Prior to making a public comment, please fill out the form available on the table in the hallway to help ensure that your information is correctly entered into the minutes. Once you have spoken, please hand your form to the staff in front of the podium for the Clerk.

TENTATIVE AGENDA

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

TUESDAY, DECEMBER 6, 2022, **6:00 P.M.**

CITY HALL

If business has not concluded by 8:15 p.m., there will be a 15-minute break.

A. Roll call

B. Approve Minutes of meetings of Tuesday, November 1; Tuesday, November 15; and non-voting meetings for November 2022.

C. Written communications

D. Citizen input. If you wish to address the Mayor and Commission on any item listed below on the consent agenda, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT MEMBERS OF THE PUBLIC MAY SPEAK ONCE DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

E. Consent agenda. Items under this section have been discussed at prior public meetings and will be presented for consideration as a single item. Only one vote will be taken.

1. ADOOPT: Ordinance amending recycled water rate

2. ADOPT: Ordinance reference biosolids hauling and disposal contract amendment

3. ADOPT: A resolution of the Commission of Athens-Clarke County, Georgia, authorizing acceptable forms of payment for ad valorem taxes and other purposes

4. ADOPT: Resolution for application and acceptance of the Annual Transit Planning Assistance Grant for FY 2024 (July 1, 2023 - June 30, 2024)

5. ADOPT: Resolution for annual Metropolitan Transportation Planning (PL) Grant for FY 2024 (July 1, 2023 - June 30, 2024)

6. ADOPT: Resolution to establish the Sunday in calendar year 2023 for alcoholic beverage sales for Class D, E & F license holders as authorized by O.C.G.A. § 3-3-7 (r).

7. ADOPT: Resolution in support of democracy and nonpartisan election administration

8. APPROVE: Replacement of water and sewer mains for the GDOT SR10/US78 at North Oconee River Bridge Replacement Project (PI#0013806) - Authorization for the standard utility/contract item agreement

9. APPROVE: SPLOST 2011 Project 09, Oconee Rivers Greenway Network Connectors Project – Public art - artist, art type and style – Art location #2

10. APPROVE: TSPLOST 2018 Project 05 - Oconee Rivers Greenway, SP #4.2, #4.3 & #6 – Carriage Lane/Carr's Creek Greenway construction services contract award

11. APPROVE: SPLOST 2020 Project 20 - Parks and Facilities Improvement - Sub Project #11

12. APPROVE: SPLOST 2020 Project 22 - Broadband Connectivity Enhancement – Project concept

13. APPROVE: SPLOST 2020 Project 34 - Water Trails Project, SP #1 - Macon Highway launch proposed schematic design

14. APPROVE: Runway 9/27 runway obstruction free area (ROFA) clearing and acquiring rescue and firefighting safety testing equipment – FGAA/GDOT grant agreement

15. APPROVE: Talmadge Street - Proposed designation as an on-street parking permit controlled street under the Residential Parking Permit Program

16. APPROVE: Stormwater system mapping - Phase 3

17. APPROVE: Unified Government of Athens-Clarke County Transit Agency Safety Plan

18. APPROVE: Georgia Emergency Management Agency/Homeland Security Hazard Mitigation Grant Program

19. APPROVE: Landfill dozier rebuild

20. APPROVE: Appointment to Athens Cultural Affairs Commission

F. Public input. If you wish to address the Mayor and Commission on any other item (#21-29) listed below on this agenda, please go to the podium and state your name and address. Comments on items not listed on this agenda will be received upon the completion of all other business. RULES OF THE COMMISSION STATE THAT MEMBERS OF THE PUBLIC MAY SPEAK ONCE DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

G. Old business

21. TSPLOST 2018 Project 15 - Atlanta Highway Corridor Improvements Project - Mitchell Bridge Road and Timothy Road proposed project concepts

22. Moores Grove - Approval of a public pump station and force main

23. Athens-Clarke County Extension ANR Agent for Community Garden Program

24. Recommendation from Athens Justice and Memory Project

25. 2023 Georgia Department of Transportation (GDOT) Local Maintenance Improvement Grant (LMIG) application submittal

26. SPLOST 2011 Project 22, Youth & Community Enrichment Facility – Candidate site selection

27. Revised Office of Operational Analysis description, committee structure, and ordinance

H. New business – Consider under suspension of Rules

28. Resolution establishing and fixing the qualifying fees for the office of Commissioner of District 2 to be filled in the upcoming 2023 Athens-Clarke County special election to be held on March 21, 2023; and requesting the publication of said qualifying fees by the Athens-Clarke County Board of Elections in the legal organ of record for Athens-Clarke County

29. Appointments to various boards, authorities, and commissions

I. Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission. The proposed recommendations will be disposed of by the receipt of public input, the close of public input, and the consideration by the Commission. PLEASE REFER TO ATTACHMENT A FOR TIME LIMITS FOR PRESENTATIONS.

30. Request of Joe Polaneczky,1165 Oglethorpe, LLC/William A. Elbring, for amendment to a C-N (PD) (Commercial-Neighborhood, Planned Development) on 3.85 acres known as 1165 Oglethorpe Avenue. Proposed use is mixed use residential and neighborhood commercial. Type II District 6

Planning Commission recommendation: Approve w/conditions (6-1)

31. Request of Katie Kleibl/Schaffer, owner H/S Athlo, LLC, for amendment to a special use in C-G(A) (Commercial-General, Airport) on 1.20 acres known as 3321 and 3331 Lexington Road. Proposed use is quick service retaurant (drive-thru). Type I District 2

Planning Commission recommendation: Approve w/conditions (unanimous)

32. Request of Athens-Clarke County Unified Government for amendment to Chapter 9 of the Code of Ordinances regarding research and development uses in C-G, E, and I Zones.

Planning Commission recommendation: Approve (unanimous)

33. Request of Athens-Clarke County Unified Government for amendment to Chapter 9 of the Code of Ordinances regarding accessory dwelling units.

Planning Commission recommendation: Approve (unanimous)

J. Citizen input. If you wish to address the Mayor and Commission on any item other than those listed on this agenda, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT A CITIZEN MAY SPEAK **ONCE** DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

K. Receive report from Mayor

34. Appointment of Personnel Hearing Officer

L. Receive report from Manager

35. Purchasing

M. Receive report from Attorney

N. Receive input from Commissioners

O. Adjourn

A qualified interpreter for the hearing impaired is available upon request at least 10 days in advance of this meeting. Please call (706) 613-3031 (TDD {706} 613-3115) to request an interpreter or for more information.

Wireless access will be available for general use shortly before, during, and shortly after each Mayor and Commission meeting. Connect to “A_Registered” User name: public Password: dec6

Free parking deck vouchers for citizens attending the monthly Regular Voting Meetings, Work Sessions, and Agenda Setting Meetings of the Mayor and Commission held at City Hall are available on the 2nd floor of City Hall.

ATTACHMENT A

PROCEDURE FOR CITIZEN INPUT ON ZONING RELATED PUBLIC HEARINGS.

All persons supporting and opposing a proposed rezoning may take either one of two different opportunities to address the Mayor and Commission at the final public hearing on the proposed rezoning, as follows:

1.a. Proponents shall first present their ten (10) minute argument in support of the proposed rezoning, and opponents shall then present their ten (10) minute argument in opposition to the proposed rezoning.

b. Neither side will be required to use all of its ten (10) minute argument period.

c. Either side may allocate its ten (10) minute argument period among any number of speakers, provided that the presentation by all speakers for each side shall not exceed ten (10) minutes per side.

d. All persons wishing to speak longer than three (3) minutes during one side's ten (10) minute argument period must register their intent to do so with the Clerk of Commission not later than the time that the meeting of the Mayor and Commission at which the final public hearing on the proposed rezoning is to be conducted is first called to order.

e. In the event that all persons wishing to speak longer than three (3) minutes as a part of one side's ten (10) minute argument are not able to agree how that side's ten (10) minute argument period shall be allocated, they shall inform the Mayor of their disagreement before either side begins its 10-minute argument, in which event the Mayor shall decide and announce the manner in which that side's ten (10) minute argument period shall be allocated. Any Commissioner dissatisfied with the Mayor's allocation of that side's ten (10) minute argument shall have the right to appeal the Mayor's allocation decision to the Commission before either side begins its ten (10) minute argument.

2. After the supporters and opponents of the proposed rezoning have concluded their ten (10) minute arguments, any person who has not yet spoken either for or against the proposed rezoning shall be allowed to address the Mayor and Commission concerning the proposed rezoning for no longer than three (3) minutes per person.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **REVENUE GENERALLY;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 2-6-2 entitled "*Schedule of fees to be adopted annually*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting lines 14 and 15 in the table of "FY23 schedule of fees and charges" under "Public Utilities" in the "*Monthly Water Rates: Multifamily & Non-Residential* " section in their entirety and replacing it so it reads as follows:

	Monthly water rates: Multifamily & Non-Residential	Fee/Unit
14	Tier 1 for all potable use	$6.25 per 1,000 gallons
15	Recycled water rate	$2.67 per 1,000 gallons

SECTION 2. This ordinance shall take effect immediately after passage.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **WATER AND SEWER FEES ;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 5-3-77 entitled "*Water Rates*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting subsection (e) in its entirety and replacing it so it reads as follows:

(e) *Rate for recycled water*. Recycled water (i.e., notpotable, reclaimed) amounts shall pay a monthly customer service fee in accordance with subsection (f) herein and a unit rate of $2.67 per 1,000 gallons for water that passes through the recycled water meter.

SECTION 2. This ordinance shall take effect immediately after passage.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Amendment to Recycled Water Rate

DATE: October 26, 2022

BUDGET INFORMATION:

REVENUES: $2,500,000 annualized average

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission

A. Amend the recycled water unit rate to $2.67 per 1,000 gallons in the Code of Ordinances, **Section 5-3-77 (e) – Attachment #1**.; and

B. Update the existing **Section 2-6-2**, Schedule of Fees: Public Utilities to add the new recycled water rate ordinance – **Attachment #2.**

HISTORY:

1. On September 20, 2016, the Mayor and Commission (M&C) approved the Infrastructure Element and Capital Improvements Element of the 2015 Update to the Public Utilities Department (PUD) Service Delivery Plan (SDP). The 2015 SDP included programs to initiate a non-potable recycled water, formerly referred to as "reuse" system.
2. On January 10, 2017, PUD presented a Risk-Based Assessment to the M&C that evaluated factors beyond projected future water demand in the 2015 Service Delivery Plan.
3. On February 7, 2017, the M&C approved the recommendation of the Risk-Based Water Supply Assessment to initiate a Recycled Water Program.
4. On July 5, 2017, the M&C authorized a capital program to Improve Water Supply Reliability, approved the Potable and Non-potable Water Line Program Resolution and authorized staff to proceed with design and construction of the program as authorized.
5. In May 2018 CH2M, PUD's Master Planning Engineer, completed the ACCGov Recycled Water System Master Plan.

6. On March 5, 2019, M&C approved the construction of 3,000 linear feet (lf) of recycled water distribution pipeline as part of the (SPLOST) Firefly Trail Project Sub-Project #2.
7. On November 5, 2019, the M&C approved the North Oconee Water Reclamation Facility (NOWRF) Recycled Water Pump Station.
8. On July 1, 2020, the rate structure for all water billing was approved, including an ordinance amendment establishing recycled water rates.
9. On November 2, 2021, the M&C approved the North Oconee WRF and Middle Oconee WRF Improvements construction contract award. This contract award includes construction of the recycle water pump station.
10. On May 3, 2022, M&C approved the GDOT project at Lexington Road which includes relocation of water and sewer mains, including installation of recycled water infrastructure (purple pipe).
11. On June 7, 2022, M&C approved the FY23 budget and fee rates which included the recycle water rate of 50% of Tier 1 potable rates.

FACTS & ISSUES:

1. PUD's three Water Reclamation Facilities produced an average flow of 10.61 million gallons per day (mgd) of highly treated effluent in 2021. The NOWRF produced an average flow of 6.0 mgd in 2021. Recycled water from PUD's NOWRF can provide millions of gallons of recycled water per day to non-residential customers, including UGA for beneficial use.
2. "Non-potable Recycled Water" is defined as the use of recycled water for a direct beneficial purpose. A non-potable Recycled Water system pumps highly treated effluent from a Water Reclamation Facility to non-residential customers through a series of distribution pipes in separate pipe systems from drinking water and wastewater. Many recycled water systems include storage facilities so that recycled water can be stored for future use when demands are high.
3. Recycled water for irrigation, cooling towers, industrial processes, and other purposes has been employed as a water conservation practice in Georgia, Florida, California, Texas, Arizona, and other states for many years. A Non-potable Recycled Water System would reduce the amount of raw water needed for the Water Treatment Plant by providing recycled water for non-residential uses.
4. A Non-potable Recycled Water System:
    a. Makes ACC more drought resilient by reducing potable demands;
    b. Preserves water resources and protects ACCGov from economic impacts of water restrictions;
    c. Extends the effectiveness of the Bear Creek and future Quarry Reservoirs;
    d. Allows for future economic growth through water reliability; and

e. Mitigates peak demands from irrigation and cooling which are highest in hot months, just when rivers are at their lowest.

5. PUD has invested over $25 million in recycled water facility and equipment improvements, and 3,300 linear feet of infrastructure (purple pipe) already in the ground. By adopting a unit rate of $2.67 per 1,000 gallons, these capital investments are estimated to be paid down to under $4 million by FY2033.
6. PUD is collaborating with the ACCGov Economic Development Department to solicit interest in recycled water with local industries in the Athena Industrial Park Area, as well as the University of Georgia. To date there are a handful of industries that have expressed interest. Providing a competitive rate to customers that chose sustainable water opportunities will be the first step toward the agreements and partnerships with these businesses.
7. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Built and Natural Infrastructure Goal, Strategy A3: *Work with industries and large organizations to adopt technologies that reduce and shift water demand.*

OPTIONS:

1. Mayor and Commission
   a) Amend the recycled water unit rate to $2.67 per 1,000 gallons in the Code of Ordinances, **Section 5-3-77 (e) – Attachment #1**; and
   b) Update the existing **Section 2-6-2**, Schedule of Fees: Public Utilities to add the new recycled water rate ordinance – **Attachment #2.**
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION:

Option 1 A & B

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV

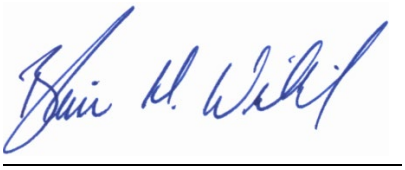
Hollis Terry IV

10/26/2022

Hollis Terry IV Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a & b



Manager

November 9, 2022
Date:

ATTACHMENTS:

Att 1 - Ordinance Amendment
Att#2 - Fees

Attachment 1

Rate Structure Ordinance Amendment

Sec. 5-3-77 - Water rates.

(e) *Rate for recycled water*. Recycled water (i.e., nonpotable, reclaimed) accounts shall pay a monthly customer service fee in accordance with subsection (f) herein and a ~~uniform~~ unit rate of $2.67 per 1,000 gallons ~~equal to half the rate stated in Section 5-3-77(c) and set in accordance with Section 2-6-2~~ for water that passes through the recycled water meter.

Attachment 2

Rate Structure Ordinance Amendment

Sec. 2-6-2. – Schedule of fees to be adopted annually.

	Monthly Water Rates: Multifamily & Non-Residential	Fee/Unit
14	Tier 1 for all potable use	~~$5.73~~ 6.25per 1,000 gallons
15	~~Water Monthly Customer Service~~ Recycled water rate	~~$4.40/month~~ $2.67 per 1,000 gallons

Attachment #2

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR BIOSOLIDS HAULING AND DISPOSAL; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the FY2023 Water and Sewer Fund Budget for the purpose of amending the contract for biosolids hauling and disposal. Said Operating and Capital budget is hereby amended as follows:

Water & Sewer Enterprise Fund:

Expenditures:	
Increase:	
Public Utilities – NOWRF	$127,000
Services-Landfill	
Revenue:	
Decrease:	
Public Utilities - W&S Fund	($127,000)
Unrestricted Net Position	

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Biosolids Hauling & Disposal Contract Amendment

DATE: October 26, 2022

BUDGET INFORMATION:

REVENUE:	$1,131,741	FY23 NOWRF Operating Budget – Services, Landfill
	$127,000	Water & Sewer Enterprise Fund Reserves
	$1,258,741	
EXPENSES:		
OPERATING:	$301,494	Encumbered/Expensed Services, Landfill
	$957,247	Available for Biosolids Hauling & Disposal

FUNDING SOURCE: Water and Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request the Mayor and Commission:

A. Approve a one year extension to the Denali Water Solutions, LLC (Denali) hauling contract;

B. Approve a unit-price amendment to the Biosolids Hauling contract with Denali from $95.76/ton to $102.70/ton due to increased landfill tipping fees **(Attachment #1)**;

C. Amend a budget ordinance to transfer $127,000 from Water and Sewer Enterprise Fund reserves **(Attachment #2)**; and

D. Authorize the Mayor and appropriate staff to sign all documents related to the contract.

HISTORY:

1. On July 1, 2008, the Mayor and Commission (M&C) approved an appropriation in the amount of $38,301,800 for the replacement and upgrade of the Cedar Creek Water Reclamation Facility (WRF).

2. On July 1, 2008, the M&C approved an appropriation in the amount of $107,295,955 for the replacement and upgrade of the North Oconee WRF.

3. On August 5, 2008, the M&C approved an appropriation in the amount of $57,659,600 for the replacement and upgrade of the Middle Oconee WRF.
4. On June 30, 2016, the Public Utilities Department (PUD) Master Planning Engineer, CH2M Hill, was issued a Notice-to-Proceed to evaluate biosolids alternatives.

5. On August 3, 2017, the Purchasing Division of the Finance Department issued RFP#00858 for Biosolids Hauling.
6. On November 7, 2017, the M&C approved the contract award to the successful low bidder, Denali Water Solutions, LLC, to haul and dispose of biosolids.
7. On October 2, 2018, the Mayor and Commission approved the *Preliminary Construction Plans for WRF Phosphorus and Solids Handling Improvements and Project Concept approval of Biosolids Process Improvements and Flow Equalization.*
8. On October 26, 2018, On-call Engineers, Hazen & Sawyer, were given a Notice-to-Proceed for Preliminary Design of a thermal dryer at the North Oconee WRF.
9. On March 7, 2019, Denali requested a contract amendment from $52.10/ton to $57.10/ton due to increased tipping fees at the landfill. The price increase at that time was below industry standards for tipping fees but within PUD's current operating budget due to lower biosolids volume.
10. On June 4, 2019, the Mayor and Commission adopted the FY2020 multi-year Capital Budget which included $12,260,000 over the course of FY2018 – 2029 to upgrade biosolids treatment at the three Water Reclamation Facilities and the Water Treatment Plant.
11. On February 4, 2020, M&C approved a biosolids hauling and disposal contract amendment due to increased tipping fees at the Republic landfill. This amendment allowed for negotiations not-to-exceed $100/ton due to increased landfill tipping fees.
12. On September 1, 2020, the M&C approved the Preliminary Design of the thermal dryer building layout, site layout and competitively bid thermal dryer equipment pre-purchase for the North Oconee Water Reclamation Facility.
13. On November 2, 2021, the M&C approved the North Oconee WRF and Middle Oconee WRF Improvements construction contract award. This contract award includes construction of the thermal dryer facility.
14. On June 7, 2022, the Mayor and Commission adopted the FY23 Operating Budget which included funding for outsourced biosolids hauling and disposal until advanced biosolids treatment could be constructed.

FACTS & ISSUES:

1. The 2008 Replacement/Upgrades of the three WRF Projects did not include advanced biosolids treatment. In 2008, the most cost effective solution was to truck biosolids to the Unified Government of Athens-Clarke County (ACCGov) Landfill for disposal or for composting. However, the more advanced liquid treatment process constructed as a part of these upgrades produce more biosolids than the former plant processes. Also, the biosolids produced at the Cedar Creek WRF have increased substantially since 2012 due to the large increase in high-strength septage received.

2. Waste biomass from the water reclamation process is dewatered by centrifuges, producing a material that is approximately 20% solids and 80% liquid by weight. The solids portion of biosolids is measured in dry tons. Over the course of the next five years, the three water reclamation facilities could produce as much as 18,000 dry tons of biosolids per year. Of that, 5,000 dry tons from the Middle Oconee and the Cedar Creek WRFs go into composting. The remaining 13,000 dry tons corresponds to 20,000,000 gallons of material requiring off-site hauling and disposal each year.
3. The PUD was notified in writing by Denali on August 17, 2022, that the cost for biosolids hauling and disposal was increasing. Specifically, the tipping fees at the out of county landfill was increasing substantially and the cost would be passed on to PUD. ACCGov is currently paying $95.76/ton. Denali is proposing an increase to $102.70/ton.
4. PUD has evaluated the cost other municipalities are paying for biosolids disposal and determined the cost as proposed is still below what other communities are currently paying, which is approximately $130.00/ton. The existing contract with Denali includes a provision for a CPI Index increase. The CPI and the requested increase exceeds the price per ton approved by M&C.
5. The thermal dryer facility is scheduled to start-up in May 2023 barring any delays. PUD would recommend going out to bid once the dryer is in place to get the best hauling and tipping rates.
6. The FY23 Operating budget includes a total of $1,131,741 for landfill disposal of biosolids from the North Oconee WRF. An additional $127,000 is requested to cover the additional cost.
7. ACCGov's PUD and Solid Waste Departments are working on initiatives to improve composting and reduce the amount of biosolids being placed in landfills. Currently, all biosolids from the Middle Oconee and Cedar Creek WRFs are being composted.
8. The ultimate goal of biosolids planning is reduction and reuse. Advanced biosolids treatment currently under design at the WRFs will have three outcomes:
    A. Substantially reduce the volume generated;
    B. Reduce the mass of residual biosolids and reduce the future cost of hauling and offsite disposal; and
    C. Create a final product that allows for more beneficial reuse.
9. Many wastewater utilities outsource biosolids hauling and disposal for several reasons, including cost effectiveness and shifting liability for transportation incidents from the ratepayers to the vendor.
10. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure, Strategy C: Provide adequate funding for maintenance of existing and newly constructed infrastructure.

OPTIONS:

1. Mayor and Commission:
   A. Approve a one year extension to the Denali Water Solutions, LLC (Denali) hauling contract;
   B. Approve a unit-price amendment to the Biosolids Hauling contract with Denali, from $95.76/ton to $102.70/ton due to increased landfill tipping fees (**Attachment #1**);
   C. Amend a budget ordinance to transfer $127,000 from Water and Sewer Enterprise Fund reserves **(Attachment #2)**; and
   D. Authorize the Mayor and appropriate staff to sign all documents related to the contract.
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 A, B, C and D

DEPARTMENT: Public Utilities

Prepared by: Hollis Terry IV

Hollis Terry IV — 10/26/2022

Hollis Terry IV — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 A, B, C and D

Manager — November 9, 2022

Manager — Date:

ATTACHMENTS:
Attachment #1 – Letter
Attachment #2 – Ordinance

ATTACHMENT #1

Denali
WATER SOLUTIONS

3308 Bernice Avenue
Russellville, AR 72802
PO Box 3036 ▪ Russellville, AR 72811
Phone: 479-498-0500

09-21-2022

Mr. Hollis Terry
Director
Athens-Clarke County Public Utilities Dept.

RE: Biosolids Transportation and Disposal Services

Mr. Terry,

Please let this letter serve as official notification of price increases that will take effect next January and March associated with the transportation and disposal of biosolids. As you know, Denali has tried to assist the County with the disposal cost increases by offering these increases as a direct "pass through." We will continue that with the latest price increase from Republic Services. As per the contract, Denali would request the annual CPI adjustment, beginning January 2023, of 6.1%. The current statistics are attached. This will result in an increase of the "base" price of $3.35 per ton. The new base price will be $58.35 per ton. The increase in disposal costs that will be handled as a direct "pass through" are $3.60 per ton. This will result in the total pass-through charge of $44.35.

These increases will result in a new all-in cost of $102.70 per ton.

We appreciate the opportunity to continue to provide services. If you have questions, please feel free to contact me at 770-845-0078.

Respectfully,

Steve Hall

Steve Hall
VP Sales, East – Denali Water

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, AUTHORIZING ACCEPTABLE FORMS OF PAYMENT FOR AD VALOREM TAXES AND OTHER PURPOSES

WHEREAS, O.C.G.A. § 48-5-9.1 provides that each county in the State of Georgia may, by resolution, elect what form of payment may be received for payment of ad valorem taxes; and

WHEREAS, the Commission of Athens-Clarke County, Georgia, desires to elect the form of payments through a resolution so that the citizens of Athens-Clarke County may be advised on the same; and

WHEREAS pursuant to the provisions of O.C.G.A. § 48-5-146, concerning receipt of checks or money orders by tax commissioner, liability for unpaid checks or money orders, and in the interest of further efficiency and convenience to the taxpayers, it is deemed desirable that the Tax Commissioner of Athens-Clarke County, Georgia, be given the authority to receive personal, company, certified, treasurer's or cashier's checks, or bank, postal, or express money orders in payment of taxes and licenses fees;

NOW THEREFORE, the Commission of Athens-Clarke County, Georgia, hereby resolves as follows:

The Unified Government of Athens-Clarke County, Georgia, will accept the following forms of payment for ad valorem taxes: personal, company, certified, treasurer's or cashier's checks; cash; debit cards; credit cards; bank, postal or express money orders; or online payments.

The Tax Commissioner of Athens-Clarke County has the authority to receive personal, company, certified, treasurer's or cashier's checks, or bank, postal, or express money orders in payment of all taxes, fees and licenses due their respective office.

SO RESOLVED, this ____ day of _____, 20_____.

APPROVED:_____

ATTEST:_____

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: A resolution of the Commission of Athens-Clarke County, Georgia, authorizing acceptable forms of payment for ad valorem Taxes and other purposes.

DATE: October 25, 2022

BUDGET INFORMATION: N/A

REVENUES:

EXPENSES:
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission (M&C) adopt a resolution **(Attachment #1)** authorizing acceptable forms of payment for ad valorem taxes and other purposes.

HISTORY:

1. On October 10, 2022, in a meeting with the Georgia Department of Revenue (GDOR), they emphasized the need for the governing authority to adopt a resolution authorizing Toni H. Meadow, the Athens-Clarke Tax Commissioner, to receive payments for ad valorem taxes in the form of personal, company, certified, treasurer's or cashier's checks; cash; debit cards; credit cards; bank, postal or express money orders; or online payments. The purpose of this resolution is to avoid Toni H. Meadow, Athens-Clarke Tax Commissioner, being held personally liable for any unpaid checks or money orders received in payment of taxes and/or license fees, based on O.C.G.A. § 48-5-9.1 and O.C.G.A. § 48-5-146.

2. There have been no previous resolutions approved for the former ACCGov Tax Commissioners.

FACTS & ISSUES:

1. Based on the recommendation from GDOR, the Tax Commissioner is seeking authorization to accept the following forms of payment; personal, company, certified,

treasurer's or cashier's checks; cash; debit cards; credit cards; bank, postal or express money orders; or online payments.

2. The Tax Commissioner receives all forms of payments for ad valorem taxes and other fees. On occasion, those forms of payment are not honored. In order for the Tax Commissioner to not be personally liable, we are requesting a resolution to accept payments listed above.

3. ***O.C.G.A. § 48-5-9.1*** *The governing authority of each county or municipality may by appropriate resolution or ordinance elect to receive in payment of ad valorem taxes any form of payment.*

4. ***O.C.G.A. § 48-5-146*** *(a) No tax commissioner or tax collector shall be personally liable for unpaid checks or money orders received in payment of taxes and license fees when:*

   (1) The county governing authority has authorized the receipt of personal, company, certified, treasurer's, or cashier's checks, or bank, postal, or express money orders in payment of taxes and license fees;

   (2) The tax commissioner or tax collector has received such checks or money orders to the extent and under the conditions prescribed by the governing authority;

   (3) The tax commissioner or tax collector has made written demand for payment by the taxpayer on whose account the unpaid check or money order was tendered within 30 days after the notification to the tax commissioner or tax collector of the dishonor of the check or money order; such demand shall be sent by certified mail or statutory overnight delivery to the taxpayer's last address as it appears on the latest records of the tax commissioner or tax collector; and

   (4) In all cases where payment is not received within 20 days after the mailing of the demand specified in paragraph (3) of this subsection, the tax commissioner or tax collector has initiated within 40 days after such mailing at least one of the rights and remedies allowed him by law for the enforcement of the collection and payment of taxes and license fees.

   (b) A check or money order, when authorized, shall be deemed to be payment as of the time it is received by the tax commissioner or tax collector, provided the check or money order is duly paid upon presentation to the drawee. The time of receipt as shown by the records of the tax commissioner or tax collector shall be prima facie correct as to the time of actual receipt.

   (c) If a check or money order so received is not duly paid, the person on whose account the check or money order was tendered shall remain liable for the payment of the tax or license fee and for all legal penalties and additions to the same extent as if the check or

money order had not been tendered. Delay in the presentation of a check or money order for payment shall not remove this liability.

(d) If any certified check, treasurer's check, cashier's check, or money order so received is not duly paid, the tax commissioner or tax collector, in addition to the right to exact payment from the party originally obligated for the payment, shall have a lien for the amount of the check or money order upon all assets of the bank or trust company on which drawn or for the amount of the money order upon all the assets of the issuer of the money order. The amount of the lien shall be paid out of the assets of the bank, trust company, or issuer in preference to any other claims whatsoever against the bank, trust company, or issuer.

(e) If any check or money order tendered to the tax commissioner or tax collector as payment of any tax or license fee is not duly paid when presented to the drawee or issuer for payment, in addition to any other penalties provided by law, there shall be paid as a penalty by the person who tendered the check or money order upon notice and demand of the tax commissioner or tax collector, in the same manner as tax, an amount equal to 1 percent of the amount of the check or money order, except that, if the amount of the check or money order is less than $500.00, the penalty under this Code section shall be the lesser of $5.00 or the amount of the check or money order. This subsection shall not apply if the person who tendered the check or money order shows to the satisfaction of the tax commissioner or tax collector that it was tendered in good faith and with reasonable cause to believe it would be duly paid.

5. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:

- Organizational Improvement Goal, Strategy C: *Improve programs, processes, policies, and communication external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver*

OPTIONS:

1. Mayor and Commission adopt a resolution **(Attachment #1)** authorizing acceptable forms of payment for ad valorem taxes and other purposes.

2. Mayor and Commission do not adopt a resolution **(Attachment #1)** authorizing acceptable forms of payment for ad valorem taxes and other purposes.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1

DEPARTMENT:

Prepared by: Toni H. Meadow



Toni H. Meadow

10/25/2022

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

November 9, 2022

Date:

ATTACHMENTS:

Attachment #1: Resolution

ATTACHMENT 1

AUTHORIZING RESOLUTION

Resolution authorized the execution of contracts between the Department of Transportation, United States of America, the Georgia Department of Transportation, and the Unified Government of Athens-Clarke County, for a grant under the title 49 U.S.C., Section 5303, for FY 2024 (July 1, 2023 through June 30, 2024.)

WHEREAS, the Secretary of Transportation and the Commissioner of the Georgia Department of Transportation are authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local project costs; and

WHEREAS, it is required by the U.S. Department of Transportation and the Georgia Department in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority Business Enterprise, Disadvantaged Business Enterprise and Women Business Enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, the Federal government and the State of Georgia will provide at least $92,000 of the funding for the Transit Planning (Section 5303) contract expenses incurred by the Unified Government subject to a maximum local match of $23,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor is authorized to execute and file an application on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of a technical study grant pursuant to Section 5303 of the Federal Transit Act to implement specific items of the FY 2024 Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Unified Planning Work Program.

That the Mayor is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964 ;

That the Planning Director of Athens-Clarke County is authorized to furnish such additional information as the U.S. Department of Transportation and the Georgia Department of Transportation may require in connection with the application or the project;

That the Mayor is authorized to set forth and execute Minority Business Enterprise, DBE (Disadvantaged Business Enterprise,) and WBE (Women Business Enterprise) policies and procedures in connection with the projects procurement needs.

That the Mayor and appropriate staff is authorized to apply for a grant, accept such grant, if awarded, and execute these grant agreements on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of a technical study grant to implement specific items of the MACORTS Unified Planning Work Program.

That the Unified Government of Athens-Clarke government while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 8100.1D, FTA Certifications and Assurances for Federal Assistance 2021 as listed in this grant application and General Operating Guidelines as illustrated in the Georgia State Management Plan.

That the Unified Government of Athens-Clarke government has or will have available in the General Fund the required non-federal funds to meet local share requirements for this grant application.

CERTIFICATE

The undersigned duly qualified Clerk of the Unified Government of Athens-Clarke County certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Unified Government of Athens-Clarke County Mayor & Commission held on December 6, 2022.

Adopted the _____ day of

_____, 20__

_____
Clerk of Commission

Approved the _____ day of

_____, 20__

_____
Mayor

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Application and Acceptance of the Annual Transit Planning Assistance Grant for FY 2024 (July 1, 2023 - June 30, 2024)

DATE: October 25, 2022

BUDGET INFORMATION:

REVENUES:	$ 92,000	Estimated Maximum Federal Share (80%)
	$ 23,000	Estimated Maximum Local Share (20%)
	$115,000	

EXPENSES:

ANNUAL: $115,000 Maximum Total Grant Amount
CAPITAL:
OTHER:

FUNDING SOURCE: General Fund FY 2024 Planning Department Budget

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a) Adopt a Resolution (**Attachment #1**) authorizing the submission of an application for and the acceptance of the annual Transit Planning Assistance Grant (Title 49 USC Section 5303) for FY 2024 (July 1, 2023 – June 30, 2024) if awarded, in the estimated maximum amount of $115,000 in federal funding; and

b) Authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County (ACCGov) and the Georgia Department of Transportation (GDOT).

HISTORY:

1. In August 1973, as part of the Federal Aid Highway Act of 1973, Congress authorized the Title 49 USC Section 5303 program to provide financial assistance to Metropolitan Planning Organizations (MPOs) for transit planning studies and activities in urban areas. This continues to be the primary source of federal assistance to help urban areas plan, develop, and improve comprehensive public transportation systems.

2. On October 6, 2020, the Mayor and Commission approved the FY 2022 Section 5303 Transit Planning Assistance Grant in the amount of $101,000 (Federal: $80,800; State: $10,100; Local: $10,100). This amount was included in the Planning Department's FY 2022 operating budget.

FACTS & ISSUES:

1. ACCGov receives federal and state funds (when available) to perform transit planning activities with the Athens-Clarke County Transit Department (ACCTD). This includes funding the salary offset of the Transit Planning staff whose duties include, but are not limited to, grant reporting and administration, federal and state system performance reporting for the ACCTD, preparing the transit section of the Transportation Improvement Program, and other transit planning activities. The Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) staff administers the Section 5303 Transit Planning Assistance Grant.

2. Exact funding amount for the Section 5303 Transit Planning Assistance Grant is not typically known until after GDOT has reviewed the applications statewide; therefore, the total maximum amount of the federal grant shown in the "Budget" section of this agenda report has been estimated. It is anticipated that the actual grant amount will be slightly less than the amount shown.

3. It is uncertain at this time whether the customary State match of 10% will be available for FY 2024. If no state matching funds are available, the maximum local match will be 20% of the FY 2024 MACORTS Transit Planning cost or approximately $23,000 as outlined above in the "Budget" section.

4. The Section 5303 Transit Planning Assistance Grant is included annually in the budgeting process as an ongoing grant program. The total funding anticipated for transit planning studies and activities in FY 2023 is estimated not to exceed $**115,000.** ACCGov's 20% share of transit planning costs during FY 2023 is estimated not to exceed **$23,000.** This funding will be proposed in the Planning Department's requested FY 2023 Operating Budget.

5. The grant funding will pay for transit planning-related expenses as identified in the MACORTS Unified Planning Work Program (UPWP) which was adopted by the MACORTS Policy Committee in spring 2022.

6. This recommendation supports the following ACCGOV Strategic Plan Goal & Strategy:
   Safely Move Around Athens Goal, Strategy C:
   Expand multi-modal transit access to reduce auto dependency and provide greater mobility for Athens-Clarke County residents

OPTIONS:

1. The Mayor and Commission:
   a. Adopt a Resolution (**Attachment #1**) authorizing the submission of an application for and the acceptance of the annual Transit Planning Assistance Grant (Title 49 USC Section 5303) for FY 2024 (July 1, 2023 – June 30, 2024) if awarded, in the estimated maximum amount of $115,000 in federal funding; and

b. Authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County (ACCGov) and the Georgia Department of Transportation (GDOT).

2. The Mayor and Commission decline to authorize actions necessary to apply for and accept the subject grant.

3. Mayor and Commission Defined Option

DEPARTMENT RECOMMENDED ACTION:
Option # 1 a & b

DEPARTMENT:
Prepared by: Robert Walker



Brad Griffin — October 25, 2022 Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option # 1 a & b



Manager — November 9, 2022 Date:

ATTACHMENTS:

Attachment #1

ATTACHMENT #1

AUTHORIZING RESOLUTION

Resolution authorizing the execution of contracts between the Department of Transportation, United States of America, the Georgia Department of Transportation, and the Unified Government of Athens-Clarke County for the FY 2024 (July 1, 2023 – June 30, 2024) Planning (PL) Contract, if awarded.

WHEREAS, the Federal Government requires that Urbanized Areas such as Athens have a formal planning process as it relates to the planning of transportation projects; and

WHEREAS, the Federal Government will not authorize the expenditure of funds for said transportation projects unless they come out of this formal transportation planning process; and

WHEREAS, the formal transportation planning process is organized around what is commonly known as the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS);

WHEREAS, the staff of the Unified Government of Athens-Clarke County Planning Department provides support for MACORTS planning efforts;

WHEREAS, the Federal Government will provide up to an estimated amount of $216,000 of the funding for the transportation planning (PL) contract expenses incurred by the Unified Government of Athens-Clarke County subject to a 20% local match of the funded amount (estimated to be a maximum of $54,000), if awarded;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor and appropriate staff are authorized to apply for a grant, accept such grant if awarded, and execute an associated contracts with the Georgia Department of Transportation (GDOT) for the FY 2024 Transportation Planning (PL) Contract Funds, if awarded.

Adopted the _____ day of

_____, 20___

_____
Clerk of Commission

Approved the _____ day of

_____, 20___

_____
Mayor

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Annual Metropolitan Transportation Planning (PL) Grant for FY 2024 (July 1, 2023 - June 30, 2024)

DATE: October 25, 2022

BUDGET INFORMATION:

REVENUES:	$216,000	Estimated Maximum Federal Share (80%) for FY 2023
	$ 54,000	Estimated Maximum Local Share (20%) for FY 2023
	$270,000	Estimated Maximum Revenue for FY 2023

EXPENSES:
ANNUAL: $270,000
CAPITAL:
OTHER:

FUNDING SOURCE:

ACCGov General Fund – FY 2022 Planning Department Budget	$35,100
Oconee County Government	$ 9,450
Madison County Government	$ 9,450

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Adopt a resolution (**Attachment #1**) authorizing the application and acceptance of the Federal Planning (PL) contract amount associated with the annual Metropolitan Transportation Planning grant for FY 2024 (July 1, 2023 – June 30, 2024); and

b. Authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County (ACCGov) and the Georgia Department of Transportation (GDOT).

HISTORY:

1. In 1969, the local Metropolitan Planning Organization (MPO) was created, which only included the City of Athens and Clarke County. Over time, the US Census Bureau has served as a basis to identify "urbanized areas" that are required to be included within a MPO's boundary. These boundaries can cross county lines, and county governing authorities can elect whether to participate in the MPO or not.

2. For over 50 years, the City of Athens and Clarke County, and now the Unified Government of Athens-Clarke County (ACCGov), has annually entered into an agreement with the Georgia Department of Transportation (GDOT) to receive federal funding to perform transportation planning within the MPO.

3. In 1991, following the results of the 1990 Census, ACCGov entered into an MOU that:
   a) Established the new boundary for the MPO adding a portion of Oconee County;
   b) Added Oconee County as a participating member of the MPO (to then be known as the Athens-Clarke Oconee Regional Transportation Study, or "ACORTS"; and
   c) Included language that ACCGov would pay the local match 10% of the MPO. The federal government paid 80% of the cost and the State of Georgia provided the remaining 10% of the cost.

4. In 2003, following the results of the 2000 Census, ACCGov entered into an MOU that:
   a) Established the new boundary for the MPO adding a portion of Madison County;
   b) Added Madison County as a participating member of the MPO (now known as the Madison Athens-Clarke Oconee Regional Transportation Study, or "MACORTS"); and
   c) Included language that ACCGov would continue to pay for the local match (10%).

5. In 2009, the MPO was informed that the State match of 10% would no longer be available beginning in the FY 2011 cycle, and that the local match would become 20%.

6. In 2010, as the MPO's decision-making body designated by the State, the MACORTS Policy Committee, approved a FY 2011 Unified Planning Work Program (UPWP) which included a local match split with ACCGov paying 13%, and Oconee and Madison counties paying 3.5% each. MACORTS' three active member counties agreed that ACCGov would continue to provide the 10% local match as it did prior to FY 2011. The remaining 10% required local match, to replace the 10% match previously provided by the State, was split between all three member counties.

7. On May 4, 2010, the Mayor and Commission approved the Metropolitan Transportation Planning (PL) Grant for FY 2011, which included reference to the Policy Committee-approved split of the local match.

8. On June 13, 2013, following the results of the 2010 Census, ACCGov entered into an MOU that:
   a) Established the new boundary for the MPO that included small portions of Jackson and Oglethorpe Counties; and
   b) Formalized the desired position of Jackson and Oglethorpe Counties as non-participating members of MACORTS.
   c) The inclusion of these small areas in Jackson and Oglethorpe Counties does not affect MACORTS' membership, funding level, or the local match requirements already established between Athens-Clarke County, Oconee County, and Madison County.

9. In 2015, GDOT informed the MPOs in Georgia that beginning in FY 2017, the annual PL contract would no longer include the unspent funds from the previous year. Instead, all of the unspent funds from all of the MPO's in Georgia would be collected and awarded on an annual competitive basis to 'unfunded' projects proposed in the Unified Planning Work Programs statewide.

10. In FY 2017, MACORTS was awarded funding to update the Metropolitan Transportation Plan to 2045 from the discretionary balance of unspent MPO funds. The 2045 Metropolitan Transportation Plan was adopted on October 9, 2019.

11. In FY 2022, MACORTS was awarded funding to update the Metropolitan Transportation Plan to 2050 from the discretionary balance of unspent MPO funds by the October 9, 2024 deadline.

FACTS & ISSUES:

1. ACCGov receives federal funds for the Planning Department to perform transportation planning activities for the MACORTS area, as outlined in the MACORTS Unified Planning Work Program (UPWP). This includes funding to offset the salary cost of the transportation planners (80%) and a portion of the Department Director position (15%). The UPWP serves as the 'application' which renews the Metropolitan Planning Organization (MPO) status of MACORTS. Receipt of the authorizing resolution (Attachment #1) by GDOT effectively renews the PL Grant for the upcoming fiscal year. The ACCGov Planning Department provides primary staff support for these metropolitan transportation planning efforts.

2. Since FY 2011, GDOT has not provided a state match for the federal transportation planning funds. This grant requires a 20% local match.

3. The estimated FY 2023 local match funding amounts shown in this agenda report are based on an agreement (History #6) whereby each of the three active member counties of MACORTS will provide a portion of the required local match. ACCGov will provide 65% of the required local match (13% of total grant amount) and Oconee and Madison Counties will each provide 17.5% of the required local match (3.5% each of total grant amount). This applies to both the PL contract and the any unfunded project contracts, if awarded.

4. It is estimated that the FY 2024 federal award amount for the PL Grant will be approximately $216,000.

5. It is anticipated that ACCGov will provide an amount not to exceed $35,100 in local funding (13% of the total grant amount) to partially fund MACORTS' transportation planning costs during FY 2022. An additional $18,900 in local match is to be provided by the other MACORTS member counties.

6. The Transportation Planning (PL) Grant local match amount is approved each year as part of the ACCGov budgeting process. ACCGov's estimated FY 2024 PL Grant local match amount ($35,100) will be included in the Planning Department's proposed FY 2024 budget as an ongoing grant program. Therefore, a future budget amendment to the FY 2024 budget is not anticipated.

7. In the last five years, MACORTS' total budget expenditures have varied from approximately $162,000 to $186,000. Since the grant is administered through a reimbursement program, only funds expended over the life of the grant must be matched.

8. This recommendation supports the following ACCGOV Strategic Plan Goals: Goal Area 5: Safely Move Around Athens and Goal Area 6: Built and Natural Infrastructure

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OPTIONS:

1. The Mayor and Commission:
   a. Adopt a resolution (**Attachment #1**) authorizing the application and acceptance of the Federal Planning (PL) contract amount associated with the annual Metropolitan Transportation Planning Grant for FY 2024 (July 1, 2023 – June 30, 2024); and

   b. Authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County (ACCGov) and the Georgia Department of Transportation (GDOT).

2. The Mayor and Commission do not authorize actions necessary to apply for and accept the subject grant.

3. Mayor and Commission directed option.

DEPARTMENT RECOMMENDED ACTION:
Option #1 a & b

DEPARTMENT:
Prepared by: Robert Walker

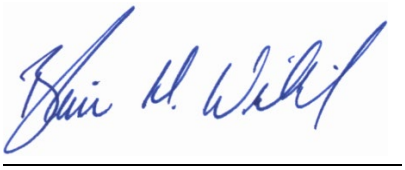


Brad Griffin

October 25, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1

Attachment # 1

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, O.C.G.A. § 3-3-7(r) authorizes the governing authority of a county or a municipality to adopt a resolution or ordinance to authorize the sale of alcoholic beverages for consumption on the premises from 12:30 p.m. to 12:00 midnight on one Sunday during each calendar year, and

WHEREAS, § 6-3-5(i)(10) of the Code of Ordinances of Athens-Clarke County implements the above-described statute, and

WHEREAS, the Mayor and Commission of the Unified Government of Athens-Clarke County desire to so designate one Sunday in 2023 for such purpose,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commission do hereby declare that Sunday, December 31, 2023, is designated as the Sunday during calendar year 2023 when licensees holding Class D, E or F alcoholic beverages licenses may sell alcoholic beverages for consumption on the premises from 12:30 p.m. to 12:00 midnight on such date and until 2:30 a.m. on the following Monday.

SO RESOLVED, this _____ day of _____, 20____.

By:_____
Mayor

Attest: _____
Clerk of Commission

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Establish the Sunday in calendar year 2023 for alcoholic beverage sales for Class D, E & F license holders as authorized by O.C.G.A. § 3-3-7 (r).

DATE: October 28, 2022

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES:
ANNUAL: N/A
CAPITAL:
OTHER:

FUNDING SOURCE:

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request Mayor and Commission:

a) Designate New Year's Eve Sunday, December 31, 2023, as the authorized Sunday for calendar year 2023; and
b) Adopt a resolution to that end **(Attachment #1).**

HISTORY:

1. On March 13, 2016, Governor Nathan Deal signed Senate Bill 103, which states, "the governing authority of the county or municipality, as appropriate, may by adoption of a resolution or ordinance authorize the sale of alcoholic beverages for consumption on the premises from 12:30 PM until 12:00 midnight one Sunday during each calendar year that shall be designated in such resolution or ordinance." Senate Bill 103 was codified into the Official Code of Georgia Annotated (O.C.G.A. § 3-3-7 (r)).

2. On August 2, 2016, Mayor Nancy Denson assigned the Legislative Review Committee (LRC) to recommend a process for which Sunday alcohol sales would be permitted per the provisions of Senate Bill 103.

3. On November 15, 2016, the LRC members reviewed a survey prepared by the Finance Department designed to receive feedback from licensed bars regarding which Sunday in 2017 (and future years) would most benefit their business. Also, based on the survey results, the LRC recommended a process to annually survey consumption on premises

license holders (that do not possess a Sunday Sales permit) as to the preferred date for an authorized Sunday.

4. On January 3, 2017, the Mayor and Commission authorized New Year's Eve, December 31, 2017, as the first designated Sunday under O.C.G.A. § 3-3-7 (r). Sundays designated in past years by the Mayor and Commission include:

2018	Super Bowl, Sunday, February 04
2019	St. Patrick's Day, Sunday, March 17
2020	Super Bowl, Sunday, February 02
2021	Halloween, Sunday, October 31
2022	Super Bowl, Sunday, February 13

5. On August 24, 2022, as part of the annual alcoholic beverage license renewal process, Finance staff sent surveys to 77 licensed consumption on premises establishments. The establishments included Class D, E & F license holders (bars, restaurants, etc.), that do not possess a Sunday Sales permit. Surveys were due November 1, 2022.

6. On October 27, 2022, Finance staff sent a reminder email message encouraging the establishments to complete the survey.

7. As of November 09, 2022, 61 of 77 (or 79%) of surveys had been returned.

FACTS & ISSUES:

1. The Code of Ordinances of Athens-Clarke County § 6-3-5 (i) (10) notes the following: *"Notwithstanding subparagraphs (3), (4) and (6) above, the sale of alcoholic beverages by Class D, E, or F licensees shall be lawful from 12:30 p.m. until 12:00 midnight on one Sunday during each calendar year that shall be designated by the Commission by resolution. On such designated Sunday, Class D, E, and F licenses for alcoholic beverages shall be authorized to sell, offer for sale, serve and/or permit the consumption of alcoholic beverages upon the licensed premises between the hours of 12:00 a.m. (midnight) and 2:30 a.m. on the following Monday.."*

2. The Finance Department received 61 survey responses as of November 9, 2022. The results are:

9	– Super Bowl Sunday
2	– Athfest Sunday
2	– Twilight Criterium Sunday
25	– New Year's Eve Sunday
8	– Voted No for any Sunday
15	– Returned survey without a selection
61	– Total surveys returned

3. As a result of New Year's Eve Sunday receiving the highest number of votes, it is recommended to be the designated Sunday for 2023 by resolution (**Attachment #1**).

OPTIONS:

1) Mayor and Commission:
   a) Designate New Year's Eve Sunday, December 31, 2023, as the authorized Sunday for calendar year 2023; and
   b) Adopt a resolution to that end **(Attachment #1).**

2) Mayor and Commission do not designate New Year's Eve Sunday, December 31, 2023 as the authorized Sunday for calendar year 2023.

3) Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: 1. a) and b)

DEPARTMENT: Finance
Prepared by: Chris Caldwell

David Boyd — 10/27/2022
David Boyd, Finance Director — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b





November 9, 2022
Manager — Date:

ATTACHMENTS:
Attachment #1 - Resolution - Designated Sunday 2023

A RESOLUTION IN SUPPORT OF DEMOCRACY AND NONPARTISAN ELECTION ADMINISTRATION
Drafted by Commissioner Tim Denson, Patrick Davenport, Carol Myers, Jesse Houle...

WHEREAS, the survival of our democracy depends on free and fair elections, where all voters have the right and opportunity to make their voices heard; and

WHEREAS, we believe the Athens-Clarke County (ACC) community has been well-served by the current system of non-partisan election administration carried out by our friends and neighbors who serve as election staff here and across the state; and

WHEREAS, these same election officials played a critical role in making the 2020 election safe, secure, and accessible during the COVID-19 pandemic; and

WHEREAS, over the past two (2) years, some proponents of false claims about the 2020 election have attempted to bully, threaten, and undermine nonpartisan election administrators. These unfair attacks make it harder for election officials to do their jobs, reduce faith in the electoral process, and hurt the health of our democracy; and

WHEREAS, in the face of many challenges presented during the 2022 election season, our election officials and staff have risen to the task of surmounting those challenges and provided stellar election services to the voters of Athens-Clarke County; and

WHEREAS, looking forward to future elections, we affirm our conviction that nonpartisan election officials and staff are best equipped to preside over free and fair elections, and should do so without the fear of threats and intimidation; and

WHEREAS, as long as our non-partisan election administrators continue to administer our elections with accessibility, fairness, equality, safety, and security in mind, we are full committed to standing behind them in the face of politically motivated and unfounded attacks;

NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Commission of the Athens-Clarke County Unified Government express full confidence in the ACC Elections Office; and

BE IT FURTHER RESOLVED that we support and appreciate our friends and neighbors who serve as poll workers and local election officials, including the ACC Elections Office Director and her staff. We call on state lawmakers, leaders of political parties, and all Georgians to show their support to these people who are the backbone of our democratic process, and to reject any and all calls to violence or harassment; and

BE IT FURTHER RESOLVED that we commit to providing the ACC Board of Elections Office with the resources and support needed to provide outstanding election services to the voters of Athens-Clarke County.

RESOLUTION

STATE OF GEORGIA

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

BE IT RESOLVED by the MAYOR and BOARD OF COMMISSIONERS of the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, and it is hereby resolved, that the foregoing attached Agreement, relative to project N/A, P.I. No. 0013806 **to replace the bridge on State Route 10/US 78 over the North Oconee River in Clarke County and that** Mr. Kelly Girtz as Mayor and _____, as Clerk of Commission, be and they are, thereby authorized and directed to execute the same for and in behalf of said by the Mayor and BOARD OF COMMISSIONERS of the Unified Government of Athens-Clarke County.

Passed and adopted, this the _____ day of _____, 20___.

ATTEST:

_____ BY:_____

COMMISSION CLERK MAYOR

STATE OF GEORGIA,

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

I, _____, as Clerk of Commission, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and was passed by the Mayor and Board of Commissioners of the Unified Government of Athens-Clarke County.

WITNESS my hand and official signature, this the _____ day of _____,

20_____.

BY:_____

COMMISSION CLERK

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Replacement of Water & Sewer Mains for the GDOT SR10/US78 at North Oconee River Bridge Replacement Project (PI#0013806) - Authorization for the Standard Utility/Contract Item Agreement

DATE: October 26, 2022

BUDGET INFORMATION:

CAPITAL REVENUE:	$3,131,063	Relocate Water & Sewer Lines for GDOT Capital Project Fund
CAPITAL EXPENSES:	$ 823,246	Relocate Lines for GDOT Designated Projects
	$2,199,797	Expenditures & Encumbrances
	$ 108,020	Available for GDOT Water & Sewer Main Relocation

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request the Mayor and Commission:

A. Authorize an expenditure in the amount of $108,020 from the Water & Sewer Enterprise Fund to relocate existing water and sewer mains for the Georgia Department of Transportation (GDOT) SR10/US78 at North Oconee River Bridge Replacement Project. The requested expenditures include construction cost and a 10% contingency;

B. Approve the Standard Utility Agreement, for GDOT PI#0013806 (**Attachment #1**), relating to the relocation and replacement of the water mains;

C. Approve Contract Item Agreement Memorandum of Understanding with GDOT for installation of water and sewer infrastructure (**Attachment #2**); and

D. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On August 3, 2021, Mayor and Commission (M&C) approved the Standard Utility Agreement between ACCGov and GDOT for the North Loop at Middle Oconee Bridge replacement Project to relocate the existing sewer main.

2. On May 3, 2022, M&C approved the Standard Utility Agreement between ACCGov and GDOT for the Lexington Road Improvements Project to relocate water and sewer infrastructure.

3. On September 22, 2022, GDOT forwarded the Contract Item Agreement Undated – Water and Sewer Facilities for execution by Athens-Clarke County Unified Government.

FACTS & ISSUES:

1. GDOT plans to replace the bridge over the North Oconee River with a wider bridge. Public Utilities Department (PUD) operates an eight inch water main which currently crosses the North Oconee River along the south side of the existing bridge. Additionally, PUD operates a six inch water main and eight inch, 12-inch, and 48-inch gravity sanitary sewer mains on either side of the existing bridge. Due to the extent of GDOT's project, PUD's infrastructure will be adversely impacted **(Attachment #3).**
2. PUD coordinated inclusion of the water and sewer replacement project as part of the GDOT Contract to facilitate the underground utility work as part of GDOT's overall project. The coordination allows PUD to install needed infrastructure and address impacted and aged infrastructure in cooperation with GDOT's project. Doing this work now allows for efficiency and simplifies future GDOT permitting for this project by doing the pipe work before the bridge and roadway are finalized. This also keeps PUD from working in the GDOT right of way for the future project.
3. As part of the agreement, PUD agrees to pay 100% of the water and sewer line work completed by GDOT's contractor, which is typical in this type of arrangement.
4. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure, Strategy C: *Provide adequate funding for maintenance of existing and newly constructed infrastructure.*

OPTIONS:

1. Mayor and Commission:
    A. Authorize an expenditure in the amount of $108,020 from the Water & Sewer Enterprise Fund to relocate existing water and sewer mains for the Georgia Department of Transportation (GDOT) SR10/US78 at North Oconee River Bridge Replacement Project. The requested expenditures include construction cost and a 10% contingency;

    B. Approve the Standard Utility Agreement, for GDOT PI#0013806 (**Attachment #1**), relating to the relocation and replacement of water mains;

    C. Approve Contract Item Agreement Memorandum of Understanding with GDOT for installation of water and sewer infrastructure (**Attachment #2**); and

    D. Authorize the Mayor and appropriate staff to execute all related documents.
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION:
Option 1 A, B, C & D

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV

Hollis Terry IV

10/22/2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 A, B, C & D

Manager

November 9, 2022
Date:

ATTACHMENTS:

Att#1 - Agreement
Att#2 - Memo of Understanding
Att#3 - Aerial

Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

Attachment #1

September 22, 2022

Honorable Kelly Girtz
Mayor
Unified Government of Athens-Clarke County
301 College Avenue
Suite 300
Athens, Georgia 30601

Subject: **Project No. N/A, Clarke County**
P.I. No. 0013806
Contract Item Agreement Undated – Water and Sewer Facilities

Dear Honorable Mayor Girtz:

In accordance with your request, the adjustment of Water and Sewer facilities belonging to the Unified Government of Athens-Clarke County is being included in the Department's contract for the roadway work on the above numbered project.

We are transmitting three counterparts of an undated Contract Item Agreement which sets forth the conditions under which the State agrees to have its Contractor perform the work and by which the Unified Government of Athens-Clarke County will reimburse the Department for this work. As outlined in Article 8, the non-binding Pre-let estimate not including betterment for this work is **$98,200.00** of which the Department will bear **0% or $0.00** and the Unified Government of Athens-Clarke County will bear **100%** or **$98,200.00**. Also, attached is a cost estimate supporting the Agreement.

If the Agreement meets with your approval, please handle for execution on behalf of the Unified Government of Athens-Clarke County and return all three (3) counterparts to the State of Georgia, Office of Utilities, One Georgia Center, 600 West Peachtree Street, 10th Floor, Atlanta, Georgia 30308, for execution on behalf of the Department. Also, complete the attached resolution form and insert the date of resolution on page 5 of the Agreement. The Official Seal of the Unified Government of Athens-Clarke County is also required to be affixed to each counterpart in compliance with instructions from our Attorney General's Office.

Also, please provide the Unified Government of Athens-Clarke County's Federal Employee Identification Number (FEIN) in the blank shown on page 4 of the Agreement.

In accordance with Articles 8, 9, and 10 of the Agreement, the Department shall notify the Unified Government of Athens-Clarke County in writing the amount due the Department based upon the aforementioned commitment letter at the time of execution. At that time a check for the amount required to perform the work will be requested as outlined in the Agreement.

The Department will refund any overpayment or request in writing that the Unified Government of Athens-Clarke County pay the Department the revised amount as determined by the aforesaid method.

If you have any questions or need further information, please contact Danah Bonny at 404-631-1709 or by email at dbonny@dot.ga.gov. Please send correspondence by mail addressed to State of Georgia, Office of Utilities, One Georgia Center, 600 West Peachtree Street, 10th Floor, Atlanta, Georgia 30308 for execution on behalf of the Department.

Very truly yours,



Shajan Joseph, P.E.
Assistant State Utilities Administrator

For: Nicholas Fields
State Utilities Administrator

NF: SPJ: MGC: DB

Attachments (Agreement and Estimate)
cc: Kelvin Mullins, District 1 Engineer
Yulonda Pride-Foster, District 1 Utilities Manager
Matthew Sanders, Project Manager
Frantz Boileau, Utilities Preconstruction Specialist
Abdulvahid Munshi, Utility Coordinator

Account No. – Class: 733005-309

Department ID: 4848010000

Program No.: 4181401

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

Georgia Project No.: N/A, Clarke County
G.D.O.T. P.I. No.: 0013806

THIS AGREEMENT, made this _____ , by and between the Department of Transportation, an agency of the State of Georgia, hereinafter called the DEPARTMENT, first party, and the Unified Government of Athens-Clarke County, a political subdivision of the State of Georgia, hereinafter called the LOCAL AGENCY, second party;

WITNESS that:

WHEREAS, the DEPARTMENT proposes under the above numbered project to **replace the bridge on State Route 10/US 78 over the North Oconee River in Clarke** County, Georgia; and

WHEREAS, due to the construction of this project, it will become necessary to make certain adjustments or additional installation of utility facilities of the LOCAL AGENCY, the cost of which shall be determined in accordance with Articles 8, 9, & 10 below; and

WHEREAS, the LOCAL AGENCY has requested that the DEPARTMENT include the adjustment or installation of **water and sewer facilities** in its highway construction contract as shown on the attached plans; and

WHEREAS, this Agreement being for the sole purpose of providing a contractor for work performed on the LOCAL AGENCY'S **water and sewer facilities**, the LOCAL AGENCY shall bear the cost of said work to be determined as hereinafter set forth;

WHEREAS, the preliminary engineering, including preparation of detailed plans and contract estimate for adjustment of the utilities described above have been accomplished by the LOCAL AGENCY;

WHEREAS, the plans for the utility work have been approved by both the DEPARTMENT and the LOCAL AGENCY prior to commencing work;

NOW THEREFORE, in consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is agreed:

1. All construction engineering and contract supervision shall be the responsibility of the DEPARTMENT and the DEPARTMENT shall be responsible to assure that all utility work is accomplished in accordance with plans and specifications and to consult with the LOCAL AGENCY or LOCAL AGENCY'S Consultant before authorizing any changes or deviations which affect the LOCAL AGENCY'S facility.

2. The LOCAL AGENCY or the LOCAL AGENCY'S Consultant shall have the right to visit and inspect the work at any time and advise the DEPARTMENT'S Engineer of any observed discrepancies or potential problems. The DEPARTMENT agrees to notify the LOCAL AGENCY when all utility work is completed and ready for final inspection by the LOCAL AGENCY.

3. It is specifically understood that the project number shown above is for the DEPARTMENT'S identification purposes only and may be subject to change by the DEPARTMENT. In the event it becomes necessary for the DEPARTMENT to assign a different project number, the DEPARTMENT shall notify the LOCAL AGENCY of the new project designation. Such change in project designation shall have no effect whatsoever on any of the other terms of this Agreement.

4. The DEPARTMENT shall include in its contract for this project all work necessary to accomplish the adjustment of the LOCAL AGENCY'S facilities as shown on the highway plans along with the necessary specifications to assure that the work conforms to sound construction practices.

5. In the event it becomes necessary to add pay items that are not provided for in the contract, the DEPARTMENT shall negotiate prices with the contractor and enter into a supplemental agreement with the contractor for completion of the additional items. Upon notification, the LOCAL AGENCY shall furnish a check for the additional cost as determined in Article 8 below.

6. The DEPARTMENT shall furnish on the project the construction engineering inspection and testing by its own forces required to assure that the work is done in accordance with the plans, specifications and Special Provisions.

7. Upon completion of the work and upon certification by the DEPARTMENT'S engineers that the work has been completed in accordance with the aforesaid plans and specifications, the LOCAL AGENCY shall accept the adjusted and additional facilities and shall thereafter operate and maintain the adjusted and additional facilities without further cost to the DEPARTMENT or its contractor. Such maintenance and all operations and activities shall be subject to the DEPARTMENT'S rules, policies and procedures as contained in its Utility Accommodation Policy and Standards, current edition.

8. The DEPARTMENT shall include in its highway contract those items shown as "materials" for permanent installation on the aforesaid plans. The price bid for the appropriate items shall include all labor, materials and incidentals necessary to complete the work. The cost of the requested work shall be determined from unit quantities and unit prices as shown in the DEPARTMENT'S tabulation of bids. The approximate non-binding pre-let estimate, not including betterment, is **$98,200.00** based on the LOCAL AGENCY'S estimate attached hereto of which the Department shall bear **$0.00 or 0% and the LOCAL AGENCY shall bear $98,200.00 or 100%.**

9. It is mutually agreed that as soon as practicable after the opening of bids and acceptance of a bid by the DEPARTMENT, the DEPARTMENT shall notify the LOCAL AGENCY in writing of the amount due the DEPARTMENT. The LOCAL AGENCY shall pay to the DEPARTMENT the amount due within sixty (60) days.

10. It is further mutually agreed that the final cost of the work performed on behalf of the LOCAL AGENCY shall be determined by measurement of the actual quantities of installed materials, including added items under Article 5, multiplied by the actual bid prices. Accordingly, after the project has been completed, the DEPARTMENT shall determine the final cost to be borne by the LOCAL AGENCY and, as the case may be, shall refund to the LOCAL AGENCY or shall request of the LOCAL AGENCY an additional payment in the amount of the difference between the final cost to be borne by the LOCAL AGENCY and the amount which the LOCAL AGENCY has previously paid to the DEPARTMENT. In the event additional payment is due to the DEPARTMENT, the LOCAL AGENCY agrees to pay same within sixty (60) days after the statement is received from the DEPARTMENT. In the event a refund is due the LOCAL AGENCY, the DEPARTMENT agrees to pay the LOCAL AGENCY within sixty (60) after the refund amount is determined or final acceptance is made by the DEPARTMENT.

11. The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

12. Pursuant to O.C.G.A. Sec. 50-5-85, LOCAL AGENCY hereby certifies that it is not currently engaged in, and agrees that for the duration of this contract, it will not engage in a boycott of Israel.

13. It is mutually agreed between the parties hereto that this document shall be deemed to have been executed in the Fulton County, Georgia, and that all questions of interpretation and construction shall be governed by the laws of the State of Georgia.

14. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Agreement. The parties shall be entitled to sign and transmit an electronic signature of this Agreement (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Agreement upon request.

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals, caused this Agreement to be executed in three counterparts, each to be considered as original by their authorized representative the day and date hereinabove written.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

BY:_____
MAYOR

Signed on behalf of the Unified Government of Athens-Clarke County pursuant to resolution dated _____.
****

FEIN_____ BY: _____
********** **SECRETARY/ASST.SECRETARY**
(OFFICIAL SEAL)

RECOMMENDED:

BY: _____
STATE UTILITIES ADMINISTRATOR

ACCEPTED:

DEPARTMENT OF TRANSPORTATION

BY: _____
COMMISSIONER

PROJECT NO.: N/A
COUNTY: CLARKE
G.D.O.T. P.I. NO.: 0013806
DATE: SEPTEMBER 22, 2022 DB

Signed, sealed and delivered this _____ day of _____, 20_____,

(OFFICIAL SEAL OF THE DEPARTMENT)

I attest that the seal imprinted herein is the Official Seal of the DEPARTMENT.

BY:_____
TREASURER
OFFICIAL CUSTODIAN OF THE SEAL

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

Contractor's Name:	Unified Government of Athens-Clarke County
Solicitation/Contract No./ Call No. or Project Description:	Project No. N/A, P.I. No. 0013806, Clarke County, to replace the bridge on State Route 10/US 78 over the North Oconee River.

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number
(EEV/E-Verify Company Identification Number)

Date of Authorization

Name of Contractor

I hereby declare under penalty of perjury that the foregoing is true and correct

Printed Name (of Authorized Officer or Agent of Contractor)

Title (of Authorized Officer or Agent of Contractor)

Signature (of Authorized Officer or Agent)

Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

_____DAY OF_____, 20_____

[NOTARY SEAL]

Notary Public

My Commission Expires: _____

P.I. 0013806 County - Clarke

Pay Item and Description		Additional Description	Unit	In-Kind Items			Betterment Items		In-Kind / Betterment Total Qty	Actual Bid Costs					Final QTY	Final Cost
				Orig Plan Total Qty	Orig Est Unit Price	Orig Est Cost	Orig Plan Total Qty	Orig Est Cost		Actual Bid Total Qty	Actual Bid Unit Price	Actual Total Bid Cost	Actual In-Kind Bid Cost	Actual Betterment Bid Cost		
611-8050	ADJUST MANHOLE TO GRADE (611-8050)		EA	2	$ 800.00	$ 1,600.00		$ -	2							
670-1060	WATER MAIN, 6 IN * * * Requires Special	DUCTILE IRON	LF	10	$ 80.00	$ 800.00		$ -	10							
670-1080	WATER MAIN, 8 IN * * * Requires Special	DUCTILE IRON	LF	450	$ 120.00	$ 54,000.00		$ -	450							
670-1600	CUT & PLUG EXISTING WATER MAIN * * *		EA	2	$ 2,000.00	$ 4,000.00		$ -	2							
670-2080	GATE VALVE, 8 IN * * * Requires Special		EA	1	$ 2,800.00	$ 2,800.00		$ -	1							
670-2700	ABANDONMENT OF WATER VALVES * * *		EA	2	$ 500.00	$ 1,000.00		$ -	2							
670-4510	CONCRETE THRUST COLLAR, 8 IN PIPE * *		EA	1	$ 2,000.00	$ 2,000.00		$ -	1							
670-7000	STEEL CASING - * * * Requires Special Provision	16-INCH DIA.	LF	80	$ 250.00	$ 20,000.00		$ -	80							
670-7220	INSERTION VALVE, 8 IN * * * Requires Special		EA	1	$ 12,000.00	$ 12,000.00		$ -	1							
						$ -		$ -	0			$ -	$ -	$ -		$ -

Georgia DOT Project: NA **ATTACHMENT #2**
County: Clarke
GDOT P.I.: 0013806

CONTRACT ITEM AGREEMENT MEMORANDUM OF UNDERSTANDING

between the
Georgia Department of Transportation (hereafter the DEPARTMENT)
and
ATHENS-CLARKE COUNTY (hereinafter called the OWNER)

Whereas the DEPARTMENT proposes to undertake a project to replace the bridge at SR 10 over the North Oconee River in Clarke County by contract through competitive bidding, and:

Whereas the OWNER has the following utility facilities which will be within the project limits: 6-inch and 8-inch water mains; 8-inch, 12-inch, and 48-inch gravity, sanitary sewer; and their associated appurtenances.

Whereas the OWNER does not have adequate equipment and staff to adjust its facilities or for other reasons considers it advantageous to have this work included in the roadway contract to be let by the DEPARTMENT; and, now therefore:

The following is hereby mutually agreed to and understood by both parties:

1. The preliminary engineering, including preparation of detailed plans and contract estimate for the required water items will be accomplished by the OWNER or OWNER'S Consultant, the cost of which will be the responsibility of the OWNER. The plans shall provide for adjustment, relocation, or new installation of the OWNER'S facilities in accordance with the OWNER'S customary practices, standards, and details subject to conformance with the DEPARTMENT'S standard pay items and procedures for including such items in the project contract. In cases of discrepancy, the governing descending order will be as follows: (1) Special Provisions, (2) Project Plans (prepared by OWNER'S Consultant) including Special Plan Details, (3) Supplemental Specifications, (4) Standard Plans including DEPARTMENT'S Standard Construction Details, (5) Standard Specifications. The OWNER'S standard details should be labeled as "Special Plan Details" and included immediately in sequence behind the OWNER'S plans to avoid confusion with the DEPARTMENT's Standard Plans and Standard Construction Details. The OWNER shall provide plans using the DEPARTMENT'S title block design and in the current Microstation file format.

2. The plans and estimate shall be subject to approval by both the DEPARTMENT and OWNER prior to advertising for bids.

3. All work necessary for the adjustment or relocation of the described facilities in accordance with the final plans when approved shall be included in the highway contract and let to bid by the DEPARTMENT except as follows:

If necessary, the Owner will provide additional temporary and permanent easements, at its own expense, for any work outside of the acquisition limits shown on the project right of way plans, and shall certify possession in accordance with DEPARTMENT requirements prior to the Certification deadline for the project.

4. All construction engineering (layout, inspection) and contract supervision shall be the responsibility of the DEPARTMENT and the DEPARTMENT shall be responsible to assure that all utility work is accomplished in accordance with plans and specifications and to consult with the OWNER before authorizing any changes or deviations which might affect the OWNER'S facility. Engineering for plan revisions for the OWNER'S facilities shall be the responsibility of the OWNER and OWNER'S Consultant.

5. The OWNER and OWNER'S Consultant shall have the right to visit and inspect the work at any time and advise the DEPARTMENT'S Engineer of any observed discrepancies or potential problems. The cost of any OWNER or OWNER'S Consultant's visits or inspections will be the responsibility of the OWNER. The DEPARTMENT agrees to notify the OWNER when all utility work is complete and ready for final inspection and invite the OWNER to attend the final inspection or provide a corrections list to the DEPARTMENT prior to the final inspection.

6. After award of the highway contract, the OWNER will continue to maintain its pre-existing facilities until adjustment or relocation has been finalized or the pre-existing facilities have been taken out of service. Once adjustment or relocation begins on a segment of the facilities, the DEPARTMENT or its contractor will be responsible for the maintenance of the adjusted or relocated facilities until final acceptance is made for the work.

7. Upon Maintenance Acceptance or Final Acceptance of the utility work included in the contract and upon certification by the DEPARTMENT'S Engineer and the OWNER, that the work has been completed in accordance with the plans and specifications, the OWNER will accept the adjusted, relocated, and additional facilities and will thereafter operate and maintain said facilities located within the PROJECT right of way subject to the DEPARTMENT'S "Utility Accommodation Policy and Standards Manual, current edition" and any agreements in effect without further cost to the DEPARTMENT or it's CONTRACTOR.

8. The DEPARTMENT and OWNER agree that all matters will be governed by the DEPARTMENT'S Utility Accommodation Policy and Standards. It is contemplated by the DEPARTMENT and OWNER that a Contract Item Agreement will be executed by both parties that will supersede this memorandum. The cost for the utility facilities shall be the responsibility of the OWNER and reimbursement to the DEPARTMEMT shall be handled thru a Contract Item Agreement.

APPROVED FOR THE OWNER BY:

_____ _____

(Signature) (Date)

_____

(Title)

APPROVED FOR THE DEPARTMENT BY:

_____ _____

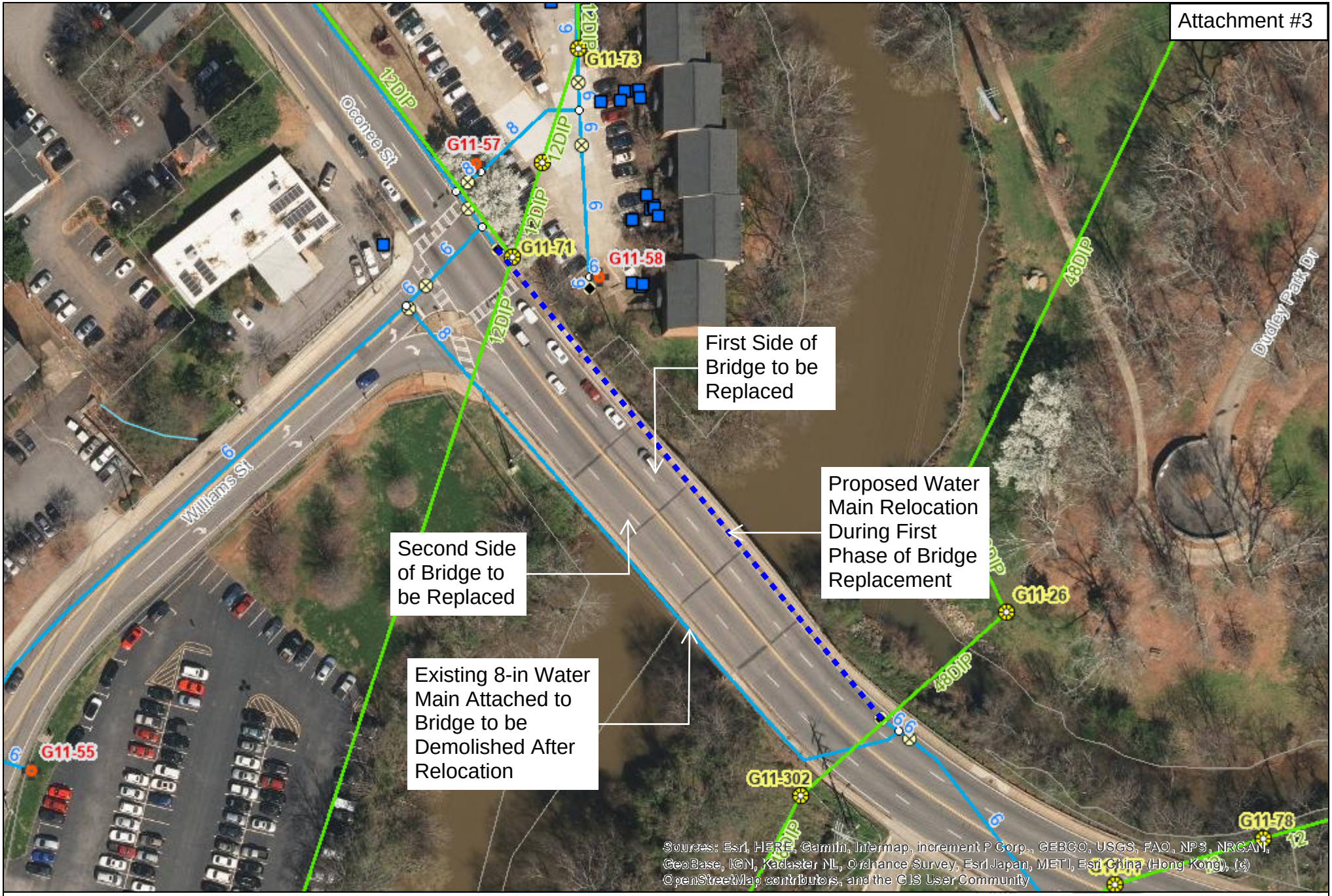
(Signature) (Date)

State Utilities Administrator

(Title)

Contract Item Agreement to be required? YES
Preliminary Engineering Agreement to be required? No

Attachment #3



Athens-Clarke County Public Utilities

Aerial Map - Oconee St Bridge Replacement

All line sizes and locations are approximations and should be field verified for design purposes.

Printed : 11/9/2022

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2011 Project 09, Oconee Rivers Greenway Network Connectors Project – Public Art - Artist, Art Type & Style – Art Location #2

DATE: October 21, 2022

BUDGET INFORMATION:

REVENUES:	$ 6,763,000	SPLOST 2011 Project 09 (All Tiers)
EXPENSES:		
CAPITAL:	$ 6,708,000	Expensed & Encumbered
	$ 15,000	Designated for Art Location #1
	$ 40,000	Available for Greenway Trail Corridor - Art Location #2

FUNDING SOURCE: SPLOST 2011 Program Revenues

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the recommendations of the Athens Cultural Affairs Commission (ACAC) for the selection of the artist Elaine Stephenson to provide the public art type and style as shown on **Attachment #1** for the SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors Project – Art Location #2**;** and,

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On June 7, 2005, the Mayor and Commission (M&C) approved the North Oconee River Corridor-Northern Section Level 2 map for the Athens-Clarke County Greenway Network Plan (GNP) including the future development of conservation zones, wildlife corridors, and recreational/transportation facilities**.**

2. On November 2, 2010, residents of Athens-Clarke County approved the SPLOST 2011 Referendum. That referendum included Project 09, Oconee Rivers Greenway Network Connectors, to implement greenway corridor improvements and connectors along the North Oconee River following the GNP.

3. On March 12, 2012, the ACAC submitted a letter recommending that this project be deemed appropriate for the installation of public art. The focus at that time was on plaza area that was to be constructed at the termination point of the UGA campus roadway as part of the East Campus Connector greenway segment where the trail connects to River Road. The User Group

was also interested in expanding the installation of public art to other areas of the greenway.

4. On February 18, 2015, the ACAC members met with SPLOST staff and the Greenway User group. During the three years since first meeting, plans for the plaza were revised; there will no longer be a large plaza designated as a community-gathering site where the trail connects with River Road due to terrain and flood plain issues. This gave greater opportunity for the expanding of art to other areas of the greenway.

5. On April 1, 2015, the ACAC offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6 Additional Funding for Public Art, to the M&C related to the use of public art for SPLOST 2011 Project 09 Oconee Rivers Greenway Connectors. The recommendation included a budget designation of one percent of the overall construction cost to be used for public art selections supporting the complete Greenway with the final selection and location of the public art to be determined at a later date and approved by the M&C. Staff concurred with this recommendation.

   ACAC preferred to postpone site selection for art location until a majority of trail construction was completed in this area to best evaluate site alternatives.

6. On September 6, 2016, the M&C approved the Preliminary Plans for the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09)–College Station Road sub-project. At this time the budget for the combined Public Art Projects for all sub-projects was set at $55,000.

7. On October 24, 2018, ACCGov issued Final Acceptance for the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09)–College Station Road connector sub-project.

8. On November 22, 2019, ACCGov issued Final Acceptance for the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09)–East Campus Connector which involved greenway trial construction between University of Georgia East Campus area on River Road and the existing Lexington Road/Old Winterville Road/Park-n-ride connector and the College Station Road connector.

9. On July 14, 2021, the User Group participated in the Greenway Trail Corridor site visit, and identified four suitable locations for Public Art along the Greenway Trail Corridor. ACAC finalized two Art locations recommended by the User Group, along the Greenway Trail Corridor. Location #1 is a retaining wall at the Lexington Road trail head adjacent to the Georgia 10 Loop at Lexington Road. This location is inside GDOT right-of-way for the Athens by-pass. Location #2 is along the trail underneath the North Oconee Access Road Bridge that connects to College Station Road.

10. On November 29, 2021, in response to staff inquiry, GDOT provided preliminary approval of the proposed art site location for the retaining wall at the Lexington Road trail head adjacent to the Georgia 10 Loop at the Lexington Road. Final permitting for art type is required by GDOT.

11. On February 1, 2022, the M&C approved the ACAC-recommended two Art locations along the Greenway Trail Corridor – the retaining wall at the Lexington Road trail head adjacent to the Georgia 10 Loop at Lexington Road (Art location #1) and Underneath the North Oconee Access Road Bridge that connects to College Station Road (Art location #2) as part of the SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors.

12. On July 8, 2022, the ACAC released a call for art for both Art locations #1 and #2 for the SPLOST 2011 Project 09 - Oconee Rivers Greenway Network Connectors. The call was posted on the ACAC's page on the ACCGov's website.

13. On August 29, 2022, the ACAC received 38 packages of qualifications for the Art location #2 as part of the SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors. The information for the proposals received is shown in **Attachment #2**.

14. On September 22, 2022, the ACAC convened the art selection panel for proposal review, which selected the top three artists to provide the proposal for the Art location #2.

15. On October 20, 2022, the ACAC convened the art selection panel for finalist review, which selected a proposal of the artist as the most appropriate and selected Elaine Stephenson and her Art as shown in **Attachment #1** for the Art location #2 for SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors.

16. On November 1, 2022, the M&C approved ACAC recommendation for the selection of the artist Amanda Burk to provide the public art type and style for Art location #1 for SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors.

FACTS & ISSUES:

1. The initial project statement for the SPLOST 2011 Project 09 Oconee Rivers Greenway Network Connectors Project reads as follows:

   SPLOST 2011 Project 09 Oconee Rivers Greenway Network Connectors *will provide for capital improvements of greenway corridors and connectors along the North Oconee River following the Mayor and Commission approved Athens-Clarke County Greenway network Plan that create conservation zones, wildlife corridors, and recreation/transportation facilities.*

2. ACAC generally envisions the Public Art Goals for this location:

   Public art on the greenway should enhance the experience of enjoying the extensive natural environment located within the corridor. The main focus and overarching theme of the greenway corridor is the river and its natural environment; and, consequently the urban, man- made environment should be subservient to the greenway experience. In tune with this philosophy, public art should have a secondary, supporting role in the overall impression when visiting the area. To be true with the values of the environmental focus

of the corridor, creating a public art walk or an outdoor gallery is not the intent of adding public art along the corridor.

3. The selection panel was a group of staff and local stakeholders, chosen by ACAC, including: Commissioner Allison Wright, Laurel Loftin, Didi Dunphy, Lynn Sanders Bustle, Jennifer Niswonger Morris, Laura Floyd, Helen Kuykendall, Nat Kuykendall, Ross Hinkle, Diana Windham, Jan Bush, Todd Miller, and Rose West.

4. The selection panel meeting was held at Lyndon House Arts Center, was facilitated by Tatiana Veneruso, ACCGov's Public Art coordinator. (History #14 & #15) The top three highest scoring artists were "shortlisted" and asked to provide project specific art proposals. The top three highest scoring artist were as follows:
    - Daniela Vegas "Flow of Nature"
    - Elaine Stephenson "Water is Life"
    - Elio Mercado "By the River"

5. Following the ACAC Policy and Procedures for artist selection, the ACAC and the User Group specified the art criteria as follows:
    - Type of work is appropriate for the project and site: <u>mural/multi-media mural</u>
    - Originality of the work created by the submitting artist *(or team).*
    - Quality art in both design and execution and demonstrated experience with previous similar work are pluses.
    - Scale and visibility of the artwork from the trail and perhaps from vantage points outside the immediate area; framing views from the artwork to the river and trail scenery will also be a consideration.
    - Integration and celebration of Oconee River greenway. General thematic areas should include:
        - Natural resources
        - Water quality and Water cycles
    - Durability: Paint needs to be Sherwin Williams exterior paint with UV coating. All materials should be highly durable, non-toxic, and resistant to weathering, vandalism, and pressure washing.
    - Ease of maintenance; no electricity or running water is available at the site. It is recommended that the more intricate design details be above the 8ft* point on walls so easily tagged areas can be retouched by ACC staff.
    - Public safety. Any elements attached to bridge structure must be approved by the engineer of record/engineer approved by Athens-Clarke County. Paint on trial must contain an anti-skid additive.

6. Based on the selection criteria, the selection panel reviewed the proposals of artists by looking at appropriateness for the public use, artist's experience, maintenance, safety, and subject matter. The Selection Panel recommends the artist Elaine Stephenson as the highest scoring Artist and the proposed public art type and style as shown in **Attachment #1.**

7. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Good Neighbors Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming*

OPTIONS:

1. Mayor and Commission:
   a. Approve the recommendations of the Athens Cultural Affairs Commission for the selection of the artist Elaine Stephenson to provide the public art type and style as shown on **Attachment #1** for the SPLOST 2011, Project 09 - Oconee Rivers Greenway Network Connectors Project – Art Location #2**;** and,

   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the recommended artist and art type and style.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Office of the Manager, SPLOST Program Management, Prepared by: Madhuri Angadi, for:

Keith D. Sanders, SPLOST & Program Administrator — Date: October 25, 2022

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b

Manager — Date: November 9, 2022

ATTACHMENTS:

Attachment #1 – Proposed Public Artist and Art Type & Style
Attachment #2 – Listing of Proposals Received

Attachment #1 - Proposed Public Artist and Art Type



Artsy Elaine

Finalist Proposal for North Oconee Access Rd. Mural Project

Proposal

Title: Water is Life

Artist Statement:

“Water is Life” portrays the idea that water is the basis of all life. It’s a natural resource that is immensely important to our world to sustain virtually all crops, wildlife, and human life. “Water is Life” uses various shades of blue across the bridge underpass to depict ripples, waves or currents flowing into one another. The design then transitions through water drops or rain down onto the pillars which are various shades of green. Here the mural starts to blend in with some of the natural green surroundings in order to be more harmonious with the project site. In the greenery, native wildflowers bloom and are pollinated by bees and butterflies. This also ties in some of the natural flora and fauna along the trails, and helps to demonstrate that wildlife is dependent on water as a natural resource, and we are dependent on successful pollination for food. The water drips down onto the sidewalk and ripples out, allowing the viewer to interact with the piece, becoming one with the water. The integration of the sidewalk where folks will walk and travel, allows the viewer to interact with the piece, becoming one with the water, relating to the fact that humans are actually made up of 60% water in our bodies.

View from underneath the bridge, facing the water



View from the trail approaching the bridge



View from underneath the bridge, facing away from the water



Timeline & Installation

1,500 sq. ft mural: Prime wall 2 coats, paint 2 coats, anti-graffiti clear coat on columns and accessible ceiling area. Estimated 14 working days with one paid assistant. Allow 4 weeks scheduling for potential weather delays.

TIMELINE: 3 weeks or about 14 working days

Week 1: Prime and base coat

Week 2: Base coat and detailed line work

Week 3: Sidewalk painting and anti-graffiti coating

STEPS:

1 - have walls cleaned of vines/overgrowth and pressure washed by Athens-Clarke County. Allow one week drying time before mural installation.

2 - prime wall with kilz primer, by spraying with a paint sprayer. 2 coats. (2 days)

3 - paint solid color bases in two coats, rolling and brushing on (4 days)

4 - paint lines and details on top in two coats (4 days)

5 - let wall paint cure for a few days, while painting sidewalk with anti-skid mix-in, 3-4 coats (2 days)

6 - roll on three to four thin coats of anti-graffiti coating on columns and accessible ceiling (2 days)

Special Equipment Needed:

34’ 4WD Gas Boom Lift for 4 weeks

Portable Toilet for 4 weeks

Graco X7 Paint Sprayer *Needs access to water off-site to clean paint sprayer

Budget

MATERIALS COST:

chalk $12

water buckets (3) $15

paint cup holders (8) $16

sunscreen $12

water bottles $10

drop cloth (1) $30

new brushes - wide (10) $50

new brushes - small (10) $50

rollers (5) $100

roller covers (12) $80

roller trays (20) $20

ladder (1) $33 (10% wear and tear)

painter's tape (5) $42

Kilz primer, 5 gallon (2) $300

Graco X7 Paint Sprayer $600

Emerald Latex paint, (13 gallons) $80/gal = $1040

Colors: White, Dark Green, Light Green, Med Green, 9 Blues

Emerald Latex paint, (4 quarts) $35/q = $140

Colors: Yellow, Purple, Black, and Royal Blue

Clear/anti-graffiti (4) $200

Safety cones: $200

Sharkgrip Anti-skid additive 2 @ $50

Misc/Backup $500

EQUIPMENT RENTAL:

34' 4WD Gas Boom Lift for 4 weeks. Includes delivery fees, insurance, taxes and gas: $4,000

Portable Toilet for 4 weeks: $400

cost

artist fee:	$4,000
labor & assistants:	$14,700
equipment rental:	$4,400
paint & materials:	$3,500
car insurance:	$4,000
liability insurance:	$800
equipment floaters:	$500
lawyer fees:	$1,000
travel expenses:	$3,920
per diem:	$1,680

Misc. expenses & meals for 2 while at site: $120/day (x14 working days)

contingency:	$1,500
Total Cost:	$40,000

Maintenance Plan

CLEANING:

- Once a year the bridge should undergo a gentle pressure washing of the artwork to remove any dirt and debris build up. High pressure should be avoided to prevent any unwanted removal of paint. Use a *bleach-free* solution made for cleaning home exteriors, such as Simple Green.

GRAFFITI MAINTENANCE:

- A non-sacrificial anti-graffiti clear coat of Monochem Permashield will be applied to the columns and easily accessible areas.

- Art should be inspected on a quarterly basis for any graffiti removal cleaning as needed and use CITRUS CLEAN BY MONOCHEM to clean the graffiti. Ideally graffiti should be removed within 36-48 hours of the attack for best results. Spray Citrus Clean onto the graffiti and let sit for 2-3 minutes. (do not allow to dry on surface) Use a nylon hard bristle scrub brush to rub the solution into the graffiti. Spray more solution to maintain a wet surface and to remove the dissolved graffiti. Continuous wet scrubbing is key to complete removal. Rinse the cleaned area thoroughly with water. (Do not use solvents or lacquer thinners to remove graffiti)

PAINT COLORS:

- Touch ups can be performed once a year or as-needed as a result of graffiti if cleaning the tag does not remove all of the graffiti. An additional layer of anti-graffiti coating should be applied onto the touch-up area.

- A complete color guide to selected Sherwin Williams paints will be provided at completion of the project for easy future maintenance.



Thank You!

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Attachment #2 - List of Proposals Received

Artist	Mural Title
Alec De Jesus	"Foliage"
Amiri Farris	"On Greenway"
Amol Sharaf	"Five Elements of the Universe"
Andrew Williams	"GA Mural"
Ann Tarantino	"Natural Forces"
Brenda Council	"Flower/Butterfly"
Chelsea Hart	"Local Plants"
Christopher Warren	"You Are Here"
CJ Hungerman	"Sample"
Cole Phail	"Cedar Ridge"
Daniela Vegas	"Flow of Nature"
Elaine Stephenson {Selected Artist}	"Water is Life"
Elio Mercado	"By the River"
Jacqui Rosenbush	"To the River"
Jason Tetlak	"Oasis"
Joseph Leone	"Of the Oconee River"
Kelsey Wishik	"Flow"
Lisa Kesler	"Boatanical Shapes"
Michael Lude	"North Oconee River"
Mylo Mendez	"Native Fauna"
Nick Morris	"Drippy Droplets"
Raul Ramirez	"Calm"
Robert Clements	"Native American Imagery"
Ruben Aguirre	"Abract"
Suzy Gonzalez	"Native Plants and Animals"
Austen Camille	"To Call a River Home"
Brandin Hurley	"Mirrors"
Christine Crawford	"Untitled"
David Glickman	"Brushstrokes"
Eleftheria Lialios	"Birds"
Jason McFarland	"Gingko Leaves"
Lawrence Stueck	"Riparian Ecosystem"
Michael Coppage	"Guardians of the Greenway"
Nekoda Witsken	"Untitled"
Przemyslaw Kordys	"Native Foliage"
Richard Dempsey	"Glitch"
Sun Shu	"Untitled"
Taylor Shaw	"A River Above"
Wesley Stewart	"Untitled"

AN ORDINANCE TO AMEND THE TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES TAX 2018 PROGRAM BUDGET SO AS TO PROVIDE ADDITIONAL FUNDING FOR PROJECT #05 OCONEE RIVERS GREENWAY PROGRAM; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the TSPLOST 2018 Capital Projects Fund to provide additional funding for the TSPLOST 2018 Project #05 Oconee Rivers Greenway Program. Said operating and capital budget is hereby amended as follows:

TSPLOST 2018 Capital Projects Fund:

REVENUES:	
INCREASE	
TSPLOST 2018 Revenue	$700,000
EXPENDITURES:	
INCREASE:	
Project #05 – Oconee Rivers Greenway Program	$700,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2018 Project 05, Oconee Rivers Greenway, SP #4.2, #4.3 & #6 – Carriage Lane/Carr's Creek Greenway – Construction Services Contract Award

DATE: September 28, 2022

BUDGET INFORMATION:

REVENUES:

$ 9,650,745	TSPLOST 2018 Project 05 (All Tiers)
$ 700,000	Proposed Budget Amendment TSPLOST 2018 Unallocated Excess
$ 10,350,745	TSPLOST 2018 Project 05 Revenue

EXPENSES:

CAPITAL:	$ 4,988,482	Expensed & Encumbered
	$ 149,171	Designated Design, Permitting, & Misc.
	$ 292,494	Designated Capital Equip., Testing & PM
	$ 1,000,000	Designated Construction Sub-Project #7
	$ 12,796	Designated Art Sub-Project #7
	$ 712,540	Designated Future Sub-Projects & Contingency
	$ 3,195,262	Available Construction Sub-Project #4.2, #4.3 & #6 and Contingency

FUNDING SOURCE: TSPLOST 2018 Program Revenue

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission:

a. Approve a designation of Georgia Development Partners, LLC as the apparent low responsive and responsible bidder for construction of TSPLOST 2018 Project 5 – Oconee Rivers Greenway, Sub-Project #4.2, #4.3, and #6;

b. Adopt a Budget Ordinance Amendment, **Attachment #1**, providing additional funding of $700,000 for TSPLOST 2018 Project 5 – Oconee Rivers Greenway;

c. Award a Unit Price Construction Services Contract in the amount of $3,195,261.14, to Georgia Development Partners, LLC for the construction of TSPLOST 2018 Project 5 – Oconee Rivers Greenway, Sub-Project #4.2, #4.3, and #6; and,

d. Authorize the Mayor and appropriate staff to execute all project related documents.

HISTORY:

1. On June 7, 2005, the Mayor and Commission (M&C) approved the North Oconee River Corridor-Northern Section Level 2 map for the Athens-Clarke County Greenway Network Plan (GNP) including the future development of conservation zones, wildlife corridors, and recreational/transportation facilities.

2. On November 2, 2010, voters of Athens-Clarke County approved the SPLOST 2011 Referendum. That referendum included Project 09, Oconee Rivers Greenway Network Connectors, to implement greenway corridor improvements and connectors along the North Oconee River following the GNP.

3. On November 1, 2011, the M&C approved the Master Implementation Plan and Funding Schedule for the SPLOST 2011 Program. The SPLOST 2011 Project 09, Oconee Rivers Greenway Network Connectors, included funding programmed for Tier #01 through Tier #08. The majority of funding for construction of the Greenway Sub-Projects became available in FY17 and FY18.

