



Mayor & City Council  
Regular Meeting Agenda

Monday, August 14, 2023, 7:00 PM

Tucker City Hall

1975 Lakeside Pkwy, Ste 350B, Tucker, GA 30084

Members:

Frank Auman, Mayor  
Roger W. Orlando, Council Member District 1, Post 1  
Cara Schroeder, Council Member District 2, Post 1  
Alexis Weaver, Council Member District 3, Post 1  
Virginia Rece, Council Member District 1, Post 2  
Noelle Monferdini, Council Member District 2, Post 2  
Anne Lerner, Council Member District 3, Post 2

ZOOM Link: <https://us02web.zoom.us/j/89338334026> or Phone: 888 788 0099 (Toll Free) Webinar ID: 893 3833 4026

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**Pages**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. PLEDGE OF ALLEGIANCE**

The pledge will be led by the Tucker Citizen of the Month and Girl Scout Abigail Heizer.

**D. MAYOR'S OPENING REMARKS**

**E. PUBLIC COMMENTS**

**F. APPROVAL OF THE AGENDA**

**G. CONSENT AGENDA**

G.1 Regular Meeting Minutes - July 10, 2023 3

G.2 Contract Amendments for Purchase Orders for Public Works 8

**H. STAFF REPORTS**

H.1 Public Works Update Ishri.Sankar 12

**I. OLD BUSINESS**

**J. NEW BUSINESS**

J.1 Resolution for SPLOST II Referendum Language and IGA Mayor.Auman 14

J.2 Resolution R2023-08-16 Mayor.Auman 16

- A Resolution to appoint members to the Zoning Board of Appeals (ZBA)



J.3	Ordinance O2023-08-13 Courtney.Smith		18
	<ul style="list-style-type: none"> <li>First Read and Public Hearing of an Ordinance for text amendments to the Tucker Code Chapter 46 Zoning, including the creation of a new zoning district with various tiers for Lawrenceville Hwy.</li> </ul>		
J.4	Ordinance O2023-08-14	Julie.Martin	53
	<ul style="list-style-type: none"> <li>First Read and Public Hearing of an Ordinance for Special Land Use Permit SLUP-23-0002 for a personal care home at 2553 Sandpiper Drive for Georgia Clay Properties, LLC (c/o Battle Law).</li> </ul>		
J.5	Ordinance O2023-08-15	Julie.Martin	118
	<ul style="list-style-type: none"> <li>First Read and Public Hearing of an Ordinance for Special Land Use Permit SLUP-23-0003 for alcohol sales at 5960 East Ponce de Leon Avenue for Gas Express, LLC.</li> </ul>		
J.6	Contract C2023-021-PO24-553 Ken.Hildebrandt		200
	<ul style="list-style-type: none"> <li>Consideration of a contract award for South Fork Peachtree Greenway Design (RFQ 2023-021)</li> </ul>		
J.7	Contract C2023-016-TO1-PO24-549	Ishri.Sankar	343
	<ul style="list-style-type: none"> <li>Consideration of a contract award for a Task Order #1 for stormwater repair for video capture of pipe conditions</li> </ul>		
J.8	Contract C2023-016-TO2-PO24-550	Ishri.Sankar	358
	<ul style="list-style-type: none"> <li>Consideration of a contract award for a Task Order #2 for stormwater repair for inlining and siphon hole repair</li> </ul>		

**K. MAYOR AND COUNCIL COMMENTS**

**L. EXECUTIVE SESSION**

- As required for personnel, real estate and litigation

**M. ACTION AFTER EXECUTIVE SESSION**

- As needed

**N. ADJOURNMENT**

- Motion to adjourn meeting



**MAYOR & CITY COUNCIL  
REGULAR MEETING MINUTES**

**Monday, July 10, 2023, 7:00 PM  
Tucker City Hall  
1975 Lakeside Pkwy, Ste 350B, Tucker, GA 30084**

Members Present: Frank Auman, Mayor  
Cara Schroeder, Council Member District 2, Post 1  
Alexis Weaver, Council Member District 3, Post 1  
Virginia Rece, Council Member District 1, Post 2  
Anne Lerner, Council Member District 3, Post 2

Members Absent: Roger W. Orlando, Council Member District 1, Post 1  
Noelle Monferdini, Council Member District 2, Post 2

ZOOM Link: <https://us02web.zoom.us/j/89338334026>

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**A. CALL TO ORDER**

Mayor Auman called the meeting to order at 7:02 PM.

**B. ROLL CALL**

The above were in attendance for a quorum. Councilmember V. Rece attended via Zoom.  
Councilmembers R. Orlando and N. Monferdini were absent.

Motion to excuse Councilmember N. Monferdini by Councilmember A. Weaver/A. Lerner passed  
unanimously 5-0.

Motion to excuse Councilmember R. Orlando by Councilmember A. Weaver/V. Rece passed  
unanimously 5-0.

**C. PLEDGE OF ALLEGIANCE**

The pledge was led by Julie Martin, Planning Manager for the City of Tucker.

**D. MAYOR'S OPENING REMARKS**

Mayor Auman mentioned that on July 1st the City has taken over Public Works, and that the July  
4th Independence Day event was successful.

**E. PUBLIC COMMENTS**

Public comment was heard from 5 citizens on public works taxes, Nov election of Post 2  
Councilmembers, feedback on the passing of the NDO, and concerns on notices for code  
violations in Westwood.

**F. APPROVAL OF THE AGENDA**

MOVER: F. Auman

SECONDER: C. Schroeder

Motion to amend the agenda to add an item under New Business L.1 Cancel July 24th Council Meeting, and number the other 2 items L.2 and L.3 passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**G. CONSENT AGENDA**

MOVER: F. Auman

SECONDER: C. Schroeder

Motion to approve the consent agenda items G.1-G.4 passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

G.1 Special Called Meeting Minutes - June 12, 2023

G.2 Regular Meeting Minutes - June 12, 2023

G.3 Special Called Meeting Minutes - June 14, 2023

G.4 Special Called Meeting Minutes- June 26, 2023

**H. MONTHLY REPORT**

H.1 June 2023 Interim Financials

**I. STAFF REPORT**

I.1 City Manager Report on Upcoming Agenda Items

City Manager Tami Hanlin spoke on the draft list of potential agenda items for upcoming City Council Meetings.

**J. PRESENTATIONS**

J.1 Downtown Park Engineering and Final Design Workshop – Barge Design Solutions

Parks and Recreation Director Carlton Robertson introduced Barge Design Solutions to give a presentation on the Downtown Park 'Tucker Town Green' design options on the pavilion and restroom styles and materials.

**K. OLD BUSINESS**

K.1 Ordinance O2023-06-12

Courtney Smith, Community Development Director, spoke on the SLUP application (SLUP-23-0001) for a massage establishment at 2110 Henderson Mill Road, Suite 22A.

Mayor Auman opened a public hearing. The applicant spoke in favor and one citizen spoke in opposition regarding the hours. Public hearing closed.

MOVER: F. Auman

SECONDER: V. Rece

Motion to approve Ordinance O2023-06-12 for SLUP-23-0001 passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**L. NEW BUSINESS**

**L.1 Cancel July Council Meeting**

Mayor Auman stated that there are no agenda items on the July 24th Council Meeting.

MOVER: F. Auman

SECONDER: A. Lerner

Motion to cancel the July 24, 2023 Council Meeting passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**L.2 Contract C2023-023-PO23-536 award by Resolution R2023-07-15**

City Engineer Ken Hildebrandt spoke on the bid for the 2023 Fall Street Resurfacing. 3 submittals were received. Based on the Pavement Condition Index scores from our Pavement Management Study, 51 streets were identified for resurfacing this fall. Recommendation to award contract to CW Matthews in the amount of \$4,777,503.04.

MOVER: C. Schroeder

SECONDER: A. Lerner

Motion to approve contract C2023-023-PO23-536 award by Resolution R2023-07-15 to CW Matthews passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**L.3 Contract C2023-022-PO23-537**

Parks and Recreation Director Carlton Robertson spoke on the bid for the Fitzgerald Park Improvements Phase 2 Project. 3 qualified bidders submitted on this project, with a high bid of \$5,406,735.25. This project will provide new restrooms and artificial turf on field #2, additional parking with new paved roads for entry/exit with pedestrian access, and improved storm water controls to assist in erosion control. Recommendation to award the contract to Vertical Earth, Inc for a total of \$4,219,042.11.

MOVER: A. Lerner

SECONDER: C. Schroeder

Motion to approve Contract C2023-022-PO23-537 to Vertical Earth, Inc. passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**M. MAYOR AND COUNCIL COMMENTS**

Mayor and Council thanked everyone for attending, mentioned that the 2023 Election Qualifying starts Aug 21th for Post 2 Council seats, and thanked all of the staff for their hard work.

**N. EXECUTIVE SESSION**

MOVER: F. Auman

SECONDER: C. Schroeder

Motion to enter into Executive Session for the purpose of personnel, real estate and litigation at 9:21 PM passed.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

MOVER: F. Auman

SECONDER: V. Rece

Motion to exit Executive Session and return to the regular meeting at 10:50 PM passed.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

**O. ACTION AFTER EXECUTIVE SESSION - None**

**P. ADJOURNMENT**

MOVER: F. Auman

SECONDER: C. Schroeder

Motion to adjourn meeting at 10:52 PM passed unanimously.

AYES: (5): F. Auman, C. Schroeder, A. Weaver, V. Rece, and A. Lerner

ABSENT: (2): R. Orlando, and N. Monferdini

**APPROVED (5 to 0)**

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APPROVED: Frank Auman, Mayor

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ATTEST: Bonnie Warne, Clerk

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Date Approved





## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Beverly Hilton, Finance Director  
**CC:** Tami Hanlin, City Manager  
**Date:** August 14, 2023  
**RE:** Memo for Purchase Orders Public Works

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### Description for on the Agenda:

Approval of Purchase Orders for Public Works Contracts

### Issue:

Council approval is requested to issue purchase orders for an amount “not to exceed” for each public works contract approved in May and June 2023.

### Recommendation:

Approval of three purchase orders for contracts approved for work to be completed in FY24.

### Background:

Lowe Engineering, LLC was awarded the professional services contract for administration of Public Works and Stormwater that officially became the responsibility of the City of Tucker on July 1, 2023. To have teams in place to begin work in July, solicitations were completed, and contracts were awarded prior to the beginning of the new fiscal year.

### Summary:

Indefinite-quantity contracts are the result when the quantity of service is not certain, but the unit cost is fixed. A value is determined based upon an estimate of work completed and is usually included as the maximum allowed or the “not to exceed” amount. The awarded vendor and projected costs associated for each contract appropriated by the Mayor and Council in the FY24 budgets are as follows:

RFP#2023-013 Traffic Signals, Signs & Marking Maintenance – Sunbelt Traffic \$527,000

RFP#2023-014 Right of Way Maintenance – Triscapes \$889,000

RFP#2023-020 Road and Stormwater Repair and Maintenance Services – Triscapes \$1,256,000

RFP#2023-016 Stormwater Maintenance and Repair Services \$1,600,975 – Awarded to 3 Vendors: Cajenn Construction and Rehabilitation Services, Metals and Materials Engineers (MME), and Utility Asset Management In (UAM). Issuing purchase orders for the three contracts with a single vendor will allow staff to pay invoices that are billed according to the established schedule of values without bringing invoices to the Mayor and Council that are \$30,000 and above. It is recommended that the contract with three vendors utilize task orders for projects.

### Financial Impact:

Purchase Requisitions are attached in the amounts reflected in the appropriated FY24 Budget.

# Purchase Requisition

Purchase Requisition No 24-00545

Requested Date 07/01/2023  
Required Date 07/01/2023  
Ordered By

Department CTYMGR  
CITY MANAGER

Preferred Vendor 00420  
SUNBELT TRAFFIC LLC  
Address PO BOX 422

Req. Description      TRAFFIC SIGNALS, SIGN & MARKING MAINT

Quantity	Units	Description	Unit Price	Amount
1	EACH	TRAFFIC SIGNALS, SIGNS & MARKING R&M 100-4200-52.22240	402,000.00	402,000.00
1	EACH	TRAFFIC SIGNALS, SIGNS & MARKNG MATERIAL 100-4200-53.10000	125,000.00	125,000.00
Total:				527,000.00

Approved By \_\_\_\_\_

Date \_\_\_\_\_



# Purchase Requisition

Purchase Requisition No 24-00544

Requested Date 07/01/2023  
Required Date 07/01/2023  
Ordered By

Department CTYMGR  
CITY MANAGER

Preferred Vendor 00492  
TRISCAPES INC  
Address 1595 PEACHTREE PKWY  
SUITE 204-396  
CUMMING, GA 30041

Req. Description      RIGHT OF WAY MAINTENANCE

Quantity	Units	Description	Unit Price	Amount
1	EACH	RIGHT OF WAY MAINTENANCE CREWS-LANDSCAPE 100-4226-52.21400	564,000.00	564,000.00
1	EACH	ROW MAINT SUPPLIES AND MATERIALS 100-4226-53.10000	125,000.00	125,000.00
1	EACH	ROW MAINT TREE REMOVAL SERVICE 100-4226-52.13000	200,000.00	200,000.00
			Total:	889,000.00

Approved By \_\_\_\_\_

Date \_\_\_\_\_

# Purchase Requisition

Purchase Requisition No 24-00543

Requested Date 07/01/2023  
Required Date 07/01/2023  
Ordered By

Department CTYMGR  
CITY MANAGER

Preferred Vendor 00492  
TRISCAPES INC  
Address 1595 PEACHTREE PKWY  
SUITE 204-396  
CUMMING, GA 30041

Req. Description ROAD & STORMWATER REPAIR & MAINT SRVS FY24

Quantity	Units	Description	Unit Price	Amount
1	EACH	ROAD & STORMWATER REPAIRS AND MAINT FY24 560-4910-52.22230534,000.00	534,000.00	534,000.00
1	EACH	ROAD & STORMWATER REPAIRS AND MAINT FY24 100-4200-52.22240366,000.00	366,000.00	366,000.00
1	EACH	ROAD & STORMWATER OPERATING SUPPLIES 560-4910-53.10000213,600.00	213,600.00	213,600.00
1	EACH	ROAD & STORMWATER OPERATING SUPPLIES 100-4200-53.10000142,400.00	142,400.00	142,400.00
			Total:	1,256,000.00

Approved By

Date



## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Ishri Sankar, PE  
**CC:** Tami Hanlin, City Manager  
**Date:** August 14, 2023  
**RE:** Update on Public Works – First 30 Days

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### Description for on the Agenda:

As of July 01, 2023 the City of Tucker has taken over ownership and maintenance of the rights of ways including roadways, sidewalks, signs, signals, and stormwater infrastructure. Since then the City and it's partnered contractors have been busy repairing existing and newly reported issues across the City.

### Summary:

#### Work Orders Completed (101 Total)

- TriScapes Right of Way Maintenance – 45
- TriScapes Roads and Drainage – 23
- Sunbelt Signs, Signals, and Striping – 33

#### Utilities

Utility companies working within the City right of way have been notified of our permitting process. This process allows us to review their plans, ensure safe and complete traffic control measures are being implemented, and gives us a resource to manage the right of way for warranty claims against utility companies for poor workmanship.

#### Stormwater

Our team continues to receive complaints of stormwater related issues. As we research, various project are being developed from these. Thus far, defined projects include pipe cleaning/inspections, inlining of existing pipes, and structure repairs.

In a previous contract with Atlas, the City committed to collecting an inventory and assessment database of all the stormwater infrastructure within the City. This includes conduits, structures, and ponds. At the close of July, Atlas has collected data from just over 1,000 structures, 900 pipes, and 28 ponds. This information is critical to meeting State MS4 criteria as well as building a foundation for accessing stormwater networks and ultimately stormwater modeling to proactively generate stormwater capital improvement projects.

#### Other

Other Public Works related tasks include:

1. Working with the City Attorney for an ordinance to facilitate special tax districts to include lighting and traffic calming.
2. Working with the Community Development and Code Enforcement to develop a rip-rap program to deliver rip-rap rock to residents to aid with erosion control in waterways across the City.
3. Coordinating with the City's GIS staff to implement tools for data collection and research.



## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** John McHenry, Deputy City Manager  
**CC:** Tami Hanlin, City Manager  
**Date:** August 14<sup>th</sup>, 2023  
**RE:** Memo for Resolution for SPLOST II Referendum Language & IGA

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### Description for on Agenda:

Resolution for SPLOST II with Referendum Language & IGA with DeKalb County.

### Issue:

SPLOST I was first passed in 2017, and contributed funding to 51 different road, trail, sidewalk and parks projects. So far, we have collected \$29 Million, and we have spent \$19 Million. Our original estimated total revenue was \$30 Million for the six-year program with collection ending in March of 2024. SPLOST funding has played a critical role in contributing to quality-of-life improvements for our residents and businesses. The City in conjunction with the County and other DeKalb County municipalities will need to vote on a referendum this November to continue this significant funding source.

### Recommendation:

To approve a Resolution for SPLOST II with the project category percentages listed and the ability for the mayor to sign off on an agreement with DeKalb County.

Capital Road Improvement & Resurfacing	46%
Expansion and Capital Improvements of Trails, Sidewalks and Bikeways	31%
Parks Capital Outlay	15%
Capital Projects for Stormwater Infrastructure	8%

### Background:

In SPLOST I adopted categories focused on roads, sidewalks, trails, and parks. The City's Engineering Department spent more than \$19M of their SPLOST allocation on resurfacing of city streets. Combined with other state and local funding, Tucker resurfaced 351 streets (more than 90 miles) during the 6-year program. Approximately 60% of the City's resurfacing efforts have been funded through SPLOST. We also constructed almost 25,000 linear feet (4.5 miles) of sidewalk and 4,500 feet (0.8 miles) of trails. Approximately 55% of these projects utilized SPLOST funds. Multiple sidewalk and trail projects are in the design phase, with construction slated over the next two years. The city has been very successful in leveraging federal dollars to offset the local funding required. \$18 million in future trail construction costs are in design at this time. Examples of other projects that were accomplished with SPLOST funding include traffic signal upgrades, radar speed detection devices, and intersection improvements at key locations, like US 78 @ Mountain Industrial Boulevard. For the Parks Department, SPLOST funding accounted for nearly 25% of the completed projects (\$3 Million) and is projected to provide an additional \$1.5 Million through March 2024. Parks & Recreation projects were funded through multiple sources with SPLOST as an

integral element. These improvements included playgrounds, community garden, renovations of water/sewer upgrades, sporting fields, signage, parking, concessions, restroom renovations, lighting and greenspace.

**Summary:**

SPLOST is a critical funding source for the City and will allow for the improvements and expansion of our road, trail, sidewalk and parks systems that the citizens have requested and were approved in our plans and programs.

**Financial Impact:** Anticipated \$39 million in revenue over a six-year program for capital improvements.



## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Courtney Smith, Community Development Director  
**CC:** Tami Hanlin, City Manager  
**Date:** August 9, 2023  
**RE:** Memo for ZBA Appointments

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### **Description for on the Agenda:**

A Resolution to appoint members of the Zoning Board of Appeals.

### **Issue:**

The City of Tucker Zoning Board of Appeals requested that their board be expanded from five to seven members. This was accomplished by a recent text amendment (O2023-05-06) and takes effect September 1, 2023.

### **Recommendation:**

To appoint two members to the Zoning Board of Appeals to serve two-year terms or until their successor is appointed and qualified.

**A RESOLUTION TO APPOINT MEMBERS OF THE ZONING BOARD  
OF APPEALS FOR THE CITY OF TUCKER, GEORGIA**

**WHEREAS**, the City of Tucker is authorized by the City Charter to create Boards, Commissions and Authorities; and

**WHEREAS**, the City of Tucker Zoning Ordinance establishes a Zoning Board of Appeals with seven members, all of whom must be residents of the city, to assist with variances and appeals, within the City of Tucker; and

**WHEREAS**, the Mayor of the City of Tucker is authorized to appoint members of the Zoning Board of Appeals, subject to approval by the Council of the City of Tucker.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Tucker while at their meeting on August 14, 2023, appoints the following citizens as members of the Zoning Board of Appeals with the term described;

MEMBER	TERM	DATES
<u>Terry Grandison</u>	<u>2 years</u>	<u>August 14, 2023 – August 13, 2025</u>
<u>Josh Wallace</u>	<u>2 years</u>	<u>August 14, 2023 – August 13, 2025</u>

**SO RESOLVED**, this the 14th day of August, 2023.

APPROVED:

ATTEST:

Frank Auman, Mayor

Bonnie Warne, City Clerk

(seal)





## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Courtney Smith, Community Development Director  
**CC:** Tami Hanlin, City Manager  
**Date:** August 9, 2023  
**RE:** Memo for Lawrenceville Highway Code Adoption

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### Description for on the Agenda:

First Read and Public Hearing of an Ordinance for amendments to the City of Tucker City Code, Chapter 46, including the creation of a new zoning district with various tiers for Lawrenceville Highway.

### Issue:

The City of Tucker, in partnership with Pond, has drafted a new special zoning district for Lawrenceville Highway, between Cooledge Road and Brockett Road. This code addresses redevelopment of existing parcels, an improved gateway into the city, and compliance with our existing plans and studies.

### Recommendation:

Staff recommends approval.

Planning Commission recommends approval.

### Background:

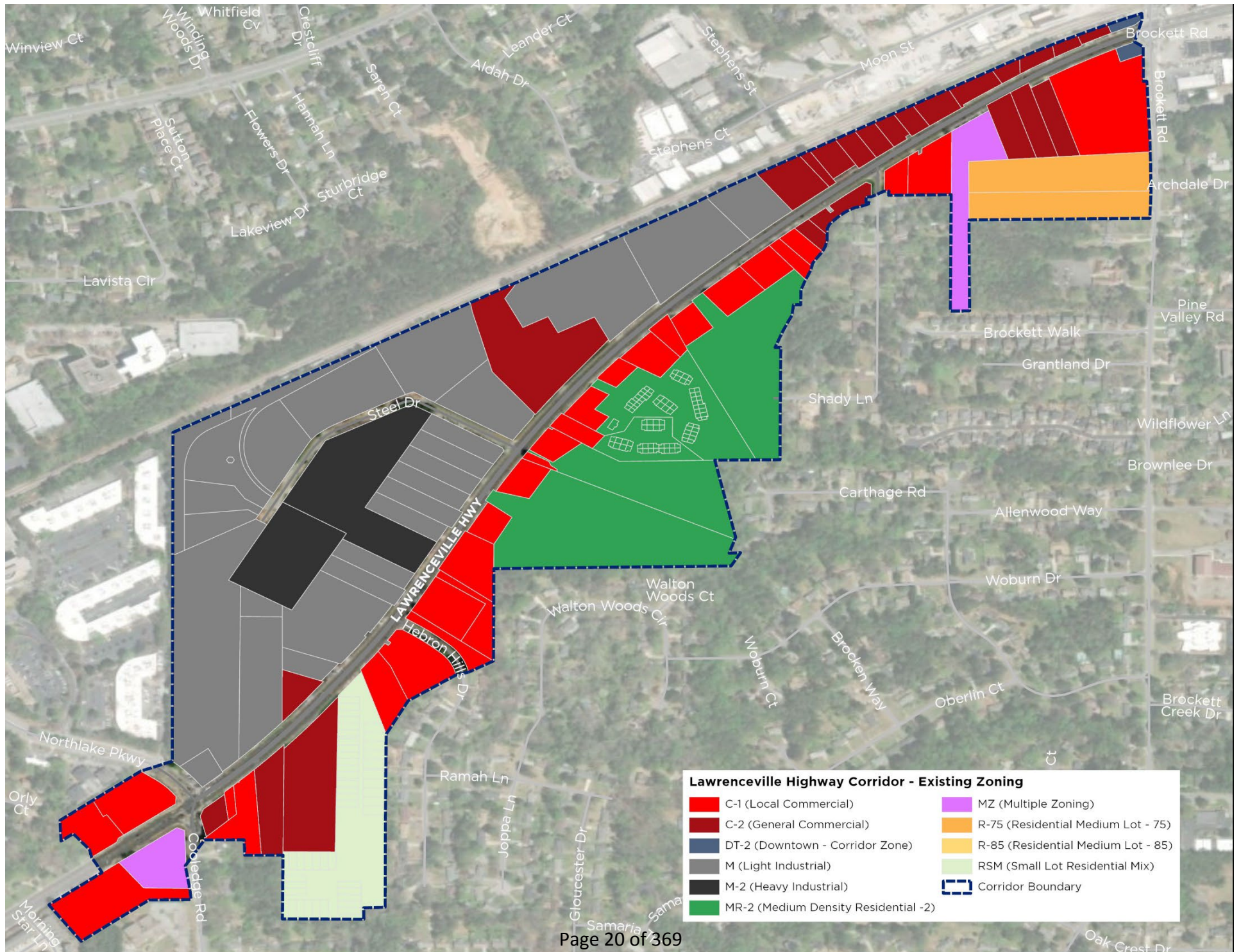
The proposed special zoning district is made up of four tiers:

- (a) LH-1 (Lawrenceville Highway Residential). The intent of the LH-1 district is to preserve existing residential character while allowing a wider variety of housing types for new development.
- (b) LH-2 (Lawrenceville Highway Neighborhood). The intent of the LH-2 district is to create a human-scale built environment that includes medium density residential uses like townhomes, two-family developments, and small-lot single family. This tier also permits neighborhood-scale commercial uses that serve the existing and future residents. In this tier, consideration should be given to those more intense uses and how they interact with the existing single-family homes.
- (c) LH-3 (Lawrenceville Highway Core). The intent of the LH-3 district is to allow high density housing options and innovative uses that may be compatible with adaptive reuse. Mixed use development is encouraged where Lawrenceville Highway intersects with Brockett Road to the east and Cooledge Road to the west.
- (d) LH-4 (Industry). The intent of the LH-4 district is to preserve the light industrial uses that serve as economic assets to the community, as well as those services uses that have been historically located along Lawrenceville Highway.

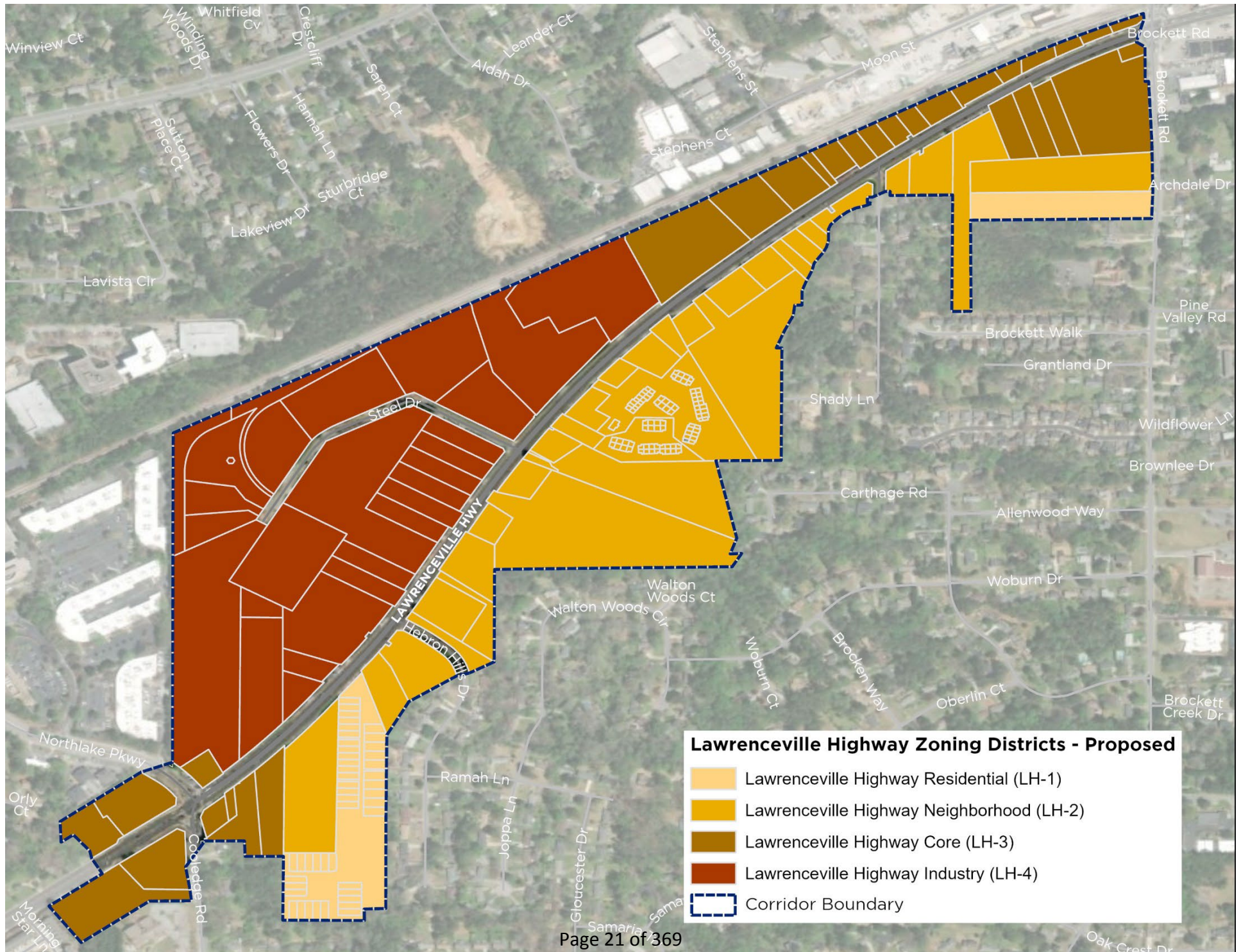
### Summary:

The draft code includes provisions for use regulations, supplemental use regulations, dimensional requirements, site design, building form and design, adaptive reuse projects, redevelopment thresholds, incentives within the Lawrenceville Highway

Districts, Streets and streetscapes, parking, landscaping, outdoor lighting, and administrative variations.







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**Sec. 46-951. Special districts generally.**

- (a) Special districts are zoning district classifications other than those established in article II of this chapter that are intended to apply to specific areas of the city in accordance with the Comprehensive Plan and other officially adopted city plans.
- (b) If special district regulations conflict with other regulations contained in this chapter, the special district regulations shall prevail.
- (c) Where special district regulations do not address specific standards, the remainder of the zoning ordinance shall apply.

## **ARTICLE III. – SPECIAL AND OVERLAY DISTRICT REGULATIONS**

### **DIVISION 5 – LAWRENCEVILLE HIGHWAY ZONING DISTRICTS**

#### **Sec. 46-1083. – Lawrenceville Highway zoning districts established.**

- (a) The following "Lawrenceville Highway Zoning Districts" are established:
  - (1) LH-1 (Lawrenceville Highway Residential)
  - (2) LH-2 (Lawrenceville Highway Neighborhood)
  - (3) LH-3 (Lawrenceville Highway Core)
  - (4) LH-4 (Lawrenceville Highway Industry)
- (b) References in this zoning ordinance to "Lawrenceville Highway Zoning Districts or "LH" districts are references to these districts.

#### **Sec. 46-1084. – Purpose and intent.**

- (a) The intents of all LH districts are:
  - (1) To encourage the development of appropriately scaled commercial and service uses along the Lawrenceville Highway corridor;
  - (2) To offer a variety of housing types and promote mixed-income residential opportunities;
  - (3) To provide a variety of innovative uses that create destinations along the Lawrenceville Highway corridor, while maintaining access to the existing service industries;
  - (4) To promote building and site design that improves the community's usage of the corridor, with a focus on improving the pedestrian experience;
  - (5) To improve the aesthetics and pedestrian experience of the corridor through streetscape standards and landscape screening;
  - (6) To ensure a compatible relationship between building placement, building mass and scale, and street;
  - (7) To implement the policies and objectives of the Comprehensive Plan, the Zoning Ordinance, and other official policies and plans within the LH districts.
- (b) *LH-1 (Lawrenceville Highway Residential)*. The intent of the LH-1 district is to preserve existing residential character while allowing a wider variety of housing types for new development.
- (c) *LH-2 (Lawrenceville Highway Neighborhood)*. The intent of the LH-2 district is to create a human-scale built environment that includes medium density residential uses like townhomes, two-family developments, and small-lot single family. This tier also permits neighborhood-scale commercial uses that serve the existing and future residents. In this tier, consideration should be given to those more intense uses and how they interact with the existing single-family homes.

- (d) *LH-3 (Lawrenceville Highway Core)*. The intent of the LH-3 district is to allow high density housing options and innovative uses that may be compatible with adaptive reuse. Mixed use development is encouraged where Lawrenceville Highway intersects with Brockett Road to the east and Cooledge Road to the west.
- (e) *LH-4 (Industry)*. The intent of the LH-4 district is to preserve the light industrial uses that serve as economic assets to the community, as well as those services uses that have been historically located along Lawrenceville Highway.

#### **Sec. 46-1085. – Definitions.**

*Coworking Space*. A facilitated environment which contains desks or other workspaces and is used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community. Coworking spaces may host classes or networking events which are open either to the public or to current and prospective members.

*Makers Space*. A building that supports the development of products and works of art as well as space for hobbyists and inventors. Makers Space can include a workshop with woodworking tools, hand tools, glass studio, large format prints, design studio space, training, exhibition, performance and practice spaces, and similar areas and uses wholly within the building.

#### **Sec. 46-1086. – Use of graphics.**

Illustrations, photos, and graphics are included in this division to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustrations, photos, or graphics, the text governs.

#### **Sec. 46-1087. – Use regulations.**

Table 3.16 indicates the permitted uses within LH districts.

- (a) The uses listed in [Table 3.16](#) are only permitted in the district identified, and no use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:
  - (1) A permitted use (P);
  - (2) A special use (SP) subject to the special land use permit application procedures specified in article VII;
  - (3) An administratively approved use (SA) subject to the special administrative permit procedures specified in article VII;
  - (4) An accessory use (Pa) as regulated by article IV or the applicable LH district. [Table 3.16](#) does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
  - (5) Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- (b) Multiple uses are allowed in a single building and on a single site.
- (c) Any use not listed in [Table 3.16](#) or interpreted to not be allowed by the community development director by section 46-1124 is not allowed. Any applicant denied a permit to allow a use of property in a LH district other



than as provided in this section may file an appeal before the zoning board of appeals as provided in article VII.

- (d) Uses subject to additional regulations in article IV, division 2 of this chapter are indicated. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.

Table 3.16: Lawrenceville Highway District Allowed Uses					
Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
AGRICULTURAL					
Agriculture and Forestry					
Commercial greenhouse or plant nursery				P	✓
Temporary or portable sawmill					
Urban, community garden, up to 5 ac.	SA	SA			✓
Urban, community garden, over 5 ac.	SA	SA			✓
Animal Oriented Agriculture					
Dairy					
Keeping of livestock	Pa [1]	Pa [1]			✓
Keeping of poultry/pigeons	Pa [1]	Pa [1]			✓
Livestock sales pavilion					
Riding academies or stables					
RESIDENTIAL					
Dwellings					
Dwelling, cottage home	P	P			✓
Dwelling, mobile home					
Dwelling, multi-family (35 units per acre or less)		P [3]	P [3]		
Dwelling, multi-family (over 35 units per acre)		SP	SP		
Dwelling, multi-family (supportive living)		SP [3]	P		✓
Dwelling, townhouse	P	P	P		✓
High-rise apartment					
Dwelling, single-family (attached)	P	P			
Dwelling, single-family (detached)	P	P			
Dwelling, three-family		P			
Dwelling, two-family	P	P			
Dwelling, single-family, accessory (guesthouse, in-law suite)	Pa	Pa			✓
Home occupation, no customer contact	P	P	P		✓
Home occupation, with customer contact	SP	SP	SP		✓
Live/work unit		P [5]	P [5]		✓
Mobile home park					
Accessory uses or structures	Pa	Pa	Pa	Pa	✓
Housing and Lodging					
Bed and breakfast					
Boarding/rooming house					
Convents or monasteries		SP	SP		✓
Dormitory					



**Table 3.16: Lawrenceville Highway District Allowed Uses**

Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Extended stay hotel					
Fraternity house or sorority house					
Hotel/motel			P	P	
Nursing care facility or hospice			P		
Personal care home, community, 7 or more persons			SP		✓
Personal care home, group, 4-6 persons	SP	SP			✓
Child caring institution, group, 4-6	SP	SP			✓
Child caring institution, community, 7 or more			SP		✓
Shelter for homeless persons, 7-20 persons					
Shelter for homeless persons for no more than 6 persons					
Transitional housing facility, 7-20 persons					
<b>INSTITUTIONAL/PUBLIC</b>					
<b>Community Facilities</b>					
Cemetery, columbarium, mausoleum					
Club, order or lodge, fraternal, non-commercial	SP	P	P	P	
Coliseum or stadium/not associated with church or school			P	P	✓
Funeral home, mortuary			SP		
Golf course or clubhouse, public or private					
Government facilities	P	P	P	P	
Hospital					
Library or museum	P	P	P	P	
Cultural facilities		SP	SP	SP	
Recreation club	SP	SP	SP	SP	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	Pa	✓
Places of worship	P	P	P	P	✓
Recreation, outdoor		SP	P		✓
Swimming pools, commercial	Pa	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	✓
<b>Education</b>					
Colleges, universities, research and training facilities			P	P	
Private educational services, home occupation	Pa	Pa	Pa		✓
Private kindergarten, elementary, middle or high schools	SP	SP	SP		✓
Vocational schools			P	P	✓
Specialized schools		P	P		✓
<b>COMMERCIAL</b>					
Automobile, boat and trailer sales and service					
Automobile or truck rental or leasing facilities					
Automobile brokerage					

**Table 3.16: Lawrenceville Highway District Allowed Uses**

Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Auto recovery, storage					
Automobile repair or maintenance, minor				P[7]	✓
Automobile repair, major				P[7]	✓
Automobile sales or truck sales				P[7]	✓
Automobile service stations					
Automobile upholstery shop					
Boat sales					
Car wash, hand wash					
Car wash, automatic					
Emission station					
Retail automobile parts or tire store					
Service area, outdoor					
Trailer or RV salesroom and lot					
Used Part Dealer					
<b>Office</b>					
Accounting office		P	P		
Building or construction office		P	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)				SP	✓
Coworking Space		SP	P	P	
Engineering or architecture office		P	P	P	
Finance office or banking		P	P		
General business office		P	P		
Insurance office		P	P		
Legal office		P	P		
Medical office		P	P		
Real estate office		P	P		
<b>Recreation and Entertainment</b>					
Adult entertainment establishments					
Adult service facility					
Drive-in theater					
Fairground or amusement park					
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)			P	P	
Nightclub or late night establishment			SP		✓
Outdoor recreation (pickleball, miniature golf, batting cages, tennis, go-cart, and other outdoor activities)			SP	SP	
Special events facility			P		
Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building			P		
<b>Retail</b>					

Table 3.16: Lawrenceville Highway District Allowed Uses					
Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Alcohol outlet, retail sales, primary or accessory (excludes wine retailer)					
Retail, 5,000 sf or less		P	P	P	
Retail, over 5,000 sf			P		
Apparel or accessories store		P	P		
Art gallery		P	P		
Book, greeting card, or stationery store		P	P		
Camera or photography		P	P		
CBD Shop					
Computer or computer software store		P	P		
Convenience store (see related uses e.g., alcohol outlet, fuel pumps accessory)					
Drive-through facilities (other than restaurants)		SP	SP	SP	✓
Farm or garden supply store		P	P	P	
Farmer's market, permanent		SP	P	P	
Farmer's market, temporary/seasonal		SA	SA	SA	✓
Florist		P	P		
Fortune telling					
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)		P	P	P	
Fuel dealers, manufacturers or wholesalers					
Fuel pumps, accessory		SP	SP	SP	✓
Gold buying, precious metals					
Grocery stores (see alcohol outlet)			P	P	
Hardware store or other building materials store			P	P	
Hobby, toy or game store		P	P		
Jewelry store		P	P		
Music or music equipment store (retail)		P	P		
News dealer or news store		P	P		
Office supplies and equipment store		P	P		
Outdoor display (not including seating)				P	✓
Pawn shop, title loan					
Pet supply store		P	P		
Pharmacy or drug store (see alcohol outlet)		P	P		
Radio, television or consumer electronics store		P	P		
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage				P	
Shopping Center			P		
Sporting goods or bicycle sale		P	P		
Tattoo establishment and piercing studio					
Thrift, secondhand, antique store		P	P		
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage				P	✓

**Table 3.16: Lawrenceville Highway District Allowed Uses**

Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Vape shop					
Wine retailer (< 5,000 sq. ft.)		P	P		
<b>Temporary Commercial Uses</b>					
Temporary outdoor sales, seasonal		SA	SA	SA	✓
Temporary produce stand		SA	SA	SA	✓
Temporary outdoor retail sales		SA	SA	SA	✓
Temporary outdoor events		SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer		SA	SA	SA	✓
<b>Restaurant/Food establishments</b>					
Brewpub/beer growler		P	P	P	
Catering establishments			P	P	
Food Truck Park			SP [6]	SP [6]	
Outdoor seating		P	P	P	✓
Restaurants (non-drive-thru)		P	P	P	
Restaurants with a drive-thru configuration			SP	SP	✓
Hookah/vapor bar or lounge					
<b>Transportation and Storage</b>					
Bus or rail stations or terminals for passengers			SP	SP	
Heliport			SP	SP	✓
Parking, commercial lot		Pa	Pa	Pa	✓
Parking, commercial garage			Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage					
Taxi, ambulance, limousine dispatch office only (no vehicle parking)					
Taxi stand					
Transit shelter					
<b>Services</b>					
Adult day care center - 7 or more persons			SP		✓
Adult day care facility - up to 6 persons		SP	SP		✓
Animal care specialist		P	P	P	
Animal hospitals, veterinary clinic		P	P	P	✓
Animal shelter/rescue center (4 or more)				P	✓
Banks, credit unions or other similar financial institutions		P	P	P	
Barbershop/ beauty salon or similar establishments		P	P	P	
Check cashing establishment, primary					
Check cashing establishment, accessory					
Child day care center (Kindergarten) - 7 or more persons		P	P		✓
Child day care center (in a place of worship)	P	P	P	P	✓
Child day care facility - up to 6 persons	SP	SP			✓

Table 3.16: Lawrenceville Highway District Allowed Uses					
Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Coin laundry					
Pet daycare			P	P	✓
Pet grooming		P	P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations			SP	P	
Fitness center		P [2]	P	P	
Health spa		SP	SP		✓
Kennel, breeding or boarding					✓
Kennel, commercial					✓
Kennel, noncommercial					
Landscape business with no outdoor storage		P	P	P	
Massage establishment		SP	SP		✓
Mini-warehouse					
Multi-warehouse					
Outdoor storage, commercial				P	✓
Personal services establishment		P	P	P	
Photoengraving, typesetting, electrotyping		P	P	P	
Photographic studios		P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage			P	P	
Publishing or printing establishments		P	P	P	
Quick copy printing store			P	P	
<b>Services, Medical and Health</b>					
Ambulance service or emergency medical services, private					
Health services clinic		P	P	P	
Home healthcare service		P	P	P	
Kidney dialysis center			P	P	
Medical or dental laboratories				P	
<b>Services, Repair</b>					
Furniture upholstery or repair; home appliance repair or service			P	P	
Personal service, repair (watch, shoes, jewelry)		P	P	P	
Service area, outdoor				SP	
<b>INDUSTRIAL</b>					
Alcohol Manufacturing (brewery)		P	P	P	
Alcohol Manufacturing (distilled spirits)		P	P	P	
All other industrial uses not listed above				SP	
Makers Space			P	P	
<b>COMMUNICATION — UTILITY</b>					
Amateur radio service or antenna	SP	SP	P	P	✓
Electric transformer station, gas regulator station or telephone exchange					
Radio or television broadcasting studio			P	P	

Table 3.16: Lawrenceville Highway District Allowed Uses					
Use	Lawrenceville Highway District				See Art. IV, Div. 2
	LH-1	LH-2	LH-3	LH-4	
Radio or television broadcasting transmission facility			P	P	
Satellite television antennae	P	P	P	P	✓
<b>WIRELESS TELECOMMUNICATION (cell tower)</b>					
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)			SP [4]	SP [4]	✓
Wireless Telecommunications (small cell structures)	P	P	P	P	✓
Stealth design up to 150'					
New support structure or stealth design up to 199'					
COWs (non-emergency or event, no more than 120 days)	SA	SA	SA	SA	✓
COWs (declared emergency)	P	P	P	P	✓
Attached wireless telecommunication facility		P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way					

Table 3.16 Notes:

- [1] Only allowed on lots used for a single-family detached dwelling that meet the applicable minimum lot size requirements of article IV, division 2 of this chapter.
- [2] Not to exceed 5,000 square feet per use.
- [3] A special land use permit is required when these uses abut a residential zoning district and are not currently used as multi-family.
- [4] Telecommunications antennas must be incorporated in architectural features such as steeples, clock towers, water towers and attached to the top of high-rise buildings subject to the requirements of section 46-1194.
- [5] Permitted uses include all office uses, tutorial/educational services, retail, fine arts studios and/or galleries, and photographic studios. The minimum size of the live-work unit is 1,200 square feet with at least one-third of the unit must be designated for residential space.
- [6] See [Sec. 46-1088\(a\)](#) for supplemental regulations.
- [7] See [Sec. 46-1091\(k\)](#) for building form standards.

#### **Sec. 46-1088. – Supplemental Use Regulations.**

(a) Food truck park

- (1) Food truck pads and associated facilities may be constructed with alternatives to asphalt and cement as approved by staff if the applicant demonstrates that the site will meet acceptable stormwater management practices and will not accumulate mud or debris on public right-of-way.
- (2) Food truck parks must provide connections to electric utility services.

- (3) Food truck parks must provide restroom facilities that are connected to water and sewer utility services in accordance with this chapter and the State of Georgia.
- (4) Food truck parks must provide one handwashing station, meeting any applicable state standards, per two food trucks or food truck pads.
- (5) Food trucks operating within a food truck park must not operate a generator at the site, except when necessary in the case of an emergency.
- (6) Food truck parks must provide central solid waste disposal areas and recycling facilities, in accordance with applicable standards. Where applicable, food truck parks must have grease interceptors in accordance with applicable regulations.
- (7) Alcoholic beverages. Food truck parks may include the sale or consumption of alcoholic beverages on premises if a license is obtained in accordance with Chapter 4 of this Code of Ordinances.
- (8) Accessory activity areas. Site plan must clearly designate all areas that will be used as accessory activity areas. The operation of such areas must comply with all applicable regulations, such as noise regulations.
- (9) Designated agent. Each food truck park must have, and register with the city, a designated agent or team with management responsibility and authority to address and resolve issues of permitting, code compliance, operations, and site maintenance.

**Sec. 46-1089. – Dimensional requirements.**

Table 3.17: Lawrenceville Highway District Dimensional Requirements				
Element	Lawrenceville Highway District			
	LH-1	LH-2	LH-3	LH-4
<b>Overall Site Requirements</b>				
Dwelling units per acre:	Controlled by lot size	Controlled by lot size and use regulations	Controlled by lot size and use regulations	Controlled by lot size and use regulations
Open space: (development with more than 10% of floor area as residential):	20% min.	20% min.	10% min.	15% min.
<b>Individual Lot Dimensions by use</b>				
<b>Non-Residential, Multi-Family, or Mixed-Use</b>				
Lot area:	N/A	5,000 sq. ft. min.	5,000 sq. ft. min.	30,000 sq. ft. min.
Lot width:	N/A	50 ft. min.	50 ft. min.	100 ft. min.
Lot coverage:	N/A	80% max.	90% max.	85% max.
<b>Townhouse dwellings</b>				
Lot area:	1,000 sq. ft. min.	1,000 sq. ft. min.	1,000 sq. ft. min.	N/A
Unit width:	20 ft. min.	20 ft. min.	20 ft. min.	N/A
Lot coverage:	80% max.	80% max.	80% max.	N/A
<b>Cottage Homes [1]</b>				
Lot area (total):	8,000 sq. ft. min	8,000 sq. ft. min	N/A	N/A

Lot area (each unit)	2,000 sq. ft. min	2,000 sq. ft. min	N/A	N/A
Lot width:	N/A	N/A	N/A	N/A
Lot coverage:	See <a href="#">Sec. 46-1090(e)</a>		N/A	N/A
Three-Family dwellings				
Lot area:	N/A	10,000 sq. ft. min.	N/A	N/A
Lot width:	N/A	90 ft. min.	N/A	N/A
Lot coverage:	N/A	80% max	N/A	N/A
Two-Family dwellings				
Lot area:	9,000 sq. ft. min.	7,000 sq. ft. min.	N/A	N/A
Lot width:	70 ft. min.	60 ft. min	N/A	N/A
Lot coverage:	80% max.	80% max.	N/A	N/A
Other residential uses				
Lot area:	8,000 sq. ft. min.	8,000 sq. ft. min.	8,000 sq. ft. min.	N/A
Lot width:	50 ft. min. (alley), 60 ft. min. (no alley)	50 ft. min. (alley), 60 ft. min. (no alley)	50 ft. min. (alley), 60 ft. min. (no alley)	N/A
Lot coverage:	80% max.	80% max.	80% max.	N/A
Setbacks				
Non-Residential, Multi-Family, or Mixed-Use				
Front	N/A	10 ft. min. / 20 ft. max.	10 ft. min. / 20 ft. max.	10 ft. min. / 30 ft. max.
Side:	N/A	10 ft.	10 ft.	10 ft.
Rear:	N/A	10 ft.	10 ft.	20 ft.
Townhouse dwellings				
Front	0' min. / 10 ft. max	0' min. / 10 ft. max	0' min. / 10 ft. max	N/A
Side:	N/A	N/A	N/A	N/A
Rear:	20 ft.	20 ft.	20 ft.	N/A
Cottage Homes				
Front	15 ft. on public street; 10 ft. on internal street	15 ft. on public street; 10 ft. on internal street	N/A	N/A
Side:	5 ft.	5 ft.	N/A	N/A
Rear:	10 ft.	10 ft.	N/A	N/A
Single-Family, Two-Family and Three-Family dwellings:				
Front	20 ft.	20 ft.	N/A	N/A
Side:	10 ft.	10 ft.	N/A	N/A
Rear:	20 ft.	20 ft.	N/A	N/A
Accessory structures in all districts must meet standards in Article IV of this chapter.				
Building Height				
Main Building Height by Use (min. / max.)				
Single-family, two-family, three-family, townhome:	No min. / 3 stories or 35 ft. max., whichever is less	No min. / 3 stories or 35 ft. max., whichever is less	No min. / 3 stories or 35 ft. max., whichever is less	N/A
Cottage Homes	20 ft.	20 ft.	N/A	N/A
Light Industrial Use	N/A	N/A	N/A	3 stories or 35 ft. max, whichever is less, unless



				otherwise permitted by fire department and rescue services
Other uses	No min. / 2 stories or 28 ft. max., whichever is less	No min. / 4 stories or 42 ft. max., whichever is less	No min. / 4 stories or 42 ft. max., whichever is less	3 stories or 35 ft. max, whichever is less, unless otherwise permitted by fire department and rescue services

Table 3.17 Notes:

[1] Cottage homes shall be developed in clusters of a minimum of four (4) homes to a maximum of fifteen (15) homes.

#### **Sec. 46-1090. – Site Design**

(a) Vehicle access.

- (1) All parking must be accessed via shared alleys, private drives, or inter-parcel access.
- (2) Shared driveways between two parcels along a common property line is encouraged and may be required by the community development director during the land disturbance permitting process. In such cases, each property owner must grant an access easement to facilitate the movement of motor vehicles and pedestrians across the site. The property owner's obligation to comply with this requirement will be limited to the extent of legal permission to construct and utilize the required shared drive can be obtained from the neighboring property owner.
- (3) Driveway curb cuts may not exceed 24 feet in width. When a curb cut includes a median or one left turn lane, neither are included in the curb cut width.
- (4) Driveway curb cut intersection radii may not exceed 30 feet.
- (5) Driveways must be perpendicular to the adjacent street.
- (6) Circular driveways are not allowed.

(b) Inter-parcel access.

- (1) Applicability. The following applies to all new development, except the construction of detached single-family dwellings, two-family dwelling, and three-family dwellings when no street is proposed.
- (2) Inter-parcel access required. Inter-parcel access for vehicles between abutting and nearby properties must be provided so that access to individual properties can be achieved between abutting and nearby developments as an alternative to forcing all movement onto public roads, unless the community development director during the land disturbance permitting process determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among abutting or nearby sites, or due to inability after reasonable efforts by the property owner to obtain legal permission.

(c) Pedestrian access.

- (1) All commercial tenant spaces adjacent to a public street must provide a direct entrance from it, except when a common lobby is provided for office uses. The required pedestrian entrance must provide ingress and egress and must be operable to residents or customers at all times.
- (2) Additional entrances off another street, pedestrian areas, open space, or parking areas are allowed.
- (3) Pathways with a minimum width of five feet must be provided from a public sidewalk to all required pedestrian entrances, parking areas, parking decks, and required open spaces.
- (4) Required pathways must be continuous (except at vehicular crossings) and constructed of concrete, brick, stone, or similar durable paver materials.

(d) Fences.

- (1) Barbed wire, razor wire, uncoated chain link fence and similar elements are not allowed.
- (2) Chain link fence shall not be permitted in the front or side corner yard.
- (3) Maximum height for fences not used to screen outdoor storage shall be 6 feet.

(e) Open space.

- (1) Open space required. New developments must incorporate open space as required in [Table 3.17](#) and this section.
- (2) Open spaces used to satisfy open space requirements in LH-1, LH-2, and LH-3 districts must conform to enhanced open spaces types established in article V, division 5 of this chapter. Enhanced open space must also be directly accessible from a public sidewalk.
- (3) Amenity open space. Amenity open space may also be used to satisfy open space requirements in LH-1 and LH-2 districts. Amenity open space is small covered or uncovered, unenclosed, outdoor areas. It is limited to at-grade hardscape or landscape areas improved for pedestrian enjoyment; rooftop decks; patios and porches; balconies; or yards, lawns, and gardens. Interior or exterior stairs or elevators may be used to provide access to rooftop decks, patios, porches, and balconies.
- (4) Maintenance. Covenants or other legal arrangements must specify ownership of all open spaces, the method of and responsibility for maintenance, taxes, and insurance, compulsory membership and assessment provisions, and must be incorporated into legal instruments sufficient to ensure that the open space requirements of this section are maintained.
- (5) Landscaping. In addition to the requirements referenced in subsection (e) above, required open spaces must include at least one tree within or directly adjacent to the open space for every 2,000 square feet of open space. The tree must conform to [Sec. 46-1097\(d\)](#).
- (6) Additional requirements for cottage homes:
  - a. A minimum of four hundred (400) square feet per unit of common open space is required.

- b. At least fifty (50) percent of the cottage units shall abut the common open space.
  - c. All of the cottage units shall be located within one-hundred (100) feet walking distance of the common open space.
  - d. The common open space shall have cottages abutting at least two (2) sides.
  - e. At least fifty (50) percent of the cottage home units shall be oriented around the common open space with their covered porches or main entry facing the common open space.
- (f) Neighborhood Compatibility
- (1) LH districts must conform to the transitional buffer requirements in section 46-1338 except as follows:
    - a. There is no transitional buffer requirement between lots that are both within a LH district.
    - b. When a LH district abuts an RE, RLG, R-100, R-85, R-75, or R-60 district, a buffer class C (50 ft.) is required.

**Sec. 46-1091. – Building form and design.**

- (a) *Applicability.* The following applies to all buildings, including parking decks, and is in addition to those building form and configuration standards contained in article V, division 7 of this chapter.
- (b) *Exterior materials.* Exterior walls of permitted buildings shall consist of a mix of the following materials based on building type. An x indicates a permitted material.

Table 3.18: Permitted Building Materials			
Material	Structure Type		
	Single-, Two-, or Three-family Residential Structure	Multi-Family, Mixed-Use, and Commercial Structures	Industrial Structure
Brick masonry	x	x	x
Stone masonry	x	x	x
Cement wood or fiber cement siding, including simulated half-timbering	x	x	x
Hard coat stucco	x	x	x
Textured face concrete block			x
Architectural concrete		x	x
Precast concrete or tilt-up panel;			x
Glass	x	x	x
Translucent wall panels		x	x
Non-reflective glass		x	x
Glass block		x	x
Terra cotta	x	x	x
Wood	x	x	x
Cast stone	x	x	x
Cast-iron		x	x
Decorative architectural grade steel			x

Brick veneers		x	x
Stone veneers		x	x
Glass curtain walls		x	X
Architectural ceramic panels		x	x
Metal exterior wall cladding panels (not corrugated metal)			x
Materials not listed that may meet the intent of the zoning district when reviewed and approved by the community development director pursuant to <a href="#">Sec. 46-1099</a> .	x	x	x

- (1) Exterior finish materials may only be combined horizontally, with the visually heavier material below the lighter material. This does not apply to architectural accents.
  - (2) Awnings must be designed to last for at least five years, per manufacturer's warranty.
  - (3) Reflective roof finishes are allowed only on roofs sloped less than one inch per foot.
- (c) *Active ground floor uses.* The ground floor of all new buildings, including parking decks visible from the right-of-way, adjacent to a public street or as required around open spaces, must incorporate the following uses along a minimum of 50% of the street-facing or open space-facing facade:
- (1) The space must contain retail, restaurant/food establishment, service uses, or a residential use for a minimum depth of 10 feet, except at breaks for pedestrian pathways or parking access.
    - a. The minimum floor to ceiling height is 10 feet for all uses.
    - b. The space's primary use may not be storage, vehicular uses, equipment, coolers, computer servers, or computer/telecommunication exchanges.
    - c. The space must conform to fenestration requirements of this section.
    - d. Resident-only fitness centers and leasing centers shall not be used to meet this requirement.
- (d) Fenestration.
- (1) *Glass standards.* Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70 percent, and must have an external reflectance of less than 15 percent. Transparency and external light reflectance must be established using the manufacturer's specifications.
  - (2) *Measurement.* Fenestration is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, fenestration is measured from the top of the finished floor to the top of the wall plate.
  - (3) *Minimum standards.* All new buildings must conform to the following along public streets or as required along certain open spaces:

- a. Ground floors of all new commercial and mixed-use buildings must provide fenestration for at least 50% of the exterior façade area.
  - b. Ground floors of all new industrial buildings must provide fenestration for at least 30% of the exterior façade area.
  - c. All other floors for all new buildings must provide a minimum 20% fenestration.
- (e) Building massing.
  - (1) Street-facing building facades greater than 150 feet in length must be modulated with breaks in wall surfaces, materials, and rooflines at intervals not to exceed 150 feet (measured parallel to the street).
  - (2) Provide no more than 30 linear feet without fenestration or architectural detailing.
  - (3) Stories on street-facing building facades must be delineated up to and including the third story through the use of windows, belt courses, cornice lines, or similar architectural detailing.
  - (4) Parking decks visible from the right of way must comply with subsections (c) and (d) above, except that the number of stories used will be based on standard building story heights, not the actual height of the parking levels.
- (f) Roofs.
  - (1) Roof-mounted mechanical equipment and appurtenances must be located or screened so that they are not visible from the ground level.
  - (2) Screening must be of a material and design that match the building.
  - (3) Rooftop appurtenances must be painted to be compatible with the colors of the roof.
  - (4) Roofing materials for sloped roofs must have a minimum 25-year roof life (per manufacturer's warranty) and must have no visible roll roofing.
- (g) Additional two-family dwelling standards.
  - (1) Garages
    - a. A two-car garage is required for each unit within a two-family dwelling.
    - b. Garages shall be setback at least 3 feet from the façade of the dwelling unit.
  - (2) Front porches or stoops shall extend at least 5 feet past the front façade of the dwelling unit.
  - (3) At least one unit shall have a main entrance with a door visible from the street. The main entrance of each unit shall include a covered porch. If one or more units have an entrance facing the street, the entrances of the adjacent units shall be offset from each other by a minimum of four feet.

- (4) Two-family dwelling units shall not be shall not be arranged in two rows oriented perpendicular to the street with ground floor or second floor unit entry doors facing towards an unenclosed passageway or hallway:
  - c. If dwelling units are arranged in two rows oriented perpendicular to the street, the primary pedestrian entrances of the ground floor units closest to the street must face the street; and
  - d. Any passageway giving access to units located behind the street-facing ground floor units shall be fully enclosed.
- (h) Additional residential standards.
  - (1) Mechanical equipment and other building service items may not be located between the public sidewalk and building facade.
  - (2) Individual townhouse units and ground floor multi-family units adjacent to a public street must provide a direct pedestrian entrance from it. They must also provide a front porch or a front stoop facing said street.
  - (3) Access to parking is only allowed via an alley or private drive located behind the units. Garages may not face a public street.
  - (4) Residential structures shall meet the architectural variability standards in Sec. 46-1417.
- (i) Additional cottage home standards.
  - (1) Cottage homes shall be developed in clusters of a minimum of four (4) homes to a maximum of fifteen (15) homes.
  - (2) Cottage homes shall have a covered porch at least sixty (60) square feet in size.
  - (3) Cottage homes shall meet the dimensional requirements in [Sec. 46-1089](#).
  - (4) All units must be detached dwelling units. Units shall not be vertically mixed.
- (j) Additional commercial standards.
  - (1) Dumpsters must be screened on three sides by a wall at least eight feet high and on the fourth side by a solid gate at least eight feet high.
  - (2) New and improved buildings in the LH-3 district that are within ¼ mile of the City's proposed trail system shall incorporate entrances, windows, outdoor seating, and other active design features so they are accessible from the trail.
- (k) Additional auto use standards.
  - (1) Auto repair and sales shall not be permitted on less than 3 acres.

- (2) New buildings used for auto repair shall utilize those exterior materials permitted for industrial buildings in [Table 3.18](#) and shall meet the fenestration requirements in [Sec. 46-1091\(d\)](#).
- (3) Service bays for automobile service and repair uses must be designed so that the openings of service bays are not visible from a public street.
- (4) Parking shall be located behind the building and will not be permitted between the building and the public street.
- (5) Designated and separate customer and employee parking spaces shall be provided and clearly marked.
- (6) Cars for sale on site shall not be parked in the designated customer and employee parking spaces and shall be subject to parking lot screening requirements in this section.
- (7) No parking area may be used for the sale, repair, dismantling, servicing, or long-term storage of any products, vehicles, or equipment.
- (8) All parking areas shall be landscaped in the following manner:
  - a. A minimum of ten percent of the total lot area of the parking lot shall be landscaped.
  - b. A continuous hedge or berm, not to exceed three feet in height, shall be required between surface parking and an adjacent public street right-of-way.
  - c. Landscape islands.
    1. A minimum of one island per eight parking spaces shall be provided.
    2. One tree shall be planted in each island. Newly planted trees in parking area landscaping shall be a minimum of two-inch caliper as measured at a height of six inches above ground level, shall be a minimum of ten feet in height at planting, shall have a 30-foot minimum mature height, and shall be drought tolerant. Trees shall be planted at least 30 inches from any barrier curb, so as to prevent injury to trees from vehicle bumpers. A minimum of 75 percent of the trees planted pursuant to these requirements shall be deciduous hardwood shade trees.
    3. Ground cover shall also be provided in order to protect tree roots and to prevent erosion. Ground cover shall consist of shrubs, ivy, liriope, pine bark mulch, or other similar landscaping material.
    4. All landscaped areas shall be properly maintained in accordance with landscape plans approved as part of the land-disturbance permit. In the event that a tree or any plant material dies, it shall be replaced within 12 months so as to meet all requirements of this section and to allow for planting in the appropriate planting season.

**Sec. 46-1092. – Adaptive Reuse Projects.**

- (a) Applicability

- (1) To be considered an adaptive reuse project, a minimum of seventy-five (75) percent of the floor area of the entire project shall not consist of new construction or additions. This percentage does not preclude interior alterations within those areas. The retention of a minimum of seventy-five (75) percent of each previously existing exterior wall is required to include a structure in the previously existing floor area calculation.
- (2) Exclusions. Any buildings or structures not considered to be a part of a defined adaptive reuse project are required to comply with all the regulations of this zoning ordinance and may not follow the flexible provisions of adaptive reuse projects.
- (3) In no case shall any existing characteristics be made more deficient than previously existed prior to the redevelopment.

(b) Dimensional Standards

- (1) Applicable standards. The following outlines the regulations that apply to adaptive reuse projects as stated or amended herein.
- (2) The following dimensions of Table 3.19 states the required dimensions for adaptive reuse projects, as opposed to those identified by the zoning district:

Table 3.19: Dimensional Standards	
Regulation	Requirement for Adaptive Reuse
Maximum lot coverage <sup>1</sup>	95%
Minimum Open Space	None
Max building height <sup>1</sup>	40'
Lot size (min. in square feet)	None
Lot width (min. in feet)	None
Front yard	None
Side yard (min. in feet)	None
Rear yard (min. in feet)	None

<sup>1</sup>Or not to exceed existing.

(c) Site and Building Standards

- (1) All developments shall comply with the streetscape requirements as outlined in [Sec. 46-1095](#), with the exception of the landscape strip if the applicant is able to verify that there is not enough room between the existing building and back of curb to accommodate it. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems.
- (2) Any new construction or additions shall comply with the building material requirements of [Table 3.18](#). Unaltered portions of the existing structure are exempt from finish material requirements.
- (3) The applicable use regulations of [Sec. 1087](#) and [Table 3.16](#) shall apply.
- (4) Parking shall comply with [Sec. 46-1096](#).



- a. If the minimum number of parking spaces required in [Sec 46-1096](#) is more than feasible for the site, the existing quantity of spaces shall be maintained, but the configuration may be altered as necessary.
- (5) All new fences shall comply with [Sec. 46-1090\(d\)](#).
- (6) All new dumpsters shall comply with [Sec. 46-1091\(i\)](#).
- (7) All new lighting shall comply with [Sec. 46-1098](#).
- (8) Procedures. Adaptive reuse projects shall comply with Article 7 of this chapter.
- (9) Signs. All signs shall conform to Chapter 34.
- (10) Adaptive reuse projects are exempt from [Sec. 46-1093](#).

**Sec. 46-1093. – Redevelopment Thresholds.**

(a) Applicability.

- (1) Renovations, alterations, adaptations, additions, restorations, repairs, or other redevelopment of a structure, or portions of a structure or site, that was in existence prior to the adoption of this Zoning Ordinance, shall be subject to the requirements of this Section.
- (2) Redevelopment projects require compliance with standards for new construction in the Zoning Ordinance when the value of the proposed improvements exceeds the thresholds in [Table 3.20](#).
- (3) Notwithstanding the above applicability, the added cost to construct the improvements shall not exceed 125 percent of the fair market value of the structure immediately prior to such redevelopment, or \$20,000.00, whichever is greater. In such cases, the provisions requiring completion shall be applied in the order listed in the table below until the 125 percent cap is met.

(b) Exemptions.

- (1) This section shall not apply to single-family attached or detached uses or projects developed in accordance with the standards in [Sec. 46-1092](#).

(c) Method of Calculating Thresholds.

- (1) Fair market value shall be determined by the DeKalb County Tax Assessor.
- (2) The phrase "construction costs" in this Section shall encompass all costs, including phased project costs, for a cumulative period of 36 months after the date of the initial redevelopment application.
- (3) Construction costs shall be calculated based on uses listed in the ICC Building Valuation Data Construction Cost Table (latest published edition).
- (4)

Table 3.20: Redevelopment Thresholds			
Applicable Standard	Construction costs as a percentage of the fair market value of the structure		
	40%-60%	61%-80%	80% or more
Dumpster Screening – <a href="#">Sec. 46-1091(i)</a>	•	•	•
Fence Materials and Height - <a href="#">Sec. 46-1090(d)</a>	•	•	•
Streetscape Standards – <a href="#">Sec. 46-1095</a>	•	•	•
Fenestration Requirements – <a href="#">Sec. 46-1091(d)</a>	-	•	•
Off-Street surface parking requirements (design and landscaping) – <a href="#">Sec. 46-1096</a>	-	•	•
Compliance with Chapter 34: Signs	•	•	•
Remainder of standards in Chapter 46	-	-	•

#### **Sec. 46-1094. – Incentives within the Lawrenceville Highway Districts**

(a) Applicability.

- (1) When an applicant agrees to design a site and/or building in a manner that enhances and promotes the overall vision for the Lawrenceville Highway, the City shall grant an incentive based upon Table 3.21.

Table 3.21: Incentives in the Lawrenceville Highway Districts	
Item Provided	Incentive
Direct connection to the identified city trail system	Residential: Up to ½ additional units per acre. Commercial: Up to 5% reduction in parking requirement.
Adaptive Reuse of existing building or structure in accordance with <a href="#">Sec. 46-1092</a> .	Waived City of Tucker permit fees.
Compliance with Redevelopment Thresholds	Waived City of Tucker permit fees.
Shared driveway access on commercial development resulting in the closure of a curb cut(s)	10% increase in lot coverage allowance, not to exceed 95%
Assemblages of at least two parcels in the LH-2 and LH-3 districts	Residential: Up to 10% increase in permitted units per acre. Commercial: Up to 10% increase in square footage allowance

#### **Sec. 46-1095. – Streets and streetscapes.**

(a) Street design.

- (1) *Applicability.* Public and private streets must comply with the requirements for public streets found in chapter 22, except as specifically otherwise provided for in this section.
- (2) *Travel lane width exception.* Eleven feet wide travel lanes are required on all streets except alleys and designated truck routes. Further lane reductions may also be approved by the community development director when the proposed width conforms to the published best practices of American Association of State Highway Transportation Officials (AASHTO) and/or the Institute of Transportation Engineers (ITE).
- (3) *Street dimensions.* All new or extended public or private streets must conform to Table 3.22, new street dimensions, unless modified by the community development director for the following public purposes:
  - a. To provide alternative bicycle facilities;
  - b. To provide wider streetscapes;
  - c. To provide turn lanes;
  - d. To provide traffic calming or pedestrian safety measures;
  - e. To serve truck routes; or
  - f. To increase lane width and right-of-way along state and federal facilities.
- (4) Medians.
  - a. Medians must be designed to provide for safe and convenient crossings for persons with disabilities and must provide refuge for pedestrians at crosswalks.
  - b. Medians must be landscaped with trees, shrubbery, landscaping, and other approved groundcover materials.

Table 3.22: New Street Dimensions					
Street Type	Number of Lanes	Median Width	Bicycle Facilities	Parallel Parking	Right-of-Way Width
Minor Collector	2	n/a	n/a	Required both sides, 9 ft.	80 ft.
Local Street	2	n/a	n/a	Required both sides, 9 ft.	60 ft.

- (5) Bicycle facilities must be incorporated in conformance with any plan that has been adopted by the City of Tucker or the Georgia Department of Transportation.
- (6) Bicycle lanes may not be less than five feet in width. Gutters may not be counted towards this requirement.
- (7) Multi-use trails may not be less than ten feet in width.

- (8) Bicycle facilities must incorporate signs and pavement markings as required by the latest version of the Manual for Uniform Traffic Control Devices.
- (b) Streetscape elements and dimensions.
- (1) Streetscapes must be installed on existing and new streets as required by section 46-1336 and in conformance with [Table 3.23](#), except when subsection (2) or subsection (3) below applies.
  - (2) A multi-use trail may be required instead of a sidewalk along any new or existing street when the location has been identified as a multi-use trail in any plan that has been adopted by the City of Tucker or the Georgia Department of Transportation.
  - (3) Streetscapes must match any ongoing or completed publicly-funded streetscape designs.

Table 3.23 Streetscape Dimensions for Existing and New Streets					
Street Type	Streetscape Zone			Landscape strip Elements	
	Total Width	Landscape Strip	Sidewalks	Street Light Spacing (max.)	Street Tree Spacing (max.)
Lawrenceville Highway	12 ft.	6 ft. [1]	6 ft.	80 ft. [2]	30 ft.
Brockett Road	12 ft.	6 ft.	6 ft.	80 ft. [2]	30 ft.
Cooledge Road	12 ft.	6 ft.	6 ft.	80 ft. [2]	30 ft.
All other existing and new streets	12 ft.	6 ft.	6 ft.	80 ft. [2]	30 ft.

Table 3.23 Notes:

- [1] Benches, trash receptacles, and bike racks may only be placed within the landscape strip.
- [2] This requirement applies to street light poles only. Additional pedestrian light requirements apply.

(c) Landscape strip design.

- (1) Street trees are required and must conform to [Sec. 46-1097\(d\)](#).
- (2) Street trees must have a minimum planting area of four feet by eight feet. Tree-planting areas must provide porous drainage systems that allow for drainage of the planting area.
- (3) Street tree species or planting patterns of varied species must be consistent for an entire block length. Similarly-shaped species may be changed on an individual block face due to: limited supply or concerns regarding disease or the health of existing and proposed trees with approval from the community development director and consultation from a certified arborist.

(d) Sidewalk design.

- (1) Sidewalk paving materials must continue across driveways at the same prevailing grade and cross slope as the adjacent sidewalk area.
- (2) Sidewalks must be broom finished poured-in-place concrete or pavers of brick, concrete, or stone. Other materials may be allowed by approval of the community development director.

- (3) When new sidewalks abut existing sidewalks the new sidewalks must provide safe facilitation of pedestrian traffic flow to adjacent sidewalks. Any development that disturbs existing sidewalks on the adjacent property must replace disturbed areas to their pre-disturbance state and condition.
- (e) *Underground utilities required.* All utilities, except major electric transmission lines and sub-stations, must be buried unless the community development director determines that underground utilities are not feasible due to existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.
- (f) Street lights and street furnishings
  - (1) Street furnishings are required and must be reviewed and approved by the community development director during the permitting process.

**Sec. 46-1096. – Parking.**

- (a) Off-street parking ratios.
  - (1) LH districts must conform to the off-street parking requirements contained in table 6.2, off street parking ratios unless otherwise reduced in this section.
  - (2) Cottage home developments that exceed six hundred fifty (650) square feet on main floor shall provide two (2) spaces. Units that do not exceed six hundred fifty (650) square feet on main floor: one and one half (1.5) spaces.
- (b) Shared parking.
  - (1) Shared parking is encouraged in accordance with section 46-1453 or in accordance with subsections (2) through (5) below.
  - (2) Instead of using the steps identified in section 46-1453, applicants may submit a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition).
  - (3) The study must be provided in a form established by the community development director.
  - (4) Reductions in the total number of required spaces for shared parking are not allowed unless the community development director determines a reduction is appropriate on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).
  - (5) Uses using shared parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The community development director will determine whether hours of operation are compatibly overlapping on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).
- (c) Off-street parking location and design.
  - (1) Location. All off-street parking including surface lots and parking decks may only be located behind a street-fronting building, except as allowed for in this section.

- (2) Parking deck screening. Parking decks visible from the right-of-way must provide screening on all stories by providing a facade designed to resemble an office or residential building and conform to the applicable building form and design requirements of [Sec. 46-1091](#).
- (3) Landscape strips. The following applies around parking lots and parking decks:
  - a. Adjacent to a street. A six-foot-wide landscape strip with a minimum of ten shrubs per 35 linear feet, excluding driveway openings, is required. Shrubs must be 18 inches tall at the time of planting.
  - b. Not adjacent to a public or private street. A three-foot-wide landscape strip is required along all sides of the facility that are not adjacent to public or private streets.
  - c. Exceptions. Landscape strips are not required at driveways, walkways, pedestrian plazas, or where adjacent active ground floor uses are provided.
  - d. Planting. The landscape strips may contain no less than one understory or over story tree per 50 linear feet, ten shrubs per 50 linear feet, and a minimum of 90 percent living groundcover, sod, and/or annual or perennial color in the landscape strip surface area. Landscaping must conform to [Sec. 46-1097](#).

**Sec. 46-1097. – Landscaping.**

- (a) Plans required. Landscape planting and irrigation plans must be prepared by a landscape architect registered in the State of Georgia for each application for a land disturbance permit.
- (b) Maintenance. When a private property owner provides landscaping within the public right-of-way and the landscaping dies within one year of installation, it must be replaced within the earliest possible planting season.
- (c) Ground cover.
  - (1) Ground cover must be provided around all trees to protect tree roots, to prevent erosion, and as otherwise required by this division.
  - (2) Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch or other similar landscaping material.
  - (3) Evergreen groundcover planting must be used on all slopes steeper than 2.5:1 to aid in erosion control.
- (d) Trees.
  - (1) Newly planted trees must be a minimum of 3.5 inches in caliper measured 12 inches above the ground, must be at least 16 feet high, and must have a minimum mature height of 30 feet.
  - (2) No tree may be planted closer than 30 inches from the street or sidewalk, and no closer than eight feet from a fire hydrant, signpost, street light, utility pole, or similar structure.

- (e) *Irrigation.* All newly planted landscape areas (including parking lot islands) shall be irrigated by a fully automatic, commercial, underground irrigation system in accordance with the following:
- (1) All irrigation systems must be provided with backflow preventers approved by DeKalb County. Such devices shall be located or screened so that they are not visible or accessible to the public from adjacent sidewalks, streets, alleys, or parking lots.
  - (2) Spray heads must be located to provide 100 percent overlapping coverage. Overspray onto sidewalks and other paved areas should be minimized.
  - (3) Control boxes and panels shall be located inside buildings or where they will not be visible or subject to vandalism.
  - (4) All main and lateral lines shall be commercial grade PVC pipe.
  - (5) Irrigation systems are not required in undisturbed buffers or in areas where they would disrupt existing native vegetation.
- (f) *Plant materials.* Plant materials required or installed along or adjacent to streets must be selected from the species and minimum sizes shown in Table 3.24. Plant materials provided in other locations may be any species appropriate to the design and location, subject to the approval of the plan reviewer, provided that all trees must be native or adaptive to Tucker.

Table 3.24 Plant List	
Name	Min. Size.
<b>Shade &amp; Street Trees</b>	
Willow Oak	3—3½" cal.
"Red Sunset" Maple	3—3½" cal.
Sugar Maple	3—3½" cal.
Pin Oak	3—3½" cal.
Overcup Oak	3—3½" cal.
Nuttall Oak	3—3½" cal.
Japanese Zelkova	3—3½" cal.
Lacebark Elm	3—3½" cal.
<b>Smaller Deciduous Trees</b>	
River Birch	10—12' ht.
Japanese Maple	6—8' ht.
Star Magnolia	6—8' ht.
Saucer Magnolia	6—8' ht.
Trident Maple	10—12' ht.
Golden Raintree	10—12' ht.
<b>Evergreen Trees</b>	
Tree Form Burford Holly	6—7' ht.
Virginia Pine	5—6' ht.
"East Palatka" Holly	10—12' ht.
Nellie R. Stevens Holly	10—12' ht.
Emily Brunner Holly	10—12' ht.
Loblolly Pine	5—6' ht.
Southern Magnolia	10—12' ht.

Tree Form Ligustrum	8—10' ht.
Foster Holly	10—12' ht.
Savannah Holly	10—12' ht.
Tree Form Wax Myrtle	6—7' ht.
Cryptomeria	10—12' ht.
<b>Flowering Trees</b>	
Yoshino Cherry	7—8' ht.
Redbud	7—8' ht.
Flowering Dogwood	7—8' ht.
Crape Myrtle	7—8' ht.
<b>Shrubs</b>	
"Sherwood" Abelia	3 gal.
Parson's Juniper	1 gal.
"Carissa" Holly	3 gal.
"Helleri" Holly	3 gal.
Needlepoint Holly	3 gal.
Dwarf Burford Holly	3 gal.
Azalea (Kurume, Indica)	3 gal.
Wax Myrtle	3 gal.
Dwarf Japanese Acuba	3 gal.
Bearberry Cotoneaster	1 gal.
Dwarf Chinese Holly	3 gal.
Compacta Holly	3 gal.
"Anthony Waterer" Spirea	1 gal.
Dwarf Pfitzer Juniper	1 gal.
Parsoni Juniper	1 gal.
Zabel Laurel	3 gal.
Bearberry Cotoneaster	1 gal.
Dwarf Chinese Holly	3 gal.
Compacta Holly	3 gal.
"Anthony Waterer" Spirea	1 gal.
Dwarf Pfitzer Juniper	1 gal.
Parsoni Juniper	1 gal.
Zabel Laurel	3 gal.
Otto Luyken Laurel	3 gal.
Redleaf Japanese Barberry	1 gal.
Flowering Quince	3 gal.
Border Forsythia	3 gal.
Burning Bush	3 gal.
<b>Ground Cover</b>	
"Big Blue" Liriope	4" pot
Pachysandra	4" pot
Variegated Liriope	4" pot
Sargent's Juniper	1 gal.
Blue Rug Juniper	1 gal.
Carolina Jessamine	1 gal.
"Big Blue" Liriope	4" pot
<b>Perennial/Seasonal Color</b>	



Pennisetum	1 gal.
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**Sec. 46-1098. – Outdoor lighting.**

- (a) Linear lighting around windows, rooflines, doors, signs, or building structures is prohibited. Linear lighting may include, but is not limited to, neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words are considered signs.
- (b) Light levels of 1.5 foot-candles are recommended for parking lots and four foot-candles at vehicular drives, entrances, and pedestrian and bicycle facilities.
- (c) Ground-mounted floodlights must be screened with planting or other means so that the light source is not visible.
- (d) The use of flashing, rotating, or oscillating lighting is not allowed in any manner that may be visible from the exterior of buildings.
- (e) After-hours security lighting must equal at least 25 percent of the normal parking lot lighting level for security.
- (f) Outdoor lighting must be of a type identified in Table 3.25, which includes specific products. The use of specific products is not required when similar designs from other manufacturers are available.

Table 3.25 Outdoor Lighting Specifications		
Location	Type	Specification
Pedestrian Light	Fixture type	King K445 — Sol Lux Acorn Luminaire
	Pole type	Hapco Granville Decorative Fluted Pole
Parking Lot Light	Fixture type	Gardco — CA-22-2-3-250MH-VTBS-BLA
	Pole type	Gardco — RA5-25H-TBS-TBS-BLA

**Sec. 46-1099. – Administrative variations.**

- (a) The community development director may grant administrative variances in addition to those allowed by article VII, division 6 of this chapter when the variance is used to permit a practice that is not consistent with a specific provision but is justified by the division's purpose and intent.
- (b) Administrative variances may not be used to:
  - (1) Provide relief from minimum or maximum parking ratios;
  - (2) Increase the allowed site density;
  - (3) Increase the allowed number of stories in a building; or
  - (4) Permit a use that is not allowed by district regulations.

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF TUCKER, GEORGIA, FOR THE PURPOSE OF AMENDING THE CITY OF TUCKER CODE CHAPTER 46 ZONING REGARDING THE CREATION OF A NEW ZONING DISTRICT WITH VARIOUS TIERS FOR LAWRENCEVILLE HIGHWAY.**

**WHEREAS**, The Mayor and City Council desires to promote the public health, safety, and general welfare of the residents of the city; and,

**WHEREAS**, the Mayor and City Council desires to achieve compliance with all applicable state and federal regulations; and

**WHEREAS**, the Mayor and City Council desires to provide for protection of the constitutional rights and obligations of all citizens within the city; and

**WHEREAS**, the Mayor and City Council desires to address redevelopment of existing parcels, an improved gateway into the city, and compliance with our existing plans and studies; and

**WHEREAS**, the Mayor and City Council desires to create a new special zoning district for Lawrenceville Highway, between Cooledge Road and Brockett Road, with four tiers; and

**WHEREAS**, a Public Meeting was held by the Mayor and City Council of Tucker on August 14, 2023 and September 11, 2023; and

**WHEREAS**, The Mayor and City Council is the governing authority for the City of Tucker;

**WHEREAS**, the Mayor and City Council amends Sec. 46-951 to add section c with language stating “where special district regulations do not address specific standards, the remainder of the zoning ordinance shall apply,” as shown in Exhibit A; and

**WHEREAS**, the Mayor and City Council wish to add Division 5 – Lawrenceville Highway Zoning Districts, which includes Section 46-1083 through Section 46-1099, as shown in Exhibit A; and

**NOW THEREFORE**, the Mayor and City Council of the City of Tucker while in Regular Session on September 11, 2023, hereby ordains and approves the amendments of Chapter 46 as shown in Exhibit A, which is attached to this ordinance.

