APRIL 19, 2016 ZONING HEARING "OTHER BUSINESS" COMMISSION DISTRICT 4

ITEM 014

PURPOSE

To consider a site plan and stipulation amendment for Jubilee Christian Church International, Inc. regarding application SLUP-17 of 2014 (Jubilee Christian Church International Glory and Tabernacle, Inc.), for property located on the north side of Macedonia Road, east of Hopkins Road, in Land Lot 717 of the 19th District.

BACKGROUND

The subject property received a SLUP in 2014 for a private school. The property was approved to the submitted site plan as part of the zoning stipulations. The applicant would like to add a 1,600 square foot modular classroom behind the playground. The applicant needs this new building because they currently have classes for the students in the sanctuary building; adding this building will enable the two uses to be separated. There will be no increase in the number of children. If approved, all previous zoning stipulations not in conflict would remain in effect.

STAFF COMMENTS

Stormwater Management: Applicant must verify that adequate stormwater management (detention and water quality) is provided within the adjacent stormwater facility or redesign to accommodate the proposed site expansion.

RECOMMENDATION

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

ATTACHMENTS

Other Business application, proposed site plan and current zoning stipulations.

Application for "Other Business" Cobb County, Georgia

OB-014

MAR - 9 2016

Cond County, Georgia	
(Cobb County Zoning Division - 770-528-2035)	BOC Hearing Date Requested: April 19, 2016
Applicant. Jubiles Christian Church	Intl. Inc. Phone #: 678-521-8115
(applicant's name printed)	Incl. Inc. Phone #: 6/8-521-8115
	er Springs GA E-Mail: phuff@slhb-law.com
Parks F. Huff Address	376 Powder Springs Street, Suite 100
(representative's name, printed)	Marietta, GA 30064
Phone #: 770	.422.70 กลับเลืองคลาด phuff@slb-law.com
(representative's signature)	W. CN KIA.
-	ARE MINES
Signed, sealed and delivered in presence of:	OTARY E
Vaneu L. Kine	My commission enteres: 2-27-19
Notary Public	TA STAIRES OF
	COUNTY
Titleholder(s): Jubilee Christian Chu	urch 1mm Rhone #: 678.521.8115
(property owner's name Address: 3000 Macedonia Road, P.S.	
	E-Man. 2
Coll paler	AREN KINNIN
(Property owner's signature)	Commission
Signed, sealed and delivered in presence of:	HOTAAL E
Kanga Plaine	AUBLIC SE
Notary Public	
	COUNTY COUNTY
Commission District: R-20	Zoning Case: SLUP-17 (2014)
Size of property in acres: 5.7 Acres	Original Date of Hearing: November 18, 2014
- Francis	_ original Date of Hearing.
Location: 3000 Macedonia Road	
(street address, if applicable; nearest	
Land Lot(s): 717	District(s):19th
State <u>specifically</u> the need or reason(s) fo	r Other Rusiness
	to add a 1600 sq. ft. modular classroom.
= 1.3.125 cm approved blee plan	to add a 1000 sq. it. modular classroom.

ATTACHMENT TO APPLICATION FOR OTHER BUSINESS

	Application No.: BOC Hearing Date: _		
Applicant:Jubilee Christian Church Inte	ernational Glory and T	abernacle, Inc.	
Titleholder Signature : (Titleholder's Name Printed) Pastor Olajide	Opalleve /		
		And the second s	
Address: 3000 Macedonia Road, Powder Sp	orings, GA 30127	MAR - 9	2016
Telephone: 678-521-8115		<u></u>	
Signed, sealed and delivered in the presence of:			
Caren J. Kirg Notary Public			
Commission Expires: $3 - 37 - 19$			
(Notary Seal)			

P.2019....OR.

CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE APPLICATION FOR OTHER BUSINESS

MAR - 9 2013

1.

My name is <u>OLAJIOE</u> <u>OPALEYE</u>. I am the secretary, assistant secretary or other officer to whom the operating agreement or bylaws has delegated the responsibility for authenticating records of the company, **JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC.** (the "Property Owner Company"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Other Business Application regarding certain real property owned by the Property Owner Company located in Cobb County, Georgia.

