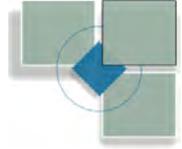




DeKalb County Department of Planning & Sustainability

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Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: September 6, 2022
Board of Commissioners Hearing Date: October 4, 2022

STAFF ANALYSIS

Case No.:	SLUP-22-1245885	Agenda #: N15
Location/ Address:	The east side of Chamblee Tucker Road and the south side of Bolissa Drive at 4046 Chamblee Tucker Road and 3201 Bolissa Drive in Doraville, Georgia.	Commission District: 1 Super District: 7
Parcel ID:	18-286-06-009,18-286-06-020	
Request:	For a Special Land Use Permit (SLUP) to allow a public charter school within the existing buildings formerly owned by Northeast Baptist Church in the R-100 (Residential Medium Lot-100) District, in accordance with Table 4.1, Use Table.	
Property Owner:	Northeast Baptist Church	
Applicant/Agent:	Fugees Family Inc. c/o Janeya Hisle	
Acreage:	.5.16	
Existing Land Use:	Place of Worship	
Surrounding Properties:	Single-Family Residential	
Adjacent Zoning:	North: R-100 South: R-100 East: R-100 West: R-100	
Comprehensive Plan:	SUB (Suburban)	Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>
Proposed Density: NA		Existing Density: NA—
Proposed Units/Square Ft.: To allow a public charter school within the existing buildings formerly owned by Northeast Baptist Church		Existing Units/Square Feet: Place of Worship
Proposed Lot Coverage: NA		Existing Lot Coverage: NA

STAFF RECOMMENDATION: WITHDRAWAL WITHOUT PREJUDICE

The proposed request is to operate a public charter school (middle and high school) out of the two existing church buildings of the Northeast Baptist Church. Based on information submitted by the applicant after the Special Land Use Permit (SLUP) was filed (see attached "*Georgia Fugee Academy Charter School Charter*" and "*Georgia Department of Education QBE Payment Advice*"), the proposed charter school meets state requirements for elementary, middle, and high school education and is funded by a government agency as outlined in the *Zoning Ordinance* definition of "Public School" as follows:

"School, public: A building or group of buildings used for educational purposes, which meets state requirements for elementary, middle, or high school education, and that is funded by a government agency."

"Government Facilities" and "Public Schools" are allowed as permitted uses in all zoning districts without a Special Land Use Permit (SLUP). Therefore, the Planning & Sustainability Department recommends "Withdrawal."

CHARTER FOR GEORGIA FUGEES ACADEMY CHARTER SCHOOL

This charter for Georgia Fugees Academy Charter School (“Charter”) is entered into by and between Georgia Fugees Academy Charter School, Inc., (“Petitioner”) and the State Charter Schools Commission (“SCSC”) (collectively referred to as “the parties”).

WHEREAS, the Petitioner submitted a petition proposing to establish a state charter school pursuant to O.C.G.A. § 20-2-2060 *et seq.*, the Charter Schools Act of 1998 (“Charter Schools Act”) and O.C.G.A. § 20-22084;

WHEREAS, the SCSC finds that the petition complies with the provisions of the Charter Schools Act, and the rules, regulations, policies and procedures promulgated in accordance with O.C.G.A. § 20-2-2063 and O.C.G.A. § 20-2-2084 and further finds that the petition is in the public interest; and

WHEREAS, pursuant to Article 31 and Article 31A of Chapter 2 Title 20 of the Official Code of Georgia Annotated, the SCSC grants this Charter to permit Petitioner to operate Georgia Fugees Academy Charter School (“the Charter School”) in accordance with the terms and conditions of this Charter.

NOW THEREFORE, in consideration of the promises, mutual agreements, and covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Definitions. The terms below will be interpreted in accordance with the following definitions, unless and until federal or state law, or the state accountability system, is amended otherwise:
 - a. **Education Service Provider**: means a nonprofit or for-profit organization that contracts with charter schools to provide multiple educational, operational, or comprehensive management services, including, but not limited to, curriculum design, instructional resources, professional development, financial and operational management, facilities management, or any combination thereof.
 - b. **Georgia Department of Education (GaDOE or Department)**: means the state agency charged with the fiscal and administrative management of certain aspects of K – 12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.
 - c. **Governing Board**: means the governing board of the nonprofit organization for a state charter school and which is the same as the governing board of the state charter school which is involved in school-level governance of the state charter school.
 - d. **Local Educational Agency (LEA)**: means a public authority legally constituted with Georgia for administrative control or direction of public elementary or secondary schools. The Charter School shall act as its own LEA pursuant to O.C.G.A. § 20-2-2090 and SBOE Rule 160-4-9.04, including but not limited to data reporting, student enrollment counting procedures, student achievement reporting, and funding allocations.

e. **School Leader:** means the individual with the highest authority in school administration regardless of title.

f. **State Board of Education (SBOE or State Board):** means the constitutional authority which defines education policy for public K – 12 education agencies in Georgia.

2. **State Charter Term.** The SCSC grants this Charter to Petitioner to operate the Charter School for a five year term beginning on July 1, 2020 and expiring on June 30, 2025.

3. **Grade Range.** The Charter School shall serve grades 6-12. The Charter School's total enrollment shall be at least 115 students but shall not exceed 350 students at any point during the charter term.

4. **Mission Statement.** The mission of GFACS is to level the playing field for refugee and new American students by empowering them to become independent thinkers, high-achieving scholars, and productive citizens.

5. **Essential or Innovative Features.** The Charter School shall utilize a holistic academic program that integrates arts, soccer, and cultural pride with rigorous academic standards, trauma-informed care, and a culturally relevant approach. The Charter School shall have a specific focus on English Language emersion and shall provide wrap around services to its student body.

6. **Open Enrollment and Admissions.** The Charter School shall comply with the open enrollment and admissions provisions set forth in O.C.G.A. § 20-2-2066. Enrollment shall be open to any student in accordance with the following criteria:

a. **Attendance Zone.** Enrollment shall be open to any grade level eligible student who resides in the State of Georgia.

b. **Application.** To be eligible for enrollment at the Charter School, students residing in the attendance zone must submit a timely application to the Charter School in accordance with the deadline set by the Charter School. The Charter School may not use admissions criteria or applications that would not otherwise be used at a traditional public school, including requests for letters of recommendation, essays, resumes, or information regarding a student's school or community activities, grades, test scores, attendance record, or disciplinary history. The Charter School may use applications for the purpose of verifying the student's residence within the school's attendance zone and grade level, provided the application is consistent with SCSC Rule 691-2-.05. The Charter School may gather other relevant information from students after enrollment is determined.

c. **Random Lottery.** If the number of timely applicants received by the Charter School exceeds the capacity of a program, class, grade level, or building, the Charter School shall ensure that such applicants have an equal chance of being admitted through a random selection process in accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05. The Charter School shall not conduct more than one lottery per grade per admissions cycle.

- d. Weighted Lottery. In accordance with O.C.G.A. § 20-2-2066(a)(1)(A), the Charter School shall implement a weighted lottery.
- i. An increased chance of admission will be provided to the following subsets of educationally disadvantaged students with each subset as defined by the State Board in accordance with federal guidelines and regulations:
 1. Students who are economically disadvantaged;
 2. Limited English proficient students;
 - ii. To facilitate the weighted lottery, applicants may indicate their educationally disadvantaged status on the admissions application and the Charter School shall verify this status as part of the registration process.
 - iii. The Charter School shall make good faith efforts to confirm educationally disadvantaged status prior to the lottery, but shall not be required to re-administer the lottery or change a student's lottery status in the event any student's failure to provide appropriate documentation of such status results in a lower or higher percentage of educationally disadvantaged students being accepted into the Charter School.
 - iv. The weight shall be calculated annually with the formula $W = (PA - PE) / (E - PE)$., provided however, the weight shall be no less than 5:1.
 - v. The variables of the weighted lottery formula described above shall be defined as follows:
 1. "P" shall be equal to the percentage of economically disadvantaged students in the local school system in which the Charter School is located as measured by the Governor's Office of Student Achievement for the previous school year. In the event the percentage of economically disadvantaged students in the local school system in which the Charter School is located is more than 50%, P shall not exceed 50%.
 2. "A" shall be equal to the total number of 6th Grade applications from all students.
 3. "E" shall be equal to the number of 6th Grade applications from students who qualify as educationally disadvantaged.
 - vi. Upon the request of Petitioner after the second year of Weighted Lottery implementation, the SCSC agrees to review and consider revisions to this provision to confirm its efficacy based on the Petitioner's current student enrollment.
- e. Statutory Enrollment Priorities. In accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05, the Charter School may give enrollment priority to the following categories of applicants and in the following priority:
- i. A student whose parent or guardian is a full-time teacher, professional, or other employee of the charter school; and
 - ii. A sibling of a student enrolled in the Charter School.
- f. Outreach and Marketing. The Charter School shall utilize reasonable outreach and marketing measures to make all potential applicants aware of opportunities for enrollment at the Charter School, including, but not limited to, seeking the enrollment of a cross section of the school-age population throughout the attendance zone, consistent with the requirements of O.C.G.A. § 20-2-2066. The SCSC, upon a finding that the outreach and marketing measures taken by the Charter School are inconsistent with applicable law or the representations made by the Charter School in the Application

and/or other representations or submissions to the SCSC, may require the Charter School to take further action, including but not limited to, requiring the Charter School to extend its enrollment period, delay or void its random lottery, and/or conduct further specified outreach and marketing steps.

f. Use of Parental Agreements for Withdrawal or Reenrollment. The Charter School may adopt policies setting forth parental volunteer or service expectations and may require parent to sign an acknowledgement of those expectations. The Charter School may not withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet such expectations. The Charter School may not communicate to a student or parent that it has the authority to withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet volunteer or service expectations.

g. Enrollment Opportunity. The Charter School shall also ensure open enrollment for each grade served for which space is available and shall not adopt any policy or practice that restricts enrollment to specific grade levels within the grade span served by the school or to a particular class of students served by the school. The Charter School must offer at least one annual enrollment opportunity for each grade served for which space is available.

7. Maximum Flexibility Allowed by Law. In exchange for the Charter School's agreement to meet or exceed the performance-based goals and measurable objectives set forth in Section 9 below, the SCSC grants the maximum flexibility allowed by law to the Charter School. Pursuant to O.C.G.A. § 20-2-2065(a), the Charter School shall be entitled to the maximum flexibility allowed by law from the provisions of Title 20 of the Official Code of Georgia Annotated and from any state or local rule, regulation, policy, or procedure established by a local board of education, the SBOE, or the GaDOE. Notwithstanding this maximum flexibility, the Charter School shall comply with the terms of this Charter, the Charter Schools Act, including the provisions set forth in Section 16 below, and any rules, regulations, policies, or procedures established by the SCSC consistent with the Charter Schools Act.

8. Accreditation. [If serving grades 8-12] The Charter School shall seek accreditation from an approved accrediting agency identified in O.C.G.A. § 20-3-519(6.1)(A) within the first three years of the initial charter term or prior to a student's graduation and shall retain accredited status thereafter. The Charter School understands that the loss of accreditation from an agency identified in O.C.G.A. § 20-3-519(6.1)(A) constitutes grounds for termination of this charter contract.

9. Comprehensive Performance Framework and Performance Expectations.

a. Incorporation Into Charter Contract. The Comprehensive Performance Framework (CPF) adopted by the SCSC shall be incorporated into the Charter as Exhibit A. The CPF shall supersede and replace any and all assessment measures, educational goals and objectives, financial operations metrics, and organizational performance metrics set forth in the Application and not explicitly incorporated into the CPF or this charter contract. The specific terms, form and requirements of the CPF, including any required indicators, measures, metrics, and targets, are maintained and disseminated by the SCSC and will be binding on the Charter School. Material amendments to the CPF shall require approval by the SCSC and shall be automatically incorporated

into this Charter Contract upon SCSC approval without further amendment to the Charter Contract. In the event that such modifications or amendments are required, including modifications to address amended laws, the SCSC will use best efforts to apply expectations for school performance in a manner as consistent as possible with those set forth in the CPF.

b. Monitoring and Reporting. In accordance with SCSC Rule 691-2-.03, the SCSC shall monitor the Charter School's progress in relation to the indicators, measures, metrics and targets set out in the CPF, as well as other applicable rules and laws. The SCSC shall publicly report the Charter School's achievement and compliance at least annually following the completion of the Charter School's first year of operation.

c. Performance Expectations. **The Charter School's performance in relation to the indicators, measures, metrics and targets set forth in the CPF shall provide the basis upon which the SCSC will decide whether to renew the Charter School's Charter Contract at the end of the charter term. This section shall not preclude the SCSC from considering other factors when relevant.**

d. Mission-Specific Goals. The operational portion of the CPF incorporated as Exhibit A, holds the Charter School accountable for the following mission-specific goals:

- i. In each year of the charter term, 100% of GFACS teachers will receive a full lesson observation during the first 9 weeks of school.
- ii. During each year of the charter term, at least 90% of GFACS students will attend at least four school cultural events, as measured by attendance, during the academic year including two focused on American cultural practices and two focused on the international community that is served by GFACS.
- iii. During each year of the charter term, 100% of GFACS students will participate in a unique soccer and yoga program to address social and emotional learning.

e. Performance Review Presentations. In the event that the Charter School fails to meet standards in accordance with the CPF, the Charter School may be required to make an annual, in-person report to the Commission. At least one Board member and one staff member must attend the Annual Performance Review Presentation. Presentations shall be in a form and manner as requested by the Commission.

10. Assessment and Accountability. Notwithstanding Sections 7 and 9 above, the Charter School is subject to all accountability and assessment requirements set forth within Title 20 of the Official Code of Georgia Annotated and any corresponding State Board Rules, including but not limited to the accountability provisions of O.C.G.A. §§ 20-14-30 through 41. The Charter School is further subject to all federal accountability requirements under the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement the federal law.

