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, MARCH 4, 2025, **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 February 4; Tuesday, February 18 and non-voting meetings of Tuesday, February 11; and Tuesday, February 18, 2025.

C. Written communications

D. Public 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. ADOPT: Ordinance for biosolids hauling and disposal contract amendment

2. ADOPT: Ordinance for S.T.O.P. Violence Against Women Grant – Clerk of Superior Court Continuation Application for 2025

3. ADOPT: Ordinance for SPLOST 2020 Project 26, Recovered Material Processing & Reuse Facility Project, Request for Federal and State Grant Funding Approval

4. ADOPT: Ordinance for S.T.O.P. Violence Against Women Grant- Solicitor General's Office Award for 2025

5. ADOPT: Ordinance for ARPA Funding Recapture: Athens Land Trust and East Athens Development Corporation

6. ADOPT: Resolution for replacement of Water & Sewer Mains for the GDOT SR10 @ CR993/W Hancock Avenue Intersection Improvements Project (PI#0016920) - Authorization for the Standard Utility/Contract Item Agreement

7. APPROVE: Design Approval - Athena Industrial Park Recycle Water Line - Section 1

8. APPROVE: Transit hybrid electric bus engine purchase

9. APPROVE: March 2025 Public Transportation Agency Safety Plan Update

10. APPROVE: 610 Athena Drive - Private Pump Station and Force Main

11. APPROVE: TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements Project (Sub-Project #1), Professional Services Contract

12. APPROVE: Request for Hourly Parking Rate Adjustment in Downtown Parking Decks

13. APPROVE: Acceptance of Periodic audit of the Housing and Community Development Department

14. APPROVE: ACCGov Actions as a Coalition of Local Government Intervener in the Georgia Power IRP and Rate Cases

F. 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.

15. Request of Will Avant/Foresite Group LLC, owner: GAINESCEDAR LLC, for Planned Development Amendment from C-O (GSRC) (PD) to C-O (GSRC) on 0.64 acres `known as 995 Gaines School Road. Proposed use is medical center. Type II District 1

Planning Commission recommendation: Approval w/condition (unanimous)

16. Request of Brad Sperr, owner 728 Cobb LLC, for special use in RS-8 on 0.84 acres known as 728 Cobb Street. Proposed use is legal, non-conforming use as office. Type II District 2

Planning Commission recommendation: Approval w/condition (8-1)

17. Request of Michael B. Thurmond/Armentrout Matheny Thurmond P.C., owner Excaliber Development LLC, for rezoning from C-R & RM-2 to C-G on 0.9 acres located at 1055 Hull Road. This will require an amendment to the Future Land Use map from General Business and Mixed Density Residential to General Business. Proposed use is undetermined. Type I District 9

Planning Commission recommendation:
Future Land Use: Approval (unanimous)
Rezoning: Approval (unanimous)

18. Request of Scott Haines/W&A Engineering, Owners: Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wycheslavzoff, Jodi Kerr, Mohammed Khan & CarenagePartners LLC, for rezoning from C-N (PD), RM-1, RS-8 to C-N (PD) on 207 acres (subject area 90 acres) known as 445, 605, 705, 1015 Barnett Shoal 1 Road, 190-210 Lakewood Drive and 162 Park Ridge Court. This will require an amendment to the Future Land Use map from Traditional Neighborhood and Mixed Density Residential to Traditional Neighborhood. Proposed use is residential and commercial mixed. Type I Districts 3 and 8

Planning Commission recommendation:
Future Land Use: Approval (unanimous)
Rezoning: Approval w/conditions (unanimous)

G. Public input. If you wish to address the Mayor and Commission on any other item (#19-21) 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 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.

H. Old business

19. CY 2025 Pavement Maintenance Project Contract Award

20. Extension of Non-Profit Leases for FY26

21. Proposed increase to Clarke County Health Board of Environmental Health Section Fees

I. New business – Consider under suspension of Rules

J. Public 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 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.

K. Receive report from Mayor

L. Receive report from Manager

22. Purchasing November and December 2024

M. Receive report from Auditor

N. Receive report from Attorney

O. Receive input from Commissioners

P. 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 ACC_Guest

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.

Attachment #1

AN ORDINANCE TO AMEND THE FY2025 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR BIOSOLIDS HAULING AND DISPOSAL CONTRACTING; 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 FY2025 Water and Sewer Fund Budget for the purpose of amending the contract for biosolids hauling and disposal contracting. Said Operating and Capital budget is hereby amended as follows:

Water & Sewer Enterprise Fund:

Expenditures:	
Increase:	
Public Utilities – NOWRF	$520,000
Services-Landfill	
Revenue:	
Decrease:	
Public Utilities - W&S Fund	$520,000
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 and Disposal Contract Amendment

DATE: January 17, 2025

EXECUTIVE SUMMARY:

This agenda requests a four-month extension to the current biosolids hauling contract to allow time to go out for RFP and approval to amend the operating budget by transferring from Water and Sewer Enterprise Reserves.

BUDGET INFORMATION:

REVENUE:	$692,500	FY25 NOWRF Operating Budget – Services, Landfill
	$520,000	Water & Sewer Enterprise Fund Reserves
	$1,212,500	
EXPENSES:		
OPERATING:	$904,963	Encumbered/Expensed Services, Landfill
	$307,537	Available for Biosolids Hauling & Disposal

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request the Mayor and Commission:

a. Approve a four-month extension to the Denali Water Solutions, LLC (Denali) hauling contract;

b. Amend the operating budget by transferring $520,000 from Water and Sewer Enterprise Fund Reserves **Attachment #1**; and

c. 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 $107,295,955 for the replacement and upgrade of the North Oconee WRF.

2. On June 30, 2016, the Public Utilities Department (PUD) Master Planning Engineer, CH2M Hill, was issued a Notice-to-Proceed to evaluate biosolids alternatives.

3. On August 3, 2017, the Purchasing Division of the Finance Department issued RFP#00858 for Biosolids Hauling.

4. 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.

5. On October 2, 2018, the M&C approved the *Preliminary Construction Plans for WRF Phosphorus and Solids Handling Improvements and Project Concept approval of Biosolids Process Improvements and Flow Equalization.*

6. 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.

7. 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.

8. On June 4, 2019, the M&C adopted the FY2020 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.

9. 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.

10. 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.

11. 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.

12. On December 6, 2022, M&C approved a unit-price amendment to the Biosolids Hauling with Denali from $95.76/ton to $102.70/ton due to increased landfill tipping fees.

13. On February 6, 2024, M&C approved a unit-price amendment to the Biosolids Hauling with Denali from $102.70/ton to $135/ton due to increased landfill tipping fees.

14. On June 5, 2024, the M&C adopted the FY25 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.
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. Currently, approximately 5,100 tons from the Middle Oconee and the Cedar Creek WRFs go into composting. The remaining 10,100 wet tons of material require off-site hauling and disposal each year.
3. Thermal drying reduces the volume of solids requiring offsite hauling and disposal. Thermal drying adds to the costs of solids treatment, but it reduces the cost of biosolids handling after treatment. Additionally, thermal drying widens the array of potential beneficial uses, and it buffers the ratepayers from future increases in biosolids hauling and disposal costs because of the reduced mass.
4. The PUD was notified in writing by Denali on October 11, 2023, 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. On February 4, 2024, the M&C approved a contract amendment for a unit-price increase to $135/ton. 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 $170.00/ton. The existing contract with Denali includes a provision for a CPI Index increase. The CPI and the requested increase take it above the price per ton approved by M&C.
5. The North Oconee WRF thermal dryer facility was scheduled to start-up in May 2023. Critical components for the thermal dryer to operate properly were delayed significantly due to supply chain issues. This delayed commissioning until November 2024. PUD would recommend going out to bid, once the dryer is operational to get the best hauling and tipping rates.
6. The FY25 Operating budget includes a total of $692,500 for landfill disposal of biosolids from the North Oconee WRF. An additional $520,000 is requested to cover the additional hauling cost due to the dryer being delayed in coming online.
7. 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.

8. 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.
9. 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 four (4) month extension to the Denali Water Solutions, LLC (Denali) hauling contract.
    b. Amend the operating budget by transferring $520,000 from Water and Sewer Enterprise Fund reserves; and
    c. 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 and c

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV



Hollis Terry IV — Date: 1/17/2025

ADMINISTRATIVE COMMENTS:

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



Brad Griffin,
Acting Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment 1: Budget Ordinance Bio Solids Increase FY25

AN ORDINANCE TO AMEND THE FY2025 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE GEORGIA CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC) TO CONTINUE ONE FULLTIME POSITION IN THE OFFICE OF THE CLERK OF SUPERIOR COURT AND ASSOCIATED EXPENSES TO SUPPORT CASE PROCESSING OF DOMESTIC VIOLENCE CASES; 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 Grants Special Revenue Fund to provide grant funding from the Georgia CJCC to continue one fulltime position in the Office of the Clerk of Superior Court and associated expenses to support case processing of domestic violence cases. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:
Increase:
Stop Violence Against Women Grant (CJCC) $55,000

EXPENDITURES:
Increase:
Clerk of Courts General Operating Expenses $55,000

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: S.T.O.P. Violence Against Women Grant – Clerk of Superior Court Continuation Application for 2025

DATE: January 14, 2025

EXECUTIVE SUMMARY: The Clerk of Superior Court is requesting continued funding for S.T.O.P Violence Against Women (VAWA) grant funds. Funds are for one (1) full-time position in the Clerk's Office to handle domestic violence cases, specifically Temporary Protective Orders (TPOs) and criminal protective orders.

BUDGET INFORMATION:

REVENUES: $55,000

EXPENSES:
ANNUAL: $55,000 Clerk of Courts
$20,000 Required Match
CAPITAL:
OTHER:

FUNDING SOURCE: Georgia Criminal Justice Coordinating Council ($55,000); in-kind services from the Clerk of Courts ($20,000)

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request that the Mayor and Commission:

a. Approve the Clerk of Superior Court's Criminal Justice Coordinating Council Continuation Grant (CJCC) application for, and if awarded, acceptance of S.T.O.P. Violence Against Women (VAWA) grant funds in the amount of 55,000 to fund for calendar year (CY) 2025:
    i. One authorized full-time Clerk position in the Clerk of Courts Office;

b. Adopt a budget amendment **(Attachment #1)** for the CJCC Grant.; and

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

HISTORY:

1. In CY10, CY11, CY12, and CY13, the Superior Court and Clerk of Courts were successful in their Georgia Criminal Justice Coordinating Council (CJCC) grant applications supporting additional staff to handle domestic violence and related cases. These grants have been part of a renewable grant program with CY13 and CY21 being the years for competitive renewal.

2. In CY10, CY11, CY12, and CY13, the grant funds were used for one Senior Probation Officer and one Probation Officer each devoting half their time to supervise domestic violence offenders and one Clerk position in the Clerk of Courts Office to handle domestic violence related case processing along with limited training funds.

3. On June 2, 2013, the Mayor and Commission (M&C) approved the submission of a grant proposal by Superior Court for CY14, which was ultimately unsuccessful.

4. On December 9, 2013, Superior Court submitted a written appeal to the CJCC for the funds.

5. On January 7, 2014, the M&C approved use of General Funds for the continuation of one full-time equivalent authorized position for Superior Court Probation Services and one full-time authorized position for the Clerk of Superior and State Courts to staff the Athens-Clarke County Domestic Violence Intervention Program for the remainder of FY14.

6. On March 13, 2014, a subsequent appeal to the CJCC proved successful and $70,000 was awarded to the Superior Court and Clerk of Courts for CY14, making Superior Court eligible for grant renewal. The appropriation approved on January 7, 2014 was returned to the General Fund.

7. In CY2016, CY2017, CY2018, CY2019, and CY2020 the S.T.O.P. VAWA grant was received as a continuation award.

8. In the 2015 Georgia legislative session, HB 452 changed the name of the Protective Order Registry (O.C.G.A 19-13-50) from Family Violence Protective Order Registry to Protective Order Registry and amended the statute so that criminal family violence orders, including stay-away orders in bond or probation conditions, could be entered into the Registry. The Protective Order Registry is maintained by the Georgia Crime Information Center, which links to the National Crime Information Center.

9. In October 2020, CJCC released a competitive grant application for VAWA 2021. On October 30, 2020, the M&C approved the submission of the VAWA application. ACCGov was successful in the grant application and received funds for 2021. The funds were used for one Clerk position in the Clerk of Courts Office to handle domestic violence related case processing along with limited training funds. Due to Covid, CY2021 did not require a match.

10. In November 2021, CJCC released the CY22 (2nd) continuation cycle where the Clerk of Courts applied for and was approved funding. No match was required. In November 2022, CJCC released the CY23 (3rd and last) continuation cycle where the Clerk of Courts applied and received funding once again. In CY23 a 25% match was required.

11. In October 2023, CJCC released the CY24 competitive grant application.

12. In December 2024, CJCC released the CY25 continuation grant application. This year will also require a 25% match.

FACTS & ISSUES:

1. The S.T.O.P. Violence Against Women Act (VAWA) Grant Program provides financial assistance to states to develop and strengthen effective law enforcement and prosecution strategies to respond to crimes of violence against women including domestic violence, dating violence, sexual assault, and stalking, and to support and expand victim assistance programs serving victims of violence against women. The S.T.O.P. VAWA Grant Program is administered in the State of Georgia by the Criminal Justice Coordinating Council and promotes a coordinated, multidisciplinary approach to improve the criminal justice system's response to violent crimes against women.

2. The S.T.O.P. Violence Against Women Act (VAWA) program supports several federally-mandated priorities including, but not limited to, improving law enforcement responses; sustaining the number of and enhancing the knowledge of prosecuting attorneys committed to the prosecution of domestic violence, sexual assault, stalking, and dating violence; identifying effective court policies and procedures; and developing culturally sensitive approaches.

3. The Clerk of Superior and State Court proposes to use the CY25 grant to pay for the continuation of one Clerk position in the Clerk of Superior and State Courts Office. There is a sufficient caseload of domestic violence, in addition to orders issued by a judge on a criminal case which prohibits contact to support the continuation of the position. The CY25 grant will enable more efficient processing of these cases from filing to disposition and more assistance to the public with the filing of temporary protective orders. In addition to the civil protective orders, this position will also process and transmit all criminal protective orders in a timely manner.

4. To enhance the safety of victims, Georgia's law enforcement officers, prosecuting attorneys and judges can access protective orders issued by the courts of this state and foreign courts 24 hours of the day, 7 days of the week through the GBI's Georgia Protective Order Registry. The Clerks of Superior Court are responsible for indexing the required data, electronically scanning the orders, and attaching the images of the orders to the indexed data. This position is responsible for ensuring all civil and criminal protective orders are entered into the Registry within 24 hours.

5. The Georgia Protective Order Registry is an online service that stores all Protective Orders issued by the Superior Courts of Georgia as authorized by the Family Violence statutes of the state. Senate Bill 57 mandated that the Registry be made part of the Georgia Crime Information Center (GCIC) system in Georgia, and that the Georgia Superior Court Clerks'

Cooperative Authority work with GCIC to obtain the Protective Order data issued by the courts. Having a dedicated grant-funded position ensures the Clerk's Office complies with transmitting and indexing of all protective orders issued by a Superior Court judge. Orders are required to be transmitted by the end of the next business day after being issued.

6. In CY24, there were 372 petitions for civil protective orders filed with the Clerk of Superior and State Court. Of the 372 petitions filed, 304 were granted by a Superior Court judge. There were also a total of 929 criminal protective orders that were electronically transmitted to the registry. Additionally, any modifications or dismissals must also be transmitted to the Registry.

7. The CY25 S.T.O.P. VAWA grant requires at least a 25% local match either with in-kind or cash contributions. Staff proposes that the grant cover approximately $55,000 of the direct salary and benefits costs of the position and that the ACCGov local match cover approximately $20,000 of the position's supervisor costs. The local match is already in the FY25 approved budget.

8. Subject to annual federal appropriations and CJCC allocations, this grant may be renewed annually up to a total of four years. This will be the second year of the grant.

9. The grant is effective in January 2025, subject to being awarded of the grant. The grant does not require ACCGov to fund the positions or activities beyond the grant term. In the past, the M&C approved continuation of the position using General Fund resources should the grant not be renewed/received.

10. The S.T.O.P. VAWA Grant program addresses the goal of Superior Court to provide responsive, equitable, and humane public safety services, including judicial operations, through community collaboration. It allows the continuance of the Domestic Violence Prevention Program, which seeks to enhance diversion and offender community re-entry.

11. These recommendations support the following Mayor and Commission Strategic Plan Goals, Strategies, and Initiatives:

    - Goal Area 1: Good Neighbors
        - F: Examine, understand, and improve public safety policies and processes to enhance public trust
    - Goal Area 2: Identify and Close Gaps In Partnership with the Community
        - D: Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, nonprofit capacity building, and problem solving with connected community partners.

OPTIONS:

1. Mayor and Commission:
   a. Approve the Clerk of Superior Court's Criminal Justice Coordinating Council Continuation Grant (CJCC) application for, and if awarded, acceptance of S.T.O.P. Violence Against Women (VAWA) grant funds in the amount of $55,000 to fund for calendar year (CY) 2025:
      i. one authorized full-time Clerk position in the Clerk of Courts Office;

   b. Adopt a budget amendment **(Attachment #1)** for the CJCC Grant; and

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

2. Mayor and Commission deny acceptance of the VAWA Grant for CY25, estimated to be $55,000 from the CJCC and $20,000 in local funds, and Mayor and Commission commit to approve general fund resources to continue funding for one authorized full-time Clerk position in the Clerk of Courts Office, should the Mayor and Commission deny acceptance or the VAWA grant is not be renewed in CY25.

3. Mayor and Commission defined option.

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

DEPARTMENT:
Prepared by: Elisa Zarate



Elisa Zarate — Date: 01/14/2025

ADMINISTRATIVE COMMENTS:

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



Brad Griffin, Acting Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment #1: Budget Ordinance

Attachment #1

AN ORDINANCE TO AMEND THE FY2025 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE ENVIRONMENTAL PROTECTION DIVISION OF THE GEORGIA DEPARTMENT OF NATURAL RESOURCES FY25 RECYCLING AND WASTE DIVERSION GRANT FOR PROCUREMENT OF PROCESSING EQUIPMENT TO OPERATE THE RECOVERED MATERIALS PROCESSING FACILITY; 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 Grants Special Revenue Fund to provide grant funding from the Environmental Protection Division of the Georgia Department of Natural Resources FY25 Recycling and Waste Diversion Grant for procurement of processing equipment to operate the Recovered Materials Processing Facility. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
State Grant - Operating	$500,000
EXPENDITURES:	
Increase:	
Solid Waste Department	
Capital Expenses	$500,000

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

Attachment #2

AN ORDINANCE TO AMEND THE FY2025 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE U. S. ENVIRONMENTAL PROTECTION AGENCY SOLID WASTE INFRASTRUCTURE FOR RECYCLING GRANT FOR PROCUREMENT OF PROCESSING EQUIPMENT TO OPERATE THE RECOVERED MATERIALS PROCESSING FACILITY; 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 Grants Special Revenue Fund to provide grant funding, if awarded, from the U. S. Environmental Protection Agency Solid Waste Infrastructure for Recycling Grant for procurement of processing equipment to operate the Recovered Materials Processing Facility. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
Federal Grant - Operating	$5,000,000
EXPENDITURES:	
Increase:	
Solid Waste Department	
Capital Expenses	$5,000,000

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: SPLOST 2020 Project 26, Recovered Material Processing & Reuse Facility Project, Request for Federal and State Grant Funding Approval

DATE: January 21, 2025

EXECUTIVE SUMMARY:
In order to support the completion of the SPLOST 2020 Project 26, Recovered Material Processing & Reuse Facility Project, this agenda reports seeks approval of submission of applications for EPA Solid Waste Infrastructure for Recycling (SWIFR) and Georgia EPD grants, and acceptance, if awarded, to fund the equipment in the SPLOST funded Recovered Material Processing Facility.

BUDGET INFORMATION:

REVENUES:

$ 8,285,900	SPLOST 2020 Project 26 Recovered Material Processing & Reuse Facilities (FY24-FY27)
$ 5,000,000	Applied EPA Solid Waste Infrastructure for Recycling Grant
$ 500,000	Awarded Georgia EPD
$ 13,785,900	If all Grants Awarded, Total Revenue

EXPENSES:

$ 400,377	Expensed or Encumbered
$ 380,849	Designated Misc./PM Fees/ Testing Permitting
$ 51,000	Designated Public Art
$ 428,334	Designated Furniture, Fixtures, & Equipment (FF&E)
$ 800,000	Designated Construction Contingency
$ 6,225,000	Designated Building Facility Construction
$ 5,500,000	To be Available for Material Processing Equipment, if awarded

FUNDING SOURCE: SPLOST, EPA and EPD Grants

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request that the Mayor & Commission:

a. Approve the application of and accept Georgia Environmental Protection Division grant funding, if awarded, for procurement of processing equipment to operate the new ACCGov Recovered Materials Processing Facility (RMPF);

b. Approve the application of and accept United States Environmental Protection Agency grant funding, if awarded, for procurement of processing equipment to operate the new ACCGov Recovered Materials Processing Facility (RMPF);

c. Adopt the associated budget ordinances (**Attachments #1 and #2**); and

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

HISTORY:

1. On September 15, 1994, the ACCGov entered into a Construction & Operation Contract with Resource Recovery Systems (RRS) for construction and operation of a Recovered Materials Processing Facility (RMPF) located at 699 Hancock Industrial Way. The RMPF processes recyclable material collected from ACC residents and businesses and material delivered by private haulers collected within ACC and the surrounding area.

2. On December 19, 2018, staff submitted the SPLOST 2020 proposal for the new RMPF with a total price of $16,181,000.

3. On February 18, 2019, at the request of the SPLOST Advisory Committee (SAC) staff submitted an alternate proposal for $8,463,000. The reduction is cost was based on the assumption that the potential operator would prefund the equipment and ACCGov would provide the building.

4. On June 11, 2019, the SAC presented the Candidate Projects to M&C at a regular scheduled Work Session. That presentation included as part of the SAC's recommendation for the SPLOST 2020 Candidate Projects to include both the new RMPF ($8,463,000) and a new Creative Reuse Facility ($1,104,000) for a total of ($9,567,000). During the work session M&C provided feedback requesting staff to combine the two projects into one and options if additional projects were added to the list and an additional year of funding was added to the program.

5. On June 21, 2019, staff presented a Memo to the Manager's Office outlining potential revisions to meet the M&C defined goals. The revised combined project was recommended with a total cost of $8,900,000, which included the full value for the alternate RMPF project ($8,463,000) and the remaining balance to retrofit the existing MRF to serve as the new Creative Reuse Facility.

6. On July 10, 2019, the M&C held a Special Called Work Session to review the proposed SPLOST 2020 Initial Project Statements and finalize project costs ahead of the vote on Final Projects for the referendum. The M&C did not vote, but consensus was reached

through a Commission-generated spreadsheet, that many project budgets should be reduced to provide available funding to add additional projects to the list. Among those cut, the previously approved combined budget for the RMPF was cut by $445,000 (5.3%), with no change in the project scope.

7. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This Referendum included the Recovered Material Processing Facility (SPLOST 2020 Project 26).

8. On August 26, 2021, RDS-Virginia was awarded the contract for RFP 01023 to provide operational and management services of the current RMPF. As outlined in the original RFP, RDS will competitively purchase some portion of the required processing equipment for the new RMPF on behalf of ACCGov. By contract amendment, that equipment will be returned to ACCGov at the close of the contract term, with operator's incurred costs recouped by higher processing fees or revenue share terms.

9. On October 1, 2021, the operating contract was subsequently updated to reflect changing ownership of the operating company, and ultimately bid out and awarded to current operator RDS Virginia, LLC.

10. On January 2, 2024, M&C approved the Project Concept for the SPLOST 2020 Project 26, new RMPF. The Approved Project Concept was based on the SPLOST 2020 submitted alternate project which includes the equipment being provided by private contractor (RDS) and/or grants.

11. In mid-August 2024, Georgia Environmental Protection Division (EPD) grants were announced, and an application for $750,000 was submitted by the deadline of October 4, 2024.

12. On November 15, 2024, United States Environmental Protection Agency (EPA) grants were announced, with a December 19, 2024 deadline.

13. On December 18, 2024, Solid Waste Department staff applied for $5 million in SWIFR funds.

14. On January 27, 2025, GA EPD notified Solid Waste Department staff of partial grant award of $500,000.

15. On February 4, 2025, M&C Approved the Schematic Design for the SPLOST 2020 Project 26, new RMPF. The Approved Schematic Design was based on the SPLOST 2020 submitted alternate project which includes some equipment being provided by private contractor (RDS) and/or grants.

FACTS & ISSUES:

1. The Initial Project Statement for SPLOST 2020 Project 26, Recovered Material Processing Facility reads as follows:

   Project 26 - Recovered Material Processing Facility: *This project will provide funding for design, construction, and/or equipping of a new Recovered Material Processing Facility (RMPF). The proposed RMPF will be located on the ACC Landfill property and include an approximate 40,000 square feet facility with space for covered material management floors, bale storage to maximize potential revenues from end-markets and modern sorting technology and equipment to better sort incoming tonnage. To the extent permitted by law, the facility is envisioned to be built as a public-private partnership with the Unified Government providing funding for the design and construction of the building, and the private partner providing the facility equipment and operational expense. Depending upon costs and funding availability, this project may also provide for the renovation of the existing Recovered Material Processing Facility (RMPF) at 699 Hancock Industrial Way, once a new facility has been constructed at the ACC landfill. Renovation may include, but not be limited to, providing space for relocating the existing Center for Hard to Recycle Materials (CHaRM), Teacher Reuse Store, Special event collection (Bulky Waste, tire amnesty collection, Chipper Christmas tree collection), and Keep Athens-Clarke County Beautiful Toolshed from their current location at 1005 College Ave. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. The RMPF anchors the Solid Waste Department's efforts to achieve Mayor and Commission's waste reduction goal. Cardboard, most types of paper, and nearly every type of container (plastic, aluminum, steel, glass) can be easily recycled in Athens-Clarke County because of the RMPF.
3. The facility is able to process ~10 tons per hour of recyclable materials, with a typical residue (material delivered to the RMPF, but unable to be captures and sold) rate of approximately 20% (this includes unwanted trash, along with missed recyclable materials.) The ACCGov RMPF processed nearly 14,000 tons of material in 2020.
4. The public-private partnership between ACCGov and the private sector operators has generally worked well over the 30-year life of the RMPF and is in keeping with industry best practices for municipal waste diversion. The partnership results in a revenue sharing model. Starting the second year of operation and continuing through March of 2018, ACCGov received revenue from the partnership. Due to the market for recyclables, between March 2018 and December 2020, ACCGov did not receive any revenue. Solid Waste received some revenues in 2021.

5. The annual operating budget for the RMPF is $315,000. This includes $200,000 to cover processing fees (needed to buffer against volatile commodity prices paid for recovered material); $98,000 for repair and maintenance; $2,000 for repair and service to the building, and $15,000 for landfill disposal costs. These funds are paid from the Solid Waste Department Landfill Enterprise Fund.

6. The RMPF was constructed in 1994 and retrofitted in 2011 to process more material as a commingled 'single-stream' sorting facility, in keeping with modern practices. The industry-standard life expectancy of these facilities averages approximately 15 years. Last year marked the 30th birthday of the ACC Recovered Materials Processing Facility.

7. The SPLOST funds awarded for the project (History #2) was based on the assumption that ACCGov would contract with the Facility Operator to purchase and install the equipment for the new RMPF and ACCGov would provide the building. The purchase of the equipment was to be bought by the RDS as part of the Facility Operations agreement. Over time that equipment will be returned to ACCGov at the close of the contract term, with operator's incurred costs recouped by higher processing fees or revenue share terms.

8. The receiving of grant funds that could be applied to the cost of the equipment will allow ACCGov to paydown the cost of the equipment upfront, thereby reducing the higher processing fees and quickening the payback period. Paying off equipment costs quickly will allow lower tipping fees and a corresponding increase in material processed. Lower fees will lure additional tonnage from outside ACC, further improving operational efficiency.

9. The U.S. Environmental Protection Agency (EPA) created a SWIFR grant program to assist local government waste diversion projects. Solid Waste staff applied for $5 million in SWIFR funds. ACCGov will follow purchasing requirements in using any awarded funds to purchase modern processing equipment for the new RMPF.

10. Additionally, the Department applied for $750,000 in funding from the Ga. Environmental Protection Division's Recycling and Waste Diversion grant program. Further, the Department is pursuing solid waste industry associations and companies that award funding for similar projects. ACCGov will follow purchasing requirements in using any awarded funds to purchase modern processing equipment for the new RMPF.

11. Allow for construction of a building. This work is proceeding on schedule; however, due to reduced SPLOST funding, Solid Waste Department must look to other funding sources to purchase processing equipment.

    - Schematic Design Approval – Dec/Jan 2025 M&C vote
    - Design Documents/Permitting – Winter 2025
    - Start Construction – Winter 2025
    - Project Completion - Winter 2026
    - Equipment procurement – Fall 2025
    - Equipment installation and testing - Winter 2026

12. 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 application of and accept Georgia Environmental Protection Division grant funding, if awarded, for procurement of processing equipment to operate the new ACCGov Recovered Materials Processing Facility (RMPF);

    b. Approve the application of and accept United States Environmental Protection Agency grant funding, if awarded, for procurement of processing equipment to operate the new ACCGov Recovered Materials Processing Facility (RMPF);

    c. Adopt the associated budget ordinances (**Attachments #1 and #2**); and

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

2. Mayor and Commission deny staff's recommendation to approve the acceptance of the grant, if awarded.

3. Mayor and Commission Defined Option.

DEPARTMENT:

Prepared by: Joe Dunlop



Suki Janssen — Date: 1.27.25

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a, b, c and d



Brad Griffin,
Acting Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment #1: Budget Ordinance for EPD Grant
Attachment #2: Budget Ordinance for EPA Grant

Attachment #1

AN ORDINANCE TO AMEND THE FY2025 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE GEORGIA CRIMINAL JUSTICE COORDINATING COUNCIL'S (CJCC) STOP VIOLENCE AGAINST WOMEN ACT (VAWA)COMPETITIVE GRANT PROGRAM FOR CONTINUATION OF ONE DOMESTIC VIOLENCE PROSECUTOR POSITION AND APPROPRIATE TRAINING TO RESPOND TO AND PREVENT CRIMES OF VIOLENCE AGAINST WOMEN; 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 Grants Special Revenue Fund to provide grant funding, if awarded, from the Georgia Criminal Justice Coordinating Council's (CJCC) Stop Violence Against Women Act (VAWA) Competitive Grant Program for continuation of one Domestic Violence Prosecutor position and appropriate training to respond to and prevent crimes of violence against women. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
CJCC STOP VAWA Competitive Grant	$66,097
EXPENDITURES:	
Increase:	
Solicitor's Office	
Personal Services	$66,097

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: S.T.O.P. Violence Against Women Grant – Solicitor General's Office Award for 2025

DATE: February 5, 2025

EXECUTIVE SUMMARY: The Solicitor's Office seeks approval to apply for and accept continued VAWA grant funds in the amount of $66,097 in Federal Funds to support one full time DV Prosecutor salary. The position is divided between tow Assistant Solicitors, one assigned to each Judge's courtroom. Cash match of $22,032 will be satisfied by the remainder of the DV Prosecutors' salaries. These Prosecutors focus on violent misdemeanor offenses, specifically Domestic Violence, Sexual Assault, and Stalking in Athens-Clarke County.

BUDGET INFORMATION:

REVENUES: $88,129 (estimate)

EXPENSES:

ANNUAL:	$66,097	Grant
CAPITAL:	$22,032	Mandatory Match
Total:	$88,129	

FUNDING SOURCE: Georgia Criminal Justice Coordinating Council ($66,097); Cash Match ($22,032) in-kind funds from Athens-Clarke County Solicitor General's Office Operating Budget.

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Solicitor General's submission of a Criminal Justice Coordinating Council (CJCC) grant application for and, if awarded, acceptance of S.T.O.P. Violence Against Women (VAWA) grant funds in the amount of $88,129 to be used to fund one Domestic Violence Prosecutor position for the prosecution of domestic violence cases in calendar year (CY) 2025;

b. Approve the continuation of one full-time authorized position for the Solicitor General's Office specialized domestic violence prosecution in CY25;

c. Approve a budget amendment **(Attachment #1)** for $88,129 for the CJCC Grant. There is a match requirement which will be met by a portion of the salaries of two assistant solicitors; and

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

HISTORY:

1. Each calendar year since CY10, the Solicitor's Office has been awarded VAWA grant funds to fund a Domestic Violence Prosecutor position, now divided between two prosecutors, one assigned to each courtroom. These prosecutors devote 100 percent of their time to the prosecution of domestic violence and other violent offenses in Athens-Clarke County.

2. In subsequent years, the Solicitor General's Office applied for the renewal of the original funds and was awarded funds in the same amount to continue with the proposed project. To maintain a full-time position for a Domestic Violence Prosecutor, the Solicitor General's Office submitted competitive grant applications in new cycles for calendar years 2014 and 2021 and was awarded $70,000 each time.

3. On October 5, 2023, the CJCC released a competitive application for this next grant cycle to begin in CY 2024. ACCGov has applied to receive funds from this solicitation.

4. In 2024, the CJCC awarded the Solicitor General's Office federal funds in the amount of $66,097 with ACCGov providing $22,032 in cash match funding.

5. This application represents a renewal of the funds awarded in 2024, the same amounts $66,097. Again, ACCGov will provide match funding of $22,032 through the salaries of the two prosecutors assigned to the domestic violence caseload. The Solicitor's Office will be eligible to apply for renewal again for 2026, after which we would expect another competitive cycle.

FACTS & ISSUES:

1. The S.T.O.P. Violence Against Women Act (VAWA) Grant Program provides financial assistance to states to develop and strengthen effective law enforcement and prosecution strategies to respond to crimes of violence against women, including domestic violence, dating violence, sexual assault, and stalking, as well as to support and expand victim assistance programs serving victims of violence against women. The S.T.O.P. VAWA Grant Program is administered in the State of Georgia by the Criminal Justice Coordinating Council and promotes a coordinated, multidisciplinary approach to improve the criminal justice system's response to violent crimes against women.

2. The S.T.O.P. VAWA program supports several priorities including:

    - improving law enforcement responses;
    - sustaining the number of and enhancing the knowledge of prosecuting attorneys committed to the prosecution of domestic violence, sexual assault, stalking and dating violence;

- supporting a team approach to prosecution among other criminal justice system teams;
- identifying effective court policies and procedures; and
- developing culturally sensitive approaches.

3. The Solicitor General's Office proposes to continue funding the existing Domestic Violence Prosecutor position through this grant funding and to enable victim focused and specific training for the prosecution team. The Solicitor General recognizes the need to devote special attention to domestic violence, sexual assault, stalking, dating violence, and violations of protective order cases because of their often complicated and dangerous nature.

4. This application represents a renewal of the funds awarded in 2024, for the same amounts $66,097. Again, ACCGov will provide match funding of $22,032 through the salaries of the two prosecutors assigned to the domestic violence caseload. The Solicitor's Office will be eligible to apply for renewal again for 2026, after which we would expect another competitive cycle.

5. The success of the project first proposed in 2009 has verified that specialized attention to domestic violence, sexual assault, stalking, and dating violence is essential to meaningful intervention, including measures of offender accountability and treatment, and provide safety assurances and support for victims.

6. An example of the office's specialized efforts is the Fast-Track arraignment program which accelerates the arraignment of offenders who have at least one prior arrest for domestic violence, or are charged with stalking or violation of a protective order. As a result of the Fast-Track program, the average time to disposition for fast-track cases pre-pandemic was 66 days earlier than cases which did not receive an accelerated arraignment date. Due to the sensitive nature of these cases and the additional efforts required to achieve the criminal justice system's intervention goals, it is necessary to designate one prosecutor in each courtroom (one VAWA funded full-time position) to handle only VAWA eligible cases.

7. With the increasing misdemeanour caseload, office staff would be required to distribute domestic violence cases among all the prosecutors and prioritize cases as determined by the court schedule. The VAWA designated prosecutors are afforded additional time to meet personally with victims which also provides opportunities for appropriate victim services referrals and safety discussions. Grant funding may also allow for specialized domestic violence, sexual assault, and stalking training, including national conferences.

8. With continuation of grant funding, the Domestic Violence Prosecutors will be devoted exclusively to domestic violence and stalking cases in order to maximize the office's ability to intervene in a manner that includes accountability for perpetrators and appropriate treatment recommendations while increasing opportunities to communicate with victims, therefore ensuring the safest possible environment for them. The benefits of increased personal contacts with victims include:

- discovering a history of unreported domestic violence behavior;
- substance abuse concerns;
- potential negative impact on children;
- the desired outcome of the case from the victim's perspective; and
- overall increased comfort level of the victim to effectively work with the prosecutor.

9. Information gained from these increased personal contacts with victims is important to the Domestic Violence Prosecutors because it will be used to fashion a sentence that will be the most beneficial to the victim and include both accountability and treatment, and provide access to support, services, and safety assurances for the victim.

10. Additionally, with this application, in addition to continuing core services, the Domestic Violence Prosecutors will participate in a collaborative effort with community partners at the Athens-Clarke County Police Department, Project Safe, Family Counselling services, Clarke County. This innovative practice provides a vehicle for communication across disciplines as well as an audit of our community's DV response system and will highlight gaps in services. The team will provide ongoing monitoring of high-risk offenders in efforts to reduce the risk of intimate partner homicide and near lethal assault. We plan to form a cohesive response to our most serious cases, working to provide safety resources and offender accountability.

11. The grant requires a 25% local match, either with in-kind or cash contributions. The Solicitor General intends to meet this match by using a percentage of the total compensation of the DV prosecutors as the in-kind match.

12. The grant is effective in January 2025, although the application deadline was January 30, 2025. The grant does not require ACCGov to fund the positions or activities beyond the grant term. Subject to federal VAWA appropriations and allocations by the CJCC, the Solicitor's Office plans to apply for the competitive grant funding in 2026.

13. The S.T.O.P. VAWA Grant program forwards the goal of the Solicitor General's Office to provide responsive, equitable, and humane public safety services, including judicial operations, through community collaboration. It allows the continuance of the Domestic Violence Prevention Program, which seeks to enhance diversion and offender community re-entry.

14. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:

    Good Neighbors Goal, Strategy A: Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community.

OPTIONS:

1. Mayor and Commission

    a. Approve the Solicitor General's submission of a Criminal Justice Coordinating Council (CJCC) renewal grant application for and, if awarded, acceptance of S.T.O.P. Violence

Against Women (VAWA) grant funds in the amount of $66,097 to be used to fund one Domestic Violence Prosecutor position for the prosecution of domestic violence cases in calendar year (CY) 2025 and for appropriate training and travel funds;

b. Approve the continuation of one full-time authorized position for the Solicitor General's Office specialized domestic violence prosecution in CY25;

c. Approve a budget amendment **(Attachment #1)** for $66,097 for the CJCC Grant.; and

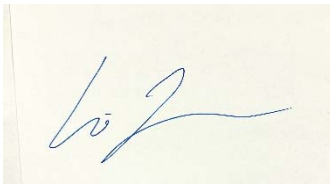
d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission do not approve the Solicitor General's submission of a CJCC grant application in the amount of $66,097 to be used to fund one Domestic Violence Prosecutor position and appropriate training for the team to respond to violence against women.

3. Mayor and Commission directed option.

DEPARTMENT RECOMMENDED ACTION: Options 1 a, b, c, d, & e

DEPARTMENT: Solicitor-General's Office
Prepared by: Amelia Addison Rushton



Will Fleenor — Date: 2/10/25

ADMINISTRATIVE COMMENTS:

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



Brad Griffin,
Acting Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment 1: Budget amendment

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, TO APPROVE A PLAN FOR THE PERIODIC RECAPTURE OF UNSPENT ARPA FUNDS FOLLOWING THE ARPA OBLIGATION DEADLINE; AND FOR OTHER PURPOSES.

WHEREAS, on March 11, 2021, the American Rescue Plan Act (Public L. 117-2, hereinafter referred to as "ARPA") was enacted, through which fifty-seven million, five hundred and eight-eight thousand, and eight-hundred and forty-three dollars and 00/100 cents ($57,588,843.00) in funding (the "Prime Award") was allocated to the Unified Government of Athens-Clarke County, Georgia, ("ACCGov") to respond to the public health emergency with respect to the Coronavirus Disease 2019 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; and

WHEREAS, since ACCGov's receipt of the Prime Award, the Mayor and Commission have authorized multiple contracts with subrecipients and vendors to utilize ARPA funds for various purposes authorized by law; and

WHEREAS, all ARPA funds must be obligated by December 31, 2024 (the "Obligation Deadline"), and must be expended by December 31, 2026 (the "Expenditure Deadline") in order to avoid ACCGov having to return unobligated or unexpended ARPA funds to the U.S. Department of the Treasury; and

WHEREAS, there is reason to believe that some subrecipients and/or vendors may not currently be on track to expend the entire amount of ARPA funds obligated to them by the Expenditure Deadline; and

WHEREAS, to avoid having to return unexpended funds, ACCGov may recapture certain unexpended funds from subrecipients and/or vendors who appear unlikely to be able to use said funds by the Expenditure Deadline and then may re-obligate said funds following the Obligation Deadline under certain circumstances; and

WHEREAS, the Mayor and Commission wish to adopt a uniform and defined plan to authorize the periodic recapture of ARPA funds that are at risk for not being expended by the Expenditure Deadline;

NOW, THEREFORE, BE IT RESOLVED THAT the Commission does hereby adopt the ARPA Funding Recapture Plan, attached hereto as **Exhibit "A"** and incorporated herein by reference.

BE IT FURTHER RESOLVED the Commission 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 Resolution; and,

BE IT FURTHER RESOLVED that in the event scrivener's errors shall be discovered in this Resolution or in the Exhibit attached hereto after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution; and,

BE IT FURTHER RESOLVED the Commission grants the Mayor and the County Attorney the authority to take any and all further actions necessary to carry out the intents and purposes of this Resolution; and,

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 _____, 2024.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

Attest: _____
Clerk of Commission

(SEAL)

EXHIBIT "A"

For ARPA projects contracted in 2023:

- **As of January 1, 2025 (Q1)**: For ARPA projects that have not expended 25% of their approved budget by the end of Quarter 1 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2025 and Voting session would occur in March 2025. If approved, HCD will terminate the contract effective April 2025 for immediate reallocation.
- **As of July 1, 2025 (Q2)**: For ARPA projects that have not expended 50% of their approved budget by the end of Quarter 2 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in August 2025 and Voting session would occur in September 2025. If approved, HCD will terminate the contract effective October 2025 for immediate reallocation.
- **As of January 1, 2026 (Q3)**: For ARPA projects that have not expended 75% of their approved budget by the end of Quarter 3 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2026 and Voting session would occur in March 2026. If approved, HCD will terminate the contract effective April 2026 for immediate reallocation.

For ARPA projects contracted in 2024:

- **As of July 1, 2025 (Q1)**: For ARPA projects that have not expended 25% of their approved budget by the end of Quarter 1 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in August 2025 and Voting session would occur in September 2025. If approved, HCD will terminate the contract effective October 2025 for immediate reallocation.
- **As of January 1, 2026 (Q2)**: For ARPA projects that have not expended 50% of their approved budget by the end of Quarter 2 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2026 and Voting session would occur in March 2026. If approved, HCD will terminate the contract effective April 2026 for immediate reallocation.
- **As of July 1, 2026 (Q3)**: For ARPA projects that have not expended 75% of their approved budget by the end of Quarter 3 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in August 2026 and Voting session would occur in September 2026. If approved, HCD will terminate the contract effective October 2026 for immediate reallocation.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: ARPA Funding Recapture: Athens Land Trust and East Athens Development Corporation

DATE: January 21, 2025

EXECUTIVE SUMMARY:
Per M&C resolution passed on 10/1/2024, staff requests the M&C determine consider whether to recapture and reallocate unspent ARPA funds previously awarded to Athens Land Trust (ALT) and East Athens Development Corporation (EADC) for the development of new AH units.

BUDGET INFORMATION:
REVENUES:

$ 15,007,216	Total M&C allocation of ARPA SLFRF funding toward affordable housing activities (includes N. Downtown redevelopment, Phase 1 Housing, AJMP Affordable Housing Preservation and Down Payment Assistance)

ARPA FUNDING AWARDED TO AGENCIES SUBJECT TO RECAPTURE THROUGH THIS AGENDA REPORT:

$ 2,750,000	Athens Land Trust, New Construction, construction of 2 for-sale units
$ 800,000	East Athens Development Corporation, construction of 2 rental units & programming
$ 3,550,000	Total awarded to and contracted with agencies

ARPA FUNDING AVAILABLE FOR RECAPTURE AND REALLOCATION THROUGH THIS AGENDA REPORT (BASED ON EXPENDITURES REPORTED AS OF 1/21/25):

$ 2,642,349.16	Available for recapture from ARPA Phase 1 Affordable Housing contracted amount for Athens Land Trust New Construction
$ 713,024.87	Available for recapture from ARPA Phase 1 Affordable Housing contracted amount for East Athens Development Corporation
$ 3,355,374.03	Total available for recapture and reallocation

FUNDING SOURCE: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF)

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request Mayor and Commission (M&C) consider approval to recapture ARPA funds from 2023 projects that have not met the 25% expenditure requirement as of January 1, 2025.

a. Approve recapture of up to $2,642,349.16 of ARPA funding previously contracted to Athens Land Trust for the development of 10 homebuyer affordable housing units, as outlined on **Attachment #1;** and

b. Approve recapture of up to $713,024.87) of ARPA funding previously contracted to East Athens Development Corporation for the development of 2 affordable rental housing units, as outlined on **Attachment #1;** and

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

HISTORY:

1. On March 11, 2020, the World Health Organization declared COVID-19 a global pandemic.

2. On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The $1.9 trillion package is intended to combat the COVID-19 pandemic by stabilizing state and local government operations, households, and small businesses.

3. In mid-March 2021, ACCGov was granted $57.6 million of ARPA Coronavirus State and Local Fiscal Recovery Funds (SLFRF) funding to allocate across defined categories by virtue of being both a city and a county.

4. On January 6, 2022, the U.S. Department of the Treasury released the Final Guidance for ARPA SLFRF.

5. On March 1, 2022, the Mayor and Commission approved a budget allocating ARPA State and Local Recovery Funds to various programs including a budget of $11,000,000 for Affordable Housing. This action included a strategic planning process, followed by an RFP, and the associated timeline. The M&C also designated the existing Georgia Initiative for Community Housing (GICH) Committee as the advisory committee for the affordable housing allocation.

6. On March 17, 2022, the ARPA Affordable Housing Advisory Committee (AHAC) met for the first time. At that meeting, the AHAC noted the importance of providing funding to housing partners in an expedited manner. Subsequently, the AHAC made a motion to recommend the M&C carve out $7M from the overall $11M Affordable Housing budget for a Phase I RFP that would be released immediately for long lead time projects.

7. On April 14, 2022, the AHAC met to develop a project concept for a Phase I allocation in support of affordable housing. On April 15, 2022, ACCGov released a Request for Proposals (RFP) for the Housing Affordability Investment Strategy. This plan will serve as the strategic plan that will inform future investments to promote affordable housing.

8. On April 21, 2022, the AHAC convened to review a project concept and timeline for a Phase I allocation in support of affordable housing.

9. On May 10, 2022, at a regularly scheduled M&C work session, Rick Parker of the Athens Housing Authority and on behalf of the North Downtown Athens Redevelopment partnership, gave a presentation outlining the recent gap in financing for the North Athens Redevelopment Project and an ask of ACCGov to provide an additional $5.2M in funding to allow the project to proceed as envisioned.

10. On May 17, 2022, the AHAC met to discuss the Request for Proposal (RFP) process for ARPA funding related to affordable housing development. The Committee made a recommendation to the M&C to "set aside up to $3M for the North Downtown Athens SPLOST project and to use the remaining funds from the $7M total carve out for an expedited RFP process that would culminate in a December 2022 M&C vote on project funding." The Committee also recommended that any of the unused portions of the $3 million set aside be returned to the Phase I allocation in support of affordable housing, should it not be needed for the North Downtown Athens Redevelopment Project.

11. On May 17, 2022, the M&C approved a concept to fund a portion of the $13.7 million funding deficit for the North Downtown Athens Redevelopment Project. $1,733,334 of this balance was designated from the ARPA Affordable Housing allocation.

12. On June 7, 2022, the M&C approved project concept and timeline for Affordable Housing Phase 1. This project concept designated HCD's Vision Committee to provide feedback on received proposals from the RFP.

13. On June 24, 2022, a two-step Request for Proposals (RFP) was released to non-profit and for-profit entities to provide solutions to lack of adequate affordable housing in ACC.

14. Between June 27 and July 22, 2022, HCD offered technical assistance to interested parties, including a pre-proposal meeting (July 7, 2022). On July 26, 2022, HCD released a Q&A Addendum to address questions received from agencies.

15. On July 29, 2022 at 4:00 p.m., the RFP closed for proposals. Eleven preliminary proposals from 9 entities totaling approximately $20MM were received.

16. Between July 30, 2022, and September 15, 2022, HCD provided technical assistance to entities who submitted a preliminary proposal.

17. On August 2, 2022, M&C approved HR&A Advisors to develop the Housing Affordability Investment Strategy.

18. On September 16, 2022, HCD received nine final proposals for the Affordable Housing Phase 1 funds. These were submitted by seven entities and totaled $14,394,344.

19. Between September 16 and November 16, 2022, the RFP Review Team evaluated proposals, gathered input from HCD's Vision Advisory Committee (including an in-person meeting on November 7, 2022), and finalized recommendations for contract awards.

20. On October 13, 2022, HCD opened a $10,000 purchase order with Carothers and Mitchell to provide outside legal counsel in support of the ARPA Affordable Housing initiative. Specifically, Carothers and Mitchell will help to develop the ARPA Affordable Housing contracts, to develop related deed restrictions and liens, and to conduct the due diligences needed to implement deed restrictions to protect affordable housing investments, as required by the U.S. Treasury.

21. On November 15, 2022, and under suspension of rules, the M&C allocated an additional $4 million from the ARPA Affordable Housing allocation to support funding shortfalls for the North Downtown Athens Redevelopment Project.

22. On December 13, 2022, under suspension of rules, the M&C unanimously approved staff's ARPA Phase 1 Affordable Housing Phase contracts and the adoption of associated ordinances as per Mayor defined option

Agency	**Award**
a. Acceptance Recovery Center (ARC), Prince Ave. repair & weatherization	$250,000
b. Athens Area Habitat for Humanity (AAHH), Micah's Creek new construction	$1,500,000
c. Athens Community Council on Aging, (ACCA) repair & weatherization	$415,000
d. Athens Land Trust (ALT), new construction	$2,750,000
e. Athens Land Trust (ALT), repair & weatherization	$415,000
f. East Athens Development Corporation (EADC), new construction & housing counseling program	$800,000

23. Between December 2022 and October 2023, HCD staff worked closely with the ACCGov Attorney's Office and external counsel, ACCGov Safety & Risk department, and agencies awarded ARPA Phase 1 Affordable Housing funding (History #22) to finalize contractual language and secure adequate insurance documentation.

24. Between August and November 2023, the six ARPA Phase 1 Affordable Housing contracts were fully executed (History #22). Upon execution, staff directed agencies to begin submitting expenditure reports dating back to the beginning of their program period.

Agency	**Date of Contract Execution**
a. ARC, Prince Avenue property repair & weatherization	November 2, 2023
b. AAHH, Micah's Creek new construction	October 3, 2023
c. ACCA, repair & weatherization	August 21, 2023
d. ALT, new construction	October 25, 2023
e. ALT, repair & weatherization	October 3, 2023

f. EADC, new construction & housing counseling program	December 6, 2023

25. On October 3, 2023, after completion of comprehensive advisory committee meetings, public input sessions and an August 10, 2023 M&C Work Session, the Affordable Housing Investment Strategy was accepted by the M&C through a Commission Defined Option.

26. On December 8, 2023, Athens Area Habitat for Humanity (Habitat) submitted a request to amend its Scope of Work for the approved Micah's Creek ARPA Phase I AH contract.

27. On February 19, 2024, HCD received complete amendment request documentation from Habitat for submission to M&C for consideration.

28. On April 2, 2024, during a Regular Voting Session, the M&C:
    a. Approved the revised Scope of Work, Project Timeline, Budget and Equity Assessment to completely replace Exhibit A of the original contract between ACCGov and Athens Area Habitat for Humanity so the agency may:
        - Expand service to housing units located within the Gaines Elementary School area instead of limited to units directly within the proposed Micah's Creek development area;
        - Begin immediate development of five infill lots located within 1.2 miles of Micah's Creek that are already prepared for construction and don't require infrastructure development; and
        - Ensure five families currently earning sweat equity and pre-approved for homebuyer units aren't delayed in gaining homeownership due to development timeline of housing directly within the Micah's Creek project area.
    b. Authorized the Mayor and appropriate staff to execute the necessary documentation related to this approval.

29. On October 1, 2024, during a Regular Voting Session, the M&C adopted a Resolution Approving Plan for the periodic recapture of unspent ARPA funds following the ARPA obligation deadline (December 31, 2024) and for other purposes (Fact & Issue #5; **Attachment #4**).

30. On October 3, 2024, the Housing & Community Development Department (HCD) Department sent a letter to subrecipients of ARPA funding administered by HCD to inform them of the M&C's approval of the resolution to periodically recapture unspent ARPA funds (History #29).

31. Between October 3 and December 31, 2024, HCD worked closely with ARPA subrecipients, the Manager's Office and the Attorney's Office to execute amendments to 18 previously-executed ARPA contracts to include recapture language. HCD also ensured that recapture language was incorporated into 3 ARPA contracts that had not yet been executed. See **Attachment #5** for a status overview of these contracts, including dates of amendment execution.

32. Between October and December 2024, HCD staff continued to provide comprehensive technical assistance to its ARPA subrecipients to ensure timely and accurate submission of expenditure and performance reports (Fact & Issue #6), including to Athens Land Trust and East Athens Development Corporation (**Attachment #1**).

33. On January 2, 2025, Athens Land Trust submitted an Action Plan to meet an expenditure deadline of 50% of all awarded funds ($1,233,080.03) by June 30, 2025 and continue to remain in compliance with recapture provisions of their amended contract (History #29 and #31, **Attachment #2).**

34. On January 16, 2024, EADC submitted an Action Plan to meet to meet an expenditure deadline of 50% of all awarded funds ($400,000) by June 30, 2025 and continue to remain in compliance with recapture provisions of their amended contract (History #29 and #31, **Attachment #3).**

FACTS & ISSUES:

1. The U.S. Treasury Department requires that ARPA SLFRF funds be obligated and contracted by December 31, 2024 and spent by December 31, 2026.

1. At their first meeting for ARPA funding (History #10), the AHAC stated that many housing projects involve long lead time activities such as land acquisition, construction, and partnerships to secure affordable housing tax credits. The committee felt there was a risk that these projects could not be implemented in a manner that meets the Treasury Department deadlines if the Housing Affordability Investment Strategy must be developed first. This discussion subsequently resulted in the AHAC recommending the M&C consider a Phase I allocation of $7M for affordable housing projects that could be implemented before the Housing Affordability Investment Strategy was completed.

2. At subsequent meetings, the AHAC approved a recommended Phase I project concept and timeline for the M&C to consider. The original timeline would have resulted in the first affordable housing projects being considered at the December 2022 M&C voting meeting.

3. The ARPA Affordable Housing-Phase 1 RFP was open to for-profit developer or a public or private non-profit entity, incorporated by or licensed in the State of Georgia. It focused on four project categories:
    a. New construction of affordable housing projects (min. request $500,000)
    b. Major or minor rehabilitation projects on dwellings assisting lower income households (min. request $250,000)
    c. Home repair and weatherization projects on dwellings assisting lower income households (min. request $250,000)
    d. Affordable housing assistance programs in support of development projects (categories 1-3).

4. The RFP further emphasized and/or prioritized proposals that:
    a. Focused on new housing creation and preservation of existing affordable stock.
    b. Complied with all applicable federal, state and local building and health codes, as well as ACCGov design standards.
    c. Were "shovel-ready" and feasible
    d. Aligned with existing recommendations from the GICH Report, Envision Athens Agenda, Workforce Housing Study, Comprehensive Plan, or ACCGov Strategic Plan
    e. Were situated within the Neighborhood Revitalization Strategy Areas (census tracts 6, 9, 301, and 302)
    f. Were capped to serve individuals at 80% AMI in Qualified Census Tracts or 65% AMI elsewhere
    g. Met HUD HOME Homeownership Value Limits or HUD HOME Low Rent Limits for Athens-Clarke County.
    h. Leverage external resources
    i. Emphasized diversity, equity and inclusion practices.

5. The Resolution to Approve a Plan for the Periodic Recapture of Unspent ARPA Funds Following the ARPA Obligation Deadline adopted by M&C on October 1, 2024 (History #29) provides that:

    For ARPA projects contracted in 2023:

    - **As of January 1, 2025 (Q1)**: For ARPA projects that have not expended 25% of their approved budget by the end of Quarter 1 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2025 and Voting session would occur in March 2025. If approved, HCD will terminate the contract effective April 2025 for immediate reallocation.
    - **As of July 1, 2025 (Q2)**: For ARPA projects that have not expended 50% of their approved budget by the end of Quarter 2 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in August 2025 and Voting session would occur in September 2025. If approved, HCD will terminate the contract effective October 2025 for immediate reallocation.
    - **As of January 1, 2026 (Q3)**: For ARPA projects that have not expended 75% of their approved budget by the end of Quarter 3 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2026 and Voting session would occur in March 2026. If approved, HCD will terminate the contract effective April 2026 for immediate reallocation.

    For ARPA projects contracted in 2024:

    - **As of July 1, 2025 (Q1):** For ARPA projects that have not expended 25% of their approved budget by the end of Quarter 1 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and

Commission for approval. Agenda setting session would occur in August 2025 and Voting session would occur in September 2025. If approved, HCD will terminate the contract effective October 2025 for immediate reallocation.

- **As of January 1, 2026 (Q2):** For ARPA projects that have not expended 50% of their approved budget by the end of Quarter 2 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in February 2026 and Voting session would occur in March 2026. If approved, HCD will terminate the contract effective April 2026 for immediate reallocation.
- **As of July 1, 2026 (Q3):** For ARPA projects that have not expended 75% of their approved budget by the end of Quarter 3 of 2025-2026, HCD will notify agency/agencies of its intent to propose contract termination and will draft an agenda to present to Mayor and Commission for approval. Agenda setting session would occur in August 2026 and Voting session would occur in September 2026. If approved, HCD will terminate the contract effective October 2026 for immediate reallocation.

6. **Attachment #5** lists all active ARPA contracts administered by HCD, the date on which recapture will be considered, and status of expenditures and performance as of 1/15/2025.

7. Per guidance from The US Treasury Department and based on federal regulations governing ARPA funding, ACCGov can re-obligate unspent ARPA funds by using one of three strategies:
   a. Option 1: Amend Existing ARPA Contracts to Authorize the Use of Unspent Funds. ACCGov may, (a) authorize a change order to cover the increased costs of an existing ARPA-funded project with unspent ARPA funds; or (b) amend existing ARPA contracts to reprogram unspent ARPA funds so long as "the amended contract is within substantially the same scope and for substantially the same purpose as the contract that was incurred by December 31, 2024." (ARPA FAQ 17.16, p. 102).
   b. Option 2: Authorize Replacement Contracts for Substantially the Same Purpose. The "replacement contract" must be with an already existing or an entirely new vendor so long as the "the replacement contract or subaward [is] within substantially the same scope and for substantially the same purpose as the contract that was entered into by December 31, 2024." (ARPA FAQ 17.17, p. 103).
   c. Option 3: Reclassify Unspent ARPA funds for Use in a Different Eligible Project that has Already Been Obligated. This option is available so long as the (A) the project is eligible to receive ARPA/SLFRF funds and (B) the original funds for the project were obligated prior to December 31, 2024 (ARPA FAQ 17.19, p. 104).

8. Since contract execution and to date, HCD staff has provided extensive and comprehensive technical assistance to all ARPA Phase 1 Affordable Housing subrecipients (including ALT and EADC, as outlined in **Attachment #1**) to help ensure adherence to contracted scope of work, timelines and budget. Technical assistance was provided over the phone, via email and during in-person meetings.

9. As outlined in **Attachment #1**, ALT and EADC have experienced several challenges that impacted their ability to meet the January 1, 2025 deadline to expend at least 25% of their award.

10. Besides the ALT and EADC contracts for development of new affordable housing units, all other agencies with ARPA contracts executed in 2023 (and therefore subject to Q1 Recapture Deadline) expended at least 25% of their contract award by the January 1, 2025 deadline (see **Attachment #5** for more details, and performance status report)**.**

Agency	**Award**	**% Spent as of 1/15/25**
Met First Expenditure Deadline		
a. Acceptance Recovery Center (ARC), Prince Ave. repair & weatherization	$250,000	83%
b. Athens Area Habitat for Humanity (AAHH), Micah's Creek new construction	$1,500,000	33%
c. Athens Community Council on Aging, (ACCA) repair & weatherization	$415,000	35%
d. Athens Land Trust (ALT), repair & weatherization	$415,000	82%
e. Boys & Girls Clubs of Athens (BGCA), youth development & violence prevention activities	$3,175,000	40%
Did not Meet First Expenditure Deadline		
f. Athens Land Trust (ALT), new construction	$2,750,000	4%
g. East Athens Development Corporation (EADC), new construction & housing counseling program	$800,000	11%

11. Athens Land Trust and East Athens Development Corporation have submitted action plans to defend their ability to expend enough funds by the next scheduled review period (Quarter 2 on July 1, 2025) to bring their respective programs into compliance.

12. This agenda meets the following ACCGov Strategic Plan Goals, Strategies, and/or initiatives:
    a. Strategy 4A: Support home ownership by increasing opportunities for low income and middle-income people to own a home, help people retain and remain in homes.
    b. Strategy 4C: Preserve and increase the supply of affordable rental housing.
    c. Strategy 4E: Improve equitable housing opportunities in identified disinvested or underinvested areas.

OPTIONS:

1. Mayor and Commission:
    a) Approve recapture of up to $2,642,349.16 of ARPA funding previously contracted to Athens Land Trust for the development of 10 homebuyer affordable housing units, as outlined on **Attachment #1;** and

b) Approve recapture of up to $713,024.87 of ARPA funding previously contracted to East Athens Development Corporation for the development of 2 affordable rental housing units, as outlined on **Attachment #1;** and

c) Authorize Mayor and staff to execute all related documents.

2. Mayor and Commission:
   a) Deny approval to recapture of up to $2,642,349.16 of ARPA funding previously contracted to Athens Land Trust for the development of 10 homebuyer affordable housing units, as outlined on **Attachment #1;**
   b) Deny approval to recapture up to $713,024.87 of ARPA funding previously contracted to East Athens Development Corporation for the development of 2 affordable rental housing units, as outlined on **Attachment #1.**

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option # 2a & b

DEPARTMENT: Housing and Community Development
Prepared by: Alejandra Calva, Assistant Director

Melinda Lord — 01/21/2025
Melinda Lord — Date:
HCD Director

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option # 2a & b

02/13/2025

Brad Griffin, — Date:
Acting Manager

ATTACHMENTS:

Attachment #1: Q1 ARPA Funds Recapture Information

Attachment #2: ALT Action Plan to Meet 50% Expenditure of ARPA Phase 1 Contract by 6/30/25

Attachment #3: EADC Action Plan to Meet 50% Expenditure of ARPA Phase 1 Contract by 6/30/25

Attachment #4: M&C Resolution to Recapture Unspent ARPA Funds after ARPA Obligation Deadline

Attachment #5: Expenditure and Performance Report for Active HCD ARPA Contracts

Attachment #1 - Q1 ARPA Funds Recapture Information

BUDGET INFORMATION:

REVENUES, from American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF):

$ 15,007,216	Total M&C allocation of ARPA SLFRF funding toward affordable housing activities (includes N. Downtown redevelopment, Phase 1 Housing, AJMP Affordable Housing Preservation and Down Payment Assistance)

ARPA FUNDING AWARDED TO AGENCIES SUBJECT TO RECAPTURE THROUGH THIS AGENDA REPORT:

$ 2,750,000	Athens Land Trust, New Construction, construction of 2 for-sale units
$ 800,000	East Athens Development Corporation, construction of 2 rental units & programming
$ 3,550,000	Total awarded to and contracted with agencies

ARPA FUNDING AVAILABLE FOR RECAPTURE AND REALLOCATION THROUGH THIS AGENDA REPORT (BASED ON EXPENDITURES REPORTED AS OF 1/21/25):

$ 2,642,349.16	Available for recapture from ARPA Phase 1 Affordable Housing contracted amount for Athens Land Trust New Construction
$ 713,024.87	Available for recapture from ARPA Phase 1 Affordable Housing contracted amount for East Athens Development Corporation Rental New Construction
$ 3,355,374.03	Total available for recapture and reallocation

EXPENDITURES AS OF JANUARY 15, 2025:

Organization	Award Amount	Expenditures Reported Paid	Award Balance	% of Award Spent
Athens Land Trust – Homebuyer New Construction	$2,750,000.00	$107,650.84	$2,642,349.16	3.9%
East Athens Development Corporation – Rental New Construction	$800,000.00	$86,975.13	$713,024.87	10.9%
Total	**$4,496,600.00**	**$576,265.56**	**$3,355,374.03**	

ABOUT ATHENS LAND TRUST CONTRACT

1. **Award Amount:** $2,750,000.00
2. **Expenditures and % of Award Spent as of 1/15/25:** $107,650.84 (3.9%)
    - **Date of last expenditure report submitted:** August 15, 2024
3. **Date of contract execution:** October 25, 2023
    - **Recapture contract amendment executed:** November 22, 2024
4. **Programming and reporting period, per contract:** January 1, 2023 – December 31, 2026
5. **Description of scope of work:** New construction of ten (10) affordable single-family homes for low-income homeowners in census tracts 9 and 302 in Athens-Clarke County, GA.

6. **Status of scope of work:** In December 2024, ALT hired a new Construction Manager to oversee new construction for this ARPA-funded project. ALT also brought in a new Executive Director Demetrius Jordan, who has assured staff ALT has the ability to complete the project on time. As of 12/31/24, ALT reported clearing and grading were currently under way for Dublin location. ALT expects to begin footings, foundations, and framing by end of January 2025; and to complete 5 homes by March 2025. LURAs for properties associated with this project were fully executed in January 2025.

7. **Challenges faced by agency in meeting expenditure deadline (as reported to HCD), and technical assistance provided by staff:**

Agency Challenge	Technical Assistance (TA) Provided by HCD
1. Permitting issues with Hawthorne Ext. and Dublin St. sites	ALT has been running into permitting delays on both the Hawthorne Ext. and Dublin St. sites. HCD has been amenable to several requests from ALT (November 2023, June 2024 and October 2024) to adjust the timeline and order of construction between the sites.
2. Changes in Executive Director position, including departure of long-time ED Heather Benham, interim ED Vanna Cure, and December 2025 appointment of Demetrius Jordan as permanent ED.	HCD learned of Heather Benham's imminent departure on 6/5/24. HCD extended TA to ALT over the next three weeks to support them submitting RR2 for $4,718.92. HCD leadership met multiple times with Interim ED Vanna Cure and has met with new ED Demetrius Jordan. HCD staff has been in regular communication with both Ms. Cure and Mr. Jordan regarding necessary tasks.
3. Turnover in key staff positions, including a fulltime Construction Manager, a part-time construction manager, Financial Director, and Executive Director, and Housing Coordinator.	In the fall HCD hosted in-person (8/15/24), online, and recorded trainings to update new staff on policies. Multiple HCD staff met with ALT staff twice (10/8/25 and 11/5/24) and to ensure progress on programs. HCD monitored ALT's two CDBG programs (8/29/24 and 9/4/24) and ARPA program (12/12/24). HCD staff checks in with emails and phone calls each week. As HCD staff became aware of staff turnover, we diligently initiated conversations regarding program reporting and responsibilities and deadlines to promote continued progress.
4. Increased cost for grading and clearing land	HCD supported ALT to revise budget (11/21/24) moving $50k from personnel to general site work. HCD staff regularly communicated with ALT staff regarding Dublin St grading. HCD staff met ALT staff at Dublin St. Site (1/6/25) to take pictures of progress and discuss recapture action plan.

ABOUT EAST ATHENS DEVELOPMENT CORPORATION CONTRACT

1. **Award Amount:** $800,000.00
2. **Expenditures and % of Award Spent as of 1/15/25:** $86,975.13 (10.9%)
    - **Date of last expenditure report submitted:** January 4, 2025
3. **Date of contract execution:** December 6, 2023
    - **Recapture contract amendment executed:** December 5, 2024
4. **Programming and reporting period, per contract:** August 1, 2023 – December 31, 2026

5. **Description of scope of work:** Construct and maintain two (2) high quality, energy-efficient 3-bedroom single-family rental homes in census tract 301 to be occupied by low-income Athens-Clarke County residents.
6. **Status of scope of work:** Land clearance and grading complete on both lots. Both homes are currently undergoing framing, and the foundation is completed. The retaining wall for erosion and stormwater management is constructed. Underground plumbing and sewer stubs are installed, and all building permits have been obtained for the project.
7. **Challenges faced by agency in meeting expenditure deadline (as reported to HCD), and technical assistance provided by HCD:**

Agency Challenge	Technical Assistance Provided by HCD
1. Challenges securing required Insurance Coverage delayed initial contracting process	Because this project was outside the usual scope of EADC's mission, the insurance carrier refused to cover builders risk insurance. Between February-August 2023, HCD communicated extensively with EADC, EADC's insurance carriers, and ACCGov's Safety & Risk Department to work through this issue. Ultimately, EADC was allowed to require their construction contractor to carry builders risk insurance vs. acquiring it themselves.
2. Construction Contractor Procurement and Onboarding Process	Following extensive community outreach, EADC released a Request for Qualifications and Fee Proposal in May 2024, with a submission deadline of 6/20/24. HCD provided TA to EADC surrounding the procurement process and required reporting forms. The selected contractor (JW York Properties) received a Notice of Award on July 26, and notice to proceed in August. In fall 2024, HCD staff reviewed the construction contract template for federal regulatory compliance and provided feedback. Staff also met with EADC and the construction contractor on 10/23/24 to discuss and clarify federal requirements and answer any questions from the agency and/or contractor.
3. Delayed Reimbursement Requests	Agency has reported that reimbursement requests followed the natural progression of work, and that they experienced reporting delays due in part to their vendors' delay in processing payments HCD staff has worked diligently to communicate with EADC about reimbursement due dates and offering potential reimbursement line items they might could include based on their budget.

###

January 17, 2025

Dear Melinda,

Please find below the updated Athens Land Trust (ALT) spending plan for 25% and 50% of the full project, aligned with the specified requirements. This plan addresses recent challenges, outlines the updated timeline, provides a detailed expenditure breakdown, and highlights the funding sources and project progress.

Barriers and Recovery Efforts

The resignations of ALT's Executive Director on June 28, 2024, and Construction Manager on August 1, 2024, caused a five-month delay in construction. These transitions significantly impacted staff workloads and recruitment efforts.

Since then, ALT has made substantial progress:

- A new Executive Director and ARPA-funded Construction Manager were hired on December 16, 2024.
- A part-time Construction Manager was hired in October to lead all CHDO HOME construction projects.

These new hires have allowed ALT to realign with our original timeline and regain momentum on the Dublin Street project.

Timeline and Construction Plan

The revised timeline for the Dublin Street project is as follows:

- **Clearing and Grading:** Currently underway (see attached images for 250 Dublin clearing); completion by January 17, 2025.
- **New Construction Start Date:** January 20, 2025, beginning with footings and foundation work.
- **Framing and Window Installation:** Begins the week of January 27, 2025.
- **Subsequent Construction Activities:** Trade rough-ins, siding, exterior trim installation, and roofing over six weeks.
- **Interior and Exterior Construction Activities:** drywall, flooring, appliances, cabinetry, hardware, insulation and Trade rough-ins completion March 17, 2025 through June 30, 2025.

We anticipate meeting the original goal of erecting five homes by March 2025.

Athens Land Trust
Celebrating 30 Years

685 North Pope St.
Athens, GA 30601

www. athenslandtrust.org
706.613.0122
706.613.0143 F

25% Spending Plan and Associated Costs

The first phase of construction is expected to exceed the 25% expenditure threshold within 45 days of January 1, 2025. Below is the detailed cost breakdown:

Activity	Cost
Clearing and Grading	$70,000
Footers and Foundation	$80,000
Framing and Window Installation	$225,000
Trade Rough-ins	$87,500
Siding, Exterior Trim, Installation	$61,235
Roofing	$50,000
Salary	$15,000
Total	**$588,735**

50% Spending Plan and Associated Costs

Dublin construction is expected to meet the 50% expenditure threshold by June 30, 2025. Below is the detailed cost breakdown per house at Dublin:

Activity	Cost
230 Dublin St interior & exterior finish	$126,253
240 Dublin St interior & exterior finish	$126,253
250 Dublin St interior & exterior finish	$126,253
260 Dublin St interior & exterior finish	$126,253
270 Dublin St interior & exterior finish	$126,253
Salary	$115,000
Hawthorne Ext Footers & Foundation	$80,000
Total	**$826,265**

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Funding Sources

To ensure steady cash flow during construction, ALT will utilize one of the following strategies:

1. **Revenues from the Sale of 4th Street Village:** $600,000 earmarked for construction costs over the next 45 days.
2. **Loan from First American Bank & Trust:** ALT will secure a loan to bridge cash flow gaps between reimbursements.

Project Highlights

- All 10 homes have eligible buyers, with closings scheduled immediately upon completion or no later than 45 days thereafter.
- The success of previous CHDO HOME-funded Dublin Street houses, sold in July and August 2024, demonstrates ALT's ability to deliver high-quality affordable housing on time and within budget.

We are confident that this spending plan ensures timely project completion and fulfills the expenditure requirements. Please let me know if you need further clarification or additional details.

Thank you for your continued support and partnership.

All the best and Happy New Year,

Demetrius

Athens Land Trust
Celebrating 30 Years

685 North Pope St.
Athens, GA 30601

www. athenslandtrust.org
706.613.0122
706.613.0143 F

EAST ATHENS
EST. DEVELOPMENT CORPORATION 1993

January 17, 2025

Melinda Lord, Director
Department of Housing and Community Development
Athens-Clarke County Unified Government
P.O. Box 1868
Athens, Georgia 30603

Dear Ms. Lord,

Re: EADC Affordable Housing Education & Construction Action Plan

The EADC ARPA Affordable Housing Construction program is on track for completion well ahead of the December 2026 deadline. This action plan outlines how EADC will successfully expend at least 50% ($400,000) of its $800,000 ARPA housing construction and housing education funding by July 1, 2025, and provides a summary of the activities completed to date.

Year-to-date Expenditures
To date, our total project expenditure stands at $86,975.13 including the recent initial payment of $25,825.88 to JW York Homes. JW York Homes is the contractor currently constructing two high-quality, energy-efficient single-family homes in the East Athens revitalization zone.

Goal: To **ensure that 50% or more of the project funds are expended before July 1, 2025, by completing the construction of two new affordable houses. (Total contracted price for both homes: $495,526.27)**

Current construction status: Both homes are under construction (see attached photos)
Projected final payment to contractor: June 12, 2025
Projected total project expenditures by July 1, 2025: $556,675.62 (minimum)

Steps:

1. Continue to work with our Construction Contractor, JW York, and Engineering Contractor, W&A, to meet the construction goal and timeline
2. Provide proper and prompt reimbursement requests
3. Closely monitor the construction timeline

410 McKinley Drive - P.O. Box 80472, Athens, GA 30608-0472 - Ph: 706.208.0048 - Fax: 706.208.0015 - Email: eastathensdc@gmail.com

Updated contractor's timeline (12/16/24)

Item	Est. Completion
Foundation	12/27/2024
Framing	1/7/2025
Mechanical Roughs	1/9/2025
Drywall Install	1/30/2025
Cabinet Install	2/19/2025
Final Setouts	3/4/2025
Exterior Flatwork	2/19/2025
Final Clean	3/31/2025
Certificate of Occupancy	4/2/2025
Homeowner Orientation	4/4/2025
Final Punchlist	4/11/2025

Year-to-date overall progress - completed items

- Design and architectural blueprints
- Site plans
- Insurance
- Bidding and procurement
- Compliance with building codes and regulations
- Building permits
- Land cleared of debris
- Land grading and leveling
- Retaining wall construction for erosion and stormwater management
- Underground plumbing and sewer stubs
- Concrete foundation slabs
- Construction contract, mandating:
  - *Energy Star* rated HVAC systems and appliances
  - o Solar energy systems, energy-efficient lighting, and water-conserving features for both homes
  - Etc.
- Housing counseling and financial education component (launched)
- Etc.

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Construction and Reimbursement Delays

There were significant delays in reimbursement submissions due to various factors:

1. **Initial Contract Delays**: A considerable delay occurred between the approval of ARPA funding by ACC Commissioners and the execution of our contract. The primary challenge during this period was obtaining the required insurance coverage. Months were spent unsuccessfully attempting to secure builder's risk insurance, only to later determine that this responsibility fell to the contractor, not EADC. Despite this, we successfully obtained all other required insurance coverages.
2. **Federal Compliance and Permit Process**: Once the contract was executed, progress began steadily. We worked diligently through an extensive list of tasks and successfully negotiated terms with the builder. However, there were minor delays in ensuring the construction complied with federal regulations. Construction commenced promptly after building permits were issued, with brief interruptions due to the holidays and inclement weather.
3. **Reimbursement Submissions**: Reimbursement requests followed the natural progression of the work. Slight delays occurred as we awaited the arrival of monthly bank statements with canceled checks. Despite this, reimbursement payments have been relatively prompt.
4. **Threshold Challenges**: Meeting the first recapture percentage threshold was challenging, as construction only began in December. We avoided arbitrarily submitting reimbursement requests, confident that we will meet and exceed the remaining thresholds as work progresses.

In sum, construction is moving forward, and we are committed to maintaining steady progress. We anticipate steady flow invoices in the next couple of weeks as the construction is well underway (see the pictures below). *We will continue to work with the contractor and consultants to monitor the timeline and make necessary expenditures that align with our timeline and the reimbursement schedules as per the regulations of the ARPA funds.*

Thank you, we appreciate the support of HCD staff!

Respectfully submitted,

Fred O. Smith, Sr.
Executive Director

cc: Dr. Diane Dunston
Dr. Maurice Daniels

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Fairview photos:



410 McKinley Drive - P.O. Box 80472, Athens, GA 30608-0472 - Ph: 706.208.0048 - Fax: 706.208.0015 - Email: eastathensdc@gmail.com

Attachment #5 – Overview of Expenditures and performance Report of Active ARPA Contracts Administered by HCD (as of 1/15/25)

ARPA AFFORDABLE HOUSING CONTRACTS – EXPENDITURES

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
1. Acceptance Recovery Center: Repair & Weatherization of Prince Ave property	Original: 11/2/23 Amendment: 12/3/24	1/1/23 – 12/31/26	51%	$250,000	$207,713.10	83%	January 2025	Yes	Low	n/a
2. Athens Area Habitat for Humanity: Build 10 new homes for sale	Original: 10/3/23 Amendment: 5/1/24 11/22/24	1/1/23 – 12/31/26	51%	$1,500,000	$505,975.06	34%	July 2025	n/a, due to substantial scope change on 5/1/24 amendment		Low
3. Athens Community Council on Aging: Homeowner-occupied Repair	Original: 8/21/23 Amendment: 11/22/24	1/1/23 – 12/31/26	51%	$415,000	$145,382.51	35%	January 2025	Yes	Low	n/a

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
4. Athens Land Trust: Homeowner-occupied Repair	Original: 10/3/23 Amendment: 11/22/24	1/1/23 – 12/31/26	51%	$415,000	$342,245.24	83%	January 2025	Yes	Low	n/a
5. Athens Land Trust: Build 10 new homes for sale	Original: 10/25/23 Amendment: 11/22/24	1/1/23 – 12/31/26	51%	$2,750,000	$107,650.84	4%	January 2025	No – 4% spent as of 1/1/25	High – 4% spent as of 1/15/25	n/a
6. East Athens Development Corporation: Build 2 new rental homes + Financial Education Program	Original: 12/6/23 Amendment: 12/5/24	8/1/23 – 12/31/26	43%	$800,000	$86,975.13	11%	January 2025	No – 8% spent as of 1/1/25	High - 11% spent as of 1/15/25	n/a
7. First American Bank & Trust: AJMP Down Payment Assistance	Original: 6/4/24 Amendment: 11/22/24	3/6/24 – 12/31/26	31%	$718,400	$21,500.00	3%	July 2025	n/a	n/a	Medium – only 3% spent as of 1/15/25. See notes in next page

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
8. Historic Athens: AJMP Homeowner-occupied Repair	Original: 2/6/24 Amendment: 11/22/24	1/1/2024 – 12/31/26	35%	$531,600	$230,845.57	43%	July 2025	n/a	n/a	Low

***** Includes all expenditures reported through 1/15/2025, including those currently under review for eligibility and approval.

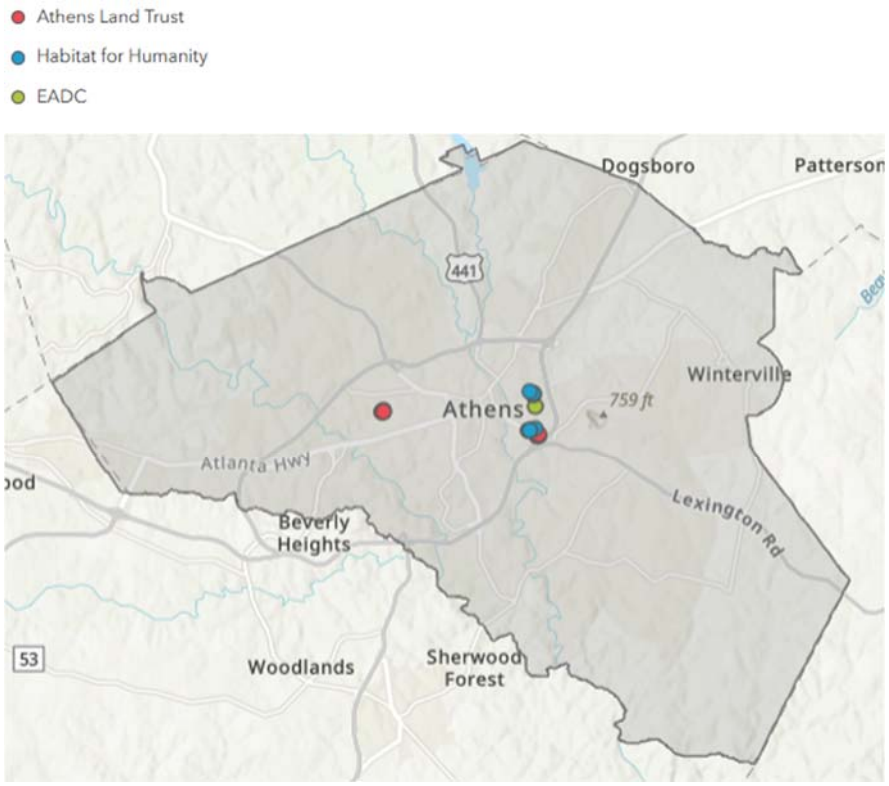
ARPA AFFORDABLE HOUSING CONTRACTS – PERFORMANCE REPORT

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Project Status	Notes
1. Acceptance Recovery Center: Repair & Weatherization of Prince Ave property	On Track	All repairs in original scope have been completed successfully: window/door replacement, attic insulation replacement, new solar package, replaced water-damaged wall. HCD allowed agency to use remaining funds to address other pressing repairs to property, including bathroom repairs and fixing a fence damaged while installing solar package. Agency expected to use remaining funds by mid-2025. More data available in the ARPA Affordable Housing Outcomes Dashboard.
2. Athens Area Habitat for Humanity: Build 10 new homes for sale	On Track	As of 12/31/24, the construction of 4 homes is currently in progress. Specifically, for the unit on N. Peter Street, AAHH has secured building permit, graded and laid foundation, completed framing, windows, and roofing ("dried in"), and decking/porch is in progress. Currently working on permitting, sourcing materials/modular homes for 3 properties (2 on Booker St., 1 on Branch St.). More data available in the ARPA Affordable Housing Outcomes Dashboard.
3. Athens Community Council on Aging: Homeowner-occupied Repair	On Track	As of 12/31/24, agency completed 2 minor age-in-place modifications, 11 minor home repairs (up to $25K each) and 3 major renovations (more than $25K each), including repairs to exterior, HVAC, plumbing & roofs, remediation, and improvements for mobility and energy efficiency. More data available in the ARPA Affordable Housing Outcomes Dashboard.
4. Athens Land Trust: Homeowner-occupied Repair	On Track	As of 12/31/24, agency completed 4 minor age-in-place modifications, 17 minor home repairs (up to $25K each) and 4 major renovations (more than $25K each), including electrical work, repairs to exterior, HVAC, plumbing & roofs, remediation, and improvements for mobility and energy efficiency. More data available in the ARPA Affordable Housing Outcomes Dashboard.
5. Athens Land Trust: Build 10 new homes for sale	Delayed construction timeline	ALT has been running into permitting delays on Phase 2 of Dublin St. site. Previously, ALT had requested proceeding with constructing 3 Hawthorne units next (after Dublin St. Phase 1 HOME units are finished), which HCD approved. In December 2024, ALT hired a new Construction Manager to oversee new construction for this ARPA-funded project. ALT also brought in a new Executive Director Demetrius Jordan, who has assured staff ALT has the ability to complete the project on time. As of 12/31/24, ALT reported clearing and grading was currently under way for Dublin location. ALT expects to begin footings, foundations, and framing by end of January 2025; and to complete 5 homes by March 2025. LURAs for properties associated with this project were fully executed in January 2025. More data available in the ARPA Affordable Housing Outcomes Dashboard.  *Progress of site clearing/grading at ALT's Dublin St lot.*

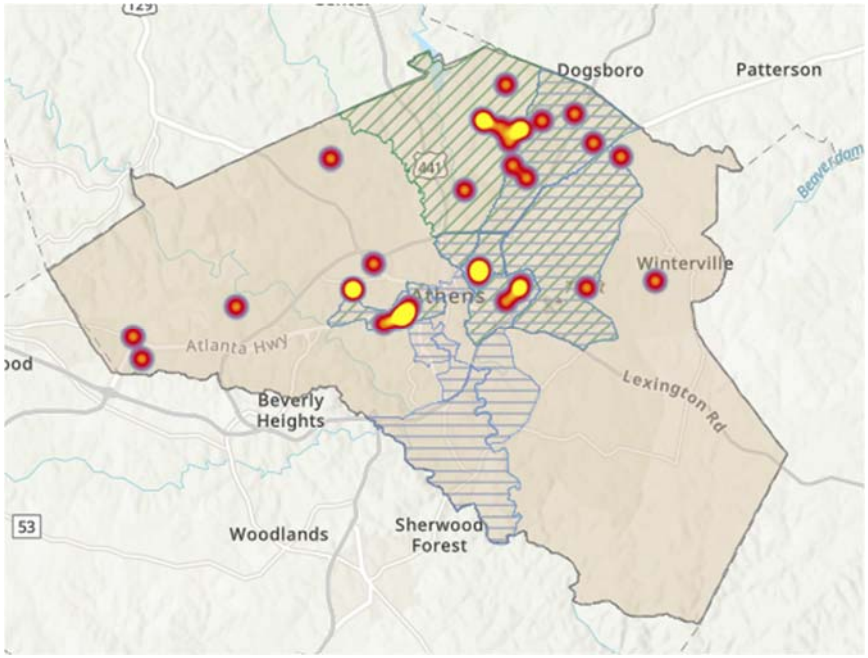
Project	Project Status	Notes
6. East Athens Development Corporation: Build 2 new rental homes and provide Financial Education Program	Delayed construction timeline	As of 12/31/24, project lots on Fairview Street are in preparation for construction. During this phase of the project, the design and architectural blueprints were finalized. Building codes and regulations were checked for compliance. Additionally, the budget was also negotiated and revised, with the total construction cost agreed upon. This cost included structural plans, the installation of electrical, plumbing, and energy efficient HVAC systems, windows and appliances.  *EADC's Fairview St. lots during 1/9/25 site visit* The building; zoning and driveway permits have been obtained; site plans have been finalized; builder's risk insurance was obtained, water; sewer stubs and connections have been completed; clearing land from debris; grading and leveling the land have been completed; a retaining wall was constructed for each of the lots to reduce erosion and manage stormwater has also been constructed. And currently, the plumbing has been completed in accordance with the blueprints and the form for laying the concrete slabs has been constructed on each lot. More data available in the ARPA Affordable Housing Outcomes Dashboard.
7. First American Bank & Trust: AJMP Down Payment Assistance	Difficulty finding eligible participants	To date, FABT has consulted 29 consultations with potential borrowers regarding the ARPA-funded DPA program. However, due to current limited affordable housing stock and other program eligibility requirements, only 2 DPAs have been completed to date. On 12/11/24, HCD approved FABT's request to increase the income threshold from 80% to 120% AMI for residents located within Qualified Census Tracts (65% AMI outside QCTs, due to federal guidelines). HCD and FABT hope that this change will increase pool of qualified applicants. More data available in the DPA Program Outcomes Dashboard.
8. Historic Athens: AJMP Homeowner-occupied Repair	On Track	As of 12/31/24, agency completed 1 minor age-in-place modifications, and 34 major renovations (more than $25K each), including electrical work, repairs to exterior, plumbing & roofs, and improvements for mobility and energy efficiency. More data available in the ARPA Affordable Housing Outcomes Dashboard.

Approximate Locations of Phase 1 Affordable Housing New Construction Projects, available via www.accgov.com/ARPA .



Heat Map of Locations of Rehabilitation Projects, available via www.accgov.com/ARPA

Rehabilitation project locations have been displayed as a heat map to preserve the privacy of individual homeowners. Green and blue hatching corresponds to Census Tracts where Athens Land Trust and Historic Athens, respectively, are recruiting project participants. Athens Community Council on Aging is assisting homeowners throughout Athens-Clarke County.



ARPA HOMELESSNESS CONTRACTS – EXPENDITURES

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
1. Advantage Behavioral Health Services: Encampment crisis response	Original: 9/16/2024 Amendment: 12/5/2024	5/7/2024 – 12/31/26	26%	$200,000	$0.00	0%	July 2025	n/a	n/a	Medium – 0% spent as of 1/15/25
2. Athens Area Habitat for Humanity: Family Promise Habitat expansion	Original: 9/16/2024 Amendment: 12/3/2024	5/7/2024 – 12/31/26	26%	$163,110	$70,566.19	43%	July 2025	n/a	n/a	Low
3. Athens Homeless Coalition: Staff, Lived Experience, Coordinated Entry, Homelessness Support Fund	Original: 5/10/2024 Amendment: 11/22/2024	1/3/2024 – 12/31/26	35%	$1,080,000	$86,230.90	8%	July 2025	n/a	n/a	Medium – only 8% spent as of 1/15/25

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
4. Athens Wellness Clinic ("Nurses Clinic"): Healthcare for unsheltered homeless	Original: 9/6/2024 Amendment: 11/22/2024	5/7/2024 – 12/31/2026	26%	$184,455	$43,757.84	24%	July 2025	n/a	n/a	Low
5. Divas Who Win: She Works employment initiative	Original: 10/28/24 Amendment: Recapture language in main contract	5/7/24– 12/31/26	26%	$200,250	$26,252.94	13%	July 2025	n/a	n/a	Low
6. Economic Justice Coalition: Above & Beyond Homecare Cooperative	Original: 12/3/24 Amendment: Recapture language in main contract	5/7/24– 12/31/26	26%	$400,000	$0.00	0%	July 2025	n/a	n/a	Medium – 0% spent as of 1/15/25
7. Family Promise of Athens: Diversion program	Original: 8/23/24 Amendment: 11/22/24	5/7/24– 12/31/26	26%	$200,000	$0.00	0%	July 2025	n/a	n/a	Medium – 0% spent as of 1/15/25
8. Project Safe: Emergency Shelter Improvements	Original: 9/6/24 Amendment: 11/22/24	5/7/24– 12/31/26	26%	$142,618	$27,019.62	19%	July 2025	n/a	n/a	Low

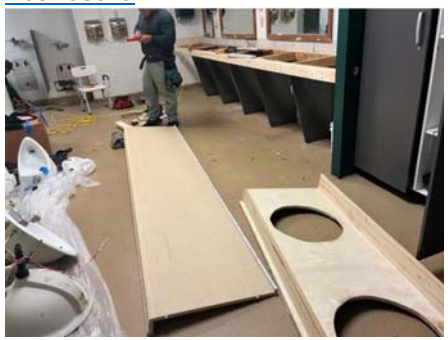
Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
9. Salvation Army: Shelter improvements and case management	Original: 6/27/24 Amendment: 11/22/24	3/6/24–12/31/26	31%	$550,000	$161,388.02	29%	July 2025	n/a	n/a	Low

***** Includes all expenditures reported through 1/15/2025, including those currently under review for eligibility and approval.

ARPA HOMELESSNESS CONTRACTS – PERFORMANCE REPORT

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Project Status	Notes
1. Advantage Behavioral Health Services : Encampment crisis response	On Hold – program to be implemented starting early 2025	Agency will begin program implementation in early 2025. Program outcomes will be available via the ARPA Homelessness Dashboard.
2. Athens Area Habitat for Humanity: Family Promise Habitat expansion	On Track	As of 12/31/24, AAHH has completed demolition, installation of roof system and lad boards, sheathing, framing, grading of lot, scraping/blasting walls, electrical wiring, plumbing rough-in, HVAC installation, waterproofing and painting. More data available in the ARPA Homelessness Dashboard. 
3. Athens Homeless Coalition: Staff, Lived Experience, Coordinated Entry, Homelessness Support Fund	On Track	Agency has filled the Executive Director, the Community Data Coordinator, and the Community Engagement Coordinator positions. Agency has been holding regular "Lived Experience" meetings focused on local homeless services, policies, etc. Agency has been working to finalize tool to improve current Coordinated Entry processes, including related policies and procedures. Agency has been working with CoC Board and CoC general body to discuss the Homelessness Support Fund, including assessment of financial assistance needs from provider perspective, funding regulations, documentation, etc. More data available in the ARPA Homelessness Dashboard.
4. Athens Wellness Clinic ("Nurses Clinic"): Healthcare for unsheltered homeless	On Track	To date, agency has served a total of 187 unsheltered patients through this ARPA funding. Specifically, they have provided 118 primary care visits, 17 dental care visits, 15 behavioral health visits, medication to 83 individuals, and labs/imaging to 33 patients. The agency reports having prevented a total of 301 ER visits. More data available in the ARPA Homelessness Dashboard.
5. Divas Who Win: She Works employment initiative	On Track	The agency has experienced some delays recruiting staff and participants, but plan to be back on track in spring 2025. More data available in the ARPA Homelessness Dashboard.
6. Economic Justice Coalition: Above & Beyond Homecare Cooperative	On Track	ACCGov-EJC contract, and EJC-Above & Beyond, subrecipient agreements were finalized and executed in December 2026. HCD is expecting to receive first financial and performance reports in January. Activity may be impacted by departure of Broderick Flanigan as EJC's Executive Director effective 1/1/25. More data available in the ARPA Homelessness Dashboard.
7. Family Promise of Athens: Diversion program	On Hold – program to be implemented starting early 2025	Agency is finalizing program policies and procedures, with plans to begin accepting referrals in early 2025. More data will be available in the ARPA Homelessness Dashboard once program launches in earnest.

Project	Project Status	Notes
8. Project Safe: Emergency Shelter Improvements	On Track	Agency has completed replacement of kitchen appliances. A total of 28 households have been served during contract period, with an average 3.3 days to flip a room. Agency reports that 100% of existing residents (9 total) learned strategies to enhance safety and availability of resources. 8 of 9 residents met housing goals, and 4 of 9 met employment goals as measured by client goal-setting and surveys at conclusion of their stay at shelter. More data available in the ARPA Homelessness Dashboard.
9. Salvation Army: Shelter improvements and case management	On Track	Agency has served 83 residents during contract period, to date. Agency added 10 new emergency shelter beds (goal is 20). Agency began renovation of men's restrooms, and women's and family units in December 2024. More data available in the ARPA Homelessness Dashboard.  

ARPA YOUTH DEVELOPMENT & VIOLENCE PREVENTION CONTRACTS – EXPENDITURES

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
1. ACC-High School Completion Initiative: CDBG Proposal, Education Matters	Original: 10/3/24 Amendment: 12/12/24	7/1/24–6/30/26	27%	$20,000	$0.00	0%	July 2025	n/a	n/a	Medium – 0% spent as of 1/15/25
2. Boys and Girls Club of Athens Delinquency Prevention Initiative	Original: 11/8/23 Amendment: 3/29/24 12/12/24	8/1/23–12/31/26	43%	$3,175,000	$1,276,188.10	40%	January 2025	Yes	Low	n/a
3. Chess & Community CDBG Proposal, Project Rewire	Original: 11/22/24 Amendment: Recapture language in main contract	7/1/24–12/31/26	22%	$46,894	$8,287.34	18%	July 2025	n/a	n/a	Low
4. Georgia Conflict Center: CDBG Proposal, Restorative Justice	Original: 8/22/24 Amendment: 12/12/24	7/1/24–6/30/26	27%	$4,200	$4,200.00	100%	July 2025	n/a	n/a	n/a – 100% spent as of 1/15/25

Project	Contract Executed	Program Period	% of Program Period Completed	Contract Amount	Spent To Date*	% Of Funding Spent*	First Review Deadline For ARPA Recapture (Per 10/1 Resolution)	2023 Contracts Met First Expenditure Deadline (25% On 1/1/25)	2023 Contracts Risk Level For Missing Second Expenditure Deadline (50% On 7/1/25)	2024 Contracts Risk Level For Missing First Expenditure Deadline (25% On 7/1/25)
5. YWCO: CDGB Proposal, Summer 2025 program	Original: 10/10/2024 Amendment: Recapture language in main contract	7/1/2024 – 12/31/2025	36%	$30,000	$0.00	0%	July 2025	n/a	n/a	Medium – 0% spent as of 1/15/25

***** Includes all expenditures reported through 1/15/2025, including those currently under review for eligibility and approval.

ARPA YOUTH DEVELOPMENT & VIOLENCE PREVENTION CONTRACTS – PERFORMANCE REPORT

Performance Dashboards for all Projects Available via www.accgov.com/ARPA

Project	Project Status	Notes
1. ACC-High School Completion Initiative: CDBG Proposal, Education Matters	Project on Track ARPA Expenditures in FY26	Agency has run into challenges implementing program. Plans to use up FY25 CDBG funding first (since there's no carry-forward after 6/30/24) and then will begin spending ARPA. They are aware of recapturing provisions. Performance data on this program is available via the FY25 CDBG Public Services Dashboard (since the majority of funding received was CDBG).

Project	Project Status	Notes
2. Boys and Girls Club of Athens Delinquency Prevention Initiative	On Track	 To date, BGCA has served a total of 415 unique individuals and 730 served total (cumulative over program period, goal is 1,400). The agency reports an average of 306 participants at 6 locations supported by ARPA funding (goal = 380). Based on pre- and post-surveys administered to BGCA participants, as well as records provided by CCSD for 82% of BGCA club participants: • 52% of BGCA youth that are elementary & middle school students have exceeded expected reading growth (goal = 50%). BGCA participants average iReady reading growth = 107% vs. CCSD's average for demographically-matched sample = 117%). • 48% of BGCA youth that are elementary & middle school students have exceeded expected growth in math. BGCA participants average iReady math growth = 106% vs. CCSD's average for demographically-matched sample = 109%). • 1.6% of BGCA participants demonstrated CCSD-reported behavioral incidents vs. 2.3% of the CCSD average percent of students with behavior incidents (within demographically-matched sample) • 69% of BGCA participants show a satisfactory school attendance measured as >90% of days (goal = 80%). • For additional metrics on evaluation focused on violence prevention, please visit the ARPA BGCA Outcomes Dashboard. BGCA has also sub-granted $565,000 in ARPA funding to 9 youth development & violence prevention service providers: ACC high School Completion Initiative, Chess & Community, Clarke County Mentor Program, Cultivating a Lifetime of Legacy, Divas Who Win Freedom Center, Get STEMulated, Juvenile Offender Advocate, United Community Outreach, Young Women's Christian Organization. Staff working with BGCA to secure performance report for these agencies. BGCA has also subcontracted with Northeast GA Food Bank, EADC, and Fun Fit & Fabulous, to enhance DPI programming *at* BGCA locations. More data available in the
3. Chess & Community CDBG Proposal, Project Rewire	On Track	To date, agency has reported serving a total of 52 participants (goal was 30). Agency has reported that 89% of participants (9 total) has demonstrated increased understanding of functions of local government, ways to contribute to the local community. More data available in the ARPA Chess & Community Outcomes Dashboard.

Project	Project Status	Notes
4. Georgia Conflict Center: CDBG Proposal, Restorative Justice	On Track	Agency also received $30,000 in FY25 CDBG funding. Agency has spent 100% of ARPA funds as of 1/15/25, but will continue program through June using CDBG award. Performance data on this program is available via the FY25 CDBG Public Services Dashboard (since the majority of funding received was CDBG).
5. YWCO: CDGB Proposal, Summer 2025 program	On Track	Agency received ARPA funding as BGCA subrecipient for Summer 2024 programming. Will use this award for Summer 2025 programming, with expenditures expected to begin spring 2025. Program data will be available via the ARPA Youth Development & Violence Prevention Dashboard.

###

CONTRACT ITEM AGREEMENT

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, CLARKE COUNTY, P.I. No. 0016920 to construct a multi-lane roundabout on State Route 10 at County Road 993/West Hancock Avenue in Clarke County and that the Honorable 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 @ CR993/W Hancock Ave Intersection Improvements Project (PI#0016920) - Authorization for the Standard Utility/Contract Item Agreement

DATE: January 17, 2025

EXECUTIVE SUMMARY:

This agenda is an agreement for GDOT to relocate water and sewer mains in the proposed West Hancock roundabout.

BUDGET INFORMATION:

CAPITAL REVENUE:	$815,910	Relocate Water & Sewer Lines for DOT Capital Project Fund
CAPITAL EXPENSES:	$ 362,022	Relocate Lines for DOT Designated Projects
	$ 147,888	Expenditures & Encumbrances
	$ 306,000	Available for GDOT Water & Sewer Main Relocation

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request the Mayor and Commission:

a. Authorize an expenditure in the amount of $306,000 from the Water & Sewer Enterprise Fund to relocate existing water and sewer mains for the Georgia Department of Transportation (GDOT) SR10 at CR993/West Hancock Avenue Intersection Improvements Project. The requested expenditures include estimated construction cost and a 10% contingency;

b. Approve the Standard Utility/Contract Item Agreement, for GDOT PI#0016920 (**Attachment #1**), relating to the relocation and replacement of the water and sewer mains;

c. Adopt the associated resolution (**Attachment #2**); and

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

HISTORY:

1. On December 9, 2024, GDOT forwarded the Contract Item Agreement Undated – Water and Sewer Facilities for execution by the Athens-Clarke County Unified Government.

FACTS & ISSUES:

1. GDOT plans to construct a roundabout at the intersection of West Broad Street (SR10) and West Hancock Avenue (CR993). The Public Utilities Department (PUD) operates several water and sanitary sewer mains of varying diameters within the project limits. Due to the extent of GDOT's project, PUD's infrastructure will be adversely impacted.
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 intersection improvements 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 agreed to pay 100% of the water and sewer line work completed by GDOT's contractor. A 10% construction contingency has been added to the project.
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 $306,000 from the Water & Sewer Enterprise Fund to relocate existing water and sewer mains for the Georgia Department of Transportation (GDOT) SR10 at CR99/West Hancock Ave Intersection Improvements Project. The requested expenditures include construction cost and a 10% contingency;
    b. Approve the Standard Utility/Contract Item Agreement, for GDOT PI#0016920, relating to the relocation and replacement of water mains;
    c. Adopt the associated resolution (**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 and d

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV



Hollis Terry IV — Date: 1/17/2025

ADMINISTRATIVE COMMENTS:

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



Brad Griffin,
Acting Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment #1 – Agreement
Attachment #2 - Resolution

ATTACHMENT #1

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

December 9, 2024

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

Subject: **P.I. No. 0016920, Clarke County**
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 **$278,160.00** of which the **Department** will bear **0% or $0.00** and **the Unified Government of Athens-Clarke County will bear 100% or $278,160.00**. 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 4 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.

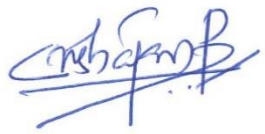
Also, please provide **the Unified Government of Athens-Clarke County**'s Federal Employee Identification Number (FEIN) in the blank shown on page 4 of the Agreement.

In accordance with Articles 8, 9, and 10 of the Agreement, the Department shall notify **the Unified Government of Athens-Clarke County** in writing of 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: Jason Dykes, P.E., District 1 Engineer
Yulonda Pride-Foster, District 1 Utilities Manager
Susan Smith, Project Manager
Frantz Boileau, Utilities Preconstruction Specialist
Abdulvahid Munshi, Utility Coordinator

ATTACHMENT #1

Account No. – Class: 733005-309
Department ID: 4848010000
Program No.: 4181401

CONTRACT ITEM AGREEMENT

Georgia Project No.: N/A, Clarke County
G.D.O.T. P.I. No.: 0016920

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 construct a multi-lane roundabout on State Route 10 at County Road 993/West Hancock Avenue 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 DEPARTMENT has relied on the LOCAL AGENCY'S design in the plans for the utility work, which has been approved by the LOCAL AGENCY and accepted by the DEPARTMENT 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.

CONTRACT ITEM AGREEMENT

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. The DEPARTMENT, its employees, officers, consultant, and officials shall have no liability stemming from the DEPARTMENT's reliance upon the LOCAL AGENCY'S design plans for the utility relocation.

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 **$278,160.00** 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 $278,160.00 or 100%.**

CONTRACT ITEM AGREEMENT

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.

CONTRACT ITEM AGREEMENT

IN WITNESS WHEREOF, the parties hereto have 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 UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY pursuant to resolution dated _____.

****

FEIN_____ BY: _____

********** **SECRETARY/ASST. SECRETARY**
(OFFICIAL SEAL)

ACCEPTED:

DEPARTMENT OF TRANSPORTATION

BY: _____
COMMISSIONER

PROJECT NO.: N/A
COUNTY: Clarke
G.D.O.T. P.I. NO.: 0016920
DATE: December 9, 2024, 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

CONTRACT ITEM AGREEMENT

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, CLARKE COUNTY, P.I. No. 0016920 to construct a multi-lane roundabout on State Route 10 at County Road 993/West Hancock Avenue in Clarke County and that the Honorable 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

ATTACHMENT #1

Georgia Department of Transportation

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. 0016920, CLARKE COUNTY, TO CONSTRUCT A MULTI-LANE ROUNDABOUT ON STATE ROUTE 10 AT COUNTY ROAD 993/WEST HANCOCK AVENUE.

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: _____

ATTACHMENT #1

CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;

2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,

3) is in compliance with O.C.G.A. §§ 35-1-17 *et seq.* regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 *et seq.* for the duration of time the subject agreement is in effect.

_____
Signature of Authorized Officer or Agent

_____
Printed Name of Authorized Officer or Agent

_____
Title of Authorized Officer or Agent

_____
Date

ATTACHMENT #1

P.I. 0016920 Clarke County - Unified Government of Athens-Clarke County - Water & Sewer Relocation

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		
ITEM NO.	Description (Item Number)		UNITS			$ -		$ -	0			$ -	$ -	$ -		$ -
611-8050	ADJUST MANHOLE TO GRADE(611-8050)		EA	2	$ 2,000.00	$ 4,000.00		$ -	2			$ -	$ -	$ -		$ -
611-8120	ADJUST WATER METER BOX TO GRADE(611-8120)		EA	1	$ 740.00	$ 740.00			1							
660-0808	SAN SEWER PIPE, 8 IN, DUCTILE IRON(660-0808)		LF	800	$ 120.00	$ 96,000.00		$ -	800			$ -	$ -	$ -		$ -
660-3275	ABANDON MANHOLE(660-3275)		EA	2	$ 2,500.00	$ 5,000.00		$ -	2			$ -	$ -	$ -		$ -
668-3300	SAN SEWER MANHOLE, TP 1(668-3300)		EA	9	$ 5,000.00	$ 45,000.00		$ -	9			$ -	$ -	$ -		$ -
668-3311	SAN SEWER MANHOLE, TP 1, ADDL DEPTH, CL 1(668-3311)		VF	22	$ 365.00	$ 8,030.00		$ -	22			$ -	$ -	$ -		$ -
668-3312	SAN SEWER MANHOLE, TP 1, ADDL DEPTH, CL 2(668-3312)		VF	10	$ 620.00	$ 6,200.00		$ -	10				$ -			
670-1060	WATER MAIN, 6 IN(670-1060)	DUCTILE IRON	LF	130	$ 63.00	$ 8,190.00		$ -	130			$ -	$ -	$ -		$ -
670-1600	CUT & PLUG EXISTING WATER MAIN(670-1600)		EA	2	$ 800.00	$ 1,600.00		$ -	2			$ -	$ -	$ -		$ -
670-2060	GATE VALVE, 6 IN(670-2060)		EA	4	$ 975.00	$ 3,900.00		$ -	4			$ -	$ -	$ -		$ -
670-2700	ABANDONMENT OF WATER VALVES(670-2700)		EA	1	$ 500.00	$ 500.00		$ -	1			$ -	$ -	$ -		$ -
670-3066	TAPPING SLEEVE & VALVE ASSEMBLY, 6 IN X 6 IN(670-3066)		EA	1	$ 21,600.00	$ 21,600.00		$ -	1			$ -	$ -	$ -		$ -
670-4000	FIRE HYDRANT(670-4000)		EA	1	$ 3,800.00	$ 3,800.00		$ -	1			$ -	$ -	$ -		$ -
670-4500	CONCRETE THRUST COLLAR, 6 IN PIPE OR SMALLER(670-4500)		EA	4	$ 850.00	$ 3,400.00		$ -	4			$ -	$ -	$ -		$ -
670-5620	WATER SERVICE LINE, 3/4 IN(670-5620)		LF	127	$ 100.00	$ 12,700.00		$ -	127			$ -	$ -	$ -		$ -
670-7215	INSERTION VALVE, 6 IN(670-7215)		EA	4	$ 13,500.00	$ 54,000.00		$ -	4			$ -	$ -	$ -		$ -
670-9920	REMOVE EXISTING FIRE HYDRANT(670-9920)		EA	1	$ 1,500.00	$ 1,500.00		$ -	1			$ -	$ -	$ -		$ -
670-1600	CUT & PLUG EXISTING WATER MAIN(670-1600)		EA	1	$ 2,000.00	$ 2,000.00		$ -	1			$ -	$ -	$ -		$ -

GDOT SHARE 0.00%		TOTAL EST In-Kind $ 278,160.00	TOTAL Betterment EST $ -		TOTAL Actual Bid Cost #REF!	TOTAL Actual In-Kind Bid Cost $ -	TOTAL Actual Betterment Bid Cost $ -	TOTAL $ -
UTILITY OWNER SHARE 100.00%		NON-REIMBURSIBLE / FACILITY OWNER SHARE $ 278,160.00	TOTAL ESTIMATE IN-KIND & BETTERMENT $ 278,160.00		TOTAL BID COST NON-REIMBURSIBLE / FACILITY OWNER SHARE #REF!	TOTAL BID COST IN-KIND & BETTERMENT $ -		CHECK RECEIVED $ -
		REIMBURSIBLE / GDOT SHARE $ -	TOTAL ESTIMATE IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT $ 278,160.00		TOTAL BID COST / REIMBURSIBLE/ GDOT SHARE $ -	TOTAL BID COST IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT #REF!		AMOUNT DUE FROM UTILITY OWNER $ -

NOTES:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Design Approval - Athena Industrial Park Recycle Water Transmission Line - Section 1

DATE: January 17, 2025

EXECUTIVE SUMMARY:

This agenda item is to approve the design of Section I of the Athena Industrial Park Recycle Water Transmission Line.

BUDGET INFORMATION:

CAPITAL REVENUE:	$	8,022,558	Future Water Supply Enhancements Capital Project Fund
CAPITAL EXPENSES:	$	7,040,615	Future Water Supply Enhancements Designated Projects
	$	675,602	Expenditures & Encumbrances
	$	306,341	Available for Design of Recycle Water Line Phase I

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request the Mayor and Commission:

a. Approve a Task Order to Stantec Consulting Services Inc. (Stantec), in the amount of $306,341 to design Section 1 of the Athena Industrial Park Recycle Water Transmission Line project; and
b. Authorize the Mayor and appropriate staff to sign all documents related to the Task Order.

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 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 September 3, 2024, M&C authorized a Memorandum of Understanding between ACCGov and Meissner Corporation concerning PUD's intention to provide reuse water at a future date once infrastructure is complete.

FACTS & ISSUES:

1. PUD's three Water Reclamation Facilities produced 11.4 mgd of minimum monthly discharge of highly treated effluent in 2018. The North Oconee Water Reclamation Facility produced a minimum monthly flow of 6.3 mgd of effluent in 2018. Reclaimed water from PUD's North Oconee WRF could provide millions of gallons of recycled water per day to non-residential customers, including Meissner, for beneficial use.

2. "Non-potable water reuse" is defined as the use of reclaimed water for a direct beneficial purpose. A non-potable reuse system pumps highly treated effluent from a water reclamation facility to non-residential customers through a series of distribution pipes. This

pipe system is separate from the drinking water and wastewater pipe systems. Many systems include storage facilities so the water can be stored for use when demands are high.

3. Recycle 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 Water Reuse System would reduce the amount of raw water needed for the Water Treatment Plant.

4. A Non-potable Water Reuse 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 Reservoir;

    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 our rivers are at their lowest.

5. PUD is collaborating with the Economic Development Department to initiate 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.

6. The PUD Reuse System Master Plan consists of two non-potable reuse water transmission line routes and a reuse pump station at the NOWRF.

    a. One transmission line route extends from the NOWRF to the ACC's largest "Industrial Center." This Industrial Center includes the Athena Industrial Park and the Athens Technology Park; and

    b. The second route extends from the NOWRF to the University of Georgia.

7. The Athena Industrial Park Recycle Water Transmission Line is divided into three sections (**Attachment #1**).

    - Section 1 extends from the NOWRF to the intersection of Lexington Road and Winterville Road.

    - Section 2 extends along Winterville Road from Lexington Road to the southern end of the segment of recycle water main that was previously installed along the Firefly Trail.

- Section 3 extends from the northern end of the recycle water main installed along the Firefly Trail to the intersection of Spring Valley Road and Voyles Road.

8. This request is for a task order to design Section 1 of the Athena Industrial Park Recycle Water Transmission Line. Design will be accomplished by Stantec at a cost not to exceed $306,341.

9. It is PUD's intention that design and construction of the subsequent two sections will follow closely behind Section 1 so that construction of all phases will proceed with minimal downtime in between.

10. 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. Approve a Task Order to Stantec Consulting Services Inc. (Stantec), in the amount of $306,341 to design Section 1 of the Athena Industrial Park Recycle Water Transmission Line project; and
    b. Authorize the Mayor and appropriate staff to sign all documents related to the Task Order.
2. Mayor and Commission deny the request.
3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option# 1 a and b

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV

Hollis Terry IV

1/17/2025

Hollis Terry IV Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



02/13/2025

Brad Griffin,
Acting Manager

Date:

ATTACHMENTS:

Attachment #1 - Design

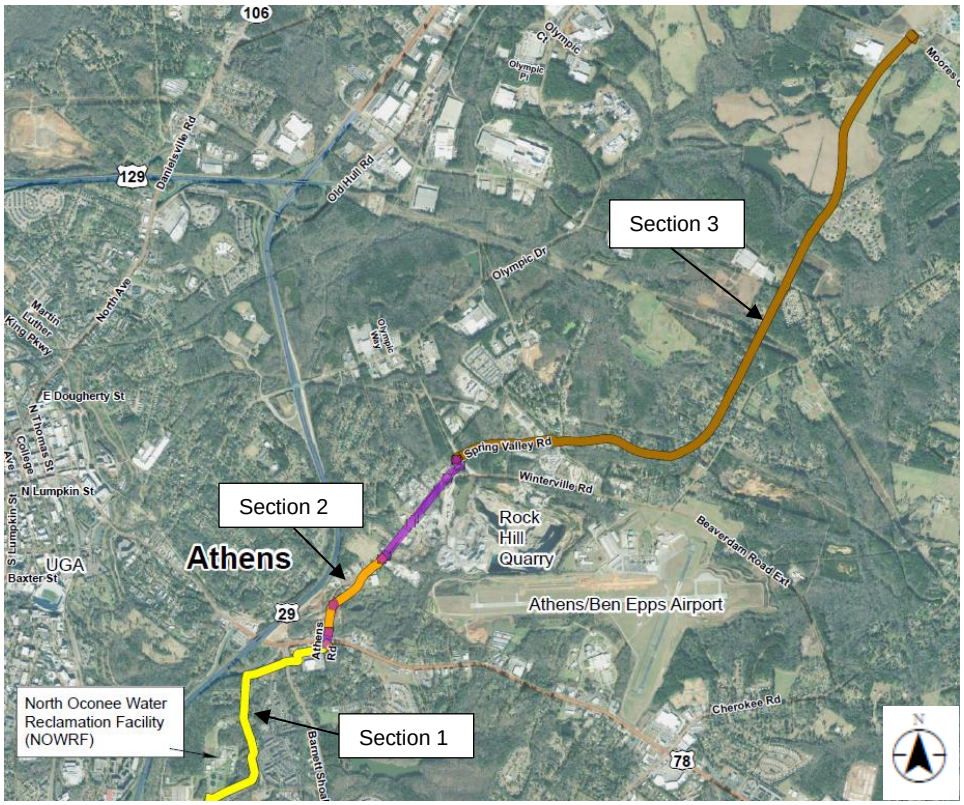


Figure 1: Recycled Water Transmission Line Overview

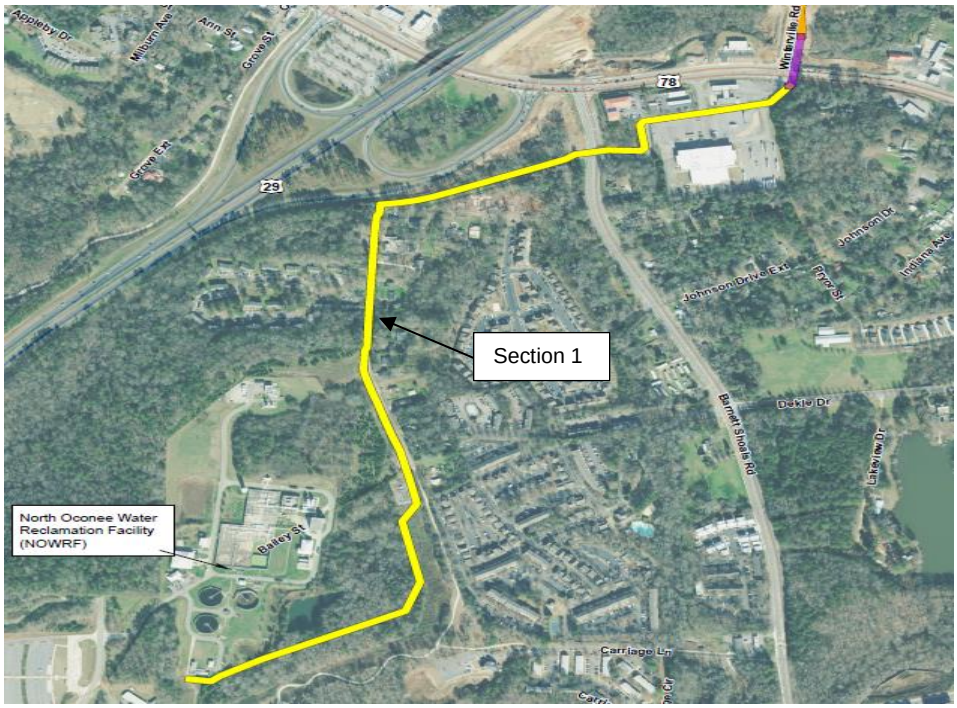


Figure 2: South Portion of the Recycled Water Transmission Line Section 1 Route to Athena Industrial Park

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Transit Hybrid Diesel-Electric Bus Engine Purchase

DATE: January 21, 2025

EXECUTIVE SUMMARY: This agenda report proposes to replace 11 diesel engines in the ACCGov Transit hybrid bus fleet as part of a midlife rehabilitation, by awarding the $367,592.94 grant-funded contract to Cummins Inc. This competitive procurement ensures compliance with FTA mandates and supports transit reliability and sustainability.

BUDGET INFORMATION:

REVENUES: $367,592.94 - Capital Grant FY25 5307 - GDOT T008384

EXPENSES:

ANNUAL:	N/A
CAPITAL:	$367,592.94
OTHER:	N/A

FUNDING SOURCE: $367,592.94 - Capital Grant FY25 5307 - GDOT T008384

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request the Mayor and Commission:

a. Award and authorize the procurement of 11 diesel engines from Cummins Inc. in the amount of $367,592.94, for the midlife rehabilitation of the ACCGov Transit diesel-electric hybrid bus fleet; and,
b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In March 2018, ACCGov Transit received delivery of twelve Federal Transit Administration (FTA)-funded Gillig Hybrid heavy-duty buses.

2. On October 3, 2023, the Mayor and Commission (M&C) approved the application for the FY2025 FTA 5307 Operating and Capital Assistance grant – T008384.

3. On February 27, 2024, ACCGov Transit experienced the first diesel engine failure within the diesel-electric hybrid fleet.

4. On May 4, 2024, ACCGov Transit experienced a second diesel engine failure within the diesel-electric hybrid fleet.

5. On November 12, 2024, M&C approved the acceptance of the FY2025 FTA 5307 Operating and Capital Assistance grant-T008384.

6. On December 3, 2024, ACCGov Transit sought replacement of two diesel-electric hybrid bus battery packs due to failure of the energy storage system. The remaining energy storage systems for the diesel-electric hybrid fleet will be replaced in FY2026 as part of a midlife rehabilitation.

7. On December 9, 2024, RFP #25028 was published to procure 11 Cummins ISB 6.7-liter diesel engines as a part of an effort to rehabilitate the powertrains of the ACCGov Transit hybrid bus fleet.

8. On December 10, 2024, ACCGov received the Notice to Proceed letter from GDOT indicating authorization to procced expending T008384 grant funds for eligible Operating and Capital expenses.

9. On January 13, 2025, responses were due for RFP #25028. Only one response was received.

10. On January 24, 2025, The ACCGov Purchasing Division issued a notice of intent to award Cummins Inc. for the proposal they provided in response to RFP 25028.

FACTS & ISSUES:

1. FTA funding has been utilized for both the acquisition and maintenance of this portion of the ACCGov Transit fleet.

2. Transit agencies that receive federal funding for vehicle and equipment purchases are obligated to retain the assets for a minimum life cycle that is predetermined by the FTA. FTA mandates a minimum life cycle of 12 years or 500,000 miles for heavy-duty transit buses.

3. At this time, ACCGov Transit has already experienced two engine failures within the hybrid fleet. An unplanned replacement of a failed diesel engine takes approximately four months to procure and replace.

4. Failure to perform scheduled maintenance leads to unplanned failures, service disruptions, increased pollution, safety hazards, and violation of FTA “State of Good Repair” mandates. To minimize this, ACCGov Transit undertakes a midlife rehabilitation preventative maintenance project for all heavy-duty transit buses at the 6-year/250,000-mile interval in accordance with the FTA-required maintenance plan. These rehabilitation projects typically involve the replacement of all propulsion components, drivetrain components, suspension components, and steering components.

5. ACCGov Transit released RFP #25028 to procure the new diesel engines needed to perform the midlife rehabilitation of the ACCGov hybrid bus fleet. This competitive procurement was advertised on the ACCGov website and the Georgia State Procurement Registry.

6. ACCGov Purchasing received one response for RFP #25028. The response received was from Cummins Inc.

7. Cummins Inc. is the recommended vendor for engine procurement. Their proposal is priced at $367,592.94. The ACCGov Purchasing Division provided Cummins Inc. with a Notice of Intent to award on the basis of being the lowest priced responsive and responsible vendor.

8. The hybrid propulsion system consists of two technologies (diesel engine and electric motor) that work in tandem to ultimately reduce fuel consumption. After the diesel engine replacement portion of the of the rehabilitation project is completed the energy storage system (battery pack) for the electric drive will also require replacement in each hybrid bus. Funds are being allocated in the FY26 grant to complete the energy storage system (battery pack) replacement.

9. Notably, ACCGov Transit is no longer in compliance with FTA revenue vehicle spare ratio requirements due to City Bus Operator vacancies. This classification impacts the ability for ACCGov to use FTA funding to procure heavy-duty Transit buses (including renewable fuels) until service levels are restored. To address this challenge, staff have utilized a hiring incentive and ramped up recruitment activities, while also collaborating on a forthcoming initiative to deploy a City Bus Operator career ladder. Once additional staff are hired, ACCGov transit can resume using FTA funds in support of transit vehicle replacement and investments in the renewable fuel transition.

10. This recommendation supports the following ACCGov Strategic Plan Goals and Strategies:
    - Safely Move Around Athens Goal, Strategy C: *Expand multi-modal Transit access to reduce auto dependency and provide greater mobility for Athens residents.*
    - Built and Natural Infrastructure Goal, Strategy C: *Provide adequate funding for maintenance of existing and newly constructed infrastructure.*

OPTIONS:

1. Mayor and Commission:
    a. Award and authorize the procurement of 11 diesel engines from Cummins Inc. in the amount of $367,592.94, for the midlife rehabilitation of the ACCGov Transit diesel-electric hybrid bus fleet; and,
    b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission do not approve the purchase.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a & b

DEPARTMENT: Transit
Prepared by: Derick Gandy



Victor Pope
Transit Director

5/21/24
Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a & b



Brad Griffin
Interim Manager

02/13/2025
Date

THE UNIFIED GOV'T OF ATHENS-CLARKE COUNTY
BID RECOMMENDATION

BID TITLE: Bus Engine Replacement Project

BID 25028 **Opening Date:** 1/13/2025 **Expire:** 120 Days

DEPARTMENT: Transit

DESCRIPTION: Bus Engine Replacement Project

AWARD TO: **Cummins Inc.** **AMOUNT:** **$367,592.94**

DEPARTMENT DIRECTOR RECOMMENDATION:

Attach a copy of the agenda item for all projects approved and authorized by the Commission

Company name: Cummins Inc.

Rationale for recommendation: Cummins Inc is the provider of the original equipment, and is a reputable established vendor with ACCGov Transit

Signature(s) | Director *Title(s)* | 01/22/2025 *Date*

PURCHASING RECOMMENDATION:

CBPC COMMENTS/RECOMMENDATION:

Company name: Cummins Inc.

Comments: Cummins Inc was the only bidder for Bid 25028. Cummins Inc. met all requirements including engines being delivered by June 20, 2025.

Samantha Murray Digitally signed by Samantha Murray Date: 2025.01.23 15:35:00 -05'00' 1/23/2025

Signature *Date*

PURCHASING ADMINSTRATOR RECOMMENDATION:

Company name: Cummins Inc.

Comments: Concur with Department and CBPC recommendation.

Jessica Beri Digitally signed by Jessica Beri Date: 2025.01.23 17:11:55 -05'00' 01/23/2025

Signature *Date*

Attachment 2

January 24, 2025

Mark Gamber
Cummins Inc. (dba Cummins Sales and Service)
1765 Construction Drive
Gainesville, GA 30507

Via Email: mark.gamber@cummins.com

Subject: Notice of Intent to Award, Bid # 25028 Transit Bus Engine Replacement Project

Dear Mr. Gamber:

On behalf of the Unified Government of Athens-Clarke County, Transit Department, I'd like to congratulate your firm on being selected as the lowest responsive and responsible vendor for Bid # 25028 Transit Bus Engine Replacement Project. The award for Bid# 25028 Transit Bus Engine Replacement Project is pending Mayor and Commission approval on Tuesday, March 4, 2025.

This letter is to serve as notice to begin finalizing the contract for this project. Your contact for the contract negotiations is Derick Gandy, Maintenance Administrator who can be reached via phone: at 706-410-6261 or via email at derick.gandy@accgov.com. All insurance requirements, as noted in the bid must be met before an official notice to proceed can be issued, if applicable. You will receive the official Notice to Proceed and purchase order once the contract is fully executed.

Please note the Bid# 25028 and your purchase order number on all invoices and correspondence relating to the project. If you have any questions in regard to the award, please contact Samantha Murray, Community Business Procurement Coordinator at 706-510-5671 or via email at Samantha.murray@accgov.com. All project-related questions should be directed to Derick Gandy.

We look forward to working with you on this project.

Sincerely,

Jessica Beri

Jessica Beri
Purchasing Administrator

cc: Samantha Murray, Community Business Procurement Coordinator
Derick Gandy, Maintenance Administrator

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA
UNOFFICIAL PROPOSAL TABULATION FORM
BID 25028 Bus Engine Replacement Project
3:00 P.M. ET, Monday, January 13, 2025

	OFFEROR CITY, STATE	DATE AND TIME RECEIVED BY	BID FORM	ADDENDA ACKNOWLEDGEMENT	GSIC AFFIDAVIT	BID SCHEDULE	FTA REQUIREMENTS	BII TOT
1	Cummins Inc. Gainesville, GA	1/13/2025 9:11 SBM	Yes	Yes	Yes	Yes	Yes	$
2								
3								
4								
5								
6								

Samantha Murray
Digitally signed by Samantha Murray
Date: 2025.01.13 15:15:01 -05'00'

Opened by: Samantha Murray, CBPC
Date: 1/13/2025

Gerri Rena Durie
Digitally signed by Gerri Rena Durie
Date: 2025.01.13 15:25:12 -05'00'

Recorded by: Rena Durie, Senior Buyer
Date:1/13/2025

Jessica Beri
Digitally signed by Jessica Beri
Date: 2025.01.16 17:42:19 -05'00'

Reviewed & approved for distribution by: Jessica Beri - *Purchasing Administrator*
Date:

Original

SECTION I – BID SUBMISSION INSTRUCTIONS

ALL BIDS RECEIVED WILL BECOME A PART OF THE OFFICIAL CONTRACT FILE AND MAY BE SUBJECT TO DISCLOSURE UNDER THE OPEN RECORDS ACT.

A complete signed BID must include the documents listed below:

BID FORMAT: Bidders are expected to examine the specifications, price schedule, and all instructions. Failure to do so will be at the bidders' risk. Each bidder shall furnish the information required by the solicitation. ***The BID SUBMITTAL must be signed by an officer of the company, who is legally authorized to enter into a contractual relationship in the name of the bidder.***

MANDATORY DOCUMENTS CHECKLIST: Bidder must complete, execute and include with the bid the following Mandatory documents. **BIDS RECEIVED WITHOUT THE MANDATORY DOCUMENTS MAY BE REJECTED:**

- ☑ **Bid Form:** Section **VI-A**
- ☑ **Acknowledgement of Addenda:** Include completed Acknowledgement of Addenda form, from Section VI-B of this BID
- ☑ **Georgia Security & Immigration Compliance (GSIC) Act Affidavit:** Include a notarized copy of the GSIC Affidavit form for the contractor, from Section VI -C, of this BID.
- ☑ **Bid Schedule:** Please include the completed Schedule from Section VII of this Bid.

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BID SUBMISSION AND DELIVERY INSTRUCTION: ALL bid copies must be submitted in a sealed envelope or container with the **OUTER MOST** Container stating the address, telephone number, the BID number and title (**BID #25028 TRANSIT BUS ENGINE REPLACEMENT PROJECT)** Also please include your Unified Government of Athens-Clarke County Vendor Number (ACCUG Vendor number), If you do not know your vendor number, please call **706-613-3088 or email: vendor@accgov.com** .

☑ **One (1) marked original of the complete signed bid**
☑ **One (1) USB Flash drive with the complete signed bid**

ALL DOCUMENTS SUBMITTED ON USB FLASH DRIVE MUST BE IN A SINGLE PDF FILE

Original

COMPANY NAME: Cummins Inc. (dba Cummins Sales and Service)

MANDATORY SUBMITTAL

SECTION VI BID FORMS

SECTION VI-A: BID FORM AND STATEMENT OF BIDDER QUALIFICATION

BID of Cummins Inc.

(Hereinafter called "Bidder"), organized and existing under the laws of the State of

Indiana, *doing business as* Cummins Sales and Service *.

In compliance with your BID, the bidder hereby agrees to perform and furnish all work for the requirement known as **BID #25028 Transit Bus Engine Replacement Project** in strict accordance with the bid Documents, within the time set forth therein, and at the price bid.

By submission of this Bid, the bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization that:

1. The bidder has examined and carefully studied the bid Documents and the Addenda, receipt of all of which is hereby acknowledged in Section V-C.
2. The bidder agrees that this bid may not be revoked or withdrawn after the time set for the opening of bid but shall remain open for acceptance for a period of sixty (60) days following such time.

Company:	Cummins Inc. (dba Cummins Sales and Service)		
Contact:	Mark Gamber, Account Executive		
Address:	1765 Construction Drive, Gainesville, GA 30507		
Phone:	Branch: 678-450-8700 Account Executive: 832-745-2075	Fax	N/A
Email:	Account Executive: mark.gamber@cummins.com Bids: OHBids@cummins.com		

Kathleen Bryant, Bids and Contracts Manager		Kathleen Bryant		9 Jan, 2025
Authorized Representative/Title *(print or type)*		**Authorized Representative** *(Signature)*		**Date**

Company Name (*printed*): Cummins Inc. (dba Cummins Sales and Service)

Original

MANDATORY SUBMITTAL

SECTION VI – BID FORMS

B: ADDENDA ACKNOWLEDGEMENT

The bidder has examined and carefully studied the Specifications and the following Addenda, Receipt of all of which is hereby acknowledged:

Addendum No.	1	dated	01/07/2025	Acknowledgement	KB
Addendum No.		dated		Acknowledgement	*Initial*
Addendum No.		dated		Acknowledgement	*Initial*
Addendum No.		dated		Acknowledgement	*Initial*
					Initial

Bidders must acknowledge any issued addenda. Bids which fail to acknowledge the bidder's receipt of any addendum will result in the rejection of the bid if the addendum contained information which substantively changes the Owner's requirements.

COMPANY NAME: Cummins Inc. (dba Cummins Sales and Service)

Original

MANDATORY SUBMITTAL

SECTION VI-C GEORGIA SECURITY & IMMIGRATION COMPLIANCE (GSIC) AFFIDAVIT FORM

The Unified Government of Athens-Clarke County and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

The Contractor further agrees that its compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 is attested to on the executed Contractor Affidavit and Agreement attached hereto.

If employing or contracting with any subcontractor(s) in connection with this Agreement, Contractor further agrees:

(1) To secure from the subcontractor(s) an affidavit attesting to the subcontractor's compliance with O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02; such affidavit being in the form attached hereto; and

The failure of Contractor to supply the affidavit of compliance at the time of execution of this Agreement and/or the failure of Contractor to continue to satisfy the obligations of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 as set forth in this Agreement throughout the contract period shall constitute a material breach of the contract. Upon notice of such breach, Contractor shall be entitled to cure the breach within ten days, upon providing satisfactory evidence of compliance with the terms of this Agreement and State law. Should the breach not be cured, Athens-Clarke County shall be entitled to all available remedies, including termination of the contract and damages.

SEE AFFIDAVIT ON FOLLOWING PAGE

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MANDATORY SUBMITTAL

CONTRACTOR AFFIDAVIT & AGREEMENT UNDER O.C.G.A. § 13-10-91(b)(1)
(effective July 1, 2013)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, as amended, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of The Unified Government of Athens-Clarke County, Georgia, 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 provisions and deadlines established in O.C.G.A. § 13-10-91, as amended.

Furthermore, the undersigned 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:

833167
Federal Work Authorization User Identification Number

01/28/2015
Date of Authorization

Name of Contractor: Cummins Inc. (dba Cummins Sales and Service)

Name of Project: Bid #25028 Transit Bus Engine Replacement Project

Name of Public Employer: Athens-Clarke County Transit System

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

Executed on 9th, January, 2025 in El Paso, Texas.

Kathleen Bryant
Signature of Authorized Officer or Agent

Kathleen Bryant, Bids and Contracts Manager
Printed Name and Title of Authorized Officer or Agent

PATRICIA ROBLES
Notary ID #8374751
My Commission Expires
May 20, 2026

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE
9th DAY OF January, 2025

Patricia Robles
Notary Public
My Commission Expires: 05/20/2026

Patricia Robles
Digitally signed by Patricia Robles
Date: 2025.01.09 14:12:19 -07'00'

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MANDATORY SUBMITTAL

SECTION VII – BID SCHEDULE

BID #25028 TRANSIT BUS ENGINE REPLACEMENT PROJECT

DESCRIPTION	PRICE	QTY	TOTAL
CUMMINS ISB 6.7 LITER DIESEL ENGINE	$ 33,417.54	11	$ 367,592.94

Prices proposed shall include delivery and shall be F.O.B. to 325 Pound Street Athens, Georgia 30601.

1. Price quoted on Specifications as outlined: ☑ YES ☐ NO

2. Quoter: Company Name: Cummins Inc. (dba Cummins Sales and Service)

Address: 1765 Construction Drive, Gainesville, GA 30507

Contact: Mark Gamber, Account Executive

Phone: Branch: 678-450-8700 Account Executive: 832-745-2075 Fax: N/A

E-mail: Account Executive: mark.gamber@cummins.com Bids: OHBids@cummins.com

Kathleen Bryant, Bids and Contracts Manager — 9 January, 2025

Authorized Representative/Title (print or type) — Date

Kathleen Bryant — 9 January, 2025

Authorized Representative (Signature) — Date

Original

SECTION VIII FTA REQUIRED FORMS TO SUBMITTED

U.S. Government Required Clauses

Fly America Requirements – Applicability – all contracts involving transportation of persons or property, by air between the U.S. and/or places outside the U.S. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000).
Contractor shall comply with 49 USC 40118 (the "Fly America" Act) in accordance with General Services Administration regulations 41 CFR 301-10, stating that recipients and subrecipients of Federal funds and their contractors are required to use US Flag air carriers for US Government- financed international air travel and transportation of their personal effects or property, to the extent such service is available, unless travel by foreign air carrier is a matter of necessity, as defined by the Fly America Act. Contractor shall submit, if a foreign air carrier was used, an appropriate certification or memorandum adequately explaining why service by a US flag air carrier was not available or why it was necessary to use a foreign air carrier and shall, in any event, provide a certificate of compliance with the Fly America requirements. Contractor shall include the requirements of this section in all subcontracts that may involve international air transportation.

Buy America Requirements – Applicability – Construction Contracts and Acquisition of Goods or Rolling Stock (valued at more than $150,000)
Contractor shall comply with 49 USC 5323(j) and 49 CFR 661, stating that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 CFR 661.7, and include software, microcomputer equipment and small purchases (currently less than $150,000) made with capital, operating, or planning funds. Separate requirements for rolling stock are stated at 5323(j)(2)(C) and 49 CFR 661.11. Rolling stock must be manufactured in the US and have a minimum 60% domestic content for FY2016 and FY2017, a minimum 65% domestic content for FY2018 and FY2019 and a minimum 70% domestic content for FY2020 and beyond. A bidder or offeror shall submit appropriate Buy America certification to the recipient with all bids on FTA-funded contracts, except those subject to a general waiver. Proposals not accompanied by a completed Buy America certification shall be rejected as nonresponsive. This requirement does not apply to lower tier subcontractors.

Charter Bus Requirements – Applicability – Operational Service Contracts. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000).
Contractor shall comply with 49 USC 5323(d) and (g) and 49 CFR 604, which state that recipients and subrecipients of FTA assistance may provide charter service for transportation projects that uses equipment or facilities acquired with Federal assistance authorized under the Federal transit laws (except as permitted by 49 CFR 604.2), or under 23 U.S.C. 133 or 142, only in compliance with those laws and FTA regulations, "Charter Service," 49 CFR part 604, the terms and conditions of which are incorporated herein by reference.

School Bus Requirements – School Bus Requirements – Applicability – Operational Service Contracts. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000). Pursuant to 69 USC 5323(f) or (g) as amended by MAP-21, 23 USC 133, 23 USC 142, and 49 CFR 605, recipients and subrecipients of FTA assistance shall not engage in school bus operations exclusively for transportation of students and school personnel in competition with private school bus operators unless qualified under specified exemptions. When operating exclusive school bus service under an allowable

Original

exemption, recipients and subrecipients shall not use federally funded equipment, vehicles, or facilities. Violations. If a Recipient or any Third-Party Participant that has operated school bus service in violation of FTA's School Bus laws and regulations, FTA may: (1) Require the Recipient or Third-Party Participant to take such remedial measures as FTA considers appropriate, or (2) Bar the Recipient or Third Party Participant from receiving Federal transit funds.

Cargo Preference - Use of US-Flag Vessels – Applicability – Contracts involving equipment, materials or commodities which may be transported by ocean vessels. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000). Contractor shall: a. use privately owned US-Flag commercial vessels to ship at least 50% of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to the underlying contract to the extent such vessels are available at fair and reasonable rates for US flag commercial vessels; b. furnish within 20 working days following the loading date of shipments originating within the US or within 30 working days following the loading date of shipments originating outside the US, a legible copy of a rated, "on-board" commercial bill-of-lading in English for each shipment of cargo described herein to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590 and to the recipient (through contractor in the case of a subcontractor's bill-of-lading.) c. include these requirements in all subcontracts issued pursuant to this contract when the subcontract involves the transport of equipment, material, or commodities by ocean vessel.

Seismic Safety – Applicability – Construction of new buildings or additions to existing buildings. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000). Contractor agrees that any new building or addition to an existing building shall be designed and constructed in accordance with the standards required in USDOT Seismic Safety Regulations 49 CFR 41 and shall certify compliance to the extent required by the regulation. Contractor shall also ensure that all work performed under this contract, including work performed by subcontractors, complies with the standards required by 49 CFR 41 and the certification of compliance issued on the project.

Energy Conservation – Applicability – All Contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000) Contractor shall comply with mandatory standards and policies relating to energy efficiency, stated in the state energy conservation plan issued in compliance with the Energy Policy & Conservation Act.