4. On August 4, 2015, the M&C approved a Commission Defined Option (CDO) approving Project Concepts for Sub-Project #2, Sub-Project #3, and Sub-Project #4 and authorizing staff to advance those Sub-Projects #2, #3, and #4 to the Preliminary Plan Phase. Additionally, M&C authorized staff to develop additional Sub-projects and associated Project Concepts for the development of additional Greenway Connectors from the Easley Mill Section of the Greenway to the Barnett Shoals Road utilizing as a guide the Level 2 Zone Buildout Map of the GNP approved by M&C on July 7, 2009. The CDO also required that upon M&C approval of additional proposed Easley Mill/Barnett Shoals Road Greenway Connector SPs staff will proceed to develop Preliminary Plans for the proposed SPs to allow review and evaluation concurrently with the Preliminary Plans of SP #4.

5. During the latter part of 2015, the Manager's Office, Public Utilities Department, Leisure Services Department, and SPLOST Program Management Office personnel held planning sessions to coordinate possible joint locations of trails and sewers utilizing joint easements where possible.

6. On May 3, 2016, the Mayor and Commission accepted the Public Utilities Service Delivery Plan Financial Element, which included funding for the Barnett Shoals Interceptor Project.

7. On May 11, 2016, Leisure Services staff met with the Oconee River Greenway Commission (ORGC) Planning Committee to review and received supported of the proposed Bailey Street/Carriage Lane/Barnett Shoals Road Greenway Connector SP (SP #5) that traversed property owned by the Unified Government of Athens-Clarke County (ACCGov) at the North Oconee Water Reclamation Facility and a small section of private property at 250 Carriage Lane.

8. On May 17, 2016, the ORGC approved a recommendation to include (Carr's Creek) for research and study in the same manner as other proposed Bailey Street/Carriage Lane/Barnett Shoals Road Greenway Connector (SP #5).

9. On May 20, 2016, the M&C formally received the Oconee Rivers Greenway Commission's recommendation that a proposed Carr's Creek Greenway Connector route to Barnett Shoals Road be researched and studied in the same manner as other identified connection routes (SP #5).

10. On June 2, 2016, the ACCGov Planning Commission recommended approval of a Special Use Permit for 250 Carriage Lane for M&C consideration at the July 5, 2016 M&C voting meeting. The Special Use Permit request includes provisions for greenway connectivity to support SP #4 and proposed SP #5.

11. On June 27, 2016, the SPLOST Oversight Committee reviewed the Proposed SP #5 and Project Concepts of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09), and by unanimous vote confirmed that the Proposed SP Concepts were compliant with the Initial Project Statement for SPLOST 2011 Project 09.

12. On July 5, 2016, the M&C approved a CDO approving the Project Concepts for SP #5 and of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09) and authorized staff to advance those Project Concepts to the Preliminary Plan Phase and easement acquisition. The CDO also authorized staff to advance SP #4 into easement acquisition.

13. On July 5, 2016, the M&C approved a Special Use Permit for 250 Carriage Lane, including the provisions for greenway connectivity to support SP #4 and SP #5.

14. On August 9, 2016 at M&C Work Session, staff presented to M&C the Preliminary Plans for SP #2, SP #3 and SP #4 of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09).

15. On September 6, 2016, the M&C approved the Preliminary Plans for SP #2, #3, & #4 of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09), authorized staff to acquire all necessary rights of ways and easements necessary to construct these Sub-projects, and authorized staff to advance Sub-Project #2 and Sub-project #3 in the Bid and Award phase. The agenda report noted where SP #4 had been divided into Segments #4.1, #4.2, and #4.3 to accommodate logical termini points what segments were necessary to support SP #5 and SP#6.

16. On January 3, 2017, the M&C approved the Preliminary Plans for Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09) for SP #5 & #6.

17. On May 19, 2017, in response to M&C discussions on the proposed TSPLOST 2018 program regarding estimated revenues and potential projects for final inclusion in the TSPLOST 2018 Projects lists, the ORGC issued a letter to the M&C recommending an alternate proposal to the originally submitted TSPLOST application to support the following priorities in an effort to help M&C balance revenue resources and expenditure estimates:
    a. Completion of the SPLOST 2011 current trail work (this effort includes SP #4.1, #4.2, #4.3, #5 and #6)
    b. Riverside/MLK Parkway from College Ave. to North Ave. (SP #8)
    c. Riverside/MLK Parkway from North Ave. to E. Broad Street (SP #9)
    d. Oak/Oconee Bridge Underpass (SP #7)

18. On August 8, 2017, the M&C approved the project list for the 2018 TSPLOST referendum. The list included a recommendation of $10,000,000 in funding for the Oconee Rivers Greenway Project and the Initial Project Statement included the requirement for the completion of the SPLOST 2011 current trail work before new projects were undertaken.

19. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program Referendum, which included the Project 05 Oconee Rivers Greenway Project.

20. On December 7, 2017, M&C approved an ordinance establishing TSPLOST 2018 Capital Project Budgets, which included the Project 05 Oconee Rivers Greenway Project.

21. On February 6, 2018, the Athens Cultural Affairs Commission (ACAC) offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, Additional Funding for Public Art, to the M&C related to the use of public art for TSPLOST 2018 Project 05 Oconee Rivers Greenway Project. Based on the nature of TSPLOST 2018 Project 05 Oconee Rivers Greenway Project the ACAC recommended that TSPLOST 2018 Project 05 Oconee Rivers Greenway Project be designated as appropriate for public art at the rate of 1% of the construction budget. The User Group and Staff concurs with this recommendation.

22. On November 7, 2018, SP #4.1 and #5 were completed and put into service.

23. On September 5, 2019, SP #1, the East Campus Connector Bridge was dedicated and opened for use.

24. On October 8, 2019, the owner of the Carr's Creek Tracts filed ante litem notice against ACCGov for inverse condemnation.

25. On October 10, 2019, Sub-Project #8, MLK greenway from College Avenue to North Avenue was dedicated and open for use.

26. On September 15, 2020, the M&C agreed to a settlement for the threatened litigation involving the Carr's Creek Tracts, including the portions needed to complete SP #4.2 & #6.

27. On September 28, 2020, the Greenspace Acquisition Committee/SPLOST Project User Group approved a recommendation to place the proposed eight acre greenspace zone on the level 1A Priority Greenspace Acquisition List.

28. On September 29, 2020, the ORGC approved a motion in support of expanding the greenway easements across the Carr's Creek Tracts from +/-2.44 acres, the minimum needed to build the sub projects #4.2 and #6 to +/-8.12 acres.

29. On November 3, 2020, M&C approved the concept map for the future use of the Carr's Creek Tracts, including sections for the completion of SP #4 (#4.2 and partial #4.3) & #6.

30. On January 28, 2021, the User Group participated in a site visit to the recently acquired Carr's Creek tracts to investigate possible alternative SP #6 alignments away from the previously approved alignment to reduce stream buffer encroachments.

31. On February 8, 2021, members of the Oconee Rivers Greenway Commission participated in a site visit to provide staff additional guidance on an alternative alignment option away from the previously approved alignment to reduce stream buffer encroachments.

32. On February 16, 2021, Oconee River Greenway Commission confirmed support for SP #6 revised alignment.

33. On June 23, 2021, the User Group confirmed support for the revised alignment for SP #6.

34. On August 10, 2021, staff shared a presentation with the M&C on the Proposed Preliminary Plan revision for SP #6 during a regularly scheduled Work Session.

35. On September 7, 2021, M&C approved the revised Preliminary Plans for SP #6 and authorized staff to move SP #4.2, partial #4.3 and into the Bid & Award phase.

36. On July 19, 2022, the design consultant for Oak/Oconee Street underpass (SP #7) provided staff with a project estimate to complete of $1,000,000.

37. On July 26, 2022, the Georgia Department of Natural Resources – Environmental Protection Division (GaEPD) approved the requested state stream buffer variance required to complete the project.

38. On August 4, 2022, staff evaluated the current construction status of SP #2, Oconee Hill Cemetery greenway segment, and determined the major risk elements of the project had been completed thereby recommending to the Manager's Office that SP #4.2, partial SP #4.3, & SP #6 move to bidding.

39. On September 15, 2022, ACCGov advertised Carriage Lane/Carr's Creek Greenway extension (SP #4.2, partial SP #4.3, & SP #6) for bid.

40. On September 22, 2022, ACCGov held the Pre-Bid Conference for Carriage Lane/Carr's Creek Greenway extension (SP #4.2, partial SP #4.3, & SP #6).

41. On November 1, 2022, ACCGov accepted bids on the for Carriage Lane/Carr's Creek Greenway extension (SP #4.2, partial SP #4.3, & SP #6). A total of three bids were received (F&I #5).

42. On November 3, 2022, SP# 2, the Oconee Hill Cemetery Segment of the greenway was dedicated and opened for use.

FACTS & ISSUES:

1. An overall Greenway Network map (**Attachment #2**) is provided to show the network connectivity in the area. The approved Preliminary Plans, for SP #4.3, require agreements from the State Board of Regents (UGA) to fully connect to the intersection of College Station Road and Research Drive as originally envisioned by the original SP #4.3. This particular parcel currently host some ongoing UGA research initiatives and staff is uncertain of UGA's the future development desires on this tract. SP #4.3 also requires land acquisition from Georgia Power Co. (GPC) across an electrical sub-station property that separates the ACCGov property and UGA property.

2. Construction of SP #4.3 as it relates to the SP #6, allows access to the recently acquired ACCGov property, providing logical termini for construction with SP #6, and promotes future connectivity to the remainder of SP #4.3 when partnership agreements with the remaining property owners (UGA and GPC) are obtained in the future.

3. Greenway SP #4.2 and portion of #4.3 (on ACCGov property) as previously approved M&C generally includes:
   - 12' wide concrete trail
   - 2,500 linear feet (alignment generally follows existing sanitary sewer route along the river) from the connectivity point with Sub-Project #5 to connectivity point with Sub-Project #6
   - One 25' bridge for an unnamed stream and one 90' bridge over Carr's Creek are required
   - Selective vegetation removal to enhance river views where appropriate
   - Necessary retaining walls, drainage features, and erosion control measures
   - Temporary and permanent easements have been acquired. Portions of the trail are located on the ACCGov PUD North Oconee WRF

4. Greenway SP #6, Carriage Lane section, as previously approved includes:
   - Connect trail to existing sidewalk on Carriage Lane
   - Clearing and grubbing for future Park N Ride lot/ Trail Head in base bid
   - This greenway trail is completely on property now owned by ACCGov, along Carr's Creek. The trail's northern terminus is on Carriage Lane near the intersection of Carriage Lane and Barnett Shoals Road. The southern terminus connects to the SPLOST 2011 greenway Sub-Project #4 at the transition between SP #4.2 and #4.3.
   - 10' wide concrete trail
   - Approximately 1,350 linear feet in length
   - Necessary retaining walls, drainage features, and erosion control measures
   - One 35' bridge for a creek crossing
   - In order for Sub-project #6 to provide connectivity to the Greenway, SP #4.2 and portion of SP #4.3 have to be constructed

5. The following Bids were received:

Contractor	Based Bid
Georgia Development Partners	$ 3,195,261.14
Astra Group	$ 3,741,000.00

TriScapes, Inc. $ 4,709,300.20

6. Engineer's construction estimate for base bid: $2,768,490.

7. An add alternate was included in the bidding documents for the addition of a parking lot near the entrance, in case the lowest responsive responsible bidder for construction was less than the available budget. Since the lowest responsive and responsible bidder was well above the available budget, Staff is not recommending the inclusion of the additive alternate(s).

8. Staff has reviewed the bids and determined Georgia Development Partners, LLC is the lowest responsive and responsible bidder based on the Total Bid Value of $3,195,261.14.

9. Staff anticipates the following schedule milestones for the remainder of the project:
   - December 2022 - Construction Contract Execution
   - January 2023 - Construction Notice to Proceed
   - October 2024 - Construction Completion

10. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A: *Improve, expand, maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely*

OPTIONS:

1. Mayor and Commission:
   a. Approve a designation of Georgia Development Partners, LLC as the apparent low responsive and responsible bidder for construction of TSPLOST 2018 Project 5 – Oconee Rivers Greenway, Sub-Project #4.2, #4.3, and #6;

   b. Adopt a Budget Ordinance Amendment, **Attachment #1**, providing additional funding of $700,000 for TSPLOST 2018 Project 5 – Oconee Rivers Greenway;

   c. Award a Unit Price Construction Services Contract in the amount of $3,195,261.14, to Georgia Development Partners, LLC for the construction of TSPLOST 2018 Project 5 – Oconee Rivers Greenway, Sub-Project #4.2, #4.3, and #6; and,

   d. Authorize the Mayor and appropriate staff to execute all project related documents.

2. Mayor and Commission deny approval of the designation and award to Georgia Development Partners, LLC as the apparent low responsive and responsible bidder for construction of TSPLOST 2018 Project 5 – Oconee Rivers Greenway, Sub-Project #4.2, #4.3. and #6.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, & d

DEPARTMENT: Office of the Manager – SPLOST Program Management

Prepared by:

Keith D. Sanders, SPLOST Program Administrator — Date: 11-4-2022

Kent Kilpatrick, Director Leisure Services — Date: 11-4-2022

ADMINISTRATIVE COMMENTS:

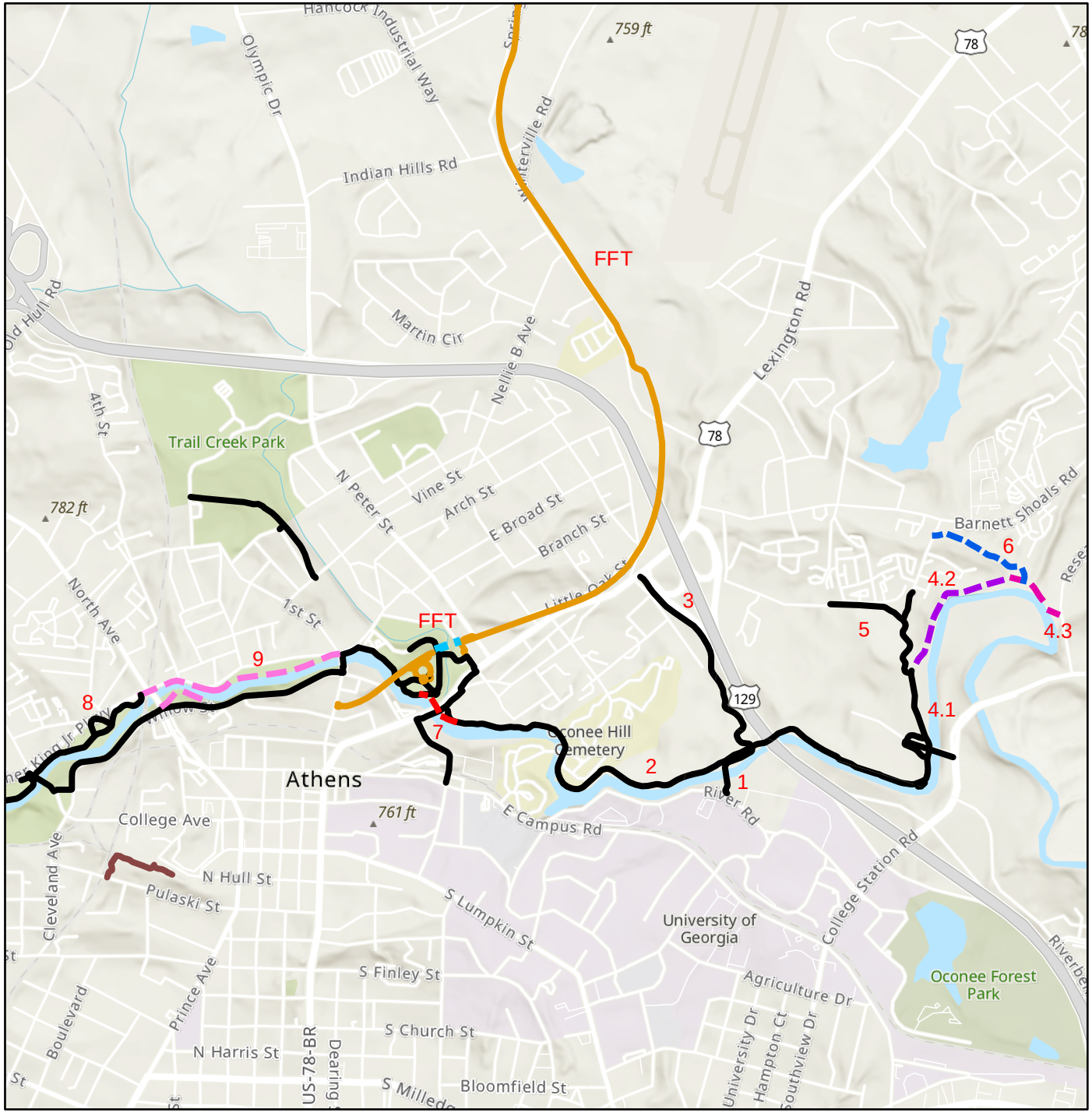
ADMINISTRATIVE RECOMMENDATION: Option #1a, b, c, & d

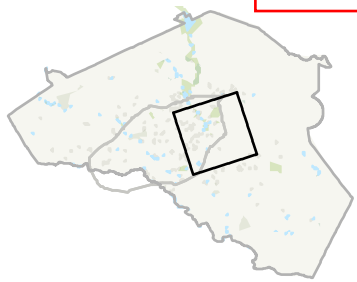
Manager — Date:

ATTACHMENTS:

Attachment 1 – Budget Ordinance
Attachment #2 – Area Map

Attachment #2





North Oconee River Greenway (Existing)

Multi-Use Path (Existing)

Firefly Trail (Existing)

Sub-Project 4: Firefly Trail - Trail Creek Crossing

Sub-Project 4.2: Barnett Shoals Road

Sub-Project 4.3: Research Drive

Sub-Project 6: Carr's Creek/ Barnett Shoals Road

Sub-Project 7: Oak/Oconee Bridge Underpass

Sub-Project 9: North Oconee River Park Trail

0 3,000 Feet

TRAIL PROJECT OVERVIEW

Sub-Projects Update

Athens, Georgia | Wednesday, September 14, 2022 | Sheet 1 of 1

Presented by
ACC Leisure Services
Office of Park Planning

ATHENS-CLARKE COUNTY
LEISURE SERVICES

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 20 - Parks & Facilities Improvement - Sub Project #11

DATE: ~~October 25, 2022~~ November 29, 2022

BUDGET INFORMATION:

REVENUES:	$425,000	SPLOST 2020 Project 20 Funding (Tier 3 – FY23)

EXPENSES:
ANNUAL: $0

CAPITAL:	$425,000	Total Available for Sub-Project 11, including contingency

FUNDING SOURCE: SPLOST 2020 Project 20

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Project Concept for SPLOST 2020 Project 20 – Parks and Facilities Improvement - Sub Project #11, as generally described in **Attachment #1**;

b. Authorize staff to advance Sub-Project #11 to the Bid and Award Phase in accordance with the approved Proposed Project Concept for SPLOST 2020 Project 20 – Parks and Facilities Improvement - Sub Project #11; and

c. Declare that the portion of the construction budgets for Sub-Project #11 are appropriate for public art elements to be included as part of Project Concept, as described in Facts and Issues #4 - 5 of the Parks and Facilities Improvements Project.

HISTORY:

1. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 program referendum. This referendum included Project 20, Parks and Facilities Improvement. Collections for this SPLOST program began in April 2020 and are expected to generate $314,303,300 over a twelve-year period.

2. On June 25, 2020, Mayor and Commission (M&C) approved $400,000 for youth development programming in the Leisure Services Department's FY21 budget. These funds were used for

various youth services including the construction of Technology Labs for teens on the third floors of both Heard and Lay Community Center

3. On February 2, 2021, M&C approved the SPLOST 2020 Tier Funding schedule. Funding was programmed for Parks and Facilities Improvement in Tiers 2-12.

4. On October 5, 2021, M&C approved the project concept for SPLOST 2020 Project 20 – Parks and Facilities Improvement Sub-Project #1 – Rainbow Forest Access Project Concept.

5. On November 7, 2021, M&C approved SPLOST 2020 Project 20 – Parks and Facilities Improvements Sub-Projects #2-#10 which included:

    - improvements to the Memorial Park Dog Park,
    - renovations of the basketball courts at Sandy Creek Park,
    - rehabilitation of the Bishop Park pavilion, and
    - repairs/updates for the Skate Park of Athens, among other items.

6. On November 1, 2022, M&C approved the submission of a grant application for *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* which would cover the cost of the Heard Community Center renovations. Of the two community centers, Heard is the only one that resides in the qualified census tract.

7. On November 28, 2022, the Project Concept for Sub-Project #11 was presented to the SPLOST 2020 Oversight Committee to determine whether it is consistent with the Initial Project Statement for SPLOST 2020 Project 20, Parks & Facilities Improvements. While the committee did not have a quorum present, the attending members voted unanimously to confirm that the Project Concept is consistent with the Initial Project Statement.

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1. **FACTS & ISSUES:** The Initial Project Statement for SPLOST 2020 Project 20 reads as follows:
   Project 20: Parks Facilities Improvements Project: *This project will provide for infrastructure improvements, replacements, and/or additions at various parks and Leisure Services Department facilities. Depending upon costs and funding availability, examples of eligible sub-projects may include, but not be limited to, renovations and replacements at aquatic facilities, gym floors and tennis courts, playground improvements, athletic field renovation and improvements, lighting replacements, replacement of bridges and boardwalks, addition or replacement of park equipment including picnic tables and grills, addition and replacement of signage, repaving, equipment replacements, general improvements to park access, infrastructure, and/or erosion control issues at park areas. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. The proposed Sub-Project #11, continues repairs and improvements to Lay and Heard Community Centers that began with the third floor renovations of the technology labs. The new renovations are estimated to account for all of the existing Tier 3 (FY23) funds available for SPLOST 2020 Project 20. The project description can be found in **Attachment #1**.

3. Sub-Project #11 is based on the Leisure Services Capital Asset Lifecycle Plan and prioritized by the poor condition rating of the items proposed for renovation/replacement. Additional consideration is given to stakeholder input and potential grant or matching funds.

4. The Public Art Ordinance (Sec. 1-25-6.) stipulates that the funding for Public Art come from 1% of the construction budgets for capital projects. It also stipulates that the Public Art budget from the General Fund Capital Projects (Sec. 1-25-5.) that projects categorized as equipment are excluded.

5. In keeping with both parts of the Public Art Ordinance, staff would recommend that only the new construction portions of sub-project #11 would be appropriate for the 1% allocation of public art funds. Staff has discussed this approach for the Public Art with ACAC. ACAC would like to accumulate these 1% Public Art funds from several of these smaller projects until there is a larger amount that could be used for a more significant piece of art. ACAC would bring back a site and that potential location for such public art at a future date.

6. The combination of SPLOST 2020 Project 20 and FY23 Capital Project funding for Leisure Services is $3,932,181. The identified capital lifecycle needs for FY23 are $7,993,257; given this deficit, only items in poor condition are moving forward with other projects rolling forward to FY24, where their condition will be reassessed as part of the FY24 budget development process.

7. On November 10, 2022, staff presented to M&C at Worksession the Proposed Project Concepts for SPLOST 2020 Project 20 – Parks and Facilities Improvement - Sub Projects #11, as generally described in **Attachment #1**.

8. The SPLOST 2020 Oversight Committee ~~will meet~~ met on November 28, 2022, to review the proposed Project Concept for Sub Project #11 to ensure it is consistent with the Initial Project Statement of SPLOST 2020, Project 20 – Parks and Facilities Improvement. The Oversight Committee voted unanimously, confirming that this Project Concept is consistent with the Initial Project Statement.

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming*

OPTIONS:

1. Mayor and Commission:
    a. Approve the Proposed Project Concept for SPLOST 2020 Project 20 – Parks and Facilities Improvement - Sub-Project #11, as generally described in **Attachment #1**;

    b. Authorize staff to advance Sub-Project #11 to the Bid and Award Phase in accordance with the approved Proposed Project Concept for SPLOST 2020 Project 20 – Parks and Facilities Improvement – Sub Project #11; and

c. Declare that the portion of the construction budgets for Sub-Project #11 are appropriate for public art elements to be included as part of Project Concepts, as described in Facts and Issues #4-5, of the Parks and Facilities Improvement Project.

2. Mayor and Commission deny approval of the Proposed Project Concepts for SPLOST 2020 Project 20 – Parks and Facilities Improvement - Sub-Project #11.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a, b, & c

DEPARTMENT: Leisure Services

Prepared by: JP Lemay, Project ManagementProgram Supervisor
Kent Kilpatrick, Director



Kent Kilpatrick — 10/26/22
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a, b, & c



Manager — November 9, 2022
Date:

ATTACHMENTS:

Attachment #1: SPLOST 2020 PROJECT 20-PARKS & FACILITIES IMPROVEMENT

Attachment #1

SPLOST 2020 Project 20 – Parks Facilities Improvement

The proposed sub-project for Project 20 and the intended use of the Tier 3 funding would be for work as listed below in sub-project #11. The amount of work that can be accomplished at Heard and Lay Community Centers may vary slightly based on actual cost and available funding. In the past, a similar approach has been taken with backfilling capital project requests with SPLOST funding and SPLOST staff would set up Sub-Projects for the various types of work. Staff would propose to use the existing Sub-Project numbering that has already been created for similar Project Concept scopes of work done at other parks. This will allow for consistent tracking of similar work done across the system.

Sub-Project #11 – Community Center Improvements – The community centers at Lay and Heard Parks were last renovated in 2001 using SPLOST funding. Sub-project #11 includes, but is not limited to, inspecting and repainting of building exteriors, replacement of the entrance awnings, updated landscaping, repainting of building interiors, flooring replacement, updated lighting, replacement of worn furniture, upgrading of recreation and fitness room amenities, refinishing of gymnasium floors, and replacement of gymnasium bleachers.

Staff is also applying for an Improving Neighborhood Outcomes in Disproportionally Impacted Communities Program Grant for Heard Park improvements. If additional grant funding is secured, other projects may be addressed, including: security camera additions/upgrades, replacement of the gymnasium dividers, basketball goal height adjusters, replacement of fitness room doors, picnic shelter renovations and equipment replacement, sidewalk construction, and pool shade structures.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 22, Broadband Connectivity Enhancement – Project Concept

DATE: ~~October 25, 2022~~ November 29, 2022

BUDGET INFORMATION:

REVENUES:		$ 6,330,800	SPLOST 2020 Project 22 Funding
EXPENSES:			
	CAPITAL:	$ 462,656	Expensed or Encumbered
		$ 250,000	Designated Land
		$ 12,534	Designated Misc. Fees
		$ 327,092	Designated Fixtures, Furnishings & Equipment
		$ 258,000	Designated Testing & PM Fees
		$ 1,302,660	Designated Design & Construction Contingency
		$ 3,717,858	Available for Construction
	ANNUAL:	$ 426,000	

FUNDING SOURCE:
CAPITAL: SPLOST 2020 Project 22 - Broadband Connectivity Enhancement
ANNUAL: General Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission:

a. Approve the Project Concept for the Broadband Connectivity Enhancement (SPLOST 2020, Project 22) as generally described in Facts & Issues #8;

b. Authorize staff to advance the Project Concept as generally described in Facts & Issues #8 with concentration of target areas generally shown on **Attachment #1** and advance other target areas of unserved/underseved areas as funding becomes available; and

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. During 2017, the Mayor and Commission (M&C) raised concerns regarding the lack of high speed internet services throughout the community.

2. On March 13, 2018, M&C received a presentation regarding potential High Speed Broadband network opportunities.

3. On December 12, 2018, the Information Technology Department submitted a Project Proposal for ACCGov consideration as part of the SPLOST 2020 Program (F&I #1).

4. On February 11, 2019, High Speed Wireless Broadband was presented to the SPLOST 2020 Citizen Advisory Committee with a funding request of $6,800,000 and an annual net operating expense of $426,000.

5. On July 18, 2019, the M&C approved the Proposed Referendum Project List, which included the Broadband Connectivity Enhancement at a project value of $6,460,000 (F&I #2).

6. On August 6, 2019, the M&C approved the SPLOST 2020 Program Referendum, which included Project 22 - Broadband Connectivity Enhancement as a component.

7. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum. The Program will collect $314,303,300 over a twelve-year period. The Program included a budget amount of $6,460,000 for Project 22 - Broadband Connectivity Enhancement.

8. On December 3, 2019, M&C approved a budget amendment finalizing SPLOST 2022 Project Budgets to account for SPLOST Program Administration services. This action established a finalized SPLOST 2022 Project #22 Broadband Enhancement Project budget of $6,330,800.

9. On August 4, 2020, M&C accepted the CARES Act Grant and approved the proposed CARES Act Phase One funding recommendations, where approximately $550,000 was appropriated for technology, which included critical Wi-Fi infrastructure investments at multiple ACCGov Leisure Services facilities.

10. On February 2, 2021, M&C approved the SPLOST 2020 Tier Funding Schedule thereby establishing the funding schedule for the Broadband Connectivity Enhancement Project.

11. On March 11, 2021, the American Rescue Plan Act was enacted, which included funding for the State Local Fiscal Recovery fund.

12. On April 13, 2021, the Project User Group held a kick-off meeting. The User Group Members that were appointed by Manager Williams are:
    - Ashley Steele (Resident)
    - David Rowe (Resident)
    - Lawrence Harris (Clarke County School District; Chief of Community Engagement)
    - Stephen Bailey (ACCGov Director of T&PW)
    - Travis Cooper (ACCGov Chief Information Officer of IT)
    - Keith Kelley (ACCGov Deputy Chief Admin Svcs of Police Department)

13. On May 10, 2021, the Athens Cultural Affairs Commission (ACAC) voted and deemed SPLOST 2020 Project 22 – Broadband Connectivity Enhancement as unsuitable for public art.

14. Between April and June 2021, the User Group met to discuss the project, including general ideas and research on basic broadband approaches.

15. On June 1, 2021, the M&C approved the SPLOST 2020 Master Implementation Schedule with Project 22, Broadband Connectivity Enhancement, scheduled to start March 2022 with target completion in November 2024.

16. On June 30, 2021, the User Group approved the proposed Alternative Analysis Statement as outlined in F&I #7.

17. On July 15, 2021, the Governor's Office of Planning and Budget presented on overview of the State Fiscal Recovery Fund with $300,000,000 allocated for Broadband infrastructure. This overview established the grant request timeline establishing August 1 – August 31, 2021 as the grant application period.

18. On August 10, 2021, staff shared a presentation with the M&C on the Broadband Connectivity Enhancement Project during a regularly scheduled Work Session.

19. On August 17, 2021, M&C approved the submission of an application to the Georgia State Fiscal Recovery Program portion of the American Rescue Plan Act (ARPA) for Broadband Enhancement funding.

20. On August 24, 2021, ACCGov received notice that Governor Brian Kemp extended the August 31, 2021 application deadline to October 31, 2021 for the State Fiscal Recovery Fund grant opportunities.

21. On October 7, 2021, ACCGov released Request for Qualifications/Proposals (RFQP #01049) for Telecommunication Consulting/Design Services for Broadband Community Enhancement Project (SPLOST 2020 Project #22).

22. On October 31, 2021, ACCGov Chief Information Officer confirmed that ACCGov's grant application was received.

23. On November 8, 2021, ACCGov received qualification/proposal packages from four firms noted in F&I #8.

24. On November 23, 2021, the User Group submitted their initial evaluation of the proposals that had been received (evaluation criteria noted in F&I #9). The User Group made the determination to interview all four firms that submitted proposals (F&I #8).

25. Between December 3 & Dec 7, 2021, the User Group hosted interviews with all four firms.

26. On December 15, 2021, Foresite Group, LLC was determined by the User Group as the highest ranking firm for recommendation to M&C for contract award.

27. On January 4, 2022. M&C awarded a Telecommunications Consulting/Design Professional

Services contract to Foresite Group, LLC, with a contract value of $388,490.00 for the SPLOST 2020, Project 22 - Broadband Connectivity Enhancement Project.

28. On February 1, 2022, Governor Brian Kemp awarded almost $408 million in grant funding for 49 projects in Georgia. Spectrum was awarded $1,094,340 to serve approximately 574 addresses in Clarke County. No funds were awarded to ACCGov.

29. On August 12, 2022, ACCGov opened the Broadband Connectivity Demand Aggregation Survey to residents and business within Athens-Clarke County for broad users to advise of location, existing broadband services, satisfaction of existing broadband services, acceptable price point for service provided, desired service, and if agreeable, a speed test to capture existing download/upload speeds.

30. On October 3, 2022, upon completion of the Demand Aggregation Survey, the following results were obtained by respondents:
    - 852 currently have internet service
    - 23 currently do not have internet service
    - 180 are served addresses (greater than 100Mbps download/20 Mbps upload)
    - 469 are underserved addresses (great than 25 Mbps download/3Mbps upload but less than 100Mbps download/20 Mbps upload)
    - 133 are unserved addresses (less than 25 Mbps download/3Mbps upload)

31. On October 20, 2022, the User Group recommended the Project Concept with concentration of target areas to move into the Preliminary Plan Phase.

32. On November 28, 2022, the SPLOST 2020 Oversight Committee convened, and while the committee did not have a quorum present, the attending members unanimously confirmed that the Project Concept for Project 22 - Broadband Connectivity Enhancement is consistent with the Initial Project Statement.

FACTS & ISSUES:

1. The original SPLOST Project submission request noted the following phases:
    - Phase I – Construction of high-speed wireless loop (system backbone) to support connectivity to ACCGov assets for mission critical facilities that do not have adequate Broadband options. This effort requires approx. 22 – 28 cellular/radio towers.
    - Phase II – Design and Build high speed municipal wireless infrastructure within the downtown area.
    - Phase III – Utilize infrastructure implemented in Phase I and Phase II to expand internet service opportunities to the rural community. Expansion may also include partnering with private Internet Service Providers.

2. The approved Initial Project Statement for SPLOST 2020 Project 22 – Broadband Connectivity Enhancment reads as follows:

Project 22 – Broadband Connectivity Enhancment *- This project will provide funding to assist with the process of implementing and providing for the enhancement of broadband connectivity throughout Athens-Clarke County. Depending upon costs and funding availability, and to the extent allowed by law, this project may include, but not be limited to, the following: providing broadband connectivity for governmental use; construction of a high speed wireless network loop around the county to provide high speed broadband access to the Internet for citizens of Athens-Clarke County; land acquisition, design, construction, and other related costs for building out the infrastructure and incorporating it into the Unified Government workflow; providing Wi-Fi connectivity in the downtown area and targeted advertisements for business development; connectivity enhancements to increase phone and/or internet service geographically in Athens-Clarke County; and partnerships with local, regional, state, federal, and/or private entities. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

3. Since the March 12, 2018 (History #2) and the original SPLOST Project submission (History #3), several events have been identified that may guide the SPLOST 2022 Project 22 - Broadband Enhancement project moving forward:
    - COVID 19 Pandemic – increased residential/business broadband needs
    - Broadband industry technology advancements
    - Federal and State funding targeting Broadband Enhancements

4. Based on User Group discussions and research regarding other community broadband efforts, the User Group determined utilizing outside professional industry/design services to help guide an evaluation of current technology, partnership opportunities, revision of the annual estimated cost, and placement/locating of appropriate hardware provides the best value to ACCGov.

5. The User Group maintains the identified following project elements need further refinement/understanding as the project matures:
    - Geographic targets (public/private)
    - Topography restricted approaches
    - Existing infrastructure
    - Equipment life cycle
    - Private/Public partnerships
    - Internet Service Providers (End User clients)
    - Private market solutions
    - Grant Opportunities

6. The elements identified in F&I #3 led the User Group to outline Areas of Impact for the project to focus. The ability to address the Areas of Impact are outside staff's expertise, and thus, the need for the outside professional design services and resources was reinforced. The Area of Impacts are:

- Improved and more efficient government functions
- Laying the foundation for partnerships, future innovation and initiatives
- Residents of Athens-Clarke County (ACC)

7. The User Group utilized the Demand Aggregation Survey data and broadband needs for ACCGov facilities to develop the Proposed Project Concept and target areas.

8. The User Group recommends for M&C consideration the Proposed Project Concept:
    - Priority 1 – Develop Backbone for ACCGov network
        - Improved and more efficient government functions
        - Provide redundancy for critical mission systems
        - Increase faster internet access at governmental buildings, reducing monthly service costs and improved business function
        - Expand opportunities in the public safety arena
        - Expand opportunities for real time traffic management solutions
        - Pursue outside funding resources (grants, etc.)
    - Priority 2 – Expand partnerships opportunities
        - Create/expand public Broadband spaces (i.e. downtown Athens, parks, etc.)
        - Branding opportunities for economic development
        - Explore smart city initiatives
        - Pursue outside funding resources (grants, etc.)
    - Priority 3 – Residents/Businesses of ACC
        - Partner with third party Internet Service Providers (ISP) to facilitate middle and last mile connectivity
        - Pursue outside funding resources (grants, etc.)

9. To meet the desired goals & current schedule for the Project, the following anticipated milestones were established:
    - Project Concept Approval by M&C December 2022
      (Confirm Project Priorities)
    - Preliminary Plan Approval by M&C March 2023
      (Confirm High Level Route Mapping & authorize BEAD Grant application)
      (BEAD – Broadband Equity, Access, and Deployment Program)
    - Complete Business Planning & Grant Application May 2023

10. This recommendation supports the following Mayor and Commission Strategic Plan Goal & Strategy:
    - Organizational Improvement, Strategy C
        - Provide the tools staff need to improve their daily work and deliver better service to residents
    - Built and Natural Infrastructure, Strategy A

- Develop and implement technology with built-in resiliency and redundancy guidelines

OPTIONS:

1. Mayor and Commission:
   a. Approve the Project Concept for the Broadband Connectivity Enhancement (SPLOST 2020, Project 22) as generally described in Facts & Issues #8;

   b. Authorize staff to advance the Project Concept as generally described in Facts & Issues #8 with concentration of target areas generally shown on **Attachment #1** and advance other target areas of unserved/underseved areas as funding becomes available; and

   c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor & Commission deny the Project Concept SPLOST 2020 Project 22 - Broadband Connectivity Enhancement Project.

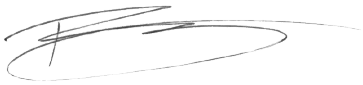
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, and c

DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: J. Derek Doster, SPLOST Project Administrator



Robert Cheshire, SPLOST Capital Projects Director — Date: 11/8/2022



Travis Cooper, IT Department Director — Date: 11/1/2022

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b and c



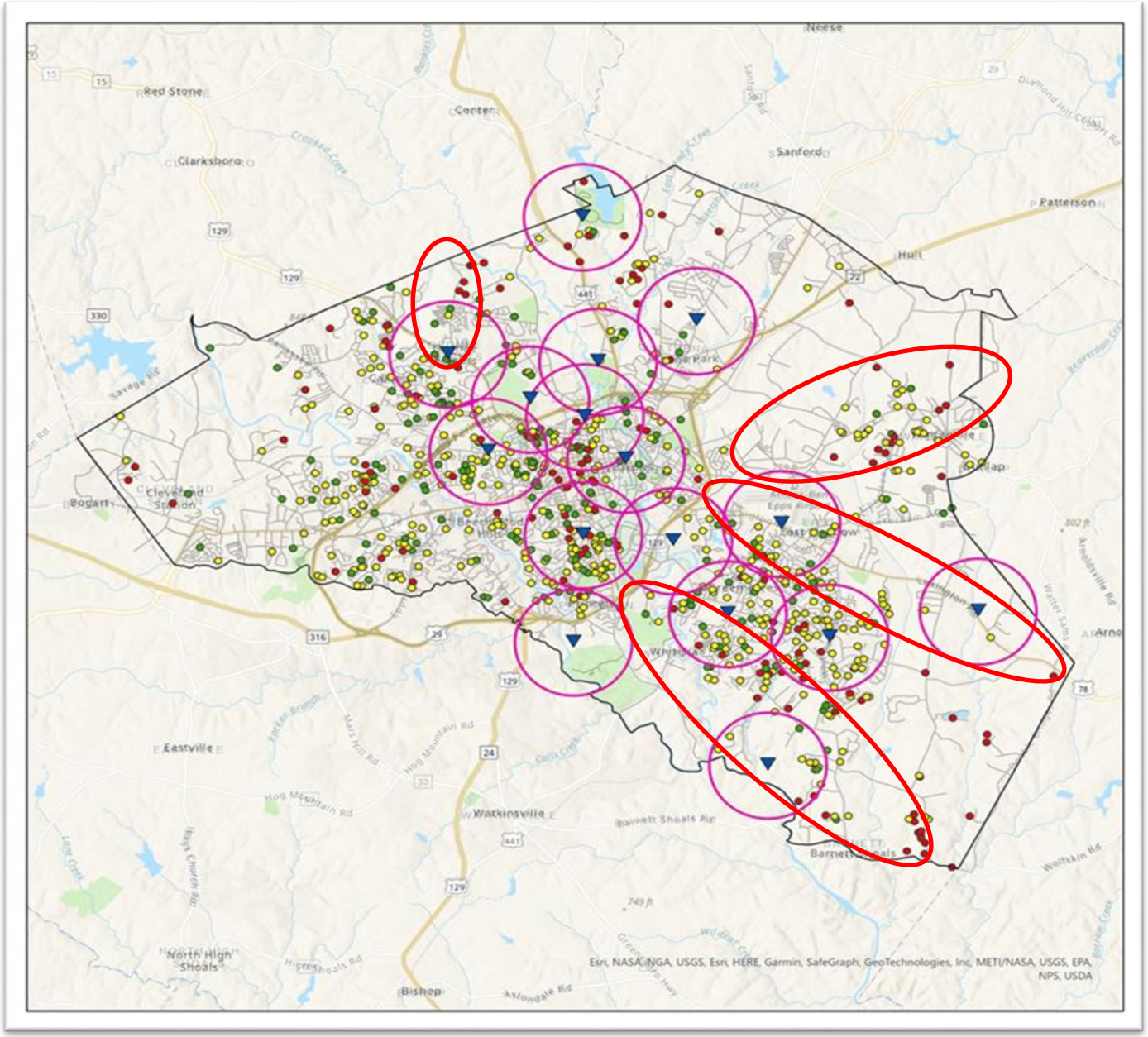


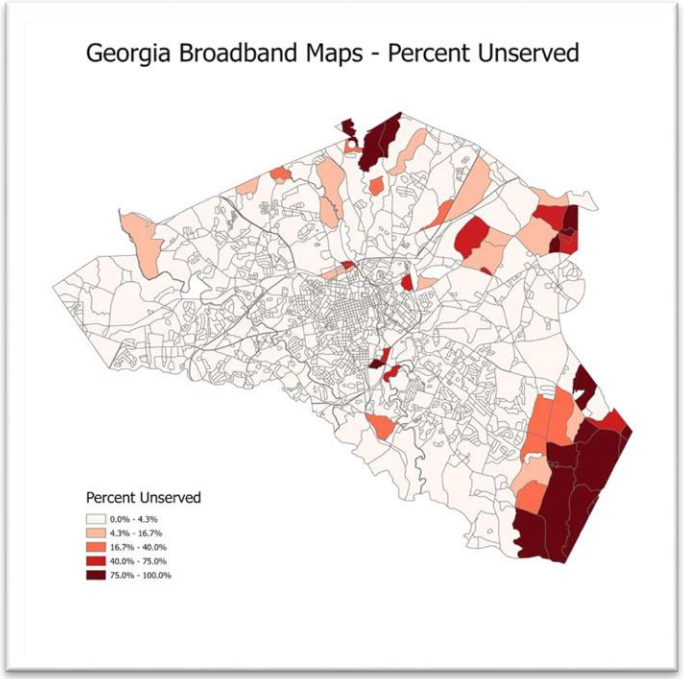
November 9, 2022

Manager Date:

ATTACHMENTS:
Attachment #1 – ACCGov Broadband Concept

Athens-Clarke County Project Concept Target Zones - Attachment #1





Identify Target Zones that capture logical companion overlay opportunities for efficiencies

- **Municipal network**
- **Serve Anchor institutions**
- **Middle mile**
- **Last mile**

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 34, Water Trails Project, Sub-Project (SP) #1 - Macon Highway Launch Proposed Schematic Design

DATE: November 1, 2022

BUDGET INFORMATION:

REVENUES:	$750,000	SPLOST 2020 Project 34 Funding
	$232,000	Potential Land and Water Conservation Fund Grant
	$982,000	Total Available Revenue
EXPENSES:		
CAPITAL:	$ 0	Expensed & Encumbered
	$ 19,000	Designated Design for SP #1
	$ 5,000	Designated Public Art for SP #1
	$ 47,000	Designated Misc., Testing, PM Fees, & Permitting
	$191,000	Designated Design & Construction Contingency
	$720,000	Total Available for SP #1
ANNUAL:	$ 40,000	

FUNDING SOURCES:

Capital: Land and Water Conservation Fund Grant & SPLOST 2020 – Project #34 - Water Trails Project

Annual: General Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Schematic Design for SP #1 Macon Highway Launch, as generally shown in **Attachment #1** for SPLOST 2020 Project 34 Water Trails Project;

b. Authorize staff to advance SP #1 to the land acquisition and the Bid and Award Phase based on funding availability and in accordance with the Schematic Design; and,

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On September 2, 2014, the Mayor and Commission (M&C) approved a resolution to support the Upper Oconee Water Trail.

2. On October 25, 2015, Leisure Services received a $50,000 grant from the Riverview Foundation to fund the construction of a water trail access point on the Middle Oconee River in Ben Burton Park.

3. On June 3, 2016, Leisure Services hosted a ribbon cutting at the Ben Burton launch site, officially opening the first public water trail access point in Athens-Clarke County. There is currently no public take out spot for paddlers that put their boats in at this location.

4. On February 7, 2017, (M&C) adopted the 2016 Update to the Greenway Network Plan. This update included water trails as a part of the greenway network.

5. In 2016 and 2017, staff and the Water Trails Committee (an ad hoc committee of citizens interested in developing water trails in Athens-Clarke County) reviewed a number of potential take out sites and identified the 2390 South Lumpkin Street (Princeton Mill/Macon Highway Launch) property as the preferred and most feasible option. This property abuts the Middle Oconee River adjacent to the Macon Highway Bridge.

6. In 2018, the Sustainability Office initiated property acquisition discussions with the 2390 Lumpkin Street property owners. ACCGov Park Planners have supported this negotiation though technical analysis and the development of a site design concept.

7. On June 7, 2019, staff received an appraisal of potential easements in the area valued at $43,500.

8. On November 5, 2019, the SPLOST 2020 Program was approved by referendum by the voters of Athens-Clarke County.

9. On October 6, 2020 M&C authorized staff to apply for a $240,000 Land and Water Conservation Fund Tier One grant proposal for the Princeton Mill Launch (later renamed to the Macon Highway Launch).

10. On February 4, 2021, the Georgia Department of Natural Resources (GaDNR) announced the Princeton Mill Launch (later renamed to the Macon Highway Launch) as one of the projects to move forward to the final phase of the Land and Water Conservation Fund grant program.

11. On March 2, 2021, GaDNR held a workshop with staff to outline next steps for the second phase of the grant application and clearly define deliverables.

12. On March 25 and 27, 2021, staff held in person public input sessions on the project at Ben Burton Park.

13. On March 29, 2021, staff held a virtual input opportunity via Webex Events. 26 people attended public input. An online public input opportunity was available from March 21 to April 4, 2021. A total of 278 comments were received.

14. In April 2021, as part of the grant application process, staff initially named the project as the Princeton Mill Launch in reference to the cultural resource and history of the area. Based on public input, staff has changed the name of the project to the Macon Highway Launch.

15. On April 12, 2021, the Athens Cultural Affairs Commission offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, Additional Funding for Public Art, to the M&C related to the use of public art for SP #1, SPLOST 2020 Project 34 Water Trails Project. Based on the nature of the Sub-Project scope the Commission recommended that Public Art be associated with the implementation of SPLOST 2020 Project 34 Water Trails Project, SP #1.

16. On April 19, 2021, the SPLOST 2020 Oversight Committee confirmed that the Proposed Project Concept for Macon Highway Launch, is consistent with the Initial Project Statement for SPLOST 2020 Project 03 Water Trails.

17. On May 4, 2021, Mayor and Commission approved the SPLOST 2020 Project 34 Water Trails Project, SP #1 Project Concept.

18. Public engagement on proposed boat ramp were held on May 12th, 14th, and 16th as a drop in at Ben Burton Park on Mitchell Bridge Road, and the survey was available online. The complete list of the comments that were provided on (**Attachment #2**)

19. On October 20, 2022 the User Group approved the Preliminary Plans.

20. On November 7, 2022 during a quarterly update call with GDOT, GDOT informed ACCGov that GDOT shared that the adjacent Macon Hwy Bridge is now programmed for a Bridge Replacement in 2027 with PE beginning in 2023.

FACTS & ISSUES:

1. The Initial Project Statement for SPLOST 2020 Project 34 reads as follows:
   Project # 34: Water Trails Project: *This project will provide funding for capital improvements for water trails along portions of the North Oconee, Middle Oconee and Oconee Rivers in Athens-Clarke County. Depending upon costs and funding availability, the project may include, but not be limited to, land acquisition, design, and construction of water trail improvements. Features of a water trail may include, but not be limited to, the following: canoe/kayak boat launches; facilities for parking; restrooms and picnic facilities; safety signs and route markers; maps and materials promoting the routes. Additionally, to*

the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.

2. The approved Project Concept, SP #1, the Macon Highway Launch Project consists of a parking area, improved walkway to the river, and a launch for non-motorized vessels such as canoes and kayaks. Proposed site amenities include seating boulders, trash and recycling cans, rules and safety signage, and fencing.

3. This project location is a high priority to complete the first water trail in Athens-Clarke County. Once built, this water trail access will allow users to launch at the existing Ben Burton Park access and take out their boats at this location. The Upper Oconee Water Trail is eligible to become designated as an established water trail in the Georgia Water Trail Network once this access point is complete. This will allow for further grant opportunities to increase access and amenities along the Upper Oconee Water Trail.

4. The LWCF grant would be a reimbursement grant that would fund 50% of the project cost with ACCGov providing 50% matching through funds or approved in-kind sources. The LWCF grant was awarded to ACCGov (History #10) was for a total of $232,000 based on the Project Concept estimate of $470,000. The total project cost including contingency is now currently estimated at $720,000. Staff proposes that the LWCF award amount $232,000 will be used to offset a portion of the construction cost and remaining funding would come from the Water Trails SPLOST 2020 project.

5. Staff has worked with PUD to determine depth and make of sewer line to allow the Macon Highway Launch Project to be built over the line.

6. During the public comments, it was requested by several commenters that the parking lot should be expanded to accommodate vehicles pulling boat trailers. This was thoroughly examined and a design option was created that would accommodate vehicles pulling boat trailers. However, increasing the size of the parking lot, in order to accommodate vehicles pulling boat trailers, impacted the large tree canopy of the adjacent property and created the need for a "Right-in-Right Out" only turning movement. Additionally, the larger parking lot significantly increased the amount of stormwater that had to be addressed and increased the estimated cost to twice the available budget. Although desired, as part of public input, the larger parking lot to allow for trailers is not recommended by the User Group.

7. Even though GDOT has verbally notified ACCGov (History # 19) that the adjacent Macon Highway Bridge is is now programmed for a Bridge Replacement in 2027, Leisure Services and SPLOST staff would recommend continuing with the launch design and the final phase of the LWCF grant approval. Staff will coordinate with GDOT on the proposed launch design. If significant changes to the launch design are needed, as a result of the GDOT design, then staff will bring those schematic design revisions back to M&C for consideration at the appropriate time.

8. Below is a brief overview of the current proposed project schedule.
    a. Finalization of Construction Documents — March 2023
    b. Land Acquisition — April 2023
    c. Start of Construction — July 2023
    d. Construction Completion — February 2024

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
Built and Natural Infrastructure, Strategy E: *Develop at least two water trail access points along with other diverse opportunities to engage with nature.*

OPTIONS:

1. Mayor and Commission:
    a. Approve the Proposed Schematic Design for SP #1 Macon Highway Launch, as generally shown in **Attachment #1** for SPLOST 2020 Project 34 Water Trails Project;

    b. Authorize staff to advance SP #1 to the land acquisition and the Bid and Award Phase based on funding availability and in accordance with the Schematic Design; and

    c. Authorize the Mayor and appropriate staff to execute all related documents

2. Mayor and Commission do not approve of the Schematic Design.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Michael Clanahan, SPLOST Project Administrator

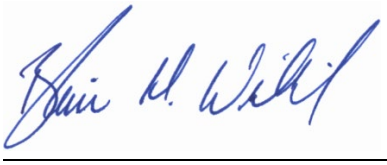
Robert Cheshire — November 2, 2022

Robert Cheshire, SPLOST Capital Projects Director — Date:

Kent Kilpatrick, Director — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1 – Project Schematic Design
Attachment #2 – Public Input Summary and Report

Attachment 1

SCHEMATIC PLAN SET

Macon Highway Boat Launch

middle oconee river

Athens-Clarke County 24-hour Soil Erosion Certification Statement
(To be signed at the Preconstruction Meeting by the qualified individual who will be responsible for site conditions during construction):
My signature hereto signifies that I am the person responsible for compliance with the Soil Erosion & Sedimentation Control Ordinance. I have provided a copy of my certification with regards to Athens-Clarke County requirements for 24-hour contact. I hereby acknowledge that Best Management Practices (BMP's) must be used to control soil erosion on my job site which includes, at a minimum, the following:
1. Installation and regular maintenance of silt barriers (i.e. silt fences, hay bales, etc.) in all those areas where water exits the job site; and,
2. Installation and regular maintenance of a stone (1.5"-3.5") geotextile-underlined construction exit (20' wide x 50' deep x 6" thick) to minimize the tracking of mud into the street; and,
3. Removal of mud from the street or adjacent property immediately following any such occurrence; and,
4. Maintenance and removal of mud from detention ponds and sediment basins; and,
5. Conduct no land disturbing activities within 25 feet of the banks of streams, lakes, wetlands, etc. (i.e. "state waters") except in locations as indicated on the approved Soil Erosion and Sediment Control Plan, as approved by variance from EPD; and,
6. Institute erosion control measures and practices as indicated on the approved Soil Erosion and Sediment Control Plan.

I hereby further acknowledge that County inspection staff may refuse to make inspections, may issue stop work orders, and may issue citations to appear in Environmental Court for failure to comply with erosion control requirements.
Signature: _____ Date Signed: _____
Printed Name: _____ Title: _____

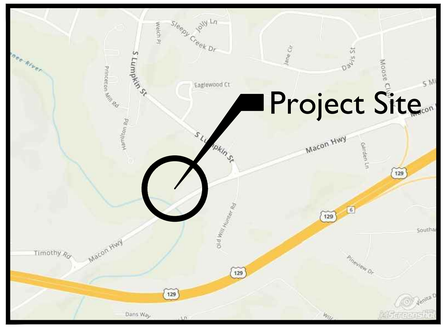
Construction of this project will involve Land Disturbance equal to, or greater than, 1 acre, or is a part of a common development requiring an NPDES Permit, and must comply with the National Pollutant Discharge Elimination System (NPDES) Permit for construction activities (General Permit No. GAR 100001, GAR 100002, or GAR 100003). The owner/contractor or authorized representative shall be responsible for preparation of the necessary Notice of Intent (NOI) and appropriate erosion, sediment and pollution control plan requirements that comply with all aspects of the NPDES Permit for construction activities.

ACKNOWLEDGEMENT

_____
Owner / Contractor or Authorized Representative

ATHENS-CLARKE COUNTY PUBLIC UTILITIES DEPARTMENT NOTES

1. *ALL WATER SYSTEM CONSTRUCTION SHALL BE IN ACCORDANCE WITH ATHENS-CLARKE COUNTY STANDARD SPECIFICATIONS FOR WATER MAIN CONSTRUCTION AND DETAILS, LATEST EDITION.*
2. *CONTRACTOR TO FIELD VERIFY DEPTH OF EXISTING WATER MAIN.*
3. *CONTRACTOR'S LICENSED PLUMBER TO COORDINATE THE LOCATION OF WATER SERVICE LINES WITH PRIVATE SERVICE LINES FROM THE BUILDINGS.*
4. *ALL DOMESTIC WATER SERVICE LINES SHALL BE IN ACCORDANCE WITH ATHENS-CLARKE COUNTY PLUMBING CODE.*
5. *EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY OTHER CONSTRUCTION ON THE SITE AND SHALL BE MAINTAINED UNTIL A PERMANENT GROUND COVER IS ESTABLISHED.*
6. *THE CONTRACTOR SHALL COORDINATE ALL UTILITY INSTALLATIONS.*
7. *EXISTING UNDERGROUND UTILITY LOCATIONS AS SHOWN SHOULD BE CONSIDERED APPROXIMATE AND MAY NOT BE COMPLETE. UNDERGROUND UTILITIES AS SHOWN ARE BASED ON INFORMATION PROVIDED BY THE UTILITY OWNERS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE ALL UNDERGROUND UTILITIES. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTORS COST AND PER THE UTILITY SPECIFICATIONS.*
8. *THE CONTRACTOR SHALL FIELD VERIFY LOCATION AND DEPTH OF EXISTING WATER LINES AND SANITARY SEWER LINES PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE DESIGN ENGINEER/FIRM.*
9. *THE CONTRACTOR SHALL NOTIFY THE ATHENS-CLARKE COUNTY ENGINEERING INSPECTOR 24 HOURS PRIOR TO BEGINNING CONSTRUCTION.*
10. *PRIOR TO PERFORMING ANY LAND DISTURBING ACTIVITIES OR WHEN WORK IS TO BE PERFORMED WITHIN 10 FEET OF HIGH VOLTAGE OVERHEAD POWER LINES, THE CONTRACTOR IS REQUIRED BY LAW TO NOTIFY THE UTILITY PROTECTION CENTER AT 1-800-282-7411 OR BY CALLING 811. 72 HOURS ADVANCED NOTICE IS REQUIRED.*
11. *TAPS ON THE EXISTING WATERLINE FOR NEW WATER MAIN EXTENSIONS SHALL BE PERFORMED BY PUD AT THE DEVELOPER'S EXPENSE.*
12. *PIPE BEDDING SHALL BE IN ACCORDANCE WITH PUD SPECIFICATIONS AND DETAILS.*
13. *THRUST BLOCKS SHALL BE PLACED ON THE WATER LINE AT ALL THE PLUGS, TEES, AND BENDS 11.25° AND GREATER.*
14. *DISINFECTION OF WATER MAINS AND DISPOSAL OF HEAVY CHLORINATED WATER SHALL BE IN ACCORDANCE WITH AWWA STANDARD C651-05.*
15. *ALL SANITARY SEWER AND WATER MAIN CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH AWWA STANDARDS AND ACCORDANCE WITH PUD STANDARD SPECIFICATION FOR SANITARY SEWER LINE CONSTRUCTION AND DETAILS, LATEST EDITION. ALL WATER AND SANITARY SEWER CONSTRUCTION CONTRACTORS MUST BE ON PUD'S APPROVED CONTRACTORS LIST WITH A CURRENT UTILITY LICENSE AND CURRENT INSURANCE FOR WORKMAN'S COMP AND LIABILITY.*
16. *ALL PVC MATERIALS AND PLASTIC SERVICE LINES SHALL BEAR THE NATIONAL SANITATION FOUNDATION SEAL OF APPROVAL FOR POTABLE WATER SERVICE AND BE ON PUD'S APPROVED MATERIALS LIST.*
17. *ANY OPEN ROAD CUTS MUST BE PERMITTED AT THE APPROPRIATE GOVERNMENT AUTHORITY AND MUST BE RESURFACED PER ACC REQUIREMENTS AND DETAILS.*
18. *WATER SERVICE LINE MATERIALS AND INSTALLATION MUST BE ON PUD'S APPROVED MATERIALS LIST AND BE IN CONFORMANCE WITH PUD REQUIREMENTS.*
19. *ALL PROPOSED FIRE HYDRANTS ARE TO BE LOCATED 2' BEHIND SIDEWALKS UNLESS OTHERWISE NOTED.*
20. *ALL SANITARY SEWER MAINS SHALL BE SDR 26 PVC OR CEMENT LINED DUCTILE IRON PIPE (DIP) UNLESS OTHERWISE SPECIFIED ON PLANS. MAXIMUM FILL ON SDR 26 PVC IS 15 FEET. MINIMUM COVER IS 4 FEET. MORE THAN 15 FEET OR LESS THAN 4 FEET OF COVER REQUIRES SEWER LINE TO BE DIP.*
21. *ALL SEWER SERVICE LATERALS SHALL BE SDR 26 PVC OR DIP.*
22. *ALL WATER METERS SHALL BE INSTALLED/SET BY PUD AT OWNER/DEVELOPER'S EXPENSE UNLESS OTHERWISE SPECIFIED ON THE APPROVED PLANS. DEVELOPER MUST FILL A SEPARATE WATER AND SANITARY SEWER APPLICATION AT THE BUILDING INSPECTION DEPARTMENT FOR ALL CONNECTIONS MADE TO THE PUBLIC WATER OR SANITARY SEWER SYSTEMS. FOR ADDITIONAL INFORMATION PLEASE CONTACT THE BUILDING INSPECTION DEPARTMENT AT 706-613-3520.*
23. *CHARGES TO ESTABLISH WATER AND SANITARY SEWER SERVICES ARE PAID AT THE BUILDING INSPECTION DEPARTMENT. PLEASE CONTACT PUD ENGINEERING MANAGEMENT FOR ANY ADDITIONAL INFORMATION AT 706-613-3490.*
24. *EACH EASEMENT PLAT AND EASEMENT DOCUMENT FOR WATER AND/OR SANITARY SEWER MUST BE RECORDED AT THE CLERK OF SUPERIOR COURT AND A DIGITAL RECORDED COPY SUBMITTED TO PUD PRIOR TO SETTING THE WATER METER FOR THE PROJECT.*
25. *NO STRUCTURES OR TREES TO BE PROPOSED WITHIN EXISTING AND/OR PROPOSED UTILITY EASEMENTS.*
26. *ALL WATER AND SANITARY SEWER WORK MUST BE CONSTRUCTED BY A LICENSED UTILITY CONTRACTOR WITH CURRENT INSURANCE ON PUD'S APPROVED CONTRACTOR LIST*



LOCATION MAP

PROJECT DATA
TOTAL SITE AREA – 0.75 ACRES
DISTURBED AREA – 0.65 ACRES
NEW IMPERVIOUS SURFACE–.20 AC
TOTAL PARKING PROVIDED – 9 SPACES
TOTAL BICYCLE PARKING PROVIDED – 5 SPACES
TAX PARCEL
ADDRESS:
ZONING–VARIES

SPECIAL NOTES:
1. *ALL DAMAGE TO EXISTING ROADWAY INFRASTRUCTURE DETERMINED BY THE PUBLIC WORKS INSPECTOR TO BE ASSOCIATED WITH CONSTRUCTION OF THIS PROJECT SHALL BE SATISFACTORILY REPAIRED PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY*
2. *CONSTRUCTION FENCING SHALL NOT ENCROACH ANY ROADWAY PAVEMENT, INCLUDING CURB & GUTTER*

INDEX TO SHEETS

FOR INTERNAL REVIEW ONLY
10/18/2022

PREPARED BY:
benesch
Alfred Benesch & Company
1005 Broad Street, Suite 200 Augusta, GA 30901
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REV #	DATE	DESCRIPTION

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CLARKE COUNTY, GEORGIA

SHEET TITLE: COVER SHEET
PROJECT NAME: MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

PROJECT INFORMATION
JOB NO: 19021036
DRAWN BY: DWH
CHECKED BY: ERH
DRAWING FILE: 19021036.DWG
DRAWING SCALE: NONE
ORIGINAL RELEASE DATE: JULY 08, 2022

Sheet:
C1.0

Attachment 1

PRINCETON UMC
650 MACON HWY – ZONING VARIES
PARCEL 132043

THE WILLIAMS GRANDCHILDRENS PARTNERSHIP
650 MACON HWY – ZONED C-G
PARCEL 132042 – PB 29 PG 251

MACON HIGHWAY
(R/W VARIES)

MIDDLE OCONEE RIVER

NEW DWT THROAT=574.25 I.E.=568.00
RIP-RAP PROTECTION (35 SY)
NEW 4' CHAIN-LINK FENCE
NEW FES I.E.=566.00
58"-18" HDPE @ 0.86%
NOSE-DOWN CURB & GUTTER TO ZERO AT SIDEWALK
NEW MH I.E.=566.50
NEW 24" CURB & GUTTER
NEW MONUMENT SIGN (REFER TO DETAIL)
NEW ASPHALT PAVING
NEW WHEEL STOPS (4 EA)
CONCRETE SIDEWALK TO BE FLUSH WITH ASPHALT PAVING
NEW TRASH & RECYCLING RECEPTACLES
END NEW CONCRETE DRIVE @ PROPERTY LINE
NEW CHAIN-LINK FENCE 10' GATES (2-EACH)
BEGIN BOAT SLIDE
BEGIN CHAIN-LINK FENCE
HC SIGNAGE (+VAN)
INFORMATION KIOSK
NEW REMOVABLE PIPE BOLLARDS (2 EA)
NEW CURB RAMPS, BOTH SIDES OF NEW DRIVEWAY.
END RETAINING WALL
NEW SS MANHOLE TOP=573.0± I.E.=568.0±
NEW 24" CURB & GUTTER
DOUBLE YELLOW THERMOPLASTIC STRIPING
TIE TO EXISTING CURB & GUTTER
REMOVE 102 LINEAR FEET OF EXISTING CURB & GUTTER
SAW-CUT LINE
WHITE THERMOPLASTIC STRIPING PER GDOT STANDARDS
REMOVE EXISTING ASPHALT TO LIMITS SHOWN (CROSS-HATCHED)
SAW-CUT EXISTING ASPHALT TO LIMITS SHOWN.
APPROXIMATE SANITARY SEWER ALIGNMENT
EXIST 8" PVC @ 3.42%
NEW 30" CURB & GUTTER
NEW CONCRETE SIDEWALK
TURN ARROW (2 EA)
END 30" CURB & GUTTER, BEGIN 24" CURB & GUTTER
TIE TO EXISTING CURB & GUTTER
END CHAIN-LINK FENCE
TOP 18"RCP: 585.16
18" & 30" RCP IN
EXIT 18"RCP: 581.51
IEW RCP: 569.72
E 18"RCP: 581.12
45MPH
TWIN 18" HARDWOOD
ACC BUFFER
100' STREAM BUFFER
FLOODWAY
500-YEAR FLOODPLAIN
100-YEAR FLOODPLAIN
EXISTING POWER SERVICE POLE TO BE RESET. COORDINATE WITH UTILITY OWNER.
NEW PERVIOUS CONCRETE SECTION @ 50' O.C. (SHADED) (TYPICAL FOR 4)
NEW ASPHALT TRAIL
18" DEEP SWALE TO DAYLIGHT
4" UNDERDRAIN LINE
END BOAT SLIDE
NEW CONCRETE PLAZA
NEW TRASH & RECYCLING RECEPTACLES
NEW STONE BENCH (3-EACH)
NEW PERVIOUS CONCRETE SECTION (SHADED)
NEW CONCRETE STEPS AND BOAT SLIDE. REFER TO DETAIL.
TOP OF EXIST 30" DIP SEWER MAIN=543.17
NOMINAL EDGE OF THE OCONEE RIVER
75'WATERFOWL
PAC
BEGIN RETAINING WALL
NEW SS MANHOLE TOP=550.00 I.E.=544.0±
160'-8" DIP
SSMH RIM:572.54 IE8"CLAY IN:560.54 IE8"CLAY OUT:560.29
EXIST SAN MH TOP=572.54 I.E.(IN)=567.54
CONTOURS ARE GROUND ELEVATION (UNDER BRIDGE)
GAS MARKER
GAS LINE ELEV=568.67 (UNDER BRIDGE)
LOW POINT OF BRIDGE=565.90
LOW POINT OF BRIDGE=564.86
LOW POINT OF BRIDGE=563.97
SSMH RIM:550.75 IE8"CLAY IN:543.40 IE30"DIP IN:540.45 IE30"DIP OUT:540.40
EXIST SAN MH TOP=548.01 I.E.(IN)=540.45 I.E.(OUT)=540.40
R/W MON
UTL
W
SS
T/W=573.0
T/W=572.0
T/W=570.0
T/W=568.0
T/W=564.0
T/W=563.0
T/W=560.0
T/W=555.0

FOR INTERNAL REVIEW ONLY
10/18/2022

REV #	DATE	DESCRIPTION

benesch
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CLARKE COUNTY, GEORGIA

SHEET TITLE: DEVELOPMENT PLAN
PROJECT NAME: MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

SCALE 20 0 20 IN FEET

PROJECT INFORMATION	
JOB NO.	19021036
DRAWN BY:	SWH
CHECKED BY:	EPH
DRAWING FILE:	19021036.DWG
DRAWING SCALE:	1"=20'
ORIGINAL RELEASE DATE:	JULY 08, 2022

Sheet:
C1.1

Attachment 1

PRINCETON UMC
650 MACON HWY – ZONING VARIES
PARCEL 132043

THE WILLIAMS GRANDCHILDRENS PARTNERSHIP
650 MACON HWY – ZONED C-G
PARCEL 132042 – PB 29 PG 251

MACON HIGHWAY
(R/W VARIES)

MIDDLE OCONEE RIVER

NEW DWT
THROAT=574.25
I.E.=568.00

RIP-RAP PROTECTION (35 SY)

NEW FES
I.E.=566.00

58'-18" HDPE @ 0.86%

NEW MH
I.E.=566.50

NEW DROP MH
I.E.=566.50

BILLBOARDS

TWIN 16" HARDWOOD

ACC BUFFER

75' WATERLINE

TOP OF EXIST 30" DIP SEWER MAIN=543.17

SSMH RIM:550.75
IE8"CLAY IN:543.40
IE30"DIP IN:540.45
IE30"DIP OUT:540.40

NEW SS MANHOLE
TOP=550.00
I.E.=544.0±

LOW POINT OF BRIDGE:565.90

LOW POINT OF BRIDGE:564.86

LOW POINT OF BRIDGE:563.87

GAS LINE ELEV:566.87
[UNDER BRIDGE]

CONTOURS ARE GROUND ELEVATION (UNDER BRIDGE)

GAS MARKER

GAS MARKER

160'-8" DIP

SSMH RIM:572.54
IE8"CLAY IN:567.54
IE8"CLY OUT:567.29

NEW SS MANHOLE
TOP=573.0±
I.E.=568.0±

R/W MON

TOP: 45:581.46
18" & 30" RCP IN
IE36"RCP: 0317.571.56

IE36"RCP: 569.72

IE18"RCP: 581.72

APPROXIMATE SANITARY SEWER ALIGNMENT

45MPH

FOR INTERNAL REVIEW ONLY
10/18/2022

REV #	DATE	DESCRIPTION

benesch
Alfred Benesch & Company
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CLARKE COUNTY, GEORGIA

SHEET TITLE: STAKING PLAN

PROJECT NAME: MACON HIGHWAY BOAT LAUNCH

LEISURE SERVICES | Kayak Launch Site

Athens-Clarke County
UNIFIED GOVERNMENT

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO:	19021036
DRAWN BY:	MWH
CHECKED BY:	EPT
DRAWING FILE:	19021036.DWG
DRAWING SCALE:	1"=20'
ORIGINAL RELEASE DATE:	OCTOBER 03, 2022

Sheet:
C1.2

Attachment 1

PRINCETON UMC
650 MACON HWY – ZONING VARIES
PARCEL 132043

THE WILLIAMS GRANDCHILDRENS PARTNERSHIP
650 MACON HWY – ZONED C-G
PARCEL 132042 – PB 29 PG 251

MACON HIGHWAY
(R/W VARIES)

MIDDLE OCONEE RIVER

RIP-RAP PROTECTION (35 SY)

CREPE MYRTLE (TONTO)
2" CALIPER MINIMUM
(3 EACH)

CREPE MYRTLE (ACOMA)
2" CALIPER MINIMUM
(3 EACH)

LIVE OAK
2" CALIPER MINIMUM
(4 EACH)

BILLBOARDS

TWIN 18" HARDWOOD

ACC BUFFER

75" WATEROAK

NEW SS MANHOLE
TOP=573.0±
I.E.=568.0±

NEW SS MANHOLE
TOP=550.00
I.E.=544.0±

EXIST SAN MH
TOP:572.54
I.E.(IN)=567.54

SSMH RIM:577.54
IEB"CLAY IN:567.54
IEB"CLAY OUT:567.29

160'-8" DIP

EXIST SAN MH
TOP: 548.01
I.E.(IN)=540.45
I.E.(OUT)=540.40

SSMH RIM:550.75
IEB"CLAY IN:543.40
IE:30"DIP IN:540.45
IE:30"DIP OUT:540.40

TOP OF EXIST 30" DIP
SEWER MAIN=543.17

LOW POINT OF
BRIDGE:590.90

LOW POINT OF
BRIDGE:594.86

LOW POINT OF
BRIDGE:583.97

GAS LINE ELEV:568.87
(UNDER BRIDGE)

CONTOURS ARE
GROUND ELEVATION
(UNDER BRIDGE)

GAS MARKER

GAS MARKER

R/W MON

IE36"RCP:
569.72

TOP: IE=561.46
18" & 30" RCP IN
IE36"RCP OUT:571.56

EXIST 8" PVC @ 3.63%

APPROXIMATE
SANITARY SEWER ALIGNMENT

IE18"RCP:
581.12

45MPH

0+00.00
0+50.00
1+00.00
1+50.00
2+00.00
2+45.24
2+50.13
3+00.00
3+01.00
2+50.24

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REVIEW ONLY
10/18/2022

REV. #	DATE	DESCRIPTION

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CLARKE COUNTY, GEORGIA

SHEET TITLE:
LANDSCAPE PLAN

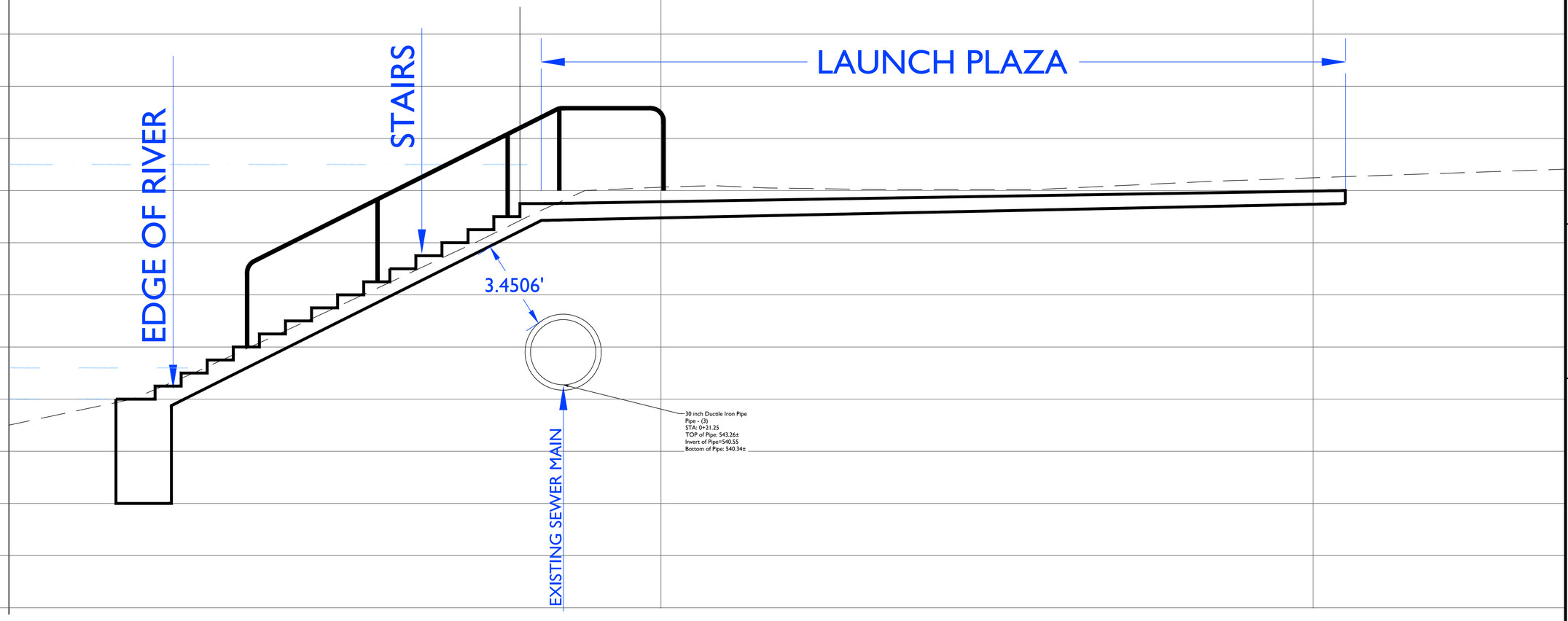
PROJECT NAME
MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

SCALE 20 0 20 IN FEET

PROJECT INFORMATION	
JOB NO.	19021036
DRAWN BY:	SWH
CHECKED BY:	EPH
DRAWING FILE:	19021036.DWG
DRAWING SCALE:	1"=20'
ORIGINAL RELEASE DATE:	JULY 08, 2022

Sheet:
C1.3

Attachment 1



PROFILE: RIVERBANK Alignment - (1)

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MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site

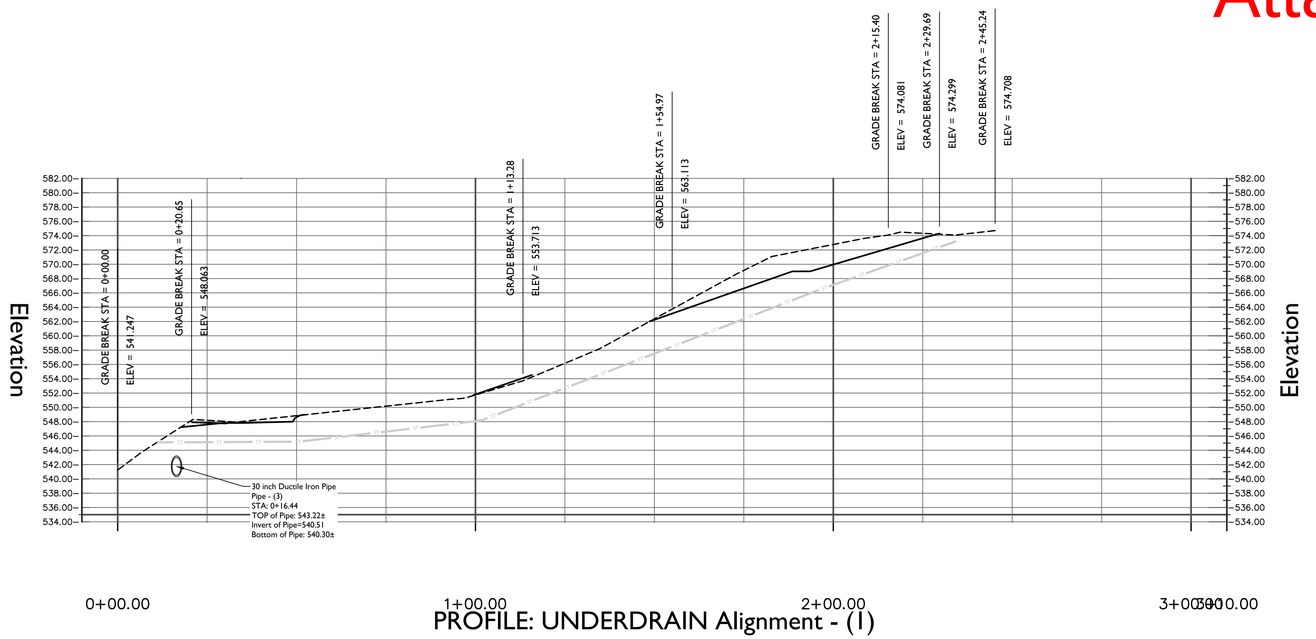
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PROJECT NAME

2 0 2
SCALE IN FEET

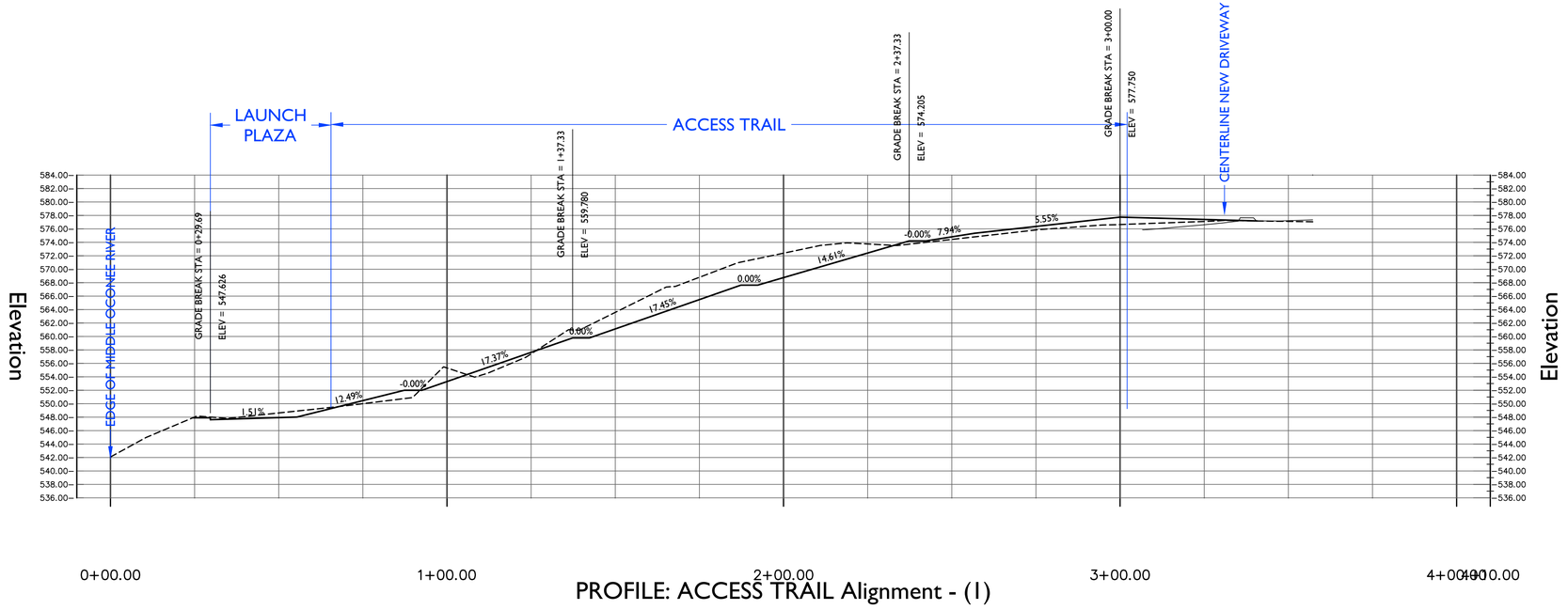
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DRAWN BY: DWH
CHECKED BY: EPH
DRAWING FILE: 19021036.1.DWG
DRAWING SCALE: H:1"=2' V:1"=2'
ORIGINAL RELEASE DATE:
JULY 08, 2022

Sheet:
C2.1

Attachment 1



PROFILE: UNDERDRAIN Alignment - (1)



PROFILE: ACCESS TRAIL Alignment - (1)

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10/18/2022

REV #	DATE	DESCRIPTION

CLARKE COUNTY, GEORGIA

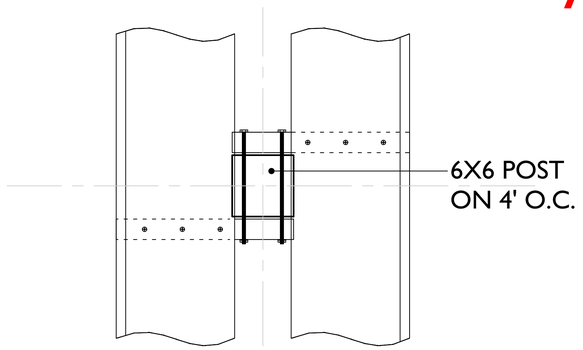
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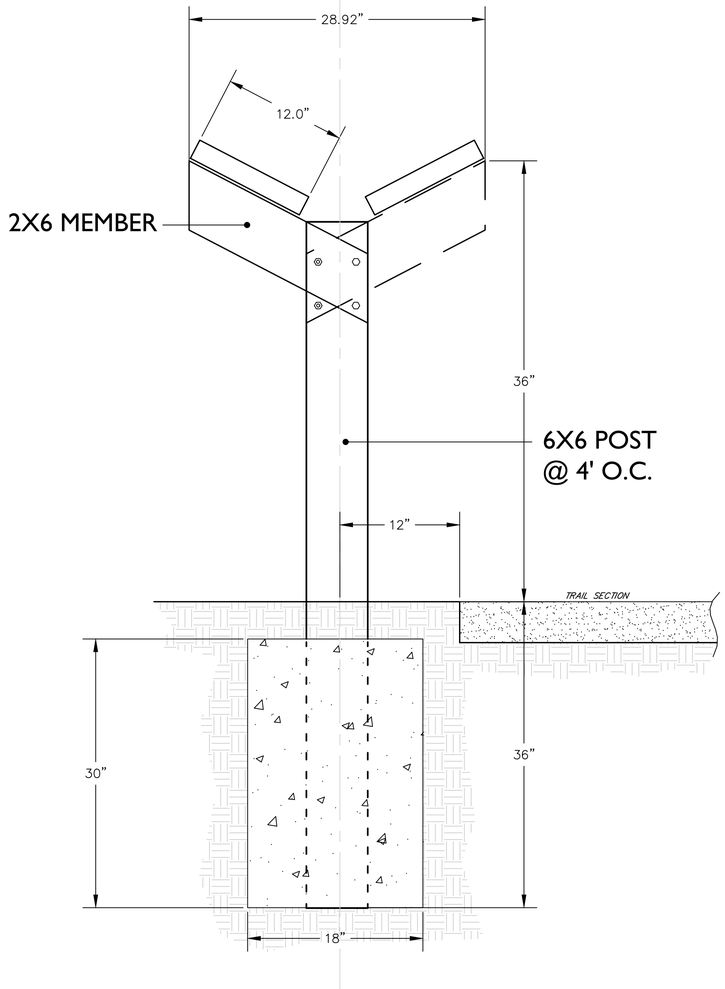
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PROJECT NAME: MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

PROJECT INFORMATION
JOB NO: 19021036
DRAWN BY: MH
CHECKED BY: EPH
DRAWING FILE: 19021036.DWG
DRAWING SCALE: H:1"=22' V:1"=5'
ORIGINAL RELEASE DATE: JULY 08, 2022

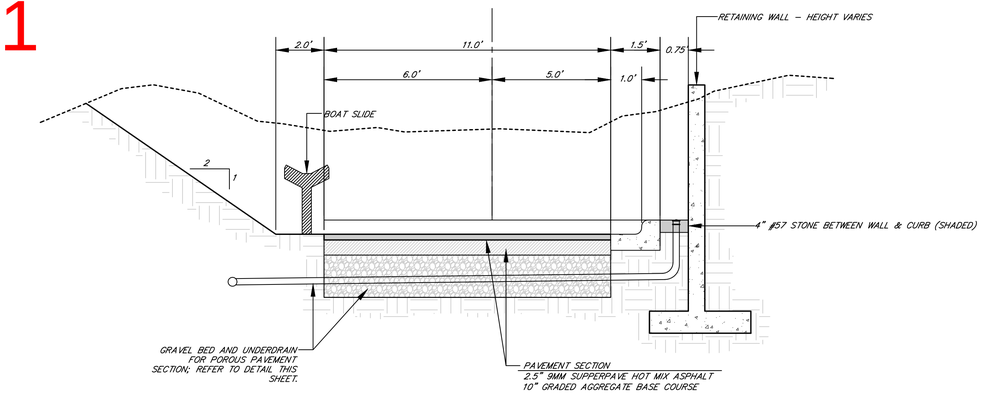
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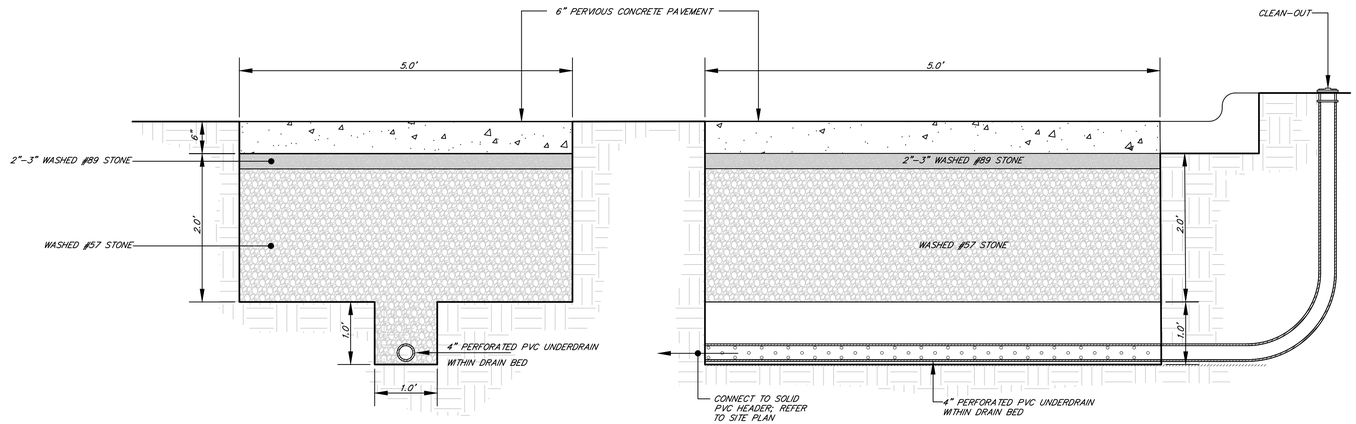




TRAIL BOAT SLIDE DETAIL



TYPICAL TRAIL CROSS-SECTION DETAIL

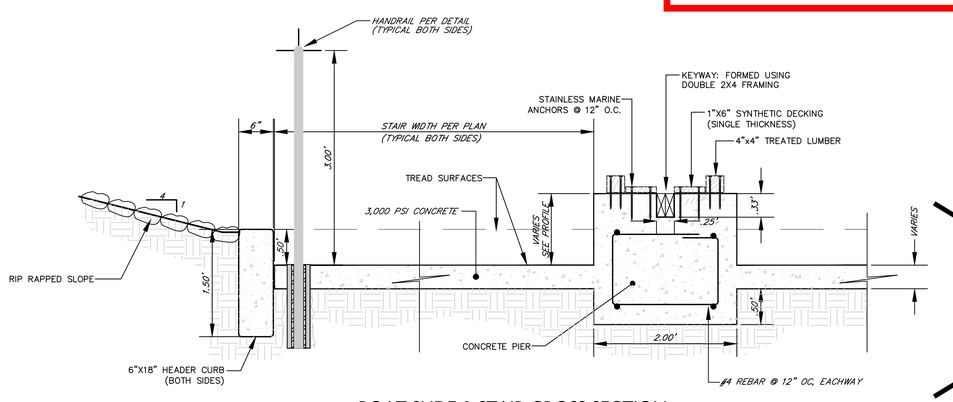


CROSS-SECTION

LONGITUDINAL-SECTION

TYPICAL PERVIOUS PAVEMENT CROSS-SECTION DETAIL

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10/18/2022



BOAT SLIDE & STAIR CROSS-SECTION
SCALE: 1"=1'

REV #	DATE	DESCRIPTION

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CLARKE COUNTY, GEORGIA

SHEET TITLE: DETAILS 1

PROJECT NAME: MACON HIGHWAY BOAT LAUNCH

LEISURE SERVICES | Kayak Launch Site

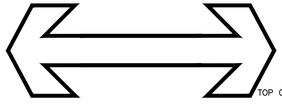
Athens-Clarke County
UNIFIED GOVERNMENT

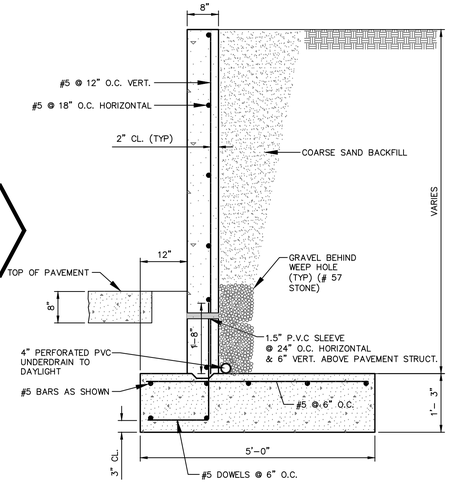
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DRAWN BY:	EWH
CHECKED BY:	EPH
DRAWING FILE:	19021036.DWG
DRAWING SCALE:	NONE
ORIGINAL RELEASE DATE:	JULY 08, 2022

Sheet:
C5.1

Attachment 1

ALTERNATE REDI-ROCK WALL





NOTES:
1. 1" VERTICAL EXPANSION WALL JOINT @ 60' O.C. (MAX.).
2. 1/2" EXPANSION JOINT TO BE FILLED WITH ASPHALTIC JOINT FILLER AND SILICONE SEALANT.

CONC. RETAINING WALL DETAIL

NOT TO SCALE

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REV #	DATE	DESCRIPTION

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SHEET TITLE: DETAILS 2

PROJECT NAME

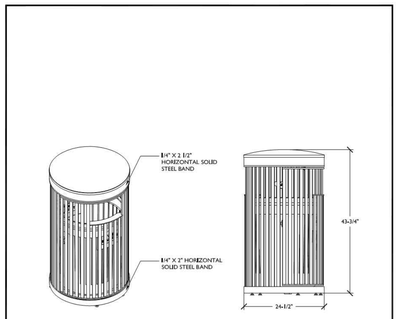
MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

PROJECT INFORMATION

JOB NO: 19021036
DRAWN BY: DWH
CHECKED BY: EPL
DRAWING FILE: 19021036.DWG
DRAWING SCALE: NONE
ORIGINAL RELEASE DATE:
JULY 08, 2022

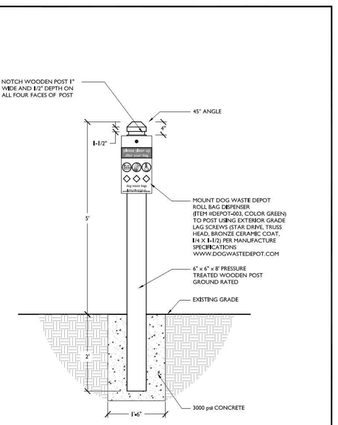
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C5.2

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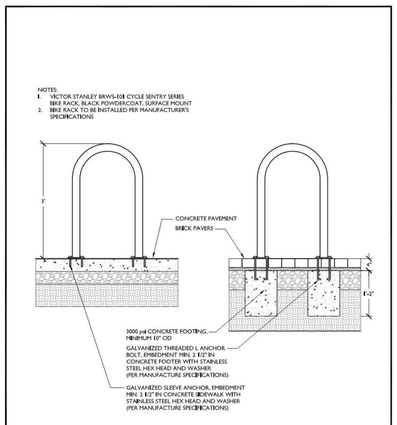


NOTES:
1. SDG-36 STEELSITES COLLECTION BY VICTOR STANLEY. STANDARD SOLID CONVEX LID WITH RAISED BANDS, SURFACE MOUNT.
2. TRASH RECEPTACLES TO BE BLACK POWDERCOAT, RECYCLE RECEPTACLES TO BE BLUE POWDERCOAT. CONTRACTOR TO INSTALL MANUFACTURE PROVIDED TRASH/RECYCLE DECALS ON RECEPTACLES.
3. 5/8" DIAMETER ANCHOR BOLTS WITH MIN. 4" EMBEDMENT. COORDINATE BOLT SIZE WITH MANUFACTURER TEMPLATE PRIOR TO ORDERING. SURFACE MOUNT PER MANUFACTURER'S SPECIFICATIONS.