2.

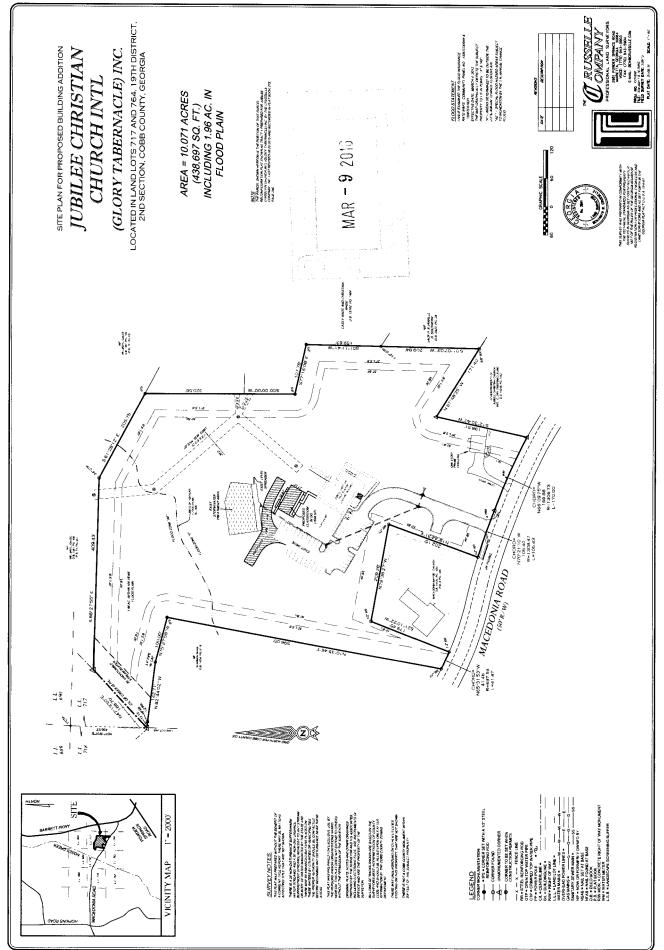
In accordance with the Requirements for Completing a Cobb County Other Business Application, I hereby attest on behalf of the Property Owner Company that I have reviewed the Other Business Application and related documents which are being filed simultaneously therewith by the Applicant Company (collectively, the "Other Business Application") to which this Certificate is attached and hereby certify:

- (a) That signature or facsimile affixed to the Other Business Application is in fact the seal of the Property Owner Company and is a true representation thereof; and
- (b) That the officer or other representative of the Property Owner Company who executed the Other Business Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Other Business Application on behalf of the Property Owner Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Other Business Application and the filing of the Other Business Application by the Applicant is with the express permission of the Property Owner Company.

JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC.

hairmen -

Title



MINUTES OF ZONING HEARING COBB COUNTY BOARD OF COMMISSIONERS NOVEMBER 18, 2014 PAGE 18

MAR - 9 201

REGULAR AGENDA (CONT.)

Z-85

COUSINS PROPERTIES INCORPORATED (owner) requesting Rezoning from UC to OMR for the purpose of Offices in Land Lots 987, 1005, and 1006 in the 17th District. Located on the southeast side of Wildwood Parkway east of Windy Hill Road.

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

MOTION: Motion by Ott, second by Birrell, to **approve** Z-85 to the **OMR** zoning category subject to:

- Letter of agreeable conditions from Mr. Kevin Moore dated November 11, 2014, including attached site plan (attached and made a part of these minutes), and with the following change:
 - ➤ Item No. 11 add subset d.: "Waive landscape buffer from 35' on northeast side of the property for these buildings only."
- Allowance of plant rescue by Georgia Native Plant Society
- River's Call homeowners association must be notified of any future plans to develop green space shown on this site
- Fire Department comments and recommendations, not otherwise in conflict
- Stormwater Management Division comments and recommendations, not otherwise in conflict
- Water and Sewer Division comments and recommendations, not otherwise in conflict
- Cobb DOT comments and recommendations, not otherwise in conflict

