

CITY OF HOSCHTON
CITY COUNCIL AGENDA
THURSDAY, JULY 13, 2023
HOSCHTON COMMUNITY CENTER AT 6:00PM
65 CITY SQUARE, HOSCHTON



WORK SESSION

AGENDA

WELCOME AND CALL TO ORDER

AGENDA APPROVAL

REPORTS BY MAYOR, COUNCIL, AND STAFF

OLD BUSINESS

1. **Z-23-04 Modification of Zoning Conditions:** KLP Twin Lakes, LLC, applicant and property owner, seeks rezoning from PUD (Planned Unit Development District) to PUD (Planned Unit Development District) to modify conditions of zoning approved via Ordinance Z-2018-05 to authorize a convenience store with gasoline pumps on 2.392 acres (part of Map/Parcel 121/004) fronting on the west side of State Route 53, the north side of Crystal Lakes Parkway, and the east side of Burton Drive. Proposed use: commercial and convenience store with gasoline pumps. *[Continued from June 2023; planning staff recommendation: approval conditional]*
2. **V-23-03 Variance:** George Flanigan of G.P's Enterprises, by Aaron Frampton, applicant and property owner, seeks a variance to the Hoschton zoning ordinance, Article VI, "Specific Use Restrictions," Section 6.55, "Fee Simple Townhouse," to increase the maximum number of dwelling units in a building from six to eight, to reduce the minimum lot size for a fee-simple townhouse lot from 2,400 square feet to 2,000 square feet, and to reduce the minimum lot frontage on a public street from 24 feet to 20 feet, for 2.37 acres fronting on the south side of Henry Street (Map/Parcel 119/004N). Zoning is MFR (Multiple Family Residential District), conditional, per Ordinance Z-22-14. Proposed use: 24 fee simple townhomes. *[Continued from June 2023; planning staff recommendation: approval]*

NEW BUSINESS

1. **Final Plat, Alma Farms, formerly known as Nunley Farms:** Southeast Peachtree Acquisition, LLC, owner, Evergreen Development and Real Estate Services, Developer, by Alliance Surveying, LLC, seeks final plat approval for 55 lots on 20.71 acres fronting on the north side of Peachtree Road. Map/Parcel 120/010. R-3, Single-Family Moderate Density Residential District, Conditional zoning (Z-21-03); 2,561.78 linear feet and 3.78 acres of street right of way dedication and 567.18 feet (Lizzie Lane, Carter Lane, Charlie Circle, Jay Circle, Gull Road, and Reagan Road) and 0.26 acre of golf cart path/multi-use path dedication; 3,122.87 feet of water lines and 4,307.29 feet of sanitary sewer lines dedicated.

2. **Preliminary Plat, Henry Street Townhouses:** G.P's Enterprises, Inc., applicant and property owner, by Travis Pruitt & Associates, Inc., seeks preliminary plat approval for 24 lots/units on 2.364 acres (Map/Parcel 119/004N) fronting on the south side of Henry Street. MFR, Multiple-Family Residential Conditional zoning (Z-22-14; V-23-01).

3. **Ordinance O-2023-03:** An Ordinance Amending the Code of Ordinances of the City of Hoschton, Georgia, Chapter 11, "Traffic and Vehicles," To Adopt a New Article IV, "Stopping, Standing and Parking;" To Repeal Conflicting Ordinances; To Provide for Severability; To Provide For an Effective Date; To Provide for Codification; and For Other Purposes

4. New Public Works facility bid – Cabin Drive.

5. Update Personnel Policy

6. Expansion of Wastewater Treatment Facility 2.0 MGD

CITIZEN INPUT

EXECUTIVE SESSION (IF NEEDED)

ADJOURN

REPORTS

JUNE MANAGER REPORT

- Co-Hosted an event with Town of Braselton to host B.R.A.G. (Bicyclist)
- City of Hoschton hosted a roundtable lunch with the Jackson County Mayor's and City Manager's at our new Community Center.
- Downtown Development Authority held their monthly meeting which included Oak Street Project and Murals.
- Monthly Public Hearing and Work Session Held
- Moved into new City Hall Facility
- Monthly Farmer's Market was a great success
- Met with landscapers to discover plans for Oak Street Project
- Monthly Utility meeting with GDOT, County and surrounding municipalities
- Historic Preservation Monthly Meeting
- RFP's for Public Works Facility, Booster Pump for Water Tank and City Properties.

Building Department Activity Report-June 2023

A. Building department activity

a. Permits Issued

- i. April - 35 Building / 3 Miscellaneous
- ii. May - 39 Building / 12 Miscellaneous
- iii. March - 64 Building / 16 Miscellaneous
- iv. 2023 YTD – 306 Building / 71 Misc.

b. Inspection Activity

i. May Total Inspections

1. Building Inspections – 530
2. Water Meter Install Inspections – 43

c. Commercial Permit Activity

1. Remodel at the Depot for Restaurant
2. Remodel at former Redtread for Mexican restaurant
3. Publix plans active
4. Publix rental units (8 unit) are active
5. TEC 8000 sq. ft. addition

Police Department Report 07/02/2023

1. **Reports and Citations**- The Police Department has generated over 1000 incident numbers since January and wrote 56 citations in the month of June.
2. **Court**- We will have court again on August 10th at the new City Hall.
3. **Employment**- We have hired Ryan Brooks to work part time. Brooks will work on the opposite weekends of Kesler and will also fill in as needed if someone is on vacation or in training. Brooks has over five years of law enforcement experience with Jackson County Sheriff's Office including working as a patrol supervisor and investigator. Brooks owns his own business fulltime, B&B Landscaping.

JUNE 2023 HOSCHTON DDA DIRECTOR REPORT

- MEETING WITH POWER EVANS FROM SK BATTERY.
- TIME CAPSULE MEETING WITH JAMES LAWSON AND MARSHA HUNTER
- ENCLAVE RIBBON CUTTING AND PROVISIONS BOUTIQUE RIBBON CUTTING
- COORDINATED REST STOP FOR B.R.A.G. AT THE DEPOT.
- BUSINESS & BREAKFAST-CHAMBER
- SERVED ON TOURISM PANEL TO DISCUSS TOURISM IN HOSCHTON
- SMALL BUSINESS LUNCH AND LEARN-CHAMBER
- MET WITH SUWANEE DDA MEMBER
- ATTENDED CASA BOARD MEETING- WILL BECOME A BOARD MEMBER AT THE NEXT MEETING.
- ATTENDED BARROW AREA ROTARY CLUB BOARD MEETING.
- MET WITH RANDY WINFIELD TO DISCUSS SMALL BUSINESS LUNCH AND LEARNS BEING HELD AT OUR COMMUNITY CENTER
- ATTENDED MONTHLY AMBASSADOR MEETING.
- TIFFANY AND I MET WITH THE VP AND HR FOR CARTERS TO DISCUSS PARTNERING FOR FUTURE EVENTS WITH THE DDA AND THE CITY.
- ATTENDED CORK IT RIBBON CUTTING
- HOSCHTON WOMENS CIVIC CLUB



June 2023 Monthly Report

Water

- Daily water route check of connections, water tank and random sample sites
- Daily checks and operations of both city wells
- Daily water sampling
- Weekly well cleanings
- Monthly Meter high usage and non-read meter reading
- Pulled monthly Reporting EPD Samples
- Pulled monthly Bacteriological samples throughout water system
- Replenished Chemicals at both Wells
- Daily utility locates, 289 water/sewer locates for the month of June
- Completed a Large Project Locate along Pendergrass road for Gas Line installation
- Recorded all daily, weekly, and monthly Data
- Completed and Submitted Monthly Water Reports to EPD
- Repaired meter at Cabin Drive Well
- Installed 59 new Water Meters
- Repaired 4 Water leaks
- Inspected water main upgrade along hwy 53
- Started large locate for fiber install on Pendergrass rd
- Pulled Radiological samples at the Wells

Wastewater

- Daily Plant check of equipment and processes
- Daily sampling and testing of plant Effluent
- Daily Instrument calibrations

Daily lab equipment temperature checks

Weekly process control lab work

Weekly Automatic samplers turned on and checked

Pulled Weekly permit samples

Performed weekly permit Lab testing

Recorded all daily, weekly, and monthly Data

Performed Maintenance on Dewatering Belt Press

Performed Weekly and monthly Maintenance on Clarifiers

Performed Weekly Sewer pump station and generator check

Ran Belt Press weekly to remove excess solids in Plant

Weekly Washdown and cleaning of tanks, troughs, and filter

Daily utility locates, 289 water/sewer locates for the month of June

Completed and Submitted Monthly Wastewater Report (DMR) to EPD

EPD and EPA performed an inspection of The Wastewater treatment Facility and it's operation. Inspection went well and we should expect a good report.

Had Startup of new Sewer pump station in Cresswinds phase 4

Monumental Equipment finished PM's on all pump stations

Private locators came and located at the Plant for the upgrade

Had all lab equipment calibrated and checked by DWL instrument services

MPE came and installed new belts on the belt press

Compiled a list of chemicals for disposal and got a quote

Jetted a sewer service on E. Broad st

Wayne Chronic, our new Wastewater operator started work.

OLD BUSINESS

ITEM #1

**R-23-04 Modification of
Zoning Conditions
KLP Twin Lakes**

**CITY OF HOSCHTON, GEORGIA
ZONING ADMINISTRATOR'S
REPORT**



TO: Hon. Mayor and City Council, City of Hoschton

FROM: Jerry Weitz, Consulting City Planner

DATE OF REPORT: May 31, 2023

SUBJECT REQUEST: **Z-23-04:** Rezone from PUD (Planned Unit Development) Conditional (Z-18-05) to PUD (Planned Unit Development) to modify conditions of approval pertaining to certain property

CITY COUNCIL HEARING: June 15, 2023 @ 6:00 p.m.

VOTING SESSION: June 19, 2023 @ 6:00 p.m.

APPLICANT: KLP Twin Lakes, LLC, by Sean Stephan and Bradley Dunckel

OWNER(S): KLP Twin Lakes, LLC

PROPOSED USE: Convenience store with gasoline pumps

LOCATION: Fronting on the west side of State Route 53, the north side of Crystal Lakes Parkway, and the east side of Burton Drive

PARCEL(S) #: 121/004 (part)

ACREAGE: 2.392

EXISTING LAND USE: Vacant/undeveloped

SURROUNDING LAND USE AND ZONING:

North: Vacant/Undeveloped, PUD (designated for commercial use)

East: Agricultural, A-2 (across SR 53) (unincorporated), proposed for PUD zoning per Z-23-03

South: Undeveloped, PUD

West: Undeveloped, PUD

RECOMMENDATION: Approval, conditional

APPLICATION SUMMARY

The subject request is technically a rezoning from PCD Conditional to PCD. The approval of the Twin Lakes PUD made clear, under a subsection titled "conceptual master plan " and in another section titled "changes to conceptual master plan" that any change that materially alters land use within 100 feet of the Community (PUD) Boundary, or that changes the land use or increases density, cannot be made by the owner/developer unilaterally and that such change must be approved by the city council. Further, under the language titled "changes to the language of these conditions," the intent is clear that "major or substantial changes to the language of these conditions must be approved through the process deemed appropriate by the City. This specifically includes the addition of any permitted land use(s).

The subject request involves property on the west side of State Route 53 in the Twin Lakes Planned Unit Development (PUD), which was annexed and zoned by the city in 2018. The purpose of this request is to modify the condition of zoning approval for the mixed-use portion of the Twin Lakes PUD that prohibits convenience stores with gasoline pumps.

Because the PUD zoning category itself is not proposed to change, it is not necessary to evaluate the subject request for consistency with the various zoning criteria established in the Hoschton zoning ordinance. However, the applicant has addressed those criteria, and the applicant's answers are provided in an attachment to this staff report. The emphasis of this report is on evaluating the suitability of the requested change in zoning condition(s).

The owner applied for and received prior approval to divide the parcels shown on the attached subdivision plat. The applicant seeks to modify the conditions of PUD approval as they pertain to these parcels only. There are no changes proposed to the remainder of the PUD.

ANALYSIS

The subject property is a part of the "mixed use" portion shown on the conceptual master plan for the approved Twin Lakes PUD. Commercial land uses within the mixed-use portion of the PUD are limited to "any use allowed by right or approved as a conditional use in the C-2 zoning district and as amended by the City of Hoschton City Council." Staff's rendition of the PUD approval indicates that the applicant initially had recommended some auto-oriented uses, such as car washes and auto repair, in the commercial portion of the PUD (as distinguished from the commercial portion of the mixed-use section of the PUD).

The applicant seeks authorization to sell the property for development as a convenience store with gasoline pumps. In another portion of the governing conditions, the PUD approval indicates that any use in the INST or C-2 zoning district shall be permitted in the mixed use commercial area. Gasoline pumps is a use that is not permitted in the C-2 (or INST) zoning district; hence the reason for this request.

Commercial architecture is to be guided by developer proposed standards. Also, commercial development is to be governed by State Route 53 overlay district guidelines, but the SR 53 overlay was subsequently repealed by City Council at the recommendation of the planning staff. Article V of the zoning ordinance, which replaced the SR 53 overlay, also has requirements applicable to the proposed development for commercial development.

The owner/developer has received prior approval of the access for this development from the Georgia Department of Transportation (GDOT).

By way of background, the decision to exclude gasoline pumps and other auto-oriented land uses from the SR 53 corridor was a deliberative one. The city deliberately excluded auto-oriented land uses from the C-2 zoning district, which is applied along much of the SR 53 corridor. Auto-oriented commercial uses such as car washes and convenience stores with gasoline pumps are only allowed in the "C-3, Commercial Motor Vehicles Service and Repair District."

Although the applicant is not seeking a broader permission for multiple auto-oriented commercial uses via the C-3 zoning district, the purpose and intent of that district is important, as it establishes current policy. The C-3 zoning district indicates in part that "C-3 zoning districts are considered inappropriate for locations visible from state highways but may be permitted in such locations subject to land development techniques that screen or shield major activities, including parking and storage, from view from public streets." That intent serves as the primary basis for conditions of zoning approval recommended by consulting planning staff.

A review of zoning decisions by City Council since the zoning ordinance was adopted in 2016 is instructive and indicates that the City Council has maintained this general policy of not allowing auto-oriented land uses in the visible portions of the SR 53 corridor. The only change to zoning allowing for the C-3 zoning district in the SR 53 corridor was in 2017, when Council approved a climate-controlled mini-storage project (not auto oriented in any event), with conditions, at the intersection of SR 53 and West Jackson Road. Since 2017, the City Council has twice denied a request for convenience store with gasoline pumps at the intersection of Towne Center Parkway and SR 53, in the center of the city. Also, another rezoning request involving a proposal for a convenience store with gas pumps (north of Peachtree Road on the west side of SR 53) was filed but ultimately withdrawn by the applicant based on lack of support by City Council, and a request for a car wash on the north side of town (south of Eagle's Bluff Way) was similarly withdrawn.

