

GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT &
REGULATORY AFFAIRS

MEMORANDUM

TO: Mayor and City Council
FROM: Planning & Zoning Division
SUBJECT: U21-004, 2220 Jonesboro Road
MEETING DATE: July 14, 2021

Darryl Milam seeks a use permit for hair salon suites located on Jonesboro Road.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

cc: Corey Adams, City Clerk

APPLICATION INFORMATION

Applicant Information:	Darryl Milam 2220 Jonesboro Road Fairburn, GA 30213 Unit 100 & 101A
Status of Applicant:	Owner of the business.
City Council District(s):	District 7
Parcel ID Number:	13 0196LLO644
Area of Property:	3.72 Acres
Current/Past Use of the Property:	Hair Salon Suites
Prior Zoning Cases/History:	2005 Z-0121 AG-1 to C-1, APPROVED
Surrounding Zoning:	<u>South</u> : Fayette County <u>North</u> : C-1 (Limited Commercial District) and R-3 (Single Family Dwelling District) <u>East</u> : C-1 (Limited Commercial District) <u>West</u> : C-2 (General Commercial District)
2035 Future Land Use Designation:	<u>Character Type</u> : Community Live-Work <u>Land Uses</u> : Community Live Work, Public, Semi-Public & Institutional, Open Space <u>Zonings</u> : MIX, C-1, C-2, O-I
Compatibility to the Fulton County 2035 Comprehensive Plan:	Yes. The proposal is part of a commercial development as the Community Live-Work category is intended. A Future Land Use amendment is not necessary.
Overlay District:	Old National
Public Utilities:	Water service is provided to these sites by City of Atlanta.
	Sewer Service is provided by Fulton County
Public Services:	Police and fire services are available to the site by the City of South Fulton.

Transportation:

Street: Roosevelt Highway

Classification: Minor Arterial State Road

Public Transit: The address is served by MARTA bus service located on Jonesboro Road and Albania Drive.

Bike/Pedestrian Access: Sidewalks exist along the development frontage on Jonesboro Road & Old National Hwy.

Parking Required (Retail/Service Stations): Parking Required: 15 spaces

Parking Proposed: 15 spaces

MAPS

City of South Fulton Zoning and Aerial Map:

(see attached)

Proposed Site Plan:

(see attached)

PUBLIC PARTICIPATION

Petitioner has scheduled their meeting for June 10, 2021. The report is forthcoming.

USE PERMIT STANDARDS FOR A HAIR SALON

1. The C-1 District is intended to provide locations in which neighborhood and community-oriented retail and service activities conclude a transition, or land areas which compliment a transition into a more intense activity area.
-

USE PERMIT CONSIDERATIONS

Staff is including the specific considerations for a use permit to be granted in an effort to assist City officials in considering the application and its merits. In granting such permits, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors to ameliorate the effects of the proposed development/use. These considerations include:

1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by Mayor and Council;

Yes. The hair salon is a commercial use along an active corridor as the Community Live-Work category is intended which the hair salon suites aligns with.

2. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;

Yes. The subject parcel is zoned C-1 (Limited Commercial District). The surrounding areas are also commercial uses.

3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;

No. The property does not violate local, state, or federal statutes.

4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;

None. The proposed use will have negligible effect on traffic flow along Jonesboro Road and Old National Highway and surrounding streets.

5. The location and number of off-street parking spaces;

The code requires 15 spaces based on the square footage of his business. The site plan shows 15 available parking spaces.

6. The amount and location of open space;

The proposed salon will be in an existing commercial building which has open space.

7. Protective screening;

The proposed hair salon does not require screening; however, the development has a substantial setback off Jonesboro Road and Old National Highway. All commercial spaces face the interior of the property.

8. Hours and manner of operation;

Monday-Sunday 6:00am-8:00pm

9. Outdoor lighting;

The parcel is currently served by outdoor lighting within the commercial development.

10. Ingress and egress to the property;

The subject property currently has two means of ingress and egress on the Jonesboro Road and Old National Highway street frontage.

STAFF COMMENTS

Engineering: Engineering was invited to the pre-application meeting before the application was submitted and provided comments at that time.

Environmental: Requested information, none provided.

Public Works: Requested information, none provided.

Transportation: The traffic engineer was invited to the pre-application meeting before the application was submitted and provided comments at that time.

MARTA: Requested information, none provided.

Fulton County Health Department: Requested information, none provided.

Fulton County Schools: Requested information, N/A.

Fire: The Fire Marshall was invited to the pre-application meeting before the application was submitted and provided comments at that time.

Legal: Requested information, none provided.

PLANNER'S RECOMMENDATION

Currently there is 1 registered hair salon on Old National Hwy approximately .24 miles from the proposed hair salon suites.

Hair salons are an allowed use in the C-1 zoning district and within the Comprehensive Land Use Plan. The hair salon fits the character of the area and will not present a burden for neighboring properties.