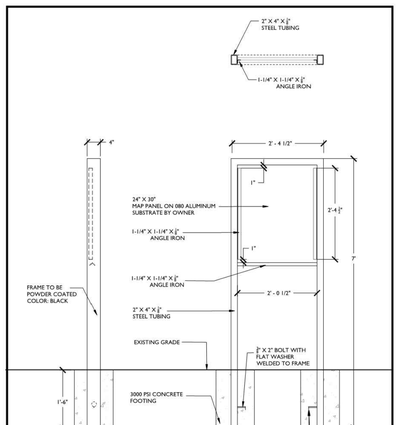
ACC Leisure Services Design Standards	DATE	CATEGORY	DTL. #
	06/17/15	Amenities>Furnishings	13.3.2
FILE NAME: Receptacle>Trash	SCALE: 3/4" = 1'-0"	Trash Receptacle	



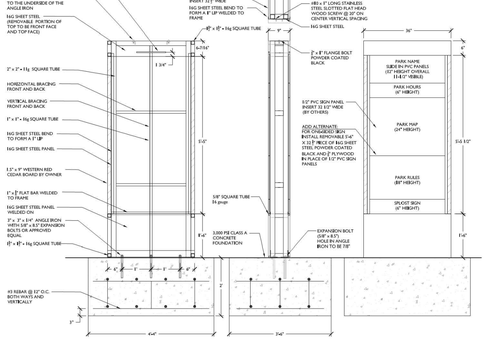
ACC Leisure Services Design Standards	DATE	CATEGORY	DTL. #
	03/02/20	Amenities>Furnishings	13.3.3
FILE NAME: ROLL_BAG_DISPENSER	SCALE: 3/4" = 1'-0"	Dog Waste Roll Bag Dispenser on Wooden Post	



ACC Leisure Services Design Standards	DATE	CATEGORY	DTL. #
	06/22/15	Amenities>Furnishings	13.7.1
FILE NAME: Bike Rack-SRF	SCALE: 3/4" = 1'-0"	Bike Rack - Surface Mount	



ACC Leisure Services Design Standards	DATE	CATEGORY	DTL. #
	03/21/22	SIGNAGE	14.3.2
FILE NAME: PARK MAP FRAME	SCALE: 3/4" = 1'-0"	PARK MAP FRAME	



SHEET SPECIFIC NOTES

LEGEND

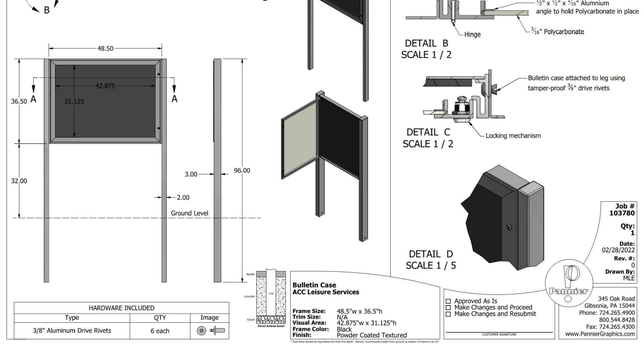
DRAWING ISSUE / REVISION			STAMP
NO.	DATE	DESCRIPTION	INIT.
01	08/08/22	Anchor bolt info on	TM
02	07/01/22	Bracing, welds, and edges change	TM
03	10/27/21	Footer type of mod	TM

SCALE: 3/4" = 1'-0" SHEET 1 of 1

14.3.4

INFORMATIONAL KIOSK

ACC Leisure Services Design Standards



HARDWARE INCLUDED		
Type	QTY	Image
3/8" Aluminum Drive Rivets	6 each	

Bulletin Case
ACC Leisure Services

Frame Size: 48.5"w x 36.5"h
Trim Size: N/A
Visual Area: 42.875"w x 31.125"h
Frame Color: Black
Finish: Powder Coated Textured

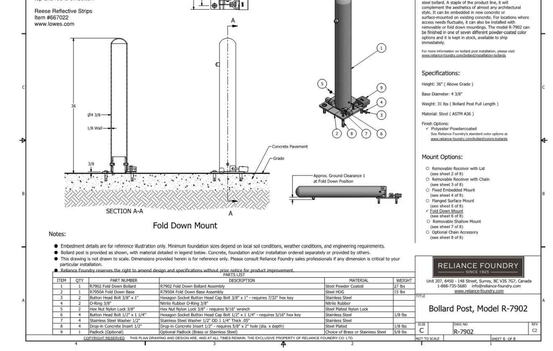
* Face holes should be tray below the front the depth. Narrow recommends height from ground to bottom of frame to be 27"

Approved As Is
Make Changes and Proceed
Make Changes and Resubmit

CUSTOMER SIGNATURE

345 Oak Road
Gibsonia, PA 15044
Phone: 724.265.4900
800.544.8428
Fax: 724.265.4300
www.PremierGraphics.com

Job # 103780
Qty: 1
Date: 02/28/2022
Rev. #: 0
Drawn By: MLE



ITEM	QTY	PART NUMBER	DESCRIPTION	MATERIAL	WEIGHT
1	1	R7902 Fold Down Bollard	R7902 Fold Down Bollard Assembly	Steel Powder Coated	27 lbs
2	1	R7902A Fold Down Base	R7902A Fold Down Base Assembly	Steel HDG	11 lbs
3	2	Button Head Bolt 3/8"x 1"	Hexagon Socket Button Head Cap Bolt 3/8" x 1" - requires 7/32" hex key	Stainless Steel	
4	2	Hex Nut Nylon Lock 3/8"	Hex Nut Nylon Lock 3/8"	Steel Plated Nylon Lock	
5	2	Hex Nut Nylon Lock 3/8"	Hex Nut Nylon Lock 3/8" - requires 9/16" wrench	Steel Plated Nylon Lock	
6	4	Button Head Bolt 1/2"x 1 1/4"	Hexagon Socket Button Head Cap Bolt 1/2" x 1 1/4" - requires 5/16" hex key	Stainless Steel	1/8 lbs
7	4	Stainless Steel Washer 1/2"	Stainless Steel Washer 1/2" OD 1 1/4" Thick .05"	Stainless Steel	
8	4	Drop-in Concrete Insert 1/2"	Drop-in Concrete Insert 1/2" - requires 5/8" x 2" hole (dia. x depth)	Steel Plated	1/8 lbs
9	1	Optional Chain Accessory	Optional Tether Chain w/ Stainless Steel Bolt	Stainless Steel	1/8 lbs

Fold Down Mounting - Note: In any circumstance and various area - and, in fact, THESE ASSEMBLY, THE EXCLUSIVE PROPERTY OF RELIANCE FOUNDRY CO. LTD.

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STONE BENCH

CLARKE COUNTY, GEORGIA

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REV #	DATE	DESCRIPTION

SHEET TITLE: DETAILS 2
PROJECT NAME

MACON HIGHWAY BOAT LAUNCH

LEISURE SERVICES | Kayak Launch Site

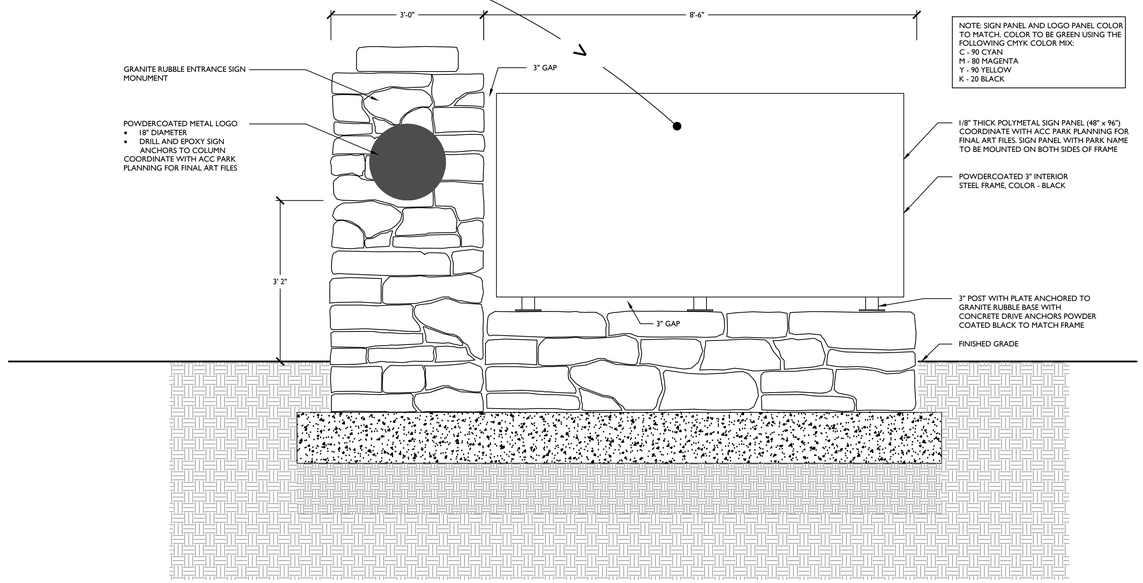
Athens-Clarke County
UNIFIED GOVERNMENT

PROJECT INFORMATION
JOB NO: 19021036
DRAWN BY: MWH
CHECKED BY: EPT
DRAWING FILE: 19021036.DWG
DRAWING SCALE: NONE
ORIGINAL RELEASE DATE: JULY 08, 2022

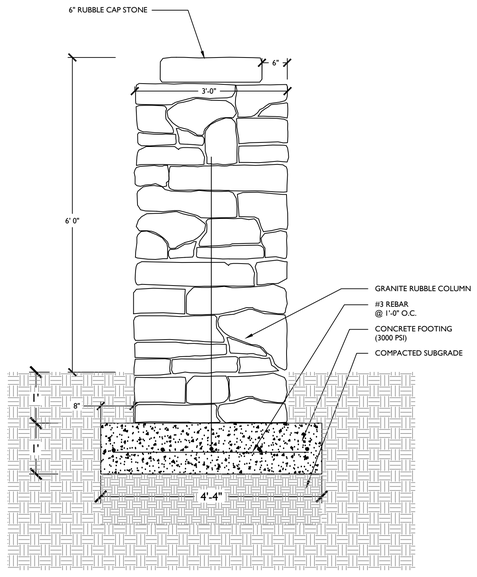
Sheet:
C5.3

Attachment 1

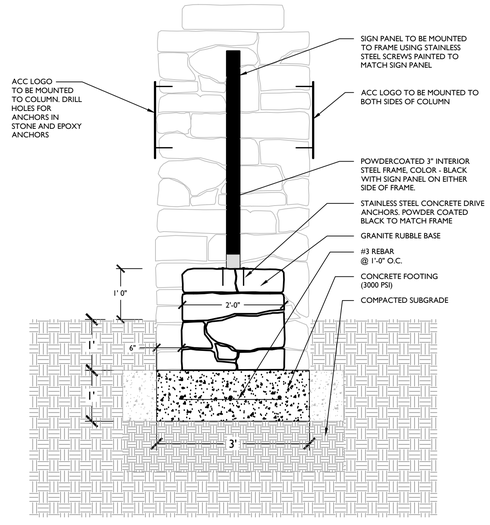




1 / L4.1 **ENTRANCE MONUMENT SIGN - FRONT ELEVATION**
SCALE: 3/4" = 1'-0"



2 / L4.1 **ENTRANCE MONUMENT SIGN - LEFT SIDE ELEVATION**
SCALE: 3/4" = 1'-0"



3 / L4.1 **ENTRANCE MONUMENT SIGN - RIGHT SIDE ELEVATION**
SCALE: 3/4" = 1'-0"

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10/18/2022

REV #	DATE	DESCRIPTION

CLARKE COUNTY, GEORGIA

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SHEET TITLE: DETAILS 4
PROJECT NAME: MACON HIGHWAY BOAT LAUNCH
LEISURE SERVICES | Kayak Launch Site
Athens-Clarke County
UNIFIED GOVERNMENT

PROJECT INFORMATION
JOB NO: 19021036
DRAWN BY: DWH
CHECKED BY: EPH
DRAWING FILE: 19021036.DWG
DRAWING SCALE: NONE
ORIGINAL RELEASE DATE: JULY 08, 2022

Sheet: C5.4

Attachment 2



Provide your feedback for the parking design here:
Overall this seems like a wise design. I do wonder if we'll run into any issues with people parking around the sides in ways that may make getting trailers in and out safely - or possibly trapping them in altogether to prevent someone from leaving - but if the little vehicles are to scale, it may not be an issue. I think this design makes sense.
That looks like a long distance between the water and the parking lot.
Great traffic flow.
Parking seems ok. Angled parking for cars good idea. I think most kayaker's will have pick up truck or roof top carrier.
Parking seems ok. Angled parking for cars good idea. I think most kayaker's will have pick up truck or roof top carrier.
any chance of a concrete picnic table and benches
Looks good. Trash and recycle containers, please.
Can trailer parking legally used for single vehicles if no truck/trailers are present? The traffic flow here is better than the parking at Ben Burton park.
It might be nice to have more than 7 parking spots. I imagine this section of river will be more uteliized once there are two actual launches.
I don’t think there is enough parking spots. People other than paddlers will utilize the parking lot for river access, which is awesome, but the ramp won’t be accessible for folks wanting to use it. Also, I see parking filling up and people parking along Macon Hwy which posses a safety risk.
Love
This parking lots adequate for current use but it's there thought to any overflow parking during larger events/ future expansion.
Odd for it to flow clockwise..might be confusing. Should be enough spaces.
The path to the slide should not be at the choke point in the parking lot where incoming and outgoing traffic will be taking place.
6 parking spots +1 handicap spot may not be enough parking, such as the greenway entrance on Oconee Street across the river from Williams. Perhaps adding an additional six spots on the other side of the lot?
I assume there is a place for trash and recycling. I would like a street light
6 car spots doesn't seem like quite enough. love the trailer spots. flow and design look great. I would like to see more car parks though.
Will it be possible to park anywhere else that is not marked out (say around the curves or down below)? I feel like there are more spaces at Ben Burton and it seems like the amount of parking at the 2 should be made the same since folks will have a car at either spot.
I am excited about this new public amenity. There is nothing nicer than paddling a canoe or kayak along a peaceful river under cover of shade trees to the music of birdsongs. Those of us who live west

of the Middle Oconee have no parks or recreation facilities. We thank everyone who has worked on this facility.
Seems like traffic should go in the other direction for easier egress.
I like the design. Would not want commercial companies to be able to "take over" the lot. Suggest adding a spigot or some sort of place where people can rinse off their feet, fill up water bottles, etc.
Will this be enough parking? The parking at this park is inadequate as it is and has not been updated in some time.
Not sure there is enough parking when you take into account the number of cars required to shuttle boaters. I'm sure it's taken into account but ensuring there is enough room to easily make the turn at the end of the lot with a trailer if all parking spots are occupied.
Are there only 7 parking spots? I would llike to see more parking given the interest in outdoor activities and the population in ACC- at least double this size.
I think it could use a few more parking spots and I hope that this can eventually including a walking area near the river. I'm thinking something like Ben Burton park which is always crowded these days. It's been great to see how the community has started using this park after it was run down for a while.
I would like to see picnic tables adjacent to the parking to allow families and other to sit and have meals while they wait on other members of their party that may be floating down the river. Will ther be trash bins?
good
Parking design is nicely laid out with vegetation and trees, but more parking spaces would be beneficial
Looks great! Manageable & safe.
I use a pack raft and would really like to see a bike rack so that I could use a bike to get to or from a rafting trip. When people don't have someone to shuttle them between put in and take out, biking offers another option. More parking spaces would be nice too, as I imagine this project will foster a larger water trail community, and this seems like the time to prepare for that growth. There is a good bit more parking at Ben Burton, but not much at this take out.
Make sure turnaround/pull through is wide enough to support van/bus with trailers as this can facilitate commercial use of the river and therefor higher use. Use=interest=conservation. Also will help drive people to ACC as improves culture and therefore tax revenue
Great idea. Project like this also help people understand how precious our rivers are and need protection. Like the design.
Looks good.
Looks adequate
Looks good!
Space is limited, but it seems like not enough parking spaces / small trailer spaces

Question: Would the trailers have to be detached from the cars to park in the trailer parking? How many would fit? Question: Why does the direction of the traffic proceed clockwise? Then people exiting have to cross incoming traffic which seems dangerous and awkward.
Would this located on the “North” side of Macon Hwy just before you reach the Middle Oconee assuming you are coming from Milledge Ave traveling towards Watkinsville?
I can't decipher the surface material but please use permeable pavement and or ensure all stormwater is caught and allowed to drain slowly into river. Maybe that's what the center island is for. Only use native plants.
I think it looks great!
Looks awesome and glad it includes trailer
Seem adequate, the turning radius around the trailer area my be tight if the area is full..
I do wonder if 7 regular car spaces will be enough long-term.
The parking design looks appropriate for the use of a trailer for those who do not have car top carriers. The one way thru the parking lot looks good. It would help to have some measurements on the trailer parking area to give an idea of how many trailers could be accomodated.
Happy to see trailer parking.
Needs more space.
#NAME?
I like it
We strongly oppose this initiative.. this will directly impact our sub division, the roads do not have the infrastructure to support this and this will impact the value of our property.
I’m just concerned with the general traffic nightmare already happening at lumpkin and Macon hwy.
If a larger group of people went canoeing together, I'm wondering if there would be enough parking. Would it be possible to add more parking to the right hand side? However, maybe the designers have a sense from other similar sites that this provides adequate parking?
Looks great, would be nice to have an EV charger there if power is available.
Looks great, worried about the grade from the bank to the parking lot. Also the number of parking slots means that if you try to pre position a vehicle then enter at Ben Burton what will be time allowed -is there a possibility that the church will allow longer stay to facilitate more leisure time schedules?
I'm really thrilled to see the trailer parking addition, thank you for adding that from the last iteration! One concern: flow of parking - consider how cars and car+trailers have to cross incoming traffic to exit the parking lot. If someone (and I would bet they will) only gets their car across to the exit slot and leaves their trailer dangling in the entry lane, you can have traffic back up quick for folks entering the parking area potentially out to the road, or have cars driving the wrong way around per the diagram.

Even without a trailer, you'll have vehicles potentially entering at a much higher speed than those looping around the lot to exit and I worry about potential collisions there. Since I'm going long, I'm going to put my solution in the overall feedback section.
Looks small, looks like it was planned by someone who may actually use boat ramps
The parking needs to accommodate trucks or cars with trailers attached to them. This parking schematic does not appear to fit more than 4 (at best).
Is there anyway to get more auto parking? I don't think 7 slots are enough.
Seems adequate but unsure about trailer parking
I like it
We need access to both rivers.

Provide your feedback for the boat slide design here:
I'm guessing the slide area is used to drag canoes/kayaks? I like that! I'm sure there's a good reason why it stops before it reaches the bottom area, but I did wonder about that.
I recommend indoor/outdoor carpeting that that be cheaply and easily replaced. Some inexpensive brooms will be needed to allow us to keep it free of whatever falls from trees.
Good touch!
Can the boat slide be lengthened to go along the whole concrete trail?
Love
Why doesn't the boat slide continue to the edge of the river? It seems like it should do this instead of ending and requiring the boat to be drug over pavement.
It doesn't look like there is enough room to pull forward and straighten up to back a trailer in. Is a small dock needed? Not sure of the material on the boat slide which I assume is for launching kayaks. Is there room for staging on the long drive in? (Removing tie downs, loading yaks, etc).
The boat slide should be next to the walk way going at an angle to the river and not directly to the river. At a 35º-45º from the river where the slope is steep. this would allow the path to be more of a gentle slope.
This looks fantastic! The boat slide will be very helpful.
Looks great!
Great plan! Even little old ladies can manage their boats.
Boat slide seems really long but I suppose that is necessary!
Looks good.
Looks good to me and I hope the multi use trail can be extended as a walking / bike area.
The grade here is very steep. Not sure that a straight path will be accessible. This may require a winding path. Has this path been profiled to make sure it works? Will the path be poured in a way that is slip resistent?
good

Good
Looks good!
Looks great.
How is it made? Just Astro turf?
Thumbs up!
Sweet
Looks adequate
I think this location is primarily a take out point for kayaks coming from Ben Burton Park. Is the slide used only for launching boats? Or does it also help for people taking out from the river and going up to the parking lot?
Why does the boat slide not go the whole way up the side of the concrete multiuse trail? I think it should.
Great idea. Again, catch all storm water off concrete trail.
It looks fantastic.
This looks too tight
Undecided
A boat slide is a very good way to access the river at this site. I am glad to see that one has been included in the design.
Boat slide is very helpful for folks like me over 65.
Slide should run the length of the multi use trail.
- Can the boat slide mechanism reach all the way up to the parking lot area? -
We do not want this built
Nice have a boat slide, was not expecting.

Not sure this will get used, how high off the ground is it? Lifting my kayak to put in my pickup is a chore some times. Does this have some type of ‘rollers” how do you push it back, is it uphill?
Looks good.
I have no experience with boat slides but it seems better than dragging a boat on rough cement

Provide your feedback for the boat ramp design here:
I love this. I'm assuming the little cul-de-sac is there to allow for vehicles to pull in, unload, and then pull back up?
disability access?
The river levels fluctuate often and sometimes greatly. How will this be accommodated? It's hard and dangerous getting into a kayak from a dock, but easier if the kayak is aimed upstream , edged along a sloped ramp. And the ramp, then has to be at least 16 feet wide at the area of submersion. A nearby cleat for tying on is essential when the current is running.
This is a definite improvement over the original landing area. It appears to be user friendly with plenty of room for turning around.
I hope that it will be accessible like a typical public boat ramp. You need to be able to back a trailer in. Everyone isn't strong enough to carry their boat and some kayaks need to be launched from a trailer exclusively.
Looks good to go.
Love
A section of how this boat launch would when would be ideal. There isn't much detail shown in the plan view.
Doesn't appear to be room to pull forward and straighten trailer to back in.
There should be NO boat ramp but a path to the river at an angle .This would allow a path to be an easy walk and not a series of steps. ONCE in the area of the safe [normal] river levels , the steps should become the 'dock' at the different levels.
This also looks fantastic. This will help decrease erosion on the other parts of the river at the bridge that have been used for entering/exiting the river.
Will there be clear signs that it is a public take out? From the water you should be able to see a sign
love it.
is there anywhere to attach your kayak once launched? We have to launch multiple boats for our kids and it would be great if there were something along the edge of the water (out of the way of the launch so we weren't blocking traffic) to attach the boats while we got every one's boat in the water.
Very elegant design.
Would like to see an area dedicated for bank fishing with benches and picnic tables
Looks well done .... if we see this as a landing area for multiple boats at a time you may want to widen it out some.
Will this ramp be used for both private and commercial enterprises? Will there be a permit or fee for commercial users since will be paid for by ACC.

How will ongoing maintenance be planned since SPLOST is only paying for capital costs. 1 yr, 5yr, etc.
Looks good.
I would like to see picnic tables at the boat ramp, but something fixed such that flood waters do not wash it away.
good
Good
excellent!
Seems too narrow, creating bottlenecks.
This looks very useable.
Looks adequate
Looks very nice!
Will there be a size limit to the boats allowed? I know the river isn't big enough to accommodate anything much larger than a canoe.
Hopefully this more durable to high flows than the Ben Burton one.
If this is anything like the one at Ben Burton park, I'm excited about it.
Could benefit from two slides in same vicinity
May need to add some type of rail for those with smaller boats or canoes
I can’t tell size wise, but is the ramp wide enough to fit a wheelchair between the steps? Otherwise it looks awesome!!
Launch area looks good.
Can't tell from the rendering?
#NAME?
At Lake Herrick there’s a wonderful cradle in the dock that allows easy access from the boat to the dock. As an elderly paddler, a similar designed dock at Macon Highway would be helpful for those of us with mobility issues.

As long as I can drive down in pick up truck or other vehicle with a trailer, unload and the load from here this will be a significant improvement over other areas I use, or have tried to, but had to give up on. Looks small, don't understand the need for a boat slide as long as there is a "ramp" area. I pay my gratitude for this area, I am still dragging my boat up and down hills, but it is getting harder, this will keep me on the water, thank you.
It's hard to tell from this plan but is there adequate room to turn vehicles with boat trailers around? It seems extremely tight.
Looks good.
Seems adequate for canoes/kayaks
Would it be possible to put in an area at the launch plaza to sit and enjoy the river or possibly have picnic tables?
Seems good

Provide your feedback for the overall boat launch site design here:
Honestly, my personal threshold for a good launch is low. I'm just thrilled that I'll have a nice, legal place to pull my canoe out. Everything else is a nice bonus!
That looks like a long distance between the water and the parking lot. What is a boat slide? Maybe that helps? If so, could it extend further towards the parking lot?
This looks great to me. I look forward to it.
appears that this site will be easy to use for young and old alike.
appears that this site will be easy to use for young and old alike.
looks fine thank you
As written above.
It looks a whole lot easier to navigate than climbing up and down the rocky slopes under the bridge while hauling a kayak... thank you!!!!
Macon Hwy is a super busy road and if there are not turn lanes going into the launch it can be a little dangerous. I hope this works out and I'm super stoked to use it when it's built.
Looks great, I'm wondering about where exactly on Macon highway the entrance would be. At the stoplight where Timothy Rd meets the Macon Hwy, I hope. This is a good idea but I'm concerned about the ingress and egress situation as Macon Hwy is a busy road.
Love
The overall design seems to function, however I am unsure how the storm water is being managed on this site. In the least I would expect to see a simple bioswale here that would allow the storm run off to be treated prior to flowing directly into the river. Also planting: is there a more detailed planting plan that shows the proposed species? Using appropriate natives here would be great. Lastly ---- I am a landscape architecture professor at UGA and I'd love to help out with any of the design ideas / refinement within a class, or even as a individual. I love the Oconee and paddle it often! Please reach out and let me know if we could collaborate. cameron.berglund@uga.edu
Will be wonderful to have a launch location at this point in the river.
Not at all user friendly as depicted especially at the actual immediate approach to the water and the actual landing. I have been working with photos of different landings in the state where there's a gentle path to the actual 'landing' and then a wide set of RR ties or non abrasive steps going into the river. This last part is likely to flood at high water and should be designed to be at grade to allow the water to flow over and by the steps to keep sediment from building up on the step and approach. I have photos of other boat landings that could be used as an example but there's no place to attach them on this site. As this site will be used almost exclusively as a takeout, gentle slopes are required to allow families to haul long heavy canoes up out of the water and to the loading areas.
I'm glad the boar launch is happening. We frequently put in at ben Burton and take out at a friends house in five points. Now we won't have to bug our friend
Very nice design. It will get a lot of use. Thank you ACC for sponsoring this project.

EV charging and a picnic table would be great
overall it is a great design and I cannot wait to have access to the river.
Super excited about this addition to the river. It will make the river so much more useable! There is so much garbage along this stretch of river, will there be any garbage/recycling facilities so boaters will have a place to deposit trash and hopefully then can be encouraged to collect trash along the way?
Congratulations on a great design!
Really like this and hope we can add more further downriver in Oconee and elsewhere.
How will ongoing maintenance be planned since SPLOST is only paying for capital costs. 1 yr, 5yr, etc. Will there be more security measures put in place, like cameras for insurance purposes. Will this be manned like Sandy Creek Park where you pay at use fee and or annual pass to pay for such park/ launch upkeep. Kiosk (like the parking meter tech down town) with a camera, honest people will be honest and then there are the others. The fee would need to stay with this launch and kept separately as an itemizes account. One reason I bring up a fee is that the boat ramps at Sandy Creek are paid for with fees for upkeep, so could this.
Not necessarily the boat ramp but it might also be useful to put up a few signs about the ""skirmish"" that occurred nearby during the Civil War. (Assuming this is the location I believe it to be. As a local Social Studies teacher I always like to see historical events tied in whenever possible.
More parking spots needed please
I like it!
Will there be a bus stop here? It would be ideal if users could leave their boat at the upper launch, leave their vehicle here and use the bus to transit back to the upper launch. Can some of the plantings be eatable, like fruit trees, blueberries, etc? Low maintenance.
good
Great idea, an asset to the community
This is a wonderful idea. Please do it!
Just want to note that I hope this is accessible by bus. I can see being able to take a paddle board on the bus then out to a boat launch...
Good. Previous survey indicated under representation from minorities so hope you go try and gather more feedback.
Love overall design
No notes -- everything looks great. Love the trees; should theoretically help mitigate NIMBYism.
May want to consider a restroom or shelter like at ben Burton
So glad to see more river access coming from this area of town. Would it be possible to add a couple of picnic tables, and area for fishing?

Very nice!
I am not an ACC resident, but am an ACC business owner. I am in strong support of this project to provide better access to the Oconee River. The plans look good. I would suggest having an emergeny/911 button in the parking lot and limiting the hours from sunrise to sunset.
Make sure it's big enough to fit several cars and kayaks/canoes.
Overall seems good. Please promote native only plantings, reduce stormwater runoff. Educational signage about aquatic orgamsism unique it threatened in the river would be great (Altamaha Shiner, Altamaha Bass..etc).
I am very much in favor of this boat ramp. My family and I go kayaking every few weeks on the Middle Oconee, and like to take-out here at Macon Highway. It's pretty tough to do so as things stand currently, with no public access. I usually park by the side of Macon Highway, which is a bit dangerous. This boat ramp will be a really wonderful thing for my kids and I, and increase the likelihood that we can get out on the river more often!
ACC should add businesses and restaurants to this site, no matter which design is chosen. We need to increase our tax base! Patrons will just go eat across the river in Oconee then use our taxpayer funded resources. My family is tired of subsidizing Oconee's entertainment. Please charge out of town folks to use this boat ramp.
Would be an awesome project
Seem adequate
Would there be a place to either change or use the restroom? Either coming off the river or going on you might need something after a bit on the river.
Finally, how refreshing it is to have a place to take out after putting in at Ben Burton. I fully support this addition of a parking and take out site which has been long in coming for our water trails. Yahoo!!
Good. Thanks for doing this.
- Consider looking at Milledgeville Greenway Oconee River Boat Launch as an example - Business across the river is open to allowing the public to put in at $5/person - Put Environmental Assessment on webpage - Put Site Exploration Map on webpage - Put ele
Excited to see this project moving forward.
I think it all looks great! Would love to see some picnic tables though!
I am totally against it. It will be very disruptive for our neighborhood and all others in the area. Traffic and noise are already problems and this will only make them worse. It will also increase liter as well as creating a likely site for the homeless and drug traffickers to congregate.
Overall, this looks great to me! It's very exciting that we will have this here in Athens.

It looks good to me - glad this work is underway.
Continued Solution idea for parking lot issue - I'm not sure if you're under a restriction on traffic flow direction but maybe think about moving the parking lot entrance up/right so that it is a straight line with the lane at the top of the parking area, and reversing the flow of traffic. So, when someone enters they loop around the top in a counter clockwise direction. When vehicles/trailers exit, they do not have to cross entering traffic. This also shifts the lot entrance away from the highest foot traffic areas at the mouth of the access trail. The direction of the parking spaces would need to be reversed as well. Requiring parkers to make two hard left turns before entering the main parking area will also greatly reduce the risk of people speeding in off Macon highway to an area where people are removing their boats and organizing their float (kids in floaties standing around, mom pumping up an inner tube). Thanks again for soliciting feedback and acting on it!
The long “road” from the ramp to the parking is not appealing. Many people often shuttle from their vehicle to the ramp and this not only seems far but also hazardous since the road is narrow.
What is the time line for construction?
Seems like a solid location and overall plan. Has water level history been checked if this site could support throughout the year or would it be more seasonal? Will there be sufficient trash and recycling available to help mitigate litter?
I really like it and look forward to having an additional public access point to the river. Do we know if there will be an opportunity to have some public art at this access point?
Looks great
I think this is a largely beneficial project and look forward to it's completion

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Runway 9/27 Runway Obstruction Free Area (ROFA) Clearing and Acquire Aircraft Rescue & Firefighting Safety Testing Equipment - FAA/GDOT Grant Agreement

DATE: October 25, 2022

BUDGET INFORMATION:

REVENUES:	$ 181,540	FAA Airport Improvement Program Grant
	$ 27,746	GDOT Aviation Program Grant
	$ 209,286	Total Available Funding
EXPENSES:		
OTHER:	$ 9,097	Airport Capital Projects Fund
	$ 9,097	Total Used From Airport Capital Projects Fund

FUNDING SOURCE: Airport Capital Projects Fund, FAA Grant, GDOT Grant

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission:

a. Approve a GDOT Grant Agreement – Runway 9/27 ROFA Clearing and Acquire Aircraft Rescue & Firefighting Safety Test Equipment **(Attachment #1);** and

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In July 2016, the FAA Airports Certification Division put the airport on notice that the Runway 9/27 Obstruction Free Area, south of Runway 9/27, needed to be cleared from all brush and small trees in the near future as funding was available.

2. On June 3, 2021, the FAA, Airports Certification Division:
   - mandated that Runway 9/27 Obstruction Free Area, south of Runway 9/27, and the Approach End of Runway 9 Safety Area, be cleared of all obstructions from brush and small trees; and
   - determined that the airport was required to acquire Aircraft Rescue Firefighting Test Equipment for testing the ratio mix of foam-to-water fire retardant for the Airport Crash Truck.

3. In July 2022, the FAA and GDOT had agreed to fund both the Runway Obstruction Free Area Clearing Project and the acquisition of the Airport Rescue & Fire Fighting Test Equipment.

FACTS & ISSUES:

1. Athens-Ben Epps Airport is a Part 139 certified airport and therefore is subject to FAA inspection on an annual basis. This compliance is necessary to be able to operate air carrier and non scheduled service on the airport. The FAA requires the airport to adhere to all regulations that pertain to the airport's certification. This includes keeping all Runway Approaches and Obstacle Free Areas in compliance and free of any obstructions that may become a hazard to an aircraft operating in and out of the airport.

2. On June 3, 2021, the FAA, Airports Certification Division, conducted an annual inspection at the Athens-Ben Epps Airport. The FAA determined that the 9/27 Runway Obstruction Free Area, south of Runway 9/27, was not acceptable and required to be cleared.

3. The Runway Obstruction Free Area is identified as an area starting from the center line of Runway 9/27 and spanning out 400 feet from the sides of the runway. This area is required to be clear of all obstacles and obstructions for the safety of all flying aircraft operating in and out of the airport. Obstructions in this restricted area are considered a hazard that an aircraft could potential fly into.

4. The ACCGov Community Tree Management Ordinance, Section 8-7-19 I-2-I, reads as follows:
    * Tree removal shall be approved if a tree meets the condition of having an unresolvable conflict with infrastructure that is creating an unsafe condition or poses a hazard to public health, safety, and welfare.

5. The two areas in non-compliance are south of runway 9/27 and at the Approach End of Runway 9 Safety Area. **(Attachment #2)**

6. On June 3, 2021, the FAA Airports Certification Division, conducted an annual inspection at the Athens-Ben Epps Airport. The FAA determined that the airport was required to acquire Aircraft Rescue Firefighting test equipment to test the mix ratio of foam-to-water fire retardant in the Airport Crash Truck.

7. The estimated schedule for this work and grant approval is as follows:
    * Grant Recommendation for M&C Approval 12/06/2022
    * Obstruction Preparation and Grinding 11/15/22-12/31/22
    * Purchase of New Foam Test Equipment 12/15/2022

8. The recommendation supports the following M&C Strategic Commitment:
    * Transportation Mobility and Connectivity.

OPTIONS:

1. Mayor and Commission:

    a. Approve a GDOT Grant Agreement - Runway 9/27 ROFA Clearing and Acquire Aircraft Rescue & Firefighting Safety Test Equipment **(Attachment #1);** and

    b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the request.

3. Mayor and Commission defined options

DEPARTMENT RECOMMENDED ACTION: Option #1 a and b

DEPARTMENT:
Prepared by: Mike Mathews

Mike Mathews — Mike Mathews

10/25/2022 — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a and b



Manager

November 9, 2022 — Date:

ATTACHMENTS:
Attachment 1 - GDOT Grant Agreement
Attachment 2 – Airport Map of ROFA and Safety Areas

Revised September 22, 2022

CONTRACT FOR CONSTRUCTION OF AIRPORT

AIRPORT PROJECT NO. AP023-9058-41(059)
PID – T007930

CLARKE

LIMITED PARTICIPATION

STATE OF GEORGIA ** DO NOT UNSTAPLE THIS BOOKLET...
ENTER ALL REQUIRED INFORMATION
FULTON COUNTY EITHER BY HAND OR STAMP.

THIS CONTRACT made and entered into on_____, ("Effective Date") by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, party of the first part (hereinafter called "DEPARTMENT"), and the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY (hereinafter called "SPONSOR"), who have been duly authorized to execute this Contract. (DEPARTMENT and SPONSOR are sometimes referred to herein individually as a "Party", and collectively as the "Parties").

WITNESSETH:

WHEREAS, the DEPARTMENT and the SPONSOR desire the construction of certain work at a certain airport, and the SPONSOR agrees to contract for all the materials and to perform all work and labor for said purpose, the Project being more particularly described as follows:

RUNWAY 9-27 ROFA CLEARING AND ACQUIRE AIRCRAFT RESCUE & FIREFIGHTING SAFETY EQUIPMENT AT THE ATHENS-BEN EPPS AIRPORT IN ATHENS, GA

Now, therefore, in consideration of the premises and the mutual covenants herein contained, the parties hereto agree as follows:

(1) The work and materials shall be in strict and entire conformity with the provisions of this Contract and the plans on Airport Project No. T007930/AP023-9058-41(059) CLARKE prepared (or approved) by the DEPARTMENT and in accordance with the Standard Specifications, 2021 Edition, and Special Provisions contained in **Attachment 1**, which are attached hereto and incorporated as if fully set forth herein, and the Federal Aviation Administration's Standards for Specifying Construction of Airports, dated December 21, 2018, updated through Errata Sheet dated August 19, 2022.

The original plans and specifications are on file at the DEPARTMENT in Atlanta, Georgia and said plans and specifications are hereby made a part of this Contract as if fully set out herein.

If applicable, for those General Aviation Airports receiving Federal funds, the Special Conditions contained in **Attachment 2**, attached hereto and incorporated herein, shall apply.

(2) At the time of execution of this Contract, the SPONSOR agrees

to furnish to the DEPARTMENT, at the expense of the SPONSOR, a complete set of plans and specifications for said Project, and to furnish to said DEPARTMENT from time to time on demand by the DEPARTMENT to the SPONSOR all revisions of said plans and specifications. Further, SPONSOR will ensure that any airport receiving funding under this Block Grant has submitted for the file a current **Exhibit "A" Property Map** with their request for funding to the DEPARTMENT.

(3) This contract is accepted with the express understanding that no person, firm, corporation or governmental agency can increase the liability of the DEPARTMENT in connection herewith, except under written agreement with the DEPARTMENT.

(4) Compensation.

(4.1) Project Costs. The DEPARTMENT and the SPONSOR agree that the cost of this Project shall be as follows:

The total estimated cost of the Project is TWO HUNDRED EIGHTEEN THOUSAND THREE HUNDRED EIGHTY-THREE and 00/100 Dollars ($218,383.00). The total estimated cost of the Project as described herein is shown on the Summary of Construction Items in Exhibit A to this Contract, which is attached hereto and incorporated as if fully set forth herein.

(4.2) Funding Maximum not to Exceed Amount. The Maximum amount that the Department shall be obligated to pay is TWO HUNDRED NINE THOUSAND TWO HUNDRED EIGHTY-SIX and 00/100 Dollars ($209,286.00). This amount may be compromised of a combination of the following AIP and or AIG funds, as set forth specifically below.

It is further agreed that if the sum total of the actual cost of the Project is less than the amounts indicated in Exhibit A to this Contract, the DEPARTMENT shall be obligated to pay its pro rata share of the actual Project cost as verified from the records of the SPONSOR or actual measured quantities of the items listed in Exhibit A, whichever is less.

(4.2.1) Airport Improvement Program (AIP) Funding. The Parties understand that the maximum amount of AIP funds obligated under this Agreement is TWO HUNDRED NINE THOUSAND TWO HUNDRED EIGHTY-SIX and 00/100 Dollars ($209,286.00) and of that maximum amount, the AIP funds are allocated and shall apply as follows:

In addition, the following paragraphs shall apply:

1. It is agreed that the DEPARTMENT'S obligation will include state funds in the amount of TWENTY-SEVEN THOUSAND SEVEN HUNDRED FORTY-FIVE and 83/100 Dollars ($27,745.83) for the Project as summarized in Exhibit A.

2. It is further agreed that the DEPARTMENT'S obligation will include federal funds in the amount of ONE HUNDRED EIGHTY-ONE THOUSAND FIVE HUNDRED FORTY and 17/100 Dollars ($181,540.17) for the Project as summarized in Exhibit A.

3. It is further understood the SPONSOR'S local share of the project is in the amount of NINE THOUSAND NINETY-SEVEN and 00/100 Dollars ($9,097.00).

(4.2.2) Airport Infrastructure Program (AIG) Funding. If applicable, SPONSOR understands and agrees that in addition to the representations contained in the SPONSOR'S project applications for the AIG Funds, SPONSOR agrees that pursuant to and for the purpose of carrying out the Infrastructure Investment and Jobs Act of 2021 (Public Law 117-58, Division J, Title VIII) referred to as the Bipartisan Infrastructure Law (BIL), these AIG Funds will be used for the Project at SPONSOR'S airport.

The Parties understand that the maximum amount of AIG funds obligated under this Agreement is ZERO and 00/100 Dollars ($0.00) and of that maximum amount, the AIG funds are allocated and shall apply as follows:

1. It is agreed that the DEPARTMENT'S obligation will include state funds in the amount of ZERO and 00/100 Dollars ($0.00) for the Project as summarized in Exhibit A.

2. It is further agreed that the DEPARTMENT'S obligation will include federal funds in the amount of ZERO and 00/100 Dollars ($0.00) for the Project as summarized in Exhibit A.

3. It is further understood the SPONSOR'S local share of the project is in the amount of ZERO and 00/100 Dollars ($0.00).

(4.2.3) It is further understood and agreed that any costs of the total Project that exceed the above estimated Project costs will be the sole responsibility of the SPONSOR.

(4.2.4) It is further understood and agreed that any line item in the Summary of Construction Items as shown in EXHIBIT A may be increased or decreased without the execution of a Supplemental Agreement, provided that the DEPARTMENT'S total maximum obligation under this contract is not changed.

(4.3) Progress Payments. Payments by the DEPARTMENT shall be made upon the submission of monthly work progress statements. The payments by the DEPARTMENT for the work completed, as evidenced by the monthly statements, shall be on a prorated basis. These monthly payments will be made in the amount of sums earned less all previous partial payments. Any amounts held by the SPONSOR as retainage will not be paid by the DEPARTMENT until such retainage is paid by the SPONSOR.

SPONSOR must initiate a payment request for Project accomplishments in accordance with Project progress and receipt of contractor invoices on a monthly basis, but in the event monthly invoices are not accrued, on a quarterly basis. Nonetheless, in the event there is continued grant payment inactivity, defined as no drawdowns over a six (6) month period, and no invoices are received, SPONSOR is hereby advised that such can be cause for termination of this grant agreement.

Upon completion of the Project, the DEPARTMENT will pay the SPONSOR a sum equal to one hundred percent (100%) of the DEPARTMENT'S share of the compensation set forth herein less the total of all previous partial payments made, or in the process of payment.

(4.4) Records. The SPONSOR shall maintain all books, documents, papers, accounting records, and other evidence pertaining to costs incurred on the Project and used in support of their proposal and shall make such material available at all reasonable times during the period of the Contract, and for three years from the date of final payment under the Contract, for inspection by the DEPARTMENT and copies thereof shall be furnished if requested.

(5) Compliance with Laws and Standards.

(5.1) Laws. The work shall be done in accordance with the Laws of the State of Georgia and to the satisfaction of the DEPARTMENT. It is further agreed that the SPONSOR shall comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this Project, as well as those regulations and requirements included in the Federal Office of Management and Budget Uniform Grant Guidance, 2 CFR Part 200 and all information required by 2 CFR § 200.332.

(5.2) Standards and Special Provisions. All construction on this Project shall be in accordance and compliance with the 2021 Edition of the Standard Specifications, of the DEPARTMENT, and Special Provisions included in **Attachment 1**, which are attached hereto and incorporated as if fully set forth herein, and the Standards for Specifying Construction of Airports, dated December 21, 2018, Federal Aviation Administration, updated through Errata Sheet dated August 19, 2020, hereinafter jointly referred to as the "STANDARDS." The DEPARTMENT reserves the right to refuse payment on any monthly statement presented for work which does not comply with the STANDARDS. The DEPARTMENT reserves the right to withhold the final payment until the Project is completed to the DEPARTMENT'S satisfaction and complies with the STANDARDS. The decision of the DEPARTMENT'S Chief Engineer upon any question connected with the execution or fulfillment of this Contract shall be final and conclusive.

(5.3) FAA Airport Sponsors Assurances. It is understood and agreed that the FAA Airport Sponsors Assurances, attached hereto and incorporated herein as **Exhibit E**, shall be complied with, completed, and submitted by SPONSOR to the DEPARTMENT, where necessary and as required therein.

(5.4) FAA Certifications.

(a) Prior to the issuance of the Notice to Proceed("NTP"), SPONSOR shall complete and submit to the DEPARTMENT all applicable Airport Improvement Program (AIP) Sponsor's certifications. SPONSOR shall comply with all requirements where necessary and as required therein.

(b) Prior to Contract closeout, SPONSOR shall complete and submit to the DEPARTMENT all applicable closeout documentation. SPONSOR shall comply with all requirements where necessary and as required therein.

(5.5) Other.

(a) Buy American. Unless otherwise approved in advance by the FAA, in accordance with 49 U.S.C. § 50101, SPONSOR will not acquire or permit any contractor or subcontractor to acquire

any steel or manufactured goods produced outside the United States to be used for any project for which funds are provided under this grant. The SPONSOR will include a provision implementing Buy American in every contract.

(b) Build America, Buy America. The SPONSOR must comply with the requirements under the Build America, Buy America Act (Public Law 117-58).

(c) Suspension or Debarment. SPONSOR entering into "covered transactions", as defined by 2 CFR § 180.200, must:

1. Verify the non-Federal entity is eligible to participate in the Federal program by:
   i. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
   ii. Collecting a certification statement from the non-Federal entity attesting they are not excluded or disqualified from participating; or
   iii. Adding a clause or condition to covered transactions attesting the individual or firm are not excluded or disqualified from participating.
2. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g., subcontracts).

(d) Special Conditions. Reserved unless applicable.

(6) The SPONSOR further covenants that it is the owner of fee simple title to the land whereon the actual construction of said Project is performed, as evidenced by Certificate of Title heretofore furnished to DEPARTMENT.

(7) It is further understood and agreed that no money derived from motor fuel taxes shall be expended for this Project and that for the purposes of this Contract a specific allotment of funds has been made, from sources other than motor fuel taxes.

(8) To the extent allowed by law, the SPONSOR hereby agrees to defend any and all suits, if any should arise as a result of said Project, at the entire expense of said SPONSOR, and to pay from the funds of said SPONSOR any and all settlements or judgments that may be made or had under or as a result of such suits.

(9) To the extent allowed by law, the SPONSOR further agrees to save harmless the DEPARTMENT from any and all claims for any damages whatsoever that may arise prior to or during construction of the work to be done under said Project and this Contract, or as a result of said construction work whether said damages arise as a result of the actual construction work or from change of grade, change of location, drainage, loss of access, loss of ingress and egress, torts, or any other cause whatsoever; it being the intention of this Contract to save harmless the DEPARTMENT from any claim that could or may arise as a result of construction of said Project.

(9.1) The SPONSOR shall provide insurance under this Agreement as follows:

1. It is understood that the SPONSOR *(complete the applicable statement):*

☐ shall obtain coverage from SPONSOR'S private insurance company or cause SPONSOR'S consultant/contractor to obtain coverage
OR
☐ is self-insured and all claims against SPONSOR will be handled through_____.

Prior to beginning the work, SPONSOR shall furnish to the DEPARTMENT, a copy of the certificates and the endorsement page for the minimum amounts of insurance indicated below in this Section 9.1 of the Agreement.

2. Minimum Amounts. The following minimum amount of insurance from insurers rated at least A- by A. M. Best's and registered to do business in the State of Georgia: Commercial General Liability Insurance of at least $1,000,000 per occurrence $3,000,000 aggregate, including Automobile Comprehensive Liability Coverage with bodily injury in the minimum amount of $1,000,000 combined single limits each occurrence. The DEPARTMENT shall be named as an additional insured and a copy of the policy endorsement shall be provided with the insurance certificate. The above-listed insurance coverages shall be maintained in full force and effect for the entire term of the Contract.

3. The insurance certificate must provide the following:
   a. Name, address, signature and telephone number of authorized agents.
   b. Name and address of insured.
   c. Name of Insurance Company.
   d. Description of coverage in standard terminology.
   e. Policy number, policy period and limits of liability.
   f. Name and address of the DEPARTMENT as certificate holder.
   g. Thirty (30) day notice of cancellation.
   h. Details of any special policy exclusions.

4. Waiver of Subrogation: There is no waiver of subrogation rights by either party with respect to insurance.

5. If and to the extent such damage or loss (including costs and expenses) as covered by this indemnification set forth herein is paid by the State Tort Claims Trust Fund, the State Authority Liability Trust Fund, the State Employee Broad From Liability Fund, the State Insurance and Hazard Reserve Fund, and other self-insured funds established and maintained by the State of Georgia Department of Administrative Services Risk Management Division or any successor agency (all such funds hereinafter collectively referred to as the "Funds"), in satisfaction of any liability, whether established by judgment or settlement, the SPONSOR and its consultant/contractor agrees to reimburse the Funds for such monies paid out by the Funds.

(10) The SPONSOR further agrees that, at its own cost and expense, it will maintain said Project in a manner satisfactory to the DEPARTMENT and said SPONSOR will make provisions each year for such maintenance.

(11) It is agreed by the SPONSOR that time is of the essence in the completion of this Project and that the obligation of the DEPARTMENT is made in the interest and for the public welfare. Therefore, the SPONSOR shall perform its responsibilities for the Project until the

maximum allowable cost to the DEPARTMENT is reached or until the end of the Term as set forth in Section 19, whichever comes first, subject to the Term of this Contract.

(12) To the extent applicable, the SPONSOR certifies that it is in compliance with O.C.G.A. §36-70-20 *et seq.*, and is not debarred from receiving financial assistance from the State of Georgia. Also, the SPONSOR certifies that the funds to be used on the Project are consistent with applicable Service Delivery Strategy.

(13) For land purchased for airport development purposes, the SPONSOR will, when the land is no longer needed for airport purposes, dispose of such land and make available to the DEPARTMENT an amount equal to the DEPARTMENT's original monetary participation in the land purchase. Land shall be considered to be needed for airport purposes under this provision if (a) it may be needed for aeronautical purposes (including runway protection zones) and (b) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport.

(14) In accordance with the provisions of O.C.G.A. § 36-81-7, the SPONSOR will provide certification of compliance with state audit requirements as described in Exhibit B, which is hereby made a part of this Contract as if fully set out herein.

(15) Pursuant to O.C.G.A. § 50-5-85, SPONSOR hereby certifies that it is not currently engaged in, and agrees that for the duration of this Contract, it will not engage in a boycott of Israel.

(16) In accordance with the provisions of O.C.G.A. § 13-10-91, the SPONSOR will provide certification of compliance with the Georgia Security and Immigration Compliance Act as described in Exhibit C, which is hereby made a part of this Contract as if fully set out herein.

(17) It is FURTHER AGREED that the SPONSOR shall comply and shall require its contractors, subcontractors and consultants to comply with the requirements of the State of Georgia's Sexual Harassment Prevention Policy as described in Exhibit D, which is hereby made a part of this Contract as if fully set out herein.

(18) It is FURTHER AGREED that the SPONSOR shall comply and require its contractors, subcontractors and consultants to comply with the requirements of Executive Order No. 13513, Federal Leadership on Reducing Text Messaging while driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the DEPARTMENT and SPONSOR(S)are encouraged to:

i. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.

ii. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
   (a) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
   (b) Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

(19) The Term of this contract shall be two (2) years from the

Effective Date.

(20) The DEPARTMENT reserves the right to terminate this Agreement at any time for just cause or for any cause upon written notice to the SPONSOR, not-withstanding any just claims by the SPONSOR, for payment of services rendered prior to the date of termination. It is understood by the Parties hereto that should the DEPARTMENT terminate this Agreement prior to the completion of an element of work the SPONSOR shall be reimbursed for such work element based upon the percentage work completed for said work element.

(21) Assignment. Except as herein provided, the Parties hereto will not transfer or assign all or any of their rights, titles or interests hereunder or delegate any of their duties or obligations hereunder without the prior written consent of the other Parties, which consent will not be unreasonably withheld.

(22) Non-Waiver. No failure of any Party to exercise any right or power given to such Party under this Agreement, or to insist upon strict compliance by another Party with the provisions of this Agreement, and no custom or practice of any Party at variance with the terms and conditions of this Agreement, will constitute a waiver of any Party's right to demand exact and strict compliance by the another Party with the terms and conditions of this Agreement.

(23) Continuity. Each of the provisions of this Agreement will be binding upon and inure to the benefit and detriment of each Party and the successors and assigns of each Party.

(24) Preamble, Recitals and Exhibits. The Preamble, Recitals, Exhibits and Appendices hereto are a part of this Agreement and are incorporated herein by reference.

(25) Severability. If any one or more of the provisions contained herein are for any reason held by any court of competent jurisdiction to be invalid, illegal or unenforceability in any respect, such invalidity, illegality or unenforceability will not affect any other provision hereof, and this Agreement will be construed as if such invalid, illegal or unenforceability provision had never been contained herein.

(26) Captions. The brief headings or titles preceding each provision hereof are for purposes of identification and convenience only and should be completely disregarded in construing this Agreement.

(27) Georgia Agreement. This Agreement will be governed, construed under, performed and enforced in accordance with the laws of the State of Georgia. Any dispute arising from this contractual relationship shall be governed by the laws of the State of Georgia, and shall be decided solely and exclusively by the Superior Court of Fulton County, Georgia to the extent that such venue is permitted by law. The Parties hereby consent to personal jurisdiction and venue in said court and waive any claim of inconvenient forum.

(28) Interpretation. Should any provision of this Agreement require judicial interpretation, it is agreed that the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any Party by reason of the rule of construction that a document is to be construed more strictly against the Party who itself or through its agent prepared

the same, it being agreed that the agents of all Parties have participated in the preparation hereof.

(29) Execution. Each of the individuals executing this Agreement represents that they are authorized to execute this Agreement on behalf of their respective entities.

(30) No Third-Party Beneficiaries. Nothing contained herein shall be construed as conferring upon or giving to any person, other than the Parties hereto, any rights or benefits under or by reason of this Agreement.

(31) Entire Agreement. This Agreement supersedes all prior negotiations, discussion, statements and agreements between the Parties and constitutes the full, complete and entire agreement between the Parties with respect hereto; no member, officer, employee or agent of any Party has authority to make, or has made, any statement, agreement, representation or contemporaneous agreement, oral or written, in connection herewith, amending, supplementing, modifying, adding to, deleting from, or changing the terms and conditions of this Agreement. No modification of or amendment to this Agreement will be binding on any Party hereto unless such modification or amendment will be properly authorized, in writing, properly signed by all Parties and incorporated in and by reference made a part hereof.

IN WITNESS WHEREOF, said parties have hereunto set their hands and affixed their seals.

DEPARTMENT OF TRANSPORTATION:

DATE: _____

_____
COMMISSIONER (SEAL)

ATTEST: _____
Treasurer

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY:

DATE: _____

_____
MAYOR

_____
PRINTED NAME

This Contract approved by

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

at a meeting held at:

_____

DATE: _____

_____
CLERK
(SEAL)

_____
Federal ID/IRS #

ATHENS - BEN EPPS AIRPORT
ATHENS, GEORGIA

EXHIBIT A

SUMMARY OF CONSTRUCTION ITEMS

GDOT PROJECT NUMBER: AP023-9058-41(059) Clarke
PID-T007930

RW 9-27 ROFA CLEARING AND ACQUIRE AIRCRAFT RESCUE & FIREFIGHTING SAFETY EQUIPMENT

ITEM	SPEC	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	%	FEDERAL FUNDS	%	FEDERAL FUNDS	%	STATE FUNDS
RW 9-27 ROFA CLEARING												
Part I Federal Funds FY21 - SBGP-038-2021								**22160**		**22160**		**01225**
1A	P-151	RW 9-27 ROFA Clearing	EACH	1	$57,071.81	$57,071.81	90%	$51,364.63	5%	$2,853.59	5%	$2,853.59
		Total Part I Federal Funds FY21				**$57,071.81**		**$51,364.63**		**$2,853.59**		**$2,853.59**
Part II Federal Funds FY22 and FY21 - SBGP-044-2022 & SBGP-038-2021								**22168**		**22160**		**01225**
1B	P-151	RW 9-27 ROFA Clearing	EACH	1	$57,071.60	$57,071.60	90%	$51,364.44	5%	$2,853.58	5%	$2,853.58
1C	P-151	RW 9-27 ROFA Clearing	EACH	1	$52,523.26	$52,523.26	90%	$47,270.93	0%	$0.00	5%	$2,626.16
		Total Part II Federal Funds FY22 and FY21				**$109,594.86**		**$98,635.37**		**$2,853.58**		**$5,479.74**
Part III State Funds FY23												**01225**
1D	P-151	RW 9-27 ROFA Clearing	EACH	1	$25,883.33	$25,883.33	0%	$0.00	0%	$0.00	75%	$19,412.50
		Total Part III State Funds FY23				**$25,883.33**		**$0.00**		**$0.00**		**$19,412.50**
Part IV Federal Funds FY22 - SBGP-045-2022								**22167**				
2	FAA	Acquire Aircraft Rescue & Fire Fighting Safety Equipment	EACH	1	$25,833.00	$25,833.00	100%	$25,833.00	0%	$0.00	0%	$0.00
		Total Part IV Federal Funds FY22				**$25,833.00**		**$25,833.00**		**$0.00**		**$0.00**
		Total Project Cost				**$218,383.00**		**$175,833.00**		**$5,707.17**		**$27,745.83**

FAA Federal Grant and FAIN #	Federal Award Date	Amount	Fund Source	Activity Code
3-13-SBGP-038-2021	7/8/2021	$51,364.63	22160	AVNP
3-13-SBGP-038-2021	7/8/2021	$5,707.17	22160	AVAP
3-13-SBGP-044-2022	6/23/2022	$98,635.37	22168	AVNP
3-13-SBGP-045-2022	6/2/2022	$25,833.00	22167	AVIA
State FY23	N/A	$27,745.83	01225	AVIA
Total Maximum Obligation of State and Federal Funds this Contract:		$209,286.00		

EXHIBIT B

CERTIFICATION OF COMPLIANCE WITH STATE AUDIT REQUIREMENT

I hereby certify that I am the duly authorized representative of the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY whose address is P.O. BOX 1868, ATHENS, GA 30603, and it is also certified that:

The provisions of Section 36-81-7 of the Official Code of Georgia Annotated, relating to the "Requirement of Audits" have been complied with in full such that:

(a) Each unit of local government having a population in excess of 1,500 persons or expenditures of $550,000.00 or more shall provide for and cause to be made an annual audit of the financial affairs and transactions of all funds and activities of the local government for each fiscal year of the local government.

(b) The governing authority of each local unit of government not included above shall provide for and cause to be made the audit required not less often than once every two fiscal years.

(c) The governing authority of each local unit of government having expenditures of less than $550,000.00 in that government's most recently ended fiscal year may elect to provide for and cause to be made, in lieu of the biennial audit, an annual report of agreed upon procedures for that fiscal year.

(d) A copy of the report and any comments made by the state auditor shall be maintained as a public record for public inspection during the regular working hours at the principal office of the local government. Those units of local government not having a principal office shall provide a notification to the public as to the location of and times during which the public may inspect the report.

_____ _____

Date Signature

Name: _____

Title: _____

Georgia Department of Transportation

EXHIBIT C

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

Contractor's Name:	UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
Solicitation/Contract No./ Call No. or Project Description:	T007930/AP023-9058-41(059) Clarke Runway 9-27 ROFA Clearing and Acquire Aircraft Rescue & Firefighting Safety Equipment at the Athens-Ben Epps Airport in Athens, GA

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10- 91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

47452
Federal Work Authorization User Identification Number
(EEV/E-Verify Company Identification Number)

7/16/2007
Date of Authorization

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
Name of Contractor

I hereby declare under penalty of perjury that the foregoing is true and correct

Printed Name (of Authorized Officer or Agent of Contractor)

Title (of Authorized Officer or Agent of Contractor)

Signature (of Authorized Officer or Agent)

Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

DATE: _____

Notary Public [NOTARY SEAL]

My Commission Expires: _____

EXHIBIT D

CERTIFICATION OF COMPLIANCE WITH THE STATE OF GEORGIA'S SEXUAL HARASSMENT PREVENTION POLICY

The State of Georgia promotes respect and dignity and does not tolerate sexual harassment in the workplace. The State is committed to providing a workplace and environment free from sexual harassment for its employees and for all persons who interact with state government. All State of Georgia employees are expected and required to interact with all persons including other employees, SPONSOR, contractors, and customers in a professional manner that contributes to a respectful work environment free from sexual harassment. Furthermore, the State of Georgia maintains an expectation that SPONSOR, its contractors and their employees and subcontractors will interact with entities of the State of Georgia, their customers, and other contractors of the State in a professional manner that contributes to a respectful work environment free from sexual harassment.

Pursuant to the State of Georgia's Statewide Sexual Harassment Prevention Policy (the "Policy"), SPONSOR and all contractors who are regularly on State premises or who regularly interact with State personnel must complete sexual harassment prevention training on an annual basis.

SPONSOR, including its employees and subcontractors, who have violated the Policy, including but not limited to engaging in sexual harassment and/or retaliation may be subject to appropriate corrective action. Such action may include, but is not limited to, notification to the employer, removal from State premises, restricted access to State premises and/or personnel, termination of contract, and/or other corrective action(s) deemed necessary by the State.

(i) If SPONSOR is an individual who is regularly on State premises or who will regularly interact with State personnel, SPONSOR certifies that:

(a) SPONSOR has received, reviewed, and agreed to comply with the State of Georgia's Statewide Sexual Harassment Prevention Policy located at http://doas.ga.gov/human-resources-administration/board-rules-policy-and-compliance/jointly-issued-statewide-policies/sexual-harassment-prevention-policy;

(b) SPONSOR has completed sexual harassment prevention training in the last year; or will complete the Georgia Department of Administrative Services' sexual harassment prevention training located at http://doas.ga.gov/human-resources-administration/sexual-harassment-prevention/hr-professionals/employee-training (scroll down to section for entities without a LMS section) or this direct link https://www.youtube.com/embed/NjVt0DDnc2s?rel=0 prior to accessing State premises and prior to interacting with State employees; and on an annual basis thereafter; and,

(c) Upon request by the State, SPONSOR will provide documentation substantiating the completion of sexual harassment training.

(ii) If SPONSOR has employees and subcontractors that are regularly on State premises or who will regularly interact with State personnel, SPONSOR certifies that:

(a) SPONSOR will ensure that such employees and subcontractors have received, reviewed, and agreed to comply with the State of Georgia's Statewide Sexual Harassment Prevention Policy located at http://doas.ga.gov/human-resources-administration/board-rules-policy-and-compliance/jointly-issued-statewide-policies/sexual-harassment-prevention-policy;

(b) SPONSOR has provided sexual harassment prevention training in the last year to such employees and subcontractors and will continue to do so on an annual basis; or SPONSOR will ensure that such employees and subcontractors complete the Georgia Department of Administrative Services' sexual harassment prevention training located at http://doas.ga.gov/human-resources-administration/sexual-harassment-prevention/hr-professionals/employee-training (scroll down to section for entities without a LMS section) or this direct link https://www.youtube.com/embed/NjVt0DDnc2s?rel=0 prior to accessing State premises and prior to interacting with State employees; and on an annual basis thereafter; and

(c) Upon request of the State of the Georgia Department of Transportation, SPONSOR will provide documentation substantiating such employees and subcontractors' acknowledgment of the State of Georgia's Statewide Sexual Harassment Prevention Policy and annual completion of sexual harassment prevention training.

Signature: _____

Name: _____

Position: _____

Company: UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

EXHIBIT E
FAA Airport Sponsor Assurances

FAA Airport Sponsor Assurances shall begin on the following pages.

FAA
Airports

ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

   The terms, conditions and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

   The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

   Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and

assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant including but not limited to the following:

FEDERAL LEGISLATION

a. 49 U.S.C. subtitle VII, as amended.
b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.[1]
c. Federal Fair Labor Standards Act – 29 U.S.C. § 201, et seq.
d. Hatch Act – 5 U.S.C. § 1501, et seq.[2]
e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, et seq.[1, 2]
f. National Historic Preservation Act of 1966 – Section 106 – 54 U.S.C. § 306108.[1]
g. Archeological and Historic Preservation Act of 1974 – 54 U.S.C. § 312501, et seq.[1]
h. Native Americans Grave Repatriation Act – 25 U.S.C. § 3001, et seq.
i. Clean Air Act, P.L. 90-148, as amended – 42 U.S.C. § 7401, et seq.
j. Coastal Zone Management Act, P.L. 92-583, as amended – 16 U.S.C. § 1451, et seq.
k. Flood Disaster Protection Act of 1973 – Section 102(a) - 42 U.S.C. § 4012a.[1]
l. 49 U.S.C. § 303, (formerly known as Section 4(f)).
m. Rehabilitation Act of 1973 – 29 U.S.C. § 794.
n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
p. Age Discrimination Act of 1975 – 42 U.S.C. § 6101, et seq.
q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
r. Architectural Barriers Act of 1968, as amended – 42 U.S.C. § 4151, et seq.[1]
s. Powerplant and Industrial Fuel Use Act of 1978 – Section 403 – 42 U.S.C. § 8373.[1]
t. Contract Work Hours and Safety Standards Act – 40 U.S.C. § 3701, et seq.[1]
u. Copeland Anti-kickback Act – 18 U.S.C. § 874.[1]

v. National Environmental Policy Act of 1969 – 42 U.S.C. § 4321, et seq.[1]

w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.

x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.[2]

y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.

z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).

aa. Civil Rights Restoration Act of 1987, P.L. 100-259.

bb. Build America, Buy America Act, P.L. 117-58, Title IX.

EXECUTIVE ORDERS

a. Executive Order 11246 – Equal Employment Opportunity[1]

b. Executive Order 11990 – Protection of Wetlands

c. Executive Order 11998 – Flood Plain Management

d. Executive Order 12372 – Intergovernmental Review of Federal Programs

e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction[1]

f. Executive Order 12898 – Environmental Justice

g. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency

h. Executive Order 13985 – Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

i. Executive Order 13988 – Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

j. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America's Workers

k. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

FEDERAL REGULATIONS

a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).

b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [4, 5]

c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.

d. 14 CFR Part 13 – Investigative and Enforcement Procedures.

e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.

f. 14 CFR Part 150 – Airport Noise Compatibility Planning.

g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.

h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.

i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.[1]

j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.[1]

k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).[1]

l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).[1]

m. 49 CFR Part 20 – New Restrictions on Lobbying.

n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.

o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.

p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.[1, 2]

q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.

r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.[1]

s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.

t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.

u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).

v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).

w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.

x. 49 CFR Part 41 – Seismic Safety.

FOOTNOTES TO ASSURANCE (C)(1)

[1] These laws do not apply to airport planning sponsors.

[2] These laws do not apply to private sponsors.

[3] 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall

apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

[4] Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.

[5] Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

4. Good Title.

a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere

with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

b. Subject to the FAA Act of 2018, Public Law 115-254, Section 163, it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.

c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.

f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.

g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance-Management.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under 49 U.S.C. § 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The

accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.

b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of $2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. §§ 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. § 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this Grant Agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.

b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.

c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.

d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.

e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.

f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.

g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.

h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:

1. Operating the airport's aeronautical facilities whenever required;

2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and

3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or

facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.

b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:

1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and

2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.

d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.

e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable

classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.

g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.

h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and

b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for

which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:

   1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

   2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor’s acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.

   3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. § 47102), if the FAA determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95.

b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of 49 U.S.C. § 47107.

26. Reports and Inspections.

It will:

a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the

public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;

b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;

c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:

   1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and

   2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or

b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:

1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;

2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;

3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and

4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.

Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:

1. eliminate such adverse effect in a manner approved by the Secretary; or

2. bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4); creed and sex (including sexual orientation and gender identity) per 49 U.S.C. § 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

a. Using the definitions of activity, facility, and program as found and defined in 49 CFR §§ 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.

b. Applicability

   1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.

   2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

   3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

   The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

   1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or

   2. So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

   "The (**[Selection Criteria: Sponsor Name]**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, [select businesses, or disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award."

e. Required Contract Provisions.

   1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.

2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
    a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
    b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.

g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
    1. Reinvestment in an approved noise compatibility project;
    2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
    3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117;
    4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
    5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

    If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development

project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:

   1. Reinvestment in an approved noise compatibility project;
   2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
   3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117;
   4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
   5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by

the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out any project funded under an Airport Improvement Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars (https://www.faa.gov/airports/aip/media/aip-pfc-checklist.pdf) for AIP projects as of [Selection Criteria: Project Application Date].

35. Relocation and Real Property Acquisition.

a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.

b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.

c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:

   1. Describes the requests;
   2. Provides an explanation as to why the requests could not be accommodated; and
   3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.

b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,00 0 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

* APPLICANT'S ORGANIZATION UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE Prefix: * First Name: Middle Name: * Last Name: Suffix: * Title:
* SIGNATURE: * DATE:

ATTACHMENT 1

Department of Transportation
State of Georgia

OCTOBER 5, 2022

SPECIAL PROVISIONS

AIRPORT PROJECT NO. T007930/AP023-9058-41(059) CLARKE
RUNWAY 9-27 ROFA CLEARING AND ACQUIRE AIRCRAFT RESCUE & FIREFIGHTING SAFETY EQUIPMENT AT THE ATHENS-BEN EPPS AIRPORT IN ATHENS, GA

S.P. CODE	SPECIAL PROVISIONS DESCRIPTION
108-1-01-SP	Prosecution and Progress
109-1-01-SP	Measurement and Payment

First Use Date 2021 Specifications: April 16, 2021

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

SPECIAL PROVISION

Section 108—Prosecution and Progress

Retain Subsection 108.03 except as modified below:

For this Project, the Progress Schedule required by Subsection 108.03 need not be submitted.

First Use Date 2021 Specifications: April 16, 2021

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

SPECIAL PROVISION

Section 109—Measurement & Payment

Delete the first sentence of Subsection 109.07.A, paragraph one, and substitute the following:

A. General: On the tenth day of each calendar month, the total value of Items complete in place will be estimated by the Engineer and certified for payment.

ATTACHMENT 2
SPECIAL CONDITIONS

ARFF and SRE Equipment and Vehicles. The Sponsor agrees to:

a. House and maintain the equipment in a state of operational readiness on and for the airport;

b. Provide the necessary staffing and training to maintain and operate the vehicle and equipment;

c. Restrict the vehicle to on-airport use only;

d. Restrict the vehicle to the use for which it was intended; and

e. Amend the Airport Emergency Plan and/or Snow and Ice Control Plan to reflect the acquisition of the vehicle and equipment.

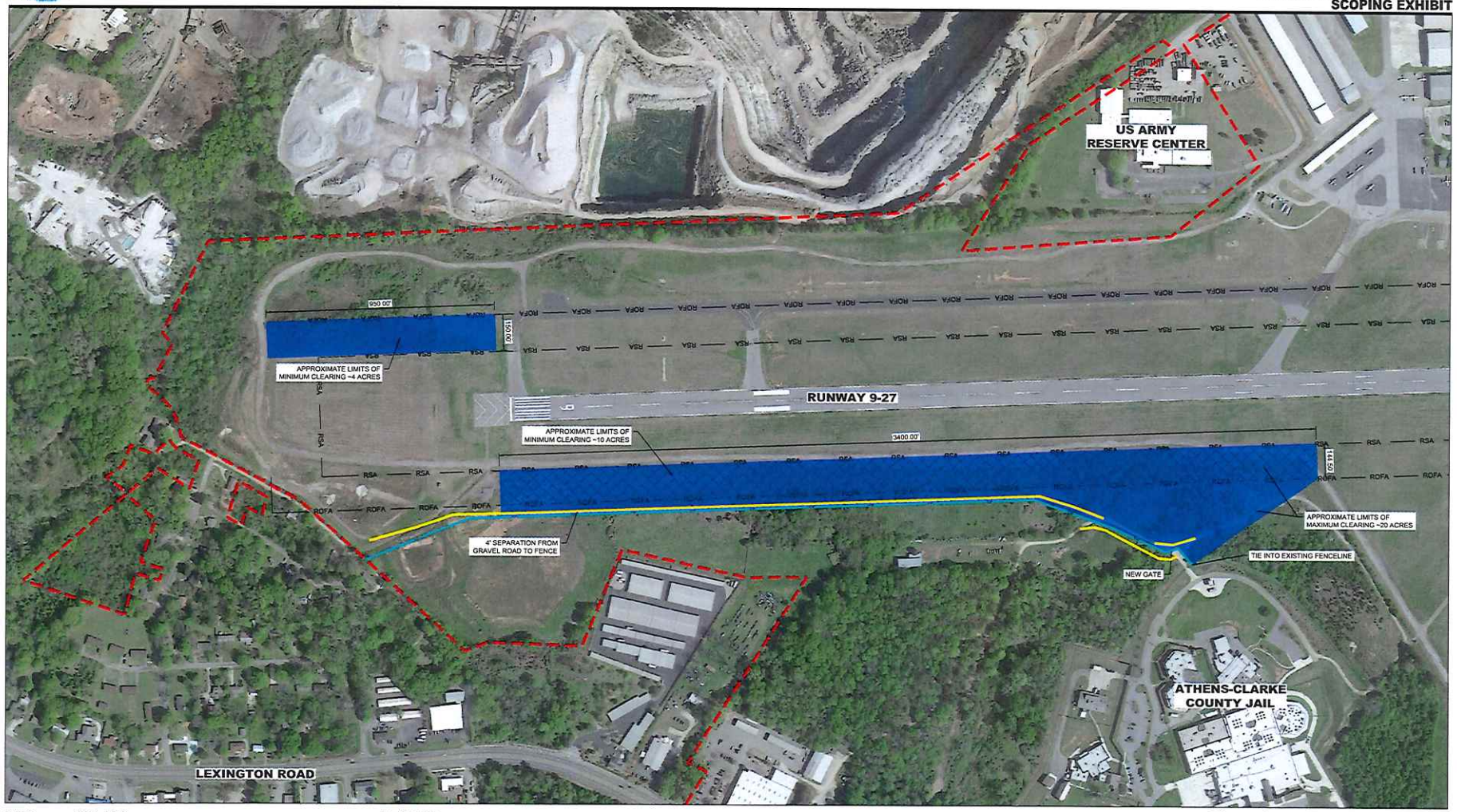
Equipment Acquisition. The Sponsor understands and agrees that any equipment acquired through this Grant is considered a *facility* as that term is used in the Grant Assurances. Further, the equipment must be only operated by the Sponsor. The Sponsor agrees that it will maintain the equipment and use it exclusively at the airport for airport purposes.

Buy American Executive Orders. The Sponsor agrees to abide by applicable Executive Orders in effect at the time this Grant Agreement is executed, including Executive Order 14005, Ensuring the Future Is Made in All of America by All of America's Workers.

Attachment #2

ATHENS Ben Epps Airport — CONFIDENTLY CONNECTING ATHENS TO THE WORLD.

ATHENS-BEN EPPS AIRPORT
SCOPING EXHIBIT



DATE: APRIL 2022
DRAWN BY: CDM
DATUM: NAD83 GEORGIA STATE PLANE WEST, US FOOT
SOURCE: ATHENS-CLARKE COUNTY, GOOGLE

LEGEND:

- PROPERTY BOUNDARY
- PLAN AND TOPO SURVEY NEEDED
- RSA — RUNWAY SAFETY AREA (RSA)
- ROFA — RUNWAY OBJECT FREE AREA (ROFA)
- NEW GRAVEL ROAD
- NEW FENCE

200 0 200 400
GRAPHIC SCALE (IN FEET)

NORTH

RS&H

EXHIBIT 1
SURVEY SCOPE

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Talmadge Street - Proposed Designation as an On-Street Parking Permit Controlled Street Under the Residential Parking Permit Program

DATE: October 25, 2022

BUDGET INFORMATION:

REVENUES:

EXPENSES:
OTHER: $300 Materials

FUNDING SOURCE: Traffic Engineering Division FY22 Operating Budget

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission designate Talmadge Street as an on-street parking permit-controlled street under the Residential Parking Permit Program, as shown in **Attachment #1**.

HISTORY:
1. On November 4, 2014, the Mayor and Commission approved an amendment to the Residential Parking Permit Program (Policy Number TE-005) that authorized the expansion of the program and created a process to designate specific listed residential streets eligible to be on-street parking permit controlled. Talmadge Street was included in the list of streets eligible for this permit program.

2. On September 26, 2022, Traffic Engineering Division received responses to a petition circulated to property owners along Talmadge Street. The returned responses indicated that 100% of the eligible property owners along Talmadge Street support this roadway being included in the Residential Permit Parking Program (**Attachment #2**).

FACTS & ISSUES:
1. The Residential Parking Permit Program requires that the following criteria be met for a street to be added to the program:

    a. The residential street must be on the list of streets designated as eligible for the Residential Parking Permit Program approved by Mayor and Commission.

b. At least 65% of property owners on the identified street must indicate support for inclusion of their street in the program.

c. The Mayor and Commission must approve the inclusion of the identified streets in the permit program.

2. The above criteria have been satisfied for including Talmadge Street in the Residential Parking Permit Program; therefore, staff recommends that the Mayor and Commission designate Talmadge Street as part of the On-Street Parking Permit Controlled Streets under the Residential Parking Permit Program Policy.

3. The limits of the proposed on-street residential parking permit area are shown in **Attachment #1**. It should be noted that in accordance with the revised policy statement, only the single-family homes or individual units inside duplex, three or four-unit structures whose property is adjacent to Talmadge Street will be eligible to purchase on-street parking permits.

4. The inclusion of this block into the permit program does not change the current parking restrictions on Talmadge Street indicated by the existing yellow curbing. It will be the responsibility of the permit holder to continue to legally park along these blocks.

5. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation.*

OPTIONS:

1. The Mayor and Commission designate Talmadge Street as an on-street parking permit-controlled street under the Residential Parking Permit Program, as shown in **Attachment #1.**

2. Mayor and Commission do not approve this request for permit parking.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

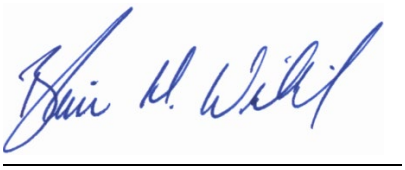
DEPARTMENT: Transportation & Public Works
Prepared by: Jimmy Rowan, Transportation Systems Engineer

Stephen Bailey
Director

October 26, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1: Proposed Residential Permit Parking
Attachment #2: Signed Petition

Attachment # 1



ATHENS-CLARKE COUNTY GEORGIA

0 50 100 200 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Standard ACC Permit Parking Sign

Map Prepared On:
October 19, 2022

Talmadge Street
Proposed Residential Permit Parking

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

DocuSign Envelope ID: C7C9041E-1152-47C4-A908-E8A73C1F9966

Mr. Tim Griffeth
Athens Clarke County Traffic Engineering

RE: Application for Residential Parking Permit Program/ Talmadge Street

Dear Mr. Griffin,

As per our conversation, the following are the qualified property owners that wish to include Talmadge Street (from Bloomfield to S. Church Street) in the Clarke County Residential Parking Permit Program. I believe that this is 100% of the qualified owners.
Please let me know if you need anything further to begin the approval process.
Sincerely
Herbert Bond

Jeffery Scott Faulkner
125 Talmadge Street
jeff@zaxbysfsrg.com
706-215-0794

DocuSigned by: 877ECF39032F477... date 9/28/2022

Benjamin F. Walker
135 Talmadge Street
ben.walker.25@gmail.com
706-338-6716

DocuSigned by: Benjamin Walker 1D882BDDC8EA4DF... date 9/28/2022

Gene Howard
H Prop LLLP
195 Talmadge Street
706-540-2790

DocuSigned by: Gene Howard 6681B00427014BE... date 9/29/2022

Terry Osbolt
Venture Investment Group
194~~195~~ Talmadge Street
tosbolt@yahoo.com
706-714-1100

DocuSigned by: Terry Osbolt 5702B359CB7C4D6... date 9/28/2022

Herbert Bond
146 Talmadge Street
152 Talmadge Street
158 Talmadge Street
164 Talmadge Street
155 Talmadge Street
189-191-193 Talmadge Street
herbert.bond@gmail.com
706-224-8002

DocuSigned by: Herbert Bond D4630D17BC6F40A... date 9/28/2022

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Stormwater System Mapping - Phase 3

DATE: October 24, 2022

BUDGET INFORMATION:

REVENUES:	$ 1,574,160	FY23 Stormwater Utility Enterprise Funds
EXPENSES:		
CAPITAL:	$ 81,324	Expended Funds
	$ 283,313	Encumbered Funds
	$ 859,087	Designated for other Stormwater Projects
	$ 350,436	Total Available for Stormwater System Mapping

FUNDING SOURCE: Stormwater Utility Enterprise Funds

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that Mayor and Commission:

a. Approve contract services through Arcadis U.S., Inc. to map stormwater infrastructure such as storm pipes, inlets, and manholes and to provide this information to ACCGov as a database that is compatible with the ACCGov Geographical Information System (GIS) for a cost not to exceed $350,436; and
b. Authorize the Mayor and appropriate staff to execute the necessary documentation

HISTORY:

1. In 1948, the Federal Water Pollution Control Act became the first major U.S. law to address water pollution.

2. In 1972, the Federal Water Pollution Control Act was amended and became commonly known as the Clean Water Act (CWA). The goal of the CWA is restore and maintain the chemical, physical, and biological integrity of the nation's waters. The primary focus of the protection in 1972 was point sources of pollution from factories and water reclamation facilities (which were known at that time as sewage treatment plants.)

3. In 1987, the CWA was amended to require a National Pollution Discharge Elimination System program (NPDES) for controlling the discharge of stormwater. The amendments also granted some authority to the States to implement this program.

4. In 1999, the Environmental Protection Agency promulgated regulations for stormwater discharge and designated the Georgia Environmental Protection Division (EPD) as the State regulatory agency for this task. Athens-Clarke County fell under the population requirements for a MS4 (Municipal Separate Storm Sewer System) community. The storm pipes in Athens-Clarke County are considered to be separate because they discharge directly to waterways as opposed to being combined with wastewater that is treated at ACCGov's water reclamation facilities.

5. On February 4, 2003, Mayor and Commission (M&C) approved the ACCGov Stormwater Management Program (SMP) for compliance with the NPDES Phase II Stormwater Permit. The SMP specified the level and scope of service and identified tasks that ACCGov would undertake over a five-year period to comply with regulations identified in the Phase II Permit.

6. On December 6, 2017, the latest General NPDES Stormwater Permit for Athens-Clarke County became effective. Section 4.2.3.1 of that permit requires all permittees to develop a storm system map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls. The upcoming NPDES Stormwater Permit – which is set to become effective immediately after the current permit expires on December 5, 2022 – contains the same provision regarding the need for a storm system map.

7. On September 20, 2018, ACCGov entered into an agreement under the On-Call Civil Engineering Design Service contract with Arcadis U.S., Inc. in the amount of $199,957.31 to provide stormwater mapping for the Brooklyn and Tanyard Creek watersheds. This was Phase 1 of the storm system mapping.

8. In November 2019, Arcadis U.S., Inc. completed the storm system mapping for Phase 1.

9. In March 2022, Arcadis U.S., Inc. completed the storm system mapping for Phase 2.

10. On June 7, 2022, ACCGOV M&C approved the selection of Arcadis U.S., Inc. as an on-call civil engineering firm.

11. On July 27, 2022, Arcadis U.S., Inc. provided a scope and fee to continue stormwater mapping efforts, Phase 3, as shown on **Attachment #1**. **Attachment #2** shows the areas mapped in Phase 1 and Phase 2 along with the projection of areas that can be mapped in Phase 3.

FACTS & ISSUES:

1. The Unified Government of Athens-Clarke County (ACCGov) is designated as a Phase II municipal separate storm sewer System based on our population.

2. Illicit Discharge Detection and Elimination is a required element within the General NPDES Stormwater Permit for Athens-Clarke County. A stormwater system map is necessary to show where spills and other illicit discharges may enter into receiving streams.

3. The Phase 1 and Phase 2 storm system mapping provided through Arcadis U.S., Inc. markedly improved the accuracy and completeness of our mapping. Pipe connections between inlets and manholes have been identified along with attributes such as pipe diameter and material. Photos of each manhole and inlet in the mapped area are also accessible through geographic information systems.

4. The Phase 3 agreement will allow ACCGov to meet the General NPDES Stormwater Permit requirements and to improve asset management as expeditiously as possible. The mapping will proceed from areas with generally the oldest infrastructure towards areas with relatively newer storm pipe systems. It is expected that Phase 3 will result in 75% of the MS4 being mapped.

5. The pipe materials and preliminary condition assessments included in the new mapping will augment efforts to improve asset management by prioritizing future, more detailed condition assessments that could be conducted using a pipe inspection camera system.

6. The information obtained with the Phase I, Phase 2, and Phase 3 mapping contracts will integrate with the Cityworks public assets management system now being used by the ACCGov Transportation and Public Works Department.

7. If approved by M&C, Arcadis U.S., Inc. will begin data collection in January 2023 and through December 2023.

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Built and Natural Infrastructure, Strategy E: *Address ecosystem health, infrastructure sustainability and resilience.*

OPTIONS:

1. Mayor and Commission:
   a. Approve contract services through Arcadis U.S., Inc. to map stormwater infrastructure such as storm pipes, inlets, and manholes and to provide this information to ACCGov as a database that is compatible with the ACCGov Geographical Information System (GIS) for a cost not to exceed $350,436; and
   b. Authorize the Mayor and appropriate staff to execute the necessary documentation

2. Mayor and Commission do not approve contract services through Arcadis U.S., Inc. to map stormwater infrastructure.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Transportation & Public Works
Prepared by: Todd Stevenson, P.E., Stormwater Division Administrator

Stephen Bailey
Director

October 26, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b

Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1: Phase 3 Scope of Work
Attachment #2: Phase 1 and Phase 2 Map

Attachment #1

ARCADIS Design & Consultancy for natural and built assets

Todd Stevenson
Athens-Clarke County

Arcadis U.S., Inc.
2839 Paces Ferry Road
#900
Atlanta
Georgia 30339
Tel 770 431 8666
Fax 770 435 2666
www.arcadis.com

Subject:
Phase 3 Stormwater System Mapping Scope of Work

Infrastructure

Date:
July 27, 2022

Contact:
Tim Black

Phone:
770.384.6658

Email:
Tim.Black@arcadis.com

Our ref:
N/A

Dear Mr. Stevenson:

Purpose - The purpose of this project is to continue the stormwater drainage data collection effort in Athens-Clarke County. This program will provide an ESRI Geodatabase containing the stormwater drainage infrastructure located within 1.5' horizontal accuracy. The scope defined below represents tasks that we will perform to accomplish this goal. The scope will be executed and billed on a Time and Materials basis in accordance with the program rate schedule and will not exceed a fee of $350,435.60.

Scope:

1. Inventory approximately 8,000 stormwater structures, following the location prioritization (basins/tiles/grids) provided by ACC
2. Monthly data delivery of:
    a. an ESRI Geodatabase containing the stormwater structures, conveyances, and discharge points
    b. photos of all structures

Schedule:

12 months from notice to proceed, unless amended through a mutually agreed upon timetable.

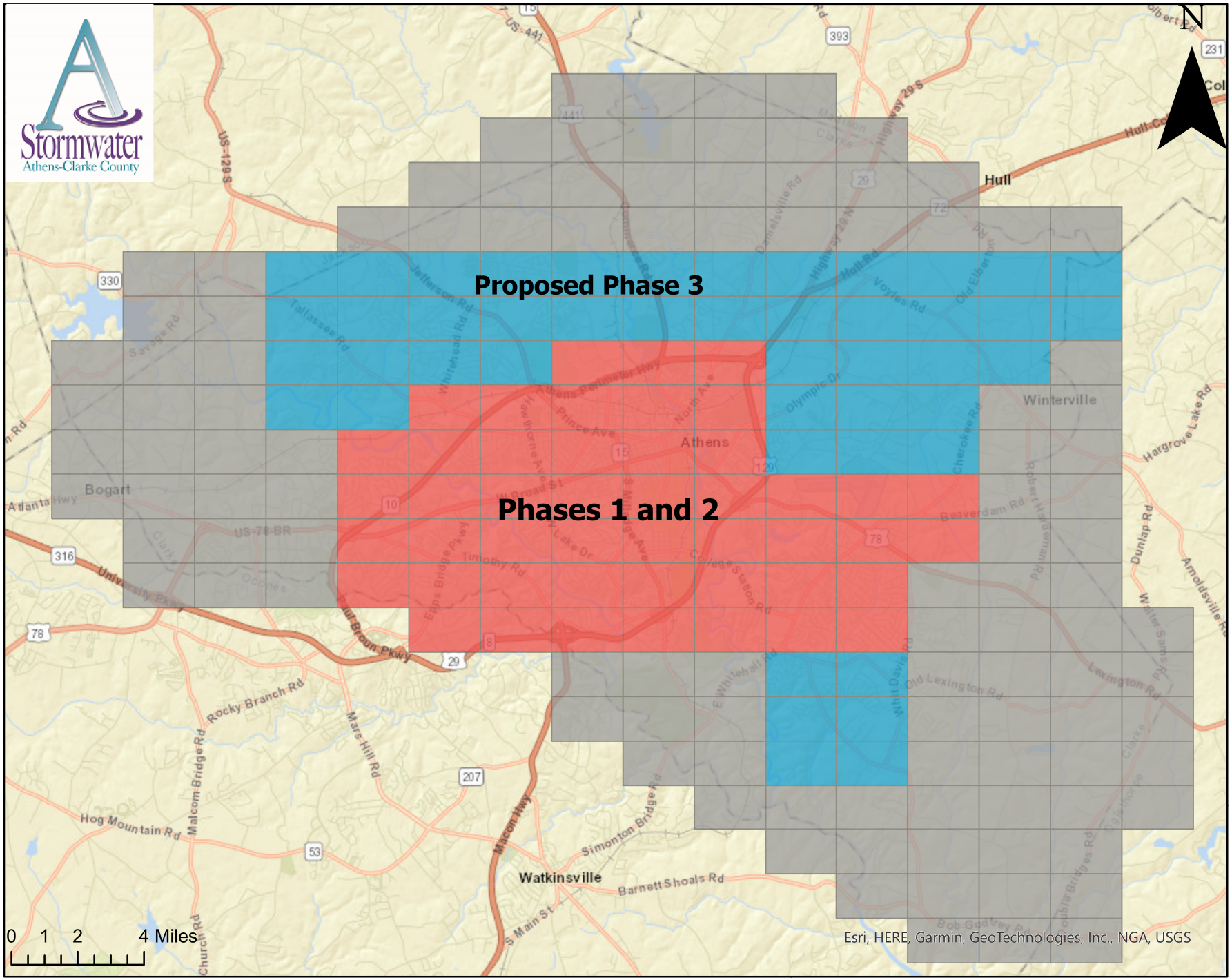
Fee and Estimate of Hours:

Position	Rate	Est Hours/Miles	Total
Sr. Field Tech	$ 94.89	1650	$ 156,568.50
Field Tech	$ 81.11	1000	$ 81,110.00
GIS Tech	$ 84.01	750	$ 63,007.50
Asset Manager	$ 158.06	80	$ 12,644.80
Project Manager	$ 302.62	40	$ 12,104.80
Labor Total		**3520**	**$ 325,435.60**
Mileage	$ 0.625	40000	$ 25,000.00
Total			**$ 350,435.60**

Sincerely,

Arcadis U.S., Inc.
Tim Black
Digital Consultant

ACC Stormwater Infrastructure Mapping



THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Approval of the Unified Government of Athens-Clarke County (ACCGov) Transit Agency Safety Plan

DATE: September 13, 2022

BUDGET INFORMATION:

REVENUES: NA

EXPENSES: NA
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: NA

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:
To request that the Mayor and Commission:

a. Approve the Unified Government of Athens-Clarke County (ACCGov) Transit Department's Public Transit Agency Safety Plan (**Attachment # 1**);

b. Authorize the submission of the ACCGov Transit Department's Public Transit Agency Safety Plan to the Georgia Department of Transportation (GDOT) and Federal Transit Administration (FTA) for final approval; and

c. Authorize the Mayor and appropriate staff to execute the resulting Public Transit Agency Safety plan document.

HISTORY:

1. On July 19, 2018, FTA published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires operators of public transportation systems that receive federal funds under FTA's Urbanized Are Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

2. On July 19, 2019, the PTASP Final Rule became effective and transit systems nationwide were given until July 20, 2020 to develop and implement a PTASP.

3. In August of 2019, GDOT Office of Intermodal Programs offered to help develop a PTASP template that would meet FTA requirements for all the small transit systems in the state.

4. In January 2020, ACCGov Transit Department staff met with GDOT and, in coordination with the other small transit systems from across the state, helped develop a FTA-compliant overall state-wide PTASP plan. Each agency then worked with GDOT staff to customize the plan for their respective transit system. Because of this, the PTASP cannot be amended or changed by M&C.

5. On April 22, 2020, FTA published a Notice of Enforcement Discretion effectively extending the PTASP compliance deadline from July 20, 2020 to December 31, 2020.

6. On May 21, 2020, ACCGov Transit Department staff received the customized FTA-compliant draft PTASP from GDOT.

7. On July 7, 2020, Mayor and Commission approved the ACCGov Transit Department Public Transit Agency Safety Plan update as required by the FTA.

8. On October 22, 2021, Mayor and Commission approved the annual updates required by FTA compliance for all sub-recipients in receipt of federal funding.

FACTS & ISSUES:

1. The FTA requires all recipients and sub-recipients of FTA funding to submit an annual safety plan. ACCGov is a sub-recipient of FTA Urbanized Area Formula Program and 5339 funding.

2. A PTASP is required for ACCGov to remain eligible and compliant with FTA funding requirements.

3. In collaboration with GDOT, ACCGov Transit has developed a PTASP (**Attachment # 1)** which meets FTA compliance standards. The plan includes all FTA-identified safety performance targets.

4. Transit operators must certify they have a safety plan in place which meets the noted requirements of the PTASP Final Rule by December 31, 2022.

5. The PTASP must be reviewed and updated annually by ACCGov Transit and approved by the M&C, GDOT and the FTA. The following updates were implemented in October of 2021:
   - 3.2 Hazard Identification Safety observations; Driver protective barriers;
   - 5.1 Safety Training – Conflict Resolution & De-escalating;
   - 5.1 Safety Training -Pandemic Plan and implementation.

6. The following updates were incorporated into the 2022 ACCGov Transit Safety Plan:
   - Annual Crisis Prevention Training;

- Key Performance Indicators Assessment;
- Tracking safety-related incidents;
- Addressing lighting in or adjacent to public transit facilities;
- Increased camera surveillance near public transit facilities; and
- Emergency telephone lines in or adjacent to a public transit facility.

7. This recommendation supports the following Mayor and Commission Strategic Plan:
    - Safely move around Athens

OPTIONS:

1. Mayor and Commission:
    a. Approve the Unified Government of Athens-Clarke County (ACCGov) Transit Department's Public Transit Agency Safety Plan (**Attachment # 1**);

    b. Authorize the submission of the ACCGov Transit Department's Public Transit Agency Safety Plan to the Georgia Department of Transportation (GDOT) and Federal Transit Administration (FTA) for final approval; and

    c. Authorize the Mayor and appropriate staff to execute the resulting Public Transit Agency Safety plan document.

2. Mayor and Commission decline to approve the required PTASP.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT:

Prepared by: Alexis Crayton



ACCGov Transit Director

09/13/2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1: Transit Safety Plan 2022

ATHENS-CLARKE COUNTY TRANSIT DEPARTMENT

SAFETY PLAN

OCTOBER 17, 2022

TRANSIT

AUTHORIZATIONS

Moving Ahead for Progress in the 21st Century (MAP-21) and the Fixing America's Surface Transportation Act (FAST) granted the Federal Transit Administration (FTA) the authority to establish and enforce a comprehensive framework to oversee the safety of transit bus systems throughout the United States. On July 19, 2018, the FTA promulgated its final rule 49 C.F.R. Part 673 - Public Transportation Agency Safety Plan (PTASP) which requires recipients of FTA Chapter 5307 funds to develop and implement a safety plan based on Safety Management Systems (SMS) principles and methods.

Athens-Clarke County Transit Department (ACCTD) establishes this Safety Plan as our agency's commitment to system safety and the principles of SMS. The objectives of our plan are to:

- Increase the safety of transit systems by proactively identifying, assessing and controlling risks;
- Continually improve safety performance;
- Improve the commitment of transit leadership to safety; and
- Foster a culture of safety awareness and responsiveness.

ACCTD is committed to implementing a systematic and comprehensive safety program. Leadership will visibly demonstrate its commitment to safety by monitoring hazards, enforcing and supporting safety programs, and promoting an open and transparent environment to discuss and address safety issues.

This Safety Plan was developed by the Georgia Department of Transportation (GDOT), and ACCTD has adopted it to comply with FTA Part 673 requirements. The Athens-Clarke County Commission, Transit Director, and Chief Safety Officer have reviewed and approved this Safety Plan and assure that its contents meet the requirements of Regulation 49 CFR Part 673 through the establishment of a comprehensive SMS framework.

This Safety Plan will be distributed to all transit employees and will be reviewed and updated annually.