It is important to note, however, that most of these aforementioned policy decisions pertained to the SR 53 corridor within the original city limits, not necessarily that part of SR 53 annexed as part of the Twin Lakes PUD. The city has a number of heavy commercial and light industrial-type land uses visible from SR 53 in the southern part of the SR 53 corridor in the city limits. Specifically, there is a convenience store with gasoline pumps north of the subject property at the intersection of Jackson Trail Road and SR 53, and there are industrial and heavy commercial uses at SR 53 north of Pearl Industrial Avenue and alongside it. These existing uses tend to provide some support for the subject request.

Landscaping, buffering, and the orientation of the gasoline canopy, if approved, are considered critical in terms of aesthetic impact, considering the intent of the C-3 zoning district cited above, that auto-oriented uses "may be permitted in such locations subject to land development techniques that screen or shield major activities, including parking and storage, from view from public streets." Although the site plan shows only a 10 foot wide landscape strip along the frontage of SR 53 on the subject property, staff has noted previously that commercial development conditions for the Twin Lakes PUD (including the Publix Development) require a 25-foot wide buffer. The city imposed a 25-foot landscaped buffer abutting the perimeter of the PUD. Specifically, Twin Lakes PUD zoning conditions specify that "an external buffer of 25' shall be imposed except where the property borders the Cemetery parcel located on Peachtree Road." This is generally interpreted by staff as allowing a densely planted landscape strip that incorporates screening techniques but that does not completely screen the view of the commercial development from the abutting highway. Staff recommends that the SR 53 and

Crystal Lakes Parkway frontages be densely planted with landscape strips that meet the intent of the 25' wide buffer requirement imposed by City Council.

In addition to these landscaping conditions, staff recommends a condition that the short side of the gasoline canopy be parallel to SR 53 frontage, to minimize the visual impact. Further, signage and other characteristics of the proposed gasoline canopy are proposed to be restricted in the recommended conditions of approval. Combined with some screening (while allowing some selected viewing corridor), these conditions should make the gasoline canopy a relatively discrete aesthetic impact.

CONCLUSION AND RECOMMENDED CONDITIONS

Staff recommends approval of the subject request subject to the following conditions:

1. The subject property shall be limited to uses permitted or conditionally allowed with conditional use permit in the C-2 zoning district, plus a convenience store with gasoline pumps. No other auto-oriented commercial use shall be permitted.
2. The orientation of the gasoline pump canopy shall be in substantial accordance with the site plan submitted as part of Case Z-23-04. The short side of the gasoline canopy shall be more or less parallel to the SR 53 frontage.
3. A densely planted landscape strip, at least 25 feet in width, shall be required to be installed along the property fronting Crystal Lakes Parkway, and along the property fronting SR 53 (which may permit view corridors) as approved by the zoning administrator.
4. Gasoline canopy under lighting shall be required to be recessed into the canopy.
5. Gasoline canopy supports shall be required to be faced/finished with brick veneer or stone veneer that matches or is compatible with the commercial architecture of the convenience store building and/or Twin Lakes commercial architecture guidelines.
6. Signage on the gasoline canopy facing Crystal Lakes Parkway shall not exceed 20 percent of the canopy face.
7. Any ground sign for the subject property shall be a monument-style sign with a minimum of 18" of brick or stacked stone base.
8. The subject property shall remain subject to all applicable conditions of zoning approval established pursuant to Z-2018-05 for the Twin Lakes PUD, including the 25 foot wide buffer which shall be allowed to be a densely planted landscape strip of the same width, along the SR 53 frontage. No other changes to the Twin Lakes PUD zoning conditions other than those specified herein are implied in this approval.

Rezoning Application, City of Hoschton, GA (continued)

ZONING DECISION CRITERIA

Per Section 8.03 of the Hoschton Zoning Ordinance, the following criteria are applicable to rezoning decisions. The applicant is urged but not required to substantiate the rezoning request by responding to these criteria which provide reasons for approving the application:

- (a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Response:
The proposed use is compatible with adjacent and nearby properties and should not create any adverse affects.

- (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.**

Response:
The proposed use is compatible with the existing permitted uses for the site and should not impact the usability of adjacent or nearby properties.

- (c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.**

Response:
The property does have an economic use as currently zoned but the additional use requested may increase the economic viability for its development.

- (d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Response:
The proposed use is similar in intensity with the existing permitted uses for the site, and should not cause an excessive or burdensome impact on public infrastructure.

Rezoning Application, City of Mableton, GA (continued)

- (e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map.**

Response:
The proposed land use of commercial is consistent with the mixed-use designation of this area.

- (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.**

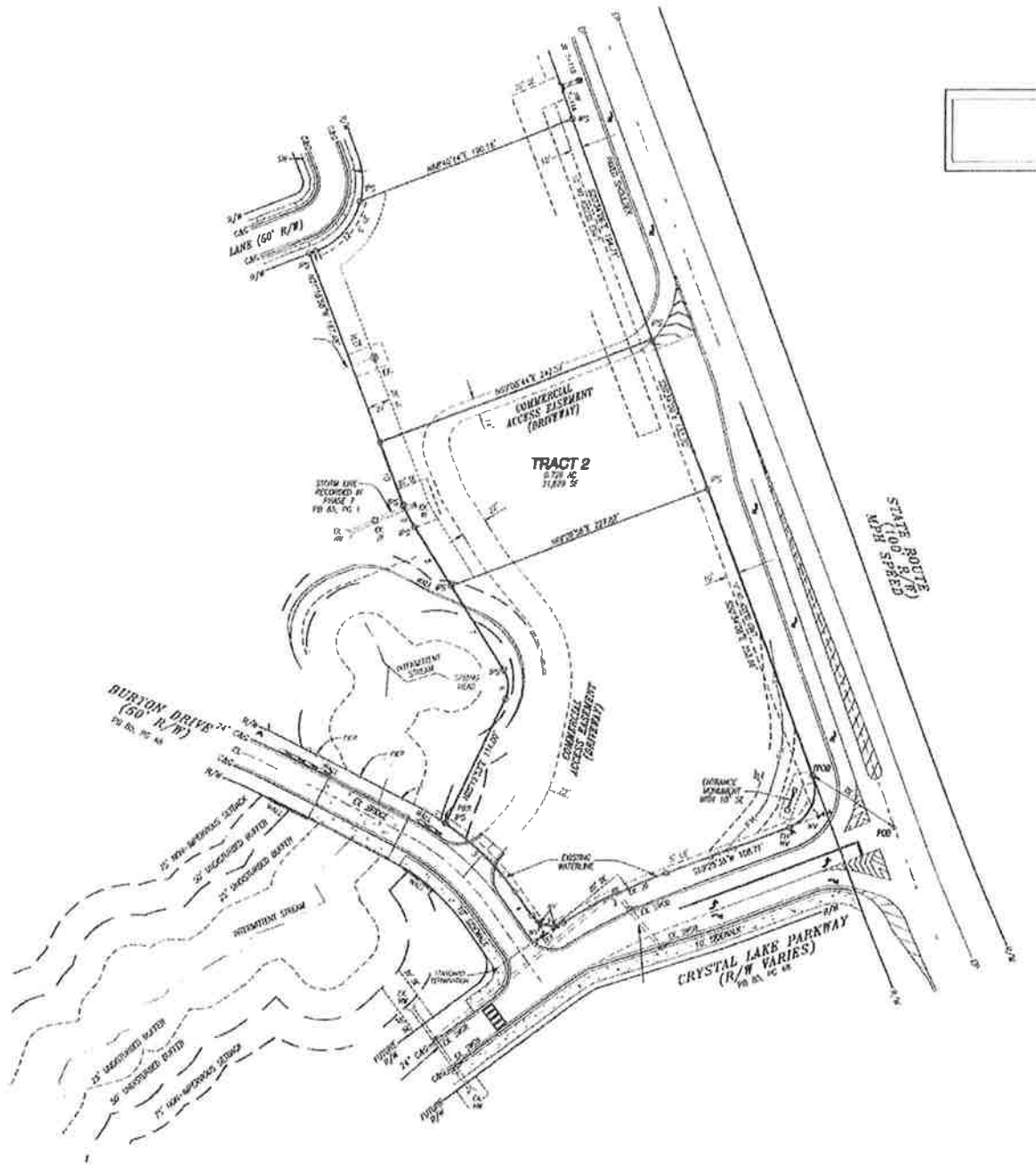
Response:
The increasing population of the Twin Lakes community has created an additional demand for commercial services, including the use proposed in this application

- (g) Whether the proposal would create an isolated zoning district unrelated to adjacent and nearby districts.**

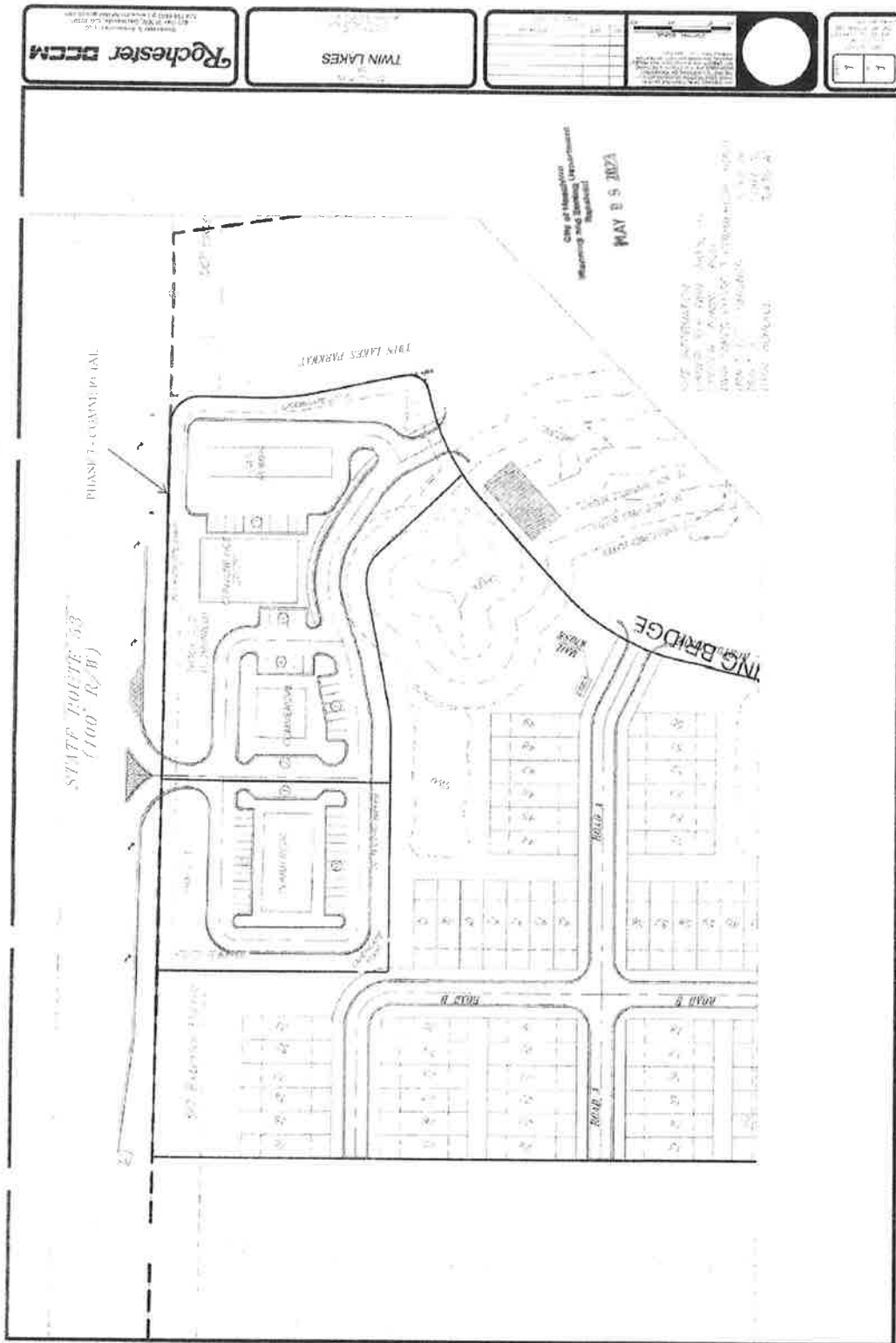
Response:
No, the area of the request is in an existing pod previously zoned for commercial uses.

- (h) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.**

Response:
The use and intensity of development is similar to the current designation and should not have any additional detrimental impact on the environment.



Boundary Survey



Site Plan

LETTER OF INTENT

APPLICANT: KLP Twin Lakes, LLC

The Twin Lakes PUD was approved on November 5, 2018 as a Planned Unit Development with specific allowable uses for the overall development. Development has progressed since approval with a total of approximately 700 lots platted at this time. Additionally, commercial development has commenced for a Publix Shopping Center.

A portion of the PUD development (The Enclave) is designated as a "Mixed Use" area with allowable uses including townhome units, single-family detached units and commercial uses as allowed in the City's C-2 zoning district. The subject of this Letter of Intent is a 3.43 acre portion of The Enclave, located at the intersection of Hwy. 53 and Crystal Lake Parkway.

The Applicant is requesting a change of conditions, specific to this parcel only, to allow for a "Convenience Store with Fuel Pumps" as described under the City's C-3 zoning district. Nothing in this request would prevent the development of any other uses previously approved. Any further subdivision of this parcel would remain subject to the Table 4 Dimensional Requirements for The Enclave of the previously approved "Twin Lakes Conditions of Zoning"

Access to the area would include a right turn (only) lane from east bound Hwy. 53 and a private driveway from Burton Drive, north of its intersection with Crystal Lake Parkway. All exiting traffic will be routed back to the intersection of Hwy 53 and Crystal Lake Parkway or internally into the Twin Lakes development.

Attachments:

Application for Rezoning
Boundary Survey
Legal Description
Site Plan
GDOT Permit

City of Hoschton
Planning and Zoning Department
Received

MAY 09 2023

OLD BUSINESS

ITEM #2

V-23-03 Variance

**G.P.'s Enterprises- Fee
Simple Townhomes**

**CITY OF HOSCHTON, GEORGIA
ZONING ADMINISTRATOR'S
REPORT**



TO: Mayor and City Council, City of Hoschton

FROM: Jerry Weitz, Consulting City Planner

DATE OF REPORT: May 31, 2023

SUBJECT REQUEST: **V-23-03** Variance to Hoschton zoning ordinance, Article VI, "Specific Use Restrictions," Section 6.55, "Fee Simple Townhouse," to:

1. Increase the maximum number of dwelling units in a building from six to eight.
2. Reduce the minimum lot size for a fee-simple townhouse lot from 2,400 square feet to 2,000 square feet, and
3. Reduce the minimum lot frontage on a public street from 24 feet to 20 feet

EXISTING ZONING: MFR (Multi Family Residential), Conditional (Z-22-14)

CITY COUNCIL HEARING: June 15, 2023, @ 6:00 p.m.

VOTING SESSION: June 19, 2023, @ 6:00 p.m.

APPLICANT: WJMP, Inc.

OWNER(S): WJMP, Inc.

