



**APPLICANT:** Good Samaritan Help Center of Cobb, Inc.

**PHONE#:** (770) 815-0096 **EMAIL:** cyril.kitchens@eccellis.com

**REPRESENTATIVE:** Garvis L. Sams, Jr.

**PHONE#:** (770) 422-7016 **EMAIL:** gsams@shlb-law.com

**TITLEHOLDER:** AT13 Surplus, LLC

**PROPERTY LOCATION:** North intersection of Austell Road and Roberta Drive (1620 Austell Road).

**ACCESS TO PROPERTY:** Austell Road and Roberta Drive

**PHYSICAL CHARACTERISTICS TO SITE:** Former convenience store with fuel sales

**PETITION NO:** Z-93

**HEARING DATE (PC):** 12-02-14

**HEARING DATE (BOC):** 12-16-14

**PRESENT ZONING:** GC

**PROPOSED ZONING:** CRC

**PROPOSED USE:** Flex Office Space  
Educational/Instructional Space, Potential  
Retail Component (Pharmacy/Apothecary)

**SIZE OF TRACT:** 1.119 acres

**DISTRICT:** 17

**LAND LOT(S):** 208

**PARCEL(S):** 50

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** CRC/Good Samaritan Health Center and wooded area
- SOUTH:** R-20/Olive Springs Subdivision
- EAST:** CRC/Good Samaritan Health Center and wooded area
- WEST:** City of Marietta - Walton Village

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

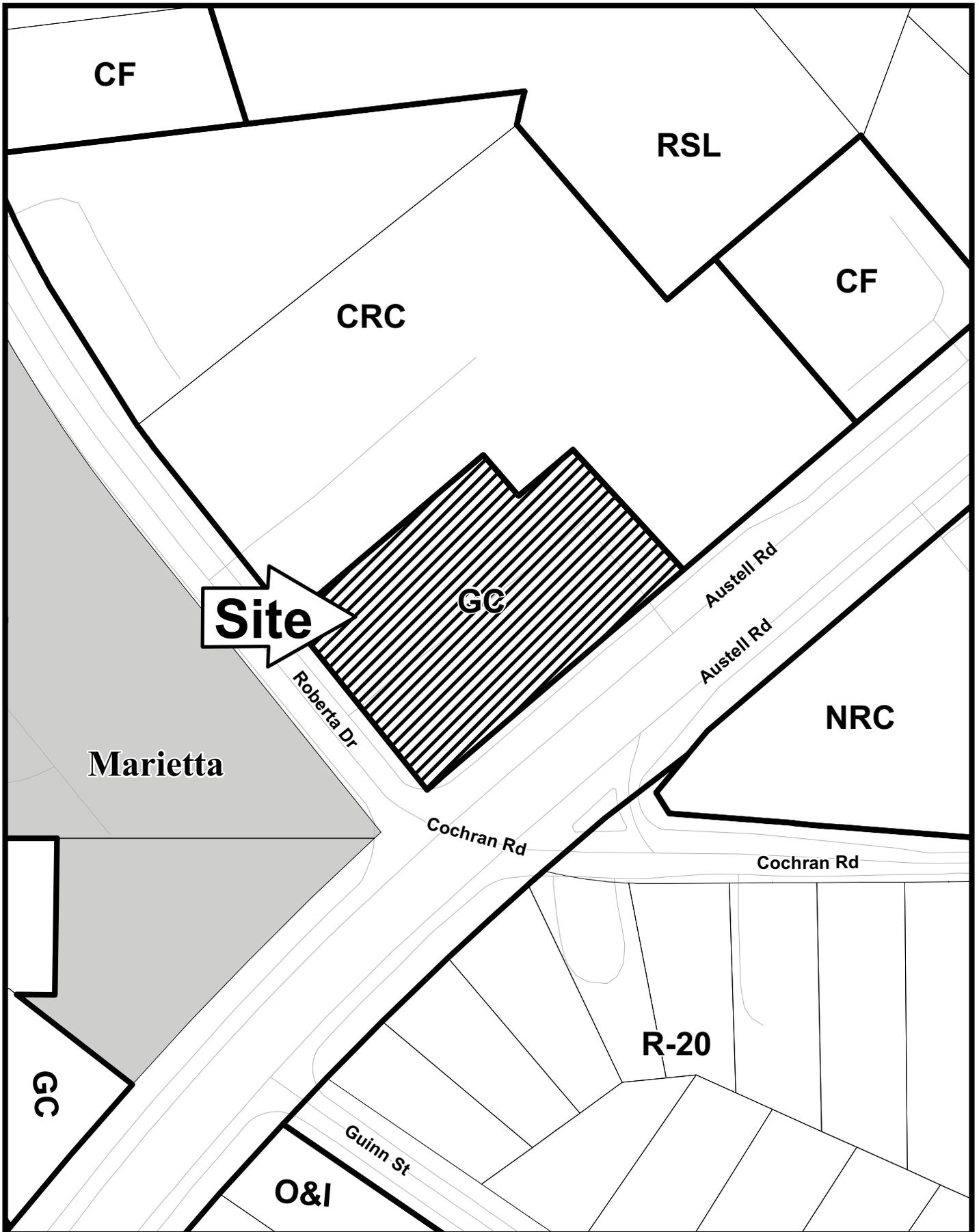
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# Z-93