VOTE: ADOPTED 3-0 (Lee, Goreham absent)

SLUP-17

JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC. (owner) requesting a Special Land Use Permit for the purpose of School, Worship Services and Pre-K Program in Land Lot 717 of the 19th District. Located on the north side of Macedonia Road, east of Hopkins Road (3000 and 3066 Macedonia Road). (Previously continued by Staff until the October 7, 2014 Planning Commission hearing and previously held by the Board of Commissioners from their October 21, 2014 hearing)

The public hearing was opened and Mr. Parks Huff and Ms. Marian Gause addressed the Board. Following presentation and discussion, the following motion was made:

MINUTES OF ZONING HEARING COBB COUNTY BOARD OF COMMISSIONERS NOVEMBER 18, 2014 PAGE 19

REGULAR AGENDA (CONT.)

SLUP-17 JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC. (CONT.)

MOTION: Motion by Cupid, second by Birrell, to <u>approve</u> special land use permit subject to:

- Site plan received by the Zoning Division October 7, 2014 (attached and made a part of these minutes) with the following changes:
 - > Parking that is indicated as gravel to be paved
 - > Grass strip, curb, and sidewalk similar to existing parking lot to be placed along playground fence in new parking lot
 - > Landscape buffer to be shown as 35 feet except where building prevents the full 35 feet
- Letter of agreeable conditions from Mr. Parks Huff dated November 11, 2014, not otherwise in conflict (attached and made a part of these minutes), with the following change:
 - > Item No. 10 strike in its entirety
- Email from Mr. John Pederson dated November 14, 2014 (attached and made a part of these minutes)
- District Commissioner shall have the authority to approve minor modifications to any stipulations except those that increase the density; reduce the size or composition of an approved buffers or landscape strip to adjacent properties; relocate a structure closer to a property line; or increases height of a building adjacent to a property which are a direct contradiction to or in conflict with the foregoing stipulations; such modifications shall come back through the public hearing process as Other Busines
- This approval supersedes all previous special land use permits and temporary land use permit; only these stipulations will apply
- Maximum of 75 children, with the youngest being infants
- The house on the property to be used by church staff only and cannot be rented
- Capacity for church purposes shall be limited to a maximum of 160 people; the Fire Marshall may further restrict the capacity based on their review of the site
- All children are to play in fenced playgrounds and are not allowed to play in the parking lot
- A landscape buffer plan to be submitted to the County Arborist within 30 days of Board of Commissioners' approval; plan to be approved by the County Arborist and District Commissioner; landscape buffer to be installed within 90 days of final approval; this permit will be automatically suspended until buffer is fully installed

MINUTES OF ZONING HEARING COBB COUNTY BOARD OF COMMISSIONERS NOVEMBER 18, 2014 PAGE 20

REGULAR AGENDA (CONT.)

- SLUP-17 JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC. (CONT.)
 - The additional parking lot to be completed within 90 days of final approval by the Board of Commissioners; if parking lot is not completed within 90 days, then this permit will automatically be suspended until parking lot is complete
 - Hours of assembly for purpose of worship to be limited to 7:00 a.m. until 10:00 p.m.
 - All conditions and stipulations associated with SLUP-15 of 2007 are expired with this approval
 - Fire Department comments and recommendations, not otherwise in conflict
 - Water and Sewer Division comments and recommendations, not otherwise in conflict
 - Stormwater Management Division comments and recommendations, not otherwise in conflict
 - Cobb DOT comments and recommendations, not otherwise in conflict

VOTE: ADOPTED 3-0 (Lee, Goreham absent)