**SO EFFECTIVE** this 11<sup>th</sup> day of September 2023.

Approved by:

---

Frank Auman, Mayor

Attest:

---

Bonnie Warne, City Clerk

SEAL



## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Courtney Smith, Community Development Director  
**CC:** Tami Hanlin, City Manager  
**Date:** August 7, 2023  
**RE:** Memo for SLUP-23-0002, 2553 Sandpiper Drive

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### **Description for on the Agenda:**

First Read and Public Hearing of an Ordinance for Special Land Use Permit SLUP-23-0002 for a personal care home at 2553 Sandpiper Drive for Georgia Clay Properties, LLC c/o Battle Law.

### **Issue:**

The applicant is requesting a Special Land Use Permit (SLUP) for the property located at 2553 Sandpiper Drive to allow for a Personal Care Home (4-6) in the R-75 (Residential Medium Lot-75) zoning district. The subject property is 0.45 acres and is developed with a one-story, approximately 2,512 square foot single-family detached home.

### **Recommendation:**

Staff recommends approval with conditions.

Planning Commission recommends approval with conditions.

### **Background:**

Avondale Homes at Tucker, a Personal Care Home for six people, operated at 2553 Sandpiper Drive prior to Georgia Clay Properties purchasing the property in December of 2021. Upon purchasing the property, Georgia Clay Properties began renovating the home without a building permit. The renovations included converting the garage into an additional den space for the Personal Care Home. The City of Tucker was notified about the construction work by Dekalb Fire Department after a fire incident on the property. An Occupational Tax Certificate was issued on March 22, 2022, prior to the construction and expansion of the Personal Care Home.

### **Summary:**

The proposed use complies with the criteria (standards and factors) for special land use permits provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The proposed use also complies with the Supplemental Regulations for Personal Care Homes (Section 46-1185).

**AN ORDINANCE FOR SPECIAL LAND USE PERMIT 23-0002 IN LAND LOT 256  
OF THE 18<sup>th</sup> DISTRICT TO ALLOW FOR A PERSONAL CARE HOME, GROUP  
(4-6) AT 2553 SANDPIPER DRIVE FOR GEORGIA CLAY PROPERTIES, LLC.**

**WHEREAS:** Notice to the public regarding said special land use permit has been duly published in The Champion, the Official News Organ of Tucker; and

**WHEREAS:** A Public Hearing was held by the Mayor and City Council of Tucker on August 14, 2023 and September 11, 2023;

**WHEREAS:** The Mayor and City Council is the governing authority for the City of Tucker;

**WHEREAS:** The Mayor and City Council have reviewed the special land use request based on the criteria found in Section 46-1594 of the Zoning Ordinance of the City of Tucker;

**NOW THEREFORE,** the Mayor and City Council of the City of Tucker while in Regular Session on September 11, 2023 hereby ordains and approves Special Land Use Permit 23-0002 to allow for a Personal Care Home, Group (4-6), subject to the following conditions. Note that the special land use permit shall expire automatically if a building permit or other required approval(s) is not applied for within twelve (12) months and construction pursuant to such permit(s) does not promptly begin and is not diligently pursued (Section 46-1599).

1. The proposed use shall be limited to a group personal care home with no more than six residents, per the floor plan stamped "Received City of Tucker 06/13/2023."
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
4. The Personal Care Home shall maintain an exterior appearance of a single-family home.
5. There shall be no signs located on the subject property advertising the Personal Care Home.
6. The Special Land Use Permit shall not be transferred to another business.

7. The carport/gazebo structure and the portion of the driveway and fence that encroach upon the adjacent property to the south shall be removed within 90 days of approval.

**SO EFFECTIVE** this 11<sup>th</sup> day of September 2023.

Approved by:

---

Frank Auman, Mayor

Attest:

---

Bonnie Warne, City Clerk

SEAL



**Land Use Petition:** SLUP-23-0002

**Date of Staff Recommendation Preparation:** July 10, 2023

**Planning Commission:** July 20, 2023

**Mayor and City Council, 1<sup>st</sup> Read:** August 14, 2023

**Mayor and City Council, 2<sup>nd</sup> Read:** September 11, 2023

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<b>PROJECT LOCATION:</b>	2553 Sandpiper Drive
<b>APPLICATION NUMBER</b>	SLUP-23-0002
<b>DISTRICT/LANDLOT(S):</b>	Land District 18, Land Lot 256
<b>ACREAGE:</b>	0.45 acres
<b>EXISTING ZONING</b>	R-75 (Residential Medium Lot-75)
<b>EXISTING LAND USE</b>	Residential
<b>FUTURE LAND USE MAP DESIGNATION:</b>	Suburban
<b>OVERLAY DISTRICT:</b>	N/A
<b>APPLICANT:</b>	Georgia Clay Properties, LLC
<b>OWNER:</b>	Georgia Clay Properties, LLC
<b>PROPOSED DEVELOPMENT:</b>	Special Land Use Permit to allow a Personal Care Home, Group (4-6) in a residential zoning district.
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL WITH CONDITIONS of SLUP-23-0002</b>

**BACKGROUND**

The applicant is requesting a Special Land Use Permit (SLUP) for the property located at 2553 Sandpiper Drive to allow for a Personal Care Home (4-6) in the R-75 (Residential Medium Lot-75) zoning district. The subject property is 0.45 acres and is developed with a one-story, approximately 2,512 square foot single-family detached home.

**PROJECT DATA**

Personal Care Homes, Group (4 – 6 residents) are only allowed in single-family residential zoning districts (RE, R-100, R-85, R-75, R-60) with the approval of a Special Land Use Permit to ensure the operation of the facility will not be a detriment to the character of the residential neighborhood. The proposed Personal Care Home will be located in an existing single-family house and must maintain the exterior appearance of a residential structure. Pursuant to Section 46-1185, supplemental regulations for Personal Care Homes, the proposed business shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility. Each group personal care home must provide at least four parking spaces within a driveway, garage, or carport. No group personal care homes may be operated within 1,000 feet of any other group personal care home.

The City of Tucker defines a Personal care home as *"a building in which housing, meals, personal assistance services, and 24-hour continuous watchful oversight for adults are provided and which facility is licensed or permitted as a personal care home by the state. The term "personal care home" shall not include the term "childcare institution," "transitional housing," "rehabilitation housing facility," "roominghouse" or "boardinghouse." The term "personal care home" includes the term "community living arrangement," which is an establishment licensed by the state and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases."*





Avondale Homes at Tucker, a Personal Care Home for six people, operated at 2553 Sandpiper Drive prior to Georgia Clay Properties purchasing the property in December of 2021. Upon purchasing the property, Georgia Clay Properties began renovating the home without a building permit. The renovations included converting the garage into an additional den space for the Personal Care Home. The City of Tucker was notified about the construction work by Dekalb Fire Department after a fire incident on the property. An Occupational Tax Certificate was issued on March 22, 2022, prior to the construction and expansion of the Personal Care Home.

Per Article 8, Section 46-1743, any expansion of a legal non-conforming use requires a Special Land Use Permit. The conversion of the garage into a den for the Personal Care Home constitutes an increase of a legal non-conforming use. Therefore, Georgia Clay Properties has submitted this Special Land Use Permit application to allow the property to operate as a six-person Personal Care Home.

Georgia Clay Properties is allowed to operate a Personal Care Home for three unrelated individuals under the definition of family while they are pursuing the SLUP. The City of Tucker definition of family includes the following: “not more than three persons not so related who live together in a dwelling unit.”

The interior floor plan submitted by the applicant shows six (6) bedrooms, four (4) bathrooms, a living room, a library, a kitchen, a dining area, and a proposed den area. The footprint of the building will not be expanded. The site plan indicates that a portion of the driveway and a carport/gazebo structure go over the property line and encroach on the adjacent property to the south. The staff recommend that these encroachments be removed.

#### **USE ANALYSIS AND DEVELOPMENT PERMISSIONS**

The subject property is located in the R-75 (Residential Medium Lot–75) zoning district. The purpose and intent section of the R-75 zoning district (Sec. 46-224) indicates in part that the R-75 zoning district is established to “ensure that the uses and structures authorized in the R-75 (Residential Medium Lot–75) district are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood”. The R-75 zoning district allows for “Personal Care Homes” only as a special use (Table 4.1. Use Table). The intent of the City of Tucker Zoning Ordinance is that the proposed uses be determined on a case-by-case basis to ensure compatibility with the surrounding area including maintaining the residential character of the immediate area. In the City of Tucker all Personal Care Homes, Group (4-6) require a SLUP and must meet supplemental use regulations in Article 4.

#### **CHARACTER AREA (Future Land Use)**

The subject parcel is designated Suburban on the Future Land Use Map. The proposal is consistent with the intent of the Suburban Character Area strategy to be compatible with the existing housing stock. The operators of the Personal Care Home will be required to maintain an exterior appearance of a single-family home and there will be no signs located on the subject property advertising the Personal Care Home.

The introduction of a Personal Care Home is not entirely consistent with the intent of the Suburban Character Area and does not align with preservation of existing neighborhoods because it creates a use that could institutionalize the area. The Zoning Ordinance does, however, define institutionalization as two (2) Personal Care Homes within 1,000 feet of each other. The closest existing Personal Care Home is approximately 7,400 feet away, on Smithsonia Drive.

### **PUBLIC PARTICIPATION PLAN REPORT**

The applicant hosted a public participation meeting on May 5, 2023. The meeting was held at 2553 Sandpiper Drive (the proposed site) and lasted approximately one hour. Prior to the meeting, the applicant mailed a letter and the proposed floor plan to all property owners within five hundred feet of the subject parcel. Zero people were in attendance.

### **NEARBY/SURROUNDING LAND ANALYSIS**

Adjacent & Surrounding Properties	Zoning	Existing Land Use
Adjacent: North	R-75 (Residential Medium Lot-75)	Single-family home
Adjacent: East	OI (Office-Institutional)	Undeveloped land
Adjacent: South	M (Light Industrial)	North Royal Atlanta Business Park
Adjacent: West (Across Sandpiper Drive)	R-75 (Residential Medium Lot-75)	Single-family home

### **SLUP-23-0002**

#### **CRITERIA TO BE APPLIED**

Criteria (standards and factors) for special land use decisions are provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are the staff's findings which are independent of the applicant's responses to these criteria.

- 1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The subject site is approximately 0.45 acres. The lot is developed with a 2,512-square foot, single-family detached dwelling within a neighborhood of similarly sized homes. The applicant is not proposing to expand the existing structure's footprint but is proposing to increase the square footage of the use by expanding into the garage area. The site appears to be adequate for the proposed use, including the existing dwelling and driveway parking spaces. The staff is concerned that once the driveway, fence, and carport/gazebo encroachments are removed that there will be adequate parking for four vehicles.

- 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed Personal Care Home is in a traditional suburban neighborhood, at the end of a street of single-family homes in the Windwood East subdivision. Care should be taken to protect the established neighborhood from impacts of institutionalization such as: future Personal Care

homes, daycares, and home-based businesses with customer contact. Staff did not find any home occupations with customer contact on Sandpiper Drive.

**3. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

**Schools.** There will be no impact on public school facilities.

**Stormwater management.** The applicant does not propose any alterations to the property which would require review of stormwater management.

**Water and sewer.** The Department of Watershed Management stated that “Because this has been operating as a care home throughout the Consent Decree, no additional sewer flow is anticipated. If the number of beds in the care home increases, sewer capacity approval will be required.”

**4. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

The traffic impacts as a result of the proposed Personal Care Home will be minimal. The applicant has stated that the “existing Driveway shall include adequate parking spaces for any regular function for a single-family dwelling.” The applicant obtained a Trip Generation Report conducted by Lumin8, which stated that the use will generate sixteen daily trips. The applicant stated that while 10-12 employees are needed to operate the facility, there will be a maximum of two team members on shift at a time. Shift changes will occur at 7 AM and 7 PM.

**5. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

It is not expected that land uses along Sandpiper Drive would be adversely affected by the character of the vehicles or volume of traffic generated by the proposed personal care home.

**6. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.**

The property is located at the end of the street in a cul-de-sac, which would provide adequate access for emergency services vehicles.

**7. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed development will not generate excessive noise, nor will it emit smoke, odor, dust, or vibration.

**8. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The property is surrounded by single family detached homes zoned R-75 (Residential Medium Lot – 75) on the north and west, undeveloped land on the east, and an industrial park on the south side. According to the applicant, all services will be conducted inside the residence. Shift teams will include up to two team members at a time and shift change will occur at 7 AM and 7 PM.

**9. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The hours of operation will be 24 hours a day, but the occupants do not drive, so there should be minimal traffic impacts compared to a typical single-family home. The applicant has stated the residence shall appear as a single-family home and no signage will be erected for the PCH. If developed in accordance with the staff recommended conditions, nearby single-family homes should not be adversely affected by the manner or operation of the PCH. The driveway, fence, and carport/gazebo that currently encroach upon the adjacent property to the south should be removed/demolished.

**10. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

If approved by SLUP, the proposed Personal Care Home will comply with the R-75 zoning district. The proposed PCH will be located in an existing single-family house and must maintain the exterior appearance as a residential structure.

**11. Whether or not the proposed use is consistent with the policies of the comprehensive plan.**

The subject property is designated Suburban on the Future Land Use Map. While the proposed use is consistent with the intent of the adopted comprehensive plan, care must be taken to preserve existing neighborhoods from institutionalization. The introduction of a Personal Care Home does not align with preservation of existing neighborhoods because it could institutionalize the area. However, the zoning ordinance defines institutionalization as two Personal Care Homes within 1,000 feet of each other. In research of other nearby and surrounding Personal Care Homes, it appears as though the closest Personal Care Home is located approximately 7,400 feet away.

**12. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

There are no transitional buffer requirements on this parcel.

**13. Whether or not there is adequate provision of refuse and service areas.**

The proposed use should not generate excessive refuse and the applicant has stated that they will be serviced by DeKalb County sanitation.

**14. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff does not recommend any limits on the length of time of the special land use permit (if granted), so long as the applicant obtains all local licensing requirements including compliance with approved conditions and annual occupational tax certificate renewal. However, the SLUP shall not be permitted to transfer to another entity.

**15. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.**

The applicant proposes no changes to the existing building size, mass, and scale. It is compatible with the surrounding residential homes.

**16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are no known historic buildings, sites, districts, or archaeological resources on the subject property.

**17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

The proposed Personal Care Home is in compliance with the supplemental regulations for **Personal Care Homes (4-6)** [Sec. 46-1185. - Personal care homes].

**Sec. 46-1185. - Personal care homes**

**(a) Personal care homes, general requirements.**

- (1) Each personal care home must obtain all licenses and/or permits required by the state in order to operate. Each personal care home licensed and/or permitted by the state must display its state-issued licenses and/or permits in plain view, visible from the front doorway of the facility.**

The applicant's letter of intent states that they will comply with all required state and county requirements for Personal Care Homes and that the state-issued license and/or permit will be displayed at the front doorway once obtained.

- (2) No personal care home may display any exterior signage that violates the sign ordinance in chapter 34 or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.**

The applicant has stated they will be in compliance and are not proposing to post any signs.

- (3) Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639.**

The application has not stated that there is a need for an FHA Accommodation Variance.

**(b) Personal care home, group (four to six persons).**

- (1) Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the community development director prior to issuance of a building permit or business license.**

The applicant intends to convert an existing garage into an additional living room space for the property. Additionally, the applicant is aware that two copies of architectural plans signed and sealed by a registered architect will be required prior to issuance of a building permit or occupational tax certificate.

- (2) Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article VI of this chapter.**

The applicant states that at least four (4) parking spaces will be provided on the property, and that the driveway alone is spacious enough to provide the parking required.

- (4) In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the "...R-75..." zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.**

There is another Personal Care Home (PCH) located approximately 7,400 feet northwest of the proposed PCH at 4316 Smithsonia Drive. The State of Georgia Department of Community Health Lists Cofer Group Home, located at 4316 Smithsonia Drive, as having a licensed capacity of four.

- 18. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The proposed use will not produce an adverse shadow effect. No changes are being proposed to the existing structure regarding increasing the footprint or height of the building.

- 19. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.**

The supplemental regulations pertaining to Personal Care Homes (4-6) require that PCHs shall be located at a minimum of 1,000 feet from another PCH. There are no other PCHs located within 1,000 feet of the proposed location. However, there is another Personal Care Home, registered with the State of Georgia Health Department, approximately 7,400 feet from the proposed location (4316 Smithsonia Drive). This proposed use would not result in a disproportionate proliferation of uses if approved, as explicitly stated in the supplemental regulations (Section 46-1185).

**20. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

**Suburban Character Area.** The proposal is consistent with the intent of the Suburban Character Area strategy to be compatible with the existing housing stock. The house will remain compatible with the existing housing stock in terms of building height, footprint, and massing, particularly as viewed from the street. The proposed use is not entirely consistent with the intent of the Suburban Character Area by introducing an institutional-like use in an established residential neighborhood; however, with the proposed conditions to preserve the suburban character of the residential neighborhood the proposal may be consistent.

### **CONCLUSION**

The proposed use complies with the criteria (standards and factors) for special land use permits provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The proposed use also complies with the Supplemental Regulations for Personal Care Homes (Section 46-1185).

Therefore, Staff recommends **APPROVAL WITH CONDITIONS** of the requested special land use permit.

### **Staff Recommendation**

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **SLUP-23-0002**.

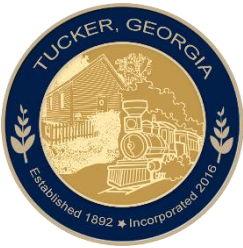
1. The proposed use shall be limited to a group personal care home with no more than six residents, per the floor plan stamped "Received City of Tucker 06/13/2023."
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
4. The Personal Care Home shall maintain an exterior appearance of a single-family home.
5. There shall be no signs located on the subject property advertising the Personal Care Home.
6. The Special Land Use Permit shall not be transferred to another business.
7. The carport/gazebo structure and the portion of the driveway and fence that encroach upon the adjacent property to the south shall be removed within 90 days of approval.

## Planning Commission Recommendation

Based upon the findings and conclusions herein, at its July 20, 2023 public hearing, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of **SLUP-23-0002** subject to the following amended staff conditions: (additions = **bold**; deletions = ~~striketrough~~).

1. The proposed use shall be limited to a group personal care home with no more than six residents, per the floor plan stamped "Received City of Tucker 06/13/2023."
2. The Personal Care Home shall comply with all applicable state Personal Care Home requirements including obtaining all licenses and permits required by the State of Georgia and displaying its state-issued licenses and permits in plain view, visible from the front doorway of the facility.
3. The applicant shall submit a Life Safety Plan to the DeKalb County Fire Rescue Department, within 30 days of approval.
4. The Personal Care Home shall maintain an exterior appearance of a single-family home.
5. There shall be no signs located on the subject property advertising the Personal Care Home.
6. The Special Land Use Permit shall not be transferred to another business.
7. The carport/gazebo structure and the portion of the driveway and fence that encroach upon the adjacent property to the south shall be removed within 90 days of approval.





Planning and Zoning  
1975 Lakeside Parkway, Suite 350  
Tucker, GA 30084  
Phone: 678-597-9040  
Website: www.tuckerga.gov

# Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☒ Special Land Use Permit  
☐ Concurrent Variance ☐ Modification

## APPLICANT INFORMATION

Applicant is the: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser

Name: Georgia Clay Properties, LLC. c/o Battle Law, P.C.

Address: 3562 Habersham at Northlake Rd., Building J, Suite 100

City: Tucker

State: Ga

Zip: 30084

Contact Name: Michele Battle

Phone: 404-601-7616

Email: mlb@battlelawpc.com

## OWNER INFORMATION

Name: Georgia Clay Properties, LLC

Address: 4528 Candler Lake East

City: Atlanta

State: GA

Zip: 30319

Contact Name: Jeremy Le

Phone: (678) 428-1061

Email: jeremy@albertshouseinc.com

## PROPERTY INFORMATION

Property Address: 2553 Sandpiper Drive

Present Zoning District(s): R-75 SF Residential

Requested Zoning District(s): R-75

Present Land Use Category: Suburban

Requested Land Use Category: Suburban

Land District: 18

Land Lot(s): 256

Acreage: 0.45

Proposed Development: Personal Care Home up to 6 persons.

Concurrent Variance(s): N/A

## RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units: 1

Dwelling Unit Size (Sq. Ft.): 2,512

Density: N/A

## NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots:

Total Building Sq. Ft.:

Density:

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06/13/2023



Planning and Zoning  
1975 Lakeside Parkway, Suite 350  
Tucker, GA 30084  
Phone: 678-597-9040  
Website: www.tuckerga.gov

# Land Use Petition Application Checklist

## FOR ALL REZONINGS, COMPREHENSIVE PLAN AMENDMENTS, SPECIAL LAND USE PERMITS, MODIFICATIONS, AND CONCURRENT VARIANCES

REQUIRED ITEMS	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
One (1) digital copy of all submitted materials	• One (1) flash drive or CD in .JPEG, .PDF format	<input checked="" type="checkbox"/>
Pre-Application Meeting Form	• One (1) Copy	<input type="checkbox"/>
Public Participation Report	• One (1) Copy	<input type="checkbox"/>
Application, Signature Pages, Disclosure Form	• One (1) Copy each	<input type="checkbox"/>
Written Legal Description	• One (1) 8 ½" x 11" Legal Description	<input type="checkbox"/>
Boundary Survey and Proposed Site Plan (See Page 9 for Requirements)	• Five (5) Full-Size (24" x 36") Copies of each • One (1) 8 ½" x 11" or 11x17 Site Plan of each	<input type="checkbox"/>
Building Elevations (renderings or architectural drawings to show compliance with Article 5)	• One (1) Copy	<input type="checkbox"/>
Letter of Intent	• One (1) Copy	<input type="checkbox"/>
Analysis of Standards/Criteria (See page 5)	• One (1) Copy	<input type="checkbox"/>
Environmental Site Analysis Form	• One (1) Copy	<input type="checkbox"/>
Trip Generation Letter (ITE Trip Generation Manual)	• One (1) Copy	<input type="checkbox"/>
<b>THE FOLLOWING ITEMS MAY BE REQUIRED</b>		
Traffic Impact Study (See Sec. 46-1309)	• One (1) Copy	<input type="checkbox"/>
Development of Regional Impact Review Form	• Three (3) Copies	<input type="checkbox"/>
Environmental Impact Report	• One (1) Copy	<input type="checkbox"/>
Noise Study Report	• One (1) Copy	<input type="checkbox"/>
Meeting with GDOT if impact to I-285 Eastside Express Lanes	• One (1) Copy	<input type="checkbox"/>
Other items required per the Zoning Ordinance	• One (1) Copy	<input type="checkbox"/>
<b>LAND USE PETITION FEE SCHEDULE</b>		
Residential Rezoning	\$500	<input type="checkbox"/>
Multifamily/Non-Residential Rezoning	\$750	<input type="checkbox"/>
Special Land Use Permit	\$400	<input checked="" type="checkbox"/>
Comprehensive Plan Amendment	\$1000	<input type="checkbox"/>
Modification	\$250	<input type="checkbox"/>
Variance (includes Concurrent Variance)	\$300	<input type="checkbox"/>
Public Notice Sign Fee	\$80 (per required sign)	<input checked="" type="checkbox"/>

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CITY OF TUCKER  
06/13/2023

## PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, Georgia Clay Properties, LLC, authorize, Battle Law, P.C.,  
(Property Owner) (Applicant)

to file for SLUP at 2553 Sandpiper Drive, Tucker, Ga 30319  
(RZ, CA, SLUP, M, CV) (Address)

on this date April 14, 20 23  
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.



Georgia Clay Properties, LLC

05/08/2023

Signature of Property Owner

Date

Duc Le, CEO

Type or Print Name and Title



Signature of Notary Public

05/08/2023

Date



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## APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.



Georgia Clay Properties, LLC

05/08/2023

Signature of Applicant

Date

Duc Le, CEO

Type or Print Name and Title



Signature of Notary Public

05/08/2023

Date

Notary Seal



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## **ANALYSIS OF STANDARDS/CRITERIA**

### **ZONING MAP AMENDMENT CRITERIA**

Section 46-1560 of the City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant to the exercise of the city's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map. The applicant shall write a detailed written analysis of each standard and factor as it relates to their proposed project.

### **COMPREHENSIVE PLAN MAP AMENDMENT CRITERIA**

Section Sec. 46-1559 of the City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant for evaluating applications for amendments to the comprehensive plan map and shall govern the review of all proposed amendments to the comprehensive plan map. The applicant shall write a detailed written analysis of each standard and factor as it relates to their proposed project.

### **SPECIAL LAND USE PERMIT CRITERIA**

Section 46-1594 and 46-1595 of the City of Tucker Zoning Ordinance lists specific criteria that shall be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the mayor and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in Article 4. The applicant shall write a detailed written analysis of criteria as it relates to their proposed project.

### **CONCURRENT VARIANCE CRITERIA**

Section 46-1633 of the City of Tucker Zoning Ordinance lists specific criteria the board shall use in determining whether or not to grant a variance. The applicant shall provide a written analysis of how the request complies with this criteria, if they are requesting a concurrent variance.

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## **ENVIRONMENTAL SITE ANALYSIS FORM**

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN**. Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project. Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.
2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT**. For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).
  - a. Wetlands (NOT PRESENT)
    - U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
    - Georgia Geologic Survey (404-656-3214)
    - Field observation and subsequent wetlands delineation/survey if applicable
  - b. Floodplain (NOT PRESENT)
    - Federal Emergency Management Agency (<http://www.fema.org>)
    - Field observation and verification
  - c. Streams/stream buffers (NOT PRESENT)
    - Field observation and verification
  - d. Slopes exceeding 25 percent over a 10-foot rise in elevation (NOT PRESENT)
    - United States Geologic Survey Topographic Quadrangle Map
    - Field observation and verification
  - e. Vegetation (NOT PRESENT)
    - United States Department of Agriculture, Nature Resource Conservation Service
    - Field observation
  - f. Wildlife Species (including fish) (NOT PRESENT)
    - United States Fish and Wildlife Service
    - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
    - Field observation
  - g. Archeological/Historical Sites (NOT PRESENT)
    - Historic Resources Survey
    - Georgia Department of Natural Resources, Historic Preservation Division
    - Field observation and verification

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**ENVIRONMENTAL SITE ANALYSIS FORM (CONTINUED)**

**Applicant: Georgia Clay Properties, LLC**

**Location: 2553 Sandpiper Drive, Tucker, Ga**

**3. PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

**a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.**

There are no records shown of existing flood plains or streams that would impact the requested use.

**b. Protection of water quality;**

The proposed use will not impact the water quality.

**c. Minimization of negative impacts on existing infrastructure.**

The proposed use will have minimum impact on the existing infrastructure.

**d. Minimization of archeological/historically significant areas;**

There are no records of any significant areas of historic value found on the property.

**e. Minimization of negative impacts on environmentally stressed communities were environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries, and manufacturing facilities) use.**

There is no evidence of negative impacts as described above. There are no adverse conditions to the site that will be caused by the proposed use. All waste, water, and fire needs will be subject to the City/ County requirements for a home-based occupation.

**f. Creation and preservation of green space and open space;**

No open space of green space will be impacted by the requested use.

**g. Protection of citizens from the negative impacts of noise and lighting;**

The proposed use will not increase the usage of lighting or noise. The character of use for the property will remain a residential dwelling.

**h. Protection of parks and recreational green space;**

The proposed use will have no impact on parks and recreational use.

**i. Minimization of impacts to wildlife habitats;**

There is no evidence of impact to wildlife habitats.

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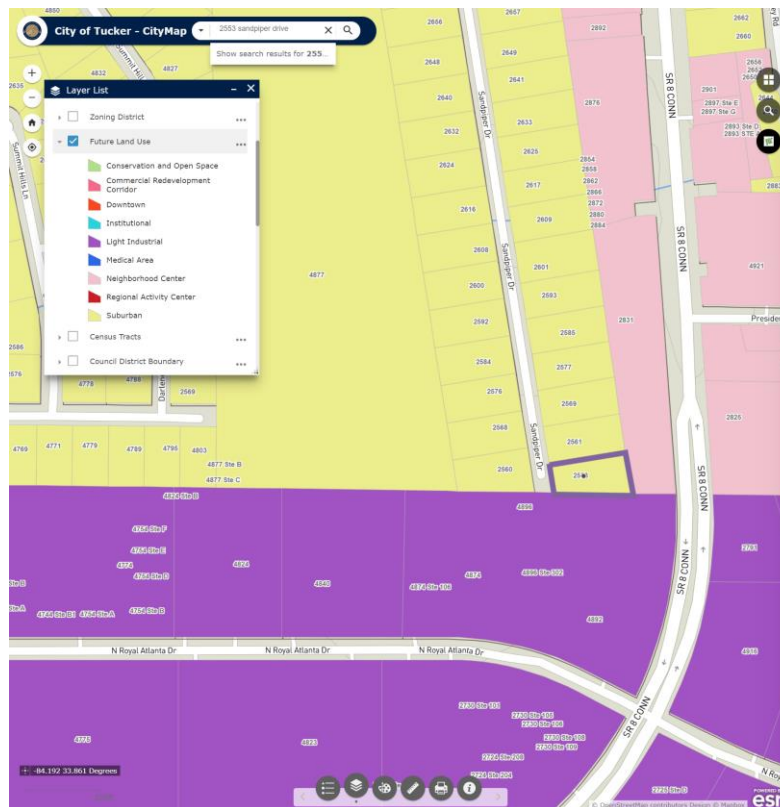
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SLUP-23-0002

## ESA1

The Applicant proposes to renovate an existing home into a personal care home for up to six (6) people. The Subject Property is at the end of Sandpiper Drive in an established neighborhood. No trees or other environmental assets will be affected by the renovation. Adjacent properties along Sandpiper Drive are residential. Other surrounding properties are commercial and industrial in nature.

The proposed project conforms to the Comprehensive Plan. The Subject Property has a future land use of Suburban, which is meant for residential developments. The Subject Property is zoned R-75 (residential) and the proposal does not seek to change that. Rather, the proposed project seeks to allow for a special kind of residential use that allow elderly citizens to seek care in a suburban environment. The Subject Property's future land use designation is shown in the map below. The Subject Property is outlined in purple.



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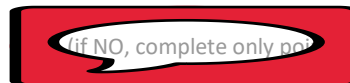
SLUP-23-0002



## DISCLOSURE REPORT FORM

**WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.**

**CIRCLE ONE:**                      **YES** (if YES, complete points 1 through 4);



1.            **CIRCLE ONE:**                      **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)

**In Opposition to Petition** (If in opposition, proceed to sections 3 and 4 below)

2.            List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:


1.	5.
2.	6.
3.	7.
4.	8.

3.            **CAMPAIGN CONTRIBUTIONS:**

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4.            The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Duc Le

Signature: 

Date: 05/08/2023    **06/13/2023**

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## DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4);

NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (If party to petition, complete sections 2, 3 and 4 below)

In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1.	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Michele L Battle

Signature:  Date: 5/18/2023

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## **SITE PLAN CHECKLIST**

All items must be included on the Site Plan; separate Site Plans may be necessary to address all items

1. Key and/or legend and site location map with North arrow
2. Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning
3. Acreage of subject property
4. Location of land lot lines and identification of land lots
5. Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property
6. Proposed streets on the subject site
7. Posted speed limits on all adjoining roads
8. Current zoning of the subject site and adjoining property
9. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property
10. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement or adjacent properties within 400 feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the Director
11. Location of proposed buildings (except single family residential lots) with total square footage
12. Layout and minimum lot size of proposed single family residential lots
13. Topography (surveyed or City) on subject site and adjacent property within 200 feet as required to assess runoff effects
14. Location of overhead and underground electrical and pipeline transmission/conveyance lines
15. Required and/or proposed setbacks
16. 100 year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps
17. Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed
18. Required and proposed parking spaces; Loading and unloading facilities
19. Lakes, streams, and waters on the state and associated buffers
20. Proposed stormwater management facilities
21. Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access
22. Availability of water system and sanitary sewer system
23. Tree lines, woodlands and open fields on subject site
24. Entrance site distance profile assuming the driver's eye at a height of 3.5 feet
25. Wetlands shown on the County's GIS maps or survey.
26. Mail kiosk location.

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## **LAND USE PETITION CALENDAR**

<b>*Application Deadline</b>	<b>Planning Commission</b>	<b>M&amp;CC 1<sup>st</sup> Read</b>	<b>M&amp;CC 2<sup>nd</sup> Read</b>
12/12/2022	1/19/2023	2/13/2023	3/13/2023
1/09/2023	2/16/2023	3/13/2023	4/10/2023
2/13/2023	3/16/2023	4/10/2023	5/8/2023
3/13/2023	4/20/2023	5/8/2023	6/12/2023
4/10/2023	5/18/2023	6/12/2023	7/10/2023
5/8/2023	6/15/2023	7/10/2023	8/14/2023
6/12/2023	7/20/2023	8/14/2023	9/11/2023
7/10/2023	8/17/2023	9/11/2023	10/10/2023
8/14/2023	9/21/2023	10/10/2023	11/13/2023
9/11/2023	10/19/2023	11/13/2023	12/11/2023
10/10/2023	11/16/2023	12/11/2023	TBD
11/13/2023	12/14/2023	TBD	TBD
12/11/2023	TBD	TBD	TBD

\*Incomplete applications will not be accepted.

## **PUBLIC PARTICIPATION PLAN AND REPORT**

See separate document.

## **PUBLIC NOTICE REQUIREMENTS**

Sec. 46-1526 details the public notice requirements for land use petitions, which include public notice sign(s), advertisement in The Champion newspaper, and written notice to everyone within 500'.

- The applicant is responsible for posting the public notice sign(s). City of Tucker Staff will order the signs(s) and provide the required timeframe for posting.
- The City of Tucker is responsible for placing the legal ad in The Champion newspaper
- The City of Tucker is responsible for mailing the written notification to surrounding property owners.

## **PROPERTY COMPLIANCE**

All Occupational Tax payments must be paid in-full and any and all outstanding code violations on the property must be rectified prior to the public hearing.

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# Battle Law

## STATEMENT OF INTENT

and

Other Material Required by  
The City of Tucker

For

A Special Land Use Permit to Allow a Personal Care Home for up to Six (6) People

Pursuant to

City of Tucker Zoning Ordinance

Of

**Georgia Clay Properties, LLC.  
c/o Battle Law, P.C.**

for

**0.45+/- Acres of Land  
2553 Sandpiper Drive, Atlanta, Georgia 30318  
Being Parcel Number 18 256 05 026**

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)

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**SLUP-23-0002**

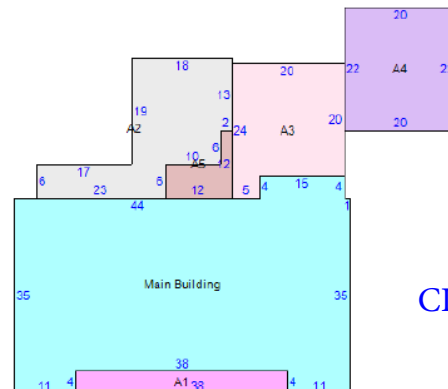
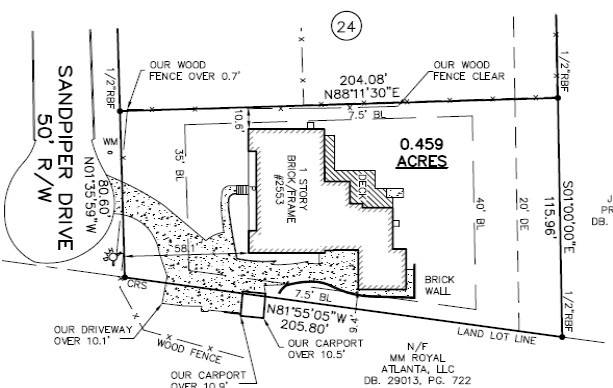


# Battle Law

## I. LETTER OF INTENT

Georgia Clay Properties, LLC. (the "Applicant") is requesting a special land use permit for an assisted living home for up to six (6) people within the R-75 zoning district on 0.45 +/- acres of land. The subject property is located at 2553 Sandpiper Drive, Tucker, Ga, and was built in 1973. The Subject Property has been used as a personal care home for up to six (6) people but lost its legal nonconforming status on November 24, 2022, when there was a fire that damaged part of the home. Upon applying to repair the building the City of Tucker notified the Applicant that certain repairs from the damage could not be done without complete compliance with zoning and other city department requirements. The delay in starting services and due to repairs has become a heavy financial burden and a loss of living space for those needing care. To begin operations and help partially alleviate the financial burden, the Applicant amended its 2023 business license to allow a maximum of three (3) person on site to allow construction to commence while the land use petition is pending.

**Below you will find outlines of the existing floor plan and aerial views of the subject property.**



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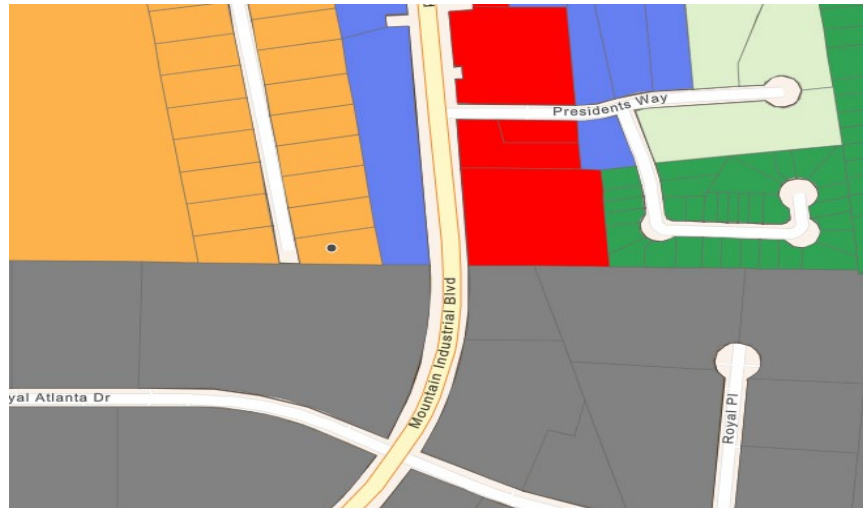
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This document is submitted as a Statement of Intent with regard to this Application, preservation of the Applicant's constitutional rights, and an application of the criteria provided in the Steinberg Act to provide a rigorous analysis of the proposed land use application and applicable



## Battle Law

petitions alike. A surveyed plat and existing site plan of the Subject Property has been filed contemporaneously with the application, along with other required materials.



### **II. Review of Sec.46-1594 – Special Land Use Permit Criteria**

The following criteria shall be considered by the Planning and Zoning Department, the Planning Commission, and the Mayor and City Council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Mayor and City Council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in article IV of this chapter:

- 1. Adequacy of the size of the site for the use contemplated and whether adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;**

The proposed request is adequate given the building size will not be increased and the renovations for the property will return the dwelling back to its original state, though the proposed use will be expanded into more area of the home. There is no evidence of increased infrastructure needs or site development beyond the interior renovations.

- 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;**

The proposed use is compatible given that the existing residential lots on Sandpiper Drive are all zoned for residential use and the proposed use is also residential in nature.

- 3. Adequacy of public services, public facilities, and utilities to serve the proposed use;**

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The proposed use has all necessary utilities required for the proposed development. The Subject Property is has access to all public services and facilities.

4. **Adequacy of the public street on which the use is proposed to be located and whether or not there insufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;**

The proposed use will not significantly impact internal traffic on the Sandpiper Drive. The existing Driveway shall include adequate parking spaces for any regular function for a single family dwelling. See the attached trip generation report for more details.

5. **Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;**

There existing land uses along Sandpiper Drive will not be adversely affected by the character of the vheicles or the volume of traffic generated by the proposed use. The attached trip generation report states that the proposed use will generate minimal traffic. The only types of vehicles that will travel to and from the home on a regular basis are passenger vehicles similar to those the surrounding property owners drive.

6. **Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;**

There is adequate ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon. The Subject Property is on Sandpiper Drive and can be accessed via Lawrenceville Highway.

7. **Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use;**

There are no adverse impacts on the proposed use.

8. **Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;**

All services are conducted inside of the residence which will not cause any adverse effects to the adjacent properties. Hours of operation will not be a factor for the proposed increase and use of an assisted living home.

9. **Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;**

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All services are conducted inside of the residence and will not cause any adverse effects to the adjacent properties.

10. **Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located;**

The proposed use is otherwise consistent with the requirements of the zoning classification in which the use is proposed to be located.

11. **Whether or not the proposed use is consistent with the policies of the comprehensive plan;**

The proposed use does not conflict with the existing zoning which is in compliance of the cities Comprehensive Plan.

12. **Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located;**

The proposed use has natural coverage near the rear of the property. There are commercial land uses adjacent to the subject property.

13. **Whether or not there is adequate provision of refuse and service areas;**

Regular trash services are currently provided for the community and property.

14. **Whether the length of time for which the special land use permit is granted should be limited in duration;**

The length of time for which the special land use permit is granted should not be limited in duration. The special land use permit will allow the Applicant to conduct a personal care home for up to six (6) people. If the special land use permit is limited in duration and expires due to that limit, those individuals living in the home will be forced to find other means of care through no fault of their own. It would be better to allow the special land use permit to remain in place.

15. **Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;**

There will be no increase in the size of the building or lot.

16. **Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources;**

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There are no records or indications of any historic, archaeological resources found on the property or near adjacent lots.

**17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit;**

The current home occupations complies with the cities ordinance as currently zoned. The Applicant has all licenses and/or permits required by the State of Georgia to operate. The Applicant will display its state-issued licenses and/or permits in plain view, visible from the front doorway of the facility. However, the Applicant will not display signage in violation of Chapter 34 of the City of Tucker Code of Ordinances.

The Applicant shall provide at least four (4) parking spaces on the Subject Property. The driveway alone is spacious enough to provide the parking required. Lastly, the Applicant will not begin business within one-thousand (1,000) feet of another personal care home.

**18. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height;**

The facade of the building and structure height shall remain the same for the proposed use and internal renovations.

**19. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area;**

Home-based business and services are allowed within residential zoned dwellings it is not evident that the proposed use would result proliferation of flux in similar services.

**20. Whether the proposed use would be consistent with the needs of the neighborhood or the community's a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan;**

The proposed use is consistent with the needs of the neighborhood and the community as whole, providing assistant living services for the City of Tucker and the county.

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application's submitted to the City of Tucker to be approved. Any further details requested may be available upon request of the acting agent or applicant on the request.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

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The portions of the City of Tucker Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Tucker Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Tucker to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning/ Special Land Use Permit of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the proposed special land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

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## Battle Law

A refusal to allow the Special Land Use Application in question would be invalid inasmuch as it would be denied pursuant to an ordinance is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the City an opportunity to revise the Property to a constitutional classification. If action is not taken by the City to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the City on notice that it may elect to file a claim in the Superior Court of Dekalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Amended and submitted on the 18th Day of May 2023.

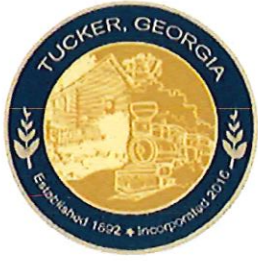
---

Michele L. Battle  
Attorney for the Applicant

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# City of Tucker

## Planning and Zoning

**Courtney Smith**  
Director

March 24, 2022

Albert's House Sandpiper LLC  
c/o Duc Le  
2553 Sandpiper Drive  
Tucker, GA 30084

RE: Zoning Certification of Property Located in Land Lot 256 of the 18th District of DeKalb County, Georgia, 2553 Sandpiper Drive Tucker, Georgia 30084

Via: Email

Mr. Le,

This letter is to certify that the parcel 18 256 05 026 located in Land Lot 256 of the 18th District of DeKalb County, Georgia is zoned R-75 (Residential Medium Lot - 75).

*Please be advised that the above in no way implies that the site is suitable or grants permission to physically construct the proposed use. Additional requirements as set forth by the Tucker Zoning Ordinance, Land Development Regulations, conditions of zoning and other applicable codes, as may be required, must be satisfied and are factors that ultimately determine viable land use.*

Please contact me at 678.597.9040 if you have any additional questions.

Sincerely,

Jessica Echols  
Planner I

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PARID: 18 256 05 026  
Tax Dist: 90-TUCKER  
GEORGIA CLAY PROPERTIES LLC

2553 SANDPIPER DR

#### Parcel

Status	ACTIVE
Parcel ID	18 256 05 026
Alt ID	1356521
Address	2553 SANDPIPER DR
Unit	
City	TUCKER
Zip Code	30084-
Neighborhood	0480
Super NBHD	
Class	R3 - RESIDENTIAL LOT
Land Use Code	101-Residential 1 family
Living Units	
Zoning	R75 - SF RES DIST
Appraiser	EDDIE - EDDIE MCKOY (404) 371-7077

#### Mailing Address

GEORGIA CLAY PROPERTIES LLC  
4528 CANDLER LAKE EAST  
ATLANTA GA 30319

#### Current Ownership

Owner	Co-Owner
GEORGIA CLAY PROPERTIES LLC	

#### File an Appeal to Board of Equalization

2022 [Click Here](#) To File an Appeal Online

#### Notices of Assessment

Tax Year	Notice Type	Download
2022	Annual Notice\Real	<a href="#">Click Here</a>
2021	Annual Notice	<a href="#">Click Here</a>
2020	Annual Notice	<a href="#">Click Here</a>

#### Property Tax Information

[Click Here](#) for Property Tax Information

#### Appraised Values

Tax Year	Class	Land	Building	Total
2022	R3	60,000	282,200	342,200
2021	R3	60,000	202,800	262,800
2020	R3	60,000	208,100	268,100
2019	R3	60,000	198,200	258,200
2018	R3	41,600	134,700	176,300
2017	R3	41,600	155,700	197,300
2016	R3	41,600	145,000	186,600

2015	R3	41,600	137,800	179,400
2014	R3	41,000	87,600	128,600
2013	R3	41,000	87,600	128,600

#### Assessed Values

Tax Year	Class	Land	Building	Total
2022	R3	24,000	112,880	136,880
2021	R3	24,000	81,120	105,120
2020	R3	24,000	83,240	107,240
2019	R3	24,000	79,280	103,280
2018	R3	16,640	53,880	70,520
2017	R3	16,640	62,280	78,920
2016	R3	16,640	58,000	74,640
2015	R3	16,640	55,120	71,760
2014	R3	16,400	35,040	51,440
2013	R3	16,400	35,040	51,440

#### Appeals

Tax Year	Hearing Type	Subkey	Original Notice Date	File Date	Appeal Status
2013	Assessment Notice	1	05/28/2013		Time Elapsed
2014	Assessment Notice	1	05/30/2014		Time Elapsed
2015	Assessment Notice	1	05/29/2015		Time Elapsed
2016	Assessment Notice	1	06/03/2016		Time Elapsed
2017	Assessment Notice	1	06/02/2017		Time Elapsed
2018	Assessment Notice	1	06/01/2018		Time Elapsed
2019	Assessment Notice	1	05/31/2019		Time Elapsed
2020	Assessment Notice	1	05/29/2020		Time Elapsed
2021	Assessment Notice	1	06/01/2021		Time Elapsed
2022	Assessment Notice	1	05/27/2022		Time Elapsed

#### Values

Tax Year	Hearing Type	Subkey	Total FMV
2013	Assessment Notice	1	\$128,600
2014	Assessment Notice	1	\$128,600
2015	Assessment Notice	1	\$179,400
2016	Assessment Notice	1	\$186,600
2017	Assessment Notice	1	\$197,300
2018	Assessment Notice	1	\$176,300
2019	Assessment Notice	1	\$258,200
2020	Assessment Notice	1	\$268,100
2021	Assessment Notice	1	\$262,800
2022	Assessment Notice	1	\$342,200

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#### Notices

Tax Year	Hearing Type	Subkey	Notice Type	Mail Date
2022	Assessment Notice	1	Res Review Form	05/27/2022

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Land



Land Type	G - SITE
Land Code	2 - SITE VALUE
Square Feet	0
Calculated Acres	0
Deeded Acres	.5
Parcel ID	18 256 05 026
Address	2553 SANDPIPER DR
Unit	
City	TUCKER
Zip Code	30084-
Neighborhood	0480
Class	R3 - RESIDENTIAL LOT
Land Use Code	101-Residential 1 family
Super NBHD	
Zoning	R75 - SF RES DIST

#### Permits

Permit #	Permit Date	Flag	Permit Type	Amount
134653	05/12/1998	INACTIVE		\$20,000.00
134652	04/01/1992	INACTIVE		\$2,976.00

#### Residential Structure

Building #	1
Land Class	R3 - RESIDENTIAL LOT
Stories	1
Construction	3 - BRICK & FRAME
Style	02 - RANCH
Living Area	2,512
Quality Grade	020
Condition	AV
Year Built	1973
Remodeled Year	
Effective Year	
Bedrooms	3
Full Baths	4
Half Baths	0
Total Fixtures	14
Fireplaces	1
AC	4 - CENTRAL WITH A/C
Basement	1 - SEE ADDITIONS
Unfinished Area	
Finished Basement Living Area	
Functional Obsolescence	
Economic Obsolescence	
% Complete	100

#### Additions

Addition Number	Description	Area
0	---	2,008
1	-OPEN PORCH--	152
2	-WOOD DECK--	468
3	-ADD FRAME FULL STORY AFO/AFT--	420
4	-GAR FR 1 STORY--	440

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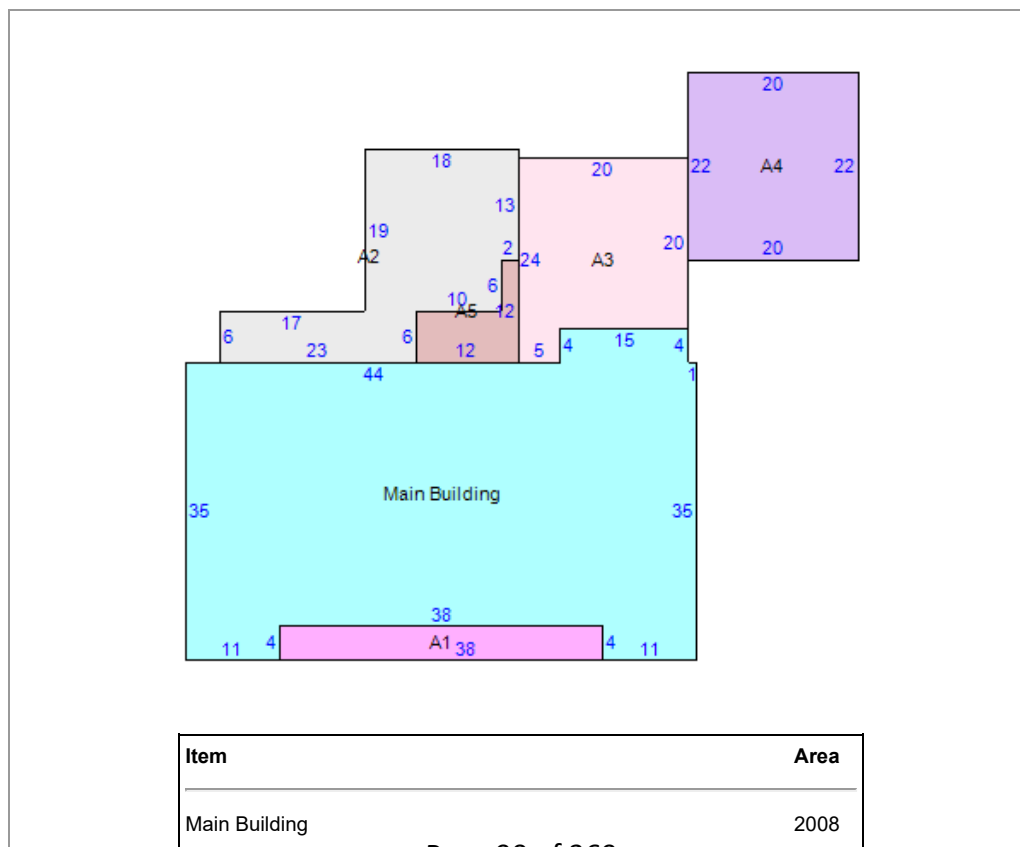
## Sales

Sale Date	Price	Tran Code	Grantor	Grantee	Instrument	Book / Page
12/22/2021	400,000	OL - Outlier	ROSEWALD CONSORTIUM LLC	GEORGIA CLAY PROPERTIES LLC	WD - WARRANTY DEED	30003 / 00337
05/26/2005	564,000	I - Transitional Zoning or Use	AVONDALE HEALTH SERVICES INC	ROSEWALD CONSORTIUM LLC	WD - WARRANTY DEED	17487 / 00021
04/28/1999	0	H - Sales from Bank	WACHOVIA BANK NA	AVONDALE HEALTH SERVICES INC	QC - QUIT CLAIM DEED	10694 / 00202
04/24/1998	1,000	Q - Quit Claim Deed	GOULD CHARLES WILLIAM GOULD JR	AVONDALE HEALTH SERVICES INC	QC - QUIT CLAIM DEED	09997 / 00200
04/24/1998	126,900	0 - Valid Sale FMV	WHITE NANCY SUSAN	AVONDALE HEALTH SERVICES INC	WD - WARRANTY DEED	09971 / 00158
04/29/1991	0	5 - Old Code No Longer Used	GOULD CHARLES WILLIAM JR	GOULD NANCY SUSAN	WD - WARRANTY DEED	06942 / 00243
05/22/1974	0	0 - Valid Sale FMV			WD - WARRANTY DEED	03184 / 00066

## Sale Details

1 of 7

Sale Date	12/22/2021
Price	\$400,000
Deed Book	30003
Deed Page	00337
Plat Book	
Plat Page	
Buyer 1	GEORGIA CLAY PROPERTIES LLC
Buyer 2	
Seller 1	ROSEWALD CONSORTIUM LLC
Seller 2	



A1 - 84:OPEN PORCH	152
A2 - 57:WOOD DECK	468
A3 - 10A:ADD FRAME FULL STORY AFO/AFT	420
A4 - 74:GAR FR 1 STORY	440
A5 - 10A:ADD FRAME FULL STORY AFO/AFT	84

**SLUP-23-0002**

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# TRIP GENERATION REPORT

55 Millard Farmer Ind. Blvd.  
Newnan, GA 30263  
678.423.0050  
www.lumin8.com

**Subject:** Sandpiper Drive Senior Living

**Location:** Dekalb County, GA

**Date:** 5/10/2023

**To:** Michèle L. Battle, Esq.

**From:** Chris Stewart, PE

This report includes a trip generation analysis for the proposed personal care home on Sandpiper Drive in the City of Tucker in Dekalb County, Georgia. Figure 1 illustrates the site location.

**Figure 1: STUDY AREA**



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## Proposed Development

The proposed development is a personal care home that will service up to six seniors that do not have personal vehicles. Trips will be generated by staff and visitors. The development is located at 2553 Sandpiper Drive, which has a single point of access onto Lawrenceville Highway (SR 8/US 29).

Using this information, a trip generation was performed for the development.

## Trip Generation

The trips generated by the proposed residential development were estimated using trip generation rates found in ITE's publication Trip Generation, 11th Edition. The trip generation publication contains multiple associated trip rates for each of the uses listed. The rate that resulted in the larger trip generation was used for this study.

The weekday AM and PM Peak Hour trip generation estimates correspond to the peak hour of the adjacent street. The trip generation data is provided in Appendix A. Table 1 summarizes the trip generation.

**Table 1: TRIP GENERATION**

ITE CODE	LAND USE DESCRIPTION	SIZE	DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
254	Assisted Living	6 Beds	16	1	1	0	1	1	0
TOTAL GENERATED TRIPS			16	1	1	0	1	0	0

## Conclusions

According to the Trip Generation analysis, the proposed personal care home development is expected to produce:

- 16 Daily trips (8 entering, 8 exiting)
- 1 AM Peak Hour trips (1 entering, 0 exiting)
- 1 PM Peak Hour trips (1 entering, 0 exiting)

# APPENDIX A

## TRIP GENERATION REPORTS



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Query Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

254

LAND USE GROUP:

(200-299) Residential

LAND USE :

254 - Assisted Living

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Beds

TIME PERIOD:

Weekday

TRIP TYPE:

Vehicle

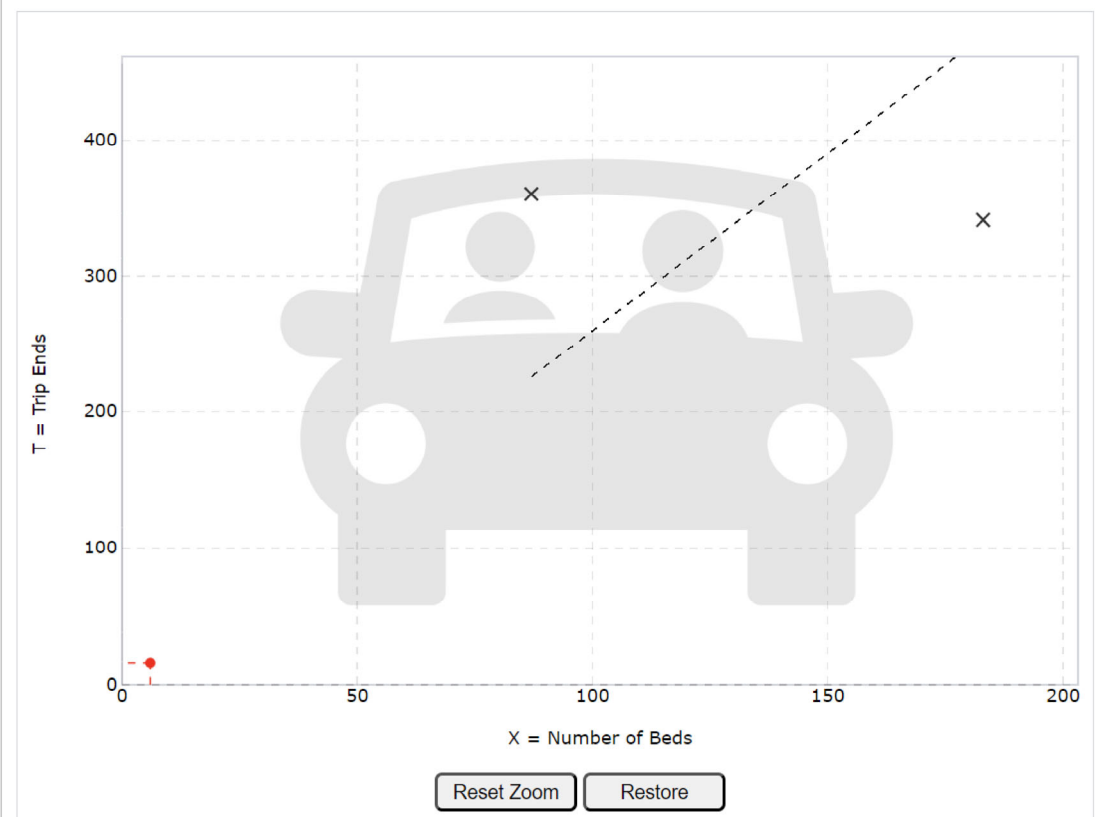
ENTER IV VALUE TO CALCULATE TRIPS:

6

Calculate

## Data Plot and Equation

Caution – Small Sample Size



## DATA STATISTICS

Land Use:

Assisted Living (254) [Click for Description and Data Plots](#)

Independent Variable:

Beds

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

2

Avg. Num. of Beds:

135

Average Rate:

2.60

Range of Rates:

1.86 - 4.14

Standard Deviation:

\*\*\*\*

Fitted Curve Equation:

Not Given

R<sup>2</sup>:

\*\*\*\*

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 16 (Total), 8 (Entry), 8 (Exit)

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A-2

Query Filter

DATA SOURCE:  
Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:  
254

LAND USE GROUP:  
(200-299) Residential

LAND USE :  
254 - Assisted Living

LAND USE SUBCATEGORY:  
All Sites

SETTING/LOCATION:  
General Urban/Suburban

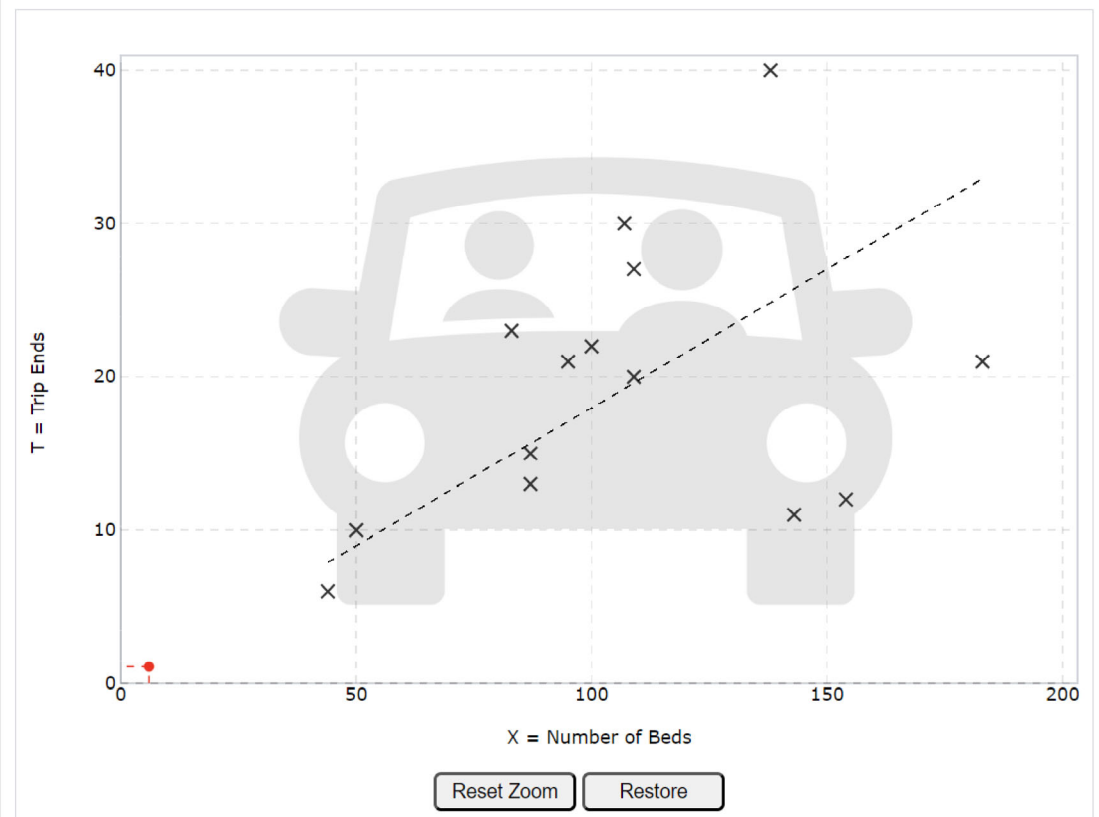
INDEPENDENT VARIABLE (IV):  
Beds

TIME PERIOD:  
Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:  
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:  
6 Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:  
Assisted Living (254) [Click for Description and Data Plots](#)

Independent Variable:  
Beds

Time Period:  
Weekday  
Peak Hour of Adjacent Street Traffic  
One Hour Between 7 and 9 a.m.

Setting/Location:  
General Urban/Suburban

Trip Type:  
Vehicle

Number of Studies:  
14

Avg. Num. of Beds:  
106

Average Rate:  
0.18

Range of Rates:  
0.08 - 0.29

Standard Deviation:  
0.08

Fitted Curve Equation:  
Not Given

R<sup>2</sup>:  
\*\*\*\*

Directional Distribution:  
60% entering, 40% exiting

Calculated Trip Ends:  
Average Rate: 1 (Total), 1 (Entry), 0 (Exit)

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A-3



Query Filter

DATA SOURCE:  
Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:  
254

LAND USE GROUP:  
(200-299) Residential

LAND USE :  
254 - Assisted Living

LAND USE SUBCATEGORY:  
All Sites

SETTING/LOCATION:  
General Urban/Suburban

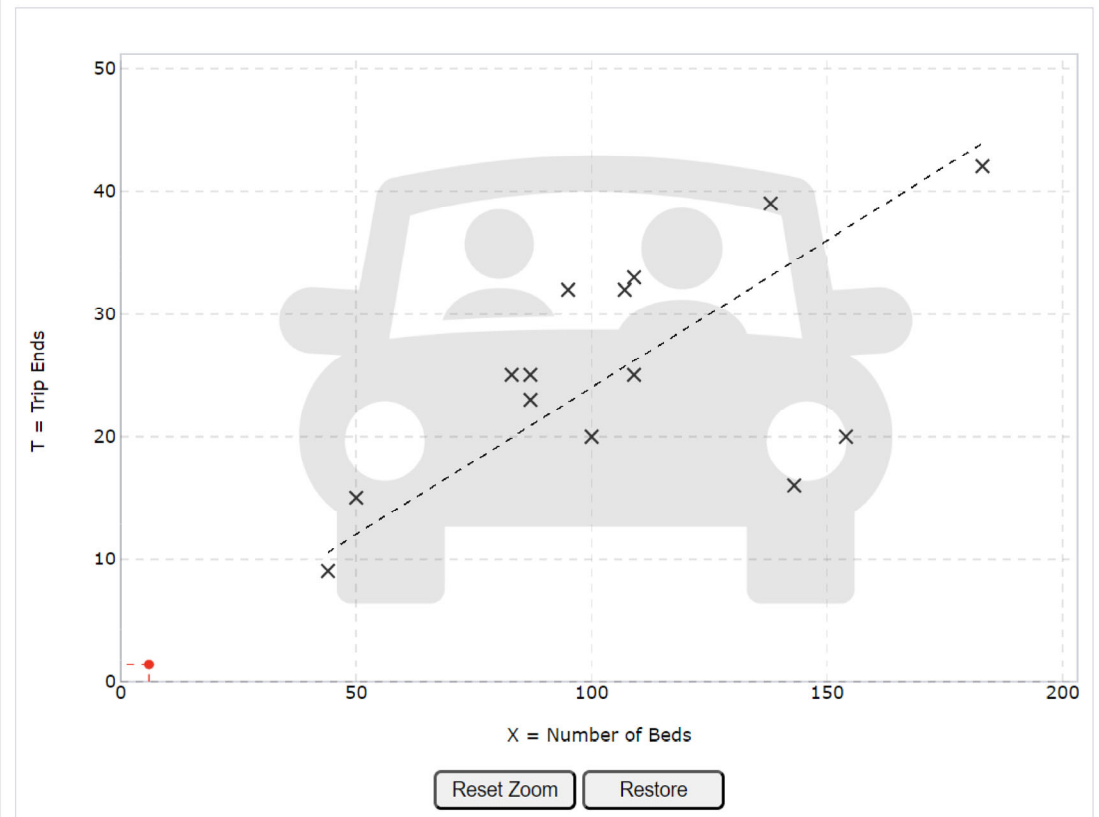
INDEPENDENT VARIABLE (IV):  
Beds

TIME PERIOD:  
Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:  
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:  
6 Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:	Assisted Living (254) <a href="#">Click for Description and Data Plots</a>
Independent Variable:	Beds
Time Period:	Weekday Peak Hour of Adjacent Street Traffic One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Trip Type:	Vehicle
Number of Studies:	14
Avg. Num. of Beds:	106
Average Rate:	0.24
Range of Rates:	0.11 - 0.34
Standard Deviation:	0.07
Fitted Curve Equation:	Not Given
R <sup>2</sup> :	****
Directional Distribution:	39% entering, 61% exiting
Calculated Trip Ends:	Average Rate: 1 (Total), 1 (Entry), 0 (Exit)

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# WARRANTY DEED

William H. Arroyo  
Attorney At Law  
4228 First Ave Ste 10  
Tucker, GA 30084

PARCEL ID #18-256-05-026

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, made this **22nd** day of **December** in the year of our Lord **Two Thousand Twenty-One**, Between

**ROSEWALD CONSORTIUM, LLC**

of the State of Georgia and County of DeKalb of the first part, and

**GEORGIA CLAY PROPERTIES, LLC**

of the State of Georgia and County of DeKalb of the second part.

WITNESSETH: That the said Party of the first part, for and in consideration of the sum of **OTHER VALUABLE CONSIDERATION AND TEN AND 00/100 DOLLARS (\$10.00)** in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does grant, bargain, sell and convey unto the said Party of the second part, its successors and assigns,

**All that tract or parcel of land lying and being in Land Lot 256 of the 18<sup>th</sup> District of DeKalb County, Georgia, and being more particularly described in EXHIBIT A, attached hereto and made a part hereof.**

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit, and behoof of the said Party of the second part, its successors and assigns forever IN FEE SIMPLE.

And the said Party of the first part, for itself, its successors and assigns, will warrant and forever defend the right and title to the above-described property unto the said Party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, that the said Party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

Signed, sealed, and delivered in the presence of:

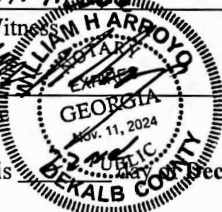
**ROSEWALD CONSORTIUM, LLC**

*Joan M. M...*  
Unofficial Witness

By *Trevor A. Waldemar* (SEAL)  
**TREVOR A. WALDEMAR, Manager**

Notary Public

Notarized this **22nd** day of **December**, 2021.



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**EXHIBIT A**

**All that tract or parcel of land lying and being in Land Lot 256 of the 18<sup>th</sup> District of DeKalb County, Georgia, being Lot 25, Block A, Windwood East Subdivision, as per plat recorded in Plat Book 61, Page 107, DeKalb County, Georgia Records, and revised in Plat Book 63, Page 35, aforesaid records; which plat is hereby referred to and by reference made a part of this description; being improved property, having a house thereon known as No. 2553 Sandpiper Drive, Tucker, according to the present system of numbering houses in DeKalb County, Georgia; and more particularly shown on survey prepared by A.S. Giometti, L.S., dated May 9, 1974.**

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**CITY OF TUCKER**  
**BUSINESS LICENSE**  
**OCCUPATIONAL TAX CERTIFICATE**  
1975 LAKESIDE PKWY., STE. 350  
TUCKER, GA 30084

**2022**

**LICENSE STATUS:** Issued  
**DATE ISSUED:** 03/22/2022  
**DATE EXPIRES:** 12/31/2022

**LICENSE NUMBER:** 2022-4556  
**LEGAL BUSINESS NAME:** ALBERT'S HOUSE SANDPIPER LLC  
**DBA NAME:** ALBERT'S HOUSE SANDPIPER LLC  
**LICENSEE:** DUC LE  
**BUSINESS LOCATION:** 2553 SANDPIPER DR  
**NAICS DESCRIPTION:** Other Residential Care Facilities

**DISPLAY THIS CERTIFICATE FOR PUBLIC VIEW**

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## City of Tucker Route Sheet for DeKalb County Review

City of Tucker Permit Number: \_\_\_\_\_

DeKalb County AP # (provided by DeKalb): \_\_\_\_\_

Project Name: \_\_\_\_\_

Site Address: \_\_\_\_\_

Applicant/Contact Person \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Please route the plans for review by:

\_\_\_\_\_ DeKalb County Department of Watershed Management (2 sets) (FOG, Backflow, Watershed, Fire line)

\_\_\_\_\_ DeKalb County GIS (1 set)

\_\_\_\_\_ DeKalb County Fire Marshal (3 sets)

\_\_\_\_\_ DeKalb County Health Department

This review is for verification of code compliance only and shall not be construed as permission to perform any construction or alterations (except cosmetic change).

ken miller

Permit Technician, City of Tucker

\_\_\_\_\_ Date

**Applicant to submit all sets of plans to: DeKalb County Department of Planning and Sustainability  
178 Sams Street Decatur, GA 30030  
404-371-2155 Option 3**

I hereby certify that I understand that it is my responsibility to submit the required documents for the review listed above. I agree to exonerate, indemnify, and save harmless the City of Tucker from and against all claims or actions and expenses incidental to the defense of any such claim, litigation, and action, based upon or arising out of damage or injury (including death) to person or property caused by or sustained in connection with any review or proposed work.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Applicant must submit all sets of plans, stamped as approved by DeKalb County departments as required above, along with the signed routing sheet, to the City of Tucker for plan review and permitting.**

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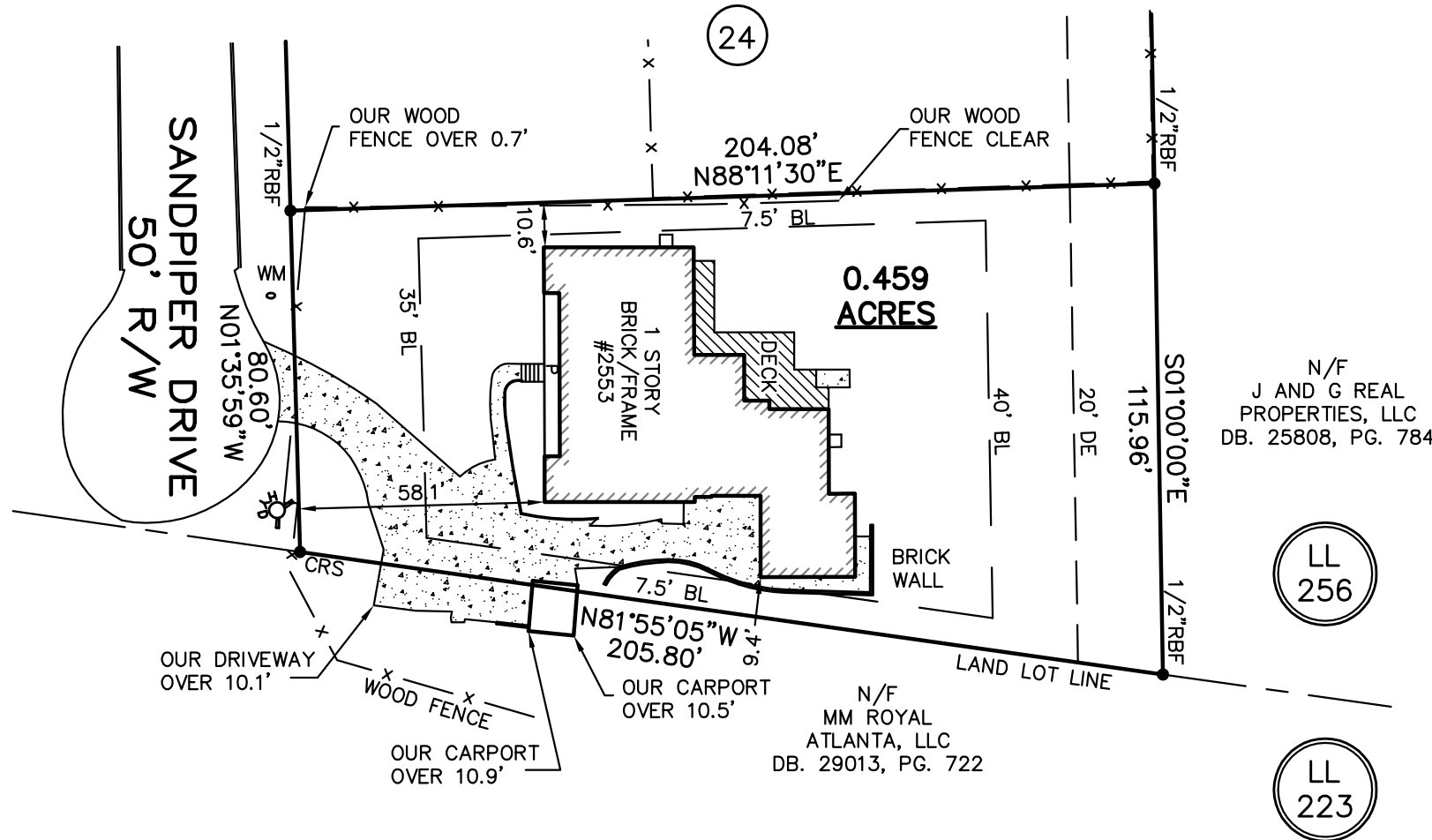


LEGEND

RBF	REBAR FOUND (1/2" REBAR)
CRS	CAPPED REBAR SET (1/2" REBAR)
CRBF	CAPPED REBAR FOUND
OTF	OPEN TOP FOUND
CTF	CRIMP TOP FOUND
☆	LIGHT POLE
BL	BUILDING LINE
C.L.F	CHAIN LINK FENCE
R/W	RIGHT-OF-WAY
TPED	PHONE PEDASTAL
CATV	CABLE BOX
WM	WATER METER
□PB	TRANSFORMER
U/E	UTILITY EASEMENT
(12.34'D)	DEED DISTANCE
12.34'(M)	MEASURED DISTANCE
DE	DRAINAGE EASEMENT
SSE	SEWER EASEMENT
AE	ACCESS EASEMENT
HW	HEADWALL
JB	JUNCTION BOX
CB	CATCH BASIN
YI	YARD INLET
P	PORCH
C/P	CARPORT
YI	YARD INLET
ST	STORAGE ROOM
-OHP-	OVERHEAD POWER
-AGL-	ATLANTA GAS LINE



NOTE: THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.



GENERAL NOTES

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 152,459 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A NIKON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

CERTIFICATION IS MADE TO PERSON(S) NAMED ON THIS PLAT AND IS NOT TRANSFERABLE TO OTHERS.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED

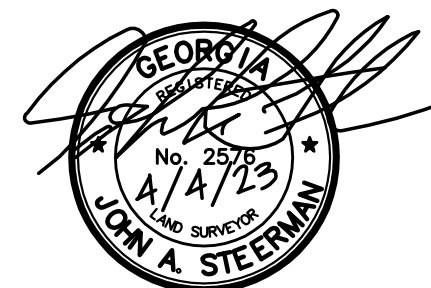
FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE WITHIN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13089C0077L DATED 8/15/19.

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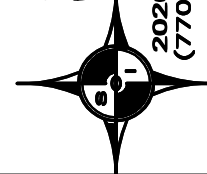
06/13/2023

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IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

SCI Development Services



ENGINEERS - SURVEYORS - LAND PLANNERS  
2020 WESTSIDE COURT-STE E-SNELLVILLE GEORGIA 30078  
(770) 736-7666 FAX (770) 736-4623  
MAIL@SURVEYCONCEPTS.NET

PROJECT: 56052  
DWG BY: DCP  
CHKD BY: JAS  
DATE: 3/30/23  
SCALE: 1"=40'

SURVEY FOR:  
GEORGIA CLAY PROPERTIES

LOT 25, BLOCK "A"  
SUBDIVISION: WINDWOOD EAST  
LAND LOT 256 18th DISTRICT  
CITY OF TUCKER  
DEKALB COUNTY, GEORGIA  
REFERENCED IN PLAT BOOK 63, PAGE 35

SLUP-23-0002

6/21/23



4M  
CONTRACTING

678-300-2843

REVIEW: 4/1/23

REVISIONS TO:  
2553 SANDPIPER DRIVE  
CITY OF TUCKER, GA

PROJECT  
2217

SUBMITTALS	DATES
PERMIT SET	1/5/23
REVISIONS	4/1/23
REVISIONS	6/21/23

DRAWING TITLE

PROPOSED  
FLOOR PLAN

DRAWING REFERENCE

A-2

SCOPE OF WORK

1. MAKE GARAGE INTO DEN
2. REMOVE WALL IN BEDROOM 4
3. ADD WALL FOR RAMP TO DEN IN BEDROOM 4
4. CHANGE ALL DOORS AND TRIM
5. REPLACE ALL BATHROOM TILE AND SHOWER VALVES
6. INSULATE NEW DEN
7. ADD MINI SPLIT HVAC IN DEN
8. REPLACE DEN WINDOWS
9. REMOVE DOOR AT GARAGE AND REPLACE WITH WINDOW
10. SHEETROCK OVER STIPPLE CEILINGS
11. ADD OUTLETS TO DEN AND BEDROOM 4 PER CODE
12. ADD EXTERIOR RAMP AT DEN/ PROVIDE RAILING
13. REPLACE ALL FLOOR COVERINGS
14. PAINT EXTERIOR AND INTERIORS
15. REMOVE BATHROOM DOOR AT BATH 3

DECK NOTES:

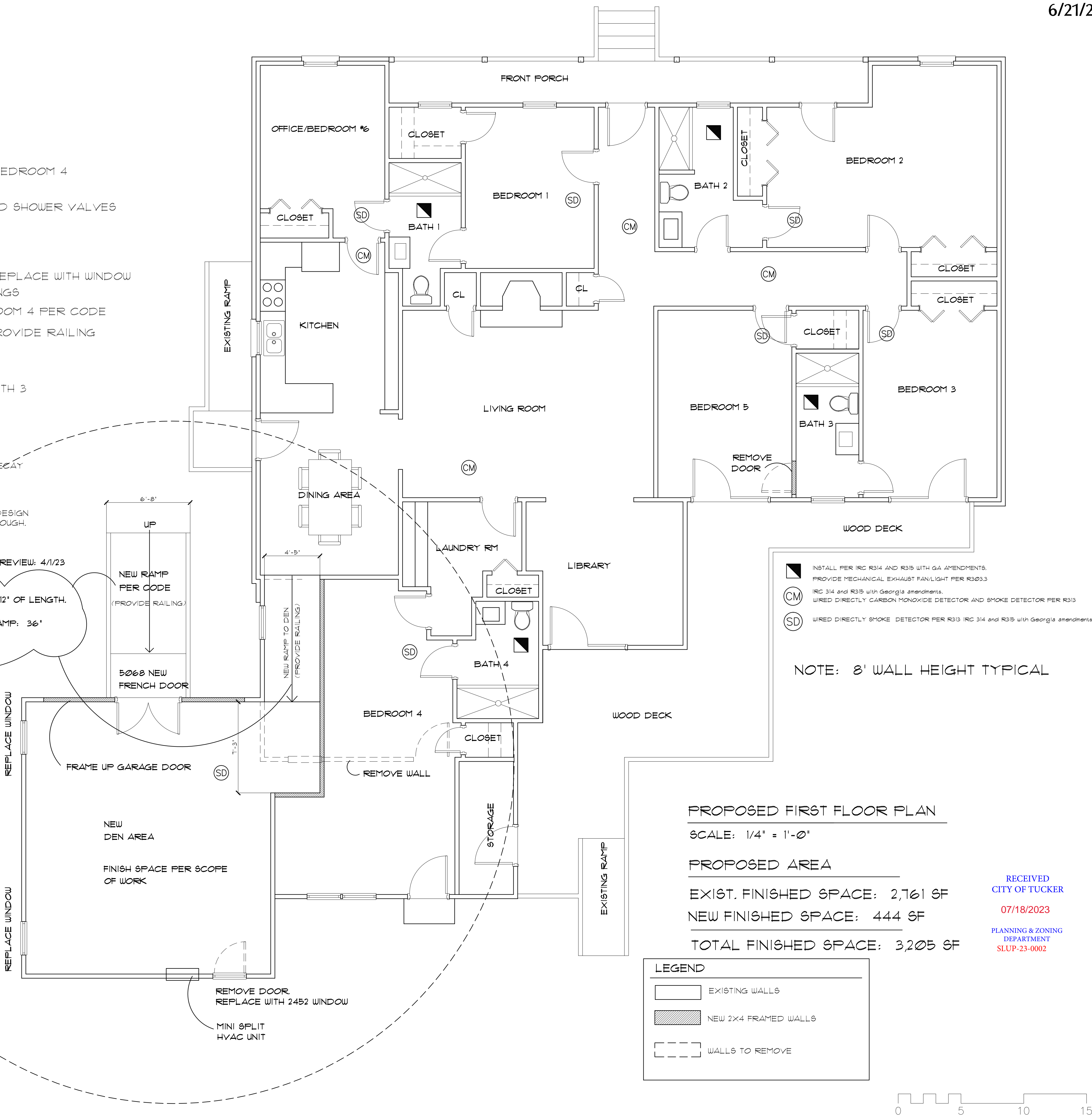
ALL DECK AND HANDRAIL MATERIAL TO BE PRESSURE TREATED OR NATURAL RESISTANCE TO DECAY

HAND RAILS/GUARDRAILS TO RESIST A SINGLE CONCENTRATED LOAD OF 200 \* APPLIED IN ANY DIRECTION AT ANY POINT AT TOP.  
GUARDRAILS TO BE MINIMUM 36" HIGH. BALLUSTER DESIGN OPENINGS TO NOT ALLOW A 4" SPHERE TO PASS THROUGH.  
BOTTOM WOOD MEMBER TO BE 2" FROM DECK.  
(RAILINGS 30" HIGH IF GRADE IS LESS THAN 30")

REVIEW: 4/1/23

HANDICAP RAMP:  
1" HEIGHT TO EVERY 12" OF LENGTH.  
(RATIO IS 1:12)  
MINIMUM WIDTH OF RAMP: 36"

AREA OF REVISIONS



PROPOSED FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

PROPOSED AREA

EXIST. FINISHED SPACE: 2,761 SF

NEW FINISHED SPACE: 444 SF

TOTAL FINISHED SPACE: 3,205 SF

LEGEND

- EXISTING WALLS
- NEW 2X4 FRAMED WALLS
- WALLS TO REMOVE

0 5 10 15



C103.2 R- Value for wall, ceiling and floors  
City of Atlanta in Climate Zone 3 per Residential  
Prescriptive from International Energy Conservation Code  
(FROM TABLE 402.1.1 (INSULATION & FENESTRATION REQ.)