• APPROVED BY	DATE
Ryan Solchenberger RYAN SOLCHENBERGER ACCGOV TRANSIT DIRECTOR	OCTOBER 17, 2022

REVISION RECORD				
REVISION #	**REVIEW DATE**	**REVIEWER**	**REVISION DATE**	**APPROVED BY**
1	_/_/21			
2	10/17/22	RYAN SOLCHENBERGER	10/17/2022	RYAN SOLCHENBERGER
3	_/_/23			
4	_/_/24			

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DEFINITIONS

Accident: An event that involves any of the following – loss of life; a report of a serious injury to a person; a collision of a public transit vehicle; an evacuation for life safety reasons at any location, at any time, whatever the cause.

Accountable Executive: A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the Agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the Agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the Agency's Transit Asset Management Plan in accordance with 49 U.S.C. § 5326.

Chief Safety Officer: Means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Event: Means any accident, incident, or occurrence.

Hazard: A condition that has the potential to cause injury, illness, death, or property damage.

Fatality: A death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes; a death due to, Collision (including suicides), Fire, Hazardous material spill, Acts of God, System or personal security event (including suicides), and Other safety events.

Hazard Likelihood: Probability of a hazard consequence to occur.

Hazard Severity: The effect/damaging result of a hazards consequence.

Incident: An event that involves any of the following – a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Injury: Any damage or harm to persons that requires immediate medical attention away from the scene because of a reportable event. Agencies must report each person transported away from the scene for medical attention as an injury, whether or not the person appears to be injured.

Occurrence: An event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Performance target: A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration.

Reportable: An event occurring on transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle, excluding occupational safety events occurring in administrative buildings.

Risk: An assessed probability and severity calculation to classify the overall potential consequences of a hazard.

Safety Assurance: A list of defined safety performance indicators for reach priority risk and associated targets the Agency will use to determine if it is achieving the specified safety goals.

Safety Events: Include but are not limited to collisions, fires, hazardous material spills, slips, trips, falls, smoke, power failure, maintenance-related issues, or electric shock. To be reported as a major event, these events must **either** meet the fatality, evacuation, or property damage threshold **or** result in two or more injured persons. Other Safety Events that cause only one person to be immediately transported from the scene for medical attention, and that do not trigger any other reporting threshold, are reported on the Non-Major Monthly Summary Report form. The FTA includes Other Safety Events that occur in a transit maintenance facility and meet a reporting threshold but continues to exclude occupational safety events occurring in administrative buildings.

Safety Performance Target: A performance target related to safety management activities.

Serious injury: Any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second or third degree burns, or any burns affecting more than 5 percent of the body surface.

Acronyms:

ADA	Americans with Disabilities Act
ACCTD	Athens-Clarke County Transit System
CAP	Corrective Action Plan
CEO	Chief Executive Officer
CSO	Chief Safety Officer
FAST	Fixing America's Surface Transportation Act
FTA	Federal Transit Administration
FY	Fiscal Year
GDOT	Georgia Department of Transportation
HR	Human Resources
KPI	Key Performance Indicator
MACORTS	Madison Athens-Clarke Oconee Regional Transportation Study
MAP-21	Moving Ahead for Progress in the 21st Century
MILSTD	Military Standard
MPO	Metropolitan Planning Organization
NPTSP	National Public Transportation Safety Plan
NTD	National Transit Database
NTSB	National Transportation Safety Board
PHA	Preliminary Hazard Assessment
PM	Preventative Maintenance
PPE	Personal Protective Equipment
PTASP	Public Transportation Agency Safety Plan
SMS	Safety Management System
TAM	Transit Asset Management
UGA	University of Georgia
UPT	Unlinked Passenger Trip
VRM	Vehicle Revenue Mile

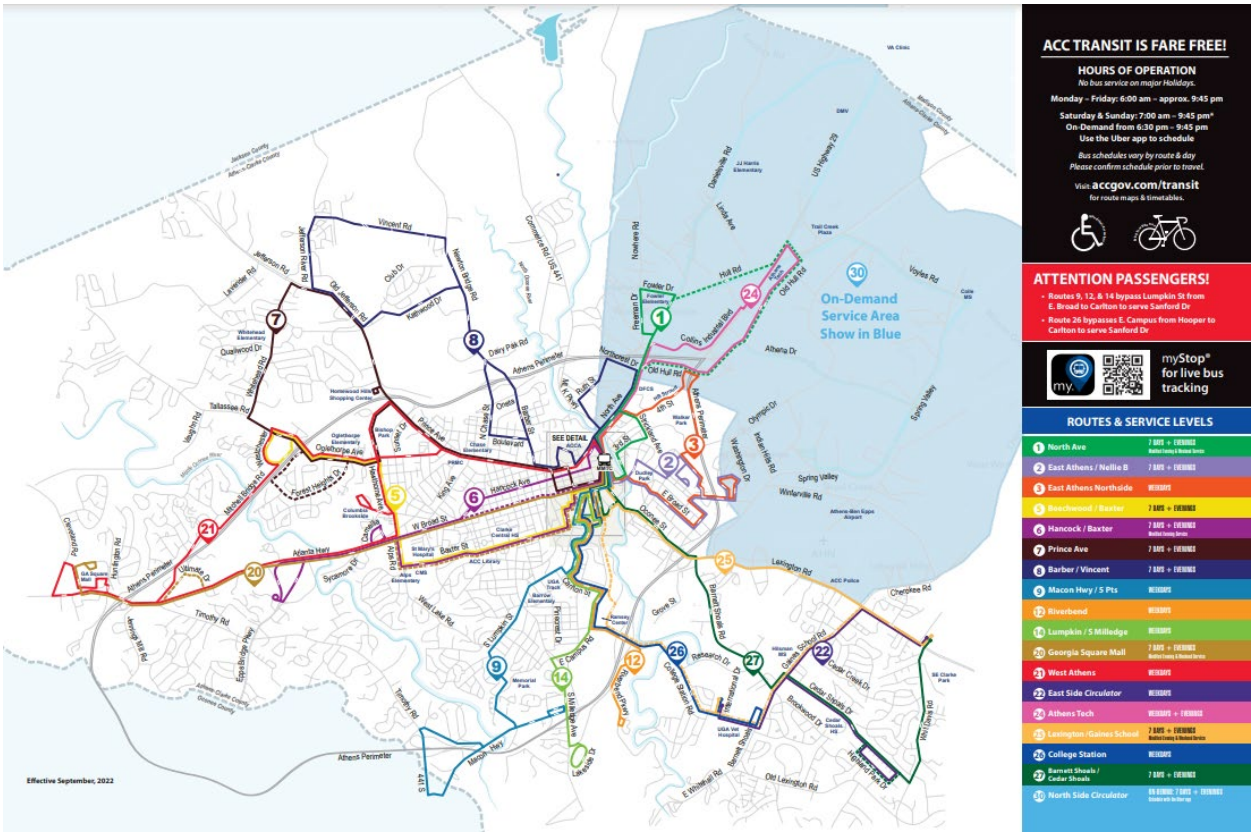
1. Transit Agency Information

Athens-Clarke County Transit System (ACCTD) serves the general population of Athens-Clarke County and coordinates with the University of Georgia (UGA) transit System. ACCTD operates 20 bus routes throughout the city and UGA campus. Service runs seven days a week, from 6:00 AM to 10:00 PM on weekdays and 7:00 AM to 10:00 PM on weekends, offering numerous connections with UGA Campus Transit. Routes serving the campus offer reduced levels of service during summer and other times when demand for university-based trips are reduced. ACCTD also operates a Park-and-Ride lot serviced by an express bus and Americans with Disabilities Act (ADA) compliant Paratransit service.

Transit Agency Name	Athens-Clarke County Transit System			
Transit Agency Address	775 East Broad Street Athens, GA 30601			
Accountable Executive (Name and Title)	Ryan Solchenberger, Transit Director			
Chief Safety Officer (Name and Title)	Vacant			
Mode(s) of Service Provided (e.g., Fixed Route, Demand Response, ADA Paratransit, etc.)	Fixed Route, Demand Response ADA Paratransit, Deviated Fixed Route	**List All FTA Funding Types** (e.g., 5307, 5310, 5311)	5307, 5339	
Vehicles Operated in Maximum Service, by Mode	Fixed Route 22 Deviated-Fixed Route 1	ADA Paratransit 3		
Mode(s) of Service Contracted Out to Third Party Operators (TPOs)	Not Applicable			
Name of Third Party Operator (if applicable) and contact person	Not Applicable			
Does the agency provide transit services on behalf of another transit agency or entity?	Yes ☐	No ☒	**Description of Arrangement(s)**	Not Applicable

Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided	Not Applicable	
Are any transit employees represented by a Labor Union? If so please describe.	Not Applicable	
No. of Fixed Bus Routes:		
Annual Vehicle Revenue Miles (VRM)	Fixed Route Bus VRM	Demand Response/Paratansit VRM
	958,483	60,391
Annual Unlinked Passenger Trips (UPT)	Fixed Route Bus UPT	Demand Response/Paratansit UPT
	1,241,010	7,003

Figure 1 – Athens-Clarke County Transit System Map



2. Safety Management

2.1 Safety Management Policy

The Athens Clarke County Government Transit Department (ACCGov Transit) strives to provide safe and secure transportation for the public and our employees. Starting with the Transit Director, all ACCGov Transit employees are accountable for creating and maintain a safe workplace and transit system. Each ACCGov Transit employee is trained on the safe use of workplace equipment, tools and personal protective equipment (PPE), as well as how to handle unexpected incidents they might encounter from day-to-day.

ACCGov Transit is committed to:

- Supporting an organizational culture that prioritizes safety, including: management responsiveness to reported safety concerns, encourages employees to report potentially unsafe workplace conditions and/or practices, and continual messaging and training so that safety awareness is top-of-mind.

- Integrating the management of safety as a primary responsibility of all managers and employees, including contractors;

- Defining and communicating safety expectations and accountabilities for all staff and how individual efforts contribute to the ACCGov Transit safety plan;

- Establishing and implementing a safety program that emphasizes preventability, so all team members understand that safe practices can prevent unsafe conditions;

- Ensuring protections for any employee who discloses a safety concern through the employee safety reporting program;

- Complying with the expectations of legislative and regulatory requirements and standards;

- Ensuring all staff are provided PPE and trained in its use;

- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, and employees;

- Establishing and measuring our safety performance against realistic and data-driven safety performance indicators and safety performance targets;

- Continually improving our safety performance with a focus on preventability, that ensures appropriate safety management actions are taken and are effective; and

- Ensuring externally supplied systems and services to support our operations comply with ACCGov Transit safety performance standards.

This agency Safety Plan describes our safety efforts and programs, and through our thorough implementation of such efforts and programs we explicitly show our commitment to system safety based on SMS principles, as per 49 CFR Part 673.

2.2 Employee Safety Reporting

Employees are required to embrace ACCGov Transit's safety goals and objectives and are encouraged to report safety concerns, issues or hazards. Executive management has established a safety reporting process for employees to voice their safety concerns without fear of retribution or blame. All frontline personnel will be responsible for utilizing this program as necessary. Our employees (including contractors) have a duty to report any unsafe condition to their supervisor, manager, or the Chief Safety Officer. Unsafe conditions may include issues with policies, procedures, physical conditions, events, information about an issue, among others. All violations of agency safety rules or procedures (including regulatory requirements of the agency) may result in disciplinary action. No action will be taken against any employee who communicates a safety condition through our reporting program unless such disclosure indicates an illegal act, gross misconduct or negligence, or a deliberate or willful disregard of our rules, policies and procedures. Once actions to remediate a safety violation have been determined, they shall be communicated throughout the organization and carried out.

2.3 Safety Management Policy Communication

ACCTD staff are informed of their responsibilities related to safety and the requirements of our Safety Plan during onboarding. Communicating the purpose and benefits of this Safety Plan and SMS principles among executive and senior management, supervisors and frontline staff are the most important jobs of all of our employees. All employees understand their respective safety roles and obligations and in identifying and assessing safety risks in the workplace and in agency operations. Fostering and reinforcing these obligations through regular agency-wide communications and programs are critical functions of senior management and the Chief Safety Officer, including but not limited to:

- Safety meetings;
- Operator meetings with supervisors and managers;
- Newsletters;
- Safety bulletins;
- Safety emails and text message alerts;
- Radio supervisor communication with operators;
- One-on-one communication between supervisors and frontline employees;
- Meetings with contractors;
- Committee meetings; and
- Safety campaigns.

2.4 Safety Responsibilities

The purpose of our Safety Plan is to maintain a formal safety program and establish a coordinated safety effort responsive to the needs of the operating, maintenance and support departments. All personnel and contractors must work toward the common goal of preventing customer and employee accidents and incidents.

The following personnel provide leadership and management of ACCGov Transit's Safety Plan:

Accountable Executive – Transit Director (Ryan Solchenberger, current incumbent)

- Establishes and sets an organizational example for safety objectives and goals;
- Directs human resources;
- Manages agency finances;
- Oversees operations and maintenance programs;
- Promotes and communicates safety policy and programs;
- Participates in regular meetings with key staff to understand the status of safety programs and data; and
- Ultimately holds responsibility for all agency safety outcomes.

Chief Safety Officer (CSO) – Assistant Transit Director (vacant)

- Designated by the Transit Director to manage and implement the Safety Plan throughout the agency;
- Regularly reports to the Transit Director to provide status reports on ATS' safety program implementation;
- Manages the employee safety reporting program;
- Chairs safety meetings with operations and maintenance;
- Participates in formal safety-related meetings with the FTA and GDOT;
- Reports Safety Performance Measures/Targets to the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Metropolitan Planning Organization (MPO);
- Develops and implements safety policies, procedures, and programs;
- Supervises and oversees work of assigned safety staff, conducts performance reviews with staff, and initiates appropriate actions related to such;
- Directs the hazard management process and provides notification of reportable accidents, incidents and hazardous conditions;
- Investigates employee and vehicle accidents/incidents and injuries;
- Focuses on incident preventability to reduce accidents and injuries;
- Conducts inspections and researches safety codes, standards, and regulations;
- Compiles and analyzes health and safety statistics; produces reports, records, documents, and manifests; accesses and updates database files;
- Coordinates staff safety meetings and attends meetings, conferences and group functions related to safety;
- Develops and conducts training sessions relating to safety issues;
- Identifies health and safety concerns, analyzes reports and information, develops programs for accident/injury prevention, and submits recommendations to reduce frequency of accidents;
- Develops departmental and organizational Key Performance Indicators (KPI); and
- Conducts risk identification, evaluation, control, funding, and administration.

The CSO has a direct line of reporting to the Transit Director.

Other ACCGov Transit staff who are responsible for implementation of ACCGov Transit's safety plan:

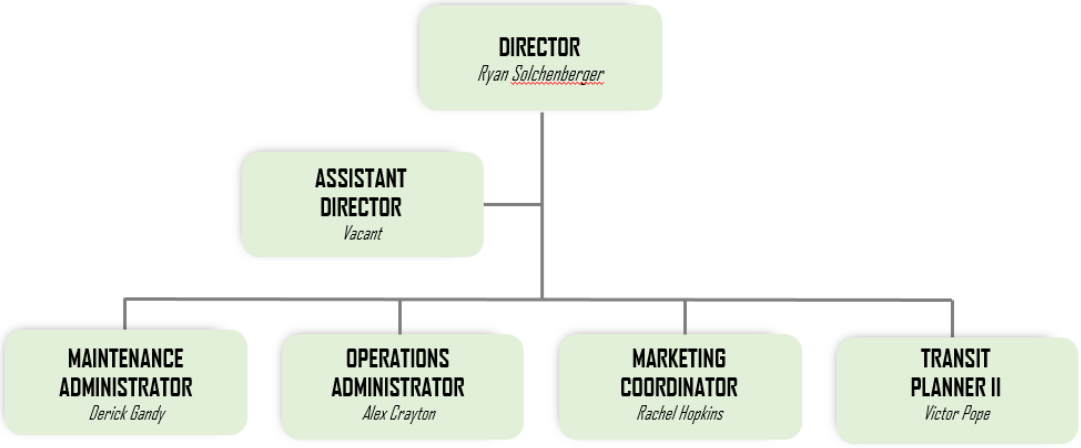
- Transit Maintenance Administrator – This position reports to the CSO and is responsible for maintenance of the ACCGov Transit buses, paratransit vehicles, and staff who work in the maintenance facility, as well as any visitors; and

- Operations Administrator – This position reports to the CSO and is responsible for the risk management, insurance and safety oversight functions.

The applicable ACCGov Transit Organization Chart, can be found in **Figure 2**.

Figure 2 – Athens-Clarke County Transit Department Organization Chart

(Maintenance, Operations, Administration)



2.5 Safety Committee

The CSO will convene monthly meetings of the Safety Committee to discuss safety program issues, safety data/performance indicators, Safety and Transit Asset Management (TAM) Plan updates, among various other issues that pertain to overall agency safety matters. The Safety Committee is an executive-level function that will at minimum include the Transit Director, key representatives from Operations and Maintenance, and will be chaired by the CSO. The objectives of regular meetings of the Safety Committee are to ensure that the Transit Director is well-versed in the implementation of the Safety Plan, KPI, and other important data, and that executive-level staff have a regular forum to discuss pertinent safety issues and policy.

3. Safety Risk Management

3.1 Hazard Management Program

ACCGov Transit develops plans and actions that emphasize the prevention of incidents. This Safety Plan and its programs must be effective in identifying and minimizing hazards in the operational environment. All operations must be viewed from a systems perspective in that the safety-critical functions of one group may impact those of one or more others. The emphasis on system safety is meant to clearly illustrate how individual actions may impact the entire transit system. As such, our hazard management program involves a multi-disciplinary review process that is managed by the Safety Committee and directed by the CSO. There are three basic objectives:

- Hazard identification;
- Hazard assessment; and
- Hazard resolution.

3.2 Hazard Identification

Hazard identification is a core element of the Safety Plan that emphasizes preventing unsafe conditions from developing and quickly correcting any identified unsafe conditions. ACCGov Transit's risk management program includes the following practices:

- Employee safety reporting;
- Driver, dispatcher, supervisory and maintenance performance information;
- Rules compliance checks;
- ADA compliance reviews;
- Asset conditions assessments;
- Camera and event recorder reviews;
- Environmental information;
- Safety observations; Driver protective barriers
- Pre- and post-trip inspections;
- Vehicle, facility and equipment inspections;
- Internal safety investigations;
- Fitness for duty checks;
- Accident reports;
- Compliance programs;
- Safety Committee reviews; and
- Public feedback/complaints
- Annual Crisis Prevention Training.
- KPI assessment;
- Tracking safety related incidents;
- Lighting in/adjacent to public transit facilities;
- Increased camera surveillance in/adjacent to a public transit facilities;
- Emergency telephone lines in/adjacent to public transit facilities.

ACCGov Transit emphasizes the timely identification and correction of unsafe conditions, anticipated and reconciled before serious accident, injury, or damage occurs. To ensure we provide as safe and reliable transportation services as possible, we have established a process by which hazards are identified, analyzed for potential impact on the operating system, and resolved in a manner acceptable to management and applicable regulatory agencies. All management, staff, contractors, and suppliers are required to comply with ACCGov Transit's safety requirements. Hazards which cannot be eliminated with design mitigations which include the implementation of safety warning devices are usually addressed by training, and/or written procedures to prevent mishaps. Most hazards are identified in the field, reported, entered in reports, and are addressed by the responsible departments through routine corrective measures that do not require special attention. In addition, the Safety and Risk Division of the Athens-Clarke County Unified Government conducts reviews of incidents to help identify risks.

Hazards can be identified through a host of sources ranging from daily experience (accidents, incidents or safety concerns), gathered data, information submitted by patrons, to detailed analyses and assessments of existing conditions, among others. Once hazard causes, consequences, and likelihood of occurrence have been assessed, priorities for resolution can be established. The risks associated with hazards are accepted, minimized, controlled or identified for future remedy. Safety efforts must, however, continue to ensure that the implementation of hazard remedies do not create new safety concerns.

3.3 Hazard Assessment

Hazard assessments shall include specific inputs, reviews, and comments from any department and personnel, as necessary. To categorize the severity of a hazard, the likely effects on passengers, employees, general public and equipment must be established. Hazard severity ratings are based on categories from Military Standard 882E (MILSTD-882E) and require system key agency stakeholders to make subjective determinations of the worst case that could be anticipated to result from design inadequacies, human error, component failure or malfunction. Hazard severity categories are defined to provide a qualitative measure of the worst credible mishap from resulting from personnel error, environmental conditions, design inadequacies, and procedural deficiencies for a system, subsystem or component failure or malfunction. **Table 1** below summarizes the hazard severity categories. It reflects the principle that not all hazards pose an equal amount of risk to personnel safety.

Table 1 – Hazard Severity

Severity Level	People	Equipment/Services	Financial	Reputational
1: Catastrophic	Several deaths and/or numerous severe injuries (per event)	Total loss of equipment or system interruption, requiring months to repair	Estimated loss in excess of $5 million	Ongoing media coverage, irreparable reputational damage, government intervention (weeks-months)
2: Critical	Low number of deaths and/or severe injuries (per event)	Significant loss of equipment or system interruption, requiring weeks to repair	Estimated loss in the range of $500,000 to $5 million	Prolonged media campaign, serious reputational damage, sustained government involvement (days-weeks)
3: Major	Minor injury and possible serious injury (per event)	Some loss of equipment or system interruption, requiring 7 days or less to repair	Estimated loss in the range of $50,000 to $500,000	Adverse media coverage, reputational damage, government involvement
4: Marginal	Possible minor injury (per event)	Some loss of equipment, no system interruption, less than 24 hours to repair	Estimated loss in the range of $1000 to $49,999	Local media coverage and some reputational damage
5: Insignificant	No injury	Minor damage to equipment, no system interruption, no immediate repair necessary	Estimated loss is likely less than $1000	No adverse media or reputational damage

The likelihood that a hazard will occur during the planned life expectancy of a system element, subsystem, component or daily operational function can be described subjectively in potential occurrences per unit time, event, population, items or activity. A qualitative hazard likelihood may be derived from research, analysis, and evaluation of historical safety data or a similar system. The CSO, departmental managers, or the Safety Committee can assign a probability rating to a particular event or a specific hazard. Supporting rationale for assigning a hazard likelihood is documented in hazard analysis reports, memos, or minutes from meetings. The assessment of the probability of hazard occurrence will consider specific system operations based on the current system configuration. Hazard frequency levels to be considered are shown in **Table 2** below.

Table 2 – Hazard Likelihood

Likelihood	Specific Item	Fleet / Inventory	Frequency
A: Frequent	Likely to occur frequently in the life of an item	Continuously experienced	26 or more events in a year
B: Probable	Occurs often in the life of an item	Occurs frequently in the system	13 to 25 events in a year
C: Occasional	Likely to occur sometime in the life of an item	Will occur several times	6 to 12 events in one year, or less than 24 events in 5 years
D: Remote	Unlikely but possible to occur in the life of an item	Unlikely, but can be expected to occur	1 to 5 events in one year or less than 10 events in 10 years
E: Improbable	Unlikely to occur but possible	Unlikely to occur, but possible	1 event in 25 years
F: Eliminated	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated.		

The Hazard Risk Index (**Table 3**) combines hazard categories, severity, and likelihood to constitute a chart to assist in the evaluation of specific hazards and their associated levels of risk.

Table 3 – Hazard Risk Index

Hazard Categories					
Frequency	**1:** Catastrophic	**2:** Critical	**3:** Major	**4:** Marginal	**5:** Insignificant
A: Frequent	**1A**	**2A**	**3A**	**4A**	**5A**
B: Probable	**1B**	**2B**	**3B**	**4B**	**5B**
C: Occasional	**1C**	**2C**	**3C**	**4C**	**5C**
D: Remote	**1D**	**2D**	**3D**	**4D**	**5D**
E: Improbable	**1E**	**2E**	**3E**	**4E**	**5E**
F: Eliminated					

Hazard Risk Index	Risk Decision Criteria
Unacceptable	Hazard must be mitigated
Undesirable	Requires acceptance from management
Acceptable with Review	Hazard may be accepted with management review
Acceptable	Risk level is acceptable
Eliminated	No hazard remains

3.4 Hazard Resolution

ACCGov Transit will take appropriate corrective action after assessing potential risks. As per the process above, a risk may be eliminated by focusing on the preventability of safety incidents. The CSO and Safety Committee may utilize accident/incident data over time to discuss the hazards of vehicle rear-endings and evaluate the type, severity and probability of these accidents, and mitigation measures to prevent these mishaps in the future. Such mitigations may include new standard operating procedures, policies, additional training requirements, public awareness campaigns, or even vehicle design changes.

This methodology may be applied for the analysis of risks of day-to-day operations as well as for preliminary hazard assessments (PHA) when designing new system infrastructure. During the safety certification process to develop system expansions, identified hazards can be addressed by designing system elements for minimum risk, and/or incorporating safety and warning devices.

3.5 Hazard Tracking

Complex hazards may require the use of an incident tracking system which may consist of the following information:

- Assigned hazard number;
- Date hazard identified;
- Hazard title;
- Hazard description;
- Sources from which the hazard was identified;
- The element of operation affected by the hazard;
- Initial hazard classification;
- Current hazard classification; and
- Corrective Action Plan (CAP).

The hazard tracking system is updated regularly until the hazard CAP has been closed out. All captured data is analyzed for trends to ensure future safety risks/hazards can be mitigated and/or eliminated.

4. Safety Assurance

The purpose of Safety Assurance is to evaluate the overall effectiveness of the Safety Risk Management program. The ACCGov Transit Director and CSO are responsible for monitoring and evaluating day-to-day operations to ensure that:

- Emerging risks are identified;
- ACCGov Transit is in compliance with regulations applicable to the safety plan;
- The safety plan meets program goals.

Safety Assurance programs provide important feedback and data into the Safety Risk Management process and vice versa to promote safer operations. Through Safety Risk Management and Safety Assurance activities, ACCGov Transit will evaluate the adequacy of procedures, processes, personnel performance, our data collected, and compliance with procedures and programs.

4.1 Safety Performance Monitoring and Measurement

The ACCGov Transit Director has final accountability for operating a safe transit system. Each employee is required to carry out specific system safety responsibilities in compliance with their job specifications, agency rules and regulations and this safety plan. Each department generates its own performance data used for the detection of trends or problems in operations and maintenance prior to the development of a major safety concern. The ACCGov Transit Director and CSO are responsible for ensuring compliance with the safety plan in several functional areas:

- Fleet operations;
- Road supervision;
- Fleet maintenance;
- Drug and Alcohol Program;
- TAM;
- Resource planning;
- Internal operations reviews;
- Accident/incident investigations and other means to determine causal factors;
- Contractor safety efforts;
- Data collection and analysis;
- Security activities.

It is the task of the CSO to monitor and measure the safety performance of operations through data provided from the various departments and report to the Transit Director and Safety Committee periodically. Using collected data and assessing trends, we develop minimum performance standards to meet agency safety targets and goals. From there, we may create KPI that show us whether or not we are achieving our safety targets and goals. Selected data is accumulated and analyzed for ongoing trending and performance measurement, including fatalities, injuries to passengers and/or personnel, system reliability, and other safety related events. This data comes from various sources including, but not limited to:

- Event reports;
- Observations of operations reports;
- Internal and external inspection, survey, and audit reports;
- Safety suggestions from employees and customers;
- Historical knowledge;
- Seasonal events and effects;
- Environmental considerations;
- New equipment or facility deployments;
- Fleet issues;
- Process reviews and audits;
- Training efforts;
- Peer reviews.

Monitoring and measurement of our safety assurance program establishes a baseline which we can use to compare criteria and conditions at other specific points in time. Once a baseline is established through monitoring and measurement, data can be used as criteria in evaluating operations to reduce risk and overall safety objective/goal achievement. Ongoing monitoring is built into our operations, performed continually, and responsive to change. Ongoing monitoring includes regular management and supervisory activities, comparisons, reconciliations, and other routine actions.

4.2 Safety Performance Measures and Targets

Among the various KPI that we use are the four performance measures that are required by the National Public Transportation Safety Plan (NPTSP): Fatalities, Injuries, Safety Events and System Reliability, as defined below:

- Fatalities – Total number of reportable[1] fatalities and rate per total vehicle revenue miles (VRM), by mode;
- Injuries – Total number of reportable injuries and rate per total VRM by mode;
- Safety Events – Total number of reportable events and rate per total VRM, by mode; and
- System Reliability – Mean (or average) distance between major mechanical failures (MDBF) by mode.

These safety performance measures are based on data submitted to the National Transit Database (NTD). Our annual performance targets for these measures for FY 2022 are as below on Error! Reference source not found.. These safety performance targets will be shared with MACORTS to aid in the planning process. ATS will coordinate with the GDOT and MACORTS in the selection of State and MPO safety performance targets as requested.

[1] The thresholds for “reportable” fatalities, injuries, and events are defined in the NTD Safety and Security Reporting Manual.

Table 4 – FY 2022 Safety Performance Measures and Targets

Mode of Transit Service	Fatalities (total)	Fatalities (per 100,000 VRM)	Injuries (total)	Injuries (per 100,000 VRM)	Safety Events (Total)	Safety Events (per 100,000)	System Reliability (VRM/Failures)
Fixed Route Bus	0	0	0	0.0	0	0	5,645
Demand Response ADA Paratransit	0	0	0	0	0	0	56,384

5. Safety Promotion

Safety promotion fosters a positive safety culture and improves safety performance by increasing safety awareness through training and communication. Appropriate training for all employees regardless of their position within the agency provides knowledge for a successful safety program. Through communication of lessons learned and safety performance data, employees are made aware of safety priorities and concerns as they relate to their individual job tasks and the entire organization.

5.1 Safety Training

All new and existing employees undergo Safety Plan familiarization training. Employees at all levels of the agency need to understand 1) what the Safety Plan is, 2) how it supports the agency's mission, and 3) what their specific individual Safety Plan responsibilities are. This core element of our comprehensive safety training program applies to all ATS employees directly responsible for safety, including:

- Transit Director and CSO;
- Bus operators;
- Dispatchers;
- Maintenance technicians;
- Managers and supervisors.

Our safety training programs include, but are not limited to, the following:

- New Hire Orientation
    - Drug and Alcohol Free Workplace;
    - Worker's Compensation and Safety & Risk Accident/Injury Procedures;
    - Class C Operator Fuel Site Training for Georgia Environmental Protection Division;
- ACC/ACCTD Cell Phone Policy (revised);
- MGR-004 Safe Driving Policy 2010/Hands-Free Law Acknowledgement;
- Athens Transit Policy and Procedure Handbook;
    - Health and Safety;
    - Pre-Trip;
    - Proper Use of Vehicle;
    - Communications;
    - Operator Requirements for Disabled Passengers;
    - Safety;
    - Emergencies;
    - Severe and Inclement Weather;
    - Passenger Injuries Report ;
    - Breakdowns;
    - Service Reports;
    - Preventable Accidents;
    - Disciplinary Action for Preventable Accidents;
    - Violations Subject to Immediate Discharge;
    - Accident Review-ACC;

- Bus Operator Training Agenda;
    - Drug and Alcohol Policy;
    - Manual Lift Operations;
    - Proper Wheelchair Security;
    - Defensive Driving;
    - Supervised Behind the Wheel Coaching;
    - Accident Procedures Test;
    - Conflict Resolution and Deescalating
- Safety, Security and Emergency Preparedness Protocols, including:
    - Serious Transit Vehicle Accident/Incident;
    - Transit Vehicle Fire;
    - Suspicious Item on Transit Vehicle;
    - Suspicious Item on or Near Transit Facility;
    - Dangerous Person(s) on Transit Vehicle;
    - Dangerous Person(s) on Transit Property;
    - Shooter or Hostage Situation on Transit Vehicle;
    - Community Evacuation;
    - Transit System Shutdown;
    - Pandemic Plan and implementation
- Inclement Weather Service Plan Route;
- Maintenance Department Plan Policies & Procedures;
    - Reporting Body Damage Procedures;
    - Vehicle Accident & on the Job Injury Procedures;
    - Cold Weather Procedures;
    - Preventative Maintenance (PM) Inspection Procedures;
    - Bus PM Schedule;
    - Demand Response PM Procedures;
    - Service Vehicle Fleet PM Procedures;
    - RTA and Fuelmaster Fueling Procedures;
    - Daily Maintenance Opening Procedures;
    - Daily Maintenance Closing Procedures;
    - Drivers Pre-Trip/Post-Trip Inspection Procedures;
    - Brake Inspection & Safety Inspection Procedures;
    - Road Call Procedures;
    - Safety Body Fluids and Blood Clean Up;
- Material Safety Data Sheet; and
- Monthly Mandatory Safety Meetings for Every Operator.

ACCTD has developed job specifications for all job classifications which require certain skills training in order for personnel to perform job functions safely. For certain positions this will include initial as well as refresher training. ATS maintains records of all employees upon hire and manages their progress through training, annual recertification and retraining if required.

5.2 Safety Communication

All employees, from the Transit Director to frontline personnel, shall communicate the virtues and requirements of our Safety Plan and program elements. Safety communication activities ensure that all employees and contractors are aware of the following goals and responsibilities:

- The observance of all agency standard operating procedures, policies, and plans;
- The need to systematically identify safety hazards, mitigate risk and reduce fatalities and injuries resulting from transit operations;
- The need to reduce the injury incidence rate by minimizing exposure to unsafe conditions and reducing hazardous employee behavior;
- Providing safe and efficient transit services by ensuring that all vehicles, equipment and facilities are regularly inspected, maintained and serviced as needed; and
- Achieving 100 percent of scheduled routine inspections, preventative and regular maintenance work is completed on time, and essential repairs addressed in a designated time.

Further, we encourage employees and contractors to be mindful of their safety responsibilities, and review various safety issues, recommendations, policies, etc. by various means which include but are not limited to:

- Employee Safety Reporting;
- Safety meetings;
- Operator meetings with supervisors and managers;
- Newsletters;
- Safety bulletins and memos to all staff;
- Safety emails;
- Text message alerts;
- Radio supervisor communication with operators;
- One-on-one communication between supervisors and frontline employees;
- Meetings with contractors;
- Committee meetings; and
- Safety campaigns.

A positive safety culture focuses on finding and correcting systemic issues rather than finding someone or something to blame. A positive safety culture flourishes in an environment of trust, encouraging error-reporting and discouraging covering up mistakes. The need to address behavior that is malicious or recklessly negligent must be balanced with the need for a just culture that is not excessively punitive. A positive safety culture goes beyond simply adhering to procedures. It is demonstrated when employees carry out their duties correctly, with alertness, full knowledge, sound judgment, and a sense of accountability.

6. Annual Update Process

The CSO will review and update this Safety Plan annually. The updated version of the Plan will be signed by the Transit Director and approved by the Athens-Clarke County Commission. The newly authorized version will be reissued to all transit personnel for their perusal and comprehension. Athens-Clarke County Transit Department will maintain all documents that are related to the implementation of this Safety Plan and results from SMS processes and activities. These documents will be made available upon request by the FTA or other related federal entity. All such documents will be maintained for a minimum of three years after they are created.

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Appendix A: PTASP Relationship to Other Federal Laws & Regulations

1. Public Transportation Safety Program Rule - 49 U.S.C. § 5329

The Public Transportation Safety Program Rule establishes substantive and procedural rules for FTA's administration of the Public Transportation Safety Program authorized by 49 U.S.C. § 5329. The rule establishes FTA's SMS approach to the development and implementation of the Safety Program. Further, it sets rules of practice for the FTA's enforcement authority and describes the contents of a National Public Transportation Safety Plan.

National Public Transportation Safety Plan (NPTSP) - section 5329(b)

Through the NPTSP, the FTA has adopted the principles and methods of SMS as the basis for enhancing the safety of public transportation in the United States. The NPTSP is a policy document, communications tool, and a repository of standards, guidance, best practices, tolls, technical assistance, and other resources.

This Safety Plan was written in accordance to the Public Transportation Safety Program Rule and the NPTSP.

2. Public Transportation Agency Safety Plan (PTASP) Rule - 49 CFR Part 673

The Federal Transit Administration (FTA) published a final rule for PTASP as authorized by the Moving Ahead for Progress in the 21st Century Act (MAP–21). This final rule requires States and certain operators of public transportation systems that receive Federal financial assistance under Urbanized Area Formula Program (49 U.S.C. § 5307) to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). Transit operators must certify they have a safety plan, meeting the requirements of the rule, in place by July 20, 2020.

3. Transit Asset Management (TAM) Rule - 49 CFR Part 625

The PTASP final rule applies to only Section 5307 recipients and sub-recipients, and the TAM rule applies to all operators of public transit. However, the two plans can support one another by providing useful data for agency use and NTD reporting. Pursuant to 49 C.F.R. Part 625, condition assessments were performed as part of safety risk management and safety assurance activities. The results of TAM condition assessments, and subsequent SMS analysis can help prioritize a transit agency's TAM Plan elements. Condition assessments help identify potential safety issues, which could undergo a safety risk assessment as part of safety risk management. Further, TAM data and analysis can also be used for performance monitoring and measurement as part of safety assurance. Results of safety risk assessments and safety performance monitoring and measurement can guide the prioritization of an asset for repair or replacement.

4. National Transit Database (NTD) Rule 49 U.S.C 5335(a)

Transit agency's receiving funding from the Urbanized Area Formula Program (5307) or Rural Formula Program (5311) are required to submit data to the NTD in uniform categories. Agencies submit reports to NTD each fiscal year. The PTASP rule and NTD reporting rule are related, as both rules require agencies to track data based on the same data points; fatalities, injuries and safety events per total revenue vehicle mile by mode, with the additional requirement of mean distance between major mechanical failures.

Appendix B: Approval by Governing Body

I hereby certify on behalf of the Athens Transit Department that on _____, 2022, the Athens-Clarke County Commission approved the enclosed Agency Safety Plan in accordance with 49 CFR 673.11(a)(1).

Signature of Authorized Official: _____

Printed Name and Title: __Kelly Girtz, Mayor__

Date: _____

Appendix C: GDOT Plan Certification

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Georgia Emergency Management Agency/Homeland Security Hazard Mitigation Grant Program

DATE: October 26, 2022

BUDGET INFORMATION:

REVENUES:	$5,400,000	Estimated GEMA/HS Grant Request (90% funding)
	$ 600,000	Estimated Replace and Upgrade Facilities and Equipment-WRF
	$6,000,000	Total Available for CCWRF Generator
EXPENSES:		
CAPITAL:	$6,000,000	Designated CCWRF Generator

FUNDING SOURCE: Georgia Emergency Management Agency/Homeland Security Grant and Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the submission of an application **(Attachment #1)** by the Unified Government of Athens-Clarke County (ACCGov) Public Utilities Department (PUD) for the Georgia Emergency Management Agency/Homeland Security Hazard Mitigation Grant Program;

b. Accept the grant funds, if awarded; and

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On July 1, 2008, the Mayor and Commission (M & C) approved an appropriation in the amount of $38,301,800 for the construction of the Cedar Creek Water Reclamation Facility (WRF).
2. On August 4, 2020, M&C approved the Service Delivery Plan (SDP) 2020 Update, Capital Improvements Element, which included Project #3-322: CCWRF Emergency Generator.
3. In March 2021, Cedar Creek WRF received the Water Reclamation Plant of the Year for 2020 from the Georgia Association of Water Professionals. This award demonstrates that the Cedar Creek WRF is considered the best wastewater facility, in its category, operated and maintained in the State of Georgia.

4. In April 2022, Cedar Creek WRF received its seventh Platinum Award for 12 years of continuous permit compliance.
5. On September 27, 2022, staff received notice that Georgia Emergency Management Agency/Homeland Security had published a call for Hazard Mitigation Grant Program projects, including but not limited to, emergency backup power and flood reduction projects.

FACTS & ISSUES:

1. The initial project cost estimate for SDP Project #3-322, CCWRF Emergency Generator, was approved for $6,000,000.
2. Key elements of this rehabilitation and replacement project include
    - Installation of emergency generator
    - Construction of new electrical building
    - Improved reliability of continuous operation with redundant power source
3. This Project Concept was originally approved by M&C as part of the SDP 2020 Update, but funding for the concept was dependent on available enterprise project funds.
4. Currently, the CCWRF does not have a generator that could provide full power during an emergency/loss of power event. Solar power at the CCWRF is not tied to the facility and cannot be used as a backup power source.
5. The proposed CCWRF Generator project aligns with the eligible projects, per the GEMA/HS Hazard Mitigation Grant Program:

    Projects may be of any nature that result in protection of life and property. All proposed projects meeting the above criteria will be considered. Projects that merely identify problems are not eligible. Although hazard mitigation encompasses every aspect of emergency management from preparedness to response to recovery, Congress's intent in creating this program was to fund projects that eliminate the need to prepare, respond, and recover from natural disasters, thereby reducing Federal expenditures on future disaster events.

    Examples of eligible projects include, but are not limited to:

    - *Warning systems with mitigation as an essential component.*
    - *Projects to promote the use of safe room designs in tornado prone areas.*
    - *Retrofitting methods such as elevation in place, structure relocation, structural reinforcement (wind and seismic), strapping of utilities, installation of storm shutters, tie downs, etc.;*
    - *Acquisition of property and/or relocation of homes, businesses, and public facilities;*

- *Development of State or local standards with implementation as an essential component;*
- *Structural hazard control or protection measures such as flood walls, detention basins and other storm drainage upgrades; and*
- *Generators that protect a critical facility.*

6. The Hazard Mitigation Grant supports projects that meet the following minimum eligible criteria:
    - Conforms to the State's Hazard Mitigation Plan;
    - Conforms to the requirements of Floodplain Management and Protection of Wetlands (44CFR Part 9, and Executive Orders 11988 and 11990);
    - Conforms to environmental regulations (44CFR part 10) and to the requirements of the National Environmental Policy Act and all other Federal, State, and local environmental regulations;
    - Addresses a repetitive hazard in the project area, or one that poses a significant risk to life and property, and provides a long term or permanent solution to reducing the threat from the hazard;
    - Is cost-effective (the reduced future damages discounted to present value should exceed the initial project cost);
    - Is the most practical and environmentally sound alternative after considering a range of options;
    - Projects must be located in communities that are in good standing in the National Flood Insurance Program (NFIP).
7. The Hazard Mitigation grant requires a minimum 10% match.
8. The Hazard Mitigation grant award notification is expected in September 2023.
9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure Goal, Strategy C: *Provide adequate funding for maintenance of existing and newly constructed infrastructure.*

OPTIONS:

1. Mayor and Commission:
    a. Approve the submission of an application **(Attachment #1)** by the Unified Government of Athens-Clarke County (ACCGov) Public Utilities Department (PUD) for the Georgia Emergency Management Agency/Homeland Security Hazard Mitigation Grant Program;
    b. Accept the grant funds, if awarded; and
    c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission submission and subsequent acceptance of the grant, if awarded.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Public Utilities

Prepared by: Hollis Terry IV

Hollis Terry IV — 10/26/2022

Hollis Terry IV — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c

Manager — November 9, 2022

Manager — Date:

ATTACHMENTS:

Attachment #1 – Grant Application

Assistance Requesting:
□FMA (Flood Mitigation Assistance)
□BRIC (Building Resilient and Infrastructure Communities)
□HMGP (Hazard Mitigation Grant Program)

If HMGP: FEMA-DR-#_____

Primary Community Lifeline Utilized:
□ Safety and Security □ Energy (power grid, fuel)
□ Food, Water, Shelter □ Communications
□ Health and Medical □Transportation
□Hazardous Material (HAZMAT)

Community Information:

□Conforms to State Mitigation Plan
□ Conforms to Local Mitigation Plan
□ State or Local Government □ Private Non-Profit
□ Project Pre-Identified in Local Plan
□ Declared County (HMGP only)

Community NFIP/CRS Status:

□NFIP Participating □ In Good Standing
□ Non-Participating □ CRS Community
CRS Community Score: _____

Building Codes:

□ Adopted the building codes consistent with the international codes?
Year of Building Code: _____
Building Code Name: _____

□ Building codes been assessed on the Building Code Effectiveness Grading Schedule?
BCEGS Score: _____

For state use only:

Date Pre-Application Received _____

State Reviewer_____ Signed_____ Date _____

This worksheet is for all Hazard Mitigation Assistance Grant Program "Generator for Critical Facility" proposals. Please complete ALL sections and provide the documents requested. If you require technical assistance with this worksheet, please contact the Hazard Mitigation Division at (404)-635-7522, gema-hazmitpoc@gema.ga.gov, or at 1-800 TRY-GEMA to have a Hazard Mitigation Program Specialist assigned to you.

A. Applicant Information

1. **Name of Applicant:** Athens-Clarke County Unified Government – Public Utilities Department

2. Applicant Type

□ **State Government** ■ **Local Government** □ **Private Non-Profit (HMGP Only)**

3. **Worksheet Prepared by:**

☐**Ms.** ☐**Mr.** ■**Mrs. First Name** _Sheridan_____ **Last Name** Soileau_____

Title Senior Water Resources Planner **Telephone** (706) 613-3470_____

Address (City, State, Zip): _124 East Hancock Avenue, Athens, GA 30601_____

E-mail address:
_sheridan.soileau@accgov.com_____

4. **Authorized Applicant Agent (**An individual authorized to sign financial and legal documents on behalf of the entity applying for funding (e.g., the Chairperson, Board of County Commissioners, or the County Manager, etc.).

☐**Ms.** ☐**Mr.** ☐**Mrs. First Name** _____**Last Name**_____

Title _____**Telephone** _____

Address (City, State, Zip): _____

E-mail address: _____

Signature: _____ **Date Submitted:** _____

B. Project Information/Mitigation Plan

1. **Project Title:** _Cedar Creek Water Reclamation Facility (WRF) Emergency Generator_____

2. **Project Summary: (**Describe in detail what you are proposing to do.)

Installation of a new emergency generator and main switch gear to intercept two utility feeds and connect to the generator. The generator will be used in the event of loss of electrical utility power feeds. The 1500 kW Diesel Fuel Generator Set will power the operations of the water reclamation facility including influent pumps, secondary clarification, aeration basin, UV disinfection, and associated equipment.

3. **Date of Hazard Mitigation Plan approval by FEMA:**

_____

This project must be identified in your Hazard Mitigation Plan. Provide a copy of the goal, objective, and action step that supports your project application. Please attach a letter of endorsement for the project from your County's Emergency Management Agency (EMA) Director

For each fixed generator, please complete sections I through VII in its entirety.

I. **Project Description: Fixed Generator for** Cedar Creek Water Reclamation Facility-

II. **History of Hazards (Waiting for report from GA Pwr)**

Provide a detailed power outage report for each critical facility which includes weather related events for as long as records are available. Indicate the cause of the power outage. **The examples in bold qualify as weather related events**.

Date	Time of Outage	Duration (Minutes)	Outage Type	Description
Mon. Feb. 16, 2015	**21:26:13 EST**	**623**	**Extreme Storm**	**Trees in Ice Storm**
Tue. Jan. 07, 2014	**17:41:34 EST**	**42**	**Lightning**	**Lines clear, fault on breaker**
Tue. Jan. 07, 2014	**06:37:00 EST**	**75**	**Equipment Fault**	**Cracked Insulator**
Thu. Dec. 19, 2013	**13:31:40 EST**	**47**	**Trees-Other**	**Lines down due to trees**

All information needs to be provided by a power company and have supporting documentation

III. **Fixed Generator Location**

1. **Name of facility, physical address (including city and zip code).**
   Cedar Creek Water Reclamation Facility 4100 Barnet Shoals Road, Athens, GA 30605

   Digital Latitude: 33.87620 **Digital Longitude:** -83.33167

   ***Digital Latitude and Digital Longitude coordinates need to be in Decimal Degrees. The coordinates should be for the fixed generator site not the facility.**

   Facility Year Built: 2011

2. **Will the location identified above include a concrete pad?** Yes
   a. **If yes, what are the dimensions (length, width, and depth) of ground disturbance associated with the concrete pad?**
      75’ L x 30’W x 10’D

3. **Flood Insurance Rate Map (FIRM) showing Generator Location**
   http://map.georgiadfirm.com/
   Attach a copy of the panel(s) from the FIRM.
   - ■ VE
   - ■ AE
   - ■ AO or AH*
   - ❑ A (no base flood elevation given) *
   - ■ B or X (shaded)
   - ■ C or X (unshaded)

   ***If located in the above zones with an asterisk, the fixed generator and transfer switch must be elevated to the 0.2% annual chance flood elevation.**

4. Map and Photographs of Generator Location

■ Include Google map with the fixed generator site clearly marked.
■ Provide high-resolution color photographs by email showing a front view, a side view, a back view and a street view of the structure with the fixed generator site clearly marked.

IV. Structure Information

1. Critical Facility Type:

☐ Police Station ☐ Fire Station ☐ Hospital ☐ Water Treatment Facility
■ Wastewater Treatment Facility ☐ EOC ☐ Other _____

2. Additional Data to Determine Cost Effectiveness

Name of current electrical power provider: _Georgia Power_____

Please include a power outage report for the critical facility which includes weather related events for as long as records are available, **refer to History of Hazards section.**

Power Outage Report Attached ☐Yes ☐ No

V. Facility and Value of Service Data

1. For Water or Wastewater Services

Number of customers served: _25,500_____

2. For Hospitals

Number of people served by this hospital: _____

What is the distance in miles between this hospital and the hospital that would treat these people in the event this hospital was inoperative? _____

Number of people normally served by the nearest hospital: _____

3. For Police Stations

Type of station:
☐ Metropolitan: Police stations that serve a principal city or urbanized area with a population of at least 50,000 inhabitants
☐ City (outside metropolitan area): the area served by the police station is a city outside of a metropolitan area
☐ Rural (nonmetropolitan): areas that are outside of the metropolitan area and composed of mostly unincorporated areas

Number of people served by this police station: _____

Number of police officers who work at this location: _____

How many police officers would serve the same area if the station were shut down due to a disaster? _____

4. For Fire Stations

Type of area served by the fire station:

☐ Urban: Counties with large (more than 1 million residents) or small (less than 1 million residents) metropolitan areas
☐ Suburban: Micropolitan (with an urban core of at least 10,000 residents) counties adjacent to a large or small metropolitan area
☐ Rural: Non-core counties adjacent to a large or small metropolitan area (with or without town)
☐ Wilderness: Non-core counties not adjacent to micropolitan counties (with or without town)

Number of people served by this fire station: _____

What is the distance in miles between this fire station and the fire station that would provide fire protection for the geographical area normally served by this fire station? _____

Does Fire Station Provide EMS ☐ Yes ☐ No

5. For EOC

Type of EOC: ☐ Stand-alone structure ☐ Part of an existing structure
Use of existing structure: _____

Operation of EOC: ☐ Full time, daily ☐ Temporary, only upon activation
Annual Operating Budget: _____

Average Number of Days of Use per year: _____

6. For Other Facility _____

Annual budget(s) for the department(s) affected by loss of facility: _____

If service remained but displaced to new location, provide the number of days displaced___ and costs_____

VI. Fixed Generator Budget

Do not include contingency costs in the budget. List all anticipated costs in detailed. Consider the potential future date of construction when compiling the cost estimate. **Please provide documentation for each budget item with detailed vendor(s) estimates.**

Site Location	Shipping and Installation	Generator	Fuel Tank	Concrete Pad for Generator (if needed)	Generator and Fuel Tank Elevation (if needed)	Facility Transfer Switch and connections (if needed)	Fuel for Initial Testing	Total Project Costs
Cedar Creek WRF	$200,000	**$1,000,000****	**	**	N/A	$50,000	$10,000	$1,260,000
	0	**0**	**0**	**0**	**0**	**0**	**0**	**0**

****: Cost of Fuel Tank and Concrete Pad for Generator included in cost of Generator**

Annual Maintenance Cost: _$25,000_ Source of Maintenance Cost Estimate: Yancy Brothers_____

VII. GENERATOR DATA SHEET

1. **Running Load (KW)** 30 kW
2. **Starting Load (KW)** 300 kW
3. **Is load being stepped in?** No
4. **Generator Specified (KW)** 1500 kW
5. **Generator Voltage** 480
6. **Single or Three Phase** Three Phase
7. **Type of Controls** X

Automatic	**Manual**		
	X		

8. **Type of Fuel**

Gas	**Diesel**	**Propane**	**Other**
	X		

Concrete Pad Dimensions

Length: 55’

Width: 20’

Depth: 2'

Additional information/remarks (Select appropriately):
Generator Type: ■ Fixed ☐ Portable

■ Generator on slab, not in Special Flood Hazard Area- relevant codes and standards are stated in the application’s Scope of Work

☐ Generator on slab, in Special Flood Hazard Area- relevant codes and standards are stated in the application’s Scope of Work AND:

- A letter provided by floodplain manager stating project complies with local floodplain ordinance

☐ Elevated generator, not in Special Flood Hazard Area- relevant codes and standards are stated in the application’s Scope of Work AND:

- Certification from a Georgia registered engineer that the elevating structure is designed for the anticipated load to the structure including but not limited to wind, flood, snow, seismic

☐ Elevated generator, in Special Flood Hazard Area- relevant codes and standards are stated in the application’s Scope of Work AND:

- A letter provided by the floodplain manager stating project complies with local floodplain ordinance
- Certification from a Georgia registered engineer that the elevating structure is designed for the anticipated load to the structure including but not limited to wind, flood, snow, seismic

If portable, provide transport, hook up, and fuel supply and storage requirements at multiple facilities and how these will be executed.

_____
_____
_____

I certify that I have visited the project site, performed all necessary tests, and have verified that the attached calculated loads and generator specifications will meet all requirements of this proposed installation as described in the Application's description of work.

_____ _____

_____

Signature Title
Date

_____ _____

Print Name Organization Telephone Number

NOTES:

1. The generator must be installed in accordance with all applicable local and national building and electrical codes, in addition to the "Generator Codes and Standards".
2. Please attach available information on proposed equipment, load, and sizing data, etc.
3. The Applicant should develop and implement a generator maintenance plan which includes periodically exercising the generator under load.

THIS FORM MUST BE SIGNED BY A CERTIFIED ELECTRICIAN

Generator Codes and Standards

In accordance with the National Electrical Code

NOTE: Manufacturer's installation instructions will apply for all areas outside the flood hazard area. In the absence of manufacturer's instructions, the method of installation will be approved by the building official as related to the pad supporting the generator. Inside the flood area, a structure will be required for support of the generator to be designed by an engineer and approved by the building official and elevated 2 feet above base flood elevation.

445-1. Location. Generators shall be located in dry places, and also so as to meet the requirements for motors in Section 430-14.* Generators installed in hazardous locations as described in Articles 500-503, or in other locations as described in Articles 510-517, 520, 530 and 665, shall also comply with the provisions of those Articles.

It is recommended that waterproof covers be provided for use in emergency.

445-2. Marking. Each generator shall be provided with a nameplate giving the marker's name, the rating in kilowatts or kilovolt-amperes, the normal volts and amperes corresponding to the rating, and the revolutions per minute.

445-3. Drip Pans. Generators shall be provided with suitable drip pans if required by the authority having jurisdiction.

445-4. Overcurrent Protection.

(a) **Constant-Potential Generators**. Constant-potential generators, except alternating-current generators and their exciters, shall be protected from excessive current by circuit breakers or fuses.

(b) **Two-Wire Generators.** Two-wire, direct-current generators may have overcurrent protection in one conductor only if the overcurrent device is actuated by the entire current generated, except that in the shunt field. The overcurrent device shall not open the shunt field.

(c) **65 Volts of Less.** Generators operating at 65 volts or less and driven by individual motors shall be considered as protected by the overcurrent device protecting the motor if these devices will operate when the generators are delivering nor more than 150 per cent of their full-load rated current.

(d) **Balancer Sets.** Two-wire, direct-current generators used in conjunction with balancer sets to obtain neutrals for 3-wire systems shall be equipped with overcurrent devices which will disconnect the 3-wire system in the case of excessive unbalancing of voltages or currents.

(e) **3-Wire, Direct-Current Generators.** Three-wire, direct-current generators, whether compound or shunt wound shall be equipped with overcurrent devices, one in each armature lead, and so connected as to be actuated by the entire current from the armature. Such overcurrent devices shall consist either of a double-coil circuit breaker, or of a 4-pole circuit breaker connected in the main and equalizer leads and tripped by two overcurrent devices, one in each armature lead. Such protective devices shall be so interlocked that no one pole can be opened without simultaneously disconnecting both leads of the armature from the system.

445-5. Size of Conductors. The conductors from the generator terminals to supplied equipment shall have an ampacity not less than 115 per cent of the nameplate current rating of the generator. Neutral conductors shall be the same size as the conductors of the outside legs.

445-6. Protection of Live Parts. Live parts of generators of more than 150 volts to ground shall not be exposed to accidental contact where accessible to unqualified persons.

445-7. Guards for Attendants. Where necessary for the safety of attendants the provisions of section 430-133 shall be compiled with.

445-8. Grounding. If a generator operates at a terminal voltage in excess of 150 volts to ground, the frame shall be grounded in the manner specified in Article 250.* If the frame is not grounded, it shall be permanently and effectively insulated from the ground.

445-9. Bushings. Where wires pass through an opening in an enclosure, conduit box, or barrier, a bushing shall be used to protect the conductors from the edges of the opening having sharp edges. The bushing shall have smooth, well rounded surfaces where it may be in contact with conductors. If used where there may be a presence of oils, grease, or other contaminants, the bushing shall be made of a material not deleteriously affected.

* ***430.14. Location of Motors.***

(A) Ventilation and Maintenance. Motors shall be located so that adequate ventilation is provided and so that maintenance, such as lubrication of bearings and replacing of brushes, can be readily accomplished.

Exception: Ventilation shall not be required for submersible types of motors.

(B) Open Motors. Open motors that have commutators or collector rings shall be located or protected so that sparks cannot reach adjacent combustible material.

Exception: Installation of these motors on wooden floors or supports shall be permitted.

For each portable generator, please complete sections I through VIII in its entirety.

I. **Project Description : Portable Generator for_____**

II. **History of Hazards**

Provide a detailed power outage report for each critical facility that the portable generator will support. Include weather related events from a minimum of three different years. Indicate the cause of the power outage. This information should be obtained from your power provider. **The examples in bold qualify as weather related events**.

Date	Time of Outage	Duration (Minutes)	Outage Type	Description
Mon. Feb. 16, 2015	**21:26:13 EST**	**623**	**Extreme Storm**	**Trees in Ice Storm**
Tue. Jan. 07, 2014	**17:41:34 EST**	**42**	**Lightning**	**Lines clear, fault on breaker**
Tue. Jan. 07, 2014	06:37:00 EST	75	Equipment Fault	Cracked Insulator
Thu. Dec. 19, 2013	**13:31:40 EST**	**47**	**Trees-Other**	**Lines down due to trees**

III. **Portable Generator Storage Location**

1. **Name of facility, physical address (including city and zip code).**

   _____

   Digital Latitude: _____ Digital Longitude: _____

   ***Digital Latitude and Digital Longitude coordinates need to be in Decimal Degrees. The coordinates should be for the storage unit, not the main building of the facility.**

   Facility Year Built: _____

2. **Flood Insurance Rate Map (FIRM) showing Portable Generator Storage Location. The portable generator storage location cannot be located in a special flood hazard area.**

   Attach a copy of the panel(s) from the FIRM.

   - ❑ VE
   - ❑ AE
   - ❑ AO or AH
   - ❑ A (no base flood elevation given)
   - ❑ B or X (shaded)
   - ❑ C or X (unshaded)

3. **Map and Photographs of Portable Generator Storage Location**

   - ❑ Include Google map with the portable generator storage site clearly marked.
   - ❑ Provide high-resolution color photographs by email showing a front view, a side view, a back view and a street view of the structure with the portable generator site clearly marked.

IV. **Structure Information for Critical Facility that will be served by the Portable Generator**

1. Critical Facility Type:

☐ Police Station ☐ Fire Station ☐ Hospital ☐ Water Treatment Facility
☐ Wastewater Treatment Facility ☐ EOC ☐ Other _____

2. Additional Data to Determine Cost Effectiveness

Name of current electrical power provider: _____

Please include a power outage report for the critical facility which includes weather related events for as long as records are available, **refer to History of Hazards section.**
Power Outage Report Attached ☐Yes ☐ No

V. **Facility and Value of Service Data (Provide information for each structure that will be served by the Portable Generator)**

1. For Water or Wastewater Services

Number of customers served: _____

2. For Hospitals

Number of people served by this hospital: _____

What is the distance in miles between this hospital and the hospital that would treat these people in the event this hospital was inoperative? _____

Number of people normally served by the nearest hospital: _____

3. For Police Stations

Type of station ☐ Metropolitan ☐ City ☐ Rural

Number of people served by this police station: _____

Number of police officers who work at this location: _____

How many police officers would serve the same area if the station were shut down due to a disaster? _____

4. For Fire Stations

Type of station ☐ Urban ☐ Suburban ☐ Rural ☐ Wilderness (from USDA's Urban Influence Codes)

Number of people served by this fire station: _____

What is the distance in miles between this fire station and the fire station that would provide fire protection for the geographical area normally served by this fire station? _____

If Fire Station provides EMS (Distance in miles to next closest fire station that could provide EMS service and has backup power): _____

5. For EOC

Type of EOC: ☐ Stand-alone structure ☐ Part of an existing structure

Use of existing structure: _____

Operation of EOC: ☐ Full time, daily ☐ Temporary, only upon activation

Annual Operating Budget: _____

Average Number of Days of Use per year: _____

6. For Other Facility _____

Annual budget(s) for the department(s) affected by loss of facility: _____

If service remained but displaced to new location, provide the number of days displaced___ and costs_____

VI. **Location of Structures that will be served by the Portable Generator**

Structure Name	Address	Zip Code	Year Built	Will Require Modification To Add Transfer Switch To Outside Of Structure (Yes or No)	Latitude/ Longitude

***Latitude and Longitude coordinates need to be in Decimal Degrees. The coordinates should be where the portable generator connects to each of the listed structure names.**

1. **Include Flood Insurance Rate Map (FIRM) showing each structure**
   - ❑ Attach a copy of the panel(s) from the FIRM.

     - ❑ VE
     - ❑ AE

- ❑ AO or AH*
- ❑ A (no base flood elevation given)*
- ❑ B or X (shaded)
- ❑ C or X (unshaded)

***If located in the above zones with an asterisk, the transfer switch must be installed to the 0.2% annual chance.**

2. Map and Photographs showing each structure

- ❑ Include Google map with the structure clearly marked.

- ❑ Provide high-resolution color photographs by email showing a front view, a side view, a back view and a street view of the structure.

VII. **Portable Generator Budget**

Do not include contingency costs in the budget. List all anticipated costs in detailed. Consider the potential future date of construction when compiling the cost estimate. **Please provide documentation for each budget item with detailed vendor(s) estimates.**

Site Location	Shipping and Installation	Generator	Fuel Tank	Generator and Fuel Tank Elevation (if needed)	Facility Transfer Switch and connections (if needed)	Fuel for Initial Testing	Total Project Costs
	0	**0**	**0**	**0**	**0**	**0**	**0**

Annual Maintenance Cost: _____ Source of Maintenance Cost Estimate: _____

VIII. **Generator Data Sheet**

1. **Running Load (KW)** _____
2. **Starting Load (KW)** _____
3. **Is load being stepped in?** _____
4. **Generator Specified (KW)** _____
5. **Generator Voltage** _____
6. **Single or Three Phase** _____
7. **Type of Controls** _____ _____

Automatic **Manual**

8. **Type of Fuel** _____ _____ _____ _____

Gas **Diesel** **Propane** **Other**

Additional information/remarks (Select appropriately):
Generator Type: ☐ Fixed ☐ Portable

- ☐ Generator on slab, not in Special Flood Hazard Area- relevant codes and standards are stated in the application's Scope of Work
- ☐ Generator on slab, in Special Flood Hazard Area- relevant codes and standards are stated in the application's Scope of Work AND:
  - A letter provided by floodplain manager stating project complies with local floodplain ordinance
- ☐ Elevated generator, not in Special Flood Hazard Area- relevant codes and standards are stated in the application's Scope of Work AND:
  - Certification from a Georgia registered engineer that the elevating structure is designed for the anticipated load to the structure including but not limited to wind, flood, snow, seismic
- ☐ Elevated generator, in Special Flood Hazard Area- relevant codes and standards are stated in the application's Scope of Work AND:
  - A letter provided by the floodplain manager stating project complies with local floodplain ordinance
  - Certification from a Georgia registered engineer that the elevating structure is designed for the anticipated load to the structure including but not limited to wind, flood, snow, seismic

If portable, provide transport, hook up, and fuel supply and storage requirements at multiple facilities and how these will be executed.

_____

_____

_____

I certify that I have visited the project site, performed all necessary tests, and have verified that the attached calculated loads and generator specifications will meet all requirements of this proposed installation as described in the Application's description of work.

_____ _____

Signature Title Date

_____ _____ _____

Print Name Organization Telephone Number

NOTES:

1. The generator must be installed in accordance with all applicable local and national building and electrical codes, in addition to the "Generator Codes and Standards".
2. Please attach available information on proposed equipment, load and sizing data, etc.
3. The Applicant should develop and implement a generator maintenance plan which includes periodically exercising the generator under load.

THIS FORM MUST BE SIGNED BY A CERTIFIED ELECTRICIAN

Generator Codes and Standards

In accordance with the National Electrical Code

NOTE: Manufacturer's installation instructions will apply for all areas outside the flood hazard area. In the absence of manufacturer's instructions, the method of installation will be approved by the building official as related to the pad supporting the generator. Inside the flood area, a structure will be required for support of the generator to be designed by an engineer and approved by the building official and elevated 2 feet above base flood elevation.

for motors in Section 430-14.* Generators installed in hazardous locations as described in Articles 500-503, or in other locations as described in Articles 510-517, 520, 530 and 665, shall also comply with the provisions of those Articles.

It is recommended that waterproof covers be provided for use in emergency.

445-2. Marking. Each generator shall be provided with a nameplate giving the marker's name, the rating in kilowatts or kilovolt-amperes, the normal volts and amperes corresponding to the rating, and the revolutions per minute.

445-3. Drip Pans. Generators shall be provided with suitable drip pans if required by the authority having jurisdiction.

445-4. Overcurrent Protection.

(f) **Constant-Potential Generators**. Constant-potential generators, except alternating-current generators and their exciters, shall be protected from excessive current by circuit breakers or fuses.

(g) **Two-Wire Generators.** Two-wire, direct-current generators may have overcurrent protection in one conductor only if the overcurrent device is actuated by the entire current generated, except that in the shunt field. The overcurrent device shall not open the shunt field.

(h) **65 Volts of Less.** Generators operating at 65 volts or less and driven by individual motors shall be considered as protected by the overcurrent device protecting the motor if these devices will operate when the generators are delivering nor more than 150 per cent of their full-load rated current.

(i) **Balancer Sets.** Two-wire, direct-current generators used in conjunction with balancer sets to obtain neutrals for 3-wire systems shall be equipped with overcurrent devices which will disconnect the 3-wire system in the case of excessive unbalancing of voltages or currents.

(j) **3-Wire, Direct-Current Generators.** Three-wire, direct-current generators, whether compound or shunt wound shall be equipped with overcurrent devices, one in each armature lead, and so connected as to be actuated by the entire current from the armature. Such overcurrent devices shall consist either of a double-coil circuit breaker, or of a 4-pole circuit breaker connected in the main and equalizer leads and tripped by two overcurrent devices, one in each armature lead. Such protective devices shall be so interlocked that no one pole can be opened without simultaneously disconnecting both leads of the armature from the system.

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* ***430.14. Location of Motors.***

(C) Ventilation and Maintenance. Motors shall be located so that adequate ventilation is provided and so that maintenance, such as lubrication of bearings and replacing of brushes, can be readily accomplished.

Exception: Ventilation shall not be required for submersible types of motors.

(D) Open Motors. Open motors that have commutators or collector rings shall be located or protected so that sparks cannot reach adjacent combustible material.

Exception: Installation of these motors on wooden floors or supports shall be permitted.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Landfill Dozer Rebuild

DATE: November 1, 2022

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL:		
CAPITAL:	$411,336	FY23 Capital Funds
OTHER:		

FUNDING SOURCE: Landfill Enterprise Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission award a contract to Yancey Brothers Company in the amount of $411,336 for a rebuilt Caterpillar D5 Track Type Tractor (dozer) for use by the Solid Waste Department's Landfill Division.

HISTORY:

1. On June 16, 2020, the M&C adopted the FY21 Capital Budget, which included $140,000 in funds for the Solid Waste Department to replace landfill dozers.

2. On June 1, 2021, the M&C adopted the FY22 Capital Budget, which included $140,000 in funds for the Solid Waste Department to replace landfill dozers.

3. On June 7, 2022, the M&C adopted the FY23 Capital Budget, which included $140,000 in funds for the Solid Waste Department to replace landfill dozers.

4. On August 9, 2022, landfill staff received a quote from Yancey Brothers Company to rebuild the current 2014 D5 Track Type Tractor (dozer).

FACTS & ISSUES:

1. The Landfill currently uses two dozers to push and spread trash on the working face of the landfill. The current dozers are 2016 and 2019 models. These pieces of equipment are required by the EPD-approved ACCGov Landfill Design and Operation (D&O) plan.

2. The dozers are on a seven year replacement cycle. The 2016 dozer has 10,000 service hours and is in need of replacement. Landfill environments are one of the hardest on the life of dozers. Dozers are the most heavily used piece of equipment at a landfill. Funds for the replacement of the dozers are programmed into the Solid Waste Department's 10 Year Capital Replacement Budget.

3. The Solid Waste Department currently still has a 2014 Caterpillar D5 Track Type Tractor (dozer) that is inoperable and was not placed on surplus list in 2019 when it had to be replaced due to a catastrophic failure.

4. The FY23 Capital Budget included $140,000 for this purpose; additionally, $280,000 has been set aside from previous years to purchase a new dozer. There is a total of $420,000 available in capital for the purchase of one dozer. Each year the Solid Waste Department sets aside funds for the purchase of dozers.

5. The Landfill staff recommends the rebuild of the 2014 Caterpillar D5 Track Type Tractor (dozer). Staff is recommending the rebuild of the current machine, because it is approximately $200,000 less in cost, provides a seven year expected life cycle (same as new), extended warranty (three years, 5000 hours) and can be ready to use in approximately seven weeks compared to waiting close to a year for a new dozer. Additionally, rebuilt/used equipment in a landfill environment makes good economic and environmental sense, and fits the waste reduction goals of the department.

6. This purchase is requested as a rebuild of current equipment without competition following purchasing guidelines for sole source purchases. This justifies as sole source because staff is getting the 2014 Caterpillar D5 Track Type Tractor (dozer) that is currently inoperable rebuilt by Caterpillar, the original vendor.

7. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure Goal, Strategy C: *Provide adequate funding for maintenance of existing and newly constructed infrastructure.*

OPTIONS:

1. Mayor and Commission award a contract to Yancey Brothers Company in the amount of $411,336 for a rebuilt Caterpillar D5 Track Type Tractor (dozer) for use by the Solid Waste Department's Landfill Division.

2. Mayor and Commission deny staff's recommendation to purchase of a rebuilt Caterpillar D5 Track Type Tractor (dozer).

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT:

Prepared by: Suki Janssen



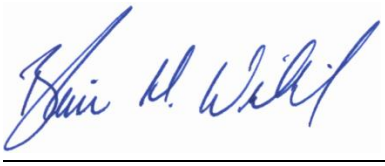
Suki Janssen

11/1/22

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

November 9, 2022

Date:

DATE: August 1, 2022

TO: Mayor Kelly Girtz and Commissioners

Through: Jean Spratlin, Commissioner Office

FROM: Madeline Bates Blankenship, Interim Chairperson
Athens Cultural Affairs Commission

SUBJECT: Athens Cultural Affairs New Member Recommendations

Dear Mayor Girtz and Commissioners;

As of September 2022, there are two open seats on the Athens Cultural Affairs Commission.

The ACAC had several qualified applicants back in 2021 from Athens-Clarke County residents interested in filling these positions. With only two vacancies at the time, one applicant was added as an ex-officio member. With our current two vacancies, ACAC members would like to recommend the following:

- We recommend that **Serena Scibelli move from ex-officio status to voting member to fill one open two-year position (ending March 31, 2023)**. Ms. Scibelli's background in performing arts will make her an asset to ACAC.

Thank you for all your support, advice, and assistance throughout the growth and development of the community's public art commission.

Respectfully,

Madeline Bates Blankenship, Interim Chair
Athens Cultural Affairs Commission

TSPLOST 2018 Atlanta Highway Corridor Improvements
Commission Defined Option (CDO) – Hamby/Houle
ACCGov M&C Voting Meeting December 6, 2022

Agenda Item Title: TSPLOST 2018 Project 15, Atlanta Highway Corridor Improvements Project – Mitchell Bridge Road and Timothy Road Proposed Project Concepts

1. Mayor and Commission:
    a) Approve the Proposed Project Concepts, as generally described herein as CDO Proposed Project Concept Priority List;

    b) Authorize staff to advance the "Must Haves" Tier 1 projects on the CDO Proposed Project Concept Priority List to the Preliminary Plan Phase of the Project Develop Process;

    c) Designate the Proposed Project Concepts as generally described herein as CDO Proposed Project Concept Priority List as Sub-Projects of the TSPLOST 2023, Project, Timothy Road/Mitchell Bridge Road Corridor;

    d) Authorize the Mayor and appropriate staff to execute all related documents.

CDO Proposed Project Concept Priority List:

"Must Haves" (Tier 1)

1. Develop a 10' Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate (as generally defined on the Timothy Road detailed concept plans Alternative A, Stations 100+00 to 185+97, sheets 13-020A - 13-036A).
2. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between Westchester Drive to Ben Burton Park where no facilities exists and extend across the Middle Oconee River Bridge to the Private Road west of the Middle Oconee River (as generally defined on the Mitchell Bridge Road detailed concept plans, Stations 58+00 to 77+54, on sheets 13-010 – 13-014).
3. Develop a 10' Shared-Use Path along the southern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision) with street crossings where appropriate (this segment is on the opposite side of the road to that which is generally defined on the Timothy Road detailed concept plans, Stations 1000+00 to 1019+17, on sheets 13-036A – 13-041).

"Highly Wanted" (Tier 2)

1. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate (as generally defined on the Mitchell Bridge Road detailed concept plans, Stations 10+10 to 41+82, on sheets 13-001 – 13-007).
2. Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding (as illustrated on Attachment #2 Corridor Plan. This connector will be more fully developed during the Preliminary Plan Phase, detailed concept plans for this section were not developed).

"Nice to Have" (Tier 3)

1. Replace Mitchell Bridge Road over Loop 10 bridge and connecting to existing facilities (as illustrated on Attachment #1 Corridor Plan. This connector will be more fully developed during future coordination and joint project with GDOT).
2. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between High Ridge Apartments and the Private Road west of the Middle Oconee River (as generally defined on the Mitchell Bridge Road detailed concept plans, Stations 41+82 to 58+00, on sheets 13-007 – 13-010).
3. Replace sidewalk from Atlanta Highway to Skyline Parkway with 10' shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path (as generally defined on the Timothy Road detailed concept plans, Stations 0+10 to 92+36, on sheets 13-001 – 13-019).

   *Note: Existing bicycle or pedestrian facilities deemed to be in good condition during the Preliminary Plan phase will be retained and not replaced.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2018 Project 15, Atlanta Highway Corridor Improvements Project – Mitchell Bridge Road and Timothy Road Proposed Project Concepts

DATE: ~~September 25, 2022~~ October 25, 2022

BUDGET INFORMATION:

REVENUES:	$ 3,860,191	TSPLOST 2018 Project 15 (All Tiers)
EXPENSES:		
CAPITAL:		
	$ 411,362	Expensed & Encumbered
	$ 1,500,000	Designated Future Sub-Projects
	$ 122,107	Designated Testing, Fees, PM & Misc.
	$ 97,575	Designated Land Acquisition
	$ 28,338	Designated Public Art
	$ 1,132,330	Designated Project Construction & Contingency
	~~$ 568,429~~	~~Available for Timothy Road & Mitchell Bridge Road for Preliminary Plans and Final Design Development~~
	$ 568,429	Available to support additional future Atlanta Highway Sub-projects

FUNDING SOURCE: TSPLOST 2018 Program Revenues

COMMISSION ACTION REQUESTED ON: November 1, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Project Concepts, as generally described in (Facts & Issues #10 ~~*To Be Determined*~~) and as illustrated in Attachment #1 and Attachment #2, for TSPLOST 2018 Project 15, Atlanta Highway Corridor Improvements Project - Mitchell Bridge Road and Timothy Road Corridors;

b. Authorize staff to advance the Proposed Project Concepts, as generally described in (Facts & Issues #10 ~~*To Be Determined*~~) and as illustrated in Attachment #1 and Attachment #2, to Preliminary Plan Phase of the Project Development Process;

c. Designate the Proposed Project Concepts as Sub-Projects of TSPLOST 2022, Project 6, Timothy Road/Mitchell Bridge Road Corridor;

d.e. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 2013, ACCGov partnered with the Urban Land Institute to complete a Technical Assistance Panel Report titled "Strategy to Redevelop and Revitalize the Atlanta Highway Corridor." Stated goals of the report included:

    - Assessing the health of the corridor's current assets
    - Defining ways to make the corridor more successful and visually pleasing
    - Evaluating the potential future development in this corridor
    - Improving transportation infrastructure
    - Exploring marketing and financial tools to attract customers and residents to stimulate growth in these areas

2. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program Referendum, which included the Atlanta Highway Corridor Improvements as Project #15.

3. In August 2018, the Athens in Motion (AiM) issued a Bicycle and Pedestrian Master Plan Final Report. The Final Report included the following Goals and Objectives:

    - Create a vision for a future of biking and walking through strategic goal setting
    - Continue to evolve into more bikeable and walkable community
    - Goals:
        Connectivity
        Equity
        More Users
        Education
        Implementation

4. In August 2019, the Atlanta Highway-Atlanta Road Connect Athens Corridor Plans Final report was issued outlining the Plan Framework Pillars:

    - Leverage the work of earlier plans
    - Create holistic understanding of corridor dynamics
    - Offer realistic and measurable strategies for land use, design, and transportation
    - Communicate the process and action plan

5. In December 2019, per a Mayor and Commission (M&C) direction, ACCGov Manager Williams instructed the Transportation and Public Works Department (TPW) to develop a detailed cost estimate for Timothy Road/Mitchell Bridge Road Bike/Ped Corridor as part of the Atlanta Highway Corridor Improvements Project (TSPLOST 2018 Project 15) .

6. On May 22, 2020, ACCGov Manager Williams distributed to the M&C an interdepartmental

memo developed by TPW for the Timothy Road/Mitchell Bridge Road Bike/Ped Corridor providing background regarding the M&C interest (History Item #5) in sidewalks/multi-use paths along the entire lengths of Timothy Road and Mitchell Bridge Road.

7. On May 26, 2020, M&C Work Session agenda item was discussed for the TSPLOST 2018, Project 15 – Atlanta Highway Corridor Improvements Project TSPLOST 2018, Project 15 Atlanta Highway Corridor Improvements Project.

8. Between March 28, 2020, and June 28, 2020, ACCGov hosted online public comment opportunities for the TSPLOST 2018, Project 15 – Atlanta Highway Corridor Improvements Project. There were 76 responses submitted with the following summary of common responses and number associated with the response:

    - Support General Improvements for Pedestrian/Bicycles/Multi-use paths – 32
      Specific Mention: Cleveland Rd – 6, Mitchell Bridge Rd – 9, Timothy Rd - 5
    - Support General Corridor Potential Project Improvements – 13
    - Support Atlanta Hwy/Mitchell Bridge Rd/Timothy Rd Intersection Improvement – 9
    - Support Public Transportation Improvements – 7
    - Support Aesthetic/Visibility Improvements – 7
    - Do Not interconnect Through Existing Neighborhoods - 4
    - Support Traffic Signal Modifications/Improvements – 3
    - Support Landscaping/Median Installation Improvements – 3
    - Support Implementation of Immediate Impact Projects – 2
    - Support New Road Expansion – 1
    - Do Nothing/limited expense efforts – 1

9. On July 7, 2020, M&C approved TSPLOST 2018 Project 15 - Atlanta Highway Corridor Improvements Project - Proposed project list.

10. Between August and December 2020, the User Group, with ACCGov department participation, developed the next phase of public engagement strategy and project content.

11. On January 12, 2021, staff outlined the public engagement strategy and project material for the Atlanta Highway Corridor during a presentation to the M&C at a Work Session.

12. Between February and April 2021, public engagement opportunities were completed, and public input was recorded for User Group consideration.

13. In March 2021, public engagement began, which included Pop-up Booth and Public Information Open Houses for the Project 14 – Lexington Highway Corridor Improvements and, Project 15 - Atlanta Highway Corridor Improvements Project.

14. Between May and July 2021, the Atlanta Highway User Group deliberated the project data to develop a Priority Project Recommendation list.

15. On July 21, 2021, the Atlanta Highway User Group confirmed, the following as the recommended Project Priority list, Proposed Project Concepts, and recommended the M&C progress the two projects to the Preliminary Plan phase of the project development process:

    - Timothy Road from Epps Bridge Pkwy to State Route 10 Loop/on-ramp (shared use path) – complete necessary design and construction of path allowing bicycle and pedestrian safe passageway along the corridor completing a segment of the corridor identified in History items #5 & #6. .

    - Mitchell Bridge from Middle Oconee River/Greenway to West Chester Drive (shared use path) – complete necessary design and construction of path allowing bicycle and pedestrian safe passageway along the corridor connecting Ben Burton Park and future Middle Oconee River Greenway completing a segment of the corridor identified in History items #5 & #6.

16. On August 12, 2021, at a Work Session, staff presented to the M&C the Atlanta Highway User Group's Recommended Priority Project List for TSPLOST 2018, Project 15 – Atlanta Highway Corridor Improvements Project and the Proposed Project Concepts.

17. On August 23, 2021, the TSPLOST 2018 Oversight Committee (TSOC) met and reviewed the Proposed Project Concepts/Priority Project recommendations as compared with the Initial Project Statement for TSPLOST 2018, Project 15 – Atlanta Highway Corridor Improvements Project. The TSOC, by unanimous vote, denied that that the proposed concept/priority project recommendation is consistent with the Initial Project Statement for Project #15 of TSPLOST 2018.

18. On September 7, 2021, M&C approved the following a CDO and authorized staff to expend up to $979,791 to develop, with public input, to develop conceptual plans with cost estimates for design and construction, for the following, bringing them to the Mayor and Commission for consideration on which options to advance to the preliminary design phase:

    A. Authorize staff to develop, with public input, conceptual plans with cost estimates for design and construction on which options to advance to the preliminary plan phase:

    - a Multi-Use Path for all of Mitchell Bridge Road (from ATL Hwy to Tallassee Road) and Timothy Road (from ATL Hwy to the Berkley Hills Subdivision). This may include exploring use of different materials, as well as addressing topography challenges and safety considerations for any necessary street crossings.
    - a pedestrian sidewalk for all of Mitchell Bridge Road (from ATL Hwy to Tallassee Road) and Timothy Road (from ATL Hwy to the Berkley Hills Subdivision). This may include exploring use of different materials, as well as addressing topography challenges and safety considerations for any necessary street crossings.
    - Conceptual plans for each shall anticipate designs for safe pedestrian and bicycle access along Mitchell Bridge Road at each of the two bridges (over the Middle Oconee River and the Loop 10 Bypass).

B. Authorize the expenditure of up to $979,791 from TSPLOST 2018 Project 15 Project revenues for the above mentioned projects.

C. Request the Atlanta Highway Corridor User Group develop a recommendation for additional subprojects for use of approximately $1,500,000 of the TSPLOST 2018 Project 15 revenues that include alignment with:

- The 2019 Connect Athens Corridor Report for Atlanta Highway;
- The TSPLOST 2018 Project Description;
- The Athens in Motion Master Plan (as applicable for any bike-ped projects and considering AiM project tiering);
- Public input received during the TSPLOST 2018 Project 15 Atlanta Highway Corridor project efforts; and
- ACCUG stated goals of equity with regards to project prioritization county wide.

19. In October 2021, GDOT permitted the Atlanta Highway Landscaping immediate impact project to support beautification of gateways into the Athens-Clarke County and it was completed. This effort was recommended and approved by M&C as part of the Approved Project list (History #9).

20. On May 24, 2022, the residents of Athens-Clarke County approved a referendum to for the TSPLOST 2023 Program which included the related or partially related TSPLOST 2018 Atlanta Highway Corridor Improvement project:

    - Project #6 - Timothy Road/Mitchell Bridge Road
    - Project 16 – Westchester Area Pedestrian Improvements
    - Project #17 – Stonehenge Area Pedestrian Improvements
    - Project #25 – Bicycle & Pedestrian Improvements

21. Between September 2021 and July 2022, staff and the Atlanta Highway User Group developed the proposed Bike/Pedestrian Project Concepts for Mitchell Bridge Road & Timothy Road.

22. On August 9, 2022, M&C received a Work Session presentation regarding proposed Bike/Pedestrian Project Concepts for Mitchell Bridge Road & Timothy Road. The presentation also included notice that future sub-projects regarding the referenced $1,500,000 (History Item #18) will be brought back for M&C consideration at a later date.

23. Between August 22, 2022 and September 18, 2022, public engagement opportunities allowed residents to provide feedback regarding the proposed project concepts for Mitchel Bridge Road and Timothy Road. Results are found Facts & Issues #9.

24. On October 19, 2022, the Atlanta Highway User Group approved the following recommendation for M&C consideration:

A. Approve Proposed Project Concepts, as generally described in Facts & Issues #10 and as illustrated in Attachment #1 and Attachment #2.

B. Authorize staff to move the Proposed Project Concept in priority order to the Preliminary Plan Phase under the TSPLOST 2022 Project #6 Timothy Road/Mitchell Bridge Road Corridor Improvements Project considering estimated construction cost.

FACTS & ISSUES:

1. The initial project statement for the TSPLOST 2018 Project 15 Atlanta Highway Corridor Improvements Project reads as follows:

   Atlanta Highway Corridor Improvements, includes funding for specific improvements to the Atlanta Highway Corridor that are to be approved by Mayor and Commission. Improvements eligible for the funding include, but are not limited to, landscaped/concrete median(s), interconnecting parcel additional sidewalks, multi-use trail, separated bike lanes, and potential intersection improvements.

2. TSPLOST 2018 Project 15, Atlanta Highway Corridor Improvement project limits are from Monroe Highway to Middle Oconee River. The Georgia Department of Transportation (GDOT) is scheduled to bid the Atlanta Highway Corridor and ramps to SR 10 between GA Square Mall Drive and Mitchell Bridge Road/Timothy Road. The GDOT project does not include improvements to Mitchell Bridge Road/Timothy Road. The GDOT improvement project is scheduled for award in FY2023.

   Therefore, the User Group has examined improvements outside the GDOT work zone with expectations that GDOT will provide improvements along the state roadway system.

3. TSPLOST 2018 Project 15 Atlanta Highway Corridor Improvements User Group and Participating Departments includes the following current members:

Organization	ATLANTA HIGHWAY
Transportation & Public Works	Stephen Bailey*
Landscape Management	Jeanne Connell*
Planning	Samantha Eberhard*
Resident Member	Ed Robinson*
Resident Member	Janice Custis*
Resident Member	Allen Jones*
Resident Member	Teresa Friedlander*
Manager's Office	Josh Edwards
Economic Development	Ilka McConnell
Transit	Victor Pope
Leisure Services	Todd Miller

Transportation & Public Works Daniel Sizemore

*Voting Members

4. The User Group's Charge:

   Review the previous studies and review additional data from departments with additional information about the corridors (Transit, Airport, Planning, Traffic Engineering, etc.). Based on the previous studies and additional data, develop and provide M&C with a recommended prioritized list of specific transportation related improvement projects that meet the TSPLOST Initial Project Statements and that equitably enhance the individual project corridors.

5. The Atlanta Highway Corridor User Group recommended projects that were community driven, increased pedestrian safety opportunities, and is part of a larger companion projects/opportunities

6. User Group considerations as the proposed Project Concepts were developed:

   <u>Mitchell Bridge Road</u>

   - Five distinct but generalized configurations
     - Existing sidewalks both sides of road between Old Fire Station #2 and the Preserve Drive (apartments before loop 10 bridge)
     - No existing sidewalks between the Preserve and Loop 10 bridge
     - No existing sidewalk on Loop 10 bridge and approaches
     - No existing sidewalk between Loop 10 and 500' north of Ben Burton Park
     - Existing sidewalk on west side between 500' north of Ben Burton Park and Tallassee Road
   - Reviewed existing infrastructure that could be utilized i.e. existing sidewalks from Tallassee to 500 feet north of Ben Burton Park and between Fire Station #2 and The Preserve Drive.
   - Type of future bike/ped bridge over the Athens Loop would depend on decision between pedestrian or multi-use trails on the approached
   - Possible ACCGov-GDOT joint opportunities exist to rebuild existing bridge for vehicle/bike/ped, instead of a stand alone bike/ped structure
   - GDOT has shown interest in part ACCGov for joint study on Atlanta Highway/Mitchell Bridge Road/Timothy Road intersection for potential improvements via MACORTS/MPO process.
   - Utilizing existing bridge over the Middle Oconee River for cost savings
   - AiM Plan:
   - Existing MBR at "Level of Comfort 4*"):
     - not comfortable for cyclist

        - advance rider level only
        - MBR proposed regional link for bike/ped facilities
            - Existing facilities limited to sidewalks on each end of MBR
- Further review area between tie in and Tallassee for alternatives during Preliminary plan phase or per public input responses
- Consider holding on future bike facility improvements between Loop 10 and Atlanta Highway until Atlanta Highway intersection and Loop bridge discussions and planning phases mature
- Develop concept plans only between Auburn Pkwy (Loop 10) and 500 feet north of Ben Burton Park (at existing sidewalk)

<u>Timothy Road</u>

- Three distinct but generalized configurations:
    - Existing sidewalks both sides of road between Atlanta Hwy to Timothy Park Lane
    - Existing sidewalks on at least one side of road with multiple crossing points from Timothy Park Lane to Fox Trace Road
    - No facilities on either side of road between Fox Trace Road to Macon Highway
- Reviewed existing infrastructure that could possibly be utilized i.e. existing sidewalks from Atlanta Hwy to Fox Trace but no bike facilities
- GDOT has shown interest in part ACCGov for joint study on Atlanta Highway/Mitchell Bridge Road/Timothy Road intersection for potential improvements via MACORTS/MPO process
- Consider holding on future bike facility improvements near Atlanta Highway until GDOT plans for Atlanta Highway intersection and Loop bridge are known
- AiM Plan:
    - Existing Timothy Road at"Level of Comfort 4"*:
        - not comfortable for cyclist
        - advance rider level only
    - Timothy proposed regional link for bike/pedestrian facilities
        - Existing facilities limited to sidewalks on approx. half of corridor near Atlanta Hwy

*The Level of Comfort scoring is an analysis rating defined in the Athens in Motion (AiM) Bicycle and Pedestrian Master Plan to rate each travel way regarding various user tolerance created by volume, speed, and proximity of adjacent traffic. This rating system score is:

- LOC 1- comfortable for wide range of ages and abilities
- LOC 2- comfortable for adults that do ride a bike often
- LOC 3 – suited for enthusiastic cyclists that are confident in their ability
- LOC 4 – not comfortable for bicycle travel and may only be suitable for most advanced level of cyclist

- LOC 5 – intolerable for even the most experienced adult cyclists

7. The originally proposed Project Concept alignments and general description shared for public input were ~~are~~:

- **Mitchell Bridge Road ~~– Attachment #1~~**
  - 10' wide Shared-use Path
  - Begin Alignment at Auburn Parkway
  - End Alignment 500 feet north of Ben Burton Park and tie to existing sidewalk
  - Restripe existing bridge over Middle Oconee River and add physical barriers between travel land and shared use path
  - Alternative alignment at High Ridge Apartments
  - Conceptual cost estimates:
    - Shared-use path - $6,704,500
    - 5' Sidewalk on same alignment - $4,845,500
  - ~~The detailed conceptual plan can be found at: https://www.accgov.com/DocumentCenter/View/87501/Mitchell-Bridge-Road-Shared-Use-Path---Concept-2022-07-28?bidId=~~

- **Timothy Road Mitchell Bridge Road ~~– Attachment #2~~**
  - 10' wide Shared-use Path
  - 3 Segments
    - 1) Atlanta Hwy to Skyline Parkway – remove existing sidewalk and replace with shared-use path on southside
    - 2) Skyline Parkway to Loop 10/Bypass/Timothy Rd – create shared use path on either north or south side
    - 3) Loop10/Bypass/Timothy Rd to Macon Hwy/Steepleview Dr – create shared use path on north side
  - Conceptual cost estimates:
    - 1) Atlanta Hwy to Skyline Parkway Shared-use path - $3,170,000
      5' Sidewalk on same alignment - $n/a (existing)
    - 2) Skyline Parkway to Loop 10/Bypass/Timothy Rd - $3,870,000
      5' Sidewalk on same alignment - $2,903,000
    - 3) Loop10/Bypass/Timothy Rd to Macon Hwy/Steepleview Dr- $2,164,000
      5' Sidewalk on same alignment - $1,623,000
  - ~~The detailed conceptual plan can be found at: https://www.accgov.com/DocumentCenter/View/87502/Timothy-Road-Shared-Use-Path---Concept-2022-07-28?bidId=~~

8. Public engagement effort included:
   - ACCGov web page with project information and survey
   - ACCGov social media accounts
   - Two in – person meetings at Unitarian Universalists Fellowship Church

- Ben Burton park pop up event
- Yard sign campaign at neighbourhood entrances
- User group personal advertisement campaigns

9. Public input summary:
    - 205 survey respondents
    - Respondents were not comfortable walking/biking along either corridor without improvements
    - Shared use path development was more favoured than sidewalk only
    - Respondents indicated recreation main use over an alternative transportation corridor
    - Highest demographic of responses were in the 65+ age category
    - Loss a tree canopy was a concern
    - Cost was a concern for some respondents
    - Full summary review of survey results can be found @ https://survey123.arcgis.com/share/3b99c38886a04697b9240cdccc0a3e16/result?navigation=open:false

~~10. The User Group's next scheduled meeting is on October 19, 2022 to finalize the Proposed Project Concepts.~~

10. The User Group's Proposed Project Concept for Mitchell Bridge Road & Timothy Road corridors and recommendations for M&C consideration are:

A. Authorize staff to move the Proposed Project Concept Priority List to the Preliminary Plan Phase under the TSPLOST 2022 Project #6 Timothy Road/Mitchell Bridge Road Corridor Improvements Project considering final construction cost.

"Must Haves" (Tier 1)

1. Develop a 10' Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate (as illustrated on Attachment #2 Corridor Plan and more defined on the Timothy Road detailed concept plans Alternative A, Stations 100+00 to 185+97, sheets 13-020A - 13-037A).
2. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate (as illustrated on Attachment #1 Corridor Plan and more defined on the Mitchell Bridge Road detailed concept plans, Stations 10+10 to 41+82, on sheets 13-001 – 13-007).
3. Develop a 10' Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision) (as illustrated on Attachment #2 Corridor Plan and more defined on the Timothy Road detailed concept plans, Stations 1000+00 to 1019+17, on sheets 13-038 – 13-041).

"Highly Wanted" (Tier 2)

1. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between Westchester Drive to Ben Burton Park where no facilities exists (as illustrated on Attachment #1 Corridor Plan and more defined on the Mitchell Bridge Road detailed concept plans, Stations 72+30 to 77+54, on sheets 13-013 – 13-014).
2. Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding (as illustrated on Attachment #2 Corridor Plan. This connector will be more fully developed during the Preliminary Plan Phase, detailed concept plans for this section were not developed).

"Nice to Have" (Tier 3)

1. Replace Mitchell Bridge Road over Loop 10 bridge and connecting to existing facilities (as illustrated on Attachment #1 Corridor Plan. This connector will be more fully developed during future coordination and joint project with GDOT).
2. Develop a 10' Share-Use Path along the northern side of Mitchell Bridge Road between High Ridge Apartments and Ben Burton Park (as illustrated on Attachment #1 Corridor Plan and more defined on the Mitchell Bridge Road detailed concept plans, Stations 41+82 to 72+30, on sheets 13-007 – 13-013).
3. Replace sidewalk from Atlanta Highway to Skyline Parkway with 10' shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path (as illustrated on Attachment #2 Corridor Plan and more defined on the Timothy Road detailed concept plans, Stations 0+10 to 92+36, on sheets 13-001 – 13-019).

B. Authorize staff to move the Proposed Project Concept Priority List to the Preliminary Plan Phase under the TSPLOST 2022 Project #6 Timothy Road/Mitchell Bridge Road Corridor Improvements Project considering final estimated project & construction cost.

11. The User Group, developed their above recommendation after careful consideration and deliberation including the public input comments and overall cost to complete each segment.

12. Updated Detailed Concept plans can be viewed using the following links:
    a. Mitchell Bridge Road Corridor
       https://www.accgov.com/DocumentCenter/View/87501
    b. Timothy Road Corridor
       https://www.accgov.com/DocumentCenter/View/87502

13. The User Group's recommendation of F&I #10 above and subsequent approval by M&C, the balance of the TSPLOST 2018 Project #15 will further support the September 7, 2021 M&C directive to develop additional sub-projects along the Atlanta Highway Corridor (History Items #18.C.)