11. Annual Report. The Charter School shall submit an annual report by the deadline established by O.C.G.A. § 20-2-2067.1(c) of each year to the GaDOE and to the SCSC that complies with all requirements established by the GaDOE or applicable law.

12. Withdrawal Without Penalty. The Charter School shall comply with the provisions of O.C.G.A. § 20-2-2066(d) for withdrawing students. The Charter School agrees that a student may withdraw without penalty from the Charter School at any time and enroll in another public school in the local school system in which such student resides.

13. State and Federally Mandated Educational Services.

- a. Students with Disabilities. The Charter School shall comply with all federal special education laws and regulations, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Individuals with Disabilities Education Act.
- b. English Language Learners. The Charter School shall comply with all applicable federal laws and regulations relating to the provision of educational services to English Language Learners.
- c. Supplemental Education. The Charter School shall provide supplemental education services in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement the federal law.
- d. Remediation. The Charter School shall provide remediation in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and provisions of state law or regulation that implement the federal law.

14. Governance Structure.

- a. Governing Board. The Charter School shall utilize an autonomous governing body in the form of a governing board (Governing Board), which shall operate in accordance with its bylaws and which shall be responsible for complying with and carrying out the provisions of this Charter, including compliance with all applicable law. The Governing Board shall exercise substantive control over such areas as personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations, which are listed by way of example and not by limitation. Pursuant to O.C.G.A. § 20-2-2084(e), all members of the Governing Board shall be United States citizens, residents of Georgia, and shall not be employees of the Charter School.
- b. Function. It shall be the function of the Governing Board to uphold the Charter School's mission and vision, to set policy for the Charter School, to work collaboratively with school officials to ensure the Charter School complies with the performance goals enumerated in Section 9 above, to ensure effective organizational planning, and to ensure financial stability of the Charter School.
- c. Public Meetings.

- i. Open Meetings Act. The Governing Board is subject to and shall comply with the Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and any subsequent amendment thereof.
 - ii. Regular Meetings. The Governing Board shall conduct regular meetings consistent with principles of transparency and avoidance of actual or apparent conflicts of interest in the governance of the Charter School. The Governing Board shall conduct no less than ten (10) regular meetings each state fiscal year.
 - iii. Called Meetings with Less than 24 Hours' Notice. In addition to adhering to the specific notice requirements in the Open Meetings Act, if the Governing Board schedules a called meeting (i.e., a meeting that is not regularly scheduled) with less than twenty-four (24) hours' notice, the Governing Board shall also notify the SCSC Executive Director or his or her designee of the meeting via electronic mail or phone immediately after scheduling the called meeting.
- d. Public Records and Transparency. The Governing Board is subject to and shall comply with the Open Records Act, O.C.G.A. § 50-18-70 *et seq.*, and any subsequent amendment thereof. Pursuant to O.C.G.A. § 50-18-70(b)(2) the Governing Board shall ensure that all public records that are maintained or received by a private person or entity in the performance of a service or function for or on behalf of the Charter School are available to the public in the same manner and extent as records collected or maintained by the Charter School. The Governing Board shall maintain its adopted policies, budgets, meeting agendas and minutes, financial audits, and annual reports, and shall make such documents available for public inspection. Additionally, to promote transparency, the Charter School shall ensure that the following information, at a minimum, is easily accessible on the Charter School's website:
- i. Governing Board membership;
 - ii. Governing Board meeting calendar;
 - iii. Meeting agendas for upcoming Governing Board meetings;
 - iv. Meeting minutes for past Governing Board meetings unless the Georgia Open Meetings Act limits their publication;
 - v. Procedure for contacting School Leader;
 - vi. Procedure for contacting the Governing Board;
 - vii. Any admissions application utilized by the school;
 - viii. Notification of enrollment and admission procedures required by SCSC Rule 691-2-.05, including the date, time, and location of any upcoming enrollment lottery;
 - ix. Annual operating budget or summary thereof as required by O.C.G.A. § 20-2-167.1; and
 - x. The Charter School's charter contract.
- e. Communication with Stakeholders. The Charter School, including the Governing Board, and School Leader, must communicate in a timely manner with stakeholders, including, but not limited to: the SCSC, families, students, and other government agencies. The Governing Board or School Leader must use all reasonable efforts to promptly and expeditiously respond to and

address stakeholder communications, complaints, and requests for information received via the procedures listed in Paragraph 14(d).

- f. Conflicts of Interest. The Governing Board shall establish a formal policy to prevent and disclose conflicts of interest and compliance with the requirements of O.C.G.A. § 20-2-2084(e). Members of the Governing Board and all individuals employed at the Charter School shall abide by such conflicts of interest policy. Upon request, the Charter School shall provide conflict of interest forms to the SCSC demonstrating that governing board members are in compliance with the conflicts of interest policy.
- g. Public Status. Petitioner assures that the Charter School shall be a public, nonsectarian, nonreligious, nonprofit school organized and operated under the laws of the State of Georgia. Petitioner further assures that the Charter School shall not be home-based; however, this does not preclude the Charter School from using virtual-based instruction in a remote setting.
- h. Director Compensation. No member of the Governing Board shall receive compensation for his or her service on the Governing Board in excess of reasonable expenses incurred in connection with actual attendance at board meetings or with performance of duties associated therewith.
- i. Contractual Interference. No party to this Charter may interfere with the legal right(s) and/or obligation(s) of another party to execute the provisions of this Charter.

15. Fiscal Control.

- a. Financial Reporting Requirements. The Charter School shall follow the financial requirements of the GaDOE's Financial Management for Georgia Local Units of Administration Manual, for all funds received by the school. This expressly includes, but is not limited to, developing and adhering to financial policies, preparing and adhering to operating budgets, accounting procedures, managing cash and investments, and segregation of duties and internal controls. The Charter School shall submit all information required by the State Accounting Office for inclusion in the State of Georgia Comprehensive Annual Financial Report.
- b. Annual Audit. The Charter School shall have an annual financial audit conducted by an independent certified public accountant licensed in the State of Georgia. The Charter School will submit their annual financial audit to the SCSC by November 1 each year. If the Charter School does not meet standards on the financial or operational sections of the CPF in the previous year, the SCSC may require the Charter School to utilize an independent certified public accountant selected by the SCSC to perform the subsequent year's annual audit.
- c. Financially At-Risk Schools. If the Charter School does not meet standards on the financial section of the CPF and/or demonstrates negligence which may lead to material financial misstatements of the Charter School's fiscal performance, the Charter School may be designated

as financially at risk and require more frequent financial monitoring. The nature of the additional financial monitoring will be determined by the SCSC Executive Director.

- d. Chief Financial Officer. The Charter School shall designate a Chief Financial Officer. The Chief Financial Officer may be a contractor rather than a school employee; however, the SCSC will hold the Charter School accountable for all financial operations of the Charter School. The Chief Financial Officer shall possess the following minimum qualifications:
 - i. A baccalaureate or higher degree in business, accounting, or finance from an accredited college or university and a minimum of four (4) years' experience in a field related to business or finance; or
 - ii. Documented experience of ten (10) or more years in the field of business and financial management.
- e. Federal Monitoring Requirements. The Charter School shall comply with all federal monitoring requirements related to the receipt of federal funds.
- f. Charter School Program Eligibility. In the event the Charter School seeks grant funds under the Federal Charter School Program, the Charter School must satisfy all federal eligibility requirements as a prerequisite to applying for and receiving such funds.
- g. Insurance. Prior to opening, the Charter School shall secure adequate insurance coverage and the Charter School shall maintain such coverage throughout the charter term in accordance with the laws of the State of Georgia.
- h. Surplus Funds. Any surplus funds remaining at the close of each fiscal year will be used to enhance the Charter School's academic program. Under no circumstances shall any surplus be distributed to the Charter School's employee(s), board member(s), educational service provider or educational management organization. Nothing in this subsection shall be construed to prevent the Charter School from setting aside surplus funds in a reserve account or budgeting and awarding performance bonuses as part of their annual operating expenses.
- i. Responsibility for Debts. The Charter School is solely responsible for all debts incurred by the Charter School and its Governing Board. Except as agreed hereto, the SCSC shall not be contractually bound to the Charter School or to any third party with whom the Charter School has a contract or from whom the Charter School has purchased goods or services.
- j. Distribution of Funds and Assets. In the event the Charter School ceases operation for any reason, the Charter School and its Governing Board will be responsible for concluding the business and affairs of the Charter School and will cooperate with the SCSC to the extent necessary to provide an orderly return of the students to their local school. Any public surplus remaining at the time

the Charter School ceases operation shall be remitted to the SCSC, within thirty (30) days of ceasing operations. Any furniture and equipment purchased with public funds shall be delivered to the SCSC within thirty (30) days of ceasing operations. The SCSC shall not be responsible for the Charter School's unpaid debts in the event the Charter School does not have sufficient funds to pay all of its debts at the time it ceases operation.

- k. Preference in Contracting. The Charter school shall give preference in contracting and purchasing of services and materials to businesses identified in O.C.G.A. § 20-2-2084(d)(2).
- l. Acquiring Debt. The Charter School shall inform the SCSC Executive Director before acquiring debt with a repayment schedule that exceeds the length of the current charter term, including but not limited to: monies derived from loans from financial institutions or through the sale of bonds.
- m. Deficit Reduction. If at any time during the charter term the SCSC determines that the Charter School has a negative cash balance or an unrestricted days cash of less than fifteen (15) days, the Charter School may be required to submit a financial risk-avoidance plan, monthly SCSC Fiscal Compliance Template reports and monthly bank statements from all banks utilized by the Charter School. Submission shall be in a form and manner as requested by the SCSC Executive Director. This subsection shall not be construed to limit any other SCSC authority to require the Charter School to submit additional financial reports not related to deficit reduction.

16. Compliance with Other Laws, Rules, and Regulations. The Charter School shall operate in accordance with the United States Constitution, the Constitution of the State of Georgia, and all applicable federal, state, and local laws that may not be waived pursuant to O.C.G.A. § 20-2-2065, including the following, which are listed by way of example and not by way of limitation.

- a. Civil Rights, Insurance, Health, Safety, and Conflicting Interests. The Charter School shall operate in accordance with all applicable federal, state, and local rules, regulations, court orders and statutes relating to civil rights; insurance; the protection of the physical health and safety of students, employees, and visitors; conflicting interest transactions and the prevention of unlawful conduct.
- b. Asbestos Remediation. The Charter School shall comply with the terms of any applicable asbestos remediation plan.
- c. Unlawful Conduct. The Charter School shall be subject to all laws relating to unlawful conduct in or near a public school.
- d. Student Conduct and Discipline. The Charter School shall maintain and implement a written policy regarding student discipline, which policy shall be consistent with due process.

- e. State Board of Education Rules. The Charter School shall operate in accordance with all SBOE Rules promulgated in accordance with O.C.G.A. § 20-2-240 during the term herein that are not subject to any waiver granted in Section 7 above.
 - f. Prohibition on Discrimination. The Charter School shall not discriminate against students on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, academic ability, the need for special educational services, or any other characteristic protected by local, state, or federal law.
 - g. Reporting Requirements. The Charter School shall be subject to all reporting requirements of O.C.G.A. §§ 20-2-160, 20-2-161(e), 20-2-320, and 20-2-740.
 - h. Tuition. The Charter School shall not charge tuition or fees to its students except as may be authorized for local boards pursuant to O.C.G.A. § 20-2-133.
 - i. Brief Period of Quiet Reflection. The Charter School shall comply with O.C.G.A. § 20-2-1050, which requires a brief period of quiet reflection.
 - j. Individual Graduation Plans. The Charter school shall comply with O.C.G.A. § 20-2-327 related to Individual Graduation Plans.
 - k. Family Educational Rights and Privacy Act. The Charter School is subject to all provisions of the Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. In the event the Charter School closes, it shall transmit all official student records in the manner prescribed by the State Board.
 - l. QBE Formula Earnings. The Charter School acknowledges that criteria used to calculate Quality Basic Education (QBE) funding may not be waived.
 - m. School Nursing Program. The Charter School shall implement a nursing program in accordance with O.C.G.A. § 20-2-771.2.
 - n. Student Fees and Charges. The Charter School shall comply with SBOE Rule 160-5-1-.12 to preserve the rights of students regarding payments and fees.
17. SCSC Administrative Withhold: Pursuant to O.C.G.A. § 20-2-2089, the SCSC is authorized to withhold up to three (3) percent of the Charter School's funds received through O.C.G.A. § 20-2-2089(a)(1) for administering the duties required of the SCSC pursuant to O.C.G.A. § 20-2-2083.
- a. Return of SCSC Administrative Withhold Funds. Upon satisfaction of annually budgeted expenses, the SCSC may vote to return any surplus funds from its authorized administrative

withhold to its Charter Schools on a pro rata basis. The SCSC does not guarantee any surplus of funds.

- b. Restrictions on Returned SCSC Administrative Withhold Funds. Pursuant to a vote by the SCSC, the SCSC may place reasonable restrictions on any returned administrative withhold funds for reasons including, but not limited to, the failure to meet performance expectations based on the CPF and material breaches of its Charter Contract.

18. Education Service Providers. If the Charter School elects to contract or amend a contract with an Education Service Provider at any point during the term of the Charter, the Charter School shall seek and receive approval of the contract or amendment from the SCSC Executive Director prior to the execution of the contract or amendment.

19. Compliance with the Rules, Practices, Policies, and Procedures of the SCSC. The Charter School shall operate in accordance with the rules, practices, policies, and procedures established by the SCSC under the authority granted by O.C.G.A. §§ 20-2-2080 *et seq.*

20. Employment Matters. Individuals employed at the Charter School shall not be considered employees of the State Board, Department, or the SCSC.