Clean Water – Applicability – All Contracts and Subcontracts over $250,000. Contractor shall comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 USC 1251 et seq. Contractor shall report each violation to

the recipient and understands and agrees that the recipient shall, in turn, report each violation as required to FTA and the appropriate EPA Regional Office. Contractor shall include these requirements in each subcontract exceeding $250,000 financed in whole or in part with FTA assistance.

Bus Testing – Applicability – Rolling Stock/Turnkey
Contractor [manufacturer] shall comply with 49 USC A5323(c) and FTA's implementing regulation 49 CFR 665 and shall perform the following:

1) A manufacturer of a new bus model or a bus produced with a major change in components or

Original

configuration shall **provide a copy of the final test report** to the recipient prior to the recipient's final acceptance of the first vehicle.

2) A manufacturer who releases a report under para. 1 above shall provide notice to the operator of the testing facility that the report is available to the public.

3) If the manufacturer represents that the vehicle was previously tested, the vehicle being sold should have the identical configuration and major components as the vehicle in the test report, which must be provided to the recipient prior to the recipient's final acceptance of the first vehicle. If configuration or components are not identical, the manufacturer shall provide a description of the change and the manufacturer's basis for concluding that it is not a major change requiring additional testing.

4) If the manufacturer represents that the vehicle is "grandfathered" (has been used in mass transit service in the US before Oct. 1, 1988, and is currently being produced without a major change in configuration or components), the manufacturer shall provide the name and address of the recipient of such a vehicle and the details of that vehicle's configuration and major components.

Pre-Award & Post-Delivery Audit Requirements - Applicability – Rolling Stock/Turnkey Contractor shall comply with 49 USC 5323(l) and FTA's implementing regulation 49 CFR 663 and submit the following certifications:

1) Buy America Requirements: Contractor shall complete and submit a declaration certifying either compliance or noncompliance with Buy America. If contractor certifies compliance with Buy America, it shall submit documentation listing:

   A. Component and subcomponent parts of the rolling stock to be purchased identified by manufacturer of the parts, their country of origin and costs; and
   B. The location of the final assembly point for the rolling stock, including a description of the activities that will take place at the final assembly point and the cost of final assembly.
   C. Solicitation Specification Requirements: Contractor shall submit evidence that it will be capable of meeting the bid specifications.
   D. Federal Motor Vehicle Safety Standards (FMVSS): Contractor shall submit 1) manufacturer's FMVSS self-certification sticker information that the vehicle complies with relevant FMVSS or 2) manufacturer's certified statement that the buses will not be subject to FMVSS regulations.

Lobbying – Applicability - Construction/Architectural and Engineering/Acquisition of Rolling Stock/Professional Service Contract/Operational Service Contract/Turnkey contracts over $250,000

Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] - Contractors who apply or bid for an award of $250,000 or more shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also

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disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

Access to Records and Reports– Applicability – As shown below. These requirements do not apply to micro-purchases ($10,000 or less, except for construction contracts over $2,000)
The following access to records requirements apply to this Contract:

1. Where the purchaser is not a State but a local government and is an FTA recipient or a subgrantee of FTA recipient in accordance with 49 CFR 18.36(i), contractor shall provide the purchaser, the FTA, the US Comptroller General or their authorized representatives access to any books, documents, papers and contractor records which are pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions. Contractor shall also, pursuant to 49 CFR 633.17, provide authorized FTA representatives, including any PMO contractor, access to contractor's records and construction sites pertaining to a capital project, defined at 49 USC 5302(a)1, which is receiving FTA assistance through the programs described at 49 USC 5307, 5309 or 5311.

2. Where the purchaser is a State and is an FTA recipient or a subgrantee of FTA recipient in accordance with 49 CFR 633.17, contractor shall provide the purchaser, authorized FTA representatives, including any PMO Contractor, access to contractor's records and construction sites pertaining to a capital project, defined at 49 USC 5302(a)1, which receives FTA assistance through the programs described at 49 USC 5307, 5309 or 5311. By definition, a capital project excludes contracts of less than the simplified acquisition threshold currently set at $250,000.

Where the purchaser enters into a negotiated contract for other than a small purchase or under the simplified acquisition threshold and is an institution of higher education, a hospital or other non-profit organization and is an FTA recipient or a subgrantee of FTA recipient in accordance with 49 CFR 19.48, contractor shall provide the purchaser, the FTA, the US Comptroller General or their authorized representatives, access to any books, documents, papers and record of the contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions.

3. Where a purchaser which is an FTA recipient or a subgrantee of FTA recipient in accordance with 49 USC 5325(a) enters into a contract for a capital project or improvement (defined at 49 USC 5302(a)1) through other than competitive bidding, contractor shall make available records related to the contract to the purchaser, the Secretary of USDOT and the US Comptroller General or any authorized officer or employee of any of them for the purposes of conducting an audit and inspection.

4. Contractor shall permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

5. Contractor shall maintain all books, records, accounts and reports required under this contract for a period of not less than three (3) years after the date of termination or expiration of this contract, except in the event of litigation or settlement of claims arising from the performance of this contract, in which case contractor agrees to maintain same until the recipient, FTA Administrator, US Comptroller General, or any of their authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Re: 49 CFR 18.39(i)(11).

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FTA does not require the inclusion of these requirements in subcontracts.

Federal Changes – Applicability – All Contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)
Contractor shall comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between the recipient and FTA, as they may be amended or promulgated from time to time during the term of the contract. Contractor's failure to comply shall constitute a material breach of the contract.

Bonding Requirements – Applicability – For those construction or facility improvement contracts or subcontracts exceeding $250,000, FTA may accept the bonding policy and requirements of the recipient, provided that they meet the minimum requirements for construction contracts as follows:

a. A bid guarantee from each bidder equivalent to five (5) percent of the bid price. The "bid guarantees" shall consist of a firm commitment such as a bid bond, certifies check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

b. A performance bond on the part to the Contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in the execution of the work provided for in the contract. Payment bond amounts required from Contractors are as follows:

(1) 50% of the contract price if the contract price is not more than $1 million;
(2) 40% of the contract price if the contract price is more than $1 million but not more than $5 million; or
(3) $2.5 million if the contract price is more than $5 million.

c. A cash deposit, certified check or other negotiable instrument may be accepted by a grantee in lieu of performance and payment bonds, provided the grantee has established a procedure to assure that the interest of FTA is adequately protected. An irrevocable letter of credit would also satisfy the requirement for a bond.

Bid Bond Requirements (Construction)

(a) Bid Security - A Bid Bond must be issued by a fully qualified surety company acceptable to (Recipient) and listed as a company currently authorized under 31 CFR, Part 223 as possessing a Certificate of Authority as described thereunder.

(b) Rights Reserved - In submitting this Bid, it is understood and agreed by bidder that the right is reserved by (Recipient) to reject any and all bids, or part of any bid, and it is agreed that the Bid may not be withdrawn for a period of [ninety (90)] days subsequent to the opening of bids, without the written consent of (Recipient).
It is also understood and agreed that if the undersigned bidder should withdraw any part or all of his bid within [ninety (90)] days after the bid opening without the written consent of (Recipient), shall refuse or be unable to

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enter into this Contract, as provided above, or refuse or be unable to furnish adequate and acceptable Performance Bonds and Labor and Material Payments Bonds, as provided above, or refuse or be unable to furnish adequate and acceptable insurance, as provided above, he shall forfeit his bid security to the extent of (Recipient's) damages occasioned by such withdrawal, or refusal, or inability to enter into an agreement, or provide adequate security therefor.
It is further understood and agreed that to the extent the defaulting bidder's Bid Bond, Certified Check, Cashier's Check, Treasurer's Check, and/or Official Bank Check (excluding any income generated thereby which has been retained by (Recipient) as provided in [Item x "Bid Security" of the Instructions to Bidders]) shall prove inadequate to fully recompense (Recipient) for the damages occasioned by default, then the undersigned bidder agrees to indemnify (Recipient) and pay over to (Recipient) the difference between the bid security and (Recipient's) total damages, so as to make (Recipient) whole.
The undersigned understands that any material alteration of any of the above or any of the material contained on this form, other than that requested, will render the bid unresponsive. Performance and Payment Bonding Requirements (Construction)

The Contractor shall be required to obtain performance and payment bonds as follows:

1. Performance bonds The penal amount of performance bonds shall be 100 percent of the original contract price, unless the (Recipient) determines that a lesser amount would be adequate for the protection of the (Recipient).

2. The (Recipient) may require additional performance bond protection when a contract price is increased. The increase in protection shall generally equal 100 percent of the increase in contract price. The (Recipient) may secure additional protection by directing the Contractor to increase the penal amount of the existing bond or to obtain an additional bond.

(a) Payment bonds
1. The penal amount of the payment bonds shall equal:
(i) Fifty percent of the contract price if the contract price is not more than $1 million.
(ii) Forty percent of the contract price if the contract price is more than $1 million but not more than $5 million; or
(iii) Two and one half million if the contract price is more than $5 million.

2. If the original contract price is $5 million or less, the (Recipient) may require additional protection as required by subparagraph 1 if the contract price is increased.

Performance and Payment Bonding Requirements (Non-Construction)
The Contractor may be required to obtain performance and payment bonds when necessary to protect the (Recipient's) interest.

(a) The following situations may warrant a performance bond:

1. (Recipient) property or funds are to be provided to the contractor for use in performing the contract or as partial compensation (as in retention of salvaged material).

2. A contractor sells assets to or merges with another concern, and the (Recipient), after recognizing the

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latter concern as the successor in interest, desires assurance that it is financially capable.

3. Substantial progress payments are made before delivery of end items starts.

4. Contracts are for dismantling, demolition, or removal of improvements.

(b) When it is determined that a performance bond is required, the Contractor shall be required to obtain performance bonds as follows:

1. The penal amount of performance bonds shall be 100 percent of the original contract price, unless the (Recipient) determines that a lesser amount would be adequate for the protection of the (Recipient).

2. The (Recipient) may require additional performance bond protection when a contract price is increased. The increase in protection shall generally equal 100 percent of the increase in contract price.

The (Recipient) may secure additional protection by directing the Contractor to increase the penal amount of the existing bond or to obtain an additional bond.

(c) A payment bond is required only when a performance bond is required, and if the use of payment bond is in the (Recipient's) interest.

(d) When it is determined that a payment bond is required, the Contractor shall be required to obtain payment bonds as follows:

1. The penal amount of payment bonds shall equal:
(i) Fifty percent of the contract price if the contract price is not more than $1 million;
(ii) Forty percent of the contract price if the contract price is more than $1 million but not more than $5 million; or
(iii) Two and one half million if the contract price is increased. Advance
Payment Bonding Requirements

The Contractor may be required to obtain an advance payment bond if the contract contains an advance payment provision and a performance bond is not furnished. The (recipient) shall determine the amount of the advance payment bond necessary to protect the (Recipient).

Patent Infringement Bonding Requirements (Patent Indemnity)

The Contractor may be required to obtain a patent indemnity bond if a performance bond is not furnished and the financial responsibility of the Contractor is unknown or doubtful. The (recipient) shall determine the amount of the patent indemnity to protect the (Recipient).

Warranty of the Work and Maintenance Bonds

1. The Contractor warrants to (Recipient), the Architect and/or Engineer that all materials and equipment furnished under this Contract will be of highest quality and new unless otherwise specified by (Recipient), free from faults and defects and in conformance with the Contract Documents. All work not so conforming to these standards shall be considered defective. If required by the [Project Manager], the Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment.

The Work furnished must be of first quality and the workmanship must be the best obtainable in the various trades. The Work must be of safe, substantial and durable construction in all respects. The Contractor hereby

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guarantees the Work against defective materials or faulty workmanship for a minimum period of one (1) year after Final Payment by (Recipient) and shall replace or repair any defective materials or equipment or faulty workmanship during the period of the guarantee at no cost to (Recipient). As additional security for these guarantees, the Contractor shall, prior to the release of Final Payment [as provided in Item X below], furnish separate Maintenance (or Guarantee) Bonds in form acceptable to (Recipient) written by the same corporate surety that provides the Performance Bond and Labor and Material Payment Bond for this Contract. These bonds shall secure the Contractor's obligation to replace or repair defective materials and faulty workmanship for a minimum period of one (1) year after Final Payment and shall be written in an amount equal to ONE HUNDRED PERCENT (100%) of the CONTRACT SUM, as adjusted (if at all).

Clean Air – Applicability – All contracts over $250,000. 1) Contractor shall comply with all applicable standards, orders or regulations pursuant to the Clean Air Act, 42 USC 7401 et seq. Contractor shall report each violation to the recipient and understands and agrees that the recipient will, in turn, report each violation as required to FTA and the appropriate EPA Regional Office. 2) Contractor shall include these requirements in each subcontract exceeding $250,000 financed in whole or in part with FTA assistance.

Recycled Products – Applicability – All contracts for items designated by the EPA, when the purchaser or contractor procures $10,000 or more of one of these items during the current or previous fiscal year using Federal funds. The contractor agrees to comply with all the requirements of Section 6002 of the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. 6962), including but not limited to the regulatory provisions of 40 CFR Part 247, and Executive Order 12873, as they apply to the procurement of the items designated in Subpart B of 40 CFR Part 247.

Davis-Bacon and Copeland Anti-Kickback Acts – Applicability -Construction contracts and subcontracts, including actual construction, alteration and/or repair, including decorating and painting, over $2,000

(1) Minimum wages - (i) All laborers and mechanics employed or working upon the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development of the project), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (1)(iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR Part 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph (1)(ii) of this section) and the Davis-Bacon poster (WH-1321) shall be posted at

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all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers. (ii)(A) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) Except with respect to helpers as defined as 29 CFR 5.2(n)(4), the work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination; and (4) With respect to helpers as defined in 29 CFR 5.2(n)(4), such a classification prevails in the area in which the work is performed. (B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary. (C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30- day period that additional time is necessary. (D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii) (B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (v)(A) The contracting officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met: (1) The work to be performed by the classification requested isnot performed by a classification in the wage determination; and (2) The classification isutilized in the area by the construction industry; and (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount

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designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination with 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary. (D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(v) (B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(2) Withholding - The recipient shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development ofthe project), all or part of the wages required by the contract, the grantee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(3) Payrolls and basic records - (i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work (or under the United States Housing Act of 1937, or under the Housing Act of 1949, in the construction or development of the project). Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid

(including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (ii)(A) The contractor shall submit weekly for each week in which any contract work is performed a

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copy of all payrolls to the recipient for transmission to the Federal Transit Administration. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under section 5.5(a)(3)(i) of Regulations, 29 CFR part 5.
This information may be submitted in any form desired. Optional Form WH-347 is available for this purpose and may be purchased from the Superintendent of Documents (Federal Stock Number 029-005-00014-1), U.S. Government Printing Office, Washington, DC 20402. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. (B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following: (1) That the payroll for the payroll period contains the information required to be maintained under section 5.5(a)(3)(i) of Regulations, 29 CFR part 5 and that such information is correct and complete; (2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3; (3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract. (C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (a)(3)(ii)(B) of this section.
(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code. (iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the Federal Transit Administration or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the Federal agency may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause thesuspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

(4) Apprentices and trainees - (i) Apprentices - Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training, or with a State Apprenticeship Agency recognized by the Bureau, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the

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journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination.

Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator of the Wage and Hour Division of the U.S. Department of Labor determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Bureau of Apprenticeship and Training, or a State Apprenticeship Agency recognized by the Bureau, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.(ii) Trainees - Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits,

trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity - The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

(5) Compliance with Copeland Act requirements - The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts - The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the Federal Transit Administration may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

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(7) Contract termination: debarment - A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements - All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards - Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of Eligibility - (i) By entering into this contract, contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1). (ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1). (iii) The penalty for making false statements is prescribed in 18 USC 1001.

Contract Work Hours & Safety Standards Act – Applicability – Contracts over $250,000

(1) Overtime requirements - No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages - In the event of any violation of the clause set forth in para. (1) of this section, contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in para. (1) of this section, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in para. (1) of this section.

(3) Withholding for unpaid wages and liquidated damages - the recipient shall upon its own action or upon written request of USDOL withhold or cause to be withheld, from any moneys payable on account of work performed by contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours & Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as

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provided in the clause set forth in para. (2) of this section.

(4) Subcontracts - Contractor or subcontractor shall insert in any subcontracts the clauses set forth in this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. Prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in this section.

No Government Obligation to Third Parties - Applicability – All contracts except micro- purchases ($10,000 or less, except for construction contracts over $2,000)

(1) The recipient and contractor acknowledge and agree that, notwithstanding any concurrence by the US Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the US Government, the US Government is not a party to this contract and shall not be subject to any obligations or liabilities to the recipient, the

contractor, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

(2) Contractor agrees to include the above clause in each subcontract financed in whole or in part with FTA assistance. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

Program Fraud and False or Fraudulent Statements or Related Acts – Applicability – All contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

(1) Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 USC 3801 et seq. and USDOT regulations, "Program Fraud Civil Remedies," 49 CFR 31, apply to its actions pertaining to this project. Upon execution of the underlying contract, contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, contractor further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submittal, or certification, the US Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act (1986) on contractor to the extent the US Government deems appropriate.

(2) If contractor makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submittal, or certification to the US Government under a contract connected with a project that is financed in whole or in part with FTA assistance under the authority of 49 USC 5307, the Government reserves the right to impose the penalties of 18 USC 1001 and 49 USC 5307(n)(1) on contractor, to the extent the US Government deems appropriate.

(3) Contractor shall include the above two clauses in each subcontract financed in whole or in part with FTA assistance. The clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

Termination – Applicability – All Contracts over $10,000, except contracts with nonprofit organizations and institutions of higher learning, where the threshold is $250,000

a. Termination for Convenience (General Provision) the recipient may terminate this contract, in whole or in part, at any time by written notice to contractor when it is in the recipient's best interest. Contractor shall be

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paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. Contractor shall promptly submit its termination claim to the recipient. If contractor is in possession of any of the recipient's property, contractor shall account for same, and dispose of it as the recipient directs.

b. Termination for Default [Breach or Cause] (General Provision) If contractor does not deliver items in accordance with the contract delivery schedule, or, if the contract is for services, and contractor fails to perform in the manner called for in the contract, or if contractor fails to comply with any other provisions of the contract, the recipient may terminate this contract for default. Termination shall be effected by serving a notice of termination to contractor setting forth the manner in which contractor is in default. Contractor shall only be paid the contract price for supplies delivered and accepted, or for services performed in accordance with the manner of performance set forth in the contract.

If it is later determined by the recipient that contractor had an excusable reason for not performing, such as a strike, fire, or flood, events which are not the fault of or are beyond the control of contractor, the recipient, after setting up a new delivery or performance schedule, may allow contractor to continue work, or treat the termination as a termination for convenience.

c. Opportunity to Cure (General Provision) the recipient in its sole discretion may, in the case of a termination for breach or default, allow contractor an appropriately short period of time in which to cure the defect. In such case, the notice of termination shall state the time period in which cure is permitted and other appropriate conditions

If contractor fails to remedy to the recipient's satisfaction the breach or default or any of the terms, covenants, or conditions of this Contract within ten (10) days after receipt by contractor or written notice from the recipient setting forth the nature of said breach or default, the recipient shall have the right to terminate the Contract without any further obligation to contractor. Any such termination for default shall not in any way operate to preclude the recipient from also pursuing all available remedies against contractor and its sureties for said breach or default.

d. Waiver of Remedies for any Breach In the event that the recipient elects to waive its remedies for any breach by contractor of any covenant, term or condition of this Contract, such waiver by the recipient shall not limit its remedies for any succeeding breach of that or of any other term, covenant, or condition of this Contract.

e. Termination for Convenience (Professional or Transit Service Contracts) the recipient, by written notice, may terminate this contract, in whole or in part, when it is in the recipient's interest. If the contract is terminated, the recipient shall be liable only for payment under the payment provisions of this contract for services rendered before the effective date of termination.

f. Termination for Default (Supplies and Service) If contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension or if the contractor fails to comply with any other provisions of this contract, the recipient may terminate this contract for default. The recipient shall terminate by delivering to contractor a notice of termination specifying the nature of default. Contractor shall only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner or performance set forth in this contract.

If, after termination for failure to fulfill contract obligations, it is determined that contractor was not in default, the rights and obligations of the parties shall be the same as if termination had been issued for the recipient's convenience.

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g. Termination for Default (Transportation Services) If contractor fails to pick up the commodities or to perform the services, including delivery services, within the time specified in this contract or any extension or if contractor fails to comply with any other provisions of this contract, the recipient may terminate this contract for default. The recipient shall terminate by delivering to contractor a notice of termination specifying the nature of default. Contractor shall only be paid the contract price for services performed in accordance with the manner of performance set forth in this contract.

If this contract is terminated while contractor has possession of the recipient goods, contractor shall, as directed by the recipient, protect and preserve the goods until surrendered to the recipient or its agent. Contractor and the recipient shall agree on payment for the preservation and protection of goods. Failure to agree on an amount shall be resolved under the Dispute clause. If, after termination for failure to fulfill contract obligations, it is determined that contractor was not in default, the rights and obligations of the parties shall be the same as if termination had been issued for the recipient's convenience.

h. Termination for Default (Construction) If contractor refuses or fails to prosecute the work or any separable part, with the diligence that will insure its completion within the time specified, or any extension, or fails to complete the work within this time, or if contractor fails to comply with any other provisions of this contract, the recipient may terminate this contract for default. the recipient shall terminate by delivering to contractor a notice of termination specifying the nature of default. In this event, the recipient may take over the work and compete it by contract or otherwise, and may take possession of and use any materials, appliances, and plant on the work site necessary for completing the work. Contractor and its sureties shall be liable for any damage to the recipient resulting from contractor's refusal or failure to complete the work within specified time, whether or not contractor's right to proceed with the work is terminated. This liability includes any increased costs incurred by the recipient in completing the work.

Contractor's right to proceed shall not be terminated nor shall contractor be charged with damages under this clause if:

1. Delay in completing the work arises from unforeseeable causes beyond the control and without the fault or negligence of contractor. Examples of such causes include: acts of God, acts of the recipient, acts of another contractor in the performance of a contract with the recipient, epidemics, quarantine restrictions, strikes, freight embargoes; and

2. Contractor, within 10 days from the beginning of any delay, notifies the recipient in writing of the causes of delay. If in the recipient's judgment, delay is excusable, the time for completing the work shall be extended. The recipient's judgment shall be final and conclusive on the parties, but subject to appeal under the Disputes clauses.

If, after termination of contractor's right to proceed, it is determined that contractor was not in default, or that the delay was excusable, the rights and obligations of the parties will be the same as if termination had been issued for the recipient's convenience.

i. Termination for Convenience or Default (Architect & Engineering) the recipient may terminate this contract in whole or in part, for the recipient's convenience or because of contractor's failure to fulfill contract obligations. The recipient shall terminate by delivering to contractor a notice of termination specifying the nature, extent, and effective date of termination. Upon receipt of the notice, contractor shall (1) immediately discontinue all services affected (unless the notice directs otherwise), and (2) deliver to the recipient all data, drawings, specifications, reports, estimates, summaries, and other information and materials accumulated in

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performing this contract, whether completed or in process. If termination is for the recipient's convenience, it shall make

an equitable adjustment in the contract price but shall allow no anticipated profit on unperformed services. If termination is for contractor's failure to fulfill contract obligations, the recipient may complete the work by contact or otherwise and contractor shall be liable for any additional cost incurred by the recipient.
If, after termination for failure to fulfill contract obligations, it is determined that contractor was not in default, the rights and obligations of the parties shall be the same as if termination had been issued for the recipient's convenience.

j. Termination for Convenience or Default (Cost-Type Contracts) the recipient may terminate this contract, or any portion of it, by serving a notice or termination on contractor. The notice shall state whether termination is for convenience of the recipient or for default of contractor. If termination is for default, the notice shall state the manner in which contractor has failed to perform the requirements of the contract. Contractor shall account for any property in its possession paid for from funds received from the recipient, or property supplied to contractor by the recipient. If termination is for default, the recipient may fix the fee, if the contract provides for a fee, to be paid to contractor in proportion to the value, if any, of work performed up to the time of termination. Contractor shall promptly submit its termination claim to the recipient and the parties shall negotiate the termination settlement to be paid to contractor. If termination is for the recipient's convenience, contractor shall be paid its contract close-out costs, and a fee, if the contract provided for payment of a fee, in proportion to the work performed up to the time of termination.
If, after serving a notice of termination for default, the recipient determines that contractor has an excusable reason for not performing, such as strike, fire, flood, events which are not the fault of and are beyond the control of contractor, the recipient, after setting up a new work schedule, may allow contractor to continue work, or treat the termination as a termination for convenience.

Government-wide Debarment and Suspension (Nonprocurement) – Applicability – Contracts over $25,000
The Recipient agrees to the following: (1) It will comply with the requirements of 2 C.F.R. part 180, subpart C, as adopted and supplemented by U.S. DOT regulations at 2 C.F.R. part 1200, which include the following: (a) It will not enter into any arrangement to participate in the development or implementation of the Project with any Third Party Participant that is debarred or suspended except as authorized by: 1 U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 C.F.R. part 1200, 2 U.S. OMB, "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 C.F.R. part 180, including any amendments thereto, and 3 Executive Orders Nos. 12549 and 12689, "Debarment and Suspension," 31 U.S.C.
§ 6101 note, (b) It will review the U.S. GSA "System for Award Management," https:// www.sam.gov, if required by U.S. DOT regulations, 2 C.F.R. part 1200, and (c) It will include, and require each of its Third Party Participants to include, a similar provision in each lower tier covered transaction, ensuring that each lower tier Third Party Participant: 1 Will comply with Federal debarment and suspension requirements, and 2 Reviews the "System for Award Management" at https://www.sam.gov, if necessary to comply with U.S. DOT regulations, 2
C.F.R. part 1200, and (2) If the Recipient suspends, debars, or takes any similar action against a Third Party Participant or individual, the Recipient will provide immediate written notice to the:
(a) FTA Regional Counsel for the Region in which the Recipient is located or implements the
Project, (b) FTA Project Manager if the Project is administered by an FTA Headquarters Office, or (c) FTA Chief Counsel,

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Contracts Involving Federal Privacy Act Requirements – Applicability - When a grantee maintains files on drug and alcohol enforcement activities for FTA, and those files are organized so that information could be retrieved by personal identifier, the Privacy Act requirements apply to all contracts except micro-purchases ($10,000 or less, except for construction contracts over
$2,000)

The following requirements apply to the Contractor and its employees that administer any system of records on behalf of the Federal Government under any contract:

(1) The Contractor agrees to comply with, and assures the compliance of its employees with, the information restrictions and other applicable requirements of the Privacy Act of 1974, 5 U.S.C. § 552a. Among other things, the Contractor agrees to obtain the express consent of the Federal Government before the Contractor or its employees operate a system of records on behalf of the Federal Government. The Contractor understands that the requirements of the Privacy Act, including the civil and criminal penalties for violation of that Act, apply to those individuals involved, and that failure to comply with the terms of the Privacy Act may result in termination of the underlying contract.

(2) The Contractor also agrees to include these requirements in each subcontract to administer any system of records on behalf of the Federal Government financed in whole or in part with Federal assistance provided by FTA.

Civil Rights Requirements– Applicability – All contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

The following requirements apply to the underlying contract:

The Recipient understands and agrees that it must comply with applicable Federal civil rights laws and regulations, and follow applicable Federal guidance, except as the Federal Government determines otherwise in writing. Therefore, unless a Recipient or Program, including an Indian Tribe or the Tribal Transit Program, is specifically exempted from a civil rights statute, FTA requires compliance with that civil rights statute, including compliance with equity in service:

a. Nondiscrimination in Federal Public Transportation Programs. The Recipient agrees to, and assures that each Third Party Participant will, comply with Federal transit law, 49 U.S.C. § 5332 (FTA's "Nondiscrimination" statute): (1) FTA's "Nondiscrimination" statute prohibits discrimination on the basis of: (a) Race, (b) Color, (c) Religion, (d) National origin, (e) Sex, (f) Disability, (g) Age, or (h) Gender identity and (2) The FTA "Nondiscrimination" statute's prohibition against discrimination includes: (a) Exclusion from participation, (b) Denial of program benefits, or (c) Discrimination, including discrimination in employment or business opportunity, (3) Except as FTA determines otherwise in writing: (a) General. Follow: 1 The most recent edition of FTA Circular 4702.1, "Title VI Requirements and Guidelines for Federal Transit

Administration Recipients," to the extent consistent with applicable Federal laws, regulations, and guidance, and

2 Other applicable Federal guidance that may be issued, but (b) Exception for the Tribal Transit Program. FTA does not require an Indian Tribe to comply with FTA program-specific guidelines for Title VI when administering its projects funded under the Tribal Transit Program,

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b. Nondiscrimination – Title VI of the Civil Rights Act. The Recipient agrees to, and assures that each Third Party Participant will: (1) Prohibit discrimination based on: (a) Race, (b) Color, or(c) National origin, (2) Comply with: (a) Title VI of the Civil RightsAct of 1964, as amended, 42
U.S.C. § 2000d et seq., (b) U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964," 49 C.F.R. part 21, and (c) Federal transit law, specifically 49 U.S.C. § 5332, as stated in the preceding section a, and (3) Except as FTA determines otherwise in writing, follow: (a) The most recent edition of FTA Circular 4702.1, "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients," to the extent consistent with applicable Federal laws, regulations, and guidance. (b) U.S. DOJ, "Guidelines for the enforcement of Title VI, Civil Rights Act of 1964," 28 C.F.R. § 50.3, and (c) Other applicable Federal guidance that may be issued,

c. Equal Employment Opportunity. (1) Federal Requirements and Guidance. The Recipient agrees to, and assures that each Third Party Participant will, prohibit discrimination on the basis of race, color, religion, sex, or national origin, and: (a) Comply with Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., (b) Facilitate compliance with Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42U.S.C.
§ 2000e note, (c) Comply with Federal transit law, specifically 49 U.S.C. § 5332, as stated in section a, and (d) Comply with FTA Circular 4704.1other applicable EEO laws and regulations, as provided in Federal guidance, including laws and regulations prohibiting discrimination on the basis of disability, except as the Federal Government determines otherwise in writing, (2) General. The Recipient agrees to: (a) Ensure that applicants for employment are employed and employees are treated during employment without discrimination on the basis of their: 1 Race, 2 Color, 3 Religion, 4 Sex, 5 Disability, 6 Age, or 7 National origin, (b) Take affirmative action that includes, but is not limited to: 1 Recruitment advertising, 2 Recruitment, 3 Employment, 4 Rates of pay, 5 Other forms of compensation, 6 Selection for training, including apprenticeship, 7 Upgrading, 8 Transfers, 9 Demotions, 10 Layoffs, and 11 Terminations, but (b) Indian Tribe.
Title VII of the Civil Rights Act of 1964, as amended, exempts Indian Tribes under the definition of "Employer".
(3) Equal Employment Opportunity Requirements for Construction Activities. In addition to the foregoing, when undertaking "construction" as recognized by the U.S. Department of Labor (U.S. DOL), the Recipient agrees to comply, and assures the compliance of each Third Party Participant, with: (a) U.S. DOL regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. chapter 60, and (b) Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42U.S.C.
§ 2000e note,

d. Disadvantaged Business Enterprise. To the extent authorized by applicable Federal law, the Recipient agrees to facilitate, and assures that each Third-Party Participant will facilitate, participation by small business concerns owned and controlled by socially and economically disadvantaged individuals, also referred to as "Disadvantaged Business Enterprises" (DBEs), in the Project as follows: 1) Requirements. The Recipient agrees to comply with: (a) Section 1101(b) of Map-21, 23 U.S.C. § 101 note, (b) U.S. DOT regulations, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," 49 C.F.R. part 26, and (c) Federal transit law, specifically 49 U.S.C. § 5332, as stated in section a, (2) Assurance. As required by 49 C.F.R. § 26.13(a), (b) DBE Program Requirements. Recipients

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receiving planning, capital and/or operating assistance that will award prime third-party contracts exceeding $250,000 in a Federal fiscal year must: 1 Have a DBE program meeting the requirements of 49 C.F.R. part 26, 2 Implement a DBE program approved by FTA, and 3 Establish an annual DBE participation goal, (c) Special Requirements for a Transit Vehicle Manufacturer. The Recipient understands and agrees that each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, must certify that it has complied with the requirements of 49 C.F.R. part 26, (d) the Recipient provides assurance that: The Recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 C.F.R. part 26. The Recipient shall take all necessary and reasonable steps under 49 C.F.R. part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The Recipient's DBE program, as required by 49 C.F.R. part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 C.F.R. part 26 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 et seq.,
(2) Exception for the Tribal Transit Program. FTA exempts Indian tribes from the Disadvantaged Business Enterprise regulations at 49 C.F.R. part 26 under Map-21and previous legislation,

e. Nondiscrimination on the Basis of Sex. The Recipient agrees to comply with Federal prohibitions against discrimination on the basis of sex, including: (1) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq., (2) U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 C.F.R. part 25, and (3) Federal transit law, specifically 49 U.S.C. § 5332, as stated in section a,

f. Nondiscrimination on the Basis of Age. The Recipient agrees to comply with Federal prohibitions against discrimination on the basis of age, including: (1) The Age Discrimination in Employment Act (ADEA), 29 U.S.C. §§ 621 – 634, which prohibits discrimination on the basis of age, (2) U.S. Equal Employment Opportunity Commission (U.S. EEOC) regulations, "Age Discrimination in Employment Act," 29 C.F.R. part 1625, which implements the ADEA, (3)The Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq., which prohibits discrimination against individuals on the basis of age in the administration of programs or

activities receiving Federal funds, (4) U.S. Health and Human Services regulations, "Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance," 45 C.F.R. part 90, which implements the Age Discrimination Act of 1975, and
(5) Federal transit law, specifically 49 U.S.C. § 5332, as stated in section a,

g. Nondiscrimination on the Basis of Disability. The Recipient agrees to comply with the following Federal prohibitions pertaining to discrimination against seniors or individuals with disabilities: (1) Federal laws, including: (a) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, which prohibits discrimination on the basis of disability in the administration of federally funded programs or activities, (b) The Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. § 12101 et seq., which requires that accessible facilities and services be made available to individuals with disabilities, 1 General. Titles I, II, and III of the ADA apply to FTA Recipients, but 2 Indian Tribes. While Titles II and III of the ADA apply to Indian Tribes, Title I of the ADA exempts Indian Tribes from the definition of "employer," (c) The Architectural Barriers Act of 1968, as amended, 42 U.S.C. § 4151 et seq., which requires that buildings and

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public accommodations be accessible to individuals with disabilities, (d) Federal transit law, specifically 49 U.S.C. § 5332, which now includes disability as a prohibited basis for discrimination, and (e) Other applicable laws and amendments pertaining to access for elderly individuals or individuals with disabilities, (2) Federal regulations, including: (a) U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 C.F.R. part 37, (b) U.S. DOT regulations, "Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 C.F.R. part 27, (c) U.S. DOT regulations, "Transportation for Individuals with Disabilities: Passenger Vessels," 49 C.F.R. part 39, (d) Joint U.S. Architectural and Transportation Barriers Compliance Board (U.S. ATBCB) and U.S. DOT regulations, "Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 C.F.R. part 1192 and 49 C.F.R. part 38, (e) U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability in State and Local Government Services," 28 C.F.R. part 35, (f) U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities," 28 C.F.R. part 36, (g) U.S. EEOC, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. part 1630, (h) U.S. Federal Communications Commission regulations, "Telecommunications Relay Services and Related Customer Premises Equipment for Persons with Disabilities," 47 C.F.R. part 64, Subpart F, (i) U.S. ATBCB regulations, "Electronic and Information Technology Accessibility Standards," 36 C.F.R. part 1194, and (j) FTA regulations, "Transportation for Elderly and Handicapped Persons," 49 C.F.R. part 609, and (3) Other applicable Federal civil rights and nondiscrimination guidance,

h. Drug or Alcohol Abuse - Confidentiality and Other Civil Rights Protections. The Recipient agrees to comply with the confidentiality and civil rights protections of: (1) The Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. § 1101 et seq., (2) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. § 4541 et seq., and (3) The Public Health Service Act, as amended, 42
U.S.C. §§ 290dd – 290dd-2,

i. Access to Services for People with Limited English Proficiency. Except as the Federal Government determines otherwise in writing, the Recipient agrees to promote accessibility of public transportation services to people whose understanding of English is limited by following:
1) Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," August 11, 2000, 42 U.S.C. § 2000d-1 note, and (2) U.S. DOT Notice, "DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency (LEP) Persons," 70 Fed. Reg. 74087, December 14, 2005,

j. Other Nondiscrimination Laws. Except as the Federal Government determines otherwise in writing, the Recipient agrees to: (1) Comply with other applicable Federal nondiscrimination laws and regulations, and (2) Follow Federal guidance prohibiting discrimination.

k. Remedies. Remedies for failure to comply with applicable Federal Civil Rights laws and Federal regulations may be enforced as provided in those Federal laws or Federal regulations.

Breaches and Dispute Resolution – Applicability – All contracts over $250,000
Disputes arising in the performance of this contract which are not resolved by agreement of the parties shall be decided in writing by the recipient's authorized representative. This decision shall be final and conclusive unless within ten days from the date of receipt of its copy, contractor mails or otherwise furnishes a written appeal to the recipient's CEO. In connection with such appeal, contractor shall be afforded an opportunity to be

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heard and to offer evidence in support of its position. The decision of the recipient's CEO shall be binding upon contractor and contractor shall abide by the decision. FTA has a vested interest in the settlement of any violation of Federal law including the False Claims Act, 31 U.S.C. § 3729.

Performance During Dispute - Unless otherwise directed by the recipient, contractor shall continue performance under this contract while matters in dispute are being resolved.
Claims for Damages - Should either party to the contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefore shall be made in writing to such other party within ten days after the first observance of such injury or damage.

Remedies - Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the recipient and contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the residing State.

Rights and Remedies - Duties and obligations imposed by the contract documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the recipient or contractor shall constitute a waiver of any right or duty afforded any of them under the contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

Patent and Rights Data –
Contracts involving experimental, developmental, or research work ($10,000 or less, except for construction contracts over $2,000).

Patent Rights

A. General. The Recipient agrees that:

(1) Depending on the nature of the Project, the Federal Government may acquire patent rights when the Recipient or Third Party Participant produces a patented or patentable: (a) Invention,
(b) Improvement, or (c) Discovery, (2) The Federal Government's rights arise when the patent or patentable information is: (a) Conceived under the Project, or (b) Reduced to practice under the Project, and (3) When a patent is issued or patented information becomes available as described in Patent Rights section A(2), the Recipient agrees to: (a) Notify FTA immediately, and (b) Provide a detailed report satisfactory to FTA,

B. Federal Rights. The Recipient agrees that:

(1) Its rights and responsibilities, and the rights and responsibilities of each Third Party Participant, in that federally funded invention, improvement, or discovery will be determined as provided by applicable Federal laws, regulations, and guidance, including any waiver thereof, and (2) Unless the Federal Government determines otherwise in writing, irrespective of the Recipient's status or the status of any Third Party Participant as a large business, a small business, a State government, a State instrumentality, a local government, an Indian tribe, a nonprofit organization, an institution of higher education, or an individual, the

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Recipient agrees to transmit the Federal Government's patent rights to FTA as specified in: (a) 35 U.S.C. § 200 et seq., and (b) U.S. Department of Commerce regulations, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," 37 C.F.R. part 401, and

C. License Fees and Royalties. As permitted by 49 C.F.R. parts 18 and 19:

(1) License fees and royalties for patents, patent applications, and inventions derived from the Project are program income, and (2) The Recipient has no obligation to the Federal Government with respect to those license fees or royalties, except: (a) For compliance with 35 U.S.C. § 200 et seq., which applies to patent rights developed under a federally funded research-type project, and
(b) As FTA determines otherwise in writing.

Rights in Data and Copyrights

A. Definition of "Subject Data." means recorded information: (1) Copyright. Whether or not copyrighted, and (2) Delivery. That is delivered or specified to be delivered under the Underlying Agreement,

B. Examples of "Subject Data." Examples of "subject data": (1) Include, but are not limited to:
(a) Computer software, (b) Standards, (c) Specifications, (d) Engineering drawings and associated lists, (e) Process sheets, (f) Manuals, (g) Technical reports, (h) Catalog item identifications, and (i) Related information, but (2) Do not include: (a) Financial reports,
(b) Cost analyses, or (c) Other similar information used for Project administration,

C. General Federal Restrictions. The following restrictions apply to all subject data first produced in the performance of the Recipient's Project supported by the Underlying Agreement:
(1) Prohibitions. The Recipient may not: (a) Publish or reproduce any subject data in whole or in part, or in any manner or form, or (b) Permit others to do so, but (2) Exceptions. The prohibitions of Rights in Data and Copyrights C(1) do not apply to: (a) Publications or reproductions for the Recipient's own internal use, (b) An institution of higher learning, (c) The portion of subject data that the Federal Government has previously released or approved for release to the public, or (d) The portion of data that has the Federal Government's prior written consent for release,

D. Federal Rights in Data and Copyrights. The Recipient agrees that: (1) License Rights. The Recipient must provide a license to its "subject data" to the Federal Government, which license is: (a) Royalty-free, (b) Non-exclusive, and (c) Irrevocable, (2) Uses. The Federal Government's license must permit the Federal Government to take the following actions provided those actions are taken for Federal Government purposes: (a) Reproduce the subject data, (b) Publish the subject data, (c) Otherwise use the subject data, and (d) Permit other entities or individuals to use the subject data, and

E. Special Federal Rights in Data for Research, Development, Demonstration, Deployment, and Special Studies Projects. In general, FTA's purpose in providing Federal funds for a research, development, demonstration, deployment, or special studies Project is to increase transportation knowledge, rather than limit the benefits of the Project to the Recipient and its Third Party Participants, therefore, the Recipient agrees that: (1) Publicly Available Report. When the Project is completed, it must provide a Project report that FTA may publish or make available for publication on the Internet, (2) Other Reports. It must provide other reports pertaining to the Project that FTA may request, (3) Availability of Subject Data. FTA may make

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available to any FTA Recipient or any of its Third Party Participants at any tier of the Project, either FTA's copyright license to the subject data or a copy of the subject data, except as the Federal Government determines otherwise in writing, (4) Identification of Information. It must identify clearly any specific confidential, privileged, or proprietary information submitted to FTA, (5) Incomplete Project. If the Project is not completed for any reason whatsoever, all data developed under the Project becomes "subject data" and must be delivered as the Federal Government may direct, but (6) Exception. Rights in Data and Copyrights Section E does not apply to an adaptation of automatic data processing equipment or program that is both: (a) For the Recipient's use, and (b) Acquired with FTA capital program funding,

F. License Fees and Royalties. As permitted by 49 C.F.R. parts 18 and 19: (1) License fees and royalties for copyrighted material or trademarks derived from Project are program income, and
(2) The Recipient has no obligation to the Federal Government with respect to those license fees or royalties, except: (a) For compliance with 35 U.S.C. § 200 et seq., which applies to patent rights developed under a federally funded research-type project, and (b) As FTA determines otherwise in writing,

G. Hold Harmless. Upon request by the Federal Government, the Recipient agrees that: (1) Violation by Recipient. (a) If it willfully or intentionally violates any: 1 Proprietary rights, 2 Copyrights, or 3 Right of privacy, and (b) Its violation occurs from any of the following uses of Project data: 1 Publication, 2 Translation, 3 Reproduction, 4 Delivery, 5 Use, or 6 Disposition, then (c) It will indemnify, save, and hold harmless against any liability, including costs and expenses of: 1 The Federal Government's officers acting within the scope of their official duties, 2 The Federal Government's employees acting within the scope of their official duties, and 3 Federal Government's agents acting within the scope of their official duties, but (2) Exceptions. The Recipient will not be required to indemnify the Federal Government for any liability described in Rights in Data and Copyrights section G(1) if: (a) Violation by Federal Officers, Employees or Agents. The violation is caused by the wrongful acts of Federal employees or agents, or (b) State law. If indemnification is prohibited or limited by applicable State law,

H. Restrictions on Access to Patent Rights. Nothing in this Rights in Data and Copyrights section pertaining to rights in data either: (1) Implies a license to the Federal Government under any patent, or (2) May be construed to affect the scope of any license or other right otherwise granted to the Federal Government under any patent,

I. Data Developed Without Federal Funding or Support. The Recipient understands and agrees that in certain circumstances it may need to provide data developed without any Federal funding or support to FTA. Nevertheless: (1) Protections. Rights in Data and Copyrights Sections A, B, C, and D generally do not apply to data developed without Federal funding, even though that data may have been used in connection with the Project, and (2) Identification of Information. The Recipient understands and agrees that the Federal Government will not be able to protect data developed without Federal funding from unauthorized disclosure unless that data is clearly marked "Proprietary" or "Confidential," and

J. Requirements to Release Data. The Recipient understands and agrees that the Federal Government may be required to release Project data and information the Recipient submits to the Federal Government as required by: (1) The Freedom of Information Act, 5 U.S.C. § 552,
(2) Another applicable Federal law requiring access to Project records, (3) U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," specifically 49 C.F.R. § 19.36(d), or
(4) Other applicable Federal regulations and guidance pertaining to access to Project records.

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Transit Employee Protective Provisions – Applicability – Contracts for transit operations except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

Public Transportation Employee Protective Arrangements. The Recipient agrees that 49 U.S.C. § 5333(b) requires employee protective arrangements to be in place as a condition of award of FTA assistance made available or appropriated for FTA programs involving public transportation operations. U.S. DOL recognizes the following categories of arrangements:

(1) U.S. DOL Certification. When its Project involves public transportation operations and is financed with funding made available or appropriated for 49 U.S.C. §§ 5307, 5309, 5312, 5337,or 5339, as amended by Map-21, or former 49 U.S.C. §§ 5308, 5309, 5312, or other provisions of law as required by the Federal Government, U.S. DOL must provide a Certification of employee protective arrangements before FTA may provide financial assistance for the Project. Therefore, the Recipient understands and agrees, and assures that any Third Party Participant providing public transportation operations will agree, that: (a) It must carry out the Project as provided in its U.S. DOL Certification, which contains the terms and conditions that U.S. DOL has determined to be fair and equitable to protect the interests of any employees affected by the Project, (b) It must comply with 49 U.S.C. § 5333(b), and any future amendments thereto, (c) It will follow the U.S. DOL guidelines, "Guidelines, Section 5333(b), Federal Transit Law,"29 C.F.R. part 215, except as U.S. DOL determines otherwise in writing, (d) It must comply with the terms and conditions of the U.S. DOL certification of public transportation employee protective arrangements for the Project, which certification is dated as identified on the Underlying Agreement, including: 1 Alternative comparable arrangements U.S. DOL has specified for the Project, 2 Any revisions U.S. DOL has specified for the Project, or 3 Both, and

(e) It must comply with the following documents and provisions incorporated by reference in and made part of the Underlying Agreement for the Project: 1 The U.S. DOL certification of public transportation employee protective arrangements for the Project, which certification is dated as identified on the Underlying Agreement, 2 The documents cited in that U.S. DOL certification for the Project, 3 Any alternative comparable arrangements that U.S. DOL has specified for the Project, and 4 Any revisions that U.S. DOL has specified for the Project, (2) Special Warranty. When its Project involves public transportation operations, and is financed with funding made available or appropriated for 49 U.S.C. § 5311, as amended by Map-21, for former 49 U.S.C. § 5311 in effect in FY 2012, or a previous fiscal year, or for section 3038 of TEA-21, as amended by section 3039 of SAFETEA-LU, U.S. DOL will provide a Special Warranty for those projects, including projects under the Tribal Transit Program. Therefore, the Recipient understands and agrees, and assures that any Third Party Participant providing public transportation operations will agree, that: (a) It must comply with Federal transit laws, specifically 49 U.S.C. § 5333(b),

(b) Follow the U.S. DOL guidelines, "Guidelines, Section 5333(b), Federal Transit Law," 29 C.F.R. part 215, except as U.S. DOL determines otherwise in writing, (c) It will comply with the U.S. DOL Special Warranty for its Project that is most current on the date when it executed the Underlying Agreement, and documents cited therein, including: 1 Any alternative comparable arrangements U.S. DOL has specified for the Project, 2 Any revisions U.S. DOL has specified for the Project, or 3 Both, and (d) It will comply with the following documents and provisions incorporated by reference in and made part of the Underlying Agreement: 1 The U.S. DOL Special Warranty for its Project, 2 Documents cited in that Special Warranty, 3 Alternative comparable arrangements U.S. DOL specifies for the Project, and 4Any revisions that U.S. DOL has specified for the Project, and (3) Special Arrangements for 49 U.S.C. § 5310 Projects. The Recipient understands and agrees, and assures that any Third Party Participant providing public transportation operations will agree, that although pursuant to 49 U.S.C. § 5310, and former 49

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U.S.C. §§ 5310 or 5317, FTA has determined that it was not "necessary or appropriate" to apply the conditions of 49 U.S.C. § 5333(b) to Subrecipients participating in the program to provide public transportation for seniors (elderly individuals) and individuals with disabilities, FTA reserves the right to make the following exceptions: (a) FTA will make case-by-case determinations of the applicability of 49 U.S.C. § 5333(b) for all transfers of funding authorized under title 23, United States Code (flex funds), and (b) FTA reserves the right to make other exceptions as it deems appropriate.

Disadvantaged Business Enterprise (DBE) – Applicability – Contracts over $10,000 awarded on the basis of a bid or proposal offering to use DBEs

a. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The recipient's overall goal for DBE participation is listed elsewhere. If a separate contract goal for DBE participation has been established for this procurement, it is listed elsewhere.

b. The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this contract. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the municipal corporation deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

c. If a separate contract goal has been established, Bidders/offerors are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53.

d. If no separate contract goal has been established, the successful bidder/offeror will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.

e. The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from the recipient. In addition, the contractor may not hold retainage from its subcontractors or must return any retainage payments to those subcontractors within 30 days after the subcontractor's work related to this contract is satisfactorily completed or must return any retainage payments to those subcontractors within 30 days after incremental acceptance of the subcontractor's work by the recipient and contractor's receipt of the partial retainage payment related to the subcontractor's work.

f. The contractor must promptly notify the recipient whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the recipient.

Prompt Payment – Applicability – All contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

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The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from the Recipient. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Recipient. This clause applies to both DBE and non-DBE subcontracts.

Incorporation of Federal Transit Administration (FTA) Terms – Applicability – All contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

The preceding provisions include, in part, certain Standard Terms & Conditions required by USDOT, whether or not expressly stated in the preceding contract provisions. All USDOT- required contractual provisions, as stated in FTA Circular 4220.1F, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The contractor shall not perform any act, fail to perform any act, or refuse to comply with any request that would cause the recipient to be in violation of FTA terms and conditions.

Drug & Alcohol Abuse and Testing – Applicability – Operational service contracts except micro-purchases ($10,000 or less, except for construction contracts over $2,000)

The Contractor agrees to comply with the following Federal substance abuse regulations: a. Drug-Free Workplace. U.S. DOT regulations, "Drug-Free Workplace Requirements (Grants), " 49 C.F.R. Part 32, that implements the Drug-Free Workplace Act of 1988 as amended, 41 U.S.C.
§§ 8103 et seq., and 2 CFR part 182, b. Alcohol Misuse and Prohibited Drug Use. FTA Regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 USC 5331, as amended by Map-21, 49 CFR part 40, 49 USC chapter 53, 49 CFR Part 655, to the extent applicable.

Other Federal Requirements:

Full and Open Competition – In accordance with 49 U.S.C. § 5325(h) all procurement transactions shall be conducted in a manner that provides full and open competition.

Prohibition Against Exclusionary or Discriminatory Specifications – Apart from inconsistent requirements imposed by Federal statute or regulations, the contractor shall comply with the requirements of 49 USC 5323(h)(2) by refraining from using any FTA assistance to support procurements using exclusionary or discriminatory specifications.

Conformance with ITS National Architecture – Contractor shall conform, to the extent applicable, to the National Intelligent Transportation Standards architecture as required by SAFETEA-LU Section 5307(c), 23 U.S.C. Section 512 note and follow the provisions of FTA Notice, "FTA National Architecture Policy on Transit Projects," 66 Fed. Reg.1455 etseq.,

January 8, 2001, and any other implementing directives FTA may issue at a later date, except to the extent FTA determines otherwise in writing.

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Access Requirements for Persons with Disabilities – Contractor shall comply with 49 USC 5301(d), stating Federal policy that the elderly and persons with disabilities have the same rights as other persons to use mass transportation services and facilities and that special efforts shall be made in planning and designing those services and facilities to implement that policy.
Contractor shall also comply with all applicable requirements of Sec. 504 of the Rehabilitation Act (1973), as amended, 29 USC 794, which prohibits discrimination on the basis of handicaps, and the Americans with Disabilities Act of 1990 (ADA), as amended, 42 USC 12101 et seq., which requires that accessible facilities and services be made available to persons with disabilities, including any subsequent amendments thereto.

Notification of Federal Participation – To the extent required by law, in the announcement of any third party contract award for goods and services (including construction services) having an aggregate value of $500,000 or more, contractor shall specify the amount of Federal assistance to be used in financing that acquisition of goods and services and to express that amount of Federal assistance as a percentage of the total cost of the third party contract.

Interest of Members or Delegates to Congress - No members of, or delegates to, the US Congress shall be admitted to any share or part of this contract nor to any benefit arising therefrom.

Ineligible Contractors and Subcontractors - Any name appearing upon the Comptroller General's list of ineligible contractors for federally-assisted contracts shall be ineligible to act as a subcontractor for contractor pursuant to this contract. If contractor is on the Comptroller General's list of ineligible contractors for federally financed or assisted construction, the recipient shall cancel, terminate or suspend this contract.

Other Contract Requirements - To the extent not inconsistent with the foregoing Federal requirements, this contract shall also include those standard clauses attached hereto, and shall comply with the recipient's Procurement Guidelines, available upon request from the recipient.

Compliance With Federal Regulations - Any contract entered pursuant to this solicitation shall contain the following provisions: All USDOT-required contractual provisions, as set forth in FTA Circular 4220.1F, are incorporated by reference. Anything to the contrary herein notwithstanding, FTA mandated terms shall control in the event of a conflict with other provisions contained in this Agreement. Contractor shall not perform any act, fail to perform any act, or refuse to comply with any grantee request that would cause the recipient to be in violation of FTA terms and conditions. Contractor shall comply with all applicable FTA regulations, policies, procedures and directives, including, without limitation, those listed directly or incorporated by reference in the Master Agreement between the recipient and FTA, as may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

Real Property - Any contract entered into shall contain the following provisions: Contractor shall at all times comply with all applicable statutes and USDOT regulations, policies, procedures and directives governing the acquisition, use and disposal of real property, including, but not limited to, 49 CFR 18.31-18.34, 49 CFR 19.30-19.37, 49 CFR Part 24, 49 CFR 5326 as
amended by Map-21, 49 CFR part 18 or 19, 49 USC 5334, applicable FTA Circular 5010, and FTA Master Agreement, as they may be amended or promulgated during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

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Access to Services for Persons with Limited English Proficiency - To the extent applicable and except to the extent that FTA determines otherwise in writing, the Recipient agrees to comply with the policies of Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," 42 U.S.C. § 2000d 1 note, and with the provisions of
U.S. DOT Notice, "DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries," 70 Fed. Reg. 74087, December 14, 2005.

Environmental Justice - Except as the Federal Government determines otherwise in writing, the Recipient agrees to promote environmental justice by following: (1) Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, 42 U.S.C. § 4321 note, as well as facilitating compliance with that Executive Order, and (2) DOT Order 5610.2, "Department of Transportation Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," 62 Fed. Reg. 18377, April 15, 1997, and (3) The most recent and applicable edition of FTA Circular 4703.1, "Environmental Justice Policy Guidance for Federal Transit Administration Recipients," August 15, 2012, to the extent consistent with applicable Federal laws, regulations, and guidance,

Environmental Protections – Compliance is required with any applicable Federal laws imposing environmental and resource conservation requirements for the project. Some, but not all, of the major Federal laws that may affect the project include: the National Environmental Policy Act of 1969; the Clean Air Act; the Resource Conservation and Recovery Act; the comprehensive Environmental response, Compensation and Liability Act; as well as environmental provisions with Title 23 U.S.C., and 49 U.C. chapter 53. The U.S. EPA, FHWA and other federal agencies may issue other federal regulations and directives that may affect the project. Compliance is required with any applicable Federal laws and regulations in effect now or that become effective in the future.

Geographic Information and Related Spatial Data – Any project activities involving spatial data or geographic information systems activities financed with Federal assistance are required to be consistent with the National Spatial Data Infrastructure promulgated by the Federal Geographic Data Committee, except to the extent that FTA determines otherwise in writing.

Geographic Preference
All project activities must be advertised without geographic preference, (except in A/E under certain circumstances, preference for hiring veterans on transit construction projects and geographic-based hiring preferences as proposes to be amended in 2 CFR Part 1201).

Organizational Conflicts of Interest
The Recipient agrees that it will not enter into a procurement that involves a real or apparent organizational conflict of interest described as follows: (1) When It Occurs. An organizational conflict of interest occurs when the Project work, without appropriate restrictions on certain future activities, results in an unfair competitive advantage: (a) To that Third Party Participant or another Third Party Participant performing the Project work, and (b) That impairs that Third Party Participant's objectivity in performing the Project work, or (2) Other. An organizational conflict of interest may involve other situations resulting in fundamentally unfair competitive conditions, (3) Disclosure Requirements. Consistent with FTA policies, the Recipient must disclose to FTA, and each of its Subrecipients must disclose to the Recipient: (a) Any instances of organizational conflict of interest, or (b) Violations of federal criminal law, involving fraud, bribery, or gratuity violations potentially affecting the federal award, and (4) Failure to Disclose. Failure to make

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required disclosures can result in remedies for noncompliance, including debarment or suspension.

Federal Single Audit Requirements for State Administered Federally Aid Funded Projects Non Federal entities that expend $750,000 or more in a year in Federal awards from all sources are required to comply with the Federal Single Audit Act provisions contained in U.S. Office of Management and Budget (OMB) Circular No. A 133, "Audits of States, Local Governments, and Non Profit Organizations" (replaced with 2 CFR Part 200,"Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" effective December 26, 2014 as applicable). Non Federal entities that expend Federal awards from a single source may provide a program specific audit, as defined in the Circular. Non Federal entities that expend less than the amount above in a year in Federal awards from all sources are exempt from Federal audit requirements for that year, except as noted in Sec. 215 (a) of OMB Circular A-133 Subpart B--Audits, records must be available for review or audit by appropriate officials of the cognizant Federal agency the New York State Department of Transportation, the New York State Comptrollers Office and the U.S. Governmental Accountability Office (GAO).

Non Federal entities are required to submit a copy of all audits, as described above, within 30 days of issuance of audit report, but no later than 9 months after the end of the entity's fiscal year, to the New York State Department of Transportation, Contract Audit Bureau, 50 WolfRoad, Albany, NY 12232. Unless a time extension has been granted by the cognizant Federal Agency and has been filed with the New York State Department of Transportation's Contract Audit Bureau, failure to comply with the requirements of OMB Circular A-133 may result in suspension or termination of Federal award payments.

Veterans Preference. As provided by 49 U.S.C. § 5325(k), to the extent practicable, the Recipient agrees and assures that each of its Subrecipients:

(1) Will give a hiring preference to veterans, as defined in 5 U.S.C. § 2108, who have the skills and abilities required to perform construction work required under a third party contract in connection with a Capital Project supported with federal assistance appropriated or made available for 49 U.S.C. chapter 53, and

Will not require an employer to give a preference to any veteran over any equally qualified applicant who is a member of any racial or ethnic minority, female, an individual with a disability, or a former employee.

Safe Operation of Motor Vehicles.

a. Seat Belt Use. The Recipient agrees to implement Executive Order No. 13043, "Increasing Seat Belt Use in the United States," April 16, 1997, 23 U.S.C. § 402 note, (62 Fed. Reg. 19217), by:
(1) Adopting and promoting on-the-job seat belt use policies and programs for its employees and other personnel that operate company-owned vehicles, company-rented vehicles, or personally operated vehicles, and
(2) Including a "Seat Belt Use" provision in each third party agreement related to the Award.
b. Distracted Driving, Including Text Messaging While Driving. The Recipient agrees to comply with:
(1) Executive Order No. 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009, 23 U.S.C. § 402 note, (74 Fed. Reg. 51225),
(2) U.S. DOT Order 3902.10, "Text Messaging While Driving," December 30, 2009, and
(3) The following U.S. DOT Special Provision pertaining to Distracted Driving:
(a) Safety. The Recipient agrees to adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging while using an electronic device supplied by

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an employer, and driving a vehicle the driver owns or rents, a vehicle Recipient owns, leases, or rents, or a privately-owned vehicle when on official business in connection with the Award, or when performing any work for or on behalf of the Award,

(b) Recipient Size. The Recipient agrees to conduct workplace safety initiatives in a manner commensurate with its size, such as establishing new rules and programs to prohibit text messaging while driving, re-evaluating the existing programs to prohibit text messaging while driving, and providing education, awareness, and other outreach to employees about the safety risks associated with texting while driving, and

(c) Extension of Provision. The Recipient agrees to include the preceding Special Provision of section 34.b(3)(a) – (b) of this Master Agreement in its third party agreements, and encourage its Third Party Participants to comply with this Special Provision, and include this Special Provision in each third party subagreement at each tier supported with federal assistance.

Catalog of Federal Domestic Assistance (CFDA) Identification Number

The municipal project sponsor is required to identify in its accounts all Federal awards received and expended, and the Federal programs under which they were received. Federal program and award identification shall include, as applicable, the CFDA title and number, award number and year, name of the Federal agency, and name of the pass-through entity.

The CFDA number for the Federal Transit Administration. Nonurbanized Area Formula (Section 5311) is 20.509. A Recipient covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," (replaced with 2 CFR Part 200,"Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" effective December 26, 2014 as applicable) agrees to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form

(SF-SAC) required by OMB Circular A-133. The Recipient agrees to accomplish this by identifying expenditures for Federal awards made under Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix "ARRA" in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

By signing below Cummins Inc. (dba Cummins Sales and Service) (Vendor) acknowledges the applicability of the relevant Federally-required contract clauses.

Kathleen Bryant Kathleen Bryant
Name

Bids and Contracts Manager
Title

9 January, 2025
Date

Original

BIDDER: Cummins Inc.

BUY AMERICA CERTIFICATE
(STEEL, IRON, OR MANUFACTURED PRODUCTS)

The Bidder hereby certifies that it will comply with the requirements of Title 49 USC § 5323(j) and the applicable regulations in 49 CFR Part 661.

Executed on: 9 January (Date), 20 25

At: Arlington (City), Texas (State)

Kathleen Bryant
Signature of Authorized Official

**See Comment Below

Kathleen Bryant
Typewritten or Printed Name

Bids and Contracts Manager
Title

****Cummins Inc. d/b/a Cummins Sales and Service ("Cummins") will be supplying replacement parts that would be classified as "components" or "subcomponents" for FTA Buy America purposes. Cummins' certification of compliance with the requirements of 49 U.S.C. 5323(j) and the applicable regulations in 49 CFR Part 661 is based on the FTA Buy America standard for replacement parts announced by the FTA in its Final Rule adopted on September 20, 2007. 72 Fed. Reg. 53688, 53692-93 (Sept. 20, 2007).**

BUY AMERICA CERTIFICATE FOR NON-COMPLIANCE WITH TITLE 49 USC §. 5323(J)(1)

The Bidder hereby certifies that it cannot comply with the requirements of Title 49 USC § 5323(j)(1), but it may qualify for an exception pursuant to Title 49 USC § 5323(j)(2)(B) or (j)(2)(D) and the regulations in 49 CFR 661.7.

Executed on: _____ (Date), 20_____

At: _____ (City), _____ (State)

_____
Signature of Authorized Official

_____
Typewritten or Printed Name

_____
Title

Original

CUMMINS INC.
Secretary's Certificate

I, Nicole Y. Lamb-Hale, do hereby certify that:

1. I am the duly elected, qualified and acting Corporate Secretary of Cummins Inc., an Indiana corporation ("CMI").

2. I have access to records of ownership and control of CMI and its subsidiaries and affiliates.

3. Kathleen Bryant, Manager - Bid and Contract Management - On Highway Business, is a duly qualified employee of the Sales and Service business of CMI which is comprised of the US and Caribbean. He has been granted the full authority to approve and sign sales agreements, local business licensing documents or forms, powers of attorney, bank financing documents, government procurement agreements and any other documents related to the activities of the Sales and Service business on behalf of CMI subject to and as limited by the authority granted him under the Delegation of Authority Policy (CCP-0024).

IN WITNESS WHEREOF, I have hereunto signed my name and caused the seal of the Corporation to be hereunto affixed as of the 7 day of January 2025.

Nicole Y. Lamb-Hale, Corporate Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 7 day of January 2025.

Debra Baugh, NOTARY PUBLIC
Resident of Johnson County, Indiana
My Notary Expires January 23, 2028

DEBRA BAUGH
Notary Public
State of Indiana
Commission Expires 1-23-2028
Commission Number: NP0724731

Original

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 7/10/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Central Inc. 200 E Randolph St. Chicago, IL 60601	**CONTACT NAME:** A. I. King Insurance Agency, Inc. **PHONE (A/C, No, Ext):** 317-841-6004 **FAX (A/C, No):** 317-841-6006 **E-MAIL ADDRESS:** cummins@aikinginsurance.com
INSURED Cummins Inc. 500 Jackson Street Mail Code 91676 Columbus IN 47201-6258	**INSURER(S) AFFORDING COVERAGE** — **NAIC #** **INSURER A :** Swiss Re Corporate Solutions Elite Ins — 29700 **INSURER B :** Old Republic Insurance Company — 24147 **INSURER C :** Allianz Global Risks US Insurance Co — 35300 **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	✓ **COMMERCIAL GENERAL LIABILITY** ☐ ☐ CLAIMS-MADE ✓ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ✓ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:			CGP0000001-03	8/1/2023	8/1/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$5,000,000 $5,000,000 $10,000 $5,000,000 $5,000,000 $5,000,000 $
B	**AUTOMOBILE LIABILITY** ✓ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			MWTB 317015 23	8/1/2023	8/1/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) PHYSICAL DAMAGE	$2,000,000 $ $ $ $SELF-INSURED
A	✓ **UMBRELLA LIAB** ✓ OCCUR ☐ **EXCESS LIAB** ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $			CGU0000001-03	8/1/2023	8/1/2024	EACH OCCURRENCE AGGREGATE $	$10,000,000 $10,000,000 $
B	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** Y/N ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? N **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		MWC 314311-23	8/1/2023	8/1/2024	✓ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $2,000,000 $2,000,000 $2,000,000
B C	Excess Auto Liability Excess Liability			MWZX 317016 23 USL02306023	8/1/2023 8/1/2023	8/1/2024 8/1/2024	Limit: 13,000,000 Limit 10,000,000 Occ/Agg	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROOF OF INSURANCE

CERTIFICATE HOLDER

**PROOF OF INSURANCE

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Al King

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THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: March 2025 Public Transportation Agency Safety Plan Update

DATE: January 29, 2025

EXECUTIVE SUMMARY:

This item requests ACCGov Mayor and Commission approve renewal of the 2025 Public Transportation Agency Safety Plan. Updates to the 2025 Public Transportation Agency Safety Plan are non-substantive. Annual adoption of the plan is a requirement for Federal Transit Administration grant recipients.

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request of the Mayor and Commission:

a. Approve and authorize the submission of the ACCGov Transit Department's Public Transit Agency Safety Plan 2025 Updates (**Attachment # 1**) to the Georgia Department of Transportation (GDOT) and Federal Transit Administration (FTA) for final approval; and,
b. 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 Area Formula Grants to develop safety plans which 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, the GDOT Office of Intermodal Programs offered to help develop a PTASP template that would meet FTA requirements for all "Small Urban" transit systems in the state.

4. In January 2020, ACCGov Transit Department staff met with GDOT, in coordination with the other small urban transit systems from across Georgia; to develop a FTA-compliant state-wide PTASP template incorporating local agency needs. ACCGov Transit subsequently worked with GDOT staff to customize the PTASP template for the needs, and requirements specific to Athens-Clarke County.

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. On July 7, 2020, Mayor and Commission approved ACCGov Transit Department's Public Transit Agency Safety Plan update as required by the Federal Transportation Administration (FTA) to maintain compliance with FTA 49 CFR Part 673. There have since been updates in calendar year 2021 and 2022.

7. In 2023, ACCGov Transit did not submit a PTASP. Subsequently, ACCGov Transit was out of compliance with FTA policy requiring annual adoption of the PTASP.

8. On March 05, 2024, Athens-Clarke County Mayor and Commission approved the 2024 PTASP.

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	Will occur often in the life of an item	Will occur 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.		

9. On March 4, 2024, ACCGov Mayor and Commission adopted the 2024 PTASP.

FACTS & ISSUES:

1. ACCGov is a sub-recipient of Federal Transit Administration (FTA) 5307 Urbanized Area (UZA) Formula Operating and Capital assistance funding, and FTA 5339 Bus/Bus Facilities Capital funds.

2. Adopting and enacting the Safety Management System (SMS) program included in the PTASP document is a regulatory requirement for all public transportation system operators which receive FTA 5307 funding, or FTA 5339 Capital funds.

3. ACCGov Transit staff, in collaboration with Georgia Department of Transportation (GDOT), have developed the update to the PTASP to include: updated safety performance targets, establish safety program review board, and establish safety and training programs as required by the PTASP 2024 update.

4. The PTASP must be reviewed and updated on an annual basis to ensure metrics established are being meet, and are relevant to the safety and training mandates set forth by FTA and GDOT.

5. Updates included in the PTASP 2024 include:
    - Required actions regarding assaults on Transit Workers;
    - Using SMS to protect Transit Workers from assaults; and
    - Mitigate infectious disease and respiratory hazards.

6. Recommendations included in the PTASP 2024 update establishes a SMS to move ACCGov Transit closer to the Mayor and Commission Strategic Plan Goal 5: "Safely Move around Athens".

OPTIONS:

1. Mayor and Commission:
    a. Approve and authorize the submission of the ACCGov Transit Department's Public Transit Agency Safety Plan 2025 Updates (**Attachment # 1**) to the Georgia Department of Transportation (GDOT) and Federal Transit Administration (FTA) for final approval; and,
    b. Authorize the Mayor and appropriate staff to execute the resulting Public Transit Agency Safety plan document.

2. Mayor and Commission decline to approve the Public Transit Agency Safety plan document.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: ACCGov Transit
Prepared by: Victor Pope



January 29, 2025

Victor Pope
Transit Director

Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



2/13/2025

Brad Griffin,
Acting Manager

Date

ATTACHMENTS:

Attachment #1: ACCGov Transit 2025 Public Transportation Agency Safety Plan

ATHENS-CLARKE COUNTY TRANSIT DEPARTMENT

SAFETY PLAN

MARCH 2024

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 CFR. 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 (ACCGov Transit) 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.

ACCGov Transit 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 ACCGov Transit 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.

To ensure that the necessary processes are in place to accomplish both enhanced safety at the local level and the goals of the National Public Transportation Safety Plan (NPTSP), ACCGov Transit has adopted this PTASP and the tenets of SMS including a Safety Management Policy (SMP) and the processes for Safety Risk Management (SRM), Safety Assurance (SA), and Safety Promotion (SP), per 49 USC 5329(d)(1)(A). While safety has always been a primary function at ACCGov Transit, this document lays out a process to fully implement an SMS over the next several years that complies with the PTASP final rule, as amended.

Additionally, FTA recently released a Notice of Proposed Rulemaking (NPRM) with proposed revisions to the NPTSP to address the new requirements in the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) to further advance transit safety. The revision supersedes the one which FTA published in January 2017. It lays out a performance-based approach to reduce injuries and fatalities on transit systems under FTA's safety jurisdiction. If these changes are ratified, this plan will be updated to include safety training for maintenance staff as well as de-escalation training for all safety sensitive personnel. Three new Safety Performance Measures will be added for tracking including "Transit Worker Fatality Rate," "Assaults on Transit Workers," and "Rate of Assaults on Transit Workers." This plan will then be updated to include two new Safety Risk Reduction Program Measures which are "Assaults on Transit Workers" and "Rate of Assaults on Transit Workers, both of which are already reported by ACCGov Transit to the FTA through the National Transit Database (NTD).

Safety is a core business function of all public transportation providers and should be systematically applied to every aspect of service delivery. At ACCGov Transit, all levels of management, administration and operations are responsible for the safety of their customers and themselves.

This Safety Plan will be distributed to all transit employees, will be reviewed, and updated annually.

• APPROVED BY	DATE
VCITOR POPE, ACCGOV TRANSIT DIRECTOR	03/04/25

REVISION RECORD

REVISION #	REVIEW DATE	REVIEWER	REVISION DATE	APPROVED BY
1	10/17/22	RYAN SOLCHENBERGER	10/17/2022	RYAN SOLCHENBERGER
2	11/21/23		11/21/23	VICTOR POPE
3	1/29/24	VICTOR POPE	03/05/24	VICTOR POPE
4	2/04/25	VICTOR POPE	03/04/25	VICTOR POPE

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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 USC § 5329(d), and the Agency's Transit Asset Management Plan in accordance with 49 USC § 5326.

Agency Leadership and Executive Management: Those members of agency leadership or executive management (other than an Accountable Executive, CSO, or SMS Executive) who have authorities or responsibilities for day-to-day implementation and operation of an agency's SMS.

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.

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: A condition that has the potential to cause injury, illness, death, or property damage.

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.

Investigation: The process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk

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.

Key staff: A group of staff or committees to support the Accountable Executive, CSO, or SMS Executive in developing, implementing, and operating the agency's SMS.

Major Mechanical Failures: Failures caused by vehicle malfunctions or subpar vehicle condition which requires that the vehicle be pulled from service.

National Public Transportation Safety Plan (NPTSP): The plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 USC Chapter 53.

Notice of Proposed Rulemaking (NPRM): A proposed new regulation or proposed changes to an existing regulation. A Federal agency is only allowed to issue regulations if authorized to do so by Congress, so the NPRM also provides the statutory authority under which the agency is proposing the regulation. The NPRM also explains the background and history of the issue that generated the regulation, and avenues for public participation.

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.

Passenger: A person, other than an operator, who is on board, boarding, or alighting from a vehicle on a public transportation system for the purpose of travel.

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 (SA): 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 Committee: A committee convened by a joint labor-management process comprised of an equal number of frontline employees (selected by a labor organization representing the plurality of the frontline workforce employed by the recipient or, if applicable, a contractor to the recipient, to the extent frontline employees are represented by labor organizations) and management

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 Management Policy (SMP): A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of the agency's employees regarding safety.

Safety Management System (SMS): The formal, top-down, data-driven, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Management System (SMS) Executive: A CSO or an equivalent.

Safety Objective: A general goal or desired outcome related to safety.

Safety Performance: An organization's safety effectiveness and efficiency, as defined by safety performance indicators and targets, measured against the organization's safety objectives.

Safety Performance Measure: An expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Safety Performance Monitoring: Activities aimed at the quantification of an organization's safety effectiveness and efficiency during service delivery operations, through a combination of safety performance indicators and safety performance targets.

Safety Performance Target: A performance target related to safety management activities.

Safety Promotion (SP): A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk: The assessed probability and severity of the potential consequence(s) of a hazard, using as reference the worst foreseeable, but credible, outcome.

Safety Risk Assessment: The formal activity whereby a transit agency determines SRM priorities by establishing the significance or value of its safety risks.

Safety Risk Management (SRM): A process within a transit agency's Safety Plan for identifying hazards, assessing the hazards, and mitigating safety risk.

Safety Risk Mitigation: The activities whereby a public transportation agency controls the probability or severity of the potential consequences of hazards.

Safety Risk Probability: The likelihood that a consequence might occur, taking as reference the worst foreseeable, but credible, condition.

Safety Risk Severity: The anticipated effects of a consequence, should the consequence materialize, taking as reference the worst foreseeable, but credible, condition.

Serious Injury: Any injury which:

- Requires hospitalization for more than 48 hours, commencing within seven days from
- the date that the injury was received;
- Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- Causes severe hemorrhages, nerve, muscle, or tendon damage;
- Involves any internal organ; or
- Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

Small Public Transportation Provider: A recipient or subrecipient of Federal financial assistance under 49 USC 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State: A State of the United States, the District of Columbia, or the Territories of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of Good Repair: The condition in which a capital asset is able to operate at a full level of performance.

State Safety Oversight Agency: An agency established by a State that meets the requirements and performs the functions specified by 49 USC 5329(e) and the regulations set forth in 49 CFR part 674.

Transit Agency: An operator of a public transportation system.

Transit Asset Management (TAM) Plan: The strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 USC 5326 and 49 CFR part 625.

Vehicle Revenue Miles (VRM): The miles that vehicles are scheduled to or actually travel while in revenue service. Vehicle revenue miles include layover/recovery time and exclude deadhead; operator training; vehicle maintenance testing; and school bus and charter services.

Acronyms:

ADA	Americans with Disabilities Act
BIL	Bipartisan Infrastructure Law
ACCGOV TRANSIT	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
NPRM	Notice of Proposed Rulemaking
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
SPT	Safety Performance Target
TAM	Transit Asset Management
UGA	University of Georgia
UPT	Unlinked Passenger Trip
USC	United States Code
VRM	Vehicle Revenue Mile

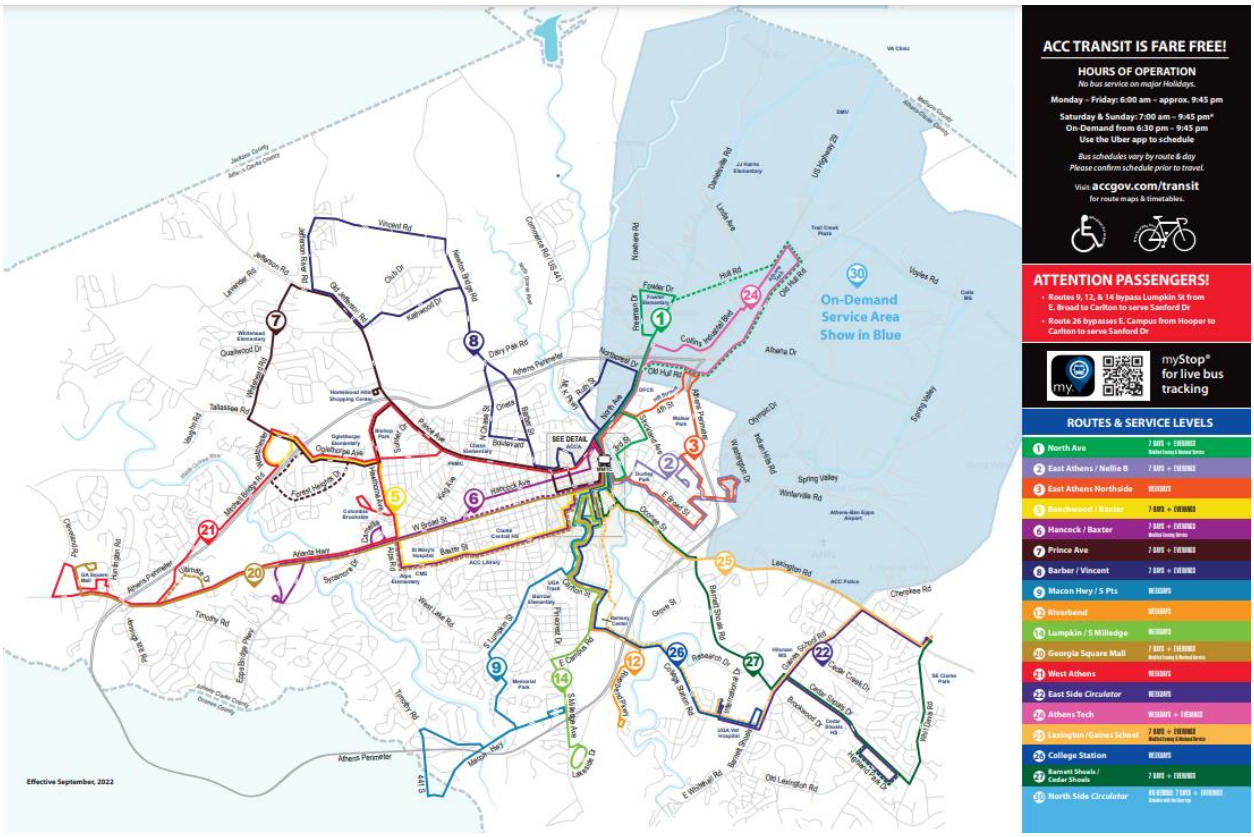
1. Transit Agency Information

Athens-Clarke County Transit System (ACCGov Transit) serves the general population of Athens-Clarke County and coordinates with the University of Georgia (UGA) transit System. ACCGov Transit 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. ACCGov Transit 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 Department (ACCGov Transit)			
Transit Agency Address	775 East Broad Street Athens, GA 30601			
Accountable Executive (Name and Title)	Victor Pope, Transit Director			
Chief Safety Officer (Name and Title)	Randy Brown, Assistant Transit Director			
Mode(s) of Service Provided (e.g., Fixed Route, Demand Response, ADA Paratransit, etc.)	• Fixed Route, • Demand Response ADA Paratransit		**List All FTA Funding Types** (e.g., 5307, 5310, 5311)	5307, 5339
Vehicles Operated in Maximum Service, by Mode	Fixed Route 22		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:	18	
Annual Vehicle Revenue Miles (VRM)	Fixed Route Bus VRM	Demand Response/Paratansit VRM
	773,984	31,677
Annual Unlinked Passenger Trips (UPT)	Fixed Route Bus UPT	Demand Response/Paratansit UPT
	1,045,880	3,552

Figure 1 – Athens-Clarke County Transit System Map



2. Safety Management

2.1 Safety Management Policy – 673.23(a)

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 PPE and trained in its use;
- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, and employees; This communication will specifically define the duties and responsibilities of each employee throughout the organization and all employees will receive appropriate information and SMS training;
- 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, which ensures appropriate safety management actions are taken and are effective;
- Verify externally supplied systems and services to support our operations comply with ACCGov Transit safety performance standards; and
- Verify that the strategies and guidelines to address infectious disease planning and response are consistent with the Centers for Disease Control and Prevention (CDC) and the Georgia Department of Public Health and local health authorities in order to minimize exposure to infectious diseases in accordance with 49 USC section 5329 (d)(1)(D).

This PTASP 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 – 673.23 (b)

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 – 673.23(c)

ACCGov Transit 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 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 – Victor Pope Transit Director, (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 Director (Randy Brown)

- 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 research 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:

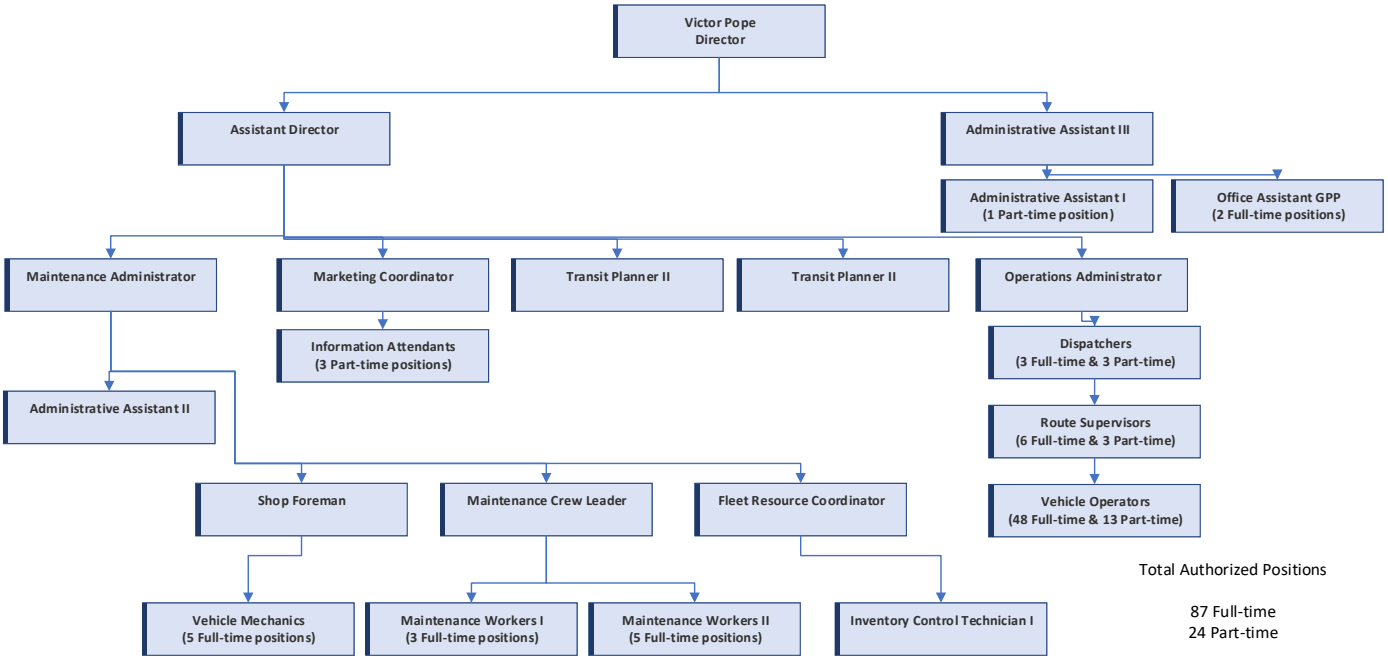
- Transit Maintenance Administrator – This position reports to the CSO and is responsible for maintenance of the ACCGov Transit buses, paratransit vehicles, and staff who work in the maintenance facility, as well as any visitors; and
- Operations Administrator – This position reports to the CSO and is 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

TRANSIT

March 1, 2025



Total Authorized Positions

87 Full-time
24 Part-time

Signature:_____

Manager:_____

3. Safety Risk Management (673.25)

3.1 Safety Risk 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 directed by the CSO. There are three basic objectives:

- Hazard identification;
- Hazard assessment; and
- Hazard resolution.

3.2 Safety Risk Identification

Safety Risk 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;
- 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 facility; and
- 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.

Safety Risks 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 Unified Government of Athens-Clarke County conducts reviews of incidents to help identify risks.

Safety Risks 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 Safety Risks Assessment

Safety Risks 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, 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 – Safety Risk Severity

Characteristics				
Severity Level	**People**	**Equipment/Services**	**Financial**	**Reputational**
Catastrophic 1	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)
Critical 2	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)
Major 3	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
Marginal 4	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
Insignificant 5	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, and/or a 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 – Safety Risk 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	Will occur often in the life of an item	Will occur 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 Safety 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 – Safety 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	**1F**	**2F**	**3F**	**4F**	**5F**

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 Safety Risk 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/or a 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 Safety Risk Tracking

Complex safety risks 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 safety risk 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 – 673.27 (a)

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; and
- 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 – 673.27 (b)

49 CFR Part 673.27 requires transit agencies to establish activities to:

- Monitor its system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance;
- Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
- Conduct investigations of safety events to identify causal factors; and
- Monitor information reported through any internal safety reporting programs.

4.2 Monitoring Operations and Maintenance Compliance – 673(b)(2)

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; and
- 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 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; and
- 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.

4.3 Safety Performance Measures and Targets – 673.11(a)(3)

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 2024 are as below on **Table 4.** These safety performance targets will be shared with MACORTS to aid in the planning

[1] The thresholds for "reportable" fatalities, injuries, and events are defined in the NTD Safety and Security Reporting Manual.

process. ATS will coordinate with the GDOT and MACORTS in the selection of State and MPO safety performance targets as requested.

Table 4 – FY 2024 Safety Performance Measures and Targets[2]

MB/DO (per 100,000 VRM)							
Mode - MB	**Fatalities**	**Rate of Fatalities**	**Injuries**	**Rate of Injuries**	**Safety Events**	**Rate of Safety Events**	**Mean Distance Between Mechanical Failure**
2020 Actual	0	0.00	0	0.00	1	0.13	15,980
2021 Actual	0	0.00	0	0.00	0	0.00	18,050
2022 Actual	0	0.00	0	0.00	0	0.00	24,187
Average	0.00	0.00	0	0.00	0	0.04	19,405
2024 SPT (MB)	0	0.00	0	0	1	0.04	19,405

DR/DO (per 100,000 VRM)							
Mode - DR	**Fatalities**	**Rate of Fatalities**	**Injuries**	**Rate of Injuries**	**Safety Events**	**Rate of Safety Events**	**System Reliability**
2020 Actual	0	0.00	0	0.00	0	0.00	36,748
2021 Actual	0	0.00	0	0.00	0	0.00	36,873
2022 Actual	0	0.00	0	0.00	0	0.00	31,677
Average	0	0.00	0	0.00	0	0.00	35,099
2024 SPT (DR)	0	0.00	0	0.00	0	0.00	35,099

*rate = events per 100,000 vehicle revenue miles / **System Reliability = miles between major mechanical failures

[2] NTD data from May S&S Time Series – May 2023-230907, downloaded October 5, 2023

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; and
- 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/ ACCGov Transit Department 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.

ACCGov Transit 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. ACCGov Transit 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, ACCGov Transit 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.

The annual ASP review will follow the update activities and schedule provided below.

Table 5 – Annual Review/Update Timeline

Task	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Review Agency Operations	→	→	→								
Review SMS Documentation • ***Safety Policy;*** • ***Risk Management;*** • ***Safety Assurance; and*** • ***Safety Promotion*.**				→	→	→	→	→	→		
Review Previous Targets and Set or Continue Targets				→	→						
Report Targets to National Transit Database (NTD), MPO					→						
Make Any Necessary Adjustments to PTASP									→	→	
Update Version No., Adopt & Certify Plan Compliance											★

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Appendix A: PTASP Relationship to Other Federal Laws & Regulations

1. Public Transportation Safety Program Rule - 49 USC § 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 USC § 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 with 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 USC § 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 CFR. 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 USC 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 March 5, 2024, 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/ Title: Kelly Girtz, Mayor Unified Government of Athens-Clarke County

Date: March 4, 2025

Appendix C: GDOT Plan Certification

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: 610 Athena Drive - Approval of Private Pump Station & Force Main

DATE: January 21, 2025

EXECUTIVE SUMMARY:

This agenda item is requesting approval of a connection, by a developer, to the Athens-Clarke County sanitary sewer system by means of a private pump station and force main at 610 Athena Drive.

BUDGET INFORMATION:

REVENUES:N/A

EXPENSES:
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request Mayor and Commission approve a connection to the Unified Government of Athens-Clarke County (ACCGov) sanitary sewer system by means of a private pump station and force main to provide sewage service to property located at 610 Athena Drive **(Attachment #1)**.

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 new provisions to the Sewer Use Ordinance, which requires any and all connections to the public sanitary sewer system by means of any force main from a pumped facility or apparatus be approved by the M&C. Single-family residences and duplexes containing two-family units were exempt.

3. On September 3, 2024, the most recent request for a private pump station and force main for a housing development at 4555 Lexington Road, was approved by the M&C.

4. On January 14, 2025, Andrew J. Petersen, of Bowman Consulting, submitted a request to

connect to the public sanitary sewer system by means of a private pump station and force main for 610 Athena Drive on behalf of EquipmentShare, Inc.

FACTS & ISSUES:

1. The property owner of 610 Athena Drive, EquipmentShare, is proposing to construct a store at the subject property. There is an existing 8" sanitary sewer main located within the right of way of Athena Drive adjacent to the subject property (MH# E13-54). Due to the topography of the property, the finished floor elevation for the proposed building is at a lower elevation than the invert of the existing sewer lines. Therefore, the property owner requested the approval of a pump station and force main to make connection to ACCGov public sewer.
2. 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 our wastewater collection system, the Public Utilities Department (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.
3. By existing ordinance, the commercial use of a pump station must be approved by the M&C. The projected wastewater flow from this project is approximately 1,080 gallons per day (gpd). As a comparison, a single-family average wastewater flow is 140 gpd.
4. The pump station and force main serving the subject property will be owned and maintained by the property owner, EquipmentShare, Inc.
5. PUD staff evaluated the request and determined the proposed pump station and force main will not impose a burden on ACCGov's wastewater collection system, and therefore, staff recommends the private pump station and force main be approved. This recommendation is contingent upon:
    a. Submission by the owner of construction drawings acceptable to the Public Utilities and Building Permits & Inspections departments; and
    b. The property owner being responsible for all costs associated with the pump station, force main stubs, connection fees, etc.
6. This recommendation supports the following Mayor & Commission Strategic Commitment:
    - Built and Natural Infrastructure Goal 6, Strategy B: *Ensure equitable access to infrastructure to enhance safety and identity*

OPTIONS:

1. Mayor and Commission approve a connection to the Unified Government of Athens-Clarke County sanitary sewer system by means of a private pump station and force main to provide sewage service to property located at 610 Athena Drive.
2. Mayor and Commission deny the request.
3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV



Hollis Terry IV — Date: 1/21/2025

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1

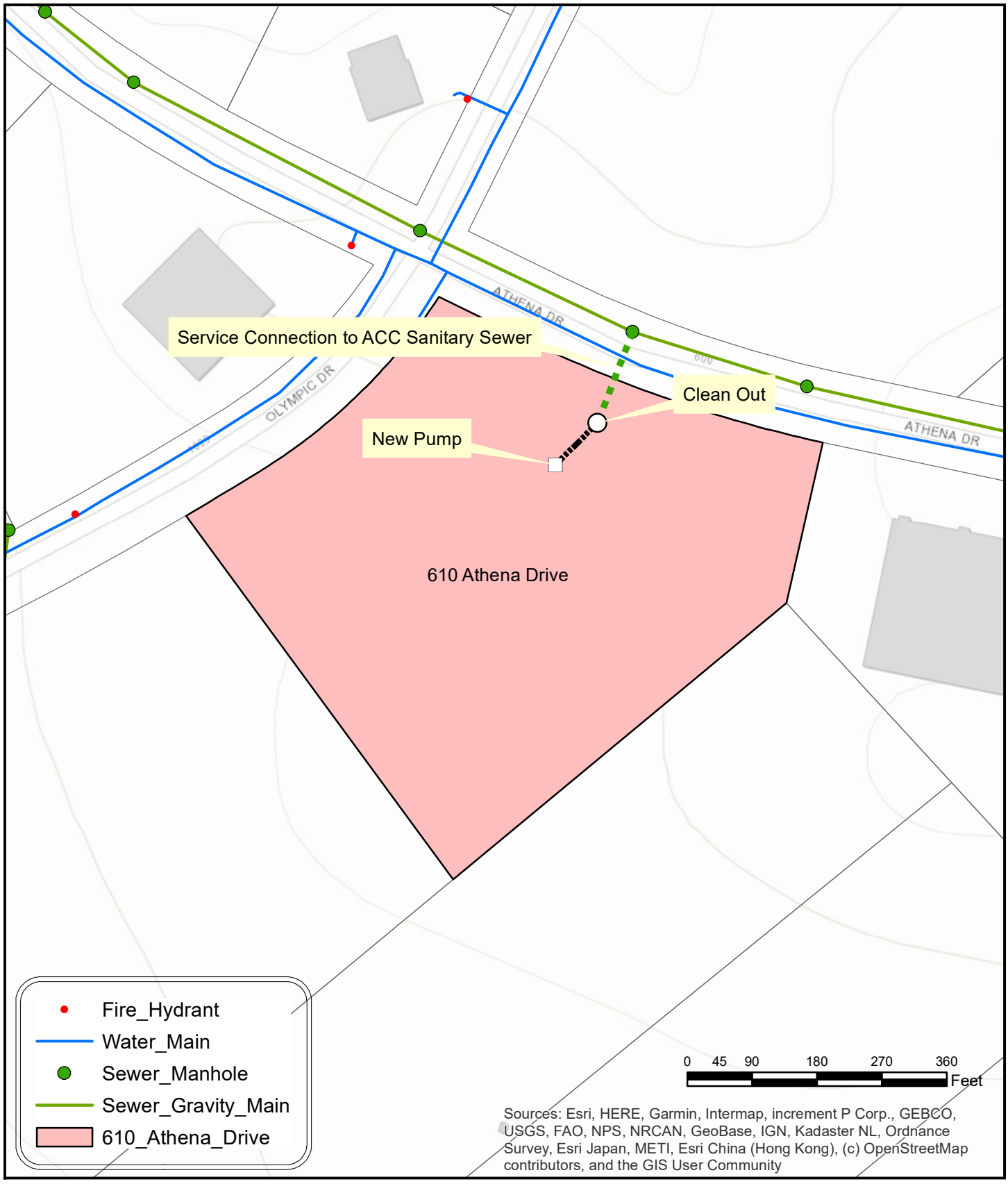


Brad Griffin,
Interim Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment #1 - Map

610 Athena Drive Pump Station



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

The Unifies Government of Athens-Clarke County
Department of Public Utilities
124 E Hancock Ave. Athens GA, 30601

Friday, January 17, 2025

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements Project (Sub-Project #1), Professional Services Contract

DATE: January 20, 2025

EXECUTIVE SUMMARY:
The proposed action is requesting approval of Pond & Company as the design services firm, selected in accordance with ACCGov Procurement Policy, to provide design and construction administration services for the project. Action is also requesting approval of the designation of and the budget amount for public art funds for this project.

BUDGET INFORMATION:

REVENUES:	$	4,612,000	TSPLOST 2024 Project 17 Sub-Project #1
	$	4,612,000	Total Revenue Available
EXPENSES:			
CAPITAL:	$	8,128	Expensed & Encumbered
	$	3,223,000	Available for Construction
	$	405,872	Designated Misc./PM Fees/ Testing Permitting
	$	29,000	Designated Public Art
	$	129,000	Designated for Land Acquisition
	$	417,000	Designated Contingency
	$	400,000	Designated for Design Services

OPERATIONAL: $3,000/yr

FUNDING SOURCE:
CAPITAL: TSPLOST 2023 Project 17
OPERATIONAL: General Fund

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request that the Mayor and Commission:

a. Approve an hourly rate, not-to-exceed, Professional Services contract in the amount of $400,000 to Pond & Company for design and construction administration services for the TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements (Sub-Project #1);

b. Approve the Athens Cultural Affairs Commission (ACAC) recommendation that TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements be designated as appropriate for public art **(Attachment #1)** with a budget amount of $29,000, for all Sub-Projects, (1% of the proposed construction budget); and

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

HISTORY:

1. On May 24, 2022, the voters of Athens-Clarke County approved a referendum for the TSPLOST 2023 Program, which included Project 17 – Stonehenge Neighborhood Area Pedestrian Improvements.

2. On June 7, 2022, M&C approved the on-call design services contracts with the six firms, after completion of a competitive procurement process, held in accordance with ACCGov Purchasing Policies. The firms were evaluated and selected based on technical abilities, experiences, resources, references, interviews, and overhead & profit/cost multipliers provided by each of the firms. The M&C approved the following firms to provide on-call civil engineering services under this contract:
   - Alfred Benesch & Company
   - Arcadis U.S., Inc.
   - Atlas Technical Consultants LLC
   - KCI Technologies, Inc.
   - Pond & Company
   - Prime Engineering, Inc.

3. On February 13, 2024, 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 2023 Project 17 Stonehenge Neighbourhood Area Pedestrian Improvements **(Attachment #1).** Based on the nature of the project scope, the ACAC recommended that public art be associated with the implementation of TSPLOST 2023 Project 17.

4. In May 2024, the ACCGov Manager selected the User Group Members to help ensure ACCGov long term goals are promoted during the Project Development process. The User Group Members are:
   - Stephen Bailey
   - Wayne Mead
   - Tim Griffith
   - MacKenzie Hayes
   - Lisa Allen

5. On July 25, 2024, the User Group held a kick-off meeting to discuss the Initial Project Statement, project progress path, responsibilities, and development of the Project Concept.

6. In August & September 2024, staff and User Group continued to develop elements of the Project Concept list.

7. On October 8, 2024, staff requested proposals for professional design services from the M&C approved On-call design professionals.

8. On October 30, 2024, ACCGov received pricing proposals, for design and construction administrative services for Stonehenge Neighborhood Area Pedestrian Improvements, from four of the previously M&C approved on-call design firms:
    - Atlas Technical Consultants LLC
    - KCI Technologies, Inc.
    - Pond & Company
    - Prime Engineering, Inc.

9. On November 11, 2024, the User Group evaluated the four proposals and selected Pond & Company as the highest-ranking firm to provide design and construction administrative services for Stonehenge Neighborhood Area Pedestrian Improvements.

FACTS & ISSUES:

1. The Initial Project Statement for TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements reads as follows:

    Project 17 – Stonehenge Neighborhood Area Pedestrian Improvements Project: *This project will provide for capital improvements for improving safety, accessibility, and connectivity along Old Monroe Road and accompanying streets in the Stonehenge neighborhood including, but not limited to, Stonehenge Way, Marlborough Downs Road, Heelstone Ave, and/or Altarstone Drive. Depending upon actual costs and funding availability, improvements may include, but are not limited to: connecting sidewalks, safe crossings, landscaping, signage, lighting, and/or other safety improvements. To the extent allowed by law, budgeted project funds may be used as matching funds for leveraging grant opportunities. Additionally, to the extent allowed by law, other funding sources, including, but not limited to, grants, may be utilized to offset and/or reduce the project budget. Any unspent project funds that accrue as a result of the receipt of grants or other funding sources may be assigned to other approved TSPLOST projects.*

2. This project focuses on sidewalks, safe crossings, and traffic calming along Old Monroe Road and other major neighborhood streets in Stonehenge. The primary goal is to establish a safe and sufficient network of sidewalks along neighborhood roads with heavy traffic inside the densely populated residential area. Residents are often walking along informal paths riddled with loose gravel and debris. Poorly maintained roadsides are also correlated with persistent

issues of roadside dumping and littering. This makes personal mobility hazardous for able-bodied people and impossible for people in wheelchairs. Staff will engage the neighbourhood residents in providing public input on the Project Concept and allow them to assist in determining the highest priority needs related to this neighbourhood development project.

3. If approved, the following would be the proposed implementation schedule for the next key milestones and touch points by M&C:

• Public Engagement to Develop the Project Concept	Spring 2025
• Project Concept for M&C consideration	Spring 2025
• Preliminary Design & Land Acquisition for M&C consideration	Fall 2025
• Public Art Location & Type for M&C consideration	Fall 2025
• Completed Construction Drawings	Winter 2026
• Construction Bidding	Spring 2026
• Construction Contract Award for M&C consideration	Spring 2026
• Begin Construction	Summer 2026

4. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors, Strategy E: *Support and promote healthy lifestyle choices: moving, eating, forming healthy relationship, physical and psychological care*.
    - Safely Move Around Athens, Strategy A: *Improve, expand, and 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 an hourly rate, not-to-exceed, Professional Services contract in the amount of $400,000 to Pond & Company for design and construction administration services for the TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements (Sub-Project #1);

    b. Approve the Athens Cultural Affairs Commission (ACAC) recommendation that TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements be designated as appropriate for public art **(Attachment #1)** with a budget amount of $29,000, for all Sub-Projects, (1% of the proposed construction budget); and

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

2. Mayor and Commission deny the Award of a Professional Services contract for the TSPLOST 2023 Project 17, Stonehenge Neighborhood Area Pedestrian Improvements (Sub-Project #1) to POND & Co.

3. Mayor and Commission defined option.

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

DEPARTMENT: Prepared by: Daniel Garren for



Josh Hawkins, Capital Projects Director — Date: 02/11/2025

ADMINISTRATIVE COMMENTS:

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



Brad Griffin,
Interim Manager — Date: 02/13/2025

ATTACHMENTS:

Attachment 1: Athens Cultural Affairs Commission Recommendation Letter

Attachment #1

ATHENS Cultural Affairs COMMISSION

Feb 13, 2024

To SPLOST, Mayor & Commission,

At our February meeting (February 12, 2024), the Athens Cultural Affairs Commission (ACAC) met, discussed, and voted on the TSPLOST 2024 project list.

We find the following projects suitable for public art:
Project 2: Lexington Road Corridor Improvements
Project 3: Lexington Road Sidewalk Gap
Project 4: Atlanta Highway / W. Broad Street
Project 5: Prince Avenue / Jefferson Road
Project 6: Timothy Road / Mitchell Bridge Road Corridor
Project 11: MLK Parkway Oconee River Greenway
Project 12: E. Athens Neighborhood Greenway Connectors
Project 13: E. Athens Neighborhood Pedestrian Imp.
Project 14: N. Athens Transportation Improvements
Project 15: Sycamore Drive Pedestrian Improvements
Project 16: Westchester Neighborhood Pedestrian Imp.
Project 17: Stonehenge Neighborhood Pedestrian Imp.
Project 18: Firefly Trail Project
Project 23: Greenway Trail Safety Improvements Project
Project 25: Bicycle and Pedestrian Improvements Program
Project 26: W. Broad & Hancock Neighborhood Ped. Imp.
Project 27: Five Points Intersection Safety Improvements
Project 29: Smithonia & Smokey Road Pedestrian Imp.

We find the following projects unsuitable for public art:
Project 1: Winterville Storm Drainage Improvements
Project 7: E. Athens Neighborhood Ped. Lighting Safety
Project 8: E. Athens Neighborhood Traffic Management
Project 9: E. Athens Neighborhood Pavement Rehab.
Project 10: E. Athens Neighborhood Transit Improvements
Project 19: ACCGov Public Transit Operations Program
Project 20: Electrify the Fleet Program
Project 21: Pavement and Bridge Maintenance Program
Project 22: Culvert and Live Stream Pipe Replacement
Project 24: Historic District Street Signage Project
Project 28: College Square Pedestrian Plaza Project
Project 30: Traffic Safety Infrastructure Improvements
Project 31: Neighborhood Traffic Management Program
Project 32: Traffic Signage Replacement Program
Project 33: City of Winterville
Project 34: Town of Bogart

We thank the SPLOST Office, Mayor & Commission, and Leisure Services Arts Division for their continued advocacy, work, and support as we all work to build an Athens that reflects its community. ACAC pledges to continue its devotion to enhancing the aesthetic development of built environment throughout our county, through these TSPLOST projects and beyond.

Sincerely,

Victoria Prevatt

Victoria Prevatt
Athens Cultural Affairs Commission, Chairperson

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **SCHEDULE OF FEES TO BE ADOPTED ANNUALLY**; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 2-6-2 of the Code of Athens-Clarke County, Georgia, entitled "Schedule of fees to be adopted annually," is hereby amended by increasing the hourly rate for parking decks from $1.00 to $2.00 so that the schedule of fees now reads as follows:

CENTRAL SERVICES		
	Subject	**Fee/Unit**
	Parking Decks & Surface Lots	
31	All Decks – Hourly Parking (subject to time limits)	$2.00/hour

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

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Request for Hourly Parking Rate Adjustment in Downtown Parking Decks

DATE: December 19, 2024

EXECUTIVE SUMMARY:

Due to payment kiosk limitations and market trends, the ADDA proposes increasing downtown parking rates to $2.00 per hour while offering the first hour free. The change avoids an $80,000 system upgrade and streamlines operations while generating a net revenue increase of $228,000 in the General Fund.

REVENUES:

$ 340,000	Additional Annual Income from Increasing to $2.00 Per Hour
($ 27,000)	Decrease in Annual Income from Moving to 1st Hour Free
$ 313,000	**Gross Additional Annual Income**

EXPENSES:

ANNUAL:

$ 92,000	ADDA Revenue Share (40%)

CAPITAL:

OTHER:

FUNDING SOURCE: Athens Downtown Development Authority and Athens-Clarke County Unified Government operating budgets.

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request the Mayor and Commission:

a. Approve the recommendation from the Athens Downtown Development Authority to increase the hourly parking rate to $2.00/hour in the decks;
b. Approve the recommendation from the Athens Downtown Development Authority to not charge for the first hour of deck parking; and,
c. Authorize the Mayor and appropriate staff to execute all related documents, including changes to the FY25 Unified Fee Schedule.

HISTORY:

1. Since FY93, Athens-Clarke County (ACCGov) has contracted with the Athens Downtown Development Authority (ADDA) to manage the Downtown Athens Parking System (DAPS), contributing to downtown economic development and accessibility.

2. On June 7, 2011, the Mayor and Commission approved an increase in downtown on-street parking rates to fund the construction of a new parking deck on West Washington Street. This decision raised the hourly parking rates to $1.50.

3. On August 2, 2016, the Mayor and Commission approved replacing parking meters. The proposal involved removing multi-space meters and replacing them with single-space meters that accepted credit cards.

4. In 2018, ACCGov replaced the parking equipment in the Courthouse Parking Deck.

5. On October 15, 2019, under Suspension of Rule, the Mayor and Commission approved an expenditure of $330,174 to replace the parking equipment in the College Avenue and West Washington Street decks.

6. On June 5, 2024, the Mayor and Commission adopted a Commission Defined Option (CDO) to the FY25 Operating and Capital Budget, which included an increase to the hourly parking rate for the College Avenue, Washington Street, and Courthouse decks from $1.00 to $1.50 per hour. This same CDO decrease ACCGov's revenue share of the DAPS system from 80% to 60%.

7. On July 11, 2024, ACCGov and ADDA executed an amendment to the 2024 parking management agreement that formalized the change to the revenue sharing ratios.

8. In August of 2024, the ADDA notified Central Services that they were unable to fully implement the $1.50 per hour rate in the College Avenue and Washington Street decks because their pay kiosks were unable to accept change. At that time, alternatives were being investigated

9. On October 9, 2024, the ADDA Board unanimously approved recommending a $2.00/hour rate adjustment, avoiding equipment upgrades and better aligning with market trends.

10. On October 11, 2024, the ADDA sent a letter to Central Services formally requesting changes to both the hourly rate and fee-free period for downtown parking decks (**Attachment #1**).

FACTS & ISSUES:

1. The Courthouse deck is staffed during operating hours. When it is not staffed, the gates are open can people can come and go as needed. Since the replacement of the parking deck equipment at the Courthouse, ACCGov has charged $1 per hour for parking. When the rate was increased to $1.50 per hour, operations were complicated by the need to work with coins.

2. The ADDA operated decks at College Avenue and West Washington Street utilize combination of attendants during business hours and automated payment kiosks after

business hours. The automated payment kiosks are unable to accept coins and cannot use different hourly rates for cash and credit transactions.

3. It would cost approximately $80,000 to upgrade the payment kiosks to accept change. If needed, it would take 3-12 months to implement this upgrade.

4. The ADDA has requested the hourly rate of the decks be increased to $2.00 per hour. Staff supports this request. If hourly rates are increased to $2.00 per hour, the gross annual revenues are projected to increase by $340,000/year. After the accounting for the additional $92,000 revenue share with ADDA, ACCGov can anticipate a net increase of $248,000 in the General Fund budget.

5. To mitigate the impacts to downtown patrons and merchants, the ADDA has further requested the fee-free period be increased from the first 30 minutes to the first 60 minutes. Staff supports this request. In FY24 13,703 patrons parked between 30 and 60 minutes in the downtown decks. If this change is implemented, estimated annual revenue is anticipated to decrease by approximately $27,000, of which, approximately $20,000 will occur in the General Fund and $7,000 will occur in the ADDA revenue share.

6. ADDA has been piloting a pay-by-plate system on East Dougherty Street that eliminates meters and accepts payments via smart devices. The first phase of the pilot has been successful and is scheduled to expand west down Dougherty Street. As this system rolls out, the need for parking equipment may be reduced or eliminated.

7. This recommendation does not align with the goals and strategies of the FY23-FY25 ACCGov Strategic Plan.

OPTIONS:

1. Mayor and Commission:
   a. Approve the recommendation from the Athens Downtown Development Authority to increase the hourly parking rate to $2.00/hour in the decks;
   b. Approve the recommendation from the Athens Downtown Development Authority to not charge for the first hour of deck parking; and,
   c. Authorize the Mayor and appropriate staff to execute all related documents, including changes to the FY25 Unified Fee Schedule.

2. Mayor and Commission deny the ADDA-requested changes.

3. Mayor and Commission Defined Option.

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

DEPARTMENT: Central Services
Prepared by: James Alexander



12/19/24

James Alexander
Central Services
Interim Director

Date

ADMINISTRATIVE COMMENTS:
Historically, ACCGov has maintained on-street parking rates higher than deck rates as an incentive to use the decks for longer duration parking. The Manager's Office will recommend an increase to the on-street hourly rates and maximum daily rates in the FY26 budget.

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



2/13/25

Brad Griffin,
Interim Manager

Date

ATTACHMENTS:
Attachment# 1: Request Letter from ADDA

October 11, 2024

James Alexander, Interim Director
Central Services Department
Athens-Clarke County
Via email James.Alexander@accgov.com

RE: Request for increase in hourly parking rate in College Avenue and Washington Street Decks

Dear James:

In the ACCUG FY25 budget, the hourly parking rate for the College Avenue, Washington Street, and Courthouse decks was increased from $1.00 to $1.50. To implement this increase in the College and Washington decks, the equipment would need to be upgraded to accept coins, at an estimated cost of $80,000. In addition, coins have increasingly difficult to deposit. Only one institution in Athens has equipment that can handle the volume of coins that on-street parking already produces.

The Athens Downtown Development Authority (ADDA) respectfully requests that the ACCUG consider increasing the hourly rate to $2.00/hour to avoid the investment in additional equipment. The hourly rate in other parking decks in the Athens area is currently $2.00/hour or more. The ADDA also requests that there be no charge for the first hour of deck parking; currently there is no charge for the first half-hour. The maximum daily rate of $15/day would remain the same. The ADDA voted unanimously at their October 9 board meeting to forward this request to the Mayor and Commission.

Please let me know if the ADDA can provide any additional information as the Mayor and Commission consider this request. As always, thank you for the continued partnership between the ADDA and the ACCUG that allows us to serve downtown.

Sincerely,

Jason Leonard, Chairman
Athens Downtown Development Authority

cc: Andrew Saunders
Linda Ford
Angel Helmly
David Lynn

Athens Downtown Development Authority
P.O. Box 1295 · Athens, Georgia 30603 · Phone 706.353.1421

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Periodic Audit of the Housing and Community Development Department

DATE: January 17, 2025

EXECUTIVE SUMMARY:
The Office of Operational Analysis has completed a periodic audit of the Housing and Community Development (HCD) Department, which includes an overview and analysis of the department, along with relevant findings and recommendations.

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request that the Mayor and Commission:

a. Accept the Periodic Audit of the Housing and Community Development Department as recommended by the Audit Committee **(Attachment A);** and,
b. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. Since 1991, the Office of Operational Analysis (formerly Auditor's Office) has maintained a list of completed audits for ACCGov departments, offices, courts, agencies, boards, programs, and projects consisting of various objectives and scope.

2. On December 12, 2022, the Mayor and Commission (M&C) adopted an amendment to the ordinance (Sec. 1-3-1) entitled "Internal Auditor; Office of Operational Analysis" modifying both the general and specific duties and responsibilities.

3. On August 1, 2023, the Mayor announced his appointments to the Audit Committee, which included two current County Commissioners (Fisher; Myers), and three members of the community (Dr. Xernona Thomas; Beth Higgins; Carl Blount) whose terms all began September 7, 2023, and will expire at varying dates based upon an initial two-, three-, and four-year term assignment.

4. On August 6, 2024, the M&C voted to approve the FY25 Audit Workplan **(Attachment B)** as recommended by the Audit Committee, which included two periodic audits of departmental mission, operations, and internal controls (Housing & Community Development; Transit Department), among other assignments.

5. On August 13, 2024, an entrance conference signifying the official start of the HCD periodic audit took place and included staff from Operational Analysis, the Manager's Office, and HCD. The purpose was to review the audit process, workflow, schedule, and agreed upon procedures.

6. On December 19, 2024, an exit conference was conducted with HCD to discuss the initial draft report, including any findings or recommendations. Updates were made to any factual data in question, and subsequently included in a revised draft report, which was reissued to the department and Manager's Office for final review and formal comment(s).

7. On January 16, 2025, the official departmental/management response to the audit findings and recommendations was received and incorporated into the final report.

8. On February 6, 2025, the Audit Committee voted to recommend the audit be forwarded to the full M&C for acceptance.

FACTS & ISSUES:

1. Per ordinance Sec. 1-3-1 (b) – Specific duties and responsibilities. The duties and responsibilities of the Internal Auditor shall be as follows:

    2. *Prepares reports, in a timely manner, to present findings and recommendations to the Mayor and Commission concerning governmental fiscal operations.*

2. The Office of Operational Analysis conducted a periodic audit of HCD in association with the FY25 Audit Workplan, resulting in a report that highlights various findings and recommendations based upon analysis of financial, performance, compliance, and internal control factors.

3. A periodic departmental mission, operations, and internal control audit entails a brief, focused review of predetermined factors, utilizing a standard objective and prioritized scope. It provides a basic update on a department's present position, usually occurring over a 3-5 month period of time. Specific details regarding the analysis of HCD are included from the FY25 Audit Workplan; but the objective and scope were as follows:

    <u>Objective</u>

    The purpose of this audit is to conduct a basic review and analysis of the Housing and Community Development Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope

- *Financial review and analysis*
- *Performance review and analysis*
- *Compliance review and analysis*
- *Internal controls application and analysis*

4. The Audit Committee and Internal Auditor agree that it is important for all ACCGov departments/offices/courts to be reviewed on a more frequent basis, even if just to acknowledge regular, daily duties and responsibilities of the staff, resources, and services to be provided. Therefore, periodic audits are conducted with a focus on standard issues applied more or less equally to each of the identified participants.

5. HCD was previously subjected to an internal audit by ACCGov in 2009 while known as the Housing and Economic Development (HED) Department. Additionally, certain functions associated with the services provided and grants managed undergo external financial, performance, and compliance audits.

6. HCD exists to provide funding for the creation and rehabilitation of affordable housing, to foster and coordinate services for disadvantaged populations, and to promote economic mobility among residents of Athens-Clarke County. The department is under the purview of the Manager's Office and has been restructured over recent years to accommodate American Rescue Plan Act (ARPA) Program administration, as well as contract compliance functions.

7. The Office of Operational Analysis performed the following activities in accordance with the established schedule set between August 2024 through December 2024:
   - Departmental staff questionnaires;
   - On-site interviews with staff and attendance at public meetings conducted by the department;
   - Reviewed documents/materials/resources and other data provided by the department;
   - Attended an educational outreach event;
   - Performed benchmarking analysis of comparative governments within Georgia and the Southeast region; and
   - Observed office functions and conducted random file sampling.

8. Overall, the Office of Operational Analysis spent a total of 88.25 cumulative hours over 18-days conducting fieldwork for the audit, which predominantly included meetings with staff, on-site observations, and attendance at gatherings to which HCD had business to conduct.

9. A number of observations were made related to HCD, and the Internal Auditor found the department is in good standing, functioning at a satisfactory level. There were four findings of significance that warrant attention. Those opportunities for improvement outlined in the report include:
   i. Timesheet accuracy and consistent reporting;

ii. Interdepartmental/interagency collaboration and coordination;
iii. Efficiency in annual subrecipient awards and technical assistance; and
iv. Distinction of economic development functions.

10. Staff intends to follow-up with HCD in one year's time as to the status of the recommendations made.

11. This agenda report recommendation supports the following ACCGov FY23-25 Strategic Plan Goals, Strategies, & Initiatives:

- Goal Area #2, Strategies: Identify and close gaps in partnership with the community

  B. Building and maintain two-way information pipelines through relationship Building

  2. Amplify partnership with Neighborhood Leaders

  C. Identify ways to address unaddressed community needs and develop programs, policies, and processes to facilitate community transformation

  1. Humanize community data
  2. Partner directly with and listen to residents at the neighborhood level

  E. Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, non-profit capacity building, and problem solving with connected community partners

  1. Promote and provide technical assistance for non-profit capacity building

- Goal Area #3, Strategies: Organizational improvement

  A. Develop strategies to recruit, reward, and retain high performing employees, both internally and externally, including individuals coming out of the justice system.

  1. Meet current and future workforce needs.
  4. Prepare employees for their next job through succession planning, developing a clear path for growth/development.

  B. Create a culture of high performance: increase interdepartmental collaboration, events, better cross-departmental workforce strategy.

  1. Develop training for employees based on identified needs to deliver exceptional services.

  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.

  3. Provide the tools staff need to improve their daily work and deliver better service to residents.
  4. Build capacity for continuous organizational improvement.

- Goal Area #4, Strategies: Quality, Stable, Affordable Housing for All
    A. Support home ownership by increasing opportunities for low- and middle-income people to own a home and help people retain and remain in homes
        2. Make current and prospective homeowners aware of home affordability programs.

    B. Update development codes, zoning, and funding/resources resulting in diverse, affordable housing options to meet community needs
        2. Equip Neighborhood Leaders with in-field fair housing education materials

    D. Prevent and reduce homelessness by enabling supportive housing options that meet a variety of needs
        2. Help households exit homelessness

    E. Improve equitable housing opportunities in identified disinvested or underinvested areas
        2. Encourage reinvestment and improvement of housing stock through effective deployment of Neighborhood Revitalization Strategy Areas

    F. Provide support to tenants to improve quality of life
        2. Benchmark how other communities are protecting fair housing rights

---

OPTIONS:

1. Mayor and Commission:
    a. Accept the Periodic Audit of the Housing and Community Development Department as recommended by the Audit Committee **(Attachment A)**; and,
    b. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not accept the Periodic Audit of the Housing and Community Development Department.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Prepared By: Gavin Hassemer

Gavin J. Hassemer

Gavin J. Hassemer
Internal Auditor

February 6, 2025
Date:



February 6, 2025

Dexter Fisher
Audit Committee Chair

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



02/13/2025

Brad Griffin,
Acting Manager

Date:

Attachment(s):

A. FY25 Periodic Audit of the Housing and Community Development Department
B. FY25 Audit Workplan

HOUSING & COMMUNITY DEVELOPMENT

FY25 PERIODIC AUDIT



Operational Analysis Office
Report Number 2025P-71

FY25 Periodic Departmental Mission, Operations, & Internal Controls Audit

Housing & Community Development Department

Report Number 2025P-71

The mission of the Operational Analysis Office is to provide quality internal audit services through independent and objective reviews and assessments of the activities, operations, financial systems, and internal accounting controls that support the Mayor and Commission's adopted goals and strategies; to make recommendations that will improve governance, risk management, control processes and value for money, all with the intent of enhancing the efficiency and effectiveness of government operations for the benefit of Athens-Clarke County.

In accordance with Sec. 1-3-1 (b)(1) of the Athens-Clarke County Code of Ordinances, the Internal Auditor shall:

"Conduct 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."

Audit Committee

Commissioner Dexter Fisher, Chair
Commissioner Carol Myers
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Beth Higgins
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The Operational Analysis Office (OA) conducted this audit with voluntary guidance and reference from the US Government Accountability Office publication Government Auditing Standards, also commonly referred to as "generally accepted government accounting standards" (GAGAS), or "Yellow Book." Acknowledgement of these standards indicates our continued efforts to incorporate applicable, professional practices that are realistic and adaptive to the unique expectations of ACCGov and the community at large. The Periodic Audit process developed by the Operational Analysis Office is not a forensic audit; however, OA staff uses framework from the Standards for Internal Control in the Federal Government, known as the "Green Book," as guidance for internal control and financial review. Green Book compliance helps provide reasonable assurance that evidence discovered is sufficient and appropriate to support findings and recommendations.

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EXCUTIVE SUMMARY

The Operational Analysis Office is pleased to present the FY25 Periodic Departmental Mission, Operations and Internal Controls Audit for the Housing & Community Development Department (HCD). This report highlights the important services provided throughout the county by HCD, and how they approach such responsibility as an entity, in both its objectives and performance. Focus was primarily directed toward the assessment of applicable financial and operational processes to determine reliability, use of resources and adherence to regulations.

This audit is intended to serve as a resource for ACCGov and the community. The report signifies the role of Operational Analysis to guide efficiency and effectiveness throughout a complex governmental system. The main purpose and scope are outlined in greater detail within the document, along with the most significant findings discovered during the review. Lesser concerning items were presented and discussed with the department and county management during the audit, as appropriate, and may not have warranted inclusion in the report. All findings and recommendations, regardless of significance, have been brought to the attention of applicable staff and the Audit Committee prior to public release. The full list of formal findings, recommendations and responses, along with informal points of interest or concern can be found on pages 39-42.

It is the professional opinion of the Operational Analysis Office that the Housing & Community Development Department is in good standing, functioning at a satisfactory level. Although the department has experienced significant turnover in leadership over the years, a permanent director was recently named. Staffing levels have increased and employee retention remains stable. Services are being provided within budget while being guided by a wide range of applicable laws governing the distribution of federal, state and local funds. Minor concerns have been noted, while four findings were worthy of formal mention, along with recommendations to mitigate. Those issues included the following:

1. Timesheet accuracy and consistent reporting
2. Interdepartmental/interagency collaboration and coordination
3. Efficiency in annual subrecipient awards and technical assistance
4. Distinction of economic development functions

The recommendations outlined were made with the goal of worthy consideration and hopeful implementation for the betterment of ACCGov as a local government entity. Based on this audit and the analysis that was completed, the Operational Analysis Office plans to follow up on the findings and recommendations within one year's time to assess the status of adherence toward completion.

The Operational Analysis Office would like to offer and extend our sincere appreciation to the ACCGov Housing & Community Development Department for their assistance and cooperation throughout the audit process. Additionally, the Manager's Office has been responsive to any requests for information or clarification. Finally, gratitude is warranted for the support and direction provided by the Audit Committee in acknowledgement of their respective role.



Gavin J. Hassemer, Internal Auditor

Overview

On August 6, 2024 the Mayor & Commission approved the FY25 Audit Workplan for the Operational Analysis Office. Among approved activities was a periodic audit of the Housing & Community Development Department (HCD). The purpose of periodic departmental audits is to conduct a basic review and analysis of established performance measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

It is the intent of the Internal Auditor, at the request of the Audit Committee, to assure every department of ACCGov be reviewed by such a periodic audit regularly, on an established rotation. Considering this approach for the Operational Analysis Office, it is necessary for the Audit Committee to use its discretion to recommend the proper timeline of these periodic audits. Among the factors considered in the decision were length of time since previous internal audit, community and organization impact, scheduling, and risk exposure.

While HCD has been previously audited by the Operational Analysis Office and is also regularly audited by the federal government, impact from the COVID-19 outbreak, turnover in leadership, as well as the overall increase in department size during the past five years made the department a point of interest.

Furthermore, the broad scope of work done by the department in association with significant grant awards, including ARPA funds, influenced its inclusion during the FY25 Periodic Audit cycle. The audit scope comprised three primary sections of review and analysis:

Financial Review & Analysis

Items evaluated regarding appropriate internal controls and oversight included fiscal year budget and spending as well as budget oversight and permissions. Additionally, the handling of purchasing, travel, contracts, receipt of goods and accounting of assets was subject to examination. Timesheet entry and payroll processing were also included as part of financial review and analysis.

Performance Review & Analysis

The review of service delivery was based on the mission statement and objectives of the department and included benchmark testing against self-stated performance measures, review of standard operating procedures and analysis of staffing and succession planning.

Compliance Review & Analysis

All applicable items of compliance were subject to review including adherence to charter and ordinances, proper professional credentials, analyses by third-party audits and reviews, alignment with organizational strategic plan and initiatives, as well as overall adherence to existing policies/procedures/practices.

With respect to the tailored nature of this unique approach, staff sought to apply applicable aspects of the COSO or Green Book model of Internal Controls to the departmental functions being audited in general. Finally, any other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness, customer dissatisfaction, staff vacancies, missing records, misspending, fraud, abuse, negligence, etc.) were noted, as appropriate.

Process

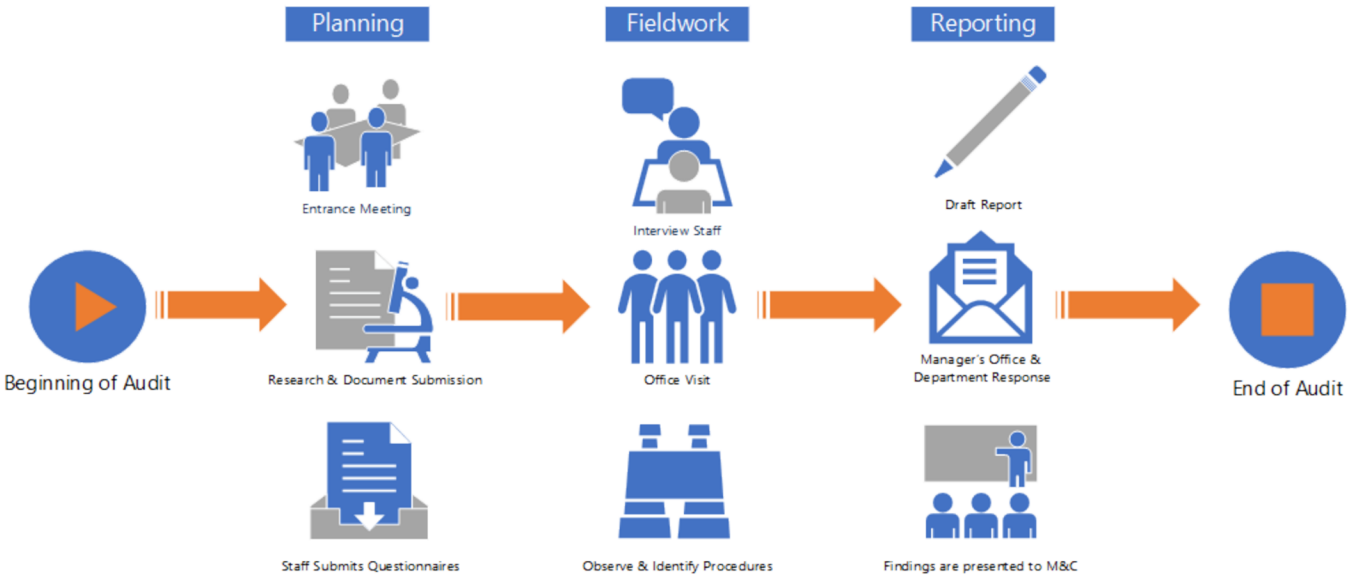
The process for internal Periodic Audits involves planning, fieldwork and reporting.

During the planning phase all involved parties are notified and an initial entrance meeting is held to establish the audit timeline, as well as discuss the scope and audit objectives. During this phase information is gathered through research, questionnaires and documents submitted by the department being audited. Dates for field visits and in-person interviews are agreed upon.

The fieldwork phase of the audit generally includes on-sight visits so that OA staff can observe department operations, interview staff, perform analyses, identify anomalies and write recommendations for improvement. At the conclusion of the fieldwork phase an exit interview is scheduled to review the audit findings with the department director. It should be noted that while the Housing & Community Development Department allows for their staff to have a remote work schedule, OA staff was able to complete all necessary office visits, meetings and other necessary components of fieldwork without any issue.

The final phase of the audit is reporting. OA staff prepares a draft report, to which the subject department director submits a written response and corrective action plan. These documents are combined, along with a management response, into a final report which is presented to the Mayor & Commission for approval.

Figure 1



Methodology

It is the intent of the Internal Auditor to perform constructive audits and present reports which are clear and concise. This report highlights factual information, both positive and negative, so that those with responsibility have the opportunity to respond and build off the suggestions provided. The findings of the Periodic Audit are presented so as to be easily understood by those outside ACCGov in a manner that is relatable, but sound in logic. The layout has been designed in a direct and deliberate style to facilitate usability for all interested parties.

In order to assure and maintain objectivity, independence, integrity and professionalism, OA uses generally accepted government auditing standards to gather and analyze data. Information used for this report was attained

directly from HCD and other ACCGov entities, along with publicly available documents and information. Information from sources outside of ACCGov are cited where applicable.

Quantitative analysis has included a review of ratios and trends among data in order to isolate unusual circumstances. Qualitative analysis has been judged to be valid when it is logically comprehensive, complete, professional, and significant to the reported findings.

Specific activities of research and analysis included:

- Research of federal, state and local laws and regulation governing the operation of HCD
- Gathering of information specific to HCD and its partnership entities through research of digital and printed sources
- Analysis of documentation requested from the department and subsequently submitted by department director and staff
- Data and information gathered from written surveys prepared by OA staff and submitted by each employee of the department
- Oral interviews of staff members
- Information gathered through interviews with staff from related ACCGov departments
- Test of internal controls against standards set by federal, state and county entities, as well as best professional practices
- Observation of office operation by shadowing staff during normal operations
- Observation of meetings facilitated by department staff, or meetings in which HCD staff participated
- Research and analysis of comparisons between ACC HCD and similar departments across the state and country
- Surveying 15 of HCD's subrecipients

While methodology and scope are designed to be consistent among ACCGov departments, the diversity of operations across the organization calls for certain aspects of the audit work to be tailored to each department. For HCD, a standardized Periodic Audit Document Request list was used, and all requested documents were submitted by the department in a timely manner.

A standard Periodic Audit questionnaire was provided to each staff member, to which a 100% response rate was received. Fieldwork comprised 88.25 hours over 18 days. Email and phone calls were used to follow up regarding scheduling, office visits, and quick clarification questions. Confirmation of assets, records, statements and documents was made by cross-reference with other ACCGov departments.

Background

The Housing & Community Development Department (HCD) was initially developed as the Housing and Economic Development Department (HED) during the unification process of the City of Athens and Clarke County, Georgia.

The charter mandates in section 9-103(3)(b), "Within four (4) years of the effective date of this Charter the unified government shall adopt a service delivery plan that includes… An administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of human and economic development. The program shall be responsible for identifying problems and needs that exist in the community and for identifying and securing resources needed to effectively address these problems and needs. The program

shall encourage efforts to enable, empower and involve the disadvantaged; address the causes of crime; work to enhance the quality of life of all citizens; and to help ensure that the unified government will be responsive to the needs of all citizens…" The Department of Housing and Economic Development began operation in 1991 (FY1992), with one position funded from the General Fund, and four grant-funded positions.

Overview Commission Reports

To provide historical context for this Periodic Audit report, ACCGov Overview Commission reports are used as references. Section 8-116 of the Athens-Clarke County Charter calls for an overview commission to be appointed by the grand jury every ten years (originally every five years) "to provide a more efficient and responsive government." The Overview Commission is charged with making written recommendation to be presented to the Mayor & Commission, and made available to the public. Four such reports have been presented thus far: 1996, 1999, 2010 and 2020.

1996 Overview Commission Report

At the time of the 1996 Overview Commission (OC) Review, HED staff had grown to five positions paid out of the General Fund and eleven federal and state grant-funded positions. The department comprised four divisions: Human Services, Housing, Economic Development and Physical Projects. The OC listed concerns regarding the department as: the interim status of the director for over 18 months; the lack of general fund support with most of the department's funding coming from state and federal grants; the department was not serving as a meaningful partner in economic development; no comprehensive program for economic development had been adopted.

Conclusions and Recommendations included the following: Hiring a permanent director; providing human and economic development independent of federal funding; ensuring subrecipient agencies provide services--especially employment, appointment and procurement--for traditionally disadvantaged groups; and providing information about the department, its accomplishments and opportunities for assistance or grants through appropriate communication channels. The Unified government provided an extensive, six-page response to these recommendations in March of 1997. The response notes an intent to appoint a new director "by the end of 1996 but no later than the first quarter of 1997" to replace the interim, who had been serving for 30 months.

1999 Overview Commission Report

The 1999 OC presented its report in January of 2000 focusing on four areas of the Unified Government: Charter/Executive Branch Review, Government Service, Human and Economic Development, and Financial Analysis. The summary of the major findings of HED were as follows: "The Overview Commission recognizes that there is a gap between the community's expectations resulting from unification and what has been accomplished to date. The Overview Commission stressed the importance of a permanent director and governmental support for the mission of the department. The Overview Commission offers suggestions regarding the constructive use of federal funding to address community issues, such as the need for a more skilled work force." (p.ii)

Twelve Findings and Recommendations were made regarding HED, the first of which is, "...the Overview Commission recommends that the department evaluate itself based on its implementation of the federally mandated definition of economic development. The second recommendation states, "The Overview Commission believes it is imperative that the Manager fulfill his obligation to hire a permanent, full-time, experienced director…"

https://library.municode.com/ga/athensclarke_county/codes/code_of_ordinances?nodeId=PTICH_ARTIXTRPR_S9-103PRSEDUTR

The remaining recommendations include descriptive language, recommending that HED "be involved in", "play a strong and significant role in", "take steps to" or "assist" with matters including economic development, Community Oriented Policing (COP), housing, minority representation within the department, creating and coordinating youth programs, demolition or repair of abandoned dwellings, application support, crime, and drawing attention to underdeveloped areas of the county, among others.

In April of 2000 the Overview Commission Response Committee comprised of five county commissioners issued its response including responses to individual recommendations for HED. A noteworthy item in the response included:

> *"During the FY96-97 CDBG & HOME funding process, a plan was developed to incrementally decrease the level of CDBG funding to public services over the next 3 years. This action encourages agencies to seek other sources of funding and lessen dependency on federal funds."*

Also, the response contained references to heightened communication, both regarding citizen input and notifying the public of the department's of accomplishments.

2010 Overview Commission Report

The 2010 Overview Commission examined each of the government departments and offices, and offered recommendations for each when warranted. Ten recommendations were made for the HED Department. Two of these recommendations involved the Revolving Loan Fund, originally capitalized by the Georgia Department of Community Affairs, and later CDBG Funds. (As of this report, the Revolving Loan Program is still housed within HCD, but is not currently funded.) Two of the recommendations involved clarifying and solidifying the relationship between HED and the non-profit Economic Development Foundation (EDF), which ceased its operations in 2013 when ACCGov established its own, in-house Economic Development Department. Other recommendations included requiring recipient agencies to track and assess the success of individuals receiving services, making the work of the Vision Committee more transparent, expanding eligibility for some CDBG funding, and maintaining an ongoing relationship with entrepreneurs who attend HED workshops.

2020 Overview Commission Report

The 2020 Overview Commission compiled department updates from the recommendations made by the 2010 OC. By the time of the 2020 report, the Human and Economic Development Department (HED) had been reorganized under the name Housing & Community Development (HCD). Updates on seven of the ten recommendations are listed in the report, with four of those listed as complete.

Regarding the Revolving Loan Fund recommendation, the status was listed as "No Action Taken." In the department update, it was noted that the ACC Economic Development Foundation had closed in 2013, and that

the newly formed Economic Development Department had requested to use the CDBG funds in this account. The carry-forward balance was reported to be approximately $126K.

Three recommendations were moved to another section of the report, with the following explanation: "The 2020 Overview Commission placed the following recommendations under other offices/departments. However, in 2011 the Manager deemed that they are more appropriate for M&C consideration."

One of these recommendations was to place the HED director or designee on the Board of Directors of the Economic Development Foundation. However, the EDF had ceased functioning at this time, and there was no response to this recommendation. The remaining two recommendations were marked with a "Completed" status:

- Include more diversity of membership on the Revolving Loan Committee, and include at least one former successful recipient of a loan from the Growth Fund
- Clarify the division of responsibilities between HED and the Economic Development Department

2020 to Present

The State of Georgia Executive Order for the COVID-19 State of Emergency was in effect from March 14, 2020 through June 30, 2021, resulting in the disruption of the normal work patterns for local and state governments. Those entities, as well as federal government operations, were impacted by the US Dept. of Health and Human Services Public Health Emergency status, which ended in May of 2023. As a result of the negative economic impact to businesses and individuals, the Federal Government passed the Coronavirus Aid, Relief and Economic Security (CARES) Act and issued funds to local governments to offset losses. ACCGov received $6.6M in phase one of CARES distributions. The American Rescue Plan Act (ARPA) of 2021 also provided funding to Athens-Clarke County to respond to the pandemic and its economic effects. The county received $57.6 million in ARPA funds (received in two equal payments during FY21 and FY22), which were allocated to programs such as affordable housing, business development and workforce support.



Figure 2

Approximately $31M of ARPA funds were placed under the administration of HCD, accounting for over 80% of the funds administered by the department. The addition of ARPA funds also increased the number of contracts over 68%, bringing the total number of contracts administered by HCD to 69. Staffing for the department has increased from 11 to 17 fulltime employees between FY21 and FY25. There are also two staff members who work in different departments (Budgeting & Strategic Analysis; People & Belonging) whose salaries are funded through ARPA and who perform grant specialist functions for the administration of ARPA funds.

The department was restructured in FY23 to provide for the addition of the Compliance Division. Furthermore, in FY25, the leadership structure was changed so that the community impact and compliance administrators report to the assistant director, and the affordable housing and community development administrators report to the director. Previously, all administrators reported to the assistant director, who in turn reported to the director.

OVERVIEW

On the ACCGov website, HCD describes its mission and goals as follows:

"The Housing & Community Development (HCD) Department provides funding for the creation and rehabilitation of affordable housing, foster and coordinate services for disadvantaged populations, and promote economic mobility among residents of Athens-Clarke County.

The goals of the HCD are to:

- Provide accurate information, comprehensive research, and timely advice to the public, management, and staff in support of housing, economic development, and community development designed to foster positive community outcomes.
- Increase affordable housing activity and production in Athens-Clarke County through an ongoing and continuously updated strategic planning process that will result in greater funding opportunities, better community awareness of all housing programs / services available and strnger public / private partnerships.
- Partner with ACCGov departments and housing program providers to reduce slum and blight in neighborhoods through the demolition of dilapidated structures.
- Help low- to moderate-income residents and the chronically unemployed overcome barriers to full-time regular employment. Encourage the growth and establishment of the local small- to medium-sized businesses in order to encourage job creation. Improve the public health and welfare of Athens-Clarke County residents. Partner with social service and shelter providers to reduce homelessness in Athens-Clarke County. Encourage citizen participation in decision-making processes with particular emphasis on participation by person of low and moderate incomes."