PROPOSED USE: Fee simple townhouses (24 lots/units)

LOCATION: Fronting on the south side of Henry Street.

PARCEL(S) #: 119/004N

ACREAGE: 2.37

SURROUNDING LAND USE AND ZONING:

North: Apartments and single family residential and vacant (across Henry Street), R-1 (Residential) and PUD (Planned Unit Development (17-09-RZ) (Town of Braselton)

East: Single-family dwelling, R-1 (Residential) (Town of Braselton)

South: Common open space and single-family dwellings in Creekside Subdivision, R-3(Single-Family Moderate Density Residential District) PUD Cond. (RZ-06-07)

West: Industrial (detention pond), MD (Manufacturing and Distribution)
(Town of Braselton)

RECOMMENDATION: Approval

PROPERTY BACKGROUND

The subject property was rezoned in 2022 to MFR with the following conditions:

1. **Density.** The subject property shall be limited to a maximum of 24 units. The dwelling units may be fee-simple townhouses or multi-family dwellings (apartments or residential condominiums). If developed as fee simple townhouses, the development will be subject to Section 6.55 of the Hoschton zoning ordinance unless a variance is granted.
2. **Minimum floor area per dwelling unit.** The minimum heated floor area per dwelling unit shall be 1,800 square feet.
3. **Access limitation.** No access shall be permitted to Eagle's Bluff Way or any other part of the Creekside Village Subdivision.
4. **Henry Street improvements.** The developer shall be required to improve Henry Street along the property frontage on Henry Street as specified by the Town of Braselton.
5. **Garage.** Each unit shall include at least a one-car garage.
6. **Exterior building material finishes.** Building materials on all four façades of the buildings shall be at least 50 percent brick, stone, brick veneer or stone veneer. The remainder of the building material finishes shall be cement fiber board and accent materials approved by the zoning administrator. No vinyl siding shall be allowed.
7. **Stormwater management pond.** If a detention pond is required, it shall be enclosed with a either a solid wooden (opaque) fence or masonry wall or non-opaque, decorative aluminum picket fence with a height of at least five (5) feet, subject to the approval of the zoning administrator.

The applicant has chosen to construct fee-simple townhouses as opposed to apartments or residential condominiums. As such, preliminary and final plats will be required to be approved. Because each unit will be on its own lot, there are certain regulations in Sec. 6.55 of the zoning ordinance that must be met but which would not be required for apartments or condominiums.

SUMMARY OF THE REQUEST

The applicant seeks relief from three of the requirements of Sec. 6.55 of the zoning ordinance relative to fee-simple townhouses. Because all of these requirements are in a single section, only one variance application is required. However, for all practical purposes, there are three components to the request:



Tax Map/ Aerial Photograph

1. **Minimum lot frontage.** Each platted lot for a fee-simple townhouse shall have a minimum of twenty-four (24) feet of frontage on a public street or private road that meets public street standards of the City. The applicant seeks to reduce the minimum lot frontage to 20 feet.
2. **Minimum lot size.** The minimum lot size for a fee-simple townhouse lot shall be 2,400 square feet. The applicant seeks to reduce the minimum lot size to 2,000 square feet.
3. **Units in building.** To avoid a monotonous appearance, for any given building, no more than six units shall be included in one building. The applicant seeks to increase the number of units in a building to eight.

ANALYSIS OF VARIANCE CRITERIA

Criteria for variance decisions are specified in Sec. 8.05 of the Hoschton zoning ordinance. One or more of the following criteria may be considered applicable or potentially applicable to decisions on variances. Staff findings regarding these criteria follow. (the applicant has addressed these criteria and those responses are attached to this staff report).

Note: The City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The council may cite one or more of these in their own determinations as they determine appropriate. They may modify the language provided here, as necessary, in articulating their own findings. Or, the council can reject these findings and make their own determinations and findings for one or more of the criteria provided below. They do not need to address each and every criterion, but only those that are relevant to support its own determination.

- **There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.**

Finding: The subject property is quite shallow, with only about 160 feet of depth from the right of way of Henry Street. This makes development of the property challenging in that all of the buildings must be spread out along the road frontage. This is an extraordinary and exceptional condition that creates practical difficulty in meeting all requirements for subdivision per the fee-simple townhouse regulations of the Hoschton zoning ordinance. All three of the requested variance components are associated with trying to fit 24 units (which were approved by zoning) along the frontage. The application meets this criterion (**supports request**).

A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

Finding: The applicant would be unable to develop the property as fee-simple townhouses without the requested variances (**tends to support request**).

Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

Finding: The MFR zoning district allows a density of 12 units per acre. It is not considered to be a special privilege to be able to develop the subject property for approximately 10 units per acre, well under the maximum density allowed. Therefore, approval of the variance does not convey a special privilege that is denied other properties in the MFR zoning district (**meets criterion**).

The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.

Finding: A development with the same number of dwelling units (24) could be developed without the subject variances, if it were apartments or residential condominiums. This means the development will still look the same as a development that was not required to obtain variances. That is, the differences are attributed to individual lot ownership rather than potentially an all-rental project. Thus, it is in the general welfare to grant the variances because doing so promotes (but does not guarantee) ownership of the individual units. Additionally, because the development will look the same as it could without being subdivided into lots, there will be no injury to the neighborhood or general welfare if the variance request is approved (**meets criterion**).

The special circumstances are not the result of the actions of the applicant.

Finding: The applicant was not responsible for the configuration of the subject property (***meets criterion***). The applicant's contention is that 24 units were required to make the property developable, and that is what was approved for the project.

The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.

Finding: In staff's opinion, the variances requested are the minimum necessary to make the proposed 24-lot fee-simple townhouse project work on the subject site (***meets criterion***).

CONCLUSION

The application meets all or nearly all of the criteria. Staff therefore recommends approval of the request.

Variance Application, City of Hoschton, GA (continued)

VARIANCE CRITERIA

Per Section 8.05 of the Hoschton Zoning Ordinance, One or more of the following criteria may be considered applicable or potentially applicable to decisions on variances. The applicant is urged to substantiate the request by responding to these criteria which provide reasons for approving the application:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.**

Response:

Site geometry restricts ability to develop per approved rezoning by fee simple ownership

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.**

Response:

Slightly differing development standards between fee simple and condo ownership restrict flexibility of design for identical product.

- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

Response:

Variance request will allow development as approved in rezoning

Variance Application, City of Hoschton, GA (continued)

(d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.

Response:

This variance will not increase density beyond what is currently approved, and provide flexibility to promote a development that will be most beneficial to the community.

(e) The special circumstances are not the result of the actions of the applicant.

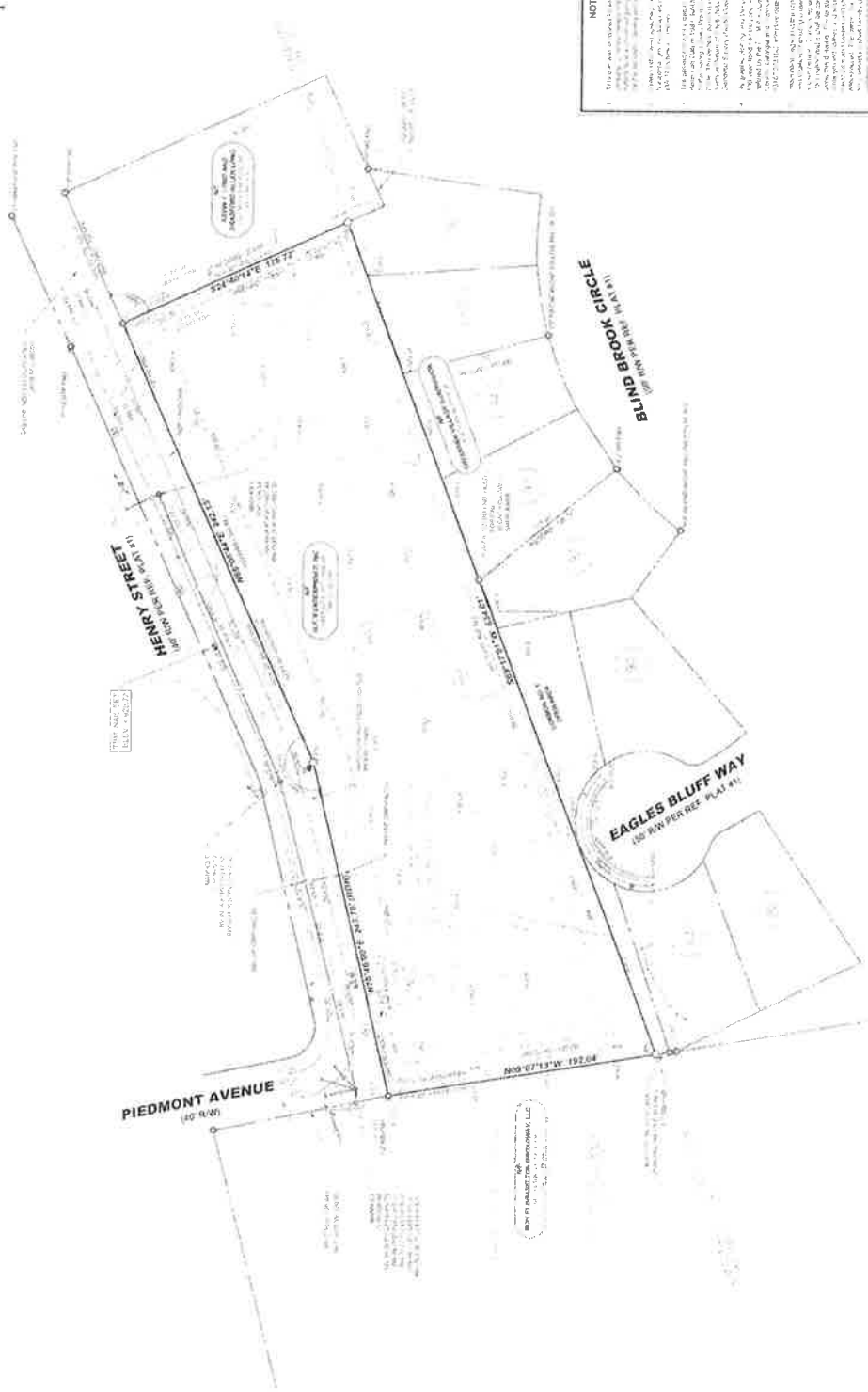
Response:

No

(f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.

Response:

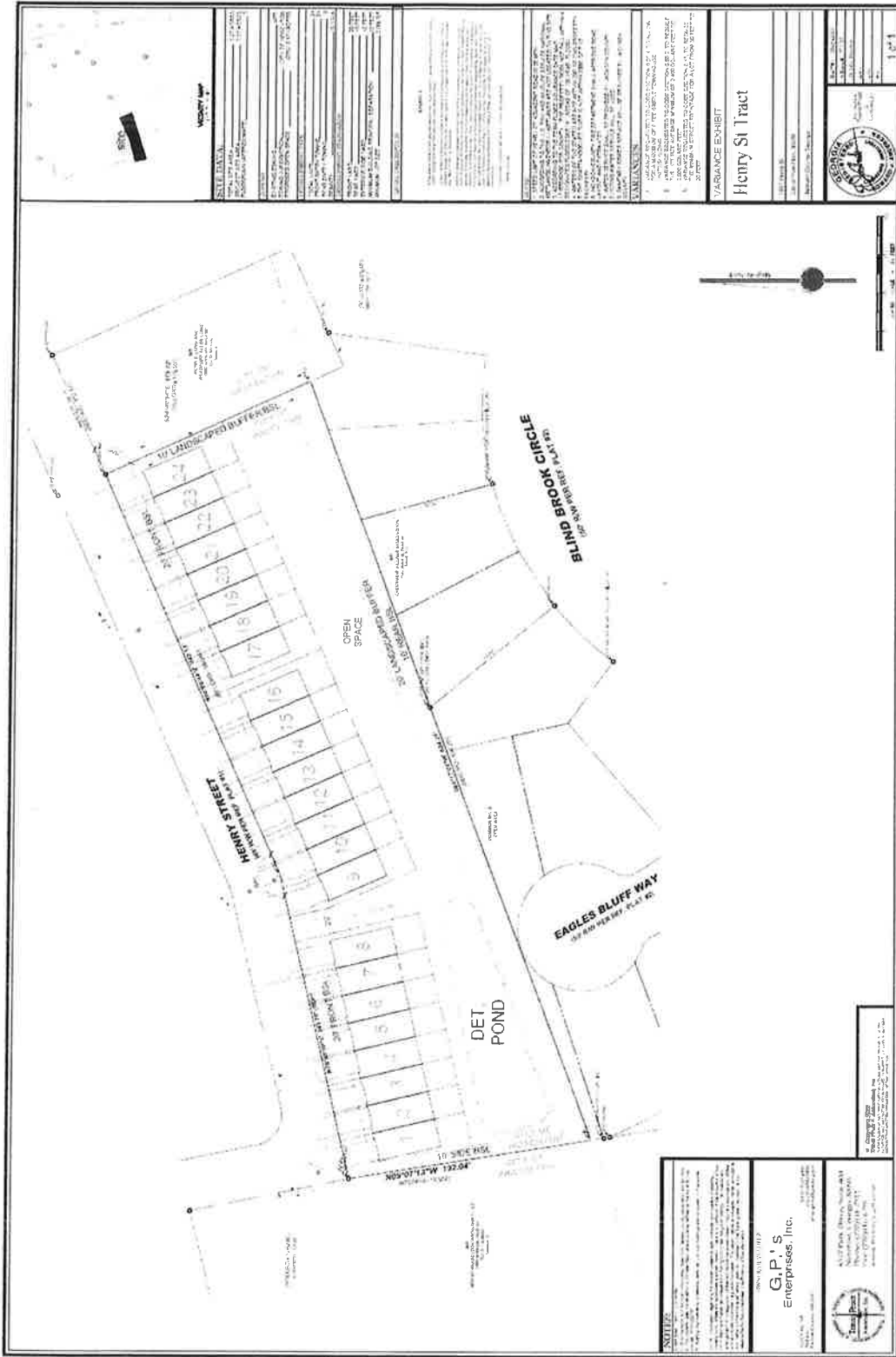
Yes



NOTES

1. This plan is based on the information furnished by the applicant and the field notes of the surveyor. The surveyor has not been required to verify the accuracy of the information furnished by the applicant.
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10. The surveyor has not been required to verify the accuracy of the information furnished by the applicant.