- a. Criminal Record Checks. The Charter School shall adopt criminal record check procedures. The Charter School shall comply with all provisions of O.C.G.A. § 20-2-211.1 relating to fingerprint and criminal record checks for all prospective staff members or any individual that will have substantial contact with students prior to beginning work at the Charter School or having contact with students.
- b. Clearance Certificates. The Charter School shall comply with O.C.G.A. § 20-2-211.1 which requires all teachers, school administrators, and other education personnel employed by a local unit of administration to hold a valid clearance certificate issued by the Georgia Professional Standards Commission (PSC).
- c. Teachers' Retirement System. All qualified teachers at the Charter School shall be members of the Teachers Retirement System of Georgia ("TRS") and subject to its requirements. The Charter School is responsible for making arrangements with TRS and making monthly contributions for its teachers in accordance with state requirements. For the purposes of this subsection, the term "teacher" shall have the definition provided in O.C.G.A. § 47-3-1.
- d. Employment Preference. The Charter School shall comply with O.C.G.A. § 20-2-2084(d)(1) regarding employment preference. The Charter School shall maintain and provide the SCSC, upon request, documentation to support the Charter School's compliance with O.C.G.A. § 20-2-2084(d)(1), including but not limited to: all advertisements for open positions, resumes received by the Charter School and records of interviews conducted by the Charter School. The Charter School shall not use third-party contractors to circumvent the requirements of this subsection.

- e. Performance Evaluation System. The Charter School shall utilize the performance evaluation system adopted by the State Board pursuant to O.C.G.A. § 20-2-210 for all personnel for which it is required by rule or law, including personnel employed by an educational management organization or other educational service provider. At least two individuals employed by the Charter School shall be credentialed to administer the teacher evaluation system. At least two (2) individuals employed by the Charter School or on the Charter School Governing Board shall be credentialed to administer the leader evaluation system. The Charter School may not delegate the evaluation of its School Leader to any individual or entity who is not a member of the Charter School Governing Board.
- f. School Personnel. Teachers and other instructional staff and faculty must be employees of the Governing Board and may not be employed by an Educational Service Provider or other entity affiliated with an Educational Service Provider. The School Leader may be employed by an Educational Service Provider only if the Governing Board retains the authority to select and dismiss that individual from service at the Charter School. Non-instructional staff, such as the Chief Financial Officer, business manager, bookkeeper, maintenance personnel, may be employed by entities other than the Governing Board; however, the Governing Board shall remain responsible and accountable for all operations, compliance, and performance of any and all selected contractors. The Governing Board shall ensure that the School Leader establishes a regular and ongoing physical presence in the school that allows the individual to oversee daily operations.

21. Record Inspection. Subject to state and federal laws, the SBOE, the GaDOE and their agents, the SCSC and their agents and the State Auditor's office shall have the right to examine and copy all records, reports, documents, and files relating to any activity, program, or student of the Charter School. Any records maintained by a vendor for the services it performs on behalf of the Charter School that relate to school level operations (such as personnel and financial records) shall be available for immediate access by the school as well as the State Board, Department, SCSC, and State Auditor in accordance with this section.

22. Record Retention. In the event of closure, the Charter School shall ensure the maintenance and retention of appropriate records and shall provide for such maintenance and retention at the school's expense. The Charter School shall adopt a records retention policy that aligns with the requirements of SBOE Rule 160-

5-1-.14 "Transfer of Student Records" and accompanying Guidance. Neither the GaDOE nor the SCSC shall be required to assume possession of school-level records. Failure to comply with or appropriately delegate this duty may be considered a breach of contract. Upon exhaustion of applicable retention schedules and upon request from the Charter School or its authorized representative, the SCSC may facilitate coordination for the transfer of remaining permanent records to the Georgia Archives.

23. Facilities.

- a. Approval of Site and/or Facility. The Charter School shall obtain proper approval in accordance with SCSC Rule 691-2-.06 for all sites and/or facilities prior to committing to any certificate of lease or ownership, prior to commencing any construction and prior to student occupation. If the Charter School contracts with an architect, construction manager, or other construction professional to manage the site or facility selection and development process, the SCSC will continue to hold the Charter School accountable for adhering to the requirements for site and facility approval. The Charter School shall not add or change facilities without approval from both the SCSC Executive Director and GaDOE's Facilities Services Division. The Charter School shall contact the GaDOE's Facilities Services Division regarding the following:
 - i. Site Approval. The Charter School shall contact the Facilities Services Division to obtain site approval as soon as practicable. Failure to provide at least a six (6) months' notice to the Facilities Services Division prior to the proposed site's occupation may delay the Charter School's opening date. Once site approval has been granted, the Charter School will be issued a site code. The Charter School shall not commit to any certificate of lease or ownership, commence any construction, nor allow student occupation prior to site approval.
 - ii. Architectural Review. The Charter School shall submit and have approved by the Facilities Services Division all architectural plans for any facility that will house the Charter School during the charter term. The Charter School shall not commit to any certificate of lease or ownership, commence any construction, nor allow student occupation prior to architectural review.
 - iii. School Code Approval. After securing both site approval and architectural review approval a school code shall be obtained. The Charter School shall contact the GaDOE and make a request for a school code. The Charter School shall properly obtain a school code prior to occupancy of the site and/or facility.
- b. Prior to opening the Charter School and prior to students occupying any proposed facility, including new facilities to be occupied during the charter term, the Charter School shall obtain and submit the following documents to the SCSC:
 - i. Documentation of Ownership or Lease Agreement. The Charter School shall obtain documentation of ownership or the lease agreement for the facility that will house the Charter School.
 - ii. Certificate of Occupancy. The Charter School shall obtain a Certificate of Occupancy for the facility in which the Charter School shall be located.
 - iii. Emergency Safety Plan. The Charter School shall prepare a safety plan in accordance with O.C.G.A. § 20-2-1185, which plan shall be submitted to the local emergency management agency that oversees the area in which the school is located.

24. Transportation. To the extent the Charter School offers a transportation program for its students, the Charter School shall ensure that the program complies with all applicable laws governing transportation of students.

25. Food Services. To the extent the Charter School offers a food service program, the Charter School shall ensure that the program complies with all applicable laws governing food service for students.

26. Projected Enrollment. For the purpose of funding students enrolled in the Charter School in the first year of the Charter School's operation and each year the Charter School offers a new grade level, the Charter School may be required to provide the SCSC a projected student enrollment count that includes prospective student names, Georgia Testing Identifier (GTID), if available, and any other information as requested by the SCSC. The Charter School shall provide this information by the deadline established by the SCSC and in the form and manner as requested by the SCSC. The information provided by the Charter School pursuant to this section may be verified by the SCSC through an onsite visit or by other means.

27. Data Collections. The Charter School assumes sole responsibility for accurate and timely collection and transmission of required data submissions to the SCSC and other government agencies, including but not limited to: the GaDOE, the Georgia Professional Standards Commission, and the United States Department of Education. The Charter School shall utilize a Student Information System that is compatible with the system utilized by the GaDOE. Upon signature of the charter contract, the Charter School affirms its understanding that inaccurate or untimely data may have an adverse impact to the academic, financial and operational standing of the school and further affirms its understanding that the SCSC does not guarantee any opportunity or ability to correct any data reporting errors made by the Charter School.

28. Required Trainings.

- a. Data Collections Conference. The Charter School shall send at least one representative to the annual Data Collections Conference held by the GaDOE each year of the Charter School's charter term.
- b. Federal Programs Conference. In each year the Charter School accepts federal funds from the United States Department of Education, the Charter School shall send at least one representative to the annual Federal Programs Conference held by the GaDOE.
- c. Governance Training. Each member of the Governing Board shall fulfill all training requirements required by rule and law, including the annual governance training obligation required by O.C.G.A. § 20-2-2084(f) and SCSC Rule 691-2-.03(4). In the Charter School's year prior to opening for students, in any year in which the school voluntarily defers its opening, or in any year its opening is suspended by the SCSC, the Governing Board must receive governance training by the SCSC rather than an alternate provider approved by the SCSC.

29. Termination of Charter.

a. **Termination Procedures.** The parties acknowledge and agree that this Charter may be terminated following the procedures set forth in O.C.G.A. § 20-2-2068, any applicable rule of the State Board, or SCSC Rule 691-2-.04.

b. **Grounds for Termination.** The Charter School acknowledges that this Charter may be terminated for any reason set forth in law or any applicable rule of the State Board or SCSC, which includes, but are not limited to:

i. The Charter School's failure to comply with any material provision set forth in this Charter, provided that they shall be notified by certified mail and be given thirty (30) days from receipt of notice to cure the breach. The nature and outcome of the breach shall be memorialized and maintained by the SCSC in accordance with applicable record retention schedules;

ii. The Charter School's failure to comply with any recommendation or direction of the State Board with respect to O.C.G.A. § 20-14-41;

iii. The Charter School's failure to adhere to any material term of this Charter, including but not limited to the performance goals set forth in Section 9 above;

iv. The Charter School's failure to meet generally accepted standards of fiscal management;

v. The Charter School's violation of applicable federal, state, or local laws, or court orders;

vi. The existence of competent substantial evidence that the continued operation of the Charter School would be contrary to the best interests of the students or the community;

vii. The Charter School's failure to comply with any provision of the Charter Schools Act; or

viii. The existence of conditions that place the health, safety, or welfare of students or staff of the Charter School in danger.

30. **School Closure.** In the event the school ceases operations, either through non-renewal, early termination, voluntary closure, or other means, the school must, at minimum, take the following actions:

a. **Student Transition Plan.** The Charter School shall create a transition plan to facilitate its students' transition to other educational institutions. The transition plan shall outline a variety of educational options students may be eligible to attend including traditional public schools, locally-approved charter schools, state charter schools, and private educational options. The transition plan shall include protocols to ensure the appropriate transfer of student records. The Charter School shall provide the transition plan to the SCSC and parents of enrolled students within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the Charter School's charter contract;

- b. School Website. The Charter School shall maintain the website of the Charter School for a minimum of six (6) months from the date education operations cease. For the purposes of this section, education operations mean any period during which instruction is provided by the Charter School to enrolled students. At minimum, the website shall include contact information and instructions regarding requests for student and employee records;
- c. Notification. The Charter School shall make reasonable efforts to inform stakeholders of the school's closure, including the staff and parents, general public, appropriate local districts, and creditors;
- d. Closure Monitor. The SCSC Executive Director will appoint an individual to monitor the closure activities of Charter School ("Closure Monitor") within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the school's charter contract. The SCSC shall be responsible for all costs and expenses of the Closure Monitor;
- e. Duties of Closure Monitor. The Charter School shall remain responsible for fulfilling all legal and contractual duties, including those arising from this Charter. The role of the Closure Monitor shall be to review the Charter School's actions to conclude its financial affairs, settlement of accounts, disposition of assets, return of surplus to the SCSC, and provision for maintaining student, employee, and school in accordance with applicable retention schedules beyond the operation of the school. The Closure Monitor shall notify the SCSC of any action taken by the Charter School that is inconsistent with the school's legal or contractual obligations.

The Charter School shall allow the Closure Monitor access to all records, reports, documents, and files pertaining to any activity or program of the Charter School;

- f. Closure Process. The Charter School shall align closure activities to the SCSC Closure Guide in a form and manner as requested by the SCSC to ensure orderly closure of the Charter School; and
- g. Surety. The Charter School shall maintain a surety bond throughout the entirety of its charter term and six months following the conclusion of the charter term to assure the faithful performance of the duties of the school and its employees, including the fulfillment of Charter School's obligations in closing the financial affairs in the event the school ceases operation. The bond shall be in an amount no less than \$100,000 to be payable to the State of Georgia through the State Charter Schools Commission. The bond shall be furnished by a company authorized to do business in Georgia. The provisions of this subsection shall not be interpreted to preclude Charter School from obtaining liability insurance coverage or surety or fidelity bonds in addition to or in excess of the requirements of this subsection.

31. Pre-Opening Suspension.

- a. Demonstration of Adequate Preparation. The Charter School shall demonstrate its preparation for operations through the significant progress in completing the SCSC Pre-Opening Checklist in a form and manner as requested by the SCSC. If the Charter School fails to demonstrate significant progress in completing the SCSC Pre-Opening Checklist by the time in which the SCSC determines the school will be unable to meet its obligations under this Charter upon serving students, the SCSC may suspend the opening of the Charter School until a time after the Charter School demonstrates its ability to meet its obligations under this Charter. The determination of the Charter School's significant progress in completing the SCSC Pre-Opening Checklist and the school's ability to meet its obligations under this Charter shall be in the sole discretion of the SCSC.
- b. Violation of Law or Contract. In the event the Charter School fails to comply with applicable law or any material provision set forth in this Charter, including, but not limited to, facilities requirements outlined in Section 21, or enrollment requirements outlined in Sections 3, 6, and 24, the SCSC may suspend the opening of the Charter School until a time after all requirements have been fulfilled by the Charter School as determined by the SCSC. The determination of the Charter School's violation of applicable law or any material provision set forth in this Charter shall be in the sole discretion of the SCSC.
- c. Any pre-opening suspension imposed under this Section shall not result in an extension of the charter term set forth above in Section 2.

32. Renewal, Non-Renewal, and Probationary Term.

- a. Renewal. The Charter may be renewed by agreement of the parties following the procedures set forth in the Charter Schools Act and accompanying SCSC Rule. The parties recognize that the renewal process will commence prior to the conclusion of the final year of the charter term and, as a result, the SCSC renewal decision will likely not include student achievement and school operational data from the final year of the charter term.
- b. Non-Renewal. Any grounds for termination stated in Section 25b above also may be grounds for non-renewal. In addition, the SCSC may elect not to renew the Charter if the petition for renewal does not comply with the Charter Schools Act and the rules, regulations, policies, and procedures promulgated in accordance with the Charter Schools Act or if the SCSC deems that the Charter School has not sufficiently increased student achievement or is no longer in the public interest notwithstanding the Charter School's performance on the SCSC Comprehensive Performance Framework.
- c. Probationary Term. In the event the SCSC determines that the Charter School has failed to comply with any provision of this Charter, the SCSC may elect to grant a renewal for a probationary term, within which term the Charter School must come into compliance satisfactory to the SCSC.