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Good Samaritan Help Center of Cobb, Inc.

**PETITION NO.:** Z-93

**PRESENT ZONING:** GC

**PETITION FOR:** CRC

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Neighborhood Activity Center (NAC)

**Proposed Number of Buildings:** 1 (Existing)**Total Square Footage of Development:** 3,260

**F.A.R.:** .066 **Square Footage/Acre:** 2,913.31

**Parking Spaces Required:** 32 **Parking Spaces Provided:** 32

Applicant is requesting the Community Retail Commercial (CRC) zoning category for the purpose of flexible office space, educational/instructional space and the potential retail component of a pharmacy/apothecary. The proposed uses will be in conjunction with the abutting Good Samaritan property to the north. The hours of operation will be Monday through Saturday from 7 a.m. until 5 p.m. The applicant will remodel the existing building on the site to accommodate the proposed uses and the exterior will be consistent with the architectural renderings/elevations attached hereto. The applicant is requesting CRC in order to have this parcel consistent with the CRC zoning of the abutting Good Samaritan property to the north and because the proposed uses will be in conjunction with the services of the existing Good Samaritan Health Center.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage

**APPLICANT:** Good Samaritan Help Center of Cobb, Inc.

**PETITION NO.:** Z-93

**PRESENT ZONING:** GC

**PETITION FOR:** CRC

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC to CRC for flex office space educational/instructional space, potential retail component (Pharmacy/Apothecary). The 1.11 acre site is located on the north intersection of Austell Road and Roberta Drive.

**Comprehensive Plan**

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

**Master Plan/Corridor Study**

Austell Road Corridor Study

**Historic Preservation**

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

**Design Guidelines**

Is the parcel in an area with Design Guidelines?     Yes             No

If yes, design guidelines area \_\_\_\_\_

Does the current site plan comply with the design requirements?

**Incentive Zones**

Is the property within an Opportunity Zone?     Yes             No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone?             Yes             No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?             Yes             No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

**APPLICANT:** Good Samaritan Help Center of Cobb, Inc.

**PETITION NO.:** Z-93

**PRESENT ZONING:** GC

**PETITION FOR:** CRC

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**PLANNING COMMENTS:** (Continued)

**Special Districts**

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes       No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes       No

APPLICANT Good Samaritan Help Center of Cobb, Inc.

PETITION NO. Z-093

PRESENT ZONING GC

PETITION FOR CRC

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**WATER COMMENTS:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development:  Yes  No

Fire Flow Test Required:  Yes  No

Size / Location of Existing Water Main(s): 12" DI / N side of Austell Road

Additional Comments: Also 8" DI / E side of Roberts Road

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

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**SEWER COMMENTS:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin:  Yes  No

At Development:  Yes  No

Approximate Distance to Nearest Sewer: On site

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: South Cobb

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years

Drv Sewers Required:  Yes  No

Off-site Easements Required:  Yes\*  No \*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required:  Yes  No

Letter of Allocation issued:  Yes  No

Septic Tank Recommended by this Department:  Yes  No

Subject to Health Department Approval:  Yes  No

Additional Existing sewer customer  
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

**APPLICANT: Good Samaritan Help Center of Cobb, Inc.**

**PETITION NO.: Z-93**

**PRESENT ZONING: GC**

**PETITION FOR: CRC**

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**STORMWATER MANAGEMENT COMMENTS**

No site improvements are proposed at the present time. Stormwater management is currently in place for the existing site.