14. The User Group's Proposed Project Concept Cost estimate for the segments are:

"Must Haves" (Tier 1)

1. Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate - $3,870,000
2. Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate - $1,750,000
3. Develop a Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision) - $800,500

"Highly Wanted" (Tier 2)

1. Develop a Share-Use Path along the northern side of Mitchell Bridge Road between Westchester Drive to Ben Burton Park where no facilities exists - $225,000
2. Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision - $75,000

"Nice to Have" (Tier 3)

1. Replace Mitchell Bridge Road over Loop 10 bridge and connecting to existing facilities with GDOT - $N/A
2. Develop a Share-Use Path along the northern side of Mitchell Bridge Road between High Ridge Apartments and Ben Burton Park - $3,500,000
3. Replace sidewalk from Atlanta Highway to Skyline Parkway with shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path - $3,170,000

*A transition from a 10' wide shared use path to a 5' wide sidewalk is anticipated to yield an approximate 25-30% construction cost savings

15. The TSPLOST 2022 Project 6, Timothy Road/Mitchell Bridge Road Corridor has an overall project budget of $6,900,000. $4,900,000 is estimated for available construction cost after removing budget items for art, design, land acquisition, project management, testing, and contingency.
    Utilizing a $4,900,000 estimated construction budget, the following project concepts appear financially feasible at this time:

"Must Haves" (Tier 1)

1. Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate - $3,870,000
2. Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate - $1,750,000

As projects mature through the standard Project Development Process (Preliminary Plan, Land Acquisition, Bid & Award, and Construction Phases), any unused funds can be designated for the remaining projects as approved on the Project Concept list.

16. ~~11.~~ Upon completion of the Mitchell Bridge Road and Timothy Road Corridors Project Concept Development, the User Group will continue with developing additional Sub-Projects for the Atlanta Highway Corridor as noted in History Item 18.C. One pending Sub-Project is the collaboration of a joint GDOT-ACCGov Atlanta Highway/Mitchell Bridge Road/Timothy Road intersection study. GDOT has committed to a 50%/50% shared cost with ACCGov working through MACORTS.

17. ~~12.~~ This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A:
        - Determine gaps in and need for active transportation infrastructure throughout the community.
        - Develop comprehensive pedestrian routing map.

OPTIONS:

1. Mayor and Commission:

   a. Approve the Proposed Project Concepts, as generally described in (Facts & Issues #10 ~~*To Be Determined*~~) and as illustrated in Attachment #1 and Attachment #2, for TSPLOST 2018 Project 15, Atlanta Highway Corridor Improvements Project - Mitchell Bridge Road and Timothy Road Corridors;

   b. Authorize staff to advance the Proposed Project Concepts, as generally described in (Facts & Issues #10 ~~*To Be Determined*~~) and as illustrated in Attachment #1 and Attachment #2, to Preliminary Plan Phase of the Project Development Process;

   c. Designate the Proposed Project Concepts as Sub-Projects of TSPLOST 2022, Project 6, Timothy Road/Mitchell Bridge Road Corridor;

   d.~~c.~~ Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the Proposed Project Concepts.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: ~~Option #1 a, b, & c~~ Option #1 a, b, c, & d

---

DEPARTMENT:

Prepared by: J. Derek Doster, Office of the Manager - SPLOST & TSPLOST Program Management



Keith D. Sanders, TSPLOST Program Administrator

~~October 7, 2022~~ 10-25-2022
Date:



Stephen Bailey, Director
Transportation & Public Works

~~10-6-2022~~ 10-25-2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: ~~Option #1 a, b, & c~~ Option #1 a, b, c, & d



Manager

~~October 10, 2022~~
Date:

October 26, 2022

ATTACHMENTS:

Attachment #1 – Mitchell Bridge Road Corridor Concept Plan (revised)
Attachment #2 – Timothy Road Corridor Concept Plan (revised)



"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate. (As Defined by Station 10+10 to Station 41+82 on Sheets 13-001 to 13-007 in the Plan Sheets.)	Develop a Share-Use Path along the northern side of Mitchell Bridge Road between Westchester Drive to Ben Burton Park where no facilities exists. (As Defined by Station 72+30 to Station 77+54 on Sheets 13-013 to 13-014 in the Plan Sheets.)	Replace Mitchell Bridge Road over Loop 10 bridge and connecting to existing facilities. (To Be Developed in Future Phases.)
		Develop a Share-Use Path along the northern side of Mitchell Bridge Road between High Ridge Apartments and Ben Burton Park. (As Defined by Station 41+82 to Station 72+30 on Sheets 13-007 to 13-013 in the Plan Sheets.)

REVISED PER USER GROUP FINAL RECOMMENDATIONS

SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS-CLARKE COUNTY, GEORGIA

PROJECT TITLE: MITCHELL BRIDGE ROAD SHARED USE PATH

SCALE: 100 0 100 IN FEET

PROJECT INFORMATION

JOB NO: 19023003
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19023003E.DWG
DRAWING SCALE: 1" = 100'
ORIGINAL RELEASE DATE: OCTOBER 21, 2022

Sheet: 1

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"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Share-Use Path along the northern side of Mitchell Bridge Road between Auburn Parkway and High Ridge Apartments with street crossings where appropriate. (As Defined by Station 10+10 to Station 41+82 on Sheets 13-001 to 13-007 in the Plan Sheets.)	Develop a Share-Use Path along the northern side of Mitchell Bridge Road between Westchester Drive to Ben Burton Park where no facilities exists. (As Defined by Station 72+30 to Station 77+54 on Sheets 13-013 to 13-014 in the Plan Sheets.)	Replace Mitchell Bridge Road over Loop 10 bridge and connecting to existing facilities. (To Be Developed in Future Phases.)
		Develop a Share-Use Path along the northern side of Mitchell Bridge Road between High Ridge Apartments and Ben Burton Park. (As Defined by Station 41+82 to Station 72+30 on Sheets 13-007 to 13-013 in the Plan Sheets.)

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SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS-CLARKE COUNTY, GEORGIA

PROJECT TITLE: MITCHELL BRIDGE ROAD SHARED USE PATH

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ATTACHMENT #2



"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate. (As Defined by Alternative A from Station 100+00 to Station 185+97 on Sheets 13-020A to 13-037A in the Plan Sheets.)	Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding. (To Be Developed in Future Phases.)	Replace sidewalk from Atlanta Highway to Skyline Parkway with shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path. (As Defined by Station 0+10 to Station 92+36 on Sheets 13-001 to 13-019 in the Plan Sheets.)
Develop a Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision). (As Defined by Station 1000+00 to Station 1019+17 on Sheets 13-038 to 13-041 in the Plan Sheets.)		

REVISED PER USER GROUP FINAL RECOMMENDATIONS

SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS-CLARKE COUNTY, GEORGIA

PROJECT TITLE: TIMOTHY ROAD SHARED USE PATH

SCALE: 150 0 150 — IN FEET

PROJECT INFORMATION

JOB NO:	19023002
DRAWN BY:	KC
CHECKED BY:	EH
DRAWING FILE:	19023002E.DWG
DRAWING SCALE:	1" = 150'
ORIGINAL RELEASE DATE:	OCTOBER 21, 2022

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Sheet: 1



"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate. (As Defined by Alternative A from Station 100+00 to Station 185+97 on Sheets 13-020A to 13-037A in the Plan Sheets.)	Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding. (To Be Developed in Future Phases.)	Replace sidewalk from Atlanta Highway to Skyline Parkway with shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path. (As Defined by Station 0+10 to Station 92+36 on Sheets 13-001 to 13-019 in the Plan Sheets.)
Develop a Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision). (As Defined by Station 1000+00 to Station 1019+17 on Sheets 13-038 to 13-041 in the Plan Sheets.)		

REVISED PER USER GROUP FINAL RECOMMENDATIONS

SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS-CLARKE COUNTY, GEORGIA

PROJECT TITLE: TIMOTHY ROAD SHARED USE PATH

SCALE: 150 0 150 — IN FEET

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PROJECT INFORMATION

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DRAWING FILE:	19023002E.DWG
DRAWING SCALE:	1" = 150'
ORIGINAL RELEASE DATE:	OCTOBER 21, 2022

Sheet: 2



"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate. (As Defined by Alternative A from Station 100+00 to Station 185+97 on Sheets 13-020A to 13-037A in the Plan Sheets.)	Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding. (To Be Developed in Future Phases.)	Replace sidewalk from Atlanta Highway to Skyline Parkway with shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path. (As Defined by Station 0+10 to Station 92+36 on Sheets 13-001 to 13-019 in the Plan Sheets.)
Develop a Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision). (As Defined by Station 1000+00 to Station 1019+17 on Sheets 13-038 to 13-041 in the Plan Sheets.)		

REVISED PER USER GROUP FINAL RECOMMENDATIONS

SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS–CLARKE COUNTY, GEORGIA

PROJECT TITLE: TIMOTHY ROAD SHARED USE PATH

150 0 150
SCALE IN FEET

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DRAWING FILE: 19023002E.DWG
DRAWING SCALE: 1" = 150'
ORIGINAL RELEASE DATE: OCTOBER 21, 2022

Sheet: 3

"MUST HAVES" TIER 1
END SHARED USE PATH
ALTERNATIVE A FROM
STATION 100+00 TO STATION
185+97 ON SHEETS 13-020A
TO 13-037A

"HIGHLY WANTED" TIER 2
DEVELOP BICYCLE PEDESTRIAN
INTER NEIGHBORHOOD
CONNECTIVITY BETWEEN
BERKLEY HILLS AND GLENVIEW
SUBDIVISIONS - TO BE
DEVELOPED IN FUTURE PHASES

"MUST HAVES" TIER 1
END SHARED USE PATH
FROM STATION 1000+00
TO 1019+17 ON SHEETS
13-038 TO 13-041

"MUST HAVES" TIER 1
BEGIN SHARED USE PATH
FROM STATION 1000+00
TO 1019+17 ON SHEETS
13-038 TO 13-041

FUTURE MIDBLOCK
CROSSINGS TO BE
DEVELOPED IN
FUTURE PHASES

TILLSON ROAD
SHEATS DRIVE
MANOR HAVEN COURT
TIMOTHY ROAD
TIMOTHY BAPTIST CHURCH
RHODES DRIVE
ATHENS PERIMETER LOOP
MATCHLINE SHEET 3

"MUST HAVES"	"HIGHLY WANTED"	"NICE TO HAVE"
TIER 1	TIER 2	TIER 3
Develop a Shared-Use Path along the southern side of Timothy road between Skyline Parkway and Timothy Road/Loop 10 intersection with street crossings where appropriate. (As Defined by Alternative A from Station 100+00 to Station 185+97 on Sheets 13-020A to 13-037A in the Plan Sheets.)	Develop bicycle/pedestrian inter-neighborhood connectivity between Berkley Hills subdivision and Glenview subdivision (Old Macon Highway) with supporting wayfinding. (To Be Developed in Future Phases.)	Replace sidewalk from Atlanta Highway to Skyline Parkway with shared use path, or redesign the segment of Timothy Road north of Epps Bridge Parkway to include bike lanes connecting to shared-use path. (As Defined by Station 0+10 to Station 92+36 on Sheets 13-001 to 13-019 in the Plan Sheets.)
Develop a Shared-Use Path along the northern side of Timothy road between Timothy Road/Loop 10 intersection and Rhodes Drive (Berkley Hills Subdivision). (As Defined by Station 1000+00 to Station 1019+17 on Sheets 13-038 to 13-041 in the Plan Sheets.)		

REVISED PER USER GROUP FINAL RECOMMENDATIONS

SHEET TITLE: SHARED USE PATH LAYOUT — ATHENS-CLARKE COUNTY, GEORGIA

PROJECT TITLE: TIMOTHY ROAD SHARED USE PATH

150 0 150
SCALE IN FEET

benesch
Alfred Benesch & Company
1005 Broad Street, Suite 200
Augusta, GA 30901
P 706.722.4114
www.benesch.com

PROJECT INFORMATION

JOB NO: 19023002
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19023002E.DWG
DRAWING SCALE: 1" = 150'
ORIGINAL RELEASE DATE: OCTOBER 21, 2022

Sheet: 4

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

COMMISSION AGENDA ITEM

SUBJECT: Approval of a Public Pump Station & Force Main - Moores Grove Road

DATE: October 26, 2022

BUDGET INFORMATION:

REVENUES: $300,000

EXPENSES:

ANNUAL: $6,825 Operating Expenses

CAPITAL:

OTHER:

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request Mayor and Commission:

a. Approve the concept of extending the public sanitary sewer along parcels at 0 Smithonia Road and 0 Moores Grove Road by allowing the installation of a public sanitary sewer pump station built to ACCGov Public Utilities specifications by a developer;

b. Authorize the developer to install a Direct Current grid tied solar array system (subject to the PUD and Office of Sustainability approval) commensurate with the power needed to fully operate the pump station and a backup power generator; and

c. Authorize staff to accept the Moores Grove Pump Station as a fixed asset to the Public Utilities Department for public operation and maintenance once installed and approved.

HISTORY:

1. On July 1, 1978, the City of Athens adopted a Sewer Use Ordinance regulating connections to the public sanitary sewer system.

2. On October 3, 1995, the Mayor and Commission (M&C) enacted Ordinance #95-10-077 which included Code Section 5-1-2 (a) (6) as follows: *"Force main connections. It shall be unlawful for any person, without the consent of the mayor and commission, to connect to the Athens-Clarke County sanitary sewage system by means of any force main from a*

pumping facility or apparatus. If any person should desire to connect a force sanitary sewer main with the sewage system of Athens-Clarke County, such person shall make written application to the mayor and commission. Such application shall be accompanied by detailed plans and specifications of such proposal, together with such other pertinent information as may be required by the Athens-Clarke County Public Utilities Department. The mayor and commission shall proceed to act on such application and shall take into consideration whether or not such would impose a burden on Athens-Clarke County, and in this connection shall consider the useful life of the plumbing facility, the replacement cost thereof, maintenance and repairs thereof, power costs, inflationary trends and any other costs or expense factors in connection therewith. After considering such factors, the mayor and commission may require the deposit of a sum of money with Athens-Clarke County by the applicant to compensate Athens-Clarke County for the burden thereof. The mayor and commission may require the conveyance of such pumping facility, together with all appurtenances connected therewith, to Athens-Clarke County, together with such certificates of title or evidence of ownership as might be required by Athens-Clarke County. It is the intent of this provision that such pumping facility should not become a burden to Athens-Clarke County in operating and maintaining the same. The mayor and commission shall then deny or grant such request."

3. On April 12, 2021, PUD issued a task order to on-call engineer Hazen and Sawyer to produce a sanitary sewer pump station design guide in order to develop standard specifications for publicly owned pump stations in Athens-Clarke County.
4. On June 15, 2021, the M&C approved a public pump station and force main for a proposed subdivision development at 5090 Old Jefferson Road.
5. On February 1, 2022, the M&C approved a public pump station and force main for a proposed subdivision development at 5100 Atlanta Highway.
6. On August 19, 2022, W&A Engineering, the subject property owner's engineer, submitted a request to connect to the public sanitary sewer system by means of a public pump station and force main. The property owner, J.W. York Homes, has proposed a subdivision development of approximately 60 single family dwellings, 19 town homes, 24 residential flats, and 37,000 square feet of mixed office, retail, and restaurants.
7. On October 13, 2022, PUD received a draft pump station design guide from Hazen and Sawyer. The design guide will be finalized and a pump station policy will be created for all future publicly-owned pump stations.

FACTS & ISSUES:

1. Code Section 5-1-2(a)(6) references sewage pump stations under the heading of force mains. A force main is a sewer pipe that is pressurized by the pumps in a pump station. The reason for a pump station and force main is that gravity sewer connection is not feasible because either a) the sewage collection system under consideration is at a lower elevation than the gravity sewer to which the force main discharges or b) there is no gravity sewer

down gradient from the development. Since all force mains are necessarily associated with a pump station, the terms force main and pump station are synonymous for regulatory purposes.

2. Public Utilities Department (PUD) currently owns and operates one sewage pump station and force main, the Weatherly Woods Pump Station. The Weatherly Woods station moves sanitary sewage from the Winterville area and Weatherly Woods Subdivision to the Cedar Creek Water Reclamation Facility. The pump station was originally installed to facilitate the removal of the Weatherly Woods Oxidation Pond private wastewater treatment facility.
3. The Weatherly Woods Pump Station can pump over 2.5 million gallons per day (mgd) of sewage, though actual daily flows are much less. The average annual operating cost for this pump station is $76,500.
4. The section of the ACCGov Sewer Use Ordinance dealing with pump stations was developed to minimize the transfer of wastewater from one drainage basin to another. In designing the ACCGov wastewater collection system, PUD sizes all sewer lines to accommodate the estimated wastewater demand projected for a specific basin. The pipe sizing is also based on the existing Land Use Plan and the associated basin specific population projections. The unregulated transfer of wastewater from one basin to another can impact the design capacity of the sewer collection system in the receiving drainage basin. This can impact the future wastewater service availability within the basin.
5. The top of line manholes in Athens Road (Manhole E16-23) and in Moores Grove Road (Manhole E16-27) are the farthest extent of the Shoal Creek sanitary sewer, which serves the Winterville area. The parcels at 0 Smithonia Road and 0 Moores Grove Road are adjacent to these manholes, but due to the topography of the area, the majority of these parcels is at a lower elevation than the existing gravity sanitary sewer. The subject property is in the adjacent watershed, the Sulphur Springs watershed. To serve this area with public sewer, a publicly owned pump station will be required to transfer the sewage from the Sulphur Springs watershed to the top of line manhole in Athens Road. It will then travel through the Shoal Creek Sewer Interceptor to the Weatherly Woods Pump Station where it is then pumped to the Cedar Creek Water Reclamation Facility. (**Attachment #1**)
6. The projected wastewater flow from this subdivision development is approximately 43,649 gallons per day (gpd). As a comparison, a single-family average wastewater flow is 140 gpd. PUD evaluated the capacity of the Shoal Creek Interceptor and the Weatherly Woods Pump Station and determined capacity is available for this flow.
7. The developer is responsible for paying a deposit of $<u>300,000</u> for the first 20 years of operation and maintenance. The present value of the estimated operation and maintenance cost at 20 years and 3% inflation is $99,000. The present value of the estimated power cost at 20 years and 3% inflation is $37,500 with solar power array included. The estimate of the useful life of the pump station is 20 years at which time the equipment would be replaced. The present value of the replacement cost is $163,500. The developer agreed to add solar power system to the design. The total deposit recommended is $300,000.

8. The financial burden imposed on rate payers to maintain and operate the pump station is somewhat mitigated by the $300,000 deposit. This deposit was only calculated for a 20 year time span.
9. PUD prefers gravity sewers to force mains due to the operation and maintenance costs associated with force mains. The benefit of approving the pump station will be opening up an area of the county to more dense development than can be accommodated by septic tank wastewater treatment. Connection to the sanitary sewer and treatment at the CCWRF is the preferable treatment method. This development will provide additional rate payers, and increase housing availability in Athens-Clarke County.
10. PUD will contract with the developer for the deposit in connection with accepting the donated fixed asset such that the pump station will not be an extraordinary burden on existing Athens-Clarke County ratepayers. In other words, gravity flow is inexpensive whereas pumping has a development-specific cost that should not be imposed on ratepayers connected to the gravity wastewater collection system.
11. A proposed contract will be prepared to permit the installation of the pump station and convey ownership of the fixed asset to PUD once installed and approved. The project will be brought to the Mayor and Commission for preliminary approval of the design plans and specifications.
12. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure, Strategy C: Provide adequate funding for maintenance of existing and newly constructed infrastructure.

OPTIONS:

1. Mayor and Commission:
    a. Approve the concept of extending the public sanitary sewer along parcels at 0 Smithonia Road and 0 Moores Grove Road by allowing the installation of a public sanitary sewer pump station built to ACCGov Public Utilities specifications by a developer;
    b. Authorize the developer to install a Direct Current grid tied solar array system (subject to the PUD and Office of Sustainability approval) commensurate with the power needed to fully operate the pump station and a backup power generator; and
    c. Authorize staff to accept the Moores Grove Pump Station as a fixed asset to the Public Utilities Department for public operation and maintenance once installed and approved.
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a, b & c

DEPARTMENT: Public Utilities

Prepared by: Hollis Terry IV

Hollis Terry IV — 10/26/2022

Hollis Terry IV — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a, b & c

Manager — November 9, 2022

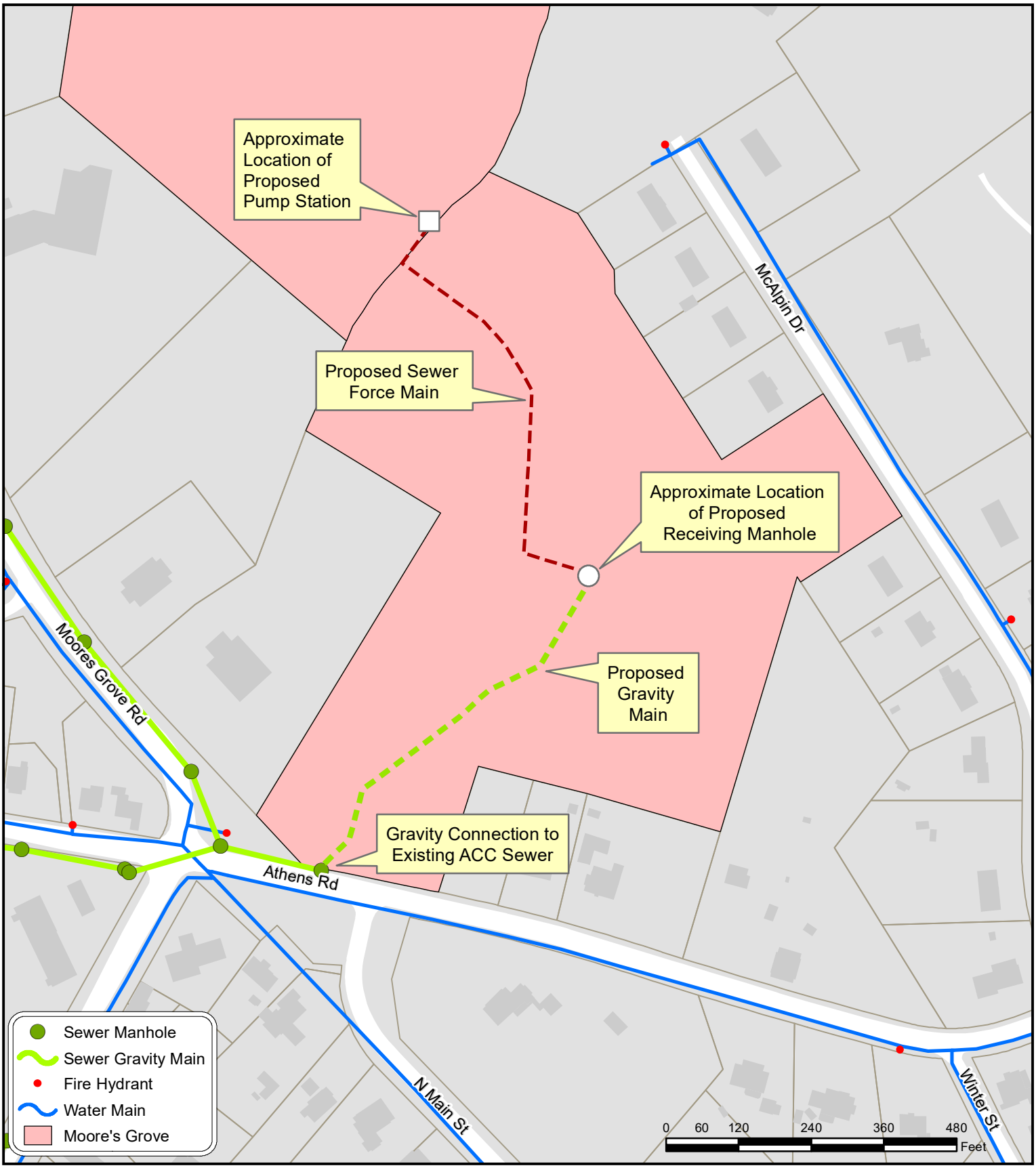
Manager — Date:

ATTACHMENTS:

Attachment #1 - Plat

Moore's Grove Pump Station

Attachment #1



The Unified Government of Athens-Clarke County
Department of Public Utilities
124 E Hancock Ave. Athens Ga, 30601

Wednesday, October 26, 2022

Attachment #1

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE AMERICAN RESCUE PLAN (ARP)CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FOR A MUNICIPAL GARDENS PROGRAM POSITION; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the American Rescue Plan (ARP) Coronavirus State and Local Fiscal Recovery Funds Special Revenue Fund Operating Budget to provide funding for a municipal gardens program position.

Said Operating & Capital budget is hereby amended as follows:

American Rescue Plan – CSLFRF Special Revenue Fund:

EXPENDITURES	
Decrease:	
Municipal Garden Program – Leisure Services	($150,000)

EXPENDITURES	
Increase:	
Municipal Garden Program – Cooperative Extension	
Personal Services	$117,000
Operating Expenses	$ 33,000
Total	$150,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

COMMISSION AGENDA ITEM

SUBJECT: Athens-Clarke County Extension ANR Agent for Community Garden Program

DATE: October 27, 2022

BUDGET INFORMATION:

REVENUES:	$150,000	Municipal Garden Program Funds
EXPENSES:		
ANNUAL:	$105,000	Salary for 30 months
	$ 12,000	Travel Allowance for 30 months
CAPITAL:		
OTHER:	$ 33,000	Equipment & Supplies
	$ 0	Total Funds Remaining

FUNDING SOURCE: American Rescue Plan Local Fiscal Recovery Funds

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request the Mayor and Commission:

a. Authorize an Agricultural and Natural Resource Agent position for the Athens-Clarke County Extension Office to focus on community gardens and education; and
b. Adopt the associated budget ordinance.

HISTORY:

1. In 2010, the Community Garden Network was formed by the Athens Land Trust, which received a three-year grant from the USDA National Institute for Food and Agriculture. The Community Garden Network is a partnership of organizations in Athens that meet to collaborate on School and Community Garden projects. Partner organizations included the Extension Office, Keep Athens-Clarke County Beautiful, the School Garden Network, and UGArden.

2. On March 5, 2013, Mayor Denson assigned the Government Operations Committee to investigate appropriate ways to allow off-site sales of produce from community gardens. Throughout 2013, the Government Operations Committee also discussed possible ordinance changes to allow for community gardens in residential zones.

3. On February 4, 2014, the Mayor and Commission adopted an ordinance to amend the code of Athens-Clarke County, Georgia to denote permitted uses and associated requirements for community gardens. Permits are required for community gardens; the initial application fee is $50, and each year thereafter that a community garden is in active operation, an annual renewal fee of $10 must be paid.

4. On June 15, 2021, the Mayor and Commission adopted the FY22 budget, which included an allocation of $150,000 of American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) designated for a municipal garden program.

5. On March 1, 2022, the Mayor and Commission adopted the FY23 – 25 Strategic Plan, which included an initiative to "expand and maintain community access to public garden spaces."

6. On October 27, 2022, at a scheduled Mayor and Commission retreat, the County Extension Coordinator shared a presentation that outlined a recommendation to use the designated municipal garden program funds to fund the salary for a temporary, full-time Agricultural and Natural Resource (ANR) Agent that would focus on community gardens and education.

FACTS & ISSUES:

1. To date, none of the allocated funding for the Municipal Garden Program from the FY22 budget has been expended. There is not currently sufficient staff capacity in Cooperative Extension to manage or oversee an ACCGov community or municipal garden program. This temporary, full-time position is being requested to provide additional capacity for this program.

2. There are two community gardens that are owned and managed by ACCGov at Lay Park and Rocksprings. These two gardens are not currently active nor maintained.

3. Staff has attempted to inventory the locations and states of community gardens in the last year; however, the data is incomplete, and information is often difficult to obtain. To the best of staff's knowledge, there are at least 15 known community gardens, and four of these are either underutilized or abandoned.

4. If approved, ACCGov would only fund the salary and travel allowance for the temporary, full-time ANR Agent for 30 months. The University of Georgia will provide the benefits package for this position.

5. The budget associated with the position and program is:
    - $42,000 Annual Salary for ANR Agent
    - $ 4,800 Annual Travel Allowance
    - $33,000 Equipment & Supplies

6. Extension agents are required to develop a plan of work with goals to focus and communicate their work, and they produce an annual report with associated metrics.

7. The County Extension Agent position is responsible for managing the Community Gardens program in the county providing educational opportunities a wide variety of audiences utilizing multiple teaching methods. It serves as a UGA Public Service Faculty member and a member of the County Extension Staff. It is under the direction and leadership of the County Extension Coordinator and the Northeast District Extension Director.

8. This position includes a travel allowance and requires frequent night meetings, some weekend work, and attendance at out-of-county meetings. A valid driver's license and access to a reliable private vehicle for official duty travel are required. Reimbursement for business travel will be provided.

9. General duties for the position include:
    - Targeting specific audiences for educational programs addressing critical issues;
    - Developing and conducting relevant interdisciplinary programs with other staff members based on critical issues;
    - Collaborating with other agencies and community groups to plan and implement programs;
    - Using current research data and information on emerging issues in program development and teaching; and
    - Demonstrating personal interest and involvement in the community by participating in and supporting community activities, organizations and networking with local leaders.

10. Some specific duties the position will perform include:
    - Creating infrastructure for two community gardens that are currently considered the responsibility of ACCGov at Rocksprings and Lay Park, to include:
        - Recruitment and training of garden volunteers;
        - Conducting community needs assessments for both gardens;
        - Developing and implementing a planting schedule; and
        - Developing and implementing a harvest and distribution schedule;
    - Completing location analysis of all community gardens in Athens-Clarke County;
    - Reviewing the permitting procedure currently in place;
    - Re-establishing the Community Garden Network collaboration with Athens Land Trust;
    - Collaborating with Extension Low Income Nutrition Education Program (SNAP-Ed) to deliver nutrition education to community garden recipients in Rocksprings and Lay Park areas;
    - Collaborating with ACC Extension Family and Consumer Sciences Agent to provide home food preservation classes for recipients of produce harvested from garden;

- Collaborating with ACC Extension Family and Consumer Sciences Agent to provide food safety instruction for recipients of produce harvested from garden; and
- Assisting individual homeowners in establishing their own gardens and providing site visits and educational programs throughout the growing cycle to assist in their success.

11. Possible community garden program metrics include:
    - Pre- and Post-educational surveys;
    - Knowledge gained regarding gardening;
    - Increased consumption of fruits and vegetables;
    - Food insecurity;
    - Pounds of produce produced;
    - Pounds of produce distributed;
    - Dollar value of produce produced/distributed;
    - Money saved;
    - Value of volunteer hours; and
    - Changes in health status (self-reported).

12. If approved, staff anticipates the position would be posted for 30 days. After interviews are conducted and an offer is extended, it would require approximately 45 days to complete the background check and obtain all levels of approval. The goal would be to have the position filled by May 2023.

13. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming*

OPTIONS:

1. Mayor and Commission:
    a. Authorize an Agricultural and Natural Resource Agent position for the Athens-Clarke County Extension Office to focus on community gardens and education; and
    b. Adopt the associated budget ordinance.

2. Mayor and Commission do not authorize an Agricultural and Natural Resource Agent position for the Athens-Clarke County Extension Office to focus on community gardens and education.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Cooperative Extension
Prepared by: Jackie Dallas



Jackie Dallas
County Extension Coordinator

11/9/22
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

November 9, 2022
Date:

ATTACHMENTS:
Attachment #1: Budget Ordinance

Attachment #1

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE AMERICAN RESCUE PLAN (ARP)CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FOR AFFORDABLE HOUSING PRESERVATION PROGRAMS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the American Rescue Plan (ARP) Coronavirus State and Local Fiscal Recovery Funds Special Revenue Fund Operating Budget to provide funding for Affordable Housing Preservation via home repairs and down payment assistance programs.

Said Operating & Capital budget is hereby amended as follows:

American Rescue Plan – CSLFRF Special Revenue Fund:

EXPENDITURES	
Decrease:	
ARPA-CSLFRF Contingency	($1,250,000)

EXPENDITURES	
Increase:	
Housing & Community Development (HCD):	
Affordable Housing Preservation	$1,250,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Recommendation from Athens Justice and Memory Project

DATE: November 1, 2022

BUDGET INFORMATION:

REVENUES:	$1,250,000	ARPA Funding Contingency (Revenue Replacement)
EXPENSES:		
ANNUAL:		
CAPITAL:	$1,250,000	Affordable Housing Preservation
	$1,250,000	Potential Athens-Clarke County Center for Racial Justice and Black Futures
OTHER:		

FUNDING SOURCE: American Rescue Plan Act Local Fiscal Recovery Funds

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request the Mayor and Commission:

a. Accept the recommendation from the Athens Justice and Memory Project to:
   - Allocate $1.25M to affordable housing preservation via home repairs and down payment assistance; and
   - Allocate $1.25M to the buildout of an Athens-Clarke County Center for Racial Justice and Black Futures.

b. Designate $1.25M towards affordable housing preservation via home repairs and down payment assistance; and

c. Adopt the associated budget ordinance.

HISTORY:

1. On June 9, 2020 Mayor Girtz drafted the Charge for an Athens Justice and Memory Project: Linnentown.

2. On June 25, 2020 the Athens Justice and Memory Project (AJMP) was appointed by Mayor Girtz. The members appointed to this advisory board are:
   - Hattie Thomas Whitehead (Linnentown community member);

- Bobby Crook (Linnentown community member);
- Geneva Johnson Blasingame (Linnentown community member);
- Freedie Brown Jackson (Linnentown community member);
- Christine Davis Johnson (Linnentown community member);
- Dr. Jennifer Rice;
- Charlene Marsh;
- Commissioner Mike Hamby; and
- Commissioner Mariah Parker.

3. On September 2, 2020, the first public meeting of the Athens Justice and Memory Project (AJMP) was held virtually.

4. On February 2, 2021, Mayor Kelly Girtz signed a proclamation with an apology in recognition of Athenians displaced by urban renewal **projects**.

5. On February 16, 2021, the M&C unanimously approved a resolution in support of recognition and redress for Linnentown, its descendants, and Athens-Clarke County Black communities harmed by urban renewal. One of the most important details within the resolution is the following:

   > *Direct the Linnentown Justice and Memory Committee to determine the total amount of intergenerational wealth lost to urban renewal and, under the Committee's advisement, shall, for as long as the Committee exists under its charge, make annual budgetary recommendations to the Mayor and Commission for operational and capital projects to provide equitable redress, including but not limited to affordable housing, economic development, telecommunication services, public transportation, and public art as redress for past harms caused by urban renewal and to foster future reinvestment in historically underfunded and impoverished neighborhoods in Athens-Clarke County.*

6. On February 22, 2021, the AJMP gathered outside of City Hall to hear the reading of a Linnentown proclamation by Mayor Kelly Girtz, as well as hear from other speakers of the Athens Justice and Memory Project Committee and first descendants of the Linnentown Project.

7. On April 12, 2022, at a regularly scheduled M&C work session, a concept for the Walk of Recognition was presented to the M&C by Hattie Whitehead and Dr. Jenn Rice on behalf of the Athens Justice and Memory Project: Linnentown Committee.

8. On April 20, 2022, Dr. Jerry Shannon presented an overview of a research report related to the assessment of financial losses of urban renewal in Linnentown to the Athens Justice and Memory Project at their regularly scheduled meeting.

9. On October 11, 2022, at a regularly scheduled M&C work session, Dr. Jerry Shannon presented an overview of the research report on the assessment of financial losses of urban renewal in Linnentown. Hattie Whitehead, Chair of the Athens Justice and Memory Project, also shared a presentation related to the economic loss recommendations from the Athens Justice and Memory Project.

10. On October 26, 2022, the Athens Justice and Memory Project voted unanimously to accept the economic losses report prepared by Dr. Jerry Shannon and to formally recommend to the Mayor and Commission:

    - $1.25M be allocated to affordable housing preservation via home rehabilitation and down payment assistance; and

    - $1.25M be allocated for the buildout of the Athens-Clarke County Center for Racial Justice and Black Futures.

FACTS & ISSUES:

1. In establishing the Athens Justice and Memory Project, the committee was directed to determine the total amount of intergenerational wealth lost to urban renewal and make annual budgetary recommendations to the Mayor and Commission for operational and capital projects to provide equitable redress, including but not limited to:

    - Affordable housing;
    - Economic development;
    - Telecommunication services;
    - Public transportation; and
    - Public art

    as redress for past harms caused by urban renewal and to foster future reinvestment in historically underfunded and impoverished neighborhoods in Athens-Clarke County.

2. The research report to assess financial losses from urban renewal in Linnentown, prepared by Dr. Jerry Shannon, Dr. Richard Martin, and Aidan Hysjulien, calculates financial loss for Linnentown properties using different methodology that estimates loss from underpayment and loss from lower appreciation due to relocation. Using the first estimate of underpayment for their final calculations, they estimate a total financial loss of $5,022,375.

3. The Athens Justice and Memory Project committee has noted that the $5,022,375 is not only the responsibility of the Unified Government of Athens-Clarke County (ACCGov) – they

have further noted that the University of Georgia shares the responsibility for this financial loss.

4. As part to their recommendation to the Mayor and Commission, the Athens Justice and Memory Project committee specifies that ACCGov should allocate $2M for the purposes of affordable housing and the buildout for a Black History Museum.

5. The Attorney's Office has engaged a third-party consultant to assist with the interpretation of how ACCGov can use State and Local Fiscal Recovery Funds (SLFRF) or otherwise referred to as ARPA funding. Specifically, the third-party consultant has weighed-in on how ACCGov may provide funding as it relates to this topic. The consultant has advised the following:

   "SLFRF funds may be used to finance programs, services or capital expenditures that assist communities or classes of individuals in addressing the impacts they experienced due to COVID-19. While these communities or individuals may have suffered discrimination in housing policies and practices in the past, that history of discrimination, by itself, does not clear the SLFRF eligibility threshold. It is those communities' or individuals' demonstrated COVID-19 related impacts that justifies using SLFRF funds to provide necessary assistance."

   "SLFRF funds cannot be used to pay any debt moral or otherwise (judgements, etc)."

6. Pursuant to federal guidelines any program would have to be available to all citizens—regardless of race or whether they were descendants of former Linnentown residents—that meet the established eligibility criteria required to obtain "long-term housing security" assistance.

7. SLRFR funds may be used to support programs that promote health and safety concerns for communities that were disproportionately impacted by the pandemic through violence reduction interventions and education services in a renovated facility located in a community that will receive such services.

OPTIONS:

1. Mayor and Commission:
   a. Accept the recommendation from the Athens Justice and Memory Project to:
      - Allocate $1.25M to affordable housing preservation via home repairs and down payment assistance; and
      - Allocate $1.25M to the buildout of an Athens-Clarke County Center for Racial Justice and Black Futures.

   b. Designate $1.25M towards affordable housing preservation via home repairs and down payment assistance; and

c. Adopt the associated budget ordinance.

2. Mayor and Commission do not accept the recommendations nor designate $1.25M to affordable housing preservation via home repairs and down payment assistance.

3. Mayor and Commission defined option.

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1 – Budget Ordinance

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: 2023 Georgia Department of Transportation (GDOT) Local Maintenance Improvement Grant (LMIG) Application Submittal

DATE: October 26, 2022

BUDGET INFORMATION:

REVENUES:	$1,448,713	Anticipated LMIG Award from GDOT
	$ 434,047	Required 30% match from TSPLOST 2023 Project #21
	$ 567	Additional Funds needed from TSPLOST 2023 Project #21
	$1,883,327	Total available for LMIG projects
EXPENSES:	$ 1,883,327	CY23 Pavement Maintenance Project

FUNDING SOURCE: GDOT LMIG & TSPLOST 2023 Project No. 21, Pavement Rehabilitation

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that Mayor and Commission:

a. Authorize the Transportation & Public Works Department (T&PW) to submit an application, as shown in **Attachment #1**, for the Georgia Department of Transportation Local Maintenance Improvement Grant (GDOT LMIG) in the amount of $1,448,713;

b. Approve the 2023 LMIG Project List, as shown in **Attachment #2**, which will partially comprise the Calendar Year 2023 Pavement Maintenance Program (CY23 PMP) Project; and

c. Authorize the Mayor and appropriate staff to sign all related application documents.

HISTORY:

1. In July 2010, Georgia Department of Transportation (GDOT) restructured the former Local Assistance Road Program (LARP) into the Local Maintenance Improvement Grant (LMIG) Program. The LMIG Program provides funding to local governments for a variety of roadway improvements, including roadway resurfacing, roadway widening, traffic signal and intersection improvement, safety upgrades, culvert/bridge repair, and sidewalk/bike lane improvements within the right-of-way.

2. On May 24, 2022, voters of Athens-Clarke County passed the TSPLOST 2023 referendum, which included Project No. 21, Pavement Rehabilitation. This TSPLOST 2023 project provides an eligible use of funds to match any LMIG awards.

3. On June 29, 2022, GDOT announced the LMIG funds available for 2023. Following the formula used by GDOT which is based on lane miles of roadway and population, the Unified Government of Athens-Clarke County (ACCGov) is eligible to receive $1,448,713 as part of the 2023 LMIG Program. The deadline to submit the grant application to GDOT is February 1, 2023 (**Attachment #3**).

FACTS & ISSUES:

1. The LMIG program is funded by Georgia's motor vehicle tax and is allocated to local governments based on a funding equation that considers local population and centerline miles of paved and unpaved roads.

2. The LMIG program also requires the local government to submit an LMIG Project Report outlining how these funds will be used within the community. T&PW staff continually assess the condition of roadways within Athens-Clarke County and recommend that 2023 LMIG funding be applied to resurfacing priority roadways, as shown in **Attachment #1**.

3. The annual GDOT LMIG funding received from the state is calculated annually based on the totally maintained public roadways and on total LMIG state allocated budget. LMIG funding received in the last five years is shown below:

LMIG Fiscal Year	GDOT LMIG Funds Received by ACCGov
2018	$1,312,617
2019	$1,352,381
2020	$1,480,259
2021	$1,289,844
2022	$1,421,676

4. Based on the LMIG program's funding formula and a letter received from GDOT LMIG Program Officials (**Attachment #3**), T&PW staff anticipates receiving $1,448,713.78 from the 2023 program. Subsequently, ACCGov would be responsible for providing a 30% match of $434,614.13. It is estimated that an additional $567.00 would be needed to complete the resurfacing of the roads listed in **Attachment #2**. The required 30% matching funds are available within TSPLOST 2023 Project No. 21, Pavement Rehabilitation.

5. The complete CY23 PMP project list will be developed by T&PW staff by February 2023 by utilizing the most recent automated rating scores and then will be brought to M&C for approval under a separate agenda item. The complete PMP project list will include the street segments shown in **Attachment #2** plus streets that have been more recently identified by staff with poor to very poor ratings.

6. The ACCGOV annual Pavement Management Program prior to CY20 consisted of three main elements:
    a. Inventory and evaluation of ACCGov roadways: T&PW Engineering Division staff inspect and evaluate the condition of arterial and collector roadway annually and every 2 years on residential roadways. This evaluation is used to define the general condition of each road and generates a numeric score known as the Pavement Performance Index (PPI).
    b. Pavement maintenance activity selection: T&PW staff determines the appropriate maintenance strategy needed for each road segment, estimates the quantity and cost of such work, and prioritizes the roadways based on the numeric score and available funds.
    c. Annual project development: T&PW staff develops the annual project list and maintenance activities based on the available budget and roadway conditions.

7. Prior to CY20, PPI condition scores were on a scale from 0 to 60 (0 for new roadway pavement and 60 for dirt roadway surface). A roadway segment with a PPI score ≥ 23 is considered to be poor to very poor and typically requires immediate rehabilitation and/or maintenance.

8. In CY20, T&PW initiated a new PMP methodology consisting of the following elements:
    - Inventory and evaluation of ACCGov roadways: A consultant performs an automated pavement condition and distress data collection utilizing advanced and sophisticated equipment mounted on a vehicle. A condition assessment and numerical Pavement Condition Index (PCI) score is generated for each roadway segment based on industry standards and the American Societies for Testing and Materials (ASTM) Standard D6433. Automated rating and surveying will be conducted every 3 years on arterials and collectors and every 5 years on residential roads.
    - Asset maintenance software & tools: PCI scores will be entered into PAVERTM (also known as MicroPaver) software, a Pavement Maintenance Management System originally developed in the late 1970's for the Department of Defense (DOD) to manage its vast inventory of pavements. The PCI for roads and parking lots became an ASTM standard in 1999 (D6433-09). PCI scores will be entered into the software every 4 years.
    - Pavement maintenance activities selection: T&PW staff will work with consultants and local contractors to set up the PAVERTM software with preferred pavement treatments and historic unit costs.
    - Annual project development: T&PW staff will use the PAVERTM software to generate a multi-year program with alternative treatments based on the PCI based on available budget and preferred average PCI scoring.

9. T&PW staff has uploaded rating scores collected in 2019 into the PAVER™ program and are attending multiple virtual training sessions to learn how to utilize the software in order to maximize efficiency and transparency. The implementation and learning curve is expected to take a few months to complete, and staff anticipate being able to fully understand and utilize

the software in the near future and following the new rating scheduled for late fall 2022 - early spring 2023.

10. Roadway PCI scores are currently being utilized to develop annual paving programs, including the 2023 LMIG resurfacing list. The table below explains the scores and preferred applicable treatment in a perfect funding scenario:

PCI Range	Roadway Condition	Preferred Treatment (goal)
85-100	Excellent	Like new conditions – crack sealing planned four years from resurfacing
70-85	Very Good	Good to very good conditions that may\should receive crack sealing as preventative treatment
60-70	Good	Good conditions that should have received crack sealing and may be considered for other preventative treatments based on observed localized deteriorations.
40-60	Marginal	Acceptable conditions that requires immediate planning for heavier surface treatments, thin overlays and\or resurfacing. May require immediate localized treatments.
25-40	Poor	Not acceptable condition that requires overlays, surface replacement, base reconstruction, and\or possible subgrade stabilization.
0-25	Very Poor	Similar to poor conditions with high percentage of full reconstruction.

11. A roadway segment that scores poor or very poor (PCI ≤ 40) typically requires immediate rehabilitation and/or maintenance. The complete list of the Calendar Year 2023 Pavement Management Program resurfacing and rehabilitation list will be developed with a focus on the lowest PCI scores and according to allocated and available budget. The objective is to resurface most roadway segments with PCI ≤ 40, and add roadways with up to PCI ≤ 45 nearby or directly adjacent to said poor roads to the proposed resurfacing CY23 PMP roadway list.
12. Remaining roadway segments in poor to very poor conditions & with PCI ≤ 40 scores not selected within the CY23 PMP resurfacing list, are aligned to be next on future Calendar Year 2024 & Calendar Year 2025 paving programs. Additional roadway segments will be added based on allocated budget, projected deterioration rates, and approximate location to poor roadways (PCI ≤ 40).
13. The current CY22 PMP project as of October 15, 2021 is moving forward with 40% completed work on the preventative maintenance list and 20% completed work on the resurfacing/rehabilitation list.
14. The contractor, Pittman Construction, requested a contract renewal to the current CY22 PMP unit price contract. The contract was bid for one year with the option to renew for two

consecutive years. This will be the contractor's first renewal request. If agreed, Pittman Construction will be the contractor for the CY23 PMP Program.

15. The Pavement Maintenance Program for ACCGov is funded by a combination of TSPLOST revenues, local General Fund capital funds, and state funding from GDOT.

16. GDOT has anticipated that it will take approximately one month to review and approve the application once received. The award from GDOT is expected to be announced by March 2023 and funds disbursed shortly thereafter.

17. This recommendation supports the following Mayor and Commission Strategic Plan:

    - Safely Move Around Athens Goal, Strategy E: *Enhance Safety for all modes of transportation*
    - Built and Natural Infrastructure Goal, Strategy C: *Adequate funding for maintenance of existing and newly constructed infrastructure*

OPTIONS:

1. Mayor and Commission:
   a. Authorize the Transportation and Public Works Department (T&PW) to submit an application, as shown in **Attachment #1**, for the Georgia Department of Transportation Local Maintenance Improvement Grant (GDOT LMIG) in the amount of $1,448,713;

   b. Approve the 2023 LMIG Project List, as shown in **Attachment #2**, which will partially comprise the Calendar Year 2023 Pavement Maintenance Program (CY23 PMP) Project; and

   c. Authorize the Mayor and appropriate staff to sign all related application documents.

2. The Mayor and Commission do not authorize the Mayor and appropriate staff to apply for 2023 LMIG program funds at this time.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1a, b, and c

DEPARTMENT: Transportation & Public Works
Prepared by: Rani Katreeb, P.E., Assistant Director
Jason Mize, Pavement Coordinator

Stephen Bailey
Director

October 26, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1a, b, and c



Manager

November 9, 2022
Date:

ATTACHMENTS:

Attachment #1: 2023 GDOT LMIG Application and Application Process
Attachment #2: 2023 LMIG Project List
Attachment #3: 2023 GDOT LMIG Funding Notification Letter

Attachment #1

Revised 06/28/2021

GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2022

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, _____(Name), the_____(Title), on behalf of _____(Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

_____ (Signature)

_____ (Print)
Mayor / Commission Chairperson

_____ (Date)

LOCAL GOVERNMENT SEAL:

_____
E-Verify Number

Sworn to and subscribed before me,

This _____ day of_____, 20____.
In the presence of:

NOTARY PUBLIC

_____
My Commission Expires:

NOTARY PUBLIC SEAL:

LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) PROGRAM

GENERAL GUIDELINES & RULES

1. The following activities/projects will be eligible for LMIG funds:
   - Preliminary engineering (including engineering work for R/W plans and Utility plans)
   - Construction supervision & inspection
   - Utility Adjustments or replacement
   - Patching, leveling and resurfacing a paved roadway
   - Grading, Drainage, Base and Paving existing or new roads
   - Replacing storm drain pipe or culverts
   - Intersection improvements
   - Turn lanes
   - Bridge repair or replacement
   - Sidewalk adjacent (within right of way) to a public roadway or street
   - Roadway Signs, striping, guardrail installation
   - Signal installation or improvement
   - Aggregate Surface Course for dirt road maintenance

2. The following activities/projects will not be eligible for LMIG funds:
   - Right of Way acquisition for a county or city road
   - Street Lighting
   - Beautification & Streetscapes
   - Walking trails and tracks
   - Landscaping
   - Administrative Services
   - Parking Lots

   **** Locally purchased Right of Way will be eligible to go toward the 10% or 30% local match.*

3. The amount of your allocation is based on the total centerline road miles for your local road system and the total population of your county or city as compared with the total statewide centerline road miles and total statewide population. To ensure the Department uses current mileage numbers for your county or city it is critical that you keep our Office of Transportation Data updated on any revisions or changes to your local road system.

4. If a local government does not submit a project list, they will not receive local assistance for that program year. The unused LMIG funds will be used for emergencies, economic development or school access projects elsewhere in the state, on an as needed basis, as determined by the Commissioner.

5. You will be responsible for a 10% or 30% match to obtain your LMIG funds as stated in the Transportation Investment Act (TIA). The counties and cities in the River Valley Region, Central Savannah River Area, Heart of Georgia Region, and Southern Georgia Region will be at the 10% match. All other remaining counties and cities will be at the 30% match. *For example, if your formula allocation is $100,000 and your county's match requirement is 30%, then your project list must have a total in value dollar amount over $130,000. If the project list you submit does not equal or exceed your Formula Amount plus your required match, you will be asked to resubmit your application.*

6. Larger LMIG Projects, that include preliminary engineering, right of way and construction phases, shall be completed *as soon as possible* but substantially complete within three (3) years from the date of receiving the LMIG Grant. We expect resurfacing and maintenance type projects to be completed within a year from the date of receiving the LMIG Grant unless it is necessary for the local government to combine their fiscal year allocations. Funds can be rolled up to 3 fiscal years, when the project list is approved by the Department.

7. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government. It's important to remember that all these expenses are eligible for LMIG funds and the match requirements.

8. All work to be paid with LMIG funds cannot begin until the Department has issued payment to the Local Government.

9. Wherever practical and feasible, GDOT encourages the use of locally owned, disadvantaged business enterprises, and veteran owned businesses in any project that is funded in whole or in part with LMIG funds. GDOT asks each Local Government to report, at the end of the year, any DBE usage on LMIG contracts to your local District State Aid Coordinator. This measure will be used to assist GDOT in meeting the 2012-2015 Race Neutral DBE Goals. If you have any questions concerning firms that are DBE Certified, please visit our web page at www.dot.ga.gov.

10. The local government shall accomplish all the design activities in connection with the projects identified on the project list. Design activities must be accomplished in accordance with the applicable guidelines of the American Association of State Highway and Transportation Officials ("AASHTO") and the Manual on Uniform Traffic Control Devices (MUTCD), current edition.

11. In addition, all projects on the state route system shall be done in accordance with DEPARTMENT design policies & guidelines where applicable. The local government shall also be responsible for submitting permit applications to the District Traffic Operations Office or the District Utilities Office if the project is on a state route.

12. The Department recommends that any design plans for bridge replacement and structural repairs be reviewed by the State Bridge Engineer prior to construction. If not, final bridge plans and all supporting documents must be submitted to the Local Grants Office in Atlanta. Final plans will then be forwarded to the Bridge Maintenance Office for use in their biennial inspections. Request for plan review should be coordinated with the Office of Bridge Design located at One Georgia Center, 600 West Peachtree Street, Atlanta, Georgia 30308. Phone (404) 631-1985.

13. All projects identified on the project list shall be constructed in accordance with the DEPARTMENT's Standard Specifications Construction of Transportation Systems (current edition), Supplemental Specifications (current edition) and Special Provisions.

14. Authorized representatives of the DEPARTMENT may at all reasonable times review and inspect the work, activities and data collected in connection with the projects identified on the project list, including but not limited to, all reports, drawings, studies, specifications, estimates, maps and computations prepared by or for the local government.

15. All projects on the project list shall be subject to a construction field audit at any time. The audit may be performed by employees of the DEPARTMENT or by an independent auditor on behalf of the DEPARTMENT. Local governments shall make a good faith effort to cooperate with GDOT employees or auditor(s).

16. The Local Government shall submit a project status letter each year to their local District Office. This documentation must be received and approved before subsequent LMIG Grants can be approved.

17. Upon completion of the LMIG project, the Local Government must notify their local District Office that the project list is complete and ready to be closed. The Local Government will also have to complete a "Statement of Final Expenditures" and submit to the local District Office.

18. All inspections, sampling and testing of the work will be the responsibility of the local government. Documentation of this work will not have to be submitted to the Department for review.

19. For any questions about the LMIG process, please contact the Local Grants Office in Atlanta at 404-347-0240 or call your State Aid Coordinator at the following locations:

District Office	Contact Number
District One – Gainesville	404-694-6564
District Two – Tennille	478-553-3383
District Three – Thomaston	706-646-7505
District Four – Tifton	229-391-5438
District Five – Jesup	912-530-4396
District Six – Cartersville	678-721-5293
District Seven – Chamblee	770-216-3880

20. The LMIG Grant Application is filed electronically each year. It shall include the following:

- The **List of Projects** to type in the system:
  a. Road name, Beginning and Ending points, Length in miles, Description of work, Project cost, Estimated project let date

- The LMIG **Cover Letter** shall include the following:
  a. Short overview of type project(s) being requested
  b. Status (percentage of completion) of previous LMIG funding for **last 3 fiscal years**
  c. Signature of Mayor or County Commission Chairperson

- The LMIG **Application Signature Page** shall include the following:
  a. Signature of Mayor or County Commission Chairperson
  b. County/City Seal is Required (if using an embossed seal, please shade it before scanning)
  c. Notary Signature and Seal

Attachment #2

FY2023 GDOT LMIG Project List

County/City: Athens -Clarke County

No.	STREET	FROM	TO	Length (Miles)	PCI	Description of work	Total Cost	LMIG Request	ACCGOV Matching	Additional Funds	Project Let Date	Projected Schedule
1	Ashmore Ct	Ashmore Dr	NE END	0.110	35	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 18,425	$ 14,168.83	$ 4,251	$ 6	Mar-23	Nov-23
2	Bailey St	SOUTH END	SOUTH END	0.701	43	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 117,418	$ 90,294.06	$ 27,088	$ 35	Mar-23	Nov-23
3	Baker St	Vine St	Mckinley Dr	0.187	46	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 31,323	$ 24,087.00	$ 7,226	$ 9	Mar-23	Nov-23
4	Bedgood Rd	Atlanta Hwy	NORTH END	0.281	39	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 47,068	$ 36,194.91	$ 10,858	$ 14	Mar-23	Nov-23
5	Ben Burton Rd	Conway Dr	Ben Burton Cir	0.373	40	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 62,478	$ 48,045.20	$ 14,414	$ 19	Mar-23	Nov-23
6	Beth Ct	SW END	Ansley Dr	0.181	41	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 30,318	$ 23,314.16	$ 6,994	$ 9	Mar-23	Nov-23
7	Beverly Dr	Whitehead Rd	Lakeshore Dr	0.402	44	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 67,335	$ 51,780.62	$ 15,534	$ 20	Mar-23	Nov-23
8	Bonita Hills Rd	Felton Cir	Felton Cir	0.181	42	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 30,318	$ 23,314.16	$ 6,994	$ 9	Mar-23	Nov-23
9	Bowden Ln	Whitehead Rd	Kara Dr	0.081	65	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 13,568	$ 10,433.41	$ 3,130	$ 4	Mar-23	Nov-23
10	Brighton Ter	Burkland Dr	NE END	0.108	42	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 18,090	$ 13,911.21	$ 4,173	$ 5	Mar-23	Nov-23
11	Brook Ct	Hillsborough Dr	NORTH END	0.134	36	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 22,445	$ 17,260.21	$ 5,178	$ 7	Mar-23	Nov-23
12	Campbell Dr	Belmont Rd	EAST END	0.848	34	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 142,040	$ 109,228.76	$ 32,769	$ 43	Mar-23	Nov-23
13	Carrington Dr	Hummingbird Trl	EAST END	0.231	43	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 38,693	$ 29,754.53	$ 8,926	$ 12	Mar-23	Nov-23
14	Catalpa Ct	SE END	Catalpa Way	0.170	40	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 28,475	$ 21,897.28	$ 6,569	$ 9	Mar-23	Nov-23
15	Chalfont Ln	Chalfont Dr	SOUTH END	0.444	43	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 74,370	$ 57,190.53	$ 17,157	$ 22	Mar-23	Nov-23
16	Chesterton Way	Chesterton Dr	Vincent Dr	0.147	43	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 24,623	$ 18,934.70	$ 5,680	$ 7	Mar-23	Nov-23
17	Chickadee Ct	Hickory Pointe Dr	NORTH END	0.294	38	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 49,245	$ 37,869.41	$ 11,361	$ 15	Mar-23	Nov-23
18	Civitan Club Dr	SE END	Gaines School Rd	0.504	44	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 84,420	$ 64,918.98	$ 19,476	$ 25	Mar-23	Nov-23
19	Clifton Dr	Atkinson Dr	Ashton Dr	0.567	30	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 94,973	$ 73,033.85	$ 21,910	$ 28	Mar-23	Nov-23
20	Conway Dr	Atlanta Hwy	Ben Burton Rd	0.312	39	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 52,260	$ 40,187.94	$ 12,056	$ 16	Mar-23	Nov-23
21	Couplet Dr	Old Monroe Rd	Morning Dr	0.185	54	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 30,988	$ 23,829.39	$ 7,149	$ 9	Mar-23	Nov-23
22	Creek Hollow Way	Sunny Hills Dr	Creek Stone Dr	0.420	43	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 70,350	$ 54,099.15	$ 16,230	$ 21	Mar-23	Nov-23
23	Creek Stone Ct	Commerce Rd	Creek Stone Dr	0.266	38	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 44,555	$ 34,262.80	$ 10,279	$ 13	Mar-23	Nov-23
24	Creek Stone Dr	Creek Stone Ct	Creek Hollow Way	0.306	42	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 51,255	$ 39,415.10	$ 11,825	$ 15	Mar-23	Nov-23
25	Creeks Edge Dr	WEST END	Sunny Hills Dr	0.157	36	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 26,298	$ 20,222.78	$ 6,067	$ 8	Mar-23	Nov-23

FY2023 GDOT LMIG Project List

County/City: Athens -Clarke County

No.	STREET	FROM	TO	Length (Miles)	PCI	Description of work	Total Cost	LMIG Request	ACCGOV Matching	Additional Funds	Project Let Date	Projected Schedule
26	Crest Way	McDuffie Dr	McDuffie Dr	0.355	40	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 59,463	$ 45,726.66	$ 13,718	$ 18	Mar-23	Nov-23
27	Hanover Cir	Hanover Dr	NORTH END	0.290	45	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 48,575	$ 37,354.18	$ 11,206	$ 15	Mar-23	Nov-23
28	Whitehead Rd	Jefferson Rd	Kirby Ln	3.045	52	Milling, patching, crack seal, chip seal, leveling paving and striping	$ 503,964	$ 387,982.84	$ 115,828	$ 153	Mar-23	Nov-23
			Total Length Miles	11.280		Total Costs	$ 1,883,327	$ 1,448,713	$ 434,047	$ 567		

Attachment #3

Georgia Department of Transportation

Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

June 29, 2022

Kelly Girtz, Mayor
Athens-Clarke County
P.O. Box 1868
Athens, Georgia 30603

7/5/22

RE: **Fiscal Year 2023 Local Maintenance & Improvement Grant (LMIG) Program**

Dear Mayor Girtz:

We are pleased to announce that the Department will begin accepting applications for the Fiscal Year 2023 LMIG Program in July 2022. Grants will be processed electronically through our **GRANTS (LMIG) Application System**. To begin your FY 2023 LMIG Application, please visit the Department's website at www.dot.ga.gov/PS/Local/LMIG. This site provides a link to the LMIG Application, the LMIG Application Tutorial (Manual), and to the General Guidelines and Rules and other pertinent reports. The project list will be entered directly into the LMIG Application System. Please contact your District State Aid Coordinator, **Shane Giles**, at **404-694-6545** for assistance with the online application process.

For an application to be processed, the following requirements must be met:

- A local government must be in Department of Audits and Accounts (DOAA) and Department of Community Affairs (DCA) audit compliance.
- A signed cover letter must be attached and include a completion status of the last three fiscal years' LMIG Grants.
- A signature page must include both the local government seal and the notary seal. The application website provides a blank signature page for you to download, complete and upload as an attachment.
- A local government must provide their District State Aid Coordinator with a Statement of Financial Expenditures form and invoices for Fiscal Year 2020 projects and all other prior years unless previously approved to combine funding for Fiscal Years 2020, 2021, and 2022. The forms can be attached in the LMIG Application System if they have not already been provided to your District State Aid Coordinator.

All electronic LMIG applications must be received no later than February 1, 2023. Failure to submit applications by the deadline might result in a forfeiture of funds.

Your formula amount for the Fiscal Year 2023 Program is **$1,448,713.78** and your local match is **30%**. Each local government is required to match this formula amount in accordance with Code Section 48-8-244(d).

If you have any questions regarding the LMIG Program, please contact the Local Grants Office in Atlanta at (404) 347-0240 or email questions to LocalGrantsProgram@dot.ga.gov.

Sincerely,

Bill Wright

Bill Wright
Local Grants Administrator

cc: The Honorable Bill Cowsert, Georgia State Senate; The Honorable Frank Ginn, Georgia State Senate
The Honorable Houston Gaines, Georgia House of Representatives; The Honorable Spencer Frye, Georgia House of Representatives; The Honorable Marcus Wiedower, Georgia House of Representatives
The Honorable Emily Dunn, State Transportation Board; The Honorable Jamie Boswell, State Transportation Board

GDOT Georgia Department of Transportation

FY _____

LOCAL MAINTENANCE & IMPROVEMENT GRANT Program (LMIG)

STATEMENT OF FINAL PROJECT EXPENDITURES

DATE: _____

COUNTY: _____

CITY: _____

SUBMITTED BY: _____
(Local Government Representative- Person's Printed Name)

1. LMIG EXPENDITURES: $ _____
(LMIG Funding Received from GDOT)

2. REQUIRED 10% or 30% MATCH: $ _____
(10% or 30% of LMIG Funding Received in #1)

3. TOTAL PROJECT EXPENDITURES: $ _____
(The Total Amount Spent on Project)

4. TOTAL LOCAL GOVERNMENT EXPENDITURES: $ _____
[Total Project Expenditures above minus LMIG Expenditures at the Top (#3 minus #1)]

By signature below, I hereby certify that the above expenditures are for the work completed on the attached final Project List for the FY_____ LMIG Program.

Authorized Local Government Official Signature: _____

[Include financial documents to verify expenditures, including but not limited to invoices, contracts, checks, etc.]

For GDOT use only

PI Number: _____

Record Audit Performed: Yes No (Circle One)

Field Inspection Completion Date: _____

APPROVED: _____ Date: _____
(DISTRICT ENGINEER SIGNATURE)

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2011 Project 22, Youth & Community Enrichment Facility – Candidate Site Selection

DATE: October 18, 2022

BUDGET INFORMATION:

REVENUES:

$	2,854,000	SPLOST 2011 Project 22
$	1,000,000	Athens Land Trust Contribution
$	3,854,000	Total Revenue

EXPENSES:

CAPITAL:

$	374,277	Expensed or Encumbered
$	2,500,000	Designated for Construction
$	250,000	Designated for Fixtures, Furniture, and Equipment
$	216,545	Designated for Miscellaneous, Testing, and PM Fees
$	25,000	Designated for Public Art
$	273,178	Available for Design and Construction Contingency
$	215,000	Designated for Land Acquisition

FUNDING SOURCE: SPLOST 2011, ATL Contributions

COMMISSION ACTION REQUESTED ON: December 6, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Site Selection Committee's recommended Candidate Sites, as shown on **Attachment #1,** in accordance with Stage II of the Unified Government of Athens-Clarke County (ACCGov) Major Project Site Selection Process for the Youth & Community Enrichment Facility (SPLOST 2011 Project 22); and

b. Authorize the Site Selection Committee to enter Stage III of the ACCGov Major Project Site Selection Process, evaluation of candidate sites, to include technical and cost evaluations, candidate site rankings and recommendation to the Mayor and Commission of site acquisition for the Youth & Community Enrichment Facility (SPLOST 2011 Project 22) to be presented for review and approval by the Mayor and Commission.

HISTORY:

1. On November 2, 2010, Athens-Clarke County voters approved the SPLOST 2011 Program

Referendum.

2. On November 1, 2011, the Mayor & Commission (M&C) approved the Master Implementation Plan and Funding Schedule for the SPLOST 2011 Program, including funding for SPLOST Project 22, Youth & Community Enrichment Facility Partnership that was programmed in the later tiers of the SPLOST 2011 program.

3. On May 1, 2018, Mayor Nancy Denson assigned the SPLOST Project 22, Youth & Community Enrichment Facility Partnership to an ad hoc committee, made up of five commissioners, to develop a recommendation for M&C to consider on the best use for the project.

4. On July 23, 2018, the ad hoc committee met to review options for the SPLOST Project 22, Youth & Community Enrichment Facility Partnership and developed the criteria for a Request for Proposal (RFP) to solicit proposals for the partnership.

5. On August 14, 2018, the Unified Government of Athens-Clarke County (ACCGov) advertised Request for Proposals #00927 for the SPLOST Project 22, Youth & Community Enrichment Facility Partnership Contract (SPLOST 2011 Project 22).

6. On August 24, 2018, ACCGov hosted a pre-proposal meeting both in person and on the internet as part of a webinar for the RFP #00927.

7. On September 21, 2018, one proposal was received from Athens Land Trust (ALT) in response to RFP #00927 for the SPLOST Project 22, Youth & Community Enrichment Facility Partnership.

8. On October 23, 2018, the ad hoc committee met to hear a presentation from the ALT on their proposal in response to RFP #00927. The committee also agreed, by unanimous vote, to recommend designating ALT's proposal as the most responsive proposal to M&C and to propose their programs described in their proposal as the recommended project concept.

9. On November 26, 2018, the SPLOST Citizens Oversight Committee confirmed that the "West Broad Rising: A Proposed Partnership with the Unified Government of Athens-Clarke County for a Youth and Community Enrichment Facility" and described programs as the Project Concept is consistent with the Initial Project Statement of SPLOST 2011, Project 22, Youth & Community Enrichment Facility Partnership.

10. On December 4, 2018, the M&C approved the project concept and designated Athens Land Trust (ALT) for the award of SPLOST 2011, Project 22, Youth & Community Enrichment Facility Partnership, and authorized staff to implement site selection activities and negotiate a final contract and schematic design.

11. During and since 2019, ALT has continued dialogue with the Clarke County School District (CCSD) regarding options available for using the W. Broad School as a site for the Youth &

Community Enrichment Facility.

12. On October 16, 2020, the Project User Group was established as Heather Benham, Haylee Banerjee, Andrew Saunders, Gustavo Rodriguez, Ella Willingham, Xavier Coates, and Lawrence Harris (who was later replaced with Erin Thompson Podvin and subsequently replaced by Soraia Felgenhauer).

13. On November 20, 2020, the Project User Group held its kick-off meeting.

14. From January 2021 though September 2021, the User Group continued to meet to review site selection criteria and Design Services Request for Proposal (RFP) criteria and investigated several CDBG properties being held by the AHA and the ALT for applicability.

15. On May 4, 2021, Mayor Kelly Girtz appointed the following Site Selection Committee (SSC) for all capital projects, when needed, other than the new Judicial Center, including this project:
    - Commissioner Carol Myers – Chair
    - Leslie Gonzalez – Hilsman Middle School Media Specialist
    - Harry Sims – resident and former ACC commissioner
    - Annice Ritter – long-time literacy coach
    - Laura Carter – SPLOST 2020 Oversight CAC member

16. On October 1, 2021, ACCGov advertised Request for Proposals #01053 for the SPLOST 2011 Project 22, Youth & Community Enrichment Facility Design Services.

17. On October 14, 2021, ACCGov hosted a pre-proposal conference on the internet for the RFP #01053.

18. On October 30, 2021, ACCGov received seven proposals were received for design services of SPLOST 2011 Project 22, Youth & Community Enrichment Facility. (See F&I #6)

19. On November 5, 2021, the User Group met and determined the short listing of firms for interviews.

20. On November 18, 2021, the User Group interviewed the shortlisted firms and determined the highest scoring proposal.

21. On December 7, 2021, M&C approved the Design Services contract with Architectural Collaborative, LLC (Arcollab).

22. On April 8, 2022, the Design Services contract was executed with Architectural Collaborative, LLC (Arcollab).

23. On April 25, 2022, the User Group finalized their proposed Site Selection Criteria in order to

present to and review with the SSC.

24. On May 2, 2022, the SSC held their kickoff meeting and were presented to the project User Groups recommended Site Selection Criteria and Project Concept.

25. On May 9, 2022, an on-line survey and public comment was activated to allow citizens an additional opportunity to review and comment on the proposed Site Criteria and facility Programing.

26. On May 19, 2022, a Community Forum was held in accordance with the Major Project Site Selection Process to allow residents an opportunity to review and comment on the proposed Site Criteria and the Building Programing Documents. The meeting was attended by nine residents and two written comments were received at the public meeting.

27. On May 22, 2022, the on-line survey was closed. A total of 13 comments were received, including the two from the public meeting.

28. On May 23, 2022, the User Group recommended, to the SSC, approval of the proposed Site Selection Criteria and the project building concept/program, as generally shown on **Attachment #2.**

29. On May 23, 2022, the SSC completed their review, taking into account the public feedback, and the recommendation from the UG. The SSC voted unanimously to recommend the Site Selection Criteria, to the M&C for approval.

30. On June 7, 2022, the M&C approved the Site Selection Criteria and authorized the SSC to advance the project into the Site Selection Stage II and ultimately to develop the Candidate Project list.

31. Between September 15, 2022 and October 9, 2022 the SSC and staff conducted on-line surveys, public input session, tabling events, speaking at multiple public events in an effort to inform residents about the Potential Sites, **Attachment #3**, and the opportunity to provide public input on the Potential Sites. The full listing all 44 public input comments that were received can be viewed at: **https://athensclarke.maps.arcgis.com/apps/dashboards/502e6c9ada50490fac2ad81c96136cd2**.

32. On October 17, 2022, the UG met to review the Potential Sites and the public input received about those potential sites. The UG voted, unanimously, to recommend the sites as identified five recommended Candidate Sites:
    - Parcel Group 17: CCSD + Adjacent Campbell Lane Site
    - Parcel Group 4: Miller Street
    - Parcel Group 1: 135 Honeysuckle Lane
    - Parcel Group 18: Health Department + 794 Hancock Ave

- Parcel Group 7: 171 Old Epps Bridge Road/2152 W. Broad St – existing State Probation Office.

33. On October 27, 2022, the SSC met to review the Potential Sites, the recommendation from the User Group, evaluations by the design team, and the public input received about those potential sites. The SSC voted, unanimously, to recommend the first four Candidate Sites, as identified in **Attachment #1** and Facts & Issues #6, for the further review and study.

FACTS & ISSUES:

1. The M&C approved Initial Project Statement for SPLOST 2011 Project 22, Youth & Community Enrichment Facility Partnership, reads as follows:

   ***Project 22, Youth & Community Enrichment Facility Partnership**, will provide a new facility in partnership with one or more organizations for youth development and family educational programs in Athens-Clarke County. It is expected the partner(s) will provide capital funds to the project to support SPLOST funding. The project is envisioned to include components such as computer lab and technology center, classrooms and conference space, game room, teen center, half gymnasium, associated administrative and operational areas, and exterior stage area and sports field.*

2. The approved Project Concept for the SPLOST 2011 Project 22, Youth & Community Enrichment Facility Partnership is to build a new facility within Athens-Clarke County in partnership with the Athens Land Trust (ALT) for a facility to deliver education, skill building, and employment to youth and families of Athens-Clarke County. The project building concept/program, as generally shown on **Attachment #2.** The project concept includes developing spaces for market and garden space, classroom and activity space for youth programming, infrastructure and programming to support small business development, homebuyer education, financial literacy, and other neighborhood-identified uses, the campus will be an engine for educational, job, and life skills.

3. The partial stated goal of the approved Project Concept is to bring unique opportunities to the West Broad Neighborhood, which has been targeted for revitalization by ACCGov, while delivering resources for education, economic development, cultural enrichment, and community fellowship to all of Athens' youth and families. The catalyst project to advance this goal is the development of a community campus comprising facilities for ALT's and other partners' youth and family programming, a marketplace and urban farm, resources for business incubation including a commercial kitchen, and other community services.

4. The ACCGov Major Project Site Selection process is implemented by a Mayor-appointed resident member SSC, chaired by a Commissioner (History #15). The principal charge to the SSC is to ensure both appropriate technical and community values are considered and evaluated in the selection of sites for ACCGov facilities. The overall process includes specific activities as follows:
   - Stage I – development of appropriate technical and community value siting criteria which must be approved by the M&C;

- Stage II – Identification of up to 10 Potential Sites based on the approved criteria, and determination. Recommending the top 3 Potential Sites to M&C for further evaluation as Candidate Projects. The Candidate Sites must also be approved by the M&C;
- Stage III – Includes detailed site studies as appropriate and a recommended final site ranking for M&C review and approval.

Each of these steps also includes a public information/community meeting process to receive input from the public for additional consideration.

5. Using the approved Siting Criteria, 10 Potential Sites (**Attachment #3**) were identified and evaluated against the criteria relative to the technical and community values. Each site was assigned points based on this evaluation to provide relative pros and cons for consideration. All of the Potential Sites were presented to the public and public input was taken as part of determining a recommendation for the proposed candidate sites for further study and evaluation.

6. The approved Major Project Site Selection Process requires that the SSC submit to M&C a minimum of three recommended Candidate Sites for further evaluation. After the public input and the evaluation of the Potential Sites, the Project User Group recommended five candidate sites (History #32). Subsequent to the UG recommendation the Site Selection Committee reviewed the public input, discussion during their meeting, and ultimately voted unanimously to recommend the four Candidate Sites, listed below, for approval by the M&C and to subsequently be further evaluated under Stage III of the ACCGov Site Selection Process.
    - Parcel Group 17: CCSD + Adjacent Campbell Lane Site
    - Parcel Group 4: Miller Street
    - Parcel Group 1: 135 Honeysuckle Lane
    - Parcel Group 18: Health Department + 794 Hancock Ave

7. Anticipated remaining timeline for Site Selection Process:
    - M&C Action on Candidates Sites List – December 1, 2022
    - Staff Studies Candidate Sites as Directed by M&C – December 2022 – February 2023
    - SSC Reviews Candidate Sites Studies – January 16, 2022
    - Staff Conducts Detailed Studies of Top 3 sites – December 2022 – February 2023
    - SSC Reviews Top 3 Sites Studies and Finalizes Top Ranked Site Recommendation to M&C – February 2023 – March 2023
    - SSC Presents Recommendation to M&C Executive Session – March 7, 2023

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Drive community transformation with a focus on creating spaces that are respectful and welcoming.

OPTIONS:

1. Mayor and Commission:

    a. Approve the Site Selection Committee's recommended Candidate Sites, as shown on **Attachment #1,** in accordance with Stage II of the Unified Government of Athens-Clarke County (ACCGov) Major Project Site Selection Process for the Youth & Community Enrichment Facility (SPLOST 2011 Project 22); and

    b. Authorize the Site Selection Committee to enter Stage III of the ACCGov Major Project Site Selection Process, evaluation of candidate sites, to include technical and cost evaluations, candidate site rankings and recommendation to the Mayor and Commission of site acquisition for the Youth & Community Enrichment Facility (SPLOST 2011 Project 22) to be presented for review and approval by the Mayor and Commission.

2. Mayor and Commission do not approve the Site Selection Criteria.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1a & b

DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Keith D. Sanders, SPLOST Program Administrator



Keith D. Sanders, SPLOST Program Administrator — November 3, 2022 Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager — November 9, 2022 Date:

Attachments:
Attachment #1 – Recommended Candidate Sites
Attachment #2 – Project Building Concept/Program
Attachment #3 – 10 Potential Sites

Attachment # 1

Youth and Community Enrichment Facility
SPLOST 2011 Project #22

Recommended Candidate Sites

- **Parcel Group 17: CCSD+ Adjacent Campbell Lane Site**
  (Ranked #2 – Score: 57, 3.31 Acres)

- **Parcel Group 4: Miller Street**
  (Ranked #3 – Score: 57, 3.51 Acres)

- **Parcel Group 1: 135 Honeysuckle Lane**
  (Ranked #8 – Score: 49, 3.01 Acres)

- **Parcel Group 18: Health Department + 794 Hancock Ave**
  (Ranked #6 – Score: 51, 3.02 Acres)

COMMERCIAL KITCHEN
4,000 ft²

WOOD SHOP
1600 ft²

120 ft²

Y.U.B.

METAL SHOP
1600 ft²

RECEIVING

100 ft²

STAGING AREA
1,000 ft²

LOADING
3200 ft²

MAKERS

COMMUNITY GARDEN
30,000 ft²

GARDEN STORAGE
400 ft²

STORAGE

150 ft²

COMP LAB

200 ft²

RECEPTION
460 ft²

LRG MTG ROOM
1800 ft²

CLASSROOM
750 ft²

COMMUNITY

Y.U.F.

200 ft²

COMM. AG.

300 ft²

CONSERV.
480 ft²

160 ft²

STORAGE

RR

192 ft²

STAGE
750 ft²

MARKET PAVILION
6,000 ft²

PATIO
3,000 ft²

MARKET

PARKING
15,000-17,000 ft²

320 ft²

HOUSING DEV.

HOUSING COUNSELING
470 ft²

STORAGE
300 ft²

ED. DEV.

150 ft²

SMALL MTG RM
300 ft²

STAFF AREAS
405 ft²

STRATEGIC PART.

300 ft²

EXEC. DIR.

DIR. OPS

FINANCE

175 ft²

150 ft²

225 ft²

OFFICE/ADMIN

YOUTH & COMMUNITY ENRICHMENT FACILITY: PROGRAMMING CONCEPT

arcollab
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YOUTH AND COMMUNITY ENRICHMENT FACILITY

PROGRAM

SUMMARY, MAY 2022

SPACE	AREA QUANTITY	# OF OCCUPANTS OR LENGTH	X	ANSF PER PERSON OR WIDTH	ANSF	NICE TO HAVE	AREA HIGHLY WANTED	AREA MUST HAVE	NOTES
1.0 RECEPTION						**460**	**252**	**252**	
1.1 WORKSTATION	2	2 0		50 0	0	100	72	72	36sf per person
1.1 SEATING AREA (12 PEOPLE)	1	12 0		30 0	0	360	180	180	seating for 6 people
2.0 DEPARTMENT OFFICES						**2225**	**1843**	**1843**	
2.1 COMMUNITY AGRICULTURE						**300**	**234**	**234**	
2.1.1 SHARED OFFICE	1	5 0		50 0	0	250	194	194	1 w.s. @ 50sf + 4 @ 36sf
2.1.1 FILE STORAGE	1	0 0		0 0	50	50	40	40	
2.2 CONSERVATION						**480**	**376**	**376**	
2.2.1 PRIVATE OFFICE	1	0 10		0 12	0	120	120	120	
2.2.2 SHARED OFFICE	1	6 0		50 0	0	300	216	216	drops to 36sf/w.s.
2.2.2 FILE STORAGE	1	0 0		0 0	60	60	40	40	
2.3 EXECUTIVE DIRECTOR						**175**	**150**	**150**	
2.3.1 PRIVATE OFFICE	1	1 15		0 10	0	175	150	150	drops to 150 sf office
2.4 DIRECTOR OF OPERATIONS						**150**	**150**	**150**	
2.4.1 PRIVATE OFFICE	1	1 15		0 10	0	150	150	150	
2.5 STRATEGIC PARTNERSHIPS						**300**	**242**	**242**	
2.5.1 PRIVATE OFFICE (DIRECTOR)	1	1 15		0 10	0	150	120	120	drops to 120 sf office
2.5.2 SHARED OFFICE	1	2 0		50 0	0	100	72	72	drops to 36 sf w.s.
2.5.3 1 FILE STORAGE	1	0 0		0 0	50	50	50	50	
2.6 EDUCATION EMPOWERMENT & DEVELOPMENT						**150**	**136**	**136**	How many people are in this department?
2.6. SHARED OFFICE	1	2 0		50 0	0	100	86	86	1 w.s. @ 50sf + 1 @ 36sf
2.6.1 FILE STORAGE	1	0 0		0 0	50	50	50	50	
2.7 FINANCE OFFICE						**225**	**158**	**158**	
2.7.1 DIRECTOR'S WORKSTATION	1	1 0		80 0	0	80	80	50	drops to 50sf w.s.
2.7.2 ADDITIONAL WORKSTATIONS	3	3 0		50 0	0	150	108	108	drops to 36sf w.s.
2.7.1 FILE STORAGE/LAYOUT SPACE	1	0 0		0 0	75	75	50	50	
2.8 HOUSING COUNSELING						**470**	**375**	**375**	Near Housing Development
2.8.1 PRIVATE OFFICE	1	0 10		0 12	0	120	120	120	
2.8.2 SHARED OFFICE	1	5 0		50 0	0	250	180	180	drops to 36sf w.s.
2.8.2 FILE STORAGE	1	0 0		0 0	100	100	75	75	
2.9 HOUSING DEVELOPMENT						**320**	**267**	**267**	Near Housing Counseling
2.9.1 PRIVATE OFFICE	1	0 10		0 12	0	120	120	120	
2.9.2 SHARED OFFICE	1	2 0		50 0	0	100	72	72	drops to 36sf w.s.
2.9.2 FILE STORAGE	1	0 0		0 0	100	100	75	75	
2.10 YOUNG URBAN FARMERS						**200**	**147**	**147**	
2.10.1 SHARED OFFICE	1	2 0		50 0	0	100	72	72	drops to 36sf w.s.
2.10.1 FILE STORAGE	1	0 0		0 0	100	100	75	75	
2.11 YOUNG URBAN BUILDERS						**120**	**106**	**106**	
2.11.1 SHARED OFFICE	1	2 0		50 0	0	100	86	86	1 w.s. @ 50sf + 1 @ 36sf
2.11.2 FILE STORAGE	1	0 0		0 0	20	20	20	20	
3.0 STAFF AREAS						**405**	**405**	**405**	
3.1 KITCHENETTE (10 PEOPLE)	1	0 0		0 0	155	155	155	155	
3.2 WORKROOM	1	0 0		0 0	250	250	250	250	
4.0 CLASSROOM/ CONFERENCE/ MEETING ROOMS						**2850**	**2550**	**2550**	
4.1 SMALL ROOM (2-6 PEOPLE)	2	6 0		25 0	150	300	300	300	
4.2 MEDIUM ROOM (30 PEOPLE)	1	30 0		25 0	750	750	750	750	
4.3 LARGE ROOM (100 PEOPLE)	1	100 0		18 0	1800	1800	1500	1500	reduced to 15sf/person
5.0 LABORATORIES						**3400**	**1750**	**1750**	
5.1 WOOD SHOP	1	0 0		0 0	1600	1600	1600	1600	
5.2 METAL SHOP	1				1600	1600			no metal shop after N.T.H.
5.2 COMPUTER LAB (4 STATIONS)	1	4 0		50 0	50	200	150	150	drops to 36sf per w.s.
6.0 KITCHEN						**4000**	**3500**	**3000**	
6.1 COMMERCIAL KITCHEN	1	0 0		0 0	1800	4000	3500	3000	
6.2 RECEIVING	1	0 0		0 0	100	100	100	100	from loading dock
7.0 STORAGE						**610**	**610**	**510**	
7.1 FIRE RESISTANT STORAGE	1	0 0		0 0	300	300	300	200	
7.2 FURNITURE STORAGE	1	0 0		0 0	150	150	150	150	
7.3 GARDEN/MARKET COLD STORAGE	1	0 8		0 20	0	160	160	160	verify size
8.0 OUTDOOR SPACES						**61,702**	**51,388**	**40,138**	
8.1 RESTROOMS	3	0 8		0 8	64	192	128	128	drops to 2 unisex restrooms
8.2 MARKET PAVILION	1	0 150		0 40	0	6000	4500	3000	(30)10x10 booth + 20' aisle for 6000 sf version
8.3 YOUNG URBAN FARMERS STORAGE	1	0 16		0 25	0	400	400	400	
8.4 GARDENS	1				30,000	30,000	22,500	15,000	
8.5 STAGE	1				750	750	500	250	
8.6 PATIO & STAGING FOR WD/MTL SHOPS	1				4,000	4,000	4,000	3,000	
8.7 LOADING DOCK/TRASH/RECYCLING	1				3,200	3,200	3,200	3,200	with washing station
8.8 PARKING	1				17,000	17,000	16,000	15,000	45-52 spaces
8.9 UNCONDITIONED MARKET STORAGE	1	0 20		0 8	0	160	160	160	tent storage unnessary
					TOTAL ANSF	13950	10910	10310	
					EFFICIENCY FACTOR	1.6	1.5	1.4	
					GROSS CONDITIONED BLD SF	22,320	16,365	14,434	
					ACREAGE REQ. FOR 1-STORY BLD	1.93	1.56	1.25	
					ACREAGE REQ. FOR 2-STORY BLD*	1.83	1.50	1.22	

Note: 1 acre = 43,560 sf

*Assumes all offices & staff areas are on 2nd level

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Youth and Community Enrichment Facility Site Selection Matrix- SPLOST 2011, Project #22

Parcel Review:

Parcel Group 7: 171 Old Epps Bridge Road/2152 W. Broad St (Ranked #1- Score: 63, 3.44 Acres)

Benefits:

- Owned by the State of Georgia
- Current zoning C-G (Commercial-General) allows intended use
- Currently developed site
- Potential for shared use of existing facilities
- Multiple access points
- Potential for shared parking adjacent to site
- One block from second transit line (NS) on Broad Street
- Topography is relatively flat
- Opportunity for multiple buildings if old co-op site is combined
- Close proximity to transit (within 5-minute walk of 2 bus lines: Route 5 Beechwood/Baxter and Route 6 West Broad/Atlanta Highway)

Challenges:

- Would require long term Inter-Governmental Lease Agreement
- Ongoing shared current building use as probation office may create a conflict
- Site security coordination for shared use
- Outside of target geographical “Nice to Have” zone
- High-traffic corridors bordering site are less pedestrian friendly than neighborhood streets
- Uncertain availability
- Less space available for garden

Parcel Group 17: CCSD+ Adjacent Campbell Lane Site (Ranked #2 – Score: 57, 3.31 Acres)

Benefits:

- Within target geographical “Nice to Have” zone
- Current G (Government) zoning allows intended use
- CCSD owned property
- Highly visible location
- Potential re-use of existing structures
- Currently fully developed site
- Relatively flat topography within site
- Potential for shared parking with church
- use of existing off-street parking
- Good space for garden and farmer’s market
- Existing transit stop on the property (Route 6 West Broad/Atlanta Highway Route)

- Restore/retain neighborhood landmark

Challenges:

- Potential renovation costs and challenges with historic buildings
- Steep slopes along Paris Street and Minor Street limit access points
- Adjacent to Single Family Residential zones
- Portion of Campbell Lane lot in floodplain

Parcel Group 4: Miller Street (Ranked #3 – Score: 57, 3.51 Acres)

Benefits:

- Within target geographical "Nice to Have" zone
- Current zoning C-G (Commercial-General) allows intended use
- Currently developed site
- Highly visible location
- Multiple access points
- Informal on-street parking potential
- Direct access to transit (Route 6-West Broad/Atlanta Highway)

Challenges:

- Potential environmental / site clean-up costs
- Portion of site zoned Single Family Residential
- Street divides parcels
- Topography (sloping but manageable)
- Integrity/significance of existing structures
- Privately owned/potential land value

Parcel Group 6: Henderson Ext. (Ranked #4 – Score: 53, 2.82 Acres)

Benefits:

- Within target geographical "Nice to Have" zone
- Creek could be an amenity
- Possible strategic alliance with Collective Harvest
- Potential for shared parking with adjacent properties
- Close proximity to transit (within 5-minute walk of 2 bus lines: Route 5 Beechwood/Baxter and Route 6 West Broad/Atlanta Highway)

Challenges:

- Zoned RM-2 – would require a rezone for intended use
- Adjacent to Single Family Residential
- Heavily wooded undeveloped site (requires clearing, stormwater management, etc.) that provides buffer between commercial and residential

- Steep topography
- Limited development area due to riparian buffer and floodplain

Parcel Group 21: 1150 Dearing Street Extension (Ranked #5 – Score: 52, 1.75 Acres)

Benefits:

- Within target geographical "Nice to Have" zone
- Current zoning C-G (Commercial-General) allows target use
- Potential re-use of existing structure
- Currently developed site (with a strong potential for less stormwater requirements/costs)
- Potential for shared parking with adjacent properties
- Proximity to high school programs at HT Edwards Building
- Direct access to transit (Route 6-West Broad/Atlanta Highway)

Challenges:

- Privately owned/potential land value
- Current buildings cover a large portion of the site
- Steep topography changes and existing retaining walls
- Existing site development limits greenspace options
- At 1.75 acres, site will be more challenging to fit all program requirements
- GDOT coordination will be required for any access improvements

Parcel Group 18: Health Department + 794 Hancock Ave (Ranked #6 – Score: 51, 3.02 Acres)

Benefits:

- Current G (Government) zoning allows intended use
- ACC owned property (utilization of existing structures to be determined)
- Potential shared use of existing structure
- Currently developed site
- Close proximity to Clarke Central H.S. (less than ½ mile walk)
- Shared parking potential
- Direct access to transit (Route 6 West Broad/Atlanta Highway Line)
- Visibility of gardens and outdoor space from West Hancock

Challenges:

- Outside of target geographical "Nice to Have" zone
- Potential limited developable area pending Health Department use of existing building and parking lot

Parcel Group 19: 2616 Atlanta Highway (Ranked #7 – Score: 49, 7.9 Acres)

Benefits:

- Current zoning C-G (Commercial-General) allows intended use
- Potential re-use of existing structure
- Currently developed site (with a strong potential for less stormwater requirements/costs)
- Developed envelope is flat
- Adjacent to greenspace / future Greenway connection
- On future multi-use path planned for Atlanta Highway
- Direct access to transit (existing stop within 100 feet of property Route 6-West Broad/Atlanta Highway)

Challenges:

- Privately owned/potential land value
- Large portion of site in floodplain
- Riparian buffer for river
- Significant topography changes outside of developed area
- Outside of target geographical "Highly Wanted" zone
- Currently limited pedestrian access and connectivity
- GDOT coordination required for any access improvements, currently no left turns into or out of the property

Parcel Group 1: 135 Honeysuckle Lane (Ranked #8 – Score: 49, 3.01 Acres)

Benefits:

- Located within center of target geographical "Nice to Have" zone
- Adjacent to church and opportunity for potential shared resources (parking, greenspace, and community building)
- Close proximity to transit (within 5-minute walk of 2 bus lines: Route 5 Beechwood/Baxter and Route 6 West Broad/Atlanta Highway)
- Space for buildings and gardens

Challenges:

- Zoned Residential - would require a rezone for target use
- Adjacent to single family residential zones
- Limited street frontage on Magnolia
- Potential easement required for Magnolia Street access
- Potential roadway improvements required for Honeysuckle Lane access
- Currently undeveloped site (requires clearing, stormwater management, etc.)
- Sewer runs through property with a 20' easement
- Topography (sloping but manageable)

Parcel Group 20: 2130 W. Broad Street (Ranked #9 – Score: 49, 2.22 Acres)

Benefits:

- Current zoning C-G (Commercial-General) allows target use
- Currently developed site
- Potential re-use of existing structure
- Potential for shared parking on adjacent properties
- Direct access to transit (Route 6 West Broad/Atlanta Highway Line)

Challenges:

- Outside of target geographical "Nice to Have" zone
- Privately owned/potential land value
- Steep topography changes outside of developed area
- High-traffic corridors bordering site are less pedestrian friendly than neighborhood streets
- GDOT coordination required for any access improvements

Parcel Group 2: 190 Henderson Extension (Rocksprings Park) (Ranked #10 – Score: 45, 6.12 Acres)

Benefits:

- Within target geographical "Nice to Have" zone
- ACC owned property
- Currently developed site
- Potential shared use of existing facilities (parking, pavilion, community center, etc.)
- Topography is relatively flat
- Close proximity to transit (within 5-minute walk of 2 bus lines: Route 5 Beechwood/Baxter and Route 6 West Broad/Atlanta Highway)

Challenges:

- Requires the use of 18 different parcels for portions of the facility
- Largest Single Site development area is limited to 1 acre (approximately 1 acre +/- on Rocksprings site)
- Stormwater mitigation requirements cannot be centralized due to lack of contiguous property
- Adjacent to Single Family Residential zones
- Partially zoned Residential (satellite lots may require re-zone)
- Site area divided by multiple streets
- Portion of site in floodplain, could only be used for garden or parking
- Potential impact to existing recreation area
- Limited use on satellite properties due to topography, floodplain, and riparian buffers
- Limited access due to existing development and topography

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **AUDITOR;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 1-3-1 entitled "*Internal auditor; office of operational analysis*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting it in its entirety and replacing it so it reads as follows:

(a) *Office of operational analysis established; general responsibilities.* There is hereby established an office of operational analysis under the direction of the internal auditor. The position of internal auditor, operating by and through the Office of Operational Analysis, shall analyze, review, and assess activities, operations, financial systems, and internal accounting controls of departments, office, boards, activities and agencies of the Unified Government of Athens-Clarke County to ensure the efficiency and effectiveness of the Unified Government of Athens-Clarke County.

(b) *Specific duties and responsibilities.* The duties and responsibilities of the internal auditor shall be as follows:

1. Conducts reviews and analysis of operational and fiscal procedures and organizational structure and responsibilities as affects the efficiency and effectiveness of departments, offices, boards, activities, and agencies of the Unified Government of Athens-Clarke County.

2. Prepares reports, in a timely manner, to present findings and recommendations to the Mayor and Commission concerning governmental fiscal operations.

3. Works in consultation with the Mayor and Commissioners, Audit Committee, and Manager to develop objective and plan assignments.

4. Prepares the budget for the office of operational analysis

5. Performs administrative duties such as scheduling meetings, interviews and travel.

6. Serves as the liaison between the Unified Government of Athens-Clarke County and the overview commission and assists the overview commission in their work as required by section 8-116 of the Charter.

7. Oversees and directs the employees and operations of the Office of Operational Analysis.

8. Ensures that all employees of the Office of Operational Analysis are up-to-date with certification and training as set by the Mayor and Commission.

9. Performs such other related duties as may be required.

SECTION 2. This ordinance shall take effect immediately after passage.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

Ad Hoc Office of Operational Analysis Re-Launch Committee
Commission Report

SUBJECT: Revised Office of Operational Analysis Description, Committee Structure, and Ordinance

DATE: November 30, 2022

PURPOSE: Re-open Office of Operational Analysis with updated office description, mission, goals, objectives, advisory committee structure, and associated ordinance, so the committee can be assembled and hiring for the office can be initiated.

