. SEND ACKNOWLEDGEMENT TO: (Name and Address)

After recording return to:
Calloway Title & Escrow, LLC
David W. Dudley 234985
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, Georgia 30319

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME: Provide only <u>one</u> Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here <input type="checkbox"/> and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)					
1a. ORGANIZATION'S NAME LANDMARK EAST PONCE LP					
OR	1b. INDIVIDUAL'S SURNAME		FIRST PERSONAL NAME	ADDITIONAL NAME(S) INITIAL(S)	SUFFIX
1c. MAILING ADDRESS 1 Battery Park Plaza, 31st Floor New York, New York 10004			CITY New York	STATE NY	POSTAL CODE 10004
2. DEBTOR'S NAME: Provide only <u>one</u> Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here <input type="checkbox"/> and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)					
2a. ORGANIZATION'S NAME					
OR	2b. INDIVIDUAL'S SURNAME		FIRST PERSONAL NAME	ADDITIONAL NAME(S) INITIAL(S)	SUFFIX
2c. MAILING ADDRESS			CITY	STATE	POSTAL CODE
					COUNTRY
3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only <u>one</u> Secured Party name (3a or 3b)					
3a. ORGANIZATION'S NAME FANNIE MAE					
OR	3b. INDIVIDUAL'S SURNAME		FIRST PERSONAL NAME	ADDITIONAL NAME(S) INITIAL(S)	SUFFIX
3c. MAILING ADDRESS c/o Arbor Commercial Funding I, LLC 3370 Walden Avenue, Suite 114			CITY Depew	STATE NY	POSTAL CODE 14043
					COUNTRY USA
4. COLLATERAL: This financing statement covers the following collateral:					

Debtor's interest in all property located on or used or acquired in connection with the operation and maintenance of the real estate described in the attached Exhibit A, including, without limitation, the collateral described on Schedule A attached hereto and made a part hereof.

5. Check <u>only</u> if applicable and check <u>only</u> one box: Collateral is <input type="checkbox"/> held in a Trust (see UCC1Ad, item 17 and Instructions) <input type="checkbox"/> being administered by a Decedent's Personal Representative	
6a. Check <u>only</u> if applicable and check <u>only</u> one box: <input type="checkbox"/> Public-Finance Transaction <input type="checkbox"/> Manufactured-Home Transaction <input type="checkbox"/> A Debtor is a Transmitting Utility	6b. Check <u>only</u> if applicable and check <u>only</u> one box: <input type="checkbox"/> Agricultural Lien <input type="checkbox"/> Non-UCC Filing
7. ALTERNATIVE DESIGNATION (if applicable): <input type="checkbox"/> Lessee/Lessor <input type="checkbox"/> Consignee/Consignor <input type="checkbox"/> Seller/Buyer <input type="checkbox"/> Bailee/Bailor <input type="checkbox"/> Licensee/Licensor	
8. OPTIONAL FILER REFERENCE DATA:	

13Ten Apartment Homes Local - DeKalb County, Georgia

International Association of Commercial Administrators (IACA)

FILING OFFICE COPY - UCC FINANCING STATEMENT (FORM UCC1) (Rev. 04/20/11)

After recording return to:
Calloway Title & Escrow, LLC
David W. Dudley 7-54985
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, Georgia 30319

2019038221 DEED BOOK 27407 Pg 605
Filed and Recorded:
2/28/2019 2:38:35 PM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Prepared by, and after recording, return to:

Cornelius R. O'Brien, Esquire
Troutman Sanders LLP
Post Office Box 1122
Richmond, Virginia 23218-1122

13Ten Apartment Homes

ASSIGNMENT OF SECURITY INSTRUMENT

FOR VALUABLE CONSIDERATION, **ARBOR COMMERCIAL FUNDING I, LLC**, a New York limited liability company ("Assignor"), having its principal place of business at 3370 Walden Avenue, Suite 114, Depew, New York 14043, hereby assigns, grants, sells, and transfers to **FANNIE MAE**, the corporation duly organized under the Federal National Mortgage Association Charter Act, as amended, 12 U.S.C. §1716 et seq. and duly organized and existing under the laws of the United States ("Assignee"), whose address is c/o Arbor Commercial Funding I, LLC, 3370 Walden Avenue, Suite 114, Depew, New York 14043, and Assignee's successors, transferees and assigns forever, all of the right, title, and interest of Assignor in and to the Multifamily Deed to Secure Debt, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of February 28, 2019, entered into by **LANDMARK EAST PONCE LP**, a Delaware limited partnership ("Borrower") for the benefit of Assignor, securing an indebtedness of Borrower to Assignor in the principal amount of \$47,000,000.00 recorded in the land records of DeKalb County, Georgia, prior to this Assignment (the "**Instrument**"), which indebtedness is secured by the property described in Exhibit A attached to this Assignment and incorporated into it by this reference.

Together with the Note or other obligation described in the Instrument and all obligations secured by the Instrument now or in the future.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of February 28, 2019, to be effective as of the effective date of the Instrument.

[END OF PAGE - SIGNATURE TO FOLLOW]

2021040175 DEED BOOK 29119 Pg 108
Filed and Recorded: 3/1/2021 9:51:00 AM
Recording Fee: \$25.00
Intangible Tax: \$25,000.00
Prepared By:
6405611605

Prepared by, and after recording
return to:

Gregory W. Kuehnle, Esquire
Troutman Pepper Hamilton Sanders LLP
P.O. Box 1122
Richmond, VA 23218

Map Reference No.s
18 125 01 018
18 125 01 021
18 125 07 002
18 137 02 003
18 125 01 015

After recording return to:
Calloway Title and Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, GA 30319

2-39834

ASSUMPTION AND RELEASE AGREEMENT

Assumption and Release Agreement
Fannie Mae

Form 6625
08-13

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13Ten Apartment Homes

ASSUMPTION AND RELEASE AGREEMENT

This ASSUMPTION AND RELEASE AGREEMENT ("Agreement") is dated as of the 26th day of February, 2021 by and among LANDMARK EAST PONCE LP, a Delaware limited partnership ("Transferor"), AIGP 13TEN, LLC, a Delaware limited liability company ("Transferee"), ZVI SMURSZ and ISAAC KASSIRER ("Original Guarantor"), BRIAN ADAMS, CLYDE C. LEAVER, III and ROBERT E. CAMPBELL ("New Guarantor") and FANNIE MAE, the corporation duly organized under the Federal National Mortgage Association Charter Act, as amended, 12 U.S.C. §1716 et seq. and duly organized and existing under the laws of the United States ("Fannie Mae").

RECITALS:

A. Pursuant to that certain Multifamily Loan and Security Agreement dated as of February 28, 2019, executed by and between Transferor and Arbor Commercial Funding I, LLC, a New York limited liability company ("Original Lender") (as amended, restated, replaced, supplemented or otherwise modified from time to time, the "Loan Agreement"), Original Lender made a loan to Transferor in the original principal amount of Forty-Seven Million and 00/100 Dollars (\$47,000,000.00) (the "Mortgage Loan"), as evidenced by, among other things, that certain Multifamily Note dated as of February 28, 2019, executed by Transferor and made payable to Original Lender in the amount of the Mortgage Loan (as amended, restated, replaced, supplemented or otherwise modified from time to time, the "Note"), which Note has been assigned to Fannie Mae. The current servicer of the Mortgage Loan is Arbor Commercial Funding I, LLC, a New York limited liability company ("Loan Servicer").

B. In addition to the Loan Agreement, the Mortgage Loan and the Note are secured by, among other things, (i) a Multifamily Mortgage, Deed of Trust or Deed to Secure Debt dated as of February 28, 2019 and recorded in the land records of DeKalb County, Georgia ("Land Records") at deed book 27407 and page number 566 (as amended, restated, replaced, supplemented or otherwise modified from time to time, the "Security Instrument") encumbering the land as more particularly described in Exhibit A attached hereto (the "Mortgaged Property"); and (ii) an Environmental Indemnity Agreement by Transferor for the benefit of Original Lender dated as of the date of the Loan Agreement (the "Environmental Indemnity").

C. The Security Instrument has been assigned to Fannie Mae pursuant to that certain Assignment of Multifamily Mortgage, Deed of Trust or Deed to Secure Debt dated as of February 28, 2019 and recorded in the Land Records at deed book 27407 and page number 605.

D. The Loan Agreement, the Note, the Security Instrument, the Environmental Indemnity and any other documents executed in connection with the Mortgage Loan, including but not limited to those listed on Exhibit B to this Agreement, are referred to collectively as the "Loan Documents." Transferor is liable for the payment and performance of all of Transferor's obligations under the Loan Documents.

STATE OF NEW YORK
COUNTY OF NEW YORK

DECLARATION OF EASEMENTS

THIS DECLARATION, made this 6th day of October, 1975,
by WOODSTREAM REAL ESTATE CORPORATION, a Georgia corporation
(hereinafter called "Declarant").

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property
which is more particularly described in Exhibit "A" attached here-
to and by this reference incorporated herein (hereinafter called
the "Entire Premises"); and

WHEREAS, subsequent to the execution of this Deed of
Declaration, Declarant intends to convey to other persons or en-
tities certain portions of the Entire Premises, subject to the
terms of this Deed of Declaration; and

WHEREAS, Declarant desires to establish and create for the
benefit of the Entire Premises certain perpetual rights of passage
and use, ingress and egress in, over and upon a portion of the
Entire Premises described in Exhibit "B" hereof (hereinafter
called the "Access Easement"); and

WHEREAS, Declarant further desires to establish and create
for the benefit of the Entire Premises certain perpetual rights
of easement to go in, upon and along with the right of ingress
and egress over the portions of the Entire Premises described in
Exhibits "B" and "C" hereof (hereinafter called the "Utility
Easements"), together with the right to construct, operate and
maintain upon or in the Utility Easements poles, wires, lines,

towers, pipes and other apparatus, fixtures, appliances and equipment necessary for transmitting electric current, gas, water, sewage and telephone service to and from the Entire Premises;

NOW, THEREFORE, in consideration of a contemporaneous sale of a certain portion of the Entire Premises to Shoney's South, Inc. and of other future sales of portions of the Entire Premises and for other good and valuable considerations, receipt whereof is hereby acknowledged, Declarant, as owner of the Entire Premises, hereby declares and establishes as follows:

1. Declarant does hereby establish and create for itself, its legal representatives, successors and assigns by this Deed of Declaration, a perpetual, mutual, reciprocal and non-exclusive easement, right and privilege of passage and use, both pedestrian and vehicular, for the purposes of ingress and egress, but not for parking purposes, upon and over any and all portions of the Access Easement as described herein.

2. Declarant does hereby further establish and create by the Deed of Declaration the perpetual, mutual, reciprocal and non-exclusive rights, privileges and easements for itself, its successors and assigns and for all public utility companies and political subdivisions of the State of Georgia furnishing utilities to and from the Entire Premises, to go in, upon and along with the right of ingress and egress over any and all portions of the Utility Easements as described herein for the purposes of constructing, operating and maintaining upon or in the Utility Easement poles, wires, lines, towers, pipes and other apparatus, fixtures, appliances and equipment necessary for transmitting electric current, gas, water, sewage and telephone service to and from the Entire Premises; together with the right at all times to enter upon or in the Utility Easements for the purpose of inspecting said poles, wires, lines, towers, pipes and other apparatus, fixtures, appliances and equipment, making repairs, renewals, alterations and extensions thereon, therein, thereto



or therefrom; together, further, with the right to cut away or trim and keep clear of said poles, wires, lines, towers, pipes and other apparatus, fixtures, appliances and equipment all trees, limbs and roots of trees and other obstructions that may interfere or be likely to interfere with the proper operation of the utility services provided upon or in the Utility Easements.

3. The Access Easement established, created and granted hereby shall be an easement running with the land as to the Entire Premises and shall be for the benefit of, restricted solely to, the owners from time to time of each and every part of the Entire Premises, their customers, employees and invitees, but any such owner may grant the benefits thereof to the lessee or tenants of such owner now or hereafter occupying any portion of the Entire Premises for the duration of such lease or tenancy, and to the customers, employees and invitees of said lessees or tenants, but the same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public.

4. The Utility Easements established, created and granted hereby shall be easements running with the land as to the Entire Premises.

5. Declarant reserves for itself, its legal representatives, successors and assigns, the right to unilaterally dedicate as a public right-of-way all or any portion of the Access Easement established hereby and all rights and obligations as to the Access Easement which are derived from the provisions of this Declaration of Easements shall automatically terminate as to such portions of the Access Easement as may hereafter be dedicated and accepted as a public road.

6. Declarant shall have no responsibility whatsoever for the construction of the road along the Access Easement; said road construction may be built by any successor(s) in title to the Declarant.

7. Declarant, as owner of the property encumbered by the Access Easement, or any successor(s) in title thereto shall have the right to alter the direction of the Access Easement; provided, however, that the width of the substituted access easement shall not be less than the width of the original Access Easement as described in Exhibit B hereto, and provided further, that Declarant or any successor(s) in title shall bear all costs and expenses attributed to both (i) the demolition of so much of the original Access Easement as may be effected, and (ii) the construction of the substituted Access Easement, and provided further that said substituted Access Easement shall enable access at all times from Springview Avenue to "I" Street as shown on Plat of Survey by John J. Harte Associates Inc. dated July 28, 1975 and finally revised August 6, 1975.

8. The easement herein granted shall bind the successors and assigns of the Declarant and shall inure to the benefit of the successors in title of the Declarant.

IN WITNESS WHEREOF, Declarant has duly executed this Declaration as of the day and year first above written.

WOODSTREAM REAL ESTATE CORPORATION

By William D. Clayton President

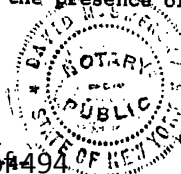
Attest: Betty Swoope Secretary Vice President

Signed, sealed and delivered in the presence of:

Gilda Wang
(Unofficial Witness)

David M. Swerky
(Notary Public)

Page 214 of 494

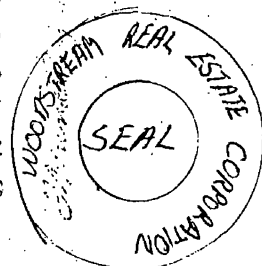


DAVID M. SWERKY
NOTARY PUBLIC, State of New York
No. 31-102600-3
Qualified in New York County
Commission Expires March 30, 1978

BOOK 3403 PAGE 43

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IN ALBANY CO. GA.

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After recording, return to:

Michele Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, GA 30030

Tax Parcel No: 18-125-010-18

**SANITARY SEWER AND TEMPORARY
CONSTRUCTION EASEMENT AGREEMENT**

THIS SANITARY SEWER AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT (this "Agreement") is made and entered into this 26th day of August, 2020 by and between **LANDMARK EAST PONCE LP**, a Delaware limited partnership, as party of the first part, hereinafter referred to as "**Grantor**" and **TUCKER LAND GROUP LLC**, a Georgia limited liability company, as party of the second part hereinafter referred to as "**Grantee**" (the term "Grantee" to include respective heirs, beneficiaries, legal representatives, employees, contractors, agents, tenants and subtenants, successors and assigns, where the contract hereof requires or permits):

WITNESSETH:

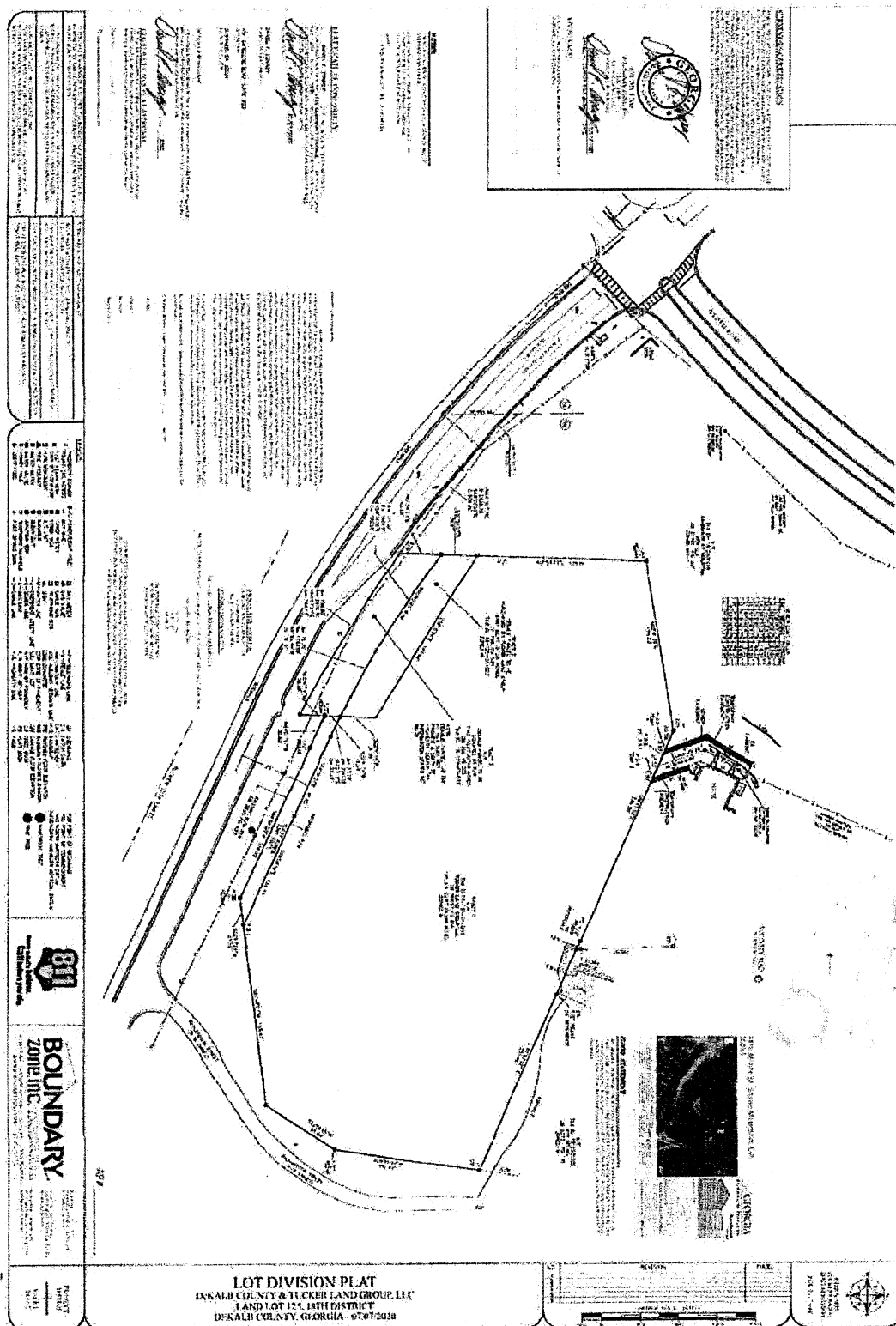
That Grantor is the owner of certain real property located in Land Lot 125 of the 18th Land District of DeKalb County, Georgia (the "Grantor Property"), being more particularly described in **Exhibit "A"** attached hereto and by this reference incorporated herein;

That Grantee is the owner of that certain parcel of land located in Land Lot 125 of the 18th District of DeKalb County (the "Grantee Property"), being more particularly described in **Exhibit "B"** attached hereto and by this reference incorporated herein;

That in connection with Grantee's development of the Grantee Property, Grantor has agreed to allow construction of a sanitary sewer line and related facilities (such sanitary sewer line, related facilities and any replacements and/or additions thereto being known as the "Sanitary Sewer Facilities") on, over, across and under a portion of the Grantor Property;

That Grantee has requested and Grantor has agreed to grant to Grantee (i) a temporary construction easement for the construction and installation of the Sanitary Sewer Facilities and

00135143.2





MEMO

To: Honorable Mayor and City Council Members
From: Courtney Smith, Planning and Zoning Director
CC: Tami Hanlin, City Manager
Date: October 6, 2021
RE: MEMO for TA-21-0006

Issue:

Expand outdoor dining provisions, including the implementation of a sidewalk café license, and the creation of an entertainment district in downtown to allow businesses to expand seating options for patrons and increase the vibrancy of our downtown.

Recommendation:

Recommendation of approval of TA-21-0006

Background:

The creation of an entertainment district was a recommendation of the Downtown Master Plan.

Planning Commission reviewed the proposed text amendment and recommended approval with modifications at their Sept. 16, 2021 meeting.

Staff reviewed the proposed text amendment at a city council work session on Sept. 27, 2021. Two proposed changes have been made to the draft code based on that discussion. Changes include a reduction of the proposed entertainment district boundary and a limit on hours of consumption.

Summary:

Staff is proposing to amend the Downtown District regulations in Article 3 to expand on the current outdoor dining standards, introduce the requirement of sidewalk café licenses for outdoor dining in the public right-of-way, and create a downtown entertainment district that allows for the open container of alcoholic beverages.

Financial Impact: None

PART II - CODE OF ORDINANCES
Chapter 46 - ZONING
ARTICLE III. - SPECIAL AND OVERLAY DISTRICT REGULATIONS
DIVISION 2. DOWNTOWN TUCKER ZONING DISTRICTS

DIVISION 2. DOWNTOWN TUCKER ZONING DISTRICTS

Sec. 46-998. Outdoor dining.

- (a) General standards. The following applies to all outdoor dining, including on-site and when authorized within a public right-of-way:
- (1) All tables and chairs must be metal.
 - (2) Each umbrella canopy must be a single solid color. Different umbrellas may have a different colored canopies.
 - (3) No signage may be placed on tables, chairs, or umbrellas.
 - (4) The hours of operation for the outdoor dining area may be no greater than that of the principal use.
 - (5) Outdoor dining shall not be located in required parking spaces.
- (b) Outdoor dining in the Right-of-Way.
- (1) It is unlawful to place outdoor dining in the public right-of-way without first obtaining a sidewalk café license.
 - (2) A sidewalk café license is required to be renewed annually and is subject to an application process set by the Planning and Zoning Director.
 - (3) Conditions of approval may be placed on the license by the Planning and Zoning Director to insure the protection of the public right-of-way and the rights of all adjoining property owners and the health, safety, and general welfare of the public.
 - (4) The outdoor dining area shall not extend beyond the width of the façade of the business.
 - (5) A 5 feet minimum pedestrian passageway shall be provided and maintained at all times.
 - (6) The outdoor dining area, including furnishings, shall be maintained in a clean, neat, and orderly condition. All debris and litter shall be removed daily.
 - (7) Only tables, chairs, and umbrellas are permitted in the outdoor dining area.
- ~~— The following applies to all outdoor dining, including on-site and when authorized within a public right-of-way:~~
- ~~(a) All tables and chairs must be metal.~~
 - ~~(b) Each umbrella canopy must be a single solid color. Different umbrellas may have different colored canopies.~~
 - ~~(c) No signage may be placed on tables, chairs, or umbrellas.~~

(Ord. No. O2019-04-15, exh. A(3.2.18), 6-26-2019)

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Sec. 46-1001. Downtown entertainment district.

Outside consumption of alcoholic beverages shall be permitted in the following area per the regulations listed below:

(a) Definition of downtown district. The area of the city bounded on the north by the northern right-of-way line of Lynburn Drive (between Lavista and Main), then traveling south along the eastern right-of-way line of Main Street, then traveling east along the northern right-of-way line of 1st Avenue, and then traveling south along the eastern right-of-way line of 4th Street, then traveling west along the southern right-of-way line of Railroad Avenue, then traveling north along the western side of 2nd Street, then traveling east along the northern right-of-way line of 1st Avenue, then traveling north along the western right-of-way line along the alley towards Lynburn to complete the entertainment district boundary.

(b) One drink on-street limit. Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises or as a manufacturer is authorized to dispense an alcoholic beverage in a paper or plastic cup, or other container other than a can, bottle, or glass, for removal from the premises; provided, however, that no establishment shall dispense to any person more than one such alcoholic beverage at a time for removal from the premises, and no person shall remove at one time more than one such alcoholic beverage from the licensed premises.

(c) Size limited to a maximum of 16 ounces. No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size. No person shall hold in possession on the streets and sidewalks, in parks and squares, or in other public places within the defined area any open alcoholic beverage container which exceeds 16 fluid ounces in size. Nothing set forth in this subsection shall be construed to permit the possession of open alcoholic beverages in any public place within the downtown district except as otherwise expressly authorized under this section.

(d) Drinking from can, bottle, or glass prohibited. It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass, or to possess in an open can, bottle, or glass any alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots, whether public or private.

(e) Purchase from licensed premises within downtown district. Alcoholic beverages consumed pursuant to this provision must be purchased from a licensed premises within the downtown district.

(f) Consumption limited to certain areas in downtown district. No alcoholic beverage purchased pursuant to this provision may be consumed outside of the downtown district or upon any private property without the express written consent of the property owners.

(g) Consumption hours. No alcoholic beverage purchased pursuant to this provision shall be consumed after 10:00 P.M. any night of the week, except when authorized by a special event permit issued by the city.

(h) Festivals: special events. Unless otherwise specified by this article or the terms of a special event permit issued by the city, the provisions of this article shall also apply to special events and festivals.

Secs. 46-~~1001~~1003—46-1030. Reserved.

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(Supp. No. 9)

Downtown Tucker

OPEN CONTAINER RECOMMENDATIONS

The City of Tucker does not have an open container ordinance for Downtown.

Today, open containers are only allowed during permitted special events. The proposed recommendations in this Master Plan would allow open containers without a permit, but contained within a few blocks (highlighted in blue on the facing map). The idea is to let downtown patrons move easily between restaurants and enjoy a bit of the outdoors while sipping an alcoholic beverage.

Open container has become a big trend across metro Atlanta. Neighboring cities such as Smyrna, Acworth, Roswell, Powder Springs, and Woodstock have in recent years, approved for open containers areas in their downtowns. The City of Smyrna believes this will encourage residents to enjoy the comfort and beauty of their downtown, as well as encourage the additional support of local businesses by residents and visitors.

Benefits of having an Open Container Policy for a specified area in Downtown Tucker:

- Attract new development and revitalization to downtown core
- Enhance vibrancy and street life
- Increase the number of festivals and improve the night-life
- Clarity for police enforcement

The proposed area is recommended to be contained within a few blocks downtown and restricted to the following streets:

- Railroad Avenue from 2nd Street to 4th Street
- 2nd Street from Railroad Avenue to 1st Street
- 1st Avenue from 2nd Street to 4th Street
- Main Street from Lynburn Drive to Railroad Avenue

Downtown Festival at the Parsons Alley in Duluth, GA

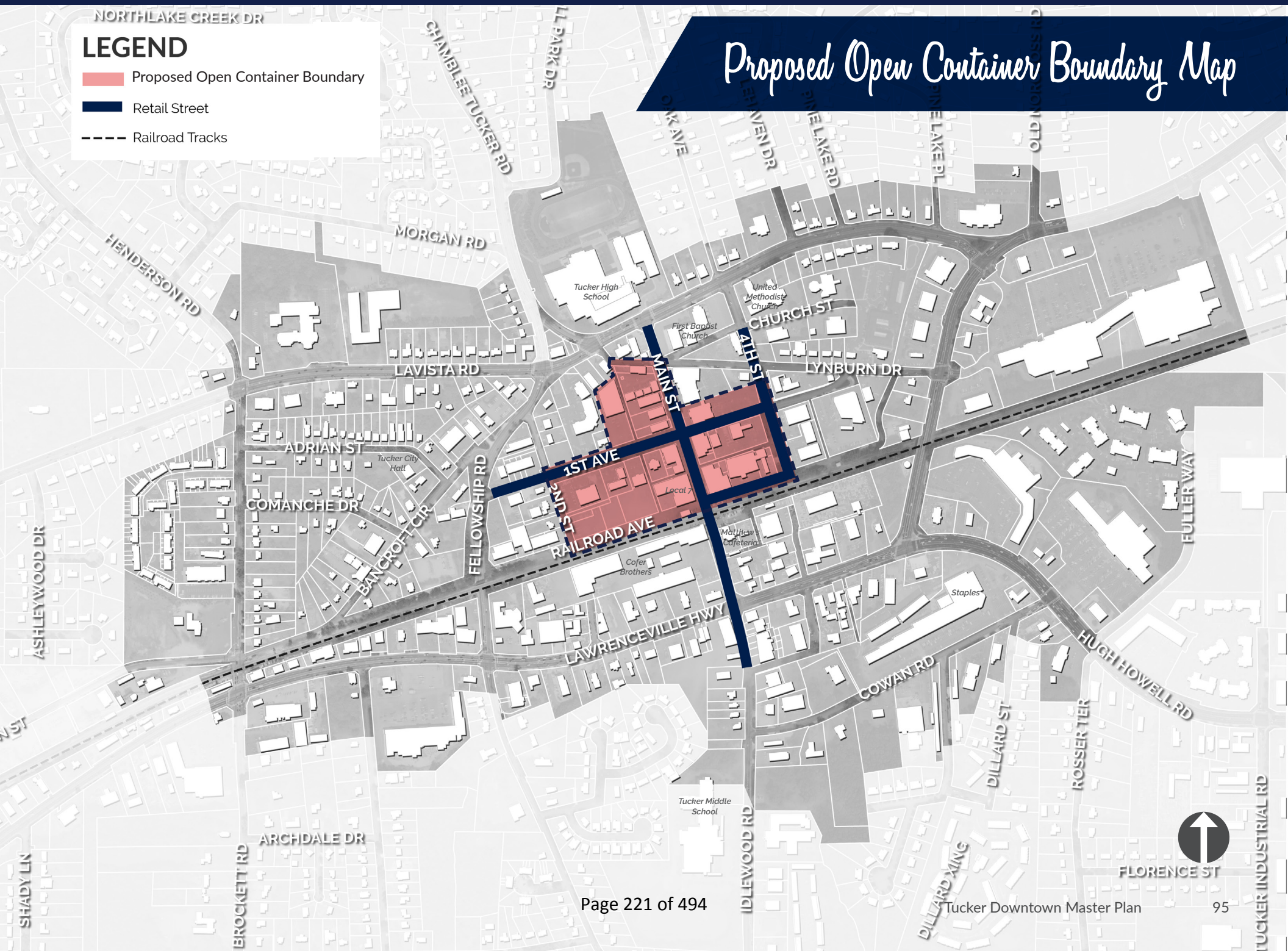


Allowing open containers at select times will spark urban renewal and allow citizens to have responsible fun outdoors

LEGEND

- Proposed Open Container Boundary
- Retail Street
- Railroad Tracks

Proposed Open Container Boundary Map





MEMO

To: Honorable Mayor and City Council Members
From: Courtney Smith, Planning and Zoning Director
CC: Tami Hanlin, City Manager
Date: September 10, 2021
RE: MEMO for TA-21-0007 Ch 46 Text Amendments

Issue:

Staff is proposing several changes to the zoning ordinance as part of a general clean up to address issues staff has seen over the last year. These proposed changes include the addition of regulations for hookah establishments, supplemental regulations special event facilities, convenience store changes, changes to accessory building standards, changes to wall/fence standards, and the addition of a definition of fleet vehicles. The changes are outlined below.

Recommendation:

Staff recommends approval of TA-21-0007.

Planning Commission recommended approval at their Sept. 16, 2021 meeting.

Background:

Staff is proposing several changes to the zoning ordinance as part of a general clean up to address issues staff has seen over the last year.

Summary:

Summary of Proposed Article 3 Changes:

Section 46-985. - Use regulations in the Downtown Districts:

- Add *Hookah/vapor bar or lounge* as a line item in the use table (not permitted)
- Remove option for *convenience store* in DT-2 and DT-3

Section 46-1035. - Use regulations in the Northlake Districts:

- Add *Hookah/vapor bar or lounge* as a line item in the use table (not permitted)

Replace Community Development Director with Planning and Zoning Director throughout Article 3 (not shown in track changes, but will referenced in the ordinance)

Summary of Proposed Article 4 Changes:

Section 46-1125. - Use Table Include:

- Add *Hookah/vapor bar or lounge* as a line item and allow it by SLUP in C-1 and C-2

Section 46 – 1145. - Accessory building, structures and uses: location, yard and building restrictions:

- Change provisions for material requirements to only require like materials on accessory buildings and structures greater than 200 square feet.
- Change provisions for yard and setbacks to allow detached garages to also be located in the side interior yard

Section 46 – 1146. - Accessory dwelling unit, guesthouse, in-law suite:

- Change provision to allow accessory dwelling units to also be located in the side interior yard

Add New Supplemental Regulations

- Sec. 46-1204 – Hookah/Vapor Bar or Lounge
 - Supplemental regulations include hours of operation and provisions for food and alcohol sales
- Sec. 46-1205. – Special Event Facilities
 - Supplemental regulations include parking standards, traffic control plan, noise regulation, locational requirements, and hours of operation

Summary of Proposed Article 5 Changes:

Changes to Article 5 Section 46-1340. – Walls, fences, and retaining walls:

- Under *Single-family residential standards*
 - Change provision for retaining wall standards to include retaining walls located on part of a single-family development.
- Under *Height*
 - Add language to also reference length
 - Change provision for total height of a retaining wall to be measured from finished grade on the non-retained side to the top of the highest point of the wall.
 - Add provision for maximum length of retaining walls equal to or greater than six feet in height to be 100 feet
- Under *Material composition*
 - Add language to reference design
 - Change provision to included fences, freestanding walls or retaining walls erected along right-of-way
 - Add provision that retaining walls must be separated horizontally by at least four feet from other retaining walls.
 - Add provision that each tier between retaining walls must be vegetated and maintained with a mix of native, evergreen and deciduous shrubs.
- Under Table 5.3 Fence and Wall Standards
 - Remove table
- Remove height exemption for industrial zoning districts

Changes to Article 5 Section 46 – 1416. - Materials

- Under *Roof and accessory structure materials*
 - Remove language referencing accessory structure materials to match amendment in Section 46-1145.

Summary of Proposed Article 9 Changes:

- Add definition for *Fleet Vehicle*
- Add definition for *Hookah*

Financial Impact: None

Sec. 46-985. Use regulations.

- (a) Table 3.1 indicates the permitted uses within DT districts.
- (b) The uses listed in table 3.1 are only permitted in the district identified, and no use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:
- (1) A permitted use (P);
 - (2) A special use (SP) subject to the special land use permit application procedures specified in article VII;
 - (3) An administratively approved use (SA) subject to the special administrative permit procedures specified in article VII;
 - (4) An accessory use (Pa) as regulated by article IV or the applicable DT district. Table 3.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
 - (5) Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- (c) Multiple uses are allowed in a single building and on a single site.
- (d) Any use not listed in table 3.1 or interpreted to not be allowed by the community development director by section 46-1124 is not allowed. Any applicant denied a permit to allow a use of property in a DT district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article VII.
- (e) Uses subject to additional regulations in article IV, division 2 of this chapter are indicated. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.

Table 3.1 Downtown District Allowed Uses				
Use	Downtown District			See Art. IV, Div. 2
	DT-1	DT-2	DT-3	
AGRICULTURAL				
Agriculture and Forestry				
Commercial greenhouse or plant nursery	P	P	P	✓
Temporary or portable sawmill	SA	SA	SA	✓
Urban, community garden, up to 5 ac.	P	P	P	✓
Urban, community garden, over 5 ac.	SA	SA	SA	
Animal Oriented Agriculture				
Dairy				
Keeping of livestock	Pa [1]	Pa [1]	Pa [1]	✓
Keeping of poultry/pigeons	Pa [1]	Pa [1]	Pa [1]	✓
Livestock sales pavilion				
Riding academies or stables	P			✓
RESIDENTIAL				
Dwellings				
Dwelling, cottage home	P	P	P	✓
Dwelling, mobile home				

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Dwelling, multi-family (24 units per acre or less)		P [4]	P [4]	
Dwelling, multi-family (over 24 units per acre)		SP	SP	
Dwelling, multi-family (supportive living)		P	P	✓
Dwelling, townhouse	P	P	P	✓
High-rise apartment				
Dwelling, single-family (attached)	P	P	P	
Dwelling, single-family (detached)	P	P	P	
Dwelling, three-family	P	P	P	
Dwelling, two-family	P	P	P	
Dwelling, single-family, accessory (guesthouse, in-law suite)	Pa	Pa	Pa	✓
Home occupation, no customer contact	P	P	P	✓
Home occupation, with customer contact	SP	SP	SP	✓
Live/work unit	P [3]	P	P	✓
Mobile home park				
Accessory uses or structures	Pa	Pa	Pa	✓
Housing and Lodging				
Bed and breakfast	SP	P	P	✓
Boarding/rooming house		SP	SP	
Convents or monasteries	SP	SP	SP	✓
Dormitory		Pa	Pa	
Extended stay hotel				
Fraternity house or sorority house				
Hotel/motel		P	P	
Nursing care facility or hospice		P	P	
Personal care home, community, 7 or more persons		SP	SP	✓
Personal care home, group, 4-6 persons	SP	SP	SP	✓
Child caring institution, group, 4-6	SP	SP	SP	✓
Child caring institution, community, 7 or more		SP	SP	✓
Shelter for homeless persons, 7-20 persons				
Shelter for homeless persons for no more than 6 persons				
Transitional housing facility, 7-20 persons				
INSTITUTIONAL/PUBLIC				
Community Facilities				
Cemetery, columbarium, mausoleum				
Club, order or lodge, fraternal, non-commercial	SP	P	P	
Coliseum or stadium/not associated with church or school		P	P	✓
Funeral home, mortuary		P	P	
Golf course or clubhouse, public or private				
Government facilities	P	P	P	
Hospital		P		
Library or museum	P	P	P	
Cultural facilities		SP	SP	
Recreation club	SP	SP	SP	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	✓

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Places of worship	P	P	P	✓
Recreation, outdoor	P	P	P	✓
Swimming pools, commercial	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	✓
Education				
Colleges, universities, research and training facilities		P	P	
Private educational services, home occupation	Pa	Pa	Pa	✓
Private kindergarten, elementary, middle or high schools	SP	SP	SP	✓
Vocational schools	SP	P	P	✓
Specialized schools	SP	P	P	✓
COMMERCIAL				
Automobile, boat and trailer sales and service				
Automobile or truck rental or leasing facilities				
Automobile brokerage				
Auto recovery, storage				
Automobile repair or maintenance, minor				
Automobile repair, major				
Automobile sales or truck sales				
Automobile service stations				
Automobile upholstery shop				
Boat sales				
Car wash, hand wash				
Car wash, automatic				
Emission station				
Retail automobile parts or tire store				
Service area, outdoor				
Trailer or RV salesroom and lot				
Used Part Dealer				
Office				
Accounting office	P [2]	P	P	
Building or construction office	P [2]	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)				
Engineering or architecture office	P [2]	P	P	
Finance office or banking	P [2]	P	P	
General business office	P [2]	P	P	
Insurance office	P [2]	P	P	
Legal office	P [2]	P	P	
Medical office	P [2]	P	P	
Real estate office	P [2]	P	P	
Recreation and Entertainment				
Adult entertainment establishments				
Adult service facility				
Drive-in theater				
Fairground or amusement park				✓

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Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)		P	P	
Nightclub or late night establishment		SP	SP	✓
Outdoor recreation (miniature golf, batting cages, tennis, go-cart, and other outdoor activities)				
Special events facility		P	P	
Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building		P	P	
Retail				
Alcohol outlet, retail sales, primary or accessory (excludes wine retailer)				
Retail sales	P [2]	P	P [5]	
Apparel or accessories store	P [2]	P	P [5]	
Art gallery	P [2]	P	P [5]	
Book, greeting card, or stationery store	P [2]	P	P [5]	
Camera or photography	P [2]	P	P [5]	
CBD Shop				
Computer or computer software store	P [2]	P	P [5]	
Convenience store (see related uses e.g., alcohol outlet, fuel pumps accessory)		P	P [5]	
Drive-through facilities (other than restaurants)		SP		✓
Farm or garden supply store	P [2]	P	P [5]	
Farmer's market, permanent	P [2]	P	P [5]	
Farmer's market, temporary/seasonal	SA	SA	SA	✓
Florist	P [2]	P	P [5]	
Fortune telling				
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	P [2]	P	P [5]	
Fuel dealers, manufacturers or wholesalers				
Fuel pumps, accessory		SP	SP	✓
Gift, novelty, or souvenir store	P [2]	P	P [5]	
Gold buying, precious metals	P [2]	P	P [5]	
Grocery stores (see alcohol outlet)	P [2]	P	P [5]	
Hardware store or other building materials store	P [2]	P	P [5]	
Hobby, toy or game store	P [2]	P	P [5]	
Jewelry store	P [2]	P	P [5]	
Music or music equipment store (retail)	P [2]	P	P [5]	
News dealer or news store	P [2]	P	P [5]	
Office supplies and equipment store	P [2]	P	P [5]	
Outdoor display (not including seating)		P	P	✓
Pawn shop, title loan				
Pet supply store	P [2]	P	P [5]	
Pharmacy or drug store (see alcohol outlet)	P [2]	P	P [5]	
Radio, television or consumer electronics store	P [2]	P	P [5]	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage		SP		
Specialty store	P [2]	P	P [5]	

Sporting goods or bicycle sale	P [2]	P	P [5]	
Tattoo establishment and piercing studio				
Thrift, secondhand, antique store	P [2]	P	P [5]	
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage				
Vape shop				
Variety store	P [2]	P	P [5]	
Wine retailer (< 5,000 sq. ft.)		P	P [5]	
Temporary Commercial Uses				
Temporary outdoor sales, seasonal	SA	SA	SA	✓
Temporary produce stand	SA	SA	SA	✓
Temporary outdoor retail sales	SA	SA	SA	✓
Temporary outdoor events	SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	✓
Restaurant/Food establishments				
Brewpub/beer growler		P	P [5]	
Catering establishments		P	P [5]	
Outdoor seating		P	P	✓
Restaurants (non-drive-thru)	P [2]	P	P [5]	
Restaurants with a drive-thru configuration		SP		✓
<u>Hookah/vapor bar or lounge</u>				
Transportation and Storage				
Bus or rail stations or terminals for passengers		SP	SP	
Heliport		SP	SP	✓
Parking, commercial lot	Pa	Pa	Pa	✓
Parking, commercial garage	Pa	Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage				
Taxi, ambulance, limousine dispatch office only (no vehicle parking)				
Taxi stand		P	P	
Transit shelter				
Services				
Adult day care center - 7 or more persons		SP	SP	✓
Adult day care facility - up to 6 persons		SP	SP	✓
Animal care specialist	P	P	P	
Animal hospitals, veterinary clinic		P	P	✓
Animal shelter/rescue center (4 or more)		P	P	✓
Banks, credit unions or other similar financial institutions	P	P	P	
Barbershop/ beauty salon or similar establishments	P	P	P	
Check cashing establishment, primary				
Check cashing establishment, accessory				
Child day care center (Kindergarten) - 7 or more persons		P	P	✓
Child day care facility - up to 6 persons	SP	SP	SP	✓

Coin laundry		P		
Pet daycare		P		✓
Pet grooming	P	P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations		P	P	
Fitness center	P	P	P	
Health spa		SP	SP	✓
Kennel, breeding or boarding				✓
Kennel, commercial				✓
Kennel, noncommercial				
Landscape business with no outdoor storage		P		
Massage establishment		SP	SP	✓
Mini-warehouse				
Multi-warehouse				
Outdoor storage, commercial				
Personal services establishment	P	P	P	
Photoengraving, typesetting, electrotyping	P	P	P	
Photographic studios	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage		P		
Publishing or printing establishments	P	P	P	
Quick copy printing store	P	P	P	
Services, Medical and Health				
Ambulance service or emergency medical services, private		P		✓
Health services clinic	P	P	P	
Home healthcare service	P	P	P	
Kidney dialysis center	P	P	P	
Medical or dental laboratories	P	P	P	
Services, Repair				
Furniture upholstery or repair; home appliance repair or service	P	P	P	
Personal service, repair (watch, shoes, jewelry)	P	P	P	
Service area, outdoor				
INDUSTRIAL				
Alcohol Manufacturing (brewery)		P	P	
Alcohol Manufacturing (distilled spirits)		P	P	
All other industrial uses not listed above				
COMMUNICATION — UTILITY				
Amateur radio service or antenna	P	P	P	✓
Electric transformer station, gas regulator station or telephone exchange				
Radio or television broadcasting studio	P	P	P	
Radio or television broadcasting transmission facility	P	P	P	
Satellite television antennae	P	P	P	✓
WIRELESS TELECOMMUNICATION (cell tower)				

Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	SP [6]	SP [6]	SP [6]	✓
Wireless Telecommunications (small cell structures)	P	P	P	✓
Stealth design up to 150'				
New support structure or stealth design up to 199'				
COWs (non-emergency or event, no more than 120 days)	SA	SA	SA	✓
COWs (declared emergency)	P	P	P	✓
Attached wireless telecommunication facility	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way				
CERTAIN ACCESSORY USES				
Drive-thru facilities (other than restaurants)		SP	SP	✓

Table 3.1 Notes:

- [1] Only allowed on lots used for a single-family detached dwelling that meet the applicable minimum lot size requirements of article IV, division 2 of this chapter.
- [2] Not to exceed 5,000 square feet per use.
- [3] Permitted uses include all office uses, tutorial/educational services, retail, fine arts studios and/or galleries, and photographic studios. The minimum size of the live-work unit is 1,200 square feet with at least one-third of the unit must be designated for residential space.
- [4] A special land use permit is required when a multi-family use abuts a residential zoning district.
- [5] Uses along Main Street shall not exceed 10,000 square feet per use. Uses not along Main Street may not exceed 10,000 square feet per use unless approved by a special land use permit, however, special land use permits can only be requested for up to 15,000 square feet per use.
- [6] Telecommunications antennas must be incorporated in architectural features such as steeples, clock towers, water towers and attached to the top of high-rise buildings subject to the requirements of section 46-1194.

(Ord. No. O2019-04-15, exh. A(3.2.5), 6-26-2019; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1035. Use regulations.

- (a) Table 3.9 indicates the permitted uses within the NL districts.
- (b) The uses listed in table 3.9 are only permitted in the district identified, and no use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:
- (1) A permitted use (P);
 - (2) A special use (SP) subject to the special land use permit application procedures specified in article VII;
 - (3) An administratively approved use (SA) subject to the special administrative permit procedures specified in article VII;
 - (4) An accessory use (Pa) as regulated by article IV or the applicable NL district. Table 3.9 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
 - (5) Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- (c) Multiple uses are allowed in a single building and on a single site.
- (d) Any use not listed in table 3.9 or interpreted to not be allowed by the community development director by section 46-1124 is not allowed. Any applicant denied a permit to allow a use of property in an NL district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article VII.
- (e) Uses subject to additional regulations in article IV, division 2 of this chapter are indicated. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.

Table 3.9 Northlake District Allowed Uses					
Use	Northlake District				See Art. IV, Div. 2
	NL-1	NL-2	NL-3	NL-4	
AGRICULTURAL					
Agriculture and Forestry					
Commercial greenhouse or plant nursery	P	P	P	P	✓
Temporary or portable sawmill	P	P	P	P	✓
Urban, community garden, up to 5 ac.	P	P	P	P	✓
Urban, community garden, over 5 ac.	SA	SA	SA	SA	
Animal Oriented Agriculture					
Dairy					
Keeping of livestock	Pa [1]	Pa [1]	Pa [1]	Pa [1]	✓
Keeping of poultry/pigeons	Pa [1]	Pa [1]	Pa [1]	Pa [1]	✓
Livestock sales pavilion					
Riding academies or stables					
RESIDENTIAL					
Dwellings					
Dwelling, cottage home				P	✓
Dwelling, mobile home					

Dwelling, multi-family (24 units per acre or less)	P	P	P	SP	
Dwelling, multi-family (over 24 units per acre)	SP	SP	SP		
Dwelling, multi-family (supportive living)	P	P	P	SP	✓
Dwelling, townhouse				P	✓
Dwelling, single-family (attached)				P	
Dwelling, single-family (detached)				P	
Dwelling, three-family				P	
Dwelling, two-family				P	
Dwelling, single-family, accessory (guesthouse, in-law suite)				Pa	✓
Home occupation, no customer contact	P	P	P	P	✓
Home occupation, with customer contact	SP	SP	SP	SP	✓
Live/work unit	P	P	P	P	✓
Mobile home park					
Accessory uses or structures	Pa	Pa	Pa	Pa	✓
Housing and Lodging					
Bed and breakfast	P	P		P	✓
Boarding/rooming house					
Convents or monasteries		P			✓
Dormitory	Pa	Pa	Pa	Pa	
Extended stay hotel					
Fraternity house or sorority house		Pa		Pa	
Hotel	SP	SP			
Nursing care facility or hospice	P	P		P	
Personal care home, community, 7 or more persons	SP	SP	SP		✓
Personal care home, group, 4-6 persons				SP	✓
Child caring institution, group, 4-6	SP	SP	SP	SP	✓
Child caring institution, community, 7 or more	SP	SP	SP		✓
Shelter for homeless persons, 7-20 persons					
Shelter for homeless persons for no more than six (6) persons					
Transitional housing facility, 7-20 persons					
INSTITUTIONAL/PUBLIC					
Community Facilities					
Cemetery, columbarium, mausoleum	SP	SP			✓
Club, order or lodge, fraternal, non-commercial	P	P	P	P	
Coliseum or stadium/not associated with church or school	P	P			✓
Funeral home, mortuary	P	P			
Golf course or clubhouse, public or private	P	P	P		✓
Government facilities	P	P	P	P	
Hospital or accessory ambulance service		P	P		
Library or museum	P	P	P	P	
Cultural facilities	P	P	P	P	
Recreation club	P	P	P	P	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	Pa	✓

Places of worship	P	P	P	P	✓
Recreation, outdoor	P	P	P	P	✓
Swimming pools, commercial	Pa	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	✓
Education					
Colleges, universities, research and training facilities	P	P	P	P	
Private educational services, home occupation	Pa	Pa	Pa	Pa	✓
Private kindergarten, elementary, middle or high schools	P	P	P	P	✓
Vocational schools	P	P	P	P	✓
Specialized schools	P	P	P	P	✓
COMMERCIAL					
Automobile, boat and trailer sales and service					
Automobile or truck rental or leasing facilities					
Automobile brokerage					
Auto recovery, storage					
Automobile repair or maintenance, minor	SP	SP	SP	SP	✓
Automobile repair, major			SP		✓
Automobile sales or truck sales					
Automobile service stations	SP	SP	SP		✓
Automobile upholstery shop	P	P	P		
Boat sales					
Car wash, hand wash	SP	SP	SP		✓
Car wash, automatic	SP	SP	SP		✓
Emission station					
Retail automobile parts or tire store	P	P	P	P	✓
Service area, outdoor					
Trailer or RV salesroom and lot					
Used Parts Dealer					
Office					
Accounting office	P	P	P	P	
Building or construction office	P	P	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)	P	P	P	P	✓
Engineering or architecture office	P	P	P	P	
Finance office or banking	P	P	P	P	
General business office	P	P	P	P	
Insurance office	P	P	P	P	
Legal office	P	P	P	P	
Medical office	P	P	P	P	
Real estate office	P	P	P	P	
Recreation and Entertainment					
Adult entertainment establishments					
Adult service facility					
Drive-in theater		P	P		✓
Fairground or amusement park					

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Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)	P	P	P	P	
Nightclub or late night establishment	SP	SP	SP		✓
Outdoor recreation (miniature golf, batting cages, tennis, go-cart, and other outdoor activities)					
Special events facility	SP				
Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building	P	P	P	P	
Retail					
Alcohol outlet, retail sales, primary or accessory (excludes wine retailer)	SP		P		✓
Retail sales	P	P	P	SP [2]	
Apparel or accessories store	P	P	P	SP [2]	
Art gallery	P	P	P	SP [2]	
Book, greeting card, or stationery store	P	P	P	SP [2]	
Camera or photography	P	P	P	SP [2]	
CBD Shop					
Computer or computer software store	P	P	P	SP [2]	
Convenience store (see related uses e.g., alcohol outlet, fuel pumps accessory)	P	P	P	SP [2]	
Drive-through facility (other than restaurants)	SP	SP	SP		✓
Farm or garden supply store	P	P	P	SP [2]	
Farmer's market, permanent	P	P	P	SP [2]	
Farmer's market, temporary/seasonal	SA	SA	SA	SA	✓
Florist	P	P	P	SP [2]	
Fortune telling			P		
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	P	P	P	SP [2]	
Fuel dealers, manufacturers or wholesalers					
Fuel pumps, accessory	SP	SP	P		✓
Gift, novelty, or souvenir store	P	P	P	SP [2]	
Gold buying, precious metals	P	P			
Grocery stores (see alcohol outlet)	P	P	P	SP [2]	
Hardware store or other building materials store	P	P	P	SP [2]	
Hobby, toy or game store	P	P	P	SP [2]	
Jewelry store	P	P	P	SP [2]	
Music or music equipment store (retail)	P	P	P	SP [2]	
News dealer or news store	P	P	P	SP [2]	
Office supplies and equipment store	P	P	P	SP [2]	
Outdoor display	P	P	P		✓
Pawn shop, title loan					
Pet supply store	P	P	P	SP [2]	
Pharmacy or drug store (see alcohol outlet)	P	P	P	SP [2]	
Radio, television or consumer electronics store	P	P	P	SP [2]	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage	P		P		

Shopping center	P	P	P	P	
Specialty store	P				
Sporting goods or bicycle sale	P				
Tattoo establishment and piercing studio					
Thrift, secondhand, antique store					
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage	P	P	P	SP [2]	
Vape shop					
Variety store	P	P	P	SP [2]	
Wine retailer (< 5,000 sq. ft.)	P	P	P	SP [2]	
Temporary Commercial Uses					
Temporary outdoor sales, seasonal	SA	SA	SA	SA	✓
Temporary produce stand	SA	SA	SA	SA	✓
Temporary outdoor retail sales	SA	SA	SA	SA	✓
Temporary outdoor events	SA	SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	SA	✓
Restaurant/Food establishments					
Brewpub/beer growler	P	P	P	SP [2]	
Catering establishments	P	P	P	SP [2]	
Outdoor seating	P	P	P		✓
Restaurants (non-drive-thru)	P	P	P	SP [2]	
Restaurants with a drive-thru configuration	SP	SP	SP		✓
<u>Hookah/vapor bar or lounge</u>					
Transportation and Storage					
Bus or rail stations or terminals for passengers	SP	SP	SP		
Heliport					
Parking, commercial lot	Pa	Pa	Pa	Pa	✓
Parking, commercial garage	Pa	Pa	Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage					
Taxi, ambulance, limousine dispatch office only (no vehicle parking)					
Taxi stand	P	P	P	P	
Transit shelter					
Services					
Adult day care center - 7 or more persons	P	P	P	P	✓
Adult day care facility - up to 6 persons	P	P		P	✓
Animal care specialist	P	P	P		
Animal hospitals, veterinary clinic	P		P	P	✓
Animal shelter/rescue center					
Banks, credit unions or other similar financial institutions	P	P	P	P	
Barbershop/ beauty salon or similar establishments	P	P	P	P	
Check cashing establishment, primary					
Check cashing establishment, accessory					

Child day care center (Kindergarten) - 7 or more children	P	P	P	P	✓
Child day care facility - up to 6 children	P	P	P	P	✓
Coin laundry	P	P	P	P	
Pet day care		SP	SP		✓
Pet grooming	P		P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations	P	P	P	P	
Fitness center	P	P	P	P	
Health spa	SP	SP	SP	SP	✓
Kennel, breeding or boarding					✓
Kennel, commercial					
Kennel, noncommercial					
Landscape business with no outdoor storage	P	P	P	P	
Massage establishment	SP	SP	SP	SP	✓
Mini-warehouse					
Multi-warehouse		SP	SP		✓
Outdoor storage, commercial					
Personal services establishment	P	P	P	P	
Photoengraving, typesetting, electrotyping	P	P	P	P	
Photographic studios	P	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage	P	P	P	P	
Publishing or printing establishments	P	P	P	P	
Quick copy printing store	P	P	P	P	
Services, Medical and Health					
Ambulance service or emergency medical services, private	P	P	P	P	
Health services clinic	P	P	P	P	
Home healthcare service	P	P	P	P	
Kidney dialysis center	P	P	P	P	
Medical or dental laboratories	P	P	P	P	
Services, Repair					
Furniture upholstery or repair; home appliance repair or service	P	P	P	P	
Personal service, repair (watch, shoes, jewelry)	P	P	P	P	
Service area, outdoor					
INDUSTRIAL					
Contractor, general (See also Building or Construction Office)			P		✓
Industrial, light			P		
Alcohol Manufacturing (brewery)	P	P	P		
Alcohol Manufacturing (distilled spirits)	P	P	P		
All other industrial uses not listed above					
COMMUNICATION — UTILITY					
Amateur radio service or antenna	P	P	P	P	✓

Electric transformer station, gas regulator station or telephone exchange	P	P	P	P	
Radio or television broadcasting studio	P	P	P	P	
Radio or television broadcasting transmission facility	P	P	P	P	
Satellite television antennae	P	P	P	P	✓
WIRELESS TELECOMMUNICATION (cell tower)					
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	P	P	P	P	✓
Wireless Telecommunications (small cell structures)	P	P	P	P	✓
Stealth design up to 150'	P	P	P	P	✓
New support structure or stealth design up to 199'	P	P	P	P	✓
COWs (non-emergency or event, no more than 120 days)	P	P	P	P	✓
COWs (declared emergency)	P	P	P	P	✓
Attached wireless telecommunication facility	P	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	✓
CERTAIN ACCESSORY USES					
Drive-thru facilities (other than restaurants)	SP	SP	SP		✓

Table 3.9 Notes:

- [1] Only allowed on lots used for a single-family detached dwelling that meet the requirements of article IV, division 2 of this chapter.
- [2] Not to exceed 5,000 square feet per use unless approved by special land use permit. Not to exceed 10,000 square feet by special land use permit.

(Ord. No. O2019-04-15, exh. A(3.3.5), 6-26-2019; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

DIVISION 2. SUPPLEMENTAL USE REGULATIONS

Sec. 46-1145. Accessory buildings, structures and uses: location, yard and building restrictions.

The following provisions apply to accessory buildings, structures, and uses of land that are incidental to authorized and permitted uses:

- (1) All accessory buildings, accessory structures, and accessory uses of land, including off-street parking, shall be located on the same lot as the principal building to which they are accessory.
- (2) All accessory structures in which effluent is produced shall be connected to water and sewer if the primary structure is connected to water and sewer.
- (3) Yard and setbacks.
 - a. All accessory buildings or structures shall be located in the rear yard of the lot, with the exception of:
 - i. ATM bank machines which are also allowed in the front or side yard;
 - ii. Detached garages and accessory dwelling units which are also allowed in the side interior yard.
 - b. Accessory structures must not encroach in the minimum yard setbacks for the district in which they are located.
 - c. Accessory buildings or structures shall meet the minimum side yard setback for the district or ten feet, whichever is less, and shall not be located closer than ten feet to a rear lot line in any district.
 - d. Basketball goals attached to the principal residential structure or erected adjacent to and abutting the driveway of the principal residential structure shall be allowed in the front yard but not within the right-of-way of a public street. No basketball goal shall be erected in such a manner that the play area for the basketball goal is located within any portion of a public right-of-way.
 - e. Additional supplemental regulations in this division regarding minimum yards and setbacks for specific accessory buildings, structures, or uses of land may also apply.
- (4) Corner lot, rear yards. Where the rear yard of a corner lot adjoins the side yard of a lot in a residential or special district, no accessory building or structure shall be located closer than 15 feet to the rear property line and no closer to the side street right-of-way line than the principal building.
- (5) Materials. ~~Accessory structures that are buildings or sheds shall be constructed out of a material similar to the principal structure.~~
 - a. Accessory buildings or structures greater than 200 square feet in floor area shall be constructed out of a material similar to the principal structure.
 - b. All accessory structure materials shall comply with Section 46-1416.

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- (6) No accessory building or structure in a nonresidential district shall be used by anyone other than employees of the owner, lessee or tenant of the premises, unless otherwise allowed by provisions of this division.
 - (7) Where an accessory building or structure is attached to the principal building by a breezeway, passageway or similar means, the accessory building or structure shall comply with the yard setback requirements of the principal building to which it is accessory.
 - (8) Setbacks for swimming pools, as accessory structures in a residential or special district, shall be measured from the edge of the decking to the applicable property line. No part of the decking for an accessory swimming pool shall be within five feet of a side or rear property line.
 - (9) Except as expressly provided elsewhere in this chapter, an accessory structure shall be limited to the lesser of 24 feet in height or the height of the principal structure, whichever is less.
 - (10) The floor area of an accessory building that is accessory to a single-family, two-family, or three-family residential structure shall not exceed the maximum floor areas set forth in table 4.2 below.

Table 4.2. Maximum Accessory Building Floor Area—Select Residential Structures

<i>Property Size</i>	<i>Maximum Floor Area</i>
0 to 0.999 acres	900 sq. ft.
1 to 4.999 acres	1,200 sq. ft.
5 to 9.999 acres	2,000 sq. ft.
10 or more acres	No size limit

(Ord. No. 2016-06-07, att. (4.2.2), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1146. Accessory dwelling unit, guesthouse, in-law suite.

- (a) On parcels zoned for residential single-family dwellings as a principal use, an accessory dwelling unit may be allowed as one of the following:
 - (1) Attached (addition to existing building);
 - (2) Detached permanent structure; or
 - (3) Within existing house (renovations to basements, wings or attics converted into separate living unit).
- (b) The heated floor area of a dwelling unit shall not include the square footage of the garage or shed.
- (c) Attached and detached accessory dwelling units are permitted by right, subject to the following:
 - (1) The minimum lot size shall be 10,000 square feet.
 - (2) The accessory dwelling unit shall conform to applicable standards of the state and city building codes for residential units as principal uses.
 - (3) The property owner, who shall include titleholders and contract purchasers, must occupy either the principal dwelling unit or the accessory dwelling unit as their residence, and possess a homestead exemption.
 - (4) The appearance of the accessory dwelling unit shall be similar to that of the principal residence. Building materials must comply with Section 46-1416.

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- (5) Only one accessory dwelling unit of any type shall be permitted on a lot.
 - (6) Prior to issuance of a building permit for an accessory dwelling unit, an applicant must provide evidence to the community development director showing that existing or proposed septic tank facilities, as applicable, are adequate to serve both the principal dwelling and the accessory dwelling unit.
 - (7) Any detached accessory dwelling unit shall be located in the rear or side interior yard.
 - (8) A second kitchen facility may be constructed and used within a single-family residence.
 - (9) Paved off-street parking shall be provided for one additional vehicle.
 - (10) Accessory dwelling units shall not exceed 900 square feet of heated floor area and shall not exceed 24 feet in height.
 - (11) The main entrance for a detached accessory dwelling unit, guesthouse, or in-law suite shall not face the closest property line. Windows, doors, balconies, porches and decks shall be sited to ensure the privacy of neighbors.
 - (12) For parcels located in a designated historic district and individually designated historic structures, the placement of an accessory dwelling unit and its architectural design shall require a certificate of appropriateness from the historic preservation commission.

(Ord. No. 2016-06-07, att. (4.2.3), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1204. Hookah/Vapor Bar or Lounge.

(a) Hours of Operation. No hookah/vapor bar or lounge shall remain open past 12:30 a.m.

(b) Smoking of hookah or vapor in any establishment that serves alcohol or food shall be prohibited.

Sec. 46-1205. Special Event Facilities.

Special event facilities shall be subject to all of the following standards:

- (a) The special event facility shall comply with parking standards stated in Article VI of this chapter. Valet parking shall not be used to satisfy the off-street parking requirements.
- (b) A traffic control plan to ensure an orderly and safe arrival, parking, and departure of all vehicles and to ensure that traffic will not back-up or block private easement, city, county, or state roads, intersections, or private driveways shall be submitted and subject to the review and approval of the city engineer.
- (c) Noise shall be contained within the subject suite or standalone structures. The facility shall comply with the noise ordinance.
- (d) No special event facility boundary line shall be located within 1,500 feet from the boundary line of property zoned or used for residential purposes.
- (e) Hours of operation. No special event facility shall be authorized to remain open past 12:30 a.m. without obtaining a Special Land Use Permit for a late-night establishment.

Secs. 46-~~1204~~1206—46-1222. Reserved.

Sec. 46-1125. Use table.

Table 4.1 indicates the permitted uses within the base zoning districts. Even though a use is listed as an allowable use within a particular base zoning district, additional use restrictions may apply based on the applicable overlay zoning district requirements specified in article III of this chapter.

- (1) The uses listed in table 4.1 shall be permitted only within the zoning districts identified, and no use shall be established and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:
 - a. A permitted use (P);
 - b. A special use (SP) subject to the special land use permit application procedures specified in article VII of this chapter;
 - c. An administratively approved use (SA) subject to the special administrative permit procedures specified in article VII of this chapter;
 - d. An accessory use (Pa) as regulated by this article IV of this chapter. Table 4.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification;
 - e. Uses lawfully established prior to the effective date of the ordinance from which this chapter is derived.
- (2) Any use not listed in table 4.1 or interpreted to be allowed by the planning and zoning director pursuant to section 46-1224 is prohibited. Any applicant denied a permit to allow a use of property in a zoning district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article VII of this chapter.
- (3) If there is a conflict between table 4.1 and the text of this chapter, the text shall prevail.