**APPLICANT: Good Samaritan Help Center of Cobb, Inc.      **PETITION NO.: Z-93****

**PRESENT ZONING: GC      **PETITION FOR: CRC****

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**TRANSPORTATION COMMENTS**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Austell Road	31,400	Arterial	45 mph	Georgia DOT	100'
Roberta Drive	N/A	Local	25 mph	Cobb County	50'

*Based on 2005 traffic counting data taken by Cobb County DOT (Austell Road)*

**COMMENTS AND OBSERVATIONS**

Austell Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Roberta Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

Recommend GDOT permits for all work that encroaches upon State right-of-way.

Recommend the driveway on Roberta Drive be converted to a right in/ right out.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

## STAFF RECOMMENDATIONS

### **Z-93 GOOD SAMARITAN HELP CENTER OF COBB, INC.**

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property has been used commercially and other low scale commercial uses are in the area.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The property was previously used as a convenience store with fuel sales. The proposed uses to coincide with the existing Good Samaritan Health Center to the north will be less intense than the former convenience store.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Neighborhood Activity Center (NAC) land use category. CRC is recommended to be in a Community Activity Center (CAC) or a Regional Activity Center (RAC). However, the proposed uses will be geared toward those persons utilizing the Good Samaritan Health Center to the north, which was deleted to CRC in 1994 (Z-148), at which time the *Cobb County Comprehensive Plan* delineated this area as being within the Community Activity Center (CAC) land use category.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. Staff believes that the proposed uses in conjunction with the existing Good Samaritan Health Center will be permissible under the CRC category *for these uses only*.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on October 6, 2014, with the District Commissioner approving minor modifications;
- The herein proposed uses, *only*;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation comments and recommendations.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**



Application #: Z- 93  
 PC Hearing Date: December 2, 2014  
 BOC Hearing Date: December 16, 2014

## Summary of Intent for Rezoning

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_



.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Flex office space; educational/instructional space; and, a potential retail component (Pharmacy/Apothecary)
- b) Proposed building architecture: Consistent with the architectural renderings/elevations prepared by CDH Partners which are being submitted contemporaneously herewith.
- c) Proposed hours/days of operation: 7:00 a.m. until 5:00 p.m. Monday thru Saturday
- d) List all requested variances: None at this time

.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

The subject property is located within the confines of a Neighborhood Activities Center ("NAC") under Cobb County's Future Land Use Map and is the former site of a Quick Trip Convenience Store.

.....  
**Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?**

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). N/A

.....  
**Part 5. Is this application a result of a Code Enforcement action? No  ; Yes \_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).**

Applicant signature: \_\_\_\_\_ Date: October 6, 2014

Applicant name (printed): Garvis L. Sams, Jr., Attorney for Applicant

**ZONING IMPACT STATEMENT FOR THE REZONING  
APPLICATION OF GOOD SAMARITAN HELP CENTER OF COBB, INC.**

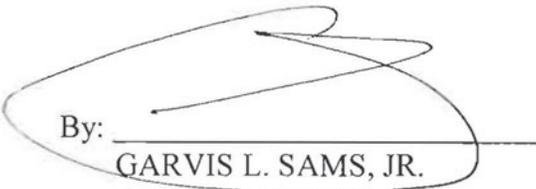
COMES NOW, GOOD SAMARITAN HELP CENTER OF COBB, INC., and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Austell Road Corridor.
- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties with the subject property. The property is within a Neighborhood Activity Center (NAC) under Cobb County's Future Land Use Map.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owner of the subject property is suffering a significant economic detriment by virtue of the continuation of the present nonconforming classification of GC.

- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.
- E. The zoning proposal is located within a Neighborhood Activity Center (NAC) and is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map.
- F. There is no substantial relationship between the existing zoning classification of GC which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Austell Road Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 6th day of October, 2014.