Boundary Survey



Site Plan

NEW BUSINESS

ITEM #1

Final Plat: Alma Farms
(formerly known as
Nunley Farms)

SITE DATA

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 07/28/2013 BY 60322 UCBAW/STP/STP

UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE 07/28/2013 BY 60322 UCBAW/STP/STP

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DATE 07/28/2013 BY 60322 UCBAW/STP/STP

LEGEND

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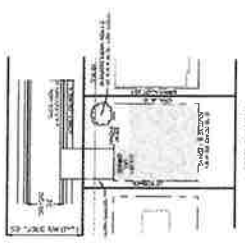
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ALMA FARMS

G.M.D. 1407
CITY OF HOSCHTON
JACKSON COUNTY, GEORGIA

DEVELOPER:
EVERGREEN DEVELOPMENT AND REAL ESTATE SERVICES
11 SOUTH GILMER ST
CARTERSVILLE, GA 30120
770-547-8550
angle@evergreendev.com

OWNER:
SOUTHEAST PEACHTREE ACQUISITION LLC
400 GALLERIA PARKWAY SUITE 1130
ATLANTA, GA 30339
770-324-4542
lcoluch@georgiacapital.com

SURVEYOR:
ALLIANCE SURVEYING, LLC
4525 SOUTH LEE STREET
BUFORD, GEORGIA, 30518
CONTACT: DAVID ANDERSON
678-828-9424
david@allianceco.com

ENGINEER'S CERTIFICATE

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

ZONING ADMINISTRATOR APPROVAL

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

UTILITY ACCEPTANCE OF DEDICATION

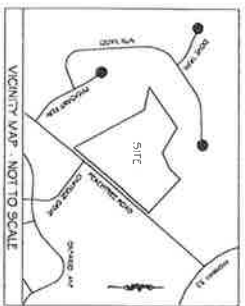
The City of Hoschton hereby certifies that the water utility system, with the exception of the water service to the site, is in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

CERTIFICATE OF STREET DEDICATION

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.



SURVEY NOTES

1. All measurements and angles are in feet and decimal fractions of a foot.
2. All bearings are given in degrees, minutes and seconds.
3. All curves are defined by their radius, arc length and deflection angle.
4. All bearings and distances are given in feet and decimal fractions of a foot.
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19. All bearings and distances are given in feet and decimal fractions of a foot.
20. All bearings and distances are given in feet and decimal fractions of a foot.

CITY NOTES

1. The City of Hoschton hereby certifies that the water utility system, with the exception of the water service to the site, is in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.
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CONVEYANCE AND RESTRICTIONS

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

DEMAND ASSIGNMENT

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

SURVEYOR CERTIFICATION

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

NOTICE TO CONTRACTORS

The undersigned, being duly licensed and registered as a Professional Engineer in the State of Georgia, and being duly qualified in the practice of the profession of Engineering, do hereby certify that the plans and specifications herein submitted for the purpose of the construction of the improvements shown on the attached plan are in accordance with the laws and regulations of the State of Georgia, and the rules and regulations of the Board of Professional Engineers of the State of Georgia.

DAVID ANDERSON, P.E.

ALS ALLIANCE LAND SURVEYING

L.S.F. 1322
4525 SOUTH LEE STREET
BUFORD, GEORGIA 30518
678.828.9424 | WWW.ASPATL.COM

LOCATED IN:
G.M.D. 1407
CITY OF HOSCHTON
AND REAL ESTATE SERVICES
JACKSON COUNTY, GEORGIA

FINAL PLAT
ALMA FARMS
FOR
EVERGREEN DEVELOPMENT
AND REAL ESTATE SERVICES
CARTERSVILLE, GEORGIA

NO.	DESCRIPTION	DATE	BY
1	AS SHOWN	07/28/2013	DAVID ANDERSON, P.E.
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CITY OF HOUGHTON
STATE OF GEORGIA

ORDER NO. 2019-010

MEMORANDUM FOR THE CITY COMMISSIONERS OF THE CITY OF
HOUGHTON, GEORGIA

RE: **ALMA FARMS, LLC** PROPOSED REZONING FROM R-1 TO R-150B
AND A REQUEST FOR A ZONING VARIATION TO PERMIT
CONSTRUCTION OF AN EXTENSION OF EXISTING ROAD

WHEREAS, the Planning Commission has received a request for rezoning of the Alma Farms, LLC property located at the intersection of State Road 125 and an extension of the existing road (see attached map) from R-1 to R-150B and a request for a zoning variation to permit construction of an extension of the existing road;

WHEREAS, the Planning Commission has received a request for rezoning of the Alma Farms, LLC property located at the intersection of State Road 125 and an extension of the existing road (see attached map) from R-1 to R-150B and a request for a zoning variation to permit construction of an extension of the existing road;

WHEREAS, the Planning Commission has received a request for rezoning of the Alma Farms, LLC property located at the intersection of State Road 125 and an extension of the existing road (see attached map) from R-1 to R-150B and a request for a zoning variation to permit construction of an extension of the existing road;

WHEREAS, the Planning Commission has received a request for rezoning of the Alma Farms, LLC property located at the intersection of State Road 125 and an extension of the existing road (see attached map) from R-1 to R-150B and a request for a zoning variation to permit construction of an extension of the existing road;

WHEREAS, the Planning Commission has received a request for rezoning of the Alma Farms, LLC property located at the intersection of State Road 125 and an extension of the existing road (see attached map) from R-1 to R-150B and a request for a zoning variation to permit construction of an extension of the existing road;

BOUNDARY LINE TABLE

LINE NO.	START POINT	END POINT	BEARING	DISTANCE
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BOUNDARY CURVE TABLE

LINE NO.	START POINT	END POINT	BEARING	DISTANCE
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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTIES BEHIND

... (Detailed legal descriptions of properties, including references to maps, surveys, and previous zoning orders.)

EXHIBIT B

CONDITIONS OF ZONING APPROVAL

1. Number of lots. The subject property shall be divided into (1) lot.
2. Minimum lot area. The minimum lot area shall be (2) acres.
3. Rear setback. The rear setback shall be (3) feet.
4. Easement. The easement shall be (4) feet wide.
5. Easement. The easement shall be (5) feet wide.
6. No access easement. No access easement shall be granted.
7. Easement. The easement shall be (7) feet wide.
8. Easement. The easement shall be (8) feet wide.
9. Easement. The easement shall be (9) feet wide.
10. Easement. The easement shall be (10) feet wide.

(Handwritten signatures and stamps)

City of Houghton Seal
 Planning Commission
 Mayor
 City Clerk

ALLIANCE LAND SURVEYING
 L.S.P. 1322
 4595 SOUTH LEE STREET
 BUFORD, GEORGIA 30515
 678.626.9424 | WWW.AELP.COM

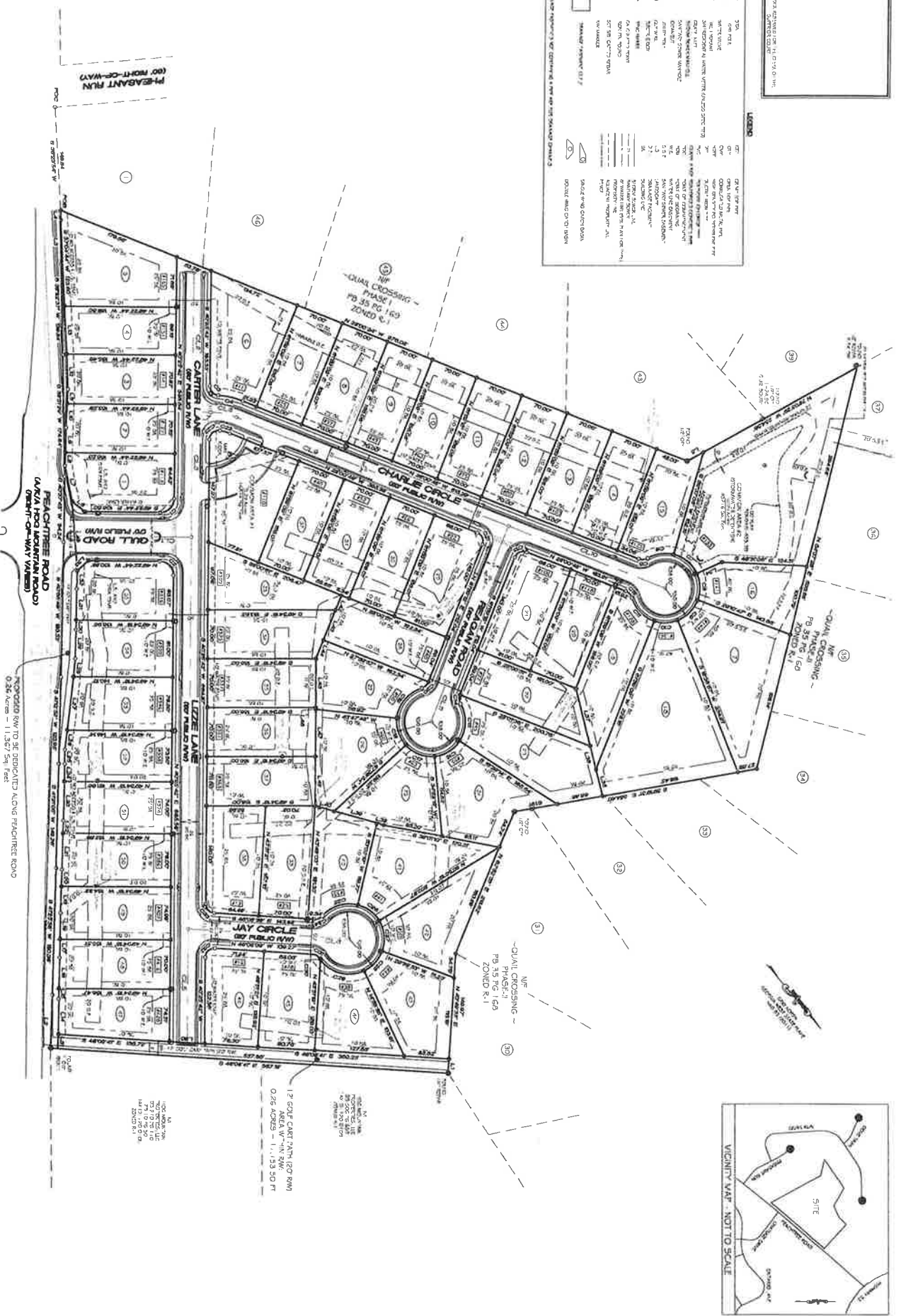
LOCATED IN:
 G.M.D. 1407
 CITY OF HOUGHTON
 JACKSON COUNTY, GEORGIA

ZONING CONDITIONS
 ALMA FARMS
 FOR
 EVERGREEN DEVELOPMENT
 AND REAL ESTATE SERVICES
 CARTERSVILLE, GEORGIA

THIS PLAN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

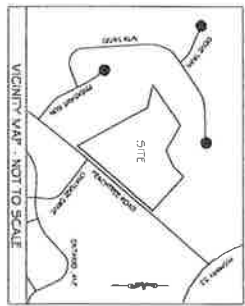
LEGEND

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PROPOSED R/W TO BE DEDICATED ALONG PEACHTREE ROAD
0.26 ACRES - 11,367 Sq. Feet

1.2' CURB GART PATH (20' RM)
AREA W/IN RW
0.26 ACRES - 11,367 SQ FT



811
Call it before you dig
Call 811 or visit 811.com
Digging is illegal without a permit
Call your local utility companies
to locate underground utilities
before you dig.

DATE	05/26/2024
PROJECT BY	FAA
DESIGNED BY	C.A.
CHECKED BY	ZZZCA

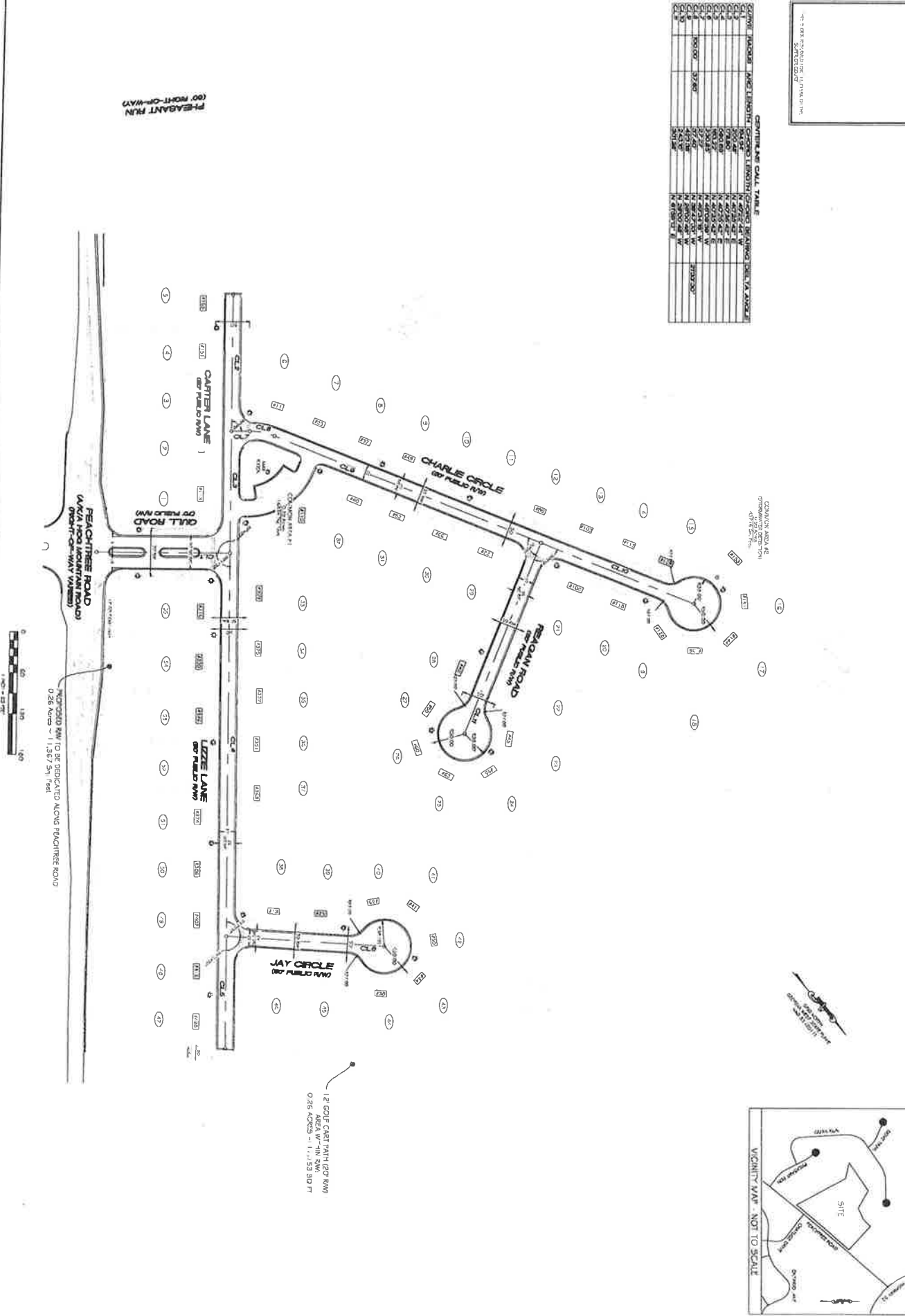
FINAL PLAT
ALMA FARMS
FOR
EVERGREEN DEVELOPMENT
AND REAL ESTATE SERVICES
CARTERSVILLE, GEORGIA

LOCATED IN:
G.M.D. 1407
CITY OF HOUSTON
JACKSON COUNTY, GEORGIA

ALS ALLIANCE
LAND SURVEYING
L.S.P. 1322
454 1/2 SOUTH LEE STREET
BLYWOOD, GEORGIA 30518
678.626.9424 | WWW.AESATL.COM

THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT.