Table 4.1. Use Table

Key:

P—Permitted use; SA—Special administrative permit from director of planning; Pa—Permitted as an accessory use; SP—Special land use permit from BoC (SLUP)

Table 4.1. Use Table																										
Use	R E	R L G	R- 10 0	R - 8 5	R- 75	R - 6 0	R S M	M R- 1	M R - 2	H R- 1, 2, 3	M H P	R N C	O I	O I T	N S	C - 1	C - 2	O D	M	M - 2	M U -1	M U - 2	M U- 3	M U- 4, 5	See div. 2 of this article	
AGRICULTURAL																										
Agriculture and Forestry																										
Commercial greenhouse or plant nursery																P	P	P		P	P	P				✓
Temporary or portable sawmill	S A	S A	SA	S A	SA	S A	S A													P	P					✓
Urban, community garden, up to 5 acres	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Urban, community garden, over 5 acres	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓	
Produce stand	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓	
Animal Oriented Agriculture																										
Dairy																				P	P					✓
Keeping of livestock	P	P	P	P	P							P													✓	

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Keeping of poultry/pigeons	P	P	P	P	P								P												✓
Livestock sales pavilion																		P							✓
Riding academies or stables	P	P	P	P	P																				✓
Beekeeping	P	P	P	P	P								P					P							✓
RESIDENTIAL																									
Dwellings																									
Dwelling, cottage home						S P	S P	SP	S P	SP		SP													✓
Dwelling, mobile home											P							P a	P a						✓
Dwelling, multifamily								P	P	SP								S P	S P	S P	S P	SP	SP		
Dwelling, multifamily (supportive living)								P	P	SP										S P	S P	SP	SP		✓
Dwelling, townhouse							P	P	P	SP		P		P						S P	S P	SP	SP		✓
High-rise apartment										P												P	P		
Dwelling, single-family (attached)							P	P	P	P				P					P	P	P	P			
Dwelling, single-family (detached)	P	P	P	P	P	P	P	P	P	P	P	P								P	P	P			
Dwelling, three-family								P	P	P		P								P	P	P	P		
Dwelling, two-family								P	P	P		P								P	P	P	P		
Dwelling, single-family, accessory (guesthouse, in-law suite)	P a	P a	Pa	P a	Pa	P a	P a	Pa	P a											P a	P a	Pa	P a		✓
Home occupation, no customer contact	P	P	P	P	P	P	P	P	P	P	P	P													✓
Home occupation, with customer contact	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP	S P	SP								S P	S P	SP	SP		✓
Live/work unit													P	P		P	P		P	P	P	P	P	P	✓
Mobile home park												P													
Accessory uses or structures	P a	P a	Pa	P a	Pa	P a	P a	Pa	P a	Pa	P a	P a	P a	P a	P a	P a	P a	P a	P a	P a	P a	Pa	P a		✓
Housing and Lodging																									
Bed and breakfast	S P	S P	SP				S P	SP	S P	SP			P	P		P	P					P	P	P	✓
Boardinghouse/roominghouse								SP	S P	SP															
Convents or monasteries	S P	S P	SP	S P	SP	S P	S P	SP	S P				P	P							P	P	P		✓
Dormitory													P a	P a		P a	P a	P a	P a		P a	P a	Pa	P a	
Extended stay hotel													S P			S P	S P				S P	SP	SP		✓
Fraternity house or sorority house													P a								P a	Pa			
Hotel/motel													P			P	P	P			P	P	P		
Nursing care facility or hospice										P			P	P		P	P				P	P	P	P	

Personal care home, community, 7 or more							S P	SP	S P	SP				P	S P	S P	P	P	P				S P	S P	SP	SP	✓
Personal care home, group, 4-6	S P	S P	SP	S P	SP	S P																					✓
Child caring institution, group, 4-6	S P	S P	SP	S P	SP	S P			S P	SP	S P	SP	P	P	S P	P	P					S P	S P	SP	SP	✓	
Child caring institution, community, 7 or more							S P	SP	S P	SP				P	S P	S P	P	P	P				S P	S P	SP	SP	✓
Shelter for homeless persons, 7-20														S P	S P		S P	S P									✓
Shelter for homeless persons for no more than six persons														S P	S P		S P										✓
Transitional housing facility, 7-20														S P	S P		S P	S P									✓
INSTITUTIONAL/PUBLIC																											
Community Facilities																											
Cemetery, columbarium, mausoleum	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP				P	P				P								✓
Club, order or lodge, fraternal, non-commercial														P	P		P	P	P	P			P	P	P	P	
Coliseum or stadium/not associated with church or school																	P	P	P						SP	P	✓
Funeral home, mortuary														P	P		P	P									
Golf course or clubhouse, public or private	P	P	P	P	P	P	P				P			P	P			P	P	P							✓
Government facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital or accessory ambulance service														P	P					P				P	P		
Library or museum								P	P	P				P	P	P	P	P	P				P	P	P	P	
Cultural facilities								SP	S P	SP				S P	S P		S P	S P	S P	S P			S P	S P	SP	SP	
Recreation club	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP		SP							P							SP	✓
Neighborhood or subdivision clubhouse or amenities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	P	P	P		✓
Places of worship	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP		SP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Recreation, outdoor																		P	P	P	P						✓
Swimming pools, commercial	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP	S P	SP	P	P			P	P	P	P				P	Pa	P	
Tennis courts, swimming pools, play or recreation areas, community	P	P	Pa	P	Pa	P	P	Pa	P	Pa	P	Pa	P	P			P	P	P	P				P	Pa	P	✓
Education																											
Colleges, universities, research and training facilities														P	P		P	P	P	P			P	P	P	P	
Private educational services, home occupation	P	P	Pa	P	Pa	P	P	Pa	P	Pa		P							P				P	P			✓

Private kindergarten, elementary, middle or high schools	S P	S P	SP	S P	SP	S P	S P	SP	S P	SP	S P	SP	P	P		P	P	P				S P	SP	SP	✓
Vocational schools													P	P		P	P	P	S P	S P	P	P	P	P	✓
Specialized schools								SP	S P	SP			P	P	P	P	P	P	S P	S P	P	P	P	P	✓
COMMERCIAL																									
Automobile, Boat and Trailer Sales and Service																									
Automobile or truck rental or leasing facilities																S P	P		P	P					✓
Automobile brokerage													P	P		P	P		P			P	P	P	✓
Auto recovery, storage																		P	P						✓
Automobile repair or maintenance, minor																S P	S P		P						✓
Automobile repair, major																	S P		P	P					✓
Automobile sales or truck sales																S P	P		P	P					✓
Automobile service stations															S P	S P	S P		P	P					✓
Automobile upholstery shop																	P		P	P					
Boat sales																S P	P		P						✓
Car wash, hand wash																	S P		P						✓
Car wash, automatic																S P	S P		P						✓
Emission stations															S P	S P	S P		P	P					✓
Retail automobile parts or tire store																S P	P		P						✓
Service area, outdoor																	P a		P a	P a					✓
Trailer or RV salesroom and lot																S P	P		P						✓
Used Parts Dealer													P	P		P	P		P			P	P	P	✓
Offices																									
Accounting office								Pa	P a	Pa			P	P	P	P	P	P			P	P	P	P	
Building or construction office								Pa	P a	Pa			P	P		P	P	P	P	P					✓
Building, landscape, heavy construction contractor office (material, equipment, storage)																	P	P	P	P					✓
Engineering or architecture office								Pa	P a	Pa			P	P	P	P	P	P	P	P	P	P	P	P	
Finance office or banking								Pa	P a	Pa			P	P	P	P	P	P			P	P	P	P	
General business office								Pa	P a	Pa			P	P	P	P	P	P			P	P	P	P	

Insurance office									Pa	P a	Pa				P	P	P	P	P	P				P	P	P	P	
Legal office									Pa	P a	Pa				P	P	P	P	P	P				P	P	P	P	
Medical office									Pa	P a	Pa				P	P	P	P	P	P				P	P	P	P	
Real estate office									Pa	P a	Pa				P	P	P	P	P	P				P	P	P	P	
Recreation and Entertainment																												
Adult entertainment establishments																		P		P								✓
Adult service facility																		P		P	P							✓
Drive-in theater																		P		P	P							✓
Fairground or amusement park																		P		P	P							✓
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)																P	P	P	P	P	P	P	P	P	P	P		
Nightclub or late night establishment																	S P	S P	S P	S P	S P	S P	S P	S P	SP	SP	✓	
Outdoor recreation (miniature golf, batting cages, tennis, go-cart and other outdoor activities)	S P																	P	P	S P							✓	
Special events facility	S P													P	P		P	P	P	P			P	P	P	P		
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building														P	P		P	P							P	P		
Retail																												
Alcohol outlet, retail sales, primary or accessory																S P	S P	S P	P	P			S P	S P	SP	SP	✓	
Apparel or accessories store																P	P	P					P	P	P	P		
Art gallery									Pa	P a	Pa						P	P	P	P				P	P	P	P	
Book, greeting card, or stationery store																	P	P	P	P				P	P	P	P	
Camera or photography																	P	P	P	P				P	P	P	P	
CBD Shop																		S P	S P		S P						✓	
Computer or computer software store																	P	P	P	P				P	P	P	P	
Convenience store (see alcohol outlet or fuel pumps accessory)																		P	P	P	P	P	P	P	P	P	✓	
Drive-through facilities (other than restaurants)														P		P	P	P	P	P	P							

Farm or garden supply store																P	P	P	P	P		P	P			
Farmer's market, permanent														P	P	P	P	P	P	P	P	P	P	P	P	✓
Farmer's market, temporary/seasonal	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓	
Florist														P a		P	P	P	P			P	P	P	P	
Fortune telling																		S P	P	P						
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)														P a		P	P	P	P			P	P	P	P	
Fuel dealers, manufacturers or wholesalers																		P		P	P					
Fuel pumps, accessory																S P	S P	S P		P	P					✓
Gift, novelty, or souvenir store														P a		P	P	P	P			P	P	P	P	
Gold buying, precious metals																	P a	P	P							
Grocery stores (see alcohol outlet)								Pa	P a	Pa						P	P	P	P			P	P	P	P	
Hardware store or other building materials store																P	P	P	P	P	P	P	P	P	P	
Hobby, toy or game store																P	P	P	P			P	P	P	P	
Jewelry store																P	P	P	P			P	P	P	P	
Music or music equipment store (retail)																P	P	P	P			P	P	P	P	
News dealer or news store														P	P	P	P	P	P	P	P	P	P	P	P	
Office supplies and equipment store																P	P	P	P	P		P	P	P	P	
Outdoor display																	P a	P a								
Pawn shop, title loan																		S P	P	P						
Pet supply store																P	P	P	P	P		P	P			
Pharmacy or drug store (see alcohol outlet)								Pa	P a	Pa		P a	P a	P a	P	P	P	P	P			P	P	P	P	
Radio, television or consumer electronics store																	P	P	P			P	P	P	P	
Retail, 5,000 sf or less								Pa	P a	Pa				P a	P a	P	P	P	P	P	P	P	P	P	P	
Retail, over 5,000 sf (see also shopping center)																P	P	P	P			P	P	P	P	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage																	P	P	P	P		P	P	P	P	
Shopping center																P	P	P	P			P	P	P	P	

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Specialty store																P	P	P	P				P	P	P	P	
Sporting goods or bicycle sale																P	P	P	P				P	P	P	P	
Tattoo establishment and piercing studio																	S P	P	P								
Thrift, secondhand, antique store																	P	P		P							
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage														P	P		P	P	P	P	P						
Vape Shop																	S P	S P		S P							✓
Variety store														P a		P	P	P	P				P	P	P	P	
Wine retailer (<5,000 sq. ft.)																P	P	P					P	P	P	P	
Temporary Commercial Uses																											
Temporary outdoor sales, seasonal	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓
Temporary produce stand	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓
Temporary outdoor retail sales	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓
Temporary outdoor events	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓
Temporary trailer, as home sales office or construction trailer	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓
Restaurant/Food Establishments																											
Brewpub/beer growler																P	P	P		P			P	P	P	P	
Catering establishments														P	P		P	P		P			P	P	P	P	
Outdoor seating														P		P	P	P	P								✓
Restaurants (acc. to hotel/motel)														P			P	P	P					P	P	P	
Restaurants (non-drive-thru)								Pa	P a	Pa		P a	P a	P a	P	P	P		P			P	P	P	P		
Restaurants with a drive-thru configuration																	P	P				P					✓
Hookah/vapor bar or lounge																	S P	S P									✓
Transportation and Storage																											
Bus or rail stations or terminals for passengers																	S P	S P		S P	S P	S P	S P	SP	SP		
Heliport														S P			S P	S P	S P	P	P			SP	SP		✓
Parking, commercial lot														P a			P	P	P	P			P	P	P	P	✓
Parking, commercial garage														P a			P	P	P	P			P	P	P	P	
Taxi, ambulance or limousine service, dispatching or storage																		P	P	P	P						✓

Taxi, ambulance, limousine dispatch office only (no vehicle parking)														P	P	P	P	P		P	P	P	P	P	P		
Taxi stand														P	P	P	P	P	P	P	P	P	P	P	P		
Transit shelter														P	P	P	P	P	P	P	P	P	P	P	P	✓	
Services																											
Adult day care center—7 or more									S P	SP	S P			P	P	P	P	P	P			P	P	P		✓	
Adult day care facility—up to 6								SP	S P	SP						P	P	P	P			P	P	P	P	✓	
Animal care specialist																P	P	P	P	P	P	P	P				
Animal hospitals, veterinary clinic																P	P	P	P	P	P	P	P			✓	
Animal shelter/rescue center (4 or more)	S P																P	P	P	P						✓	
Banks, credit unions or other similar financial institutions								Pa	P a	Pa				P	P	P	P	P		P		P	P	P	P		
Barber shop/ beauty salon or similar establishments								Pa	P a	Pa				P a	P	P	P	P	P	P		P	P	P	P		
Check cashing establishment, primary																		S P		P						✓	
Check cashing establishment, accessory																	P	P		P	P	P	P	P	P	✓	
Child day care center (Kindergarten)—7 or more								P	P	P	P			P	P	P	P	P	P	P		P	P	P	P	✓	
Child day care facility—up to 6	S P	S P	SP	S P	SP	S P	S P	SP	S P	P		SP	P	P	P	P	P	P				P	P	P		✓	
Coin laundry								Pa	P a	Pa						P	P	P					P	P	P		
Pet day care								SP	S P	SP							P	P		P	P	P	S P	SP	SP	✓	
Pet grooming								Pa	P a	Pa							P	P		P	P	P	P	P	P	✓	
Dry cleaning agencies, pressing establishments, or laundry pick-up stations								Pa	P a	Pa				P	P	P	P	P		P	P	P	P	P	P		
Fitness center	P a	P a	Pa	P a	Pa	P a	P a	Pa	P a	Pa	P a			P	P	P	P	P		P	P	P	P	P	P		
Health spa														S P	S P	S P	S P	S P		S P		S P	S P	SP	SP	✓	
Kennel, breeding or boarding	S P															P a	P a	P		P	P					✓	
Kennel, commercial	S P																P	P		P	P					✓	
Kennel, noncommercial	S P	S P	SP	S P	SP																						
Landscape business																	P	P		P	P						
Massage establishment														S P	S P	S P	S P	S P				S P	S P	SP	SP	✓	

Mini-warehouse																	S	S	P	P	P						✓
Multi-warehouse																	S	S	P	P	P						✓
Outdoor storage, commercial																		P		P	P						✓
Personal services establishment								Pa	P	a	P		P	a	P	a	P	P	P		P		P	P	P	P	
Photoengraving, typesetting, electrotyping																		P		P	P	P	P				
Photographic studios													P	P	P	P	P		P		P	P	P	P	P		
Plumbing, HV/AC equipment establishments with no outdoor storage																	P	P		P	P						
Publishing or printing establishments													P	P			P		P	P							
Quick copy printing store													P	P	P	P	P		P	P	P	P	P	P	P		
Services, Medical and Health																											
Ambulance service or emergency medical services, private																	P	P		P							✓
Health services clinic													P	P	P	P	P	P	P		P	P	P	P			
Home healthcare service													P	P			P	P		P		P	P	P	P		
Kidney dialysis center													P	P			P	P		P		P	P	P	P		
Medical or dental laboratories													P	P			P	P		P	P			SA	SA		
Services, Repair																											
Furniture upholstery or repair; home appliance repair or service																	P	P		P	P						
Personal service, repair (watch, shoes, jewelry)								Pa	P	a	Pa		P	P	P	P	P		P		P	P	P	P			
Service area, outdoor																		Pa		Pa	P						✓
INDUSTRIAL																											
Alcohol manufacturing (brewery)																	P	P		P							
Alcohol manufacturing (distilled spirits)																	P	P		P							
Alternative energy production																			S	S	S						
Automobile/truck manufacturing																					P						
Brick, clay, tile, or concrete products, terra cotta manufacturing																					P						
Building materials or lumber supply establishment																		P		P							
Cement, lime, gypsum, or plaster of Paris manufacturing																					P						

Sugar refineries																			P	P					
Tire retreading or recapping																			P	P					
Towing or wreckage service																			P	P					
Transportation equipment manufacture																				P					
Transportation equipment storage or maintenance (vehicle)																			P	P					✓
Truck stop or terminal																			P	S P					✓
Vehicle storage yard																			P	P					
Warehousing or Storage																		P	P	P					
COMMUNICATION—UTILITY																									
Amateur radio service or antenna	S P	S P	SP	S P	SP	S P	S P					S P													✓
Electric transformer station, gas regulator station or telephone exchange																				P					
Radio or television broadcasting studio														P				P		P	P	P	P	P	
Radio or television broadcasting transmission facility														P a				P		P	P				
Satellite television antennae	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	✓
WIRELESS TELECOMMUNICATION (CELL TOWER)																									
Attached wireless telecommunication facility, used for nonresidential purposes (prohibited if used as residential)	S A	S A	SA	S A	SA	S A	S A																		✓
Wireless communications (small cell structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Stealth design up to 150'								SP	S P	SP				S P	S P						S P	S P	SP	SP	✓
New support structure or stealth design up to 199'													S A			S A	S A	S A	S A	S A					✓
COWs (non-emergency or event, no more than 120 days)	S A	S A	SA	S A	SA	S A	S A	SA	S A	SA	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	S A	SA	S A	✓	
COWs (declared emergency)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓	
Attached wireless telecommunication facility								P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓	
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓	

(Ord. No. 2016-06-07, att. (4.1.3), 7-11-2016; Ord. No. 2016-07-16, att. (4.1), 9-1-2016; Ord. No. 2016-10-37, att. (4.1), 11-14-2016; Ord. No. 2017-03-57, § 3, 3-27-2017; Ord. No. O2017-09-76, exh. A(4.1), 10-9-2017; Ord. No. O2018-03-7, exh. A(4.1), 4-9-2018; Ord. No. 2018-12-40, 1-14-2019; Ord. No. O2019-04-15, exh. A(4.1), 6-26-2019; Ord. No. O2020-03-07, exh. A, 3-23-2020)

Sec. 46-1340. Walls, fences, and retaining walls.

(a) *General.*

- (1) When this chapter requires a wall or fence to be constructed, the wall or fence shall be completed prior to the issuance of a certificate of occupancy for the principal structure.
- (2) No wall or fence shall be constructed in any public right-of-way.
- (3) See table 5.3 for additional requirements.

(b) *Single-family residential standards.*

- (1) Fences or free-standing walls constructed in a front yard shall not exceed four feet in height. Fences or free-standing walls constructed in a side corner yard shall not exceed four feet in height if said fence or free-standing wall is located between the street and the side corner façade of the structure. Fences or free-standing walls in line with the side corner façade shall not exceed six feet in height.
- (2) No freestanding wall or fence shall be more than eight feet high from finished grade.
- (3) Subdivision or project identification monuments at the entrance to a subdivision or residential development that incorporates a wall or fence shall only be located in a common area or private easement and shall not exceed six feet in height.
- (4) Retaining walls on lots developed with single-family dwellings or part of a single-family development shall abide by the following:
 - a. The entire wall structure, including footer, shall not encroach on adjacent property;
 - b. Drainage shall be properly conveyed on both sides of the wall in conformance with state, county, and city codes; and
 - c. A construction/maintenance easement shall be obtained from the adjoining property owner, if applicable. Newly constructed retaining walls shall not be higher than four feet; however, existing retaining walls may be repaired and replaced so long as the height of the repaired or replaced wall is no greater than the original height of the wall.
 1. If exceptional topographical restrictions exist that were not created by the owner or his agent on a lot, and it is established to the reasonable satisfaction of the planning and zoning director that no practical alternative design of such wall is feasible, then the planning and zoning director may, upon application therefor, grant an administrative variance allowing up to two additional feet in the applicable retaining wall maximum height limitation set forth in this subsection (b)(4) of this section. An applicant for a retaining wall administrative variance shall include with the application a certified field-run site plan or a topographical map certified by an engineer or landscape architect.
 2. If exceptional topographical restrictions exist that were not created by the owner or his agent on the lot, and it is established to the satisfaction of the zoning board of appeals that no practical alternative design of such wall is feasible, the zoning board of appeals may, upon application therefor, grant a variance allowing newly constructed retaining walls to be greater than six feet. Notwithstanding any provision in this chapter to the contrary, no variance may be granted to allow the height of a retaining wall above eight feet. In addition to the materials otherwise required for a variance in division 5 of article VII of this chapter, an applicant for a retaining wall variance shall provide a certified field-run site plan or a topographical map certified by an engineer or landscape architect with the application for the variance.

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(c) *Height and length.*

- (1) The height of a freestanding wall or fence is measured from the finished grade of the subject property.
- (2) The total retaining wall height is ~~considered to be the average of the vertical distance between finished grade level at the front of the wall and the grade level at the back of the wall at the same section, measured from the finished grade on the non-retained side to the top of highest point of the wall.~~
- (3) The maximum length of continuous, unbroken, and uninterrupted retaining walls equal to or greater than 6 feet in height is 100 feet. For walls greater than 100 feet in length, breaks shall be provided through the use of columns or other architectural detailing.

(d) *Material composition and design.*

- (1) No freestanding walls, retaining walls or fences may be composed of exposed common concrete block, tires, junk, pallets, railroad ties, loose stone, tarps, vinyl and other discarded materials.
- (2) ~~With the exception of M and M-2 zoning districts, F~~fences, freestanding walls or retaining walls erected within the front yard or along the right-of-way shall be constructed of brick, stone, wood, wrought iron, or aluminum that looks like wrought iron. Any other material, including, but not limited to, chain-link and other wire fences are prohibited in the front yards of all districts, with the exception of M and M-2 zoning districts.
- (3) All chain-link fences shall be vinyl coated.
- (4) Walls and fences shall be constructed with the finished or decorative side facing outward from the property.
- (5) Tiered retaining walls shall be separated horizontally by a minimum of 4 feet and the area between the walls shall be vegetated and maintained with a mix of native evergreen and deciduous shrubs, subject to the review and approval of the city arborist.

(e) *Security gates.* Entrance gates for vehicles shall be located at least 50 feet from the property line in order to ensure safe queuing, and ingress to and egress from the property.

(f) *Fencing.* Temporary fencing may be erected during construction for security and public safety purposes.

~~(g) *Exemptions.* Fences and walls in the M and M-2 zoning districts are exempt from regulations governing the height and materials of fences and walls.~~

(h) *Freestanding wall height.* No freestanding wall or fence in a multifamily, nonresidential or mixed-use zoning district may be more than ten feet in height.

(i) *Retaining wall height.* No retaining wall shall be more than ten feet in height.

Table 5.3. ~~Fence and Wall Standards~~ Reserved.

<i>Use</i>	<i>Height</i>	<i>Setbacks</i>	<i>Variance Allowed</i>
Single-family fences in the front yard	Up to four feet from finished or street grade	Outside right-of-way	May apply for a variance from zoning board of appeals to increase height
Single-family fences in side or rear yards	Up to eight feet	Fences may be on property line; retaining walls, including	No variance can be approved to exceed eight foot height

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		footings, must not encroach over property line	
Single-family fences in side-corner lots.	Up to four feet if between the street and the side-corner façade; up to six feet if in line with the side-corner façade	Fences may be on property line; retaining walls, including footings, must not encroach over property line	No variance can be approved to exceed six foot height
Single-family retaining walls	Up to four feet from finished or street grade. Cannot exceed eight feet on side or rear property line	Retaining walls, including footings, shall not encroach over property line	Administrative variance allowed to increase wall from four to six feet based on topography
Single and Multifamily identification monument walls	In front yard, cannot exceed ten feet in height	Cannot be located in right-of-way. Setback varies, depends on sight visibility	May apply for a variance from zoning board of appeals to increase height
Nonresidential, multifamily and mixed-use zoning districts	Up to ten feet	Cannot be located in right-of-way. Setback varies, depends on sight visibility	May apply for a variance from zoning board of appeals to increase height
Industrial	No limit	No limit	N/A

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(Ord. No. 2016-06-07, att. (5.4.7), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1416. Materials.

(a) Exterior building materials.

- (1) Except for exempted buildings described in subsection (a)(5) of this section, exterior wall materials of primary buildings shall consist of any of the following types:
 - a. Brick masonry;
 - b. Stone masonry;
 - c. Cement wood or fiber cement siding, including simulated half-timbering;
 - d. Hard coat stucco;
 - e. Cedar shingles or fiber cement;
 - f. Textured face concrete block;
 - g. Architectural concrete;
 - h. Precast or tilt-up panel (for industrial buildings only);

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- i. Glass;
 - j. Material not listed in this section, which shall contribute to innovative design or green construction as determined by the planning and zoning director on a case by case basis; and/or
 - k. Architectural accent materials as approved by the planning and zoning director.
- (2) Exterior building material requirements do not preclude solar panel installation on building roofs.
- (3) The following materials may be used as secondary building material or siding, up to 40 percent of total facing:
- a. Standing seam or corrugated metal siding;
 - b. Exterior insulation and finish system (EIFS). If within three feet of grade or within six feet of grade adjoining a public right-of-way or a parking area, the EIFS shall have ultra-high impact resistance in accordance with ASTM E2468. EIFS is prohibited for use on single-family, two-family, and three-family dwellings.
 - c. Vinyl siding and other polymeric siding, provided the siding shall:
 - 1. Be installed by a certified installer or an individual certified as trained through the VSI certified installer program sponsored by the Vinyl Siding Institute, Inc. (VSI) or an approved equivalent program;
 - 2. Be certified and labeled as conforming to the requirements of ASTM D3679 standard specifications for rigid poly (vinyl chloride) (pvc) siding by an approved quality control agency;
 - 3. Have a minimum thickness of 0.046 inches;
 - 4. Have panel projections of no less than five-eighths inch for clapboard and Dutchlap styles;
 - 5. Have double (rolled over) nail hem, up to 0.92 inches nominal thickness strength;
 - 6. Meet or exceed the color retention requirement of ASTM D6864, 3679 or D7251;
 - 7. Be installed in accordance with the manufacturers' instructions and in accordance with ASTM D4756. Polypropylene siding shall be certified and labeled as conforming to the requirements of ASTM D7254 standard specification for polypropylene (PP) siding by an approved quality control agency. Insulated vinyl siding shall be certified and labeled as conforming to the requirements of ASTM D7793 standard specification for insulated vinyl siding by an approved quality control agency.
- (4) The following exterior building materials shall be prohibited on all buildings:
- a. Plywood;
 - b. Common concrete block;
 - c. Oriented strand board (OSB).
- (5) Universities, and structures located in M or M-2 zoned districts shall be exempt from the requirements of subsections (a)(1) and (a)(3) of this section, provided:
- a. Such structures are located interior to the site with an intervening building facing the street.
 - b. If materials in subsection (a)(3) of this section are used as primary exterior building materials, at least 30 percent of total facade area shall be brick or stone masonry.

(b) *Arrangement of materials.*

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- (1) Where two or more materials are proposed to be combined on a facade, the heavier and more massive material shall be located below the lighter material.
 - (2) Material changes on a facade shall occur along a continuous horizontal line or where two building forms meet. Secondary building materials may be used as trim, around windows, doors, cornices, at corners, or as a repetitive pattern within a wall covered in a primary building material.
 - (3) Buildings on corner lots shall have the same primary facade materials on the front and side corner elevations.

(c) ~~Roof and accessory structure materials.~~

- (1) Sloped roofs on primary buildings shall be clad in wood shingles, standing seam metal, clay or concrete tile, stone coated metal tile, painted metal tile, recycled rubber tile, slate, asphalt shingles or similar material or combination of materials. This regulation does not prohibit the application of solar panels, which shall not be considered an architectural material for purposes of building form regulations.

~~(2) The exterior of accessory buildings shall be constructed of materials that are similar to those used on the principal structures.~~

(d) *Shade structures.*

- (1) Material used as overhead shade structures must be maintained and shall be made of fade-resistant, water-resistant, mildew-resistant, and UV-resistant fabric.

(Ord. No. 2016-06-07, att. (5.7.4), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1775. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ADA means the Americans with Disabilities Act.

"A" weighted sound level means the sound level reported in units of dB(A) approximating the response of human hearing when measuring sounds of low to moderate intensity as measured using the "A" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors.

Abandonment means the relinquishment, discontinuance and cessation of a use, other than as a result of government action, for any continuous period of time as may be provided in this chapter.

Abutting means having property or district lines in common. The term "abutting" does not include property separated by a road or right-of-way.

Accessory building means a building detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use.

Accessory dwelling unit. See *Dwelling unit, accessory*.

Accessory equipment. See section 46-1200(b).

Accessory structure means a structure detached from the principal building and located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use. Compare with *Building, primary*.

Accessory use means a use of land or building or structure or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use. See division 2, article IV of this chapter for supplemental regulations.

Active recreation means leisure activities, usually performed with others, often requiring equipment and taking place at prescribed places, sites, or fields. The term "active recreation" includes, but is not limited to, swimming, tennis, and other court games, baseball and other field sports, golf and playground activities.

Adaptive reuse means buildings and sites constructed and developed originally for one use but converted to or repurposed for a use not traditionally occupying the building or development form. For example, the conversion of former hospital or school buildings to residential use, or the conversion of an historic single-family home to office use.

Adjoining property means a property that touches or is directly across a street, easement or right-of-way (other than an interstate, principal arterial, urban freeway/expressway or urban principal arterial) from the subject property.

Adult day care center means an establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during daytime hours of seven or more adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped. This may also include recreational and social activities for said persons.

Adult day care facility means an establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during daytime hours of six or fewer adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped. This may also include recreational, cultural and social activities for said persons.

Adult entertainment establishment means any one or any combination of the following:

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Adult bookstore means an establishment having a substantial or significant portion of its stock in trade, books, printed materials, magazines or other periodicals or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising at least five percent of its total floor space, devoted to the sale or consisting of said printed material or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

Adult business means an establishment other than those expressly specified in this section, where employees or patrons expose specified anatomical areas or engage in specified sexual activities.

Adult mini-motion picture theater means an enclosed building, or enclosed or semi-enclosed room or booth within an enclosed building, with a capacity of less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified anatomical areas for observation by patrons therein.

Adult motion picture arcade means any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.

Adult motion picture theater means an enclosed building with a capacity of 50 or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

Adult video store means an establishment having a substantial or significant portion of its stock in trade, videotapes, movies, CD ROMS, or other reproductions, whether for sale or rent, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising at least five percent of its net sales from said videos which are characterized or distinguished by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

Erotic entertainment/dance establishment means a nightclub, theater or other establishment which features live performances by dancers, entertainers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas. These establishments are also regulated pursuant to chapter 10.

Escort bureau or introduction services means any business, agency or persons who, for fee, commission, hire, reward, profit or other consideration furnishes or offers to furnish names of persons or who introduces, furnishes or arranges for persons who may accompany other persons to or about social affairs, entertainments or places of amusements, or who may consort with others about any place of public resort or within any private quarters.

Lingerie modeling studio means an establishment wherein a patron directly or indirectly is charged a fee or required to make a purchase in order to view entertainment or activity which consists of persons exhibiting or modeling lingerie or similar undergarments.

Adult service facility means a commercial establishment in which the patron directly or indirectly is charged a fee to engage in private, personal contact with employees, patrons, or personnel primarily for entertainment purposes, using steam rooms or other devices or equipment provided by the establishment, and that is not otherwise regulated as an adult entertainment establishment or massage establishment.

Affordable housing means housing that has a sale price or rental amount that is within the means of a household that may occupy middle-, moderate-, or low-income housing. In the case of dwelling units for sale, housing that is affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or

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association fees, if any, together constitute no more than 28 percent of such gross annual household income for a household of the size which may occupy the unit in question. In the case of dwelling units for rent, housing that is affordable means housing for which the rent and utilities constitute no more than 30 percent of such gross annual income for a household of the size that may occupy the unit in question.

Aggrieved person means a person who either:

- (1) Is the applicant or the owner of property that is the subject of an application or a decision by a city administrative official; or
- (2) Has a substantial interest in an action appealed from and that is in danger of suffering special damage or injury not common to all property owners similarly situated.

Agricultural activities means activities performed in order to cultivate the soil, produce crops, or raise livestock.

Agricultural produce stand means a temporary building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs, or plants and may include accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts.

Alcohol manufacturing (brewery) means a light malt beverage manufacturer licensed by the state as a brewery. All state and federal licensing and regulatory requirements shall be met prior to the approval of a certificate of occupancy. Such establishment may include restaurants as an accessory use.

Alcohol manufacturing (distilled spirits) means any maker, producer, or bottler engaging in distilling, rectifying, or blending any distilled spirits; provided, however, that a vintner that blends wine with distilled spirits to produce a fortified wine shall not be considered a manufacturer of distilled spirits. All state and federal licensing and regulatory requirements shall be met prior to the approval of a certificate of occupancy.

Alcohol outlet means a retail establishment that sells beer, wine or distilled liquor for off-site consumption. The term "alcohol outlet" includes retail stores, less than 25,000 square feet that may sell beer and/or wine, as well as other products.

All-weather material means a hard surface, dust-free material, capable of withstanding normal weather conditions during ordinary use without substantial deterioration. Gravel, rock, or screenings alone, without use of a petroleum or cement binder, does not meet the definition of an all-weather material.

Alley means a minor way, which is used primarily for vehicular service access to the back or side of properties otherwise fronting on a street.

Alternative energy production means an energy production site or facility that is dedicated to the commercial production of electricity by means of wind, solar, biomass, grease, oil, or other non-petroleum energy source.

Alternative fuel vehicle. a vehicle that runs on a fuel other than traditional petroleum fuels (petrol or diesel) including means biodiesel, denatured alcohol, electricity, hydrogen, methanol, mixtures containing up to 85 percent methanol or denatured ethanol, natural gas, and propane (liquefied petroleum gas).

Amateur radio service means radio communication services, including amateur satellite service and amateur service, which are for the purpose of self-training, intercommunication, and technical investigations carried out by duly licensed amateur radio operators solely for personal aims and without pecuniary interest, as defined in 47 CFR 97 and regulated thereunder.

Amateur radio service antenna structure means a tower and antenna for radio transmission and reception which is maintained by a licensed amateur radio operator as an accessory structure.

Ambulance service facility means a privately owned facility for the dispatch, storage, and maintenance of emergency care vehicles.

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Amenity means a natural or manmade feature that enhances a particular property, increasing aesthetics and desirability to the owner or community.

Amplified sound reproduction device means any device capable of producing, reproducing or emitting sounds by means of any loudspeaker or amplifier.

Amusement park means an outdoor recreation facility, which may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.

Animal means any vertebrate member of the animal kingdom, excluding humans.

Animal care specialist means a professional practice that provides specialized care to animals, such as dermatology, sports medicine and rehabilitation, animal behavior, and ophthalmology. No invasive surgery or boarding shall be permitted at an animal care specialist facility. Minor procedures, such as skin biopsies and acupuncture, shall be permitted.

Animal hospital means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use of an animal hospital as a kennel shall be limited to short-term boarding and shall be only incidental to such hospital use.

Animal shelter/rescue center means a facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public organization or by an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other non-profit organization devoted to the welfare, protection, and humane treatment of animals.

ANSI means the American National Standards Institute.

Antenna. See section 46-1200(b).

Antique shop means a place offering antiques for sale. An antique, for purposes of this chapter, shall be a work of art, piece of furniture, decorative object, or the like, of or belonging to the past, at least 30 years old.

Apartment. See *Dwelling, multifamily*.

Apartment unit means one or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing four or more dwelling units.

Apiary means a place where beehives of honey bees are kept.

Apiculture. See *Beekeeping*.

Apparel store means a retail store where clothing is sold, such as department stores, dry goods and shoe stores, and dress, hosiery, and millinery shops.

Appeal means a review authorized by this chapter of any final order, requirement, or decision of the planning director or designee that is based on or made in the enforcement of this chapter.

Applicant means a person who acts in his own behalf or as the agent of a property owner, who seeks a zoning decision, or who seeks a decision regarding a permit or approval by the planning and zoning director.

Arcade means an area contiguous to a street or plaza that is open and unobstructed to a height of not less than 12 feet and that is accessible to the public at all times.

Archaeological resource means any material remains of past human culture or activities which are of archaeological interest, including, but not limited to, the following: basketry, bottles, carvings, graves, human skeletal materials, pit houses, pottery, rock intaglios, rock paintings, soapstone quarries, structures or portions of structures, tools, weapons, weapon projectiles, or any portion or piece of any of the foregoing items. Non-fossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources under the regulations of this chapter, unless found in archaeological context. No item

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shall be deemed to be an archaeological resource under the regulations of this chapter unless such item is at least 200 years of age.

Art gallery means an establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. The term "art gallery" does not include libraries, museums, or non-commercial art galleries.

Art, private, means a work or collection, usually displayed in a gallery or curated space that is owned by a private individual or entity.

Art, public, means any visual work of art located so as to be visible in a public, city-owned area; on the exterior of any city-owned facility; within any city-owned facility in areas designated as public areas, lobbies, or public assembly areas; or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city. Such public art shall not contain characteristics of an advertising sign.

Articulated facade means a building elevation that faces a street and that is constructed with a variety of surfaces, materials, colors, projections, recesses, or similar features.

Asphalt manufacturing means an industrial facility used for the production of asphalt, concrete, or asphalt or concrete products that are used in building or construction, and that includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises, or the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

Assembly hall means a meeting place at which civic, educational, political, religious, or social groups assemble regularly or occasionally; including, but not limited to, schools, churches, theaters, auditoriums, funeral homes, stadiums, and similar places of assembly.

Assisted living facility means a multifamily structure whose occupants are 55 years of age or older, or where each unit is occupied by at least one person who is 55 years of age, and where occupants receive assistance with daily living activities.

Atrium means an open hall lighted from above, into which rooms open at one or more levels.

Attic means an open space at the top of a house just below the roof; often used for storage.

Authorized (permitted) use means any use allowed by right in a zoning district and subject to the restrictions applicable to that zoning district.

Automobile means a self-propelled, free-moving vehicle, which is licensed by the appropriate state agency as a passenger vehicle. For the purpose of this chapter, the term "automobile" shall include motorcycles, scooters, small trucks used for daily passenger trips, sports utility vehicles (SUVs), and similar passenger vehicles or any vehicle classified by the state department of driving services as a Class "C" vehicle.

Automobile and truck rental and leasing means a business that rents or leases automobile or light trucks, and may store the automobiles and trucks on the same site as the business office.

Automobile brokerage means the business of providing services for the purchase or leasing of a vehicle, whether non-commercial or commercial and including trailers and RVs. The brokered vehicles are not stored on the same lot as that on which the business office is located. A vehicle brokerage may find the desired vehicle, negotiate the price or lease contract, manage paperwork associated with the sale or lease, or secure financing for the sale or lease of the vehicle.

Automobile dealership. See *Automobile sales*.

Automobile mall means a single location that provides sales space and centralized services for a number of automobile dealers and may include related services as auto insurance dealers and credit institutions that provide financing opportunities.

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Automobile manufacture means a facility engaged in the manufacture of passenger cars, light trucks, and/or light commercial vehicles.

Automobile parts or tire store means a building that is used for the retail sale of new or used parts or tires for non-commercial vehicles. The term "automobile parts or tire store" does not include outdoor storage yards.

Automobile rental and leasing means a business that rents or leases automobiles.

Automobile recovery and storage means a facility that provides temporary outdoor storage of Class "C" passenger vehicles and motorcycles that are intended to be claimed by the titleholders or their agents. Such storage includes vehicles that have been towed, or that will be transported to a repair shop or will be subject to an insurance adjustment after an accident. See *Vehicle storage and tow service*.

Automobile repair and maintenance, major, means a business that services passenger vehicles including the dismantling and repair of engines, transmissions, carburetors, drive shafts, and similar major vehicle parts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of passenger vehicles and motorcycles. Major automobile repair establishments may also perform minor automobile repairs.

Automobile repair and maintenance, minor:

- (1) The term "minor automobile repair and maintenance" means a business that repairs, replaces, or services tires, ignitions, hoses, spark plugs, and other minor vehicle parts as part of the regular upkeep of passenger vehicles and motorcycles, and may perform regular maintenance such as brake repair and replacement, lubrication, or replacement of small or incidental automobile parts.
- (2) The term "minor automobile repair and maintenance" may also, as an accessory function, include automobile detailing, including the application of paint protectors, the cleaning or polishing of a vehicles interior, exteriors, or engine, and the installation of aftermarket parts and accessories such as tinting, alarms, sound systems, spoilers, sunroofs or headlight covers.
- (3) The term "minor automobile repair and maintenance" does not include the dismantling and repair of engines, transmissions, or drive shafts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of passenger vehicles.
- (4) The term "minor automobile repair and maintenance" does not include automobile car washes where vehicles are washed and/or waxed either by hand or by mechanical equipment.

Automobile sales means a business establishment that engages in the retail sale or the leasing of new or used automobiles, small passenger trucks, motorcycles, or other passenger vehicles. Such merchandise may be stored on the same lot as that on which the business office is located. An automobile sales dealership may be located in an automobile mall. See *Automobile mall*; *Automobile brokerage*.

Automobile service station means a building, structure, or land used primarily for the sale of automotive fuels such as gasoline. The term "automobile service station" includes the following accessory uses: convenience stores; the sale of incidental vehicle parts and fluids such as motor oil, coolant, windshield wipers, seat or floor pads; and minor automobile repair as defined in this article.

Automobile upholstery shop means a building in which automobile seats are re-covered or re-upholstered. For the purposes of regulating home occupations, an automobile upholstery shop shall be considered to be major automobile repair.

Automobile wash/wax service means a building, structure, or land that is used for the washing, waxing, cleaning, or detailing of automobiles as defined in this article. The service may be enclosed in a building or conducted outdoors, includes mobile wash/wax service, and may be a principal or accessory use.

Automobile wrecking yard. See *Salvage yard*.

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Awning means a roof-like cover, usually of canvas or plastic, which can fold, collapse and retract, extended over or before places like storefront, window, door or deck as a shelter from the sun, rain, or wind.

Balcony means a horizontal flat surface that projects from the wall of a building, is enclosed by a parapet or railing, and is entirely supported by the building.

Bank means a financial institution as defined by O.C.G.A. § 7-1-4 and regulated by the Georgia Department of Banking and Finance or federal law as national banks, savings and loans, or credit unions.

Barber shop means an establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

Basement means a space having one-half or more of its floor-to-ceiling height below the average finished grade of the adjoining ground and with a floor-to-ceiling height of not less than 6.5 feet.

Beauty salon means a commercial building, residence, or other building or place where hair cutting or styling or cosmetology is offered or practiced on a regular basis for compensation. The term "beauty salon" includes the training of apprentices under the regulation of such training by the appropriate licensing board.

Bed and breakfast means accessory use of a single-family detached dwelling by the homeowner who resides in the dwelling, to provide sleeping accommodations to customers. Breakfast may also be provided to the customers at no extra cost. The term "customer" means a person who pays for the sleeping accommodations for fewer than 30 consecutive days.

Bedroom means a private room planned and intended for sleeping, separated from other rooms by a door, accessible to a bathroom without crossing another bedroom, and having a closet.

Beekeeping means the maintenance of honey bee colonies, commonly in hives, by humans.

Beer growler means a retail alcohol outlet that pours craft beers from a tap into re-usable containers for off-site consumption. The term "beer growler" does not include distilled liquor sales. See *Alcohol outlet*.

Beer or malt beverage means any alcoholic beverage obtained by fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing up to 14 percent alcohol by volume, and including ale, porter, brown, stout, lager beer, small beer and strong beer. The term "malt beverage" does not include sake, known as Japanese rice wine.

Best management practices (BMP) means activities, procedures, structures or devices, systems of regulations and activities, or other measures that prevent or reduce pollution of the waters of the United States. BMPs are intended to:

- (1) Control soil loss, protect natural features such as trees, and reduce water quality degradation;
- (2) Control drainage from outside storage of materials;
- (3) Minimize adverse impacts to surface water and groundwater flow and circulation patterns, and to the chemical, physical, and biological characteristics of streams and wetlands; and
- (4) Control industrial plant site runoff, spillage, leaks, sludge or waste disposal.

Blight means a state or result of being blighted or deteriorated; dilapidation or decay. A structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare such as inadequate public or community services, vacant land with debris, litter, lack of utilities, accumulation of trash and junk or general disrepair including, but not limited to, peeling paint, broken windows, deteriorating wood. Also see chapter 28.

Block means an area of land bounded by a street, or by a combination of streets and public parks, cemeteries, railroad right-of-way, exterior boundaries of a subdivision, shorelines of waterways, or corporate

boundaries. In cases where the platting is incomplete or disconnected, the planning and zoning director may delineate the outline of the block.

Block face means that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

Boardinghouse means a building containing one or more lodging units but not more than 20 lodging units, all of which offer non-transient lodging accommodations, available only at weekly or longer rental rates to the general public. Meals may only be provided from a single central kitchen and compensation for such meals, if provided, shall be included in the weekly or longer rental rate. No restaurant, meeting, reception, or banquet facilities shall be provided.

Borrow pit means a pit from which sand, gravel or other construction material is taken for use as fill in at another location.

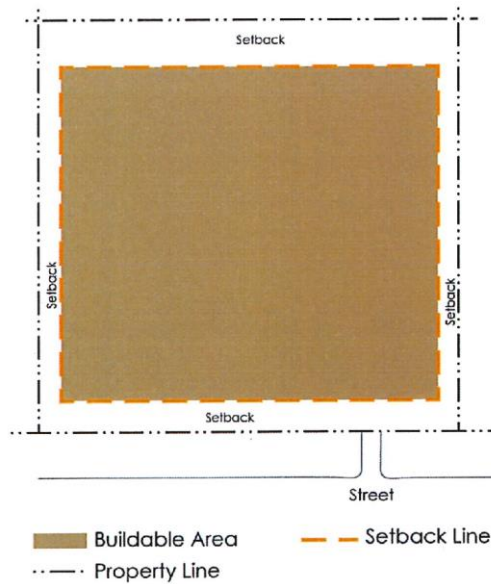
Brewpub means a light male beverage manufacturer licensed as a brewpub by the state. All state and federal licensing and regulatory requirements shall be met prior to the approval of a certificate of occupancy. Such establishment is required to derive at least 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food per the state.

Broker means a party that mediates between a buyer and a seller.

Buffer means that portion of a lot set aside for open space and/or visual screening purposes, pursuant to a condition or conditions imposed by the mayor and city council in the enactment of a conditional zoning ordinance or special land use permit or by the zoning board of appeals in the grant of a variance, to separate different use districts, or to separate uses on one property from uses on another property of the same use district or a different use district. Any such buffer shall not be graded or otherwise disturbed, and all trees and other vegetation shall remain, provided that additional trees and other plant material may be added to such landscaped buffer.

Buildable area means the area of a lot remaining after all setback requirements, including buffers, have been met.

Figure 9.1. Buildable Area



Building means any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

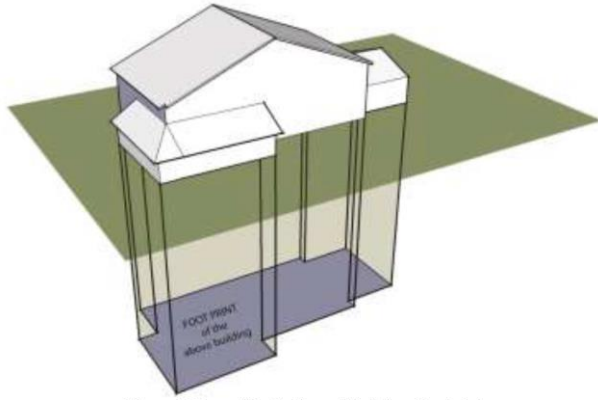
Building, accessory. See *Accessory building*.

Building coverage means the maximum area of the lot that is permitted to be covered by buildings, including principal structures, structured parking and roofed accessory structures. For the purposes of this chapter, the term "building coverage" does not include wooden decks, stone walkways and patios set without grout, and pervious, permeable, or porous pavements.

Building entrance feature means an architecturally designed element for entrances and exits of the building.

Building footprint means the outline of the total area covered by a building's perimeter at the ground level.

Figure 9.2. Illustration of Building Footprint



Building form means a design term that refers to the shape and/or configuration of a building and the space created by the building. Attributes of building form may include the building relationship to the street, sidewalk, and/or other buildings and uses; the general usage of floors (office, residential, retail) which influence form; height; and/or physical elements of the building (such as stoops, porches, entrances, materials, window coverage).

Building frontage means the maximum width of a building measured in a straight line parallel with the abutting street or fronts upon a public street, a customer parking area, or pedestrian mall, and has one or more entrances to the main part of the building or store.

Building height (as to all structures with the exception of single-family detached dwellings) means the vertical distance from the average finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. See article V of this chapter.

Building height (as to single-family detached dwellings) means the vertical distance from the front-door threshold of the proposed residential structure to the highest point of the roof of the structure. See article V of this chapter.

Building mass means the overall visual impact of a structure's volume; a combination of height and width, and the relationship of the heights and widths of the building's components.

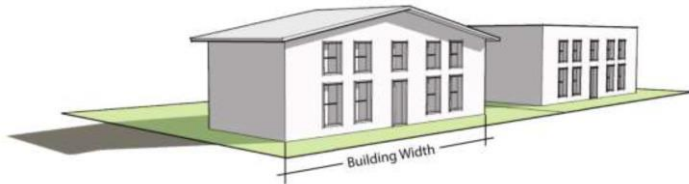
Building materials supply establishment means a facility for the sales of materials used in the construction of a building such as cement, brick, steel, etc.

Building, primary or principal means a structure in which is conducted the principal use of the lot on which it is located.

Building scale means the relationships of the size of the parts of a structure to one another and to humans.

Building width means the distance from the exterior face of the building siding as measured from side to side.

Figure 9.3. Illustration of Building Width



Bulkhead means a structural panel just below display windows on storefronts. Bulkheads can be both supportive and decorative in design. Bulkheads from the 19th century are often of wood construction with rectangular raised panels while those of the 20th century may be of wood, brick, tile, or marble construction.

Bury pit means a place where construction waste or refuse caused by the dismantling of a building or structure is dumped and covered with soil.

Bus rapid transit (BRT) means a permanent, integrated transit system that uses buses or specialized vehicles on roadways or dedicated lanes to transport passengers to their destinations.

Business service establishment means an entity primarily engaged in rendering services to businesses on a fee or contract basis, including the following and similar services: advertising and mailing; building maintenance; employment services; management and consulting services; protective services; commercial research; development and testing; photo finishing; and personal supply services.

Business vehicle means vehicle, or heavy construction equipment, or trailer used to transport passengers or property in furtherance of a commercial enterprise. The term "business vehicle" may include, but is not limited to, pick-up trucks with exterior equipment storage, passenger vans, passenger vehicles with or without logos or advertisements identifying the commercial enterprise, ambulances, limousines, taxi cabs, tow trucks, earthmoving machinery such as bobcats and bulldozers, dump trucks, flatbed trucks, box vans, any vehicle with a trailer attached to it, tractors, "dually" trucks (pick-up trucks with four wheels on the rear axle), heavy construction equipment, and semi-tractor cabs whether or not a trailer is attached.

"C" weighted sound level means the sound level reported in units of dB(C) as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors.

CBD shop means any retail establishment that devotes at least ten percent of the floor area to sale or advertisements identifying the commercial enterprise, ambulances, limousines, taxi cabs, tow trucks, earthmoving machinery such as bobcats and bulldozers, dump trucks, flatbed trucks, box vans, any vehicle with a trailer attached to it, tractors, "dually" trucks (pick-up trucks with four wheels on the rear axle), heavy construction equipment, and semi-tractor cabs whether or not a trailer is attached.

Campus style development means a development type which is primarily characterized by having several separate buildings on one site, unified through design and landscape elements.

Canopy means a protective roof-like covering, often of canvas, mounted on a frame over a walkway or door.

Canopy tree means a deciduous tree whose mature height and branch structure provide foliage primarily on the upper half of the tree. The purpose of a canopy tree is to provide shade to adjacent ground areas.

Car wash means a facility for washing, waxing, and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Car wash, automatic, means a commercial car wash where the car moves automatically during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.

Car wash, hand wash, means a car wash wherein operating functions are performed by hand and by the owner or employee of the commercial establishment.

Cat means a feline that has reached the age of six months.

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Catering establishment means an establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

Cellar means a space having less than one-half or more of its floor-to-ceiling height below the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than 6.5 feet.

Cemetery means property used for the interring of the dead.

Chapel. See *Place of worship*.

Check cashing facility means a person, business or establishment licensed by the state pursuant to O.C.G.A. § 7-1-700 et seq. that for compensation engages, as a principal use, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. The term "check cashing facility" does not include a state or federally Chartered bank, savings association, credit union, or industrial loan company.

Child caring institution means a building in which housing, meals, and 24-hour continuous watchful oversight for children under the age of 18 are provided and which facility is licensed or permitted as a child caring institution by the state. The term "child caring institution" shall not include a "child day care center" or "child day care facility."

Child caring institution, community, means a child caring institution that offers care to seven or more children.

Child caring institution, group, means a child caring institution that offers care to between four and six children.

Child day care center means an establishment operated by any person with or without compensation providing for the care, supervision, and protection of seven or more children who are under the age of 18 years for less than 24 hours per day, without transfer of legal custody.

Child day care facility means an establishment operated by any person with or without compensation providing for the care, supervision, and protection of six or fewer children who are under the age of 18 years for less than 24 hours per day, without transfer of legal custody. For the purpose of computing the number of children within the child day care facility, all children who are related by blood, marriage, adoption or guardianship to the person operating the facility shall be included.

Church. See *Place of worship*.

Cistern means an underground reservoir or tank for storing rainwater.

Clinic, health services, means a facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human diseases, pain, injury, deformity or physical condition, including, but not limited to, a general hospital, diagnostic center, treatment center, rehabilitation center, extended care center, nursing home, intermediate care facility, outpatient laboratory, or central services facility serving one or more such institutions.

Club, private, means a group of people organized for a common purpose to pursue common goals, interests, or activities and characterized by definite membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws, such as country clubs and golf clubs, but excluding places of worship, personal service facilities, adult entertainment establishments, and adult service facilities which shall be defined and regulated as otherwise provided herein. The term "private club" also means, where the context requires, the premises and structures owned or occupied by members of such group within which the activities of the private club are conducted.

Clubhouse means a structure in which the activities of a private club are conducted.

Cluster housing development means a development that permits a reduction in lot area provided there is no increase in overall density of development, and in which all remaining land area is perpetually and properly protected, maintained and preserved as undivided open space or recreational or environmentally sensitive areas.

Code means the Code of the City of Tucker, Georgia.

Coliseum means a large building with tiers of seats for spectators at sporting or other recreational events.

Collector street means a street or road designated as a collector street in the transportation and thoroughfare plan.

College means a post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. The term "college" also includes community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

Collocation. See section 46-1200(b).

Colonnade means a series of columns placed at regular intervals, usually supporting a roof.

Columbarium means a structure with niches for the placement of cinerary urns.

Commercial district means any parcel of land which is zoned for any commercial use including regional commercial centers, neighborhood and community oriented stores, shopping centers and other developed centers where commercial land uses predominate. Such districts would include O-I, O-I-T, C-2, NS, and C-1.

Commercial parking garage/structure means a covered or sheltered structure of one or more stories designed, constructed and used for the short term parking of motor vehicles for profit.

Commercial parking lot means an uncovered or unsheltered structure of one or more stories designed, constructed and used for the short term parking of motor vehicles for profit.

Commercial solid waste means all types of solid waste generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities, excluding residential and industrial wastes.

Common open space means open space designed for common use by all property owners in the development.

Common ownership means ownership as recognized by law of real property by one or more persons, their parents, brothers, sisters, children over the age of 18, spouses or any association, firm, corporation or partnership in which such person or spouse is a corporate officer, partner or is a stockholder with an ownership interest of ten or more percent.

Community development director means the director of the community and economic development department of the city, or their designee.

Community garden. See *Urban garden*.

Community living arrangement. See *Personal care home*.

Compact design means the design of a structure and or development that encourages efficient land use and the preservation of open space, usually via building more vertically, and by minimizing surface parking.

Compatible (as used in article II of this chapter, purpose and intent for each established district) means land development that is consistent with existing, identified physical elements in proximity to that land development, such as architectural style, building mass, building scale, land uses, and landscape architecture.

Complainant means any person who has registered a noise or code complaint with an authorized enforcement agency that he is the recipient of noise or nuisance on a protected property category. A complainant must have an interest in the protected property as an owner, tenant, or employee.

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Complete application means, when used in conjunction with an application under this zoning ordinance, containing all of the required elements, information, fees, approvals or other materials as set forth in this zoning ordinance, other applicable provisions of this Code, state law, and in the most recent checklist previously issued by the planning and zoning director.

Composting means the controlled biological decomposition of organic matter into a stable, odor-free humus.

Comprehensive plan means the county comprehensive plan adopted by the board of commissioners as it may be amended from time to time, which divides the unincorporated areas of the county into land use categories and which constitutes the official policy of the county regarding long-term planning and use of land.

Concert hall means an open, partially enclosed, or fully enclosed facility used or intended to be used primarily for concerts, spectator sports, entertainment events, expositions, and other public gatherings. Typical uses and structures include concerts, conventions, exhibition halls, sports arenas, and amphitheaters.

Conditional approval means the imposition of special requirements, whether expressed in written form or as a site plan or other graphic representation, made a requirement of development permission associated with a particular parcel or parcels of land and imposed in accordance with the terms of this chapter.

Condominium means a building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis in compliance with state law.

Condominium unit means a unit intended for any type of use with individual ownership, as defined in the Georgia Condominium Act, together with the undivided interest in the common elements appertaining to that unit.

Conservation area means any area designated as containing physical features of natural, historical, social, cultural, architectural, or aesthetic significance to be restored to or retained in its original state or enhanced to promote existing natural habitat.

Conservation easement means a restriction or limitation on the use of real property which is expressly recited in any deed or other instrument of grant or conveyance executed by or on behalf of the owner of the land described therein and whose purpose is to preserve land or water areas predominantly in their natural scenic landscape or open condition or in an agricultural farming, forest or open space use.

Connectivity ratio means a ratio of links to nodes in any subdivision.

- (1) The connectivity ratio shall be the number of street links divided by the number of nodes or end links, including cul-de-sac heads.
- (2) A link shall be any portion of a street, other than an alley, defined by a node at either end. Stub-outs to adjacent property shall be considered links. For the purpose of determining the number of links in a development, boulevards, median-divided roadways, and divided entrances shall be treated the same as conventional two-way roadways.
- (3) A node shall be the terminus of a street or the intersection of two or more streets. Any curve or bend of a street that exceeds 75 degrees shall receive credit as a node. Any curve or bend of a street that does not exceed 75 degrees shall not be considered a node. A divided entrance shall only count once.

Figure 9.4. Example 1: Does not meet ratio

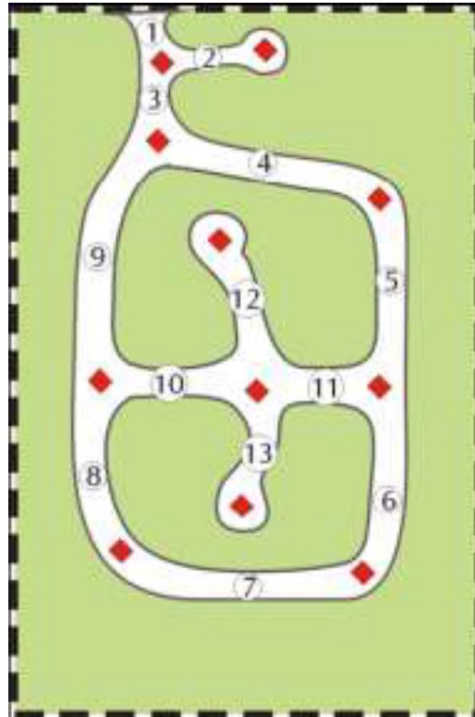
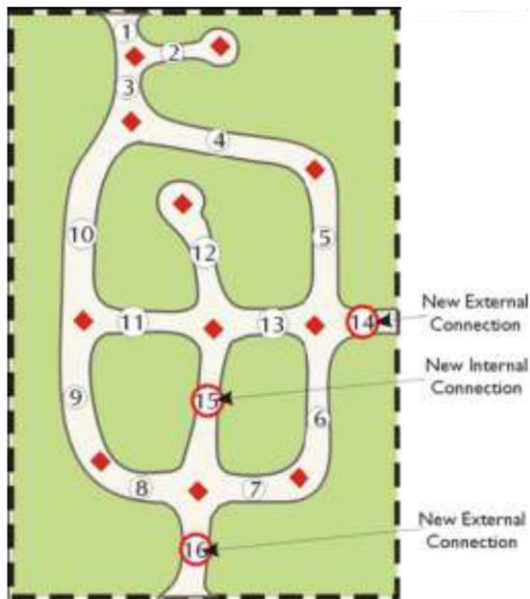


Figure 9.5. Example 2: Modified to meet ratio



Construction means any site preparation, assembly, erection, repair, alteration or similar action, including demolition of buildings or structures.

Continuing care retirement community means a residential facility providing multiple, comprehensive services to older adults. Such facility normally contains a combination of independent living units, assisted living, and skilled nursing care units as defined herein. Such facilities generally provide support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities.

Continuous sound means any sound with duration of more than one second, as measured with a sound level meter set to the slow meter response.

Contractor, general, means a contractor or builder engaged in the construction of buildings like residences or commercial structures.

Contractor, heavy construction, means a contractor or builder engaged in the heavy construction activities such as paving, highway construction, landscaping, and utility construction.

Contractor, special trade, means industries in the special trade contractors subsector engage in specialized construction activities, such as plumbing, painting, and electrical work.

Convalescent home means a nursing care facility.

Convenience store means any retail establishment offering for sale items such as household items, newspapers and magazines, prepackaged food products, sandwiches and other freshly prepared foods, and beverages, for off-site consumption. When a convenience store sells unopened alcoholic beverages, it is also considered to be an alcohol outlet. A convenience store may also include accessory fuel pumps.

Convent means a building or buildings used as both a place of worship and as a residence, operated as a single housekeeping unit, solely by and for a group of women who have professed vows in a religious order and who live together as a community under the direction of a local supervisor designated by the order.

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Cornice means any horizontal member, structural or nonstructural, of any building, projecting outward from the exterior walls at the roof line, including eaves and other roof overhang.

Corridor means a broad geographical band that follows a general directional flow connecting major sources of trips that may contain a number of streets, highways, and transit route alignments.

Cottage development means small detached dwelling units arranged on a single site whereby the dwelling units are arranged so that each unit faces a common open space.

County means DeKalb County, Georgia, a political subdivision of the state. When appropriate to the context, the term "county" also includes authorized officers, employees and agents thereof.

County solid waste means any solid waste derived from households, including garbage, trash, and sanitary waste in septic tanks and means solid waste from single-family, duplex, and multifamily residences, hotels and motels, picnic grounds and day use recreation areas. The term "county solid waste" includes yard trimmings and commercial solid waste but does not include solid waste from mining, agricultural, or silvicultural operations or industrial processes or operations.

County solid waste disposal facility means any facility or location where the final deposition of any amount of county solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, and includes, but is not limited to, county solid waste landfills and county solid waste thermal treatment technology facilities.

County solid waste landfill means a disposal facility where any amount of county solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludge, or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon.

Cremation means the reduction of a dead human body or a dead animal body to residue by intense heat.

Crematorium means a location containing properly installed, certified apparatus intended for use in the act of cremation. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics.

Cultural facility means a building or structure that is primarily used for meetings, classes, exhibits, individual study, referral services, informational and entertainment presentations, and other similar programs oriented around the customs and interests of a specific group of people, including, but not limited to, an immigrant, ethnic, or national minority group, or the heritage of defined geographic region. Movies, theater performances and similar entertainment may occur in a cultural facility, but the purpose of the cultural facility is not to provide a venue solely for such entertainment. A cultural facility may be programmed, managed, or operated by a public, private, or non-profit entity.

Curb cut means a curb break, or a place or way provided for the purpose of gaining vehicular access between a street and abutting property.

Dairy means a commercial establishment for the manufacture, processing, or sale of dairy products.

Dance school means a school where classes in dance are taught to four or more persons at a time.

Day means, unless otherwise stated, calendar days.

Day spa. See *Health spa*.

Decay resistant wood means wood harvested from tree species that are known to have extractives in the heartwood which are toxic to fungi.

Decibel (dB) means the unit for the measurement of sound pressure based upon a reference pressure of 20 micropascals (zero decibels), i.e., the average threshold of hearing for a person with very good hearing.

Deciduous tree means a tree that loses all of its leaves for part of the year.

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Deficiencies means exterior conditions or signs of neglect within a conservation subdivision and within the Stonecrest Area Overlay District that contributes to nuisances, hazards, or unkempt appearances, such as, but not limited to, uncut or overgrown grass or weeds, peeling paint, severe corrosion, or wood rot; accumulation of trash or debris; fallen, dead, dying, damaged, or diseased trees or shrubbery; severe erosion; stagnant pools of water; broken inoperable, or severely damaged benches, seating, paving, walls, fences, gates, signs, fountains or other structures, furnishings or equipment which is intended for decoration or use by the public. The term "deficiencies" shall only be applicable to the Stonecrest Area Overlay District regulations and the conservation subdivision regulations.

Demolition means any dismantling, destruction or removal of buildings, structures, or roadways whether man-made or natural occurring both above and below ground.

Demolition of an infill building means the destruction and removal of an existing building or structure in whole or in part whether such destruction and removal involves removal of all or part of the prior foundation.

Density means the number of dwelling units per gross acreage of land.

Dental clinic. See *Office, dental*.

Department of community affairs (DCA) means the state department that provides a variety of community development programs to help the state's communities realize their growth and development goals.

Department store means a business which is conducted under a single owner's name wherein a variety of unrelated merchandise and services are housed enclosed and are exhibited, and sold directly to the customer for whom the goods and services are furnished.

Deterioration means a condition of a building or a portion of a building characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay, neglect, lack of maintenance, or excessive use.

Development permit means any permit that authorizes land-disturbance for the use, construction thereon or alteration of any real property within the city.

Development of regional impact (DRI) means a large-scale development that is likely to have regional effects beyond the local government jurisdiction in which it is located and meets the DCA requirements for review.

Director of public works means the city public works department and community development director.

Dispatch office means an office used exclusively for the communication and dispatch of taxis, ambulances, limousines and similar vehicles, with no fleet parking or storage allowed.

Disposal facility means any facility or location where the final deposition of solid waste occurs including, but is not limited to, landfills and solid waste thermal treatment technology facilities.

Distilled spirit means any alcoholic beverage obtained by distillation or containing more than 24 percent alcohol by volume.

Dog means a canine that has reached the age of six months.

Dog or pet day care means any premises containing four or more pets, where pets are dropped off and picked up daily between the hours of 7:00 a.m. and 7:00 p.m. for temporary care on site and where they may be groomed, trained, exercised, and socialized, but are not kept or boarded overnight, bred, sold, or let for hire. Use as a kennel shall be limited to short-term boarding and shall be only incidental to such pet day care. See *Kennel, commercial*.

Dog or pet grooming means the hygienic care and cleaning of a pet, as well as enhancement of a pet's physical appearance.

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Dormitory means a building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions, and located on the campus of that institution.

Dripline means a vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Drive-in theater means an open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures on a paid admission basis to patrons seated in automobiles.

Drive-through facility means a business establishment so developed that its retail or service character includes a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

Drive-through restaurant means a retail establishment where food and/or drinks are prepared and may be consumed by customers within the principal building, or may be ordered and picked up from an exterior service window that serves customers while in their automobiles. The term "drive-through restaurant" includes restaurants that serve customers at an exterior walk-up service window.

Driveway means a private roadway providing access for vehicles to an individual lot, parking space, garage, dwelling, or other structure.

Dry cleaning agency means an establishment or agency maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry cleaning equipment or machinery on the premises.

Dry cleaning plant means an establishment for dry cleaning or laundry where the operation, equipment and machinery is on site.

Dumpster means any container, receptacle, compactor unit, trailer, roll-off, or similar unit with or without wheels that is used for temporary storage, containment, or transport of refuse, debris, trash, garbage, food waste, solid waste, recyclable material, incidental demolition debris, or other discarded or like materials. It shall not apply to ordinary household trash cans of a volume of 50 gallons or less, recycling receptacles of 96 gallons or less.