QTHER BUSINESS

O.B. 68

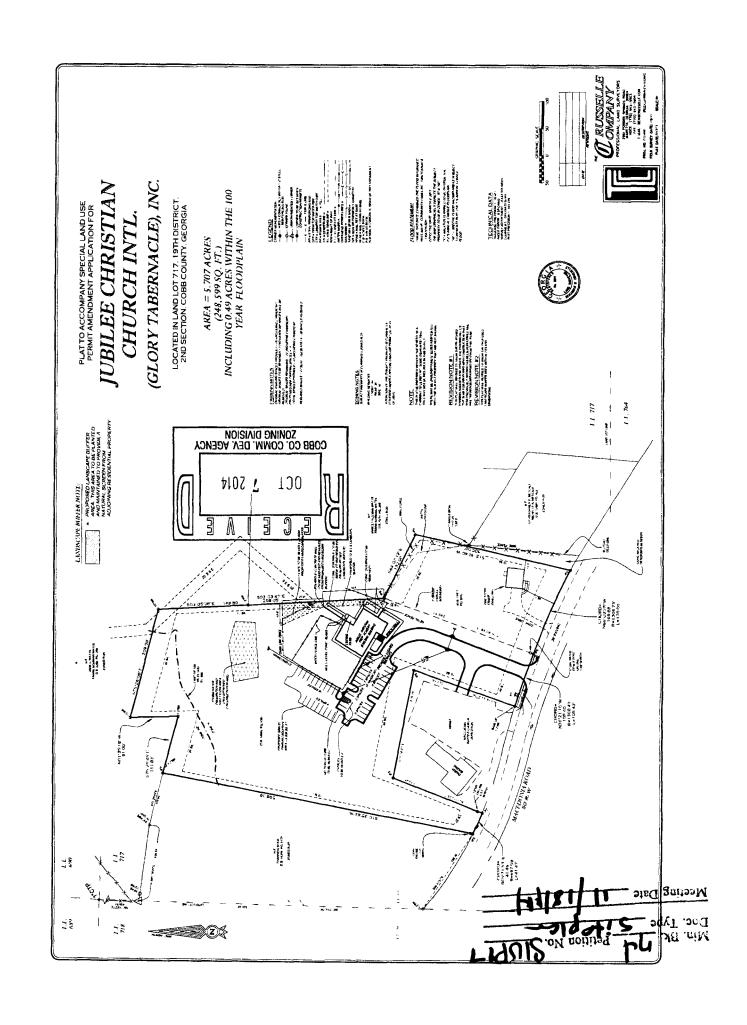
To consider a stipulation amendment for Erik Peterson regarding rezoning application Z-45 of 2012 (Last Stand Fitness, LLC), for property located on the west side of Atlanta Road at Brownwood Lane, and on the east side of I-285, south of Atlanta Road in Land Lot 763 of the 17th District.

Mr. Pederson provided information regarding stipulation. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to <u>approve</u> O.B. 68 for Erik Peterson regarding rezoning application Z-45 of 2012 (Last Stand Fitness, LLC), for property located on the west side of Atlanta Road at Brownwood Lane, and on the east side of I-285, south of Atlanta Road in Land Lot 763 of the 17th District, subject to:

- · Allowance of indoor baseball training and fitness use
- All previous stipulations and conditions, not otherwise in conflict, to remain in effect

VOTE: **ADOPTED** 4-0 (Goreham absent)



SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016 TELEPHONE 770•426•6583 FACSIMILE

Meeting Date

ADAM J. ROZEN

WWW.SLHB-LAW.COM

November 11, 2014

VIA EMAIL AND REGULAR MAIL

Mr. Jason Campbell Cobb County Zoning Division Community Development Agency 1150 Powder Springs Road, Suite 400 Marietta, GA 30064

Re:

Special Land Use Permit Application of Jubilee Christian Church Intl. (Glory Tabernacle), Inc. for property known as 3000 and 3066 Macedonia Road (SLUP-17).

Dear John:

I represent Jubilee Christian Church in regards to the SLUP-17 (2014). In 2007, Jubilee was granted a SLUP for the operation of a school for 50 children. The SLUP was modified by the grant of a twenty-four (24) month Land Use Permit granted in 2010 to allow for the school to provide care for up to 75 children and to include infants. The original SLUP was on 4.6 acres. Since that time, Jubilee has acquired an additional 1.1 acres and a small house. Jubilee requests that the original SLUP be expanded to include the additional 1.1 acres for the entire 5.7 acre tract. Additionally, the applicant requests the additional 25 children approved in the Temporary Land Use Permit be applied to the SLUP and that worship services be added to the SLUP after school hours and on Sunday.