LINE NUMBER	LINE LENGTH	BEARING	AREA
1	12.00	N 00° 00' 00" E	144.00
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99	12.00	N 00° 00' 00" E	144.00
100	12.00	N 00° 00' 00" E	144.00



1/2 MILE GOLF CART PATH (20' R/W)
 AREA W/ 714' R/W
 0.26 ACRES - 11,367 Sq. Ft.



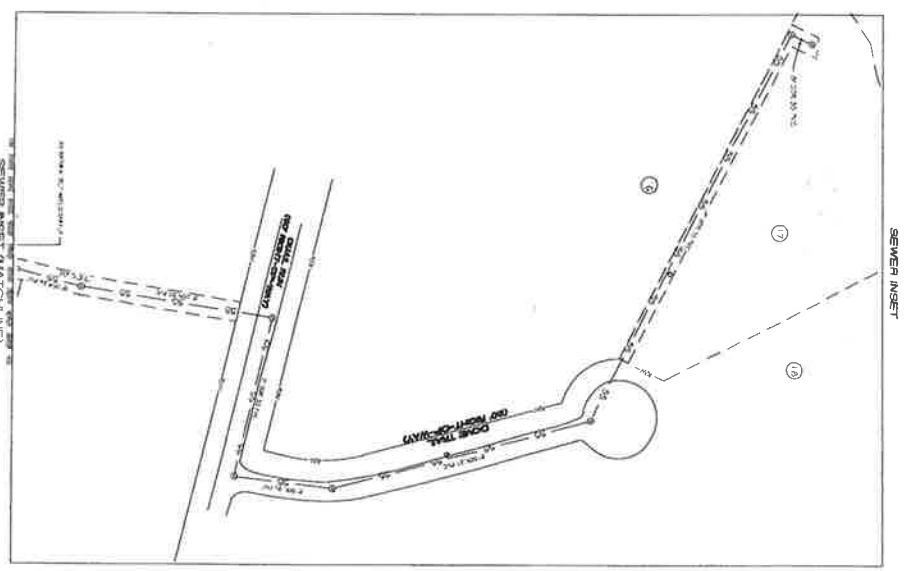
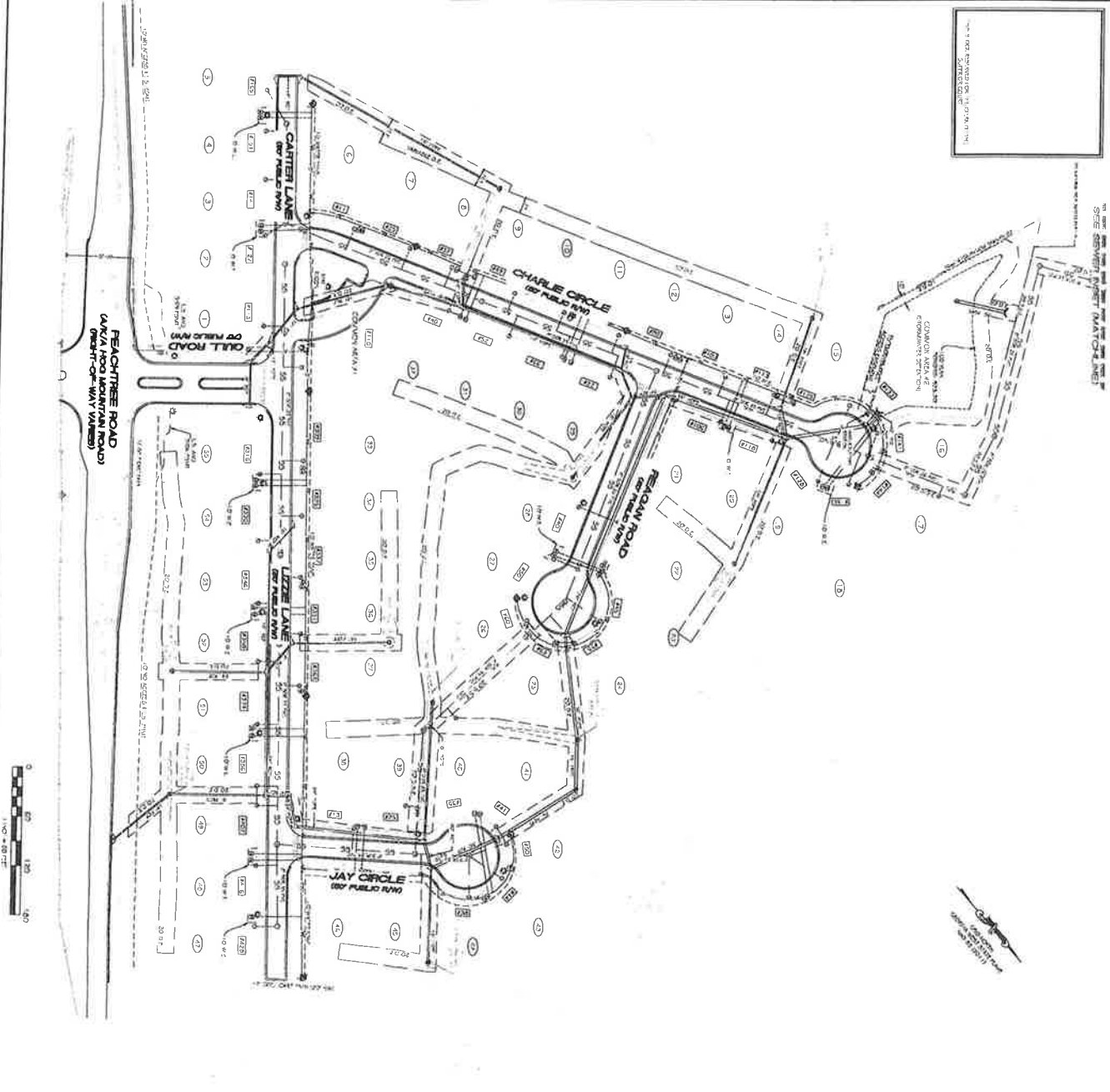
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98	02/15/32	REVISED
99	03/15/32	REVISED
100	04/15/32	REVISED

FINAL PLAT
 ALMA FARMIS
 FOR
 EVERGREEN DEVELOPMENT
 AND REAL ESTATE SERVICES
 CARTERSVILLE, GEORGIA

LOCATED IN:
 G. M. D. 1407
 CITY OF HOUGHTON
 JACKSON COUNTY, GEORGIA

ALS ALLIANCE
 LAND SERVICES
 L.S.F. 1322
 4525 SOUTH LEE STREET
 DUNWOODY, GEORGIA 30319
 870.920.3424 | WWW.ASPATL.COM

SEE SEWER INSET MATCH-LINE
 SEE SEWER INSET MATCH-LINE



5 of 5

DATE	DESCRIPTION

FINAL PLAT
 ALMA FARMS
 FOR
 EVERGREEN DEVELOPMENT
 AND REAL ESTATE SERVICES
 CARTERSVILLE, GEORGIA

LOCATED IN:
 G.M.D. 1407
 CITY OF HOUGHTON
 JACKSON COUNTY, GEORGIA

AIS ALLIANCE
 LAND SERVICES

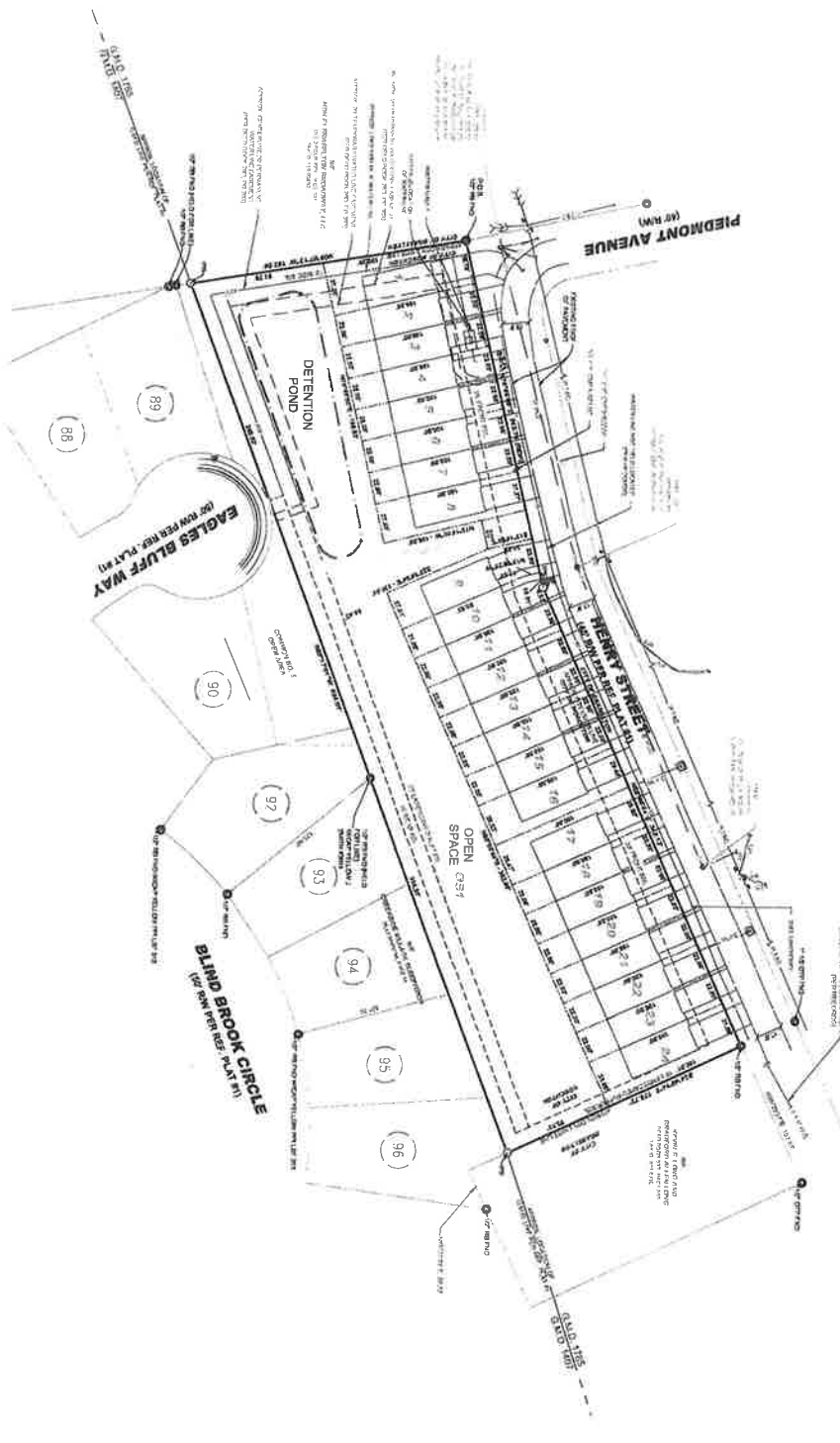
LS# 1322
 4525 SOUTH LEE STREET
 DUNFORD, GEORGIA 30510
 678.926.9424 | WWW.AISPLAT.COM

NEW BUSINESS

ITEM #2

Preliminary Plat: Henry
Street Townhouses

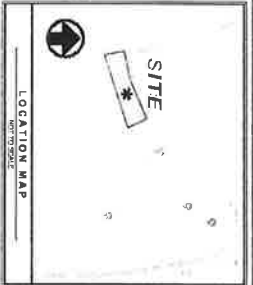
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88	0.000	0.00	98	0.000	0.00
89	0.000	0.00	99	0.000	0.00
90	0.000	0.00	100	0.000	0.00



OWNER
G.P.'S ENTERPRISES, INC.
 4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770) 415-7511
 Fax: (770) 415-4738
 www.gpsenterprises.com
 DEBRAH HANSEN HALL-HANSEN

PREPARED BY:
FRANK POWELL & ASSOCIATES, INC.
 2000 Peachtree Dunwoody Road, Suite 100
 Atlanta, Georgia 30328
 Phone: (770) 415-7511
 Fax: (770) 415-4738
 www.frankpowell.com

DATE: 08/11/2011
SCALE: AS SHOWN
PROJECT NO.: 1110000001



DETAILED DESCRIPTION:

THIS PRELIMINARY PLAT SHOWS THE LOTS AND EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP AND THE EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP. THE LOTS AND EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP ARE DESCRIBED AS FOLLOWS:

1. THE LOTS AND EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP ARE DESCRIBED AS FOLLOWS:

2. THE LOTS AND EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP ARE DESCRIBED AS FOLLOWS:

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10. THE LOTS AND EASEMENTS TO BE CREATED BY THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED SURVEY MAP ARE DESCRIBED AS FOLLOWS:

NOTICE:

1. THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF ZONING ADJUSTMENTS OF THE CITY OF NORCROSS, GEORGIA.

2. THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF ZONING ADJUSTMENTS OF THE CITY OF NORCROSS, GEORGIA.

3. THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF ZONING ADJUSTMENTS OF THE CITY OF NORCROSS, GEORGIA.

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10. THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF ZONING ADJUSTMENTS OF THE CITY OF NORCROSS, GEORGIA.

FRANK POWELL & ASSOCIATES, INC.
 2000 Peachtree Dunwoody Road, Suite 100
 Atlanta, Georgia 30328
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 www.frankpowell.com

NEW BUSINESS

ITEM #3

Ordinance 0-2023-03

To amend Chapter 11
“Traffic and Vehicles”

CITY OF HOSCHTON
STATE OF GEORGIA

ORDINANCE O-2023-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HOSCHTON, GEORGIA, CHAPTER 11, "TRAFFIC AND VEHICLES," TO ADOPT A NEW ARTICLE IV, "STOPPING, STANDING AND PARKING;" TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND FOR OTHER PURPOSES

IT IS ORDAINED by the Hoschton Mayor and City Council as follows:

Section 1.

The Hoschton Code of Ordinances, Chapter 11, "Traffic and Vehicles," is amended by adding a new Article IV, "Stopping, Standing and Parking" as follows:

Sec. 11-81. Parking prohibitions and time limitations.

- (a) Authority to impose. The city may prohibit parking and impose time limits on parking on designated streets or city properties.
- (b) No parking areas. It shall be unlawful for any person to cause, allow, or permit any vehicle registered in any name, or operated by any person to be parked: in an area where no parking is allowed by ordinance or state law; or beyond the period of the legal parking time established by any signage as described in this article. At least one sign shall be erected on each street on each side of the street where parking is either prohibited or restricted.
- (c) Time limits. It shall be illegal for a motor vehicle to be parked in a parking space past the designated time limit. The city police may use any method deemed necessary to time these vehicles not in compliance and issue citations to the operators of these vehicles. Whenever any parking time limit is imposed or parking is prohibited on designated streets, appropriate signs shall be erected giving notice thereof, and the regulations shall be effective only after the signs are erected and in place at the time of any alleged offense.