Durable materials means materials that can resist wear, tear and decay from use, time and other conditions like weather.

Dwelling, mobile home. See *Mobile home*.

Dwelling, multifamily. See *Dwelling unit, multifamily*.

Dwelling, single-family, means a building designed for and containing one dwelling unit.

Dwelling, single-family attached, means a dwelling unit located in a building in which multiple units are attached by a common party wall.

Dwelling, single-family detached, means a dwelling unit on an individual lot unattached to another dwelling unit.

Dwelling, single-family detached condominiums in the residential neighborhood conservation district, means single-family detached dwelling units which are owned under the condominium form of ownership such that there are no individual lots associated with the units and the common areas are held in common ownership by a condominium association.

Dwelling, three-family or triplex, means a building designed for and containing three dwelling units.

Dwelling, two-family or duplex, means a building designed for and containing two dwelling units.

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Dwelling unit means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and bathroom facilities provided within the dwelling unit for the exclusive use of a single-family maintaining a household.

Dwelling unit, accessory, means a dwelling unit located on the same lot as a single-family dwelling, either within or attached to the single-family dwelling, or detached, and is a separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities.

Dwelling unit, efficiency or studio, means a self-contained residential unit consisting of not more than one room together with a private bath and kitchen facilities.

Dwelling unit, multifamily, means one or more rooms with a private bath and kitchen facilities comprising an independent, self-contained residential unit in a building containing four or more dwelling units.

Dyeworks means a facility or workshop where the process of applying a comparatively permanent color to fiber, yarn or fabric takes place.

Edifice means a building or a structure, especially one of imposing appearance or size, which has a roof and walls and stands permanently in one place.

Elevation.

- (1) The term "elevation" means an architectural term referring to the view of a building seen from one side; it is a flat representation of one facade. This is the most common view used to describe the external appearance of a building. Each elevation is labeled in relation to the yard it faces (front, rear or side).
- (2) The term "elevation" means height above sea level or ground level. See *Grade, existing*.

Emergency work means any work or action necessary to deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions.

Emissions station means an establishment which measures the tailpipe emissions of a passenger vehicle.

Enclosed area means surrounded by a fence or walls, sheltered by a structure with a roof and no side walls, but not located within a building.

Encroachment means a building or some portion of it, or a wall or fence, which extends beyond the land of the owner and illegally intrudes upon land of an adjoining owner, a street or an alley.

Environmental contamination means a presence of hazardous substances in the environment. From the public health perspective, environmental contamination is addressed when it potentially affects the health and quality of people living or working nearby.

Exceptional topographical restrictions means the physical condition of a lot or parcel, determined by the contours of the land itself, which may inhibit or alter the compliant status of an existing or proposed structure.

Explosive manufacture or storage means the manufacture or storage of any chemical compound mixture or device, the primary and common purpose of which is to function by explosion with substantially simultaneous release of gas and heat, the resulting pressure being capable of producing destructive effects.

Exterior insulation and finishing system (EIFS) means a type of building exterior wall cladding system that provides exterior walls with an insulated finished surface and waterproofing in an integrated composite material system.

Extraneous sound means a sound of high intensity and relatively short duration which is neither part of the neighborhood residual sound, nor comes from the sound source under investigation.

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Facade means one exterior side of a building, usually, but not always, the front. In this chapter and the design standards, the term "facade" may be synonymous with architectural elevation. In architecture, the facade of a building is often the most important from a design standpoint, as the facade elements of wall face, parapet, fascia, fenestration, and canopy establish the architectural aesthetic of a building creating the public realm.

Facade, primary, means refers to the exterior building wall considered the front and features the main entrance to the building. The term "primary facade" is synonymous with front facade.

Fair market value means the price a property would likely bring if offered for sale in the marketplace.

Fairgrounds means an area of land use including, but not limited to, agricultural related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, and theaters. Fairgrounds do not include racetracks or motorized contests of speed.

Family means one or more persons related by blood, marriage, adoption, or guardianship; or not more than three persons not so related who live together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan, based on an intentionally structured relationship providing organization and stability; or not more than two unrelated persons and any children related to either of them. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or nunneries. A family may have a live-in caretaker, au pair, nanny, or housekeeper.

Family day care home means a private residence in which a business, registered by the state, is operated by any person who receives pay for supervision and care for fewer than 24 hours per day, not more than six persons who are not residents in the same private residence. For purposes of this chapter, a family day care home may be operated as a home occupation, subject to the requirements of this chapter.

Family-oriented entertainment venues means places of entertainment intended to serve families.

Farm equipment and supplies sales establishment means establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.

Farmer's market means a market, usually held out-of-doors, in public spaces, where farmers and other vendors can sell produce or value added products.

Farming, active, means the growing of crops, plants, and trees. The term "active farming" also includes the maintaining of horses, livestock, or poultry for the residents' needs or use, and the sale of agricultural products grown on the premises.

Fascia means a type of roof trim mounted on exposed rafter ends or top of exterior walls to create a layer between the edge of the roof and the outside.

Fat rendering means any processing of animal byproducts into more useful materials, or more narrowly to the rendering of whole animal fatty tissue into purified fats like lard or tallow.

Fee simple means absolute title to land, free of any other claims against the title, which one can sell or pass to another by will or inheritance. Fee simple ownership includes the land immediately underneath a unit, and may or may not include land in front of and behind a building.

Fee simple condominium development means a development where the owner of a unit possesses fee simple interest to the exterior walls and roof of the unit, as well as fee simple interest to the land lying immediately beneath the unit and coincident with the external walls of such unit as depicted on a recorded final plat. A fee simple condominium unit must be a part of an approved development in which all other land consists of privately owned common areas, utilities, streets, parking, stormwater management, landscaping and other facilities that are owned by all unit owners on a proportional, undivided basis in compliance with state law and subject to a mandatory property owners' association organized in accordance with state law.

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Fee simple condominium declaration means an official affidavit filed with the city attesting to the fact that the owner of a condominium development that was the subject of a site development plan, no longer intends to sell units in the subject development as condominiums and will offer for sale such units as fee simple condominium units and that otherwise the development shall conform to a previously approved condominium development plan consisting of the same units along with the same related facilities on the same tract of land as the previously approved condominium development.

Fence means a structure designed to provide separation and security constructed of materials including chainlink, wire, metal, artistic wrought iron, vinyl, plastic and other such materials as may be approved by the planning and zoning director.

Fenestration means the arrangement, proportioning, and design of windows and doors in a building.

Fertilizer manufacture means the manufacture and storage of organic and chemical fertilizer, including manure and sludge processing.

Fitness center means building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary and usual recreational activities, operated for profit or not-for-profit and which can be open only to bona fide members and guests of the organization or open to the public for a fee but specifically excluding adult service facilities. Accessory uses which support the principal use can include therapy treatments such as massage, mediation and other healing arts. The term "fitness center" shall not include hospitals or other professional health care establishments separately licensed as such by the state.

Flea market means an occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Fleet vehicles are groups of motor vehicles owned or leased by a business, government agency or other organization rather than by an individual or family. Fleet vehicles do not include box trucks, 18 wheelers, moving trucks, dump trucks, or other large commercial vehicles with a gross vehicle weight of ten thousand pounds or more.

Floodplain means land within the special flood hazard area (SFHA) or covered by the "future-conditions" flood as defined in chapter 22.

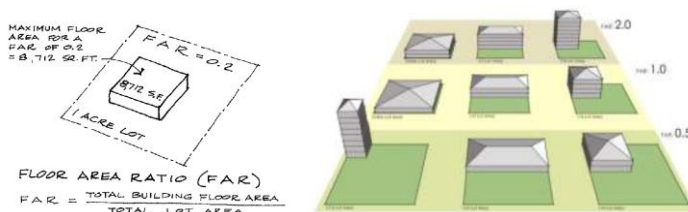
Floodway means the channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the special flood hazard area (SFHA) flood without cumulatively increasing the water surface elevation more than a designated height.

Floor area means the gross heated horizontal areas of the floors of a building, exclusive of open porches and garages, measured from the interior face of the exterior walls of the building. For nonresidential construction, net floor area is measured as the usable, heated floor space and gross floor area is measured as the total floor space.

Floor area of accessory building means the gross horizontal areas of the floors of an accessory building, measured from the exterior faces of the exterior walls of the accessory building.

Floor area ratio (FAR) means the relationship between the amount of gross floor area permitted in a building (or buildings) and the area of the lot on which the building stands. FAR is computed by dividing the gross floor area of a building or buildings by the total area of the lot. For purposes of this calculation, parking areas or structures shall not be included in floor area.

Figure 9.6. Illustration of Floor Area Ratio (FAR)



Florist means an enclosed retail business whose principal activity is the selling of plants which were grown off-site.

Footer means an underground concrete structure that a building, wall, or retaining wall rests upon. It distributes that weight of the structure to the soil below. The retaining wall footing supports the weight of the wall and the soil behind it. Without a footing, the retaining wall may collapse.

Forestry means establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services.

Fortunetelling includes all forms of foretelling, including, but not limited to, palm reading, casting of horoscopes, and tea leaf reading.

Fraternal organization means a group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements. See *Club*.

Fraternity house means a building containing sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room maintained exclusively for fraternity members and their guests or visitors and affiliated with an institution of higher learning.

Freestanding wall means a wall or an upright structure of masonry, wood, plaster, or other building material standing on its own foundation and not attached to any part of a building.

Freeway means a multiple-lane roadway carrying local, regional, and interstate traffic of relatively high volumes which permits access only at designated interchanges and is so designated in the comprehensive plan.

Freight service means an establishment primarily engaged in undertaking the transportation of goods and people for the compensation, and which may in turn make use of other transportation establishments in effecting delivery. The term "freight service" includes parking lots for overnight truck storage, and such establishments as commercial distribution services, freight forwarding services, and freight agencies.

Frequency means the time rate of repetition of sound waves in cycles per second, reported as Hertz (Hz), also referred to as "pitch."

Frontage, lot, means the horizontal distance for which the boundary line of a lot and a street right-of-way line are coincident.

Front facade. See *Facade, primary*.

Fuel and ice dealers, manufacturers and wholesalers means an establishment primarily engaged in the sale to consumers of ice, bottled water, fuel oil, butane, propane and liquefied petroleum gas, bottled or in bulk, as a principal use.

Funeral home means a building used for the preparation of deceased humans for burial or cremation and display of the deceased and rituals connected therewith before burial or cremation, including the storage of caskets, funeral urns, funeral vehicles, and other funeral supplies, and where allowed by use standards, crematoriums. See *Crematorium*.

Furniture sales and showroom means a retail trade establishment primarily engaged in the sale and exhibition of furniture or home decoration items.

Garage means a part of a residential building or a separate structure on the same lot as the residence designed to be used for the parking and storage of vehicles that belong to the residents or visitors of the building.

Garage, parking. See *Parking garage* or *Parking structure*.

Gas regulator station means an assemblage of equipment which reduces, regulates, and meters natural gas pressure in the transmission line, holder, main, pressure vessel, or the compressor station piping. This may include auxiliary equipment such as valves, control instruments, or control lines as well as piping.

General business office means any building or part of a building in which one or more persons are employed in the management or direction of an agency, business or organization, but excludes such uses as retail sales, manufacturing, assembly or storage of goods, or assembly and amusement.

Gift shop means a retail store where items such as art, antiques, jewelry, books, and notions are sold.

Glue manufacture means the manufacturing of glue, epoxy, sealant or other adhesives.

Go-cart means a small low motor vehicle, with four wheels and an open framework, used for racing.

Go-cart concession means a place, usually sheltered, where patrons can purchase snacks or food accessory to go-cart racing.

Go-cart track means a track or network of tracks used for the racing of go-carts.

Golf course means a tract of land laid out with at least nine holes for playing a game of golf and improved with tees, green, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range and shelters as accessory uses.

Grade, average finished, means the average level of the finished surface of the ground adjacent to the exterior walls of the building determined by dividing the sum of the elevation of the highest point and the elevation of the lowest point by two.

Grade, existing, means the elevation of the ground surface before development.

Grade, finished, means the final grade of the ground surface after development.

Grassed playing fields means reasonably flat and undeveloped recreation areas intended for a variety of informal recreational uses, including, but not limited to, walking, kite-flying, flying disc-throwing, and recreational games of soccer, softball, or cricket. In the creation of grassed playing fields, minimal grading may be used; however, specimen trees may not be damaged or removed. Grassed playing fields may not include recreation areas with amenities for a particular sport, such as baseball diamonds or golf courses.

Gravel pit means an open land area where sand, gravel, and rock fragment are mined or excavated for sale or off-site use. The term "gravel pit" includes sifting, crushing, and washing as part of the primary operation. To excavate the rock, blasting also may be necessary.

Grazing land or *pasture land* means any open land area used to pasture livestock in which suitable forage is maintained over 80 percent of the area at all times of the year.

Greenhouse, commercial, means a retail or wholesale business whose principal activity is the selling of plants grown on the site and having outside storage, growing, or display.

Greenspace means undeveloped land that has been designated, dedicated, reserved, or restricted in perpetuity from further development, which is not a part of an individual residential lot.

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Grid pattern means a continuous web of streets in which most streets terminate at other streets to form multiple vehicular and pedestrian connections. Streets are to be laid out with primarily linear features, but the grid may be broken by circles, ovals, diagonals, and natural curves to add visual interest.

Grocery store means a store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers other home care and personal care products, and which is substantially larger and carries a broader range of merchandise than convenience stores.

Ground cover means small plants such as salal, ivy, ferns, mosses, grasses, or other types of vegetation, that normally cover the ground and include trees of less than six inches caliper.

Group homes. See *Child caring institution, Personal care homes, Transitional housing facility.*

Growler means a glass or plastic or other type of container, not less than 12 ounces nor more than 64 ounces, used to hold specialty malt beverages such as beer and hard cider, which are dispensed from a tap and sealed airtight before being sold to the customer for off-premises consumption.

Gym. See *Fitness center.*

Hardscape means the inanimate elements of landscaping, especially any masonry work or woodwork. For instance, stone walls, concrete or brick patios, tile paths, wooden decks and wooden arbors would all be considered part of the hardscape.

Hardship means a condition of significant practical difficulty in developing a lot because of physical problems relating solely to the size, shape or topography of the lot in question, which are not economic difficulties and which are not self-imposed.

Hardware store means a facility of 30,000 or less square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies, and cutlery.

Health spa means a nurturing, safe, clean commercial establishment, which employs professional, licensed therapists whose services include massage and body or facial treatments. Private treatment rooms are provided for each client receiving a personal service. Massage treatments may include body packs and wraps, exfoliation, cellulite and heat treatments, body toning, waxing, aromatherapy, cleansing facials, medical facials, nonsurgical face lifts, electrical toning, and electrolysis. Hydrotherapy and steam and sauna facilities, nutrition and weight management, spa cuisine, and exercise facilities and instruction may be provided in addition to the massage and therapeutic treatment services. Full service hair salons, makeup consultation and application and manicure and pedicure services may be provided as additional services.

Heavy industrial. See *Industrial, heavy.*

Heavy manufacturing. See *Industrial, heavy.*

Heavy vehicle repair means major or minor repair of non-passenger vehicles that are classified by the state department of driving services as a Class E, F, or commercial vehicle.

Heliport means an area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters and including auxiliary facilities, such as parking, waiting room, fueling, and maintenance equipment.

High-rise building or structure means a building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access of three stories or greater unless otherwise defined by individual zoning or overlay district.

Historic means a building, structure, site, property or district identified as historic by the historic preservation commission, the county historic resources survey, the comprehensive plan, by listing on the state or National Register of Historic Places, by listing as a National Historic Landmark, or determined potentially eligible for listing in

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the National Register of Historic Places as a result of review under section 106 of the National Historic Preservation Act, as amended.

Hobby, toy and game store means a retail establishment for sale and exhibition of items related to hobbies such as arts and crafts materials, toys, or items related to games.

Home improvement center means a facility greater than 30,000 square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies, and cutlery.

Home occupation means an occupation carried on by an occupant of a dwelling unit as a secondary use of the dwelling that is incidental to the primary use of the dwelling unit for residential purposes and is operated in accordance with the provisions of this chapter. The term "home occupation" does not include "private educational use" as defined in this chapter.

Home stay bed and breakfast residence means a single-family dwelling in which is provided not more than two rooms for not more than four people for overnight rental and a morning meal to transient persons for compensation on a nightly basis by the occupant of said dwelling.

Hookah means a single or multi-stemmed water pipe and any associated products and devices which are used to produce fumes, smoke and/or vapor from the burning of material including, but not limited to, tobacco products, shisha or other plant materials.

Hospice means any facility that provides coordinated program of home care with provision for inpatient care for terminally ill patients and their families. This care is provided by a medically directed interdisciplinary team, directly or through an agreement under the direction of an identifiable hospice administration. A hospice program of care provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of patients and their families, which are experienced during the final stages of terminal illness and during dying and bereavement.

Hospital means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

Hotel/motel means any structure consisting of one or more buildings, with more than five dwelling units with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of 30 days or less is offered for pay to guests, is not intended for long-term occupancy, and does not otherwise meet the definition of an extended-stay hotel as defined in this section. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

Hotel/motel, extended stay, means any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay:

- (1) To persons for non-transient extended stays and/or stays longer than 30 days, regardless of the presence of rentals or leases for shorter periods of time; or
- (2) For stays longer than 15 days in rooms equipped with kitchen facilities.

Household pet means a domestic animal that is customarily kept for pleasure rather than utility or profit and that is normally kept within a residence for personal use and enjoyment including domestic dogs, domestic cats, domestic potbellied pigs, canaries, parrots, parakeets, domestic tropical birds, hamsters, guinea pigs, lizards and turtles. The term "household pet" does not include livestock, poultry, and snakes, nor does the term "household pet" include hybrids of animals normally found in the wild.

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Impervious surface means a surface that either prevents or retards the entry of surface water into the soil mantle and causes surface water to run off in greater quantities or at an increased flow rate when compared to natural, undeveloped soil mantle. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, paved areas, pavement graveled areas, packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface waters. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces. See *Lot coverage for exemptions*.

Impulsive sound means a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second characterized with an abrupt onset and rapid decay.

INCE means the Institute of Noise Control Engineering.

Industrial district means any parcel of land which is zoned for industrial use including property used for light and heavy distribution, warehouses, assembly, manufacturing, quarrying, truck terminals and landfills. Such districts include M and M-2 districts.

Industrial, heavy, means the building or premises where the following or similar operations are conducted: processing, creating, repairing, renovating, painting, cleaning, or assembly of goods, merchandise, or equipment, including the wholesale or distribution of said goods, merchandise, or equipment when not conducted wholly within a building or other enclosed structure or when such operations generate measurable dust, vibrations, odor, glare or emissions beyond the property on which said building or structure is located.

Industrial, light, means the following or similar operations: processing, creating, repairing, renovating, painting, cleaning, or assembly of goods, merchandise, or equipment, other than light malt beverages, including the wholesale or distribution of said goods, merchandise, or equipment, when conducted wholly within a building or other enclosed structure, and when such operations generate no measurable dust, vibrations, odor, glare or emissions beyond the property on which said building or structure is located.

Industrial solid waste means solid waste generated by manufacturing or industrial processes or operations that is not a hazardous waste as defined herein. Such wastes include, but are not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer and agricultural chemicals; food and related products and by-products; inorganic chemicals; iron and steel products; leather and leather products; nonferrous metal and foundry products; organic chemicals; plastics and resins; pulp and paper; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textiles; transportation equipment; and water treatment. The term "industrial solid waste" does not include mining waste or oil and gas waste.

Industrialized building means any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation-site without disassembly, damage to, or destruction thereof.

Infill building means any building built or proposed to be built on an infill lot.

Infill development means a development surrounded by or in close proximity to areas that are substantially or fully developed.

Infill lot means:

- (1) A vacant lot of record in an infill overlay zoning district created by the demolition of an existing residential structure for the replacement of that structure with new construction;
- (2) Any lot intended for use as a site for a single-family dwelling that is created by act of subdivision which, at the time of final plat approval, is in whole or in part within the boundaries of a residential infill overlay district; or

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- (3) Any lot within a residential infill overlay district that, at the time it is zoned, has no principal building and which is subsequently proposed as a site for a single-family dwelling.

Inoperable vehicle means:

- (1) A vehicle which is incapable of operation or use upon a highway;
- (2) A vehicle that has no resale value except as a source of parts or scrap; or
- (3) Any wrecked or non-operable automobile, truck or other vehicle.

Intermediate care home means a facility which admits residents on medical referral; it maintains the services and facilities for institutional care and has an agreement with a physician or dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the state department of human resources or state agency as may have jurisdiction. The term "intermediate care" means the provision of food, including special diets when required, shelter, laundry and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed-ridden patients except on an emergency or temporary basis.

Intermodal freight terminal means an industrial establishment in which freight is transferred in containers from truck to railroad cars for transportation.

Inter-parcel access means a physical way or means to facilitate movement of pedestrians and/or vehicles between adjacent lots (that is, "lot-to-lot access") without generating additional turning movements on a public street.

Jewelry repair shop means establishment primarily engaged in the provision of jewelry repair services to individuals.

Junk vehicle means any vehicle which is non-operable, or any vehicle which does not bear a current license plate.

Junkyard means any lot, or lot and building in combination, which is utilized for the parking, storage or disassembling of junk vehicles, storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals, used paper, used cloth, used plumbing fixtures, old refrigerators and other old household appliances, and used brick, wood or other building materials. These uses shall be considered junkyards whether or not all or parts of these operations are conducted inside a building or in conjunction with, in addition to or accessory to other uses of the premises.

Keeping of chickens means the breeding, boarding, and caring of chickens for personal or agriculture use, or raised for sale and profit.

Keeping of livestock means the breeding, boarding and caring of livestock for personal or agricultural use, or raised for sale and profit.

Keeping of pigeons means the breeding, boarding, and caring of pigeons for personal or agriculture use, or raised for sale and profit.

Kennel, breeding, means a kennel where no more than ten dogs, registered with a nationally recognized registration organization, over the age of six months are owned, kept or harbored for the purpose of breeding purebred or pedigreed dogs; provided, however, this definition shall not apply to zoos or to animal hospitals operated by a veterinarian, duly licensed under the law.

Kennel, commercial, means an establishment for the boarding, caring for and keeping of dogs over the age of six months other than a breeding kennel or a noncommercial kennel.

Kennel, noncommercial, means an establishment for the boarding, caring for and keeping of more than three but not more than ten dogs over the age of six months, not for commercial purposes.

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Kidney dialysis center means an establishment where a process of dialysis, an artificial process of getting rid of waste and unwanted water from blood, is carried out for the patients whose kidneys have been damaged or lost kidney function.

Kindergarten means an establishment operated by any person wherein compensation is paid for providing for the care, supervision, instruction, and protection of seven or more children who are under the age of seven years for less than 24 hours per day, without transfer of legal custody. For the purpose of this zoning ordinance, a kindergarten school is considered to be a child day care center or facility.

Kiosk means a freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

Kitchen facilities means a room used to prepare food containing, at a minimum, a sink and a stove or oven.

Kitchenette means a small, compact apartment kitchen, often part of another room utilized for different activities.

Laboratories (medical/dental) means a facility offering diagnostic or pathological testing and analysis of diagnostic tests related to medical or dental care industry.

Land use means a description of how land is occupied or utilized.

Landfill means an area of land on which or an excavation in which solid waste is placed for permanent disposal and which is not a land application unit, surface impoundment, injection well, or compost pile.

Landscape area means an area set aside from structures and parking which is developed with natural materials (i.e., lawns, trees, shrubs, vines, hedges, bedding plants, rock) and decorative features, including paving materials, walls, fences, and street furniture.

Landscape business means a business whose primary operation is the sale and installation of organic and inorganic material, plants, pine straw and other limited accessory products for the landscape industry and the storage and use of associated landscape vehicles and equipment.

Landscape strip means a strip intended to be planted with trees, shrubs, or other vegetation; also landscape zone.

Landscaped space means the areas of a parking lot which are planted with trees, shrubs and ground cover, plazas, fountains and other hardscape elements and similar features which are located within such parking lot and which are generally accessible to patrons or the general public during normal business hours.

Large-scale retail means a singular retail or wholesale user who occupies no less than 60,000 square feet of gross floor area.

Late-night establishment means any establishment licensed to dispense alcoholic beverages for consumption on the premises where such establishment is open for use by patrons beyond 12:30 a.m.

Laundry means a facility used or intended to use for washing and drying of clothes and fabrics.

Laundry, coin operated, means a self-service laundry facility where clothes are washed and dried by washing and drying machines that require coins to operate.

Laundry pick-up station means a facility where clothes and linens are dropped off for laundry or dry cleaning and where clothes and linen are picked up once they are cleaned. These facilities do not perform dry cleaning on site. See *Dry cleaning agency*.

Leachate collection system means a system at a landfill for collection of the leachate which may percolate through the waste and into the soils surrounding the landfill.

Leasing office means a facility where commercial or residential spaces available for renting are exhibited, or where documents related to the lease agreements are prepared. This facility may also be used to collect rent or used by occupants to report needs of services or other support.

Library means a public facility, a room or building, for the exhibition and use, but not sale of literary, scientific, historical, musical, artistic or reference materials.

Light industrial. See *Light manufacturing establishment*.

Light malt beverage manufacturer. See *Brewpub* and *Alcohol manufacturing (brewery)*.

Light manufacturing. See *Industrial, light*.

Liner building means a specialized building, parallel to the street, which is designed to conceal areas like a parking lot, parking deck or loading docks.

Liquor store. See *Alcohol outlet*.

Live-work unit means a structure or portion of a structure that combines residential living space with an integrated work space used principally by the occupant with access for customers and employees.

Livestock means domestic animals and fowl customarily kept on a farm including horses, mules, donkeys, cows, cattle, sheep, goats, ducks, geese and turkeys.

Lodge means a membership organization that holds regular meetings and that may, subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage professional entertainment for the enjoyment of dues paying members and their guests. There are no sleeping facilities. The term "lodge" shall not include fraternities or sororities. See *Fraternal organization*.

Lodging unit means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with sleeping, and bathroom facilities provided within the lodging unit for the exclusive use of a single-family maintaining a household.

Lot means a portion or parcel of land intended as a unit for transfer of ownership or for development or both, intended to be devoted to a common use or occupied by a building or group of buildings devoted to a common use, and having principal frontage on a public road or an approved private road or drive.

Lot area means the total area within the lot lines of a lot, excluding any street rights-of-way.

Lot coverage means that portion of a lot that is covered by buildings, structures, driveways or parking areas, and any other impervious surface. For purposes of calculating lot coverage, wooden decks, stone walkways and patios set without grout, or pervious, permeable, or porous pavements shall be considered pervious.

Lot of record means a lot which is part of a subdivision, a plat of which has been recorded in the office of the clerk of superior court of the county, or a parcel of land described by metes and bounds, the plat or description of which has been recorded in said office.

Lot of record, nonconforming, means a designated parcel, tract, or area of land legally existing at the time of the enactment of this chapter or amendment of this chapter which does not meet the lot area, lot width, or public or private street frontage and access requirements of this chapter.

Lot remnant means any portion of a lot not suitable for building because of its size and remaining after the transfer of other portions of said lot to adjoining lots.

Lot width means the horizontal distance measured at the building line between the side lines of a lot, measured at right angles along a straight line parallel to the street, or in case of a curvilinear street, parallel to the chord of the arc.

Lot, buildable area of. See *Buildable area*.

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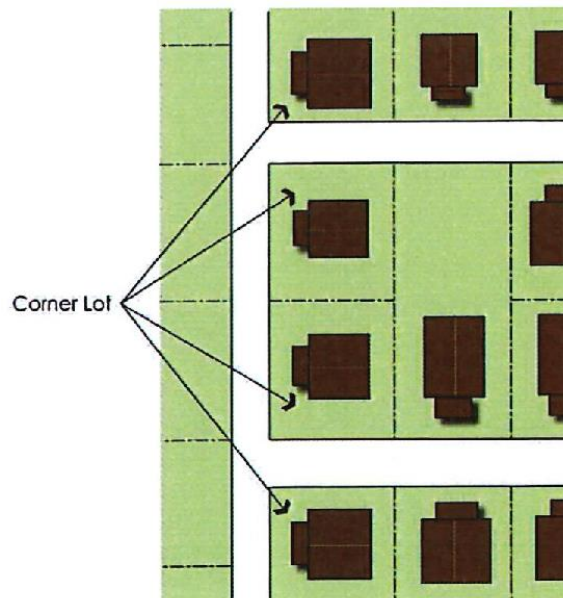
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Lot, conforming, means a designated parcel, tract, or area of land which meets the lot area, lot width and street frontage requirements of this chapter.

Lot, contiguous (as used in section 46-1734), means lots adjoining the rear or either side of the lots.

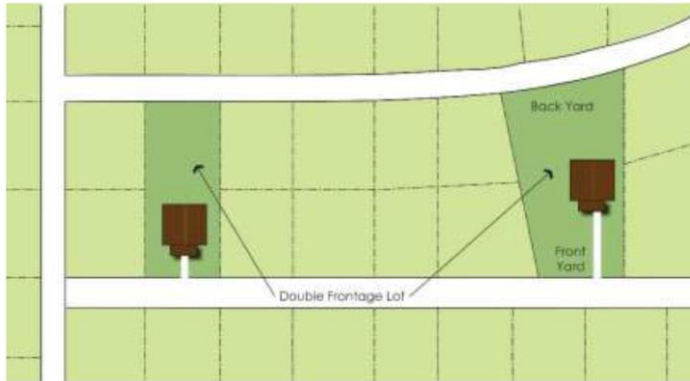
Lot, corner, means a lot abutting upon two or more streets at their intersection or upon two parts of the same street.

Figure 9.7. Corner Lots



Lot, double-frontage, means a lot that abuts two parallel streets or that abuts two streets that do not intersect at the boundaries of the lot. A double-frontage lot may also be referred to as a through lot.

Figure 9.8. Double Frontage Lots

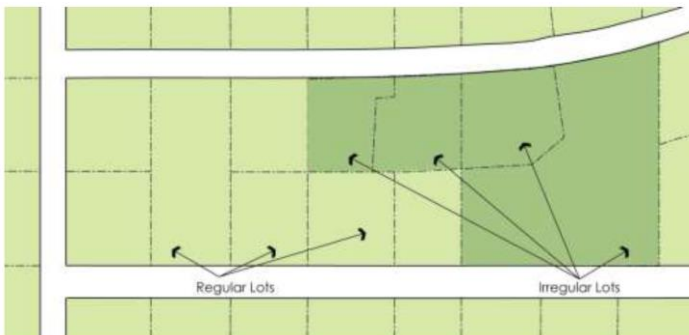


Lot, flag, means a tract or lot of land of uneven dimensions in which the portion fronting on a street is less than the required minimum width required for construction of a building or structure on that lot. A flag lot may also be referred to as a panhandle lot.

Lot, interior, means a lot, other than a corner lot, abutting only one street.

Lot, irregular, means a lot of such a shape or configuration that technically meets the area, frontage, and width to depth requirements of this chapter but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural land features.

Figure 9.9. Irregular lots



Lot, substandard, means a designated parcel, tract, or area of land created after the time of enactment of this chapter or amendment of this chapter which does not meet the lot area, lot width, or public or private street frontage and access requirements of this chapter. Such a lot is illegal except where created by governmental action in which case such lot shall have the status of a nonconforming lot of record.

Lumber supply establishment means a facility for manufacturing, processing, and sales uses involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes.

Mail room means a room in an office which mail and package shipments are prepared and deliveries accepted.

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Major automobile repair and maintenance shop. See *Automobile repair, major*.

Major modification. See section 46-1200(b)

Major modification to zoning conditions. See article VII of this chapter.

Major thoroughfare means a street, road or highway shown as a major thoroughfare in the transportation and thoroughfare plan.

Malt beverage means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing not more than 14 percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer and strong beer. The term "malt beverage" does not include sake, known as Japanese rice wine.

Manufactured home, Class I, means a single-family dwelling unit that is constructed in accordance with the Federal Manufactured Home Construction and Safety Standards and bears an insignia issued by the U.S. Department of Housing and Urban Development, or a single-family dwelling unit that, if constructed prior to applicability of such standards and insignia requirements, was constructed in conformity with the Georgia State Standards in effect on the date of manufacture.

Manufactured home, Class II, means a single-family dwelling unit meeting the requirements of a Manufactured Home Class I and, in addition, bears the insignia of the Southern Standard Building Code Congress International.

Manufacturing, alcohol. See *Alcohol manufacturing (brewery)* and *Alcohol manufacturing (distilled spirits)*.

Manufacturing, heavy. See *Industrial, heavy*.

Manufacturing, light. See *Industrial, light*.

Massage establishment means any business properly licensed under article VIII of chapter ten that is established for profit and employs one or more massage therapists, operates or maintains for profit one or more massage apparatus, and which, for good or valuable consideration, offers to the public facilities and personnel for the administration of massages. All massage therapists shall be licensed by the state. The term "massage establishment" shall not include hospitals or other professional health care establishments separately licensed as such by the state.

Materials recovery facility means a handling facility that provides for the extraction of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Mausoleum means a building containing aboveground tombs.

Mayor and city council means the seven-member legislative branch of the city.

Meat processing means a building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.

Medium and high density residential zoning districts means any of the following zoning districts: R-SM, MR-1, MR-2, HR-1, HR-2, and HR-3.

Mine means:

- (1) A cavity in the earth from which minerals and ores are extracted; and
- (2) The act of removing minerals and ores from the earth.

Mineral extraction and processing means extraction and processing of metallic and nonmetallic minerals or materials, including rock crushing, screening, and the accessory storage of explosives.

Mini-warehouse means a single-level building or group of buildings in a controlled-access and secured compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers' goods or wares, and may include climate control.

Multi-warehouse means a multi-level building or group of buildings in a controlled-access and secured compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers' goods or wares, and is climate controlled.

Miniature golf course means a novelty version of golf played with a putter and a golf ball on a miniature course, typically with artificial playing surfaces, and including obstacles such as bridges and tunnels.

Mining means extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term "mining" includes quarrying; groundwater diversion; soil removal; milling, such as crushing, screening, washing, and floatation; and other preparation customarily done at the mine site as part of a mining activity.

Minor automobile repair and maintenance shop. See *Automobile repair, minor*.

Minor modification to zoning conditions. See article VII of this chapter.

Minor thoroughfare means a street, road or highway shown as a minor thoroughfare in the transportation and thoroughfare plan.

Mixed-use building or development means a development which incorporates a variety (two or more) of land uses, buildings or structures that can include both primary residential uses and primary nonresidential uses which are part of the same development. Such uses may include, but not be limited to, residential, office, commercial, institutional, recreational or public open space, in a compact urban setting that encourages pedestrian oriented development that can result in measurable reductions in traffic impacts. Such a development would have interconnecting pedestrian and vehicular access and circulation.

Mixed-use zoning districts means any of the following zoning districts: MU-1, MU-2, MU-3, MU-4, and MU-5.

Mobile home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Mobile home lot means a parcel of land, approved pursuant to the subdivision requirements of chapter 22, in a mobile home park which is intended and used for the placement of a single mobile home and for the exclusive use of its occupants.

Mobile home park means a parcel of land which has been planned and improved pursuant to the requirement of this chapter and chapter 22 for the placement of mobile homes for non-transient use.

Mobile home sales means exhibition and sale of mobile homes.

Mobile home stand means that part of a mobile home lot which has been reserved for the placement of a mobile home for non-transient use.

Modular home means a factory-manufactured single-family dwelling which is constructed in one or more sections and complies with the definition of "industrialized building."

Monastery means a building or buildings used as both a place of worship and as a residence, operated as a single housekeeping unit, solely by and for a group of men who have professed vows in a religious order and who live together as a community under the direction of a local supervisor designated by the order.

Monopole. See section 46-1200(b).

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Mortuary means an establishment in which the deceased are prepared for burial or cremation. The facility may include a crematory, a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings or display of funeral equipment.

Mosque. See *Place of worship*.

Motel. See *Hotel*.

Muffler means a sound-dissipative device or system for lessening the sound of the exhaust of an internal combustion machine where such a device is part of the normal configuration of the equipment.

Multifamily dwelling. See *Dwelling unit, multifamily*.

Multifamily dwelling, supportive living, means four or more dwelling units in a single building or group of buildings which are designed for independent living for persons with disabilities of any kind and in which are provided supportive services to the residents of the complex but which supportive services do not constitute continuous 24-hour watchful oversight, and which does not require licensure as a personal care home by the office of regulatory services of the state department of human resources.

Multi-use property means any distinct parcel of land that is being used for more than one land use purpose.

Museum means a building or structure that is primarily used as a repository for a collection of art or natural, scientific, or literary objects, and is intended and designed so that members of the public may view the collection, with or without an admission charge, and which may include as an accessory use the sale of goods to the public or educational activities.

Natural state means that condition that arises from or is found in nature and not modified by human intervention; not to include artificial or manufactured conditions.

Nature preserve means an area or a site with environmental resources intended to be preserved and remain in a predominately natural or undeveloped state to provide resource protection and possible opportunities for passive recreation and environmental education for present and future generations in their natural state.

Neighborhood means an area of the city within which residents share a commonality of interests including distinct physical design and street layout patterns, a shared developmental history, distinct housing types, or boundaries defined by physical barriers such as major roads and railroads or natural features such as creeks or rivers.

Neighborhood residual sound level means that measured value that represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous sounds, and those from the source under investigation. Neighborhood residual sound level is synonymous with background sound level. Neighborhood residual sounds are differentiated from extraneous sounds by the fact that the former are not of a relatively short duration, although they are not necessarily continuous.

New construction on an infill lot means the replacement of an existing residential building or structure with a new building, structure or an addition that increases the usable square footage in the building, structure or addition.

News dealer means a person who sells newspapers and magazines as a retailer.

News stand means a temporary structure, manned by a vendor that sells newspapers, magazines, and other periodicals.

Nightclub means a commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainment is allowed, where music may be live, disc-jockey, karaoke, and/or non-acoustic.

Node means a concentration of population, retail, and employment within a well-defined area that has a diverse mix of land uses and a pedestrian and transit orientation.

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Noise control officer means a city employee or agent who has received noise enforcement training and is currently certified in noise enforcement.

Noise sensitive facility means any facility whose operations may be detrimentally impacted by excessive sound levels. Such facilities include but are not limited to schools, hospitals, and places of worship.

Nonconforming characteristics of building or structure means a building or structure, legally existing on the effective date of the ordinance from which this chapter is derived, but which fails to comply with one or more of the district or general non-use development regulations adopted under the terms of this chapter which are applicable to said building or structure, including, but not limited to, setbacks, lot frontage, lot area, building height limitations, off-street parking or loading, buffers, landscaping or any other applicable development regulation.

Nonconforming use of land means a use of land, legally existing on the effective date of the ordinance from which this chapter is derived, but which is not an authorized use under the terms of this chapter in the district in which such land is located.

Nonconforming use of land and buildings or nonconforming use of land and structures means a use of land and buildings or land and structures, in combination, legally existing on the effective date of the ordinance from which this chapter is derived, but which is not an authorized use of land and buildings or land and structures, in combination, under the terms of this chapter in the district in which such use is located.

Nonconforming use requiring special exception or special land use permit means a use of land, or land and buildings or structures in combination, legally existing on the effective date of the ordinance from which this chapter is derived, but which is not an authorized use under the terms of this chapter in the district in which such use is located but is permitted only upon approval of a special exception or special land use permit by the appropriate body.

Nonresidential development means all commercial, office, institutional, industrial and similar lands and uses.

Nonresidential zoning district means any of the following zoning districts: NS, C-1, C-2, O-I-T, O-I, O-D, M and M-2.

Non-transient lodging accommodations means long-term or permanent sleeping accommodations offered to persons as a residence, domicile, or settled place of abode.

Nursery, plant means an establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

Nursing care facility means an establishment providing inpatient nursing and rehabilitative services to patients who require health care but not hospital services, where such services have been ordered by and under the direction of a physician and the staff includes a licensed nurse on duty continuously with a minimum of one full-time registered nurse on duty during each day shift. Included are establishments certified to deliver skilled nursing care under the Medicare and Medicaid programs. The term "nursing care facility" includes convalescent homes with continuous nursing care, extended care facilities, skilled nursing homes and intermediate care nursing homes.

Nursing home means a facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has an agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the patients; and complies with rules and regulations of the state department of human resources or state agency with jurisdiction as may be reorganized.

Office, dental, means a building used exclusively by dentists and similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

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Office, medical, means a building or floor used exclusively by physicians, dentists, license counselors and similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

Office, professional, means an office for the use of a person generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, chiropractors, psychiatrists, psychologists, and the like.

Office park means a large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

Office supply store means a facility established where office supplies, furniture and technology regularly used in offices are exhibited and sold.

Official zoning map or maps means the zoning map of the city which are adopted with and incorporated by reference as a part of this chapter and amendments to the official zoning map are synonymous with and commonly referred to as rezonings.

One-part commercial block style means a single-story building that has a flat roof, a facade that is rectangular in shape, and in which the fenestration in the facade is equal to 75 percent of the width of the front facade of the building.

Open space means a portion of a development project or lot that is intended to be free of buildings or parking lots. Open space may be in its natural state or improved with recreation amenities.

Open space, clubhouse or pool amenity area means an open space that can be found in a neighborhood park, mini-park or alone as an amenity area for the residents of a developed community. Clubhouse/pool areas can include swimming pools, group activity rooms, outdoor eating areas, and/or exercise stations, and must meet all applicable building and health codes.

Open space, enhanced, means a planned open area suitable for relaxation, recreation or landscaping which may be held in common or private ownership, provided that all residents of the development in which the open space is located shall have a right to enter and use the open space. Such enhanced open spaces may include walkways, patios, recreational amenities, picnic pavilions, gazebos and water features. See article V of this chapter for types of open space functions considered "enhanced."

Open space, green, means an informal area for passive use bound by streets or front facing lots, typically between 500 square feet and one acre, which is small, civic, surrounded by buildings, natural in its details, and may be used to protect specimen trees and provide for conservation functions.

Open space, greenway, means an open space that typically follows natural or constructed features such as streams or roads and is designed to incorporate natural settings such as creeks and significant stands of trees, and is used for transportation, recreation, and environmental protection. Greenways are natural (i.e., informally planted) in their details except along rights-of-way, and may contain irregular topography.

Open space, neighborhood park, means an open space designed for active or passive recreation use.

Open space, playground or tot lot, means an open space that provides play areas for toddlers and children as well as open shelter and benches, which is located in a neighborhood, or as part of a larger neighborhood or community park and urban center, including retail shopping areas.

Open space, plaza, means an open space paved in brick or another type of impervious surface that provides passive recreation use adjacent to a civic or commercial building.

Open space, pocket park, means an open space that provides active recreational facilities, most often in an urban area that is surrounded by commercial buildings or houses on small lots, and is typically less than one-quarter of an acre.

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Open space, square, means an open space used to emphasize important places, intersections, or centers, bounded by streets or front-facing lots, typically between 500 square feet and one acre.

Operator means a person who conducts a home occupation, has majority ownership interest in the home occupation, lives full-time in the dwelling on the subject property, and is responsible for strategic decision and day-to-day operation of the home occupation.

Ordinary maintenance. See section 46-1200(b).

Ornamental metal means any metalwork that serves as adornment and/or nonstructural purposes during construction of a building.

Outdoor advertising service means a service to provide advertisements visible in the outdoors such as billboards.

Outdoor amusement enterprise means any outdoor place that is maintained or operated for provision of entertainment or games of skill to the general public for a fee where any portion of the activity takes place outside of a building, including, but not limited to, a golf driving range, archery range, or miniature golf course. This use does not include a stadium or coliseum.

Outdoor display means an outdoor arrangement of items or products for sale, typically not in a fixed location capable of rearrangement, designed for advertising or identifying a business, product or service.

Outdoor manufacturing means a facility established for manufacturing activities that takes place outside an enclosed building.

Outdoor storage means the keeping, in an unenclosed area, of any goods, material, or merchandise associated with a land use. Storage does not include the parking of any vehicles or outdoor display of merchandise. The term "outdoor storage" includes outdoor work areas. See *Vehicle storage yard*.

Outdoor theater means an outdoor open space where dramatic, operatic, motion picture, or other performance, for admission to which entrance money is required takes place.

Overstory tree means any self-supporting woody plant of a species that normally achieves an overall height at maturity of 30 feet or more.

Package store means any facility established for the sale of package liquor, for off-premises consumption. See *Alcohol outlets*.

Parapet means that portion of a wall that extends above the roof line.

Parcel. See *Lot*.

Parking or park means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers.

Parking, valet means parking of vehicles by an attendant provided by the establishment for which the parking is provided.

Parking aisle means an area within a parking facility intended to provide ingress and egress to parking spaces.

Parking bay means the clear space containing one or two rows of parking stalls and a parking aisle.

Parking garage means a covered or sheltered structure designed, constructed and used for the parking of motor vehicles.

Parking lot means any area designed for temporary storage of motor vehicles by the motoring public in normal operating condition, whether for a fee or as a free service.

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Parking space means a paved area of not less than 120 square feet (small car space) or not less than 153 square feet (large car space) space with dimensions of not less than eight feet wide by 15 feet deep (small cars) or eight feet six inches wide by 18 feet deep (large cars), the exclusive purpose of which is for the parking of a vehicle.

Parking structure means a structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade with those levels being either open or enclosed.

Pasture land. See *Grazing land*.

Path means a paved or structurally improved walkway that provides access to areas within a development.

Paved means a structurally improved surface supporting the intended or allowed uses of traffic. An area may be covered by asphalt, concrete, permeable pavement or permeable pavement system that is acceptable to the planning and zoning director. For the purposes of a driveway for the parking of automobiles, two paved tire tracks with an unpaved area between them shall be considered paved.

Pavement, permeable means pavement materials including pervious asphalt and concrete, interlocking pavers, modular pavers, and open-celled paving or similar materials that allow the infiltration of water below the pavement surface. Pavement must support the expected loading and traffic.

Pawn shop means any entity engaged in whole or in part in the business of lending money on the security of pledged goods (as that term is defined in O.C.G.A. § 44-12-130(5)), or in the business of purchasing tangible personal property on a condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as part of or in conjunction with the business activities described in this definition. Includes title pawn and individual loans.

Pedestrian oriented means a density, layout and infrastructure that encourages walking and biking within a subdivision or development, including short setbacks, front porches, sidewalks, and bike paths.

Pedestrian zone in the Northlake Overlay District means that portion of a sidewalk area that offers a clear and unobstructed pathway which provides a safe travel lane for pedestrians within the public right-of-way.

Permitted use means any use which can be undertaken without approval by the designated authority of a special land use permit, special exception, or special administrative permit which is required by the terms of this chapter.

Personal assistance services means assistance to an individual with, or supervision of self-administration of, medication, ambulation, and transfer from location to location, and/or essential activities of daily living, such as eating, bathing, grooming, dressing, and toileting.

Personal care home means a building in which housing, meals, personal assistance services, and 24-hour continuous watchful oversight for adults are provided and which facility is licensed or permitted as a personal care home by the state. The term "personal care home" shall not include the term "childcare institution," "transitional housing," "rehabilitation housing facility," "roominghouse" or "boardinghouse." The term "personal care home" includes the term "community living arrangement," which is an establishment licensed by the state and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases.

Personal care home, community, means a personal care home that offers care to seven or more persons.

Personal care home, group, means a personal care home that offers care to between four and six persons.

Personal services establishment means an establishment primarily engaged in providing services involving the care of a person or providing personal goods where the sale at retail of such goods, merchandise, or articles is only accessory to the provision of such services, including barber shops, beauty shops, tailor shops, laundry shops,

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dry cleaning shops, shoe repair shops, and similar uses, but specifically excluding adult service facilities and adult entertainment establishments.

Pervious area means an area maintained in its natural condition, or covered by a material that permits infiltration or percolation of water into the ground.

Pervious pavers means a range of sustainable materials and techniques for permeable pavements with a base and sub-base that allow the movement of stormwater through the surface.

Pet. See *Household pet*.

Pet cemetery means property used for the interring of dead domestic animals.

Pet shop means a retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and livestock.

Phased development means a development project that is constructed in increments, each stage being capable of meeting the regulations of this chapter independently of the other stages.

Physical therapy facility means a facility where service of developing, maintaining, and restoring maximum movement and functional ability is provided to individuals.

Pharmacy (retail) means a place where drugs and medicines are legally prepared and dispensed and which is licensed by the state.

Pitch of roof lines means the ratio of the rise to the run of a roof.

Place of worship means a lot or building wherein persons assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship. The term "place of worship" also includes any of the following accessory uses and buildings: schools, religious education, social gathering rooms, food service facilities, indoor and outdoor recreation facilities, child day care center, kindergarten, parsonage, rectory or convent and columbarium.

Plainly audible means any sound that can be detected by a person using his unaided hearing faculties.

Planned industrial center means an industrial development planned with multiple buildings for industrial users.

Planning and zoning director. The director of the planning and zoning department of the City of Tucker, or their designee.

Plant material means material derived from plants.

Planting strip means a strip of land intended to contain plant materials for the purpose of creating visual and physical separation between uses or activities.

Plat means:

- (1) A map representing a tract of land, showing the boundaries and location of individual properties and streets;
- (2) A map of a subdivision or a site plan.

Pervious surface means an area that allows water to enter the soil mantle at a natural rate of flow. Compare with *Impervious surface*.

Porch, enclosed, means a porch attached to the main building, which is covered by a roof.

Porch, open, means a porch that is not covered by a roof.

Portable storage container means any non-motorized vehicle, trailer or fully enclosed container intended for the temporary storage of items until relocated to another location or a long-term storage facility. Storage containers include but are not limited to PODS, Pack-Rats and similar containers.

Porte-cochere means a porch or a structure attached to a residence and erected over a driveway, not exceeding one story in height and open on two or more sides.

Post office means a public facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

Poultry means domestic fowl including chickens, duck, turkeys and geese raised for food (either meat or eggs) or profit.

Primary building. See *Building, primary or principal*. Compare with *Accessory structure*.

Primary conservation area means that portion of a site in the R-NC (Neighborhood Conservation) District for which application is made for cluster housing development which consists of areas that are unbuildable due to the presence of wetlands, floodplains, steep slopes, or other similar environmental conditions.

Primary material means the building material comprising the acceptable, dominant portion of a building exterior facade, as defined by standards within this chapter. Compare with *Secondary material*.

Primary street means a street with access control, channelized intersections, and restricted parking that collects and distributes traffic to and from minor arterials.

Principal use means the primary or predominant use of any lot.

Principal structure means the building in which the principal use of the lot is located.

Printing and publishing establishments mean an establishment providing printing, blueprinting, photocopying, engraving, binding, or related services.

Printing and publishing establishments (limited) mean a printing establishment providing convenience mailing, photocopying and accessory retail-oriented services, not exceeding 5,000 square feet of floor area.

Private ambulance service means a privately-owned facility for the dispatch, storage and maintenance of emergency medical care vehicles; transportation via ambulance; the provision of out-of-hospital emergency medical care to a patient from or in an ambulance; the trip to the site of a patient for the purpose of providing transport or out-of-hospital emergency medical care; the trip to or from any point in response to a medical emergency dispatch from the 9-1-1 Center.

Private club. See *Club, private*.

Private drive means a drive or road on privately owned property, by an individual or a group of owners who share the use and maintain the road without assistance from a government agency. A private drive has not been transferred to a governing entity. An easement of use on the private drive or road shall permit use by the public. A private drive is allowed to be exempt from the public street regulations of chapter 22, but shall meet dimensional requirements established in article V of this chapter.

Private educational use means the instruction, teaching or tutoring of students by an occupant of a residential dwelling as a secondary use of the dwelling that is incidental to the primary use of the dwelling unit for residential purposes. No articles or products shall be sold on the premises other than by telephone. Such instruction, teaching or tutoring shall be limited to a maximum of three students at a time, excluding children residing in the dwelling, and shall be limited to the hours of 9:00 a.m. to 9:00 p.m. Such private educational use shall be allowed as a permitted use in all districts where home occupations are allowed but private educational uses shall be subject to the supplemental regulations in article IV of this chapter.

Private industry solid waste disposal facility means a disposal facility which is operated exclusively by and for a private solid waste generator for the purpose of accepting solid waste generated exclusively by said private solid waste generator.

Private restrictive covenants means private restrictions on the use of land or structures imposed by private contract, such as subdivision covenants.

Private right-of-way means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is not owned, leased, or controlled by a governmental entity.

Private road. See *Private drive*.

Private street means an access way similar to and having the same function as a public street, providing access to more than one property but held in private ownership. Private streets, when authorized, shall be developed in accordance with the specifications for public streets established in the Code.

Produce means products from farms and gardens such as fruits, vegetables, mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products), and seafood.

Production, field crops means establishment for commercial agricultural field and orchard uses including production of field crops; may also include associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing, and sales in the field not involving a permanent structure.

Production, fruits, tree nuts, and vegetables means establishment for commercial agricultural field and orchard uses including production of fruits, tree nuts and vegetables.

Prohibited uses means anything not expressly permitted within this zoning ordinance or by resolution. Examples may include structures, land uses, materials, or development control parameters.

Public art. See *Art, public*.

Public right-of-way means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

Public uses means land or structures owned by a federal, state or local government, including, but not limited to, a board of education, and used by said government for a necessary governmental function.

Quarry means a mine where rock, ore, stone, or similar materials are excavated for sale or for off-site use. Quarry includes rock crushing, asphalt plants, the production of dimension stone, and similar activities.

Quick copy and printing store means a facility established for the reproduction and printing of written or graphic materials on a custom order basis for individuals or businesses.

Rainwater harvesting means gathering, or accumulating and storing, of rainwater from roof, ground or other catchments in order to reduce or avoid use of water from mains or from water sources like lakes and rivers.

Recovered materials means those materials which have a known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent separation and processing.

Recovered materials center means a facility in which materials that would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Recovered materials processing means activity of preparing source-separated recoverable materials, such as newspapers, glassware, and metal cans, including collecting, storing, flattening, crushing, or bundling prior to shipment to others who will use those materials to manufacture new products. The materials are stored on-site in bins or trailers for shipment to market. The term "recovered materials processing" means the preparation of

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material for efficient shipment by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting, or cleaning.

Recreation means the refreshment of body and mind through forms of play, amusement, or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive, such as enjoying the natural beauty of the shoreline or its wildlife.

Recreation, active. See *Active recreation*.

Recreation, indoor, means a commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, tennis court.

Recreation, outdoor, means a recreational land use conducted outside of a building, including athletic fields; miniature golf, skateboard park; swimming, bathing, wading and other therapeutic facilities; tennis, handball, basketball courts, batting cages, trampoline facilities.

Recreation, passive, means recreation that involves existing natural resources and has a minimal impact on the existing condition of the resources.

Recreation club means a not-for-profit association of people organized for the purpose of providing recreation facilities and programs and characterized by certain membership qualifications, payment of fees and dues, and a Charter or bylaws. The term "recreation club" shall also mean, where the context requires, the premises and structures owned or occupied by members of such association within which the activities of the recreation club are conducted.

Recreational vehicle means any vehicle, whether or not motorized, that is intended for personal recreational use and not intended for daily transportation. Such vehicles may include, but are not limited to, Class A and C motor homes, campervans, bus conversions, boats, military surplus vehicle, all-terrain vehicles (ATVs), and similar vehicles intended for recreational purposes. Pick-up trucks with a fully enclosed bed that are used for daily transportation do not qualify as recreational vehicles.

Recreational vehicle park means a commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included.

Recreational vehicle/boat sales and service means a facility established for the exhibition, sale, and repair of recreational vehicles/boats.

Recycling collection point means a neighborhood drop-off point for the temporary storage of recyclables.

Recycling plant. See *Recovered material center or processing*.

Rehabilitation housing facility means an establishment primarily engaged in inpatient care of a specialized nature with staff to provide diagnosis and/or treatment.

Repair, small household appliance means a business established to provide a service of repairing small household appliances like microwaves, etc.

Replacement. See section 46-1200(b).

Research and training facilities means any facility owned by a private party, institution or government where research and training activities related to various fields like science, arts, etc. are conducted.

Residence hall. See *Dormitory*.

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Residential component means the primarily residential portion of a development that may contain a mix of single-family detached, single-family attached and multifamily dwelling units and may include small scale, nonresidential uses.

Residential zoning district means any of the following zoning districts: RE, R-LG, R-100, R-85, R-75, R-60, MHP, R-NC, R-SM, MR-1, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, and MU-5.

Residential use means the occupation of a building and land for human habitation.

Restaurant means an establishment where food and drink are prepared, served, and consumed primarily within the principal building.

Restaurant, drive-through, means an establishment where food and drink are prepared which may be consumed within the principal building or which may be ordered and picked up from a service window for off-site consumption.

Retail means the sale of goods, wares or merchandises directly to the end-consumer.

Retail warehouse/wholesale means an establishment exceeding 70,000 square feet of gross floor area and offering a full range of general merchandise to the public, and may include gasoline.

Retaining wall means a structure constructed and erected between lands of different elevations to protect structures and/or to prevent erosion.

Riding stable means a building where horses and ponies are sheltered, fed, or kept.

Right-of-way line means the limit of publicly-owned land or easement encompassing a street or alley.

Roominghouse. See *Boardinghouse*.

Salvage yard means land and/or buildings used for the dismantling, cutting up, compressing or other processing of waste items or materials, such as scrap, paper, metal, tires, large household appliances, such as washing machines or refrigerators, automobiles or other vehicles, or inoperable machinery. Salvaged materials may be stored outdoors or in a building and may be sold wholesale or retail. Typical uses include paper and metal salvage yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies. The term "salvage yard" includes junkyards.

Sand pit means a surface mine or excavation used for the removal of sand, gravel, or fill dirt for sale or for use off-site.

Satellite television antenna means an apparatus capable of receiving but not transmitting television, radio, or cable communications from a central device transmitting said communications.

Sawmill means a facility where logs or cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

Sawmill, temporary or portable, means a facility where sawing related machines are installed on the site temporarily to run as sawmill, but which can be moved by removing and reinstalling the machines to some other site.

School, elementary, means public, private or parochial school offering education for first through fifth grade.

School, high, means public, private or parochial school for the ninth through 12th grades.

School, middle, means public, private or parochial school offering education for sixth through eighth grade.

School, parochial, means school run by a church or parish and engages in religious education in addition to the conventional education.

School, private, means any building or group of buildings, the use of which meets state requirements for elementary, middle, or high school education and which use does not secure the major part of its funding from any governmental agency.

School, public, means a building or group of buildings used for educational purposes, which meets state requirements for elementary, middle, or high school education, and that is funded by a government agency.

School, specialty, means a school specializing in teaching martial arts, dance, music, visual arts and similar fields.

School, vocational, means a specialized instructional establishment that provides non-degree on-site training of business, commercial, and/or trade skills or specialized curriculum for special needs individuals or the arts. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone.

Screening fence means an opaque structure designed to provide a visual barrier constructed of materials including wood, chainlink with wood or plastic inserts, metal, vinyl, plastic and other such materials as may be approved by the planning and zoning director.

Secondary conservation area means that portion of a site for which application is made for cluster housing development which consists of those areas of land which are outside the primary conservation area but which are environmentally sensitive, historically or culturally significant, scenic, or which possess other unusual attributes that merit conservation.

Secondary material means complimentary building material allowed by zoning standards. Compare with *Primary material*.

Secondhand store means a facility for retail or consignment sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.

Self-service car wash. See *Car wash, self-service*.

Semi-nude means the exposure of one or more, but not all, of the following: human genitals or pubic region, buttocks, or female breasts below a point immediately above the top of the areola.

Service area means an outdoor work area associated with a commercial use, including work areas where goods and products are assembled, constructed, or repaired but not permanently stored.

Service organization means a voluntary non-profit service club or organization where members meet regularly to perform charitable works or raise money for charitable works.

Setback means the minimum horizontal distance required between the property line and the principal building or structure on a lot or any projection thereof except the projections allowed pursuant to article V of this chapter.

Sexually-oriented business. See *Adult entertainment establishment*.

Shared parking means parking shared by two or more lots or uses for which the peak parking demands are not at the same time, and parking that can reasonably be shared by such lots or uses. The number of parking spaces in a shared parking facility is less than the combined total of the required minimum number of spaces for each individual use.

Shelter for homeless persons means a building or buildings in which is provided overnight housing and sleeping accommodations for one or more persons who have no permanent residence and are in need of temporary, short-term housing assistance, and in which may also be provided meals and social services including counseling services. Compare with the term *Transitional housing facility*.

Shoe repair means an establishment where shoes and boots are repaired remodeled or rebuilt by skilled shoe repairers. The establishment may also mend items like handbags and luggage.

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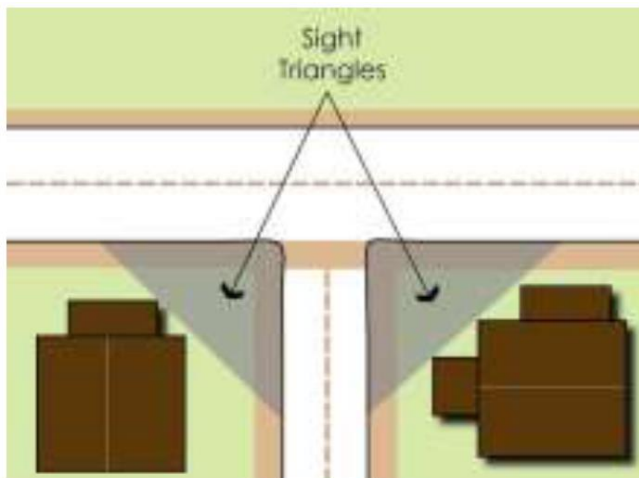
Shopping center means a group of at least two commercial establishments typically planned, constructed, and managed as a single entity, with on-site parking for customers and employees, and with delivery of goods separate from customer access.

Shrub means a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground. It may be deciduous or evergreen.

Sidewalk means a hard surface, ADA compliant, clear pathway that does not include any street furniture.

Sight triangle means a triangular area of visibility required on a corner of a roadway intersection to allow for the safe operation of vehicles, trains, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths.

Figure 9.10. Sight Triangles



Single-family attached. See *Dwelling unit, single-family attached*.

Single-family zoning district means any of the following zoning districts: RE, R-LG, R-100, R-85, R-75, R-60, MHP, and R-NC.

Site means the lot, area of a lot, or assemblage of lots subject to development.

Site plan means that plan required to acquire a development, construction or building permit which shows the means by which the developer will conform to applicable provisions of this chapter and other applicable ordinances.

Soldier course means a course of upright bricks with their narrow faces showing on the wall surface.

Solid waste means any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and community activities, but does not include recovered materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 USC 1342; or source, special nuclear, or byproduct material as defined by the Federal Atomic Energy Act of 1954, as amended (68 State. 923).

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Solid waste handling means the storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste or any combination of such activities.

Solid waste handling facility means a facility primarily used for the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste.

Solid waste thermal treatment technology facility means any solid waste handling facility, the purpose of which is to reduce the amount of solid waste to be disposed of through a process of combustion, with or without the process of waste to energy.

Solid waste transfer facility means a facility or site at which temporary storage and transfer of solid waste from one vehicle or container to another, generally of larger capacity, occurs prior to transportation to a point of processing or disposal. A solid waste transfer facility is an intermediary point between the location of waste generation (e.g., households, businesses, and industries) and the site of ultimate processing or disposal.

Sorority house means a building containing sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room maintained exclusively for sorority members and their guests or visitors and affiliated with an institution of higher learning.

Sound level meter means an instrument that conforms to ANSI S1.4-1983 or its successors.

Special administrative permit means a written authorization granted by the planning and zoning director for a use of land pursuant to an application which that official is authorized to decide, in cases where a permit is required, pursuant to the procedures and criteria contained in article VII of this chapter.

Special events facility means a building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests. The term "special events facility" shall not include places of worship.

Special exception means the approval by the zoning board of appeals of an application which that board is authorized to decide as specified within a zoning district pursuant to the procedures and criteria contained in article VII of this chapter.

Special land use permit means the approval of a use of land that the mayor and city council is authorized to decide as specified within a zoning district pursuant to the procedures and criteria contained in article VII of this chapter.

Special permit means a special administrative permit, special exception, or special land use permit.

Specialty store means a store, usually retail, that exhibits and sells specific or specialized types of items or brand. For example, a specialty store may sell cellular phones or organic food, or video games exclusively.

Specified anatomical areas shall include any of the following:

- (1) Less than completely and opaquely covered human genitals or pubic region, buttocks, or female breasts below a point immediately above the top of the areola; or
- (2) Human male genitalia in a discernibly turgid state, even if completely or opaquely covered.

Specified sexual activities shall include any of the following:

- (1) Actual or simulated intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, sapphism;
- (2) Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence;

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- (3) Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation;
 - (4) Fondling or touching of nude human genitals, pubic regions, buttocks or female breasts;
 - (5) Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
 - (6) Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being;
 - (7) Human excretion, urination, menstruation, vaginal or anal irrigation.

Sporting goods store means a store that exclusively exhibits and sells items related to sports including, but not limited to, instruments, gears, shoes, and clothes.

Stadium means a structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events. The structure may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts.

State means the State of Georgia.

Steady tonal quality means sound emissions comprised of a single frequency or a narrow cluster of frequencies, which may be referred to as a whine, hum or buzz, with measured sound levels not fluctuating by more than plus or minus three dB(A).

Stealth telecommunications facility. See section 46-1200(b).

Stepback means a step-like recession in the profile of a building, whereby the exterior wall surface of each successive story is located farther towards the interior of the building than the exterior wall of the story below it. Stepbacks may result from the transitional height plane requirement. See *Transitional height plane*.

Stoop means a small porch, platform, or staircase leading to the entrance of a house or building.

Storage building means any structure that is used for storage and does not have a door or other entranceway into a dwelling unit and that does not have water fixtures within its confines, the use of which is limited solely to storage of inanimate objects.

Stormwater management facility means those structures and facilities that are designed for the collection, conveyance, storage, treatment and disposal of stormwater runoff into and through the drainage system.

Story means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above or, if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multistory building used for parking, excluding a basement, shall be classified as a story.

Street furniture zone in the Northlake Overlay District means that portion of a sidewalk area that is intended to enhance that street's physical character and used by pedestrians, such as benches, trash receptacles, kiosks and newspaper racks.

Street, public, means any right-of-way set aside for public travel deeded to the city or county and any right-of-way which has been accepted for maintenance as a street by the city or county.

Street right-of-way line means the dividing line between a lot, tract or parcel of land and a street right-of-way.

Structure means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on or in the ground. The term "structure" does not include telephone poles and utility boxes.

Structure, accessory. See *Accessory structure*.

Subdivision means as defined in chapter 22.

Subdivision, major, means all subdivisions not classified as minor subdivisions, including, but not limited to, subdivisions of five or more lots, or any size subdivision requiring any new street, public or private.

Subdivision, minor, means a division of land into not more than four lots, provided:

- (1) A minor subdivision does not require the construction of any public improvements including street, sidewalks, sewer or water lines and street trees.
- (2) All lots and any remaining tract shall be consistent with all applicable requirements of this zoning ordinance, including lot size, setbacks, frontage on a public road, width to depth ratio, and lot width.
- (3) At the time of filing of a subdivision plat, the property owner shall be required to show all possible lots which are permitted to be created through minor subdivision provisions of this zoning ordinance.
- (4) All driveway permits shall be subject to the review of the city or county department of transportation and development or the state department of transportation.