The mission and goals are pursued in concert with nine stated objectives, measured through performance outcomes, across three main categories:

- Creating and rehabilitating affordable housing (eight data indicators)
- Fosters and coordinates services for disadvantaged populations (eleven data indicators)
- Promotes economic mobility among residents of ACCGov (four data indicators)

When the department was established as the Housing and Economic Development Department (HED), its original purpose and mission were to prioritize existing problems, not necessarily identify them. As noted in the Background section above, the department has gone through changes, both in name and expectations since unification. In its current composition, HCD does not provide direct services, such as housing or homeless shelters, to the community. Although the department is significantly involved in various activities, it exists to aid in facilitation and coordination of resources amongst multiple partners. Most of the authority and responsibility awarded to HCD is by way of management and operational activities, as set forth in associated policy. One key distinction is by applicable ordinance, passed by ACC Commission in 2022:

> *Sec. 9-27-9. – Administration of the inclusionary housing program.*
>
> *A...The inclusionary housing program is to be administered by the Planning Department in conjunction with the Housing and Community Development Department...*
>
> *B...The director [of HCD] shall be responsible for determining targeted rental and ownership affordability, resident qualifications, and monitoring the program...*
>
> *C...The Housing and Community Development Department shall review the proposed inclusionary housing plan...*

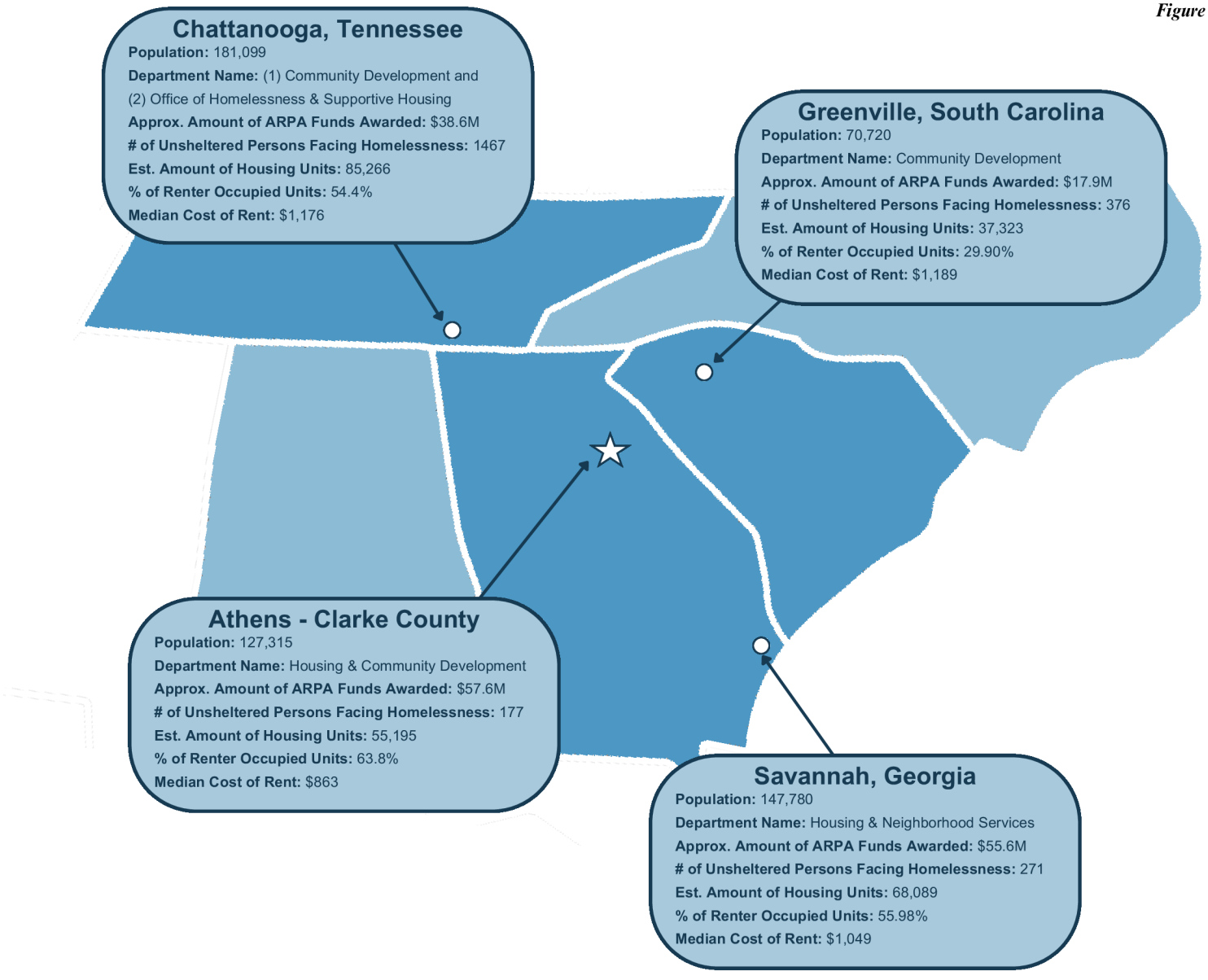
In the course of this audit, Operational Analysis staff used an approach of working from a high-level analysis of the department's structure to its daily operations. Other jurisdictions were studied, along with the department itself, in the areas of finance, performance, compliance and internal controls. Overall adherence to standards and expectations was examined throughout the departmental operations.

Comparative Analysis

As part of the periodic audit, OA staff analyzed data from similar local governments' housing and community development departments in Georgia and neighboring states. Population, approximate amount of ARPA (American Rescue Plan Act) funds awarded, amount of housing units and median cost of rent were some of the topics reviewed.

Staff used census data to compare Athens-Clarke County to similar jurisdictions, These cities and counties, although not consolidated, share similarities to Athens-Clarke County such as demographics, geographic size and/or population. Using these comparisons, a more holistic approach has been taken when analyzing the functions of ACCGov's own Housing & Community Development Department.

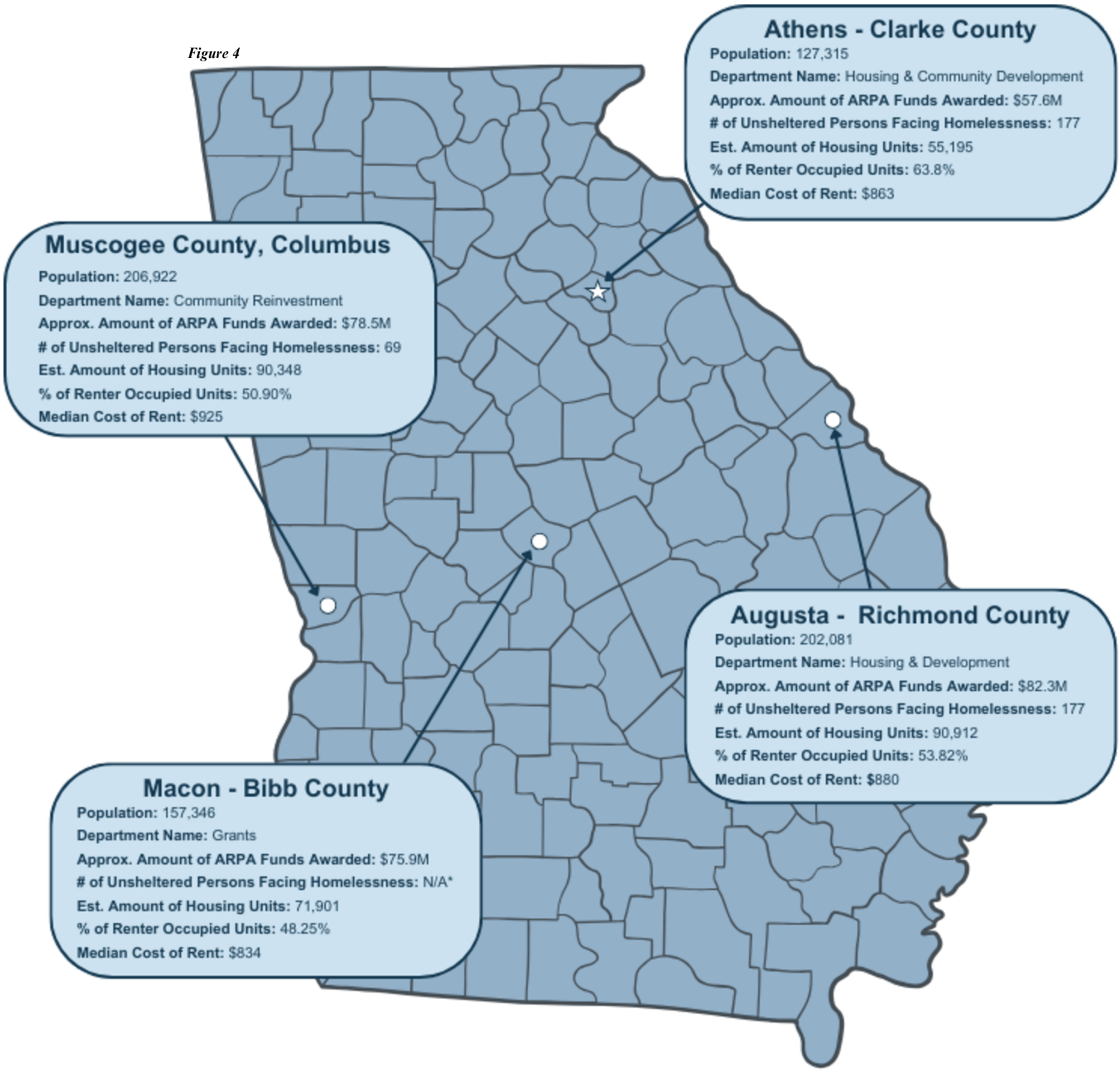
Figure 3



ANALYSIS

It is important to note that Athens-Clarke County is one of eight consolidated governments in Georgia. This status, as a unified city and county, can affect the amount of money received from the federal government. OA staff used comparisons with other consolidated governments across the state as a basis for this report. Although the work performed by each analyzed department varies, it is worth noting that the consolidated government structure can bring an additional workload to these these municipalities' departments charged with housing, community development, grant management and similar activities.

Figure 4



Financial Review

A review of the FY25 Operating Budget, and previous three fiscal years, was performed to gain a general sense of revenues/expenditure trends, and provide detail of major account spending. This was accomplished through an understanding of financial documents, interviews, observations and data analysis.

Unique to HCD as compared to other ACCGov departments is the portion of its budgeting which comes from outside funding, specifically federal grants. This funding structure allows part of the money received to be used for administrative costs of the awarded entity (i.e., ACCGov), which affects the budget process for HCD. The federal fiscal year begins Oct. 1, while ACCGov's begins July 1, so it can be necessary for grant award amounts to be estimated during the budget preparation process. Also, there us a limit of grant funds (generally 10-20% of the award) that may be used for administrative costs, so variations between the estimated and actual award amount directly impact budgeting for compensation and other administrative costs.

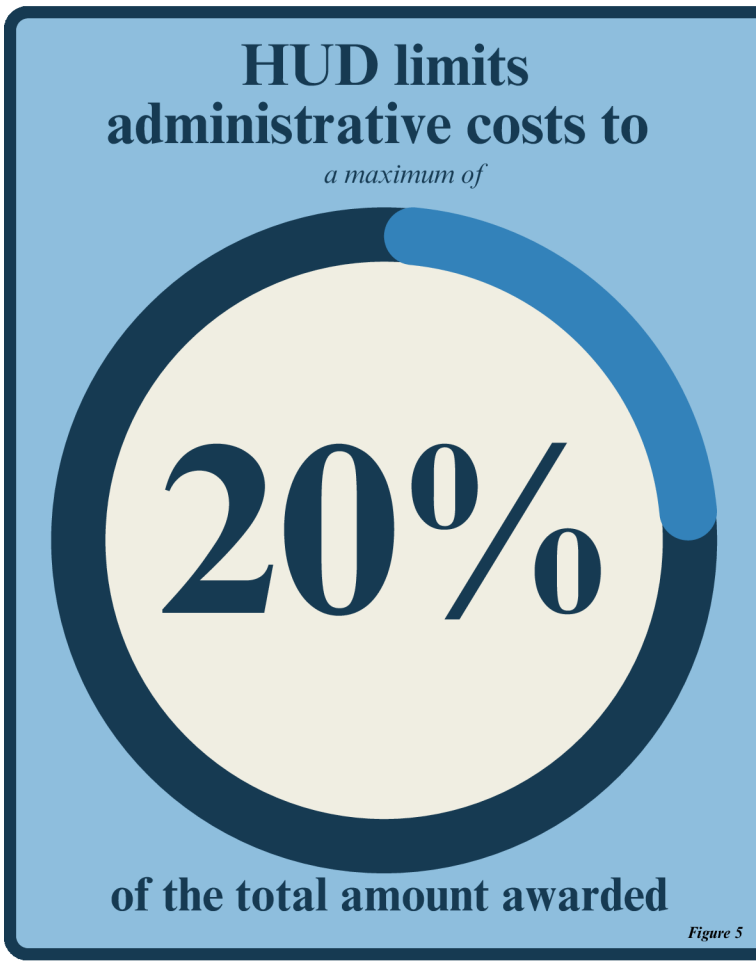


Figure 5

Year-over-year approved budget totals are compared against end-of-year results in the summary tables found on pages 15-17, with funding accounts broken down by the revenue source to include ACCGov's general fund, and five special revenue funds awarded by the federal government: Affordable Housing, Supportive Housing, Nuisance Abatement, Coronavirus Relief and American Rescue Plan. The HCD budget has increased in recent years, primarily due to federal funds allocated for COVID-19 relief.

Payroll Processing & Timesheets

Within ACCGov there are several methods departments use to track and record staff time for payroll. Prior to the implementation of the Munis Employee Self Service (ESS) platform in FY23, most departments used internal spreadsheets, from which employee hours were compiled by a division or department payroll preparer to submit to the HR Payroll division. With the transition to Munis ESS, departments were given the choice of allowing employees to enter hours directly into the self-service portal.

Hours for HCD employees are required to be tracked in a manner more detailed than most departments, due to employees being paid out of one or more different funds (General Funds, individual grant funds, or some combination of those.) Operational Analysis staff, through analysis of timesheets and employee interviews, observed that employees keep detailed timesheet records in spreadsheet form. Spreadsheets contain information regarding tasks performed daily, whether work is done in the office or remotely, and the fund to which the work should be charged. Employees sign these sheets electronically which are then routed to the supervisor. Once approved by the supervisor, the employee enters the information into Munis for payroll processing, assuring appropriate payment is made from the corresponding account.

Year-over-year Approved Budget Totals

Figure 6

Fiscal Year	Fund	Original Budget	Revised Budget	% +/- Previous Year	Year End/YTD Expenditures	Encumbrances	% of Yearly Expenditures
FY22	General	$697,932	$2,142,884	NA	$1,842,109	NA	86.0%
FY23	General	$2,129,257	$2,181,694	1.81%	$1,888,361	NA	90.5%
FY24	General	$2,216,275	$2,486,512	13.97%	$2,456,915	NA	98.8%
FY25	General	$3,003,466	$3,353,198	34.86%	$750,538	$1,398,487	64.1%
FY22	CDBG	1,363,769	$1,885,055	NA	$1,421,827	NA	75.4%
FY23	CDBG	NA	$1,847,507	-1.99%	$1,311,133	$97,670	76.3%
FY24	CDBG	$1,212,165	$1,636,316	-11.43%	($8,600)	NA	-0.5%
FY25	CDBG	$1,271,758	$1,583,085	-3.25%	$430,395	$751,342	74.6%
FY22	HOME Grant	$691,534	$2,192,330	NA	$821,018	NA	37.5%
FY23	HOME Grant	NA	$2,226,966	1.58%	$305,555	$178,840	21.8%
FY24	HOME Grant	$852,608	$2,577,359	15.73%	$835,679	NA	32.4%
FY25	HOME Grant	$801,030	$2,542,711	-1.34%	$87,335	$430,000	20.3%

Figure 7

Fiscal Year	Fund	Original Budget	Revised Budget	% +/- Previous Year	Year End/YTD Expenditures	Encumbrances	% of Yearly Expenditures
FY22	Affordable Housing SRF	$120,000	$120,000	NA	$0	NA	0.0%
FY23	Affordable Housing SRF	NA	$120,000	0.00%	$0	NA	0.0%
FY24	Affordable Housing SRF	NA	$0	-100.00%	($1,965,000)	NA	100.0%
FY25	Affordable Housing SRF	$5,411,000	$6,011,000	NA	$0	NA	0.0%
FY22	Supportive Housing Grant	$322,943	$778,126	NA	$471,628	NA	60.6%
FY23	Supportive Housing Grant	NA	$652,856	-16.10%	$146,806	($16,144)	35.3%
FY24	Supportive Housing Grant	$468,566	$890,760	36.44%	$543,528	($39,009)	56.6%
FY25	Supportive Housing Grant	$397,737	$783,977	-11.99%	$134,738	$155,011	37.0%
FY22	Special Programs--Nuisance Abatement	$0	$66,710	NA	$15,759	NA	23.6%
FY23	Special Programs--Nuisance Abatement	NA	$84,587	26.80%	$0	NA	0.0%
FY24	Special Programs--Nuisance Abatement	NA	$94,139	11.29%	$29,833	NA	31.7%
FY25	Special Programs--Nuisance Abatement	$110,114	$110,114	16.97%	$0	NA	0.0%

Figure 8

Fiscal Year	Fund	Original Budget	Revised Budget	% +/- Previous Year	Year End/YTD Expenditures	Encumbrances	% of Yearly Expenditures
FY22	Federal Grants - Coronavirus Relief	$0	$1,046,859	NA	$80,661	NA	7.6%
FY23	Federal Grants - Coronavirus Relief	NA	$1,056,198	0.89%	$579,556	$235,551	77.2%
FY24	Federal Grants - Coronavirus Relief	$476,642	$476,642	-54.87%	$303,815	NA	63.7%
FY25	Federal Grants - Coronavirus Relief	$173,844	$172,827	-63.74%	$23,638	NA	13.7%
FY22	American Rescue Plan - CSLFRF	NA	NA	NA	NA	NA	NA
FY23	American Rescue Plan - CSLFRF	NA	$17,255,460	NA	$1,811,026	$364,240	12.6%
FY24	American Rescue Plan - CSLFRF	$15,444,434	$19,034,962	10.31%	$3,748,418	NA	19.7%
FY25	American Rescue Plan - CSLFRF	NA	$15,472,475	-18.72%	$1,169,050	$10,341,747	74.4%

As noted above, grant revenues and expenditures are subject to the disparity of timing between the federal and local fiscal years, so it is expected that the percentage expenditures of grant funds will vary, depending on the timing of subrecipient selection, award of contract. and the duration of funded project or program itself. In particular, the introduction of American Rescue Plan Act (ARPA) funding increased the number of programs administered by the department fivefold, creating subsequent delays in grant awards particularly due to the sheer volume of contracts to be administered, each of which requiring Manager's Office, Attorney's Office, Safety & Risk and the Mayor's Office approval.

With regard to the General Fund, a few operating accounts are worth mention based on their allocated amounts.

FY25 General Fund

Fees-Professional Services $1,332,661

- Funds in this account are designated to pay for annual service contracts, consultants, and/or legal fees. In the case of HCD, this account is primarily dedicated to the Neighborhood Leaders program, Athens Behavioral Health Services' Street Outreach for the homeless, and the Community Partnership Program.

Conferences and Schools $20,500

- This account is used by HCD for staff professional development, along with subrecipient training. The federal government requires certain training be completed by HCD staff as a condition of grant distribution

Office Supplies $20,015

- This account is used for purchasing supplies related to the department's mission, which may or may not be directly used in grant administration. Federal government requirements for documentation and document retention require significant investment in office supplies.

Regarding staff compensation, thus far into FY25 (69.4% usage at time of analysis), three of the lines associated with compensation show 100% or more of usage. However, grant funds can be used to cover these expenses, up to the portions allowed by HUD, as demonstrated in previous years' budget reports. The revised budget for compensation under the general fund for the current fiscal year is $691,421 which includes full funding of salaries for the department director, assistant director and administrative assistant. The remaining staff compensation is funded directly from the grants administered by those positions, or a combination thereof.

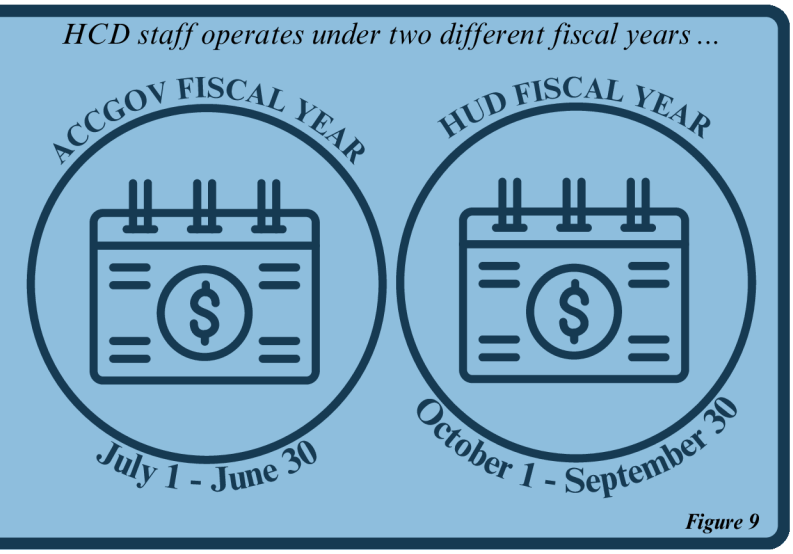


Figure 9

Due to the federal fiscal year not being in alignment with the ACCGov fiscal year, some compensation drawn from general fund to meet current payroll is ultimately transferred back to general fund from the respective grants. Currently, HCD Staff operates under two different fiscal years. Furthermore, American Rescue Plan Act (ARPA) funds have been used to provide salaries for four positions, two of which are assigned to other departments, although they work directly under HCD supervision. As part of the FY25 budget, these positions are now 25% funded from the general fund, in anticipation of the Dec. 31, 2026 expiration of ARPA funding, at which time these positions are expected to be fully funded by ACCGov General Fund.

Individual grant funding and subrecipient distribution is based on HUD guidelines, and is subject to the drawdown limits of each specific grant. The department submits its Consolidated Annual Performance and Evaluation Report (CAPER), which is then used by HUD in conjunction with its financial reporting platform, IDIS, to assess both the performance related to the meeting the intended mission and goals of the grant funding, as well as financial management. The most recent HUD Monitoring Report, for FY23, indicated one Concern: "Program Participant Eligibility—Income Verification Process." The report attributed this to challenges faced by the department during the COVID-19 pandemic, and recommended that the county create a document containing additional guidance for the subrecipient, which has since been accomplished.

The department does not hold capital assets such as government owned vehicles. Capital expenditures are, like

federal grants, generally distributed to HCD for funding of subrecipient agencies. The FY25 budget includes $150,000 requested by the department for the Affirmatively Furthering Fair Housing (AFFH) plan, and another $100,000 recommended and approved by the Mayor & Commission for the Center for Racial Justice and Black Futures. In accordance with ACCGov Finance Department policy, all staff are determined by departmental leadership to be given various permissions within the Munis financial system.

Upon review, the list of current permissions for HCD staff appears accurate and appropriate given the levels of access select employees have been designated, based on job title and responsibility. In one case, a staff member who has moved into a different role within the department has retained certain software permissions, for training and back-up, as the succeeding staff members filling the previous role are being trained.

Grant Procurement

In receiving federal grant funds, HCD is considered the "grantee," and, in turn, the subrecipient agencies to whom funds are distributed are "subgrantees." Both the grantee and its subgrantees are subject to guidelines under the Code of Federal Regulations (CFR), which includes procurement methods and standards, contracting guidelines and provisions, as well as guidance maintaining competition and contracting with "small and minority firms, women's business enterprise and labor surplus area firms."

The majority of purchasing for HCD and its subgrantee agencies fall within the method of procurement described as "small purchase procedures." The current threshold the federal government sets for a purchase to fall into this category is below $100,000. Purchases above that threshold are generally procured by competitive proposals. In this case a Request for Proposals (RFP) is prepared by the grantee or subgrantee. The RFP outlines the nature and quality of work expected, as well as the timeline for completion. All evaluation standards, including their relative importance, are outlined prior to the release of the request.

Requests for Proposals

Each federal program may have specific requirements, which are detailed in HCD policies and procedures, as well as subrecipient manuals. Generally, the ACCGov Procurement Guidelines and federal requirements for proposal procurements are used as the authorities for guidance.

Grant Revenue

HCD does not charge fees for services. Revenue comes in the form of federal grants, which pay for staff time spent managing those grants, supplies for technical assistance, and public outreach. The remaining revenue is allocated to local agency subrecipients who in turn use the funds for eligible programs. Funds from the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) award amounts are determined by formula allocations set by HUD. In some cases, it is necessary to estimate award amounts before HUD releases notifications, in which case the last three years' awards and averaged for this purpose. This practice complies with the standard set by HUD in their training materials.

Software Expenditures

HCD purchases Microsoft and Adobe suites for each employee workstation, per pricing received via ACCGov contract through the IT department. The Microsoft suite is the standard necessary for all ACCGov workstations, while Adobe is necessary for HCD staff in order to read, download, edit and sign documents for grant administration. Various software platforms are issued to other ACCGov departments and used throughout the organization, such as Provox, Munis and NeoGov. Through Continuum of Care grant funding, ACCGov

ACCGov contributes annually approximately $19K to the Georgia Homeless Management Information System (HMIS) to ensure the most accurate tracking of the county's homeless population.

Other necessary software is provided and licensed by the federal government for reporting purposes, including:

- Federal Subaward Reporting System (FSRS)
- System for Award Management
- electronic Line of Credit Control System (eLOCCS)
- Sage HMIS Reporting Repository
- HEROS online system
- Integrated Disbursement and Information System (IDIS)

Purchasing Cards

Due to travel, training and incidental expenditures all department staff hold purchasing/travel cards. OA staff observed that the administrative assistant does the bulk of the purchasing for the department. The program support analyst II reconciles all p-card accounts, and the department director is the final approver. Examination of Finance Department records showed p-card holders and permissions to be accurate at the time of this audit.

Assets

HCD does not have any significant assets, besides its cellular devices. The department director, assistant director and each of the division administrators are issued an ACCGov cellphone. Additionally, one community development specialist has a high profile position within the housing community regarding continuum of care, and is therefore issued a cellphone. As of this report, the assistant director had recently been promoted to department director, retaining that previously issued cellphone. Therefore, the cellphone belonging to the previous department director is available to be issued to the assistant director, once that position is filled. Examination of records from the Central Services Department shows information regarding cellphones issued to HCD to be accurate.

Performance Review

The Housing & Community Development Department can be best described through its self-stated mission:

> *"The Housing & Community Development (HCD) department provides funding for the creation and rehabilitation of affordable housing, fosters and coordinates services for disadvantaged populations, and promotes economic mobility among residents of Athens-Clarke County."*

Fulfilling this mission involves providing services and programs which assure not only the proper use of federal funds, but also promote public awareness of services offered, foster stronger positive public/private sector partnerships, and improve the welfare of all residents of Athens-Clarke County.

A Periodic Audit was conducted of the ACCGov HCD from August - December 2024. During this time Operational Analysis staff reviewed various sources of information and data in order to analyze the performance

of the office. Overall, OA found the operations to be performed within organizational standards. Additional notes and recommendations for performance improvement can be found in the Findings & Recommendations section of this report.

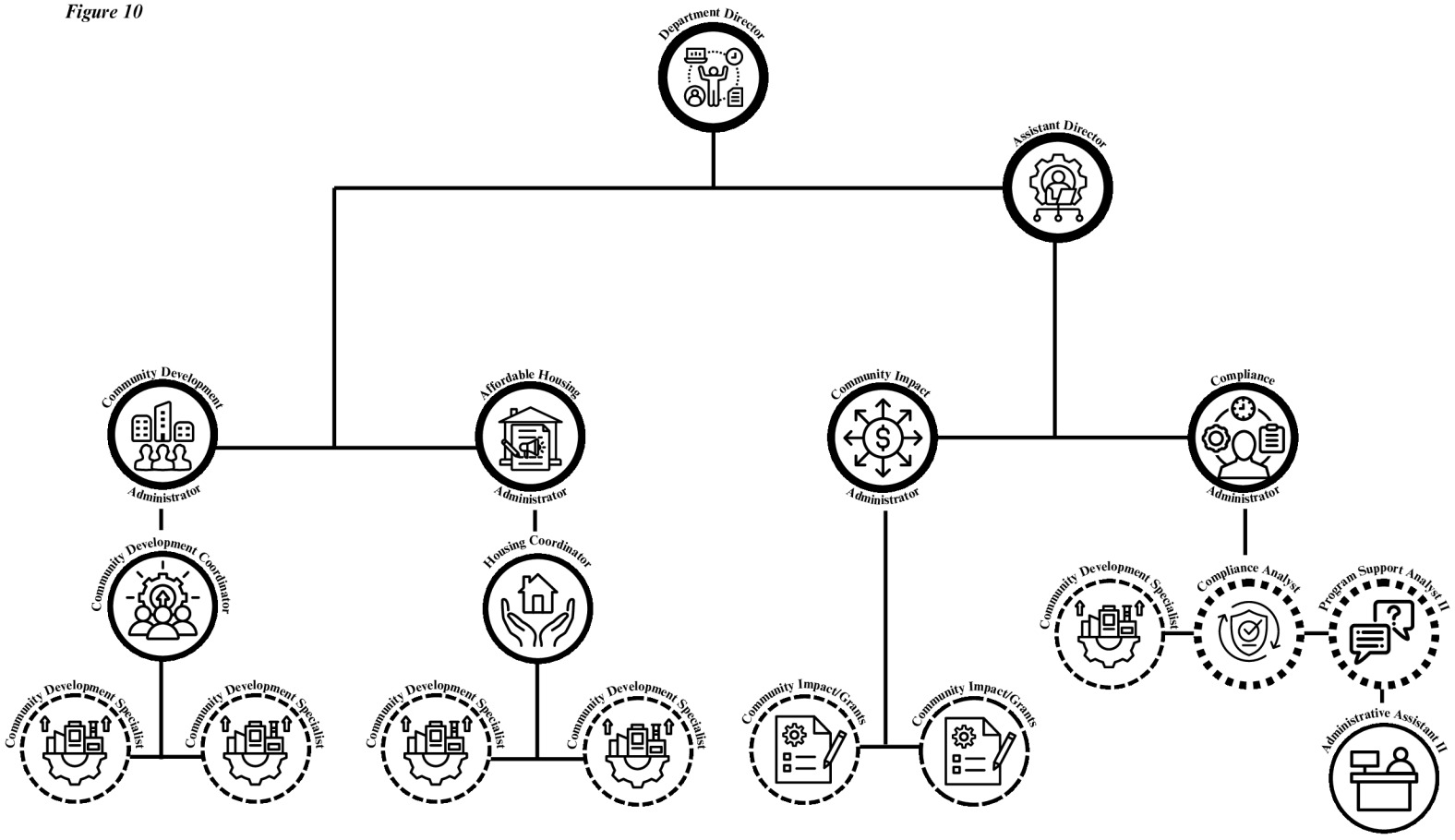
The current structure of HCD is similar to that of other departments, but is new to the department overall, having been updated in 2023. The size of the department has almost doubled in the past four years, with a present staff 18 full-time positions. During the fieldwork phase of the audit, OA staff interviewed all HCD staff, shadowed workers in their offices, and attended two meetings/information sessions hosted by HCD staff.

Staffing

HCD comprises 18 full-time staff members, including a director, assistant director, four division administrators, and two coordinators, all of whom collectively supervise an additional ten specialists/analysts/administrative assistant.

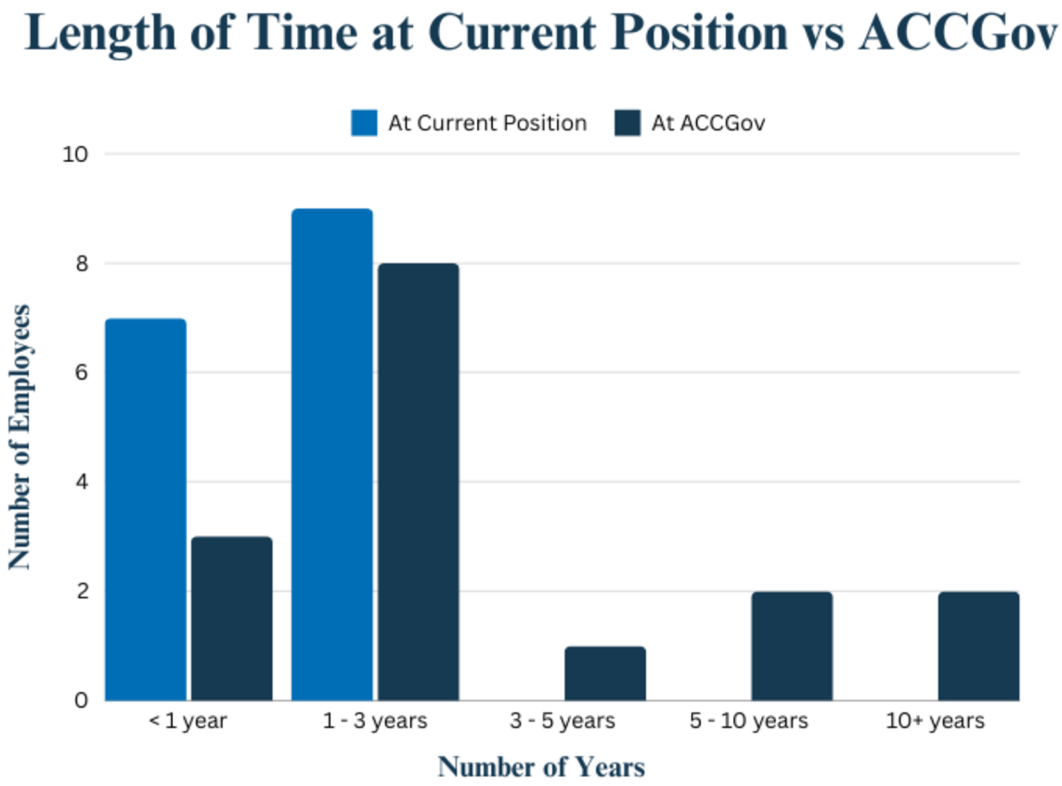
The number of staff has increased by 64% in just the last four years (11 full-time in FY21). More specifically, in FY22, one position was approved for a total of 12 full-time staff, which then grew to 15 full-time allocations in FY23. For the current FY25 budget, 17 full-time positions were authorized due to the transition of two ARPA (100%) roles into permanent status under the general fund (25%). Just recently, HCD received external funding for a lead hazard specialist, which has been posted and a hire expected soon. Besides this new position, there were two other vacancies during the course of the audit, including assistant director and a community impact specialist.

Figure 10



Regarding staff turnover, the department has experienced numerous leadership changes over the past decade. Four directors, two of which were interim status, have served since 2022. The most recent interim director (previously assistant director), was appointed department director in October 2024. This represents a positive step toward stability, especially when observing the overall average experience levels of staff within the department. Tenure within a certain position, or with ACCGov, is not necessarily indicative of prior experience in the field, or of competency. It is important to point out, however, that the majority (two-thirds) of those within HCD have three years or less of time spent with the organization, and all staff currently hold a position within HCD that they have had for three years or less, even though some may have previously occupied other HCD roles.

Figure 11



An updated version of the departmental organization chart distributes divisional oversight evenly between the director and assistant director, who are each assigned two of the four administrative divisions. This structure is different from previous versions in which the assistant director was directly responsible for all four divisions, while the director solely supervised the assistant director and primarily focused on policy versus daily operations.

Under the present divisional framework, both function (area of focus) and funding source (HOME, CDBG, ARPA) serve as the foundational reasoning, though observations by OA seem to indicate significant crossover in tasks, projects and programs. As an organization, ACCGov emphasizes such cross-training; however, this ideology should be balanced with practical sustainability when considering daily duties should be specialized, to a degree, if utilizing the applied model of divisional separation. The department is striving to assign work based on core elements of each service category, but full implementation has yet to be achieved, with delay in part tied to the fluctuating circumstance of departmental management.

For example, individual staff members classified at the “analyst” or “specialist” are assigned multiple, overlapping tasks across divisions when in theory their respective routines should be predominantly focused on

their area of expertise. In other words, such positions act more as "generalists" or "project managers," responsible for all aspects of a grant, from start to finish, even if a particular set of tasks technically align with the purpose of a different division. Clear delineation of roles, like that of skillsets and duties, as per job descriptions, will aid new or lesser experienced employees in understanding their purpose. Every member of the department is involved to some degree in financial management or analysis, even though not every position specifically mandates a background in finance or accounting. Consistent onboarding and continued training can also be attributed to the unique approach brought about by each departmental leader and the subsequent turnover.

To that end, succession planning is made easier by the level of cross training encountered within the department, even in the absence of a formal strategy. This was evident in the recent hire of the former assistant director to the director role. Applicable professional organization membership includes the National Community Development Association, while many options provided by ACCGov have been completed by staff within HCD, to include "Stepping Up to Supervision" and "Innovation Ambassadors" training programs.

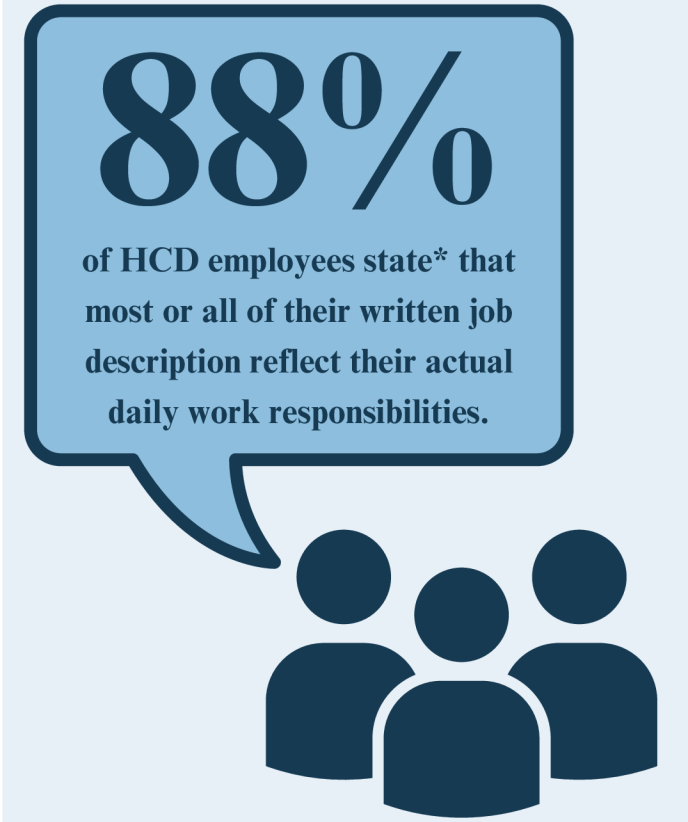


Figure 12

*in a survey submitted to OA staff

Over recent months, questions have been raised in the public realm around two specific staffing issues associated with HCD. Although this discussion alone is not basis for inclusion in a periodic audit, upon analysis by OA it became clear that addressing these concerns could at least provide a degree of clarity for any future discussion or potential action.

The first issue involves the Neighborhood Leaders program, which is financed annually by the General Fund and under the coordination of HCD. The following is an excerpt from the originally approved contract: "Nothing in this agreement shall be construed to create an employer-employee relationship between the Parties. This Agreement shall not render the ACCGov an employer, partner, agent of or a joint venturer with FC-CIS for any purpose. FC-CIS shall have no claim against ACCGov for vacation pay, sick leave, retirement, social security, workers' compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind whatsoever."

How the M&C choose to proceed with the Neighborhood Leaders program, whether by way of funding source and any amount to be determined, is entirely a legislative decision. From a contractual standpoint, ACCGov is not beholden to account for these individuals in the same manner as personnel system employees, unless terms of the contract are amended and/or there is consensus via policy from the M&C.

The second item of distinction within HCD is the approval and role of two "grant" specialists. The FY20 Annual Operating and Capital Budget was amended on 12/3/2019 in association with the Prosperity Package so as to provide funding ($200,000) for these two positions in HCD, among other initiatives. Described within the Facts &

Issues section of the agenda report and by ordinance, said positions would be responsible for "coordinating grant funding to address poverty in Athens-Clarke County, including needs assessment, research, proposals, procurement, partnership development, program management, coordination of all grant applications submitted by Housing & Community Development, and coordination of community stakeholders to support these activities" toward the general purpose to "assist with obtaining additional resources to leverage the impact of the Prosperity Package".

Each of the two grant specialists are officially known in title as "community impact specialists," and are operating within the parameters of the approved ordinance even amongst initial challenges in implementation. Primary focus is dedicated toward HCD initiatives related to grant writing and coordination, but has also extended, when possible, to helping other ACCGov departments identify funding, as well as continued support of non-profit partners through technical assistance. To that end, and not unlike any ACCGov employee, their roles are also split amongst other duties within HCD. Examples of other tasks include general office administration, customer interaction, contract development and execution, or other duties as assigned.

The job description on file with Human Resources (HR) states that this position helps coordinate grant funding to address poverty, as well as all other grant applications submitted by HCD. Support and assistance for other ACCGov departments pursuing grants is also mentioned; however, grant management experience is not specifically called out as a mandatory requirement for this position.

One of the main reasons for an increase in staff over the past few years can be directly attributed to the administration of the American Rescue Plan Act (ARPA) funds. In 2020, ACCGov was awarded $57M from the federal government, a portion of which, was expected to be utilized toward personnel needed to coordinate daily activity and monitoring.

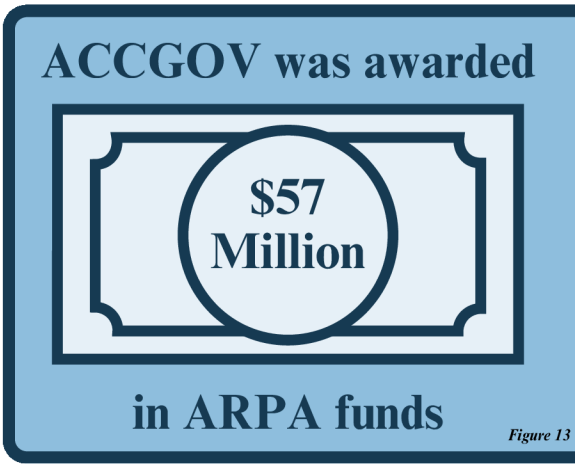


Figure 13

The HCD director, by virtue of approved job description, "serves as the primary contact and oversees ARPA funds for the entire Unified Government of Athens-Clarke County". Analysis conducted by OA, however, finds this is not accurate in practice. The department did not receive all of the originally allocated ARPA funds, and was/is not the direct contact for any of those separately approved contracts.

Approved with the FY25 Annual Operating Budget was a shift from 100% ARPA funding of four full-time positions to a 75/25 percent split by which the General Fund would be responsible for the latter percentage, initiating what is anticipated to be a continued increase and permanent responsibility in financing, since ARPA dollars will soon cease. The four positions directly affected by this include the following:

- The community impact administrator, who manages said division which is currently heavily dedicated to ARPA work. Additionally, this individual oversees the Community Partnership Program (CPP) and Neighborhood Leaders Program, while also leading community engagement and non-profit capacity building efforts.
- The data and outcomes coordinator within the newly named Budget & Strategic Analysis Department (formerly GIO). The purpose of this role is to communicate ARPA implementation and achievements. Primary duties include creation, maintenance, and updates to the various online dashboards meant to provide transparency across HCD programs and funding sources. This position, like all ARPA positions, manages individual grants even though the respective job description does not allude to this task or skillset.

- The equity and engagement coordinator, under the supervision of the People & Belonging Department, assists with community engagement, including communication amongst neighborhood leaders, and development of the Equity Index. It too manages project grants related to ARPA.
- The compliance analyst position directly reports to the community impact administrator, even though located within a separate division (Compliance Division) of HCD, per the organizational chart. This is based on the funding source for the role, which was originally 100% ARPA expensed, but has been lessened to 75%. Regular tasks are also cross-divisional in nature between both Community Impact and Compliance Divisions, including individual grant management assignments.

Staffing Analysis

- Although staff within the department seem to be functioning at capacity, OA observed sufficient operations within the allocated number of full-time positions. To that end, interviews with HCD staff indicated any future personnel increase may be directed toward the Affordable Housing Division, perhaps as a specialist position given ACCGov's added attention to affordable and inclusionary housing programs.
- As with many entry and mid-level classifications across ACCGov, those in specialist/analyst positions could benefit from a career ladder system of advancement to help minimize employee turnover.
- Fourteen of 18 allocated positions within HCD directly manage grants (exceptions being director, assistant director, program support analyst, and administrative assistant. The sole administrative assistant for the department is organizationally located within the Compliance Division, under the direct supervision of the program support analyst II. Upon review of the job description, it seems unusual for this position to provide supervision, given the list of other duties and responsibilities for the pay grade assigned. The use of software packages such as ZoomGrants can bring about efficiency and accuracy in data management and reporting, but does not necessarily alleviate the number of staff hours needed for certain tasks, such as monitoring compliance, creating M&C presentations, writing reports or gathering public input.

Performance Measures & Milestones

Each ACCGov department, by virtue of its mission, objectives, goals and services provided, offers performance outcomes as part of the annual budget process. These are updated each fiscal year and demonstrate activity that occurred, or whether a specific measurement fell within expected thresholds for success. HCD's FY25 self-stated performance measures are included in Appendix A. When considering the FY23-25 Strategic Plan Goals, Strategies, and Initiatives of the M&C, many were found by OA to be within the realm of HCD impact, and have listed a few of the more significant ones, including any that have reported milestones.

Goal Area 2: Identify and close gaps in partnership with the community

D. Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, nonprofit capacity building, and problem solving with connected community partners

1. Promote and provide technical assistance for nonprofit capacity building.
    - Update: ARPA-funded CNC Athens program has (5) participating and (5) voluntary agencies in monthly training sessions. [OA staff attended one such event in October 2024]

Goal Area 4: Quality, Stable, Affordable Housing for All

A. Support home ownership by increasing opportunities for low- and middle- income people to own a home and help people retain and remain in homes

2. Make current and prospective homeowners aware of home affordability programs.

- Update: HCD Community Impact Division works with People and Belonging to create and share relevant information throughout the community via email, website, flyers, and Neighborhood Leaders staff. This is in addition to partner agency advertising.

Current/past activities include:

- $1,361,600 ARPA funds to support Homeowner Occupied Rehabilitation activities provided by Athens Community Council on Aging, Athens Land Trust, and Historic Athens
- $718,400 in ARPA funding to support Down Payment Assistance activities provided by First American Bank and Trust
- $1,002,349 in ARPA funding to support Eviction Prevention activities provided by Family Promise of Athens and The Ark UMOC.
- $260,000 in CDBG funds to support Homeowner Occupied Rehabilitation provided by Historic Athens and Athens Area Habitat for Humanity
- $1,930,000 in CDBG and HOME funding to support development of single-family homebuyer units and for down payment assistance provided by Athens Land Trust, Athens Area Habitat for Humanity and by Athens Housing Authority.

D. Prevent and reduce homelessness by enabling supportive housing options that meet a variety of needs

- Expand the emergency shelter supply.
  - Update: M&C approved $1,805,728 in funding to Advantage Behavioral Health Systems, Athens Area Habitat for Humanity (in partnership with Family Promise of Athens), and Project Safe to create and expand the existing shelter supply.
- Help households exit homelessness
  - Update: M&C approved $2,990,443 in ARPA homelessness funds to support expansion of low barrier shelter, homeless supportive services, and unsheltered initiatives.
    - $500,000 awarded to Salvation Army to support expansion of its emergency shelter
    - $550,000 to support ACCGov Emergency Management activities
  - Update: M&C approved $141,644 in CDBG funds to support homeless programs providing public services and public facilities and improvement activities.
  - Update: HUD Continuum of Care funding of $496,818 was awarded to homeless providers to support permanent supportive housing and rapid rehousing programs 2024-2025.

3. Complete homelessness strategic plan.
  - Update: Approved by M&C in Oct. 2023 for immediate implementation

E. Improve equitable housing opportunities in identified disinvested or underinvested areas

2. Encourage reinvestment and improvement of housing stock through effective deployment of Neighborhood Revitalization Strategy Areas.

- Update: M&C approved ARPA funding of $6,200,000 to carry out Ph. 1 Affordable Housing activities.
- Update: M&C approved ARPA funds of $531,600 to carryout major rehabilitation activities and $718,400 to carryout homebuyer down payment assistance activities.
- Update: M&C approved $570,000 in CDBG funds for affordable housing activities.
- Update: M&C approved $1,850,000 in HOME Investment Partnerships Program funds to support new construction and rehabilitation activities for homebuyer and rental projects within the East Athens and Hancock Corridor NRSA.

Physical Facility

The Housing & Community Development (HCD) Department is currently located in the Satula Government Building, where it shares the facility and grounds with three other ACCGov departments (Finance, Human Resources and Organizational Development). Parking for both staff and visitors is adequate, and no ACCGov vehicles are presently assigned to the department. Technological equipment asset (computers, monitors, printers, etc.) inventories were provided to OA by the HCD, IT and Central Services departments upon request for analysis.

Although recently renovated to convert existing floor space into additional offices, the department has outgrown its assigned area, and is anticipated to be relocated to the Costa Building in downtown upon completion of that project in late 2024. The present layout of HCD doesn't provide for a dedicated conference room except that of the shared meeting space utilized by all occupants of the facility, which can cause conflicts in scheduling.



Figure 14: Office space shared between two HCD Staff members located in Satula Ave. Government Building.

The front counter for customer service is accessed via the main lobby, with normal hours from 8:00 am to 5:00 pm, and is staffed by the administrative assistant. Interior, personnel offices located closest to the front desk are able to assist with public walk-ins as needed. There is limited storage capacity within HCD's office suite, even though they maintain vast records (files) pertaining to grant contracts. Off-site storage of material has been identified as other ACCGov facility locations, including document overflow managed through the Central Services Department via a private facility contract. This helps ensure compliance with federal record keeping requirements, like HUD.



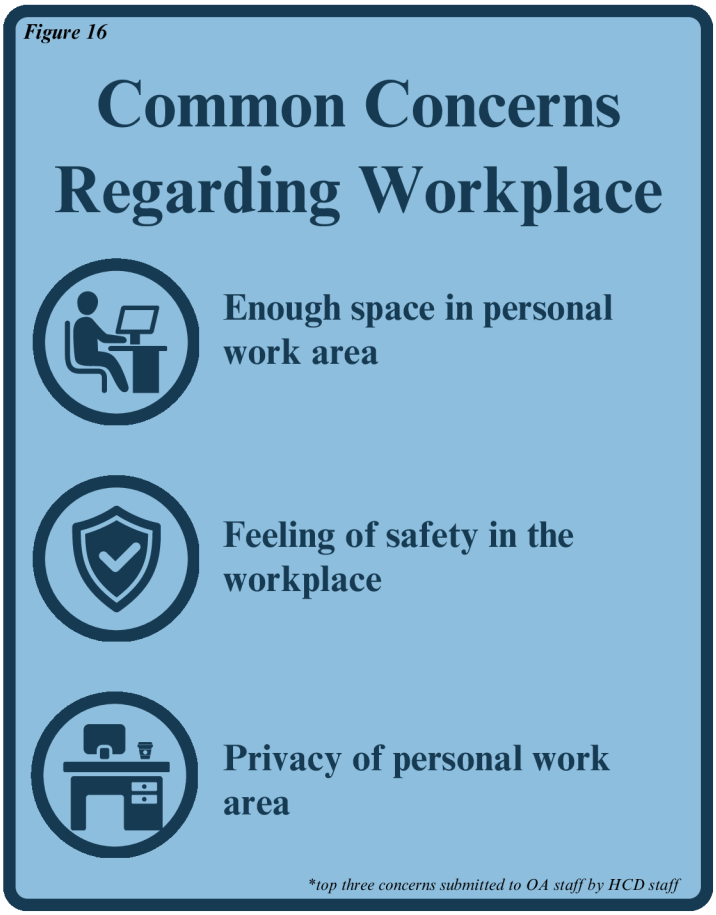
Figure 15: HCD Front Counter, which is centrally located in Satula Ave. Government Building lobby.

All staff routinely telework, in accordance with the ACCGov Telework Policy, or attend meetings either at an ACCGov location, or at sites determined by the parties which are included. The current departmental setup is for staff to work remotely three days per week, with two days in the office, typically by division. For example, an entire division's staff will usually be present within the building on the same day, to reinforce collaboration. Special approval was granted by the Manager's Office to work under this arrangement, which differs slightly from the reverse scenario (two days remote work, three on site) that is the standard offered by policy.

A 2018 Space Allocation Study conducted by Prime Engineering, Inc. on behalf of ACCGov, forecasted that HCD would have 12 total positions by 2023 and maintain that number until at least 2028. At the time the study was conducted, the total department square footage (assigned) measured 1,810 sf, which has remained unchanged. It was projected that number would need to be a minimum of 2,840 sf by 2023, as based on the 12 allocated positions. Currently, HCD has 18 full-time staff still within the original floor area of 1,810 sf.

ACCGov Central Services Department presented an Interim Space Allocation Report to the Mayor & Commission in September 2023. The report noted an increase of staff within HCD, along with insufficiency in current floor area. The report recommended HCD be relocated to the Costa Building once renovation is complete. With this arrangement, HCD would likely retain some telework usage, but have a dedicated, physical location downtown. The Costa Building is expected to have an open floor plan concept with cubicles as work areas, which does not necessarily provide an increase in privacy or confidentiality.

Figure 16



Interdepartmental & Interagency Relationships

A variety of interdepartmental and interagency partnerships exist with HCD, and are crucial to its daily activities, as well as prolonged success in service delivery. By the nature of its mission, HCD pursues initiatives which go beyond the functional aspects of the department itself, and rely upon relationships with other ACCGov staff as well as community organizations. To that end, OA found a number of departments within ACCGov which share common goals, mission, programs and projects similar to those of HCD.

The ACCGov Planning Department is directly linked to affordable housing and community development, not only regarding new construction, but also in how demographics, land use, socioeconomic factors and community engagement intersect. Presently, communication between these two departments is inconsistent, without established routine or expectations of responsibility. For example, both departments develop fairly large, multi-year plans that have community-wide implications and should complement, not contrast, with each other.

Upcoming opportunities for collaboration include the Future Land Use Map, 2028 Comprehensive Plan, the five-year Consolidated Plan, and the annual CAPER report, to name a few. The HCD Housing Coordinator position seems to have the most interaction with the Planning Department on matters regarding Inclusionary Housing and GICH (Georgia Institute for Community Housing) Programs. This relationship is strengthened by the associated, adopted ordinance regarding Voluntary Inclusionary Housing (Sec. 9-27-9).

Other departments to note include Budget & Strategic Analysis which helps HCD with the point-in-time counts (sheltered vs. unsheltered people experiencing homelessness on a single night) and the data dashboards associated

with grant funding transparency. The People & Belonging Department has assisted with DEI aspects of the grant application template by way of the ARPA-funded equity and engagement coordinator position located within its office, which also helps to manage grant projects. Finally, the Economic Development Department has consulted with HCD on workforce related initiatives, especially those linked to ARPA and CDBG. These listed entities in no way represent the full number of relationships relied upon to perform the work of HCD, but are identified as primary and consistent partners.

Regarding outside agency partnerships. Athens Housing Authority (AHA) remains a significant quasi-governmental agency with which to communicate and act on affordability. Unfortunately, HCD has not been the sole organization experiencing changes in leadership, as evidenced by recent interim appointments made at AHA, and another major agency, Athens Land Trust (ALT).

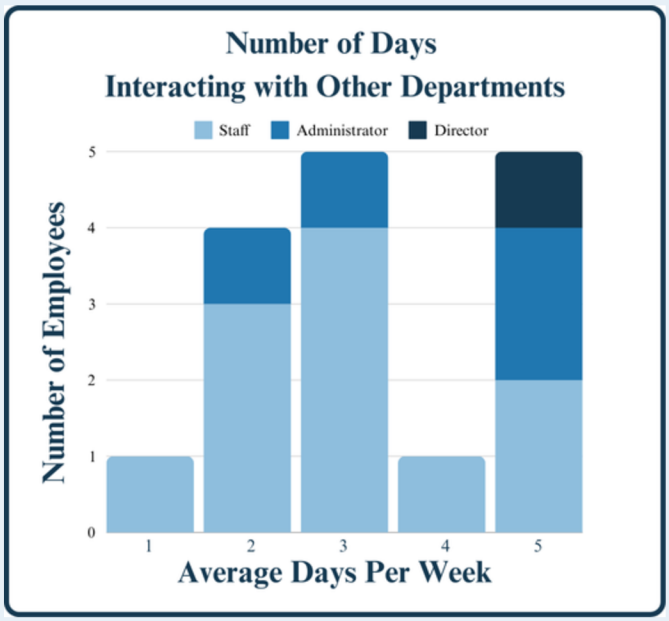


Figure 17

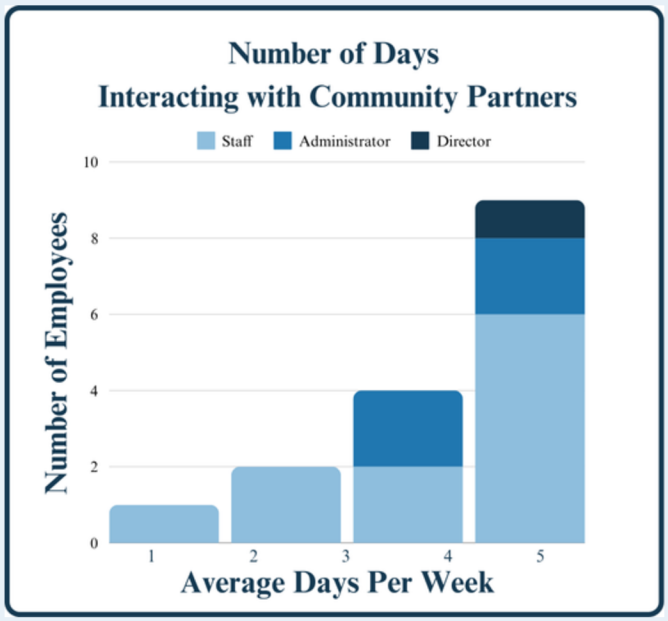


Figure 18

ZoomGrants

ZoomGrants was implemented in FY24, replacing the previous system that consisted of primarily paper applications, reporting through email correspondence, and spreadsheet tracking. This grant management software is used by Housing & Community Development staff and all subrecipients for the majority of the application and reporting processes.

ZoomGrants has helped staff streamline processes and automate some of their work, allowing them to focus on other areas of their jobs. Following the implementation of this software, HCD staff has been providing ZoomGrants technical assistance to any current or prospective subrecipients throughout the annual grant process.

Although the application and reporting processes are now more centralized with the ZoomGrants software, HCD staff must still provide technical assistance when correcting reimbursement and reporting errors. The platform is not capable of identifying reporting and reimbursement errors, therefore staff has to manually go through and check any submitted information for accuracy. If there are any issues with the information that was submitted, staff has to get the subrecipient to correct the mistake before the reimbursement is released.

Performance Analysis

Common consensus amongst all staff within HCD is that reimbursement payments for all subrecipients take precedence in the hierarchy of daily duties and workload. This particular function is time sensitive, detailed, and highly regulated to ensure that awarded partners are not only paid for their agreed-upon work, but also done so in a manner that is transparent, defensible and correctly accounted for financially.

Although the significant timeline milestones of annual grants are typically predictable, the grant management process itself tends to fill an entire year's worth of attention that demands adherence to guidelines and regulations. With over 50 grants presently under facilitation, when coupled with monthly tracking and technical assistance, the primary responsibilities of HCD staff become clearer in regard to capacity as a whole.

In consideration of staffing and project prioritization, HCD's performance hinges upon efficiency and effectiveness. As such, the decentralization of the ARPA program's administrative structure may have compromised the department's overall operations and service delivery. This is not indicative of HCD's portion of responsibility, but rather the comprehensive approach to the program in its entirety, across ACCGov.

In hindsight, and perhaps moot given the eventual conclusion of ARPA funding, the management system installed for ARPA is not practically designated within a single unit of authority. Coordination is spread across multiple departments and personnel, even though HCD was designated for administration. To be clear, this was not by design of HCD, or a reflection of the Community Impact Division. Rather, this alignment has existed since funds were awarded, and likely a decision made in quick response to acceptance and immediate disbursement of funds.

The bulk of ARPA funds were assigned to HCD for administration, dispensing and monitoring. However, remaining funds were distributed to other departments directly, with no accompanying staff, and unclear oversight as to who was collectively managing the ARPA program as a whole. Consistent confusion was encountered by OA regarding whom to contact about all $57.6 million in ARPA funds administration.

About 1.5 years into the ARPA program, direct supervision of ARPA positions had to be formalized after concerns were brought to the Manager's Office. The Community Impact Administrator serves as the ARPA "Team Leader" in terms of staffing. To that end, the Community Impact Administrator within HCD is very detail-oriented, with impressive knowledge and coordination skills. Tasks and associated deadlines seem clearly articulated, in light of the four division personnel being split across multiple ACCGov departments.

Although it is understood that these ARPA positions were strategically placed into departments that would allow for a smoother transition to permanent status, the years leading up until then could have benefited from closer proximity. Future programs within ACCGov will require clear strategy and coordination of how regulations, staff and funds will be collectively administered by a designated point of contact that is granted appropriate authority to manage operations, and limit confusion and/or complexity amongst multiple departments.

Compliance Review

Compliance, overall, is one of the core tenets of the Housing & Community Development Department. Ensuring the department and all of its subrecipients are following all necessary federal regulations is a daily task that is so important there is an entire division dedicated to it. As a recipient, HCD staff has to constantly ensure subrecipients are in compliance with all regulations put forward by each respective regulatory body to ensure they will continue to receive these funds and are eligible in the future.

Vision Committee

The Vision Committee is a ten-person committee appointed by Mayor & Commission (M&C). Committee members are charged with scoring applications submitted by potential subrecipients and advising the M&C on how to allocate federal funds awarded by HUD. The Vision Committee was initially established by HCD as a way to fulfil a public input requirement put in place by HUD.

The Vision Committee is usually the busiest October through January, following the CDBG and CPP application cycles. Committee members are given access to the submitted grants through the ZoomGrants platform and are expected to rate the applications based on a predetermined scale (see Figures 20 & 21 below). Following the Vision Committee's rating process, members meet for a half day to discuss the scores and make their recommendations, which HCD staff will then submit to M&C for final consideration and approval.

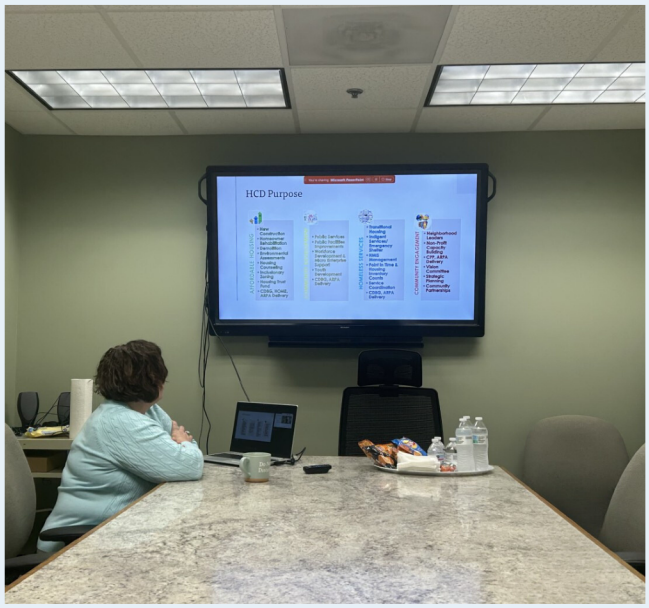


Figure 19: HCD Director at Vision Committee Orientation

Subrecipient Identification & Approval

CDBG GRADING

HCD Staff Criteria:	Points:
Program Narrative	25 Points
Outcomes and Performance	20 Points
Community Collaboration	10 Points
Organization and Staff Ability	20 Points
Financial Ability	25 Points
Vision Committee Criteria:	**Points:**
Equity Assessment	20 Points
High Priority Project	20 Points
Total FY26 CDBG Application Points:	**140 Points**

Figure 20

The subrecipient identification and approval process varies by type of grant. The majority of grants are subjected to a competitive application process, with the M&C being presented the potential subrecipients' final applications and scores in order to make the final decision.

Subrecipients are made aware of grant opportunities through the public posting and notification of applications being available via ZoomGrants. The public is usually notified through various media, such as a "News Flash" on the ACCGov website or advertisements in local newspapers and other media. These notifications are posted prior to the grant applications going live so interested organizations have the ability to prepare for the upcoming application process.

CDBG applications are first graded by a relevant HCD staff members on a 100-point scale (see figure 20) and then by the Vision Committee on a 40-point scale. Once combined, these scores give each application its total score that are used to help determine their ranking/eligibility compared to the other applicants.

The CPP applications follow a similar pattern of being scored, but they are only scored by the Vision Committee.

ANALYSIS

CPP applications are graded solely by Vision Committee members on a 40-point scale (see figure 21), with half of those points coming from the equity assessment (see Appendix B).

The process for a subrecipient to be awarded a HOME grant is different from that of the CDBG or CPP programs. The HOME grant application process begins with an interested organization submitting the mandatory "Intent to Apply" to HCD, with the full application typically being due approximately one month thereafter.

It should be noted that all projects completed by HCD are subject to environmental reviews (ER) to a varying degree. Any project completed by a subrecipient has to be in compliance with related federal and state laws as well as the National Environmental Policy Act (NEPA).

The ER ensures that the proposed project will not have a negative impact on the people of the community in the area. Additionally, the review ensures that project itself will not disturb the surrounding environment. Environmental Reviews are completed by HCD staff year around.

CPP GRADING

Criteria	Points
Financial Ability (Cost per program participant, Diverse funding sources, Use of Budget)	30 Points
Community Involvement and Collaboration (Documented collaborations, Equity Assessment)	15 Points
Outcomes and Performance (Data-based modeling, Benefit of program, Ability to achieve strategic plan goals)	45 Points
Organization and Staff Ability (Operations capacity and Program experience)	10 Points
Total FY26 CPP Application Points	**100 Points**

Figure 21

HOME GRADING

Category	Maximum Points
Program Description	10 Points
Program Need	15 Points
Organizational Capacity	25 Points
Program/Project Management	15 Points
Financial Feasibility	20 Points
Project Budget	15 Points
Total	**100 Points**

Figure 22

The HOME grant differs from CDBG and CPP grants due to applications being rated only by HCD staff, and in the fact that they undergo extensive subsidy layering and an underwriting process. Applications are scored on a 100-point scale (see figure 22) with the highest scoring applications being awarded the funds. Applications need to score a minimum of 75 points to be considered for funding.

After these decisions are finalized, HCD staff writes agenda reports and creates presentations of the final funding recommendations for M&C to review. At the time of this report, the M&C is expected to vote on the final CPP subrecipients about one month prior to CDBG and HOME. Following the M&C's review of HCD staff's final funding recommendations, they have the ability to approve, deny, or pass a Commission Defined Option (CDO).

HCD staff has created this multi-step process not only to ensure compliance with federal regulations, but also to maintain objectivity in the decision-making process.

Environmental Reviews

Staff from two divisions (Affordable Housing and Community Development) conduct environmental reviews (ER) of a project prior to its consideration for an applicable CDBG, HOME or CoC project. An ER is used by staff to assess whether or not a potential project complies with the National Environmental Policy Act (NEPA) and other related laws and policies.

Besides checking for compliance, an ER is used to figure out potential environmental impacts. HCD staff use ERs as a way not only to assess a prospective project regarding its effect on the environment, but also how the environment can influence a project, its location and the community members.

Any ER begins with a thorough project description. Per HUD, a project description must include information specific to a project's location, geographic boundaries and a complete depiction of all activities that will happen at the location, not just those that are using grant funding. Staff then determines if the potential project falls under a Part 58 of NEPA, so that HCD as the local entity can conduct the ER (as opposed to Part 50, which requires that HUD itself perform the ER.) Under HUD regulations, Part 58 limits the responsibility of HUD and usually occurs when the local entity is the recipient of the grant funding.

Subrecipient Compliance

After subrecipients are awarded funds, they are subjected to periodic monitoring by HCD staff using strict standards to ensure they are able to continue receiving funds.

Monthly reimbursement requests are submitted through ZoomGrants, which has a built-in link to a separate digital platform, Survey123, which provides a form for subrecipients to fill out, updating staff on their monthly activities. ZoomGrants is programmed to send out automatic emails reminding subrecipients to submit updates in order to stay compliant for their respective grants.

It is important to note that compliance standards for subrecipients who receive advance payments are different from those who are reimbursed for purchases made. Only subrecipients of the US Treasury managed ARPA funds, and recipients of ACCGov's CPP program are allowed to use the advance funding option. HCD staff must ensure those subrecipients do not have more than two months of grant funds in their account at any point.

In accordance with best practices stated in HUD regulations, subrecipients of CDBG, HOME and CoC programs receive their funds through reimbursement, meaning they are paid back for purchases previously made with their own cash on hand. In this model, receipts are submitted by subrecipients and reviewed by two HCD staff members for accuracy, with a third, final review by the department director. Each subrecipient is subject to the ACCGov purchasing procedures put forth by the Finance Department.

Fund Distribution

The reimbursement method of grant fund distribution requires a three-step approval process. HCD currently uses ZoomGrants for all phases of its grant management process. Subrecipient agencies are able to upload documentation and submit reimbursement requests through the platform. The request goes through a first review, and any missing documentation is requested from the subrecipient. Once all documentation is cleared in the first review, a second reviewer oversees the documentation in case of an oversight, and any omissions are corrected. Finally, the department director gives the final review and approval.

Logical Access

In order to assure best practices of cybersecurity, as well as compliance with internal control standards, access to software should be limited to users with necessary permissions. Upon examination of permissions for Munis financial software, HCD users appear to have access and user privileges commensurate with the responsibilities of position held. The director and each division administrator have typical permissions for those roles. The Compliance Division have slightly broader permissions due to additional layers of supervision within its structure.

The department director, program support analyst II, compliance administrator, and administrative assistant II carry purchase order and p-card reconciliation permissions (beyond their own.) The director, compliance division administrator and program support analyst II have p-card approval permissions. (At the time of this report the assistant director position is vacant, so permissions for that position are not verified.) The community development specialist assigned to the Compliance Division, who previously served in the capacity of program support analyst II, holds permissions for receipt of goods approval, as well as several viewing permissions, due to the fact that the training/transition process for the current holder of this position is still underway. The situation of the relatively recent change in the program support analyst II position similarly impacts eLOCCS (electronic Line of Credit Control System), for which permissions are managed and monitored by HUD. This system is the primary platform used for grant disbursement. Currently the compliance administrator and the above-mentioned program specialist have access to the system, with user access for the program support analyst II pending HUD approval. There are five other federal software programs accessed by specified staff in the department. OA staff determined the permissions to be relevant and appropriate to the duties of each staff member allowed access.

The department maintains records in both paper and digital form for all grants, contracts, fund distribution and grant applications in addition to general administrative paperwork. During the course of this audit, OA staff interviewed all department staff, and each were asked about standard procedures for maintaining security and confidentiality of paper and digital files. All staff members indicated knowledge of and adherence to organizational standards, as well as federal government policies, for handling, retaining and securely disposing of documents as documented in a department standard operating procedure (SOP) document submitted by the compliance administrator and approved by the Interim department director in May of 2024.

During field visits, OA staff observed HCD employees using locked receptacles to dispose of paperwork. All files assumed to contain sensitive information were held in a secure environment. While observation of workstation security practices was not extensive, no risks to improper document and data handling were noted, and during interviews all staff responded affirmatively regarding knowledge of best practices for cybersecurity and document storage.

Annual Action Plans

At time of this report, HCD is in the final year of the FY21-25 Consolidated Plan (ConPlan.) Mandated by the Department of Housing & Urban Development (HUD), the ConPlan, is used as a framework to aid local and state authorities in assessing the needs and priorities of the community and its development, while also ensuring any decisions are data-driven and are in-line with federal regulations.

CAPER & IDIS

Local and state authorities execute their consolidated plans by completing an Annual Action Plan, in which they have to describe activities completed with both federal and non-federal resources that help accomplish the goals

forth within the ConPlan[1]. Every year, these authorities submit a Consolidated Annual Performance and Evaluation Report (CAPER) to HUD as a way to report their completed actions and activities.[2]

HCD works collaboratively to complete the federally mandated CAPER, which is submitted through the Integrated Disbursement and Information System (IDIS) platform accessible only by HCD staff. This software allows HUD representatives to monitor the actions (needs, performance, expenditures and accomplishments) of the grantee remotely. HCD staff are able to input data into IDIS throughout the year, which can streamline the CAPER process for when the report is made available.

Questions asked by HUD in the CAPER are not only related to data and statistics, but also allow authorities like HCD to give the federal government a story of how the money was used throughout the community and all the people helped. HCD staff also includes images and anything else they find helpful or relevant to show the full effect of the work that was accomplished. Recipients across the county are asked a broad scope of questions throughout the CAPER to create a database for the government, recipients, and the public as a whole regarding how federal funds are being used.

The Office of Community Planning and Development (CPD), an office within HUD, is in charge of grant programs that are focused on supplying grantees with funding to support affordable Housing & Community Development programs, and uses IDIS as a way to see how the funds are being used and to find trends that could help create future goals and outcomes for recipients across the country. CPD uses IDIS as a way to monitor recipients of awards, while also allowing them to see current areas of need and future goals that can be set and measured. As a whole, HUD and all of its offices use IDIS as a way to ensure compliance with any policies and requirements that are necessary as a subrecipient.

Consolidated Plan

Developing the Consolidated Plan (ConPlan) is a multi-year process, usually starting at least two years prior to implementation. HCD's current ConPlan, which began in FY21 and ends at the end of FY25, started its development in 2019.

It is important to note that HUD mandates a new ConPlan every three to five years and has multilayer goals based on the assessments completed by staff.[1] Additionally, ConPlans are carried out through Annual Action Plans that provide a summary of the federal and non-federal resources/actions occurring within the identified years. This report is different from the CAPER, in that the CAPER is the recipient formally reporting on the accomplishments and progress of the ConPlan goals from the previous year.

During the development of any ConPlan, HCD has to assess data regarding Housing & Community Development needs throughout the community. Mandatory components of a ConPlan include

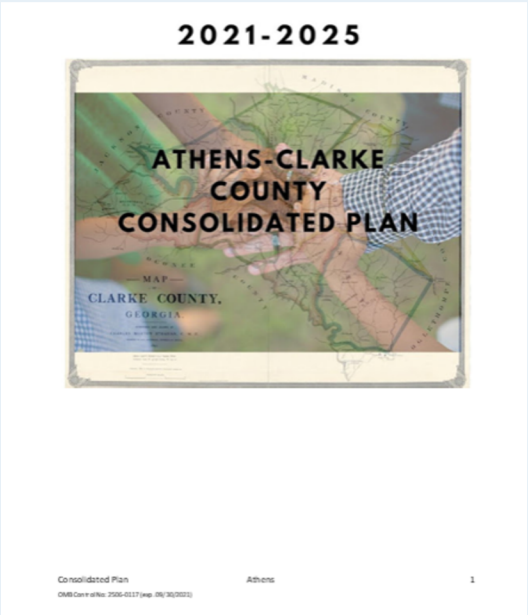


Figure 23: Image of the cover of HCD's current Consolidated Plan

[1]https://www.hud.gov/program_offices/comm_planning/conplan#:~:text=The%20Consolidated%20Plan%20is%20designed,%2C%20place%2Dbased%20investment%20c
[2] https://www.hudexchange.info/programs/idis/idis-reporting/

citizen participation, determination of needs and priorities, identification of resources, goal development, program administration, and performance evaluation.[1]

HCD holds many different events for citizen participation, with staff hosting events throughout the county, seeking public input on the plan. Another important note is that the current ConPlan was developed during the COVID-19 pandemic, so citizen participation occurred in a manner different from usual. For public input regarding the upcoming ConPlan, HCD had an external agency to aid in developing the process. The role of the consultants was to help with the public engagement portions of the development process, an area that was understandably more difficult to obtain in the development of the current ConPlan due to the Coronavirus Pandemic.

The goals for upcoming ConPlan have been created and approved for the ConPlan that will begin at the start of FY26. The full plan will be submitted to the M&C for approval in May 2025.

Compliance Analysis

As part of reporting requirements to HUD, HCD completes the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER provides a comprehensive overview of achievements and challenges over the past year. It includes detailed information on how HUD funds are utilized to benefit the community, and the services and impacts made in partnership with local agencies. Additionally, there are a number of compliance initiatives observed or confirmed by OA staff to be in place across HCD functions. They range from something as simple, yet important, as ACCGov online ethics training for Vision Committee members, to adherence of federal audit requirements for recipient funds under HOME, specifically, in standards applied to single audit thresholds (>$750,000)[2].

Given both the types (CDBG, HOME, CoC) and amounts awarded, HCD is regularly review by HUD for performance and compliance with federal requirements of these programs. From August 22-26, 2022, the Atlanta Office of Community Planning and Development, U.S. Department of Housing and Urban Development (HUD), conducted a remote monitoring of the Continuum of Care grant to assess performance and compliance with federal requirements. The FY22 Remote Monitoring Report resulted in four findings, all of which were addressed by HCD and considered closed via HUD reexamination. All four findings were within the financial management area of review and summarized as policy, procedure, documentation and identification conditions[4].

From March 27, 2023 through April 10, 2023, the Atlanta Office of Community Planning and Development, U.S. Department of Housing and Urban Development (HUD) conducted remote monitoring of CDBG and HOME programs to assess performance and compliance with federal requirements. The FY23 Monitoring Report was based upon the FY2020 CDBG and HOME activity. Upon completion, there were no findings and only one concern formally listed. The concern was tied to program participant eligibility – income verification process. Thus, it was stated that ACCGov is doing an "exceptional" job operating both of these programs.[3] It is further noted that staff are knowledgeable and adherent to policies and procedures, to the degree that ACCGov HCD would be suggested as a potential mentoring organization for other grantees.

Both of these federal audits align with the departmental strategic plan, Goal Area #1: Grant Management, Improve compliance of federal, state, and local grant funding regulations and policies. More specifically…

1] https://www.hudexchange.info/programs/consolidated-plan/consolidated-plan-process-grant-programs-and-related-hud-programs/
[2] "Audit Requirements", HOME Rules and Requirements, p. 20
[3]"Letter to the HCD director from the director of the Atlanta Office of Community Planning and Development", U.S. Department of Housing and Urban Development, Fiscal Year 2023 Monitoring Report, October 19, 2022.
[4] "Letter to the County Manager from the director of the Atlanta Office of Community Planning and Development", U.S. Department of Housing and Urban Development, Fiscal Year 2023 Monitoring Report, June 8, 2023.

1. *Improve operational processes and efficiencies*
3. *Complete annual monitoring of subrecipient agencies*

The 2018 Update of the Service Delivery Strategy for Athens-Clarke County, City of Winterville, Town of Bogart indicates that neighborhood revitalization services are the responsibility of ACCGov. Further described as a comprehensive approach to housing, public services, and supporting infrastructure required for neighborhood well-being, financing is derived via the general fund, CDBG, and HOME grants. HCD is identified as the lead organization of this initiative.

Internal Controls

In assessing the potential risks that can occur within the Housing & Community Development Department (HCD), the need for adequate internal controls is vital to ensuring protection and/or awareness of deficiencies. Upon review and analysis by OA, a number of notable activities are worthy of mention, both in terms of praise and concern.

The environment in which HCD operates is split between a formal office setting and remote work stations. As it protocol for telework situations, staff avoid public wireless internet connections and use the Virtual Private Network (VPN) provided by the IT Department when they are not within an ACCGov facility that has internet access.

Potential risks converge over contract administration, grant disbursement/reimbursement, and protection of confidential information. To provide necessary control, procedural checklists exist for SOPs, dependent upon funding source (ARPA, CDGB, etc.). There exists an internal tracking system (spreadsheet) for annual recipient awards that is updated regularly by all HCD staff who coordinate grants. Additionally, HCD has adopted a three-point approval system put in place to finalize both contracts and regular reimbursement claims.

Staff also has data files and project management software to ensure the secure and efficient organization and completion of tasks. HCD is conscientious of data privacy and digital threats, and aware of potential weaknesses. For example, inconsistencies were found between which digital storage system was treated as the primary source for depositing certain information. This can be easily remedied via clear communication and reporting tactics.

Any potential conflicts of interest are monitored, including through written confirmation. Although the need for compensatory time (comp time) may come about dependent on the workload, it is managed appropriately and limited to critical situations with prior approval.

FINDINGS & RECOMMENDATIONS

After careful research and analysis of the objectives, as through consideration of the defined scope, the Operational Analysis Office believes there are four findings of significant note that should be addressed in reasonable time. The issues observed are described, and accompanied by potential recommendations to resolve. Subsequently, any response to the findings and recommendation is listed, as provided by the department head and/or county management.

FINDING ONE: Timesheet accuracy and consistent reporting

OBSERVATION:

A review of the time-worked reporting process for HCD revealed that each employee is required to provide two timesheets. The first is an Excel spreadsheet that is department-specific, meant to clearly delineate hours spent each day on specific tasks, as associated with funding sources. Staff can provide notes that might prove pertinent to the supervisor when seeking to approve each pay period. The second timesheet is in the form of an organization-wide software program call Munis ESS (Employee Self-Service). Entry of each day's hours are put into the system and submitted digitally for both supervisor approval and subsequent HR Payroll Division processing. Although one version maybe more detailed than the other, the hours logged each day should match between the two.

A standard operating procedure (SOP) provided by HCD, entitled "Payroll Time Sheet Instructions as Updated 7/5/24" outlines procedures by which all staff are to follow when accounting for time worked each bimonthly pay period. It specifically gives direction and scenarios for situations of flexed time, meaning days in which the standard eight-hours is more or less, but eventually adds up to the required 40-hours each week, Monday through Friday. The Excel spreadsheet is explicitly mentioned to be accurate in exact occurrence; however, Munis ESS entry is instructed by way of even disbursement of hours across each weekday, regardless of whether it is factual time worked.

RECOMENDATION:

Although OA has no reason to assume purposeful intent to misrepresent time logged by any HCD staff member, the standard operating procedure (SOP) for the department should be amended, in consultation with the Payroll Division of Human Resources, to comply with standard ACCGov practice and policy. All HCD staff should then be advised of the procedural changes to ensure that both timesheets reflect actual hours worked for each day in a pay period.

DEPARTMENT/MANAGEMENT RESPONSE: **Agree**

IMPLEMENTATION TIMEFRAME:

HCD immediately updated its SOP and provided staff training to ensure timesheets are completed in a manner that both the Munis and internal timesheets accurately reflect each other. This update to the SOP was adopted December 16, 2024.

DESCRIPTION OF ACTION(S) TO BE TAKEN:

The Compliance Division immediately updated HCDs SOP to reflect the accurate process for timekeeping, shared with staff and provided implementation guidance to everyone during a training meeting on December 20, 2024. Supervisory staff were provided further training on review of timesheets and processes to support accurate review prior to approval of timesheets bi-monthly. Compliance will complete quarterly reviews of all timesheets to verify no discrepancies occur between the Munis and Internal timesheets. If any are discovered, follow-up training will be provided, and an internal corrective action will be implemented.

FINDING TWO: Interdepartmental/interagency collaboration and coordination

OBSERVATION:

By its stated mission, goals and objectives, HCD must naturally collaborate and coordinate with multiple ACCGov departments, in addition to its numerous external partner agencies, to ensure service delivery throughout the county. During the audit, interviews with both HCD staff and ACCGov employees from different departments indicated a need for more consistent efforts to communicate and proactively assist each other in addressing common issues relative to areas of housing and community development.

One key relationship, as an example, is with the Planning Department. Both departments could stand to gain efficiency and understanding by providing subject matter expertise. Specifically, opportunities exist within Section 106 (historic preservation) applications, environmental assessments and inclusionary zoning projects. Furthermore, HCD's participation in the Plans Review process, Future Land Use Map discussions, zoning actions of the Planning Commission, Comprehensive Plan updates, etc., would ensure common strategies and initiatives are recognized and implemented.

Avoidance of duplication also benefits all linked departments and agencies through targeted use of limited resources. In theory, the less time, money and effort put into a particular project or program that is already being handled by another partner will leave available funds and staff to schedule for other impactful initiatives. Upon review by OA, there is currently no method of tracking this type of data for use by all departments or agencies, increasing the potential for duplication effort by only collaborating with one another when necessary. An instance of this can occur during home improvements made by agencies awarded funding by HCD from different sources, who then target similar projects for the same location, which have the potential to disrupt the finished product of one group, or threaten compliance with grant regulations.

RECOMMENDATION:

Formalize departmental and agency partnerships by way of agreement or memorandum, as necessary. Examples of this already exist amongst other ACCGov departments, and can be tailored to outline communication, responsibilities and expectations, to name of few topics. More specifically, HCD could be kept aware of weekly Plans Review submittals (Planning), monthly Visioning meeting requests (Economic Development), and applications for Planning Commission consideration (Planning). Rehab and nuisance abatement funds should be explored for use by ACCGov in conjunction with the Building Permits & Inspections Department's list of identified properties, as possibly monitored by the Historic Preservation Planner. The departments named herein are representative of primary partners with similar, existing interests to that of HCD, but there are certainly others within and external to ACCGov which could also benefit from strengthened, mutual understanding. Exploration of a common database that can be used to consolidate efforts and avoid duplication of work through project tracking and management would provide oversight and awareness of community efforts already underway.

DEPARTMENT/MANAGEMENT RESPONSE: **Partially Agree**

1. HCD agrees that more structured interactions with other ACCGov Departments, including Planning, Code Enforcement, and Economic Development, will be beneficial to the department and organization; however, we do not see the need for a formalized, written agreement.
2. Currently, HCD successfully works with the Planning Department regarding the Inclusionary Zoning ordinance, policy and implementation, and this department was a key player in assisting with the development of HCD's Affordable Housing Investment Strategy.

3. HCD collaborates with Code Enforcement on a regular basis for Fair Housing and Nuisance Abatement and Control (NAC) and Voluntary Demolition program activities. For the past three years, Code Enforcement staff have been guest speakers at HCD's annual Fair Housing events that are provided for the public, and they also assist staff when fair housing concerns are brought to our attention. Code Enforcement, along with the Attorney's Office, communicates with HCD staff regularly regarding upcoming NAC projects that have been approved by the courts, and also directly refer private property owners to HCD for participation in the voluntary demolition program to avoid further Code Enforcement violations and/or court involvement.
4. HCD is also working hand-in-hand with the Economic Development Department for purposes of training and support for ARPA Workforce Development funded-programs. HCD staff also attends TAD Advisory Board meetings to share affordable housing information and support ED staff.

IMPLEMENTATION TIMEFRAME:

1. Beginning in late FY25
2. Beginning in late FY26

DESCRIPTION OF ACTION(S) TO BE TAKEN:

1. To further cement relationships within these departments, the HCD Director and Assistant Director will initiate quarterly meetings to discuss and share relevant information, concerns and to brainstorm ideas for improved processes that impact operations.
2. HCD will include Planning Department staff in the annual process of application review for proposed affordable housing projects. Gaining insight from Planning staff regarding identified needs, zoning issues, permitting limitations, etc. would be invaluable to the review process.

FINDING THREE: Efficiency in annual subrecipient awards and technical assistance

OBSERVATION:

One of the main objectives daily, monthly and annually for HCD is to disburse grant funds to approved subrecipient agencies. With that assignment comes constant assistance to those awarded, as well as regular administration and monitoring of work performed and financial accounting. During the audit, OA discovered just how complex and demanding coordination with subrecipient agencies can be. Technical assistance, in particular, is guided by federal funding expectations and is not restricted or withheld by HCD staff, regardless of capacity. This creates an unpredictable circumstance in which awarded agencies of any size or experience level can request varying levels of assistance at any point, simultaneously in some instances, potentially overloading staff capability. All HCD staff must naturally be versed in an array of grant processes and procedures, while also balancing against their other work. The sheer volume of grant awards made annually greatly influences efficiency as well. Regardless of award size, whether $20,000 or $200,000, regular (monthly) reporting by agencies and accompanied monitoring by staff are significant endeavors when considering compliance with regulations. Whether a $5 receipt or a $500 receipt, it still must be accounted for, evidenced and audited. When this process is compounded across 58 different grant projects, it is challenging at best.

RECOMMENDATION:

Staff should consider, as appropriate, various strategies that could proactively reduce the volume of technical assistance needed across annually awarded grants. This could range from mandatory "touchpoints" with each sub-recipient at defined stages throughout the year, which may then reduce the potential for technical assistance in-between each occurrence. Or, could include a requirement for completion of the non-profit capacity building courses offered by HCD prior to grant award eligibility. To further enhance efficiency in annual subrecipient contracts, the number of awards made could be reduced, but instead increase the associated approved amounts in an effort to lessen the overall workload that comes from having to coordinate dozens of awards annually. Although HCD coordinates recommendations in this regard, the M&C would be responsible for final approval of a more manageable list.

DEPARTMENT/MANAGEMENT RESPONSE: **Partially Agree**

1. For the FY26 and all future funded subrecipient awardees, HCD has implemented mandatory training for CDBG, HOME and Community Partnership Program (CPP) funds. This training will occur annually in May and June, prior to contract execution, and will include the following: contracting process, review of subrecipient policies and procedures, monthly reimbursement or advanced payment process (submission requirements, supporting documentation required, etc.), monthly performance reporting requirements, ZoomGrants, and FAQs.
2. HCD has recorded numerous subrecipient training videos that are available on the website at https://accgov.com/11239/Resources-for-Subrecipients. This page also includes links to resource documents to assist in answering common questions most subrecipients face. HCD will continue to record FAQ and How To videos in support of subrecipient agencies, and as a means to reduce the amount of on the spot, direct technical assistance needed by staff.

   HCD agrees that it is critical for subrecipient agencies receiving local, state or federal grant funding to understand the basics of grant management and nonprofit capacity in order to minimize the need for ongoing and comprehensive technical assistance. As the direct federal grantee and responsible steward of local public funds, HCD will continue to maintain a more intensive presence of technical assistance when we sense subrecipient partners are unfamiliar with required processes or are struggling to meet the program requirements. HCD supports the idea of requiring all new subrecipients to have either received certification for NCB training prior to applying for funds, or to require completion of NCB training within six months of being awarded HCD grant funding. For

existing nonprofits that have received HCD funding in the past, a risk analysis can be conducted by HCD staff during contracting process to determine operational deficiencies that may be addressed with specific NCB training courses. Once identified, HCD's Community Impact Division will provide direct training opportunities and/or referrals to external trainings, all of which must be completed by the subrecipient within six months of analysis.

4. In an effort to increase and maximize community impact and services, HCD has already implemented a minimum Public Service application funding request, requiring that all interested agencies may apply for no less than $30,000 for eligible public service activities.
5. Although HCD agrees that it would be more efficient to target funding specifically to affordable housing and homeless projects only, which would increase annual funding to those activities and reduce the number of grants concurrently, doing so would significantly cut out projects that support economic development and non-housing neighborhood revitalization efforts within approved Neighborhood Revitalization Strategy Areas identified in HCD's Consolidated Plan. There is also concern that existing partners do not currently have the staff or operational capacity to effectively or successfully carry out increased funding of CDBG programs within the contractual 12-month performance period.

IMPLEMENTATION TIMELINE

1. May 2025
2. FY26 for the FY27 grant cycle
3. FY25

DESCRIPTION OF ACTION(S) TO BE TAKEN:

1. In 2025, HCD will implement a "pilot" program where new agencies awarded FY26 funding (as well as other interested agencies) are invited to complete NCB trainings facilitated by HCD between June-December 2025. Those who attend all six trainings in the series will receive a certificate of completion. As part of applications for FY27 funding and beyond (typically due in October of preceding FY), HCD will require new subrecipients to submit proof of NCB training or sign an assurance form stating that they agree to complete the NCB training within six months of contract period (if awarded). HCD will provide a free NCB training annually and/or make referrals to external trainers (at cost to agency).
2. Beginning with funding applications for FY27, HCD will encourage applicants to allocate some of their requested budget toward "NCB trainings" in order to help them meet potential costs of training required by HCD. Additionally, beginning with FY27 subrecipient agreements, HCD will incorporate training requirements into the contract itself; agencies that fail to meet training requirements will be considered non-compliant, which will affect their ability to be recommended for funding in future cycles.
3. HCD will consider submitting a new initiative request in its FY27 budget to support continuing the Nonprofit Capacity Building training program provided by its staff.
4. HCD staff will continue to monitor capacity and operational effectiveness of its current and potential partners in an effort to determine if, or when, this action would be feasible to consider for implementation.
5. HCD will consider increasing the minimum budget requests of public services projects to further increase community impact and to reduce the number of annual contracts.

FINDING FOUR: Distinction of economic development functions

OBSERVATION:

The economic development role of the department can be a source of confusion, perhaps due in part that "economic development" has been in the title of at least four agencies/divisions/departments of ACCGov since unification. Despite carefully crafted mission statements and lists of goals, each entity still seems to encounter overlapping activity that prevents clear separation of functions from that of the others.

RECOMMENDATION:

The Manager's Office, in collaboration with the HCD and Economic Development department directors, should consider an alternative strategy that aligns departmental purpose with assigned activity. Historical research indicates that, while HCD was initially formed under the title "Housing and Economic Development," its mission has become increasingly focused on housing assistance, the need for which has continually increased. Similar research into the evolution of ACCGov since unification shows a succession of changes to the economic development entities supported by ACCGov, culminating in the formation of its own Economic Development Department under the direction of the Manager's Office in 2013. Because of the complexity of affordable housing issues in Athens, along with the urgency of addressing homelessness, it is important for HCD be focused on the impact it can have on the basic need of adequate homes and shelter. Similarly, economic development in a place such as Athens--with its large college population, diverse workforce and scarce land area--requires specialized knowledge and skills. To that end, it maybe beneficial to ensure that projects surrounding ARPA, Revolving Loan Funds, and HUD CDBG grant funding are assigned to the most appropriate department capable of managing such responsibility in the most effective and efficient manner. Although collaboration is to be expected amongst departments, each should also be distinguished by its primary role, when in the most simplistic sense, draws ties to its publicly known title.

DEPARTMENT/MANAGEMENT RESPONSE: **Partially Agree**

1. Based on experience garnered though mixed administration of ARPA funding, it is not advisable to distribute grant administration responsibilities across multiple departments, especially if those departments do not regularly manage compliance of federal grant funding. Throughout the past four years of ARPA grant funding allocations, HCD has had to provide comprehensive technical assistance to both external subrecipient agencies and to other ACCGov departments in an effort to provide them with an understanding of grant management, and to ensure that compliance of federal record keeping and reporting requirements are understood and upheld by both parties.
2. HCD is solely responsible for managing and reporting to HUD for CDBG federal funds. The amount of CDBG funding varies annually, and the recommendations for economic development activities also vary annually based on available funding, the quality of applications received, community priorities, and past performance criteria. Therefore, it is not recommended for CDBG funds to be allocated externally to the ED Department for the sole purpose of economic development activity grant management. HCD recognizes the ED Department has specialized knowledge and experience in workforce development and small business development that can enhance the CDBG economic development selection process, and therefore HCD will include ED staff in the annual process of application review for proposed CDBG economic development microenterprise or workforce development projects. Gaining insight from ED staff regarding identified needs, gaps and priorities for economic development activities in the County would be considered an asset to the review process.
3. The current Revolving Loan Fund (RLF) Program, through the Georgia Department of Community Affairs (DCA) CDBG funding, is currently out of compliance (too much cash on hand and a loan has not been made in the past 5 years) and is no longer considered a viable program to operate. Due to heavily restrictive regulatory requirements, the program is limited in its ability to positively impact small businesses in Athens, it must serve

primarily low-to-moderate income persons, has a job creation requirement, and now also requires loan application review and approval from DCA staff prior to review and approval from local RLF Committee staff. The CDBG RLF Program requires small businesses to provide 50% funding from another loan, 10% of their own cash, and the RLF provides 40%. Given the purpose, challenges, and past performance of the RLF Program, HCD will transfer this responsibility out of the department

4. The Joint Development Authority (JDA), with support from the Economic Development Department, have identified and implemented three programs to support small businesses in Athens that better meet the needs of the community, including its COVID Resiliency Package funded Local Business Revolving Loan Fund Program, the Turntable Revolving Loan Fund Program (using repaid Resiliency Package loans funds), and its ARPA funded Small Business Grant Program. HCD is recommending, via agenda for vote in March 2025, that the DCA CDBG Revolving Loan Fund Program funds be returned to the state due to the difficulties in managing the program, encumbering program regulations, and limited to no interest in these funds.

IMPLEMENTATION TIMELINE

1. Initiated in FY26
2. FY26 for the FY27 grant cycle
3. FY25

DESCRIPTION OF ACTION(S) TO BE TAKEN:

1. HCD will include the ED Department in the review and selection process for CDBG funds related to microenterprise and workforce development. This will begin with next year's CDBG solicitation and selection.
2. HCD will present the M&C with a recommendation to discontinue the RLF Program formally operated within the department.

CONCLUSION

In alignment with the primary topics of focus for a periodic audit, the Operational Analysis Office offers the following closing remarks based upon points of interest or concern which, although do not warrant immediate attention, are worthy of consideration, potential follow up, or future investigation. These highlights are in addition to, and not in place of, the formal findings and recommendations previously announced.

Since 2022, the department has been managed by four different directors, two of whom were appointed to interim assignments. Stable leadership will be key to sustaining progress overall, and transitioning HCD from a reactive environment to a more proactive one. A recent announcement naming the former assistant director, who was serving in the interim director role, as the appointed permanent director should provide the knowledge, expertise, and familiarity needed to fulfill long-standing service delivery, while refocusing on daily operations and prioritization of special projects. The number of staff within HCD has grown significantly, but perhaps only now has attained the number needed to first meet current demand, and not necessarily increase available capacity.

Over the past two years, HCD has made great strides in recruiting for a number of vacancies and maintaining those qualified professionals, who seemingly function well as a unit. Still, the vast majority of personnel are new to their roles, or to the department, and will benefit from performance responsibilities that are clearly distinguished within each job description. The level of confidence particular positions will have can be directly linked to opportunities for advanced training, especially in financial and/or procurement practices. This is not to say that staff lack the minimum requirements to be hired for role in HCD, but that the daily reality of tasks may necessitate the continued development of professional skills. This is especially key for HCD where divisional objectives are based in funding source more so than function. Analysis of each job title and workload indicate comprehensive project/program management that does not observe traditional divisional lines (hierarchy), meaning even if hired for a particular area of specialty, assignments are likely to include cross-divisional aspects that may challenge ones' employment background and skillset.

As indicated within the Staffing section of this report, "grant writers" (community impact specialists) are mostly HCD specific in their role. While they primarily collaborate on grants that are the focus of HCD's mission and goals, they also act in the same manner as any other full-time ACCGov employee by fulfilling the many additional administrative and operational duties that come from working within HCD. The staff members in these positions see grants through the entire process from application to final completion and monitoring. Since they were hired by and report to HCD, their respective backgrounds are rooted in education, experience and qualifications that lean heavily on housing and community development related services. These two positions are not presently versed in the comprehensive knowledge of every ACCGov department, as opposed to the expectation of more traditional, broad-based government grant positions that are tied to a "Grants Department." Therefore, they are unable to proactively seek out any and all grants that may benefit the entire government or community, but have still done so in a limited capacity as circumstances allow. This expectation, in reality, is not feasible under the current arrangement, number (two), or placement of such positions. Thus, it is also not possible for these positions to assist in pursuit of grants for outside individuals or external groups, since their primary commitment is to ACCGov, specifically HCD. A separate, distinct approach to implementing a comprehensive ACCGov grant management program should be considered by the M&C in conjunction with county management.

Disbursement of various funds to agencies seems to be occurring in a timely manner, and is equally contingent not only upon HCD staff, but also upon award recipients and their level of participation. Partners can experience high staff turnover, therefore requiring repetitive instruction and technical assistance from HCD staff. That said,

workload is directly impacted by the number of contracts to be administered, which can fluctuate annually, even if the awarded amounts from the federal government remain fairly steady. Transparency in why certain applicant agencies were not selected for grant awards may better prepare them for future applications and lessen dependency on HCD staff for answers.

Public input, in general, is challenging, and can appear to be more symbolic than intentional. This is especially evident if a requirement, both in circumstance and methodology, is dictated by grant parameters For example,, during a CDBG applicant training session it was noted that seven public input sessions only yielded 87 people giving input. Still, the newly organized and implemented Community Impact Division is meant to lead future initiatives and create more meaningful and participatory engagement opportunities. As with many Boards, Authorities, Commissions (BACs) of ACCGov, the Vision Committee, comprised of appointed citizens, should consider creation of formal bylaws by which to adhere.

Follow-Up

In an effort to gauge the effectiveness and emphasize the purpose of conducting a periodic audit, the Office of Operational Analysis intends to follow-up with the Housing and Community Development Department within a year's time and report on the status of any resolution to the findings and recommendations made. The exact schedule will also be considerate of the implementation timelines put forth by the department and/or county management as indicated in this report.

A summary response will be requested at the appropriate time from the subject department, and if necessary, staff from OA will conduct inspections to confirm appropriate actions taken. It is anticipated that the HCD will be allotted physical space, as planned, within the renovated ACCGov Costa building by the time a formal follow-up is conducted, and will like include inspection of that location.

Any unresolved issues will be brought to the attention of the department and/or county management for further discussion.

It is expected that brief memorandum describing the degree of compliance will be forwarded to the M&C for informational purposes.

Appendix A

HCD Self-stated Performance Goals and Objectives FY25

Housing & Community Development

Mission

The Housing and Community Development (HCD) department provides funding for the creation and rehabilitation of affordable housing, fosters and coordinates services for disadvantaged populations, and promotes economic mobility among residents of Athens-Clarke County.

Goals

- Provide accurate information, comprehensive research and timely advice to the public, management and staff in support of housing, economic development and community development designed to foster positive community outcomes.
- Increase affordable housing activity and production in Athens-Clarke County through an ongoing and continuously updated strategic planning process that will result in greater funding opportunities, better community awareness of all housing programs and available services as well as stronger public and private sector partnerships.
- Partner with ACC departments and housing program providers to reduce slum and blight in neighborhoods through the demolition of dilapidated structures.
- Help low-to-moderate income residents and the chronically unemployed overcome barriers to full-time regular employment.
- Encourage the growth and establishment of the local small to medium sized businesses in order to encourage job creation.
- Improve the public health and welfare of Athens Clarke County residents.
- Partner with social service and shelter providers to reduce homelessness in Athens Clarke County.
- Encourage citizen participation in decision-making processes, with particular emphasis on participation by persons of low and moderate incomes.

Objectives

- Secure CDBG, HOME, and CoC (Supportive Housing Services, Supportive Housing, and Shelter + Care Grant) funds to assist community partners in the provision of housing, shelter and community development projects and programs.
- Allocate entitlement and competitive grant funds to community partners through Mayor and Commission approval processes in a timely manner.
- Partner with community organizations to develop accurate scopes of services and contracts for all grant-funds in a timely manner.
- Provide technical assistance, guidance and monitor all contracted agency expenditures and performance monthly.
- Process reimbursements to subrecipient agencies in a timely manner.
- Reimburse ACC expenditures for subrecipient activities from grant sources efficiently.
- Administer all grant programs efficiently and accurately and document regulatory compliance to minimize financial risk to ACC.
- Ensure all expenditures for program administration are at or below statutory caps.
- Submit accurate reports to HUD and other primary funding agencies on time.

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Appendix B.1

HCD Grant Subrecipient Equity Assessment

EQUITY ASSESSMENT GUIDE

Equitable programming is an intentional approach to recognize projects that respond to community needs, give communities a voice in shaping the futures of their neighborhoods, provide community benefit, and contribute to the wellbeing of residents and the local economy surrounding the development.

This Equity Assessment is a tool that provides a comprehensive overview and added detail to give examples of strategies, activities, and decisions that can make a proposal more equitable. Applicants may receive up to 40 total points for this application component.

Proposal: Up to 3 Points

1. What are the desired results and outcomes of the proposed program/project?

Community Engagement: Up to 3 Points

1. How have community members and stakeholders been engaged?

For Example:
- Stakeholders include anyone who might be affected by a new project:
  - Building occupants
  - People who live and work in surrounding neighborhoods
  - Individuals and businesses that will be involved in the design and construction of the project
  - Community-based organizations and local businesses
  - Others, explained
- What mechanisms were utilized for community engagement?
  - Town Halls/Community Forums
  - Social Media
  - Email
  - Mailers/Flyers
  - Door to door
  - Website
  - Phone Calls

2. Whose voice did you listen to? Whose voice did you possibly leave out?

For Example:
- What research of the community and neighborhood was done ahead of your proposal?
- During engagement periods- who did you talk to about this proposal?
  - Residents of this development area
  - Residents in surrounding neighborhoods/areas?
  - Businesses in this development area
  - Government officials
  - Others, explained

EQUITY ASSESSMENT GUIDE

3. Did barriers and/or opportunities to engagement exist and were they explored?

For Example:
- Barriers could be:
  - Language Access
  - Transportation Access
  - Scheduling conflicts with event timing
  - Digital access for online engagement
- Opportunities could be:
  - Leveraging existing community leaders, groups, spaces, or events
  - Visioning sessions with the community
  - Partnerships with trusted organizations

Impact: Up to 6 Points

1. What populations are impacted by the decisions made if this proposal is chosen?

For Example:
- Impacts could be:
  - Demographic related
  - Access related
  - Opportunity related
  - Health related
  - Displacement related

2. Who is burdened by this proposal? Who will benefit?

For Example:
- Burdened:
  - Are there potential unanticipated consequences of this proposal, such as an influence on neighboring property values (higher or lower)?
  - Are there segments of the population who objected to this proposal?
  - Will residents be displaced through eviction, demolition, or market increases?
  - Other
- Benefit:
  - Community and/or commercial stabilization
  - Increase in housing choices
  - Future residents
  - Neighboring businesses (increased traffic/spending in immediate neighborhood)
  - Other

3. What does this proposal have the ability to impact (community and equity indicators aside from affordable housing)?

For Example:
- Indicators could be:
  - Access to Food
  - Youth Development
  - Access to Education
  - Economic Development
  - Access to Transportation
  - Access to Services

Appendix B.2

HCD Grant Subrecipient Equity Assessment

EQUITY ASSESSMENT GUIDE

Analysis and Strategies: Up to 2 Points

1. Are there strategies in this proposal for advancing opportunity and/or minimizing negative or unintended outcomes?

For Example:
- How will you ensure wage equity and workforce diversity?
  - Will all project employees be paid a living wage?
  - Will local and/or historically excluded businesses be prioritized when procuring materials and/or services?
  - Will hiring of employees be from local, diverse, and/or historically excluded groups to increase economic opportunity?
  - Apprenticeship opportunities for capacity building?

2. What impacts are aligned with desired community outcomes?

For Example:
- Which community needs and assets were integrated into this proposal, explained
  - Was a community needs assessment done?
  - Was a community asset map used?

3. What have you learned from data and stakeholder involvement that is reflected in this proposal?

For Example:
- Community input and collaborative design crafting this proposal, explained:
  - Extensive input and collaboration
  - Some input and collaboration
  - No input or collaboration

Implementation: Up to 2 Points

1. What is the plan for implementation of this proposal?

2. Are you adequately funded, staffed, resourced to implement this proposal?

For Example:
- Meaningful investment of resources and staff are available to support this proposal and clearly explained.

3. What resources and/or actions are still needed for effective implementation?

EQUITY ASSESSMENT GUIDE

Data: Up to 2 Points

1. What data exists to support your proposal? How did you use it?

For Example:
- Data Sources
  - Was a community needs assessment done for this proposal?
  - Was any asset mapping done for this proposal?
  - Did you consult existing neighborhood plans or studies? (GICH Report, Envision Athens Agenda, Workforce Housing Study, Comprehensive Plan, ACCGov Strategic Plan, ACC Missing Middle Housing Scan, Affordable Housing Investment Strategy or the Strategic Plan to Reduce and Prevent Homelessness)

2. Are there gaps in the data?

For Example:
- Are there any datasets or maps you would have liked to have used in this proposal, but didn't have access to?

3. How has the data been broken out: geographic areas, demographics, neighborhoods, populations, existing programs, etc.?

Accountability and Evaluation: Up to 2 Points

1. How will you ensure accountability, communicate, and evaluate results of this funding?

2. How will the impact of this funding on the community be documented and evaluated?

For Example:
- The ultimate measure of success for a community engagement process is the extent to which the findings are incorporated into the proposal
  - Documentation of ways in which community input has informed proposal results

3. How will you continue to communicate, partner, and sustain relationships in the community around this proposal's impact?

For Example:
- Pursuit of partnerships with community-based organizations?

Appendix C

Comparative Analysis Data

	Unified Government?	In-House Housing/Human Services Authority	In-House Grants Department	External Housing Authority	Name of External Authority (if applicable)	Department Name	Total Population	Approx. Amount of ARPA Funding Awarded to Government	# of Unsheltered persons experiencing homelessness (from 2023 Point in Time Data)	Median Cost of Rent (in dollars)	% of Renter Occupied Units	Estimated Amount of Housing Units (from 2020 census)
Athens-Clarke County	Y	Y	N	Y	Athens Housing Authority	Housing & Community Development	127,315	$57.6M	177	863	63.80%	55,195
Augusta-Richmond County	Y	Y	N	Y	Augusta Housing Authority	Housing & Development Department	202,081	$82.3M	177	880	53.82%	90,192
Macon-Bibb County	Y	N	Y	Y	Macon Housing Authority	Grants	157,346	$75.9M	Data unavailable on HUD Website	834	48.25%	71,901
Muscogee County, Columbus	Y	Y	N	Y	The Housing Authority of Columbus, GA	Community Reinvestment Department	206,922	$78.5M	69 CoC Boundary is combined with Russell County	925	50.90%	90,348
Savannah, Georgia	N	Y	N	Y	Housing Authority of Savannah	Housing & Neighborhood Services	147,780	$55.6M	271 CoC Boundary is combined with Chatham County	1049	55.98%	68,089
City of Greenville, South Carolina	N	Y	N	Y	The Greenville Housing Authority	Community Development Department	70,720	$17.9M	376 CoC Boundary is combined with Anderson, Spartanburg/Upstate	1189	29.90%	37,323
Chattanooga, TN	N	Y	N	Y	Chattanooga Housing Authority	(1) Community Development and (2) Office of Homelessness & Supportive Housing	181,099	$38.6M	1,467 CoC Boundary is combined with Southeast TN	1176	54.40%	85,266

Audit Committee Recommendation
FY25 Audit Workplan

The FY25 Audit Workplan consists of the following audits, previously completed status updates, special projects, and subsequent workplan coordination in preparation for the next fiscal year that is to be conducted by the Operational Analysis Office, or through a designated consultant, as recommended by the Audit Committee.

This is all to be accomplished in consideration of the context and balance that must be maintained with respect to duties associated with the Public Safety Civilian Oversight Board (PSCOB), which continues to progress as an ACCGov program, thereby requiring significantly increased staff time and responsibility over the previous year's office workload.

Each audit type (comprehensive, periodic, investigative) is subject to administrative changes in objective and scope as dictated by the Internal Auditor and overseen by the Audit Committee, provided the overall intent and contextual goals are maintained. The type of audit, topic, and primary department will remain as approved by the M&C.

Comprehensive (Performance/Financial/Compliance) Audit = Constitutes an in-depth, comprehensive review of the stated objective and scope for each topic, usually occurring over a >6-month period of time.

Periodic Departmental Mission, Operations, & Internal Controls Audit = Constitutes a brief, focused review of predetermined factors surrounding the three main categories of auditing: financial, performance, & compliance; using a standard objective and prioritized scope that provide a basic update on a department's or division's present position, usually occurring over a 3-5 month timeframe.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Previous Audit Status Update	Follow-Up of Recently Completed Periodic Audit(s)	Tax Assessor & Economic Development	< 1 month each*

Objective:

- Evaluate the status of any previously recommended actions to be implemented as based on formal findings, and within the strategies outlined by the subject department. To be effective, audit results should be followed-up on within an adequately scheduled timeframe, usually one-year or less from the date an audit was completed.

Scope:

1. Review accepted audit report, specifically the findings, recommendations, and conclusion for key initiatives to evaluate.
2. Schedule interview(s), site visit, or other means (as appropriate) of analysis in which to inspect implementation progress.
3. Document any resolution or unresolved issues and discuss with departmental leadership.
4. Draft a summarized response for distribution to the Audit Committee and M&C.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Departmental Mission, Operations, & Internal Controls Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Housing & Community Development	4-5 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Housing & Community Development Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Departmental Mission, Operations, & Internal Controls Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Transit	5-6 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Transit Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Special Projects, Limited Scope Audits, & Investigations	Cybersecurity Risk Assurance	Information Technology (I.T.)	< 1 month*

Objective:
To provide adequate flexibility for the Operational Analysis Office to initiate related projects that improve overall success; respond to unanticipated occurrences; and, allow continuous research into observed practices that may justify future analysis, per the Internal Auditor's discretion, as based on relevance, timeframe, and impact.

- *Cybersecurity Risk Assurance*: Review the present level of assurance related to cybersecurity risks and determine if additional assessment is warranted based upon initial outcome.

Scope:

1. Ongoing consideration of potential audit examination(s) in the future.
2. Development and implementation of associated initiatives to enhance the auditing function of the Operational Analysis Office and ACCGov. This may include, but not be limited to, policies, programs, and/or projects that strengthen the efficiency and effectiveness of ACCGov's auditing capacity and capability.
3. Allow for expedited review of unanticipated or minor investigative audits that warrant timely coordination/completion based on significance and/or defined scope.

- *Cybersecurity Risk Assurance*
    - Engage with I.T., Management, and Attorney on confidentiality of cybersecurity measures.
    - Briefly review past, present, and future cybersecurity initiatives, in general.
    - Gauge threat levels and severity of on attack.

*Although it is the goal of the Operational Analysis Office to complete each audit listed within the estimated schedule (fiscal year), such deadlines maybe amended based on mitigating factors, as guided by the Audit Committee and determined by the Internal Auditor.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Annual Audit Workplan	Development of Subsequent Year's Assignments	Operational Analysis, Manager's Office, M&C	~5 months**

Objective:
To research, analyze, and ultimately formulate the subsequent fiscal year's audit workplan in a timely manner that allows input on various topics, assessment of risk, and coordination budgetary needs with staffing capacity.

Scope:

1. Initiate outreach with ACCGov stakeholders to create preliminary list of topics with corresponding description, objective, and scope.
2. Conduct risk assessment by means of matrix scoring and eventual ranking.
3. Apply aspects of time, budget, and staff capability.
4. Discuss and debate merits of potential audits that result in agreed upon recommendation.

**Staff will initiate the process during the third quarter of the present fiscal year in order to promptly begin work within the first quarter of the subsequent fiscal year.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: ACCGov Actions as a Coalition of Local Government Intervener in the Georgia Power IRP and Rate Cases

DATE: January 27, 2025

EXECUTIVE SUMMARY:

As an "Intervener" in the Georgia Power IRP, Rate Case, and related processes, the Mayor and Commission are being asked to endorse the Coalition of Local Government's clean energy goals and authorize ACCGov staff to actively participate as a Coalition member to effectively support and promote local clean energy goals, policies, and practices that enhance energy efficiency and lower costs and energy burden for Athens and the broader Georgia community.

BUDGET INFORMATION:

REVENUES: NA

EXPENSES: NA

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request that the Mayor and Commission:

a. Endorse the Coalition of Local Government's clean energy goals as indicated in Facts and Issues #12; and,
b. Authorize the Manager to have staff represent Athens-Clarke County needs and values by participating in proceedings before the Public Service Commission in support of local clean energy goals, and sign onto the final "stipulation" as appropriate.

HISTORY:

1. In 1922, the Georgia General Assembly renamed the three-member Georgia Railroad Commission to the Georgia Public Service Commission (PSC). One of the major duties of the Commission is to regulate utilities.

2. In 1973, the Georgia General Assembly passed the Georgia Territorial Electric Service Act (O.C.G.A. § 46-3-1, et seq.), which provides a comprehensive regulatory framework governing retail electric service in the State of Georgia. Every geographic area within the State is either assigned to an electric supplier or declared unassigned. The purpose of the Territorial Act was to avoid duplication of electric lines and assure efficient and orderly service in the state. There are multiple power providers in Georgia.

3. In 1991, the Georgia General Assembly passed the Georgia Integrated Resource Planning Act of 1991 (O.C.G.A. § 46-3A-1). This act included a requirement that an Integrated Resource Plan (IRP) contain a utility's electric demand and energy forecast for its service territory for at least a 20-year period and describe the utility's program for meeting these forecasted requirements in an economical and reliable manner. The IRP Act arose from the challenges inherent in the PSC's after-the-fact review of utility investments, such as their review of the construction of Plant Vogtle nuclear units in the 1980s.On May 21, 2019, the M&C passed a resolution in support of transitioning to 100% renewable energy setting the goal of transitioning ACCGov assets by 2035 and facilitating the transition of the entire community by 2050.

4. On May 21, 2019, the M&C passed a resolution in support of transitioning to 100% renewable energy, establishing a goal of transitioning ACCGov assets by 2035 and facilitating the transition of the entire community by 2050.

5. In Fall 2021, a group of Georgia local governments began meeting to discuss a potential collaboration during Georgia Power's pending IRP and rate case process to more effectively present and support local clean energy goals. This was the first time multiple local governments became involved in the IRP and Rate Case process. A significant number of Georgia Power's customers reside within these local government jurisdictions.

6. In February 2022, staff utilized a Notice of Proposed Administrative Action to notify the ACCGov Mayor and Commission that staff would join with four other local governments as part of the IRP and Rate Case proceedings before the PSC to actively support and promote local clean energy goals as well as policies and practices that lower costs and energy burden for both local governments and community members. Coalition members included Atlanta, Athens, Savannah, DeKalb County, and the City of Decatur.

7. In March 2022 and June 2022, Georgia Power filed both an IRP and Rate Case with the Public Service Commission. These proceedings concluded in June 2022 and December 2022 respectively.

8. On August 2, 2022, the M&C voted unanimously to accept the Clean and Renewable Energy Plan, which details pathways Athens-Clarke County (ACCGov) and the community will use to meet the renewable energy goals. Involvement in the IRP and Rate Case process is a Tier 1 Pathway.

9. In November 2023, Georgia Power filed an Interim IRP with the PSC citing unprecedented future energy demand as a major factor. A major focus of this filing was a request to secure additional future energy sources. These sources exclusively utilized fossil fuels. This was the first time Georgia Power had filed an "interim" case. ACCGov joined the Coalition as an Intervener. This case concluded May 2024

10. In December 2024, a group of local governments began discussing the potential to form a Coalition of Local Governments once again to actively present, support, and pursue adoption of local clean energy goals as Interveners in upcoming 2025 Georgia Power IRP and Rate Cases.

11. On January 29, 2025, the ACCGov Mayor informed the Coalition of Local Governments of ACCGov's intent to join as a participating member for the purpose of Intervening in the upcoming Georgia Power Company Integrated Resource Plan and subsequent Rate Case procedures before the Public Service Commission. ACCGov joined with Atlanta, the City of Decatur, and Gwinnett County in the Coalition with additional local government commitments pending.

FACTS & ISSUES:

1. Georgia Power Company (GPC) is required to file an IRP every three years, outlining energy needs for the next 20 years. Of note, the only binding part of the 20-year projection is the immediate 3 years covered by the IRP.

2. The intent of the IRP process is to: ensure that proposed energy investments are needed, provide the utility with more certainty in cost recovery of expenditures, and ensure the selected resource mix provides the best value to customers. The PSC has the authority to modify, reject, or approve Georgia Power's IRP and Rate Case filings.

3. To fulfil its' IRP planning requirement, Georgia Power must project:
   a. Demographic changes and economic performance.
   b. What generating plants it will decommission (a.k.a. decertify or retire), and when they will be decommissioned/commissioned.
   c. The size and type of plants it will build and when or, alternatively, what power purchase agreements it will sign to buy power from someone else, and when.
   d. What transmission infrastructure improvements / expansions are needed to maintain reliable service.
   e. The benefits of adding new renewable energy resources to the system.
   f. How the implementation of demand-side management programs (i.e., energy efficiency and demand response) can cost-effectively reduce the forecasted load.

4. The Athens-Clarke County Clean and Renewable Energy Plan identifies a Tier 1 pathway for ACCGov to "*Take active role in intervening and advocating in Georgia Power Integrated Resource Plan (IRP); pursuing policies to advance clean energy in the State Legislature".*

5. During 2022 and 2023, IRP and Rate Cases, the Coalition was successful in facilitating and/or successfully supported local clean energy topics that
   a. Saved ratepayers $1.1B between 2023 and 2025;
   b. Resulted in adjustments in net metering tariffs, improving the economics of solar;
   c. Ensured community solar is no longer a premium product;

d. Established energy efficiency targets;
e. Established a Virtual Power Plant Pilot program (as a direct result of the Coalition's testimony and collaboration with PSC staff and Georgia Power); and,
f. Gained access to Georgia Power's hourly interval data which is necessary to manage facilities in a cost effective and strategic manner.

6. During the 2022 and 2023 hearings some PSC Commissioners questioned each local Coalition member's authority to participate in the process on behalf of their community. ACCGov Sustainability staff were able to utilize the Notice of Proposed Administrative Action (History #5) as evidence of the endorsement for them to participate. Even with this documentation, PSC Commissioners further questioned each Coalition member, including ACCGov Sustainability staff, if they were truly authorized to promote their community's clean energy goals and/or endorse specific agreement terms in the processes. This agenda report is being used to clearly state ACCGov's endorsement of Coalition goals and the Mayor and Commission's full approval for staff to actively participate in all aspects of the IRP and Rate case process. This should unequivocally address any future questions on this issue raised by a PSC Commissioner.

7. In January 2025, Georgia Power is expected to file an IRP before the Public Service Commission followed by a Rate Case filing in May 2025.

8. The final version of Georgia Power's 2025 IRP, approved by the PSC, will have significant ramifications to and impacts on local government's as well as the local community's ability to lower energy burden and transition to clean and renewable energy in a cost effective and efficient manner. The PSC approved changes to the IRP also become the foundation for future Rate Case adjustments.

9. To most effectively participate in the IPR process, individuals and organizations register with the PSC as an "intervener", with levels generally defined as:
    a. ***Low***: file application for leave to intervene and review filings as desired. The participant can elect whether to attend hearings or not.
    b. ***Medium***: file application for leave to intervene and actively review all filings (e.g., IRP filing, expert testimony, data requests, etc.), attend all hearings, cross-examine witnesses, file brief, and participate in any settlement negotiations if possible.
    c. ***High***: enlist expert witness(es), file expert testimony, put expert witness(es) up for cross-examination, and conduct all activities outlined in Medium scenario.

10. The Coalition of Local Governments is an Intervener at the "High" level. By continuing as a member of the Coalition, ACCGov will be part of a group that includes a significant portion of Georgia Power's customer base and will enable ACCGov to most effectively work with and represent local clean energy goals to the Public Service Commission during the IRP and Rate Case process.

11. Coalition members can participate in the "Low", "Medium", and High levels in all proceedings before the Public Service Commission, including participating in hearings, exchanging information directly with the PSC, providing expert witness testimony and evidence in support of local clean energy goals, and sign onto the final "stipulation" – the final document between Georgia Power and the PSC that outlines the agreed upon actions to be taken by Georgia Power.

12. During December 2024 and January 2025 discussion meetings, perspective coalition members shared priorities related to their community's clean energy plans along with input gathered from elected officials, community members, local businesses, and government agency staff. Major local clean energy issues that can most effectively be promoted by a Coalition of Local Governments include:
    a. **Establishing Distributed Energy Resource programs** such as Virtual Power Plants (VPPs) and residential battery storage, as well as distributed energy resources (DERs), appliances, vehicles, and other energy efficiency and storage solutions. Georgia local governments expressed their support of the VPP program during the last IRP process and remain interested in seeing that program expanded to Georgia Power customers to increase system resiliency, reduce energy burden, and help manage demand on the system.

    b. **Increased access to renewable energy** achieved through additional clean energy procurement mechanisms that are flexible and promote cost effective access to renewable energy. This supports local government renewable energy goals, building performance standards (BPS), resilience, and emissions reduction targets.

    c. **Energy efficiency and demand-side management (DSM) programs** consisting of practices, incentives, and other strategies to help reduce the load on the utility system, yield energy savings for customers, and reduce the need for electricity generation. Georgia local governments are interested in utility-offered Energy Efficiency and DSM programs that reduce energy burden for community members, reduce peak demand, enable effective energy management of local government facilities, and otherwise support residential and commercial customer efforts to reduce energy consumption and costs.

    d. **Energy affordability,** reducing energy burden to community members with a focus on low-income and venerable populations (note: this generally a focus/goal of the Rate Case)

    e. **Expanding Community Solar** which is defined under Georgia law as a small solar array (up to 6 mega-watts on 30 acres or less) and gives nearby residents, businesses, and nonprofits the option to receive savings on their energy bill. Supporting the development of Community Solar can support cost effective access to renewable energy for Georgia Power customers, particularly customers

that cannot directly benefit from residential rooftop solar bill savings due to constraints such a lack of home ownership (e.g., renters), excessive shade, or insufficient roof space. Community solar has also been heavily discussed by the Georgia House of Representatives House Energy, Utilities and Telecommunications Ad Hoc Committee.

f. **Adequate and transparent data access** enables effective energy management of local government facilities, facilitates accurate greenhouse gas emissions tracking for local government operations, and allows local governments to make financially prudent decisions about facility upgrades (including adding onsite renewable energy or investing in DSM measures). Data access is also important for federal grant reporting and future funding applications; local governments need access to energy usage data to meet federal reporting requirements and ensure that programs funded by grant dollars are effectively implemented.

g. **Deployment-ready clean energy solutions and a climate resilient grid,** promoting local microgrids as well as grid development capable of adapting to changing climate conditions and minimizes power outages caused by extreme weather.

h. **Opposing the expansion of polluting fossil fuel resources** like coal, oil, and gas particularly as a default to meet data center and AI energy demands.

i. **Other opportunities** that may arise and which support local clean energy goals and/or lowers energy burden.

13. Upcoming milestones in the IRP process are (all meetings held in Atlanta):
    - Tuesday-Friday, March 25-28: Hearing on direct case of Georgia Power
    - Tuesday-Friday, May 27-30 – Hearing on direct cases of Public Interest Advocacy Staff and of Intervenors
    - Monday-Wednesday, June 23-25: Hearing on rebuttal testimony of Georgia Power
    - Thursday, July 10 – Closing comments from all parties – at regularly scheduled Energy Committee
    - Tuesday, July 15 – Commission will render decision – at regularly scheduled Administrative Session

    A detailed schedule of hearings and deadlines in the "Procedural and Scheduling Order" can be found on the Public Service Commission's website.

14. Other local governments actively considering joining the Coalition include Savannah, Fulton County, and DeKalb County, with Atlanta, Athens, Gwinnett County, and the City of Decatur having already committed and other local governments continuing to gather feedback from their elected officials.

15. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy: Built and Natural Infrastructure Goal, Strategy D, milestones:
    a. Develop action items and processes needed to implement Tier 1 recommendations from the adopted 100% Clean and Renewable Energy Action Plan.
    b. Promote adoption of electric vehicle technology.
    c. Expand the use of solar in order to reduce reliance on non-renewable energy sources.
    d. Assess feasibility of renewable or regenerative deployments for ACCGov facilities.

OPTIONS:

1. Mayor and Commission:
    a. Endorse the Coalition of Local Government's clean energy goals as indicated in Facts and Issues #12, and
    b. Authorize the Manager to have staff represent Athens-Clarke County needs and values by participating in all proceedings before the Public Service Commission in support of local clean energy goals, and sign onto the final "stipulation" as appropriate.

2. Mayor and Commission do not approve the request.

3. Mayor and Commission Defined Option

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Sustainability Department
Prepared by: Mike Wharton



1/27/2025

Mike Wharton
Sustainability Director

Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



02/13/2025

Brad Griffin,
Acting Manager

Date

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING ONE PARCEL OF LAND COMPRISING APPROXIMATELY 0.64 ACRES OF LAND LOCATED AT 995 GAINES SCHOOL ROAD FROM C-O (GSRC) (PD) [COMMERCIAL-OFFICE (GAINES SCHOOL ROAD CORRIDOR OVERLAY) (PLANNED DEVELOPMENT)] TO C-O (GSRC) [COMMERCIAL-OFFICE (GAINES SCHOOL ROAD CORRIDOR OVERLAY)]**; AND FOR OTHER PURPOSES.

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

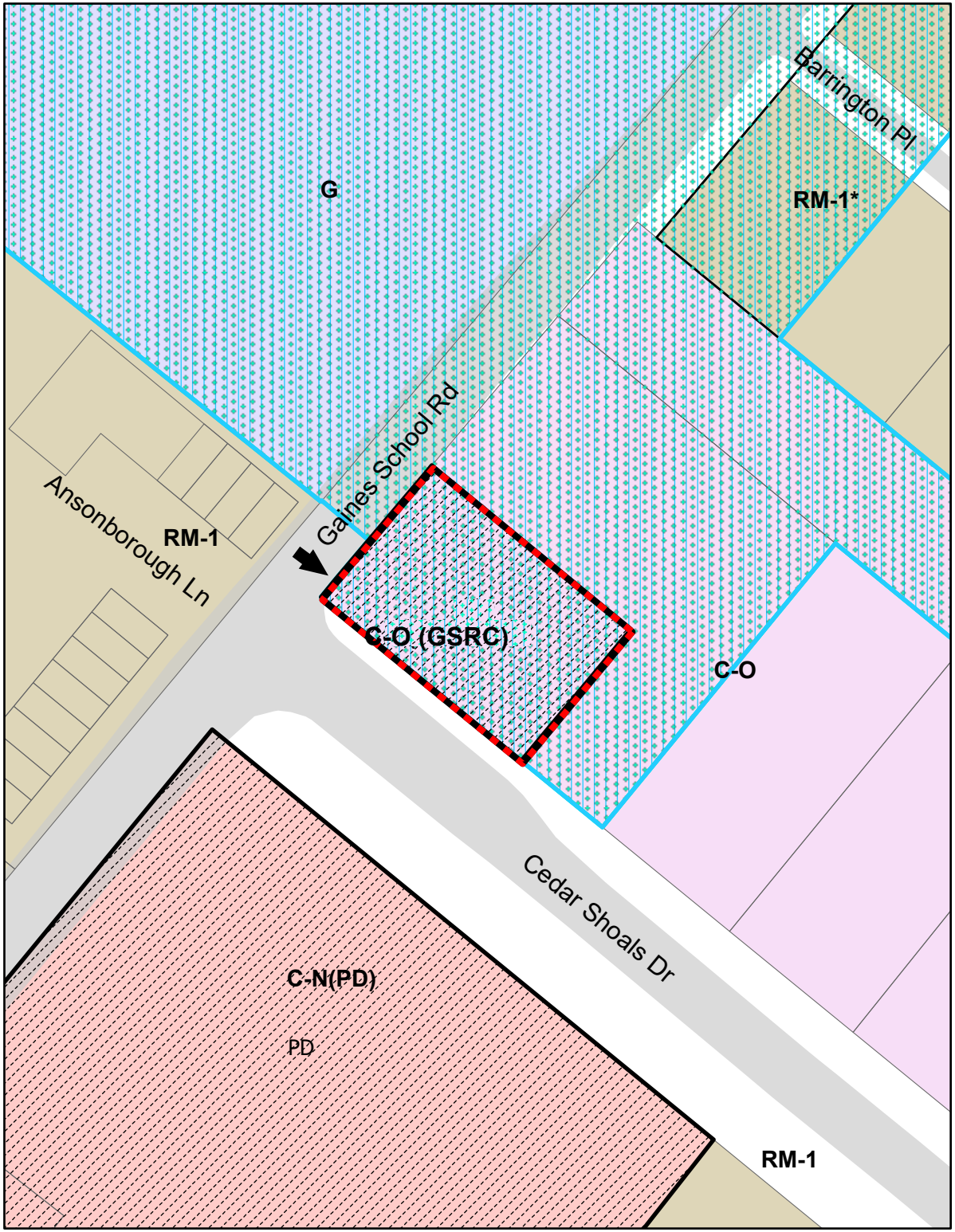
SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of one parcel of land comprising approximately 0.64 acres and located at 995 Gaines School Road from C-O (GSRC) (Planned Development) [Commercial-Office (Gaines School Road Corridor Overlay) (Planned Development)] to C-O (GSRC) [Commercial-Office (Gaines School Road Corridor Overlay)] as shown on Attachment A hereto.

The affected parcel of land is more particularly described in that certain document entitled "Site Plan With Existing Conditions And Overlay," designated in the lower right-hand corner as "C-3.1," prepared by David M. Stoniecki, registered professional engineer, dated January 3, 2025, 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 affected parcel is also known as Tax Parcel No. 241 005V on the Athens-Clarke County tax maps 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 date of this amendment on the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The following condition of zoning shall be associated with this ordinance:

1. The stormwater detention facility shall be included as eligible planting areas for street trees that are compatible with the function of the facility, as determined by the ACC Arborist in cooperation with the ACC Transportation and Public Works Department.

SECTION 3. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*
- Winterville Boundary
- Bogart Boundary
- ACC Boundary

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- Planned Development
- Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Railroads
- Special Use
- Historic Landmark

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

75 37.5 0 75 150 225 Feet

ATTACHMENT A	PD-2025-01-0060 PLANNED DEVELOPMENT AMENDMENT 995 GAINES SCHOOL ROAD	
592	Will Avant / Foresite Group LLC GAINES CEDAR LLC	
FROM: C-O (GSRC) (PD)	TO: C-O (GSRC)	
TAX PARCEL # 241 005V	PLANNING COMMISSION MEETING DATE February 6, 2025	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE March 4, 2025

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** PD-2025-01-0060

LOCATION: 995 Gaines School Road
APPLICANT: Will Avant / Foresite Group LLC
OWNER: GAINESCEDAR LLC
REQUEST: From C-O (GSRC) (PD) to C-O (GSRC) (Commercial-Office (Gaines School Road Corridor Overlay) (Planned Development) to Commercial-Office (Gaines School Road Corridor Overlay)
COMMISSION DISTRICT: 1

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	9	0	0

For: Will Avant, Luke Strickland (applicants)
Against: None

Discussion: One Commissioner sought clarity on the sidewalk condition. Commissioners asked whether the Mayor & Commission could waive Overlay standards. It was determined that, if the applicant followed appropriate zoning procedures, then the Mayor & Commission could waive standards for cause.

Motion: Ms. Morales motioned to recommend approval with condition. Mr. Sams seconded the motion, which passed unanimously.

Condition:

1. The stormwater detention facility shall be included as eligible planting areas for street trees that are compatible with the function of the facility, as determined by the ACC Arborist in cooperation with the ACC Transportation and Public Works Department.

STAFF REPORT
PLANNED DEVELOPMENT AMENDMENT
995 GAINES SCHOOL ROAD
PD-2025-01-0060
FEBRUARY 6, 2025

APPLICANT: .....Will Avant / Foresite Group LLC
OWNER: .....GAINESCEDAR LLC
ZONING REQUEST: .....From C-O (GSRC) (PD) to C-O (GSRC)
TYPE OF REQUEST: .....Type II
LOCATION: .....995 Gaines School Rd
TAX MAP NUMBERS: 241 005V
COUNTY COMMISSION DISTRICT: .....District 1
PROJECT SIZE: .....0.64 Acres
PRESENT USE: .....Commercial Office
PROPOSED USE: .....Medical Center
PUBLIC NOTICE POSTED: .....January 25, 2025
STAFF RECOMMENDATION: .....***APPROVAL WITH CONDITION***
PLANNING COMM. RECOMMENDATION: .....***APPROVAL WITH CONDITION***
MAYOR & COMMISSION AGENDA SETTING: ...February 18, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION: .....March 4, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting to demolish the existing office building at 995 Gaines School Rd, for the purpose of building an urgent care—classified as a medical center by the Code of Ordinances. Legally, the applicant is requesting to dissolve the Commercial-Office, Gaines School Road Corridor Overlay (Planned Development) (C-O (GSRC) (PD)), originally established in 1978, to return the property to its base Commercial-Office zoning in the Gaines School Road Corridor Overlay (C-O (GSRC)). The applicant has provided a non-binding plan for a 3,726 sq. ft. building with ancillary parking and stormwater facilities.

The Planned Development was originally approved so that the office building and parking lot could extend into the front and side yard setbacks. In Staff's opinion, these waivers are not providing significant community benefit and the binding plan prevents the property from being redeveloped, even as Gaines School Road has been identified as a place with redevelopment potential as part of the Growth Concept Plan.

The project is located on a redevelopment site and would add healthcare services to compliment the schools, transportation, housing, and jobs that are clustered here, but it does not maximize the redevelopment potential of the site, as encouraged by the Comprehensive Plan and Future Land Use character description. In particular, improvements to pedestrian access are recommended by Staff, as detailed in this report, to help people access the proposed healthcare services. Overall, Staff assesses that the proposal is partially compatible with the Comprehensive Plan. It is compatible with the Future Land Use Map, but is only partially compatible with the character area description for the *Main Street Business* district designation. The project is compatible with the Zoning Map, but the

architectural elevations would need to be overhauled to comply with the Zoning Code.

Given the prominence of this intersection, the lack of shade, and the desire to improve the street's environment for people walking and biking along the corridor, Staff is recommending that the applicant design the stormwater facility with garden-like landscaping, including compatible tree species. Overall, Staff supports the dissolution of the Planned Development to provide an opportunity for redevelopment of the site. However, the non-binding proposal does not maximize the opportunity for redevelopment to better align with elements of the Comprehensive Plan and Future Land Use Map. Therefore, **Staff is recommending approval with condition**, as worded below:

Condition:

1. The stormwater detention facility shall be included as eligible planting areas for street trees that are compatible with the function of the facility, as determined by the ACC Arborist in cooperation with the ACC Transportation and Public Works Department.

Planning Commission Recommendation: After getting clarity on the sidewalk condition and determining under what conditions the Mayor & Commission could waive Overlay standards, **Commissioners voted to recommend approval with condition**, as worded below:

Condition:

1. The stormwater detention facility shall be included as eligible planting areas for street trees that are compatible with the function of the facility, as determined by the ACC Arborist in cooperation with the ACC Transportation and Public Works Department.

II. Purpose of Applicant Request

A. Proposal

The proposal is for an urgent care, (classified as a medical center in the Code of Ordinances) and includes a non-binding plan for a single-story 3,726 sq. ft. building, 25 parking spaces, a stormwater management facility, and two driveway entrances—one each from Gaines School Road and Cedar Shoals Drive. The applicant is requesting to dissolve the existing Commercial-Office (Planned Development) (C-O (PD)) in order to return the property to its base Commercial-Office zoning in the Gaines School Road Corridor Overlay (C-O (GSRC)).

B. Existing Conditions

The 0.64-acre property, at the intersection of Gaines School Road and Cedar Shoals Drive, currently contains an office building that is approximately 4,500 sq. ft. in size. The property is zoned for C-O, as are the adjacent properties on the northeastern and southeastern border of the property. Office uses predominate these properties. Across Cedar Shoals Dr., to the southwest, sits a shopping center (zoned Commercial-Neighborhood), anchored by an Aldi grocery. Across Gaines School Rd., to the northwest, sits the Ansonborough mixed-use neighborhood (zoned Mixed-Density Residential) and Gaines Elementary School.

The existing Planned Development was approved in 1978 in order to grant extensions of the building and parking lot into the front yard setback zones for Gaines School Road and Cedar Shoals Drive. Even with these waivers, the building sits well back of the streets, leaving approximately 40-85 feet of lawn between the property lines and the building faces.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that are relevant to this project:

- *Infill and redevelopment should be prioritized over greenfield expansion.*
- *Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.*
- *Create appealing and inviting community gateways and corridors.*
- *Improve safety and accessibility for people walking, biking, and busing around Athens.*

The project is located on a redevelopment site and would add healthcare services to compliment the schools, transportation, housing, and jobs that are clustered here. However, the proposal for a 3,726 sq. ft. single use, single-story building on a 28,000 sq. ft. corner lot does not take full advantage of the opportunity to create nodal development that serves existing neighbors and accommodates future growth while adding to the appeal of the corridor. The subject property is located at a prominent corner on Gaines School Road, one of the primary corridors on the East Side of Athens. Currently, the corridor is designed in an automobile-centric way that favors high speeds. However, given the presence of multiple schools, a high level of activity up and down the corridor, and redevelopment potential, new projects should be designed in a way that creates comfortable access for multiple modes of transportation. To that end, the proposal should provide direct sidewalk connections and entry options for both street frontages.

Overall, the proposal is partially compatible with the Comprehensive Plan.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Main Street Business*, which is described as follows:

Main Street Business

These are commercial areas where development of a storefront commercial type is encouraged. The uses are generally small-scale, but larger-scale uses can be integrated within a Main Street Business classification if a small-scale storefront is developed along the street facade, with the larger development located behind. Larger-scale uses should only be developed in instances where they are compatible with the adjacent uses. Retail and office uses should dominate the ground floors of Main Street Business facades, with residential uses encouraged on second and third stories. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation. Walkability and pedestrian scale are important and the development should be oriented to the street with sidewalks, street trees, and pedestrian access provided.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The character description anticipates storefront-type buildings, including the possibility of multiple stories and mixed uses. While the proposal is compatible with the expectation for commercial uses on the ground floor, the project does not maximize the opportunity for additional capacity on a relatively developable piece of property. Adding the maximum amount of parking allowed by Code, which is well above the minimum required, does not support the expectation that walkability and pedestrian access and scale are important priorities in this character area. The site plan also lacks a sidewalk connection to Cedar Shoals Drive.

The proposal is compatible with the Future Land Use Map, but is only partially compatible with the character description of the *Main Street Business* district.

C. Compatibility with the Zoning Map

The applicant has requested to dissolve the existing Planned Development. The property has a base zoning of Commercial-Office (C-O) but property is also covered by the Gaines School Road Corridor (GSRC) Overlay district, which supersedes select standards of Commercial-Office zoning. The following information has been provided to compare the difference in development intensity between the base C-O (Commercial-Office) zoning and the GSRC (Gaines School Road Corridor) Overlay. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the impact of the Overlay on the project, if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	BASE	**CURRENT**
Standard	**C-O Zoning**	**Gaines School Overlay**
Minimum Lot Size	5,000 SF	20,000 SF
Density	16 beds / acre	16 beds / acre
Max Lot Coverage	65%	60%
Max Building Height	40 ft.	35 ft.
Setbacks	10 ft. front; 6 ft. side	20 ft. front/rear; 10-15 ft. side
Conserved Canopy	25%	25%
Total Canopy	50%	50%
Parking	1 space / 350 SF	1 space / 350 SF

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the base Commercial-Office (C-O) zoning and the Gaines School Road Corridor (GSRC) Overlay zoning are the restrictions on commercial uses. A select list of uses are allowed administratively "by-right," including craft stores, flower shops, barbers and salons, book shops, garden supply, interior decorators, travel agencies, small appliance repair shops, and other uses determined to be comparable by the Planning Director. All other commercial uses must receive a special use permit. However, since the proposed use is institutional, according to the use tables in Title 9, it is allowed by-right. The Overlay was approved as part of the County-wide rezone in 2000 to preserve the residential design character of the corridor, as it existed in the late 1990s. In addition to limiting commercial retail uses, the Overlay also includes design standards mandating that new buildings mimic the character of the single-family structures in existence along the Corridor.