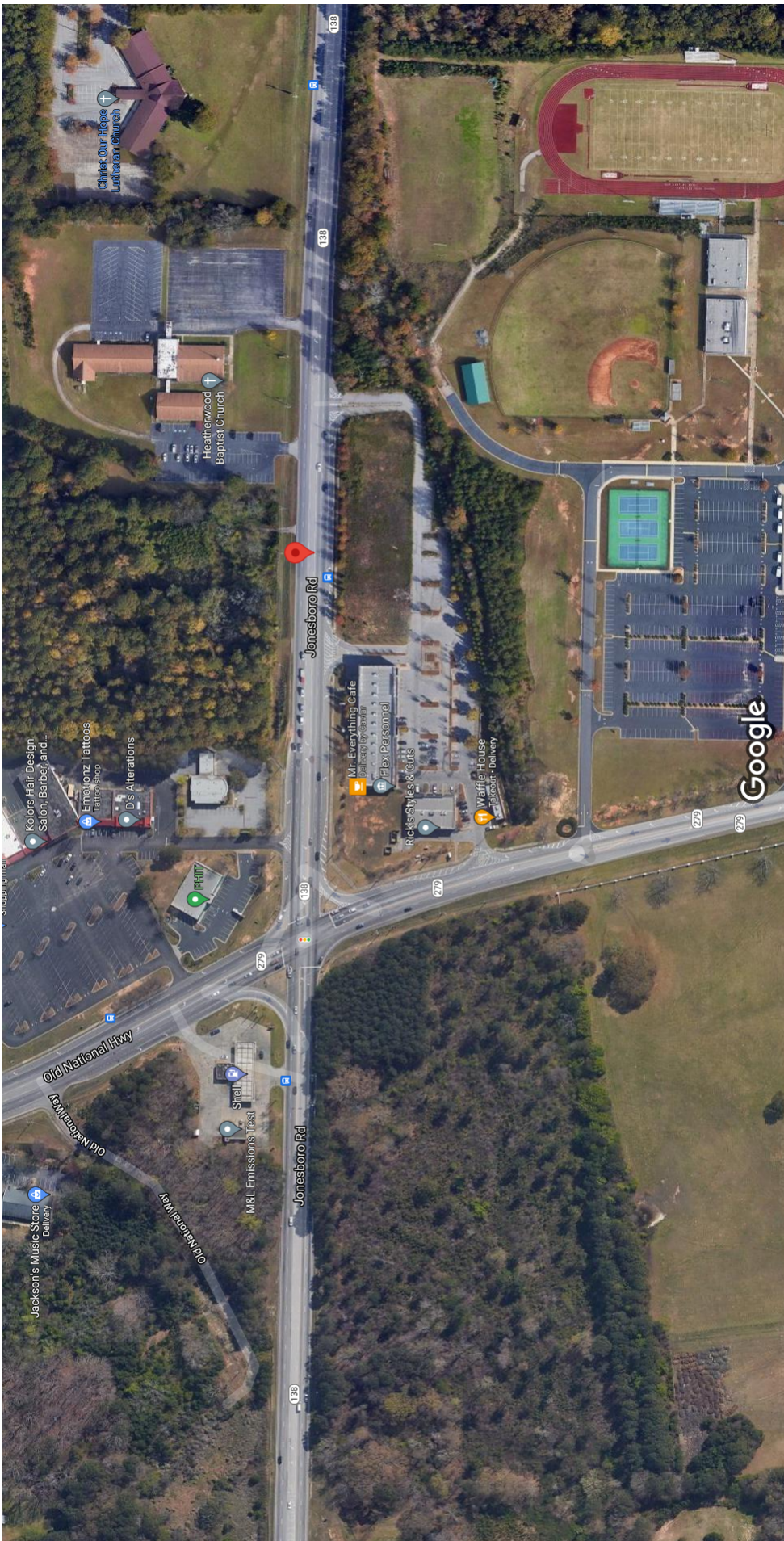
Staff Recommendation **APPROVAL**

PLANNING COMMISSION RECOMMENDATION

At the June 15, 2021 Planning Commission meeting, the board recommended Approval.

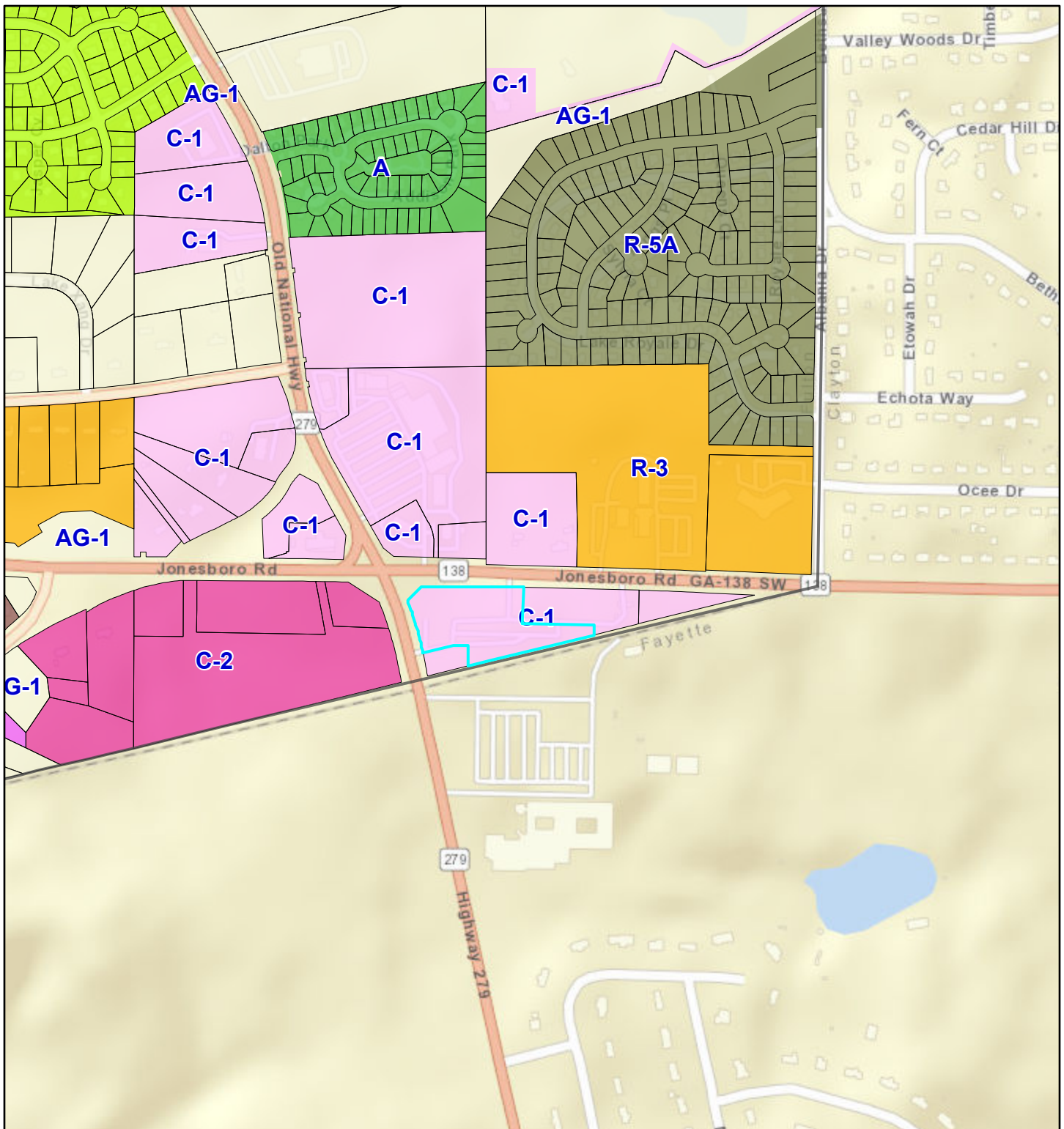
PREPARED BY: Dana Gray, Planner

REVIEWED BY: Nathan Mai-Lombardo, Planning and Zoning Administrator
Shayla Reed, Director, CDRA