Supplemental zone means the additional sidewalk area other than the required sidewalk used to support outdoor dining or other amenities.

Support structure. See section 46-1200(b).

Sustainable development means a development that maintains or enhances economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs.

Synagogue. See *Place of worship*.

Tandem parking means a parking space within a group of two or more parking spaces arranged one behind the other such that the space nearest the street serves as the only means of access to the other spaces.

Tattoo establishment and piercing studios means an establishment whose principal business activity, is the practice of one or more of the following:

- (1) Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin;
- (2) Creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- (3) Establishments solely applying permanent make-up shall not be considered a tattoo establishment.

Taxi stand means a reserved area where taxis or cabs are parked.

Telecommunications antenna. See section 46-1200(b).

Telecommunications facility/tower. See section 46-1200(b).

Telecommunications tower. See section 46-1200(b).

Telecommunications tower or antenna height. See section 46-1200(b).

Telephone exchange building means a building used exclusively for the transmission and exchange of telephone messages. The term "telephone exchange building" shall not include wireless telecommunication towers or antennas.

Temple. See *Place of worship*.

Temporary outdoor sales or event, seasonal, means outdoor sales of products associated with seasons, holidays and agricultural seasons.

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Temporary produce stand means a temporary vending structure used for the sale and/or display of seasonal produce.

Tennis courts, play and recreation areas, community means a public or private facility for the playing of tennis, swimming, or other type of outdoor recreation, including related retail sales and an accessory restaurant. The term "tennis courts, play and recreation areas, community," does not include amenities for a subdivision or other form of housing.

Theater means a structure used for dramatic, operatic, dance, or music performances, or the rehearsal and presentation of other similar performing arts events, or for motion pictures, for which an admission fee is charged. Such establishments may include related services such as food and beverage sales and other concessions.

Threshold means the top of the subfloor in the opening that is designated as the front door of a dwelling.

Thrift store means a for-profit or non-profit business or organization that engages or specializes in the sale or resale of previously owned or used goods. The term "thrift store" includes antique shops, consignment stores, and secondhand stores.

Tire retreading and recapping means businesses that primarily repair and retread automotive tires.

Total sound level means that measured level which represents the summation of the sounds from the sound source under investigation and the neighborhood residual sounds which affect a given place at a given time, exclusive of extraneous sound sources.

Tow service means establishment that provides for the removal and temporary storage of vehicles, but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles. See *Automobile recovery and storage*.

Townhouse means one of a group of three or more single-family dwelling units, attached side-by-side by a common wall. See *Dwelling, single-family*.

Townhouse, stacked, means multifamily building with the appearance of a townhouse (side-by-side attached), but which has multiple dwelling units whereby a unit is located above or below another.

Trailer means any non-motorized vehicle or wheeled attachment designed to be towable, including, but not limited to, landscape utility trailers, horse trailers, storage trailers, campers, fifth-wheel trailers, pop-up campers, transport trailers, and boat trailers. This includes utility trailers.

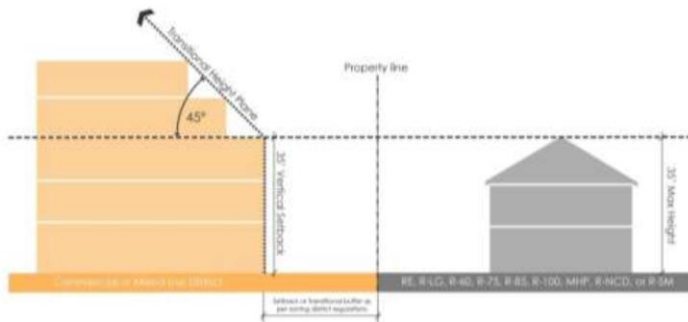
Transit means the conveyance of persons or goods from one place to another by means of a local, public transportation system.

Transit oriented development (TOD) means moderate and high-density mixed-use development which is located along transit routes and encourages pedestrian use of public transportation.

Transitional buffer zone means a natural or planted buffer area between two different land uses which is intended to provide protection between said land uses and which meets the criteria for said buffer specified in article V of this chapter.

Transitional height plane means a geometric plane that establishes the maximum permitted height of a building in a district that allows a greater density than that of an adjoining lower-density residential district. The transitional height plane shall begin at a point 35 feet above setback or transitional buffer line, whichever is furthest from the property line, then extend at an upward angle of 45 degrees over the lot of the building.

Figure 9.11. Transitional Height Plane



Transitional housing facility means a building or buildings in which is provided long-term but no permanent living accommodations for more than six persons who have no permanent residence and are in need of long-term housing assistance. Compare with *Homeless shelter*.

Transparent material means any material which allows light to be transmitted and objects to be seen clearly and with definition.

Transportation equipment and storage or maintenance (vehicle) means any building, premises or land in which or upon which is the storage or maintenance of motor freight vehicles or equipment, without services provided, such as those provided by a truck stop. Compare with *truck terminal*.

Tree means any living, self-supporting, woody perennial plant which has a trunk caliper of two inches or more measured at a point six inches above the ground and which normally attains a height of at least ten feet at maturity usually with one main stem or trunk and many branches.

Tree canopy means the area directly beneath the crown and within the outermost edges of the branches and leaves of a tree.

Truck stop means any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into such commercial vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may also include overnight accommodations and restaurant facilities primarily for the use of truck crews.

Truck terminal means an area and building where vehicles load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Turnaround means a space, as in a driveway, permitting the turning around of a vehicle.

Two-part commercial block style means a building of two stories or greater in height that has a flat roof and is characterized by a horizontal division of the building facade into two distinct zones. These zones may be similar in design but shall be clearly separated from one another. The ground floor level of the building shall contain fenestration equal to 75 percent of the width of the front facade of the building.

Universal barrier means a type of root barrier for street trees.

Understory tree means a deciduous or evergreen tree which attains a mature height of no greater than 30 feet.

University. See *College*.

Urban garden means a lot, or any portion thereof, managed and maintained by a person or group of persons, for growing and harvesting, farming, community gardening, community-supported agriculture, or any other use, which contributes to the production of agricultural, floricultural, or horticultural products for beautification, education, recreation, community or personal use, consumption, sale, or donation. An urban garden may be a principal or accessory use on lots including, but not limited to, those owned by individuals, non-profit organizations, and public or private institutions like universities, colleges, school districts, hospitals, and faith communities. The term "urban garden" excludes gardens accessory to an individual's residence.

Usable open space. See *Open space, usable*.

Usable satellite signals means satellite signals from all major communications satellites that, when viewed on a conventional television set, are at least equal in picture quality to those received from local commercial television stations by way of cable television.

Use means the purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Used part dealer means the business of providing services for the purchase and selling of used vehicles parts.

Utility means any public or private agency that provides for the generation, transmission or distribution of electricity, gas, water, stormwater, wastewater, communication, transportation, or other similar service, excluding those utilities that are public uses.

Valet. See *Parking, valet*.

Value added products means prepared farm products such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee, smoked or canned meats or fish, sausages, or other prepared foods.

Van service means a commercial or not-for-profit service in which the provider offers transportation service to clients from their home to another destination, such as a medical service facility or other destination.

Vape shop means a retail business substantially engaged in the retail sales of vape products. This includes but is not limited to electronic smoking devices, component parts or e-liquid. For the purpose of this definition, substantially engaged means one or more of the following conditions are met:

- (1) Ten percent or more of the retail stock in trade consists of the subject products, as measured by the number of individual items available for purchase at any given time;
- (2) Ten percent or more of the value of gross sales receipts for any day that the entity is open is derived from the sale of subject products;
- (3) The subject products make up ten percent or more of the retail value of the retail stock in trade; or
- (4) Ten percent or more of the establishment's floor area is devoted to the marketing of the subject products.

Variance means permission to depart from the requirements of this chapter pursuant to the requirements of article VII of this chapter.

Vehicle storage yard means a building or land that is used principally for long-term parking of any class of passenger or non-passenger vehicles, including, but not limited to, automobile fleets associated with commercial business, delivery trucks or other commercial vehicles, or associated with government operations such as school buses, postal delivery trucks, or sanitation trucks. The term "vehicle storage yard" includes off-site parking of commercial vehicles such as those used in light or heavy landscaping or construction, but does not include transportation vehicle such as semi-tractor trailers. A vehicle storage yard may include minor repair of the vehicles as an accessory use. Compare with *Auto recovery and storage*.

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Vehicle trip means a vehicular movement either to or from the subject property by any vehicle used in a home occupation, any vehicle associated with a home occupation, or any customer or client vehicle.

Vehicular use area means any portion of a site or a property, paved or unpaved, designed to receive or accommodate vehicular traffic, including the driving, parking, temporary storage, loading, or unloading of any vehicle.

Veterinary clinic. See *Animal hospital*.

Videotape sales and rental store means an establishment primarily engaged in the retail rental or lease of video tapes, films, CD-ROMs, laser discs, electronic games, cassettes, or other electronic media. Sales of film, video tapes, laser discs, CD-ROMs, and electronic merchandise associated with VCRs, video cameras and electronic games are permitted accessory uses.

Viewshed means the total visible area from an identified observation position or positions.

Village center means the central shopping or gathering place within a traditional neighborhood which contains commercial uses and open space and which may contain public space.

Wall means a structure used as a solid retaining, screening, or security barrier constructed of materials including brick, stone, concrete, concrete block, ceramic tile or other aggregate materials and other such materials.

Wall plane means an area of a wall between a wall offset and another wall offset or a corner.

Waste to energy facility means a solid waste handling facility that provides for the extraction and utilization of energy from county solid waste through a process of combustion.

Weekday means the time period of the week that begins at 7:00 a.m. on each Monday and ends at 6:00 p.m. on each Friday.

Weekend means the time period of each week that begins at 6:00 p.m. on each Friday and ends at 7:00 a.m. on each Monday.

Wetlands means an area of land meeting the definition of "wetlands" set forth in 33 CFR 328.3(b), as amended, and that is subject to federal, state or local regulations governing land meeting that definition.

Wind turbine means a turbine, a rotating machine which mounted on a tower, is used to capture energy from the wind to produce electricity.

Wine means any alcoholic beverage not more than 24 percent by volume made for fruits and berries or grapes either by natural fermentation or by natural fermentation with brandy added. The term "wine" includes, but is not limited to, all sparkling wines, champagne, and combinations of such beverages, vermouths, special natural wines, rectified wines and like products. Such establishment may include (sell) tastings as an accessory use.

Workforce housing means for-sale housing that is affordable to those households earning 80 percent of median household income for the Atlanta Metropolitan Statistical Area (MSA) as determined by the current fiscal year HUD income limit table at the time the building is built.

Xeriscape means a landscape designed and maintained with the principles that promote good horticultural practices and efficient use of water and is characterized by the use of vegetation that is drought-tolerant or of low water use in character.

Yard means that area of a lot between the principal building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

Yard, corner side, means an open-space area of a corner lot between the exterior side lot line and the required exterior side building setback line, extending between the front building setback line and the rear building setback line. Side corner yards have the same regulations and restrictions as front yards.

Yard, front, means an area extending across the total width of a lot between the front lot line and the building. With respect to limitations within the front yard, there can only be one front yard.

Yard, interior side, means a yard extending between the front and rear yards and being that area between the side lot line, where the side lot line is coincidental with the side or rear lot line of an adjacent lot, and that line or lines established by the side wall or walls of the principal structure.

Yard, rear, means a yard extending across the total width of a lot between side lot lines and being that area between the rear lot line and that line or lines established by the rear wall or walls of the principal structure projected to intersect the side lot lines.

Yard, side, means a yard extending between the front and rear yards and being that area between the side lot lines and the principal structure.

Yard sale means the temporary residential sale of tangible personal property, such as but not limited to, household items, clothing, tools, toys, recreational equipment, or other used or secondhand items normally found in and about the home. The term "yard sale" includes the terms estate sale, if held outside, garage sale, basement sale, carport sale, moving sale, or rummage sale. This temporary use may be conducted by an individual, multiple persons, churches, social civic or charitable organizations, a neighborhood group, church or civic association.

Zoning decision means final legislative action by a local government which results in:

- (1) The adoption of a zoning ordinance;
- (2) The adoption of an amendment to a zoning ordinance which changes the text of the zoning ordinance;
- (3) The adoption of any amendment to a zoning ordinance which rezones the property from one zoning classification to another;
- (4) The adoption of an amendment to a zoning ordinance by a municipal local government which zones property to be annexed into the municipality;
- (5) The grant of a permit relating to a special use of property, as defined in O.C.G.A. § 36-66-3, and as may hereafter be amended by state law; or
- (6) Denial of the aforementioned ordinances or permits.

Zero lot line means when location of a building in such manner that one or more of building's exterior wall is allowed to rest directly on the lot line or property boundary.

(Ord. No. 2016-06-07, att. (9.1.3), 7-11-2016; Ord. No. 2016-07-16, att. (9.1.3), 9-1-2016; Ord. No. 2016-10-37, att. (9.1.3), 11-14-2016; Ord. No. 2017-03-57, § 7, 3-27-2017; Ord. No. O2017-09-76, exh. A(9.1.3), 10-9-2017; Ord. No. O2018-03-7, exh. A(9.1.3), 4-9-2018; Ord. No. 2018-12-40, 1-14-2019; Ord. No. O2019-04-15, exh. A(art. 9), 6-26-2019; Ord. No. O2020-03-07, exh. A, 3-23-2020; Ord. No. O2021-03-05, Exh. A, 4-12-2021)



MEMO

To: Honorable Mayor and City Council Members
From: Courtney Smith, Planning and Zoning Director
CC: Tami Hanlin, City Manager
Date: October 6, 2021
RE: SLUP-21-0004 to allow a drive-through restaurant with three concurrent variances for inter-parcel access, setbacks, and drive-through location

Issue:

The applicant, Chick-fil-A, Inc., is requesting a Special Land Use Permit (SLUP) with three concurrent variances for the property located at 4435 Hugh Howell Road, for a restaurant with a drive-through configuration. The subject property is 2.05 acres and is developed with a single structure, previously occupied by The Greater Good BBQ.

Recommendation:

Staff recommends APPROVAL of Land Use Petition SLUP-21-0004, DENIAL of CV-21-0002, DENIAL of CV-21-0003, and APPROVAL of CV-21-0004, subject to the conditions in the staff report.

At its September 17, 2021 public hearing, the Planning Commission recommends APPROVAL WITH CONDITIONS of SLUP-21-0004, DENIAL of CV-21-0002, DENIAL of CV-21-0003, and APPROVAL of CV-21-0004 subject to the amended staff conditions in the staff report.

Background:

The subject property is located at the southwestern intersection of Hugh Howell and Rosser Terrace, across from 'The Centre on Hugh Howell' shopping center. The subject property is zoned DT-2 (Downtown Corridor Zone), which allows restaurants without drive-throughs by right, however restaurants with a drive-through configuration require a SLUP.

The applicant is requesting relief from the requirement prohibiting drive-through facilities between the public street and building (CV-21-0002), relief from the maximum building setback along Rosser Terrace (CV-21-0003), and relief from the requirement to provide inter-parcel access (CV-21-0004). The proposed drive-through restaurant will be a relocation of the existing Chick-fil-A, which is currently located at 4340 Hugh Howell Road. The applicant is proposing a relocation to a larger site that provides adequate space for Chick-fil-A's new design standards for drive-through facilities.

The applicant is proposing removing the existing buildings and billboard and constructing a new ±4,978-square foot restaurant with three lanes, two drive-through lanes and one bypass lane, as well as order and pick up canopies. The proposed restaurant will be located in the northeastern corner of the parcel. The submitted site plan shows that the proposed drive-through lanes would be constructed in front of the building. Pursuant to Section 46-1166, supplemental regulations for restaurants with drive-through facilities, drive-through lanes shall be located to the side or rear of the building. The applicant is asking for a variance for this requirement (CV-21-0002).

The submitted site plan shows 62 proposed parking spaces, which meets the minimum off-street parking requirements for

restaurants with seating for patrons of one space per 250 sq.ft. of floor area. The site plan also allows room for 32 stacking spaces across the two drive-through lanes. The existing Chick-fil-A at 4340 Hugh Howell Road has stacking for 18 vehicles and the existing Chick-fil-A at 4071 Lavista has stacking for 17 spaces. While our code only requires stacking for 10 vehicles, Chick-fil-A generates more traffic than the majority of other drive-through facilities. The peak stacking for Chick-fil-A during COVID has averaged around 20-25 cars. Pre-COVID stacking numbers were closer to 18-20.

Summary:

While the proposed use is not completely consistent with the Downtown Character Area, staff does not believe this use would cause a disproportionate proliferation of drive-through facilities, as the proposed Chick-fil-A would be a relocation of an existing Chick-fil-A located just north of the subject property. Potential impacts can be mitigated by transportation improvements and the adherence of the 50' transitional buffer.

Financial Impact: None



Land Use Petitions: SLUP-21-0004, CV-21-0002, CV-21-0003, & CV-21-0004

Date of Staff Recommendation Preparation: August 23, 2021

Planning Commission: September 16, 2021

Mayor and City Council, 1st Read: October 12, 2021

Mayor and City Council, 2nd Read: November 8, 2021

PROJECT LOCATION:	4435 Hugh Howell Road
DISTRICT/LANDLOT(S):	18 th District, Land Lot 214
ACREAGE:	±2.05
EXISTING ZONING	DT-2 (Downtown Corridor Zone)
EXISTING LAND USE	Former Restaurant
CURRENT FUTURE LAND USE DESIGNATION:	Downtown
OVERLAY DISTRICT:	N/A
APPLICANT:	Chick-fil-A, Inc. c/o Jennifer Santelli
OWNER:	John Poulakis
PROPOSED DEVELOPMENT:	SLUP to allow a drive-through restaurant with three concurrent variances for inter-parcel access, setbacks, and drive-through location
STAFF RECOMMENDATION:	APPROVAL with conditions of SLUP-21-0004 (restaurant with drive-through) DENIAL of CV-21-0002 (drive-through locational requirements) DENIAL of CV-21-0003 (setback requirements) APPROVAL of CV-21-0004 (inter-parcel access requirements)

BACKGROUND

The applicant, Chick-fil-A, Inc., is requesting a Special Land Use Permit (SLUP) with three concurrent variances for the property located at 4435 Hugh Howell Road, for a restaurant with a drive-through configuration. The subject property is 2.05 acres and is developed with a single structure, previously occupied by The Greater Good BBQ.

PROJECT DATA

The subject property is located at the southwestern intersection of Hugh Howell and Rosser Terrace, across from 'The Centre on Hugh Howell' shopping center. The subject property is zoned DT-2 (Downtown Corridor Zone), which allows restaurants without drive-throughs by right, however restaurants with a drive-through configuration require a SLUP.

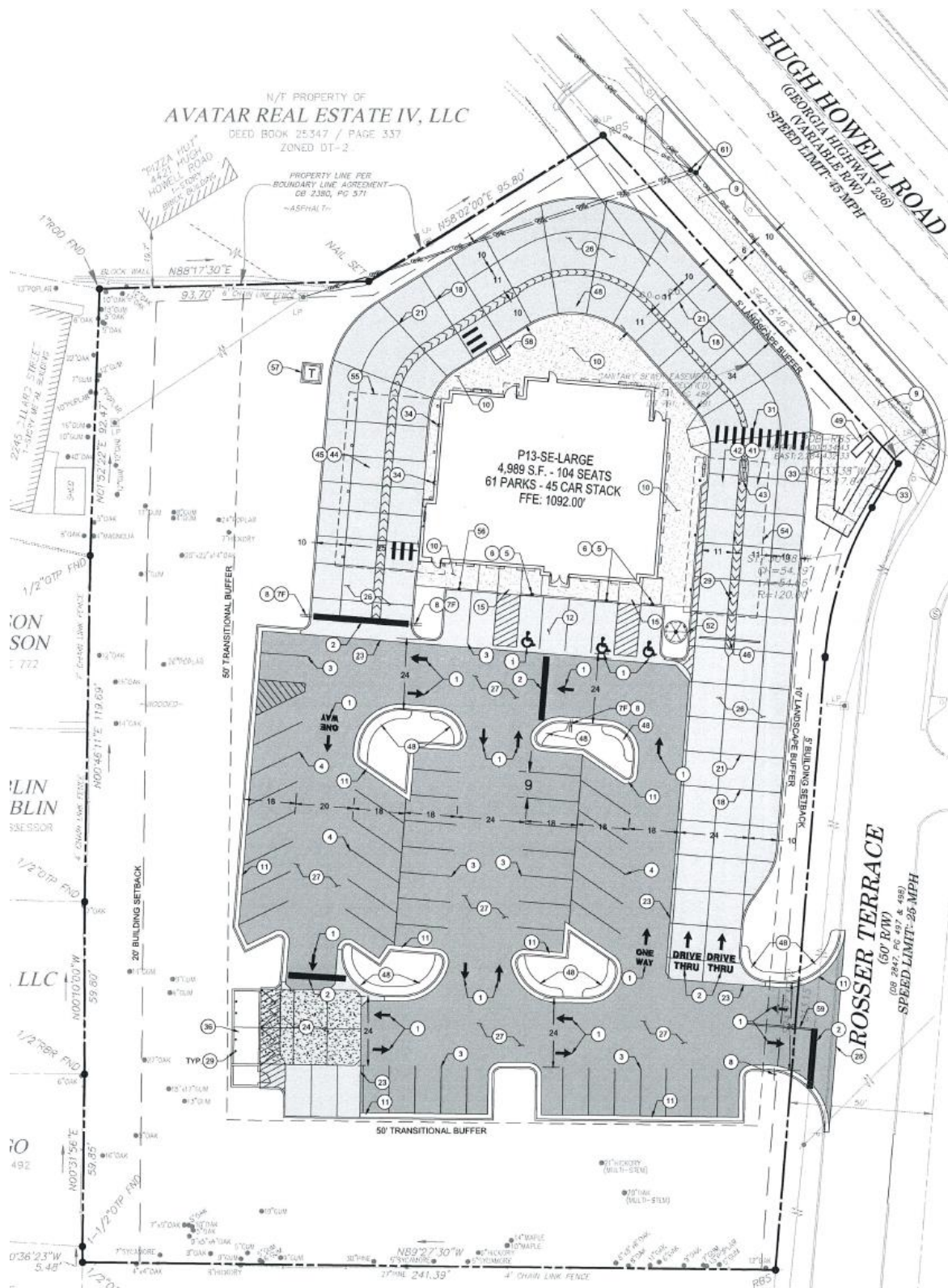
The applicant is requesting relief from the requirement prohibiting drive-through facilities between the public street and building (CV-21-0002), relief from the maximum building setback along Rosser Terrace (CV-21-0003), and relief from the requirement to provide inter-parcel access (CV-21-0004). The proposed drive-through restaurant will be a relocation of the existing Chick-fil-A, which is currently located at 4340 Hugh Howell Road. The applicant is proposing a relocation to a larger site that provides adequate space for Chick-fil-A's new design standards for drive-through facilities.

The applicant is proposing removing the existing buildings and billboard and constructing a new ±4,978-square foot restaurant with three lanes, two drive-through lanes and one bypass lane, as well as order and pick up canopies. The proposed restaurant will be located in the northeastern corner of the parcel. The submitted site plan shows that the proposed drive-through lanes would be constructed in front of the building. Pursuant to Section 46-1166, supplemental regulations for restaurants with drive-through facilities, drive-through lanes shall be located to the side or rear of the building. The applicant is asking for a variance for this requirement (CV-21-0002).

The submitted site plan shows 62 proposed parking spaces, which meets the minimum off-street parking requirements for restaurants with seating for patrons of one space per 250 sq.ft. of floor area. The site plan also allows room for 32 stacking spaces across the two drive-through lanes. The existing Chick-fil-A at 4340 Hugh Howell Road has stacking for 18 vehicles and the existing Chick-fil-A at 4071 Lavista has stacking for 17 spaces. While our code only requires stacking for 10 vehicles, Chick-fil-A generates more traffic than the majority of other drive-through facilities. The peak stacking for Chick-fil-A during COVID has averaged around 20-25 cars. Pre-COVID stacking numbers were closer to 18-20.

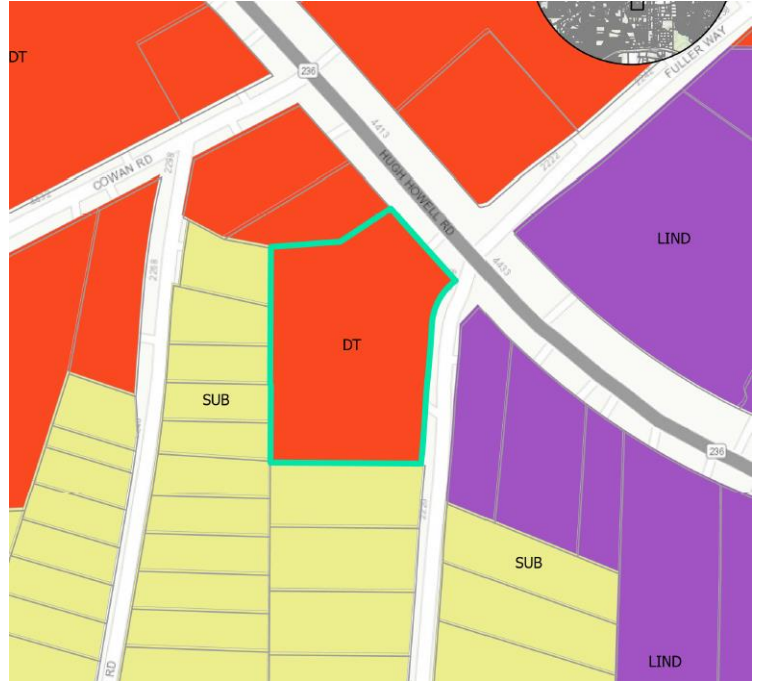
The Downtown Tucker Zoning Districts transitional buffer regulations require that any DT district adjoining an RE, RLG, R-100, R-85, R-75, or R-60 district, must have a 50-foot transitional buffer zone. The subject property abuts residentially zoned properties to the south and west and the site plan shows the proposed 50-foot buffers along the property lines will be maintained.

The site plan also shows a 6-foot sidewalk and 5-foot landscape strip along Hugh Howell Road, which complies with the regulations in *Section 46-994 Streets and sidewalks* for the Downtown Tucker Zoning Districts. These improvements are not shown along Rosser Terrace but are required by code.



CHARACTER AREA (Future Land Use)

The subject property is located within the Downtown Character Area on the future land use map. Character Areas are generally used as a visioning guide for an area that identifies items such as primary land uses, development strategies, and design considerations. Character Areas speak to the adopted vision of the community as it continues to grow and develop over time. The Downtown Character Area encourages the following commercial land uses: various residential uses, retail and service commercial, office, vertical mixed use, incubator start-ups and shared tenant spaces, and civic uses. One of the development strategies of the Downtown Character Area is to “encourage new development and redevelopment that preserves downtown’s special small-town qualities, keeps Main Street wide and open, and is designed to complement the size and style of Tucker’s older buildings.” Staff finds the special land use request for a drive-through is not consistent with the comprehensive plan, however, it will not cause a disproportionate proliferation of drive throughs in the Downtown Character Area, as the proposed development would be a relocation of an existing Chick-fil-A northwest of the subject property.



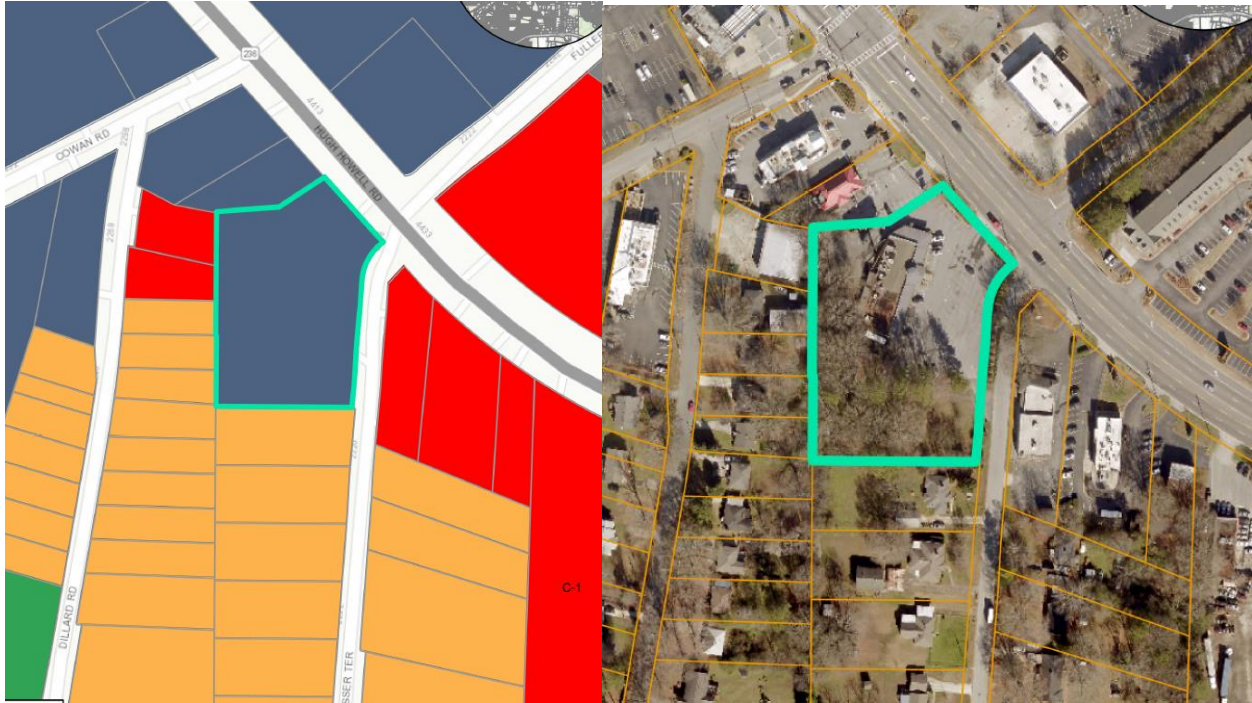
PUBLIC PARTICIPATION PLAN REPORT

The applicant hosted a community meeting at the subject property on May 25, 2021 after mailing a letter and site plan explaining the proposed project to all property owners within 500 feet of the subject parcel. There were 25 people in attendance including the applicant, owner, representatives of Chick-fil-A, and community members. The applicant’s report listed concerns and questions regarding traffic, access, trash, a traffic signal, speed bumps, and Rosser Terrace being a cut through to Hwy 78. It does not appear that any changes were made to the site plan as a result of the Public Participation Meeting.

NEARBY/SURROUNDING LAND ANALYSIS & ZONING

Adjacent & Surrounding Properties	Zoning (Petition Number)	Existing Land Use
Nearby: North	DT-2 (Downtown Corridor Zone)	Tucker Plaza Shopping Center
Adjacent: Northwest	DT-2 (Downtown Corridor Zone)	Drive-through Zaxby’s and empty commercial space (formerly Pizza Hut)
Adjacent: South	R-75	Single-family detached homes

Adjacent: East (across Rosser Terrace)	C-1 (Local Commercial)	Commercial & drive-through Wendy's
Adjacent: West	C-1 (Local Commercial) ; and R-75 (Residential Medium Lot – 75)	Commercial and residential single- family detached homes



Zoning and Aerial Exhibits showing surrounding land uses.

SLUP-21-0004: Restaurant with drive through

CRITERIA TO BE APPLIED – SPECIAL LAND USE PERMIT

Criteria (standards and factors) for special land use decisions are provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff's findings which are independent of the applicant's responses to these criteria.

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The subject site is approximately 2.05 acres. The applicant meets the requirements for transitional buffers and off-street parking based on the submitted site plan. Additionally, the applicant meets the required 20-foot rear setback; however, they are seeking a variance for the required side corner setback along Rosser Terrace. While the applicant is requesting three concurrent variances, none are a direct impact of the size of the site.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed development is compatible with the commercial land uses and commercial development of adjacent properties as there are two other drive-through restaurants within 500 feet of the subject property, however, it is not compatible with the adjacent residential zoning to the west and south. The 50' transitional buffer helps to minimize the impact to these residential properties.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

Schools. There will be no impact on public school facilities.

Stormwater management. No comments.

Water and sewer. No comments. Sewer capacity approval has already been obtained for this project.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The project site is located at the southwestern intersection of Hugh Howell Road and Rosser Terrace. Hugh Howell, a major arterial road, has four travel lanes and a center turn lane. Rosser Terrace is a two-lane local road. The applicant provided a Traffic Impact Study that was conducted in June 2021. The study found that the site would benefit from a right turn lane from northbound Rosser Terrace onto eastbound Hugh Howell Road. While the Traffic Impact Study recommended this additional right turn lane, it has not shown on the submitted site plan and could impact the property at 4445 Hugh Howell. The curb cut for the proposed drive-through facility has been placed on Rosser Terrace to minimize impact to a major arterial as the consolidation of curb cuts on major roads helps to reduce potential traffic accidents.

While the drive-through lanes begin immediately to the north when you enter the site, stacking for 32 cars has been provided across two lanes which should limit any cars queuing on Rosser Terrace. The addition of a deceleration lane would also limit any impact to vehicles traveling Rosser Terrace.

A traffic signal at the intersection of Hugh Howell and Rosser Terrace would not be permitted by GDOT due to the close proximity of the signal at Hugh Howell and Cowan Road.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

The subject property abuts residential lots along the southern and western property lines. During their neighborhood meeting, residents who live along Rosser Terrace expressed concern that the

introduction of a Chick-fil-A would increase the traffic queue to turn onto Hugh Howell Road from Rosser Terrace. The applicant conducted a traffic study that found the addition of a right turn lane from northbound Rosser Terrace on to eastbound Hugh Howell Road would help mitigate some of the traffic. The study also found that the intersection of Hugh Howell Road and Rosser Terrace would experience an overall increase in delay, even with the addition of the right turn lane.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

There is one full access curb cut being proposed on Rosser Terrace. The City Engineer has reviewed the site plan and suggested the developer construct a southbound deceleration lane on Rosser Terrace at the new entrance. The applicant is requesting a concurrent variance for relief from the requirement to have inter-parcel access due to the limited options for connectivity from the shape of the parcel at the north and the residential uses to the west and south. The submitted site plan shows that the only pedestrian access being provided is from an ADA ramp that connects to the proposed sidewalk on Rosser Terrace. A sidewalk on Rosser Terrace will be required for the proposed development to meet the districts streetscape dimensional requirements. Dekalb Fire Department has no comments for the proposed project.

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed development will not generate excessive noise, nor will it emit smoke, odor, dust or vibration. The proposed use includes a restaurant with a drive-through facility. No adverse impacts by reason of noise, smoke, odor, dust, or vibration are anticipated. The ordering canopy and pick up canopy are located at the north of the site, away from the residential properties.

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The application states the restaurant will operate Monday through Saturday from 6 AM – 10 PM. The hours of operation are consistent with the other commercial uses along Hugh Howell.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

If developed in accordance with the recommended conditions, including transportation improvements, land uses along Rosser Terrace and Hugh Howell Road will not be adversely affected by the manner or operation of the development.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The drive-through restaurant does not specifically comply with the downtown zoning district classification, as it does not add to the Main Street atmosphere, create a dynamic development, or add to the walkability of the area. However, it should be noted that this is the relocation of an existing Chick-fil-A, also located in the DT-2 zoning classification, rather than a new fast-food restaurant with a drive-through configuration. The proposed location is located on the far east edge of the Downtown Districts.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.

The proposed development is not consistent with the adopted comprehensive plan. The subject property is designated Downtown on the Future Land Use Map. Downtown primary land uses include retail and service commercial uses provided to the community. The Comprehensive Plan primary land uses are silent on specifics such as drive-throughs. The proposed drive-through does not comply with all of the relevant development strategy and design considerations as it does not preserve the downtown's special small-town qualities, complement the style of Tucker's older buildings, transform parking, or promote walkability. It should be noted that although this use is not specifically referenced in the Comprehensive Plan, the proposed development would be a relocation of an existing Chick-fil-A with a drive-through configuration that is also designated Downtown on the Future Land Use Map.

L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

The submitted site plan shows the existing 50-foot transitional buffers along the southern and western property lines, adjacent to residentially zoned properties, as being maintained.

M. Whether or not there is adequate provision of refuse and service areas.

The site plan shows a proposed dumpster and its enclosure in the southwestern corner of the parking lot, at the rear of the site. Section 46-1339 requires all dumpster must be screened from view on all four sides so as to not be visible from adjacent properties and the public street.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

Staff does not recommend any limits on the length of time of the special land use permit (if granted), so long as the applicant obtains all local licensing requirements including compliance with approved conditions and annual occupational tax certificate renewal.

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

It is staff's opinion that the building size, mass, and scale will be appropriate in relation to surrounding land uses.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed site is not near any historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The applicant does not meet all of the requirements in the supplemental regulations, Sec. 46-1166 - Drive-through facility restaurant, as shown below.

Restaurants with drive-through services shall meet the following requirements:

- A. Drive-through facilities shall not be located within sixty (60) feet of a residentially zoned property, as measured from any menu or speaker box to the property line of adjacent residential property.**

Although the property abuts residentially zoned properties, the drive-through facilities are not located within sixty feet of them.

- B. No drive-through facility shall be located on a property less than ten thousand (10,000) square feet in area. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in Article 6.**

The property is ± 2.05 acres. There is stacking for approximately 32 cars in the queue, which complies with Article 6 of the Zoning Ordinance.

- C. Drive-through lanes and service windows shall be located to the side or rear of buildings. If on a corner lot, only the pickup window may be located on the side between the principal structure and a public street.**

The subject property is a corner lot, with frontage along Rosser Terrace and Hugh Howell Road. The submitted site plan shows the proposed drive-through lanes along both streets and located in front of the building. A requirement of a drive-through facility is that its lanes and service windows should be located to the side or rear of the building. While corner lots may have the pickup window located on the side of the building, between the principal structure and a public street, the proposal is for the menu/ordering canopy and drive through lanes to be located between the building and the public street. A concurrent variance has been requested.

- D. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.**

A full review to ensure compliance of the drive-through canopy, building, and other structures will be conducted by staff when building permits are submitted.

- E. Speaker boxes shall be pointed away from adjacent residential properties. Speaker boxes shall not play music but shall only be used for communication for placing orders.**

The speaker box is pointed towards Rosser Terrace, away from adjacent residential properties. A full review to ensure compliance of the drive-through speaker box(es) will be conducted by staff when building permits and sign permits are submitted.

- F. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten (10) feet wide and twenty-five (25) feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the “pick-up” window).**

The proposed stacking spaces appear to be in compliance.

- G. Financial institutions with drive-through windows, car washes (automated or staffed facilities), drive-through coffee sales facilities, and any other uses with drive-through facilities with the exception of restaurants with drive-through facilities, shall provide three stacking spaces for each window or drive-through service facility.**

Not applicable.

- H. Restaurants with drive-through facilities shall provide ten (10) stacking spaces per lane for each window or drive-through service facility.**

The application is in compliance. 32 stacking spaces are provided.

- I. The following general standards shall apply to all stacking spaces and drive-through facilities:**

- a. Drive-through lanes shall not impede on and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.**

The drive-through lanes being located in front of the building creates a potentially unsafe condition for pedestrians. The site plan illustrates an ADA ramp that gives pedestrians access from the sidewalk on Hugh Howell Road to the building’s front entrance. Pedestrians will have to cross three lanes of traffic in order to reach the building.

- b. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.**

The application is in compliance.

- c. All drive-through facilities shall include a bypass lane with a minimum width of ten (10) feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.**

The application is in compliance.

- J. Drive-through lanes must be set back five (5) feet from all lot lines and roadway right-of-way lines.**

The application is in compliance.

R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use will not produce an adverse shadow effect.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed development will be a relocation of the existing Chick-fil-A, located at 4340 Hugh Howell Road. The applicant has stated the current location will close when the proposed Chick-fil-A (4435 Hugh Howell Road) opens. The proposed use will not increase the number restaurants with drive-through configurations being offered in the vicinity, however, there are three other drive-through facilities in the area. Zaxby's is located approximately 90' to the northwest; Wendy's is located approximately 135' to the southeast; and Cook Out is located approximately 535' to the southeast. The applicant has stated the existing Chick-fil-A at 4340 Hugh Howell will be demolished if this SLUP is approved, resulting in no net increase in drive-through facilities.

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

Downtown Character Area. While the proposal is in conflict with the intent of the Downtown Character Area to create a more walkable downtown core and enhance downtown's special small-town qualities, it does comply with the other standards as this is the relocation of an existing drive-through facility and thus would not be in conflict with the strategies of the Downtown Character Area to encourage redevelopment.

CONCLUSION

While the proposed use is not completely consistent with the Downtown Character Area, staff does not believe this use would cause a disproportionate proliferation of drive-through facilities, as the proposed Chick-fil-A would be a relocation of an existing Chick-fil-A located just north of the subject property. Potential impacts can be mitigated by transportation improvements and the adherence of the 50' transitional buffer.

CONCURRENT VARIANCE (CV-21-0002) – LOCATIONAL REQUIREMENTS

The City of Tucker Zoning Ordinance includes Supplemental Regulations for restaurants with drive-through facilities. Section 46-1166(3) states "drive-through lanes and service windows shall be located to the side or rear of buildings. If on a corner lot, only the pickup window may be located on the side between the principal structure and a public street." The site plan shows the menu/ordering canopy between the building and Rosser Terrace and the drive-through lanes are located between the building

and Hugh Howell. **A concurrent variance has been requested to allow a drive-through facility to be located between two public streets and the building.**

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance.

CRITERIA TO BE APPLIED – CONCURRENT VARIANCE

- 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slopes), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

While the subject property is not unusual in size, narrowness, or shallowness, it is somewhat unusual in shape. Development options are limited with the corner lot and the high number of stacking spaces required by Chick-fil-A. The applicant has made modifications to their standard menu/ordering canopy to improve aesthetics along the frontage.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

The requested variance does go beyond the minimum necessary to afford relief by allowing the drive-through to be located in front of the building. The other drive-through restaurants located along Hugh Howell, including the existing Chick-fil-A at 4340 Hugh Howell Road, have their drive-through facilities located on the side and rear of the buildings. Section 46-1166 (3) states that drive-through lanes and service windows shall be located to the side or rear of the buildings.

- 3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**

The granting of the variance may be detrimental to the public welfare, per Section 46-1166(9)a which states, “drive-through lanes shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.” S

- 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**

The literal interpretation and strict application of the applicable provisions or requirements of this chapter would not cause undue and unnecessary hardship as there is space to locate the drive-through lanes behind the building, however, it would push the building back away from Hugh Howell which is not in line with the Downtown Zoning District.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.

The proposed variance would not be in line with the Downtown Character Area's intent to promote walkability with design elements that privilege pedestrian and bicyclist over the automobile and incentivize new walkway connectivity. The proposed location of the drive-through in front of the building does not privilege pedestrians and bicyclists over the automobile. The submitted site plan shows only one pedestrian access from Hugh Howell Road. Pedestrians would then have to cross three lanes to enter the building. However, the installation of streetscape requirements along both frontages does improve pedestrian elements within the city.

Conclusion: Staff recommends **DENIAL of CV-19-0002.**

CONCURRENT VARIANCE (CV-21-0003) – SETBACK REQUIREMENTS

The City of Tucker Zoning Ordinance includes dimensional requirements for the Downtown Districts which includes a 5' minimum setback/no maximum setback along Hugh Howell and a 0' minimum/20' maximum along Rosser Terrace. Section 46-986 *Dimensional requirements* for Downtown Districts explains that a maximum front setback can be increased when an open space, such as a park or plaza, is provided between the respective building and the adjacent street. The applicant's submitted site plan does not meet this provision for an increased setback.

A concurrent variance has been requested to increase the maximum building setbacks along Rosser Terrace to 65'.

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance.

CRITERIA TO BE APPLIED – CONCURRENT VARIANCE

- 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slopes), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

While the subject property is not unusual in size, narrowness, or shallowness, it is somewhat unusual in shape; however, the parcel could be developed with the building pushed closer to Rosser Terrace. The need for two drive-through lanes and a by-pass lane pushes the building past the 20' maximum front building setback along Rosser Terrace.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

The requested variance does not go beyond the minimum necessary to afford relief by allowing the proposed restaurant to be setback more than the maximum along Rosser Terrace as the applicant is only asking to increase the maximum setback to 65’.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

The granting of the variance may be detrimental to improvements in the zoning district. The Downtown Character Area encourages developments be built closer to the street to create a better pedestrian experience. The applicant is asking for this variance in order to place drive-through lanes between the building and Rosser Terrace. This creates a potential unsafe condition for pedestrians.

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.

The literal interpretation and strict application of the applicable provisions or requirements of this chapter would not cause undue and unnecessary hardship as Section 46-986 states that when a maximum front setback applies it may be increased when an open space, such as park or plaza, is provided between the respective building and the adjacent street. The applicant is requesting to increase the maximum setback in order to locate drive-through lanes between the building and street. It should be noted that there is no setback maximum for Hugh Howell Road.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.

The intent for the Downtown Character Area of the Comprehensive Plan is to encourage greater density, including allowances for zero-lot line development for both commercial and residential uses. The design considerations for the Downtown Character Area encourage buildings to be closer to street frontage and require parking in the rear. While the proposed site plan meets the parking standards, the requested variance for increased setbacks would not be in line with the Comprehensive Plan.

Conclusion: Staff recommends **DENIAL of CV-19-0003.**

CONCURRENT VARIANCE (CV-21-0004) – REQUIRED INTER-PARCEL ACCESS

The City of Tucker Zoning Ordinance requires inter-parcel access for all new developments in the Downtown Tucker Zoning Districts. Section 46-989 (b) states “Inter-parcel access for vehicles between abutting and nearby properties must be provided so that access to individual properties can be achieved between abutting and nearby developments as an alternative to forcing all movement onto highways and public roads, unless the community development director during the land disturbance

permitting process determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among abutting or nearby sites, or due to inability after reasonable efforts by the property owner to obtain legal permission.” **A concurrent variance has been requested for relief from the requirement to provide inter-parcel access.**

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance.

CRITERIA TO BE APPLIED – CONCURRENT VARIANCE

- 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slopes), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

While the subject property is not unusual in size, narrowness, or shallowness, it is somewhat unusual in shape. Inter-parcel access to the west is not possible because of how the properties are developed with buildings at the rear. Connectivity to the northwest is challenged due to the shape and limited size of the parcel.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

The requested variance does not go beyond the minimum necessary to afford relief by allowing the parcel to be developed without inter-parcel access due to the challenges with the commercial properties to the northwest and west and the remaining residential properties.

- 3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**

The granting of the variance may be detrimental to the public welfare, as it will force all movements onto Hugh Howell and Rosser Terrace. However, transportation improvements such as a deceleration lane and right turn lane will help limit the impact.

- 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**

The literal interpretation and strict application of the applicable provisions or requirements of this chapter could cause undue and unnecessary hardship given the challenges with interparcel connectivity with the surrounding parcels.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.

While the spirit and purpose of the proposal may be consistent with much of the comprehensive plan text, the regulation regarding inter-parcel access is to allow access for vehicles between properties as an alternative to forcing all movement onto highways.

Conclusion: Staff recommends **APPROVAL** of CV-19-0004.

Staff Recommendation

Based on the findings and conclusions herein, Staff recommends **APPROVAL** of Land Use Petition **SLUP-21-0004**, **DENIAL** of **CV-21-0002**, **DENIAL** of **CV-21-0003**, and **APPROVAL** of **CV-21-0004**, subject to the following conditions.

1. The property should be developed in general conformance with the site plan submitted on August 9, 2021, with revisions to meet these conditions.
2. A landscape plan shall be submitted with the Land Disturbance Permit, subject to the review and approval of the Planning and Zoning Director.
3. A mix of trees, shrubs, and ground cover shall be planted in the landscape strip between the drive-through restaurant and both Hugh Howell Road and Rosser Terrace to screen the appearance of the drive-through lanes from the street.
4. The drive-through canopies, windows, and lanes shall comply with the requirements of Section 46-995 and Section 46-1166.
5. Outdoor dining shall meet the requirements outlined in Section 46-998.
6. The drive-through establishment shall close no later than 10:00 p.m.
7. The Special Land Use Permit shall not be able to be transferred to another business.
8. Owner/ Developer shall provide direct pedestrian entrances from Hugh Howell Road and Rosser Terrace. The required pedestrian entrances must face the public street and provide ingress and egress.
9. Owner/Developer shall remove the existing billboard located on the northwestern portion of the property.
10. Inter-parcel access is not required (CV-21-0004).
11. Owner/Developer shall install six foot (6') wide sidewalk with a five foot (5') wide landscape strip along the entire frontage of Rosser Terrace and Hugh Howell Road.
12. The development shall be limited to one (1) full access driveway on Rosser Terrace. Curb cut locations are subject the sight distance requirements and the approval of the City Engineer.
13. Owner/Developer shall construct a northbound right turn lane on Rosser Terrace at the intersection of Hugh Howell Road, subject to the approval of the City Engineer and the Georgia Department of Transportation.
14. Owner/Developer shall construct a southbound deceleration lane on Rosser Terrace at the new entrance, subject to the approval of the City Engineer.
15. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way as required to construct the above improvements and have a minimum of two feet (2') from the back of the future sidewalk.

16. Owner/Developer shall provide ADA compliant pedestrian connectivity between the sidewalks along both frontages and the building entrance.
17. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of thirty (30) units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree replacement units as required in the ordinance.
18. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.

PLANNING COMMISSION RECOMMENDATION

Based upon the findings and conclusions herein, at its September 17, 2021 public hearing, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of **SLUP-21-0004**, **DENIAL** of **CV-21-0002**,

DENIAL of **CV-21-0003**, and **APPROVAL** of **CV-21-0004** subject to the following amended staff conditions: (additions = **bold**; deletions = ~~strikethrough~~).

1. The property should be developed in general conformance with the site plan submitted on August 9, 2021, with revisions to meet these conditions.
2. A landscape plan shall be submitted with the Land Disturbance Permit, subject to the review and approval of the Planning and Zoning Director.
3. A mix of trees, shrubs, and ground cover shall be planted in the landscape strip between the drive-through restaurant and both Hugh Howell Road and Rosser Terrace to screen the appearance of the drive-through lanes from the street.
4. The drive-through canopies, windows, and lanes shall comply with the requirements of Section 46-995 and Section 46-1166.
5. Outdoor dining shall meet the requirements outlined in Section 46-998.
6. The drive-through establishment shall close no later than 10:00 p.m.
7. The Special Land Use Permit shall not be able to be transferred to another business.
8. Owner/ Developer shall provide direct pedestrian entrances from Hugh Howell Road and Rosser Terrace. The required pedestrian entrances must face the public street and provide ingress and egress.
9. Owner/Developer shall remove the existing billboard located on the northwestern portion of the property.
10. Inter-parcel access is not required (CV-21-0004).
11. Owner/Developer shall install six foot (6') wide sidewalk with a five foot (5') wide landscape strip along the entire frontage of Rosser Terrace and Hugh Howell Road.
12. The development shall be limited to one (1) full access driveway on Rosser Terrace. Curb cut locations are subject the sight distance requirements and the approval of the City Engineer.
13. Owner/Developer shall construct a northbound right turn lane on Rosser Terrace at the intersection of Hugh Howell Road, subject to the approval of the City Engineer and the Georgia Department of Transportation. **Further evaluation of transportation-traffic-safety features will be undertaken to provide additional guidelines with respect to the condition.**
14. Owner/Developer shall construct a southbound deceleration lane on Rosser Terrace at the new entrance, subject to the approval of the City Engineer. **Further evaluation of transportation-**

traffic-safety features will be undertaken to provide additional guidelines with respect to the condition.

15. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way as required to construct the above improvements and have a minimum of two feet (2') from the back of the future sidewalk.
16. Owner/Developer shall provide ADA compliant pedestrian connectivity between the sidewalks along both frontages and the building entrance.
17. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of thirty (30) units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree replacement units as required in the ordinance.
18. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.

DEPARTMENT COMMENTS

DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT

No comments. Sewer capacity approval has already been obtained for this project.

DEKALB COUNTY FIRE MARSHAL OFFICE

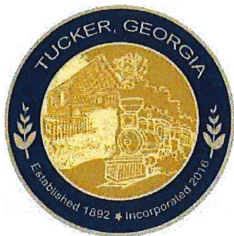
No comments.

DEKALB COUNTY SCHOOL SYSTEM

Not applicable.

CITY ENGINEER

1. The development shall be limited to one (1) full access driveway on Rosser Terrace. Curb cut locations are subject the sight distance requirements and the approval of the City Engineer.
2. Owner/Developer shall install a 5' sidewalk along the entire frontage of Rosser Terrace.
3. Owner/Developer shall construct a northbound right turn lane on Rosser Terrace at the intersection of Hugh Howell Road, subject to the approval of the City Engineer and the Georgia Department of Transportation.
4. Owner/Developer shall construct a southbound deceleration lane on Rosser Terrace at the new entrance, subject to the approval of the City Engineer.
5. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way as required to construct the above improvements and have a minimum of two feet (2') from the back of the future sidewalk.
6. Owner/Developer shall provide ADA compliant pedestrian connectivity between the sidewalks along both frontages and the building entrance.
7. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of thirty (30) units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree replacement units as required in the ordinance.
8. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
Email: permits@tuckerga.gov
Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☒ Special Land Use Permit
☒ Concurrent Variance ☐ Modification

APPLICANT INFORMATION

Applicant is the: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser

Name: **Chick-fil-A, Inc.**

Address: **5200 Buffington Road**

City: **Atlanta**

State: **GA**

Zip: **30349**

Contact Name: **Jennifer Santelli**

Phone: **770-324-5282**

Email: **jenn.santelli@cfacorp.com**

OWNER INFORMATION

Name: **John Poulakis**

Address: **1610 DeKalb Avenue**

City: **Atlanta**

State: **GA**

Zip: **30307**

Contact Name: **John Poulakis**

Phone: **404-536-7601**

Email: **cookiepoulakis@hotmail.com**

PROPERTY INFORMATION

Property Address: **4435 Hugh Howell Road Tucker, GA 30084**

Present Zoning District(s): **DT-2**

Requested Zoning District(s):

Present Land Use Category: **Downtown Corridor**

Requested Land Use Category:

Land District: **18**

Land Lot(s): **214**

Acreage: **2.05**

Proposed Development: **Chick-fil-A Restaurant**

Concurrent Variance(s): **N/A**

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units:

Dwelling Unit Size (Sq. Ft.):

Density:

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: **1**

Total Building Sq. Ft.: **4,989**

Density: **.056**

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AUG 09 2021

Community Development
Department

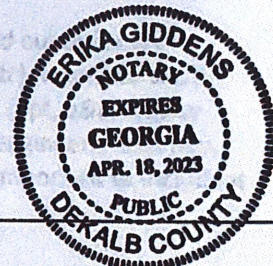
APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

J. Santelli August 5, 2021
Signature of Applicant (Date)

Jennifer Santelli, Principal Development Lead
Type or Print Name and Title

Erika Giddens August 5, 2021
Signature of Notary Public (Date) Notary Seal

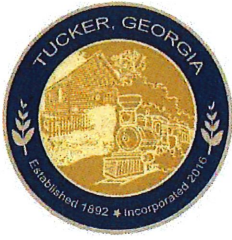


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City of Tucker

AUG 09 2021

Community Development
Department

LAND USE PETITION APPLICATION - REVISED JULY 15, 2020



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
Email: permits@tuckerga.gov
Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☒ Special Land Use Permit
☒ Concurrent Variance ☐ Modification

APPLICANT INFORMATION

Applicant is the: ☐ Property Owner ☐ Owner's Agent ☐ Contract Purchaser

Name: **Bowman Consulting**

Address: **950 North Point Parkway Suite 200**

City: **Alpharetta**

State: **GA**

Zip: **30005**

Contact Name: **Bridgette Ganter**

Phone: **(678) 606-5278**

Email: **bganter@bowman.com**

OWNER INFORMATION

Name: **John Poulakis**

Address: **1610 DeKalb Avenue**

City: **Atlanta**

State: **GA**

Zip: **30307**

Contact Name: **John Poulakis**

Phone: **404-536-7601**

Email: **cookiepoulakis@hotmail.com**

PROPERTY INFORMATION

Property Address: **4435 Hugh Howell Road Tucker, GA 30084**

Present Zoning District(s): **DT-2**

Requested Zoning District(s):

Present Land Use Category: **Downtown Corridor**

Requested Land Use Category:

Land District: **18**

Land Lot(s): **214**

Acreage: **2.05**

Proposed Development: **Chick-fil-A Restaurant**

Concurrent Variance(s): **N/A**

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units:

Dwelling Unit Size (Sq. Ft.):

Density:

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: **1**

Total Building Sq. Ft.: **4,989**

Density: **.056**

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APPLICANT'S CERTIFICATION

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Bridgett Ganker

8/13/21

Signature of Applicant

Date

Bridgett Ganker, Branch Manager

Type or Print Name and Title

Matthew Roberts

8-13-21

Signature of Notary Public

Date

Notary Seal

MATTHEW ROBERTS
NOTARY PUBLIC
Cherokee County
State of Georgia
My Comm. Expires July 29, 2022

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PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, John Poulakis, authorize, Chick-fil-A, Inc.
(Property Owner) (Applicant)

to file for SLUP, at 4435 Hugh Howell Road
(RZ, CA, SLUP, M, CV) (Address)

on this date 8, 11, 2021
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Signature of Property Owner

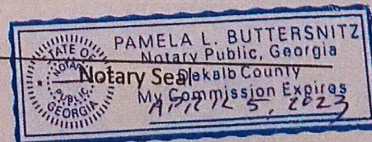
Date

John Poulakis

Type or Print Name and Title

Signature of Notary Public

Date



City of Tucker

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DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (if party to petition, complete sections 2, 3 and 4 below)
In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1.	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Jennifer Santelli

Signature: J. Santelli

Date: August 5, 2021 RECEIVED
City of Tucker

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

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In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

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4.	8.

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Name (print) Bridgette Ganter

Signature: Bridgette Ganter

Date: 8/13/21

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DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (if party to petition, complete sections 2, 3 and 4 below)

In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

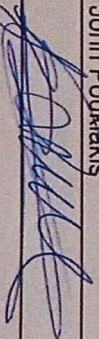
- 1. _____ 5. _____
- 2. _____ 6. _____
- 3. _____ 7. _____
- 4. _____ 8. _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) John Pouklakis

Signature:  Date: 8/11/21

SLURF-21-0004, CV-21-0002, CV-21-0003, CV-21-0004

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Department of Tucker
09 2021
Development
Department



August 13, 2021

City of Tucker
Planning and Zoning Department
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084

RE: Special Land Use Permit Application – Proposed Chick-fil-A Tucker 4435 Hugh Howell Road Tucker, GA 30084

Dear Ms. Thomas,

Bowman is submitting this application for a Special Land Use Permit with three concurrent variances on behalf of Chick-fil-A, Inc. The existing Chick-fil-A at 4340 Hugh Howell Road is located on a site that does not provide adequate drive-through facilities. The size of the lots precludes an in-place re-design according to Chick-fil-A's new standards, which include an isolated drive-through with two full lanes, as well as order and pick up canopies. Implementation of this re-design is necessitated by the popularity of Chick-fil-A, growing traffic concerns at the existing restaurant, and Chick-fil-A's desire to serve customers in a safer and more efficient manner. This new site layout is being implemented across the country.

Chick-fil-A is proposing to relocate the existing restaurant to a larger parcel at 4435 Hugh Howell Road in order to implement the re-design of the drive-through. The existing Chick-fil-A will close when the new Chick-fil-A opens. The proposed $\pm 4,978$ SF restaurant with drive-through, associated parking, drives, and utilities will be located on a ± 2.05 -acre parcel at the southwest corner of Hugh Howell Road and Rosser Terrace. The larger site provides adequate area for two drive-through lanes plus a bypass lane with adequate length to maintain on-site queuing, as well as order point and pick up canopies. The drive-through is isolated from the parking area to provide safe and efficient service to customers.

Bowman is submitting the enclosed information in support of an application for a Special Land Use Permit to allow for the operation of a drive-through restaurant in the DT-2 (Downtown Corridor) zoning district.

Along with the Special Land Use Permit, Chick-fil-A is requesting three concurrent variances:

- Variance #1: Relief from requirement prohibiting drive-through facilities between public street and building.
- Variance #2: Relief from maximum building setbacks along Hugh Howell Road and Rosser Terrace.
- Variance #3: Relief from requirement to provide inter-parcel access.

Additional information is included in the application materials. Please let us know if anything else is needed. Please feel free to reach out to myself at Bowman or Jennifer Santelli, Chick-fil-A development manager, if there are any questions.

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Community Development
Department

950 North Point Parkway, Suite 200, Alpharetta, GA 30005
bowmanconsulting.com

Sincerely,

Bridgette Ganter

Bridgette Ganter

bganter@bowmanconsulting.com

678-606-5278

Bowman

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Community Development
Department

Special Land Use Permit Criteria

Chick-fil-A Tucker
4435 Hugh Howell Road
Tucker, GA 30084

PERMIT REQUEST: OPERATION OF FAST-FOOD RESTAURANT WITH DRIVE-THROUGH

Section 46-985 and Table 3.1 of the City of Tucker municipal code require a Special Land Use Permit for a proposed use of restaurant with a drive-through configuration in the DT-2 Downtown Corridor zoning district.

Criteria in support of Chick-fil-A's proposed use of restaurant with drive-through facility:

1. *Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.*

The subject site is ± 2.05 acres and consistent with the size parcel required by Chick-fil-A to construct a $\pm 4,989$ SF restaurant with adequate parking facilities and a dual lane drive-through of sufficient length to prevent queue spill on to adjacent roads.

The site provides 43% open space, which exceed the requirement of 20% open space for non-residential uses in the DT-2 Downtown Corridor zoning district.

Required number of parking spaces is based on building square footage, at a minimum rate of one space per 150 square feet of building area with a maximum of 1 space per 75 square feet. The site provides 62 spaces, which meets the minimum requirement of 33 spaces, while not exceeding the maximum requirement of 66 spaces.

The maximum building setbacks from both the Hugh Howell Road and Rosser Terrace right-of-ways is 20 feet. The applicant will pursue a variance for relief from this requirement, due to proposed drive-through design to provide maximum stack, as well as pedestrian safety.

The rear maximum building setback of 20-feet is met.

A 50-foot transitional buffer adjacent to residential uses is required and provided. Additionally, drive-through facilities must be located a minimum of 60 feet from residential uses. The site layout also supports this requirement.

A 10-foot landscape buffer is required and provided to screen parking areas.

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2. *Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.*

The proposed use is fast-food restaurant. Several fast-food restaurants are in the vicinity, including an existing Chick-fil-A restaurant approximately 0.3 miles from the proposed site. The existing Chick-fil-A will be closed when the new restaurant opens.

3. *Adequacy of public services, public facilities, and utilities to serve the proposed use.*

All necessary utilities (water, sewer, power, and natural gas) are available either on-site or in the adjacent Hugh Howell Road right-of-way. DeKalb County has approved sewer capacity for a fast-food restaurant at this site.

4. *Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.*

The site is located at the unsignalized intersection of Hugh Howell Road, a four-lane arterial road with center two-way left turn lane, and Rosser Terrace, a two-lane feeder street. A traffic study, conducted in June 2021, determined that the intersection would benefit from a right turn lane from northbound Rosser Terrace on to eastbound Hugh Howell Road. The addition of the right turn lane will move traffic more expediently through the intersection to minimize congestion.

5. *Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.*

Existing land use along Hugh Howell Road are similar in character to the proposed use of a fast-food restaurant, and includes a variety of retail, as well as restaurant uses. Since the existing Chick-fil-A restaurant, which is located 0.3 miles away and also accessed via Hugh Howell Road, is closing upon the opening of the new Chick-fil-A, no adverse effects and additional traffic are anticipated.

6. *Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.*

Vehicle ingress and egress will be provided from Rosser Terrace. Site layout provides adequate drive aisles for access and circulation through the site for customers, as well as fire and delivery vehicles.

Pedestrian access is provided via a proposed sidewalk connection to a proposed sidewalk in the Hugh Howell Road right-of-way.

Chick-fil-A is designing new sites, included this site, with an isolated drive-through for the purpose of providing pedestrian safety in parking areas. Dine in customers do not need to cross the drive-through lanes at any point to enter the restaurant.

7. *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.*

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The existing land use is a restaurant. Chick-fil-A will also operate restaurant. The drive-through is located as far as possible from adjacent non-commercial uses and is operationally designed in a manner to move vehicles through the site expediently. No adverse impacts to the adjoining land use by reason of noise, smoke, odor, dust, or vibration are anticipated.

8. *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.*

The Chick-fil-A restaurant will operate Monday through Saturday from 6 AM – 10 PM, similar to the existing use, as well as nearby uses and is not expected to have an adverse impact on adjoining properties.

9. *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.*

Chick-fil-A will operate a drive-through restaurant which will not create adverse impacts on any adjoining land uses. Several drive-through restaurants operate in the nearby vicinity.

10. *Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.*

The site is located in the DT-2 Downtown Corridor zoning district which promotes a variety of mixed uses, including restaurants. The site will provide sidewalk access to Hugh Howell Road and nearby patio seating, which is consistent with the intent to provide walkability to this corridor.

11. *Whether or not the proposed use is consistent with the policies of the comprehensive plan.*

City of Tucker adopted a Downtown Master Plan in December 2020 to have a blueprint for growth and redevelopment of Tucker's downtown for the next 20 years. Future land use in the Downtown District is intended to include a mix of retail and office uses. Its goal is to improve walkability and neighborhood connections. The development of Chick-fil-A will provide two areas of patio seating steps from sidewalk access to Hugh Howell Road and Rosser Terrace. Additionally, Chick-fil-A will provide streetscape enhancements for Hugh Howell Road with sidewalks and landscaping. Finally, this development supports the goal of bolstering economic base, as it repurposes a vacant commercial development, has a strong history of economic success, and a reputation and track record of investment in the community and its residents.

12. *Whether or not the proposed use provides for all required buffer zones and transitional buffer zones here required by the regulations of the zoning district in which the use is proposed to be located.*

The maximum building setbacks from both Hugh Howell Road and Rosser Terrace right-of-way is 20 feet. The applicant will pursue a variance for relief from this requirement, due to drive-through design to provide maximum stack, as well as pedestrian safety.

The rear maximum building setback of 20-feet is met.

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A 50-foot transitional buffer adjacent to residential uses is required and provided. Additionally, drive-through facilities must be located a minimum of 60 feet from residential uses. This requirement is met.

A 10-foot landscape buffer is required and provided to screen parking areas.

13. Whether or not there is adequate provision of refuse and service areas.

A double dumpster and enclosure are provided at the rear of the site. Additional trash receptacles are available at patio areas.

14. Whether the length of time for which the special land use permit is granted should be limited in duration.

The special land use permit is necessary for lifetime of the restaurant.

15. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The Chick-fil-A building is single story and approximately 20 feet tall. It is similar in height and scale to nearby buildings.

16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed site is not near historic buildings, sits, districts, or archaeological resources.