Since the proposal does not seek to change the underlying base zoning it is considered to be compatible with the Zoning Map.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

The MACORTS 2050 Metropolitan Transportation Plan (MTP) identified the Gaines School Road corridor for multi-modal transportation improvements. The proposed project could stand to improve its multi-modal access as a complement to future transportation investments here.

IV. Technical Assessment

A. Environment

No designated environmental areas are located on the property. A stormwater management facility would be constructed adjacent to the intersection at Gaines School Road and Cedar Shoals Drive. Given the prominence of this intersection, the lack of shade, and the desire to improve the street's environment for people walking and biking along the corridor, Staff is recommending that the applicant design the stormwater facility with garden-like landscaping, including compatible tree species.

The Arborist has reviewed the tree management plan and offered the following comments:

- *ACC Arborist recommends approval. Project will be expected to meet all requirements of the community tree management ordinance at time of plan review. Changes will be necessary as infrastructure and structures are planned in more detail, so a binding TMP is not recommended at this time.*
- *This project is an opportunity to continue to improve a prominent and highly used but sun-drenched and hot intersection. ACC Arborist recommends that this project explore ways to include large canopy trees as street trees along Cedar Shoals Drive and along Gaines School Road. A possible location along Gaines School Road for street trees is the stormwater area where a water-tolerant tree such as the large and statuesque American Sycamore or its cousin the London Planetree could serve as an environmental anchor for the intersection.*

B. Grading and Drainage

The Transportation & Public Works Department has reviewed the proposal and offered the following grading and drainage-related comment:

- *Provide a stormwater planting plan for the bioretention area that is coordinated with Arborist and tree requirements.*

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and offered the following comments:

- *ACC water and sanitary sewer is available. It was determined that water and sewer capacity is available to serve the proposed special use of this property*
- *A Fire Hydrant is needed at one of the entrances to the property*
- *Show extents of sanitary sewer easement, locate storm BMPs and sign completely outside of easement*
- *PUD recommends approval with condition that the above comments are addressed*

D. Transportation

The Transportation & Public Works Department has reviewed the proposal, recommended denial, and offered the following transportation-related comments:

- *Transportation and Public Works Planning staff would like to see one of the sidewalks that abuts the east and west sides of the building to be extended southward to connect to the Cedar Shoals Drive sidewalk to provide accessibility and better connectivity in the pedestrian network.*

- *Cedar Shoals driveway should be a right-in right-out only with raised concrete island divider. There should be a miter provided at the intersection of Cedar Shoals Drive and Gaines School Road. Provide a sidewalk connection to Cedar Shoals Drive as well.*

E. Fire Protection

The Fire Marshal has reviewed the proposal and recommended approval with the following comment:

- *Fire Department recommends adding a fire hydrant at the corner of Cedar Shoals Drive and Gaines School Road closest to this new building. This will prevent two major thoroughfares from being blocked* (in the event of a fire on the subject property).

F. Compliance with the Zoning Ordinance and Development Standards

Since a binding plan is not required or proposed with this request, Staff reviewed the plan for general compliance with the code and noted where corrective actions are needed, at the time of Plans Review, below. If approved the proposal will be reviewed for code compliance at the time of permitting review. The applicant has not made any waiver requests, so they will be expected to comply with all of the applicable standards. Signage and lighting are not reviewed at this stage, but the applicant is expected to adhere to those standards as well.

Corrective Actions:

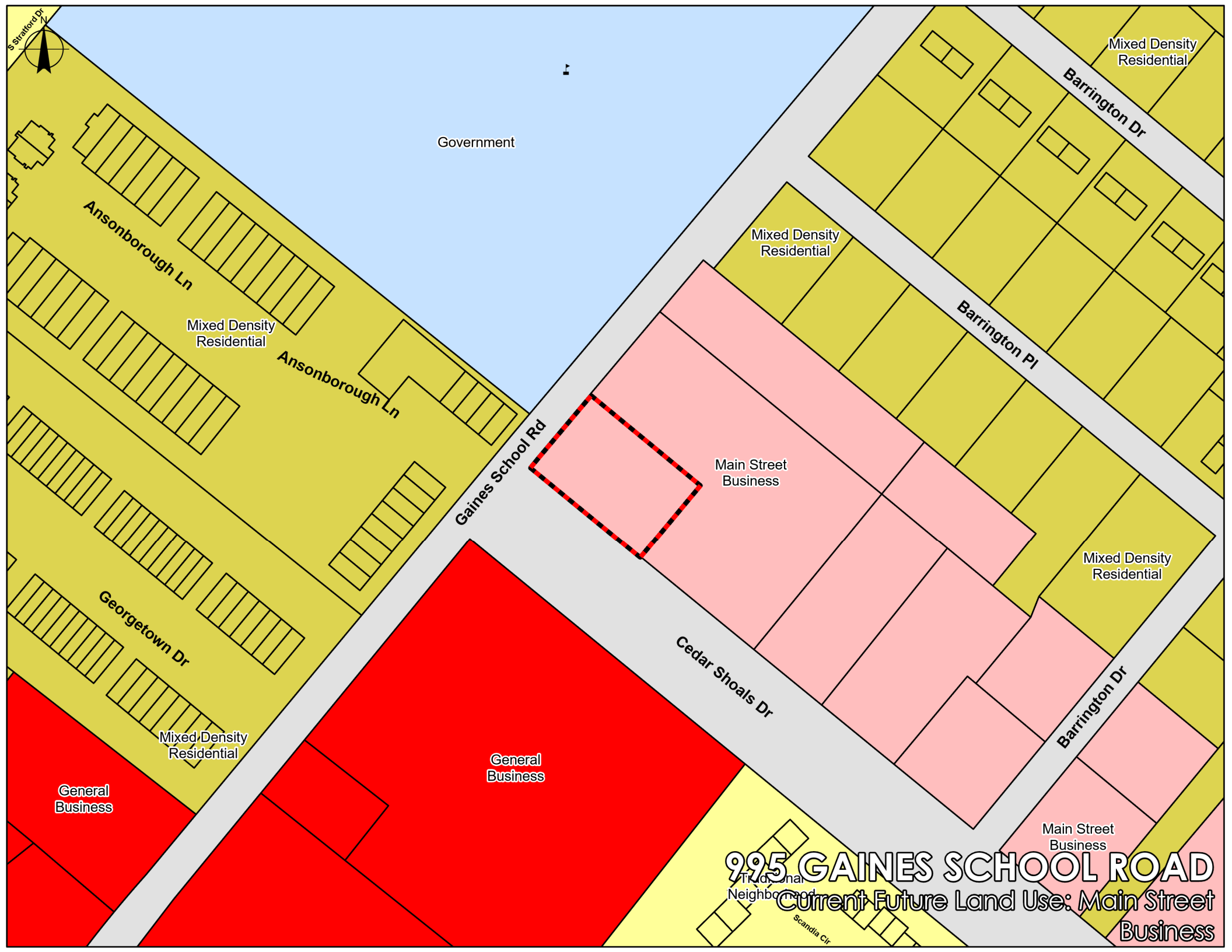
1. *The elevations do not comply with the architectural standards of Sec. 9-12-6(G).*
2. *The elevations are incorrectly labeled, so Staff was not able to verify compliance with the design standards of Sec. 9-25-8(E).*
3. *The two end parking spots on the Gaines School Road frontage of the lot must be removed because they extend past the building façade into the front yard, which is not allowed per Sec. 9-25-8(E)3.a.*
4. *The project does not provide a direct sidewalk connection to Cedar Shoals Drive, as required by Sec. 9-25-8(E)3.f.*
5. *A planted screen will be necessary to comply with the parking lot screening requirements of Sec. 9-25-8(G)2.*
6. *The proposed parking exceeds the allowable maximum by one space, per Sec. 9-30-2. Calculations must be rounded down to the nearest whole number when determining counts.*
7. *No bicycle parking was provided as required by Sec. 9-30-5.*

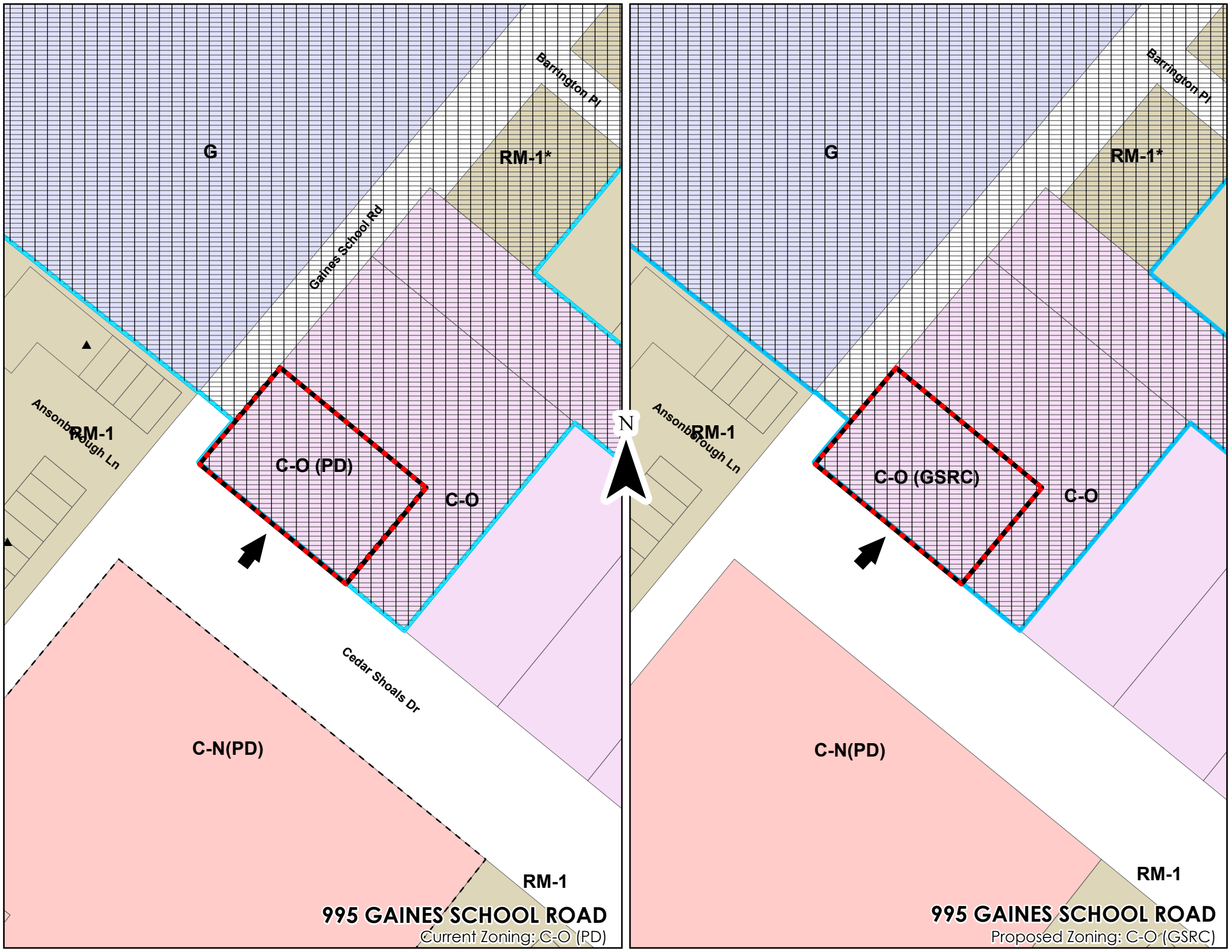
End of Staff Report.

Reviewed Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

Reviewed	
☒	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.
☒	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.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	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.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	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.
☒	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 services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	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.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


S Stratford Dr
N
Government
Ansonborough Ln
Mixed Density Residential
Ansonborough Ln
Mixed Density Residential
Barrington Dr
Mixed Density Residential
Barrington Pl
Gaines School Rd
Main Street Business
Mixed Density Residential
Georgetown Dr
Cedar Shoals Dr
Barrington Dr
Mixed Density Residential
General Business
General Business
Main Street Business
Traditional Neighborhood
Scandia Cir
995 GAINES SCHOOL ROAD
Current Future Land Use: Main Street Business


G
RM-1*
Barrington Pl
Gaines School Rd
RM-1
Ansonborough Ln
C-O (PD)
C-O
N
Cedar Shoals Dr
C-N(PD)
RM-1
995 GAINES SCHOOL ROAD
Current Zoning: C-O (PD)
G
RM-1*
Barrington Pl
RM-1
Ansonborough Ln
C-O (GSRC)
C-O
C-N(PD)
RM-1
995 GAINES SCHOOL ROAD
Proposed Zoning: C-O (GSRC)

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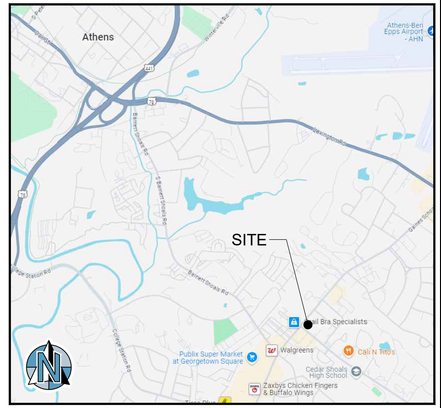
SITE DATA

ZONING:		C-0 (COMMERCIAL OFFICE)
OVERLAY DISTRICT:		GSRC (GAINES SCHOOL ROAD CORRIDOR)
FUTURE LAND USE DESIGNATION:		C-0 (MAIN STREET BUSINESS)
PARCEL IDENTIFICATION NUMBER:		241 005V
TOTAL SITE AREA:		0.644 AC.
PROJECT SITE AREA:		0.644 AC.
IMPERVIOUS SURFACE AREA MAXIMUM (%)		0.386 AC. (60.0%)
IMPERVIOUS SURFACE AREA PROPOSED (%):		0.368 AC. (57.1%)
IMPERVIOUS SURFACE AREA EXISTING (%):		0.354 AC. (55.0%)
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PERVIOUS / OPEN SPACE AREA REQUIRED (%):		0.258 AC. (40.0%)
LANDSCAPE STRIP -	FRONT (GAINES SCHOOL RD.):	20 FT
	SIDE 1 (CEDAR SHOALS DR.):	15 FT
	SIDE 2:	0 FT
	REAR:	0 FT
BUILDING SETBACK -	FRONT (GAINES SCHOOL RD.):	20 FT
	SIDE 1 (CEDAR SHOALS DR.):	15 FT
	SIDE 2:	10 FT
	REAR:	20 FT
BUILDING FLOOR AREA:	TOTAL GROUND:	3,726 S.F.
BUILDING HEIGHT:		24'
BUILDING HEIGHT (MAX.):		35'-0"
MAXIMUM SPACES ALLOWED -		1 SPACE / 350 SF BUILDING AREA + 50% OVER ALLOTMENT + HIGHEST NUMBER OF EMPLOYEES PER SHIFT
PARKING REQUIRED:		1 SPACE / 350 SF BUILDING AREA = 11 SPACES 50% OVER ALLOTMENT = 5 SPACES HIGHEST NUMBER OF EMPLOYEES PER SHIFT = 9 TOTAL ALLOWABLE PARKING = 25
PARKING PROVIDED:		25 SPACES
ACCESSIBLE PARKING REQUIRED:		1 SPACES
ACCESSIBLE PARKING PROVIDED:		1 SPACES

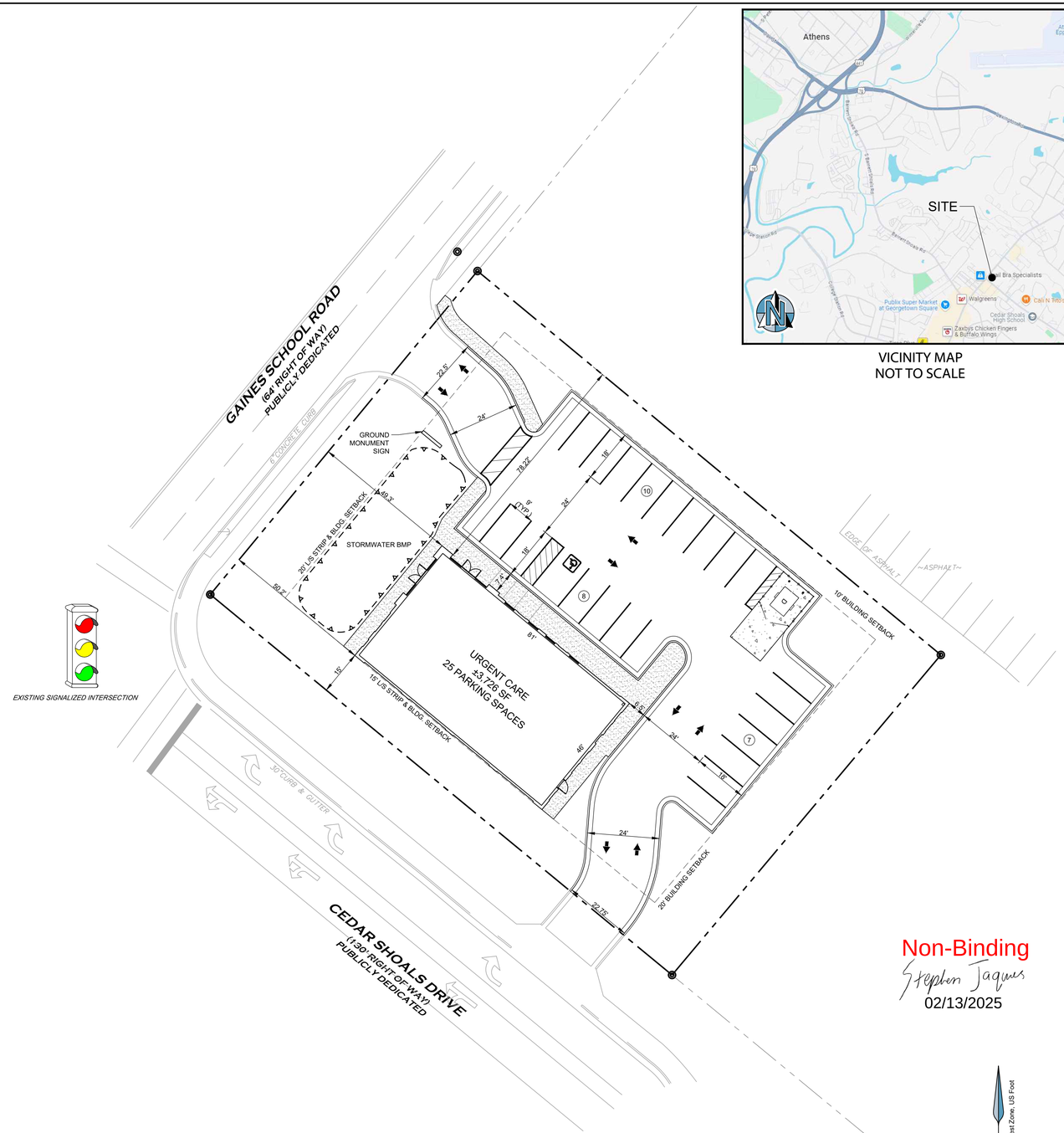
LINE LEGEND

	PROPERTY LINE
	EXISTING CHAINLINK FENCE
	EXISTING SCREEN FENCE
	EXISTING WOODEN FENCE
	EXISTING GUARDRAIL
	PROPOSED BUILDING WALLS
	PROPOSED CURB AND GUTTER
	PROPOSED TAPERED CURB AND GUTTER
	PROPOSED CHAINLINK FENCE
	PROPOSED SCREEN FENCE
	PROPOSED WOODEN FENCE
	PROPOSED HANDRAIL
	PROPOSED GUARDRAIL
	PROPOSED RETAINING WALL

GEORGIA 811 Utilities Protection Center, Inc.
Know what's **below.** **Call** before you dig.



VICINITY MAP
NOT TO SCALE



Non-Binding
Stephen Jaques
02/13/2025

NAD83 Georgia State Planes, West Zone, US Foot

1" = 20'
20' 10' 0 20' 40'
SCALE IN FEET

ENGINEER:
FORESITE group
Foresite Group, LLC
3740 Davinci Ct.
Suite 100
Peachtree Corners, GA 30092
o | 770.368.1399
f | 770.368.1944
w | www.foresitegroup.net

DEVELOPER:
TW ATHENS-GAINES SCHOOL RD., LLC
2923 CRESCENT AVE.
HOMEWOOD, AL 35209
(205) 223-4850
CONTACT: ANDREW CRONIN

PROJECT:
URGENT CARE FACILITY
995 GAINES SCHOOL ROAD
ATHENS, CLARKE COUNTY, GA 30605
PARCEL #: 241005V

SEAL:
GEORGIA REGISTERED No. PE037629 PROFESSIONAL ENGINEER DAVID M. STONECYPHER
01/03/25

REVISIONS DATE

PROJECT MANAGER: DMS
DRAWING BY: JRH
JURISDICTION: ATHENS, CLARKE COUNTY, GA
DATE: 2025-01-03
SCALE:
TITLE:

SITE PLAN WITHOUT EXISTING CONDITIONS AND OVERLAY

SHEET NUMBER:
C-3.0

COMMENTS:
NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER:
1063.018

Plot Scale: 1:1
By: DAVID.KUYKENDALL
Plotted on: 1/2/2025 3:55:49 PM
F:\1063.018 PEACHTREE IMMEDIATE CARE - ATHENS, GA\DWG\C-3 SITE PLAN - PRELIMINARY PLAT.DWG

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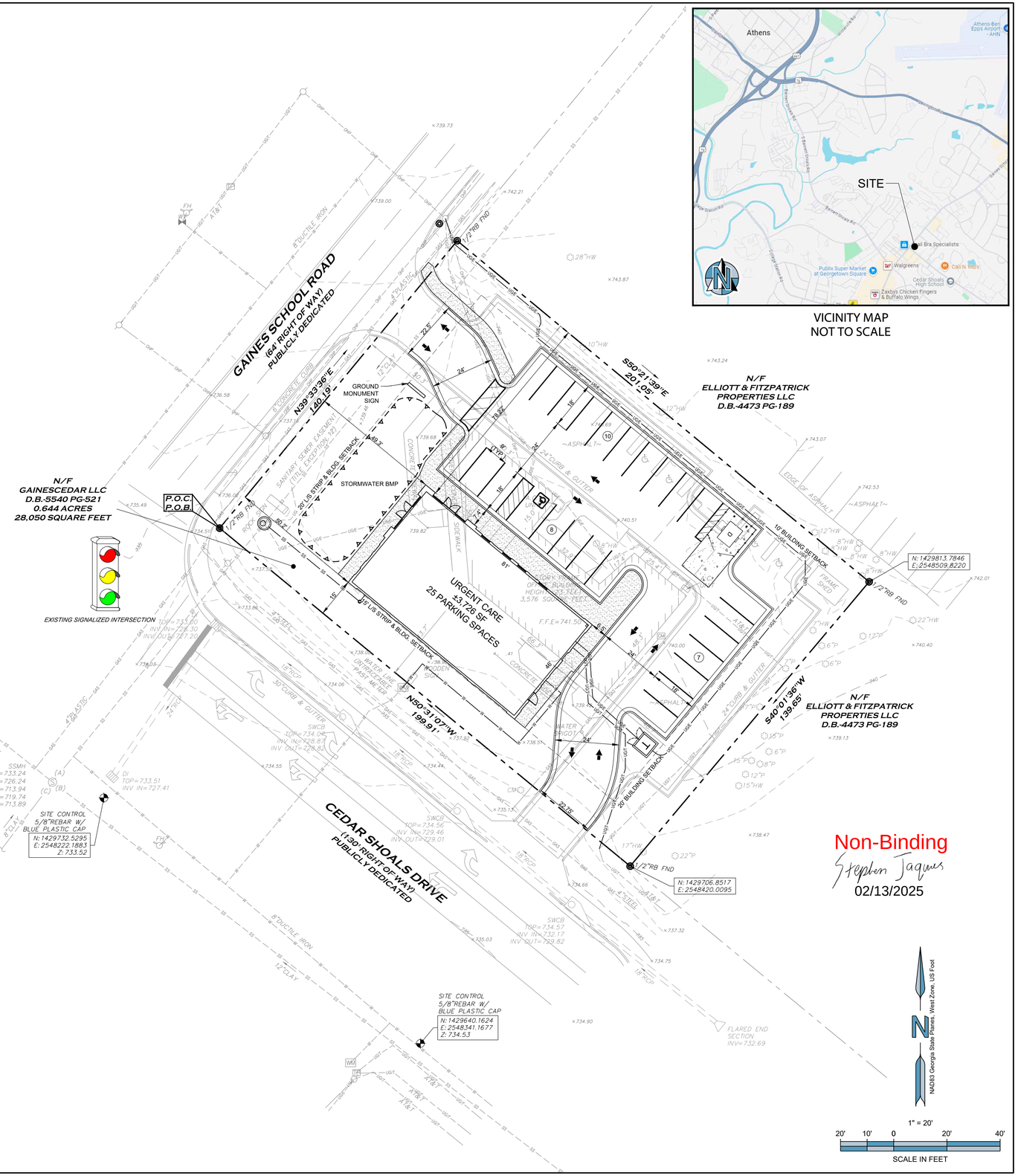
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BUILDING SETBACK -	FRONT (GAINES SCHOOL RD.):	20 FT
	SIDE 1 (CEDAR SHOALS DR.):	15 FT
	SIDE:	10 FT
	REAR:	20 FT
BUILDING FLOOR AREA:	TOTAL GROUND:	3,726 S.F.
BUILDING HEIGHT:		24'-0"
BUILDING HEIGHT (MAX.):		35'-0"
MAXIMUM SPACES ALLOWED -		1 SPACE / 350 SF BUILDING AREA + 50% OVER ALLOTMENT + HIGHEST NUMBER OF EMPLOYEES PER SHIFT
PARKING REQUIRED:		1 SPACE / 350 SF BUILDING AREA = 11 SPACES 50% OVER ALLOTMENT = 5 SPACES HIGHEST NUMBER OF EMPLOYEES PER SHIFT = 9 TOTAL ALLOWABLE PARKING = 25
PARKING PROVIDED:		25 SPACES
ACCESSIBLE PARKING REQUIRED:		1 SPACES
ACCESSIBLE PARKING PROVIDED:		1 SPACES

LINE LEGEND

- PROPERTY LINE
- *EXISTING CHAINLINK FENCE*
- *EXISTING SCREEN FENCE*
- *EXISTING WOODEN FENCE*
- *EXISTING GUARDRAIL*
- PROPOSED BUILDING WALLS
- PROPOSED CURB AND GUTTER
- PROPOSED TAPERED CURB AND GUTTER
- PROPOSED CHAINLINK FENCE
- PROPOSED SCREEN FENCE
- PROPOSED WOODEN FENCE
- PROPOSED HANDRAIL
- PROPOSED GUARDRAIL
- PROPOSED RETAINING WALL

GEORGIA811 Utilities Protection Center, Inc.
Know what's **below.** **Call** before you dig.


GAINES SCHOOL ROAD
(64' RIGHT OF WAY)
PUBLICLY DEDICATED
N39°33'36"E
140.15'
S50°21'39"E
201.05'
N/F
GAINESCEDAR LLC
D.B.-5540 PG-521
0.644 ACRES
28,050 SQUARE FEET
P.O.C.
P.O.B.
1/2"RB FND
GROUND MONUMENT SIGN
STORMWATER BMP
SANITARY SEWER EASEMENT (SEE EXCEPTION #27)
20' US STRIP & BLDG. SETBACK
50.4'
URGENT CARE
±3,726 SF
25 PARKING SPACES
15' US STRIP & BLDG. SETBACK
N/F
ELLIOTT & FITZPATRICK
PROPERTIES LLC
D.B.-4473 PG-189
10' BUILDING SETBACK
N: 1429813.7846
E: 2548509.8220
N50°31'07"W
199.91'
20' BUILDING SETBACK
S40°01'36"W
139.65'
N: 1429706.8517
E: 2548420.0095
EXISTING SIGNALIZED INTERSECTION
CEDAR SHOALS DRIVE
(130' RIGHT OF WAY)
PUBLICLY DEDICATED
SITE CONTROL
5/8"REBAR W/
BLUE PLASTIC CAP
N: 1429732.5295
E: 2548222.1883
Z: 733.52
SITE CONTROL
5/8"REBAR W/
BLUE PLASTIC CAP
N: 1429640.1624
E: 2548341.1677
Z: 734.53
FLARED END SECTION
INV=732.69
SSMH
TOP=733.24
INV IN(A)=726.24
INV IN(B)=713.94
INV IN(C)=719.74
INV OUT=713.89
DI
TOP=733.51
INV IN=727.41
SWCB
TOP=734.08
INV IN=728.87
INV OUT=728.82
SWCB
TOP=734.56
INV IN=729.46
INV OUT=729.01
SWCB
TOP=734.57
INV IN=732.17
INV OUT=732.82
F.F.E=741.50
F.F.E=742.30
F.F.E=743.00
F.F.E=743.50
F.F.E=744.00
F.F.E=744.50
F.F.E=745.00
F.F.E=745.50
F.F.E=746.00
F.F.E=746.50
F.F.E=747.00
F.F.E=747.50
F.F.E=748.00
F.F.E=748.50
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F.F.E=760.50
F.F.E=761.00
F.F.E=761.50
F.F.E=762.00
F.F.E=762.50

TREE INVENTORY

SPECIES	COMMON NAME	CANOPY	QTY	% OF SPECIES	TOTAL CANOPY
KEEP					
Pinus taeda	Pine, Loblolly	1,600	2	100.00%	3200
Quercus falcata	Oak, Southern Red	1,600	4	200.00%	6400

SPECIES	COMMON NAME	CANOPY	QTY	% OF SPECIES	TOTAL CANOPY
REMOVE					
Lagerstroemia indica	Crapemyrtle, Common	150	1	50.00%	150
Cornus florida	Dogwood, Flowering	400	1	50.00%	400

TREE MANAGEMENT PLAN NOTES:

SEC. 8-7-17 TREE PROTECTION STANDARDS
NO LANDMARK TREES EXIST ON SITE.
NO TREES GREATER THAN OR EQUAL TO 18 INCHES DBH EXIST ON SITE.
50% OF TOTAL SITE AREA SHALL BE COVERED BY EITHER PRESERVED OR PLANTED TREES.
25% OF TREE CANOPY SHALL BE EITHER PRESERVED OR PLANTED CANOPY COVER.

TOTAL SITE AREA = 28,052 SF / 0.644 AC
REQUIRED TOTAL TREE CANOPY AREA (50% MIN.) = 14,026 SF REQUIRED | 14,400 SF PROVIDED
PRESERVED CANOPY (25% MIN.) = 7,013 SF REQUIRED / 9,600 SF PROVIDED
PLANTED CANOPY = 4,800 SF
REMOVED CANOPY = 650 SF

ATHENS-CLARKE COUNTY TREES OR TREES ON PRIVATE PROPERTY CONSERVED AND PLANTED TO MEET TREE CANOPY COVER REQUIREMENTS SHALL BE ACTIVELY PROTECTED DURING DEVELOPMENT, BASED ON ANSI AND ISA BMPS, AND PASSIVELY THROUGHOUT THEIR LIFE IN ACCORDANCE WITH THE REQUIREMENTS FOR PROTECTED TREES SET FORTH IN SECTION 8-7-16.

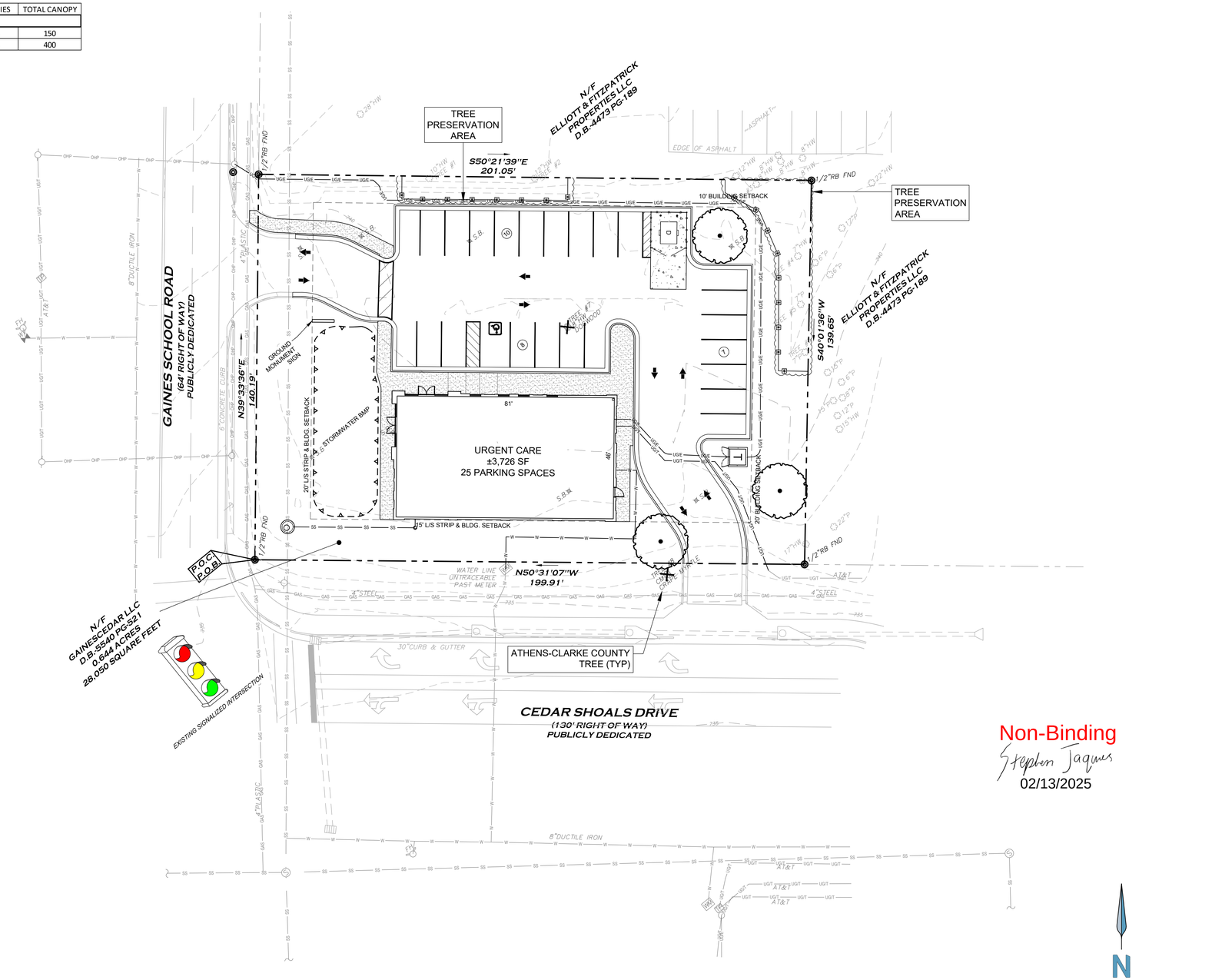
1. PROHIBITED ACTIVITIES. THE FOLLOWING ACTIVITIES AND CONDITIONS, AND ANY OTHER ACTIVITIES AND CONDITIONS HARMFUL TO A TREE'S ROOTS, TRUNK, OR CROWN, WITHIN THE TREE PROTECTION ZONE ARE PROHIBITED:
   - A. VEHICLE OR EQUIPMENT TRAFFIC, PARKING, OR STORAGE.
   - B. MATERIALS OR SUPPLIES STORAGE.
   - 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.

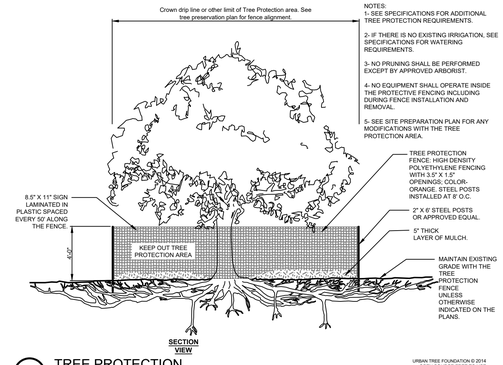
SEC. 8-7-15 TREE CANOPY COVER REQUIREMENTS BY ZONING DISTRICT
DISTRIBUTION OF TREE CANOPY COVER. THE TREE CANOPY COVER SHALL BE DISTRIBUTED THROUGHOUT THE SITE OR LOT, IN PARKING LOTS, WITHIN THE ADJOINING STREET RIGHTS-OF-WAY, AND WITHIN THE SIDE, FRONT, AND REAR YARDS OF THE LOT

TREE PROTECTION FENCING NOTES
1. 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.
2. TREE PROTECTION FENCING SHALL BE FOUR FEET HIGH, HIGH-VISIBILITY POLYPROPYLENE FENCING ERECTED WITH STURDY POSTS.
3. ACTIVITIES DESCRIBED IN SECTION 8-7-19(H)(1) AND (2) SHALL BE PROHIBITED WITHIN THE TREE PROTECTION ZONE.
4. 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).
5. 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.

PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT	CAL
TREES				
	3	QUERCUS SHUMARDII / SHUMARD RED OAK CANOPY = 1,600 SF	B & B	2"CAL





NOTES:
1- SEE SPECIFICATIONS FOR ADDITIONAL TREE PROTECTION REQUIREMENTS.

2- IF THERE IS NO EXISTING IRRIGATION, SEE SPECIFICATIONS FOR WATERING REQUIREMENTS.

3- NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.

4- NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATON AND REMOVAL.

5- SEE SITE PREPARATION PLAN FOR ANY MODIFICATIONS WITH THE TREE PROTECTION AREA.

5 TREE PROTECTION
1/4" = 1'-0"

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE

FX-PL-FX-TRMT-02

Non-Binding
Stephen Jaques
02/13/2025

1" = 20'
20 10 0 20 40
SCALE IN FEET

ENGINEER:
FORESITE group
Foresite Group, LLC
3740 Davinci Ct.
Suite 100
Peachtree Corners, GA 30092
o | 770.368.1399
f | 770.368.1944
w | www.foresitegroup.net

DEVELOPER:
TW ATHENS-GAINES SCHOOL RD., LLC
2923 CRESCENT AVE.
HOMEWOOD, AL 35209
(205) 223-4850
CONTACT: ANDREW CRONIN

PROJECT:
URGENT CARE FACILITY
995 GAINES SCHOOL ROAD
ATHENS, CLARKE COUNTY, GA 30605
UNKNOWN AT THIS TIME

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	DMS
DRAWING BY:	SE
JURISDICTION:	ATHENS, CLARKE COUNTY, GA
DATE:	2025-01-03
SCALE:	1" = 20'
TITLE:	

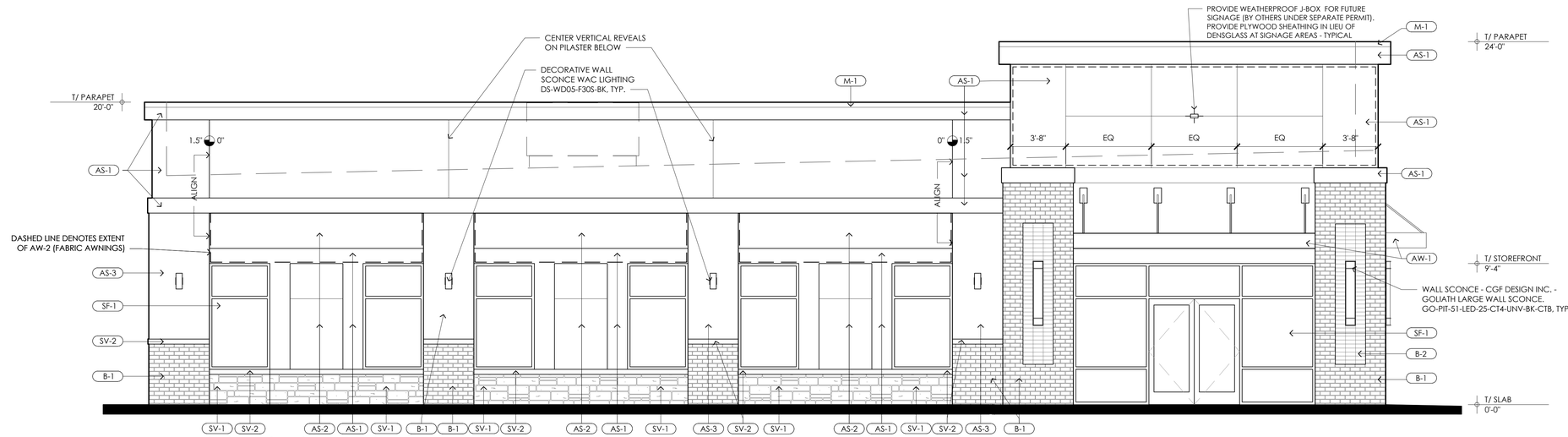
TREE MANAGEMENT PLAN

SHEET NUMBER:
TMP-1

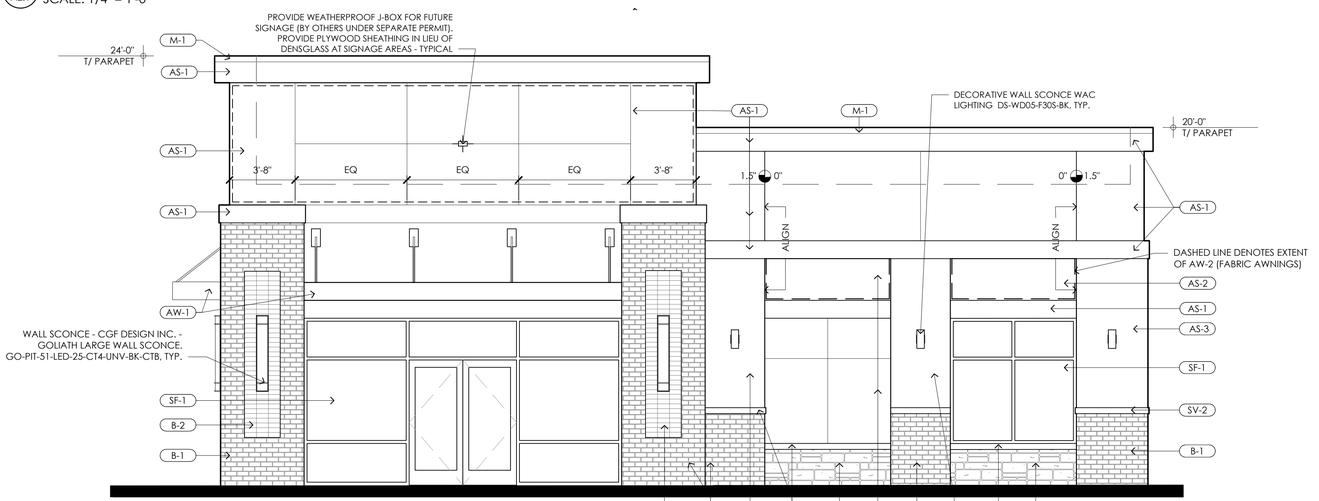
COMMENTS:
NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 1063.018

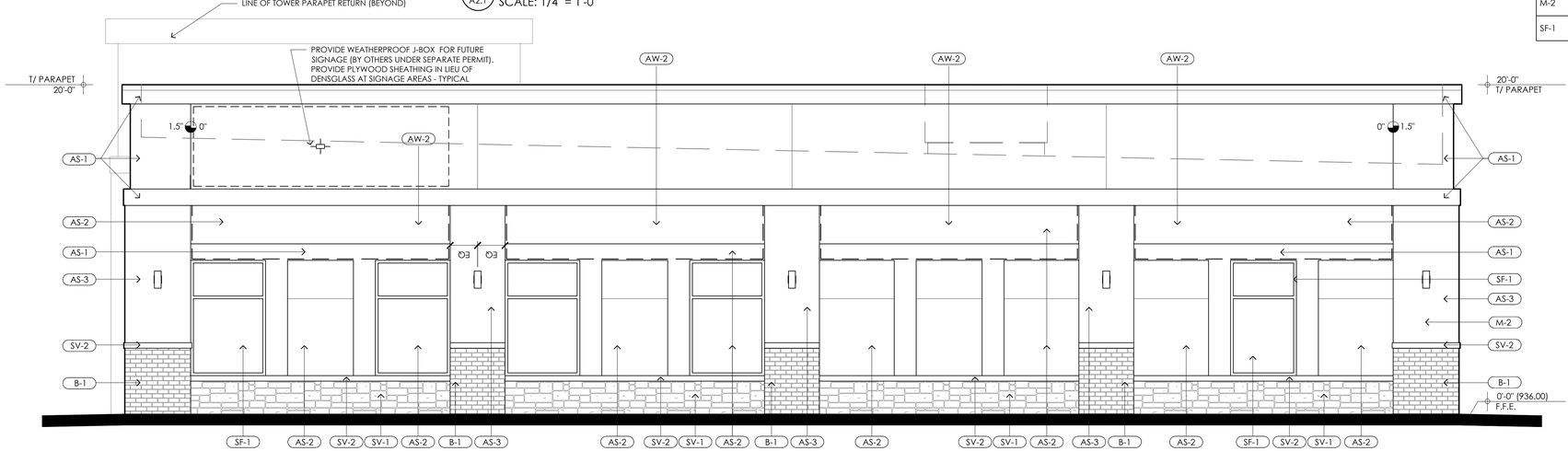
Z:\1063.018 PEACHTREE IMMEDIATE CARE - ATHENS, GA\DWGS\L-LANDSCAPE PLAN.DWG Plotted on: 1/2/2025 4:49:58 PM by:DEVLER,TEMOKES Sheet Scale:1" = 1'



01 A2.1 WEST (WILLIS DR) ELEVATION
SCALE: 1/4" = 1'-0"



02 A2.1 SOUTH (HUDSON BRIDGE) ELEVATION
SCALE: 1/4" = 1'-0"



03 A2.1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

MATERIAL SCHEDULE

B-1	BRICK VENEER - RUNNING BOND CHEROKEE BRICK BONE WHITE - QUEEN SIZE MORTAR - ARGOS 'WHITE'
B-2	BRICK VENEER - STACK BOND CHEROKEE BRICK BONE WHITE - QUEEN SIZE MORTAR - ARGOS 'WHITE'
SV-1	MANUFACTURED STONE VENEER ECHELON MASONRY KENSLEY STONE - 'PEWTER' 3/8" WIDE BRUSHED MORTAR JOINT, RECESSED ±1/4"
SV-2	MANUFACTURED TRIM STONE ROCKCAST PRECAST COLOR: BUFFSTONE TEXTURE: SMOOTH SEE SECTIONS FOR SHAPE
AS-1 / PT-1	ACRYLIC STUCCO VENEER COLOR TO MATCH SHERWIN WILLIAMS SW 7551 'GREEK VILLA' FINE SAND FINISH
AS-2 / PT-2	ACRYLIC STUCCO VENEER COLOR TO MATCH SHERWIN WILLIAMS SW 7641 'COLLONADE GRAY' FINE SAND FINISH
AS-3 / PT-3	ACRYLIC STUCCO VENEER COLOR TO MATCH SHERWIN WILLIAMS SW 7642 'PAVESTONE' FINE SAND FINISH
AW-1	PREFINISHED FRONT DRAINING ALUMINUM AWNING COLOR TO MATCH RAL 6003 'SAPPHIRE BLUE' / PANTONE / PMS 540 (DARK BLUE)
AW-2	FABRIC AWNING ON 1" SQ. ALUM. FRAME FRAME TO MATCH SF-1 (BLACK ANOD. ALUM) MATCH SUNBRELLA 'MARINE BLUE'
M-1	PREFINISHED METAL TRIM / COPING COLOR TO MATCH RAL 6003 'SAPPHIRE BLUE' / PANTONE / PMS 540 (DARK BLUE)
M-2	PREFINISHED METAL SCUPPERS / DOWNSPOUTS TO MATCH PAC CLAD 'GRANITE'
SF-1	ALUMINUM STOREFRONT SYSTEM BLACK ANODIZED

Non-Binding
Stephen Jaques
02/13/2025

PLACE MAKER DESIGN

REV #	DATE	DESCRIPTION

PROTOTYPE 4,000 SF MEDICAL OFFICE SHELL
CRH HEALTHCARE

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PLACE MAKER DESIGN
280 INTERSTATE NORTH CIRCLE SE
SUITE 510
ATLANTA, GEORGIA 30339
404.549.4499

ISSUE DATE	02/28/2024
DRAWN BY	BJK
CHECKED BY	BJK
PMD PROJ #	PROTO 24.1

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET #

A2.1

PLACE MAKER DESIGN

REV #	DATE	DESCRIPTION
01	03/07/2023	COORDINATION

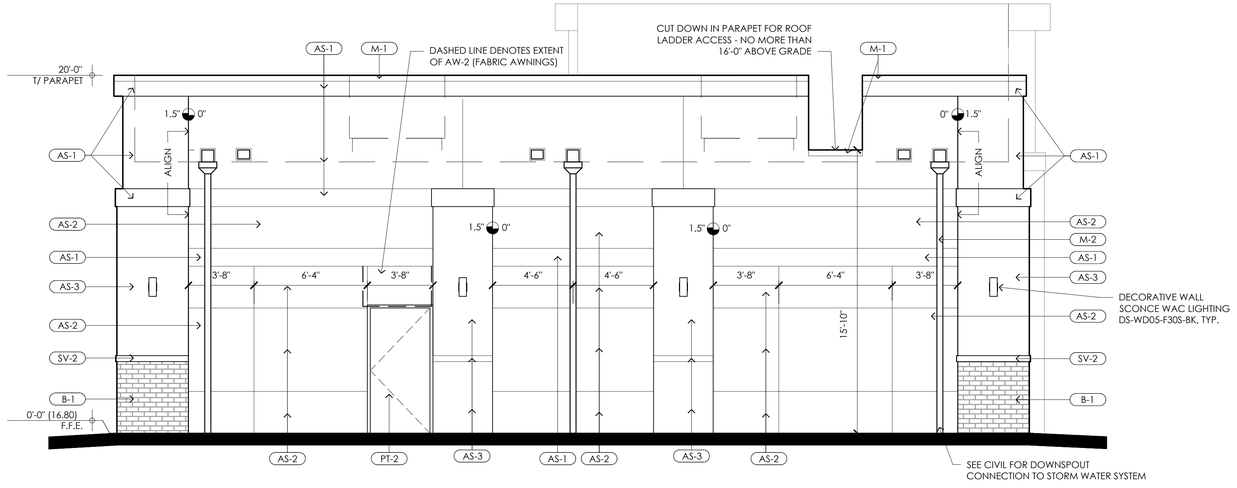
PROTOTYPE 4,000 SF MEDICAL OFFICE SHELL

CRH HEALTHCARE

Non-Binding

Stephen Jaques

02/13/2025



01 A2.2 NORTH (REAR) ELEVATION

SCALE: 1/4" = 1'-0"

MATERIAL SCHEDULE	
B-1	BRICK VENEER - RUNNING BOND CHEROKEE BRICK BONE WHITE - QUEEN SIZE MORTAR - ARGOS 'WHITE'
B-2	BRICK VENEER - STACK BOND CHEROKEE BRICK BONE WHITE - QUEEN SIZE MORTAR - ARGOS 'WHITE'
SV-1	MANUFACTURED STONE VENEER ECHELON MASONRY KENSLEY STONE - 'PEWTER' 3/8" WIDE BRUSHED MORTAR JOINT, RECESSED ±1/4"
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AS-1 / PT-1	ACRYLIC STUCCO VENEER COLOR TO MATCH SHERWIN WILLIAMS SW 7551 'GREEK VILLA' FINE SAND FINISH
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AS-3 / PT-3	ACRYLIC STUCCO VENEER COLOR TO MATCH SHERWIN WILLIAMS SW 7642 'PAVESTONE' FINE SAND FINISH
AW-1	PREFINISHED FRONT DRAINING ALUMINUM AWNING COLOR TO MATCH RAL 6003 'SAPPHIRE BLUE' / PANTONE / PMS 540 (DARK BLUE)
AW-2	FABRIC AWNING ON 1" SQ. ALUM. FRAME FRAME TO MATCH SF-1 (BLACK ANOD. ALUM) MATCH SUNBRELLA 'MARINE BLUE'
M-1	PREFINISHED METAL TRIM / COPING COLOR TO MATCH RAL 6003 'SAPPHIRE BLUE' / PANTONE / PMS 540 (DARK BLUE)
M-2	PREFINISHED METAL SCUPPERS / DOWNSPOUTS TO MATCH PAC CLAD 'GRANITE'
SF-1	ALUMINUM STOREFRONT SYSTEM BLACK ANODIZED

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PLACE MAKER DESIGN
280 INTERSTATE NORTH CIRCLE SE
SUITE 510
ATLANTA, GEORGIA 30339
404.549.4499

ISSUE DATE	02/28/2024
DRAWN BY	BJK
CHECKED BY	BJK
PMD PROJ #	PROTO 24.1

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET # **A2.2**

Non-Binding

Stephen Jaques

02/13/2025

Application Report

Summary:

The subject site is located at 995 Gaines School Rd, Athens, GA 30605. The subject site includes 0.644 acres and is currently developed as an office space use. The proposed project scope includes demolition of the existing 3,576 SF office building plus parking lot and construction of an approximate 3,726 SF urgent care facility, parking lot, and all associated infrastructure. The proposed site will include 25 parking spaces with proposed driveway access to both Gaines School Road and Cedar Shoals Drive. Zoning for the property is C-O, and the property is located within the Gaines School Road Overlay district. Future Land Use (FLU) for the property is Main Street Business.

Approval Criteria for a Zoning Action:

A. Explain how the proposed zoning action is compatible with 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.

According to Table 9.4, the C-O Zoning District is compatible within the Future Land Use of "Main Street Business." The proposed usage of the property as a "medical center" is an allowable use within the zoning of C-O according to Section 9-10-2. The purpose for the "Special Use Permit" is to allow for an urgent care facility in the Gaines School Road Overlay District, which is a use that is currently not allowable. The proposed project aligns with general plans for the physical development of Athens-Clarke County. It does this by providing a valuable service to the citizens of Athens in the form of an urgent care facility while also revitalizing the existing property through redevelopment of the site.

B. 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 with all state or federal laws?

The proposed use is in conformance with the standards of the underlying Zoning District of C-O (Commercial Office). The proposed use follows the existing guiding codes for the underlying C-O Zoning District. The property is in the FLU designation of Main Street Business where "development of a storefront commercial type is encouraged" according to the 2023 Comprehensive Plan. The proposed usage complies with this promoted goal for Main Street Business.

C. 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?

According to the provided Water and Sanitary Sewer evaluation letter, there is adequate capacity for the proposed usage of an urgent care facility for water and sanitary sewer. The proposed site plan proposes paved access to and through the development via Cedar Shoals Drive and Gaines School Road. A new transformer will be proposed to provide the development with adequate power service. Proposed underground electrical conduits from the transformer will connect into a power pole and existing overhead power lines that run along Gaines School Rd. Stormwater best management practices (a

bioretention and an underground stormwater management facility) will be proposed to provide the necessary runoff reduction/water quality and detention measures that the city requires. Appropriate ADA sidewalks and ramps will be provided on-site and will connect to the existing sidewalk located along Gaines School Road. In addition, vehicle transportation will have access to the development via driveway entrances off both Cedar Shoals Drive and Gaines School Road.

D. Will the zoning proposal 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.

The proposed urgent care is similar in scale, bulk, and coverage to the surrounding area. The proposed square footage is similar in size to the existing office space (proposed +/- 3,726 S.F. versus existing +/- 3,576 S.F.).

2) Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

The proposed site plan will enhance the existing property by allowing for pedestrian access from both Cedar Shoals Drive and Gaines School Road. The proposed usage is expected to generate 134 trips per day.

3) Architectural compatibility with the surrounding area.

Based on review of the surrounding area, the proposed usage will be compatible with the existing architecture around the property and enhance the existing space.

4) The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.

The proposed usage is not anticipated to have a negative impact upon drainage, soil erosion and sedimentation, flooding, air quality, or water quality. In addition, the proposed usage of a medical center is not anticipated to generate significant amounts of smoke, dust, odors, or other environmental pollutants.

5) Generation of noise, light, and glare.

The proposed usage of an urgent care facility is not anticipated to be a significant source of noise, light, and glare.

6) The development of adjacent properties compatible with the future development map and the zoning district.

Based on review of the surrounding area, the proposed usage will be compatible with the future development map as it is a business use and will help serve the residential community as well.

Non-Binding

7) Impact on future transportation corridors.

The proposed development is not anticipated to have a significant negative impact on future transportation corridors.

8) Impact on the character of the neighborhood by the establishment or expansion of the proposed use in conjunction with similar uses.

Based on review of the surrounding area, the impact on the character of the neighborhood will be a positive addition as the development brings a much-needed medical service facility to the nearby Hillsman Middle School and numerous nearby residential communities.

9) Other factors found to be relevant by the hearing authority for review of the proposed use.

None known.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **SPECIAL USE APPROVAL IN THE RS-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICT FOR ONE PARCEL OF LAND LOCATED AT 728 COBB STREET**; AND FOR OTHER PURPOSES.

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

SECTION 1. The current RS-8 (Single-Family Residential) District is hereby amended to provide for special use approval for an office space. The affected parcel of land is approximately 0.84 acres, is located at 728 Cobb Street, and is known as tax parcel number 122B1 A026 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 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map as shown by Attachment A hereto shall be noted on the Official Zoning Map in the office of the Clerk of Commission and duly noted in the minutes of the Commission meeting.

The subject parcel is further described in that certain document entitled "Site Plan," designated in the lower right-hand corner as "HPC 1," prepared by Studio BNA Architects, dated December 16, 2024, and which is on file for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of three pages in total. Each sheet is numbered, titled, and dated as shown in the table below.

Sheet No.:	Title	Date:
HPC 1	Site Plan	December 16, 2024
HPC 2	Building Elevations	December 16, 2024
HPC 3	Building Elevations	December 16, 2024

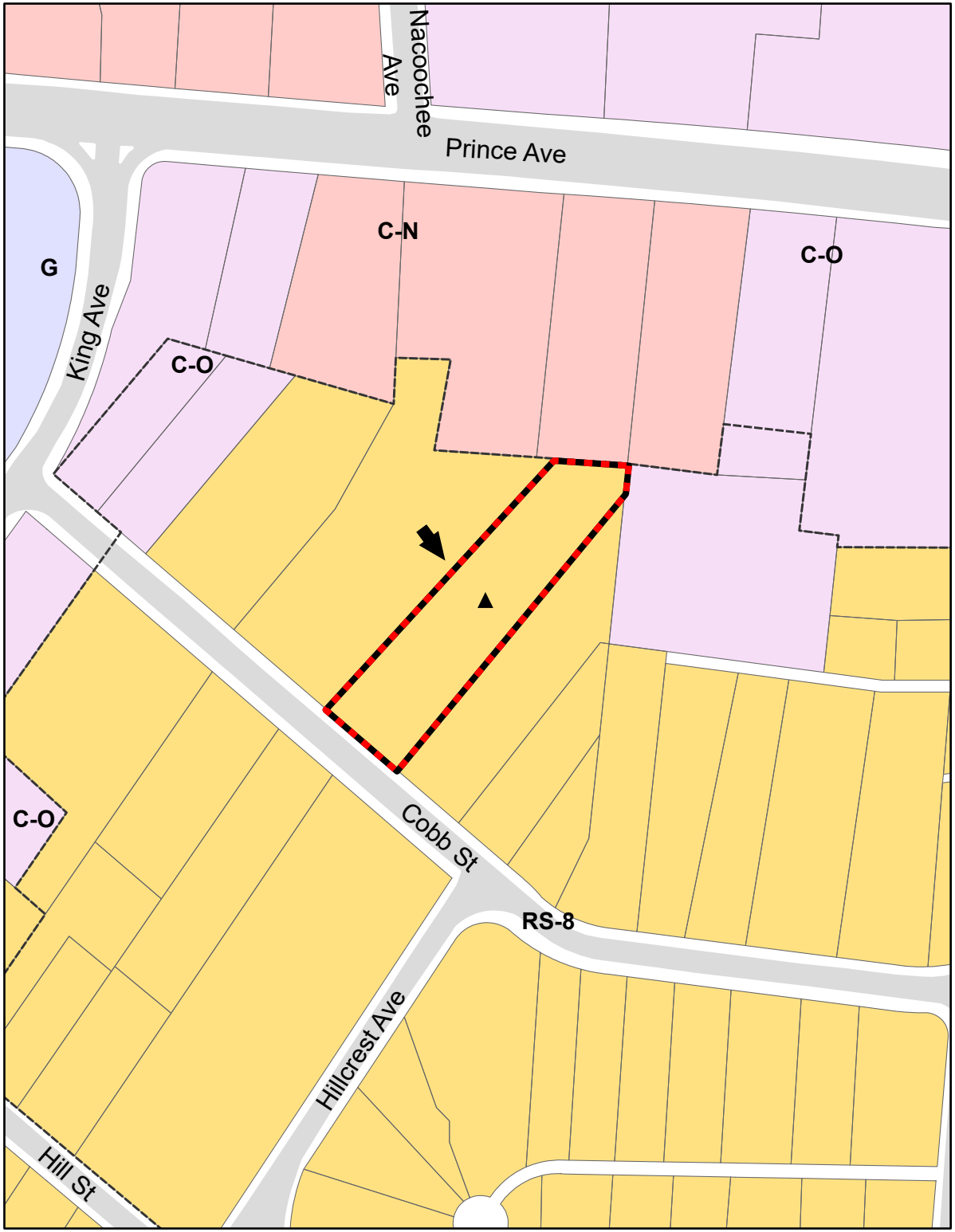
Each sheet listed above is stamped "Binding 2/13/2025" and is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The binding written plan associated with this ordinance and incorporated herein by reference consists of ten pages in total, entitled "728 Cobb Street, Project Narrative and Written Report for Special Use Permit Application," dated January 3, 2025, stamped "Binding 2/13/2025," and is available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

SECTION 3. The following condition of zoning shall be associated with the special use approved herein:

1. The gravel parking in existence at the time this ordinance is approved shall be removed and the area revegetated.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*
- Winterville Boundary
- Bogart Boundary
- ACC Boundary

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Railroads
- ▲ Special Use
- ● Historic Landmark

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

100 50 0 100 200 300 Feet

ATTACHMENT A	SUP-2025-01-0057 SPECIAL USE 728 COBB STREET Brad Speer 728 Cobb LLC	
591		
FROM: RS-8	TO: Special Use in RS-8	
TAX PARCEL # 122B1 A026	PLANNING COMMISSION MEETING DATE February 6, 2025	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE March 4, 2025

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** SUP-2025-01-0057

LOCATION: 728 Cobb Street
APPLICANT: Brad Sperr
OWNER: 728 Cobb LLC
REQUEST: Special Use in RS-8
COMMISSION DISTRICT: 2

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present		X	
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	8	1	0

For: Brad Sperr (applicant), Maggie Taylor (Historic Cobbham Foundation)
Against: Clint McCrory, Margie Spalding, Jeff Bishop, Bertis Downs, Therese Culler, Gwen O'Looney

Discussion: Residents had some objections to the continuation of the building as a commercial use on their residential street. Residents also objected to the special use process as a means of giving the use a legal conforming status because it would make it less likely that the building would become a residential use. Some residents were fine with the proposed law office, but were concerned about the potential for additional office tenants in the future, and stated that this could set a precedent for the neighborhood. Commissioners asked Staff to clarify the purpose and process for obtaining a Special Use Permit to which Staff responded that Special Use Permits are allowed by the Code of Ordinances as the means by which a legal non-conforming use may come into conformity. The special use process binds the applicant to a set of plans that is intended to place guardrails against negative impacts on the neighborhood. Commissioners clarified that, in the event the office use is abandoned for twelve months, the special use permit would be revoked. Staff stated that the process generally encourages property owners to become compliant, and provides documentation for lenders and assurances to the property owner that they will be allowed to continue using the property in the event of construction delays. Commissioners noted that, historically, neighborhoods had mixes of uses that allowed convenient access on foot to goods and services, although there was debate as to whether interior block lots were used commercially. It was stated that walkable neighborhoods require destinations to walk to. However, Commissioners did not recommend inclusion of the Staff condition mandating a sidewalk from the front of the house to the public sidewalk in order to minimize commercial foot traffic. Commissioners discussed sign regulations, but were advised that sign regulations are not within the purview of the Commission. It was noted that the applicant could keep the existing sign, but would not be able to expand or add additional elements to it. Commissioners noted that refusal to grant the special use could jeopardize the funding required to renovate the structure to historic preservation standards and ultimately voted to recommend approval with a condition.

Motion: Ms. Gehring motioned to recommend approval with condition. Ms. Beresford seconded the motion, which passed 8-1.

Condition:

1. The unpaved parking, in existence at the time of this record, shall be removed and the area re-vegetated.

STAFF REPORT
SPECIAL USE PERMIT
728 COBB STREET
SUP-2025-01-0057
FEBRUARY 6th, 2025

APPLICANT: .....Brad Sperr
OWNER: .....728 Cobb LLC
ZONING REQUEST: .....Special Use in RS-8
TYPE OF REQUEST: .....Type II
LOCATION: .....728 Cobb Street
TAX MAP NUMBER: 122B1 A026
COUNTY COMMISSION DISTRICT: .....District 2
PROJECT SIZE: .....0.84 Acres
PRESENT USE: .....Legal, non-conforming use as office
PROPOSED USE: .....Legal, conforming use as office
PUBLIC NOTICE POSTED: .....January 22nd, 2025
STAFF RECOMMENDATION: .....***APPROVAL WITH CONDITIONS***
PLANNING COMM. RECOMMENDATION: .....***APPROVAL WITH CONDITION***
MAYOR & COMMISSION AGENDA SETTING: ... February 18th, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION: ..... March 4th, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting a Special Use Permit at 728 Cobb Street on a property zoned Single-Family Residential (RS-8) for the purpose of rendering conforming what is currently a legal, non-conforming office use.

The single-family home on the subject property began operating as a doctor's office almost 50 years ago, and has operated in some capacity or another as an office space throughout the years. The proposal seeks to continue that use with more Professional Sales and Services uses in the space.

The subject property is within the Cobbham Historic District and is near related uses also on Cobb Street and within the next block. A change of use from single-family home to house-scale office was not uncommon in the area for the 1970s, when this property converted to office use.

The allowance of an office use for this property will support the preservation of this historic structure and allow for a limited commercial use at a neighborhood scale that supports the healthcare node around the hospital as called for by the Comprehensive Plan. No changes are required for the Future Land Use Map as the use is consistent with the property's *Traditional Neighborhood* designation. This district is intended to support limited commercial and other non-residential uses designed at a neighborhood scale and the proposal meets that expectation. However, building a sidewalk connection between the front door and the street is recommended in order to better align with the Future Land Use's expectations for the character of the area. Staff is also recommending that the gravel overflow parking, which is well beyond the minimum required and likely exceeds the maximum number of spaces allowed, be removed to better align the site with the character of the

neighborhood and improve stormwater drainage. Overall, in the opinion of Staff, the project is compatible with the long-range plans of Athens-Clarke County and satisfies the Special Use criteria. Therefore, **Staff recommends approval with conditions**, as worded below:

Conditions:

1. A sidewalk connection shall be constructed between the front porch stairs and the public sidewalk.
2. The unpaved parking, in existence at the time of this record, shall be removed and the area re-vegetated.

Planning Commission Recommendation: Commissioners clarified that special use permits are allowed and intended to be used as a means for legal non-conforming properties to come into conformity with the Code of Ordinances. Commissioners also noted that in the event the office use is abandoned for twelve months, the special use permit would be revoked. Commissioners noted that, historically, neighborhoods had mixes of uses that allowed convenient access on foot to goods and services, although there was debate as to whether interior block lots were used commercially. It was stated that walkable neighborhoods require destinations to walk to. However, Commissioners did not recommend inclusion of the Staff condition mandating a sidewalk from the front of the house to the public sidewalk in order to minimize commercial foot traffic. Commissioners discussed sign regulations, but were advised that sign regulations are not within the purview of the Commission. It was noted that the applicant could keep the existing sign, but would not be able to expand or add additional elements to it. Commissioners noted that refusal to grant the special use could jeopardize the funding required to renovate the structure to historic preservation standards and ultimately **Commissioners voted to recommend approval with condition**, as worded below:

Condition:

1. The unpaved parking, in existence at the time of this record, shall be removed and the area re-vegetated.

II. Purpose of Applicant Request

A. Proposal

The purpose of this request is to seek approval of a Special Use Permit to render conforming a legal, non-conforming office within an RS-8 zoning district. The neighboring properties on Cobb Street to the east, west, and south are all zoned Single Family-Residential. However, the property abuts Commercial-Neighborhood-zoned property and a Commercial-Office-zoned property. This property is located approximately 500 feet from Piedmont Athens Regional Hospital.

There are no changes to the building in this request, though it's worth noting that the applicant received approval from the Historic Preservation Commission at their January 2025 meeting for some updates to make the building ADA compliant.

The applicant proposes to use the space for six separate office suites, and intends to operate his law firm out of one of the six suites.

B. Existing Conditions

The subject property is located on the north side of Cobb Street mid-block between the intersections with Hillcrest Avenue and King Avenue. The parcel has about 100 feet of lot width and about 390

feet of lot depth. The topography of the property drops about 10 feet from the front to the rear.

Sanborn Maps for the area show the existing structure in place by 1918. The building was originally built as a single-family home. According to an ACC Building Permit from July 1975, the home was converted to a doctor's office, adding partitions, HVAC units, updated plumbing, and paved parking.

There is currently a larger section of paved parking and a smaller section of graveled parking behind the building.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Encourage the preservation and adaptive reuse of existing structures, especially those with historic value*
- *Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.*

The allowance of an office use for this property will support the preservation of this historic structure and allow for a limited commercial use at a neighborhood scale that supports the healthcare node around the hospital.

Overall, the proposal is compatible with the Comprehensive Plan.

Compatibility with the Future Land Use Map

The 2023 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 qualities including 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 non-residential 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.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The proposal is compatible with the Future Land Use description for this area.

B. Compatibility with the Zoning Map

The applicant has requested a permit for a special use in a Single-Family Residential zone (RS-8). The applicant does not need to change the Zoning Map because the Zoning Ordinance states in Section 9-15-8(D), that a legal non-conforming use may be rendered conforming through the issuance of special use approval. Therefore, the request is compatible with the Zoning Map.

Consistency with Other Adopted ACCGov Plans, Studies, or Programs

No relevant plans, studies, or programs were identified.

IV. Technical Assessment

A. Environment

The Athens-Clarke County Environmental Areas Map shows no riparian buffer, floodplain, or other environmental area on the property or immediate area.

The Arborist has reviewed the request and found it compliant with the community tree management ordinance.

B. Grading and Drainage

The Transportation & Public Works Department has reviewed the proposal and does not have any grading and drainage comments.

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and recommends approval.

D. Transportation

The Transportation & Public Works Department has reviewed the proposal and does not have any comments.

E. Fire Protection

The Fire Marshal has reviewed the proposal and offered the following comment:

- *Per NFPA 101, 2018 Edition - please provide appropriate fire extinguishers to be supplied and inspected annually by a State certified Fire Extinguisher Company, distance between fire extinguishers should be no more than 75 feet common path travel.*

F. Compliance with the Zoning Ordinance and Development Standards

The application report, site plan and elevation drawing submitted with this request will become binding for the project upon approval of the Special Use Permit. All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards.

As defined in Athens-Clarke County Code Section 9-2-1, a Special Use is a use that is not automatically permitted by right, but which may be permitted within a zoning district subject to meeting specific conditions. As found in Section 9-15-9, It shall be the objective of Athens-Clarke County that whenever feasible, legal non-conforming uses be rendered conforming through the issuance of special use permits, in accordance with chapter 9-20. Conditions imposed on such permits shall strive to ameliorate the impact of such use on adjacent or nearby properties and use permitted by the zoning classification.

Special Use requests are evaluated using the following criteria:

a) *Similarity in scale, bulk, and coverage.*

The Historic Preservation Commission has approved the design including a review of the scale, massing, and coverage finding these compatible with no significant impact to the area. The existing structure is to be maintained essentially as it is which resembles many of the adjacent properties in scale.

b) *Character and volume of traffic and vehicular parking generated by the proposed use and the*

effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

The presence of an office housing only businesses defined as Professional Sales and Services on the existing property would have minimal impact on the volume of traffic and parking needs. There is already a considerable amount of parking in the rear of the building and should not increase if the Special Use permit is granted. The hours of use for the property would be consistent with other Professional Services for the area.

c) *Architectural compatibility with the surrounding area.*

The Historic Preservation Commission has approved the design finding it to be compatible with the character of the Cobbham Historic District.

d) *The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.*

No environmental impacts are anticipated.

e) *Generation of noise, light, and glare.*

No significant impact of noise, light, or glare are anticipated as the project will be required to follow the lighting ordinance and noise ordinance in place for ACC. It has a rear parking area that has been used for years in a similar capacity.

f) *The development of adjacent properties compatible with the future development map and the zoning district.*

The proposed development of this property would have no impact on the development of adjacent properties and would be compatible with the future development map. The purpose of the request is to seek a finding of conformity with the zoning designation.

g) *Impact on future transportation corridors*.

There would be no impact on future transportation corridors from the proposed development.

h) *Impact on the character of the neighborhood by the establishment or expansion of the proposed use in conjunction with similar uses.*

The proposed use would have no significant impact on the character of the neighborhood as there are other commercial uses nearby. The office use has been established for decades and no expansion is proposed. Therefore, the character of the neighborhood would not be negatively impacted.

i) *Other factors found to be relevant by the hearing authority for review of the proposed use.*

No other factors have been found to be relevant.

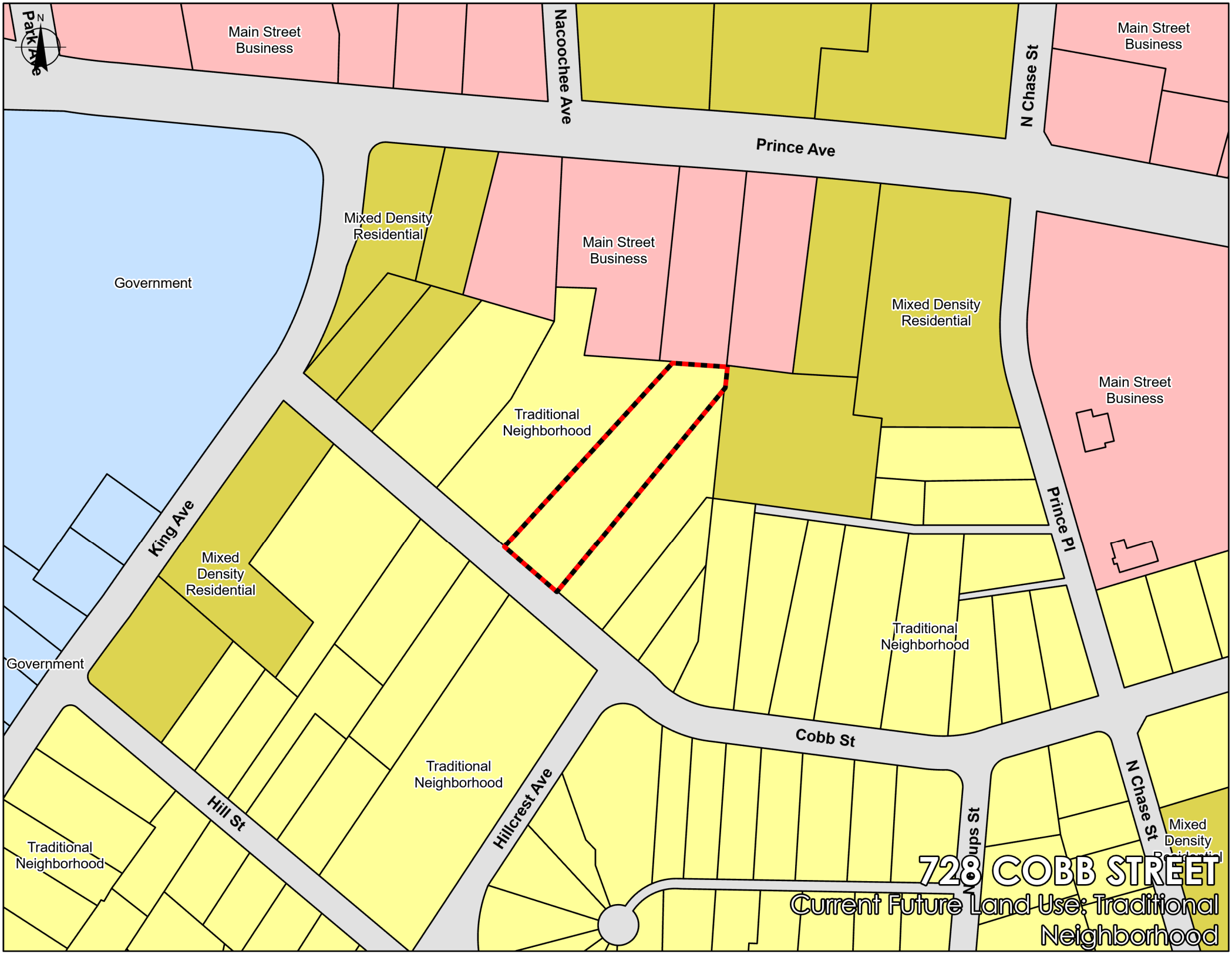
Staff finds that the proposal meets the Special Use review criteria. Approval is recommended.

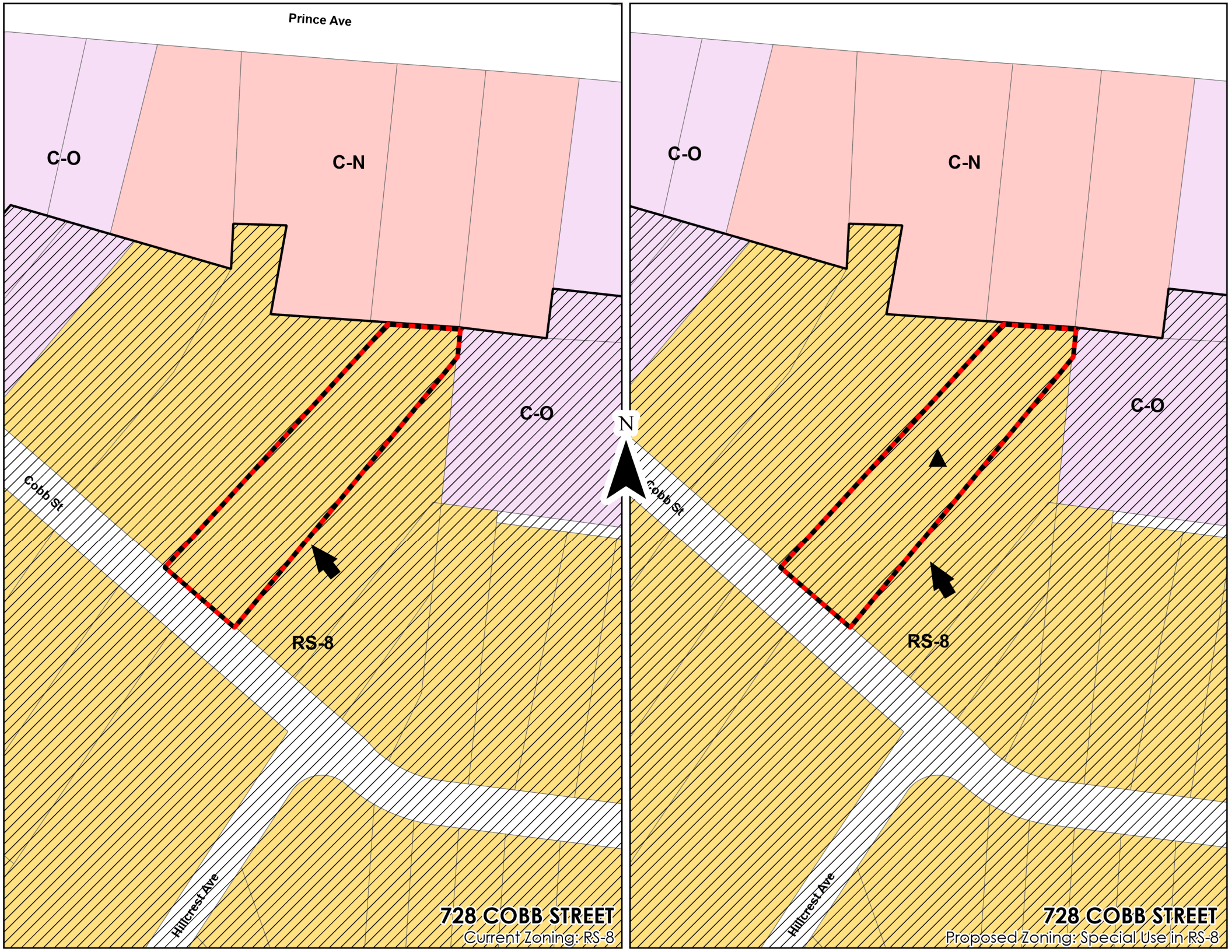
End of Staff Report.

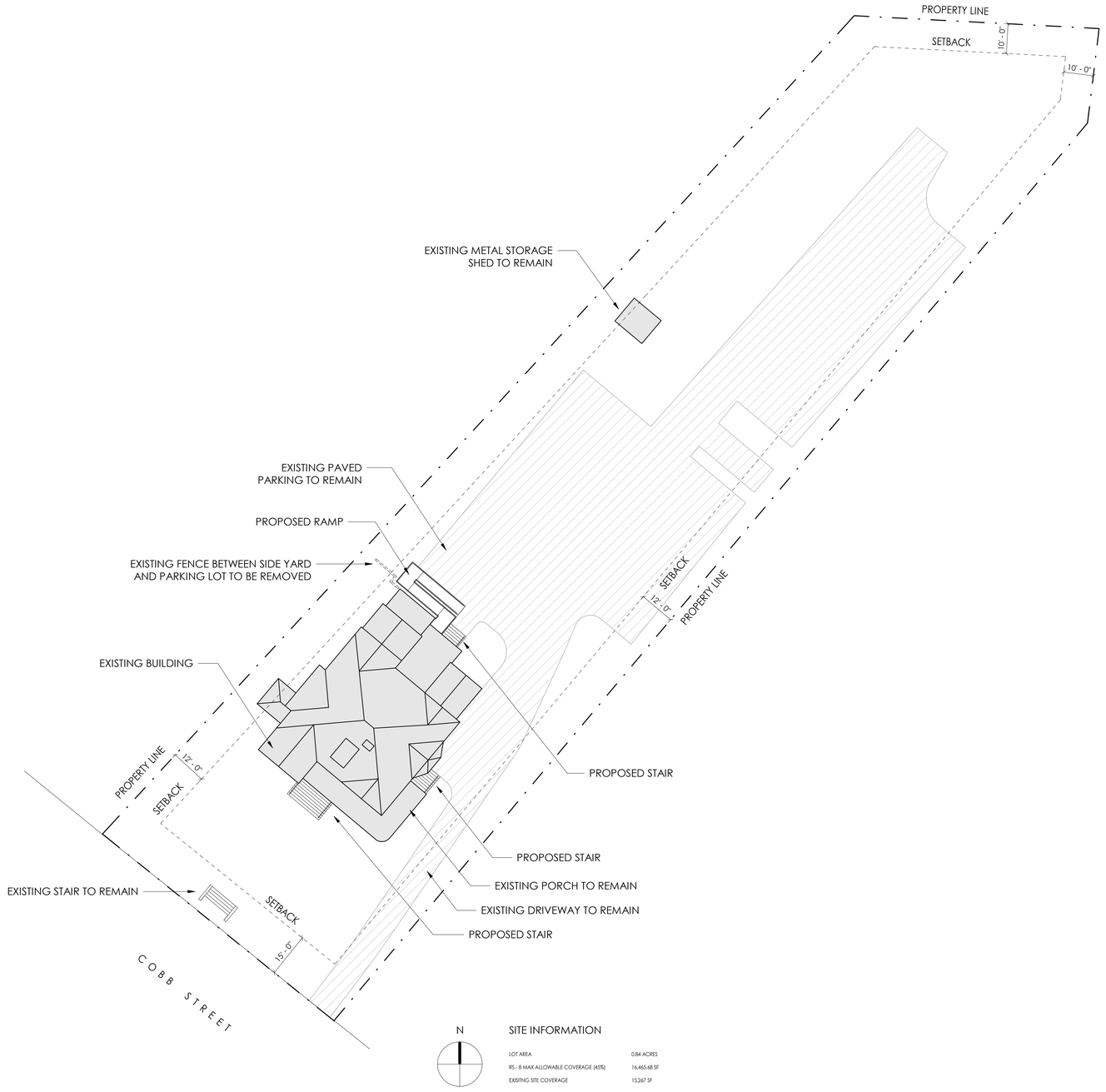
Reviewed Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

Reviewed	
☒	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.
☒	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.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	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.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	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.
☒	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 services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	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.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


Park Ave
N
Main Street Business
Nacoochee Ave
Prince Ave
N Chase St
Main Street Business
Mixed Density Residential
Main Street Business
Government
Mixed Density Residential
Traditional Neighborhood
Main Street Business
King Ave
Mixed Density Residential
Prince Pl
Traditional Neighborhood
Government
Cobb St
Traditional Neighborhood
Hillcrest Ave
Hill St
Traditional Neighborhood
Mixed Density
728 COBB STREET
Current Future Land Use: Traditional Neighborhood


Prince Ave
C-O
C-N
C-O
RS-8
Cobb St
Hillcrest Ave
N
728 COBB STREET
Current Zoning: RS-8
C-O
C-N
C-O
RS-8
Cobb St
Hillcrest Ave
728 COBB STREET
Proposed Zoning: Special Use in RS-8



SITE INFORMATION

LOT AREA	0.84 ACRES
RS - 8 MAX ALLOWABLE COVERAGE (45%)	16,465.68 SF
EXISTING SITE COVERAGE	15,267 SF

1 SITE PLAN
1" = 20'-0"

Binding
Stephen Jaques
02/13/2025

STUDIO.BNA ARCHITECTS
675 PULASKI STREET, SUITE 600 . ATHENS, GEORGIA
706.850.4224 . studiobna.com . email: studio@studiobna.com

PROJECT NAME:
SPERR LAW OFFICES

PROJECT LOCATION:
728 COBB ST
ATHENS, GA 30606

ISSUE:
HP COA REVIEW

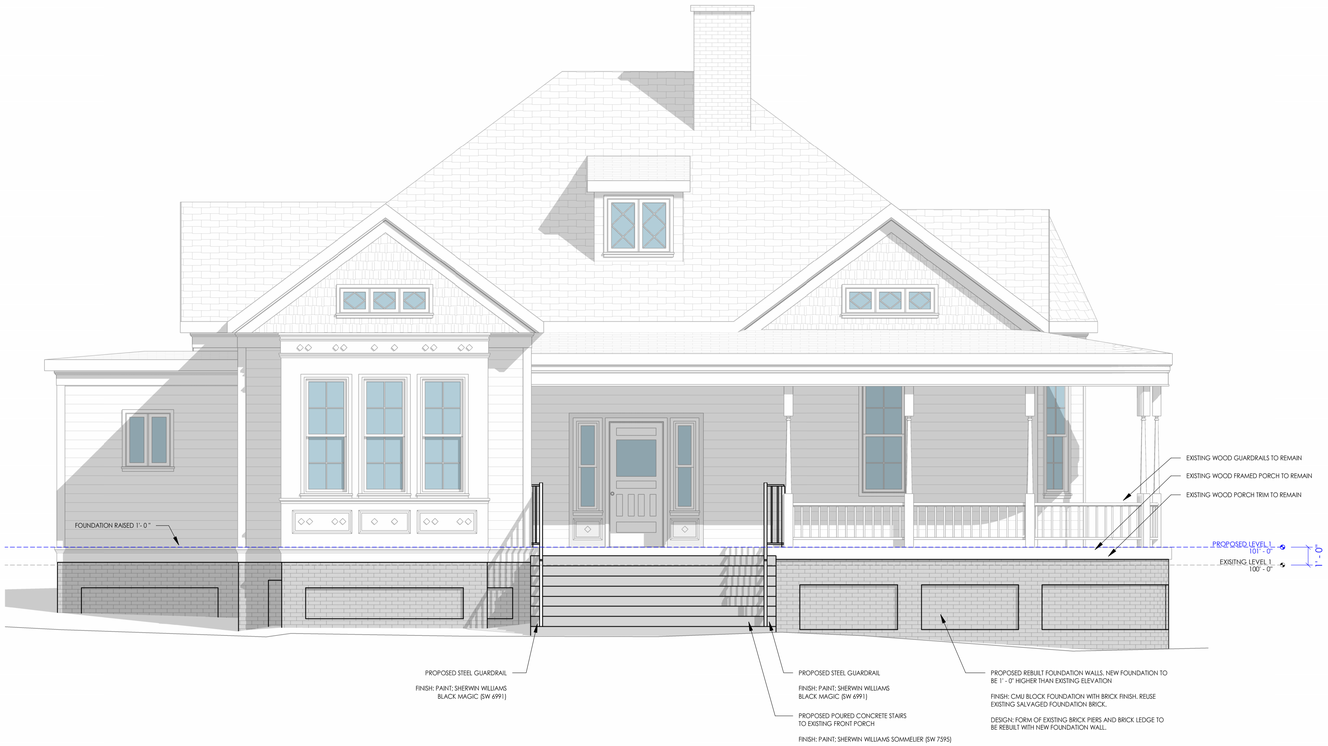
DATE:
12.16.2024

REVISION DATE

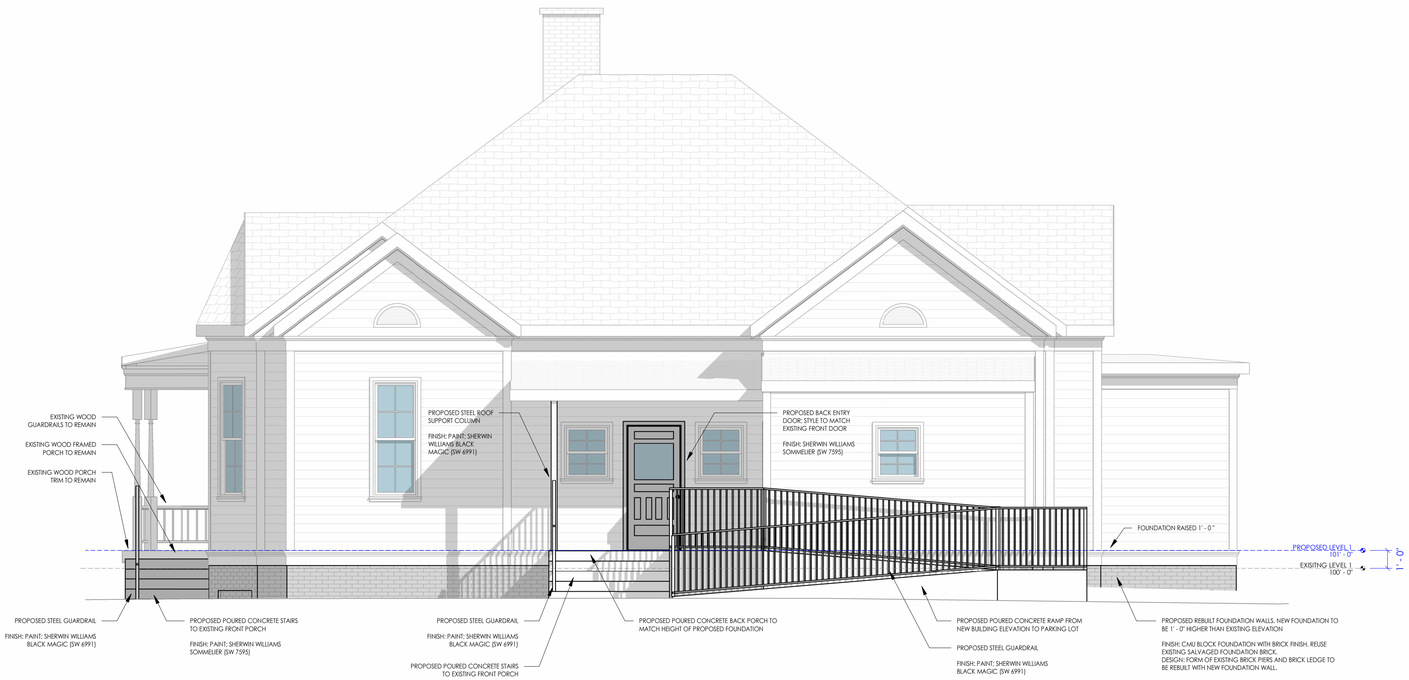
DRAWING:
SITE PLAN

SHEET NO.
HPC1

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2 SOUTH ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

KEYED NOTES

Binding
Stephen Jaques
02/13/2025

STUDIO.BNA ARCHITECTS
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PROJECT NAME:
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PROJECT LOCATION:
728 COBB ST
ATHENS, GA 30606

ISSUE:
HP COA REVIEW

DATE:
12.16.2024

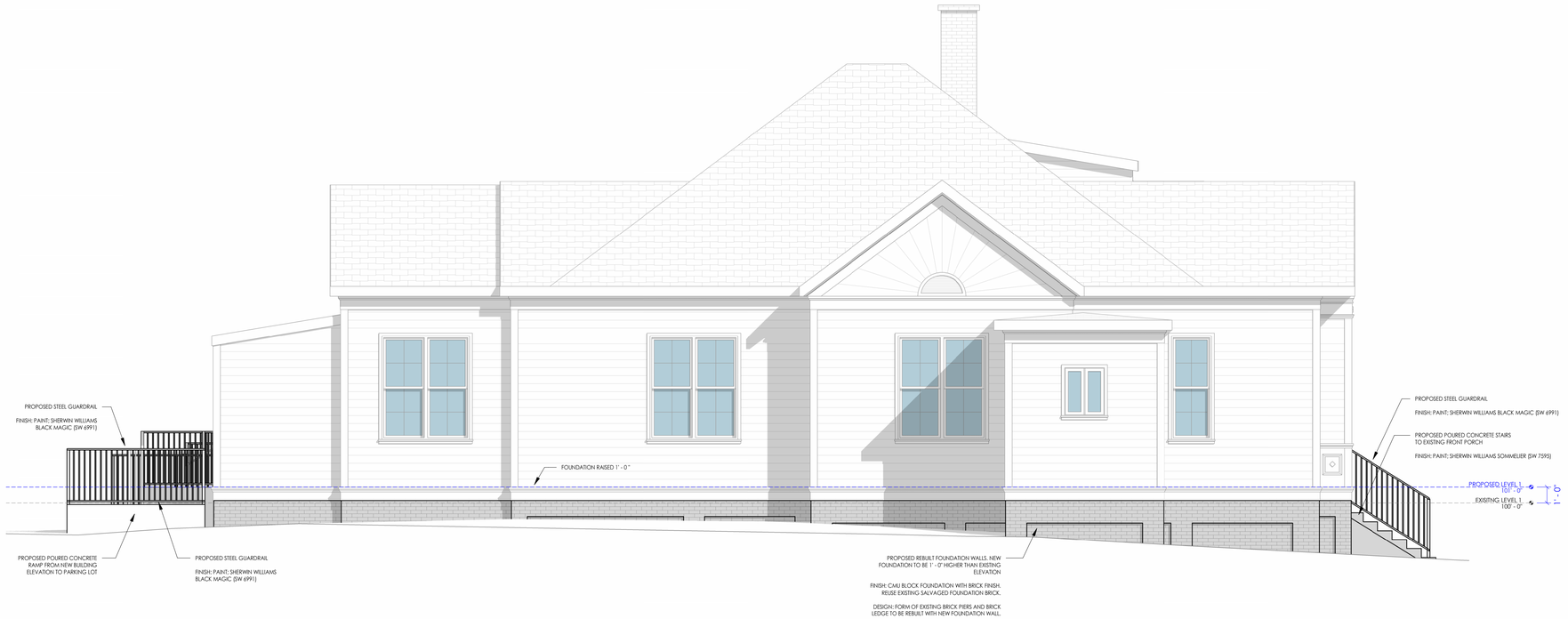
REVISION DATE

DRAWING:
BUILDING ELEVATIONS

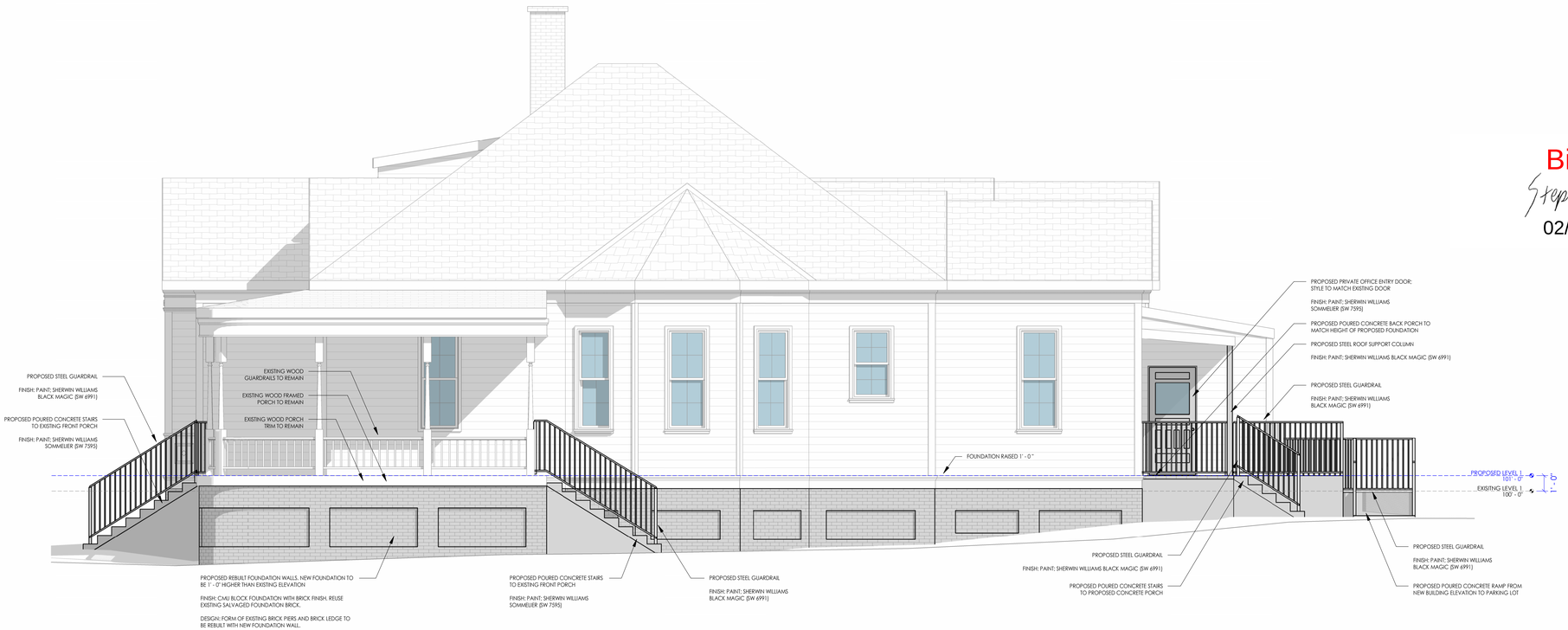
SHEET NO.
HPC2

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KEYED NOTES



2 WEST ELEVATION
1/4" = 1'-0"



1 EAST ELEVATION
1/4" = 1'-0"

Binding
Stephen Jaques
02/13/2025

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675 PULASKI STREET, SUITE 600 . ATHENS, GEORGIA
706.850.4224 . studiobna.com . email: studio@studiobna.com

PROJECT NAME:
SPERR LAW OFFICES

PROJECT LOCATION:
728 COBB ST
ATHENS, GA 30606

ISSUE:
HP COA REVIEW

DATE:
12.16.2024

REVISION DATE

DRAWING:
BUILDING ELEVATIONS

SHEET NO.
HPC3

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Binding
Stephen Jaques
02/13/2025

728 Cobb Street

Project Narrative and Written Report for Special Use Permit Application
January 3, 2025

Plan Overview

Plan Name: 728 Cobb Street

Property Adress: 728 Cobb Street, Athens, Ga 30606

Tax Parcel No.: 122B1 A026

Current Zoning: RS-8 (single family residential)

Special Use Request: Operation of residence for professional services and offices

Property Introduction and Site Description

728 Cobb Street is a Victorian-style home constructed in approximately 1906. Although originally built as a private residence, this property has a long and storied history of being used for various businesses in the past, including a granite monument and memorial company as well as a mobile home court. (Figure 1) Due to its proximity to the hospital, 728 Cobb Street has also housed multiple doctor's offices throughout the years. For approximately the last 30 years, this property was used as by Dr. David Lockman for his dermatology practice.

728 Cobb Street is located on the edge of the Cobbham neighborhood. This property is bordered on the northwest and southeast by two other residences zoned RS-8, which are tax parcels 122B1 A025 and 122B1 A027. This property also abuts three other properties to the north and northeast (tax parcels 122B1 A008, 122B1 A007, 122B1 A006) that are zone C-3 and C-0.

Non-Conforming Use Status

728 Cobb Street is zoned for single family residential use. However, based upon the property's use as a business prior to the enactment of current zoning ordinances, this non-conforming use of the property has been "grandfathered in" and allowed to continue under Section 9-15-8(B) of the Code of Athens-Clarke County, Georgia (hereinafter, the "Code"). The former Planning Director for Athens-Clarke County, Brad Griffin, issued a written opinion (a copy of which is attached to this application) that 728 Cobb Street maintained its non-conforming-use status to operate as a business as of April 16, 2024. The applicant and current owner of 728 Cobb Street has not abandoned or relinquished this non-conforming-use status since purchasing the property on May 3, 2024.

Scope of Special Use Permit 02/13/2025

This application requests a special use permit to utilize 728 Cobb Street for "professional services and offices," which Section 9-2-1 of the Code defines as "offices used for the conduct of business-related activities, excluding the sale of merchandise or storing of merchandise on the premises." Using a residence for these commercial purposes would ordinarily be prohibited in an RS-8 zoned district under Section Sec. 9-7-2 of the Code. Specifically, applicant requests a special use permit to operate 728 Cobb Street as a multi-tenant, professional office space with up to six separate office suites. The applicant intends to operate his law firm out of at least one of these office suites and rent the remaining suites to other businesses providing similar, professional services.

Even though the use of 728 Cobb Street for business purposes is already recognized and allowed due to its non-conforming-use status, Section 9-15-8(D) of the Code encourages that this non-conforming use should be "rendered conforming through the issuance of special use permits." Moreover, the special use permit can include conditions on the business use of the property that will "ameliorate the impact of such use on adjacent or nearby properties." This application seeks to formalize the use of the 728 Cobb Street *only* for professional services and offices (as opposed to any other potential commercial uses that would be prohibited by the Code) as well as highlight those features that will minimize the impact of this use on the surrounding neighborhood.

Repairs and Modifications to Property

728 Cobb Street requires significant structural repairs. As part of this project, the entire home will be lifted in order to replace the original masonry foundation and install additional footers to support a commercial level of occupancy. The new foundation for the property will be built approximately eight inches higher once completed because much of the current wooden framing for the building sits at or near grade level. This change in elevation will also require the replacement of all stairways leading into the building.

Although 728 Cobb Street currently has a ramp leading into the building, it is far too steep for ADA guidelines. The applicant will install a new, ADA-compliant ramp that will run in a switchback pattern from the parking lot into the main entrance. Applicant will also update the handrails on all stairways leading into the building to comply with ADA guidelines.

Coordination with Historic Preservation Commission

Because 728 Cobb Street lies within the historic Cobbham neighborhood, the Historic Preservation Commission of Athens-Clarke County (HPC) must approve all significant changes to the exterior of this property. The applicant has previously presented the proposed exterior changes to HPC in a conceptual design review conference, which were

favorably received, and has submitted a request to HPC for a for Appropriateness to approve the changes. 02/13/2025

Tree Management Plan

The proposed modifications to the property will not affect any canopy trees on the site; therefore, no tree management plan is necessary.

Traffic Impact Analysis

The proposed use of the property will not generate 100 vehicle trips within a single hour or 1000 vehicle trips per day; therefore, no traffic impact analysis is necessary.

Water and Sewer Capacity Evaluation and Stormwater Management

Applicant has submitted requests to the Public Utilities and Public Works departments for a capacity evaluation as well as a stormwater design meeting. Although these requests are currently pending, applicant expects that a formal capacity evaluation will be unnecessary given that the estimated water and sewer demands of his intended use for the property would be less than if it were used as a primary residence. The proposed improvements to the property will only add approximately 100 square feet of additional impervious surface, which would make any changes to the existing stormwater management system for the site unnecessary.

Limitations and Restrictions

Section 9-20-6 of the Code lays out several conditions that can be imposed upon the issuance of a special use permit to limit the impact on surrounding properties. Applicant submits that the following conditions should be included in the approval of this special use permit:

> No On-Street Parking
> 728 Cobb Street has a paved parking lot covering approximately 7,000 square feet, which provides parking for at least 20 vehicles. (Figure 4) There is also over 10,000 square feet of additional, unfinished space on the lot for overflow parking. This ample space for parking will eliminate the need for any on-street parking along the frontage of Cobb Street.
>
> Exterior Lighting
> Any exterior lighting for the property must be fully shielded and shall adhere to all standards and specifications set forth in Section 9-19-4 and Section 9-25-8(E)(5) of the Code.

Building Materials and Architectural Features 02/13/2025

HPC must review and approve all building materials and architectural features on the exterior of this property to ensure their cohesion with the surrounding, historic neighborhood.

Special Considerations for Mayor and Commission

Section 9-20-5 of the Code sets forth several special considerations for the Mayor and Commission when reviewing and approving this special use permit, and the applicant addresses those most relevant considerations as follows:

Q: 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 with all state or federal laws?

A: The Athens-Clarke County Comprehensive Plan Update for 2023 designates the future land use (FLU) for this property as "traditional neighborhood." (Figure 5) However, 728 Cobb Street lies on the periphery of this neighborhood designation and mainly abuts other properties designated as "main street business" for mixed residential and commercial activity. Applicant submits that the proposed operation of 728 Cobb Street as a professional office space will still be consistent with its traditional neighborhood designation.

Q: 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?

A: 728 Cobb Street already receives services through Athens-Clarke County for water, sewer, and stormwater drainage. The property also has adequate electrical service through Georgia Power. The proposed use will not expand the need for any of these utility services or require any additional paved access to the property. The proposed improvements to the property will not add any significant area of impervious surfaces that will affect stormwater drainage or impact adjoining properties.

Q: Will the zoning proposal 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.

A: 728 Cobb Street will maintain its current scale, bulk, and coverage as a traditional, Victorian home. The only significant modification to the exterior of the

Binding

building will be an ADA-compliant ramp situated at the re 02/13/2025
not viewable from the street.

2. Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

A: The proposed special use of the property will not expand or create any additional traffic than was already present on the subject property. In fact, applicant's proposed use of the property for professional office space will likely involve less traffic than its prior use as an outpatient medical clinic.

3. Architectural compatibility with the surrounding area.

A: 728 Cobb Street will maintain its historic character as a Victorian home and remain completely compatible with the surrounding neighborhood.

4. The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.

A: There are no foreseeable environmental impacts from the proposed use of the property for professional office spaces.

WATSON'S DRUGS
"The Store of Friendly Service"
PRESCRIPTIONS
Carefully Compounded by a Registered Druggist
Dial LI 6-7386
1650 S. LUMPKIN ST.

J. F. BRIDGES
Plumbing and Heating
CONTRACTORS
ALL WORK GUARANTEED
Dial LI 6-0195
250 Barrow St.

WEBB MONUMENT COMPANY
J. A. WEBB, Owner
GRANITE DEALER
Monuments
Grave Markers
Dial LI 6-7185
728 Cobb



CITY	TOURIST COURT	U.S. HWY.	ST. HWY.	LOCATION AND MAILING ADDRESS	MANAGER
AMERICUS	Cantey's Camelia Court	19	3	Americus	R. L. Cantey
	Americus Motel	27, 19 & 280		Meadow Brook Drive	L. D. Stapleton
	King Motor Court	19	3	Americus	Mr. M. T. King
	Highland Court	19	3	5 Mi. S. of Americus	S. P. Smith
	City Trailer Park	19	3	Americus	Mrs. W. A. Whittimore
	Peacock's Trailer Park	19	3	RFD #2, Americus	Mrs. C. J. Peacock
ASHBURN	Byrd's Camp	41		S. of Ashburn	P. J. Byrd
ATHENS	Armour's Motor Court	29	8	4 Mi. N. of Athens	J. L. Reynolds
	Canary Court	29	8	4 Mi. N. of Athens	A. L. Elkins
	Durden's Trailer Park	29		459½ E. Clayton St.	P. H. Durden
	Human's Trailer Court	29	8	RFD 1, Athens	Clyde Human
	King Cotton Motor Court	78 & 129		¼ Mi. W. of Athens	J. H. Hubert
	R. C. Arnold Trailer Court	129	15	N.W. of Athens	R. C. Arnold
	Bray's Trailer Courts	72 & 29	8	Athens	I. M. Bray
	Langford's Trailer Court			749 Prince Ave.	A. M. Langford
	Webb's Tourist Court			728 Cobb St.	Mrs. J. A. Webb
	Old Colony Motor Court	129		¾ Mi. S. of Athens	Natalie S. Harper
	Athens Motel	129		¾ Mi. N. of Athens	H. H. Lewis
ATLANTA	Old South Motel	19 & 41		331 Cleveland Ave., S.W. Atlanta	R. E. McKenney J. W. Fitts
	Colonial Motor Lodge	41		2720 Stewart Ave., S.W. Atlanta	H. C. Carby
	Browns Trailer Park	41		1145 W. Marietta Atlanta	Frank H. Brown

2

Figure 1: Historic Business Uses of 728 Cobb Street



Figure 2: Photo of Veranda



Figure 3: Photo of Main Entrance from Parking Lot



Figure 4: Photo of Parking Lot

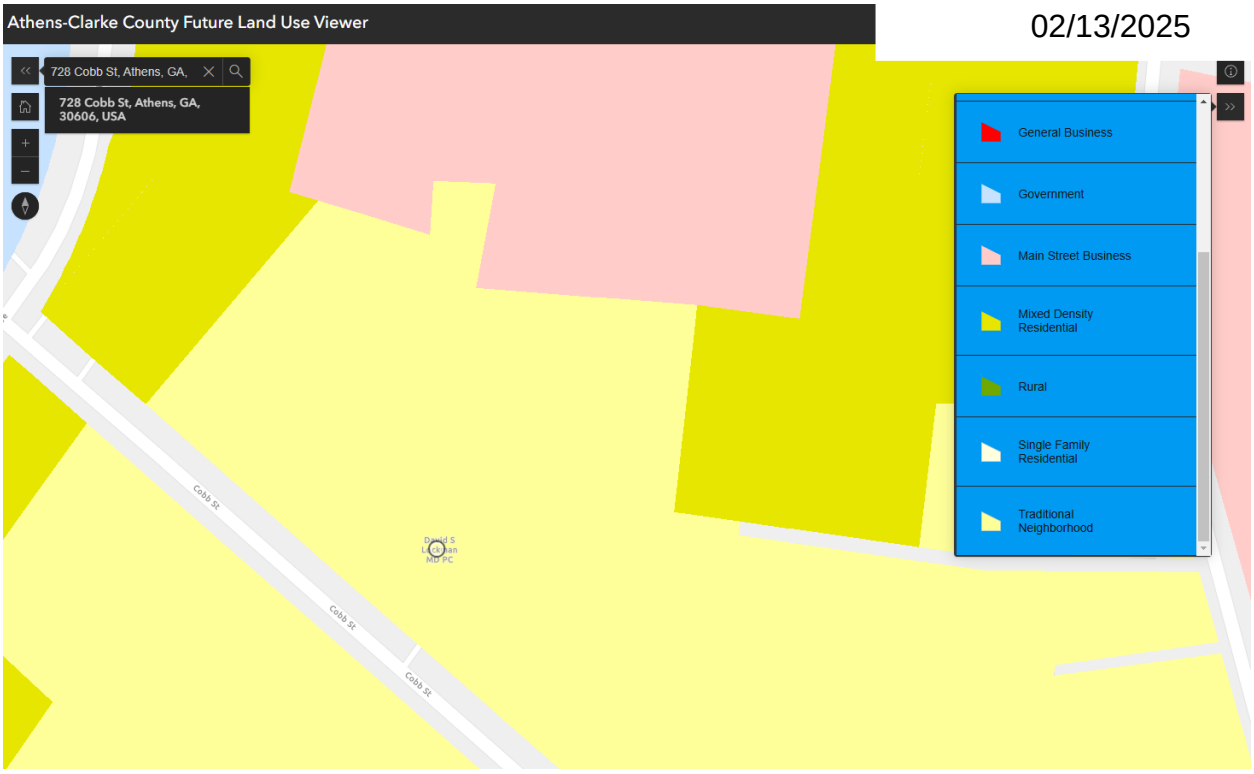
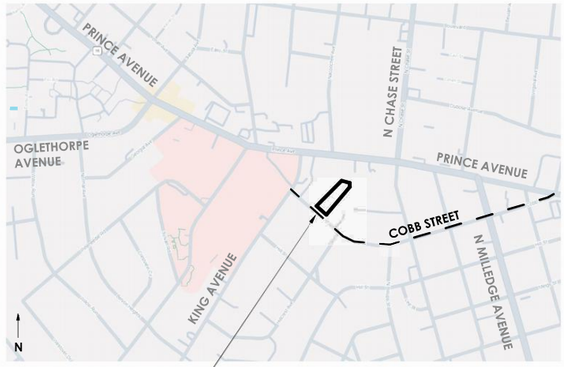


Figure 5: ACC Future Land Use Viewer

LOCATION MAP



CODE COMPLIANCE

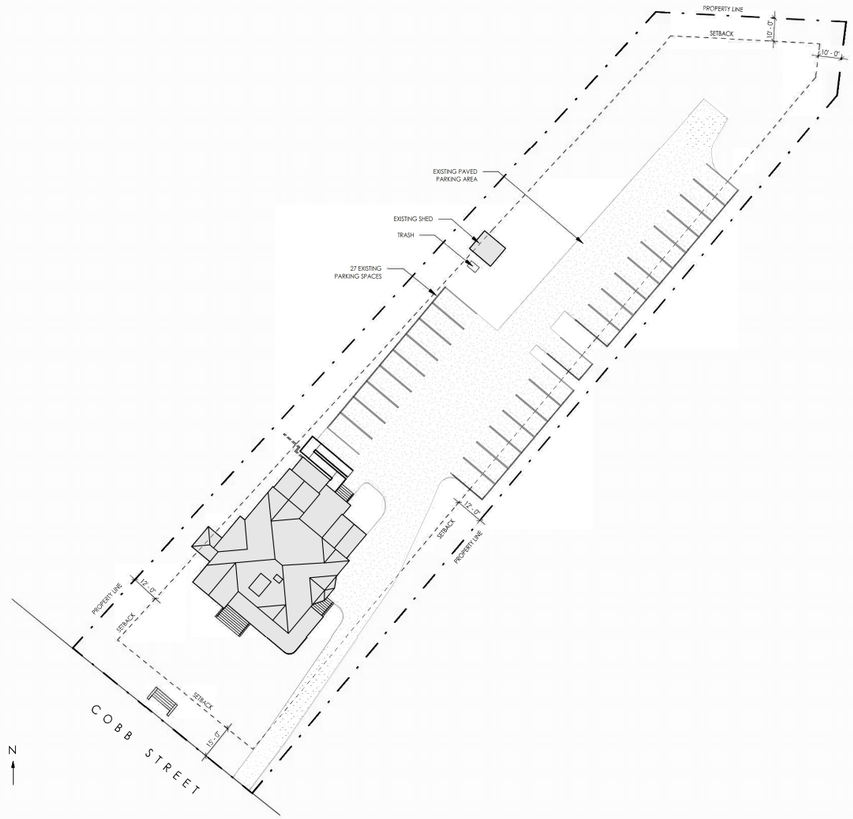
AUTHORITY HAVING JURISDICTION: ATHENS CLARKE COUNTY BUILDING DEPARTMENT
INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
NATIONAL ELECTRICAL CODE, 2020 EDITION
INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, WITH GEORGIA SUPPLEMENTS
INTERNATIONAL FIRE CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS
INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION
2018 NFPA 101 - LIFE SAFETY CODE WITH STATE AMENDMENTS, 2020
NFPA 13 STANDARDS FOR INSTALLATION OF SPRINKLER SYSTEMS, 2018
NFPA 72 NATIONAL FIRE ALARM AND SIGNALING CODE, 2018 W/ STATE AMENDMENTS (2020)
FAIR HOUSING ACT DESIGN MANUAL (FHADM)
GEORGIA ACCESSIBILITY CODE 120-3-20 (W/ ICC/ANSI A117.1-2003)

PROJECT INFORMATION

PROJECT NAME:	728 COBB OFFICES
PROJECT ADDRESS:	728 COBB STREET, ATHENS, GA 30606
PROJECT DESCRIPTION:	NEW OFFICE SPACE TENANT IMPROVEMENT WITHIN AN EXISTING BUILDING. IMPROVEMENTS INCLUDE NEW NEW FOUNDATION, NEW PLUMBING FIXTURES, MINOR ELECTRICAL UPGRADES, IMPROVEMENTS TO MECHANICAL, NEW INTERIOR PARTITIONS, MILLWORK, DOORS, FINISHES, AND EQUIPMENT. ALL WORK INCLUDING BUT NOT LIMITED TO GENERAL CONSTRUCTION, PLUMBING, ELECTRICAL AND MECHANICAL SHALL BE PERFORMED IN ACCORDANCE WITH ALL CODES LISTED AND LOCAL AMENDMENTS. ALL WORK SHALL BE DONE IN A FIRST CLASS MANNER USING STANDARD CONSTRUCTION PRACTICES AND ACCORDING TO THE RULES AND REGULATIONS OF THE GOVERNING BUILDING DEPARTMENT.
PARCEL NUMBER:	122B1 A026
ZONING:	RS-8
PROJECT OCCUPANCY:	BUSINESS
CONSTRUCTION TYPE:	VB
PROJECT SIZE:	2327 SF
FIRE PROTECTION:	NOT EXISITING; NOT REQUIRED

SHEET TABLE OF CONTENTS

CVR	COVER
G0.00	PROJECT INFORMATION
G1.00	GENERAL REQUIREMENTS
G1.02	GENERAL REQUIREMENTS
G1.03	GENERAL REQUIREMENTS
G1.04	GENERAL REQUIREMENTS
G1.05	GENERAL REQUIREMENTS
G1.06	GENERAL REQUIREMENTS
G1.07	GENERAL REQUIREMENTS
G1.08	FLASHING DETAILS
G1.09	FLASHING DETAILS
G1.10	WINDOW OPENING WRAP SEQUENCE
G1.11	TYPICAL DIAGRAMS
G1.12	ANSI TYPE A & TYPE B UNIT NOTES
G1.13	FIRE PENETRATION DETAILS-WALL-METAL STUD
G1.14	FIRE PENETRATION DETAILS-WALL-METAL STUD
G1.15	FIRE PENETRATION DETAILS-WALL-METAL STUD
G1.16	FIRE PENETRATION DETAILS-HORIZ.-WOOD
G1.17	FIRE PENETRATION DETAILS-HORIZ.-WOOD
G1.18	FIRE PENETRATION DETAILS-HORIZ.-WOOD
G1.19	FIRE PENETRATION DETAILS-HORIZ.-WOOD
G1.20	FIRE PENETRATION DETAILS-HORIZ.-WOOD
G1.21	FIRE PENETRATION DETAILS-HORIZ.-WOOD
D1.00	DEMOLITION PLANS
S0.01	STRUCTURAL
A1.10	FLOOR PLAN
A1.20	REFLECTED CEILING PLAN
A1.30	FINISH PLAN
A1.40	ENLARGED RAMP + STAIR
A4.00	ENLARGED BREAK ROOM + OFFICE
M0.01	MECHANICAL
P0.01	PLUMBING
E0.01	ELECTRICAL



1 SITE DIAGRAM
1" = 30'-0"

Non-Binding
Stephen Jaques
02/13/2025

STUDIO.BNA ARCHITECTS
675 PULASKI STREET, SUITE 600 . ATHENS, GEORGIA
706.850.4224 . studiobna.com . email: studio@studiobna.com

PROJECT NAME:
728 COBB OFFICES

PROJECT LOCATION:
728 COBB ST
ATHENS, GA 30606

ISSUE:

DATE:

REVISION DATE

DRAWING:
PROJECT INFORMATION

SHEET NO.
G0.00

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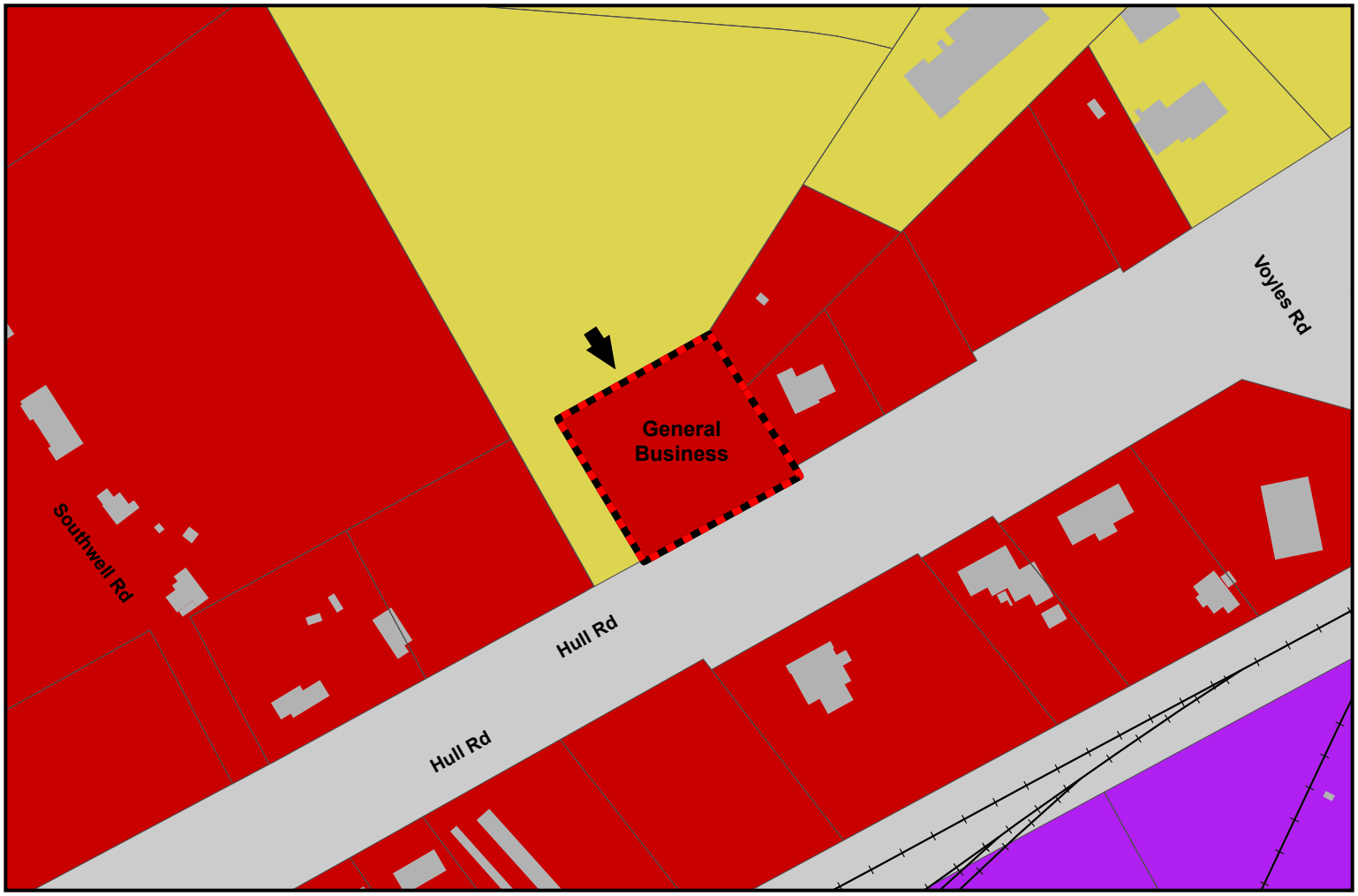
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT **TO AMENDING THE FUTURE LAND USE MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF APPROXIMATELY O.9 ACRES OF LAND LOCATED AT 1055 HULL ROAD FROM "GENERAL BUSINESS AND MIXED DENSITY RESIDENTIAL" TO "GENERAL BUSINESS;"** AND FOR OTHER PURPOSES.

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

SECTION 1. The Official Land Use Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A)(2) thereof, is hereby amended by changing the future land use designation on approximately 0.9 acres of land located at 1055 Hull Road, Athens-Clarke County tax parcel number 213 011, from "General Business and Mixed Density Residential" to "General Business," as more fully shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Land Use Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Land Use Map and Exhibit A hereto are available for public inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

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



Legend

- County Boundary
- City Boundary
- Parcel Boundary
- Building Footprint
- School
- A-CC Owned Parks and Open Space
- Other Parks and Open Space
- Transportation,Communication and Utilities
- Airport Hazard Zone
- Railroad
- Rails to Trails
- Proposed Road Widening
- Proposed New Road
- Intersection Realignment

Descriptions

- General Business
- Downtown
- Main Street Business
- Employment Center
- Government
- Mixed- Density Residential
- Traditional Neighborhood
- Single Family Residential
- Rural

EXHIBIT A	**ZONE-2024-11-2262** **REZONE**	N
MAP 589A	**1055 HULL ROAD** *Michael B. Thurmond / Armentrout Matheny Thurmond P.C.* *Excaliber Development LLC*	200 100 0 200 Feet
FROM: **General Business & Mixed Density Residential**	TO: **General Business**	
TAX PARCEL # *213 011*	PLANNING COMMISSION \MEETING DATE *February 6, 2025*	ATHENS-CLARKE COUNTY \COMMISSION MEETING DATE *March 4, 2025*

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH REPSECT TO **REZONING ONE PARCEL OF LAND COMPRISING APPROXIMATELY 0.9 ACRES OF LAND LOCATED AT 1055 HULL ROAD FROM C-R (COMMERCIAL-RURAL) AND RM-2 (MIXED DENSITY RESIDENTIAL) TO C-G (COMMERCIAL-GENERAL);** AND FOR OTHER PURPOSES.

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

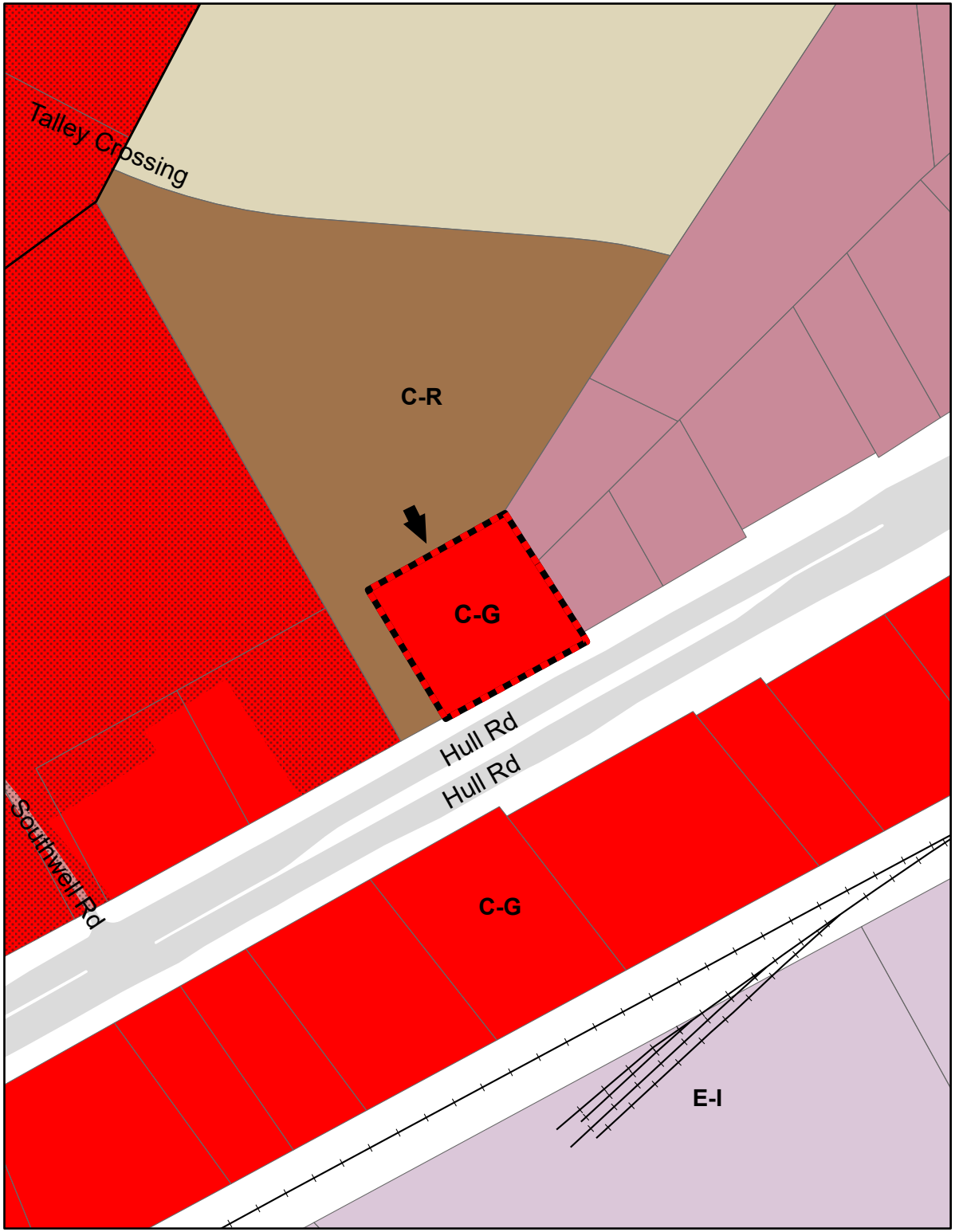
SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of one parcel of land comprising approximately 0.9 acres and located at 1055 Hull Road from C-R (Commercial-Rural) and RM-2 (Mixed Density Residential) to C-G (Commercial-General) as shown on Attachment A hereto.

The affected parcel of land is more particularly described in that certain document entitled "Combination Survey For: CJB Athens LLC," designated in the lower right-hand corner as sheet number "1 of 2," prepared by Chris M. Patton, registered land surveyor, dated June 20, 2024, 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 affected parcel is also known as Tax Parcel No. 213 011 on the Athens-Clarke County tax maps 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 date of this amendment on the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The following condition of zoning shall be associated with this ordinance:

1. Land disturbance permits shall not be issued without a viable sanitary sewer connection in accordance with the standards of the Athens-Clarke County Public Utilities Department.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*
- Winterville Boundary
- Bogart Boundary
- ACC Boundary

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Railroads
- ▲ Special Use
- ● Historic Landmark

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

130 65 0 130 260 390 Feet

ATTACHMENT A	ZONE-2024-11-2262 REZONE 1055 HULL ROAD Michael B. Thurmond / Armentrout Matheny Thurmond P.C. Excaliber Development LLC
589	
FROM: C-R & RM-2	TO: C-G

TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
213 011	February 6, 2025	March 4, 2025

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** ZONE-2024-11-2262

LOCATION: 1055 Hull Road
APPLICANT: Michael B. Thurmond / Armentrout Matheny Thurmond P.C.
OWNER: Excaliber Development LLC
REQUEST: From *General Business & Mixed Density Residential* to *General Business*
COMMISSION DISTRICT: 9

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	9	0	0

For: Bret Thurmond (applicant)
Against: None

Discussion: Commissioners did not have any comments on the proposal.

Motion: Ms. Beresford motioned to recommend approval of the Future Land Use request. Ms. Gehring seconded the motion, which passed unanimously.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** ZONE-2024-11-2262

LOCATION: 1055 Hull Road
APPLICANT: Michael B. Thurmond / Armentrout Matheny Thurmond P.C.
OWNER: Excaliber Development LLC
REQUEST: From C-R & RM-2 to C-G (Commercial-Rural & Mixed-Density Residential to Commercial-General)
COMMISSION DISTRICT: 9

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	9	0	0

For: Bret Thurmond (applicant)
Against: None.

Discussion: Commissioners did not have any comments on the proposal.

Motion: Ms. Beresford motioned to recommend approval with condition. Ms. Morales seconded the motion, which passed unanimously.

Condition:

1. Land Disturbance Permits shall not be issued without a viable sanitary sewer connection, per the standards of the Athens-Clarke County Public Utilities Department.

STAFF REPORT
REZONE
1055 HULL RD
ZONE-2024-11-2262
FEBRUARY 6th, 2025

APPLICANT:	Michael B. Thurmond / AMT
OWNER:	Brian Clark / Excaliber Development LLC
FUTURE LAND USE REQUEST:	From *General Business & Mixed Density Residential* to *General Business*
ZONING REQUEST:	From Commercial Rural (C-R) & Mixed Density Residential (RM-2) to Commercial General (C-G)
TYPE OF REQUEST:	Type I
LOCATION:	1055 Hull Rd
TAX MAP NUMBERS:	213 011
COUNTY COMMISSION DISTRICT:	District 9
PROJECT SIZE:	0.9 Acres
PRESENT USE:	Undeveloped
PUBLIC NOTICE POSTED:	January 21st, 2025
STAFF RECOMMENDATION:	FUTURE LAND USE: ***APPROVAL***
	ZONE: ***APPROVAL WITH CONDITION***
PLANNING COMM. RECOMMENDATION:	FUTURE LAND USE: ***APPROVAL***
	ZONE: ***APPROVAL WITH CONDITION***
MAYOR & COMMISSION AGENDA SETTING:	February 18, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION:	March 4, 2025 (tentative)

I. Summary Recommendation

This rezone request is to change a 0.9-acre parcel from Commercial-Rural (C-R) and Mixed Density Residential (RM-2) to Commercial General (C-G) along the Hull Road corridor. Additionally, they are also asking to change the Future Land Use from *General Business & Mixed Density Residential* to *General Business*. The surrounding properties are a mix of C-R, RM-2 and C-G parcels. Predominantly, the neighboring parcels are commercial along Hull Rd and the properties to the rear are currently being developed as multi-family.

The development changes in the surrounding area trend in the direction of this request. Additionally, this project is toward the edge of where proposed increases of intensity should occur. The request mirrors what is planned on the corridor and **Staff recommends approval with condition**, as worded below:

Condition:

1. Land Disturbance Permits shall not be issued without a viable sanitary sewer connection, per the standards of the Athens-Clarke County Public Utilities Department.

Planning Commission Recommendation: **Commissioners recommended approval with condition**, as worded below, without discussion.

Condition:

1. Land Disturbance Permits shall not be issued without a viable sanitary sewer connection, per the standards of the Athens-Clarke County Public Utilities Department.

II. Purpose of Applicant Request

A. Proposal

This request is to change a 0.9-acre parcel from Commercial-Rural (C-R) and Mixed Density Residential (RM-2) to Commercial General (C-G). Additionally, they are also asking to change the Future Land Use from *General Business & Mixed Density Residential* to *General Business*. The surrounding properties are a mix of C-R, RM-2 and C-G parcels. Predominantly, the neighboring parcels are commercial along Hull Rd and the properties to the rear are currently being developed as multi-family.

B. Existing Conditions

The property is currently undeveloped, but amongst an area that is currently being built out with a mix of commercial and multi-family. Adjacent properties have been developing in the area since sewer was extended to this basin and have focused off the expanding street network from the shopping center development. This parcel sits adjacent to a proposed driveway that would meet street standards and connect through to the new Talley Crossing. This parcel is near where the sewer ceases along Hull Road and is located near the edge of the commercial node as proposed.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

Overall, the proposal does not affect the policies in the Comprehensive Plan. The proposal is a straightforward swap of a mostly commercial property to a commercial zone with similar surrounding uses. It fits in with the surrounding growth in this area and the proposed node in the Growth Concept Map.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *General Business & Mixed Density Residential*, which is described 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 corridors which 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.

Mixed Density Residential
These are residential areas where higher density residential development is allowed and intended. Limited nonresidential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation.

The applicant has requested a change to the Future Land Use Map from *General Business & Mixed Density Residential* to *General Business*.

The growth and Future Land Use in this area has been changing ever since sewer was extended to the basin over 10 years ago. Three quarters of the site is already in the *General Business* Future Land Use category with the remainder being changed with a property to the rear for a multi-family development. A split Future Land Use parcel can cause issues with development compliance. Additionally, the adjacent parcels to Voyles Road are *General Business* and this request would create consistency with neighboring parcels. The request seeks to align this parcel with surrounding ones and also corresponds with the Growth Concept Map that shows a development node in this area. Staff supports the Future Land Use request of *General Business*.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from C-R & RM-2 to C-G. The following information has been provided to compare the difference in development intensity between the existing C-R & RM-2 zoning and the requested C-G zone. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	CURRENT	REQUESTED
Standard	**C-R & RM-2 Zoning**	**C-G Zoning**
Minimum Lot Size	5,000 sf	2,500 sf
Density	16 & 24 units/ac	24 units/ac
Max Lot Coverage	35% & 65%	80%
Max Building Height	65’ & 35’	65’
Setbacks	20/6/6 & 10/6/10	n/a
Conserved Canopy	30% & 25%	10%
Total Canopy	60% & 50%	40%
Parking	Use dependent	Use dependent

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the current C-R & RM-2 zoning and the proposed C-G zoning is more allowance of general business commercial uses. Currently, only lighter commercial uses and multi-family developments would be permitted under the existing zoning.The request aligns with many of the surrounding commercial properties.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

No Plans, studies or programs affect this parcel

IV. Technical Assessment

A. Environment

The parcel does not have any environmental areas on site. The Arborist has reviewed the tree management plan and recommended approval.

B. Grading and Drainage

The Transportation & Public Works Department has reviewed the proposal and offered no comment.

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal, recommended denial and offered the following comments:

- *ACC water is available. ACC sanitary sewer is NOT available*
- *The adjacent townhouse development proposes to extend ACC sewer to the subject site as part of their development, which would make ACC sewer available. However, the sewer extension must be installed, tested, recorded, and accepted for ACC ownership before sewer would be made available to the subject site. The sewer installation is the initiative of the townhouse development, and ACC makes no guarantees that the private townhouse development will provide sewer to the subject site.*
- *A water and sanitary sewer capacity evaluation is required*

D. Transportation

The Transportation & Public Works Department has reviewed the proposal and offered no comment.

E. Fire Protection

The Fire Marshal has reviewed the proposal and offered no comment.

F. Compliance with the Zoning Ordinance and Development Standards

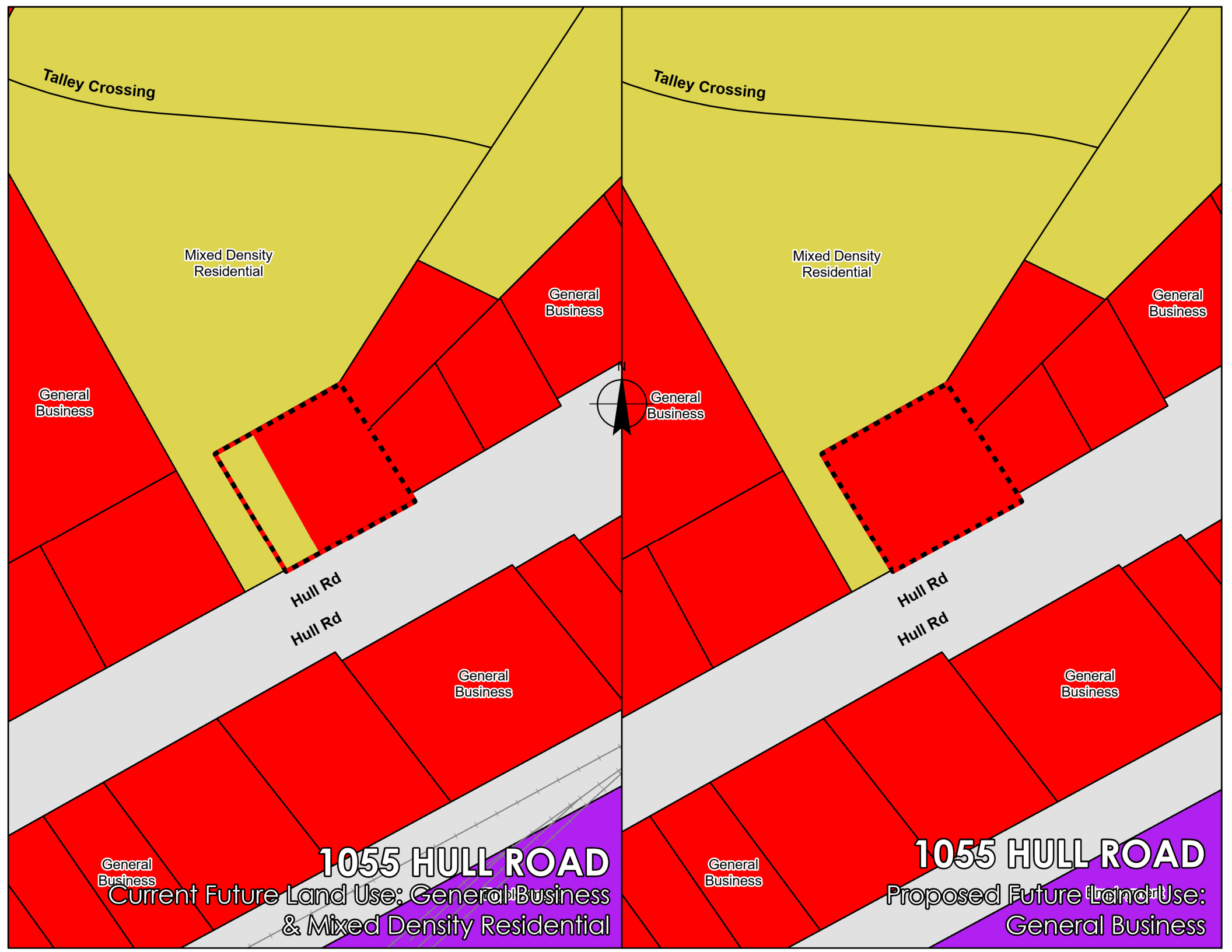
Since a binding plan is not required or proposed with this request, Staff reviewed the plan for general compliance with the code. No concept plan has been submitted, if approved the proposal will be reviewed for code compliance at the time of permitting review. The applicant has not made any waiver requests, so they will be expected to comply with all of the applicable standards. Signage and lighting are not reviewed at this stage, but the applicant is expected to adhere to those standards as well.