FENESTRATION U-FACTOR: 0.50  
SKYLIGHT U-FACTOR = 0.65  
GLAZED FENESTRATION SHGC = 0.30  
CEILING = R-30  
WOOD FRAME WALL = R-13  
ATTIC KNEE WALL = R-10  
MASS WALL = R-5/8  
FLOOR = R-10  
BASEMENT WALL = R-5/13  
SLAB = R-0  
CRAWL SPACE WALL = R-5/13

CODE INFORMATION

CURRENT MANDATORY CODES

IBC 2018 Edition with GA Amendments  
IRC 2018 Edition with GA Amendments  
IFC 2018 Edition with GA Amendments  
IMC 2018 Edition with GA Amendments  
IFGC 2018 Edition with GA Amendments  
IECC 2018 Edition with GA Amendments  
IFC 2018 Edition with GA Amendments  
ISFSC 2018 Edition with GA Amendments  
NFPA 101 Life Safety Code 2018 Edition

APPROVED

AP 3130589

DATE 06/05/23

This Department is not responsible for any errors or omissions by engineers or other design professionals on design or other code requirements of this project.

The issuance or granting of a permit shall not be construed to be a permit for, or approval of, violation of any of the provisions of applicable codes or of any other ordinance of the jurisdiction. Permits are issued on the basis of the information provided by the applicant and the issuance of a permit based on construction documents and other data shall not be construed as a code official from requiring the code official to verify the accuracy of the information provided.

Plumbing, Mechanical, Gas, and Electrical sections of these plans have not been reviewed for compliance with technical codes and will be field-verified during inspection.

A set of these approved plans shall be kept on the jobsite at all times and shall not be modified or altered without authorization from DeKalb County Development Services.

4M  
CONTRACTING

678-300-2843

REVIEW: 4/1/23

REVISIONS TO:  
2553 SANDPIPER DRIVE  
CITY OF TUCKER, GA

PROJECT  
2217

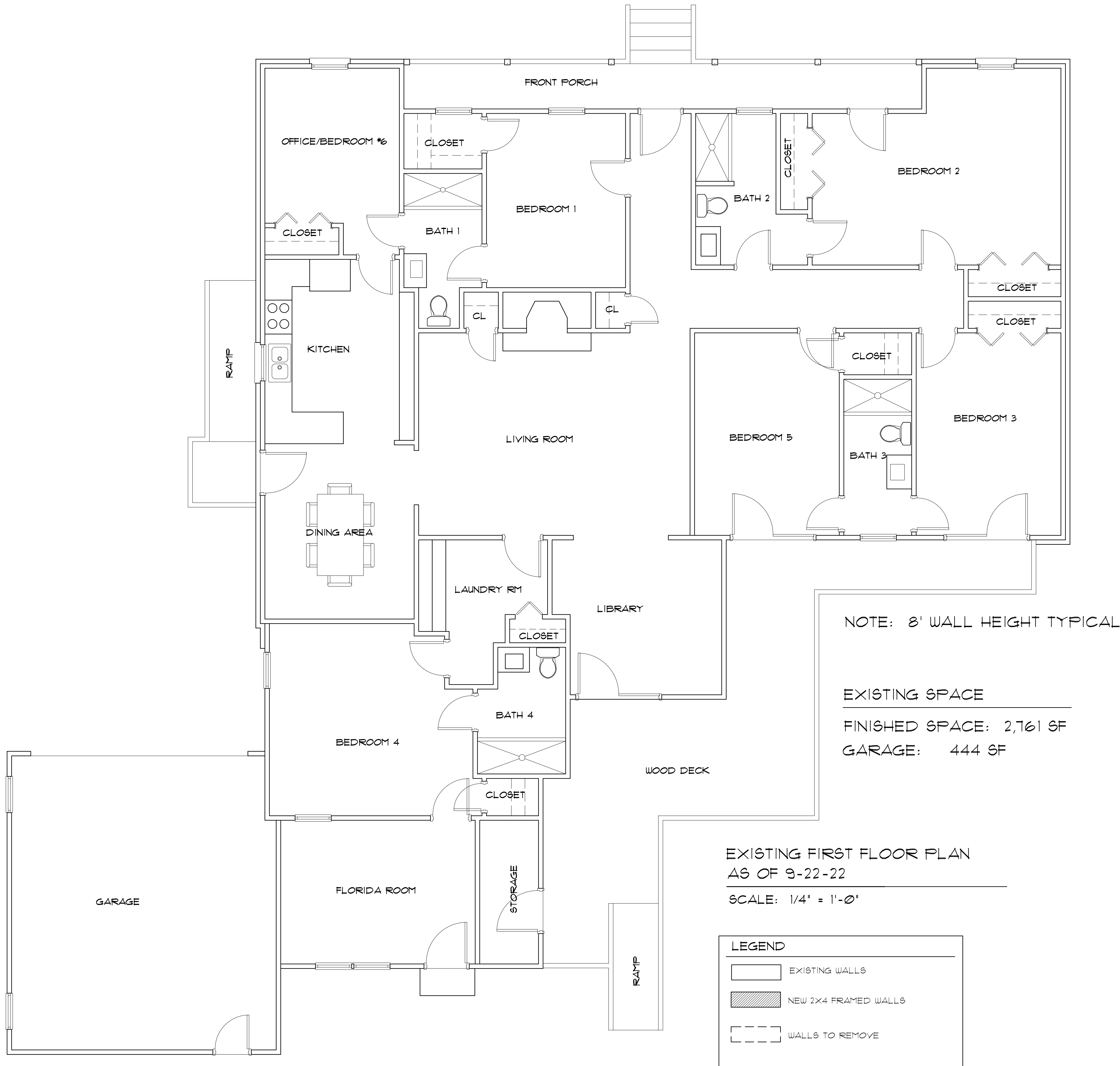
SUBMITTALS	DATES
PERMIT SET	1/5/23
REVISIONS	4/1/23

DRAWING TITLE

EXISTING  
FLOOR PLAN

DRAWING REFERENCE

A-1



RELEASED FOR CONSTRUCTION

RECEIVED  
CITY OF TUCKER

07/18/2023

PLANNING & ZONING  
DEPARTMENT  
SLUP-23-0002





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CITY OF TUCKER  
06/13/2023  
PLANNING & ZONING  
DEPARTMENT





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06/13/2023  
PLANNING & ZONING  
DEPARTMENT





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06/13/2023  
PLANNING & ZONING  
DEPARTMENT









## Battle Law

Dear Neighbors of 2553 Sandpiper Drive,

Georgia Clay Properties LLC is interested in developing a personal care home for seniors. This request requires a SLUP because it is in a residential area.

We provide an alternative option for full-service elder care.

Designed with a focus on meeting the specific needs of individuals with dementia and/or high levels of care, our homes are self-sustaining units in private, residential settings. Our comprehensive holistic approach to individual care is a mindful shift from the one-size-fits-all model.

The first step in the process is to hold a Public Participation (neighborhood) meeting with the community to discuss our proposal with you and receive feedback. This meeting is required before we can submit our application for a SLUP to the city. You are receiving this letter as you own property within 500' of our project. We hope you will be able to meet with us at the

following time:

Meeting Date/Time: May 5th at 5:00 pm

Meeting Location: 2553 Sandpiper Drive

We've included a site plan of our current proposal which we look forward to discussing with you and getting feedback on May 5th. If you are unable to attend or wish to reach out beforehand, we can be reached at [jnb@battlelawpc.com](mailto:jnb@battlelawpc.com) or 404-601-7616 ex.8

A flyer outlining the land use petition process in the city of Tucker is also included. Questions relating to city matters can be addressed to [info@tuckerga.gov](mailto:info@tuckerga.gov).

Sincerely,

Georgia Clay Properties, LLC c/o Battle Law P.C

3562 Habersham at Northlake • Building J, Suite 100 • Tucker, Georgia 30084 • Ph: 404.601.7616

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CITY OF TUCKER

06/13/2023

PLANNING & ZONING  
DEPARTMENT

L D HART PROPERTIES LLC  
4916 North Royal Atlanta Drive  
Tucker, GA 30084

FLOURNOY VALENCIA  
2593 Sandpiper Drive  
Tucker, GA 30084

GEORGIA POWER CO  
2825 Mountain Industrial Boulevard  
Tucker, GA 30084

BLUE RENTALS LLC  
2560 Sandpiper Drive Tucker  
Tucker, GA 30084

GEORGIA CLAY PROPERTIES LLC  
2553 Sandpiper Drive Tucker  
Tucker, GA 30084

TUCKER CITY OF  
4877 Lawrenceville Highway  
Tucker, GA 30084

CONLEY PATRICK R  
2600 Sandpiper Drive  
Tucker, GA 30084

SARUBBI JARED  
2569 Sandpiper Drive  
Tucker, GA 30084

ELDON PROPERTIES LLC  
4840 North Royal Atlanta Drive  
Tucker, GA 30084

ATLANTA SMSA LTD PARTNERSHIP  
2791 Mountain Industrial Boulevard  
Tucker, GA 30084

WATSON REBECCA J  
2576 Sandpiper Drive  
Tucker, GA 30084

MILLS JEFFREY L  
2568 Sandpiper Drive  
Tucker, GA 30084

SUMMERLIN MANA AND SPIRITS INC  
2845 Mountain Industrial Boulevard  
Tucker, GA 30084

DOLLAR JEFF E  
2592 Sandpiper Drive  
Tucker, GA 30084

ATL REAL HOLDINGS LLC  
2577 Sandpiper Drive  
Tucker, GA 30084

LUCIUS LONNIE J III  
2561 Sandpiper Drive  
Tucker, GA 30084

J AND G REAL PROPERTIES LLC  
2831 Mountain Industrial Boulevard  
Tucker, GA 30084

MM ROYAL ATLANTA LLC  
4874 North Royal Atlanta Drive  
Tucker, GA 30084

AGNE BRIAN L  
2584 Sandpiper Drive  
Tucker, GA 30084

CRANE JOHN F  
2585 Sandpiper Drive  
Tucker, GA 30084

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# City of Tucker

## Public Participation Plan Report Project Name:

**Contact Name:** Jordan Battle

**Meeting Date:** 5/5/2023

**Meeting Location:** 2553 Sandpiper Drive

**Meeting Start Time:** 5pm

**Meeting End Time:** 6pm

**Number of people in attendance:** 0

**Date of Filing of Land Use Petition Application:** 5/8/2023

**General Introduction:** please include information about who you reached out to for the meeting, communication outreach methods (letters, facebook, emails, etc), what you were proposing at the time of the neighborhood meeting, the meeting format (ppt, q&a, display boards, etc), and who attended the meeting on behalf of the applicant (engineers, attorney, developer, property owner, etc). Additional information that you feel is important to include is welcomed.

**Summary of concerns and issues raised at the meeting:** (please list and respond to each one individually; include as many items that were discussed).

1. List question/concern/comment/request for changes to the proposed plans

Applicant Response:

2. List question/concern/comment/request for changes to the proposed plans

Applicant Response:

The following must be submitted at time of application submittal:

- Copy of the letter that was mailed to neighbors
- Copy of address list for mailing

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DEPARTMENT



## Battle Law

On May 5<sup>th</sup>, 2023, we held a community meeting for the surrounding property owners of the subject property 2553 Sandpiper Drive. We alerted the surrounding property owners via mail notices and also posted signs on the subject property and at the top of the neighborhood. No one showed up for the meeting, but we stayed during the whole-time frame that was advertised. Senior Attorney Michele Battle and Paralegal Jordan Battle were present on behalf of the client Georgia Clay Properties, LLC.

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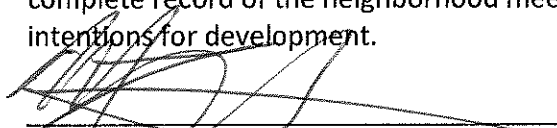
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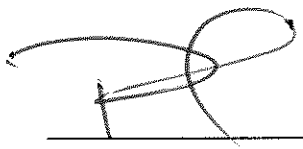
**SLUP-23-0002**

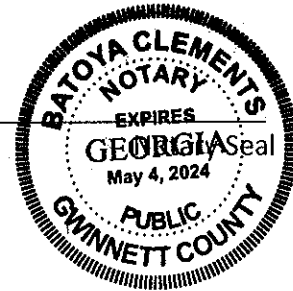
- Meeting sign-in sheet
- Meeting minutes
- Copy of the plan that was presented at the neighborhood meeting

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

 5/18/2023  
 \_\_\_\_\_  
 Signature of Applicant or Authorized Representative Date

Michele L Battle 5/18/2023  
 \_\_\_\_\_  
 Type or Print Name of Applicant or Authorized Representative Date

 5/18/2023  
 \_\_\_\_\_  
 Signature of Notary Date



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06/13/2023

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DEPARTMENT



## SIGN IN SHEET

Sandpiper Drive Community Meeting Sign-In Sheet, May 5, 2023

[illegible]

First Name	Last Name	Address	City, State	Zip Code	Phone Number	Email Address
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CITY OF TUCKER

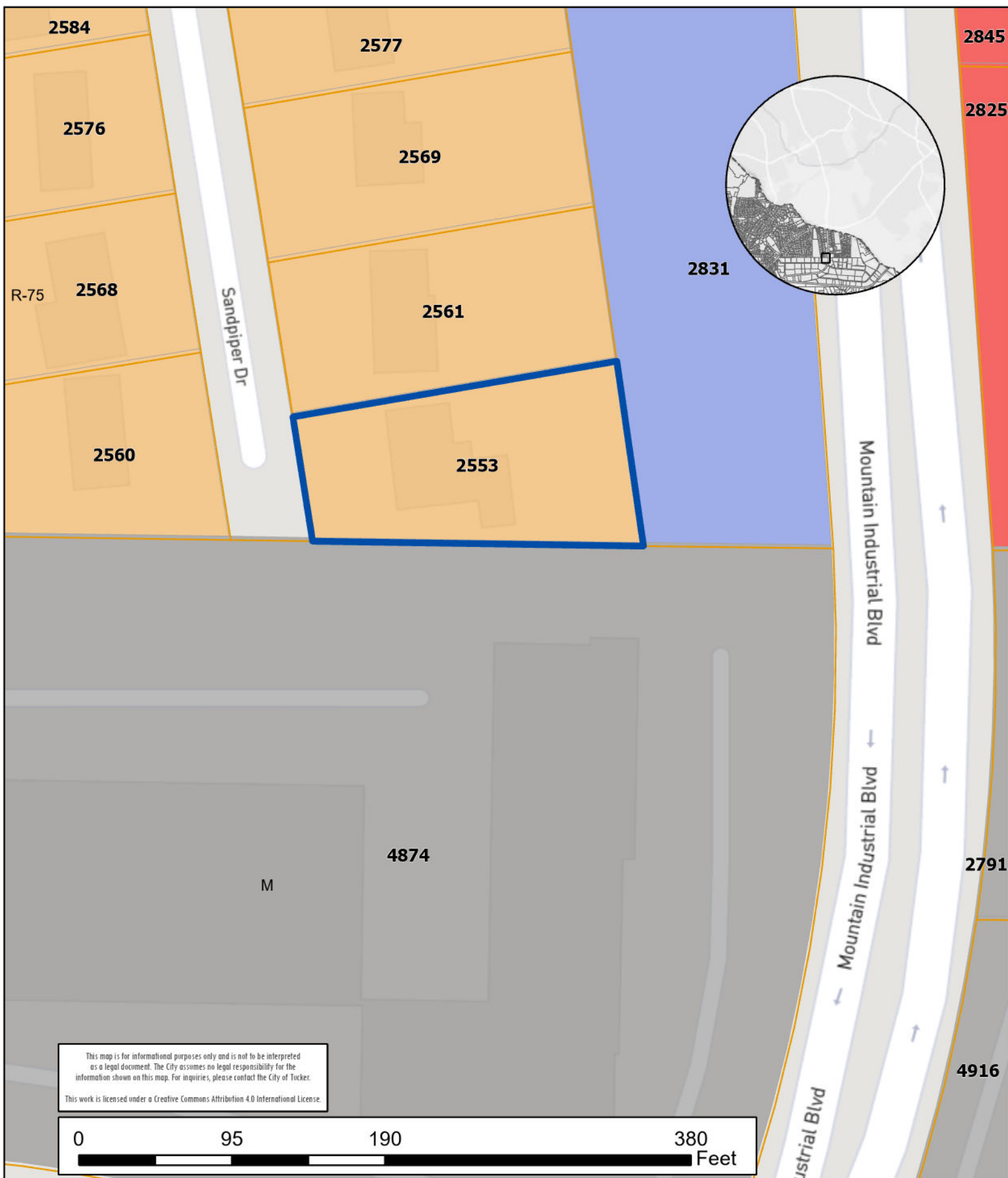
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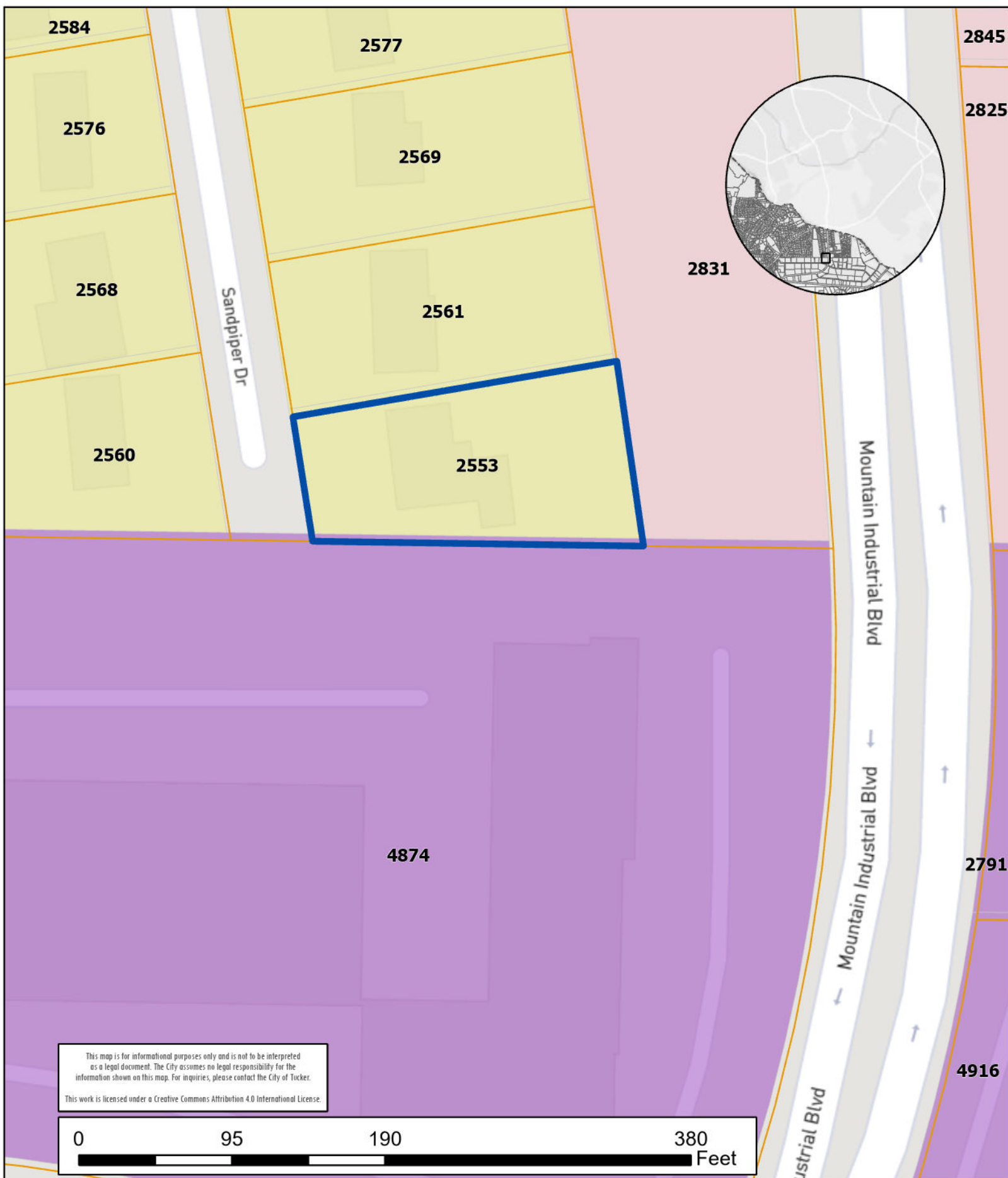
PLANNING & ZONING  
DEPARTMENT













## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Courtney Smith, Community Development Director  
**CC:** Tami Hanlin, City Manager  
**Date:** August 7, 2023  
**RE:** Memo for SLUP-23-0003, 5960 East Ponce de Leon Avenue

---

### **Description for on the Agenda:**

First Read and Public Hearing of an Ordinance for Special Land Use Permit SLUP-23-0003 for alcohol sales at 5960 East Ponce de Leon Avenue for Gas Express, LLC.

### **Issue:**

The applicant has applied for a Special Land Use Permit (SLUP) to sell alcohol (beer and wine) for off-premises consumption within a convenience store at the 4.41+/- acre subject property located at 5960 East Ponce de Leon Avenue, located at the intersection of East Ponce de Leon Avenue and Richardson Street, near State Route 10.

### **Recommendation:**

Staff recommends approval with conditions.

Planning Commission recommends approval with modified staff conditions.

### **Background:**

In December of 2021, the Mayor & City Council approved Ordinance 2021-11-28 amending the zoning map at 5960 East Ponce de Leon Avenue from M (Light Industrial) to C-1 (Local Commercial) zoning. This development was entitled prior to the rezoning per Land Disturbance Permit PLD20-0025, which was issued March 26, 2021.

Recently constructed, the 7,000 square foot building housing the 5,000 square foot convenience store and two (2) 1,000 square foot suites (PB20-0354) remains vacant. A fuel pump canopy with five fuel pumps located in front of the store was also recently constructed (PB21-0306). The alcohol sales are proposed inside of the convenience store. The property owner has submitted the SLUP application on behalf of his tenant, Gas Express LLC.

### **Summary:**

The proposal complies with a majority of the criteria for the Special Land Use Permit, however, it could negatively impact the surrounding residential uses. The sales area and hours of operation should be limited to limit any adverse impacts.

**AN ORDINANCE FOR SPECIAL LAND USE PERMIT 23-0003 IN LAND LOT  
125 OF THE 18<sup>th</sup> DISTRICT TO ALLOW FOR ALCOHOL SALES AT 5960 E.  
PONCE DE LEON AVENUE FOR GAS EXPRESS, LLC.**

**WHEREAS:** Notice to the public regarding said special land use permit has been duly published in The Champion, the Official News Organ of Tucker; and

**WHEREAS:** A Public Hearing was held by the Mayor and City Council of Tucker on August 14, 2023 and September 11, 2023;

**WHEREAS:** The Mayor and City Council is the governing authority for the City of Tucker;

**WHEREAS:** The Mayor and City Council have reviewed the special land use request based on the criteria found in Section 46-1594 of the Zoning Ordinance of the City of Tucker;

**NOW THEREFORE,** the Mayor and City Council of the City of Tucker while in Regular Session on September 11, 2023 hereby ordains and approves Special Land Use Permit 23-0003 to allow for Alcohol Sales, subject to the following conditions. Note that the special land use permit shall expire automatically if a building permit or other required approval(s) is not applied for within twelve (12) months and construction pursuant to such permit(s) does not promptly begin and is not diligently pursued (Section 46-1599).

1. The Special Land Use Permit for alcohol sales within the 5,000 square foot convenience store is issued to Gas Express, LLC and shall not be transferred to another business.
2. Alcohol sales shall be limited to beer and wine. Alcohol sales display area shall not exceed twenty percent (20%) of the gross floor area.
3. The convenience store with alcohol sales shall close by 11:00 pm Monday through Sunday.
4. The business shall comply with all local regulations for convenience stores, including the requirement for a video surveillance system, and the restrictions on coin operated amusement machines and vape/CBD.
5. A City of Tucker Occupational Tax Certificate and Alcohol License shall be maintained at all times.

**SO EFFECTIVE** this 11<sup>th</sup> day of September 2023.

Approved by:

---

Frank Auman, Mayor

Attest:

---

Bonnie Warne, City Clerk

SEAL



# City of Tucker

**Land Use Petition:** SLUP-23-0003

**Date of Staff Recommendation Preparation:** July 10, 2023

**Planning Commission:** July 20, 2023

**Mayor and City Council, 1<sup>st</sup> Read:** August 14, 2023

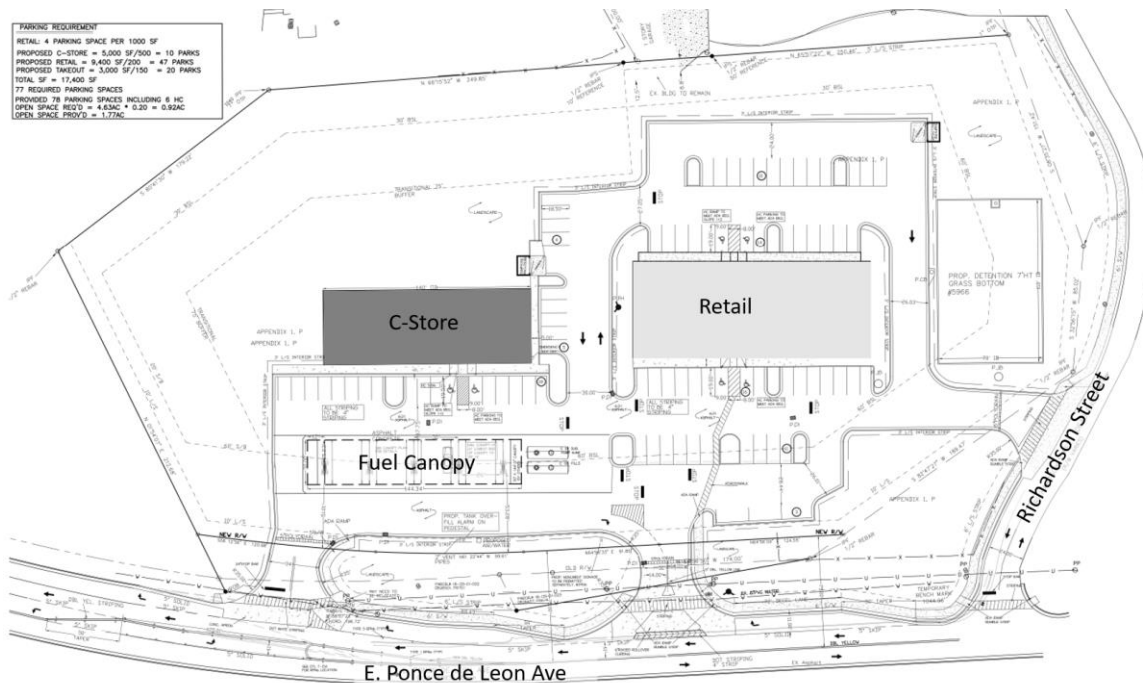
**Mayor and City Council, 2<sup>nd</sup> Read:** September 11, 2023

<b>PROJECT LOCATION:</b>	5960 East Ponce de Leon Avenue, Tucker, GA
<b>DISTRICT/LANDLOT(S):</b>	Land District 18, Land Lot 125
<b>ACREAGE:</b>	4.41 acres
<b>EXISTING ZONING</b>	C-1 (Local Commercial)
<b>EXISTING LAND USE</b>	Convenience store with fuel pumps
<b>FUTURE LAND USE MAP DESIGNATION:</b>	Suburban
<b>OVERLAY DISTRICT:</b>	Mountain Industrial Boulevard Overlay District
<b>APPLICANT:</b>	Gas Express, LLC/Amin Chitalwala
<b>OWNER:</b>	Tucker Land Group, LLC/Ayaz Ali
<b>PROPOSED DEVELOPMENT:</b>	The applicant intends to operate a 5,000 sq. ft. convenience store with alcohol sales. The alcohol sales requires a SLUP.
<b>STAFF RECOMMENDATION:</b>	<b>Approval of SLUP-23-0003 (Alcohol Sales) with conditions</b>



## PROJECT AND SITE DATA

The applicant has applied for a Special Land Use Permit (SLUP) to sell alcohol (beer and wine) for off-premises consumption within a convenience store at the 4.41+/- acre subject property located at 5960 East Ponce de Leon Avenue, located at the intersection of East Ponce de Leon Avenue and Richardson Street, near State Route 10. In December of 2021, the Mayor & City Council approved Ordinance 2021-11-28 amending the zoning map at 5960 East Ponce de Leon Avenue from M (Light Industrial) to C-1 (Local Commercial) zoning. This development was entitled prior to the rezoning per Land Disturbance Permit PLD20-0025, which was issued March 26, 2021.



Recently constructed, the 7,000 square foot building housing the 5,000 square foot convenience store and two (2) 1,000 square foot suites (PB20-0354) remains vacant. A fuel pump canopy with five fuel pumps located in front of the store was also recently constructed (PB21-0306). The alcohol sales are proposed inside of the convenience store. The property owner has submitted the SLUP application on behalf of his tenant, Gas Express LLC.



**Character Area**

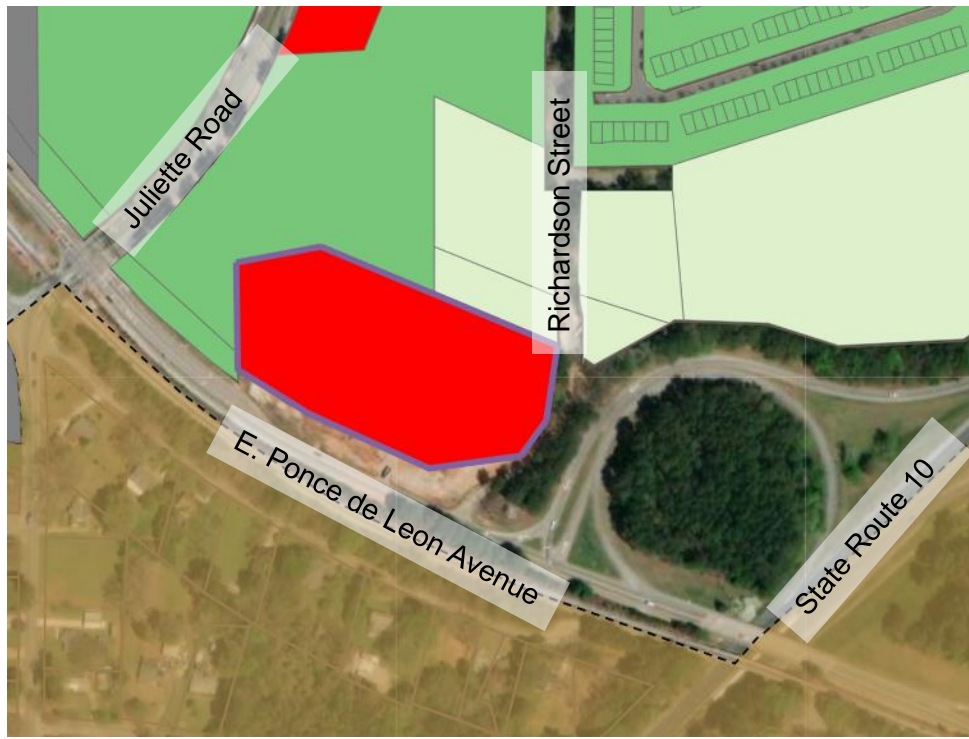
The subject parcel is located within the Suburban Character Area on the Future Land Use Map. Primary land uses in this character area include single-family residential, townhomes, lower density multi-family uses, and institutional uses. C-1 (Local Commercial) and M (Light Industrial) zoning are not compatible with the Suburban Character Area, but the designations already exist and are not changing.

**Mountain Industrial Boulevard Overlay**

The subject property is located within the Mountain Industrial Boulevard Overlay District. The intent of the Mountain Industrial Overlay district is to preserve and enhance the long-term economic viability of the Mountain Industrial Boulevard corridor by encouraging investment that increases the tax base and provides employment opportunities to the citizens of the City of Tucker; to improve the visual appearance and increase property values within the corridor; allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, green space, urban design, and public amenities; and promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the corridor.

**NEARBY/SURROUNDING LAND ANALYSIS**

Adjacent & Surrounding Properties	Zoning (Petition Number)	Overlay District	Existing Land Use
Adjacent: North	MR-1 (Medium Density Residential-1)	NA	East Ponce Village
Adjacent: Northeast	RSM (Small Lot Residential Mix)	NA	RM Concrete Specialist
Adjacent: East	NA	NA	Entrance and exit ramps for State Route 10 and E. Ponce de Leon Avenue
Adjacent: South (South across E. Ponce de Leon Ave)	CSX railroad and single-family detached homes in unincorporated DeKalb County	NA	CSX railroad and single-family residential
Adjacent: West	MR-1 (Medium Density Residential-1)	NA and Mountain Industrial Boulevard	East Ponce Village



*Zoning Exhibit. Subject parcel outlined in purple.*

- C-1 (Local Commercial)
- MR-1 (Medium Density Residential-1)
- RSM (Small Lot Residential Mix)
- Unincorporated Dekalb County

## SLUP-23-0003 ALCOHOL SALES

### **CRITERIA TO BE APPLIED – SPECIAL LAND USE PERMIT**

Criteria (standards and factors) for special land use decisions are provided in Section 46-1594 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are the staff's findings which are independent of the applicant's responses to these criteria.

- 1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The site size is approximately 4.41 acres. The ±5,000 square foot convenience store is located within the recently constructed ±7,000 square foot multi-tenant building. A fuel canopy with five fueling stations is positioned between the building and East Ponce de Leon Avenue. Stormwater is managed with a detention pond on the east side of the site. Three curb cuts

serve the property, which has eighteen parking spaces to the south of the convenience store, and nine spaces at the east. Two of the parking spaces are designated ADA compliant. Sidewalks have been installed along East Ponce de Leon Avenue and on Richardson Street.

**2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The property is surrounded by residential zoning, including several thousand multifamily units. It is also located immediately adjacent to the State Route 10 off ramp. The area is located in a food desert, with the only other nearby service commercial uses being a Citgo gas station/convenience store, with an attached liquor store. Tucker now requires convenience stores to have at least ten percent of the sales floor area to be dedicated to fresh or pre-packaged meats, fruits, vegetables, and dairy products, which will better serve this community.

**3. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

**Schools.** There will be no impact on public school facilities. The closest school is Stone Mill Elementary in unincorporated Dekalb County, which is over 2,800 feet away.

**Stormwater management.** Reviewed and approved during Land Development Permit phase.

**Water and sewer.** Reviewed and approved during Land Development Permit phase.

**4. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Traffic capacity was evaluated during the Land Development Permit phase of the project. The site has three curb cuts for access. A curb cut with right-in, right-out only access is in the middle of the road frontage along East Ponce de Leon Avenue. An additional curb cut is located at the western edge of the East Ponce de Leon Avenue. Both curb cuts along East Ponce de Leon Avenue have deceleration lanes. The third curb cut is located off of Richardson Street. The project also includes right-of-way improvements, including sidewalks along both frontages.

**5. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The traffic generated by the alcohol sales within the convenience store should not have an adverse impact on existing land uses located along the access route.

**6. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.**

Ingress and egress have already been developed on the property for the convenience store and were evaluated during the Land Development Permit phase. Three curb cuts have been

designed to control traffic, as well as deceleration lanes. The site plan includes sidewalks along the public street frontages and internal pedestrian connections to the convenience store building.

**7. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed use will not generate excessive noise, nor will it emit smoke, odor, dust, or vibration.

**8. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The applicant proposes to be operational 24 hours a day. However, these hours could create adverse impacts on the adjacent residential land uses, especially as it relates to the request for alcohol sales. The hours of operation for the convenience store and alcohol sales shall be limited to ensure the nearby residential properties are not impacted.

**9. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

Nearby land uses along East Ponce de Leon Avenue will not be adversely affected by the proposed use, but the use could impact the surrounding residential uses. The sales area and hours of operation should be limited to limit any adverse impacts.

**10. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The proposed use is consistent with the underlying zoning district requirements but requires a Special Land Use Permit.

**11. Whether or not the proposed use is consistent with the policies of the comprehensive plan.**

The subject property and the surrounding immediate area are Suburban on the Future Land Use map. Uses typically found in the Suburban character area include single-family residential, townhomes, lower density multi-family uses, and institutional uses such as places of worship and schools. A convenience store with alcohol sales is not specifically supported within the Suburban character area, so care should be taken to ensure that the use is less intense. Limiting the alcohol display area to a maximum of 20% of floor area and limiting the hours of operation are recommended means of keeping the use more compatible with the Suburban character area. 5960 East Ponce de Leon Avenue is located in a food desert according to the U.S. Department of Agriculture, so the convenience store could serve a neighborhood need. The closest existing convenience store is the Food Mart at the Citgo at 5095 Stone Mill Way, which is about seven hundred feet away. The site plan includes a 75' transitional buffer along the property lines adjacent to East Ponce Village, a multifamily residential development.

**12. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

At the time of LDP review, a type “D” 75’ transitional buffer zone was required where the parcel abuts East Ponce Village apartments.

**13. Whether or not there is adequate provision of refuse and service areas.**

The site plan shows space for a dumpster enclosure towards the northwest portion of the subject site to serve the facility.

**14. Whether the length of time for which the special land use permit is granted should be limited in duration.**

No limits on the length of time on the special land use permit are recommended, if granted. However, the SLUP for alcohol sales shall not be transferred to another entity.

**15. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.**

The building is existing. No additional construction is proposed for the alcohol sales.

**16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are no known historic buildings, sites, districts, or archaeological resources on the subject properties. Therefore, the proposed use is unlikely to adversely affect historic buildings, sites, districts, or archaeological sites.

**17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

The following supplemental use regulations are applicable: Sec. 46-1151 (Alcohol outlets, retail, package liquor store). The applicant’s letter of intent provides a detailed analysis of conformance to the alcohol regulations in the Tucker zoning ordinance. There are additional criteria that must be considered when alcohol sales are proposed, as enumerated below:

- A. Package stores and liquor stores, developed as a primary use in a freestanding building, must comply with City of Tucker ordinances pertaining to licensing requirements for a retail package liquor store.**

The proposal is for accessory alcohol sales, beer, and wine only. Regulation does not apply.

- B. Alcohol outlets in the NS (Neighborhood Shopping) District may only be permitted as an accessory use with a Special Land Use Permit (SLUP).**

The subject site is zoned C-1 (Local Commercial). Regulation does not apply.

- C. Alcohol outlets in the MU (Mixed-Use) districts shall be limited to beer and wine sales with a Special Land Use Permit (SLUP).**

The subject site is zoned C-1 (Local Commercial). Regulation does not apply.

- 18. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The convenience store building and fuel pump canopy are already existing and do not create a shadow impact on any adjoining lot or building.

- 19. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.**

There could be a proliferation of alcohol sales outlets in close proximity to this location. There is a package store at 5095 Stone Mill Way, as well as a convenience store with alcohol sales, which is approximately seven hundred feet away as the crow flies. Care should be taken to avoid a proliferation of alcohol sales, as this is a residential area.

- 20. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

The proposal is not consistent with the Suburban Character Area in terms of primary land uses, but the development was built by right. The only change is the request for alcohol sales within the convenience store. A 75' transitional buffer exists along the property lines that abut East Ponce Village helping to protect the existing neighborhood. Restrictions on the sales area and hours of operation will help make the proposal more compatible.



## STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **SLUP-23-0003**.

If approved, it should be approved subject to the following conditions. Such conditions shall be complied with prior to the issuance of any building permit, unless otherwise specifically noted:

1. The Special Land Use Permit for alcohol sales within the 5,000 square foot convenience store is issued to Gas Express, LLC and shall not be transferred to another business.
2. Alcohol sales shall be limited to beer and wine. Alcohol sales display area shall not exceed twenty percent (20%) of the gross floor area.
3. The convenience store with alcohol sales shall close by 11:00pm Monday through Sunday.
4. The business shall comply with all local regulations for convenience stores, including the requirement for a video surveillance system, and the restrictions on coin operated amusement machines and vape/CBD.
5. A City of Tucker Occupational Tax Certificate and Alcohol License shall be maintained at all times.

## Planning Commission Recommendation

Based upon the findings and conclusions herein, at its July 20, 2023 public hearing, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of **SLUP-23-0003** subject to the following amended staff conditions: (additions = **bold**; deletions = ~~strikethrough~~).

1. The Special Land Use Permit for alcohol sales within the 5,000 square foot convenience store is issued to Gas Express, LLC and shall not be transferred to another business.
2. Alcohol sales shall be limited to beer and wine. Alcohol sales display area shall not exceed twenty percent (20%) of the gross floor area.
3. ~~The convenience store with alcohol sales shall close by 11:00pm Monday through Sunday.~~  
**The convenience store may be open 24 hours a day, but alcohol sales shall cease by 11:00pm Monday through Sunday.**
4. The business shall comply with all local regulations for convenience stores, including the requirement for a video surveillance system, and the restrictions on coin operated amusement machines and vape/CBD.
5. A City of Tucker Occupational Tax Certificate and Alcohol License shall be maintained at all times.



## Courtney Smith

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**Sent:** Friday, July 21, 2023 4:10 PM  
**To:** Courtney Smith  
**Cc:** ayaz ali; BillB@circleKAtl.com  
**Subject:** [External]5960 East Ponce de Leon Avenue -alcohol outlet SLUP  
**Attachments:** List of Convenience and Liquor Stores.docx; Maps of C-store locations.pdf  
  
**Importance:** High

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- The applicant is a national franchise with power and money to impact or eliminate small businesses such as the mom and pop, the opposition operates.
- Samuels Gas and Grocery provides alcohol in the community already. There is no need for another outlet.
- The operations of the proposed C-Store/ Gas Station will have negative impacts on the residents of this neighborhood in the form of light, noise, late hours, and illegal conduct.
- Gas Express and/or the property owner when they built out the C-Store knew they would need a use permit for alcohol.

The applicant responds to these objections as follows:

- The fact that Gas Express would perhaps be competing with Samuels Gas and Grocery for some of the same customers is not an element for consideration in a use permit application. See Section 46-1594 of the Zoning Ordinance. Samuels Gas and Grocery does not have the right to exclude competition because it is a mom and pop or because it has been in the neighborhood for a long time. It does not have an exclusive franchise on gas station, convenience store, or alcohol sales for the area. While it is certainly hoped that both Samuels and Gas Express can co-exist and prosper together, ultimately it is up to the consumers of the goods and services both provide to decide who and how to patronize these different businesses. There is no factual basis to assume that Samuels will lose customers or revenue but even if there were, this is not a legitimate factor for the City Council to consider when it ultimately votes on the use permit request for approval of beer and wine sales by Gas Express.
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- The property owner did not know it would need a use permit for alcohol sales prior to building the property out for a gas station/C-Store. Presumably the opponents raise this issue to suggest that the property owner should not be allowed to build out a store and then claim a hardship of some sort if it is not allowed full use of its property. However, the opponents ignore the history of this property (or in fairness may not be aware of it). Prior to December of 2021, the subject property was zoned M (Light industrial). At that time and to the present alcohol outlets, retail sales, primary and accessory were expressly permitted uses of right **not requiring a special use permit** as were convenience stores with fuel pumps. See Use Table 4.1 of the Zoning Ordinance. As noted by staff a land disturbance permit for a C-store with gas pumps was issued in March of 2021, fully nine-months before the property was rezoned to C-1. Unfortunately, the property owner did not get a CO for the building prior to the passage of the zoning ordinance change and was thereby unable to apply to alcohol licenses for the off premises consumption sales. Quite frankly, the property owner was not happy about the zoning change and advised the City of Tucker that it expected tenants of the building to desire beer and wine sales. The property owner in no way created his hardship here or built out the property in an effort to strong arm the City into giving it the desired alcohol licenses. It was caught between changing laws and is thus now required to seek a use permit which was not something originally contemplated.
- Due to various aspects of the site design and distance from residential properties, no negative impacts to residents from the addition of alcohol sales to the fully permitted C-Store/ gas station use are anticipated. There is considerable distance between the C-store operations and any residential structures. Residences to the north and west are separated by a mature 75 foot vegetative buffer and more than 200 feet at the C-store's closest point. To the south they are separated by East Ponce de Leon Avenue, the Stone Mountain multi-use path, vegetation and the CSX railroad not to mention more than 400 feet of distance. All alcohol sales will be internal to the building and the residents will not be affected by them negatively.

Finally, there was much discussion about the proposed condition of staff that the C-store, gas sales and alcohol sales all be required as a condition of SLUP approval to cease by 11 p.m. I understand that staff believes such a condition is necessary to protect the residents and the residential character of the area. As noted by me on behalf of Gas Express, such a condition would be unfair, unwarranted and the death knell to its business. Unfortunately, we did not receive the staff report with this condition until less than 48 hours before the Planning Commission meeting so did not have much time to react. In the meantime, we have accumulated some information about other gas station/convenience stores in Tucker. See table attached along with associated City of Tucker maps. This information (probably not complete because no data base seems to track this specifically) reveals that there are numerous gas station/C-stores who operate 24 hours a day, as requested by Gas Express. There are at least 15 such businesses. See attached table. Of these 15 identified, at least half of them are located within a similar (if not closer) distance to residential properties as the Gas Express store. Some are immediately adjacent to residential properties. Based on these facts on the ground, Gas Express submits that disallowance of a 24 hour operation on the subject property would be treating similarly situated property owners disparately without any rational basis. Moreover, the use permit is for alcohol sales, not for a convenience store or gas pumps. While conditions of zoning approval are specifically allowed, legally they are to be designed to ameliorate any reasonably perceived negative impacts of the activity for which approval is sought. Requiring the C-store and gas sales to close as a condition of approving alcohol sales is clearly not designed to ameliorate any negative impacts of alcohol sales is thus, Gas Express submits, would be improper and an abuse of discretion.

Please let me know if you have any questions or desire to discuss these points at more length. Your professional feedback is always welcomed.

Linda

<b>Name of C-Store Gas Station</b>	<b>Zoning and Land Use Classification</b>	<b>Address</b>	<b>Hours</b>	<b>Proximity to Residential</b>
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BP	DT-1/DT	4972 LaVista Road	24 hours	500 feet to R-85 subdivision
Citgo Samuels Gas and Grocery	C-1/SUB	5095 Stone Mill Way	24 hours	Surrounded on all sides by MR-1 subdivisions
Speedway	C-1/Light Industrial	5448 East Ponce de Leon	24 hours	Directly across street from DeKalb County residential

				subdivision - 375 feet away
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# ArcGIS Web Map



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Address

Zoning District

C-1 (Local Commercial)

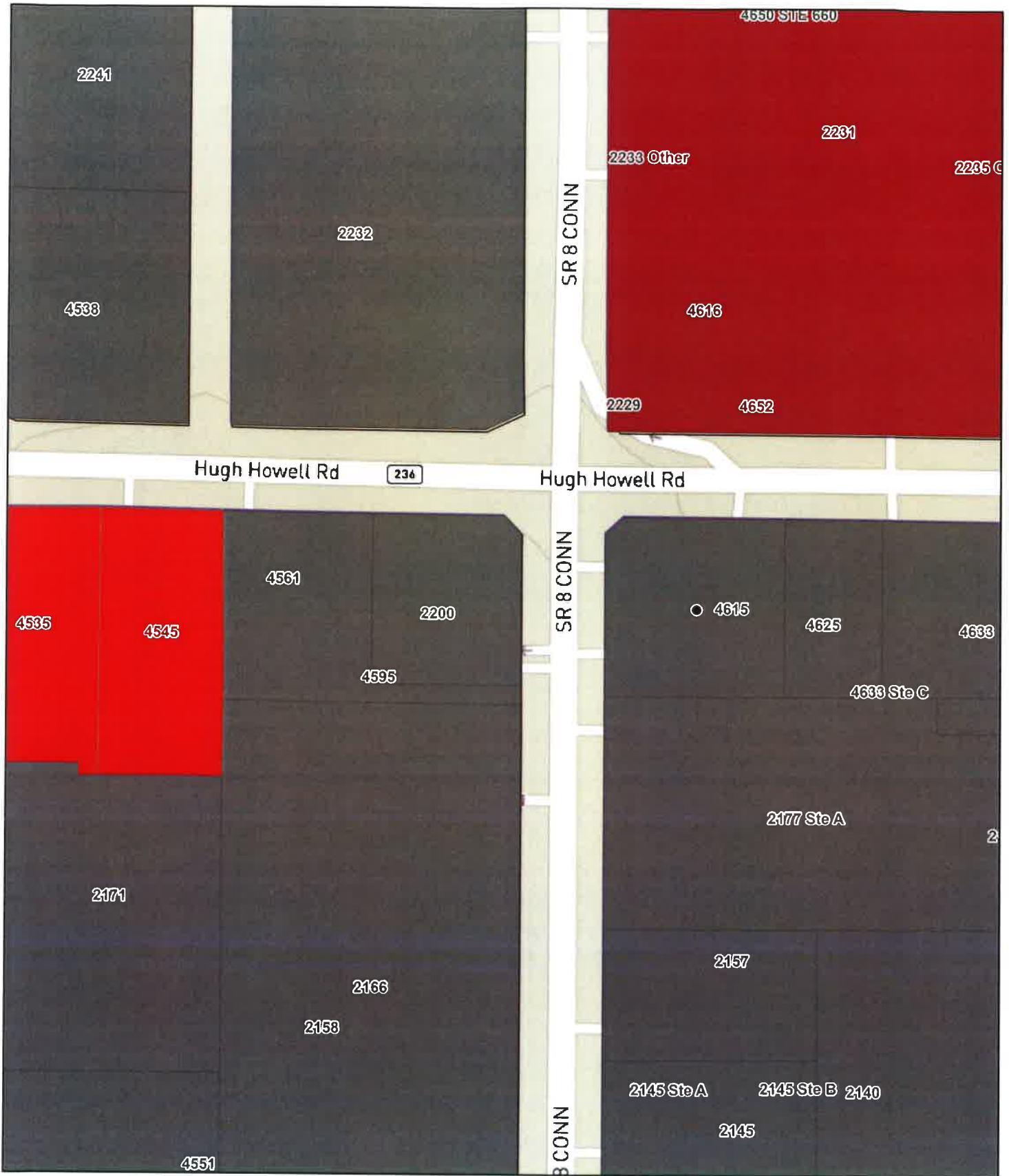
Future Land Use

Light Industrial

Municipal Boundary

Page 134 of 369

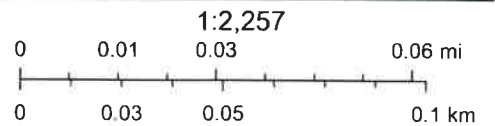
# ArcGIS Web Map



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Address  
Zoning District  
C-1 (Local Commercial)

Future Land Use  
Light Industrial  
Municipal Boundary



4236

2297 2285

2298

4286

2300

2294

2288

4138

4124

4146

4170

4162

2295

4092

4094

4098

Lawrenceville Hwy

Main St

29

4th St

4261

4141

4121

4121 Ste 4

2255 Ste A

2255

2256 Ste B

2249 REAR

2245 REAR

2243 REAR

2241

2237

2239

2254

4099

4095

4085

4075 Ste B

4075

2252

2238

2230

2220

2214

2208

2204

2227 Ste 4

2227 Ste 14

2219

4292

4296

2199

4330


Cowan Rd


Idlewood Rd

Westbr


Address


Zoning District


 DT-3 (Village Zone)

 DT-2 (Corridor Zone)

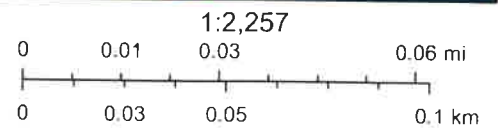
Future Land Use

 Downtown

 Suburban

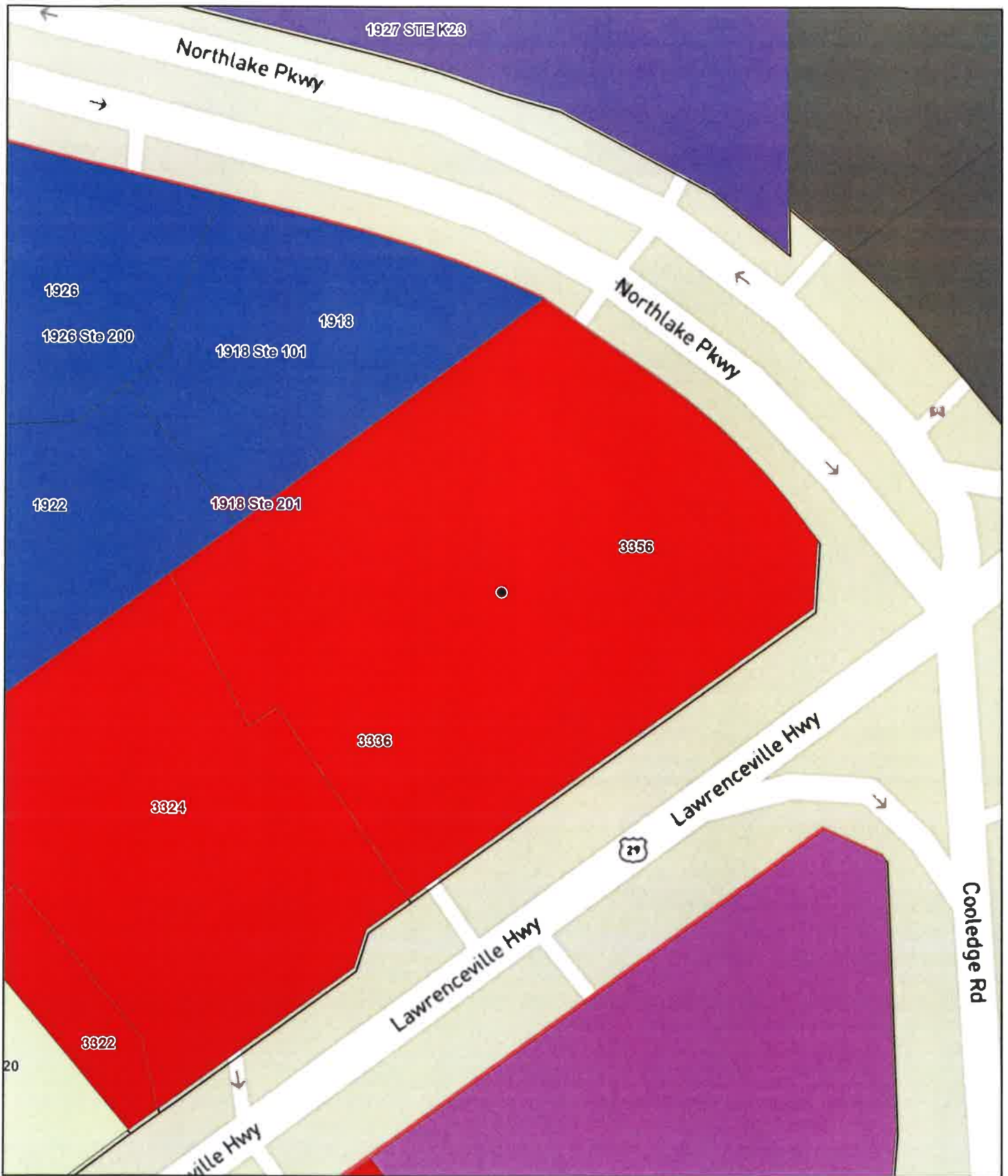
 Municipal Boundary

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# ArcGIS Web Map



7/21/2023, 1:53:21 PM

Address

Zoning District

NL-2 (Office Park)

RSM (Small Lot Residential Mix)

MZ (Multiple Zoning)

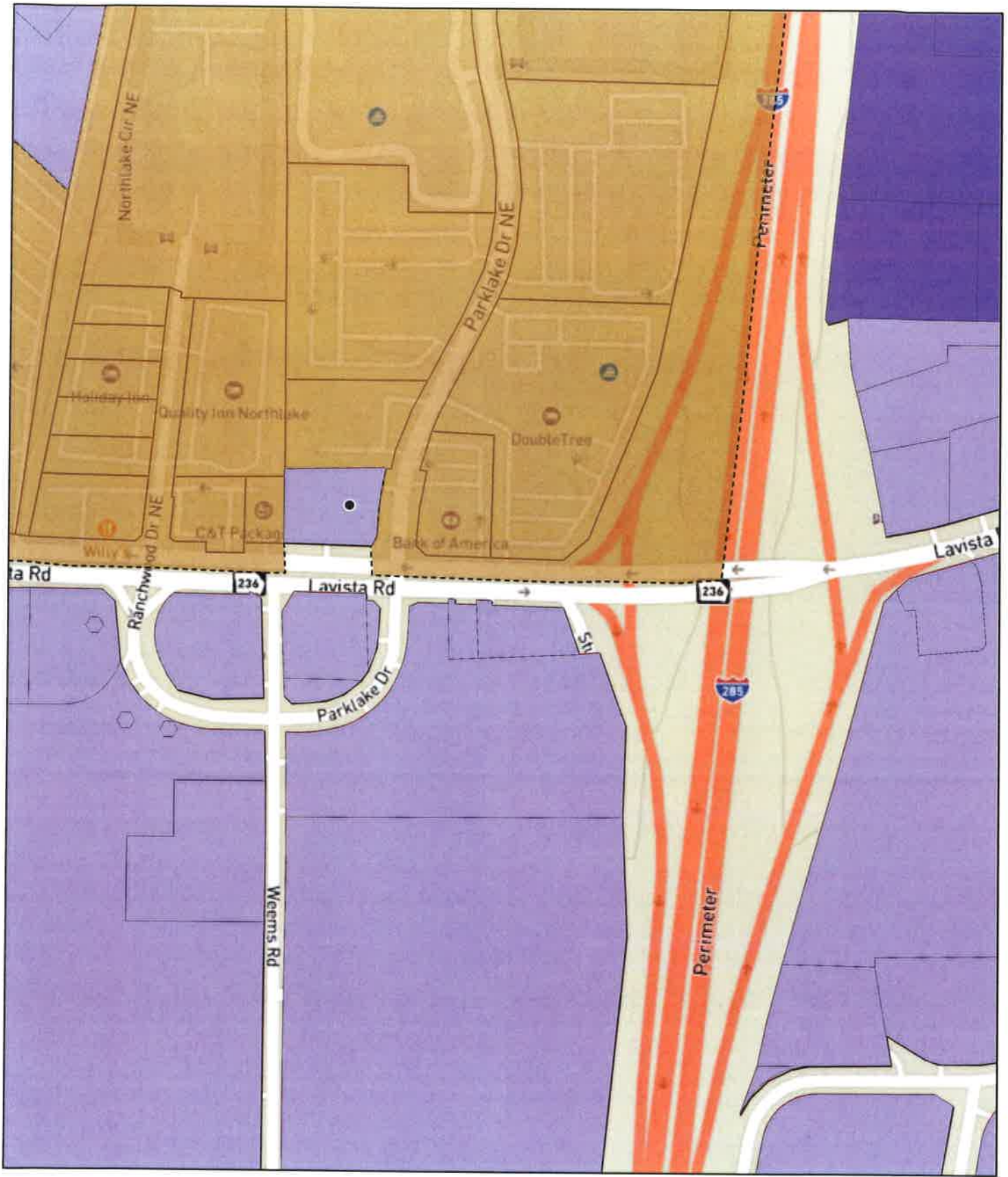
Future Land Use

Commercial Redevelopment Corridor

Light Industrial



# ArcGIS Web Map



7/21/2023, 1:58:02 PM

Zoning District

NL-3 (Employment Center)

NL-2 (Office Park)

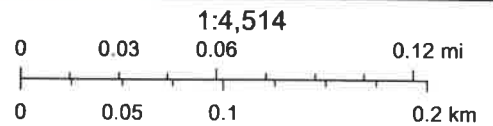
NL-1 (High-Intensity Commercial)

Regional Activity Center

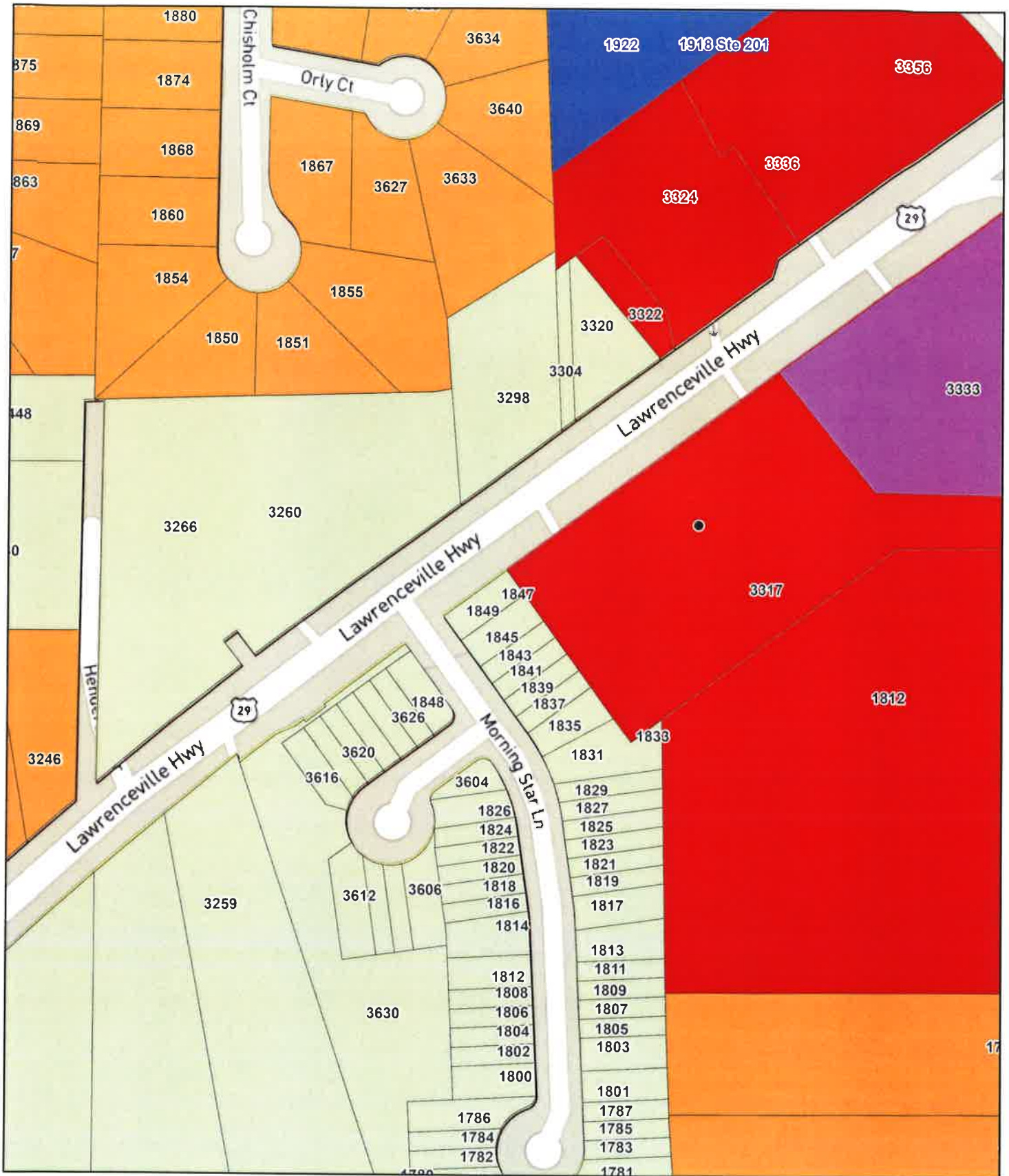
Municipal Boundary

Municipal Boundary

DeKalb County Tax Parcels



# ArcGIS Web Map



7/21/2023, 2:15:02 PM

1:2,257

Address

 MZ (Multiple Zoning)


Zoning District

### Future Land Use

 R-75 (Residential Medium Lot -75)

 Commercial Redevelopment Corridor

 RSM (Small Lot Residential Mix)

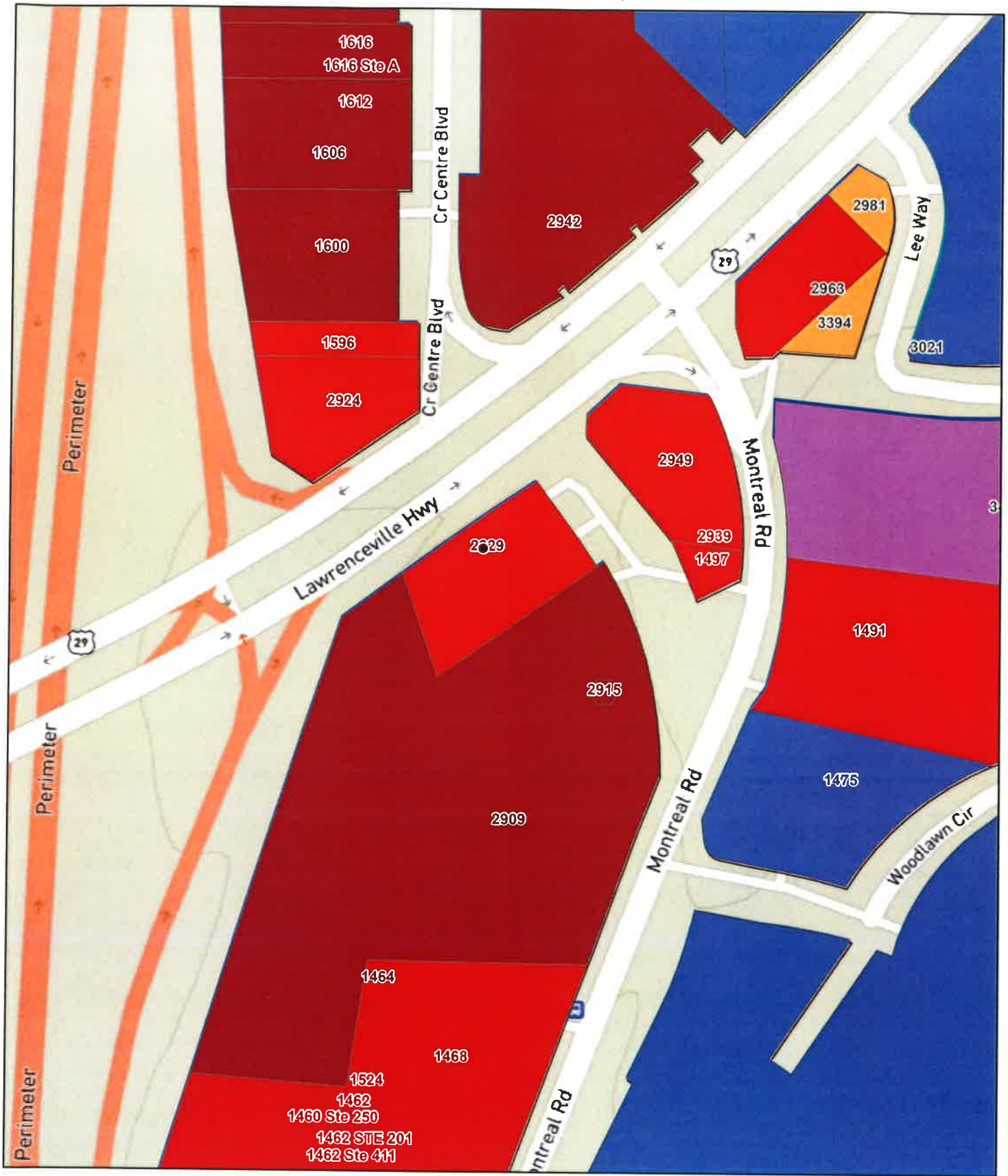
 Suburban

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Page 139 of 369



# ArcGIS Web Map



7/21/2023, 2:18:43 PM

Address

Zoning District

R-75 (Residential Medium Lot -75)

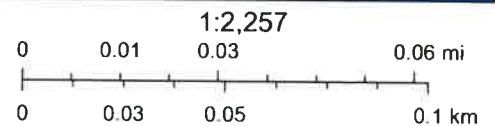
C-1 (Local Commercial)

MZ (Multiple Zoning)

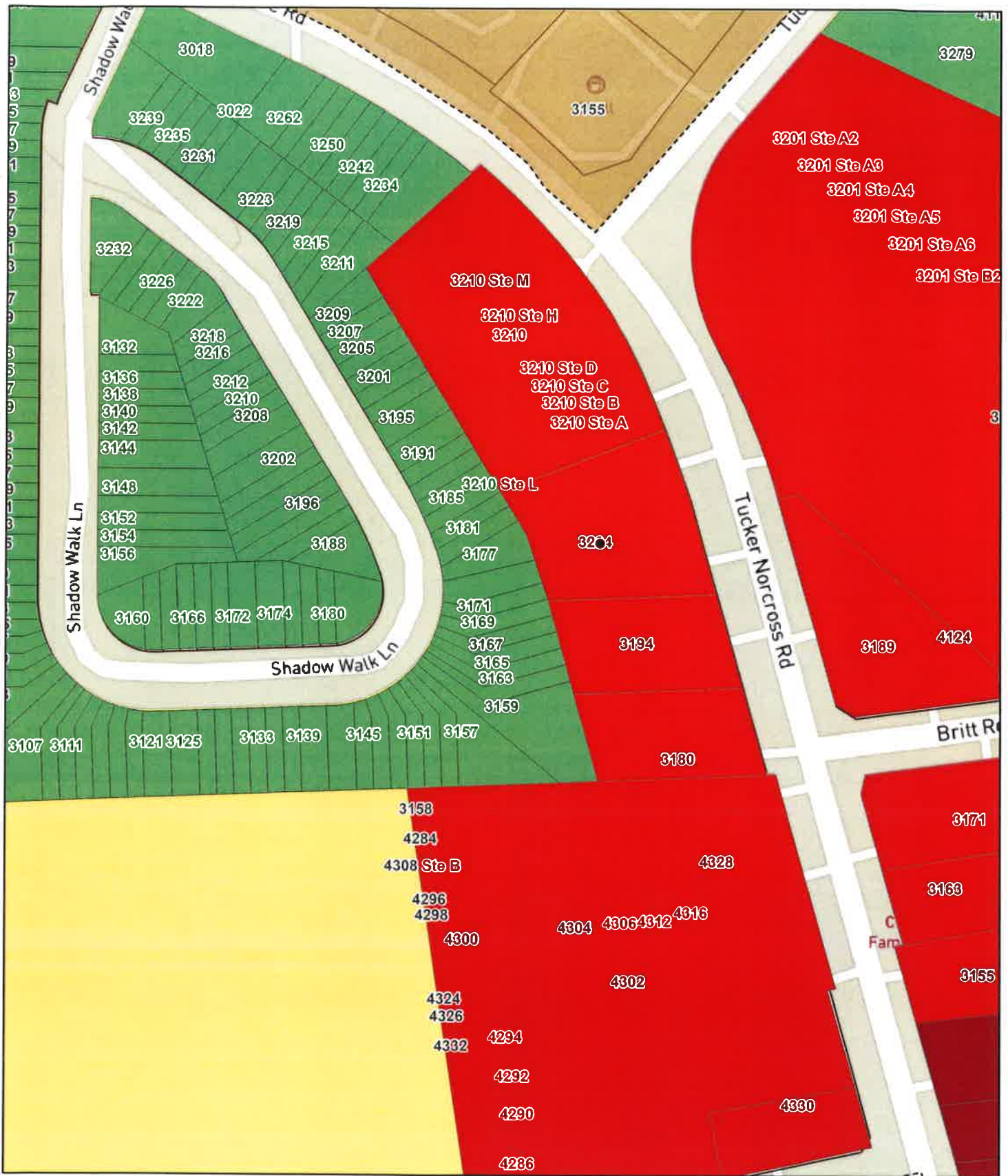
Future Land Use

Institutional

Medical Area



# ArcGIS Web Map




7/21/2023, 2:26:35 PM

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Address

Zoning District

 R-100 (Residential Medium Lot -100)

 MR-1 (Medium Density Residential-1)

### Future Land Use

 Commercial Redevelopment Corridor

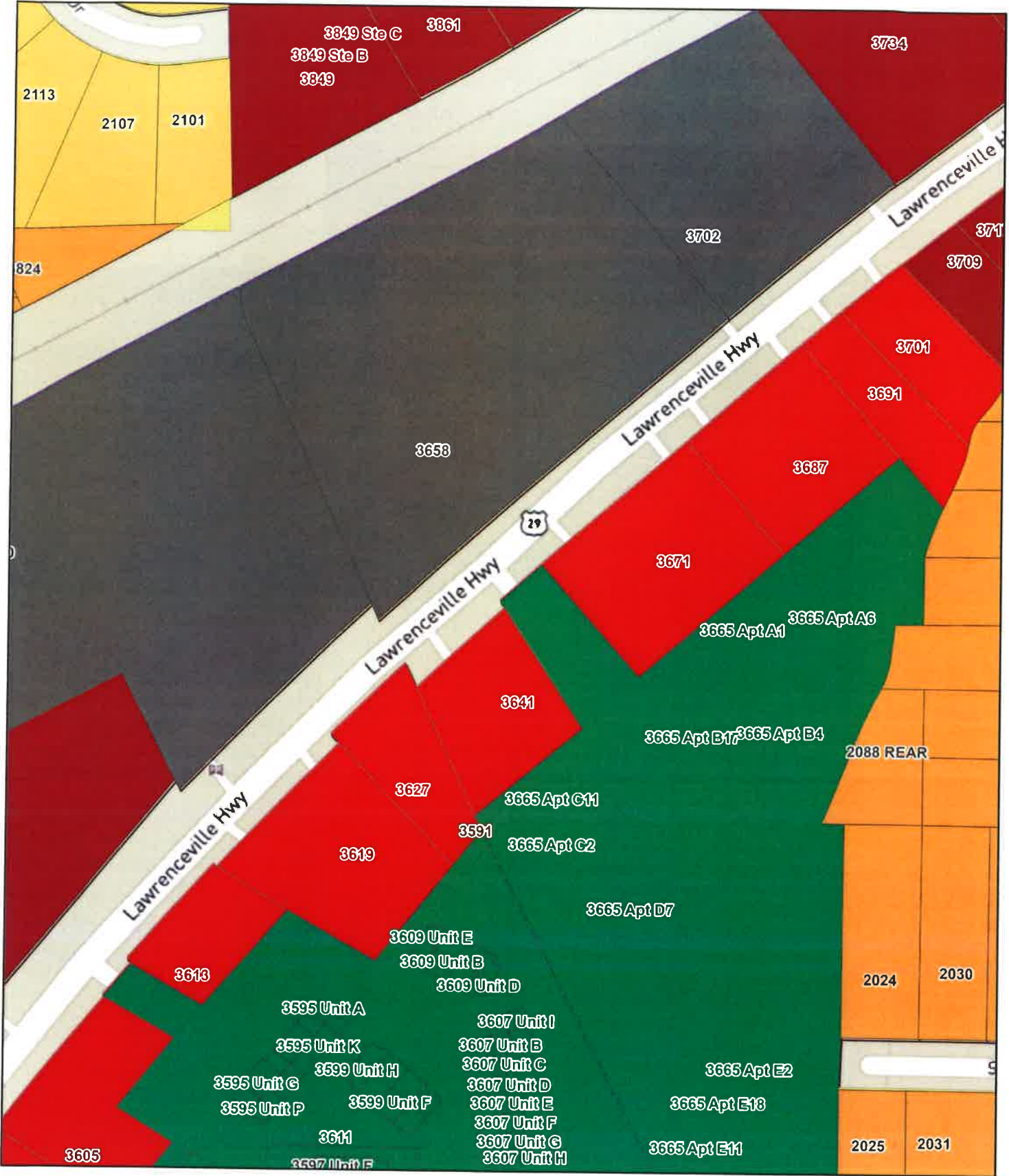
 Suburban

Page  
Municipal Boundary

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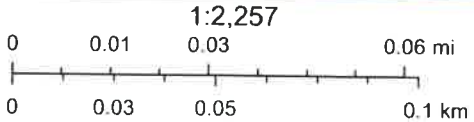


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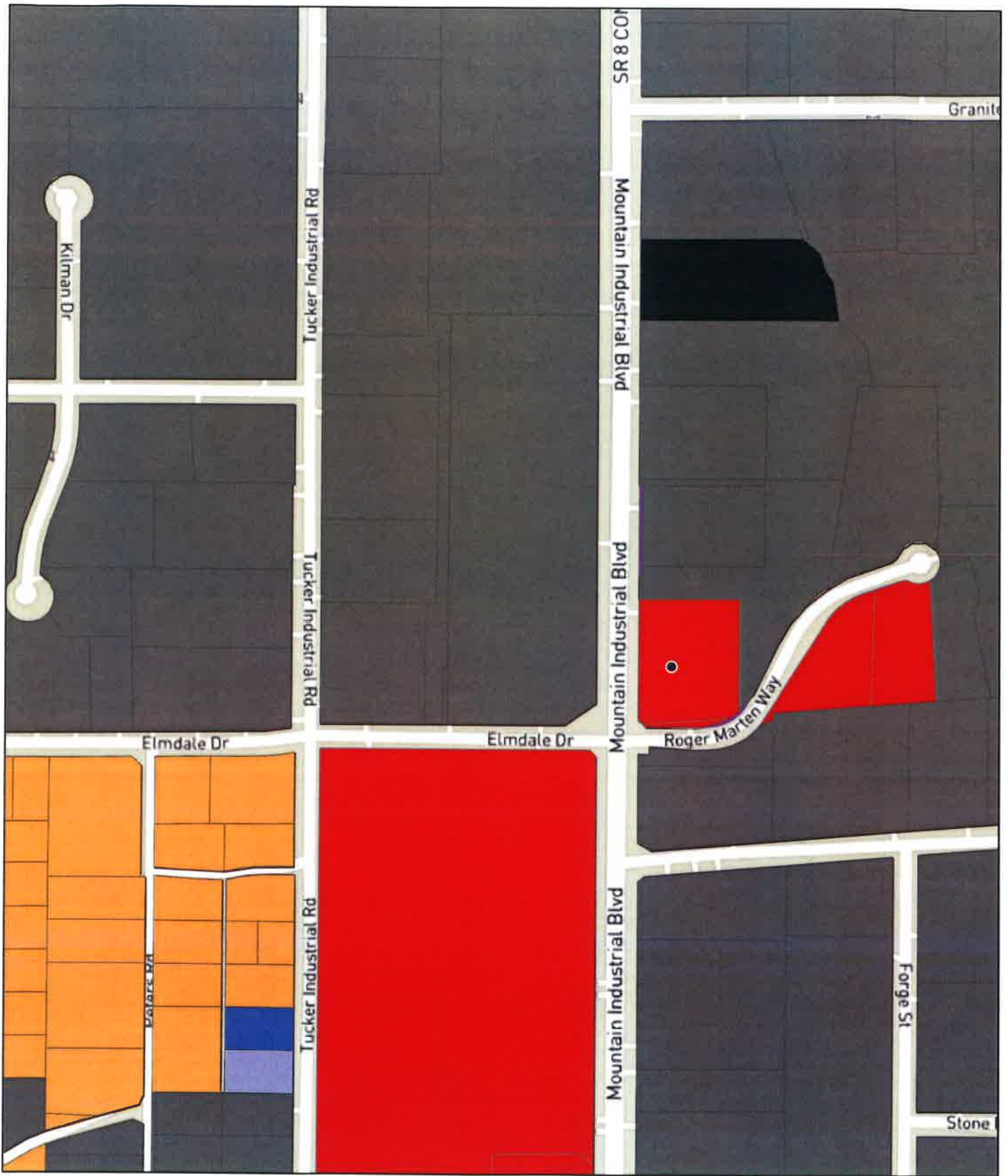


7/21/2023, 2:30:32 PM

Address	M (Light Industrial)
Zoning District	Future Land Use
R-85 (Residential Medium Lot - 85)	Commercial Redevelopment Corridor
R-75 (Residential Medium Lot - 75)	Light Industrial
M (Light Industrial)	



# ArcGIS Web Map



7/21/2023, 2:33:32 PM

Zoning District

R-75 (Residential Medium Lot -75)

C-1 (Local Commercial)

O-D (Office-Distribution)

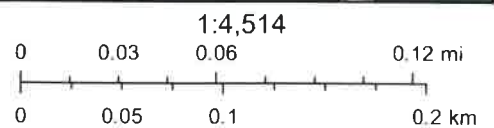
M-2 (Heavy Industrial)

Future Land Use

Light Industrial

Suburban

Page 143 of 369



## Courtney Smith

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Planning and Zoning  
1975 Lakeside Parkway, Suite 350  
Tucker, GA 30084  
Phone: 678-597-9040  
Website: www.tuckerga.gov

# Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☐ Special Land Use Permit  
☐ Concurrent Variance ☐ Modification

## APPLICANT INFORMATION

Applicant is the: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser

Name: Gas Express LLC

Address: 1575 Northside Drive NW

City: Atlanta

State: GA

Zip: 30318

Contact Name: Amin Chitalwala

Phone: 404-809-4923

Email:

## OWNER INFORMATION

Name: Tucker Land Group, LLC

Address: 1833 Lawrenceville Highway

City: Decatur

State: GA

Zip: 30033

Contact Name: Ayaz Ali

Phone: 678-770-0080

Email: alienterprise87@gmail.com

## PROPERTY INFORMATION

Property Address: 5950 East Ponce de Leon Avenue, Tucker GA 30083

Present Zoning District(s): C-1

Requested Zoning District(s): C-1

Present Land Use Category: SUB

Requested Land Use Category: SUB

Land District: 18

Land Lot(s): 125

Acreage: 4.63

Proposed Development: Convenience Store/Gas Station with alcohol sales

Concurrent Variance(s): None

## RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units:

Dwelling Unit Size (Sq. Ft.):

Density:

## NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Building Sq. Ft.: 7000

Density:

LAND USE PETITION APPLICATION - REVISED OCTOBER 24, 2022

SLUP-23-0003

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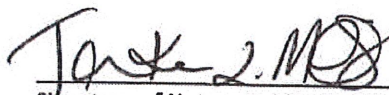
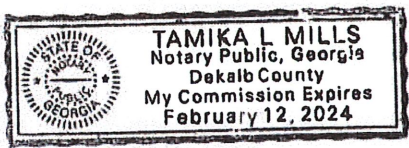
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DEPARTMENT

**APPLICANT'S CERTIFICATION**

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

  
Signature of Applicant  
6/9/23  
Date

Amin Chitalwala  
Type or Print Name and Title  
Member

  
Signature of Notary Public  
6-9-23  
Date  
  
Notary Seal



### PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, Ayaz Ali, authorize, Gas Express, LLC  
(Property Owner) (Applicant)

to file for SLUP at 5960 E. Ponce de Leon Avenue, Tucker GA  
(RZ, CA, SLUP, M, CV) (Address)

on this date June 9, 2023  
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

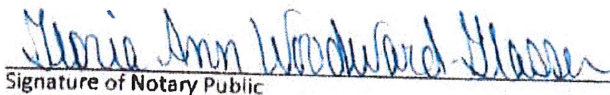


Signature of Property Owner

6/11/2023

Date

Ayaz Ali, authorized representative of Tucker Land Group, LLC  
Type or Print Name and Title



Signature of Notary Public

6/11/2023

Date

Gloria Ann Woodward Glasser  
NOTARY PUBLIC  
DeKalb County, GEORGIA  
My Commission Expires 08/18/2026

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### DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4);

**NO** (if NO, complete only point 4)

1. CIRCLE ONE: **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)

**In Opposition to Petition** (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1.	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Armin Chitalwala

Signature: [Signature]

Date: 6/13/23

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### DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

1. CIRCLE ONE: **Party to Petition** (if party to petition, complete sections 2, 3 and 4 below)  
**In Opposition to Petition** (if in opposition, proceed to sections 3 and 4 below)

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4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) As an authorized representative of property owner and Applicant

Signature: 

Date: 6/13/2023

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## Public Participation Plan Report

**Project Name:** 5690 E Ponce De Leon Ave  
Alcohol Outlet - SLUP

**Contact Name:** Terry Bailey

**Meeting Date:** 03/08/2023

**Meeting Location:** 5690 E Ponce De Leon Ave Tucker, GA 30083

**Meeting Start Time:** 6:30

**Meeting End Time:** 5:50

**Number of people in attendance:** Only the applicant and the property owner were in attendance.

**Date of Filing of Land Use Petition Application:** March 13, 2023

**General Introduction:** Applicant mailed a copy of the notice to all impacted neighbors. In addition to the applicant, the property owner was in attendance. The applicant did receive a few calls from impacted neighbors as well as an e-mail. The 3 neighbors that contacted the applicant all informed the applicant that they did not oppose the request. Therefore, those neighbors did not see any reason to attend

Neighbors that contacted the applicant are Reuben Ramirez (neighbor), David Lloyd (neighboring business owner) and Marc Cahill (neighbor)

**Summary of concerns and issues raised at the meeting:** (please list and respond to each one individually; include as many items that were discussed).