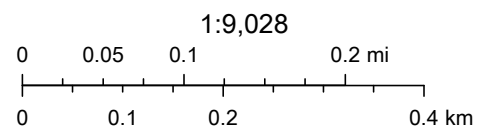
Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 100 ft

COSF ArcGIS Web Map



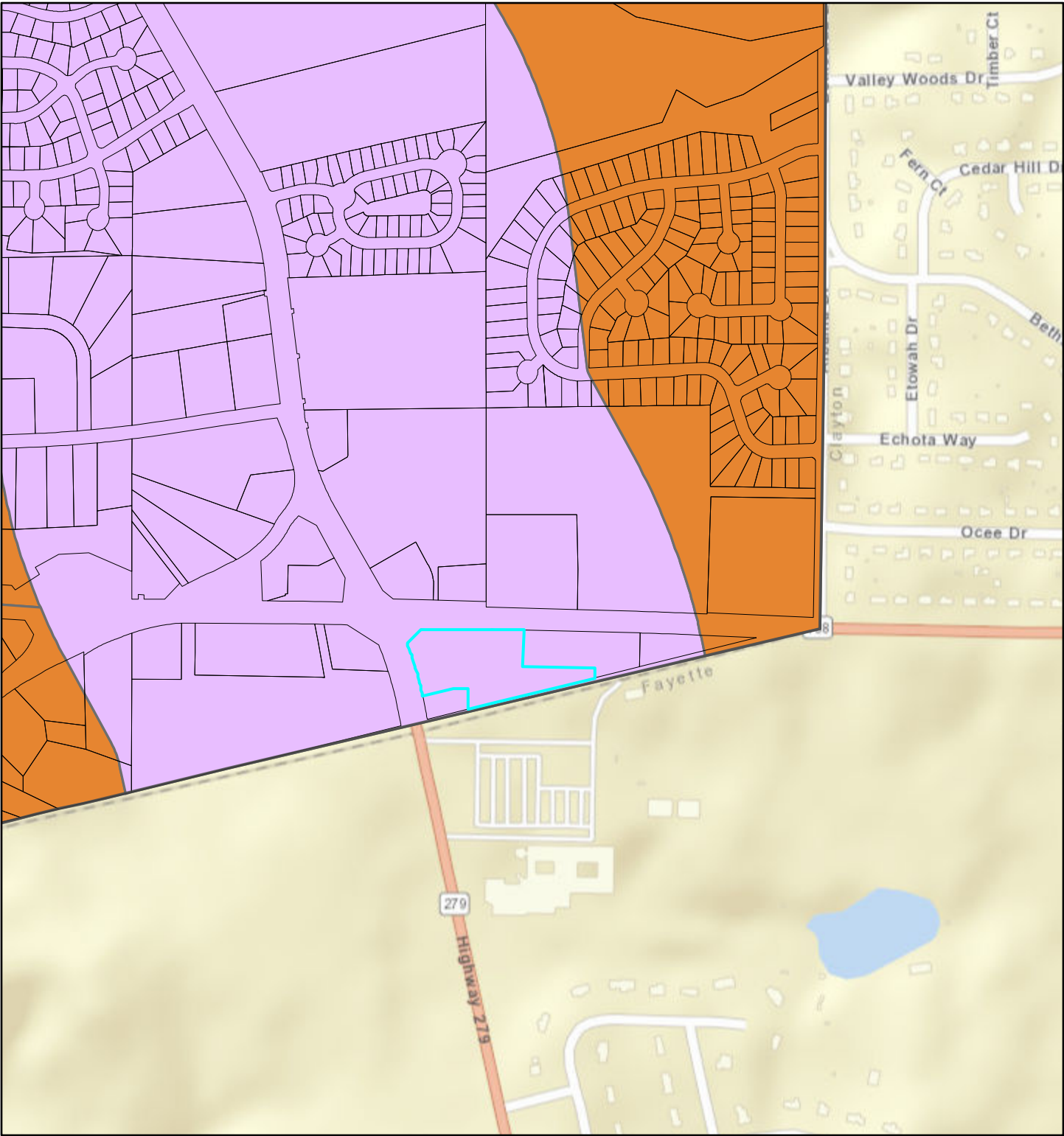
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- | | |
|------------------------------|-------------------------------|
| City Limits | C-2 (General Commercial) |
| Tax Parcels from County | MIX (Mixed Use) |
| Current Zoning | |
| A (Medium Density Apartment) | R-3 (Single Family Dwelling) |
| AG-1 (Agricultural) | R-5A (Single Family Dwelling) |
| C-1 (Limited Commercial) | R-6 (Single Family Dwelling) |
| O-I (Office & Institutional) | |







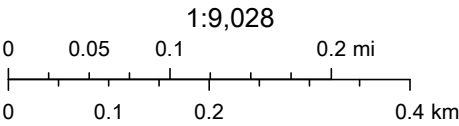
Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