The main building is a 6,600 square foot two story building and the additional house is approximately 1,100 square feet. The property sits behind an existing Baptist Church and across from an historic cemetery. The neighboring properties are all buffered from the proposed use by extensive natural vegetation. The applicant has discussed the case with concerned neighbors. On October 7, 2014, the Planning Commission recommended approval for an initial 24 months. Following is a list of conditions that incorporate the Planning Commission recommendations.

1. The house on property known as 3066 Macedonia Road will continue to be used as a residence. If the house is ever used for another use it will comply with all Fire Marshal requirements in terms of life safety requirements prior to use and occupancy. Such

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VIA EMAIL AND REGULAR MAIL

Mr. Jason Campbell Cobb County Zoning Division November 11, 2014 Page 2

requirements may include sprinklers, and modifying access points. The house can only be used by the Church staff only as a parsonage.

- 2. Prior to the issuance of a Certificate of Occupancy for the house to be used for other than residential uses, a driveway will be connected to the existing driveway for the main building and the current driveway connection to Macedonia Road will be removed to the property will only have one access point onto Macedonia Road. Any change of use from residential will be accompanied by a modification to the site plan that must be approved by the District Commissioner.
- 3. The main building known as 3000 Macedonia Road will add worship service to the use of this building. The applicant will revise the Certificate of Occupancy for this additional use. The gravel lot west of the building will be paved to provide the needed parking spaces. The revised site plan attached hereto as Exhibit "A" depicts the location of the additional parking which will be paved.
- 4. The school will be limited to 75 children from infancy to second grade. The school will comply with all state licensing requirements relating thereto and any Fire Marshal requirements.
- 5. The school will operate Monday through Friday from 7:00 am to 6:30 p.m. Any use of the property for worship service will be after school hours or on the weekends when school is not in session. If children are picked up late, they shall not be allowed to play outside waiting to be picked up.
- 6. The applicant will install the landscaping as shown on the attached plan attached as Exhibit "B" along the eastern side of the property adjacent to the building. Elsewhere, the 35 foot buffer shall be maintained.
- 7. The SLUP is based upon the attached site plan and landscape plan. The District Commissioner may approve minor modifications, except those that:
 - a. Reduce the size or composition of an approved buffer or landscape strip adjacent to property.

Petition No	SIUPI?			
Asceting Date	$-\mathbf{I}$	18	19	

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VIA EMAIL AND REGULAR MAIL

Mr. Jason Campbell Cobb County Zoning Division November 11, 2014 Page 3

- b. Locate any additional structures closer to a property line than as shown on the site plan.
- c. Increase the height of a building adjacent to contiguous residential properties.
- d. Violate the Cobb Zoning Ordinance.
- e. Increase the overall square footage of a building on the site.
- 8. The applicant shall keep the driveway clear of parked vehicles to ensure that cars are able to enter the site without backing up onto Macedonia Road. Additionally, the applicant shall keep all fire lanes clear and prohibit any parking in the fire lanes or in areas that block traffic on the driveways.
- 9. The church shall be limited by zoning to no more than 160 worshipers. If Fire Marshal regulations allow for more, the zoning limitation will control.
- 10. The initial grant of the SLUP is for 24 months.
- 11. A landscape buffer plan to be installed within 90 days of the final approval. The SLUP shall be suspended until the buffer is fully installed.
- 12. The parking lot is to be completed within 90 days of the final approval by the Board of Commissioner and the permit shall be suspended until the parking lot is installed.
- 13. The church hours shall be limited to the hours of 7:00 am and 10:00 pm.
- 14. Any security lighting on the back of the building shall be shielded so it does not leave the property.
- 15. There shall not be any outdoor speakers on the property.
- 16. Jubilee will install the noise reduction panels and make the suggested changes proposed by Mix Mastered Acoustics as provided in the Exhibit "C."