HISTORY: The voter-approved Charter of the Unified Government of Athens-Clarke County includes the Auditor as a Charter Officer, and with creation of this office in 1991 a staff was hired. The office generally included three staff persons, including the Auditor. The office was later re-named the "Office of Operational Analysis" to distinguish it from the financial audit function that is required of local governments in Georgia. Beginning in 2007, an Audit Committee comprised of five County Commissioners existed to advise the office and make recommendations regarding an annual work plan and related matters to the full Mayor and Commission. Since 2021 the office has been entirely vacant. In 2022, Georgia City Solutions, the research arm of the Georgia Municipal Association, was contracted to survey similar governments in the region to determine whether any modifications to the office, its staffing or procedures was warranted. Subsequently, Mayor Girtz created an Ad Hoc Office of Operational Analysis Re-Launch Committee to examine these questions and prepare to re-open the office. The Committee met three times in October 2022, and updated the office description, along with its mission, goals, objectives, advisory committee structure, and the associated ACC ordinance.

RECOMMENDATIONS: Adopt the updated office description, including the office mission, goals, objectives, advisory committee structure and approve the associated ordinance.



Kelly Girtz,
Committee Chair

November 30, 2022
Date:

ATTACHMENTS:

1. Office Description, including Mission, Goals, Objectives, Advisory Committee Structure, and staffing approach
2. Updated Ordinance 1-3-1

Recommendations from the Office of Operational Analysis Re-Launch Committee

Office of Operational Analysis

The Office of Operational Analysis (formerly the Auditor's Office) was created by the Athens-Clarke County Unified Government Charter to "conduct a continuing internal audit of the fiscal affairs and operations of every department, office, and agency of the Unified Government." The Office of Operational Analysis and the auditor report directly to the mayor and commission.

Mission

The Office of Operational Analysis provides independent, objective and transparent internal performance audit services of the ACC government to assure that the public's interests are protected and to enhance the efficiency and effectiveness of government operations.
The Office of Operational Analysis reviews and assesses ACCGov's activities, operations, financial systems, staffing, and internal control systems and makes recommendations that will improve governance, risk management, control processes, and value for money,

Ultimately, the OOA's goal is to enhance county government service and performance through assurance services focused on areas of high risk while supporting continuous improvement and collaboration with county leadership to strengthen governance, risk management and control processes.

Goals

The Office of Operational Analysis shall have authority to conduct audits of operational and fiscal procedures and programmatic operations of departments, offices, boards, activities and agencies of the Athens-Clarke County in order to independently and objectively determine whether:

a) Risk management, control, and governance processes are effective;
b) Activities or programs efficiently and effectively serve the purpose intended by government charter, ordinance, state law or applicable federal law or regulations;
c) Activities and programs are being conducted and funds expended in compliance with applicable laws;
d) Revenues are being properly collected, deposited and accounted for;
e) Resources, including funds, property and personnel, are adequately safeguarded, controlled and used in an effective and efficient manner;
f) Financial and other reports are being provided that disclose fairly and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities, and that is necessary to establish a proper basis for evaluating the programs and activities;
g) Adequate operating and administrative procedures and practices, systems, and/or internal control systems have been established by management;
h) There are indications of fraud, abuse or illegal acts which require investigation by appropriate authorities.

Objectives, Duties, and Expectations

1. Development of a work plan, in consultation with the mayor, commission, manager and audit committee, composed of relevant, important, and achievable annual goals. Audit engagements

should be selected and designed to address high risk potential, while optimizing internal audit resources and impact.

2. An established audit report process to include, for example, a review of the audit's final draft by the department reviewed, an opportunity for that department to respond, inclusion of that response in the final report, delivery of the final report to the mayor and commission, and availability of the final reports for public review.
3. Commitment to working collaboratively with Athens-Clarke County Commission, Mayor, Manager, departments and agencies.
4. Completed audit reports that contain relevant background information, observations, conclusions, and recommendations.
    a) Completion of audits in a timely manner
    b) Effective use of technology to maximize impact and improve performance
    c) Scheduled follow up to determine if corrective actions have been implemented and are effective, including status reports as needed from audited entities regarding actions taken to address audit recommendations.
    d) The use of external consultants, auditors, or other professional experts necessary to perform duties through the procurement process with approval of the mayor and commission.
5. The submission of an annual report to the Mayor and Commission prior to the auditor's yearly performance evaluation to include observations and recommendations, corrective actions taken, and significant observations which have not been fully addressed for the preceding year.
6. Development of a whistleblower policy and fraud detection hotline.
7. Staff leadership for the work of the overview commission with the aid of the mayor, commission, manager.
8. Provision of staff support to the Public Safety Civilian Oversight as auditor-monitor or other role developed by the PSCOB.
9. Revision to missions, goals, objectives, duties and expectations with approval of Mayor and Commission.
10. Administrative duties such as developing budget, scheduling meetings, interviews and travel.
11. Completion of other audit-related functions as determined necessary by the Mayor and Commission.

Independence and Professionalism

Independence is essential for effective operation of the internal audit function. It is the policy of ACCGov, that the activities of the Office of Operational Analysis remain free of influence by the manager's office and other organizational elements. Likewise, the Office of Operational Analysis and the auditor do not perform, or have authority over, operational responsibilities or non-audit functions or duties subject to periodic internal audit assessments as this may compromise its independence or objectivity.

Internal audit staff have the responsibility to conduct themselves such that their good faith and integrity are not open to question, and should pursue ongoing professional development. Internal auditors exhibit the highest level of professional objectivity in gathering, evaluating and communicating information about the activity or process being examined. Internal auditors make a balanced assessment of all the relevant circumstances and are not unduly influenced by their own interests or by others in forming judgments. Standards of professional behavior are based upon the Code of Ethics issued by professional organizations like the Institute of Internal Auditors.

Staffing: Launch in 2022-3 with two positions, Auditor and Analyst (or Coordinator, dependent upon applicant needs and direction desired by Auditor), allowing for the possible creation of a third position when those are filled.

Advisory Committee: Committee to be by Mayoral appointment, and to include two Commissioners and three additional residents with significant public or private sector management or systems analysis experience.

Sec. 1-3-1. - Internal auditor; office of operational analysis.

(a)*Office of operational analysis established; general responsibilities.* There is hereby established an office of operational analysis under the direction of the internal auditor. The position of internal auditor, operating by and through the office of operational analysis, shall analyze, review, and assess activities, operations, financial systems, and internal accounting controls of departments, offices, boards, activities and agencies ~~be responsible for conducting a continuing internal audit of the fiscal affairs and programmatic operations of every department, office and agency~~ of the Unified Government of Athens-Clarke County to ensure the efficiency and effectiveness of the Unified Government of Athens-Clarke County ~~departments and agencies~~.

(b)*Specific duties and responsibilities.* The duties and responsibilities of the internal auditor shall be as follows:

1. Conducts reviews and analysis of operational and fiscal procedures and organizational structure and responsibilities as affects the efficiency and effectiveness of ~~every department, office and agency~~ departments, offices, boards, activities, and agencies of the Unified Government of Athens-Clarke County.

2. Prepares reports, in a timely manner, to present findings and recommendations to the mayor and commission concerning government fiscal affairs and operations.

3. Works in consultation with the mayor and commissioners, Audit Committee, and manager to develop objective and plan assignments.

4. Prepares the budget for the office of operational analysis.

5. Performs administrative duties such as scheduling meetings, interviews and travel.

6. ~~Assists the mayor and commission and manager in the work of~~ Serves as the liaison between ACCGOV and the overview commission and assists the overview commission in their work as required by section 8-116 of the Charter.

7. Oversees and directs the employees and operations of the Office of Operational Analysis

8. Ensures that all employees of the Office of Operational Analysis are up to date with certification and training as set by the Mayor & Commission

9. Performs such other related duties as may be required.

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, ESTABLISHING AND FIXING THE QUALIFYING FEES FOR THE OFFICE OF COMMISSIONER OF DISTRICT 2 TO BE FILLED IN THE UPCOMING 2023 ATHENS-CLARKE COUNTY SPECIAL ELECTION TO BE HELD ON MARCH 21, 2023; REQUESTING THE PUBLICATION OF SAID QUALIFYING FEES BY THE ATHENS-CLARKE COUNTY BOARD OF ELECTIONS IN THE LEGAL ORGAN OF RECORD FOR ATHENS-CLARKE COUNTY; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 21-2-131 calls for county governing authorities to fix and publish qualifying fees for each county office to be filled in upcoming general primary, nonpartisan, general elections, or special elections; and

WHEREAS, in 2023, a special election will be held for the office of Commissioner of District 2; and

WHEREAS, pursuant to O.C.G.A. § 21-2-131 (a)(1)(A) such fee shall be 3 percent (3%) of the base salary of the office paid in the preceding calendar year exclusive of compensation supplements for training and cost-of-living adjustments; and

WHEREAS, this resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval;

NOW, THEREFORE, BE IT RESOLVED by the Commission of Athens-Clarke County, and it is hereby so resolved by the authority of the same, that the following qualifying fees shall be established and fixed for the following office for the 2023 upcoming special election to be held on March 21, 2023:

ELECTED OFFICE	ANNUAL BASE MINIMUM SALARY	3% QUALIFYING FEE
District 2 Commissioner	$15,000.00	$450.00

BE IF FURTHER RESOLVED by the Commission of Athens-Clarke County, and it is hereby so resolved by the authority of the same, that the Athens-Clarke County Board of Elections, pursuant to O.C.G.A. § 21-2-131 (a)(1)(A), shall publish such qualifying fees in the county's legal organ of record; and the Athens-Clarke County Board of Elections shall make such information available to the general public.

BE IT FURTHER RESOLVED the Commission of Athens-Clarke County hereby declares that the foregoing preamble and whereas provisions set forth hereinabove constitute,

and shall be considered to be, substantive provisions of this Resolution and are hereby incorporated by reference into this provision.

BE IT FURTHER RESOLVED that in the event scrivener's errors shall be discovered in this Resolution after the adoption hereof, the Commission of Athens-Clarke hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution.

BE IT FURTHER RESOLVED the Commission of Athens-Clarke County grants the Mayor the authority to take any and all further actions necessary to carry out the intents and purposes of this Resolution.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

APPROVED AND ADOPTED this _____ day of _____, 2022.

By: _____
Kelly Girtz, Mayor

Attest: _____
(SEAL) Gloria J. Spratlin, Clerk of Commission

COMMISSION DEFINED OPTION COMMISSIONERS JESSE HOULE, RUSSELL EDWARDS & TIM DENSON

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING A PLANNED DEVELOPMENT COMPRISING APPROXIMATELY 3.85 ACRES AND LOCATED AT 1165 OGLETHORPE AVENUE IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT)**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of a parcel of land comprising approximately 3.85 acres, located at 1165 Oglethorpe Avenue, Athens, Georgia. Said affected parcel is more fully described in that certain site plan entitled "1165 Oglethorpe Avenue Athens, GA PD Site Plan" said site plan having an original issue date of July 29, 2022, and last being revised on November 7, 2022, prepared by Koons Environmental Design, Inc., and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The planned development amended by this ordinance is described in that certain ordinance entitled "An Ordinance to Amend the Code of Athens-Clarke County, Georgia with Respect to Amending the Existing Planned Development, Zoned C-N (PD) (Commercial-Neighborhood, Planned Development) at 1165 Oglethorpe Avenue," which was adopted by the Commission on December 4, 2013 (hereinafter the "December 2013 Ordinance").

The subject parcel comprising approximately 3.85 acres is also known as parcel numbers 121B1 A011A on the Athens-Clarke County tax maps, being on file and available for pubic inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County shall be noted on said Official Zoning Map in the office of the Clerk of Commission at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of fourteen sheets in total, with each sheet being titled and numbered in the lower right hand corner and stamped "Binding 11-8-2022". The respective title, sheet number and date of each sheet is listed below:

Sheet Title	Sheet number	Date
Building Elevations	A1.00	7/29/2022, last revised 9/30/2022

Building Elevations	A1.01	7/29/2022, last revised 9/30/2022
Building Elevations	A1.02	7/29/2022, last revised 9/30/2022
Building Elevations	A1.04	7/29/2022, last revised 9/30/2022
Building Elevations	A1.05	7/29/2022, last revised 9/30/2022
	A1.06	7/29/2022, last revised 9/30/2022
	A1.07	7/29/2022, last revised 9/30/2022
	A1.08	7/29/2022, last revised 9/30/2022
	A1.09	7/29/2022, last revised 9/30/2022
	A1.10	7/29/2022, last revised 9/30/2022
	A1.11	7/29/2022, last revised 9/30/2022
	A1.12	7/29/2022, last revised 9/30/2022
PD Site Plan	PD1.0	7/29/2022, last revised 11/7/2022
PD Tree Management Plan	PD2.0	7/29/2022, last revised 9/30/2022

The binding written report associated with this ordinance consists of seventeen pages in total, is entitled "Proposed 1165 Oglethorpe Avenue Planned Development," dated June 29, 2022, last revised November 7, 2022, and is stamped "Binding 11-8-22". Said report is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W, Dougherty Street, Athens, Georgia.

SECTION 3. The condition of zoning associated with this ordinance are as follows:

1. The developer shall provide a ten (10) foot buffer, where possible with regard to building setbacks and stormwater requirements, provided, however, that such building that such buffer shall not be less than five (5) feet along the western property line. This buffer shall consist of a five (5) foot privacy fence and a dense row of tall, evergreen tree plantings of native species such as little gem magnolia, arborvitae, and eastern red cedar. These plantings shall all be of at least a two (2) inch caliper.

2. Additional right-of-way shall be dedicated by the owner along the southern side of Oglethorpe Avenue as necessary to ensure a minimum of fifteen (15) feet of right-of-way beyond the curb line of the road.

3. The existing Oglethorpe Avenue crosswalk east of the subject property shall be improved into a raised crosswalk at the owner's expense, up to $28,380, utilizing a stamped red brick design, with Rectangular Rapid Flashing Beacons (RRFBs).

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING A PLANNED DEVELOPMENT COMPRISING APPROXIMATELY 3.85 ACRES AND LOCATED AT 1165 OGLETHORPE AVENUE IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT)**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of a parcel of land comprising approximately 3.85 acres, located at 1165 Oglethorpe Avenue, Athens, Georgia. Said affected parcel is more fully described in that certain site plan entitled "1165 Oglethorpe Avenue Athens, GA PD Site Plan" said site plan having an original issue date of July 29, 2022, and last being revised on November 7, 2022, prepared by Koons Environmental Design, Inc., and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The planned development amended by this ordinance is described in that certain ordinance entitled "An Ordinance to Amend the Code of Athens-Clarke County, Georgia with Respect to Amending the Existing Planned Development, Zoned C-N (PD) (Commercial-Neighborhood, Planned Development) at 1165 Oglethorpe Avenue," which was adopted by the Commission on December 4, 2013 (hereinafter the "December 2013 Ordinance").

The subject parcel comprising approximately 3.85 acres is also known as parcel numbers 121B1 A011A on the Athens-Clarke County tax maps, being on file and available for pubic inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County shall be noted on said Official Zoning Map in the office of the Clerk of Commission at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of fourteen sheets in total, with each sheet being titled and numbered in the lower right hand corner and stamped "Binding 11-8-2022". The respective title, sheet number and date of each sheet is listed below:

Sheet Title	Sheet number	Date
Building Elevations	A1.00	7/29/2022, last revised 9/30/2022
Building Elevations	A1.01	7/29/2022, last revised 9/30/2022
Building Elevations	A1.02	7/29/2022, last revised

		9/30/2022
Building Elevations	A1.04	7/29/2022, last revised 9/30/2022
Building Elevations	A1.05	7/29/2022, last revised 9/30/2022
	A1.06	7/29/2022, last revised 9/30/2022
	A1.07	7/29/2022, last revised 9/30/2022
	A1.08	7/29/2022, last revised 9/30/2022
	A1.09	7/29/2022, last revised 9/30/2022
	A1.10	7/29/2022, last revised 9/30/2022
	A1.11	7/29/2022, last revised 9/30/2022
	A1.12	7/29/2022, last revised 9/30/2022
PD Site Plan	PD1.0	7/29/2022, last revised 11/7/2022
PD Tree Management Plan	PD2.0	7/29/2022, last revised 9/30/2022

The binding written report associated with this ordinance consists of seventeen pages in total, is entitled "Proposed 1165 Oglethorpe Avenue Planned Development," dated June 29, 2022, last revised November 7, 2022, and is stamped "Binding 11-8-22". Said report is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W, Dougherty Street, Athens, Georgia.

SECTION 3. The condition of zoning associated with this ordinance are as follows:

1. The developer shall provide a ten (10) foot buffer along the western property line consisting of vegetation and/or a fence.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: November 3, 2022	**FILE NO:** PD-2022-07-1916

LOCATION: 1165 Oglethorpe Avenue
APPLICANT: Joe Polaneczky
OWNER: 1165 Oglethorpe, LLC / William A. Elbring
REQUEST: Amend a C-N (PD) (Commercial-Neighborhood, Planned Development)
COMMISSION DISTRICT: 6

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Present	X		
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present			X	Lucy Rowland Absent			
Matthew Hall, Vice-Chair Recused				Monique Sanders Present	X		
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	6	0	1

For: Josh Koons, Tawana Maddox
Against: Susan Brooks, Roger Bailey, Justin Sanders

Discussion: A few neighbors spoke strongly against a connection to Landor Dr. Commissioners discussed Staff's ideas of what a connection could look like. Some commented that a street connection did not seem necessary here. The mix of housing types, daycare, and affordability provisions were noted with approval, although the orientation of the buildings could do a better job of framing the public realm. The details of the buffers were discussed.

Motion: Ms. Morales made a motion to recommend approval with conditions. Mr. Tucker seconded the motion, which passed 6-0 with 1 abstention.

Conditions:

1. The developer shall add a side porch to Lot #21
2. The developer shall provide a 10' buffer along the western property line consisting of vegetation and/or a fence.

STAFF REPORT
MASTER PLANNED DEVELOPMENT
CASE NUMBER: PD-2022-07-1916
1165 OGLETHORPE AVENUE
NOVEMBER 3, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Joe Polaneczky
OWNER	1165 Oglethorpe, LLC & William A. Elbring (Trustee of the Katherine E. Mills Irrevocable Trust)
ZONING REQUEST	Amend a C-N PD (Commercial Neighborhood Planned Development)
TYPE OF REQUEST	Type II – Master Planned Development
LOCATION	1165 Oglethorpe Avenue
COUNTY COMMISSION DISTRICT	6
SIZE OF REZONING AREA	3.85 acres
PRESENT USE	Vacant
PROPOSED USE	Mixed Use Residential and Neighborhood Commercial
TAX MAP NUMBER	121B1 A011A
ADJACENT USES AND ZONING	(N) School / G
	(S) Single-family dwellings / RS-25
	(E) Church / RS-25
	(W) Single-family dwellings / RS-25
STAFF RECOMMENDATION:	**Denial**
PLANNING COMM. RECOMMENDATION:	**Approval with Conditions**

II. PURPOSE

The purpose of this request is to amend an existing C-N (PD) (Commercial-Neighborhood Planned Development) on a 3.85-acre parcel. The current planned development, approved in 2013, is for a medical office complex that was never built. The applicant intends to develop a mixed use residential and neighborhood commercial project. Planned development designations are used to request exceptions or variations to the required development standards in an effort to provide design flexibility. Once a site has been zoned for a planned development, any changes to the site must be approved as an amendment to the existing planned development. The request for a planned development includes a binding application report, site plan and architectural elevations in an effort to guarantee to the community that what is proposed would be constructed if approved.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The 3.85-acre subject parcel is located on Oglethorpe Avenue directly across from Oglethorpe Elementary School and is adjacent to Forest Heights Baptist Church. The site is not located within a local historic

district, nor is it designated as a local historic landmark. The property is currently zoned C-N (PD). With the exception of the school, all of the surrounding properties are zoned RS-25. The church was built under a conditional use in an RS-25 zone.

The subject property is currently vacant and largely overgrown with brush that sprang up after the lot was cleared for the original PD. The applicant states on their tree management plan, that there is 0% tree canopy coverage on the lot at this time.

IV. PROPOSED DEVELOPMENT

The proposed planned development is for two mixed-use buildings fronting Oglethorpe Avenue and 38 residential units behind and above the mixed-use buildings. These residential units include 11 apartments, 14 townhomes, six cottages, a triplex, and a quadplex for a total of 90 bedrooms. Three of the cottages include accessory guest suites above their detached garages. Compared to the previous proposal, the applicant has reduced the number of apartments by five, resulting in 38 total units instead of 43. The bedroom count has grown from 89 to 90 rooms. The proposal also includes 84 parking spaces, a plaza fronting Oglethorpe, two common greens, and a stormwater management facility. The site proposal is essentially composed of three pods with the mixed-use pod facing Oglethorpe with two more residential pods behind. The density of the project is approximately 10 units/acre or 23 bedrooms/acre. The application does not indicate project phasing or a build-out period. The development would have an entry/exit driveway on Oglethorpe Avenue and sidewalk access from Landor Drive.

The mixed-use buildings would be two- and three-stories, respectively, containing a total of 7,200 sq. ft. of ground-floor commercial space and 11 two-bedroom (2-BR) apartments (total bed count: 22) above the commercial. These commercial spaces are designed for neighborhood uses including a café and a daycare. The daycare building (Bldg #6 on the color rendering in the application report) contains approximately 3,000 sq. ft. for the daycare plus a playground that would be publicly accessible when the daycare is not in session. The rest of the 4,200 sq. ft. of commercial space would house a 60-seat café in Bldg #1. A parking lot is proposed behind these buildings to serve the parking needs of customers and residents while a programmable plaza is proposed next to Building #1.

As mentioned previously, there are two residential pods located behind the mixed-use pod. These residential pods are separated from the mixed-use pod by a gate. The middle pod includes 14 townhomes (3-BR) arranged around a common green with an adjacent dog park. The townhomes are designed as for-sale units on individual lots. The rear pod, separated from the middle pod by parking includes three rear-loaded two-bedroom (2-BR) cottages (with accessory guest suites above the detached garages), three additional cottages (2-BR), a triplex, and a quadplex containg a total of seven two-bedroom units. These units are arranged around a common green with sidewalk access to Landor Drive that intends to provide residents of Forest Heights with access to the site. The applicant plans to reserve 6-7 units for age-restricted (age 55+ according to HUD) for senior housing. Five units are proposed to be income-restricted for residents living at or below 80% of the Area Median Income (AMI). The applicant states that there would be some affordable senior units. Compared to the preliminary proposal, the current version loses 2-3 senior units and three affordable units. The compact design of the site and efficient floorplans allow market-rate housing prices to be cheaper than comparable projects that use more land per unit. The applicant states that they expect to have MOUs in effect with multiple housing providers to secure the senior and affordable units, but no agreements have been submitted to the Planning Department.

According to the applicant, the cottages would be designed with "bungalow" styling and the townhomes would complement this architecture style. The mixed-use buildings would be designed as a classic main

street downtown structure with a masonry façade, as shown in the application report and architectural elevations. Overall, the project bears similarities to the successful Ansonborough development on Gaines School Road.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The 2018 Future Land Use Map designates the subject parcel as *Traditional Neighborhood*, which is described as follows:

Traditional Neighborhood
These are medium density neighborhoods with traditional quality developments. These areas should include well-connected street systems, sidewalks, street trees, and a variety of housing types. Homes are often built close to the street with front porches. Garages are set back farther than the homes and porches. Traditional Neighborhood areas support single-family residences, duplexes which resemble large homes, and townhouses. Strict design standards should be implemented to ensure appropriateness of design and to protect neighborhood character. Limited commercial and other nonresidential uses designed at a neighborhood scale are encouraged, but only in areas close to principal and minor arterial routes that have good access to transit.

The applicant requests no changes to the Future Land Use Map. The proposal is consistent with the density of a Traditional Neighborhood. It also provides sidewalks, street trees, and a variety of housing types including townhomes. The project does not create a well-connected street system. Residential parking is de-emphasized in favor of facing front doors onto greens. The limited commercial space is designed at a neighborhood scale and is located along a street with multiple transit routes. Generally, the proposal is consistent with the Future Land Use Map.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN

The following are relevant 2018 Comprehensive Plan policies:

- Increase the supply and variety of quality housing units, at multiple price points, in multiple locations, to suit the needs of a variety of households.
- Increase access to affordable housing.
- Infill and redevelopment should be prioritized over greenfield expansion.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- Re-examine zoning standards to ensure that they are delivering on community objectives such as affordable housing, provision of parkland and greenspace, environmental sustainability, etc.
- Promote intra and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development. This applies to both vehicular and pedestrian pathways and may not always require formal, paved improvements when associated with walkability.
- Ensure that necessary infrastructure (streets, sidewalks, utilities, etc.) is provided for all neighborhoods.
- Incentivize and incorporate the arts and greenspace into all new developments.
- Identify areas that could potentially be developed for unique neighborhoods with smaller houses and a cohesive theme

By providing apartments, townhomes, cottages, income-restricted, and age-restricted housing, the applicant is definitely meeting the policy of providing a variety of housing units, at multiple price points to suit the needs of variety of households. The project is on an infill site that builds on the existing node of transportation, healthcare, school, housing, and job destinations. The project is providing the required infrastructure in a unique neighborhood with smaller houses, a cohesive theme, and greenspace. However, the project's pod layout, and limited connection to Landor Drive means that the site does a poor job of creating connectivity. Overall, the project is consistent with the 2018 Comprehensive Plan, with the exception that the lack of a public street misses a significant opportunity to create more connectivity.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The subject parcel is currently zoned for Commercial-Neighborhood (Planned-Development). No change to the zoning map is proposed.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development is otherwise expected to adhere to the ordinance standards. The applicant has requested 14 waivers as follows:

1. *Waiver from Section 9-10-2(L1), to remove the requirement for ground-floor commercial in a C-N zone.*

   Applicant's Purpose: Allows the construction of the townhouses, cottages, triplex, and quadplex.

   Staff Opinion: The intent of this ordinance is to ensure that large vertical multi-family developments, such as those that have recently been constructed Downtown, have commercial spaces on the ground floor to activate the street. Given that the primary street frontage on Oglethorpe Avenue will have active ground-floor commercial, it is Staff's opinion that the spirit of this ordinance is being met. Therefore Staff supports this waiver. The applicant may also make this request through a Special Use Permit.

2. *Waiver from Section 9-7-2(L3) to decrease the 100' buffer for attached single family units.*

   Applicant's Purpose: Allows construction of attached townhouses in the current layout.

   Staff Opinion: The intent of this rule is to separate attached single-family units from detached single-family units in parcels adjacent to the subject property. Since, the adjacent RS-25 property contains a church rather than single-family homes, there is no need to separate the two. Therefore, Staff supports this waiver request.

3. *Waiver from Table 9-7-3 to reduce minimum lot widths and continuous linear street frontage from 50 to 18 feet.*

   Applicant's Purpose: Allows construction of the proposed single-family lots.

   Staff Opinion: Staff has determined that Table 9-7-3 allows minimum lot widths of 20 feet for attached units for subdivisions over two acres or involving five or more lots. The applicant's request represents

a 10% reduction in minimum lot width. Given the common green, Staff could support this request. However, the applicant also needs a waiver from the continuous linear street frontage requirement for the entire residential portion of the site. Staff does not support this waiver since Staff does not support the waiver from providing a public street through the site (addressed in Waiver 9-25-10-4).

4. *Waiver from Section 9-7-3 to reduce all minimum setbacks from to 5'.*

Applicant's Purpose: Allows construction of the small-lot units.

Staff Opinion: Generally, setbacks are used to ensure uniform appearance in a neighborhood, provide private yards, and prevent buildings from crowding other buildings, streets, or places such as streams that need protection. In this case, the revised setback would still provide a uniform appearance, a common green would provide adequate greenspace in place of a yard, and there are no public safety or environmental concerns that need addressing by setbacks. Therefore, Staff supports this waiver.

5. *Waiver from 9-7-3 to increase maximum lot coverage from 50% to 90%.*

Applicant's Purpose: Allows the creation of fee-simple lots for sale. The applicant notes that this waiver is only being asked in order to allow the townhouses and cottages to be sold individually. The overall site coverage still meets the C-N ordinance requirement.

Staff Opinion: The applicant needs a waiver to the RS-5 standards that govern residential construction in a C-N zone. The applicant is proposing an overall lot coverage of 55%, which is well under the 75% coverage permitted in a C-N zone. Even if the individual townhouse, cottage, and triplex lots do not meet the standard, the overall coverage is well under the maximum allowed. Therefore, Staff supports the waiver.

6. *Waiver from 9-10-3* [Staff notes this should be 9-7-3] *to increase the maximum dwelling units per acre for single-family residential in a C-N Zone from 6 units per acre to 9 units.*

Applicant's Purpose: Increases the unit yield which lowers the per-unit costs in an effort to achieve affordability. Allows construction of the 20 proposed detached units.

Staff Opinion: The 2018 Comprehensive Plan calls for infill development at nodes with easy multi-modal access to various daily destinations. This proposal is positioned ideally to meet these expectations. The additional units would provide critical residential density to support the proposed cafe. Given the location of the site near a variety of daily destinations, amenities, and transportation mode choices, Staff thinks that this site can support the additional proposed density. Therefore, Staff supports the waiver request.

7. *Waiver from Section 9-10-3-2 to increase the maximum bedrooms per acre from 16 to 24 in a C-N Zone.*

Applicant's Purpose: Increases the unit yield which lowers the per-unit costs in an effort to achieve affordability. Allows the construction of the 11 apartments, triplex, and quadplex.

Staff Opinion: The 2018 Comprehensive Plan calls for infill development at nodes with easy multi-modal access to various daily destinations. This proposal is positioned ideally to meet these expectations. The additional units would provide critical residential density to support the proposed cafe. Given that these commercial buildings will have modest footprints and are located on the main

thoroughfare of Oglethorpe Avenue (rather than facing Landor Drive), Staff does not think that they would negatively alter the character of the area. Therefore, Staff supports this waiver.

8. *Waiver from Section 9-10-3 to remove the minimum yard when abutting a residential zone.*

   Applicant's Purpose: Allows construction of the townhomes, cottages, triplex, and quadplex.

   Staff Opinion: The intent of this standard is to buffer residences from commercial uses. The proposed commercial mixed-use buildings comply with the minimum yard requirement. It is the residential buildings that are too close to the property line. Since these residential units are primarily single-family units, Staff does not think that they need to observe buffers from the adjacent single-family residential zones. Therefore, Staff supports the waiver.

9. *Waiver from Section 9-15-12(D) to increase the height of an accessory structure inside the district setbacks above 12 feet (to approximately 19 feet).*

   Applicant's Purpose: Allows construction of the two-story accessory structures (garage/guest suite) on Lots 17-19.

   Staff Opinion: The intent of the standard is to prevent taller structures near the property line from imposing on existing adjacent residential yards. Since these lots are at least 58 feet away from the nearest existing residential property line, there is no imposition on existing residential neighbors. These structures are between 3-7 feet from each other, but potential buyers would purchase these lots fully aware of the small lot design. Therefore, Staff supports the waiver.

10. *Waiver from Section 9-15-12(E) to increase the maximum size of an accessory structure on a lot of less than ½ acre from 800 sq. ft. to 1,200 sq. ft.*

    Applicant's Purpose: Allows construction of the guest suite above the detached garages on Lots 17-19

    Staff Opinion: The intent of this standard is to keep accessory structures clearly subordinate to the primary structure and to scale the accessory structure to the lot size. As can be seen in the architectural elevations on Sheet A1.00, the proposed 1,200 sq. ft. accessory structure is clearly subordinate to the primary structure. The two-story scale is consistent with the primary structure and the proposed townhomes adjacent to these lots. Since these lots are at least 58 feet away from the nearest existing residential property line, there is no imposition on existing residential neighbors. These structures are between 3-7 feet from each other, but potential buyers would purchase these lots fully aware of the small lot design. Therefore, Staff supports the waiver.

11. *Waiver from Section 9-25-8(B)(5) requiring primary entries to be accessed directly from a public street and sidewalk.*

    Applicant's Purpose: Allows the proposed courtyard-oriented layout of the site with residential front doors facing public greens.

    Staff Opinion: While the courtyard concept proposal is supportable in the right context, Staff does not support the waiver on this particular plan because Staff does not support the 9-25-10-4 waiver for a street connection.

12. *Waiver from Section 9-25-8(B)(9) to decrease the minimum lot size below 150% of the footprint of the unit.*

    Applicant's Purpose: Allows construction of the proposed townhouses.

    Staff Opinion: Since the site plan orients the residences around common greens, there is a reduced need for private yard space. Therefore, Staff supports this waiver.

13. *Waiver from Section 9-25-8(C)(1)a and Section 9-25-8(C)(1)b requiring orientation of architectural elements and building orientation toward a public or private street.*

    Applicant's Purpose: Allows construction of the plan's courtyard-oriented design

    Staff Opinion: While the courtyard concept proposal is supportable in the right context, Staff does not support the waiver on this particular plan because Staff does not support the 9-25-10-4 waiver for a street connection.

14. *Waiver from Section 9-25-8(C)(3) to allow the project to exceed the 3-acre block maximum*

    Applicant's Purpose: Allows the site plan to be constructed as proposed.

    Staff Opinion: The applicant states that their private drives have the effect of breaking up the project into three sections. Staff concurs with this description (and has stated elsewhere in the report that this is undesirable). However, this standard does not consider drives and parking areas to be block breaks for the purposes of this standard. Qualifying breaks include streets and continuous 50-foot greenspace strips. Therefore, Staff does not support this waiver. Providing a public street through the site, as required by code and desired by Staff, would bring this project into compliance with this Code Section.

15. *Waiver from Section 9-25-10-4 to decrease the number of access points from two to one for mixed-use projects that generate more than 250 trips per day.*

    Applicant's Purpose: Reduce vehicular circulation on Landor Drive.

    Staff Opinion: Staff notes that the neighborhood's street network has limited connections. This limited network funnels traffic into two chokepoints at Forest Heights Drive and Hampton Park Drive—artificially creating traffic backups. Adding a third access point to the neighborhood through the subject parcel would increase route choices and reduce traffic backups by distributing trips across more routes. A public street connection would also provide direct access to the proposed stores and Oglethorpe Elementary for residents of Landor Drive, instead of forcing them to take a circuitous route via Forest Heights Drive. The direct connection also makes biking and walking to the school, stores, bus stops, and medical offices more feasible and attractive by shortening the travel distance. The current proposal divides the residential units, mixed-use buildings, and plaza into semi-disconnected pods rather than seamlessly integrating them via a main public street. A public street also provides the opportunity for the applicant to orient their buildings in ways that reduce the number of waivers they need to request. Therefore, Staff does not support this waiver.

16. *Waiver from Section 9-26-3(A)(6) to increase the maximum number of residential units that can be accessed via a private drive from 3 to 27.*

Applicant's Purpose: Since the applicant does not want to build a street, they must get this waiver to build the residential units.

Staff Opinion: Since Staff does not support the 9-25-10-4 waiver for a street connection, Staff does not support this waiver request either.

17. *Waiver from Section 9-26-3(C) to increase the number of residential units that can be served by a dead end from 19 to 27.*

Applicant's Purpose: Since the applicant does not want to build a street, they must get this waiver to build the residential units.

Staff Opinion: Since Staff does not support the 9-25-10-4 waiver for a street connection, Staff does not support this waiver request either.

18. *Waiver from Section 9-26-4(B) to provide no on-street parking.*

Applicant's Purpose: Given the lack of an internal public or private street, the only option to provide on-street parking is on Oglethorpe Avenue. The applicant considers Oglethorpe Avenue to be unsafe for on-street parking. Therefore, the applicant is seeking a waiver to provide no on-street parking.

Staff Opinion: Since Staff does not support the 9-25-10-4 waiver for a street connection, Staff does not support this waiver request either. However, Staff notes that the overall number of off-street parking spaces provided is likely sufficient to meet demand (addressed below) without on-street parking.

19. *Waiver from Section 9-30-2(A) to reduce the required parking for 2-BR single-family residences and 2-BR apartments from 2 spaces to 1.5 spaces.*

Applicant's Purpose: Allows a reduced number of dedicated residential parking spaces for the site.

Staff Opinion: Staff notes that the applicant doesn't necessarily need this waiver, because they could use the mixed-use discount in Section 9-30-8(C) to achieve compliance. The applicant also doesn't need a waiver for the 2-BR apartments because the public parking lot serving those units and the commercial uses slightly exceeds the minimum number of spaces required. According to Staff calculations, the residential portion of the site requires 47 parking spaces and the applicant is proposing 41 (senior units require one space per unit instead of ½ space/unit as used in the applicant's table). The applicant has stated that this housing fits into the Missing Middle Housing category and cites the Northeast Georgia Regional Commission's suggestion to lower parking minimums as part of their Housing Guidelines published in 2022. This housing type is known to create less demand for parking than more suburban housing types, provided it is located in a walkable neighborhood. Given the presence of sidewalks, bike lanes, bus routes, and multiple daily destinations within walking distance on Oglethorpe Avenue, it is reasonable to conclude that the demand for parking could be less than what the Code requires. Therefore, Staff supports this waiver.

20. *Waiver from Section 8-7-15 to decrease the amount of conserved coverage from 15% to 0%.*

Applicant's Purpose: Existing site conditions show 0% tree canopy coverage. Thus there is no canopy to conserve.

Staff Opinion: The ACC Arborist (housed within the Planning Department) has approved this request. Therefore, Staff supports the waiver request.

Code Compliance Issues:
In addition to the requested waivers, staff has identified the following code compliance issues:

- The site plan does not comply with the buffer requirements of Section 9-15-3
- The accessory structure on Lot #19 breaches the 3-foot setback requirement of Section 9-15-12(D)
- The applicant did not meet the architectural variety requirement of Section 9-25-8(B)(3)
- The applicant did not show parking lot screening as required in Section 9-25-8(G)(2).
- The applicant does not show that they are screening parking lots as required by Section 9-30-9(E)(6)b.

The applicant should know that programming in the plaza could be subject to the restrictions on temporary special events as defined in Section 9-2 and regulated in Section 9-10-2(L14). Since the applicant has not mentioned lighting waivers for the site, it is assumed that the applicant will comply with the relevant Lighting and Glare Standards in Section 9-19. The applicant is also expected to use bike racks from the approved list maintained by Transportation and Public Works per Section 9-30-5(D)(4). The applicant is expected to meet these code requirements or ask for additional waivers.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

This proposal for a planned development includes the creation of 38 residences and 7,200 square feet of commercial, including a daycare. The development would add diversity to the non-residential uses on Oglethorpe while adding housing types not currently found in the neighborhood. This could allow a greater variety of households to live in the area while increasing the number of destinations that residents can access without leaving the neighborhood.

II. POPULATION

The overall population would increase by approximately 90 bedrooms, depending on the occupancy of the units with multiple bedrooms.

III. ENVIRONMENT

The subject property sits at a higher elevation than the adjacent street and the property is relatively flat. The Athens-Clarke County Environmental Areas Map indicates that there are no protected environmental areas (wetlands, 100-year floodplain, riparian buffers) on the property.

A tree management plan has been submitted as part of this proposal for review by the Athens-Clarke County Arborist, who has approved the plan without comment.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

Primary access to the development would be via a 25' minimum two-way private driveway off of Oglethorpe Avenue. Access to the residential portion of the site (with the exception of a small private drive off Landor Drive) would be gated. The applicant has stated their intention is to develop a site that is less

automobile-dependent. Although the ITE trip generation handbook estimates the project would generate 624 new daily trips, the applicant notes that these standards are derived from car-oriented suburbs and do not account for the option to walk, bike, or ride transit. Since the site is served by sidewalks, bike lanes, and three bus routes within a short distance from a variety of daily destinations, the applicant estimates that new daily auto trips are likely to be in the range of 400-450. The preliminary proposal provided an ITE-based estimate of 866 new trips, but the applicant estimated the true number of new trips would be 450-500. The preliminary proposal did not provide peak hour estimates, but the current master proposal estimates there would be 104 peak hour trips. Technically, the peak hour estimate triggers a requirement to provide a traffic study, but no such study has been submitted. As explained in the waiver section, Staff does not support the applicant's request to waive the street connection requirement through the site between Oglethorpe and Landor.

The Transportation & Public Works Department has reviewed the proposal and offered the following comment:

- *A left turn lane must be installed on Oglethorpe Ave. into the development. This can be accomplished by eradicating some current lane markings and installing new thermoplastic pavement markings.*

V. GRADING AND DRAINAGE

The applicant states that stormwater will be managed through underground retention, surface features like bioswales, landscape infiltration zones, and pervious surfaces. The Transportation & Public Works Department has reviewed and approved the proposal without comment.

VI. WATER AND SEWER AVAILABILITY

The site is currently served by Athens-Clarke County water and sewer. The Public Utilities Department has reviewed the proposal and does not recommend approval based on the following comments:

- *Each lot must have direct access to the water / sewer main for service. The one lot removed exception does not apply to newly subdivided lots. Extend the proposed water/sewer easements to the property lines for each lot. For lots #21-23, locate water and sewer mains within 10' of property lines*
- *No waiver is required to WS-011 to accommodate the requested 18' lot widths. 18' of frontage to the water and sewer mains is adequate for residential water and sewer services.*
- *No trees are allowed inside the water/sewer easements. Please resolve the tree conflict at the utility easement near Landor Drive.*

VII. FIRE PROTECTION

Athens-Clarke County Fire and Emergency Services has reviewed the submitted request and has approved the plan with the following comment:

- *Gate must meet the 2018 International Fire Code.*

RECOMMENDATIONS

I. STAFF RECOMMENDATION – Denial

The applicant has proposed a mixed-use project with 7,200 square feet of commercial, 38 residences (90 bedrooms), and associated parking and greenspace. The applicant has requested to use the parcel's existing C-N zoning classification, which is compatible with the existing *Traditional Neighborhood* Future Land

Use. A binding application report, site plan and architectural elevations have been submitted, as required for approval.

The 2018 Comprehensive Plan calls for infill housing near commercial nodes that provides housing choices for the diverse needs of our population, a re-examination of parking standards to align with proven needs, nodal development tied to transportation, healthcare, schools, jobs, and housing, incorporation of greenspace into new development, and thoughtful redevelopment of existing structures. This proposal brings more diversity and uniqueness to the neighborhood's housing supply—especially for the 70% of American households that are not nuclear families. It is an infill location with existing infrastructure near bus stops, healthcare facilities, schools, a pharmacy, commercial businesses, religious institutions, and a major park. The greenspace is notable for being designed to encourage social connection between neighbors through the provision of front porches and the intimate clustering of buildings around common areas. The project appears to be consistent with many elements of the comprehensive plan. However, the proposal needs a number of waivers from the zoning code.

Staff supports the creativity of the unique "cottage courtyard" concept, the blend of rental and owner-occupied housing types, the mixing of uses, and the flexibility needed through waivers of various standards to accomplish such a development. The Planned Development route is intended for this kind of project. A number of waivers and code compliance issues must be resolved if this project is to be approved. As explained above, Staff supports 13 of the 20 waiver requests. All seven of the waivers opposed by Staff are necessitated by the applicant's decision not to provide a street connection through the site.

The proposed plaza space is a unique concept. However, it appears to be more of a placeholder than a destination and it is difficult to envision residents casually walking over to use the space without programming—especially since most residents will have courtyard greens right outside their front doors as currently proposed. The applicant states that the plaza could be used to host food trucks and other events. Larger events may trigger the restriction on Temporary Special Events, which are only allowed in limited quantities and times throughout the year. The plaza seems to lack some of the elements of a successful public space, namely a defined center, interesting features to draw people in, and elevation changes to allow views from multiple angles. There is a risk that this space could sit largely empty and repel people rather than attract them. Compared to the preliminary proposal, the current plaza location offers the potential of at least one clear and lively edge if the café is designed to spill out into the plaza. This represents an improvement over the first version, but Staff would like to see further enrichment and integration of this space into the rest of the site. It could also be used as a location for some of the housing units should the applicant add a public street to address the other issues raised in this report.

The current proposal divides the residential units, and mixed-use buildings into semi-disconnected pods rather than seamlessly integrating them via a main public street. A public street also provides the opportunity for the applicant to orient their buildings in ways that reduce the number of waivers they need to request.

The primary issue is the lack of a thru street connection, as required by code, and preferred by Staff for the reasons outlined in the waiver discussion. Staff notes that the neighborhood's street network has limited connections, and that this increases traffic backups at chokepoints. Adding a third route plus neighborhood commercial uses could reduce traffic by distributing trips across more routes and shortening or eliminating automobile trips because of the access to new commercial destinations. Automobile traffic is a function of the following equation:

TRAFFIC = (The Number of People Driving) x (How Much They Drive)
(How Few Routes are Available)

The proposal will bring more drivers to the neighborhood, but the walkable location and mix of uses allows both new and existing residents to reduce how much they drive. Most importantly, adding a third access point for Forest Heights could significantly cut down the number of trips each route must handle. The distribution effect could be strong enough to add the new residents of this project and still decrease the overall amount of traffic on the two existing routes into Forest Heights. This is the biggest reason Staff supports a third connection and does not support the associated waiver.

At the least, the applicant should make a robust attempt to provide walking and biking access from Landor Drive into the site. The proposed sidewalk currently treats the connection as an afterthought, and the adjacent residences point the least attractive sides of their buildings towards Forest Heights. The current configuration offers no integration with the neighborhood and gives passersby the feeling that they are walking through someone's yard to get to the rest of the site. One of the chief advantages of Missing Middle Housing, such as that proposed here, is that it can seamlessly integrate alongside single-family houses in a walkable context. This proposal makes little attempt to integrate into the neighborhood. As these types of housing are re-introduced into Athens, Staff thinks that it is important to set a precedent of integrating into existing neighborhoods as these housing types are meant to do.

In Staff's opinion, the proposal is consistent with the Comprehensive Plan and the Zoning Map. It also could add value to the neighborhood through an increased supply of multiple housing types at varying price points and neighborhood-scale commercial uses in a relatively walkable part of town. However, the lack of integration into the neighborhood—especially the lack of a street connection—precludes Staff from recommending approval. There are also a few outstanding code compliance items that need resolution prior to any approval. These items could probably be resolved via conditions and revisions made by the applicant prior to Mayor and Commission consideration. Without the connection and integration into the neighborhood, Staff recommends denial of the proposal.

II. PLANNING COMMISSION RECOMMENDATION – Approval with Conditions

The Planning Commission received the Master Plan at their regularly scheduled meeting on November 3, 2022 and recommended approval with the following conditions:

1. The developer shall add a side porch to Lot #21
2. The developer shall provide a 10' buffer along the western property line consisting of vegetation and/or a fence.

III. CURRENT STATUS

NOTE: The developer has amended the site plan to show compliance with Condition #1. Therefore the condition is no longer in effect. The developer has attempted to comply with Condition #2, but Staff has determined that the buffer sections adjacent to the sidewalk and the quadplex on the western property line do not meet the 10' buffer condition. Therefore, this condition is still in effect. The applicant has modified their plan to show compliance with Code Items 2, 4, and 5, attempted to comply with Code Item #1 through their response to Condition #2, and is planning to comply with Code Item #3.

A Master Planned Development application and the Planning Commission recommendation are tentatively scheduled for presentation to the Mayor and Commission at their agenda setting on November 15, 2022. The Mayor and Commission are tentatively scheduled to take action on this request on December 6, 2022.

Report for 1165 Oglethorpe Avenue

Zoning Criteria Considered by Staff for Zoning Actions		
Reviewed	Not Applicable	Considerations
X		1. The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
X		2. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
X		3. The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
X		4. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
X		5. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
X		6. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
X		7. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.
X		8. The existing land use pattern surrounding the property in issue.
	X	9. The possible creation of an isolated district unrelated to adjacent and nearby districts.
X		10. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
X		11. Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
X		12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
X		13. Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.

Public Notice

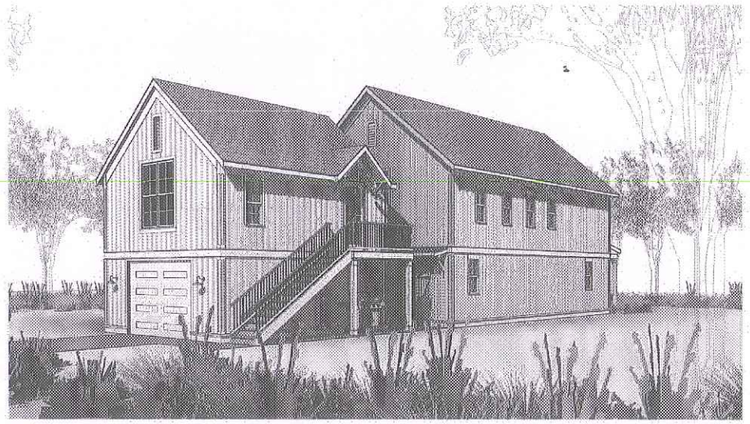
In accordance with Section 9-4-9(E), public notice of this zoning request was last posted on or near the subject property on October 17, 2022.


Entrance Ramp
Main Street Business
Traditional Neighborhood
Mixed Density Residential
Government
Traditional Neighborhood
Knottingham Dr
Davis Pl
Oglethorpe Ave
Traditional Neighborhood
Hampton Park Dr
Breckenridge Ln
Landor Dr
Forest Heights Dr
Tara Way
Landor Pl
Traditional Neighborhood
1165 OGLETHORPE AVENUE
Future Development


RS-8
RS-8
G
G
C-O
C-O
PD
C-N PD
RS-25
RS-25
RS-25
RS-25
RS-25
RS-25
RS-25
PD
1165 OGLETHORPE AVENUE
Existing Zoning



07 FRONT PERSPECTIVE

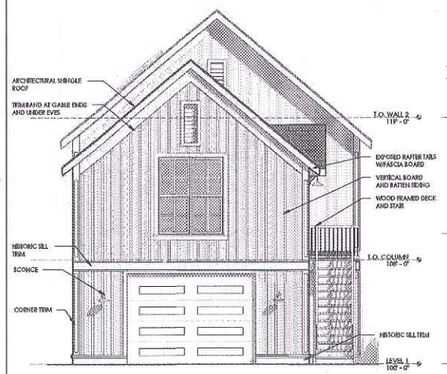


08 REAR PERSPECTIVE

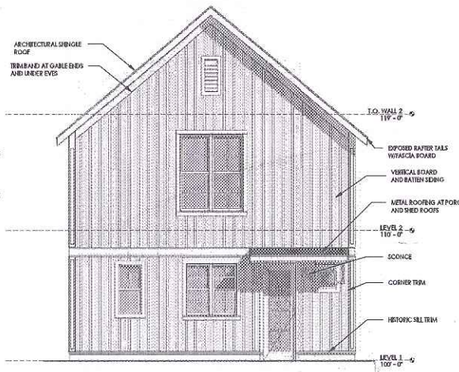
GENERAL NOTES

- HORIZONTAL LAP SIDING OR VERTICAL BOARD AND BATTEN SIDING OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
- STANDING SEAM METAL ROOF AND ARCHITECTURAL SHINGLES OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

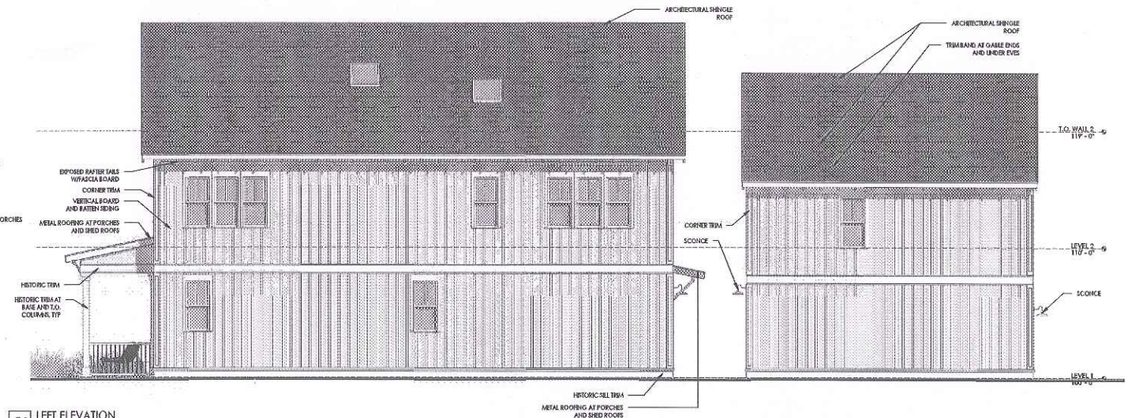
Binding
11-8-22
Stephen Jaques



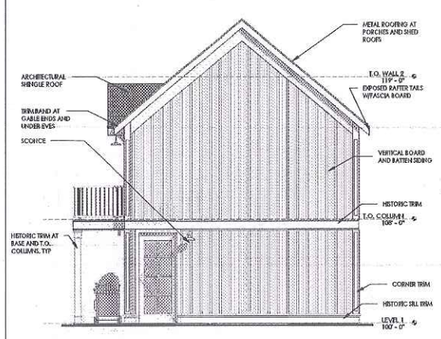
04 GARAGE- REAR ELEVATION
3/16" = 1'-0"



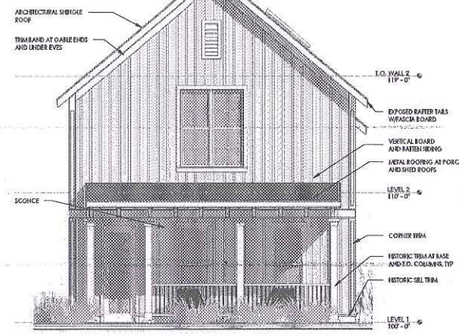
05 COTTAGE - REAR ELEVATION
3/16" = 1'-0"



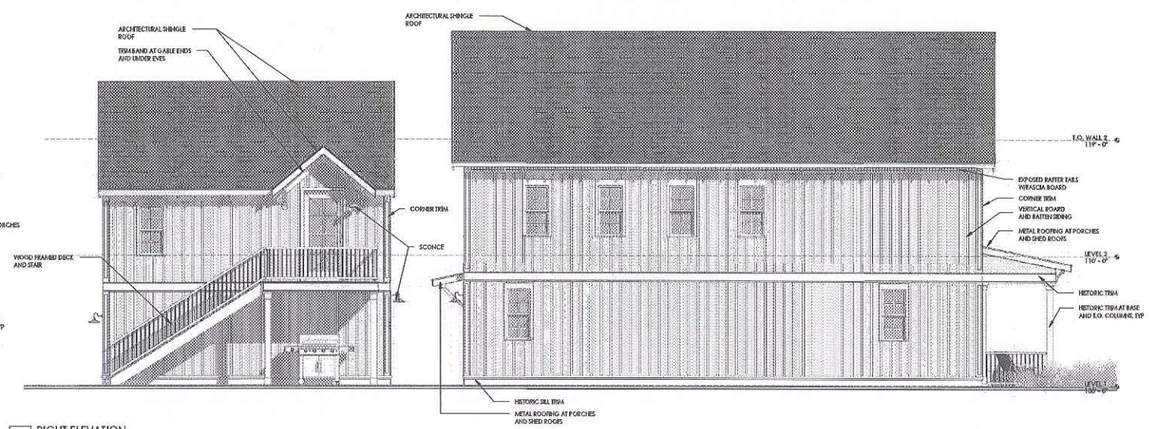
06 LEFT ELEVATION
3/16" = 1'-0"



01 GARAGE - FRONT ELEVATION
3/16" = 1'-0"



02 COTTAGE - FRONT ELEVATION
3/16" = 1'-0"



03 RIGHT ELEVATION
3/16" = 1'-0"

SEAL:

KOONS ENVIRONMENTAL DESIGN inc.
675 Pulaski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

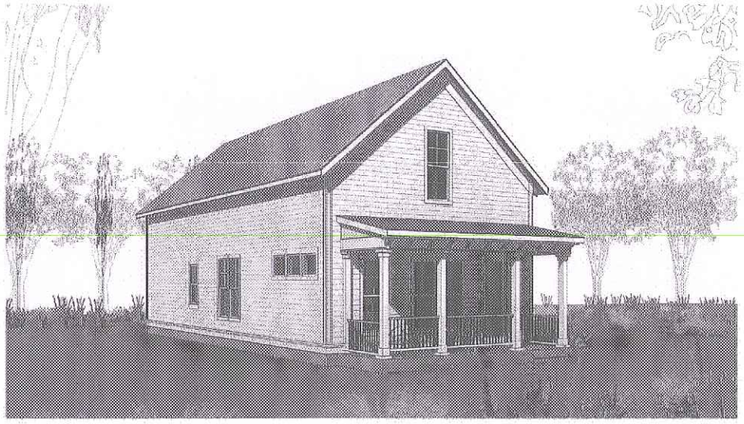
1165 OGLETHORPE AVENUE ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

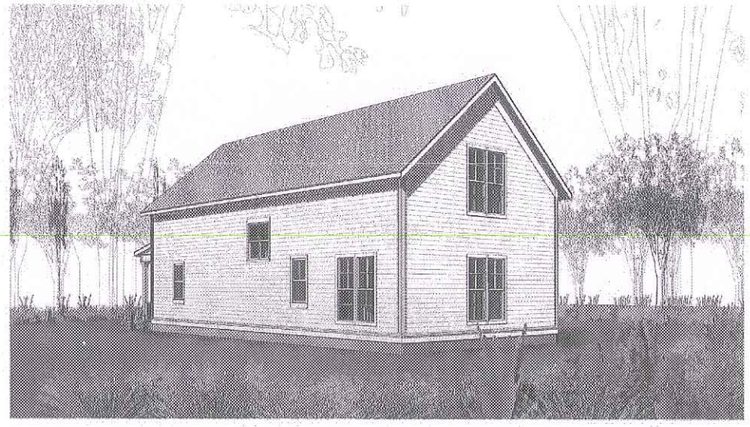
ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
BUILDING ELEVATIONS

SHEET NUMBER:
A1.00



5 FRONT PERSPECTIVE

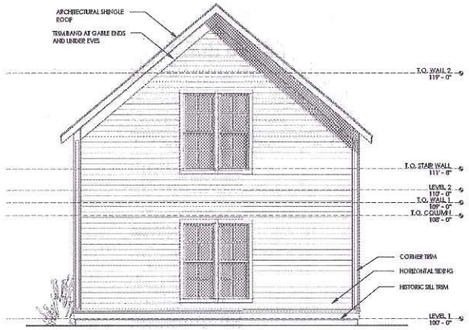


6 REAR PERSPECTIVE

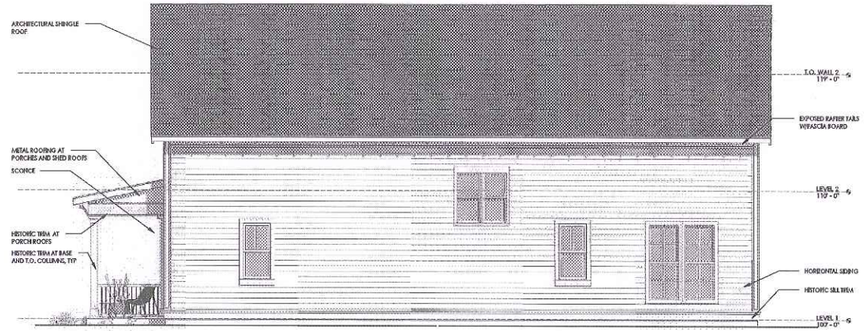
GENERAL NOTES

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-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

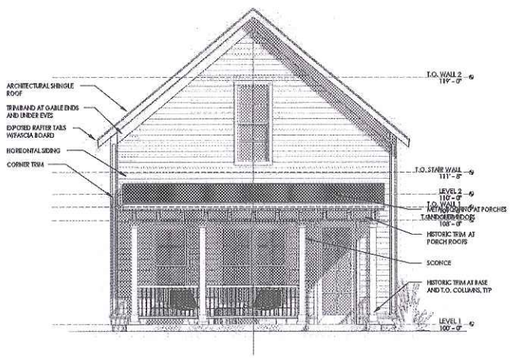
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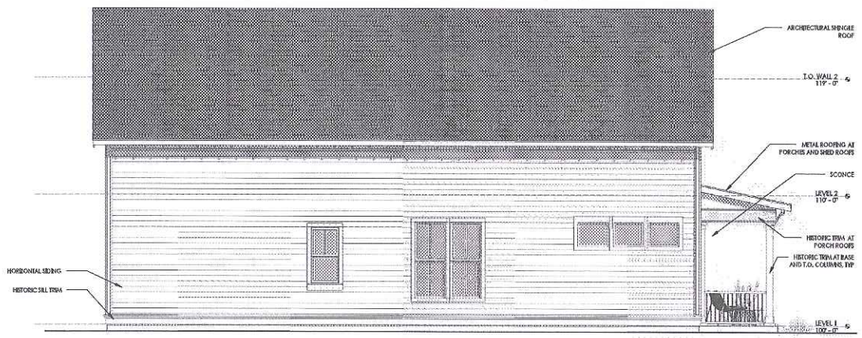
3 SOUTH ELEVATION
3/16" = 1'-0"



4 LEFT ELEVATION
3/16" = 1'-0"



1 FRONT ELEVATION
3/16" = 1'-0"



2 RIGHT ELEVATION
3/16" = 1'-0"

SEAL:

KOONS ENVIRONMENTAL DESIGN inc.
675 Peduski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

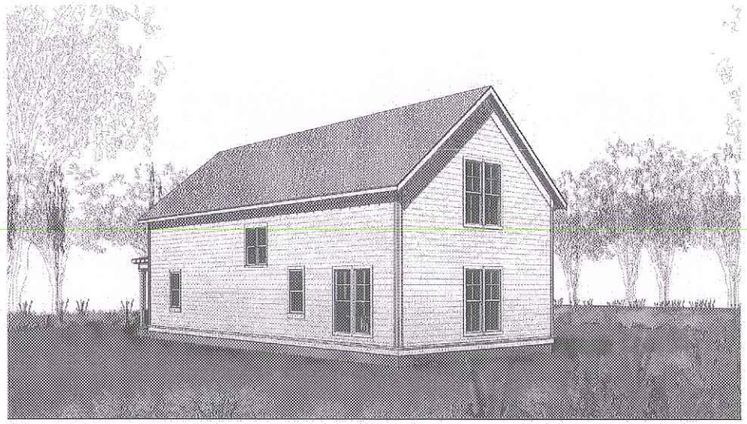
PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
BUILDING ELEVATIONS

SHEET NUMBER:
A1.01

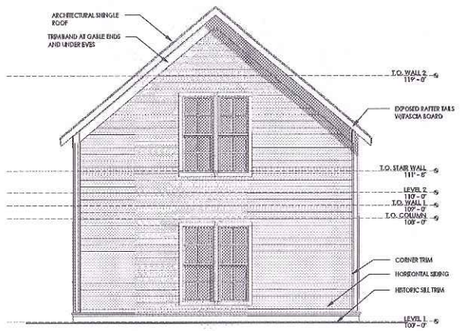




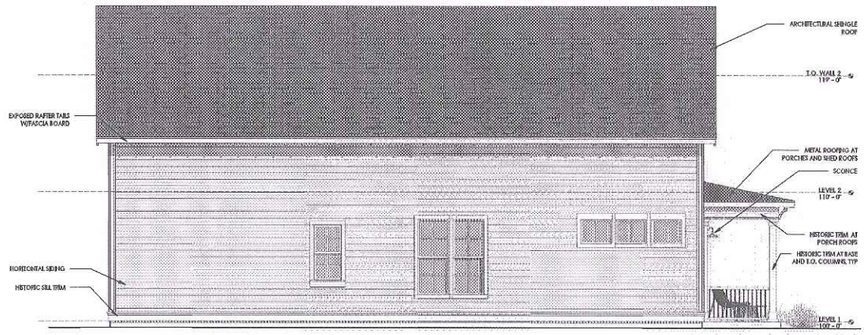
GENERAL NOTES

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-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

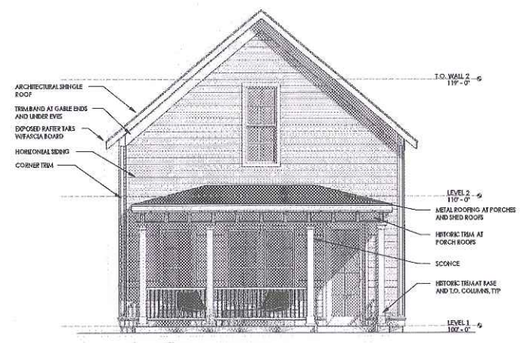
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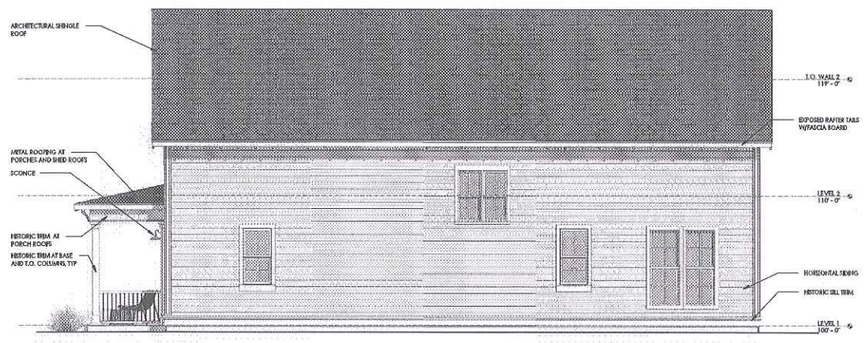
3 COTTAGE - SOUTH ELEVATION
3/16" = 1'-0"



2 COTTAGE - EAST ELEVATION
3/16" = 1'-0"



1 COTTAGE - NORTH ELEVATION
3/16" = 1'-0"



4 COTTAGE - WEST ELEVATION
3/16" = 1'-0"

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675 Pulaski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

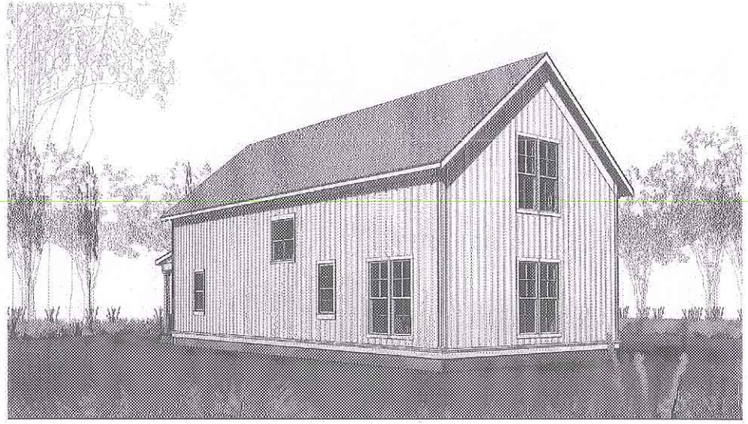
ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
BUILDING ELEVATIONS

SEAL:

SHEET NUMBER:
A1.02

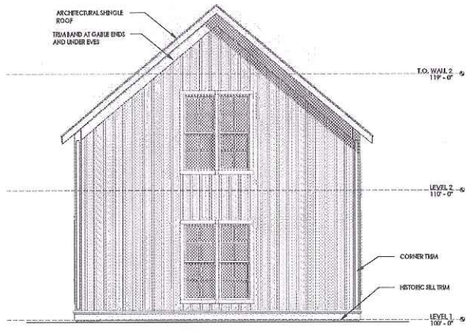




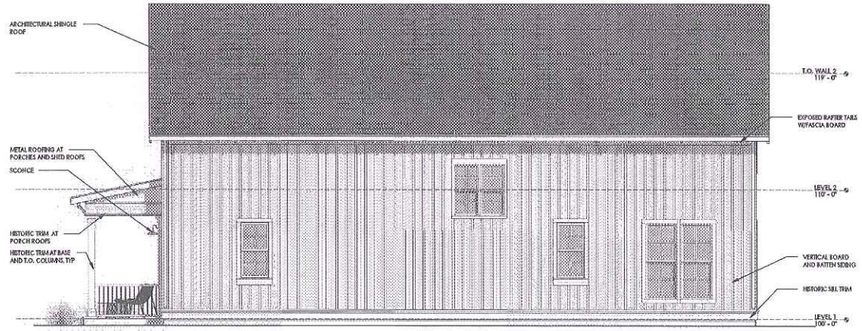
GENERAL NOTES

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-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

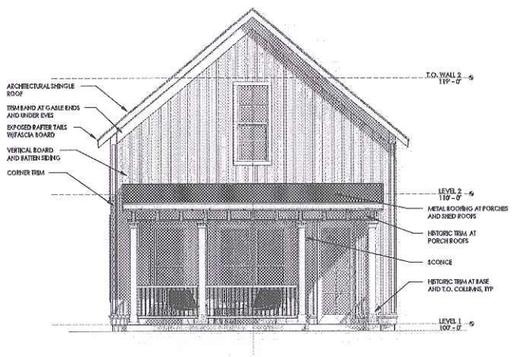
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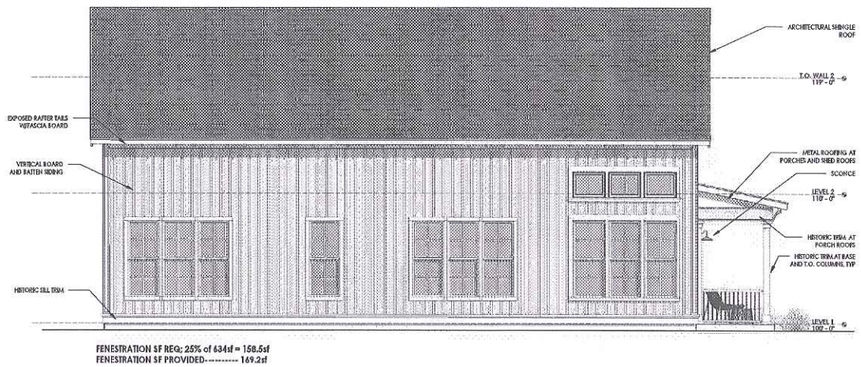
01 LOT 25 - COTTAGE - SOUTH ELEVATION
3/16" = 1'-0"



02 LOT 25 - COTTAGE - WEST ELEVATION
3/16" = 1'-0"



03 LOT 25 - COTTAGE - NORTH ELEVATION
3/16" = 1'-0"



FENESTRATION SF REQ: 25% of 634sf = 158.5sf
FENESTRATION SF PROVIDED--------- 169.2sf

04 LOT 25 - COTTAGE - EAST ELEVATION
3/16" = 1'-0"

SEAL:

KOONS ENVIRONMENTAL DESIGN inc.
675 Pulaski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
BUILDING ELEVATIONS

SHEET NUMBER:
A1.04

GENERAL NOTES

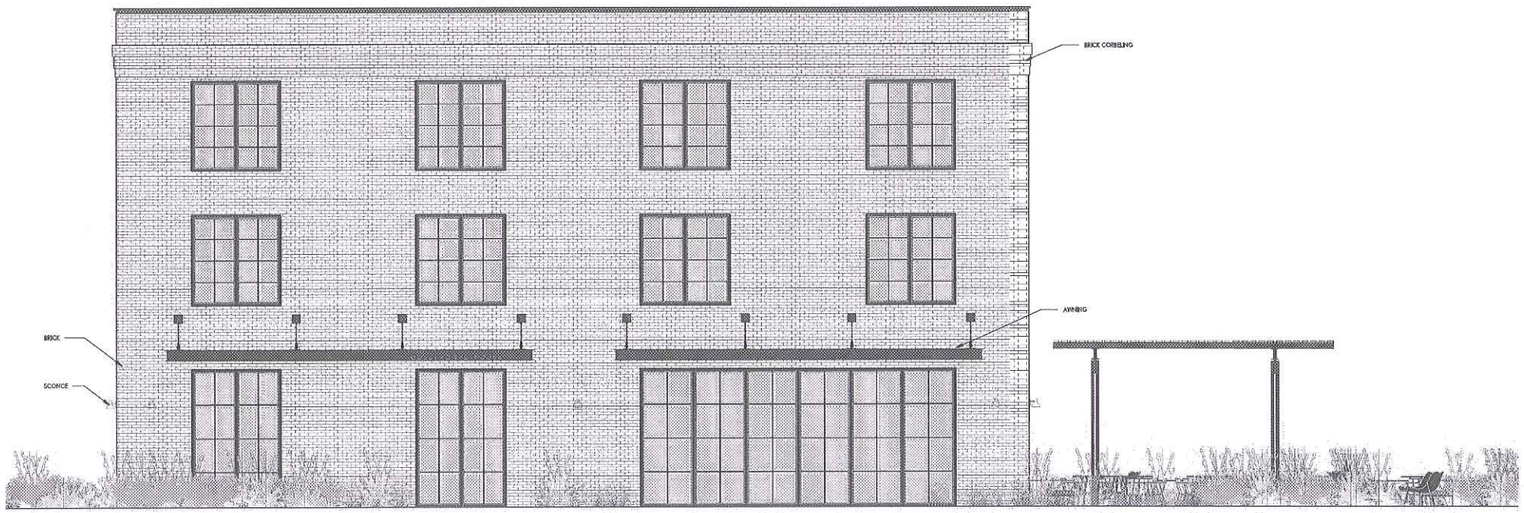
- BRICK COLOR SHOW IS NOT REPRESNTITITVE OF FINAL COLOR SELECTION



02 SOUTH ELEVATION
3/16" = 1'-0"



03 3D View 9



01 WEST ELEVATION
3/16" = 1'-0"

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675 Pulaski Street
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ph: 706-353-3838

CONSULTANT:

Binding

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
BUILDING ELEVATIONS

SEAL:

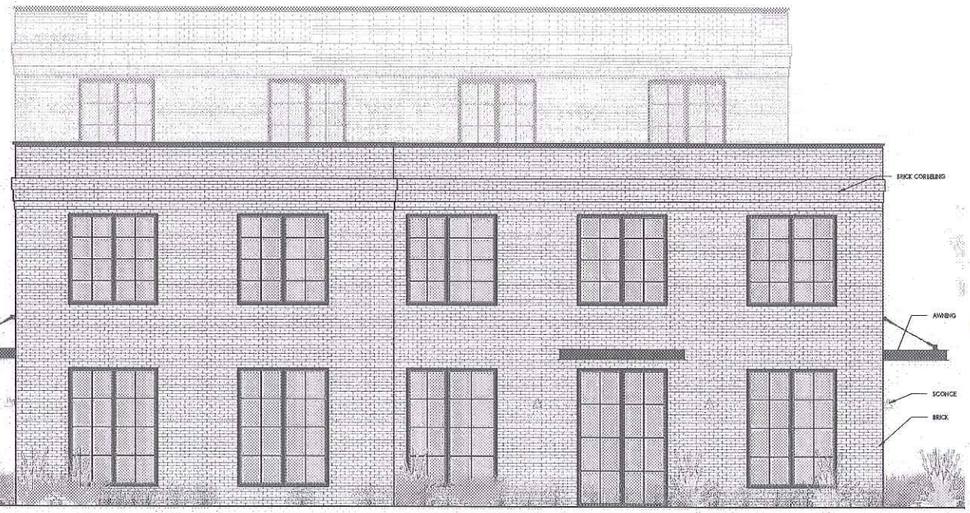
SHEET NUMBER:
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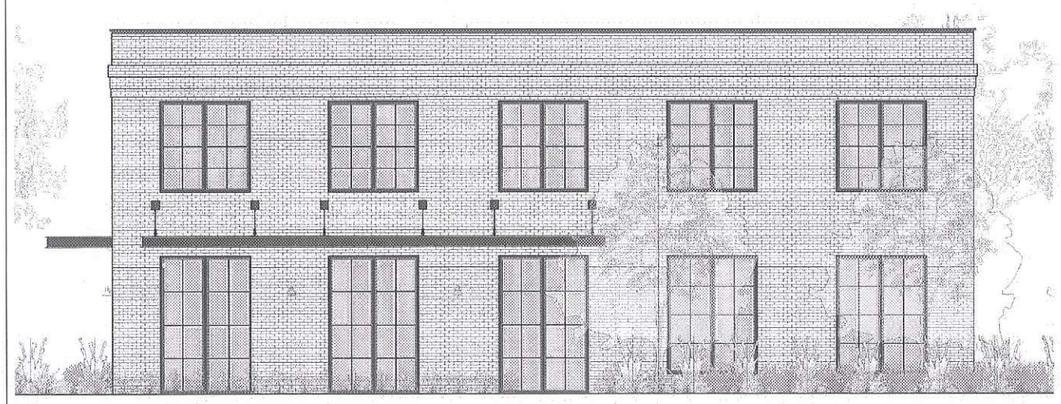
05 BLDG B - NORTH ELEVATION
3/16" = 1'-0"



03 BLDG B - WEST ELEVATION
3/16" = 1'-0"



04 BLDG B - SOUTH ELEVATION
3/16" = 1'-0"



01 BLDG B - EAST ELEVATION
3/16" = 1'-0"



02 3D View 4

GENERAL NOTES

- BRICK COLOR SHOW IS NOT REPRESNTITIVE OF FINAL COLOR SELECTION

Binding

KOONS ENVIRONMENTAL DESIGN inc.
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Suite 2000
Athens, GA 30601
ph: 706-353-3836

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

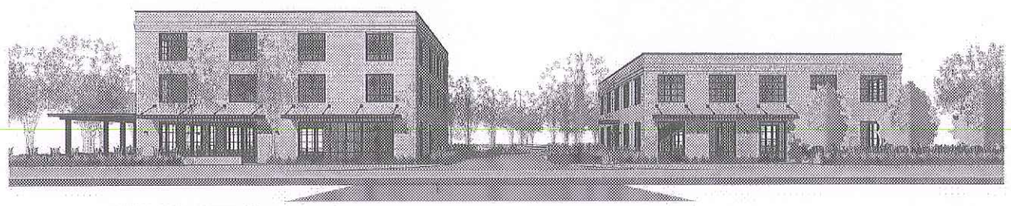
ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:

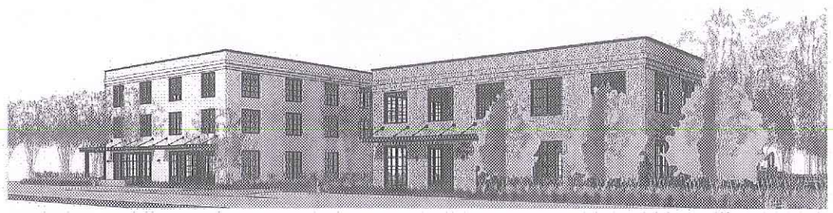
SEAL:

SHEET NUMBER:

A1.06



07 3D View 2



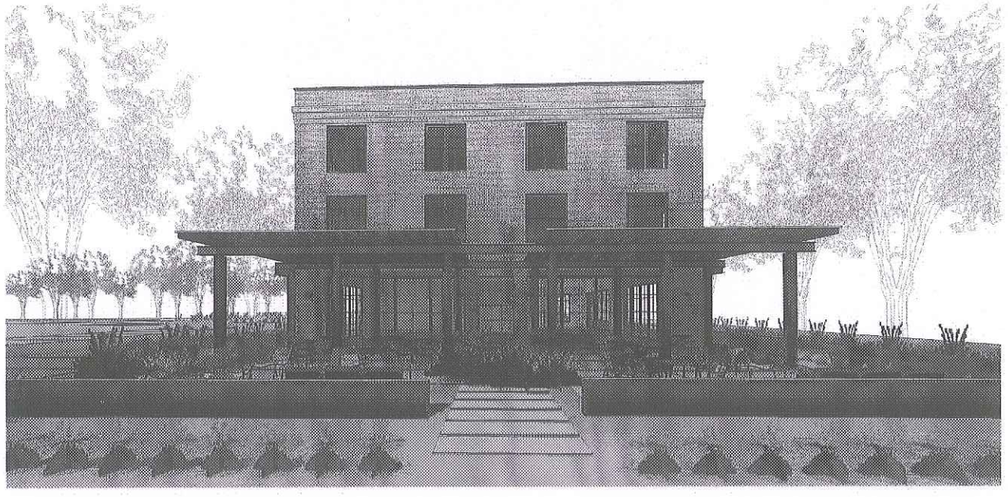
08 3D View 3



03 3D View 4 Copy 1



05 3D View 5



01 3D View 7



04 3D View 6



02 3D View 8

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675 Pulaski Street
Suite 2000
Athens, GA 30601
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CONSULTANT:

Binding

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
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SCALE: AS NOTED

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2022-09-30 MASTER PD

SHEET TITLE:

SEAL:

SHEET NUMBER:

A1.07



1 BUILDUING A - NORTH ELEVATION
3/16" = 1'-0"



4 3D View 1



01 BUILDING A - EAST ELEVATION
3/16" = 1'-0"

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CONSULTANT:

Binding

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1165 OGLETHORPE AVENUE
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PROJECT NO:
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2022-09-30 MASTER PD

SHEET TITLE:

SEAL:

SHEET NUMBER:

A1.08



05 FRONT PERSPECTIVE



06 REAR PERSPECTIVE

GENERAL NOTES

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- STANDING SEAM METAL ROOF AND ARCHITECTURAL SHINGLES OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING



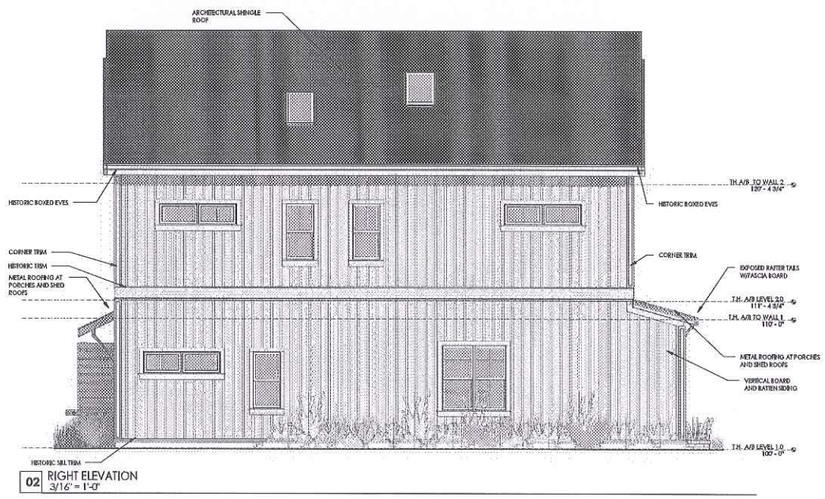
03 REAR ELEVATION
3/16" = 1'-0"



04 LEFT ELEVATION
3/16" = 1'-0"



01 FRONT ELEVATION
3/16" = 1'-0"



02 RIGHT ELEVATION
3/16" = 1'-0"

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675 Pulaski Street
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CONSULTANT:

Binding

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
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ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:

SEAL:

SHEET NUMBER:

A1.09



5 FRONT PERSPECTIVE

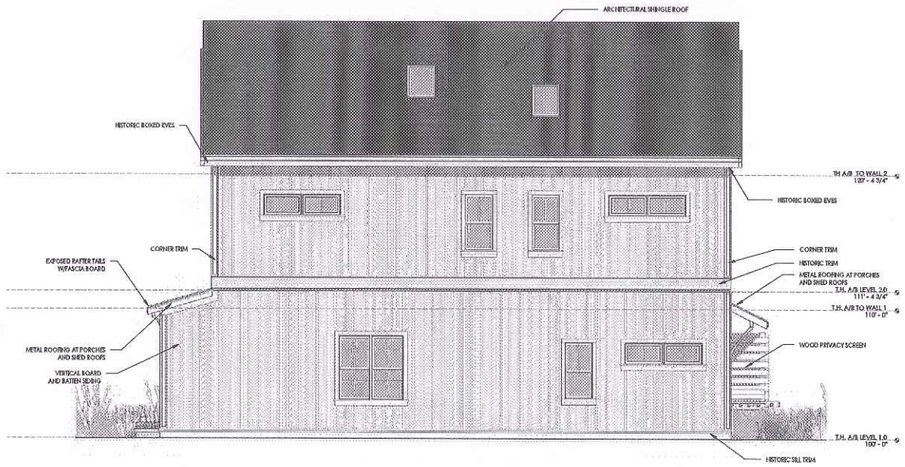


GENERAL NOTES

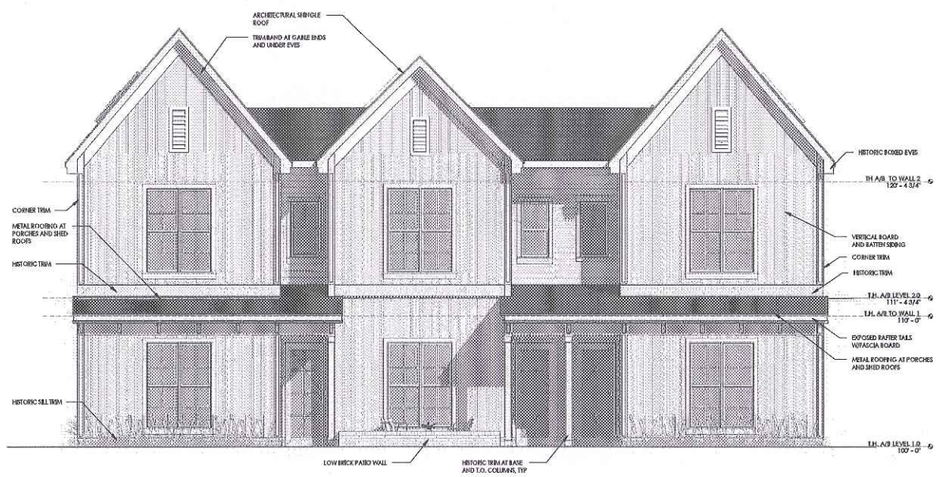
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03 REAR ELEVATION
3/16" = 1'-0"



04 LEFT ELEVATION
3/16" = 1'-0"



01 FRONT ELEVATION
3/16" = 1'-0"



02 RIGHT ELEVATION
3/16" = 1'-0"

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CONSULTANT:

Binding

TITLE:

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ATHENS, GA

PROJECT NO:
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SHEET TITLE:

SEAL:

SHEET NUMBER:

A1.10



05 FRONT PERSPECTIVE

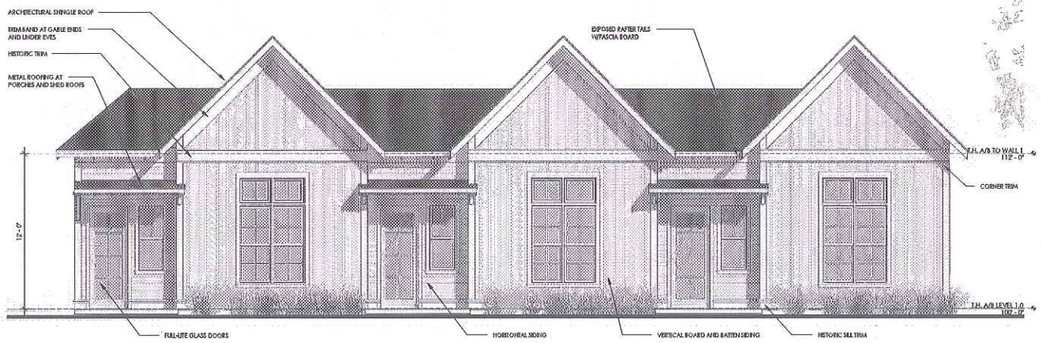


06 REAR PERSPECTIVE

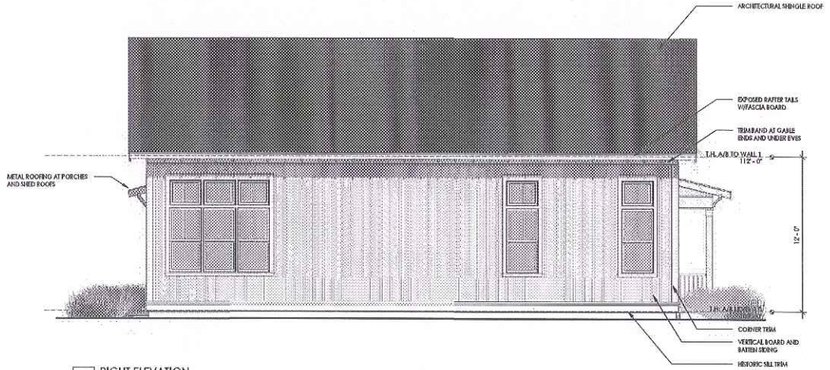
GENERAL NOTES

- HORIZONTAL LAP SIDING OR VERTICAL BOARD AND BATTEN SIDING OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
- STANDING SEAM METAL ROOF AND ARCHITECTURAL SHINGLES OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

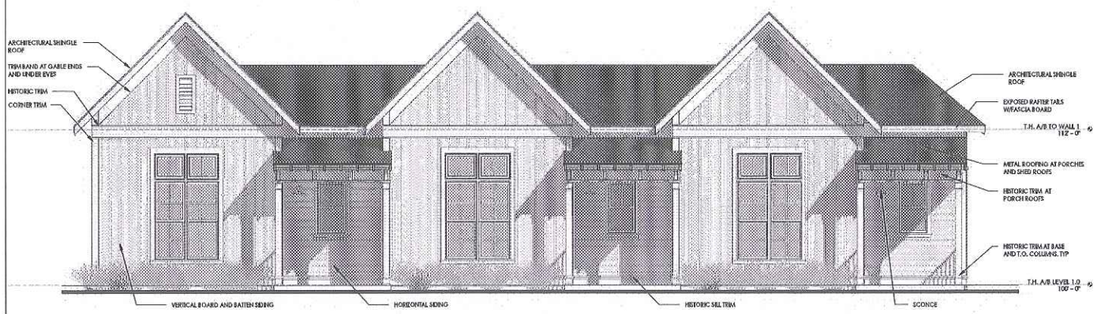
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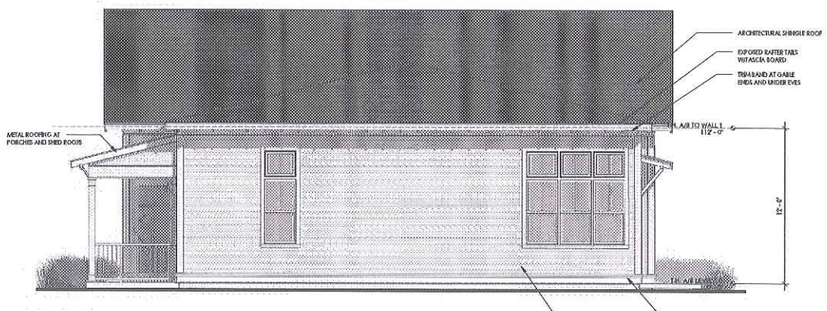
03 REAR ELEVATION
3/16" = 1'-0"



04 RIGHT ELEVATION
3/16" = 1'-0"



01 FRONT ELEVATION
3/16" = 1'-0"



02 LEFT ELEVATION
3/16" = 1'-0"

SEAL:

KOONS ENVIRONMENTAL DESIGN inc.
675 Pulaski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:

SHEET NUMBER:

A1.11



05 LOT #21 - TRIPLEX - FRONT PERSPECTIVE

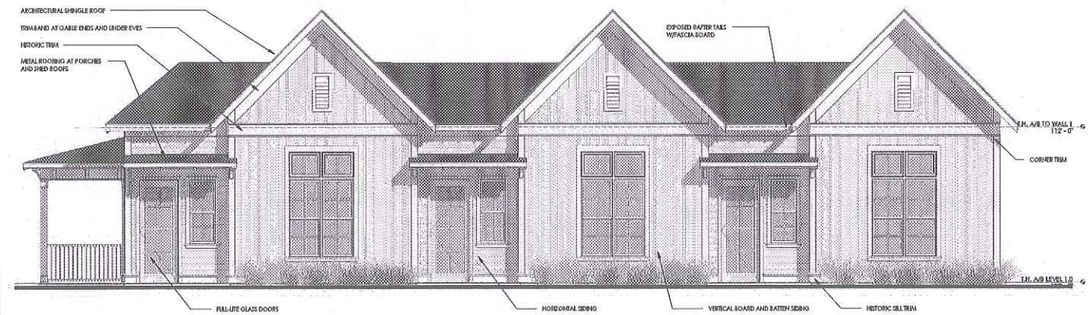


06 LOT #21 - TRIPLEX -FRONT PERSPECTIVE

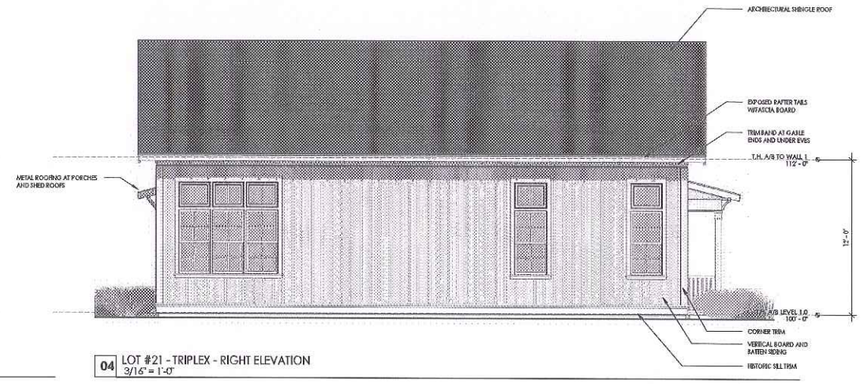
GENERAL NOTES

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- STANDING SEAM METAL ROOF AND ARCHITECTURAL SHINGLES OPTIONAL TO ACCOMMODATE ELEVATION VARIATION, TO BE COORDINATED WITH PLANNING STAFF
-PAINT CHOICE NOT REPRESENTED IN ELEVATION COLORING

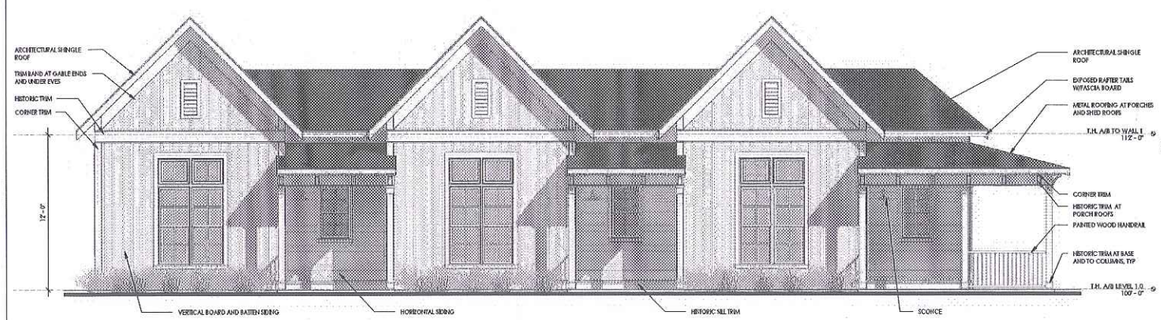
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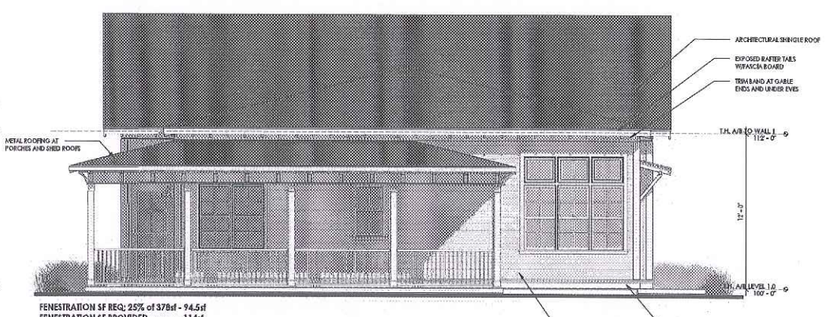
03 LOT #21 - TRIPLEX - REAR ELEVATION
3/16" = 1'-0"



04 LOT #21 - TRIPLEX - RIGHT ELEVATION
3/16" = 1'-0"



01 LOT #21 - TRIPLEX - FRONT ELEVATION
3/16" = 1'-0"



FENESTRATION SF REQ: 25% of 378sf - 94.5sf
FENESTRATION SF PROVIDED---------- 114sf

02 LOT #21 - TRIPLEX - LEFT ELEVATION
3/16" = 1'-0"

SEAL:

KOONS ENVIRONMENTAL DESIGN inc.
675 Pulaski Street
Suite 2000
Athens, GA 30601
ph: 706-353-3338

