



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
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: <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser		
Name: Kevin Maher		
Address: 280 Interstate N Cir SE #510		
City: Atlanta	State: GA	Zip: 30339
Contact Name:		
Phone: 404-549-4499	Email: kmaher@placemakerdesign.com	
OWNER INFORMATION		
Name: E. COWAN PROPERTIES LLC		
Address: 4155 MASYVILLE RD		
City: COMMERCE	State: GA	Zip: 30529
Contact Name: EUGENE BALABAN		
Phone: 706 224 5409	Email: eugenebalaban67@gmail.com	
PROPERTY INFORMATION		
Property Address: 4419 Cowan Rd		
Present Zoning District(s): DT-2	Requested Zoning District(s): DT-2	
Present Land Use Category: DOWNTOWN	Requested Land Use Category: DOWNTOWN	
Land District: 18th	Land Lot(s): 214	Acreage: 1.527
Proposed Development: Residential		
Concurrent Variance(s): Exterior existing material variance , see attachment C.		
RESIDENTIAL DEVELOPMENT		
No. of Lots/Dwelling Units: 36	Dwelling Unit Size (Sq. Ft.): 680-940	Density: 24 per acre
NON-RESIDENTIAL DEVELOPMENT		
No. of Buildings/Lots: N/A	Total Building Sq. Ft.: N/A	Density: N/A

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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.

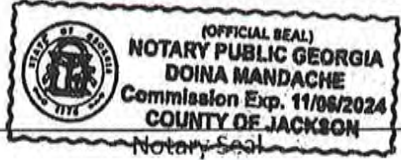
I, Eugene Balaban, authorize, Kevin Maher
(Property Owner) (Applicant)
to file for _____, at 4419 Gowan RD. Tucker
(RZ, CA, SLUP, M, CV) (Address)
on this date July 25, 20 24
(Month) (Day)

- 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.

Eugene Balaban 7-25-24
Signature of Property Owner Date

Eugene Balaban member
Type or Print Name and Title

Doina Mandache 7-25-24
Signature of Notary Public Date



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PROPERTY OWNER'S CERTIFICATION

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I, Eugene Balaban, authorize, PETE BILSON
(Property Owner) (Applicant)

to file for _____, at 4419 Cowan Rd. Tucker
(RZ, CA, SLUP, M, CV) (Address)

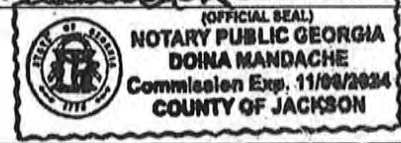
on this date July, 25, 2024
(Month) (Day)

- 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.
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Eugene Balaban 7-25-24
Signature of Property Owner Date

Eugene Balaban member
Type or Print Name and Title

Doina Mandache 7-25-24
Signature of Notary Public Date



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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.

Eugene Rubin

7-25-24

Signature of Applicant

Date

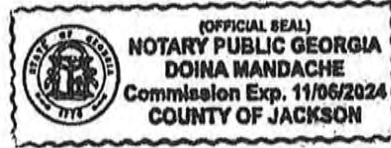
Eugene Balaban

member

Type or Print Name and Title

Doina Mandache

7-25-24



Signature of Notary Public

Date

Notary Seal

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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

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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.

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Name (print) Eugene Balaban
 Signature: *Eugene Balaban* Date: 7-25-24

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)

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

1. _____ 2. _____ 3. _____ 4. _____	5. _____ 6. _____ 7. _____ 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
			RECEIVED City of Tucker AUG 07 2024

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) KEVIN MAHER
 Signature: [Handwritten Signature] Date: 8.2.24

LAND USE PETITION CALENDAR

*Application Deadline	Planning Commission	M&CC 1st Read	M&CC 2nd Read
1/22/2024	3/21/2024	4/8/2024	5/13/2024
2/26/2024	4/18/2024	5/13/2024	6/10/2024
3/25/2024	5/16/2024	6/10/2024	7/8/2024
4/22/2024	6/20/2024	7/8/2024	8/12/2024
5/28/2024*	7/18/2024	8/12/2024	9/9/2024
6/24/2024	8/15/2024	9/9/2024	10/15/2024*
7/22/2024	9/19/2024	10/15/2024*	11/12/2024*
8/26/2024	10/17/2024	11/12/2024*	12/9/2024
9/23/2024	11/21/2024	12/9/2024	TBD
10/28/2024	12/18/2024	TBD	TBD
11/25/2024	TBD	TBD	TBD

* Date shifted to accommodate holiday.

Incomplete applications will not be accepted.

PUBLIC PARTICIPATION PLAN AND REPORT

See separate document.

PUBLIC NOTICE REQUIREMENTS

Sec. 46-1526 details the public notice requirements for land use petitions, which include public notice sign(s), advertisement in The Champion newspaper, and written notice to everyone within 500 feet.

- The applicant is responsible for posting the public notice sign(s). City of Tucker Staff will order the signs(s) and provide the required timeframe for posting.
- The City of Tucker is responsible for placing the legal ad in The Champion newspaper
- The City of Tucker is responsible for mailing the written notification to surrounding property owners.

PROPERTY COMPLIANCE

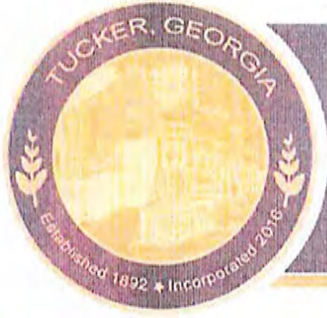
All Occupational Tax payments must be paid in-full and any and all outstanding code violations on the property must be rectified prior to the public hearing.

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Land Use Petition Process for Rezoning, Special Land Use Permits, and Comprehensive Plan Amendments

1

Before filing, the applicant must host a neighborhood meeting per our Public Participation Plan requirements. The point of this meeting is for the potential applicant to discuss the proposal with neighbors and get feedback or requests for changes. More information can be found here: tuckerga.gov/ppp

2

The applicant files an application with the City of Tucker. Deadlines are listed in the Land Use Petition Application.

3

Staff completes a technical analysis of the application based on the City of Tucker Zoning Ordinance and Comprehensive Plan. This report includes a staff recommendation.

4

The City holds Public Meetings

- Planning Commission
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
 - The Planning Commission votes on a recommendation to forward to City Council
- Mayor & City Council – 1st Read
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
- Mayor & City Council – 2nd Read
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
 - City Council can take a vote for final action on the request

Decisions on applications are based on the criteria that is set forth in the zoning ordinance. The criteria is located here: tuckerga.gov/landusecriteria

Please note that some applications, such as those that meet the Development of Regional Impact (DRI) standards, will have additional steps between filing an application and the Public Hearing.

For information about current land use petitions, including application information and public meeting dates, please visit: tuckerga.gov/landusepetitions

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LETTER OF INTENT

APPLICANT: E Cowan Properties, LLC
4419 Cowan Road
Tucker, Georgia

July 2, 2024

I represent E Cowan Properties, LLC, which owns the office building located at the above address. The property is approximately 1.5 acres and has an existing office building that has been vacant for several years. The owner has made several attempts to lease the building, but the market for offices has been hurt by the pandemic and demand for office space remains low. Therefore, the applicant is seeking to convert the existing 154 work stations office building to 36-unit multifamily residential units. To convert the office building into a residential use will require a few modifications to the exterior of the building including windows, and other minor modifications to the exterior of the building. The existing parking lot can accommodate the number of proposed multifamily units so no land disturbance is being proposed or required for this project. A sidewalk will be installed along Cowan Road with access to the building the main entrance of the building.

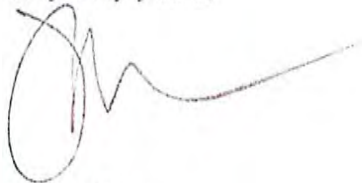
Under the existing zoning (DT2), the building can be converted to multifamily by right, however, the applicant is required to file for a Special Land Use Permit because a portion of this property is adjacent to property that is zoned for single family residential.

Before we file the application with the City of Tucker, we need to hold a public participation meeting to discuss this proposal and you are receiving this letter as someone who owns property within 500 feet of the proposed development. That meeting is scheduled for 5 pm on Friday July 19, 2024 at Tucker Recreation Center located at 4898 Lavista Road, Tucker GA 30084. We hope that you will be able to meet with us at this time. To give you more information before we meet, we are including a site plan showing the proposed multi-family project.

If you are unable to attend or wish to reach out to us beforehand, please contact me, Pete Bilson at 770 826 5184. A flyer outlining the land use petition process in the City of Tucker is also included and questions related to City issues can be addressed to info@tuckerga.gov.

Thank you and we look forward to seeing you on July 19th.

Very truly yours,



Peter Bilson

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ANALYSIS OF STANDARDS/CRITERIA

ZONING MAP AMENDMENT CRITERIA

Section 46-1560 of the City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant to the exercise of the city's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map. The applicant shall write a detailed written analysis of each standard and factor as it relates to their proposed project.

COMPREHENSIVE PLAN MAP AMENDMENT CRITERIA

Section Sec. 46-1559 of the 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. The applicant shall write a detailed written analysis of each standard and factor as it relates to their proposed project.

SPECIAL LAND USE PERMIT CRITERIA

Section 46-1594 and 46-1595 of the City of Tucker Zoning Ordinance lists specific criteria that shall be considered by the planning and zoning 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 mayor 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. The applicant shall write a detailed written analysis of criteria as it relates to their proposed project.

CONCURRENT VARIANCE CRITERIA

Section 46-1633 of the City of Tucker Zoning Ordinance lists specific criteria the board shall use in determining whether or not to grant a variance. The applicant shall provide a written analysis of how the request complies with these criteria if they are requesting a concurrent variance.

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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.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

- a. Wetlands
 - U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
 - Georgia Geologic Survey (404-656-3214)
 - Field observation and subsequent wetlands delineation/survey if applicable
- b. Floodplain
 - Federal Emergency Management Agency (<http://www.fema.org>)
 - Field observation and verification
- c. Streams/stream buffers
 - Field observation and verification
- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
 - United States Geologic Survey Topographic Quadrangle Map
 - Field observation and verification
- e. Vegetation
 - United States Department of Agriculture, Nature Resource Conservation Service
 - Field observation
- f. Wildlife Species (including fish)
 - United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation
- g. Archeological/Historical Sites
 - Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

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ENVIRONMENTAL SITE ANALYSIS FORM (CONTINUED)

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.
- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
 - b. Protection of water quality
 - c. Minimization of negative impacts on existing infrastructure
 - d. Minimization on archeological/historically significant areas
 - e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries, and manufacturing facilities) uses
 - f. Creation and preservation of green space and open space
 - g. Protection of citizens from the negative impacts of noise and lighting
 - h. Protection of parks and recreational green space
 - i. Minimization of impacts to wildlife habitats

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SITE PLAN CHECKLIST

All items must be included on the Site Plan; separate Site Plans may be necessary to address all items.

1. Key and/or legend and site location map with North arrow
2. Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning
3. Acreage of subject property
4. Location of land lot lines and identification of land lots
5. Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property
6. Proposed streets on the subject site
7. Posted speed limits on all adjoining roads
8. Current zoning of the subject site and adjoining property
9. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property
10. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement or adjacent properties within 400 feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the Director
11. Location of proposed buildings (except single family residential lots) with total square footage
12. Layout and minimum lot size of proposed single family residential lots
13. Topography (surveyed or City) on subject site and adjacent property within 200 feet as required to assess runoff effects
14. Location of overhead and underground electrical and pipeline transmission/conveyance lines
15. Required and/or proposed setbacks
16. 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps
17. Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed
18. Required and proposed parking spaces; Loading and unloading facilities
19. Lakes, streams, and waters on the state and associated buffers
20. Proposed stormwater management facilities
21. Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access
22. Availability of water system and sanitary sewer system
23. Tree lines, woodlands, and open fields on subject site
24. Entrance site distance profile assuming the driver's eye at a height of 3.5 feet
25. Wetlands shown on the County's GIS maps or survey
26. Mail kiosk location

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

Land Use Petition Application Checklist

FOR ALL REZONINGS, COMPREHENSIVE PLAN AMENDMENTS, SPECIAL LAND USE PERMITS, MODIFICATIONS, AND CONCURRENT VARIANCES

REQUIRED ITEMS	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
One (1) digital copy of all submitted materials	• One (1) flash drive or CD in .JPEG, .PDF format	<input checked="" type="checkbox"/>
Pre-Application Meeting Form	• One (1) Copy	<input checked="" type="checkbox"/>
Public Participation Report	• One (1) Copy	<input checked="" type="checkbox"/>
Application, Signature Pages, Disclosure Form	• One (1) Copy each	<input checked="" type="checkbox"/>
Written Legal Description	• One (1) 8 ½ "x 11" Legal Description	<input checked="" type="checkbox"/>
Boundary Survey and Proposed Site Plan (See Page 9 for Requirements)	• One (1) Full-Size (24" x 36") Copy of each • One (1) 8 ½ "x 11" or 11x17 Site Plan of each	<input checked="" type="checkbox"/>
Building Elevations (renderings or architectural drawings to show compliance with Article 5)	• One (1) Copy	<input checked="" type="checkbox"/>
Letter of Intent	• One (1) Copy	<input checked="" type="checkbox"/>
Analysis of Standards/Criteria (See page 5)	• One (1) Copy	<input checked="" type="checkbox"/>
Environmental Site Analysis Form	• One (1) Copy	<input checked="" type="checkbox"/>
Trip Generation Letter (ITE Trip Generation Manual)	• One (1) Copy	<input checked="" type="checkbox"/>
THE FOLLOWING ITEMS MAY BE REQUIRED		
Traffic Impact Study (See Sec. 46-1309)	• One (1) Copy	<input type="checkbox"/>
Development of Regional Impact Review Form	• Three (3) Copies	<input type="checkbox"/>
Environmental Impact Report	• One (1) Copy	<input type="checkbox"/>
Noise Study Report	• One (1) Copy	<input type="checkbox"/>
Meeting with GDOT if impact to I-285 Eastside Express Lanes	• One (1) Copy	<input type="checkbox"/>
Other items required per the Zoning Ordinance	• One (1) Copy	<input type="checkbox"/>
LAND USE PETITION FEE SCHEDULE		
Residential Rezoning	\$500	<input type="checkbox"/>
Multifamily/Non-Residential Rezoning	\$750	<input type="checkbox"/>
Special Land Use Permit	\$400	<input type="checkbox"/>
Comprehensive Plan Amendment	\$1000	<input type="checkbox"/>
Modification	\$250	<input type="checkbox"/>
Variance (includes Concurrent Variance)	\$300	<input type="checkbox"/>
Public Notice Sign Fee	\$85 (per required sign)	<input type="checkbox"/>

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Public Participation Plan Report
Project Name:

Contact Name:

Meeting Date:

Meeting Location:

Meeting Start Time:

Meeting End Time:

Number of people in attendance:

Date of Filing of Land Use Petition Application:

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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- Meeting sign-in sheet
- Meeting minutes
- 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.

Kevin J. Maher 8-7-24
 Signature of Applicant or Authorized Representative Date

KEVIN J. MAHER 8-7-24
 Type or Print Name of Applicant or Authorized Representative Date

Ashley Lagne 8-7-24
 Signature of Notary Date



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Meet Minutes for:

Meeting Regarding 4419 Cowan Road Tucker GA

July 19, 2024

Meeting was attended by one neighbor, Mr. David Martin. Mr. Martin and I discussed the project scope for the office building to multifamily building conversion. The project Site Plan was presented depicting minor site updates. He was very supportive of the project.

There was no opposition at the meeting.

Valentin Ciuperca

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REIDSVILLE
111 JAMES ST
REIDSVILLE, GA 30458-0008
(800)275-8777

07/05/2024 11:47 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter Lilburn, GA 30047 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Roswell, GA 30075 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Hinsdale, IL 60522 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Tucker, GA 30084 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Atlanta, GA 30328 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Lawrenceville, GA 30046 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Rockwall, TX 75087 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Buford, GA 30519 Weight: 0 lb 0.60 oz Estimated Delivery Date Tue 07/09/2024	1		\$0.68
First-Class Mail® Letter Houston, TX 77056 Weight: 0 lb 0.70 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68
First-Class Mail® Letter Louisville, KY 40269 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 07/08/2024	1		\$0.68

Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Oaktree Corners, GA 30092
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Atlanta, GA 30342
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Snellville, GA 30039
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.70 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Buford, GA 30519
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Tue 07/09/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

MON 07/08/2024

First-Class Mail® Letter
Suwanee, GA 30024
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Ponte Vedra Beach, FL 32082
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.70 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Conyers, GA 30013
Weight: 0 lb 0.70 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.70 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Tucker, GA 30084
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Lawrenceville, GA 30044
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Atlanta, GA 30377
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Atlanta, GA 30341
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Lithia Springs, GA 30223
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

First-Class Mail® Letter
Lithia Springs, GA 30223
Weight: 0 lb 0.60 oz
Estimated Delivery Date
Mon 07/08/2024

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First-Class Mail® 1 \$0.68
 Letter
 Lawrenceville, GA 30043
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Buford, GA 30519
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Tue 07/09/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Lawrenceville, GA 30044
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Atlanta, GA 30324
 Weight: 0 lb 0.70 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Athens, GA 30606
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Lithonia, GA 30058
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Atlanta, GA 30319
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

First-Class Mail® 1 \$0.68
 Letter
 Tucker, GA 30084
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 07/08/2024

 Grand Total: \$34.00

 Debit Card Remit \$34.00
 Card Name: VISA
 Account #: XXXXXXXXXXXXXXX6839
 Approval #: 092158
 Transaction #: 988
 Receipt #: 028696
 Debit Card Purchase: \$34.00
 AID: A0000000980840 Chip
 AL: US DEBIT
 PIN: Verified

Preview your Mail
 Track your Packages
 Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
 Refunds for guaranteed services only.
 Thank you for your business.