Fermion No. SIVIT

Affecting Date HH 5/14

Continued

SAMS, LARKIN, HUFF & BALLI A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL AND REGULAR MAIL

Mr. Jason Campbell Cobb County Zoning Division November 11, 2014 Page 4

Please contact me if you have any questions regarding the proposed Special Land Use Permit request.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP

Parks F. Huff
phuff@slhb-law.com

PFH/dvm Enclosure

cc: Members, Cobb County Board of Commissioners (via email)

Mr. John Pederson, AICP (via email)

Mr. David Breaden, P.E., Cobb County Stormwater Management (via email)

Ms. Jane Stricklin, PE, Cobb County DOT (via email)

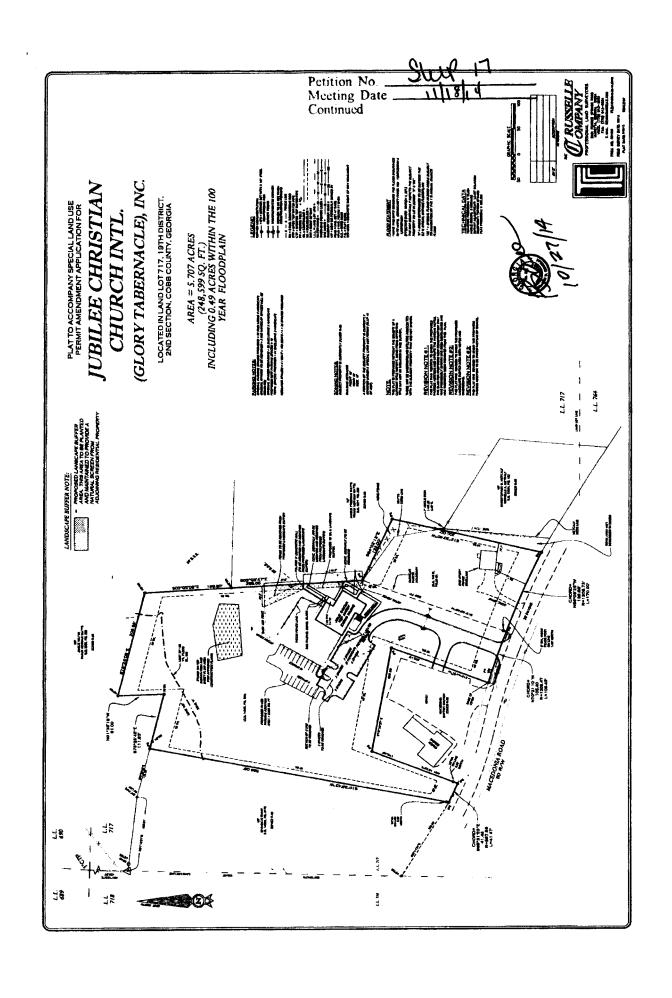
Ms. Lori Barton, Deputy County Clerk (via email)

Mr. Tim Davidson, Cobb Water Department (via email)

Jubilee Christian Church Intl. (Glory Tabernacle), Inc. (via email)