33. Temporary Extension. At the discretion of the SCSC, this Charter may be extended for a grace period not exceeding sixty (60) days.
34. Amendments to the Charter. Any material term of this Charter, to be determined by the SCSC, may be amended in writing upon the approval of the SCSC and a majority of the Governing Board of the Charter School. Any proposed amendment shall be made in accordance with SCSC Rule.
35. Administrative Clarifications. Any clarification to a non-material term of this Charter, as determined by the SCSC, shall be submitted in writing to the SCSC for review. Any non-material term of this Charter may be clarified upon in writing by SCSC staff.
36. Indemnification.
- a. The Charter School agrees to indemnify, defend and hold harmless the GaDOE, the SCSC, and the State Board, their officials, officers, employees, agents, volunteers, and assigns (all of whom hereinafter may collectively be referred to as "Indemnitees"), from any and all claims, demands, suits, actions, legal or administrative proceedings, losses, liabilities, costs, interest, and damages of every kind and description, including any attorneys' fees and/or litigation and investigative expenses, for bodily injury, personal injury, (including but not limited to the Charter School's employees), patent, copyright, or infringement on any intellectual property rights, or loss or destruction of property (including loss of use, damage or destruction of Indemnitee owned property) to the extent that any such claim or suit was caused by, arose out of, or contributed to, in whole or in part, by reason of any act, omission, professional error, fault, mistake, or negligence whether active, passive or imputed, of the Charter School, their employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incidental to their performance of this Charter regardless of whether such liability, claim, damage, loss, cost or expense is caused in part by an Indemnitee.
 - b. The Charter School shall be excused from their indemnification obligations above: (a) If the claims, demands, suits, actions, proceedings, losses, liabilities arise solely and exclusively out of the negligence of the Indemnitee seeking indemnification; or (b) If the Indemnitee fails to (i) provide written notice of the third party claim or suit within a reasonable time, (ii) cooperate with reasonable requests of the Charter School related to the indemnification; or (iii) assist the Charter School with the defense of such claim or suit.
 - c. The Charter School's obligations to indemnify any Indemnitee shall survive the completion, expiration, or termination of this Agreement for any reason.
37. Non-Agency. The parties expressly acknowledge and agree that the Charter School is not acting as the agent of the State Board, Department, or SCSC except as required by law or this Charter. The Charter School acknowledges that it is without authority to, and will not, extend the faith and credit of the State Board, Department or SCSC to any third party.

38. Delegation. The Charter School acknowledges and agrees that the functions and powers provided for in this charter may be exercised only by the Charter School and may not be delegated to a third party without written agreement by the parties.
39. Assignment. This Charter shall not be assigned or transferred by the Charter School unless consented to in writing by the SCSC.
40. Third-Party Beneficiaries. There are no third-party beneficiaries to this Charter. The Charter School's staff, students, parents, or related organizations are not beneficiaries to this Charter.
41. Application of Amended Law. This Charter is subject to applicable federal and state laws, rules and regulations and shall be deemed amended to reflect applicable changes to those laws upon the effective date of any such change.
42. Non-Waiver. No waiver of any breach of this Charter shall be held as waiver of any other or subsequent breach.
43. Severability. If any provision of this Charter is determined to be unenforceable or invalid for any reason, the remainder of the Charter shall remain in full force and effect.
44. Contradicting or Conflicting Provisions. If any provision of the Charter is determined to contradict or conflict with any other provision of the Charter, the contradiction or conflict shall be resolved in favor of the broad flexibility guaranteed pursuant to O.C.G.A. § 20-2-2065 *et seq.*
45. Governing Law and Venue. This Charter shall be governed by, subject to, and construed under the laws of the State of Georgia. This Charter shall be interpreted in accordance with O.C.G.A. §§ 20-2-2060 *et seq.* and §§ 20-2-2080 *et seq.*, as amended within the term of this Charter. Any action brought by one party to this Charter against another party shall be brought in the Superior Court of Fulton County.
46. Entire Agreement. This Charter sets forth the entire agreement between the Petitioner, and the SCSC with respect to the subject matter of this Charter. All prior contracts, representations, statements, negotiations, understandings, and undertakings between the Petitioner and the SCSC are superseded by this Charter. The Charter shall not preclude the Charter School from entering into or maintaining any agreement with the Local Board provided no such agreement supersedes, overrides or conflicts with any provision of this Charter. The petition submitted to the SCSC serves only as the formal application for the Charter School and does not constitute a contract between the SCSC and the Petitioner. This Charter supersedes and overrides any provisions contained in the petition that conflict with this Charter.

Thomas P. Jurek

10/30/19

Chairperson,
STATE CHARTER SCHOOLS COMMISSION

(Date)

Debra Barnesley Fleming

10-29-19

Governing Board President,
GEORGIA FUGEES ACADEMY CHARTER SCHOOL, INC.

(Date)



Georgia Department of Education QBE Payment Advice

School System : **7830634 State Charter Schools II-Georgia
Fugees Academy Charter School**

Payment Month Year: **July-2022**

Your QBE Payment will be deposited on July 31, 2022 to your bank account through the Automated Clearing House(ACH). Your accounting records should be posted as follows:

Program Code	Description	Revenue Code 3120 Salary (\$)	Revenue Code 3122 Operation (\$)	QBE Earnings (\$)	Revenue Code 3140 Less Local 5 Mills (\$)	State Funds (\$)
1081	Middle School 6-8	37,231	777	38,008	7,424	30,584
1041	High School Grades 9-12	19,150	776	19,926	3,890	16,036
1351	ESOL	42,216	282	42,498	8,299	34,199
	TOTAL DIRECT INSTRUCTIONAL FUNDS (1)	98,597	1,835	100,432	19,613	80,819
1450	Cent. Admin/ Tchr. Sal Incr.	1,104	0	1,104	222	882
1455	School Administration	9,093	151	9,244	1,811	7,433
1457	Facility M&O		6,682	6,682	1,307	5,375
	TOTAL INDIRECT FUNDS	10,197	6,833	17,030	3,340	13,690
1310	Media Center Program	1,952	293	2,245	447	1,798
1100	20 Days Additional Instruction	722	0	722	149	573
1210	Staff & Professional Development			597	123	474
1211	Principal Staff and Prof. Dev.			30	13	17
	TOTAL QBE Formula Funds(2)	111,468	8,961	121,056	23,685	97,371
				Revenue Code 3125		
1500	Nursing Services			1,709		1,709
	TOTAL STATE FUNDING					99,080
4092	Charter Commission Admin -State					- 3,507
1639	State Special Charter Supplement					124,172
	Payment Made by EDI					219,745



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

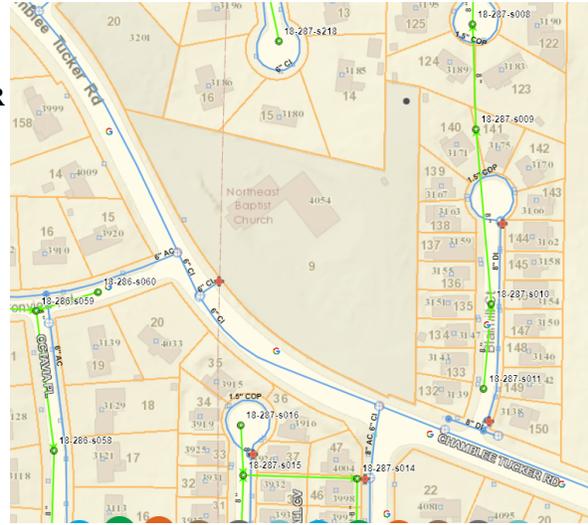
Case No.: _____

Parcel I.D. #: 18 286 06 009

Address: 4046 Chamblee Tucker Rd

3201 Bolissa Dr

Doraville GA 30340



WATER:

Size of existing water main: 6" CI (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: North Fork Peachtree Creek

Is sewer adjacent to property: Yes () No () If no, distance to nearest line: ~200 ft. (depends on the direction)

Water Treatment Facility: Atlanta - CM Clayton adequate () inadequate

Sewage Capacity: 40 (MGPD)

Current Flow: 36.31 (MGPD)

COMMENTS:

Will need sewer capacity approval.

Signature: _____

8/15/2022

To: Ms. Andrea Folgherait, Planning and Ms. LaShonda Hill
From: Ryan Cira, Director
Cc: Alan Gaines, Environmental Health Deputy Director
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2022

N.12 2022-1980 LP-22-1245937 15-152-12-011

2716 Ellen Way, Decatur, GA 30032

Amendment

- Please review general comments.
- Septic system installed on property 3/13/1962.

N.13 2022-1981 Z-22-1245875 15-152-12-011

2716 Ellen Way, Decatur, GA 30032

Amendment

N.14 2022-1991 Z-22-1245876 15-170-10-011, 15-170-10-013,15-170-10-015,15-170-13-040,15-170-13-042

1866 Eastfield Street, Decatur, GA 30032

Amendment

- Please review general comments.

N.15 2022-1992 SLUP-22-1245885 18-286-06-009, 18-286-06-020

3201 Bolissa Drive, Doraville, GA 30340

Amendment

Zoning Comments - September 2022

N2. SLUP-22-1245880 - Briarcliff Road is SR 42. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). The property is within the Druid Hills Historic District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. **Briarcliff Road** is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. University Drive is classified as a local residential road. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 12 foot travel lane from centerline, curb and gutter, a 5 foot sidewalk (Zoning Code) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Concerned about the entrance and the interior intersection being too close and impacting Briarcliff Road. Traffic Study required to include a traffic signal warrant study at main entrance. Traffic operations at access point on University Drive will also need to be considered- as this will be a non-traditional intersection. Interior streets to be private. At time of permitting, verify sight distance at intersection of access points and Briarcliff Road and University Drive.

N3 & N4. Z-22-1245923 & SLUP-22-1245924 - North Decatur Road is classified as a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with 11 foot travel lane with curb and gutter, a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see Land Development Code Section 14-200 (5) for the number of access points required by code for 200 units. Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N5. SLUP-22-1245924 - Shallowford and Briarcliff Roads are classified as a minor arterials. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane from centerline with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Dedicate necessary right of way for the extension of the right turn lane from Briarcliff Road onto Shallowford Road.

N6. SLUP-22-1245925 - No Comment

N7. Z-22-1245928 - Mountain View Drive is classified as a collector street. The following minimum infrastructure requirements must be met: Right of way dedication of 35 feet from centerline OR such that

all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). New local public streets have the following minimum requirements: Right of way dedication of 55 feet, 24 feet of pavement with curb and gutter, a 5 foot sidewalk (Zoning Code) located 6 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N8. Z-22-1245935 - Jordan Lane & Reverend D.L. Edwards Drive are classified as local streets have the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Developer required to pay to relocate traffic calming speed table away from proposed driveways. Driveways need to be at least 33 feet apart (edge of drive to edge of drive) from each other to fit the relocated speed table. May need to flip driveway location on corner lot to accommodate.

N9 & N10. Z-22-1245856 & SLUP-22-1245857 - No comment.

N11. Z-22-1245874 - Clairmont Road is SR 155. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Donate right of way necessary for GDOT's project at Clairmont Road project. Briarcliff Road is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Additional comments may be warranted after receipt of traffic study.

N12. & N13. LP-22-1245937 & Z-22-1245875 - No comments.

N14. Z-22-1245876 - 1893, 1901 and 1909 are within the I-20 Overlay District, Tier 2. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. East Field Street, Glenvalley Dr & Northview Ave are classified as local streets. Improvements required on all frontages. Where the overlay district is silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please note that the required right of way dedication may have significant impacts to your site plans. Please review.

N15. SLUP-22-1245885 - Chamblee Tucker Road is classified a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code)

with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. If you are seeking a variance for the bike facility requirements, I would do so during zoning. Bolissa Drive is classified as a local road with the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov).

N16. & N17. LP-22-1245892 & Z-22-1245922 - Properties are located in the Covington Overlay District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. Redan Road and Longshore Drive are classified as local roads. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Interior streets to be private.