SAMS, LARKIN & HUFF, LLP

By: 

GARVIS L. SAMS, JR.  
Attorney for Applicant  
Ga. Bar No. 623950

Z-93 (2014)  
Building  
Elevations and  
Floor Plan

CDH PARTNERS  
ARCHITECTURE  
INTERIOR  
PLANNING

175 South 1st Street  
Tampa, FL 33602  
813.251.1111  
www.cdhpartners.com

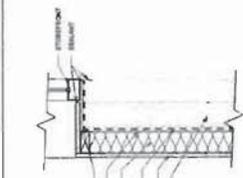


RENOVATION FOR  
**GOOD SAMARITAN HEALTH CENTER**  
OF COBB  
1905 PARKWAY SW, MARIETTA, GA 30066

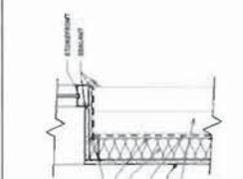
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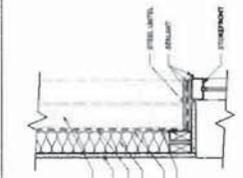
OCT - 6 2014  
COBB COUNTY HEALTH SERVICES  
ZONING DEPARTMENT



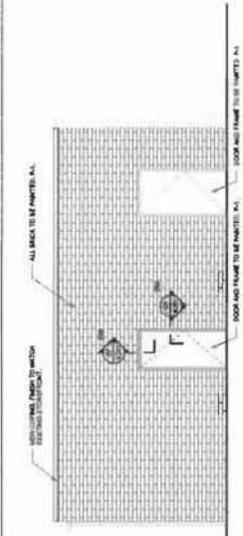
G1 TYPICAL SILL DETAIL  
AS201 1/12" = 1'-0"



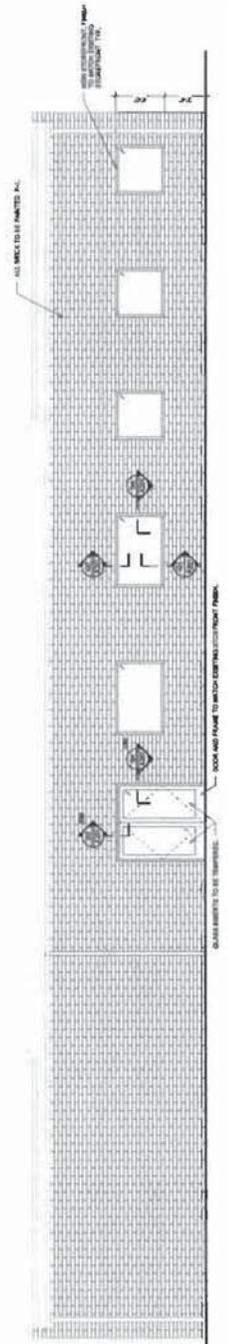
G4 TYPICAL JAMB DETAIL  
AS201 1/12" = 1'-0"



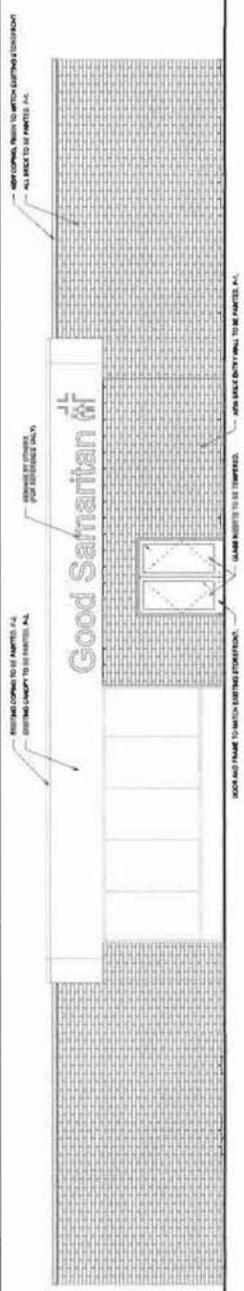
G7 TYPICAL HEAD DETAIL  
AS201 1/12" = 1'-0"



G10 ELEVATION WEST  
AS201 1/8" = 1'-0"



D1 ELEVATION NORTH  
AS201 1/8" = 1'-0"