17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

Supplemental regulations for drive-through restaurants requiring a Special Land Use Permit are not provided. Drive-through facilities for restaurants in the City of Tucker are regulated by Section 46-116. The proposed Chick-fil-A drive-through is located 60 feet from residentially zoned properties; is not less than 10,000 SF; will be constructed in the same materials as the building; minimally uses speaker boxes, but will direct these away from residential properties and they will not play music; and will have stacking spaces that are 10 feet by 25 feet. The drive-through is, however, located between the building and the street, due to the geometry of the parcel, as well to provide a design that maximizes drive-through stack and minimizes pedestrian crossings.

18. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The Chick-fil-A building is single story and approximately 20 feet tall. It is similar in height and scale to nearby buildings and is located near Hugh Howell Road, so is not expected to have an adverse shadow impact on adjoining properties.

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19. *Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.*

An existing Chick-fil-A restaurant is located 0.3 miles from the site and will close when the new restaurant opens. There will be no net difference in the number of fast-food restaurants in the area.

20. *Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.*

Chick-fil-A has a reputation and history of being active participants in improving and serving in the communities in which they are located. They employ local residents and serve as mentors to youth in the area.

The proposed site provides sidewalk connectivity to the downtown connector, as well as two outdoor patios near the street for outdoor dining to engage the community.

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Concurrent Variance Criteria

Chick-fil-A Tucker
4435 Hugh Howell Road
Tucker, GA 30084

VARIANCE #1 REQUEST: ALLOW DRIVE-THROUGH FACILITY BETWEEN STREET AND BUILDING

Section 46-1166 of the City of Tucker municipal code prohibits the locations of drive-through restaurant facilities between the building and the street in the DT-2 Downtown Corridor zoning district.

Criteria in support of Chick-fil-A's site layout, which locates drive-through facilities between the building and Hugh Howell Road, as well as Rosser Terrace Road:

- a. *By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.*

The subject parcel abuts Hugh Howell Road to the north, Rosser Terrace to the east and residentially zoned properties to the west and south. Section 46-1166 requires that drive-through restaurant facilities be located a minimum of 60 feet from residentially zoned parcels. Since the lot is rectangular, the available area for the drive-through is confined to a narrow section in the center of the parcel. This configuration does not provide adequate space for vehicles to circulate and greatly diminishes the available length for drive-through queue. The geometry of the parcel and the zoning designation of the adjacent parcels were not created by the owner or applicant. Strict application of these requirements will deprive Chick-fil-A of an efficient drive-through operation, which is enjoyed by nearby property owners whose businesses are not located at street intersections and do not abut residential properties.

- b. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.*

Request of this variance does not go beyond the minimum necessary to afford relief since drive-through design is adhering to City of Tucker ordinance requirements as much as possible. The proposed drive-through facilities are a minimum of 60 feet from residentially zoned adjacent properties and provide a bypass lane, in addition to the extra lane design employed by Chick-fil-A. Chick-fil-A will provide a vegetative screen designed to block vehicles from view, while keeping the building visible. Special privilege is not being granted.

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- c. *The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.*

Grant of this variance to allow drive-through facilities between the building and streets will not be detrimental to the public, however it will allow drive-through operations to proceed expediently according to the design principles Chick-fil-A has researched and is implementing across the country to ensure that adequate stack is provided in drive-through lanes and that vehicles may enter, be served, and exit as quickly as possible without queue spill over into adjacent roadways. Chick-fil-A has a history and reputation for maintaining properties to very high standards and will be an asset to the community.

- d. *The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.*

Literal interpretation and strict application of the requirement that prohibits drive-through facilities between the building and street would prohibit Chick-fil-A from operating a drive-through on this parcel.

- e. *The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.*

The requested variance is the minimum necessary to afford relief, while maintaining the spirit and purpose of the DT-2 zoning district intent to provide a mixed-use community, with a focus on walkability and pedestrian access. Chick-fil-A proposes to locate drive-through facilities as far as possible from adjacent residential parcels and is proposing two patio areas near the street with sidewalk connectivity to the street to promote community and walkability.

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CV-21-0002, CV-21-0003, CV-21-0004

VARIANCE #2 REQUEST: RELIEF FROM MAXIMUM BUILDING SETBACKS FROM HUGH HOWELL ROAD AND
ROSSER TERRACE

Section 46-986 and Table 3.2 of the City of Tucker municipal code require a maximum building setback of 20 feet from Hugh Howell Road and Rosser Terrace in the DT-2 Downtown Corridor zoning district.

Criteria in support of Chick-fil-A's site layout proposing a building setback of 45 feet from Hugh Howell Road and 65 feet from Rosser Terrace:

- a. *By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.*

Due to the geometry of the parcel and adjacent residential parcels, the proposed drive-through is located between the building and both Hugh Howell Road and Rosser Terrace. Chick-fil-A's dual lane drive-through design serves customers efficiently and prevents queue spill on to adjacent roadways. The dual lane drive-throughs are a minimum of 20 feet in width. In addition, Section 46-1166 requires that all drive-through restaurant facilities provide an additional bypass lane. The extra lane, in addition to a 5 feet landscape buffer prohibit movement of the building closer to Hugh Howell Road.

Likewise, the same drive-through lanes travel between the building and Rosser Terrace. The building setback is greater in this instance because a patio and sidewalk are provided for street connectivity.

The geometry of the parcel and the zoning designation of the adjacent parcels were not created by the owner or applicant. Strict application of these requirements will deprive Chick-fil-A of an efficient drive-through operation, which is enjoyed by nearby property owners who do have locations at street intersections and abut residential properties.

- b. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.*

Request of this variance does not go beyond the minimum necessary to afford relief as drive-through design is adhering to City of Tucker ordinance requirements as much as possible. The proposed drive-through facilities are a minimum of 60 feet from residentially zoned adjacent properties and provide a bypass lane, in addition to the extra lane design employed by Chick-fil-A. Chick-fil-A is proposing two patios near the streets in keeping with the spirit and intent of the ordinance to promote community, walkability, and connection to the City streets.

- c. *The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.*

Granting of this variance to exceed the maximum building setbacks will not be detrimental to the public, however it will allow drive-through operations to proceed expediently according to the design

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principles Chick-fil-A has researched and is implementing across the country to ensure that adequate stack is provided in drive-through lanes and that vehicles may enter, be served, and exit as quickly as possible to avoid queue spill over into adjacent roadways. Chick-fil-A is providing two outdoor dining patios with sidewalk connectivity to the Hugh Howell streetscape to promote community and walkability.

- d. *The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.*

Literal interpretation and strict application of the requirement would severely diminish drive-through efficiency due to decreased stack length if the drive-through lanes were to be located at the interior of the site. Spatially, two drive-through lanes, a bypass lane, and landscape buffer will not fit into a 25 feet setback, so strict adherence would force diminished drive-through efficiency.

- e. *The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.*

The requested variance is the minimum necessary to afford relief, while maintaining the spirit and purpose of the DT-2 zoning district intent to provide a mixed-use community, with a focus on walkability and pedestrian access. Chick-fil-A proposes to locate drive-through facilities as far as possible from adjacent residential parcels and is proposing two patio areas near the street with sidewalk connectivity to the street to promote community and walkability.

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VARIANCE #3 REQUEST: RELIEF FROM INTERPARCEL ACCESS

Section 46-989 of the City of Tucker municipal code requires inter-parcel access between abutting properties in the DT-2 Downtown Corridor zoning district

Criteria in support of Chick-fil-A's site layout, which does not provide inter-parcel access with abutting parcel.

- a. *By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.*

Due to the geometry of the parcel and adjacent residential parcels, the proposed drive-through is located between the building and both Hugh Howell Road and Rosser Terrace. Chick-fil-A's dual lane, isolated drive-through design serves customers efficiently and prevents queue spill on to adjacent roadways. Since the parcel is rectangular with the smallest length frontage along Hugh Howell Road, space does not exist for a drive to provide inter-parcel access outside of the drive-through lanes. Due to the geometry of the parcel, inter-parcel access would need to be achieved by allowing vehicles to enter the drive-through near the order pick up point, which would greatly diminish drive-through efficiency. Inter-parcel access currently does not exist on this site. The constraints of the lot were not created by the owner or the applicant. Strict adherence to the requirement for inter-parcel access deprives Chick-fil-A of an efficient drive-through.

- b. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.*

Request of this variance does not go beyond the minimum necessary to afford relief as drive-through design is adhering to City of Tucker ordinance requirements as much as possible. The proposed drive-through facilities are a minimum of 60 feet from residentially zoned adjacent properties and provide a bypass lane, in addition to the extra lane design employed by Chick-fil-A.

- c. *The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.*

Granting of this variance for relief from inter-parcel access will not be detrimental to the public, however it will allow drive-through operations to proceed expediently according to the design principles Chick-fil-A has researched and is implementing across the country to ensure that adequate stack is provided in drive-through lanes and that vehicles may enter, be served, and exit as quickly as possible to avoid queue spill over into adjacent roadways. Inter-parcel access does not currently exist. Additionally, the current access off Rosser Terrace moves Chick-fil-A trips off Hugh Howell Road. If inter-parcel access were provided at the west adjacent parcel, vehicles bound for Chick-fil-A could enter the site from Hugh Howell Road through the adjacent parcel.

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CV-21-0002, CV-21-0003, CV-21-0004

- d. *The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.*

Literal interpretation and strict application of the requirement would severely diminish drive-through efficiency due to decreased stack length if the drive-through lanes were to be located at the interior of the site. Spatially, two drive-through lanes, a bypass lane, and landscape buffer will not fit into the frontage provided on Hugh Howell Road, so strict adherence would force diminished drive-through efficiency.

- e. *The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.*

The requested variance maintains the spirit and purpose of the DT-2 zoning district intent through proposed patio areas and sidewalk and street connectivity for pedestrians. Relief from the requirement to provide inter-parcel access allows Chick-fil-A to operate an efficient drive-through that avoids queue migration to adjacent parcels and roadways.

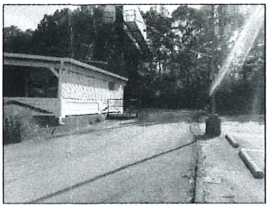
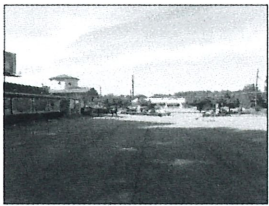
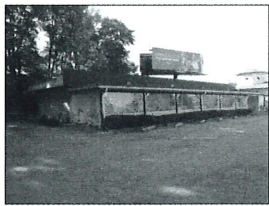
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SITE PHOTOGRAPHS

TITLE EXCEPTIONS

THE FOLLOWING EXCEPTIONS ARE LISTED IN SCHEDULE B, SECTION 2, OF A COMMITMENT FOR TITLE INSURANCE, AS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 2106756A, EFFECTIVE DATE MARCH 26, 2021.

13. Easement from T. F. Hall to Georgia Power Company dated May 28, 1935, filed June 26, 1935, and recorded in Deed Book 414, Page 415, DeKalb County, Georgia records.

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14. Easements contained in, and properly conveyed by, that certain Right of Way Deed from T. F. Hall to the State Highway Board of Georgia, dated January 9, 1937, filed February 13, 1937, and recorded in Deed Book 447, Page 211, DeKalb County, Georgia records.

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AFFECTS SITE AS SHOWN

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AFFECTS SITE AS SHOWN

18. Easement from T.S. Hall to Georgia Power Company dated August 5, 1950, filed August 29, 1950, and recorded in Deed Book 831, Page 420(h), DeKalb County, Georgia records.

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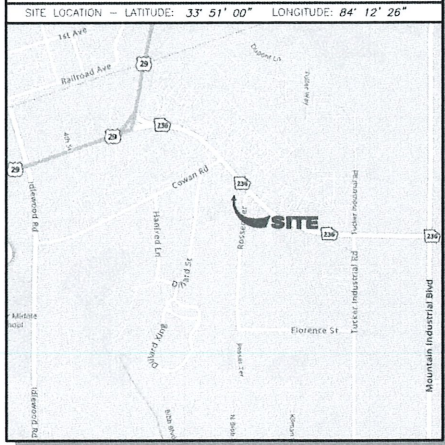
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DOES NOT AFFECT SITE - LOCATION OF BOUNDARY LINE AGREEMENT SHOWN

24. Boundary Line Agreement between Mrs. Jeanne Newton McCord and the Citizens and Southern National Bank, Executors under the Last Will and Testament of Thomas A. McCord, & Julian Burns and Dorothy V. Weber & Drewry D. Weber dated May 30, 1972, filed June 12, 1972, and recorded in Deed Book 2830, Page 572, DeKalb County, Georgia records.

DOES NOT AFFECT SITE - LOCATION OF BOUNDARY LINE AGREEMENT SHOWN

VICINITY MAP



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 1308800070, AND THE DATE OF SAID MAP IS AUGUST 15, 2010. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

PLEASE NOTE: TREES 4-INCH DBH (DIAMETER AT BREAST HEIGHT) AND LARGER WERE LOCATED FOR THIS SURVEY.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VERTICAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING RECORD OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED DT-2 (DOWNTOWN CORRIDOR DISTRICT) AS SHOWN ON THE ZONING MAP OF THE CITY OF TUCKER. PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

NO EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL WAS OBSERVED DURING THE TIME FIELD WORK WAS PERFORMED ON THE SUBJECT PARCEL.

ALL MATTERS SHOWN ON RECORDED PLATS PROVIDED TO THE SURVEYOR ARE SHOWN ON THE SURVEY.

AT THE DATE OF THIS SURVEY, THE SUBJECT PROPERTY HAD ACCESS TO AND FROM A DULY DEDICATED PUBLIC RIGHT-OF-WAY, HUGH HOWELL ROAD AND ROSSER TERRACE. THE SURVEYOR MAKES NO CERTIFICATION AS TO WHETHER OR NOT THESE ACCESS POINTS HAVE BEEN APPROVED OR PERMITTED BY JURISDICTIONAL AUTHORITIES.

THE SUBJECT PROPERTY IS CONTIGUOUS WITH ADJACENT RIGHT-OF-WAYS WITHOUT GAPS, GORES, OR OVERLAPS.

ENCROACHMENTS: SEVERAL FENCES MEANDER ACROSS THE SUBJECT PROPERTY LINE AS SHOWN. PARKING LOT IMPROVEMENTS OF THE NORTHERN ADJOINER ARE LOCATED ON THE SUBJECT PROPERTY AS SHOWN. THE SURVEYOR MAKES NO CERTIFICATION AS TO WHETHER OR NOT THESE FENCES AND IMPROVEMENTS HAVE BEEN PERMITTED OR ALLOWED BY CURRENT OR PREVIOUS PROPERTY OWNERS. NO OTHER VISIBLE ABOVE-GROUND ENCROACHMENTS WERE OBSERVED AT THE DATE OF SURVEY.

ALTA CERTIFICATION TABLE "A" NOTES:
Item 16 - No evidence of current earth moving work, building construction or building additions was observed at the date of survey.
Item 17 - No evidence was observed indicating changes in street right of way lines either completed or proposed.

SURVEYOR CERTIFICATION (GEORGIA)

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any recorded property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

John T. Newman
Georgia Professional
Land Surveyor # 3324

ALTA/NSPS LAND TITLE SURVEY

4435 Hugh Howell Road

FOR

Chick-fil-A, Inc.

Fidelity National Title Insurance Company

GS JOB NO:	20216960	DRAWING SCALE:	1"= 30'	SURVEY DATE:	04-26-2021
FIELD WORK:	SA	CITY:	TUCKER	REVISIONS (SEE GENERAL NOTES)	
PROJ MGR:	JTN	COUNTY:	DEKALB	STATE:	GA
REVIEWED:	DLH	LAND LOT:	214	No. Date	Description
DWG FILE:	20216960-01.dwg	DISTRICT:	18TH		

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PROPERTY DESCRIPTION

All that tract or parcel of land lying or being in Land Lot 214, 18th District, City of Tucker, DeKalb County, Georgia, and being more particularly described as follows:

Beginning at a 5/8 inch rebar set at the intersection of the Southwesterly right-of-way of Hugh Howell Road (Georgia Highway 285) (variable right-of-way), thence along said right-of-way of Rosser Terrace (50 foot right-of-way), thence along said right-of-way of Rosser Terrace South 30 degrees 33 minutes 38 seconds West, a distance of 17.64 feet to a point, thence along a curve to the left, said curve having an arc length of 54.66 feet with a radius of 120.00 feet, being subtended by a chord bearing of South 17 degrees 30 minutes 38 seconds West, a distance of 54.19 feet to a point, thence South 04 degrees 27 minutes 37 seconds West, a distance of 213.15 feet to a 5/8 inch rebar set; thence leaving said right-of-way North 89 degrees 27 minutes 30 seconds West, a distance of 241.39 feet to a 1/2 inch open top pipe found, thence North 00 degrees 36 minutes 23 seconds West, a distance of 5.48 feet to a 1-1/2 inch open top pipe found; thence North 00 degrees 31 minutes 56 seconds East, a distance of 59.85 feet to a 1/2 inch rebar found; thence North 00 degrees 10 minutes 00 seconds West, a distance of 59.80 feet to a 1/2 inch open top pipe found; thence North 00 degrees 46 minutes 11 seconds East, a distance of 119.89 feet to a 1/2 inch open top pipe found; thence North 01 degrees 52 minutes 22 seconds East, a distance of 92.47 feet to a 1 inch rod found; thence North 88 degrees 17 minutes 30 seconds East, a distance of 93.70 feet to a nail set; thence North 58 degrees 02 minutes 00 seconds East, a distance of 95.80 feet to a 5/8 inch rebar set on the Southwesterly right-of-way of Hugh Howell Road; thence along said right-of-way South 42 degrees 16 minutes 46 seconds East, a distance of 151.61 feet to a 5/8 inch rebar set, said point being the True Point of Beginning.

Said tract of land contains 2.049 Acres.

SURVEYOR CERTIFICATION (ALTA/NSPS)

To: Chick-fil-A, Inc.
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, 5, 6(a), 6(b), 7(a), 7(b)-(1), 8, 9, 11, 13, 16, 17, & 19 of Table A thereof. The field work was completed on April 26, 2021.

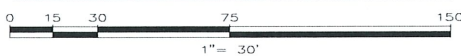
Date: April 26, 2021

John T. Newman
Georgia Professional
Land Surveyor # 3324

Land Surveying • 3D Laser Scanning

1660 Barnes Mill Road
Marietta, Georgia 30062
Phone: (770) 795-9900
Fax: (770) 795-8880
www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

GRAPHIC SCALE



UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON LOCATION OF MARKINGS PROVIDED BY:

UTILITY MARKING, LLC
3042 GALA TRAIL
SNELLVILLE, GA 30036
(678) 357-1946

UTILITY MARKING, LLC UTILIZED SEVERAL TECHNIQUES INCLUDING, BUT NOT LIMITED TO, ELECTROMAGNETIC, MAGNETIC LOCATION FOR FERROUS METALS, ACOUSTIC AND PASSIVE FREQUENCIES TO DESIGNATE AND MARK BURIED UTILITIES ON THE SURFACE WITH PAINT AND FLAGS COVERING THE ENTIRE AREA OF THE PROJECT.

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED UTILIZING THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC AIR CONDITIONER	OVERHEAD TRAFFIC SIGNAL LIGHT
BH BORE HOLE	POWER POLE
BUL BUILDING SETBACK LINE	GUY WIRE
CI CURB INLET	POWER LINE
CMP CORRUGATED METAL PIPE	LIGHT POLE
CON CONCRETE MONUMENT FND	ELECTRIC TRANSFORMER
CO SANITARY CLEANOUT	
CPED COMMUNICATION PEDESTAL	
CIP CORRUGATED TOP PIPE	
DI DROP INLET	
DIP DUCTILE IRON PIPE	
DWCB DOUBLE WING CATCH BASIN	
FNC FENCE	
FND FOUND	
GM GAS METER	
INV INVERT	
JB JUNCTION BOX	
MAH MANHOLE	
OCS OUTLET CONTROL STRUCTURE	
OTP OPEN TOP PIPE	
PM POWER METER	
PKS PK NAIL SET	
POB POINT OF BEGINNING	
POC POINT OF COMMENCEMENT	
RCP REINFORCED CONCRETE PIPE	
RER IRON REINFORCING BAR	
RBS 5/8" REBAR SET CAPPED LSF 621	
SS SANITARY SEWER	
SWCB SINGLE WING CATCH BASIN	
TRANS ELECTRIC TRANSFORMER	

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 22,081, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE S-6 TOTAL STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 222,088 FEET, WITHIN 1/10".

IF YOU DIG

Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411



N/F PROPERTY OF
AVATAR REAL ESTATE IV, LLC

DEED BOOK 25347 / PAGE 337
ZONED DT-2

N/F PROPERTY OF
TOMANELLI, LLC

DEED BOOK 14840 / PAGE 422
ZONED C-1

N/F PROPERTY OF
SCOTT L. NELSON

WANDA H. NELSON
DEED BOOK 10474 / PAGE 772
ZONED C-1

N/F PROPERTY OF
LARRY SHAMBLIN

BETTY H. SHAMBLIN
PER DEKALB COUNTY TAX ASSESSOR
ZONED R-75

N/F PROPERTY OF
BRIGHTLINE PROPERTIES, LLC

DEED BOOK 27285 / PAGE 507
ZONED R-75

N/F PROPERTY OF
JOHN SANTIAGO

DEED BOOK 11432 / PAGE 492
ZONED R-75

N/F PROPERTY OF
SHAKIR R. SHAKIR

DEED BOOK 26800 / PAGE 522
ZONED R-75

N/F PROPERTY OF
DOROTHY V. WEBER

DEED BOOK 10483 / PAGE 286
ZONED R-75

N/F PROPERTY OF
MARIA COSTOPOULOS
JOHN POULAKIS

DEED BOOK 22080 / PAGE 649

SITE AREA
2.049 Acres
89,271 sf

RECEIVED
City of Tucker

AUG 09 2021

Community Development
Department

N/F PROPERTY OF
TOMANELLI, LLC
DEED BOOK 14840 / PAGE 422
ZONED C-1

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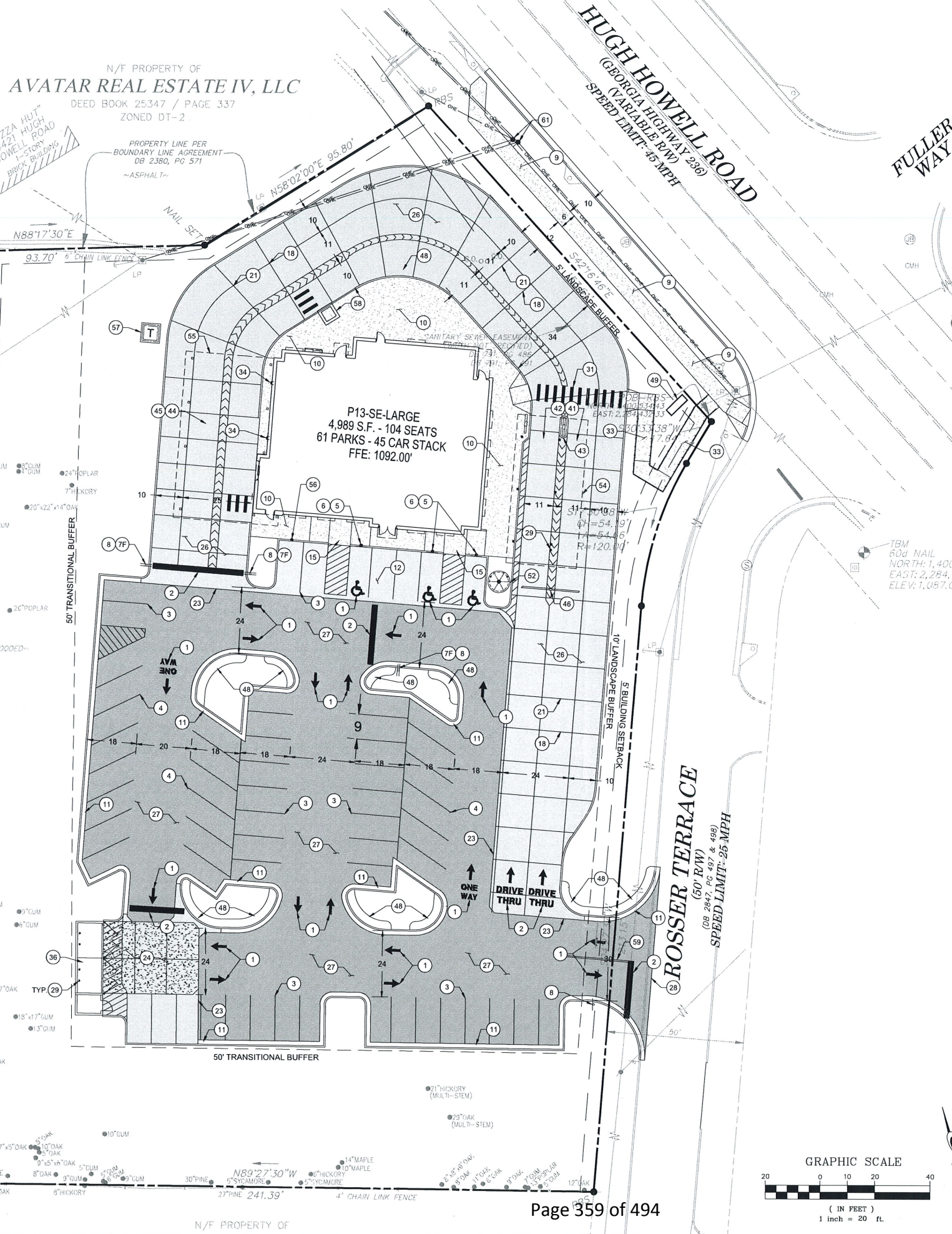
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ZONED DT-2

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www.Georgia811.com

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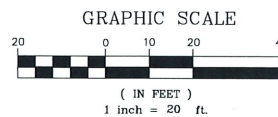
SITE SUMMARY

ZONING	DT-2 (DOWNTOWN CORRIDOR) 4435 HUGH HOWELL RD, TUCKER, GA
PROJECT AREA	89,220 - 2.05 AC (100%)
TOTAL IMPERVIOUS AREA	50,442 - 0.998 AC (56.54%)
PAVING / SIDEWALK AREA	45,453 SF - 1.04 AC (50.95%)
BUILDING AREA	4,989 SF - 0.115 AC (5.59%)
TOTAL PERVIOUS AREA (GREEN SPACE)	38,778 SF - 0.89 AC (43.46%)
BUILDING	P13-SE-LARGE
SIZE	4,989
PARKING	
MINIMUM REQUIRED	1 PER 150 SF = 33
MAXIMUM REQUIRED	1 PER 75 SF = 66
PROPOSED REQ SPACES	59
HANDICAP SPACES	3
STALL SIZE	9' x 18'
TOTAL SPACES	62

SITE PLAN DESIGN NOTES

- PAVEMENT MARKINGS (ACCESSIBILITY SYMBOL & DIRECTIONAL ARROWS)
- PAVEMENT MARKINGS (DRIVE-THRU & STOP BAR)
- 90° PARKING STRIPING
- 60° PARKING STRIPING
- BOLLARD MOUNTED SIGN
- ACCESSIBILITY PARKING SIGN
- DIRECTIONAL SIGNAGE (REFER TO SIGN PACKAGE FOR MORE DETAILS)
 - CIRCLE BUILDING FOR DRIVE-THRU (NOT USED)
 - LEFT TURN ONLY (NOT USED)
 - RIGHT TURN ONLY (NOT USED)
 - PEDESTRIAN CROSSWALK (NOT USED)
 - ONE WAY (NOT USED)
 - DO NOT ENTER
 - CURBSIDE DELIVERY
 - LANES MERGE (NOT USED)
- STOP SIGN (R1-1 36"X36")
- CONCRETE SIDEWALK
- SIDEWALK WITH CURB & GUTTER
- CONCRETE CURB & GUTTER
- CONCRETE PAVEMENT
- CURB RAMP WITH SHORT FLARED SIDES (NOT USED)
- CURB RAMP WITH FLARED SIDES (NOT USED)
- SIDEWALK ACCESSIBLE RAMP
- DETECTABLE WARNING DEVICE (NOT USED)
- RETURNED CURB ACCESSIBLE RAMP (NOT USED)
- EXPANSION JOINT
- TRANSVERSE & LONGITUDINAL DOWELED CONSTRUCTION JOINT
- KEYED CONSTRUCTION JOINT
- CONTRACTION JOINT
- TRANSVERSE & LONGITUDINAL CONTRACTION JOINT
- PAVEMENT EDGE DETAIL
- CONCRETE APRON AT REFUSE ENCLOSURE
- LONGITUDINAL BUTT JOINT (NOT USED)
- CONCRETE PAVEMENT DRIVE-THRU LANE
- TYPICAL HMA PAVEMENT SECTION
- BUTT JOINT
- CONCRETE BOLLARD
- MULTI-LANE DIRECTIONAL GRAPHICS (NOT USED)
- CROSSWALK MARKINGS
- ALUMINUM HANDRAIL (NOT USED)
- TYPICAL ADA RAMP & HANDRAIL
- BUILDING DOWNSPOUT CONNECTION
- CLEAN-OUT OUTSIDE OF BUILDING
- TYPICAL SECTION AT BASINS
- ENTRY DOOR FROST SLAB (NOT USED)
- SCREENED REFUSE ENCLOSURE (NOT USED)
- SCREENED REFUSE ENCLOSURE (ALT) (WITHOUT ROOF)
- SCREENED REFUSE ENCLOSURE (DRAINAGE ALT) (NOT USED)
- MENU BOARD LOOP DETECTION SYSTEM
- MENU BOARD LOOP DETECTION SYSTEM (ISO)
- DRIVE-THRU ORDER POINT ISLAND
- DRIVE-THRU LANDING (PLAN)
- DRIVE-THRU LANDING (ISO)
- DRIVE-THRU CLEARANCE BAR
- ROLLOVER/MOUNTABLE CURB (NOT USED)
- LANDSCAPE & IRRIGATION PROTECTOR
- CHICK-FIL-A SIGN (REFER TO SIGN PACKAGE)
- CHICK-FIL-A 'ENTER' SIGN (REFER TO SIGN PACKAGE)
- CHICK-FIL-A 'EXIT' SIGN (REFER TO SIGN PACKAGE)
- 50' FLAG POLE (REFER TO SIGN PACKAGE)
- LIGHT POLE AND BASE (REFER TO PHOTOMETRICS PLAN)
- F2F ORDERING CANOPY (REFER TO ARCH)
- OUTSIDE MEAL DELIVERY CANOPY (REFER TO ARCH)
- BOLLARD FOR FUTURE CURB SIDE MEAL DELIVERY SIGN
- TRANSFORMER PAD
- CASH BOX
- 4" YELLOW DOUBLE LINE
- 4" WHITE LINE
- RELOCATED POWER POLES & OVERHEAD LINES

- BITUMASTIC EXPANSION JOINT, TYP. INSTALL EXPANSION JOINT BETWEEN ALL CONCRETE PAVEMENT INTERFACE WITH BUILDING, CURB & GUTTER, AND OTHER CONSTRAINED OBJECTS, TYP.
- SITE CONTRACTOR SHALL REFER TO ARCHITECT PLANS FOR THE EXACT DIMENSIONS OF THE BUILDING AND THE LOCATION OF DOORWAYS, UTILITIES, ETC.
- GATES TO BE INSTALLED BY BUILDING CONTRACTOR WITH DUMPSTER STRUCTURE COORDINATE WITH PAVEMENT INSTALLATION.
- SAWCUT EXISTING CURB & GUTTER AS NECESSARY TO COMPLETE NEW CURB & GUTTER CONNECTION. PROVIDE EXPANSION JOINT BETWEEN INTERFACE.
- THE CONTRACTOR SHALL INSTALL NECESSARY TRAFFIC CONTROL, SAFETY BARRICADES, LIGHTING, AND OTHER REQUIRED CONTROL MEASURES TO SECURE THE WORK AREA FROM EXISTING TRAFFIC AND TO ENSURE PUBLIC SAFETY.



Chick-fil-A

Chick-fil-A
5200 BUFFINGTON RD
Atlanta, Georgia 30349-2998

Bowman

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950 North Point Parkway, Suite 200
Tucker, Georgia 30084
Phone: (770) 374-6887
www.bowmanconsulting.com
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CHICK-FIL-A
RELO TUCKER STATION FSU
4435 HUGH HOWELL ROAD
TUCKER, GA 30084

FSU#04959

BUILDING TYPE / SIZE: P13-SE-LRG

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
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CONSULTANT PROJECT # 120005-01-049

PRINTED FOR PCR

DATE August 6, 2021

DRAWN BY BCG

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SHEET

SITE PLAN

SHEET NUMBER

C-2.0

8/6/2021 2:09:06 PM C:\Revit\04959 - Tucker Station - ARC_SE_LR - TOWER BRICK - scadeMH3VD.rvt
XX-SE-04959-X-900-DESIGN DEVELOPMENT

EXTERIOR FINISHES

(BR-A)
BRICK VENEER
COLOR: DARK BROWN
SIZE: MODULAR

(EC-1)
PREFINISHED METAL COPING
COLOR: DARK BRONZE

(BR-B)
BRICK VENEER
COLOR: LIGHT BROWN
SIZE: MODULAR

(PT-113)
EXTERIOR PAINT
COLOR: DARK BRONZE
FINISH: SEMI-GLOSS

(ST-1)
STOREFRONT
COLOR: DARK BRONZE



PERSPECTIVE VIEW - FRONT RIGHT



PERSPECTIVE VIEW - REAR LEFT



PERSPECTIVE VIEW - REAR RIGHT



PERSPECTIVE VIEW - FRONT LEFT

ATTACHED CANOPY SCHEDULE

Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)	Integral Lighting
C1-C	Exterior Canopy	9	6'-4"	1'-0"	0"	No
C1-D	Exterior Canopy	1	8'-4"	1'-0"	0"	No
C4-B	Exterior Canopy	1	5'-4"	4'-0"	2'-4"	Yes
C4-G	Exterior Canopy	1	7'-0"	4'-0"	2'-4"	Yes
C5-A	Exterior Canopy	1	10'-0"	5'-0"	2'-4"	Yes
Grand total		13				



HUGH HOWELL ROAD (NORTH)

EXTERIOR ELEVATION
1" = 10'-0"



WEST

EXTERIOR ELEVATION
1" = 10'-0"



SOUTH

EXTERIOR ELEVATION
1" = 10'-0"



ROSSER TERRACE (EAST)

EXTERIOR ELEVATION
1" = 10'-0"

TOTAL AREA TO ROOF = 1145 SF	100%	TOTAL AREA = 1381 SF	100%
GLAZING = 379 SF	33%	GLAZING = 379 SF	27%
BRICK = 766 SF	67%	BRICK = 1002 SF	73%

OP CANOPY FINISHES

CP-1
PREFINISHED METAL
COLOR: DARK BRONZE

CP-2
METAL DECKING
COLOR: WHITE

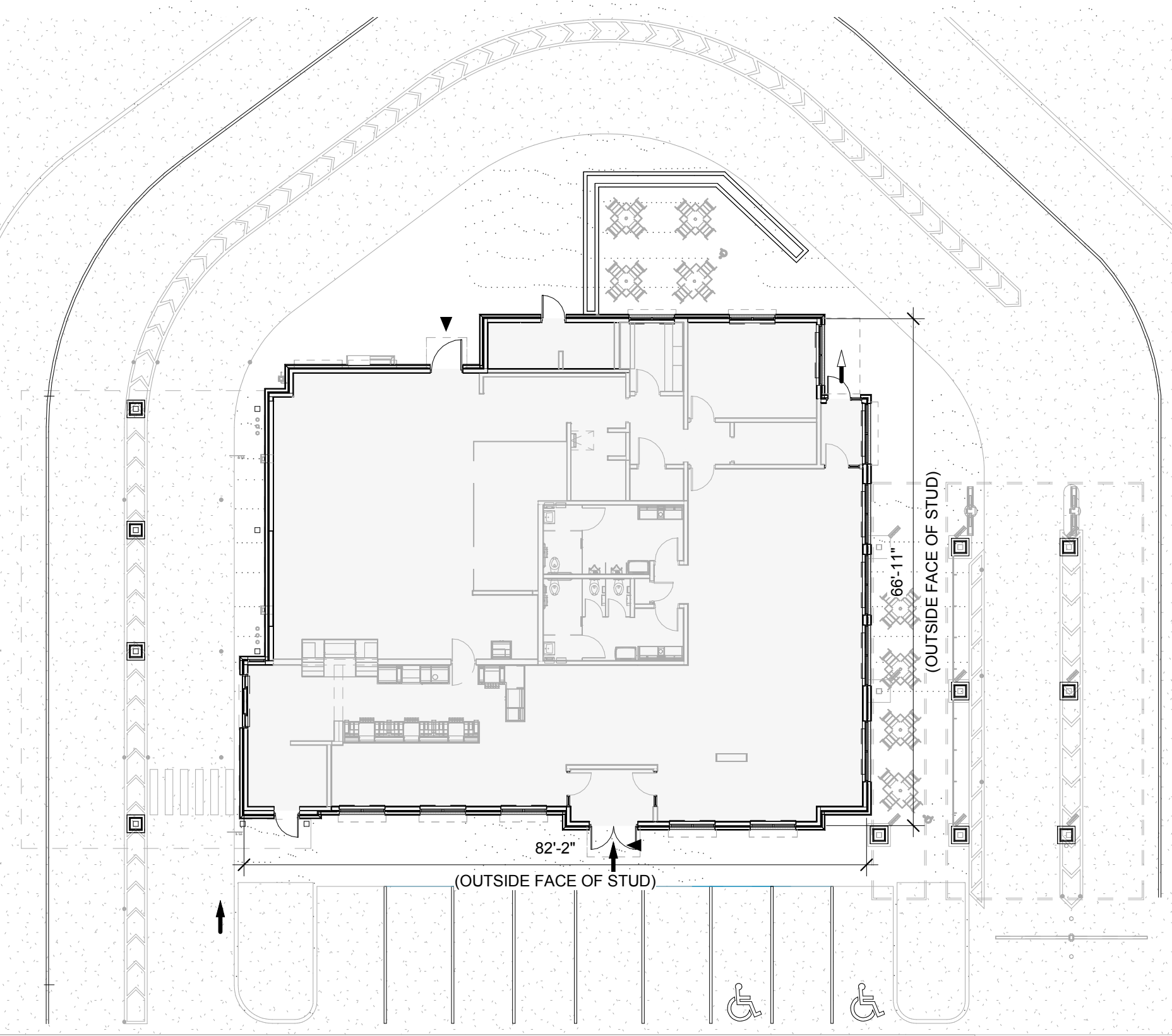


PERSPECTIVE VIEW

PATIO SEATING SCHEDULE

Mark	Type	Count	Manufacturer	Model	Width	Depth	Height	Material	Finish
1	Patio Chair	32	Benchmark Design Group	BAJA SIDE STACK (2012)					
2	Patio Table - 4 Top	6	Benchmark Design Group	TAB3055-3636-AAL-WJ-UH-BDT	3'-0"	3'-0"	2'-5 1/4"	Aluminum - Dark Bronze (C34 Bronze One Coat)	RAL 49/66220
3	Patio Table - 4 Top - ADA	2	Benchmark Design Group	TAB3055-3644-AAL-WJ-UH-BDT	3'-8"	3'-0"	2'-5 1/4"	Aluminum - Dark Bronze (C34 Bronze One Coat)	RAL 49/66220
5	Patio Umbrella	4	Tuuci	OCEAN MASTER PARASOL					

CANOPY AREA	1403 SF
BUILDING FOOTPRINT (OUTSIDE FACE OF STUD)	5046 SF



SITE PLAN
1/16" = 1'-0"

PROJECT DATA

Exterior Finish Type:	TOWER BRICK	Playground	NO
Wall Framing Type:	WOOD STUD	Landscaping Type	STANDARD
Kitchen Type:	CENTERLINE	LEED Rating	NOT CERTIFIED
Water Filtration Type:	TYPE A	Drive Thru Stack Count:	45
Drive-Thru:	YES	Drive Thru Bypass Lane:	YES
Industrialized Construction:	YES	Drive Thru Number of Fulfillment Lanes:	2
Number of Parking Spaces:	69	Drive Thru Number of Pickup Lanes:	2
Number of Accessible Parking Spaces:	3	Drive Thru Number of Order Point Pytons:	2
Cross Parking:	YES	Drive Thru Number of Pickup Windows:	1
Menu Board - Interior:	YES	Drive Thru Door:	YES
Menu Board - Interior - Count:	5	Square Footage:	4988
Menu Board - Interior - Type:	DIGITAL	Seat Count - Interior:	104
Menu Board - Walk-up:	NO	Seat Count - Exterior:	0
Menu Board - Walk-up - Count:	N/A	Canopy Type - Order Point:	DOUBLE
Menu Board - Walk-up - Type:	N/A	Canopy Type - Meal Delivery:	DOUBLE
Menu Board - Order Point:	YES	Number of Registers:	7
Menu Board - Order Point - Count:	4		
Menu Board - Order Point - Type:	DIGITAL		

DESIGN APPROVAL

PROJECT NOTES

NOT APPROVED - REVISE AND RESUBMIT
APPROVED AS NOTED - REVISE AND RESUBMIT
APPROVED FOR DESIGN INTENT

INITIAL: DATE:

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

PROTOTYPICAL SET

NOT FOR
REGULATORY
APPROVAL,
BIDDING, OR
CONSTRUCTION

CHICK-FIL-A
TUCKER STATION
4431 HUGH HOWELL ROAD
TUCKER, GA 30084

FSR#04959
BUILDING TYPE / SIZE: P13 SE
RELEASE: 21.02

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
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CONSULTANT PROJECT #
PRINTED FOR PROJECT STATUS
DATE MM/DD/YY
DRAWN BY Author
DESIGN DEVELOPMENT
SHEET NUMBER
X-900

RECEIVED
By Eprice at 12:33 pm, Aug 19, 2021

August 5, 2021

City of Tucker
Planning and Zoning Department
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084

Re: Environmental Site Analysis Plan

1. Conformance with the Comprehensive Plan

Proposed Project

Chick-fil-A is proposing a 4,989+/- SF restaurant with a drive-through, associated parking, drives, and utilities on a \pm 2.05-acre site at the southwest corner of Hugh Howell Road and Rosser Terrace. The site is in the City of Tucker with the address of 4435 Hugh Howell Road (Parcel ID 18 214 04 086). The site is currently developed with a vacant building and associated paving, parking, and landscaping.

Nearby/Surrounding Land Analysis

Adjacent Properties	Zoning	Overlay District	Existing Land Use
North	DT-2		Restaurant
South	R-75		Residential 1 family
West	C-1, R-75		Office Building – Low Rise
East (across Hugh Howell Road)	DT-2		Community Shopping Center

Conformity to Plan

Future Land Use for the site is designated as "Downtown". City of Tucker adopted a Downtown Master Plan in December 2020 to have a blueprint for growth and redevelopment of Tucker's downtown for the next 20 years. Future land use in the Downtown District is intended to include a mix of retail and office uses. Its goal is to improve walkability and neighborhood connections. The development of Chick-fil-A will provide two areas of patio seating steps from sidewalk access to Hugh Howell Road and Rosser Terrace. Additionally, Chick-fil-A will provide streetscape enhancements for Hugh Howell Road with sidewalks and landscaping. Finally, this development supports the goal of bolstering economic base, as it repurposes a vacant commercial development, has a strong history of economic success, and a reputation and track record of investment in the community and its residents.

2. Environmental Impacts of the Proposed Project

Wetlands

There are no wetlands or riparian zones located on or near the site.

Floodplains

This site is not located in a floodplain. The site is in Zone X, according to Map 13089C0077L eff. 8/15/2019.

Streams/stream buffers

There are no streams or stream buffers on this site.

RECEIVED
City of Tucker

AUG 09 2021

Community Development
Department

SLUP-21-0004, CV-21-0003, CV-21-0002, CV-21-0004

Slopes exceeding 25 percent over a 10-foot rise in elevation

This site does not have slopes exceeding 25 percent over a 10-foot rise in elevation.

Vegetation

The site is consistent with other commercial locations on the street. Once developed, the site will be compliant with landscaping and planting requirements.

Wildlife Species (including fish)

There is no pond or lake located on site. There is no wildlife on site, as the site was previously developed.

Archeological/Historical Sites

This site is not located on an archeological or historic site.

3. Project Implementation Measures

- a. This development is not located in an environmentally sensitive area.
- b. Although, this development is not located in a region with poor water quality, stormwater runoff will be treated prior to release into the municipal stormwater system.
- c. This site is previously developed, and development will not have any negative impacts on existing infrastructure.
- d. This development is not located on an archeological or historic site.
- e. This development is not located in an environmentally stressed community.
- f. This development will meet or exceed all green space and open space requirements.
- g. Chick-fil-A will operate from 6AM-10PM Monday-Saturday and will be closed on Sunday. Site is previously developed so no additional noise or lighting is anticipated.
- h. This development is not located within a park or recreational green space.
- i. This development is not located in a wildlife habitat.

Sincerely,

Bridgette Ganter

Bridgette Ganter

bganter@bowmanconsulting.com

678-606-5278

Bowman

TRAFFIC IMPACT STUDY

Chick-fil-A # 04959 Tucker
4431 Hugh Howell Rd,
Tucker, Georgia

June 25, 2021

Prepared for:
Chick-fil-A, Inc.

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Page 363 of 494

By Eprice at 4:58 pm, Aug 17, 2021

Bowman

Traffic Impact Study

Chick-fil-A # 04959 Tucker

4431 Hugh Howell Rd,
Tucker, Georgia

Prepared June 25, 2021

Prepared for:
Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349
Phone: 404.214.9934

Prepared by:

Bowman

Bowman Consulting Group
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Analysts: Daniela Jurado
Rodrigo Meirelles

Project Manager: Andrew Petersen, PE

Andrew J. Petersen, P.E.
State of Georgia
License No. PE046330

Digitally signed by Andrew Petersen
Reason: This item has been digitally
signed & sealed by Andrew J. Petersen,
P.E. on the date indicated here. Printed
copies of this document are not considered
signed & sealed and the signature must be
verified on any electronic copies.
Contact Info:
apetersen@bowmanconsulting.com
Date: 2021.06.25 14:12:33-04'00'

06/25/2021

Bowman Job # 120005-01-049

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By Eprice at 4:58 pm, Aug 17, 2021

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Appendix B: Scope/Methodology
Appendix C: Traffic Counts
Appendix D: Traffic Volume and Traffic Distribution Exhibits
Appendix E: Chick-Fil-A Trip Generation Assessment
Appendix F: Capacity Analysis Reports

Executive Summary

This report summarizes the findings of the Traffic Impact Study performed by Bowman Consulting (BC) for the proposed 4,989 SF Chick-fil-A development with 44 Car Stack Chick-fil-A development to be located at the Southwest corner of the intersection of Hugh Howell Rd and Rosser Terrace in the City of Tucker, Georgia.

Access to the site will be provided by one (1) full-access driveway along Rosser Terrace.

The purpose of this study is threefold: to determine the number of expected trips generated by the proposed site; to determine the potential impact, if any, of the proposed development on the surrounding roadway network; and to propose improvements to mitigate the impact of the proposed development, if required.

A Traffic Impact Analysis Methodology Statement was prepared and shared with representatives from the City of Tucker and the Georgia Department of Transportation.

Turning movement counts were collected for the morning and evening peak hours at the intersections of Hugh Howell Rd & Cowan Rd, Hugh Howell Rd & Rosser Terrace, and Hugh Howell Rd & Tucker Industrial Rd.

Based on the results of the trip generation assessment prepared by Bowman Consulting, the proposed development is expected to generate a total of 261 trips during the morning peak hour and 285 trips during the evening peak hour. It is anticipated that during the morning peak hour 128 of these are existing trips, the remaining 133 are expected to be primary trips. During the evening peak hour, it is anticipated that 143 are existing trips and 142 are new trips.

For the purposes of this analysis, it is anticipated that the proposed development will be constructed and fully operational by the year 2022.

The following scenarios were evaluated as part of this study: 2022 No Build, 2022 Build and 2022 Build with Improvements.

The results of the No Build Vs Build conditions capacity analysis indicate the following:

- During the morning peak hour:
All intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions, with minimal increases in the overall delay.

The northbound and southbound approaches of the intersections of Hugh Howell Rd with Cowan Rd and with Tucker Industrial Rd are expected to operate at LOS E. The eastbound and westbound left-turning lanes of the intersection with Tucker Industrial Rd are expected to operate at a LOS F during both No Build and Build Conditions; no increases in delays are expected for the above-mentioned failing approaches under Build Conditions. All other approaches are expected to operate at acceptable LOS C or better during both No Build and Build Conditions.

The queue results show 95th% queue lengths are not expected to exceed the available of the turn lanes for the morning peak hour, with a HCM 95% Percentile queue of 1.5 vehicles.

- During the evening peak hour:
All intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions. The intersection of Hugh Howell Rd and Rosser Terrace is expected to experience a 3.7 second increase in the overall delay; minimal increases in the overall delay are expected at all other intersections with the inclusion of the proposed development.

The northbound and southbound approaches of the intersections of Hugh Howell Rd with Cowan Rd and with Tucker Industrial Rd are expected to operate at LOS E for both No Build and Build Conditions. The eastbound and westbound left-turning movements of the intersection with Tucker Industrial Rd are expected to operate at a LOS F during both No Build and Build Conditions, minimal increases in delays are expected at the above-mentioned turning movements and approaches.

The northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to degrade from LOS D to LOS F from No Build to Build conditions, with an increase in delay of 30.7 seconds. All other approaches are expected to operate at acceptable LOS C or better during both No Build and Build Conditions.

The queue results for the northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace show 95th% queue lengths of approximately 5 vehicles.

- The following improvements are proposed:
 - Intersection of Hugh Howell Rd and Rosser Terrace: provide northbound right-turn lane.

The results of the No Build Vs Build Improved conditions capacity analysis indicate the following:

- The intersection of Hugh Howell Rd and Rosser Terrace is expected to experience acceptable overall LOS A under Build Improved conditions with an increase in the overall delay of 1.7 seconds for the morning peak hour and 2.4 seconds for the evening peak hour.

For the morning peak hour all approaches are expected to maintain acceptable LOS with minimal increases in the overall delay with the inclusion of the proposed development. During the evening peak hour, the northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to operate at LOS E under Build with Improvements conditions, with an increase in the delay of 10.6 seconds. These capacity constraints are typical at unsignalized approaches connecting to a major road such as Hugh Howell Rd.

- The 95th% queue results for the morning peak hour show a 3-vehicle queue is expected for the evening peak hour at the northbound approach with the proposed right-turn lane.

Based on the results of the capacity analysis the proposed development is not expected to adversely impact the surrounding roadway network with the inclusion of the proposed improvements.

1. Introduction

This report summarizes the findings of the Traffic Impact Study performed by Bowman Consulting (BC) for the proposed Chick-fil-A development to be located at the Southwest corner of the intersection of Hugh Howell Rd and Rosser Terrace in the City of Tucker, Georgia.

The purpose of this study is threefold: to determine the number of expected trips generated by the proposed site; to determine the potential impact, if any, of the proposed development on the surrounding roadway network; and to propose improvements to mitigate the impact of the proposed development, if required.

2. Background Information

The proposed development entails a 4,989 SF Chick-fil-A development with 44 Car Stack to be constructed at 4431 Hugh Howell Rd, in the City of Tucker, Georgia. **Figure 1** depicts the site location.



Figure 1. Site location.

Access to the development will be provided by one (1) full-access driveway along Rosser Terrace, no access driveways are proposed on Hugh Howell Rd. The latest Concept Plan is presented in **Appendix A**.

Traffic Impact Analysis Methodology

A Traffic Impact Analysis Methodology Statement was prepared and shared with representatives from the City of Tucker and the GDOT DeKalb County Division. A copy of the approved Traffic Impact Analysis Methodology Statement and proof of the coordination is contained in **Appendix B**.

To assess the traffic operation at the study Intersections, the following tasks were undertaken:

- Turning movement counts were collected during an average weekday for the morning (7:00 AM – 9:00 AM) and evening (4:00 PM – 6:00 PM) peak periods.
- Trip generation Assessment for Chick-Fil-a (CFA) facilities.
- Trip Distribution for the proposed development.
- Capacity and queuing analyses at study intersections.

3. Roadway Network

Hugh Howell Rd (GA 236): Within the identified study area is a State-maintained four-lane Minor Arterial according to the Georgia Department of Transportation State Functional Classification Map Online. Hugh Howell Rd has a continuous two-way left-turn lane (TWLTL), a southeast-northwest alignment and a posted speed limit of 45 miles per hour.

Rosser Terrace: Within the identified study area is a city-maintained two-lane undivided roadway identified as a Local road according to the City of Tucker 2019, Strategic Transportation Master Plan. Rosser Terrace has a north-south alignment and a posted speed limit of 25 miles per hour.

Tucker Industrial Rd: Within the identified study area is a city-maintained two-lane undivided roadway identified as a Local Road according to the City of Tucker Strategic 2019, Transportation Master Plan. Tucker Industrial Rd has a north-south alignment with a posted speed limit of 35 miles per hour.

Cowan Rd: Within the identified study area is a city-maintained two-lane undivided roadway identified as a Local Road according to the City of Tucker 2019, Strategic Transportation Master Plan. Cowan Rd has a northeast-southwest alignment with a posted speed limit of 25 miles per hour.

Intersection Characteristics

1. Intersection of Hugh Howell Rd and Cowan Rd/The Centre Driveway

This intersection is currently a four-legged signalized intersection where Hugh Howell Rd has a southeast-northwest alignment and Cowan Rd has a northeast-southwest alignment.

The northwest approach (Hugh Howell Road eastbound) consists of one exclusive left-turn lane, one exclusive through lane, and one shared through/right-turn lane. The southeast approach (Hugh Howell Road westbound) consists of one exclusive left-turn lane, two exclusive

through lanes, and one exclusive right-turn lane. The southwest approach (Cowan Road Northbound) consists of one shared left-turn/through/right-turn lane. The northeast approach (Publix Driveway southbound) consists of one exclusive left-turn lane, and one shared through/right-turn lane.

2. Intersection of Hugh Howell Rd and Rosser Terrace/Fuller Way

This intersection is currently a four-legged unsignalized intersection where Hugh Howell Rd has a southeast-northwest alignment and Rosser Terrace and Fuller way have a north-south alignment.

The northwest approach (Hugh Howell Road eastbound) consists of an exclusive through lane, one shared through/right-turn lane and a continuous TWLTL. The southeast approach (Hugh Howell Road westbound) consists of two exclusive through lanes, one exclusive right-turn lane and a continuous TWLTL. The northbound approach (Rosser Terrace) consists of one shared left-turn/through/right-turn lane. The southbound approach (Fuller Way) consists of one shared left-turn/through/right-turn lane.

3. Intersection of Hugh Howell Rd and Tucker Industrial Rd

This intersection is currently a four-legged signalized intersection where Hugh Howell Rd has an east-west alignment and Tucker Industrial Rd has a north-south alignment.

The eastbound and westbound approaches consist of one exclusive left-turn lane, one exclusive through lane, and one shared through/right-turn lane. The northbound and southbound approaches have one shared left-turn/through/right-turn lane.

Proposed conditions.

As mentioned before, access to the development will be provided by one (1) full-access driveway along Rosser Terrace. No access is proposed on Hugh Howell Road.

4. Data Collection

For the purposes of this study the following data was collected:

- Inspections were conducted to obtain an inventory of existing roadway geometry, traffic control devices, and location of existing and proposed driveways.
- Published GDOT AADT counts and functional classification information.
- Turning movement counts were collected at the following intersections:
 - Hugh Howell Rd and Cowan Rd
 - Hugh Howell Rd and Rosser Terrace
 - Hugh Howell Rd and Tucker Industrial Rd

The traffic counts were completed during an average weekday, Tuesday, June 15, 2021 for the morning (7:00 AM – 9:00 AM) and evening (4:00 PM – 6:00 PM) peak periods. These counts were used to identify peak hours, determine traffic patterns, and evaluate intersection Levels of Service. The turning movement counts are presented in **Appendix C**.

5. Traffic Forecast and Background Traffic

For the purposes of this analysis, it is anticipated that the proposed development will be constructed and fully operational by the year 2022. The following scenarios were evaluated as part of this study:

- Future Conditions (2022) without the proposed development (No Build)
- Future Conditions (2022) with the proposed development (Build)
- Improved Future Conditions (2022) with the proposed development (Build with Improvements)

The 2021 Existing Turning Movement Counts are presented in **Appendix D, Exhibit 1**

To develop the 2022 traffic volumes, the first step was to determine a background growth rate applicable for the study area roadway segments. For each roadway segment, the annual growth rate was calculated using the historical AADT information provided by the GDOT Average Annual Daily Traffic & Historical Counts 2015-2019 information. A 0.5% minimum average annual growth rate was used for all traffic in the study area.

The historical study area roadway AADT information, as well as the applied growth rates utilized for the analysis, are presented in **Table 1**.

Table 1 Historical AADT and Annual Growth Rates

Roadway	From	to	2015	2016	2017	2018	2019	2016	2017	2018	2019	Avg Growth rate	Applied Growth rate
Hugh Howell Rd	Lawrenceville Hwy	Mountain Industrial Blvd	21,700	22,400	25,600	25,600	24,400	3.2%	14.3%	0.0%	-4.7%	3.2%	3.2%
Rosser Terrace	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%
Tucker Industrial Rd	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%
Cowan Rd	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%

Source: GDOT Average Annual Daily Traffic & Historical Counts 2015-2019

These growth rates were applied to the 2021 Existing Turning Movement to develop the 2022 No Build Traffic Volumes, depicted on **Exhibit 2** in **Appendix D**.

6. Trip Generation

The applicant is proposing to develop the site with the following land uses generating site traffic:

- 4,989 SF Chick-fil-A Restaurant with drive-thru window (Proposed)

Considering Chick-fil-A fast-food restaurants generate larger number of trips than ITE comparable land uses. BC conducted a Trip Generation Assessment based on trip generation data provided by the Atlanta Department of Transportation for three similar Chick-fil-A facilities. The trip generation assessment is presented **Appendix E**.

Table 2 displays the trip generation for the proposed development and includes the morning and evening peak hour.

Table 2 Site Trip Generation

Land Use	Land Use Code ⁽¹⁾	AADT of Adjacent Street	Daily Trips	Period	Peak Hour Trips ⁽²⁾			Pass by ⁽³⁾			Primary		
					In	Out	Total	In	Out	Total	In	Out	Total
Fast Food restaurant with Drive thru	934	24,400	1,893	AM	133	128	261	65	63	128	68	65	133
				PM	148	137	285	74	69	143	74	68	142

(1) Based on the Institute of Transportation Engineers Trip Generation, 10th Edition
(2) Based on BC 2021 Trip Generation Assessment for Chick-Fil-A facilities
(3) Pass-By rates of 49% were extracted from the Institute of Transportation Engineers Trip Generation Handbook, 3rd Edition

The proposed development is expected to generate a total of 261 trips during the morning peak hour and 285 trips during the evening peak hour. It is anticipated that during the morning peak hour 128 of these are existing trips, the remaining 133 are expected to be primary trips. During the evening peak hour, it is anticipated that 143 are existing trips and 142 are new trips.

7. Trip Distribution

The proposed trip distribution for the site was developed based on the AADT information of the surrounding roadway network. The trip distribution for this site is presented in **Figure 2**.

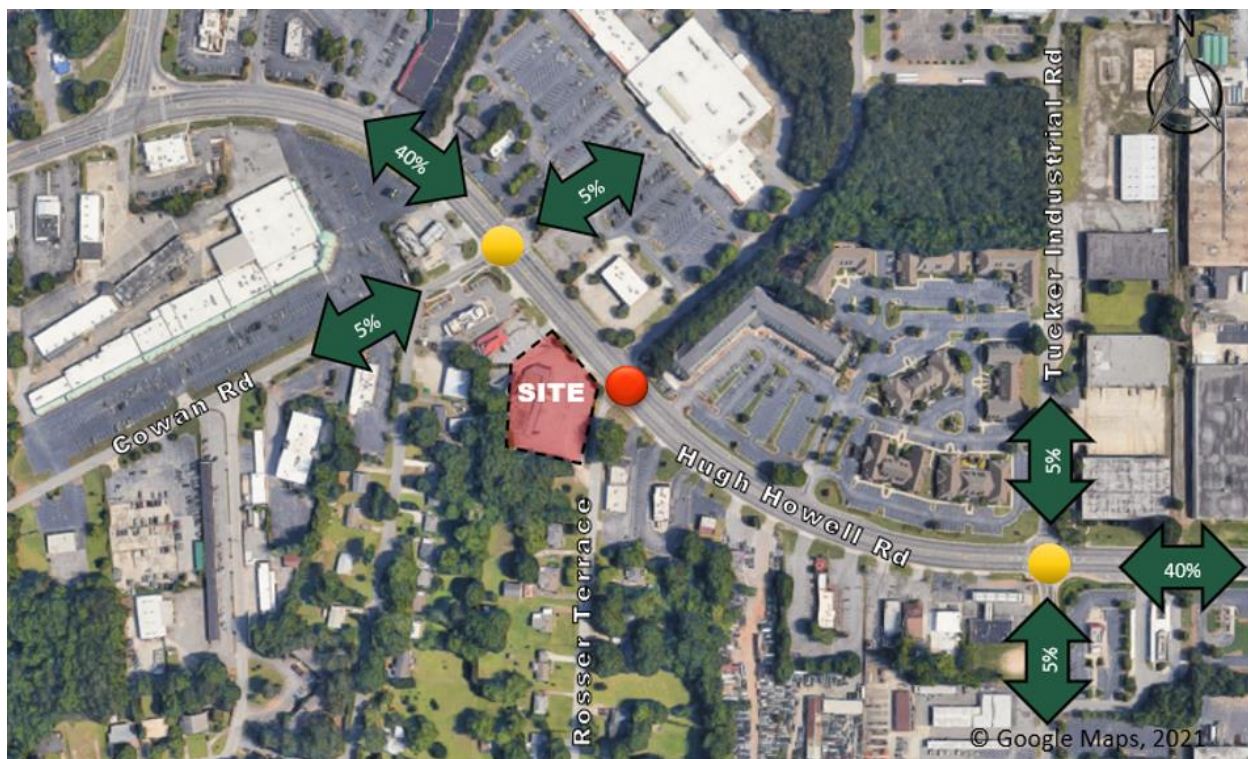


Figure 2. Trip Distribution

The Primary and Pass-By trip distribution are presented in **Exhibits 3** and **4** in **Appendix D**.

The Primary and Pass-By trips are presented in **Exhibits 5** and **6** in **Appendix D**.

The CFA Site Trips are presented in **Exhibits 7** in **Appendix D**.

The CFA Site Trips were added to the 2022 No Build Traffic Volumes to yield the 2022 Build Traffic Volumes presented in **Exhibit 8** in **Appendix D**.

8. Capacity Analysis

The study intersections were analyzed for each scenario following the Highway Capacity Manual (HCM 6th edition) methodologies using the computer software Synchro 10. The analysis uses capacity, Level of Service, and control delay as the criteria for the performance of the driveways.

Capacity, as defined by the HCM, is a measure of the maximum number of vehicles in an hour that can travel through an intersection or section of roadway under typical conditions. Level of Service (LOS) is a marker of the driving conditions and perception of drivers while traveling during the given time period. LOS ranges from LOS A which represents free flow conditions, to LOS F which represents breakdown conditions. **Table 3** shows the LOS for unsignalized intersections as defined by the HCM.

Table 3 HCM Level of Service Criteria

Level of Service (LOS)	Unsignalized Intersections	Signalized Intersections
	Average Control Delay (sec/veh)	Average Control Delay (sec/veh)
A	≤10	≤10
B	10 - 15	10 - 20
C	15 - 25	20 - 35
D	25 - 35	35 - 55
E	35 - 50	55 - 80
F	>50	>80

Control delay is a measure of the total amount of delay experienced by an individual vehicle and includes delay related to deceleration, queue delay, stopped delay, and acceleration. **Table 3** displays the amount of control delay (in seconds per vehicle) that corresponds to the LOS for signalized and unsignalized intersections.

Capacity Analysis Comparison – No Build vs Build Conditions (Year 2022)

Capacity Analyses were conducted for the No Build and Build conditions (year 2022). The primary purpose for this approach was to compare the results to identify areas impacted by the proposed development. The capacity results are included in **Appendix F**.

The capacity results for morning peak hour are summarized in **Table 4**.

Table 4 2022 AM Peak Hour Capacity Analysis

2022 CONDITIONS - (AM)			No Build		Build	
Intersection	Approach	Movement	DELAY (\$)	LOS	DELAY (\$)	LOS
1 Hugh Howell Rd & Cowan Rd/The Centre Driveway	EB	L	4.4	A	4.6	A
		T	5.7	A	5.9	A
		TR	5.7	A	5.9	A
		Approach	5.5	A	5.8	A
	WB	L	5.0	A	5.2	A
		T	0.3	A	0.3	A
		R	0.1	A	0.1	A
		Approach	0.4	A	0.4	A
	NB	Approach	78.7	E	78.6	E
	SB	L	68.2	E	67.7	E
		TR	65.2	E	64.4	E
	Intersection	Approach	66.3	E	65.7	E
		-	8.4	A	8.7	A
2 Hugh Howell Rd & Rosser Terrace	EB	L	9.7	A	9.6	A
		T	0.0	A	0.0	A
		TR	0.0	A	0.0	A
		Approach	0.6	A	0.5	A
	WB	L	0.0	A	8.6	A
		T	0.0	A	0.0	A
		R	0.0	A	0.0	A
		Approach	0.0	A	0.7	A
	NB	Approach	13.6	B	18.5	C
	SB	Approach	11.2	B	11.1	B
	Intersection	-	0.7	A	2.6	A
		-	0.7	A	2.6	A
3 Hugh Howell Rd & Tucker Industrial Rd	EB	L	100.8	F	96.0	F
		T	0.3	A	0.3	A
		TR	0.3	A	0.3	A
		Approach	1.6	A	2.1	A
	WB	L	103.2	F	103.2	F
		T	5.2	A	5.5	A
		TR	5.2	A	5.5	A
		Approach	9.7	A	9.9	A
	NB	Approach	74.8	E	74.6	E
	SB	Approach	67.0	E	66.7	E
	Intersection	-	13.4	B	13.6	B
		-	13.4	B	13.6	B

Based on the results of the capacity analysis during the morning peak hour, all intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions, with minimal increases in the overall delay.

The northbound and southbound approaches of the intersection of Hugh Howell Rd and Cowan Rd and the intersection of Hugh Howell Rd and Tucker Industrial Rd are expected to operate at LOS E during both No Build and Build Conditions. The eastbound and westbound left-turning movements of the intersection with Tucker Industrial Rd are expected to operate at a LOS F during both No Build and Build Conditions, minimal increases in delays are expected at the above-mentioned turning movements and approaches.

The queue results show 95th% queue lengths are not expected to exceed the available of the turn lanes for the morning peak hour, with a HCM 95% Percentile queue of 1.5 vehicles.

The capacity results for evening peak hour are summarized in **Table 5**.