N18. CZ-22-1245934 - Lawrenceville Hwy is a State Route. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Lawrenceville Hwy is classified as a major arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 50 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Jordan Lane is classified as a local road. The following minimum requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Add pedestrian crossing and ADA ramps to the intersection of Jordan Lane at Lawrenceville Hwy.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control (sections have been amended recently; please request the amended chapter), to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area **was not** indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer **was not** reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-15

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-22-1245885 Parcel I.D. #: 18-286-06-009

Address: 3201

Bolissa Dr
Dunwoode, GA 30340

Adjacent Roadway (s): Chamblee Tucker Rd Alford

(classification)

(classification)

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
Proposed right of way width _____

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

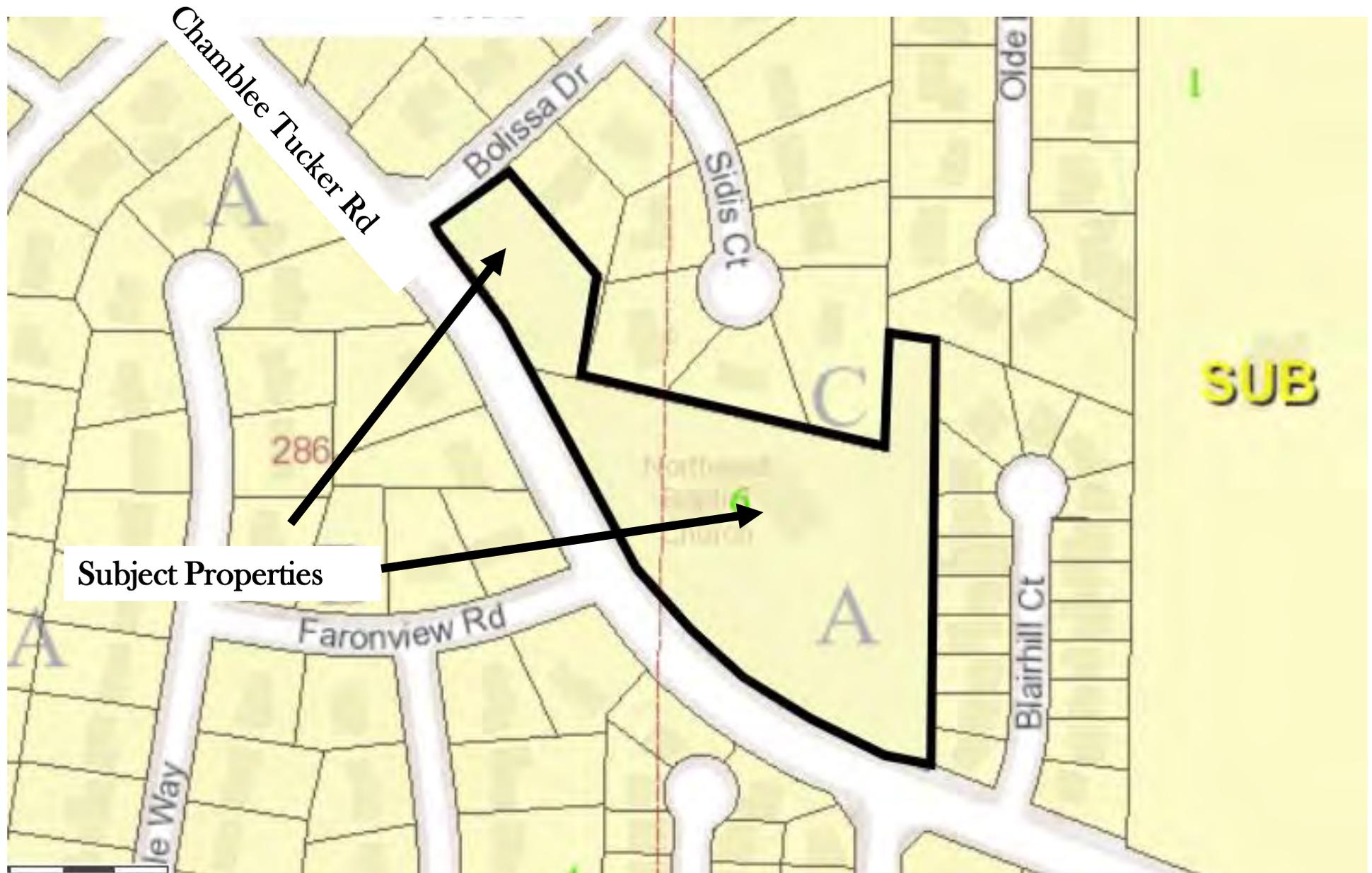
Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Plans and field reviewed. Nothing found that would disrupt traffic pattern.

Signature: [Signature]









SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: _____ Application No.: _____

APPLICANT NAME: Fugees Family, Inc. Attention: Janeya Hisle

Daytime Phone #: (267) 259 4417 Fax #: _____

Mailing Address: 1933 East Dublin Granville Road, Suite 117,
Columbus, Ohio 43229 E-mail: janeya@fugeesacademy.org

OWNER NAME: Northeast Baptist Church (Attn.: Jonathan Spencer) (If
 more than one owner, attach contact information for each owner)

Daytime Phone #: (404) 219 5943 Fax #: _____

Mailing Address: 4046 Chamblee Tucker Road, Doraville,
Georgia 30340 E-mail: jonathanbudspencer@yahoo.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 4046 Chamblee Tucker Road + 3201
Bolissa Drive Doraville GA 30340, DeKalb County, GA. 30340

District(s): 18th Land Lot(s): 286+287 Block(s): A + C Parcel(s): A1-6, C1-2

Acreage or Square Feet: 5.16 ^{acres} Commission District(s): 1 Existing Zoning: R-100

Proposed Special Land Use (SLUP): To operate school in R-100 zoning

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: _____ Agent: Signature of Applicant: [Signature]

(Check One)

Printed Name of Applicant: Janeya Hisle

Notary Signature and Seal: [Signature]



SAVANNAH J. PALMER
Notary Public
State of Ohio
My Comm. Expires
September 21, 2024

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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APPLICANT NAME: Fugees Family, Inc. Attention: Janeya Hisle

Daytime Phone #: (267) 259 4417 Fax #: _____

Mailing Address: 1933 East Dublin Granville Road, Suite 117,

Columbus, Ohio 43229 E-mail: janeya@fugeesacademy.org

OWNER NAME: Northeast Baptist Church (Attn.: Jonathan Spencer) (If more than one owner, attach contact information for each owner)

Daytime Phone #: (404) 219 5943 Fax #: _____

Mailing Address: 4046 Chamblee Tucker Road, Doraville,

Georgia 30340 E-mail: jonathanbudspencer@yahoo.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 4046 Chamblee Tucker Road + 3201

Bolissa Drive, Doraville, GA 30340, DeKalb County, GA, 30340

District(s): 18th Land Lot(s): 286 + 287 Block(s): A + C Parcel(s): A1-6; C1-2

Acreage or Square Feet: 5.16 total Commission District(s): 1 Existing Zoning: R-100
acres

Proposed Special Land Use (SLUP): To operate school in R-100 zoning

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: _____ Agent: Signature of Applicant: [Signature]
(Check One)

Printed Name of Applicant: Janeya Hisle

Notary Signature and Seal:

[Signature]



SAVANNAH J PALMER
Notary Public
State of Ohio
My Comm. Expires
September 21, 2024

June 28, 2022

VIA EMAIL

DeKalb County Planning & Sustainability
178 Sams Street, Building 1-A3600
Decatur, Georgia 30030
plansustain@dekalbcountyga.gov

SLUP Application for 4046 Chamblee Tucker Drive and 3201 Bolissa Drive, Doraville, GA 30340 (the "Property")

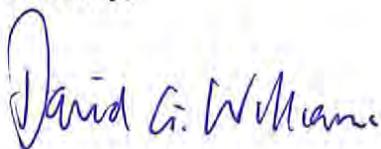
Sir/Madam:

In connection with the above-referenced Property, attached please find a complete SLUP Application for this special land use permit requested by Fugees Family, Inc.

We will coordinate delivery of the \$400.00 money order made out to DeKalb County within the next 24 hours.

Please reach out to me at 404.880.1368 or to Janeya Hisle at 267.259.4417 if you have any questions.

Sincerely,



David G. Williams

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Director
Andrew A. Baker, AICP

SPECIAL LAND USE PERMIT (SLUP) APPLICATION CHECKLIST

(Submit 4 printed, collated sets of the complete application and a PDF version on a flash drive)

- ✓ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.
- ✓ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.
3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)
 - ✓ A. **Application form** with name and address of applicant and owner, and address of subject property;
 - ✓ B. **Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;
 - ✓ C. **Letter of application and impact analysis**
 1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
 2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
 - ✓ D. **Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
 - ✓ E. **Campaign disclosure statement** (required by State law).
 - ✓ F. **Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*
 - ✓ G. **Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:
 - ___ a. complete boundaries of subject property;
 - ___ b. dimensioned access points and vehicular circulation drives;
 - ___ c. location of all existing and proposed buildings, structures, setbacks and parking;
 - ___ d. location of 100 year floodplain and any streams;
 - ___ e. notation of the total acreage or square footage of the subject property;
 - ___ f. landscaping, tree removal and replacement, buffer(s); and
 - ___ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
 - ✓ H. **Reduced Site Plan**, reduced to 8.5" x 11".
 - ✓ I. **Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
 - ✓ J. **Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
 - ✓ K. **Completed, signed Pre-application Form** (Provided at pre-application meeting)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

RECEIVED

By Rachel Bragg at 12:07 pm, Jun 28, 2022

SLUP Application Checklist for Fugees Family, Inc. – Item 3.B.

Pre-submittal community meeting notice and sign-in sheet



May 28, 2022

Dear Neighbors of 3201 Bolissa Drive and Northeast Baptist Church, located at 4046 Chamblee Tucker Road

Since the March of 2021, a public charter school operated by Fugees Family, Inc has been renting space from and operating out of the educational building at Northeast Baptist Church at 4046 Chamblee Tucker Rd. Fugees Family would like to purchase the building from Northeast Baptist Church as well as the adjacent vacant lot at 3201 Bolissa Drive and make this our permanent home. No external renovations are planned for the near future; however, in order for the building to change its primary use from "church" to "school", Fugees Family must apply for special use zoning.

You are therefore invited to attend a community rezoning meeting.

What is a Community Rezoning Meeting?

Community rezoning meetings are designed to inform the surrounding communities of current rezoning applications. It's an opportunity for the community to learn about the proposed project, ask questions, present concerns, and make suggestions. You are receiving this letter because you own property within 500 feet of the building. We hope you will be able to join us - in person or virtually - at the following date/time:

Meeting Date/Time: June 7, 2022 from 6:00 pm to 7:30 pm

Meeting Location (In Person): 4046 Chamblee Tucker Rd., Atlanta, GA 30340

Meeting Link (Virtual):

<https://fugeesfamily-org.zoom.us/j/83293971480>

Meeting ID: 832 9397 1480

Or dial in to the meeting at (301) 715 8592

We look forward to meeting you and getting feedback at this meeting. If you are unable to attend or wish to reach out beforehand, please contact Janeya Hisle at (678) 201-0451 or janeya@fugeesacademy.org.

Sincerely,
Fugees Family, Inc



Community Rezoning Meeting
June 7, 2022

SIGN IN SHEET

NAME	PHONE	EMAIL ADDRESS
1. <u>Sista Williams</u>	<u>404 2476800</u>	<u>SistaWilliams@yahoo.com</u>
2. <u>Greg Saluzzi</u>	<u>678 2675424</u>	<u>GregSaluzzi@gmail.com</u>
3. <u>CARLOS ALONSO</u>	<u>404 394 0755</u>	<u>Ocean_fury@yahoo.com</u>
4. <u>Nicker Patti Patellis</u>	<u>770 777 6029</u>	<u>Patti19542271@att.net</u>
5. <u>TRACY BRYANT</u>	<u>404 5380411</u>	<u>tbryant429@gmail.com</u>
6. <u>Charles Corbin</u>	<u>770-939-1208</u>	<u>33A cccorbinjr@gmail.com</u>
7. <u>Barry Minkoff</u>	<u>678 643 0359</u>	<u>bminkoff@gmail.com</u>
8. <u>Deborah H. Stone</u>	<u>404-824-7502</u>	<u>stonedeb@yahoo.com</u>
9. <u>Andrew Holmes</u>	<u>678.603.5026</u>	<u>CourageWoke@yahoo.com</u>



NAME	PHONE	EMAIL ADDRESS
10. <u>Jeremy Briner</u>	<u>(404) 567-9228</u>	<u>j.l.briner@hotmail.com</u>
11. <u>Natal & Robert Thomas</u>	<u>404-246-6493</u>	<u>n.fabrinkley@gmail.com</u>
12. <u>Sue Towhey</u>	<u>(770.496.0054)</u>	<u>2ETRAN@bellSouth.net</u>
13. <u>Suzanne Dean</u>	<u>770-493-9457</u>	<u>SUZAN170@comcast.net</u>
14. <u>Deborah Combs</u>	<u>404-214-7296</u>	<u>da.combs@AOL.com</u>
15. <u>Troy Hewett</u>	<u>404-405-3483</u>	<u>Troy@Hewett.com</u>
16. <u>José Aponte</u>	<u>404 713 9535</u>	<u>jjavier1971@gmail.com</u>
17. <u>Betsy Styles</u>	<u>404 771 7630</u>	<u>betsystyles@att.net</u>
18. <u>Jeannette & Vernon Peppers</u>	<u>770 317 4648</u>	<u>1PCPE@procompcomputer.com</u>
19. <u>NANCY PARCELL</u>	<u>404 308 1023</u>	<u>Kanayajurid@gmail.com</u>
20. <u>MIKE GILLIAM</u>	<u>678-910-2368</u>	<u>M93654@ATT.NET</u>
21. <u>Pauline McKen / Candice Heatham</u>	<u>404-406-2121</u>	<u>PMCKEN1060@yahoo.com</u>



NAME	PHONE	EMAIL ADDRESS
22. <u>Rinda Rodriguez</u>	<u>770 932-1402</u>	<u>RindaRodriguez@yaho.com</u>
23. <u>Kelley Samaras</u>	<u>7-770492-1942</u>	<u>KelleySamaras@hotmail.com</u>
24. <u>BRET DUCHEN</u>		<u>bretduchen@gmail.com</u>
25. _____	_____	_____
26. _____	_____	_____
27. _____	_____	_____
28. _____	_____	_____
29. _____	_____	_____
30. _____	_____	_____
31. _____	_____	_____
32. _____	_____	_____
33. _____	_____	_____



Chat Messages

- Janeya Hisle** 01:17:52
Added to the list.
- Corina Sanchez** 01:18:47
Question was: Does Tucker know what we are planning? They are concerned for the safety of the children with the cars that pass through from the highway.
- DonaldScovill** 01:19:05
there are deer in and out of the green space. let's not totally disrupt their habitat.
- DonaldScovill** 01:21:58
or put together an email list
- Dawn** 01:22:39
post meeting notices on church sign outside the bldg
- Janeya Hisle** 01:25:55
Here are some of the most recent

GFACS Zoning Community Meeting

June 7, 2022

ZOOM ATTENDEES

Sean

Sharron Lathem

Michele McCarthy

Donald Scovill dascovill@duck.com

Todd David

Harriet Dye

Vince Erario

Emil

770-908-0660

Dawn

Judy Barker

Joey Arbuckle

Rachel Farren

Ike and Lucy Ndukwe

kimiladay@gmail.com

404-406-2121

For future meetings:

Post notice on board

Post notice on website

kimiladay@gmail.com

dascovill@duck.com

Questions:

1. What is the plan for the lot on Bolissa Drive?
2. As we grow we need to keep car parking out of the neighborhoods
3. I live across Chamblee Tucker Rd on Faronview Rd and am concerned my street will be used as overflow parking.
4. I request that a stipulation be added that the green space remains
5. Lets not disrupt their habitat (deer)
6. Will outside lighting be added?
7. Where do buses park during non school hours? I request they not be parked in the front of buildings.