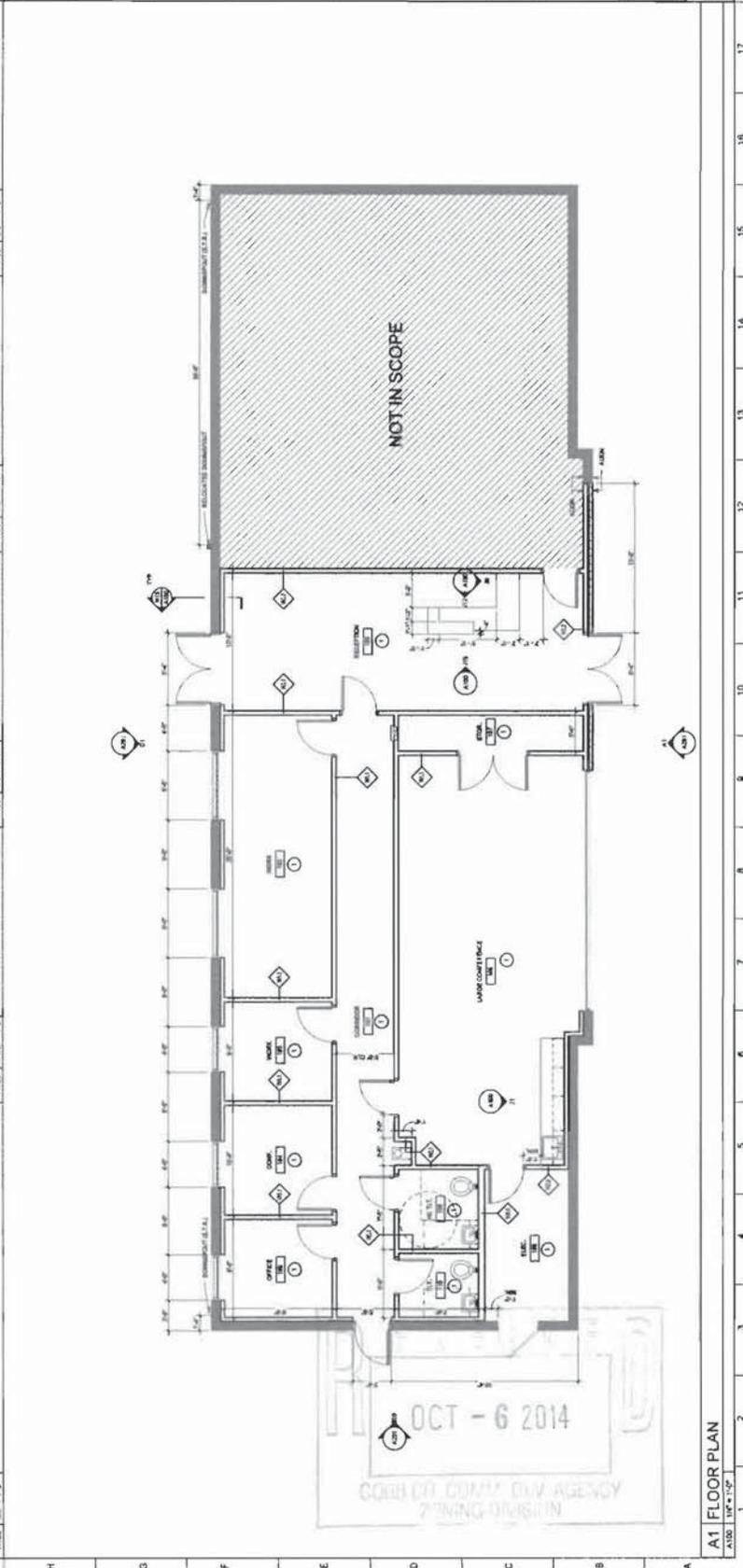
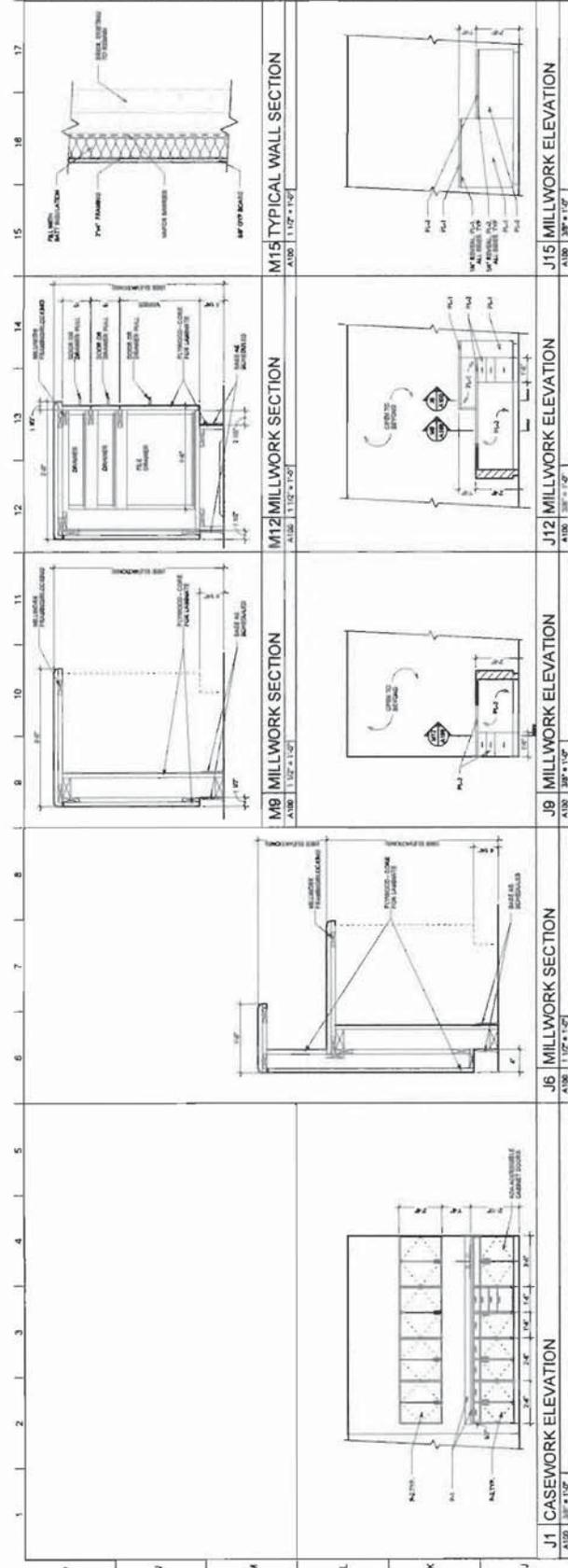
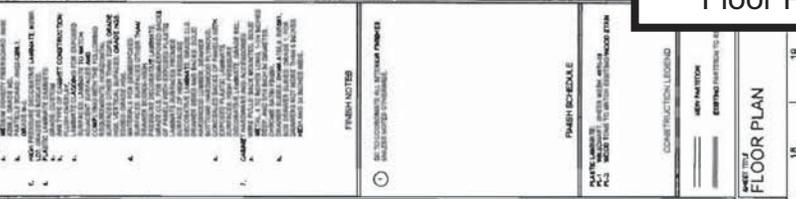
A1 ELEVATION SOUTH  
AS201 1/8" = 1'-0"