End of Staff Report.

Reviewed	Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

☒	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.
☒	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.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	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.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	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.
☒	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 services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	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.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


Talley Crossing
Mixed Density Residential
General Business
General Business
N
Hull Rd
Hull Rd
General Business
General Business
1055 HULL ROAD
Current Future Land Use: General Business & Mixed Density Residential
Talley Crossing
Mixed Density Residential
General Business
General Business
Hull Rd
Hull Rd
General Business
General Business
1055 HULL ROAD
Proposed Future Land Use: General Business


Talley Crossing
C-R
N
Hull Rd
Hull Rd
C-G
E-I
1055 HULL ROAD
Current Zoning: C-R & RM-2
Talley Crossing
C-R
Hull Rd
Hull Rd
C-G
E-I
1055 HULL ROAD
Proposed Zoning: C-G

Plat Doc: PLAT
Recorded 10/03/2024 12:05PM

Elisa Zarate, Clerk Superior Court
Athens-Clarke County, Ga.
Bk 0000K Pg 0360-0361
Penalty: $0.00
Interest: $0.00
Participants: 9576554662

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

SURVEYOR'S NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF CLARKE COUNTY, GA, COMMUNITY PANEL 130040 0008 E HAVING AN EFFECTIVE DATE OF 09/30/2016 THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. SEE SHEET 2 FOR AFFECTED AREA.

2. IF THIS PROPERTY CONTAINS FEMA AND/OR LOCAL FLOOD HAZARD AREAS. BOTH FEDERAL AND LOCAL RESTRICTIONS MAY APPLY.

3. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999972951. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

4. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

5. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

6. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 22,188 FEET AND AN ANGULAR CLOSURE OF 00'00'02" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY C.P..

7. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

TRACT "B" – WITHIN ONE FOOT IN 313,959 FEET.
TRACT "C" – WITHIN ONE FOOT IN 118,421 FEET.

8. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

9. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

10. THIS PROPERTY DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED NATURAL BUFFER. LOCAL ORDINANCES MAY ALSO REQUIRE ADDITIONAL BUFFERS FOR THESE AREAS.

11. THE FIELD SURVEY WAS CONDUCTED ON JUNE 20TH, 2024.

12. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

STATE WATERS BUFFER:

AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. BUFFER IS TO BE MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

THIS SITE DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED VEGETATIVE BUFFER.

LEGAL DESCRIPTION: TRACT "B"

All that tract or parcel of land lying and being in 219th G.M.D., City of Athens, Clarke County, Georgia as shown on a sketch and description prepared by Patton Land Surveying, LLC, for CJB Athens, LLC, dated June 20th, 2024 and being a portion of Tract "B" as shown on Plat Book "K", pages 82 & 83, Clarke County, Georgia plat records, and being more particularly described as follows:

Commencing at a calculated point at the Georgia Department of Transportation baseline intersection of U.S. Highway No. 72 (Hull Road) (varying width right-of-way) (Per right-of-way map project EDS-72(26), dated May 3rd, 1995) & Voyles Road, located at Georgia State Plane Coordinate Northing 1455378.18, Easting 2551432.24, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE North 57 degrees 32 minutes 47 seconds West for a distance of 526.50 feet to a 1/2" rebar pin found with cap stamped "LSF 1029" and said point being the TRUE POINT OF BEGINNING.

Thence South 32 degrees 54 minutes 35 seconds West for a distance of 418.68 feet to a 2" open top pin found "disturbed"; Thence South 60 degrees 58 minutes 05 seconds West for a distance of 150.23 feet to a 1" open top pin found; Thence continue South 60 degrees 58 minutes 05 seconds West for a distance of 63.17 feet to a nail set on the Easterly line of that certain Access Easement as described in Deed Book 5605, Pages 535-547, Clarke County, deed records;

Thence following the Easterly line of said Access Easement the following courses:

Thence along a curve to the left having a radius of 228.50 feet and an arc length of 5.95 feet, being subtended by a chord of South 30 degrees 22 minutes 41 seconds East for a distance of 5.95 feet to a nail set; Thence South 31 degrees 07 minutes 26 seconds East for a distance of 181.11 feet to a 1/2" rebar pin set on the Northerly right-of-way line of said U.S. Highway No. 72;

Thence leaving the Easterly line of said Access Easement and following the Northerly right-of-way line of said U.S. Highway No. 72 the following course:

Thence South 60 degrees 44 minutes 26 seconds West for a distance of 68.61 feet to a 1/2" rebar pin found with cap stamped "LSF 1029";

Thence leaving the Northerly right-of-way line of said U.S. Highway No. 72 the following courses:

Thence North 29 degrees 10 minutes 49 seconds West for a distance of 826.94 feet to a 1/2" rebar pin found; Thence North 27 degrees 59 minutes 54 seconds East for a distance of 49.94 feet to a 1/2" rebar pin set; Thence along a curve to the left having a radius of 490.00 feet and an arc length of 3.95 feet, being subtended by a chord of South 67 degrees 24 minutes 27 seconds East for a distance of 3.95 feet to a calculated point; Thence South 67 degrees 38 minutes 17 seconds East for a distance of 20.20 feet to a 1/2" rebar pin set; Thence along a curve to the left having a radius of 790.00 feet and an arc length of 248.07 feet, being subtended by a chord of South 76 degrees 38 minutes 03 seconds East for a distance of 247.06 feet to a calculated point; Thence South 85 degrees 37 minutes 48 seconds East for a distance of 360.51 feet to a calculated point; Thence along a curve to the right having a radius of 710.00 feet and an arc length of 137.13 feet, being subtended by a chord of South 80 degrees 05 minutes 49 seconds East for a distance of 136.92 feet to a 1/2" rebar pin found with cap stamped "LSF 1029" and said point being the POINT OF BEGINNING.

Said property contains 5.85 acres more or less.

LEGAL DESCRIPTION: TRACT "C"

All that tract or parcel of land lying and being in 219th G.M.D., City of Athens, Clarke County, Georgia as shown on a combination survey prepared by Patton Land Surveying, LLC, for CJB Athens, LLC, dated June 20th, 2024 and being a portion of Tract "B" as shown on Plat Book "K", pages 82 & 83, Clarke County, Georgia plat records together with that certain parcel of land as described in Deed Book 4637, Pages 165-167, Clarke County, Georgia deed records, and being more particularly described as follows:

Commencing at a calculated point at the Georgia Department of Transportation baseline intersection of U.S. Highway No. 72 (Hull Road) (varying width right-of-way) (Per right-of-way map project EDS-72(26), dated May 3rd, 1995) & Voyles Road, located at Georgia State Plane Coordinate Northing 1455378.18, Easting 2551432.24, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE North 57 degrees 32 minutes 47 seconds West for a distance of 526.50 feet to a 1/2" rebar pin found & cap stamped "LSF 1029" at the Northeasterly corner of said Tract "B";

Thence following the Southeasterly line of said Tract 'B' the following course:

Thence South 32 degrees 54 minutes 35 seconds West for a distance of 418.68 feet to a 2" open top pin found 'disturbed' at the Northeast corner of said Deed Book 4637, Pages 165-167 and said point being the TRUE POINT OF BEGINNING.

Thence leaving the easterly line of said Tract 'B' and following the Easterly line of said Deed Book 4637, Pages 165-167 the following course:

Thence South 29 degrees 08 minutes 52 seconds East for a distance of 186.11 feet to a 1/2" rebar pin found & cap stamped "LSF 1029" on the Northerly right-of-way line of said U.S. Highway No. 72;

Thence leaving the Easterly line of said Deed Book 4637, Pages 165-167 and following the Northerly right-of-way line of sais U.S. Highway No. 72 the following courses:

Thence South 60 degrees 44 minutes 26 seconds West for a distance of 150.44 feet to a 1/2" rebar pin found & cap stamped "LSF 1029"; Thence continue South 60 degrees 44 minutes 26 seconds West for a distance of 56.59 feet to a 1/2" rebar pin set on the Easterly line of that certain 43' wide Access Easement as described in Deed Book 5605, Pages 535-547, Clarke County, Georgia deed records;

Thence leaving the Northerly right-of-way line of said U.S. Highway No. 72 and following the Easterly line of said Access Easement the following courses:

Thence North 31 degrees 07 minutes 26 seconds West for a distance of 181.11 feet to a nail set; Thence along a curve to the right having a radius of 228.50 feet and an arc length of 5.95 feet, being subtended by a chord of North 30 degrees 22 minutes 41 seconds West for a distance of 5.95 feet to a nail set;

Thence leaving the Easterly line of said Access Easement the following courses:

Thence North 60 degrees 58 minutes 05 seconds East for a distance of 63.17 feet to a 1" open top pin found at the Northwest corner of said Deed Book 4637, Pages 165-167;

Thence following the Northerly line of said Deed Book 4637, Pages 165-167 the following course:

Thence continue North 60 degrees 58 minutes 05 seconds East for a distance of 150.23 feet to a 2" open top pin found "disturbed" and said point being the POINT OF BEGINNING.

Said property contains 0.90 acres more or less.

AREAS:
TRACT B: 5.85 ACRES
TRACT C: 0.90 ACRES

UTILITIES:

1) TRACT B & C: ATHENS-CLARKE COUNTY WATER IS AVAILABLE.
2) ATHENS-CLARKE COUNTY SANITARY SEWER IS NOT AVAILABLE. A SANITARY SEWER MAIN EXTENSION BY THE OWNER/DEVELOPER IS REQUIRED.

OWNER:
EXCALIBER DEVELOPMENT
P.O. BOX 520
CONYERS, GA. 30012

CJB ATHENS, LLC
P.O. BOX 520
CONYERS, GA. 30012

ADDRESS:

TRACT "B"
160 TALLEY CROSSING, ATHENS, GEORGIA 30601
TRACT "C"
1055 HULL ROAD, ATHENS, GEORGIA 30601

TAX PARCEL NUMBERS:

213 018P
213 011

REFERENCES:

1. DEED BOOK 5609, PAGES 318-323
2. DEED BOOK 4637, PAGES 165-167
3. DEED BOOK 5514, PAGES 403-406
4. DEED BOOK 5556, PAGES 337-341
5. DEED BOOK 5014, PAGES 174 & 175
6. DEED BOOK 5542, PAGES 46-49
7. DEED BOOK 3349, PAGES 38-40
8. DEED BOOK 4668, PAGES 400-402
9. PLAT BOOK "K", PAGES 82 & 83

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

06/20/2024
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

OWNER'S ACKNOWLEDGEMENT AND DECLARATION:

I (we) hereby certify that I am (we are) the owner of the property shown and described hereon and that I (we) hereby adopt the plan of subdivision with my (our) free consent, having established the minimum building restriction lines, dedicate all rights-of-way, water and sewer easements, drainage easements, alleys, walks, parks, and other open spaces to public or private use as noted, and agree to provide either directly of indirectly for the maintenance of all common areas and outlets. I (we) further acknowledge that possession of the right-of-way remains soley with the subdivider until such time as all bonds are released by Athens-Clarke County.

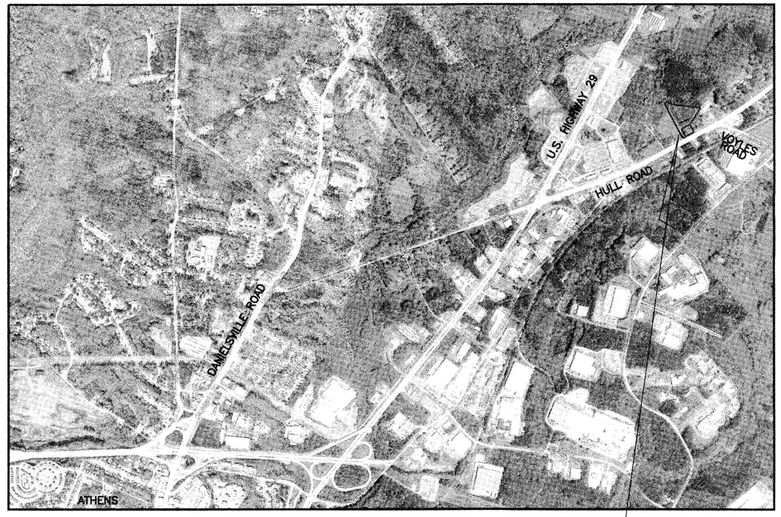
Subdivider Owner

OWNER'S ACKNOWLEDGEMENT AND DECLARATION:

I (we) hereby certify that I am (we are) the owner of the property shown and described hereon and that I (we) hereby adopt the plan of subdivision with my (our) free consent, having established the minimum building restriction lines, dedicate all rights-of-way, water and sewer easements, drainage easements, alleys, walks, parks, and other open spaces to public or private use as noted, and agree to provide either directly of indirectly for the maintenance of all common areas and outlets. I (we) further acknowledge that possession of the right-of-way remains soley with the subdivider until such time as all bonds are released by Athens-Clarke County.

Subdivider Owner

COMBINATION SURVEY FOR:
CJB ATHENS LLC



VICINITY MAP
(NOT TO SCALE)

NORTH

ZONING & BUILDING SETBACKS: RM-2

EXISTING ZONING: MIXED DENSITY RESIDENTIAL – RM-2
(BELOW INFORMATION TAKEN FROM THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES)

MINIMUM LOT AREA
(SQUARE FEET) – 5,000

MINIMUM LOT WIDTH AND CONTINUOUS LINEAR STREET FRONTAGE – 50' FOR SINGLE-FAMILY ATTACHED UNITS, THE AVERAGE LOT WIDTH SHALL NOT BE LESS THAN 25'.

MINIMUM LOT DEPTH – 80'

MINIMUM FRONT YARD – 10'

MINIMUM SIDE YARD – 6'

MINIMUM REAR YARD – 10'

ZONING & BUILDING SETBACKS: C-R

EXISTING ZONING: COMMERCIAL RESIDENTIAL – C-R
(BELOW INFORMATION TAKEN FROM THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES

MAXIMUM RESIDENTIAL DENSITY (BEDROOMS PER GROSS ACRE)	16
MINIMUM LOT AREA	20,000 SQUARE FEET
MINIMUM LOT WIDTH	100 FEET
MINIMUM LOT DEPTH	200 FEET
MINIMUM FRONT YARD	20 FEET
MINIMUM SIDE YEAR	6 FEET
MINIMUM YARD WHEN ABUTING RESIDENTIAL ZONE	10 FEET

Non-Binding
Stephen Jaques
02/13/2025

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plat is based has a closure precision of one foot in 22,198 feet, and an angular error of 00'00'02" per angle point, and was adjusted using Crandalls rule. This plat has been calculated for closure and is found to be accurate within one foot in 313,959 & 118,421 feet.

By: CHRIS M. PATTON
Registered Georgia Land Surveyor No. 2647

Patton Land Surveying
P.O. Box 256 Gainesville, GA. 30503
Phone: (770) 532-6492
Fax: (770) 532-1995
E-Mail: cpatton@pattonsurveying.com
Date: June 20th, 2024

ATHENS-CLARKE COUNTY APPROVALS:

The plat has been approved in accordance with the Athens-Clarke County Subdivision Regulations.

Planning Director 10/2/24 Date:

I hereby certify that all required improvements necessary to provide water and/or sanitary sewer service from the Athens-Clarke County water distribution and/or sanitary sewer collection system(s), as noted have been satisfactorily installed and been accepted by Athens-Clarke county for ownership, operation, and maintenance, or improvement guarantees, in an amount sufficient to secure the satisfactory installation and dedication of the necessary improvements, have been provided.

Public Utilities Director: 9/30/2024 Date:

I hereby certify that all required improvements necessary to provide all streets and other required public improvements in accordance with plans submitted to Athens-Clarke County by the subdivider's professional representatives have been satisfactorily completed or have been adequately guaranteed in an amount sufficient to secure satisfactory installation. All drainage and access easements shown are the maintenance responsibility of the property owner per ACC policy.

Public Works Director: 10-2-2024 Date

LEGEND:

- △ A.I.F. – ANGLE IRON FOUND
- ⊛ A.F. – AXLE FOUND
- ■ C.M.F. – CONCRETE MONUMENT FOUND
- ▢ A.M.F. – ALUMINUM MONUMENT FOUND
- ◍ C.T.F. – CRIMP TOP PIN FOUND
- ● R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- ◉ O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- ⊙ I.P.F. – IRON PIN FOUND
- ⊗ P.K.N.F. – PARKER KALON NAIL FOUND
- ✕ F.X. – X-CUT FOUND
- ◆ N.F. – NAIL FOUND
- ⊙ R.F. – ROCK FOUND
- ▬ R.R.F. – RAILROAD SPIKE FOUND
- ⊕ T.F. – TACK FOUND
- ⊠ P.K.N.S. – PARKER KALON NAIL SET
- ▢ R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- □ C.M.S. – CONCRETE MONUMENT SET
- ○ N.S. – NAIL SET
- ○ C.P. – CALCULATED POINT
- ▣ D.I. – DROP INLET
- ⊕ J.B. – JUNCTION BOX
- ⊛ W.I. – WIER INLET
- ◍ Y.I. – YARD INLET
- ▣ C.V. – CABLE TV VAULT
- ⊙ C.R. – CABLE RISER
- ▯ T.R. – TELEPHONE RISER
- ▣ T.V. – TELEPHONE VAULT
- ▯ T.P. – TELEPHONE POLE
- Ⓣ T.M.H. – TELEPHONE MANHOLE
- ⊡ U.T.B. – UNDERGROUND TELEPHONE BOX
- ✠ A.C. – AIR CONDITIONER
- ▥ P.B. – POWER TRANSFORMER BOX
- ▣ E.P.B. – ELECTRIC PULL BOX
- Ⓔ E.M. – ELECTRIC METER
- ⊙ P.P. – POWER POLE
- ◀ F.L. – FLOOD LIGHT
- ⊕ S.P. – SERVICE POLE
- ⌧ L.P. – LIGHT POLE
- ⊥ G.W. – GUY WIRE
- ◒ G.P. – GUY ANCHOR POLE
- ▣ E.S. – ELECTRIC SERVICE
- Ⓦ W.M. – WATER METER
- ⋈ W.V. – WATER VALVE
- ⊙ F.H. – FIRE HYDRANT
- ⊠ F.D.C. – FIRE DEPARTMENT CONNECTION
- ⊠ I.C.V. – IRRIGATION CONTROL VALVE
- ⊛ W.P. – WELL POINT
- ⊙ S.P.O. – WATER SPIGOT
- ⊛ B.O. – WATER BLOW OFF
- ⊠ B.F.P. – WATER BACKFLOW PREVENTER
- ⊛ SPK – SPRINKLER
- ⊙ C.O. – SANITARY CLEANOUT
- Ⓢ S.S.M.H. – SANITARY SEWER MANHOLE
- ⋈ G.V. – SANITARY GATE VALVE
- ⊙ G.T. – GREASE TRAP
- Ⓤ U.M. – UNKNOWN TYPE MANHOLE
- ⊠ GAS – GAS VALVE
- ▣ G.M. – GAS METER
- Ⓟ P.R. – PROPANE TANK
- ⚑ F.P. – FLAG POLE
- ▯ T.S.P. – TRAFFIC SIGNAL POLE
- ▣ T.S.B. – TRAFFIC SIGNAL BOX
- Ⓜ M.W. – MONITORING WELL
- ⊛ S.H. – SPRING HEAD
- ⊛ B.P. – BOLLARD POST
- ⊸ S.N.L. – TRAFFIC SIGN
- ♿ H.C.P. – HANDICAP PARKING
- ⊛ B.M. – BENCHMARK
- ▣ M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —O— – CHAIN LINK FENCE
- —□— – WOOD FENCE
- —x— – WIRE FENCE
- —o— – WROUGHT IRON FENCE
- —OHP— – OVERHEAD POWER LINES
- —▲— – TRAFFIC SIGNAL LINE
- ⊂⊃ – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- P.C. – POINT OF CURVATURE
- P.T. – POINT OF TANGENCY
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5' – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- x 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

REGISTERED PROFESSIONAL LAND SURVEYORS
PATTON LAND SURVEYING, LLC
P.O. BOX 256
GAINESVILLE, GA. 30503
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FAX: (770) 532-1995
www.pattonsurveying.com

COMPUTATIONS BY: C.K.
SURVEYED BY: C.P.
DRAFTED BY: C.K.
CHECKED BY: C.P.

COMBINATION SURVEY FOR:
CJB ATHENS LLC
– LOCATED IN –
219TH G.M.D.
CITY OF ATHENS
CLARKE COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	08-20-2024	REVISED PLAT PER COUNTY COMMENTS
2	09-12-2024	REVISED UTILITY NOTE
3	09-29-2024	REVISED UTILITY NOTE

SHEET NUMBER:
1 of 2
SCALE: N/A
SURVEY DATE: 06/20/2024
PLAT DATE: 06/20/2024
16-021-HULL ROAD COMBINATION.dwg
JN. 16-021

Plat Doc: PLAT
Recorded 10/03/2024 12:05PM

Elisa Zarate, Clerk Superior Court
Athens-Clarke County, Ga.
Bk 0000K Pg 0360-0361
Penalty: $0.00
Interest: $0.00
Participants: 9576554662

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

FUTURE PUBLIC ROAD TRACT
"TALLEY CROSSING"
(80' ACCESS & UTILITY EASEMENT)
(PLAT BOOK "J", PAGES 178 & 179)

– N/F –
EXCALIBER DEVELOPMENT, LLC
(DEED BOOK 5014, PAGES 174 & 175)

P/L

1/2" R.B.F.

1/2" R.B.S.

40.18'

40.21'

1/2" R.B.F.

C.P.

ZONED C-G

ZONED RM-2

N 27°59'54" E 49.94'

L1

ZONED RM-1

R=675.00'

C11

C10

C2

C3

C12

C13

L18

L19

L20

L21

L22

L23

L24

L25

L26

10' S/B

40'

20' STORMWATER MANAGEMENT FACILITY ACCESS EASEMENT

STORMWATER MANAGEMENT FACILITY INSPECTION & MAINTENANCE EASEMENT

N 85°37'48" E 148.54'

N 85°37'48" W 120.75'

C4

L4

L5

L6

80'

– N/F –
ATHENS HOUSING AUTHORITY
(DEED BOOK 5556, PAGES 337–341)

N 29°10'58" W 151.37'

170'

S 04°22'12" W 155.77'

20' STORMWATER MANAGEMENT FACILITY ACCESS EASEMENT

C6

N 29°10'49" W 826.94'

ZONED C-G

ZONED RM-2

ACCESS EASEMENT (DEED BOOK 5605, PAGES 535-547) (0.71 ACRES)

N 04°22'12" E 350.70'

N 04°22'12" E 414.23'

S 04°22'12" W 410.72'

S 04°22'12" W 350.70'

20' UTILITY EASEMENT (DEED BOOK 5609, PAGES 324-341) (0.25 ACRES)

43'

FUTURE PUBLIC ROAD TRACT
"TALLEY CROSSING"
(PROPOSED PUBLIC ACCESS & UTILITY EASEMENT)
(PLAT BOOK "K", PAGES 82 & 83)

ROADWAY UNDER CONSTRUCTION
(NO IMPROVEMENTS LOCATED)

S 85°37'48" E 360.51' (TOTAL)

10' S/B

C.P.

ZONED RM-1

ZONED RM-2

C4

1/2" R.B.S. (0.3' N.W. OF P/L)

N/F
HP-231136 ATHENS, LLC
(DEED BOOK 5542, PAGES 46-49)

TRACT "A"
(PLAT BOOK "K", PAGES 82 & 83)

LINE	BEARING	DISTANCE
L1	S 67°38'17" E	20.20'
L2	S 60°44'26" W	43.02'
L3	N 31°07'26" W	179.71'
L4	N 40°37'48" W	26.28'
L5	S 85°37'48" E	83.00'
L6	S 49°22'12" W	26.28'
L7	N 84°03'27" E	37.41'
L8	S 05°56'33" E	20.00'
L9	S 84°03'27" W	28.01'
L10	N 31°07'26" W	21.16'
L11	S 84°03'27" W	36.10'
L12	N 21°09'15" W	94.70'
L13	N 19°33'10" W	29.12'
L14	S 85°37'48" E	20.00'
L15	S 19°33'10" E	24.62'
L16	S 21°09'15" E	78.43'
L17	N 84°03'27" E	11.41'
L18	S 81°57'12" E	10.26'
L19	S 83°13'28" E	11.47'
L20	S 84°32'58" E	11.06'
L21	S 85°46'18" E	9.35'
L22	S 86°51'46" E	10.83'
L23	N 11°11'25" E	29.30'
L24	S 11°11'25" W	16.67'
L25	N 04°22'12" E	10.39'
L26	S 04°22'12" W	30.39'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	228.50'	5.95'	5.95'	N 30°22'41" W	1°29'28"
C2	490.00'	3.95'	3.95'	S 67°24'27" E	0°27'41"
C3	790.00'	248.07'	247.06'	S 76°38'03" E	17°59'31"
C4	710.00'	137.13'	136.92'	S 80°05'49" E	11°03'58"
C5	271.50'	168.19'	165.51'	N 13°22'37" W	35°29'38"
C6	228.50'	135.60'	133.62'	S 12°37'52" E	34°00'09"
C7	228.50'	0.94'	0.94'	N 31°00'21" W	0°14'08"
C8	228.50'	5.01'	5.01'	S 30°15'37" E	1°15'21"
C9	41.00'	104.80'	78.51'	S 77°38'37" W	146°26'51"
C10	41.00'	91.04'	73.46'	N 34°25'56" E	127°13'45"
C11	790.00'	129.30'	129.15'	S 72°19'37" E	9°22'39"
C12	790.00'	20.00'	20.00'	S 77°44'28" E	1°27'03"
C13	790.00'	98.77'	98.71'	S 82°02'54" E	7°09'49"

GRID NORTH

NAIL FOUND @ BASE 2" O.T.F. "DISTURBED"

P/L

ZONED RM-1
ZONED C-R

493.59'

WIRE FENCE

41.62'

C.P.

TRACT "B"
(PLAT BOOK "K", PAGES 82 & 83)
(REVISED AREA – 5.85 ACRES)
"NO INTERIOR IMPROVEMENTS LOCATED"

N/F
HP-231141 ATHENS TALLEY TH, LLC
(DEED BOOK 5609, PAGES 318-323)

30' JACKSON EMC R/W
(DEED BOOK 5307, PAGE 465)

(TOTAL) S 32°54'35" W 418.68'

6' S/B

ZONED RM-2

ZONED C-R

164.27'

2" I.P.F. (0.4' S.W. OF P/L)

POINT OF BEGINNING TRACT "B" (1/2" R.B.F. STAMPED LSF 1029')

254.41'

FENCE CORNER (ON P/L)

– N/F –
GEMA PROPERTIES, LLC
(DEED BOOK 3349, PAGES 38-40)

R=750.00'
L=539.38'
Δ=41°12'20"
C BRG=N 53°00'06" W
C DIST=527.83'

CENTERLINE PROPOSED EXTENSION OF TALLEY CROSSING

PROPERTY TIE:
N 57°32'47" W 526.50'

– N/F –
ATHENS HOUSING AUTHORITY
(DEED BOOK 5556, PAGES 337–341)

– N/F –
BH ATHENS LAND, LLC
(DEED BOOK 5514, PAGES 403–406)

NAIL SET

N 60°58'05" E 63.17'

1" O.T.F. N 60°58'05" E 150.23'

C1 (TOTAL)

6' S/B ZONED RM-2 ZONED C-R 10' S/B

20' UTILITY EASEMENT (DEED BOOK 5609, PAGES 324–341)

POINT OF BEGINNING TRACT "C" (2" O.T.F.) (DISTURBED)

– N/F –
LISA VAUGHN & GINA SARTAIN NEILL
(DEED BOOK 4668, PAGE 400–402)

– N/F –
EXCALIBER DEVELOPMENT
(DEED BOOK 4637, PAGES 165–167)
TRACT "C"
(0.90 ACRES)

ACCESS EASEMENT (DEED BOOK 5605, PAGES 535–547)

N 31°07'26" W 181.11'

EASTERLY LINE OF ACCESS EASEMENT

6' S/B

ZONED RM-2

ZONED C-R

(TIE ALONG FORMER P/L) S 29°05'02" E 186.71'

S 29°08'52" E 186.11'

3" DIAMETER BASE BILLBOARD SIGN

C.M.F. (0.1' NORTH, 0.9' WEST)

EASTERLY LINE OF DEED BOOK 4637, PAGES 165–167

U.S. HIGHWAY NO. 72
(HULL ROAD)
(VARYING WIDTH R/W)
(PER G.D.O.T. R/W MAP PROJECT EDS-72(26) DATED MAY 3RD, 1995)

1/2" R.B.F.C. STAMPED "LSF 1029"

R/W

APPROXIMATE LOCATION 8" WATER MAIN

1/2" R.B.F. (1.7' S.E. ON P/L EXTENDED)

F.E.S.

1/2" R.B.S.

S 60°44'26" W 68.61'

S 60°44'26" W 56.59'

S 60°44'26" W 150.44'

1/2" R.B.F.C. STAMPED "LSF 1029"

NORTHERLY R/W LINE

15" C.M.P.

24" C.M.P.

18" C.M.P.

831.20' S 86°24'20" W

E.P.

P.C. 150+87.63

CONCRETE MEDIAN

142+00 143+00 144+00 145+00 146+00 147+00 148+00 149+00 150+00 151+00 152+00 154+00

15' GRASS MEDIAN

2.5' CONCRETE CURB & GUTTER

CONCRETE MEDIAN

P.T. 154+73.21

POINT OF COMMENCEMENT
(G.D.O.T. BASELINE INTERSECTION OF U.S. HIGHWAY 72 & VOYLES ROAD)
(CALCULATED POINT)
N:1455378.18
E:2551432.24

BASELINE INTERSECTION 153+00

G.D.O.T. BASELINE

F.H. & W.V.

CONCRETE FLUME

CONCRETE MEDIAN

D.I.

CONCRETE APRON

18" C.M.P.

ASPHALT DRIVEWAY

CONCRETE DRIVEWAY

R/W C.M.F.

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

Non-Binding
Stephen Jaques
02/13/2025

REGISTERED PROFESSIONAL LAND SURVEYORS

PATTON
LAND SURVEYING, LLC

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
FAX: (770) 532-1995
www.pattonsurveying.com

No.	DATE	DESCRIPTION
1	08-20-2024	REVISED PLAT PER COUNTY COMMENTS
2	09-12-2024	REVISED UTILITY NOTE
3	09-29-2024	REVISED UTILITY NOTE

COMPUTATIONS BY: C.K.
SURVEYED BY: C.P.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
CJB ATHENS LLC

– LOCATED IN –
219TH G.M.D.
CITY OF ATHENS
CLARKE COUNTY, GEORGIA

SHEET NUMBER:
2 of 2
SCALE: 1" = 50'
SURVEY DATE: 06/20/2024
PLAT DATE: 06/20/2024
16-021-HULL ROAD COMBINATION.dwg
JN. 16-021

Non-Binding

Stephen Jaques

02/13/2025

Rezone for Parcel 213 011
REPORT

This report is intended to support the application to rezone parcel 213 011. The parcel contains 0.90 acre. Parcel 213 011 is split zoned with most of it zoned C-R and the balance is zoned RM-2. Parcel 213 011 has a split Future Land Use of General Business (C-R part) and Mixed Density Residential (RM-2 part). The parcel 213 018Q to the north and east of the subject parcel is being developed with townhomes. A private road planned to interconnect Talley Crossing to GA Hwy 72 is under construction by others on the parcel 213 018Q and parcel 213 011 has an access and sewer easement to the private road and beyond to the next eastern parcel. The planned private road runs southerly on the RM-2 parcel and connects to Hull Road/Hwy 72. The owner wishes to rezone the subject parcel 213 011 to C-G. This will require a change of the Future Land Use because approximately 0.3 acres of the subject parcel is currently Mixed Density Residential Future Land Use. The balance of the property is currently General Business Future Land Use. Therefore, the applicant proposes to change the Future Land Use from Mixed Density Residential to General Business for that part of the subject parcel. The current C-R zoning for the balance of the subject parcel is not compatible with the current Future Land Use of General Business. Rezoning to C-G will bring this into conformance.

The area proposed to be rezoned is 0.90 acre and is bounded on the south by Hull Road/Hwy 72. The owner wishes to develop or sell the property for development. The owner wishes to retain development options available under a C-G zoning; therefore, this request is a rezone to C-G with no conditions and to change the current Future Land Use from Mixed Density Residential to General Business. The subject parcel would be developed following the Athens Clarke County Code of Ordinances for the proposed zone.

The requested C-G rezone is not compatible with the current Future Land Use designation for the RM-2 part of the subject property. C-R is not compatible with General Business Future Land Use as well, but C-G is compatible. As a result, this is a Type I rezone application to change the Future Land Use and the Zoning. The rezone of the parcel requires a change to the Future Land Use plan from Mixed Density Residential to General Business for part of the subject.

There are no environmental areas on or near this property. Refer to Exhibits A and B for the Zoning and Future Land Use for the subject parcel and surrounding parcels. Refer to Exhibit C for the recorded combination plat of the subject parcel.

The development of this parcel under a C-G zoning will not create an isolated district in the Future Development Map. General Business is already east and west of this parcel except for the remaining sliver of Mixed Density Residential. This sliver will contain the private road that connects Tally Crossing to Hull Road/Hwy 72. Changing the subject parcel to General Business is consistent as some of the property to the east is currently developed with businesses. The parcel to the north is Multi-Family Residential including the new private road that separates the subject parcel from the General Business property to the west. Properties south of Hwy 72 are all General Business Future Land Use.

The proposed rezoning will not adversely affect the balance of the land uses in Athens-Clarke County since the parcel is so small. The surrounding area is developing in proportionate commercial and residential uses. The C-G rezone allows this parcel to be developed in compatibility with those surrounding it.

The rezone should not affect the provision of services in the area. ACC and private developers have developed the infrastructure to support the density of commercial and residential uses of the local area.

Non-Binding

02/13/2025

Any infrastructure required to support the development on this property is being provided by the owner/developer. The private road that will abut this parcel is also being constructed by the owner of the RM-2 property. Water and sewer infrastructure will be extended across the frontage for use by other parcels to the east.

The proposed use on this parcel appears to meet all objective criteria set forth for that use in the zoning regulations. No variances or special conditions are required to develop the property under C-G zoning regulations. C-G zoning conforms to the purpose and intent of the Comprehensive Plan for this area.

The existing land use pattern surrounding the property is a mix of commercial and residential properties of varying densities. The intent of this rezone is to develop the property as a commercial property just as all parcels west of the subject parcel on Hull Road/Hwy 72 are zoned C-G. Furthermore, property on the southside of Hull Road/Hwy 72 up to Voyles Road is zoned C-G.

The surrounding parcels are a mix of multifamily residential or commercial uses on properties zoned C-G, C-R or RM-2. The adjacent property to the north is zoned RM-2. While the proposed rezone for the subject parcel may be construed as creating an isolated district, it is, in effect, not. The parcel to the west is zoned C-G. The parcels to the east are C-R, many with existing businesses. Directly across Hull Road/Hwy 72 is C-G Zoning.

The population density pattern for the area is increasing in density. The existing roads in the area are developed or being developed to handle the required density. The increase in density will result in a new traffic light at the intersection of Talley Crossing and Hwy 29 once the Georgia Department of Transportation has actual field counts to warrant the signal. Tally Crossing is currently under construction to the parcel boundary of the auto body shop. This meets ACC's long-range goal for a road extension from US Hwy 29 to Voyles Road. The separate private road extends south from Talley Crossing to Hull Road/Hwy 72 with a right-in/right-out intersection. The GDOT permit for this is under review by GDOT and expected to be approved. The existing utilities installed or being installed on adjacent properties were designed to handle the capacity envisioned by the development of this area following the ACC Comprehensive plan.

Athens-Clarke County currently should have water and sewer capacity to support development of this small parcel at the density allowed by C-G zoning. This development will not increase the number of children attending Clarke County schools.

There are no environmental impacts on this property due to development except during construction. The impact will be mitigated by application of current ACC ordinances for Erosion Sedimentation and Pollution Control as well the Georgia Stormwater Management Manual. No reduction in air quality is anticipated during or after this development.

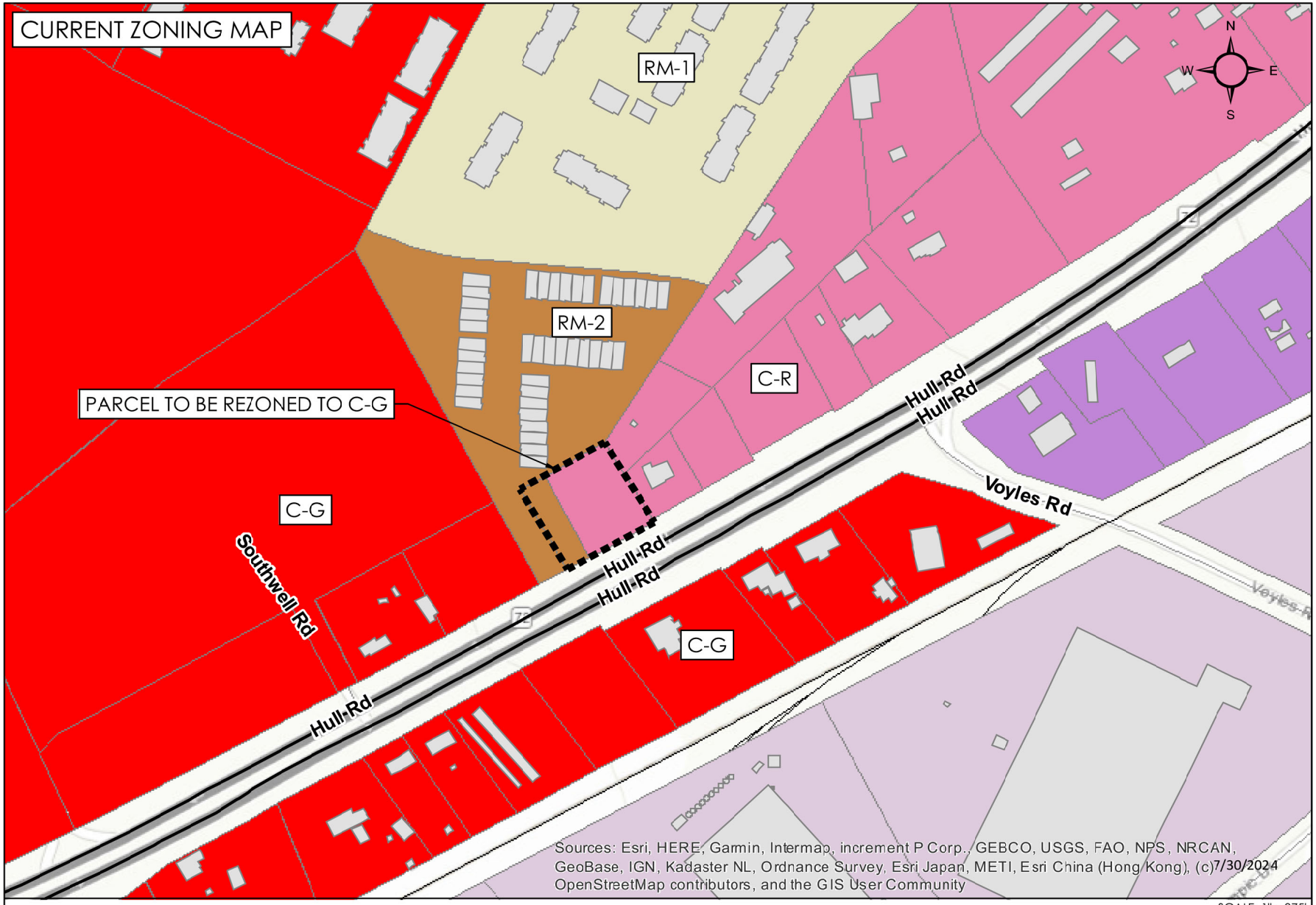
The proposed zoning amendment will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations because the adjacent parcels are all zoned C-R or C-G

The current C-R zone has restrictive commercial uses and almost all of which are not feasible to develop on a 0.90-acre tract. Overall development in the area is a mix of commercial and residential.

Non-Binding

02/13/2025

The aesthetic effect of existing and future use of the property as it relates to the surrounding area is not changed whether the property is rezoned C-G or remains C-R/RM-2. Both zones allow commercial development, but the density of development is less for C-R zoned property compared to C-G. This results in a lot that cannot be developed under C-R Zoning because of its small parcel size. All developments must conform to ACC development ordinances. Allowing this combined lot to be rezoned to C-G harmonizes the frontage on Hull Road/Hwy 72 with the other C-G parcels to the west.



SCALE: 1" = 375'

Legend

Major Roads	**Zoning**	E-I	RM-2	Roads
Buildings	C-G	E-O	Athens-Clarke County Boundary	
Parcels	C-R	RM-1	Railroad	

OAKBROOK CORPORATE CAMPUS
330 RESEARCH DRIVE, SUITE A240
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FAX: (706) 548-8644
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ENGINEERS
ARCHITECTS
PLANNERS

amt

Armentrout • Matheny • Thurmond

1055 HULL RD
REZONE APPLICATION
1055 HULL RD
ATHENS, GEORGIA 30607

24225-02

EXHIBIT

A

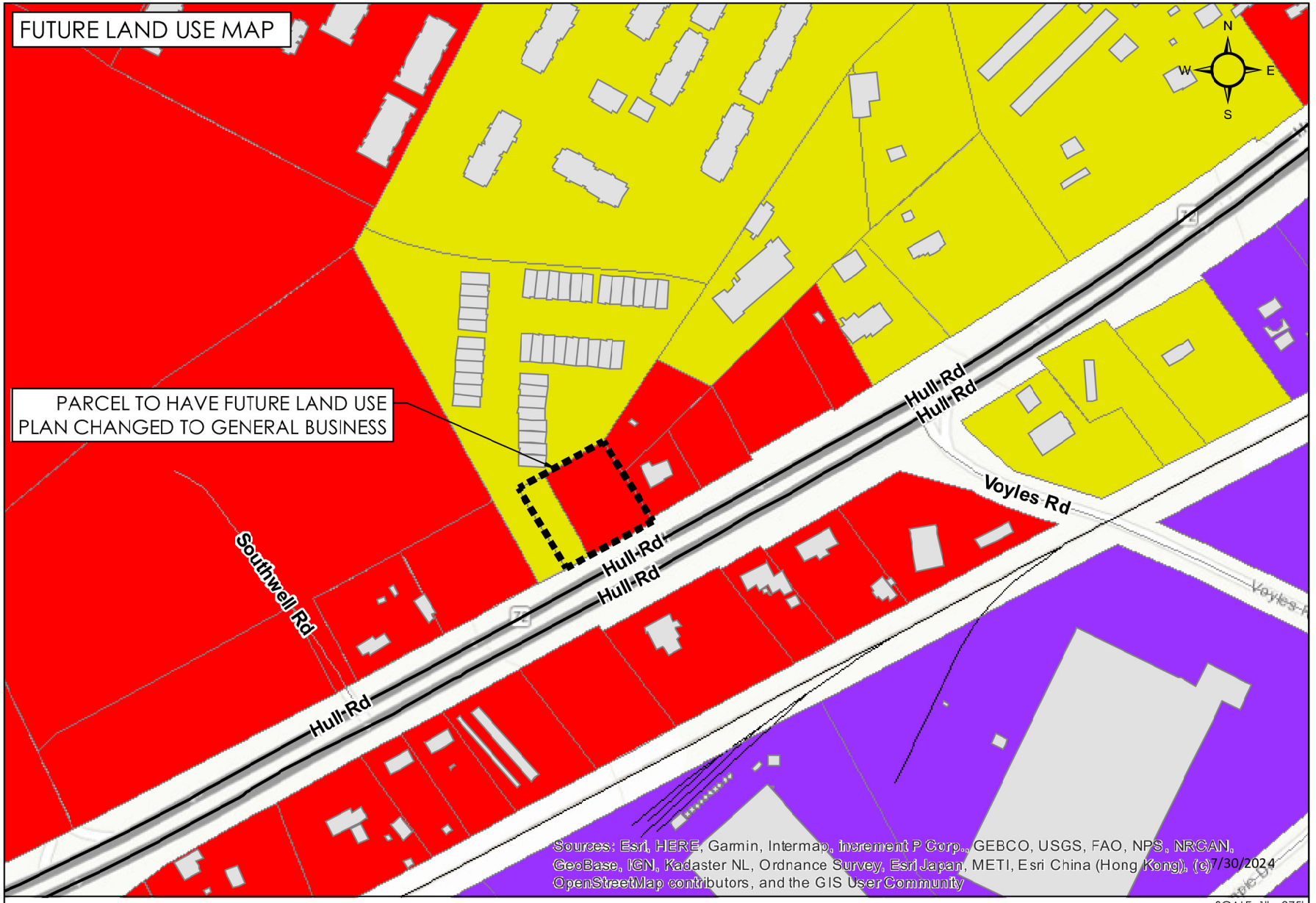
ZONING MAP

N:\24225-02\CIVIL\CAD Files\Construction Dwgs\24225 Rezone Docs.dwg

10/10/2024 12:40:25 PM

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FUTURE LAND USE MAP



SCALE: 1" = 375'

Legend

- Major Roads
- Buildings
- Parcels
- Athens-Clarke County Boundary
- Railroad
- Roads

Future Land Use

- Mixed Density Residential
- Employment
- General Business

OAKBROOK CORPORATE CAMPUS
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ENGINEERS
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Armentrout • Matheny • Thurmond

1055 HULL RD
REZONE APPLICATION
1055 HULL RD
ATHENS, GEORGIA 30607

24225-02

EXHIBIT

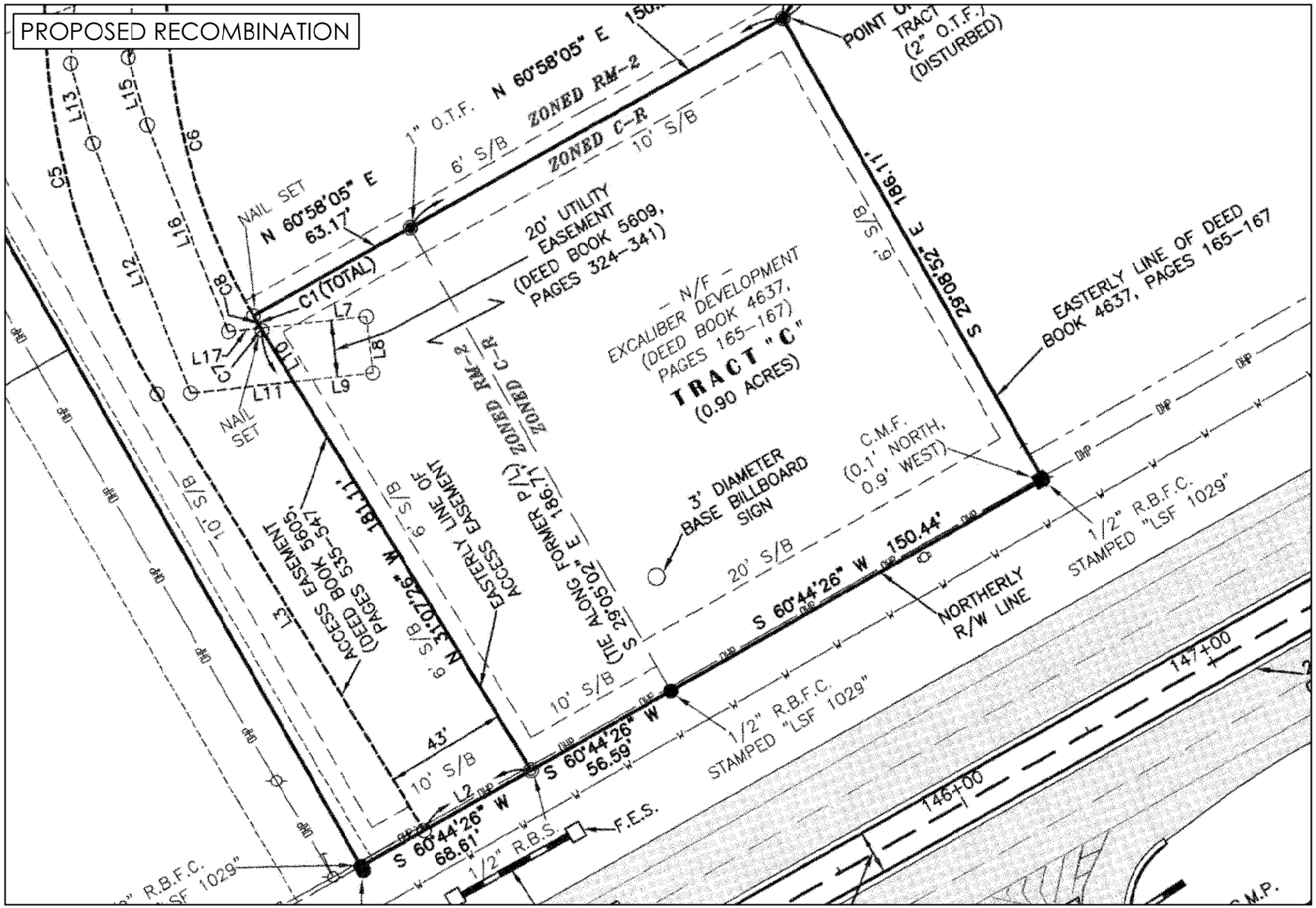
B

FUTURE LAND USE

N:\24225-02\CIVIL\CAD Files\Construction Dwgs\24225 Rezone Docs.dwg

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SCALE: 1" = 50'

LINE	BEARING	DISTANCE
L1	S 67°38'17" E	20.20'
L2	S 60°44'26" W	43.02'
L3	N 31°07'26" W	179.71'
L4	N 40°37'48" W	26.28'
L5	S 85°37'48" E	83.00'
L6	S 49°22'12" W	26.28'
L7	N 84°03'27" E	37.41'
L8	S 05°56'33" E	20.00'
L9	S 84°03'27" W	28.01'
L10	N 31°07'26" W	21.16'
L11	S 84°03'27" W	36.10'
L12	N 21°09'15" W	94.70'
L13	N 15°33'10" W	29.12'
L14	S 85°37'48" E	20.00'
L15	S 15°33'10" E	24.62'
L16	S 21°09'15" E	78.43'
L17	N 84°03'27" E	11.41'
L18	S 81°57'12" E	10.26'
L19	S 83°13'28" E	11.47'
L20	S 84°32'58" E	11.06'
L21	S 85°46'18" E	9.35'
L22	S 86°51'46" E	10.83'
L23	N 11°11'29" E	29.30'
L24	S 11°11'25" W	16.67'
L25	N 04°22'12" E	10.39'
L26	S 04°22'12" W	30.39'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	228.50'	5.95'	5.95'	N 30°22'41" W	1°29'28"
C2	490.00'	3.98'	3.98'	S 62°54'21" E	0°27'41"
C3	790.00'	248.07'	247.06'	S 76°38'03" E	17°59'31"
C4	710.00'	137.13'	136.92'	S 80°05'46" E	11°03'58"
C5	721.50'	168.19'	165.51'	N 13°23'13" W	30°29'38"
C6	228.50'	135.80'	133.82'	S 12°57'52" W	34°03'09"
C7	228.50'	0.94'	0.94'	N 31°09'21" W	0°14'08"
C8	228.50'	5.01'	5.01'	S 30°15'37" E	1°15'21"
C9	41.00'	104.80'	78.51'	S 77°39'31" W	146°26'51"
C10	41.00'	91.04'	73.46'	N 34°29'55" E	127°13'45"
C11	790.00'	129.30'	129.15'	S 72°19'37" E	9°22'39"
C12	790.00'	20.00'	20.00'	S 77°44'26" E	1°27'03"
C13	790.00'	98.77'	98.71'	S 82°02'54" E	7°09'49"

OAKBROOK CORPORATE CAMPUS
330 RESEARCH DRIVE, SUITE A240
ATHENS, GEORGIA, USA 30605-2760
PHONE: (706) 548-8211
FAX: (706) 548-8454
www.amtathens.com

amt ENGINEERS ARCHITECTS PLANNERS
Armentrout • Matheny • Thurmond

1055 HULL RD
REZONE APPLICATION
1055 HULL RD
ATHENS, GEORGIA 30607

24225-02

EXHIBIT

C

PROPOSED RECOMBINATION

N:\24225-02\ CIVIL \CAD Files\ Construction Dwgs\24225 Rezone Docs.dwg

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THIS DRAWING IS THE PROPERTY OF ARMENTROUT MATHENY THURMOND AND IS COPYRIGHT PROTECTED. UNAUTHORIZED USE OF ANY KIND INCLUDING USE ON OTHER PROJECTS IS PROHIBITED. REPRODUCTIONS MUST BE AUTHORIZED IN WRITING BY ARMENTROUT MATHENY THURMOND.

LEGAL DESCRIPTION: TRACT "C"

1055 HULL ROAD-ATHENS, GA

All that tract or parcel of land lying and being in 219th G.M.D., City of Athens, Clarke County, Georgia as shown on a combination survey prepared by Patton Land Surveying, LLC for CJB Athens, LLC, dated June 20th, 2024 and being a portion of Tract "B" as shown on Plat Book "K", pages 82 & 83, Clarke County, Georgia plat records together with that certain parcel of land as described in Deed Book 4637, Pages 165-167, Clarke County, Georgia deed records, and being more particularly described as follows:

Commencing at a calculated point at the Georgia Department of Transportation baseline intersection of U.S. Highway No. 72 (Hull Road) (varying width right-of-way) (Per right-of-way map project EDS-72(26), dated May 3rd, 1995) and Voyles Road, located at Georgia State Plane Coordinate Northing 1455378.18, Easting 2551432.24, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE North 57 degrees 32 minutes 47 seconds West for a distance of 526.50 feet to a 1/2" rebar pin found & cap stamped "LSF 1029" at the Northeasterly corner of said Tract "B";

Thence following the Southeasterly line of said Tract "B" the following course:

Thence South 32 degrees 54 minutes 35 seconds West for a distance of 418.68 feet to a 2" open top pin found "disturbed" at the Northeast corner of said Deed Book 4637, Pages 165-167 and said point being the TRUE POINT OF BEGINNING.

Thence leaving the easterly line of said Tract "B" and following the Easterly line of said Deed Book 4637, Pages 165-167 the following course:

Thence South 29 degrees 08 minutes 52 seconds East for a distance of 186.11 feet to a 1/2" rebar pin found & cap stamped "LSF 1029" on the Northerly right-of-way line of said U.S. Highway No. 72;

Thence leaving the Easterly line of said Deed Book 4637, Pages 165-167 and following the Northerly right-of-way line of said U.S. Highway No. 72 the following courses:

Thence South 60 degrees 44 minutes 26 seconds West for a distance of 150.44 feet to a 1/2" rebar pin found & cap stamped "LSF 1029"; Thence continue South 60 degrees 44 minutes 26 seconds West for a distance of 56.59 feet to a 1/2" rebar pin set on the Easterly line of that certain 43' wide Access Easement as described in Deed Book 5605, Pages 535-547, Clarke County, Georgia deed records;

Thence leaving the Northerly right-of-way line said U.S. Highway No. 72 and following the Easterly line of said Access Easement the following courses:

Thence North 31 degrees 07 minutes 26 seconds West for a distance of 181.11 feet to a nail set; Thence along a curve to the right having a radius of 228.50 feet and an arc length of 5.95 feet, being subtended by a chord of North 30 degrees 22 minutes 41 seconds West for a distance of 5.95 feet to a nail set;

Thence leaving the Easterly line of said Access Easement the following courses:

Thence North 60 degrees 58 minutes 05 seconds East for a distance of 63.17 feet to a 1" open top pin found at the Northwest corner of said Deed Book 4637, Pages 165-167;

Thence following the Northerly line of said Deed Book 4637, Pages 165-167 the following course:

Thence continue North 60 degrees 58 minutes 05 seconds East for a distance of 150.23 feet to a 2” open top pin found “disturbed” and said point being the POINT OF BEGINNING.

Said property contains 0.90 acres more or less.

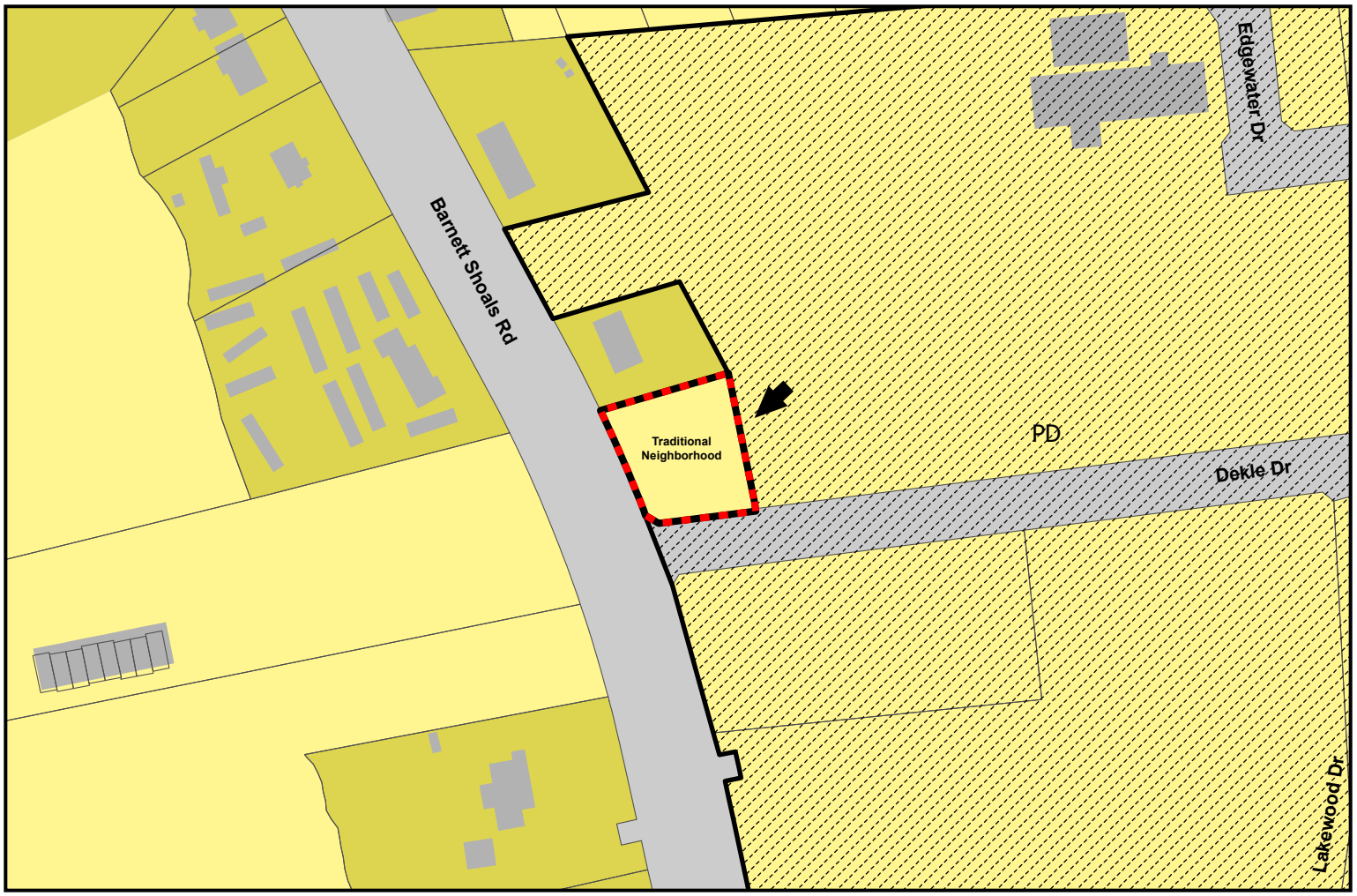
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF A PARCEL OF LAND COMPRISING APPROXIMATELY 0.36 ACRES LOCATED AT 445 BARNETT SHOALS ROAD FROM MIXED DENSITY RESIDENTIAL TO TRADITIONAL NEIGHBORHOOD**; AND FOR OTHER PURPOSES.

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

SECTION 1. The Future Development Map referred to in the Code of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A)(2) thereof, is hereby amended by changing the future development map designation of a parcel of land comprising approximately 0.36 acres and located at 445 Barnett Shoals Road, also known as Tax Parcel No. 174B 002 on the Official Tax Map of Athens-Clarke County, Georgia, from Mixed Density Residential to Traditional Neighborhood as shown on Exhibit A, which is attached hereto and incorporated herein by reference.

The date of this amendment to the Official Future Development Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Future Development Map and Exhibit A hereto are available for inspection in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia.

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



Legend

- County Boundary
- City Boundary
- Parcel Boundary
- Building Footprint
- School
- A-CC Owned Parks and Open Space
- Other Parks and Open Space
- Transportation,Communication and Utilities
- Airport Hazard Zone
- Railroad
- Rails to Trails
- Proposed Road Widening
- Proposed New Road
- Intersection Realignment

Descriptions

- General Business
- Downtown
- Main Street Business
- Employment Center
- Government
- Mixed- Density Residential
- Traditional Neighborhood
- Single Family Residential
- Rural

EXHIBIT A	PD-2024-07-1314 MASTER PLANNED DEVELOPMENT AMENDMENT **445 BARNETT SHOALS ROAD** *Scott Haines / W&A Engineering* *Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wycheslavzoff, Jodi Kerr, Mohammed Khan & Carenage Partners LLC*	N 200 100 0 200 Feet
MAP 590A		
FROM: **Mixed Density Residential**	TO: **Traditional Neighborhood**	
TAX PARCEL # *174B 002*	PLANNING COMMISSION \MEETING DATE *February 6, 2025*	ATHENS-CLARKE COUNTY \COMMISSION MEETING DATE *March 4, 2025*

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING A PLANNED DEVELOPMENT IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT) DISTRICT AND EXTENDING SUCH PLANNED DEVELOPMENT BY REZONING PARCELS OF LAND IN THE RM-1 (MIXED DENSITY RESIDENTIAL) AND RS-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICTS TO C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT), SAID AMENDMENT AND EXPANSION AFFECTING EIGHT PARCELS OF LAND AT 445, 605, 705, AND 1015 BARNETT SHOALS ROAD, 190, 200, AND 210 LAKEWOOD DRIVE, AND 162 PARK RIDGE COURT, THE IMPACTED PORTIONS OF WHICH COMPRISE APPROXIMATELY 90.22 ACRES IN TOTAL**; 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 revising a planned development in the C-N (PD) (Commercial-Neighborhood, Planned Development) District as shown on Attachment A hereto. Said map is further amended by rezoning two parcels of land from RM-1 (Mixed Density Residential) and RS-8 (Single-Family Residential), respectively, to C-N (PD) (Commercial-Neighborhood, Planned Development).

The impacted portions of the affected eight parcels of land comprise approximately 90.22 acres in total, and are located at 445, 605, 705, and 1015 Barnett Shoals Road, 190, 200, and 210 Lakewood Drive, and 162 Park Ridge Court, Athens, Georgia, and said parcels are respectively identified as Tax Parcel Nos. 174B 002 (445 Barnett Shoals Road), 174B 001B (605 Barnett Shoals Road), 174B 001F (705 Barnett Shoals Road), 174B 001C (1015 Barnett Shoals Road), 174B 001D (190 Lakewood Drive), 174B 001A (200 Lakewood Drive), 174B 017 (210 Lakewood Drive), and 174D1 010 (162 Park Ridge Court) 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 West Dougherty Street, Athens, Georgia.

Said affected parcels of land are more fully described in that certain document entitled "Overall PD Master Plan," numbered in the lower right-hand corner as CP01, having an initial submission date of June 28, 2024, having an issued date of December 31, 2024, and prepared by Stephen H. Kesler, Georgia registered professional landscape architect, such document 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 date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A 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 six sheets in total. Each sheet is titled, numbered, and dated in the lower right-hand corner as shown in the table below.

Sheet No.:	Title:	Issuance date (or most recent revision):
CP01	Overall PD Master Plan	December 31, 2024
CP02	PD Master Plan (1)	December 31, 2024
CP03	PD Master Plan (2)	December 31, 2024
CP04	PD Master Plan (3)	December 31, 2024
CP05	PD Master Plan (4)	December 31, 2024
CP06	PD Master Plan (5)	December 31, 2024

Each sheet listed above is stamped "Binding 2-13-25," with a notation to "see ordinance, application report, and staff report for binding elements," and is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The following binding written reports associated with this ordinance and incorporated herein by reference are identified in the table below.

Title:	Date:	Numbered pages:
Development Standards	January 17, 2025	39
Architectural Design Book[1]	January 17, 2025	133

The pages of each report identified above are stamped "Binding 2-13-25." Said reports are on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

SECTION 3. The conditions of zoning associated with this ordinance are as follows:

1. As modified in Condition No. 3 below, pages 22-23 of that certain document entitled "Development Standards," as identified in Section 2 above, shall be binding conditions of zoning.

[1] For purposes of clarity, the design standards set forth in the Architectural Design Book are incorporated herein by reference, and the proposed development must be constructed in accordance with the standards set forth therein. If the Architectural Design Book does not explicitly address a particular standard, then the owners/developer(s) shall adhere to any applicable standards in Title 9 of the Code of Athens-Clarke County, Georgia.

2. As modified in Condition No. 3 below, Item Nos. 1-14, which are listed as "Proffered Conditions" on pages 30-31 of that certain document entitled "Development Standards," as identified in Section 2 above, shall be binding conditions of zoning.

3. The following portions of that certain document entitled "Development Standards," as identified in Section 2 above, shall be amended to add drive-through uses to the list of prohibited uses:

   - Under the heading "Prohibited Uses" on page 23.

   - Item No. 13 on page 31.

4. The owners/developer(s) must satisfy all technical requirements described in Part IV, entitled "Technical Assessment," of the staff report presented to the Planning Commission on February 6, 2025, said staff report incorporated herein by reference 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.

5. Retaining walls that are adjacent to and rise above a public right-of-way shall be set back from a public right-of-way a minimum of one foot for every foot of wall height as measured parallel to the right-of-way and accounting for any linear changes in height. No portion of any retaining wall adjacent to and rising above a public right-of-way shall exceed twelve feet in height. A terrace is required between a lower retaining wall and an upper wall and the terrace area shall have a minimum five-foot depth as measured from the upper grade of the lower retaining wall to the base of the upper retaining wall. Retaining walls over five feet in height shall be screened by a landscape buffer no shorter than 3 feet at time of planting and reaching a minimum mature height of 6 feet; however, wall art, including murals, sculptural or other decorative treatment of exterior walls may extend for a maximum of 50 percent of the wall length. Acceptable exterior finish materials include, but are not limited to, stucco, split face blocks, brick, stone, curved interlock blocks, wood, tubular steel, wrought iron bars or other grill work, textural or scored poured concrete, engineered "green" or vegetative wall as approved by the planning director, or a combination of these materials. Exposed flat-face CMU blocks and EIFS stucco are prohibited.

6. Because certain portions of the proposed development are presently landlocked and to ensure adequate future traffic access to the proposed development, access easements must be granted and recorded with the Clerk of the Superior Court of Athens-Clarke County prior to approval of site plans.

7. The owners/developer(s) shall implement a minimum of three (3) electric vehicle charging stations and three (3) public 120v outlets for charging electric bikes within the commercial parking area of the proposed Arts and Entertainment District.

8. The owners/developer(s) shall ensure that at least one (1) shared-use electric vehicle charging station will be provided within each of the three (3) proposed neighborhoods outside of the proposed Arts and Entertainment District. Additionally, to the extent feasible in each residential type, the owners/developer(s) shall ensure that 120v outlets will be provided to all housing units within the proposed development to support charging of electrically-powered forms of transportation.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING A PLANNED DEVELOPMENT IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT) DISTRICT AND EXTENDING SUCH PLANNED DEVELOPMENT BY REZONING PARCELS OF LAND IN THE RM-1 (MIXED DENSITY RESIDENTIAL) AND RS-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICTS TO C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT), SAID AMENDMENT AND EXPANSION AFFECTING EIGHT PARCELS OF LAND AT 445, 605, 705, AND 1015 BARNETT SHOALS ROAD, 190, 200, AND 210 LAKEWOOD DRIVE, AND 162 PARK RIDGE COURT, THE IMPACTED PORTIONS OF WHICH COMPRISE APPROXIMATELY 90.22 ACRES IN TOTAL**; AND FOR OTHER PURPOSES.

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The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A 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.

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[1] For purposes of clarity, the design standards set forth in the Architectural Design Book are incorporated herein by reference, and the proposed development must be constructed in accordance with the standards set forth therein. If the Architectural Design Book does not explicitly address a particular standard, then the owners/developer(s) shall adhere to any applicable standards in Title 9 of the Code of Athens-Clarke County, Georgia.

2. As modified in Condition No. 3 below, Item Nos. 1-14, which are listed as "Proffered Conditions" on pages 30-31 of that certain document entitled "Development Standards," as identified in Section 2 above, shall be binding conditions of zoning.

3. The following portions of that certain document entitled "Development Standards," as identified in Section 2 above, shall be amended to add drive-through uses to the list of prohibited uses:

   - Under the heading "Prohibited Uses" on page 23.

   - Item No. 13 on page 31.

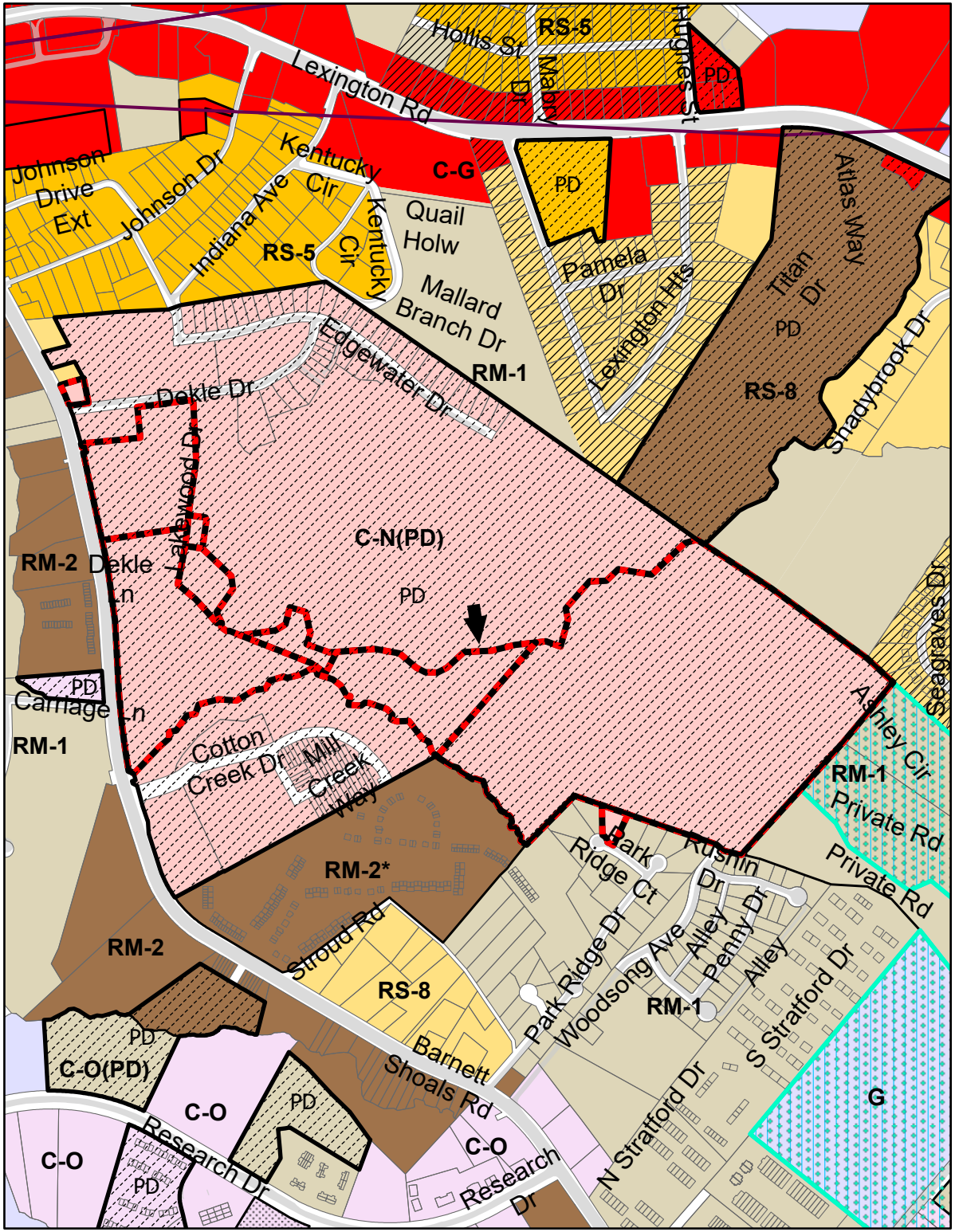
4. The owners/developer(s) must satisfy all technical requirements described in Part IV, entitled "Technical Assessment," of the staff report presented to the Planning Commission on February 6, 2025, said staff report incorporated herein by reference and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

5. Retaining walls that are adjacent to and rise above a public right-of-way shall be set back from a public right-of-way a minimum of one foot for every foot of wall height as measured parallel to the right-of-way and accounting for any linear changes in height. No portion of any retaining wall adjacent to and rising above a public right-of-way shall exceed twelve feet in height. A terrace is required between a lower retaining wall and an upper wall and the terrace area shall have a minimum five-foot depth as measured from the upper grade of the lower retaining wall to the base of the upper retaining wall. Retaining walls over five feet in height shall be screened by a landscape buffer no shorter than 3 feet at time of planting and reaching a minimum mature height of 6 feet; however, wall art, including murals, sculptural or other decorative treatment of exterior walls may extend for a maximum of 50 percent of the wall length. Acceptable exterior finish materials include, but are not limited to, stucco, split face blocks, brick, stone, curved interlock blocks, wood, tubular steel, wrought iron bars or other grill work, textural or scored poured concrete, engineered "green" or vegetative wall as approved by the planning director, or a combination of these materials. Exposed flat-face CMU blocks and EIFS stucco are prohibited.

6. Because certain portions of the proposed development are presently landlocked and to ensure adequate future traffic access to the proposed development, access easements must be granted and recorded with the Clerk of the Superior Court of Athens-Clarke County prior to approval of site plans.

7. The owners/developer(s) shall implement a minimum of three (3) electric vehicle charging stations and three (3) public 120v outlets for charging electric bikes within the commercial parking area of the proposed Arts and Entertainment District.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)
- Winterville Boundary
- Bogart Boundary
- ACC Boundary

- Downtown Design Areas
  - (DHD), Downtown Historic District
  - (WD), West Downtown
  - (ED), East Downtown
  - (DS), Dougherty Street
  - (RIV), River
  - (WE), West End
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- Planned Development
- Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Railroads
- Special Use
- Historic Landmark

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

525 262.5 0 525 1,050 1,575 Feet

ATTACHMENT A	PD-2024-07-1314 MASTER PLANNED DEVELOPMENT AMENDMENT 445, 605, 705, 1015 BARNETT SHOALS ROAD, 190-210 LAKEWOOD DRIVE, & 162 PARK RIDGE COURT Scott Haines (W&A Engineering Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wychesiavzoff, Jodi Kerr, Mohammed Khan & Carenage Partners LLC
590	
FROM: C-N (PD), RS-8, & RM-1	TO: C-N (PD)

TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
174B 002, 174B 001B, 174B 001F, 174B 001C, 174B 001D, 174B 001A, 174B 017, 174D1 010	February 6, 2025	March 4, 2025

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** PD-2024-07-1314

LOCATION: 445, 605, 705, 1015 Barnett Shoals Rd, 190-210 Lakewood Dr, & 162 Park Ridge Ct
APPLICANT: Scott Haines / W&A Engineering
OWNER: Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wycheslavzoff, Jodi Kerr, Mohammed Khan & Carenage Partners LLC
REQUEST: From *Traditional Neighborhood & Mixed Density Residential* to *Traditional Neighborhood*
COMMISSION DISTRICT: 3 & 8

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	9	0	0

For: Scott Haines (applicant)
Against: None

Discussion: See Zoning Sheet.

Motion: Ms. Morales motioned to recommend approval of the Future Land Use Request. Ms. Gehring seconded the motion, which passed unanimously.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: February 6, 2025	**FILE NO:** PD-2024-07-1314

LOCATION: 445, 605, 705, 1015 Barnett Shoals Rd, 190-210 Lakewood Dr, & 162 Park Ridge Ct
APPLICANT: Scott Haines / W&A Engineering
OWNER: Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wycheslavzoff, Jodi Kerr, Mohammed Khan & Carenage Partners LLC
REQUEST: From C-N (PD), RS-8, & RM-1 to C-N (PD) (Commercial-Neighborhood (Planned Development), Single-Family Residential, & Mixed-Density Residential to Commercial-Neighborhood (Planned Development))
COMMISSION DISTRICT: 3 & 8

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Carey McLaughlin Present	X		
Vice-Chair: Kristen Morales Present	X			Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Sarah Gehring Present	X			Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	9	0	0

For: Scott Haines (applicant)
Against: None

Discussion: Commissioners asked the applicant to compare the proposed plan to the approved plan to which the applicant responded by saying that the amount of commercial square footage had been drastically lowered and larger single-family lots had been replaced with a mix of housing types. A Commissioner stated that the variety of housing types provided beneficial opportunities for a variety of households to live in the neighborhood while another Commissioner stated that the proposed commercial space appeared to be geared towards local small businesses. The applicant stated that the land owner has made a unique effort to build a community. Commissioners commended the addition of a condition including electric vehicle chargers in the project. Commissioners also recommended that drive-through uses be disallowed as part of the applicant's proposed condition #13 in the application report.

The applicant presented a suggested modification to Staff's recommended retaining wall condition, which generated a lengthy discussion. Staff was asked to explain their rationale for the recommended condition, to which Staff responded by saying that it was written to protect viewsheds and safety. The applicant requested that Staff's condition be modified to only regulate retaining walls that rise above the right-of-way, instead of regulating all retaining walls because compliance with Staff's condition would require more disturbance within designated environmental areas and potentially interfere with the grading required for sewer service. Commissioners noted that it was difficult to visualize the heights of the proposed walls and the differences between the setbacks in the Staff's condition vs. the applicant's setbacks. Commissioners stated that they were trying to avoid repeating an occurrence of the towering retaining wall on Wilkerson Street. Commissioners asked the applicant about the maximum height of the proposed walls and the applicant responded that the height was unknown at this time. Commissioners concluded that the applicant's modifications to the Staff retaining wall condition were amendable.

Motion: Ms. Gehring motioned to recommend approval with Staff conditions #1, #2, #4, the applicant's additional proffered conditions #1 and #2, and amending the applicant's requested condition #13 to add drive-through uses to the list of banned uses, as stated on pages 23 and 31 in the master application report, stamped Feb. 13, 2025. Ms. Beresford seconded the motion, which passed unanimously.

Conditions:

1. All 14 conditions proffered by the applicant, as referenced on pages 22-23 of the master application report stamped Feb. 13, 2025 and listed on pages 30-31 shall be binding. Condition #13 shall be amended to add drive-through uses to the list of prohibited uses as referenced on pages 23 and 31.
2. All technical aspects outlined in the master staff report, dated February 6th, 2025, must be met per each department's requirements.
3. Retaining walls that are adjacent to and rise above a public right-of-way shall be set back from a public right-of-way a minimum of one foot for every foot of wall height as measured parallel to the right-of-way and accounting for any linear changes in height. No portion of any retaining wall adjacent to and rising above a public right-of-way shall exceed twelve feet in height. A terrace is required between a lower retaining wall and an upper wall and the terrace area shall have a minimum five-foot depth as measured from the upper grade of the lower retaining wall to the base of the upper retaining wall. Retaining walls over five feet in height shall be screened by a landscape buffer no shorter than 3 feet at time of planting and reaching a minimum mature height of 6 feet; however, wall art, including murals, sculptural or other decorative treatment of exterior walls may extend for a maximum of 50 percent of the wall length. Acceptable exterior finish materials include, but are not limited to, stucco, split face blocks, brick, stone, curved interlock blocks, wood, tubular steel, wrought iron bars or other grill work, textural or scored poured concrete, engineered "green" or vegetative wall as approved by the planning director, or a combination of these materials. Exposed flat-face CMU blocks and EIFS stucco are prohibited
4. Portions of this site are landlocked (existing and proposed) and require access easements. These must be recorded prior to any site plan approval.
5. The development shall implement a minimum of 3 EV charging stations for electric vehicles and 3 public 120v outlets for charging electric bikes within the commercial parking area of the development.

STAFF REPORT
MASTER PLANNED DEVELOPMENT AMENDMENT & REZONE
445, 605, 705, & 1015 Barnett Shoals Road, 190, 200, &
210 Lakewood Drive, & 162 Park Ridge Court
PD-2024-07-1314
February 6th, 2025

APPLICANT:	Scott Haines / W&A Engineering
OWNER:	Dekle Realty Enterprises LLC, Michael Dekle, Crystaline Dekle, Beth Tolley, James Dekle, Shari Wycheslavzoff, Jodi Kerr, Mohammed Khan & Carenage Partners LLC
FUTURE LAND USE REQUEST	From *Traditional Neighborhood & Mixed Density Residential* to *Traditional Neighborhood*
ZONING REQUEST:	From C-N (PD), RM-1, & RS-8 to C-N (PD)
TYPE OF REQUEST:	Type I
LOCATION:	445, 605, 705, & 1015 BARNETT SHOALS RD, 190, 200, & 210 LAKEWOOD DR, & 162 PARK RIDGE CT.
TAX MAP NUMBERS:	174B 002, 174B 001B, 174B 001F, 174B 001C, 174B 001D, 174B 001A, 174B 017, 174D1 010
COUNTY COMMISSION DISTRICT:	3 & 8
PROJECT SIZE:	207 Acres (Subject Area: 90 Acres)
PRESENT USE:	Undeveloped & Residential Single-Family
PROPOSED USE:	Residential & Commercial Mixed Use
PUBLIC NOTICE POSTED:	January 22nd, 2025
STAFF RECOMMENDATION:	FUTURE LAND USE: ***APPROVAL***
	ZONE: ***APPROVAL WITH CONDITIONS***
PLANNING COMM. RECOMMENDATION:	FUTURE LAND USE: ***APPROVAL***
	ZONE: ***APPROVAL WITH CONDITIONS***
MAYOR & COMMISSION AGENDA SETTING:	February 18th, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION:	March 4th, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting to amend the previously approved Lakewood Planned Development for the purpose of building a new neighborhood with a variety of residential and commercial buildings, including single-family detached houses, townhomes, potential live/work units, mixed-use commercial/residential buildings and multi-family buildings such as duplexes, quadplexes, mansion apartments and courtyard apartments for 545-745 units and a minimum of 20,000 sq. ft. of commercial space.

The project has compatible aspects with the Comprehensive Plan. The applicant is meeting the

expectations of the Comprehensive Plan by providing a variety of housing types that can serve multiple households at multiple price points. The proposal improves upon the original commercial node by swapping out large surface parking lots for more productive buildings and greens. The project is designed to be connected to the local transportation network, including an expansion of the ACC Greenway Network. The project also treats greenspace as a centerpiece of the neighborhood in a way that will enhance the recreation and social connection opportunities of residents.

The project would meet several objectives in the ACCGov FY23-25 Strategic Plan including Goal Area 4.B.2.'s objective of "creating more flexible housing options in all zones of the County." Providing a variety of housing types and commercial opportunities also helps meet Goal Area 4.B.4.'s objective of "encouraging mixed-income development."

The applicant is asking to rezone the property from C-N (PD), RM-1, and RS-8 to C-N (PD). Additionally, there is a small-scale change to the Future Land Use Map on 445 Barnett Shoals Road from *Mixed Density Residential* to *Traditional Neighborhood* designation to accompany the existing designation that is on the remainder of the project site. The design of the project meets the character area expectations for *Traditional Neighborhood* as specified later in this report. The project is also compatible with the Zoning Map. The properties that are zoned RM-1 and RS-8 are planned to be vacant and serve a public street connection.

The applicant has requested 12 waivers. Staff has worked with the design and engineering team to address all prior concerns and supports all 12 waivers. Staff has worked with the applicant to substitute a binding design book in place of ACC Code Chapter 9-25's Design Standards, but sees the proposed Development Standards and Plans falling short of being a full regulatory tool. The applicant has also asked to make the site plan non-binding, which is atypical with Planned Developments, but they have included some binding elements to maintain the proposed design and mix throughout the life of the project. ACCGov departments have reviewed the plan and provided feedback that will need to be addressed during construction review. **Staff recommends approval with conditions**, as follows:

Conditions:

1. Staff has worked with the applicant and **supports** the 14 proffered conditions in the binding Application Report on pages 30-31.
2. All technical aspects outlined below must be met per each department's requirements.
3. Retaining walls shall be set back from a public right-of-way a minimum of two feet for every foot of wall height above three feet in height, as measured parallel to the right-of-way and accounting for any linear changes in height. No portion of any retaining wall shall exceed ten feet in height. A terrace is required between a lower retaining wall and an upper wall and the terrace area shall have a minimum five-foot depth as measured from the upper grade of the lower retaining wall to the base of the upper retaining wall. Retaining walls over five feet in height shall be screened by a landscape buffer no shorter than 3 feet at time of planting and reaching a minimum mature height of 6 feet; however, wall art, including murals, sculptural or other decorative treatment of exterior walls may extend for a maximum of 50 percent of the wall length. Acceptable exterior finish materials include, but are not limited to, stucco, split face blocks, brick, stone, curved interlock blocks, wood, tubular steel, wrought iron bars or other grill work, textural or scored poured concrete, engineered "green" or vegetative wall as approved by the planning director, or a combination of these materials. Exposed flat-face CMU blocks and EIFS stucco are prohibited
4. Portions of this site are landlocked (existing and proposed) and require access easements. These must be recorded prior to any site plan approval.

Planning Commission Recommendation: Commissioners asked the applicant to compare the proposed plan to the approved plan to which the applicant responded by saying that the amount of commercial square footage had been drastically lowered and larger single-family lots had been replaced with a mix of housing types. A Commissioner stated that the variety of housing types provided beneficial opportunities for a variety of households to live in the neighborhood while another Commissioner stated that the proposed commercial space appeared to be geared towards local small businesses. Commissioners noted that it was difficult to visualize the heights of the proposed walls and the differences between the setbacks in the Staff's condition vs. the applicant's requested setbacks. Commissioners stated that they were trying to avoid repeating an occurrence of the towering retaining wall on Wilkerson Street. Commissioners concluded that the applicant's modifications to the Staff retaining wall condition were amendable and **Commissioners recommended approval with conditions**, as follows:

Conditions:

1. All 14 conditions proffered by the applicant, as referenced on pages 22-23 of the master application report, stamped Feb. 13, 2025, and listed on pages 30-31 shall be binding. Condition #13 shall be amended to add drive-through uses to the list of prohibited uses as referenced on pages 23 and 31.

2. All technical aspects outlined in the master staff report, dated February 6th, 2025, must be met per each department's requirements.

3. Retaining walls that are adjacent to and rise above a public right-of-way shall be set back from a public right-of-way a minimum of one foot for every foot of wall height as measured parallel to the right-of-way and accounting for any linear changes in height. No portion of any retaining wall adjacent to and rising above a public right-of-way shall exceed twelve feet in height. A terrace is required between a lower retaining wall and an upper wall and the terrace area shall have a minimum five-foot depth as measured from the upper grade of the lower retaining wall to the base of the upper retaining wall. Retaining walls over five feet in height shall be screened by a landscape buffer no shorter than 3 feet at time of planting and reaching a minimum mature height of 6 feet; however, wall art, including murals, sculptural or other decorative treatment of exterior walls may extend for a maximum of 50 percent of the wall length. Acceptable exterior finish materials include, but are not limited to, stucco, split face blocks, brick, stone, curved interlock blocks, wood, tubular steel, wrought iron bars or other grill work, textural or scored poured concrete, engineered "green" or vegetative wall as approved by the planning director, or a combination of these materials. Exposed flat-face CMU blocks and EIFS stucco are prohibited

4. Portions of this site are landlocked (existing and proposed) and require access easements. These must be recorded prior to any site plan approval.

5. The development shall implement a minimum of 3 EV charging stations for electric vehicles and 3 public 120v outlets for charging electric bikes within the commercial parking area of the development.

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting to amend the previously approved Lakewood Planned Development for the purpose of building a new neighborhood with a variety of residential and commercial buildings, including single-family detached houses, townhomes, live/work units, mixed-use commercial/ residential buildings, and multi-family buildings such as duplexes, quadplexes, mansion apartments, and courtyard apartments. The property is primarily zoned Commercial-Neighborhood (Planned Development). One adjacent residential lot, zoned RM-1, is included as a proposed access point for the neighborhood. The project would have the potential at full build-out for approximately 795 units in a variety of housing types, neighborhood-serving commercial space, a greenway, common greens and parking.

B. Existing Conditions

The subject properties are largely wooded and undeveloped with the exception of single-family houses and a duplex. The property is hilly and includes several streams. The subject area is bound on the north by Dekle Lake (formed by the Lakewood Farm Dam), the remainder of the Lakewood neighborhood, zoned C-N (PD) and a 23-acre tract of undeveloped RS-8-zoned land at 215 Shadybrook Drive. To both the west and the south, the subject properties border a series of duplex and multi-family properties, zoned RM-1 and RM-2. On the south, the subject properties also border a part of the Lakewood Planned Development that was previously developed from 2011-2020 for senior living, multi-family, and condominiums. The properties are bound on the east by Barnett Shoals Road, and on the west side of Barnett Shoals Road sit a series of multi-family developments, zoned RM-1 and RM-2 with an exception for a gas station that is zoned Commercial-Office (PD). The ACC Greenway Network currently terminates at Carriage Lane, but this project proposes to extend the Greenway across Barnett Shoals Road, through the subject parcels, and eventually connect with Lexington Road.

The following information is an overview of the history of the Lakewood Planned Development:

- In 2004, the Lakewood Planned Development was first established as a 206-acre mixed-use project, including single-family detached houses, townhouses, condominium apartments, garden apartments, and “town center” mixed-use buildings with commercial/office on the ground floor and residences above. Specifically, the plan called for 173,000 sq. ft. of commercial, 94 condominium apartments, 198 garden apartments, 162 town center apartments, 88 townhouses, and 330 single-family detached lots for a total of 872 residences. The project was designed as a “traditional neighborhood development” using New Urbanist principles such as alley-loaded garages, a variety of housing types, mixing of compatible commercial and residential uses, public greens, plentiful street trees, and buildings that are close to the street.
- In January and April of 2005, amendments were made to the footprints of some of the condominium apartments in the northwestern corner of the site as well as a revision to the interior block layout of the single-family section to the north of Dekle Lake.
- In 2006, the plan was amended to shrink the buffers around the lake and switch sections of the street network from private to public.
- In 2014, the plan was amended to show the Lakewood Hills (accessed off Cotton Creek Drive) senior apartments in the southern corner of the property, as well as modifying the single-family housing allocation to reduce the single-family detached units from 38 to 15 and increase the single-family attached units from 22 to 38.

- In 2017, the plan was slightly amended to shift the lot layout and setbacks of the same single-family attached units that were amended in 2014.
- In 2020, the plan was amended to remove the proposed condominium apartments and 31 attached and detached single-family houses in the northwest corner of the property (off Dekle Drive near the intersection with Barnett Shoals Road) for a rural event space based on the existing barn and pasture. The project has not been built at the time of this writing. The subject area for this project sits on the north side of Dekle Drive and is not part of the current application.

The approved binding plan currently in effect on the subject properties calls for approximately 150 single-family detached lots, 42 attached single-family (townhouse) lots, and multiple residential-commercial mixed-use buildings. The proposal calls for 795 units across 90 acres including single-family detached houses, townhomes, live/work units, mixed-use commercial/residential buildings, and multi-family buildings such as duplexes, quadplexes, mansion apartments, and courtyard apartments. The applicant has not provided exact square footage estimates for the commercial space, but the plan was originally approved with 173,000 sq. ft. of commercial space. See below for a chart outlining the development yield of the project over time:

BUILDING TYPE	ORIGINALLY PLANNED (207 acres)	BUILT as of July 2024	PROPOSED (90 acres)
Commercial	173,000 sq. ft. *(all of it within the area of the current proposal)*	0 sq. ft.	20,000+ sq. ft.
Condominiums	94	0	0
Apartments	360	196	Variable
Single-Family Detached	330 (minus 23 w/ amendment)	43	Variable
Townhouses	88 (plus 16 w/ amendment)	38 (plus 38 ADUs)	Variable

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *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.*
- *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 compatible development along greenways and trails.*
- *Identify areas that could potentially be developed for unique neighborhoods with smaller houses and a cohesive theme.*
- *Encourage the creation of publicly accessible gathering spaces within neighborhoods and development projects.*

This project meets multiple aspects of the Comprehensive Plan's objectives. The project offers considerable potential with its proposed diversity of housing types, which can meet the needs of a variety of households. The units that are designed with smaller square footage and shared walls on small lots are more likely to enter the market at an attainable price. While the 90 acres are largely undeveloped, this location is already well-served by infrastructure and the community would benefit from developing this gap along Barnett Shoals Road with a mixed-use neighborhood. The location of this project also lends itself to nodal development because it is located close to many destinations like schools, grocery stores and existing rooftops. The project, if eventually completed as designed, promotes intra- and inter-connectivity for vehicular and non-vehicular transportation. The walkable nature of the project complements the Greenway that would be built through the site. The applicant has proposed breaking up the project into four pods, each of which has an intentional design approach that adds overall cohesiveness to the project. The project has taken care to design the greenspaces as park-like areas, meant to encourage recreation and social connection, with buildings oriented around them. This project chooses to be very intentional about the greenspace and use it as a community benefit. Overall, the proposal is compatible with the Comprehensive Plan.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the Lakewood Planned Development properties as *Traditional Neighborhood* and *Mixed Density Residential*, which are described as follows:

Traditional Neighborhood

These are medium density neighborhoods with traditional qualities including 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 non-residential 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.

Mixed Density Residential

These are residential areas where higher density residential development is allowed and intended. Limited non-residential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation.

One minor change to the Future Land Use Map is proposed at 445 Barnett Shoals Road from *Mixed Density Residential* to *Traditional Neighborhood*. The remainder of the 90 acres that are the subject of this amendment are all in the area designated as *Traditional Neighborhood*. The proposal is compatible with the *Traditional Neighborhood* character description, but the project also fits in the *Mixed Density Residential* character description, as specified above. Overall, the proposal is compatible with the Future Land Use Map and its character area description for these parcels.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from C-N (PD), RM-1, & RS-8 to C-N (PD). The following information has been provided to compare the difference in development intensity between the baseline C-N zoning and the requested C-N (PD) zoning. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	CURRENT	REQUESTED
Standard	**C-N Zoning**	**C-N Zoning (PD)**
Minimum Lot Size	5,000 sq. ft.	No Minimum
Minimum Lot Width	50 ft.	20-40 ft.
Density	16 beds/acre	9 units or 16 bedrooms/acre
Max Lot Coverage	75%	No Maximum
Max Building Height	65 ft.	45-65 ft.
Setbacks	6-15 ft.	0-7.5 ft.
Max Floor/Area Ratio	0.75	No Maximum
Conserved Canopy	15%	15%
Total Canopy	45%	45%
Parking	Varies	Varies (see waiver section)

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between baseline C-N zoning and the proposed C-N (PD) zoning is a greater mixing of uses, building types and allowing ground floor residential. The subject properties are already zoned C-N (PD) (approximately 90 acres) with an exception for the 0.36-acre RS-8 lot and the 0.42-acre RM-1 lot. The RM-1 lot is currently a duplex but would be used solely for a street connection. Given the prevalence of the existing C-N (PD) zoning, the request is compatible with the Zoning Map.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

The project is consistent with the ACCGov FY23-25 Strategic Plan's Goal Area 4: Quality, Stable, Affordable Housing for All. Specifically, this project, by building a large variety of housing types including smaller housing types like ADU's and live/work units, would meet Goal Area 4.B.2.'s objective of "creating more flexible housing options in all zones of the County." Providing a variety of housing types and commercial opportunities also helps meet Goal Area 4.B.4.'s objective of "encouraging mixed-income development." The ACCGov Greenway Network Plan calls for a greenway to traverse the site, and the applicant is proposing to construct the greenway segment as part of the project.

IV. Technical Assessment

- ## Environment

  The ACCGov Environmental Areas Map identifies creeks and riparian buffers on the property. The applicant's binding site plan respects the buffers required by local and state law.

  The Arborist has reviewed the tree management plan and recommended approval with the following comment:

  - *ACC Arborist recommends approval. Project will be expected to meet all requirements of the community tree management ordinance at time of plan review. Changes will be necessary as infrastructure and structures are planned in more detail, so a binding TMP is not recommended at this time.*

- ## Grading and Drainage

  The Transportation and Public Works Department has reviewed the proposal with the following comment:

  - Option #2 in the Traffic Impact Analysis is preferred

- ## Water and Sewer Availability

  The Public Utilities Department has reviewed the proposal, recommends denial for plans as shown due to not meeting technical standards. However, PUD is willing to work with the applicant through the plans review process if aspects are flexed and all technical standards are met. Public Utilities offers the following comments:

  - *ACC water is available*
  - *ACC sanitary sewer is available*
  - *Page 13 of the Development Standards references Public Works for utilities. This should be Public Utilities*
  - *Note that each utility phase must be permitted separately through Public Utilities.*
  - *Where water and sewer mains are located outside the publicly owned ROW, they should be inside an easement extending 10' either side of the mains (Minimum total width of 20' for water or sewer, minimum 30' for combined water and sewer)*
  - *Attached dwelling units that are on individual lots require independent water and sewer connections to the publicly owned main*
  - *All accessory dwelling units also require independent water and sewer connections to the publicly owned mains*
  - *Provide a minimum 10' separation between water/sewer mains and trees.*
  - *Provide a minimum 5' separation between water/sewer services and trees.*
  - *No structures, including dumpster enclosures, may be located within an existing or proposed water/sewer easement.*

- ## Transportation

  The Transportation & Public Works Department has reviewed the proposal, recommended approval and offered the following transportation-related comment:

  - *Road C should remain a private street unless horizontal curve standards can be met.*

- **Fire Protection**

  The Fire Marshal has reviewed the proposal, recommended approval.

- **Compliance with the Zoning Ordinance and Development Standards**

  A Planned Development designation is used to request waivers to the required development standards in an effort to provide design flexibility. Planned Development requests include a binding application report, site plan, and architectural elevations in an effort to guarantee to the community that what is proposed will be constructed, if approved. All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards.

  The applicant has requested that the plan be made partially-binding. The applicant is also proposing to substitute the design standards of Sec. 9-25 with the standards proposed in the design book. Staff supports the use of the design book in lieu of Sec. 9-25's standards. The proposal does require some risk and faith on both future development teams as well as future reviewing staff. Through work with the applicant, ACC staff is satisfied with many of the proposed benchmarks and guardrails. Staff recommends Approval with Conditions and intends to hold any development team on this project to the intended spirit of the proposal as shown throughout the development standards and design book.

  Requested Waivers

  1. *Waiver to make the plan semi-binding.*

     Applicant's Purpose: Allows the development to be determined at a later time.

     Staff Opinion: Staff has worked extensively with the design, engineering and development team to put many aspects of the plan into an administratively reviewable position. Therefore, Staff supports the waiver.

  2. *Waiver from Sec. 9-10-2 to allow duplexes as a permitted use.*

     Applicant's Purpose: Allows duplexes to be included in the project.

     Staff Opinion: Duplexes are not permitted in the C-N zone in order to guide development towards higher densities on commercially-zoned lots. C-N zoning is not intended for construction of residential subdivisions, unless they are vertically integrated into a mixed-use building. This project is designed for a horizontal mix of uses in a neighborhood that is complete with a variety of housing, commercial, and live/work/play opportunities meant to serve a diverse set of households. Therefore, Staff supports the waiver.

  3. *Waiver from Sec. 9-10-2(L1) to allow ground floor residential and remove the requirement for 50% of the ground floor space to be commercial space.*

     Applicant's Purpose: Allows the proposed site plan, including designing primarily for residential use.

     Staff Opinion: This requirement is primarily meant to apply to small lots in developed areas where commercial uses are desired to improve the vitality of the street. This project is utilizing C-N zoning throughout even though it is mostly residential which in such situations does not require the increased level of commercial space. Therefore, Staff supports this waiver.

  4. *Waiver from Sec. 9-10-3's 5,000 sq. ft. minimum lot size requirement*

     Applicant's Purpose: Allows a greater variety of housing types to be built and offered at lower prices relative to houses built on standard lots.

Staff Opinion: The project is seeking design flexibility throughout and looking to provide housing options at a variety of price points. Traditional Neighborhood development supports using a mix of residential products that can and historically have required lot size variety. Staff supports the waiver.

5. *Waiver from Sec. 9-10-2, 9-15-15 and/or 9-15-12(B) to allow Accessory Dwelling Units on individual lots.*

   Applicant's Purpose: Allows carriage houses for independent living above the garages on some of the residential lots.

   Staff Opinion: The ACCGov Code differentiates between guest suites and accessory dwelling units by whether one has full cooking facilities (cooktop/stove). Guest suites do not have a full cooktop/stove and are not considered independent living units. Accessory dwellings have a full cooktop/stove and are considered an independent living unit. Accessory dwelling units offer the opportunity for one or two-person households. The request is unique because C-N allows ADU's through the Special Use process. Additionally, the applicant can simply request relief from minimum floor area requirements as these units are not technically "Accessory" if they are on their own parcel. In the interest of providing more housing choices, Staff supports the waiver request.

6. *Waiver from Sec. 9-26-3 A. 5. Street, block and easement standards*

   Applicant's Purpose: Allows the current site plan layout, based on topography and environmental areas factors.

   Staff Opinion: Given the rolling topography of the site and the presence of multiple buffered creeks, flexibility on block size is warranted to accommodate the geography of the site. The applicant has also designed the project with paths and breaks that will allow people to flow through the site and engage each other at multiple common greens. Therefore, Staff supports the waiver.

7. *Waiver from Sec. 9-25-8(B), 9-25-8(C), and 9-25-8(E) design standards.*

   Applicant's Purpose: The applicant wishes to substitute the standards of the Architectural Design Book, submitted as part of the application, for the standards in the aforementioned sections.

   Staff Opinion: Staff is supportive of the concept of using a pattern book in lieu of the standards in Sec. 9-25. Therefore, Staff supports the waiver.

8. *Waiver from Sec. 9-26-3(A)5's requirement for sidewalk on both sides of the street.*

   Applicant's Purpose: Allows construction of a multi-use path on one side of the street where it crosses the dam while shrinking the overall width of the street segment to fit on the dam.

   Staff Opinion: Staff supports the applicant's point that the roadway needs to be narrower at the point where it crosses the dam. Since the applicant is adding a multi-use path, little to no pedestrian and bike connectivity will be lost when compared to sidewalk on both sides of this street segment. Therefore, Staff supports the waiver.

9. *Waiver from Sec. 9-26-3(C)'s requirement for cul-de-sac and dead-end turnarounds.*

   Applicant's Purpose: Allows a dead-end street that will tie-in to any future development on the 215 Shadybrook Drive parcel. The applicant claims that the dead end meets the exemption standards of this Code.

   Staff Opinion: Staff sees that the applicant is seeking to have this temporary solution until connection with 215 Shadybrook can occur. Therefore, Staff supports this waiver.

10. *Waiver from Sec. 9-26-3(Q)'s requirement for a special use permit to connect to local and collector residential streets outside of the subject subdivision.*

    Applicant's Purpose: Allows the connection to Park Ridge Court.

    Staff Opinion: Generally, having more connections within a transportation network moderates traffic congestion by distributing trips across multiple routes. It also improves emergency access and response times by creating route redundancy and shorter routes. More connections can also reduce trip distances thereby making walking and biking more viable transportation modes. Given these benefits, Staff supports the waiver.

11. *Waiver from Sec. 9-30-2's parking minimums. Specifically, the applicant has asked to set the parking minimums for commercial uses at 1 space / 300 sq. ft. of leasable space, and to reduce the parking minimums for multi-family and single-family cottage units from 1-2 spaces per unit (depending on bedroom count) to just 1 space per unit.*

    Applicant's Purpose: Allows the applicant to build a development pattern "that will provide more walkable places, where the automobile will be considered less and people considered more in the design of our neighborhoods." The applicant would build 1,014 off-street parking spaces instead of the 1,612 currently required by ACCGov Code.

    Staff Opinion: The project is located along Barnett Shoals Road, which is served by multiple transit routes, and the project will also tie-in to the Greenway Network which will eventually allow users to access East Athens, Downtown, and the UGA Campus by foot or bicycle. The applicant has made strides to put parking within reasonable distances of all uses and find ways to make connections for Fire and Safety to personnel to all units. Therefore, Staff supports the waiver.

12. *Waiver from Sec. 9-7-3 no attached dwelling units on individual lots within 100 feet of any property line*

    Applicant's Purpose: Allows design flexibility and a range of housing options throughout the site.

    Staff Opinion: The project is being proposed in a flexible way that allows housing in a more Traditional Neighborhood pattern. That form often has attached products on the edge of a neighborhood and is consistent with historical patterns. Therefore, Staff supports the waiver.

Code Compliance Issues & Discussion Points:

1. *Details on where access easements will be necessary and need attention. Said easements must be recorded prior to Certificate of Occupancy (CO) for any structure in that phase of development.*

End of Staff Report.

Reviewed Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

☒ 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.

☒ 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.

☒ The proposal will not adversely affect the balance of land uses in Athens-Clarke County.

☒ 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.

☒ The existing land use pattern surrounding the property in issue.

☒ The possible creation of an isolated district unrelated to adjacent and nearby districts.

☒ The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

☒ Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

☒ 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.

☒ 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 services, which include physical facilities and staff capacity, exist sufficient to service the proposal.

☒ 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.

☒ The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

DEVELOPMENTS OF REGIONAL IMPACT

Final Report

Northeast Georgia Regional Commission • 305 Research Drive, Athens, Georgia • www.negrc.org

The Northeast Georgia Regional Commission (NEGRC) has completed its review of the following Development of Regional Impact (DRI). This report contains the NEGRC's assessment of how the proposed project relates to the policies, programs, and projects articulated in the Regional Plan and Regional Resource Plan. Also included is an assessment of likely interjurisdictional impacts resulting from the proposed development, as well as all comments received from identified affected parties and others during the fifteen-day comment period.

The materials presented in this report are purely advisory and under no circumstances should be considered as binding or infringing upon the host jurisdiction's right to determine for itself the appropriateness of development within its boundaries.

Transmittal of this DRI report officially completes the DRI process. The submitting local government may proceed with whatever final official actions it deems appropriate regarding the proposed project, but it is encouraged to take the materials presented in the DRI report into consideration when rendering its decision.

Project I.D.:	DRI #4232
Name of Project:	The Shoals Athens
Name of Host Jurisdiction:	Athens-Clarke County

Background

DRI review was initiated following the developer's request for a rezone for a Planned Development in Athens-Clarke County. Potentially affected parties were asked to submit comments on the proposal during the 15-day period of 7/10/2024 - 7/25/2024.

Proposed Development

Mallory & Evans, LLC is proposing the construction of 745 residential units and 30,000 square feet of commercial space on an 85-acre site in Athens-Clarke County. The proposed development for a new mixed-use district would include a variety of housing options, pockets of common open space, a commercial plaza, and outdoor gathering spaces. The plan includes a street that could be extended to connect with Lexington Road should the adjacent parcel be developed. It also proposes an extension of the current North Oconee River Greenway system by 1.2 miles, which would connect the neighborhoods and commercial mixed-use areas throughout the entire project.

Currently, the site is undeveloped and wooded. Dekle Lake and Centerline Creek are both located on the site, and the proposed plan includes a 25-foot state waters buffer as well as a 75-foot county buffer from water resources. The parcel numbers are parcel 174 B 001B, 174B 001F, 174B 002, 174B 001A, 174B 017, 174B 001C, and 174D1 010. The project would be completed in multiple phases, beginning along Barnett Shoals Rd and moving eastward. This project's estimated completion year is 2027.

Compatibility with Existing Plans

The site is identified as both Mixed Density Residential and Traditional Neighborhood on the county's Future Land Use Map (dated 5/2/2023). The Mixed Density land use area is described in the Athens-Clarke County Comprehensive Plan as "residential areas where higher density residential development is allowed and intended. Limited nonresidential uses designed at a neighborhood scale may be incorporated into these areas." The Traditional Neighborhood land use area is described as supporting "single-family residences, duplexes which resemble large homes, and townhouses. Limited commercial and other non-residential 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 proposed development is compatible with the future land use in that area, as it would create higher density residential areas with a variety of housing options and commercial space intended to serve the community.

The site is identified as "Developed" on the Northeast Georgia Regional Plan's Regional Land Use Map (dated 6/15/2023). The Regional Plan recommends development that

- Enhances economic mobility and competitiveness
- Elevates public health and equity
- Supports and adds value to existing communities
- Creates housing that is diverse, adequate, equitable, and affordable
- Includes transportation choices and is well-connected with existing and planned transportation options, and
- Protects natural and historic resources.

Proposed Development's Compatibility with the Northeast Georgia Regional Plan

REGIONAL PLAN RECOMMENDATIONS	PROPOSED PROJECT'S COMPATIBILITY WITH RECOMMENDATION
Enhances economic mobility and competitiveness	The project would create a mix of employment opportunities for the community by providing commercial retail jobs as well as live/work units where the ground floor could be utilized for commercial or residential use. Depending on the mix of housing price points and commercial tenets selected, having a mix of residential and commercial uses in this project may enhance economic mobility and competitiveness by placing retail establishments near potential employees and/or customers.
Elevates public health and equity	The project would elevate public health by providing opportunities for residents and visitors to access Dekle Lake and Centerline Creek. The project proposes an extension of the current North Oconee River Greenway system to connect the neighborhood, commercial areas, and lake shore. It also proposes pockets of common open space, a commercial plaza, and outdoor gathering spaces. If some of the housing units have price points that are affordable for workers at the site's retail establishments, then the project has the potential to advance equity in the community by providing employment opportunities within a walkable distance of housing.
Supports and adds value to existing communities	The proposed project would provide additional housing and retail facilities to the community. It would also provide more opportunities for the public to access outdoor amenities through the multi-use trail and common open space.

Regional Plan Recommendations	Proposed Project's Compatibility with Recommendation
Creates housing that is diverse, adequate, equitable, and affordable	The proposal includes 745 new housing units and 15 types of housing. Including a wide variety of housing types will likely result in variation in housing costs and values, creating more equitable and affordable housing options.
Includes transportation choices and is well-connected with existing and planned transportation options	The proposal displays a well-connected internal street and sidewalk network which includes six total connections to the existing roads (three on Barnett Shoals Road, two on Dekle Drive, and one on Park Ridge Court) and one connection to an adjacent, undeveloped parcel that could be extended to connect the development to Lexington Road via Shadybrook Drive. The connectivity of roads and active transportation infrastructure will promote health benefits to residents of the community and reduce the potential for traffic congestion. The local government and developer should consider adjusting the placement of housing units between the Central Neighborhood and The Peninsula to better accommodate a future connection to Woodsong Avenue (parcel 233C1 B099) as well. The site plan includes a 12' wide multi-use path to connect the internal neighborhoods with the greater Athens-Clarke multi-use trail network, as well as sidewalks along internal streets. This will promote pedestrian and bike-friendly transportation throughout the development and to surrounding areas.
Protects natural and historic resources	Dekle Lake and Centerline Creek are located on the site and the plan protects them with a 25-foot state waters buffer and a 75-foot impervious setback. The plan does not propose any development in the floodplain and includes a combination of surface and underground facilities to manage stormwater. It also includes permeable pavers in off-street parking stalls to reduce stormwater runoff and preserve the surrounding environment.

Potential Interjurisdictional Impacts

Natural Resources

The development would be located within areas containing state waters and wetlands. The applicant states that no development is proposed in the floodplain, and that the wetlands would be minimally impacted. The proposed site plan includes on-site detention and retention areas, as well as a 75-foot impervious setback around all waters. The applicant states that the project is unlikely to affect all other environmental quality factors identified on the DRI Additional Form, including water supply watersheds, groundwater recharge areas, protected mountain and river corridors, historic resources, and other environmentally sensitive resources. Refer to the attached site plan for any stream, floodplain, and buffer locations.

The chart below summarizes the number of acres within the site area as well as within a one-mile buffer around the site that contains 1) wetlands, 2) conservation land, 3) regionally important resources, and 4) threatened regionally important resources. Please refer to the footnotes for definitions for each of these terms.

Wetland, Conservation, and Regionally Important Resources

	Area Type	Area (Acres)	Percent of Area (%)
SITE AREA 90.6	Wetland Acres[1]	2.9	3.2
	"Conservation Land" [2]	90.6	100.0
	Regionally Important Resource Land[3]	90.6	100.0
	Threatened Regionally Important Resource Land[4]	90.6	100.0
1 MILE BUFFER AROUND SITE 2714.2	Wetland Acres	112.1	4.1
	"Conservation Land"	2,337.4	86.1
	Regionally Important Resource Land	2,086.2	76.9
	Threatened Regionally Important Resource Land	2,337.4	86.1

The Oconee River Greenway System and the Firefly Trail are Regionally Important Resources identified within one mile of this site. Also, land within the proposed development is located within the Northeast Georgia Green Infrastructure Network. This network is intended to serve as a strategically planned and managed network of wilderness, parks, greenways, conservation easements, and working lands with conservation value that benefits wildlife and people, supports native species, maintains natural ecological processes, sustains air and water resources, links urban settings to rural ones, and contributes to the health and quality of life for the communities and citizens sharing this network. The inclusion of a multi-use trail, increased buffers for water resources, and an undisturbed buffer around the lake seem to incorporate the intention of the Green Infrastructure Network.

Transportation

W&A Engineering completed a traffic impact study that projects 6,919 new daily trips, including 588 AM peak hour trips and 861 PM peak hour trips from the proposed development.

The study evaluated two project scenarios and developed recommendations for each scenario.

- **Scenario 1:**
  - Two driveway connections to the roadway network with primary access on Barnett Shoals Road and secondary access on Park Ridge Ct. Park Ridge Drive to Barnett Shoals Road.
- **Scenario 2:**
  - Three driveway connections to the roadway network with one driveway on Barnett Shoals Road, one driveway on US 78/SR 10 (Lexington Rd) and secondary access on Park Ridge Drive to Barnett Shoals Road.

[1] Wetland acres are derived from the National Wetland Inventory (NWI)

[2] "Conservation" land is derived from the Northeast Georgia Regional Plan's Conservation and Development Map (6/15/2023).

[3] Regionally Important Resources were identified as a part of the Northeast Georgia Resource Management Plan for Regionally Important Resources (2/15/2018).

[4] This area represents the intersection between Conservation areas (identified on the Conservation and Development Map, 6/15/2023), adopted Regionally Important Resources (RIR), and "Developed" and "Developing" Regional Land Use areas (identified on the Regional Land Use Map,6/15/2023).

Nearby, there is a separate ongoing GDOT road construction project to expand the SR10/US78-SR 10 Loop-Barnett Shoals Road intersection from four lanes to six and add a 20-foot raised median and sidewalks. A new entrance ramp is also set to be constructed directly across from Barnett Shoals Road. Refer to the attached traffic study for more details and the site plan for the location of proposed infrastructure.

As stated previously, the developer and local government should consider adjusting building footprints to accommodate a future road connection to the street stub on Woodsong Drive between the Central Neighborhood and the Peninsula to provide more direct access to Barnett Shoals Road to the rear of the development.

Water Supply and Wastewater

The project would be served by the Athens-Clarke County Public Utilities water and sewer systems with an estimated daily demand of 0.169 MGD for each system. The applicant states that these demands can be covered by existing capacity. A 1.2-mile water and sewer line extension would be required to serve the project.

Stormwater Management

An estimated 25.3% of the site would be covered in impervious surfaces and 9 stormwater management areas are planned to manage runoff. Refer to the site plan for the proposed location of stormwater management infrastructure.

The proposal should be designed to minimize disruption to the existing streams, associated wetlands, and floodplains to avoid future erosion, flooding, and degraded water quality onsite and downstream from the site. Low impact design measures, like bioswales, rain gardens, and other green infrastructure should be incorporated into the project design. At minimum, the project should be in accordance with the latest edition of the Georgia Stormwater Management Manual (Blue Book) and meet all relevant EPD requirements.

Solid Waste

The applicant estimates the project would generate 94 tons of solid waste annually and that sufficient landfill capacity exists to handle this waste. According to annual tonnage reports from the Georgia Environmental Protection Division, almost all municipal solid waste (MSW) generated in Athens-Clarke County is disposed of in a landfill within the county. The applicant states that no hazardous waste would be generated.

Lifecycle Costs and Revenues

The applicant has not yet determined the project's estimated worth at build-out in 2027 or how much it would generate in local tax revenue. Prior to approval, the County should measure the life cycle costs of the infrastructure needed to serve this project to ensure that they would not be committing to more maintenance expenses than the new tax revenue can cover.

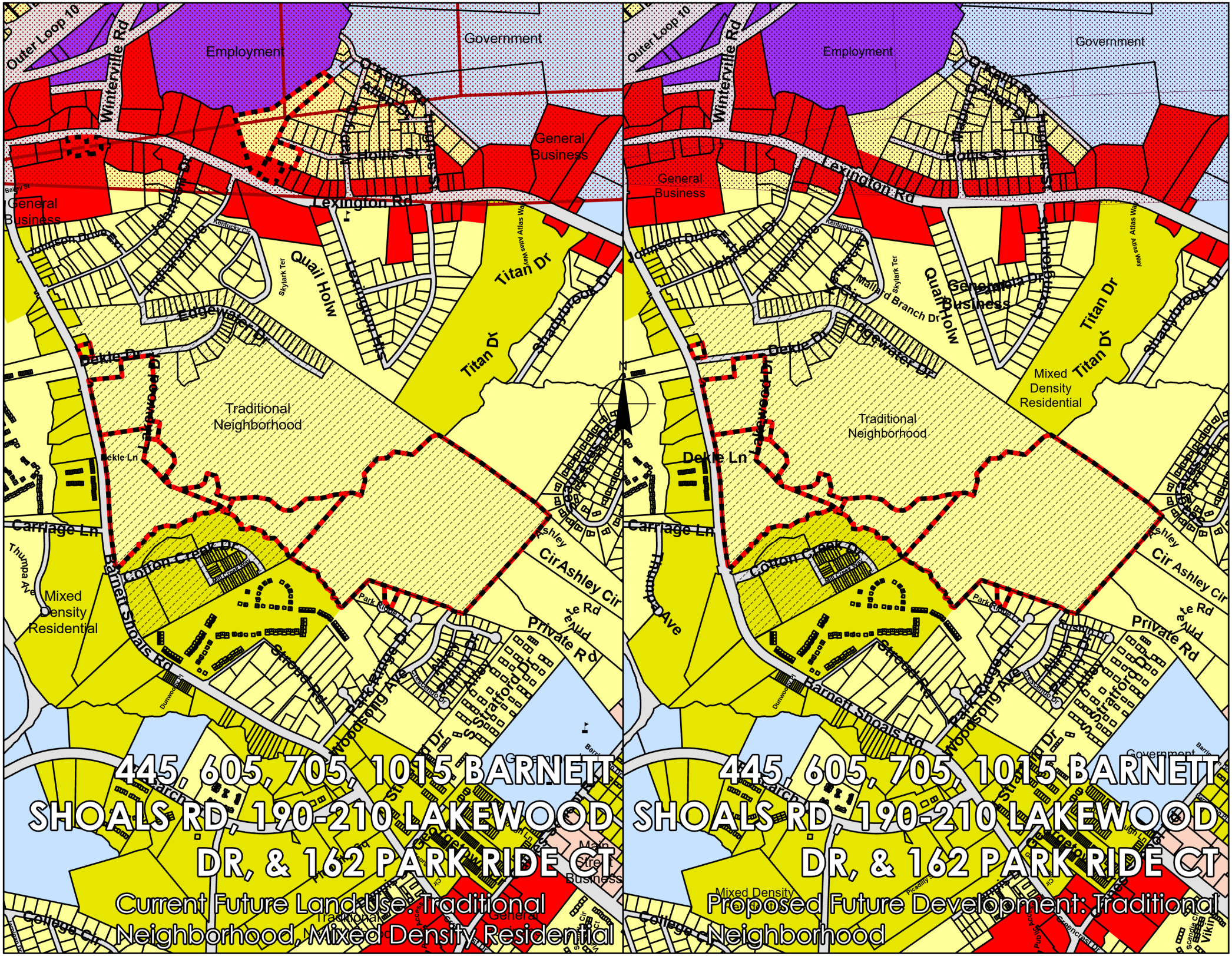
Comments from Affected Parties

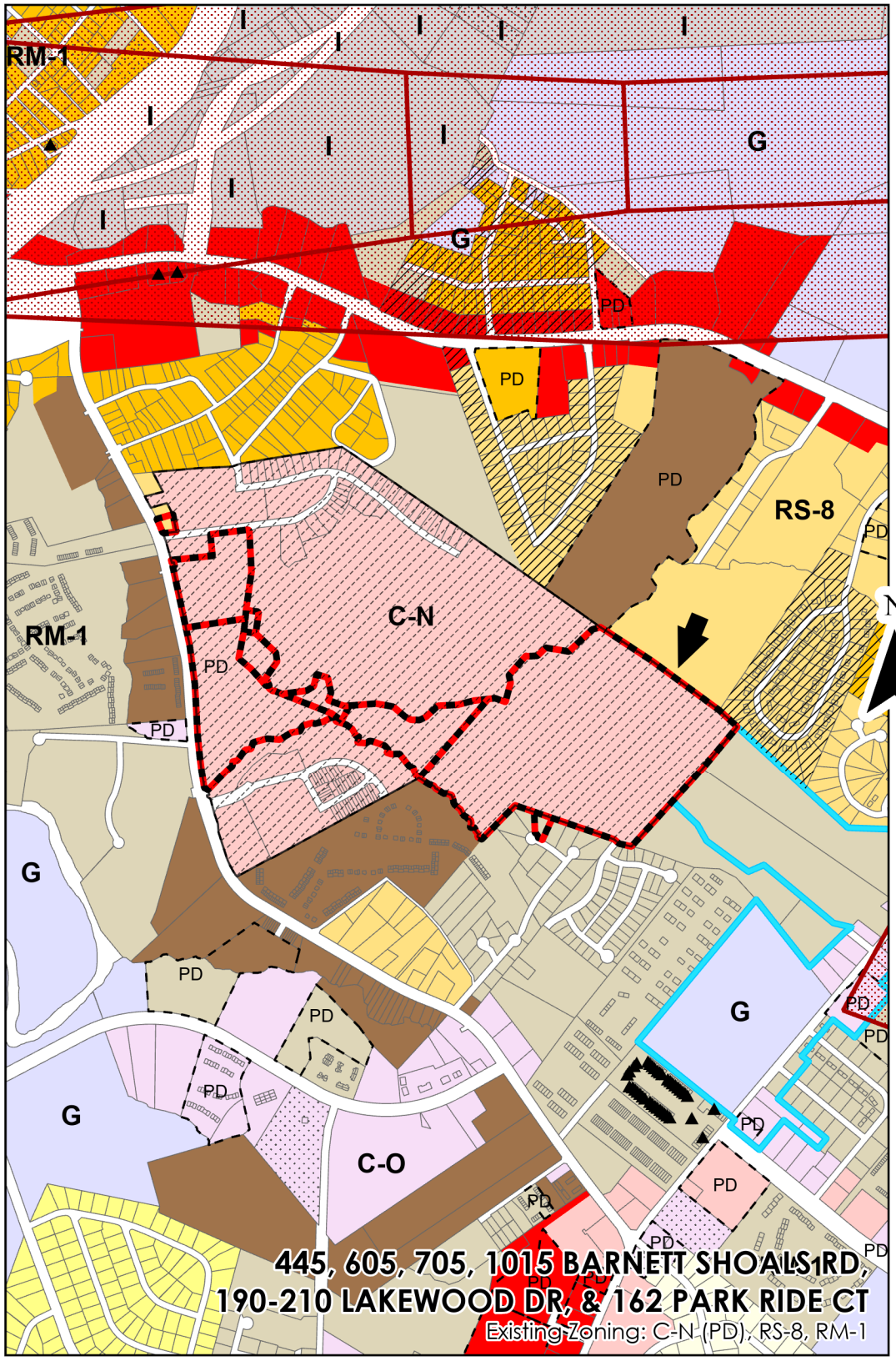
Justin Lott, P.E., District Preconstruction Engineer, Georgia Department of Transportation

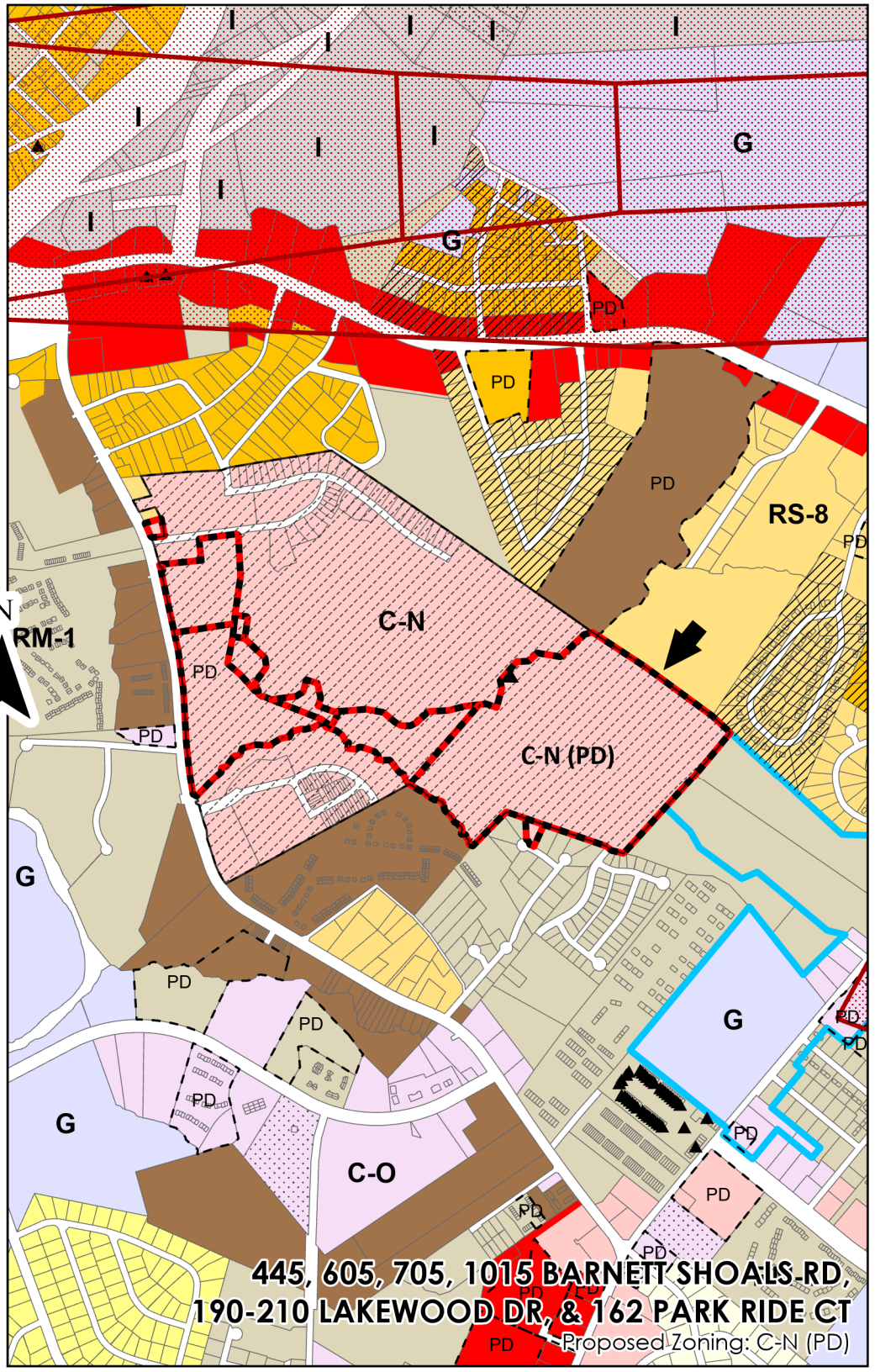
There is project under construction in the area but it should be completed before this project gets started. The PI numbers is 122600- and it is reconstructing the interchange of SR 10 Loop at SR 10/US 78/Lexington Road. There is also a programmed bridge replacement on the SR 10 Loop over CSX railroad just north of the interchange with Lexington Road. I believe the submittal indicated no transportation improvements are needed to serve this development. GDOT District 1 – Traffic Ops can comment further, but verify traffic signals are not warranted on Barnett Shoals at Dekle Drive or any other access points.

Jonathan Peevy, P.E., District Traffic Engineer, Georgia Department of Transportation

- The intersection of US 78/SR 10/Lexington Rd at Gaines School should also be considered in this report to assess impacts of traffic from the Lexington area.
- Turning Movement Counts were also collected during the active construction project and did not account for the whole day, only peak periods.
- Driveway 3 will require coordination/permitting from GDOT


445, 605, 705, 1015 BARNETT SHOALS RD, 190-210 LAKEWOOD DR, & 162 PARK RIDE CT
Current Future Land Use: Traditional Neighborhood, Mixed Density Residential
445, 605, 705, 1015 BARNETT SHOALS RD, 190-210 LAKEWOOD DR, & 162 PARK RIDE CT
Proposed Future Development: Traditional Neighborhood


RM-1
G
PD
RS-8
C-N
C-O
N
445, 605, 705, 1015 BARNETT SHOALS RD,
190-210 LAKEWOOD DR, & 162 PARK RIDE CT
Existing Zoning: C-N (PD), RS-8, RM-1


RM-1
G
PD
RS-8
C-N
C-N (PD)
C-O
445, 605, 705, 1015 BARNETT SHOALS RD,
190-210 LAKEWOOD DR, & 162 PARK RIDE CT
Proposed Zoning: C-N (PD)

ACCESS

- ALL REQUIRED ACCESS EASEMENTS SHALL BE PROVIDED PRIOR TO A CERTIFICATE OF OCCUPANCY.
- ALL UNITS SHALL BE PERMITTED TO MAINTAIN ACCESS TO PARKING, RIGHTS-OF-WAY, AND LIFE SAFETY ACCESS. NO UNITS SHALL BE ALLOWED TO INSTALL FENCES OR OTHER OBSTRUCTIONS THAT PREVENT SAID ACCESS TO ANOTHER UNIT.

PROJECT DATA

DEVELOPER:
MALLORY & EVANS DEVELOPMENT, LLC
625 KENTUCKY ST
SCOTTDALE, GA 30079
ATTN: JAKE STRICKLAND

AUTHORIZED AGENT:
W&A ENGINEERING
355 ONETA ST.
ATHENS, GA 30601
706.310.0400
ATTN: SCOTT HAINES, 706.310.0400

PHYSICAL ADDRESS: BARNETT SHOALS RD, ATHENS, GA 30605

TAX PARCELS: 174B 001B, 174B 001F, 174B 002, 174B 001A, 174B 001D, 174B 017, 174B 001C, 174D1 010

TOTAL PROJECT ACREAGE: 90.22 ACRES (3,930,097.64 SF.)

CONTOUR INTERVAL: 2' GIS TOPO BY ATHENS-CLARKE COUNTY DATED 2013.

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A W&A ENGINEERING BOUNDARY SURVEY FOR MALLORY & EVANS DEVELOPMENT, LLC, DATED 11/06/2023.

EXISTING ZONING: C-N (PD)

PROPOSED ZONING: C-N (PD)

EXISTING USE: UNDEVELOPED

PROPOSED USE: MIXED-USE

FLOOD PLAIN: SUBJECT PROPERTIES ARE WITHIN AREAS HAVING ZONE DESIGNATION OF ZONE AE, DETERMINED TO BE WITHIN THE REGULATORY FLOODWAY PER FLOOD INSURANCE RATE MAP NO. 13059C0026E, WITH AN EFFECTIVE DATE OF 9/15/2022, FOR COMMUNITY PANEL NUMBER 130040, ATHENS, GEORGIA.

THERE ARE STATE WATERS WITHIN 200' OF THE SITE.

THERE ARE WETLANDS DELINEATED ON SITE.

THIS PROPERTY DOES CONTAIN ENVIRONMENTAL AREAS AS DENOTED ON THE ATHENS-CLARKE COUNTY ENVIRONMENTAL MAP.

PROJECT AREA BREAKDOWN

TOTAL PROJECT AREA: 90.22 ACRES (3,930,097.64 SF)

PARCEL 174B 001B:	7.712 ACRES (335,925.15 SF)
PARCEL 174B 001F:	22.347 ACRES (973,453.03 SF)
PARCEL 174B 002:	0.364 ACRES (15,878.84 SF)
PARCEL 174B 001A:	1.721 ACRES (74,983.92 SF)
PARCEL 174B 001D:	0.424 ACRES (18,492.03 SF)
PARCEL 174B 017:	1.416 ACRES (61,697.70 SF)
PARCEL 174B 001C:	55.803 ACRES (2,430,781.20 SF)
PARCEL 174D1 010:	0.433 ACRES (18,885.77 SF)

SITE COVERAGE DATA

TOTAL PROJECT ACREAGE: 90.22 ACRES (3,930,097.64 SF.)
FUTURE ROW: 15.49 ACRES (674,607.60 SF.)
NET SITE ACREAGE: 74.73 ACRES (3,255,490.04 SF.)

EXISTING LOT COVERAGE: 31,953.02 SF (0.98% OF SITE)
BUILDINGS: 11,383.68 (0.35% OF SITE)
PAVING: 20,563.34 (0.63% OF SITE)

PROPOSED LOT COVERAGE (BUILDINGS AND HARDSCAPES): 849,409 SF. (26.09% OF NET SITE)

TOTAL LANDSCAPE AREA: 2,406,081 SF (73.91% OF NET SITE)

PUBLIC SPACE:
PUBLIC SPACE IS REQUIRED AS PART OF CODE SECTION 9-25-8.F.2
REQUIRED: ONE SQUARE FOOT OF PLAZA OR PUBLIC SPACE SHALL BE REQUIRED FOR EVERY TEN SQUARE FEET OF GROSS FLOOR AREA.

PLAZAS OR PUBLIC SPACES SHALL INCORPORATE AT LEAST THREE OF THE FOUR LISTED ELEMENTS IN CODE SECTION 9-25-8-F OF ACC ORDINANCE.

STORMWATER MANAGEMENT NOTE

THE SITE WILL COMPLY WITH ALL STORMWATER MANAGEMENT REGULATIONS AT THE TIME OF SITE DEVELOPMENT PLAN REVIEW APPLICATIONS.

PROPOSED STORMWATER MANAGEMENT AREAS ARE APPROXIMATE REPRESENTATION OF AREAS TO BE USED FOR STORMWATER MANAGEMENT. COMPLETE SIZING AND DESIGN SHALL OCCUR UPON DEVELOPMENT OF SITE DEVELOPMENT PLANS.

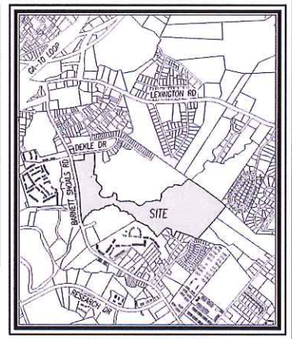
CONCEPT PLAN NOTES

1. THE LOT LAYOUT AND BUILDING FOOTPRINTS DEPICTED ON THE SITE PLAN ARE CONCEPTUAL AND INTENDED TO REPRESENT A BASELINE SCENARIO OF DEVELOPMENT. AS THE NEIGHBORHOODS DEVELOP, THE FINAL LOT LAYOUTS AND BUILDING LOCATIONS WILL BE DETERMINED ACCORDING TO THE GUIDELINES AND WITHIN THE PARAMETERS ESTABLISHED IN THE ARCHITECTURAL CHARACTER DESIGN BOOK AND APPLICATION REPORT, AS APPROVED.

PARKING DATA

PROPOSED GARAGE PARKING:	452 SPACES
PROPOSED STANDARD PARKING:	526 SPACES
PROPOSED ADA PARKING:	21 SPACES
PROPOSED ON-STREET PARKING:	356 SPACES

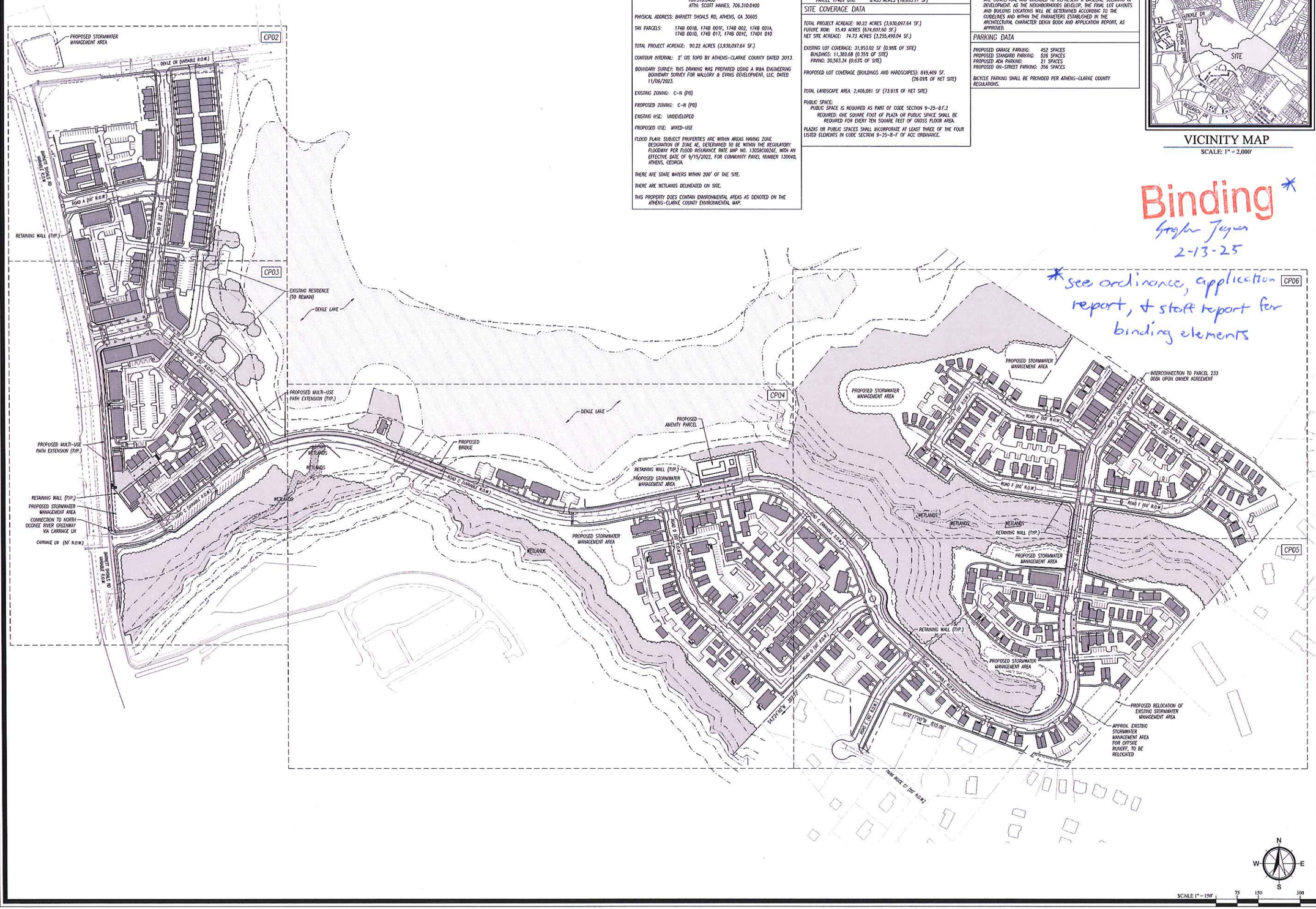
BICYCLE PARKING SHALL BE PROVIDED PER ATHENS-CLARKE COUNTY REGULATIONS.