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE
ATHENS, GA

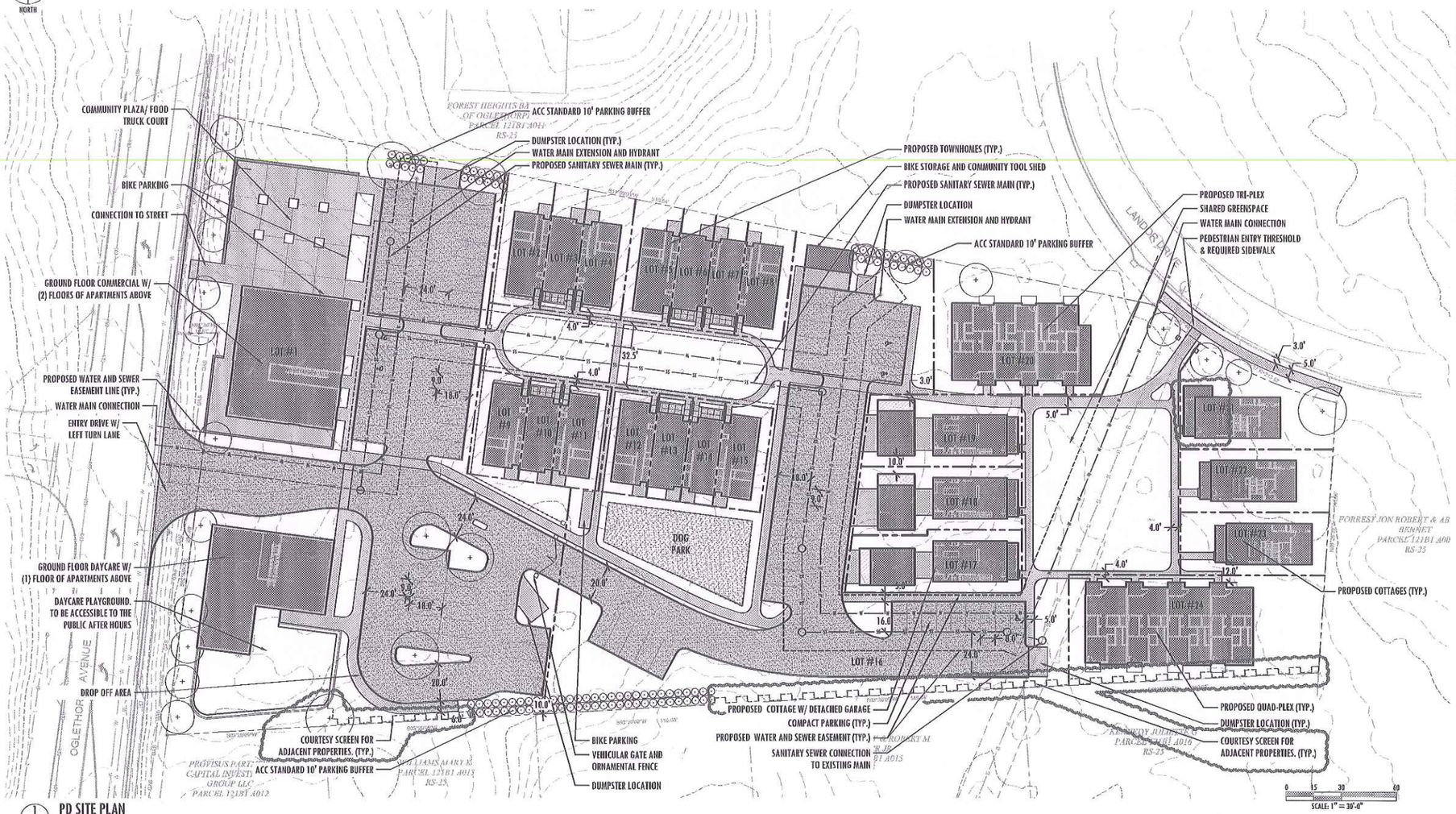
PROJECT NO:
DRAWN BY: ..
CHECKED BY: ..
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

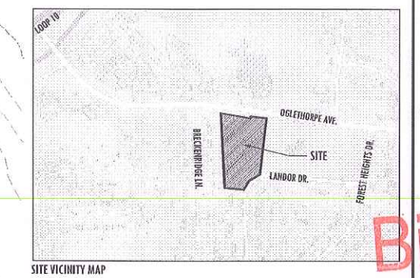
SHEET TITLE:

SHEET NUMBER:

A1.12



1 PD1.0 **PD SITE PLAN**
SCALE: 1" = 30' - 0"



SITE VICINITY MAP

PROJECT INFORMATION

CURRENT OWNER:	1165 OGLETHORPE LLC & WILLIAM A ELBRING TRUSTEE OF THE KATHERINE E MILLS IRREVOCABLE TRUST UDT 7 30 2020
PROJECT ADDRESS:	1165 OGLETHORPE AVENUE ATHENS, GA 30606
TAX PARCEL ID:	121B1 A011A
EXISTING ZONING:	C-N (PD)
EXISTING USE:	VACANT LOT
PROPOSED USE:	COMMERCIAL, MULTI-FAMILY RESIDENTIAL, & SINGLE FAMILY RESIDENTIAL
PARCEL SIZE:	3.85 ACRES (167,706 SF)
PROJECT LIMITS:	3.85 ACRES (167,706 SF)

GENERAL REGULATIONS C-N ZONE:

FRONT YARD SETBACK:	10 FT.
SIDE YARD SETBACK:	6 FT.
REAR YARD SETBACK:	6 FT.
SETBACK ADJACENT TO RESIDENTIAL ZONE:	10 FT.
MAXIMUM DENSITY PER ACRE(BEDROOMS):	16
MINIMUM LOT SIZE:	5000 SF
MINIMUM LOT WIDTH:	50 FT.
MINIMUM LOT DEPTH:	50 FT.
MAXIMUM FAR:	0.75
MAXIMUM LOT COVERAGE:	75%
MINIMUM LANDSCAPED AREA:	25%

FUTURE LAND USE: TRADITIONAL NEIGHBORHOOD

PROPOSED LOT COVERAGE:

PAVEMENT:	1.33 ACRES (58,227 SF)
STRUCTURES:	0.78 ACRES (34,029 SF)
LANDSCAPE:	1.73 ACRES (75,450 SF)
TOTAL COVERAGE	2.12 ACRES (92,256 SF) 55.01 %

PROPOSED FAR (MULTI-FAMILY)

LOT #1:	0.36
LOT #20:	0.49
LOT # 24:	0.50

Parking Summary

Building Type	QTY:	# BRs	Required Parking Standard Zoning	Total Req'd Spaces	Prop Spaces	Proposed Parking with Waivers
Commercial Area						
60 seat Café/Coffee Shop	1		1 Per 4 Seats	15	15	1 Per 4 Seats
2 BR Apartment	11	22	2 per Unit	22	16.5	1.5 Per Unit
Childcare Center	1		2 Per Facility	2	6	2 Per Facility + Staff
					5.5	Flex Spaces
Total Required:				39		
Total Proposed:					43	
Residential Area						
2-BR	6	12	2 Per Unit	12	9	1.5 per Unit
3-BR	14	42	2 Per Unit	28	28	2 Per Unit
Senior Units	7	14	0.5 Per Unit	3.5	3.5	0.5 Per Unit
Total Required:				43.5		
Total Proposed:					41	
Total Req'd (Std. Zoning):				**82.5**		
Total Prop. (w/Waiver)					84	
Bicyle Parking						
Commercial Area			2	1/20 Auto	8	
Residential Area			2	1/20 Auto	20	

KOONS ENVIRONMENTAL DESIGN inc.
675 Pulaski Street
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Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

Binding

TITLE:

1165 OGLETHORPE AVENUE ATHENS, GA

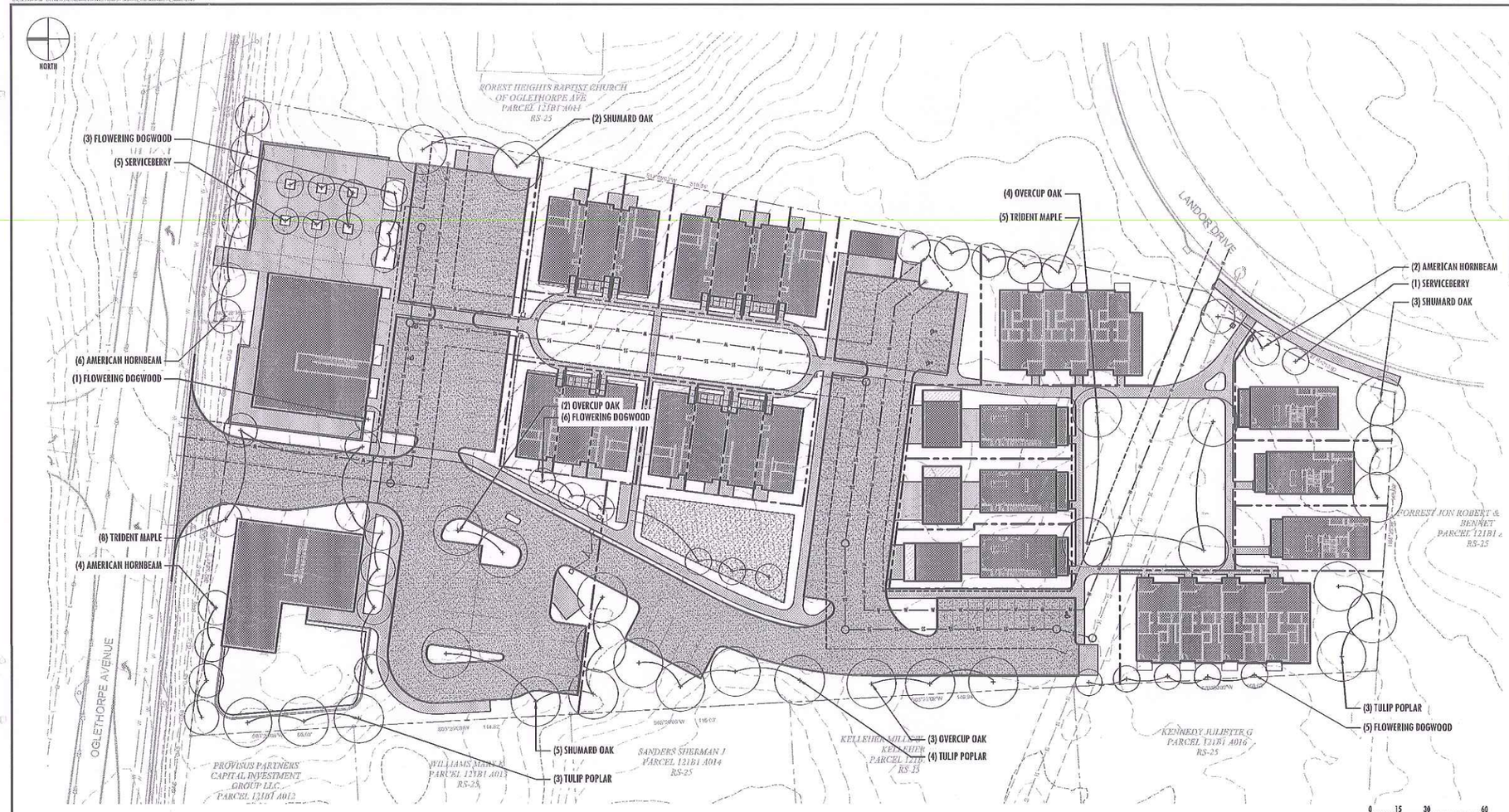
PROJECT NO:
DRAWN BY: DJ
CHECKED BY: JK
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD
2022-11-03 MASTER PD REVISION
2022-11-07 MASTER PD REVISION

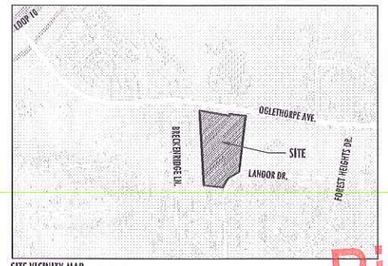
SHEET TITLE:
PD SITE PLAN

SEAL:
GEORGIA REGISTERED LANDSCAPE ARCHITECT 182 JOSHUA H. KOONS

SHEET NUMBER:
PD1.0



1 PD2.0 **TREE MANAGEMENT PLAN**
SCALE: 1" = 30' - 0"



SITE VICINITY MAP

Binding

PROJECT INFORMATION

CURRENT OWNER:	1165 OGLETHORPE LLC & WILLIAM A ELBRING TRUSTEE OF THE KATHERINE E MILLS IRREVOCABLE TRUST UDT 7 30 2020
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MINIMUM LOT DEPTH:	50 FT.
MAXIMUM FAR:	0.75
MAXIMUM LOT COVERAGE:	75%
MINIMUM LANDSCAPED AREA:	25%

FUTURE LAND USE: TRADITIONAL NEIGHBORHOOD

TREE MANAGEMENT INFORMATION

CANOPY COVERAGE REQUIREMENTS (C-N ZONE)

CONSERVED COVERAGE:	15%
TOTAL COVERAGE:	45%

EXISTING CANOPY COVERAGE: 0.0% (0 SF)

PROPOSED CANOPY COVERAGE

CONSERVED COVERAGE:	0.0%	(0 SF)
PROPOSED COVERAGE:	45.6%	(76,400 SF)
TOTAL COVERAGE:	45.6%	(76,400 SF)

STREET TREES

OGLETHORPE AVE. FRONTAGE:

REQUIRED STREET TREES (1 PER 30 LF OF FRONTAGE):	12
EXISTING STREET TREES :	0
PROPOSED STREET TREES :	12

LANDOR DRIVE FRONTAGE:

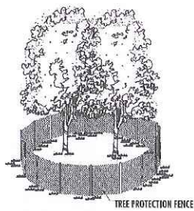
REQUIRED STREET TREES (1 PER 30 LF OF FRONTAGE):	4
EXISTING STREET TREES :	0
PROPOSED STREET TREES :	4

TREE MANAGEMENT NOTES

1. TREES PLANTED OR CONSERVED TO SATISFY REQUIREMENTS OF THE ACC COMMUNITY TREE ORDINANCE SHALL NOT BE REMOVED WITHOUT PRIOR APPROVAL OF THE PLANNING DIRECTOR.
2. TREES PLANTED TO MEET DEVELOPMENT REQUIREMENTS SHOULD BE WATERED THROUGHOUT THE GROWING SEASON TO THE EQUIVALENT OF 1" OF WATER PER WEEK.
3. STAKING MATERIALS SHOULD BE REMOVED WITHIN ONE YEAR OF PLANTING
4. BURLAP (AND ALL OTHER MATERIALS) MUST BE REMOVED FROM AT LEAST THE TOP 12" OF THE ROOT BALL AND TREE SHOULD BE PLANTED SO THAT TRUNK FLARE IS VISIBLE ABOVE THE GROUND.
5. PLANTED TREES SHOULD BE MULCHED IMMEDIATELY AFTER PLANTING. MULCH IS NOT ALLOWED CLOSER THAN 6" TO THE TRUNK FLARE.
6. THE ACC ARBORIST OR COMMUNITY FORESTER MUST INSPECT INSTALLATION OF TREE PROTECTION FENCING PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. TREE PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL CONSTRUCTION ACTIVITIES END OR A CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER IS LATER. NO VEHICLE OR EQUIPMENT WITH TRAFFIC, PARKING OR STORAGE MATERIALS IS ALLOWED WITHIN THE TREE PROTECTION AREA.
7. TREES TO BE LOCATED 5 FEET FROM UNDERGROUND UTILITY LINES, INCLUDING ELECTRICAL CONDUIT, SEWER, GAS, COMMUNICATION AND STORMWATER PIPING.

TREE PROTECTION STANDARDS:
ATHENS-CLARKE COUNTY TREES OR TREES ON PRIVATE PROPERTY CONSERVED AND PLANTED TO MEET TREE CANOPY COVER REQUIREMENTS SHALL BE ACTIVELY PROTECTED DURING DEVELOPMENT AND PASSIVELY THROUGHOUT THEIR LIFE IN ACCORDANCE WITH THE REQUIREMENTS FOR PROTECTED TREES SET FORTH IN SECTION 8-7-16.

1. PROHIBITED ACTIVITIES. THE FOLLOWING ACTIVITIES AND CONDITIONS, AND ANY OTHER ACTIVITIES AND CONDITIONS HARMFUL TO A TREE'S ROOTS, TRUNK, OR CROWN, WITHIN THE TREE PROTECTION ZONE ARE PROHIBITED:
   A. VEHICLE OR EQUIPMENT TRAFFIC, PARKING, OR STORAGE.
   B. MATERIALS OR SUPPLIES STORAGE.
   C. PLACEMENT OF TEMPORARY OR PERMANENT STRUCTURES.
   D. EQUIPMENT MAINTENANCE OR WASHOUT.
   E. WOUNDING OF TRUNK.
   F. WOUNDING OR BREAKAGE OF SCAFFOLD LIMBS OR BRANCHES GREATER THAN SIX INCHES IN DIAMETER.
   G. TOPPING OR OTHER IMPROPER PRUNING, SUCH AS STUB CUTS OR FLUSH CUTS.
   H. FIRES; EXCESSIVE HEAT FROM EQUIPMENT EXHAUST PIPES.
2. LIMITED ACTIVITIES. THE FOLLOWING ACTIVITIES AND CONDITIONS WITHIN THE TREE PROTECTION ZONE ARE LIMITED TO ONE SIDE OF THE TREE IN THE OUTER ½ OF THE CRITICAL ROOT ZONE, BUT IN NO CASE CLOSER THAN 2.5 FEET TO THE TRUNK OF A PLANTED TREE AND TEN FEET TO THE TRUNK OF A CONSERVED TREE:
   A. SITE OR LOT CLEARING OR GRUBBING.
   B. SOIL EXCAVATION.
   C. SOIL CUTS.
   D. SOIL FILL.
   E. GRADING.
   F. TRENCHING.
   G. TILLING.
   H. EDGING.
   I. SOIL COMPACTION.
   J. TOP DRESSING WITH SOIL GREATER THAN TWO INCHES IN DEPTH.
   K. PAVING.
3. ACTIVE TREE PROTECTION STANDARDS. ACTIVE TREE PROTECTION SHALL MEET THE FOLLOWING MINIMUM CRITERIA:
   A. TREE PROTECTION FENCING SHALL BE INSTALLED PRIOR TO ANY LAND DEVELOPMENT OR LAND DISTURBANCE ACTIVITY AROUND A TREE AT THE LOCATION OF THE TREE PROTECTION ZONE AND SHALL REMAIN IN PLACE UNTIL CONSTRUCTION ACTIVITIES END OR A CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER IS LATER.
   B. TREE PROTECTION FENCING SHALL BE FOUR FEET HIGH, HIGH-VISIBILITY POLYPROPYLENE FENCING ERECTED WITH STURDY POSTS.
   C. ACTIVITIES DESCRIBED IN SECTION 8-7-19(H)(1) AND (2) SHALL BE PROHIBITED WITHIN THE TREE PROTECTION ZONE.
   D. LOW HANGING LIMBS THAT MAY BE DAMAGED BY EQUIPMENT TRAFFIC OR OTHER CONSTRUCTION ACTIVITIES SHALL BE PRUNED PRIOR TO THE COMMENCEMENT OF ANY LAND DEVELOPMENT/LAND DISTURBANCE ACTIVITY; ALL PRUNING SHALL BE IN ACCORDANCE WITH THE PRUNING STANDARDS SET FORTH IN SECTION 8-7-19(J).
   E. WHEN EQUIPMENT MOVEMENT IS SUCH THAT DAMAGE TO TREE TRUNKS IS POSSIBLE, THEN TREE TRUNKS SHALL BE WRAPPED VERTICALLY WITH ONE LAYER OF TWO INCH BY FOUR INCH LUMBER SPACED A MAXIMUM OF 12 INCHES APART, AND COVERED WITH CORRUGATED CARDBOARD SECURED WITH STRAPPING. THE WRAPPING SHALL REMAIN ON THROUGHOUT THE PERIOD OF POTENTIAL DAMAGE.
4. ACTIVE TREE PROTECTION AREA SIGN STANDARDS. PRIOR TO ANY LAND DEVELOPMENT OR LAND DISTURBANCE ACTIVITY AND AFTER TREE PROTECTION FENCING IS INSTALLED AROUND ANY CONSERVED TREES OR TREE CONSERVATION AREA, TREE PROTECTION AREA SIGNS SHALL BE INSTALLED. SIGNS SHALL BE INSTALLED ALONG THE PERIMETER OF ALL TREE PROTECTION ZONES AT LEAST EVERY 50 FEET AND SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING TEXT: "TREE PROTECTION AREA, ENTRY PROHIBITED, NO CONSTRUCTION ACTIVITY, MATERIALS OR EQUIPMENT STORAGE, EQUIPMENT WASHOUT, OR VEHICLE TRAFFIC ALLOWED". THE SIGN SHALL BE FABRICATED OUT OF A STURDY MATERIAL, SHALL BE AT LEAST 18 INCHES WIDE BY 24 INCHES HIGH, AND SHALL BE PLACED ON A STURDY POST WITH THE BOTTOM OF THE SIGN AT A MINIMUM HEIGHT OF 30 INCHES ABOVE THE GROUND. THE SIGNS MUST REMAIN PRESENT AT ALL TIMES DURING CONSTRUCTION.
5. PASSIVE TREE PROTECTION STANDARDS. PASSIVE TREE PROTECTION SHALL BE REQUIRED THROUGHOUT THE LIFE OF A PROTECTED TREE AND SHALL REQUIRE, AT A MINIMUM, THE AVOIDANCE OF ALL PROHIBITED ACTIVITIES DESCRIBED IN SECTION 8-7-19(H)(1) AND (2) WITHIN THE TREE PROTECTION ZONE.



NOTE:
1. TREE PROTECTION FENCING TO BE 48" TALL, ORANGE, UV-RESISTANT POLY BARRICADE
2. TREE FENCING TO BE SECURED TO 6' LONG METAL STAKES DRIVING 24" INTO GROUND.
3. TREE FENCING TO BE PLACED AROUND DRIP LINE OF TREE CANOPY TO BE PROTECTED. FENCING LOCATION TO BE ADJUSTED AS NEEDED DURING CONSTRUCTION TO FACILITATE INSTALLATION OF PROPOSED IMPROVEMENTS IN THE PROTECTION AREA.
4. FENCING TO BE MAINTAINED THROUGHOUT PROJECT DURATION.
5. TREE PROTECTION AREA SIGNS SHALL BE INSTALLED. SIGNS SHALL BE INSTALLED ALONG THE PERIMETER OF ALL TREE PROTECTION ZONES AT LEAST EVERY 50 FEET AND SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING TEXT: "TREE PROTECTION AREA, ENTRY PROHIBITED, NO CONSTRUCTION ACTIVITY, MATERIALS OR EQUIPMENT STORAGE, EQUIPMENT WASHOUT, OR VEHICLE TRAFFIC ALLOWED".
6. THE SIGN SHALL BE FABRICATED OUT OF A STURDY MATERIAL, SHALL BE AT LEAST 18 INCHES WIDE BY 24 INCHES HIGH, AND SHALL BE PLACED ON A STURDY POST WITH THE BOTTOM OF THE SIGN AT A MINIMUM HEIGHT OF 30 INCHES ABOVE THE GROUND. THE SIGNS MUST REMAIN PRESENT AT ALL TIMES DURING CONSTRUCTION.

2 PD2.0 **TREE PROTECTION FENCING**
SCALE: NTS

TREE MANAGEMENT PLAN COVERAGE TABLE

PROPOSED TREE CANOPY

QTY	NAME	COMMON NAME	% USE	SIZE @ PLANTING	TREE SIZE	INDIV. CANOPY	TOTAL CANOPY	% SITE COVERAGE
10	*Acer buergerianum*	Trident Maple	10%	2 1/2"	Medium	900	11,700	6.98%
6	*Amelanchier arborea*	Serviceberry	6%	2 1/2"	Small	400	2,400	3.14%
11	*Carpinus caroliniana*	American Hornbeam	15%	2 1/2"	Medium	900	9,900	12.96%
15	*Cornus florida*	Flowering Dogwood	20%	2 1/2"	Small	400	6,000	3.58%
9	*Liriodendron tulipifera*	Tulip Poplar	12%	2 1/2"	Large	1,600	14,400	18.85%
9	*Quercus lyrata*	Overcup Oak	12%	2 1/2"	Large	1,600	14,400	8.59%
11	*Quercus shumardii*	Shumard Oak	15%	2 1/2"	Large	1,600	17,600	10.49%
					PROPOSED CANOPY COVERAGE		76,400	45.6%
					CONSERVED CANOPY COVERAGE		0	0.0%
					TOTAL SITE AREA (3.85 A)		167,706	100%
					TOTAL PROPOSED SITE CANOPY COVERAGE		76,400	45.6%

NOTE: SIZE AT PLANTING IS MEASURED IN CALIPER INCHES.

SEAL:



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675 Pulaski Street
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Athens, GA 30601
ph: 706-353-3838

CONSULTANT:

TITLE:

1165 OGLETHORPE AVENUE ATHENS, GA

PROJECT NO:
DRAWN BY: DJ
CHECKED BY: JK
SCALE: AS NOTED

ISSUANCE:
DATE:
2022-07-29 PRELIMINARY PD
2022-09-30 MASTER PD

SHEET TITLE:
PD TREE MANAGEMENT PLAN

SHEET NUMBER:
PD2.0

Binding
11/8/22

Proposed Amendment

1165 Oglethorpe Avenue
Planned Development

June 29,2022 (Preliminary Submittal)

September 30, 2022 (Revised)

November 07, 2022 (Revised / Changes Noted in Red)



Owner:
1165 Oglethorpe LLC & the
Katherine E Mills Trust
1165 Oglethorpe Avenue
Athens, GA 30606

Applicant:
Koons Environmental Design, Inc.
675 Pulaski Street, Suite 2000
Athens, GA 30601
706-353-3838

MASTER PD CONCEPT PLAN



LEGEND

1. GROUND FLOOR COMMERCIAL W/ APARTMENTS ABOVE
2. PATIO SPACE
3. COMMUNITY PLAZA SPACE
4. TRASH ENCLOSURE
5. ADJACENT CHURCH PARKING LOT
6. DAYCARE & PLAYGROUND
7. RESIDENTIAL ACCESS GATE
8. TOWNHOUSES
9. COTTAGE ROW
10. GARDEN SQUARE
11. DOG PARK
12. BIKE STORAGE & COMMUNITY TOOL SHED
13. PEDESTRIAN CONNECTION
14. COTTAGE ROW W/ DETACHED GARAGES
15. TRI-PLEX
16. QUAD-PLEX
17. BLUEBERRY SQUARE

Binding

Koons Environmental Design, Inc.
September 30, 2022

SCALE: 1"=50'-0"

0 25 50 100

1165 Oglethorpe Avenue -Planned Development

Athens, GA

Summary of Proposed Project:

The applicant seeks an amendment to the original Master Planned Development for 1165 Oglethorpe Avenue, requesting to revise the proposed uses, building types, and architectural styles of the development. Specifically, the original PD approved in 2013 contained three large medical office buildings, with over 130 parking spaces. The amendment proposes instead to provide a true "commercial neighborhood" type of infill development with neighborhood based commercial uses (including a new Hendershot's Cafe) fronting Oglethorpe Avenue and residential townhomes and small cottages transitioning back to Landor Drive and into the Forest Heights neighborhood. As a result, the large parking lots associated with the medical buildings will be replaced with a more pedestrian-oriented circulation network containing dispersed parking areas separated by intimate and meaningful greenspace.

The proposed housing units are moderately sized homes, on small footprints and small lots, fitting into the "Missing Middle" size and price point of the Athens Area. Similar to the Missing Middle Housing effort recently approved at 1010 Oglethorpe Avenue, this project proposes a variety of housing types oriented around multiple large community greenspaces. The residential housing area will consist of a mix of detached cottages, townhomes, and several attached cottages, in the form of a triplex and a fourplex. A number of the units will be designated as Affordable Housing Units and Elderly Residential Units, meeting the requirements of the "Elderly Residential Multifamily" objectives noted in ACC's zoning ordinance. If approved, these affordable and age-restricted units will be a mix of for-sale and income-qualified affordable rental units for low-income families and seniors.

The proposed housing is clustered around two shared greenspaces, one of which is the "Garden Court" with community garden and open greenspace. The second is referred to as the "Blueberry Court", referencing the Forest Heights Neighborhood's tradition of growing blueberries. The Blueberry Court is an idealized Savannah Square and is intended to be a welcoming greenspace connecting the development to the Forest Heights neighborhood. A pedestrian pathway will knit the Forest Heights Neighborhood and its residents to both greenspaces and commercial frontage of the proposed development. The Project intentionally provides no *vehicular* access to the Forest Heights neighborhood, to minimize traffic impacts to Landor Drive residents by eliminating a public road connection from Oglethorpe Avenue to Landor Drive. Access to the new homes will be from a private drive off Oglethorpe Avenue in lieu of a public street as a result.

The commercial area fronting Oglethorpe Avenue will consist of approximately 7200sf of commercial space, which will include a Hendershots coffee shop/café and a Destined, Inc. daycare facility. The commercial area will also include a community plaza to serve as an outdoor neighborhood-meeting space that could be used by residents for informal gatherings, food truck offerings, small farmers market or craft fairs, or even after school rendezvous point for Oglethorpe Elementary students and parents.

Residential units will be incorporated into the upper floors of the commercial buildings fronting Oglethorpe. These units will be apartment style walk up units and will be accessed from the commercial parking area directly behind the buildings.

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Similar to the 1010 Oglethorpe effort, the residential component of the project is intended to provide multiple housing options for middle income home buyers (between 65% and 150% of Athens' AMI). Approximately 7 of the residences will be constructed specifically for occupancy by residents over age 55, with a mixture of for-sale and for-rent elderly units. In addition, at least 5 of the new residences will be affordable for families earning below 80% of AMI, with a mix of affordable for-sale units and affordable rentals, including some affordable senior rentals.

The Northeast Georgia Regional Commission recently published Housing Guidelines in June of 2022 that provide a number of recommendations for increasing housing where infrastructure would support additional density, diversifying housing types, and modifying zoning ordinances to support community housing needs and creative development. The Guidelines recommend the following zoning modifications be considered, most of which have been incorporated into the layout of the Proposed Development:

- Reduce minimum lot sizes in residential neighborhoods
- Revisit allowed building width, depth and height
- Reduce parking minimums
- Regulate maximum building envelope rather than number of units
- Exchange setback minimums for setback maximums (build-to lines)
- Replace single-family-only zoning districts with zoning districts that allow one to four units per lot by-right where water and sewer infrastructure allow.

Many of these recommendations have been incorporated into the Proposed Project. Ultimately, these recommendations require numerous variances from ACC's zoning code as noted in the Waivers section of this report.

Planning Staff and Planning Commission Recommendations after Submittal Review:

Staff:

- *Ensure compliance with architectural variety requirements.* Applicant will work with Staff to meet expectations for any additional requirements beyond those shown during Plans Review.
- *Provide Parking Lot Buffers.* Applicant has included required parking lot buffers where required by code.
- *Ensure minimum 3' setback for accessory structures from side property lines.* Applicant will meet minimum requirements.

Planning Commission:

- *Provide porch on structure located on Lot #21 to address Landor Drive.* Applicant will provide a porch on this structure as shown on the Site Plan.
- *Provide courtesy buffer along west edge of property for adjacent residential properties. Buffer to consist of 10' of plantings and/or a 6' minimum fence.* Applicant will work with adjacent property owners to provide courtesy screen relative to spatial constraints and parking lot buffers.

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Site Description:

The site is located on Oglethorpe Avenue directly across from Oglethorpe Elementary and borders the Breckenridge Neighborhood, the Forest Heights neighborhood, and Forest Heights Baptist Church. After the previous PD was approved, the site was partially developed and rough graded. It is currently overgrown with bamboo. Very few, if any, natural features remain on the site including existing trees. The site is conveniently located to the Loop and is also on three ACC Transit Lines, with a stop directly in front of the property.



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Zoning:

The Proposed PD Amendment would not alter the underlying Commercial Neighborhood-PD Zoning. The site is bordered by RS-25 of Forest Heights and Breckenridge. The project is also within the general area of RS-8, RS-15, C-G, C-O and other C-N parcels.



The PD status will continue to be required based on the significant changes of the proposed amendments herein and the number of waivers resulting for this type of development.

Future Land Use Map:

The proposed Commercial Neighborhood zoning is compatible with the Future Land Use Map designation of Traditional Neighborhood. More importantly, the proposed use associated with the amended PD is more in line with the intended use and objectives of the Traditional Neighborhood.

Circulation:

The proposed vehicular circulation network will be private and maintained by a Property Owner's Association. The extent of the vehicular circulation is intentionally limited to diminish the impacts of standard automobile requirements relative to the greenspace benefits of clustered, cottage court

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development. All of the residential units will be accessed from Oglethorpe via a shared drive from the commercial area entrance and exit. A gate on the drive will limit traffic from the commercial area into the residential area to residents and guests only.

A pedestrian connection will allow for pedestrian and bicycle circulation throughout the development, including to/from Forest Heights. Multi-purpose paths will be provided throughout, connecting residents with the commercial space and shared amenities. The sidewalk network will connect to Oglethorpe Avenue and area amenities beyond. The intention of the development is to provide an alternative living environment that is less dependent on vehicular traffic and more pedestrian and bike-oriented as noted in the *Traffic* section below.

Traffic:

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. The Handbook's calculated total trip generation for the proposed development is shown on the table below. The proposed traffic count is a significant (43%) reduction from what is currently approved for the medical office PD.

Proposed:

Code	Use:	Unit	Unit Value	TPD	Peak Total	Peak In	Peak Out
210	Single Family Detached Housing	Dwelling Unit	6	57	6	3	3
215	Single Family attached housing	Dwelling Unit	14	101	9	5	6
231	Low-Rise Residential W/ Ground Floor Commercial	Dwelling Unit	11	38	7	3	4
252	Senior Adult Housing - Multifamily	Dwelling Unit	7	23	2	1	1
565	Daycare Center	SQ. Ft. GFA	3000	143	35	18	19
931/932	Café/Coffee Shop/Restaurant	Seats	60	209	31	17	14
	Total:			571	90	47	47

Previously Approved:

Code	Use:		Unit	TPD	Peak Total	Peak In	Peak Out
630	Medical - Clinic	SQ. Ft. GFA	29500	1109	124	66	76

The above estimates are taken from the 11th edition of the ITE handbook, and are high estimates, based on suburban, car-dependent development patterns. The Applicant anticipates that these numbers significantly *over-estimate* the car trips that the proposed development will actually produce (*See Note Below). The proximity to schools, employment, and services within a 15-minute walk, together with convenience to transit (three A-CC bus lines run on Oglethorpe Ave., with a stop directly across the street from the property), and its easy bike-ability to Prince Ave., and downtown all combine to reduce the expected car trips for the residential portion.

Note: Traffic counts for Café/Coffee Shop/Restaurant are an average of ITE Codes 931 and 932, which is a more accurate projection for the proposed "Hendershots" operation committed to the project.

Moreover, the addition of a walkable neighborhood café and daycare will eliminate the need for many car trips that area residents are *currently* forced to take, thus reducing car trips for existing residents of the area. Because the Oglethorpe corridor currently lacks a neighborhood café or daycare within walking distance, area residents are forced to drive to meet friends for coffee, to take their children for a muffin and hot chocolate, or drop off/pick up from daycare. The commercial portion of the development will

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eliminate many of these car trips by providing a walkable local option. And with many people living and working within a 15-minute walk of the site, we expect a significant proportion of customers to arrive on foot, or by bike.

(*) As a result, it is anticipated that actual traffic counts will be closer to 400-450 trips per day (approx.. 60% to 70% of standard counts) when factoring in the mixed use, interconnected, and walkable nature of this development.

Parking:

Parking for the project will be reduced from the typical requirements due to the nature of a cluster development and the small home lifestyle mindset of its residents, which will often have fewer cars per household than more conventional neighborhoods. Mass transit, ride share, and walking are anticipated to be used by residents and visitors based on proximity to other resources in the area.

Parking Summary						
Building Type	QTY:	# BRs	Required Parking Standard Zoning	Total Req'd Spaces	Prop. Spaces	Proposed Parking with Waivers
Commercial Area						
60 seat Café/Coffee Shop	1		1 Per 4 Seats	15	15	1 Per 4 Seats
2 BR Apartment	11	22	2 per Unit	22	16.5	1.5 Per Unit
Childcare Center	1		2 Per Facility	2	6	2 Per Facility + Staff
					5.5	Flex Spaces
Total Required:				39		
Total Proposed:					43	
Residential Area						
2-BR	6	12	2 Per Unit	12	9	1.5 per Unit
3-BR	14	42	2 Per Unit	28	28	2 Per Unit
Senior Units	7	14	0.5 Per Unit	3.5	3.5	0.5 Per Unit
Total Required:				43.5		
Total Proposed:					41	
Total Req'd (Std. Zoning):				**82.5**		
Total Prop. (w/Waiver)					**84**	
Bicyle Parking						
Commercial Area			2	1/20 Auto	**8**	
Residential Area			2	1/20 Auto	**20**	

Note: A waiver is requested to reduce the parking minimums for the residential units to allow 1.5 spaces in lieu of 2 spaces for 2-BR units. See Waiver section for additional information.

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Utilities:

The site is currently served by A-CC Water and Sewer. The public water and sewer mains will need to be extended within the site to provide services to the individual buildings and residential units.

The anticipated Water and Sewer demands for the Amended Planned Development are as follows:

- Residential:
  - 90 Bedrooms @ 100 GPD = 9000 GPD
- Commercial:
  - Restaurant: 60 seats @ 50 Gal per seat = 3000 GPD
  - Daycare Facility: 50 People @ 20 Gal per Person = 1000 GPD

- Total Water Demand: 13,000 GPD
- Total Sewer Demand: 12,350 GPD

Note: The proposed layout of the lots and shared greenspace relative to property lines and the utility easements requires approval for "One Lot Removed" access to the public mains.

The Athens-Clarke County Public Utilities Department General Design Guidance for Water and Sanitary Sewer Development Projects (Version 1 – September 15, 2017) specifically notes in Section 1.21 One Lot Removed from Water and Sewer that *"each individual parcel of property to be served by the Public Water and/or Sanitary Sewer System must have an existing water main and/or sanitary sewer line located adjacent to said property. In addition, each individual structure within said parcel, must be served through its own individual water and/or sewer connection and be individually metered from the Public Water System."*

Technically, not all lots within the proposed development are adjacent to the public main easements. In multiple cases, lots will need to connect to the mains through common or shared greenspace that is part of a common lot. Each individual unit will be served by a separate water service as required. Each building will be served by a sewer stub as required. Easements through the common lot or shared greenspace will be provided for both connections as needed. Additionally, the accessory structures shown on Lots 17-19 will have a single point of connection to the water and sewer mains given use by a single property owner/tenant. **Approval of this project by the Mayor and Commission would constitute approval as required in Section 1.21 b-6 of the above referenced document.**

Stormwater Management:

The amended Planned Development will adhere to Athens Clarke County's current Stormwater Management Ordinance at the time of submittal for a Land Disturbance Permit. Stormwater management will be provided along the western property line in a designated area intended to meet current requirements with underground detention/infiltration and surface features (bioswales or bio-basins) where space exists. All stormwater will be conveyed to the existing storm system on the south side of Oglethorpe Avenue. Detailed design of the development will incorporate additional techniques, including use of porous pavement (incl. grass pavement system), and landscape infiltration zones to reduce stormwater runoff near the point source.

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Environmental Impacts:

Given the previous development activity on the site, and the current bamboo vegetative cover, there are no negative environmental impacts anticipated with this Project. The CN zone allows 75% coverage generally, and the previously approved PD required 55% coverage. The proposed amended PD, despite the requested density in residential units (see Waivers section), represents less than 55% total site coverage.

Architecture:

The proposed amendment seeks to replace the large medical buildings with two mixed use structures and a variety of residential units. The mixed-use structures will be pedestrian scaled, downtown-style buildings. Storefront facing Oglethorpe, plaza space, large windows for apartment units, and architectural detailing of a masonry façade will be incorporated into these structures.



1 BUILDING A - NORTH ELEVATION



05 BLDG B - NORTH ELEVATION

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The cottage style residences will vary slightly in floorplans and elevation but will be of a consistent family of architectural styling similar to the representative elevations below and as documented on the A Series sheets . Homes will have porches, gabled roofs, and varied architectural details from house to house.





Three of the Cottages will have Accessory Structures with garage parking on the lower level and a guest suite above the garage. The Unit will have a porch with staircase access to the upper level as indicated in the image below. Structures will measure 20x30 including second story porch. Color will vary and materials will match main structure.





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The townhomes will complement the Bungalow styling of the detached cottages with similar porch and roof details as depicted below.



01 FRONT ELEVATION
3/16" = 1'-0"

The triplex and quadruplex units will be similar in style to the townhome units but will vary depending on detailing related to age-appropriate design for the Elderly Housing Units.



01 FRONT ELEVATION
3/16" = 1'-0"

Note that the architecture as presented is subject to minor changes during final design and permitting of the structures. Anticipated changes to include modification of porches to wrap around corners where a presence on two facades would provide a more inviting element; window relocation or addition of windows relative to interior layout; alteration of materials and/or layout of materials (i.e. horizontal vs. vertical siding) to increase visual variety from unit to unit; and modification of proposed footprint size by 10%+/- to accommodate detailed site design and engineering. The spirit of the design shall remain as presented and the intent will be to meet all architectural requirements of standard zoning unless specifically noted herein.

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Affordability:

Every unit in the development is designed for affordability, through efficient use of land and compact, efficient floorplans. This will enable even the "market-rate" units to be sold at below the median price for local new construction and will enable the rental units to be rented at rates affordable to teachers, nurses, firefighters, librarians, ACC employees, and other essential members of our community who are currently cost-burdened by the spiraling prices for apartments in Athens.

Additionally, the applicant proposes to make at least 5 of the units income-restricted for families earning below 80% of the Area Median Income. These units will include a mix of for-sale and for-rent units. Affordability for these units will be ensured through partnership with one or more local non-profits working in the affordable housing space. Applicant has entered into MOUs with two local housing non-profits, and is in discussions with two others. We anticipate that final agreements will be in place prior to the scheduled Planning Commission vote in November.

Finally, the applicant proposes to restrict at least 6 of the cottage units to occupants 55 and over ("senior" housing according to HUD's definition). These units are anticipated to be offered for rent, although some may be offered for sale, subject to deed restriction to enforce the age restriction. These units will fill a gap in the Athens housing market, by providing housing choice to older Athenians who wish to downsize into smaller, low-maintenance, energy-efficient homes, without leaving their neighborhood or community.

Density:

Density for the development considers the differing densities associated with each housing type: Multi-family in the Commercial Zone and Residential in the "RS-5 Zone". Their representative densities based on the acreage associated with these zones are as follows:

Density		
Building Type	QTY:	No. Bedrooms
Multi Family in CN		
2 BR Apartment	11	22
Triplex/Quadruplex	7	14
Total BR		36
Total Area (Acres)		1.50
BR / Acres		**24.00**
Residential in RS-5 Area		
Cottages	6	
Townhomes	14	
Total Units:	20	
Total Area (Acres)	2.35	
Units/Acre:	**8.51**	

Note: A waiver is requested to increase the residential density in the single-family zone from 6 units per acre to 9 units per acre and to increase the bedroom density for the multi family units from 16 BRs/Acre to 24 BRs/Acre. See Waiver section for additional information.

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Requested Waivers:

The proposed amendment will require approval of the following waivers from standard design and/or zoning requirements:

1. **Waiver from Section 9-25-10-4 requiring two points of access for Mixed Use Developments with residential resulting in 250 trips per day or more.** Anticipated TPD on Oglethorpe Avenue is 624 (likely considerably less). The intent of the development is to promote pedestrian circulation and limit vehicular impacts on the existing Forest Heights neighborhood. This request is to eliminate the second point of access that would be the result of connecting the development to Landor Drive with a through-street. This request would result in the removal of an internal public street with all units being accessed via a private drive system. Approval of this request would also result in the waiver requests noted in 2 through 7 below.

2. **Waiver from Section 9-26-3-A-6: Waiver from maximum number of units to be accessed by a private drive from 3 to 27.** The proposed number of units accessed by a private drive accounts for all residential units that are not above the commercial buildings. 6 of these units are potentially accessed via the commercial parking drive. However, a waiver for the full amount is being requested for clarity.

3. **Waiver from Section 9-26-3-C: Dead Ends and Cul-de-Sacs to increase the number of residential units served by a dead end to increase from 19 units to 27 units.** Code permits 19 units to be on a dead end. This request seeks to permit access to 21, or up to 27 residential units from the commercial area via private drive. (6 of the townhome units can be readily accessed from the commercial area parking lot by emergency vehicles).

4. **Waiver from Section 9-26-4-B to provide On-Street Parking:** Given the lack of public or private streets within the development, the only option for on-street parking is on Oglethorpe Avenue, or Landor Dr. The traffic on Oglethorpe precludes on-street parking. Additionally, it is the intent of the development to limit vehicular impacts on the Forest Heights neighborhood, and thus we request a waiver from any requirement of providing additional on-street parking on Landor Drive.

5. **Waiver from Section 9-7-3 Minimum lot width and continuous linear street frontage from 50 ft to 18'.** Request supports narrowest single family lot within residential portion of the PD, which is 18' wide for some of the townhome units. This waiver is necessitated by the courtyard-oriented design of the development, which reduces the emphasis on car circulation assumed by our zoning code. The proposed layout of the units is scaled to the development and each unit has a presence on the shared greenspace, or public realm, ultimately meeting the intent of the zoning requirement. It also bears mentioning that, given the lack of a public street, any "street frontage' for most of the residential lots simply is not possible. Lastly, although uncertain if it will be required, in an abundance of caution, the Applicant also requests a waiver from the Utilities Dept frontage policy WS-011, to the extent that it may be understood to require more frontage on the public sewer and water mains than the lot dimensions shown on the attached site plan.

6. **Waiver from Section 9-25-8 (B)(5) requiring that Primary entries shall be accessed directly from the public street and sidewalk.** This waiver is necessitated by the courtyard-oriented site design.

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The residential units have been designed for the primary entries to face the common greenspace that has been designed to replace the typical public street. Applicant believes the intent of having public front entries that face the public realm and provide interaction with residents on sidewalk connections is achieved in the greenspace-oriented layout.

7. **Waiver from Sections 9-25-8 (C)(1)(a) and (b) requiring orientation of architectural elements, including a minimum of 50 percent of the buildings shall have a front entrance facing a public or private street.** Similar to Waiver request #6 above, this waiver is necessitated by the courtyard-oriented site design. All units face common open or shared greenspace, which is the equivalent of the "public way" for this project.

8. **Waiver from Section 9-7-3 Maximum Lot Coverage from 50% to 90%.** The overall site coverage is well below the limits of C-N zoning, and below the approved coverage of the existing PD. This request supports the smallest single family lot within residential portion of the PD (subject, per ordinance, to RS-5 standards). This coverage is represented by an attached townhome on a small lot that is mostly confined to its footprint. Note that this waiver is required because of the courtyard-oriented design, which creates shared greenspace amenities on community parcels, and by applicant's preference to develop units as fee simple units, for sale to owner-occupants.

9. **Waiver from Section 9-7-3 Minimum Lot Setbacks for all setbacks to decrease to 5'.** Request supports layout of some of the proposed homes on small lots per plan.

10. **Waiver from Section 9-30-2-A to reduce required parking for 2BR single family residences and 2-BR apartments from 2 spaces per unit to 1.5 spaces per unit.** Requested waiver allows residential units accessed by the private drives to be served by 41 proposed spaces shown. Spaces required by standard parking count is 44. As noted previously in the report, this type of development is supported by a reduction in parking minimums noted in the NGRC's Housing Guidelines and parking reductions are considered a best practice for small home/infill communities.

11. **Waiver from Section 9-10-2 (L1) to remove Ground Floor Commercial Requirement for residential in the CN zone.** Waiver supports residential use at ground floor on lots as proposed, which would typically be a "Special Use" under standard zoning outside of a Planned Development request.

12. **Waiver from Section 9-10-3 to increase maximum dwelling units per acre for single family residential in CN zone from 6 units per acre to 9 for Single Family.** Zoning requires single family residential in the CN zone to follow RS-5 zoning requirements from table 9-7-3, which limit density to 6 units per acre for subdivisions over 2 acres. The waiver is requested to allow a density increase to 9 units per acre for single family. The intent is to provide additional residential units and maximize the number of houses that can be constructed relative to the required infrastructure. This increase in density ultimately allows the affordable components of the project.

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13. **Waiver from Section 9-10-3 to increase maximum dwelling units per acre for multi-family residential in CN zone from 16 Units per acre to 24 for Multi Family.** This request will allow 24 BRs per acre in lieu of the 16 per acre allowed by standard zoning. The intent is to provide additional residential units and maximize the number of houses that can be constructed relative to the required infrastructure. This increase in density ultimately allows the affordable components of the project.

14. **Waiver from Section 9-25-8 (B)(9) requiring that a lot must be 150 percent of the footprint of the unit constructed on the lot.** This waiver is requested to support the small lot configuration indicated on the plan that will allow fee-simple home ownership. Applicant believes the spirit of the code requirement is met through the incorporation of shared greenspace in close proximity to all residential units. This waiver permits attached units and affordability, while also leaving large common greenspaces for all residents to share.

15. **Waiver from Section 9-15-12 (D) limiting the height of an accessory structure to 12'.** Request is to support living area above the detached garage on three of the cottage structures at Blueberry Court. Proposed height of structure would be subordinate to primary structure on lot, which would meet maximum height requirements.

16. **Waiver from Section 9-15-12 (E) to increase size of accessory structure from 800sf to 1200sf maximum.** Request made to allow potential use of accessory structure on Lots 17-19 that measures 20x30 in overall size. A portion of this envelope is a deck on the second floor so actual size will be below 1200sf, which shall serve as maximum relative to waiver.

17. **Waiver from Section 9-10-3 Minimum Yard when abutting a residential zone.** Per staff comment, "*The triplex on Lot 21 and the mixed-use building adjacent to the church appear to be too close to the lot line as specified in Table 9-10-3 (Min. yard when abutting a residential zone).*" Waiver is requested to allow the attached units to be located per plan relative to site layout objectives of shared greenspace. As reviewed with Staff, this code provision is intended to require greater setback for commercial buildings, not for residential buildings such as these. Lot 21 is ultimately governed by RS-5 zoning in the absence of a ground floor commercial use, which has been omitted by waiver request. While these units will not be on individual lots, they are designed for single family use which is compatible to the adjacent single family zoning.

18. **Waiver from Section 9-7-2 (L3) to decrease the 100' buffer for attached single family units.** Similar to #17 above, it is not clear that this waiver is needed as we don't believe this ordinance section applies here however, based on Staff recommendation, a waiver is requested to support the proposed plan layout. Specifically, Section 9-7-2 does not apply to residential development in C-N zones. The only part of section 9-7 that applies to residential uses in C-N zones is section 9-7-3 (see section 9-10-2, footnote L(11)). And second, the lots with the triplex and quadruplex are multifamily (Senior citizen rentals), not single-family.

19. **Waiver to exceed the 3-acre block maximum in Section 9-25-8(C)(3).** Waiver requested to support plan layout as proposed. Applicant believes both the language and the intent of the maximum block conditions has been achieved given the layout of the proposed development in

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three distinct zones (the commercial zone, Garden Court, and Blueberry Court), which are divided by private drives serving each zone. Applicant believes each of these three areas, which are separated by drive and parking areas, constitutes a separate block for purposes of the ordinance, in that they are separated from each other by drive areas including easements. Each of these three "blocks" is well under 3 acres.

20. **Administrative Waiver from Section 8-7-15: Tree Canopy Cover to decrease the amount of conserved canopy from 15% to 0%.** Waiver request supports existing conditions of the site, which is primarily bamboo, with nearly all trees having been cut during previous PD site-preparation stage. Development plans for previous PD were approved with 0% canopy coverage.

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AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **SPECIAL USE APPROVAL IN THE C-G (A) (COMMERCIAL-GENERAL, AIRPORT OVERLAY) DISTRICT FOR AN APPROXIMATE 1.20-ACRE PARCEL OF LAND LOCATED AT 3321 & 3331 LEXINGTON ROAD**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The current C-G (A) (Commercial-General, Airport Overlay) District, 3321 & 3331 Lexington Road, Athens, Georgia, is hereby amended to provide for Special Use approval to replace a previously approved retail development with a drive-thru restaurant. The subject parcel is more fully described as follows:

All that parcel of land comprised of approximately 1.20 acres as described by that certain site plan entitled "Site Layout Plan," dated September 29, 2022, prepared by Gonzales Strength & Associates, Inc., stamped "Binding 11-8-22," and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

Said approximate 1.20-acre parcel of land at 3321 & 3331 Lexington Road is designated as tax parcel number 233B4 B001C & 233B4 B001D on the Athens-Clarke County Tax Map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County shall be noted on said Official Zoning map in the office of the Clerk of Commission and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of twelve sheets in total, with each sheet being numbered and titled in the lower-right hand corner and stamped "Binding 11-8-22." The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
C200	Site Layout Plan	9/29/22
C201	Site Dimension Control Plan	9/29/22
C400	Site Utility Plan	9/29/22
L1.0	Landscape Plan	9/29/22
L2.0	Plant Schedule & Notes	9/29/22
L3.0	Landscape Details	9/29/22
A1.1	Floor Plan	3/10/22
A2.1	Exterior Elevations	3/10/22
A2.2	Exterior Elevations	3/10/22
A2.3	Exterior Renderings	3/10/22
A2.4	Exterior Renderings	3/10/22
A2.5	Exterior Renderings	3/10/22

The binding site plan associated with this ordinance is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

The binding written report associated with this ordinance and incorporated herein by reference consists of two pages in total, being prepared by Gonzalez-Strength & Associates, Inc. for the applicant Schaffer Construction, on behalf of the owner H/S Athlo, LLC, undated, stamped "Binding 11-8-22," and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

SECTION 3. The following conditions associated with this ordinance is as follows:

1. The developer shall comply with the maximum parking requirements of Section 9-30.
2. The developer shall comply with drive-through lane requirements of Section 9-25-11.
3. The developer shall correctly label elevation sheets.
4. The developer shall remove the ground-mounted flagpole light.
5. The developer shall amend the Tree Management Plan to comply with the Arborist's comments in the staff report.

SECTION 4. Except as specifically modified or amended herein, those certain ordinances entitled "An Ordinance to Amend the Code of Athens-Clarke County, Georgia, with Respect to Special Use Approval in the CG (A) (Commercial General) (Airport Overlay) District on 19.79 Acres of land located at 3341 Lexington Road; and for Other Purposes," effective February 4, 3005, are hereby saved from repeal.

SECTION 5. Except as set forth in Section 4 above, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: November 3, 2022	**FILE NO:** SUP-2022-04-870

LOCATION: 3321 & 3331 Lexington Road
APPLICANT: Katie Kleibl / Schaffer
OWNER: H/S Athlo, LLC
REQUEST: Amend a Special Use in C-G (A) (Commercial-General, Airport)
COMMISSION DISTRICT: 2

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Present	X		
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Absent			
Matthew Hall, Vice-Chair Present	X			Monique Sanders Present	X		
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	8	0	

For: Matt Sims
Against: None

Discussion: The zoning code compliance issues were discussed.

Motion: Mr. Tucker made a motion to recommend approval with a condition. Ms. Morales seconded the motion, which passed unanimously.

Condition:

1) Developer shall amend the plan to comply with code compliance items 1, 3, 4, & 5. Compliance with item #2 is waived.

NOTE: Upon further review by Staff it has been determined that development standards required by code cannot be "waived" as a condition of a Special Use Permit without seeking and obtaining a variance. As such, Condition #1 shall be modified to retain Compliance Item #2.

STAFF REPORT
AMENDMENT TO SPECIAL USE PERMIT
SUP-2022-04-870
3321 & 3331 LEXINGTON ROAD
NOVEMBER 3, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Katie Kleibl / Schaffer
OWNER	H/S Athlo, LLC
ZONING REQUEST	Amendment to Special Use in C-G (A) (Commercial-General, Airport Overlay)
TYPE OF REQUEST	Type I
LOCATION	3321 & 3331 Lexington Road
COUNTY COMMISSION DISTRICT	2
SIZE OF REZONING AREA	1.20 acres
PRESENT USE	Undeveloped
PROPOSED USE	Quick Service Restaurant (Drive-Thru)
TAX PARCEL NUMBERS	233B4 B001C & 233B4 B001D
ADJACENT USES AND ZONING	(N) Retail / Special Use in C-G (A)
	(E) Retail / Special Use in C-G (A)
	(W) Retail / Special Use in C-G (A)
	(S) Drive-Thru Restaurant / Special Use in C-G (A); Retail / C-G (A)
STAFF RECOMMENDATION	**Approval with Conditions**
PLAN. COMMISSION RECOMMENDATION	**Approval with Conditions**

II. PURPOSE

The request is to amend a Special Use Permit to replace a previously approved retail development with a drive-thru restaurant on two parcels zoned C-G (A) (Commercial-General, Airport Overlay). The Special Use request includes a binding application report and development plans as a guarantee to the community that what is proposed will be constructed.

III. HISTORY & EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The 1.20-acre subject property is composed of two undeveloped outparcels in front of the Lowe's home improvement store, fronting Lexington Road. A 2005 Special Use Permit was approved for the redevelopment of the former Bell's shopping center as a Lowe's Home Improvement Store, along with three outparcels. One of the outparcels was developed as a Walgreens pharmacy in 2009. The other two outparcels comprise the subject property, which has approved binding plans from the original 2005 Special Use for 11,200 square feet of specialty retail shops arranged in two 5,600 sq. ft. structures.

The subject parcels and all surrounding properties share the C-G (A) (Commercial-General, Airport Overlay) zoning designation, and all but the retail store directly across Lexington Road have Special Use

Permits. Similarly, the subject property and all surrounding properties are within the portion of the Airport Overlay specifically designated as TZ (Transitional Zone). The surrounding developed properties have either retail or restaurant uses.

The subject parcels can be accessed via two adjacent driveways serving the Lowe's parking lot to the rear. Neither parcel is located within a local or National Register historic district.

IV. PROPOSED DEVELOPMENT

The project is coming through the amendment process because the parcels in question are in the Airport Overlay, which requires Special Use approval for any changes to occur. The previous version of this proposal included two waiver requests to orient the building away from the street and decrease fenestration. These waivers were not supported by Staff, and the applicant has amended their proposal to remove these waiver requests. Other uses in the Airport Overlay requiring Special Use approval are churches, schools, multi-family dwellings, theaters, and other uses where concentrations of persons are customary.

The submitted site plan shows the building would be located near the back left corner of the parcel, and face Lexington Road. Both driveways connecting Lexington Road and the Lowe's parking lot would be used for restaurant ingress and egress. The project would have 73% lot coverage, which is under the 80% maximum allowance. The minimum required parking is 25 spaces, while the site will provide 47, including two ADA accessible spaces. A one-story restaurant is proposed with a building footprint of 3,751 square feet and 100 customer seats. Exterior building materials would consist of brick and architectural metal.

Parking is proposed on the south side by the main building entrance, while the proposed drive-thru lane, including the menu board, speaker box, and pickup window, would be located along the interior street on the north side. Sidewalk exists along the road and the driveway between the Walgreens and subject property, and connecting walks would be constructed to the main northern and secondary eastern building entrances. The applicant is also requesting to combine the two parcels into one.

COMPATIBILITY WITH COMPREHENSIVE PLAN

COMPATIBILITY WITH FUTURE LAND USE MAP

The Future Land Use Map indicates that the subject property is designated as *General Business*, which is defined as follows:

General Business
These are commercial areas that serve a variety of needs for the residents of the region. It is intended for small- and large-scale retailing and service uses that are auto-oriented, such as Atlanta Highway, Lexington Road and US 29 North. Pedestrian-oriented design is particularly appropriate when these streets contain neighborhood-shopping areas or are adjacent to multifamily housing or residential neighborhoods. Pedestrian circulation in these centers is a primary concern, therefore, connectivity within and to surrounding areas should be encouraged. Internal pedestrian walkways should be provided from the public right-of-way to the principal customer entrance of all principal buildings on the site. Walkways should connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building, store entry points, and plaza space. Walkways shall feature adjoining landscaped areas that contribute to the establishment or enhancement of community and public spaces. The street level facade of these areas should have a scale and architectural elements that relate to

pedestrians. Buildings should be oriented to the street and corridors should be lined with street-trees. Small and medium scale retail stores should frame the streets with large-scale retailers located behind with focus given to pedestrian circulation rather than automobiles. Parking lots should not be located at the street front and shared parking should be encouraged.

Since the C-G zoning and a restaurant use are compatible with the *General Business* Future Land Use Map designation, an amendment to the Future Land Use Map is not required and the application is considered a Type II request. All surrounding properties share the *General Business* Future Land Use Map designation.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to amend an existing Special Use Permit to allow a quick-service restaurant within the Airport Overlay. The C-G (A) (Commercial-General, Airport Overlay) zoning is shared with all surrounding properties, while all but one parcel (directly across Lexington Road to the south) also have Special Use approval.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

The Special Use Permit process is primarily intended to review requests for specific uses in order to ensure that the use in question will not have an adverse impact on the surrounding properties. In this case, the review is also to ensure that the proposed use will not have an adverse impact on airport operations. A Special Use Permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, to the Type II review criteria in Sec. 9-4-4(B)(1), the Airport Overlay criteria in Sec. 9-13-4(D), and the Special Use criteria in Sec. 9-20-5. Staff comments regarding the ability of the current request to satisfy each criterion are provided below.

Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed special use.

Comments on this proposal by the ACC Transportation & Public Works Department, the ACC Public Utilities Department, and the ACC Fire Marshal are found in the "Effect on Community" section of this report.

The proposed special use will not adversely affect the balance of land uses in Athens-Clarke County.

The construction of one restaurant would not adversely affect the balance of land uses in Athens-Clarke County.

Sec. 9-13-4-D Special Use in Airport Overlay criteria and comments

1) ***Whether the proposed use is compatible in view of the use and development of the airport;***

The Airport Authority has no objections to the project and passed a motion of approval for the proposed development at 3321 and 3331 Lexington Road in accordance to the plans as they were presented to the Airport staff and Airport Authority

2) ***Whether the proposed use will adversely affect the airport and whether the airport will adversely affect the proposed use;***

The proposed addition will be required to meet the following architectural and site restrictions listed in Section 9-13-3(E):

1. Roofing material shall be non-glare.
2. All exterior lighting shall be fully shielded and amber in color. In addition, exterior lighting shall be limited to the following lighting systems:
   - Ground level sidewalk lights
   - Architectural flush mount wall lights
   - Canopy lights
   - Under eave lights
   - Low profile parking lot/street light poles

With the adherence to the above requirements, the Airport Authority passed a motion of approval for the proposed development at 3321 and 3331 Lexington Road in accordance with the plans presented to the Airport staff and Airport Authority.

3) ***Whether permitted uses in the airport overlay zone are available and appropriate for the subject property;***

The proposed restaurant is a prohibited use in the Airport Overlay zone, unless otherwise approved through the Special Use Permit process. Several other uses, such as retail, services, and offices, would be permitted outright in the C-G (Commercial-General) zone, subject to the general regulations of the C-G zone in Section 9-10-3, the applicable design standards of Section 9-25-8-E, and of the general Airport Overlay regulations of Section 9-13-3.

4) ***Whether the proposed use will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;***

The subject property is served by ACC water and sanitary sewer. The subject property is located on a principal arterial route, with two driveways serving the subject property.

5) ***Whether the proposed use is in conformity with the policy and intent of the comprehensive plan.***

The *General Business* Future Land Use designation encourages auto-oriented commercial uses, but it also calls for a street-level facade that relates to pedestrians and buildings oriented to the street.

6) Other factors found to be relevant by the hearing authority for review of the proposed use.

The Airport Authority found no other factors.

Sec. 9-20-5 Special Use criteria and comments:

Is the proposed use in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive Plan policies implemented by Athens-Clarke County and will all state or federal laws?

Restaurants within the Airport Overlay are required to have Special Use Permit approval. The application report, site plan and architectural elevations are binding upon approval. The binding plans and report do not release the developer from the responsibility to fully comply with all Athens-Clarke County development standards not specifically granted by a variance by the terms of the Special Use Permit.

The *General Business* Future Land Use designation on the subject property calls for a street-level facade that relates to pedestrians and for buildings to be oriented to the street.

Is there adequate capacity of Athens-Clarke County facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation that can and will be provided to and through the subject property?

Utility connections are proposed to existing ACC water and sanitary sewer lines. Electrical, telephone and cable services are non-governmental services. The submitted site plan shows a proposed stormwater network leading to a detention facility shared with the adjacent Lowe's development.

The site plan illustrates the existing road frontage sidewalk and connecting sidewalk to the Lowe's development, from which the proposed restaurant would provide a connecting walk to the building entrances.

Two driveways, connecting Lexington Road and the Lowe's parking lot and adjoining the eastern and western property lines of the subject parcels would be accessed for restaurant traffic ingress and egress.

Will the special use have an adverse impact on the surrounding area? When evaluating the effect of the proposed use on the surrounding area, the following factors shall be considered:

1. ***Similarity in scale, bulk, and coverage.***
2. ***Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets.***
3. ***Architectural compatibility with the surrounding area.***
4. ***The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, the generation of smoke, dust, odors, or other environmental pollutants.***
5. ***Generation of noise, light, and glare.***
6. ***The development of adjacent properties compatible with the future development map and the zoning district.***
7. ***Other factors found to be relevant by the hearing authority for review of the proposed use.***

The proposed restaurant building (3,751 sf) would be smaller than the nearby Walgreens pharmacy (14,381 sf) and much smaller than the Lowe's home improvement store (138,134 sf), but very similar in size to the nearby Bojangles restaurant (3,693 sf). The restaurant can be expected to have lunch hour and dinner hour peak trips, and the queuing distance has been designed to contain several cars without affecting the parking area or one of the Lowe's driveways. The Athens-Clarke County Environmental Areas Map does not indicate any environmentally sensitive areas within the property.

Exterior lighting will be located along the rear of the parking area and along the drive-thru lane. A 30' tall flag pole with ground-mounted lighting is also proposed in the parking area; however, this type of

unshielded lighting is not allowed in the Airport Overlay per Sec. 9-13-3(E). All lighting must be fully shielded to ensure the light is cast at downward angles and amber in color. A lighting plan will be required prior to permitting to show that all site lighting will also meet Chapter 9-19 standards in regards to light trespass over property lines and overall foot-candle restrictions.

This project, as proposed, should not have an appreciable effect on water quality since stormwater runoff generated by the proposed impervious surface will be managed by a proposed stormwater network leading to a detention facility shared with the adjacent Lowe's development. The proposed use should also not have an appreciable effect on air quality or the generation of dust, odors or environmental pollutants.

Special Use approval for the proposed restaurant is not likely to affect the development of nearby properties in accordance with the *General Business* Future Land Use designation, since most of the immediately adjacent properties have been developed with other commercial uses. The noise and traffic generated by the proposed use will not be at a scale that will affect the closest residential districts, which are located about 800-900 ft. from the subject property.

Code Compliance Issues

Staff has identified the following code compliance issues that must be resolved prior to approval of a binding plan:

-The proposed site plan is over on its total allowable parking per Sec. 9-30-2(F). However spaces may remain if the applicant makes these spots electric vehicle charging stations per Sec. 9-30-2(F)(4) or if they are designated for staff.

-The applicant must modify the drive-through design to comply with Sec. 9-25-11 standards, specifically, but not limited to, not providing a means of egress for customers who wish to leave the waiting line.

-Elevations are mislabeled and will need to be flipped to match updated orientations of the restaurant.

The following items are not included in the binding plan but were noted for correction:

-The ground mounted sign location on the western side of the property is not 5 feet away from the property line, however this was not part of the review and is not part of the binding plan.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The construction of one drive-thru restaurant would not adversely affect the balance of land uses in Athens-Clarke County.

II. POPULATION

The proposed restaurant does not include a residential use.

III. ENVIRONMENT

The subject property is undeveloped, relatively flat and lacks any mature tree canopy. The Athens-Clarke County Environmental Areas Map does not indicate any environmentally sensitive areas within the property.

A tree management plan (TMP) has been provided for review of compliance with the canopy requirements for development within the C-G (Commercial-General) zoning district. The ACC Arborist has the following comments:

- *The TMP should include an estimate of the amount of tree canopy cover currently existing on the site to the nearest 1 percent. C-G zoned sites are required to provide a minimum conserved canopy of 10%. The TMP should demonstrate compliance.*
- *The TMP should include the trees proposed to be conserved. For individual trees to be conserved, the TMP should provide the species common and Latin names, dbh, square footage of canopy contribution, location of the trunk, extent of the crown, boundaries of the tree protection zone, and location of tree protection fencing.*

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The subject property is accessed from two driveways serving the adjacent Lowe's development. The Lexington Road frontage and the eastern Lowe's driveway has sidewalk, and the proposed site plan shows a connecting sidewalk across the drive-thru lane and to the restaurant building entrances. Athens-Clarke County Transit serves Lexington Road, with a transit stop located directly in front of the subject parcel.

The Athens-Clarke County Transportation and Public Works Department has reviewed the proposal and offered no comments at this time.

V. GRADING AND DRAINAGE

The submitted site plan shows a proposed stormwater network leading to an existing storm structure.

The Athens-Clarke County Transportation and Public Works Department has reviewed the proposal and approved it with the following condition:

- *Development of the project must meet stormwater management code requirements and standards in effect whenever permitting occurs.*

VI. WATER AND SEWER AVAILABILITY

The Athens-Clarke County Public Utilities Department has reviewed the proposal and recommended approval without comment.

VII. FIRE PROTECTION

The Athens-Clarke County Fire Department has reviewed has reviewed the proposal and recommend approval without comment.

RECOMMENDATIONS

I. STAFF RECOMMENDATIONS – Approval with Conditions

This application is to amend the current Special Use Permit in the C-G (A) (Commercial-General, Airport Overlay) zone. The amendment is to replace the current 2005 binding plans for 11,200 sf of retail with a 3,751 sq. ft. drive-thru restaurant, as well as combine the two parcels into one. The proposal does not change the current zoning designation or the *General Business* Future Land Use designation. The reason

for the existing Special Use Permit is the subject property's location in the Airport Overlay; any new construction will be required to meet the standard Airport Overlay requirements (non-glare roofing, shielded lighting).

Staff believes the changes made between the last Planning Commission meeting and now make significant strides in being compliant with code, primarily due to the removal of the previously requested waivers. The main areas of concern are with the tree management plan not addressing all of the ACC Arborist review comments and that the ground-mounted flagpole lighting is prohibited in the Airport Overlay. Staff recommends approval with the conditions that the applicant meet the conditions of Transportation and Public Works and Planning as follows:

A. Resolve the outstanding code compliance issues identified in this report
    1. Comply with the maximum parking requirements of Section 9-30.
    2. Comply with Section 9-25-11's drive-through lane requirements.
    3. Correctly label elevation sheets.
    4. Remove the ground-mounted flagpole light.
    5. Amend the Tree Management Plan to comply with the Arborist's comments.

Staff notes that if these conditions require significant alterations to the proposed plan, the proposal may need to be tabled for an an additional round of review.

II. AIRPORT AUTHORITY RECOMMENDATION – Approval

The Airport Authority passed a motion of approval for the proposed development at 3321 and 3331 Lexington Road in accordance to the plans as they were presented to the Airport staff and Airport Authority.

III. PLANNING COMMISSION RECOMMENDATION – Approval with Conditions

The Planning Commission reviewed this application at their November 3, 2022 regular meeting and recommended approval with the following condition:

1. Developer shall amend the plan to comply with code compliance items 1, 3, 4, & 5. Compliance with item #2 is waived.

IV. CURRENT STATUS

NOTE: Developer has stated that they will present a plan for compliance to the Mayor & Commission, but have not altered their current plans. Therefore the condition is still in effect. Upon further review by Staff it has been determined that development standards required by code cannot be "waived" as a condition of a Special Use Permit without seeking and obtaining a variance. As such, Condition #1 shall be modified to retain Compliance Item #2.

The request and the Planning Commission recommendation are tentatively scheduled to be presented to the Mayor and Commission at their agenda setting on November 15, 2022. The Mayor and Commission are scheduled to take action on this request at their voting session on December 6, 2022.

REPORT FOR: 3321 & 3331 Lexington Road

Zoning Criteria Considered by Staff for Zoning Actions		
Reviewed	Not Applicable	Considerations
X		1. The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
X		2. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
X		3. The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
X		4. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
X		5. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
X		6. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
X		7. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.
X		8. The existing land use pattern surrounding the property in issue.
	X	9. The possible creation of an isolated district unrelated to adjacent and nearby districts.
X		10. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
X		11. Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
X		12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
X		13. Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.

Public Notice

In accordance with Section 9-4-9(E), public notice of this zoning request was posted on or near the subject property on October 17, 2022.


N
Jail Rd
Government
Government
Springtree Rd
General Business
General Business
Traditional Neighborhood
Mimosa Dr
Lexington Rd
Cherokee Rd
Single Family Residential
General Business
Meadow Dr
Gaines School Rd
General Business
Main Street Business
3231 & 3331
LEXINGTON ROAD
Future Development


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PD
3231 & 3331
LEXINGTON ROAD
Existing Zoning

PAVING LEGEND

- CONCRETE SIDEWALK REQ'D., TYPICAL. SEE 06/C251.
- ASPHALT PAVEMENT REQ'D., TYPICAL. SEE 07/C251.
- CONCRETE PAVEMENT REQ'D., TYPICAL. SEE 08/C251.
- DUMPSTER PAD APRON CONCRETE PAVING REQ'D., TYPICAL. SEE 08/C251.

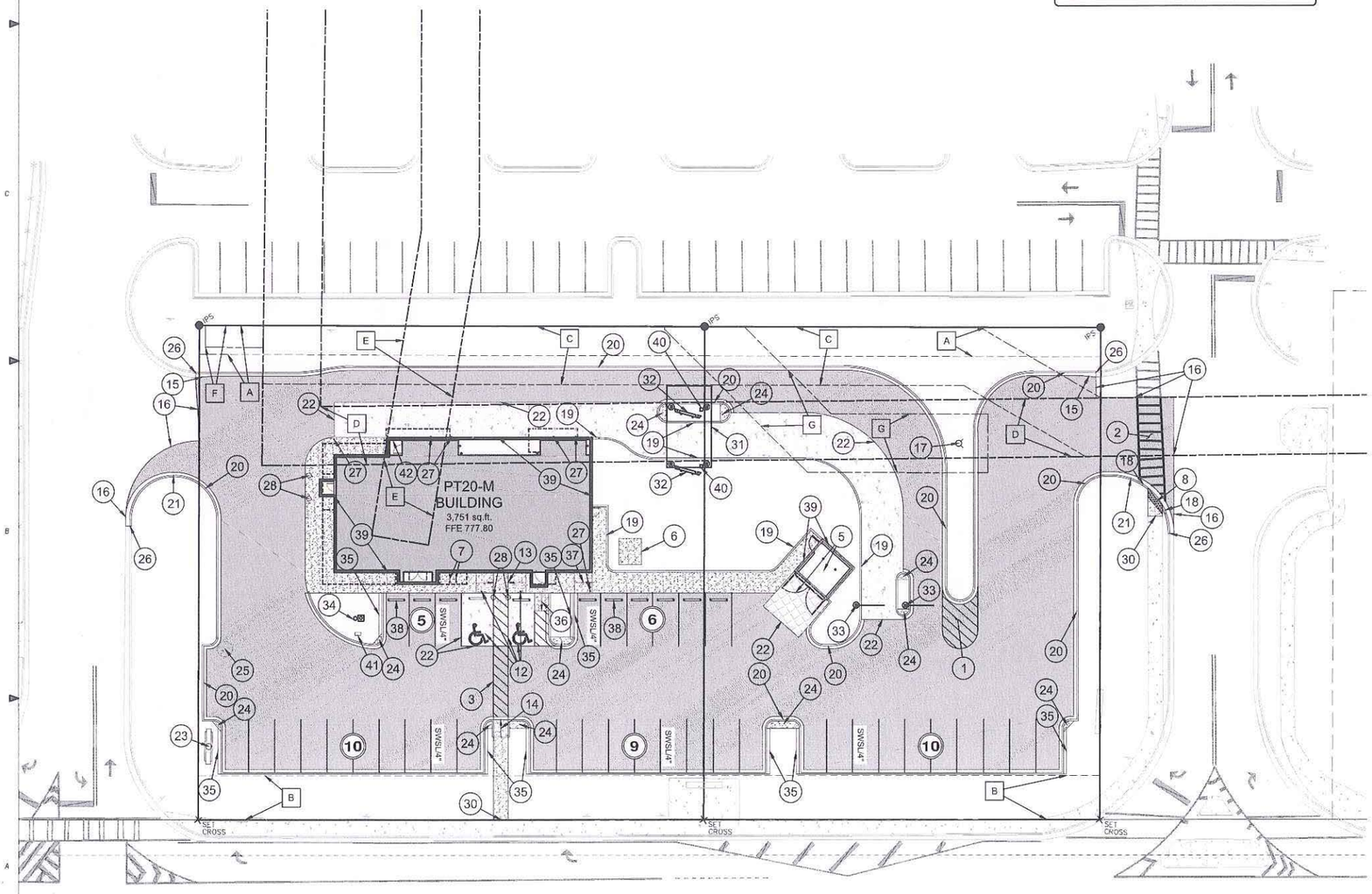
STRIPING LEGEND

SWSL/4"	-	SINGLE WHITE SOLID LINE / 4" WIDE
SYSL/4"	-	SINGLE YELLOW SOLID LINE / 4" WIDE EACH
DYSL/4"	-	DOUBLE YELLOW SOLID LINE / 4" WIDE EACH
SWDL/4"	-	SINGLE WHITE DOTTED LINE / 4" WIDE
SYBL/4"	-	SINGLE YELLOW BROKEN LINE / 4" WIDE
SWBL/4"	-	SINGLE WHITE BROKEN LINE / 4" WIDE
SWSL/6"	-	SINGLE WHITE SOLID LINE / 6" WIDE
SWSL/24"	-	SINGLE WHITE SOLID LINE / 24" WIDE

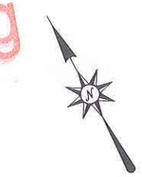
SETBACK & EASEMENT LEGEND

- A — 10' REAR LANDSCAPE SETBACK
- B — 15' FRONT LANDSCAPE SETBACK
- C — PROPOSED 20' SANITARY SEWER EASEMENT.
- D — EXISTING 20' SANITARY SEWER EASEMENT PER DEED BOOK 3065, PAGE 330 & PLAT BOOK G, PAGE 86. ITEM #26 & 28 TO BE RELOCATED.
- E — 20' WATER LINE EASEMENT PER DEED BOOK 3065, PAGE 330 & PLAT BOOK G, PAGE 86. ITEM #26 & 28 TO BE RELOCATED.
- F — PROPOSED WATER METER EASEMENT ATLEAST 5' OFF EACH METER
- G — PROPOSED 20' WATER EASEMENT.

SITE DATA TABLE	
PROPERTY AREA:	±52,190 SF / ±1.2 ACRES
PERCENT OF LOT COVERAGE:	0.93 ACRES (77⅓)
LOCAL JURISDICTION:	ATHENS-CLARKE COUNTY, GA
ZONING:	COMMERCIAL GENERAL (C-G)
BUILDING HEIGHT (9-10-3):	
MAX. ALLOWED	65'
PROPOSED	25'
PARKING (SEC. 9-30-2):	
REQUIRED:	
1 SPACE PER 4 SEATS	25
PROVIDED:	
STANDARD	38
ADA ACCESSIBLE	2
TOTAL	40
BUILDING SETBACKS (9-10-3):	
FRONT	0'
SIDE	0'
REAR	0'
PERIMETER LANDSCAPE SETBACKS:	
FRONT	15'
SIDE	0'
REAR	10'



Binding
11/8/22



1"=20'

0 10' 20' 40' 60'

GRAPHIC SCALE

LAYOUT LEGEND

1. PAINTED ISLAND REQ'D. WITH SWSL/4" EDGE STRIPES AND SWSL/4" INTERIOR STRIPES @ 2' O.C. @ 45° TO DIRECTION OF TRAFFIC.
2. PEDESTRIAN CROSSWALK REQ'D. WITH SWSL/6" EDGE STRIPES AND SWSL/6" INTERIOR STRIPES @ 3' O.C. @ 90° TO EDGE STRIPES.
3. PEDESTRIAN CROSSWALK REQ'D. WITH SWSL/4" EDGE STRIPES AND SWSL/4" INTERIOR STRIPES @ 2' O.C. @ 45° TO DIRECTION OF TRAFFIC.
4. OMIT.
5. DUMPSTER PAD, GATE, AND ENCLOSURE REQ'D. SEE ARCHITECTURAL SHEET A6.6 AND STRUCTURAL PLANS FOR DETAILS.
6. CONCRETE TRANSFORMER PAD REQ'D. SEE SITE UTILITY PLAN FOR MORE INFORMATION.
7. BIKE FIXATION MODEL #2113 BIKE RACKS REQUIRED. SEE 13/C250.
8. 2' WIDE, ADA DETECTABLE WARNING STRIP REQ'D.
9. OMIT.
10. OMIT.
11. OMIT.
12. ACCESSIBLE SIGN, SYMBOL, AND AISLE REQ'D. TYPICAL. SEE 01.02.03.04/C250.
13. TYPE I ACCESSIBLE RAMP REQ'D. SEE 05/C250.
14. TYPE II ACCESSIBLE RAMP REQ'D. SEE 06/C250.
15. TRANSITION FROM 18" CURB AND GUTTER TO 24" OVER 5' REQ.D
16. TIE TO EXISTING PAVEMENT REQ'D.
17. FIRE HYDRANT. SEE SITE UTILITY PLAN FOR MORE INFORMATION.
18. TRANSITION CURB FROM 6" TO 0" HIGH OVER 2' REQ'D.
19. CURB ON CONCRETE PAVEMENT REQ'D., TYPICAL SEE 03/C252.
20. 18" CURB & GUTTER ON ASPHALT PAVEMENT REQ'D., TYPICAL. SEE 01/C251.
21. TRANSITION FROM 18" CURB AND GUTTER TO 24" THROUGH RADIUS REQ'D.
22. ASPHALT & CONCRETE TURNDOWN REQ'D. WHERE ASPHALT PAVEMENT ABUTS CONCRETE PAVEMENT. SEE 12/C250 FOR DETAILS.
23. PYLON SIGN TO BE PROVIDED BY TENANT. SEE SIGNAGE PLANS FOR ELEVATIONS AND DETAILS.
24. CONCRETE ISLAND NOSE REQ'D. SEE 11/C250.
25. STORM DRAINAGE STRUCTURE. SEE SITE DRAINAGE PLAN FOR MORE INFORMATION.
26. TIE TO EXISTING CURB AND GUTTER REQ'D.
27. PIPE BOLLARD REQ'D. SEE 01/S7.1.
28. ILLUMINATED BOLLARD REQ'D. SEE ARCHITECTURAL PLANS FOR DETAILS.
29. LIGHT POLE REQ'D. SEE SITE DIMENSION CONTROL PLAN FOR LOCATION COORDINATES. SEE PHOTOMETRIC PLAN FOR MORE INFORMATION.
30. TIE TO EXISTING SIDEWALK REQ'D.
31. MENU BOARD CANOPY REQ'D. SEE SHEETS A6.7 & A6.8 FOR DETAILS.
32. EXTERIOR MENU BOARD REQ'D. SEE SHEETS A6.7 & A6.8 FOR DETAILS.
33. HEADACHE BAR REQ'D. SEE SHEETS A6.7 & A6.8 FOR MORE INFORMATION.
34. FLAG POLE WITH LIGHT BEACON, UNITED FLAG AND BANNER GARRISON TYPE OR OWNER APPROVED EQUAL, 30' HIGH, 5" BUTT ALUMINUM WITH 14 GAUGE ALUMINUM BALL FINIAL, INCLUDE ALUMINUM ROLLER AND SLEEVE. HARDWARE TO INCLUDE STATIONARY TRUCK, NYLON FLAGSNAPS AND HALYARD. ENTIRE ASSEMBLY (INCLUDING FOUNDATION) TO CONFIRM TO APPLICABLE CODES, INCLUDING WIND LOADS. SEE ARCHITECTURAL/STRUCTURAL DETAILS D5/S5.1 FOR FOUNDATION DETAILS AND ARCHITECTURAL/ELECTRICAL DETAILS A4/E5.2 FOR LIGHT DETAILS.
35. 1" CRUSHED GRANITE STRIP REQ'D. SEE LANDSCAPE PLANS FOR DETAILS.
36. TYPE I LOADING RAMP SEE 09/C250.
37. TYPE II LOADING RAMP SEE 10/C250.
38. CONCRETE WHEEL STOP REQ'D. TYPICAL. SEE 12/C251.
39. LIMITS OF BUILDING/DUMPSTER ENCLOSURE FOUNDATION. SEE STRUCTURAL PLANS FOR MORE INFORMATION.
40. DRIVE THROUGH SPEAKER BOX. SEE SHEES A6.7 & A6.8 FOR MORE INFORMATION.
41. MAILBOX AND POST REQ'D. PER USPS REQUIREMENTS. CONTRACTOR SHALL COORDINATE WITH TENANT AND/OR ARCHITECT FOR EXACT TYPE AND STYLING.
42. PEDESTRIAN GUARDRAIL REQ'D. SEE ARCHITECTURAL PLANS FOR MORE INFORMATION.

REFER TO SURVEY FOR EXISTING CONDITIONS LEGEND

REFER TO SHEET C001 FOR ADDITIONAL NOTES APPLICABLE TO THE WORK SHOWN ON THIS PLAN

GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION
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PHONE: (205) 942-2486
FAX: (205) 942-3033
www.gonzalez-strength.com

GEORGIA
No. 22370
PROFESSIONAL ENGINEER
9/29/22
MARK R. GONZALEZ

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3321 & 3331 LEXINGTON ROAD

ATHENS, GA

WHATABURGER

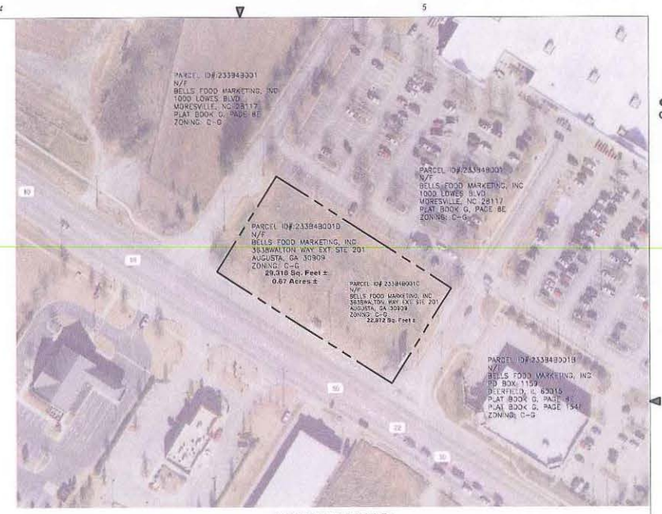
Project No.: 21-0736
Client Project No.: 2105446

Drawing Title:
SITE LAYOUT PLAN

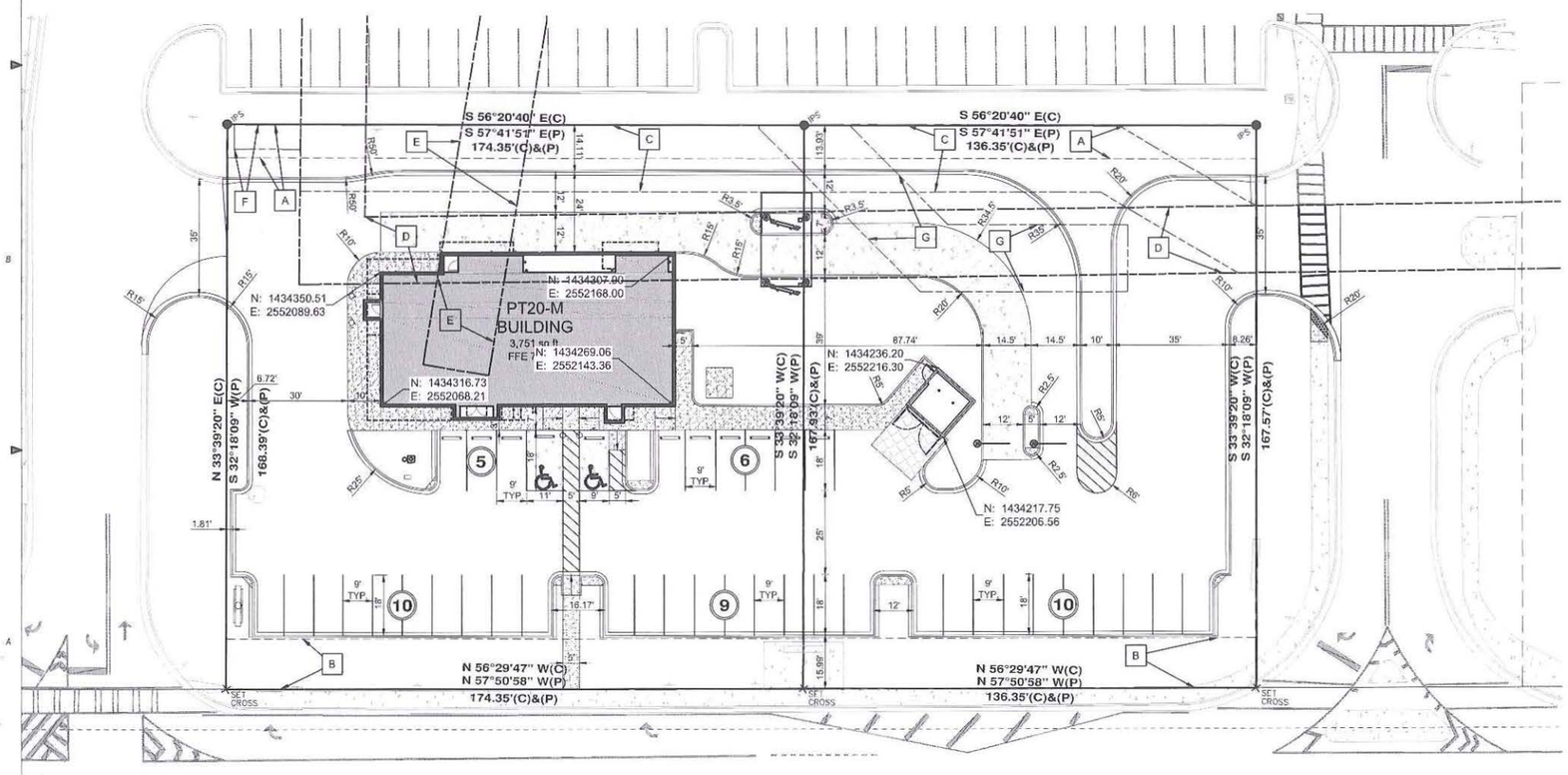
Date: 9/29/2022 Phase: 90%
Designed: WB
Drawn: L. TOWNLEY
Checked: M. GONZALEZ, P.E.
Drawing No.: C200

SETBACK & EASEMENT LEGEND

- A — 10' REAR LANDSCAPE SETBACK.
- B — 15' FRONT LANDSCAPE SETBACK.
- C — PROPOSED 20' SANITARY SEWER EASEMENT.
- D — EXISTING 20' SANITARY SEWER EASEMENT PER DEED BOOK 3085, PAGE 330 & PLAT BOOK G, PAGE 8E, ITEM #26 & 28 TO BE RELOCATED.
- E — 20' WATER LINE EASEMENT PER DEED BOOK 3085, PAGE 330 & PLAT BOOK G, PAGE 8E, ITEM #26 & 28 TO BE RELOCATED.
- F — PROPOSED WATER METER EASEMENT ATLEAST 5' OFF EACH METER.
- G — PROPOSED 20' WATER EASEMENT.



VICINITY MAP
N.T.S.



REFER TO SURVEY FOR EXISTING CONDITIONS LEGEND

REFER TO SHEET C001 FOR ADDITIONAL NOTES APPLICABLE TO THE WORK SHOWN ON THIS PLAN

Binding

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GEORGIA REGISTERED No. 22302 PROFESSIONAL ENGINEER MARK R. GONZALEZ 9/29/22

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3321 & 3331 LEXINGTON ROAD

ATHENS, GA

WHATABURGER

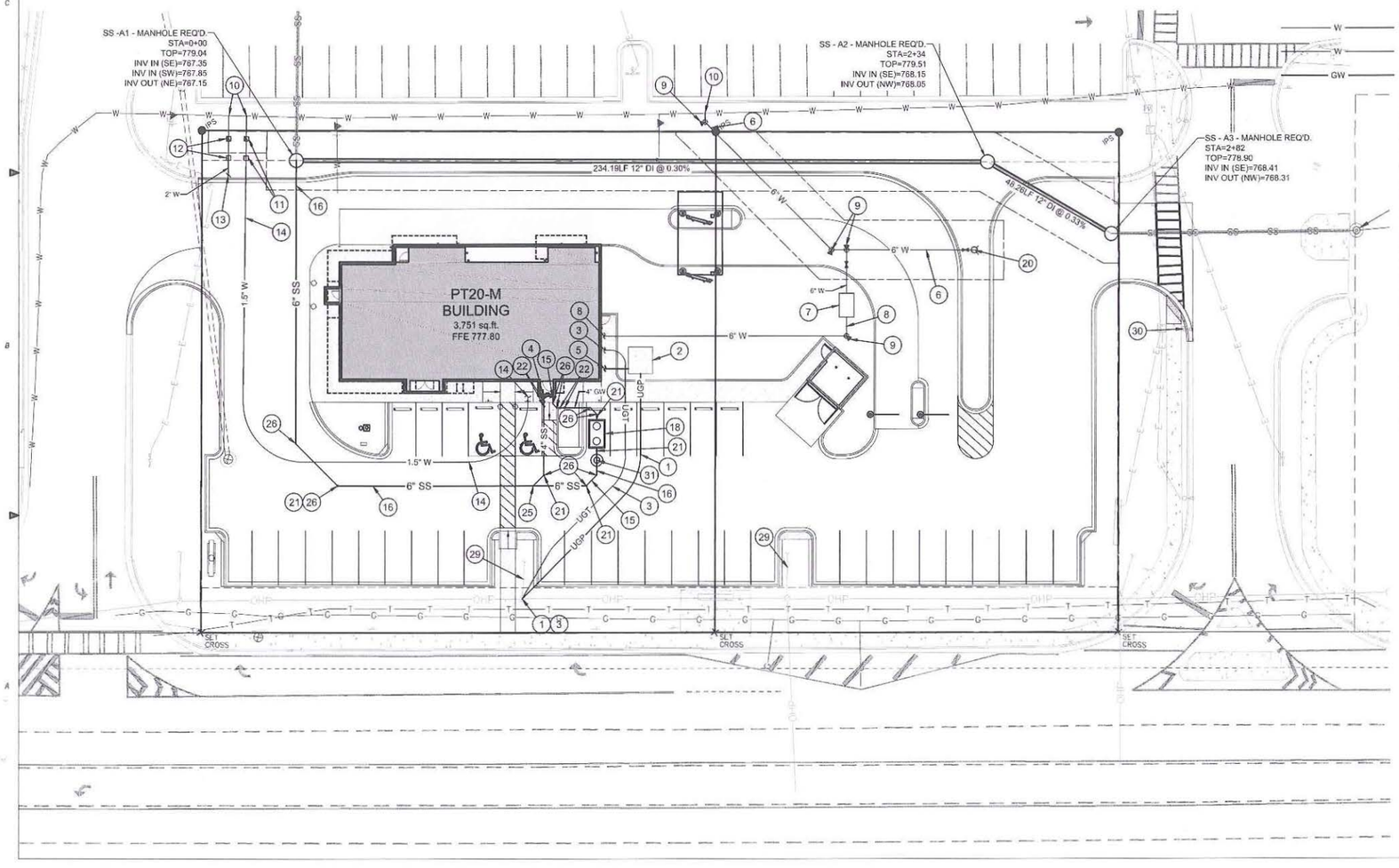
Project No.: 21-0736
Client Project No.: 2105446

Drawing Title:
SITE DIMENSION CONTROL PLAN

Date: 9/29/2022 Phase: 90%
Designed: WB
Drawn: L. TOWNLEY
Checked: M. GONZALEZ, P.E.
Drawing No.: C201

UTILITY NOTES

1. ALL FILL MATERIAL IS TO BE IN PLACE AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES.
2. CONTRACTOR SHALL NOTIFY THE UTILITY AUTHORITIES INSPECTORS 72 HOURS BEFORE CONNECTING TO ANY EXISTING LINE.
3. SANITARY SEWER PIPE SHALL BE AS FOLLOWS:
   - 3.1. 4-12" PIPE SHALL BE DIP PRESSURE CLASS 350 PSI PER SEWER COMPANY STANDARD SPECIFICATIONS.
   - 3.2. DIP SHALL BE USED FOR ANY SECTION (MANHOLE TO MANHOLE) WHICH HAS LESS THAN 4' OF COVER OR MORE THAN 15' OF COVER FOR ANY PORTION OF THE RUN OF PIPE.
   - 3.3. FITTINGS AND ACCESSORIES SHALL BE DUCTILE IRON AND SHALL CONFORM TO AWWA C110/ANSI A21.10 OR AWWA C153/A21.53 WITH A MINIMUM RATED WORKING PRESSURE OF 250 PSI AND SHALL BE FURNISHED WITH A BITUMINOUS OUTSIDE COATING.
4. WATER LINES SHALL BE AS FOLLOWS:
   - 4.1. 4-12" WATER MAINS SHALL BE DUCTILE IRON PRESSURE CLASS 350 PER WATER COMPANY STANDARD SPECIFICATIONS.
   - 4.2. NEW SERVICE LINES SHALL BE TAPPED INTO THE MAIN THROUGH A CORPORATION STOP.
   - 4.3. SERVICE LINES 1" AND SMALLER SHALL BE DIRECT TAPPED.
   - 4.4. LARGER SERVICES SHALL REQUIRE A DOUBLE STRAP SERVICE CLAMP WITH THE TAP.
5. CONNECTIONS TO DUCTILE IRON PIPE WATER MAINS SHALL BE BY THE DIRECT TAP METHOD OR SERVICE CLAMP.
6. MINIMUM TRENCH WIDTH SHALL BE 2 FEET.
7. ALL WATER JOINTS SHALL BE MECHANICAL JOINTS WITH THRUST BLOCKING AS CALLED OUT IN SPECIFICATIONS.
8. ALL UTILITIES SHOULD BE KEPT TEN FEET (10') APART (PARALLEL) OR WHEN CROSSING, 18" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE).
9. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 3'-0" COVER ON ALL WATER LINES.
10. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 3'-0" COVER ON ALL SANITARY SEWER LINES.
11. IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATER LINES, SANITARY LINES, STORM LINES, AND GAS LINES (EXISTING AND PROPOSED), THE SANITARY LINE SHALL BE DUCTILE IRON PIPE WITH MECHANICAL JOINTS AT LEAST 10 FEET ON BOTH SIDES OF CROSSING, THE WATER LINE SHALL HAVE MECHANICAL JOINTS WITH APPROPRIATE THRUST BLOCKING AS REQUIRED TO PROVIDE A MINIMUM OF 18" CLEARANCE, MEETING REQUIREMENTS OF ANSI A21.10 OR ANSI 21.11 (AWWA C-151) (CLASS 50).
12. LINES UNDERGROUND SHALL BE INSTALLED, INSPECTED, AND APPROVED BEFORE BACKFILLING.
13. TOPS OF EXISTING MANHOLES SHALL BE RAISED OR LOWERED AS NECESSARY TO BE FLUSH WITH PROPOSED PAVEMENT ELEVATIONS. AND TO BE ONE FOOT ABOVE FINISHED GROUND ELEVATIONS WITH WATER TIGHT LIDS.
14. ALL CONCRETE FOR ENCASEMENTS SHALL HAVE A MINIMUM 28-DAY COMPRESSION STRENGTH AT 3000 P.S.I.
15. EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
16. REFER TO INTERIOR PLUMBING DRAWINGS FOR TIE-IN OF ALL UTILITIES.
17. CONTRACTOR IS RESPONSIBLE FOR COMPLYING TO THE SPECIFICATIONS OF THE LOCAL AUTHORITIES WITH REGARDS TO MATERIALS AND INSTALLATION OF THE WATER AND SEWER LINES.
18. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
19. CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES. THIS AND THE FINAL CONNECTIONS OF THE SERVICE SHALL BE COMPLETED 30 DAYS PRIOR TO STORE POSSESSION.
20. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
21. REFER TO BUILDING PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
22. ALL VALVES CONTROLLING THE WATER SUPPLY FOR AUTOMATIC SPRINKLER SYSTEMS, PUMPS, TANKS, WATER LEVELS AND TEMPERATURES, CRITICAL AIR PRESSURES, AND WATER-FLOW SWITCHES ON ALL SPRINKLER SYSTEMS SHALL BE ELECTRICALLY SUPERVISED PER IFC 2003 903.4.
23.