vicining Date HISTY

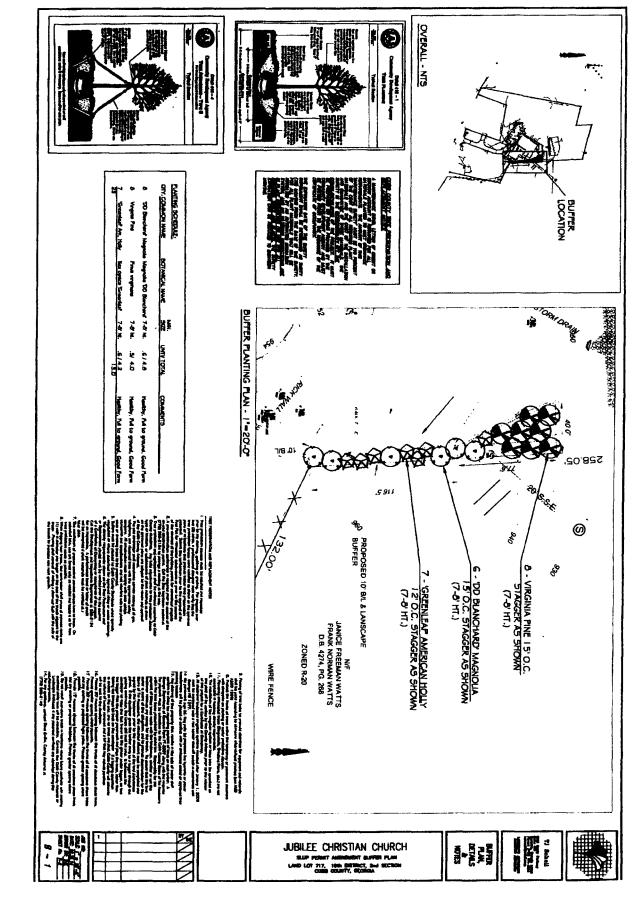
Exhibit "A"



Petition No. SUP Meeting Date Continued

Exhibit "B"





Petition No SIUPT Meeting Date IIIXII4 Continued

Exhibit "C"



From: info@mixmasteredacoustics.com Date: Mon, 20 Oct 2014 23:48:02 -0500

Subject: Re: FW: Acoustic Panels To: digiconcept@hotmail.com

Hi KC,

Thanks for sending the layout, this helps a lot. Following the plans, Pastor Jide's notes and watching a youtube video that I believe is the sanctuary (https://www.youtube.com/watch?v=KHejre7LN-c&list=UUN1tvNxuskRz7dqse05U-Gg) , I would recommend the following

- (2) corner traps 2 stacked on the left side of the platform by the band
- (4) 24" x 48" x 4" panels in the 5' section on the far left side of the stage... (2) on the bottom and (2) on the top
- (4) 24" x 48" x 4" panels in the 5' section on the far right side of the stage... (2) on the bottom and (2) on the top
- (4) 24" x 48" x 4" panels in the 5' section on the right side of the 3' section (window) (2) on the bottom and (2) on the top
- (4) 24" x 48" x 4" panels in the 5' section on the left side of the 3' section (window) (2) on the bottom and (2) on the top

It appears that you have a subwoofer in this area, once you install the panels I recommend moving the sub at least 2' to the left of this window and directly in front of the panels.

(6) 24" x 48" x 4" panels side by side below the projection screen

You will also want, as Pastor suggested, panels the immediate left and right side of the musicians

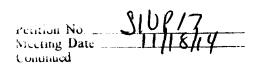
On each side it appears that you can easily fit 2 rows of 24" x 48" x 4" (7 on the top and 7 on the bottom) (14) on each side 24" x 48" x 4"

I am also concerned about the windows being a source of the sound escaping. There are several solutions...

A free option that you can try immediately is to make sure that the low end eq on the floor monitors is turned down (since you have the big speakers and subs, the musician is already getting the bass) also try to aim the stage monitors away from the window.

You may also consider having a temporary 6' panel either in a stand or just mounted to a portable moving dolly that can be taken away immediately after performances. The only downside is losing the beautiful Sunday morning sunlight.

I would suggest additional coverage on the remainder of the side wells and the back wall if and when the budget allows. If the sound is absorbed and contained in the room the results will be greatly improved. Just the same here is the breakdown based on the requested panels:



(2) corner bass traps \$129.95 each [http://mixmasteredacoustics.com/acoustic-corner-bass-traps-24-x-48/]

(50) 24" x 48" x 4" bass traps start at \$54.99 each [http://mixmasteredacoustics.com/microsuede-acoustic-bass-trap-panels-24-x-48-x-4/]

(2) 24" x 72" x 4" bass traps for in front of windows start at \$129.95 each [http://mixmasteredacoustics.com/microsuede-acoustic-bass-trap-panels-24-x-72-x-4/]

(2) Panel Stands start at \$39.95 each [http://mixmasteredacoustics.com/acoustic-panel-stands/]

Shipping via FedEx Freight \$495.58

When you are ready, the next step would be finalizing the fabric and colors.