Tell us about your experience.
 Go to: <https://postalexperience.com/Pus>
 or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 127282-0761
 Receipt #: 840-53100720-1-5002104-2
 Clerk: 22

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FirstOwner	SecondOwn	OwnerAddr	OwnerCity	OwnerState	OwnerZip
BELLE REID FAMILY PRI		2300 MAIN	TUCKER	GA	30084
SEVEN SMITHS INVEST		2881 WALL	BUFORD	GA	30519
JEFFCOAT YVES AMANI		4356 HANF	TUCKER	GA	30084
LAUNCHPAD REAL EST		4201 REGE	ATLANTA	GA	30327
POUNDS GLENDA D		4372 HANF	TUCKER	GA	30084
POWELL RI POWELL IS		1475 BUFO	LAWRENCE	GA	30043
PINSON MYRLENE P		4188 BAVEI	SUWANEE	GA	30024
WOOD ANDREW D		2190 ROSS	TUCKER	GA	30084
MCDANIELS CYNTHIA /		2200 ROSS	TUCKER	GA	30084
ACOLATSE ADOLPHUS		2206 ROSS	TUCKER	GA	30084
WEBER DOROTHY V		2214 ROSS	TUCKER	GA	30084
CHICK FIL A INC		5200 BLUFI	ATLANTA	GA	30349
4421 HH LLC		P O BOX 13	ATLANTA	GA	30324
ZAXBYS PROPERTIES LI		1040 FOUN	ATHENS	GA	30606
TOMANELLI LLC		303 SOMEF	LAWRENCE	GA	30044
SHAMBLIN SHAMBLIN		3595 CARR	SNELLVILLI	GA	30039
PASCH ANNA		2227 DILLA	TUCKER	GA	30084
SANTIAGO JOHN		PO BOX 42I	ATLANTA	GA	30342
SHAKIR SHAKIR R		2217 DILLA	TUCKER	GA	30084
MUNG KHA NEEM CINC		2213 DILLA	TUCKER	GA	30084
HULTQUIST MARCY A		2209 DILLA	TUCKER	GA	30084

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ANDERSON ANDERSON 2203 DILLA TUCKER	GA	30084
W H J PROPERTIES LLC 4173 BENT LILBURN	GA	30047
JONES FREI JONES MAX 1331 GREE LITHONIA	GA	30058
DANIELS KENNETH WIL 2169 DILLA TUCKER	GA	30084
DANIELS KENNETH WIL 2169 DILLA TUCKER	GA	30084
TUCKER PLAZA PARTNE 6000 LAKE ATLANTA	GA	30328
FHS ROSEV FHS TUCKE 289 S CULV LAWRENCE	GA	30046
TUCKER PLAZA PARTNE 2881 WALL BUFORD	GA	30519
PROPERTY VENTURES I 2424 RIDGI ROCKWALL TX		75087
TUCKER PLAZA PARTNE 2881 WALL BUFORD	GA	30519
INGLES MARKETS INCC PO BOX 46I HOUSTON TX		77056
PAPA JOHNS USA INC PO BOX 99I LOUISVILLE KY		40269
FOWLER ENTERPRISES 221 DEER C PONTE VEC FL		30282
WRE TUCKER LLC 43 WOODS ROSWELL	GA	30075
INLAND AM HUGH HOV PO BOX 92 OAK BROO IIL		60522
FIRST GEN HOLDINGS I 3733 WEST ATLANTA	GA	30319
MARTIN STEPHEN F 2620 DENN CONYERS	GA	30013
MARTIN DA MARTIN W/ 2218 DILLA TUCKER	GA	30084
MARTIN DA MARTIN W/ 2218 DILLA TUCKER	GA	30084
DODSON HECK 2210 DILLA TUCKER	GA	30084
DODSON HECK 2210 DILLA TUCKER	GA	30084
SALAZAR JESSICA LORI 2200 DILLA TUCKER	GA	30084

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CARMONA	CARMONA	2200 DILLA TUCKER	GA	30084
4383 HANFRED LANE L	7742 SPALI NORCROSS		GA	30092
TMI REALTY LLC	134 N HILL	GRIFFIN	GA	30223
TRINH PETER HUU	2986 VILLA ATLANTA		GA	30341
E COWAN PROPERTIES	93664 P.O.	ATLANTA	GA	30377
TMI REALTY LLC	134 N HILL	GRIFFIN	GA	30223
DILLARDS (ASSOCIATI	1465 NORT	ATLANTA	GA	30044

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From: [Valentin Ciuperca](#)
To: [Matthew Couper](#); [Pete Bilson](#); [Kevin Maher](#)
Subject: Re: [External]Re: [External]Re: 4419 Cowan Road - 500' parcel list
Date: Monday, July 22, 2024 8:46:22 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Matthew,

We had the neighborhood meeting on Friday, it was very positive, without any opposition, in fact, David Martin, the neighbor directly behind our property, was very supportive of the redevelopment.

Can you please let us know what the next step in this process is?
What do we need to do next?

Thank you,
Valentin
6783007605

On Jul 19, 2024, at 10:51 AM, Matthew Couper <mcouper@tuckerga.gov> wrote:

Thank you so much, Valentin!

Best,
Matthew

	<p>MATTHEW COUPER-GARDNER CITY PLANNER T: 470-273-3094 E: mcouper@tuckerga.gov W: tuckerga.gov</p> <p>    </p>
---	--

Tucker City Hall | 1975 Lakeside Parkway, Suite 350 | Tucker, GA 30084

From: Valentin Ciuperca <valentinqaz@yahoo.com>
Sent: Friday, July 19, 2024 10:50 AM
To: Matthew Couper <mcouper@tuckerga.gov>
Subject: [External]Re: [External]Re: 4419 Cowan Road - 500' parcel list

Matthew,

Please find attached the Public participation letter package that was mailed out and the post office receipt.

Thank you
Valentín

Sent from my iPad

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On Jul 18, 2024, at 1:59 PM, Matthew Couper <mcouper@tuckerga.gov> wrote:

Good afternoon Valentin and team,

We haven't received the mailing yet for your upcoming public participation plan meeting – could you please send over digital copies of what you mailed out for the meeting?

Thank you,
Matthew

<image001.jpg>

<image002.png>

MATTHEW COUPER-GARDNER
CITY PLANNER

T: 470-273-3094

E: mcouper@tuckerga.gov | W: tuckerga.gov

<image003.png> <image004.png> <image005.png> <image006.png> <image007.png>

<image001.jpg>

Tucker City Hall | 1975 Lakeside Parkway, Suite 350 | Tucker, GA 30084

From: Matthew Couper

Sent: Wednesday, July 3, 2024 1:34 PM

To: Valentin Ciuperca <valentinqaz@yahoo.com>

Cc: Courtney Smith <csmith@tuckerga.gov>; Julie Martin <jmartin@tuckerga.gov>; Eve Price <eprice@tuckerga.gov>; Kevin Maher <kmaher@placemakerdesign.com>; Robert Huber <rhuber@placemakerdesign.com>; Pete Bilson <pete@bilsonassociates.com>; Doina Mandache <doina_m69@yahoo.com>

Subject: RE: [External]Re: 4419 Cowan Road - 500' parcel list

Good afternoon Valentin,

I think it looks good! Just fill in the final time/location of the meeting and it should be good to go.

Best,
Matthew

<image001.jpg>

<image002.png>

MATTHEW COUPER-GARDNER
CITY PLANNER

T: 470-273-3094

E: mcouper@tuckerga.gov | W: tuckerga.gov

<image003.png> <image004.png> <image005.png> <image006.png> <image007.png>

<image001.jpg>

Tucker City Hall | 1975 Lakeside Parkway, Suite 350 | Tucker, GA 30084

From: Valentin Ciuperca <valentinqaz@yahoo.com>

Sent: Wednesday, July 3, 2024 11:52 AM

To: Matthew Couper <mcouper@tuckerga.gov>

Cc: Courtney Smith <CSmith@Tuckerga.gov>; Julie Martin <jmartin@tuckerga.gov>; Eve Price <eprice@tuckerga.gov>; Kevin Maher <kmaher@placemakerdesign.com>; Robert Huber <rhuber@placemakerdesign.com>; Pete Bilson <pete@bilsonassociates.com>; Doina Mandache <doina_m69@yahoo.com>

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Subject: [External]Re: 4419 Cowan Road - 500' parcel list

Matthew,

Please find attached the proposed Public Participation letter and let us know if you're ok with it, or if we need to make any changes.

Thank you

Valentin

On Wednesday, July 3, 2024 at 10:13:51 AM EDT, Valentin Ciuperca <valentinqaz@yahoo.com> wrote:

Matthew,

We're working on the letter that will go out on Friday and we have two questions.

First, since everyone agreed that we should not have the neighborhood meeting at the property, is there a city/ public space we can use for that meeting? Because of the upcoming holiday, we don't think we have enough time to arrange a meeting place between now and Friday.

Second, because we didn't want to trigger a Sulp , we showed 36 units with one unit being the Leasing office, however, since we're now going through the SLUP anyway, can we ask for 37 units? Do you see a problem with that?

Thank you

Valentin
6783007605.

Sent from my iPad

On Jul 2, 2024, at 4:53 PM, Matthew Couper <mcouper@tuckerga.gov> wrote:

Good afternoon Valentin and team,

Attached is the list of parcels/property owners within 500' of 4419 Cowan Road, as well as a template for the letter. As we discussed, in order to hold your Neighborhood Meeting on July 19th, the letters will need to be mailed out by this Friday, July 5th. This is to meet the July 22nd deadline. Please also mail a letter to City Hall – 1975 Lakeside Parkway, Suite 350, Tucker, GA 30084.

A full list of what needs to be mailed out is included below:

- A copy of the letter you are writing;
- A copy of the land use petition process flyer (attached to this email); and
- The proposed site plan.

I am happy to review the contents of your letter before you mail it out. Please let us know if you have any questions!

Best,

Matthew

<image001.jpg>

MATTHEW COUPER-GARDNER
CITY PLANNER
T: 470-273-3094

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[<image002.png>](#)

E: mcouper@tuckerga.gov | W: tuckerga.gov

[<image003.png>](#) [<image004.png>](#) [<image005.png>](#) [<image006.png>](#) [<image007.png>](#)

[<image001.jpg>](#)

Tucker City Hall | 1975 Lakeside Parkway, Suite 350 | Tucker, GA 30084

[<4419 Cowan Rd 500' parcel list.csv>](#)

[<Draft-Letter-to-Neighbor-PPP.pdf>](#)

[<Land-Use-Petition-Process.pdf>](#)

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EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 214 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the southeastern side of the 60 foot right of way of Cowan Road (also known as Cowan Boulevard) 48.36 feet North 66 degrees 18 minutes 12 seconds East as measured along the southeastern side of Cowan Road from its intersection with the eastern side of the 60 foot right of way of Hanfred Land; thence running North 65 degrees 17 minutes 29 seconds East along the southeastern side of Cowan Road a distance of 253.93 feet to an iron pin found; thence running South 13 degrees 08 minutes 40 seconds West a distance of 260.63 feet to a point; thence running South 20 degrees 30 minutes 34 seconds West a distance of 226.86 feet to a point; thence running South 89 degrees 51 minutes 50 seconds West a distance of 90.63 feet to an iron pin found; thence running North 00 degrees 12 minutes 21 seconds West a distance of 360.35 feet to a point on the southeasterly side of Cowan Road at the POINT OF BEGINNING; as per Survey for Centre Pointe Investments, Inc., and First American Title Insurance Company, by

Thomas McKay Britt, R.L.S. #2164, dated February 28, 1997, with a multi-story office building located thereon, being known as 4419 Cowan Road, according to the present system of numbering improved property in DeKalb County, Georgia.

Together with all buildings, structures, and other improvements, additions, alterations, substitutions, replacements, and revisions thereof and thereto, located on the Property, or any part thereof.

Deed references:

Limited Warranty from Citizens & Merchants State Bank to 4419 Cowan Properties, LLC dated March 27, 2008 and recorded in Deed Book 21830, Page 220.

Quit Claim Deed from American Licn Fund, LP to 4419 Cowan Properties, LLC dated April 8, 2010 and recorded in Deed Book 21934, Page 565.

Warranty Deed, dated December 30, 2010, between 4419 Cowart Properties, LLC, as Grantor, and Doina Mandache, as Grantee, recorded in Deed Book 22405, Page 198, DeKalb County, Georgia Records

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JULY 24, 2024

VARIANCE CRITERIA JUSTIFICATIONS
4419 Cowan Rd, Tucker GA



Request for variance on Sec. 46-990.d.1.a "facades must be faced in brick, natural or synthetic stone, or painted wood/cementitious clapboard, subject to subsections (1)c. and d. below". Existing façade is hard-coat stucco, partial demolition and reconstruction of façade necessitates new materials to match existing.

Variance Criteria:

- 1) Variances from the provisions or requirements of this division other than variances described in [section 46-1634](#) shall be authorized only upon making all of the following findings in writing:
 - 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.
 - 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.
 - 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.

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- d) The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.
- e) The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

2) Variance Criteria Response

- a) The existing building on the property has hard-coat stucco exterior.
- b) This would not place a special privilege on this project inconsistent with other properties. It is an effort to work with the existing condition and revitalize a property and is particular to this specific structure only.
- c) Granting this variance will not cause material detriment to the well-being of the public nor adjacent properties, on the contrary, reusing an existing structure will be beneficial to the surrounding area by avoiding vacant, degrading buildings that currently negatively affect the area.
- d) The existing portions of the building being altered will retain hard-coat stucco exterior material due to concerns with structural integrity of the building and concerns for water intrusion. All new-built portions of the proposed building design will conform with the stated variance.

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e) The existing building will be brought to a higher usage and productivity for the surrounding area by updating the façade. New avenues of city revenue and affordable new housing to support a growing downtown district are key objectives. To best bring the most advantageous results to the city, the exterior façade is being minimally demolished along the long-edges of the building, where the existing office window treatment will be replaced with operable residential windows.

To infill the rebuilt areas around the windows with a materiality that does not match the existing façade is visually clashing, structurally questionable, challenging for water intrusion prevention and needlessly complicated in implementation. Replacing and matching new material with preserved existing material will produce a more seamless construction and better project integration.