Chat transcript

From Michele McCarthy to Everyone 05:56 PM
Kevin and I do not have sound either

From Sharron Lathem to Everyone 05:57 PM
is the sound working?

From Michele McCarthy to Everyone 05:57 PM
just a bit then stopped

From Me to Everyone 05:59 PM
Hello everyone. The sound will be connected soon when the meeting starts.

From Michele McCarthy to Everyone 05:59 PM
thank you

From Sharron Lathem to Everyone 05:59 PM
great thanks

From Michele McCarthy to Everyone 05:59 PM
sound working]

From Sharron Lathem to Everyone 06:01 PM
more volume please

From Michele McCarthy to Everyone 06:02 PM
check volume cannot hear you

From Harriet Dye to Everyone 06:02 PM
Cannot hear either

From Me to Everyone 06:02 PM
Sorry. Fixing shortly.

From Sharron Lathem to Everyone 06:03 PM
barely audible cannot understand speaker

From Michele McCarthy to Everyone 06:06 PM
cannot hear the question \
thanks

From Sharron Lathem to Everyone 06:07 PM
can she move to the mic???
catching ever other phrase now....

From Michele McCarthy to Everyone 06:11 PM
can hear Jonathan great

From DonaldScovill to Everyone 06:11 PM
what is the plan for 3201 Bolissa Drive

From Me to Everyone 06:12 PM
I've added your question to the list for them to address.

From DonaldScovill to Everyone 06:13 PM
Thank you

From Michele McCarthy to Everyone 06:14 PM
screen freeze?

From Sharron Lathem to Everyone 06:17 PM

please....can you add volume???

From Me to Everyone 06:18 PM

I think the volume is as loud as it goes but they are looking for a mic now for the audience to use.

From Michele McCarthy to Everyone 06:19 PM

need someone to repeat questions

From DonaldScovill to Everyone 06:32 PM

as you grow, we need to keep car parking out of the neighborhoods

From Me to Everyone 06:33 PM

Added to the list.

From DonaldScovill to Everyone 06:33 PM

thanks again

From Michele McCarthy to Everyone 06:36 PM

if no one is going to repeat the questions- can a mic be given to those asking questions??

From Dawn to Everyone 06:37 PM

I live across Chamblee Tucker Road on Faronview Road. I am concerned my street will be used as overflow parking.

From Corina Sanchez to Everyone 06:46 PM

We are taking questions from in person attendees right now and will take your questions shortly.

From Michele McCarthy to Everyone 06:47 PM

what is she saying???

From Dawn to Everyone 06:47 PM

I request a stipulation be added that the green space remains green space.

From Me to Everyone 06:47 PM

Ok.

Added to the list.

From Corina Sanchez to Everyone 06:48 PM

Question was: Does Tucker know what we are planning? They are concerned for the safety of the children with the cars that pass through from the highway.

Me to Corina Sanchez (Direct Message) 06:48 PM

STop typing. I will type to the group.

From DonaldScovill to Everyone 06:51 PM

there are deer in and out of the green space. let's not totally disrupt their habitat.

or put together an email list

From Dawn to Everyone 06:52 PM

post meeting notices on church sign outside the bldg

From Me to Everyone 06:59 PM

Here are some of the most recent comments / questions:

1. Some are concerned about the protection of the greenspace. Luma responded that the school will not be removing any trees.
2. Some suggest we have a school safety officer.

3. Some were worried that the entire community wasn't invited (because they didn't receive notice.) There will be a second meeting with notices posted on the building and also on www.fugeesfamily.org and www.gfacs.org.

4. One neighbor asked why the buses run so late. Fugees Academies serve refugee students, many of whom are far behind their peers in schooling so they have an extended school day. School begins at 8am and students remain until 5:30 for soccer and tutoring.

5. Another neighbor is concerned about the children playing and joking around the street as they are walking to and from soccer field.

6. Others have asked about future building plans. Nothing planned for near future but possibly another building on the property for extracurriculars later.

7. Many of the neighbors enjoy walking on the property and want to continue being able to walk their dogs on the property.

From DonaldScovill to Me (Direct Message) 06:59 PM

You are doing a great job. Thanks

From Dawn to Everyone 07:00 PM

will u be adding outside lighting? especially near back doors.

Me to DonaldScovill (Direct Message) 07:01 PM

Lots of concerns about the trash. A lot of the trash is dumped, not from the school. We will get bigger trash bins, consider gates around them and maybe moving them further from the street.

From rachel farren to Me (Direct Message) 07:01 PM

Sounds like things are going well

From Me to Everyone 07:02 PM

8. Lots of concerns about the trash. A lot of the trash is dumped, not from the school. We will get bigger trash bins, consider gates around them and maybe moving them further from the street.

9. Also concerned about kids crossing the street. If zoned as a school, we'll get school zone signage.

Me to rachel farren (Direct Message) 07:03 PM

So far so good

We'll probably have to have another one though, because the notices didn't get to everyone.

From Me to Everyone 07:06 PM

People are asking if there could be private funding for a crosswalk.

Now everyone is asking who the gentleman is who is speaking. He is a neighbor who works in the county and knows a lot about the zoning process.

10. They are asking about funding. The school is a state approved public charter school and funding comes from the state. The rest is fundraised.

11. We are not technically a year round school, but we have a robust summer program and we do operate pretty much around the year.

From Me to Everyone 07:18 PM

12. What ways can you mitigate the issue of noise? Some people are considering moving because of the rezoning.

From Dawn to Me (Direct Message) 07:19 PM

do you have parking concerns on the list? I've submitted commentary on this via chat.

Me to Dawn (Direct Message) 07:19 PM

Yes I do.

From DonaldScovill to Me (Direct Message) 07:20 PM

for 3212 Sidis CT, our email addresses are kimiladay@gmail.com and dascovill@duck.com

From Dawn to Me (Direct Message) 07:20 PM

I had a request about bus parking. is that on the list?

Me to Dawn (Direct Message) 07:21 PM

Not bus parking. Can you say more about that?

So I can be sure to get an answer for you?

From Dawn to Me (Direct Message) 07:21 PM

where do buses park during non school hours. I request they not be parked in the front of buildings.

From Me to Everyone 07:22 PM

The gentleman is saying that if you have a concern, when we go to our public hearings that is the time to get restrictions registered. The public hearings are:

Sep 1, 2022 at 5:30 and

Sep 29, 2022 at 5:30

From Dawn to Me (Direct Message) 07:23 PM

I asked if outside lighting will be added.

Me to Dawn (Direct Message) 07:23 PM

Ok.

From DonaldScovill to Me (Direct Message) 07:31 PM

Thanks. Looking forward to continued conversations

From Me to Everyone 07:31 PM

13. Some are concerned about the safety / traffic. Can we use the police department to control traffic.

Me to DonaldScovill (Direct Message) 07:31 PM

Thank you for attending!

From Me to Everyone 07:32 PM

MEETING RECORDING

Recording Link:

<https://fugeesfamily-org.zoom.us/rec/share/suS0ejDkBxzPf-FFBwM6D9Uhvq6VMGuUvEWy4BC3FlkPj2mc81wA7WK3sXOnZpXa.3K6Om7UdvNECxiXs>

Passcode: 9\$x7rTfb

Feedback from neighbor

Hi Janeya - We may be unable to attend so wanted to reach out to you. We like the idea behind your school as it provides a needed resource for an underserved population.

I encourage that along with your possible future ownership of the lots in question you undertake a sense of responsibility to keep our local area clean. What will be your plan to keep the property clean on a continual basis? My main concern has been the large amount of trash generated by the school. We walk daily up and down Chamblee Tucker Rd. and notice a lot of trash strewn around in the parking lot which eventually makes it up to the main Rd. then get scattered by the traffic and eventually blows down my street, Blairhill Ct. This is not acceptable as we have kids and dogs that can be in danger of getting sick or hurt by this. The trash in question is kid type of trash like candy and junk food wrappers and containers as well as school materials such as pencils, papers, scissors...

A second point of concern is the dumpster in the front corner of the parking lot. Quite frankly it's a mess, there's always a lot of gross trash around it. I've seen the kids take the trash out and miss the can and just leave bags and loose trash laying around it. Sometimes it's overful, so you should get a bigger unit and use it properly. Also I think the placement of it encourages use by the folks driving by it so there has been a box spring laying over by the dumpster for months and no one at the school has done anything about it. It is unsightly and is seen as blight which will lead to more blight. Since it's so easily accessible folks dump things there and cause a lot of broken glass and food containers that's causing a safety issue for dogs and kids. I would think this would be a concern for you to keep your students safe and healthy but apparently it's not. I suggest moving it to the back somewhere and putting some kind of mechanism to restrict/deter access. Also maybe you should have a professional janitorial service and/or train your kids and staff to take the trash out properly, neatly and safely. I think the kids would benefit from picking up their own trash regularly or better yet not throw it on the ground in the first place.

Another concern I'll mention is the noise. At times when the kids are outside they are very loud and can be heard all the way over on Blairhill Ct. It can be disturbing. I know it's a school full of kids but many folks work from home on this street and it can fire up our dogs and make it difficult to have calls etc...What are the hours of the school? It seems to start early and go until sometimes even after 5? Other days I would expect some activity there seems to be little to none. Are you operating on a set schedule with a set staff?

I have seen unsafe/aggressive driving as staff and parents pull into and out of the church driveway. This is unsafe for those of us that walk on Chamblee Tucker Rd. Can you please make folks aware they should be careful in this area. Chronic issues have been noticed with a white Nissan Kicks, a large Cream/white colored Cadillac SUV, a blue Honda CRV as well as a few others that I believe are staff.

Now onto safety. Do you have the typical camera system seen in public schools? Are you a public or private school? Do you have plans to hire a school police officer? In light of all the gun violence recently I think this would make the surrounding community feel safer.

You mentioned in your letter no external renovations are planned for the near future but I encourage you to reconsider as the building itself seems to be in need of renovations.

Thanks,

Danny Piedrahita

SLUP Application Checklist for Fugees Family, Inc. – Item 3.C.1.

Letter of Application



June 23, 2022

Dekalb County
Department of Planning and Sustainability
Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA, 30030

RE: Letter of Application for Special Land Use Permit at 4046 Chamblee Tucker Rd & 3201 Bolissa Drive, Atlanta, GA 30340

Dear Officers,

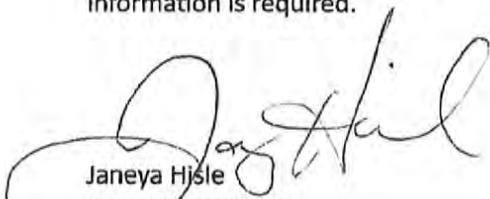
Fugees Family, Inc is a 501c3 non-profit organization that provides educational opportunities for students from refugee and immigrant families. Our organization is applying for a Special Land Use Permit within an R100 residential zoning district for the properties at 4046 Chamblee Tucker Road and 3201 Bolissa Drive, Atlanta GA 30340. This application is submitted in conjunction with and with the authority of Northeast Baptist Church, the current owner of the properties.

The property at 4046 Chamblee Tucker Rd currently houses two buildings, a sanctuary and an educational building. The sanctuary is a two-story building, 42'0" in height with dimensions of 100' 4" x 50' 0" (10,000 square feet). The educational building is 47' 9" in height with dimensions of 112' X 55' and has three floors (for a total of 18,480 square feet). The property at 3201 Bolissa Drive is vacant land.

Northeast Baptist Church is currently using the sanctuary to operate its religious institution and renting the educational building to a public charter school that is part of the Fugees Family network. Fugees Family is in the process of purchasing both lots from Northeast Baptist Church in order to use the entire property for the operation of the charter school.

The charter school currently serves 170 students in grades 6-12 and employs approximately 25 teachers and staff members. The hours of operation are 7:30am to 6:00 pm Monday through Friday, with some occasional weekend activity. With the exception of code and cosmetic upgrades to the inside of the buildings, the school has no current plans for changes to the property or to its hours of operation. Neighborhood discussions have begun and will continue, in order to ensure that any questions or concerns from the surrounding community are addressed.

Please review our enclosed application and contact me at janeva@fugeesacademy.org or (267) 259-4417 if further information is required.



Janeva Hisle
Operations Director
Fugees Family, Inc

SLUP Application Checklist for Fugees Family, Inc. – Item 3.C.2.

Impact Analysis

SLUP Application Checklist Item 3.C.2 (Impact Analysis):

Written documented, detailed analysis of the impact of the proposed zoning map amendment with respect to each of the standards and factors specified in Article 7.

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

As explained in other parts of this application, the proposed use is a middle and high school for students from refugee families in grades 6 through 12. The site has been operated as a church with educational facilities since it was formed in the 1960s and various educational institutions have leased the site from the church over the last several years. The applicant has been operating its school at the site under a lease agreement since June 2020. The boundary survey and site plan submitted with this application show the current buildings, driveways, parking areas, open space and buffer zones that have existed since the church and educational facilities were first built. The applicant does not have any plans to change the current buildings other than to upgrade them on the inside. The site is 5.16 total acres. The student enrollment in the school in the 2022-2023 school year is expected to be approximately 220 students in grades 6 through 12.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.