COSF ArcGIS Web Map



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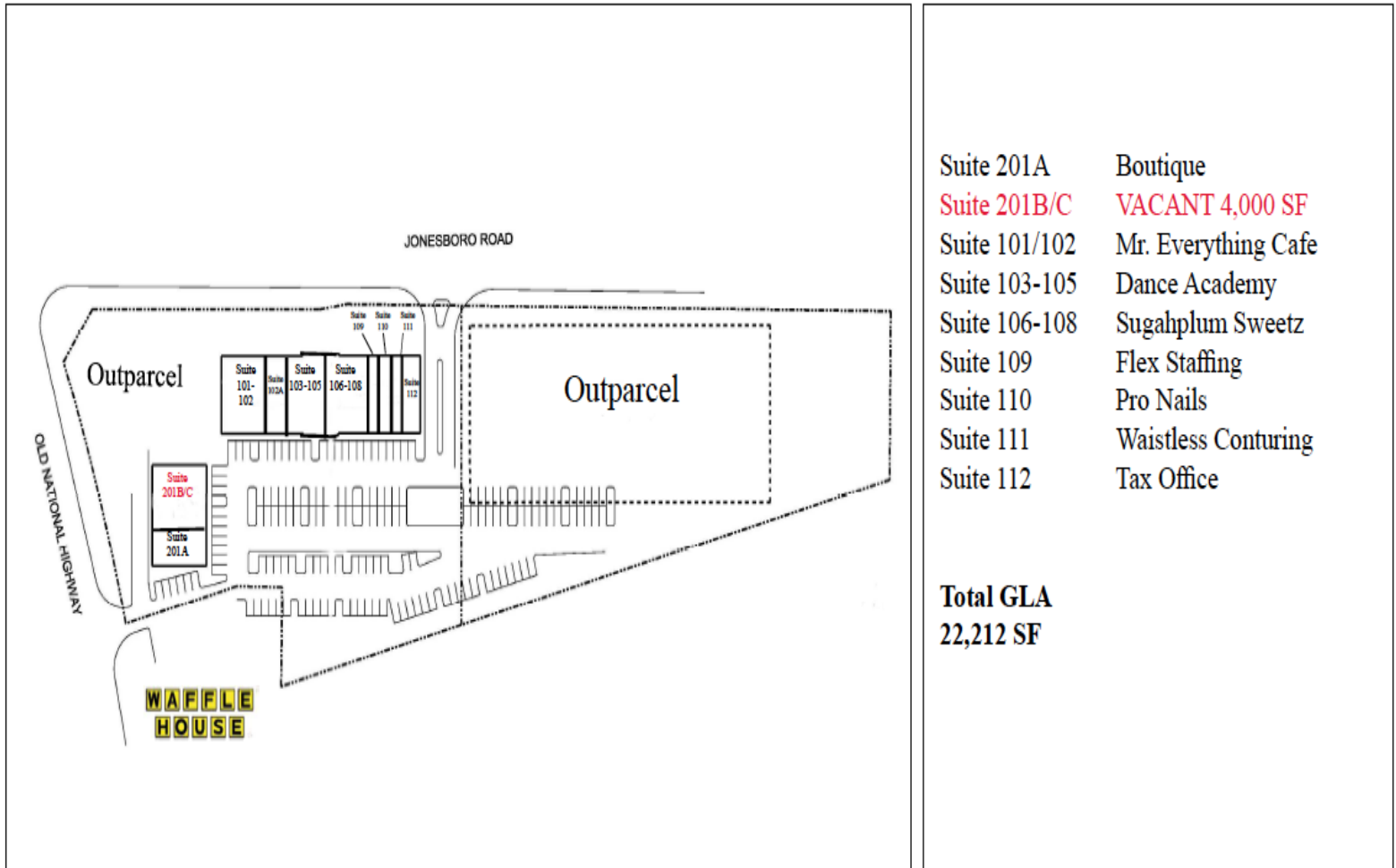
-  City Limits
-  Tax Parcels from County
- 2035 Future Land Use**
-  Community Live Work
-  Suburban II Neighborhood



Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

Bonds Salon Suites

Site Plan 2220 Jonesboro Rd. Fairburn GA.



Parking spaces for the site is 243 actual spaces. Of the 243 parking spaces Bonds Salon Suites will utilize 60-65 parking spaces. Bonds Salon Suites will use approximately 1/4th of the available parking spaces.





CITY OF SOUTH FULTON

REZONING & USE PERMIT APPLICATION PACKAGE



APPLICANT'S CHECKLIST

DOCUMENTS AND QUANTITIES REQUIRED

**ALL ITEMS ARE DUE AT THE TIME OF FILING.
INCOMPLETE APPLICATIONS WILL NOT BE
ACCEPTED.**

Applications will not be accepted after 3:00 PM on each due date.

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK ✓
1.	Pre-Application Review Form	1 original and 2 copies	✓
2.	Site Plan Checklist	1 original and 1 copy	✓
3.	Application Form	1 original and 2 copies; plus 1 additional copy if project includes a DRI or MARTA review	✓
4.	Legal Description (8½" x 11")	4 copies	✓
5.	Deed	2 copies	✓
6.	Letter of Intent (8½" x 11")	9 copies; plus 1 additional copy if project includes a DRI or MARTA review	✓
7.	Site Plan	9 copies; plus 1 additional copy if project includes a DRI or MARTA review	✓
8.	Environmental Site Analysis	3 copies	
9.	Impact Analysis (8½" x 11")	3 copies	✓
10.	Disclosure Form(s)	2 copies	✓
11.	Public Participation Plan	2 copies	✓
12.	Public Participation Report	2 copies (see schedule for due date)	
THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.			
13.	Adjacent Property Owner List	1 copy	
14.	Traffic Impact Study	3 copies	N/A
15.	Metropolitan River Protection	2 copies	N/A
16.	Development of Regional Impact Review Form (DRI)	2 copies	N/A
17.	Environmental Impact Report	3 copies	N/A
18.	Noise Study Report	3 copies	N/A
19.	Jump /Thumb drive containing the complete application	1 drive	✓

APPLICATION REQUIREMENTS

ALL APPLICATION SUBMITTALS MUST BE DONE IN PERSON AT 5440 FULTON INDUSTRIAL BOULEVARD BETWEEN 8:30 A.M. AND 3:00 P.M. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.