VICINITY MAP
SCALE: 1" = 2,000'

Binding *
Stephen Joyner
2-13-25

* see ordinance, application report, & staff report for binding elements



SCALE 1" = 150'

W&A ENGINEERING
CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT
355 Oneta Street, Suite D100
Athens, GA 30601
P: (706) 310-0400
waengineering.com

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THE SHOALS

ATHENS-CLARKE COUNTY, GEORGIA

90.22 ACRES

Know what's below. Call before you dig. 811

REVISIONS

DATE	COMMENT

FOR REVIEW ONLY

INITIAL SUB. DATE: 6/28/24

ISSUANCE DATE: 12/31/24

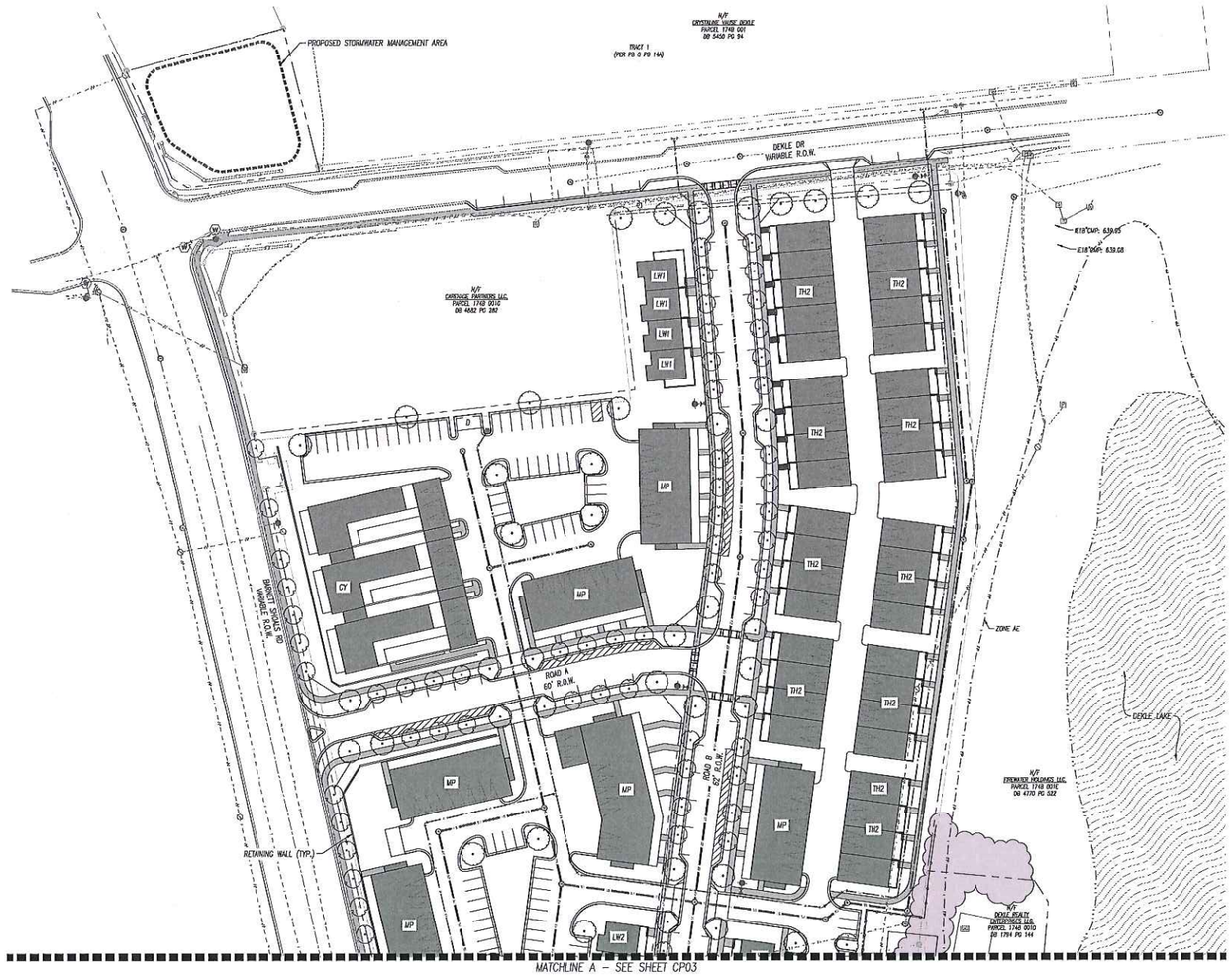
GEORGIA REGISTERED No. 1938 PROFESSIONAL LANDSCAPE ARCHITECT STEPHEN H. KESSLER

W&A PROJECT #: 230161

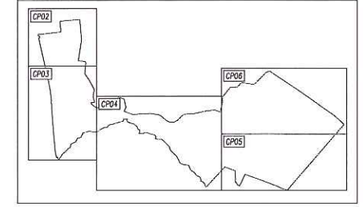
OVERALL PD MASTER PLAN

CP01

C:\Users\jkitzrow\AppData\Local\Temp\AcePublish_1940\20240109\D-Rezone Concept-230161.dwg 12-31-24 12:07:17 PM jkitzrow



SHEET KEY MAP 1:1,000



BUILDING ABBREVIATION KEY

SINGLE FAMILY DETACHED:	
SF-S	SINGLE FAMILY – SMALL
SF-M	SINGLE FAMILY – MEDIUM
SF-L	SINGLE FAMILY – LARGE
CT-A	COTTAGE A (1-STORY)
CT-B	COTTAGE B (2-STORY)
SINGLE FAMILY ATTACHED:	
MW-A	MEWS A
MW-C	MEWS C
MW-E/TR	MEWS E
TE	TREEHOUSE
TH1-A	2-STORY TOWNHOUSE A
TH1-B	2-STORY TOWNHOUSE B
TH2-A	3-STORY TOWNHOUSE A
TH2-B	3-STORY TOWNHOUSE B
DU	DUPLEX SIDE-BY-SIDE
TR	TRIPLEX SIDE-BY-SIDE
OTHER:	
G	GARAGE
D	DUMPSTER
LOWER MISSING-MIDDLE HOUSING:	
CH	CARRIAGE HOUSE
FR	FOURPLEX
FY	FIVEPLEX
MS	MANSION – SMALL
ML	MANSION – LARGE
UPPER MISSING-MIDDLE HOUSING:	
CY	COURTYARD BUILDING
MP-A	MULTIPLEX SMALL
MP-B	MULTIPLEX MEDIUM
MIXED-USE / COMMERCIAL:	
LW1	LIVE/WORK 2-STORY
LW2	LIVE/WORK 3-STORY
MU	MIXED USE BUILDING
C	COMMERCIAL

Binding*
Stephen Joyce
2-13-25
*see note CP01

N
W E
S

SCALE 1" = 60'
30 60 120

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ECONOMIC DEVELOPMENT
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THE SHOALS

ATHENS-CLARKE COUNTY, GEORGIA

90.22 ACRES

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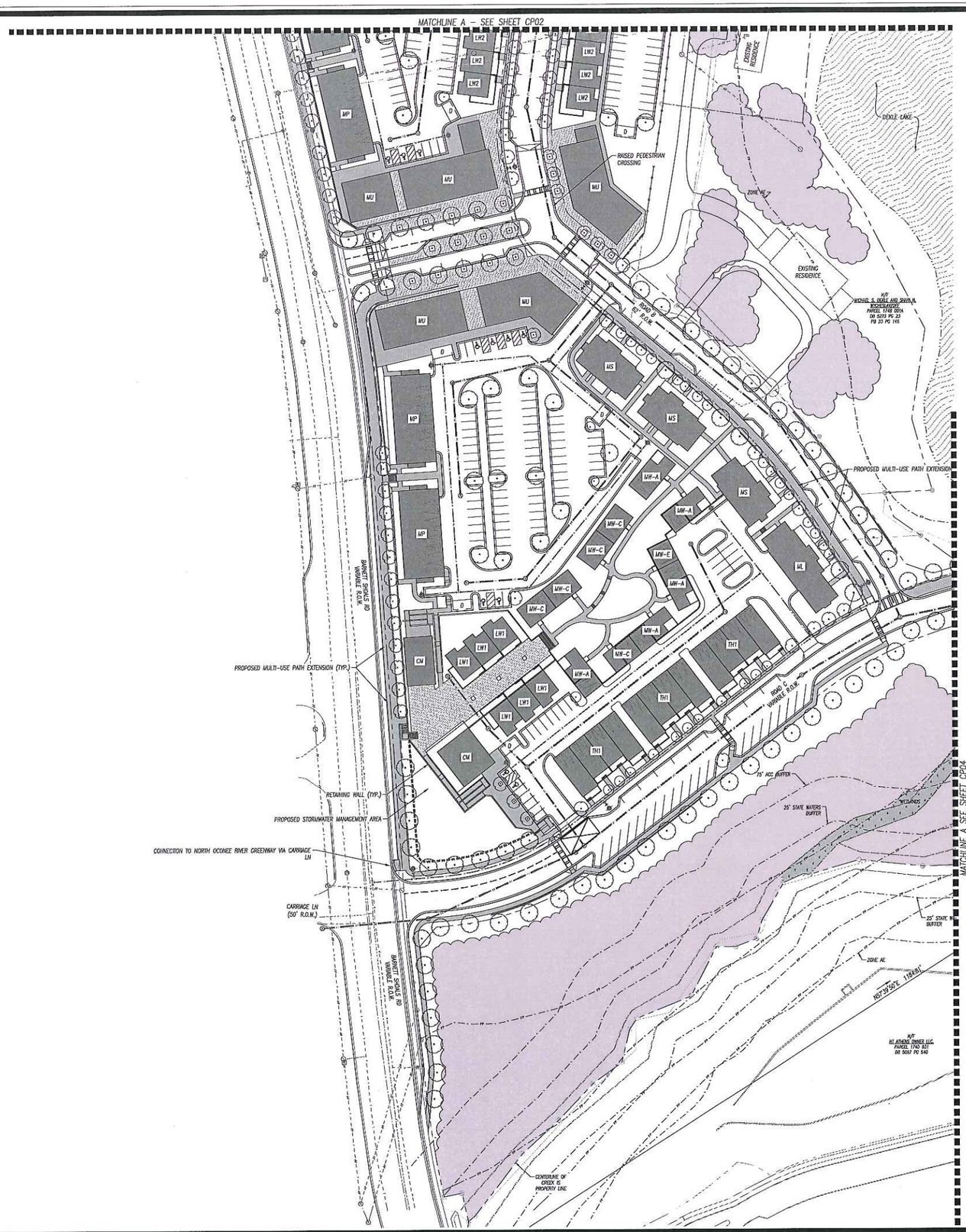
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W&A PROJECT #: 230161

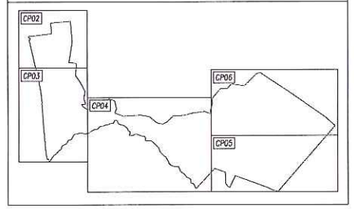
PD MASTER PLAN (1)

CP02

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SHEET KEY MAP 1:1,000



BUILDING ABBREVIATION KEY

SINGLE FAMILY DETACHED:		
	SF-S	SINGLE FAMILY – SMALL
	SF-M	SINGLE FAMILY – MEDIUM
	SF-L	SINGLE FAMILY – LARGE
	CT-A	COTTAGE A (1-STORY)
	CT-B	COTTAGE B (2-STORY)
SINGLE FAMILY ATTACHED:		
	MW-A	MEWS A
	MW-C	MEWS C
	MW-E/TR	MEWS E
	TC	TREEHOUSE
	TH1-A	2-STORY TOWNHOUSE A
	TH1-B	2-STORY TOWNHOUSE B
	TH2-A	3-STORY TOWNHOUSE A
	TH2-B	3-STORY TOWNHOUSE B
	DU	DUPLEX SIDE-BY-SIDE
	TR	TRIPLEX SIDE-BY-SIDE
OTHER:		
	C	CARAGE
	D	DUMPSTER
LOWER MISSING-MIDDLE HOUSING:		
	CH	CARRIAGE HOUSE
	FR	FOURPLEX
	TY	TWOPLEX
	MS	MANSION – SMALL
	ML	MANSION – LARGE
UPPER MISSING-MIDDLE HOUSING:		
	CT	COURTYARD BUILDING
	MP-A	MULTIPLEX SMALL
	MP-B	MULTIPLEX MEDIUM
MIXED-USE / COMMERCIAL:		
	LW1	LIVE/WORK 2-STORY
	LW2	LIVE/WORK 3-STORY
	MU	MIXED USE BUILDING
	C	COMMERCIAL

Binding*
Stephen Jaynes
2-13-25
*see note CP01

N
W E
S

SCALE 1" = 60' 30 60 120

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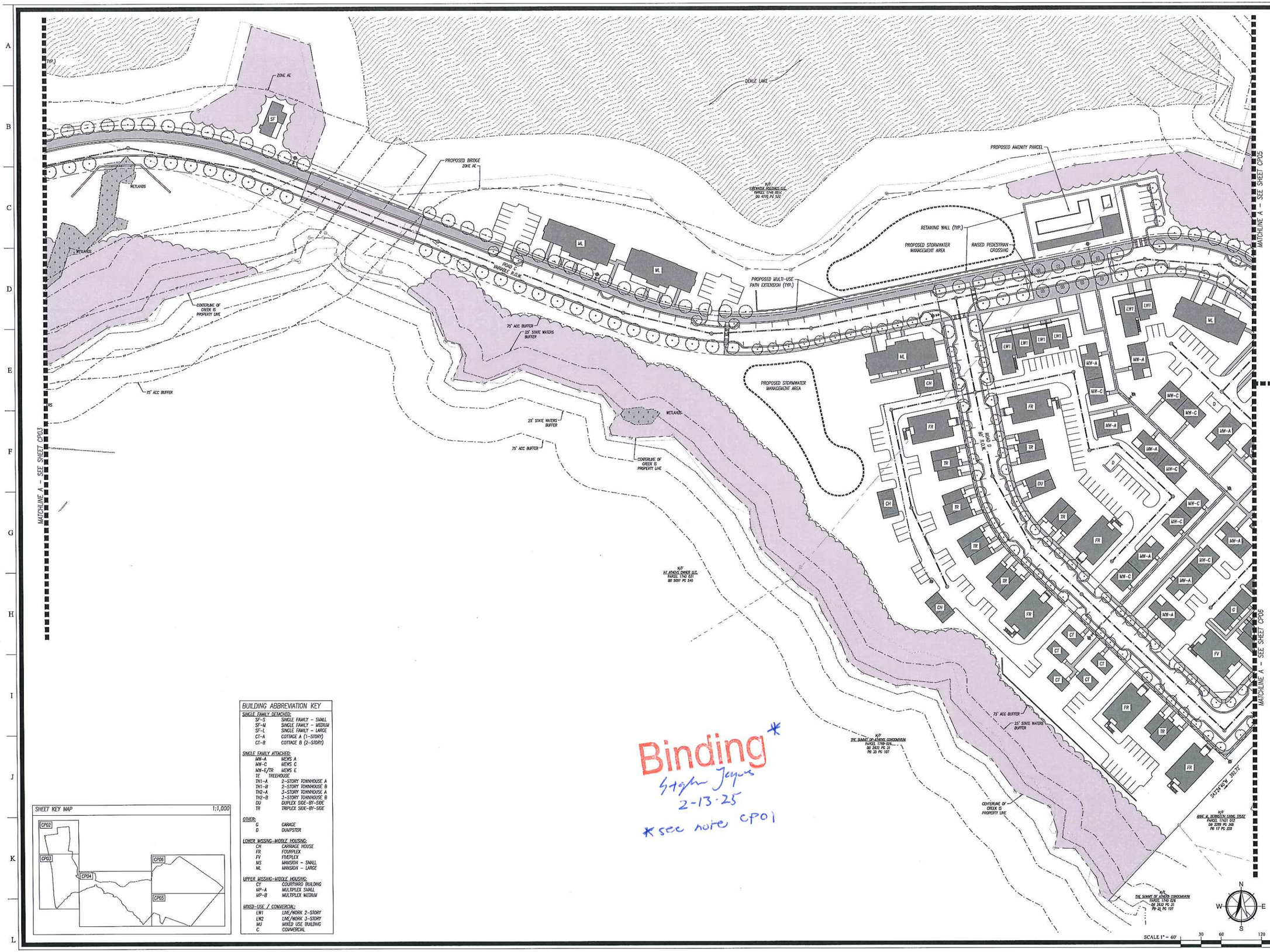
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PD MASTER PLAN (2)

CP03

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Binding*
Stephen Jeyes
2-13-25
*see note CP01

SHEET KEY MAP	1:1,000

BUILDING ABBREVIATION KEY

SINGLE FAMILY DETACHED:	
SF-S	SINGLE FAMILY – SMALL
SF-M	SINGLE FAMILY – MEDIUM
SF-L	SINGLE FAMILY – LARGE
CT-A	COTTAGE A (1-STORY)
CT-B	COTTAGE B (2-STORY)
SINGLE FAMILY ATTACHED:	
MW-A	MEWS A
MW-C	MEWS C
MW-E/TR	MEWS E
TE	TREEHOUSE
TH1-A	2-STORY TOWNHOUSE A
TH1-B	2-STORY TOWNHOUSE B
TH2-A	3-STORY TOWNHOUSE A
TH2-B	3-STORY TOWNHOUSE B
DU	DUPLEX SIDE-BY-SIDE
TR	TRIPLEX SIDE-BY-SIDE
OTHER:	
G	GARAGE
D	DUMPSTER
LOWER MISSING-MIDDLE HOUSING:	
CH	CARRIAGE HOUSE
FR	FOURPLEX
FV	FIVEPLEX
MS	MANSION – SMALL
ML	MANSION – LARGE
UPPER MISSING-MIDDLE HOUSING:	
CY	COURTYARD BUILDING
MP-A	MULTIPLEX SMALL
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MIXED-USE / COMMERCIAL:	
LW1	LIVE/WORK 2-STORY
LW2	LIVE/WORK 3-STORY
MU	MIXED USE BUILDING
C	COMMERCIAL

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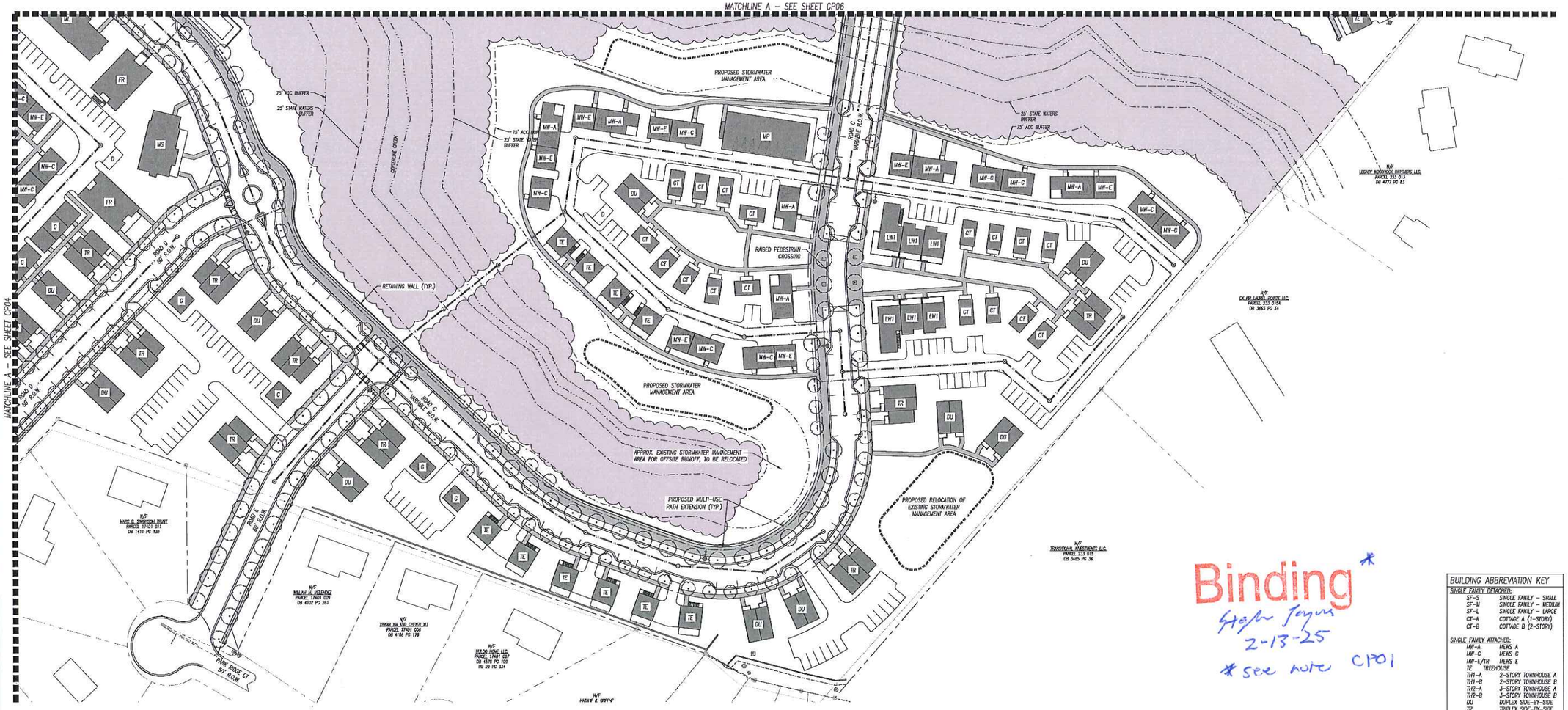
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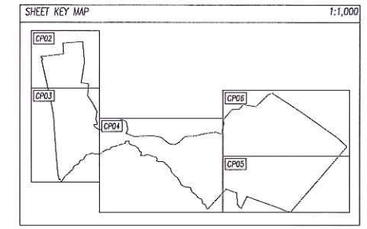
PD MASTER PLAN (3)

CP04

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SHEET KEY MAP 1:1,000



Binding*
Stephen Jeynes
2-13-25
* See note CP01

BUILDING ABBREVIATION KEY

SINGLE FAMILY DETACHED:
- SF-S — SINGLE FAMILY – SMALL
- SF-W — SINGLE FAMILY – MEDIUM
- SF-L — SINGLE FAMILY – LARGE
- CT-A — COTTAGE A (1-STORY)
- CT-B — COTTAGE B (2-STORY)

SINGLE FAMILY ATTACHED:
- MW-A — MEWS A
- MW-C — MEWS C
- MW-E/TR — MEWS E
- TE — TREEHOUSE
- TH1-A — 2-STORY TOWNHOUSE A
- TH1-B — 2-STORY TOWNHOUSE B
- TH2-A — 3-STORY TOWNHOUSE A
- TH2-B — 3-STORY TOWNHOUSE B
- DU — DUPLEX SIDE-BY-SIDE
- TR — TRIPLEX SIDE-BY-SIDE

OTHER:
- G — GARAGE
- D — DUMPSTER

LOWER MISSING-MIDDLE HOUSING:
- CH — CARRIAGE HOUSE
- FR — FOURPLEX
- FV — FIVEPLEX
- MS — MANSION – SMALL
- ML — MANSION – LARGE

UPPER MISSING-MIDDLE HOUSING:
- CY — COURTYARD BUILDING
- MP-A — MULTIPLEX SMALL
- MP-B — MULTIPLEX MEDIUM

MIXED-USE / COMMERCIAL:
- LW1 — LIVE/WORK 2-STORY
- LW2 — LIVE/WORK 3-STORY
- MU — MIXED USE BUILDING
- C — COMMERCIAL

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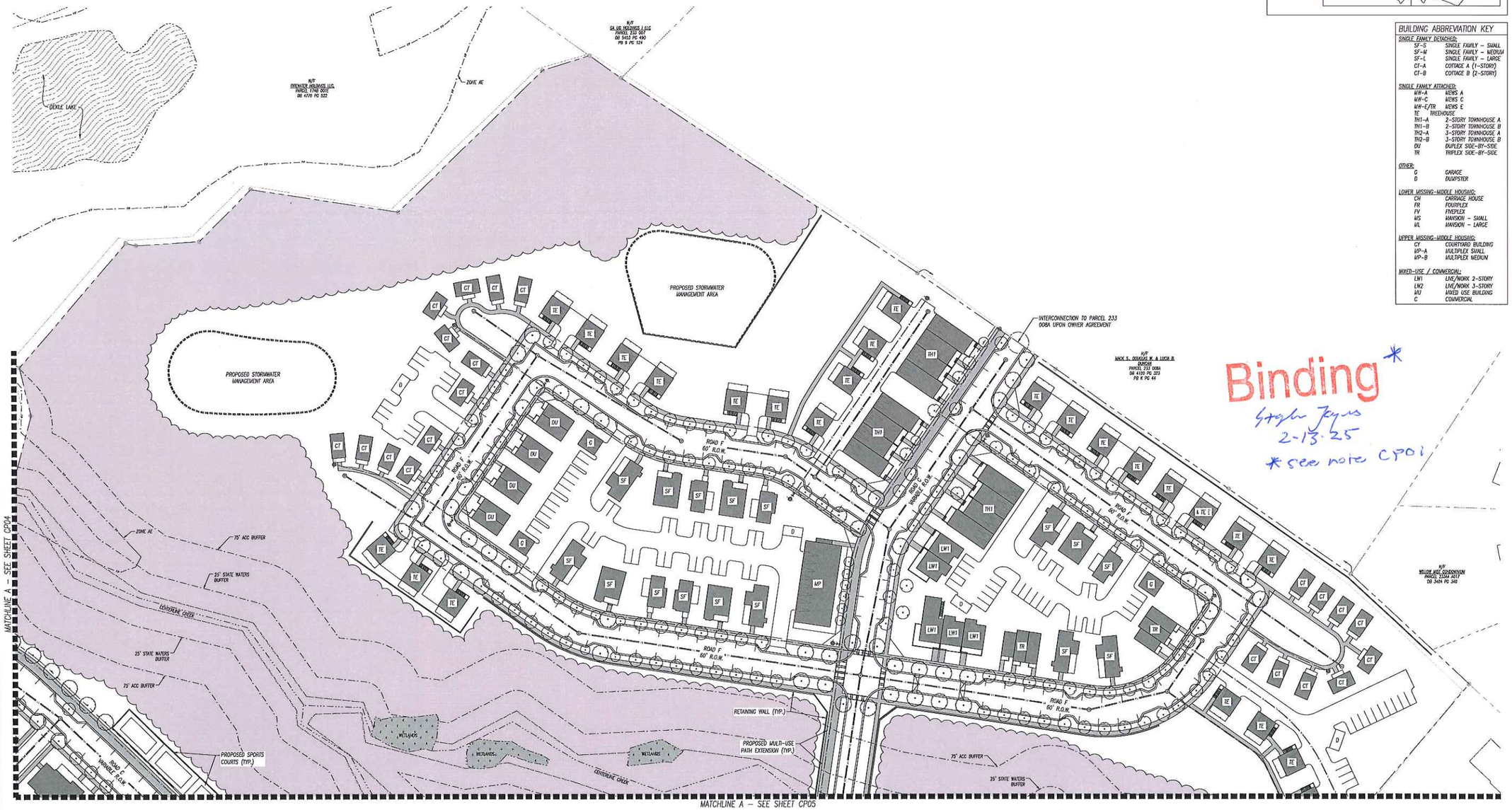
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PD MASTER PLAN (4)

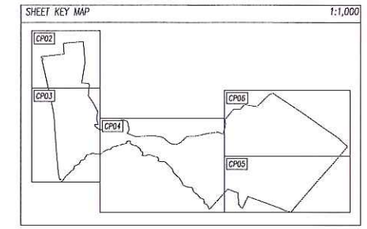
CP05

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Binding*
Stephen Jeyes
2-13-25
*see note CP01

SHEET KEY MAP 1:1,000



BUILDING ABBREVIATION KEY

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	TH1-B	2-STORY TOWNHOUSE B
	TH2-A	3-STORY TOWNHOUSE A
	TH2-B	3-STORY TOWNHOUSE B
	DU	DUPLEX SIDE-BY-SIDE
	TR	TRIPLEX SIDE-BY-SIDE
OTHER:		
	G	GARAGE
	D	DUMPSTER
LOWER MISSING-MIDDLE HOUSING:		
	CH	CARRIAGE HOUSE
	FR	FOURPLEX
	FV	FIVEPLEX
	MS	MANSION – SMALL
	ML	MANSION – LARGE
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W&A PROJECT #: 230161

PD MASTER PLAN (5)

CP06

N W E S

SCALE 1" = 60' 30 60 120

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Binding

02/13/2025

Development Standards

Mallory & Evans Development, LLC

Binding

Stephen Jaques
02/13/2025

The Shoals

Master PD Submittal
January 17, 2025

W&A ENGINEERING

OPTICOS

Binding

02/13/2025

Prepared For:

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Prepared By:

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With:

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Athens, GA 30601
706.310.0400

C3 Studio LLC
133 W Jackson Ave
Knoxville, TN 37902
865.309.4461

Binding

02/13/2025

What's Inside?

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Development Standards 21

Conclusion 37

Binding

02/13/2025

Binding

02/13/2025

Application Report

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Binding

Request Summary

02/13/2025

Applicant	W&A Engineering, Georgia for Mallory & Evans Development
Location	Southeast of the intersection of Barnett Shoals Rd. and Dekle Drive
Tax Parcels	174B 001C, 174B 001F, 174B 001A, 174B 001B, 174B 001D, 174B 017, and 174D1 010
Size	85 Acres approximately
Current Use	Vacant /Undeveloped
Current Zoning	C-N (PD)
Proposed Zoning	C-N (PD)
Current FLU	Traditional Neighborhood
Proposed FLU	Traditional Neighborhood

Neighborhood	Dwelling Units	Max Height	Min. # of Building Types	Min. Commercial Area*	Min. Open Community Space Area**
Arts & Entertainment	240-325	65 ft	5	20,000 sf	35,000 sf
Central	155-215	45 ft	6	Allowable	30,000 sf
Peninsula	60-85	45 ft	4	Allowable	15,000 sf
Garden	85-120	45 ft	4	Allowable	10,000 sf

*Gross square feet

**Plaza, public green space, community recreation, playground

Note: The required open community space shall be located primarily centric within each neighborhood to promote cohesion with its community activity as opposed to being placed on the perimeter as a buffer

Binding

02/13/2025



Aerial image of the site

Binding

02/13/2025

Existing Conditions

The proposed development is approximately 85 acres in size and is located on the western side of Barnett Shoals Road. The property was rezoned to C-N (PD) in 2004 for a mixed-use development encompassing approximately 206 acres in total. The first phase of that project was completed in 2006. The subject property for this request (highlighted above) is undeveloped and wooded. The planned development will incorporate the natural topography and environmental assets of into a series of mixed-use commercial, residential, and amenity uses. This request is intended to be a distinct master planned development, separate from the original approval. The plan, this narrative and the pattern book are intended to replace the most recently approved versions of these documents. The new master plan will be complementary in scale and character to the current PD.

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02/13/2025



Existing conditions site photo



Existing conditions site photo

Binding

Compatibility

02/13/2025

Comprehensive Plan Compatibility

The 2023 Comprehensive Plan recommends the following policies which support the approval of the proposed request.

- Improve accessibility to commercial/ business nodes throughout the county, with special attention to the Georgia Square Mall area and Atlanta highway corridor, Hawthorne Avenue, Downtown, the Lexington Road corridor, Epps Bridge Road, North Avenue, and the Barnett Shoals corridor through Athens' East Side.
- 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.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- Promote intra- and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development.
- Encourage the creation of publicly accessible gathering spaces within neighborhoods and development projects.

The development of a new mixed-use district, centrally located along the Barnett Shoals corridor, which includes a variety of housing options, commercial uses, and a multi-use trail would signify the creation of a new node. The 15 housing types will increase the variety and availability of housing across the proposed new neighborhoods. This diversity in sizes and types of units will increase the access to housing for a wider range of incomes and households than would be offered by a conventional residential development. The plan provides a street that can be extended to accommodate a connection with Lexington Rd. should the adjacent parcel be developed. Additionally, the plan provides pockets of common open space, commercial plaza, and outdoor gathering spaces for the public to utilize. Finally, the plan proposes an extension of the Greenway which would connect the entire project from Barnett Shoals Road through the commercial district, along the lake shore, and through the residential neighborhoods.

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02/13/2025

Future Land Use Map Compatibility

The Future Land Use Map indicates that the subject property is currently designated as a Traditional Neighborhood with a small portion to the north of Dekle Drive identified as Mixed Density Residential. Both districts are identified as compatible with the proposed C-N zoning district as identified in Table 9.4 of Athens-Clarke County Code of Ordinances.

Zoning Map Compatibility

The Master Plan designation being sought includes this application report, the accompanying master plan demonstrating the requested development and use standards, and the submitted architectural guidelines. Approval of this PD would result in a development compatible with surrounding properties and would not create an isolated district. The base zoning district will remain unchanged (C-N) which would remain in compliance with the land use guidance and strategy outlined in the Comprehensive Plan. Adjacent properties are zoned RM-1, RM-2, RS-8, or are part of the previously approved C-N (PD) which encompassed both sides of Dekle Lake

Compatibility with Other Plans, studies, and programs

The A-CC Greenway Master Plan calls for a connection between Barnett Shoals Road and Lexington Road. The exact alignment has shifted as the Greenway Master Plan has evolved over time. This PD request would extend the current greenway by approximately 1.2 miles and connect the neighborhoods and the commercial mixed-use areas of the development south along Barnett Shoals Road to its intersection with Carriage Lane. The proposed alignment, as depicted on the plan, would be a 12' multi-use path inside the public right-of-way.

The proposed inter-parcel connection to the east would allow a connection between Barnett Shoals Rd. and Lexington Rd. This connection is shown with a different alignment on the Transportation Corridor Concept Map (Loc 9- Lexington Heights to Lakewood Drive).

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Changes to the Exis Approved Planned Development

1. Community Center

The community center that was part of the original PD has been removed from this amendment. To offset this loss of potential public amenity, the application is proposing over one mile of public multi-use path in conjunction with the proposed road network. This path and road network have the potential to connect Barnett Shoals Road to Lexington Rd in addition to extending the Firefly trail from Carriage Lane to Lexington Rd.

2. Amendment Boundary

The boundary illustrated on the "PD Base Plan CP00" is the boundary for this proposed rezone amendment. If approved, all land falling within this boundary shall be governed by the proposed PD amendment, and all land outside of this boundary shall be governed by the past binding PD and its amendment.

Binding

Utilities and Stormwater

02/13/2025

Utilities

Athens-Clarke County Public Works has provided a capacity assurance letter verifying that capacity currently exists to serve the proposed development. The public costs to improve, provide, or maintain public infrastructure and other services for the proposed development would be the same or like the anticipated costs of the currently approved plan.

Public water and sanitary sewer service will be installed in the proposed public right of way or within an alley or maintenance easement as required by Athens-Clarke County public works.

Residential solid-waste collection will be provided by a licensed provider. Individual lot owners will be responsible for establishing their own service, with the commercial and multi-family units service provided by the property managers in compliance with the Dumpster Service requirements found in Sec 5-2-16 (a) (1) of the Athens Clarke County Code of Ordinances.

Stormwater

The post-development stormwater will be managed in accordance with the Georgia Stormwater Manual and the Athens-Clarke County stormwater regulations for new developments. On-site stormwater will be managed with a combination of surface and underground detention facilities. Permeable pavers will be installed in off-street parking stalls as well as on-street parking areas as depicted on the master plan. Final details and design of stormwater structures will be completed during the site development/civil design phase of the project. The general locations of stormwater facilities depicted on the submitted site plans are accurate as of the date of this submittal but may need to be moved to accommodate the final grading, soil conditions, or other factors that could impact feasibility. Final locations may change and may be approved administratively. As required a stormwater concept meeting was held with the public works department on June 4, 2024.

All technical requirements for engineering and life safety shall be met at the time of plans review

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Phasing

Overall

This project will require multiple phases to complete the final build out. The timeline makes specifics for phasing difficult to predict because of the influence the markets and other external factors have on the overall pace of development. Generally the speaking the phasing will progress beginning with the frontage along Barnett Shoals Rd and move eastward. The initial phase is planned to encompass the Arts and Entertainment neighborhood and a portion of the Central neighborhood are to balance the site's grading. Subsequent phases will be built according to market conditions.

Commercial

This development shall provide a total minimum ground floor commercial area of 20,000 SF and 5,000 SF of Live Work space within its first phase. This minimum commercial area shall be located along Main Street and around a potential second commercial plaza. To ensure that this commercial is delivered in a manner that promotes activation of the streetscape, all buildings fronting Main Street shall:

- Require commercial on the ground floor.
- Have a maximum building depth of 80'.
- The Live Work space shall have the option to be used as either residential or commercial.

Although there is a potential for additional commercial square footage within the first phase and allowance for additional commercial within subsequent phases, commitments to additional mandatory minimum areas could pose a risk to the project given the challenges to providing parking and the unforeseen future market conditions to support such commercial viability.

Greenway

The construction and dedication of the greenway shall occur in concert with its respective street construction and dedication. The construction of said street shall occur in line with the timing of its respective neighborhood phase.

Binding

Topography and Grading

02/13/2025

The subject site is renowned for its natural beauty, characterized by rolling terrain, steep slopes, and deep creek corridors lined with mature trees. This natural beauty is a defining feature that enhances the potential of the proposed development and should be regarded as a valuable asset. The proposed design aims to balance the creation of a dense, walkable, and interconnected neighborhood with the preservation of the site's unique environmental features.

The site's topography plays a critical role in shaping the neighborhood layout. Large portions of the land are constrained by protected environmental corridors, limiting the amount of developable area. Preliminary geotechnical investigations have revealed the presence of subsurface rock in several locations, adding significant costs to grading activities. Additionally, the project must align with existing peripheral elevations, which constrain the allowable changes in grade. This is further complicated by technical requirements for public road geometry, utility design, and ensuring gravity-fed sewer service from the project's most interior neighborhood to Barnett Shoals Road.

The proposed design prioritizes moderately dense, walkable neighborhoods to foster community interaction while adhering to ADA accessibility standards. Achieving these design goals within the constraints of the site's topography presents a considerable challenge. Balancing these requirements while minimizing grading is essential—not just to preserve the site's natural beauty but also to manage costs effectively.

Given these challenges, the applicant respectfully requests that no additional grading restrictions be imposed. Further limitations would undermine the feasibility of achieving a thoughtful and harmonious design that integrates the neighborhood with its natural surroundings.

Binding

02/13/2025

Transportation Netv

Transportation Road Network

The Traffic Impact Study evaluated in two scenarios. The first with two driveway connections to the road network, and three driveway connections in the second. Both scenarios were evaluated for the Build Year 2029 and Projection Year 2039. The following recommendations were developed for each scenario.

Scenario 1:

- Driveway 1 – construct a right turn lane on Barnett Shoals Road that has 150′ of full width storage and a 50′ taper. Construct a full access driveway from proposed development onto Barnett Shoals with a 200′ long/12′ wide left turn lane and 200′ long/12′ wide right turn lane for traffic leaving the proposed development.
- Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150′ of full width storage and a 50′ taper.

Scenario 2:

- Driveway 1 – construct a right turn lane on Barnett Shoals Road that has 150′ of full width storage and a 50′ taper. Construct a full access driveway from proposed development onto Barnett Shoals with a 200′ long/12′ wide left turn lane and 200′ long/12′ wide right turn lane for traffic leaving the proposed development.
- Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150′ of full width storage and a 50′ taper.
- Driveway 3 – as driveway 3 would be a connection through adjacent property, any future access point to SR 10/US 78 should include a right turn lane with 175′ of full width storage and a 100′ taper.

The internal street network was designed to be as walkable and pedestrian oriented as possible. The proposed typical street sections shown depict the standard assembly for public streets to be built as part of the project. The lane assemblies have been reviewed and approved by the Fire Marshal and the Transportation and Public Works Department. The project's middle entrance from Barnett Shoals Rd. is proposed to be a private street constructed to public standards. This main-street area between the mixed-use buildings may be closed to automobile traffic from time to time to accommodate events, parking for food trucks, or other uses as needed. The section of road across the existing dam will be built to the same proposed standard with an access easement for public use. The maintenance of this portion of the road and the dam will be the responsibility of the owners.

Binding

02/13/2025

Based on the Traffic Impact Study developed for this project the project's trip generation is as follows:

ITE Code	Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
				Entry	Exit	Total	Entry	Exit	Total
210	S-F D	54 du	572	11	32	43	35	21	56
215	S-F A	192 du	1,382	23	69	92	64	45	109
220	MF	492 du	3316	47	150	197	158	93	251
822	Retail	33,640 sf	1,649	128	128	256	240	205	445
Total			6,919	209	379	588	498	363	861

Transportation Off-Street network

A 12' wide multi-use path provided within the public right of way is planned to connect the neighborhoods throughout the project with the larger off-street transportation network. The proposed plan depicts approximately 1.2 miles of new multi-use trail in addition to new sidewalks along the new internal streets.

Public Transportation

Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be provided within the first phase of the project if deemed necessary by the Athens-Clarke County Transit Director or authorized designer during the plan development phase of the project.

Access

- All required access easements shall be provided prior to a certificate of occupancy.
- All units shall be permitted to maintain access to parking, rights-of-way, and life safety access. No units shall be allowed to install fences or other obstructions that prevent said access to another unit
- When a block or group of houses fronts anything other than street right-of-way, unobstructed paved pedestrian access shall be provided no greater than 150' in length to vehicular access and parking..

Project Parking

This application is seeking a waiver from the code required parking minimums listed in the ACC UDC (see Parking Reduction Waiver). In addition to this request, the applicant is proffering a condition that "All uses shall provide an option for guest parking within a quarter mile of the use." The application is also seeking to provide greater on-street parking density along the southern entrance road by utilizing "reverse in parking." This method of parking allows for the utilization of angled parking while also increasing safety for cars when exiting the space.

Binding

Street Trees

02/13/2025

To uphold one of the primary goals of the currently approved Planned Development (PD)—enhancing pedestrian safety and community walkability—the applicant proposes continuing the placement of required street trees within the verge between the sidewalk and the street. In the existing PD, the verge width ranges from 3.5 to 5.5 feet, which falls below the minimum standards for tree planting as specified in the Athens-Clarke County (ACC) code at the time of this application.

To comply with current technical standards outlined in Sec. 8-7-19, Table 2 (Minimum Distances in Feet Required between Trees and Structures or Infrastructure by Tree Canopy Size Category), the plan increases verge widths to between 6 and 13 feet, depending on the specific street section. This expanded planting area allows for the inclusion of "medium" canopy trees (as classified in the ACC Tree Species List), where a 6-foot planting width is provided, and "large" canopy trees wherever greater space permits.

The applicant emphasizes the importance of using "medium" and "large" trees instead of "small" species due to their superior ability to shade sidewalks and provide a stronger presence along the street. These larger trees contribute to traffic calming, reduce vehicle speeds, and create a more inviting environment for pedestrians, thereby reinforcing the project's commitment to walkability and community engagement.

Binding

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Stephen Jaques

02/13/2025

Development Standards

In this chapter

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Requested Waiver of Ordinance Standards	26
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Binding

Development Stanc

02/13/2025

The following table summarizes the proposed development standards for the project. These standards will work in concert with those in the Architectural Design Book to regulate building form and site design. The applicable underlying base zoning district standards are included for a comparison.

General District Regulations	The Shoals	C-N	RS-5
Maximum residential density	9 du/acre or 16 beds/acre	16 beds/acre	6.0 du/acre
Minimum lot area	No Minimum area	5,000 sq. ft.	N/A
Minimum lot width	20' attached 40' detached	50 ft.	20' attached 40' detached
Minimum lot depth	N/A	50 ft.	N/A
Minimum front yard	7.5 ft.	10 ft.	15 ft.
Minimum side yard	6 ft.	6 ft.	6 ft.
Minimum side yard, adjacent to street	7.5 ft.	6 ft.	10 ft.
Minimum yard when abutting residential zone	N/A	10 ft.*	N/A
Minimum Rear Yard	5 ft.	15 ft.	10 ft.
Minimum Rear Setback from alley	0 ft.	15 ft.	10 ft.
Maximum FAR	No maximum	0.75	--
Maximum lot coverage	No maximum	75%	50%
Minimum landscaped area	No minimum	25%	--
Maximum building height	Per Neighborhood. See Design Book	65 feet	30 feet

Binding

02/13/2025

In addition to the dimensional standards to the left, the following requirements must be met in order to ensure the continuity of character throughout the lifetime of the development.

- Primary entrances shall front on a public right-of way or green space.
- Secondary entrances are allowed, but are required to incorporate an Entryway Element from the Architectural Design Book.
- The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding: Street network, to include general location, sections, and alignments as shown. This consists of the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan, although those elements are subject to additional regulations found within this document and the Architectural Design book.
- Off-street parking areas shall be prohibited between fronts of buildings and the right-of-way except for ADU uses.

Allowed Uses

All uses identified as permitted uses within the CN zone shall be permitted by right. In addition, the uses below shall also be permitted. See the section immediately following this one for prohibited uses.

- Duplexes
- Ground floor residential in MF buildings
- Accessory Dwelling Units
- Hotels **(up to 15,000 sf)**
- Theaters (less than 1,000 seats)
- Indoor Recreation
- Temporary Special Events
- Printing/Publishing
- Bakeries **(up to 5,000 sf)**

Prohibited Uses

The following uses shall not be permitted:

- The sale of gasoline
- Vehicle Repair
- Cemeteries/mortuaries

Binding

Development Stanc

02/13/2025

Architectural Design Book

An Architectural Design Book for residential and mixed-use buildings have been included in this submittal. These standards are a separate document that depicts a variety of common elements and complementary styles for the project's architecture. That will provide a common set of guiding principles to define the character throughout the project. Where these guidelines vary from the requirements of the Athens Clarke County Zoning ordinance or subdivision regulations with regard to the design standards for residential and mixed-use projects found in Sec. 9-25-8, the standards contained within the guideline document, the approved master plan, and this application report are intended to apply. This applies to buildings, orientation, block size, streetscape, landscaping, and open space requirements. Once approved the included standards shall govern.

Binding

02/13/2025

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Binding

02/13/2025

Requested Waiver o Standards

Subdivision of attached units on individual lots

9-7-3 Limitation 3: No attached dwelling units on individual lots within 100 feet of any property line.

In order to provide opportunities for individual ownership to more consumers the proposed townhomes and single family attached units will be able to be subdivided onto separate lots. Up to five units may be attached by a common wall if part of a subdivision of two acres or more, if they are developed as attached single-family units, as defined in chapter 9-2, and the units are on separate lots designed to be sold individually.

Ground Floor Commercial

9-10-2- Limitation 1: Multi-family uses are permitted on the ground floor on more than the 50% required. (Special Use).

To provide the greatest variety of housing, there will be more than 50% of the proposed multi-family buildings that will not have ground floor commercial space. There are four dedicated mixed-use buildings that will have a commercial component located on the ground floor. There are also live/work units proposed where the ground floor could be utilized for commercial or residential use depending on the tenant's needs.

Minimum Lot Size

9-10-3: No minimum lot size.

Because of the variety and type of housing being offered, a conventional subdivision with the standard 5,000 square foot lot area will be difficult to achieve. Previously a minimum lot size of 4,000 square feet was approved. We propose a waiver to remove the minimum lot size as a development standard and rely on lot width to ensure all lots are buildable.

Permitted Principal and Accessory Uses

9-10-2, 9-15-15, 9-15-12(B): Accessory Dwelling units are permitted on individual lots. (Special Use).

Where feasible carriage house dwellings are planned above garages and as defined within the A-CC code will technically be considered accessory dwelling units. These units will be located in the residential portions of the site and are intended to offer an additional living arrangement not otherwise allowed.

9-10-2: Duplexes shall be a permitted use.

To offer as many types of housing as possible the proposed development would include duplex units in a variety of floor plans and configurations. Currently the code prohibits duplex units in the base zoning district (C-N) and the applicable general regulations referenced in Limitation 11.

Binding

02/13/2025

9-10-2: Expansion on additional commercial uses.

To allow for and encourage commercial vibrancy within the community, the following additional commercial uses are requested to be allowed. By accommodating a diverse range of businesses, the development can attract more foot traffic and offer residents and visitors more choices and experiences.

- Hotels **(up to 15,000 sf)**
- Theaters (less than 1,000 seats)
- Indoor Recreation
- Temporary Special Events
- Printing/Publishing
- Bakeries **(up to 5,000 sf)**

General Development and Site Design Standards

Design standards required by A-CC Zoning Ordinance Sec 9-25-8-B (for single-family uses), 9-25-8 C. (for multi-family residential uses in commercial zones) & 9-25-8 E. (for non-residential or mixed uses in commercial zones) shall be waived and replaced with the design standards found in the Architectural Design Book.

The design standards that will apply to this Master Planned Development will provide a consistent palate of thoughtfully chosen building forms, materials and design elements that will unify the quality of the core elements across the four distinct neighborhoods. Application of the standards for buildings and site design will help to ensure that the final character of the development at full-build out will be aligned with the vision presented for consideration and approval.

Semi-Binding Layout of PD Plan

The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding: Street network, to include general location, sections, and alignments as shown. This consists of the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan, although those elements are subject to additional regulations found within this document and the Architectural Design book.

Binding

02/13/2025

Requested Waiver o Standards (cont.)

Minimum Off Street Parking

9-30-2: Reduction in the minimum parking requirement based on alternative standards that will provide more walkable places, where the automobile will be considered less and people considered more in the design of our neighborhoods.

One of the first steps is to reduce the amount of and in turn space dedicated to the storage of automobiles, particularly for commercially centered areas. Parking for will be provided as follows:

- Commercial uses: 1 space / 300 square feet of leasable space.
- Multi-family units, Live Work, and Cottages: 1 space /dwelling unit
- Single family (except for Cottages): 2 space / dwelling unit

For comparison using these standards will require the 1,014 off-street spaces depicted on the submitted PD plan. The current adopted A-CC standards would require 1,612 off-street spaces.

All uses shall provide an option for guest parking within a quarter mile of the use.

Sidewalk on one side of proposed street

9-26-3-A-5 Street, Block, and Easement Standards

A section of approximately 1,200 linear feet of new residential street along the eastern edge of the Arts and Entertainment Neighborhood extending across the dam will accommodate pedestrians and non-auto traffic with a multi-use path on one side of the street. The narrow width of the proposed crossing, and the close proximity to sensitive environmental areas require a limited area be disturbed. In order to preserve a pedestrian connection between proposed neighborhoods the multi-use trail on one side was give priority over the sidewalk on both sides.

Connections to the road network

9-26-3-C: Dead ends and cul-de-sacs.

The proposed street network provides a temporary dead end meeting the criteria for exemption from the limitations for dead end roads found in the street, block, and easement standards of the Athens-Clarke County Subdivision Regulations. The temporary dead end street along the eastern boundary of the subject property is proposed to provide a future connection between Barnett Shoals Rd. and Lexington Rd. This connection is shown with a different alignment on the Transportation Corridor Concept Map (Loc 9- Lexington Heights to Lakewood Drive), and the required temporary turnaround is provided.

Binding

02/13/2025

Park Ridge Access

9-26-3-Q: Street connection to adjacent residential subdivision street. (Special Use).

Every effort was made to find creative solutions to provide access at as many points as possible throughout the proposed development. The access to Park Ridge Drive is the best option available at the time of submittal. The level of detail required for a binding plan submittal requires that we present a solution that can be achieved with enough certainty to ask for approval.

Binding

Proffered Condition

02/13/2025

1. The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding. Street network, to include general location, sections, and alignments as shown, this includes the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan although those elements are subject to additional regulations found within this document and the Architectural Design Book.
2. Ground-level facades facing Main St shall provide a minimum 50% glazing zone.
3. This development shall provide a total minimum ground floor commercial area of 20,000 SF and 5,000 SF of Live Work space within its first phase. This minimum commercial area shall be located along Main Street and around a potential second commercial plaza. To ensure that this commercial is delivered in a manner that promotes activation of the streetscape, all buildings fronting Main Street shall:
    - Require commercial on the ground floor.
    - Have a maximum building depth of 80'.
    - The Live Work space shall have the option to be used as either residential or commercial.
4. Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be provided within the first phase of the project if deemed necessary by the Athens-Clarke County Transit Director or authorized designer during the plan development phase of the project. Note that there's currently a bus stop with a bench and shelter on the corner of Barnett Shoals and Dekle Drive on the north end of the Arts and Entertainment neighborhood.
5. All technical requirements for engineering and life safety shall be met at the time of plans review.
6. All required access easements shall be provided prior to a certificate of occupancy (CO).
7. All units shall be permitted to maintain access to parking, right-of-way, and life safety routes. No units shall be allowed to install fences or other obstructions that prevent said access to another unit.
8. The required green space shall be located primarily centric within each neighborhood to promote cohesion with its community activity as opposed to being placed on the perimeter as buffer.
9. All uses shall provide an option for guest parking within a quarter mile of the use.

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02/13/2025

10. The boundary illustrated on the "PD Base Plan CP00" is the boundary for this proposed rezone amendment. If approved, all land falling within this boundary shall be governed by the proposed PD amendment, and all land outside of this boundary shall be governed by the past binding PD and its amendment

11. All entryways will have an Entryway Element. At least 50% of the buildings will have an Entryway Element that is at least 48" deep. The remaining Entryway Elements will be at least 24" deep.

12. All uses identified as permitted uses within the CN zone shall be permitted by right. In addition, the uses below shall also be permitted.

    - Duplexes
    - Ground floor residential in MF buildings
    - Accessory Dwelling Units
    - Hotels **(up to 15,000 sf)**
    - Theaters (less than 1,000 seats)
    - Indoor Recreation
    - Temporary Special Events
    - Printing/Publishing
    - Bakeries **(up to 5,000 sf)**

13. Putting limitations on commercial uses by prohibiting the following:

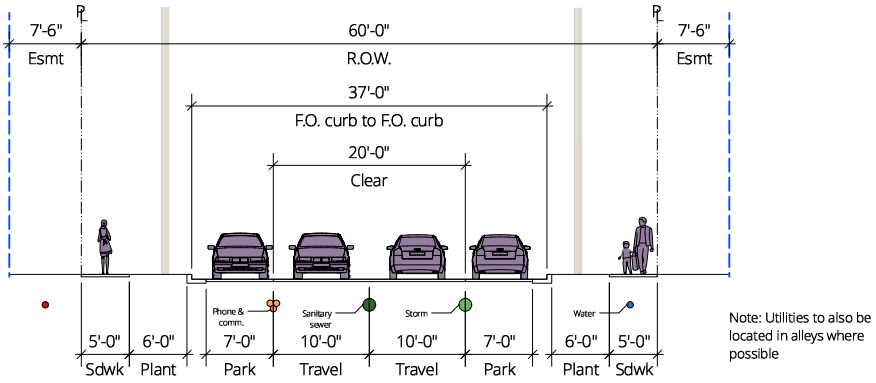
    - The sale of gasoline
    - Vehicle Repair
    - Cemeteries/mortuaries

14. When a block or group of houses fronts anything other than street right-of-way, unobstructed paved pedestrian access shall be provided no greater than 150' in length to vehicular access and parking.

Binding

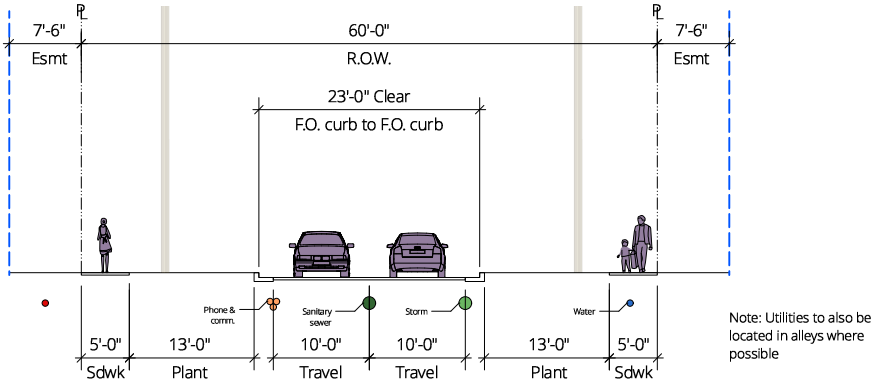
Typical Street Secti

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1 Typical Street

Scale: 1" = 20'-0"

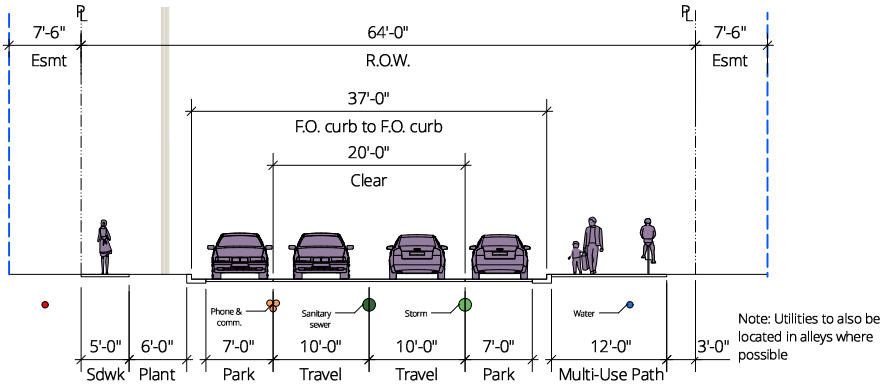


2 Typical Street at Corners

Scale: 1" = 20'-0"

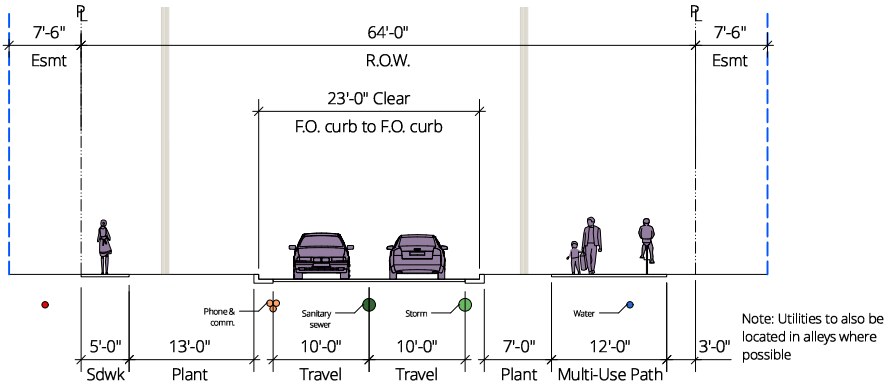
Binding

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3 Typical Street - Multi-Use Trail

Scale: 1" = 20'-0"



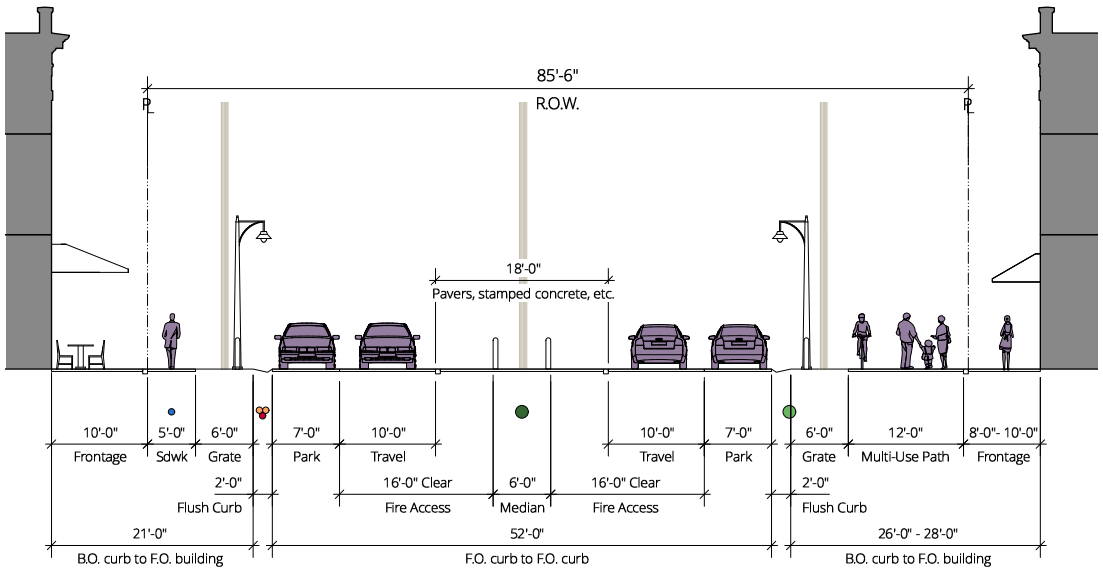
4 Typical Street at Corners - Multi-Use Trail

Scale: 1" = 20'-0"

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Typical Street Secti

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5 Main Street

Scale: 1" = 20'-0"

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Conclusion

The proposed development approval that this request would allow is a departure from the conventional style of development that is common across the community and the region. The intentional inclusion of a wide variety of housing options will make them more attainable to a broader cross section of households. The mixed-use component along Barnett Shoals would establish a new node along a corridor identified as one where increased access to commercial activity is needed and should be encouraged.

The four distinct neighborhoods will be connected to each other through a network of streets, sidewalks, and a multi-use path which will also connect them to the off-street transportation network in the larger community.

The vision for The Shoals/ Lakewood would align with the vision for this area described in the Comprehensive Plan. Approval of our request to rezone would represent a significant step towards implementing that vision.

Binding

02/13/2025

Statement of Reque Legal Objections

Mallory and Evans Development, LLC is the owner of property now or formerly known as Lakewood or The Shoals-Athens along Barnett Shoals Rd in Athens Clarke County GA.

The request is aligned with the general goals, policies and objectives identified in the Comprehensive Plan. As evidenced by the property's access to public water, sewer, and sidewalks, the subject property is expected to redevelop. The request would allow a similar and compatible use according to the Comprehensive Plan and current development regulations. A refusal to grant the requested Rezoning would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies.

Under these circumstances, a denial of the Request in question would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would discriminate unfairly between the Applicant and others similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would amount to a taking of property, in violation of the Fifth and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

For these reasons, we respectfully request Approval of this request.

This 17th day of Janurary, 2025

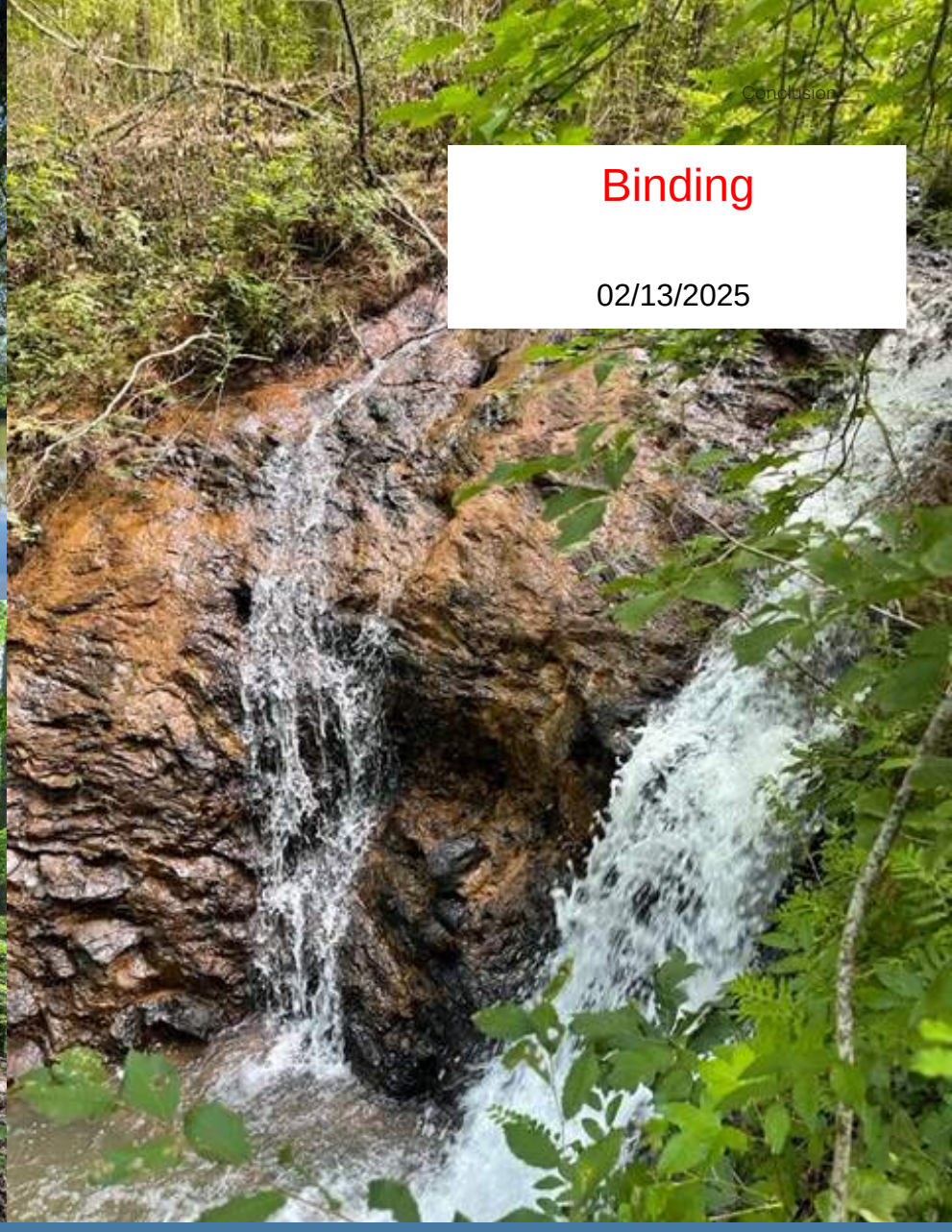
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Conclusion

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W&A ENGINEERING

OPTICOS



Architectural Design Book

Mallory & Evans Development, LLC

Binding

Stephen Jaques
02/13/2025

The Shoals

Master PD Submittal
January 17, 2025

C3 STUDIO
ARCHITECTURE

OPTICOS

Binding

02/13/2025

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Binding

02/13/2025

What's Inside?

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Architectural Characters 23

Character Applications 37

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Binding

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Statement of Intent

The purpose of this Architectural Design Book is to provide architectural guidelines for the development, while allowing flexibility for architectural creativity and variation for each building type. The design standards in the Architectural Design Book were developed to provide a consistent palette of thoughtfully chosen building forms, materials, and design elements that will help to unify the four distinct neighborhoods. Application of the standards for buildings and site design will help to ensure that the final character of the development at full-build out will be aligned with the vision presented for consideration and approval.

Design standards required by A-CC Zoning Ordinance Sec 9-25-8-B (for single-family uses), 9-25-8 C. (for multi-family uses) & 9-25-8 E. (mixed or commercial uses) shall be waived and replaced with the design standards found in the Architectural Design Book. Items not addressed in this document shall default to A-CC Zoning Ordinances.

Binding

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How to Use this Design Book

This Design Book is structured to guide the architectural design process. The layered approach begins at the broad context of the overall site. It defines specific architectural characters to gives the site a unique, yet cohesive aesthetic. It then informs the means by which these characters are implemented. Finally, sample elevations of each proposed building type are included to demonstrate these characters and their respective potential applications to achieve the desired vision.

Binding

02/13/2025

How to use this Design Book

1

Choose Building Type

This development suggests a wide variety of commercial and housing building types with guidelines to ensure that variety is maintained.

- Review the "Building Types Plans" (pg. 14-21) for suggested location and specific requirements in each neighborhood.
- Note that building types may be interchanged within the plan, provided that the result does not exceed maximum number of total units, maximum number of units per neighborhood, or maximum height of the neighborhood.





2

Select Architectural Character

Architectural characters are defined that are to be used throughout the development. They are defied by Typical Characteristics.

- Review the "Architectural Characters" section (pg. 22-33).
- Note requirements for architectural character per neighborhood and also for each building type (pg. 34-35).



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3

Apply Architectural Character

In addition to the Typical Characteristics, the application of the Architectural Characters are achieved by the unique use of different elements, opening requirements, and materials.

- Choose Design Element combination based on selected style (pg. 38-39).
- Review requirements for openings at doors and windows (pg. 40-41).
- Note allowable materials (pg. 42-43).







4

Review Sample Elevations

This Design Book provides sample elevations for each building type to describe how the elements are applied in a variety of architectural characters. These are intended to serve as a guide, rather than a required approach.

- Review the sample elevations for the chosen building type (pg. 44-133).
- Note any other requirements for the chosen building type on the tables
- Not all possible combinations are illustrated. For full list of allowable characters per building type, refer back to page 35.



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Project Vision and Site Plan

A unique sequence of neighborhoods designed to create a sense of place and promote walkability, community, and diverse housing choice.

The intended vision for The Shoals utilizes the unique topography and natural features of the site to create an array of distinct residential and mixed-use neighborhoods in a walkable and bikable context. More intense building types are located along Barnett Shoals Road, while building intensity decreases and the architectural character changes as you move through the development, resulting in four distinct, yet connected neighborhoods, each with its distinct center:

The Arts and Entertainment District on Barnett Shoals will serve as a gateway to The Shoals. At this intersection, a combination of open plazas and commercial, mixed-use buildings with neighborhood-serving retail provide for residents' daily needs and entertainment within walking distance of their homes. The existing multimodal greenway trail will connect the development to the greater community through the southernmost commercial zone.

The Central Neighborhood mixes a combination of single family and multi-family units with active community amenities, fostering social connection mixed with spontaneous and planned recreation. It features a central pedestrian walkway that connects the neighborhood to an amenity space for the residents. The greenway trail continues through the development with points of interest included along the way, such as connections to the wooded creek.

The Peninsula is a unique part of the plan that takes inspiration from small rural towns with a neighborhood center then transitioning to more open single family units overlooking the woods and creek that surround the neighborhood.

The Garden Neighborhood is the least dense and also features a neighborhood center. The perimeter is surrounded by series of pocket neighborhoods and "treehouse" units that front onto the natural landscape.

Illustrative Site Plan



Binding

02/13/2025



Binding

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Building Types Plan



Binding

02/13/2025



Arts and Entertainment District	
Unit Range	240 - 325
Max. Building Height [1]	65'
Building Types	Building Type Key [2]
Single Family Attached	
Mews	MW-A, MW-C, MW-E
Townhouse	TH1, TH2
Multi-Family	
Mansion Apartment	MS, ML
Multiplex	MP-A
Courtyard Apartment	CY
Live Work/Flex	LW1, LW2
Mixed Use	MU
Commercial	CM
Min. number of building types [3]	5
Min. commercial area	20,000 gsf

[1] Height is measured from the average grade plane at the front facade to the midpoint of the roof or to the top of the average parapet.

[2] See Sample Elevations section

[3] No individual type may be more than 55% of the neighborhood



Binding

02/13/2025

Building Types Plan



Binding

02/13/2025



Central Neighborhood	
Unit Range	155 - 215
Max Building Height [1]	45'
Building Types	Building Type Key [2]
Single Family Detached	
Cottage	CT-A, CT-B
Treehouse	TR-A, TR-B
Single Family Attached	
Mews	MW-A, MW-C, MW-E
Duplex	DU
Triplex	TR
Multi-Family	
Carriage House	CH
Fourplex	FR
Fiveplex	FV
Mansion Apartment	MS, ML
Live Work/Flex	LW1-A, LW1-B
Garage	G
Min. number of building types [3]	6

[1] Height is measured from the average grade plane at the front facade to the midpoint of the roof or to the top of the average parapet.

[2] See Sample Elevations section

[3] No individual type may be more than 55% of the neighborhood

N

Scale: 1"=200'

0 200' 400'

Binding

02/13/2025

Building Types Plan



Binding

02/13/2025



The Peninsula	
Unit Range	60 - 85
Max Building Height[1]	45'
Building Types	Building Type Key [2]
Single Family Detached	
Mews	MW-A, MW-C, MW-E
Cottage	CT-A, CT-B
Treehouse	TR-A, TR-B
Single Family Attached	
Duplex	DU
Triplex	TR
Multi-Family	
Multiplex	MP-A
Live Work/Flex	LW1-A, LW1-B
Min. number of building types [3]	4

[1] Height is measured from the average grade plane at the front facade to the midpoint of the roof or to the top of the average parapet.

[2] See Sample Elevations section

[3] No individual type may be more than 55% of the neighborhood

Scale: 1"=200'

0 *200'* *400'*

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Building Types Plan



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Garden Neighborhood	
Unit Range	85 - 120
Max Building Height [1]	45'
Building Types	Building Type Key [2]
Single Family Detached	
Single Family Home	SF-S, SF-M, SF-L
Cottage	CT-A, CT-B
Treehouse	TR-A, TR-B
Single Family Attached	
Townhouse	TH1
Duplex	DU
Triplex	TR
Multi-Family	
Multiplex	MP-A
Live Work/Flex	LW1-A, LW1-B
Garage	G
Min. number of building types [3]	4

[1] Height is measured from the average grade plane at the front facade to the midpoint of the roof or to the top of the average parapet.

[2] See Sample Elevations section

[3] No individual type may be more than 55% of the neighborhood

Scale: 1"=200'

0 *200'* *400'*

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Architectural Characters

A harmonious variety of expressions

The following characters are intended to provide a cohesive, yet architecturally varied, development. These guidelines allow for a range of expression in material and form and each one is intended to transition through characters to give distinct character to each neighborhood as one moves through the plan. Some neighborhoods may be more heavily influenced by category one over another; however, having variety in each neighborhood ensures an interesting and desirable streetscape.

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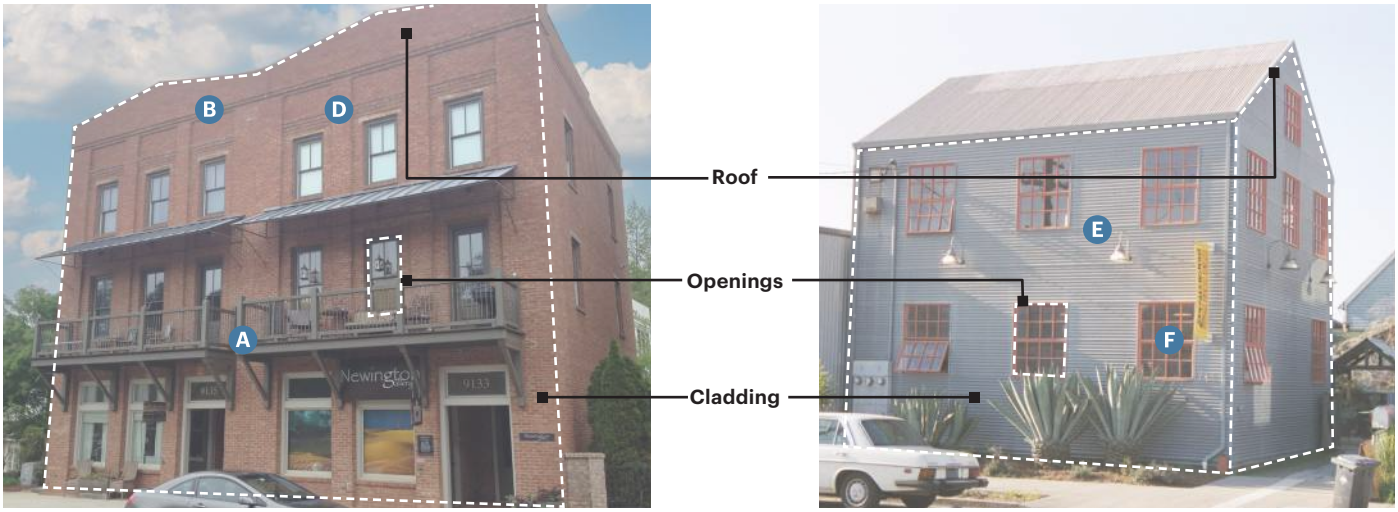
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Main Street/ Warehouse



Description
Main Street/ Warehouse buildings are inspired by industrial buildings that are composed of simple rectilinear forms, articulated with a regular, pattern of bays.

Typical Characteristics	
Roof Form	Flat with parapet, gabled
Openings	Windows must be vertically proportioned (1:1 or greater). If ganged, mullions of 4" or greater may count as separation.
Cladding	Brick, corrugated or ribbed metal, metal panel, cast stone, fiber cement*, board and batten*, composite wood

Design Elements (see full list on pg. 38)	
A	Balcony
B	Ornamental brickwork
C	Awnings
D	Brick pilasters
E	Decorative mouldings
F	Divided window lites
	* Cannot be used as primary cladding on ground floor facades facing Main Street



Balconies, brick pilasters



Awnings



Ornamental cornice



Brick pilasters, brick detailing, awning



Light fixtures, awnings, brick detailing

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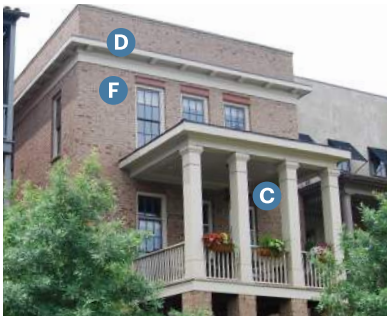
Southeastern Vernacular



Description
Southeastern Vernacular buildings are inspired by architecture in the American Southeast. Buildings may have more historical or more contemporary detailing.

Typical Characteristics	
Roof Form	Front gable, side gable, hipped, flat with parapet
Openings	Windows must be vertically proportioned (1:1 or greater). If ganged, mullions of 4" or greater may count as separation.
Cladding	Brick, fiber cement siding, fiber cement shingle, board and batten

Design Elements (see full list on pg. 38)	
A	Shutters
B	Balconies
C	Porches
D	Mouldings, brackets, decorative brickwork
E	Chimneys and gable with parapet
F	Divided window lites



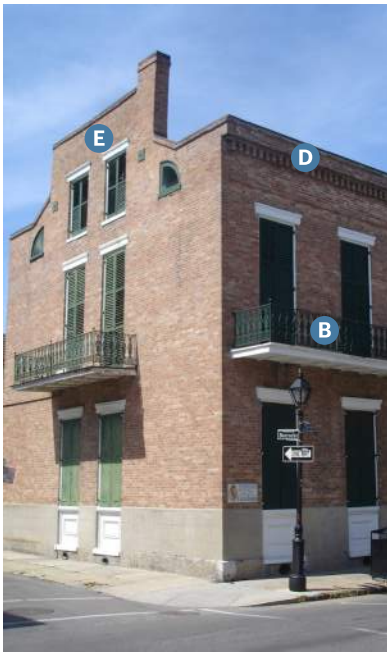
Decorative mouldings



Porches



Balconies, chimneys, divided lites



Brick side gable, balconies



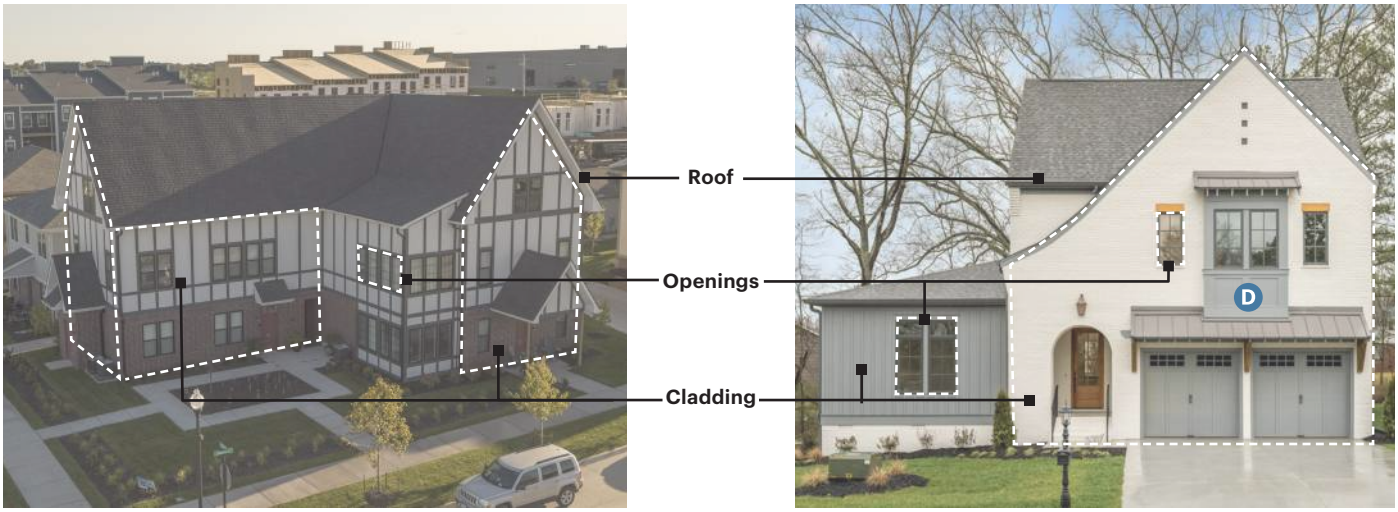
Shutters, divided lites


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Tudor



Description
Tudor buildings are inspired by the Storybook and Tudor Revival styles that emerged in America in the late 19th century. Buildings may have more historical details or more contemporary detailing.

Typical Characteristics	
Roof Form	Side gable, front gable. Steep pitch. Minimal eave.
Openings	Windows must be vertically proportioned (1:1 or greater). If ganged, mullions of 4" or greater may count as separation.
Cladding	Painted/ natural brick, fiber cement panel, stucco, board and batten

Design Elements (see full list on pg. 38)	
A	"Half-timbering" details
B	Attached over-doors
C	Dormers
D	Bay windows
E	Chimneys
F	Divided window lites



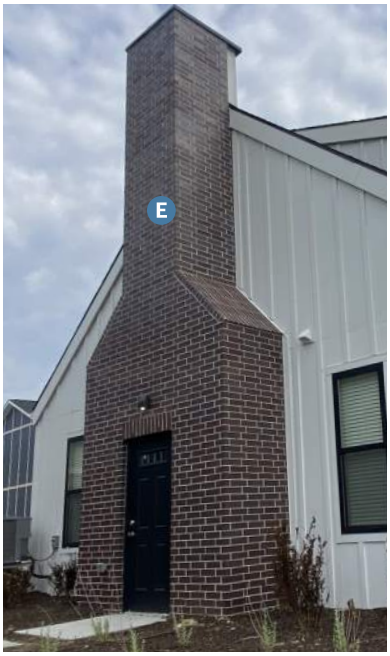
Bay window



"Half-timber" details, divided lites



Bay window, divided lites



Chimney



Dormers, "half-timber" details



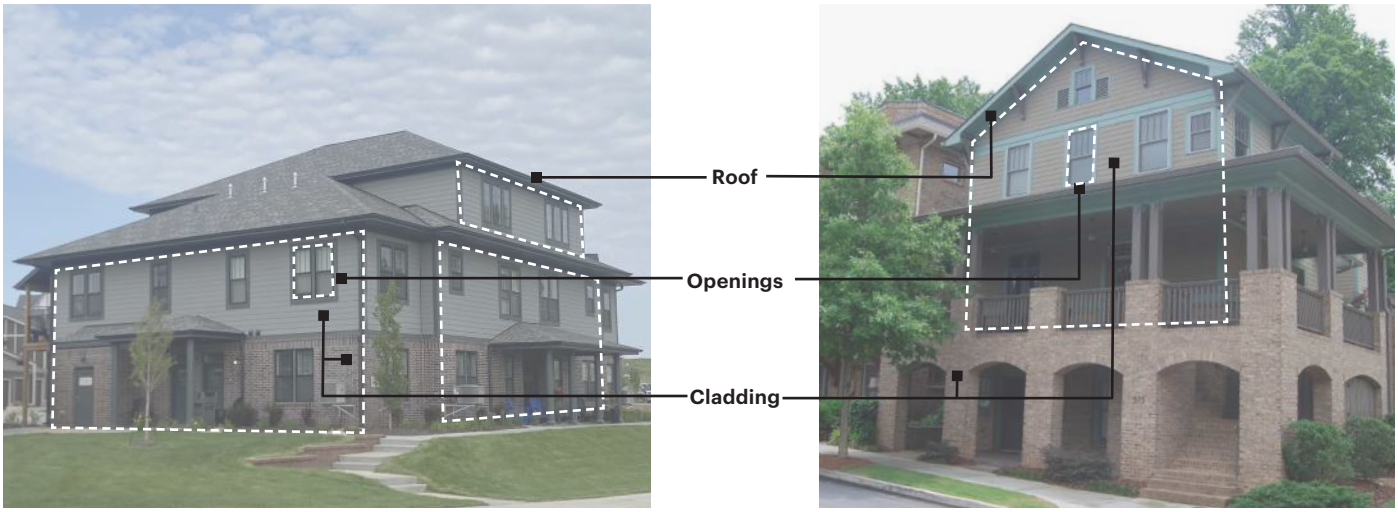
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Southeastern Rustic



Description

Southeastern Rustic buildings derive their character from the constructional logic of carpentry in which buildings are formed by the repetition of structural elements. Buildings may have more historical details or more contemporary detailing.

Typical Characteristics

Roof Form	Low-pitched. Deep overhangs and rakes
Openings	Windows must be vertically proportioned (1:1 or greater). If ganged, mullions of 4" or greater may count as separation.
Cladding	Fiber cement siding/ shingles, painted/ natural brick, concrete, board and batten

Design Elements (see full list on pg. 38)

A	Covered porch
B	Decorative rafters
C	Dormers
D	Decorative brackets
E	Chimney
F	Divided window lites



Decorative bracket, divided lites



Inset porch, dormer, exposed rafters



Dormers, chimney, brackets, lites



Decorative rafter tails



Projecting porch, decorative raters


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Contemporary



Description
Contemporary buildings have a streamlined aesthetic and minimal ornamentation. This style focuses on combining simple rectilinear massing forms with changes in material and color. The use of glass and simple materials imbues buildings with a sense of lightness and simplicity.

Typical Characteristics	
Roof Form	Sloped with minimal eaves
Openings	Windows may be vertically or horizontally proportioned
Cladding	Brick, corrugated or ribbed metal, panelized metal, fiber cement panel, fiber cement siding, concrete, stucco, board and batten

Design Elements (see full list on pg. 38)	
A	Dormers
B	Inset or projecting balconies
C	Overdoors
D	Inset entrance
E	Porches
F	Divided window lites



Overdoor



Inset entrance, divided lites



Porch, divided lites



Balconies, porches, dormers



Dormer, projecting mass/porch

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Architectural Character by Neighborhood



Allowable Architectural Character by Neighborhood

Neighborhood	Main Street/ Warehouse	Southeastern Vernacular	Tudor	Southeastern Rustic	Contemporary
Arts and Entertainment District	●	○			○
Central Neighborhood		○	●	○	○
The Peninsula		○	○	●	○
Garden Neighborhood		●	○	○	○

● = Primary (40%-70%) ○ = Supplemental (10% min.)

Distinct, yet cohesive neighborhood characters

Each neighborhood will have a unique, yet related, character through use of building type, siting, and architectural expression. These neighborhood styles are described in the table above.

Application:

Each neighborhood must have

- A minimum of three style with
- A Primary Style, of which a percentage of buildings must fall into AND
- Supplemental Styles, which provide variation in the neighborhood.

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Architectural Character by Building Type

Allowable Architectural Character Variation By Building Type					
Building Type	**Main Street/ Warehouse**	**Southeastern Vernacular**	**Tudor**	**Southeastern Rustic**	**Contemporary**
Mixed Use	●	○			○
Live Work/Flex	●	●	○		○
Courtyard Apartment	○	●	○	○	○
Multiplex	○	●	○	○	○
Mansion Apartment		●	●	○	○
Fiveplex		○	●	●	○
Fourplex		●	○	●	○
Triplex		○	○	●	●
Duplex		○	○	●	●
Mews	●	●	○	●	○
Carriage House	○	●	●	○	○
Treehouse		○	○	●	●
Townhouse	○	●	○	○	●
Cottage		●	○	●	●
Single Family Home		●	●	●	●

● = Example in this Design Book ○ = Allowable Variation

Variation through architectural expression

To create a varied streetscape and a range of housing options many building types are used in more than one neighborhood. Depending on the surrounding context and neighborhood, more than one Architectural Style(s) may be applicable to any one building type.

Application:

These allowable character variations options for each building type are noted in the table above.

- Styles with a solid dot have examples in this Design Book.
- "Variations" are other styles that may be used for that building type but are not specifically illustrated in this Design Book.



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Character Applications

Creating variety and encouraging community

The following section describes how these Architectural Characters are applied from the scale of the overall development, to the neighborhood scale, and down to the building scale. They address how buildings interact with the public realm and contribute to the streetscape.

Standards that aren't explicitly addressed here shall default to A-CC Zoning Policy.

In this chapter

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Allowable Design Elements by Character					
Elements	**Main Street/ Warehouse**	**Southeastern Vernacular**	**Tudor**	**Southeastern Rustic**	**Contemporary**
Entryway Elements	Required for every entrance. See definition on opposite page.				
Form Elements					
Dormers		●	●	●	●
Bay window (min. 24")	●	●	●	●	●
Brick gable with parapet	●	●	●		
Chimney	●	●	●	●	●
Inset balcony (min. 48")	●	●		●	●
Cupola	●	●	●		
Roof monitor/clerestory	●				●
Projection or step in plane (min. 24")	●				●
Tower or turret	●	●	●		
Corner window					●
Occupiable balcony (min. 48")	●	●	●	●	●
Occupiable porch (min. 6')		●		●	●
Covered gallery or loggia	●	●			
Ornamental Elements					
Decorative brickwork	●	●	●		●
Decorative cornice	●	●	●		
Decorative mouldings/string courses	●	●	●		
"Half-timbering"			●	●	
Divided window lites (2-sided, exterior-mounted)	●	●	●	●	●
Shutters (each must be 1/2 width of corresponding opening)	●	●		●	●
Pilasters	●	●			
Brackets	●	●	●	●	●
Exposed rafter tails	●	●	●	●	●
Juliette balcony (min. 8" projection)	●	●			
Projecting window surround	●				●
Window shade element	●	●	●	●	●
Brick arch or jack arch, cast stone lintel	●	●	●	●	●
Change in material					●
Decorative columns	●	●	●	●	●
Stepped parapet	●				
Painted mural on facade	●				

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Design Elements

A kit-of-parts

Within each Architectural Character, Design Elements must be selected and utilized. The selection may be based on siting, desired affect, lot size, or any other reason to enhance the facade of the building.

Entryway Elements provide cover above a building's primary and secondary entrances.

- All entryways will have an Entryway Element.
- At least 50% of the buildings will have an Entryway Element that is at least 48" deep. The remaining Entryway Elements will be at least 24" deep.
- All Entryway Elements will be at least 1.5x the width of the associated opening and within 3' of the top of the opening.
- Entryway Elements may also be used to provide covered outdoor space for the unit and/or entire building. See note in "Application" below regarding Entryway Elements used elsewhere on a building.
- Examples of Entryway Elements are covered porches, attached overdoors, awnings, recessed entries, galleries, and balconies. This list is not exhaustive of all possibilities.

Form Elements alter the exterior form of the building and may be used strategically to enhance a building.

Ornamental Elements provide visual interest and expression in their respective architectural characteristics.

Application:

At a minimum, each building's primary public-facing facade must include:

- One Entryway Element at each entrance

AND one of the following options:

- One Form Element and one Ornamental Elements OR
- Two Ornamental Elements

Note: An Entryway Element may also be counted as one required Form Element if it extends beyond above the entry to create a usable outdoor space or used elsewhere on the building other than above an entrance.

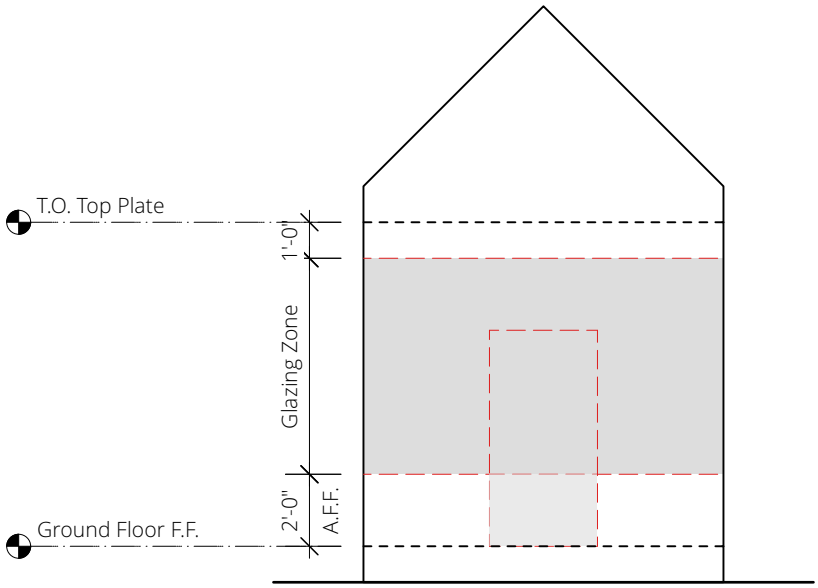




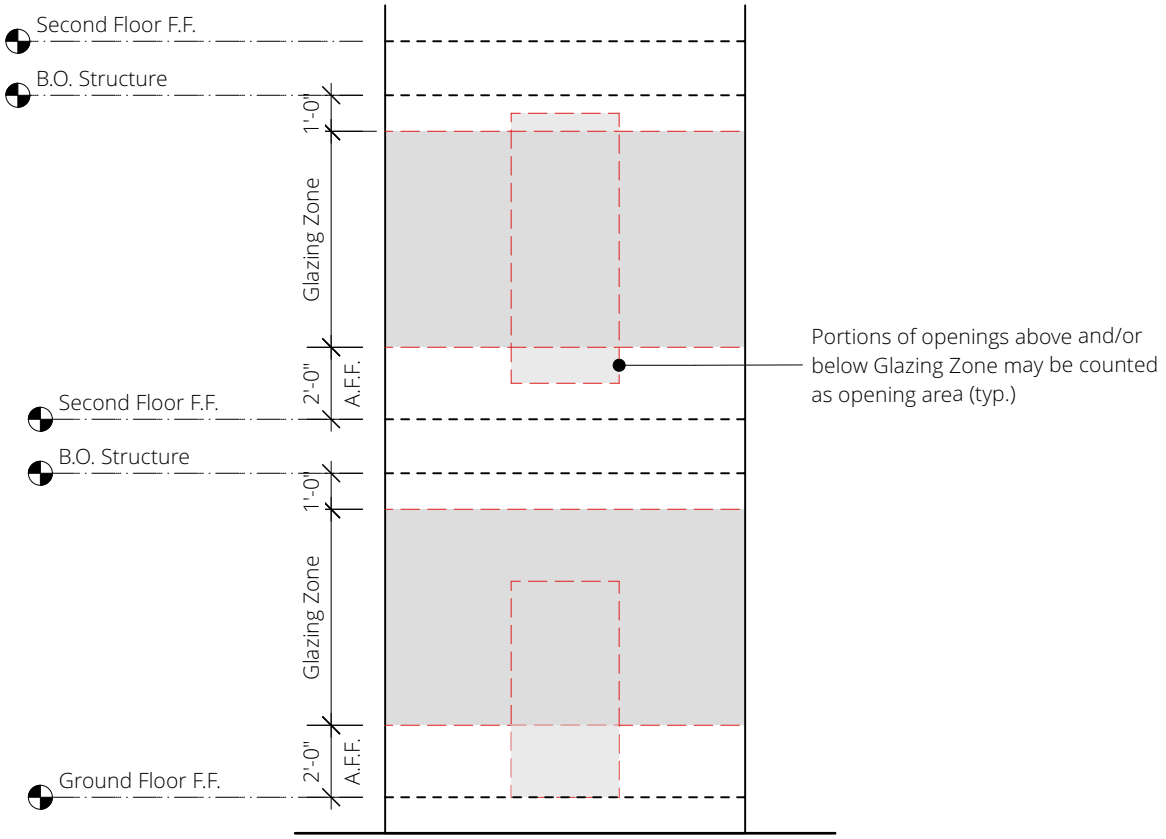


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Glazing calculation for flat, vaulted, or lofted ceilings



Typical glazing calculation

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Openings

Connection and permeability

Windows and doors are essential elements when creating an active street front and neighborhood. These standards seek to create porosity in building facades so that there is adequate connection between the interior and the exterior of the building. Every building that faces a street, path, or green must have at least one entrance facing that public right of way. Garages and Carriage Houses are exempt from this requirement.



Application

Every building's primary public-facing facade on a street, path, or green must comply with the following:

- Abide by the Glazing Zone diagram on page 38. The Glazing Zone is defined as show in the figure on the left. It consists of a band at 2'-0" above the finished floor and extends to 1'-0" below the bottom of the structure above.
  - On front facades, 25% of the total area of all Glazing Zones on a facade must be window or door. On side street-facing facades, the required opening area is 20% of all Glazing Zones.
  - Doors and windows that extend above or below this area, and may count toward the required coverage.
  - For ground floor commercial frontage on the Main Street, 50% of the ground floor must be glazing.
  - Garage doors may not open directly onto a street other than a driveway or an alley and therefore may not count toward opening requirements.
- To ensure a sufficient shadow line and depth, windows shall not be flush with adjacent wall treatment and/or trim. Minimum 2" inset.
- For brick cladding: Windows shall be provided with a horizontal lintel, a sill, and a brickmould. A brick soldier course is the minimum lintel. Other lintel treatments may be considered an Ornamental Element - see page 24.
- For all other cladding: Windows shall be provided with trim on all sides.



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Materials

Allowable Materials	
Element	**Material**
Roof and Roof Elements	
Roofing	Composite shingles, standing seam metal, TPO
Rake and Eave	Fiber cement, composite wood, metal, wood[1]
Windows and Doors	
Entry Doors	Metal, fiberglass, composite wood, wood[1]
Windows	Aluminum, fiberglass, vinyl
Attached Elements	
Columns	Composite wood, wood[1], fiberglass, metal
Railing	Composite wood, wood[1] , metal
Brackets	Composite wood, wood[1], fiberglass, metal
Awnings	Metal, fabric, wood[1], composite wood, fiberglass
Storefronts	
Storefront frame	Composite wood, metal
Storefront detailing	Wood[1], composite wood, metal, fiberglass, cast stone
Storefront base	Brick[2], composite wood, metal, cast stone
Trim	
Corner, window	Fiber cement, composite wood, metal, wood[1]
Base	
Water table	Granite, cast stone, brick[2], concrete, fiber cement, wood, composite wood, stucco
Cladding	See character pages for each style
Wall	Brick[2], stucco, fiber cement (panel, shingle, horizontal siding), board and batten, metal panel[3], corrugated or ribbed metal[3], stucco, cast stone, composite wood, stucco

[1] Painted or stained

[2] Painted or natural

[3] Must be differentiated from metal roofing. Gauge value of 24 or less and no exposed fasteners upon completion

A consistent palette of base materials

To achieve a level of cohesion through the site, there are material suggestions that might vary in color, character and form, but will remain consistent in material.

Application

- These elements and options for their materials are detailed in the table on the left.





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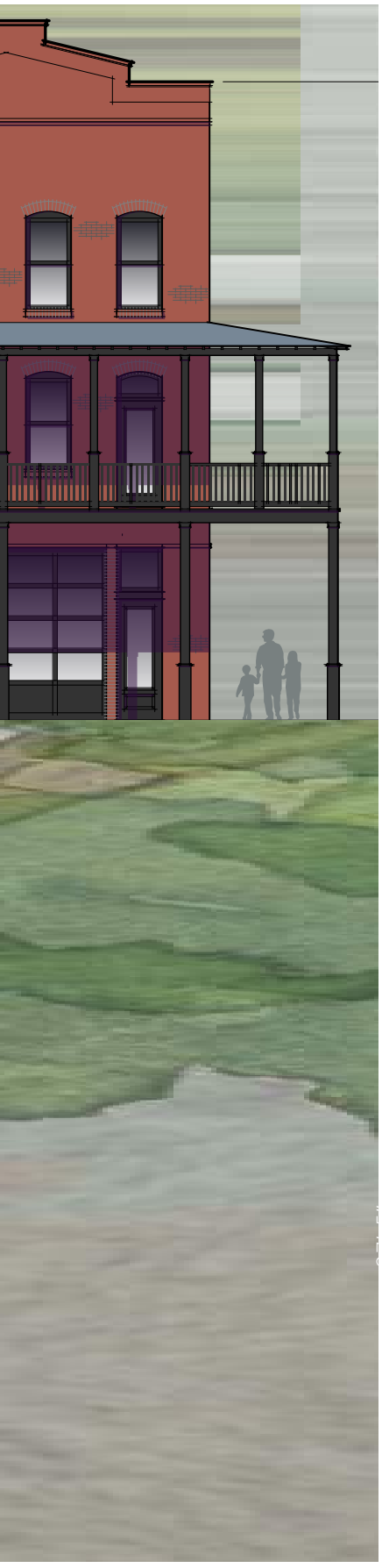
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Sample Building Type Elevations

A wide range of housing options

This section features prototypical elevations for the variety of building types utilized in The Shoals. Having a range of building types offers an array of unit types, sizes, and configurations to meet a diversity of housing needs in the community.

The prototypical elevations shown demonstrate how the above guidelines are implemented on the various proposed building types. They illustrate how the Typical Characteristics in each architectural style and demonstrate how Design Elements might be applied. Finalized elevations will be determined by factors such as site, neighborhood, and context. Depicted colors are initial suggestions to create a cohesive composition across architectural expressions and may vary in the finalized design to ensure a varied streetscape.

These prototypical elevations convey a general design intent and will vary both between different architectural styles and within the same architectural style through material selection, color, and use of Design Elements.

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Roof: Flat with Parapet
Typical Characteristic

Decorative brickwork
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Divided lites
Ornamental Element

Balcony
Entryway/Form Element

Cast stone lintel
Ornamental Element

Pilasters *Ornamental Element*

Cladding: Brick, concrete base
Typical Characteristic

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Mixed-Use

(MU) - Main Street/ Warehouse



Type Description

This building type has commercial frontage on the ground floor and stacked apartments above. There may be connections between buildings on upper floors.

Typical Unit Range	8 du - 30 du

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Roof monitor
Form Element

Roof: Sloped with side gable
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Awning
Entryway Element

Cladding: Corrugated metal, concrete base
Typical Characteristic

Binding

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Mixed-Use

(MU) - Main Street/ Warehouse



Type Description

This building type has commercial frontage on the ground floor and stacked apartments above. There may be connections between buildings on upper floors.

Typical Unit Range	8 du - 30 du

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Roof: Flat with Parapet
Typical Characteristic

Stepped parapet
Ornamental Element

Decorative brickwork
Ornamental Element

Arched lintel
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Gallery
Entryway/Form Element

Cladding: Brick
Typical Characteristic

Binding

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Live/Work Flexhouse

(LW1-A, LW1-B, LW2) - Main Street/Warehouse



Type Description

This building type includes one dwelling unit above a flexible ground floor space that can be used for residential, live/work, or retail - like a neighborhood coffee shop, day care, or small professional office. This type may be two or three stories, depending on the context.

Unit Range (per bay)	1 du - 2 du
Composition	2 - 5 bays

Binding

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Roof: Flat with Parapet
Typical Characteristic

Decorative brickwork
Ornamental Element

Shutters
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Covered gallery
Entryway/Form Element

Cladding: Brick
Typical Characteristic

Binding

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Live/Work Flexhouse

(LW1-A, LW1-B, LW2) - Southeastern Vernacular



Type Description
This building type includes one dwelling unit above a flexible ground floor space that can be used for residential, live/work, or retail - like a neighborhood coffee shop, day care, or small professional office. This type may be two or three stories, depending on the context.

Unit Range (per bay)	1 du - 2 du
Composition	2 - 5 bays

Binding

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Chimney
Form Element

Roof: Sloped with side gable
Typical Characteristic

Decorative brickwork
Ornamental Element

Shutters
Ornamental Element

Projecting covered balcony
Entryway/Form Element

Cladding: Brick, siding
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Binding

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Courtyard Apartment

(CY) - Southeastern Vernacular



Type Description

This building type consists of a series of stacked apartments that are organized around small courtyards. At the rear of the building, there is tuck-under parking.

Typical Unit Range 15 du - 30 du



Secondary street elevation

Binding

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Roof: Sloped, hipped
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Covered porch
Entryway/Form Element

Decorative columns
Ornamental Element

Cladding: Siding, brick base
Typical Characteristic

Binding

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Courtyard Apartment

(CY) - Southeastern Vernacular



Type Description

This building type consists of a series of stacked apartments that are organized around small courtyards. At the rear of the building, there is tuck-under parking.

Typical Unit Range	10 du - 30 du

Binding

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Roof: Sloped with side gable
Typical Characteristic

Brick side gable
Form Element

Openings: Vertically proportioned
Typical Characteristic

Balcony
Entryway/Form Element

Cladding: Brick, siding
Typical Characteristic

Brick paneling
Ornamental Element

Divided lites
Ornamental Element

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Multiplex

(MP-A, MP-B) - Southeastern Vernacular



Type Description

This building type consists of a series of stacked apartment units with the front half of the ground floor dedicated to units and the rear half has the option for tuck under parking. This type may be two or three stories, depending on the context.

Unit Range	6 du - 12 du

Binding

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Roof: Hipped
Typical Characteristic

Covered porch
Entryway/Form Element

Openings: Vertically proportioned
Typical Characteristic

Cladding: Siding
Typical Characteristic

Divided lites
Ornamental Element

Binding

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Multiplex

(MP-A, MP-B) - Southeastern Vernacular



Type Description

This building type consists of a series of stacked apartment units with the front half of the ground floor dedicated to units and the rear half has the option for tuck under parking. This type may be two or three stories, depending on the context.

Unit Range	6 du - 12 du

Binding

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Roof: Steep gable with minimal eaves
Typical Characteristic

Dormer
Form Element

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Covered porch
Entryway/Form Element

Cladding: Brick, board and batten
Typical Characteristic

Binding

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Mansion Apartment

(ML) - Tudor



Type Description
This building type appears from the street like a large mansion while it offers multiple residential units under one structure.

Unit Range	6 du - 10 du

Binding

02/13/2025



Roof: Sloped with side gable
Typical Characteristic

Dormer
Form Element

Brick side gable
Form Element

Shutters
Ornamental Element

Covered porch
Entryway/Form Element

Openings: Vertically proportioned
Typical Characteristic

Cladding: Brick, siding
Typical Characteristic

Binding

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Mansion Apartment

(ML) - Southeastern Vernacular



Type Description
This building type appears from the street like a large mansion while it offers multiple residential units under one structure.

Unit Range	6 du - 10 du

Binding

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Roof: Steep gable with minimal eaves
Typical Characteristic

Dormer *Form*
Element

Openings: Vertically proportioned
Typical Characteristic

"Half-timbering"
Ornamental Element

Cladding: Brick, fiber cement board
Typical Characteristic

Overdoors
Entryway Element

Divided lites
Ornamental Element

Binding

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Mansion Apartment

(MS) - Tudor



Type Description
This building type appears from the street like a large mansion while it offers multiple residential units under one structure.

Unit Range	6 du - 10 du

Binding

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Roof: Sloped side gable
Typical Characteristic

Dormer
Form Element

Openings: Vertically proportioned
Typical Characteristic

Exposed rafters
Ornamental Element

Covered porch
Entryway/Form Element

Cladding: Siding
Typical Characteristic

Binding

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Mansion Apartment

(MS) - Southeastern Vernacular



Type Description
This building type appears from the street like a large mansion while it offers multiple residential units under one structure.

Unit Range	6 du - 10 du



Roof: Steep gable with minimal eaves
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

"Half-timbering"
Ornamental Element

Cladding: Brick, fiber cement board
Typical Characteristic

Overdoor
Entryway Element

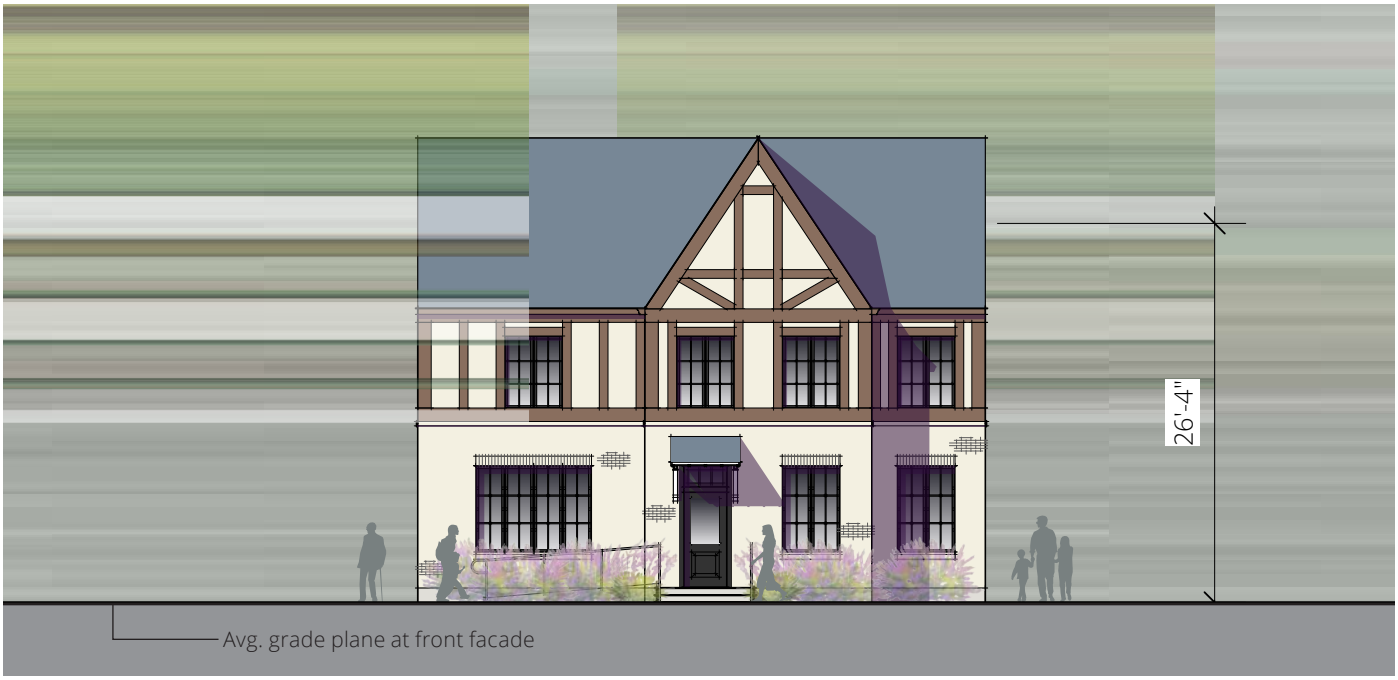
Divided lites
Ornamental Element

Binding

02/13/2025

Fiveplex

(FV) - Tudor

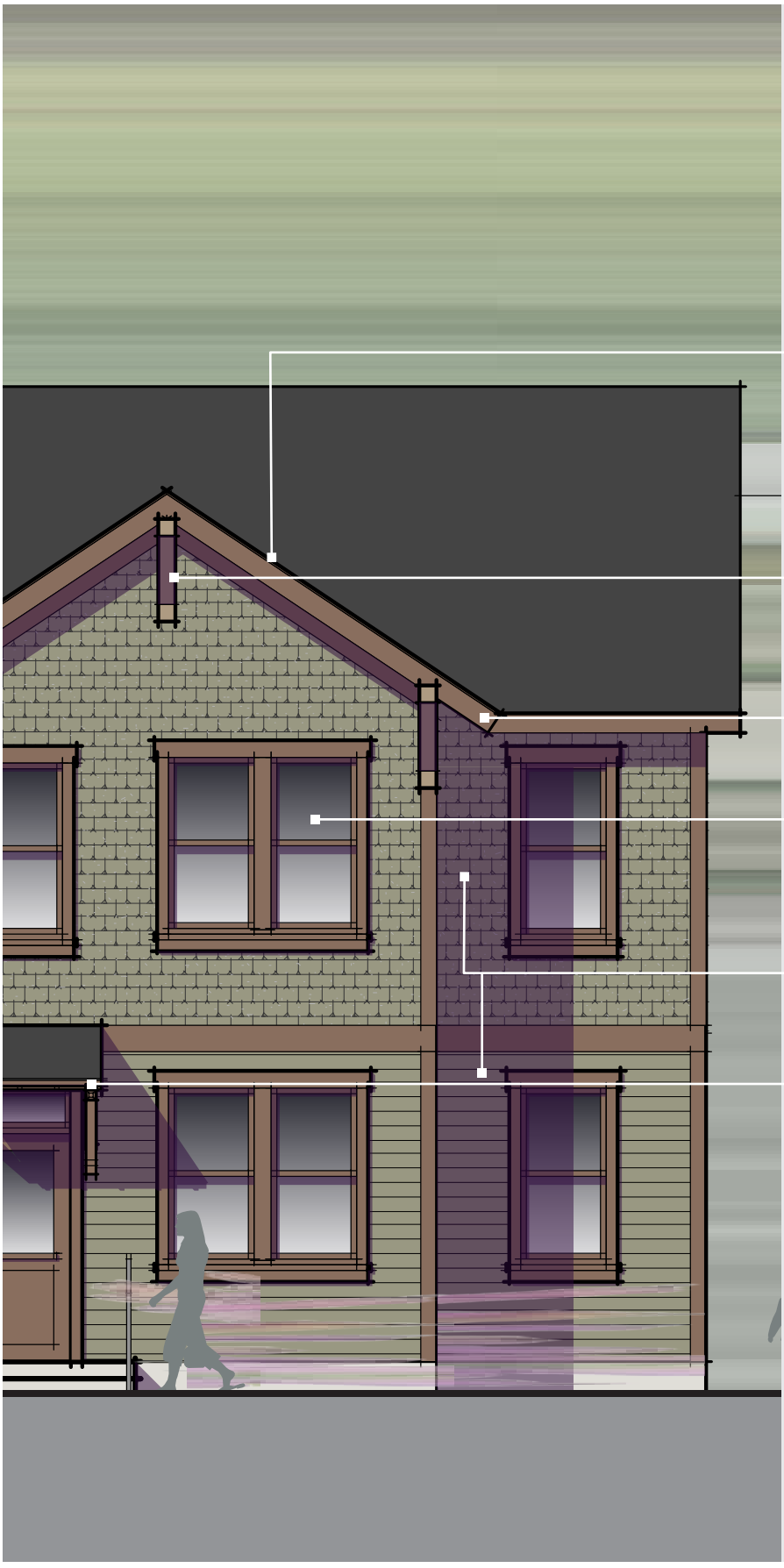


Type Description
This building type includes five stacked units with a shared entry.

Unit Range	5 du

Binding

02/13/2025



Roof: Low-pitched with wide overhangs
Typical Characteristic

Brackets
Ornamental Element

Exposed rafters
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Cladding: Lap, shake siding
Typical Characteristic

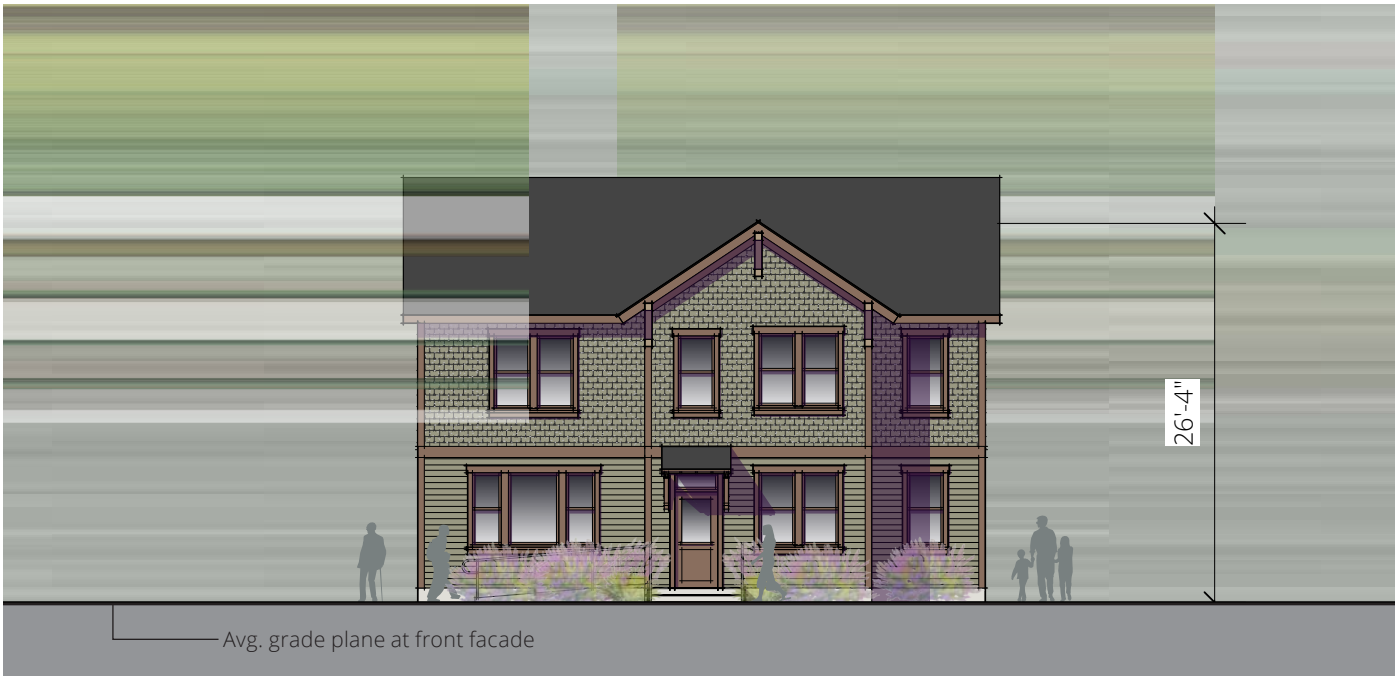
Overdoor
Entryway Element

Binding

02/13/2025

Fiveplex

(FV) - Southeastern Rustic



Type Description
This building type includes five stacked units with a shared entry.

Unit Range	5 du

Binding

02/13/2025



Brackets
Ornamental Element

Roof: Low-pitched with wide overhangs
Typical Characteristic

Openings: Vertically proportioned with mullion
Typical Characteristic

Cladding: Lap, shake siding
Typical Characteristic

Exposed rafters
Ornamental Element

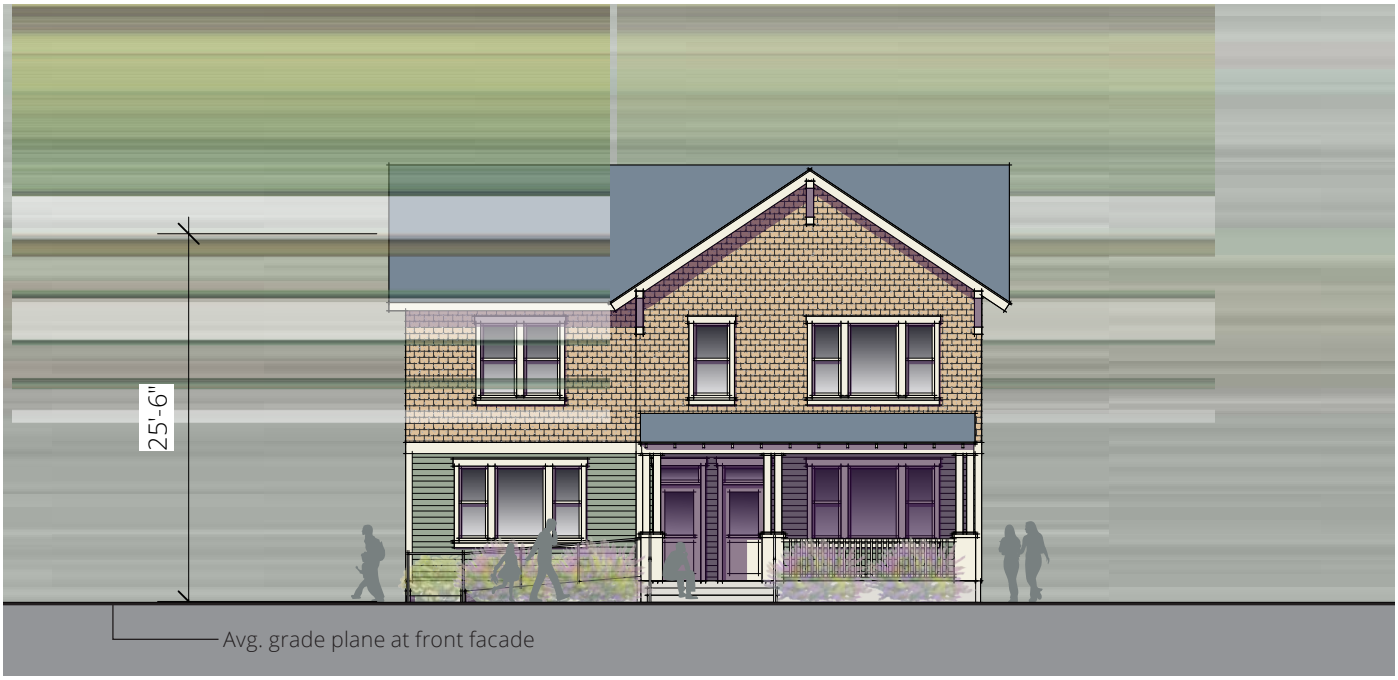
Covered porch
Entryway/Form Element

Binding

02/13/2025

Fourplex

(FR) - Southeastern Rustic



Type Description
This building type includes four stacked units with a shared entry.

Unit Range	4 du



Roof: Sloped side gable
Typical Characteristic

Exposed rafters
Ornamental Element

Two-story covered porch
Entryway/Form Element

Cladding: Siding
Typical Characteristic

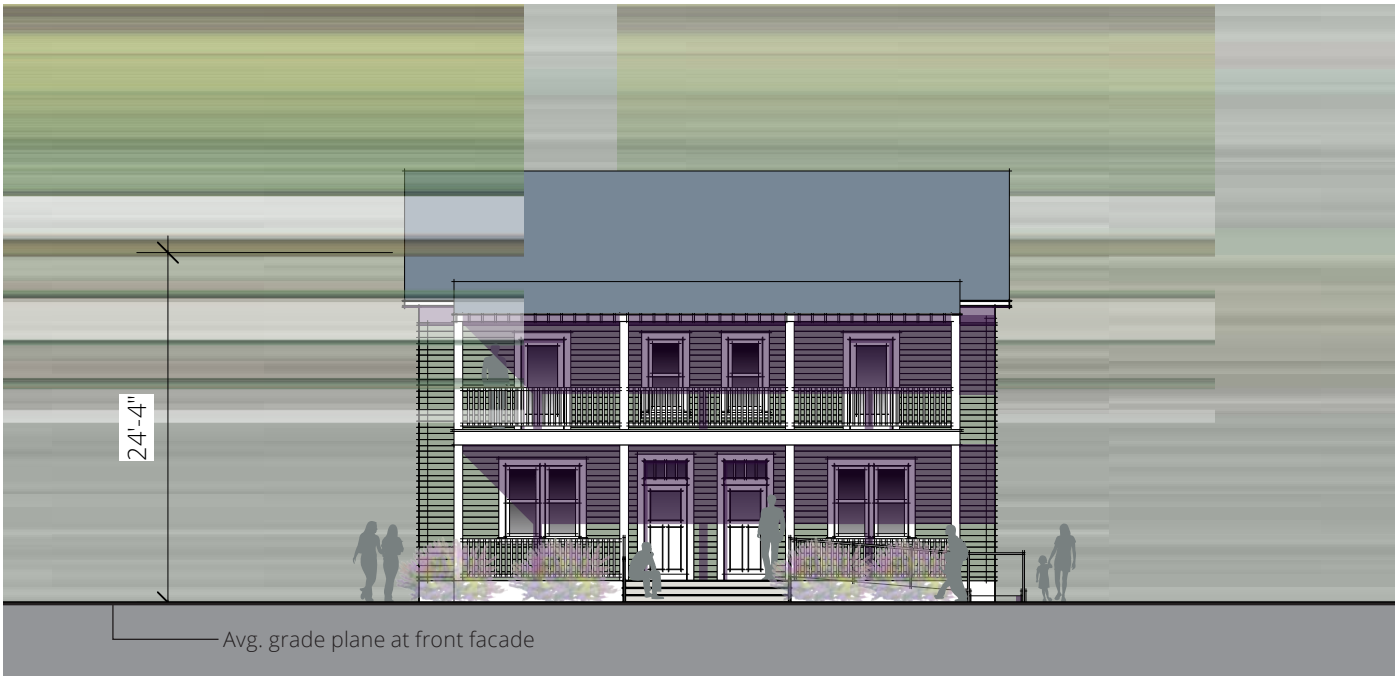
Openings: Vertically proportioned with mullion
Typical Characteristic

Binding

02/13/2025

Fourplex

(FR) - Southeastern Vernacular

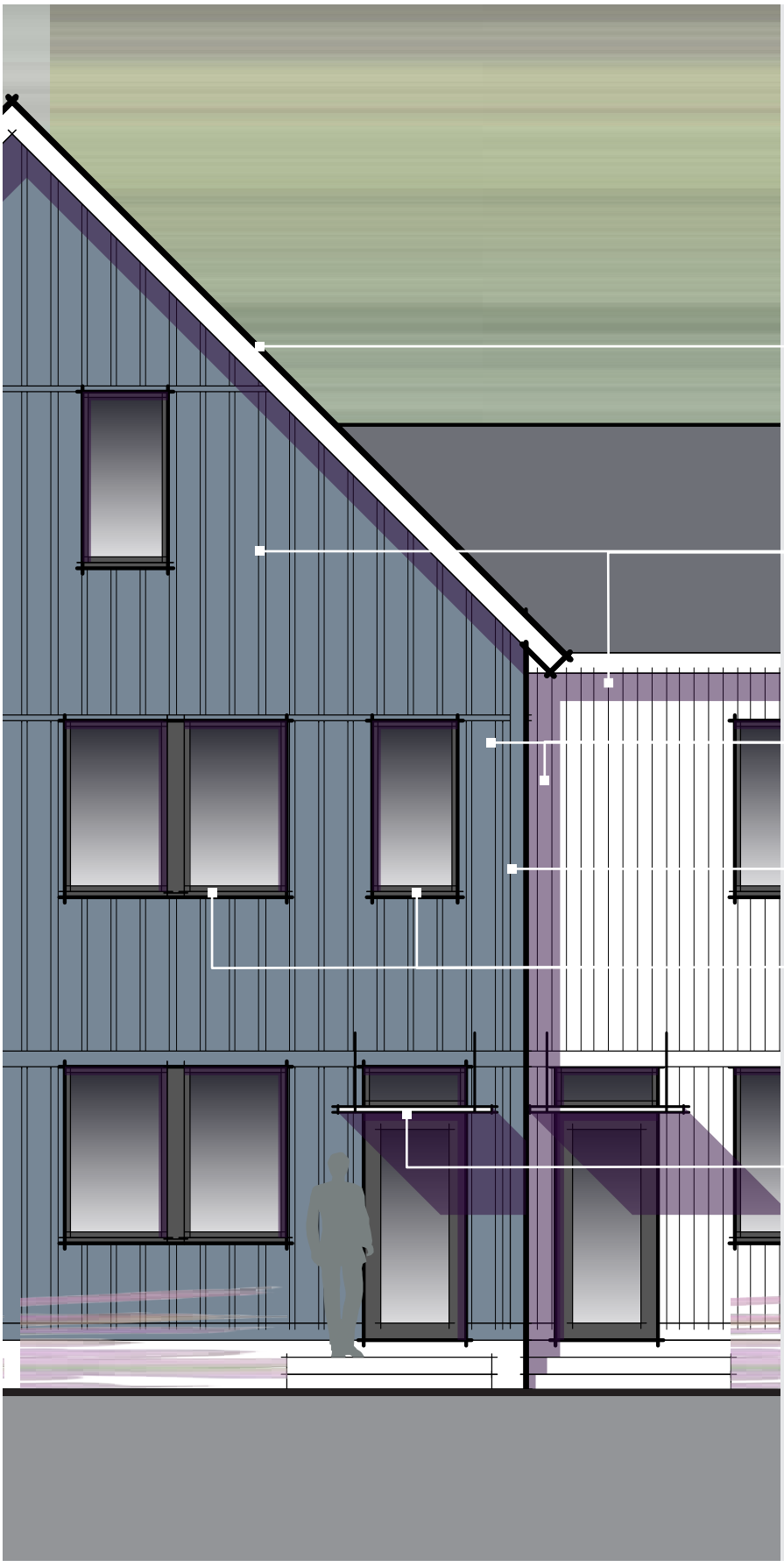


Type Description
This building type includes four stacked units with a shared entry.

Unit Range	4 du

Binding

02/13/2025



Roof: Sloped, simple eave
Typical Characteristic

Cladding: Siding, board and batten, metal panel
Typical Characteristic

Change in material
Decorative Element

Step in plane
Form Element

Openings: Vertically and horizontally proportioned
Typical Characteristic

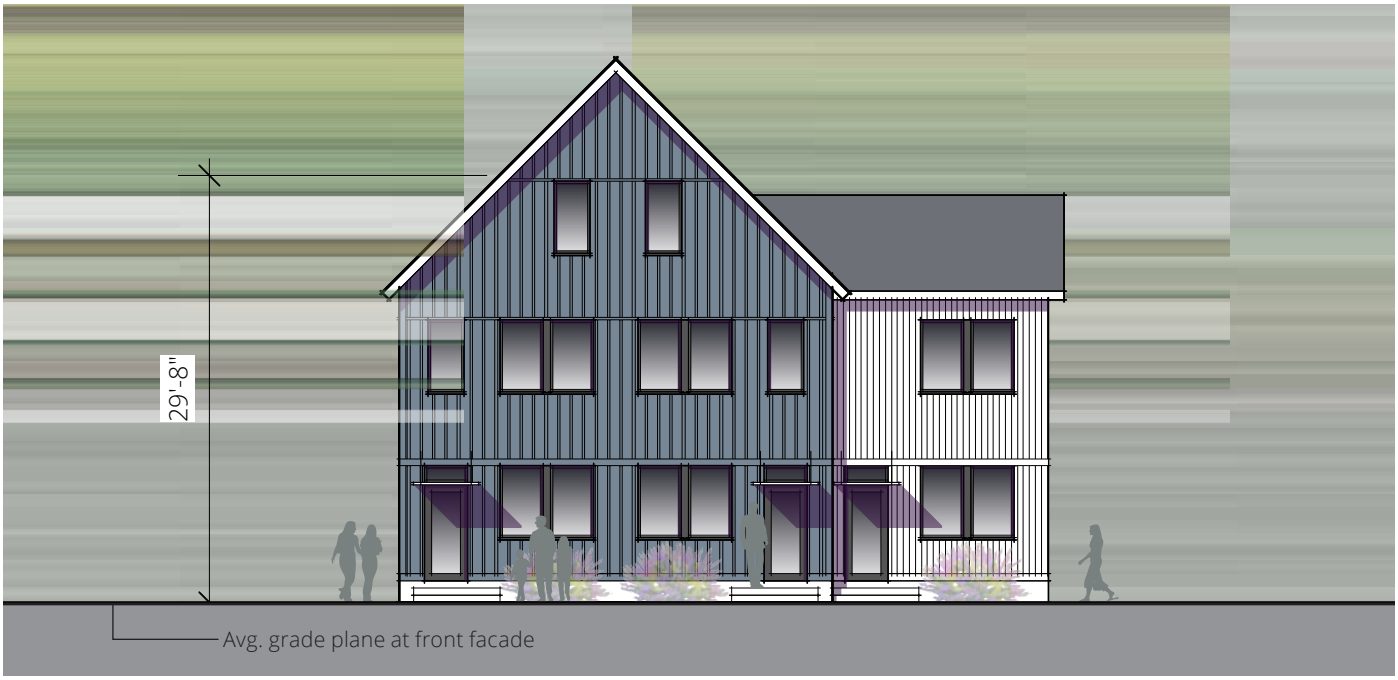
Overdoor
Entryway Element

Binding

02/13/2025

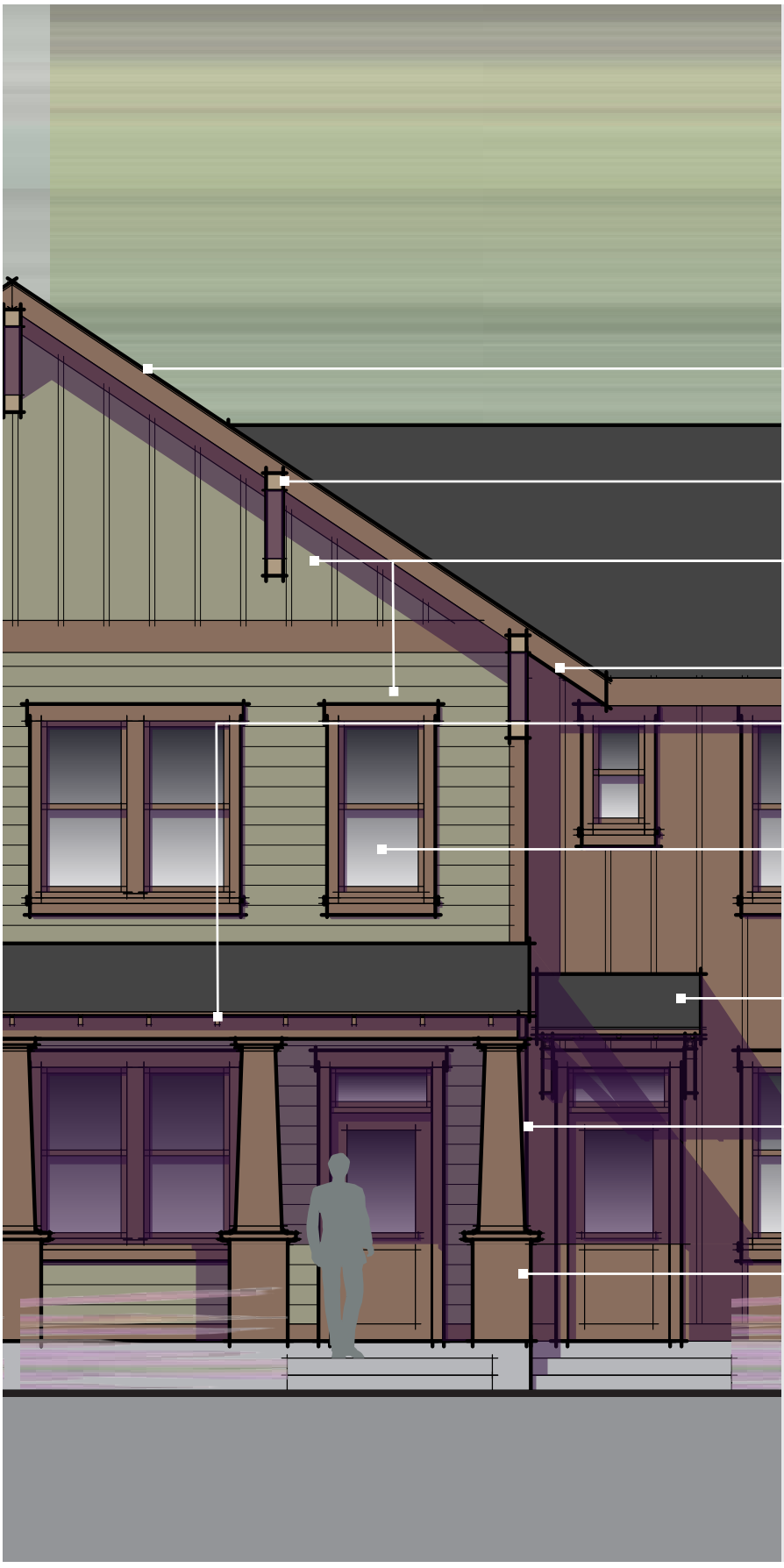
Triplex

(TR) - Contemporary



Type Description
This building type includes three units that may be situated side-by-side or stacked (shown side-by-side).

Unit Range	3 du



Roof: Low-pitched with wide overhangs
Typical Characteristic

Brackets
Ornamental Element

Cladding: Siding, board and batten
Typical Characteristic

Exposed rafters
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Overdoor
Entryway Element

Decorative columns
Ornamental Element

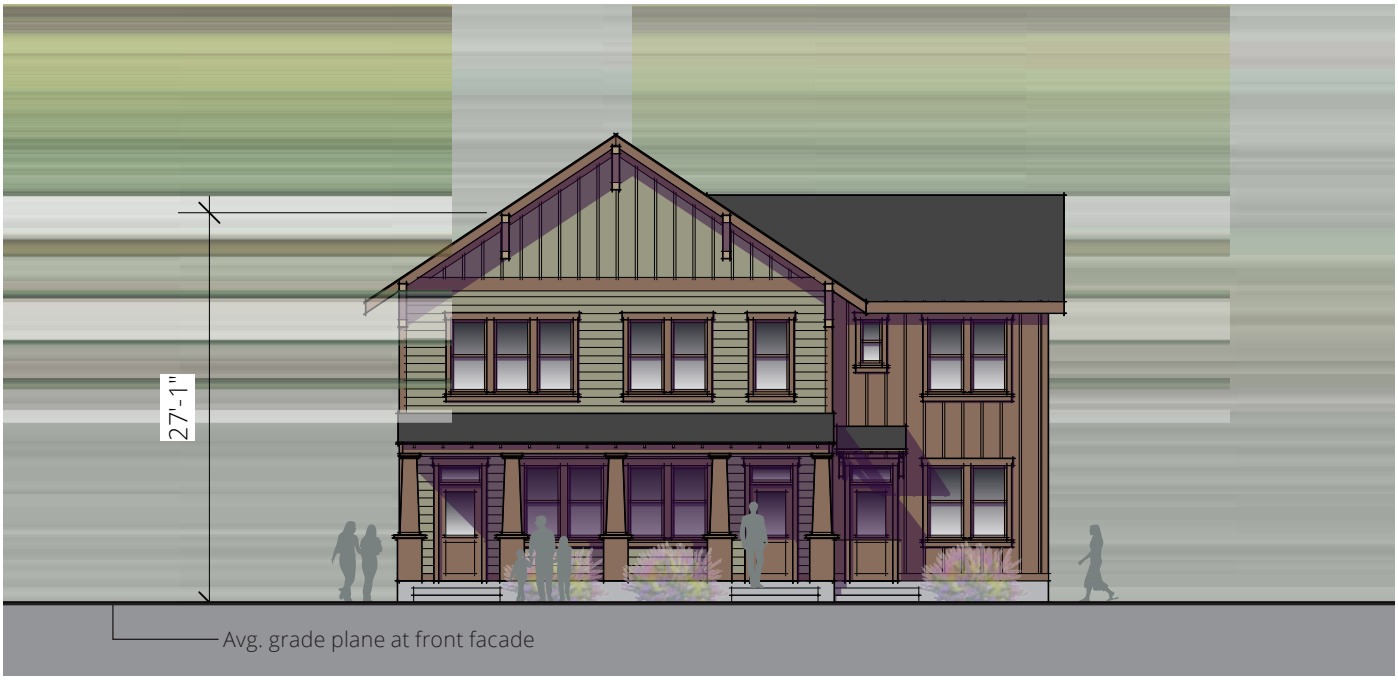
Covered porch
Entryway/Form Element

Binding

02/13/2025

Triplex

(TR) - Southeastern Rustic



Type Description
This building type includes three units that may be situated side-by-side or stacked (shown side-by-side).

Unit Range	3 du

Binding

02/13/2025



Roof: Sloped, simple eave
Typical Characteristic

Openings: Vertically and horizontally proportioned
Typical Characteristic

Cladding: Siding, board and batten, metal panel
Typical Characteristic

Overdoor
Form Element

Change in material
Decorative Element

Inset porch
Entryway/Form Element

Binding

02/13/2025

Duplex

(DU) - Contemporary

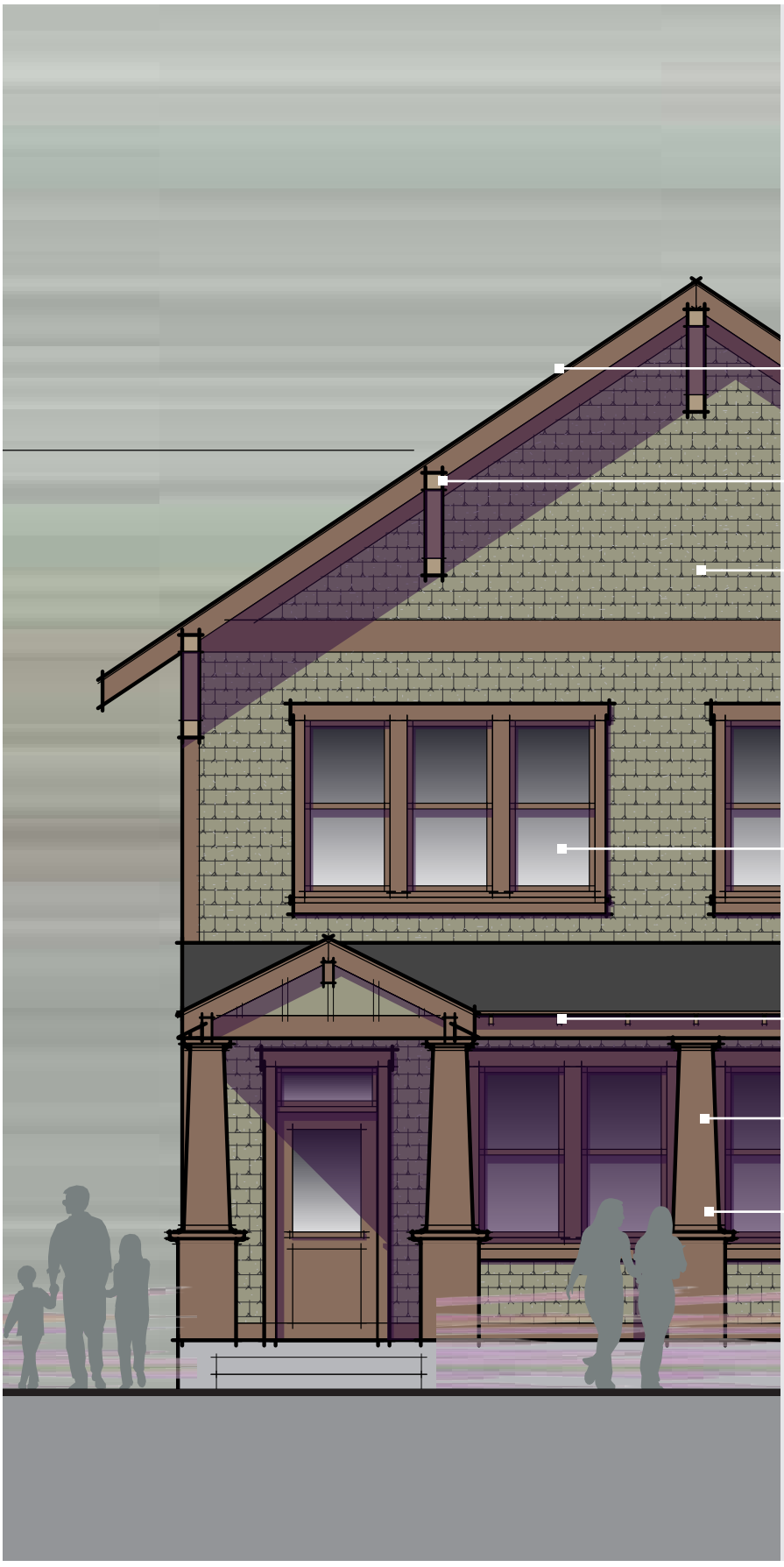


Type Description
This building type includes two units that may be situated side-by-side or stacked (shown side-by-side).