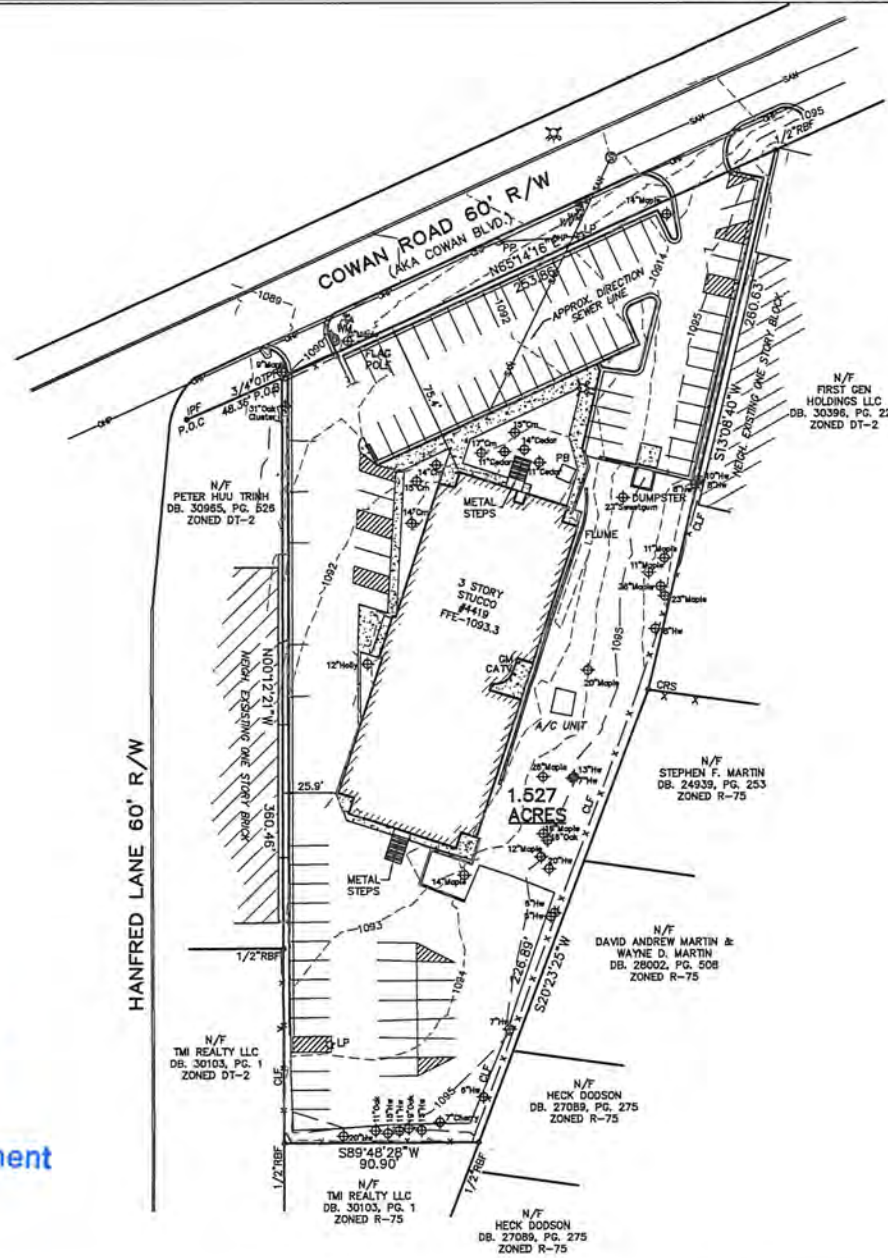
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- LEGEND**
- IPF IRON PIN FOUND (1/2" REBAR)
 - IPS IRON PIN SET (1/2" REBAR)
 - OTF OPEN TOP FOUND
 - CTF CRIMP TOP FOUND
 - RSF REBAR FOUND
 - JUNCT BOX JUNCTION BOX
 - LL/L LAND LOT LINE
 - LP LIGHT POLE
 - M/H MANHOLE
 - P/ PROPERTY LINE
 - BC BACK OF CURB
 - B/L BUILDING LINE
 - EP/ EDGE OF PAVEMENT
 - C/ CENTERLINE
 - CLF CHAIN LINK FENCE
 - DE DRAINAGE EASEMENT
 - DI DROP INLET
 - SF SQUARE FEET
 - FP FOOTPRINT
 - PP POWER POLE
 - R/W RIGHT-OF-WAY
 - SE SANITARY SEWER EASEMENT
 - SBMH SOUTHERN BELL MANHOLE
 - SSMH SANITARY SEWER MANHOLE
 - U/E UTILITY EASEMENT
 - FH FIRE HYDRANT
 - SWC SINGLE WING CATCHBASIN
 - DWC DOUBLE WING CATCHBASIN
 - CO CLEAN OUT
 - WV WATER VALVE
 - GV GAS VALVE
 - H/W HEADWALL
 - WM WATER METER
 - FP FLAG POLE
 - P.O.B POINT OF BEGINNING
 - P.O.C POINT OF COMMENCEMENT



GENERAL NOTES

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 134,580 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 0.2 FEET ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A NIKON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

CERTIFICATION IS MADE TO PERSON(S) NAMED ON THIS PLAT AND IS NOT TRANSFERABLE TO OTHERS.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE WITHIN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13089C0077L DATED 8/15/19

REFERENCE

1) DEED BOOK 27320, PAGE 637



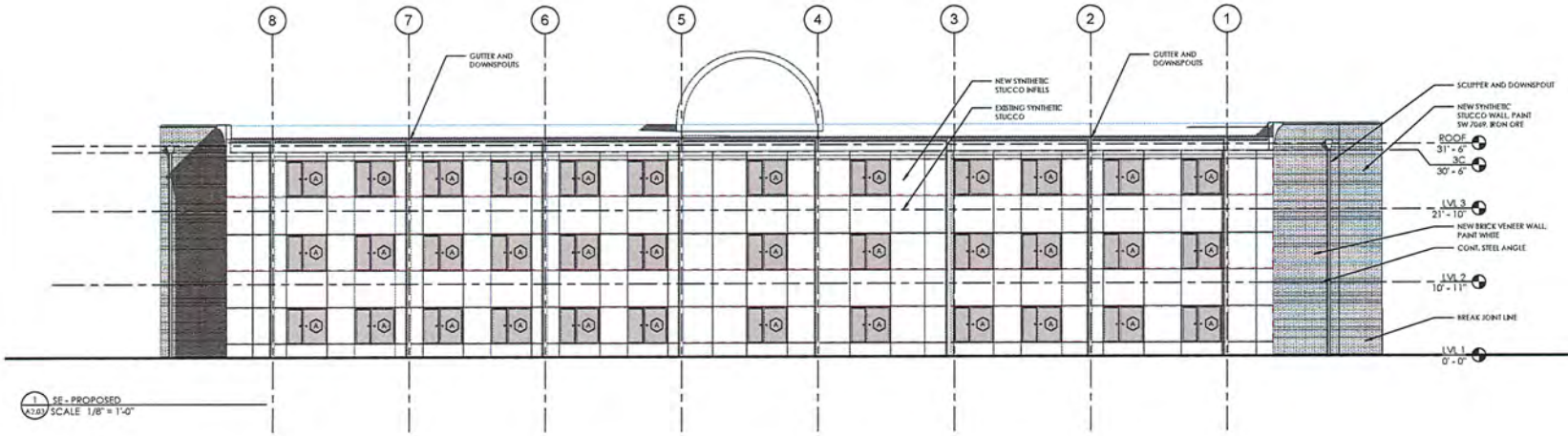
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

SCI Development Services
 ENGINEERS - SURVEYORS - LAND PLANNERS
 2330 HEWATT ROAD - BELLVILLE, GEORGIA 30039
 (770) 736-1100 - FAX (770) 730-4623
 MAIL@SURVEYCONCEPTS.NET

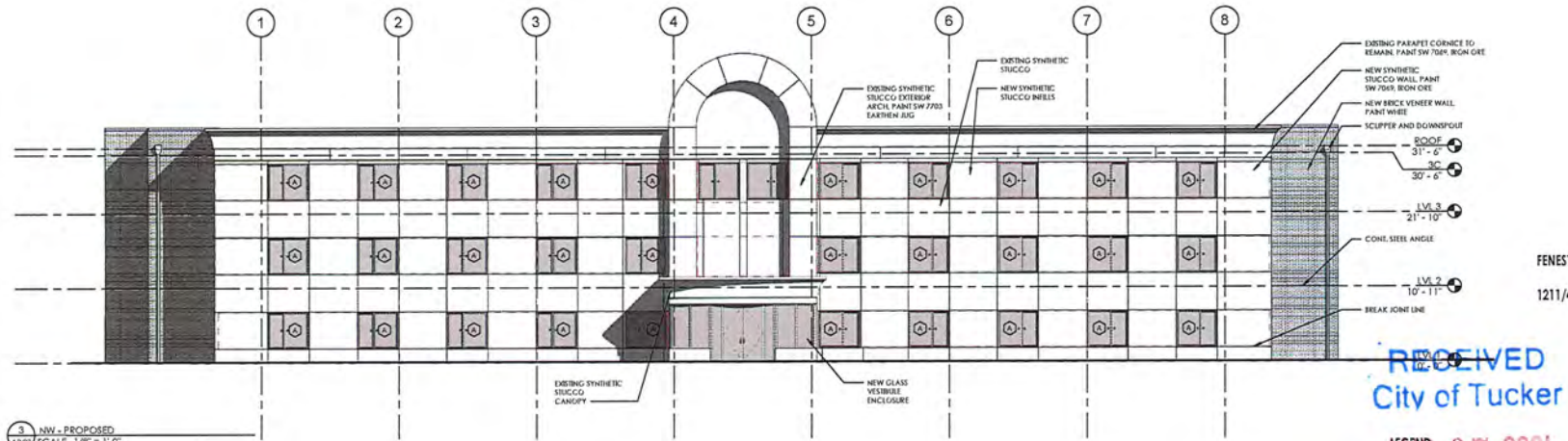
SURVEY FOR
STANDARD BUILDING COMPANY
 4419 COWAN ROAD
 LAND LOT 214
 18TH DISTRICT
 CITY OF TUCKER
 DEKALB COUNTY, GEORGIA

DRAWN DCP	CHECKED JAS
DATE 1/15/24	
SCALE 1"=40'	
PROJECT NUMBER 46655	

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1 NE - PROPOSED
A328' SCALE 1/8" = 1'-0"



3 NW - PROPOSED
A328' SCALE 1/8" = 1'-0"

FENESTRATION PERCENTAGE
1211/4686 = 25.8%

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LEGEND
AUG 07 2024
DEMOLISHED AND REPLACED AREA

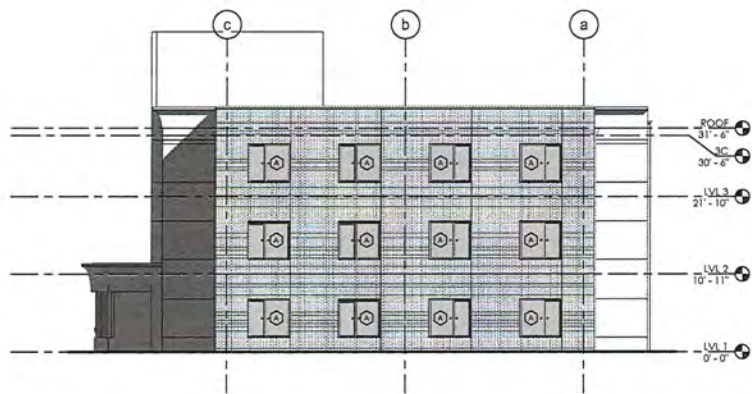
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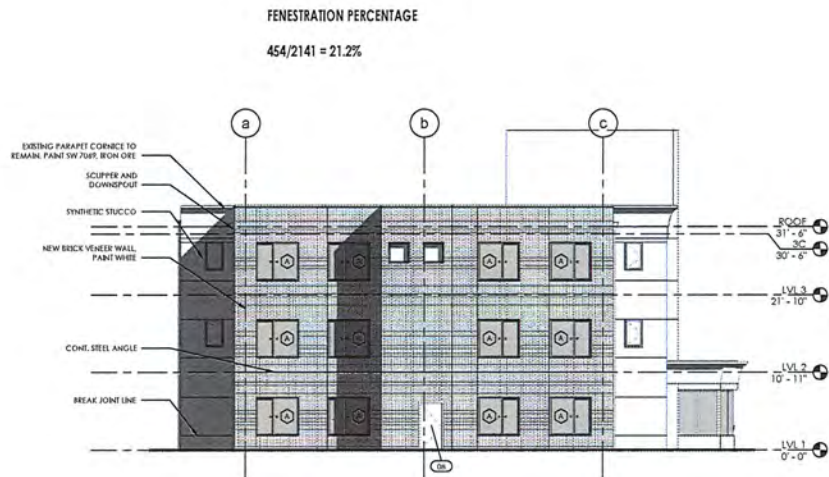
△

ISSUED FOR CONSTRUCTION

200 INTERSTATE NORTH CIRCLE SE
SUITE 510
ATLANTA, GEORGIA 30339
TEL: 404.449.4499



1 SW - PROPOSED
 1/8" SCALE 1/8" = 1'-0"



2 NE - PROPOSED
 1/8" SCALE 1/8" = 1'-0"



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JULY 24, 2024

**RE: Letter of Intent for Special Land Use
Permit (SLUP) at 4419 Cowan Rd, Tucker
Georgia (the "Property")**

City of Tucker
Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, Georgia 30084

To whom it may concern:

This application seeks approval of SLUP request to accommodate the adaptive reuse of the existing office building located on the Property. Per the pre-application permit discussion meeting held July 2nd, 2024 at the office of Planning and Zoning, this request is being made to allow the site to be developed into a multi-family residential usage that is adjacent to residential zoning. Per Table 3.1, note 4 of the Tucker Zoning Ordinance, "a special land use permit is required when a multi-family use abuts a residential zoning district."

By granting the request herein, the existing office building will be repurposed for the multifamily use on the Property.

Respectfully,
Place Maker Design, Inc.
Kevin Maher

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JULY 24, 2024

SLUP Justifications
4419 Cowan Rd, Tucker GA



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.

a. The site is adequately sized to accommodate the use contemplated. The subject property is 1.527 acres that is already improved with an existing office building with no additional development proposed. The office building will remain as part of the proposed development with the office building being adaptively reused and converted into multifamily with 36 units on site, in accordance with ordinance.

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

a. Proposed usage of property will require a SLUP per Table 3.1, note 4 due to adjacent single family residences, zoned R-75, on the South & South-East edge of the Property. To the West & North-East are commercial properties, zone DT-2.

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

a. The property is adequately served by existing public infrastructure and utilities.

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 of the use proposed so as not to unduly increase traffic and create congestion in the area.

a. Applicant is providing a traffic study as a part of this application that will address traffic and congestion issues in the area. It is anticipated that the street system is adequate to handle the trips generated by the proposed use. Prior

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office usage is reported to have a higher traffic count/volume than the proposed use is anticipated to generate.

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.

a. The traffic study will address traffic volume in detail but it is not anticipated that there will be any adverse effects resulting from the traffic generated by the proposed use.

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.

a. The ingress and egress to the property and the building is considered to be adequate to accommodate all pedestrian, automotive safety, convenience, traffic flow and control in the event of an emergency. The site plan indicates ingress/egress from Cowan Rd at two points the create access to all areas of the property in the event of an emergency.

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.

a. The proposed redevelopment of the office building into a multifamily use is not expected to create adverse impacts upon any adjacent land uses by reason of noise, smoke or odor.

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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.

- a. The proposed use will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use. The proposed use of the property is multifamily, which does not have hours of operation in the traditional sense.

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.

- a. The proposed multifamily use will not create adverse impacts upon any adjoining land use by reason of the manner of operation. The property currently contains a vacant office building. If the land remains vacant and unused or populated with new tenants, the impact to adjacent properties will be a greater intensity and usage than the multi-family usage proposed.

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.

- a. The proposed usage is allowed and encouraged/preferred in DT-2 zoning district per Sec. 46-982(c). By right, the property is permitted 36 units. It also meets the 20% open space requirement per Table 3.2 DT-2.

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

- a. The property is located in DT-2 district, in which the stated goal of the district zoning ordinance is "to encourage mixed use-development along Lawrenceville Highway that creates an aesthetically pleasing and pedestrian

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friendly environments. Commercial, residential, and mixed-use developments are desired. Although a mixture of uses is allowed, multi-family and townhouses are preferred," per Sec.46-982(c).

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.

- a. The property contains existing improvements of an office building. No redevelopment of the property will occur as a part of this special land use permit request. Nonetheless there is no encroachment or planned encroachment into the required 50' buffer zones and transitional buffer. There are no improvements planned between the existing improvements and adjacent residential lots.

13. Whether or not there is adequate provision of refuse and service areas.

- a. Refuse and service areas are adequately accommodated as shown on the site plan.

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

- a. The special land use permit should be granted for an unlimited duration.

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

- a. As stated previously, this application proposes the adaptive reuse of an existing office building. There will be no redevelopment of the existing improvements

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beyond their present scope. As it stands, considering the surrounding area the size and scope of the structure is appropriate.

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

- a. The existing building is not considered to be historic, nor are there any historical sites, districts or archaeological resources on the property.

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

- a. There are no supplemental regulations for the proposed use.

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.

- a. The existing building has no negative impact with its shadow on adjoining lots.

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

- a. The proposed use does not expect any effect of proliferation of usage due to it's development. Other future multifamily projects are not expected to inundate the area as a result of the proposed adaptive reuse.

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.

- a. As stated previously, the proposed project is in line with the zoning intent and overall goal of the comprehensive plan by adding multifamily density in line with regulated units per acre. Additionally, the vacant building is potentially at risk of

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being considered blight in it's current state, but has the potential to benefit the area. Demand in the office market is not sufficient enough to support continued current usage. The proposed use in consistent with the needs of the community and regional growth targets, and simultaneously improves an existing under-utilized property.