APPLICATION FOR REZONING & USE PERMIT

City of South Fulton Community Development and Regulatory Affairs
City of South Fulton City Hall
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

DATE: 4-3-2021

TAX PARCEL IDENTIFICATION NUMBER(S): _____

SECTION I

REZONING REQUEST

Office use only:

ZONING CASE #: _____ ROAD FRONTAGE: _____

PROPERTY ADDRESS (if available): _____

The undersigned, having an interest in the property herein described, respectfully petitions that said property be rezoned from _____ to _____

Existing Zoning(s)

Proposed Zoning(s)

SECTION II

USE PERMIT REQUEST

Office use only:

USE PERMIT CASE # _____ ROAD FRONTAGE: _____

Under the provisions of Article XIX of the Zoning Resolution, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: C-1 (2220 Jonesboro Rd. Fairburn GA 30213 unit 100A 101A)

USE PERMIT REQUEST: LV P.C.I. Holding Inc. is Requesting a Special Use Permit For Bonds Salon Suites For Cosmetology Services

SECTION IV

OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- If you are the sole owner of the property and not the petitioner complete Part 1.
- If you are the petitioner and not the sole owner of the property complete Part 2.
- If you are the sole owner and petitioner complete Part 1.
- If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

OLD NATIONAL RETAIL CENTER, LLC %
TYPE OR PRINT OWNER'S NAME

1303 HIGHTOWER TRAIL SUITE 201
ADDRESS

ADDRESS

ATLANTA, GA. 30350
CITY & STATE

CITY & STATE

ZIP CODE

OWNER'S SIGNATURE

SMAXE@HALERETAILGROUP.COM
EMAIL ADDRESS

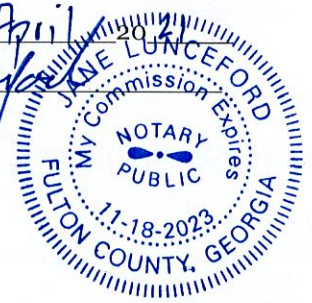
Sworn to and subscribed before me this the

19th Day of April 2021

NOTARY PUBLIC

770-594-1309
PHONE NUMBER

PHONE NUMBER



PART 2.

Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME

ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

EMAIL ADDRESS

Sworn to and subscribed before me this the

Day of 20

NOTARY PUBLIC

PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

EMAIL ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER

Deed Book 59215 Pg 430
Filed and Recorded Sep-10-2018 02:16pm
2018-0246719
Real Estate Transfer Tax \$1,575.00
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

After recording, return to:

HIPES & BELLE ISLE
178 S Main St Suite 250
Alpharetta, GA 30009

LIMITED WARRANTY DEED

THIS INDENTURE is made this 22nd day of August, 2018, between **OLD NATIONAL, LP**, a Texas limited partnership (hereinafter referred to as "Grantor"), and **OLD NATIONAL RETAIL CENTER LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee"), ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all those tracts or parcels of land lying and being in Land Lot 197, 13th District, of Fulton County, Georgia, being more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein (hereinafter, the "Land").

TO HAVE AND TO HOLD the Land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor, except for claims arising under or by virtue of the Permitted Exceptions attached hereto as Exhibit "B" and hereby incorporated by reference.

Deed Book 59215 Pg 431

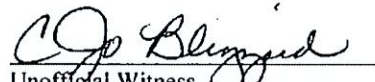
IN WITNESS WHEREOF, the said Grantor has signed and sealed this deed, as of the day and year above written.

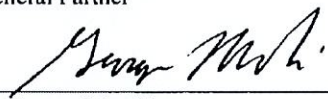
GRANTOR:

Signed, sealed and delivered
in the presence of:

Old National, LP, a Texas limited partnership

By: GEM Operating Partners, LLC, a Texas limited
liability company
Its: General Partner


Unofficial Witness

By:  (Seal)
George Murchison
Managing Member


Notary Public
My Commission Expires: 11/19/19

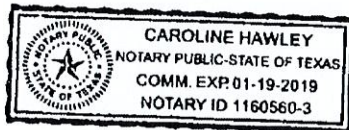


EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 197, 13th District, Fulton County, Georgia and being more particularly described as follows: BEGINNING at a point located at the northeasterly mitered corner of the easterly right-of-way of Georgia Highway 279 a/k/a Old National Highway (having a variable right-of-way) and the southerly right-of-way of Georgia Highway 138 a/k/a Jonesboro Road (having a variable right-of-way), thence leaving said point and running with the said right-of-way of Georgia Highway 138 south 89 degrees 01 minutes 25 seconds east 277.74 feet to a point; thence north 82 degrees 55 minutes 33 seconds east, 33.87 feet to a point; thence south 88 degrees 30 minutes 17 seconds east, 665.10 feet to a point; thence leaving the aforesaid right-of-way of Georgia Highway 138 south 01 degrees 29 minutes 43 seconds west, 155.00 feet to a point on the apparent County Line between Fulton County, Georgia and Fayette County, Georgia; thence with the said apparent County Line south 76 degrees 37 minutes 43 seconds west, 938.19 feet to a broken concrete monument found on the aforesaid right-of-way Georgia Highway 279; thence leaving the aforesaid apparent County Line and running with the aforesaid right-of-way of Georgia Highway 279 north 12 degrees 54 minutes 43 seconds west, 76.70 feet to a ½ inch rebar found; thence 278.83 feet along the arc of a curve deflecting to the left, having a radius of 1,956.62 feet and a chord bearing and distance of north 16 degrees 16 minutes 37 seconds west, 278.59 feet to a point located at aforesaid mitered corner; thence across the said miter, north 36 degrees 57 minutes 09 seconds east, 59.62 feet to a point and the POINT OF BEGINNING, containing 268,724 square feet or 6.1691 acres of land, more or less. Said property containing 6.1691 acres as shown on ALTA/ASCM Survey for Tigor Title Insurance Company, et al, by Terra Mark Professional Land Surveying, certified by Paul B. Cannon, GRLSN 2928, dated May 31, 2007, last revised March 11, 2008. LESS AND EXCEPT property described in that certain Limited Warranty Deed from Odyssey (VT) Commercial DP III, LLC to WH Capital, LLC., dated and filed October 10, 2008 in Deed Book 47259, Page 303, Fulton County, Georgia Records.