The site is zoned R-100 which as you know is a residential zoning designation that allows for schools and other uses that are considered compatible with residential neighborhoods, and that designed to serve the housing, recreational, educational, religious and social needs of the neighborhood. The operation of the school at the site will not create any adverse impacts upon the adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration. The traffic impact will be negligible because 95% of the students at the school arrive and depart each day on the school minibuses operated by the school. The only automobiles arriving and departing from the site will be those driven by the faculty and staff and the 5% of the student body that is brought to school by their parents in private automobiles. While a school will certainly create a certain amount of noise during outdoor time, it is only the sound of children playing and taking a break. As discussed during the neighborhood meeting with the community, the applicant intends to work with the community to address any concerns that they may have with respect to noise.

- C. Adequacy of public services, public (or private facilities), and utilities to serve the proposed use.

The church and the educational facilities are connected to all of the standard utilities – water, electricity, gas, sewer and internet/cable. The site is also receiving trash pick-up from DeKalb County on a regular basis and the frequency of trash pick-up has recently

been increased in response to concerns raised by the neighborhood at the community meeting. All of these public services have been adequate during the prior 2 years of operation of the school, and the applicant does not anticipate there being any lack of such services going forwards.

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

The applicant does not expect the operation of the school to have any material impact on the public street that provides access to the site because 95% of the student body arrives and departs the site each day on the school minibuses operated by the school. The minimal use of private automobiles by the faculty and staff, and the small percentage of students who travel to and from school in private automobiles will not unduly increase traffic or create congestion in the area.

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

The site has two (2) curb cuts providing access onto Chamblee Tucker Road, one at each end of the site. The frontage of the site onto Chamblee Tucker Road is approximately 635 feet in length as shown on the survey provided. The driveways within the site allow for vehicles to enter the site at either the southern end or the northern end of the site and the driveways allow vehicles on the site to travel in front of the buildings or behind the buildings. With respect to pedestrian access, the applicant intends to apply for a pedestrian crossing with flashing lights to be installed on Chamblee Tucker Road after the applicant has purchased the site from the church. Fire and other emergency services will be able to access the site and the buildings from either curb cut and from driveways located in the front of the buildings or behind them, as shown on the survey and site plan.

- F. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use.

The applicant does not believe that the proposed use will create any adverse impacts. The school will operate between the hours of 7:30 am to 6:00 pm Monday through Friday each week (other than during school holidays). Other than the sound of children's voices and other sound associated with a school, there should be no other impact on the adjoining land. As discussed during the neighborhood meeting with the community, the applicant intends to work with the community to address any concerns that they may have with respect to noise or any other impacts.

- G. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

As stated in item B above, the applicant interprets the operation of a school to be consistent with the "statement of purpose and intent" set forth in Section 2.5.1 of the zoning regulations relating to the R-100 zoning designation and with the "permitted and special land uses" set forth in Section 2.5.2 of the zoning regulations relating to the R-100 zoning designation (see Section 27-142 in Chapter 27, Article II, Division 5 of the Code of Ordinances of DeKalb County, Georgia).

- H. Whether the proposed use is consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan.

The operation of the charter school is consistent with and advances the policies of the comprehensive plan, which states that its principal goals are (i) meeting community goals, which we understand to include providing educational opportunities to its residents, and (ii) to address the needs and to provide opportunities to its residents. The refugee community in DeKalb County has traditionally been an underserved community and the Fugees charter school provides critical educational opportunities and support to this community. The operation of the charter school on the Property is consistent with the goals of the comprehensive plan with respect to land use in suburban/residential areas of the County.

- I. Whether there is adequate provision of refuse and service areas.

Based on input received by the applicant at the neighborhood meeting, the applicant has increased the size of the dumpster at the site and has further increased the frequency of pick-up by DeKalb County.

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

The applicant is not aware of any reason why the duration of the special land use permit should be limited in any way. The applicant wishes to obtain the special land use permit in order to operate the school on the site, which it intends to do as long as the applicant owns the site.

- K. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and whether the proposed use will create any shadow impact on any adjoining lot or building as a result of the proposed building height.

The considerations referenced in this section appear to apply primarily to an applicant who is planning to construct new buildings on a site, which is not the case here. The applicant in this case intends to use the existing buildings – two (2) structures that have been in place since the 1960s. The site is over 5 acres in total, has approximately 160 parking spaces, two curb cuts and open space on the site represents approximately 90% of the land.

- L. Whether the proposed use will adversely affect historic buildings, sites, districts or archeological resources.

The applicant is not aware of any such historic buildings, sites, districts or archeological resources that might be affected by the proposed use. The applicant has a Phase 1 Environmental Report for the property dated May 7, 2020 prepared by ECS Southeast, LLP (ECS Project No. 49:11626) which confirms no such historic buildings or archeological resources are located on the property.

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

We have reviewed the supplemental regulations set forth in Section 4.2.43 (private elementary, middle and high school) in Article 4 – Use Regulations in the DeKalb County Code of Ordinances. We are not sure if they apply to the school that we operate because it is a charter school, not a private school. However, to the extent applicable, we believe that the property will meet the general requirements, with a minor exception with respect to the high school requirement: (A) The lot size is 5.16 acres. That meets the requirements for a middle school and also meets the base requirement for a high school. We would ask for an exemption from the requirement that we have an additional 2 acres for each 100 high school students because we cannot acquire additional land; (B) The Property has at least 800 feet of public road frontage on Chamblee Tucker Road; (C) The Property does not have any ball fields. The school leases fields from another church located approximately half a mile from this Property for soccer practice; (D) The survey enclosed with this application indicates that there is a 50 foot buffer between the improvements on the Property and the residential neighborhoods located to the north and east of the Property, with the exception of the northern corner of the building that is approximately 42 feet from the northern boundary.

- N. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process.

We are committed to working in a cooperative manner with the neighborhood to make sure that our charter school is operated in a way that the neighborhood and the community will approve. We received some comments at the community meeting that we have already addressed, such as concerns regarding trash removal.

In terms of the community as a whole, the refugee community in DeKalb County has a unique set of needs that Fugees Family, Inc. has been addressing for over 15 years, including educational support for a community that faces unique challenges as it seeks to integrate itself into DeKalb County.

SLUP Application Checklist for Fugees Family, Inc. – Item 3.D.

Authorization Form

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION AUTHORIZATION

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: June 24, 2022

TO WHOM IT MAY CONCERN:

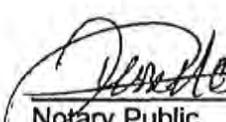
(I) (WE), the Pastor of Northeast Baptist Church on behalf of Northeast Baptist Church,

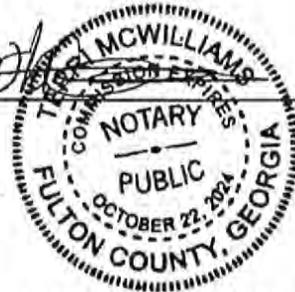
being (owner) (owners) of the subject property described below or attached hereby delegate authority to Janeya Hisle at Fugees Family, Inc., 1933 East Dublin Granville Road, Suite 117, Columbus, Ohio, 43229

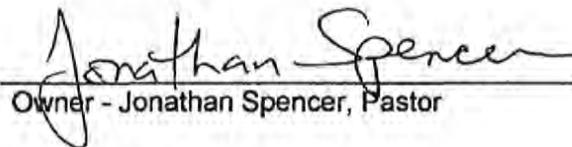
Phone Number : (267) 259-4417

to file an application on (my) (our) behalf.

NORTHEAST BAPTIST CHURCH


Notary Public




Owner - Jonathan Spencer, Pastor

Subject Property is 4046 Chamblee Tucker Road, Doraville, GA and 3201 Bolissa Drive, Doraville, GA

SLUP Application Checklist for Fugees Family, Inc. – Item 3.E.

Campaign Disclosure Statement

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes _____ No X *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary


Signature of Applicant /Date

Check one: Owner _____ Agent ✓

Expiration Date/ Seal

*Notary seal not needed if answer is "no".

**SLUP Application Checklist for Fugees Family, Inc. –
Item 3.F. and Item 3.G. and Item 3.H.**

Legal Boundary Survey

Site Plan

Reduced Site Plan

June 24, 2022

SLUP Application for 4046 Chamblee Tucker Drive and 3201 Bolissa Drive, Doraville, GA 30340 (the "Property")

To whom it may concern:

In connection with the attached ALTA/NSPS Title Land Survey of the Property dated March 3, 2022 and prepared by Land Engineering (Project No. 8342-001), the undersigned applicant hereby certifies that the Survey is complete and currently accurate.

The applicant has submitted a site plan with the application, but notes that the Survey addresses the required information set forth in the SLUP checklist, including the following items:

- a. Complete boundaries of the Property;
- b. Dimensioned access points and vehicular circulation drives;
- c. Location of existing buildings (no new buildings are proposed), structures, setbacks and parking;
- d. Location of 100 year floodplain and any streams (ALTA Table A Notes on the Survey indicate that the Property is in Zone X, so it is not within a 100 year floodplain);
- e. Notation of the total acreage of the Property;
- f. Landscaping is shown on the Survey.

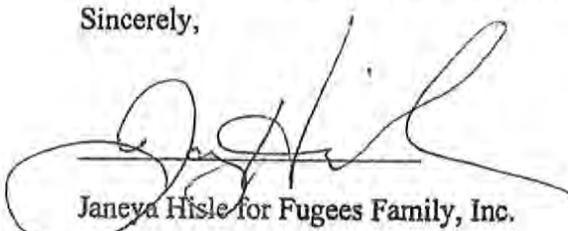
The undersigned further certifies that the building square footages are as follows:

3-story classroom building is 18,480 square feet (3 floors at 6,160 sq. feet) and the 2-story sanctuary building is 10,000 square feet (2 floors at 5,000 sq. feet).

Building elevations are as follows:

3-story classroom building is 47 feet, 9 inches high. 2-story sanctuary is 42 feet high.

Sincerely,



Janeva Hisle for Fugees Family, Inc.

Site Plan



1 SITE PLAN LARCH
SCALE 1" = 40'



207 Peachtree St. N., Suite 400
Atlanta, Georgia 30309
404.525.1232



FUGEES ACADEMY
at Northeast Baptist
Church
4561 Churchline Tucker Rd
Atlanta, GA 30340
PROJECT NUMBER
1105643

RELEASED FOR
CONSTRUCTION

THIS PLAN IS UNLESS OTHERWISE NOTED TO BE THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS STRICTLY PROHIBITED.

SHEET TITLE
ARCHITECTURAL SITE PLAN

A-101

SLUP Application Checklist for Fugees Family, Inc. – Item 3.I.

Written Legal Description



4046 Chamblee Tucker Road

EXHIBIT A

The Land referred to in this Commitment is described as follows:

TRACT I:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS NOS. 286 AND 287, OF THE 18TH DISTRICT, OF DEKALB COUNTY, GEORGIA, BEING LOTS NOS. 1-6, BLOCK A, HENDERSON ESTATES SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 29, PAGE 143, DEKALB COUNTY, GEORGIA RECORDS, WHICH PLAT IS HEREBY ADOPTED AND MADE A PART HEREOF BY REFERENCE THERETO FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY, BEING IMPROVED PROPERTY NOW OR FORMERLY KNOWN AS 4054 CHAMBLEE TUCKER ROAD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD, SAID ROAD HAVING A 5-FOOT OFFSET AT THIS POINT, AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD AND THE CENTER LINE OF EVANS ROAD, IF EXTENDED NORTH; THENCE NORTH ALONG THE EAST SIDE OF LOT 6, SAID BLOCK, SUBDIVISION, AND PLAT, AND AN EXTENSION OF THE CENTER LINE OF EVANS ROAD NORTH 427.5 FEET TO THE NORTHEAST CORNER OF LOT 3, SAID BLOCK, SUBDIVISION, AND PLAT; THENCE NORTHWESTERLY ALONG THE REAR LINE OF LOTS NOS. 1, 2, AND 3, SAID BLOCK, SUBDIVISION, AND PLAT, A DISTANCE OF 540.8 FEET TO THE NORTHEAST SIDE OF CHAMBLEE-TUCKER ROAD, SAID ROAD HAVING A 5-FOOT OFFSET AT THIS POINT; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID OFFSET IN THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD AND FOLLOWING THE CURVATURE THEREOF 802.2 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

SUCH PORTION OF THE ABOVE-DESCRIBED PROPERTY AS MIGHT BE WITHIN THE RIGHT-OF-WAY GRANTED TO DEKALB COUNTY, GEORGIA, TO WIDEN THE NORTH SIDE OF CHAMBLEE-TUCKER ROAD TO 40-FEET FROM THE CENTER OF CHAMBLEE-TUCKER ROAD.

THE LOTS SHOWN ON THE PLAT OF THE SUBDIVISION ABOVE REFERENCED ARE SUBJECT TO THE RESTRICTIONS AND COVENANTS SHOWN ON SAID RECORDED PLAT EXCEPT AS MODIFIED BY AGREEMENT FILED WITH LAWYERS TITLE INSURANCE COMPANY ALLOWING A CHURCH BUILDING TO BE BUILT ON SAID LOTS THEREIN WHICH WERE FORMERLY DESIGNATED AS SINGLE FAMILY LOTS.

BEING THE SAME PROPERTY AS THAT CONVEYED BY WARRANTY DEED DATED APRIL 12, 1965, FROM ATLANTA BAPTIST ASSOCIATION, INC., TO NORTHEAST BAPTIST CHURCH, INC., AS RECORDED APRIL 21, 1965, AT DEED BOOK 1980, PAGE 350, DEKALB COUNTY, GEORGIA RECORDS.