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JULY 27, 2024

SLUP Environmental Site Analysis
4419 Cowan Rd, Tucker GA



1. Conformance with the Comprehensive Plan

Redevelopment of the existing Office property at 4419 Cowan Rd involves 1 office building. The site is adjacent to commercial and residential properties. According to the site review based on the survey, there are no FEMA floodplains, jurisdictional streams, wildlife habitat, or environmentally sensitive areas located with the property boundary.

4419 Cowan project seeks to re-develop existing office building into residential, with 36 units on approximately 1.5 acres. Existing surface lot parking is sufficient to meet the parking requirements of residential occupancy.

In accordance with the City of Tuckers Comprehensive Plan approved on April 23, 2018, the future use of 4419 Cowan Rd will be aligned with the City's vision of "preserving and improving neighborhoods" as well as "bolstering the city's economic base". As it currently stands, the property is underutilized commercially and a potential blight.

2. Environmental Impacts of the Proposed Project

The subject property totals approximately 1.5 acres and is located along Cowan Rd within the City of Tucker in Dekalb County, Georgia. An existing survey was completed by SCI Development Services on January 15, 2024.

A desktop analysis was performed using various online and GIS data sources to gain an understanding of the property's conditions and potential resources. The sources include wetlands, floodplains, streams/stream buffers, topography, slope, vegetation, and documented species and cultural resources. A detailed site delineation of streams and wetlands was not performed as it was deemed unneeded.

i) Wetlands

According to the National Wetlands Inventory (NWI) there are no mapped wetlands located within or adjacent to the property boundary.

ii) Floodplain

Areas classified as 100-year floodplains are subject to regulations that limit the extent to which development and fill activities can occur. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Information, the subject property does not contain 100-year floodplains.

iii) Streams/Stream Buffers

Possible streams were identified using vegetative signatures on aerial photographs, topographic maps, and National Hydrology Datasets (NHD). No jurisdictional streams or

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their respective stream buffers are located within the project boundary. A detailed stream delineation and official jurisdiction determination was not performed.

iv) Slopes Exceeding 25 percent over 10 Rise in Elevation

Using the Stone Mountain, GA USGS 7.5-Minute quadrangle topographic maps, slopes and draws were identified within the site boundaries. The land surface generally slopes from higher points in the northern portion of the property towards the southern end. However, there is no noted drastic change of elevation across the site.

v) Vegetation

The subject site is dominated by urban development with associated parking lots with surrounding mixed pine/hardwood forests within the property boundary (Figure 2). The subject site is located within the Southern Outer Piedmont Ecoregion (Level IV) of Georgia.

vi) Wildlife

An online review of protected wildlife and plant species was performed to assess threatened or endangered State and Federal species that have known occurrences on or near the site. The Federal list of species within the property boundary in DeKalb County was generated through the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system query report and the State list was generated through the Georgia Department of Natural Resources (GADNR) Natural Heritage Program (NHP) Species of Concern list. These reports are included in Attachment B.

The IPaC report documented one (1) plant on the federal list in DeKalb County.

Michaux's Sumac *Rhus michauxii* (no critical habitat has been designated for this species)

The Stone Mountain, GA, NW Quarter Quad reports did not document any species with state protection. Based on the desktop analysis of the subject project site, critical habitat for State and Federally protected species was not observed within the property boundary.

At this present time, the State of Georgia does not have state regulations that require State protected species investigations for privately funded projects. The list of State species both with and without protections are intended to provide the project with a level of due diligence to satisfy decision making. Based on the information provided by

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USFWS and GADNR, no suitable habitat for protected species is located within the project boundary.

vii) Archeological/ Historical Sites

An online review of available resources was performed to assess known listed sites that may have cultural or historical significance. A search through National Register of Historic Places (NRHP) did not result in any historic sites within one (1) mile of the property. Based on the current land use plan, there is no reasonable expectation of impact on national historical or culturally significant resources.

3. Project Implementation Measures

- a. Protection of Environmentally Sensitive Areas
The site does not contain any additional environmentally sensitive areas i.e. floodplains, slopes exceeding 25 percent, river corridors, etc,
- b. Protection of Water Quality
The site utilizes existing stormwater management and will continue to utilize onsite stormwater management.
- c. Minimization of Negative Impacts on Existing Infrastructure
The project proposes to demolish a portion of the existing exterior in order to redevelop the property as a residential occupancy. Existing building is to remain largely intact. Existing surface lot parking exceeds required parking for residential occupancy use.
- d. Minimization of Archeological/Historically Significant Areas
There are no known archeological/historical significant areas within the project boundary.
- e. Minimization of Negative Impacts on Environmentally Stressed Communities
Proposed improvements to the site will avoid environmental impacts. There are no indication that the site contains environmentally stressed communities,
- f. Creation and Preservation of Green and Open Space
There is no net change in the allotment of green and open space proposed to the site. Existing conditions meet requirements.
- g. Protection of Citizens from the Negative Impacts of Noise and Lighting
The site is currently developed and proposes redevelopment. Impacts to noise or lighting impacts to citizens will be minimal and avoided if possible.
- h. Protection of Parks and Recreational Green Space

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The property is currently developed and proposes re-zoning/redevelopment. Existing parks and recreational green space surrounding the site will not be impacted by the property.

i. Minimization of Impact to Wildlife Habitats

The property is currently developed and proposes re-zoning/redevelopment. No suitable habitat of Federally or State Listed species is located within the boundary. There are no impacts anticipated to wildlife or wildlife habitats within the property boundary.

SUMMARY

Based on our Environmental Site Analysis, it is reasonably probable that the proposed project would not encroach upon or adversely affect environmental, cultural or historical resources. Should additional permitting be needed a detailed site delineation may be required.

Attachments

Figure 1: National Register of Historic Places Site Inquiry

Figure 2: FEMA Floodplains

Figure 3: Wetlands Inventory Map

Figure 4: GNAHRGIS Inquiry results

Figure 5: Topographic Map

Figure 6: Future Land Use Plan Map

Attachment A: 4419 Cowan Rd Species List, USFWS Georgia Ecological Services Field

Office Attachment B: Existing Boundary Survey

Attachment C: Concurrent Variance Request Criteria Justification

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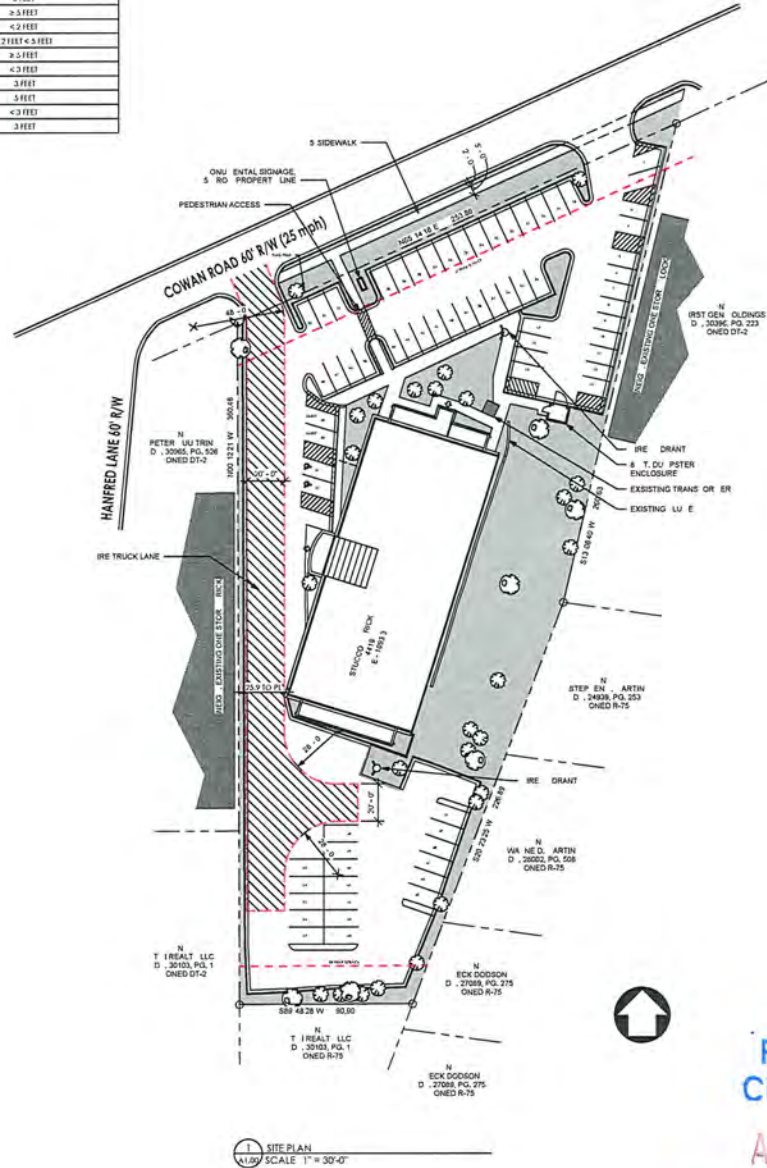
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TABLE R302.1(1) EXTERIOR WALLS

EXTERIOR WALL ELEMENT	FIRE-RESISTANCE RATED	MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
WALLS	FIRE-RESISTANCE RATED	1 HOUR—TESTED IN ACCORDANCE WITH ASTM E119, UL 343	0 FEET
	NOT FIRE-RESISTANCE RATED	0 HOURS	> 3 FEET
PROJECTIONS	NOT ALLOWED	N/A	< 2 FEET
	FIRE-RESISTANCE RATED	1 HOUR ON UNDERSIDE OF HEAVY TIMBER OR FIRE TREATED WD	> 2 FEET < 5 FEET
OPENINGS IN WALLS	NOT FIRE-RESISTANCE RATED	0 HOURS	> 5 FEET
	NOT ALLOWED	N/A	< 3 FEET
	25% MAX OF WALL AREA	0 HOURS	3 FEET
PENETRATIONS	UNIMBED	0 HOURS	3 FEET
	ALL	COMPLY W/ 18 CBIM R302.4	< 3 FEET
		NONE REQUIRED	3 FEET



SITE DATA	
USE ADDRESS:	4419 COWAN RD TUCKER, GA 30084
TOTAL SITE:	46,516.13 SF 1.057 ACRES
ZONING:	CITY OF TUCKER, D1-2
MAXIMUM BUILDING COVERAGE:	80% OF NET LOT AREA (33,217.89)
SIDE OF REAR YARD SETBACKS:	N/A
PROPOSED DEVELOPMENT:	74 UNITS PER ACRE 1.057 ACRES = 34 UNITS ALLOWED 34 UNITS PROPOSED
TOTAL OPEN SPACE:	TOTAL OPEN SPACE FIGURED = 20% MIN. (6,451.72 SF) = 13,303.2 TOTAL OPEN SPACE PROVIDED = 16,119 SF (28%)
PARKING OVERLAY CODES (SEC 44-130 - SITE AND PARKING AREA):	1.54 PROVIDED PER DWELLING 70 SPACES
PARKING PROVIDED:	
SITE LEGEND	
	PROPERTY LINE
	SETBACK LINE
	FIRE TRUCK LANE
	FINISHED GRADING ELEVATION
	TRANSFORMER
	BUILDING ENTRANCE

NOTE:
1. MARK BOOKS TO BE LOCATED IN BUILDING LOBBY

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POINT OF CONTACT:
J. COWAN PERPEREK, LLC
4419 COWAN RD.
TUCKER, GEORGIA

VALENTIN CLUPERCA,
679-300-7403
valent@jcp.com

National Register of Historic Places

National Park Service
U.S. Department of the Interior



Public, non-restricted data depicting National Register spatial data processed by the Cultural Resources GIS facility. Last minor update, September 2020.



Map Tiles Light
4419 Cowan Rd, Tucker, Georgia



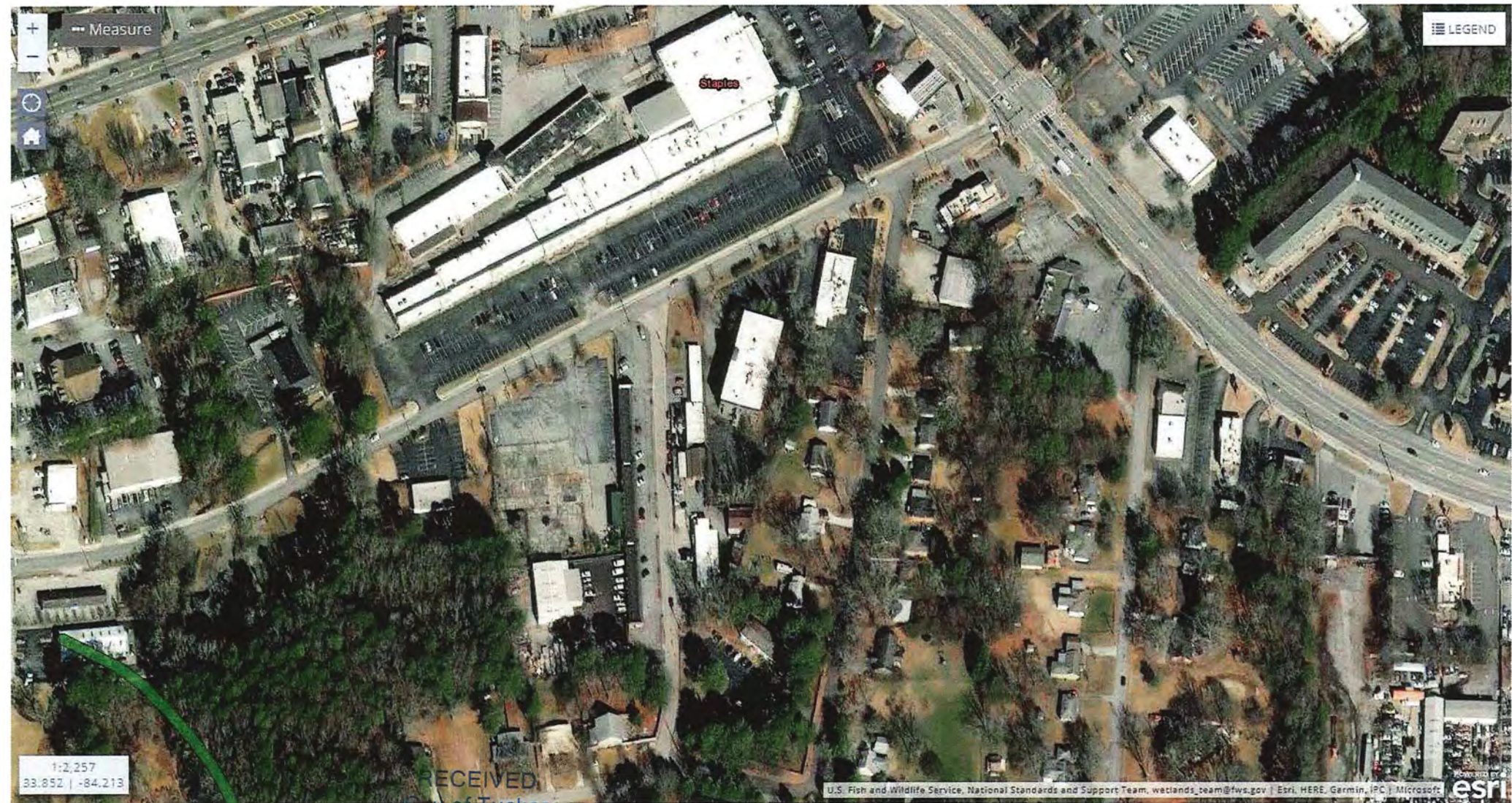
National Park Service | © Mapbox | © OpenStreetMap contributors | Cultural Resources GIS, National Park Service | Geocoding by Esri

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Search

Text Search Map Search

Basic Search Advanced Search

Enter or select information in one or more search fields below.