Deed Book 59215 Pg 433

EXHIBIT "B"

1. All taxes and special assessments, including water, sanitary and other utility bills, for the year 2018 and subsequent years, which are not yet due and payable, together with any and all taxes and special assessments which may become due and payable for the current or previous years, due to, but not limited to, reassessments, rebillings, or errors by tax officials or their agents.
2. Right of Way Deed from Nakato, Inc. to Department of Transportation, dated June 3, 1986, filed July 8, 1986, recorded in Deed Book 10197, Page 187, Fulton County, Georgia Records.
3. Sewer Easement from the Most Reverend John F. Donoghue D.D. as Archbishop of the Roman Catholic Archdiocese of Atlanta and/or his Successors in Office to Fulton County, dated June 8, 2000, filed August 3, 2000, recorded in Deed Book 29333, Page 419, aforesaid records.
4. Restrictive Covenants contained in Limited Warranty Deed from Catholic Education of North Georgia, Inc. f/k/a Catholic School Properties, Inc. to Old National Station, LLC, dated June 1, 2006, filed June 12, 2006, recorded in Deed Book 42779, Page 561, aforesaid records.
5. Indemnification Agreement contained in Affidavit of Corporate Ownership by Old National Station, LLC, dated October 4, 2006, filed December 5, 2006, recorded in Deed Book 44002, Page 235, aforesaid records.
6. Right of Way Deed from Old National Station, LLC to Department of Transportation, dated April 19, 2007, filed April 20, 2007, recorded in Deed Book 44860, Page 1, aforesaid records; Corrective Right of Way Deed, dated June 29, 2007, filed July 3, 2007, recorded in Deed Book 45297, Page 561, aforesaid records.
7. Sanitary Sewer Easement from Old National Station, LLC to Catholic Education of North Georgia, Inc. f/k/a Catholic School Properties, Inc., dated June 7, 2007, filed July 3, 2007, recorded in Deed Book 45297, Page 565, aforesaid records.
8. Easement Agreement from Odyssey (VI) Commercial DP III, LLC to Atlanta Gas Light Company, dated March 28, 2008, filed April 24, 2008, recorded in Deed Book 46648, Page 626, aforesaid records.
9. Declaration of Easements, Covenants and Restrictions by Odyssey (VI) Commercial DP III, LLC as Declarant, dated and filed October 10, 2008, recorded in Deed Book 47259, Page 280, aforesaid records; as affected by Consent and Joinder between Branch Banking and Trust Company and Odyssey (VI) Commercial DP III, LLC, dated as of October 10, 2008, filed October 10, 2008,

Deed Book 59215 Pg 434
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

recorded in Deed Book 47259, Page 299, aforesaid records; as further affected by Quitclaim Deed Transfer of Declarant Rights from Atlas GA II SPE, LLC to Old National, LP, dated as of March 13 2012, filed March 21, 2012, recorded in Deed Book 51013, Page 578, aforesaid records.

10. All matters shown and recited on the following Surveys:

A. Initial Design for Premise Equity Partners, LLC by Jeffrey D. Geurian, Georgia Registered Land Surveyor (CEI Engineering Associates, Inc.), dated February 23, 2007. (Exception is made for any line variances shown on this Survey.)

B. Final Plat for Odyssey (VI) Commercial DP III, LLC, dated May 22, 2008, filed July 7, 2008, recorded in Plat Book 339, Page 122, aforesaid records.

C. Plat for Old National, LP by Charles W. Loveless, Georgia Registered Land Surveyor (Survey Systems & Assoc., Inc.), dated February 27, 2012, last revised April 28, 2016, filed July 26, 2016, recorded in Plat Book 391, Page 147, aforesaid records.

D. ALTA/NSPS Land Title Survey Prepared For M4 Capital Investments, LLC, Old Republic National Title Insurance Company, & Branch Banking and Trust Company By Survey Systems & Assoc., Inc., dated February 27, 2012, last updated July 12, 2018.

Deed Book 59215 Pg 435
Filed and Recorded Sep-10-2018 02:16pm
2018-0246720
Real Estate Transfer Tax \$0.00
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

After recording, return to:

HIPES & BELLE ISLE
178 S Main St Suite 250
Alpharetta, GA 30009

QUITCLAIM DEED

THIS INDENTURE, made effective this 22nd day of August, 2018, between **OLD NATIONAL, LP**, a Texas limited partnership (hereinafter referred to as "Grantor"), and **OLD NATIONAL RETAIL CENTER LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quit-claim to Grantee all the right, title interest, claim or demand which the Grantor has or may have had in and to the following described real property, to wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 197 OF THE 13TH DISTRICT, FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE THERETO.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the Grantee, so that neither the said Grantor, nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

Deed Book 59215 Pg 436

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed the day and year above written.

Signed, sealed and delivered
in the presence of:

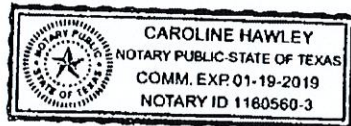
Old National, LP, a Texas limited partnership

By: GEM Operating Partners, LLC, a Texas limited
liability company
Its: General Partner

Jo Blizard
Unofficial Witness

Caroline Hawley
Notary Public
My Commission Expires: 1/19/19

By: *George Murchison* (Seal)
George Murchison
Managing Member



Deed Book 59215 Pg 437
CATHELINE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT A