Looking forward to hearing Pastor Jide's and Your thoughts.

Thanks KC,

Dan Morrell

http://MixmasteredAcoustics.com

Print

Close

Your Mixmastered Acoustics Order Confirmation (#2081)

From: Mixmastered Acoustics (info@mixmasteredacoustics.com)

Sent: Mon 10/27/14 3:30 AM To: opiii@hotmail.com

Thanks for Your Order

Your order ID is #2081.

Shipping Address

Oluwatoyin Opaleye Jubilee Christian Church 3000 Macedonia Road Powder Springs, Georgia 30127 United States 6785218115

Billing Address

Oluwatoyin Opaleya Jubilee Christian Church 3000 Macedonia Road Powder Springs, Georgia 30127 United States 6785218115

Your Order Contains...

Cart Items	sku	Qty	Item Price	Item Total
Acoustic Corner Bass Traps - 24 x 48 (Fabric Color: Camel Microsuede, Branded- Mixmastered Acoustics Logo, Fabric Wrap: Single Wrap)	MMACORNER	2	\$129.95 USD	\$259.90 USD
Microsuede Acoustic Bass Trap Panels -	MMA24x48x4M	8	\$54.99 USD	\$439.92 USD
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SIUPI7
Date IIII8/11 Page 2 of 2

4"

(Microsuede

Fabric Colors:

Camel

Microsuede,

Backing Fabric: White

Standard

Backing,

Branding:

Branded-Mixmastered

Acoustics

Logo,

Installation

Kit: Standard

Flush Mount,

Fabric Wrap:

Single Wrap)

Subtotal:

\$699.82 USD

Shipping: Grand Total: \$61.21 USD \$761.03 USD

Payment method:

paypai

Mixmastered Acoustics

http://mixmasteredacoustics.com/

Barton, Lori

Doc. Type (mail Corresponder

• •

From:

Pederson, John

Sent:

Wednesday, November 19, 2014 10:39 AM

To:

Barton, Lori

Subject:

FW: SLUP-17 Jubilee Christain Church International Glory and Tabernacle, Inc.

From: Pederson, John

Sent: Friday, November 14, 2014 10:19 AM

To: Lee, Tim; Rogers, Millie; Goreham, Helen; Friant, Annette; Ott, Bob; Powell, Thea; Birrell, JoAnn; Eberhart, Inger;

Cupid, Lisa; Keaton, Bianca

Cc: Hosack, Robert; Dance, Deborah; Atkins, Joseph B.; Toler, Robert; Westbrook, Jay **Subject:** SLUP-17 Jubilee Christain Church International Glory and Tabernacle, Inc.

Good Morning,

The above referenced case was held from last month's zoning hearing so two issues could be examined more closely by Staff. Below is what Staff found during the hold:

1. Certificate of Occupancy (CO) issue

- a. The daycare use does not have a CO; it needs a CO to operate legally. If the SLUP is approved on November 18th, then the applicant has an appointment with the Fire Marshall's office on November 26th to present plans to initiate the CO process.
- b. The private school use has a CO for Educational Occupancy. The church use does not need a CO because it is considered an assembly use that would fit under the private school's CO since there are large meeting areas within the existing building.

2. The validity of SLUP-15 of 2007

During the October 21, 2014 Board of Commissioners (BOC) Zoning Hearing there was some discussion that SLUP-15 of 2007 was expired. Community Development Staff and County Attorney Staff researched the issue and found that SLUP-15 of 2007 was not superseded by newer

stipulations, SLUP-15 was not repealed and SLUP-15 did not expire in any way. The 2009 and 2010 LUP approvals only allowed two particular items on the property for a limited amount of time. After the time expiration of the LUP's, SLUP-15 would fully control the property's use again. The applicant has vested rights in SLUP-15 that cannot be extinguished by a LUP.

I hope this addresses the questions from the October $21^{\rm st}$ Zoning Hearing. Please let me know if you have any further questions.

Thanks, John

Petition to SLUP-17
Meeting Date 11 18 14
Continue