1. The only question proposed was by Mr. Lloyd who asked about the strip of land that DeKalb County owned and he wanted to know if the property owner was able to purchase it from the county. The Property Owner confirmed that he purchased it and provided Mr. Lloyd with a contact to assist him as well. This question was asked over the phone and via e-mail.
2. Mr. Rodriguez simply asked about the request over the phone and he was informed of what the request was for and he said he didn't have any opposition so he wouldn't be present.
3. Mr. Cahill said he didn't think there would be much opposition since they already have alcohol sales in the area.

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1220 Richardson Street St RM CONCRETE SPECIALIST	2786 SPANIS LILBURN GA	30047
1249 Richardson Street St KISSEIH HENRIETTA AKUYI	1960 SILVER STONE MOU GA	30087
1252 West Ridge Avenue : BENTLEY JANICE S	1252 W RIDGE STONE MOU GA	30083
1268 West Ridge Avenue : BRUMBY MADELINE	3209 REHOB DECATUR GA	30033
5861 East Ponce De Leon / BREIT STONE MOUNTAIN	90 PARK AVE NEW YORK NY	10016
AIGP 13TEN LLC	99 ALDAN A\ GLEN MILLS PA	19342
1248 West Ridge Avenue : SFR HOLDCO OWNER LP	9200 E HAMI CAPITOL HEI MD	20743
5862 East Ponce De Leon / DEKALB COUNTY	1300 COMM DECATUR GA	30030
1237 Richardson Street St HERNANDEZ GUTIERREZ I	2332 TERREI LAGRANGE GA	30241
1209 Goldsmith Road Sto HEWATT MIK HEWATT ME	1209 GOLDS STONE MOU GA	30083
1280 West Ridge Avenue : WARD DONA JANE MATTI	1280 W RIDGE STONE MOU GA	30083
1254 West Ridge Avenue : THIGPEN JUI THIGPEN SE	396 15TH ST ATLANTA GA	30318
5101 Madeline Place Ston BELAY ZELEKE	424 LANTER SCOTTDAL GA	30079
1218 Goldsmith Road Sto MATHENA R MATHENA P	1218 GOLDS STONE MOU GA	30083
1212 Goldsmith Road Sto CHELSEY DIANE O	1212 GOLDS STONE MOU GA	30083
1294 West Ridge Avenue : VILLAGE MANAGEMENT F	385 PINNACL WINDER GA	30680
1302 West Ridge Avenue : DULIN ANTH DULIN DASH	885 SCHUM BALDWIN NY	11510
5113 Madeline Place Ston BARBER MARCUS	5113 MADEL STONE MOU GA	30083
5111 Madeline Place Ston CAHILL MARK	5111 MADEL STONE MOU GA	30083
1604 Juliette Road Stone I AIGP 13TEN LLC	99 ALDAN A\ GLEN MILLS PA	19342
5160 Spring View Avenue SUMMIT STONE MOUNTA	2 SOUTHPOI LAKE FORES CA	92630
5100 West View Drive Sto REHOBOTH ETHIOPIAN EV	5100 W VIEV STONE MOU GA	30083
1232 West Ridge Avenue : DEKALB COU OF POLICE L	1238 W RIDGE STONE MOU GA	30083
5960 East Ponce De Leon / TUCKER LAND GROUP LLC	1833 LAWRE DECATUR GA	30033
5064 West View Drive Sto PELLEW CHARLES D	5064 W VIEV STONE MOU GA	30083
5074 West View Drive Sto WYNN CAROLINE	5074 W VIEV STONE MOU GA	30083
1312 West Ridge Avenue : STAGGS CAC LUCA DYLAN	1312 W RIDGE STONE MOU GA	30083
1324 West Ridge Avenue : PAYTON SHELBY THOMAS	1324 W RIDGE STONE MOU GA	30083
5117 Madeline Place Ston WALKER LORRAE	5117 MADEL STONE MOU GA	30083
5109 Madeline Place Ston CHANG VANESSA M	5109 MADEL STONE MOU GA	30083
5912 East Ponce De Leon / AIGP 13TEN LLC	99 ALDAN A\ GLEN MILLS PA	19342
1187 Goldsmith Road Sto RUBAYE KAR RUBAYE ALI	854 RAYS RC STONE MOU GA	30083
5882 East Ponce De Leon / AIGP 13TEN LLC	99 ALDAN A\ GLEN MILLS PA	19342
5107 Madeline Place Ston MITCHELL VERDELL	5107 MADEL STONE MOU GA	30083
5103 Madeline Place Ston BELGRAVE ANGIE M	5103 MADEL STONE MOU GA	30083
5860 East Ponce De Leon / PONCE OAKS LLC	1311 GREEN SNELLVILLE GA	30078
1250 Richardson Street St PEARSON LANDSCAPES IN	198 WEAVER BRASSTOWN NC	28902
5095 Stone Mill Way Ston HIDMO PROPERTIES LLC	5095 STONE STONE MOU GA	30083
1260 West Ridge Avenue : DEKALB COUNTY	4380 MEMOI DECATUR GA	30032
5105 Madeline Place Ston GRICE COREY	5105 MADEL STONE MOU GA	30083
5099 Madeline Place Ston ATLANTA LAND INVESTOF	2355 E CAMI PHOENIX AZ	85016

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Name	Address	Phone #
Terry Bailey	2221 Peachtree Rd NE Ste D341	404-969-5401
Ayaz Ali	ATLANTA GA 30309	
	1833 LAWRENCEVILLE HWY	678-770-0080
	DECATUR, GA 30033	

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THE  
T.S. BAILEY  
LAW FIRM, LLC

2221 Peachtree Rd. NE Suite D-341  
Atlanta, Georgia 30309  
404.969.5401

TERRY BAILEY  
[terry@tsbaileylaw.com](mailto:terry@tsbaileylaw.com)

February 22, 2023

VIA UNITED STATES MAIL

RE: SPECIAL LAND USE PERMIT

Dear Neighbors of 5960 E Ponce De Leon Ave Tucker, GA 30083,

My firm represents Gas Express, LLC ("Gas Express" an applicant for a Special Land Use Permit ("SLUP") in the City of Tucker for property located at 5960 E Ponce De Leon Ave (the "Property"). The property is being developed and the applicant wishes to operate as a convenience store with gasoline and alcohol sales. This request requires a SLUP for the city to permit the applicant to apply for alcohol sales at this location.

The development consists of approximately 7,000 Sq. ft. of convenience store space with approximately 10,000 Sq. ft. of retail space adjacent to the convenience store. The convenience store will be managed by Gas Express, LLC, a franchise owner with significant experience managing locations across Georgia.

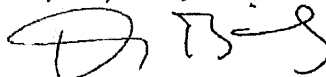
The first step in this process is to hold a Public Participation (neighborhood) meeting with the community to discuss our proposal with you and receive feedback. This meeting is required before we can submit our application for a SLUP to the city. You are receiving this letter as you own property within 500' of our project. We hope you will be able to meet with us at the following time:

MEETING TIME: 6:30 p.m. Wednesday March 8, 2023  
MEETING LOCATION: 5960 E Ponce De Leon Ave Tucker, GA 30083

We have included a site plan of our current proposal in which we look forward to discussing with you and getting feedback on March 8, 2023. If you are unable to attend or wish to reach out beforehand, I can be reached at [terry@tsbaileylaw.com](mailto:terry@tsbaileylaw.com) or at (404) 969 - 5401.

A flyer outlining the land use petition process in the City of Tucker is also included. Questions relating to city matters can be addressed to [info@tuckerga.gov](mailto:info@tuckerga.gov).

Very Truly Yours,



Terry Bailey

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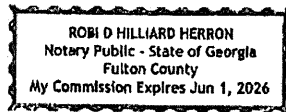
- o Meeting sign-in sheet
- o Meeting minutes
- o Copy of the plan that was presented at the neighborhood meeting

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

[Signature] 3/12/23  
 Signature of Applicant or Authorized Representative Date

TERRY BAILEY  
 Type or Print Name of Applicant or Authorized Representative Date

[Signature] 3/13/2023  
 Signature of Notary Date Notary Seal



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Public Participation Plan Report Attestation

I, ALI AYAZ, authorized representative for the property owner of 5960 East Ponce de Leon Avenue in the City of Tucker, Georgia ("Subject Property") , Tucker Land Group, LLC, do solemnly swear that the information provided by Terry Bailey in the foregoing Public Participation Plan report is true and correct to the best of my knowledge. Specifically, I attended the public participation meeting and signed the sign in sheet for that meeting which was conducted on the Subject Property (at 5960 East Ponce de Leon, not 5690 as erroneously stated) March 8, 2023, beginning at 6:30 p.m. and ending at 6:50 p.m. (not 5:50 as stated in error on the face of Mr. Bailey's report). Only a representative of the Applicant, Gas Express, and myself were present. The letter in the packet along with the site plan were sent to those property owners listed in the packet on February 23, 2023, but no one appeared at the meeting.



AYAZ ALI for TUCKER LAND GROUP, LLC

June 11, 2023



Signature of Notary

June 11, 2023

Gloria Ann WoodwardGlasser  
NOTARY PUBLIC  
DeKalb County, GEORGIA  
My Commission Expires 08/18/2026

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## **ENVIRONMENTAL SITE ANALYSIS FORM**

### **1. CONFORMANCE WITH THE COMPREHENSIVE PLAN.**

The Subject Property is in a Suburban Character Area and within the Mountain Industrial Overlay. Redevelopment of this once vacant site for retail use serves to bolster the economic base by converting a vacant property to a contributing one. It also furthers the goal of promoting commercial growth within the overlay area. With redevelopment the sidewalks will be installed expanding the pedestrian network.

### **2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT**

**a. Wetlands**-No jurisdictional wetlands on site

**b. Floodplain**-Not in flood plain

**c. Stream/stream buffers**-No streams or buffers on site

**d. Slopes exceeding 25 percent over a 10-foot rise**-None

**e. Vegetation**-Any clearing of vegetation was done with development of convenience store on site; replants installed and no additional clearing contemplated

**f. Wildlife species including fish**-No impact

**g. Archeological/Historical sites**-Not applicable

### **3. PROJECT IMPLEMENTATION MEASURES.**

All environmental protection measures required by state and local codes were undertaken at development and construction stages of convenience store installation. No additional implementation measures required for sale of beer and wine on site.

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**STATEMENT OF INTENT**

and

Other Material Required by  
City of Tucker Zoning Ordinance

for

A Special Land Use Permit pursuant to  
Sections 46-1594 and Use Table 4.1  
of the City of Tucker Zoning Ordinance

Of

Gas Express, LLC

To Allow For

Alcohol sales at an already permitted gas station convenience store located in  
Land Lot 125, 18th District, DeKalb County  
City of Tucker  
5960 East Ponce de Leon Avenue

Submitted for Applicant by:

Linda I. Dunlavy  
Dunlavy Law Group, LLC  
245 North Highland N.E. Suite 230, #905  
Atlanta, GA 30307  
(404) 371-4101 Phone  
(404) 371-8901 Facsimile  
[ldunlavy@dunlavylawgroup.com](mailto:ldunlavy@dunlavylawgroup.com)

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## **I. INTRODUCTION**

This Application seeks Special Land Use Permits to authorize the Applicant to operate a gas station/convenience store with sales of beer and wine for off premises consumption on the Subject Property (“Subject Property”). The Subject Property is located at 5960 East Ponce de Leon Avenue. The property is zoned C-1 without conditions. It was rezoned by the City of Tucker after a land disturbance permit for the development of the property for a gas station convenience store was granted pursuant to Ordinance 2021-11-28 on December 13, 2021. Under the previous zoning the Subject Property was zoned M and convenience stores with fuel pumps were an expressly permitted use.<sup>1</sup> The convenience store constructed complies with the supplemental regulations governing fuel pumps. *See 46-1171*. The Subject Property is located on the northside of East Ponce de Leon Avenue immediately west of Highway 10 between Richardson Street and Juliette Road. It is in the Mountain Industrial Boulevard Overlay and carries a Suburban Character Area designation. *See maps filed contemporaneously with this application*. Applicant has fully developed the site for a gas station/convenience store with 5 fueling stations but desires to sell wine and malt beverages for off premises consumption and thus requires a special land use permit per Table 4.1 (“Alcohol outlet, retail sales primary or accessory”) of the Zoning Ordinance.

## **II. BACKGROUND INFORMATION**

The Subject Property is comprised of +/- 4.63 acres of land fronting East Ponce de Leon Avenue where it has just over 400 feet of frontage. The Subject Property is currently developed with a brand-new convenience store/gas station of 7000 square feet and five fueling stations beneath a fuel canopy. Underground detention has been installed along with sidewalks, access

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<sup>1</sup> At the time of the land disturbance permit application, Ordinance 2022-10-52 was not effective. *See 46-1206 of the Zoning Ordinance.*

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drives, parking spaces and landscaping. *See As-Built survey and site photographs included with materials.* Immediately to the west is a small townhome community along Bent Tree Loop. Adjoining to the north is RM Concrete Specialist, a commercial and residential concrete contractor, and Pearson Landscapes, a commercial landscaping business. Although commercially used, these properties to the north are zoned RSM. Immediately to the east is State Route 10 and the on-off ramps for same. To the south along the southside of East Ponce de Leon Avenue are single-family residential homes in unincorporated DeKalb County.

### **III. RELEVANT ZONING ORDINANCE PROVISIONS**

Section 46-1073 of the Mountain Industrial Boulevard Overlay provides that permitted principal uses shall be governed by the underlying zoning district regulations unless excepted or prohibited specifically within the Overlay. The Overlay does not prohibit convenience stores or alcohol outlets. The Use Table 4.1 in the C-1 District (the current zoning) requires a Special Use Permit for accessory or primary alcohol outlets. Section 46-1594 of the Zoning Ordinance sets forth 20 criteria for approval of a Special Land Use Permit. The Applicant submits that, as required, it has made satisfactory provisions and arrangements concerning the criteria set forth in that section and is in compliance with all provisions of Article IV of the Zoning Ordinance.

Applicant addresses the specific criteria for a Special Land Use Permit below.

### **IV. CRITERIA TO BE APPLIED TO SPECIAL LAND USE PERMITS**

- A. Adequacy of the size of the site for use contemplated and whether or not adequate land is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The Subject Property is comprised of land totaling 4.63 acres. The C-1 zoning district has a minimum lot size requirement of 20,000 square feet. The land is more than adequate for the 7000 square foot convenience store with five fueling stations and required off-street parking

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spaces. Approximately one-third of the land remains undisturbed and is currently being landscaped with vegetation to provide an enhanced appearance to the Subject Property and to provide screening from the adjoining properties and SR 10..

**B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

There are no single-family residential uses immediately adjoining the Subject Property in the City of Tucker. The closest residential uses are townhomes at Bent Tree Loop (zoned MR-1). These townhomes are separated from the store where alcohol will be sold by more than 200 feet. Similarly, the residential structures on the south side of East Ponce De Leon are separated from the C-store by more than 200 feet, the East Ponce right of way and a railroad right of way. The proposed alcohol outlet is clearly suitable in view of the use and development of adjacent and nearby property and is fully compatible with the commercial uses adjacent to and near the Subject Property. There should be no adverse impacts on surrounding properties from the alcohol outlet in an already permitted gas station/C-store.

**C. Adequacy of public services, public facilities, and utilities to serve the use contemplated.**

All services, facilities and utilities are available to serve the use contemplated. Since the proposed use is a non-residential use, there are no impacts on schools and the business is located near other commercial uses. The site is served by public water and sewer and no burdensome impacts on public services, facilities and utilities would be anticipated.

**D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

As noted, the Subject Property fronts on East Ponce De Leon which is a two-lane minor arterial with dedicated turn lanes at Juliette Road and SR 10. These roadways have more than

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sufficient carrying capacity to manage any traffic generated from the proposed use. The use will not increase congestion or back up on East Ponce de Leon or the other surrounding roadways since the alcohol sales will occur mainly to the operators of cars already visiting the convenience store.

**E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

Neither the character of the vehicles nor any potential volume of traffic generated by the proposed use will adversely affect existing land uses in the immediate vicinity or adjoining access routes. The additional traffic generated by the alcohol outlet will be zero or negligible as the additional alcohol sales will take their customer base from traffic that is already on the roadways, i.e., by-pass traffic.

**F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.**

Ingress and egress to the Subject Property will be more than adequate, safe, and convenient. There are two large curb cuts on East Ponce de Leon Avenue and one on Richardson Street where full turning movements will be allowed, such that customers may enter or exit onto East Ponce de Leon or Richardson Street directly. The site driveways, access routes and building location facilitates safe, convenient, and efficient traffic flow and control throughout the Subject Property. In the event of fire or other emergency, emergency vehicles will have close access to any part of the buildings or other developed areas of the site. Moreover, the Applicant has constructed pedestrian sidewalks along the full frontage of the Subject Property which provides for safe access to the MARTA bus stop at the corner of Juliette Road and East Ponce de Leon Avenue.

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**F. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

No smoke, odor, dust, or vibration are produced by the proposed use. While there is some noise inherent to the operation of a gas station, there will be no adverse impacts created by the addition of an alcohol outlet to the C-store/gas station upon any adjoining land uses.

**H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The Applicant proposes hours of operation seven days per week from \_\_\_\_ a.m. to \_\_\_\_ p.m.. These hours of operation are consistent with those of other businesses in the area such that the C-Store hours for alcohol sales will not impact the other businesses within the immediate vicinity.

**I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

See E through H, above.

**J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The proposed use is totally consistent with the requirements in a C-1 District. It produces no appreciable impact on adjacent properties and preserves the appeal and appearance of residential and commercial areas. Any noise impacts from the C-store/gas station operation will be contained within its boundaries and will not create noise problems for adjoining residential or commercial districts. Access to thoroughfares and freeways is readily available. *See stated purpose and intent of C-1 zoning district in Section 46-758.*

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**K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan.**

The designated land use for the Subject Property is suburban character Area and it is within the Mountain Industrial Boulevard Overlay. *See Future Land Use Map of Tucker Tomorrow Comprehensive Plan Update 2018, Pages 11 and 59, and Section 46-1072 of the Mountain Industrial boulevard Overlay Purpose and Intent Section.* . The gas station/C-store with alcohol sales use is consistent with the future vision for this area. A gas station/C-store with alcohol sales is a “supporting commercial use” appropriately located between development nodes and other higher intensity uses in close proximity to highly classified traffic arteries. The gas station/C-store with alcohol sales will provide services to neighboring communities thereby reducing travel time to services outside of the community and will support the activities envisioned in the Mountain Industrial Boulevard Overlay District. By providing sidewalks it links residential uses to commercial amenities. The sidewalk increases safety and improves walkability.

**L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located.**

Section 46-1338 of the Zoning Ordinance requires 50-foot transitional buffers between the Subject Property and those residentially zoned (mR-1 and RSM) properties to the north and west. Applicant has planted a number of trees at the rear and sides of the Subject Property and installed large, landscaped areas to improve appearances, provide vegetative screening and sound and light buffering for the adjoining residential properties and provided the required transitional buffer width.

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**M. Whether there is adequate provision of refuse and service areas.**

There is a dumpster on site adjacent to the northeast side of the store enclosed with three brick walls and a wooden gate.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

A time limitation is neither necessary nor appropriate. The proposed use is designed to be permanent in nature.

**O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings.**

The size, scale, and massing of the existing buildings on site is appropriate. The square footage of the one-story building is modest. Approximately 1/3 of the Subject Property is undisturbed.

**P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are no historic buildings, sites, districts, or archaeological resources proximate to the Subject Property to the knowledge of the Applicant.

**Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.**

Section 46-1151 contains supplemental requirements for Alcohol Outlets. The proposed outlet meets these requirements. It is not located in an NS or MU District. Applicant is not proposing a package store.

**R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.**

The C-store and canopy over the fuel pumps are of modest height ---one story such that

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there can be no shadow impact on any adjoining land or building.

**S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.**

The proposed use is located along and near corridors heavily travelled by commuters seeking the services Applicant offers. While there is another C-store/gas station within the area on Stone Mill Way, the Applicants' data shows that there remains unmet demand for the services it would offer. The Applicants submits that its modest establishment does not amount to a "disproportionate proliferation alcohol outlets in the character area of which it is a part.

**T. Whether the proposed use would be consistent with the needs of the neighborhood or to the community as a whole, be compatible with the neighborhood, and would not conflict with the overall objective of the Comprehensive Plan.**

The Applicant is committed to providing convenience items including beer and wine for off premises consumption to residents in the area and passersby. Such objectives do not conflict with the needs of the community and are consistent with the County's land use objectives and policies.

**U. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

*See, foregoing responses, specifically K and T.*

**III. PRESERVATION OF CONSTITUTIONAL RIGHTS**

On behalf of the owner of the property, the Applicant respectfully submits that the current zoning classification of and rules relative to alcohol outlets accessory to a convenience store established in the City of Tucker Zoning Ordinance, to the extent they prohibit the Applicant's proposed use, constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or

general welfare of the public and substantially harm the Property owner in violation of the due process and equal protection rights of the property owner guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicants respectfully submit that the City Council's failure to approve the requested Special Land Use Permit would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States. Specifically, there is no rational basis for distinction between the Applicant's proposed use and other convenience store/gas stations within the City.

A refusal to allow the operation in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Finally, any resident objecting to the granting of the SLUP(s) requested does not have legal standing to challenge the applications.

#### **IV. CONCLUSION**

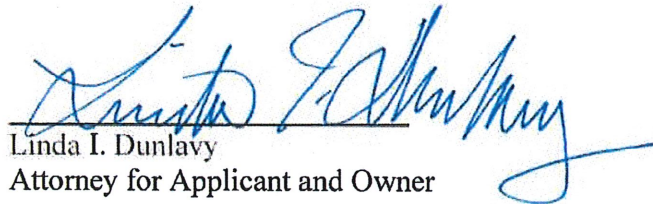
For the foregoing reasons, the Applicant respectfully requests that the Special Land Use



Permits at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 12<sup>th</sup> day of June 2023.

Respectfully submitted,



Linda I. Dunlavy  
Attorney for Applicant and Owner

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245 North Highland N.E. Suite 230, #905  
Atlanta, GA 30307  
(404) 371-4101 Phone  
[ldunlavy@dunlavylawgroup.com](mailto:ldunlavy@dunlavylawgroup.com)

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## LEGAL DESCRIPTION AND SITE PLAN

**EXHIBIT A**  
**Legal Description**

All that tract or parcel of land lying and being in Land Lot 125 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

To find the True Point of Beginning, commence at a point on the land lot line dividing Land Lots 124 and 125, aforesaid District, at its intersection with the northeastern right of way line of Georgia Railroad (said point being 100 foot from the centerline of said right of way at this point); thence along said northeastern right of way line of Georgia Railroad the following two (2) courses and distances: South 41 degrees 13 minutes 27 seconds East 68.55 feet to a point and along the arc of a 2135.30 feet radius curve to the left an arc distance of 507.76 feet to a point (said arc being subtended by a chord bearing South 48 degrees 02 minutes 11 seconds East a chord distance of 506.26 foot), said point being the True Point of Beginning; from the True Point of Beginning as thus established, leave said right of way line North 00 degrees 20 minutes 03 seconds West 17.22 feet to a ½ inch rebar set; thence continue North 00 degrees 20 minutes 03 seconds West 238.59 feet to a ½ inch rebar set; thence North 70 degrees 15 minutes 57 seconds East 179.20 feet to a ½ inch hollow pipe found; thence South 67 degrees 37 minutes 03 seconds East 249.85 feet to a ½ inch rebar found; thence South 67 degrees 28 minutes 23 seconds East 250.10 feet to a ½ inch rebar found; thence South 07 degrees 05 minutes 57 seconds West 151.60 feet to a 5/8 inch rebar found on the western right of way line of Stone Mountain By-Pass (per Project F-010-2 (6), DeKalb County); thence along said western right of way line of Stone Mountain By-Pass South 31 degrees 31 minutes 26 seconds West 85.00 feet to a ½ inch rebar set at the northeastern point of the mitered intersection of the western right of way line of Stone Mountain By-Pass and the northern right of way line of East Ponce de Leon Avenue; thence along said mitered intersection South 81 degrees 21 minutes 53 seconds West 217.50 feet to a ½ inch rebar set at the southwestern point of said mitered intersection; thence along said northern right of way line of East Ponce de Leon Avenue the following two courses and distances: North 66 degrees 21 minutes 56 seconds West 173.93 feet to a point and North 65 degrees 41 minutes 37 seconds West 35.77 feet to a ½ inch rebar found; thence leaving said right of way line of East Ponce de Leon Avenue South 01 degree 17 minutes 00 seconds West 26.87 feet to a point on the aforesaid northeastern right of way line of Georgia Railroad (said point being 100 foot from the centerline of said right of way); thence along said northeastern right of way line of Georgia Railroad along the arc of 2135.30 feet radius curve to the right an arc distance of 196.79 feet to a point (said arc being subtended by a chord bearing North 57 degrees 29 minutes 20 seconds West a chord distance of 196.72 feet), said point being the True Point of Beginning.

The above-described property contains 4.5609 acres as shown on and described according to that certain Survey for Gwinnett Industries, Inc. prepared by L00-Turley & Associates, P.C. and bearing the stamp and seal of Richard Loo, GRLS No. 2129, dated June 2, 1992, which plat is hereby made a part of and incorporated in this description.





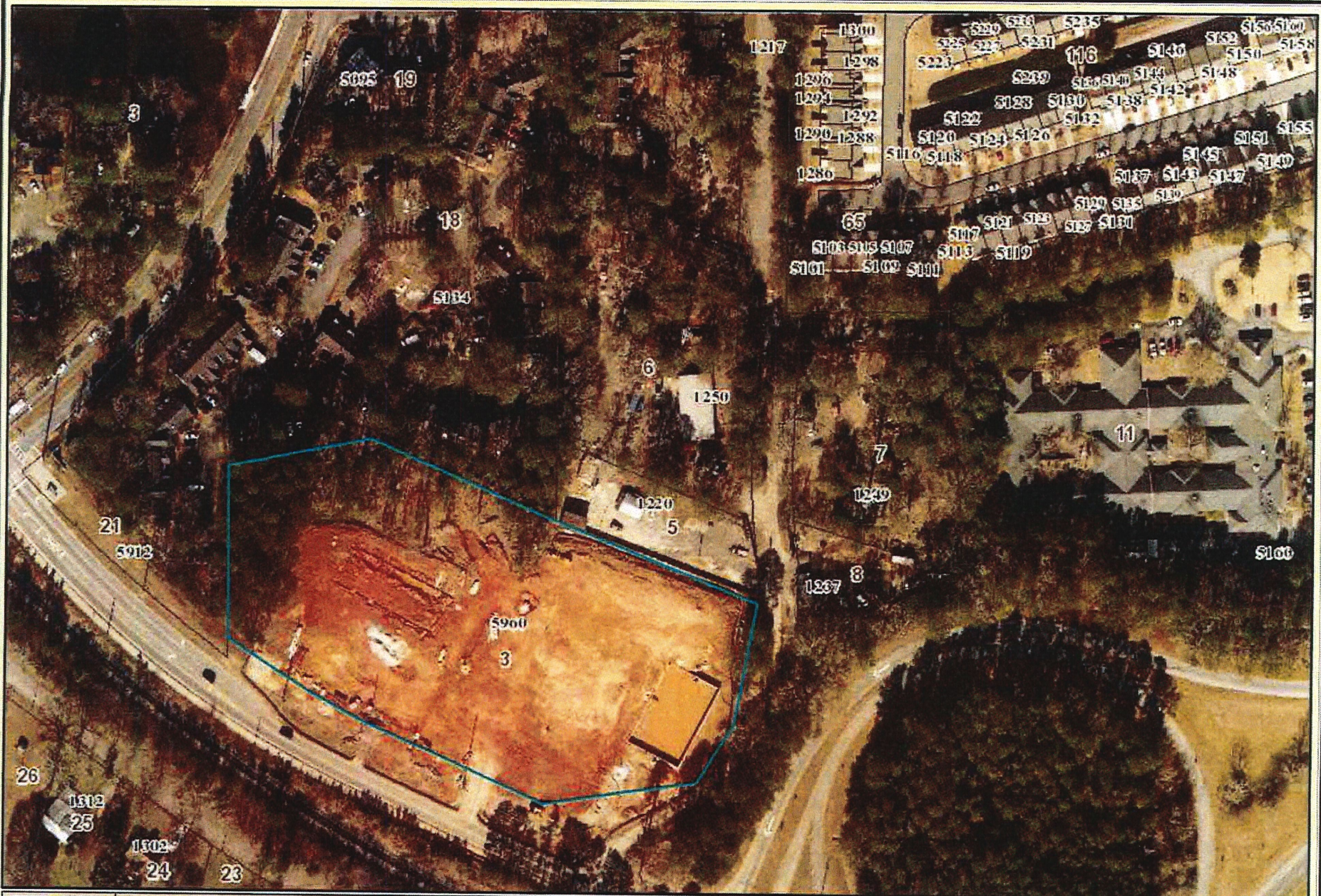
# MAPS

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# DeKalb County Parcel Map

0 0.0075 0.015 0.03 0.045 0.09

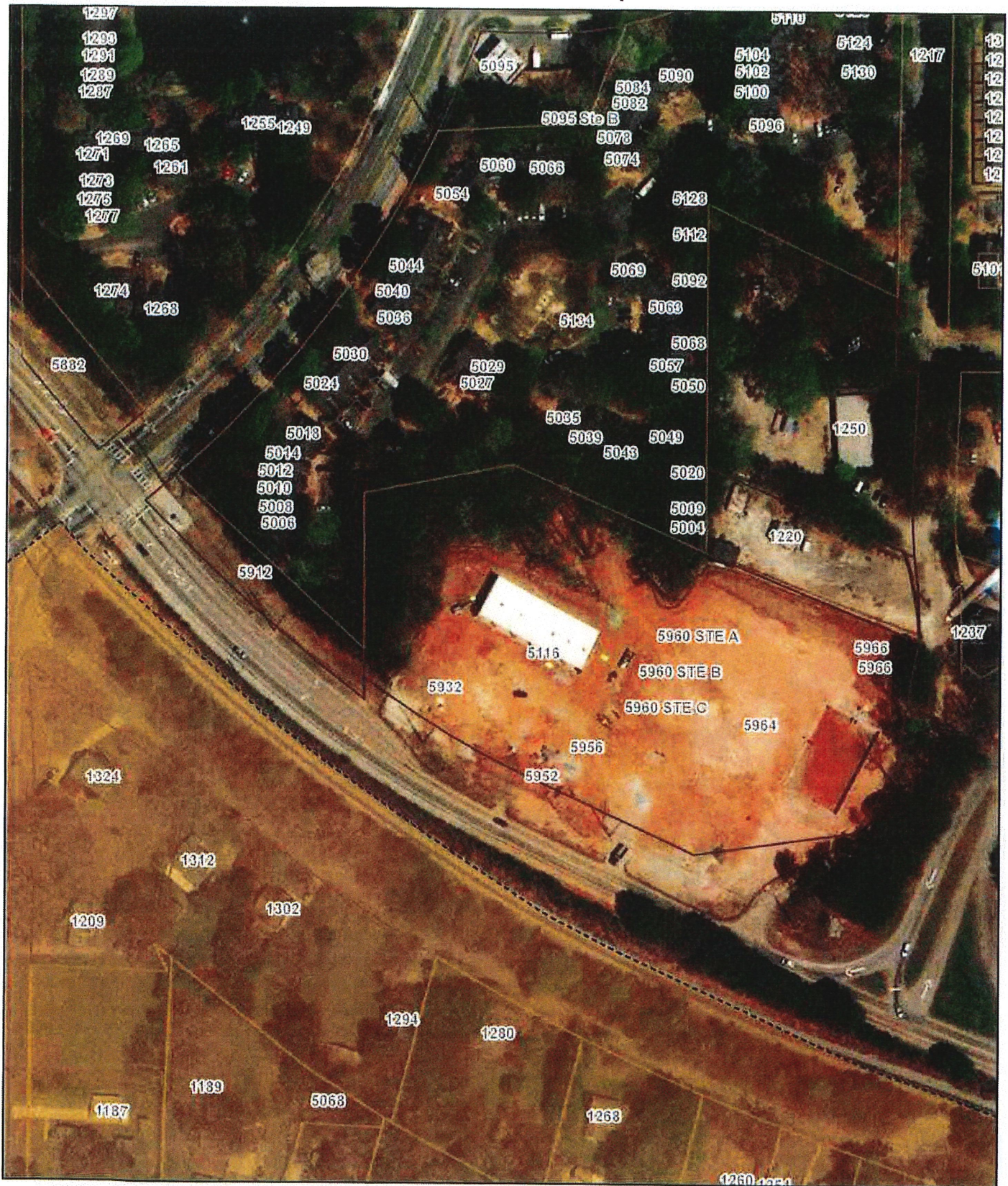
Date Printed: 6/9/2023



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# ArcGIS Web Map

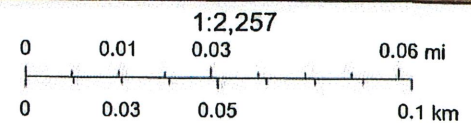


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Address

--- Municipal Boundary

--- Municipal Boundary

Maxar, Microsoft







# ArcGIS Web Map



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Address

Zoning District

RSM (Small Lot Residential Mix)

MR-1 (Medium Density Residential-1)

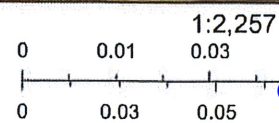
C-1 (Local Commercial)

Municipal Boundary

Municipal Boundary

DeKalb County

Maxar, Microsoft

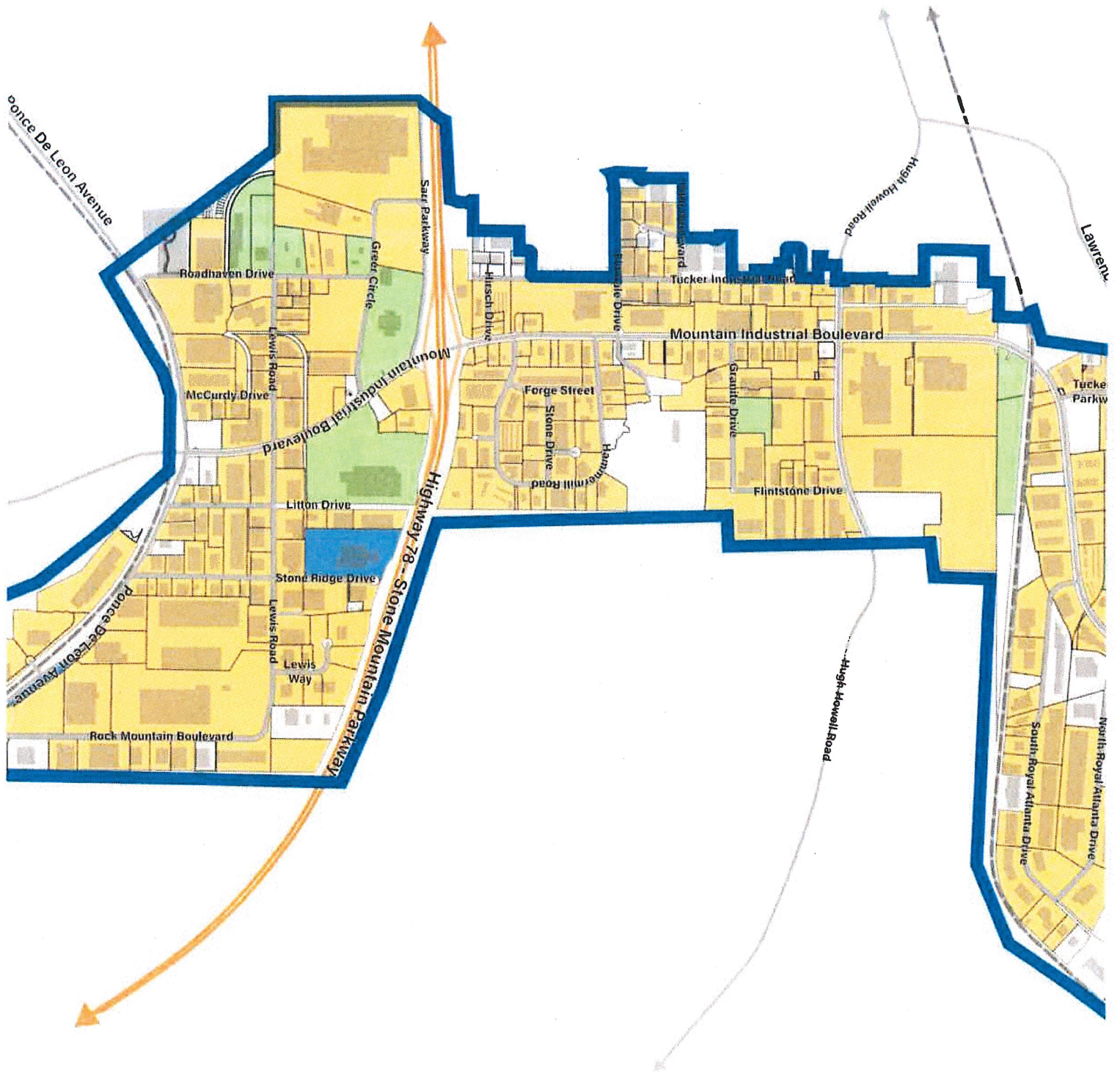


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[illegible]

Address Future Land Use

Road Classification Suburban

Minor Arterial Municipal Boundary

0 0.01 0.03 0.06 mi  
0 0.03 0.05 0.1 km

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## PHOTOS

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RELEVANT EXCERPTS FROM TRAFFIC IMPACT STUDY/TRIP  
GENERATION NUMBERS

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# TRAFFIC IMPACT STUDY

E. Ponce de Leon St C-Store & Retail  
Development

Dekalb County, GA



**COASTAL ENGINEERING**  
AND CONSULTING

February 2019

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Traffic Impact Study – E. Ponce de Leon C-Store & Retail

<i>Title</i>	
<b>E. Ponce de Leon C-Store &amp; Retail Development Traffic Impact Study Dekalb County, GA</b>	
<i>Prepared For</i>	<i>Date</i>
Ayaz Ali General Construction Management, LLC 1833 Lawrenceville Highway Decatur, GA 30033	February 22, 2019
<i>Prepared By</i>	<i>Report By</i>
Coastal Engineering & Consulting 6605 Abercorn Street, Suite 214F Savannah, GA 31405  (912) 964-4509	C. Scott Burns, P.E.
This study describes a traffic analysis to determine if improvements are required at the intersection of E. Ponce de Leon Avenue and the proposed access to the E. Ponce de Leon C-Store & Retail development in Dekalb County, GA. The proposed project will consist of a 5,000-sf convenience store with 5 MPDs, 9,400 sf retail space and 3,000 sf take-out restaurant and will provide one full access point and one right-in/right-out access along E. Ponce de Leon Avenue. Based on the findings in this study, a left turn and right turn lane will be required; however, the intersection will provide an acceptable level of service as a stop-controlled intersection.	

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- 2 – EXISTING TRAFFIC CONTROL
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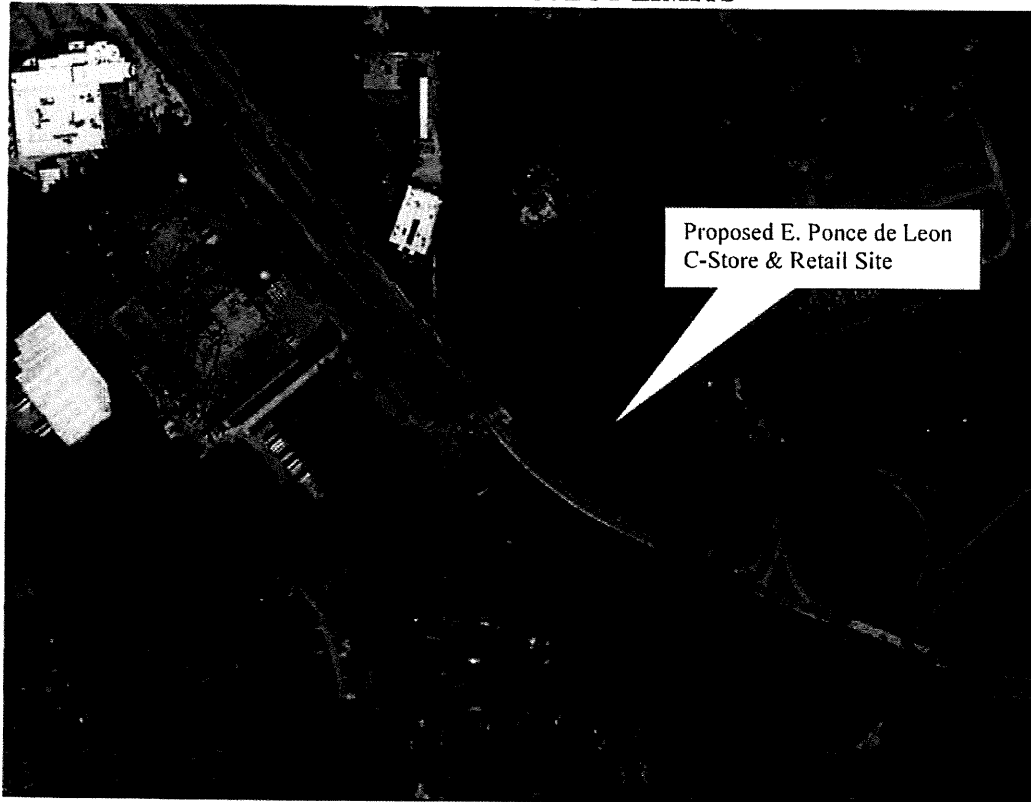
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### ***Introduction***

The purpose of this study is to provide traffic projections and capacity analysis to evaluate the need for potential improvements along E. Ponce de Leon Avenue due to the proposed development in Dekalb County, Georgia. Figure 1 shows the project location.

**FIGURE 1: PROJECT LIMITS**





## ***Existing Conditions***

### ***Existing Geometry***

E. Ponce de Leon Avenue is primarily an east-west roadway that runs from Decatur, GA to Stone Mountain, GA in Dekalb County. The roadway begins as W. Ponce de Leon Avenue in Decatur, GA at the intersection with Ponce de Leon Avenue NE/Scott Boulevard until it crosses Commerce Drive and continues running east/northeast/southeast until the intersection with James B. Rivers Memorial Drive/Silver Hill Road in Stone Mountain, GA where it continues as Main Street. For the purpose of this study, the analysis is near the intersection with Goldsmith Road/Juliette Road in Tucker, GA. In the project limits, the roadway consists of one lane in each direction with a left turn lane and a right turn lane on E. Ponce de Leon Avenue Northbound and a left turn lane on E. Ponce de Leon Avenue Southbound. Both approaches contain urban shoulders; however, there is no sidewalk along the corridor. In the area, active train tracks run parallel to the roadway with an at-grade crossing at W. Ridge Avenue/Goldsmith Road. The posted speed limit in the project limits is 45 MPH.

Goldsmith Road is a north-south roadway that runs from SR 10/Memorial Drive to W. Ridge Avenue where it becomes W. Ridge Avenue and continues to E. Ponce de Leon Avenue. The roadway consists of one lane in each direction and has urban shoulders with sidewalk on the west side of the roadway. At the intersection with E. Ponce de Leon Avenue, the roadway provides one left turn lane and a shared through-right lane. The roadway provides access to multiple neighborhoods and has a posted speed limit of 30 MPH.

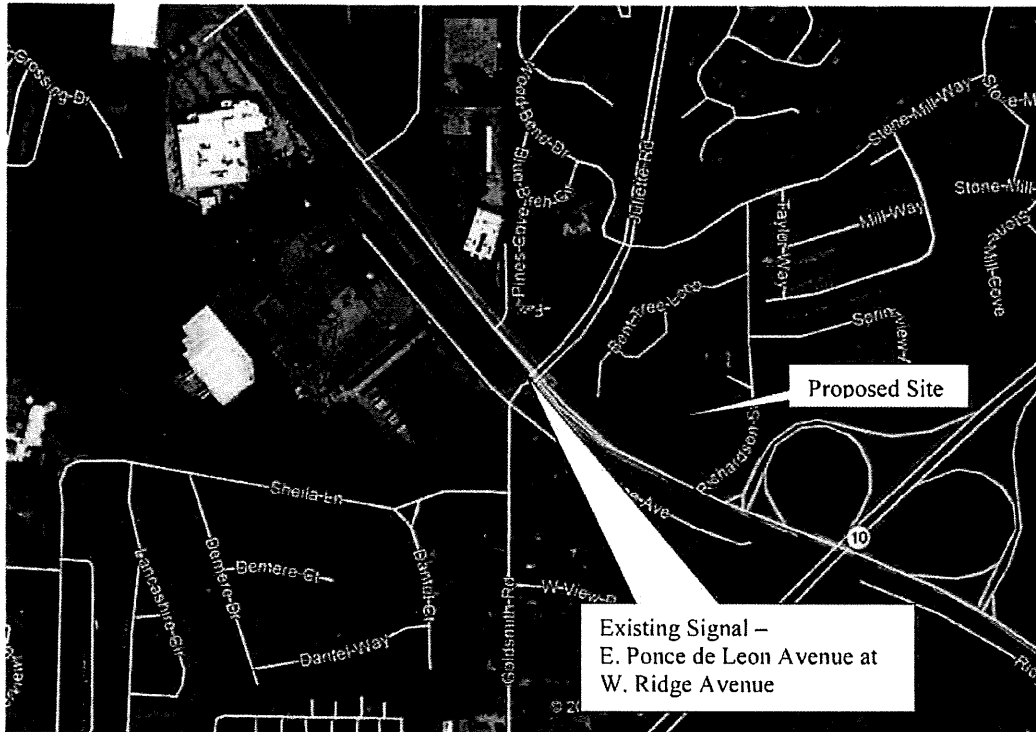
Juliette Road is a north-south roadway that runs from E. Ponce de Leon until the roadway ends beyond an overpass at US 78/Stone Mountain Parkway. The roadway contains two lanes in each direction with urban shoulders, separated by a raised median. At the intersection with E. Ponce de Leon Avenue, the roadway has a separate left turn lane with a shared through-right turn lane. The roadway provides access to an existing gas station and multiple apartment complexes and has a posted speed limit of 35 MPH.

It should be noted that the orientation used in the report will reflect the primary direction of the intersection and not the overall roadway. For the contents of this study, at the intersection with Goldsmith Road/Juliette Road, E. Ponce de Leon Avenue has been analyzed as a north-south roadway.

### *Existing Traffic Control*

Figure 2 illustrates the existing traffic control along the project. The intersection of E. Ponce de Leon Avenue and W. Ridge Avenue is currently signalized and maintained by Dekalb County. The signal is located approximately 400 feet north/northwest of the proposed site.

**FIGURE 2: EXISTING TRAFFIC CONTROL**



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### *Existing Daily Volumes*

Existing daily traffic volume data was collected at the intersection of E. Ponce de Leon Avenue and Goldsmith Road/Juliette Road on Monday, February 11, 2019 and Tuesday, February 12, 2019. The ADT for the corridor was determined by dividing the total vehicles by the number of days that the counts were taken. Table 1 summarizes the existing ADTs approaching the intersection while Table 2 summarizes the daily volume data, including 85<sup>th</sup> percentile speed and truck percentages.

**TABLE 1: EXISTING ADT**

	<b>E. Ponce de Leon Avenue NB</b>	<b>E. Ponce de Leon Avenue SB</b>	<b>Goldsmith Road EB</b>	<b>Juliette Road WB</b>
Weekday	6,302	5,153	2,964	5,690

**TABLE 2: EXISTING DAILY VOLUME DATA**

	<b>E. Ponce de Leon Avenue NB</b>	<b>E. Ponce de Leon Avenue SB</b>	<b>Goldsmith Road EB</b>	<b>Juliette Road WB</b>
85 <sup>th</sup> Percentile Speed (mph)	43	47	33	38
Truck % - SU	4.9	8.0	2.1	3.0
Truck % - COMB.	1.0	0.7	0.4	0.1
Truck % - Total	5.9	8.7	2.5	3.1

### *Existing Peak Hour Volumes*

Currently, there is not an existing intersection at this location; however, due to the proximity of the site to an existing signalized intersection, data was collected at this location on Wednesday, February 13, 2019. Table 3 summarizes the existing peak hour volumes for this period. Figure 3 provides a graphical display of the existing peak hour volumes approaching the intersection.

**TABLE 3: EXISTING PEAK HOUR VOLUMES**

	<b>E. Ponce de Leon Avenue NB</b>			<b>E. Ponce de Leon Avenue SB</b>			<b>Goldsmith Road EB</b>			<b>Juliette Road WB</b>		
<b>AM Peak</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>
	18	644	158	51	141	47	110	124	35	122	160	94
<b>PM Peak</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>
	16	150	129	109	411	153	44	135	18	140	199	68



### ***Horizon Year Traffic Projections***

This section contains traffic projections for the future years to be evaluated.

### ***Historic Traffic Data***

The process used to project future traffic uses an examination of past trends along with outputs from models of future land use and travel demand.

The past traffic data was examined at nearby locations where GDOT periodically conducts traffic counts. GDOT count station 0000089\_3532 is a short-term portable counter.

Table 4 summarizes the average annual daily traffic collected at this location between 2010 and 2018. Remaining years were estimated without the installation of additional counters. These years were not added to the table due to a discrepancy in GDOT collected counts and the annual statistic used by GDOT.

**TABLE 4: HISTORIC TRAFFIC DATA, AADT**

<b>Year</b>	<b>AADT</b>
<b>2018</b>	<b>11,204</b>
<b>2015</b>	<b>13,061</b>
<b>2011</b>	<b>12,626</b>
<b>2010</b>	<b>12,903</b>

Based on the data provided by GDOT, a decrease in traffic has been seen on the roadway. As a result, the existing data will be used to determine with the proposed data to determine the potential improvements needed on E. Ponce de Leon Avenue. The values in Table 5 serve as the “No-Build” volumes and are the basis for the 2021 (build-out) volumes.

**TABLE 5: NO-BUILD TRAFFIC VOLUMES**

	<b>E. Ponce de Leon Avenue NB</b>			<b>E. Ponce de Leon Avenue SB</b>			<b>Goldsmith Road EB</b>			<b>Juliette Road WB</b>		
<b>AM Peak</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>
	20	645	160	55	145	50	110	125	35	125	160	95
<b>PM Peak</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>	<b>LT</b>	<b>Thru</b>	<b>RT</b>
	20	150	130	110	415	155	45	135	20	140	200	70

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### ***Trip Generation Estimate***

When evaluating the existing and proposed conditions at this location, the 9<sup>th</sup> Edition of the ITE Trip Generation Manual was used. The ITE provides several codes to generate the trips for these sites. Once the ITE Code is determined, a unit measure (dwelling units (DU), vehicles, etc.) is used to determine the generated trips to determine the impact through the corridor. Trips generated to/from each site are categorized into three (3) categories.

#### ***New Trips***

New trips are vehicles that do not currently use the roadway network. These trips add additional volume to the current roadway system. It is typically assumed that these new trips start at an origin, travel to the site and then return back to their original origin.

#### ***Pass By Trips***

Pass by Trips are existing users to the roadway network that divert from their route to access the site. Upon exiting the site, these users return to the roadway towards their original destination. These trips do not add volume to the current roadway system, instead these trips typically impact the roadway by modifying the traffic patterns (typically resulting in additional turning traffic).

#### ***Internal Capture***

Internal capture trips are associated with significant mixed-use developments. Internal capture trips take into account vehicles which travel to a mixed-use development and generate trips among multiple different use types or locations within the larger development. This is used to calculate the number of users who are generated by one site but visit another type and therefore should only count as a new trip or pass by trip for one site but not both. An example of internal capture would be a user visiting a restaurant after visiting a retail location on site. Although these vehicles factor in trips for both locations, they only affect the roadway network when they enter and exit the site. Internal capture trips are not calculated for this project.

***E. Ponce de Leon C-Store & Retail Projected Data***

The E. Ponce de Leon C-Store & Retail development is a proposed development located along E. Ponce de Leon Avenue between W. Ridge Road and Richardson Street in Dekalb County, GA. The site is expected to have a 9,400-sf retail space, 3,000-sf in takeout restaurant space and a 5,000-sf convenience store with 5 MPDs. Access to the site will be provided by one full access driveway and one right-in/right-out driveway from E. Ponce de Leon Avenue.

Using the proposed land use, it was determined that ITE Codes 820 – Shopping Center, 935 – Fast Food Restaurant with Drive-Thru with No Seats and 945 - Gas/Service Station with Convenience Market were the best options to analyze the proposed data for the site. Table 6 summarizes the site condition using the ITE Trip Generation Manual. Pass by rates used for these developments are based on ITE recommendation.

**TABLE 6: TRIP GENERATION FOR PROPOSED DEVELOPMENT**

	Unit	Qty	Daily Trips	AM Total Trips	AM In	AM Out	Pass By	PM Total Trips	PM In	PM Out	Pass By
820 – Shopping Center	KSF	9.400	384	9	4	2	3	33	11	11	11
935 – Fast Food Restaurant with Drive-Thru with No Seats	KSF	3.000	N/A*	73	16	21	36	135	35	32	68
945 – Gas/Service Station with Convenience Market	Fueling Positions	10.000	1,628	106	27	27	52	136	34	34	68

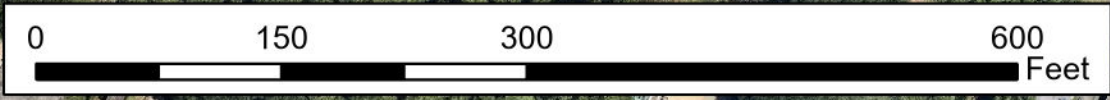
\* Note – The ITE does not collect daily trips for these types of developments.



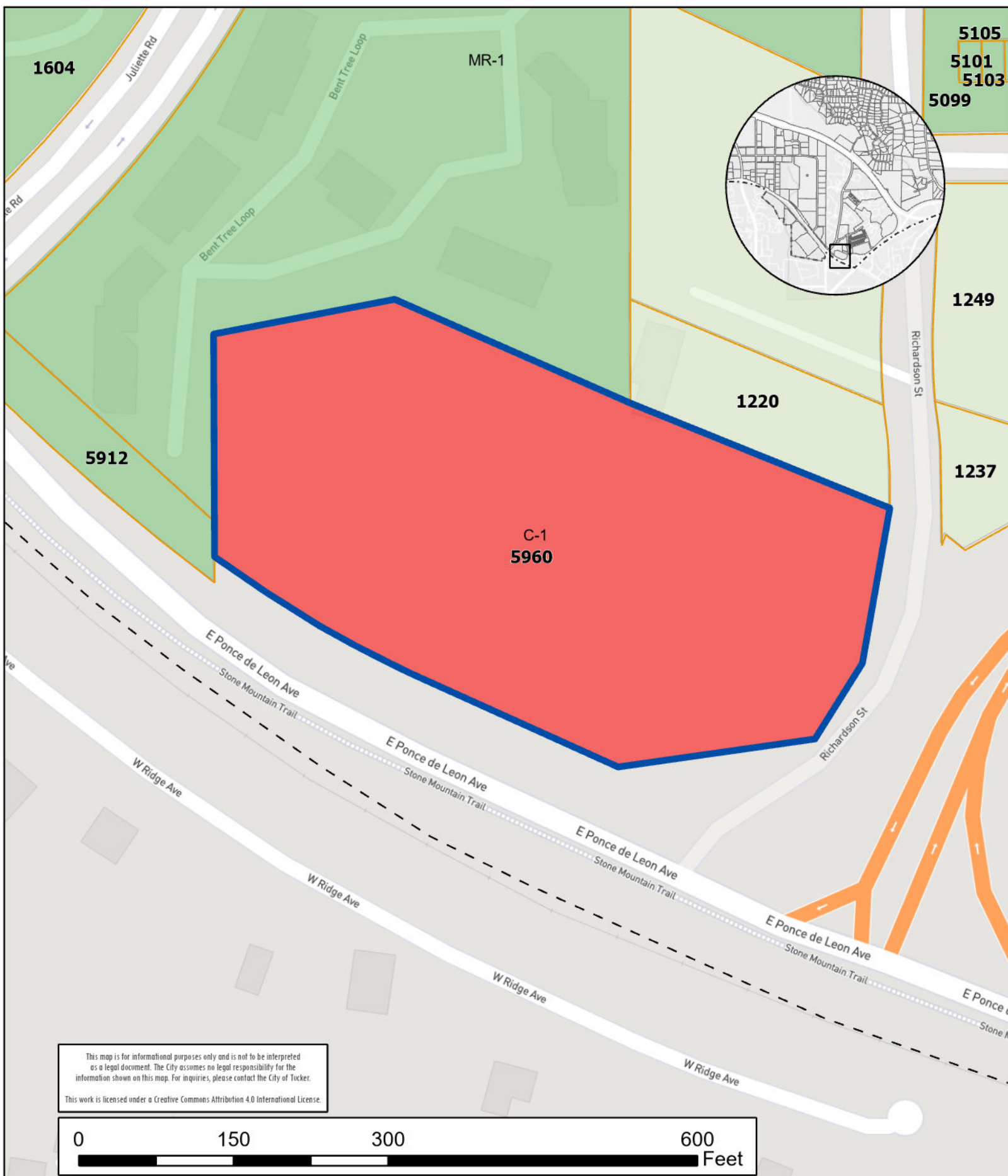


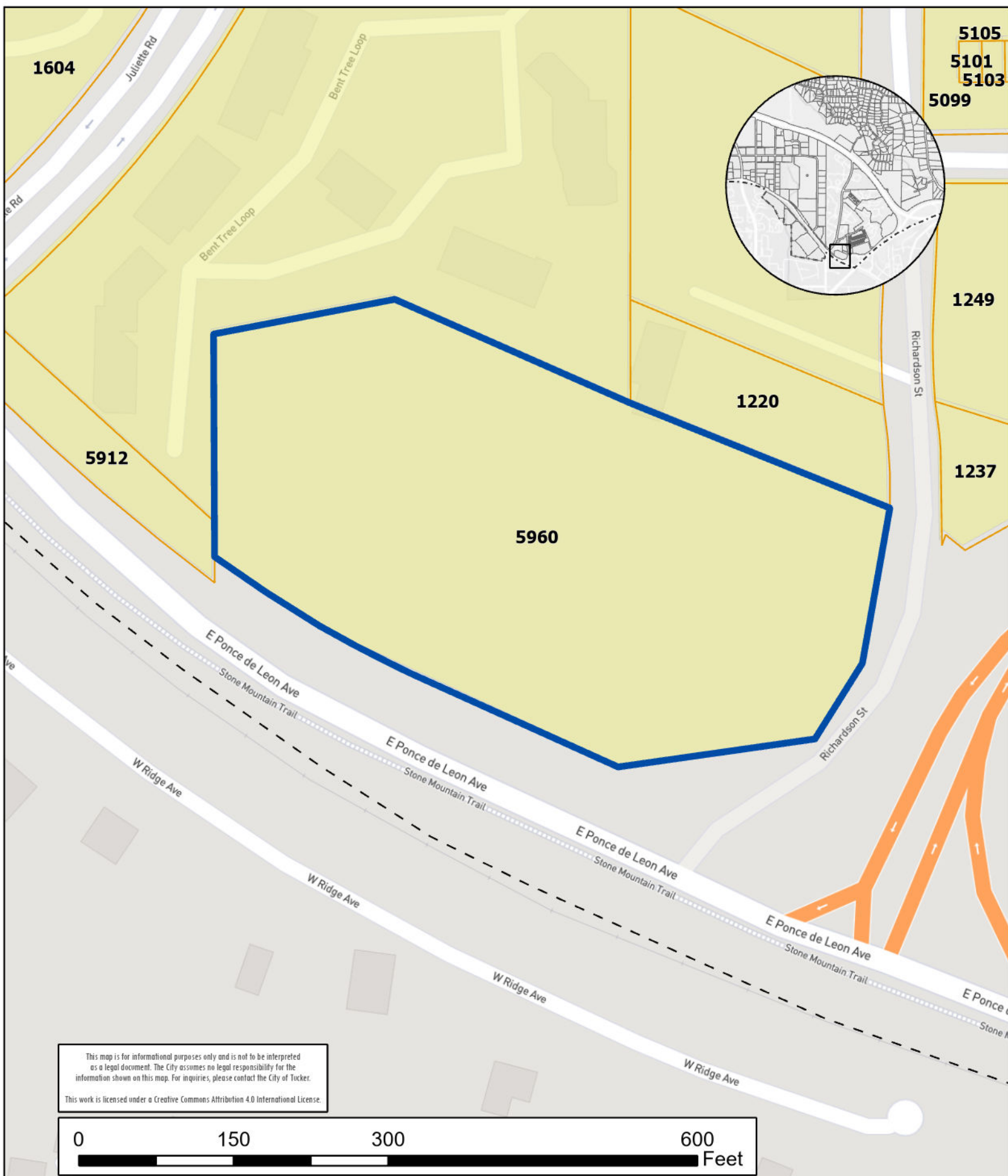
This map is for informational purposes only and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For inquiries, please contact the City of Tucker.

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## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Ken Hildebrandt, City Engineer  
**CC:** Tami Hanlin, City Manager  
**Date:** August 14, 2023  
**RE:** Memo for Contract Award for South Fork Peachtree Greenway Design

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### **Description for on the Agenda:**

**Contract Award for South Fork Peachtree Greenway Design**

### **Issue:**

Contract Award for South Fork Peachtree Greenway Design

### **Recommendation:**

Staff recommends awarding the contract to Heath & Lineback in the amount of \$799,608.12

### **Background:**

The South Fork Peachtree Greenway, identified as Segments 3A and 3B on the Trail Master Plan, has been identified as a priority project by Mayor & Council. It extends from the intersection of Idlewood Road @ Lawrenceville Highway, parallels the South Fork Peachtree Creek, and terminates at Peters Park.

KAIZEN Collaborative completed a preliminary concept design earlier this year. A public meeting was held in March where there was general support for the project from the community, but concern over privacy and safety.

### **Summary:**

We received five responses to the Request for Proposals. The City evaluation committee rated all proposal and determined that Heath & Lineback had the highest rated proposal and was the best qualified firm. Subsequent scope and fee negotiations were held with Heath & Lineback, which resulted in the attached fee proposal. The scope of work includes concept validation, survey, environmental permitting, design, and easement acquisition plats.

### **Financial Impact:**

\$799,608.12 will be funded from the SPLOST Tail account (Project SP2404, GL#320-4224-54.14000).



## CONTRACT AGREEMENT

### 2023-021 RFQ SOUTH FORK PEACHTREE GREENWAY ENGINEERING DESIGN

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_; by and between The City of Tucker, Georgia, having its principal place of business at 1975 Lakeside Parkway, Suite 350, Tucker, Georgia and ("Consultant") **BCC ENGINEERING dba HEATH AND LINEBACK** located at 2390 CANTON ROAD BUILDING 200, MARIETTA, GA 30066

WHEREAS, the City of Tucker is charged with the responsibility for the establishment of contracts for the acquisition of goods, materials, supplies and equipment, and services by the various departments of the City of Tucker; and

WHEREAS, the City of Tucker issued a request for professional qualifications, **Request for Qualifications (RFQ) #2023-021**, and cause such request to be publicly noticed; and

WHEREAS, the Consultant submitted a response to the **Request for Qualifications** per the identified scope of services; and

WHEREAS, the Consultant's response was deemed City of Tucker to be the most responsive and responsible per the scope of services;

NOW THEREFORE, in consideration of the mutual covenant and promises contained herein, the parties agree as follows:

#### 1. Scope of Work

That the Consultant has agreed and by these present does agree with the City to furnish all equipment, tools, materials, skill, labor of every description, and all things necessary to carry out as delineated in "**Exhibit A**" (**Scope of Services**) and complete in a good, firm, substantial and workmanlike manner, the Work in strict conformity with the specifications which shall form an essential part of this agreement. In addition to the foregoing, and notwithstanding anything to the contrary stated herein, the following terms and conditions, amendments, and other documents are incorporated by reference and made a part of the terms and conditions of this Agreement as is fully set out herein:

**EXHIBIT A - SCOPE OF SERVICE**

**EXHIBIT B - COST PROPOSAL**

**EXHIBIT C- W-9**

**EXHIBIT D - CERTIFICATE OF INSURANCE**

**EXHIBIT E- CONTACT INFORMATION**

**EXHIBIT F - ADDENDUMS**

## 2. Key Personnel

The City of Tucker enters into this Agreement having relied upon Consultant's providing the services of the Key Personnel, if any, identified as such in the body of the Agreement. No Key Personnel may be replaced or transferred without the prior approval of the City's authorized representative. Any Consultant personnel to whom the City objects shall be removed from City work immediately. The City maintains the right to approve in its sole discretion all personnel assigned to the work under this Agreement.

## 3. Compensation

- 3.1. Pricing.** The Consultant will be paid for the services sold pursuant to the Contract in accordance with the RFP and final pricing documents as incorporated into the terms of the Contract. All prices are firm and fixed and are not subject to variation. The prices quoted and listed on the attached Cost Proposal, a copy of which is attached hereto as **Exhibit "B" (Cost Proposal)** and incorporated herein, shall be firm throughout the term of this Contract. The maximum costs owed by the City, unless otherwise agreed to in writing, shall not exceed **\$799,608.12**.

**Billings.** If applicable, the Consultant shall submit, on a regular basis, an invoice for services supplied to the City under the Contract at the billing address specified in the Purchase Instrument or Contract. The invoice shall comply with all applicable rules concerning payment of such claims. The City shall pay all approved invoices in arrears and in accordance with applicable provisions of City law. Unless otherwise agreed in writing by the parties, the Consultant shall not be entitled to receive any other payment or compensation from the City for any services provided by or on behalf of the Consultant under the Contract. The Consultant shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

Invoices are to be emailed to [invoice@tuckerga.gov](mailto:invoice@tuckerga.gov) and must reference the PO# (see top of contract). A W-9 Request for Taxpayer Identification Number and Certification Form must be submitted **"Exhibit C" (W-9)**.

- 3.2. Delay of Payment Due to Consultant's Failure.** If the City in good faith determines that the Consultant has failed to perform or deliver any service or product as required by the Contract, the Consultant shall not be entitled to any compensation under the Contract until such service or product is performed or delivered. In this event, the City may withhold that portion of the Consultant's compensation which represents payment for services or products that were not performed or delivered. To the extent that the Consultant's failure to perform or deliver in a timely manner causes the City to incur costs, the City may deduct the amount of such incurred costs from any amounts payable to Consultant. The City's authority to deduct such incurred costs shall not in any way affect the City's authority to terminate the Contract.
- 3.3. Set-Off Against Sums Owed by the Consultant.** In the event that the Consultant owes the City any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the City may set off the sum owed to the City against any sum owed by the City to the Consultant in the City's sole discretion.



#### **4. Duration of Contract**

Contract Term. The Contract between the City and the Consultant shall begin and end upon the completion of the work, unless terminated earlier in accordance with the applicable terms and conditions. Pursuant to O.C.G.A. Section 36-60-13, this Contract shall not be deemed to create a debt of the City for the payment of any sum beyond the fiscal year of execution or, in the event of a renewal, beyond the fiscal year of such renewal.

If not set forth in the Consultant's submittal, the City will determine the basic period of performance for the completion of any of Consultant's actions contemplated within the scope of this Agreement and notify Consultant of the same via written notice. If no specific period for the completion of Consultant's required actions pursuant to this Agreement is set out in writing, such period shall be a reasonable period of time based upon the nature of the activity. If the completion of this Contract is delayed by actions of the City, then and in such event the time of completion of this Contract shall be extended for such additional time within which to complete the performance of the Contract as is required by such delay.

This Contract may be extended by mutual consent of both the City and the Consultant for reasons of additional time, additional services and/or additional areas of work.

#### **5. Independent Consultant**

- 5.1. The Consultant shall be an independent Consultant. The Consultant is not an employee, agent or representative of the City of Tucker. The successful Consultant shall obtain and maintain, at the Consultant's expense, all permits, license or approvals that may be necessary for the performance of the services. The Consultant shall furnish copies of all such permits, licenses or approvals to the City of Tucker Representative within ten (10) day after issuance.
- 5.2. Inasmuch as the City of Tucker and the Consultant are independent of one another neither has the authority to bind the other to any third person or otherwise to act in any way as the representative of the other, unless otherwise expressly agreed to in writing signed by both parties hereto. The Consultant agrees not to represent itself as the City's agent for any purpose to any party or to allow any employee of the Consultant to do so, unless specifically authorized, in advance and in writing, to do so, and then only for the limited purpose stated in such authorization. The Consultant shall assume full liability for any contracts or agreements the Consultant enters into on behalf of the City of Tucker without the express knowledge and prior written consent of the City.

#### **6. Indemnification**

- 6.1 The Consultant agrees to indemnify, hold harmless and defend the City, its public officials, officers, employees, and agents from and against any and all liabilities, suits, actions, legal proceedings, claims, demands, damages, costs and expenses (including reasonable attorney's fees) to the extent rising out of any act or omission of the Consultant, its agents, subconsultants, consultants or employees in the performance of this Contract except for such claims that arise from the City's sole negligence or willful misconduct.

- 6.2 Notwithstanding the foregoing indemnification clause, the City may join in the defense of any claims raised against it in the sole discretion of the City. Additionally, if any claim is raised against the City, said claim(s) cannot be settled or compromised without the City's written consent, which shall not be unreasonably withheld.

## **7. Performance**

Performance will be evaluated on a monthly basis. If requirements are not met, City of Tucker Procurement will notify the Consultant in writing stating deficiencies, substitutions, delivery schedule, and/or poor workmanship.

A written response from the Consultant detailing how correction(s) will be made is required to be delivered to the City. Consultant will have thirty (30) days to remedy the situation. If requirements are not remedied City of Tucker has the right to cancel this Agreement with no additional obligation to Consultant.

### **7.1 Final Completion, Acceptance, and Payment**

- i. Final Completion shall be achieved when the work is fully and finally complete in accordance with the Contract Documents. The City shall notify Consultant once the date of final completion has been achieved in writing.
- ii. Final Acceptance is the formal action of City acknowledging Final Completion. Acceptance shall be final and conclusive except for latent defects, fraud, gross mistakes amounting to fraud, or the City's right under any warranty or guarantee. Prior to Final Acceptance, Consultant shall, in addition to all other requirements in the Contract Documents submit to City a Notice of any outstanding disputes or claims between Consultant and any of its subconsultants, including the amounts and other details thereof. Neither Final Acceptance, nor final payment shall release Consultant or its sureties from any obligations of these Contract Documents or the bond, or constitute a waiver of any claims by City arising Consultant's failure to perform the work in accordance with the Contract Documents.
- iii. Acceptance of final payment by Consultant, or any subconsultant, shall constitute a waiver and release to City of all claims by Consultant, or any such subconsultant for an increase in the Contract Sum or the Contract Time, and for every act or omission of City relating to or arising out of the work, except for those Claims made in accordance with the procedures, including the time limits, set forth in section 8.

## **8. Changes**

City, within the general scope of the Agreement, may, by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price, but any claim for such an adjustment must be made within thirty (30) days of the receipt of said written notice.

## **9. Insurance**

- 9.1. The Consultant shall, at its own cost and expense, obtain and maintain worker's compensation and commercial general liability insurance coverage covering the period of this Agreement, such insurance to be obtained from a responsible insurance company legally licensed and authorized to transact business in the State of Georgia. The minimum limit for Worker's Compensation Insurance shall be the statutory limit for such insurance. The minimum limits for commercial general liability insurance, which must include personal liability coverage will be \$1,000,000 per person and \$1,000,000 per occurrence for bodily injury and \$500,000 per occurrence for property damage.
- 9.2. Consultant shall provide certificates of insurance evidencing the coverage requested herein before the execution of this agreement, and at any time during the term of this Agreement, upon the request of the City, Consultant shall provide proof sufficient to the satisfaction of the City that such insurance continues in force and effect. **"Exhibit D" (Certificate of Insurance).**

## 10. Termination

10.1. Immediate Termination. Pursuant to O.C.G.A. Section 36-60-13, this Contract will terminate immediately and absolutely if the City determines that adequate funds are not appropriated or granted or funds are de-appropriated such that the City cannot fulfill its obligations under the Contract, which determination is at the City's sole discretion and shall be conclusive. Further, the City may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

- (i) In the event the Consultant is required to be certified or licensed as a condition precedent to providing goods and services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect;
- (ii) The City determines that the actions, or failure to act, of the Consultant, its agents, employees or subconsultants have caused, or reasonably could cause, life, health or safety to be jeopardized;
- (iii) The Consultant fails to comply with confidentiality laws or provisions; and/or
- (iv) The Consultant furnished any statement, representation or certification which is materially false, deceptive, incorrect or incomplete.

10.2 Termination for Cause. The occurrence of any one or more of the following events shall constitute cause or the City to declare the Consultant in default of its obligations under the Contract:

- (i) The Consultant fails to deliver or has delivered nonconforming goods or services or fails to perform to the City's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Consultant;
- (ii) The City determines that satisfactory performance of the Contract is substantially endangered or that a default is likely to occur;



- (iii) The Consultant fails to make substantial and timely progress toward performance of the contract;
- (iv) The Consultant becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Consultant terminates or suspends its business; or the City reasonably believes that the Consultant has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law;
- (v) The Consultant has failed to comply with applicable federal, state and local laws, rules, ordinances, regulations and orders when performing within the scope of the Contract;
- (vi) The Consultant has engaged in conduct that has or may expose the City to liability, as determined in the City's sole discretion; or
- (vii) The Consultant has infringed any patent, trademark, copyright, trade dress or any other intellectual property rights of the State, the City, or a third party.

10.3 Notice of Default. If there is a default event caused by the Consultant, the City shall provide written notice to the Consultant requesting that the breach or noncompliance be remedied within the period of time specified in the City's written notice to the Consultant. If the breach or noncompliance is not remedied by the date of the written notice, the City may:

- (i) Immediately terminate the Contract without additional written notice; and/or
- (ii) Procure substitute goods or services from another source and charge the difference between the Contract and the substitute contract to the defaulting Consultant; and/or,
- (iii) Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

10.4 Termination for Convenience. The City may terminate this Agreement for convenience at any time upon thirty (30) day written notice to the Consultant. In the event of a termination for convenience, Consultant shall take immediate steps to terminate work as quickly and effectively as possible and shall terminate all commitments to third-parties unless otherwise instructed by the City. Provided that no damages are due to the City for Consultant's failure to perform in accordance with this Agreement, the

City shall pay Consultant for work performed to date in accordance with Section herein. The City shall have no further liability to Consultant for such termination.

10.5 Payment Limitation in the event of Termination. In the event termination of the Contract for any reason by the City, the City shall pay only those amounts, if any, due and owing to the Consultant goods and services actually rendered up to and including the date of termination of the Contract and for which the City is obligated to pay pursuant to the Contract or Purchase Instrument. Payment will be made only upon submission of invoices

and proper proof of the Consultant's claim. This provision in no way limits the remedies available to the City under the Contract in the event of termination. The City shall not be liable for any costs incurred by the Consultant in its performance of the Contract, including, but not limited to, startup costs, overhead or other costs associated with the performance of the Contract.

10.6 The Consultant's Termination Duties. Upon receipt of notice of termination or upon request of the City, the Consultant shall:

- (i) Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs, and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the City may require;
- (ii) Immediately cease using and return to the City, any personal property or materials, whether tangible or intangible, provided by the City to the Consultant;
- (iii) Comply with the City's instructions for the timely transfer of any active files and work product produced by the Consultant under the Contract;
- (iv) Cooperate in good faith with the City, its employees, agents and Consultants during the transition period between the notification of termination and the substitution of any replacement Consultant; and
- (v) Immediately return to the City any payments made by the City for goods and services that were not delivered or rendered by the Consultant.

## **11 Claims and Dispute Resolution**

### **11.1 Claims Procedure**

- (i) If the parties fail to reach agreement regarding any dispute arising from the Contract Documents, including a failure to reach agreement on the terms of any Change Order for City- directed work as provided in section 8, or on the resolution of any request for an equitable adjustment in the Contract Sum or the Contract Time, Consultant's only remedy shall be to file a Claim with City as provided in this section.
- (ii) Consultant shall file its Claim within the earlier of: 120 Days from City's final instructions in accordance with section 8; or the date of Final Acceptance,
- (iii) The Claim shall be deemed to cover all changes in cost and time (including direct, indirect impact, and consequential) to which Consultant may be entitled. It shall be fully substantiated and documented. The Claim shall contain a detailed factual statement of the Claim for additional compensation and time, if any, providing all necessary dates, locations, and items of work affected by the Claim.
- (iv) If an adjustment in the Contract Time is sought: the specific Days and dates for which it is

sought; the specific reasons Consultant believes an extension in the Contract Time should be granted; and Consultant's analysis of its Progress Schedule to demonstrate the reason for the extension in Contract Time.

- (v) If any adjustment in the Contract Sum is sought: the exact amount sought and a breakdown of that amount into the categories; and a statement certifying, under penalty of perjury, that the Claim is made in good faith, that the supporting cost and pricing data are true and accurate to the best of Consultant's knowledge and belief, that the Claim is fully supported by the accompanying data, and that the amount requested accurately reflects the adjustment in the Contract Sum or Contract Time for which Consultant believes City is liable.
- (vi) After Consultant has submitted a fully-documented Claim, the City shall respond, in writing, to Consultant with a decision within sixty (60) days of the date the Claim is received, or with notice to Consultant of the date by which it will render its decision.

## 11.2 Arbitration

- i) If Consultant disagrees with City's decision rendered in accordance with section 12. If, Consultant shall provide City with a written demand for arbitration. No demand for arbitration of any such Claim shall be made later than thirty (30) Days after the date of City's decision on such Claim, failure to demand arbitration with said thirty (30) Day period shall result in City's decision being final and binding upon Consultant and its subconsultants.
- ii) Notice of the demand for arbitration shall be filed with the American Arbitration Association (AAA), with a copy provide to City. The parties shall negotiate or mediate under the Voluntary Construction Mediation Rules of the AAA, or mutually acceptable service, before seeking arbitration in accordance with the Construction Industry Arbitration Rules of AAA as follows:
  - 1. Disputes involving \$30,000 or less shall be conducted in accordance with the Southeast Region Expedited Commercial Arbitration Rules; or
  - 2. Disputes over \$30,000 shall be conducted in accordance with the Construction Industry Arbitration Rules of the AAA, unless the parties agree to use the expedited rules.
    - All Claims arising out of the work shall be resolved by arbitration. The judgment upon the arbitration award may be entered, or review of the award may occur, in the Superior Court of DeKalb County.
    - If the parties resolve the Claim prior to arbitration judgment, the terms of the resolution shall be incorporated in a Change Order. The Change Order shall constitute full payment and final settlement of the Claim, including all claims for time and for direct, indirect, or consequential costs, including costs of delays, inconvenience, disruption of schedule, or loss of efficiency or productivity.



- Choice of Law and Forum. The laws of the State of Georgia shall govern and determine all matters arising out of or in connection with this Contract without regard to the choice of law provisions of State law. The Superior Court of DeKalb County, Georgia shall have exclusive jurisdiction to try disputes arising under or by virtue of this contract. In the event any proceeding of a quasi-judicial or judicial nature is commenced in connection with this Contract, such proceeding shall solely be brought in a court or other forum of competent jurisdiction within DeKalb County, Georgia. This provision shall not be construed as waiving any immunity to suit or liability, including without limitation sovereign immunity, which may be available to the City.
- All Claims filed against City shall be subject to audit at any time following the filing of the Claim. Failure of Consultant, or subconsultant of any tier, to maintain and retain sufficient records to allow City to verify all or a portion of the Claim or to permit City access to the books and records of Consultant, or subconsultants of any tier, shall constitute a waiver of the Claim and shall bar any recovery.