Unit Range	2 du

Binding

02/13/2025



Roof: Low-pitched with wide overhangs
Typical Characteristic

Brackets
Ornamental Element

Cladding: Shake siding
Typical Characteristic

Openings: Vertically proportioned with mullion
Typical Characteristic

Exposed rafters
Ornamental Element

Decorative columns
Ornamental Element

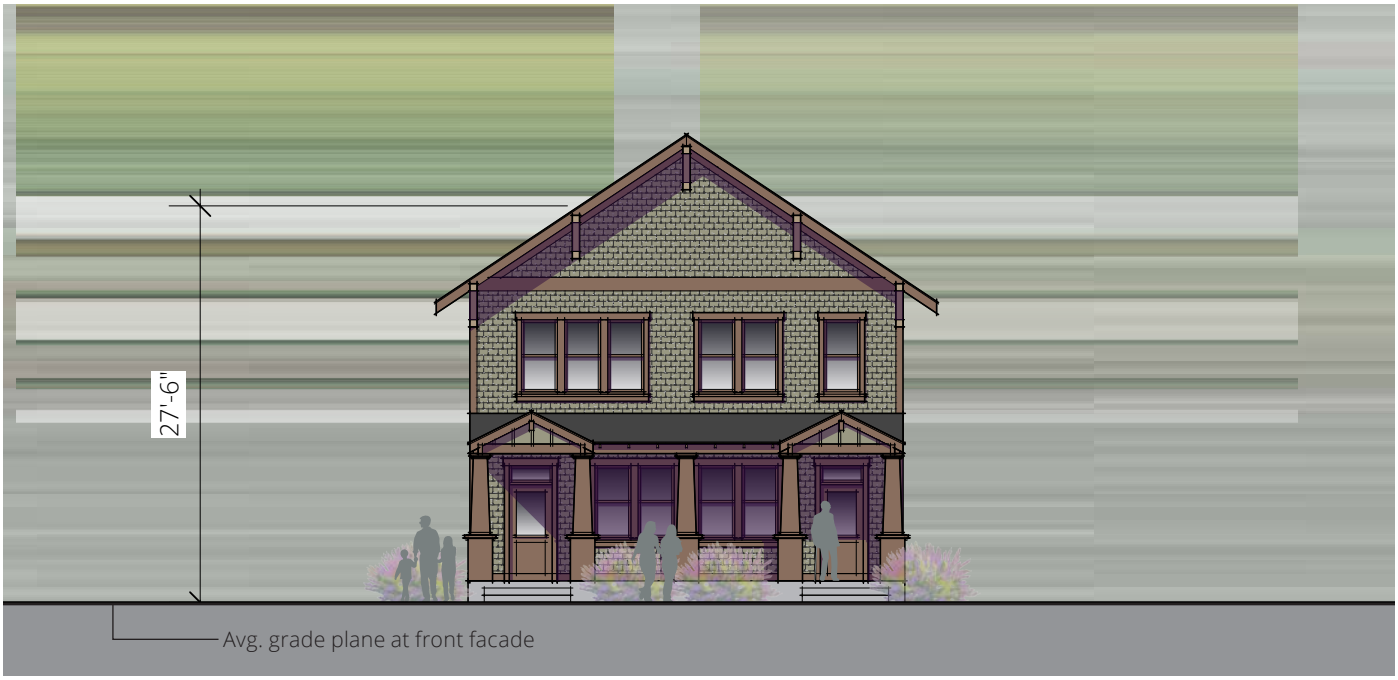
Covered porch
Entryway/Form Element

Binding

02/13/2025

Duplex

(DU) - Southeastern Rustic



Type Description
This building type includes two units that may be situated side-by-side or stacked (shown side-by-side).

Unit Range	2 du

Binding

02/13/2025



Roof: Side gable
Typical Characteristic

Decorative brickwork
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Pilasters
Ornamental Element

Cladding: Brick, corrugated metal
Typical Characteristic

Binding

02/13/2025

Mews

(MW-A, MW-C) - Main Street/ Warehouse



Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays

Binding

02/13/2025



Roof: Side gable
Typical Characteristic

Brick jack arch lintel
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Brick string course
Ornamental Element

Overdoor
Entryway Element

Cladding: Brick
Typical Characteristic

Binding

02/13/2025

Mews

(MW-A, MW-C) - Southeastern Vernacular

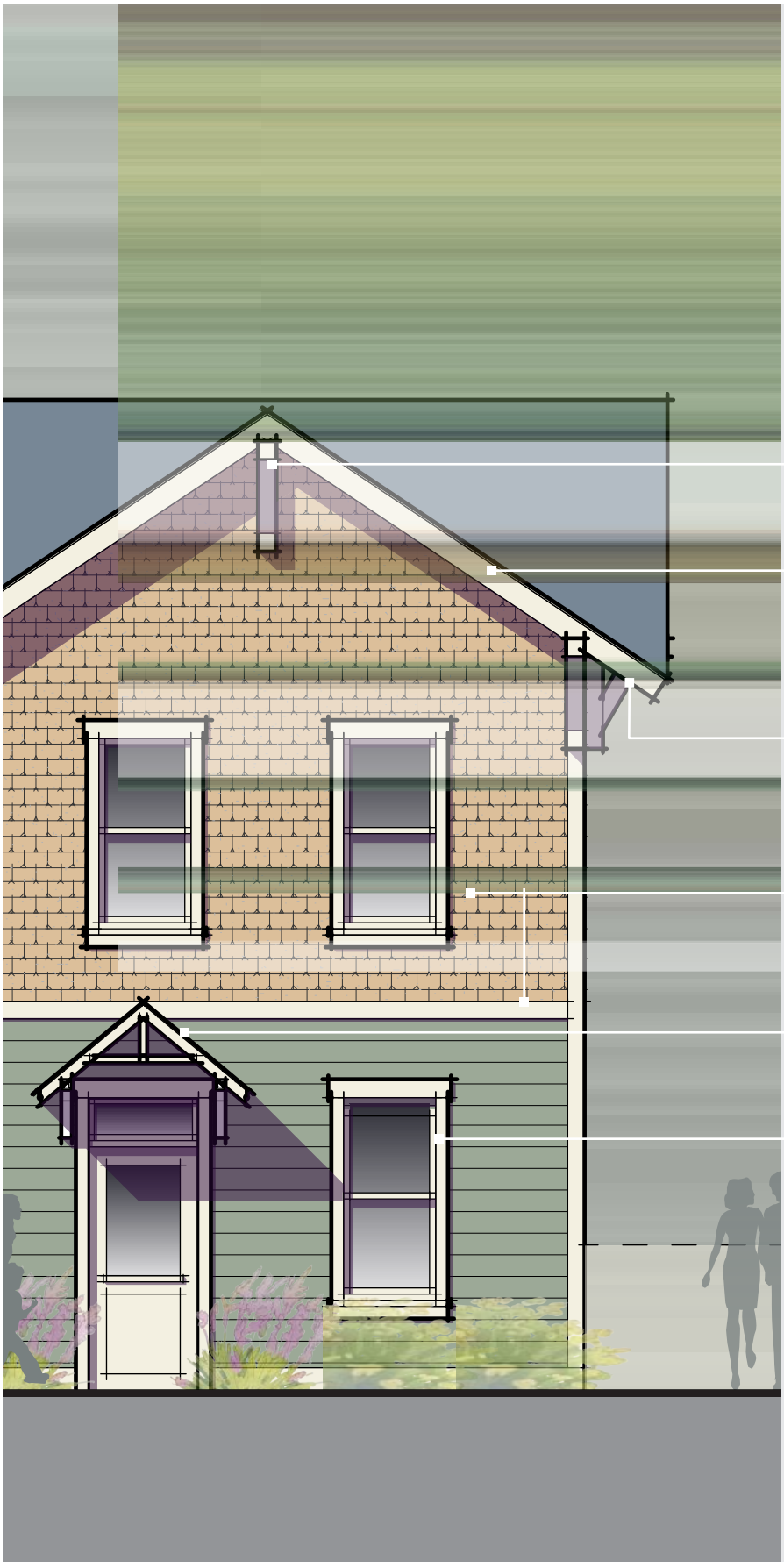


Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays

Binding

02/13/2025



Brackets
Ornamental Element

Roof: Low slope with wide eaves
Typical Characteristic

Exposed rafters
Ornamental Element

Cladding: Siding, shingle
Typical Characteristic

Overdoor
Entryway Element

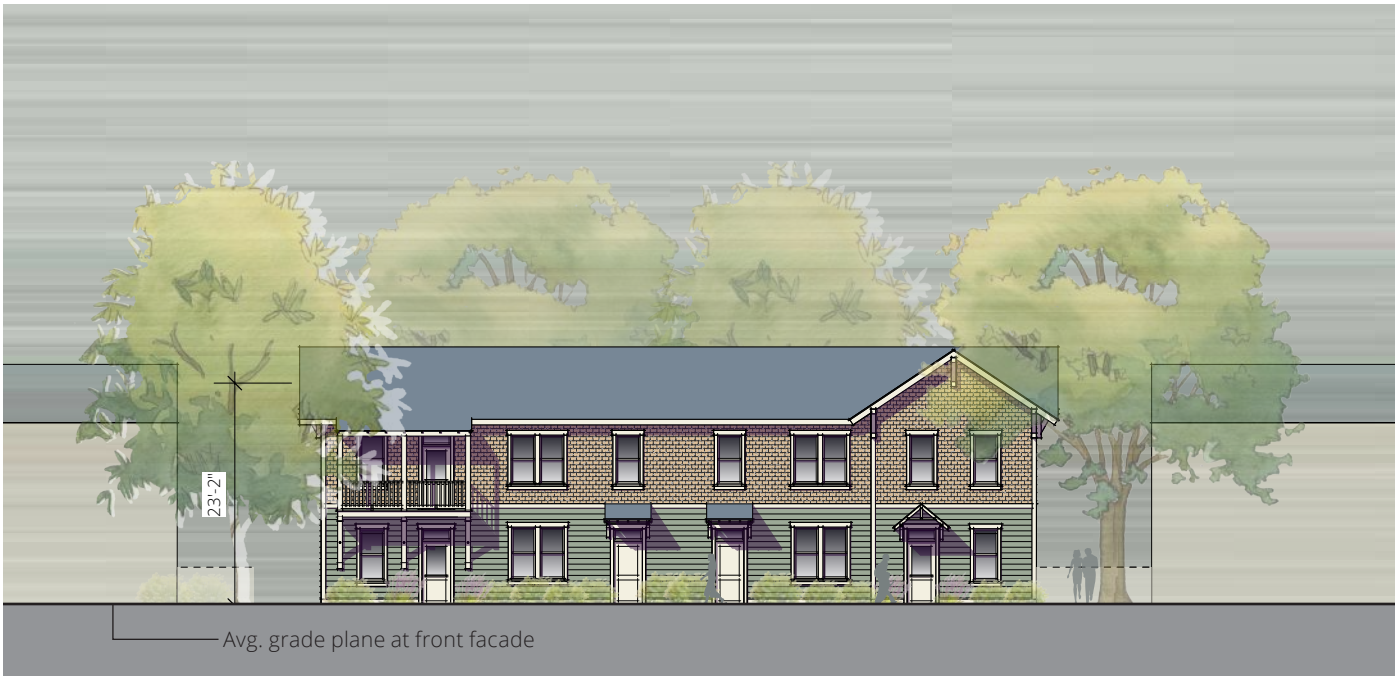
Openings: Vertically proportioned
Typical Characteristic

Binding

02/13/2025

Mews

(MW-C) - Southeastern Rustic



Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays

Binding

02/13/2025



Roof: Side gable
Typical Characteristic

Decorative brickwork
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Overdoor
Entryway Element

Jack arch lintel
Ornamental Element

Cladding: Brick
Typical Characteristic

Binding

02/13/2025

Mews

(MW-C) - Southeastern Vernacular



Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays

Binding

02/13/2025



Roof: Side gable
Typical Characteristic

Decorative brickwork
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Divided lites
Ornamental Element

Pilasters
Ornamental Element

Overdoor
Entryway Element

Cladding: Brick, corrugated metal
Typical Characteristic

Binding

02/13/2025

Mews

(MW-A, MW-E) - Main Street/ Warehouse



Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays

Binding

02/13/2025



Roof: Side gable
Typical Characteristic

Decorative brickwork
Ornamental Element

Jack arch lintel
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Divided lites
Ornamental Element

Overdoor
Entryway Element

Cladding: Brick
Typical Characteristic

Binding

02/13/2025

Mews

(MW-A, MW-E) - Southeastern Vernacular



Type Description
This type offers attached single-family units along a unique pedestrian-oriented open space (called a "mews"). These units include tuck-under parking accessed from an alley.

Unit Range (per bay)	1 du - 3 du
Composition	1 - 3 bays



Roof: Sloped, simple eave
Typical Characteristic

Openings: Vertically or horizontally proportioned
Typical Characteristic

Divided lites
Ornamental Element

Bay Window
Form Element

Overdoor
Entryway Element

Cladding: Siding
Typical Characteristic

Binding

02/13/2025

Treehouse

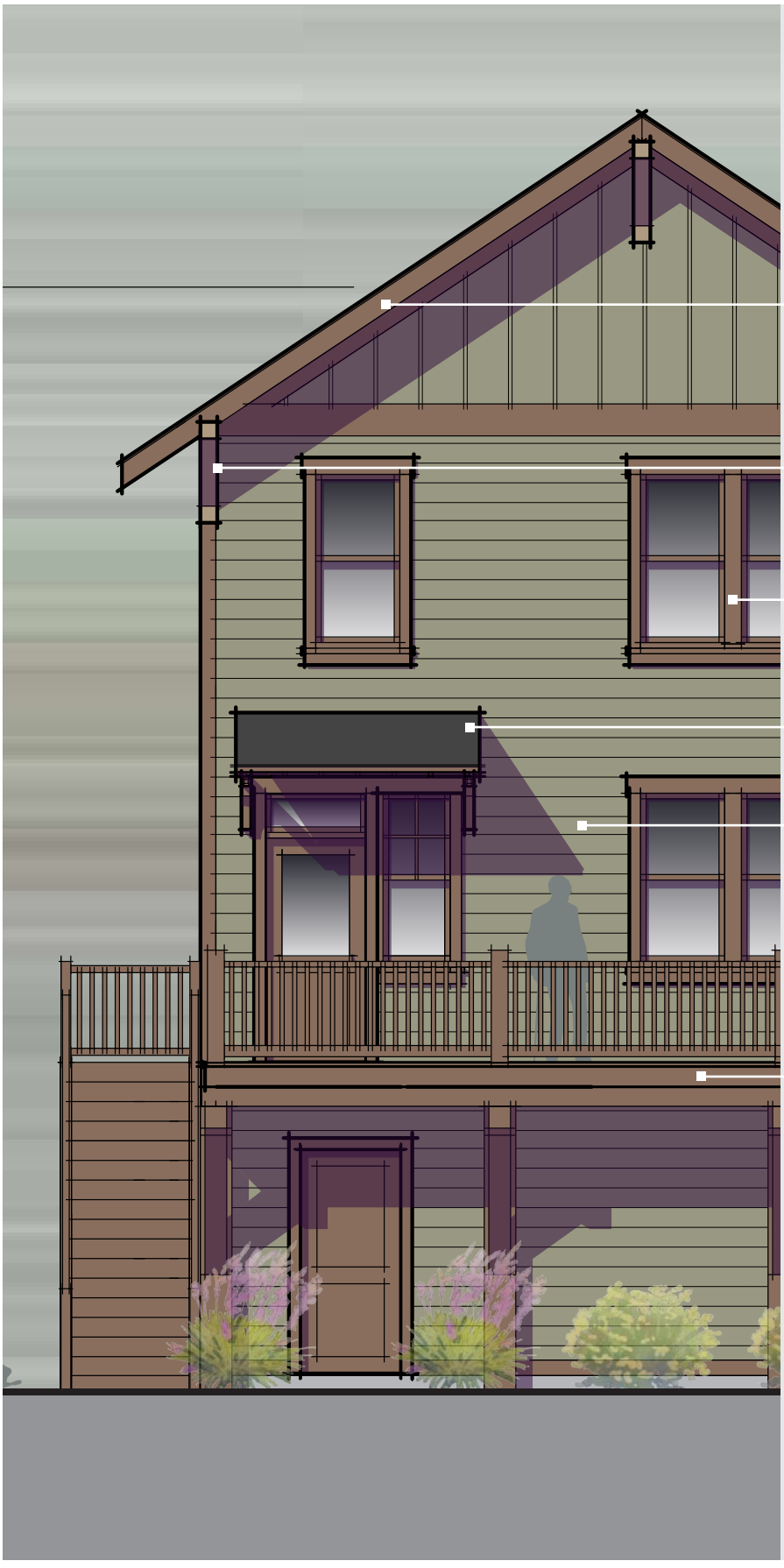
(TE-A, TE-B) - Contemporary



Type Description

This type features two tuck-under parking spots that can either be accessed from an alley or with a side-loaded garage. When located on an alley and facing a green, it can also be 2-stories, as grade requires, with external parking.

Unit Range	1 du



Roof: Low-pitched with wide overhangs
Typical Characteristic

Brackets
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Overdoor
Entryway Element

Cladding: Siding, fiber cement board
Typical Characteristic

Balcony *Form*
Element

Binding

02/13/2025

Treehouse

(TE-A, TE-B) - Southeastern Rustic



Type Description
This type features two tuck-under parking spots that can either be accessed from an alley or with a side-loaded garage. When located on an alley and facing a green, it can also be 2-stories, as grade requires, with external parking.

Unit Range	1 du

Binding

02/13/2025



Roof: Sloped, side gable
Typical Characteristic

Openings: Vertically proportioned with mullion
Typical Characteristic

"Half-timbering"
Ornamental Element

Jack arch lintel
Ornamental Element

Decorative brickwork
Ornamental Element

Cladding: Brick, fiber cement board
Typical Characteristic

Overdoor
Entryway Element

Binding

02/13/2025

Carriage House

(CH) - Tudor



Type Description
This building combines a garage with a unit above. It shall be associated with larger multi-family building types to supplement parking and must be located off of an alley

Unit Range	1 du

Binding

02/13/2025



Roof: Sloped with side gable
Typical Characteristic

Brick side gable
Form Element

Decorative moulding
Ornamental Element

Openings: Vertically proportioned with mullion
Typical Characteristic

Cladding: Brick, siding
Typical Characteristic

Overdoor
Entryway Element

Binding

02/13/2025

Carriage House

(CH) - Southeastern Vernacular



Type Description
This building combines a garage with a unit above. It shall be associated with larger multi-family building types to supplement parking and must be located off of an alley

Unit Range	1 du

Binding

02/13/2025

Roof: Sloped, simple eave
Typical Characteristic

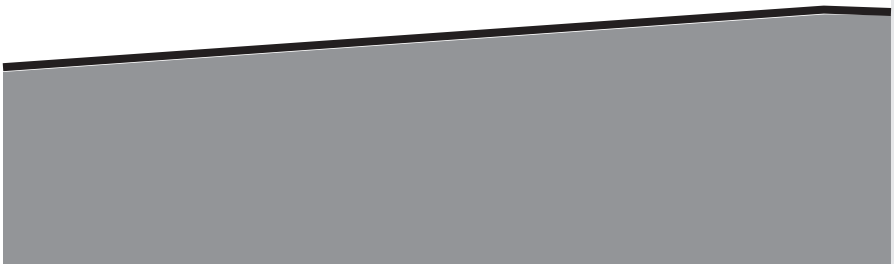
Openings: Vertically and horizontally proportioned
Typical Characteristic

Projecting window surround
Ornamental Element

Overdoor
Entryway Element

Divided lites
Ornamental Element

Cladding: Corrugated metal, siding
Typical Characteristic



Binding

02/13/2025

Townhouse

(TH1-A, TH2-B) - Contemporary



Type Description
These building types are single-family attached units that feature 2 tuck-under parking spots accessed from an alley. It might be flat or step with topography.

Unit Range (per bay)	1 du
Composition	3-5 bays

Binding

02/13/2025

Roof: Flat with Parapet
Typical Characteristic

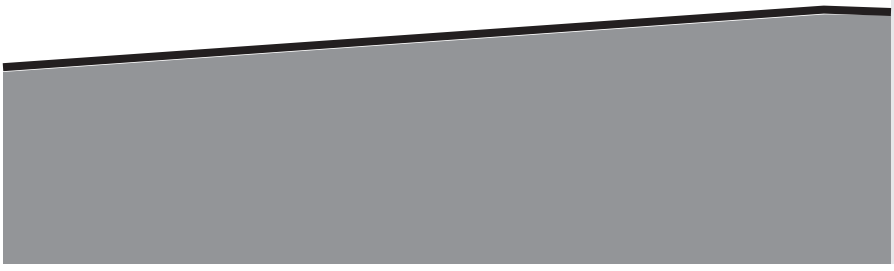
Decorative brickwork
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Projecting covered balcony
Entryway/Form Element

Brick jack arch lintel
Ornamental Element

Cladding: Brick, siding
Typical Characteristic



Binding

02/13/2025

Townhouse

(TH1-A, TH2-B) - Southeastern Vernacular



Type Description
These building types are single-family attached units that feature 2 tuck-under parking spots accessed from an alley. It might be flat or step with topography.

Unit Range (per bay)	1 du
Composition	3-5 bays

Binding

02/13/2025



Roof: Flat with parapet
Typical Characteristic

Decorative moulding
Ornamental Element

Awning
Entryway Element

Balcony
Form Element

Brick jack arch
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Decorative brickwork
Ornamental Element

Overdoor
Entryway Element

Divided lites
Ornamental Element

Cladding: Siding, brick
Typical Characteristic

Binding

02/13/2025

Townhouse

(TH2) - Southeastern Vernacular



Type Description
These building types are single-family attached units that feature 2 tuck-under parking spots accessed from an alley. It might be flat or step with topography.

Unit Range (per bay)	1 du
Composition	3-5 bays

Binding

02/13/2025



Roof: Sloped, simple eave
Typical Characteristic

Inset balcony
Form Element

Divided lites
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Overdoor
Entryway Element

Window shade element
Form Element

Cladding: Metal panel, shingle
Typical Characteristic

Binding

02/13/2025

Townhouse

(TH2) - Contemporary



Type Description
These building types are single-family attached units that feature 2 tuck-under parking spots accessed from an alley. It might be flat or step with topography.

Unit Range (per bay)	1 du
Composition	3-5 bays

Binding

02/13/2025

Roof: Low slope with wide eaves
Typical Characteristic

Porch
Entryway/Form Element

Brackets
Ornamental Element

Exposed rafters
Ornamental Element

Divided lites
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Cladding: Shingle, brick
Typical Characteristic

Binding

02/13/2025

Cottage

(CT-A) - Southeastern Rustic



Type Description
This type is a detached unit under 1,000 GSF that does not exceed two stories. It can either sit on its own lot or around a common green.

Unit Range	1 du

Binding

02/13/2025

Roof: Front gable
Typical Characteristic

Porch
Entryway/Form Element

Exposed rafters
Ornamental Element

Divided lites
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Cladding: Board and batten
Typical Characteristic

Binding

02/13/2025

Cottage

(CT-A) - Southeastern Vernacular

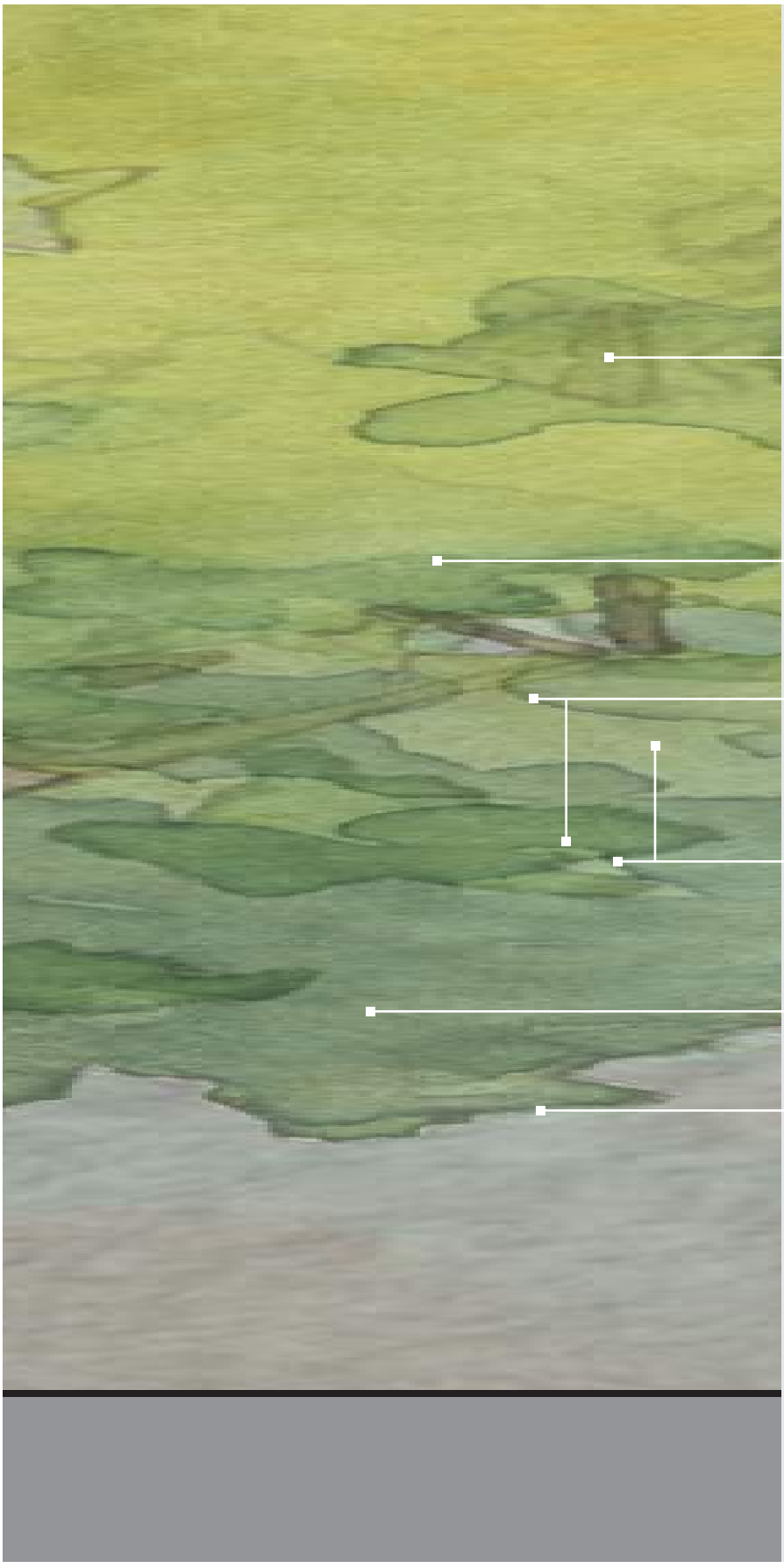


Type Description
This type is a detached unit under 1,000 GSF that does not exceed two stories. It can either sit on its own lot or around a common green.

Unit Range	1 du

Binding

02/13/2025



Roof: Sloped, simple eave
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Change in material
Ornamental Element

Cladding: Corrugated metal and lap siding
Typical Characteristic

Overdoor
Entryway Element

Divided lites
Ornamental Element

Binding

02/13/2025

Cottage

(CT-B) - Contemporary



Type Description
This type is a detached unit under 1,000 GSF that does not exceed two stories. It can either sit on its own lot or around a common green.

Unit Range	1 du

Binding

02/13/2025



Roof: Low slope with wide eaves
Typical Characteristic

Cladding: Siding, shingle
Typical Characteristic

Brackets
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Porch
Entryway/Form Element

Exposed rafters
Ornamental Element

Divided lites
Ornamental Element

Binding

02/13/2025

Cottage

(CT-B) - Southeastern Rustic



Type Description
This type is a detached unit under 1,000 GSF that does not exceed two stories. It can either sit on its own lot or around a common green.

Unit Range	1 du

Binding

02/13/2025

Roof: Sloped, simple eave
Typical Characteristic

Cladding: Corrugated metal, metal panel
Typical Characteristic

Divided lites
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Step in plane
Form Element

Porch
Entryway/Form Element

Binding

02/13/2025

Single Family Home

(SF-S) - Contemporary



Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du

Binding

02/13/2025

Roof: Sloped, simple eave
Typical Characteristic

Brackets
Ornamental Element

Divided lites
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Cladding: Brick, shingle
Typical Characteristic

Porch
Entryway/Form Element

Binding

02/13/2025

Single Family Home

(SF-S) - Southeastern Rustic

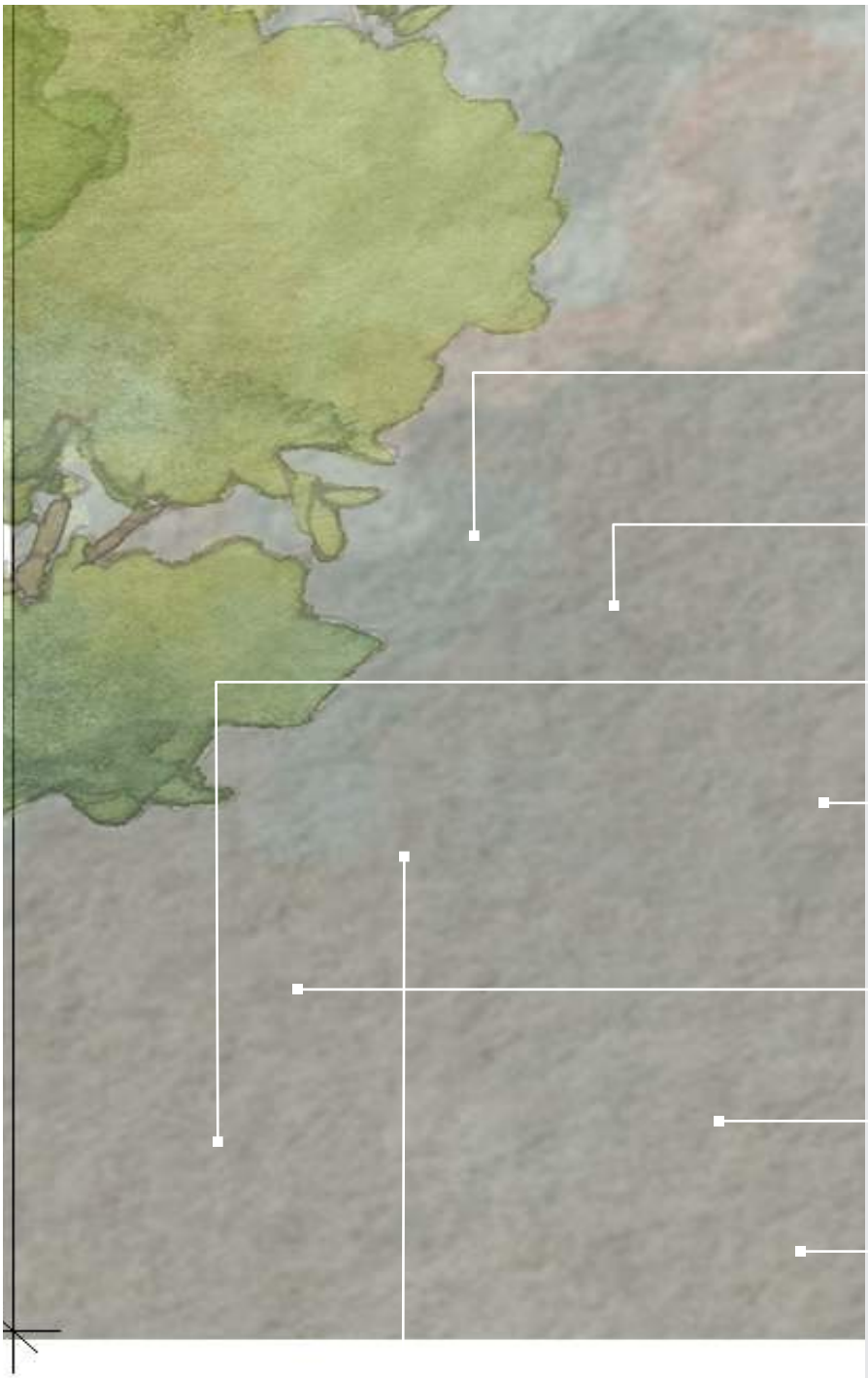


Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du

Binding

02/13/2025



Roof: Steep gable
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Inset porch
Entryway Element

"Half-timbering"
Ornamental Element

Decorative brackets
Ornamental Element

Divided lites
Ornamental Element

Bay window
Form Element

Cladding: Brick, fiber cement paneling
Typical Characteristic

Binding

02/13/2025

Single Family Home

(SF-M) - Tudor



Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du



Roof: Steep gable
Typical Characteristic

Openings: Vertically proportioned
Typical Characteristic

Dormer
Form Element

Engaged porch
Entryway Element

Exposed rafters
Ornamental Element

Shutters
Ornamental Element

Cladding: Siding
Typical Characteristic

Binding

02/13/2025

Single Family Home

(SF-M) - Southeastern Vernacular



Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du



Roof: Gable with overhang
Typical Characteristic

Dormer
Form Element

Decorative cornice
Ornamental Element

Columns
Ornamental Element

Openings: Vertically proportioned
Typical Characteristic

Shutters
Ornamental Element

Two-story covered porch
Entryway/Form Element

Divided lites
Ornamental Element

Cladding: Siding
Typical Characteristic

Binding

02/13/2025

Single Family Home

(SF-L) - Southeastern Vernacular



Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du



Roof: Gable with overhang
Typical Characteristic

Dormer
Form Element

Openings: Vertically proportioned
Typical Characteristic

Overdoor
Entryway Element

Divided lites
Ornamental Element

Cladding: Board and batten
Typical Characteristic

Binding

02/13/2025

Single Family Home

(SF-L) - Contemporary



Type Description
This types is a detached unit that sits on its own lot that can be accessed either from a street or a public green.

Unit Range	1 du



Binding

02/13/2025

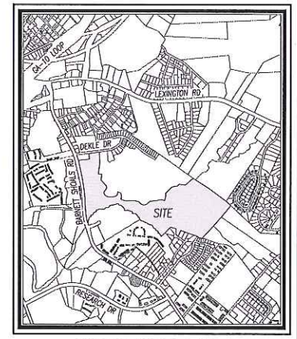
C3 STUDIO

OPTICOS

Non-Binding
Stephen Jones
2-13-25

PROPERTY LINE(S) INDICATE LIMITS OF REZONE REQUEST

PROPERTY LINE(S) INDICATES LIMITS OF REZONE REQUEST



VICINITY MAP
SCALE: 1" = 2,000'

Line Table		
Line #	Length	Direction
L1	165.338	S25° 27' 45.32"W
L2	35.000	N62° 40' 15.09"W
L4	161.960	N00° 35' 12.61"W
L5	0.085	N70° 16' 58.71"W
L6	199.793	N70° 16' 59.71"W
L7	48.985	S43° 24' 39.61"W
L8	188.481	S43° 24' 39.61"W
L9	153.263	S43° 24' 39.61"W
L10	15.680	N55° 24' 27.46"W
L11	25.309	N11° 53' 17.63"W
L12	53.860	N37° 22' 00.50"W
L13	29.647	N88° 11' 08.04"W
L14	24.053	N10° 26' 07.29"E
L15	39.260	N17° 22' 01.58"W
L16	55.330	N66° 23' 26.64"W
L17	59.474	N58° 09' 38.35"W
L18	60.101	N55° 38' 16.66"W
L19	74.332	N24° 15' 29.44"W
L20	45.815	N19° 09' 32.37"W
L21	15.526	S82° 24' 12.90"W

Line Table		
Line #	Length	Direction
L22	54.720	N68° 57' 19.25"W
L23	28.139	N50° 59' 16.76"W
L24	27.001	N39° 20' 44.96"W
L25	53.821	N31° 15' 02.49"W
L26	22.958	N2° 10' 01.40"W
L27	31.156	N54° 31' 07.02"W
L28	16.001	N46° 11' 44.72"W
L29	64.491	N46° 11' 44.72"W
L30	32.033	N26° 26' 28.82"W
L31	28.613	N63° 22' 16.46"W
L32	68.701	N46° 35' 06.10"W
L33	89.063	N45° 35' 03.08"W
L34	63.417	S87° 34' 01.33"W
L35	29.293	N81° 01' 58.65"W
L36	112.804	N13° 44' 17.86"W
L37	22.125	N29° 45' 57.64"E
L38	35.959	N36° 46' 02.82"W
L39	54.828	N78° 04' 15.60"W
L40	93.036	N70° 37' 37.35"W
L41	57.556	S89° 25' 34.70"W

Line Table		
Line #	Length	Direction
L42	46.353	N82° 14' 41.50"W
L43	38.370	N21° 38' 50.67"E
L44	14.974	N14° 52' 24.48"W
L45	21.882	N75° 12' 24.71"W
L46	47.722	N24° 24' 05.79"W
L47	61.930	N52° 41' 02.17"W
L48	54.767	N76° 32' 16.03"W
L49	25.294	N80° 42' 31.10"W
L50	9.351	N56° 41' 45.11"W
L51	20.754	N29° 41' 09.64"W
L52	18.765	N12° 23' 30.13"E
L53	9.851	N54° 56' 24.65"W
L54	14.603	N86° 40' 29.95"W
L55	20.712	N89° 55' 27.13"W
L56	18.782	S28° 33' 22.12"W
L57	20.272	S20° 13' 33.38"W
L58	8.918	N77° 02' 02.77"W
L59	27.994	S66° 15' 15.77"W
L60	113.548	S74° 22' 53.38"W
L61	38.015	S41° 49' 10.45"W

Line Table		
Line #	Length	Direction
L62	58.743	S78° 48' 57.94"W
L63	78.315	S57° 24' 53.50"W
L64	23.148	S60° 55' 54.48"W
L65	44.161	S88° 00' 56.18"W
L66	72.303	N83° 59' 20.16"W
L67	58.504	S75° 24' 51.94"W
L68	7.968	N82° 55' 37.15"W
L69	24.802	S88° 12' 05.11"W
L70	48.622	S30° 44' 01.34"W
L71	22.190	S18° 49' 06.30"W
L72	25.216	S69° 03' 28.67"W
L73	21.481	N85° 28' 00.54"W
L74	67.946	S27° 47' 07.56"W
L75	66.340	S67° 53' 13.61"W
L76	15.376	S34° 12' 34.50"W
L77	37.765	S13° 33' 52.38"W
L78	40.991	S54° 31' 53.60"W
L79	56.731	S43° 32' 09.57"W
L80	56.468	S48° 03' 08.09"W
L81	89.278	S37° 55' 52.34"W

Line Table		
Line #	Length	Direction
L82	9.580	S52° 01' 58.63"W
L84	21.069	S78° 48' 18.59"W
L86	126.164	N06° 17' 51.72"W
L88	406.791	N13° 44' 46.27"W
L90	133.784	N12° 45' 04.74"W
L91	490.259	N12° 45' 04.74"W
L92	15.932	N76° 29' 46.96"E
L93	25.990	N12° 55' 29.81"W
L94	15.858	S78° 45' 57.75"W
L96	336.870	N83° 32' 34.29"E
L97	155.000	N06° 30' 14.30"W
L98	24.306	N83° 29' 27.10"E
L99	271.456	N85° 15' 03.89"E
L100	290.760	S04° 32' 15.29"E
L101	302.359	S08° 36' 07.78"W
L102	94.040	S84° 50' 01.79"E
L103	22.523	S12° 44' 52.20"E
L104	155.168	S05° 14' 12.60"W
L105	117.800	S34° 49' 56.06"E
L106	153.800	S27° 24' 56.06"E

Line Table		
Line #	Length	Direction
L107	102.000	S08° 35' 03.94"W
L108	84.028	S15° 43' 04.63"E
L109	53.826	S87° 11' 57.35"W
L110	29.352	S20° 16' 58.21"E
L111	36.781	S55° 23' 07.86"E
L112	48.157	S54° 02' 15.82"E
L113	36.552	N82° 51' 14.84"E
L114	194.806	N82° 51' 14.84"E
L115	63.519	N59° 48' 05.58"E
L116	95.680	N15° 09' 22.86"E
L117	90.450	S72° 12' 12.14"E
L118	119.940	S11° 08' 25.14"E
L119	61.780	S21° 00' 44.86"W
L120	130.601	S88° 55' 39.07"E
L121	41.870	N85° 54' 54.36"E
L122	208.810	N85° 54' 54.36"E
L123	156.529	S80° 11' 54.68"E
L124	119.107	S49° 57' 41.12"E
L125	55.327	S63° 11' 33.60"E
L126	65.651	S88° 41' 55.74"E

Line Table		
Line #	Length	Direction
L127	57.109	N53° 10' 46.45"E
L128	126.089	N45° 47' 19.30"E
L129	153.745	N85° 43' 16.10"E
L130	150.538	N79° 18' 26.30"E
L131	112.937	N81° 05' 55.25"E
L132	55.117	N83° 09' 55.25"E
L133	83.134	S70° 59' 23.37"E
L134	154.238	N14° 39' 18.75"E
L135	60.307	N13° 14' 40.24"W
L136	200.238	N40° 37' 33.11"E
L138	78.898	N86° 22' 10.24"E
L139	89.283	N44° 52' 02.56"E
L140	184.544	S81° 21' 54.41"E
L141	248.145	N43° 51' 34.71"E
L142	60.045	N72° 36' 20.83"E
L143	47.458	S54° 40' 22.00"E
L144	433.987	S59° 47' 33.46"E
L145	203.772	S55° 21' 23.41"E
L146	257.549	S55° 21' 23.41"E

Line Table		
Line #	Length	Direction
L147	183.353	S55° 21' 23.41"E
L148	197.404	S47° 24' 48.54"E
L149	451.084	S40° 48' 38.28"W
L150	314.094	S40° 54' 21.65"W
L151	460.837	S41° 02' 24.26"W
L152	41.155	N78° 01' 34.55"W
L153	56.992	N77° 13' 33.92"W
L154	85.418	N61° 39' 16.48"W
L155	85.411	N70° 16' 59.71"W
L156	419.840	N70° 16' 59.71"W

Curve Table			
Curve #	Length	Radius	Delta
C1	48.782	50.000	055.8935
C2	32.671	1081.260	001.7312
C3	118.356	1102.280	006.1526
C4	164.185	3775.830	002.4914
C5	308.266	1946.930	009.0717
C6	22.702	1681.040	000.7738

SCALE 1" = 150'
0 75 150 300

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THE SHOALS

ATHENS-CLARKE COUNTY, GEORGIA
90.22 ACRES

Know what's below. Call before you dig. 811

REVISIONS

DATE	COMMENT

FOR REVIEW ONLY

INITIAL SUB. DATE: 6/28/24

ISSUANCE DATE: 12/31/24

GEORGIA REGISTERED No. 1930 PROFESSIONAL LANDSCAPE ARCHITECT STEPHEN H. KESLER

W&A PROJECT #: 230161

PD
BASE PLAN

CP00

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PROPOSED TREES & LARGE SHRUBS

QTY	COMMON NAME	PERCENT OF CANOPY	CANOPY SIZE CATEGORY	SF OF CANOPY	TOTAL SF OF CANOPY
308	A-CC LARGE TREE	37.65	LARGE	1,600	383400
426	A-CC MEDIUM TREE	52.08	MEDIUM	900	383400
84	A-CC SMALL TREE	10.27	SMALL	400	33600
818		100.00		TOTAL	800400

EXISTING CONSERVED CANOPY

CONSERVED CANOPY AREA	TOTAL SF OF CANOPY
CONSERVED CANOPY AREA #1	8,108
CONSERVED CANOPY AREA #2	17,013
CONSERVED CANOPY AREA #3	9,705
CONSERVED CANOPY AREA #4	7,298
CONSERVED CANOPY AREA #5	19,853
CONSERVED CANOPY AREA #6	158,220
CONSERVED CANOPY AREA #7	128,661
CONSERVED CANOPY AREA #8	484,600
CONSERVED CANOPY AREA #9	48,170
CONSERVED CANOPY AREA #10	103,451
TOTAL CONSERVED CANOPY AREA:	985,079

TREE MANAGEMENT PLAN NOTES

1. ALL EXISTING UTILITIES ARE SHOWN AS LOCATED ON AN SURVEY FOR: ----- BY ABC CONSULTING. LOCATIONS SHOULD BE VERIFIED BY CONTRACTOR AT TIME OF CONSTRUCTION.
2. SEE TREE CANOPY CALCULATIONS FOR EXISTING ON SITE TREE GROUPS OR INDIVIDUAL TREES TO BE CONSERVED.
3. TREE PLANTINGS SHALL BE IN ACCORDANCE WITH ALL ACC TREE ORDINANCES AS WELL AS ANY THAT MAY BE REQUIRED BY STATE & FEDERAL AUTHORITIES AT THIS TIME.
4. NO TREES WITH A DBH GREATER THAN 2" ARE LOCATED IN THE R/W.
5. TREES PLANTED OR CONSERVED TO MEET CODE REQUIREMENTS SHALL NOT BE REMOVED WITHOUT PRIOR APPROVAL OF THE ACC ARBORIST OR FORESTER.
6. THE ACC ARBORIST OR FORESTER MUST INSPECT THE INSTALLATION OF TREE PROTECTION FENCING PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY, INCLUDING DEMOLITION (WHEN PROPOSED). TREE PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL CONSTRUCTION ACTIVITIES END OR A CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER IS LATER. CONTRACTOR TO COORDINATE INSPECTION.
7. NO VEHICLE OR EQUIPMENT TRAFFIC, PARKING OR STORAGE OF MATERIALS IS ALLOWED WITHIN THE TREE PROTECTION AREA NOR WITHIN 10' OF THE TRUNK ANY CONSERVED TREE.
8. TREES PLANTED TO MEET DEVELOPMENT REQUIREMENTS SHOULD BE WATERED THROUGHOUT THE GROWING SEASON TO THE EQUIVALENT OF 1" OF WATER PER WEEK.
9. STAKING MATERIALS SHOULD BE REMOVED WITHIN ONE YEAR OF PLANTING.
10. 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.
11. PLANTED TREES SHOULD BE MULCHED IMMEDIATELY AFTER PLANTING. MULCH IS NOT ALLOWED CLOSER THAN 6" TO THE TRUNK FLARE.
12. ALL PLANTINGS SHALL BE INSTALLED ACCORDING TO SECTION 8-7-19 OF THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES.
13. ALL EXISTING TREES THAT HAVE BEEN DESIGNATED FOR CONSERVATION MUST BE PROTECTED IN ACCORDANCE WITH 8-7-19. ALL TREE PROTECTION FENCE(S) TO BE INSTALLED PRIOR TO ANY DEMOLITION ACTIVITIES.
14. FORESTED AREAS CONTRIBUTING TOWARDS CONSERVED TREE CANOPY AND CONSERVATION CREDIT MUST REMAIN IN THEIR NATURAL, UNDISTURBED CONDITION. CLEARING OF UNDERBRUSH IS NOT PERMITTED, EXCEPT FOR THE REMOVAL OF INVASIVE SPECIES.
15. THIS SHEET SHOWS PROPOSED TREES, BUT NOT ALL PROPOSED LANDSCAPING. SEE THE PLANT LISTS ON THE LANDSCAPE PLAN FOR TOTAL REQUIRED ONSITE PLANTINGS, INCLUDING REQUIRED LANDSCAPE BUFFERS AND SCREENING.
16. THERE ARE EXISTING FORESTED AREAS ON THIS SITE, NO INDIVIDUAL TREES HAVE BEEN INVENTORIED AND THEREFORE ARE NOT COUNTED AS SUCH IN THE CALCULATIONS.
17. THERE ARE AREAS ON SITE DESIGNATED FOR FOREST REGENERATION.
18. ALL TREES GREATER THAN 2" DBH WHICH FALL OUTSIDE OF THE DEVELOPMENT AREAS WILL BE SAVED ON THE SITE. THE DEVELOPMENT AREAS WILL BE FURTHER DEFINED BY CONSTRUCTION PLANS.
19. TREES LOCATED WITHIN SIGHT TRIANGLES WILL BE LIMBED UP TO 8' CLEARANCE PER CODE REQUIREMENTS.
20. STREET TREES PLANTED IN TREE WELLS WILL BE DESIGNED TO INCLUDE THE APPROPRIATE VOLUME OF STRUCTURAL SOIL TO MEET SOIL AREA REQUIREMENTS.

CONSERVED CANOPY NOTES

TOTAL PROJECT AREA: 90.22 ACRES (3,930,097.64 SF)

CANOPY REQUIREMENTS:
ZONING: C-N (PD)
REQUIRED CONSERVED CANOPY: 15% (589,514.65 SF)
REQUIRED TOTAL CANOPY: 45% CONSERVED & PLANTED (1,768,543.98 SF)

PROPOSED CANOPY CALCULATIONS:
CONSERVED CANOPY: 985,079 SF (25.06% OF SITE)
PROPOSED PLANTED CANOPY: 800,400 SF (20.37% OF SITE)
TOTAL: 1,785,479 SF (45.43% OF SITE)

NOTE: NO MORE THAN 30 PERCENT OF ANY ONE SPECIES SHALL BE PLANTED ON A LOT.

STREET BREAKDOWN

BARNETT SHOALS RD:	1,498 LF FRONTAGES	(49.93 STREET TREES REQ.)
DEKLE DR:	195 LF FRONTAGES	(6.5 STREET TREES REQ.)
ROAD A:	581 LF FRONTAGES	(19.37 STREET TREES REQ.)
ROAD B:	2,716 LF FRONTAGES	(90.53 STREET TREES REQ.)
ROAD C:	9,491 LF FRONTAGES	(316.36 STREET TREES REQ.)
ROAD D:	2,225 LF FRONTAGES	(74.17 STREET TREES REQ.)
ROAD E:	659 LF FRONTAGES	(21.97 STREET TREES REQ.)
ROAD F:	3,985 LF FRONTAGES	(132.83 STREET TREES REQ.)

PLANTING MATERIALS NOTE

ALL TREE SIZES TO BE AS FOLLOWS:
DECIDUOUS TREES - 2" CALIPER
MULTI-TRUNK TREES - 1" CALIPER PER TRUNK
EVERGREEN TREES - 8' IN HEIGHT

OVERALL CONCEPT TREE SCHEDULE

A-CC LARGE TREES	361
A-CC MEDIUM TREES	412
A-CC SMALL TREES	42

DEKLE DR - STREET TREES

A-CC LARGE TREES	8

BARNETT SHOALS RD - STREET TREES

A-CC LARGE TREES	13
A-CC MEDIUM TREES	35

ROAD A - STREET TREES

A-CC LARGE TREES	9
A-CC MEDIUM TREES	14

ROAD B - STREET TREES

A-CC LARGE TREES	32
A-CC MEDIUM TREES	54
A-CC SMALL TREES	16

ROAD C - STREET TREES

A-CC LARGE TREES	183
A-CC MEDIUM TREES	112
A-CC SMALL TREES	19

ROAD D - STREET TREES

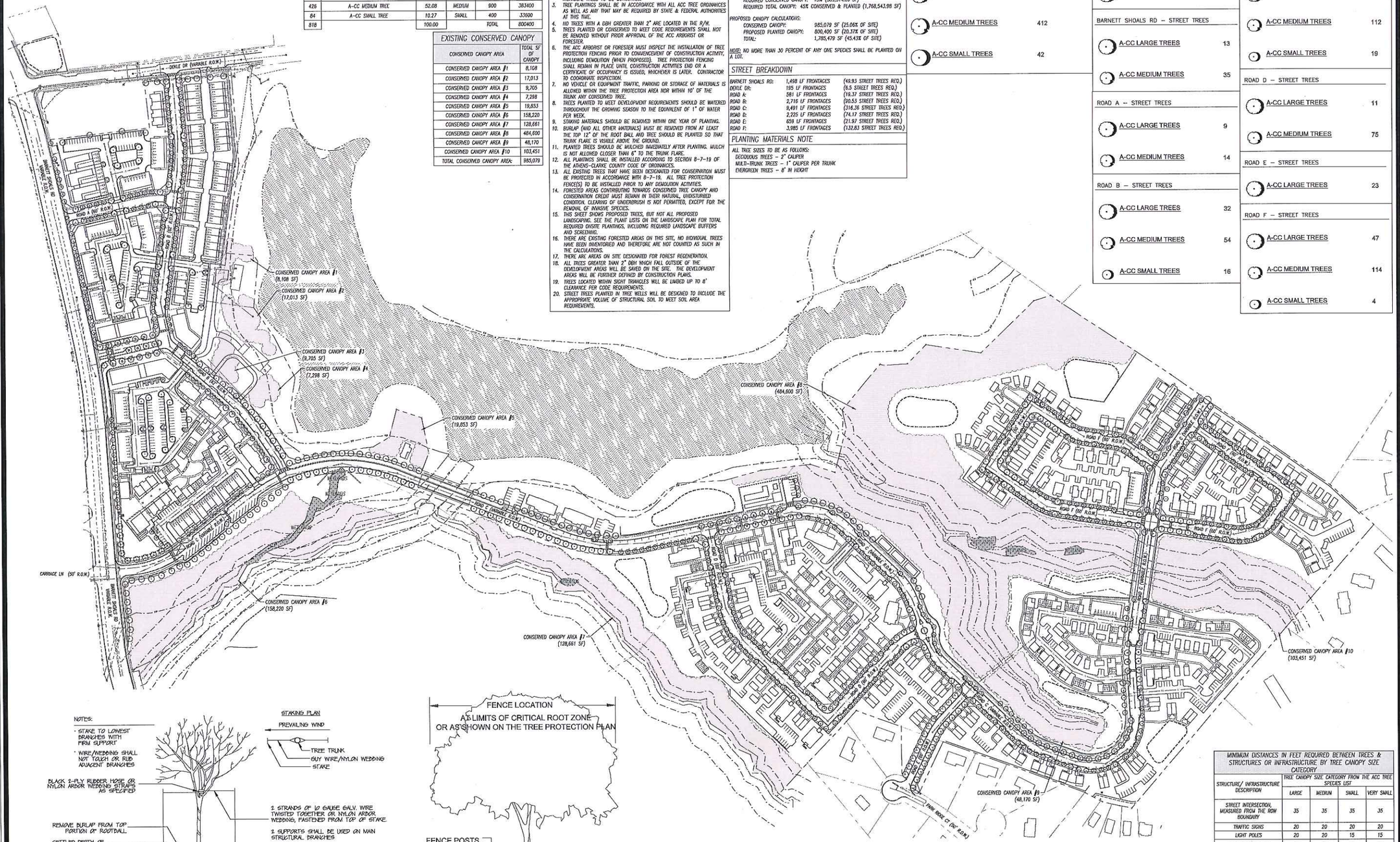
A-CC LARGE TREES	11
A-CC MEDIUM TREES	75

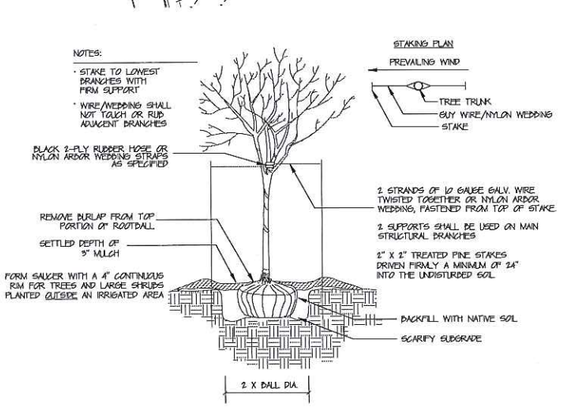
ROAD E - STREET TREES

A-CC LARGE TREES	23

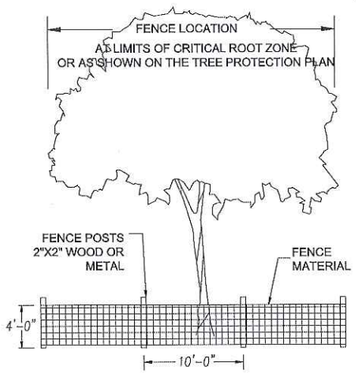
ROAD F - STREET TREES

A-CC LARGE TREES	47
A-CC MEDIUM TREES	114
A-CC SMALL TREES	4





1 PLANTING DETAIL FOR TREES
N.T.S.



2 TREE PROTECTION FENCE
1 1/2" = 1'-0"

MINIMUM DISTANCES IN FEET REQUIRED BETWEEN TREES & STRUCTURES OR INFRASTRUCTURE BY TREE CANOPY SIZE CATEGORY				
STRUCTURE/ INFRASTRUCTURE DESCRIPTION	TREE CANOPY SIZE CATEGORY FROM THE ACC TREE SPECIES LIST			
	LARGE	MEDIUM	SMALL	VERY SMALL
STREET INTERSECTION, MEASURED FROM THE ROW BOUNDARY	35	35	35	35
TRAFFIC SIGNS	20	20	20	20
LIGHT POLES	20	20	15	15
OVERHEAD UTILITIES	30	20	0	0
UNDERGROUND UTILITIES	5	5	5	5
MAILBOXES	5	5	5	5
FH, ELECTRICAL BOXES, MH	5	5	5	5
CURB, SIDEWALK, EOP	3.5	3	2	2
BUILDINGS	15	10	5	5

Non-Binding
Stephen Jaynes
2-13-25

SCALE 1" = 150' 75 150 300

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THE SHOALS

ATHENS-CLARKE COUNTY, GEORGIA
90.22 ACRES

Know what's below. Call before you dig. 811

REVISIONS

DATE	COMMENT

FOR REVIEW ONLY

INITIAL SUB. DATE: 6/28/24

ISSUANCE DATE: 12/31/24

GEORGIA REGISTERED No. 1939 PROFESSIONAL LANDSCAPE ARCHITECT STEPHEN H. KESLER

W&A PROJECT #: 230161

PD TREE MANAGEMENT PLAN

L201

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Marc Beechuk

From: Max Doty
Sent: Thursday, October 31, 2024 2:08 PM
To: Bruce Lonnee; Marc Beechuk
Subject: Lakewood PD Public Comment
Attachments: Lakewood PD Mr. Simonson Comment.pdf; Lakewood PD Mr. Simonson Envelope.pdf

Bruce and Marc,

We have received a piece of mail from Mr. Marc. G. Simonson in regards to the Dekle Lake/Lakewood PD plans. The letter is postmarked for October 26, 2024.

I was able to speak with Mr. Simonson and get a copy of the plans to him. After reviewing the plans, Mr. Simonson would like to express his gratitude and make note that the plans shown have satisfied his concerns.

However, he would still like his initial submission to be entered as public comment.

I've attached Mr. Simonson's letter to the official file as well as to this email.

Thanks,

Max Doty
Planner II – Special Projects
Athens-Clarke County Planning Department
max.doty@accgov.com / 706.613.3515

10-25-2024

TO: ATHENS CLARKE COUNTY PLANNING DEPARTMENT
120 W. DOUGHERTY STREET
ATHENS, GEORGIA 30601 (ATT: MAX DOTY)

FROM: MARC G. SIMONSON, TTE OWNER OF
182-184 PARK RIDGE COURT
ATHENS, GA

IN 1994 I STARTED LOOKING FOR A DUPLEX TO BUY IN ATHENS, FOR MY FUTURE RETIREMENT HOME. I WANTED A QUIET AND PRIVATE LOCATION, AND I FOUND IT AT 182-184 PARK RIDGE COURT IN ATHENS, GEORGIA, AND I BOUGHT IT ON JUNE 1, 1994.

A FEW MONTHS AGO I RECEIVED A LETTER FROM YOUR OFFICE NOTIFYING ME OF A PROPOSED ZONING ACTION REGARDING THE DUPLEX NEXT DOOR TO ME AT 162 PARK RIDGE COURT. INCLUDED WAS A DETAILED MAP WHICH SHOWED SOME ACTION AT 162 PARK RIDGE COURT.

ON OCTOBER 23, 2024, I SPOKE WITH MAX DOTY IN YOUR DEPARTMENT (706) 613-3515. HE TOLD ME THAT THE DUPLEX NEXT DOOR TO MINE, ... 162 PARK RIDGE COURT WAS GOING TO BE REMOVED AND REPLACED WITH A NEW STREET RUNNING FROM PARK RIDGE COURT AND PASSING BY MY DUPLEX AND CONNECTING TO LAKEWOOD DRIVE IN THE BACK OF MY DUPLEX AT 182-184 PARK RIDGE CT. MAX ALSO SAID THERE WOULD BE A SIDE WALK RUNNING ALONG SIDE THIS NEW STREET.

I AM QUITE UPSET AND CONCERNED WITH THIS SITUATION BECAUSE IT WILL ON MY DUPLEX BE SURROUNDED ON THREE SIDES BY STREETS, AND SIDE WALKS. THIS WILL RESULT IN LOTS OF STREET AND PEDESTRIAN NOISE, BOTH AT 182 PARK RIDGE COURT'S TWO BEDROOMS, AND AT BOTH BEDROOMS IN 184 PARK RIDGE COURT.

THIS WILL DESTROY MY PEACE AND QUIET AND DEVALUE MY RETIREMENT HOME DUPLEX.

THIS SITUATION IS VERY UNFAIR, AND I HOPE AND PRAY YOU CAN MAKE SOME CHANGES IN THE PLANS... LIKE MOVING THE NEW STREET SOMEWHERE ELSE.

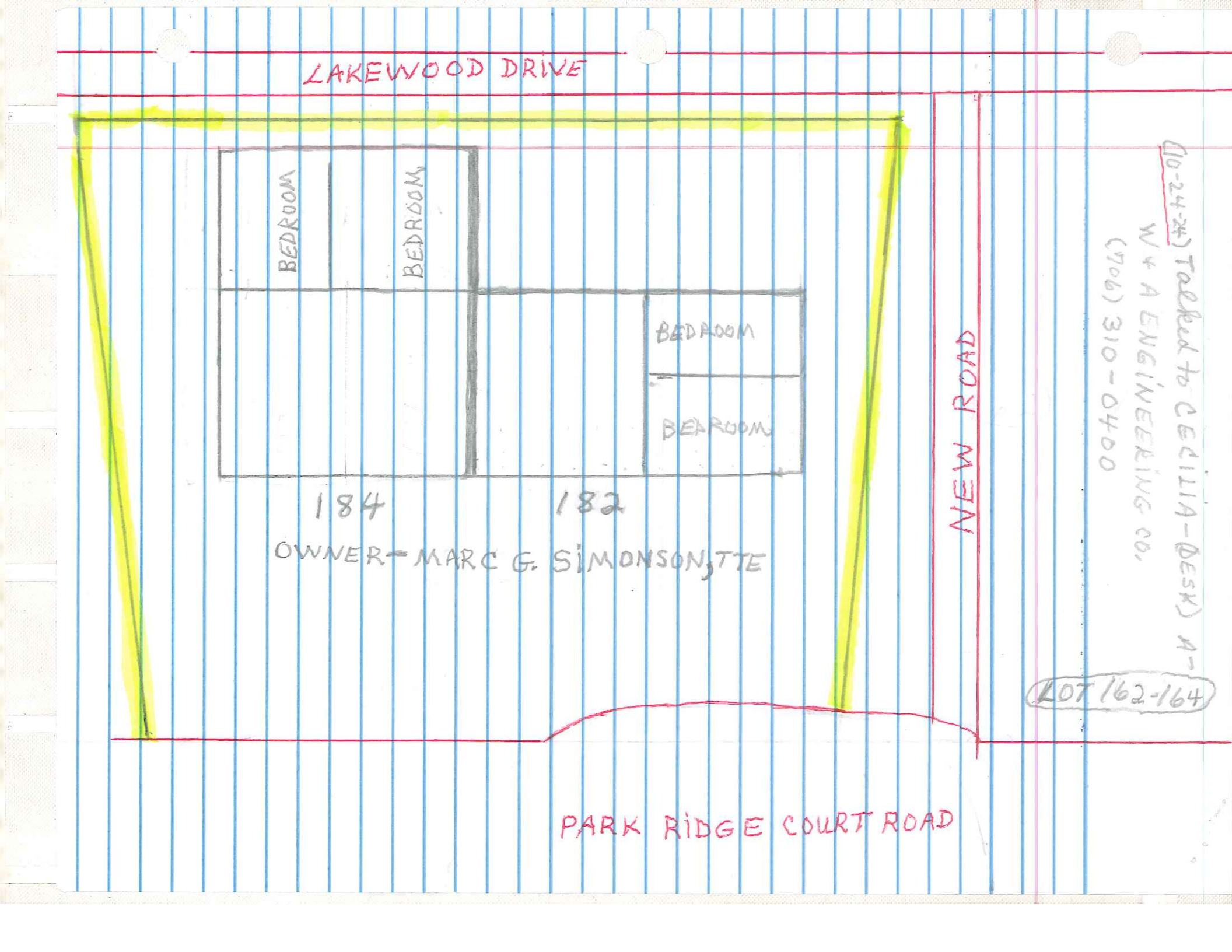
IF NOT, I AM ASKING THAT THE NEW ROAD AND SIDEWALK NEXT TO 182 PARK RIDGE COURT BE DROPPED DOWN TO THE LEVEL OF PARK RIDGE COURT'S LEVEL IN FRONT OF THE ENTRANCE TO MY PROPERTY-DRIVEWAY.

ALSO, I AM ASKING THAT LAKEWOOD DRIVE ROAD AND SIDEWALK THAT WOULD RUN BEHIND THE WHOLE BACK SIDE OF MY BUILDING BE DROPPED DOWN 20 FEET FROM MY DUPLEX'S SLAB LEVEL.

AFTER 30 YEARS, IT IS VERY DIFFICULT FOR ME TO SEE MY FUTURE RETIREMENT HOME DREAM DISAPPEAR.

I HOPE YOU ALL WILL BE SO KIND AS TO MAKE THIS SITUATION BETTER FOR ME... THANK YOU!

Marc G. Simonson, TTE


LAKEWOOD DRIVE
BEDROOM
BEDROOM
BEDROOM
BEDROOM
184
182
OWNER - MARC G. SIMONSON, ETE
NEW ROAD
PARK RIDGE COURT ROAD
(10-24-24) Talked to CECILIA - DESK) A-
W + A ENGINEERING CO.
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THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: CY 2025 Pavement Maintenance Project Contract Award

DATE: ~~January 23, 2025~~ February 28, 2025

EXECUTIVE SUMMARY:

The proposed action will approve the designation of ~~(TBD)~~ ER Snell Contractor Inc. contractor as the apparent low responsive and responsible bidder and award a Total Unit Price Construction Services Contract, in the amount of ~~$(TBD)~~ $3,985,101, to ~~(TBD)~~ ER Snell Contractor Inc. for Calendar Year 2025 Pavement Maintenance Project.

BUDGET INFORMATION:

REVENUES:	$ 4,668,633	FY24-25 General Fund Capital Budget
	$20,351,000	TSPLOST 2023 Project #21 (Paving Portion, all tiers)
	$ 1,555,750	2025 GDOT LMIG Program
	$26,575,383	Total Funds Available
EXPENSES:	$12,483,620	Current Expenses & Encumbrances (Previous Programs)
	$ 122,345	Paving Inspection Staff Salary & Benefits – recommended
	$ 75,000	Materials Testing and Inspection Services – recommended
	$ 5,437,750	Future Program Funds (Designated Funds) – TSPLOST 2023
	$ 1,000,000	Future Epps Bridge Pkwy Preventative Maint. – recommended
	~~$ 344,485~~ $3,471,567	Program Overall Contingency (Designated Funds)
	~~$ 7,112,183~~ $3,985,101	Available for Construction of CY 2025 Pavement Management Project (including $300,000 Extra Work Contingency Allowance)

FUNDING SOURCE: General Fund Capital Budget
TSPLOST 2023 Project 21 (Paving Portion)
GDOT Local Maintenance and Improvement Grant (LMIG)

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request that Mayor and Commission:

1. Approve the designation of ~~(TBD)~~ ER Snell Contractor Inc. as the apparent low responsive and responsible bidder for the CY 2025 Pavement Maintenance Project;

2. Award a Total Unit Price Construction Services Contract in the amount of ~~$(TBD)~~ $3,985,101 to ~~(TBD)~~ ER Snell Contractor Inc. as the lowest responsive and responsible

bidder for the CY25 Pavement Maintenance Project & associated maintenance activities as shown on **Attachment #1** (including an Extra Work Contingency Allowance in the amount of $300,000); and

3. Authorize Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 1997, Transportation and Public Works Department (T&PW) staff implemented a comprehensive Pavement Management Program (PMP) to address maintenance needs of the public roadway system. T&PW staff evaluates and updates the program on an annual basis.

2. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program, which included funding for Pavement Rehabilitation.

3. On December 5, 2017, M&C approved the initial TSPLOST 2018 Program Implementation Schedule identifying the annual PMP funding from TSPLOST 2018 Program #07 to be used in conjunction with other fund sources.

4. On March 6, 2018, M&C approved the first calendar year PMP Project list for the CY18 PMP to match the paving season, which typically starts in March and ends in November. Since 2018, paving projects have been grouped into calendar year (CY) rather than fiscal year (FY).

5. On March 27, 2019, T&PW issued a Notice to Proceed to Arcadis, U.S., to perform automated pavement condition assessment and inventory of all ACCGov roadways including inventory of signs and intersections utilizing an elementary pavement management software, Micro Paver (Paver™). This was the first automated rating performed on locally maintained roadways.

6. In April 2019, T&PW and other departments began utilizing Cityworks, a cloud-based work order and asset management system, to assign and track day to day operations for staff and to create an asset inventory.

7. On June 15, 2020, Manager Williams shared with the M&C an Interdepartmental Memorandum (IDM) with updates from T&PW on the new automated pavement rating initiative, including history and methodology used to assess the condition of roadway pavement. The memo describes the old rating system process in use through CY20 and the new pavement rating system to be implemented in CY21 and into the future.

8. On May 24, 2022, voters of Athens-Clarke County passed the TSPLOST 2023 referendum, which included Project No. 21, Pavement Rehabilitation.

9. On June 7, 2022, M&C approved the selection of 6 firms to provide on-call engineering services, one of which is KCI Technologies, Inc. The recommendations for these 6 firms were based on technical ability, experience, resources, references, interviews and overhead & profit/cost multipliers.

10. On June 10, 2022, under suspension of rules, M&C approved the CY22 PMP list of roadways and associated maintenance activities recommended by staff, approved the designation of Pittman Construction Company as the apparent low responsive and responsible bidder for the CY22 PMP Project, awarded a Unit Price Construction Services Contract in the amount of $8,149,423.70 (three-year term renewable contract), and authorized the Mayor to execute all related project and contract documents.

11. On January 26, 2023, KCI Technologies, Inc. provided T&PW staff with a scope and fee proposal titled "Pavement Management Services and Right-of-Way Assets Inventory and Condition Assessment" including:
    a. Core Task: pavement inventory and condition assessment with multiyear maintenance software training compatible with the ACCGov Geographical Information System (GIS) and CityWorks System for a cost not to exceed $332,900; and
    b. Additional Task: right-of-way infrastructure inventory and assessment including traffic signs, pavement markings, pavement striping, curb & gutter, sidewalk curb ramp, and traffic light inventory and condition assessment for a total fee not to exceed $464,100 (available within 12 months from notice to proceed on KCI's Core Task).

12. On March 7, 2023, M&C approved a contract for services through KCI Technologies to provide a comprehensive pavement inventory and condition assessment with multiyear maintenance report and software training for a cost not to exceed $332,900.

13. On July 19, 2023, Change Order #1 was executed to existing KCI Technologies Task Order to develop a curb and gutter inventory and curb reveal elevation and to perform a Ground Penetrating Radar (GPR) evaluation of selected streets owned by ACCGov and located in Athens-Clarke County, for a cost not to exceed $45,750.

14. On February 13, 2024 in a Work Session meeting, T&PW staff and KCI consultant presented KCI pavement rating results for all publicly maintained roadways and solicited feedback on funding, future treatment strategy and priority.

15. On March 21, 2024, T&PW staff received a draft 2023 Pavement Evaluation & Management Plan report from KCI consultant. T&PW staff received final report in July 2024 (see History #18).

16. On June 5, 2024, M&C approved the list of roadways and associated maintenance activities for the CY24 PMP Project and the one-year extension to the construction contract with Pittman Construction Company, Inc. for the CY24 PMP Project at a cost not to exceed $8,415,454.56. This was the second and last renewal option to the CY22 PMP Project Contract.

17. On June 28, 2024, GDOT announced the LMIG funds available for Fiscal Year 2025. 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 $1,555,749.97 as part of the 2025 LMIG Program. The deadline to submit the grant application to GDOT is February 1, 2025.

18. On July 31, 2024, T&PW staff received KCI's final Pavement Evaluation & Management Plan report that including Curb & Gutter data base (Facts & Issues No. 8 & 9, and **Attachment #2**).

19. On January 2, 2025, M&C authorized T&PW staff to submit, and accept, if awarded, the 2025 GDOT LMIG application in the amount of $1,555,749.97 and adopted associated budget ordinance. It is expected that 2025 GDOT LMIG awards will be announced in mid to late February 2025.

20. On January 9, 2025, T&PW and Finance staff began the advertisement and solicitation of sealed bids on the proposed CY 2025 Pavement Maintenance Project, as shown on **Attachment #1**. Opening of bids is currently scheduled for February 13, 2024 and is subject to change per future addendums.

21. On January 14, 2025, in a scheduled work session for M&C, T&PW staff presented proposed list of roadways and associated maintenance activities for CY 2025 Pavement Management Project along with remaining roads to be prioritized for future CY26 PMP Project.

22. On January 27, 2025, the TSPLOST Oversight Committee reviewed the proposed list of roadways and associated maintenance activities for CY 2025 Pavement Maintenance Project and confirmed that the proposed CY25 PMP Project meets the TSPLOST 2023 Project 21, Pavement and Bridge Maintenance Program statement.

23. On February 4, 2025, M&C approved the list of roadways and associated maintenance activities for the CY 2025 Pavement Maintenance Project, and authorized staff to include Extra Work Contingency Allowance in the amount of $300,000.

24. On February 13, 2025, T&PW & Procurement staff received bids from prospective contractors for the advertised CY 2025 Pavement Maintenance Project.

FACTS & ISSUES:

1. The Initial Project Statement for **TSPLOST 2023 Project 21 Pavement and Bridge Maintenance Program** reads as follows:

   Project 21 – This program will provide continuation of preventive road and bridge maintenance, road reconstruction, and/or rehabilitation activities for various streets and roadways throughout ACC. Depending upon actual costs and funding availability, improvements may include, but are not limited to: crack sealing, full depth patching, resurfacing, roadway reconstruction with the intent to preserve and/or extend the life of existing roadways, in addition to bridge maintenance, bridge improvements, bridge repairs, and/or bridge replacements. This is a continuation of the SPLOST 2005, SPLOST 2011, and TSPLOST 2018 Program funding. To the extent allowed by law, budgeted project funds may be used as matching funds for leveraging grant opportunities. Additionally, to the extent allowed by law, other funding sources, including, but not limited to, grants, may be utilized to offset and/or reduce the project budget. Any unspent project funds that accrue as a result of the receipt of grants or other funding sources may be assigned to other approved TSPLOST projects.

2. ACCGov owns and maintains 628 centerline miles (1270 lane-miles) of public roadways including 81.27 centerline miles of collectors, 85.20 centerline miles of arterials, and 461.46 centerline miles of local streets.

3. Pavement maintenance activities require temperatures of at least 45 degrees Fahrenheit, and therefore typically take place between the months of March and October. To match the paving season, T&PW staff began to group the delivery of paving activities into calendar year (CY) rather than the fiscal year (FY).

4. T&PW requested PMP funding from the 2023 TSPLOST Program of $75,000,000 to address the accumulated deficit roadways with a Pavement Condition Index (PCI) score ≤ 40 as well as future pavement maintenance needs.

5. The 2023 TSPLOST was approved with $22,000,000 funding for the Pavement & Bridge Maintenance Program, including $1,649,000 designated for Bridge Maintenance and $20,351,000 for PMP projects. Funding for the PMP also includes General Capital Funds, SPLOST, and GDOT LMIG Funds.

6. In calendar year 2020 (CY20), T&PW initiated an improved PMP methodology that utilized 2019 automated condition ratings (PCI) to inform future PMP Projects, and it consisted of the following elements:
   a. <u>Inventory and evaluation of ACCGov roadways:</u> 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 four years on all ACCGov maintained public roadways.

b. Asset maintenance software & tools: PCI scores are entered into PAVER™ (also known as MicroPaver) software, a Pavement Maintenance Management System originally developed in the late 1970s 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 are entered into the software every four years concurrent with future ratings.

c. Pavement maintenance activities selection: T&PW staff work with consultants and local contractors to set up the PAVER™ software with preferred pavement treatments and historic unit costs.

d. Annual project development: T&PW staff use the PAVER™ software to generate a multi-year program with alternative treatments based on the PCI based on available budget and preferred average PCI scoring.

7. Between 2019 and 2023, T&PW staff utilized PAVER™ programing order to maximize efficiency and transparency providing data driven approach to annual paving programs. The PAVER™ program did not meet all expectations, triggering a new initiative for CY24 PMP Project List to utilize Cityworks, an already acquired asset management software, followed by the purchase of Pavement Express application offered as an extension to Cityworks (History #6). Cityworks software is already in use by multiple ACCGov departments for day-to-day work orders.

8. Newly collected roadway PCI scores in 2023 by on-call consultant KCI (History #15 & 18) are utilized to develop annual paving programs, starting with CY24 PMP Project List (resurfacing & preventative maintenance lists), based on available funding. 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
55-75	Good	Good conditions that should have received crack sealing and may be considered for other preventative treatments based on observed localized deteriorations.
40-55	Marginal	Acceptable conditions that require 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.

9. KCI's 2023 Pavement Evaluation and Management Report is now complete, and it provides a complete picture of ACCGov's roadway pavement ratings and future needs based on a desirable average PCI, see figure 22 below (see **Attachment #2** for complete report):

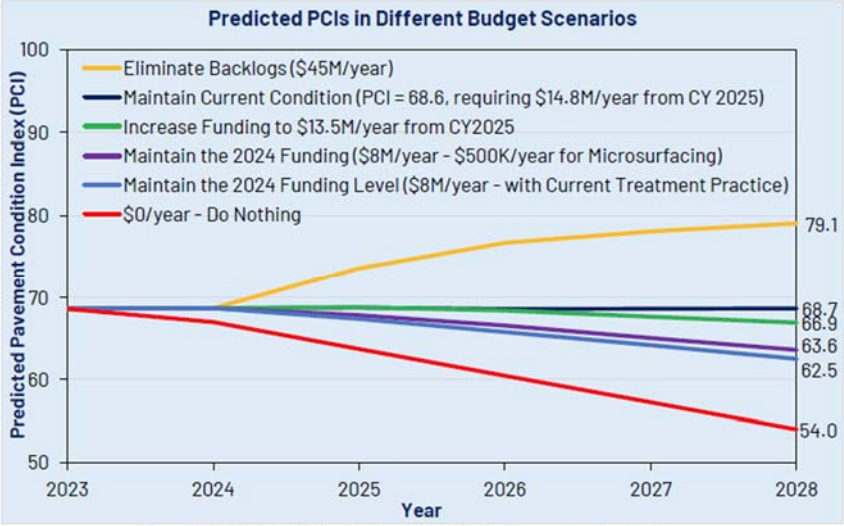


Figure 22. Effect of funding level on County's pavement conditions.

10. Based on observed pavement deterioration, T&PW's goal and industry standard set a resurfacing frequency of 10 years for arterials, 15 years for collectors, and 20 years for local roads. This equates to resurfacing 75 lane-miles annually for a weighted frequency of about 17 years as opposed to the current 50-year cycle which is based on current funding. T&PW staff agrees with KCI's report and recommends that the annual PMP funding would need to be approximately $13.4 million to achieve the recommended frequency, but this level of funding still does not address the backlog in paving that has accumulated from years of underfunding.

11. Pavement deterioration rates are different for each roadway. Therefore, PCI scores change over time and, when asset management tools are utilized over a number of years (10 to 20 years), it will allow departmental staff to better predict needed maintenance including resurfacing in the future. Proactive planning, periodic inspections, preventative maintenance, and adequate funding, will better equip T&PW staff to accurately provide future paving and maintenance schedules.

12. Roadway surface deterioration is driven by multiple factors including:

    a. Traffic loading: this includes total annual traffic counts and the type of vehicles navigating the roadway.

b. Roadway construction and subsurface integrity: This can vary based on the roadway pavement thickness and whether or not there is adequate sub-base. For example, roadways built without graded aggregate stone are prone to swelling and deterioration faster than roads that have the adequate subsurface construction.

c. Utility cuts: All utility cuts are prone to failure, and the lack of oversight and quality inspections may lead to substandard work that may fail and cause water to seep into cracks and cause major pavement failures.

d. Weather: Water and excessive low and high temperature will contribute greatly to escalating deterioration rates. With contraction and expansion comes more cracks that allow for more water to enter into the roadway subsurface that leads to roadway surface and subsurface failure.

e. Lack of funding: Minimal preventative maintenance such as crack sealing, thin patching, and thin overlay will cause the pavement surface to deteriorate faster. It becomes far more expensive to rehabilitate and more likely to require extensive preparatory work prior to resurfacing.

13. The CY24 PMP Project contractor, Pittman Construction, has completed 60% of the CY24 PMP Project. T&PW staff continues to work with the contractor on expediting progress to meet substantial completion date of January 31, 2025. The contractor will have 30 days, from Substantial Completion date, to complete all corrective items.

14. Typically, PCI rating is given to a short segment of the roadway, reflecting a granular look and small portion of the entire stretch of one roadway. For example, one roadway that is typically paved all at once may have multiple segments, and each segment has its own rating (PCI). Facts & Issues No. 15 through 17 explain how the CY25 PMP Project List was selected.

15. The selection matrix developed by KCI will first examine segments with low PCI (PCI ≤ 55) and determine the best approach/treatment to improve the roadway condition. If there is a localized deterioration present that can be addressed via limited deep patching treatment, the road segment is placed in the preventative maintenance list for deep patching. Otherwise, the road and adjoining segments will be examined under the resurfacing treatment matrix (F&I #16 & 17). Additional roads with abnormal localized deterioration that exceeds T&PW's in-house ability to repair by Street & Drainage Division staff are added to the recommended deep patching list.

16. There are three GDOT roadway classifications. It is T&PW staff and KCI recommendations to set a different PCI threshold for resurfacing and/or rehabilitation per classifications as follows:
    a. Local – PCI ≤ 40
        i. These roadways provide access to homes, businesses, and other property
        ii. Posted speed generally 20-25 mph (may be greater)
        iii. Have a low truck, heavy equipment, and non-commercial traffic volumes

b. Collector – PCI ≤ 48
    i. These roadways link arterials and local roads and perform some of the duties of each.
    ii. Posted speed typically exceeds 30 MPH
    iii. May have residents - rural sections
    iv. Have higher truck and heavy equipment traffic volumes than local roadways.
c. Arterials – PCI ≤ 55
    i. These roadways provide mobility so traffic can move from one place to another quickly and safely.
    ii. Posted speed 40+ MPH
    iii. Have high traffic with higher truck traffic and movement of goods and services than Collector roadways.

17. When a roadway segment is below threshold for resurfacing based on roadway classification (F&I #15 & 16), multiple steps are taken to select the preferred treatment:
    a. **Existing curb condition and curb reveal:** T&PW will build a tailored treatment to re-establish curb reveal. This is projected to build a deficit list of roadways that needs full depth reconstruction (FDR). This type of work will have to be bid separately. When a road is put in the FDR list, it will continue to receive patching treatments to maintain an acceptable PCI (above threshold) until funding is adequate to move into FDR work and contracts.
    b. **Subsurface conditions**: Many of ACC roadways lack adequate subsurface compaction resulting in a short service life for roadway pavement. Roads with failed or inadequate subsurface condition that do not qualify for traditional resurfacing will be placed on the FDR list of roadways. When a road is put in the FDR list, it will continue to receive patching treatments to maintain an acceptable PCI (above threshold) until funding is adequate to move into FDR work and contracts.
    c. **Pavement design based on roadway classification and traffic loading:** A design matrix is in development to create a systemic design process for selecting the mill and inlay thickness that is based on the subsurface conditions and traffic loading with the intent to re-establish curb reveal and proper drainage in the roadway.

18. The resurfacing portion of the current CY24 PMP Project List adopted a geographically broad approach, driven by the very low PCI scores identified in the automated pavement scoring conducted in the summer of 2023 (History #12 through #15). For the CY25 PMP Project List, the resurfacing focus shifts to the northern part of ACCGov, with the goal of improving cost efficiency by minimizing mobilization costs. This will be achieved by dividing ACCGov roads geographically, addressing the most deteriorated roads over two consecutive paving seasons. The proposed CY25 resurfacing work will focus on roads north of West Broad St / Atlanta Hwy, while those south of this line will be included in the CY26 PMP Project List. This strategy, successfully implemented in the CY22 & CY23 PMP Projects, has proven effective in reducing unit costs by lowering mobilization expenses and enhancing the efficiency of project completion.

19. The proposed CY 2025 Pavement Maintenance Project includes 285 roadway segments totaling approximately 71.74 lane-miles of roadway at an estimated cost of $6,812,183, and includes:
    - **Rehabilitation (Resurfacing)** will be performed on 67 roadway segments totaling approximately 17.28 lane-miles of roadway at an estimated cost of $4,806,257, as shown in **Attachment #1**.

      Rehabilitation activities typically include one or more of the following preparatory treatments followed by a structural asphalt overlay (commonly referred to as resurfacing): crack seal, chip seal, full-depth patch, milling and inlay, gutter milling, crack preventative layer, leveling, and full depth replacement, in addition to shoulder buildup for rural roadways.
    - **Preventative Maintenance** on 218 roadway segments totaling approximately 54.46 lane-miles of roadway at an estimated cost of $2,005,926, as shown in **Attachment #1**. This list includes:
        - Post-resurfacing crack sealing performed on entire roadway segments with pavement from 4 to 5 years old.
        - Deep patching with crack sealing performed on localized deteriorated areas within poor and marginal roadways (PCI ≤ 55) which exceeds the T&PW's in-house capabilities to address.

      Preventative maintenance activities are designed to preserve existing asphalt pavements and arrest deterioration before it becomes more serious and costly to repair. The effect of timely preventative maintenance is the extension of the life of roadway pavements, thereby delaying resurfacing and/or reconstruction for several years. Preventative Maintenance activities include one or more of the following treatments: crack seal, chip seal, and patching/repair of high severity potholes, corrugation, and rutting.

20. Epps Bridge Parkway is an arterial 4-lane boulevard extending from Atlanta Hwy to the Oconee/Athens-Clarke County Line and measuring slightly over 9 lane-miles. This roadway has received preventative maintenance over the past 10 years and, it has outlasted its life expectancy since it was built in late 1990's (over 25-years old). Per the latest roadway condition rating performed in July 2023, Epps Bridge Parkway is reaching marginal to poor conditions and is in need of resurfacing (1.5 inches of mill & inlay). The total cost for mill & inlay is estimated to be in the amount of $13,000,000. On the other hand, Preservation Treatments such as hot in place recycling, thin overlay, and/or micro-resurfacing can be an economical alternative that provides cost savings when compared with traditional mill & inlay. Based on actual CY 2025 Pavement Management Project bids, and with remaining FY26 TSPLOST 2023 funds (approximately $1,000,000 – see Budget section), staff will work with procurement staff to solicit viable preservation treatments on Epps Bridge Pkwy, and shall bring recommendations for M&C consideration in a future agenda (summer 2025).

21. The proposed CY 2025 Pavement Management Project is projected to be supported with available program funding as follows:

Program Funding & Year	Amount
FY24 General Capital Carry Forward	*$53,877*
FY25 General Capital	*$2,496,000*
2025 GDOT LMIG	*$1,555,750*
TSPLOST 2023 (FY26; Tier IV)	*$3,006,556*
Total Available for CY25 PMP Projects	$7,112,183

22. A contingency allowance of approximately 5% of the cost estimate in the amount of $300,000 has been added to the bid schedule to cover unanticipated work not originally included in the itemized bid. This amount of funding is to address balancing of material quantities for work performed on the proposed CY 2025 Pavement Maintenance Project and associated maintenance activities shown on **Attachment #1**.

23. T&PW and Procurement staff received bids from prospective contractors on February 13, 2025 for the advertised CY 2025 Pavement Maintenance Project. The bids that were received are shown in the table below:

Bidder	Total Base Bid Amount (w/o Contingency	Contingency Allowance	Total Bid Amount
~~TBD~~ East Coast Grading	~~$00.00~~ $3,527,435.95	$300,000	~~$00.00~~ $3,827,435.95
~~TBD~~ **ER Snell Contractor Inc.**	~~$00.00~~ **$3,685,100.90**	$300,000	~~$00.00~~ **$3,985,100.90**
~~TBD~~ Pitman Construction	~~$00.00~~ $4,315,562.03	$300,000	~~$00.00~~ $4,615,562.03
~~TBD~~ Vertical Earth	~~$00.00~~ $4,642,487.01	$300,000	~~$00.00~~ $4,942,487.01
CW Matthews	$5,458,263.93	$300,000	$5,758,263.93
Scruggs Company / Sunbelt Asphalt Surf. Inc.	$6,791,113.09	$300,000	$7,091,113.09

24. The Pavement Management Project is the first project bid under the Business Inclusion Policy approved by M&C, administered by the Procurement Administrator of the Finance Department, and is now in effect since January 2025. East Coast Grading, the lowest bid received, filed a blank BIP compliance form and was determined to be non-responsive to the bid and ineligible for consideration for award. T&PW and Purchasing staff have reviewed the remaining bids and recommend award of a unit price construction services contract ~~for the Base Bid (TBD)~~ to ER Snell Contractor Inc. as the lowest responsive and responsible bidder in the amount of ~~$(TBD)~~ $3,985,100.90.

25. If M&C designate and award the contract to ~~(TBD)~~ ER Snell Contractor Inc. contractor, T&PW staff will begin the process to compile and execute the Total Unite Price Contract with ~~(TBD)~~

ER Snell Contractor Inc. contractor followed by Notice to Proceed in April 2025. The CY 2025 Pavement Maintenance Project is expected to be complete by December 1, 2025.

26. The difference between the estimated cost of $7,211,183 and the recommended bid received for award of $3,985,100.90 is $3,127,082, representing a 44% reduction. Staff attribute this variance to economies of scale, which are beyond their control. In June 2022, for the CY22 Pavement Management Project, only one bid was received. However, this year, five bids were submitted, ranging from $3.83 million to $7.1 million, with an estimated cost of $7.1 million.

27. The remaining funds has been added to future pavement management projects and contingency of the Pavement Management Program, and upon successful contract execution, staff will begin working with the contractor to assess ability and path forward for future change order to include more roads in the CY25 based on current PCI conditions. If successful, staff will bring recommendation to M&C in future agenda for consideration.

~~26.~~ 28. This recommendation supports the following ACCGov Strategic Plan Goals & Strategies:

- Safely Move Around Athens, Strategy D: *Create more usable and aesthetically pleasing corridor connections between residential and commercial areas*
- Built and Natural Infrastructure, Strategy C: *Adequate funding for maintenance of existing and newly constructed infrastructure*

OPTIONS:

1. Mayor and Commission:
    a. Approve the designation of ~~(TBD)~~ ER Snell Contractor Inc. as the apparent low responsive and responsible bidder for the CY 2025 Pavement Maintenance Project;
    b. Award a Total Unit Price Construction Services Contract in the amount of ~~$(TBD)~~ $3,985,101 to ~~(TBD)~~ ER Snell Contractor Inc. as the lowest responsive and responsible bidder for the CY 2025 Pavement Maintenance Project & associated maintenance activities as shown on **Attachment #1** (including an Extra Work Contingency Allowance in the amount of $300,000); and
    c. Authorize Mayor and appropriate staff to execute all related documents.
2. The Mayor and Commission do not approve the designation and Award of Contract for the CY 2025 Pavement Maintenance Project.
3. Mayor and Commission Defined Option.

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

DEPARTMENT: Transportation & Public Works
Prepared by: Derick Mason, Engineering Administrator



Rani Katreeb, P.E.
Interim Director

January 23, 2025
Date:

ADMINISTRATIVE COMMENTS:

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



Brad Griffin,
Interim Manager

02/13/2025
Date:

ATTACHMENTS:

Attachment #1: CY25 List of Roadways
Attachment #2: KCI 2023 Pavement Evaluation and Management Plan Report

Attachment #1

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY2025 PMP - REHABILITATION RESURFACING
PROPOSED

REHABILITATION: Structural asphalt overlay (resurfacing) including preparatory treatments.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
1	SEGID-2248	Atkinson Dr	Clifton Dr	Pendleton Dr	43	0.10	0.234	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
2	SEGID-2249	Atkinson Dr	Pendleton Dr	Devereux Dr	47	0.10	0.225	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
3	SEGID-2250	Atkinson Dr	Devereux Dr	Pendleton Dr	51	0.10	0.248	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
4	SEGID-2426	Atkinson Dr	Pendleton Dr	Ashton Dr	55	0.04	0.093	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
5	SEGID-1452	Avery St	Dixon Dr	N Main St	44	0.12	0.236	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
6	SEGID-1551	Bach Dr	Pasteur Ct	Robert Hardeman Rd	43	0.11	0.244	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
7	SEGID-1488	Bach Dr	Picasso Dr	Pasteur Ct	54	0.06	0.148	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
8	SEGID-5975	Brittany Rd	Chesterfield Rd	Chesterfield Rd	42	0.24	0.527	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
9	SEGID-1933	Cameron Ct	WEST END	Vaughn Rd	46	0.10	0.246	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
10	SEGID-445	Carrol Ave	Knottingham Dr	Knottingham Dr	49	0.14	0.312	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
11	SEGID-443	Carrol Ave	Knottingham Dr	NE END	50	0.07	0.168	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
12	SEGID-237	Chapel Hill Way	Providence Rd	SE END	47	0.05	0.125	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
13	SEGID-560	Chattooga Ave	Alley	Nacoochee Ave	41	0.09	0.153	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
14	SEGID-1785	Chelsea Ct	Chesterfield Rd	EAST END	44	0.05	0.149	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
15	SEGID-5151	Cheyenne Ave	Cassidy Cir	Lawton Ln	39	0.18	0.331	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
16	SEGID-5152	Cheyenne Ave	SW END	Cassidy Cir	48	0.19	0.412	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
17	SEGID-3630	Crawford Ave	SE END	Cleveland Ave	45	0.08	0.154	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
18	SEGID-278	Creekwood Pl	SOUTH END	Creekwood Dr	45	0.09	0.224	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
19	SEGID-2914	Crestview Cir	Belvoir Hts	Pine Needle Rd	39	0.20	0.369	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
20	SEGID-2779	Deer Creek Ct	SOUTH END	Vincent Dr	43	0.10	0.281	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
21	SEGID-2874	Easy St	Satula Ave	Park Ave	48	0.09	0.170	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
22	SEGID-1796	Eton Ct	Yorkshire Rd	NE END	43	0.05	0.158	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
23	SEGID-2194	Ferncliff Dr	Rivermont Rd	Woodcrest Dr	43	0.09	0.184	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
24	SEGID-2201	Ferncliff Dr	Robinhood Ct	Rivermont Rd	43	0.12	0.230	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
25	SEGID-2200	Ferncliff Dr	Woodcrest Dr	Robinhood Ct	46	0.09	0.186	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
26	SEGID-2206	Ferncliff Dr	Rivermont Rd	Pine Forest Dr	60	0.07	0.147	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
27	SEGID-1632	Hanover Ct	Hanover Dr	SE END	41	0.08	0.160	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
28	SEGID-2972	Hart Ave	King Ave	Hodgson Dr	42	0.22	0.440	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
29	SEGID-146	Hobbs Rd	Woodside Dr	Woodside Dr	43	0.53	0.826	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
30	SEGID-561	Hodgson Dr	W Broad St	Hart Ave	43	0.03	0.089	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
31	SEGID-2971	Hodgson Dr	Hart Ave	King Ave	46	0.24	0.450	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
32	SEGID-95	Joe Carey Dr	SE END	Dunlap Rd	46	0.10	0.160	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
33	SEGID-2863	Lakeview St	Nantahala Ave	New Ave	49	0.05	0.086	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
34	SEGID-456	Landor Pl	Forest Heights Dr	NW END	49	0.05	0.184	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
35	SEGID-723	Maxey Blvd	Barber St	EAST END	41	0.18	0.439	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
36	SEGID-2045	Merlin Dr	Lavender Rd	Merlin Ct	49	0.44	1.009	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
37	SEGID-312	Michele Pl	Michele Dr	Lake Dr	46	0.09	0.179	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
38	SEGID-1604	Montclair Ct	WEST END	Bob Wages Rd	49	0.06	0.173	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
39	SEGID-2717	Nassau Ln	Championship Dr	Fairway Dr	40	0.07	0.135	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
40	SEGID-1540	Nassau Ln	Putter Pl	Club Dr	45	0.13	0.233	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
41	SEGID-1539	Nassau Ln	Fairway Dr	Putter Pl	51	0.13	0.260	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
42	SEGID-2718	Nassau Ln	Club Dr	Championship Dr	55	0.15	0.290	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
43	SEGID-5380	Oakmont Cir	Moores Grove Rd	Oakmont Pl	38	0.22	0.397	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
44	SEGID-5378	Oakmont Cir	Oakmont Pl	Moores Grove Rd	49	0.16	0.307	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
45	SEGID-5379	Oakmont Pl	Oakmont Cir	NORTH END	48	0.05	0.142	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY2025 PMP - REHABILITATION RESURFACING
PROPOSED

REHABILITATION: Structural asphalt overlay (resurfacing) including preparatory treatments.

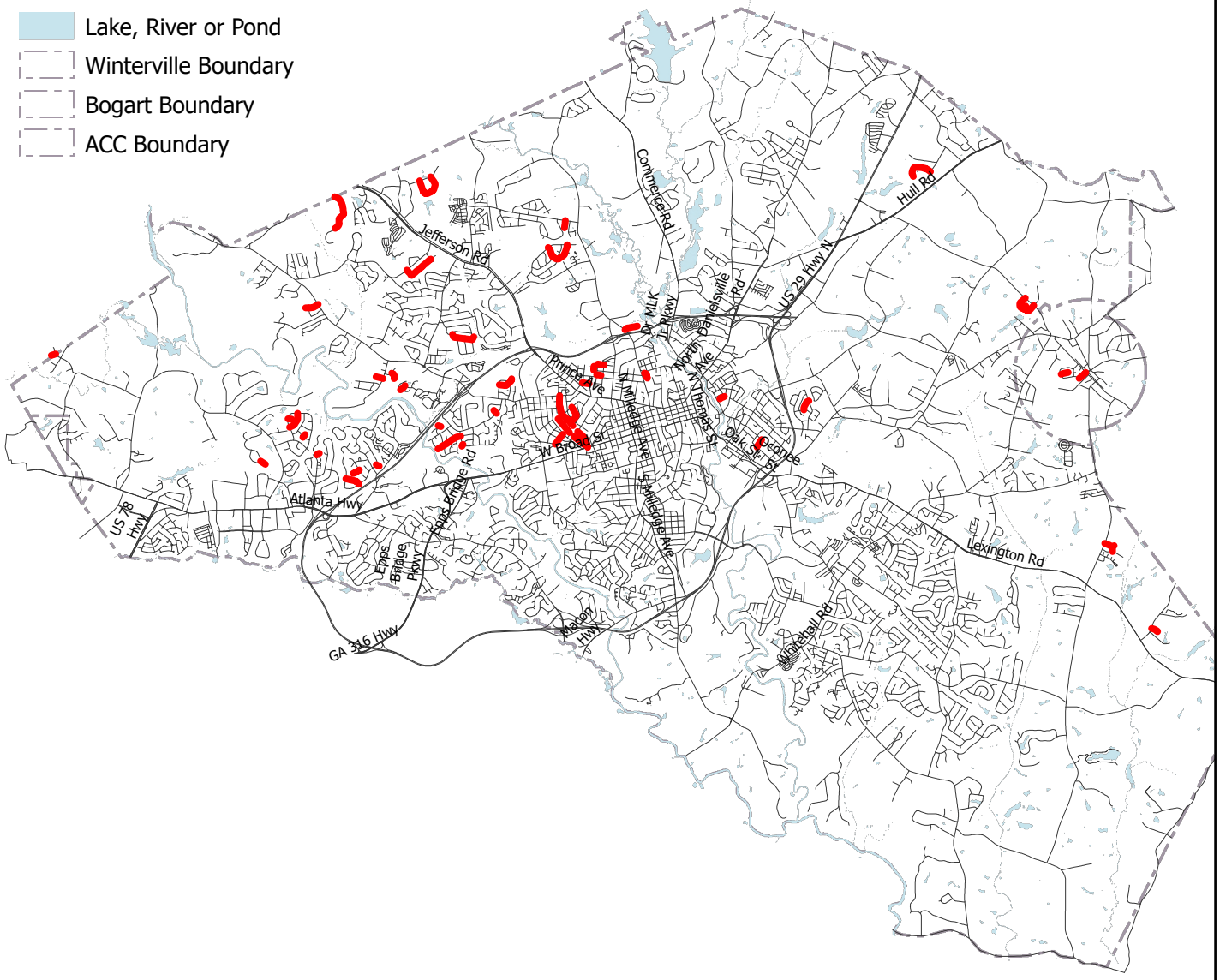
No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
46	SEGID-1477	Pasteur Ct	Bach Dr	NE END	46	0.04	0.144	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
47	SEGID-387	Pine Forest Ct	SW END	Pine Forest Dr	48	0.03	0.168	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
48	SEGID-155	Ramble Hills Dr	Ramble Hills Way	Tallassee Rd	42	0.14	0.270	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
49	SEGID-154	Ramble Hills Dr	Ramble Hills Way	W End	45	0.04	0.080	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
50	SEGID-394	Rockdale Ct	Escoe Ct	EAST END	39	0.04	0.134	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
51	SEGID-4020	Simmons St	Branch St	E Broad St	38	0.12	0.217	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
52	SEGID-164	Slick Rock Ct	Huntington Shoals Dr	NE END	44	0.04	0.143	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
53	SEGID-220	St Paul Dr	Norman Way	Providence Rd	41	0.13	0.254	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
54	SEGID-219	St Paul Dr	Riverbottom Rd	Norman Way	42	0.07	0.129	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
55	SEGID-3924	Summerwood Pl	SW END	Pearl St	48	0.07	0.203	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
56	SEGID-2959	Sunset Ter	Old W Broad St	Sunset Dr	42	0.09	0.187	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
57	SEGID-2958	Sunset Ter	Sunset Dr	Holman Ave	53	0.08	0.145	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
58	SEGID-1453	Susan Cir	Winterhills Dr	E End	39	0.10	0.222	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
59	SEGID-2035	Thornhill Cir	Thornhill Dr	Thornhill Dr	43	0.52	1.094	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
60	SEGID-2864	Tibbetts Ave	Hiawassee Ave	EAST END	49	0.06	0.104	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
61	SEGID-225	Urbana Way	SW END	New Haven Dr	43	0.10	0.227	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
62	SEGID-2955	Westover Dr	Talmadge Dr	Pine Needle Rd	48	0.24	0.467	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
63	SEGID-2965	Willow Run	Talmadge Dr	Pine Needle Rd	40	0.21	0.375	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
64	SEGID-2923	Willow Run	Pine Needle Rd	Edwards Dr	46	0.11	0.197	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
65	SEGID-2940	Willow Run	Oglethorpe Ter	Oglethorpe Ave	50	0.08	0.146	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
66	SEGID-2933	Willow Run	Edwards Dr	Oglethorpe Ter	56	0.08	0.154	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
67	SEGID-4342	Wright Cir	Cook Dr	Washington Dr	48	0.15	0.301	Roadway - 20% Patching + 1.5" 9.5 MM Asphalt Mill & Inlay - Local
					TOTAL	8.26	17.28	

CY 2025 PMP - RESURFACING NORTH

N

Legend

- CY25 PMP Resurfacing North
- Street Centerline
- Lake, River or Pond
- Winterville Boundary
- Bogart Boundary
- ACC Boundary



0 1.25 2.5 5 Miles

Athens-Clarke County
Transportation & Public Works

Current Time: 11/25/2024

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / PATCH ONLY
PROPOSED

PREVENTATIVE MAINTENANCE: Includes Patching on localized deterioations including large potholes, corrugations, and rutting of pavement.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
1	SEGID-5509	Atlanta Hwy	Old Cleveland Rd	Cleveland Rd	56	0.04	0.121	Patch Only
2	SEGID-5515	Atlanta Hwy	Dozer Dr	Nunnally St	58	0.32	1.159	Patch Only
3	SEGID-6076	Atlanta Hwy	Cleveland Rd	Dozer Dr	58	0.06	0.220	Patch Only
4	SEGID-4000	Baldwin St	E Campus Rd	Williams St	51	0.09	0.281	Patch Only
5	SEGID-3421	Baxter St	S Rocksprings St	Clarke Central HS	57	0.17	0.504	Patch Only
6	SEGID-3013	Baxter St	Magnolia St	Dudley Dr	57	0.04	0.126	Patch Only
7	SEGID-4914	Cedar Shoals Dr	Whit Davis Rd	Redstone Dr	50	0.18	0.590	Patch Only
8	SEGID-4256	College Station Rd	Mark Twain Cir	Mark Twain Cir	50	0.11	0.441	Patch Only
9	SEGID-4101	College Station Rd	E Campus Rd	Carlton St	51	0.18	0.677	Patch Only
10	SEGID-4249	College Station Rd	University Cir	Segrest Cir	51	0.23	0.914	Patch Only
11	SEGID-4257	College Station Rd	College Cir	Mark Twain Cir	51	0.06	0.246	Patch Only
12	SEGID-3828	Danielsville Rd	Northside Dr	Alley	58	0.01	0.024	Patch Only
13	SEGID-4411	Danielsville Rd	Forest Acres Cir	Helican Springs Rd	58	0.02	0.066	Patch Only
14	SEGID-2174	Epps Bridge Pkwy	Kirkwood Dr	Timothy Rd	56	0.10	0.403	Patch Only
15	SEGID-2176	Epps Bridge Pkwy	Telfair Pl	Kirkwood Dr	56	0.09	0.266	Patch Only
16	SEGID-2177	Epps Bridge Pkwy	Windy Hill Pl	Old Epps Bridge Rd	56	0.21	0.783	Patch Only
17	SEGID-2131	Epps Bridge Pkwy	Ridgeview Dr	Iris Dr	58	0.11	0.404	Patch Only
18	SEGID-2179	Epps Bridge Pkwy	Wood Lake Dr	Telfair Pl	58	0.21	0.736	Patch Only
19	SEGID-5693	Epps Bridge Pkwy	Timothy Rd	Ruthwood Ln	58	0.14	0.425	Patch Only
20	SEGID-4536	Gaines School Rd	Maison Dr	Continental Dr	56	0.06	0.228	Patch Only
21	SEGID-5087	Gaines School Rd	Continental Dr	Lexington Rd	56	0.17	0.903	Patch Only
22	SEGID-5792	Gaines School Rd	Cedar Creek Dr	Ashley Cir	56	0.06	0.229	Patch Only
23	SEGID-4535	Gaines School Rd	Briarcliff Ln	Maison Dr	57	0.03	0.117	Patch Only
24	SEGID-4545	Gaines School Rd	Cedar Pointe Dr	Springtree Rd	58	0.02	0.075	Patch Only
25	SEGID-5794	Gaines School Rd	Private Rd	Private Rd	58	0.03	0.092	Patch Only
26	SEGID-4639	Greencrest Dr	Barnett Shoals Rd	Brookwood Dr	49	0.15	0.317	Patch Only
27	SEGID-5806	Hawthorne Ave	Hawthorne Park	Prince Ave	58	0.22	0.897	Patch Only
28	SEGID-4426	Ila Rd	Norwood Cir	Norwood Ln	57	0.10	0.180	Patch Only
29	SEGID-2976	King Ave	Old W Broad St	Sunset Dr	51	0.10	0.187	Patch Only
30	SEGID-679	N Chase St	Reese St	W Hancock Ave	42	0.08	0.152	Patch Only
31	SEGID-1282	N Thomas St	E Strong St	North Ave	57	0.05	0.204	Patch Only
32	SEGID-3867	North Ave	Northcrest Dr	Entrance Ramp	58	0.02	0.114	Patch Only
33	SEGID-4453	Olympic Dr	Indian Hills Dr	Indian Hills Dr	49	0.58	2.857	Patch Only

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / PATCH ONLY
PROPOSED

PREVENTATIVE MAINTENANCE: Includes Patching on localized deterioations including large potholes, corrugations, and rutting of pavement.

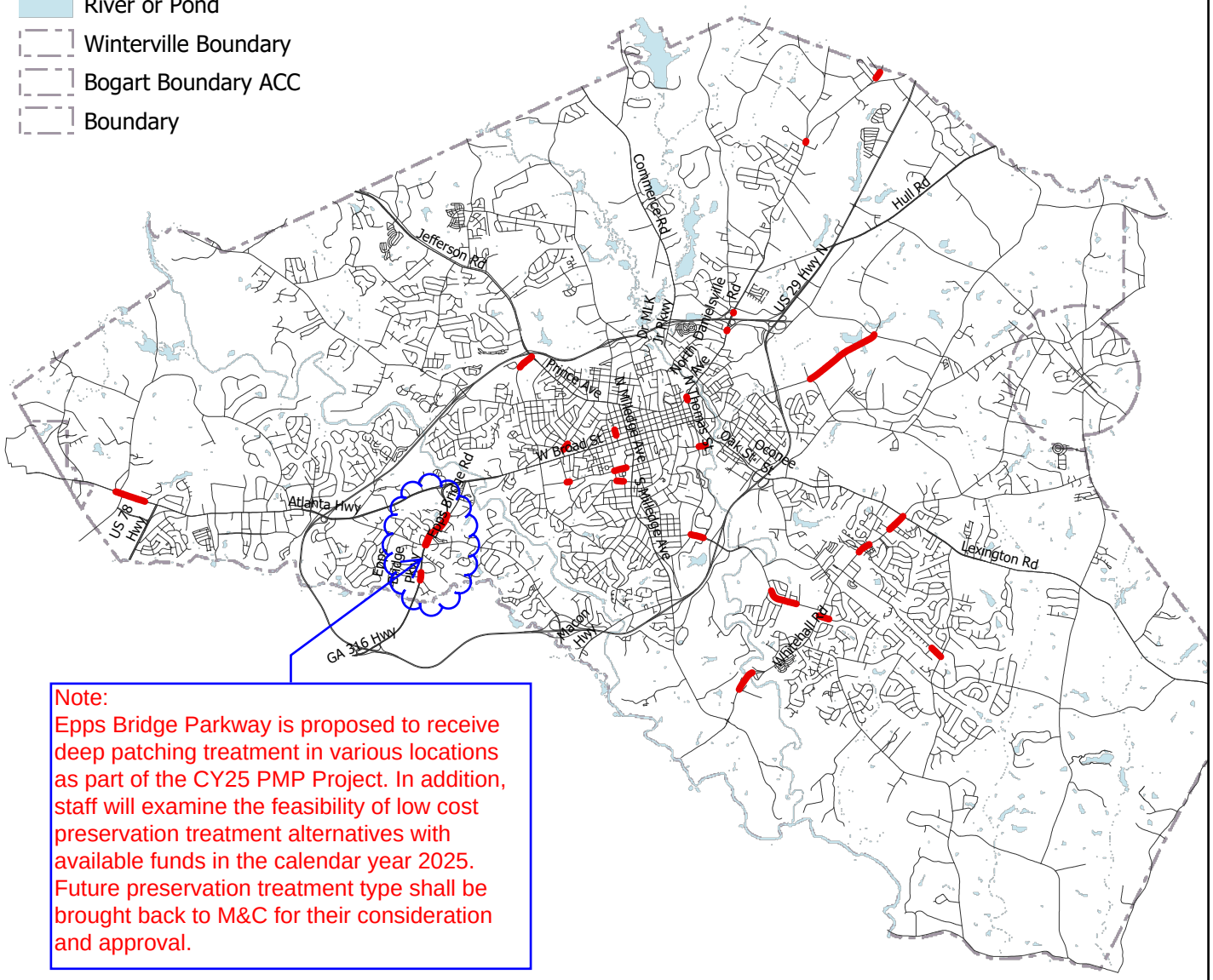
No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
34	SEGID-4451	Olympic Dr	Hancock Industrial Way	Hancock Industrial Way	50	0.50	2.274	Patch Only
35	SEGID-3414	Springdale St	S Rocksprings St	Myrna Ct	50	0.10	0.244	Patch Only
36	SEGID-4138	Whitehall Rd	Hidden Hills Ln	White Cir	57	0.30	0.572	Patch Only
						4.93	18.03	

CY 2025 PMP - PATCH ONLY

N

Legend

- CY25 PMP Patch Only
- Street Centerline Lake,
- River or Pond
- Winterville Boundary
- Bogart Boundary ACC
- Boundary



Note:
Epps Bridge Parkway is proposed to receive deep patching treatment in various locations as part of the CY25 PMP Project. In addition, staff will examine the feasibility of low cost preservation treatment alternatives with available funds in the calendar year 2025. Future preservation treatment type shall be brought back to M&C for their consideration and approval.

0 1.25 2.5 5 Miles

Athens-Clarke County
Transportation & Public Works

Current Time: 11/25/2024

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / POST RESURFACING CRACK SEALING
PROPOSED

PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
1	SEGID-5373	Adair St	Athens Rd	Harris St	92	0.18	0.350	Post Resurfacing Crack Seal
2	SEGID-3591	Barrow St	Barber St	Childs St	92	0.09	0.183	Post Resurfacing Crack Seal
3	SEGID-3595	Barrow St	Childs St	Pulaski St	93	0.11	0.220	Post Resurfacing Crack Seal
4	SEGID-4478	Ben Epps Dr	Ben Epps Dr	Lyons Rd	83	0.10	0.205	Post Resurfacing Crack Seal
5	SEGID-4479	Ben Epps Dr	Lyons Rd	Winterville Rd	95	0.03	0.059	Post Resurfacing Crack Seal
6	SEGID-599	Benning St	Columbus Ave	Paris St	91	0.04	0.086	Post Resurfacing Crack Seal
7	SEGID-408	Bethany Ct	Kirby Ln	EAST END	94	0.09	0.240	Post Resurfacing Crack Seal
8	SEGID-409	Bethany Ct	Carrie Ct	Kirby Ln	94	0.12	0.218	Post Resurfacing Crack Seal
9	SEGID-2237	Bowden Ln	Carrie Ct	Sarah Dr	59	0.04	0.072	Post Resurfacing Crack Seal
10	SEGID-2235	Bowden Ln	Kara Dr	Kelli Dr	90	0.07	0.121	Post Resurfacing Crack Seal
11	SEGID-2236	Bowden Ln	Kelli Dr	Carrie Ct	95	0.02	0.042	Post Resurfacing Crack Seal
12	SEGID-4376	Buford Way	SOUTH END	Burkland Dr	90	0.07	0.193	Post Resurfacing Crack Seal
13	SEGID-3396	Burnett St	Pinecrest Dr	OFarrell St	77	0.09	0.167	Post Resurfacing Crack Seal
14	SEGID-3399	Burnett St	OFarrell St	Scott St	94	0.07	0.132	Post Resurfacing Crack Seal
15	SEGID-3614	Cain St	WEST END	Lyndon Ave	62	0.09	0.150	Post Resurfacing Crack Seal
16	SEGID-2406	Camak Dr	Unknown	Old Jefferson Rd	78	0.13	0.195	Post Resurfacing Crack Seal
17	SEGID-5730	Camak Dr	Andover Dr	Timsbury Dr	84	0.04	0.059	Post Resurfacing Crack Seal
18	SEGID-2405	Camak Dr	Canady Dr	Andover Dr	92	0.08	0.129	Post Resurfacing Crack Seal
19	SEGID-2404	Camak Dr	Jefferson River Rd	Canady Dr	94	0.10	0.165	Post Resurfacing Crack Seal
20	SEGID-1948	Camelot Dr	SW END	Quail Run Dr	95	0.08	0.161	Post Resurfacing Crack Seal
21	SEGID-2403	Canady Dr	Camak Dr	NORTH END	91	0.14	0.247	Post Resurfacing Crack Seal
22	SEGID-407	Carrie Ct	Bowden Ln	Bethany Ct	95	0.07	0.120	Post Resurfacing Crack Seal
23	SEGID-90	Carrie Ct	Bethany Ct	NORTH END	95	0.03	0.105	Post Resurfacing Crack Seal
24	SEGID-3339	Castalia Ave	Milledge Cir	Oakland Ave	84	0.15	0.278	Post Resurfacing Crack Seal
25	SEGID-4385	Catalpa Ln	Lombardy Dr	Catalpa Dr	91	0.13	0.241	Post Resurfacing Crack Seal
26	SEGID-3764	Catalpa Way	Catalpa Ct	Lombardy Dr	91	0.09	0.174	Post Resurfacing Crack Seal
27	SEGID-3766	Catalpa Way	Burkland Dr	Catalpa Ct	92	0.18	0.341	Post Resurfacing Crack Seal
28	SEGID-292	Chalice Ct	SOUTH END	Chalice Ln	90	0.03	0.087	Post Resurfacing Crack Seal
29	SEGID-291	Chalice Ct	Chalice Ln	NORTH END	93	0.04	0.097	Post Resurfacing Crack Seal
30	SEGID-2710	Championship Dr	Club Dr	Tee Ln	79	0.13	0.271	Post Resurfacing Crack Seal
31	SEGID-2716	Championship Dr	Bunker Dr	Nassau Ln	79	0.13	0.291	Post Resurfacing Crack Seal
32	SEGID-2713	Championship Dr	Tee Ln	Bunker Dr	85	0.10	0.214	Post Resurfacing Crack Seal
33	SEGID-2743	Chesterton Dr	Chesterton Way	Acadia Dr	59	0.09	0.166	Post Resurfacing Crack Seal
34	SEGID-3592	Childs St	Prince Ave	Barrow St	94	0.21	0.429	Post Resurfacing Crack Seal

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / POST RESURFACING CRACK SEALING
PROPOSED

PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
35	SEGID-1374	Dairy Pak Rd	Barber St	EAST END	77	0.36	0.841	Post Resurfacing Crack Seal
36	SEGID-4024	Derby St	E Broad St	Arch St	94	0.12	0.256	Post Resurfacing Crack Seal
37	SEGID-2725	Deupree Ct	Pepperidge Ln	NORTH END	89	0.05	0.135	Post Resurfacing Crack Seal
38	SEGID-4281	Edgewater Dr	Dekie Dr	SE End	90	0.21	0.541	Post Resurfacing Crack Seal
39	SEGID-4287	Edgewater Dr	Indiana Ave	Dekie Dr	93	0.19	0.472	Post Resurfacing Crack Seal
40	SEGID-719	Elizabeth St	SOUTH END	Willow St	87	0.05	0.101	Post Resurfacing Crack Seal
41	SEGID-84	Fairway Ter	NW END	Fairway Dr	89	0.04	0.139	Post Resurfacing Crack Seal
42	SEGID-3554	Franklin St	Meigs St	Hill St	83	0.08	0.145	Post Resurfacing Crack Seal
43	SEGID-3520	Franklin St	Hill St	Cobb St	87	0.08	0.119	Post Resurfacing Crack Seal
44	SEGID-3521	Franklin St	Cobb St	Prince Ave	91	0.12	0.159	Post Resurfacing Crack Seal
45	SEGID-3553	Franklin St	W Hancock Ave	Meigs St	92	0.08	0.116	Post Resurfacing Crack Seal
46	SEGID-770	Freeman Cir	Boley Dr	NW END	91	0.21	0.319	Post Resurfacing Crack Seal
47	SEGID-1457	Gatewood Pl	Gatewood Cir	EAST END	91	0.15	0.223	Post Resurfacing Crack Seal
48	SEGID-4718	Greenwood Ln	Lea Ct	Rebecca Pl	91	0.15	0.309	Post Resurfacing Crack Seal
49	SEGID-649	Henderson Ext	Dallas St	S Rocksprings St	81	0.10	0.199	Post Resurfacing Crack Seal
50	SEGID-6030	Henry Meyer Rd	Cherokee Rd	Springbrook Dr	89	0.17	0.332	Post Resurfacing Crack Seal
51	SEGID-573	Hills Chapel St	W Hancock Ave	Brooklyn Ave	83	0.09	0.164	Post Resurfacing Crack Seal
52	SEGID-574	Hills Chapel St	Brooklyn Ave	Minor St	90	0.04	0.069	Post Resurfacing Crack Seal
53	SEGID-2549	Huntleys Gln	Township Ln	Towns Walk Dr	93	0.06	0.088	Post Resurfacing Crack Seal
54	SEGID-4293	Indiana Ave	Kentucky Cir	Lexington Rd	90	0.10	0.212	Post Resurfacing Crack Seal
55	SEGID-4296	Indiana Ave	Edgewater Dr	Kentucky Cir	94	0.19	0.344	Post Resurfacing Crack Seal
56	SEGID-4291	Indiana Ave	Edgewater Dr	Johnson Dr	95	0.08	0.119	Post Resurfacing Crack Seal
57	SEGID-4290	Johnson Dr	Barnett Shoals Rd	Indiana Ave	91	0.15	0.261	Post Resurfacing Crack Seal
58	SEGID-2242	Kelli Dr	Kirby Ln	Bowden Ln	85	0.12	0.198	Post Resurfacing Crack Seal
59	SEGID-230	Kingston Way	Providence Rd	NW END	93	0.10	0.240	Post Resurfacing Crack Seal
60	SEGID-2243	Kirby Ln	Kelli Dr	Sarah Dr	92	0.06	0.103	Post Resurfacing Crack Seal
61	SEGID-2245	Kirby Ln	Sarah Dr	Bowden Ln	93	0.16	0.298	Post Resurfacing Crack Seal
62	SEGID-2247	Kirby Ln	Bowden Ln	Bethany Ct	93	0.07	0.108	Post Resurfacing Crack Seal
63	SEGID-316	Lake Ct	Lake Pl	SE END	91	0.02	0.085	Post Resurfacing Crack Seal
64	SEGID-317	Lake Pl	Lake Dr	Lake Ct	85	0.06	0.121	Post Resurfacing Crack Seal
65	SEGID-315	Lake Pl	Lake Ct	EAST END	93	0.08	0.214	Post Resurfacing Crack Seal
66	SEGID-5700	Lake Vista Dr	Lakeland Dr	Lake Vista Way	92	0.13	0.252	Post Resurfacing Crack Seal
67	SEGID-2007	Lake Vista Way	SOUTH END	Lake Vista Dr	90	0.02	0.102	Post Resurfacing Crack Seal
68	SEGID-5699	Lakeland Dr	Lake Vista Dr	Lakeland Way	91	0.05	0.113	Post Resurfacing Crack Seal

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / POST RESURFACING CRACK SEALING
PROPOSED

PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
69	SEGID-2008	Lakeland Dr	Lakeland Way	Lakeland Ct	92	0.14	0.277	Post Resurfacing Crack Seal
70	SEGID-2002	Lakeland Dr	Lakeland Ct	Lake Vista Way	95	0.03	0.054	Post Resurfacing Crack Seal
71	SEGID-2005	Lakeland Dr	Lake Vista Way	Gatewood Cir	95	0.07	0.149	Post Resurfacing Crack Seal
72	SEGID-2006	Lakeland Dr	SOUTH END	Lake Vista Dr	95	0.03	0.110	Post Resurfacing Crack Seal
73	SEGID-2010	Lakeland Dr	Gatewood Cir	Oakwood Ter	95	0.09	0.433	Post Resurfacing Crack Seal
74	SEGID-2012	Lakeland Dr	Oakwood Ter	Lakeland Pl	95	0.09	0.417	Post Resurfacing Crack Seal
75	SEGID-2013	Lakeland Pl	WEST END	Lakeland Dr	93	0.11	0.255	Post Resurfacing Crack Seal
76	SEGID-2001	Lakeland Way	Lakeland Dr	EAST END	93	0.04	0.138	Post Resurfacing Crack Seal
77	SEGID-4716	Lauren Ln	Sorenson Rdg	Rebecca Pl	93	0.12	0.228	Post Resurfacing Crack Seal
78	SEGID-6044	Le Conte Ave	Hampton Ct	University Dr	83	0.09	0.194	Post Resurfacing Crack Seal
79	SEGID-6046	Le Conte Ave	Southview Dr	Hampton Ct	87	0.08	0.162	Post Resurfacing Crack Seal
80	SEGID-4669	Lindmar Ct	SW END	Ashbrook Dr	90	0.04	0.146	Post Resurfacing Crack Seal
81	SEGID-2728	Linnea Way	Pepperidge Ln	Chesterton Dr	91	0.10	0.208	Post Resurfacing Crack Seal
82	SEGID-1740	Live Oak Dr	Lavender Rd	Live Oak Ct	91	0.12	0.224	Post Resurfacing Crack Seal
83	SEGID-1739	Live Oak Dr	Live Oak Ct	Live Oak Pl	93	0.04	0.076	Post Resurfacing Crack Seal
84	SEGID-1738	Live Oak Dr	Live Oak Pl	Live Oak Cir	95	0.09	0.162	Post Resurfacing Crack Seal
85	SEGID-151	Live Oak Pl	Rustwood Dr	Live Oak Dr	73	0.11	0.166	Post Resurfacing Crack Seal
86	SEGID-4327	Luther Ln	Martin Cir	Washington Dr	94	0.09	0.168	Post Resurfacing Crack Seal
87	SEGID-827	Madison Hts	Strickland Ave	North Ave	89	0.17	0.302	Post Resurfacing Crack Seal
88	SEGID-3690	Mandy Dr	Dr MLK Jr Pkwy	Peeks Pt	88	0.10	0.157	Post Resurfacing Crack Seal
89	SEGID-3692	Mandy Dr	Peeks Pt	Trio Ln	95	0.11	0.241	Post Resurfacing Crack Seal
90	SEGID-4255	Mark Twain Cir	College Station Rd	Faulkner St	80	0.04	0.066	Post Resurfacing Crack Seal
91	SEGID-4262	Mark Twain Cir	Sandburg St	NORTH END	83	0.05	0.094	Post Resurfacing Crack Seal
92	SEGID-4253	Mark Twain Cir	Faulkner St	Sandburg St	95	0.06	0.124	Post Resurfacing Crack Seal
93	SEGID-89	Maynard Ct	Hunt Rd	NE END	90	0.08	0.125	Post Resurfacing Crack Seal
94	SEGID-5022	Meadow Creek Dr	WEST END	McCrackin Ct	92	0.19	0.457	Post Resurfacing Crack Seal
95	SEGID-5019	Meadow Creek Dr	Meadow Creek Ln	Whit Davis Rd	94	0.18	0.294	Post Resurfacing Crack Seal
96	SEGID-5024	Meadow Creek Dr	McCrackin Ct	Meadow Creek Ln	94	0.08	0.139	Post Resurfacing Crack Seal
97	SEGID-5020	Meadow Creek Ln	Meadow Creek Dr	EAST END	92	0.16	0.413	Post Resurfacing Crack Seal
98	SEGID-339	Melba Ln	Russell Way	Russell Way	94	0.13	0.379	Post Resurfacing Crack Seal
99	SEGID-1773	Melbourne Pl	Melbourne Dr	SE END	91	0.09	0.228	Post Resurfacing Crack Seal
100	SEGID-3211	Milledge Avenue Ext	Rogers Rd	E Campus Rd	85	0.25	0.364	Post Resurfacing Crack Seal
101	SEGID-3212	Milledge Avenue Ext	Rogers Rd	Rogers Rd	89	0.23	0.389	Post Resurfacing Crack Seal
102	SEGID-1958	Mint Pl	Wisteria Way	NE END	89	0.06	0.166	Post Resurfacing Crack Seal

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
CY25 PMP - PREVENTATIVE MAINTENANCE / POST RESURFACING CRACK SEALING
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PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
103	SEGID-2846	Nantahala Ext	Pound St	Buena Vista Ave	92	0.11	0.170	Post Resurfacing Crack Seal
104	SEGID-3389	Northview Dr	Hillside Ct	Pinecrest Dr	85	0.06	0.115	Post Resurfacing Crack Seal
105	SEGID-3391	Northview Dr	Woodrow St	Hillside Ct	94	0.12	0.204	Post Resurfacing Crack Seal
106	SEGID-3333	Northview Dr	Morton Ave	Woodrow St	95	0.05	0.102	Post Resurfacing Crack Seal
107	SEGID-3105	Oakdale Rd	Duncan Springs Rd	Terrell Dr	94	0.12	0.222	Post Resurfacing Crack Seal
108	SEGID-728	Old Commerce Dr	Old Commerce Rd	Commerce Rd	92	0.20	0.349	Post Resurfacing Crack Seal
109	SEGID-3715	Old Commerce Rd	North Bluff Rd	Commerce Rd	90	0.04	0.067	Post Resurfacing Crack Seal
110	SEGID-4163	Onyx Pl	WEST END	Sapphire Ct	92	0.02	0.109	Post Resurfacing Crack Seal
111	SEGID-4167	Onyx Pl	Sapphire Ct	Diamond Dr	93	0.08	0.183	Post Resurfacing Crack Seal
112	SEGID-2151	Orion Pl	Skyline Pkwy	EAST END	91	0.02	0.093	Post Resurfacing Crack Seal
113	SEGID-3230	Parkway Dr	Parkway Dr	Parkway Dr	75	0.07	0.122	Post Resurfacing Crack Seal
114	SEGID-3228	Parkway Dr	Milledge Hts	Milledge Hts	88	0.06	0.119	Post Resurfacing Crack Seal
115	SEGID-3229	Parkway Dr	Milledge Hts	Milledge Hts	91	0.07	0.149	Post Resurfacing Crack Seal
116	SEGID-3232	Parkway Dr	Milledge Hts	Greenwood Dr	93	0.05	0.104	Post Resurfacing Crack Seal
117	SEGID-5042	Pembrook Ct	SE END	Shadow Moss Dr	82	0.04	0.100	Post Resurfacing Crack Seal
118	SEGID-542	Pound St	Boulevard	Nantahala Ext	90	0.07	0.166	Post Resurfacing Crack Seal
119	SEGID-1021	Produce Ln	Winterville Rd	NW END	89	0.09	0.286	Post Resurfacing Crack Seal
120	SEGID-1947	Quail Run Dr	Camelot Dr	NW END	89	0.04	0.067	Post Resurfacing Crack Seal
121	SEGID-1951	Quail Run Dr	Camelot Dr	Mallard Dr	89	0.11	0.205	Post Resurfacing Crack Seal
122	SEGID-2064	Quail Run Dr	Covey Ln	Partridge Ln	90	0.08	0.146	Post Resurfacing Crack Seal
123	SEGID-2061	Quail Run Dr	Mallard Dr	Partridge Ln	92	0.11	0.213	Post Resurfacing Crack Seal
124	SEGID-569	Rose St	Colima Ave	Evans St	81	0.05	0.092	Post Resurfacing Crack Seal
125	SEGID-568	Rose St	Magnolia St	Colima Ave	86	0.08	0.168	Post Resurfacing Crack Seal
126	SEGID-287	Round Table Ct	SE END	Round Table Rd	87	0.06	0.112	Post Resurfacing Crack Seal
127	SEGID-288	Round Table Rd	Round Table Ct	Chalice Ln	78	0.10	0.161	Post Resurfacing Crack Seal
128	SEGID-294	Round Table Rd	Chalice Ln	Roberts Rd	83	0.13	0.264	Post Resurfacing Crack Seal
129	SEGID-286	Round Table Rd	Roberts Rd	Round Table Ct	85	0.09	0.181	Post Resurfacing Crack Seal
130	SEGID-342	Russell Way	Alley	Melba Ln	82	0.05	0.170	Post Resurfacing Crack Seal
131	SEGID-3428	S Harris St	Peabody St	Baxter St	91	0.08	0.143	Post Resurfacing Crack Seal
132	SEGID-4008	S Poplar St	Oak St	Branch St	71	0.17	0.375	Post Resurfacing Crack Seal
133	SEGID-3400	Scott St	Morton Ave	Burnett St	92	0.07	0.138	Post Resurfacing Crack Seal
134	SEGID-6216	Seasons Pass	Winterville Park Ln	Spring Leaf Trl	95	0.26	0.469	Post Resurfacing Crack Seal
135	SEGID-2424	Sharon Cir	Hunnicutt Dr	Sharon Ct	93	0.15	0.347	Post Resurfacing Crack Seal
136	SEGID-2423	Sharon Cir	Sharon Ct	Hunnicutt Dr	100	0.20	0.549	Post Resurfacing Crack Seal

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS
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PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
137	SEGID-2422	Sharon Ct	SW END	Sharon Cir	95	0.02	0.021	Post Resurfacing Crack Seal
138	SEGID-1962	Silverbell Trce	Wisteria Way	Jasmine Trl	92	0.32	0.695	Post Resurfacing Crack Seal
139	SEGID-2146	Skyline Rdg	SW END	Skyline Pkwy	91	0.08	0.221	Post Resurfacing Crack Seal
140	SEGID-1544	Skyline Way	Skyline Pkwy	SE END	84	0.09	0.222	Post Resurfacing Crack Seal
141	SEGID-282	Southfort Ct	SW END	Westwood Dr	91	0.06	0.136	Post Resurfacing Crack Seal
142	SEGID-4108	Spalding Ct	SOUTH END	Spalding Cir	89	0.10	0.214	Post Resurfacing Crack Seal
143	SEGID-4614	Spring Lake Ct	SE END	Spring Lake Dr	95	0.09	0.185	Post Resurfacing Crack Seal
144	SEGID-4611	Spring Lake Dr	Spring Lake Pt	NW END	92	0.12	0.329	Post Resurfacing Crack Seal
145	SEGID-4615	Spring Lake Dr	Spring Lake Ct	Spring Lake Pt	93	0.08	0.159	Post Resurfacing Crack Seal
146	SEGID-4616	Spring Lake Dr	Cedar Shoals Dr	W Paces Dr	100	0.11	0.248	Post Resurfacing Crack Seal
147	SEGID-4612	Spring Lake Pt	SW END	Spring Lake Dr	95	0.03	0.138	Post Resurfacing Crack Seal
148	SEGID-1578	Spring Leaf Trl	Smokey Rd	Seasons Pass	92	0.12	0.203	Post Resurfacing Crack Seal
149	SEGID-428	Stedman Ct	Ambler Rd	NORTH END	89	0.06	0.124	Post Resurfacing Crack Seal
150	SEGID-3103	Terrell Dr	Duncan Springs Rd	Terrell Ct	84	0.09	0.183	Post Resurfacing Crack Seal
151	SEGID-3104	Terrell Dr	Terrell Ct	Oakdale Rd	89	0.08	0.161	Post Resurfacing Crack Seal
152	SEGID-3108	Terrell Dr	Oakdale Rd	Maple Cir	91	0.10	0.172	Post Resurfacing Crack Seal
153	SEGID-3109	Terrell Dr	Maple Cir	Lullwater Rd	93	0.05	0.108	Post Resurfacing Crack Seal
154	SEGID-2538	Tipperary Ct	NW END	Mal Bay Rd	85	0.06	0.109	Post Resurfacing Crack Seal
155	SEGID-2539	Tipperary Rd	Mal Bay Rd	EAST END	90	0.12	0.216	Post Resurfacing Crack Seal
156	SEGID-2560	Towns Walk Dr	Parrish Pointe Dr	Cliffhaven Ln	53	0.04	0.061	Post Resurfacing Crack Seal
157	SEGID-2564	Towns Walk Dr	Huntleys Gln	Parrish Pointe Dr	71	0.04	0.090	Post Resurfacing Crack Seal
158	SEGID-2544	Towns Walk Dr	Township Ln	Ansbeth Way	93	0.10	0.213	Post Resurfacing Crack Seal
159	SEGID-2548	Towns Walk Dr	Ansbeth Way	Huntleys Gln	95	0.07	0.139	Post Resurfacing Crack Seal
160	SEGID-2546	Township Ln	Ansbeth Way	Huntleys Gln	85	0.03	0.054	Post Resurfacing Crack Seal
161	SEGID-2545	Township Ln	Towns Walk Dr	Ansbeth Way	90	0.14	0.312	Post Resurfacing Crack Seal
162	SEGID-2562	Township Ln	Huntleys Gln	Parrish Pointe Dr	95	0.04	0.094	Post Resurfacing Crack Seal
163	SEGID-1957	Tupelo Ct	Jasmine Trl	NW END	87	0.05	0.158	Post Resurfacing Crack Seal
164	SEGID-4998	Upland Ct	W Paces Dr	NE END	92	0.06	0.151	Post Resurfacing Crack Seal
165	SEGID-4365	Walker Dr	SE END	Danielsville Rd	86	0.21	0.287	Post Resurfacing Crack Seal
166	SEGID-2232	Westchester Dr	Hanover Pl	Tallassee Rd	91	0.21	0.481	Post Resurfacing Crack Seal
167	SEGID-2095	Westchester Dr	Chalfont Dr	Hanover Pl	100	0.04	0.103	Post Resurfacing Crack Seal
168	SEGID-2225	Westchester Dr	Mitchell Bridge Rd	Westchester Ln	100	0.12	0.327	Post Resurfacing Crack Seal
169	SEGID-2226	Westchester Dr	Hanover Pl	Westchester Cir	100	0.02	0.066	Post Resurfacing Crack Seal
170	SEGID-2227	Westchester Dr	Westchester Ln	Hanover Pl	100	0.05	0.123	Post Resurfacing Crack Seal

ATHENS-CLARKE COUNTY TRANSPORTATION AND PUBLIC WORKS

CY25 PMP - PREVENTATIVE MAINTENANCE / POST RESURFACING CRACK SEALING

PROPOSED

PREVENTATIVE MAINTENANCE: Post 4 year old pavement crack seal.

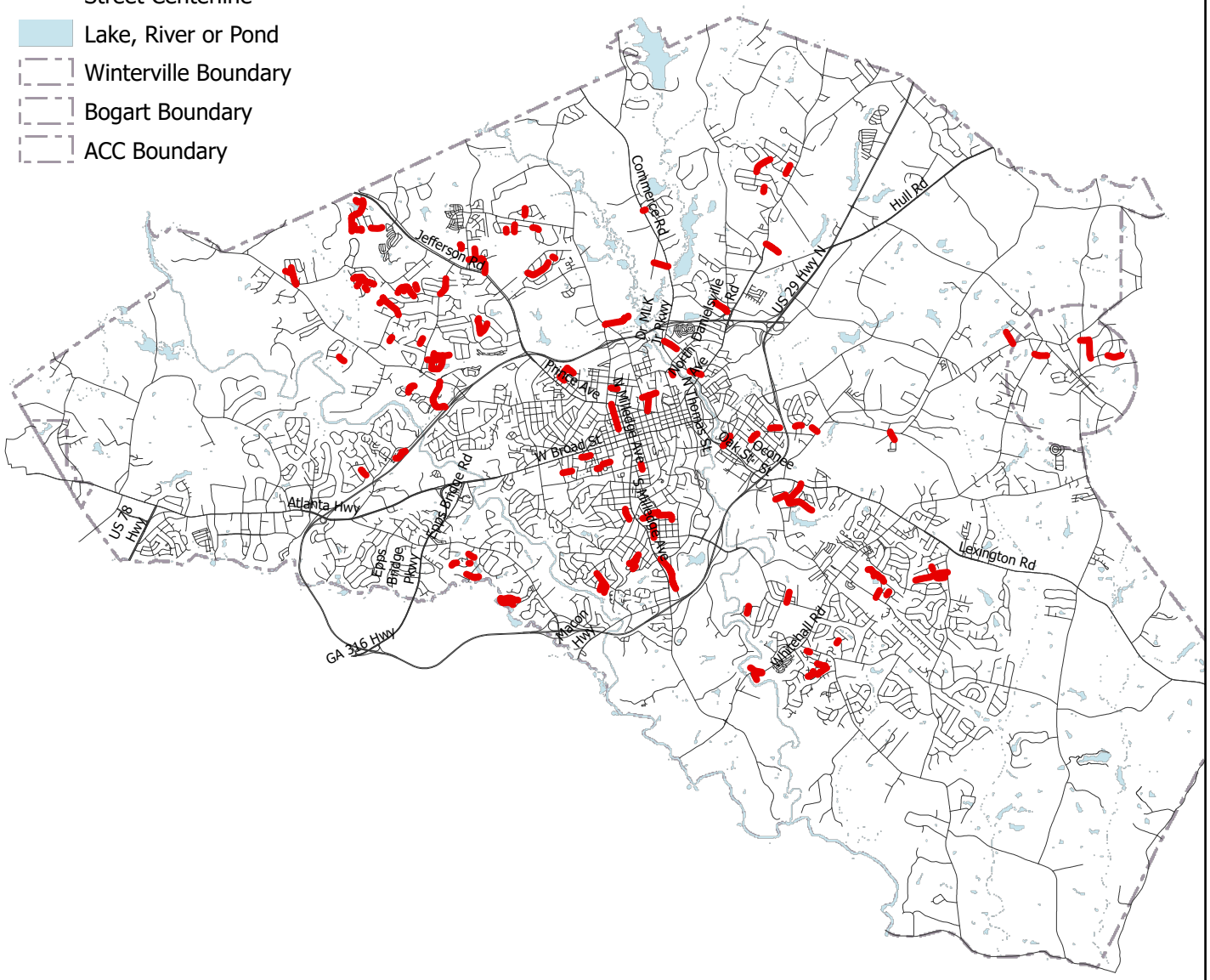
No.	Segment ID	Road Name	From Road	To Road	2023 PCI	Centerline Miles	Lanemiles	Treatment
171	SEGID-2229	Westchester Dr	Westchester Cir	Chalfont Dr	100	0.07	0.136	Post Resurfacing Crack Seal
172	SEGID-940	White Ct	White Cir	White Cir	75	0.20	0.267	Post Resurfacing Crack Seal
173	SEGID-941	White Ter	WEST END	Whitehall Rd	85	0.18	0.240	Post Resurfacing Crack Seal
174	SEGID-414	Whitehead Cir	Whitehead Rd	Rosewood Pl	88	0.14	0.190	Post Resurfacing Crack Seal
175	SEGID-417	Whitehead Cir	Rosewood Pl	Whitehead Ter E	94	0.10	0.158	Post Resurfacing Crack Seal
176	SEGID-3223	Wildwood Ct	Milledge Hts	NE END	86	0.05	0.121	Post Resurfacing Crack Seal
177	SEGID-2749	Winery Way	Harvest Way	Vineyard Dr	49	0.10	0.206	Post Resurfacing Crack Seal
178	SEGID-1576	Winterville Park Ln	Seasons Creek Xing	Seasons Chase	95	0.19	0.318	Post Resurfacing Crack Seal
179	SEGID-4222	Winthrop Ct	Winthrop Way	EAST END	95	0.05	0.154	Post Resurfacing Crack Seal
180	SEGID-2834	Yonah Ave	Pound St	Boulevard Hts	85	0.08	0.143	Post Resurfacing Crack Seal
181	SEGID-4320	Zebulon Dr	WEST END	Cone Dr	69	0.06	0.161	Post Resurfacing Crack Seal
182	SEGID-4319	Zebulon Dr	Cone Dr	EAST END	87	0.07	0.175	Post Resurfacing Crack Seal
						17.79	36.43	

CY 2025 PMP - CRACK SEALING

N

Legend

- CY25 PMP Post Resurfacing Crack Seal
- Street Centerline
- Lake, River or Pond
- Winterville Boundary
- Bogart Boundary
- ACC Boundary



0 1.25 2.5 5 Miles

Athens-Clarke County
Transportation & Public Works

Current Time: 11/25/2024



Submitted to: Athens–Clarke County, GA

2023 PAVEMENT EVALUATION & MANAGEMENT PLAN

March 21, 2024

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List of Acronyms

American Society for Testing Materials (ASTM) 5
Digital Survey Vehicle (DSV) 5
global positioning system (GPS) 6
International Roughness Index (IRI) 14
KCI Technologies Inc. (KCI) 5
Laser Crack Measurement System (LCMS) 5
maintenance and rehabilitation (M&R) 5
Pavement Condition Index (PCI) 5
Pavement Management System (PMS) 5

1 Introduction

1.1 Background

Athens-Clarke County contracted KCI Technologies Inc. (KCI) to evaluate pavement conditions and update pavement management plans for County-owned roadways. This involved taking an inventory and assessing the roadway conditions of the entire network within the County limits to determine the best pavement maintenance plan that would bring the highest return on investment.