TRACT II:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 287, OF THE 18TH DISTRICT, SECTION, OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE NORTHEASTERN SIDE OF CHAMBLEE-TUCKER ROAD 810 FEET NORTHWESTERLY AS MEASURED ALONG THE NORTHEASTERN SIDE OF CHAMBLEE-TUCKER ROAD FROM ITS INTERSECTION WITH THE WESTERN SIDE OF WANDA WOODS DRIVE, SAID POINT OF BEGINNING BEING LOCATED AT THE SOUTHWESTERN CORNER OF THE PROPERTY NOW OR FORMERLY OWNED BY DORIS THORNTON CLEVELAND, AS ACQUIRED BY WARRANTY DEED DATED NOVEMBER 19, 1958, AS RECORDED IN DEED BOOK 1385, PAGE 2123, DEKALB COUNTY, GEORGIA RECORDS; RUNNING THENCE IN A NORTHERLY DIRECTION ALONG THE WESTERN LINE OF THE PROPERTY NOW OR FORMERLY OWNED BY DORIS THORNTON CLEVELAND A DISTANCE OF 617.1 FEET TO AN IRON PIN; RUNNING THENCE WESTERLY A DISTANCE OF 64 FEET TO THE EASTERN LINE OF A RESERVED TRACT OF MARYDALE SUBDIVISION, UNIT NO. 1; RUNNING THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERN LINE OF THE RESERVED TRACT OF MARYDALE SUBDIVISION, UNIT NO. 1, AND PROPERTY NOW OR FORMERLY OF NORTHEAST BAPTIST

EXHIBIT A
(Continued)

Commitment Number: 22-14-1600S

CHURCH, A DISTANCE OF 600 FEET, MORE TO LESS, TO AN IRON PIN LOCATED ON THE NORTHEASTERN SIDE OF CHAMBLEE-TUCKER ROAD; RUNNING THENCE SOUTHEASTERLY ALONG THE NORTHEASTERN SIDE OF CHAMBLEE-TUCKER ROAD A DISTANCE OF 67.15 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PORTION OF THE ABOVE DESCRIBED PROPERTY USED IN THE WIDENING OF CHAMBLEE-TUCKER, ROAD.

BEING THE SAME PROPERTY AS THAT CONVEYED BY WARRANTY DEED DATED JANUARY 4, 1973, FROM BOBBY D. MITCHELL, TO NORTHEAST BAPTIST CHURCH, INC., AS RECORDED JANUARY 6, 1973, AT DEED BOOK 2939, PAGE 174, DEKALB COUNTY, GEORGIA RECORDS.



CHICAGO TITLE INSURANCE COMPANY

3201 Bolissa Drive

Commitment for Title Insurance
Adopted 08-01-2016
Technical Corrections 04-02-2018

EXHIBIT A

The Land referred to in this Commitment is described as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 286, OF THE 18TH DISTRICT, OF DEKALB COUNTY, GEORGIA, BEING LOTS NOS. 1 AND 2, BLOCK C, UNIT ONE, MARYDALE SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 31, PAGE 16, DEKALB COUNTY, GEORGIA RECORDS, WHICH PLAT IS HEREBY ADOPTED AND MADE A PART HEREOF BY REFERENCE THERETO FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY, BEING IMPROVED PROPERTY NOW OR FORMERLY KNOWN AS 3201 BOLISSA DRIVE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION FORMED BY THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD WITH THE SOUTHEASTERLY SIDE OF BOLISSA DRIVE; RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY SIDE OF BOLISSA DRIVE 130 FEET TO LOT 3, SAID BLOCK, UNIT, SUBDIVISION, AND PLAT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT NO. 3 A DISTANCE OF 216 FEET TO THE NORTHWESTERN CORNER OF LOT NO. 6, SAID BLOCK, UNIT, SUBDIVISION, AND PLAT; THENCE SOUTHERLY ALONG THE LINE DIVIDING LOTS NOS. 2 AND 6, SAID BLOCK, UNIT, SUBDIVISION, AND PLAT A DISTANCE OF 131.2 FEET; THENCE WESTERLY 90 FEET TO THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY SIDE OF CHAMBLEE-TUCKER ROAD 218.7 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY AS THAT CONVEYED BY WARRANTY DEED DATED DECEMBER 27, 1966, FROM L. B. HARRELL, JR., TO NORTHEAST BAPTIST CHURCH, INC., AS RECORDED AT DEED BOOK 2160, PAGE 704, DEKALB COUNTY, GEORGIA RECORDS

SLUP Application Checklist for Fugees Family, Inc. – Item 3.J.

Building Form Information

Building Elevations and Square Footages

Building elevations are as follows:

3-story classroom building is 47 feet, 9 inches high.

2-story sanctuary is 42 feet high.

Building Square Footages are as follows:

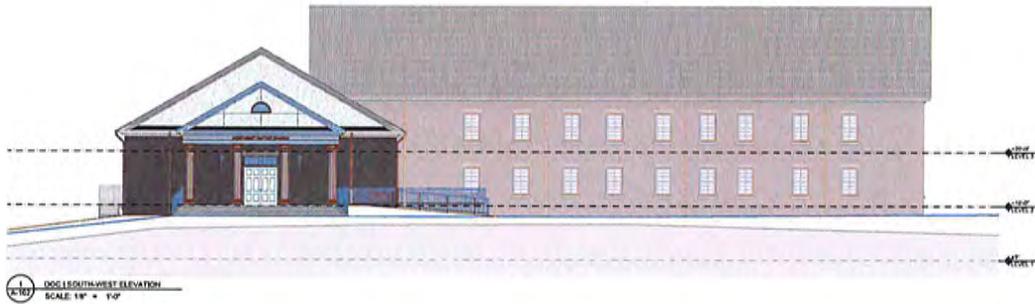
3-story classroom building is 18,480 square feet (3 floors at 6,160 sq. feet).

2-story sanctuary building is 10,000 square feet (2 floors at 5,000 sq. feet).

Building Materials:

The two buildings are built with brick.

Elevation Drawings



201 Peachtree St. S.E. Suite 400
Atlanta, Georgia 30334
(404) 525-1000



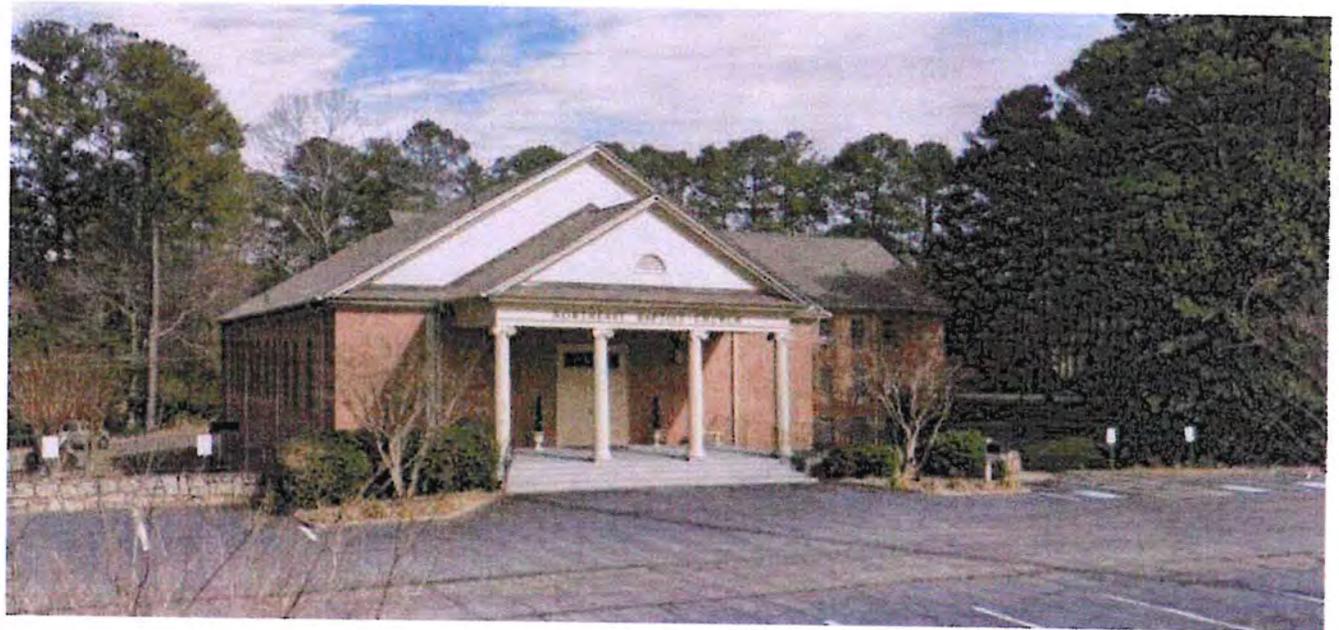
FUGEEES ACADEMY
at Northeast Baptist
Church
4248 Cherokee Truitt Rd
Atlanta, GA 30342
PROJECT NUMBER
2104341

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RELEASED FOR CONSTRUCTION

DISCLAIMER
We are not a professional engineering or architectural firm. We are not licensed in any state. We are not responsible for any construction or other work that may be done based on this drawing. We are not responsible for any construction or other work that may be done based on this drawing. We are not responsible for any construction or other work that may be done based on this drawing.

SHEET TITLE
Reference Elevations

A-102



**ATLANTA NORTHEAST BAPTIST CHURCH
4054 CHAMBLEE TUCKER ROAD
ATLANTA, GA 30340**

SLUP Application Checklist for Fugees Family, Inc. – Item 3.K.

Completed, signed Pre-application Form

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Janeva Hisle for Fugees Family, Inc. Phone: (267) 259 4417 Email: janeva@fugeesacademy.org

Property Address: 4046 Chamblee Tucker Road and 3201 Bolissa Drive, Doraville, GA 30340

Tax Parcel ID: 1828606009 and 1828606020 Comm. District(s): District 1 Acreage: 5.16 acres

Existing Use: Northeast Baptist Church Proposed Use Georgia Fugees Academy Charter School (Grades 6 – 12)

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes ____ No X

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes ____ No X

Existing Land Use: _____ Proposed Land Use: _____ Consistent ____ Inconsistent ____

Special Land Use Permit: Yes X No ____ Article Number(s) 27-7.4.6.

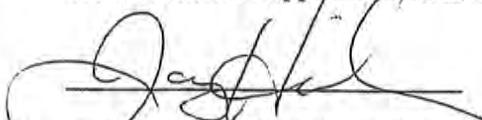
Special Land Use Request(s) To operate a charter school (Grades 6 – 12) on the property within the R-100 zoning

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

We had our Pre-Application Conference with Dustin Jackson on May 3, 2022 by zoom.


Janeva Hisle for Fugees Family, Inc.

June 24, 2022

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: Review Calendar Dates: PC: BOC:
 Letter of Intent: Impact Analysis: Owner Authorization(s): Campaign Disclosure:
 Zoning Conditions: Community Council Meeting: Public Notice, Signs:
 Tree Survey, Conservation: Land Disturbance Permit (LDP): Sketch Plat:
 Bldg. Permits: Fire Inspection: Business License: State License:
 Lighting Plan: Tent Permit: Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan *See attached 3. f. G. + H*

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____
 Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____
 Lot Size: _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____
 Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____
 Screening: _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____
 Bldg. Height: _____ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____
 Roofs: _____ Fenestration: _____ Façade Design: _____ Garages: _____ Pedestrian Plan: _____
 Perimeter Landscape Strip: _____
 Possible Variances: _____

Comments: _____

Planner: _____ Date _____

Filing Fees

REZONING: RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1 \$500.00
 RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5 \$750.00
 OI, OD, OIT, NS, C1, C2, M, M2 \$750.00

LAND USE MAP AMENDMENT \$500.00

SPECIAL LAND USE PERMIT \$400.00

David Williams

Pre-Application Meeting

From: David Williams
Sent: Friday, April 29, 2022 10:45 AM
To: plansustain@dekalbcountyga.gov
Cc: Janeya Hisle; Corina Sanchez
Subject: Information for SLUP Pre-Application - 4046 Chamblee Tucker Road
Attachments: 3 - V-0 8342-001 ALTA.pdf (4.1.22).pdf

on May 3, 2022

Via Zoom with

*Justin
Jackson*

To whom it may concern:

In connection with the pre-application meeting on Tuesday, May 3rd at 11 am, we wanted to let you know that we do not have a site plan for the property because we are not changing the current improvements already located on the site (a sanctuary used by Northeast Baptist Church and a three-story classroom building attached to it).

I have attached a copy of a current survey of the property for reference.

The property is zoned R-100 and has been operated by Northeast Baptist Church since the 1960s as a church. The non-profit Fugees Family, Inc. intends to purchase the property and seeks a SLUP to allow it to operate its school on the property. We understand that R-100 allows churches and schools but that we need the SLUP before we change the ownership.

Thanks,

David

David G. Williams
Phone: 404.880.1368
e-mail: david@sheleyhall.com

David Williams

From: David Williams
Sent: Friday, April 22, 2022 9:40 AM
To: lahill@dekalbcountyga.gov
Subject: 4046 Chamblee Tucker Road - Special Use Permit

Hi LaSondra –

I was given your name and email by Melora Furman. She recommended that I reach out to you to request/schedule a pre-application meeting which I understand you will arrange with a senior planner at DeKalb County.

I am working pro bono for a non-profit organization and its related charter school in connection with their intended purchase of a church property at 4046 Chamblee Tucker Road. We understand from Ms. Furman that we will need to apply for a special use permit to operate the charter school on the site once we purchase it from the church.

Can you assist me in setting up the meeting with the senior planner? Unfortunately, we only just found out that DeKalb County will require a Special Use Permit, so we are under significant time pressures now to try to get this process started.

Thank you.

David

David G. Williams
Phone: 404.880.1368
e-mail: david@sheleyhall.com