Table 5 2022 PM Peak Hour Capacity Analysis

2022 CONDITIONS - (PM)			No Build		Build	
Intersection	Approach	Movement	DELAY (S)	LOS	DELAY (S)	LOS
1 Hugh Howell Rd & Cowan Rd/The Centre Driveway	EB	L	9.4	A	9.5	A
		T	16.3	B	16.9	B
		TR	16.3	B	16.8	B
		Approach	15.5	B	16.1	B
	WB	L	11.7	B	12.2	B
		T	0.4	A	0.4	A
		R	0.2	A	0.2	A
		Approach	1.1	A	1.2	A
	NB	Approach	74.2	E	74.1	E
	SB	L	57.6	E	57.5	E
		TR	56.1	E	55.7	E
	Intersection	Approach	56.7	E	56.4	E
		-	17.5	B	17.7	B
2 Hugh Howell Rd & Rosser Terrace	EB	L	10.0	A	9.8	A
		T	0.0	A	0.0	A
		TR	0.0	A	0.0	A
		Approach	0.2	A	0.2	A
	WB	L	11.7	B	13.1	B
		T	0.0	A	0.0	A
		R	0.0	A	0.0	A
		Approach	0.0	A	1.1	A
	NB	Approach	25.3	D	56.0	F
	SB	Approach	11.9	B	11.7	B
	Intersection	-	0.6	A	4.3	A
		-	0.6	A	4.3	A
3 Hugh Howell Rd & Tucker Industrial Rd	EB	L	117.2	F	108.3	F
		T	1.6	A	1.7	A
		TR	1.6	A	1.7	A
		Approach	2.0	A	2.3	A
	WB	L	103.1	F	103.1	F
		T	7.9	A	8.3	A
		TR	7.9	A	8.3	A
		Approach	14.8	B	15.0	B
	NB	Approach	77.5	E	77.8	E
	SB	Approach	59.7	E	59.3	E
	Intersection	-	14.6	B	14.8	B
		-	14.6	B	14.8	B

Based on the results of the capacity analysis during the evening peak hour, all intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions. The intersection of Hugh Howell Rd and Rosser Terrace is expected to experience a 3.7 second increase in the overall delay; minimal increases in the overall delay are expected at all other intersections with the inclusion of the proposed development.

Based on the results of the capacity analysis during the evening peak hour, the northbound and southbound approaches of the intersection of Hugh Howell Rd and Cowan Rd are expected to operate at LOS E during both No Build and Build Conditions. The northbound and southbound approaches of the intersection of Hugh Howell Rd and Tucker Industrial Rd are expected to operate at LOS E; the eastbound and westbound left-turning lanes are expected to operate at a LOS F during both No Build and Build Conditions, minimal increases in delays are expected at the above-mentioned turning movements and approaches.

The northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to degrade from LOS D to LOS F from No Build to Build conditions, with an increase in delay of 30.7 seconds. All other approaches are expected to operate at acceptable LOS C or better during both No Build and Build Conditions.

The queue results for the northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace show 95th% queue lengths of approximately 5 vehicles.

Capacity Analysis Comparison – No Build vs Build Improved Conditions

A Capacity Analyses comparison was conducted for the No Build and Build Improved conditions (year 2022). The primary purpose for this approach was to compare the results in order to evaluate proposed improvements. The capacity results are included in **Appendix F**.

The capacity results for morning peak hour are summarized in **Table 6**.

Table 6 2022 Morning Peak Hour Capacity Analysis Comparison No Build vs Improved Conditions

2022 CONDITIONS - (AM)			No Build		Build Improvements	
Intersection	Approach	Movement	DELAY (S)	LOS	DELAY (S)	LOS
2	EB	L	9.7	A	9.6	A
		T	0.0	A	0.0	A
		TR	0.0	A	0.0	A
		Approach	0.6	A	0.5	A
	WB	L	0.0	A	8.6	A
		T	0.0	A	0.0	A
		R	0.0	A	0.0	A
		Approach	0.0	A	0.7	A
	NB	Approach	13.6	B	16.2	C
	SB	Approach	11.2	B	11.1	B
	Intersection	-	0.7	A	2.4	A

Based on the results of the capacity analysis, during the morning peak hour, the intersection of Hugh Howell Rd and Rosser Terrace is expected to experience acceptable overall LOS A under Build Improved conditions with an increase in the overall delay of 1.7 seconds. All approaches are expected to maintain acceptable LOS with minimal increases in the overall delay with the inclusion of the proposed development.

The 95th% queue results for the morning peak hour show a 2-vehicle queue is expected at the northbound approach with the proposed right-turn lane.

The capacity results for evening peak hour are summarized in **Table 7**.

Table 7 2022 Evening Peak Hour Capacity Analysis Comparison No Build vs Improved Conditions

2022 CONDITIONS - (PM)			No Build		Build Improvements	
Intersection	Approach	Movement	DELAY (S)	LOS	DELAY (S)	LOS
2	EB	L	10.0	A	9.8	A
		T	0.0	A	0.0	A
		TR	0.0	A	0.0	A
		Approach	0.2	A	0.2	A
	WB	L	11.7	B	13.1	B
		T	0.0	A	0.0	A
		R	0.0	A	0.0	A
		Approach	0.0	A	1.1	A
	NB	Approach	25.3	D	35.9	E
	SB	Approach	11.9	B	11.7	B
	Intersection	-	0.6	A	3.0	A

Based on the results of the capacity analysis, during the evening peak hour, the intersection of Hugh Howell Rd and Rosser Terrace is expected to experience acceptable overall LOS A under Build Improved conditions with an increase in the overall delay of 2.4 seconds.

The northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to operate at LOS E under Build with Improvements conditions, with an increase in the delay of 10.6 seconds. These capacity constraints are typical at unsignalized approaches connecting to a major road such as Hugh Howell Rd.

The 95th queue results for the evening peak hour show a 3-vehicle queue is expected at the northbound approach with the proposed right-turn lane.

Based on the results of the capacity analysis the proposed development is not expected to adversely impact the surrounding roadway network with the inclusion of the proposed improvements.

9. Conclusions and Recommendations

Based on the results of the trip generation assessment prepared by Bowman Consulting, the proposed development is expected to generate a total of 261 trips during the morning peak hour and 285 trips during the evening peak hour. It is anticipated that during the morning peak hour 128 of these are existing trips, the remaining 133 are expected to be primary trips. During the evening peak hour, it is anticipated that 143 are existing trips and 142 are new trips.

The results of the No Build Vs Build conditions capacity analysis indicate the following:

- During the morning peak hour:
All intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions, with minimal increases in the overall delay.

The northbound and southbound approaches of the intersections of Hugh Howell Rd with Cowan Rd and with Tucker Industrial Rd are expected to operate at LOS E. The eastbound and westbound left-turning lanes are expected to operate at a LOS F during both No Build and Build Conditions; no increases in delays are expected for the above-mentioned failing approaches under Build Conditions. All other approaches are expected to operate at acceptable LOS C or better during both No Build and Build Conditions.

The queue results show 95th queue lengths are not expected to exceed the available of the turn lanes for the morning peak hour, with a HCM 95% Percentile queue of 1.5 vehicles.

- During the evening peak hour:
All intersections are projected to operate at an acceptable overall LOS B or better during the No Build and Build Conditions. The intersection of Hugh Howell Rd and Rosser Terrace is expected to experience a 3.7 second increase in the overall delay; minimal increases in the overall delay are expected at all other intersections with the inclusion of the proposed development.

The northbound and southbound approaches of the intersections of Hugh Howell Rd with Cowan Rd and with Tucker Industrial Rd are expected to operate at LOS E for both No Build and Build Conditions. The eastbound and westbound left-turning movements of the intersection with Tucker Industrial Rd are expected to operate at a LOS F during both No

Build and Build Conditions, minimal increases in delays are expected at the above-mentioned turning movements and approaches.

The northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to degrade from LOS D to LOS F from No Build to Build conditions, with an increase in delay of 30.7 seconds. All other approaches are expected to operate at acceptable LOS C or better during both No Build and Build Conditions.

The queue results for the northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace show 95th% queue lengths of approximately 5 vehicles.

The following improvements are proposed:

- Intersection of Hugh Howell Rd and Rosser Terrace: provide northbound right-turn lane.

The results of the No Build Vs Build Improved conditions capacity analysis indicate the following:

- The intersection of Hugh Howell Rd and Rosser Terrace is expected to experience acceptable overall LOS A under Build Improved conditions with an increase in the overall delay of 1.7 seconds for the morning peak hour and 2.4 seconds for the evening peak hour.

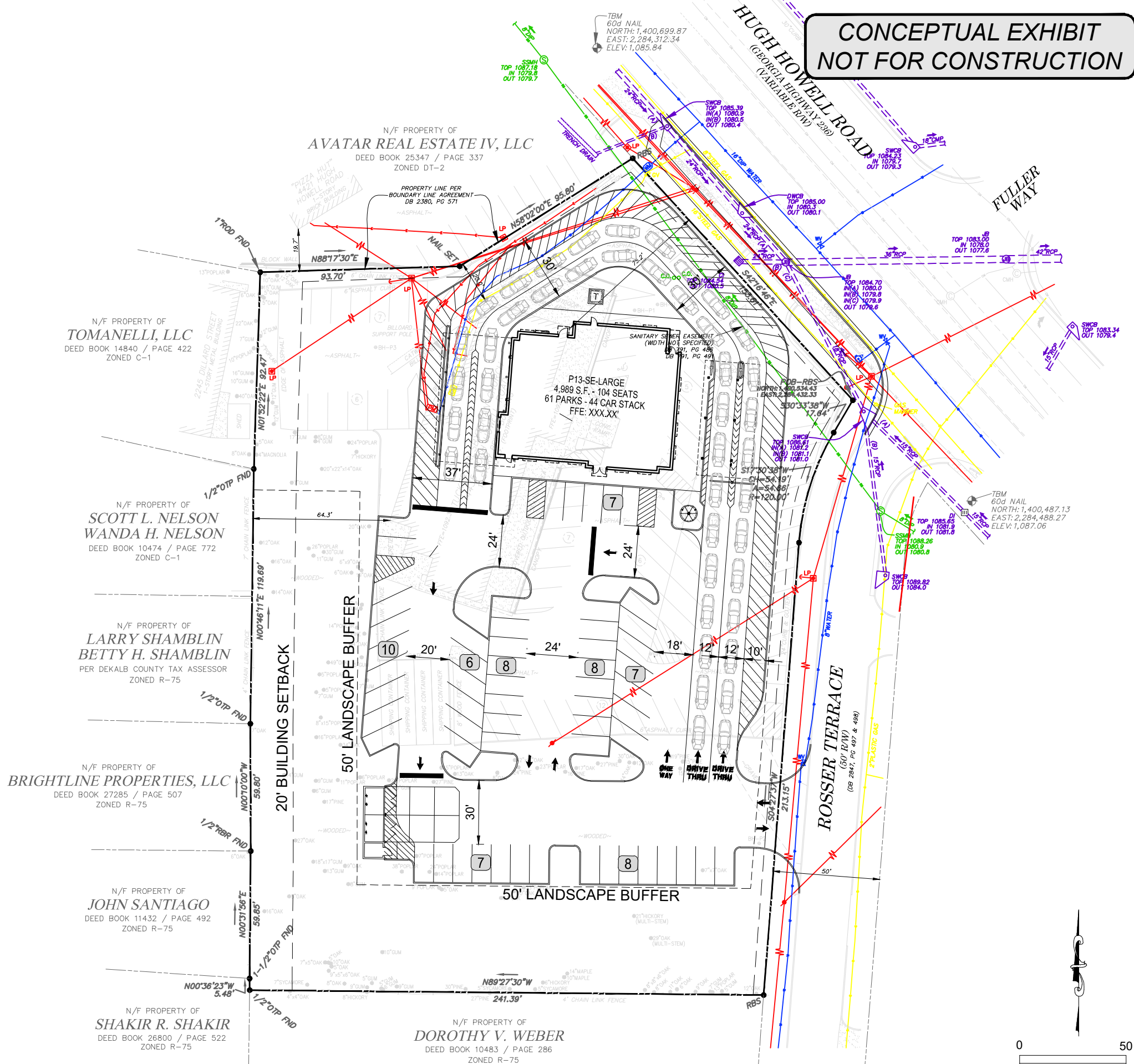
For the morning peak hour all approaches are expected to maintain acceptable LOS with minimal increases in the overall delay with the inclusion of the proposed development. During the evening peak hour, the northbound approach of the intersection of Hugh Howell Rd and Rosser Terrace is expected to operate at LOS E under Build with Improvements conditions, with an increase in the delay of 10.6 seconds. These capacity constraints are typical at unsignalized approaches connecting to a major road such as Hugh Howell Rd.

- The 95th% queue results for the morning peak hour show a 3-vehicle queue is expected for the evening peak hour at the northbound approach with the proposed right-turn lane.

Based on the results of the capacity analysis the proposed development is not expected to adversely impact the surrounding roadway network with the inclusion of the proposed improvements.

APPENDIX A

CAD file name: V:\20005 - Chick-Fil-A\20005-01-049 (ENG) - Tucker, GA (Hugh Howell Rd) #04959\Engineering\Exhibits\ALTA Overlay 1.0.dwg 4/30/2021



CONCEPTUAL EXHIBIT
NOT FOR CONSTRUCTION

SITE DATA TABLE			
ADDRESS	4431 HUGH HOWELL RD, TUCKER, GA 30084		
PARCEL ID	18 214 04 086		
JURISDICTION	CITY OF TUCKER		
ZONING	DT-2 (DOWNTOWN CORRIDOR)		
PROPOSED CFA AREA	89,271 SF	2.049 AC	100.0%
IMPERVIOUS AREA	50,345 SF	1.158 AC	56.4%
OPEN SPACE AREA	38,926 SF	0.894 AC	43.6%
PARKING CALCULATIONS			
USE	RATIO	REQUIRED	
TOTAL REQUIRED	1 PER 150 SF	33 MIN	
TOTAL PROPOSED	61 SPACES		
BUILDING SETBACKS			
YARD	REQUIRED	PROPOSED	
NORTH	5'	11'	
EAST	5'	15'	
WEST	20'	163'	
SOUTH	0'	239'	
LANDSCAPE BUFFERS			
YARD	REQUIRED	PROPOSED	
NORTH	0'	0'	
EAST	10'	10	
WEST	50'	50'	
SOUTH	50'	50'	
VARIANCES & ISSUES			

PROPOSED LEGEND

- PROPERTY LINE
- BUILDING SETBACK LINE
- BUFFER

1 PARKING COUNT

OVERLAY
EXHIBIT

Chick-Fil-A
5200 Bufington Road
Atlanta, Georgia 30349-2998



Bowman Consulting Group, Ltd.
950 North Point Pkwy
Suite 200
Alpharetta, GA 30005
Phone: (470) 206-8030
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

CONCEPTUAL DESIGN
TUCKER, HUGH HOWEL RD, GA
CHICK-FIL-A
HUGH HOWEL RD &
ROSSER TERRACE

Bowman
CONSULTING
Certificate of Authorization License No. 4523

JD DSGN JD DRAWN JD CHKD

SCALE: 1" = 50'

VERSION 1.0

APPENDIX B

Rodrigo Meirelles

From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>
Sent: Wednesday, June 9, 2021 5:23 PM
To: Daniela Jurado
Cc: Andrew Petersen; Rodrigo Meirelles
Subject: [EXTERNAL] RE: [External]RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

Yes, these will be a good representation.



**City of
Tucker**

KEN HILDEBRANDT, PE, PTOE
CITY ENGINEER

M: 770-865-5645

E: khildebrandt@tuckerga.gov W: tuckerga.gov



From: Daniela Jurado <djurado@bowman.com>
Sent: Wednesday, June 9, 2021 4:15 PM
To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>
Cc: Andrew Petersen <apetersen@bowman.com>; Rodrigo Meirelles <rmeirelles@bowman.com>
Subject: [External]RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

Good Afternoon Ken,

We received some trip generation information today of some CFA locations in the Great Atlanta area, average weekday (M-Th) information from 2 months in 2019 and February 2021 when school was in session. The locations are the following:

- 1- 2580 Piedmont Rd
- 2- 2340 N Druid Hills Rd
- 3- 1100 Northside Dr

Sincerely,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>
Sent: Wednesday, June 9, 2021 8:23 AM
To: Daniela Jurado <djurado@bowman.com>

Cc: Andrew Petersen <apetersen@bowman.com>; Rodrigo Meirelles <rmeirelles@bowman.com>

Subject: [EXTERNAL] RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

What is the ADT on the street in Miami?

Is it a comparable site?



KEN HILDEBRANDT, PE, PTOE

CITY ENGINEER

M: 770-865-5645

E: khildebrandt@tuckerga.gov W: tuckerga.gov



From: Daniela Jurado <djurado@bowman.com>

Sent: Tuesday, June 8, 2021 2:21 PM

To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>

Cc: Andrew Petersen <apetersen@bowman.com>; Rodrigo Meirelles <rmeirelles@bowman.com>

Subject: [External]RE: Chick-fil-A Tucker Methodology Coordination

Good Afternoon Ken,

For the trip generation of the CFA we have conducted a trip generation study for a CFA in the Miami Dade area. Is it possible for us to use this trip generation study results to evaluate the trip generation for this site?

Thank you,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Daniela Jurado

Sent: Tuesday, June 8, 2021 8:47 AM

To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>

Subject: RE: Chick-fil-A Tucker Methodology Coordination

Thank you,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>
Sent: Tuesday, June 8, 2021 8:36 AM
To: Daniela Jurado <djurado@bowman.com>
Subject: [EXTERNAL] Chick-fil-A Tucker Methodology Coordination

DeKalb County maintains our traffic signals. You may be able to get this information from Demetria Allen.
dfchambliss@dekalbcountyga.gov



KEN HILDEBRANDT, PE, PTOE
CITY ENGINEER
M: 770-865-5645
E: khildebrandt@tuckerga.gov W: tuckerga.gov
A row of five social media icons: Facebook (blue), Twitter (light blue), Instagram (brown), YouTube (red), and Nextdoor (green).

From: Daniela Jurado <djurado@bowman.com>
Sent: Tuesday, June 8, 2021 8:28 AM
To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>; Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>
Cc: Andrew Petersen <apetersen@bowman.com>
Subject: [External]RE: [External]RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

Good Morning Ken,

Is there a way we can get the signal phasing and timings for the intersections of Hugh Howell Rd and Tucker Industrial Rd and Hugh Howell Rd and Cowan Rd?

Thank you,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>
Sent: Monday, June 7, 2021 3:21 PM
To: Daniela Jurado <djurado@bowman.com>; Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>
Cc: Andrew Petersen <apetersen@bowman.com>
Subject: [EXTERNAL] RE: [External]RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

No further comments at this time.



KEN HILDEBRANDT, PE, PTOE
CITY ENGINEER

M: 770-865-5645

E: khildebrandt@tuckerga.gov W: tuckerga.gov



From: Daniela Jurado <djurado@bowman.com>

Sent: Monday, June 7, 2021 3:18 PM

To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>; Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>

Cc: Andrew Petersen <apetersen@bowman.com>

Subject: [External]RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

Thank you Ken,

We will start working on the best locations to get this data collected. Besides the trip generation, is there any other comments on the proposed methodology?

Sincerely,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>

Sent: Monday, June 7, 2021 12:46 PM

To: Daniela Jurado <djurado@bowman.com>; Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>

Cc: Andrew Petersen <apetersen@bowman.com>

Subject: [EXTERNAL] RE: [External]RE: Chick-fil-A Tucker Methodology Coordination

Again, I think that a Chick fil-A is a different animal and is not accurately represented in this trip generation category.



KEN HILDEBRANDT, PE, PTOE
CITY ENGINEER

M: 770-865-5645

E: khildebrandt@tuckerga.gov W: tuckerga.gov



From: Daniela Jurado <djurado@bowman.com>

Sent: Monday, June 7, 2021 9:53 AM

To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>; Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>

Cc: Andrew Petersen <apetersen@bowman.com>

Subject: [External]RE: Chick-fil-A Tucker Methodology Coordination

Good Morning Ken,

Would it be possible for us to use the ITE mean values plus one standard deviation. That would leave the following trip generation:

Mean

Land Use	Land Use Code ⁽¹⁾	Size	Daily Trips	Period	Peak Hour Trips			Pass. by ⁽²⁾		
					In	Out	Total	In	Out	Total
Fast Food restaurant with Drive thru	934	4,989	1,893	AM	103	98	201	50	48	98
				PM	85	78	163	42	38	80

(1) Based on the Institute of Transportation Engineers Trip Generation, 10th Edition

(1) Pass-By rates of 49% were extracted from the Institute of Transportation Engineers Trip Generation Handbook, 3rd Edition

Mean +1 std dev

Land Use	Land Use Code ⁽¹⁾	Size	Daily Trips	Period	Peak Hour Trips			Pass. by ⁽²⁾		
					In	Out	Total	In	Out	Total
Fast Food restaurant with Drive thru	934	4,989	1,893	AM	175	169	344	86	83	169
				PM	131	121	252	64	59	123

(1) Based on the Institute of Transportation Engineers Trip Generation, 10th Edition

(1) Pass-By rates of 49% were extracted from the Institute of Transportation Engineers Trip Generation Handbook, 3rd Edition

Would you agree with this approach?

Thank you,

DANIELA JURADO

Project Manager | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762

djurado@bowman.com | bowman.com



From: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>

Sent: Monday, June 7, 2021 8:18 AM

To: Rodrigo Meirelles <rmeirelles@bowman.com>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>

Cc: Daniela Jurado <djurado@bowman.com>; Andrew Petersen <apetersen@bowman.com>

Subject: [EXTERNAL] Chick-fil-A Tucker Methodology Coordination

Rodrigo,

A Chick fil-A restaurant is rather unique and does not fit in the mold of Code 934 for a Fast Food Restaurant. Actual trip generation will be significantly higher. A more accurate estimate would be to provide counts at an existing comparably sized Chick fil-A.

You can call me at the number below with any questions.



KEN HILDEBRANDT, PE, PTOE
CITY ENGINEER

M: 770-865-5645

E: khildebrandt@tuckerga.gov W: tuckerga.gov



From: Rodrigo Meirelles <rmeirelles@bowman.com>

Sent: Thursday, June 3, 2021 10:18 AM

To: Ken Hildebrandt <KHildebrandt@Tuckerga.gov>; Courtney Smith <CSmith@Tuckerga.gov>; Kylie Thomas <kthomas@tuckerga.gov>

Cc: Daniela Jurado <djurado@bowman.com>; Andrew Petersen <apetersen@bowman.com>

Subject: [External]Chick-fil-A Tucker Methodology Coordination

Good Morning Ken, Courtney, and Kylie,

I am contacting you regarding a Chick-fil-A project at 4431 Hugh Howell Rd, Tucker, GA. The site will be replacing the existing Presbyterian Church. Attached you will find a Methodology Statement with the Trip Generation for this site and a Current Site Plan.

We want to schedule a meeting with the City of Tucker to verify that our methodology for this Traffic Impact Study is acceptable. Could you reply to this email with the best time for you to discuss this project?

Thank you in advance.

Sincerely,

RODRIGO MEIRELLES VAN VLIET

Engineer I | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905

rmeirelles@bowman.com | bowman.com



Rodrigo Meirelles

From: Rodrigo Meirelles
Sent: Wednesday, June 9, 2021 10:48 AM
To: Mathis, Renaldo M
Cc: Daniela Jurado; Andrew Petersen
Subject: RE: Chick-fil-A Tucker Methodology Coordination - GDOT

That will work, thank you very much Renaldo. Can you please include Daniela Jurado (djurado@bowman.com) and Andrew Petersen (apetersen@bowman.com) to the meeting invite as well?

Sincerely,

RODRIGO MEIRELLES VAN VLIET

Engineer I | **BOWMAN**

O: (321) 270-8905

rmeirelles@bowman.com

From: Mathis, Renaldo M <RMathis@dot.ga.gov>
Sent: Wednesday, June 9, 2021 10:35 AM
To: Rodrigo Meirelles <rmeirelles@bowman.com>
Subject: [EXTERNAL] RE: Chick-fil-A Tucker Methodology Coordination - GDOT

I will set the meeting on Microsoft teams for Tuesday at 1.

Thanks,

Renaldo M. Mathis

Civil Engineer II

Serving City of Atlanta & DeKalb County



District 7 Office of *Traffic Operations*
5025 New Peachtree Road
Chamblee, GA, 30341
770.216.3993 office
404.655.8946 mobile

From: Rodrigo Meirelles <rmeirelles@bowman.com>
Sent: Wednesday, June 9, 2021 10:20 AM
To: Mathis, Renaldo M <RMathis@dot.ga.gov>
Cc: Daniela Jurado <djurado@bowman.com>; Andrew Petersen <apetersen@bowman.com>
Subject: RE: Chick-fil-A Tucker Methodology Coordination - GDOT

Hello Renaldo,

Sorry for misspelling your name at first. Either one of these days will work for us. Let us know what time works best for you and your manager.

Thank you,

RODRIGO MEIRELLES VAN VLIET

Engineer I | **BOWMAN**

O: (321) 270-8905

rmeirelles@bowman.com

From: Mathis, Renaldo M <RMathis@dot.ga.gov>

Sent: Wednesday, June 9, 2021 9:35 AM

To: Rodrigo Meirelles <rmeirelles@bowman.com>

Subject: [EXTERNAL] RE: Chick-fil-A Tucker Methodology Coordination - GDOT

Good morning Rodrigo,

I can set a meeting for sometime early next week if that works for you. I m going to speak with my manager to see what times work best based on the day you prefer. I'm thinking sometime Monday or Tuesday. How does these dates sound to you?

Thanks,

Renaldo M. Mathis

Civil Engineer II

Serving City of Atlanta & DeKalb County



District 7 Office of *Traffic Operations*

5025 New Peachtree Road

Chamblee, GA, 30341

770.216.3993 office

404.655.8946 mobile

From: Rodrigo Meirelles <rmeirelles@bowman.com>

Sent: Wednesday, June 9, 2021 9:12 AM

To: Mathis, Renaldo M <RMathis@dot.ga.gov>

Cc: Andrew Petersen <apetersen@bowman.com>; Daniela Jurado <djurado@bowman.com>

Subject: RE: Chick-fil-A Tucker Methodology Coordination - GDOT

Good Morning Ronaldo,

I wanted to follow up on my previous email and see if you received my previous email with the attached methodology for this project, and if there is any additional information you require for the TIA of this project.

Please do not hesitate to contact us.

Thank you in advance,

RODRIGO MEIRELLES VAN VLIET

Engineer I | **BOWMAN**

O: (321) 270-8905

rmeirelles@bowman.com

From: Rodrigo Meirelles

Sent: Thursday, June 3, 2021 2:06 PM

To: rmathis@dot.ga.gov

Cc: Andrew Petersen <apetersen@bowman.com>; Daniela Jurado <djurado@bowman.com>

Subject: Chick-fil-A Tucker Methodology Coordination - GDOT

Good Morning Ronaldo,

I am contacting you regarding a Chick-fil-A project at 4431 Hugh Howell Rd, Tucker, GA. The site will be replacing the existing Presbyterian Church. Attached you will find a Methodology Statement with the Trip Generation for this site and the most recent Site Plan.

We want to schedule a meeting with the GDOT to verify that our methodology for this Traffic Impact Study is acceptable. Could you reply to this email with the best time for you to discuss this project?

Thank you in advance.

Sincerely,

RODRIGO MEIRELLES VAN VLIET

Engineer I | **BOWMAN**

4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934

O: (321) 270-8905

rmeirelles@bowman.com | bowman.com



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.

**TRAFFIC IMPACT STUDY CHICK-FIL-A, TUCKER, GA
SCOPING/METHODOLOGY STATEMENT**

Scoping Meeting Date: Electronic Coordination

Applicant's Consultant: Bowman Consulting Group

Applicant's Contact information: Andrew J Petersen (321 -270 - 8987 / apetersen@bowman.com)

Daniela Jurado (321 -270 - 8977 / djurado@bowman.com)

(1) LOCATION OF PROPOSED PROJECT: **4431 Hugh Howell Rd, Tucker, GA 30084, See Figure 1.**

Municipality: City of Tucker, GA

County DeKalb County

(2) DESCRIPTION OF PROPOSED PROJECT:

The proposed development comprises a 4,989 square feet Fast-food restaurant with drive-thru window with 44 car stack, located at 4431 Hugh Howell Rd in the city of Tucker, Georgia. Access to the development will be provided by one (1) full-access driveway along Rosser Terrace.

Trip generation rates were extracted from the Institute of Transportation Engineers 10th Edition. The trip generation is presented in **Table 1**. The proposed Trip Distribution is presented in **Figure 2**.

(3) PURPOSE OF THE ASSESSMENT:

The purpose for the study is threefold: to determine the number of trips generated by the proposed site; to determine the potential impact, if any, of the proposed development on the roadway network; to propose improvements, if required.

Capacity analyses will be prepared for the No Build, Build conditions, and Build Conditions with Improvements (if required). Turn lane warrant analyses will be completed at the intersection of Hugh Howell Rd and Rosser Terrace. The results of the study will be summarized in a report document with graphics and back up data.

(4) DEVELOPMENT SCHEDULE:

Anticipated Opening Date: 2022

Analysis Date: 2022

(5) STUDY INTERSECTIONS (See Figure 2):

- Hugh Howell Rd and Rosser Terrace (Unsignalized Intersection)
- Hugh Howell Rd and Tucker Industrial Rd (Signalized Intersection)
- Hugh Howell Rd and Cowan Rd (Signalized Intersection)

(6) STUDY AREA TYPE: Urban: x Rural:

(7) ANALYSIS PERIODS AND TIMES:

AM Peak hour 7:00 AM - 09:00 AM
PM Peak hour 4:00 PM - 06:00 PM

(8) TRAFFIC ADJUSTMENT FACTORS:

(a) Seasonal Adjustment:	<u>To be determined upon coordination</u>	
(b) Annual Base Traffic Growth:	<u>See Table 2</u>	Source: Approximate Growth average from AADT's GDOT Traffic Count Data online

(9) OTHER PROJECTS WITHIN STUDY AREA TO BE ADDED TO BASE TRAFFIC:

To be determined upon coordination

(10) APPROVAL OF DATA COLLECTION ELEMENTS AND METHODOLOGIES:

<u>Proposed Location</u>	<u>Period (Avg Day)</u>	<u>Type</u>
-Hugh Howell Rd and Rosser Terrace	AM/PM	Turning Movement Counts
-Hugh Howell Rd and Tucker Industrial Rd	AM/PM	Turning Movement Counts
-Hugh Howell Rd and Cowan Rd	AM/PM	Turning Movement Counts

(11) CAPACITY/LOS ANALYSIS

<u>Location</u>	<u>Period (Avg Day)</u>	<u>Type</u>
-Hugh Howell Rd and Rosser Terrace	AM/PM	Synchro (HCS)
-Hugh Howell Rd and Tucker Industrial Rd	AM/PM	Synchro (HCS)
-Hugh Howell Rd and Cowan Rd	AM/PM	Synchro (HCS)

(12) ROADWAY IMPROVEMENTS/MODIFICATIONS BY OTHERS TO BE INCLUDED:

To be determine upon coordination

(13) OTHER NEEDED ANALYSES:

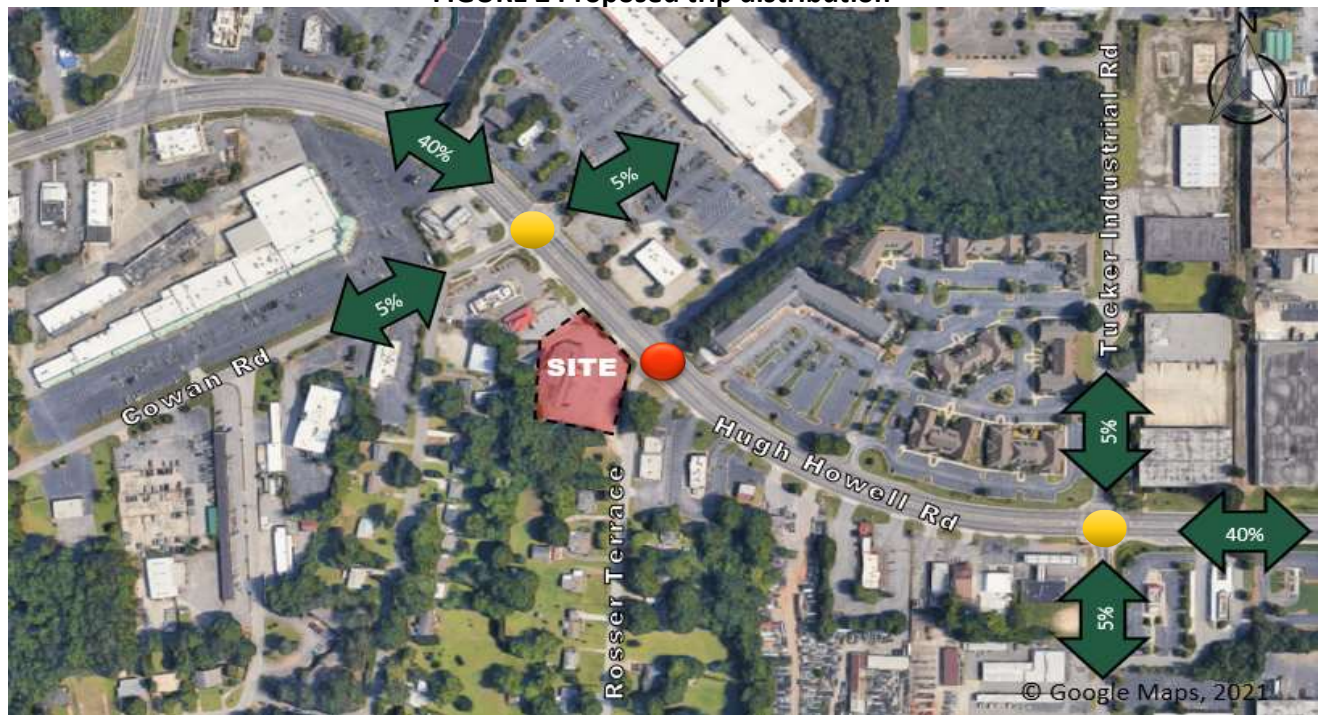
- (a) Signal Warrant Analysis:
No
- (b) Required Signal Phasing/Timing Modifications:
TBD
- (c) Analysis of the Need for Turning Lanes:
-Hugh Howell Rd and Rosser Terrace (Unsignalized Intersection)
- (d) Turning Lane Lengths:
95th Percentile Synchro Queue

(14) ADDITIONAL COMMENTS OR RECOMMENDATIONS RELATIVE TO THE SCOPE OF THIS PROJECT:

TRAFFIC IMPACT STUDY
SCOPING/METHODOLOGY STATEMENT



FIGURE 2 Proposed trip distribution



TRAFFIC IMPACT STUDY **SCOPING/METHODOLOGY STATEMENT**

TABLE 1

Land Use	Land Use Code ⁽¹⁾	Size	Daily Trips	Period	Peak Hour Trips			Pass by ⁽²⁾			Primary		
					In	Out	Total	In	Out	Total	In	Out	Total
Fast Food restaurant with Drive thru	934	4,989 SF	2,350	AM	102	99	201	50	49	99	52	50	102
				PM	85	78	163	43	39	82	42	39	81

(1) Based on the Institute of Transportation Engineers Trip Generation, 10th Edition

(1) Pass-By rates of 49% for the AM Peak Hour and 50% for the PM Peak Hour were extracted from the ITE Trip Generation Handbook, 3rd Edition

TABLE 2

Roadway	From	to	2015	2016	2017	2018	2019	2016	2017	2018	2019	Avg Growth rate	Applied Growth rate
Hugh Howell Rd	Lawrenceville Hwy	Mountain Industrial Blvd	21,700	22,400	25,600	25,600	24,400	3.2%	14.3%	0.0%	-4.7%	3.2%	3.2%
Rosser Terrace	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%
Tucker Industrial Rd	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%
Cowan Rd	N/A	N/A	-	-	-	-	-	-	-	-	-	No Data	0.5%

Source: Approximate Growth average from 2015-2019 AADT's GDOT Traffic Count Database System (TCDS).

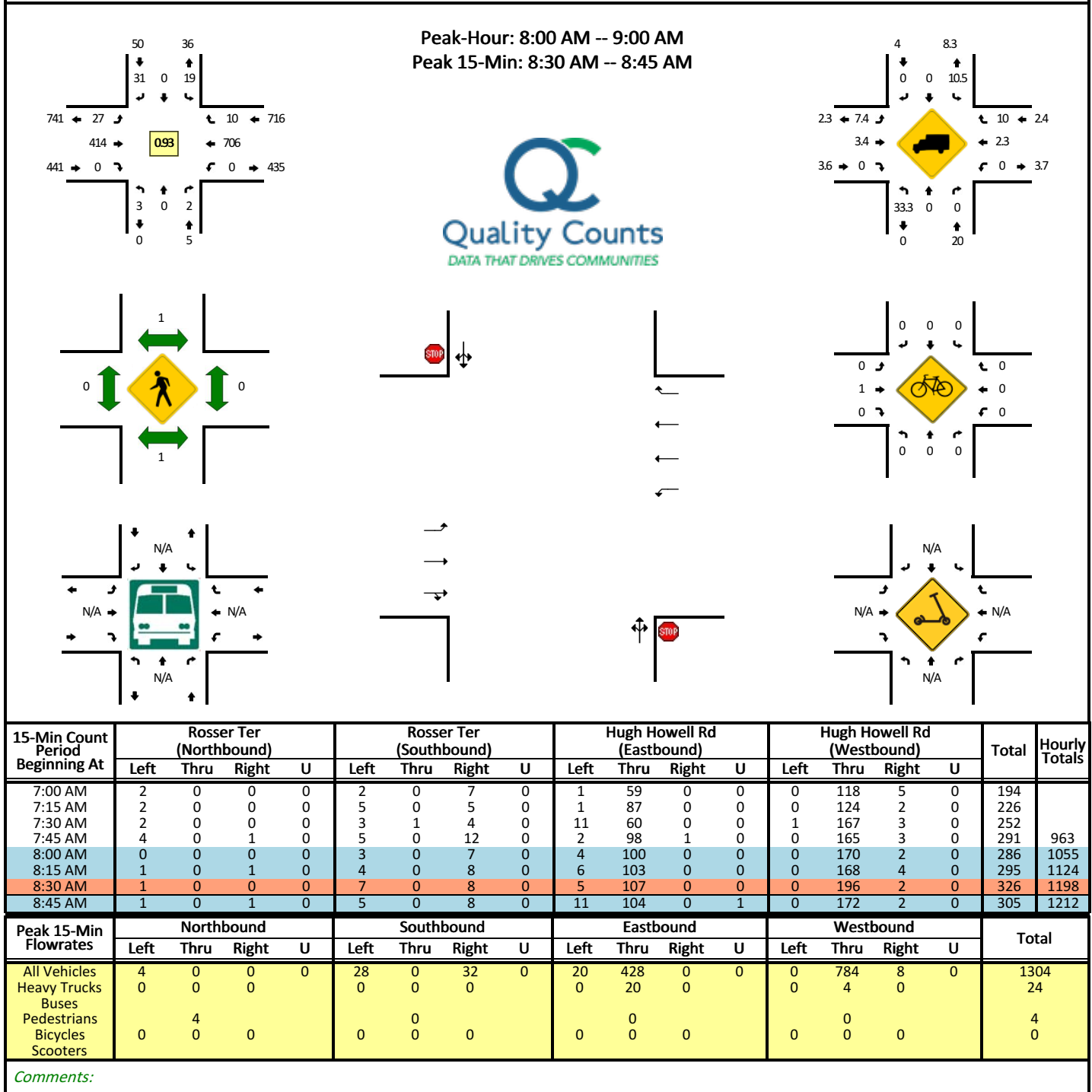
<https://gdottrafficdata.drakewell.com/publicmultinodemap.asp>

A 0.5% minimum growth rate for the roads was assumed based on the City of Tucker population growth rate.

APPENDIX C

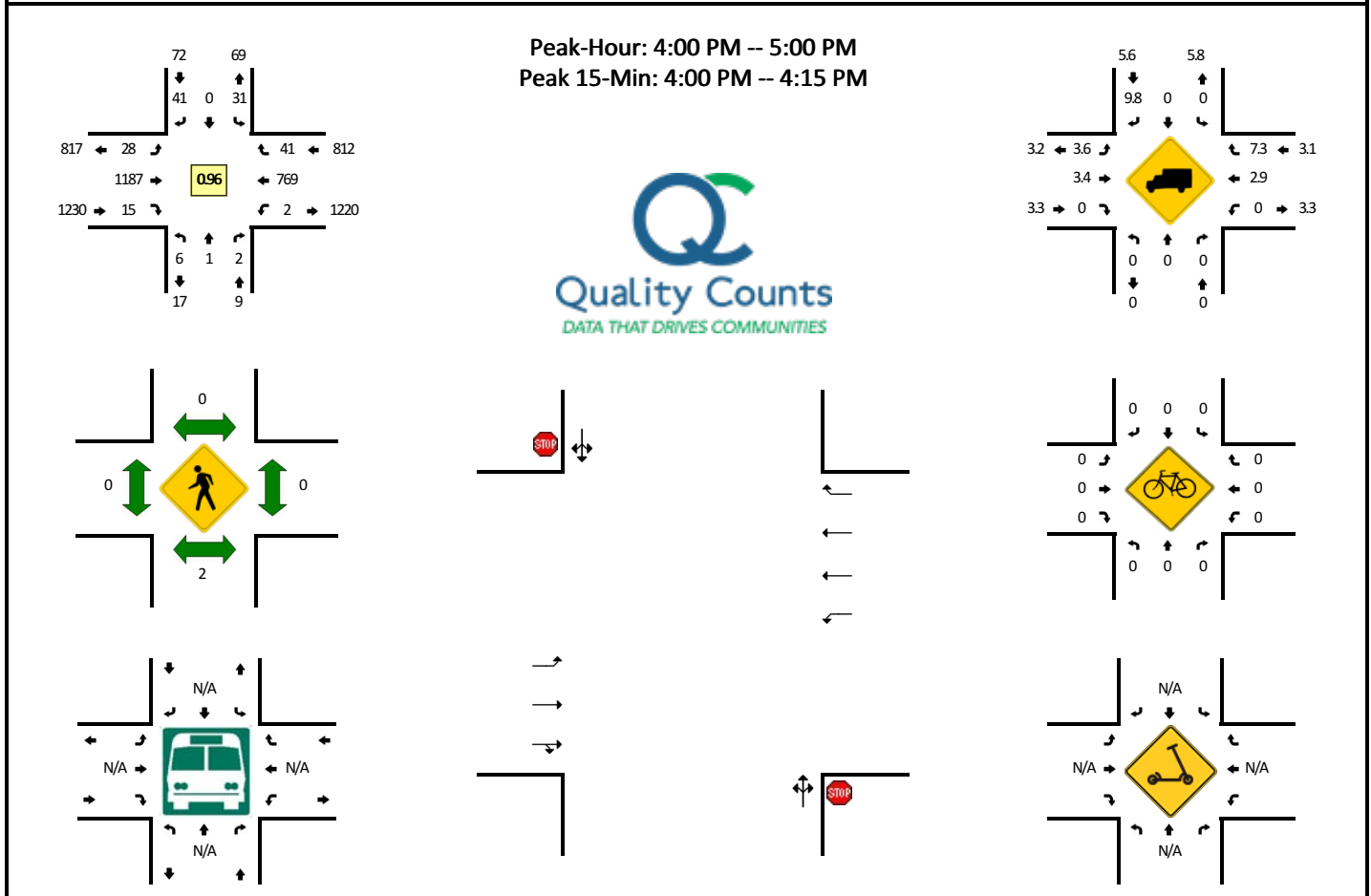
LOCATION: Rosser Ter -- Hugh Howell Rd
CITY/STATE: Tucker, GA

QC JOB #: 15488401
DATE: Tue, Jun 15 2021



LOCATION: Rosser Ter -- Hugh Howell Rd
CITY/STATE: Tucker, GA

QC JOB #: 15488402
DATE: Tue, Jun 15 2021

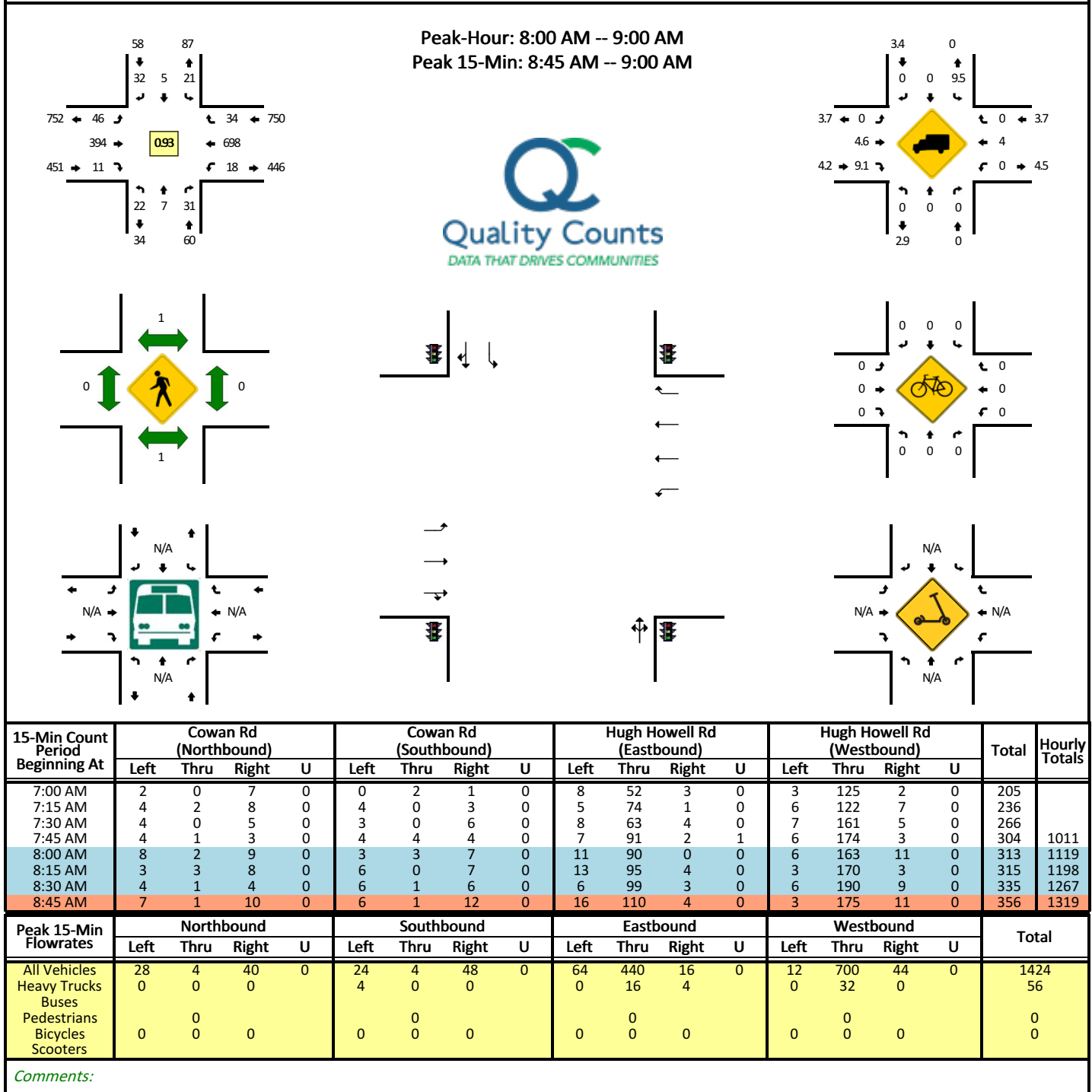


15-Min Count Period Beginning At	Rosser Ter (Northbound)				Rosser Ter (Southbound)				Hugh Howell Rd (Eastbound)				Hugh Howell Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	0	0	9	0	11	0	3	315	3	0	0	203	8	0	552	
4:15 PM	2	0	0	0	9	0	6	0	12	294	3	0	1	196	12	0	535	
4:30 PM	3	0	1	0	6	0	11	0	4	329	6	0	0	169	11	0	540	
4:45 PM	1	1	1	0	7	0	13	0	8	249	3	1	1	201	10	0	496	2123
5:00 PM	0	0	1	0	6	0	11	0	2	285	6	0	0	187	9	0	507	2078
5:15 PM	3	0	0	0	9	0	9	0	7	332	2	0	1	193	11	0	567	2110
5:30 PM	2	0	0	0	2	0	11	0	7	302	2	0	0	165	9	0	500	2070
5:45 PM	1	0	1	0	1	1	7	0	9	316	7	0	0	189	5	0	537	2111
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	0	0	36	0	44	0	12	1260	12	0	0	812	32	0	2208	
Heavy Trucks	0	0	0	0	0	0	4	0	0	32	0	0	0	32	4	0	72	
Buses																		
Pedestrians		4				0				0				0			4	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Scooters																		

Comments:

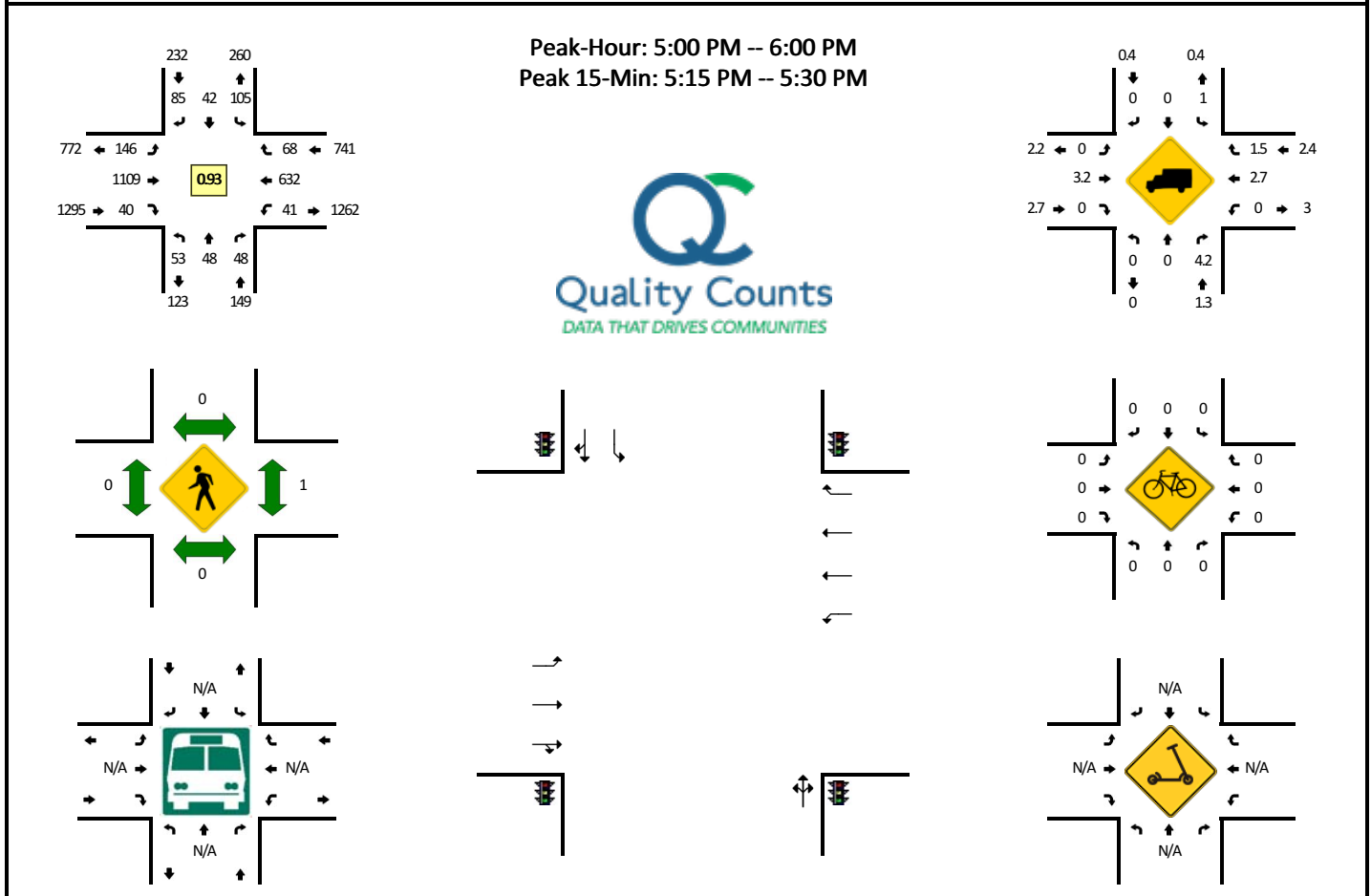
LOCATION: Cowan Rd -- Hugh Howell Rd
CITY/STATE: Tucker, GA

QC JOB #: 15488403
DATE: Tue, Jun 15 2021



LOCATION: Cowan Rd -- Hugh Howell Rd
CITY/STATE: Tucker, GA

QC JOB #: 15488404
DATE: Tue, Jun 15 2021

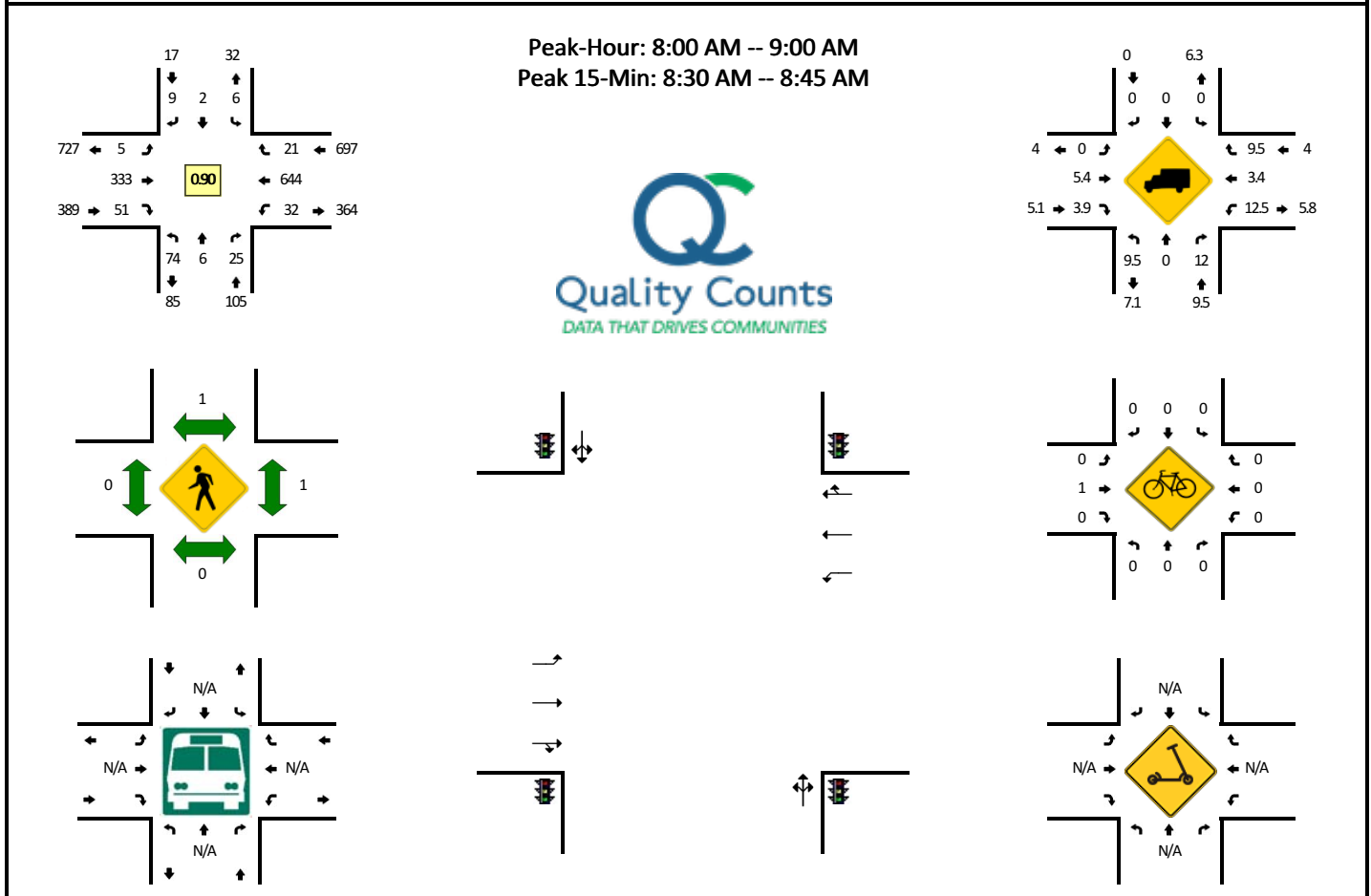


15-Min Count Period Beginning At	Cowan Rd (Northbound)				Cowan Rd (Southbound)				Hugh Howell Rd (Eastbound)				Hugh Howell Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	11	6	13	0	18	7	29	0	37	291	18	0	15	181	17	0	643	
4:15 PM	18	5	19	0	23	14	29	0	37	260	7	0	9	159	22	0	602	
4:30 PM	9	11	11	0	19	5	15	0	35	301	5	0	14	159	13	0	597	
4:45 PM	13	7	11	0	26	9	25	0	29	228	10	0	11	175	24	0	568	2410
5:00 PM	11	13	8	0	24	6	15	0	46	268	16	0	8	153	17	0	585	2352
5:15 PM	15	12	15	0	22	10	24	0	36	296	9	1	10	183	16	0	649	2399
5:30 PM	13	8	17	0	25	14	19	0	37	258	8	1	12	144	17	0	573	2375
5:45 PM	14	15	8	0	34	12	27	0	25	287	7	0	11	152	18	0	610	2417
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	60	48	60	0	88	40	96	0	144	1184	36	4	40	732	64	0	2596	
Heavy Trucks	0	0	4	0	0	0	0	0	0	36	0	0	0	4	0	0	44	
Buses																		
Pedestrians	0	0			0	0			0	0			0	0			0	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Scoters																		

Comments:

LOCATION: Tucker Industrial Rd -- Hugh Howell Rd
CITY/STATE: Tucker, GA

QC JOB #: 15488405
DATE: Tue, Jun 15 2021

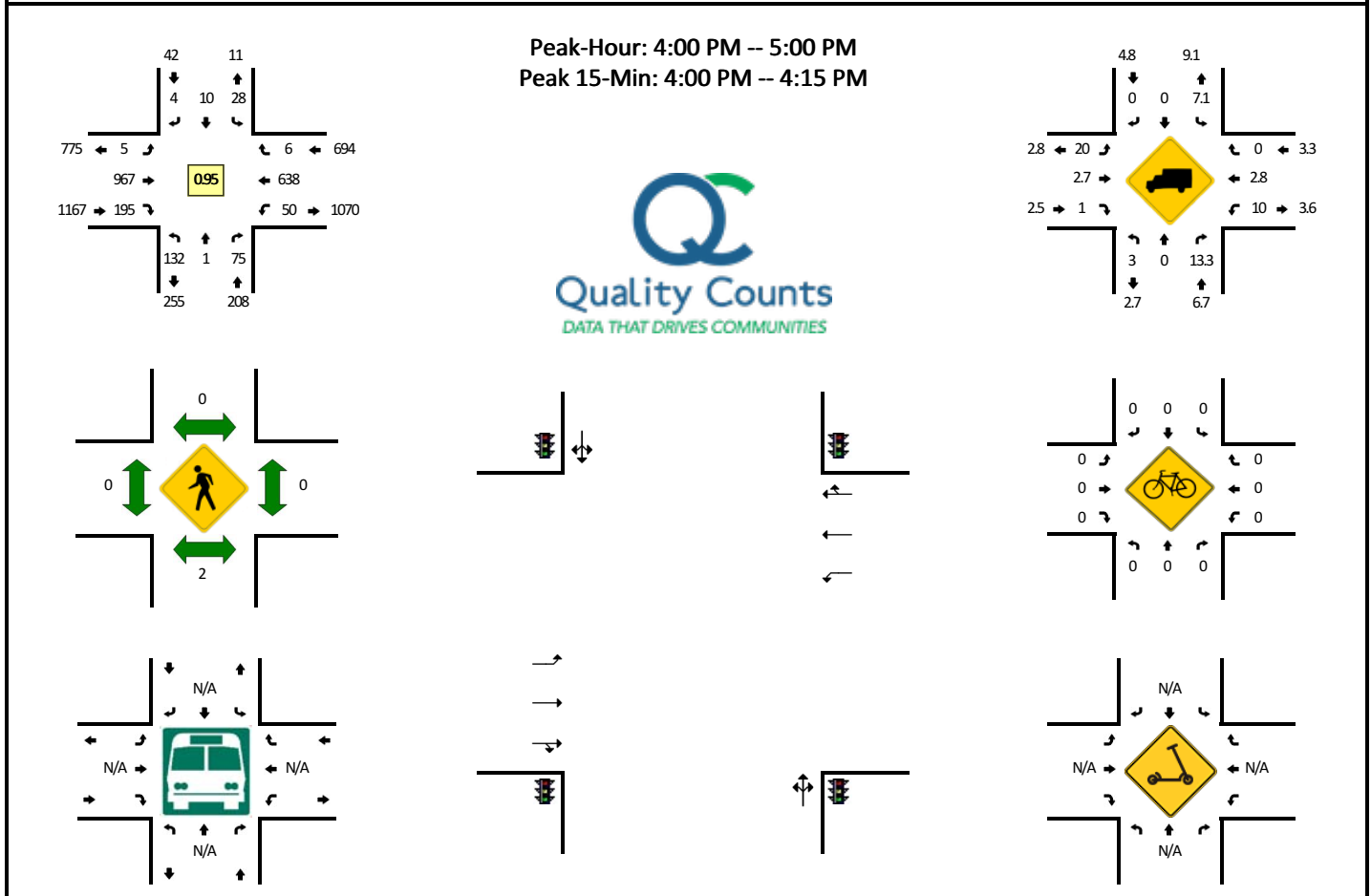


15-Min Count Period Beginning At	Tucker Industrial Rd (Northbound)				Tucker Industrial Rd (Southbound)				Hugh Howell Rd (Eastbound)				Hugh Howell Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	10	1	8	0	0	0	0	0	0	46	17	0	16	115	1	0	214	
7:15 AM	11	1	8	0	0	0	1	0	2	68	11	0	13	124	2	0	241	
7:30 AM	29	0	6	0	1	1	0	0	2	50	11	0	10	133	5	0	248	
7:45 AM	13	3	2	0	0	1	0	0	0	89	10	0	19	162	4	0	303	1006
8:00 AM	19	2	2	0	3	0	0	0	3	80	11	0	10	156	3	0	289	1081
8:15 AM	21	0	4	0	2	0	2	0	1	89	5	0	8	145	4	0	281	1121
8:30 AM	14	3	10	0	0	1	4	0	1	81	19	0	6	184	11	0	334	1207
8:45 AM	20	1	9	0	1	1	3	0	0	83	16	0	8	159	3	0	304	1208
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	56	12	40	0	0	4	16	0	4	324	76	0	24	736	44	0	1336	
Heavy Trucks	4	0	4	0	0	0	0	0	0	32	0	0	4	8	4	0	56	
Buses																		
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Scooters																		

Comments:

LOCATION: Tucker Industrial Rd -- Hugh Howell Rd
CITY/STATE: Tucker, GA

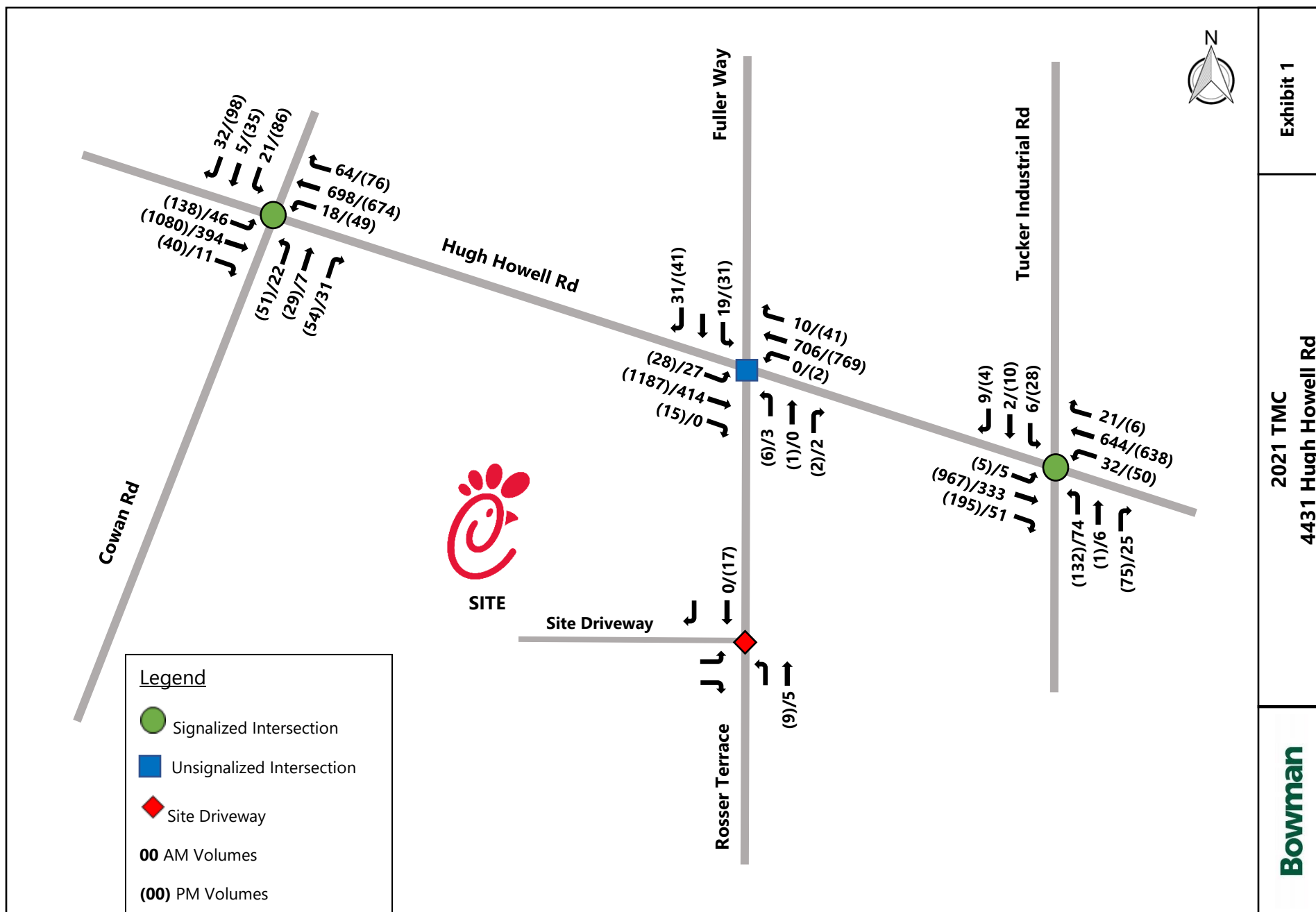
QC JOB #: 15488406
DATE: Tue, Jun 15 2021