(NEW SURVEY LEGAL DESCRIPTION)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 197 OF THE 13TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR IN CAP LOCATED AT THE NORTHEASTERLY MITERED CORNER OF THE EASTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 279 A/K/A OLD NATIONAL HIGHWAY (HAVING A VARIABLE RIGHT-OF-WAY) AND THE SOUTHERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 138 A/K/A JONESBORO ROAD (HAVING A VARIABLE RIGHT- OF-WAY), THENCE LEAVING SAID POINT AND RUNNING WITH THE SAID RIGHT-OF-WAY OF GEORGIA HIGHWAY 138, SOUTH 89 DEGREES 01 MINUTES 25 SECONDS EAST 277.74 FEET TO A REBAR SET; THENCE NORTH 82 DEGREES 55 MINUTES 33 SECONDS EAST, 33.87 FEET TO A REBAR SET; THENCE SOUTH 88 DEGREES 30 MINUTES 17 SECONDS EAST, 665.10 FEET TO A 1/2" REBAR; THENCE LEAVING THE AFORESAID RIGHT-OF-WAY OF GEORGIA HIGHWAY 138 AND RUNNING SOUTH 01 DEGREES 29 MINUTES 43 SECONDS WEST, 155.00 FEET TO A 1/2" REBAR ON THE APPARENT COUNTY LINE BETWEEN FULTON COUNTY, GEORGIA AND FAYETTE COUNTY, GEORGIA; THENCE WITH THE SAID APPARENT COUNTY LINE SOUTH 76 DEGREES 37 MINUTES 43 SECONDS WEST, 767.74 FEET TO A REBAR SET; THENCE LEAVING APPARENT COUNTY LINE AND RUNNING NORTH 01 DEGREES 29 MINUTES 43 SECONDS EAST, 91.22 FEET TO A REBAR SET; THENCE NORTH 88 DEGREES 30 MINUTES 17 SECONDS WEST, 55.91 FEET TO A REBAR SET; THENCE SOUTH 76 DEGREES 37 FEET 43 SECONDS WEST, 138.84 FEET TO A REBAR SET ON THE AFORESAID RIGHT-OF-WAY GEORGIA HIGHWAY 279; THENCE RUNNING WITH THE AFORESAID RIGHT-OF-WAY OF GEORGIA HIGHWAY 279, ALONG THE ARC OF A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 1956.62 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 16 DEGREES 16 MINUTES 37 SECONDS WEST, 278.59 FEET TO A REBAR IN CAP LOCATED AT AFORESAID MITERED CORNER; THENCE ACROSS THE SAID MITER, NORTH 36 DEGREES 57 MINUTES 09 SECONDS EAST, 59.62 FEET TO A REBAR IN CAP AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 250,316 SQUARE FEET OR 5.746 ACRES, BEING KNOWN AS 2220 JONESBORO ROAD, ATLANTA, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AND SHOWN ON ALTA/NSPS LAND TITLE SURVEY PREPARED FOR M4 CAPITAL INVESTMENTS, LLC, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, & BRANCH BANKING AND TRUST COMPANY BY SURVEY SYSTEMS & ASSOC., INC., DATED FEBRUARY 27, 2012, LAST UPDATED JULY 12, 2018.



IMPACT ANALYSIS FORM B

Applicant: Bonds Salon Suites

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? Bonds Salon Suites believes that our business model is compatible with the existing businesses in the area.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? We believe Bonds Salon Suites will add great value in the area and drive business to existing businesses.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? Our business model will increase foot traffic by 800-1000 customers per week
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? We do not anticipate any disruptions with offering our business model, as our salon professionals operate by appointments only.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? Yes, we are compatible because the space is designed for commercial use already
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? We do not forecast any negative impact as a result of our business model. We are working diligently with the property owners to ensure the same.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton? No, our business model operate using the most modern features and building materials to secure a safe environment.

Attach additional sheets as needed.

Business Owners

Fwd: Shoppes At Old National Plaza

1 message

James Carver <jc180inv@gmail.com>
To: Darryl <darryl.beautybybonds@gmail.com>

Thu, Apr 15, 2021 at 11:30 AM

----- Forwarded message -----

From: **Steve Maxey** < >
Date: Thu, Apr 15, 2021 at 11:30 AM
Subject: Fwd: Shoppes At Old National Plaza
To: James Carver < >

Sent from my iPhone

Begin forwarded message:

From: Sugah Plum < >
Date: April 15, 2021 at 11:22:35 AM EDT
To: Steve Maxey < >
Subject: Shoppes At Old National Plaza

Hi Steve

This note is to provide some feedback in regards to the new tenant BOND. As a business owner in the plaza for over 8 yrs I welcome BOND to the plaza as they will bring additional "traffic " and awareness to the other businesses. Having a salon suite with multiple stylists focusing on different skills in the beauty industry will definitely draw an more upscale audience in which is welcomed. I'm excited to have them as my "neighbor ".

--

Thanks,
Khaleema Julian
Certified Wedding/Event Planner
Professional Bridal Consultant
Member of the Association of Bridal Consultants

SugahPlum Events & Designs
Shoppes At Old National

&107

Fairburn,GA 30213

Office: 678.856.6852

website:

Facebook: SugahPlum Events Inc.

Instagram: sugahplumevents

BUSINESS OWNER

Fwd: FW: Bonds Salon Suites

Message

James Carver <jc180inv@gmail.com>
To: Darryl <darryl.beautybybonds@gmail.com>

Thu, Apr 15, 2021 at 10:01 AM

----- Forwarded message -----

From: **Steve Maxey** < >
Date: Thu, Apr 15, 2021 at 9:47 AM
Subject: FW: Bonds Salon Suites
To: James Carver < >

-----Original Message-----

From: alicia batten < >
Sent: Thursday, April 15, 2021 9:46 AM
To: Steve Maxey < >
Subject: Bonds Salon Suites

To whom this may concern;

As a business owner at Old National Shopping Plaza, I believe Bonds Salon Suites would bring value to our shopping plaza and the community.

Thank you,

Alicia Batten

Sent from my iPhone

Business Owner

Fwd: FW: Letter of reference

message

James Carver <jc180inv@gmail.com>
To: Darryl <darryl.beautybybonds@gmail.com>

Thu, Apr 15, 2021 at 2:33 PM

----- Forwarded message -----

From: **Steve Maxey** < >
Date: Thu, Apr 15, 2021 at 2:32 PM
Subject: FW: Letter of reference
To: James Carver < >

From: Djana Bell < >
Sent: Thursday, April 15, 2021 2:31 PM
To: Steve Maxey < >
Subject: Letter of reference

To Whom It May Concern,

I am the owner of Norma's Academy of Dance and have been a tenant at the Shoppes on Old National for more than 7 years. NAOD is an established Atlanta business of 49 years, we relocated to the center because of the opportunity for growth. There have been many businesses that have come and gone from the center but we have remained along with Mr. Everything's restaurant.