1"=20'

0 10' 20' 40' 60'

GRAPHIC SCALE

UTILITY LEGEND

- UGP — (1) (2) 5" PVC CONDUITS FOR PRIMARY ELECTRICAL SERVICE REQ'D. PER POWER COMPANY SPECIFICATIONS.
- (2) CONCRETE TRANSFORMER PAD REQ'D. PER POWER COMPANY SPECIFICATIONS. CONTRACTOR SHALL COORDINATE WITH POWER COMPANY FOR EXACT LOCATION.
- UGT — (3) UNDERGROUND TELECOMMUNICATIONS SERVICE REQ'D. PER TELECOMMUNICATIONS COMPANY SPECIFICATIONS. SEE ELECTRICAL PLANS FOR CONTINUATION INTO BUILDING.
- SS — (4) 4" SANITARY SEWER LATERAL @ 2.0% MINIMUM GRADE REQ'D. INV. @ BLDG = 774.80
- (5) SECONDARY UNDERGROUND ELECTRICAL SERVICE REQ'D. SEE ELECTRICAL PLANS FOR CONTINUATION INTO BUILDING.
- W — (6) 6" WATER SERVICE REQ'D. PER WATER COMPANY SPECIFICATIONS.
- (7) 6" FIRE PROTECTION BACKFLOW PREVENTER AND FDC IN CONCRETE VAULT REQ'D. PER WATER COMPANY SPECIFICATIONS.
- W — (8) 6" FIRE PROTECTION WATER SERVICE REQ'D. SEE PLUMBING PLANS FOR CONTINUATION INTO BUILDING.
- W — (9) THRUST BLOCK REQ'D. TYPICAL. SEE 04/C450.
- (10) WATER MAIN TAP REQ'D. PER WATER COMPANY SPECIFICATIONS.
- (11) 2" DOMESTIC WATER METER & BACKFLOW PREVENTER REQ'D. PER WATER COMPANY SPECIFICATIONS. CONTRACTOR SHALL COORDINATE WITH WATER COMPANY.
- (12) 2" IRRIGATION METER & BACKFLOW PREVENTER REQ'D. PER WATER COMPANY SPECIFICATIONS. CONTRACTOR SHALL COORDINATE WITH WATER COMPANY.
- W — (13) 2" IRRIGATION WATER SERVICE REQ'D. SEE PLUMBING PLANS FOR CONTINUATION INTO BUILDING.
- W — (14) 1.5" DOMESTIC WATER SERVICE REQ'D. SEE PLUMBING PLANS FOR CONTINUATION INTO BUILDING.
- GW — (15) 4" GREASE WASTE LATERAL @ 2.0% MINIMUM GRADE REQ'D. INV @ BLDG = 774.80
- (16) 6" SANITARY SEWER LATERAL @ 1.0% MINIMUM GRADE REQ'D.
- (17) OMIT.
- (18) 1500 GALLON GREASE INTERCEPTOR REQ'D. SEE P4.1, DETAIL 14. MINIMUM DROP THROUGH GREASE INTERCEPTOR SHALL BE 6".
- (19) OMIT.
- (20) FIRE HYDRANT ASSEMBLY REQ'D. PER WATER COMPANY SPECIFICATIONS.
- (21) ONE-WAY CLEANOUT REQ'D. SEE P4.1, DETAIL C1.
- (22) TWO-WAY CLEANOUT REQ'D. SEE P4.1, DETAIL C2.
- (23) OMIT.
- (24) OMIT.
- (25) 6"X6"X4" WYE FITTING REQ'D.
- (26) 45° BEND REQ'D.
- (27) OMIT.
- (28) OMIT.
- (29) RELOCATE GUY WIRES TO PROPOSED FINISHED GRADE REQ'D. PER POWER COMPANY SPECIFICATIONS. CONTRACTOR SHALL COORDINATE WITH POWER COMPANY.
- (30) RELOCATE EXISTING LIGHT POLE AND ASSOCIATED CIRCUITRY REQ'D., IF NECESSARY.
- (31) SAMPLING WELL REQ'D. SEE SHEET P4.1 , DETAIL C1.

REFER TO SURVEY FOR EXISTING CONDITIONS LEGEND

REFER TO SHEET C001 FOR ADDITIONAL NOTES APPLICABLE TO THE WORK SHOWN ON THIS PLAN

Binding

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GEORGIA — No. 32705 — PROFESSIONAL ENGINEER — 9/29/22 — MARK R. GONZALEZ

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3321 & 3331 LEXINGTON ROAD

ATHENS, GA

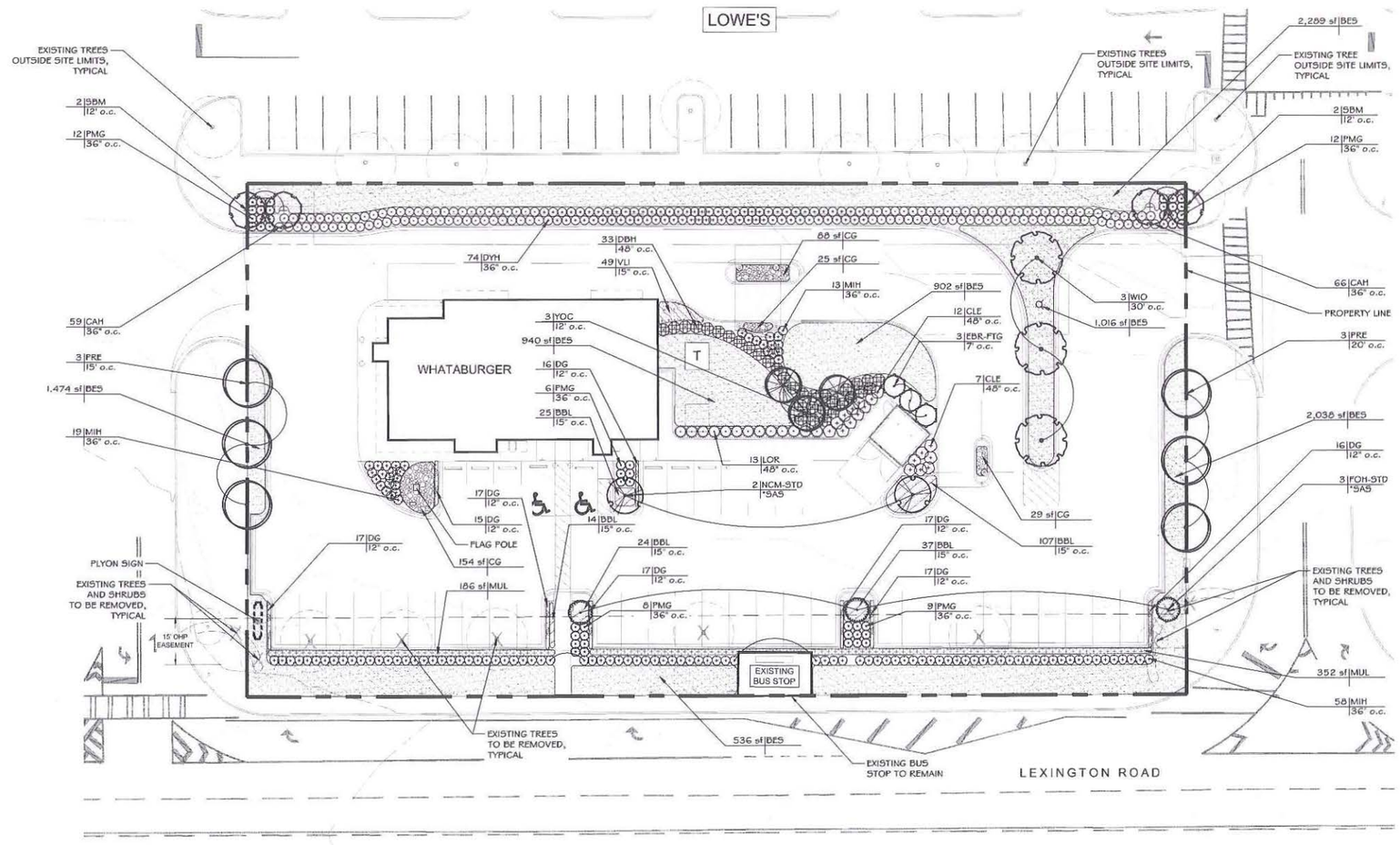
WHATABURGER

Project No.: 21-0736
Client Project No.: 2105446

Drawing Title:
SITE UTILITY PLAN

Date: 9/29/2022 Phase: 90%
Designed: WB
Drawn: L TOWNLEY
Checked: M. GONZALEZ, P.E.
Drawing No.: C400

ATHENS/CLARKE COUNTY TREE CANOPY PLAN			9/29/2022
Category			Totals
Total Site Area =			**52,184 sf**
Required Canopy =			**20,874 sf**
52,184 sf x 40% = 20,874 sf			
Provided Canopy =			**21,150 sf**
6	Princeton Elm x 1,600 sf =	9,600 sf	
4	Sweetbay Magnolia x 900 sf =	3,600 sf	
3	Willow Oak x 1,600 sf =	4,800 sf	
3	Emily Bruner Holly x 400 sf =	1,200 sf	
3	Yoshino Cherry x 400 sf =	1,200 sf	
2	Natchez Crape Myrtlex 150 sf =	300 sf	
3	Foster Holly x 150 sf =	450 sf	
Summary			
	Provided Canopy = 21,150 sf		
	Required Canopy = - 20,874 sf		
	276 sf Excess Above Minimum Requirement		



LANDSCAPE NOTES:

1.) *SAS = SPACING AS SHOWN
2.) MOUND CENTER OF PARKING LOT ISLANDS 6" ABOVE ADJACENT TOP OF CURB ELEVATIONS.
3.) LANDSCAPE ARCHITECT TO APPROVE TREE STAKING IN FIELD PRIOR TO INSTALLATION.

LEGEND

CRUSHED GRAVEL (CG)

DECOMPOSED GRANITE (DG) STRIP

EXISTING TREE LEGEND

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

Binding

1"=20'

0 10' 20' 40' 60'

GRAPHIC SCALE

GONZALEZ - STRENGTH & ASSOCIATES, INC.
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GEORGIA REGISTERED LANDSCAPE ARCHITECT ROBIN GREGORY 09/29/22

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NWQ LEXINGTON RD & GAINES SCHOOL RD

ATHENS, GEORGIA

WHATABURGER

Project No.: 21-0736
Client Project No.: 2105446

Drawing Title: LANDSCAPE PLAN

Date: 08/29/2022 Phase: 90%
Designed: NB
Drawn: A. CUMMINGS
Checked: R. GREGORY, PLA
Drawing No.: L1.0

WHATABURGER ATHENS PLANT SCHEDULE

TREES	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER	SPACING	REMARKS
	PRE	6	American Elm / Ulmus americana `Princeton`	2" Cal.	B&B	*SAS	12` Ht., Full, 5' Clear Trunk Minimum
	EBR-FTG	3	Emily Bruner Holly / Ilex x `Emily Bruner`	8' Ht.	B&B	7' o.c.	Full To Ground, Matching
	FOH-STD	3	Foster's Holly / Ilex x attenuata 'Fosteri'	8' Ht.	B&B	*SAS	2" Cal., Standard Trunk, Matching
	NCM-STD	2	Natchez Crape Myrtle / Lagerstroemia x `Natchez`	8' Ht.	B&B	*SAS	2" Cal., Standard Trunk, Matching
	SBM	4	Sweet Bay / Magnolia virginiana australis	2" Cal.	B&B	*SAS	8' Ht, Full, Multi-trunk, 4 Stem Min.
	WIO	3	Willow Oak / Quercus phellos	2" Cal.	B&B	30' o.c.	12' Ht., Full, 3' Clear Trunk Minimum
	YOC	3	Yoshino Cherry / Prunus x yedoensis	8' Ht.	B&B	12' o.c.	Full, Matching
SHRUBS	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER	SPACING	REMARKS
	CAH	125	Carissa Holly / Ilex cornuta `Carissa`	3 gal.	Pot	36" o.c.	Full, 15" Ht., 15" Spread
	CLE	18	Cleyera / Cleyera japonica	3 gal.	Pot	48" o.c.	Full, 18" Ht., 15" Spread
	DBH	33	Dwarf Burford Holly / Ilex cornuta `Burfordii Nana`	3 gal.	Pot	48" o.c.	Full, 18" Ht.
	DYH	74	Dwarf Yaupon Holly / Ilex vomitoria `Nana`	3 gal.	Pot	36" o.c.	Full, 15" Ht., 15" Spread
	LOR	13	Ever Red Sunset Loropetalum / Loropetalum chinense `Ever Red Sunset`	3 gal.	Pot	48" o.c.	Full, 18" Ht.
	MIH	120	Majestic Beauty Indian Hawthorn / Rhaphiolepis indica `Majestic Beauty` TM	3 gal.	Pot	36" o.c.	Full, 15" Ht., 15" Spread
	PMG	47	Pink Muhly / Muhlenbergia capillaris `Pink Cloud`	3 gal.	Pot	36" o.c.	Full, 18" Spread
GROUND COVERS	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER	SPACING	REMARKS
	CG	296 sf	Crushed Gravel	---			#57 Crushed Stone Gravel.
	DG	132	Decomposed Granite	---		12" o.c.	Decomposed Gravel
	MUL	528 sf	Mulch	---			Pine Straw Mulch, 4" Depth
	BES	9,195 sf	Bermuda Grass / Cynodon dactylon `419 Hybrid`	sod			
	BBL	207	Big Blue Lilyturf / Liriope muscari `Big Blue`	1 gal.	Pot	15" o.c.	Full
	VLI	49	Variegated Lily Turf / Liriope muscari `Variegata`	1 gal.	Pot	15" o.c.	Full

NOTES:

1. *SAS = SPACING AS SHOWN
2. TREES TO BE OF THE HIGHEST GRADE AND PURCHASED FROM THESE SELECTED VENDORS ONLY

ALABAMA:	GEORGIA:	SOUTH CAROLINA:	TENNESSEE:
- HUNTER TREES (866) 345-5837	- BOLD SPRINGS NURSERY (478) 742-4875	- SHADY GROVE NURSERY (803) 534-5983	- HAWKERSMITH NURSERY (931) 455-5436
- PLANTATION TREE CO. (334) 875-9176	- SELECT TREES (706) 743-5121	- RAY BRACKEN NURSERY (864) 277-1950	
- GREEN VALLEY FARMS, INC. (256) 665-1376	- SOUTHEAST GROWERS, INC. (706) 310-1151		
	- MID GEORGIA NURSERY, INC. (770) 567-3874		

3. IF TREES ARE NOT AVAILABLE AT THE INDICATED NURSERIES, CONTRACTOR TO SUBMIT ALTERNATIVE NURSERIES. ALL TREES OBTAINED AT LISTED NURSERIES MUST MEET ALL OF THE SPECIFICATIONS REQUIRED.

LANDSCAPING NOTES:

1. Examination of Site: Installer shall visit the site of work to acquaint himself with condition affecting his work. By submission of bid, installer acknowledges he has complied with all requirements and no additional compensation or relief from any obligation of Contract will be considered because of lack of knowledge of the site conditions.
2. Notes on Drawings: Installer is responsible for all notes on drawings which call attention to particular requirements or conditions which may or may not be included in the written Specifications.
3. Protection of Existing Work: It shall be the contractor's responsibility to perform all work in a manner that protects completed work by others, such as curbs, utilities, storm drainage, fences, driveway aprons, drives, vegetation, etc. The contractor shall be responsible for the cost of satisfactory repair of all damage in kind resulting from his failure to comply.
4. Utilities: Prior to construction operations, installer shall verify locations of all utilities and structures which may or may not be indicated on the drawings. He shall conduct work so as to prevent interruption of services. Any damage shall be repaired to its original condition or satisfaction of utility company at no expense to Owner.
5. Right-Of-Ways: Any work performed within a state, city or utility company's R.O.W., shall be properly permitted, approved and conform to that governing authority's specifications.
6. Substitutions: No substitutions of products, plant types or sizes shall be made without the written approval of the owner and landscape architect. Requests for substitution shall be in writing, and shall state the reasons for the substitution request, the suggested alternative, and the changes in cost. Requests in plant materials shall state the names of nurseries who have been unable to supply the originally specified material.
7. Quantities: Quantities of plants as shown by plant symbols on the plan shall govern over the quantities shown in the plant list. The contractor is to verify plant list totals with quantities shown on plan. The landscape architect shall be alerted by the contractor of any discrepancies prior to final bid negotiation.
8. Plant Materials: All plant materials shall conform to the applicable standards of the American Association of Nurserymen, Inc. American Standard For Nursery Stock. ANSI Z60.1, latest edition. Plant materials shall have been grown under climatic conditions similar to those in the locality of the project. Botanical Names take precedence over Common Names. Note: plants budding into leaf or having tender growth, shall be sprayed with an anti-desiccant at grower prior to digging. All trees shall have a straight central leader.
9. Installation: Install as per written Specifications and Planting Details. After placement of material, construct an earthen saucer around the root ball and fill with water. While watering, insert a rod into soil and rotate to release any air and continue until no more water will percolate into the soil. Fill holes left by rod and settlement. Remove all bamboo shafts and plastic tape from trunks prior to placing in tree pit. Remove soil from top of root ball in order to exposed root flares.
10. Tree Pits: Installer shall dig a test tree pit for percolation. Fill hole half way with water. If tree pit will not percolate at a rate sufficient enough to insure proper root growth and survival, raise the root ball to the minimum height above surrounding grade to insure proper root growth and survival.
11. Topsoil: Unless otherwise specified, install a minimum of 4 inches of approved topsoil over all areas to be turfed and 6 inches over all areas to be landscaped.
12. Guarantee & Maintenance: All plant materials and workmanship shall be guaranteed for a period of twelve months beginning at time of written acceptance. All sodded areas shall be guaranteed until a full healthy stand of grass is achieved and acceptable to Owner. Trees, shrubs, and grass shall be maintained (as a part of the original bid) in a healthy growing condition until final inspection and approval by Owner. Maintain by watering on a regular basis, applications of fertilizer, insecticides and fungicides when required. "Straighten leaning plants and raise plants that have settled. Remove dead or dying plants and replace with a plant material as originally specified and carry same guarantee.

SODDING NOTES:

1. Soil Test Report: Installer shall provide and pay for a Soil Test Report to determine type and quantities of fertilizers and other amendments necessary to establish proper pH factor and nutrients to bring existing soil to a satisfactory level for plant growth. Testing shall include existing soil and topsoil. Furnish copies of Soil Test Report to Landscape Architect and or Engineer. Contact local County Agent for testing.
2. Preparation: Install 4 inches of approved topsoil over all areas to be sodded. Rake smooth to finished grades shown. Add fertilizers and other soil amendments in quantities as recommended in the Soil Test Report, unless otherwise specified in the Specifications.
3. Sod: Provide fresh well-rooted sod free of weeds, nutgrass, disease, insects, and other grasses. Sod shall be machine cut with clean sharp edges to a uniform thickness with 1 ½ inches of topsoil and a turf height of 1 to 1 ½ inches. Mow prior to cutting.
4. Installation: Install with tight fitted joints. Lay perpendicular to direction of slope. Stagger strips to offset joints of adjacent courses. Set sod by rolling with a water ballast roller and water thoroughly to saturate sod and subsoil. Secure sod with staples on slopes 2.5:1 and steeper.
5. Guarantee & Maintenance: All sodded areas shall be guaranteed and maintained in strict accordance with the Specification. Maintain also by watering, fertilizing, mowing, weeding, applications of herbicides, fungicides, insecticides, until a full healthy stand of grass, free from weeds, disease, and insects is achieved and acceptable to Owner. Replace any dead sod.

IRRIGATION NOTES:

1. Irrigation is to be designed after approval of landscape plan and shall provide 100% coverage to all plant material.

Binding

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CIVIL ENGINEERING, LAND SURVEYING,
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HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
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www.gonzalez-strength.com

GEORGIA REGISTERED PROFESSIONAL ENGINEER 035462 ROBERT GREGORY BOYD
09/29/22

REV	DESCRIPTION	DATE
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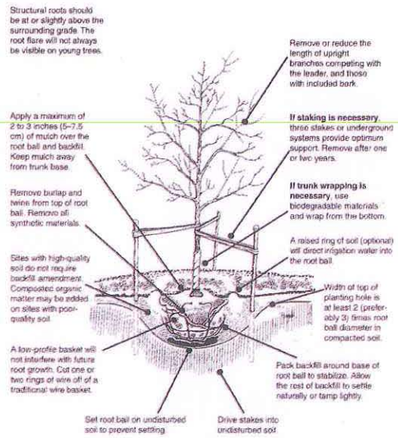
NWQ LEXINGTON RD & GAINES SCHOOL RD
ATHENS, GEORGIA

WHATABURGER

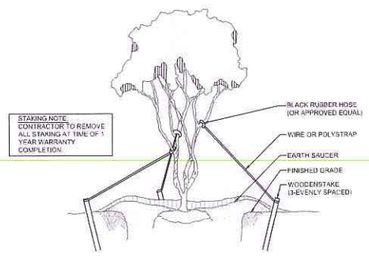
Project No.: 21-0736
Client Project No.: 2105446

Drawing Title:
PLANT SCHEDULE & NOTES

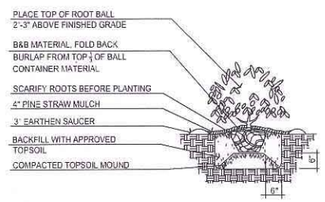
Date: 09/29/2022 Phase: 90%
Designed: WB
Drawn: AC
Checked: BP, PLA
Drawing No.: L2.0



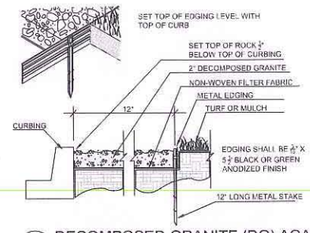
1 ATHENS/CLARK COUNTY TREE PLANTING DETAIL
NTS



4 MULTI-TRUNK TREE STAKING DETAIL
NTS



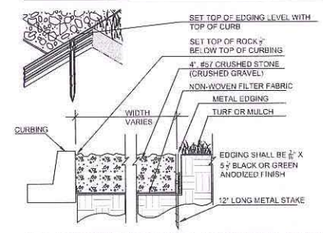
5 SHRUB PLANTING DETAIL
NTS



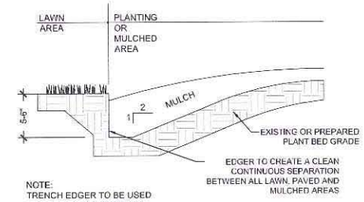
8 DECOMPOSED GRANITE (DG) AGAINST CURB WITH METAL EDGING
NTS

METAL EDGING SHALL BE AS MANUFACTURED BY COL-MET OR EQUAL.

CRUSHED STONE SHALL BE INSTALLED ON TOP OF NONWOVEN FILTER FABRIC. INSTALL METAL EDGING BETWEEN CRUSHED STONE AND SOD/MULCH. LAVA ROCK IS UNACCEPTABLE. SUBMIT SAMPLE TO OWNER FOR APPROVAL.

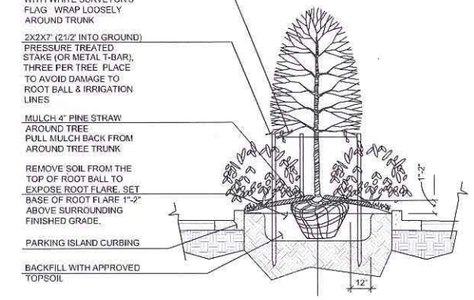


9 CRUSHED GRAVEL (CG) WITH METAL EDGING
NTS



NOTE:
TRENCH EDGER TO BE USED AT EDGE OF ALL LAWN AND MULCHED AREAS AND AT PAVED SURFACES

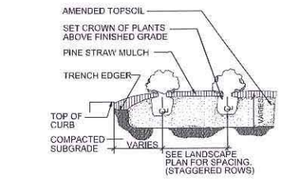
10 BED EDGING DETAIL
NTS



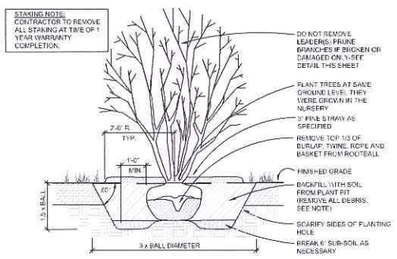
NOTE:
SITE CONTRACTOR TO REMOVE EXISTING SOIL IN PARKING LOT ISLAND TO A DEPTH OF 2', THROUGHOUT ENTIRE ISLAND. IF NOT POSSIBLE COMPACTED SUBSOIL SHOULD BE TILLED.

STAKING NOTE:
CONTRACTOR TO REMOVE ALL STAKING AT TIME OF 1 YEAR WARRANTY COMPLETION.

2 PARKING ISLAND TREE PLANTING DETAIL
NTS

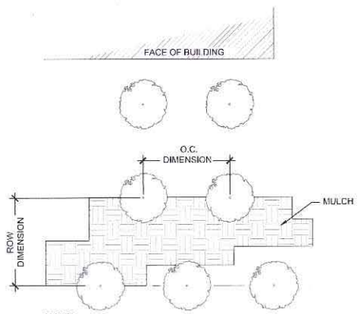


6 GROUNDCOVER PLANTING DETAIL
NTS



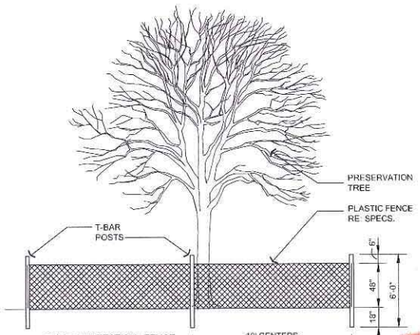
GENERAL NOTES:
IF ROOTBALL IS WRAPPED IN NON-BIODEGRADEABLE BURLAP, REMOVE ENTIRE WRAP AFTER PLACED IN PIT. WHEN BACKFILLING PLANT PIT, PLACE PLANTING SOIL IN TWO LIFTS. AFTER FIRST LIFT, PUDDLE SOIL IN WITH WATER TO REMOVE ALL AIR POCKETS. PLACE SECOND LIFT AND REPEAT. CONTINUE TO PUDDLE AND FILL AS NECESSARY.

3 MULTI-TRUNK TREE PLANTING DETAIL
NTS



NOTES:
1. SET PLANTS IN STAGGERED ROWS.
2. REFER TO PLAN FOR SPECIFIC DIMENSIONS.

7 SHRUB PLANTING PLAN DETAIL
NTS



1. TREE PROTECTION FENCE SHALL BE INSTALLED PRIOR TO CONSTRUCTION OPERATIONS.
2. TREE PROTECTION FENCE SHALL BE INSTALLED AROUND EXISTING TREES TO BE PRESERVED AS INDICATED ON TREE PRESERVATION PLAN.
2. FENCING SHALL BE LOCATED JUST OUTSIDE OF DRIPLINE OF TREE CANOPY.
3. FENCING MATERIAL SHALL BE PLASTIC ORANGE MESH FENCING.
4. WITHIN THE PROTECTION FENCING SHALL BE NO STORAGE OF EQUIPMENT OR MATERIALS, DISPOSAL OF CHEMICALS, CONCRETE, OR ANY OTHER SUBSTANCES.
5. CONTRACTOR SHALL MAINTAIN FENCING AND REPAIR AS NECESSARY UNTIL TIME OF REMOVAL. REMOVE FENCE ONLY WHEN INSTRUCTED BY ENGINEER.

11 TREE PROTECTION FENCE DETAIL
NTS

GONZALEZ - STRENGTH & ASSOCIATES, INC.
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FAX: (205) 942-3033
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GEORGIA REGISTERED LANDSCAPE ARCHITECT ROBBIN GREGORY
09/29/22

REV	DESCRIPTION	DATE
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NWQ LEXINGTON RD & GAINES SCHOOL RD
ATHENS, GEORGIA

WHATABURGER

Project No.: 21-0736
Client Project No.: 2105446

Binding

Drawing Title:
LANDSCAPE DETAILS

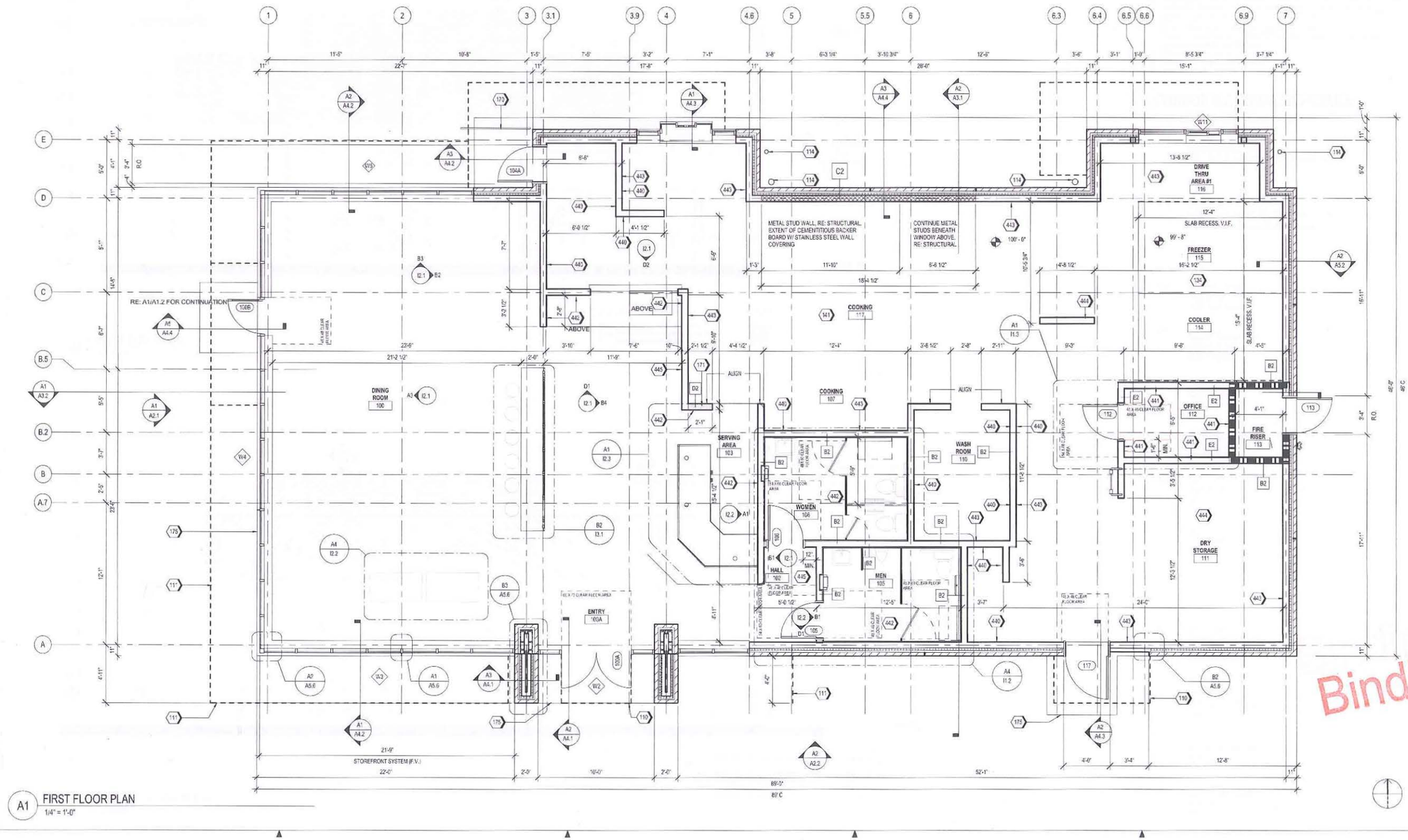
Date: 09/29/2022
Phase: 90%
Designed: WB
Drawn: AC
Checked: BP, PLA
Drawing No.: L3.0

NOTES

1. DO NOT SCALE DRAWINGS.
2. VERIFY FIELD DIMENSIONS AND INFORM OWNER OF ANY DISCREPANCIES BEFORE BEGINNING CONSTRUCTION.
3. PROVIDE AND INSTALL NEW CONSTRUCTION TO MEET APPLICABLE CODE REGULATIONS.
4. SET FINISH DOOR IN PARTITIONS MIN. 6" FROM ADJACENT, PERPENDICULAR PARTITION, UNLESS OTHERWISE NOTED.
5. DIMENSIONS NOTED AS "HOLD" INDICATE REQUIRED UNOBSTRUCTED DISTANCE FROM FINISH FACE TO FINISH FACE. DEVIATION GREATER THAN 1/4" WILL RESULT IN REJECTION OF WORK.
6. UNLESS OTHERWISE NOTED, DIMENSIONS ARE TO FRAMING. CENTER LINE OF COLUMN OR CENTER LINE OF WINDOW MULLION.
7. CONCEALED BLOCKING IN PARTITIONS TO BE PROVIDED. LOCATIONS TO INCLUDE, BUT ARE NOT LIMITED TO, OPENED AND CLOSED SHELVING, COAT RODS AND SHELVES, CABINETRY, COUNTERS, DOOR FRAMES AND HEADERS, AND SUPPORT OF TRIM.
8. WHERE SCHEDULED PARTITION TYPE IS TO BE FINISHED WITH CERAMIC OR PORCELAIN WALL TILE OR IS TO BE LOCATED IN A WET APPLICATION AREA, OMIT GWB AND PROVIDE CEMENT BOARD TYPE PRODUCT. WHERE PARTITION TYPE IS LOCATED IN AN AREA OF HIGH HUMIDITY OR INCIDENTAL MOISTURE, PROVIDE MOISTURE-RESISTANT GYPSUM BOARD TYPE PRODUCT.
9. PARTITIONS TO BE "LEVEL 4" FINISH THROUGHOUT. PROVIDE "LEVEL 5" FINISH AT AREAS OF APPLIED VINYL GRAPHICS WHEN PRESENT AND WHERE CALLED OUT ON PLAN. ALL VINYL GRAPHICS ARE OWNER FURNISHED OWNER INSTALLED UNLESS NOTED OTHERWISE.
10. UNDERCUT AT DOORS TO BE NO LESS THAN 1/4" AND NO GREATER THAN 1/2", UNLESS SPECIFICALLY NOTED OTHERWISE FOR HVAC CONSIDERATIONS.
11. PROVIDE ADA-COMPLIANT IDENTIFICATION SIGNAGE WHERE REQUIRED BY CODE. TO INCLUDE, BUT NOT LIMITED TO, MEN'S TOILET ROOMS, WOMEN'S TOILET ROOMS, UNISEX TOILET ROOMS, MECHANICAL ROOMS, AND ELECTRICAL ROOMS. SIGNAGE TO INCORPORATE BRAILLE AND RAISED CHARACTERS AT SIGNS PLUS UNIVERSAL PICTOGRAMS AT TOILET ROOMS. COORDINATE CUSTOM BACKGROUND COLOR AND FONT STYLE WITH WHATABURGER.
12. PROVIDE CONTROL JOINTS IN GWB FACES, TAPED AND SPACKLED SMOOTH, FULLY FINISH TO MATCH ADJACENT SURFACE. FOR VERTICAL PARTITION SURFACES, PROVIDE CONTROL JOINTS EQUALLY SPACED NOT MORE THAN 30 FEET ON CENTER. FOR HORIZONTAL CEILING SURFACES, PROVIDE CONTROL JOINTS EQUALLY SPACED NOT MORE THAN 60 FEET ON CENTER. FOR SURFACES, WHERE NEW CONSTRUCTION CROSSES OR INTERSECT WITH BASE BUILDING CONSTRUCTION CONTROL JOINTS IN FLOOR SLABS OR VERTICAL CONSTRUCTION, PROVIDE NEW CONTROL JOINTS TO ALIGN WITH EXISTING.
13. FOR WINDOW TYPES REFER TO SHEET A0.3
14. FOR PARTITION TYPES REFER TO SHEET A5.5

KEYNOTES

113	CANOPY ABOVE
111	SUN SHADE CANOPY, SEE A8.9
114	PREFINISHED CONDUCTOR HEAD AND DOWNSPOUT COLOR TO PT-5. RE:A5.4 ROOF DETAILS
134	SLAB RECESSED 4"
141	REFER TO K1.1 FOR KITCHEN EQUIPMENT
170	GUARDRAIL RE B4/A0.1
171	GC TO COORDINATE THE INSTALLATION OF SHADED WALL AREA AFTER THE KITCHEN EQUIPMENT IS DELIVERED.
175	FOUNDATION EXTENT
440	AT SINKS, DRAINS, GREASE EQUIP., WET EQUIP.: FRP OVER CEMENT BOARD TO 4'-0" A.F.F., PLYWOOD ABOVE. RE: PARTITION TYPE
441	AT OFFICE INTERIOR: FRP FULL HEIGHT OVER FULL HEIGHT B/C 5/8" PLYWOOD.
442	AT TILE WALL FINISH PROVIDE 5/8" CEMENT BACKER BOARD. RE: INTERIOR AND RESTROOM ELEVATIONS
443	WHERE SHELVING OR EQUIPMENT IS ANCHORED TO WALL PROVIDE FRP FULL HEIGHT OVER 5/8" B/C PLYWOOD FROM 3'-6" TO CEILING, GYP. BD. BELOW 3'-6"
444	AT DRY AREAS WITHOUT SHELVING" FRP FULL HEIGHT OVER 5/8" GYPSUM BOARD.
445	AT DINING ROOM AND PUBLIC SPACES: LEVEL 5 GYPSUM BOARD FINISH U.N.O.



A1 FIRST FLOOR PLAN
1/4" = 1'-0"

Castles Design Group
A Professional Corporation
3801 Kirby Dr., Suite 600
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fax: 713 664 9755

REV	DESCRIPTION	DATE

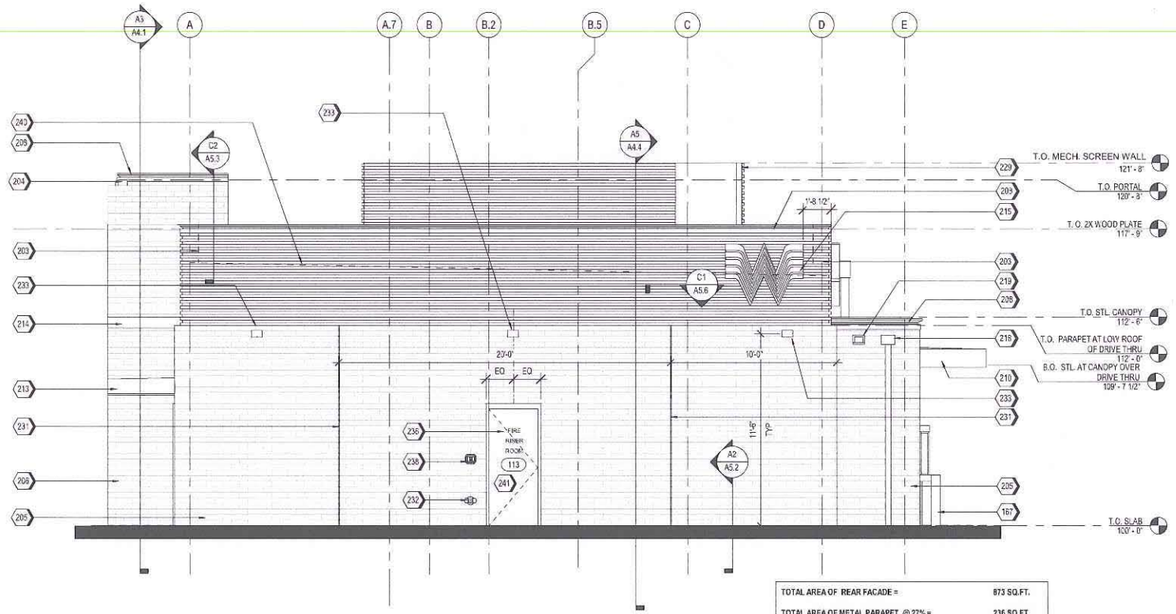
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NWQ LEXINGTON RD. & GAINES SCHOOL RD.
ATHENS, GA 30605

WHATABURGER

Binding

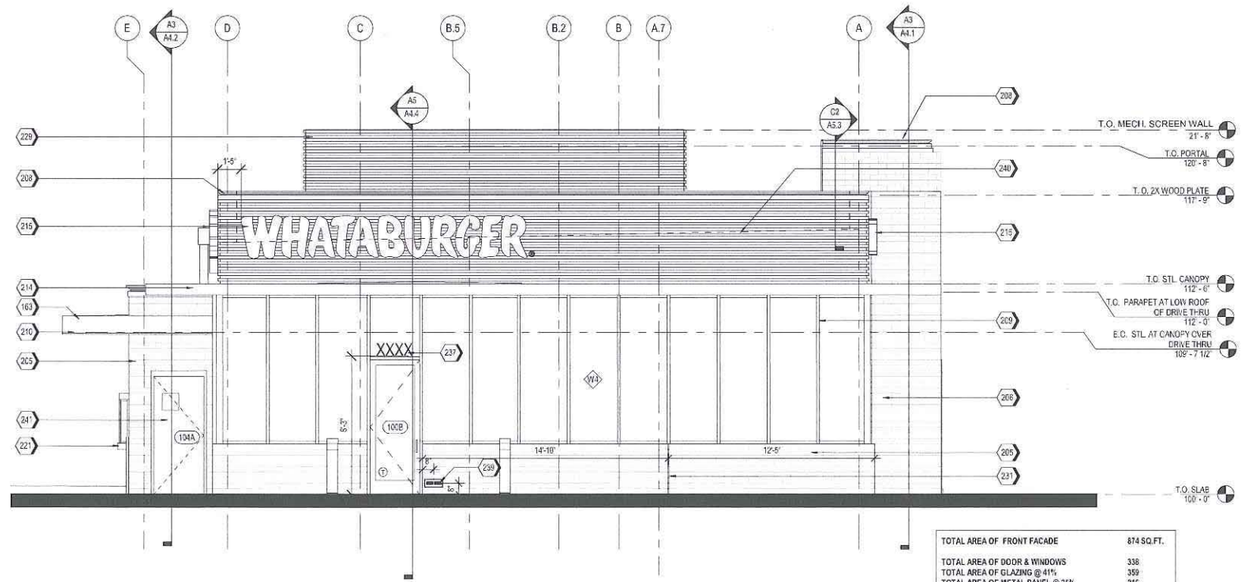
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Client Project No.: 210XXX
Drawing Title: FLOOR PLAN
Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: RM
Drawing No.: A1.1

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TOTAL AREA OF REAR FACADE =	873 SQ.FT.
TOTAL AREA OF METAL PARAPET @ 27%=	236 SQ.FT.
TOTAL AREA OF DOORS AND WINDOWS @ 3% =	24 SQ.FT.
TOTAL AREA OF MASONRY @ 70%=	613 SQ.FT.

A2 WEST ELEVATION
1/4" = 1'-0"



TOTAL AREA OF FRONT FACADE	874 SQ.FT.
TOTAL AREA OF DOOR & WINDOWS	338
TOTAL AREA OF GLAZING @ 41%	359
TOTAL AREA OF METAL PANEL @ 25%	216
TOTAL AREA OF MASONRY @ 37%	320 SQ. FT.

A1 EAST ELEVATION (R.O.W)
1/4" = 1'-0"

NOTES

1. EXTERIOR SIGNAGE TO BE PERMITED UNDER A SEPARATE SIGN PERMIT SET.

KEYNOTES

163	TPO MEMBRANE ROOFING SYSTEM: INSTALL TPO MEMBRANE SYSTEM IN ACCORDANCE WITH MANUFACTURES INSTALLATION GUIDLINES
167	PIPE BOLLARDS: IDEAL SHEILD: URBAN BRONZE. PANTONE 2336 XGC. RE D3/S5.1
203	MP-01: PRE-FINISHED ARCHITECTURAL METAL PANEL
204	MP-02
205	BR-01: BRICK VENEER
206	BR-02
208	MC-01: PRE-FINISHED METAL COPING
209	SS-01: ALUMINUM STOREFRONT SYSTEM
210	PRE-FINISHED DRIVE-THRU CANOPY
213	SERVICE DOOR CANOPY, PAINT PT-5
214	SUN SHADE CANOPY. SEE A6.9
216	ILLUMINATED SIGNAGE BY OTHERS, G.C. TO PROVIDE PLYWOOD BLOCKING AS NSEEDED TO ATTACH SIGNAGE
218	PREFINISHED CONDUCTOR HEAD AND DOWNSPOUT, COLOR TO MATCH PAINT PT-5. COORDINATE SIZE WITH REGIONAL RAINFALL DATA. RE:83/A5.4
219	OVERFLOW SCUPPER
221	DRIVE-THRU WINDOW
229	MP-03: ROOF SCREEN WALL. RE: STRUCTURAL
231	MASONRY EXPANSION JOINT
232	FIRE DEPARTMENT CONNECTION. RE: FIRE PROTECTION
233	EXTERIOR LIGHT FIXTURE. RE: ELECTRICAL
234	RTU. RE: MECHANICAL
235	RISER ROOM SIGN (PER 2315 IFC CHAPTER 5 - APPROVED SIGNS SHALL BE CONSTRUCTED OF DURABLE MATERIALS, PERMANENTLY INSTALL AND READILY VISIBLE. LETTERS SHALL BE A MINIMUM OF 2" WITH A MINIMUM 3/8" STROKE. THE COLORS OF THE LETTERS SHALL BE CONTRASTING WITH RESPECT TO BACKGROUND.
237	BUILDING ADDRESS 6"HIGH WHITE VINYL NUMBERS (WITH 1" STROKE. 12' A.F.G.
238	GENERAL CONTRACTOR SHALL PROVIDE A KNOX BOX PER JURISDICTIONAL REQUIREMENTS. LOCATION TO BE VERIFIED PRIOR TO CONSTRUCTION.
239	EMERGENCY STEP LIGHT. RE: ELECTRICAL
240	DASHED LINE INDICATES TOP OF DECK.
241	PAINT (PT-5) EXTERIOR DOORS.

EXTERIOR MATERIAL SCHEDULE

NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-01 VISION GLASS
BASIS OF DESIGN: VIRACON VUE1-30
COATING: VUE-30 ON #2 SURFACE
NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-02 NOT USED

GL-03 OPAQUE GLASS
BASIS OF DESIGN: VIRACON V948 MEDIUM GRAY #4 SURFACE
COATING : VUE-30 ON #2 SURFACE
NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-04 NOT USED

SS-01 STOREFRONT SYSTEM
BASIS OF DESIGN: OLDCASTLE
STYLE: FG-3000
FINISH: CLEAR ANODIZED

MP-01 METAL PANEL
MANUFACTURER: BERRIDGE
STYLE: BR-12 PANEL
0.040 ALUMINUM
COLOR: LEAD-COTE

MP-02 PREFINISHED METAL
FLASHING 0.030" THICK
COLOR: LEAD-COTE
TO MATCH MP-01

MP-03 METAL PANEL
MANUFACTURER: BERRIDGE
STYLE: BR-12 PANEL
0.040 ALUMINUM
COLOR: LEAD-COTE

BR-01 BRICK
MANUFACTURER: ACME
STYLE: UTILITY
SIZE: 4" x 4" x 12"
COLOR: PARK AVENUE

BR-02 BRICK
MANUFACTURER: ACME
STYLE: UTILITY
SIZE: 4" x 4" x 12"
COLOR: DOESKIN

MC-01 MORTAR
MANUFACTURER: AHI
COLOR: VANILLA-N

MC-01 METAL COPING
MANUFACTURER: METAL-ERA
STYLE: CREATIVE DESIGN
REVEAL COPING
COLOR: SILVERSMITH

PT-5 PAINT
BASIS OF DESIGN:
MANUFACTURER: SHERWIN WILLIAMS
STYLE: SW 6277 SPECIAL GRAY
SHEEN: FLAT

MS-01 METAL SOFFIT
MANUFACTURER: BERRIDGE
STYLE: HS-8
FINISH: PRE-FINISHED TO MATCH PT-5

MS-02 METAL SOFFIT
MANUFACTURER: BERRIDGE
STYLE: HS-12
FINISH: PRE-FINISHED TO MATCH PT-5

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3801 Kirby Dr., Suite 600
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REV	DESCRIPTION	DATE

PROTOTYPE: PT20M
NWQ LEXINGTON RD. & GAINES SCHOOL RD.
ATHENS, GA 30605

WHATABURGER

Binding

Project No.: 2020XX-XX
Client Project No.: 21XXXX

Drawing Title:
EXTERIOR ELEVATIONS

Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: AMF

Drawing No.: A2.1

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NOTES

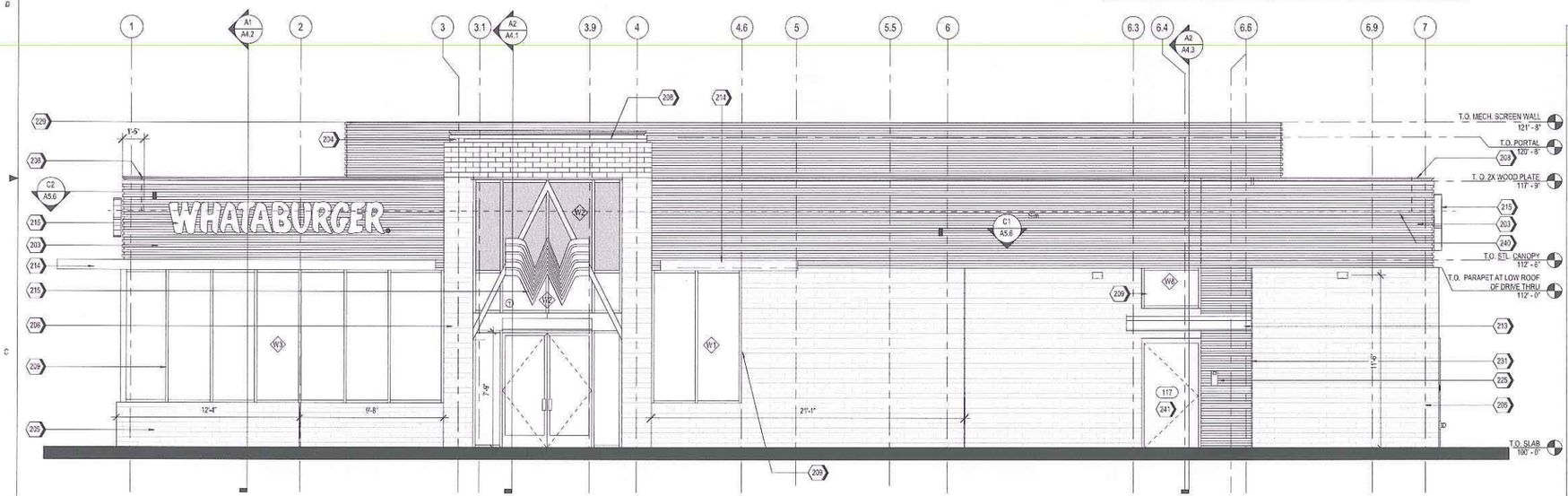
1. EXTERIOR SIGNAGE TO BE PERMITED UNDER A SEPARATE SIGN PERMIT SET.

KEYNOTES

170	GUARDRAIL RE:84/A0.1
203	MP-01; PRE-FINISHED ARCHITECTURAL METAL PANEL
204	MP-02
205	BR-01; BRICK VENEER
206	BR-02
208	MC-01; PRE-FINISHED METAL COPING
209	SS-01; ALUMINUM STOREFRONT SYSTEM
212	DRIVE-THRU DOOR CANOPY, PAINT PT-5
213	SERVICE DOOR CANOPY, PAINT PT-5
214	SUN SHADE CANOPY, SEE A6.9
215	ILLUMINATED SIGNAGE BY OTHERS. G.C. TO PROVIDE PLYWOOD BLOCKING AS NEEDED TO ATTACH SIGNAGE

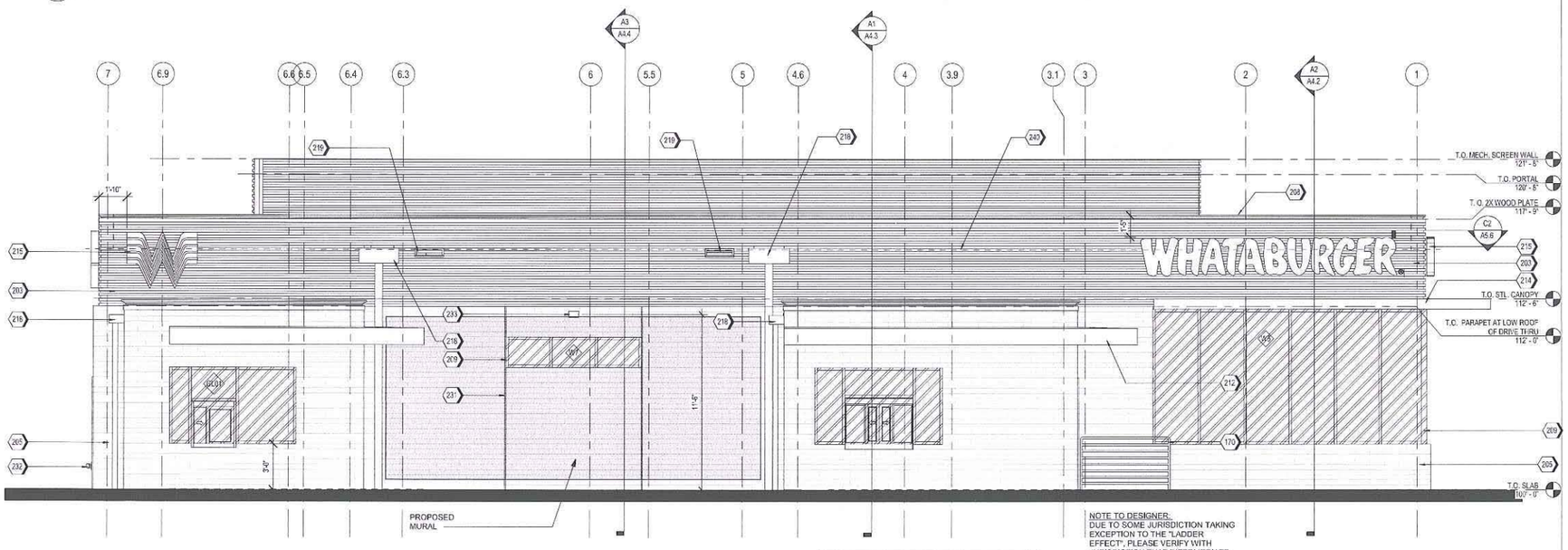
KEYNOTES

218	PREFINISHED CONDUCTOR HEAD AND DOWNSPOUT. COLOR TO MATCH PAINT PT-5. COORDINATE SIZE WITH REGIONAL RAINFALL DATA. RE:93/A3.4
219	OVERFLOW SCUPPER
225	STAINLESS STEEL GREASE SHIELD W 2 1/2" HOLE THROUGH WALL FOR GREASE TANK
229	MP-03; ROOF SCREEN WALL. RE: STRUCTURAL
231	MASONRY EXPANSION JOINT
232	FIRE DEPARTMENT CONNECTION. RE: FIRE PROTECTION
233	EXTERIOR LIGHT FIXTURE. RE: ELECTRICAL
240	DASHED LINE INDICATES TOP OF DECK.
241	PAINT (PT-5) EXTERIOR DOORS.



A2 NORTH ELEVATION (R.O.W.)
1/4" = 1'-0"

TOTAL AREA OF FRONT FACADE	1638 SQ.FT.
TOTAL AREA OF DOOR & WINDOWS	464
TOTAL AREA OF GLAZING @ 27%	435
TOTAL AREA OF METAL PANEL @ 28%	458
TOTAL AREA OF MASONRY @ 45%	745 SQ. FT.



A1 SOUTH ELEVATION
1/4" = 1'-0"

TOTAL AREA OF FRONT FACADE	1596 SQ.FT.
TOTAL AREA OF PROPOSED MURAL 15%	246
TOTAL AREA OF GLAZING @ 17%	264
PROPOSED MURAL AND GLAZING @ 32%	511
TOTAL AREA OF METAL PANEL @ 33%	532
TOTAL AREA OF MASONRY @ 66%	918 SQ. FT.

NOTE TO DESIGNER:
DUE TO SOME JURISDICTION TAKING EXCEPTION TO THE "LADDER EFFECT", PLEASE VERIFY WITH JURISDICTION THAT INTERMEDIATE HORIZONTAL BARS ARE ALLOWED.

EXTERIOR MATERIAL SCHEDULE

NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-01 VISION GLASS
BASIS OF DESIGN: VIRACON VUE1-33
COATING: VUE-30 ON #2 SURFACE
NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-02 NOT USED

GL-03 OPAQUE GLASS
BASIS OF DESIGN: VIRACON V348 MEDIUM GRAY #4 SURFACE
COATING : VUE-30 ON #2 SURFACE
NOTE: REFER TO GLASS SPECIFICATIONS ON SHEET A0.3

GL-04 NOT USED

SS-01 STOREFRONT SYSTEM
BASIS OF DESIGN: CLOCASTLE
STYLE: FG-3200
FINISH: CLEAR ANODIZED

MP-01 METAL PANEL
MANUFACTURER: BERRIDGE
STYLE: BR-12 PANEL
0.040 ALUMINUM
COLOR: LEAD-COTE

MP-02 PREFINISHED METAL
FLASHING 0.050" THICK
COLOR: LEAD-COTE
TO MATCH MP-01

MP-03 METAL PANEL
MANUFACTURER: BERRIDGE
STYLE: BR-12 PANEL
0.040 ALUMINUM
COLOR: LEAD-COTE

BR-01 BRICK
MANUFACTURER: ACME
STYLE: UTILITY
SIZE: 4" x 4" x 12"
COLOR: PARK AVENUE

BR-02 BRICK
MANUFACTURER: ACME
STYLE: UTILITY
SIZE: 4" x 4" x 12"
COLOR: DOESKIN

MO-01 MORTAR
MANUFACTURER: AHI
COLOR: VANILLA -N

MC-01 METAL COPING
MANUFACTURER: METAL-ERA
STYLE: CREATIVE DESIGN
REVEAL COPING
COLOR: SILVERSMITH

PT-5 PAINT
BASIS OF DESIGN:
MANUFACTURER: SHERWIN WILLIAMS
STYLE: SW 6277 SPECIAL GRAY
SHEEN: FLAT

MS-01 METAL SOFFIT
MANUFACTURER: BERRIDGE
STYLE: HS-8
FINISH: PRE-FINISHED TO MATCH PT-5

MS-02 METAL SOFFIT
MANUFACTURER: BERRIDGE
STYLE: HS-12
FINISH: PRE-FINISHED TO MATCH PT-5

Castles Design Group
A Professional Corporation
3801 Kirby Dr., Suite 600
Houston, Texas 77098
tel: 713 864 7974
fax: 713 864 9759

REV	DESCRIPTION	DATE

PROTOTYPE: PT20M
NWQ LEXINGTON RD. & GAINES SCHOOL RD.
ATHENS, GA 30605

WHATABURGER

Binding

Project No.: 2020XX-XX
Client Project No.: 2160XXX

Drawing Title:
EXTERIOR ELEVATIONS

Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: AMF
Drawing No.: A2.2

G:\CD\projects\Food Service\Whataburger__1000-Schaffer Contracting (Whataburger)\(SC 21054460) NWQ Lexington Rd & Gaines School Rd (Athens GA)\Drawings\Architectural\PT20M BRIDGE SET - ARCH Q4.rvt

3/31/2022 2:53:42 PM



Castles Design Group
A Professional Corporation
3801 Kirby Dr., Suite 600
Houston, Texas 77098
tel: 713 664 7974
fax: 713 664 9756

REV	DESCRIPTION	DATE

PROTOTYPE: PT20M
NWQ LEXINGTON RD. & GAINES SCHOOL RD.
ATHENS, GA 30605

WHATABURGER

Binding

Project No.: 202XXX-XX
Client Project No.: 21XXXXX
Drawing Title:
EXTERIOR RENDERINGS

Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: AMF
Drawing No.: A2.3

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Castles Design Group
A Professional Corporation
3801 Kirby Dr., Suite 600
Houston, Texas 77098
tel: 713 664 7974
fax: 713 664 9755

REV	DESCRIPTION	DATE

PROTOTYPE: PT20M

NWQ LEXINGTON RD. & GAINES SCHOOL RD.

ATHENS, GA 30605

WHATABURGER

Binding

Project No.: 202XXX-XX
Client Project No.: 210XXXX

Drawing Title:

EXTERIOR RENDERINGS

Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: AMF

Drawing No.:
A2.4

3/31/2022 2:55:44 PM G:\CDG\projects\Food Service\Whataburger\(__)009-Schaffer Contracting (Whataburger)\(SC 210944) NWQ Lexington Rd & Gaines School Rd (Athens GA)\Drawings\Architectural\PT20M BRIDGE SET - ARCH Q4.rvt



Castles Design Group
A Professional Corporation
3801 Kirby Dr., Suite 600
Houston, Texas 77098
tel: 713 864 7974
fax: 713 864 9756

REV.	DESCRIPTION	DATE

PROTOTYPE: PT20M

NWQ LEXINGTON RD. & GAINES SCHOOL RD.

ATHENS, GA 30605

WHATABURGER

Binding

Project No.: 202XX-XX
Client Project No.: 210XXXX

Drawing Title:
EXTERIOR RENDERINGS

Date: 03.10.22 Phase: BRIDGE SET Q4
Designed: WB
Drawn: MDK
Checked: AMF
Drawing No.: A2.5

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Gonzalez-Strength & Associates, Inc.
1550 Woods of Riverchase Drive, Suite 200, Hoover, AL 35244
(205) 942-2486, Fax (205) 942-3033
www.Gonzalez-Strength.com

Applicant: Schaffer Construction
725 Primera Blvd, Suite 150
Lake Mary, FL 32746
(407) 698-6923 ext. 214
kkleibal@schafferconst.com

Owner: H/S Athlo, LLC
3638 Walton Way Extension
Suite 201
Augusta, GA 30909
(706) 855-4028
kendal@blsholdingsgroup.com

Location: 3321 & 3331 Lexington Road

Parcel ID: 233B4B001C

Size: 1.20 Acres

Current Zone: C-G

Request: Special Use Request to establish a freestanding Whataburger restaurant on two existing lots to be combined into one. This is application is required due to the Special Use in the Airport Overlay and a Binding Site Plan Revision.

SITE CHARACTERISTICS

The site is located at 3321 & 3331 Lexington Road which is two existing undeveloped outparcels of the Lowe's Shopping Center. The site is surround by commercial (C-G) parcels consisting of Lowes and Walgreens. The two parcels are currently vacant and grassed with existing curb cuts toward the northern end of the property.

The existing ACC sewer main most feasible for site service runs through an easement located in the northern portion of the property. This sewer main is proposed to be re-aligned and upgraded to current ACC standards in order to accommodate the proposed layout. There are also already two existing 8-in water line taps on the northern portion of the site.

The site is in close proximity to the airport and within the transitional Airport Overlay District Transitional Zone.

The Athens-Clarke County Future Land Use Map designates the site as General Business.

DEVELOPMENT INTENT

The development intent of this plan is to construct a freestanding Whataburger Restaurant as-well as associated parking, landscaping, grading, and utilities. The construction of this site will occur in only one phase. The proposed building will be located in the northern part of the property and is planned to slightly modify the existing curb cuts created by the overall shopping center's development.

Binding
11/8/22

PUBLIC UTILITIES

The utilities serving the restaurant will include public water and sewer, and privately held electrical and communication services. The proposed restaurant shall connect to a relocated ACC sewer main located in an easement on the site and will connect to the water service by utilizing the two previously installed taps which are located in the northern portion of the site. Solid waste shall be collected in dumpsters and screened from view and served by either ACC Solid Waste or a private hauler.

STORMWATER MANAGEMENT

Stormwater management to handle site volumetric runoff will be tied into the existing shopping center's storm system which empties into the overall shopping centers detention pond located northwest of the site. Modifications to the existing pond will be made to provide the necessary water quality treatment, runoff reduction, and channel protection as discussed in the stormwater concept meeting held on July 12, 2022.-

CRITERIA FOR SPECIAL USES IN THE AIRPORT OVERLAY DISTRICT

The proposed Whataburger shall require Mayor and Commission special use approval. The proposed use is of compatible nature with surrounding parcels. Although the development is in the airport overlay district it shall not infringe upon development of the airport based on the location, size, and height of the building.

COMPATIBILITY WITH COMPREHENSIVE PLAN

The proposed Whataburger restaurant conforms to the Future Land Use Map which indicates that the parcels are within the Main Street Business District. This district is intended to be primarily commercial considering it is also zoned C-G, which is compatible with the businesses located near the site itself. The request for special use will not create an isolated zoning district, as the underlying zoning classification of the property is to be maintained.

COMPATIBILITY WITH THE ZONING ORDINANCE

i. COMPATIBILITY WITH ZONING MAP

The subject property is zone C-G, Commercial Business, and the area around the parcel is also zoned C-G. The request for special use will not create an isolated zoning district, as the underlying zoning classification of the property is to be maintained.

ii. COMPATIBILITY WITH ZONING ORDINANCE STANDARDS

The proposed Whataburger meets all objective criteria set forth for C-G uses in the zoning ordinance.

FFECT ON COMMUNITY

i. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

By allowing the proposed Whataburger to be constructed as noted above will not adversely affect the balance of land uses in Athens-Clarke County due to the nature of the surrounding businesses also being commercial in use and nature. Apart from the Bojangles directly across the street on the other side of Lexington Road, there are no other noted quick service restaurants in the area. The construction of the proposed Whataburger would add diversity into this section of Athens-Clarke County and ideally help promote further diversity and growth in the years to come.

ii. ENVIRONMENT

The Athens-Clarke County Environmental Areas Map shows no environmentally sensitive areas on or immediately surrounding the site. There will be land disturbance of approximately 1.22 acres, but should not have any negative impacts on Athens-Clarke County.

iii. TRAFFIC, TRANSPORTATION, & TRANSIT

The proposed Whataburger will increase traffic during peak meal times throughout the day, but is not anticipated to impact the airports traffic patterns or surrounding developments. This development includes the construction of 40 parking spaces so not to affect the surrounding shopping center.

Binding

GONZALEZ – STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING · TRAFFIC & TRANSPORTATION ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE ARCHITECTURE

Description of Stormwater Management:

The site is located at 3321 and 3331 Lexington Road. The Pre-Developed Basin sheet drains across the site from east to west into an existing storm drain system via an inlet located in the west portion of the site. To the existing storm drain system drains into a master detention pond that serves the overall shopping center.

An approximately 3,751 sq. ft. fast food restaurant with associated parking spaces, utilities, storm drainage, landscaping, and lighting will be constructed on the site. Based on the original drainage report, the master detention pond is designed to receive he post-developed runoff from the proposed fully developed site via the same inlet and storm system described above.

Modifications to the existing pond will be made to provide the necessary water quality treatment, runoff reduction, and channel protection as discussed in the stormwater concept meeting held on July 12, 2022.

Non-Binding

1550 Woods of Riverchase Drive, Suite 200 | Hoover, Alabama 35244
205-942-2486 Fax: 205-942-3033

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **DEFINITIONS;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-2-1 entitled "*General*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting the definition for *Administrative or Research Facilities* in its entirety, and adding the following definition:

> *Science Research and Development:* A facility focused primarily on the business of scientific research and the development of new products, with a limited application in production. The facility accommodates the following, but is not limited to: research facilities; laboratories; clean rooms; offices; prototype production facilities that manufacture a limited amount of a product in order to full investigate the merits of such product; and, pilot plants used to test manufacturing processes planned for use in productions elsewhere.

SECTION 2. Section 9-2-1 entitled "*General*" of the Code of Athens-Clarke County, Georgia is hereby deleting the definition for *Light Manufacturing* in its entirety and replacing it so it reads as follows:

Light Manufacturing: Enterprises primarily engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, or materials fully encapsulated in a sealed container, including but not limited to, jars, cans, drums, or other container of a similar nature, to be stored inside. Light manufacturing is capable of operation in such manner as to control the external effects of the manufacturing process that is known to be detrimental to the human or natural environment. Light manufacturing uses include, but are not limited to, machine shops, manufacturing of apparel, electrical appliances, electronic equipment and computer components, camera and photographic equipment, ceramic products, cosmetic and toiletries, business machines, food, paper products (excluding the manufacture of paper from pulpwood), medical appliances, tools or hardware, plastic products (excluding the processing of raw materials), pharmaceutical or optical goods, and any other product of a similar nature.

SECTION 3. This ordinance shall take effect immediately after passage.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **COMMERCIAL (C) DISTRICTS ;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-10-2 entitled "*Permitted Uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding the following in the table of permitted uses under the "*Industrial Category*" section as follows:

Commercial Zoning Districts	C-G General	C-D Downtown	C-O Office	C-N Neighborhood	C-R Rural
Industrial Categories					
Science Research and Development	L (3)	L (4)	N	N	P

SECTION 1. Section 9-10-2 entitled "*Permitted uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting from the legend the definition of *L(3)* in its entirety, and replacing it so that it reads as follows:

L(3) = Uses are limited to no more than 10,000 square feet of gross floor area per lot, except grocery stores, science research and development facilities, and colleges, which may have 36,000 square feet of gross floor area per lot; provided however multifamily dwellings and dwellings above business are permitted under L(1) above. Any development exceeding these parameters shall be subject to approval under the special use procedure section.

SECTION 3. This ordinance shall take effect immediately after passage.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: November 3, 2022	**FILE NO:** N/A

APPLICANT: Athens-Clarke County Unified Government
REQUEST: Amend Chapter 9 of the Code of Ordinances regarding research and development uses in C-G, E, and I Zones

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Present	X		
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Absent			
Matthew Hall, Vice-Chair Present	X			Monique Sanders Present	X		
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	8	0	

For: Ilka McConnell (representative of sponsor: ACC Economic Development Department)
Against: None

Discussion: Commissioners discussed buffering the use and potentially expanding the use to the Commercial-Office zoning district.

Motion: Mr. Hall made a motion to recommend approval. Ms. Kinman seconded the motion, which passed unanimously.

To: Brad Griffin, Director, Planning Dept.
From: Ilka McConnell, Director, Economic Development Dept.
Date: September 29, 2022

Subject: Economic Development Dept. Requesting Zoning Ordinance Text Amendment

As you know well, Athens-Clarke County has experienced high demand for space and limited supply over the past several years. Our team has struggled to find appropriately zoned space for small, young businesses who would like locate and grow Athens, including biotechnology, engineering, and start-up companies. These companies are a critical and vibrant part of the innovation ecosystem that continues to grow within our community. Without available, appropriately zoned space within Athens for them to grow into, these companies will leave our community, taking talent, innovation, investment, and above-average wages with them to other communities.

Our Economic Development Department would like to request that the Planning Commission consider a Zoning Ordinance text amendment that proposes a new zoning use, called *Scientific Research and Development*. The text amendment updates the definitions to *Administrative or Research Facilities* and *Light Manufacturing* to better define these types of businesses within our community and to better match the progression these companies take. The amendment proposes to allow for the new *Scientific Research and Development* zoning use to be permitted in some Commercial districts so that the companies can tap into a larger supply of existing buildings.

If you need any further information to present to the Planning Commission, please do not hesitate to reach out. I am also happy to come speak to the Commission at their next meeting to explain the request in depth.

Thank you in advance for your support.

Ilka McConnell
706-224-1460
Ilka.mcconnell@accgov.com

Attachment: EcD Proposed Text Amendment

EXISTING USE:

Administrative or research facilities: A facility used for the management of an enterprise or research and development activities such as improving technologies, developing products and scientific research.

NEW PROPOSED USE:

Science Research and Development: A facility focused primarily on the business of scientific research and the development of new products, with a limited application in production. The facility accommodates the following, but not limited to: research facilities; laboratories; clean rooms; offices; prototype production facilities that manufacture a limited amount of product in order to fully investigate the merits of such product; and, pilot plants used to test manufacturing processes planned for use in production elsewhere.

AMMENDMENT OF DEFINITION FOR LIGHT MANUFACTURING:

Light manufacturing: Enterprises (primarily) engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, or materials fully encapsulated in a sealed container, including but not limited to, jars, cans, drums, or other container of a similar nature, to be stored inside. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, steam, noise, soot, dirt, vibration, odor, or any other by-product of the manufacturing process that is known to be detrimental to the human or natural environment. Light manufacturing uses include, but are not limited to, machine shops, manufacturing of apparel, electrical appliances, electronic equipment and computer components, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, food, paper products (excluding the manufacture of paper from pulpwood), medical appliances, tools or hardware, plastic products (excluding the processing of raw materials), pharmaceuticals or optical goods, and any other product of a similar nature.

AMENDMENT OF L(3) DEFINITION FOR SEC.9-10-2.

L(3) = Uses are limited to no more than 10,000 square feet of gross floor area per lot, except grocery stores, science research and development facilities, and colleges, which may have 36,000 square feet of gross floor area per lot; provided however multifamily dwellings and dwellings above businesses are permitted under L(1) above. Any development exceeding these parameters shall be subject to approval under the special use procedures section.

Add Science Research and Development as a line item category to the Table in Sec.9-10-2 with the following uses to the Commercial Districts

Commercial Zoning Districts	C-G General	C-D Downtown	C-O Office	C-N Neighborhood	C-R Rural
Industrial Categories					
Science Research and Development	L (3)	L (4)	N	N	P

Add Science Research and Development as a line item category to the Table in Sec.9-11-2 with the following uses to the Employment-Office, Employment-Industrial, and Industrial (E,I) Districts

Zoning Categories	E-O Employment Office	E-I Employment Industrial	I Industrial
Industrial Categories			
Science Research and Development	P	P	P

COMMISSION DEFINED OPTION COMMISSIONER MELISSA LINK
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **GENERAL REGULATIONS;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-15-12 entitled "*Accessory buildings and structures*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting subsection *B* in its entirety and replacing it so it now reads as follows:

B. A guesthouse or accessory dwelling unit may be maintained accessory to a single-family dwelling. No more than one (1) accessory dwelling unit and/or guesthouse shall be permitted per lot as an accessory structure and shall not exceed 800 sq. ft. in size. Accessory dwelling units shall be limited to no more than one bedroom and shall not be included in the maximum square footage allowance set forth in 9-15-12(E), provided all structures conform to lot coverage allowances.

SECTION 2. Section 9-15-12 entitled "*Accessory buildings and structures*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding subsection *H* as follows:

H. Properties featuring accessory dwelling units must be in compliance with minimum off-street parking allowances for the principle structure as set forth in this ordinance.

SECTION 3. This ordinance shall take effect immediately after passage.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **DEFINITIONS;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-2-1 entitled "*General*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting the definition for *Dwelling, single-family* in its entirety, and replacing it so it reads as follows:

> *Dwelling, single-family:* An attached or detached residential unit other than a Class "A" or Class "B" manufactured home, accessory dwelling unit, hotel or motel, located on a single lot functioning as the only residential unit and designed for and occupied by one family only.

SECTION 2. This ordinance shall take effect immediately after passage.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **AGRICULTURAL RESIDENTIAL (AR) DISTRICT;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-5-2 entitled "*Permitted Uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting the definition in the *Legend* of L(4) in its entirety, and replacing it so it reads as follows:

> L(4) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling and conforms to the standards outlined in this Title. The accessory dwelling structure must meet all requirements set forth in Section 9-15-12 of the Title and have fewer bedrooms than the principal residential structure. Accessory dwelling units may include, but are not required to, provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title.

SECTION 2. This ordinance shall take effect immediately after passage.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **SINGLE-FAMILY RESIDENTIAL (R5) DISTRICT;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-7-2 entitled "*Permitted Uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by allowing accessory dwelling units in all RS zones as a permitted use by amending the chart as follows:

Zoning Districts	RS-40	RS-25	RS-15	RS-8	RS-5
Residential Categories					
Accessory Dwelling Units	L(5)	L(5)	L(5)	L(5)	L(5)

SECTION 2. Section 9-7-2 entitled "*Permitted Uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding the following category to the *Legend*:

L(5) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling and conform to the standards outlines in this Title. The accessory dwelling structure must meet all requirements set forth in Section 9-15-12 of the Title and have fewer bedrooms than the principle residential structure. Accessory dwelling units may include, but are not required to provide, one (1) additional off-street parking space in conformance with all other additional standards set forth in this Title.

SECTION 3. Section 9-7-5 entitled "*Design for individual ownership of units required*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting it in its entirety and replacing it so that it reads as follows:

All units developed in this zone, with the exception of accessory dwelling units, shall be designed for individual ownership of each unit meeting the definition of "dwelling, single-family" or "dwelling, single-family attached", as defined in this Title.

SECTION 4. This ordinance shall take effect immediately after passage.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **COMMERCIAL (C) DISTRICTS ;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-10-2 entitled "*Permitted Uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding the following in the table of permitted uses under the "*Residential Categories*" section as follows:

Commercial Zoning Districts	C-G General	C-D Downtown	C-O Office	C-N Neighborhood	C-R Rural
Residential Categories					
Accessory Dwelling Unit	L (17)	L (17)	L (17)	L (17)	L (17)

SECTION 2. Section 9-10-2 entitled "*Permitted uses*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding a definition to the *Legend* as follows:

L(17) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a permitted single-family dwelling and conform to the standards outlined in this Title. The accessory dwelling structure must meet all the requirements set forth in Section 9-15-12 of this Title and have fewer bedrooms than the principal residential structure. Accessory dwelling units may include, but are not required to, provide one (1) additional off-street parking space in conformance with all other additional standards set forth in this Title.

SECTION 3. This ordinance shall take effect immediately after passage.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **GENERAL REGULATIONS;** AND FOR OTHER LAWFUL PURPOSES

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-15-12 entitled "*Accessory buildings and structures*" of the Code of Athens-Clarke County, Georgia is hereby amended by deleting subsection *B* in its entirety and replacing it so it now reads as follows:

B. A guesthouse or accessory dwelling unit may be maintained accessory to a single-family dwelling. No more than one (1) accessory dwelling unit and/or guesthouse shall be permitted per lot as an accessory structure and shall not exceed 800 sq. ft. in size.

SECTION 2. Section 9-15-12 entitled "*Accessory buildings and structures*" of the Code of Athens-Clarke County, Georgia is hereby amended by adding subsection *G* as follows:

G. Signs, fences, parking, driveways, and temporary structures are not subject to this provision of this section.

SECTION 3. This ordinance shall take effect immediately after passage.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: November 3, 2022	**FILE NO:** N/A

APPLICANT: Athens-Clarke County Unified Government
REQUEST: Amend Chapter 9 of the Code of Ordinances regarding accessory dwelling units

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Present	X		
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Absent			
Matthew Hall, Vice-Chair Present	X			Monique Sanders Present	X		
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	8	0	

For: Alice Kinman, Matt Hall (representatives of sponsor: Mayor's Working Group on Inclusionary Housing)
Against: None

Discussion: Commissioners asked if it was possible to do an attached ADU, whether duplexes should be allowed by-right where these ADUs are allowed, and discussed the Public Utilities requirement for separate utility connections. It was noted that this was an important, yet incremental change to the Code that would serve as a test case as the County moves into updating its Future Land Use Map and Zoning Code over the next few years. The Planning Commission recommends that the Mayor & Commission revisit the Public Utilities Department policy requiring separate utility connections for the primary and accessory dwelling.

Motion: Mr. Tucker made a motion to recommend approval with conditions. Ms. Gehring seconded the motion, which passed unanimously.

Conditions:

1) The typos in the ordinance language shall be corrected.
NOTE: These have been corrected. Therefore the condition is no longer in effect.

TO: Planning Commission

FROM: Brad Griffin
Planning Director

RE: Proposed Accessory Dwelling Unit Text

DATE: October 28, 2022

The purpose of this correspondence is to provide additional information to you regarding the proposed series of text amendments attached prepared in order to establish traditional accessory dwelling units as permitted uses with residential and commercial zoning districts.

1. On October 7, 2022 prior to the Mayor's Working Group on Inclusionary Zoning (MWGIZ) meeting, staff members Niki Jones and Brad Griffin met with Commissioner Denson and Mayor Girtz to discuss the current staff recommended SPWP and possible options to address ADU's more promptly. Commissioner Denson currently serves on the MWGIZ which is currently working on a comprehensive ADU Ordinance.
2. While Staff continues to express concerns with the adoption of a comprehensive ADU Ordinance prior to the approval of an updated Future Land Use Map in conjunction with significant community input, an option was proposed by staff as an interim solution. **The Planning Commission and Mayor & Commission would both have to agree to this solution**. The proposed interim solution is to prepare a very basic set of text amendments that would treat ADU's in the same manner as all other permissible accessory structures including "Guesthouses" (a form of ADU without any kitchen facilities). As part of this interim option, the comprehensive draft ADU Ordinance currently being prepared by the MWGIZ would be brought to a point of draft completion and deferred to after the Comprehensive Plan, Growth Concept Map, and Future Land Use Plan have been completed. The comprehensive ADU ordinance will ultimately be included in a more robust community process while discussing Missing Middle Housing opportunities in a comprehensive manner.
3. This interim proposal was presented to the MWGIZ by Commissioner Denson at their meeting on October 7, 2022 and the members of the committee in attendance voted to support the proposal and to request that a basic set of text amendments be presented to the Planning Commission at their upcoming November 3, 2022 as identified above.
4. Staff has prepared these basic amendments as requested for presentation to the Planning Commission for consideration and possible recommendation.

This item will be discussed at our November Planning Commission Meeting with additional explanation provided by Alice Kinman and Matt Hall who both currently serve on the Mayor's Working Group on Inclusionary Housing

PROPOSED TEXT AMENDMENTS – ACCESSORY DWELLINGS

DRAFT

Chapter 9-2. Definitions

Section 9-2-1. General.

Dwelling, single-family: An attached or detached residential unit other than a Class "A" or Class "B" manufactured home, accessory dwelling unit, hotel or motel, located on a single lot functioning as the only residential unit and designed for and occupied by one family only.

Chapter 9.5. Agricultural Residential (AR) District

Section 9-5-2. Permitted Uses.

L(4) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling ~~and located on a tract of land that is at least ten acres in size,~~ and conforms to the standards outlined in this Title. The accessory dwelling structure must~~:~~ meet all requirements set forth in Section 9-15-12 of the Title and ~~(1) be located entirely in the rear yard of the principal residential structure; (2) have gross square footage that is 50% or less of the habitable square footage of the principal residential structure; and (3)~~ have fewer bedrooms than the principal residential structure. Accessory dwelling units may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title.

Chapter 9-7. Single Family Residential (RS) Districts

Section 9-7-2. Permitted Uses.

Amend the use chart in 9-7-2 to allow accessory dwelling units in all RS zones as a permitted use with limitations as set forth in a newly established L(5).

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	RS-40	RS-25	RS-15	RS-8	RS-5
Accessory Dwelling Units	L(5)	L(5)	L(5)	L(5)	L(5)

L(5). A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling and conform to the standards outlined in this Title. The accessory dwelling structure must meet all requirements set forth in Section 9-15-12 of the Title and have fewer bedrooms than the principal residential structure. Accessory dwelling units may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in this Title.

Section 9-7-5. Design for individual ownership of units required.

All units developed in this zone, with the exception of accessory dwelling units, shall be designed for individual ownership of each unit meeting the definition of "dwelling, single-family" or "dwelling, single-family attached", as defined in this Title.

Chapter 8. Mixed Density Residential (RM) Districts

Section 9-8-2. Permitted uses.

L(7) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling ~~and located on a tract of land that is at least twice the minimum lot size for the district in which it is located,~~ and conforms to the standards outlined in this Title. The accessory dwelling structure must~~: (1) be located entirely in the rear yard of the principal residential structure; (2) have gross square footage that is 50% or less of the habitable square footage of the principal residential structure;~~ meet all requirements set forth in Section 9-15-12 of this Title and ~~(3)~~ have fewer bedrooms

than the principal residential structure. Accessory dwelling units may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in this Title.

Section 9-8-3. General regulations.

Lots of record existing prior to December 7, 2010 and proposed lots on subdivision plats submitted for approval prior to December 7, 2010 with calculated density less than three bedrooms shall be eligible to contain a maximum of three bedrooms provided that the lot meets the minimum lot size of 5,000 sq. ft. All other lots existing prior to December 7, 2010 which do not meet the minimum 5,000 sq. ft. lot size shall be eligible to contain a maximum of two bedrooms. Accessory dwelling units meeting all requirements of this Title shall not be included as part of this per lot bedroom calculation.

Chapter 9-10. Commercial (C) Districts

Section 9-10-2. Permitted Uses.

Amend the use chart in 9-10-2 to allow accessory dwelling units in all C zones as a permitted use with limitations as set forth in a newly established L(17).

Commercial Zoning Districts	C-G	C-D	C-O	C-N	C-R
Residential Categories					
Accessory Dwelling Units	L(17)	L(17)	L(17)	L(17)	L(17)

L(17). A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a permitted single family dwelling and conform to the standards outlined in this Title. The accessory dwelling structure must meet all requirements set forth in Section 9-15-12 of this Title and have fewer bedrooms than the principal residential structure. Accessory dwelling units may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in this Title.

Chapter 9-15. General Regulations

Section 9-15-12.B. Accessory Buildings and Structures.

A guesthouse or accessory dwelling unit may be maintained accessory to a single-family dwelling ~~provided there are no kitchen cooking facilities in the guesthouse.~~ No more than one (1) accessory dwelling unit and/or guesthouse shall be permitted per lot as an accessory structure and shall not exceed 800 square feet in size.

Section 9-15-12.G. Accessory Buildings and Structures.

Signs, fences, parking, driveways, accessory dwellings, and temporary structures are not subject to the provisions of this section.

Athens-Clarke County Contract Awards
In Excess of $10,000 - October 2022

Contract Award Date	Vendor Name	Commodity or Service	Contract Amount	Department	Funding Source
Manager Awarded Contracts: Total $863,528.87					
10/04/2022	TYLER TECHNOLOGIES INC	Software Renewal: New World	168,537.80	Information Technologies	General Fund
10/18/2022	WADE FORD INC	Vehicles (Replacement)	154,771.80	Fleet Management	Fleet Replacement Intr Serv Fund
10/24/2022	CLARITI CLOUD INC	Software Renewal: Clariti	157,574.87	Building Permits & Inspections	Building Inspection Special Rev Fund
10/25/2022	WADE FORD INC	Vehicles (Replacement)	191,566.40	Fleet Management	Fleet Replacement Intr Serv Fund
10/25/2022	E R SNELL CONTRACTOR INC	Fowler Mill Road Bridge Deck Replacement	191,078.00	Program Administration	SPLOST 2011 Capital Project Fund
Purchasing Awarded Contracts: Total $1,481,809.65					
10/03/2022	CANNON COCHRAN MANAGEMENT SERVICES INC	Funding Reimbursement	39,044.00	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/03/2022	R B PRODUCTIONS INC	Software	10,290.00	Information Technologies	General Fund
10/04/2022	AKIN FORD CORP	Investigative Vehicles (Replacements)	57,492.36	Police Field Operations Bureau	General Capital Projects Fund
10/04/2022	AVOCETTE TECHNOLOGIES INC	Software Implementation	51,195.68	Building Permits & Inspections	Building Inspection Special Rev Fund
10/04/2022	ALLAN VIGIL FORD	Ford F150 Truck	29,167.00	Fleet Management	Fleet Replacement Intr Serv Fund
10/05/2022	TREMCO	Construction Management Services for Jail Roof Replacement	33,333.33	Program Administration	SPLOST 2020 Capital Project Fund
10/05/2022	SEYFARTH SHAW LLP	Joint Development Authority Legal Counsel - Foodbank	16,381.00	Economic Development	General Fund
10/05/2022	UNIVERSITY OF GEORGIA	Data Analysis Services	14,600.00	Police Field Operations Bureau	Grant Special Revenue
10/06/2022	CONVERGINT TECHNOLOGIES LLC	Security Service Agreement for Courthouse	33,853.32	Field	General Fund
10/06/2022	SOUTH WESTERN COMMUNICATIONS INC	Jail Camera Repair - Claim 23-0195	15,703.13	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/07/2022	THE SEGAL COMPANY INC	Consulting Services	28,000.00	Human Resources	Self Funded Health Insurance Intr Serv Fund
10/07/2022	DANA SAFETY SUPPLY	Lighting installation - 4 cars	18,132.00	Fleet Management	Fleet Replacement Intr Serv Fund
10/07/2022	HALO BRANDED SOLUTIONS INC	Health Fair Giveaway	12,636.70	Benefits & Wellness	Self Funded Health Insurance Intr Serv Fund
10/11/2022	ALLAN VIGIL FORD	Ford F150 Truck	34,056.00	Fleet Management	Fleet Replacement Intr Serv Fund
10/11/2022	MAXAIR MECHANICAL LLC	Air Conditioning, Heating & Ventilating Equipment	18,430.62	Facilities Management	General Capital Projects Fund
10/12/2022	SOUTHEAST SERIES OF LOCKTON COMPANIES LL	Fiduciary Liability Premium	35,400.00	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/12/2022	Advantage Technologies, Inc.	Software: RightFax Business Edition	18,054.90	Information Technologies	General Fund
10/13/2022	Howard Industries, Inc.	Replacement PC/Computer	14,841.00	Information Technologies	General Capital Projects Fund
10/14/2022	Berkley Insurance Company	Excess Workers Compensation Policy Premium	12,161.80	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/14/2022	DOUBLE D INTERNATIONAL FOOD CO INC	Food for Corrections	10,286.75	Corrections	General Fund
10/18/2022	DEERE & COMPANY	John Deere Tractor	76,274.26	Fleet Management	Fleet Replacement Intr Serv Fund
10/20/2022	BYTEWORKS, LLC	Software: EA Security Bundle	59,112.12	Information Technologies	General Fund
10/21/2022	FIRELINE INC	Self-Contained Breathing Apparatus (SCBA) Training	31,064.00	Fire	General Fund
10/21/2022	BRIGHTWELL MAMIE	Custodial Services	29,900.00	Facilities Management	General Fund
10/21/2022	ALFRED BENESCH & COMPANY	Heard Park Community Center - Handicap Access	28,100.00	Leisure Services	General Capital Projects Fund
10/21/2022	JAMES-BATES-BRANNON-GROOVER LLP	Outside Counsel	25,529.00	Attorney's Office	General Fund
10/21/2022	S & L INTEGRATED SYSTMES LLC	Magistrate County Audio/Visual Updates	25,467.33	Magistrate Court	General Capital Projects Fund
10/21/2022	TYNERS TRUCK AND AUTO REPAIR INC	Engine 21 Repairs	14,154.11	Fire	General Fund
10/24/2022	DELTA MUNICIPAL SUPPLY CO	Water Meter Equipment	96,000.00	Meter Management	Water & Sewer Ent Fund
10/24/2022	DELTA MUNICIPAL SUPPLY CO	Water Meter Retro Kits	80,250.00	Meter Management	Water & Sewer Ent Fund
10/24/2022	STRUCTURAL RESOURCES INC	Guard Rail Repair	19,861.00	Transportation & Public Works	General Capital Projects Fund
10/24/2022	HEFFRON MAXINE	Contract Labor Services	14,500.00	Sustainability Office	General Fund
10/24/2022	RS&H INC	Preparation Services for 2022 National Transit Database Report	11,837.00	Transit Maintenance	Transit System Ent Fund
10/25/2022	DORON PRECISION SYSTEMS INC	Driving Simulation System	48,064.00	Transit Maintenance	Grant Special Revenue
10/25/2022	S & L INTEGRATED SYSTMES LLC	Magistrate County Audio/Visual Updates	24,532.67	Magistrate Court	General Capital Projects Fund
10/25/2022	STRUCTURAL RESOURCES INC	Guard Rail Repair	24,145.00	Transportation & Public Works	General Capital Projects Fund
10/25/2022	ALLIANT INSURANCE SERVICES INC	Excess Workers Compensation Extended Premium	14,308.00	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/25/2022	ELARBEE THOMPSON SAPP & WILSON LLP	Legal Services	13,295.07	Safety & Risk	Self Funded Insurance & Claims Intr Serv
10/25/2022	JH WRIGHT & ASSOCIATES INC	Hoses and Lube	12,793.00	Plant Maintenance	Water & Sewer Ent Fund
10/25/2022	CHAPMAN KATHY ANNE	Rent and Fees for Comprehensive Opioid, Stimulant and Substance Abuse Participants	12,000.00	Superior Court	Grant Special Revenue
10/26/2022	Howard Industries, Inc.	Software Renewal: Barracuda Essentials	98,110.00	Information Technologies	General Fund
10/26/2022	UTILICOM SUPPLY ASSOCIATES LLC	Gridsmart Traffic Video Detection	36,045.60	Transportation & Public Works	General Capital Projects Fund
10/27/2022	GEE TRANSPORT	Records Storage for Various Departments	36,320.00	Central Services	General Fund
10/27/2022	ROLL OFF SYSTEMS INC	Roll Off Systems (Trash Services)	10,600.29	Solid Waste Administration	Landfill Ent Fund
10/28/2022	SOFTCHOICE CORPORATION	Software Renewal: SmartNet	91,692.61	Information Technologies	General Fund
10/28/2022	TOTER LLC	Trash & Recycling Roll Carts	44,795.00	Solid Waste	Solid Waste Ent Fund
Number of Contracts	**51**	**Total of Contract Awarded**	**$2,345,338.52**		

Submitted by: Jessica Beri
Purchasing Administrator
November 14, 2022