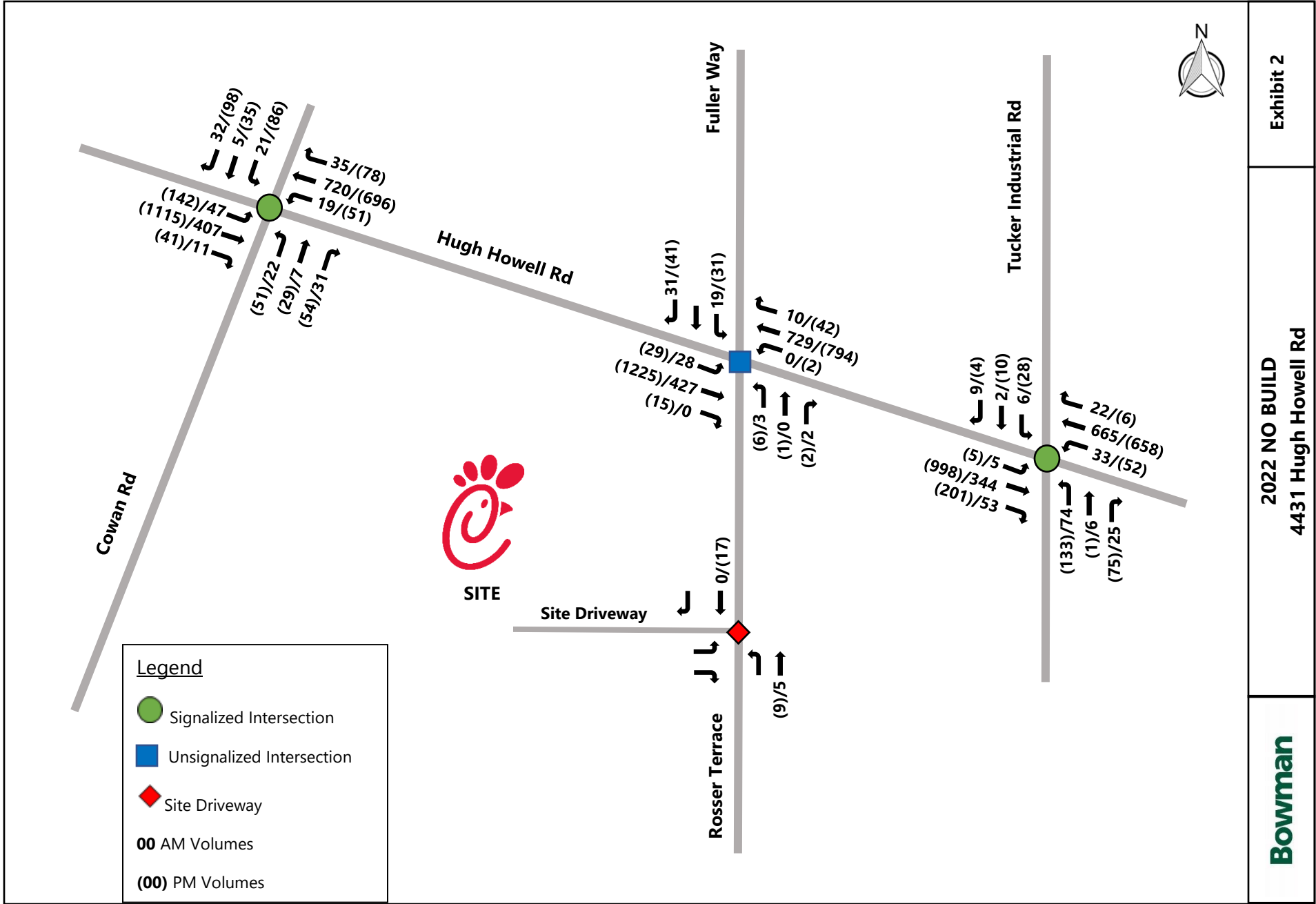


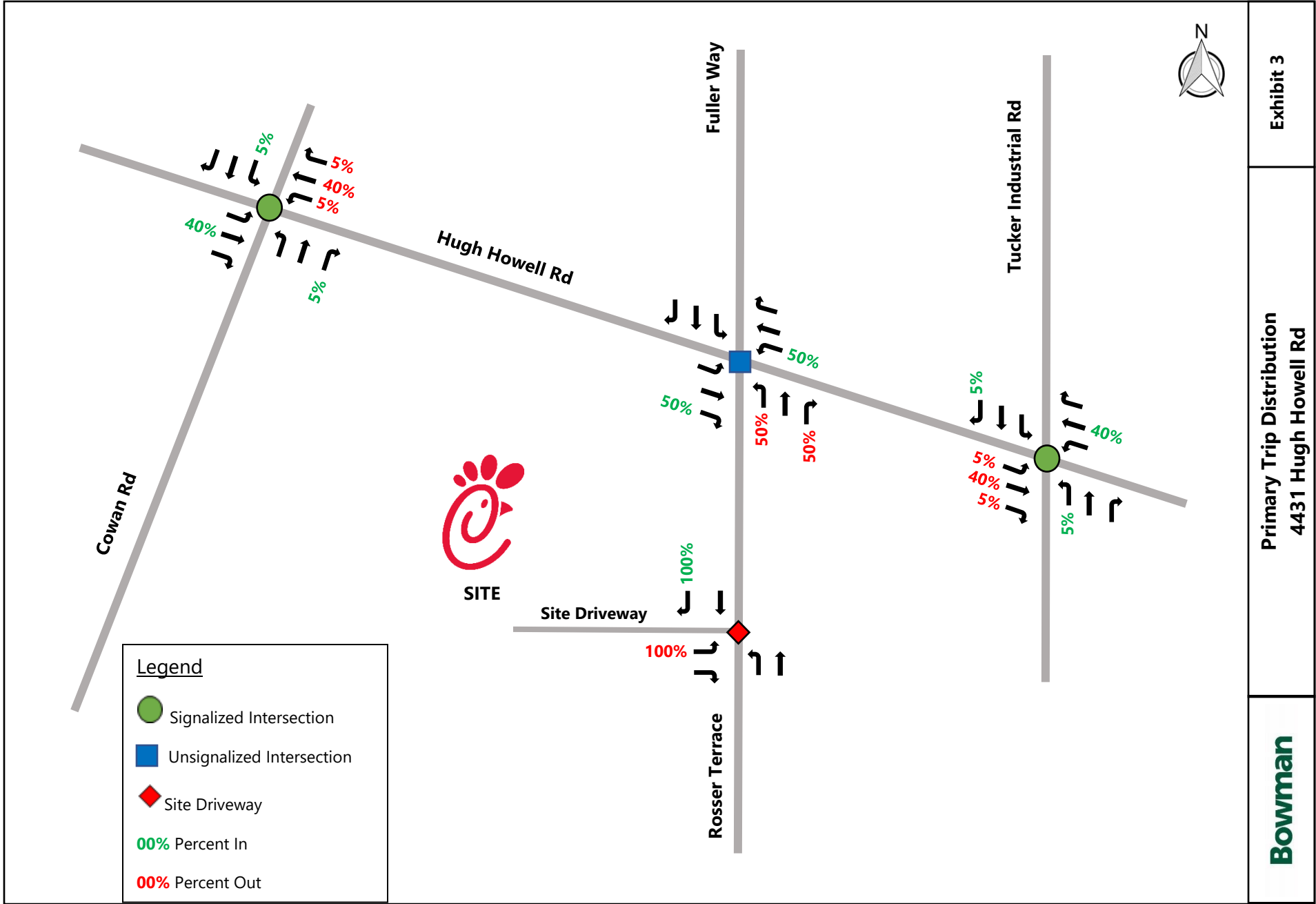
15-Min Count Period Beginning At	Tucker Industrial Rd (Northbound)				Tucker Industrial Rd (Southbound)				Hugh Howell Rd (Eastbound)				Hugh Howell Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	41	0	21	0	11	3	0	0	2	240	51	1	16	164	3	0	553	
4:15 PM	33	0	18	0	3	4	0	0	1	248	54	0	15	160	2	0	538	
4:30 PM	31	1	20	0	3	2	3	0	0	262	40	0	8	148	0	0	518	
4:45 PM	27	0	16	0	11	1	1	0	1	217	50	0	11	166	1	0	502	2111
5:00 PM	27	1	15	0	4	2	1	0	0	259	48	0	11	160	2	0	530	2088
5:15 PM	38	1	10	0	4	5	2	0	2	247	62	0	11	142	1	0	525	2075
5:30 PM	30	1	14	0	7	5	2	0	3	250	51	0	8	134	3	0	508	2065
5:45 PM	26	0	11	0	3	3	0	0	0	249	59	0	8	162	2	0	523	2086
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	164	0	84	0	44	12	0	0	8	960	204	4	64	656	12	0	2212	
Heavy Trucks	4	0	12	0	4	0	0	0	0	28	0	0	4	24	0	0	76	
Buses																		
Pedestrians		4				0				0				0			4	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Scooters																		

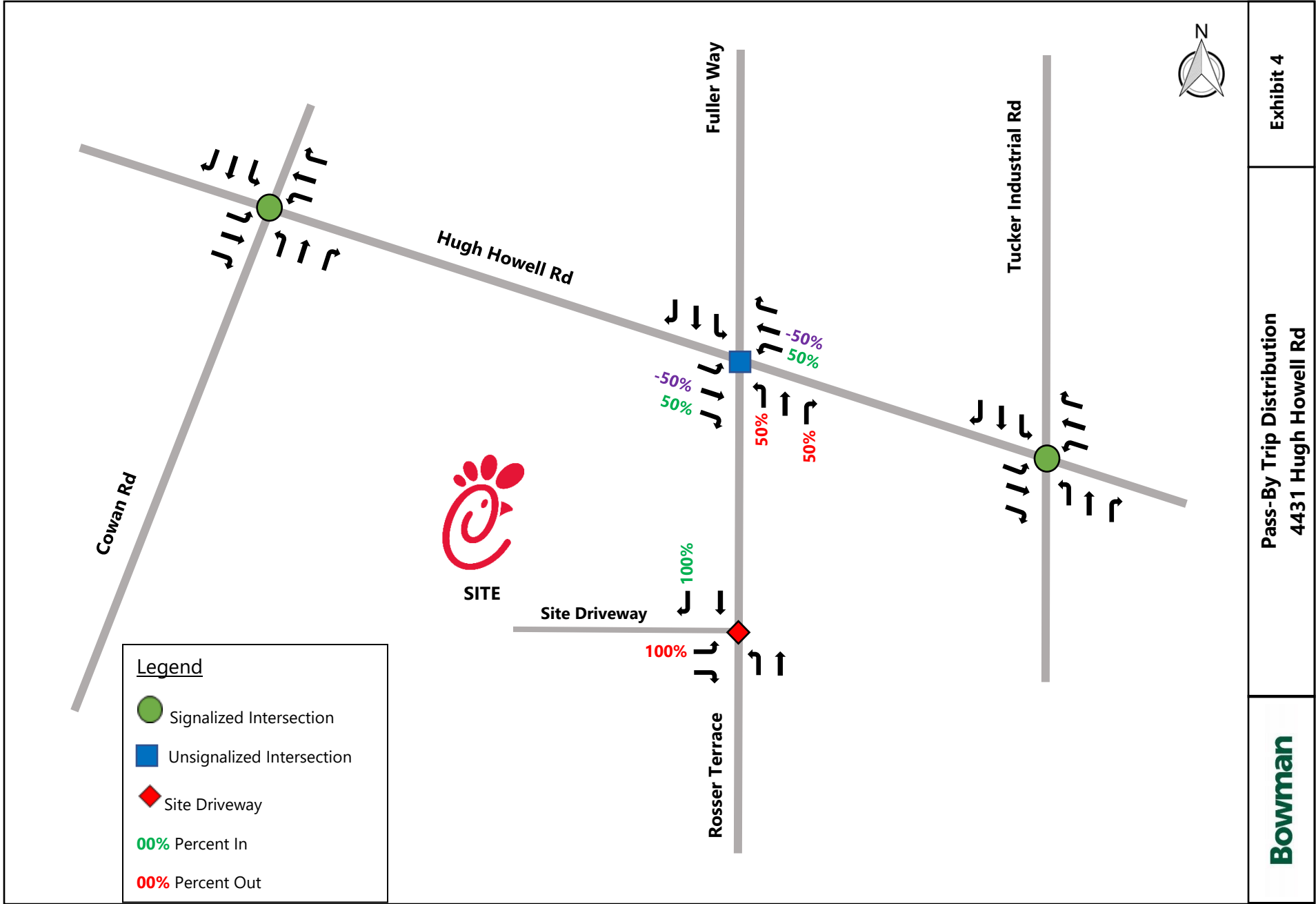
Comments:

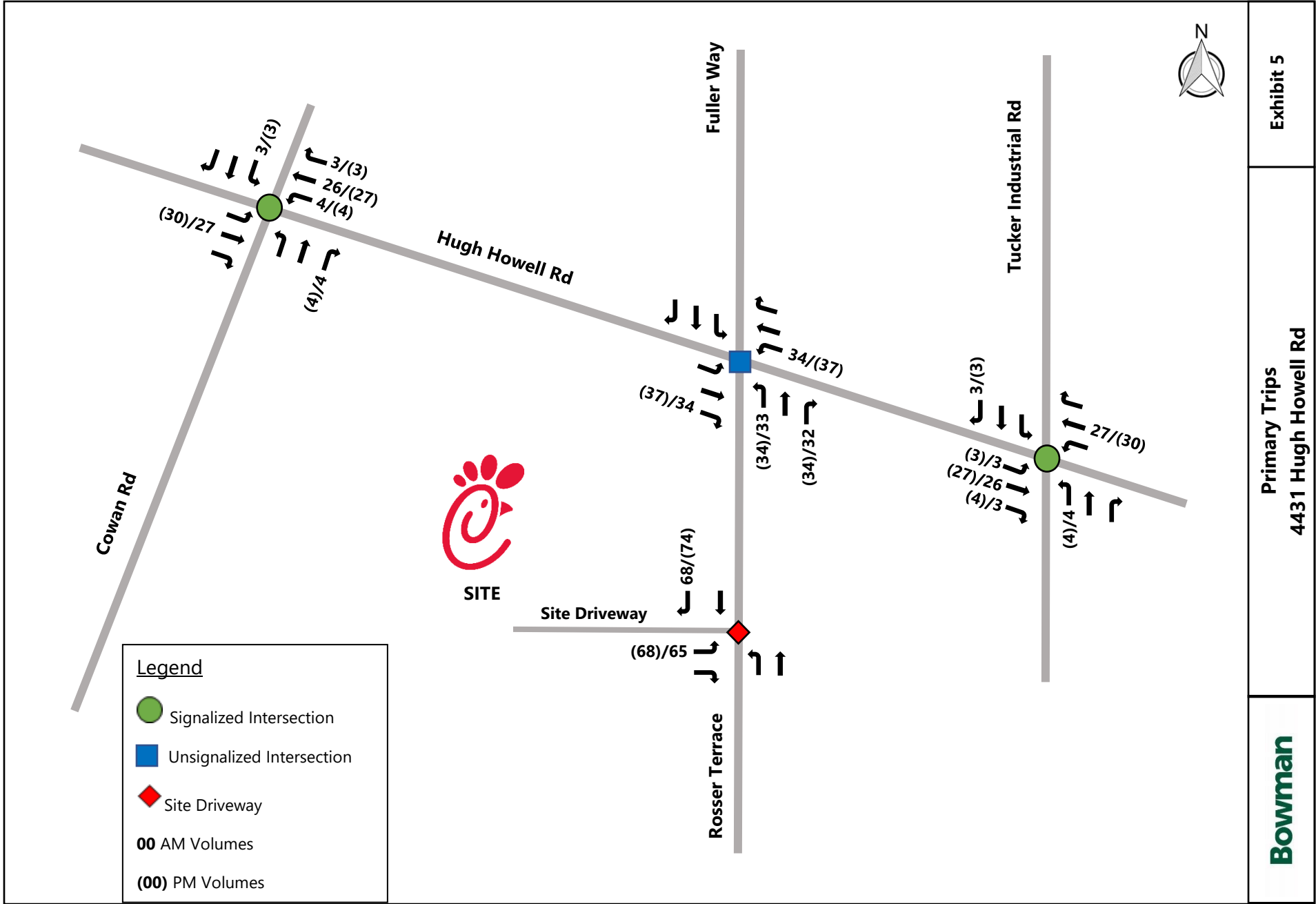
APPENDIX D

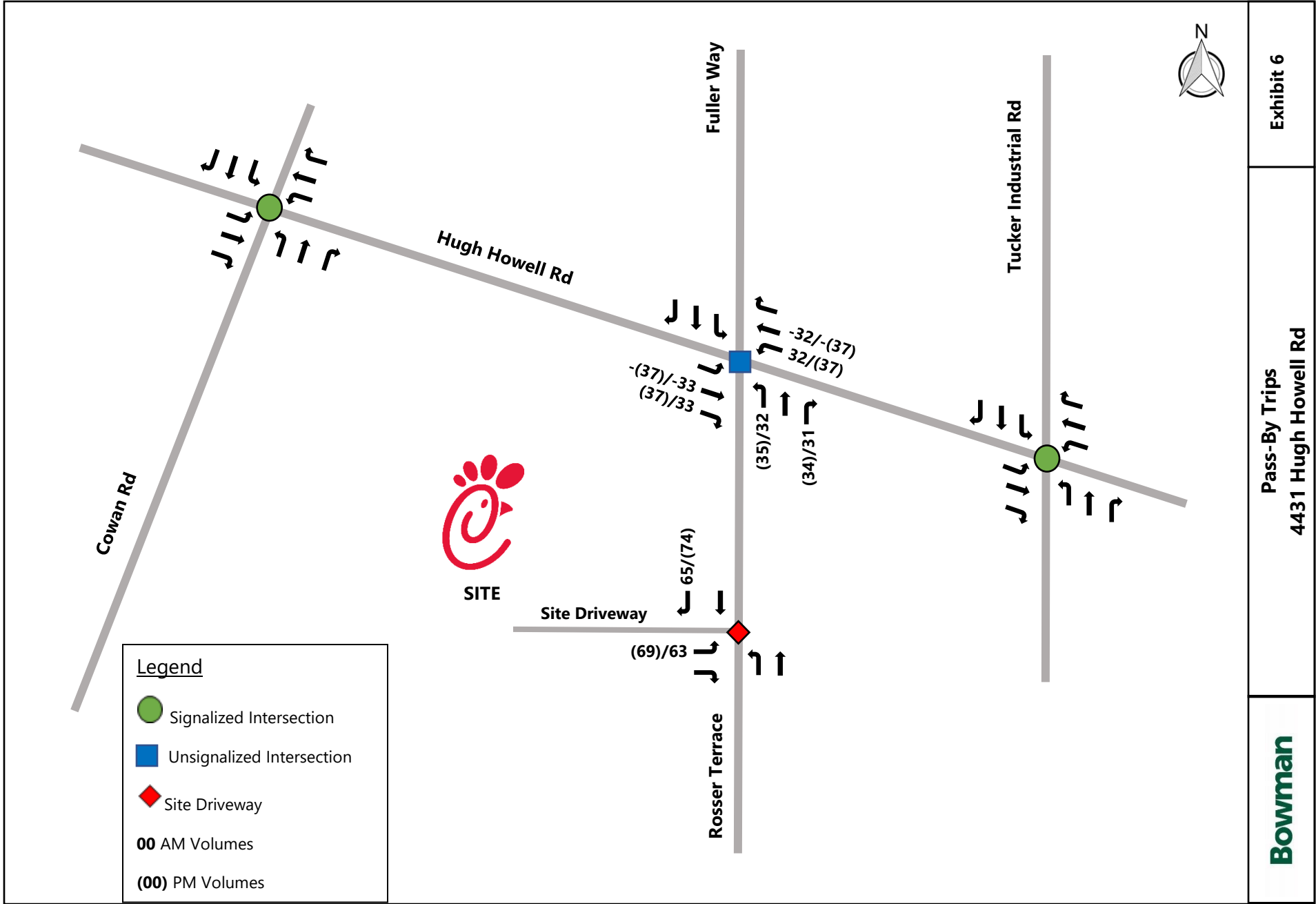


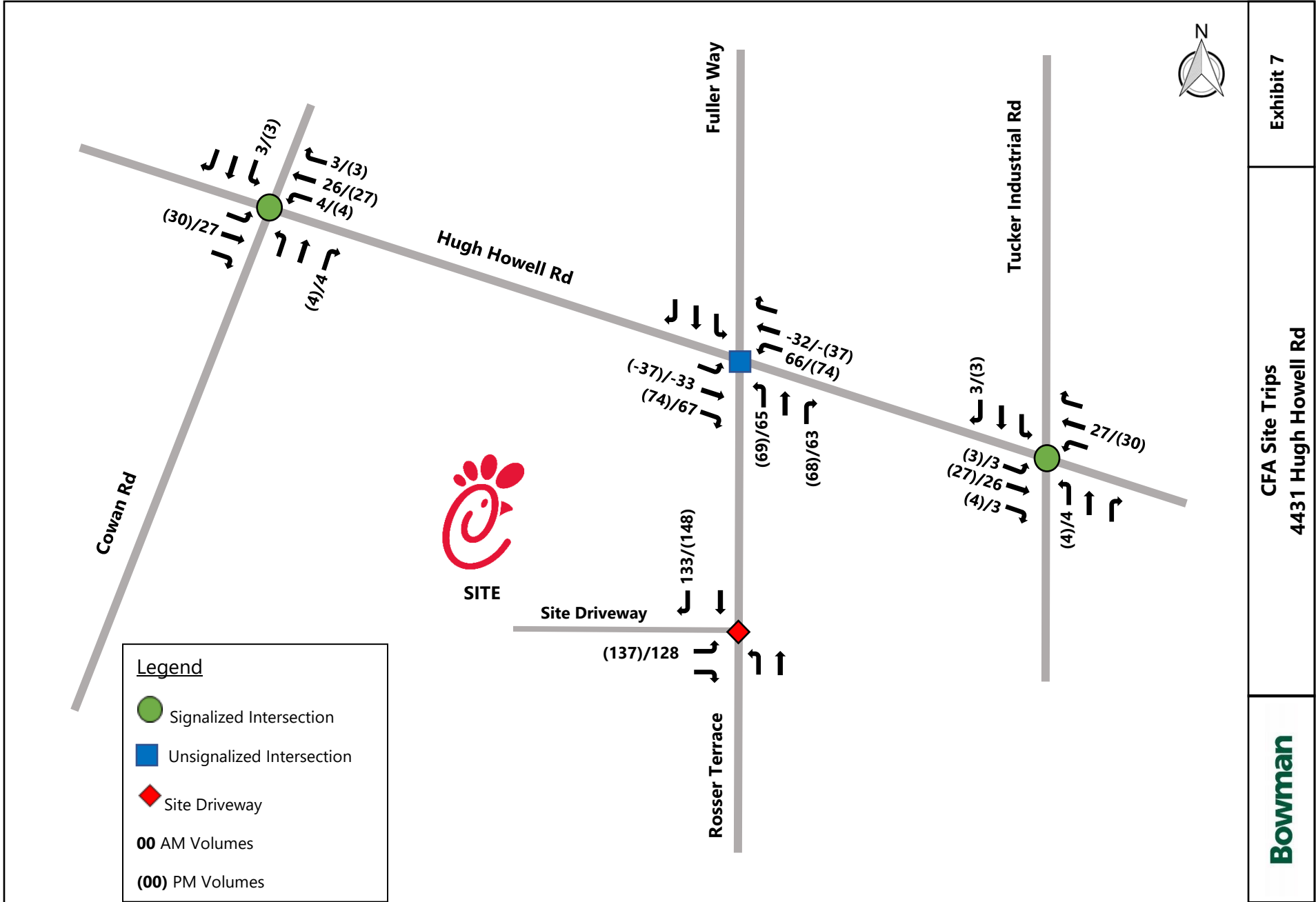


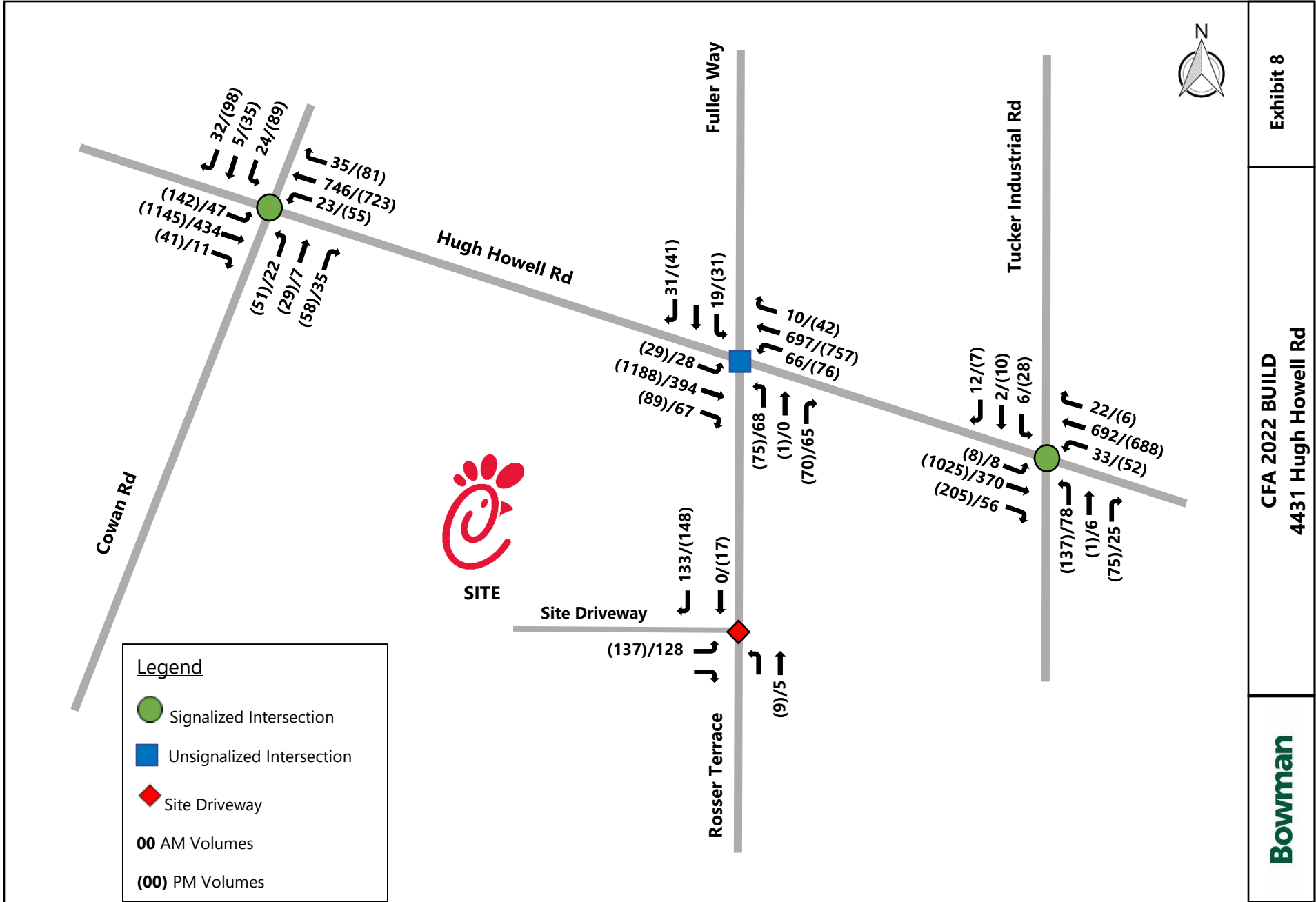












APPENDIX E

Memorandum

To: Chick-fil-A, Inc.

From: Andrew J. Petersen, P.E. - Director
Daniela Jurado – Analyst
Rodrigo Meirelles -Analyst

Date: 06/18/2021

Re: Chick-Fil-A – Trip Generation Memorandum

Bowman Consulting has been retained by Chick-fil-A, Inc. to perform a Trip Generation at three fully operational Chick-Fil-A (CFA) Restaurants to determine the expected morning and evening peak hour trip generation rates for this facilities.

The purposes of the trip generation and stacking assessment are as follows:

- Determine the appropriate independent variable to assess the applicable CFA trip generation rates.
- Determine the expected trip generation rates for the CFA based on data collected from three existing CFA Sites.
- Determine if the Institute of Transportation Engineers (ITE) trip generation rates are consistent with calculated expected number of vehicular trips on the proposed CFA.
- Select the appropriate trip generation rates for the proposed CFA.

Selected Sites

For the preparation of this assessment, three Chick-Fil-A sites have been evaluated. The following criteria has been considered for the site selection:

- Type of Facility (Chick-Fil-A Restaurant)
- Operation (Drive-thru and Indoor sitting)
- Location of the facilities

The following sites were selected for the data collection.

Location 1	<ul style="list-style-type: none">• Chick-Fil A Piedmont• Address: 2580 Piedmont Rd NE, Atlanta, GA 30324• Surveyed Site Intensity: 5,200 SF• AADT of Adjacent Street: 44,100
Location 2	<ul style="list-style-type: none">• Chick-Fil A Druid Hills• Address: 2340 N Druid Hills Rd NE, Atlanta, GA 30329• Surveyed Site Intensity: 4,550 SF• AADT of Adjacent Street: 56,300

Location 3

- **Chick-Fil A Northside Dr**
- **Address:** 1100 Northside Dr NW, Atlanta, GA 30318
- **Surveyed Site Intensity:** 4,450SF
- **AADT of Adjacent Street:** 30,300

Study Methodology

The study was based on average weekday entering/exiting volumes at each one of the selected Chick-Fil-A locations provided by the Atlanta Department of Transportation. The information corresponds to the average weekday data from two months in 2019 and February 2021 while school was in session.

The procedures and evaluation for this assessment are in accordance with the Institute of Traffic Engineers (ITE) Trip Generation Manual Handbook, 3rd Edition. The ITE is the leading resource for such data and provides traffic and parking related data for numerous land use and building types. Additionally, ITE provides trip and parking generation procedures to determine site specific trip and parking generation rates.

Data Collection

For the purposes of this study the following data was collected:

- Site specific data for existing Chick Fil A sites: Square Footage and location.
- Published GDOT AADT counts.
- ITE Trip Generation information and variables.
- Average trips generated by the surveyed Chick Fil A sites provided by the Atlanta Department of Transportation, see **Attachment A**.

Trip Generation Data

Table 1 displays the trip generation data collected on the three existing sites.

Table 1. Collected Trip Generation Data

Facility	Location	Square Footage	Adjacent Street ADTs	Time	In	Out	Total
CFA	2580 Piedmont Rd NE, Atlanta, GA 30324	5,200	44,100	AM	221	221	442
				PM	202	202	404
CFA	2340 N Druid Hills Rd NE Atlanta, GA 30329	4,550	56,300	AM	184	248	432
				Noon	306	412	718
				PM	192	308	500
CFA	1100 Northside Dr NW Atlanta, GA 30318	4,450	30,300	AM	262	262	524
				Noon	263	263	526
				PM	164	164	328

To assess the trip generation rates for the Chick-Fil-A two independent variables were evaluated: Gross Floor Area (GFA), AADT Adjacent Street.

To select the independent variables, the best fitted curve models were evaluated based on the conceptual validity of signs of the equations and goodness of fit. The results of these evaluation are presented in **Table 2**.

Table 2. Trip Generation Model evaluation

Model	Independent Variable	Equation	R ²	Signs Conceptually Valid	Acceptable Goodness of FIT
AM Models	1,000 SF GFA	$y = -64.523x + 771.41$	0.271	No	No
	AADT of Adjacent Street	$y = -0.0036x + 622.44$	0.8563	No	Yes
PM Models	1,000 SF GFA	$y = 11.859x + 354.53$	0.0031	Yes	No
	AADT of Adjacent Street	$y = 0.0066x + 123.51$	0.9895	Yes	Yes

Models containing the GFA variable were found to be not conceptually valid, with equations that reflect an inverse relationship between the GFA and the number of trips generated by the site and unacceptable goodness of fit.

Models using AADT of Adjacent Street as independent variable show acceptable goodness of fit. However, the AM model Based on AADT of adjacent street shows signs non conceptually valid, therefore, the weighted average was evaluated for this time period.

Based on the results presented in **Table 2** the Adjacent Street Traffic was selected as independent variable for both the morning and evening peak hours.

Following the procedures presented on the ITE *trip generation Handbook*, Chapter 9 and Appendix J, the use of the weighted average rate for the Morning peak was validated by comparing the weighted standard deviation with the weighted Average trip rate. **Table 3** presents the validation for the use of weighted average for the morning peak hour trip rate.

Table 3. Validation of AM Weighted average trip generation

Location	AADT of adjacent Steet	Peak Hour AM	Trip rate	Value	Value Squared	weight	Value Squared *weight
2580 Piedmont Rd	44,100	442	0.01002	0.00	0.0000005	0.34	0.00000015
2340 N Druid Hills Rd	56,300	432	0.00767	0.00	0.0000091	0.43	0.00000394
1100 Northside Dr	30,300	524	0.01729	0.01	0.0000435	0.23	0.00001009
Total	130,700.00	1,398.00	0.01070	-	Variance		0.00001418
					Weighted Sample Variance		0.00001773
					Weighted Std Dev		0.00
					Percentage of W StdDev		39%
					Acceptable (less than 55% Trip Rate)		Yes

As presented in **Table 3** the standard deviation of the data falls in the allowable 55% threshold according to the procedures presented on the ITE trip generation Handbook, Chapter 9 and Appendix J, therefore, the use of weighted average trip generation rate is acceptable.

The selected trip generation equations for CFA facilities are presented in **Table 4**.

Table 4. Trip Generation equations for CFA facilities

Model	Independent Variable	Equation
AM	AADT of Adjacent Street	$Total\ AM\ CFA\ trips = 0.0107 \times AADT\ of\ Adjacent\ Street$
PM	AADT of Adjacent Street	$Total\ PM\ CFA\ trips = 0.0066 \times AADT\ of\ Adjacent\ Street + 123.51$

The evening peak hour model is the resulting fitted curve with AADT of adjacent street as independent variable. The trip generation rate for the morning peak hour is 0.0107 trips/AADT of Adjacent Street Traffic.

Conclusions and Recommendations

- Both, the morning and evening models containing the GFA variable were found to have unacceptable goodness of fit, the morning models is not conceptually valid, with an

equation that reflects an inverse relationship between the GFA, and the number of trips generated by the site.

- Models using AADT of Adjacent Street as independent variable show acceptable goodness of fit.
- The evening peak hour model is fitted curve with AADT of adjacent street as independent variable.
- The AM model Based on AADT of adjacent street shows signs non conceptually valid therefore, the weighted average was evaluated for this time period.
- The evaluation of the data for the morning peak hour shows that the standard deviation of the data falls in the allowable 55% threshold according to the procedures presented on the ITE trip generation Handbook, Chapter 9 and Appendix J, therefore, the use of weighted average trip generation rate is acceptable.
- The trip generation rate for the morning peak hour is 0.0107 trips/AADT of Adjacent Street Traffic.

ATTACHMENT A

From: Rome, Christopher <crome@AtlantaGa.Gov>
Sent: Wednesday, June 9, 2021 10:32 AM
To: Daniela Jurado; Rodriguez, Juan C.; Moore, Clyde
Cc: Rodrigo Meirelles; Andrew Petersen; Bridgette Ganter; Smoot-Madison, Betty; Brown, Barrington G.
Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

1100 Northside Dr

- AM Peak – 262 trips in, assume 262 trips out– 524 total trips
- Noon Peak – 263 trips in, assume 263 trips out – 526 total trips
- PM Peak – 164 trips in, assume 164 trips out – 328 total trips

Have you contacted GDOT's RTOP program or collected TMC's already at the I-85 ramps? That data will be more accurate than StreetLight Insight TMCs which are still in beta.

Chris Rome, PE, PTOE

Senior Multimodal Transportation Engineer
City of Atlanta Department of Transportation
470-653-3016
crome@atlantaga.gov

From: Daniela Jurado <djurado@bowman.com>
Sent: Wednesday, June 9, 2021 8:39 AM
To: Rome, Christopher <crome@AtlantaGa.Gov>; Rodriguez, Juan C. <JCRodriguez@AtlantaGa.Gov>; Moore, Clyde <CMoore@AtlantaGa.Gov>
Cc: Rodrigo Meirelles <rmeirelles@bowman.com>; Andrew Petersen <apetersen@bowman.com>; Bridgette Ganter <bganter@bowman.com>; Smoot-Madison, Betty <bsmoot-madison@AtlantaGa.Gov>; Brown, Barrington G. <BGBrown@AtlantaGa.Gov>
Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

Good Morning Chris,

Would it be possible to also pull out the Turning movements for Cheshire Bridge at I-85 ramps for the am noon and pm?

Thank you,

DANIELA JURADO

Project Manager | **BOWMAN**
4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934
O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762
djurado@bowman.com | bowman.com



From: Rome, Christopher <crome@AtlantaGa.Gov>
Sent: Tuesday, June 8, 2021 7:09 PM
To: Daniela Jurado <djurado@bowman.com>; Rodriguez, Juan C. <JCRodriguez@AtlantaGa.Gov>; Moore, Clyde <CMoore@AtlantaGa.Gov>
Cc: Rodrigo Meirelles <rmeirelles@bowman.com>; Andrew Petersen <apetersen@bowman.com>; Bridgette Ganter <bganter@bowman.com>; Smoot-Madison, Betty <bsmoot-madison@AtlantaGa.Gov>; Brown, Barrington G. <BGBrown@AtlantaGa.Gov>
Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

Tucker is outside of our data licensing geographic limits.
I'll pull the data from the Northside Dr site tomorrow.

Chris Rome, PE, PTOE
Senior Multimodal Transportation Engineer
City of Atlanta Department of Transportation
470-653-3016
crome@atlantaga.gov

From: Daniela Jurado <djurado@bowman.com>
Sent: Tuesday, June 8, 2021 7:00 PM
To: Rome, Christopher <crome@AtlantaGa.Gov>; Rodriguez, Juan C. <JCRodriguez@AtlantaGa.Gov>; Moore, Clyde <CMoore@AtlantaGa.Gov>
Cc: Rodrigo Meirelles <rmeirelles@bowman.com>; Andrew Petersen <apetersen@bowman.com>; Bridgette Ganter <bganter@bowman.com>; Smoot-Madison, Betty <bsmoot-madison@AtlantaGa.Gov>; Brown, Barrington G. <BGBrown@AtlantaGa.Gov>
Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

Thank you for the information. We would like to have the information for the following sites:

Location	AADT
1100 Northside Dr NW	30,300
4340 Hugh Howell Rd, Tucker, GA 30084	25,300

The reason is, we also want to evaluate the trip generation based on the AADT of adjacent street.

Thank you in advance.

Sincerely,

DANIELA JURADO
Project Manager | **BOWMAN**
4450 W Eau Gallie Boulevard, Suite 144, Melbourne, FL 32934
O: (321) 270-8905 | D: (321) 270-8977 | M: (786) 370-2762
djurado@bowman.com | bowman.com



From: Rome, Christopher <crome@AtlantaGa.Gov>

Sent: Tuesday, June 8, 2021 5:21 PM

To: Daniela Jurado <djurado@bowman.com>; Rodriguez, Juan C. <JCRodriguez@AtlantaGa.Gov>;

Moore, Clyde <CMoore@AtlantaGa.Gov>

Cc: Rodrigo Meirelles <rmeirelles@bowman.com>; Andrew Petersen <apetersen@bowman.com>;

Bridgette Ganter <bganter@bowman.com>; Smoot-Madison, Betty <bsmoot-madison@AtlantaGa.Gov>;

Brown, Barrington G. <BGBrown@AtlantaGa.Gov>

Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

I think it depends on the site characteristics if the Miami site is similar.

I used our StreetLight Data Insight platform access to look at the number of trips entering two Chick-fil-A locations in Atlanta. This is average weekday (M-Th) information from 2 months in 2019 and February 2021 when school was in session. The 1 standard deviation from the ITE land use code trip generation seems too low for an accurate assessment of site impact. If you have a specific site location in Atlanta that you think will be more representative of the conditions for the proposed site at Cheshire Bridge and Sheridan Rd, let me know and I can pull data for those locations.

2580 Piedmont Rd

- AM Peak – 221 trips in, assume 221 trips out– 442 total trips
- Noon Peak – 332 trips in, assume 332 trips out – 664 total trips
- PM Peak – 202 trips in, assume 202 trips out – 404 total trips

2340 N Druid Hills Rd

- AM Peak – 184 trips in, 248 trips out– 432 total trips
- Noon Peak – 306 trips in, 412 trips out – 718 total trips
- PM Peak – 192 trips in, 308 trips out – 500 total trips

Chris Rome, PE, PTOE

Senior Multimodal Transportation Engineer

City of Atlanta Department of Transportation

470-653-3016

crome@atlantaga.gov

From: Daniela Jurado <djurado@bowman.com>

Sent: Tuesday, June 8, 2021 2:36 PM

To: Rome, Christopher <crome@AtlantaGa.Gov>; Rodriguez, Juan C. <JCRodriguez@AtlantaGa.Gov>;

Moore, Clyde <CMoore@AtlantaGa.Gov>

Cc: Rodrigo Meirelles <rmeirelles@bowman.com>; Andrew Petersen <apetersen@bowman.com>;





















Bridgette Ganter <bganter@bowman.com>; Smoot-Madison, Betty <bsmoot-madison@AtlantaGa.Gov>;

Brown, Barrington G. <BGBrown@AtlantaGa.Gov>

Subject: [EXTERNAL] RE: Traffic Impact Study Methodology Chick-Fil-A Cheshire Bridge Rd & Sheridan Rd

Good Afternoon Chris,

APPENDIX F

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	47	407	11	19	720	35	22	7	31	21	5	32
Future Volume (vph)	47	407	11	19	720	35	22	7	31	21	5	32
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)	1		1	1		1						
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	5%	9%	0%	4%	0%	0%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	26.0	85.0		17.0	76.0	76.0	42.0	42.0		16.0	58.0	
Total Split (%)	16.3%	53.1%		10.6%	47.5%	47.5%	26.3%	26.3%		10.0%	36.3%	
Maximum Green (s)	19.8	78.9		11.7	69.9	69.9	35.5	35.5		9.9	51.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	126.2	121.9		123.7	118.1	118.1		9.6		19.0	18.6	
Actuated g/C Ratio	0.79	0.76		0.77	0.74	0.74		0.06		0.12	0.12	
v/c Ratio	0.09	0.17		0.03	0.30	0.03		0.55		0.17	0.19	
Control Delay	5.0	7.0		4.5	8.0	0.1		58.3		60.5	21.6	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	5.0	7.0		4.5	8.0	0.1		58.3		60.5	21.6	
LOS	A	A		A	A	A		E		E	C	
Approach Delay		6.8			7.5			58.3			36.0	
Approach LOS		A			A			E			D	

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 148.9 (93%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.55
 Intersection Signal Delay: 10.8 Intersection LOS: B
 Intersection Capacity Utilization 53.3% ICU Level of Service A
 Analysis Period (min) 15





















Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd



HCM 6th Signalized Intersection Summary
1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

1-NO BUILD - AM

06/22/2021























												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	47	407	11	19	720	35	22	7	31	21	5	32
Future Volume (veh/h)	47	407	11	19	720	35	22	7	31	21	5	32
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1826	1826	1900	1841	1900	1900	1900	1900	1752	1900	1900
Adj Flow Rate, veh/h	51	438	12	20	774	38	24	8	33	23	5	34
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	5	5	0	4	0	0	0	0	10	0	0
Cap, veh/h	615	2613	71	768	2557	1176	56	17	43	148	24	161
Arrive On Green	0.04	0.76	0.76	0.04	1.00	1.00	0.05	0.05	0.05	0.02	0.11	0.11
Sat Flow, veh/h	1810	3449	94	1810	3497	1609	471	309	804	1668	211	1432
Grp Volume(v), veh/h	51	220	230	20	774	38	65	0	0	23	0	39
Grp Sat Flow(s),veh/h/ln	1810	1735	1809	1810	1749	1609	1583	0	0	1668	0	1642
Q Serve(g_s), s	1.1	5.6	5.7	0.4	0.0	0.0	4.9	0.0	0.0	2.0	0.0	3.5
Cycle Q Clear(g_c), s	1.1	5.6	5.7	0.4	0.0	0.0	6.4	0.0	0.0	2.0	0.0	3.5
Prop In Lane	1.00		0.05	1.00		1.00	0.37		0.51	1.00		0.87
Lane Grp Cap(c), veh/h	615	1314	1370	768	2557	1176	116	0	0	148	0	184
V/C Ratio(X)	0.08	0.17	0.17	0.03	0.30	0.03	0.56	0.00	0.00	0.16	0.00	0.21
Avail Cap(c_a), veh/h	768	1314	1370	867	2557	1176	376	0	0	218	0	529
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	4.3	5.4	5.4	5.0	0.0	0.0	74.6	0.0	0.0	67.7	0.0	64.6
Incr Delay (d2), s/veh	0.1	0.3	0.3	0.0	0.3	0.1	4.1	0.0	0.0	0.5	0.0	0.6
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	1.9	2.0	0.2	0.1	0.0	2.8	0.0	0.0	0.9	0.0	1.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	4.4	5.7	5.7	5.0	0.3	0.1	78.7	0.0	0.0	68.2	0.0	65.2
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	E
Approach Vol, veh/h	501				832				65			
Approach Delay, s/veh	5.5				0.4				78.7			
Approach LOS	A				A				E			
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.5	123.1		24.4	8.2	127.3	9.3	15.1				
Change Period (Y+Rc), s	* 6.2	6.1		6.5	* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 20	69.9		51.5	* 12	78.9	9.9	35.5				
Max Q Clear Time (g_c+I1), s	3.1	2.0		5.5	2.4	7.7	4.0	8.4				
Green Ext Time (p_c), s	0.1	13.1		0.2	0.0	5.6	0.0	0.3				








Intersection Summary

HCM 6th Ctrl Delay	8.4
HCM 6th LOS	A

Notes

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.



















												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 			 				
Traffic Volume (vph)	28	427	0	0	729	10	3	0	2	19	0	31
Future Volume (vph)	28	427	0	0	729	10	3	0	2	19	0	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		0	0		0
Storage Lanes	1		0	1		1	0		0	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)	1		1	1		1						
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	7%	3%	0%	0%	2%	10%	33%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	33.3%											
Analysis Period (min)	15											
ICU Level of Service A												

Intersection												
Int Delay, s/veh	0.7											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	28	427	0	0	729	10	3	0	2	19	0	31
Future Vol, veh/h	28	427	0	0	729	10	3	0	2	19	0	31
Conflicting Peds, #/hr	1	0	1	1	0	1	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	7	3	0	0	2	10	33	0	0	10	0	0
Mvmt Flow	30	459	0	0	784	11	3	0	2	20	0	33
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	796	0	0	460	0	0	912	1316	231	1075	1305	393
Stage 1	-	-	-	-	-	-	520	520	-	785	785	-
Stage 2	-	-	-	-	-	-	392	796	-	290	520	-
Critical Hdwy	4.24	-	-	4.1	-	-	8.16	6.5	6.9	7.7	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.27	-	-	2.2	-	-	3.83	4	3.3	3.6	4	3.3
Pot Cap-1 Maneuver	790	-	-	1112	-	-	186	159	777	164	162	612
Stage 1	-	-	-	-	-	-	553	535	-	435	407	-
Stage 2	-	-	-	-	-	-	632	402	-	740	535	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	789	-	-	1111	-	-	171	153	776	159	156	611
Mov Cap-2 Maneuver	-	-	-	-	-	-	328	264	-	306	277	-
Stage 1	-	-	-	-	-	-	531	514	-	418	407	-
Stage 2	-	-	-	-	-	-	598	402	-	710	514	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.6			0			13.6			11.2		
HCM LOS							B			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	426	789	-	-	1111	-	-	611				
HCM Lane V/C Ratio	0.013	0.038	-	-	-	-	-	0.055				
HCM Control Delay (s)	13.6	9.7	-	-	0	-	-	11.2				
HCM Lane LOS	B	A	-	-	A	-	-	B				
HCM 95th %tile Q(veh)	0	0.1	-	-	0	-	-	0.2				

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

1-NO BUILD - AM

06/22/2021













												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	344	53	33	665	22	74	6	25	6	2	9
Future Volume (vph)	5	344	53	33	665	22	74	6	25	6	2	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)	1					1			1	1		
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	0%	5%	4%	12%	3%	10%	10%	0%	12%	0%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	89.0		15.0	89.0		56.0	56.0		56.0	56.0	
Total Split (%)	9.4%	55.6%		9.4%	55.6%		35.0%	35.0%		35.0%	35.0%	
Maximum Green (s)	8.9	82.6		9.1	82.6		49.9	49.9		50.1	50.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effect Green (s)	6.2	117.0		9.1	127.0			17.8			18.0	
Actuated g/C Ratio	0.04	0.73		0.06	0.79			0.11			0.11	
v/c Ratio	0.09	0.18		0.41	0.28			0.72			0.10	
Control Delay	67.6	9.1		85.0	5.5			85.2			38.4	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	67.6	9.1		85.0	5.5			85.2			38.4	
LOS	E	A		F	A			F			D	
Approach Delay		9.9			9.2			85.2			38.4	

Baseline

Synchro 10 Report
Page 6

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

1-NO BUILD - AM
06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Approach LOS	A			A			F			D		

Intersection Summary

Area Type: Other

Cycle Length: 160

Actuated Cycle Length: 160

Offset: 38.6 (24%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow

Natural Cycle: 80

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.72

Intersection Signal Delay: 16.3

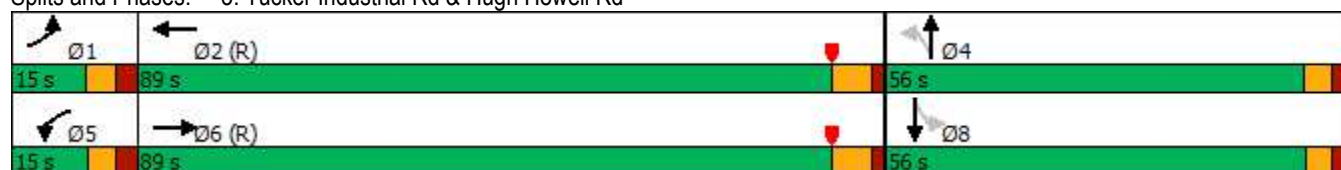
Intersection LOS: B

Intersection Capacity Utilization 49.3%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd





















HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd

1-NO BUILD - AM

06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	344	53	33	665	22	74	6	25	6	2	9
Future Volume (veh/h)	5	344	53	33	665	22	74	6	25	6	2	9
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1826	1826	1722	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	6	382	59	37	739	24	82	7	28	7	2	10
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	5	5	12	3	3	0	0	0	0	0	0
Cap, veh/h	13	2300	352	46	2735	89	139	10	35	76	30	83
Arrive On Green	0.01	1.00	1.00	0.03	0.78	0.78	0.09	0.09	0.09	0.09	0.09	0.09
Sat Flow, veh/h	1810	3006	460	1640	3485	113	1099	104	378	489	333	913
Grp Volume(v), veh/h	6	219	222	37	374	389	117	0	0	19	0	0
Grp Sat Flow(s),veh/h/ln	1810	1735	1731	1640	1763	1835	1581	0	0	1735	0	0
Q Serve(g_s), s	0.5	0.0	0.0	3.6	9.3	9.3	10.0	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.5	0.0	0.0	3.6	9.3	9.3	11.5	0.0	0.0	1.5	0.0	0.0
Prop In Lane	1.00		0.27	1.00		0.06	0.70		0.24	0.37		0.53
Lane Grp Cap(c), veh/h	13	1328	1325	46	1384	1441	183	0	0	189	0	0
V/C Ratio(X)	0.45	0.16	0.17	0.80	0.27	0.27	0.64	0.00	0.00	0.10	0.00	0.00
Avail Cap(c_a), veh/h	101	1328	1325	93	1384	1441	523	0	0	545	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	78.5	0.0	0.0	77.3	4.7	4.7	71.1	0.0	0.0	66.7	0.0	0.0
Incr Delay (d2), s/veh	22.3	0.3	0.3	25.9	0.5	0.5	3.7	0.0	0.0	0.2	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	0.1	0.1	1.8	3.0	3.1	4.9	0.0	0.0	0.7	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	100.8	0.3	0.3	103.2	5.2	5.2	74.8	0.0	0.0	67.0	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h	447			800			117			19		
Approach Delay, s/veh	1.6			9.7			74.8			67.0		
Approach LOS	A			A			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.3	132.0		20.7	10.4	128.9		20.7				
Change Period (Y+Rc), s	6.1	* 6.4		6.1	* 5.9	* 6.4		* 6.1				
Max Green Setting (Gmax), s	8.9	* 83		49.9	* 9.1	* 83		* 50				
Max Q Clear Time (g_c+I1), s	2.5	11.3		13.5	5.6	2.0		3.5				
Green Ext Time (p_c), s	0.0	11.3		0.6	0.0	5.6		0.1				





















Intersection Summary

HCM 6th Ctrl Delay 13.4

HCM 6th LOS B

Notes

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	142	1115	41	51	696	78	51	29	54	86	35	98
Future Volume (vph)	142	1115	41	51	696	78	51	29	54	86	35	98
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)									1	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	3%	0%	0%	3%	2%	0%	0%	4%	1%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	16.0	94.0		15.0	93.0	93.0	36.0	36.0		15.0	51.0	
Total Split (%)	10.0%	58.8%		9.4%	58.1%	58.1%	22.5%	22.5%		9.4%	31.9%	
Maximum Green (s)	9.8	87.9		9.7	86.9	86.9	29.5	29.5		8.9	44.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	111.1	102.9		104.9	97.1	97.1		19.4		34.8	34.4	
Actuated g/C Ratio	0.69	0.64		0.66	0.61	0.61		0.12		0.22	0.22	
v/c Ratio	0.32	0.55		0.20	0.35	0.08		0.76		0.41	0.35	
Control Delay	10.2	18.4		8.5	13.5	0.6		82.2		55.8	23.1	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	10.2	18.4		8.5	13.5	0.6		82.2		55.8	23.1	
LOS	B	B		A	B	A		F		E	C	
Approach Delay		17.5			12.0			82.2			35.9	
Approach LOS		B			B			F			D	

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 102.9 (64%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.76
 Intersection Signal Delay: 20.8 Intersection LOS: C
 Intersection Capacity Utilization 72.7% ICU Level of Service C
 Analysis Period (min) 15





















Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd



HCM 6th Signalized Intersection Summary
1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

1-NO BUILD - PM

06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	142	1115	41	51	696	78	51	29	54	86	35	98
Future Volume (veh/h)	142	1115	41	51	696	78	51	29	54	86	35	98
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1856	1856	1900	1856	1870	1900	1900	1900	1885	1900	1900
Adj Flow Rate, veh/h	153	1199	44	55	748	84	55	31	58	92	38	105
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	3	3	0	3	2	0	0	0	1	0	0
Cap, veh/h	549	2270	83	311	2234	1004	88	45	69	255	91	252
Arrive On Green	0.04	0.65	0.65	0.06	1.00	1.00	0.11	0.11	0.11	0.06	0.21	0.21
Sat Flow, veh/h	1810	3468	127	1810	3526	1585	510	403	616	1795	445	1231
Grp Volume(v), veh/h	153	609	634	55	748	84	144	0	0	92	0	143
Grp Sat Flow(s), veh/h/ln	1810	1763	1833	1810	1763	1585	1529	0	0	1795	0	1676
Q Serve(g_s), s	4.8	29.2	29.2	1.7	0.0	0.0	12.8	0.0	0.0	7.1	0.0	11.9
Cycle Q Clear(g_c), s	4.8	29.2	29.2	1.7	0.0	0.0	14.7	0.0	0.0	7.1	0.0	11.9
Prop In Lane	1.00		0.07	1.00		1.00	0.38		0.40	1.00		0.73
Lane Grp Cap(c), veh/h	549	1154	1199	311	2234	1004	201	0	0	255	0	344
V/C Ratio(X)	0.28	0.53	0.53	0.18	0.33	0.08	0.71	0.00	0.00	0.36	0.00	0.42
Avail Cap(c_a), veh/h	580	1154	1199	369	2234	1004	311	0	0	255	0	466
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	9.1	14.6	14.6	11.4	0.0	0.0	69.6	0.0	0.0	56.8	0.0	55.3
Incr Delay (d2), s/veh	0.3	1.7	1.7	0.3	0.4	0.2	4.7	0.0	0.0	0.9	0.0	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.8	11.5	12.0	0.7	0.1	0.0	6.1	0.0	0.0	3.3	0.0	5.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	9.4	16.3	16.3	11.7	0.4	0.2	74.2	0.0	0.0	57.6	0.0	56.1
LnGrp LOS	A	B	B	B	A	A	E	A	A	E	A	E
Approach Vol, veh/h	1396				887				144			
Approach Delay, s/veh	15.5				1.1				74.2			
Approach LOS	B				A				E			
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.2	107.5		39.3	9.9	110.8	15.0	24.3				
Change Period (Y+Rc), s	* 6.2	6.1		6.5	* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 9.8	86.9		44.5	* 9.7	87.9	8.9	29.5				
Max Q Clear Time (g_c+I1), s	6.8	2.0		13.9	3.7	31.2	9.1	16.7				
Green Ext Time (p_c), s	0.1	13.3		0.9	0.0	23.6	0.0	0.6				























Intersection Summary








HCM 6th Ctrl Delay 17.5

HCM 6th LOS B

Notes

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.



