## **12 Confidential Information**

12.1 Access to Confidential Data. The Consultant's employees, agents and subconsultants may have access to confidential data maintained by the City to the extent necessary to carry out the Consultant's responsibilities under the Contract. The Consultant shall presume that all information received pursuant to the Contract is confidential unless otherwise designated by the City. If it is reasonably likely the Consultant will have access to the City's confidential information, then:

- (i) The Consultant shall provide to the City a written description of the Consultant's policies and procedures to safeguard confidential information;
- (ii) Policies of confidentiality shall address, as appropriate, information conveyed in verbal, written, and electronic formats;
- (iii) The Consultant must designate one individual who shall remain the responsible authority in charge of all data collected, used, or disseminated by the Consultant in connection with the performance of the Contract; and
- (iv) The Consultant shall provide adequate supervision and training to its agents, employees and subconsultants to ensure compliance with the terms of the Contract. The private or confidential data shall remain the property of the City at all times. Some services performed for the City may require the Consultant to sign a nondisclosure agreement. Consultant understands and agrees that refusal or failure to sign such a nondisclosure agreement, if required, may result in termination of the Contract.

12.2 No Dissemination of Confidential Data. No confidential data collected, maintained, or used in the course of performance of the Contract shall be disseminated except as authorized by law and with the written consent of the City, either during the period of the Contract or thereafter. Any data supplied to or created by the Consultant shall be

considered the property of the City. The Consultant must return any and all data collected, maintained, created or used in the course of the performance of the Contract, in whatever form it is maintained, promptly at the request of the City.

12.3 Subpoena. In the event that a subpoena or other legal process is served upon the Consultant for records containing confidential information, the Consultant shall promptly notify the City and cooperate with the City in any lawful effort to protect the confidential information.

12.4 Reporting of Unauthorized Disclosure. The Consultant shall immediately report to the City any unauthorized disclosure of confidential information.

12.5 Survives Termination. The Consultant's confidentiality obligation under the Contract shall survive termination of the Contract.

### **13 Inclusion of Documents**

Consultant's response submitted in response thereto, including any best and final offer, are incorporated in this Agreement by reference and form an integral part of this agreement. In the event of a conflict in language between this Agreement and the foregoing documents incorporated herein, the provisions and requirements set forth in this Agreement shall govern. In the event of a conflict between the language of the RFP, as amended, and the Consultant's submittal, the language in the former shall govern.

Counterparts: This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument.

### **14 Compliance with All Laws and Licenses**

The Consultant must obtain all necessary licenses and comply with local, state and federal requirements. The Consultant shall comply with all laws, rules and regulations of any governmental entity pertaining to its performance under this Agreement.

#### **14.0 Federal Requirements.**

##### **14.1 Federal Compliance Regulations**

Federal regulations apply to all City of Tucker contracts using Federal funds as a source for the solicitation of goods and services. Successful bidders must comply with the following Federal requirement as they apply to:

1. Equal Employment Opportunity - The Consultant shall not discriminate against any employee or applicant or employment because of race, color, religion, sex, or national origin. The Consultant shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their

race, color, religion, sex, or national origin. Such action shall include, but not be limited to: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Consultant shall comply with Executive Order 1 1246, as amended, and the rules, regulations, and orders of the Secretary of Labor.

2. Reports - The submission of reports to the City on behalf of the U.S. Department of Housing and Urban Development as may be determined necessary for the activities covered by this contract, which is federally funded.
3. Patents - The U.S. Department of Housing and Urban Development reserves a royalty-free, nonexclusive, and irrevocable right to use, and to authorize others to use, for Federal Government purposes:
  - a. Any patent that shall result under this contract; and
  - b. Any patent rights to which the Consultant purchases ownership with grant support
4. Copyrights - The U.S. Department of Housing and Urban Development reserves a royalty- free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government purposes:
  - a. The copyright in any work developed under this contract; and
  - b. Any rights of copyright to which the Consultant purchases ownership with grant support.
5. Access to books, documents, papers and records of the Consultant which are directly pertinent to the specific contract for the purposes of making audit, examination, excerpts and transcriptions by Federal agencies, the Comptroller General of the United States, or any of their duly authorized representatives; and
6. Retention of all required records for three years after the City makes final payment and all other pending matters are closed.

#### 14.2 Georgia Security and Immigration Compliance Act

- a. The parties certify that Consultant has executed an affidavit verifying that Consultant has registered and participates in the federal work authorization program to verify information of all new employees, per O.C.G.A. 13-10-90, et. seq., and Georgia Department of Labor Regulations Rule 300-10-1-02. The appropriate affidavit is attached hereto as "**Exhibit E**" (**E-Verify Form**) and incorporated herein by reference and made a part of this contract.
- b. The Consultant further certifies that any subconsultants employed by Consultant for the performance of this agreement has executed an appropriate subconsultant affidavit verifying its registration and participation in the federal work



authorization program and compliance with O.C.G.A. 13-10-90, et. seq., and Georgia Department of Labor Regulations Rule 300-10-1-02, and that all such affidavits are incorporated into and made a part of every contract between the Consultant and each subconsultant.

- c. Consultant's compliance with O.C.G.A. 13-10-90, et. seq., and Georgia Department of Labor Regulations Rule 300-10-1-02 is a material condition of this agreement and Consultant's failure to comply with said provisions shall constitute a material breach of this agreement.

## **15. Assignment**

The Consultant shall not assign or subcontract the whole or any part of this Agreement without the City of Tucker's prior written consent.

## **16. Amendments in Writing**

No amendments to this Agreement shall be effective unless it is in writing and signed by duly authorized representatives of the parties.

## **17. Drug-Free and Smoke-Free Workplace**

- 17.1. A drug-free and smoke-free workplace will be provided for the Consultant's employees during the performance of this Agreement; and
- 17.2. The Consultant will secure from any sub-Consultant hired to work in a drug-free and smoke-free work place a written certification so stating and in accordance with Paragraph 7, subsection B of the Official Code of Georgia Annotated Section 50-24-3.
- 17.3. The Consultant may be suspended, terminated, or debarred if it is determined that:
  - 17.3.1. The Consultant has made false certification herein; or
  - 17.3.2. The Consultant has violated such certification by failure to carry out the requirements of Official Code of Georgia Annotated Section 50-24-3.

## **18. Additional Terms**

Neither the City nor any Department shall be bound by any terms and conditions included in any Consultant packaging, Invoice, catalog, brochure, technical data sheet, or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.

## **19. Antitrust Actions**

For good cause and as consideration for executing this Contract or placing this order, Consultant

acting herein by and through its duly authorized agent hereby conveys, sells, assigns, and transfers to the City of Tucker all rights, title, and interest to and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of Georgia relating to the particular goods or services purchased or acquired by the City of Tucker pursuant hereto.

## **20. Reporting Requirement**

Reports shall be submitted to the Project Manager on a quarterly basis providing, as a minimum, data regarding the number of items purchased as well as the total dollar volume of purchases made from this contract.

## **21. Governing Law**

This Agreement shall be governed in all respects by the laws of the State of Georgia. The Superior Court of DeKalb County, Georgia shall have exclusive jurisdiction to try disputes arising under or by virtue of this contract.

## **22. Entire Agreement**

This Agreement constitutes the entire Agreement between the parties with respect to the subject matter contained herein; all prior agreements, representations, statement, negotiations, and undertakings are suspended hereby. Neither party has relied on any representation, promise, or inducement not contained herein.

## **23. Special Terms and Conditions**

- 23.1. Consultant shall comply with copyright law and bear all responsibility for doing so.
- 23.2. All written work product designed for the City shall be jointly owned by both parties.





## **EXHIBIT A – SCOPE OF WORK**

**RFQ #2023-021**

### **S Fork Peachtree Greenway**

The following is the anticipated Technical Scope of Services to be addressed in Phase II for the shortlisted firms. The S Fork Peachtree Greenway is a proposed 10' – wide paved multi-use trail. The project limits are from the intersection of Lawrenceville Highway @ Idlewood Road, running parallel to the creek, and terminating at Peters Park. (see Exhibit B). The approximate length, including four potential spurs, is 8,000 linear feet.

The Consultant shall provide comprehensive design of all project elements, including field survey, civil, structural, geotechnical and engineering services, environmental impacts, design development, landscape architecture, lighting design, preparation of construction documents, detailed cost estimates of the work, bidding assistance and responses to Requests for Information (RFIs). The Consultant will report to the City of Tucker's designated representative during the term of the contract. Firms of teams will be required to comply with all applicable regulations of the City of Tucker, GDOT and EPD. Submitting firms must be pre-qualified with GDOT in the classifications identified in Section 2.6 above.

The features that shall be included in the functional design of the trail are as follows:

- ADA Accessibility
  - Gradual grade changes
  - ADA ramps at all driveways and crosswalks
- Safety
  - LED downlighting
  - Smooth surfaces with gradual grade changes
  - Crosswalk enhancements
  - Trail security surveillance
  - Emergency Call Boxes
  - Emergency vehicle access
- Multi-modality
  - Connection to MARTA bus shelters on Idlewood Road
  - Bicycle racks
- Stormwater management
  - Infiltration basins and bioswales
  - Local and state stream buffer requirements and variance procedures

The work to be accomplished under this contract is divided into the following tasks:

#### **Task 1: Data Collection and Survey Services**

Prepare topographic and property survey in accordance with GDOT Automated Survey Manual. The selected consultant would be responsible for producing surveys in order to provide appropriate field information to produce easement, right-of-way and construction drawings. The survey information should extend 10 to 20 feet beyond the public right-of-way, should easements or property acquisition be required to implement the project. The following survey items are anticipated to be included in the scope of work:

## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

### **S Fork Peachtree Greenway**

- Provide spot elevations at centerline of road, top and bottom of curb, face of building (where applicable) every 50 feet along the length of each street.
- Provide property lines and rights of ways (including roadways and swales within ROW).
- Provide boundary lines between adjoining properties and identification of owners, including name, mailing address, and phone number.
- Provide spot elevations at corner face of building and parking lot at each cross street and at each curb cut (handicap ramps, driveways, etc.).
- Provide exact location of existing striped centerline of street, location and width of each travel lane every 100' along the length of each street.
- Provide all above ground built elements including but not limited to guard rails, headwall, light standard, fencing, location of existing overhead and freestanding signage structures, other signage, fire hydrants, utility boxes, vault covers, manhole covers, etc.
- Locate state water centerline, edge of bank. State mandated 25' stream buffer, City mandated 50' stream buffer, and City mandated 75' impervious setback.
- Field-verify as-built underground utility information.
- Provide location of all utilities including but not limited to drainage structures, storm and sanitary sewer, power and communications poles, gas lines, water lines, fire hydrants, location of all existing roof drain pipes which are located in sidewalks between building face and curb, etc.
- Provide same utility information on all private utility providers for gas, water, telephone, cable, etc. The surveyor is responsible for acquiring both private and public utility information and shall coordinate getting this information from private agencies.
- Provide existing rim and invert elevations of storm drainage system and catch basins.
- Identify type of material in all storm drain lines.
- Within the sidewalk area, provide location for all existing horizontal or vertical elements located in existing sidewalk areas including but not limited to subterranean vaults, surface grates, light poles, telephone poles, disused sign, pole or other exposed footings and anchors, historic features or any other existing elements.
- Provide line of existing building, edge, alignment of building face along main and side streets. Include delineation of doorways, awnings, setbacks, or any other variation from building face along ROW. In addition, provide threshold spot elevation at all entrances to each building.
- Provide existing parking striping in all locations parking is present, whether on public or private property.
- Provide location of existing natural elements. Provide tree caliper, species of existing trees, and edge of canopy of existing vegetation and existing major tree species.
- Provide all of the above survey information in electronic data formatted to GDOT specifications. No reproducible plots will be required.
- The selected consultant will be responsible for developing right-of-way certification drawings for City Attorney review and approval. In addition, the design firm must provide drawings for all easements required, to include adjoining property boundaries, easement boundary and size in acres, and owner name, address and phone number.

## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

### **S Fork Peachtree Greenway**

#### **Task 2. Preliminary Design**

- a. Facilitate associated meetings, submittals and approvals. Coordinate with project stakeholders including City of Tucker, Tucker-Northlake CID, and DeKalb County.
- b. Prepare preliminary design documents, utilizing the preliminary concept design prepared by KAIZEN Collaborative (Exhibit B).
- c. Prepare detailed cost estimates of the work.
- d. Attend preliminary field plan review meeting. Address comments from City staff, Tucker-Northlake CID, and other parties.
- f. Prepare MS4 Report and Documentation.
- g. Prepare all documentation and displays for public meetings.
- h. Prepare utility plans and coordinate with utility owners.
- i. Prepare application, if required, for any local stream buffer variance. Present application to the City of Tucker Zoning Board of Appeals.

#### **Task 3. Right-of-Way Plans**

Prepare right-of-way drawings and site-specific easement drawings describing the areas of permanent or temporary easements and the installations therein, suitable for recording, for each property fronting the Project Area for which an easement is necessary – either permanent or temporary/construction. A property-specific drawing will be required for each individual easement/parcel to be acquired.

#### **Task 4. Final Design**

- a. Prepare final design documents and required documentation.
- b. Attend final field plan review meeting. Address comments from City staff, Tucker-Northlake Community Improvement District, and other parties.
- c. Finalize utility coordination and relocation plans.
- d. Prepare all necessary documents for approvals, including, but not limited to, final plans, specifications, special provisions, certification packages.

#### **Task 5. Permitting**

Prepare all necessary documentation for permits from the City, GDOT, Georgia EPD, DeKalb County, utility owners and others, as necessary.

#### **Task 6. Meetings and Coordination**

- Attend project meetings with City staff.
- Attend public meeting (one anticipated)
- Attend property stakeholder meetings



## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

**S Fork Peachtree Greenway**

### **DELIVERABLES**

Final design plans, CAD files and supporting documentation. These documents are including, but not limited to:

1. Database
2. Preliminary Plans
3. Right-of-Way Plans, Plats and Exhibits
4. Final Plans

### **KEY TEAM LEADERS**

- Design
- Survey
- Utilities





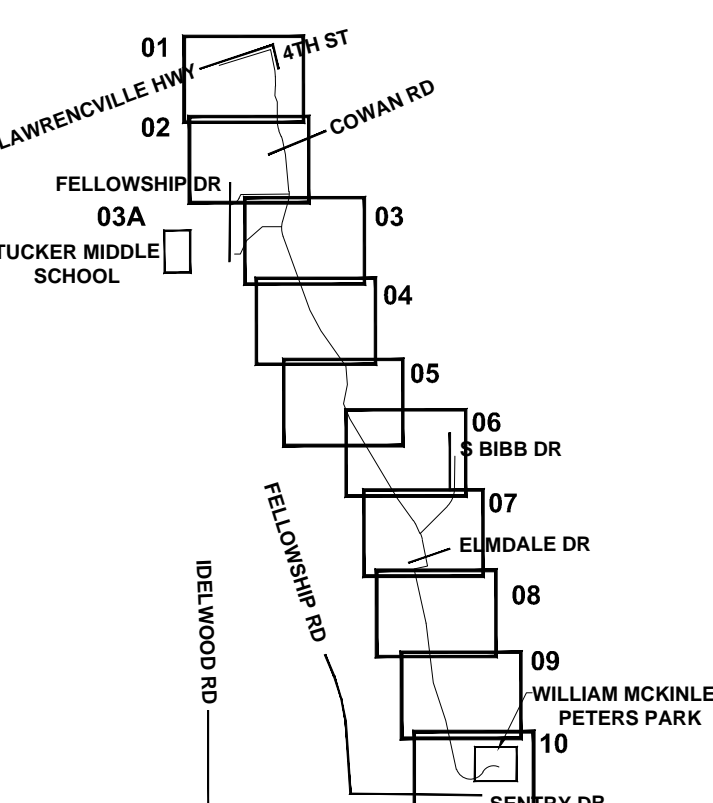
**PATH FOUNDATION**  
PO BOX 1432, ATLANTA, GA 30305

24 HOUR CONTACT - JONATHAN McCAIG  
E: JONATHAN @PATHFOUNDATION.ORG  
O: 404-875-7284 x 5 C: 404-433-1900



CITY OF TUCKER  
KEN HILDEBRANDT - CITY ENGINEER  
1795 LAKESIDE PARKWAY, SUITE 350  
TUCKER, GA 30084  
E: KHILDEBRANDT@TUCKERGA.GOV  
C: 770-865-5645

**ISSUED FOR CONSTRUCTION**



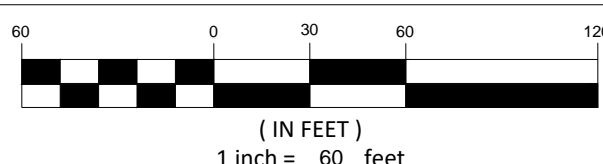
## KEY MAP

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PROJECT #	23001
PROJECT MANAGER	CMA

**SOUTH FORK PEACHTREE  
CREEK GREENWAY**

**TUCKER, GA**



### COMPOSITE MAP

SCALE	1" = 60'-0"
DATE	APRIL 28, 2023

SHEET # **CM-01**

Page 219 of 369





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CHARLES M. ABBOTT JR., P.E.  
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GSWCC # 000004168 EXPIRES: 04/13/2022  
CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM  
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CITY OF TUCKER  
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C: 770-965-0645

ISSUED FOR CONSTRUCTION



KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS
PROJECT #	23001
PROJECT MANAGER	CMA
SOUTH FORK PEACHTREE CREEK GREENWAY	
TUCKER, GA	

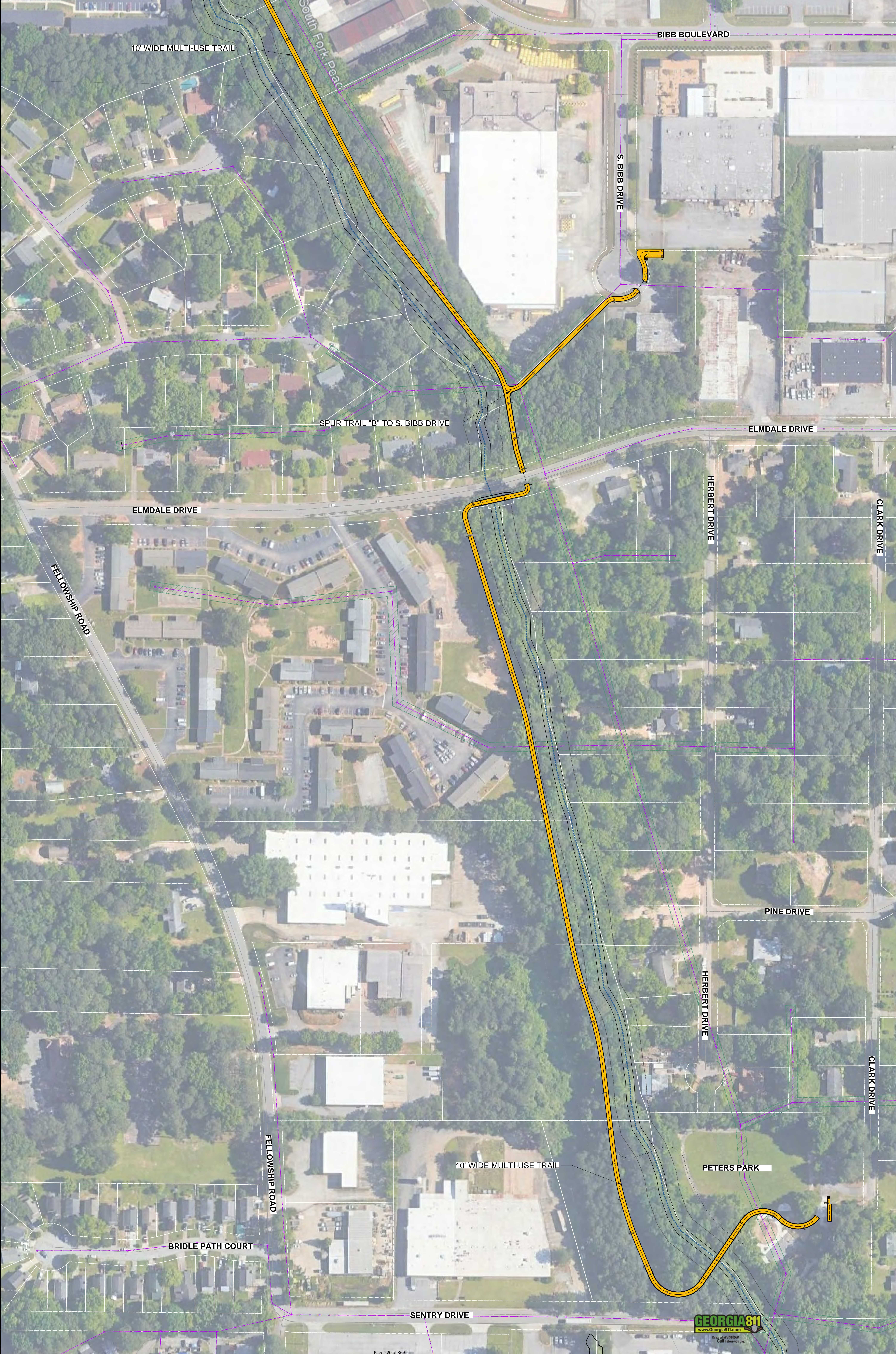


COMPOSITE MAP

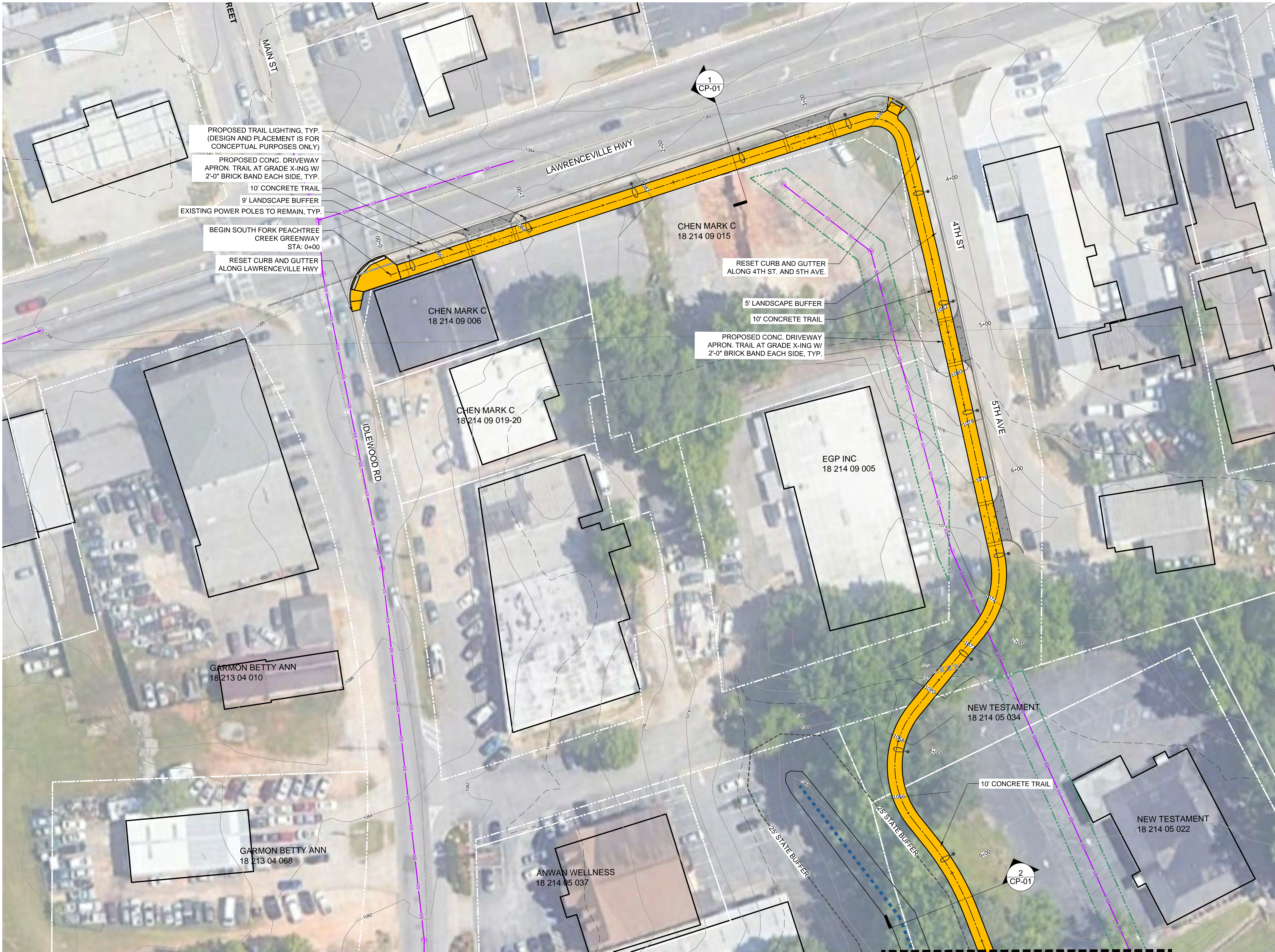
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DATE APRIL 28, 2023

SHEET # CM-02







MATCHLINE, SEE SHEET CP-02



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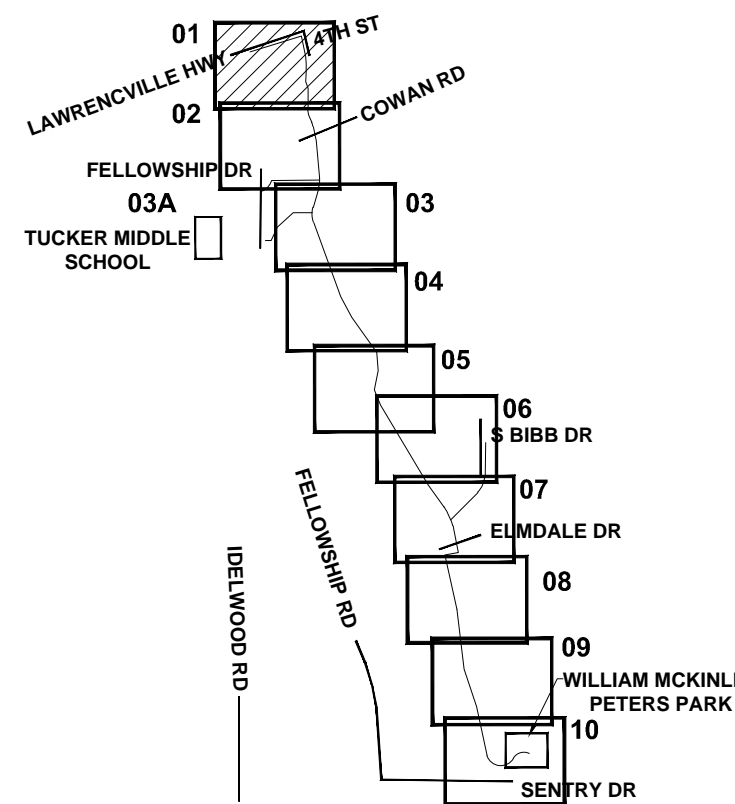
2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521  
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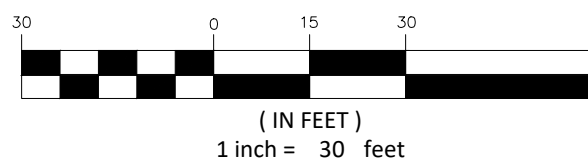
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA

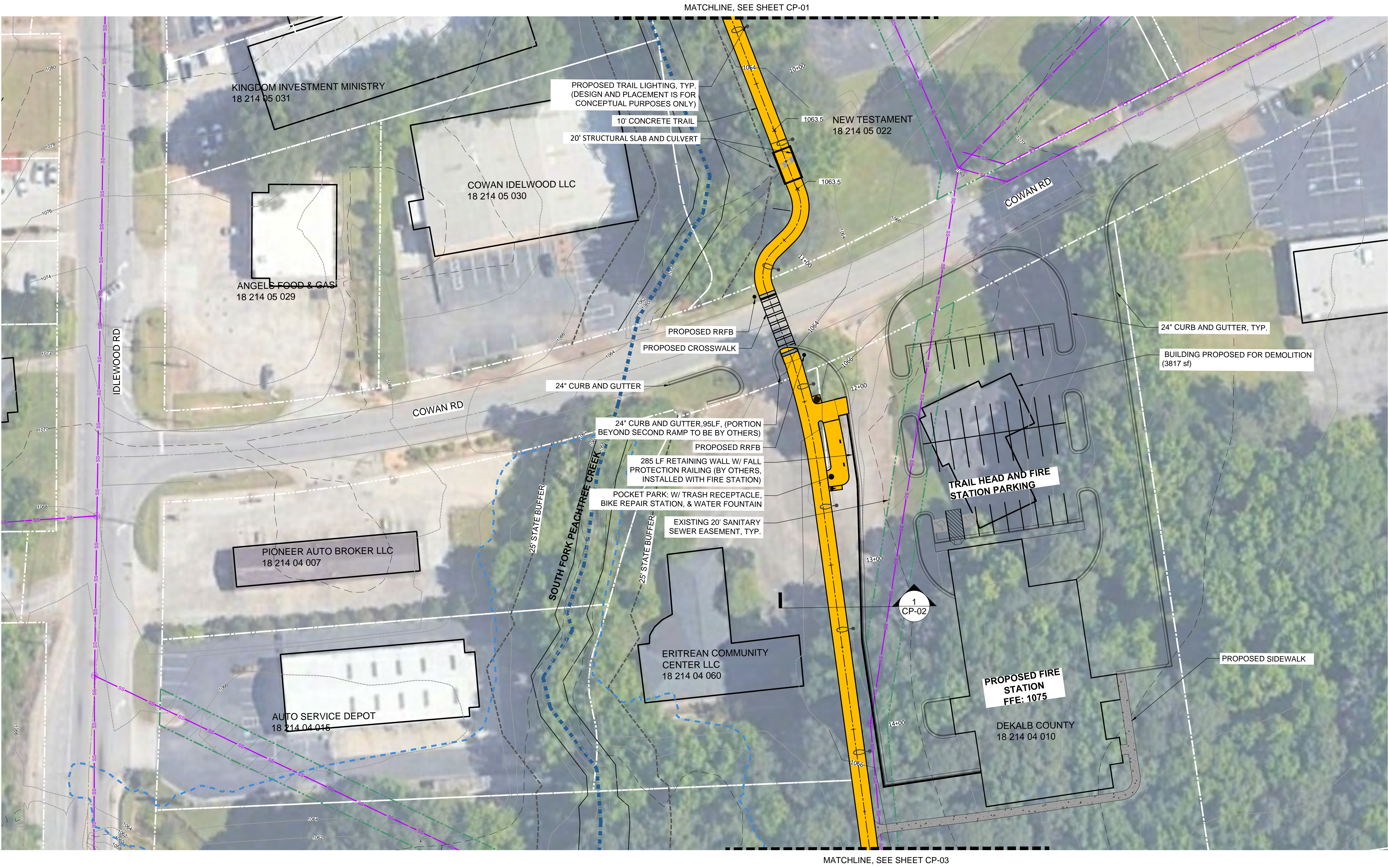


CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-01
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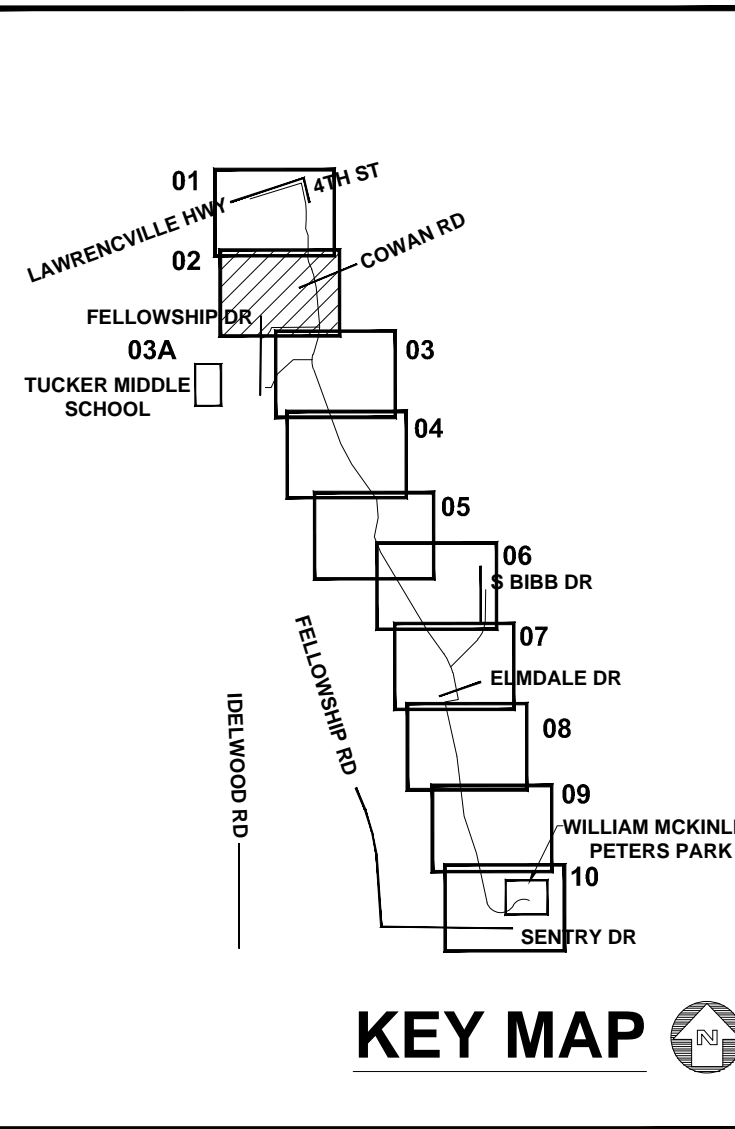
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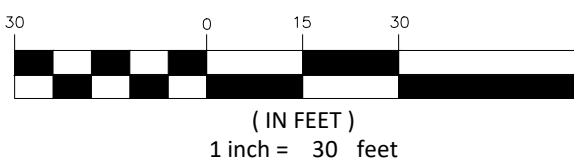


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



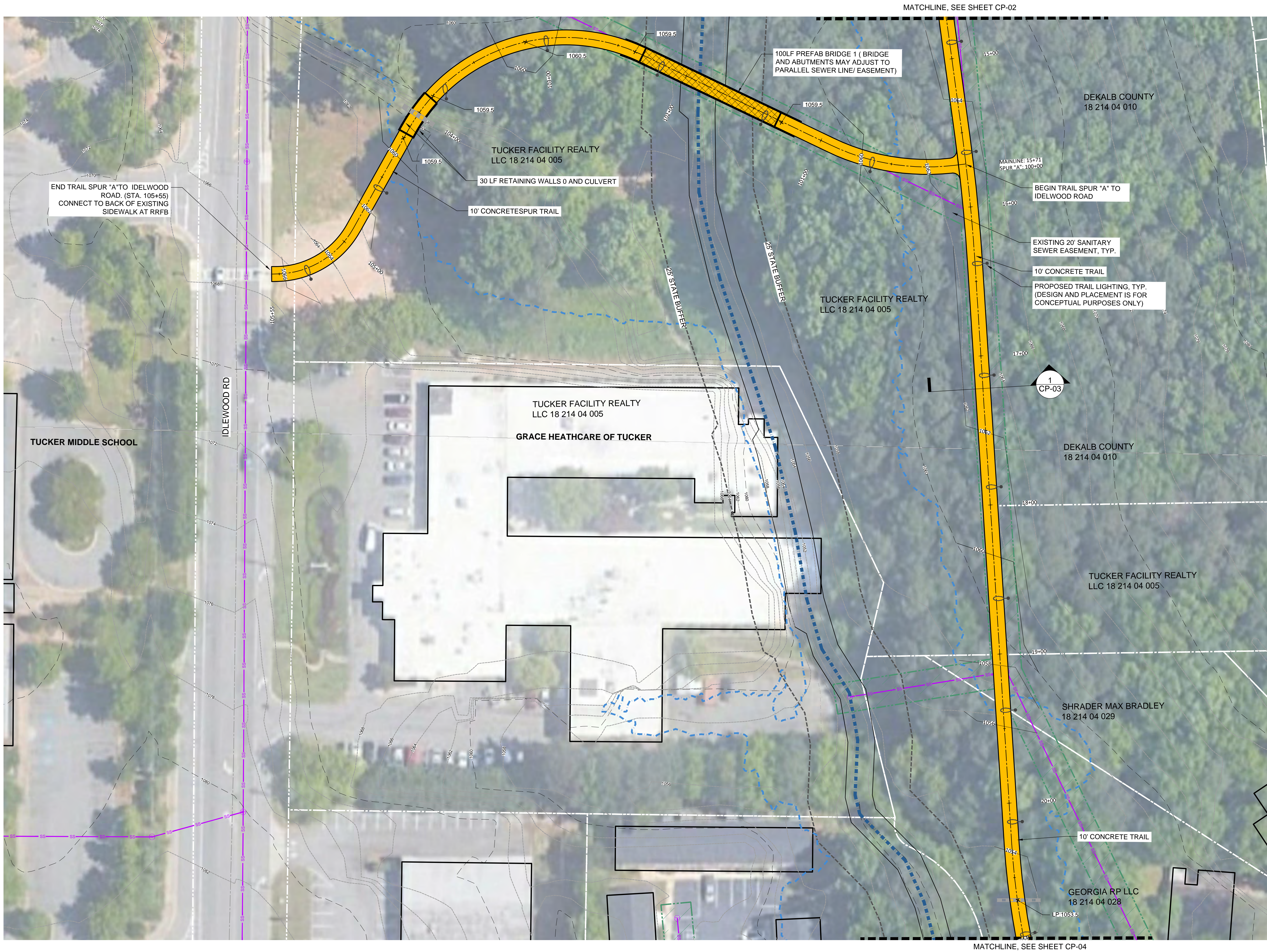
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DATE	APRIL 28, 2023

SHEET #	CP-02
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MATCHLINE, SEE SHEET CP-02

MATCHLINE, SEE SHEET CP-04



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CITY OF TUCKER

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1975 LAKESIDE PARKWAY, SUITE 350

TUCKER, GA 30084

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C: 770-865-5645

01

LAWRENCEVILLE HWY

02

FELLOWSHIP DR

03A

TUCKER MIDDLE SCHOOL

03

COWAN RD

04

05

06

BIBB DR

07

ELMDALE DR

08

09

WILLIAM MCKINLEY PETERS PARK

10

SENTRY DR

KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #

23001

PROJECT MANAGER

CMA

SOUTH FORK PEACHTREE CREEK GREENWAY

TUCKER, GA

30

0

10

20

30

60

(IN FEET)

1 inch = 30 feet

CONCEPT PLAN

SCALE

1" = 30'-0"

DATE

APRIL 28, 2023

SHEET #

CP-03





MATCHLINE, SEE SHEET CP-03

MATCHLINE, SEE SHEET CP-05



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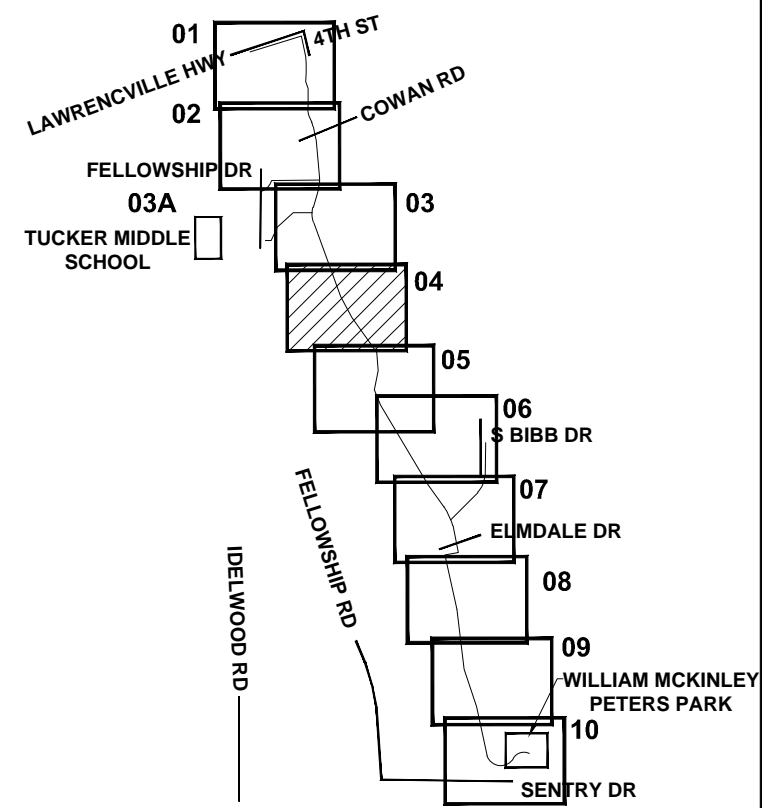
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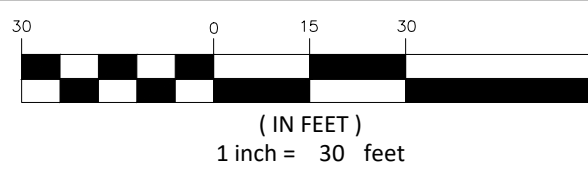


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-04
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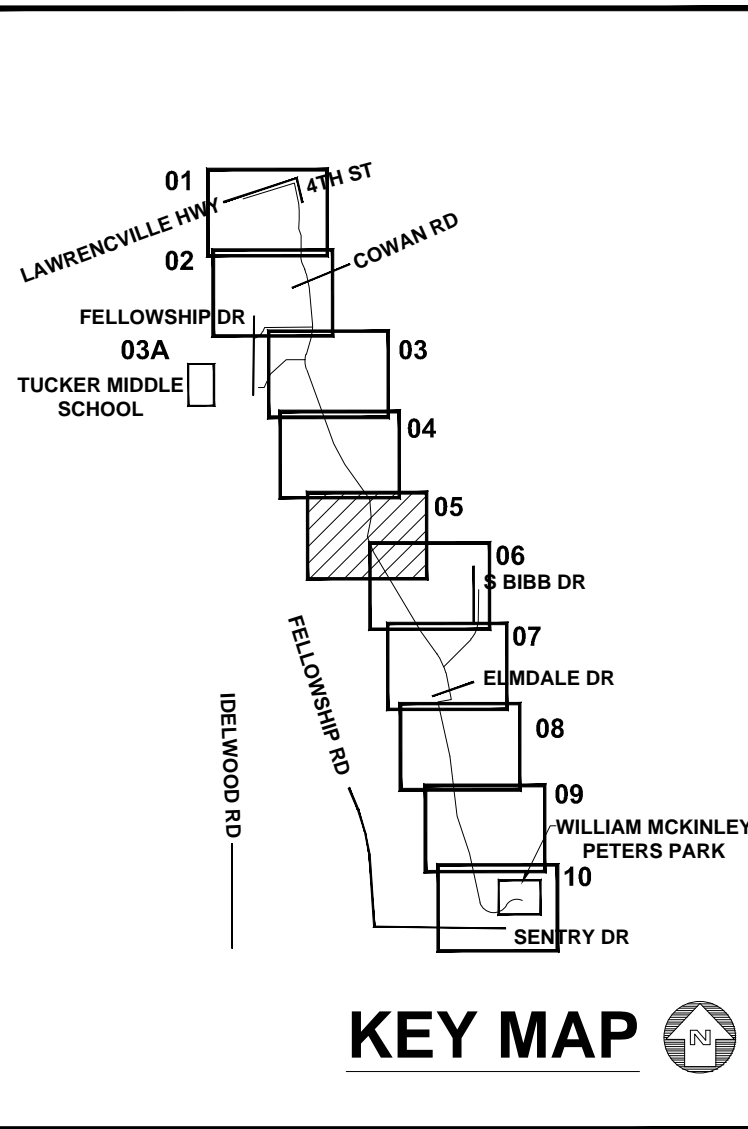
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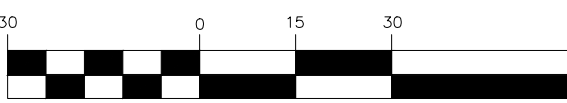


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

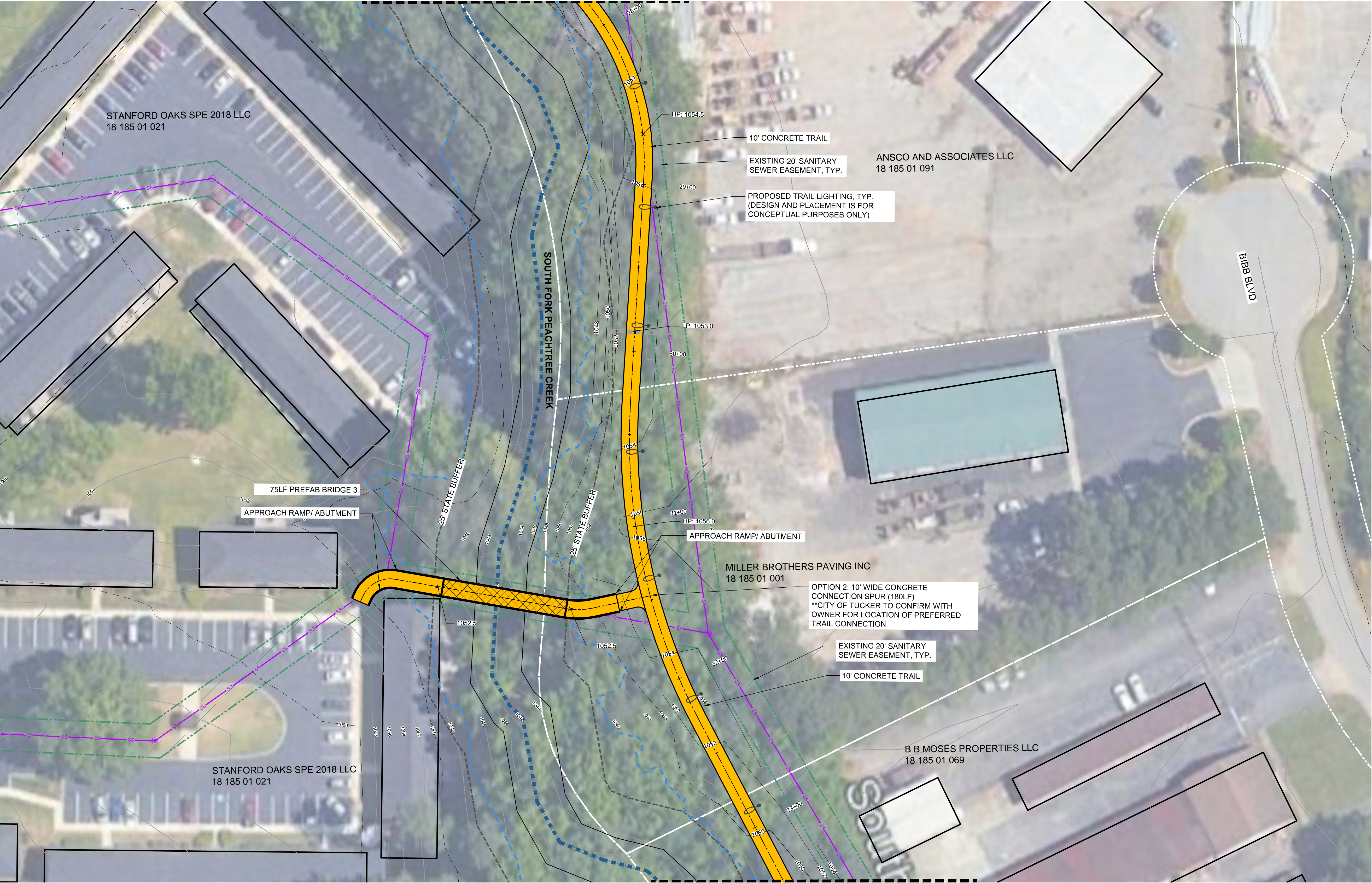
TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	CP-05

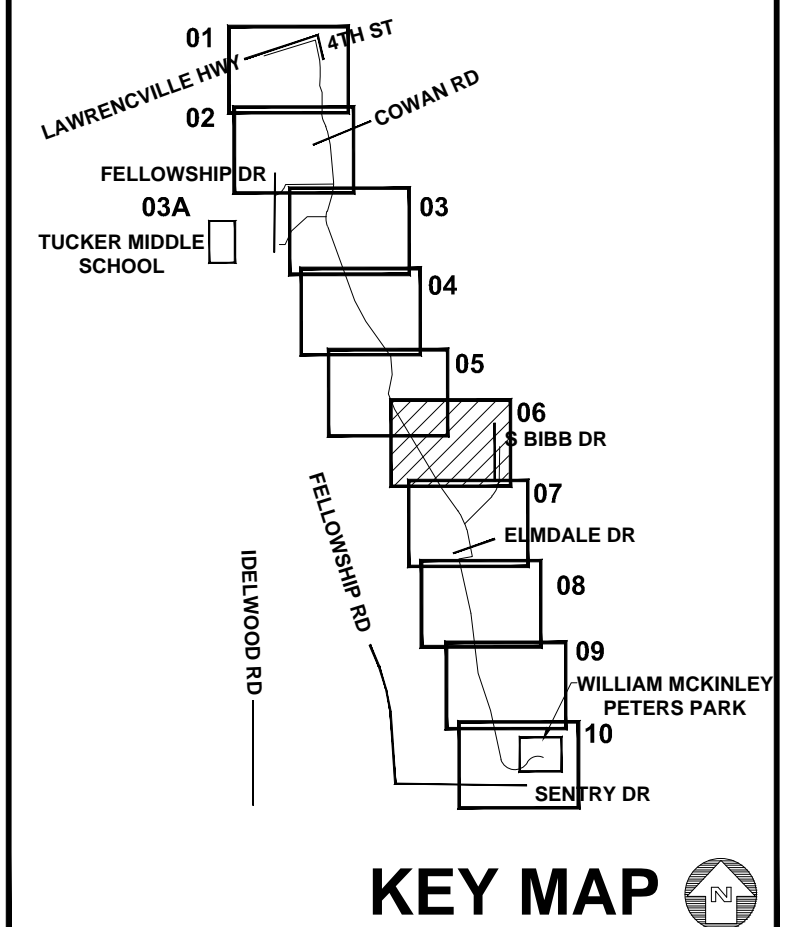
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MATCHLINE, SEE SHEET CP-06



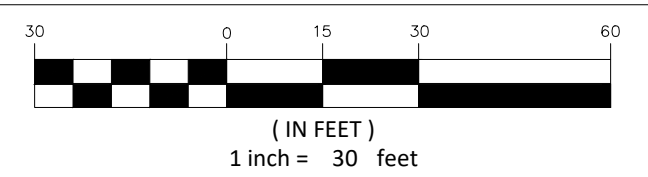


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PROJECT #	23001
PROJECT MANAGER	CMA

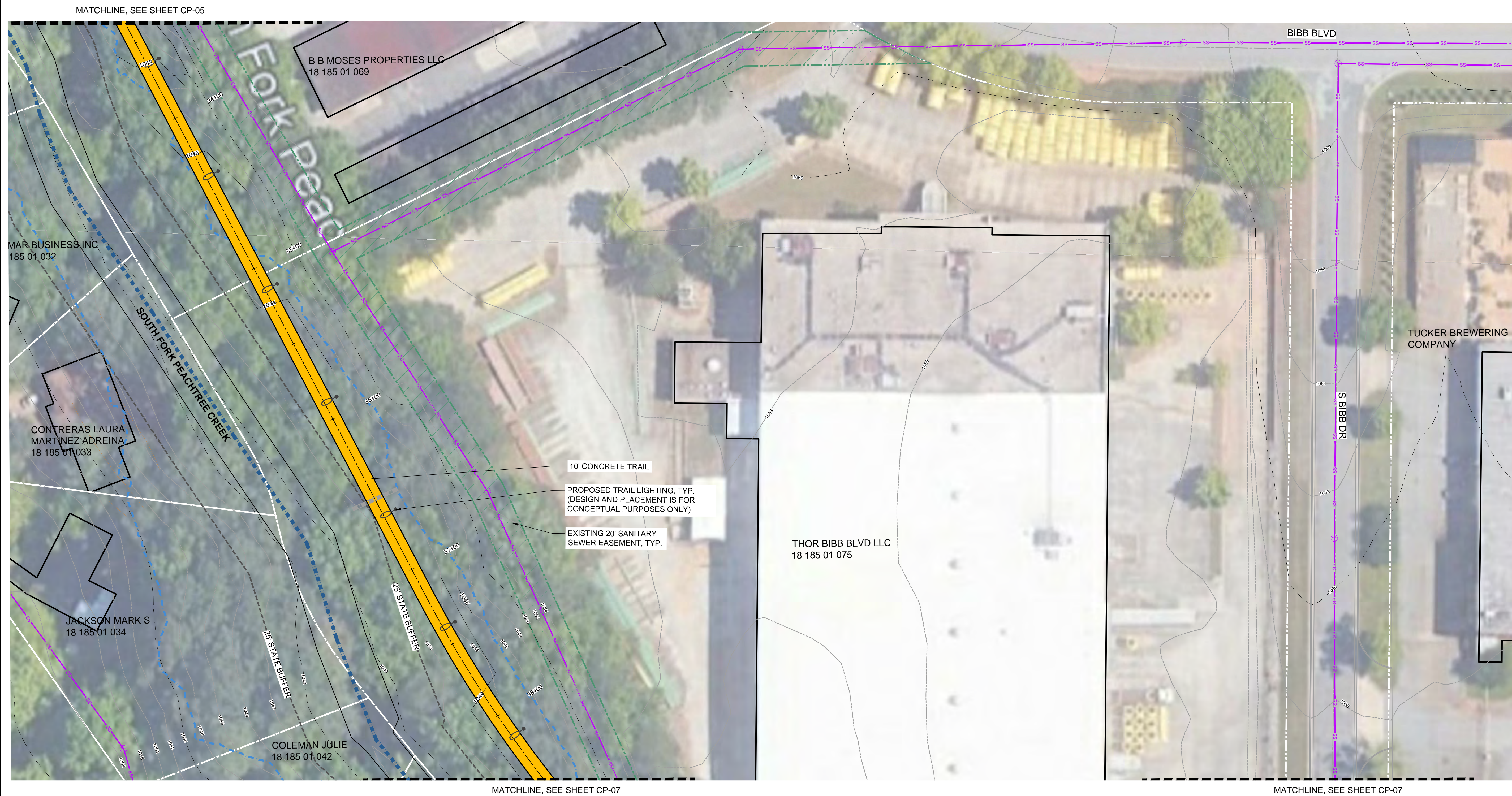
## SOUTH FORK PEACHTREE CREEK GREENWAY

**TUCKER, GA**

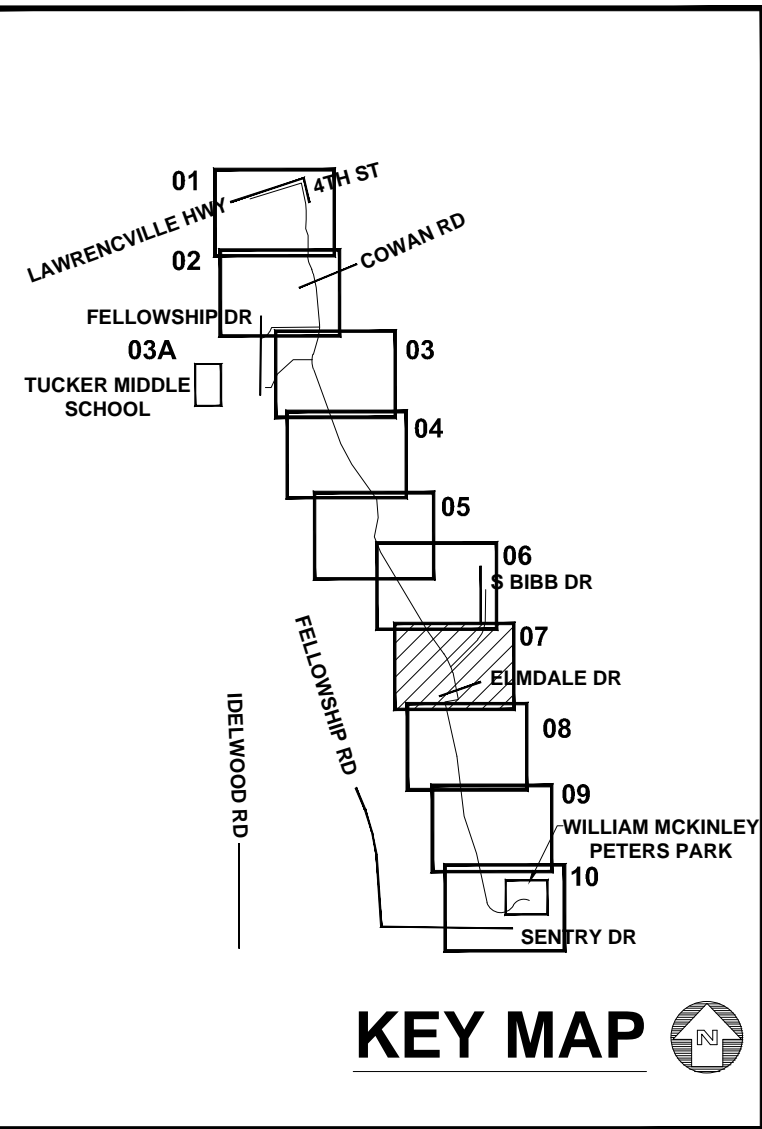
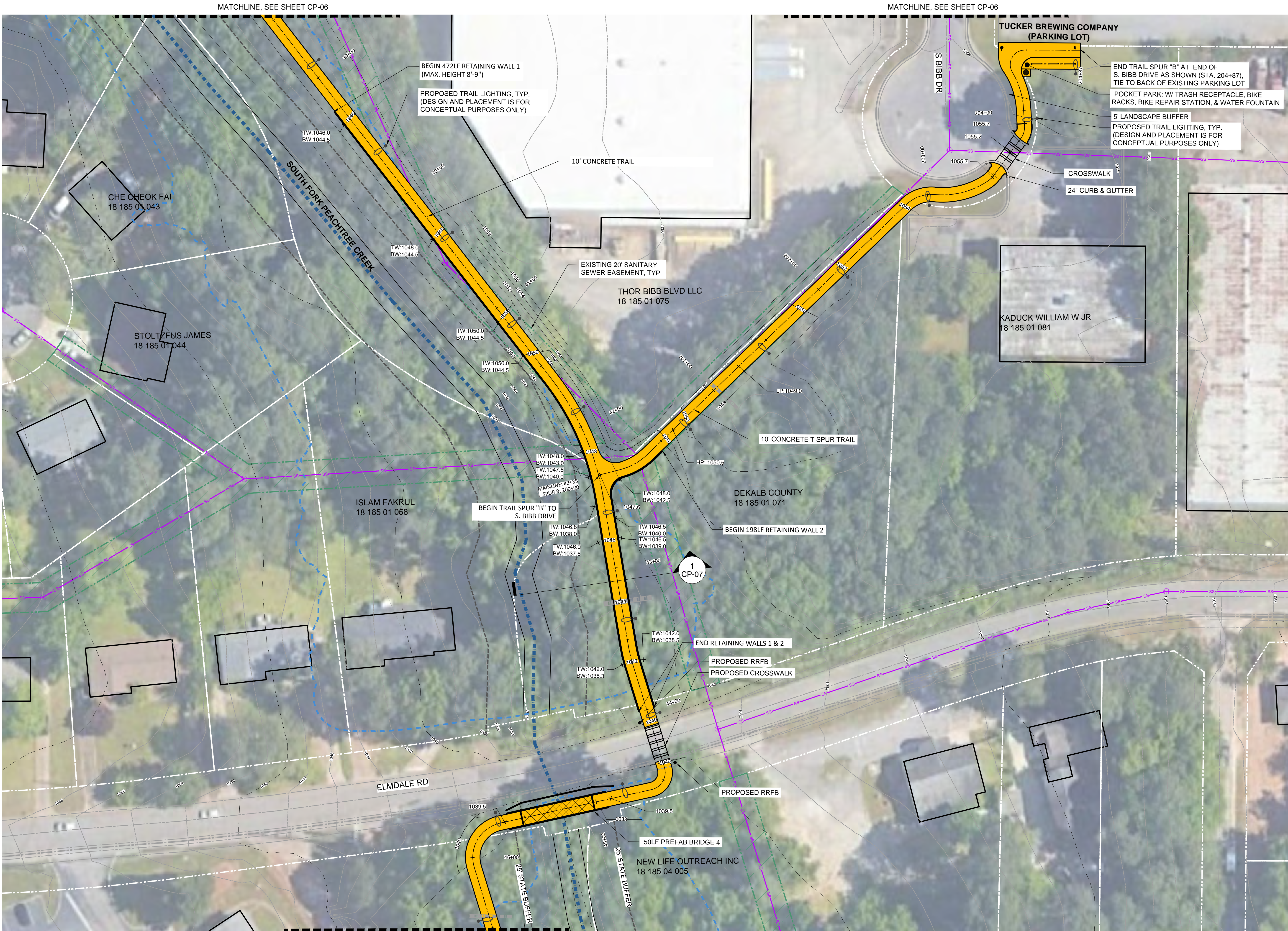


## CONCEPT PLAN

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DATE	APRIL 28, 2023	
	SHEET #	<b>CP-06</b>





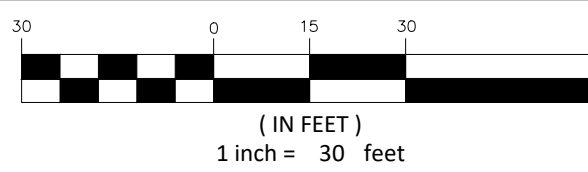


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



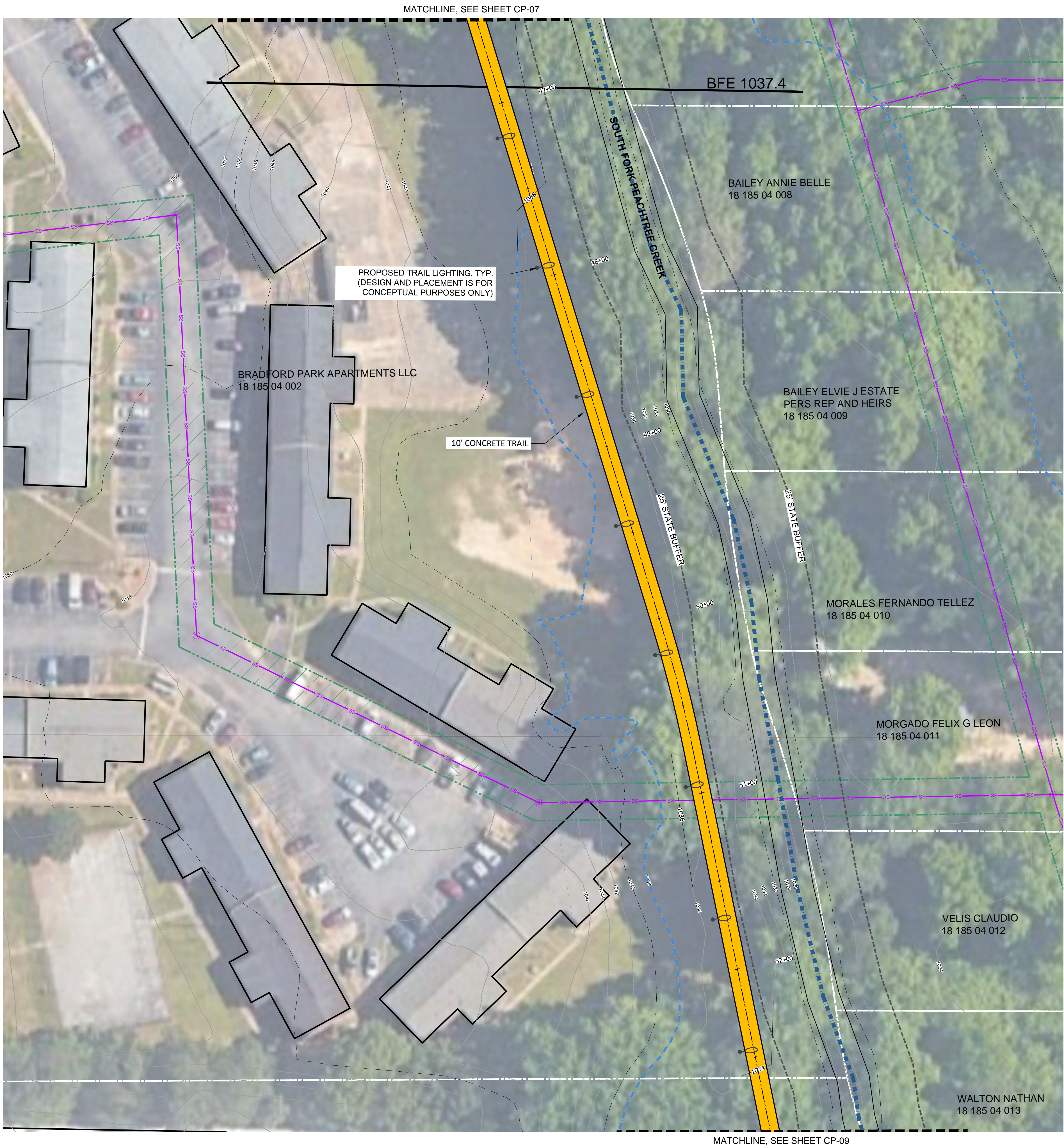
CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-07
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KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

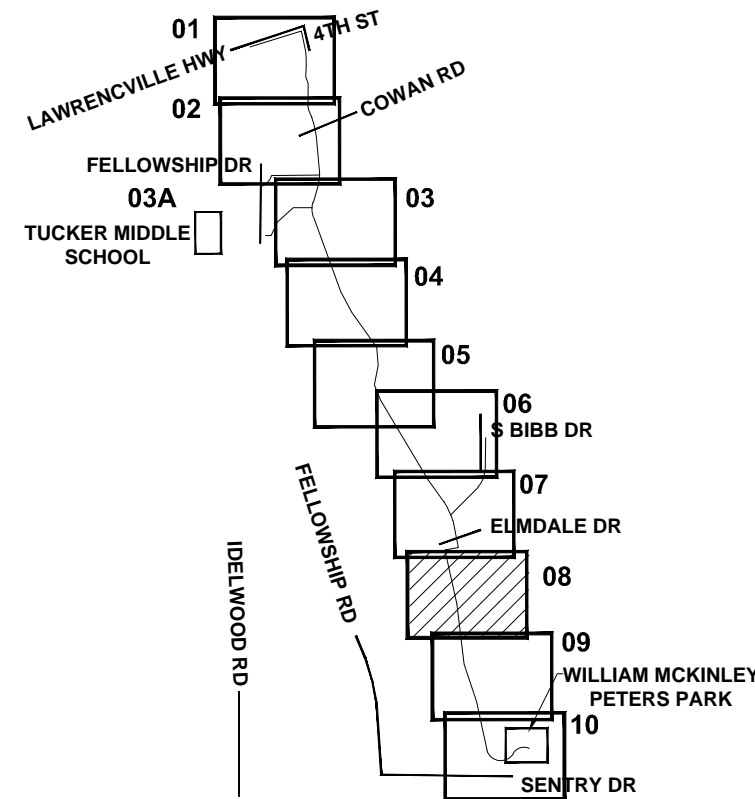
CHARLES M. ABBOTT JR, P.E.  
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CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM  
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CITY OF TUCKER  
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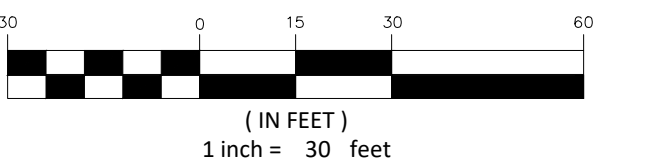
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA

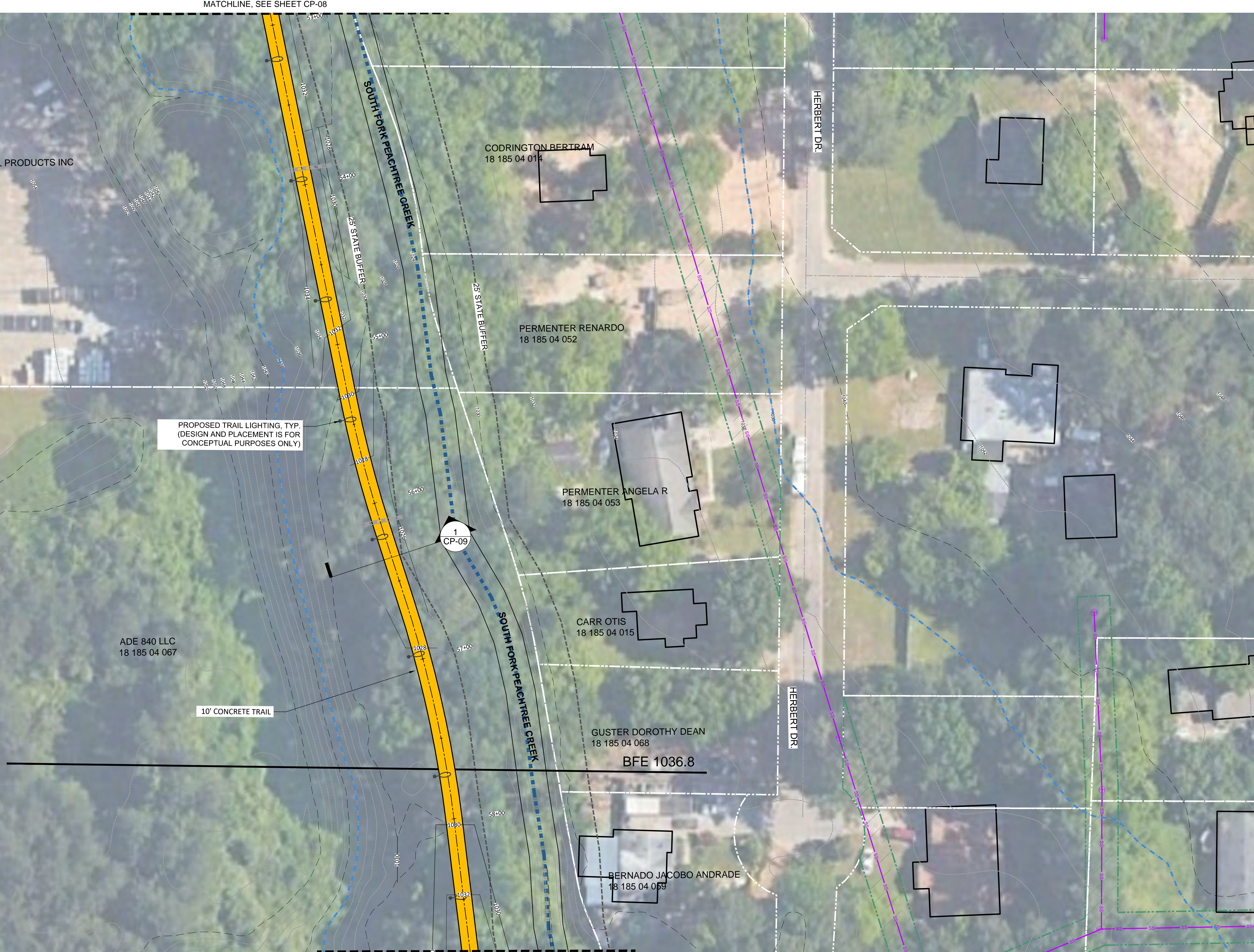


CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-08
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2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

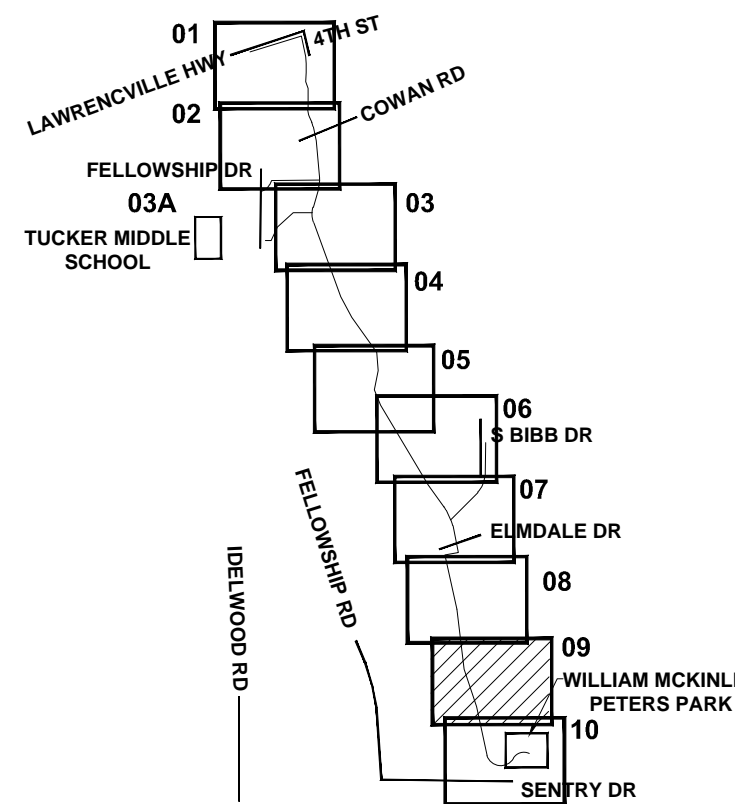
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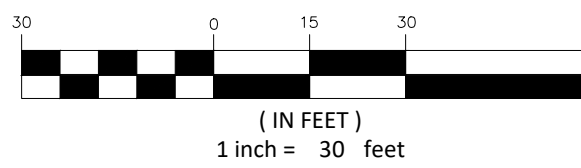
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA

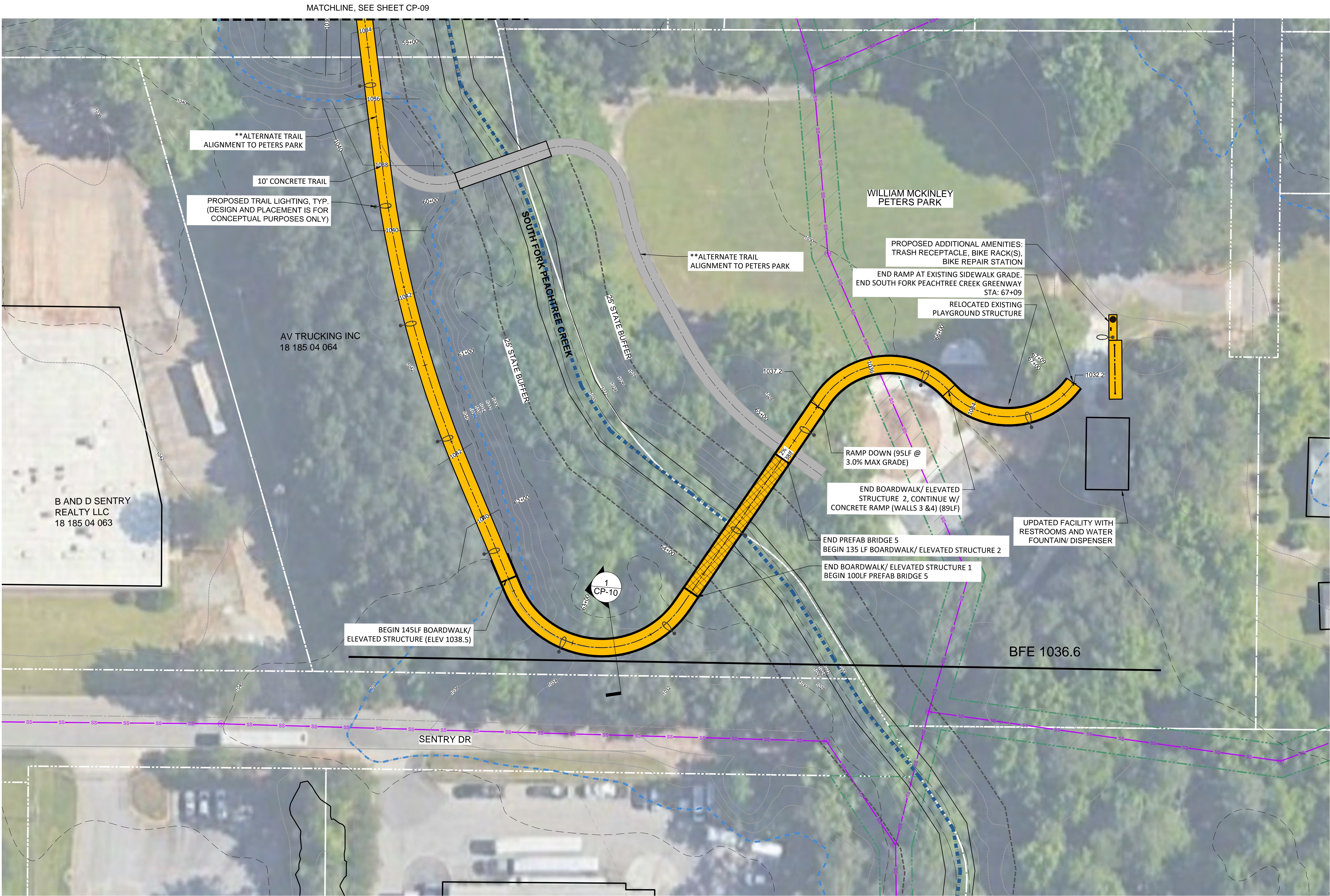


CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-09
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KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

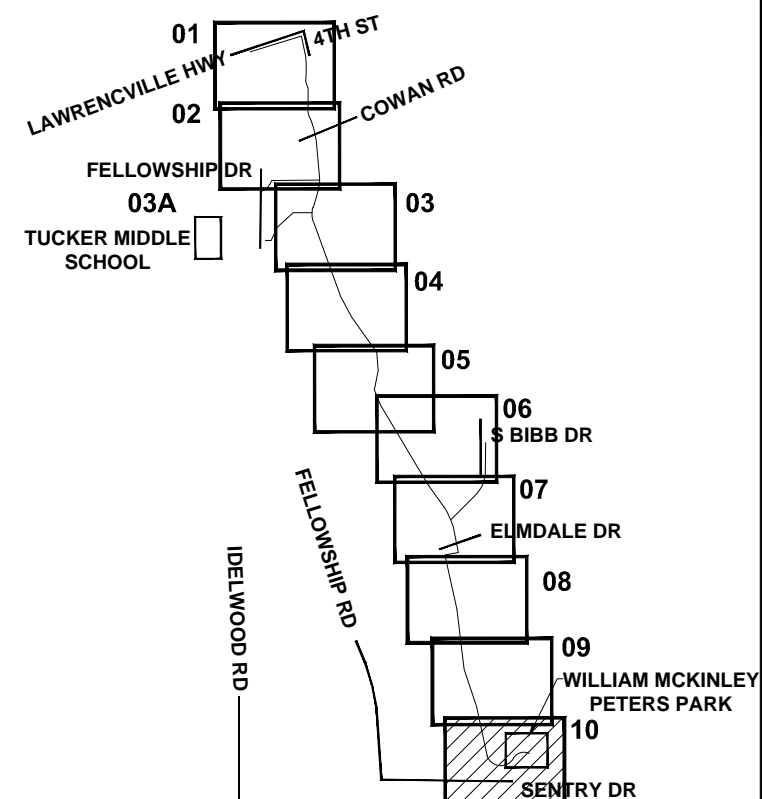
CHARLES M. ABBOTT JR, P.E.  
DESIGN ENGINEER LEVEL II CERTIFICATION  
GSWCC # 000004168 EXPIRES: 04/13/2022  
CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM  
O: 404-239-2521



PATH FOUNDATION  
PO BOX 1432, ATLANTA, GA 30305  
24 HOUR CONTACT - JONATHAN MCCAIG  
E: JONATHAN@PATHFOUNDATION.ORG  
O: 404-875-7284 x 5 C: 404-433-1900



CITY OF TUCKER  
KEN HILDEBRANDT - CITY ENGINEER  
1975 LAKESIDE PARKWAY, SUITE 350  
TUCKER, GA 30084  
E: KHILDEBRANDT@TUCKERGA.GOV  
C: 770-865-5645



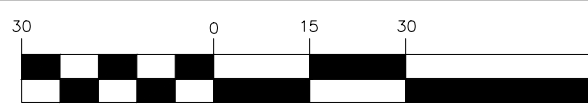
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



CONCEPT PLAN

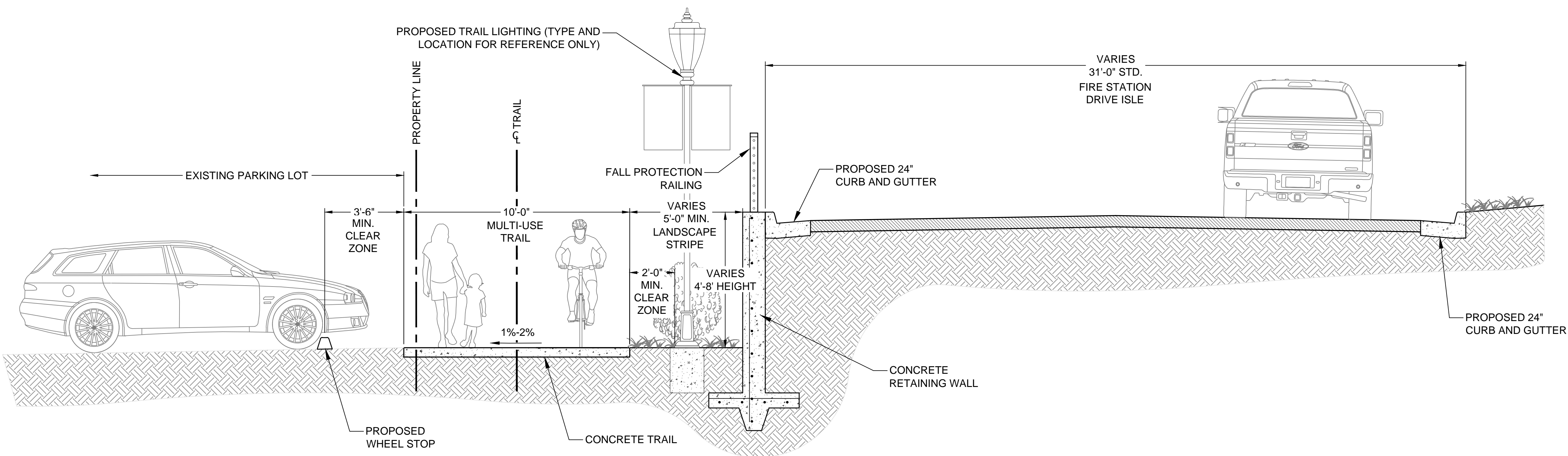
SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	CP-10



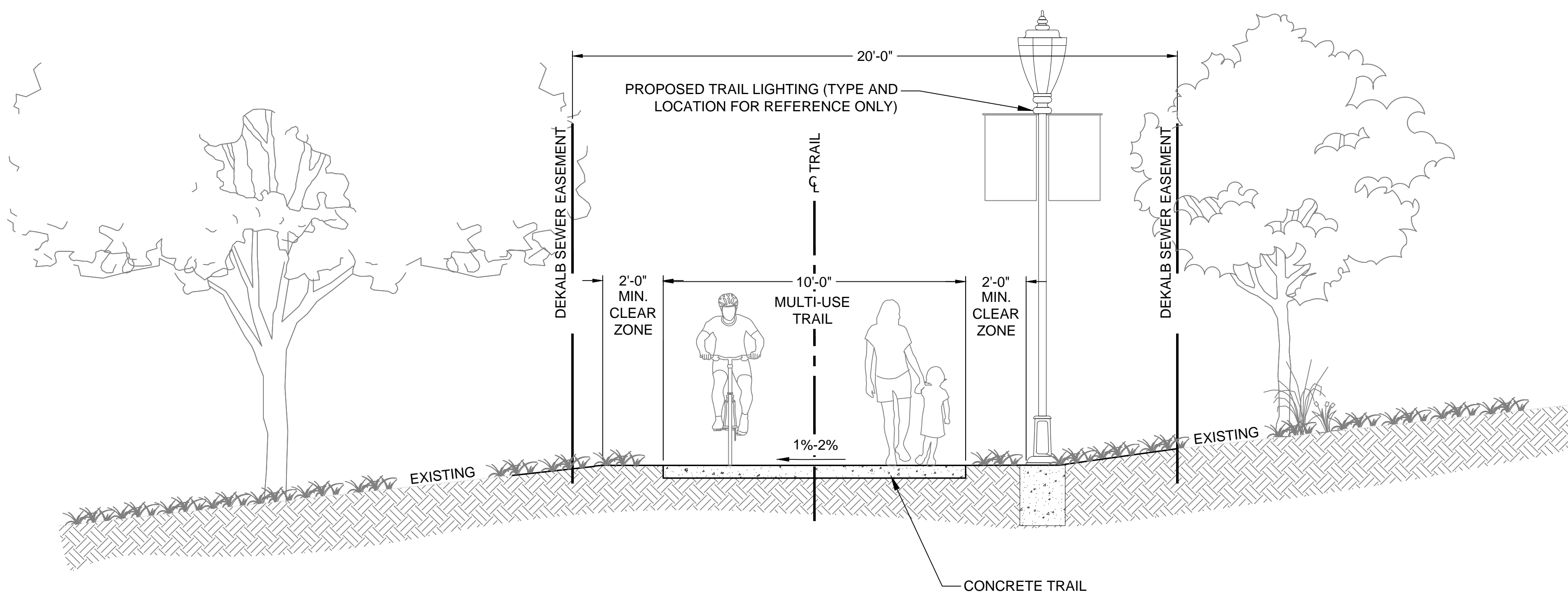


SHEET #	<b>TS-01</b>
---------	--------------





1 SITE SECTION - AT PROPOSED DEKALB FIRE STATION  
 TS-02 SCALE:  $\frac{3}{8}$ " = 1'-0"



2 SITE SECTION - GREENWAY ALONG DEKALB SEWER EASEMENT  
 TS-02 SCALE:  $\frac{3}{8}$ " = 1'-0"



DATE	DESCRIPTION

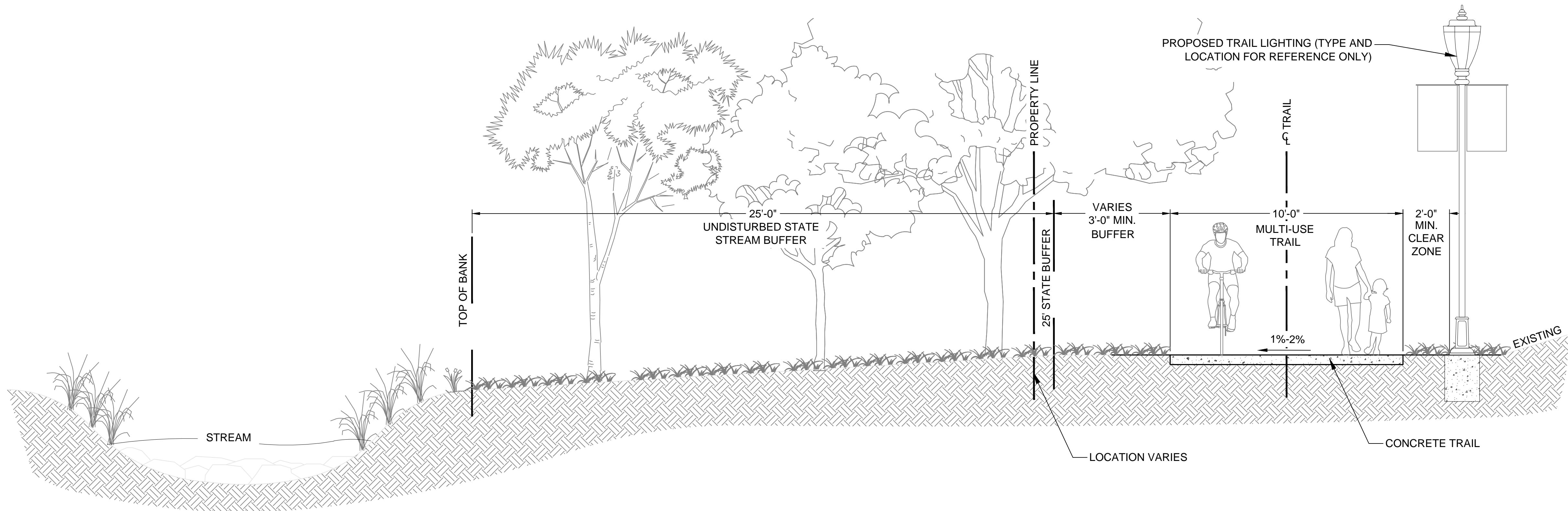
PROJECT #	23001
PROJECT MANAGER	CMA

**SOUTH FORK PEACHTREE  
 CREEK GREENWAY**  
**TUCKER, GA**

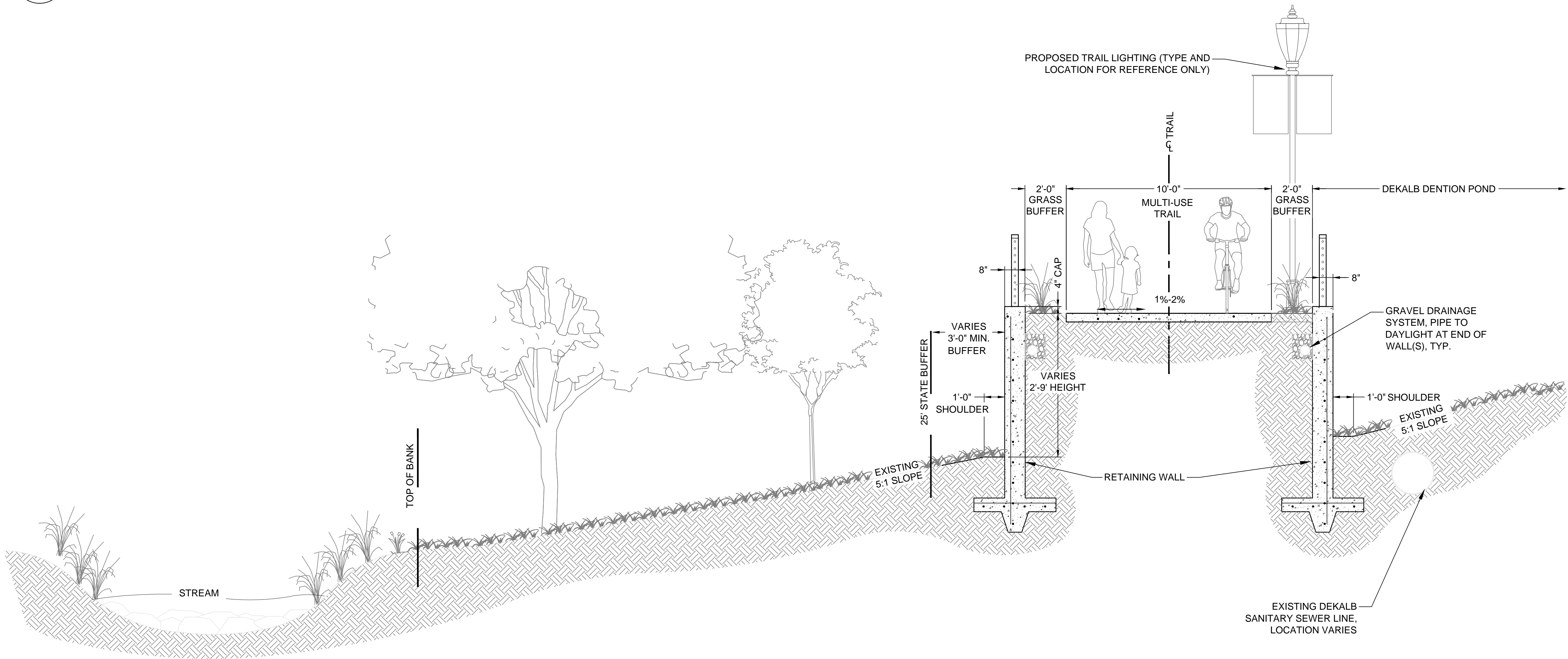
**TYPICAL SECTION**

SCALE	AS SHOWN
DATE	APRIL 28, 2023
SHEET #	<b>TS-02</b>





1 SITE SECTION - AT GREENWAY BETWEEN COWAN AND ELMDALE  
 TS-03 SCALE:  $\frac{3}{8}" = 1'-0"$



2 SITE SECTION - AT RETAINING WALL RAMP NORTH OF ELMDALE  
 TS-03 SCALE:  $\frac{3}{8}" = 1'-0"$



# KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

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**CITY OF TUCKER**  
 KEN HILDEBRANDT - CITY ENGINEER  
 1975 LAKESIDE PARKWAY, SUITE 350  
 TUCKER, GA 30084  
 E: KHILDEBRANDT@TUCKERGA.GOV  
 C: 770-865-5645

DATE	DESCRIPTION

PROJECT #	23001
PROJECT MANAGER	CMA

## SOUTH FORK PEACHTREE CREEK GREENWAY

TUCKER, GA

## TYPICAL SECTION

SCALE	AS SHOWN
DATE	APRIL 28, 2023
SHEET #	TS-03



# Heath & Lineback

2390 CANTON ROAD ▪ BUILDING 200 ▪ MARIETTA, GEORGIA 30066-5393  
hlc@heath-lineback.com ▪ phone (770) 424-1668

August 4, 2023

Mr. Ken Hildebrandt, PE, PTOE  
City Engineer  
City of Tucker  
1975 Lakeside Pkwy  
Suite 350  
Tucker, GA 30084

**REF: SCOPE AND FEE PROPOSAL**  
**South Fork Peachtree Greenway Engineering Design Services**

Dear Mr. Hildebrandt,

We are excited about the opportunity to collaborate with the City of Tucker, Tucker-Northlake CID, key stakeholders and its residents. With this letter, we submit our fee proposal to provide design and permitting based on the attached scope and referenced project.