Search Current Resource Information

Search by: Name/Location GNAHRGIS ID

Resource Name: [input field]

Street Address: 4419 Cowan Rd

City: Tucker

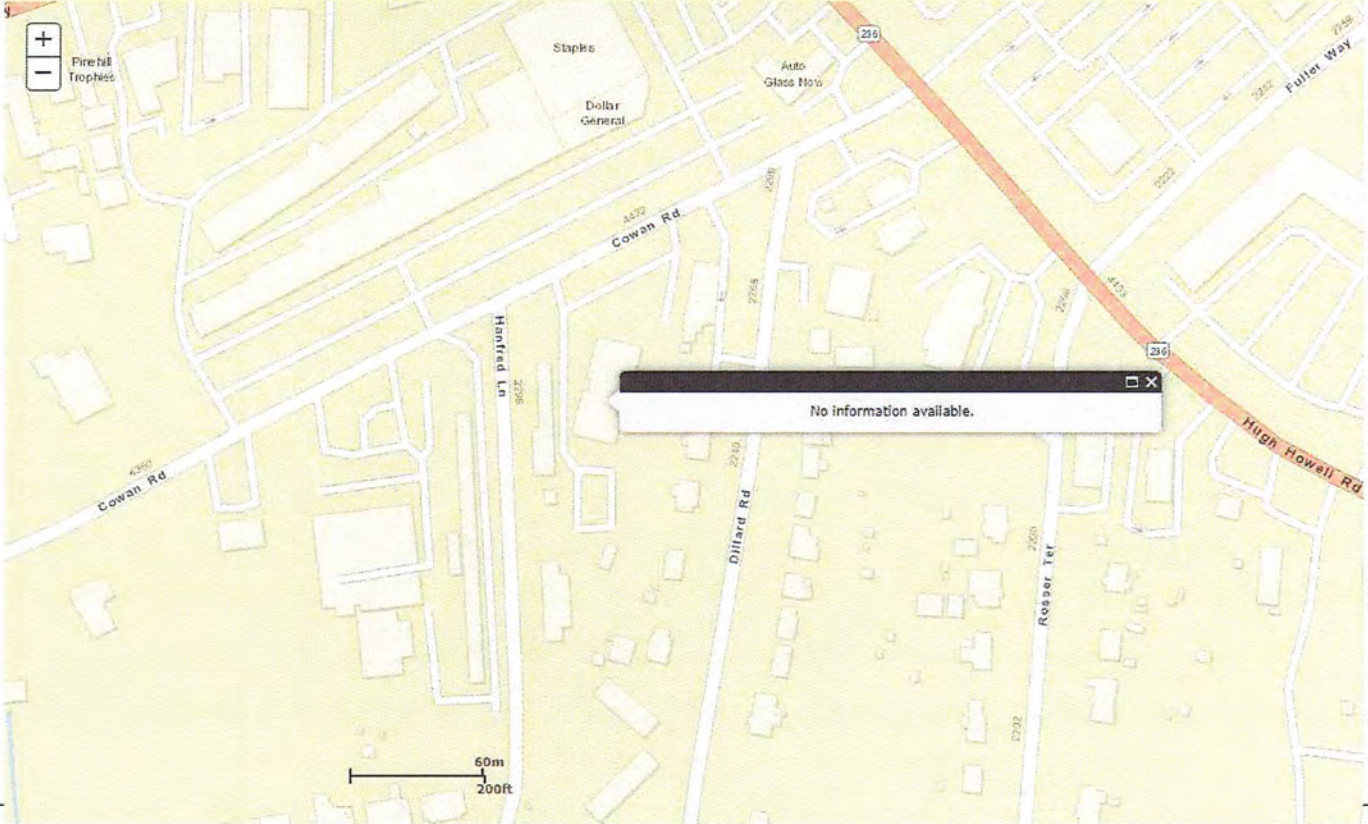
County: [dropdown menu]

Display Resource Records Export to Excel Reset Search

View Zoom Copy View Export Details To Edit History Move Category Name(s) Address/Location City Survey

0 No items to display.

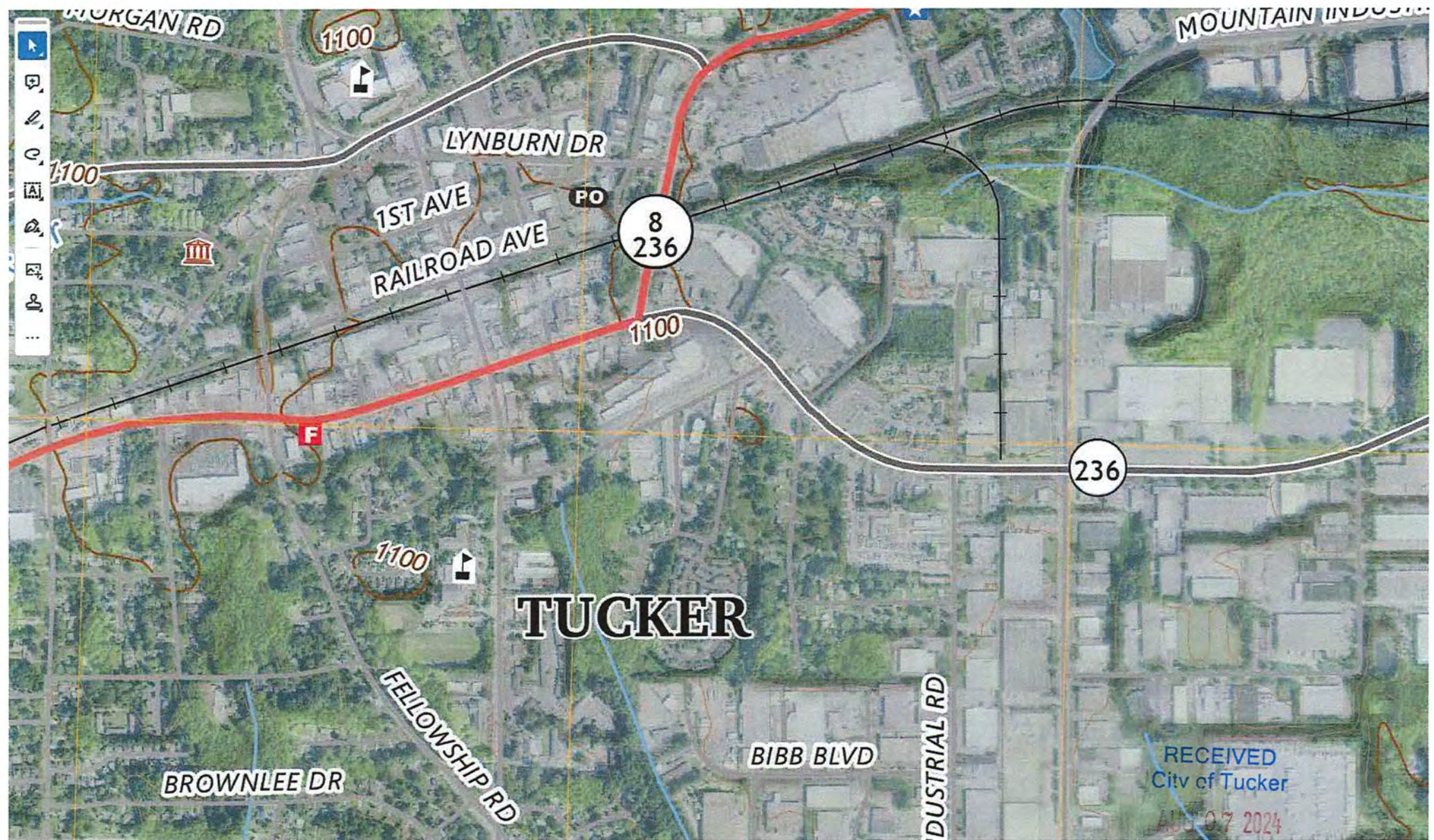
Click the +/- zoom tool or use mouse to zoom into the map in the area of interest to display historic resource points.



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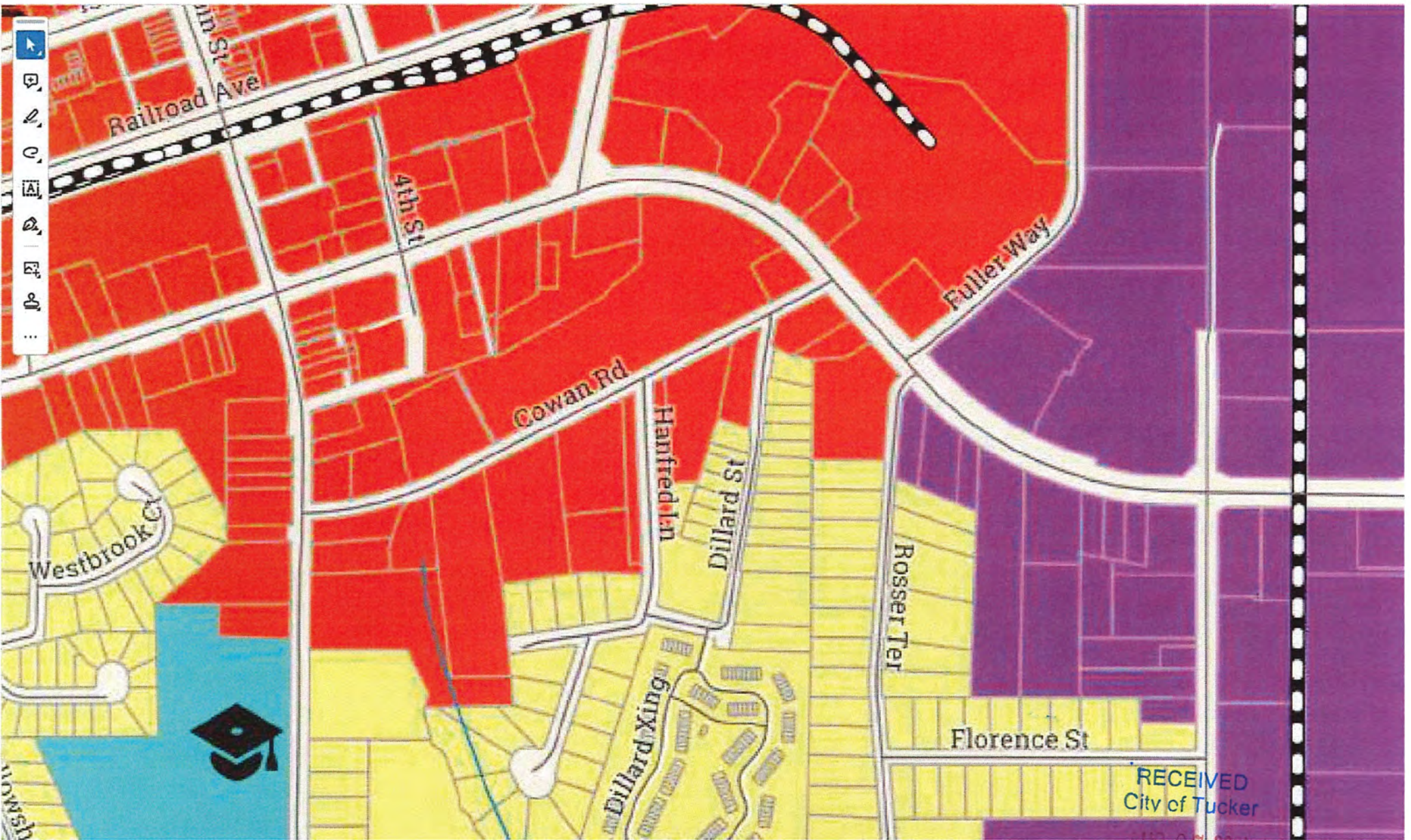
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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Georgia Ecological Services Field Office
355 East Hancock Avenue
Room 320
Athens, GA 30601-2523
Phone: (706) 460-7161 Fax: (706) 613-6059

In Reply Refer To:
Project Code: 2024-0122535
Project Name: 4419 Cowan Rd

07/29/2024 14:43:44 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for requesting information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act as amended (16 USC 701-715), Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668c). We provide the following guidance for determining which federally imperiled species may occur within your project area and to recommend conservation measures to consider for your project if you determine those species or designated critical habitats may be affected by the project activities.

FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency, their designated non-Federal representative, or a project proponent to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally listed threatened or endangered fish or wildlife species without the appropriate permit. If you need additional guidance to inform your effect determination, please contact the Service.

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If you determine that your proposed action may affect federally listed species, please consult with the Service. Through the consultation (for projects seeking Federal funding or permitting) or technical assistance (for non-Federal projects) process, we will work with you to evaluate information contained in a biological assessment or equivalent documents that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a) (1)(B) of the ESA (also known as a Habitat Conservation Plan) may be necessary to exempt "take" of federally listed threatened or endangered fish or wildlife species when it cannot be avoided. For more information regarding formal consultation and HCPs, please see the Service's [Section 7 Consultation Library](#) and [Habitat Conservation Plans Library](#).

Action Area. The scope of ESA compliance includes direct and indirect effects of project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations). The "action area" is the spatial extent of an action's direct and indirect modifications or impacts to the land, water, or air (50 CFR 402.02). Large projects may have effects to land, water, or air outside the immediate footprint of the project, and these areas should be included as part of the action area. Effects to land, water, or air outside of a project footprint could include things like lighting, dust, smoke, and noise. To obtain a complete list of species, the action area should be uploaded or drawn in IPaC rather than just the project footprint. Please note that a lead federal agency may consider an action area that excludes portions of the project footprint. In these cases, further coordination with our office may be required to ensure compliance with the ESA. It is the responsibility of the project proponent to coordinate with the lead federal agency to understand the action and action area being reviewed as part of ESA Section 7 consultation.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. An updated list may be requested through IPaC.

HOW TO SUBMIT A PROJECT REVIEW PACKAGE

IF YOUR ACTION MAY AFFECT ANY FEDERALLY LISTED SPECIES AND YOU WOULD LIKE TECHNICAL ASSISTANCE FROM OUR OFFICE, PLEASE SEND US A COMPLETE PROJECT REVIEW PACKAGE. A STEP-BY-STEP GUIDE IS AVAILABLE BELOW AND SUPPLEMENTAL GUIDANCE IS AVAILABLE AT THE GEORGIA ECOLOGICAL SERVICES [PROJECT PLANNING AND REVIEW PAGE \(HTTPS://WWW.FWS.GOV/OFFICE/GEORGIA-ECOLOGICAL-SERVICES/PROJECT-PLANNING-REVIEW\)](https://www.fws.gov/office/georgia-ecological-services/project-planning-review).

REQUESTS FOR THREATENED AND ENDANGERED SPECIES PROJECT REVIEWS MUST BE SUBMITTED TO OUR OFFICE USING THE PROCESS DESCRIBED BELOW. ALL STEPS MUST BE COMPLETED TO ENSURE YOUR

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PROJECT IS REVIEWED BY A BIOLOGIST IN OUR OFFICE AND YOU RECEIVE A TIMELY RESPONSE.

STEP 1. REQUEST AN OFFICIAL SPECIES LIST FOR YOUR PROJECT THROUGH IPAC. YOU HAVE JUST COMPLETED THIS STEP.

STEP 2. COMPLETE APPLICABLE DETERMINATION KEYS (DKEY'S, FOR SHORT)

STEP 3. SEND YOUR COMPLETE PROJECT REVIEW PACKAGE TO GAES_ASSISTANCE@FWS.GOV FOR REVIEW IF NO DKEY IS APPLICABLE OR CERTAIN PROJECT COMPONENTS HAVE NOT BEEN ADDRESSED (I.E. A SPECIES RETURNED BY IPAC DOES NOT HAVE A DKEY). A COMPLETE PROJECT REVIEW PACKAGE SHOULD INCLUDE:

- 1. A DESCRIPTION OF THE PROPOSED ACTION, INCLUDING ANY MEASURES INTENDED TO AVOID, MINIMIZE, OR OFFSET EFFECTS OF THE ACTION. THE DESCRIPTION SHALL PROVIDE SUFFICIENT DETAIL TO ASSESS THE EFFECTS OF THE ACTION ON LISTED SPECIES AND CRITICAL HABITAT, SUCH AS THE PURPOSE OF THE ACTION; DURATION AND TIMING OF THE ACTION; LOCATION (LATITUDE AND LONGITUDE); SPECIFIC ACTIVITIES INVOLVING DISTURBANCE TO LAND, WATER, AND AIR, AND HOW THEY WILL BE CARRIED OUT; CURRENT DESCRIPTION OF AREAS TO BE AFFECTED DIRECTLY OR INDIRECTLY BY THE ACTION; AND MAPS, DRAWINGS, OR SIMILAR SCHEMATICS OF THE ACTION. PLEASE SUBMIT ALL AREAS OF A PROJECT AS ONE SINGLE SUBMISSION AND DO NOT SEPARATE INTO SMALLER COMPONENTS/SUBMISSIONS.**
- 2. AN UPDATED OFFICIAL SPECIES LIST AND DETERMINATION KEY RESULTS**
- 3. BIOLOGICAL ASSESSMENTS (MAY INCLUDE HABITAT ASSESSMENTS AND INFORMATION ON THE PRESENCE OF LISTED SPECIES IN THE ACTION AREA);**
- 4. DESCRIPTION OF EFFECTS OF THE ACTION ON SPECIES IN THE ACTION AREA AND, IF RELEVANT, EFFECT DETERMINATIONS FOR SPECIES AND CRITICAL HABITAT;**
- 5. CONSERVATION MEASURES AND ANY OTHER AVAILABLE INFORMATION RELATED TO THE NATURE AND SCOPE OF THE PROPOSED ACTION RELEVANT TO ITS EFFECTS ON LISTED SPECIES OR DESIGNATED CRITICAL HABITAT (E.G., MANAGEMENT PLANS RELATED TO STORMWATER, VEGETATION, EROSION AND SEDIMENT PLANS). VISIT THE [GEORGIA CONSERVATION PLANNING TOOLBOX \(HTTPS://WWW.FWS.GOV/STORY/CONSERVATION-TOOLS-GEORGIA\)](https://www.fws.gov/story/conservation-tools-georgia) FOR INFORMATION ABOUT CONSERVATION MEASURES.**

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- 6. IN THE EMAIL SUBJECT LINE, USE THE FOLLOWING FORMAT TO INCLUDE THE PROJECT CODE FROM YOUR IPAC SPECIES LIST AND THE COUNTY IN WHICH THE PROJECT IS LOCATED (EXAMPLE: PROJECT CODE: 2023-0049730 GWINNETT CO.). FOR GEORGIA DEPARTMENT OF TRANSPORTATION RELATED PROJECTS, PLEASE WORK WITH THE OFFICE OF ENVIRONMENTAL SERVICES ECOLOGIST TO DETERMINE THE APPROPRIATE USFWS TRANSPORTATION LIAISON.