KCI evaluated about 632 centerline miles of roadway using an automated Laser Crack Measurement System (LCMS) based on the American Society for Testing Materials (ASTM) D6433 Standard Practice for Roads and Parking Lots Pavement Condition Index (PCI) Survey methodology to determine PCI values for each section. KCI also implemented a Pavement Management System (PMS) with the Pavement Express™ platform, predicted future conditions, created budget scenarios, and proposed maintenance and rehabilitation (M&R) plans for the County's roadway pavement network.

1.2 County's Existing Roadway Network

At the beginning of the project, KCI established an inventory and geodatabase of County-owned and maintained roadways with the cooperation of the County's staff. The County provided the street centerline geodatabase for KCI to update it with the required attributes for pavement data collection. About 632 centerline miles (1298 lane-miles) of roadway were identified under the County's jurisdiction.

Table 1. Summary of the Athens-Clarke County's pavement network in May 2023.

Functional Class	Lane-Miles	Number of Sections	% Pavement Network
Principal Arterial	8.8	30	0.7%
Minor Arterial	172.4	528	13.3%
Major Collector	176.5	493	13.7%
Local Road	932.1	3790	72.1%
Alley	8.3	80	0.6%

2 Pavement Condition Data Collection and Processing

2.1 Pavement Condition Data Collection

KCI collected geo-referenced right-of-way images of the County's roadway network using the Digital Survey Vehicle (DSV) between June 8, 2023, and July 20, 2023. KCI's DSV, equipped with the LCMS, shown in Figure 1, has the following features and captures images at 20-ft intervals:

- The LCMS-2 camera is a downward-facing laser array providing images used to evaluate data that conforms with ASTM D6433 protocols, which uses two 1-millimeter-pixel resolution line scan cameras to provide a customized digital condition rating system to collect user-defined severity/extent-based pavement distresses and rutting.
- The pavement distress type, density, severity, and extent are collected with the LCMS-2 and are used to calculate a PCI score between 0-100, representing the condition of 100% of the driven lanes.

- A Point Gray Ladybug 5+ 32MP 360-degree High-Definition camera is utilized for accurate ROW asset capture, extraction, and pavement QC/QA.
- A class 1 inertial profiler simultaneously captures dual-wheel path (left and right) IRI measurements to the hundredth inch, in accordance with AASHTO R48. The inertial profiler meets the requirements and will operate in accordance with AASHTO Standards M 328, R 57-10, R 56-10, and R43M/R43-7.
- Linear distance measuring to within +/-0.5%, and Applanix POS/LV with DGPS (Provides accurate GPS coordinates for each subsystem)

Each image is linearly referenced with the DSV's onboard distance measuring instrument (DMI) and associated global positioning system (GPS) coordinates. For two-lane County highways, KCI collected images in a single direction. KCI collected pavement and right-of-way images from both directions for divided and roads with three or more lanes.

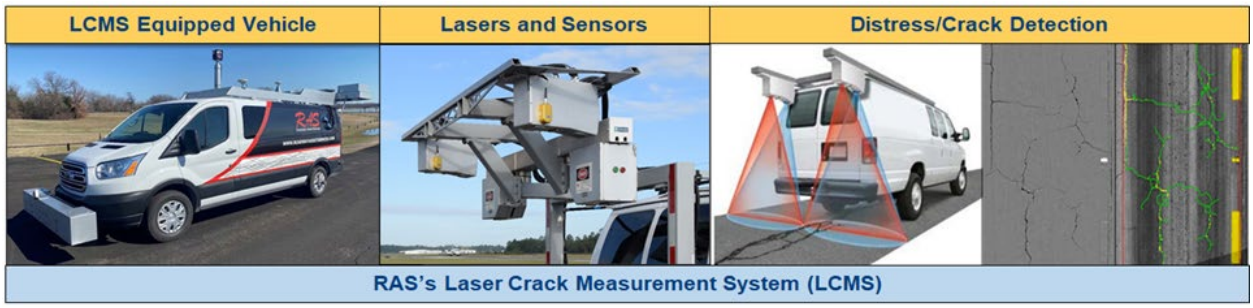


Figure 1. Laser Crack Measurement System for pavement condition assessment.

The LCMS captures enhanced right-of-way images using a right-of-way camera system. The images are used to assess the surface condition of the pavement in accordance with ASTM D6433 Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys.

2.2 Pavement Condition Index (PCI)

PCI is a pavement condition measurement index ranging from 0 to 100. This is an industry-standard defined in ASTM D6433. A newly constructed pavement will have a PCI of 100, whereas a failed pavement will have a PCI of 10 or less, as shown in Figure 2.

PCI Value	Pavement Rating
86 - 100	Excellent
71 - 85	Very Good
56 - 70	Good
41 - 55	Marginal
26 - 40	Poor
0 - 25	Very Poor

Figure 2. Pavement condition category based on the PCI values.

After the initial construction, pavement condition starts deteriorating with time due to traffic loads and volumes, climate, construction materials, and age. Common traffic load-related distresses include fatigue cracking, corner break, etc., whereas block cracking, longitudinal and transverse cracking, etc., are climate-related distress. Typical concrete pavement distresses include transverse cracks, longitudinal cracks, random cracks, corner breaks, spalling, and faulting. A PCI survey allows users to compare all pavements on a standard scale and provides an index for monitoring pavement deterioration and treatment selection during the PMS analysis.

2.3 Field Pilot

KCI worked with the County staff to determine a pilot area of approximately 15 miles of roadways for deliverable review by County staff as shown in Figure 3. The pilot allowed the KCI team to collect, process, and review condition data with County staff to confirm the accuracy of the data collection and interpretation protocols. Our project manager hosted the condition data review on September 19, 2023, where he reviewed site conditions with County staff, received their feedback, and incorporated it into the pavement data processing.

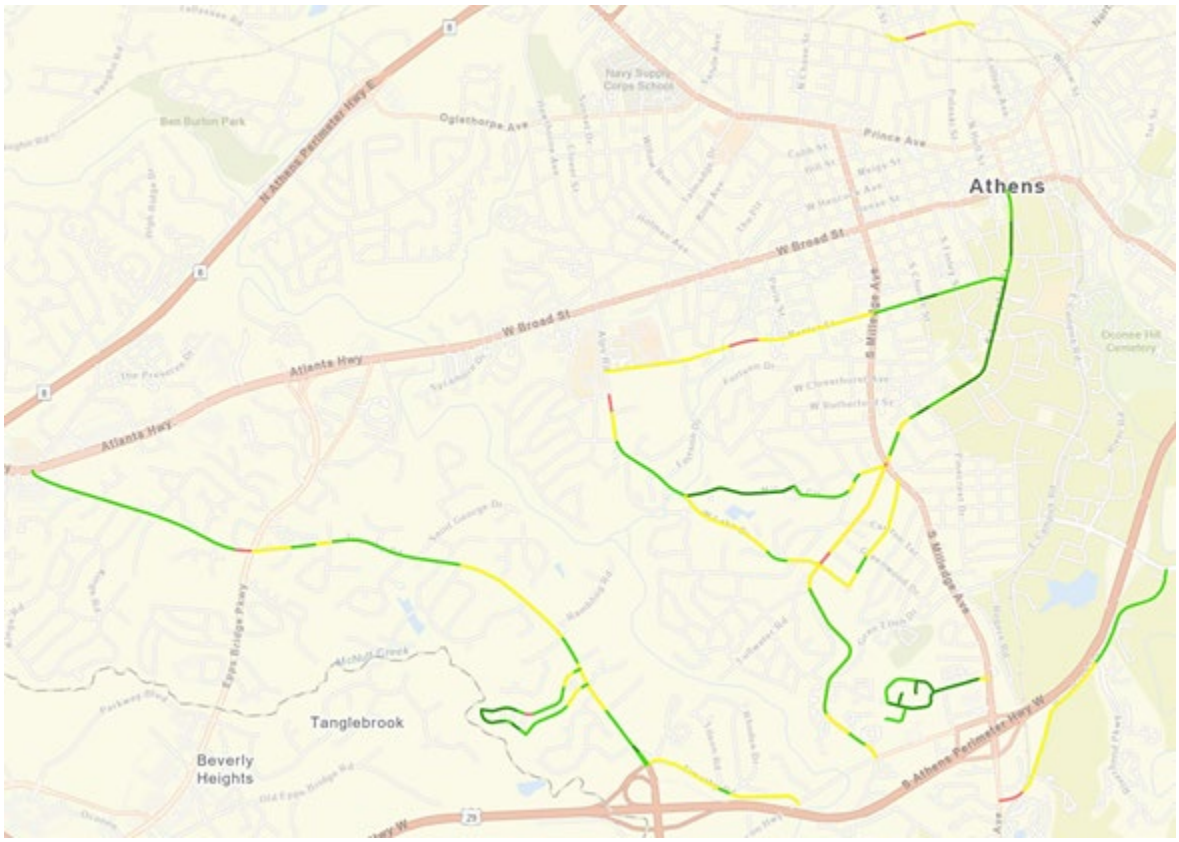


Figure 3. Field pilot pavement sections for PCI data review.

2.4 Pavement Condition Data Processing

After the County's review of the field pilot sections data, we processed the pavement conditions data using the AI pavement rating tool Road Technical Rating Intelligence Program (TRIP™). At this stage, major data processing tasks also occurred, such as generating right-of-way and pavement image streams; calculating profile, roughness and rutting; and detecting cracks, lane markings,

man-made objects, and other distress. The automated crack analysis detected cracks that were then overlaid on the pavement images and offset to assist with the verification of the detected cracks (Figure 4). The severity levels were identified based on the defined limits (ASTM D6433) and verified for resolution through visual quality control checks of image files. The pavement distress (type, severity, and extent) data were loaded into Pavement Express™ pavement management software to calculate PCI values for each pavement section. Each section was rated based on the PCI scale of 0 to 100, where 0 represents a failed roadway condition, and 100 represents an excellent/new roadway condition.

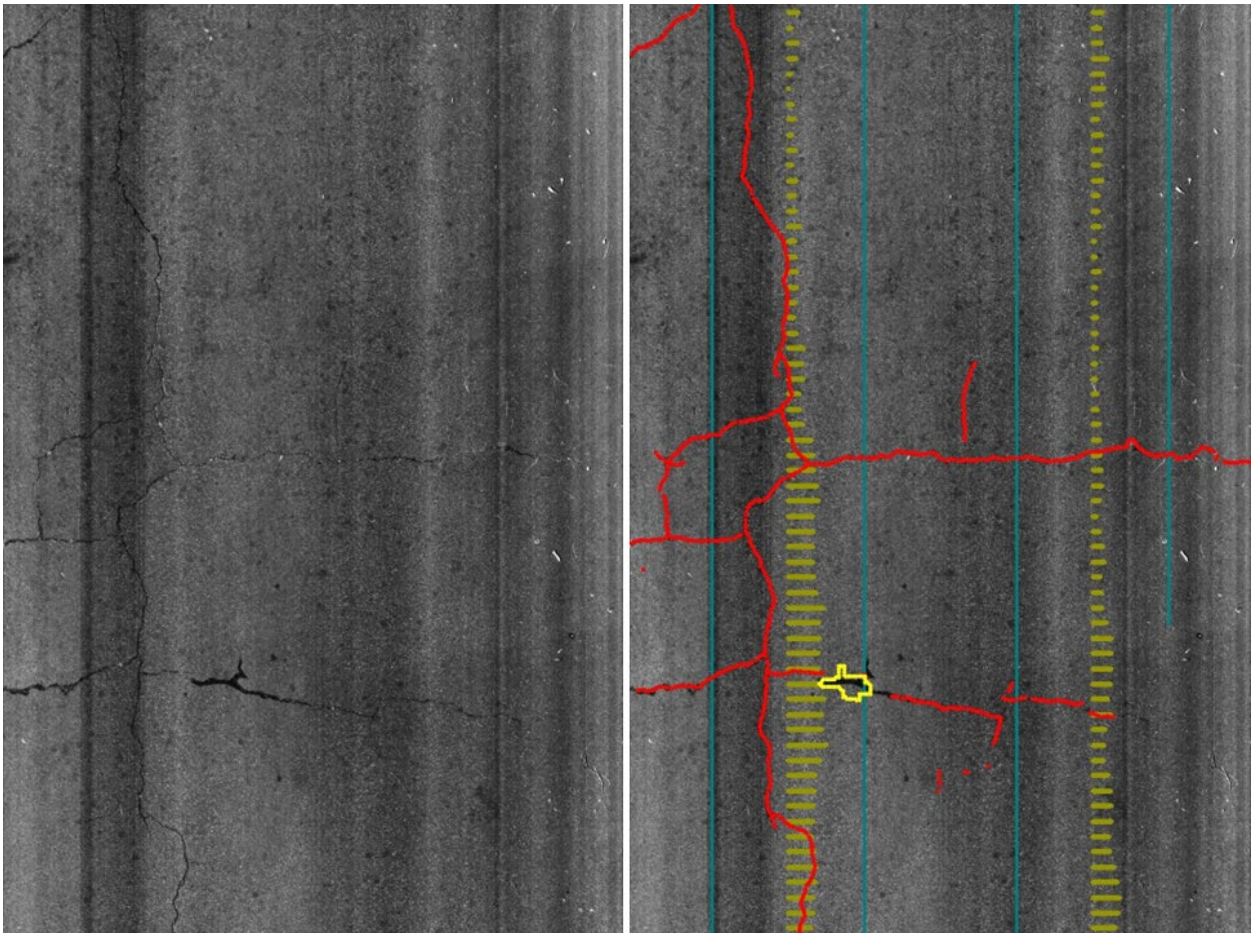


Figure 4. Pavement distress detection process.

An experienced pavement inspector performed quality control (QC) to confirm the distress and severity of the pavement condition data collected by the automated technology. This manual quality review was performed in accordance with the principles of the ASTM D6433 standard, using the LCMS pavement images gathered during the collection with the distresses superimposed and color-coded, such as what can be seen in the corresponding image.

Ten percent of the surveyed sections were subjected to field verification and an internal quality assurance survey by a surveyor. After completion of the PCI calculation, visual checks were performed to ensure that the PCI values were representative of the surveyed images. Sample pavement surface images with representative PCI values are shown in Figure 5. Larger-size images have been included in Appendix A.



Figure 5. Pavement images with different PCI values.

2.5 Pavement Condition Assessment Analysis

After performing a condition inspection of the study area, the inspection data was imported into the Pavement Express™ software. Based on the pavement condition survey, the weighted average PCI of the County's pavement sections is 68.6, which indicates "good" condition. KCI discussed the results of the PCI survey with the County staff on December 22, 2023. Table 2 shows the pavement lane miles and the number of sections by pavement surface type.

Table 2. Summary of the Athens-Clarke County's pavement surface type.

Surface Type	Lane-Miles	Number of Sections
Asphalt	1285.6	4877
Concrete	2.3	11
Asphalt/Dirt	0.1	1
Cobblestone	0.1	1
Gravel	10.5	31

Figure 6 shows the County's pavement area distribution based on 2023 pavement conditions category. About 2.9% of the pavement network is in 'poor', and 'very poor' condition. About 11.3% of

the network is in 'marginal' condition, whereas about 86% is in 'good', 'very good', and 'excellent' conditions.

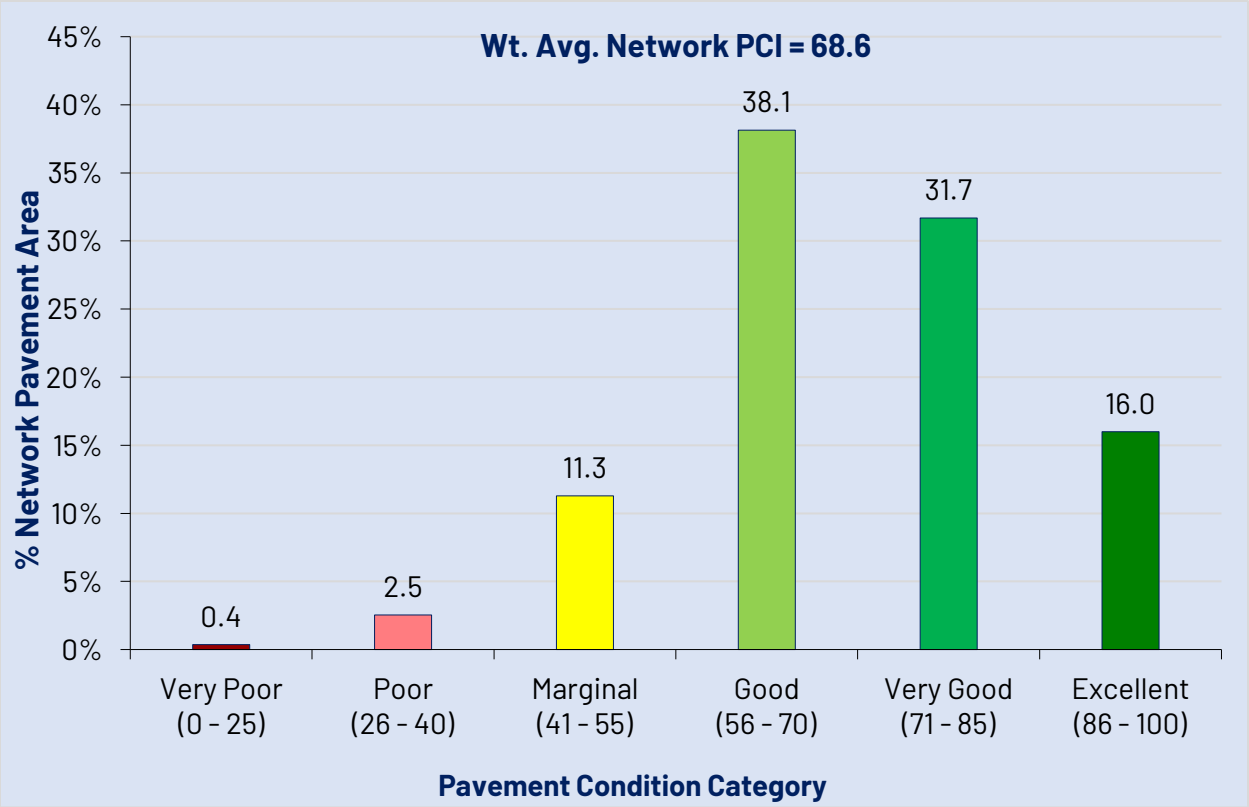


Figure 6. Distribution of the County's pavement area based on the pavement conditions.

Figure 7 shows the distribution of miles of roadways based on pavement conditions. About 18 miles of pavements are in 'poor' and 'very poor' conditions with a PCI range of 0-25 and 26-40, respectively. At this condition level, pavement requires major rehabilitation, such as mill and inlay, full-depth reclamation (FDR), reconstruction, etc. About 70 miles of pavement are in 'marginal' condition with a PCI range of 41-55, requiring minor or major rehabilitation, depending on the existing distress and traffic level. About 228 miles of pavement are in good condition with a PCI range of 56-70. These sections will require localized maintenance, such as crack sealing and patching, to prevent further deterioration and maintain the pavement in good condition, ultimately extending its service life. A total of 202 miles of pavement are in 'very good' condition with a (PCI range of 71-85. These pavement sections could be good candidates for applying pavement preservation techniques such as microsurfacing, depending on the existing conditions. Microsurfacing typically adds another 6-7 years of service life to the pavement. Approximately 106 miles of pavement are in 'excellent' condition with a Pavement Condition Index (PCI) range of 86-100. These are newly placed surfaces from the last few years. These sections may have some random minor cracks and are planned to have crack seals applied after the new surface is placed.

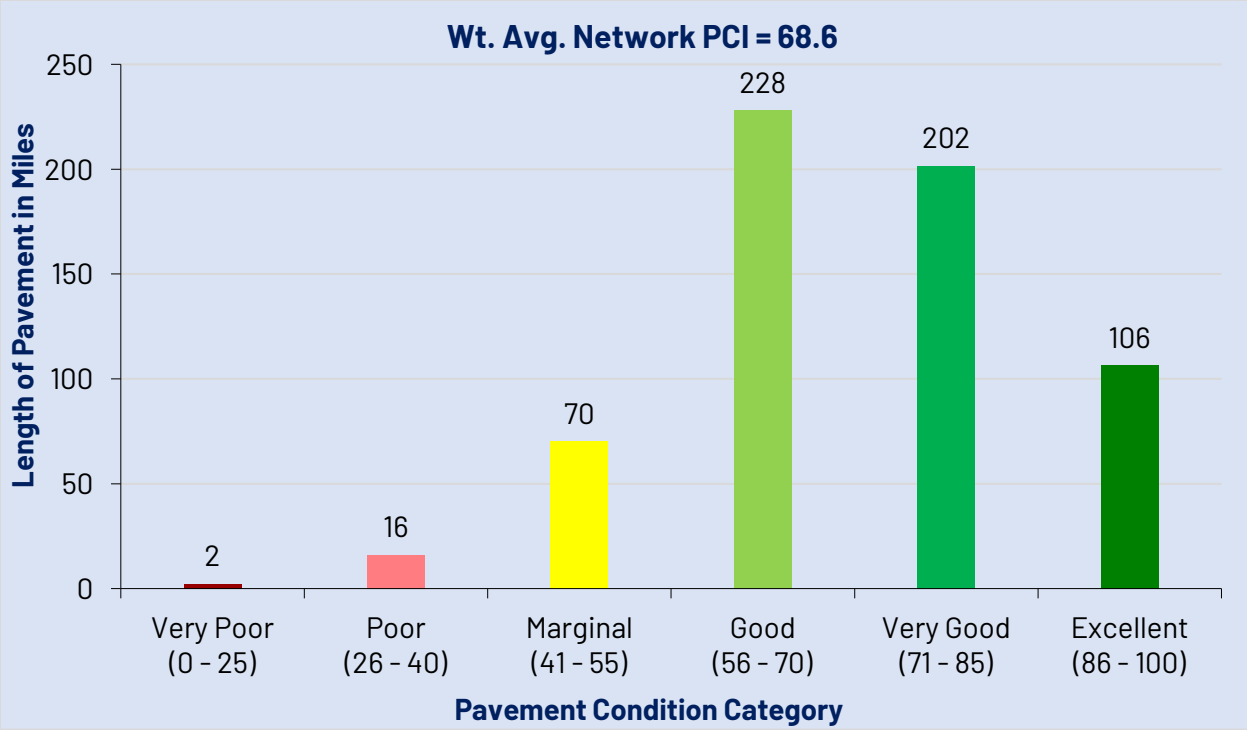


Figure 7. Distribution of the County's pavement lane miles based on the pavement conditions.

Figure 8 shows the County's average pavement condition based on the roadway functional classification (i.e., principal arterial, minor arterial, major collector, and local). On average, the minor arterial streets are in 'very good' condition, while principal arterial, major collector, and local road pavements are in 'good' condition, with average PCIs of 72.5, 62.7, 68.8 and 69.2, respectively.

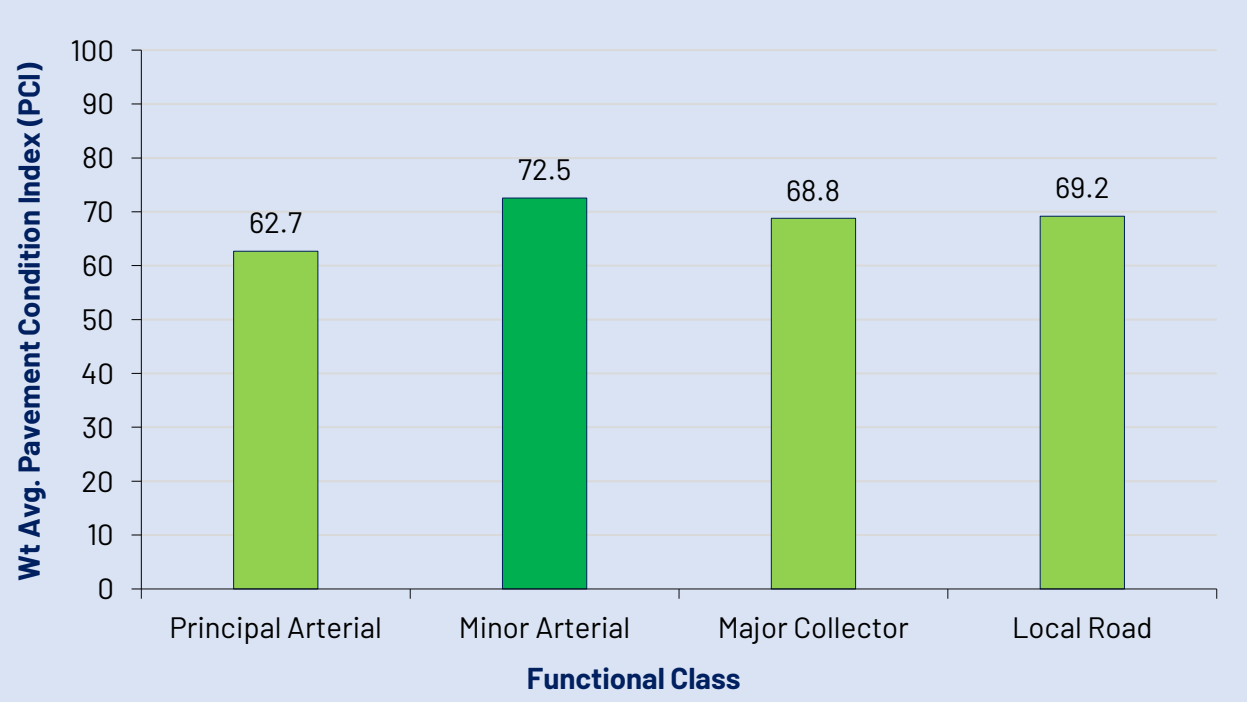


Figure 8. Average Pavement Condition Index based on functional class.

Figure 9, Figure 10, and Figure 11 show the detailed distribution of pavement conditions for arterial, collector, and local roads, respectively. The County has approximately 85 miles of arterial streets in its network. Of these, around 1 mile is in 'marginal' condition, while 84 miles are in 'good,' 'very good,' and 'excellent' conditions.

The County's network includes approximately 80 miles of collector streets. About 4 miles of these are in 'marginal' condition, while 76 miles are in 'good', 'very good', and 'excellent' conditions.

The network includes approximately 454 miles of local streets. About 18 miles of these are in 'poor' and 'very poor' condition, while roughly 64 miles are in 'marginal' condition. About 163 miles of the streets are in 'good' condition, and around 119 miles are in 'very good' condition, and about 90 miles are in 'excellent' condition.

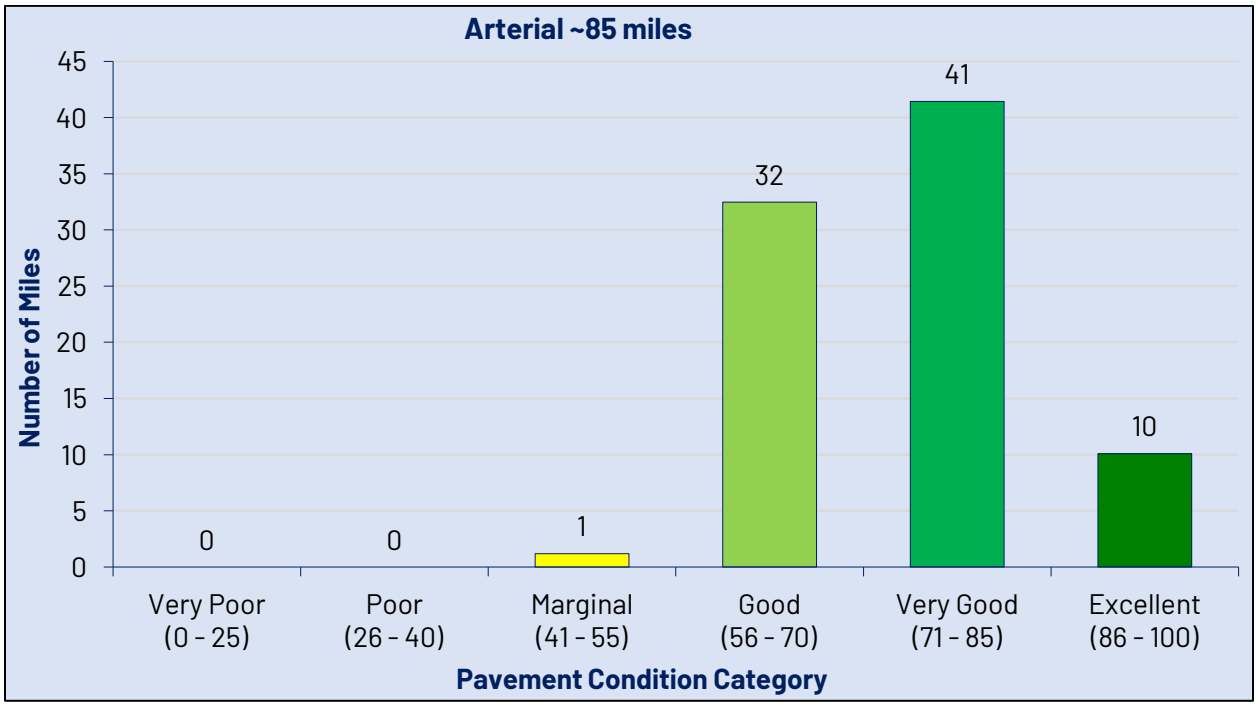


Figure 9. Pavement condition distribution of arterial streets.

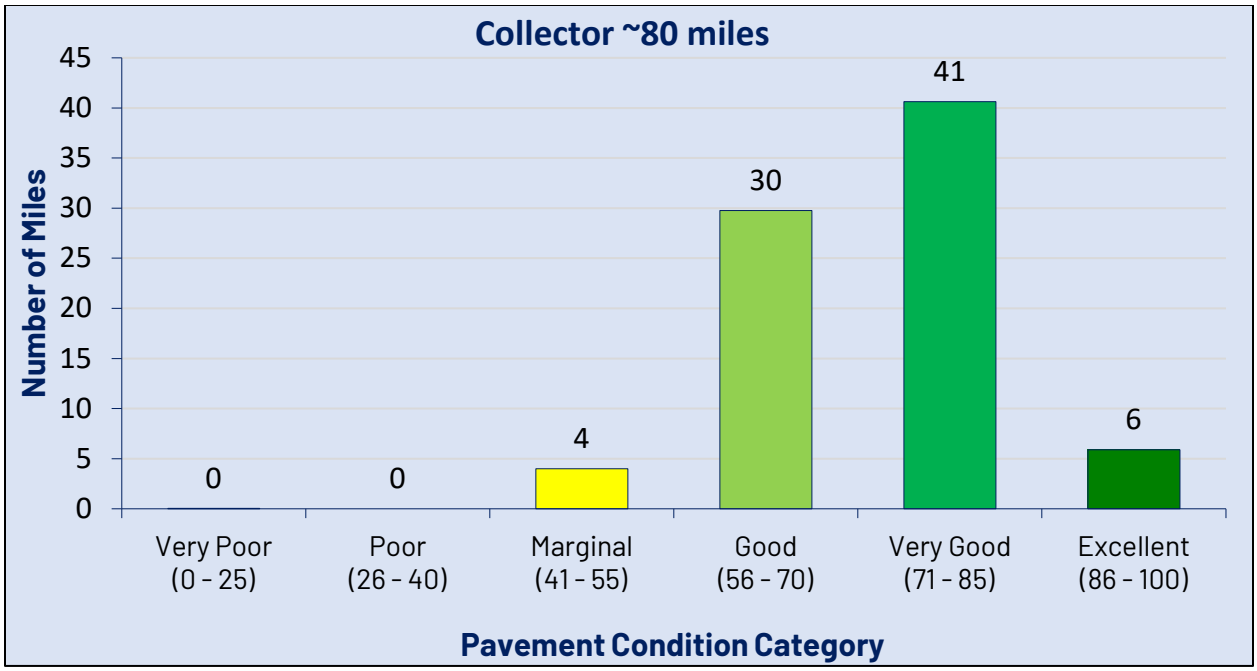


Figure 10. Pavement condition distribution of collector streets.

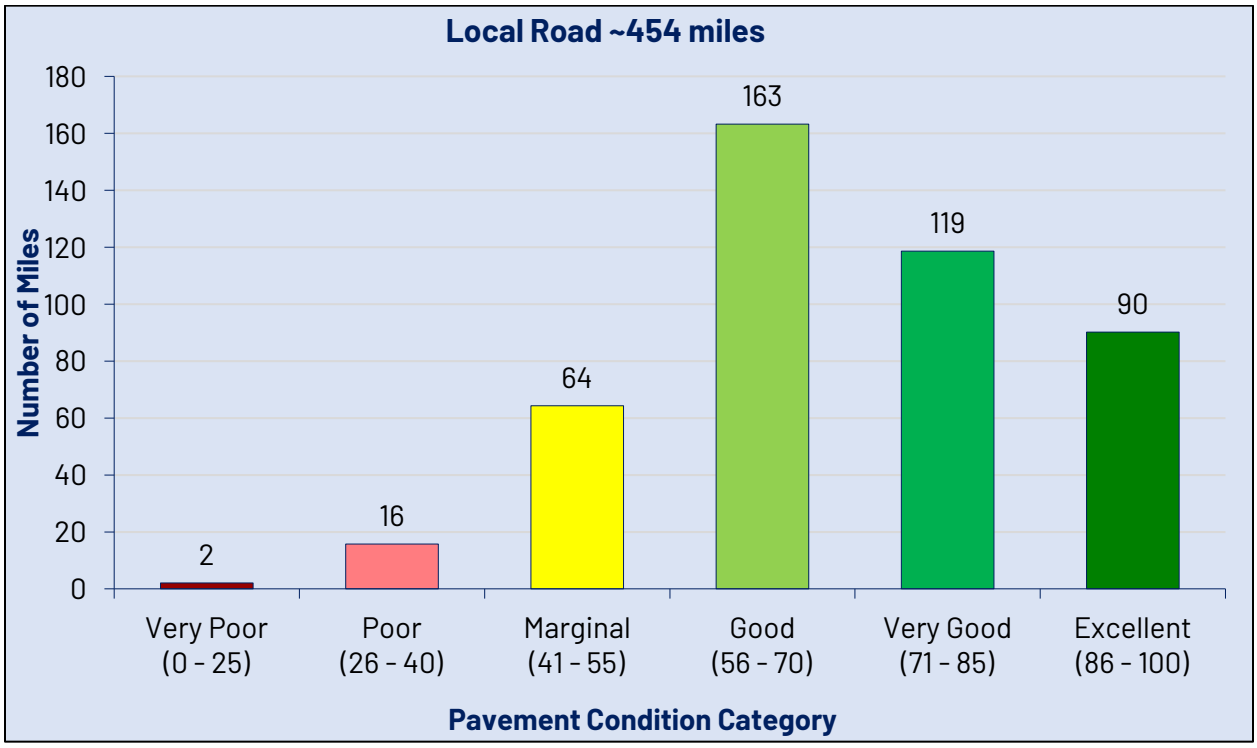


Figure 11. Pavement condition distribution of local streets.

The GIS map with pavement conditions for individual segments is shown in Figure *12*. A larger version of this map has been provided in Appendix A.

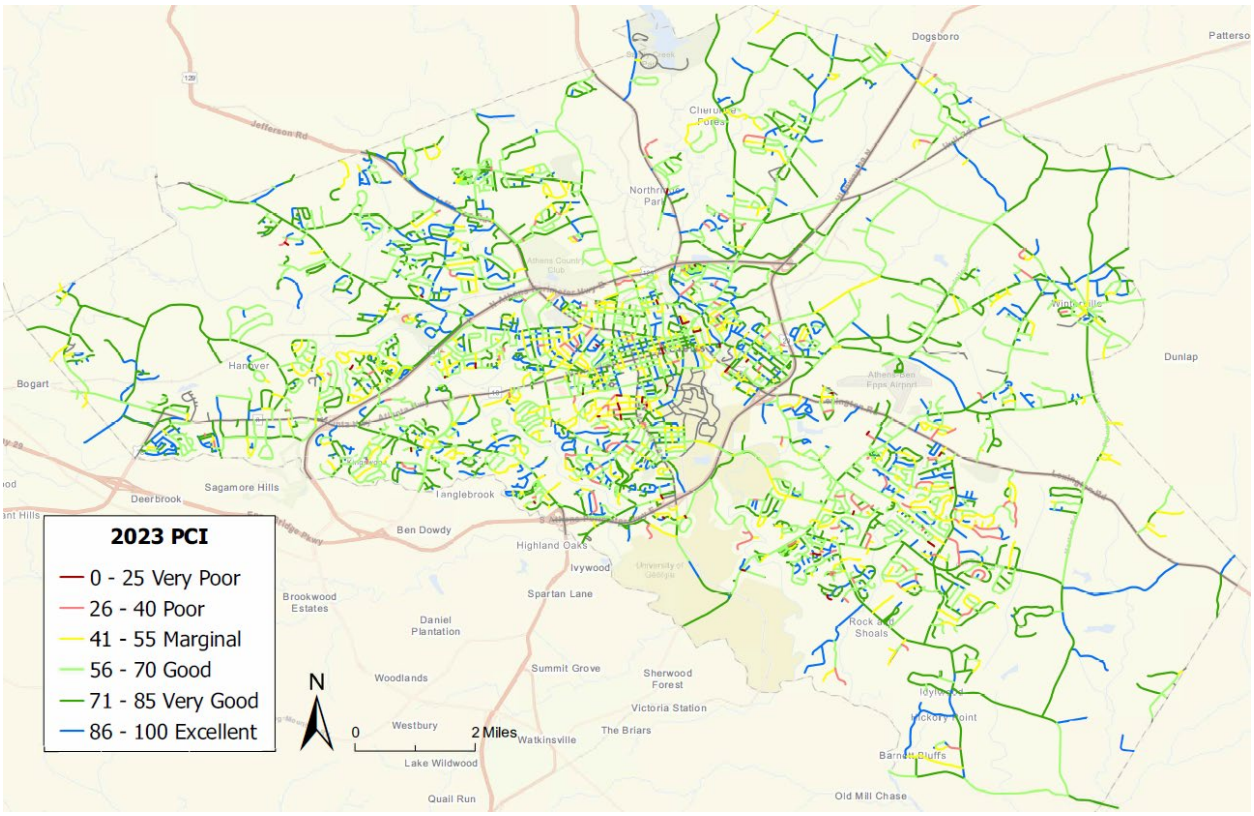


Figure 12. County's Pavement Condition Index (PCI) map based on the July 2023 survey.

The ride quality of street sections is measured using the International Roughness Index (IRI), which is a standard scale. The IRI measurement follows AASHTO R 43-07 and ASTM E950. The IRI indexes are obtained from longitudinal road profiles and processed at 52.8-foot intervals (0.010/mi) using a quarter-car model. KCI uses a three-laser surface profiling system with infrared lasers and a precision accelerometer to evaluate pavement smoothness. The reported values in the centerline are in units of inch/mile. It's important to note that IRI indexes may spike, leading to inaccurate data in sections of roads with slow speeds (below 20 mph).

The county network's weighted average IRI value is 308.8 inches/mile, which indicates that the network is in 'marginal' condition in terms of pavement roughness. Table 3 summarizes the County's pavement roughness conditions.

Table 3. Summary of County's pavement ride quality/roughness

Roughness Category	IRI Range	Number of Miles
Smooth	<200	179
Marginal	200 - 400	273
Rough	>400	171

Figure 13 shows on the next page the County's pavement roughness categories based on the network area. Notably, approximately 29% of the roads are classified as 'smooth,' while 44% are categorized as 'marginal' and 27% are categorized as 'rough'.

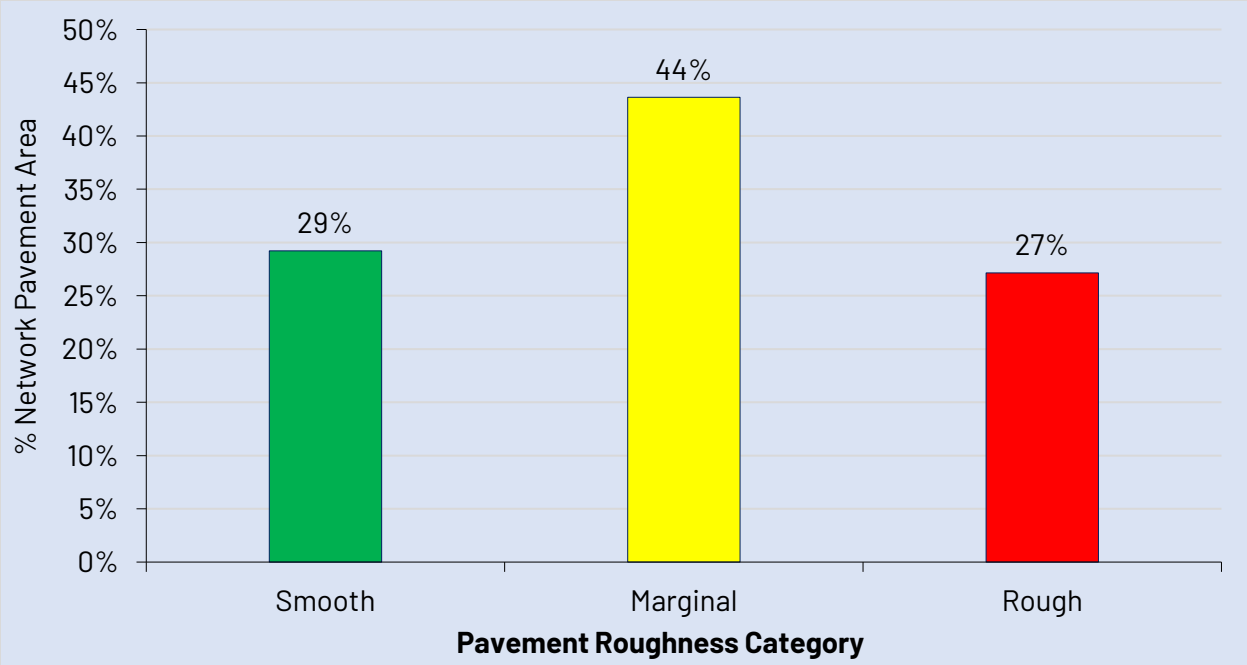


Figure 13. County's pavement ride quality/roughness conditions.

Figure 14 shows the County's pavement ride quality/roughness based on the May 2023 survey.

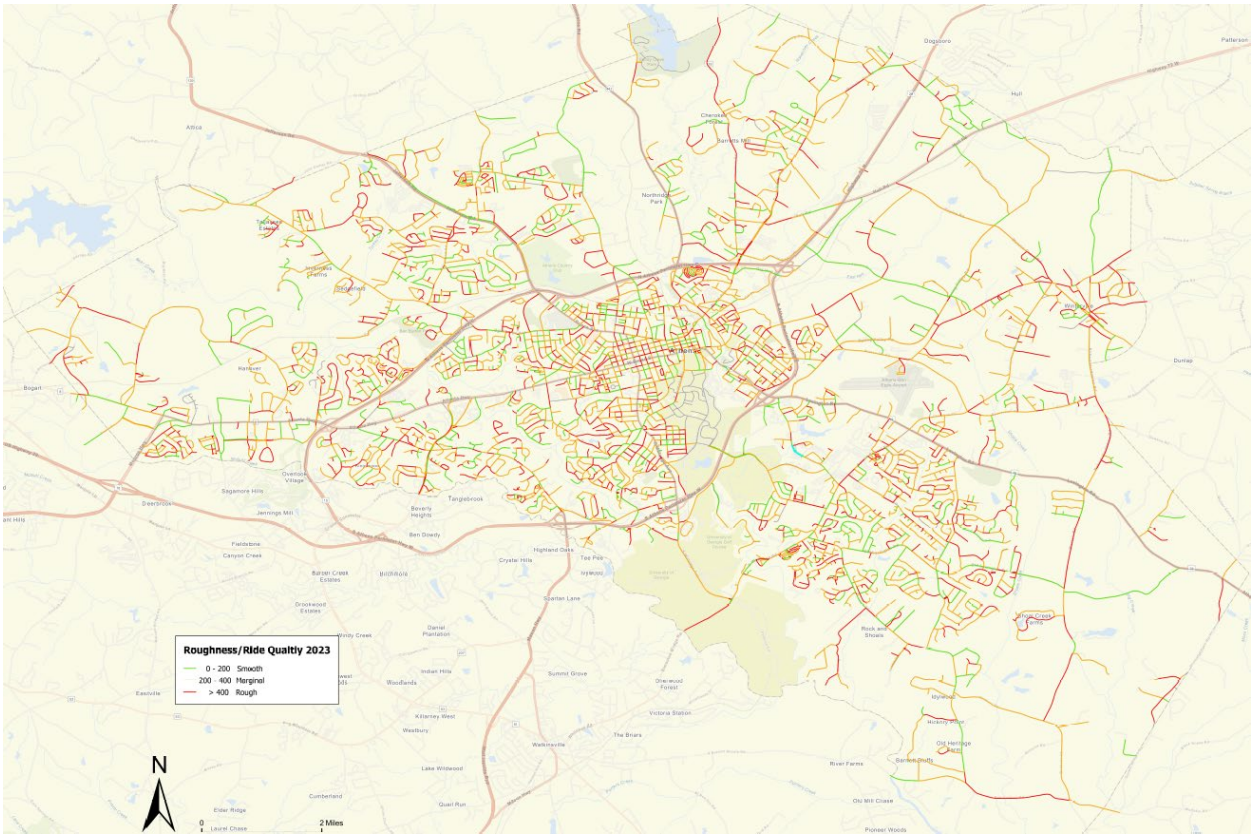


Figure 14. County's pavement ride quality/roughness conditions map.

3 Ground Penetrating Radar (GPR) Data Collection & Processing

KCI contracted the University of Georgia (UGA) pavement research group to conduct a Ground Penetrating Radar (GPR) evaluation of an approximately 200-mile stretch (slow lane only for both directions). The scanned sections are based on the ArcGIS map given to the team.

The main purpose of collecting and processing GPR data is to provide the County with an estimation for pavement layer thickness, based on the scanned GPR data of the project sites. The GPR data was collected in the slow lane using the UGA-GPR van (Figure 15) with a 2.0-GHz air-coupled antenna during October 2023. The project sites for GPR scans are shown in Figure 16. Subsurface images were collected along the test section during the scan to provide continuous data analysis. During the GPR scan, the GPS coordinates were also collected to identify thickness information precisely.



Figure 15. GPR data collection vehicle.

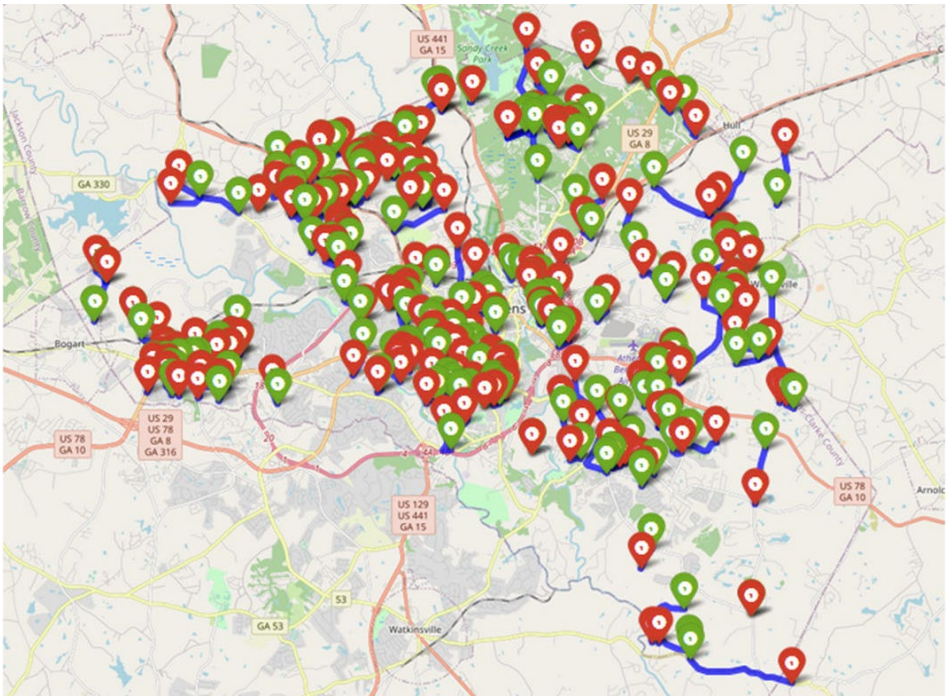


Figure 16. GPR data collection project sites.

3.1 GPR Data Collection

In the evaluation carried out within Athens-Clarke County, an extensive examination was undertaken on 191 road sections to assess the existing state of the asphalt pavement layer. This comprehensive survey encompassed a distance exceeding 200 miles. The specific locations of these sections, along with their corresponding initial and final reference points, have been documented and are presented in Table 1 provided by KCI. The information gathered through this study serves as vital data for future pavement analysis and facilitates informed decision-making in the context of maintenance planning.

Scanning work conducted in this study was carried out using advanced and specialized equipment, specifically the 2 GHz antenna and the SIR-30 data collection system, both from Geophysical Survey Systems, Inc. (GSSI). This combination of hardware was selected for its effectiveness in providing high-resolution subsurface images, for accurate pavement analysis. The specifics of the data collection parameters are outlined in Table 4, which details the technical settings used during the GPR scanning process.

Table 4. GPR data collection parameters.

Scans / Sec	100
Samps / Scan	256
Bits / Sample	32
Antenna Type	42000S
Range (ns)	20
Depth (in)	59.06

Elaborating on each of these parameters:

- Scans per Second (Scans / Sec): Set at 100 scans per second, this parameter indicates the frequency at which the GPR equipment captures subsurface data.
- Samples per Scan (Samps / Scan): At 256 samples per scan, this setting defines the number of data points collected in each scan.
- Bits per Sample (Bits / Sample): The 32 bits per sample setting specifies the data resolution, indicating the amount of detail captured in each sample.
- Antenna Type: The 42000S antenna model from GSSI is used, which is specifically designed for high-resolution GPR scanning. This antenna type is suitable for detecting and imaging shallow subsurface features, making it ideal for pavement analysis.
- Range (ns): The range, set at 20 nanoseconds (ns), determines the depth of the electromagnetic pulse penetration. This depth range is critical for capturing the full profile of the pavement layers, down to the sub-grade.

These carefully calibrated parameters are crucial for acquiring accurate and high-resolution GPR data. The data thus obtained provides a comprehensive view of the pavement structure, enabling precise assessments of its condition.

3.2 GPR Data Processing

The comprehensive analysis of the Ground Penetrating Radar (GPR) data has provided valuable insights into the structural composition of the pavement sections under investigation. The

findings from this analysis are detailed below, with a particular focus on the layered structure of the pavement and the visualization techniques used to interpret the subsurface data.

- **Layer Identification and Composition**: The GPR data analysis has successfully identified four distinct layers within the pavement structure. These are:
    - Asphalt Overlay: This is the uppermost layer.
    - Old Asphalt Layer: This older layer is situated directly beneath the overlay and represents the original pavement surface.
    - Sub-base Layer: Found beneath the asphalt layers.
    - Sub-grade Layer: The bottommost layer represents natural earth material.

Since the scope of this Stage 1 report, is to identify the thickness and change in thickness for different sections, the report focuses on top asphalt layers.

- **Visualization of Subsurface Layers**:
    - Creation of GPR Images: To aid in the visual interpretation of these subsurface layers, GPR images have been generated. These images are instrumental in providing a clearer picture of the variations in layer thicknesses and the overall integrity of the pavement structure.
    - Location and Accessibility of GPR Images: The GPR images, specifically showcasing the subsurface layers of Amethyst Drive, are exemplified in Figure *17*. These images serve as a valuable tool for visualizing the layer stratification and identifying areas of concern. All the GPR images corresponding to each scanned section of the pavement are methodically organized and available in the attached folder. This repository of images can be referred to for a detailed examination of the pavement's subsurface characteristics.

The findings from the GPR data analysis are integral in guiding future maintenance and repair strategies. They offer a deeper understanding of the pavement's current condition and lay the groundwork for targeted interventions aimed at prolonging the pavement's service life and ensuring its structural integrity. The findings from this analysis are detailed below, with a particular focus on the layered structure of the pavement and the visualization techniques used to interpret the subsurface data. Figure *17* shows a GPR scan of Amethyst Dr.

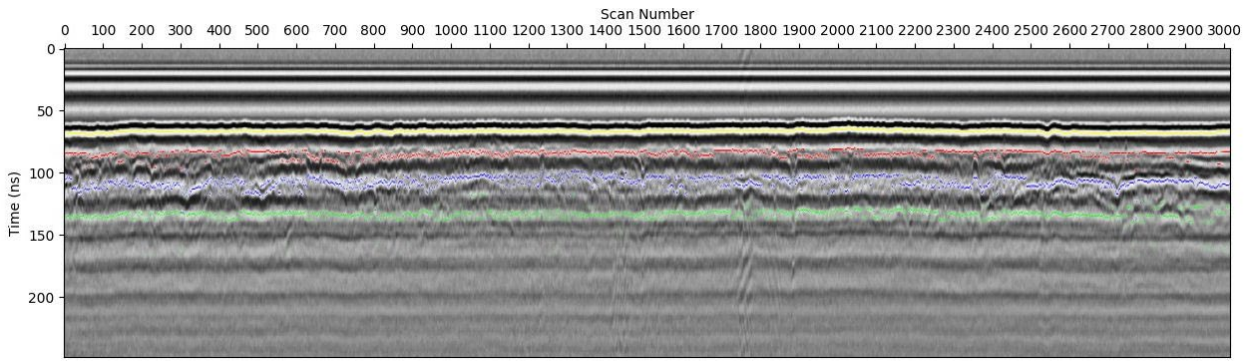


Figure 17. Amethyst Dr, GPR image.

Also, a heat map representing change in asphalt layers thicknesses is presented in Figure *18* and Figure *19*.

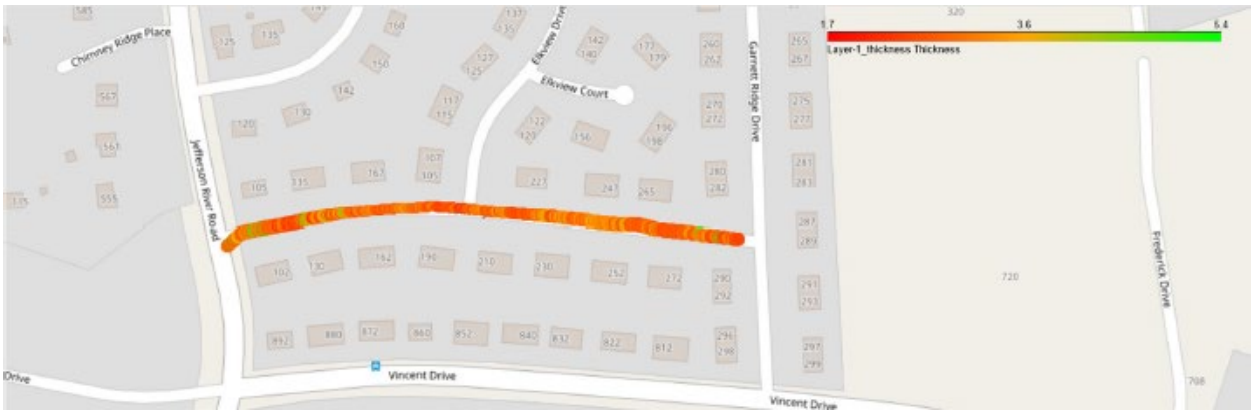


Figure 18. Amethyst Dr, Layer 1 thickness heat map

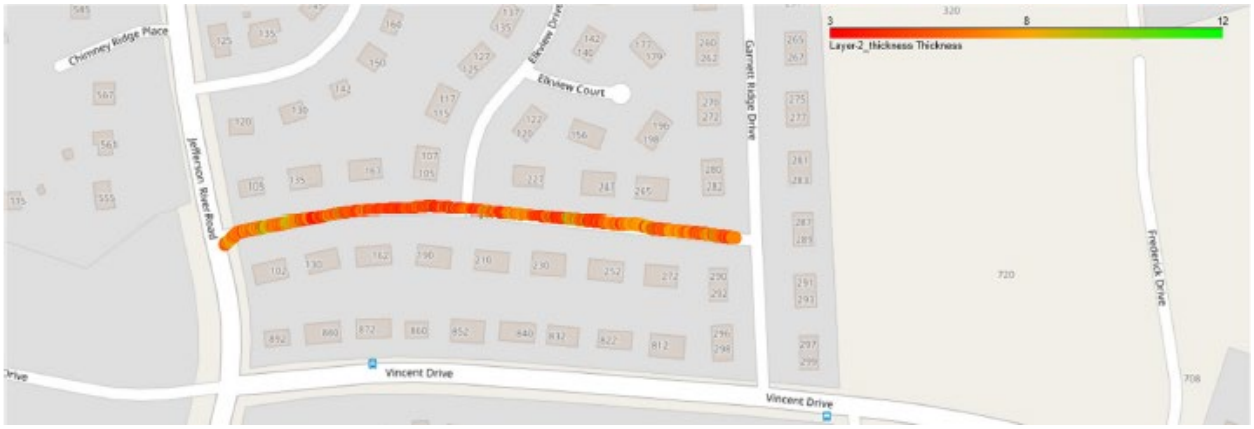


Figure 19. Amethyst Dr, Layer 2 thickness heat map

3.3 Proposed Coring Locations

The analysis of the (GPR) data indicates that certain pavement sections exhibit variations in layer thickness that requires further investigation. A list of coring locations has been provided in the Appendix A. Specifically, sections where the overlay layer is less than 2 inches thick, as well as sections where the cumulative thickness of the asphalt— comprising both the overlay and the underlying old asphalt layer—is less than 6 inches, should be prioritized for coring. This additional field testing is essential to verify the GPR analysis against actual field measurements and to ensure the integrity of the pavement structure.

4 Pavement Management Analysis

4.1 Pavement Management Software Overview

KCI used Pavement Express™, a pavement management software, to implement a PMS for Athens-Clarke County. Pavement Express is a pavement management system designed to help users effectively manage its pavement network. It stores, retrieves, and processes pavement-related condition and inventory data, allowing users to analyze the current condition, future performance, and expected financial needs of the network. Users are able to:

- View network inventory spatially and be able to see the different classifications and attributes of the network
- See and update the current condition survey
- Model various real-world scenarios that account for multiple constraints. For example, user can compare scenarios in which user maintains a specific level of service for different classes of roadway segments, pavement surface types, or a particular jurisdiction while adhering to a specified budget amount, either at the network level or broken down for each constraint. Users can model all these constraints in a single scenario using the system's advanced optimization engine to produce a work plan with a set of treatments that achieve a defined objective
- Use the interactive dashboards and reports in Pavement Express to communicate the historical, current, and future state of your pavement network based on key performance measures that user designates or creates

4.2 Pavement Performance Models

A PMS is only useful for making decisions if performance models can be established, validated, and relied upon to forecast pavement conditions into the future. A pavement performance model is developed based on the date of construction for new pavement and the date of resurfacing for an overlay or mill and overlay, the types and thicknesses of pavement materials, the traffic level, and the pavement condition. The pavement performance model becomes more accurate with multiple pavement condition ratings as the model gets calibrated and adjusted to match the conditions in a pavement's life cycle.

The Performance Model Setup module in Pavement Express™ helps identify and group pavements of similar construction subjected to similar traffic, weather, and other factors affecting pavement performance. The pavement condition historical data are used to build a model that can accurately predict the future performance of a group of pavements with similar attributes.

Three pavement performance models were developed based on the asphalt-surfaced pavement owned and maintained by the County. The pavement performance model for the County was developed based on the available age data. The reliability of the pavement performance model is expected to increase with future pavement inspection and age data. Figure *20* shows the pavement conditions deterioration model for arterial, collector, and local road pavements of the County.

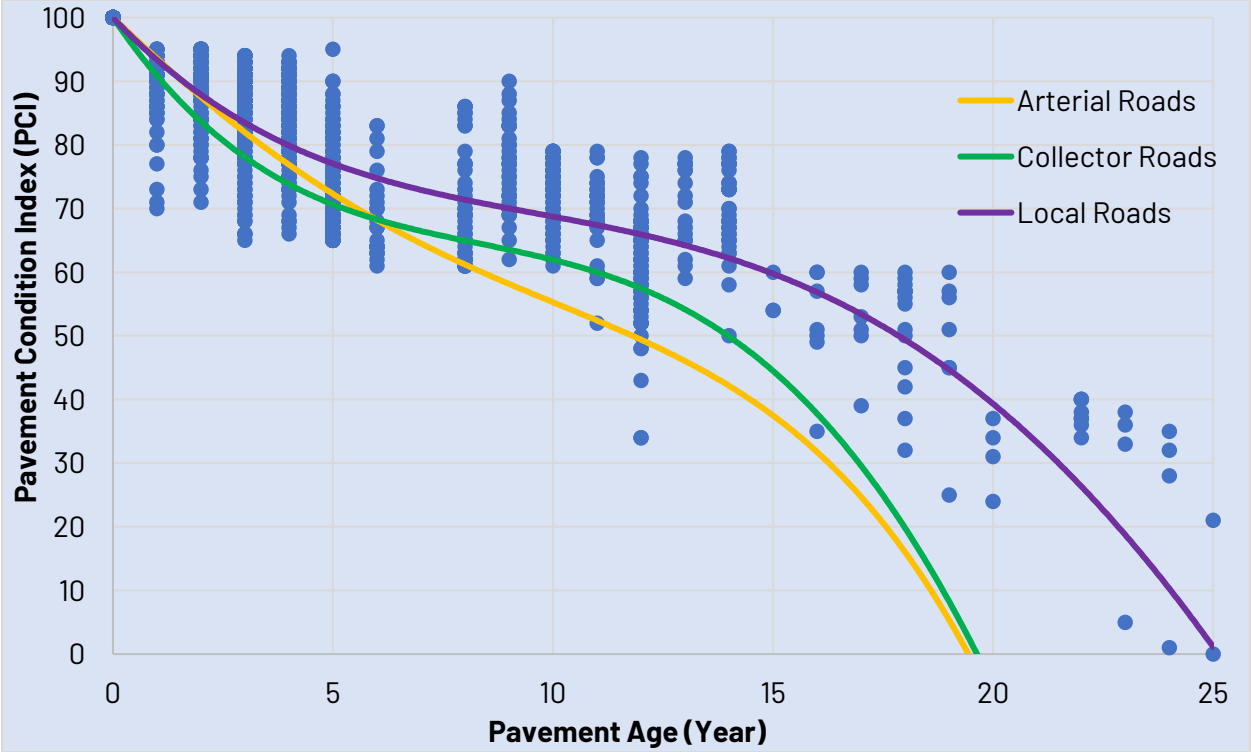


Figure 20. Pavement performance model for the County's arterial streets.

4.3 Treatment Decision Tree

Pavement Management refers to applying the right treatment to the right pavement, at just the right time for optimal roadway maintenance planning. Three types of maintenance and repair works are recommended for effectively maintaining the roadways and optimizing the budget.

- Preventive Maintenance: Crack sealing, patching, etc., to slow down the rate of deterioration
- Pavement Preservation: A proactive method to keep good roads good. It can be compared to changing engine oil periodically to keep it in good condition and extend service life. Microsurface is widely used as a pavement preservation treatment.
- Major Rehabilitation: Mill & inlay, full-depth reclamation, and reconstruction

KCI worked with the County staff to evaluate the current maintenance practices. Currently, the County is applying crack seal and patching as localized preventive maintenance and 1.5" mill and inlay as major rehabilitation when PCI below is under 40. KCI has recommended pavement treatment types based on pavement conditions and the functional class of the streets. Based on the pavement rehabilitation techniques currently used and discussion with the County, KCI developed a treatment decision tree that defines when a treatment will be performed based on PCI values and functional class (Figure *21* on Page 23). The Decision Tree module is used to designate sections to receive specific M&R work, including:

- Localized Maintenance - Preventive/Routine Maintenance
- Pavement Preservation
- Major Rehabilitation

The decision tree will first examine segments with low PCI (PCI ≤ 55) and determine the best approach/treatment to improve the roadway condition. If there is a localized deterioration present that can be addressed via limited deep patching treatment, the road segment is placed in the preventative maintenance list for deep patching. Otherwise, the road and adjoining segments will be examined under the resurfacing treatment matrix shown on the next page.

Based on Figure 21 on the next page, pavement sections with a PCI above the critical value of 55 are chosen for localized preventive treatments like patching. It is T&PW staff and KCI recommendations to set a different PCI threshold for resurfacing and/or rehabilitation per classifications as follows:

- Local – PCI ≤ 40
    - These roadways provide access to homes, businesses, and other property
    - Posted speed generally 25 mph (may be greater)
    - Have a low truck and heavy equipment traffic and the low traffic
- Collector – PCI ≤ 48
    - These roadways link arterials and local roads and perform some of the duties of each.
    - Posted speed typically exceeds 30 MPH
    - May have residents - rural sections
    - Have higher truck traffic and heavy equipment than local roadways.
- Arterials – PCI ≤ 55
    - These roadways provide mobility so traffic can move from one place to another quickly and safely.
    - Posted speed 40+ MPH
    - Have high traffic with higher truck traffic and movement of goods and services than Collector roadways.

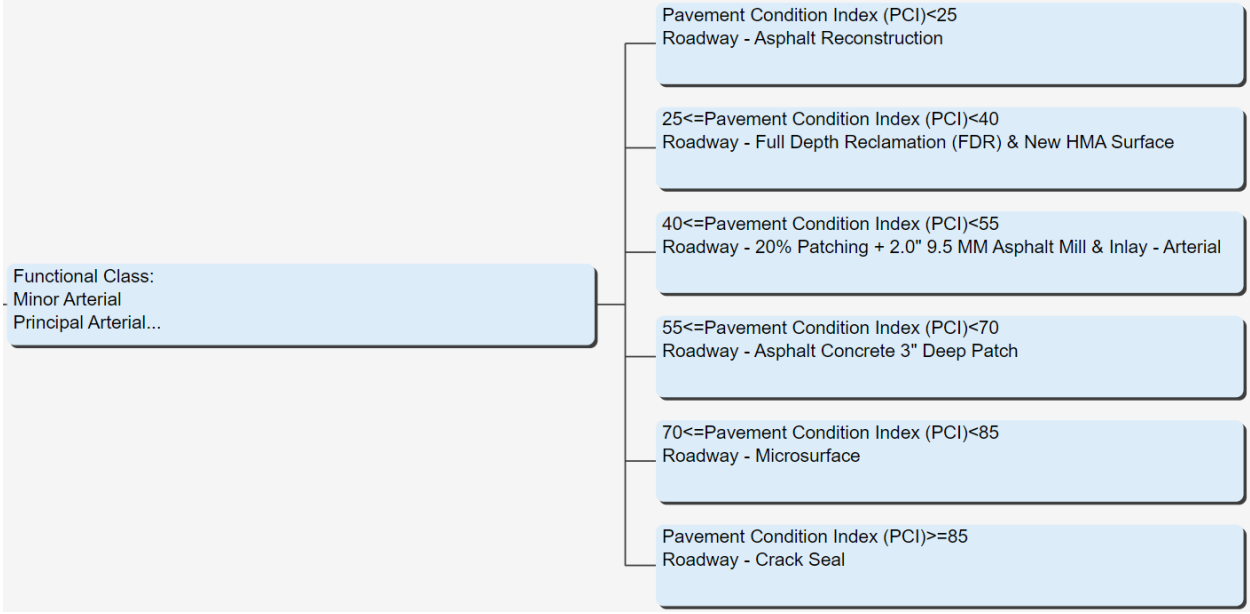
When a roadway segment is below the threshold for resurfacing based on roadway classification, multiple steps are taken to select the preferred treatment:

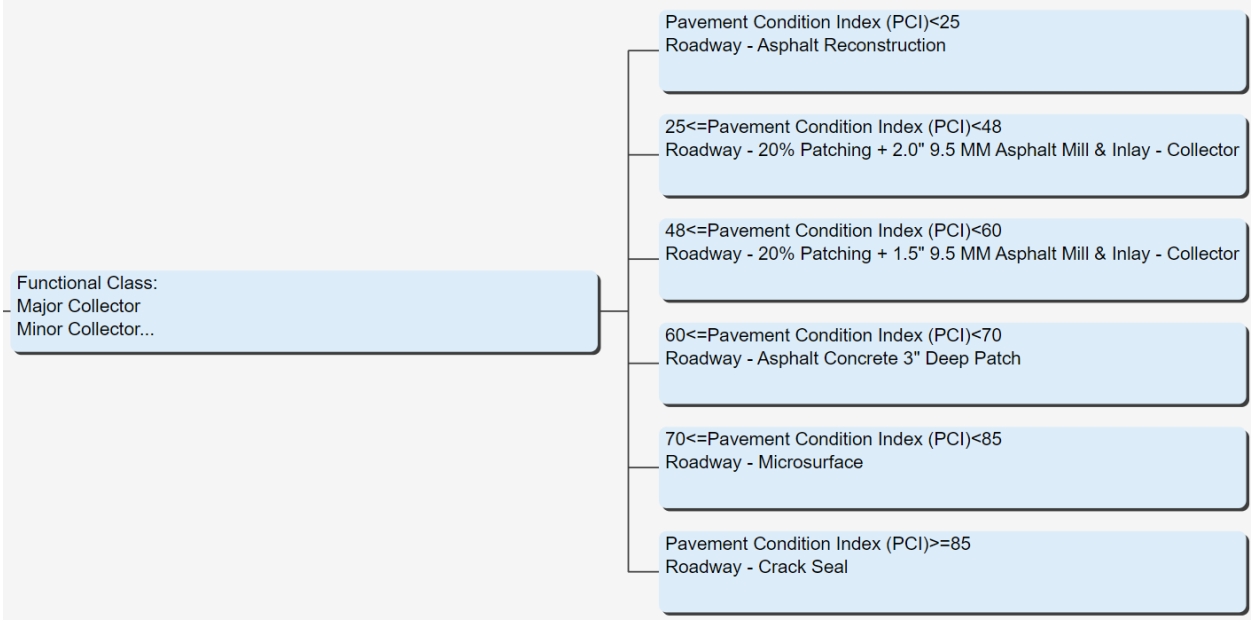
Existing curb condition and curb reveal: T&PW will build a tailored treatment to re-establish curb reveal. This is projected to build a deficit list of roadways that need full-depth reconstruction (FDR). When a road is put on the FDR list, it will continue to receive patching treatments to maintain an acceptable PCI (above threshold) until funding is adequate to move into FDR work and contracts.

Subsurface conditions: Many ACC roadways lack adequate subsurface compaction, resulting in a short service life for roadway pavement. Roads with failed or inadequate subsurface conditions that do not qualify for traditional resurfacing will be placed on the FDR list of roadways. When a road is put on the FDR list, it will continue to receive patching treatments to maintain an acceptable PCI (above threshold) until funding is adequate to move into FDR work and contracts.

Pavement design based on roadway classification and traffic loading: A systemic design process is needed for selecting the mill and inlay thickness that is based on the subsurface conditions and traffic loading with the intent to re-establish curb reveal and proper drainage in the roadway.

Applying pavement preservation: Microsurfacing is recommended for streets with a PCI greater than or equal to 70 to preserve the pavements that are in satisfactory and good condition. The county's current practice is to apply crack seal four years after paving. Major M&R includes milling, patching and overlays of varying thickness, with a crack interlayer in some cases, or reconstruction for severely deteriorated streets. Notably, the final selection of pavement treatment should be determined based on the recent condition evaluation, existing distress, subgrade, and curb reveal condition. At this PCI level, the pavement should be thoroughly assessed for structural condition, subgrade issues, and curb reveal to determine the appropriate treatment.





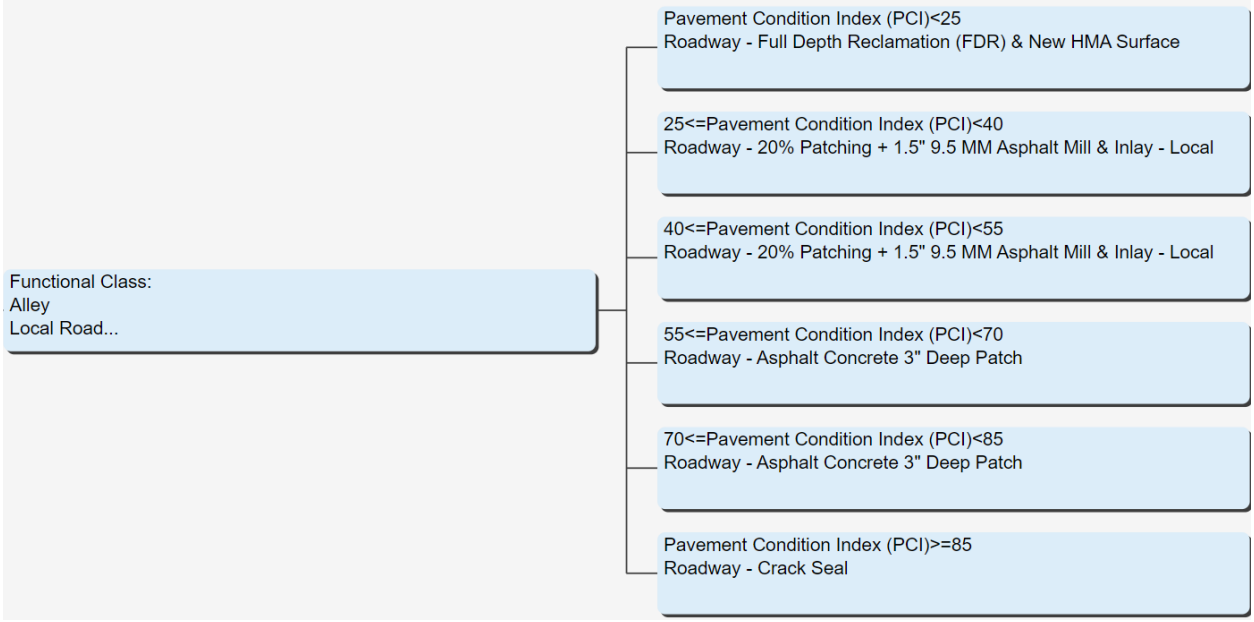


Figure 21. Pavement treatment selection decision tree.

4.4 Unit Costs

KCI determined the unit costs for most treatments listed in Table 5 based on information provided by the County. These costs were discussed with the Athens-Clarke County staff. The unit costs used for *Pavement Express*™ analysis for 2024-2028 are shown in Table 5. The table also shows the change in PCI values and pavement age based on the treatment type. The unit costs can be updated based on the available unit price of materials and construction to run the PMS analysis in the future.

Table 5. Treatment unit costs.

Treatment Name	Unit Cost	Units	ΔPCI	Age
Crack Seal	$0.06	Ft	+5	+1
Asphalt Concrete 3 Deep Patch	$3.42	Yd	+10	+1
Microsurface	$3.60	Yd	+18	+1
Single Surface Treatment	$9.05	Yd	+18	+1
PCC Slab Replacement	$120.00	SqYd	+30	+1
20% Patching + 1.5 9.5 MM Asphalt Mill & Inlay - Collector	$42.84	SqYd	100	0
20% Patching + 1.5 9.5 MM Asphalt Mill & Inlay - Local	$42.84	SqYd	100	0
20% Patching + 2.0 12.5 MM Asphalt Mill & Inlay - Arterial	$48.84	SqYd	100	0
20% Patching + 2.0 12.5 MM Asphalt Mill & Inlay - Collector	$48.84	SqYd	100	0
Full Depth Reclamation (FDR) & New HMA Surface	$60.00	SqYd	100	0
Asphalt Reconstruction	$65.00	SqYd	100	0
PCC Reconstruction	$105.00	SqYd	100	0

4.5 Budget Scenario Analysis

Using the pavement deterioration model, treatment applicability, treatment type, and unit costs, we have developed the following five budgets and pavement conditions scenarios to evaluate where the 2024 budget level stands:

- Scenario 1: Eliminate backlogs (Backlog means pavement with PCI value less than 55);
- Scenario 2: Maintain current condition (PCI = 68.6);
- Scenario 3: Increase the funding level to $13.5M/year from CY2025 PMP Program ($13.5M/ year with $500K/ year for microsurfacing and treatments based on PCI value and functional class, and would include the performance of GPR on all roads;
- Scenario 4: Maintain the 2024 funding level in the CY2024 PMP Program ($8.0M/year with $500K/year for Microsurfacing);
- Scenario 5: Maintain the 2024 funding level in the CY2024 PMP Program ($8.0M/year with current treatment practices);
- Scenario 6: Do nothing ($0/year).

The outcomes of the budget scenario analysis are presented in Figure 22, illustrating the effect of different funding levels on the average pavement condition of the roadway network. Figure 22 indicates that the 2024 funding level ($8M/year) with current treatment practice will decrease the average PCI value to 62.5 after five years. However, applying microsurface will increase the PCI value by 1.1 points with the same budget. Increasing the funding level to $13.5/year from CY2025 will result in overall PCI to 66.9 after five years. Moreover, the County would need to invest $14.8M/year on maintenance and rehabilitation to maintain the overall 2023 condition, i.e., PCI of 68.6. Allocating a budget to eliminate backlogs where no pavement is in poor condition (PCI<55) would result in an average PCI of 79.1 after five years, requiring an investment of $45M/year. Conversely, not spending funds on the maintenance and rehabilitation (M&R) program will deteriorate the network to an average PCI of 54.0 after five years.

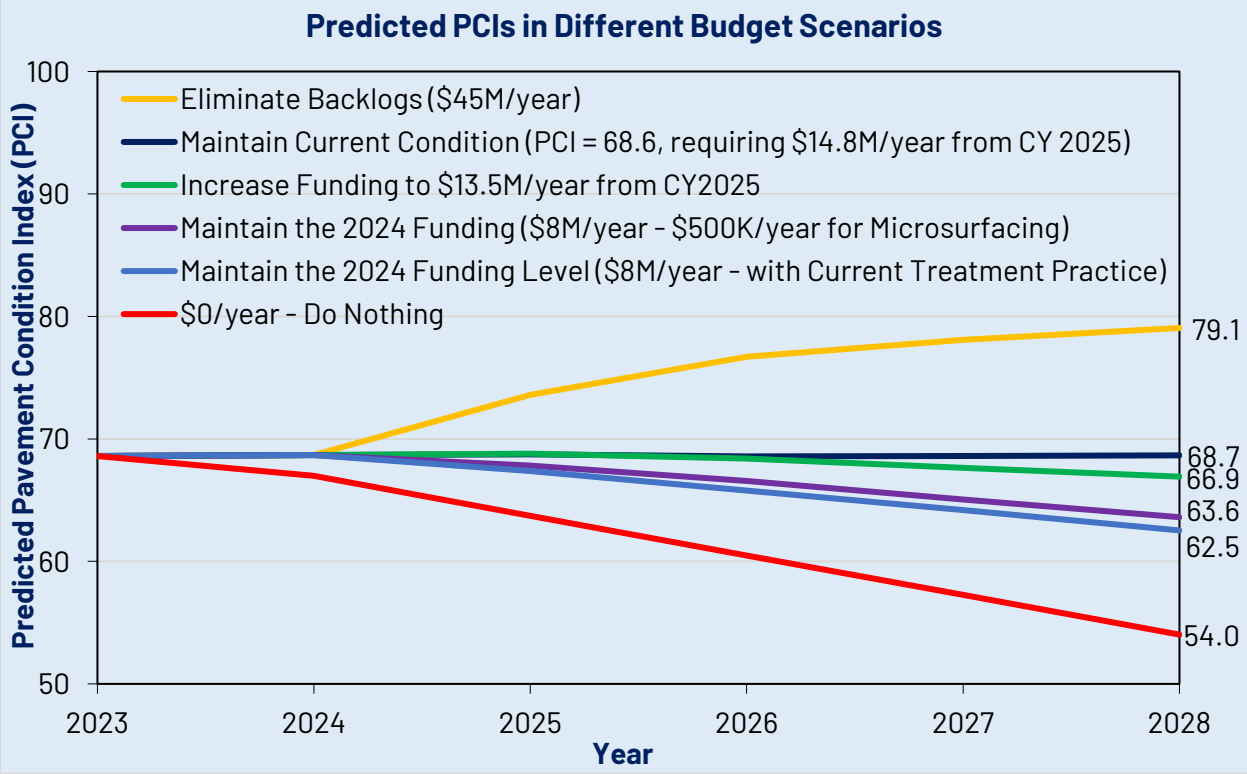


Figure 22. Effect of funding level on County's pavement conditions.

Figure 23 shows the remaining backlogs in terms of centerline miles of major rehabilitations required per year. The backlog grows whenever funding is insufficient to keep up with the rate of street deterioration and the number of street segments in poor or worse condition grows. As more streets fall into this category, rehabilitation costs increase. Based on the 2024 funding with current treatment practice, the backlog would increase to about 172 miles of pavements in poor or worse condition after five years. Increasing funding level to $13.5M annually from CY2025 would result in a backlog of 136 miles and a PCI of 66.9 after five years. To maintain the 2023 condition (PCI of 68.6), would require $14.8M annually for the next four years from CY2025, resulting in a backlog of 119 miles. An annual investment of $45M would be required from CY2025 to eliminate the backlog in five years, resulting in an average PCI of 79.1 and backlog of 3 miles. However, not spending any funds on maintenance and rehabilitation will generate backlog of 223 miles after five years.

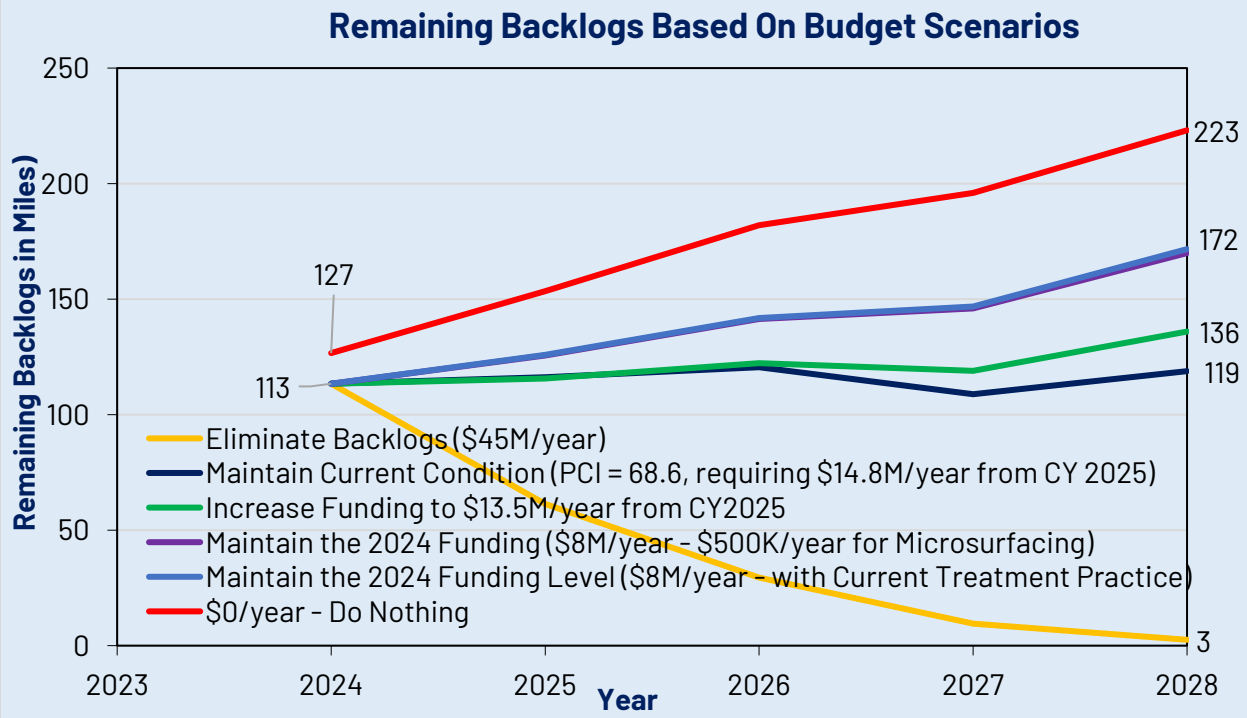


Figure 23. Total unfunded/remaining backlog per year based on budget scenarios.

5 Multi-Year M&R Plan & Approved CY24 PMP Projects

5.1 Localized Distress Maintenance

A maintenance plan for localized distress involves calculating the cost and condition of immediate M&R implementation based on the most recent inspection year. The County applies both crack seal and patching on arterial and collector streets, but only patching on local roads for localized distress maintenance. Also, the County spent about $1.0M/year for 12.5 mm mix patching in the past several years and $150 K for crack sealing annually. Based on the treatment decision tree and budget optimization, the Pavement Express™ has selected pavement sections for localized distress maintenance. Appendix A provides the details of the localized distress maintenance plan based on the 2023 condition survey, while Table 6 shows the cost and pavement condition in 2023 as a result of the plan.

Table 6. Summary of the local distress maintenance plan (2024).

Year	Treatment	Quantity	Unit	Number of Sections	Estimated Costs
2024	Patching	117,093	SqFt	2900	$ 887,567
2024	Crack Seal	96,824	Ft	2692	$ 145,237

Figure 24 shows 2024 localized distress maintenance plan. This map shows the sections where preventive and safety related maintenance works are required based on the 2023 pavement condition assessment. A larger version of this map has been provided in Appendix A.

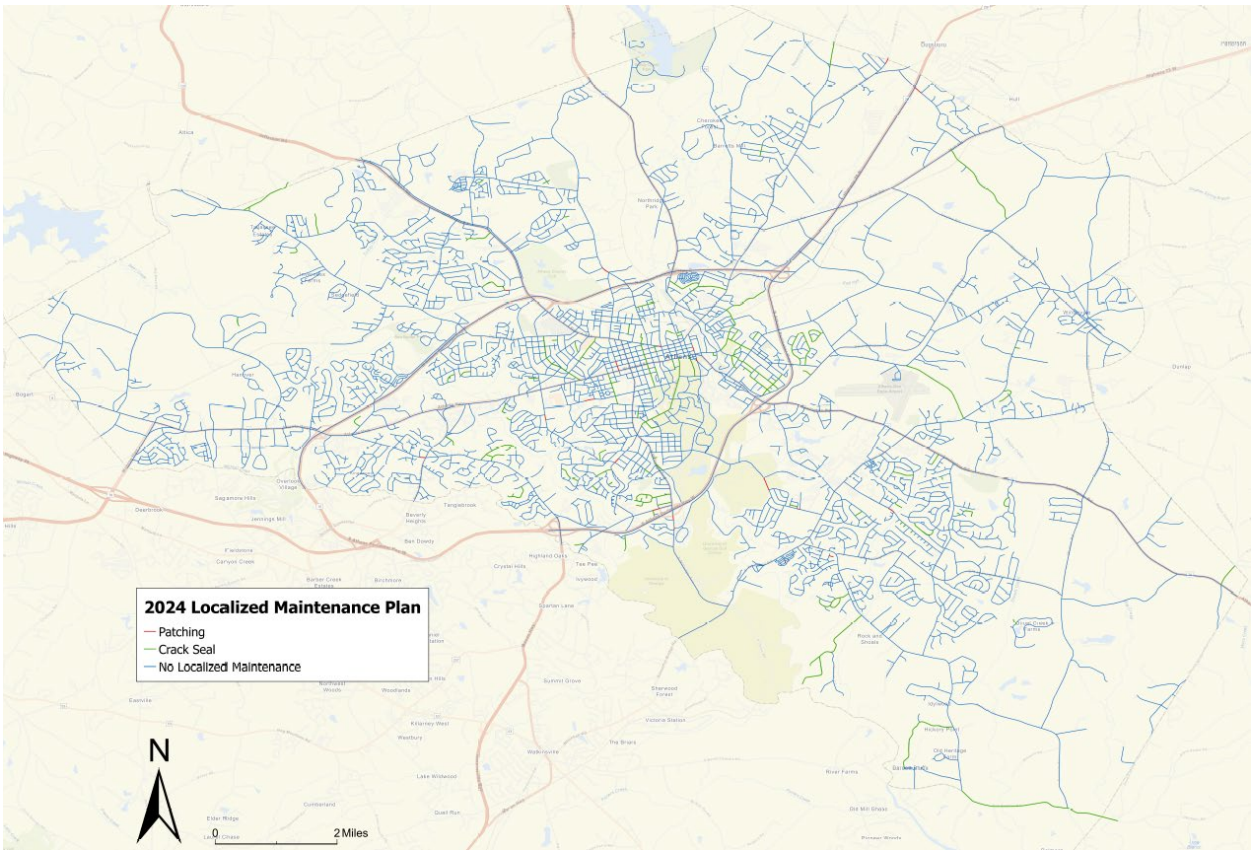


Figure 24. Localized Maintenance Plan 2024.

5.2 Major Rehabilitation

Figure 25 shows the predicted number of miles to undergo Major M&R such as mill & inlay, full-depth reclamation, and reconstruction and the resulting PCI values based on the 2024 budget ($8M/year).

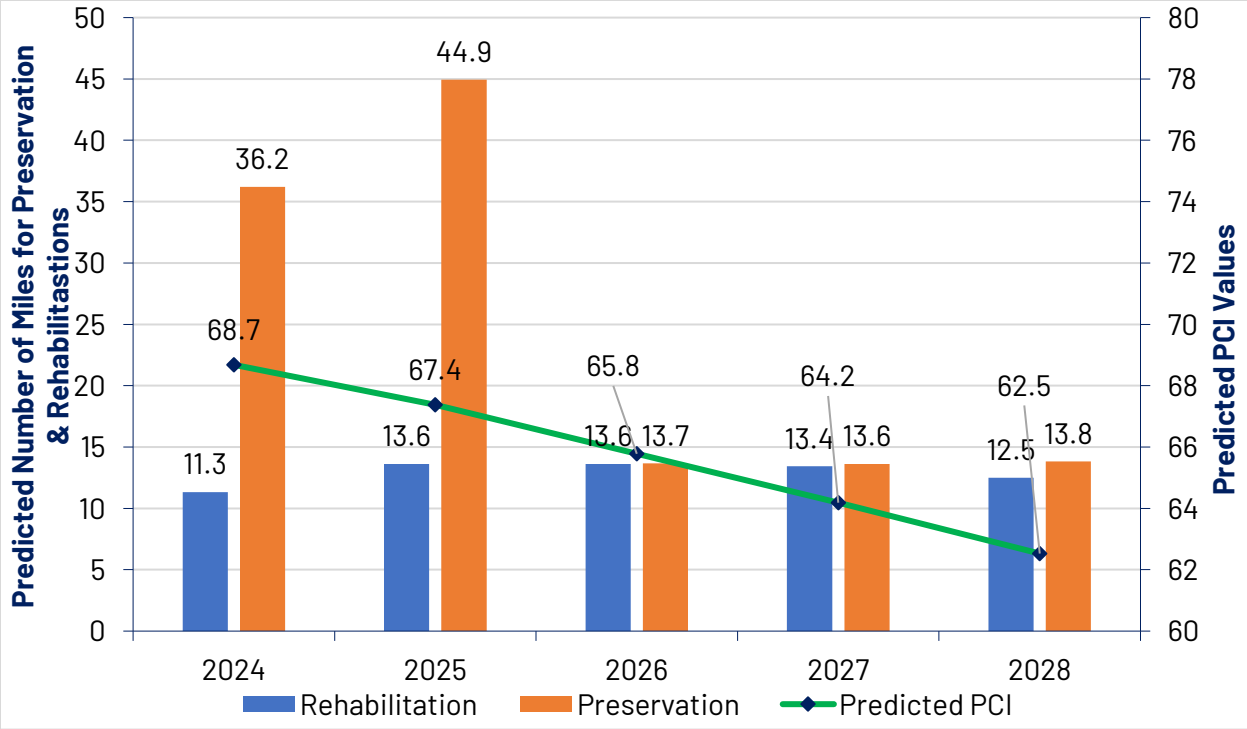


Figure 25. Predicted number of miles that can be resurfaced and resulting average PCI per year based on the 2024 budget.

The selected pavement sections for Major M&R and preservation are shown below in Figure *26* and Figure *27*, respectively. A larger version of these maps have been provided in Appendix A.

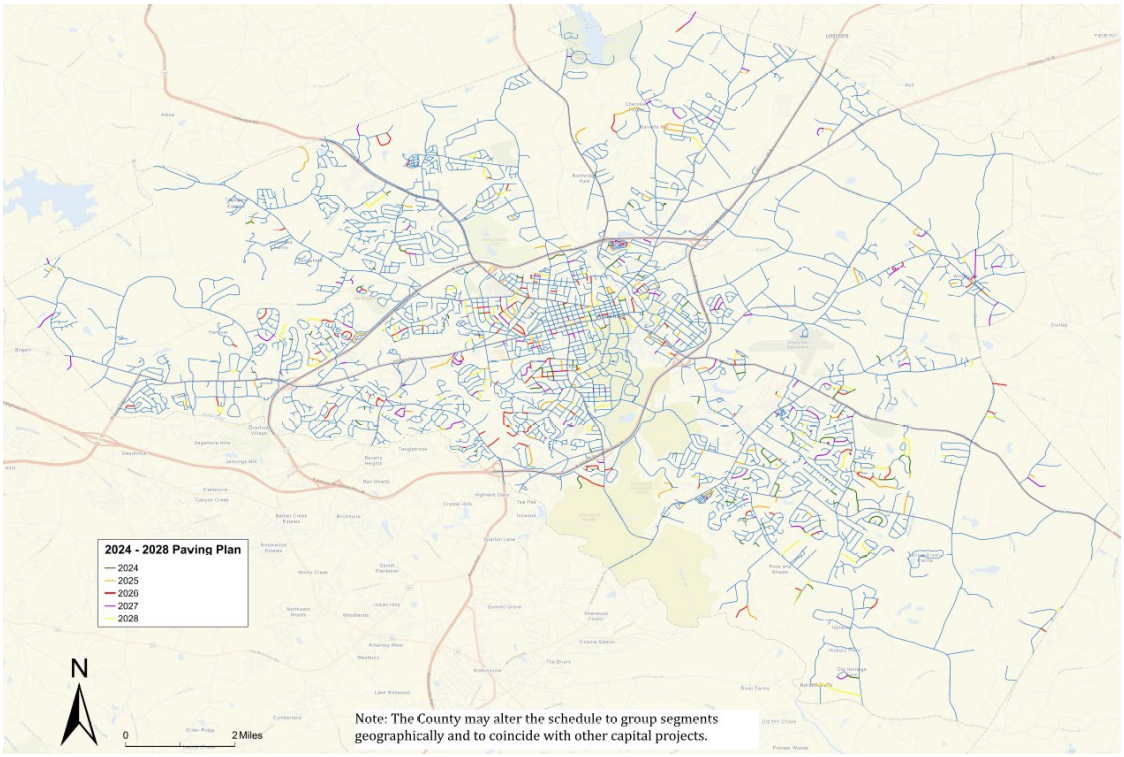


Figure 26. A 5-Year Major M&R plan based on the 2024 budget.

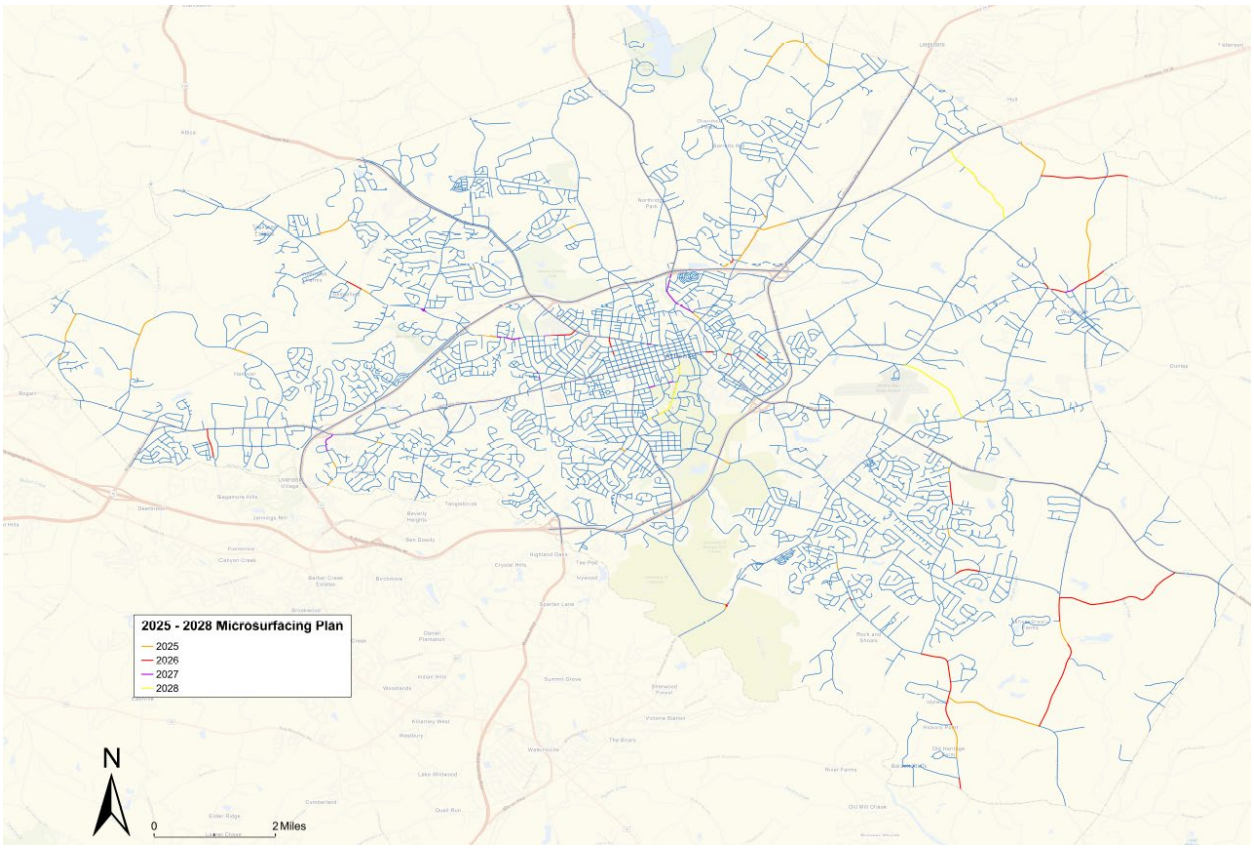


Figure 27. A 4-Year pavement preservation plan based on the 2024 budget.

Disclaimer: This pavement management report is intended to provide an overview of the 2023 condition and network-level management strategies based on the visual evaluation of surface distresses without including a comprehensive structural evaluation. Therefore, the precise pavement treatment should be determined based on the project-level analysis of the existing pavement conditions. The analyses presented herein are based on the information available during the assessment and may be subject to change over time. The County may elect to shift some segments from one year to another to group streets within a geographic area or to coincide with other capital projects.

6 Recommendations

- **Diversify Pavement Preservation Treatments** – The County might consider exploring and apply additional pavement preservation treatments which include microsurfacing, rejuvenator, etc. Pavement preservation treatments will keep good pavements in good conditions for longer period of time and will extend the service life reducing the maintenance costs.
- **Tailored Treatments for Low PCI Pavements** - For pavements with PCI less than 25 and base/subgrade issues, heavier treatments like FDR, should be applied to address structural concerns and ensure a strong foundation.
- **Data-Driven Decision Making** - GPR data from County-owned streets can inform treatment decisions accurately. This will allow the County to know the existing structure and plan for the required overlay thickness or FDR.

- **Structural Evaluation for Optimal Thickness** - Structural evaluation helps optimize pavement thickness for mill & inlay/reconstruction on arterial and collector streets.
- **Setting Target PCI's and Allowable Backlogs** - Set target PCI's based on functional class and maximum allowable backlogs and achieve them in 5-10 years.
- **Increased Funding for Sustainable Outcomes** - It is recommended to allocate additional funding to heavier treatments to improve the quality of roads and reduce backlogs, resulting in long-term cost savings.
- **Regular Pavement Condition Evaluations** - Evaluate pavement condition every four years to optimize management based on real-world results.

7 Conclusion

Pavements are the most valuable assets for any public agency. Investing in a pavement management program is rational; considering pavement management not only provides a consistent and rational management method to make decisions but also helps in the optimal use of funds and reduces pavement rehabilitation, resulting in extended pavement life and increased credibility with stakeholders. Based on the March 2023 survey, the County's average PCI value is 68.6, indicating the pavement network is in overall 'fair' condition. About 14.2% of the pavement areas (88 miles) are in 'marginal', 'poor', and 'very poor' conditions. It is recommended to consider increasing the annual fund in the future to offset the increased materials and construction costs and uncertainty in pavement performance, and additional damage incurred by the increased weight limit.

8 Appendix A

A.1 A Map with 2023 PCI Values and Pavement Condition Categories
A.2 List of Pavement Segments with 2023 PCI Values
A.3 A Map with 2024 – 2028 Major Rehabilitation Plan
A.4 List of Pavement Segments with 2024-2028 Major Rehabilitation Plan
A.5 A Map with 2024-2028 Pavement Preservation Plan
A.6 List of Pavement Segments with 2024-2028 Pavement Preservation Plan
A.7 A Map with 2024 Localized Distress Maintenance Plan
A.8 List of Pavement Segments with 2024 Localized Distress Maintenance Plan



PREPARED BY
KCI Technologies, Inc.
2160 Satellite Boulevard, Suite 130
Duluth, GA 30097

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Extension of Non-Profit Leases for FY26

DATE: January 27, 2025

EXECUTIVE SUMMARY: This agenda report recommends the renewal of expiring leases with non-profit entities occupying Unified Government of Athens-Clarke County (ACCGov) facilities. The proposed rate is to extend leases at their current rate of $1 per year while the Government Operations Committee (GOC) continues to review the Unified Leasing Policy.

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:

To request that the Mayor and Commission:

a. Approve an extension of any expiring non-profit leases through June 30, 2026; and
b. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. Since Unification in 1991, ACCGov has leased some space within its facilities to non-profit entities serving the community. As new facilities and new tenants have become involved in the process, disparities emerged regarding the approach to rental rates and utility support.

2. On June 4, 2019, Mayor Kelly Girtz assigned to the Government Operations Committee (GOC) a task to develop a consistent leasing policy for ACCGov facilities.

3. Between August 22, 2019, and April 23, 2020, the GOC worked with the Central Services Department to review the locations and lease terms used for ACCGov properties. During this process, the following objectives were considered as the leasing policy was developed:
    a. The policy should differentiate between non-profit, for-profit, and government entities.
    b. The policy should establish a uniform framework for non-profit entities.
    c. Where possible, leases should run from July 1 to June 30 to align with the ACCGov fiscal year.

d. The lease rates for non-profit entities should be based on market rates that are modified by factors related to building characteristics, property uses, local community benefit, and a tenant's ability to pay.
e. The lease policy should establish cost share guidelines for accelerated wear-and-tear and facility rentals.

4. On March 13, 2020, the President declared a National Emergency in the United States in response to COVID-19.

5. On March 14, 2020, Governor Brian Kemp declared a Public Health Emergency in the State of Georgia.

6. On March 16, 2020, the Mayor and Commission (M&C) adopted an ordinance for the Declaration of Local State of Emergency in Athens-Clarke County.

7. On April 23, 2020, the GOC discussed the leasing policy as presented by the Central Services Department and the GOC made the recommendation to advance the policy to the full M&C with the additional recommendation that non-profit leases be held at $1/year for FY21 in order to give time to notify tenants of the new policy.

8. On June 2, 2020, the M&C adopted the new Unified Leasing Policy and renewed FY21 leases to non-profits for $1/year.

9. On September 25, 2020, staff began to notify non-profit tenants of how the Unified Leasing Policy would impact their lease agreements for FY22.

10. On March 2, 2021, the M&C approved an extension of leases for $1/year for FY22 due to the COVID-19 pandemic.

11. On August 31, 2021, the Junior League of Athens notified staff that they did not intend to renew their lease of the Taylor-Grady House in FY23.

12. On January 4, 2022, the M&C again adopted an extension of leases for $1/year for FY23 due to the COVID-19 pandemic.

13. On April 5, 2022, Mayor Girtz appointed Commissioners Davenport, Parker, and Wright to an Ad Hoc Property Committee to consider: a) continuity of use for Taylor-Grady as a house museum/event facility (with appropriate neighborhood protections).

14. On June 30, 2022, the existing lease between ACCGov and the Junior League of Athens for the occupation of the Taylor-Grady House ceased.

15. On December 13, 2022, staff met with tenants to discuss the upcoming rates for FY24 as based on the Unified Leasing Policy.

16. On January 3, 2023, Mayor Girtz appointed Commissioners Culpepper, Davenport, and Wright to the Ad Hoc Property to reflect changes in Commission membership.

17. On February 7, 2023, the Mayor re-assigned the leasing policy back to the GOC to discuss changes to the community benefits agreement section that is included in the leasing policy.

18. On February 10, 2023, ACCGov released RFP#01116, "Defined Use and Lease of the Taylor-Grady House", which solicited proposals from prospective tenants for future occupation and operation of the facility.

19. On February 17, 2023, the Central Services Department notified existing lessees that the Unified Leasing Policy was assigned to the GOC for review, and that their leases would be proposed to the M&C for an extension of six-months, until December 31, 2023.

20. On March 30, 2023, ACCGov received two proposals to RFP#01116 for the use and lease of the Taylor-Grady House.

21. On May 18, 2023, the Property Committee voted unanimously to recommend the award of RFP#01116 to The Taylor Grady House National Historic Landmark, Inc. (TGHNHL) as the top responsive proposal. This recommendation was made contingent on TGHNHL securing a parking agreement prior to the execution of a lease, and allowing staff to add other provisions to the lease.

22. On September 5, 2023, the M&C approved a lease of the Taylor-Grady House with TGHNHL for the annual rate $5,997 per year, as stipulated in the Unified Leasing Policy and RFP#01116.

23. On November 1, 2023, the GOC presented an update to the Unified Leasing Policy to the full M&C. At that meeting, the M&C voted to hold the topic and return it to the GOC for further review. At this same meeting, they approved an additional six-month extension of current leases, until June 30, 2024.

24. On February 14, 2024, staff was advised that due to the workload of the GOC, the topic of the Unified Leasing Policy would not be discussed until late FY24 or early FY25. As a result, staff recommend that the M&C renew any expiring non-profit leases under their current terms.

25. On May 7, 2024, M&C approved for non-profit leases to be extended until June 30, 2025, under their current terms.

26. On January 13, 2025, staff was advised that due to the workload of the GOC, the topic of the Unified Leasing Policy would not be discussed until FY26 or later. As a result, staff recommend that the M&C renew any expiring non-profit leases under their current terms, set to expire June 30, 2026.

FACTS & ISSUES:

1. The Mayor's assigned charge to the GOC is to update the Community Benefits Agreement portion of the Unified Leasing Policy. In general, the Community Benefits Agreement template outlines the following criteria for consideration:
    I. Proposed Facility and Lease Term
    II. Agency/Tenant Group
    III. Mission Statement
    IV. Goals
        a. Good Neighbors
        b. Identify and Close Gaps in Partnership with the Community
        c. Organizational Improvement
        d. Quality, Stable, Affordable Housing for All
        e. Safely Move Around Athens
        f. Built and Natural Infrastructure
    V. Objectives/Performance Measurements Tied to Goals
    VI. Services Provided at this Facility
    VII. Estimated # of Athens-Clarke County Residents Served
    VIII. Annual Lease Rate Reduction if CBA is Approved by the M&C
    IX. Annual Reporting Requirements

2. The GOC was asked to review inconsistencies in how lease terms were applied to non-profit tenants. As an example, some tenants had reduced annual rates, or utilities subsidized.

3. The Unified Leasing Policy adopted by the M&C has four overarching policies applying to valuation. These are:
    a. Entities receiving substantial independent agency funding from ACCGov should not be assessed a lease rate to utilize an ACCGov facility. Examples of these entities include the Athens Regional Library, the Clarke County Health Department, Advantage Behavioral, the Athens Neighborhood Health Center, and the Classic Center.
    b. Base lease rates should be based on the facility location. A lease in downtown should be valued differently from a lease by the airport.
    c. No entity should pay more than 25% of their gross annual average income to rent an ACCGov facility.
    d. Entities should have the opportunity to qualify for heavily subsidized rent if they generate substantial community benefits by utilizing the public facility. A community benefits agreement process is the tool used to address this opportunity.

4. The process for annual lease renewals is timely and involves a number of steps that require cooperation between Central Services and each lessee. Typically beginning in January, the Central Services Department contacts each agency to ask if they plan to continue with their

current lease for the next year. If so, renewal documents are prepared by staff and sent to the agency for signature to begin the renewal process.

5. Specific tenants affected by any changes to the Unified Leasing Policy, as well as the current lease rate of $1, are listed below:
   - Town & Gown Players - 115 Grady Avenue
   - East Athens Neighborhood Health Center – 402 McKinley Drive
   - Hancock Community Development Corporation – 300 Henderson Extension
   - Miriam Moore Facility Athens Tutorial – 410 McKinley Drive
   - Miriam Moore Facility Clarke County Health Department – 410 McKinley Drive
   - Miriam Moore Facility East Athens Development Corporation – 410 McKinley Drive
   - Old Fire House #2 Athens Clarke Heritage Foundation – 489 Prince Avenue
   - Welcome Center Athens Clarke Heritage Foundation – 280 E. Dougherty Street

   The lease for the Taylor-Grady House includes renewal options through June 30, 2026. Currently, the Taylor-Grady House is paying a fee that is not consistent with the standard $1 lease rate. If this proposal is not approved, the Taylor-Grady House will be required to adhere to the $1 lease agreement when the renewal period arrives. As a result, staff do not recommend any action to change or extend this lease beyond what the M&C have already approved (History #22).
6. In FY24 staff recommended that any current non-profit leases set to expire in FY24 be extended for one year, under the same terms through June 30, 2025, to give the GOC and staff time to continue their work on the Unified Leasing Policy. Due to a heavy workload, the GOC and staff were not able to complete this task.

7. This current agenda item recommends that any current non-profit leases set to expire at the end of FY25 be extended for one year, under the same terms through June 30, 2026. This action will give the GOC and staff time to continue their work on the Unified Leasing Policy.

8. It is anticipated that an extension will also afford an opportunity for Central Services and lessees to initiate the standard processes/procedures associated with executing lease renewals thereafter, as applied under any changes made to the Unified Leasing Policy.

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Goal Area 2: Identify and Close Gaps in Partnership with the Community; Strategy D: *Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, non-profit capacity building, and problem solving with connected community partners.*

OPTIONS:

1. Mayor and Commission:
    a. Approve an extension of any expiring non-profit leases through June 30, 2026; and
    b. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not approve the lease extensions.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Central Services
Prepared by: Angel Helmly



James Alexander — Date:
Interim Central Services Director

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Brad Griffin, — 02/13/2025 Date:
Acting Manager

ATTACHMENTS:

Attachment 1: Request for Parking Deck Increase

October 11, 2024

James Alexander, Interim Director
Central Services Department
Athens-Clarke County
Via email James.Alexander@accgov.com

RE: Request for increase in hourly parking rate in College Avenue and Washington Street Decks

Dear James:

In the ACCUG FY25 budget, the hourly parking rate for the College Avenue, Washington Street, and Courthouse decks was increased from $1.00 to $1.50. To implement this increase in the College and Washington decks, the equipment would need to be upgraded to accept coins, at an estimated cost of $80,000. In addition, coins have increasingly difficult to deposit. Only one institution in Athens has equipment that can handle the volume of coins that on-street parking already produces.

The Athens Downtown Development Authority (ADDA) respectfully requests that the ACCUG consider increasing the hourly rate to $2.00/hour to avoid the investment in additional equipment. The hourly rate in other parking decks in the Athens area is currently $2.00/hour or more. The ADDA also requests that there be no charge for the first hour of deck parking; currently there is no charge for the first half-hour. The maximum daily rate of $15/day would remain the same. The ADDA voted unanimously at their October 9 board meeting to forward this request to the Mayor and Commission.

Please let me know if the ADDA can provide any additional information as the Mayor and Commission consider this request. As always, thank you for the continued partnership between the ADDA and the ACCUG that allows us to serve downtown.

Sincerely,

Jason Leonard, Chairman
Athens Downtown Development Authority

cc: Andrew Saunders
Linda Ford
Angel Helmly
David Lynn

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Proposed increase to Clarke County Health Board of Health Environmental Health Section Fees.

DATE: ~~February 10, 2025~~ February 27, 2025

EXECUTIVE SUMMARY: This agenda report requests approval of the proposed increase to Clarke County Health Board of Health Environmental Health Section Fees.

BUDGET INFORMATION:

REVENUES: $481,835 (Projected Annual Revenue with fee increase)

EXPENSES:
ANNUAL: $775,043 (Environmental Health activities only)
CAPITAL:
OTHER:

FUNDING SOURCE: Fee Revenue

COMMISSION ACTION REQUESTED ON: March 4, 2025

PURPOSE:
To request that the Mayor and Commission approve the fee increase to the Clarke County Board of Health Environmental Health Section fee schedule (**Attachment #1**).

HISTORY:

1. On July 5, 2011, the Athens-Clarke County Mayor and Commission approved changes to the environmental health fees.

2. On February 7, 2017, the Athens-Clarke County Mayor and Commission approved changes to the environmental health fees.

3. On January 27, 2025, the Clarke County Board of Health sent a proposed Environmental Health Fee increase request to the Athens-Clarke County Mayor.

FACTS & ISSUES:

1. Georgia law requires the Clarke County Board of Health and the Athens-Clarke County Mayor and Commission to approve all environmental health fees.

2. The Clarke County Board of Health charges fees for health inspection services required by law. Inspections include restaurants, septic tanks, tourist facilities, public swimming pools, tattoo facilities and water sample testing. The revenue generated by these fees goes toward offsetting the cost of providing these services, but does not cover the full cost. The proposed new fees are requested to ensure that these services continue to be provided.

OPTIONS:

1. Mayor and Commission approve the fee increases to the Clarke County Board of Health Environmental Health Section fee schedule (**Attachment #1**)

2. Mayor and Commission deny the environmental health fees increases as shown in **Attachment #1**.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT:
Prepared by: David Boyd

David Boyd _____ February 10, 2025
David Boyd Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



02/13/2025
Brad Griffin, Date:
Acting Manager

ATTACHMENTS:

Attachment #1: Proposed Clarke County Board of Health Environmental Health Section Fees

Attachment #1
Clarke County EH Fee History

Clarke EH Fees	2008	2011	2017	Proposed 2025
ON-SITE SEWAGE				
Subdivision				
Subdivision Plat Review	$300.00	$300.00	$300.00	$300.00
Subdivision Lot Review	$100.00	$100.00	$100.00	$100.00
Residential				
Septic Tank Inspection	$275.00	$275.00	$375.00	$425.00
Septic Tank Inspection ≥ 5 bedrooms	$325.00	$325.00	$425.00	$475.00
Septic Tank Inspection Re-inspection	$150.00	$150.00	$200.00	$200.00
Septic Tank Evaluation	$125.00	$125.00	$150.00	$200.00
Septic System Location Plan Review	$50.00	$50.00	$50.00	$75.00
Septic System Site Plan Review	$75.00	$75.00	$75.00	$100.00
Repair Permit		$115.00	$200.00	$200.00
Addition /modification inspection			$150.00	$200.00
Expedited Service	$75.00	$75.00	$75.00	$150.00
Commercial				
Septic Inspection 1-1000 gpd	$450.00	$450.00	$500.00	$550.00
Septic Inspection 1001-2000 gpd	$750.00	$750.00	$800.00	$850.00
Septic Inspection 2001-5000 gpd	$1,200.00	$1,200.00	$1,300.00	$1,350.00
Septic Inspection 5001-9999 gpd	$2,000.00	$2,000.00	$2,100.00	$2,150.00
Septic Tank Re-inspection	$250.00	$250.00	$300.00	$350.00
Septic Tank Evaluation	$250.00	$250.00	$300.00	$350.00
Site Plan Review 1-1000 gpd	$75.00	$75.00	$100.00	$125.00
Site Plan Review 1001-2000 gpd	$125.00	$125.00	$150.00	$200.00
Site Plan Review 2001-5000 gpd	$200.00	$200.00	$250.00	$275.00
Site Plan Review 5001-9999 gpd	$300.00	$300.00	$350.00	$375.00
Repair Permit		$215.00	$315.00	$365.00
Expedited Service	$100.00	$150.00	$150.00	$200.00
Septage Removal				
Pump Truck Inspection	$100.00	$100.00	$200.00	$200.00
Construction Trailer Plan Review	$300.00	$300.00		
Construction Trailer Operational Permit (90 days)	$500.00	$500.00		

	2008	2011	2017	Proposed 2025
FOOD SERVICE				
Plan Reviews				
Type 1 Facility - No Food Served	$275.00	$275.00	$375.00	$375.00
Type 1 Facility - Food Served	$300.00	$300.00	$400.00	$400.00
Type 2 Facility - <40 seats	$350.00	$350.00	$450.00	$450.00
Type 2 Facility - ≥40 seats	$400.00	$400.00	$500.00	$500.00
Type 3 Facility - <40 seats	$450.00	$450.00	$550.00	$550.00
Type 3 Facility - ≥40 seats	$500.00	$500.00	$600.00	$600.00
Extended Food Service Facility	$300.00	$300.00	$400.00	$400.00
Mobile Food Service Facility	$400.00	$400.00	$400.00	$400.00
Mobile Food Service Unit	$350.00	$350.00	$400.00	$400.00
Temporary/Festival Review	$100.00	$100.00	$150.00	$150.00
HACCP Review	$150.00	$150.00	$150.00	$150.00
Inspection Fees				
Annual Type 1 Facility- No Food Served	$250.00	$250.00	$300.00	$300.00
Annual Type 1 Facility - Food Served	$300.00	$300.00	$400.00	$400.00
Annual Type 2 Facility - <40 seats	$350.00	$350.00	$450.00	$450.00
Annual Type 2 Facility - ≥40 seats	$400.00	$400.00	$500.00	$500.00
Annual Type 3 Facility - <40 seats	$450.00	$450.00	$550.00	$550.00
Annual Type 3 Facility - ≥40 seats	$500.00	$500.00	$600.00	$600.00
Extended Food Service Facility	$300.00	$300.00	$400.00	$400.00
Mobile Food Service Facility	$500.00	$500.00	$500.00	$500.00
Mobile Food Service Unit	$450.00	$450.00	$500.00	$500.00
Temporary/Festival Inspection	$100.00	$100.00	$150.00	$150.00
Restaurant Re-inspection	$150.00	$150.00	$200.00	$200.00
Misc.				
Expedited Service		$150.00	$150.00	$150.00
Preliminary/ Consultation review			$100.00	$100.00
Resubmittal Fee	$225.00	$225.00	$225.00	$225.00
Food Safety Class per person	$50.00	$50.00	$50.00	$50.00
ServSafe Class per person	$150.00	$150.00	$150.00	$150.00
ServSafe Exam only			$75.00	$75.00

	2008	2011	2017	Proposed 2025
TOURIST ACCOMODATIONS				
Annual Inspection <50 rooms	$300.00	$300.00	$350.00	$350.00
Annual Inspection 51-99 rooms	$500.00	$500.00	$550.00	$550.00
Annual Inspection ≥ 100 rooms			$750.00	$750.00
Plan Review <50 rooms	$300.00	$300.00	$350.00	$350.00
Plan Review 51-99 rooms	$550.00	$550.00	$600.00	$600.00
Plan Review ≥ 100 rooms			$800.00	$800.00
Re-inspection fee	$150.00	$150.00	$200.00	$200.00
Resubmittal fee	$150.00	$150.00	$150.00	$150.00
Expedited Service	$150.00	$150.00	$150.00	$150.00
SWIMMING POOLS				
Annual Inspection	$300.00	$300.00	$350.00	$350.00
Plan Review	$500.00	$500.00	$500.00	$500.00
Pressure Test Inspection	$150.00	$150.00	$150.00	$150.00
Construction Inspection	$200.00	$200.00	$200.00	$200.00
Re-inspection fee	$150.00	$150.00	$150.00	$150.00
Resubmittal fee	$150.00	$150.00	$150.00	$150.00
Expedited Service	$150.00	$150.00	$150.00	$150.00
INDIVIDUAL WATER SUPPLY				
Water Sample - Individual	$60.00	$60.00	$30.00	$30.00
Water Sample - Loan	$150.00	$150.00	$150.00	$150.00
Water Sample - Non-public Facility	$75.00	$75.00	$75.00	$75.00
Water Sample - Priority Service	$200.00	$200.00	$200.00	$200.00
Well Location Inspection	$75.00	$75.00	$75.00	$75.00
OTHER				
Institutional Evaluation	$150.00	$150.00	$150.00	$150.00
Plan Review Tattoo/ Piercing Establishment		$300.00	$350.00	$350.00
Tattoo/Piercing Establishment Annual Perm		$350.00	$400.00	$400.00
Body Artist Exam Fee		$50.00	$50.00	$50.00
Tattoo/ Piercing Establishment Re-insp. Fee		$150.00	$150.00	$150.00
Facility List	$50.00	$50.00	$50.00	$50.00
Permit/Inspection Report Replacement	$25.00	$25.00	$50.00	$50.00
File Search/Copy Fee	$5.00	$5.00	$5.00	$5.00
Returned Check Fee	Bank Rate	Bank Rate	Bank Rate	Bank Rate
Signature Fee	$50.00	$50.00	$25.00	$50.00
Operating Without a Permit	Double Fee	Double Fee	Double Fee	Double Fee
Late Fee (per 30 days)	$30.00	$30.00	$30.00	$30.00
Informal Hearing (add legal cost)	$250.00 Legal Fees	$250.00 Legal Fees	$250.00 Legal Fees	$250.00 Legal Fees
Formal Hearing (add legal cost)	$500.00 Legal Fees	$500.00 Legal Fees	$500.00 Legal Fees	$500.00 Legal Fees

Fees highlighted in yellow are changes

Total projected increase fo **$7,025**

Athens-Clarke County Contract Awards
In Excess of $10,000 - November 2024

Contract Award Date	Vendor Name	Commodity or Service	Contract Amount	Department	Funding Source
Manager Awarded Contracts: Total $583,870.00					
11/26/2024	NATIONAL BUILDING CONTRACTORS	Roof Replacement: Transit Office & Shop	442,000.00	Capital Projects	SPLOST 2020 Cap Proj Fund
11/26/2024	HARDY CHEVROLET BUICK GMC INC	2025 Chevrolet Blazer EV	141,870.00	Transit Maintenance	Grant Spec Revenue Fund
Purchasing Awarded Contracts: Total $1,763,288.09					
11/04/2024	RS&H INC	Professional Services - MACORTS	31,398.76	Planning	Grant Spec Revenue Fund
11/05/2024	EWT HOLDING III CORP	Water Filter Site Repairs	25,510.00	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	TROJAN TECHNOLOGIES GROUP ULC	Cylinders (14)	32,048.13	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	HYDRA SERVICE (E) INC	Pump Repair - North Oconee Pumping Station	44,660.86	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	YANCEY BROS CO	Beacham Water Treatment Plant Generator Repair	15,726.00	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	YANCEY BROS CO	North Oconee Water Reclamation Facility Generator Repair	37,538.44	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	UV SUPERSTORE INC	UV Quartz Sleeves (400)	20,000.00	Plant Maintenance	Water & Sewer Ent Fund
11/05/2024	CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY	Law Enforcement Community Engagement Event At the Classic Center	51,739.12	Sheriff's Office	General Fund
11/05/2024	GRANTSMITHS LLC	Community Change Grant - Application Development and Submission Services	20,000.00	Sustainability	General Capital Projects Fund
11/05/2024	CLYDE ARMORY INC	Tactical Equipment (40 sets)	22,730.00	Police	Special Programs Spec Rev Fund
11/05/2024	HYDRA SERVICE (E) INC	Middle Oconee Pump Replacement	81,000.00	Public Utilities	Water & Sewer Construction Ent Fund
11/05/2024	ALFRED BENESCH & COMPANY	Beech Haven Temporary Bridge Repair	10,110.00	Capital Projects	SPLOST 2020 Cap Proj Fund
11/05/2024	COMCATE SOFTWARE INC	Software Renewal: 311/Customer Relationship Management Solution	18,254.01	Communication	General Fund
11/05/2024	INSIGHT PUBLIC SECTOR INC	Software Renewal: Netmotion Security	40,132.08	Police	General Fund
11/05/2024	READY FITNESS	Gym Equipment	12,404.31	Benefits & Wellness	Self Funded Health Insurance Intr Serv Fund
11/05/2024	TYNERS TRUCK AND AUTO REPAIR INC	Replacement Engine	16,158.47	Fleet Management	Fleet Management Intr Serv Fund
11/05/2024	NATIONAL BUILDING CONTRACTORS	Insulation Installation - 440 College Avenue Buildings 100 & 200	14,300.00	Facilities Management	General Capital Projects Fund
11/05/2024	UTILICOM SUPPLY ASSOCIATES LLC	Signage, Mounts and Equipment (110)	34,596.02	Transportation & Public Works	General Capital Projects Fund
11/06/2024	APPLIED INDUSTRIAL TECHNOLOGIES	Gearbox for Middle Oconee Water Reclamation Facility	14,453.74	Plant Maintenance	Water & Sewer Ent Fund
11/06/2024	HYDRA SERVICE (E) INC	Horizontal End Suction Pump Repair - North Oconee	16,606.20	Plant Maintenance	Water & Sewer Ent Fund
11/06/2024	SMARTSAFETY SOFTWARE, INC	Software Maintenance Renewal: ScenePD Coverage Period – 11/3/2023 – 11/2/2025 (2 years)	20,800.00	Police	General Fund
11/08/2024	CENTURY FIRE HOLDINGS LLC	Design and install: Jail Fire Sprinkler System updates to Hydraulic Data Plates (20)	33,000.00	Facilities Management	General Capital Projects Fund
11/08/2024	STANTEC CONSULTING SERVICES INC	General On-call Engineering Services & Staff Augmentation	90,000.00	Public Utilities	Water & Sewer Ent Fund
11/12/2024	NORTH AMERICA FIRE EQUIPMENT CO INC	Digital Fire Extinguisher Training System	26,191.19	Fire	General Fund
11/12/2024	ALLSOUTH ENVIRONMENTAL SERVICES LLC	Water Reclamation Facility Influent Pump Cleaning Services	20,434.05	Plant Maintenance	Water & Sewer Ent Fund
11/12/2024	SMYRNA F-LLC	2023 Utility Police Interceptor with Equipment	54,699.40	Police Field Operations Bureau	General Fund General Capital Projects Fund Special Programs Spec Rev Fund
11/12/2024	JACOBS ENGINEERING GROUP INC	Risk & Resiliency Assessment and Cybersecurity Assessment: Water System Updates	68,262.00	Public Utilities	Water & Sewer Construction Ent Fund
11/12/2024	JOHN MEGEL FORD LLC	4-wheel Drive Ranger	37,637.00	Public Utilities	Water & Sewer Construction Ent Fund
11/13/2024	THE PITNEY BOWES BANK INC	Postage	10,000.00	Board of Elections	General Fund
11/13/2024	WEST CHATHAM WARNING DEVICES INC	Vehicle Uplifts - Gray Police Units (5)	10,178.00	Police Field Operations Bureau	Special Programs Spec Rev Fund
11/13/2024	WEST CHATHAM WARNING DEVICES INC	Vehicle Uplift - CID Unit (1)	29,049.60	Police Field Operations Bureau	Special Programs Spec Rev Fund
11/13/2024	GALLAGHER BASSETT SERVICES INC	Worker's Compensation Prefund Invoice	93,750.00	Safety & Risk	Self Funded Insurance & Claims Intr Serv
11/13/2024	QUADIENT INC	Mail Meter Postage	60,000.00	Internal Support	Internal Support Intr Serv Fund
11/13/2024	ARCADIS US INC	Bi-annual Dam Safety Inspections	24,249.52	Transportation & Public Works	Storm Water Utility Ent Fund
11/15/2024	MID STATE CONSTRUCTION & STRIPING INC	8" White Thermoplastic (4728 Linear Feet)	12,529.20	Transportation & Public Works	General Capital Projects Fund
11/18/2024	PROSECUTING ATTORNEYS COUNCIL OF GA	Prosecutorial Team Lodging (Ibarra Trial)	14,833.90	District Attorney's Office	General Fund
11/19/2024	THE HON COMPANY LLC	HON Furniture - Lyndon House Community Room Lifecycle Replacement	67,656.70	Leisure Services	General Capital Projects Fund
11/19/2024	SMYRNA F-LLC	Ford F250 Truck (1)	61,325.00	Fleet Management	Fleet Replacement Intr Serv Fund
11/19/2024	JOC CONSTRUCTION LLC	College Avenue Parking Deck Engineering & Investigation	29,897.51	Facilities Management	General Capital Projects Fund
11/20/2024	ELANTECH INC	Subscription Renewal: FirstResponse911 Coverage Dates: 11/18/2024 - 11/17/2025	15,355.00	Police Field Operations Bureau	Emergency Telephone Spec Rev Fund
11/21/2024	GEORGIA MUNICIPAL ASSOCIATION	Subscription Renewal: GMA Telecommunications & ROW Management Service (1/1/25-12/31/25)	15,000.00	Finance	General Fund
11/21/2024	HR ACUITY LLC	Subscription Renewal: HR Acuity - Coverage Period 10-20-24 - 10-19-25	18,000.00	Human Resources	General Fund
11/22/2024	ASSOCIATION COUNTY COMMISSIONERS OF GA	Membership Dues - 2025	19,162.78	Finance	General Fund
11/26/2024	AMR BUSINESS PRODUCTS INC	Court Recording Systems (2) with Microphones (16)	13,254.00	Superior Court	General Fund
11/26/2024	TT FASTER LLC	Software Renewal: FASTER Web Dates: 10/1/2024 - 9/30/2025	51,690.18	Information Technologies	General Fund Fleet Management Intr Serv Fund
11/26/2024	SOFTCHOICE CORPORATION	Maintenance Renewal: SolarWinds Coverage Dates: 01/17/2025 - 01/16/2026	12,079.00	Information Technologies	General Fund
11/26/2024	CONVERGE TECHNOLOGY SOLUTIONS US LLC	Existing Network Node Upgrade	53,114.00	Information Technologies	General Capital Projects Fund
11/26/2024	JAMES-BATES-BRANNON-GROOVER LLP	Legal Services - Timothy Road	30,827.89	Capital Projects	TSPLOST 2018 Cap Proj Fund
11/26/2024	NATIONAL BUILDING CONTRACTORS	Roof Restoration: Civic Hall	94,700.00	Capital Projects	SPLOST 2020 Cap Proj Fund
11/26/2024	NATIONAL BUILDING CONTRACTORS	Roof Restoration: Simon Michael Building	53,200.00	Capital Projects	SPLOST 2020 Cap Proj Fund
11/27/2024	CONSOLIDATED PIPE & SUPPLY CO INC	Pipe	13,947.00	Streets & Drainage	American Rescue Plan
11/27/2024	MAGNET FORENSICS LLC	Investigative Software	49,099.03	Police Field Operations Bureau	General Fund Grant Spec Revenue Fund
Number of Contracts	**54**	**Total of Contracts Awarded**	**$ 2,347,158.09**	Submitted by: Jessica Beri Purchasing Administrator January 28, 2025	

Athens-Clarke County Contract Awards
In Excess of $10,000 - December 2024

Contract Award Date	Vendor Name	Commodity or Service	Contract Amount	Department	Funding Source
Manager Awarded Contracts: Total $1,092,043.37					
12/04/2024	CLARITI CLOUD INC	Software Renewal: Clariti 2025 Coverage Dates: 11/18/24 - 11/17/25	167,408.91	Building Permits & Inspections	General Fund
12/20/2024	SMYRNA F-LLC	Public Safety Vehicles & Uplifts (12)	803,374.46	Fleet Management	American Rescue Plan
12/23/2024	POND & COMPANY INC	Lexington Road Corridor Improvements - Initial Tasks only	121,260.00	Capital Projects	TSPLOST 2023 Cap Proj Fund
Purchasing Awarded Contracts: Total $1,715,429.24					
12/02/2024	TOTER LLC	Toter Roll Carts (511)	29,956.75	Solid Waste Administration	Solid Waste Ent Fund
12/04/2024	MOTOROLA SOLUTIONS INC	User Licenses (1000)	12,750.00	800MHZ Radio System	Internal Support Intr Serv Fund
12/04/2024	JONES MECHANICAL CONTRACTORS	Courthouse Elevator Room Air Conditioner Unit	13,785.00	Facilities Management	General Capital Projects Fund
12/04/2024	A & H SALES AND SERVICE LLC	2024 12-Foot Predator Bush Hog (1)	14,959.68	Landfill	Landfill Ent Fund
12/04/2024	JONES MECHANICAL CONTRACTORS	Replacement of Air Conditioner - UGA Tower	20,675.00	800MHZ Radio System	Internal Support Intr Serv Fund
12/04/2024	PRIME CONTRACTORS INC	Interior Painting - Police E-911 Center	24,800.98	Facilities Management	General Capital Projects Fund
12/04/2024	PRIME CONTRACTORS INC	Interior Painting - Police Headquarters	64,000.00	Facilities Management	General Capital Projects Fund
12/05/2024	SHARP ELECTRONICS CORPORATION	Sharp Interactive Display - Satula Conference Room	15,409.80	Information Technologies	General Fund
12/05/2024	ALFRED BENESCH & COMPANY	Traffic Analysis - Prince Avenue	32,325.00	Capital Projects	TSPLOST 2018 Cap Proj Fund
12/05/2024	KOFILE TECHNOLOGIES, INC	Historical Deed Indexing 1966-1969	50,000.00	Clerk of Courts	General Capital Projects Fund
12/06/2024	ALFRED BENESCH & COMPANY	Firefly Trail Preliminary Construction Documents - Ranick Road Trailhead	11,535.00	Capital Projects	TSPLOST 2018 Cap Proj Fund
12/06/2024	LAMAR TEXAS LIMITED PARTNERSHIP	Election Advertising	12,125.00	Board of Elections	General Fund
12/06/2024	DOMINION VOTING SYSTEMS INC	Dominion Voting System	20,347.90	Board of Elections	General Fund
12/06/2024	ANDRIT SEPARATION INC	Middle Oconee Centrifuge Repair	21,414.00	Plant Maintenance	Water & Sewer Ent Fund
12/06/2024	TEN-8 FIRE & SAFETY EQUIPMENT INC	Brass Intake Valves (12)	26,421.08	Fire	General Capital Projects Fund
12/06/2024	CIVICPLUS LLC	Software: Annual Hosting & Support Services Fee	27,143.66	Communication	General Capital Projects Fund
12/06/2024	SOUTHERN IONICS INC	Chemical: Phos-sorb	32,760.00	WRF Administration	Water & Sewer Ent Fund
12/06/2024	NORTH AMERICA FIRE EQUIPMENT CO INC	Fire Training Center Cascade System	55,825.00	Fire	General Capital Projects Fund
12/09/2024	SHARP ELECTRONICS CORPORATION	Presentation Room Upgrade: Sharp SmartBoard	64,621.65	Public Utilities	Water & Sewer Construction Ent Fund
12/10/2024	GEORGIA CENTER FOR NONPROFITS	Annual Membership & Subscription	10,780.00	Housing & Community Development	American Rescue Plan
12/10/2024	GA ASSOCIATION OF WATER PROFESSIONALS INC	2025 Utility Dues	10,860.00	PUD Administration	Water & Sewer Ent Fund
12/10/2024	REEL-SCOUT INC	Software: Project Management Annual Service Fee	12,420.00	Communication	General Fund
12/10/2024	DE NORA HOLDINGS US INC	Water Treatment Cell Tube Assembly	16,786.69	Plant Maintenance	Water & Sewer Ent Fund
12/10/2024	TT OF ATLANTA INC	Investigator Vehicle	32,750.00	Solicitor General's Office	General Capital Projects Fund
12/10/2024	SOUTHERN MOTORCYCLES INC	Harley Davidson Motorcycle - Replacement (1)	34,784.40	Police Field Operations Bureau	General Capital Projects Fund
12/10/2024	HAZEN AND SAWYER DPC	Tank Rehabilitation Support Services	39,600.00	Public Utilities	Water & Sewer Construction Ent Fund
12/10/2024	CLYDE ARMORY INC	Body Vests & Outer Carriers (28 each)	41,041.56	Police Field Operations Bureau	Grant Spec Revenue Fund
12/10/2024	TROJAN TECHNOLOGIES GROUP ULC	UV Wastewater Treatment System Replacement Lamps (108)	49,587.26	Public Utilities	Water & Sewer Construction Ent Fund
12/10/2024	CONVERGE TECHNOLOGY SOLUTIONS US LLC	Software: Cisco Security Bundle	73,297.38	Information Technologies	General Fund
12/12/2024	PHOENIX CRANE SERVICES INC	Crane Rental	26,840.00	Plant Maintenance	Water & Sewer Ent Fund
12/13/2024	NORTH AMERICA FIRE EQUIPMENT CO INC	Technical Rescue Equipment	14,904.00	Fire	General Fund
12/13/2024	CENTRALSQUARE TECHNOLOGIES LLC	Billing Software	16,000.00	Transportation & Public Works	Storm Water Utility Ent Fund
12/13/2024	GLOBAL INDUSTRIES, INC.	Heard Park Replacement Furniture	20,463.56	Leisure Services	General Capital Projects Fund
12/13/2024	HARDY CHEVROLET BUICK GMC INC	Ford Maverick Hybrid (1)	25,865.00	Building Permits & Inspections	General Fund
12/16/2024	SHI INTERNATIONAL CORP	Computers - Yearly Replacement Program (104)	86,715.96	Information Technologies	American Rescue Plan
12/17/2024	AKO SIGNS INCORPORATED	Sandy Creek Nature Center Greenway Signs	10,580.00	Capital Projects	TSPLOST 2023 Cap Proj Fund
12/17/2024	CATALIS COURTS & LAND RECORDS LLC	Software Maintenance - Court CMS July 2024 - June 2025	10,905.84	Information Technologies	General Fund
12/17/2024	SOUTHERN COMPUTER WAREHOUSE INC	Docking Station - Yearly Replacement (90)	12,507.30	Information Technologies	American Rescue Plan
12/17/2024	TRAILER CAPITAL USA LLC	Haulmark Trailer (1)	15,412.00	Fire	American Rescue Plan
12/18/2024	GEORGIA KENWORTH INC	Allison Transmission & Core (1)	15,045.18	Transit Maintenance	Grant Spec Revenue Fund
12/18/2024	FEDERAL EXPRESS CORPORATION	Shipping Charges for Elections Mail	24,389.43	Internal Support	Internal Support Intr Serv Fund
12/18/2024	GEORGIA MUNICIPAL ASSOCIATION	2025 Membership Service Fees	29,020.00	Finance	General Fund
12/18/2024	ARAMSCO INC	Signage - Solar Powered - Slow Down (10)	32,333.50	Transportation & Public Works	General Capital Projects Fund
12/18/2024	GRANICUS LLC	Software Renewal: Granicus (Dates: 11/15/24 - 11/14/25)	38,594.78	Information Technologies	General Fund
12/18/2024	UNITED CONSULTING GROUP LTD	Underground Storage Tank Closure Testing & Reporting - East Washington Street	50,000.00	Capital Projects	SPLOST 2020 Cap Proj Fund
12/18/2024	NOVA ENGINEERING AND ENVIRONMENTAL LLC	Construction Materials Testing Services - Firefly Trail Phase 3	55,390.00	Capital Projects	TSPLOST 2023 Cap Proj Fund
12/20/2024	UNITED POWER & BATTERY CORP	Uninterruptible Power Supply Battery Replacement - Jail (2)	13,700.00	Facilities Management	General Fund
12/20/2024	CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY	2024 Holiday Luncheon	34,868.25	Leisure Services	General Fund
12/23/2024	CONVERGE TECHNOLOGY SOLUTIONS US LLC	Software: Cisco Collaboration Plan (WebEx, WebEx Suite, etc) - 3 months	43,995.00	Internal Support	General Capital Projects Fund
12/23/2024	TYLER TECHNOLOGIES INC	Software Renewal: ERP Pro & Justice (Dates: 12/2024 - 11/2025)	54,224.24	Information Technologies	General Fund
12/23/2024	JWC ENVIRONMENTAL LLC	Middle Oconee Water Treatment Plant - Band Screen Rebuild	71,667.28	Public Utilities	Water & Sewer Construction Ent Fund
12/27/2024	SAFEWARE INC	Hazardous Materials Monitoring Equipment	12,316.05	Fire	General Fund
12/30/2024	AXON ENTERPRISE INC	Software: Axon Justice - PSO - Standard Development	86,277.88	Superior Court	Grant Spec Revenue Fund
12/31/2024	TEN-8 FIRE & SAFETY EQUIPMENT INC	Breathing Apparatuses Testing by On-Site Mobile Technician (279)	11,524.67	Fire	General Capital Projects Fund
12/31/2024	THE W W WILLIAMS COMPANY LLC	Allison Transmission	11,528.53	Transit Maintenance	Grant Spec Revenue Fund
12/31/2024	NIXON POWER SERVICES LLC	Generator (1)	17,598.00	Fire	American Rescue Plan
Number of Contracts	**59**	**Total of Contracts Awarded**	**$ 2,807,472.61**	Submitted by: Jessica Beri Purchasing Administrator February 4, 2025	