We understand from the provided concept plans that this project is a 10-foot wide paved multi-use trail with limits from the intersection of Lawrenceville Highway at Idlewood Road, running parallel to the creek, and terminating at Peters Park for an approximate length of 8,000 linear feet based on a previous concept study.

The H&L Team has a comprehensive and proven approach for completing trail design. In fact, our Team has planned and designed over 200 miles of trails, with a total construction value of \$350 million. Our Team's approach is grounded in a time-tested and proven approach to thoughtful, creative, compelling, yet implementable trails.

**Project Scope Assumptions:**

1. The trail will be designed per the concept plans provided by the City. This scope includes all spurs but replaces the bridge connection to the school with a sidewalk/side-path connection to eliminate the first bridge shown on the concept.
2. Any required walls will be standard designed and will not require geotechnical work. A total of four (4) walls are included.
3. No soil survey is required.
4. Lighting is required.
5. Cameras at major access points are required.
6. A stream buffer variance will be required.
7. A 'no-rise' hydraulic study is required but not a FEMA CLOMR.
8. No SUE or test holes are required.
9. Only one public meeting is included.

## Detailed Line by Line Scope of Work by Phase

### 1. Task 1: Concept Validation

- a. Prepare a Concept Layout (based on the KAIZEN concept) and typical sections for the project based on the existing conditions, technical analysis, and previous public involvement. Specific elements shall include:
  - i. Validate the KAIZEN concept layouts, profiles, cross sections, and typical sections for each segment of the trail
  - ii. Concept location for potential storm water management features
  - iii. Evaluation of potential environmental impacts
  - iv. Preliminary review of ROW, utility, and cost estimates.

### 2. Task 2: Database Preparation

- a. Prepare topographic and property survey in accordance with GDOT Automated Survey Manual. The selected consultant would be responsible for producing surveys to provide appropriate field information to produce easement, right-of-way, and construction drawings. The survey information should extend 10 to 20 feet beyond the public right-of-way and/or required easements. The survey corridor along the trail will be 40' wide and determined based on a field walk with the project team – including the City. The following survey items are anticipated to be included in the scope of work:
  - i. Provide spot elevations at centerline of trail, centerline of road, top and bottom of curb, face of building (where applicable) every 50 feet along the length of each street.
  - ii. Provide property lines and rights of ways (including roadways and swales within ROW).
  - iii. Provide boundary lines between adjoining properties and identification of owners, including name, mailing address, and phone number.
  - iv. Provide spot elevations at corner face of building and parking lot at each cross street and at each curb cut (handicap ramps, driveways, etc.).
  - v. Provide exact location of existing striped centerline of street, location, and width of each travel lane every 100' along the length of each street.
  - vi. Provide all above ground, built elements including but not limited to guard rails, headwall, light standard, fencing, location of existing overhead and freestanding signage structures, fences, other signage, fire hydrants, utility boxes, vault covers, manhole covers, etc.
  - vii. Field-verify as-built underground utility information.
  - viii. Provide location of all utilities including but not limited to drainage structures, storm and sanitary sewer, power and communications poles, gas lines, water lines, fire hydrants, etc.
  - ix. Provide same utility information on all private utility providers for gas, water, telephone, cable, etc. The surveyor is responsible for acquiring both private and public utility information and shall coordinate getting this information from private agencies.
  - x. Provide existing rim and invert elevations of storm drainage system and catch basins.
  - xi. Identify type of material in all storm drain lines.
  - xii. Within the trail area, provide location for all existing horizontal or vertical elements located in existing sidewalk areas including but not limited to subterranean vaults, surface grates, light poles, telephone poles, disused sign, pole or other exposed footings and anchors, historic features, or any other existing elements.
  - xiii. Provide line of existing building, edge, alignment of building face along main and side streets. Include delineation of doorways, awnings, setbacks, or any other





# Heath & Lineback

2390 CANTON ROAD • BUILDING 200 • MARIETTA, GEORGIA 30066-5393

hle@heath-lineback.com • phone (770) 424-1668

variation from building face along ROW. In addition, provide threshold spot elevation at all entrances to each building.

- xiv. Provide existing parking striping in all locations where parking is present, whether on public or private property.
- xv. Provide location of existing natural elements. Provide tree caliper (8" and above), species of existing trees, and edge of canopy of existing vegetation and existing major tree species.
- xvi. Provide all the above survey information in electronic data formatted to GDOT specifications. No reproducible plots will be required.
- xvii. The selected consultant will be responsible for developing right-of-way certification drawings for City Attorney review and approval. In addition, the design firm must provide drawings for all easements required, to include adjoining property boundaries, easement boundary and size in acres, and owner name, address, and phone number.
- xviii. Provide location of FEMA floodplain, state 25-foot undisturbed stream buffer, and City 50-foot undisturbed stream buffer.

### 3. Task 3: Environmental Permitting

- a. Prepare all necessary documentation for permits from the City (Land Disturbance Permit), Georgia Soil & Water Conservation Commission, Georgia EPD, DeKalb County Watershed Management, utility owners and others, as necessary.
  - i. Stream Buffer Variance.

### 4. Task 4: Preliminary Plans

- a. Prepare updates to the existing KAIZEN Concept. Facilitate associated meetings, submittals and approvals. Coordinate with project stakeholders including City of Tucker, Tucker-Northlake CID, and DeKalb County.
- b. Monthly invoicing
- c. Prepare preliminary design documents per the GDOT Electric Data Guidelines, including:
  - i. Plan, profile, cross sections, and special grading plans
  - ii. Trail and site hydrology & hydraulics, green infrastructure design and details
  - iii. Signing and marking plans
  - iv. Signal plans – 2 RRFB designs
  - v. Preliminary ROW plans.
  - vi. Erosion control and monitoring plans
  - vii. Landscape, tree protection and hardscape plans
  - viii. Lighting and security plans
  - ix. Bridge plans – three (3) pre-engineered bridges and two (2) elevated boardwalks (over S Fork Peachtree Creek)
  - x. Bridge hydraulics report (1) covering 3 bridge crossings over S Fork Peachtree Creek and trail located within FEMA floodplain (No-rise certification)
  - xi. Retaining wall layouts (4 standard walls)
  - xii. Prepare draft special provisions
  - xiii. Prepare detailed cost estimates of the work (construction, right-of-way, environmental mitigation and utilities).
  - xiv. Attend preliminary field plan review (PFPR). Address comments from City staff, Tucker- Northlake CID, and other parties.
  - xv. Prepare MS4 Report and Documentation.
  - xvi. Prepare all documentation and displays for public meetings.

- xvii. Prepare utility plans, including first utility submittal and coordinate with utility owners.

## 5. Task 5: Right-of-Way Plans

- a. Prepare right-of-way drawings and site-specific easement drawings describing the areas of permanent or temporary easements and the installations therein, suitable for recording, for each property fronting the Project Area for which an easement is necessary – either permanent or temporary/construction. A property-specific drawing will be required for each individual easement/parcel to be acquired.
  - i. Right-of-way plans (estimated 26 parcels)
  - ii. Right-of-way revisions
  - iii. Right-of-way staking (26 parcels)

## 6. Task 6: Final Plans

- a. Project Management and coordination over the duration of the contract including monthly status meetings with the City, and updated schedule, and construction cost estimate.
- b. Monthly invoicing
- c. Prepare final design documents and required documentation, including:
  - i. Plan, profile, cross sections or grading plan
  - ii. Trail and site hydrology & hydraulics, green infrastructure design and details
  - iii. Signing and marking plans
  - iv. Revised erosion control and monitoring plans
  - v. Landscape, tree protection and hardscape plans
  - vi. Lighting plans
  - vii. Bridge plans (three pre-engineered bridges and two elevated boardwalks)
  - viii. Incorporation of City's design standards into final design
  - ix. Signal plans (two Rectangular Rapid Flashing Beacons)
  - x. Retaining wall details (4 standard walls)
  - xi. Final cost estimates (construction, right-of-way, and utilities)
- d. Bridge Foundation Investigations (LRFD) – 3 bridges
- e. Attend final review meeting with City staff. Address comments from City staff, Tucker-Northlake Community Improvement District, and other parties.
- f. Finalize utility coordination, complete second submittal and relocation plans, and submit utility certification package.
- g. Prepare all necessary documents for approvals, including, but not limited to, final plans, specifications, special provisions, certification packages.

## 7. Task 7: Construction Services

- a. 7-day erosion inspection letter
- b. Responses to RFIs
- c. Review of shop drawings (bridges, railings, lighting, etc.)
- d. Revision of plans for use-on construction (60 total hours)

## 8. Task 8: Special Studies (Additional Services)

- a. Special Studies as/if required (200 additional hours) – requires prior authorization by City
- b. Section 404 Nationwide Permit.

## 9. Task 9: Public Involvement

- a. Attend monthly project meetings with City staff.
- b. Attend one (1) City Council Meeting.
- c. Attend one (1) public information meeting.
- d. Coordinate and moderate smaller stakeholder meetings as necessary (20 total included).





# Heath & Lineback

2390 CANTON ROAD ▪ BUILDING 200 ▪ MARIETTA, GEORGIA 30066-5393  
hle@heath-lineback.com ▪ phone (770) 424-1668

**Deliverables:**

Final design plans, CAD files, and supporting documentation. These documents are including, but not limited to:

1. Survey database
2. Validated Concept (plans and cost estimates)
3. Preliminary Plans
  - a. Preliminary construction plans
  - b. MS4 Report
  - c. Preliminary Bridge Layouts – Pre-engineered bridges (3)
  - d. Bridge Hydraulic Study (no-rise certification only)
  - e. Cost estimates
  - f. Draft Special Provisions
4. Right-of-way Plans, Plats and Exhibits
5. Final Plans
  - a. Bridge Foundation Investigation (3)
  - b. Final Bridge Plans – Pre-engineered bridges (3)
  - c. Construction plans, specifications, cost estimates and certifications for let
  - d. All required permits (City, County, EPD, USACE)

**The total Lump Sum Fee is \$799,608.12.**

**Schedule as follows:**

1. Schedule to be coordinated with the City and project stakeholders – 18-month design schedule is anticipated

Sincerely yours,

**Heath & Lineback Engineers**

W. Allen Krivsky, P.E.  
Senior Vice President

City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Cost Summary

By Phase / Discipline / Firm

v Formula Pulls Firm Name from each Discipline Tab

Include a column for each discipline tab included in the pro  
Ensure formulas link to the corresponding discipline tab.

Phase	Phase Description	Total Fee	Heath & Lineback Engineers	0	Heath & Lineback Engineers	0	0	0	0	0
		Enter discipline provided by firm >>	Trail Design + Subconsultants	LA + Public Involvement	Bridge Design & Hydraulics	Traffic Operations	Environmental	Survey	Geotech	Lighting
	Totals	\$ 799,608.12	\$ 639,784.73	\$ -	\$ 159,823.39	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ 47,563.24	\$ 38,786.10		\$ 8,777.14					
2	Database Preparation	\$ 122,468.31	\$ 122,468.31		\$ -					
3	Environmental Permitting	\$ 24,929.89	\$ 24,929.89		\$ -					
4	Preliminary Plans	\$ 184,386.51	\$ 112,165.15		\$ 72,221.36					
5	Right of Way Plans	\$ 64,153.85	\$ 64,153.85		\$ -					
6	Final Plans	\$ 292,704.19	\$ 218,602.51		\$ 74,101.68					
7	Construction Services	\$ 18,187.88	\$ 13,464.67		\$ 4,723.21					
8	Special Studies (Additional)	\$ 32,921.65	\$ 32,921.65		\$ -					
9	Public Involvement	\$ 12,292.60	\$ 12,292.60		\$ -					
	Fixed Fee	\$ 35,621.07	\$ 21,100.51		\$ 14,520.56					

Tab Name>>

Rd1

DS1

Br1

Trf1

Env1

Srv1

OMT1

Lt1

DBE (Yes or No)		No		No						
DBE Participation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DBE %										
Contract DBE Goal %	0.0%									



City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Heath & Lineback Engineers

Discipline: Trail Design

Hours & Cost Estimate

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

<<CLICK BUTTON TO LEFT SHOW OR HIDE PHASE SUMMARY

Staff Type / Project Hourly Rates / Hours

Phase	Description	Total	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator				
			\$112.69	\$81.44	\$82.50	\$55.45	\$38.50	\$24.00					
	TOTALS ==>	2,084	9	47	146	384	440	1,058	-	-	-	-	-
1	Concept Validation	80	-	6	2	16	12	44	-	-	-	-	-
2	Database Preparation	10	-	-	-	-	6	4	-	-	-	-	-
3	Environmental Permitting	2	-	2	-	-	-	-	-	-	-	-	-
4	Preliminary Plans	696	-	8	40	84	128	436	-	-	-	-	-
5	Right of Way Plans	181	1	-	8	28	64	80	-	-	-	-	-
6	Final Plans	770	4	6	72	192	130	366	-	-	-	-	-
7	Construction Services	113	-	13	-	20	40	40	-	-	-	-	-
8	Special Studies (Additional Services)	200	4	8	24	24	60	80	-	-	-	-	-
9	Public Involvement	32	-	4	-	20	-	8	-	-	-	-	-

Phase Level Summary - Other Direct Costs

			Other Direct Costs										
Phase	Description	Total Other Direct Costs	BCC - Traffic Signal Design	CERM - Survey	CERM - Geotech	EP - Environmental Permitting	PPD - LA + Public Involvement	Wi-Skies - Lighting					
	TOTALS ==>	\$ 407,538	\$ 12,800	\$ 163,550	\$ 99,918	\$ 32,450	\$ 64,820	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ 29,962	\$ 482				\$ 29,480						
2	Database Preparation	\$ 121,525	\$ 695	\$ 118,750			\$ 2,080						
3	Environmental Permitting	\$ 24,460				\$ 24,460							
4	Preliminary Plans	\$ 42,930	\$ 10,100				\$ 15,830	\$ 17,000					
5	Right of Way Plans	\$ 44,800		\$ 44,800									
6	Final Plans	\$ 128,271	\$ 1,523		\$ 99,918		\$ 9,830	\$ 17,000					
7	Construction Services	\$ -											
8	Special Studies (Additional Services)	\$ 7,990				\$ 7,990							
9	Public Involvement	\$ 7,600					\$ 7,600						

Proj. No.: **N/A**  
PI No.: **N/A**  
Prime: **Heath & Lineback Engineers**  
Date: **19-Jul-2023**

Project: **S Fork Peachtree Creek Greenway**  
County: **DeKalb**  
Contract Type: **Cost Plus Fixed Fee**  
Fixed Fee %: **10%**

### Hours by Task

## Hours & Cost Estimate

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

[illegible]



Proj. No.: **N/A**  
PI No.: **N/A**  
Prime: **Heath & Lineback Engineers**  
Date: **19-Jul-2023**

Project: **S Fork Peachtree Creek Greenway**  
County: **DeKalb**  
Contract Type: **Cost Plus Fixed Fee**  
Fixed Fee %: **10%**

▼ Select Firm from Pulldown. Uses List on Project Tab

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

8/4/2023 3:33 PM  
S Fork PCG - Fee 2023-08-01.xls/sx Rd1

**City of Tucker**  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**Heath & Lineback Engineers**

Discipline: **Trail Design**

**Hours & Cost Estimate**

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>6</b>	<b>Final Plans</b>	<b>Assumptions / Notes</b>	<b>770</b>	<b>4</b>	<b>6</b>	<b>72</b>	<b>192</b>	<b>130</b>	<b>366</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Coordinate with Utility Companies for Relocations	10 companies	52		4		8	40					
	Finalize Cover Sheet, Index, General Notes		12				4		8				
	Finalize Typical Sections		8				2		6				
	Finalize Trail Plans, Profiles, etc.		64				24		40				
	Finalize Signing and Marking Plans		20				4		16				
	Finalize Signalization Plans	Coordinate with traffic sub	10				2		8				
	Finalize Drainage Design, Profiles, Cross Sections	2 longitudinal systems at roadways - assume sheet flow and ditches along creek.	30				20		10				
	Finalize Driveway Profiles	4 Drives	6				2		4				
	Prepare Detailed Plan Sheets	16 Construction Plan sheets	80				40		40				
	Finalize Special Grading Plans	Plazas and unique tie-ins at bridges	6				2		4				
	Finalize MS4 Design	Green Infrastructure	20			4	8	8					
	Finalize Retaining Wall Locations and Envelopes	4 standard walls	40			2	4	10	24				
	Finalize Erosion, Sed. & Pol. Ctrl. Plans for Staged Constr.	& submit for review, address comments from EPD/County	60				8	12	40				
	Finalize Staging Plans and Details		10				2		8				
	Finalize Utility Plans	10 companies	18					8	10				
	Prepare Special Construction Details		18				2	4	12				
	Prepare Plans for permitting	404 permit at stream, SBV at stream, City permitting	18				2	8	8				
	Prepare Special Provisions		4				4						
	Finalize Detailed Construction Quantities, Cost Estimate		48				8		40				
	Prepare FFPR Plans for Submittal		12				4		8				
	Prepare for, Participate in FFPR		4		2		2						
	Address / Implement FFPR Comments	City comments	84			4	20	20	40				
	Internal Quality Assurance Reviews		64	4		60							
	Address Final Corrected Plans comments/revisions		82			2	20	20	40				
			-										
			-										
				Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>7</b>	<b>Construction Services</b>	<b>Assumptions / Notes</b>	<b>113</b>	<b>-</b>	<b>13</b>	<b>-</b>	<b>20</b>	<b>40</b>	<b>40</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Discipline Management - Coordination Meetings and Conversations	3 meetings	6		6								
	Answer Design Inquiries after let/prior to construction		6		6								
	Answer Design Questions during Construction	RFIs and Shop Drawing review	48				8	20	20				
	Revise Plans for Use-On Construction and/or Amendments		48				8	20	20				
	Assist / Prepare 7-day inspection letter		5		1		4						
			-										
			-										
			-										
				Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>8</b>	<b>Special Studies (Additional Services)</b>	<b>Assumptions / Notes</b>	<b>200</b>	<b>4</b>	<b>8</b>	<b>24</b>	<b>24</b>	<b>60</b>	<b>80</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>



City of Tucker  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

Heath & Lineback Engineers				<div>It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS</div>									
Discipline:	Trail Design			<b>Hours &amp; Cost Estimate</b>									
	Additional Service Studies As required		200	4	8	24	24	60	80				
			-										
			-										
			-										

Proj. No.: N/A  
PI No.: N/A

Proj. No.: N/A  
PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: 19-Jul-2023

v Select Firm from Pulldown. Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

Discipline: **Trail Design**

### Hours & Cost Estimate

[illegible]



City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Discipline: Heath & Lineback Engineers

Hours & Cost Estimate

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

<<CLICK BUTTON TO LEFT SHOW OR HIDE PHASE SUMMARY

Staff Type / Project Hourly Rates / Hours

Phase	Description	Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator			
	TOTALS ==>	1,165	23	-	200	268	674	-	-	-	-	-
1	Concept Validation	68	2	-	8	10	48	-	-	-	-	-
2	Database Preparation	-	-	-	-	-	-	-	-	-	-	-
3	Environmental Permitting	-	-	-	-	-	-	-	-	-	-	-
4	Preliminary Plans	523	8	-	111	78	326	-	-	-	-	-
5	Right of Way Plans	-	-	-	-	-	-	-	-	-	-	-
6	Final Plans	537	13	-	76	172	276	-	-	-	-	-
7	Construction Services	37	-	-	5	8	24	-	-	-	-	-
8	Special Studies (Additional Services)	-	-	-	-	-	-	-	-	-	-	-
9	Public Involvement	-	-	-	-	-	-	-	-	-	-	-

Phase Level Summary - Other Direct Costs

Other Direct Costs

Phase	Description	Total Other Direct Costs	Express/Mail /Courier	Lodging	Meals	Mileage	Parking	Reproduction /Printing	Car Rental			
	TOTALS ==>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ -										
2	Database Preparation	\$ -										
3	Environmental Permitting	\$ -										
4	Preliminary Plans	\$ -										
5	Right of Way Plans	\$ -										
6	Final Plans	\$ -										
7	Construction Services	\$ -										
8	Special Studies (Additional Services)	\$ -										
9	Public Involvement	\$ -										

**City of Tucker**  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

Discipline: **Heath & Lineback Engineers**

**Bridge Design & Hydraulics**

**Hours & Cost Estimate**

It is the Consultant's responsibility to ensure all hours  
and costs are accounted for in the TOTALS

**Hours by Task**

			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>1</b>	<b>Concept Validation</b>	<b>Assumptions / Notes</b>	<b>68</b>	<b>2</b>	<b>-</b>	<b>8</b>	<b>10</b>	<b>48</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Site Visit		2				2						
	Prepare Structure Concepts	3 Pre-Engineered Bridges + 1 Structural Slabs	22	2		4	8	8					
	Concept Hydraulic (stream crossings, new location)	Draft model prior to database. Based on FEMA model.	44			4		40					
			-										
			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>2</b>	<b>Database Preparation</b>	<b>Assumptions / Notes</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
			-										
			-										
			-										
			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>3</b>	<b>Environmental Permitting</b>	<b>Assumptions / Notes</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
			-										
			-										
			-										



Proj. No.: **N/A**  
PI No.: **N/A**  
Prime: **Heath & Lineback Engineers**  
Date: **19-Jul-2023**

Project: **S Fork Peachtree Creek Greenway**  
County: **DeKalb**  
Contract Type: **Cost Plus Fixed Fee**  
Fixed Fee %: **10%**

v Select Firm from Pulldown. Uses List on Project Tab

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

8/4/2023 3:33 PM  
S Fork PCG - Fee 2023-08-01.xlsx Br1

Proj. No.: **N/A**

PI No.: **N/A**

Prime: **Heath & Lineback Engineers**

Date: 19-Jul-2023

- ▼ Select Firm from Pulldown. Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

[illegible]



Form **W-9**  
(Rev. October 2018)  
Department of the Treasury  
Internal Revenue Service

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p><b>BCC Engineering LLC; d/b/a Heath &amp; Lineback</b></p> <p><b>2</b> Business name/disregarded entity name, if different from above</p>	
	<p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor or single-member LLC         <input type="checkbox"/> C Corporation         <input type="checkbox"/> S Corporation         <input type="checkbox"/> Partnership         <input type="checkbox"/> Trust/estate       </p> <p> <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <b>C</b> </p> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p> <p><b>6401 SW 87th Ave Suite#200</b></p> <p><b>6</b> City, state, and ZIP code</p> <p><b>Miami, FL 33173</b></p> <p><b>7</b> List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p>

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
or									
<b>Employer identification number</b>									

### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign  
Here**

Signature of  
U.S. person ▶

Date ▶

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

Client#: 97058

BCCENGIN

ACORD

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/21/2022

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 any rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Greyling Ins. Brokerage/EPIC 3780 Mansell Road, Suite 370 Alpharetta, GA 30022		<b>CONTACT NAME:</b> Carly Underwood <b>PHONE (A/C, No, Ext):</b> 770.670.5324 <b>FAX (A/C, No):</b> 770.670.5324 <b>E-MAIL ADDRESS:</b> carly.underwood@greyling.com	
		<b>INSURER(S) AFFORDING COVERAGE</b>	
		<b>INSURER A:</b> The Continental Insurance Company	
		<b>INSURER B:</b> Valley Forge Insurance Co	
		<b>INSURER C:</b> Transportation Insurance Co	
		<b>INSURER D:</b> Endurance American Specialty Ins. Co	
		<b>INSURER E:</b> National Fire Insurance Co of Hartford	
		<b>INSURER F:</b>	

**INSURED**  
 Heath & Lineback Engineers, Inc.  
 2390 Canton Rd. Bldg 200  
 Marietta, GA 30066

## COVERAGES

CERTIFICATE NUMBER: 22-23

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 SUBR INSR (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"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		7034261643	08/14/2022	08/14/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
E	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY		7034261688	08/14/2022	08/14/2023	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 checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10,000		7034261707	08/14/2022	08/14/2023	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
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 N	7034261657 (AOS)	08/14/2022	08/14/2023	<input checked="" type="checkbox"/> PER-STATUTE E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
C			7034261660 (CA)			
D	Professional Liab incl. Pollution		DPL30023540700	08/14/2022	08/14/2023	Per Claim \$2,000,000 Aggregate \$2,000,000

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

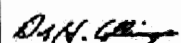
The City of Tucker and the Georgia Department of Transportation are named as Additional Insureds with respects to General Liability where required by written contract.

Should any of the above described policies be cancelled by the issuing insurer before the expiration date thereof, we will endeavor to provide 30 days' written notice (except 10 days for nonpayment of premium) to the Certificate Holder.

(See Attached Descriptions)

## CERTIFICATE HOLDER

## CANCELLATION

City of Tucker 1975 Lakeside Parkway Suite 350 Tucker, GA 30084-0000	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 
--	--

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## EXHIBIT E

### Contact Information Form

Please fill out this sheet with the appropriate contact information for your company.

Full Legal Name of Company: BCC Engineering, LLC d/b/a Heath & Lineback

Contractor Information:

Primary Contact Person: Patrick Peters, PE

Title: Director of Active Transportation Telephone Number: 770-424-1668

Secondary Contact Person: Patrick James, PE

Title: Active Transportation Group Leader Telephone Number: 770-424-1668

Address: 2390 Canton Road, Bldg. 200

City / State / Zip: Marietta, GA 30066

Mailing Address (If different than above): \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

E-mail Address: ppeters@heath-lineback.com

Federal Employee ID Number (FEIN): 65-0540100

# EXHIBIT F

## CITY OF TUCKER

### ACKNOWLEDGE RECEIPT OF ADDENDUM #1 FORM

RFQ #2023-021

S FORK PEACHTREE GREENWAY ENGINEERING  
DESIGN SERVICES

**Upon receipt, please print and add to your proposal.**

I hereby acknowledge receipt of the supplement pertaining to the  
above referenced bid.

COMPANY NAME: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE

DATE



**RFQ2023-021**  
**S FORK PEACHTREE GREENWAY ENGINEERING**  
**DESIGN SERVICES**

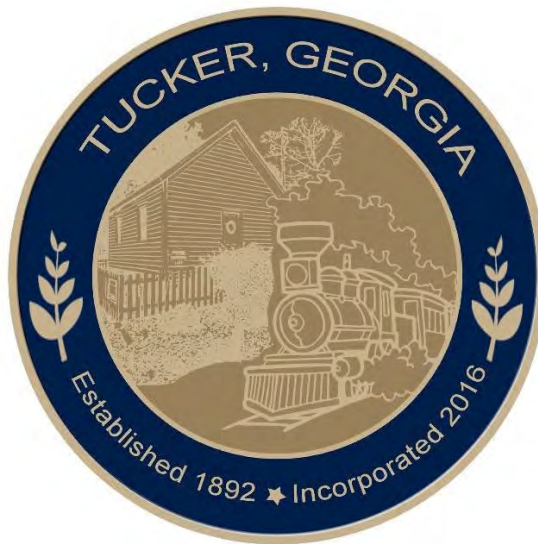
**ADDENDUM #1**

	<b>QUESTION</b>	<b>ANSWER</b>
1	Is there a GDOT PI# for this project?	No, this is a locally funded project.
2	Are there federal funds tied to this project?	No, this is a locally funded project.
3	Who are considered the key team members?	Examples include Principal, Project Manager, Lead Engineer, Surveyor, QC/QA Engineer, etc.
4	Are we only allowed to have resumes for 3 key team members?	There is no limit to the number of resumes, as long as they are proposed team members.
5	Can we include a deputy project manager?	Yes.
6	On Page 17- do we need to include a technical approach in our proposal?	No, this is a qualifications-based submittal. However, the proposal should provide detailed examples of experience and expertise with similar projects.
7	Is 6.01 Geotech services a required service class?	No.
8	The area classes on page 6- are those complete or are more being added?	The area classes on page 6 are the minimum requirements.
9	Is there a specific way you want the proposal laid out? If so, could you please provide guidelines?	The presenting firm has the flexibility to lay out the proposal in a way that best responds to the Scope of Work. No further guidelines are provided.

# City of Tucker

Request for Submittals  
RFQ #2023-021

S Fork Peachtree Greenway  
Engineering Design Services



## BID MANUAL

City of Tucker  
1975 Lakeside Parkway, Suite 350  
Tucker, Georgia 30084



**City of Tucker Request for Submittals**  
**RFQ#2023-021**  
**S Fork Peachtree Greenway**

**INVITATION**

The City of Tucker is now accepting submittals for qualified professional service providers to provide professional engineering design services for the S Fork Peachtree Greenway. The S Fork Peachtree Greenway is a proposed 10' – wide paved multi-use trail. The project limits are from the intersection of Lawrenceville Highway @ Idlewood Road, running parallel to the creek, and terminating at Peters Park. (see Exhibit B). The approximate length, including four potential spurs, is 8,000 linear feet.

<b>BID ACTIVITY SCHEDULE</b>	
Release of RFQ	May 23, 2023
Pre-Submittal Conference	N/A
Deadline for Questions	June 6, 2023
Responses to Questions Posted (Addenda)	June 8, 2023
<b>Deadline for Submittals</b>	<b>June 20, 2023 at 2:00 p.m.</b>
Anticipated Award at Council Meeting	July 10, 2023 (tentative)

**WORK TO BE PERFORMED:** Provide professional engineering design services for the City of Tucker.

**SCOPE OF WORK:** Refer to Exhibit A.

**QUESTIONS:** Submit all questions in writing to [procurement@tuckerga.gov](mailto:procurement@tuckerga.gov) reference RFQ #2023-021.

**PRE-SUBMITTAL CONFERENCE:** N/A

**ADDENDA:** Responses to the questions received will be by addenda and will be posted on the City website [https://www.tuckerga.gov/government/rfp\\_rfq/index.php](https://www.tuckerga.gov/government/rfp_rfq/index.php) . The signed acknowledgement issued with the addendum must be submitted with the submittal. It is the vendors responsibility to verify if any addenda were created.

**SUBMITTAL REQUIREMENTS:** Submittals will be accepted electronically to [procurement@tuckerga.gov](mailto:procurement@tuckerga.gov)

**RFQ TABULATION:** Preliminary RFQ results will be posted on the City's website, [www.tuckerga.gov](http://www.tuckerga.gov)

Your response must be received by the date and time specified. (Addenda will show any schedule updates) Late receipt of bids will not be considered regardless of postmark/carrier or email issues. Proposals received after the opening time will be filed unopened. The City of Tucker reserves the right to reject any and all proposals or any part, to waive any formalities or informalities to make an award and to re-advertise in the best interest of the City. No proposals received orally/phone.

If a sample contract is attached to this manual, by submitting a bid, you consent, upon award, to executing such an agreement and/or to substantially similar contract language.

## **1.0 INTRODUCTION**

The City of Tucker, GA is soliciting submittals from qualified firm(s) or organization(s) to provide consultant services for concept report and engineering design services for the S Fork Peachtree Greenway from downtown Tucker to Peters Park.

This Request for Qualifications (RFQ) seeks to identify potential providers for the Scope of Services for the project/contract listed in Exhibit A. All respondents to this RFQ are subject to instructions communicated in this document and are cautioned to completely review the entire RFQ and follow instructions carefully. The City of Tucker reserves the right to reject any or all submittals, and to waive technicalities and informalities at the discretion of the City.

### **Project Oversight and Staffing**

The successful offeror will report to Ken Hildebrandt P.E., City Engineer, **at email:** [khildebrandt@tucker.gov](mailto:khildebrandt@tucker.gov), **phone:770-865-5645**. The contract will be with the City of Tucker. Project status updates are mandatory, during the work via in-process reviews (IPRs), reports and/or other interactions as proposed or specified.

## **2.0 RFQ STANDARD INFORMATION**

### **2.1 Authority**

This RFQ is issued under the authority of the Purchasing Division of the City of Tucker. The RFQ process is a procurement option allowing the award to be based on stated evaluation criteria. The RFQ states the relative importance of all evaluation criteria. No other evaluation criteria, other than as outlined in the RFQ, will be used.

### **2.2 Offeror Competition**

The City encourages free and open competition among offerors. Whenever possible, the City will design specifications, submittals, and conditions to accomplish this objective, consistent with the necessity to satisfy the City's need to procure technically sound, cost-



effective services and supplies.

## **2.3 Receipt of Submittals and Public Inspection**

### **2.3.1 Public Information**

All information received in response to this RFQ, including copyrighted material, is deemed public information and will be made available for public viewing and copying shortly after the time for receipt of Submittals has passed with the following four exceptions: (1) bona fide trade secrets meeting confidentiality requirements that have been properly marked, separated and documented; (2) matters involving individual safety as determined by the City of Tucker (3) any company financial information requested by the City of Tucker to determine Contractor responsibility, unless prior written consent has been given by the offeror; and (4) other constitutional protections.

### **2.3.2 Procurement Officer Review of Submittals**

Upon opening the Submittals received in response to this RFQ, the procurement officer in charge of the solicitation will review the Submittals and separate out any information that meets the referenced exceptions in Section 2.3.1 above, providing the following conditions have been met:

- Confidential information is clearly marked and separated from the rest of the Submittals.
- The Submittals do not contain confidential material in the cost or price section.
- An affidavit from an offeror's legal counsel attesting to and explaining the validity of the trade secret claim is attached to each Submittal containing tradeseconds.

Information separated out under this process will be available for review only by the procurement officer, the evaluation committee members, and limited other designees. Offerors must be prepared to pay all legal costs and fees associated with defending a claim for confidentiality in the event of a "right to know" (open records) request from another party.

## **2.4 Classification and Evaluation of Submittals**

### **2.4.1 Initial Classification of Submittals as Responsive or Non-responsive**

All Submittals will initially be classified as either "responsive" or "non-responsive". Submittals may be found non-responsive any time during the evaluation process or contract negotiation if any of the required information is not provided; the submitted price is found to be excessive or inadequate as measured by criteria stated in the RFQ; or the Submittals is not within the plans and specifications described and required in the RFQ. If a Submittal is found to be non-responsive, it will not be considered further.

### **2.4.2 Determination of Responsibility**

The procurement officer will determine whether an offeror has met the standards of

responsibility. Such a determination may be made at any time during the evaluation process and through contract negotiation if information surfaces that would result in a determination of non-responsibility. If an offeror is found non-responsible, the determination must be in writing, made a part of the procurement file, and mailed to the affected offeror.

#### **2.4.3 Evaluation of Submittals**

All responsive Submittals will be evaluated based on stated evaluation criteria. In scoring against stated criteria, the City may consider such factors as accepted industry standards and a comparative evaluation of all other qualified RFQ responses in terms of differing price, quality, and contractual factors. These scores will be used to determine the most advantageous offering to the City. Only those that meet the evaluation criteria will be considered as pre-qualified.

#### **2.4.4 Completeness of Submittals**

Selection and award will be based on the offeror's Submittals and other items outlined in this RFQ. Submitted responses may not include references to information located elsewhere, such as Internet websites or libraries, unless specifically requested.

Information or materials presented by offerors outside the formal response or subsequent discussion/negotiation or "best and final offer," if requested, will not be considered, will have no bearing on any award, and may result in the offeror being disqualified from further consideration.

#### **2.5 City's Rights Reserved**

Issuance of the RFQ in no way constitutes a commitment by the City of Tucker to award and execute a contract. Upon a determination such actions would be in its best interest, the City, in its sole discretion, reserves the right to:

- cancel or terminate this RFQ;
- reject any or all Submittals received in response to this RFQ;
- waive any undesirable, inconsequential, or inconsistent provisions of this RFQ which would not have significant impact on any submittal;
- not award if it is in the best interest of the City not to proceed with contract execution; or
- if awarded, terminate any contract if the City determines adequate City funds are not available.

#### **2.6 General Information**

1. It is extremely important that project schedules are met. Only those firms or teams with the necessary resources and a commitment to complete all work on schedule should submit a Submittal.
2. Firms are expected to be very knowledgeable about the Plan Development Process (PDP) and the Plan Presentation Guide (PPG) and to be proactive in meeting the requirements



**S Fork Peachtree Greenway**

of the PDP with minimal oversight by City of Tucker.

Pre-qualification with the Georgia Department of Transportation in the following Area Classifications are required:

The **Prime Consultant MUST** be prequalified by GDOT in the area classes listed below:

Number	Area Class
3.13	Facilities for Bicycles and Pedestrians

The **Team** (either the Prime Consultant and/or one or more of their sub-consultant team members) **MUST** be prequalified by GDOT in the area classes listed below. The Prime is to perform at least 51% of the value of the work.

Number	Area Class
3.10	Utility Coordination
3.12	Hydraulic and Hydrological Studies (Roadway)
3.13	Facilities for Bicycles and Pedestrians
3.15	Highway Lighting
4.01(a)	Minor Bridge Design
5.01	Land Surveying
5.02	Engineering Surveying
9.01	Erosion, Sedimentation, and Pollution Control Plan

3. The City of Tucker will expect to liaison with a single project manager representing the prime consultant firm and the sub-consultants.
4. The City may select the best qualified consultant based on the information received from interested firms as a result of this solicitation.
5. City of Tucker reserves the right to cancel any and all Request for Submittals at any time when it is determined to be in the best interest of the City.
6. City of Tucker also reserves the right to increase, reduce, add or delete any item in this solicitation as deemed necessary.
7. Generally, the City's position is not to provide Debriefings until after the contract has been awarded, except for firms disqualified during the Due Diligence Process, in which case a Pre-Award Debriefing can be requested following Due Diligence. For these contracts, Pre-award debriefings would be provided after the announcement of the short-listed firms within the time period posted on the website. All requests must be made and scheduled within this time frame. Any request outside of this time period will be accommodated only at the discretion and convenience of the Department's staff.

8. It is the responsibility of all firms interested in submitting submittals for this advertisement to routinely check the posting on the website for any revisions to this RFQ.

9. Incomplete submittals will not be considered. Late submittals will not be accepted.

### **3.0 STATEMENT OF QUALIFICATIONS SUBMISSION AND EVALUATION**

#### **3.1 Process for Submitting Statement of Qualifications**

##### **3.1.1 Preparation of Statement of Qualifications**

Each Submittal should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete presentation. If supplemental materials are a necessary part of the technical Submittals, the Offeror should reference these materials in the technical Submittals, identifying the document(s) and citing the appropriate section and page(s) to be reviewed.

##### **3.1.2 Packaging of Statement of Qualifications**

Proposals will be accepted electronically to [procurement@tuckerga.gov](mailto:procurement@tuckerga.gov)  
Submittal Requirements are outlined in Section 3.2.5 below.

**Any Proposal received after the due date and time will not be evaluated.**

#### **3.2 Evaluation Process**

The Selection process is primarily Qualifications-Based where the technical skills, experience and the interview process are the most significant components of the evaluation process.

All responsive RFQ responses will be evaluated based on stated evaluation criteria. In scoring against stated criteria, the City may consider such factors as accepted industry standards and a comparative evaluation of all other qualified RFQ responses in terms of quality and contractual factors. These scores will be used to determine the most advantageous offering to the City. Only those that meet the evaluation criteria will be considered as pre-qualified.

##### **3.2.1 Administrative Review**

The Submittals will be reviewed by the Issuing Officer for the following administrative requirements:

1. Submitted by deadline
2. Technical Submission of Submittals
3. All required documents have been submitted
4. All documents requiring an original signature have been signed



and are included

### **3.2.2 Mandatory Requirements Review**

Proposals which pass the administrative review will then be reviewed by the Technical Evaluation Team to ensure all requirements identified in Section 3.0 are addressed satisfactorily. The Selection process is primarily Qualification-Based where the technical skills, experience and the interview process are the most significant components of the evaluation process. The following outlines the process to be utilized by the Recommendation Committee.

1. The Recommendation Committee will review the Technical Proposals of the firms who submit for this project
2. Once the highest ranking is identified and confirmed by the Recommendation Committee, fee and scope negotiations will commence immediately with the selected firm.
3. Negotiation of the terms, conditions, scope and fees related to the contract for design services shall be limited to three (3) days following the commencement of negotiations. If an agreement cannot be reached within that time frame, negotiations with the next top-ranked short-listed firm.
4. The Recommendation Committee's "highest ranked firm" will be presented to City Council for approval. City Council has the final authority for selection of the highest ranked firm.

### **3.2.3 Technical Submittals Evaluation**

In this phase, the Evaluation Committee will evaluate the quality and completeness of each technical submittal as it addresses each requirement of the RFQ. The RFQ carries a total weight of **100 points**. Technical submittals will be evaluated and scored in categories. Each category is assigned a maximum point value.

Firms will be evaluated and rated based on the criteria below (listed by relative importance, in descending order):

#### **1. Qualifications of Design Team (50%)**

Qualifications of the design team members.

- Demonstrated experience and reputation of project manager in the management of similar type projects.
- Knowledge of current design criteria (including FHWA Policies, AASHTO Guidelines, GDOT Design Policies, MUTCD, and other industry standards).
- Knowledge of local and state stream buffer requirements
- QA/QC procedures

#### **2. Past experience of the Design Team (50%)**

- Demonstrated experience with similar type of projects

- Demonstrated ability to complete multiple projects for municipal clients in a timely manner
- Demonstrated experience in conducting public information meetings and communicating with citizens.
- References

The Evaluation Committee will ensure all requirements identified in Section 3.0 are addressed satisfactorily. The Selection process is primarily Qualification-Based where the technical skills, experience and the interview process are the most significant components of the evaluation process. The following outlines the process to be utilized by the Recommendation Committee.

5. The Recommendation Committee will review the Technical Submittals of the firms who submit for this project.
6. Once the highest ranking is identified and confirmed by the Recommendation Committee, fee and scope negotiations will commence immediately with the selected firm.
7. Negotiation of the terms, conditions, scope and fees related to the contract for design services shall be limited to three (3) days following the commencement of negotiations. If an agreement cannot be reached within that time frame, negotiations with the next top-ranked short-listed firm.
8. The Recommendation Committee's "highest ranked firm" will be presented to City Council for approval. City Council has the final authority for selection of the highest ranked firm.

#### **3.2.4 Site Visits and Oral Presentations**

The City reserves the right to conduct site visits or to invite Offerors to present their technical solution to the Technical Evaluation Team.

#### **3.2.5 Submittal Requirements**

Failure to meet these requirements will result in the Proposals being determined "non-responsive" and the entire submittal will be rejected.

1. Submittals of firm information and Proposals should be no more than twenty (20) pages in length. The 20-page limit does not include the cover page, tab pages, and the required City Appendices below. Any other supplemental information and pages outside the page limit will not be reviewed and will be considered as non-responsive to the page limit requirement.
2. Provide firm name, address, telephone number, e-mail address for the primary contact person, former firm names, official Georgia address (if applicable), and joint venture partner information (if applicable). If the firm has branch offices, state which office will be performing the majority of the work.



3. In table format and labeled TABLE 1, provide a brief description of all trail design or related projects completed (including construction costs) for the last three (3) years. Include the name of the project owner, a contact name and telephone number, and where the work was performed.
4. One page of the proposal shall be devoted to an Organizational Chart. This page shall be single-sided and shall not exceed 11" x 17" in size. Additional information should not be added on this page. Note: This page is included in the 20-page limit for the submission.
5. Provide the names of key personnel (Principal, Project Manager, Lead Engineer, Surveyor, QC/QA Engineer, etc.) who will perform the work. Personnel information should include professional registrations [type, number, and state(s) where registered], years of experience, years with firm, actual work performed by the individual and experience with drafting and design software to be used (name and version).
6. The consultant's proposed project manager shall be identified.
7. Consultants shall clearly indicate in the submittal package the designated staff person that will act as the primary point of contact with the City.
8. The consultants should provide the name of their insurance carrier and the current insurance limits.
9. The consultant should provide a minimum of five (5) references.

### **3.3 Rejection of Submittals/Cancellation of RFQ**

The City reserves the right to reject any or all submittals, to waive any irregularity or informality in a submittal, and to accept or reject any item or combination of items, when to do so would be to the advantage of the City. It is also within the right of the City to reject submittals that do not contain all elements and information requested in this document. The City reserves the right to cancel this RFQ at any time. The City will not be liable for any cost/losses incurred by the Offerors throughout this process.

### **3.4 City's Right to Investigate and Reject**

The City may make such investigations as deemed necessary to determine the ability of the offeror to provide the supplies and/or perform the services specified.

#### **3.4.1 Offeror Informational Requirements**

In determining the capabilities of an offeror to perform the services specified herein, the

following informational requirements must be met by the offeror. (Note: Each item must be thoroughly addressed. Offerors taking exception to any requirements listed in this section may be found non-responsive or be subject to point deductions.)

#### **3.4.1.2 Resumes/Company Profile and Experience**

Offeror shall specify how long the individual/company submitting the Proposal has been in the business of providing services similar to those requested in this RFQ and under what company name. A resume or summary of submittals, work experience, education, skills, etc., which emphasizes previous experience in this area should be provided for all key personnel who will be involved with any aspects of the contract. Resumes will not be counted toward the 20-page limit.

#### **3.4.1.4 Offeror Financial Stability**

Offerors shall demonstrate their financial stability to supply, install and support the services specified by: (1) providing financial statements, preferably audited, for the 2 (two) consecutive years immediately preceding the issuance of this RFQ, and (2) providing copies of any quarterly financial statements that have been prepared since the end of the period reported by your most recent annual report.

### **4.0 TERMS AND CONDITIONS**

#### **4.1 RFP Amendments**

The City reserves the right to amend this RFP prior to the due date. All amendments and additional information will be posted to the DOAS/Georgia Procurement Registry, located at: [http://ssl.doas.state.ga.us/PRSapp/PR\\_index.jsp](http://ssl.doas.state.ga.us/PRSapp/PR_index.jsp) and also the City's website at: [https://www.tuckerga.gov/government/rfp\\_rfq/index.php](https://www.tuckerga.gov/government/rfp_rfq/index.php) . Offerors are encouraged to check this website frequently.

#### **4.2 Proposal Withdrawal**

A submitted Proposal may be withdrawn prior to the due date by a written request to the Finance Manager. A request to withdraw a Proposal must be signed by an authorized individual.

#### **4.3 Cost for Preparing Proposals**

The cost for developing the Proposal is the sole responsibility of the Offeror. The City will not provide reimbursement for such costs.

#### **4.4 Term**

The term of this contract shall for one (1) year from the beginning date, or such shorter time as may be indicated on the bid document and all orders issued and postmarked by the



Department during said term shall be filled at the contract price.

#### **4.5 Conflict of Interest**

If an Offeror has any existing client relationship that involves the City of Tucker, the Offeror must disclose each relationship.

#### **4.6 Minority Business Policy**

It is the policy of the City of Tucker that minority business enterprises shall have a fair and equal opportunity to participate in the City purchasing process. Therefore, the City of Tucker encourages all minority business enterprises to compete for, win, and receive contracts for goods, services, and construction. The City encourages all companies to sub-contract portions of any City contract to minority business enterprises, however there is no minimum DBE requirement for this project.

#### **4.7 ADA Guidelines**

The City of Tucker adheres to the guidelines set forth in the Americans with Disabilities Act. Offerors should contact the Issuing Officer at least one day in advance if they require special arrangements when attending the Offeror's Conference, if any. The Georgia Relay Center at 1-800-255-0126 (TDD Only) or 1-800-255-0135 (Voice) will relay messages, in strict confidence, for the speech and hearing impaired.

#### **4.8 Compliance with Laws**

The Contractor will comply with all City, State of Georgia, Title VI and Federal laws, rules, and regulations.

#### **4.9 Governing Terms**

This RFP expressly limits acceptance to the terms stated below. Any additional or different terms proposed by Contractor and expressed in any form (acknowledgements, confirmations, invoices, catalogs, brochures, technical data sheets, etc.), whether before or after Contractor's receipt of this contract, shall not be binding upon City. City's silence or acceptance of the Materials shall not constitute consent to such additional or different terms.

#### **4.10 Indemnification**

Contractor shall be responsible for and shall indemnify and hold City harmless from any and all claims, demands, costs, damages and expenses of whatever nature (including, without limitation, attorney's fees) relating to or arising from (a) Contractor's breach of any of the representations and warranties contained herein; (b) Contractor's failure to follow City's specifications; (c) Contractor's other breach of the terms hereof; or (d) any other act(s) or omissions(s) of Contractor, its employees, independent contractors, agents, and suppliers.

**BID DOCUMENT SUBMITTAL REQUIREMENTS:**

1. Statement of Qualifications
2. W-9 Form
3. Certificate of Insurance
4. Contact Information Form
5. Related Experience and References
6. Acknowledgement of Addendum issued with each Addendum



## **EXHIBIT A – SCOPE OF WORK**

**RFQ #2023-021**

### **S Fork Peachtree Greenway**

The following is the anticipated Technical Scope of Services to be addressed in Phase II for the shortlisted firms. The S Fork Peachtree Greenway is a proposed 10' – wide paved multi-use trail. The project limits are from the intersection of Lawrenceville Highway @ Idlewood Road, running parallel to the creek, and terminating at Peters Park. (see Exhibit B). The approximate length, including four potential spurs, is 8,000 linear feet.

The Consultant shall provide comprehensive design of all project elements, including field survey, civil, structural, geotechnical and engineering services, environmental impacts, design development, landscape architecture, lighting design, preparation of construction documents, detailed cost estimates of the work, bidding assistance and responses to Requests for Information (RFIs). The Consultant will report to the City of Tucker's designated representative during the term of the contract. Firms of teams will be required to comply with all applicable regulations of the City of Tucker, GDOT and EPD. Submitting firms must be pre-qualified with GDOT in the classifications identified in Section 2.6 above.

The features that shall be included in the functional design of the trail are as follows:

- ADA Accessibility
  - Gradual grade changes
  - ADA ramps at all driveways and crosswalks
- Safety
  - LED downlighting
  - Smooth surfaces with gradual grade changes
  - Crosswalk enhancements
  - Trail security surveillance
  - Emergency Call Boxes
  - Emergency vehicle access
- Multi-modality
  - Connection to MARTA bus shelters on Idlewood Road
  - Bicycle racks
- Stormwater management
  - Infiltration basins and bioswales
  - Local and state stream buffer requirements and variance procedures

The work to be accomplished under this contract is divided into the following tasks:

#### **Task 1: Data Collection and Survey Services**

Prepare topographic and property survey in accordance with GDOT Automated Survey Manual. The selected consultant would be responsible for producing surveys in order to provide appropriate field information to produce easement, right-of-way and construction drawings. The survey information should extend 10 to 20 feet beyond the public right-of-way, should easements or property acquisition be required to implement the project. The following survey items are anticipated to be included in the scope of work:

## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

### **S Fork Peachtree Greenway**

- Provide spot elevations at centerline of road, top and bottom of curb, face of building (where applicable) every 50 feet along the length of each street.
- Provide property lines and rights of ways (including roadways and swales within ROW).
- Provide boundary lines between adjoining properties and identification of owners, including name, mailing address, and phone number.
- Provide spot elevations at corner face of building and parking lot at each cross street and at each curb cut (handicap ramps, driveways, etc.).
- Provide exact location of existing striped centerline of street, location and width of each travel lane every 100' along the length of each street.
- Provide all above ground built elements including but not limited to guard rails, headwall, light standard, fencing, location of existing overhead and freestanding signage structures, other signage, fire hydrants, utility boxes, vault covers, manhole covers, etc.
- Locate state water centerline, edge of bank. State mandated 25' stream buffer, City mandated 50' stream buffer, and City mandated 75' impervious setback.
- Field-verify as-built underground utility information.
- Provide location of all utilities including but not limited to drainage structures, storm and sanitary sewer, power and communications poles, gas lines, water lines, fire hydrants, location of all existing roof drain pipes which are located in sidewalks between building face and curb, etc.
- Provide same utility information on all private utility providers for gas, water, telephone, cable, etc. The surveyor is responsible for acquiring both private and public utility information and shall coordinate getting this information from private agencies.
- Provide existing rim and invert elevations of storm drainage system and catch basins.
- Identify type of material in all storm drain lines.
- Within the sidewalk area, provide location for all existing horizontal or vertical elements located in existing sidewalk areas including but not limited to subterranean vaults, surface grates, light poles, telephone poles, disused sign, pole or other exposed footings and anchors, historic features or any other existing elements.
- Provide line of existing building, edge, alignment of building face along main and side streets. Include delineation of doorways, awnings, setbacks, or any other variation from building face along ROW. In addition, provide threshold spot elevation at all entrances to each building.
- Provide existing parking striping in all locations parking is present, whether on public or private property.
- Provide location of existing natural elements. Provide tree caliper, species of existing trees, and edge of canopy of existing vegetation and existing major tree species.
- Provide all of the above survey information in electronic data formatted to GDOT specifications. No reproducible plots will be required.
- The selected consultant will be responsible for developing right-of-way certification drawings for City Attorney review and approval. In addition, the design firm must provide drawings for all easements required, to include adjoining property boundaries, easement boundary and size in acres, and owner name, address and phone number.



## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

### **S Fork Peachtree Greenway**

#### **Task 2. Preliminary Design**

- a. Facilitate associated meetings, submittals and approvals. Coordinate with project stakeholders including City of Tucker, Tucker-Northlake CID, and DeKalb County.
- b. Prepare preliminary design documents, utilizing the preliminary concept design prepared by KAIZEN Collaborative (Exhibit B).
- c. Prepare detailed cost estimates of the work.
- d. Attend preliminary field plan review meeting. Address comments from City staff, Tucker-Northlake CID, and other parties.
- f. Prepare MS4 Report and Documentation.
- g. Prepare all documentation and displays for public meetings.
- h. Prepare utility plans and coordinate with utility owners.
- i. Prepare application, if required, for any local stream buffer variance. Present application to the City of Tucker Zoning Board of Appeals.

#### **Task 3. Right-of-Way Plans**

Prepare right-of-way drawings and site-specific easement drawings describing the areas of permanent or temporary easements and the installations therein, suitable for recording, for each property fronting the Project Area for which an easement is necessary – either permanent or temporary/construction. A property-specific drawing will be required for each individual easement/parcel to be acquired.

#### **Task 4. Final Design**

- a. Prepare final design documents and required documentation.
- b. Attend final field plan review meeting. Address comments from City staff, Tucker-Northlake Community Improvement District, and other parties.
- c. Finalize utility coordination and relocation plans.
- d. Prepare all necessary documents for approvals, including, but not limited to, final plans, specifications, special provisions, certification packages.

#### **Task 5. Permitting**

Prepare all necessary documentation for permits from the City, GDOT, Georgia EPD, DeKalb County, utility owners and others, as necessary.

#### **Task 6. Meetings and Coordination**

- Attend project meetings with City staff.
- Attend public meeting (one anticipated)
- Attend property stakeholder meetings

## **EXHIBIT A – SCOPE OF WORK**

**RFQ#2023-021**

**S Fork Peachtree Greenway**

### **DELIVERABLES**

Final design plans, CAD files and supporting documentation. These documents are including, but not limited to:

1. Database
2. Preliminary Plans
3. Right-of-Way Plans, Plats and Exhibits
4. Final Plans

### **KEY TEAM LEADERS**

- Design
- Survey
- Utilities



# **EXHIBIT B**

## **CONCEPT**

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number										
					-					
or										
Employer identification number										
					-					

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

Date ►

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.



## Contact Information Form

Please fill out this sheet with the appropriate contact information for your company.

Full Legal Name of Company: \_\_\_\_\_

Contractor Information:

Primary Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Secondary Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

Mailing Address (If different than above): \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Federal Employee ID Number (FEIN): \_\_\_\_\_



KAIZENCOLLABORATIVE

2300 MAIN STREET | TUCKER, GEORGIA 30084 | 404.236.2521

CHARLES M. ABBOTT JR., P.E.  
DESIGN ENGINEER LEVEL II CERTIFICATION  
GSWCC # 000004168 EXPIRES: 04/13/2022  
CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM  
O: 404-239-2521



PATH  
FOUNDATION



CITY OF TUCKER

KEN HILDEBRANDT - CITY ENGINEER  
1975 LAKESIDE PARKWAY, SUITE 300  
TUCKER, GA 30084  
E: KHILDEBRANDT@TUCKERGA.GOV  
C: 770-965-0645

ISSUED FOR CONSTRUCTION



KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS
PROJECT #	23001
PROJECT MANAGER	CMA
SOUTH FORK PEACHTREE CREEK GREENWAY	
TUCKER, GA	



1" = 60'-0"

1 inch = 60 feet

COMPOSITE MAP

SCALE

1" = 60'-0"

DATE

APRIL 28, 2023

SHEET #

CM-01



10' WIDE MULTI-USE TRAIL

10' WIDE MULTI-USE TRAIL

CITY OF TUCKER TO CONFIRM WITH APARTMENT OWNER ON PREFERRED TRAIL CONNECTION. ONLY ONE CONNECTION TO BE BUILT

SPUR TRAIL "A" TO IDLEWOOD ROAD

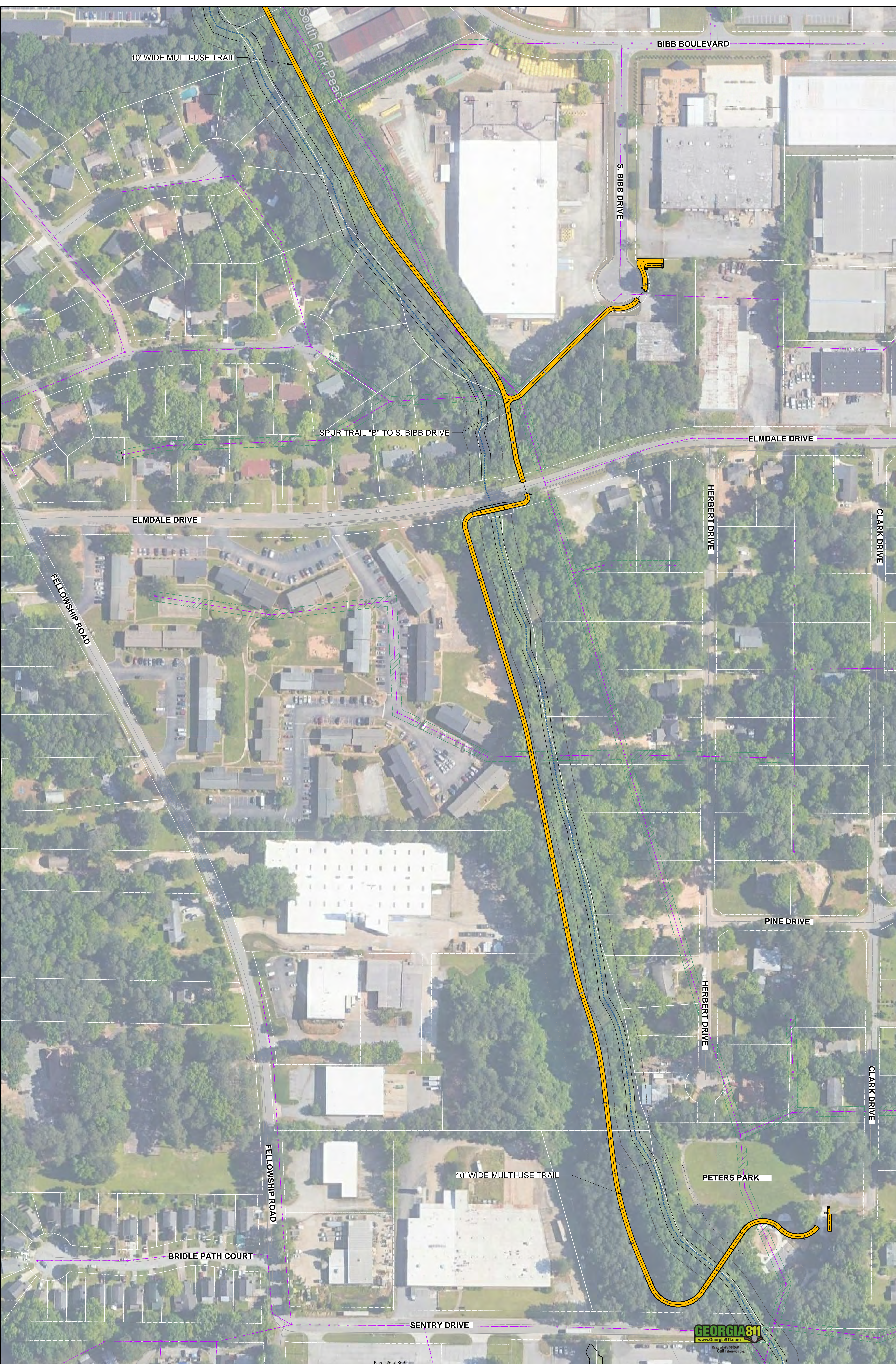
GEORGIA811

www.Georgia811.com

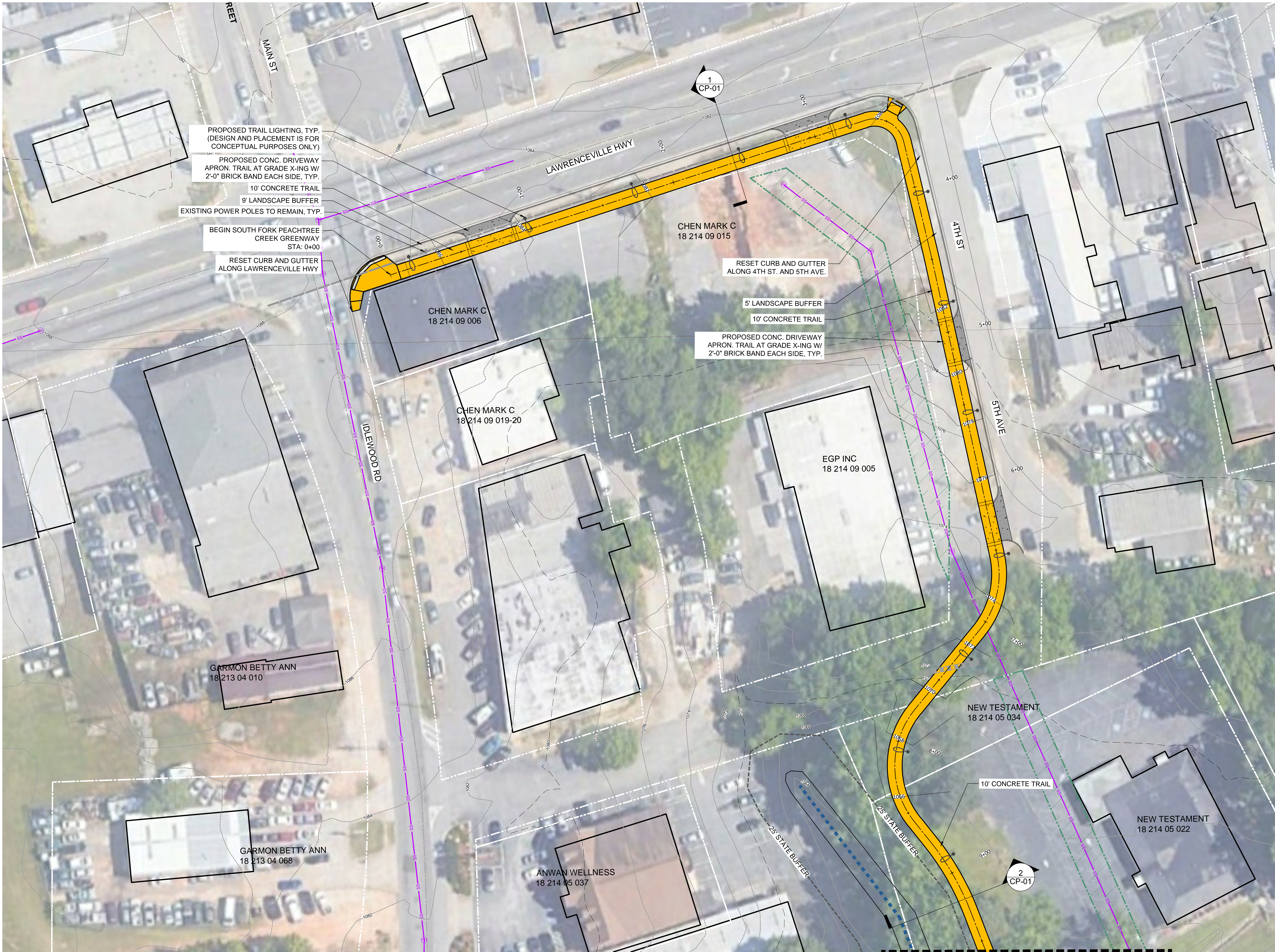
Remember to call before you dig.