Sec. 11-82. Areas where parking is unlawful.

At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or traffic control device:

- (a) In any intersection;
- (b) In a crosswalk;

Ordinance 2023-03

- (c) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than 18 feet;
- (d) At any place where the vehicle will block the use of a driveway;
- (e) At any place where the vehicle will block the driveway entrance to any fire department;
- (f) On any sidewalk;
- (g) Upon a street in a residential zoning district, except as specifically allowed otherwise in this article.
- (h) At any place where official signs prohibit parking; and
- (i) Within 12 feet of any fire hydrant.

Sec. 11-83. Off-street parking in residential areas.

- (a) In single-family residential zoning districts, parking in the front yard (not the roadway in front of the home) is allowed for each dwelling unit only within a hard-surfaced driveway (i.e., asphalt, concrete, gravel, or if approved by the city, a turf-reinforced driveway).
- (b) No parking of any vehicles, whether commercial or private, shall be allowed on grass or lawn areas of any single-family residence. The parking or storage of more than four vehicles at a single-family residence in a manner visible from the public street is unlawful.
- (c) No vehicle with a gross vehicle weight rating greater than 6,000 pounds shall be parked past the front plane of the front door of a residential dwelling at any time.

Sec.11-84. Parking for commercial purposes.

- (a) It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any public street from which merchandise is peddled, or for purposes of displaying advertising.
- (b) It shall be unlawful to park any vehicle carrying dynamite, propane gas or any other volatile or explosive substance for more than one hour within 200 feet of any building used for assembly or institutional or residential occupancy.

Sec. 11-85. Restrictions for trucks, tractors, buses.

- (a) No person shall park or stand any truck or other freight-carrying vehicle, including any truck tractor, in excess of one-half ton capacity, upon any public street or highway for longer than the time necessary to deliver its cargo, and at no time longer than thirty (30) minutes without police escort.

Ordinance 2023-03

- (b) No person shall stop or stand any truck or bus with a body more than eight feet wide or ten feet high on any street or public place without the driver or chauffeur being actually present and in charge thereof.
- (c) No person shall stop or stand any truck or bus on any street or public place and idle for more than 15 minutes, except for the following conditions:
 - 1. Emergency vehicles, utility company, construction and maintenance vehicles where the engines must run to perform needed work;
 - 2. Truck or bus is forced to remain motionless because of traffic conditions;
 - 3. Truck or bus is being used to supply heat or air conditioning necessary for passenger safety or comfort, and such truck or bus is being used for commercial passenger transportation or is a transit authority bus or school bus, in which idling shall be limited to a maximum of 25 minutes; If the ambient temperature is less than 32 degrees Fahrenheit, idling shall be limited to a maximum of 25 minutes; or
 - 4. Any vehicle, truck, bus, or transit authority bus in which the primary source of fuel is Natural Gas (CNG) or electricity shall be exempt from the idling limitations set forth in this section.

Sec. 11-86. Enforcement.

- (a) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may at any time have the vehicle towed from the location it is illegally parked and impounded. If the vehicle is towed and impounded, the registered owner of any vehicle parked illegally pursuant to this article shall be responsible for any and all towing and storage fees associated with any such vehicle removed from a city street or property pursuant to the provisions of this article.
- (b) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may, pursuant to O.C.G.A. 40-6-203(2) (B,) write a citation to the registered owner per the tag information and place such citation on the vehicle under its windshield wipers. No improperly parked vehicle may receive more than one citation for every twenty-four (24) hours it is improperly parked.
- (c) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may require the driver or other person in charge of the vehicle to move it to a position off the roadway.
- (d) A citation for parking in an area where parking is prohibited by this article, or for illegally parking past the designated time limit, or for any other violation of this article, can be issued by a member of the city police department.

(e) Any person violating any provision of this article shall, on conviction by the court judge of the city, be punished as follows:

First Offense: \$50.00

Second Offense: \$100.00

Third Offense: \$250.00

Fourth and subsequent offenses: \$500 and impoundment of vehicle with responsibility for towing and storage fees.”

Section 2.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 4.

The effective date of this ordinance shall immediate upon adoption by the City Council.

Section 5.

It is the intent of City Council that this ordinance be integrated into the Code of Ordinances of the City of Hoschton. To that end, the provisions of this ordinance may be renumbered or reorganized to effectuate that intent.

So ORDAINED, this __ day of _____, 2023.

Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Jennifer Kidd-Harrison, City Clerk

Ordinance 2023-03

APPROVED AS TO FORM

Abbott S. Hayes, Jr., City Attorney

F:\Planning & Zoning\Jerry Weitz\2020\Parking Regulation\Ordinance Parking 6-22-23.docx

NEW BUSINESS

ITEM #4

**Bid for new Public Works
facility- Cabin Drive**

REQUEST FOR PROPOSALS
FOR
CMAR SERVICES
FOR THE
CITY OF HOSCHTON
PUBLIC WORKS FACILITY
JUNE 22, 2023

Garland

& Associates Contractors, Inc.



& Associates Contractors, Inc.

1020 Garland Dr. – Suite 400
Bogart, GA 30622

General Contractors

OFF (770)725-9000
FAX (770)725-8900

Table of Contents

1. Cover Letter
2. Firm Information
3. General Company History/Qualifications
4. Financial & Legal Status
5. Experience & References

Garland

& Associates Contractors, Inc.

General Contractors

1020 Garland Dr. - Suite 400
Bogart, GA 30622

OFF (770)725-9000
FAX (770)725-8900

June 21st, 2023

City of Hoschton

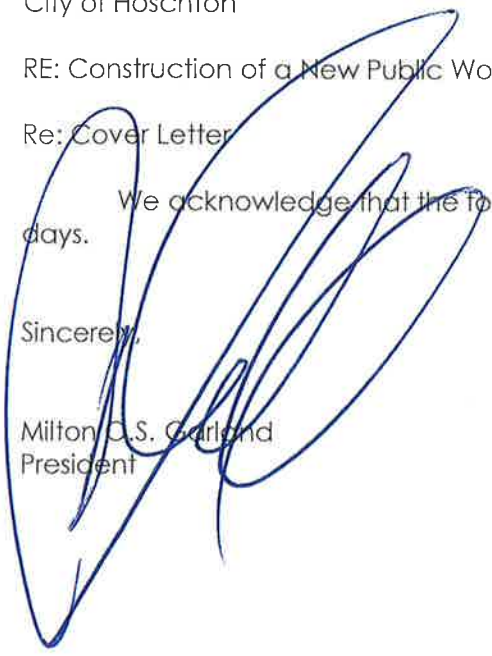
RE: Construction of a New Public Works Building for the City of Hoschton

Re: Cover Letter

We acknowledge that the following Proposal will remain effective for a period of 60 calendar days.

Sincerely,

Milton D.S. Garland
President



making decisions and selections pursuant to this RFP and in overall planning for and execution of the Project.

My signature certifies that the Proposal as submitted complies with all Terms and Conditions as set forth in City of Hoschton "RFP, Construction Manager At-Risk Services for Public Works Facility Project." I hereby certify that I am authorized to sign as a Representative for the Firm:

If Bidder is:

An Individual

Name (typed or printed): _____
By: _____
(Individual's signature)

SEAL,
if required
by State

Doing business as: _____

A Partnership

Partnership Name: _____
By: _____
(Signature of general partner -- attach evidence of authority to sign)

SEAL,
if required
by State

Name (typed or printed): _____

A Corporation

Corporation Name: Garland & Associates Contractors, Inc.

State of Incorporation: Georgia

Type (General Business, Profession, Service, Limited Liability): General Business Contractor

By: _____
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Ty Bagge

Title: Vice President/Secretary

Attest _____
(Signature of Corporate Secretary)

CORPORAT
E SEAL,
if required by State

Date of Qualification to do business in Georgia [State where Project is located] is
4 / 15 / 2005

PRICE PROPOSAL FORM- PHASE 1 DESIGN

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PRICE PROPOSAL FORM- DESIGN PHASE

PUBLIC WORKS FACILITY FOR THE CITY OF HOSCHTON, GEORGIA

ARTICLE 1 – PRICE PROPOSAL RECIPIENT

1.01 This Price Proposal is submitted to:

City of Hoschton/City Hall

79 City Square

Hoschton, GA 30548

706-654-3034 (T)

706-654-9834 (F)

1.02 The undersigned Proposer proposes and agrees, if this Price Proposal is accepted and Owner awards the Construction Manager at Risk contract to Proposer, to enter into the Construction Manager at Risk contract with Owner in the form included in the RFP Documents, to perform all Work as specified or indicated in the RFP Documents for the prices and within the times indicated in this Price Proposal and in accordance with the other terms and conditions of the RFP Documents.

ARTICLE 2 – PROPOSER’S ACKNOWLEDGEMENTS

2.01 Proposer accepts all of the terms and conditions of the Request for Proposals, including without limitation those dealing with the disposition of Price Proposal security. This Price Proposal will remain subject to acceptance for 60 days after the Price Proposal opening, or for such longer period of time that Proposer may agree to in writing upon request of Owner.

ARTICLE 3 – PROPOSER’S REPRESENTATIONS

3.01 In submitting this Price Proposal, Proposer represents that:

A. Proposer has examined and carefully studied the RFP Documents, and any data and reference items identified in the RFP Documents, and hereby acknowledges receipt of the following Addenda:

Addendum No.

Addendum Date

Addendum No.

Addendum Date

- _____
- _____
- B. Proposer has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Proposer is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. Proposer has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site, and all drawings (if any) of physical conditions relating to existing surface or subsurface structures at the Site, that Owner has identified or made available to Proposer, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that Owner has identified or made available to Proposer, especially with respect to Technical Data in such reports and drawings.
 - E. Proposer has considered the information known to Proposer itself, and to members of Proposer's design-build team; information commonly known to design professionals, design-builders, and contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the RFP Documents; and the Site-related reports and drawings (if any) identified in the RFP Documents or otherwise made available to Proposer, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the project design; (3) the means, methods, techniques, sequences, and procedures of construction to be employed by Proposer; and (4) Proposer's safety precautions and programs.
 - F. Proposer agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the preparation of its Proposal for performance of the Work at the prices stated and within the times required, and in accordance with the other terms and conditions of the RFP Documents.
 - G. Proposer is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the RFP Documents.
 - H. Proposer has given Engineer written notice of all conflicts, errors, ambiguities, and discrepancies that Proposer has discovered in the RFP Documents, and confirms that the written response from Owner is acceptable to Proposer.
 - I. The RFP Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
 - J. The submission of this Price Proposal constitutes an incontrovertible representation by Proposer that Proposer has complied with every requirement of this Article, and that without exception the Price Proposal and all prices in the Price Proposal are premised upon performing and furnishing the Work required by the RFP Documents.

ARTICLE 4 – PROPOSER’S CERTIFICATION

4.01 Proposer certifies that:

- A. This Price Proposal is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Proposer has not directly or indirectly induced or solicited any other Proposer to submit a false or sham Price Proposal;
- C. Proposer has not solicited or induced any individual or entity to refrain from submitting a Price Proposal; and
- D. Proposer has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the proposal process to the detriment of Owner, (b) to establish prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. “collusive practice” means a scheme or arrangement between two or more Proposers, with or without the knowledge of Owner, a purpose of which is to establish prices at artificial, non-competitive levels; and
 - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the proposal process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF PRICE PROPOSAL

5.01 Proposer will complete the Work in accordance with the Contract Documents for the following price(s):

A. LUMP SUM DESIGN PHASE PRICE PROPOSAL

Construction Manager at Risk for completion of the Design Phase Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:

1. For all Work a lump sum of:

\$ TEN THOUSAND & 00/100 DOLLARS (\$10,000⁰⁰)

Price in Words

ARTICLE 6 – TIME OF COMPLETION

6.01 Construction Manager at Risk will complete the Design Phase Work and issue a GMP within 60 days after the Notice to Proceed date for Design Phase

6.02 Proposer accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – NOT USED

ARTICLE 8 – DEFINED TERMS

8.01 The terms used in this Price Proposal with initial capital letters have the meanings stated in the RFP, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – PRICE PROPOSAL SUBMITTAL

PROPOSER:

Garland & Associates Contractors, Inc.

By:

Signature:

X

Printed name: Ty Bagge

(If Proposer is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

Signature:

X

Printed name:

Ty Bagge

Title:

Vice President/Secretary

Submittal Date:

06/22/2023

Address for giving notices:

1020 Garland Drive Suite 400 Bogart GA 30622

Telephone Number:

770-725-9000

Fax Number:

770-725-8900

Contact Name and e-mail address:

Steven Christian steven@garlandconstruction.com

Proposer's License No.:

23-25862

[Use in those states or other jurisdictions where licensing is applicable or required.]

Garland

& Associates Contractors, Inc.

1020 Garland Dr. – Suite 400
Bogart, GA 30622

General Contractors

OFF (770)725-9000
FAX (770)725-8900

June 21st, 2023

City of Hoschton

Job: Construction of a New Public Works Building for the City of Hoschton

RE: Firm Information

I. Garland & Associates Contractors, Inc.
1020 Garland Drive, Suite 400
Bogart, GA 30622
770-725-9000 – Office
770-725-8900 – Fax

II. We are a corporation with 20 Employees

III. Garland Contractors has been in business for over 26 years

IV. Milton OS Garland Sr.
Ty Bagge

V. Steven Christian
steven@garlandconstruction.com
404-606-9592 – Cell

VI. Milton Garland – President
Ty Bagge – Vice President
Steven Christian – Project Manager

VII. Our goal is to always complete a project on time, on budget, and to the full satisfaction of the client. We strive to leave a satisfied client who will call us back for their future projects.

Milton O.S. Garland
President

Garland

& Associates Contractors, Inc.

General Contractors

1020 Garland Dr. – Suite 400
Bogart, GA 30622

OFF (770)725-9000
FAX (770)725-8900

June 21st, 2023

City of Hoschton

RE: Public Works Building

Please allow us to take this opportunity to introduce you to our company. Garland Construction, Inc. was founded by Milton Garland in 1995. In 2005, the company became Garland & Associates Contractors, Inc.

Garland & Associates Contractors, Inc. has extensive experience in the construction of a wide variety of commercial projects. In the 28 years that we have been in business, we have had the opportunity to construct numerous projects including many for repeat customers.

We are also a design-build general contractor, and many of our projects have been completed with this concept. We have worked with numerous Architects and Engineers to keep projects in budget and on a timely schedule.

The company is headed by the Milton Garland (President) with over 45+ years in the construction industry. TY Bagge is the VP/secretary for the company and has 15+ years of experience in the industry and with the company. Steven Christian is also a project manager on the team, and he has over 25+ years in the industry along with 4 years with Garland & Associates.

Milton, Ty, and Steven have worked together on several recent projects including the Hoschton City Hall, SMI Manufacturing, and Magbee Supply Projects.

Insurance for the company is handled by Chastain Insurance of Athens, GA.