THE GEORGIA ECOLOGICAL SERVICES FIELD OFFICE WILL SEND A RESPONSE EMAIL WITHIN APPROXIMATELY 30 DAYS OF RECEIPT WITH TECHNICAL ASSISTANCE OR FURTHER RECOMMENDATIONS FOR SPECIFIC SPECIES.

WETLANDS AND FLOODPLAINS

UNDER EXECUTIVE ORDERS 11988 AND 11990, FEDERAL AGENCIES ARE REQUIRED TO MINIMIZE THE DESTRUCTION, LOSS, OR DEGRADATION OF WETLANDS AND FLOODPLAINS, AND PRESERVE AND ENHANCE THEIR NATURAL AND BENEFICIAL VALUES. THESE HABITATS SHOULD BE CONSERVED THROUGH AVOIDANCE, OR MITIGATED TO ENSURE THAT THERE WOULD BE NO NET LOSS OF WETLANDS FUNCTION AND VALUE. WE ENCOURAGE YOU TO USE THE NATIONAL WETLAND INVENTORY (NWI) MAPS IN CONJUNCTION WITH GROUND-TRUTHING TO IDENTIFY WETLANDS OCCURRING IN YOUR PROJECT AREA. THE SERVICE'S [NWI PROGRAM WEBSITE \(HTTPS://WWW.FWS.GOV/PROGRAM/NATIONAL-WETLANDS-INVENTORY\)](https://www.fws.gov/program/national-wetlands-inventory) INTEGRATES DIGITAL MAP DATA WITH OTHER RESOURCE INFORMATION. WE ALSO RECOMMEND YOU CONTACT THE U.S. ARMY CORPS OF ENGINEERS FOR PERMITTING REQUIREMENTS UNDER SECTION 404 OF THE CLEAN WATER ACT IF YOUR PROPOSED ACTION COULD IMPACT FLOODPLAINS OR WETLANDS.

MIGRATORY BIRDS

THE MBTA PROHIBITS THE TAKING OF MIGRATORY BIRDS, NESTS, AND EGGS, EXCEPT AS PERMITTED BY THE SERVICE'S [MIGRATORY BIRDS PROGRAM \(HTTPS://FWS.GOV/PROGRAM/MIGRATORY-BIRDS\)](https://fws.gov/program/migratory-birds). TO MINIMIZE THE LIKELIHOOD OF ADVERSE IMPACTS TO MIGRATORY BIRDS, WE RECOMMEND CONSTRUCTION ACTIVITIES OCCUR OUTSIDE THE GENERAL BIRD NESTING SEASON FROM MARCH THROUGH AUGUST, OR THAT AREAS PROPOSED FOR CONSTRUCTION DURING THE NESTING SEASON BE SURVEYED, AND WHEN OCCUPIED, AVOIDED UNTIL THE YOUNG HAVE FLEDGED.

WE RECOMMEND REVIEW OF BIRDS OF CONSERVATION CONCERN TO FULLY EVALUATE THE EFFECTS TO THE BIRDS AT YOUR SITE. THIS LIST IDENTIFIES BIRDS THAT ARE POTENTIALLY THREATENED BY DISTURBANCE AND CONSTRUCTION. IT CAN BE FOUND AT THE SERVICE'S [MIGRATORY BIRDS](https://fws.gov/program/migratory-birds)

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AUG 07 2024

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Department
4 of 18

CONSERVATION LIBRARY COLLECTION ([HTTPS://FWS.GOV/LIBRARY/ COLLECTIONS/MIGRATORY-BIRD-CONSERVATION-DOCUMENTS](https://fws.gov/library/collections/migratory-bird-conservation-documents))

INFORMATION RELATED TO BEST PRACTICES AND MIGRATORY BIRDS CAN BE FOUND AT THE SERVICE'S **AVOIDING AND MINIMIZING INCIDENTAL TAKE OF MIGRATORY BIRDS LIBRARY COLLECTION ([HTTPS://FWS.GOV/LIBRARY/ COLLECTIONS/AVOIDING-AND-MINIMIZING-INCIDENTAL-TAKE-MIGRATORY-BIRDS](https://fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds))**.

BALD AND GOLDEN EAGLES

THE BALD EAGLE (*HALIAEETUS LEUCOCEPHALUS*) WAS DELISTED UNDER THE ESA ON AUGUST 9, 2007. BOTH THE BALD EAGLE AND GOLDEN EAGLE (*AQUILA CHRYSAETOS*) ARE STILL PROTECTED UNDER THE MIGRATORY BIRD TREATY ACT (MBTA) AND BALD AND GOLDEN EAGLE PROTECTION ACT (BGEPA). THE BGEPA AFFORDS BOTH EAGLES PROTECTION IN ADDITION TO THAT PROVIDED BY THE MBTA, IN PARTICULAR, BY MAKING IT UNLAWFUL TO "DISTURB" EAGLES. UNDER THE BGEPA, THE SERVICE MAY ISSUE LIMITED PERMITS TO INCIDENTALLY "TAKE" EAGLES (E.G., INJURY, INTERFERING WITH NORMAL BREEDING, FEEDING, OR SHELTERING BEHAVIOR NEST ABANDONMENT). FOR INFORMATION ON BALD AND GOLDEN EAGLE MANAGEMENT GUIDELINES, WE RECOMMEND YOU REVIEW INFORMATION PROVIDED AT THE SERVICE'S **BALD AND GOLDEN EAGLE MANAGEMENT LIBRARY COLLECTION**.

NATIVE BATS

IF YOUR SPECIES LIST INCLUDES INDIANA BAT (*MYOTIS SODALIS*), NORTHERN LONG-EARED BAT (*M. SEPTENTRIONALIS*), OR TRICOLORED BAT (*PERIMYOTIS SUBFLAVUS*) AND THE PROJECT IS EXPECTED TO IMPACT FORESTED HABITAT, TREE CLEARING SHOULD OCCUR OUTSIDE OF THE PERIODS WHEN BATS MAY BE PRESENT AND MOST VULNERABLE. FEDERALLY LISTED BATS COULD BE ACTIVELY PRESENT IN FORESTED LANDSCAPES FROM SPRING THROUGH FALL OF ANY YEAR. IN MUCH OF GEORGIA, OUR WINTERS ARE MILD ENOUGH THAT TRICOLORED BATS ARE LIKELY ACTIVE ON THE LANDSCAPE TO SOME EXTENT YEAR-ROUND. PUPS ARE INCAPABLE OF FLIGHT AND VULNERABLE TO DISTURBANCE FROM THE SPRING TO SUMMER. OUR RECOMMENDED SEASONAL CLEARING RESTRICTION WINDOWS DEPEND ON SPECIES AND REGION IN GEORGIA. PLEASE REACH OUT TO US FOR GUIDANCE.

INDIANA, NORTHERN LONG-EARED, TRICOLORED, AND GRAY (*M. GRISESCENS*) BATS ARE ALL KNOWN TO UTILIZE BRIDGES AND CULVERTS IN GEORGIA. IF YOUR PROJECT INCLUDES MAINTENANCE, CONSTRUCTION, OR ANY OTHER MODIFICATION OR DEMOLITION TO TRANSPORTATION STRUCTURES, A QUALIFIED INDIVIDUAL SHOULD COMPLETE A SURVEY OF THESE STRUCTURES FOR BATS AND SUBMIT YOUR FINDINGS VIA THE

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“GADNR BATS IN BRIDGES” FORM IN THE SURVEY123 APP, FREE ON APPLE AND ANDROID DEVICES. PLEASE INCLUDE THESE FINDINGS IN ANY BIOLOGICAL ASSESSMENT(S) OR OTHER DOCUMENTATION THAT IS SUBMITTED TO OUR OFFICE FOR TECHNICAL ASSISTANCE OR CONSULTATION.

ADDITIONAL INFORMATION CAN BE FOUND AT GEORGIA ECOLOGICAL SERVICES' [CONSERVATION PLANNING TOOLBOX](#) AND [BAT CONSERVATION IN GEORGIA](#) PAGES.

MONARCH BUTTERFLY

ON DECEMBER 20, 2020, THE SERVICE DETERMINED THAT LISTING THE MONARCH BUTTERFLY (*DANAUS PLEXIPPUS*) UNDER THE ENDANGERED SPECIES ACT IS WARRANTED BUT PRECLUDED AT THIS TIME BY HIGHER PRIORITY LISTING ACTIONS. WITH THIS FINDING, THE MONARCH BUTTERFLY BECOMES A CANDIDATE FOR LISTING. THE SERVICE WILL REVIEW ITS STATUS EACH YEAR UNTIL WE ARE ABLE TO BEGIN DEVELOPING A PROPOSAL TO LIST THE MONARCH.

AS IT IS A CANDIDATE FOR LISTING, THE SERVICE WELCOMES CONSERVATION MEASURES FOR THIS SPECIES. RECOMMENDED, AND VOLUNTARY, CONSERVATION MEASURES FOR PROJECTS IN GEORGIA CAN BE FOUND AT THE [MONARCH CONSERVATION IN GEORGIA](#) PAGE.

EASTERN INDIGO SNAKE

OUR OFFICE HAS PUBLISHED GUIDANCE DOCUMENTS TO ASSIST PROJECT PROPONENTS IN AVOIDING AND MINIMIZING POTENTIAL IMPACT TO THE EASTERN INDIGO SNAKE. THE [VISUAL ENCOUNTER SURVEY PROTOCOL FOR THE EASTERN INDIGO SNAKE \(*DRYMARCHON COUPERI*\) IN GEORGIA](#) IS RECOMMENDED FOR PROJECT PROPONENTS OR THEIR DESIGNEES TO EVALUATE THE POSSIBLE PRESENCE OF THE EASTERN INDIGO SNAKE AT A PROPOSED PROJECT SITE. THE [STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE \(*DRYMARCHON COUPERI*\)](#) INCLUDE EDUCATIONAL MATERIALS AND TRAINING THAT CAN HELP PROTECT THE SPECIES BY MAKING STAFF WORKING ON A PROJECT SITE AWARE OF THEIR PRESENCE AND TRAITS. IN GEORGIA, INDIGO SNAKES ARE CLOSELY ASSOCIATED WITH THE STATE-LISTED GOPHER TORTOISE (*GOPHERUS POLYPHEMUS*), A REPTILE THAT EXCAVATES EXTENSIVE UNDERGROUND BURROWS THAT PROVIDE THE SNAKE SHELTER FROM WINTER COLD AND SUMMER DESICCATION.

SOLAR ENERGY DEVELOPMENT

THE [RECOMMENDED PRACTICES FOR THE RESPONSIBLE SITING AND DESIGN OF SOLAR DEVELOPMENT IN GEORGIA](#) (PUBLISHED IN SEPTEMBER 2023) ARE

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INTENDED TO PROVIDE VOLUNTARY GUIDANCE TO SUPPORT CONSIDERATION OF NATURAL RESOURCES DURING THE DEVELOPMENT OF PHOTOVOLTAIC SOLAR IN GEORGIA. FURTHERMORE, THE [GEORGIA LOW IMPACT SOLAR SITING TOOL \(LISST\)](#) IS ALSO AVAILABLE AS A MAP LAYER IN IPAC (FIND IT IN THE "LAYERS" BOX > "ENVIRONMENTAL DATA") TO PROVIDE PROJECT MANAGERS WITH THE DATA TO IDENTIFY AREAS THAT MAY BE PREFERRED FOR LOW-IMPACT DEVELOPMENT. THE TOOL SEEKS TO SUPPORT THE ACCELERATION OF LARGE-SCALE SOLAR DEVELOPMENT IN AREAS WITH LESS IMPACT TO THE ENVIRONMENT.

STATE AGENCY COORDINATION

ADDITIONAL INFORMATION THAT ADDRESSES AT-RISK OR HIGH PRIORITY NATURAL RESOURCES CAN BE FOUND IN THE STATE WILDLIFE ACTION PLAN ([HTTPS://GEORGIAWILDLIFE.COM/WILDLIFEACTIONPLAN](https://georgiawildlife.com/wildlifeactionplan)), AT GEORGIA DEPARTMENT OF NATURAL RESOURCES, WILDLIFE RESOURCES DIVISION BIODIVERSITY PORTAL ([HTTPS://GEORGIAWILDLIFE.COM/CONSERVATION/SPECIES-OF-CONCERN](https://georgiawildlife.com/conservation/species-of-concern)), GEORGIA'S NATURAL, ARCHAEOLOGICAL, AND HISTORIC RESOURCES GIS PORTAL ([HTTPS://WWW.GNAHRGIS.ORG/GNAHRGIS/INDEX.DO](https://www.gnahrgis.org/gnahrgis/index.do)) PAGES.

THANK YOU FOR YOUR CONCERN FOR ENDANGERED AND THREATENED SPECIES. WE APPRECIATE YOUR EFFORTS TO IDENTIFY AND AVOID IMPACTS TO LISTED AND SENSITIVE SPECIES IN YOUR PROJECT AREA. FOR FURTHER CONSULTATION ON YOUR PROPOSED ACTIVITY, PLEASE EMAIL GAES_ASSISTANCE@FWS.GOV AND REFERENCE THE PROJECT COUNTY AND YOUR SERVICE PROJECT TRACKING NUMBER.

THIS LETTER CONSTITUTES GEORGIA ECOLOGICAL SERVICES' GENERAL COMMENTS UNDER THE AUTHORITY OF THE ENDANGERED SPECIES ACT.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

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Georgia Ecological Services Field Office

355 East Hancock Avenue

Room 320

Athens, GA 30601-2523

(706) 460-7161

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PROJECT SUMMARY

Project Code: 2024-0122535
Project Name: 4419 Cowan Rd
Project Type: Residential Construction
Project Description: Redevelopment of existing office building into residential occupancy. 1.5 acre site.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.8498798,-84.20868200802036,14z>



Counties: DeKalb County, Georgia

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ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non-Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Michaux's Sumac <i>Rhus michauxii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5217	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i>	Breeds Sep 1 to Jul 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	
https://ecos.fws.gov/ecp/species/1626	

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

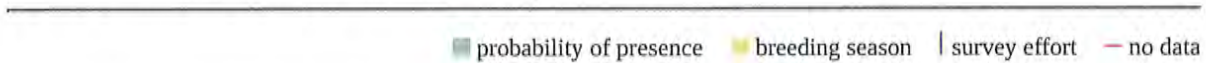
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



SPECIES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
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Non-BCC
Vulnerable

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

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NAME	BREEDING SEASON
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Cerulean Warbler <i>Setophaga cerulea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/2974</p>	Breeds Apr 28 to Jul 20
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9406</p>	Breeds Mar 15 to Aug 25
<p>Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/8329</p>	Breeds Jun 1 to Aug 20
<p>Kentucky Warbler <i>Geothlypis formosa</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9443</p>	Breeds Apr 20 to Aug 20
<p>King Rail <i>Rallus elegans</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/8936</p>	Breeds May 1 to Sep 5
<p>Prairie Warbler <i>Setophaga discolor</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9513</p>	Breeds May 1 to Jul 31
<p>Prothonotary Warbler <i>Protonotaria citrea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9439</p>	Breeds Apr 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9398</p>	Breeds May 10 to Sep 10
<p>Rusty Blackbird <i>Euphagus carolinus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9478</p>	Breeds elsewhere

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NAME	BREEDING SEASON
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