Page 275 of 369



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MATCHLINE, SEE SHEET CP-02



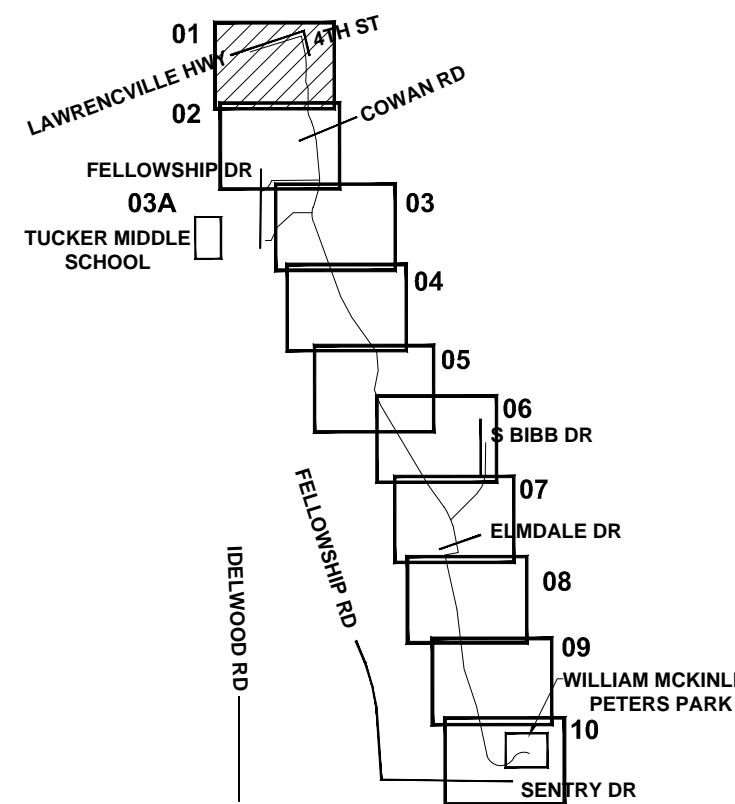
**KAIZENCOLLABORATIVE**  
2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521  
**CHARLES M. ABBOTT JR., P.E.**  
DESIGN ENGINEER LEVEL II CERTIFICATION  
GSWCC # 000004168 EXPIRES: 04/13/2022  
CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM  
O: 404-239-2521



**PATH FOUNDATION**  
PO BOX 1432, ATLANTA, GA 30305  
24 HOUR CONTACT - JONATHAN MCCAIG  
E: JONATHAN@PATHFOUNDATION.ORG  
O: 404-875-7284 x 5 C: 404-433-1900



**CITY OF TUCKER**  
KEN HILDEBRANDT - CITY ENGINEER  
1975 LAKESIDE PARKWAY, SUITE 350  
TUCKER, GA 30084  
E: KHILDEBRANDT@TUCKERGA.GOV  
C: 770-865-5645



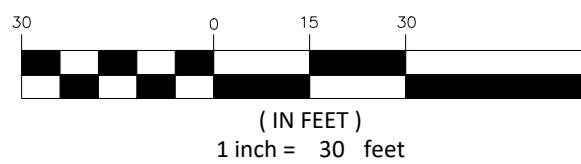
**KEY MAP**

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

**SOUTH FORK PEACHTREE  
CREEK GREENWAY**

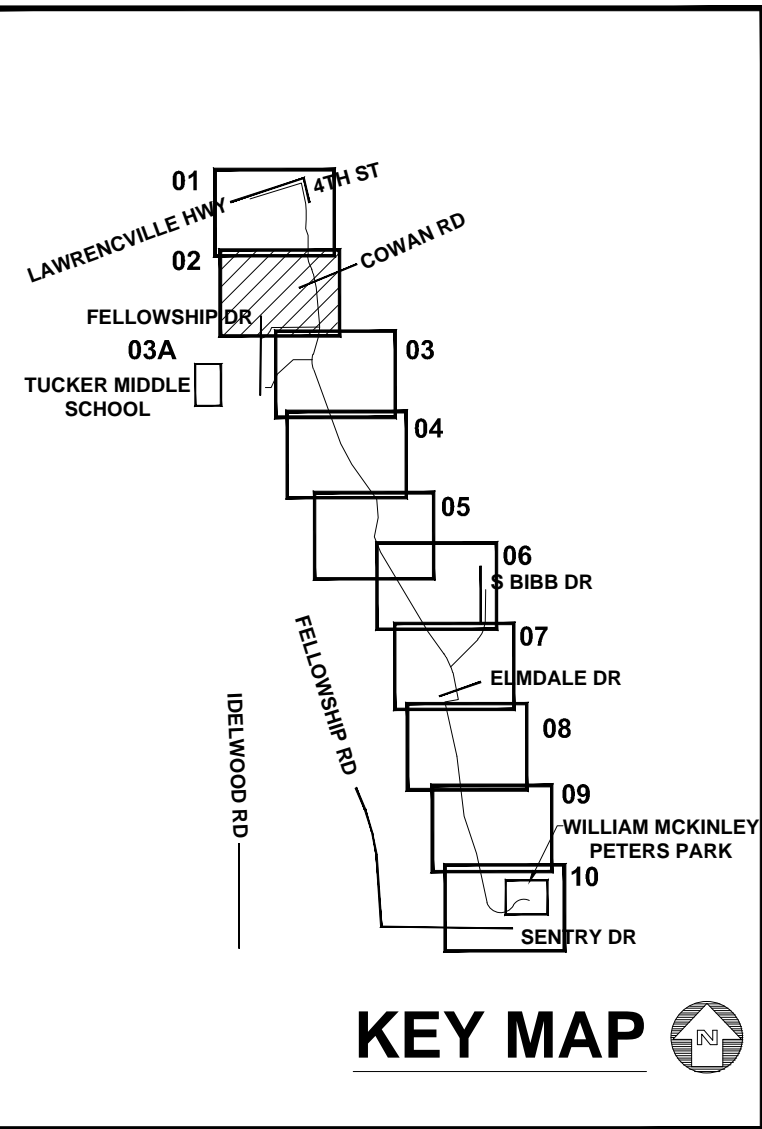
**TUCKER, GA**



**CONCEPT PLAN**

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	<b>CP-01</b>

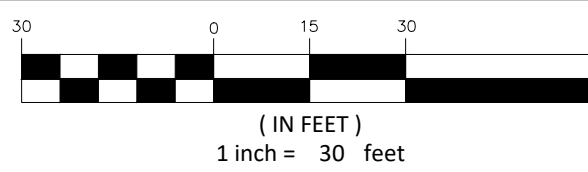




DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY  
TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	CP-02



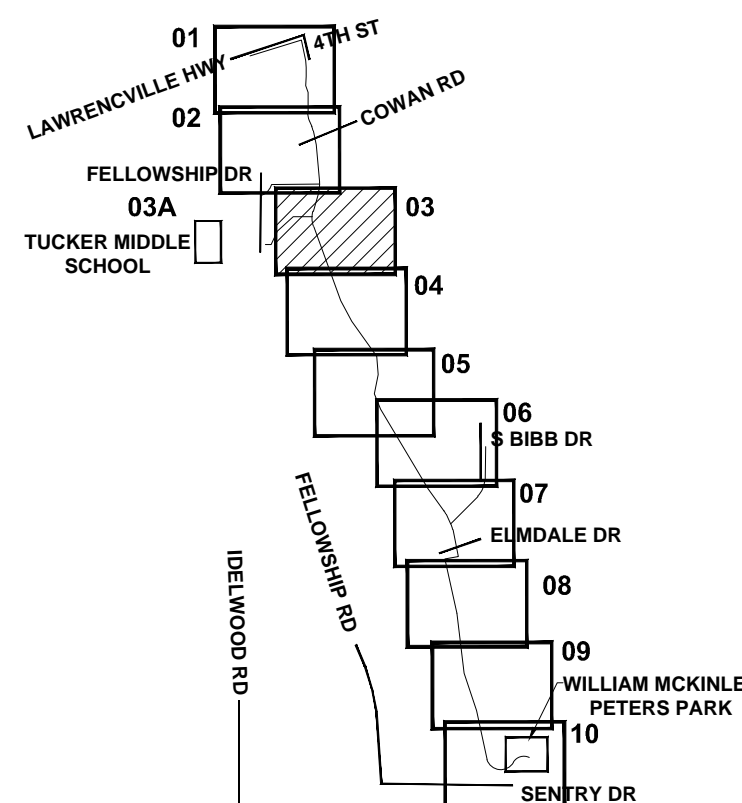




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C: 770-865-5645



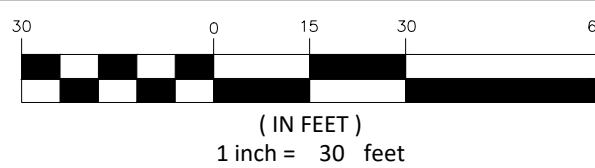
## KEY MAP

[illegible]

PROJECT #	23001
PROJECT MANAGER	CMA

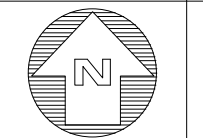
## SOUTH FORK PEACHTREE CREEK GREENWAY

**TUCKER, GA**



## CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023



MEET # CP-03







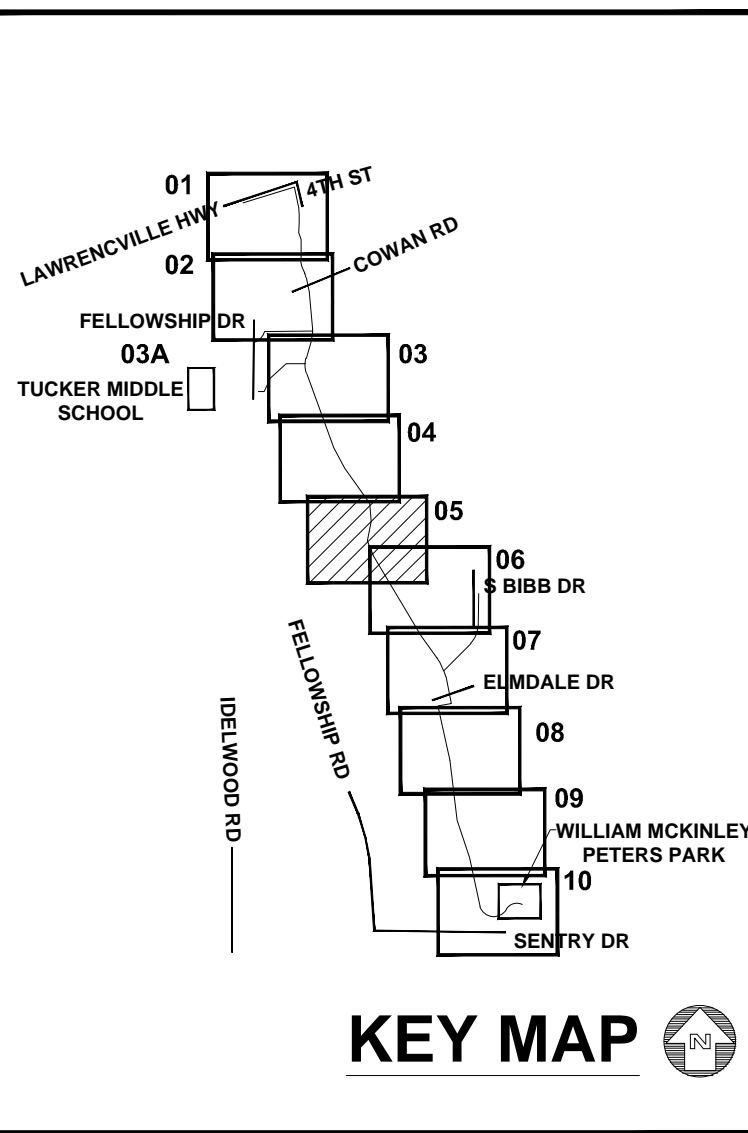
CHARLES M. ABBOTT JR, P.E.  
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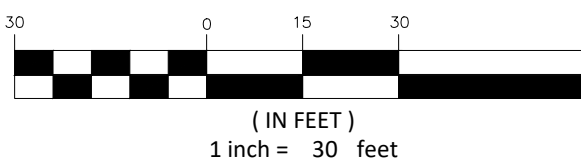


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE CREEK GREENWAY

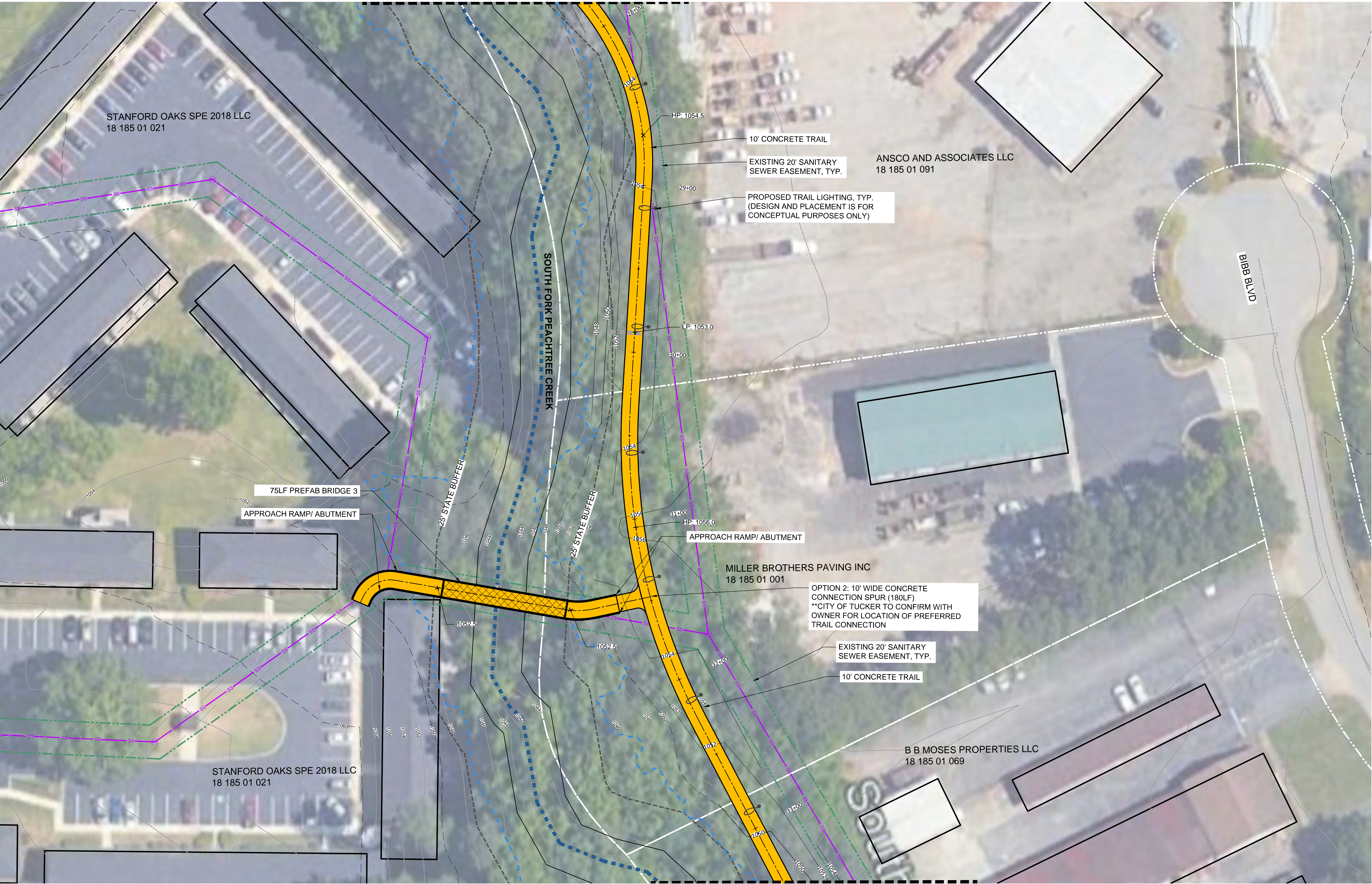
TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	CP-05

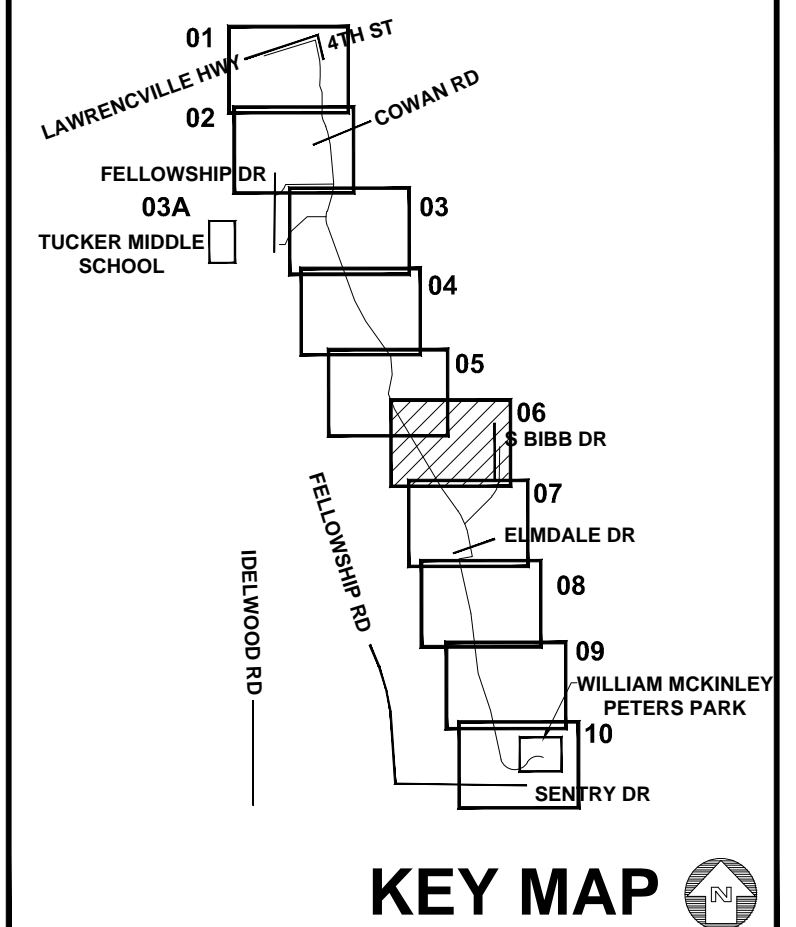
MATCHLINE, SEE SHEET CP-04



MATCHLINE, SEE SHEET CP-06



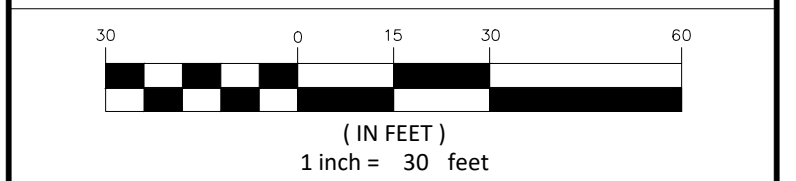


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PROJECT #	23001
PROJECT MANAGER	CMA

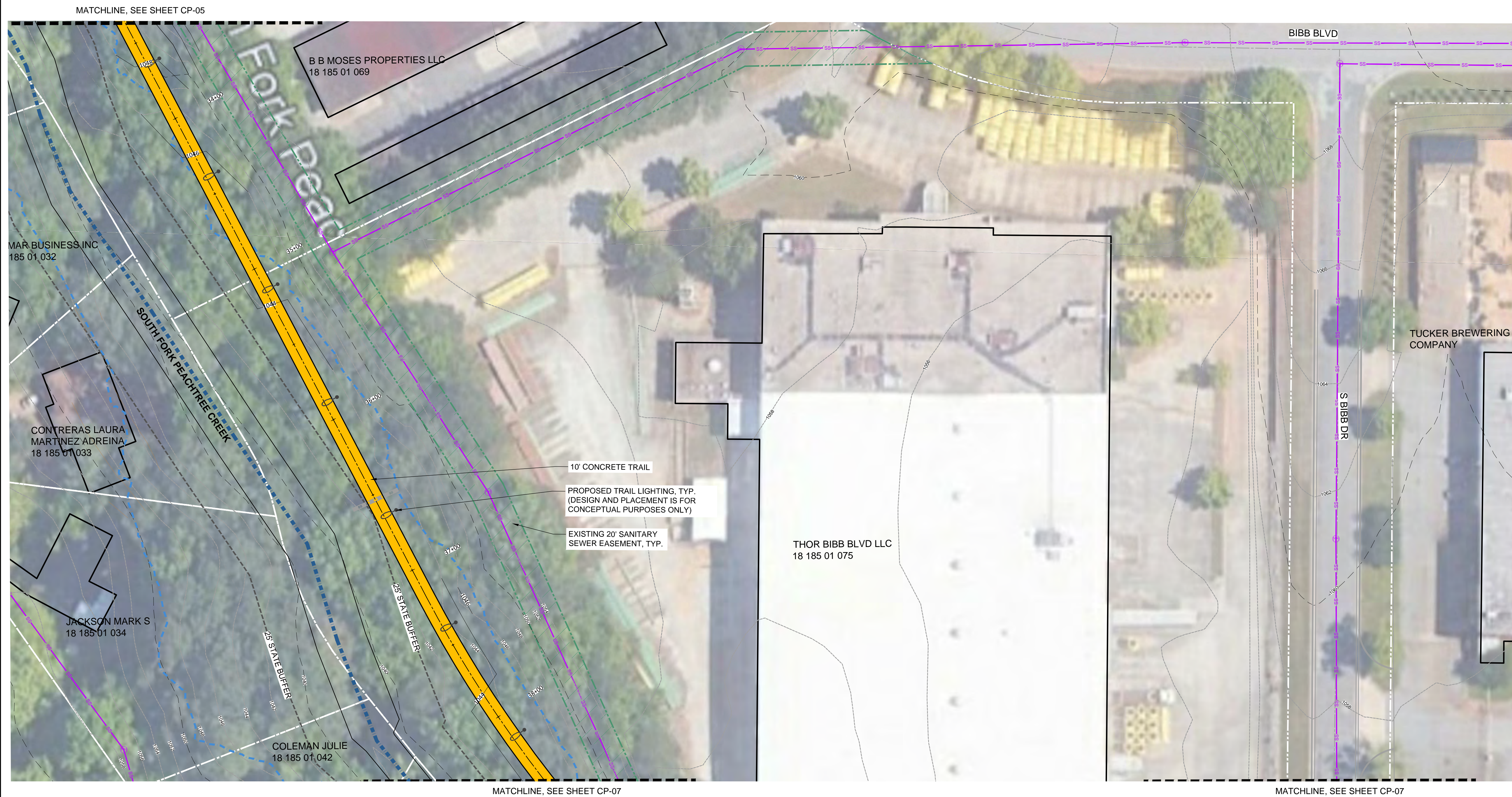
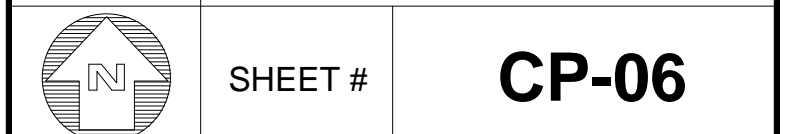
**SOUTH FORK PEACHTREE  
CREEK GREENWAY**

TUCKER, GA

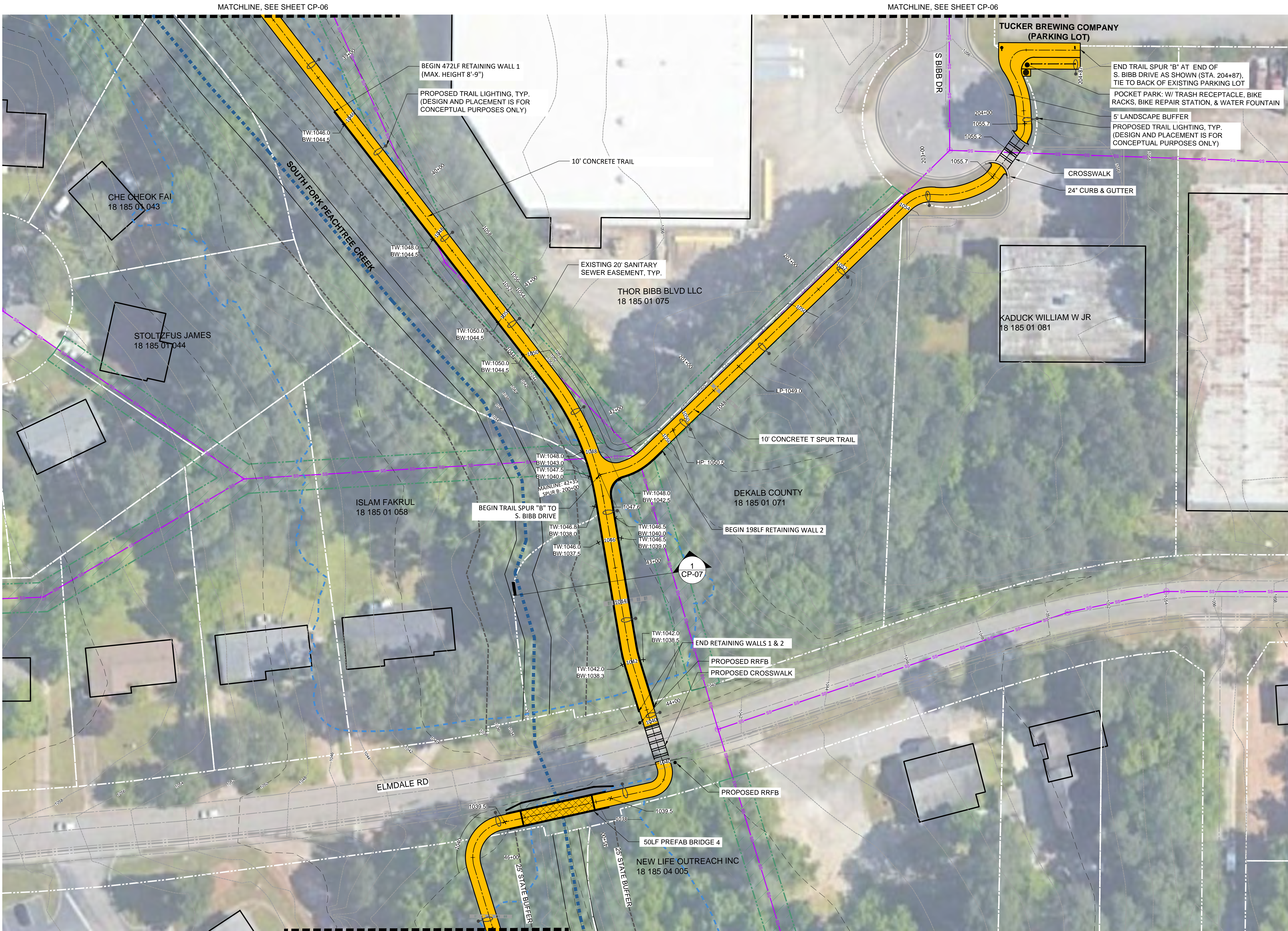


## CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023



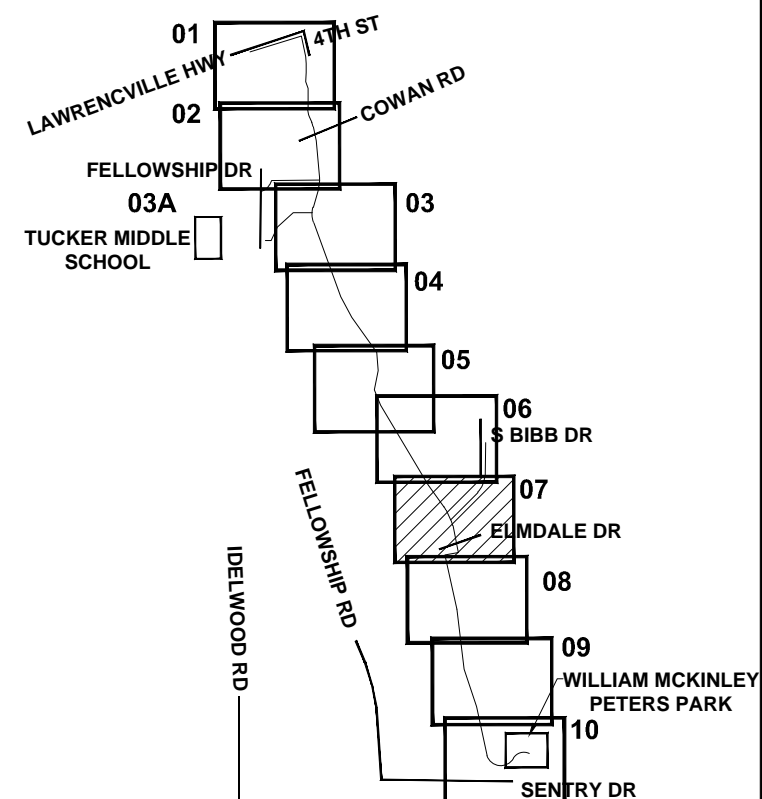




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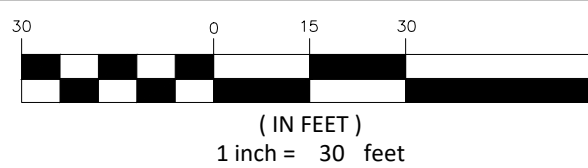
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



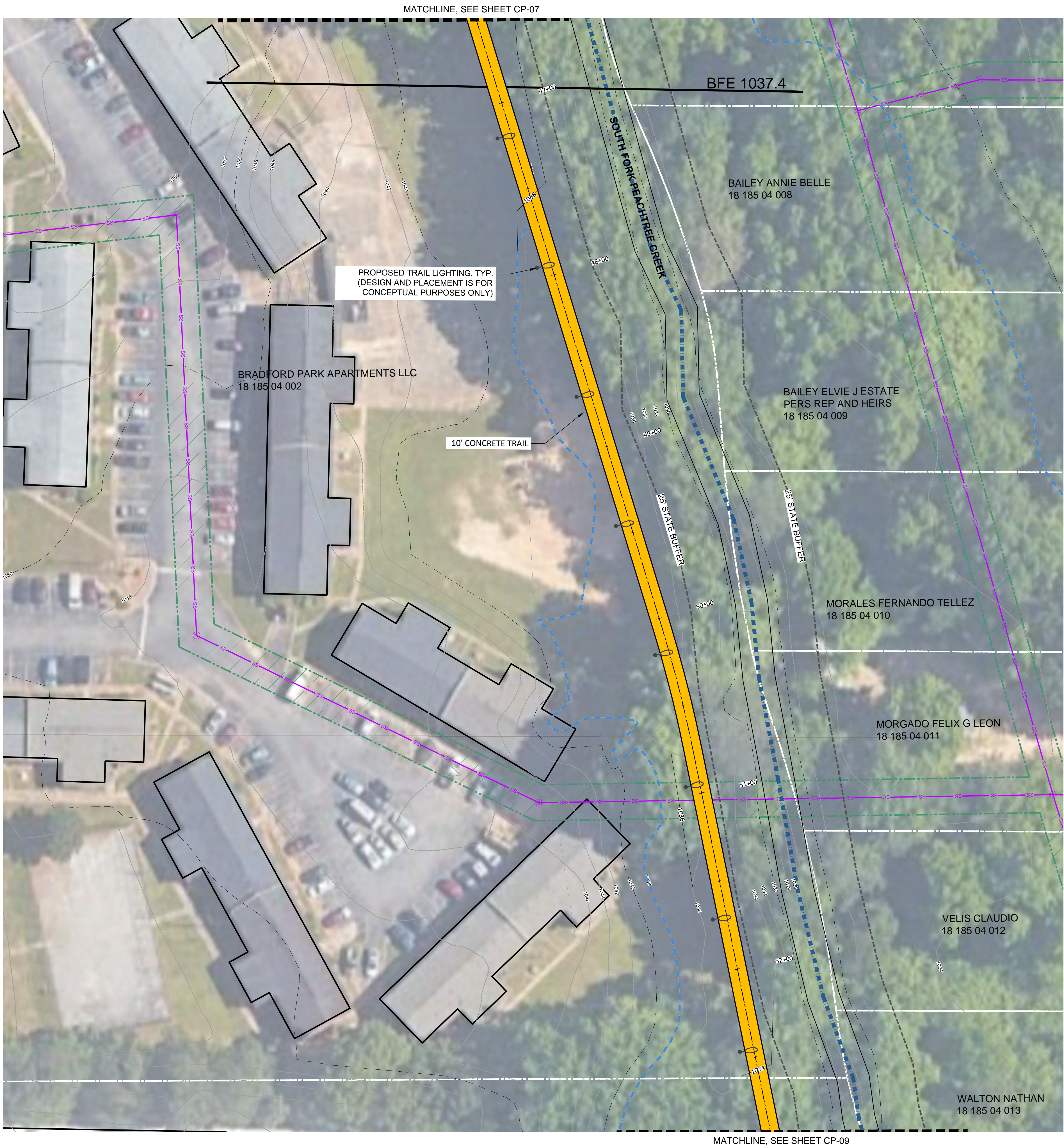
CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023

SHEET #	CP-07
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KAIZENCOLLABORATIVE

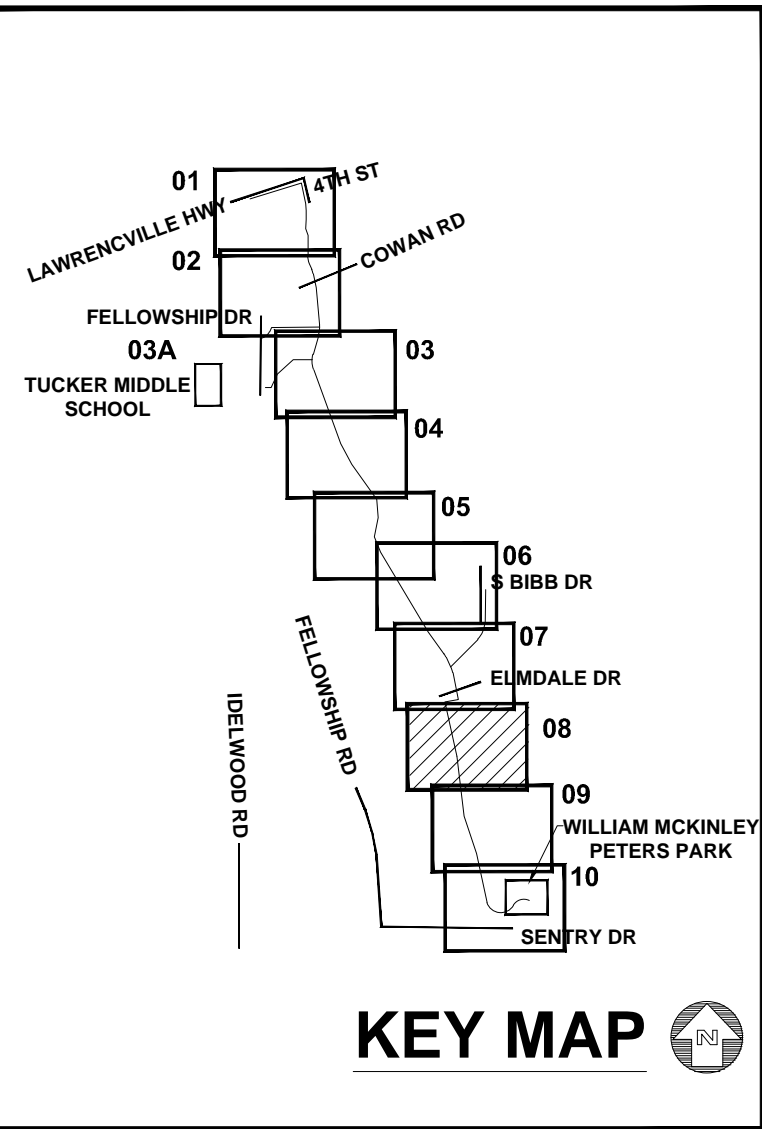
2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521  
CHARLES M. ABBOTT JR, P.E.  
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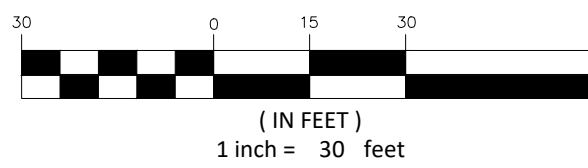


DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

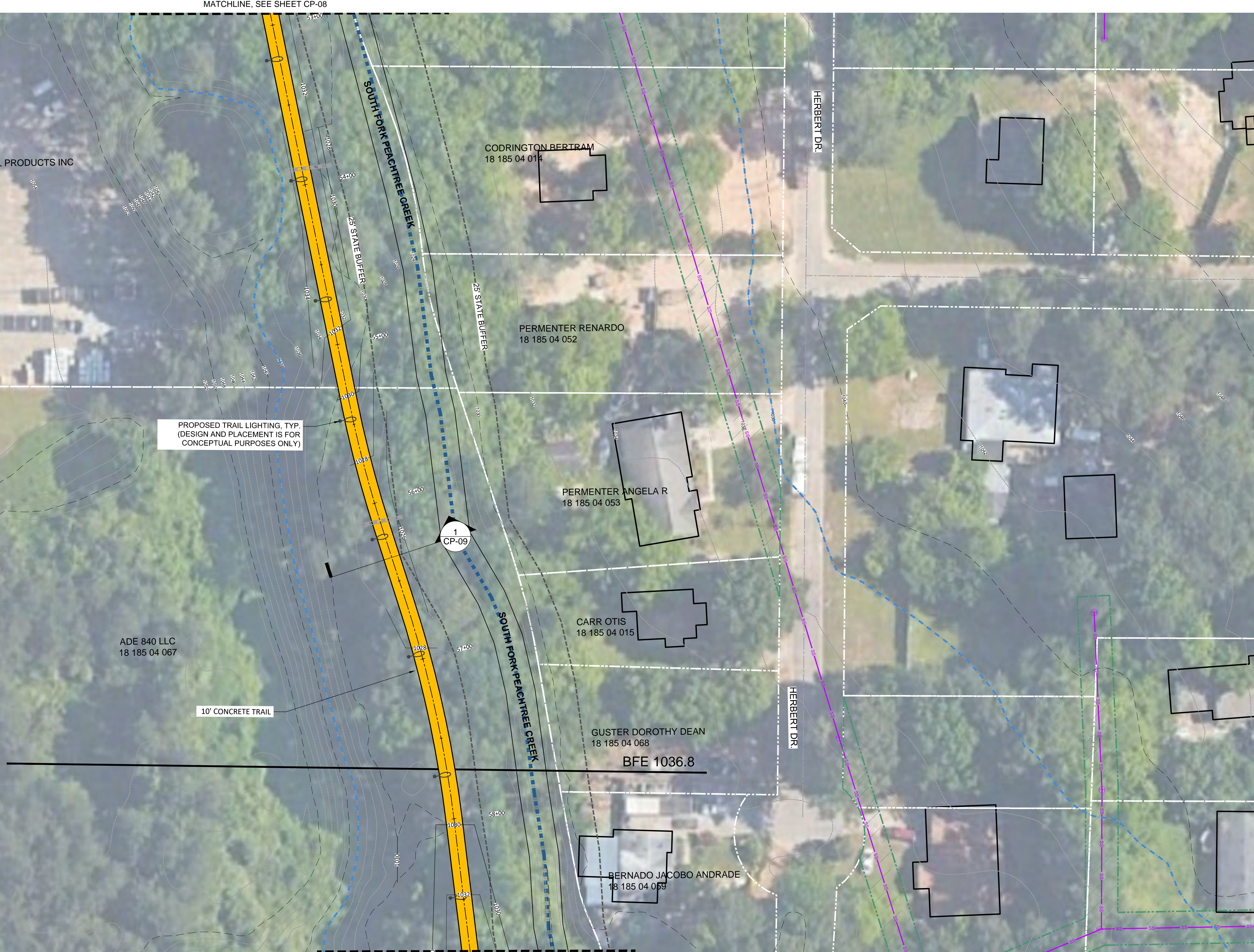
TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023
SHEET #	CP-08





MATCHLINE, SEE SHEET CP-10



KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

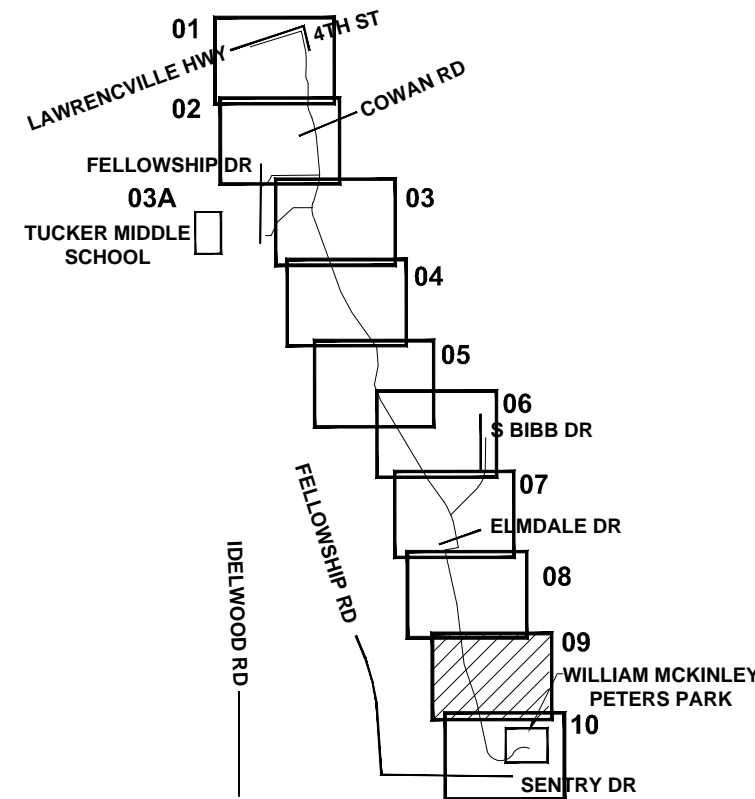
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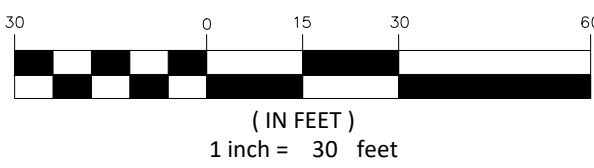
KEY MAP

DATE	DESCRIPTION
05/12/2023	ADDRESS CITY COMMENTS

PROJECT #	23001
PROJECT MANAGER	CMA

SOUTH FORK PEACHTREE  
CREEK GREENWAY

TUCKER, GA



CONCEPT PLAN

SCALE	1" = 30'-0"
DATE	APRIL 28, 2023


SHEET #	CP-09
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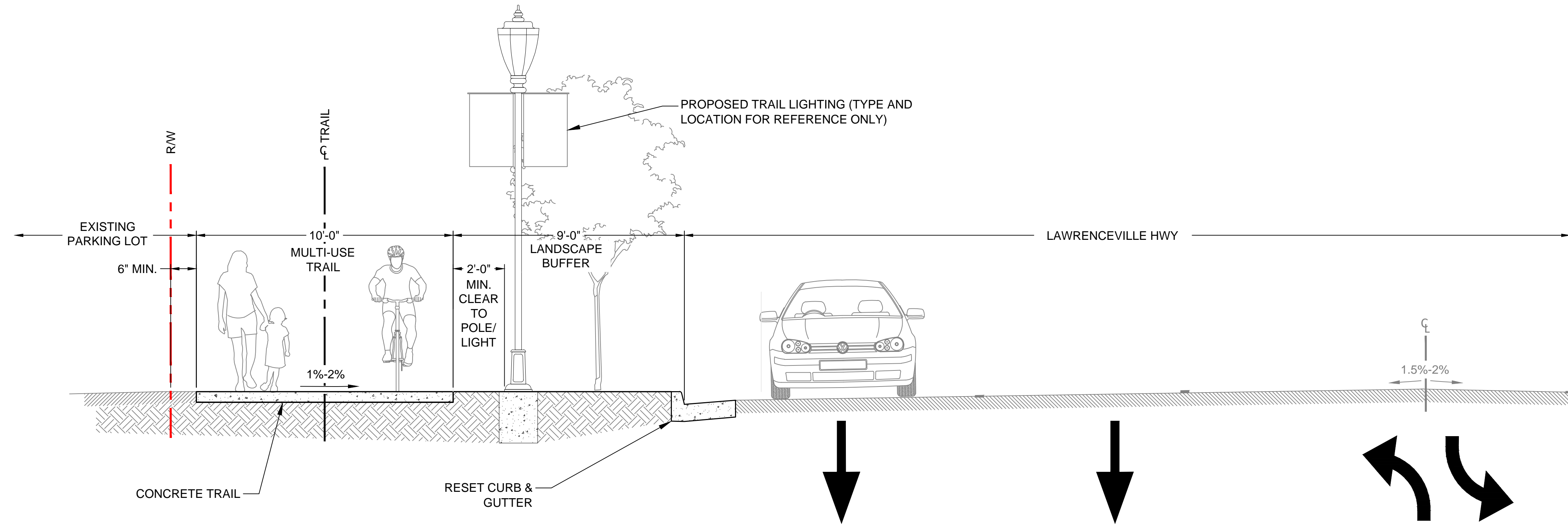


PROJECT #	23001
PROJECT MANAGER	CMA

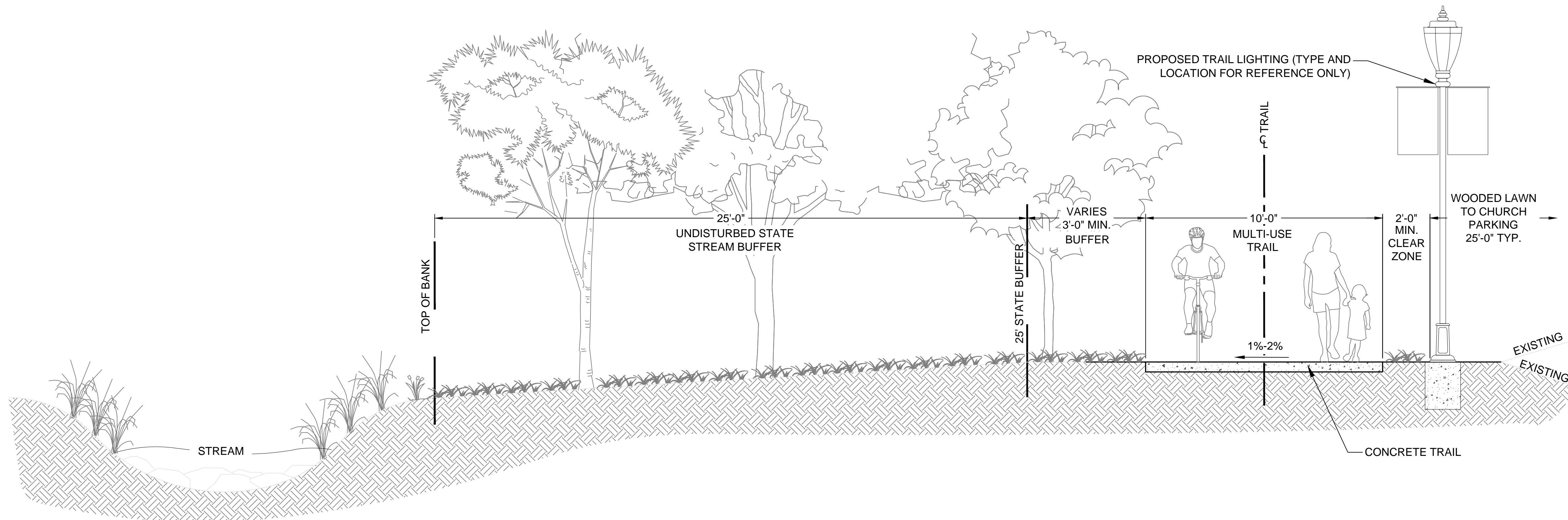
**TUCKER, GA**







1  
TS-01 SITE SECTION - LAWRENCEVILLE HWY SIDE PATH  
SCALE:  $\frac{3}{8}$ " = 1'-0"



2  
TS-01 SITE SECTION - AT ATLANTA REFORMATION FELLOWSHIP  
SCALE:  $\frac{3}{8}$ " = 1'-0"



## KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

**CHARLES M. ABBOTT JR., P.E.**  
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DATE	DESCRIPTION

PROJECT #	23001
PROJECT MANAGER	CMA

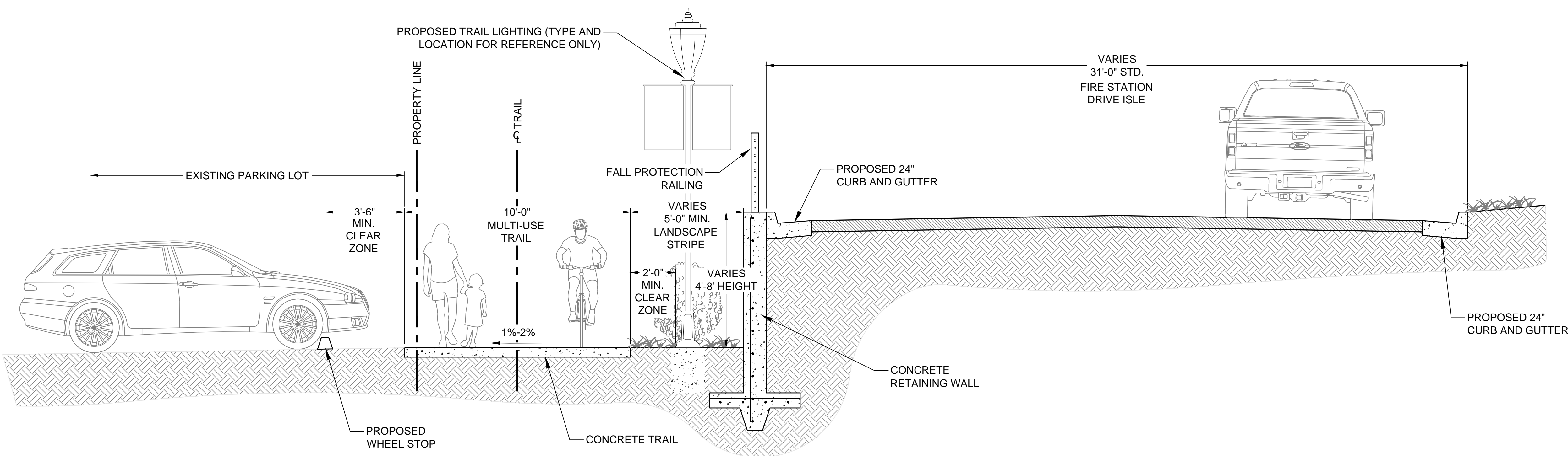
### SOUTH FORK PEACHTREE CREEK GREENWAY

TUCKER, GA

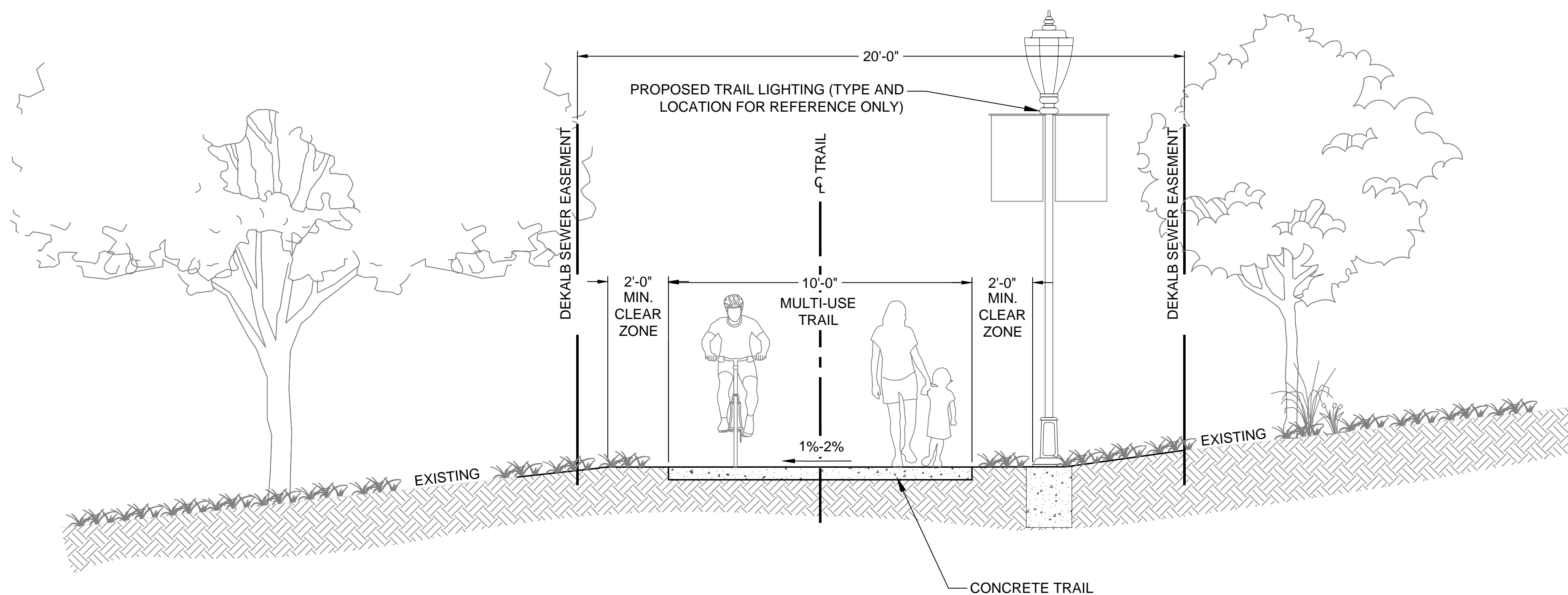
### TYPICAL SECTION

SCALE	AS SHOWN
DATE	APRIL 28, 2023
SHEET #	TS-01





1 SITE SECTION - AT PROPOSED DEKALB FIRE STATION  
SCALE:  $\frac{3}{8}$ " = 1'-0"



2 SITE SECTION - GREENWAY ALONG DEKALB SEWER EASEMENT  
SCALE:  $\frac{3}{8}$ " = 1'-0"



DATE	DESCRIPTION

PROJECT #	23001
PROJECT MANAGER	CMA

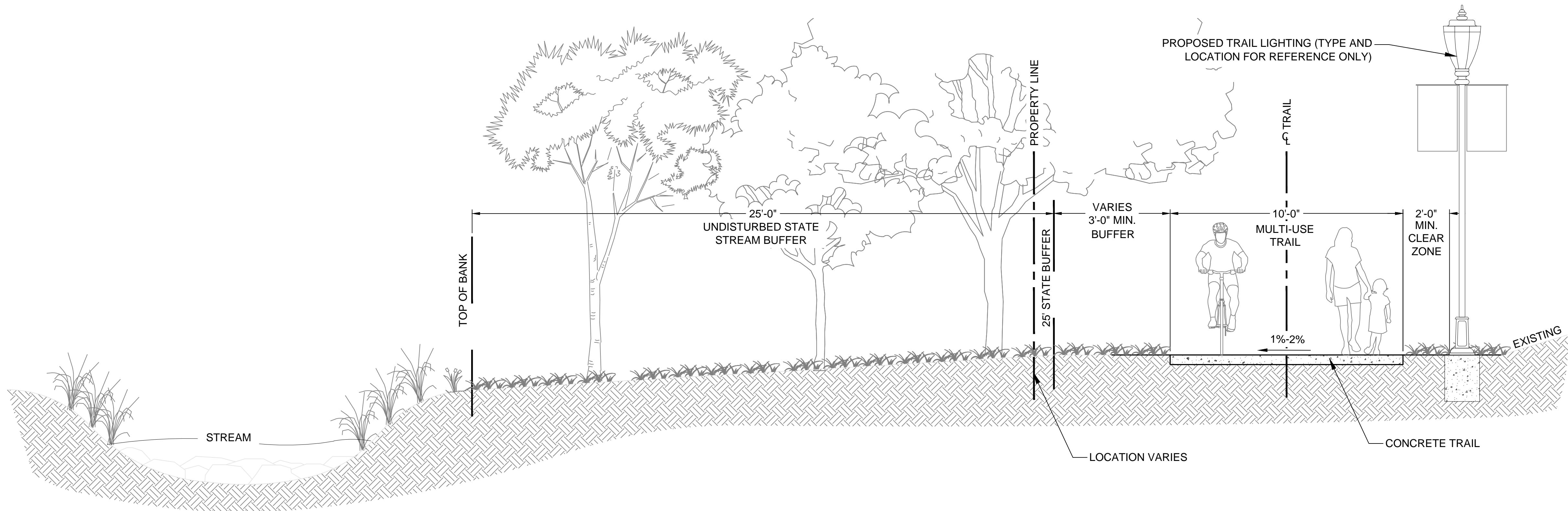
**SOUTH FORK PEACHTREE  
CREEK GREENWAY**  
  
**TUCKER, GA**

## TYPICAL SECTION

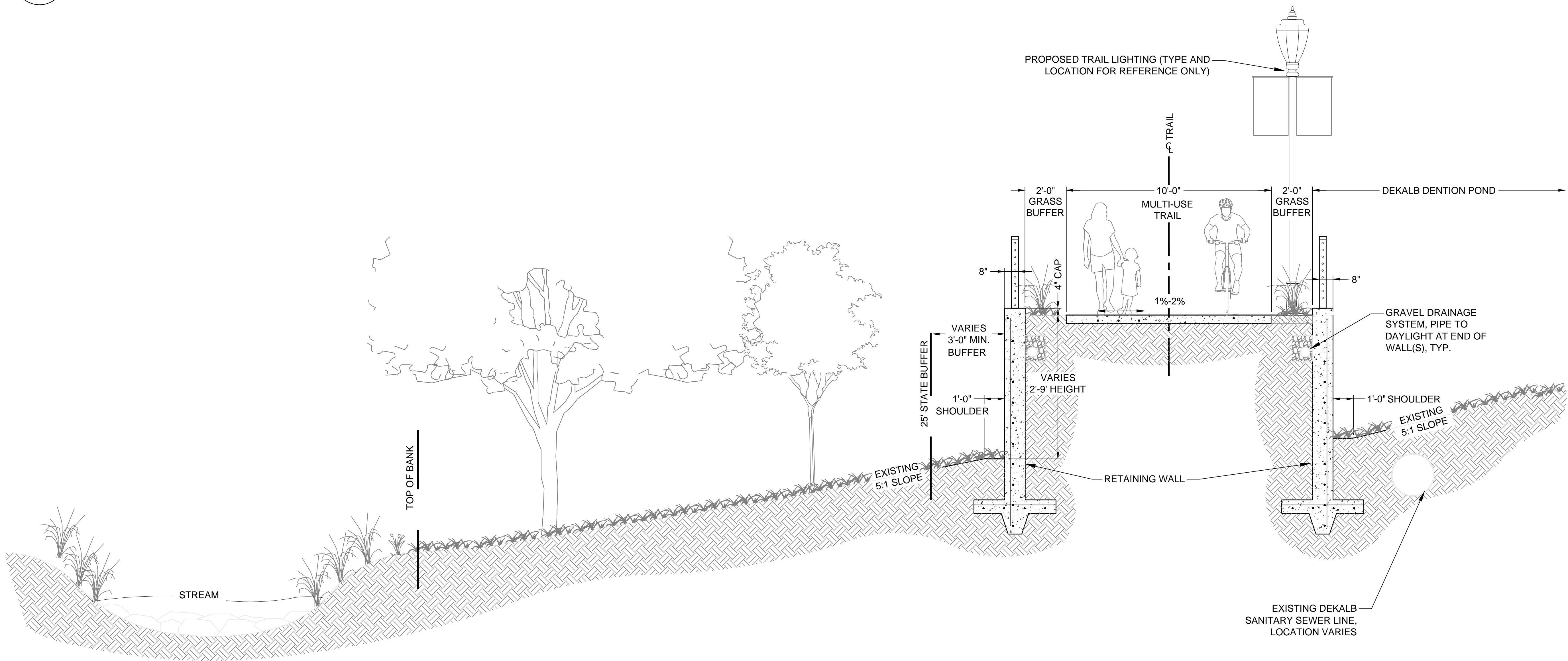
SCALE	AS SHOWN
DATE	APRIL 28, 2023

SHEET #	<b>TS-02</b>
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1 SITE SECTION - AT GREENWAY BETWEEN COWAN AND ELMDALE  
 TS-03 SCALE:  $\frac{3}{8}" = 1'-0"$



2 SITE SECTION - AT RETAINING WALL RAMP NORTH OF ELMDALE  
 TS-03 SCALE:  $\frac{3}{8}" = 1'-0"$



## KAIZENCOLLABORATIVE

2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

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DATE	DESCRIPTION

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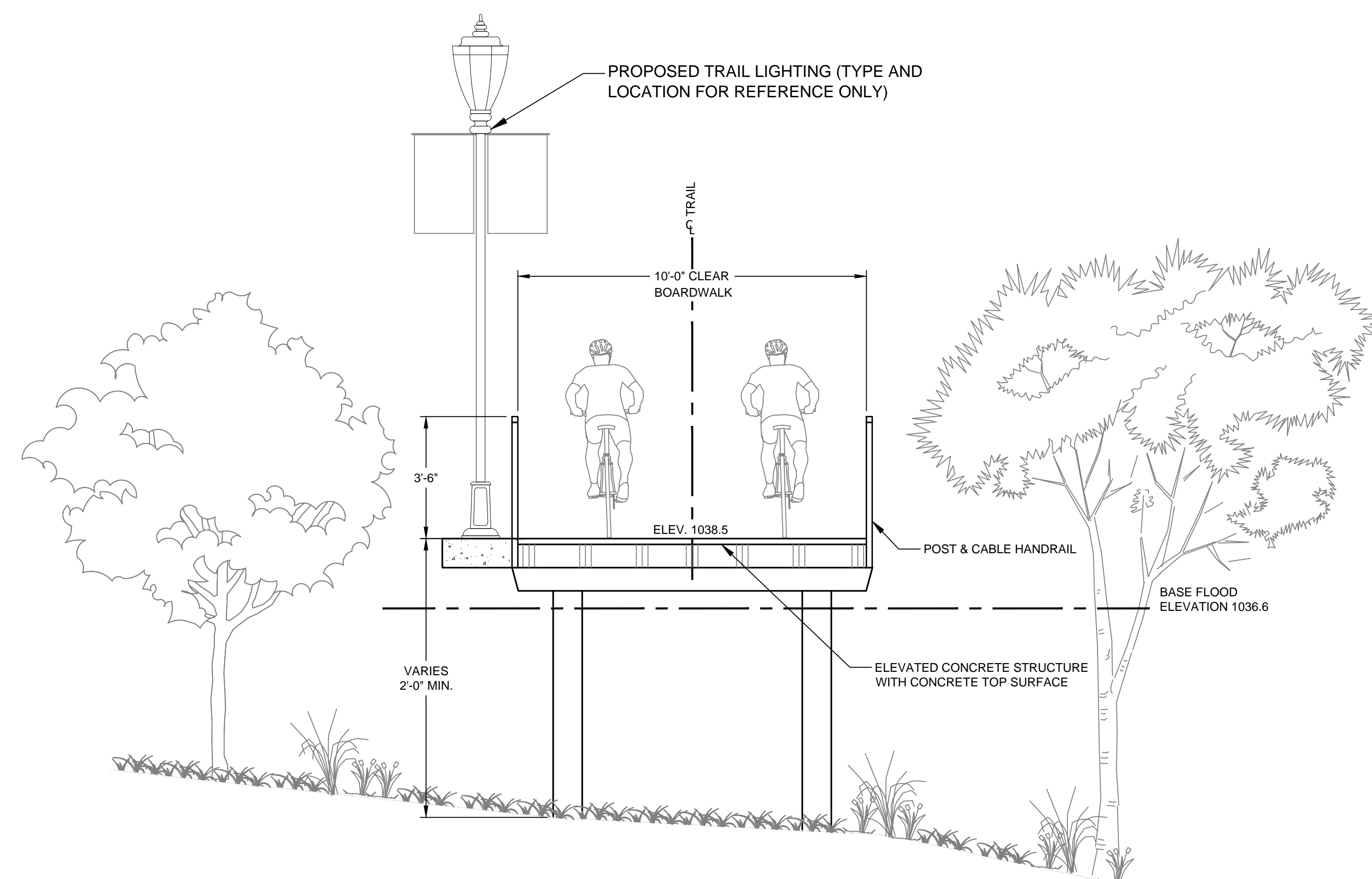
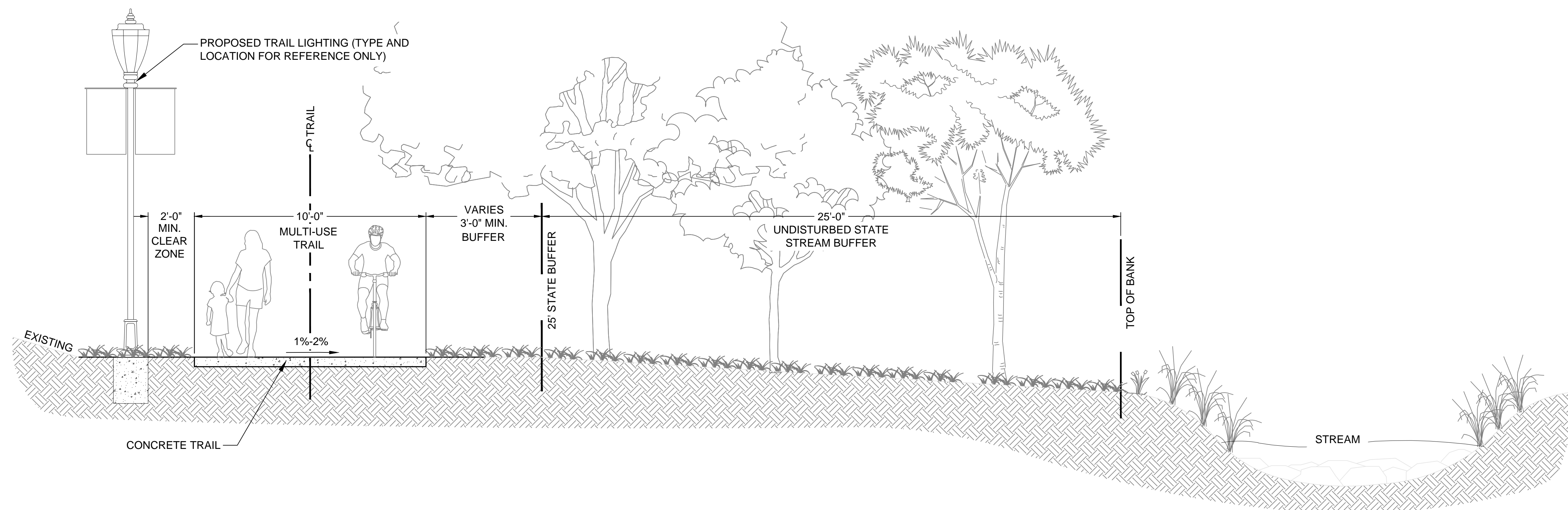
**SOUTH FORK PEACHTREE CREEK GREENWAY**

**TUCKER, GA**

## TYPICAL SECTION

SCALE	AS SHOWN
DATE	APRIL 28, 2023
SHEET #	<b>TS-03</b>



[illegible]

PROJECT #	23001
PROJECT MANAGER	CMA

## SOUTH FORK PEACHTREE CREEK GREENWAY

TUCKER, GA

### TYPICAL SECTION

SCALE	<b>AS SHOWN</b>	
DATE	APRIL 28, 2023	
	SHEET #	<b>TS-04</b>

# CITY OF TUCKER

## ACKNOWLEDGE RECEIPT OF ADDENDUM #1 FORM

RFQ #2023-021

S FORK PEACHTREE GREENWAY ENGINEERING  
DESIGN SERVICES

**Upon receipt, please print and add to your proposal.**

**I hereby acknowledge receipt of the supplement pertaining to the  
above referenced bid.**

**COMPANY NAME:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**EMAIL ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE**

**DATE**



**RFQ2023-021**  
**S FORK PEACHTREE GREENWAY ENGINEERING**  
**DESIGN SERVICES**

**ADDENDUM #1**

	<b>QUESTION</b>	<b>ANSWER</b>
1	Is there a GDOT PI# for this project?	No, this is a locally funded project.
2	Are there federal funds tied to this project?	No, this is a locally funded project.
3	Who are considered the key team members?	Examples include Principal, Project Manager, Lead Engineer, Surveyor, QC/QA Engineer, etc.
4	Are we only allowed to have resumes for 3 key team members?	There is no limit to the number of resumes, as long as they are proposed team members.
5	Can we include a deputy project manager?	Yes.
6	On Page 17- do we need to include a technical approach in our proposal?	No, this is a qualifications-based submittal. However, the proposal should provide detailed examples of experience and expertise with similar projects.
7	Is 6.01 Geotech services a required service class?	No.
8	The area classes on page 6- are those complete or are more being added?	The area classes on page 6 are the minimum requirements.
9	Is there a specific way you want the proposal laid out? If so, could you please provide guidelines?	The presenting firm has the flexibility to lay out the proposal in a way that best responds to the Scope of Work. No further guidelines are provided.



## RFQ #2023-021 S Fork Peachtree Greenway

### BID SUBMISSION SHEET

The below listed firms submitted bids which were turned in at the time indicated.  
Any bid or proposal submitted after the due date and time may not be considered for award.

#### COMPANY

1. BM&K
2. KECK & WOOD
3. THOMAS & HUTTON
4. JOHNSON, MIRMIRAN & THOMPSON
5. HEATH & LINEBACK/BCC ENGINEERING

#### RECEIVED

6/16/2023 3:52PM  
6/20/2023 9:02AM  
6/20/2023 11:02AM  
6/20/2023 12:45PM  
6/20/2023 1:05PM

Opened/Verified by: Lisa Owen 6/20/2023

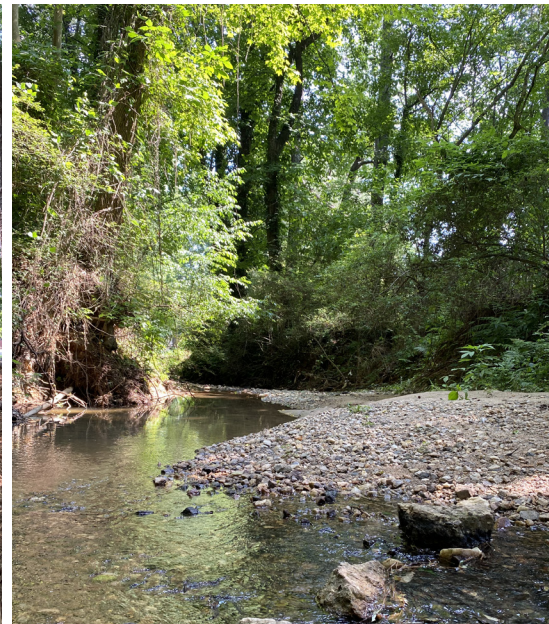
Ken Hildebrandt



June 20, 2023

STATEMENT OF QUALIFICATIONS

**S FORK PEACHTREE GREENWAY  
ENGINEERING DESIGN SERVICES  
RFQ #2023-021**



**GETTING THERE  
JUST GOT EASIER™**

2390 Canton Road | Bldg. 200  
Marietta, GA 30066



# Heath & Lineback Engineers, Inc.

2390 CANTON ROAD • BUILDING 200 • MARIETTA, GEORGIA 30066-5393

hle@heath-lineback.com • phone (770) 424-1668

## Cover Letter

June 20, 2023

City of Tucker

Submitted electronically to [procurement@tuckerga.gov](mailto:procurement@tuckerga.gov)

### RE: RFQ #2023-021 South Fork Peachtree Greenway

The Heath & Lineback Team (H&L Team) will bring our experience and expertise in trail and multi-use path planning and design to provide you with a greenway design that makes the most sense, fits the vision of Tucker and citizen stakeholders, and delivers the best value to you.

We have recent planning and design experience very relevant to this project. We are currently providing engineering design for the Tucker-Northlake Trail. We were the lead design firm for the **Kennesaw Mountain Pedestrian Improvements** trail in Cobb County. This trail was designed to provide enhanced connectivity from the Cobb County and City of Marietta local trails system into the National Park. We planned and designed the **Follow Me Trail** in Columbus, Georgia as a link in existing and planned connections to the Riverwalk Trail. For the **Town Center/Noonday Creek Trail/KSU Bike & Pedestrian Connector**, Cobb County provided the beginning and ending termini, and our team delivered several route concepts, recommended the most advantageous route, and provided preliminary engineering. We designed **PATH400** Trail in Buckhead, recommending an exciting 5.2-mile length of urban path built primarily with GDOT right of way along the GA 400 corridor and providing preliminary and final engineering for the trail. We planned the Peachtree Creek Greenway Master Plan which is 2.98 miles of multi-purpose trail running along the valley of North Fork Peachtree Creek, and we are currently designing Phase II. We recently completed the **Chattahoochee River Path and Access Master Plan** and explored the potential for improving access, connectivity, and activation along the City of Sandy Springs riverfront.

The management team we are proposing for this project consists of Allen Krivsky, PE, as Principal-in-Charge and Patrick Peters, PE, LEED Green Associate as Project Manager. Patrick and I have collaborated on several pedestrian projects including the Kennesaw Mountain Pedestrian Improvements trail, the Follow Me Trail in Columbus, the Town Center/Noonday Creek Trail/KSU Bike trail, and the Chattahoochee River Path and Access Master Plan. We will work with you to develop a design you can be proud of!

We are very excited about the possibilities of this project and hope you will choose our team.

Sincerely,

W. Allen Krivsky, PE  
Senior Vice President

## 2. Firm Info

**Firm name:** Heath & Lineback (BCC Engineering, LLC d/b/a Heath & Lineback)

**Office Addresses:**

Marietta Office - 2390 Canton Road, Bldg. 200, Marietta, GA 30066

Forsyth County Office - 840 Windermere Pkwy #402, Cumming, GA 30041

Carrollton Office - 209 Corporate Drive, Suite 300, Carrollton, GA 30117

Savannah Office - 6001 Chatham Center Drive, Suite 380, Savannah, GA 31405

**Phone:** 770-424-1668

**Primary Contact:** Patrick Peters, PE, LEED Green Associate

**Email:** [ppeters@heath-lineback.com](mailto:ppeters@heath-lineback.com)

**The Marietta, Georgia office of H&L will be performing the majority of the work for this project.**



# CITY OF TUCKER

## ACKNOWLEDGE RECEIPT OF ADDENDUM #1 FORM

RFQ #2023-021

### S FORK PEACHTREE GREENWAY ENGINEERING DESIGN SERVICES

**Upon receipt, please print and add to your proposal.**

I hereby acknowledge receipt of the supplement pertaining to the  
above referenced bid.

COMPANY NAME: BCC Engineering, LLC d/b/a Hetah & Lineback

CONTACT PERSON: W. Allen Krivsky, PE

ADDRESS: 2390 Canton Road, Bldg. 200

CITY: Marietta STATE: GA ZIP: 30066

PHONE: 770-424-1668 FAX: 770-424-2907

EMAIL ADDRESS: akrivsky@heath-lineback.com

W. Allen Krivsky 6/16/2023

SIGNATURE

DATE



**3. TABLE 1 – RELATED EXPERIENCE & REFERENCES**

Project Name, Description, Owner, and Contact Info	
<p><b>Rottenwood Creek Multi-Use Trail Phase 1 Alumni Drive to Franklin Road</b></p> <p><b>Owner:</b> City of Marietta</p> <p><b>Project Dates:</b> 2/2017 – 2/2023                      <b>Construction Cost:</b> \$10M</p> <p><b>Reference Name, Phone, Email:</b> Courtney Verdier, (770) 794-5717, cverdier@marietta.gov</p> <p><b>Office Where Work Was Performed:</b> Marietta</p> <p>The City of Marietta, Georgia selected Heath &amp; Lineback to provide complete design services for the new Rottenwood Creek trail between Alumni Drive and Franklin Road. The scope of services included trail and pedestrian bridge design; retaining wall design; survey; streetscaping; environmental studies and <u>stream and buffer permitting</u>; <u>public outreach</u>; right of way plans; construction easement plans; deed research; FEMA floodplain map revisions; erosion, sedimentation, and pollution control plans; site and trail head design; encroachment permits; utility coordination; and bid document preparation and bid assistance. To accommodate the trail, we designed a ‘road diet’ on Barclay Circle. The trail is a section of the Rottenwood Creek Trail system which will provide safe and efficient pedestrian and bicycle connectivity to various parts of the City of Marietta and will ultimately link Kennesaw Mountain National Battlefield to the Chattahoochee River, creating new opportunities for mobility, recreation, public health, and education. The 3.1 mile, 10-foot wide primary trail will connect two universities, multiple parks and recreation facilities, offices, retail stores, and single and multi-family homes. The project includes five pedestrian bridges and three trail heads. This project was funded with Transportation Alternative Program (TAP) funds from a Livable Center Initiative (LCI) award.</p>	
<p><b>Atlanta BeltLine Northeast Corridor</b></p> <p><b>Owner:</b> Atlanta BeltLine, Inc.</p> <p><b>Project Dates:</b> 5/2018 – 5/2023                      <b>Construction Cost:</b> \$135M</p> <p><b>Reference Name, Phone, Email:</b> Shaun Green, (404) 477-3003, sgreen@atlbeltline.org</p> <p><b>Office Where Work Was Performed:</b> Marietta</p> <p>Atlanta BeltLine, Inc. selected the H&amp;L team to provide design engineering and consulting services, construction bidding services, and construction administration services for the Atlanta BeltLine Northeast Trail. This new trail segment will start at Monroe Drive and end at the Lindbergh Metropolitan Atlanta Rapid Transit Authority (MARTA) Station. From its birth as an idea in 1999 to today, the Atlanta Beltline has made giant strides in improving mobility, providing connectivity, and creating urban revitalization. It is impossible to hold a conversation about the rebirth of Atlanta’s downtown communities without a discussion of the impact of the BeltLine. The Northeast Corridor Trail promises to build on the success by developing an important sector of the whole trail and creating connectivity to the intersecting trails of PATH400, North Fork Peachtree Creek (via the Cheshire Farm Trail), and South Fork Peachtree Creek. The trail will be a concrete multi-use</p>	





### Project Name, Description, Owner, and Contact Info

path, and the typical corridor section will include adjacent and parallel double track light rail transit, plantings, lighting, retaining walls, vertical connection to adjoining streets, green infrastructure storm drainage design, stream bank restoration/mitigation, signage, and wayfinding. Multiple bridges and retaining walls were necessary and involved heavy coordination with the City of Atlanta, MARTA, Georgia Department of Transportation (GDOT), CSX Transportation, and Norfolk Southern Railroad, as the trail crosses railroad right-of-way in three separate locations. H&L's services include public outreach/public involvement, extensive stakeholder coordination, environmental documentation and special studies including stream and buffer permitting, FEMA floodplain map revisions, trail planning, trail design, structural design, hydraulic design, survey, landscape architecture, geotechnical, materials testing, and hazardous waste/Georgia Voluntary Brownfield Program. This project received federal funding with a local let and required full compliance with the GDOT Plan Development Process (PDP). Although the project is following the GDOT PDP and complies with the State of Georgia's MS4 Permit, the City of Atlanta and Atlanta BeltLine, Inc. (ABI) require more stringent criteria in line with the City's Stormwater Ordinance. The first inch of rainfall may never leave the project site and is collected, treated, and infiltrated through a variety of green infrastructure practices that are both cost effective and require minimal maintenance.

#### Peachtree Creek Greenway Trail from Atlanta to North Druid Hills Road – Phase II

**Owner:** City of Brookhaven

**Project Dates:** 7/2020 – 12/2023

**Construction Cost:** \$25M

**Reference Name, Phone, Email:** Steve Chapman, (404-637-0620, [steve.chapman@brookhavenga.gov](mailto:steve.chapman@brookhavenga.gov) (Ph. II)

Joe Gebbia, (404) 637-0718, [joe.gebbia@brookhavenga.gov](mailto:joe.gebbia@brookhavenga.gov) (Master Plan)

**Office Where Work Was Performed:** Marietta

H&L was previously selected to develop a Master Plan for the Peachtree Creek Greenway. The Peachtree Creek Greenway (PCG) Master Plan coalesces the desires of Brookhaven residents, City and DeKalb County officials, local businesses and non-profits to realize the development of a multi-purpose linear park along the North Fork of Peachtree Creek. The PCG is the City of Brookhaven's section of the larger proposed PCG, envisioned itself to link to the wider Atlanta trail system. The Master Plan lays out the proposed details of the 2.7 mile linear park – to feature a series of trails including nature trails, paved multi-purpose trails, and paved promenade trails near the revitalized corridor dotted with residences, offices, restaurants, bike rental stands, coffee shops and picnic areas. The plan suggests alignment, amenities, design specifications, and implementation strategy.

H&L is now providing complete design services for Phase II of the trail which begins on the north side of North Druid Hills Road at the termination of Phase I construction near the new parking area. This area is challenging, with sidelong ground, steep creek bank slopes, and limited space to squeeze between existing buildings (particularly the Shell station and the Kenco-Buford apartments) and is designed as mostly a boardwalk and bridge structure along the creek – with some areas even being constructed from the proposed bridge itself (top-down construction). H&L's services include public outreach/public involvement, stakeholder coordination, environmental documentation and special studies including stream and buffer permitting, FEMA floodplain map revisions, trail design, structural design, hydraulic design, survey, landscape architecture, and geotechnical. This project received federal funding with a local let and requires full compliance with the GDOT Plan Development Process (PDP).





## Project Name, Description, Owner, and Contact Info

### Noonday Creek Trail Extension Scoping Study & Engineering Design

**Owner:** Cherokee County

**Project Dates:** 2/2017 – 12/2022

**Construction Cost:** \$25M

**Reference Name:** Janis Steinbrenner (770) 592-6000 x1702, jsteinbrenner@woodstockga.gov

**Office Where Work Was Performed:** Marietta

Cherokee County Government, with input from the City of Woodstock, selected H&L to provide a scoping study and environmental document for the Noonday Creek Trail Extension. The project, which will link the City of Woodstock with Cobb County, is utilizing Transportation Alternative Program (TAP) funding awarded through the Atlanta Regional Commission (ARC). The project, a two-mile long segment from Highway 92 in Woodstock to Shallowford Road/Noonday Park in Cobb County, is a part of the City of Woodstock's 2008 Greenprints Trail Master Plan, and it is also part of the Noonday Creek Trail system. This trail network will provide residents with a sustainable greenspace that defines and enhances the community, enhances natural and economic resources for all generations, serves transportation and recreational needs, links Cherokee County with Cobb County, and eventually connects to the Silver Comet and Atlanta BeltLine trail systems. The focus of our concept study was to create a solid concept plan based on detailed engineering that will serve as the scoping document, provide the basis for the environmental document, and provide support for obtaining funding for right-of-way acquisition, development of construction plans, and construction.

The engineering and design scope of services included trail and pedestrian bridge design; retaining wall design; survey; environmental studies and stream and buffer permitting; public outreach; right of way plans; construction easement plans; deed research; FEMA floodplain map no-rise certifications; erosion, sedimentation, and pollution control plans; encroachment permits; utility coordination; and bid document preparation and bid assistance. This project received federal funding with a local let and required full compliance with the GDOT PDP.







## Project Name, Description, Owner, and Contact Info

### Big Creek Greenway Rehabilitation & Design

**Owner:** Forsyth County

**Project Dates:** 6/2019 – 7/2020

**Construction Cost:** \$3M

**Reference Name:** Matthew Pate, Forsyth County Parks & Recreation Department

**Email:** MEPate@forsythco.com

**Phone:** 770-205-4677

**Office Where Work Was Performed:** Marietta

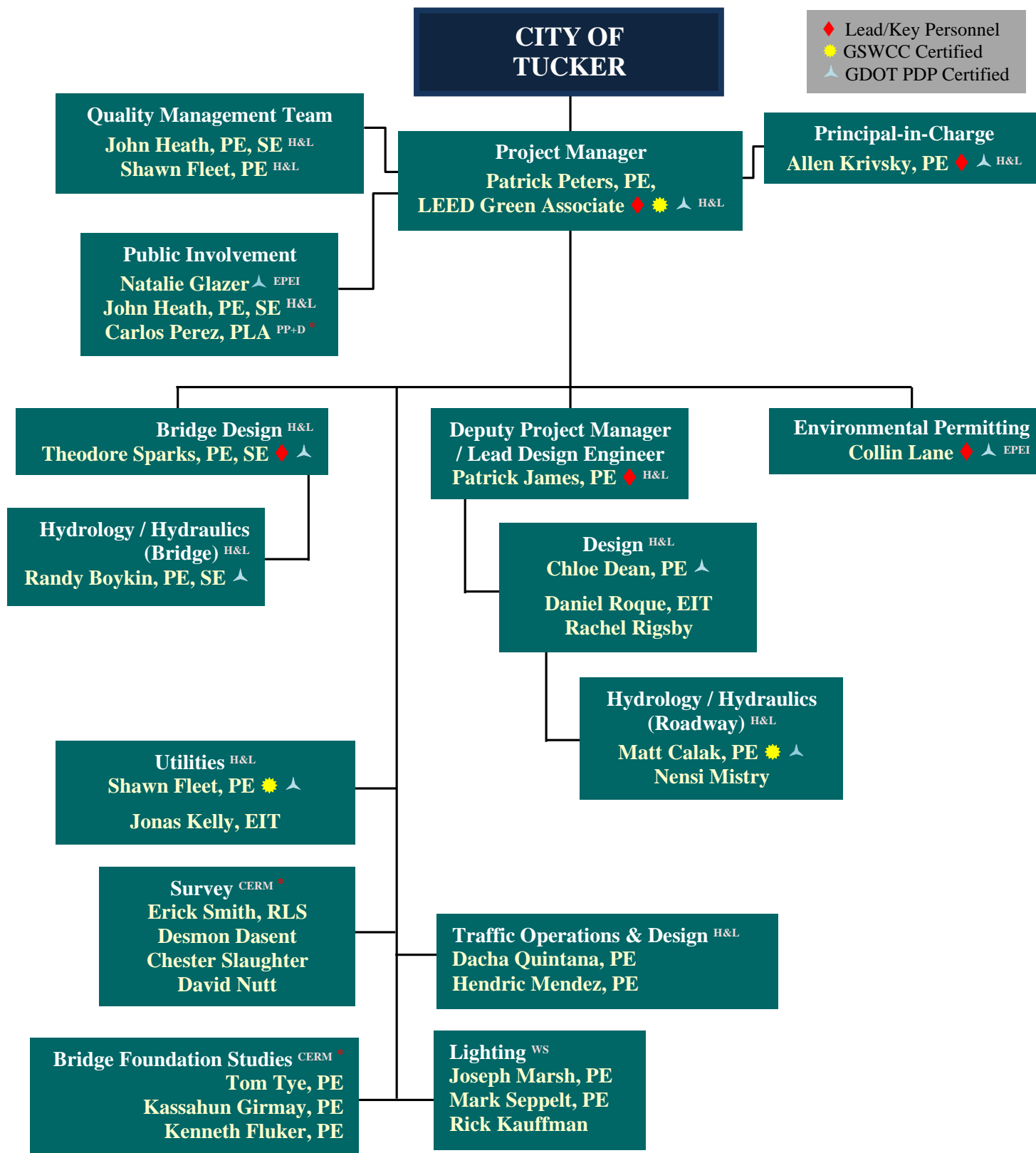
This is a multi-use trail project that rehabilitated much of the length of the trail and designed a new alignment segment of the trail over a one-mile length where it was in conflict with existing sewer and a proposed new roadway. The five-mile trail was built circa 2010, and much of its length is on low timber boardwalk. The boardwalk had deteriorated in the wet and shady woodland setting, and urgent repair was needed. Existing segments of the trail were located low to the ground and were continually inundated by the waters of the creek, resulting in erosion (scour), sediment build up, and loss of use in high water events. Sections of the trail share a common and narrow easement with a county sanitary sewer. The county elected to relocate the trail away from the sewer in those areas. The footprint of a proposed new parkway impacted the trail at one section, requiring relocation design.

H&L addressed all existing issues with contract documents for both an immediate rehabilitation of the section of the trail with the most badly damaged lengths of boardwalk and a second contract for relocation onto new alignment. H&L's services included stakeholder coordination, environmental emergency permitting for stream buffer and wetland impacts, trail design, and structural design. This project was funded 100% locally and was completed on time and under budget.





## 4. ORGANIZATIONAL CHART



H&L – Heath & Lineback Engineers, Inc.  
 PP+D - Perez Planning + Design, LLC \*  
 CERM – CERM

EPEI - Edwards-Pitman Environmental, Inc.  
 WS – Wi-Skies, LLC





## 5 . KEY PERSONNEL

### Patrick Peters, PE

**Project Role:** Project Manager

**Education:** Master of Science, Civil Engineering, University of Tennessee, 2011  
Bachelor of Science, Civil Engineering Technology, Southern Polytechnic State University, 2008

**Years of Experience:** 16

**Years with H&L:** 16

**Registration:** GA Professional Engineer #40719  
LEED Green Associate #10766128



#### Certifications:

- Georgia Department of Transportation PDP (Plan Development Process) Certified (2018)
- Georgia Soil and Water Conservation Commission (GSWCC) Level II Certified Design Professional
- #64868
- Georgia DOT Local Administered Projects Manual (LAPM) Training

#### Relevant Experience:

- Experienced in managing multiple pedestrian-related projects to deliver on time and within budget
- GDOT PDP Certified
- Skilled at leading public involvement meetings & bringing stakeholders to a consensus
- Knowledgeable and experienced in DeKalb County and Georgia stream buffer requirements
- As PM, guides all design through our project-specific QC/QA processes

Patrick began working at H&L while pursuing his undergraduate degree. After graduation, he became a full-time staff member. He has designed numerous transportation infrastructure projects, primarily pedestrian related. Patrick quickly realized that his main engineering interest was in designing multi-use facilities that bring communities together and provide meaningful outdoor experiences for the public. He is skilled at working with project stakeholders to develop a design solution that is acceptable to all. Patrick has designed sidewalks, multi-use trails, pedestrian overpasses, and pedestrian tunnels. He is experienced in the various disciplines related to the design of these facilities – drainage, pavement design, right of way, signing and marking, utility relocation, grading, erosion control, sidewalk/trail amenities, and signage. Patrick has managed projects that required coordination with many different agencies including the Georgia Department of Transportation, cities and counties, the National Park Service, railroads, and transit facilities.

#### SPECIFIC EXPERIENCE

##### **Project Manager for Atlanta BeltLine Northeast Corridor Trail, Atlanta BeltLine, Inc., Atlanta, GA (PI #0009395).**

This project provides engineering and consulting services, construction bidding services, and construction administration services for this new section of the Atlanta BeltLine. This new trail segment will start at Monroe Drive and end at the Lindbergh Metropolitan Atlanta Rapid Transit Authority (MARTA) Station. The trail will be a concrete multi-use path, and the typical corridor section will include adjacent and parallel double-track light rail transit, plantings, lighting, retaining walls, vertical connection to adjoining streets, green infrastructure storm drainage design, stream bank restoration/mitigation, signage and wayfinding, and replacement/rehabilitation of bridges. The scope of work includes streetscape and complete street improvements on streets that intersect with the BeltLine. This project received federal funding with a local let and requires full compliance with the GDOT PDP. Patrick is providing complete project management, developing and maintaining scope, schedule, and budget. He directs all design tasks, coordinates all subconsultant activities, ensures all milestones are met and ensures adherence to quality procedures.