FINISH SCHEDULE  
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**GOOD SAMARITAN HEALTH CENTER  
OF COBB**  
1605 PHOENIX LN, MARIETTA, GA 30068

- GENERAL NOTES**
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF ALL PARTS AND MATERIALS TO BE USED IN THE WORK SHALL BE AS SHOWN ON THE DRAWINGS. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
  2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
  3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
  4. ALL MATERIALS TO BE USED IN THE WORK SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
  5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CONSTRUCTION DOCUMENTS AND ALL APPLICABLE LOCAL ORDINANCES.
  6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SAFETY AND HEALTH REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENVIRONMENTAL REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND LIFE SAFETY REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ACCESSIBILITY REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
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  11. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SOUND AND VIBRATION REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  12. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL LIGHTING REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  13. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL THERMAL ENVIRONMENT REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  14. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL AIR QUALITY REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  15. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL WATER AND WASTE REGULATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
- FINISH NOTES**
1. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FINISHES AND MATERIALS SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  2. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PAINTS AND COATINGS SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  3. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL TILE AND STONE SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  4. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CARPETING SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  5. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL WALLPAPER SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
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  9. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL METALS SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  10. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL GLASS SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  11. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLASTER AND GYP-SUM SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  12. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CONCRETE SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  13. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MASONRY SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  14. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ROOFING SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
  15. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL SPECIFICATIONS AND ALL APPLICABLE LOCAL ORDINANCES.
- FINISH SCHEDULE**
- DATE LAUNCHED: 10/06/2014  
DATE FOR FINISHES: 10/06/2014  
DATE FOR MILLWORK: 10/06/2014
- CONSTRUCTION LEGEND**
- EXISTING PARTITION  
--- NEW PARTITION  
--- EXISTING PARTITION TO REMAIN



**A1 FLOOR PLAN**  
A1:50 1/12" = 1'-0"