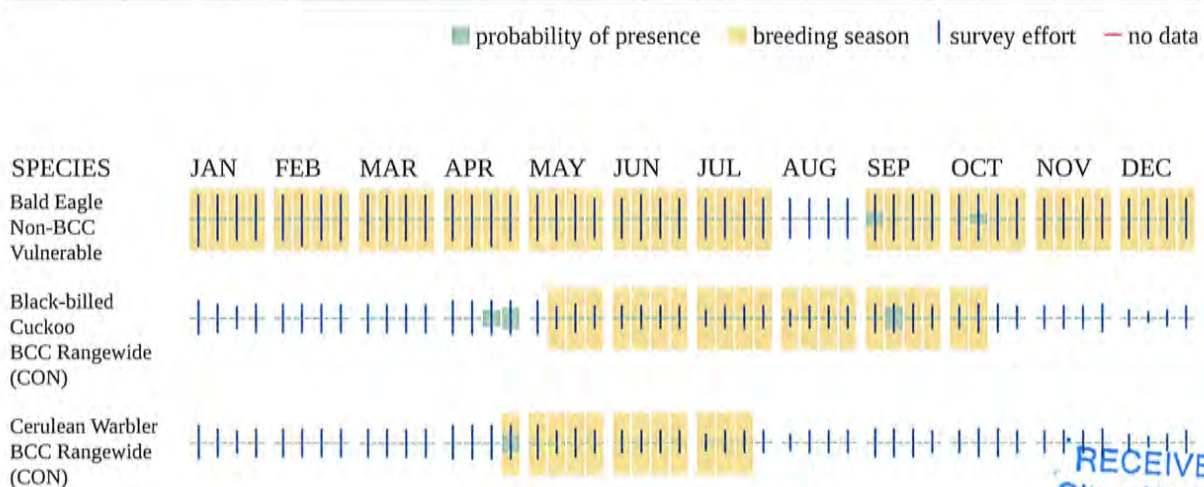
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

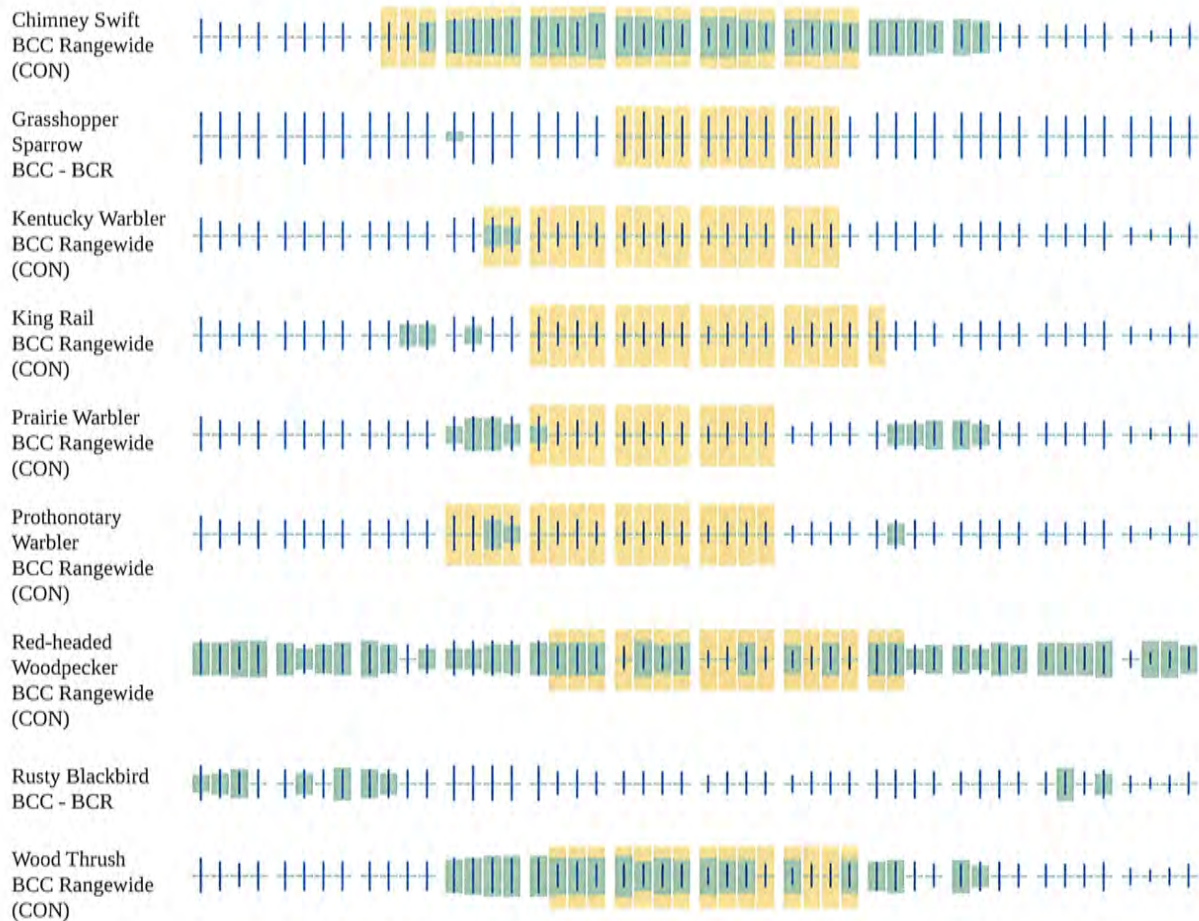
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



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Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Engineers District](#).

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Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.
PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

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17 of 18

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Robert Huber
Address: 280 Interstate N Cir SE #510
City: Atlanta
State: GA
Zip: 30339
Email: rhuber@placemakerdesign.com
Phone: 4043600141

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18 of 18

CIVIL ACE ENGINEERING

419 E Crossville Rd, Suite 103
Roswell, Georgia 30075
Phone: 470-926-0905
victoria@civillageeng.com
07/25/2024

TO: City of Tucker, GA
FROM: Victoria Guobaitis, PE, PTOE *Civil Ace Engineering*

RE: 4419 Cowan Rd Trip Generation Memo

The existing structure located at 4419 Cowan Rd is proposed to be redeveloped into an apartment building. The purpose of this memo is to compare the existing land use trip generation of this parcel to the proposed land use trip generation.

Existing Site:

The existing site consists of one 3-story building that has been utilized as an office building in the past. Each level consists of 10,000 square feet of space for a total of 30,000 square feet. Utilizing the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th edition*, the land use that best characterizes the existing site is general office with a land use code (LUC) 710.

Proposed Site:

The subject project proposes to maintain the existing footprint of the structure and renovate the building for a new use. The site would be converted from an office building to an apartment building with a mix of 1-bedroom and 2-bedroom apartments. The land use code that matches this use best is multi-family low rise (LUC 220) per the *ITE Trip Generation Manual, 11th edition*.

Trip Generation:

Utilizing the methodologies from *ITE Trip Generation Manual, 11th edition*, the trip generation for daily and peak hour trips is estimated. Note that the am and pm peak hour trip generation is associated with peak hour of the adjacent street network (one hour between 7am-9am and one hour between 4pm-6pm). This was done to keep a consistent calculation between existing and proposed uses.

Table 1 below summarizes the trip generation for the existing site and the proposed site at 4419 Cowan Rd in Tucker, GA. The existing site produces 407 daily trips (204 entering & 203 exiting), 59 am peak trips (49 entering & 10 exiting), and 61 pm peak trips (11 entering & 50 exiting). With the proposed changes to the site, it is expected to generate 312 daily trips (156 entering & 156 exiting), 34 am peak trips (9 entering & 25 exiting), and 36 pm peak trips (23 entering & 13 exiting).



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 07/25/2024

Table 1: 4419 Cowan Rd Trip Generation of Existing & Proposed Uses

Scenario	Land Use Description	Land Use Code	Density	Units	Time Period	Total	Entering	Exiting
Existing	General Office	710	30	1,000 SF	Daily	407	204	203
					AM Peak*	59	49	10
					PM Peak*	61	11	50
Proposed	Multi-Family Housing Low Rise	220	37	DU	Daily	312	156	156
					AM Peak*	34	9	25
					PM Peak*	36	23	13
Trip Difference					Daily	-95	-48	-47
					AM Peak*	-25	-40	15
					PM Peak*	-25	12	-37
Trip Percentage					Daily	-23%	-24%	-23%
					AM Peak*	-42%	-82%	150%
					PM Peak*	-41%	109%	-74%

*Peak Hour of Adjacent Street Traffic

A comparison of the trip generation of the two land use types shows that overall, the site is expected to produce less trips with the proposed land use than it does as the existing land use. Daily trips decreased by 23%, am peak trips decreased by 42%, and pm peak trips decreased by 41%. Due to the nature of the land uses, the split of vehicles entering and exiting the site during the am and pm peaks is reversed. An office type land use has a higher rate of vehicles entering the site during the am peak hour and higher rate of vehicles exiting the site during the pm peak. Conversely, a residential type land use has a higher rate of vehicles exiting the site during the am peak and a higher rate of vehicles entering the site during the pm peak. This is depicted in the increase in entering/exiting vehicles during peak hours.

Attachment:

ITE Trip Generation, 11th edition worksheets



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General Office Building (710)

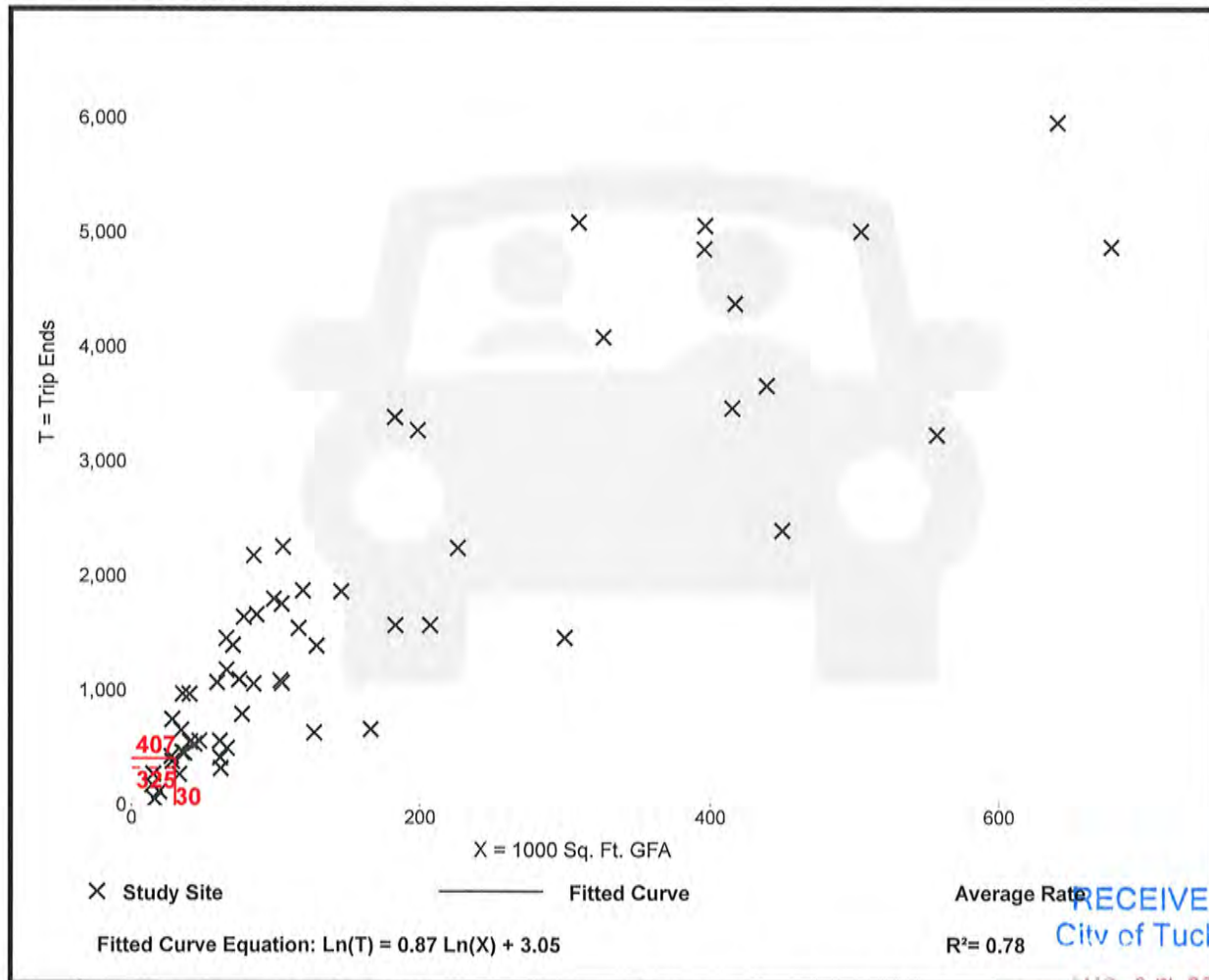
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 59
Avg. 1000 Sq. Ft. GFA: 163
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.84	3.27 - 27.56	4.76

Data Plot and Equation



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General Office Building (710)

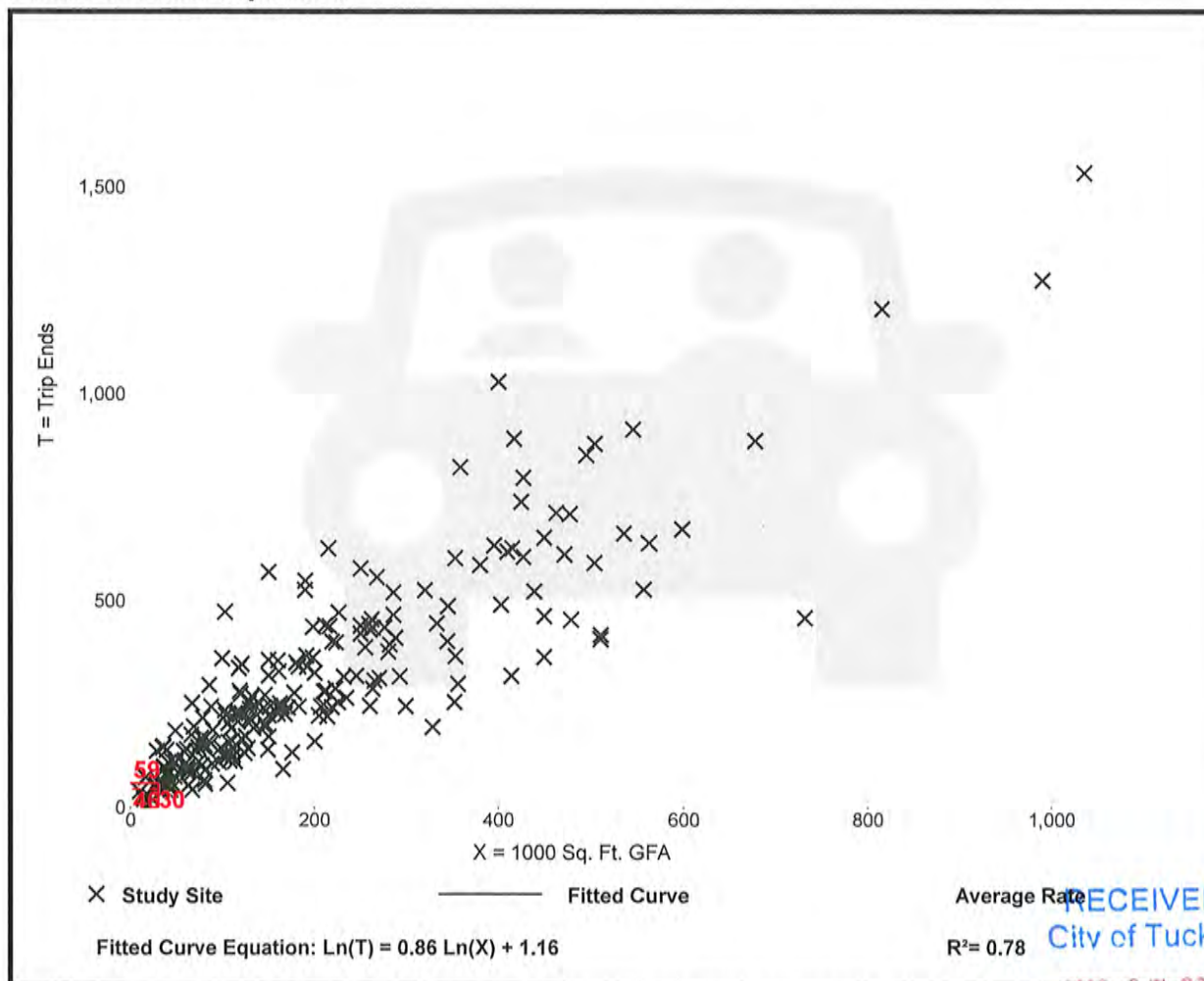
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban
 Number of Studies: 221
 Avg. 1000 Sq. Ft. GFA: 201
 Directional Distribution: 88% entering, 12% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.52	0.32 - 4.93	0.58