As a general contractor we have a company safety program and schedule routine safety meetings. Our current EMR rating is 0.83.

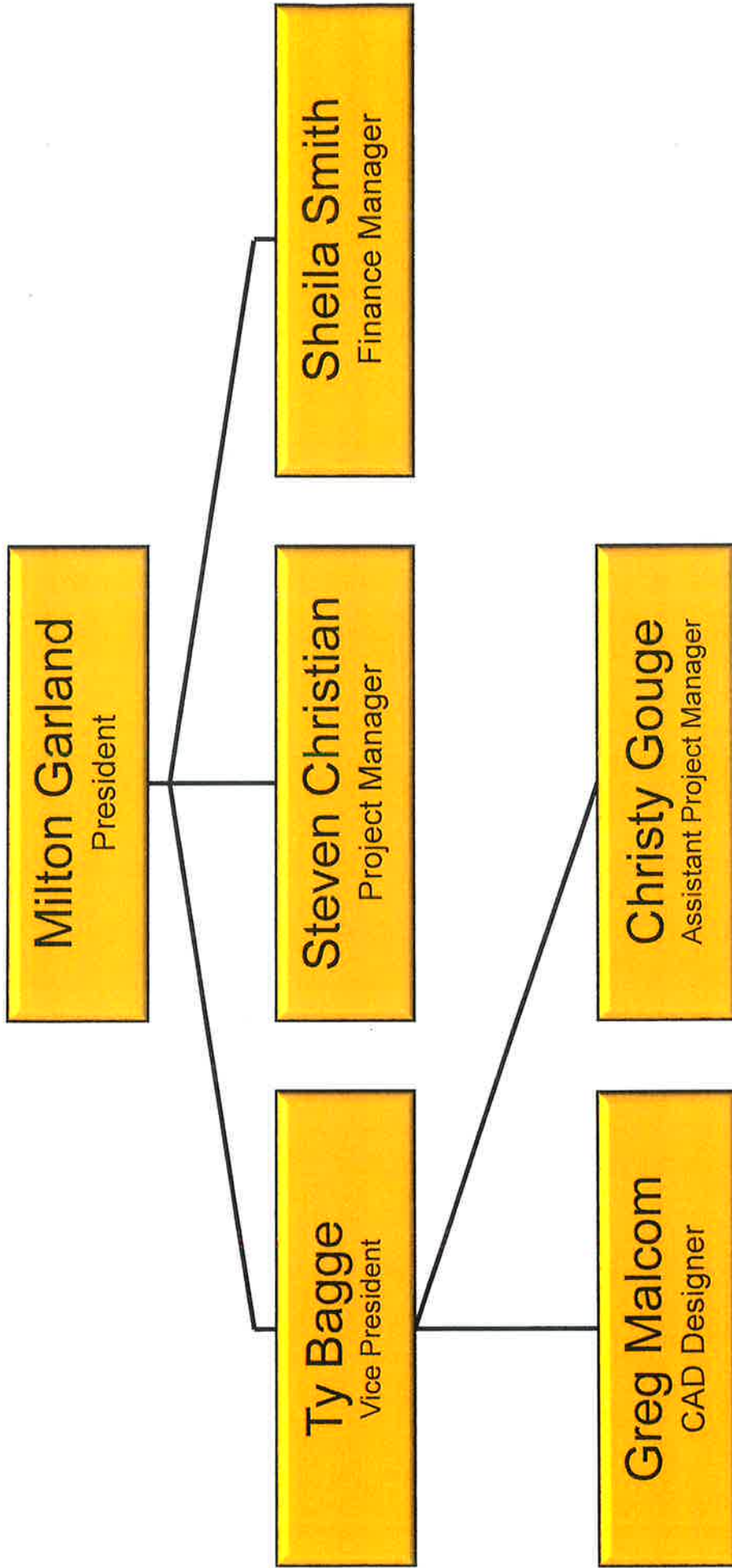
Please see attached resumes and contractor affidavit.

Sincerely,

Milton O.S. Garland
President

Garland

& Associates Contractors, Inc.



Chastain & Associates *Insurance*

272 WEST HANCOCK AVENUE
ATHENS, GEORGIA 30603
PHONE: 706-543-2575
FAX: 706-543-4847

MAILING ADDRESS:
P.O. BOX 1908 • ATHENS, GA 30603

258 WEST CROGAN
LAWRENCEVILLE, GEORGIA 30046
PHONE: 770-962-4111
FAX: 706-543-4847

February 27, 2023

To: Milton Garland

Re: Garland & Associates Contractors, Inc. – bond letter
Church

Dear Milton:

We have had the pleasure of providing surety credit to Garland & Associates for many years. Garland's current surety company is National American Insurance Company (listed on US Treasury Circular 570 listed, A-, VII AM Best rating).

Garland currently has \$4,000,000 per job and \$8,000,000 aggregate but higher request can certainly be considered on a case by case basis.

As per all surety requirements, approval of each bond will be subject to review of the contract, as well as their final estimate, no adverse or material change in the financial condition of the company, and compliance with all stipulated underwriting criteria and conditions from the surety.

Also, your NCCI Experience Modification Rate is .83 effective 12/01/2022.

Please feel free to contact me with any questions.

Sincerely,



Chas Chastain

Milton O.S. Garland, Sr.

1020 Garland Drive • Suite 400 • Bogart, GA • milton@garlandconstruction.com

EDUCATION

1972 Southern Technical Institute, Bachelor of Science
Major: Architecture

PROFESSIONAL SUMMARY

Experience includes general contracting, consulting, and management in commercial, institutional and industrial construction markets. Professional experience includes construction management, budgeting, scheduling, estimating and project management. Project experience covers a variety of project types ranging from \$100,000 to over\$5,000,000.00

PRESENT EMPLOYMENT

Garland & Associates Contractors, Inc., Bogart, Georgia March 1995 – Present
President

CAREER EXPERIENCE

Aldridge Inc., Athens, Georgia December 1986 – February 1995
Vice President / Partner

Experience includes general contracting, consulting, and management in commercial, institutional, and industrial construction markets. Professional experience includes construction management, budgeting, scheduling, estimating and project management. Project experience covers a variety of project types ranging from \$100,000 to over \$3,000,000.00

As senior project manager & estimator, responsibilities included assisting other project managers with organization, bidding and estimating.

REMCO, Dalton Georgia, December 1983 – December 1986
Plant Manager

Supervised salaried and hourly work forces. Initiated several programs of quality control and quality standards. Responsibilities also included management of plant production, scheduling and shipping for a plant employing approximately 100 employees.

ARAMCO, Dhahran, Saudi Arabia, August 1978 – November 1983
Estimator

Responsibilities included preparation of budget estimates. For approved projects, responsibilities also included preparation of a construction estimate to compare with contractors' costs. Also responsible for preparing change orders and negotiating with General Contractors.

Ty Bagge

1020 Garland Drive • Suite 400 • Bogart, GA • bagge@garlandconstruction.com

EDUCATION

Gwinnett Technical College

Major: Commercial Construction Management

PROFESSIONAL SUMMARY

Senior project manager and estimator on all types of commercial construction projects ranging up to \$10,000,000.00. Designer providing CAD floor plans, elevations, sections, and details for all types of commercial construction projects.

CAREER EXPERIENCE

Garland & Associates Contractors, Inc., Bogart, Georgia January 2005 – Present VP/Secretary / Project Manager / Designer

Responsibilities include managing a variety of construction projects, including new construction and commercial renovations. Responsibilities include design and drafting of concept and permit plans, coordinating design of mechanical, electrical, and plumbing permit plans. Also responsible for estimating and soliciting bids from subcontractors.

Steven Christian

1020 Garland Drive • Suite 400 • Bogart, GA • steven@garlandconstruction.com

EDUCATION

1993 University of Tennessee @ Chattanooga

Bachelor of Science – Mechanical Engineering

Minor – Computer Science

PROFESSIONAL SUMMARY

Experience includes general contracting, consulting, and management in commercial and industrial construction markets. Professional experience includes construction management, budgeting, scheduling, and project management. Project experience covers a variety of project types ranging from \$100,000 to over \$3,000,000.

PRESENT EMPLOYMENT

Garland & Associates Contractors, Inc., Bogart, Georgia

January 2019 – Present

Project Manager

CAREER EXPERIENCE

T&S Steel Erectors Inc., Buford, GA

December 1999 – December 2018

Vice President

Experience includes general contracting, consulting, and management in commercial, institutional, and industrial markets with specific focus on pre-engineered steel building construction. Professional experience includes budgeting, scheduling, estimating and project management. Project experience covers a variety of project types ranging from \$100,000 to over \$2,000,000.

As Vice President, responsibilities included sales and estimating, along with project management.

Telecorp, Norcross Georgia, September 1993 – November 1996

Field Service Technician

Designed, constructed, and installed telephony systems including predictive dialers and interface systems. Responsibilities included design and construction of the systems as well as installation of the systems on customer sites along with customer training at sites located throughout the country.

SECTION D-460

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER
IN ACCORDANCE WITH O.C.G.A. 36-91-21(d)(e)

State of Georgia }

County of Oconee }

Steven Christian, being duly sworn, deposes and says that:

1. He/she is Representative (owner, partner, officer, representative, or agent) of Garland & Associates Contractors, Inc. the Bidder that has submitted the attached Bid.
2. He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid.
3. Such Bid is genuine and is not a collusive or sham Bid.
4. Neither the said Bidder, nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person, to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the OWNER (Local Public Agency) or any person interested in the proposed Contract.
5. The price or prices quoted in the attached Bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Signature Steven Christian

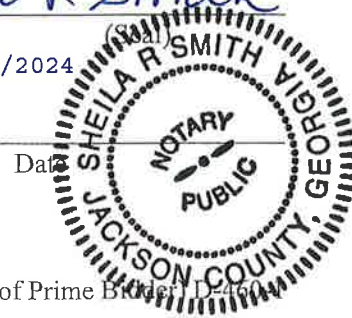
Title Representative

Subscribed and Sworn to before me this 21st day of June, 2023

Notary Signature Sheila R Smith

My Commission Expires: 3/18/2024

END OF SECTION



SECTION C-495

CONTRACTOR AFFIDAVIT FOR ELECTRONIC VERIFICATION OF WORK AUTHORIZATION PROGRAMS [under O.C.G.A. § 13-10-91(b)(1)]

By executing this affidavit, the undersigned Contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the City of Hoschton, Georgia (name of public employer) 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 here attests that its federal work authorization user identification number and date of authorization are as follows:

756417

Federal Work Authorization User Identification Number

2-18-2014

Date of Authorization

Garland & Associates Contractors, Inc.

Name of Contractor

Public Works Facility

Name of Project

Hoschton, Georgia

Name of Public Employer

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

Executed on 21st of June 2023 in Bogart (City), GA (State).

[Signature]
Signature of Authorized Officer or Agent

Ty Bagge Vice President

Printed Name and Title of Authorized Officer or Agent

Subscribed and sworn before me
On this the 21st day of June, 2023

Sheila R Smith
Notary Public



My commission expires: 3/18/2024

Garland

& Associates Contractors, Inc.

1020 Garland Dr. – Suite 400
Bogart, GA 30622

General Contractors

OFF (770)725-9000
FAX (770)725-8900

Bank Reference

United Community Bank: Watkinsville Branch

2456 Mars Hill Road

Watkinsville, GA 30677

706-389-7973 – Office

706-543-3735 – Fax

Marcus Schubert

VP | Commercial Relationship Manager

706-372-3186 – Mobile



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/29/2022

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 Chastain & Associates Ins P.O. Box 1908 Athens GA 30603		CONTACT NAME: Megan Carrion PHONE (A/C, No, Ext): (706) 543-2575 E-MAIL ADDRESS: mcarrion@chastain-assoc.com		FAX (A/C, No): (706) 543-4847	
INSURED Garland & Associates Contractors, Inc. PO Box 370 Bogart GA 30622		INSURER(S) AFFORDING COVERAGE		NAIC #	
		INSURER A: Cincinnati Insurance Company			
		INSURER B: Builders Insurance Group			
		INSURER C:			
		INSURER D:			
		INSURER E:			
		INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** CL22112938484 **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	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			ENP0636655	12/01/2022	12/01/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			ENP0636655	12/01/2022	12/01/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			ENP0636655	12/01/2022	12/01/2023	EACH OCCURRENCE	\$ 8,000,000
							AGGREGATE	\$ 8,000,000
								\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input checked="" type="checkbox"/> Y N/A			WCV0091009	12/01/2022	12/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$ 500,000
							E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
A	BUILDERS RISK- REPORTING FORM			ENP0636655	12/01/2022	12/01/2023	LIMIT	As Reported

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

CERTIFICATE HOLDER**CANCELLATION**

FOR INSURANCE PURPOSES ONLY

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

© 1988-2015 ACORD CORPORATION. All rights reserved.



STATE OF GEORGIA

BRAD RAFFENSPERGER, Secretary of State

State Licensing Board for Residential and General Contractors

LICENSE NO. GCQA001983

Milton O S Garland, Sr

P.O. Box 370

Bogart GA 30622

Company Name: Garland & Associates Contractors Inc

Company License NO: GCCO001969

General Contractor Qualifying Agent

EXP DATE - 06/30/2024 Status: Active

Issue Date: 10/10/2008

A pocket-sized license card is below. Above is an enlarged copy of your pocket card.

Please make note of the expiration date on your license. It is your responsibility to renew your license before it expires. Please notify the Board if you have a change of address.

Wall certificates suitable for framing are available at cost, see board fee schedule. To order a wall certificate, please order from the web site – www.sos.ga.gov/plb.

Please refer to Board Rules for any continuing education requirements your profession may require.

Georgia State Board of Professional Licensing

237 Coliseum Drive

Macon GA 31217

Phone: (404) 424-9966

www.sos.ga.gov/plb

Milton O S Garland, Sr
1368 McNutt Creek Road
Bogart GA 30622

STATE OF GEORGIA

BRAD RAFFENSPERGER, Secretary of State

Georgia State Licensing Board for Residential and General Contractors

License No. GCQA001983

Milton O.S Garland, Sr

P.O. Box 370

Bogart GA 30622

Company Name: Garland & Associates Contractors Inc

Company License NO: GCCO001969

General Contractor Qualifying Agent

EXP DATE - 06/30/2024 Status: Active

Issue Date: 10/10/2008



& Associates Contractors, Inc.

1020 Garland Dr. – Suite 400
Bogart, GA 30622

General Contractors

OFF (770)725-9000
FAX (770)725-8900

June 21st, 2023

City of Hoschton

RE: Experience and References

Garland & Associates has completed several projects as a CMAR and many with government agencies. These projects range in size from small and simple to large and complex. They have included simple sidewalks to the construction of a new library for the City of Bogart.

A sample of these projects is included on the pages that follow.

Sincerely,

Milton O.S. Garland
President



& Associates Contractors, Inc.