At the present time during Covid-19, Rick's barber shop was forced to close for obvious reasons. Since that time Mr. Steve Maxey has worked diligently to procure another business that would continue to benefit the steady growth and exposure of the center. I am very familiar with Bonds Salon Suites because I am a Native Atlantan that grew up in the Cascade area, where their present suites are located. I feel that if they are able to join our community it would be beneficial to all of the businesses involved. I am excited to know that when

leasing the spaces at the center, management considers present tenants as well as the type of businesses added to our community. It is very important for all of us to compliment each other allowing all of our businesses to thrive.

Sincerely,

Djana Bell

Norma's Academy of Dance

Artistic Director



DISCLOSURE REPORT FORM C

Office use only:

REZONING PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/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 a member of City Council.

CIRCLE ONE: YES NO

If the answer is YES, proceed to sections 1 through 4.
If the answer is NO, complete only section 4.

1. CIRCLE ONE: Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
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: _____

3. CAMPAIGN CONTRIBUTIONS:

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

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

Name (print) Danail Milan

Signature: [Signature] Date: April 15th, 2021

[illegible]

**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: 244 PCI Holding INC.
DRA Bonds Salon Suites

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the City of South Fulton Zoning Ordinance:
Bonds Salon Suite will notify ANY AND EVERYONE
who has a vested interest with the SPECIAL USE
PERMIT FOR Bonds Salon Suites. Bonds intends
to send MAIL NOTICES via United State Postal Service
inviting everyone to A ZOOM meeting & the scheduled time
2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)
Bonds Salon Suite intend to MAIL Rezoning & on
SPECIAL USE Permit to All individuals Regarding this
Matter.
3. Individuals and others listed in 1. above will be allowed to participate in the following manner:
(At least one meeting at a convenient time and location is required.)
Bonds Salon Suites will set up a ZOOM call meeting
At a time that is convenient to All parties who
will participate in this matter.

Attach additional sheets as needed.

PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the Fulton County Zoning Resolution.

Staff signature:

Marissa Jackson

Date:

April 16, 2021

Planning Division

Community Development and Regulatory Affairs

Staff printed name:

MARISSA JACKSON

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the City of South Fulton Zoning Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature:

Danell Miken

Date:

April 15, 2021

Applicant printed name:

Danell Miken

EXHIBIT A
LEGAL DESCRIPTION OF THE SHOPPING CENTER

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 197, 13th District, Fulton County, Georgia and being more particularly described as follows:
BEGINNING at a point located at the northeasterly mitered corner of the easterly right-of-way of Georgia Highway 279 a/k/a Old National Highway (having a variable right-of-way) and the southerly right-of-way of Georgia Highway 138 a/k/a Jonesboro Road (having a variable right-of-way), thence leaving said point and running with the said right-of-way of Georgia Highway 138 south 89 degrees 01 minutes 25 seconds east 277.74 feet to a point; thence north 82 degrees 55 minutes 33 seconds east, 33.87 feet to a point; thence south 88 degrees 30 minutes 17 seconds east, 665.10 feet to a point; thence leaving the aforesaid right-of-way of Georgia Highway 138 south 01 degrees 29 minutes 43 seconds west, 155.00 feet to a point on the apparent County Line between Fulton County, Georgia and Fayette County, Georgia; thence with the said apparent County Line south 76 degrees 37 minutes 43 seconds west, 938.19 feet to a broken concrete monument found on the aforesaid right-of-way Georgia Highway 279; thence leaving the aforesaid apparent County Line and running with the aforesaid right-of-way of Georgia Highway 279 north 12 degrees 54 minutes 43 seconds west, 76.70 feet to a 1/2 inch rebar found; thence 278.83 feet along the arc of a curve deflecting to the left, having a radius of 1,956.62 feet and a chord bearing and distance of north 16 degrees 16 minutes 37 seconds west, 278.59 feet to a point located at aforesaid mitered corner; thence across the said miter, north 36 degrees 57 minutes 09 seconds east, 59.62 feet to a point and the POINT OF BEGINNING, containing 268,724 square feet or 6.1691 acres of land, more or less.
Said property containing 6.1691 acres as shown on ALTA/ASCM Survey for Ticor Title Insurance Company, et al, by Terra Mark Professional Land Surveying, certified by Paul B. Cannon, GRLSN 2928, dated May 31, 2007, last revised March 11, 2008.
LESS AND EXCEPT property described in that certain Limited Warranty Deed from Odyssey (VI) Commercial DP III, LLC to WH Capital, LL.C., dated and filed October 10, 2008 in Deed Book 47259, Page 303, Fulton County, Georgia Records.





Bonds Salon Suites Letter Of Intent

To whom it may concern

Bonds Salon Suites is desirous to apply for a "special use permit". Our intent for this application is to signify our plan to open a modern multi-service cosmetology salon concept in the city of South Fulton. We intend to open this modern concept using our current salon suites business model. Our floor plans are comprised of two different salon model sizes, "Model A and Model B". The model "A" plan is sized between 4,000sq. ft.- 5,000sq. ft. and the model "B" plans are sized between 2,500sq. ft.-3,000sq ft. The A model is comprised of 20-22 private suites and the "B" plan offers 14-16 private suites.

Our modern business model also addresses the social distancing mandates of 2020 and beyond to reduce close contact interaction. We have also taken the initiative to be "Covid-19 Compliant" by contracting Covid-19 cleaning professionals to service the new cleaning protocols. Due to the nature of the client traffic count the salon professionals are required to schedule their clients accordingly.

Our modern salon models are designed to facilitate single size and double size private salon suites. This model allows the salon professional a chance to operate their own licensed business entity at a fraction of the cost of owning a full salon. On average each salon professional will service between 35 to 50 clients weekly, with a calculated traffic count of approximately 700-1000 visitors per week. It is our belief that we add great value to the clients visiting Bonds Salon Suites as well as servicing the neighboring businesses in the plaza and beyond.

We currently operate a Bonds Salon Suites located at 3425 Cascade Rd 30311 in the Kroger's shopping plaza, which was established in 2017. Our current business rating is 4.7 out of 5 stars via online search engines with no reported incidents. The Cascade Rd. location is currently 100% tenant occupied with seasoned salon professionals. Thank you for your consideration of this application.

Respectfully,

Darryl Milam
James Carver
Business Owners
Bonds Salon Suites