Data Plot and Equation



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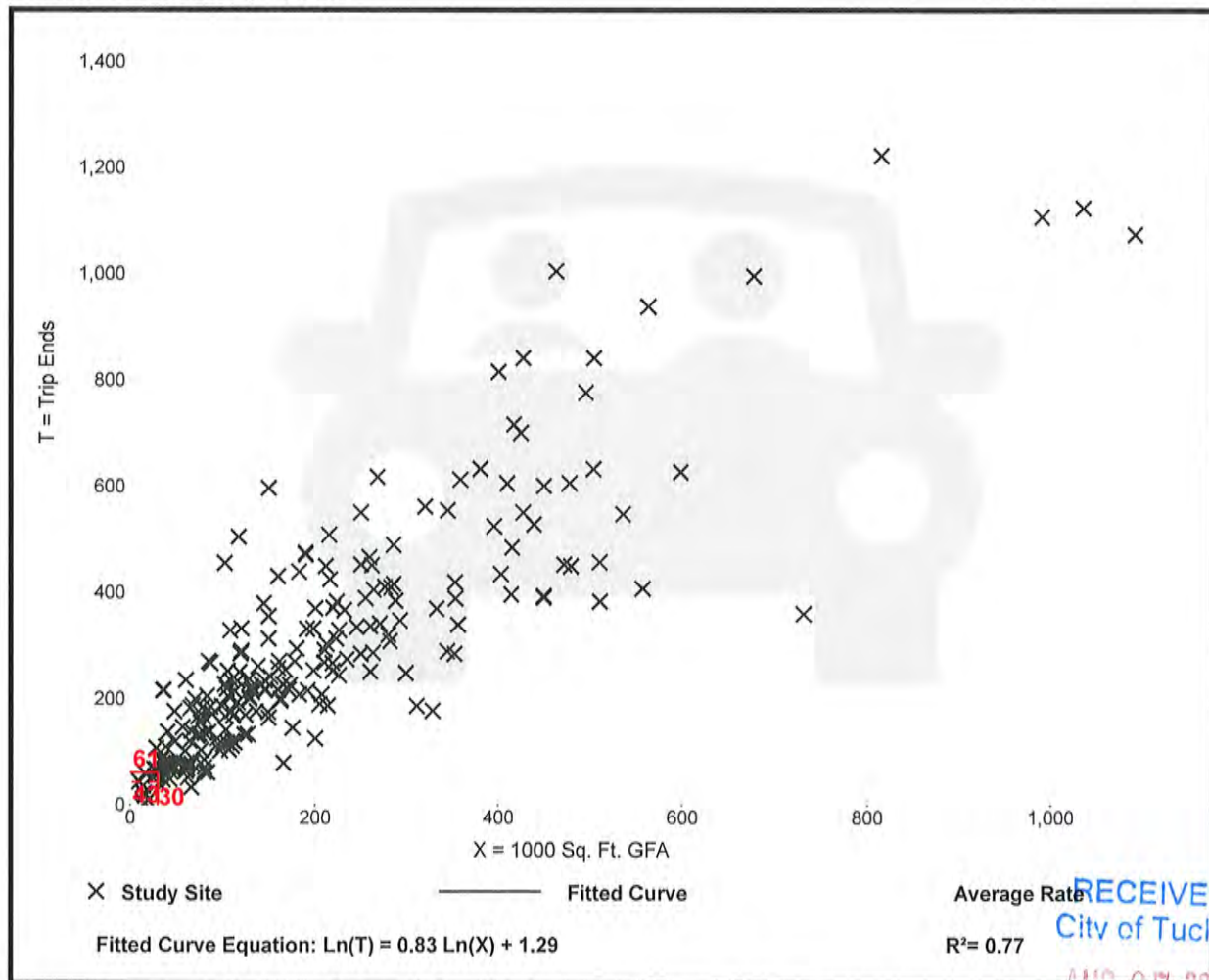
General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 232
 Avg. 1000 Sq. Ft. GFA: 199
 Directional Distribution: 17% entering, 83% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.44	0.26 - 6.20	0.60

Data Plot and Equation



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Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

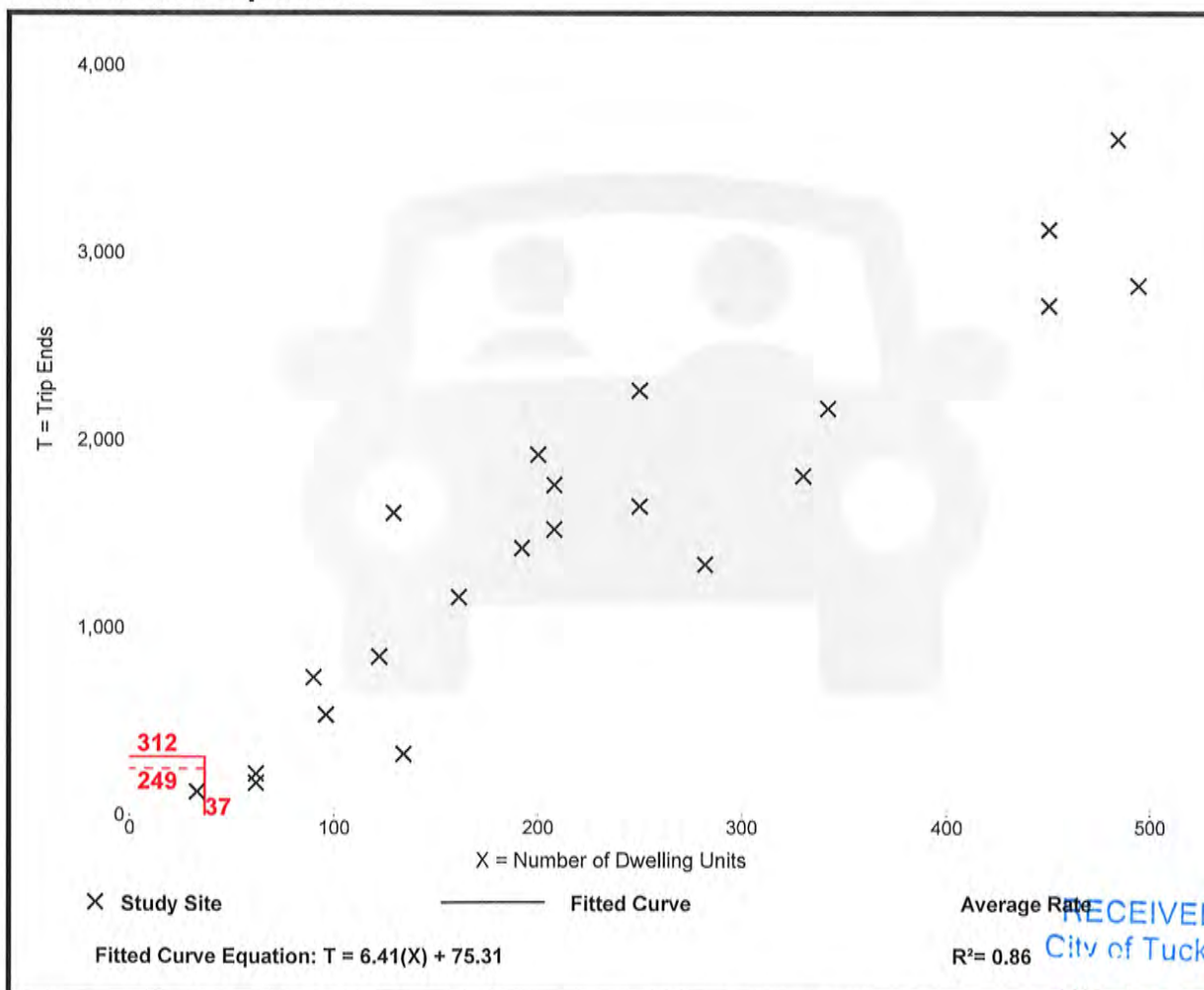
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 22
Avg. Num. of Dwelling Units: 229
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.74	2.46 - 12.50	1.79

Data Plot and Equation



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Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

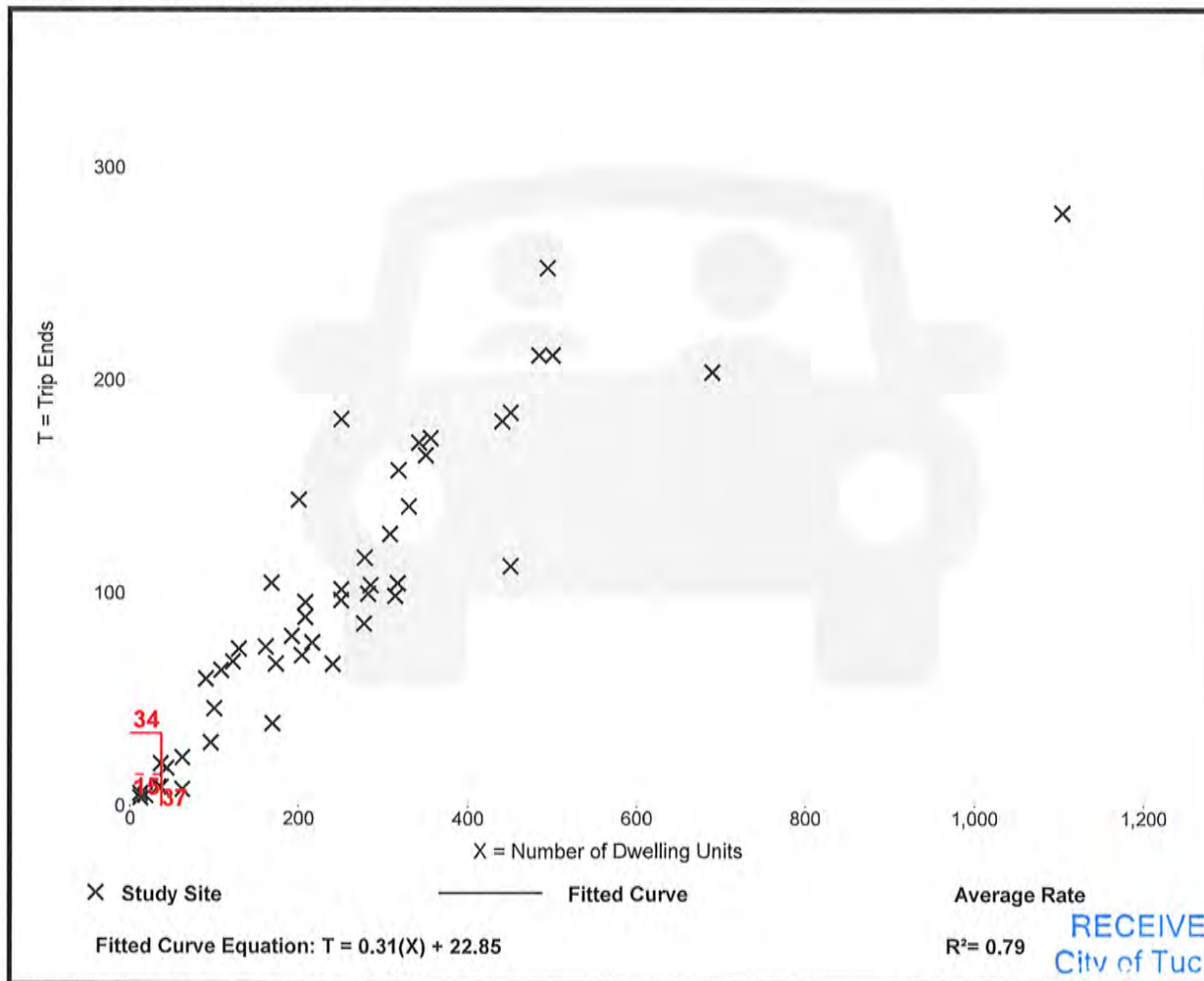
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



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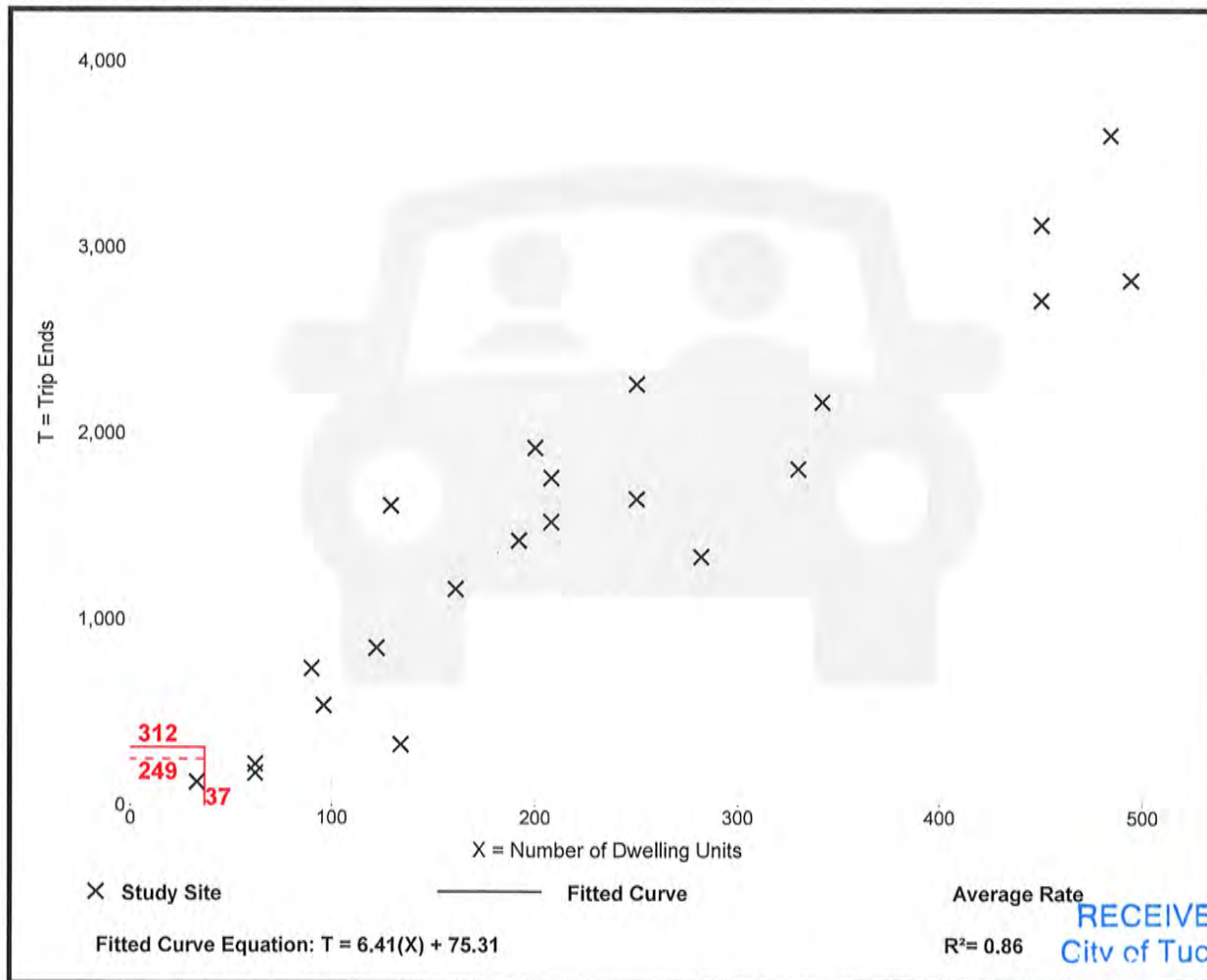
Vehicle Trip Ends vs: Dwelling Units
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Number of Studies: 22
Avg. Num. of Dwelling Units: 229
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Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
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Data Plot and Equation



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JULY 24, 2024

VARIANCE CRITERIA JUSTIFICATIONS
4419 Cowan Rd, Tucker GA



- 1) Variances from the provisions or requirements of this division other than variances described in [section 46-1634](#) shall be authorized only upon making all of the following findings in writing:
- 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.
 - 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.
 - 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.
 - d) The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

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e) The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

2) Response

a) Existing site conditions are an existing building which has stucco finish.

b) The extent of site disturbance and incongruity with the existing façade that will not be demolished, if the new replacement façade must be a different material, would be significant, with a fractured aesthetic that would ultimately look less “together” than to have the replaced portions of demolition match the existing condition of the portions that are preserved.

c) Granting this variance will not cause material detriment to the well-being of the public nor adjacent properties.

d) The literal interpretation and strict application of the applicable provisions would not only create potential for structural instability with the existing structure, having a high potential of water intrusion due to a non-continuous surface material, but a visually fractious and incongruent façade of preserved/non-demolitioned portion of existing exterior clashing with expectant materials prescribed that are not found anywhere on the existing building.

e) The existing building will be brought to a higher usage and productivity for the surrounding area by updating the façade. New avenues of city revenue and affordable new housing

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to support a growing downtown district are key objectives. To best bring the most advantageous results to the city, the exterior façade is being minimally demolished along the long-edges of the building, where the existing office window treatment will be replaced with operable residential windows.

To infill the rebuilt areas around the windows with a materiality that does not match the existing façade is visually clashing, structurally questionable, challenging for water intrusion prevention and needlessly complicated in implementation. Replacing and matching new material with preserved existing material will produce a more seamless construction and better project integration.

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