1020 Garland Dr. – Suite 400
Bogart, GA 30622

General Contractors

OFF (770)725-9000
FAX (770)725-8900

Rockdale County Public Works

1. Project Name: Rockdale County Public Works Building
2. Completed in 2015
3. New 1,500 SF building with office space
4. Tom Prater, tom.prater@rockdalecounty.org, 404-909-5626
5. Same as above
6. Design-build construction to keep costs lower with our expertise
7. Cost - \$104,266, was within the project budget
8. Approximately 3 months and finished ahead of schedule

Bogart Library

1. Project Name: Bogart Library Additions and Renovations
2. Completed in 2019
3. 16,625 SF building with renovations
4. Valerie Bell, Athens GA
5. Athens Regional Library System
6. Design-build construction to keep costs lower with our expertise
7. Cost - \$2,400,000± was within the project budget
8. Approximately 10 months and finished on schedule

Hoschton City Hall

1. Project Name: Bogart Library Additions and Renovations
2. Completed in 2023
3. New 9,000 SF building
4. Joe Hayes, jhayes@cityofhoschton.com
5. City of Hoschton
6. Design-build construction to keep costs lower with our expertise
7. Cost - \$1,639,655, was within the project budget
8. Approximately 12 months and finished on schedule

NEW BUSINESS

ITEM #5

Update Personnel Policy

PTO/Holidays

Old

SECTION 11 – TIME OFF

11.1 PAID TIME OFF (PTO)

The City recognizes the importance of offering time off for rest, relaxation, scheduled doctor appointments for employee and immediate family, and sick time for the employee or to care for an immediate family member. Therefore, PTO is provided each year based on years of service from the last date of hire. Regular full-time employees are eligible for paid time off accrual as outlined below:

Personal leave is paid leave that is available only to regular full-time employees. Full-time employees laid off due to position discontinuation, lack of funding, or due to legitimate circumstances may still receive accumulated paid leave. The City Manager shall decide when legitimate circumstances exist. Personal leave is not payable to terminated full-time personnel.

All regular full-time City employees begin accumulating personal leave days after their 3 Month (90 Day) Probation period has ended. All PTO computed annually based on the Employees date of employment. Up to 160 hours of personal leave for a calendar year may be accumulated and carried forward to the next 12-month period. Accumulated hours may be cashed in at one time or in increments four times a year with at least a two-week notice to the payroll department. A pay only check must be a minimum of 20 hours up to a maximum of 80 hours per check. Quarterly periods for payment are March, June, September, and December, with the checks being paid on the first pay period of these months.

Eligible employees (except for probationary employees in their "original probation period") can take leave immediately once hours have been accrued and approved by Department management; probationary employees in their "original probation period" may take accrued annual leave after they have completed six months of employment (generally following the probationary period); After their probationary period is completed but for their first twelve months of hire, Department Heads must get special approval from the City Manager or his/her designee prior to scheduling their time off. PTO leave shall accrue according to the following schedule:

remove

New

SECTION 11 – TIME OFF

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The City recognizes the importance of offering time off for rest, relaxation, scheduled doctor appointments for employee and immediate family, and sick time for the employee or to care for an immediate family member. Therefore, PTO is provided each year based on years of service from the last date of hire. Regular full-time employees are eligible for paid time off accrual as outlined below:

Personal leave is paid leave that is available only to regular full-time employees. Full-time employees laid off due to position discontinuation, lack of funding, or due to legitimate circumstances may still receive accumulated paid leave. The City Manager shall decide when legitimate circumstances exist. Personal leave is not payable to terminated full-time personnel.

All regular full-time City employees begin accumulating personal leave days after their 3 Month (90 Day) Probation period has ended. All PTO computed annually based on the Employees date of employment. Up to 160 hours of personal leave for a calendar year may be accumulated and carried forward to the next 12-month period. Accumulated hours may be cashed in at one time or in increments four times a year with at least a two-week notice to the payroll department. A pay only check must be a minimum of 20 hours up to a maximum of 80 hours per check. Quarterly periods for payment are March, June, September, and December, with the checks being paid on the first pay period of these months.

Eligible employees (except for probationary employees in their "original probation period") can take leave immediately once hours have been accrued and approved by **Department Head and City Manager.**

old

11.2 ACCRUAL SCHEDULE

Full time employees will accumulate personal leave in accordance with this schedule:

Years of Service:	Personal Leave Days
3 months – 1 year	40 Hours
1 – 4	160 Hours
5 - 9	200 Hours
Over 10	240 Hours

Maximum accrual is 160 hours; this maximum may be exceeded during a calendar year, but PTO leave balances in excess of 160 hours as of December 31 of each year will be forfeited without pay. In the event of extraordinary circumstances - these limits may be exceeded with approval by the City Manager or his/her designee.

11.2.1 SCHEDULING OF PTO TIME

Leave request must be completed and submitted in advance, preferably at least 2 weeks prior to the desired PTO date(s). Each Employee is responsible for scheduling its PTO without undue disruption to City operations.

Employees may be denied permission to take PTO if it unduly disrupts operations. **Employees in their first year of employment must get approval from the City Manager in addition to their department head.** All Summer PTO requests should be submitted no later than May 15th. Seniority will be followed as nearly as possible in granting requests for PTO leave. No PTO leave will be granted in excess of amount accrued. Utilization of PTO time is allowed in hourly, daily, or weekly increments. Employees are not allowed to take off more than one week (5 working days) at a time unless approved by the City Manager or his/her designee.

reworded

11.2.2 PTO PAY-OFF UPON SEPARATION OF EMPLOYMENT

An employee may elect a cash payment of accrued PTO leave up to a maximum of 160 hours upon separation of employment. A lump sum payment of any accrued but unused PTO, up to 160 hours unless employee does not provide a two-week written notice prior to leaving. In that situation, employee forfeits 80 hours of PTO and any remaining balance over the 80 hours will be paid. *See Section 8.3

11.3 JURY AND WITNESS LEAVE

Jury Duty. The City provides all employees leave for jury duty service. Regular full- time employees who have completed their orientation period receive paid jury duty leave of up to two weeks each time they are called for jury service. In general, if jury duty extends beyond two weeks in any one instance the additional leave will be unpaid. If an employee is summoned during a critical work period, the City may ask the employee to request a
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New

11.2 ACCRUAL SCHEDULE

Full time employees will accumulate personal leave in accordance with this schedule:

<u>Years of Service:</u>	Personal Leave Days
3 months – 1 year	40 Hours
1 – 4	160 Hours
5 - 9	200 Hours
Over 10	240 Hours

Maximum accrual is 160 hours; this maximum may be exceeded during a calendar year, but PTO leave balances in excess of 160 hours as of December 31 of each year will be forfeited without pay. In the event of extraordinary circumstances - these limits may be exceeded with approval by the City Manager or his/her designee.

11.2.1 SCHEDULING OF PTO TIME

Leave request must be completed and submitted in advance, preferably at least 2 weeks prior to the desired PTO date(s). Each Employee is responsible for scheduling its PTO without undue disruption to City operations.

Employees may be denied permission to take PTO if it unduly disrupts operations. Employees must get approval from the Department Head and City Manager for any time off request. All Summer PTO requests should be submitted no later than May 15th. Seniority will be followed as nearly as possible in granting requests for PTO leave. No PTO leave will be granted in excess of amount accrued. Utilization of PTO time is allowed in hourly, daily, or weekly increments. Employees are not allowed to take off more than one week (5 working days) at a time unless approved by the City Manager or his/her designee.

All Employees must have PTO time available to request time off.

11.2.2 PTO PAY-OFF UPON SEPARATION OF EMPLOYMENT

An employee may elect a cash payment of accrued PTO leave up to a maximum of 160 hours upon separation of employment. A lump sum payment of any accrued but unused PTO, up to 160 hours unless employee does not provide a two-week written notice prior to leaving. In that situation, employee forfeits 80 hours of PTO and any remaining balance over the 80 hours will be paid. *See Section 8.3

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11.12.3 MATERNITY LEAVE

Leave without pay may be taken for disability related to pregnancy, childbirth, or related medical condition, where accrued PTO does not cover the entire time needed in accordance with FMLA. Such leave shall be for the actual period of disability as certified by a doctor, even if it exceeds three months. Employees taking leave without pay for childbirth- related disability are guaranteed a return to their job or a similar job with at least the same pay.

Parental Leave: In appropriate circumstances either parent may take leave without pay for parental leave related to birth or adoption of a child. Parental leave must be taken within one year from the time of childbirth or adoption.

11.13 BEREAVEMENT LEAVE

Regular full-time employees receive up to three days of bereavement leave per year for a death in the immediate family (see definition in Section 2.3). Longer periods, charged against the employee's PTO, may be approved by the Manager or his/her designee.

11.14 HOLIDAYS

The following 11 days are recognized as paid holidays for regular full-time employees.

Holidays Observed:

- o New Year's Day - January 1
- o Memorial Day - Last Monday in May
- o Independence Day - July 4
- o Labor Day - First Monday in September
- o Veterans Day (If it's a weekday) *take out wording*
- o Thanksgiving Day - Fourth Thursday in November
- o Day After Thanksgiving
- o Christmas Break (To be set each year by City Manager)
- o Floating Holiday: (MLK or Employees Birthday)

Employer-paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays falling on a Sunday will be observed on the following Monday.

11.14.1 WORK ON HOLIDAYS

NEW BUSINESS

ITEM #6

Expansion of Wastewater
Treatment Facility to 2.0 MGD

June 6, 2023

Ms. Jennifer Kidd-Harrison, City Manager jkidd@cityofhoschton.com
65 City Square
Hoschton, Georgia 30578

Re: City of Hoschton, Expansion of Wastewater Treatment Facility to 2.0 MGD

Dear Jennifer:

The City's growth pattern continues at a rapid pace, and the need for the next phase of wastewater treatment capacity is imminent.

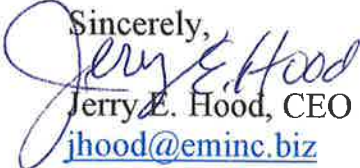
As we discussed, the planning and construction process is very protracted, and it is in the City's best interest to move through the initial planning and permitting steps.

Enclosed, please find EMI's proposal to complete these important documents, including:

- Waste Load Allocation renewal
- Development of Regional Impact (DRI)
- The Antidegradation and Economic Analysis (Anti-Deg)
- The Environmental Information Document (EID)
- The Design Development Report (DDR)

Please review the enclosed proposal and the latest EPD guidelines and I will be glad to review these with you and others at any time.

Please feel free to contact us should you have questions.

Sincerely,

Jerry E. Hood, CEO
jhood@eminc.biz

Enclosures

z/projects//23/23024/hoschtonwrfexpansionto2.0mgdproposaltransmittaljkidd06062023 FS1

June 6, 2023

Ms. Jennifer Kidd-Harrison, City Manager
City of Hoschton
79 City Square
Hoschton, Georgia 30578

Re: City of Hoschton, Proposed Improvements and Expansion of Water Reclamation Facility to 2.0 MGD, 2023

Dear Ms. Harrison:

As you are aware, the City continues to grow residentially and commercially at a rapid pace. Moreover, there are numerous projects throughout the service area that are in the planning stages and indications are that Hoschton could have some 8,000 residential customers within the next five to eight years or sooner.

The one factor that gives us some comfort is the lower daily water and sewer usage that the average home now uses in this area.

The City will soon complete plans and move to the bidding stage of the expansion to 0.95 MGD. That provides some new capacity by almost double, but that will obviously go fast.

The issue is the slow progression of review times by the Georgia Environmental Protection Division, due to limited staff and high work loads in our growing State and region.

The City filed for a planning waste load allocation (WLA) of 0.95 and 2.0 MGD in 2020. The planning and design documents for 0.95 have been completed. We need to request that the 2.0 MGD (WLA) be renewed.

We do know that the WLA for both discharge levels (0.95 and 2.0 MGD) were issued for a discharge at Indian Creek, and that many facilities in the plans for the 0.95 Expansion are sized for the larger capacity.

Complete diagrams for the expanded facilities have been subject to public review as well as several City Council presentations.

In order to move forward with the proposed project, several required EPD planning documents would necessarily have to be prepared. A copy of the EPD flow chart is attached. These include the following:

Ms. Jennifer Kidd-Harrison, City Manager
WRF Expansion Proposal
June 6, 2023
Page Two

The pre-planning process is lengthy, and the timing is highly dependent on EPD review times.

Development of Regional Impact (DRI) Now, the project would first have to have a Development of Regional Impact (DRI) review, since this expansion does entail an expansion of more than 50 per-cent.

Wasteland Allocation Renewal Request to EPD- A letter from the City to EPD requesting the renewal, as well as the original maps and data originally submitted.

Anti-degradation Analysis and Economic Study- The Georgia EPD released (2019) final new guidelines for antidegradation and economic studies for new or expanded discharges. While this process is similar to previous requirements, all such studies will be closely analyzed with several alternatives required in the analysis.

Design Development Report- (DDR)- An extensive DDR will be required for this proposed project and will require some research on alternative technologies in order to analyze, design and complete the various flow progressions. The DDR's on the City's previous projects have been relatively straight forward. Developing this report will be a lengthy process and will set forth more detailed design parameters.

Environmental Information Document-(EID) – An EID will also be required for the proposed new and expanded plant in accordance with current EPD guidelines. The City has completed several EID's on previous projects in the past several years. However, the EID requirement for a plant improvement and expansion project would obviously be more intensive. Prior to submittal of the completed or draft EID a public meeting is required to be appropriately advertised and conducted.

Proposed Schedule of Completion- Based on the current review schedules at EPD and the intensity of the documents required for this effort, we would envision 12 to 18 months for completion of all required documents and EPD Approvals. As you may recall, a simple pumping station upgrade project takes 5-6 months for review time at EPD. We understand that that agency continues to be understaffed. We are cognizant of the critical nature of this project considering the delays already experienced and the pressing need for expanded capacity.

Ms. Jennifer Kidd-Harrison, City Manager
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Proposed Schedule of Professional Fees

We propose to complete all phases of document completion on an hourly basis not-to-exceed ninety-four thousand, five hundred dollars (\$94,500.00).

Our work will include project development meetings with staff, EPD personnel, as well as public meeting attendance and coordination. All required program development will include the costs of any subconsultants and document copying. We propose to provide detailed monthly invoices of progress completion including detailed professional time logged by various personnel.

In addition, progress meetings will be scheduled and held with appropriate Town staff as the program develops, particularly in the Design Development stage, where input and knowledge of Town staff and operational personnel is so critical.

We are hopeful that we will have the opportunity to work with the City and staff on the development of this important project. Please feel free to contact us should you have any questions or concerns in connection with this program.

Should our proposal be acceptable to the City, please so indicate by signing in the approval section below.

Respectfully Submitted,

ENGINEERING MANAGEMENT INC.


Jerry E. Hood, CEO
jhood@eminc.biz

[Attachment list and approval section on following page]

Ms. Jennifer Kidd-Harrison, City Manager
WRF Expansion Proposal
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Page Four

Attachments: Standard Hourly Rates- 2023
Current EPD Guidelines

Approval by the City of Hoschton by: _____
Date: _____
Attest: _____

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