												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 			 				
Traffic Volume (vph)	29	1225	15	2	794	42	6	1	2	31	0	41
Future Volume (vph)	29	1225	15	2	794	42	6	1	2	31	0	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		0	0		0
Storage Lanes	1		0	1		1	0		0	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	3%	0%	0%	3%	7%	0%	0%	0%	0%	0%	10%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	45.4%											
Analysis Period (min)	15											
ICU Level of Service A												

Intersection												
Int Delay, s/veh	0.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	29	1225	15	2	794	42	6	1	2	31	0	41
Future Vol, veh/h	29	1225	15	2	794	42	6	1	2	31	0	41
Conflicting Peds, #/hr	0	0	2	2	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	4	3	0	0	3	7	0	0	0	0	0	10
Mvmt Flow	30	1276	16	2	827	44	6	1	2	32	0	43
Major/Minor	Major1		Major2			Minor1			Minor2			
Conflicting Flow All	871	0	0	1294	0	0	1764	2221	648	1530	2185	414
Stage 1	-	-	-	-	-	-	1346	1346	-	831	831	-
Stage 2	-	-	-	-	-	-	418	875	-	699	1354	-
Critical Hdwy	4.18	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	7.1
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.24	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.4
Pot Cap-1 Maneuver	757	-	-	542	-	-	55	44	418	82	46	565
Stage 1	-	-	-	-	-	-	236	222	-	421	387	-
Stage 2	-	-	-	-	-	-	661	370	-	487	220	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	757	-	-	541	-	-	49	42	417	78	44	565
Mov Cap-2 Maneuver	-	-	-	-	-	-	166	137	-	232	142	-
Stage 1	-	-	-	-	-	-	226	213	-	404	385	-
Stage 2	-	-	-	-	-	-	609	369	-	463	211	-
Approach	EB		WB			NB			SB			
HCM Control Delay, s	0.2		0			25.3			11.9			
HCM LOS						D			B			
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	187	757	-	-	541	-	-	565				
HCM Lane V/C Ratio	0.05	0.04	-	-	0.004	-	-	0.076				
HCM Control Delay (s)	25.3	10	-	-	11.7	-	-	11.9				
HCM Lane LOS	D	A	-	-	B	-	-	B				
HCM 95th %tile Q(veh)	0.2	0.1	-	-	0	-	-	0.2				

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

1-NO BUILD - PM

06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	998	201	52	658	6	133	1	75	28	10	4
Future Volume (vph)	5	998	201	52	658	6	133	1	75	28	10	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	20%	3%	1%	10%	3%	0%	3%	0%	13%	7%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	110.0		15.0	110.0		35.0	35.0		35.0	35.0	
Total Split (%)	9.4%	68.8%		9.4%	68.8%		21.9%	21.9%		21.9%	21.9%	
Maximum Green (s)	8.9	103.6		9.1	103.6		28.9	28.9		29.1	29.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	6.2	109.3		8.6	118.6			26.2			26.4	
Actuated g/C Ratio	0.04	0.68		0.05	0.74			0.16			0.16	
v/c Ratio	0.09	0.54		0.62	0.27			0.88			0.18	
Control Delay	90.8	6.2		103.1	7.7			93.2			54.2	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	90.8	6.2		103.1	7.7			93.2			54.2	
LOS	F	A		F	A			F			D	
Approach Delay		6.5			14.6			93.2			54.2	
Approach LOS		A			B			F			D	

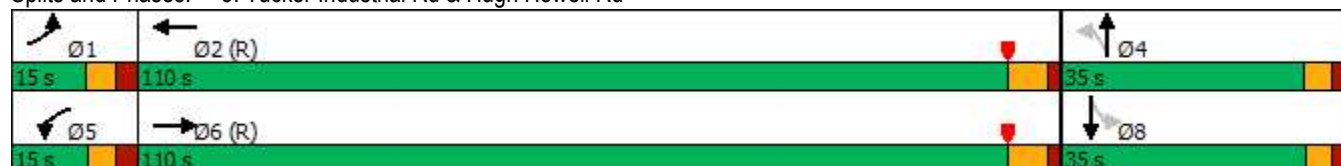
Baseline

Synchro 10 Report
Page 6

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 118.6 (74%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow
 Natural Cycle: 80
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.88
 Intersection Signal Delay: 18.5
 Intersection LOS: B
 Intersection Capacity Utilization 67.3%
 ICU Level of Service C
 Analysis Period (min) 15

Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd









































HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd

1-NO BUILD - PM

06/22/2021

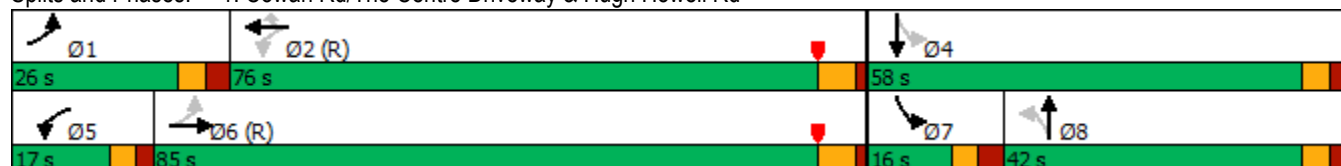
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	998	201	52	658	6	133	1	75	28	10	4
Future Volume (veh/h)	5	998	201	52	658	6	133	1	75	28	10	4
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1604	1856	1856	1752	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	5	1051	212	55	693	6	140	1	79	29	11	4
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	20	3	3	10	3	3	0	0	0	0	0	0
Cap, veh/h	10	2028	408	69	2606	23	190	1	86	174	63	20
Arrive On Green	0.01	1.00	1.00	0.04	0.73	0.73	0.15	0.15	0.15	0.15	0.15	0.15
Sat Flow, veh/h	1527	2924	588	1668	3582	31	1021	7	576	914	423	134
Grp Volume(v), veh/h	5	632	631	55	341	358	220	0	0	44	0	0
Grp Sat Flow(s),veh/h/ln	1527	1763	1749	1668	1763	1850	1605	0	0	1470	0	0
Q Serve(g_s), s	0.5	0.0	0.0	5.2	10.5	10.5	17.6	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.5	0.0	0.0	5.2	10.5	10.5	21.5	0.0	0.0	3.9	0.0	0.0
Prop In Lane	1.00		0.34	1.00		0.02	0.64		0.36	0.66		0.09
Lane Grp Cap(c), veh/h	10	1223	1213	69	1282	1346	278	0	0	258	0	0
V/C Ratio(X)	0.53	0.52	0.52	0.80	0.27	0.27	0.79	0.00	0.00	0.17	0.00	0.00
Avail Cap(c_a), veh/h	85	1223	1213	95	1282	1346	325	0	0	307	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	78.8	0.0	0.0	76.0	7.4	7.4	66.6	0.0	0.0	59.3	0.0	0.0
Incr Delay (d2), s/veh	38.4	1.6	1.6	27.0	0.5	0.5	10.9	0.0	0.0	0.3	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	0.5	0.5	2.7	3.8	4.0	9.7	0.0	0.0	1.6	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	117.2	1.6	1.6	103.1	7.9	7.9	77.5	0.0	0.0	59.7	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h	1268			754			220			44		
Approach Delay, s/veh	2.0			14.8			77.5			59.7		
Approach LOS	A			B			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.1	122.8		30.1	12.5	117.4		30.1				
Change Period (Y+Rc), s	6.1	* 6.4		6.1	* 5.9	* 6.4		* 6.1				
Max Green Setting (Gmax), s	8.9	* 1E2		28.9	* 9.1	* 1E2		* 29				
Max Q Clear Time (g_c+I1), s	2.5	12.5		23.5	7.2	2.0		5.9				
Green Ext Time (p_c), s	0.0	10.0		0.5	0.0	28.9		0.2				
Intersection Summary												
HCM 6th Ctrl Delay			14.6									
HCM 6th LOS			B									
Notes												

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	47	434	11	19	746	38	22	7	35	24	5	32
Future Volume (vph)	47	434	11	19	746	38	22	7	35	24	5	32
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)	1		1	1		1						
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	5%	9%	0%	4%	0%	0%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	26.0	85.0		17.0	76.0	76.0	42.0	42.0		16.0	58.0	
Total Split (%)	16.3%	53.1%		10.6%	47.5%	47.5%	26.3%	26.3%		10.0%	36.3%	
Maximum Green (s)	19.8	78.9		11.7	69.9	69.9	35.5	35.5		9.9	51.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	125.9	121.6		123.4	117.8	117.8		9.7		19.3	18.9	
Actuated g/C Ratio	0.79	0.76		0.77	0.74	0.74		0.06		0.12	0.12	
v/c Ratio	0.10	0.18		0.03	0.31	0.03		0.56		0.20	0.18	
Control Delay	5.1	7.2		4.6	8.2	0.1		56.8		61.0	21.4	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	5.1	7.2		4.6	8.2	0.1		56.8		61.0	21.4	
LOS	A	A		A	A	A		E		E	C	
Approach Delay		7.0			7.7			56.8			37.3	
Approach LOS		A			A			E			D	

Intersection Summary





















Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 148.9 (93%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.56
 Intersection Signal Delay: 11.0 Intersection LOS: B
 Intersection Capacity Utilization 53.6% ICU Level of Service A
 Analysis Period (min) 15























Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd



HCM 6th Signalized Intersection Summary
1: Cowan Rd/The Centre Driveway & Hugh Howell Rd








2-BUILD - AM
06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	47	434	11	19	746	38	22	7	35	24	5	32
Future Volume (veh/h)	47	434	11	19	746	38	22	7	35	24	5	32
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1826	1826	1900	1841	1900	1900	1900	1900	1752	1900	1900
Adj Flow Rate, veh/h	51	467	12	20	802	41	24	8	38	26	5	34
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	5	5	0	4	0	0	0	0	10	0	0
Cap, veh/h	598	2602	67	742	2541	1169	55	17	49	150	25	167
Arrive On Green	0.04	0.75	0.75	0.04	1.00	1.00	0.06	0.06	0.06	0.02	0.12	0.12
Sat Flow, veh/h	1810	3456	89	1810	3497	1609	431	294	861	1668	211	1432
Grp Volume(v), veh/h	51	234	245	20	802	41	70	0	0	26	0	39
Grp Sat Flow(s),veh/h/ln	1810	1735	1810	1810	1749	1609	1587	0	0	1668	0	1642
Q Serve(g_s), s	1.1	6.2	6.2	0.5	0.0	0.0	5.2	0.0	0.0	2.3	0.0	3.4
Cycle Q Clear(g_c), s	1.1	6.2	6.2	0.5	0.0	0.0	6.9	0.0	0.0	2.3	0.0	3.4
Prop In Lane	1.00		0.05	1.00		1.00	0.34		0.54	1.00		0.87
Lane Grp Cap(c), veh/h	598	1306	1363	742	2541	1169	121	0	0	150	0	192
V/C Ratio(X)	0.09	0.18	0.18	0.03	0.32	0.04	0.58	0.00	0.00	0.17	0.00	0.20
Avail Cap(c_a), veh/h	751	1306	1363	841	2541	1169	377	0	0	218	0	529
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	4.5	5.6	5.6	5.2	0.0	0.0	74.3	0.0	0.0	67.1	0.0	63.9
Incr Delay (d2), s/veh	0.1	0.3	0.3	0.0	0.3	0.1	4.3	0.0	0.0	0.5	0.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	2.1	2.2	0.2	0.1	0.0	3.0	0.0	0.0	1.0	0.0	1.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	4.6	5.9	5.9	5.2	0.3	0.1	78.6	0.0	0.0	67.7	0.0	64.4
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	E
Approach Vol, veh/h	530			863			70			65		
Approach Delay, s/veh	5.8			0.4			78.6			65.7		
Approach LOS	A			A			E			E		
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.5	122.3		25.2	8.2	126.6	9.5	15.7				
Change Period (Y+Rc), s	* 6.2	6.1		6.5	* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 20	69.9		51.5	* 12	78.9	9.9	35.5				
Max Q Clear Time (g_c+I1), s	3.1	2.0		5.4	2.5	8.2	4.3	8.9				
Green Ext Time (p_c), s	0.1	13.8		0.2	0.0	6.1	0.0	0.3				
Intersection Summary												
HCM 6th Ctrl Delay			8.7									
HCM 6th LOS			A									
Notes												

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 			 				
Traffic Volume (vph)	28	394	67	66	697	10	68	0	65	19	0	31
Future Volume (vph)	28	394	67	66	697	10	68	0	65	19	0	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		0	0		0
Storage Lanes	1		0	1		1	0		0	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)	1		1	1		1						
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	7%	3%	0%	0%	2%	10%	33%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	44.0%											
Analysis Period (min)	15											
ICU Level of Service A												

Intersection

Int Delay, s/veh 2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	28	394	67	66	697	10	68	0	65	19	0	31
Future Vol, veh/h	28	394	67	66	697	10	68	0	65	19	0	31
Conflicting Peds, #/hr	1	0	1	1	0	1	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	7	3	0	0	2	10	33	0	0	10	0	0
Mvmt Flow	30	424	72	71	749	11	73	0	70	20	0	33



















Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	761	0	0	497	0	0	1038	1424	249	1164	1449	376
Stage 1	-	-	-	-	-	-	521	521	-	892	892	-
Stage 2	-	-	-	-	-	-	517	903	-	272	557	-
Critical Hdwy	4.24	-	-	4.1	-	-	8.16	6.5	6.9	7.7	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.27	-	-	2.2	-	-	3.83	4	3.3	3.6	4	3.3
Pot Cap-1 Maneuver	815	-	-	1077	-	-	148	137	757	140	132	627
Stage 1	-	-	-	-	-	-	552	535	-	387	363	-
Stage 2	-	-	-	-	-	-	555	359	-	754	515	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	814	-	-	1076	-	-	129	123	756	117	119	626
Mov Cap-2 Maneuver	-	-	-	-	-	-	284	226	-	258	225	-
Stage 1	-	-	-	-	-	-	531	515	-	372	339	-
Stage 2	-	-	-	-	-	-	491	335	-	659	495	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.5			0.7			18.5			11.1		
HCM LOS							C			B		

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	409	814	-	-	1076	-	-	626
HCM Lane V/C Ratio	0.35	0.037	-	-	0.066	-	-	0.053
HCM Control Delay (s)	18.5	9.6	-	-	8.6	-	-	11.1
HCM Lane LOS	C	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	1.5	0.1	-	-	0.2	-	-	0.2

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

2-BUILD - AM
06/22/2021













												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	370	56	33	692	22	78	6	25	6	2	12
Future Volume (vph)	8	370	56	33	692	22	78	6	25	6	2	12
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)	1					1			1	1		
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	0%	5%	4%	12%	3%	10%	10%	0%	12%	0%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	89.0		15.0	89.0		56.0	56.0		56.0	56.0	
Total Split (%)	9.4%	55.6%		9.4%	55.6%		35.0%	35.0%		35.0%	35.0%	
Maximum Green (s)	8.9	82.6		9.1	82.6		49.9	49.9		50.1	50.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effect Green (s)	6.4	116.3		9.1	126.2			18.5			18.7	
Actuated g/C Ratio	0.04	0.73		0.06	0.79			0.12			0.12	
v/c Ratio	0.13	0.19		0.41	0.29			0.73			0.10	
Control Delay	69.4	9.3		85.0	5.9			85.2			35.0	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	69.4	9.3		85.0	5.9			85.2			35.0	
LOS	E	A		F	A			F			D	
Approach Delay		10.4			9.4			85.2			35.0	

Baseline

Synchro 10 Report
Page 6

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

2-BUILD - AM
06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Approach LOS	B			A			F			D		

Intersection Summary

Area Type: Other

Cycle Length: 160

Actuated Cycle Length: 160

Offset: 38.6 (24%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow

Natural Cycle: 80

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.73

Intersection Signal Delay: 16.5







Intersection LOS: B

Intersection Capacity Utilization 51.0%

ICU Level of Service A

Analysis Period (min) 15



















Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd

 Ø1	 Ø2 (R)	 Ø4
15 s	89 s	56 s
 Ø5	 Ø6 (R)	 Ø8
15 s	89 s	56 s

HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd










2-BUILD - AM
06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	8	370	56	33	692	22	78	6	25	6	2	12
Future Volume (veh/h)	8	370	56	33	692	22	78	6	25	6	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1826	1826	1722	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	9	411	62	37	769	24	87	7	28	7	2	13
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	5	5	12	3	3	0	0	0	0	0	0
Cap, veh/h	19	2299	344	46	2718	85	145	9	34	68	29	98
Arrive On Green	0.02	1.00	1.00	0.03	0.78	0.78	0.09	0.09	0.09	0.09	0.09	0.09
Sat Flow, veh/h	1810	3016	451	1640	3490	109	1126	93	363	406	311	1037
Grp Volume(v), veh/h	9	235	238	37	388	405	122	0	0	22	0	0
Grp Sat Flow(s),veh/h/ln	1810	1735	1733	1640	1763	1836	1581	0	0	1755	0	0
Q Serve(g_s), s	0.8	0.0	0.0	3.6	10.0	10.0	10.2	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.8	0.0	0.0	3.6	10.0	10.0	12.0	0.0	0.0	1.8	0.0	0.0
Prop In Lane	1.00		0.26	1.00		0.06	0.71		0.23	0.32		0.59
Lane Grp Cap(c), veh/h	19	1322	1321	46	1373	1430	188	0	0	196	0	0
V/C Ratio(X)	0.48	0.18	0.18	0.80	0.28	0.28	0.65	0.00	0.00	0.11	0.00	0.00
Avail Cap(c_a), veh/h	101	1322	1321	93	1373	1430	522	0	0	548	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	77.9	0.0	0.0	77.3	5.0	5.0	70.9	0.0	0.0	66.4	0.0	0.0
Incr Delay (d2), s/veh	18.1	0.3	0.3	25.9	0.5	0.5	3.7	0.0	0.0	0.3	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.5	0.1	0.1	1.8	3.3	3.4	5.1	0.0	0.0	0.8	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.0	0.3	0.3	103.2	5.5	5.5	74.6	0.0	0.0	66.7	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h	482		830				122		22			
Approach Delay, s/veh	2.1		9.9				74.6		66.7			
Approach LOS	A		A				E		E			
Timer - Assigned Phs	1	2	4		5	6	8					
Phs Duration (G+Y+Rc), s	7.7	131.0	21.2		10.4	128.4	21.2					
Change Period (Y+Rc), s	6.1	* 6.4	6.1		* 5.9	* 6.4	* 6.1					
Max Green Setting (Gmax), s	8.9	* 83	49.9		* 9.1	* 83	* 50					
Max Q Clear Time (g_c+I1), s	2.8	12.0	14.0		5.6	2.0	3.8					
Green Ext Time (p_c), s	0.0	11.9	0.7		0.0	6.1	0.1					
Intersection Summary												
HCM 6th Ctrl Delay			13.6									
HCM 6th LOS			B									
Notes												

Lanes, Volumes, Timings
1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

2-BUILD - PM

06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	142	1145	41	55	723	81	51	29	58	89	35	98
Future Volume (vph)	142	1145	41	55	723	81	51	29	58	89	35	98
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)									1	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	3%	0%	0%	3%	2%	0%	0%	4%	1%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	16.0	94.0		15.0	93.0	93.0	36.0	36.0		15.0	51.0	
Total Split (%)	10.0%	58.8%		9.4%	58.1%	58.1%	22.5%	22.5%		9.4%	31.9%	
Maximum Green (s)	9.8	87.9		9.7	86.9	86.9	29.5	29.5		8.9	44.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	110.5	102.4		104.8	96.8	96.8		19.8		35.1	34.7	
Actuated g/C Ratio	0.69	0.64		0.66	0.60	0.60		0.12		0.22	0.22	
v/c Ratio	0.33	0.57		0.22	0.37	0.09		0.76		0.42	0.35	
Control Delay	10.5	19.0		9.0	14.0	0.9		81.8		56.1	22.9	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	10.5	19.0		9.0	14.0	0.9		81.8		56.1	22.9	
LOS	B	B		A	B	A		F		E	C	
Approach Delay		18.1			12.5			81.8			36.2	
Approach LOS		B			B			F			D	

Baseline

Synchro 10 Report
Page 1

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 102.9 (64%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.76
 Intersection Signal Delay: 21.2 Intersection LOS: C
 Intersection Capacity Utilization 73.8% ICU Level of Service D
 Analysis Period (min) 15

Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd













































HCM 6th Signalized Intersection Summary








1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

2-BUILD - PM

06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	142	1145	41	55	723	81	51	29	58	89	35	98
Future Volume (veh/h)	142	1145	41	55	723	81	51	29	58	89	35	98
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1856	1856	1900	1856	1870	1900	1900	1900	1885	1900	1900
Adj Flow Rate, veh/h	153	1231	44	59	777	87	55	31	62	96	38	105
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	3	3	0	3	2	0	0	0	1	0	0
Cap, veh/h	535	2263	81	300	2226	1001	87	45	73	254	92	255
Arrive On Green	0.04	0.65	0.65	0.06	1.00	1.00	0.11	0.11	0.11	0.06	0.21	0.21
Sat Flow, veh/h	1810	3472	124	1810	3526	1585	496	394	642	1795	445	1231
Grp Volume(v), veh/h	153	625	650	59	777	87	148	0	0	96	0	143
Grp Sat Flow(s),veh/h/ln	1810	1763	1833	1810	1763	1585	1532	0	0	1795	0	1676
Q Serve(g_s), s	4.8	30.6	30.6	1.8	0.0	0.0	13.1	0.0	0.0	7.4	0.0	11.8
Cycle Q Clear(g_c), s	4.8	30.6	30.6	1.8	0.0	0.0	15.1	0.0	0.0	7.4	0.0	11.8
Prop In Lane	1.00		0.07	1.00		1.00	0.37		0.42	1.00		0.73
Lane Grp Cap(c), veh/h	535	1149	1195	300	2226	1001	205	0	0	254	0	348
V/C Ratio(X)	0.29	0.54	0.54	0.20	0.35	0.09	0.72	0.00	0.00	0.38	0.00	0.41
Avail Cap(c_a), veh/h	566	1149	1195	358	2226	1001	311	0	0	254	0	466
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	9.2	15.0	15.0	11.9	0.0	0.0	69.4	0.0	0.0	56.6	0.0	54.9
Incr Delay (d2), s/veh	0.3	1.9	1.8	0.3	0.4	0.2	4.7	0.0	0.0	0.9	0.0	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.9	12.1	12.6	0.7	0.1	0.0	6.2	0.0	0.0	3.5	0.0	5.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	9.5	16.9	16.8	12.2	0.4	0.2	74.1	0.0	0.0	57.5	0.0	55.7
LnGrp LOS	A	B	B	B	A	A	E	A	A	E	A	E
Approach Vol, veh/h	1428			923			148			239		
Approach Delay, s/veh	16.1			1.2			74.1			56.4		
Approach LOS	B			A			E			E		
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.2	107.1		39.7	9.9	110.4	15.0	24.7				
Change Period (Y+Rc), s	* 6.2	6.1		6.5	* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 9.8	86.9		44.5	* 9.7	87.9	8.9	29.5				
Max Q Clear Time (g_c+I1), s	6.8	2.0		13.8	3.8	32.6	9.4	17.1				
Green Ext Time (p_c), s	0.1	14.0		0.9	0.0	24.4	0.0	0.6				
Intersection Summary												
HCM 6th Ctrl Delay			17.7									
HCM 6th LOS			B									
Notes												



















												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 			 				
Traffic Volume (vph)	29	1188	89	76	757	42	75	1	70	31	0	41
Future Volume (vph)	29	1188	89	76	757	42	75	1	70	31	0	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		0	0		0
Storage Lanes	1		0	1		1	0		0	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	3%	0%	0%	3%	7%	0%	0%	0%	0%	0%	10%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	61.6%											
Analysis Period (min)	15											
	ICU Level of Service B											

Intersection												
Int Delay, s/veh	4.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	29	1188	89	76	757	42	75	1	70	31	0	41
Future Vol, veh/h	29	1188	89	76	757	42	75	1	70	31	0	41
Conflicting Peds, #/hr	0	0	2	2	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	4	3	0	0	3	7	0	0	0	0	0	10
Mvmt Flow	30	1238	93	79	789	44	78	1	73	32	0	43
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	833	0	0	1333	0	0	1900	2338	668	1627	2340	395
Stage 1	-	-	-	-	-	-	1347	1347	-	947	947	-
Stage 2	-	-	-	-	-	-	553	991	-	680	1393	-
Critical Hdwy	4.18	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	7.1
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.24	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.4
Pot Cap-1 Maneuver	783	-	-	524	-	-	~ 43	37	405	69	37	582
Stage 1	-	-	-	-	-	-	236	222	-	370	342	-
Stage 2	-	-	-	-	-	-	571	327	-	497	211	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	783	-	-	523	-	-	~ 34	30	404	48	30	582
Mov Cap-2 Maneuver	-	-	-	-	-	-	148	118	-	173	90	-
Stage 1	-	-	-	-	-	-	227	213	-	356	290	-
Stage 2	-	-	-	-	-	-	449	278	-	390	203	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.2			1.1			56			11.7		
HCM LOS							F			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	212	783	-	-	523	-	-	582				
HCM Lane V/C Ratio	0.717	0.039	-	-	0.151	-	-	0.073				
HCM Control Delay (s)	56	9.8	-	-	13.1	-	-	11.7				
HCM Lane LOS	F	A	-	-	B	-	-	B				
HCM 95th %tile Q(veh)	4.7	0.1	-	-	0.5	-	-	0.2				
Notes												
~: Volume exceeds capacity		\$: Delay exceeds 300s		+: Computation Not Defined				*: All major volume in platoon				

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

2-BUILD - PM

06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	1025	205	52	688	6	137	1	75	28	10	7
Future Volume (vph)	8	1025	205	52	688	6	137	1	75	28	10	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	20%	3%	1%	10%	3%	0%	3%	0%	13%	7%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	110.0		15.0	110.0		35.0	35.0		35.0	35.0	
Total Split (%)	9.4%	68.8%		9.4%	68.8%		21.9%	21.9%		21.9%	21.9%	
Maximum Green (s)	8.9	103.6		9.1	103.6		28.9	28.9		29.1	29.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	6.5	109.1		8.6	118.2			26.4			26.6	
Actuated g/C Ratio	0.04	0.68		0.05	0.74			0.16			0.17	
v/c Ratio	0.13	0.55		0.62	0.28			0.89			0.19	
Control Delay	91.9	6.6		103.1	7.9			95.0			52.0	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	91.9	6.6		103.1	7.9			95.0			52.0	
LOS	F	A		F	A			F			D	
Approach Delay		7.2			14.6			95.0			52.0	
Approach LOS		A			B			F			D	

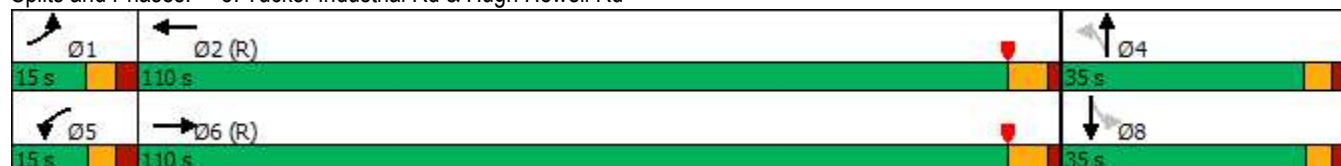
Baseline

Synchro 10 Report
Page 6

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 118.6 (74%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow
 Natural Cycle: 80
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.89
 Intersection Signal Delay: 18.9
 Intersection LOS: B
 Intersection Capacity Utilization 68.3%
 ICU Level of Service C
 Analysis Period (min) 15

Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd









































HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd

2-BUILD - PM

06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	8	1025	205	52	688	6	137	1	75	28	10	7
Future Volume (veh/h)	8	1025	205	52	688	6	137	1	75	28	10	7
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1604	1856	1856	1752	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	8	1079	216	55	724	6	144	1	79	29	11	7
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	20	3	3	10	3	3	0	0	0	0	0	0
Cap, veh/h	14	2022	403	69	2585	21	194	1	86	169	63	34
Arrive On Green	0.02	1.00	1.00	0.04	0.72	0.72	0.15	0.15	0.15	0.15	0.15	0.15
Sat Flow, veh/h	1527	2928	584	1668	3583	30	1027	7	564	868	412	224
Grp Volume(v), veh/h	8	648	647	55	356	374	224	0	0	47	0	0
Grp Sat Flow(s),veh/h/ln	1527	1763	1749	1668	1763	1850	1598	0	0	1504	0	0
Q Serve(g_s), s	0.8	0.0	0.0	5.2	11.3	11.3	17.9	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.8	0.0	0.0	5.2	11.3	11.3	22.0	0.0	0.0	4.1	0.0	0.0
Prop In Lane	1.00		0.33	1.00		0.02	0.64		0.35	0.62		0.15
Lane Grp Cap(c), veh/h	14	1217	1208	69	1272	1335	281	0	0	266	0	0
V/C Ratio(X)	0.56	0.53	0.54	0.80	0.28	0.28	0.80	0.00	0.00	0.18	0.00	0.00
Avail Cap(c_a), veh/h	85	1217	1208	95	1272	1335	324	0	0	311	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	78.2	0.0	0.0	76.0	7.8	7.8	66.4	0.0	0.0	59.0	0.0	0.0
Incr Delay (d2), s/veh	30.1	1.7	1.7	27.0	0.5	0.5	11.4	0.0	0.0	0.3	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	0.6	0.6	2.7	4.1	4.3	9.9	0.0	0.0	1.7	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	108.3	1.7	1.7	103.1	8.3	8.3	77.8	0.0	0.0	59.3	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h	1303			785			224			47		
Approach Delay, s/veh	2.3			15.0			77.8			59.3		
Approach LOS	A			B			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.6	121.8		30.6	12.5	116.9		30.6				
Change Period (Y+Rc), s	6.1	* 6.4		6.1	* 5.9	* 6.4		* 6.1				
Max Green Setting (Gmax), s	8.9	* 1E2		28.9	* 9.1	* 1E2		* 29				
Max Q Clear Time (g_c+I1), s	2.8	13.3		24.0	7.2	2.0		6.1				
Green Ext Time (p_c), s	0.0	10.6		0.5	0.0	30.5		0.2				
Intersection Summary												
HCM 6th Ctrl Delay			14.8									
HCM 6th LOS			B									
Notes												

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	47	434	11	19	746	38	22	7	35	24	5	32
Future Volume (vph)	47	434	11	19	746	38	22	7	35	24	5	32
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)	1		1	1		1						
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	5%	9%	0%	4%	0%	0%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	26.0	85.0		17.0	76.0	76.0	42.0	42.0		16.0	58.0	
Total Split (%)	16.3%	53.1%		10.6%	47.5%	47.5%	26.3%	26.3%		10.0%	36.3%	
Maximum Green (s)	19.8	78.9		11.7	69.9	69.9	35.5	35.5		9.9	51.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	125.9	121.6		123.4	117.8	117.8		9.7		19.3	18.9	
Actuated g/C Ratio	0.79	0.76		0.77	0.74	0.74		0.06		0.12	0.12	
v/c Ratio	0.10	0.18		0.03	0.31	0.03		0.56		0.20	0.18	
Control Delay	5.1	7.2		4.6	8.2	0.1		56.8		61.0	21.4	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	5.1	7.2		4.6	8.2	0.1		56.8		61.0	21.4	
LOS	A	A		A	A	A		E		E	C	
Approach Delay		7.0			7.7			56.8			37.3	
Approach LOS		A			A			E			D	

Intersection Summary
























Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 148.9 (93%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.56
 Intersection Signal Delay: 11.0 Intersection LOS: B
 Intersection Capacity Utilization 53.6% ICU Level of Service A
 Analysis Period (min) 15























Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd











HCM 6th Signalized Intersection Summary
1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

3-BUILD-I-AM
06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 			 				
Traffic Volume (veh/h)	47	434	11	19	746	38	22	7	35	24	5	32
Future Volume (veh/h)	47	434	11	19	746	38	22	7	35	24	5	32
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1826	1826	1900	1841	1900	1900	1900	1900	1752	1900	1900
Adj Flow Rate, veh/h	51	467	12	20	802	41	24	8	38	26	5	34
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	5	5	0	4	0	0	0	0	10	0	0
Cap, veh/h	598	2602	67	742	2541	1169	55	17	49	150	25	167
Arrive On Green	0.04	0.75	0.75	0.04	1.00	1.00	0.06	0.06	0.06	0.02	0.12	0.12
Sat Flow, veh/h	1810	3456	89	1810	3497	1609	431	294	861	1668	211	1432
Grp Volume(v), veh/h	51	234	245	20	802	41	70	0	0	26	0	39
Grp Sat Flow(s),veh/h/ln	1810	1735	1810	1810	1749	1609	1587	0	0	1668	0	1642
Q Serve(g_s), s	1.1	6.2	6.2	0.5	0.0	0.0	5.2	0.0	0.0	2.3	0.0	3.4
Cycle Q Clear(g_c), s	1.1	6.2	6.2	0.5	0.0	0.0	6.9	0.0	0.0	2.3	0.0	3.4
Prop In Lane	1.00		0.05	1.00		1.00	0.34		0.54	1.00		0.87
Lane Grp Cap(c), veh/h	598	1306	1363	742	2541	1169	121	0	0	150	0	192
V/C Ratio(X)	0.09	0.18	0.18	0.03	0.32	0.04	0.58	0.00	0.00	0.17	0.00	0.20
Avail Cap(c_a), veh/h	751	1306	1363	841	2541	1169	377	0	0	218	0	529
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	4.5	5.6	5.6	5.2	0.0	0.0	74.3	0.0	0.0	67.1	0.0	63.9
Incr Delay (d2), s/veh	0.1	0.3	0.3	0.0	0.3	0.1	4.3	0.0	0.0	0.5	0.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	2.1	2.2	0.2	0.1	0.0	3.0	0.0	0.0	1.0	0.0	1.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	4.6	5.9	5.9	5.2	0.3	0.1	78.6	0.0	0.0	67.7	0.0	64.4
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	E
Approach Vol, veh/h	530		863				70		65			
Approach Delay, s/veh	5.8		0.4				78.6		65.7			
Approach LOS	A		A				E		E			
Timer - Assigned Phs	1	2	4		5	6	7	8				
Phs Duration (G+Y+Rc), s	12.5	122.3	25.2		8.2	126.6	9.5	15.7				
Change Period (Y+Rc), s	* 6.2	6.1	6.5		* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 20	69.9	51.5		* 12	78.9	9.9	35.5				
Max Q Clear Time (g_c+I1), s	3.1	2.0	5.4		2.5	8.2	4.3	8.9				
Green Ext Time (p_c), s	0.1	13.8	0.2		0.0	6.1	0.0	0.3				
Intersection Summary												
HCM 6th Ctrl Delay	8.7											
HCM 6th LOS	A											
Notes												



















												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 							
Traffic Volume (vph)	28	394	67	66	697	10	68	0	65	19	0	31
Future Volume (vph)	28	394	67	66	697	10	68	0	65	19	0	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		25	0		0
Storage Lanes	1		0	1		1	0		1	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)	1		1	1		1						
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	7%	3%	0%	0%	2%	10%	33%	0%	0%	10%	0%	0%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	42.2%											
Analysis Period (min)	15											
ICU Level of Service A												

Intersection												
Int Delay, s/veh	2.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	28	394	67	66	697	10	68	0	65	19	0	31
Future Vol, veh/h	28	394	67	66	697	10	68	0	65	19	0	31
Conflicting Peds, #/hr	1	0	1	1	0	1	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	25	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	7	3	0	0	2	10	33	0	0	10	0	0
Mvmt Flow	30	424	72	71	749	11	73	0	70	20	0	33
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	761	0	0	497	0	0	1038	1424	249	1164	1449	376
Stage 1	-	-	-	-	-	-	521	521	-	892	892	-
Stage 2	-	-	-	-	-	-	517	903	-	272	557	-
Critical Hdwy	4.24	-	-	4.1	-	-	8.16	6.5	6.9	7.7	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.27	-	-	2.2	-	-	3.83	4	3.3	3.6	4	3.3
Pot Cap-1 Maneuver	815	-	-	1077	-	-	148	137	757	140	132	627
Stage 1	-	-	-	-	-	-	552	535	-	387	363	-
Stage 2	-	-	-	-	-	-	555	359	-	754	515	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	814	-	-	1076	-	-	129	123	756	117	119	626
Mov Cap-2 Maneuver	-	-	-	-	-	-	284	226	-	258	225	-
Stage 1	-	-	-	-	-	-	531	515	-	372	339	-
Stage 2	-	-	-	-	-	-	491	335	-	659	495	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.5			0.7			16.2			11.1		
HCM LOS							C			B		
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1			
Capacity (veh/h)	284	756	814	-	-	1076	-	-	626			
HCM Lane V/C Ratio	0.257	0.092	0.037	-	-	0.066	-	-	0.053			
HCM Control Delay (s)	22	10.2	9.6	-	-	8.6	-	-	11.1			
HCM Lane LOS	C	B	A	-	-	A	-	-	B			
HCM 95th %tile Q(veh)	1	0.3	0.1	-	-	0.2	-	-	0.2			

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

3-BUILD-I-AM

06/22/2021













												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	370	56	33	692	22	78	6	25	6	2	12
Future Volume (vph)	8	370	56	33	692	22	78	6	25	6	2	12
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)	1					1			1	1		
Confl. Bikes (#/hr)			1									
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	0%	5%	4%	12%	3%	10%	10%	0%	12%	0%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	89.0		15.0	89.0		56.0	56.0		56.0	56.0	
Total Split (%)	9.4%	55.6%		9.4%	55.6%		35.0%	35.0%		35.0%	35.0%	
Maximum Green (s)	8.9	82.6		9.1	82.6		49.9	49.9		50.1	50.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effect Green (s)	6.4	116.3		9.1	126.2			18.5			18.7	
Actuated g/C Ratio	0.04	0.73		0.06	0.79			0.12			0.12	
v/c Ratio	0.13	0.19		0.41	0.29			0.73			0.10	
Control Delay	69.4	9.3		85.0	5.9			85.2			35.0	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	69.4	9.3		85.0	5.9			85.2			35.0	
LOS	E	A		F	A			F			D	
Approach Delay		10.4			9.4			85.2			35.0	

Baseline

Synchro 10 Report
Page 6

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

3-BUILD-I-AM
06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Approach LOS	B			A			F			D		

Intersection Summary

Area Type: Other

Cycle Length: 160

Actuated Cycle Length: 160

Offset: 38.6 (24%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow

Natural Cycle: 80

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.73

Intersection Signal Delay: 16.5

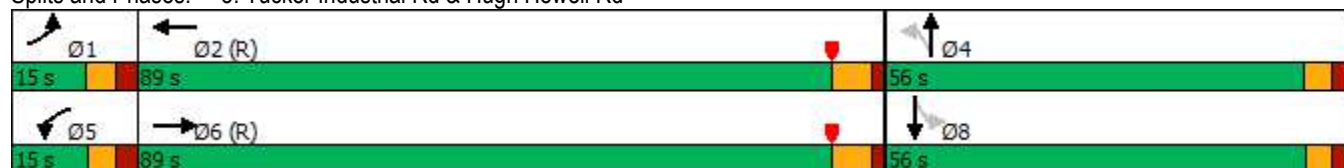
Intersection LOS: B

Intersection Capacity Utilization 51.0%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd









































HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd

3-BUILD-I-AM

06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	8	370	56	33	692	22	78	6	25	6	2	12
Future Volume (veh/h)	8	370	56	33	692	22	78	6	25	6	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1826	1826	1722	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	9	411	62	37	769	24	87	7	28	7	2	13
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	5	5	12	3	3	0	0	0	0	0	0
Cap, veh/h	19	2299	344	46	2718	85	145	9	34	68	29	98
Arrive On Green	0.02	1.00	1.00	0.03	0.78	0.78	0.09	0.09	0.09	0.09	0.09	0.09
Sat Flow, veh/h	1810	3016	451	1640	3490	109	1126	93	363	406	311	1037
Grp Volume(v), veh/h	9	235	238	37	388	405	122	0	0	22	0	0
Grp Sat Flow(s),veh/h/ln	1810	1735	1733	1640	1763	1836	1581	0	0	1755	0	0
Q Serve(g_s), s	0.8	0.0	0.0	3.6	10.0	10.0	10.2	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.8	0.0	0.0	3.6	10.0	10.0	12.0	0.0	0.0	1.8	0.0	0.0
Prop In Lane	1.00		0.26	1.00		0.06	0.71		0.23	0.32		0.59
Lane Grp Cap(c), veh/h	19	1322	1321	46	1373	1430	188	0	0	196	0	0
V/C Ratio(X)	0.48	0.18	0.18	0.80	0.28	0.28	0.65	0.00	0.00	0.11	0.00	0.00
Avail Cap(c_a), veh/h	101	1322	1321	93	1373	1430	522	0	0	548	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	77.9	0.0	0.0	77.3	5.0	5.0	70.9	0.0	0.0	66.4	0.0	0.0
Incr Delay (d2), s/veh	18.1	0.3	0.3	25.9	0.5	0.5	3.7	0.0	0.0	0.3	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.5	0.1	0.1	1.8	3.3	3.4	5.1	0.0	0.0	0.8	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.0	0.3	0.3	103.2	5.5	5.5	74.6	0.0	0.0	66.7	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h		482			830			122			22	
Approach Delay, s/veh		2.1			9.9			74.6			66.7	
Approach LOS		A			A			E			E	
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.7	131.0		21.2	10.4	128.4		21.2				
Change Period (Y+Rc), s	6.1	* 6.4		6.1	* 5.9	* 6.4		* 6.1				
Max Green Setting (Gmax), s	8.9	* 83		49.9	* 9.1	* 83		* 50				
Max Q Clear Time (g_c+I1), s	2.8	12.0		14.0	5.6	2.0		3.8				
Green Ext Time (p_c), s	0.0	11.9		0.7	0.0	6.1		0.1				
Intersection Summary												
HCM 6th Ctrl Delay				13.6								
HCM 6th LOS				B								
Notes												
* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.												

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	142	1145	41	55	723	81	51	29	58	89	35	98
Future Volume (vph)	142	1145	41	55	723	81	51	29	58	89	35	98
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	10	10	10
Storage Length (ft)	125		0	115		0	0		0	0		0
Storage Lanes	1		0	1		1	0		0	1		0
Taper Length (ft)	55			65			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1049			415			1011			510	
Travel Time (s)		15.9			6.3			23.0			11.6	
Confl. Peds. (#/hr)									1	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	3%	0%	0%	3%	2%	0%	0%	4%	1%	0%	0%
Shared Lane Traffic (%)												
Turn Type	pm+pt	NA		pm+pt	NA	Perm	Perm	NA		pm+pt	NA	
Protected Phases	1	6		5	2			8		7	4	
Permitted Phases	6			2		2	8			4		
Detector Phase	1	6		5	2	2	8	8		7	4	
Switch Phase												
Minimum Initial (s)	7.0	10.0		5.0	10.0	10.0	7.0	7.0		5.0	7.0	
Minimum Split (s)	13.2	27.4		10.3	32.1	32.1	35.5	35.5		11.1	35.5	
Total Split (s)	16.0	94.0		15.0	93.0	93.0	36.0	36.0		15.0	51.0	
Total Split (%)	10.0%	58.8%		9.4%	58.1%	58.1%	22.5%	22.5%		9.4%	31.9%	
Maximum Green (s)	9.8	87.9		9.7	86.9	86.9	29.5	29.5		8.9	44.5	
Yellow Time (s)	3.4	4.6		3.1	4.6	4.6	3.5	3.5		3.1	3.5	
All-Red Time (s)	2.8	1.5		2.2	1.5	1.5	3.0	3.0		3.0	3.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Lost Time (s)	6.2	6.1		5.3	6.1	6.1		6.5		6.1	6.5	
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lag	Lag		Lead		
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes		Yes		
Vehicle Extension (s)	3.0	5.0		3.0	5.0	5.0	3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0	3.0	0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0	20.0	0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	10.0		0.0	10.0	10.0	0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max	C-Max	None	None		None	None	
Walk Time (s)		7.0			7.0	7.0	7.0	7.0			7.0	
Flash Dont Walk (s)		10.0			19.0	19.0	22.0	22.0			22.0	
Pedestrian Calls (#/hr)		0			0	0	0	0			0	
Act Effct Green (s)	110.5	102.4		104.8	96.8	96.8		19.8		35.1	34.7	
Actuated g/C Ratio	0.69	0.64		0.66	0.60	0.60		0.12		0.22	0.22	
v/c Ratio	0.33	0.57		0.22	0.37	0.09		0.76		0.42	0.35	
Control Delay	10.5	19.0		9.0	14.0	0.9		81.8		56.1	22.9	
Queue Delay	0.0	0.0		0.0	0.0	0.0		0.0		0.0	0.0	
Total Delay	10.5	19.0		9.0	14.0	0.9		81.8		56.1	22.9	
LOS	B	B		A	B	A		F		E	C	
Approach Delay		18.1			12.5			81.8			36.2	
Approach LOS		B			B			F			D	

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 102.9 (64%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
 Natural Cycle: 95
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.76
 Intersection Signal Delay: 21.2
 Intersection LOS: C
 Intersection Capacity Utilization 73.8%
 ICU Level of Service D
 Analysis Period (min) 15





















Splits and Phases: 1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

































HCM 6th Signalized Intersection Summary

1: Cowan Rd/The Centre Driveway & Hugh Howell Rd

3-BUILD-I
06/22/2021



















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	142	1145	41	55	723	81	51	29	58	89	35	98
Future Volume (veh/h)	142	1145	41	55	723	81	51	29	58	89	35	98
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1856	1856	1900	1856	1870	1900	1900	1900	1885	1900	1900
Adj Flow Rate, veh/h	153	1231	44	59	777	87	55	31	62	96	38	105
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	3	3	0	3	2	0	0	0	1	0	0
Cap, veh/h	535	2263	81	300	2226	1001	87	45	73	254	92	255
Arrive On Green	0.04	0.65	0.65	0.06	1.00	1.00	0.11	0.11	0.11	0.06	0.21	0.21
Sat Flow, veh/h	1810	3472	124	1810	3526	1585	496	394	642	1795	445	1231
Grp Volume(v), veh/h	153	625	650	59	777	87	148	0	0	96	0	143
Grp Sat Flow(s),veh/h/ln	1810	1763	1833	1810	1763	1585	1532	0	0	1795	0	1676
Q Serve(g_s), s	4.8	30.6	30.6	1.8	0.0	0.0	13.1	0.0	0.0	7.4	0.0	11.8
Cycle Q Clear(g_c), s	4.8	30.6	30.6	1.8	0.0	0.0	15.1	0.0	0.0	7.4	0.0	11.8
Prop In Lane	1.00		0.07	1.00		1.00	0.37		0.42	1.00		0.73
Lane Grp Cap(c), veh/h	535	1149	1195	300	2226	1001	205	0	0	254	0	348
V/C Ratio(X)	0.29	0.54	0.54	0.20	0.35	0.09	0.72	0.00	0.00	0.38	0.00	0.41
Avail Cap(c_a), veh/h	566	1149	1195	358	2226	1001	311	0	0	254	0	466
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	9.2	15.0	15.0	11.9	0.0	0.0	69.4	0.0	0.0	56.6	0.0	54.9
Incr Delay (d2), s/veh	0.3	1.9	1.8	0.3	0.4	0.2	4.7	0.0	0.0	0.9	0.0	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.9	12.1	12.6	0.7	0.1	0.0	6.2	0.0	0.0	3.5	0.0	5.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	9.5	16.9	16.8	12.2	0.4	0.2	74.1	0.0	0.0	57.5	0.0	55.7
LnGrp LOS	A	B	B	B	A	A	E	A	A	E	A	E
Approach Vol, veh/h	1428			923			148			239		
Approach Delay, s/veh	16.1			1.2			74.1			56.4		
Approach LOS	B			A			E			E		
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.2	107.1		39.7	9.9	110.4	15.0	24.7				
Change Period (Y+Rc), s	* 6.2	6.1		6.5	* 5.3	6.1	6.1	6.5				
Max Green Setting (Gmax), s	* 9.8	86.9		44.5	* 9.7	87.9	8.9	29.5				
Max Q Clear Time (g_c+I1), s	6.8	2.0		13.8	3.8	32.6	9.4	17.1				
Green Ext Time (p_c), s	0.1	14.0		0.9	0.0	24.4	0.0	0.6				
Intersection Summary												
HCM 6th Ctrl Delay			17.7									
HCM 6th LOS			B									
Notes												

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 							
Traffic Volume (vph)	29	1188	89	76	757	42	75	1	70	31	0	41
Future Volume (vph)	29	1188	89	76	757	42	75	1	70	31	0	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		100	0		25	0		0
Storage Lanes	1		0	1		1	0		1	0		0
Taper Length (ft)	25			25			25			25		
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		415			1148			1035			349	
Travel Time (s)		6.3			17.4			23.5			7.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	3%	0%	0%	3%	7%	0%	0%	0%	0%	0%	10%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	60.8%						ICU Level of Service B					
Analysis Period (min)	15											

Intersection												
Int Delay, s/veh	3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	29	1188	89	76	757	42	75	1	70	31	0	41
Future Vol, veh/h	29	1188	89	76	757	42	75	1	70	31	0	41
Conflicting Peds, #/hr	0	0	2	2	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	100	-	-	25	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	1	-	-	1	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	4	3	0	0	3	7	0	0	0	0	0	10
Mvmt Flow	30	1238	93	79	789	44	78	1	73	32	0	43
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	833	0	0	1333	0	0	1900	2338	668	1627	2340	395
Stage 1	-	-	-	-	-	-	1347	1347	-	947	947	-
Stage 2	-	-	-	-	-	-	553	991	-	680	1393	-
Critical Hdwy	4.18	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	7.1
Critical Hdwy Stg 1	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	5.5	5.5	-	5.5	5.5	-
Follow-up Hdwy	2.24	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.4
Pot Cap-1 Maneuver	783	-	-	524	-	-	~ 43	37	405	69	37	582
Stage 1	-	-	-	-	-	-	236	222	-	370	342	-
Stage 2	-	-	-	-	-	-	571	327	-	497	211	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	783	-	-	523	-	-	~ 34	30	404	48	30	582
Mov Cap-2 Maneuver	-	-	-	-	-	-	148	118	-	173	90	-
Stage 1	-	-	-	-	-	-	227	213	-	356	290	-
Stage 2	-	-	-	-	-	-	449	278	-	390	203	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.2			1.1			35.9			11.7		
HCM LOS							E			B		
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1			
Capacity (veh/h)	148	404	783	-	-	523	-	-	582			
HCM Lane V/C Ratio	0.535	0.18	0.039	-	-	0.151	-	-	0.073			
HCM Control Delay (s)	54.3	15.9	9.8	-	-	13.1	-	-	11.7			
HCM Lane LOS	F	C	A	-	-	B	-	-	B			
HCM 95th %tile Q(veh)	2.6	0.7	0.1	-	-	0.5	-	-	0.2			
Notes												
~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon												

Lanes, Volumes, Timings
3: Tucker Industrial Rd & Hugh Howell Rd

3-BUILD-I
06/22/2021

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	1025	205	52	688	6	137	1	75	28	10	7
Future Volume (vph)	8	1025	205	52	688	6	137	1	75	28	10	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	14	12	12	14	12
Storage Length (ft)	150		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	60			50			25			25		
Right Turn on Red			Yes			Yes			Yes			Yes
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		1148			648			819			1228	
Travel Time (s)		17.4			9.8			16.0			23.9	
Confl. Peds. (#/hr)			2	2								
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	20%	3%	1%	10%	3%	0%	3%	0%	13%	7%	0%	0%
Shared Lane Traffic (%)												
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	6		5	2			4			8	
Permitted Phases							4			8		
Detector Phase	1	6		5	2		4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	10.0		5.0	10.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	11.1	31.4		10.9	31.4		31.1	31.1		33.9	33.9	
Total Split (s)	15.0	110.0		15.0	110.0		35.0	35.0		35.0	35.0	
Total Split (%)	9.4%	68.8%		9.4%	68.8%		21.9%	21.9%		21.9%	21.9%	
Maximum Green (s)	8.9	103.6		9.1	103.6		28.9	28.9		29.1	29.1	
Yellow Time (s)	3.5	4.7		3.3	4.7		3.3	3.3		3.0	3.0	
All-Red Time (s)	2.6	1.7		2.6	1.7		2.8	2.8		2.9	2.9	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0			0.0			0.0	
Total Lost Time (s)	6.1	6.4		5.9	6.4			6.1			5.9	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	5.0		3.0	5.0		3.0	3.0		3.0	3.0	
Minimum Gap (s)	0.2	3.0		0.2	3.0		0.2	0.2		0.2	0.2	
Time Before Reduce (s)	0.0	20.0		0.0	20.0		0.0	0.0		0.0	0.0	
Time To Reduce (s)	0.0	15.0		0.0	15.0		0.0	0.0		0.0	0.0	
Recall Mode	None	C-Max		None	C-Max		None	None		None	None	
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		18.0			18.0		18.0	18.0		21.0	21.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	6.5	109.1		8.6	118.2			26.4			26.6	
Actuated g/C Ratio	0.04	0.68		0.05	0.74			0.16			0.17	
v/c Ratio	0.13	0.55		0.62	0.28			0.89			0.19	
Control Delay	91.9	6.6		103.1	7.9			95.0			52.0	
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	91.9	6.6		103.1	7.9			95.0			52.0	
LOS	F	A		F	A			F			D	
Approach Delay		7.2			14.6			95.0			52.0	
Approach LOS		A			B			F			D	

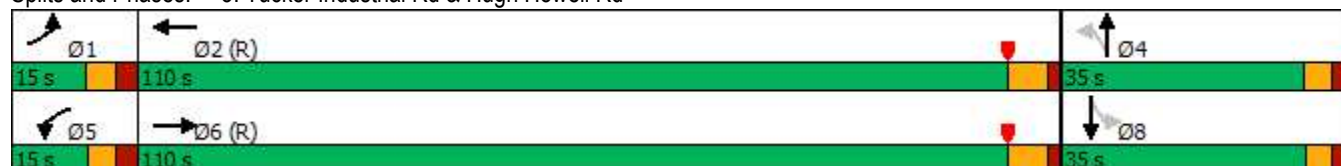
Baseline

Synchro 10 Report
Page 6

Intersection Summary

Area Type: Other
 Cycle Length: 160
 Actuated Cycle Length: 160
 Offset: 118.6 (74%), Referenced to phase 2:WBT and 6:EBT, Start of Yellow
 Natural Cycle: 80
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.89
 Intersection Signal Delay: 18.9
 Intersection LOS: B
 Intersection Capacity Utilization 68.3%
 ICU Level of Service C
 Analysis Period (min) 15



















Splits and Phases: 3: Tucker Industrial Rd & Hugh Howell Rd

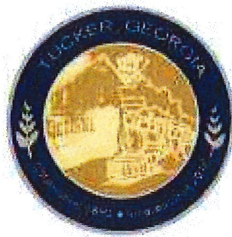


HCM 6th Signalized Intersection Summary

3: Tucker Industrial Rd & Hugh Howell Rd

3-BUILD-I
06/22/2021

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	8	1025	205	52	688	6	137	1	75	28	10	7
Future Volume (veh/h)	8	1025	205	52	688	6	137	1	75	28	10	7
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1604	1856	1856	1752	1856	1856	1900	1976	1900	1900	1976	1900
Adj Flow Rate, veh/h	8	1079	216	55	724	6	144	1	79	29	11	7
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	20	3	3	10	3	3	0	0	0	0	0	0
Cap, veh/h	14	2022	403	69	2585	21	194	1	86	169	63	34
Arrive On Green	0.02	1.00	1.00	0.04	0.72	0.72	0.15	0.15	0.15	0.15	0.15	0.15
Sat Flow, veh/h	1527	2928	584	1668	3583	30	1027	7	564	868	412	224
Grp Volume(v), veh/h	8	648	647	55	356	374	224	0	0	47	0	0
Grp Sat Flow(s),veh/h/ln	1527	1763	1749	1668	1763	1850	1598	0	0	1504	0	0
Q Serve(g_s), s	0.8	0.0	0.0	5.2	11.3	11.3	17.9	0.0	0.0	0.0	0.0	0.0
Cycle Q Clear(g_c), s	0.8	0.0	0.0	5.2	11.3	11.3	22.0	0.0	0.0	4.1	0.0	0.0
Prop In Lane	1.00		0.33	1.00		0.02	0.64		0.35	0.62		0.15
Lane Grp Cap(c), veh/h	14	1217	1208	69	1272	1335	281	0	0	266	0	0
V/C Ratio(X)	0.56	0.53	0.54	0.80	0.28	0.28	0.80	0.00	0.00	0.18	0.00	0.00
Avail Cap(c_a), veh/h	85	1217	1208	95	1272	1335	324	0	0	311	0	0
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	78.2	0.0	0.0	76.0	7.8	7.8	66.4	0.0	0.0	59.0	0.0	0.0
Incr Delay (d2), s/veh	30.1	1.7	1.7	27.0	0.5	0.5	11.4	0.0	0.0	0.3	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	0.6	0.6	2.7	4.1	4.3	9.9	0.0	0.0	1.7	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	108.3	1.7	1.7	103.1	8.3	8.3	77.8	0.0	0.0	59.3	0.0	0.0
LnGrp LOS	F	A	A	F	A	A	E	A	A	E	A	A
Approach Vol, veh/h	1303			785			224			47		
Approach Delay, s/veh	2.3			15.0			77.8			59.3		
Approach LOS	A			B			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.6	121.8		30.6	12.5	116.9		30.6				
Change Period (Y+Rc), s	6.1	* 6.4		6.1	* 5.9	* 6.4		* 6.1				
Max Green Setting (Gmax), s	8.9	* 1E2		28.9	* 9.1	* 1E2		* 29				
Max Q Clear Time (g_c+I1), s	2.8	13.3		24.0	7.2	2.0		6.1				
Green Ext Time (p_c), s	0.0	10.6		0.5	0.0	30.5		0.2				
Intersection Summary												
HCM 6th Ctrl Delay			14.8									
HCM 6th LOS			B									
Notes												



City of Tucker

Public Participation Plan Report

Project Name:

Contact Name: **Jennifer Santelli**

Meeting Date: **Tuesday, May 5th**

Meeting Location: **4435 Hugh Howell Road, Tucker GA 30084**

Meeting Start Time: **5:00 pm**

Meeting End Time: **7:00 pm**

Number of people in attendance: **28**

Date of Filing of Land Use Petition Application: **08/13/2021**

General Introduction: please include information about who you reached out to for the meeting, communication outreach methods (letters, facebook, emails, etc), what you were proposing at the time of the neighborhood meeting, the meeting format (ppt, q&a, display boards, etc), and who attended the meeting on behalf of the applicant (engineers, attorney, developer, property owner, etc). Additional information that you feel is important to include is welcomed.

Summary of concerns and issues raised at the meeting: (please list and respond to each one individually; include as many items that were discussed).

1. List question/concern/comment/request for changes to the proposed plans

Applicant Response:

2. List question/concern/comment/request for changes to the proposed plans

Applicant Response:

The following must be submitted at time of application submittal:

- o Copy of the letter that was mailed to neighbors

- o Copy of address list for mailing

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GENERAL INTRODUCTION

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BLUP-21-0004, CV-21-0002, CV-21-0003, CV-21-0004

Public Participation Meeting

Chick-fil-A Tucker
4435 Hugh Howell Road
May 25, 2021

General Introduction

A Public Participation Meeting was held on Tuesday, May 25th at 5:00 PM at the project site at 4435 Hugh Howell Road Tucker, GA 30084. Fifty letters advertising meeting were sent out to nearby residences and businesses. This mailing list was provided by the City of Tucker and invited attendance to learn about the project and to ask questions, raise concerns, and provide feedback. Additional attendees were notified via City advertising and word of mouth.

The neighbours were informed that Bowman is working with Chick-fil-A to construct a new ±4,978 square foot restaurant with a drive-through at a new location at 4435 Hugh Howell Road, at the southwest corner of Hugh Howell Road and Rosser Terrace on the site of a former restaurant. Bowman informed attendees that the public participation meeting is required by City of Tucker for a application of a Special Land Use Permit to allow operation of a drive-through restaurant in the DT-2 (Downtown Corridor) zoning district.

Site layout and architectural information was displayed on poster boards and detailed building materials, finishes and elevations. Attendees received individual copies of the site layout upon entry to the meeting.

Attendees included the Chick-fil-A development manager, Jennifer Santelli, and the operator of the existing Chick-fil-A, Brad Spratte, as well as several other existing restaurant staff. Current property owner, John Poulakis, was in attendance, as well as Bridgette Ganter and Collin McCarty of Bowman, as consulting engineers for Chick-fil-A. Remaining attendees represented nearby residences, businesses, and the City of Tucker.

Summary of Concerns and Issues

The main concern is traffic in the area:

1. Residents living along Rosser Terrace have issues cut-through traffic from Tucker Industrial Road to Hugh Howell Road as a quicker route to U.S. Highway 78, as this bypasses the traffic signal at Tucker Industrial Road and Hugh Howell Road.

Applicant Response: Chick-fil-A cannot prevent this type of pass-through traffic, but offered to speak with DeKalb County in support for previously discussed appropriate measures to control this traffic, including speed-calming devices.

2. Another concern is that the traffic queue to turn onto Hugh Howell Road from Rosser Terrace would increase with the introduction of a Chick-fil-A at this intersection.

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Applicant Response: Chick-fil-A is completing a Traffic Impact Study to assess existing traffic and new traffic resulting from the addition of a Chick-fil-A restaurant, as well as offer suggestions for mitigation.

Traffic Impact Study was completed on June 25th. Study recommends addition of dedicated right turn lane from northbound Rosser Terrace on to eastbound Hugh Howell Road. Conditions did not warrant a new traffic signal at the intersection of Hugh Howell Road and Rosser Terrace.

The overall intersection of Hugh Howell Road and Rosser Terrace is expected to experience an overall LOS A with the addition of a dedicated right turn lane, with an overall increase in delay of 1.7 seconds during the morning peak hour and an overall increase of 2.4 seconds in the evening peak hour.

For the morning peak hour, all approaches are expected to maintain acceptable LOS with minimal increases in overall delay.

During the evening peak hour, the northbound approach to Hugh Howell Road along Rosser Terrace is expected to operate at LOS E, with an increase in delay of 10.6 second, which is typical of unsignalized approaches connecting to a major road such as Hugh Howell Road.

3. Lastly, there is a concern that the proposed Chick-fil-A drive-through facility will back up onto Rosser Terrace.

Applicant Response: Chick-fil-A has conducted extensive research and in recent years has implemented a series of techniques designed to serve drive-through customers at an efficient rate (average 45 seconds per vehicle, 80 orders per hour). These improvements include optimized kitchen operations and floorplan, as well as the isolated dual drive-through design to increase the number of vehicles that may be contained in the drive-through. In addition, Chick-fil-A has introduced face-to-face ordering with multiple contact points, as well as online ordering. Likewise, order pick up is no longer sequential, will multiple orders being delivered to vehicles simultaneously.

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LETTER MAILED TO NEIGHBORS

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SLUP-21-0004, CV-21-0002, CV-21-0003, CV-21-0004

Bowman

Bowman
950 North Point Pkwy, Suite 200
Alpharetta, GA 30005

May 5, 2021

RE: Chick-fil-A 4435 Hugh Howell Road, Tucker, GA 30084

Neighbors of 4435 Hugh Howell Road,

We invite you to attend a Public Participation Meeting to learn about a proposed Chick-fil-A restaurant at this address. Bowman is working with Chick-fil-A to construct a new 4,978± square foot restaurant with a drive-through at 4435 Hugh Howell Road.

This address is zoned DT-2, Downtown Corridor. The City of Tucker requires a Special Land Use Permit for drive-through facilities in this zoning district. In advance of application of this permit, Bowman is holding a Public Participation Meeting to invite all neighbors to learn more about this project.

This restaurant will feature Chick-fil-A's new dual drive-through lane design and enhanced operations to serve guests as safely and efficiently as possible. We sincerely hope you will take advantage of this opportunity to meet with us and allow us to answer any questions you may have.

Date: Tuesday, May 25th
Time: 5:00 PM
Place: 4435 Hugh Howell Road, Tucker, GA 30084

Sincerely,



Bridgette Ganter
bganter@bowman.com
678-606-5278

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ADDRESS LIST

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Address	Owner	2nd Owner
2223 Dillard Street Tucker, GA 30084	SANTIAGO JOHN	
4445 Hugh Howell Road Tucker, GA 30084	SIEG RODNEY	
4437 Cowan Road Tucker, GA 30084	ENZOS PIZZA LLC	
2211 Rosser Terrace Tucker, GA 30084	SIEG RODNEY G	
2209 Dillard Street Tucker, GA 30084	HULTQUIST MARCY A	
2206 Rosser Terrace Tucker, GA 30084	YOUNG RONALD G	YOUNG CHARLES STEVE
4410 Hugh Howell Road Tucker, GA 30084	FWLER ENTERPRISES ATLANTA LLC	
2239 Dillard Street Tucker, GA 30084	NELSON SCOTT L	NELSON WANDA H
4473 Hugh Howell Road Tucker, GA 30084	SIEG RODNEY G	SIEG PAMELA K
2218 Dillard Street Tucker, GA 30084	MARTIN DAVID ANDREW	MARTIN WAYNE D
4412 Hugh Howell Road Tucker, GA 30084	PAPA JOHNS USA INC	
4419 Cowan Road Tucker, GA 30084	E COWAN PROPERTIES LLC	
4421 Hugh Howell Road Tucker, GA 30084	AVATAR REAL ESTATE IV LLC	
4450 Hugh Howell Road Tucker, GA 30084	JHJ TUCKER 70 LLC	
2233 Dillard Street Tucker, GA 30084	SHAMBLIN LARRY	SHAMBLIN BETTY H
4465 Hugh Howell Road Tucker, GA 30084	LUNSFORD RONALD C	
4409 Hugh Howell Road Tucker, GA 30084	OCONEE PROPERTY HOLDINGS LLC	
2190 Rosser Terrace Tucker, GA 30084	WOOD ANDREW D	
2209 Hanfred Lane REAR Tucker, GA 30084	WELCH NED R	JONES MARK
2204 Dillard Street Tucker, GA 30084	SALAZAR JESSICA LORENA	
2191 Dillard Street Tucker, GA 30084	JONES FREDRICK B	JONES MAXINE W
2214 Rosser Terrace Tucker, GA 30084	WEBER DOROTHY V	
2209 Hanfred Lane Tucker, GA 30084	WELCH NED R	JONES MARK
4351 Hugh Howell Road Tucker, GA 30084	TUCKER PLAZA PARTNERS	
2175 Dillard Street Tucker, GA 30084	HARRELSON DAVID EARL	
2214 Dillard Street Tucker, GA 30084	DODSON HECK	
4435 Hugh Howell Road Tucker, GA 30084	COSTOPOULOS MARIA	POULAKIS JOHN
4405 Cowan Road Tucker, GA 30084	FRANKLIN STEVE	BENTZ STEVE
2217 Dillard Street Tucker, GA 30084	SHAKIR SHAKIR R	
2203 Rosser Terrace Tucker, GA 30084	TINKLE VIRGINIA	
2226 Dillard Street Tucker, GA 30084	MARTIN STEPHEN F	
2203 Dillard Street Tucker, GA 30084	ANDERSON JOHN	ANDERSON ALESIA
2191 Rosser Terrace Tucker, GA 30084	SLEG RODNEY G	

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Mailing Address	City	State	Zip
PO BOX 420195	ATLANTA	GA	30342
1639 HUDSON RD	DECATUR	GA	30033
930 GREENWOOD AVE # 12	ATLANTA	GA	30306
2158 TUCKER INDUSTRIAL RD	TUCKER	GA	30084
2209 DILLARD ST	TUCKER	GA	30084
2206 ROSSER TER	TUCKER	GA	30084
221 DEER COLONY LN	PONTE VEE FL		30282
4874 FIVE FORKS TRICKUM RD SW	LILBURN	GA	30047
1639 HUDSON RD	DECATUR	GA	30033
2218 DILLARD ST	TUCKER	GA	30084
PO BOX 99900	LOUISVILLE KY		40269
93664 P.O. BOX 93664 PMB 93664	ATLANTA	GA	30377
P O BOX 13585	ATLANTA	GA	30324
1000 PEACHTREE INDUSTRIAL BLVD STE 6 308	SUWANEE	GA	30024
3595 CARRICK CT	SNELLVILLE GA		30039
4465 HUGH HOWELL RD	TUCKER	GA	30084
1040 FOUNDERS BLVD # 100	ATHENS	GA	30606
2190 ROSSER TER	TUCKER	GA	30084
134 N HILL ST STE 300	GRIFFIN	GA	30223
2200 DILLARD ST	TUCKER	GA	30084
1331 GREENDRIDGE TRL	LITHONIA	GA	30058
2214 ROSSER TER	TUCKER	GA	30084
134 N HILL ST STE 300	GRIFFIN	GA	30223
2881 WALLACE RD	BUFORD	GA	30519
2175 DILLARD ST	TUCKER	GA	30084
PO BOX 1006	LITHONIA	GA	30058
1610 DEKALB AVE	ATLANTA	GA	30307
3691 TOXAWAY CT	CHAMBLEE GA		30341
2217 DILLARD ST	TUCKER	GA	30084
2203 ROSSER TER	TUCKER	GA	30084
144 PONCE DE LEON AVE NE APT 1103	ATLANTA	GA	30308
2203 DILLARD ST	TUCKER	GA	30084
1639 HUDSON RD	DECATUR	GA	30033

2200 DILLARD ST	TUCKER	GA	30084
2200 ROSSER TER	TUCKER	GA	30084
200 S BISCAYNE BLVD FLOOR 6TH	MIAMI	FL	33131
2213 DILLARD ST	TUCKER	GA	30084
15 LAURA LN STE 300	THOMASVINC		27360
4500 HUGH HOWELL RD STE 780	TUCKER	GA	30084
4173 BENT WILLOW DR SW	LILBURN	GA	30047
2177 ROSSER TER	TUCKER	GA	30084
144 PONCE DE LEON AVE NE APT 1103	ATLANTA	GA	30308
PO BOX 9271	OAK BROO IL		60522
6555 SUGARLOAF PKWY STE 307 197	DULUTH	GA	30097
2227 DILLARD ST	TUCKER	GA	30084
9219 KATY FREEWAY STE 193	HOUSTON TX		77024
201 ALLEN RD 300	ATLANTA	GA	30328
2182 ROSSER TER	TUCKER	GA	30084
PO BOX 1006	LITHONIA	GA	30058
303 SOMERSET CT	LAWRENCEGA		30044

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Email List	Name	Email
	Virginia Tinkle	vtinkle@gmail.com
	Suzanne Peterman	sgpeterman@yahoo.com
	Andy Wood	awood1014@gmail.com
	Louis Wood	kf4rh@yahoo.com
	Allison White	alw62000@gmail.com
	Eric&Lindsey Smith	ericandlindseysmith@gmail.com
	Anna Pasch	annapasch@gmail.com
	Heather Carlyle	heatherann143@gmail.com
	Avil Vaswani	Avil@avatarrealestatellc.com
	Ted Fischin	enginesystems1@gmail.com
	Michel Jimenez	micheljimenez19@aol.com
	Kristen Jenkins	kristen.hunsicker@gmail.com
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2200 Dillard Street Tucker, GA 30084	SALAZAR JESSICA LORENA	MCDANIELS CYNTHIA ANN
2200 Rosser Terrace Tucker, GA 30084	PHILLIPS JOHN ANTHONY	
4434 Hugh Howell Road Tucker, GA 30084	TUCKER BB LLC	
2213 Dillard Street Tucker, GA 30084	MUNG KHAM DO	NEEM CING
4487 Hugh Howell Road Tucker, GA 30084	COOK OUT TUCKER INC	
4500 Hugh Howell Road Tucker, GA 30084	HERITAGE PLACE LLC	
2199 Dillard Street Tucker, GA 30084	W H J PROPERTIES LLC	
2177 Rosser Terrace Tucker, GA 30084	BARRERA JUAN R AVILES	
2222 Dillard Street Tucker, GA 30084	MARTIN STEPHEN F	
4416 Hugh Howell Road Tucker, GA 30084	INLAND AMERICAN TUCKER	HUGH HOWELL LLC
4383 Hanfred Lane Tucker, GA 30084	4383 HANFRED LANE LLC	
2227 Dillard Street Tucker, GA 30084	PASCH ANNA	
4403 Hugh Howell Road Tucker, GA 30084	LSP TUCKER LLC	
4453 Hugh Howell Road Tucker, GA 30084	WENDYS TUCKER FS LLC	
2182 Rosser Terrace Tucker, GA 30084	CROSS AUDREY THEO	CROSS KAREN S
2210 Dillard Street Tucker, GA 30084	DODSON HECK	
2245 Dillard Street Tucker, GA 30084	TOMANELLI LLC	

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MEETING MINUTES

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SLUP-21-0004, CV-21-0002, CV-21-0003, CV-21-0004



Bowman Consulting
950 North Point Pkwy, Suite 200
Alpharetta, GA 30005

May 25, 2021

Special Land Use Permit Public Hearing Notes

Summary of Main Concerns

1. Traffic through Rosser Terrace is already bad from people using it as a cut through to US Hwy 78.
2. Concerns were raised about the left turn onto Hugh Howell Road if there is not some kind of traffic signal there. It is already difficult to make that left from Rosser Terrace onto Hugh Howell Road.
3. Trash along Rosser Terrace is already an issue, some think it could get worse.

General Notes/Concerns:

1. Concern: the drive through will back up onto Rosser Terrace.
Response: Chick-fil-A has been making improvements not only on the outside, but also within their kitchens to improve efficiency. Kitchen changes along with the site layout would guarantee that a back-up would not incur. The drive through stack is also set to be 44 cars at peak hours, which is more than enough car stacking for a busy Saturday.
2. Concern: Once the drivers leave the site, it was brought up that a backup on Rosser Terrace might happen because of turning onto Hugh Howell Road.
Response: Traffic study is currently being analyzed and will consider traffic on Rosser Terrace and Hugh Howell Road.
3. Concern: Cut through traffic on Rosser Terrace is bad, people speed through and there are children that like to ride bikes on that road.
Response: This kind of problem will be addressed to the City.
4. Concern: There has been talks of adding speed bumps to Rosser Terrace. Based on the Chick-fil-A site design the entrance to the site would be right on one of the speed bumps.
Response: The additions of speed bumps were not something that was brought to our attention, will coordinate with the City to learn more about if and where there will be placed.
5. Concern: On the conceptual site, there is only one entrance and exit onto Rosser Terrace, many wondered why there could not be a curb cut along Hugh Howell Road.
Response: Based on the City of Tucker requirements and comments, it was initially found that there cannot be a curb cut along Hugh Howell.
6. Concern: Addition of a light at Rosser Terrace and Hugh Howell Road.
Response: It is to our understanding that the City would like to avoid this. The need for a light will be re-assessed after the traffic study is completed.
7. Concern: Que from the drive-through stack going onto Hugh Howell Road.

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Response: This would be highly unlikely. The drive-through stack is already set higher than the average on a busy day (25-30 cars).

8. Concern: The new Publix near the site already adds traffic to the area. Concerns were raised about more traffic being added to the area.

Response: Although Chick-fil-A cannot help the traffic from the Publix, they can assure that the new improvements in the restaurant will help traffic in and out of the site. This is a relocation of the Chick-fil-A down the road, so the traffic that is already there will not be increased, just moved down the road.

9. Concern: Do not think that any kind of signage will help the traffic problem through Rosser Terrace. (No left turn signs out of the Chick-fil-A.

Response: Will coordinate with City to learn more about the traffic problems through Rosser Terrace.

10. Concern: Will any kind of traffic study be done on this site.

Response: A Traffic Impact Study (TIS) is currently being done for the site.

11. Concern: Worried about if there was a car accident at the intersection of Rosser Terrace and Hugh Howell Road, that it would block off that neighborhood to their homes.

Response: The traffic study should shed some light on this problem and will be evaluated once that is completed.

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ATTENDANCE LIST

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John Poulakis	Building Owner	

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PRESENTED SITE PLAN

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DISCLOSURE REQUIREMENT

- o Meeting sign-in sheet
- o Meeting minutes
- o Copy of the plan that was presented at the neighborhood meeting

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

Signature of Applicant or Authorized Representative

Date

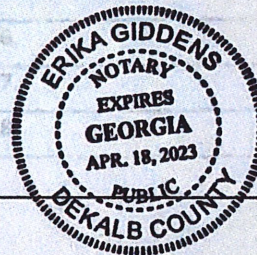
Type or Print Name of Applicant or Authorized Representative

Date

Signature of Notary

Date

Notary Seal



Name of Government Entity	Total Project Amount	Form of Contribution	Exemption from Disclosure

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia Annotated, and that the information is true to the best of the undersigned's knowledge, information, and belief.