**Assistant Project Manager for Peachtree Creek Greenway Master Plan, City of Brookhaven, GA.** This project developed a Master Plan for the Peachtree Creek Greenway (formerly North Fork Peachtree Creek Greenway). The Peachtree Creek Greenway (PCG) Master Plan coalesces the desires of Brookhaven residents, City of Brookhaven and DeKalb County officials, local businesses, and non-profits to realize the development of a multi-purpose linear



park along the North Fork of Peachtree Creek. The PCG is the City of Brookhaven's section of the larger proposed PCG, envisioned to link to the wider Atlanta trail system. The Master Plan lays out the proposed details of the 2.7-mile linear park – to feature nature trails, paved multi-purpose trails, and paved promenade trails near the revitalized corridor dotted with residences, offices, restaurants, bike rental stands, coffee shops, and picnic areas – the plan suggests alignment, amenities, design specifications, and implementation strategy.

Patrick was responsible for co-leading public involvement efforts including stakeholder meetings, city council presentations, neighborhood meetings, and public open houses. He worked with the city and stakeholder group to identify key criteria which led to the selection of the preferred alignment, and he provided oversight of the conceptual alignment design efforts, cost estimates, and implementation plan.

**Project Manager for Peachtree Creek Greenway Trail from Atlanta to North Druid Hills Road – Phase II, City of Brookhaven, Brookhaven, GA (PI #0016053).** This project provides complete design services for the extension of the Peachtree Creek Greenway Trail. Phase II of the trail begins on the north side North Druid Hills Road at the termination of Phase I construction and crosses under North Druid Hills Road. This area is challenging with side long ground, steep creek bank slopes, and limited space to squeeze between existing buildings. The design requires extensive use of walls. The environmental document is a Categorical Exclusion (CE). The project is being developed with a GDOT approved concept report, with alternate alignments.

Patrick is providing complete project management, developing, and maintaining scope, schedule, and budget. He directs all design tasks, coordinates all subconsultant activities, ensures all milestones are met and ensures adherence to quality procedures.

**Project Manager for Kennesaw Mountain Pedestrian Improvements, Cobb County Department of Transportation, Cobb County, GA (PI #0015279).** This project was for the complete design of multi-use trails along Cheatham Hill Road, Whitlock Avenue, and Burnt Hickory Road. Services included survey, environmental studies, preliminary and final design, pedestrian signal design, right of way plans, construction plans, public involvement, and cost estimates. This project had federal funds and required a Georgia Department of Transportation PDP review and coordination with the National Park Service.

Patrick provided complete project management, developing, and maintaining scope, schedule, and budget. He directed all design tasks, coordinated all subconsultant activities, ensured all milestones were met, and ensured adherence to quality procedures.

**Project Manager for Noonday Creek Trail Extension Scoping Study and Design, Cherokee County and City of Woodstock, Woodstock, GA (PI #0015036/0016015).** This project provided concept development, engineering and design, public involvement, and environmental services for a pedestrian facility along Noonday Creek, connecting the existing Woodstock Noonday Creek trail at Highway 92 to the Noonday Creek Park in Cobb County. The focus of the concept study was to create a solid concept plan based on detailed engineering that will serve as the scoping document, provide the basis for the environmental document, and provide support for obtaining funding for right-of-way acquisition, development of construction plans, and construction. The engineering and design scope of services included trail and pedestrian bridge design; retaining wall design; survey; environmental studies and permitting; public outreach; right of way plans; construction easement plans; deed research; FEMA floodplain map no-rise certifications; erosion, sedimentation, and pollution control plans; encroachment permits; utility coordination; and bid document preparation and bid assistance. This project received federal funding with a local let and required full compliance with the GDOT PDP.

Patrick provided complete project management, developing, and maintaining scope, schedule, and budget. He directed all design tasks, coordinated all subconsultant activities, ensured all milestones were met and ensured adherence to quality procedures.

**Project Manager for Follow Me Multi-Use Facility & Pedestrian Overpass at Victory Drive, Columbus Consolidated Government, Columbus, GA (PI #0012579/0007633).** This project was for the design of a pedestrian facility along an old, abandoned railroad line and includes a pedestrian overpass at Victory Drive. The facility features a trail path, parking areas, pocket parks, road crossings, trail structures, and landscaping. This project received federal funds with a local let and required full compliance with the GDOT PDP.





## Patrick James, PE

**Project Role:** Deputy Project Manager and Lead Engineer

**Education:** Bachelor of Science, Civil Engineering, Georgia Southern University, 2014

**Years of Experience:** 8

**Years with H&L:** 8

**Registration:** GA Professional Engineer #45351

**Certifications:** N/A



Patrick began working at H&L as a full-time staff member after receiving his undergraduate degree in 2014. He began designing in a variety of disciplines, including roadway, bridge/structural, site design, and transit projects. Patrick, being an avid outdoor enthusiast, narrowed his focus to pedestrian-related facilities after seeing the enjoyment and unique outdoor experiences they bring. He has since served as Lead Design Engineer or Design Engineer on a number of pedestrian projects and all that encompasses, including pavement design, signage, drainage, signing and marking, right of way, grading, utility relocation, erosion control, and sidewalk/trail amenities. He is experienced in Microstation, InRoads, OpenRoads, and AutoCAD Civil 3D.

### SPECIFIC EXPERIENCE

**Lead Design Engineer for Atlanta BeltLine Northeast Corridor Trail, Atlanta BeltLine, Inc., Atlanta, GA (PI #0009395).**

This project provides engineering and consulting services, construction bidding services, and construction administration services for this new section of the BeltLine. The trail will be a concrete multi-use path, and the typical corridor section will include adjacent and parallel double track light rail transit, plantings, lighting, retaining walls, vertical connection to adjoining streets, green infrastructure storm drainage design, stream bank restoration/mitigation, signage and wayfinding, and replacement/rehabilitation of bridges. The scope of work includes streetscape and complete street improvements on streets that intersect with the BeltLine. This project received federal funding with a local let and requires full compliance with the GDOT PDP.

Patrick's responsibilities include complex pedestrian bridge design, retaining wall design, tunnel design, and rehabilitation/adaptation of existing bridges for pedestrian use. He is leading the development of construction plans; erosion, sedimentation, and pollution control plans; signing and marking plans; utility relocation plans; grading plans; and right-of-way plans.

**Lead Design Engineer for Peachtree Creek Greenway Trail from Atlanta to North Druid Hills Road – Phase II, City of Brookhaven, Brookhaven, GA (PI #0016053).**

This project provides complete design services for the extension of the Peachtree Creek Greenway Trail. Phase II of the trail begins on the north side of North Druid Hills Road at the termination of Phase I construction and crosses under North Druid Hills Road. This area is challenging, with side long ground, steep creek bank slopes, and limited space to squeeze between existing buildings. The design requires extensive use of walls. The environmental document is a Categorical Exclusion (CE). The project is being developed with a GDOT approved concept report, with alternate alignments.

Patrick is responsible for designing the trail corridor and multiple structures throughout the project to support the trail such as retaining walls and multiple bridge types. Patrick also is leading the development of construction plans; erosion, sedimentation, and pollution control plans; signing and marking plans; utility relocation plans; grading plans; and right-of-way plans.

**Design Engineer for Bob Callan Trunk Trail Phase II - Segment B, Cobb County Department of Transportation, Cobb County, GA.**

This project provided complete design services for a 10-foot-wide, 0.40-mile multi-use trail to enhance connectivity throughout Cobb County. The trail includes a crossing at Rottenwood Creek and a trailhead.

### Relevant Experience:

- Knowledgeable about current design criteria (FHWA, AASHTO, GDOT, MUTCD, etc.)
- Knowledgeable and experienced in DeKalb County and Georgia stream buffer requirements
- Currently delivering multiple pedestrian related projects for municipal clients on time and within budget



Patrick was responsible for designing, coordinating, and producing construction plans for an aesthetic retaining wall to support the trailhead.

**Design Engineer for Big Creek Greenway Rehabilitation and Design, Forsyth County Parks and Recreation, Forsyth County, GA.** This was a multi-use trail project that rehabilitated much of the length of the trail and designed a new alignment segment of the trail over a one-mile length where it conflicted with existing sewer and a proposed new roadway. The five-mile trail was built circa 2010, and much of its length is on a low timber boardwalk. The boardwalk had deteriorated in the wet and shady woodland setting, and urgent repair was needed. Existing segments of the trail were located low to the ground and were continually inundated by the water of the creek, resulting in erosion (scour), sediment build-up, and loss of use in high water events. Sections of the trail share a common and narrow easement with a county sanitary sewer. The county elected to relocate the trail away from the sewer in those areas. The footprint of a proposed new parkway impacted the trail at one section, requiring relocation design. The scope of work addressed all the existing issues, with contract documents for both an immediate rehabilitation of the trail section with the most badly damaged lengths of boardwalk and a second contract for relocation onto new alignment.

Patrick's responsibilities included timber boardwalk and concrete trail inspection and rating, design of replacement sections of boardwalk and trail, and development of construction and rehabilitation plans.

## W Allen Krivsky, PE

**Project Role:** Principal-in-Charge

**Education:** Bachelor of Science, Civil Engineering Technology, Southern Polytechnic State University, 1993

**Years of Experience:** 30

**Years with H&L:** 28

**Registration:** GA Professional Engineer #27143

### Certifications:

- Georgia Department of Transportation PDP (Plan Development Process) Certified
- Georgia DOT Local Administered Projects Manual (LAPM) Training

Allen is one of the founding partners of Heath & Lineback. He is responsible for ensuring delivery of quality roadway, bridge, and pedestrian projects on time and within budget. He has served as Project Manager, QC/QA, and Principal-in-Charge for numerous transportation design projects for clients including Henry County DOT, Paulding County DOT, Gwinnett County DOT, Cobb County DOT, and Georgia DOT. Allen has demonstrated an ability to provide communication and coordination with the owner and project stakeholders; provide technical oversight of the design team, including subconsultants; and manage project scope, schedule, and budget - all in accordance with the GDOT Engineering Policy and Procedures. Most of Allen's projects have been designed and developed to follow the GDOT Plan Development Process and to meet GDOT Policy and Standards.

Allen is very knowledgeable about AASHTO guidelines, GDOT Design Policy, PDP, EDG, Pavement Design Guidelines, the Driveway Encroachment Manual, NEPA, and GEPA.

### SPECIFIC EXPERIENCE

**Project Manager and QC/QA Manager for Rottenwood Creek Multi-Use Trail Phase 1, Alumni Drive to Franklin Road, City of Marietta, Marietta, GA (PI #0015042).** This project was for complete design services for the new Rottenwood Creek trail between Alumni Drive and Franklin Road. The scope of services includes trail and pedestrian bridge design; retaining wall design; survey; streetscaping; environmental studies and permitting; public



### Relevant Experience:

- 30 years of transportation infrastructure design experience, including many pedestrian related facilities
- GDOT PDP Certified
- Currently serving on the GPTQ Consultant Relationship Committee and Steering Committee
- Served previously as Co-Chair of the GPTQ Practical Design Task Force
- Co-Chaired Transportation Forum for ACEC





outreach; right of way plans; construction easement plans; deed research; FEMA floodplain map revisions; erosion, sedimentation, and pollution control plans; site and trail head design, encroachment permits; utility coordination; and bid document preparation and bid assistance. The trail is a section of the Rottenwood Creek Trail system which will provide safe and efficient pedestrian and bicycle connectivity to various parts of the City of Marietta and will ultimately link Kennesaw Mountain National Battlefield to the Chattahoochee River, creating new opportunities for mobility, recreation, public health, and education. The 3.1 mile, 10-foot-wide primary trail will connect two universities, multiple parks and recreation facilities, offices, retail stores, and single and multi-family homes. The project includes five pedestrian bridges and three trail heads.

Allen was responsible for contract management, resource allocation, progress and schedule monitoring, quality, and final design decisions. He was responsible for the performance of the entire project team including specialty services subconsultants for survey, environmental, traffic, and geotechnical.

**Quality Management for Atlanta BeltLine Northeast Corridor, Atlanta BeltLine, Inc., Atlanta, GA (PI #0009395).**

This project provides engineering and consulting services, construction bidding services, and construction administration services for the Atlanta BeltLine Northeast Trail. This new trail segment will start at Monroe Drive and end at the Lindbergh MARTA Station. The trail will be a concrete multi-use path, and the typical corridor section will include adjacent and parallel double track light rail transit, plantings, lighting, retaining walls, vertical connection to adjoining streets, green infrastructure storm drainage design, stream bank restoration/mitigation, signage and wayfinding, and replacement/rehabilitation of bridges. The scope of work includes streetscape and complete street improvements on streets that intersect with the BeltLine. This project received federal funding with a local let and requires full compliance with the GDOT PDP.

As part of the Quality Management Team, Allen is reviewing project QA/QC processes and documentation, recommending appropriate peer reviews to the Project Manager, and adjusting QC/QA processes and personnel as needed to ensure that the quality goals of both H&L and the owner are met.

**Project Manager for SR 120 over the Silver Comet Trail, Georgia Department of Transportation, Paulding County, GA (PI #632920).** This was a bridge replacement project and included a tunnel under SR 120. The tunnel is a 165 linear foot, 14 x 10-foot reinforced concrete box culvert. The box culvert was constructed beneath the existing bridge to minimize road closure time. SR 120 required 500 linear feet of road design to remove the existing bridge once the culvert was constructed underneath. The skew of CR 274 was improved with 250 linear feet of additional road design to tie in at 90 degrees to SR 120.

Allen provided complete project management, developing, and monitoring scope, schedule, and budget. He assigned all tasks, made final design decisions, and ensured all project milestones were met.

**Project Manager for PATH400 Multi-Use Trail Extension, City of Sandy Springs, Sandy Springs, GA (PI #0015023).**

This project provides complete engineering design services to extend the PATH400 trail from Loridans Drive south of the former toll plaza on GA 400 to the southern project limits of the I-285/GA 400 interchange. The extension will be approximately 2.1 miles long, extending from an historic cemetery site off Loridans Drive north to approximately the Glenridge Connector. It is envisioned as a ten to twelve-foot wide hard surface, multi-use trail for bicyclists, skaters, walkers, runners, and motorized wheelchairs. The trail is being designed in accordance with AASHTO standard and will meet Americans with Disabilities Act (ADA) requirements. The design incorporates unique and engaging features such as art installations and pocket parks. The design is following all Georgia Department of Transportation Plan Development Process (PDP) guidelines.

Allen is providing complete project management, developing, and monitoring scope, schedule, and budget. He assigns all tasks, makes final design decisions, and ensures all project milestones are met.

**Project Manager for Town Center/Noonday Creek/KSU Bike & Pedestrian Connector, Cobb County Department of Transportation/Town Center CID, Kennesaw, GA.** This project provides complete design services for a new multi-use trail, sidewalk, and bicycle facility from Town Center Drive to the Skip Spann Connector near Kennesaw State University (KSU). The facility will connect the existing Noonday Creek Trail and the KSU sports stadium on Big Shanty Road and terminate near the Skip Spann Connector Bridge over I-75. The primary project purpose is to provide alternative transportation within the KSU/Town Center area.



Allen provided complete project management, developing, and monitoring scope, schedule, and budget. He assigned all tasks, made final design decisions, and ensured all project milestones were met.

**Principal-in-Charge for Follow Me Trail and Pedestrian Overpass, Columbus Consolidated Government, Columbus, GA (PI #0012579/0007633).** This project was for the design of a pedestrian facility along an old, abandoned railroad line and includes a pedestrian overpass at Victory Drive. The facility features a trail path, parking areas, pocket parks, road crossings, trail structures, and landscaping. This project received federal funds with a local let and required full compliance with the GDOT PDP.

Allen provided oversight of the project, ensuring that all required resources were available and monitoring schedule, scope, and budget.

**Senior Engineer and Quality Control/Quality Assurance Reviewer for PATH400 Multi-Use Trail, Livable Buckhead, Inc., Atlanta, GA.** This environmentally responsible trail provides recreational and social opportunities to Buckhead residents. The trail includes walking and biking connections to local schools and commercial business districts. When complete, it will also connect to the Atlanta BeltLine. The project includes a 770' long bridge over Mountain Creek and Mountain Way. This project required heavy coordination with GDOT, and adherence to many aspects of the GDOT PDP was required.

Allen provided technical guidance to the design team for all aspects of the project.

## Theodore Sparks, PE, SE

**Project Role:** Lead Bridge Engineer

**Education:** Master of Science, Civil Engineering, Ohio University, 2020  
Bachelor of Science, Civil Engineering, Michigan State University, 1999

**Years of Experience:** 23

**Years with H&L:** 23

**Registration:** GA Professional Engineer #32267

### Certifications:

- Georgia Department of Transportation PDP (Plan Development Process) Certified
- National Highway Institute Safety Inspection of In-Service Bridges (Certified Bridge Inspector)

Theodore is a lead project engineer with experience in bridge design, bridge inspection, and bridge rehabilitation plans. He has provided bridge design services for pedestrian facilities, roadways, and interstates. Theodore is GDOT PDP certified and completed a refresher course on 8-31-2023. He is knowledgeable about the PDP, PPG (Plan Presentation Guide), EDG (Electronic Data Guidelines), GDOT Bridge and Structures Policy Manual, GDOT Bridge Detailing Guidelines, and GDOT Bridge Programs. He is experienced with AASHTO Bridge Design Specifications, and he is proficient in GDOT bridge design software, CSiBridge, SAP2000, WinSEISAB, TEDDS, LEAPBridge, and DESCUS. Theodore has designed retaining walls of all types – RE, Tie Back, Reinforced Concrete Cantilever and Gravity - in a variety of soil conditions throughout Georgia. He has completed local and global stability analyses. He has detailed numerous GDOT standard walls and special walls.

### SPECIFIC EXPERIENCE

**Project Manager and Lead Engineer for Mt. Berry Trail over Big Dry Creek, City of Rome, Floyd County, GA.** Contact: Aaron Carroll, City of Rome, (706) 378-3846, ACarroll@romega.us. This project provided engineering and construction administration services for the second phase of this trail to provide a pedestrian bridge over Big Dry Creek. This SPLOST funded phase two project consisted of development of a 10-foot wide by 120-foot long prefabricated steel truss pedestrian bridge to connect the Mt. Berry Trail on the west side of Big Dry Creek to the existing sidewalk along the Armuchee Connector on the east side of the creek. The scope of services included



### Relevant Experience:

- **GDOT PDP Certified**
- **Extensive experience in design of pedestrian facilities**
- **Experienced with stakeholder involvement**





preliminary and final bridge plans, geotechnical services, and environmental permitting. All work was completed in compliance with Georgia Department of Transportation standards and specifications and AASHTO Bridge Design Specifications.

As Project Manager, Theodore provided complete project management services - monitoring and managing scope, schedule, and budget; ensuring all milestones were met; and ensuring quality control/quality assurance guidelines are followed. He also assisted the County in the bidding process by providing oversight and quality checks of the bid documents.

As Lead Engineer, Theodore was responsible for design of the pedestrian bridge. He coordinated with the County for bridge geometry verification and coordinated with the geotechnical engineering team for development of the foundation solution. Theodore also coordinated with the environmental engineering team to obtain all required applicable permits. He led the bridge design team, providing technical direction and oversight, took responsibility for completion of the design and production of the drawings, and ensured quality control efforts were maintained in accordance with the QA Plan.

**Structural Quality Control Reviewer for Peachtree Creek Greenway Trail from Atlanta to North Druid Hills Road – Phase II, City of Brookhaven, Brookhaven, GA (PI #0016053).** This project provides complete design services for the extension of the Peachtree Creek Greenway Trail. Phase II of the trail begins on the north side North Druid Hills Road at the termination of Phase I construction and crosses under North Druid Hills Road. This area is challenging with side long ground, steep creek bank slopes, and limited space to squeeze between existing buildings. The design requires extensive use of walls. The environmental document is a Categorical Exclusion (CE). The project is being developed with a GDOT approved concept report, with alternate alignments.

Theodore performed a line-by-line review to ensure the design of walls met the owner's technical expectations, and he verified all calculations and plans to ensure they were accurately defined. He provided constructive feedback to the Lead Engineer regarding level of quality observed in reviewed work products, and he back-checked wall design work products after review comments were addressed.

**Lead Structural Engineer for Rottenwood Creek Multi-Use Trail Phase 1, Alumni Drive to Franklin Road, City of Marietta, Marietta, GA (PI #0015042).** This project was for complete design services for the new Rottenwood Creek trail between Alumni Drive and Franklin Road. The scope of services includes trail and pedestrian bridge design; retaining wall design; survey; streetscaping; environmental studies and permitting; public outreach; right of way plans; construction easement plans; deed research; FEMA floodplain map revisions; erosion, sedimentation, and pollution control plans; site and trail head design, encroachment permits; utility coordination; and bid document preparation and bid assistance. The trail is a section of the Rottenwood Creek Trail system which will provide safe and efficient pedestrian and bicycle connectivity to various parts of the City of Marietta and will ultimately link Kennesaw Mountain National Battlefield to the Chattahoochee River, creating new opportunities for mobility, recreation, public health, and education. The 3.1 mile, 10-foot-wide primary trail will connect two universities, multiple parks and recreation facilities, offices, retail stores, and single and multi-family homes. The project includes five pedestrian bridges and three trail heads.

Theodore was responsible for the design of the pedestrian bridges. He coordinated with the trail design team for bridge geometry verification and coordinated with the geotechnical engineering team for development of all foundation solutions. He led the bridge design team, providing technical direction and oversight, and he took responsibility for completion of the design and production of the drawings. He ensured quality control efforts were maintained in accordance with the QA Plan.

**Project Manager and Lead Engineer for Murphey Candler Park North Boardwalk Design-Build, City of Brookhaven, Fulton County, GA.** This is a multi-use trail project that connects two dirt trails on either side of Candler Lake in Murphey Candler Park and will ultimately connect the roadways of Candler Lake Circle West and Candler Lake Circle East. The project consists of an elevated 528-foot-long timber boardwalk supported by timber caps and helical piles. The boardwalk includes aesthetical timber railing as well as multiple timber observation decks with benches and a separate timber event deck to be used to host weddings, meetings, and other events. The scope of services included preliminary and final boardwalk plans, erosion control, staking, tree protection, and site access plans. Design tasks



involved designing existing trail extension on the east and west side of the site; securing necessary local, state, and federal permits as required for construction; and preparing all plans necessary to satisfy the permitting processes of the city, county, and state. All work was completed in compliance with Georgia Department of Transportation standards and specifications and AASHTO Bridge Design Specifications.

As Project Manager, Theodore provided complete project management services - monitoring and managing scope, schedule, and budget; ensuring all milestones were met; and ensuring quality control/quality assurance guidelines are followed.

As Lead Engineer, Theodore was responsible for design of the boardwalk. He coordinated with the design-build contractor and the geotechnical engineering team for development of all foundation solutions. He led the boardwalk design team, providing technical direction and oversight, and he took responsibility for completion of the design and production of the drawings. He ensured quality control efforts were maintained in accordance with the QA Plan.

**Lead Bridge Engineer for Firefly Trail Pedestrian Bridge, United Government of Athens-Clarke County, Athens, GA.** This project provided complete bridge design for this pedestrian facility on the Firefly Trail in Athens, Georgia. The scope of services included concept development, with several alternatives. Tasks involved preliminary and final design plans and bridge foundation investigation (BFI). The concept and preliminary plans were reviewed and approved by the Georgia Department of Transportation.

Theodore led the bridge team, providing design, technical direction, and oversight. He was responsible for the completion of plans. He ensured quality control efforts were maintained in accordance with the QA Plan.

**Bridge Engineer for PATH400 Multi-Use Trail, Livable Buckhead, Inc., Atlanta, GA.** This environmentally responsible trail provides recreational and social opportunities to Buckhead residents. The trail includes walking and biking connections to local schools and commercial business districts. When complete, it will also connect to the Atlanta BeltLine. The project includes a 770' long bridge over Mountain Creek and Mountain Way. This project required heavy coordination with GDOT, and adherence to many aspects of the GDOT PDP was required.

Theodore was responsible for structural design and plan preparation for four pedestrian bridges along the trail. The pedestrian bridges include multi-span, pre-engineered steel trusses and flat slab spans. Of the four pedestrian bridges, - one is over wetlands; one crosses over a road, a creek, and a pedestrian bridge; one bridge is under an existing railroad bridge; and one is under another pedestrian bridge.

**Lead Structural Engineer for Big Creek Greenway Rehabilitation, Forsyth County Parks and Recreation Department, Forsyth County, GA.** This was a multi-use trail project that rehabilitated much of the length of the trail and designed a new alignment segment of the trail over a one-mile length where it conflicted with existing sewer and a proposed new roadway. The five-mile trail was built circa 2010, and much of its length is on a low timber boardwalk. The boardwalk had deteriorated in the wet and shady woodland setting, and urgent repair was needed. Existing segments of the trail were located low to the ground and were continually inundated by the water of the creek, resulting in erosion (scour), sediment build-up, and loss of use in high water events. Sections of the trail share a common and narrow easement with a county sanitary sewer. The county elected to relocate the trail away from the sewer in those areas. The footprint of a proposed new parkway impacted the trail at one section, requiring relocation design. The scope of work addressed all the existing issues, with contract documents for both an immediate rehabilitation of the trail section with the most badly damaged lengths of boardwalk and a second contract for relocation onto new alignment.

Theodore was responsible for the design of the boardwalk. He coordinated with the geotechnical engineering team for development of all foundation solutions. He led the boardwalk design team, providing technical direction and oversight, and he took responsibility for completion of the design and production of the drawings. He ensured quality control efforts were maintained in accordance with the QA Plan.





## Collin Lane

**Project Role:** Lead Environmental

**Education:** Master of Science, Science/Soil and Waters Science, University of Florida, 2002  
Bachelor of Science, Biology, Michigan Presbyterian, 1999

**Years of Experience:** 23

**Years with EPEI:** 14

**Registration:** GA Professional Engineer #32267

**Certifications:**

- Watershed Hydrology Consultants for the Georgia Department of Transportation
- Soil Science Society of Georgia

Collin currently serves as the Assistant Ecology Group Manager for Edwards-Pitman. Collin has 23 years of experience and is responsible for the delineation of wetland and non-wetland waters of the United States, writing ecological reports, conducting biological assessments for threatened and endangered species, development and submittal of Section 404 Nationwide and Individual Permit applications, and construction monitoring in protected species habitats. He is also responsible for the preparation of natural resource sections of NEPA and GEPA environmental documents and accompanying graphics and tables. Collin oversees a staff of thirteen ecologists on projects large and small.



**Relevant Experience:**

- **GDOT PDP Certified**
- **Knowledgeable about all environmental permitting requirements for transportation improvement project**
- **Experienced in NEPA/GEPA documentation**

### SPECIFIC EXPERIENCE

**Lead Environmental for I-75 Managed Lanes, Georgia Department of Transportation, Henry and Clayton County, GA.** Collin led a team of ecologists in completing the delineation of wetlands and streams along a 17-mile corridor for the proposed project, performed threatened and endangered species studies, and prepared all ecology reporting on behalf of GDOT. Additionally, on behalf of GDOT, completed reviews of the USACE Section 404 permits and GAEPD stream buffer variances prepared by the design-build team. All permits were successfully acquired from the agencies.

**Lead Environmental for SR 140 over Little River Bridge Replacement Project, Cherokee and Fulton County, GA.** Collin conducted field surveys for threatened and endangered species and field delineated waters of the US and state waters. Produced an Ecology Addendum, coordinated with the US Fish and Wildlife Service (USFWS) on Informal Section 7 for federally protected species impacts, and acquired a USACE Nationwide Permit 14 for impacts to waters of the US.

**Lead Environmental for Mark Clark Expressway Extension, Charleston, SC.** Collin led a team of ecologists in delineating waters of the US and conducting threatened and endangered species surveys on the proposed 7.5-mile extension of the Mark Clark Expressway and approximately 2 miles of adjacent side roads. Completed an Approved Jurisdictional Determination under the April 2020 Navigable Waters Protection Rule for the project, a draft Essential Fish Habitat Assessment, a draft Section 7 update technical memorandum, and a draft USACE Individual Permit. Work is ongoing with this project.

**Lead Environmental for S-164/Batesville Road Widening, South Carolina Department of Transportation, Greenville County, SC.** Collin prepared a US Army Corps of Engineers (USACE) Section 404 Nationwide Permit 14 and Impact Assessment Form on behalf of SCDOT.

**Lead Environmental for SR 404 Spur/US 17 over the Back River, Chatham County, GA and Jasper County, SC.** Collin field delineated waters of the US, prepared a US Army Corps of Engineers (USACE) Section 404 Individual Permit, South Carolina Critical Area Permit, coordinated with Georgia Environmental Protection Division (GAEPD) – Coastal Resource Division on delineation of the Marsh Jurisdiction Line, and prepared a GAEPD Stream Buffer Variance.



**Lead Environmental for US 21 Bridge over Harbor River, Beaufort County SC.** Collin evaluated Essential Fish Habitat (EFH) around the US 21 Bridge over the Harbor River. Field surveyed existing conditions, conducted background research, and coordinated with the design engineers (HDR) and SC Department of Transportation. Prepared an EFH Assessment detailing existing habitat and its quality, proposed construction, analysis of potential adverse effects from the project to EFH and managed species, and conducted an in-depth analysis to develop avoidance, minimization, and mitigation measures as appropriate.

## GDOT Area Class Pre-Qualification

		BCC Engineering, LLC d/b/a Heath & Lineback	Edwards-Pitman Environmental	Perez Planning + Design	Wi-Skies, LLC	CERM
Expiration Date		1/11/25	1/12/26	9/14/24	2/13/26	6/15/23 (new quals under review by GDOT)
DBE		No	No	Yes	No	Yes
<b>Prime Consultant</b>						
3.13	Facilities for Bicycles and Pedestrians	X				
<b>The Team</b>						
3.10	Utility Coordination	X	Edwards-Pitman will provide any environmental permitting	PP+D will provide Quality Management		
3.12	Hydraulic and Hydrological Studies (Roadway)	X				
3.13	Facilities for Bicycles and Pedestrians	X				
3.15	Highway Lighting				X	
4.01(a)	Minor Bridge Design	X				
5.01	Land Surveying					X
5.02	Engineering Surveying					X
9.01	Erosion, Sedimentation, and Pollution Control Plan	X				

## 6. Proposed Project Manager

Patrick Peters, PE, LEED Green Associate, will serve as Project Manager.

## 7. Primary Point of Contact

Patrick Peters, PE, LEED Green Associate, will be the primary point of contact for the City.





## 8. Insurance

Client#: 97058		BCCENGIN		DATE (MM/DD/YYYY) 11/02/2022		
<b>ACORD<sup>TM</sup></b>		<b>CERTIFICATE OF LIABILITY INSURANCE</b>				
<p>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.</p> <p>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 any rights to the certificate holder in lieu of such endorsement(s).</p>						
<b>PRODUCER</b> Greyling Ins. Brokerage/EPIC 3780 Mansell Road, Suite 370 Alpharetta, GA 30022		<b>CONTACT NAME:</b> Carly Underwood <b>PHONE (A/C, No, Ext):</b> 770.670.5324 <b>FAX (A/C, No):</b> 770.670.5324 <b>E-MAIL ADDRESS:</b> carly.underwood@greyling.com				
<b>INSURED</b> BCC Engineering, LLC, dba Heath & Lineback 2390 Canton Rd. Bldg 200 Marietta, GA 30066		<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>		
		INSURER A : The Continental Insurance Company		35289		
		INSURER B : Valley Forge Insurance Co		20508		
		INSURER C : Transportation Insurance Co		20494		
		INSURER D : Endurance American Specialty Ins. Co		41718		
		INSURER E : National Fire Insurance Co of Hartford		20478		
		INSURER F :				
<b>COVERAGES</b> <b>CERTIFICATE NUMBER: 22-23</b> <b>REVISION NUMBER:</b>						
<p>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.</p>						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR 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 checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:		7034261643	08/14/2022	08/14/2023	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG \$ \$
E	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		7034261688	08/14/2022	08/14/2023	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED. <input checked="" type="checkbox"/> RETENTION \$10,000		7034261707	08/14/2022	08/14/2023	EACH OCCURRENCE AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	7034261657 (AOS) 7034261660 (CA)	08/14/2022	08/14/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT
C						
D	Professional Liab incl. Pollution		DPL30023540700	08/14/2022	08/14/2023	Per Claim \$2,000,000 Aggregate \$2,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)						
<b>CERTIFICATE HOLDER</b>				<b>CANCELLATION</b>		
Sample Certificate				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 		

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## 9. References

References provided previously in Section 3 – Table 1.

### Specific Qualifications

**H&L** will use our headquarters office in Marietta, Georgia as the primary office for the management and technical design of this project. The office is well located with regard to the City offices and project site, making coordination and communication among the team simplified and efficient.

Our proposed project manager has been managing, leading, and designing shared use-path projects across Georgia for the past 15 years through a variety of funding sources and client types – including several in DeKalb County (Brookhaven, Tucker, Chamblee). More detail is provided within Patrick’s resume.

Our Active Transportation Division was established several years ago to focus entirely on projects such as this creekside greenway. Our project managers, lead designers, and support staff in this division work only on non-vehicular projects, bikeways, greenways, sidewalk, and trail projects. As such, we are experts in understanding and applying all current design criteria such as FHWA Polices, GDOT Design Guides, AASHTO Design Guides, NACTO Design Guides, MUTCD, and additional supplemental guides that can add value to the project (City of Boulder, Colorado Mid-block crossing guide and the CROW Manual developed by The Netherlands). We believe this makes us uniquely qualified for the City’s project and to build off the previously completed concept. Our division’s focus is primarily projects for local municipal clients, and we are nimble and flexible enough to drive the schedules of each based on funding types and project constraints. For example, a federally funded project requires heavy GDOT coordination and approval to navigate the PDP correctly. A locally funded project such as this one can focus on key project schedule elements to greatly reduce the speed of completion (e.g., focus on establishing the impacts from a detailed concept to get right-of-way negotiations started as closely to NTP as possible).

We have significant experience with state and local stream and river buffer requirements. We have completed greenways along creeks and rivers for Fayette County, Marietta, Sandy Springs, Atlanta, Bulloch County, Roswell, Columbus, Woodstock, Cobb County, **DeKalb County, Chamblee, and Brookhaven**. These projects consisted of local permitting and stream buffer variance completion, state stream buffer variance through EPD, and some also included USACOE Nationwide 404 permitting and the approval of a Conditional Letter of Map Revision (CLOMR) through FEAM.

**Managing Project Scope, Schedule, and Budget** - It is incumbent upon us to seek cost savings and best value in our design and to keep all team members and stakeholders aware of the project benefits as the concept is developed. Our design will adhere to the budget and schedule. We will look at every aspect of the design to determine where cost savings can be implemented without sacrificing safety, functionality, or the project’s stated benefits. We believe in determining a realistic cost early in the project development as a combination of design, construction, right of way, utility relocation, and mitigation, with consideration of construction methods, approach, and schedule. We monitor this estimate regularly as the project is developed.

**Conducting Public Information Meetings and Communicating With Citizens** - Our team has learned over decades of trail projects that everyone loves trails, except when they are located next to their homes! Organized opposition to the trail will appear. However, there are three key strategies our team implements on trail projects to help gain the support needed to move the project forward:

- 1) personal coordination and transparent communication early and throughout the process through one-on-one meetings
  - 2) frequent communication with key stakeholders and elected officials
  - 3) frequent communication with concerned residents in the form of emails, phone calls, and newsletters.
- Our team completed multiple rounds of one-on-one meetings with concerned neighbors for several trail projects (PATH400, Noonday Creek Trail Extension, Peachtree Creek Greenway, etc.). During the first round of meetings, we actively listened to resident concerns and walked the corridor with them to understand their point of view.





We then returned to show them how we were addressing their concerns – many times using photo-realistic proposed condition perspectives to show residents what the improvements would look like and how they would relate to their homes. For many, this was enough to manage their opposition, which helped us obtain the support we needed to complete the project. In our public engagement process, we frequently updated the Council Member responsible for the district in which the trail was being built. This helped them confirm truths and debunk misinformation that emerged throughout the process and ultimately led to full support of the project.

## Work Quality and Cost Control

***“QUALITY STANDS BEHIND EVERYTHING WE DO” IS OUR BOLD PROMISE, BACKED BY OUR 10-POINT STANDARD OF CARE THAT OUTLINES OUR COMPANY VALUES.*** Our Standard of Care document was developed by our employees. It is a component of our Quality Engineering Method (QEM), and all employees are educated on its importance. It’s what we believe in and strive for in every project.

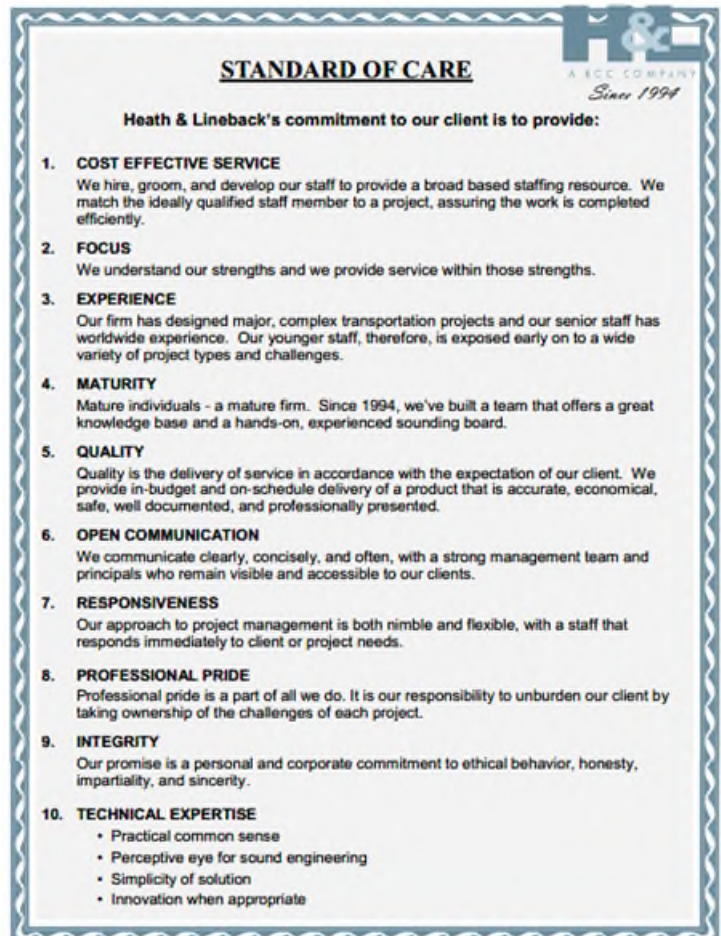
As **Project Manager, Patrick Peters** is responsible for ensuring the quality of the project and achieving the promised scope, schedule, and budget. He will prepare, monitor, and manage by a project specific Quality Management Plan (QMP), initiate Quality Management Team (QMT) meetings, and ensure that each deliverable passes through our QC/QA process, which includes multi-level reviews.

Patrick has 16 years of experience in delivering transportation projects in Georgia. He is committed to working in partnership with his clients to ensure an on-time, in-budget project that meets the client’s needs. He will maintain the schedule, monitor the scope, and meet the budget. Patrick will keep the City, any subconsultants, and project team members up to date with regular status reports and milestone progress.

The City of Tucker deserves an aggressive approach to scheduling the work effort and delivering the final products – and the work product should be legible, adequately detailed, and accurately drawn. It is our intention to meet these goals by adhering to a solid QC/QA plan.

**Quality Assurance** begins with the Principal ensuring that:

- the project is assigned to the appropriate individual or team
- the individual or team is properly briefed on the scope and expectations
- the work effort is monitored for budget and schedule control
- the QC/QA team overviews the effort early enough to correct misassumptions or oversights without jeopardizing the schedule
- the design team completes and documents a formal internal QC effort
- the QC/QA team completes an independent quality review, including formal peer review, if deemed appropriate





Allen Krivsky, as Principal, will also establish formal requirements for documentation to be prepared by the Project Manager, Patrick Peters, before beginning the task. This will include:

- Quality Control Plan
- Project Management Plan
- Design Data Book Requirements
- Schedule, including milestones and task completion matrix

We require that Patrick Peters, in his role as Project Manager, maintain a log documenting regular coordination with the City of Tucker contacts and with other stakeholders, as necessary. We also require that the design team review and become familiar with the available information and the project before the design begins.

**Quality Control** is the detailed 'line-by-line' checking of design reports, sketches, details, drawings, and documents prior to their being issued from the design office. Patrick will ensure that an independent engineer reviews each work product and that the reviewer is appropriate to the task. If an effective QA program has been maintained, the QC task is not overwhelming.

**Quality Management Team (QMT)** - The Quality Management Team will provide overview of all Quality Control and Quality Assurance efforts and supplement with peer review, where justified. This extends to oversight of the QC/QA efforts of our entire team, including all subs, so that we, as Prime, can stand behind the project as delivered.

**Our Project Manager, Patrick Peters, is responsible for ensuring all elements of resource management are instilled throughout the team.** We help our subconsultants excel by collaborating with them during work task scoping so that they fully understand the task and by communicating with them regularly as the work evolves. We require written documentation of their individual Work Management Plan, and the Contract Management Plan sets common team expectations for standard of performance – for contracting, invoicing, and reporting, as well as for technical quality.

Our Principal-In-Charge, Allen Krivsky, is responsible for ensuring adequate resources are available to provide on-time delivery of each work task. The overall effort is one of 'lean business', where our senior management focuses on ensuring that we spend more energy on producing value and less on wasted, redundant, or repeat effort.

## Financial

BCC Engineering, LLC d/b/a Heath & Lineback will be sending a separate email with our financial information.





# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>BCC Engineering LLC; d/b/a Heath &amp; Lineback</b>	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <b>C</b> <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. <b>6401 SW 87th Ave Suite#200</b>	Requester's name and address (optional)
	6 City, state, and ZIP code <b>Miami, FL 33173</b>	
	7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-			-		
or								
Employer identification number								
6	5	-	0	5	4	0	1	0

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

Date ►

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



## Contact Information Form

Please fill out this sheet with the appropriate contact information for your company.

Full Legal Name of Company: BCC Engineering, LLC d/b/a Heath & Lineback

Contractor Information:

Primary Contact Person: Patrick Peters, PE

Title: Director of Active Transportation Telephone Number: 770-424-1668

Secondary Contact Person: Patrick James, PE

Title: Active Transportation Group Leader Telephone Number: 770-424-1668

Address: 2390 Canton Road, Bldg. 200

City / State / Zip: Marietta, GA 30066

Mailing Address (If different than above): \_\_\_\_\_


City / State / Zip: \_\_\_\_\_

E-mail Address: ppeters@heath-lineback.com

Federal Employee ID Number (FEIN): 65-0540100

**STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION**  
**NOTICE OF PROFESSIONAL CONSULTANT QUALIFICATION**


You are qualified to provide Consulting Services to the Department of Transportation for the  
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NAME AND ADDRESS		DISPOSITION DATE	EXPIRATION DATE
BCC Engineering, LLC dba Heath & Lineback 6401 SW 87th Avenue, Suite 200, Miami, FL 33173		November 3, 2022	January 11, 2025
SIGNATURE			
			
<b>1. Transportation Planning</b> <input checked="" type="checkbox"/> 1.01 State Wide Systems Planning <input checked="" type="checkbox"/> 1.02 Urban Area and Regional Transportation Planning <input type="checkbox"/> 1.03 Aviation Systems Planning <input type="checkbox"/> 1.04 Mass and Rapid Transportation Planning  <input type="checkbox"/> 1.05 Alternate System and Corridor Location Planning <input type="checkbox"/> 1.06 Unknown <input type="checkbox"/> 1.06a NEPA Documentation <input type="checkbox"/> 1.06b History <input type="checkbox"/> 1.06c Air Studies <input type="checkbox"/> 1.06d Noise Studies <input type="checkbox"/> 1.06e Ecology <input type="checkbox"/> 1.06f Archaeology <input type="checkbox"/> 1.06g Freshwater Aquatic Surveys  <input type="checkbox"/> 1.06h Bat Surveys <input type="checkbox"/> 1.07 Attitude, Opinion and Community Value Studies <input type="checkbox"/> 1.08 Airport Master Planning <input checked="" type="checkbox"/> 1.09 Location Studies <input checked="" type="checkbox"/> 1.10 Traffic Studies <input type="checkbox"/> 1.11 Traffic and Toll Revenue Studies <input type="checkbox"/> 1.12 Major Investment Studies <input type="checkbox"/> 1.13 Non-Motorized Transportation Planning		<b>3. Highway Design Roadway (continued)</b> <input checked="" type="checkbox"/> 3.09 Traffic Control System Analysis, Design and Implementation <input checked="" type="checkbox"/> 3.10 Utility Coordination <input type="checkbox"/> 3.11 Architecture  <input checked="" type="checkbox"/> 3.12 Hydraulic and Hydrological Studies (Roadway) <input checked="" type="checkbox"/> 3.13 Facilities for Bicycles and Pedestrians <input type="checkbox"/> 3.14 Historic Rehabilitation <input type="checkbox"/> 3.15 Highway Lighting <input type="checkbox"/> 3.16 Value Engineering <input checked="" type="checkbox"/> 3.17 Design of Toll Facilities Infrastructure	
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NAME AND ADDRESS		DISPOSITION DATE	EXPIRATION DATE
EDWARDS-PITMAN ENVIRONMENTAL, INC. 2700 CUMBERLAND PARKWAY, Suite 300 ATLANTA, GA 30339		February 1, 2023	January 12, 2026
SIGNATURE			
			
<b>1. Transportation Planning</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1.01 State Wide Systems Planning</li> <li><input type="checkbox"/> 1.02 Urban Area and Regional Transportation Planning</li> <li><input type="checkbox"/> 1.03 Aviation Systems Planning</li> <li><input type="checkbox"/> 1.04 Mass and Rapid Transportation Planning</li> <li><input type="checkbox"/> 1.05 Alternate System and Corridor Location Planning</li> <li><input type="checkbox"/> 1.06 Unknown</li> <li><input checked="" type="checkbox"/> 1.06a NEPA Documentation</li> <li><input checked="" type="checkbox"/> 1.06b History</li> <li><input checked="" type="checkbox"/> 1.06c Air Studies</li> <li><input checked="" type="checkbox"/> 1.06d Noise Studies</li> <li><input checked="" type="checkbox"/> 1.06e Ecology</li> <li><input checked="" type="checkbox"/> 1.06f Archaeology</li> <li><input checked="" type="checkbox"/> 1.06g Freshwater Aquatic Surveys</li> <li><input type="checkbox"/> 1.06h Bat Surveys</li> <li><input checked="" type="checkbox"/> 1.07 Attitude, Opinion and Community Value Studies</li> <li><input type="checkbox"/> 1.08 Airport Master Planning</li> <li><input type="checkbox"/> 1.09 Location Studies</li> <li><input type="checkbox"/> 1.10 Traffic Studies</li> <li><input type="checkbox"/> 1.11 Traffic and Toll Revenue Studies</li> <li><input type="checkbox"/> 1.12 Major Investment Studies</li> <li><input type="checkbox"/> 1.13 Non-Motorized Transportation Planning</li> </ul>	<b>3. Highway Design Roadway (continued)</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 3.09 Traffic Control System Analysis, Design and Implementation</li> <li><input type="checkbox"/> 3.10 Utility Coordination</li> <li><input type="checkbox"/> 3.11 Architecture</li> <li><input type="checkbox"/> 3.12 Hydraulic and Hydrological Studies (Roadway)</li> <li><input type="checkbox"/> 3.13 Facilities for Bicycles and Pedestrians</li> <li><input type="checkbox"/> 3.14 Historic Rehabilitation</li> <li><input type="checkbox"/> 3.15 Highway Lighting</li> <li><input type="checkbox"/> 3.16 Value Engineering</li> <li><input type="checkbox"/> 3.17 Design of Toll Facilities Infrastructure</li> </ul>		
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	<b>6. Soils, Foundation &amp; Materials Testing</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 6.01a Soil Surveys</li> <li><input type="checkbox"/> 6.01b Geological and Geophysical Studies</li> <li><input type="checkbox"/> 6.02 Bridge Foundation Studies</li> <li><input type="checkbox"/> 6.03 Hydraulic and Hydrological Studies (Soils and Foundation)</li> <li><input type="checkbox"/> 6.04a Laboratory Materials Testing</li> <li><input type="checkbox"/> 6.04b Field Testing of Roadway Construction Materials</li> <li><input type="checkbox"/> 6.05 Hazard Waste Site Assessment Studies</li> </ul>		
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NAME AND ADDRESS		DISPOSITION DATE	EXPIRATION DATE	
PEREZ PLANNING + DESIGN, LLC 878 PEACHTREE STREET NE, SUITE 827 ATLANTA, GA 30309		September 9, 2021	September 14, 2024	
SIGNATURE				
				
<b>1. Transportation Planning</b> <input type="checkbox"/> 1.01 State Wide Systems Planning <input type="checkbox"/> 1.02 Urban Area and Regional Transportation Planning <input type="checkbox"/> 1.03 Aviation Systems Planning <input type="checkbox"/> 1.04 Mass and Rapid Transportation Planning  <input type="checkbox"/> 1.05 Alternate System and Corridor Location Planning <input type="checkbox"/> 1.06 Unknown <input type="checkbox"/> 1.06a NEPA Documentation <input type="checkbox"/> 1.06b History <input type="checkbox"/> 1.06c Air Studies <input type="checkbox"/> 1.06d Noise Studies <input type="checkbox"/> 1.06e Ecology <input type="checkbox"/> 1.06f Archaeology <input type="checkbox"/> 1.06g Freshwater Aquatic Surveys  <input type="checkbox"/> 1.06h Bat Surveys <input type="checkbox"/> 1.07 Attitude, Opinion and Community Value Studies <input type="checkbox"/> 1.08 Airport Master Planning <input type="checkbox"/> 1.09 Location Studies <input type="checkbox"/> 1.10 Traffic Studies <input type="checkbox"/> 1.11 Traffic and Toll Revenue Studies <input type="checkbox"/> 1.12 Major Investment Studies <input type="checkbox"/> 1.13 Non-Motorized Transportation Planning	<b>3. Highway Design Roadway (continued)</b> <input type="checkbox"/> 3.09 Traffic Control System Analysis, Design and Implementation <input type="checkbox"/> 3.10 Utility Coordination <input type="checkbox"/> 3.11 Architecture  <input type="checkbox"/> 3.12 Hydraulic and Hydrological Studies (Roadway) <input checked="" type="checkbox"/> 3.13 Facilities for Bicycles and Pedestrians <input type="checkbox"/> 3.14 Historic Rehabilitation <input type="checkbox"/> 3.15 Highway Lighting <input type="checkbox"/> 3.16 Value Engineering <input type="checkbox"/> 3.17 Design of Toll Facilities Infrastructure			
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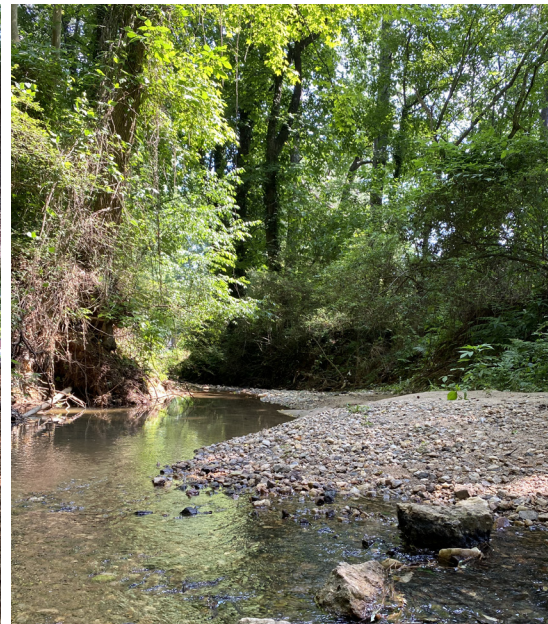
NAME AND ADDRESS		DISPOSITION DATE	EXPIRATION DATE
WI-SKIES, LLC 884 Elliott Road, dawsonville, GA 30534		February 9, 2023	February 13, 2026
<b>SIGNATURE</b> 			
<b>1. Transportation Planning</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1.01 State Wide Systems Planning</li> <li><input type="checkbox"/> 1.02 Urban Area and Regional Transportation Planning</li> <li><input type="checkbox"/> 1.03 Aviation Systems Planning</li> <li><input type="checkbox"/> 1.04 Mass and Rapid Transportation Planning</li> <li><input type="checkbox"/> 1.05 Alternate System and Corridor Location Planning</li> <li><input type="checkbox"/> 1.06 Unknown</li> <li><input type="checkbox"/> 1.06a NEPA Documentation</li> <li><input type="checkbox"/> 1.06b History</li> <li><input type="checkbox"/> 1.06c Air Studies</li> <li><input type="checkbox"/> 1.06d Noise Studies</li> <li><input type="checkbox"/> 1.06e Ecology</li> <li><input type="checkbox"/> 1.06f Archaeology</li> <li><input type="checkbox"/> 1.06g Freshwater Aquatic Surveys</li> <li><input type="checkbox"/> 1.06h Bat Surveys</li> <li><input type="checkbox"/> 1.07 Attitude, Opinion and Community Value Studies</li> <li><input type="checkbox"/> 1.08 Airport Master Planning</li> <li><input type="checkbox"/> 1.09 Location Studies</li> <li><input type="checkbox"/> 1.10 Traffic Studies</li> <li><input type="checkbox"/> 1.11 Traffic and Toll Revenue Studies</li> <li><input type="checkbox"/> 1.12 Major Investment Studies</li> <li><input type="checkbox"/> 1.13 Non-Motorized Transportation Planning</li> </ul>	<b>3. Highway Design Roadway (continued)</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 3.09 Traffic Control System Analysis, Design and Implementation</li> <li><input type="checkbox"/> 3.10 Utility Coordination</li> <li><input type="checkbox"/> 3.11 Architecture</li> <li><input type="checkbox"/> 3.12 Hydraulic and Hydrological Studies (Roadway)</li> <li><input type="checkbox"/> 3.13 Facilities for Bicycles and Pedestrians</li> <li><input type="checkbox"/> 3.14 Historic Rehabilitation</li> <li><input checked="" type="checkbox"/> 3.15 Highway Lighting</li> <li><input type="checkbox"/> 3.16 Value Engineering</li> <li><input type="checkbox"/> 3.17 Design of Toll Facilities Infrastructure</li> </ul>		
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NAME AND ADDRESS		DISPOSITION DATE	EXPIRATION DATE
CORPORATE ENV RISK MGT, LLC. (CERM, LLC) 1990 LAKESIDE PARKWAY, SUITE 300 TUCKER, GA 30084		February 10, 2022	June 15, 2023
SIGNATURE			
			
<b>1. Transportation Planning</b> <input type="checkbox"/> 1.01 State Wide Systems Planning <input type="checkbox"/> 1.02 Urban Area and Regional Transportation Planning <input type="checkbox"/> 1.03 Aviation Systems Planning <input type="checkbox"/> 1.04 Mass and Rapid Transportation Planning  <input type="checkbox"/> 1.05 Alternate System and Corridor Location Planning <input type="checkbox"/> 1.06 Unknown <input checked="" type="checkbox"/> 1.06a NEPA Documentation <input type="checkbox"/> 1.06b History <input type="checkbox"/> 1.06c Air Studies <input type="checkbox"/> 1.06d Noise Studies <input type="checkbox"/> 1.06e Ecology <input type="checkbox"/> 1.06f Archaeology <input type="checkbox"/> 1.06g Freshwater Aquatic Surveys  <input type="checkbox"/> 1.06h Bat Surveys <input checked="" type="checkbox"/> 1.07 Attitude, Opinion and Community Value Studies <input type="checkbox"/> 1.08 Airport Master Planning <input type="checkbox"/> 1.09 Location Studies <input type="checkbox"/> 1.10 Traffic Studies <input type="checkbox"/> 1.11 Traffic and Toll Revenue Studies <input type="checkbox"/> 1.12 Major Investment Studies <input type="checkbox"/> 1.13 Non-Motorized Transportation Planning		<b>3. Highway Design Roadway (continued)</b> <input type="checkbox"/> 3.09 Traffic Control System Analysis, Design and Implementation <input checked="" type="checkbox"/> 3.10 Utility Coordination <input type="checkbox"/> 3.11 Architecture  <input checked="" type="checkbox"/> 3.12 Hydraulic and Hydrological Studies (Roadway) <input checked="" type="checkbox"/> 3.13 Facilities for Bicycles and Pedestrians <input type="checkbox"/> 3.14 Historic Rehabilitation <input type="checkbox"/> 3.15 Highway Lighting <input type="checkbox"/> 3.16 Value Engineering <input type="checkbox"/> 3.17 Design of Toll Facilities Infrastructure	
		<b>4. Highway Structures</b> <input type="checkbox"/> 4.01a Minor Bridges Design <input type="checkbox"/> 4.01b Minor Bridges Design CONDITIONAL <input type="checkbox"/> 4.02 Major Bridges Design <input type="checkbox"/> 4.03 Movable Span Bridges Design <input type="checkbox"/> 4.04 Hydraulic and Hydrological Studies (Bridges) <input checked="" type="checkbox"/> 4.05 Bridge Inspection	
		<b>5. Topography</b> <input checked="" type="checkbox"/> 5.01 Land Surveying <input checked="" type="checkbox"/> 5.02 Engineering Surveying <input checked="" type="checkbox"/> 5.03 Geodetic Surveying <input type="checkbox"/> 5.04a Aerial Photography/Conventional Aircraft <input type="checkbox"/> 5.04b Aerial Photography Unmanned Aircraft System (UAS) Concept Grade <input type="checkbox"/> 5.04c Aerial Photography Unmanned Aircraft System (UAS) Design Grade <input type="checkbox"/> 5.05 Aerial Photogrammetry <input type="checkbox"/> 5.06a Topographic Remote Sensing (LIDAR) (Conventional Aircraft, Terrestrial Sensors and Mobile Vehicle, Boat, or Rail Units) (Design Grade) <input type="checkbox"/> 5.06b Topographic Remote Sensing (Unmanned Aircraft Systems LIDAR) (Design Grade) <input type="checkbox"/> 5.06c Topographic Remote Sensing (Unmanned Aircraft Systems LIDAR) (Concept Grade) <input type="checkbox"/> 5.06d Topographic Remote Sensing (SONAR) <input type="checkbox"/> 5.06e Topographic Remote Sensing Thermal and Infrared <input checked="" type="checkbox"/> 5.07 Cartography <input type="checkbox"/> 5.08 Subsurface Utility Engineering	
<b>2 Mass Transit Operations</b> <input type="checkbox"/> 2.01 Mass Transit Program (Systems) Management <input type="checkbox"/> 2.02 Mass Transit Feasibility and Technical Studies <input type="checkbox"/> 2.03 Mass Transit Vehicle and Propulsion System <input type="checkbox"/> 2.04 Mass Transit Controls, Communications and Information Systems <input type="checkbox"/> 2.05 Mass Transit Architectural Engineering <input type="checkbox"/> 2.06 Mass Transit Unique Structures <input type="checkbox"/> 2.07 Mass Transit Electrical and Mechanical Systems <input type="checkbox"/> 2.08 Mass Transit Operations Management and Support Services <input type="checkbox"/> 2.09 Aviation <input type="checkbox"/> 2.10 Mass Transit Program (Systems) Marketing		<b>6. Soils, Foundation &amp; Materials Testing</b> <input checked="" type="checkbox"/> 6.01a Soil Surveys <input type="checkbox"/> 6.01b Geological and Geophysical Studies <input checked="" type="checkbox"/> 6.02 Bridge Foundation Studies <input type="checkbox"/> 6.03 Hydraulic and Hydrological Studies (Soils and Foundation) <input type="checkbox"/> 6.04a Laboratory Materials Testing <input type="checkbox"/> 6.04b Field Testing of Roadway Construction Materials <input checked="" type="checkbox"/> 6.05 Hazard Waste Site Assessment Studies	
<b>3 Highway Design Roadway</b> <input checked="" type="checkbox"/> 3.01 Two-Lane or Multi-Lane Rural Generally Free Access Highway Design <input checked="" type="checkbox"/> 3.02 Two-Lane or multi-Lane with Curb and Gutter Generally Free Access Highways Design Including Storm Sewers <input type="checkbox"/> 3.03 Two-Lane or Multi-Lane Widening and Reconstruction, with Curb and Gutter and Storm Sewers in Heavily Developed Commercial Industrial and Residential Urban Areas <input type="checkbox"/> 3.04 Multi-Lane, Limited Access Expressway Type Highway Design <input type="checkbox"/> 3.05 Design of Urban Expressway and Interstate <input type="checkbox"/> 3.06 Traffic Operations Studies <input type="checkbox"/> 3.07 Traffic Operations Design <input type="checkbox"/> 3.08 Landscape Architecture		<b>8. Construction</b> <input checked="" type="checkbox"/> 8.01 Construction Supervision <input type="checkbox"/> 8.02 Airport Construction Administration and Observation	
		<b>9. Erosion and Sedimentation Control</b> <input checked="" type="checkbox"/> 9.01 Erosion, Sedimentation, and Pollution Control and Comprehensive Monitoring Program <input type="checkbox"/> 9.02 Rainfall and Runoff Reporting <input type="checkbox"/> 9.03 Field Inspections for Compliance of Erosion and Sedimentation Control Devices Installations	





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JUST GOT EASIER™**



# Heath & Lineback

2390 CANTON ROAD ▪ BUILDING 200 ▪ MARIETTA, GEORGIA 30066-5393  
hle@heath-lineback.com ▪ phone (770) 424-1668

August 4, 2023

Mr. Ken Hildebrandt, PE, PTOE  
City Engineer  
City of Tucker  
1975 Lakeside Pkwy  
Suite 350  
Tucker, GA 30084

**REF: SCOPE AND FEE PROPOSAL**  
**South Fork Peachtree Greenway Engineering Design Services**

Dear Mr. Hildebrandt,

We are excited about the opportunity to collaborate with the City of Tucker, Tucker-Northlake CID, key stakeholders and its residents. With this letter, we submit our fee proposal to provide design and permitting based on the attached scope and referenced project.

We understand from the provided concept plans that this project is a 10-foot wide paved multi-use trail with limits from the intersection of Lawrenceville Highway at Idlewood Road, running parallel to the creek, and terminating at Peters Park for an approximate length of 8,000 linear feet based on a previous concept study.

The H&L Team has a comprehensive and proven approach for completing trail design. In fact, our Team has planned and designed over 200 miles of trails, with a total construction value of \$350 million. Our Team's approach is grounded in a time-tested and proven approach to thoughtful, creative, compelling, yet implementable trails.

**Project Scope Assumptions:**

1. The trail will be designed per the concept plans provided by the City. This scope includes all spurs but replaces the bridge connection to the school with a sidewalk/side-path connection to eliminate the first bridge shown on the concept.
2. Any required walls will be standard designed and will not require geotechnical work. A total of four (4) walls are included.
3. No soil survey is required.
4. Lighting is required.
5. Cameras at major access points are required.
6. A stream buffer variance will be required.
7. A 'no-rise' hydraulic study is required but not a FEMA CLOMR.
8. No SUE or test holes are required.
9. Only one public meeting is included.



## Detailed Line by Line Scope of Work by Phase

### 1. Task 1: Concept Validation

- a. Prepare a Concept Layout (based on the KAIZEN concept) and typical sections for the project based on the existing conditions, technical analysis, and previous public involvement. Specific elements shall include:
  - i. Validate the KAIZEN concept layouts, profiles, cross sections, and typical sections for each segment of the trail
  - ii. Concept location for potential storm water management features
  - iii. Evaluation of potential environmental impacts
  - iv. Preliminary review of ROW, utility, and cost estimates.

### 2. Task 2: Database Preparation

- a. Prepare topographic and property survey in accordance with GDOT Automated Survey Manual. The selected consultant would be responsible for producing surveys to provide appropriate field information to produce easement, right-of-way, and construction drawings. The survey information should extend 10 to 20 feet beyond the public right-of-way and/or required easements. The survey corridor along the trail will be 40' wide and determined based on a field walk with the project team – including the City. The following survey items are anticipated to be included in the scope of work:
  - i. Provide spot elevations at centerline of trail, centerline of road, top and bottom of curb, face of building (where applicable) every 50 feet along the length of each street.
  - ii. Provide property lines and rights of ways (including roadways and swales within ROW).
  - iii. Provide boundary lines between adjoining properties and identification of owners, including name, mailing address, and phone number.
  - iv. Provide spot elevations at corner face of building and parking lot at each cross street and at each curb cut (handicap ramps, driveways, etc.).
  - v. Provide exact location of existing striped centerline of street, location, and width of each travel lane every 100' along the length of each street.
  - vi. Provide all above ground, built elements including but not limited to guard rails, headwall, light standard, fencing, location of existing overhead and freestanding signage structures, fences, other signage, fire hydrants, utility boxes, vault covers, manhole covers, etc.
  - vii. Field-verify as-built underground utility information.
  - viii. Provide location of all utilities including but not limited to drainage structures, storm and sanitary sewer, power and communications poles, gas lines, water lines, fire hydrants, etc.
  - ix. Provide same utility information on all private utility providers for gas, water, telephone, cable, etc. The surveyor is responsible for acquiring both private and public utility information and shall coordinate getting this information from private agencies.
  - x. Provide existing rim and invert elevations of storm drainage system and catch basins.
  - xi. Identify type of material in all storm drain lines.
  - xii. Within the trail area, provide location for all existing horizontal or vertical elements located in existing sidewalk areas including but not limited to subterranean vaults, surface grates, light poles, telephone poles, disused sign, pole or other exposed footings and anchors, historic features, or any other existing elements.
  - xiii. Provide line of existing building, edge, alignment of building face along main and side streets. Include delineation of doorways, awnings, setbacks, or any other



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variation from building face along ROW. In addition, provide threshold spot elevation at all entrances to each building.

- xiv. Provide existing parking striping in all locations where parking is present, whether on public or private property.
- xv. Provide location of existing natural elements. Provide tree caliper (8" and above), species of existing trees, and edge of canopy of existing vegetation and existing major tree species.
- xvi. Provide all the above survey information in electronic data formatted to GDOT specifications. No reproducible plots will be required.
- xvii. The selected consultant will be responsible for developing right-of-way certification drawings for City Attorney review and approval. In addition, the design firm must provide drawings for all easements required, to include adjoining property boundaries, easement boundary and size in acres, and owner name, address, and phone number.
- xviii. Provide location of FEMA floodplain, state 25-foot undisturbed stream buffer, and City 50-foot undisturbed stream buffer.

### 3. Task 3: Environmental Permitting

- a. Prepare all necessary documentation for permits from the City (Land Disturbance Permit), Georgia Soil & Water Conservation Commission, Georgia EPD, DeKalb County Watershed Management, utility owners and others, as necessary.
  - i. Stream Buffer Variance.

### 4. Task 4: Preliminary Plans

- a. Prepare updates to the existing KAIZEN Concept. Facilitate associated meetings, submittals and approvals. Coordinate with project stakeholders including City of Tucker, Tucker-Northlake CID, and DeKalb County.
- b. Monthly invoicing
- c. Prepare preliminary design documents per the GDOT Electric Data Guidelines, including:
  - i. Plan, profile, cross sections, and special grading plans
  - ii. Trail and site hydrology & hydraulics, green infrastructure design and details
  - iii. Signing and marking plans
  - iv. Signal plans – 2 RRFB designs
  - v. Preliminary ROW plans.
  - vi. Erosion control and monitoring plans
  - vii. Landscape, tree protection and hardscape plans
  - viii. Lighting and security plans
  - ix. Bridge plans – three (3) pre-engineered bridges and two (2) elevated boardwalks (over S Fork Peachtree Creek)
  - x. Bridge hydraulics report (1) covering 3 bridge crossings over S Fork Peachtree Creek and trail located within FEMA floodplain (No-rise certification)
  - xi. Retaining wall layouts (4 standard walls)
  - xii. Prepare draft special provisions
  - xiii. Prepare detailed cost estimates of the work (construction, right-of-way, environmental mitigation and utilities).
  - xiv. Attend preliminary field plan review (PFPR). Address comments from City staff, Tucker- Northlake CID, and other parties.
  - xv. Prepare MS4 Report and Documentation.
  - xvi. Prepare all documentation and displays for public meetings.



- xvii. Prepare utility plans, including first utility submittal and coordinate with utility owners.

## 5. Task 5: Right-of-Way Plans

- a. Prepare right-of-way drawings and site-specific easement drawings describing the areas of permanent or temporary easements and the installations therein, suitable for recording, for each property fronting the Project Area for which an easement is necessary – either permanent or temporary/construction. A property-specific drawing will be required for each individual easement/parcel to be acquired.
  - i. Right-of-way plans (estimated 26 parcels)
  - ii. Right-of-way revisions
  - iii. Right-of-way staking (26 parcels)

## 6. Task 6: Final Plans

- a. Project Management and coordination over the duration of the contract including monthly status meetings with the City, and updated schedule, and construction cost estimate.
- b. Monthly invoicing
- c. Prepare final design documents and required documentation, including:
  - i. Plan, profile, cross sections or grading plan
  - ii. Trail and site hydrology & hydraulics, green infrastructure design and details
  - iii. Signing and marking plans
  - iv. Revised erosion control and monitoring plans
  - v. Landscape, tree protection and hardscape plans
  - vi. Lighting plans
  - vii. Bridge plans (three pre-engineered bridges and two elevated boardwalks)
  - viii. Incorporation of City's design standards into final design
  - ix. Signal plans (two Rectangular Rapid Flashing Beacons)
  - x. Retaining wall details (4 standard walls)
  - xi. Final cost estimates (construction, right-of-way, and utilities)
- d. Bridge Foundation Investigations (LRFD) – 3 bridges
- e. Attend final review meeting with City staff. Address comments from City staff, Tucker-Northlake Community Improvement District, and other parties.
- f. Finalize utility coordination, complete second submittal and relocation plans, and submit utility certification package.
- g. Prepare all necessary documents for approvals, including, but not limited to, final plans, specifications, special provisions, certification packages.

## 7. Task 7: Construction Services

- a. 7-day erosion inspection letter
- b. Responses to RFIs
- c. Review of shop drawings (bridges, railings, lighting, etc.)
- d. Revision of plans for use-on construction (60 total hours)

## 8. Task 8: Special Studies (Additional Services)

- a. Special Studies as/if required (200 additional hours) – requires prior authorization by City
- b. Section 404 Nationwide Permit.

## 9. Task 9: Public Involvement

- a. Attend monthly project meetings with City staff.
- b. Attend one (1) City Council Meeting.
- c. Attend one (1) public information meeting.
- d. Coordinate and moderate smaller stakeholder meetings as necessary (20 total included).



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**Deliverables:**

Final design plans, CAD files, and supporting documentation. These documents are including, but not limited to:

1. Survey database
2. Validated Concept (plans and cost estimates)
3. Preliminary Plans
  - a. Preliminary construction plans
  - b. MS4 Report
  - c. Preliminary Bridge Layouts – Pre-engineered bridges (3)
  - d. Bridge Hydraulic Study (no-rise certification only)
  - e. Cost estimates
  - f. Draft Special Provisions
4. Right-of-way Plans, Plats and Exhibits
5. Final Plans
  - a. Bridge Foundation Investigation (3)
  - b. Final Bridge Plans – Pre-engineered bridges (3)
  - c. Construction plans, specifications, cost estimates and certifications for let
  - d. All required permits (City, County, EPD, USACE)

**The total Lump Sum Fee is \$799,608.12.**

**Schedule as follows:**

1. Schedule to be coordinated with the City and project stakeholders – 18-month design schedule is anticipated

Sincerely yours,

**Heath & Lineback Engineers**

W. Allen Krivsky, P.E.  
Senior Vice President



City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Cost Summary

By Phase / Discipline / Firm

v Formula Pulls Firm Name from each Discipline Tab

Include a column for each discipline tab included in the pro  
Ensure formulas link to the corresponding discipline tab.

Phase	Phase Description	Total Fee	Heath & Lineback Engineers	0	Heath & Lineback Engineers	0	0	0	0	0
		Enter discipline provided by firm >>	Trail Design + Subconsultants	LA + Public Involvement	Bridge Design & Hydraulics	Traffic Operations	Environmental	Survey	Geotech	Lighting
	Totals	\$ 799,608.12	\$ 639,784.73	\$ -	\$ 159,823.39	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ 47,563.24	\$ 38,786.10		\$ 8,777.14					
2	Database Preparation	\$ 122,468.31	\$ 122,468.31		\$ -					
3	Environmental Permitting	\$ 24,929.89	\$ 24,929.89		\$ -					
4	Preliminary Plans	\$ 184,386.51	\$ 112,165.15		\$ 72,221.36					
5	Right of Way Plans	\$ 64,153.85	\$ 64,153.85		\$ -					
6	Final Plans	\$ 292,704.19	\$ 218,602.51		\$ 74,101.68					
7	Construction Services	\$ 18,187.88	\$ 13,464.67		\$ 4,723.21					
8	Special Studies (Additional)	\$ 32,921.65	\$ 32,921.65		\$ -					
9	Public Involvement	\$ 12,292.60	\$ 12,292.60		\$ -					
	Fixed Fee	\$ 35,621.07	\$ 21,100.51		\$ 14,520.56					

Tab Name>>

Rd1

DS1

Br1

Trf1

Env1

Srv1

OMT1

Lt1

DBE (Yes or No)		No		No					
DBE Participation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DBE %									
Contract DBE Goal %	0.0%								

City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Heath & Lineback Engineers

Discipline: Trail Design

Hours & Cost Estimate

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

<<CLICK BUTTON TO LEFT SHOW OR HIDE PHASE SUMMARY

Staff Type / Project Hourly Rates / Hours

Phase	Description	Total	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator				
			\$112.69	\$81.44	\$82.50	\$55.45	\$38.50	\$24.00					
	TOTALS ==>	2,084	9	47	146	384	440	1,058	-	-	-	-	-
1	Concept Validation	80	-	6	2	16	12	44	-	-	-	-	-
2	Database Preparation	10	-	-	-	-	6	4	-	-	-	-	-
3	Environmental Permitting	2	-	2	-	-	-	-	-	-	-	-	-
4	Preliminary Plans	696	-	8	40	84	128	436	-	-	-	-	-
5	Right of Way Plans	181	1	-	8	28	64	80	-	-	-	-	-
6	Final Plans	770	4	6	72	192	130	366	-	-	-	-	-
7	Construction Services	113	-	13	-	20	40	40	-	-	-	-	-
8	Special Studies (Additional Services)	200	4	8	24	24	60	80	-	-	-	-	-
9	Public Involvement	32	-	4	-	20	-	8	-	-	-	-	-

Phase Level Summary - Other Direct Costs

			Other Direct Costs										
Phase	Description	Total Other Direct Costs	BCC - Traffic Signal Design	CERM - Survey	CERM - Geotech	EP - Environmental Permitting	PPD - LA + Public Involvement	Wi-Skies - Lighting					
	TOTALS ==>	\$ 407,538	\$ 12,800	\$ 163,550	\$ 99,918	\$ 32,450	\$ 64,820	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ 29,962	\$ 482				\$ 29,480						
2	Database Preparation	\$ 121,525	\$ 695	\$ 118,750			\$ 2,080						
3	Environmental Permitting	\$ 24,460				\$ 24,460							
4	Preliminary Plans	\$ 42,930	\$ 10,100				\$ 15,830	\$ 17,000					
5	Right of Way Plans	\$ 44,800		\$ 44,800									
6	Final Plans	\$ 128,271	\$ 1,523		\$ 99,918		\$ 9,830	\$ 17,000					
7	Construction Services	\$ -											
8	Special Studies (Additional Services)	\$ 7,990				\$ 7,990							
9	Public Involvement	\$ 7,600					\$ 7,600						



Proj. No.: N/A  
PI No.: N/A  
Prime: Head  
Date: 19-J

Proj. No.: N/A  
PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: 19-Jul-2023

- ▼ Select Firm from Pulldown. Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: DeKalb

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

Discipline: **Trail Design**

## Hours & Cost Estimate

[illegible]

Proj. No.: **N/A**  
PI No.: **N/A**  
Prime: **Heath & Lineback Engineers**  
Date: **19-Jul-2023**

Project: **S Fork Peachtree Creek Greenway**  
County: **DeKalb**  
Contract Type: **Cost Plus Fixed Fee**  
Fixed Fee %: **10%**

- ▼ Select Firm from Pulldown. Uses List on Project Tab

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

8/4/2023 3:33 PM  
S Fork PCG - Fee 2023-08-01.xlsx Rd1



**City of Tucker**  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**Heath & Lineback Engineers**

Discipline: **Trail Design**

**Hours & Cost Estimate**

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>6</b>	<b>Final Plans</b>	<b>Assumptions / Notes</b>	<b>770</b>	<b>4</b>	<b>6</b>	<b>72</b>	<b>192</b>	<b>130</b>	<b>366</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Coordinate with Utility Companies for Relocations	10 companies	52		4		8	40					
	Finalize Cover Sheet, Index, General Notes		12				4		8				
	Finalize Typical Sections		8				2		6				
	Finalize Trail Plans, Profiles, etc.		64				24		40				
	Finalize Signing and Marking Plans		20				4		16				
	Finalize Signalization Plans	Coordinate with traffic sub	10				2		8				
	Finalize Drainage Design, Profiles, Cross Sections	2 longitudinal systems at roadways - assume sheet flow and ditches along creek.	30				20		10				
	Finalize Driveway Profiles	4 Drives	6				2		4				
	Prepare Detailed Plan Sheets	16 Construction Plan sheets	80				40		40				
	Finalize Special Grading Plans	Plazas and unique tie-ins at bridges	6				2		4				
	Finalize MS4 Design	Green Infrastructure	20			4	8	8					
	Finalize Retaining Wall Locations and Envelopes	4 standard walls	40			2	4	10	24				
	Finalize Erosion, Sed. & Pol. Ctrl. Plans for Staged Constr.	& submit for review, address comments from EPD/County	60				8	12	40				
	Finalize Staging Plans and Details		10				2		8				
	Finalize Utility Plans	10 companies	18					8	10				
	Prepare Special Construction Details		18				2	4	12				
	Prepare Plans for permitting	404 permit at stream, SBV at stream, City permitting	18				2	8	8				
	Prepare Special Provisions		4				4						
	Finalize Detailed Construction Quantities, Cost Estimate		48				8		40				
	Prepare FFPR Plans for Submittal		12				4		8				
	Prepare for, Participate in FFPR		4		2		2						
	Address / Implement FFPR Comments	City comments	84			4	20	20	40				
	Internal Quality Assurance Reviews		64	4		60							
	Address Final Corrected Plans comments/revisions		82			2	20	20	40				
			-										
			-										
				Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>7</b>	<b>Construction Services</b>	<b>Assumptions / Notes</b>	<b>113</b>	<b>-</b>	<b>13</b>	<b>-</b>	<b>20</b>	<b>40</b>	<b>40</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Discipline Management - Coordination Meetings and Conversations	3 meetings	6		6								
	Answer Design Inquiries after let/prior to construction		6		6								
	Answer Design Questions during Construction	RFIs and Shop Drawing review	48				8	20	20				
	Revise Plans for Use-On Construction and/or Amendments		48				8	20	20				
	Assist / Prepare 7-day inspection letter		5		1		4						
			-										
			-										
			-										
				Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>8</b>	<b>Special Studies (Additional Services)</b>	<b>Assumptions / Notes</b>	<b>200</b>	<b>4</b>	<b>8</b>	<b>24</b>	<b>24</b>	<b>60</b>	<b>80</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**City of Tucker**  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

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Fixed Fee %: **10%**

Heath & Lineback Engineers				<div>It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS</div>									
Discipline:	Trail Design			<b>Hours &amp; Cost Estimate</b>									
	Additional Service Studies As required		200	4	8	24	24	60	80				
			-										
			-										
			-										



Proj. No.: N/A  
PI No.: N/A

Proj. No.: N/A  
PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: 19-Jul-2023

▼ Select Firm from Pulldown. Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: DeKalb

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

Discipline: **Trail Design**

## Hours & Cost Estimate

[illegible]

City of Tucker  
COST PROPOSAL

Proj. No.: N/A

PI No.: N/A

Prime: Heath & Lineback Engineers

Date: 19-Jul-2023

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: S Fork Peachtree Creek Greenway

County: DeKalb

Contract Type: Cost Plus Fixed Fee

Fixed Fee %: 10%

Discipline: Heath & Lineback Engineers

Hours & Cost Estimate

It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS

<<CLICK BUTTON TO LEFT SHOW OR HIDE PHASE SUMMARY

Staff Type / Project Hourly Rates / Hours

Phase	Description	Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator			
	TOTALS ==>	1,165	23	-	200	268	674	-	-	-	-	-
1	Concept Validation	68	2	-	8	10	48	-	-	-	-	-
2	Database Preparation	-	-	-	-	-	-	-	-	-	-	-
3	Environmental Permitting	-	-	-	-	-	-	-	-	-	-	-
4	Preliminary Plans	523	8	-	111	78	326	-	-	-	-	-
5	Right of Way Plans	-	-	-	-	-	-	-	-	-	-	-
6	Final Plans	537	13	-	76	172	276	-	-	-	-	-
7	Construction Services	37	-	-	5	8	24	-	-	-	-	-
8	Special Studies (Additional Services)	-	-	-	-	-	-	-	-	-	-	-
9	Public Involvement	-	-	-	-	-	-	-	-	-	-	-

Phase Level Summary - Other Direct Costs

Other Direct Costs

Phase	Description	Total Other Direct Costs	Express/Mail /Courier	Lodging	Meals	Mileage	Parking	Reproduction /Printing	Car Rental			
	TOTALS ==>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1	Concept Validation	\$ -										
2	Database Preparation	\$ -										
3	Environmental Permitting	\$ -										
4	Preliminary Plans	\$ -										
5	Right of Way Plans	\$ -										
6	Final Plans	\$ -										
7	Construction Services	\$ -										
8	Special Studies (Additional Services)	\$ -										
9	Public Involvement	\$ -										



**City of Tucker**  
**COST PROPOSAL**

Proj. No.: N/A

PI No.: N/A

Prime: **Heath & Lineback Engineers**

Date: **19-Jul-2023**

▼ Select Firm from Pulldown, Uses List on Project Tab

Project: **S Fork Peachtree Creek Greenway**

County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

Discipline: **Heath & Lineback Engineers**

**Bridge Design & Hydraulics**

**Hours & Cost Estimate**

It is the Consultant's responsibility to ensure all hours  
and costs are accounted for in the TOTALS

**Hours by Task**

			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>1</b>	<b>Concept Validation</b>	<b>Assumptions / Notes</b>	<b>68</b>	<b>2</b>	<b>-</b>	<b>8</b>	<b>10</b>	<b>48</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Site Visit		2				2						
	Prepare Structure Concepts	3 Pre-Engineered Bridges + 1 Structural Slabs	22	2		4	8	8					
	Concept Hydraulic (stream crossings, new location)	Draft model prior to database. Based on FEMA model.	44			4		40					
			-										
			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>2</b>	<b>Database Preparation</b>	<b>Assumptions / Notes</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
			-										
			-										
			-										
			Total Hours	Project Principal	Project Manager	Senior Engineer	Engineer	Designer	CADD Technician	Clerical Administrator	-	-	-
<b>3</b>	<b>Environmental Permitting</b>	<b>Assumptions / Notes</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
			-										
			-										
			-										

Proj. No.: **N/A**  
PI No.: **N/A**  
Prime: **Heath & Lineback Engineers**  
Date: **19-Jul-2023**

Project: **S Fork Peachtree Creek Greenway**  
County: **DeKalb**  
Contract Type: **Cost Plus Fixed Fee**  
Fixed Fee %: **10%**

v Select Firm from Pulldown. Uses List on Project Tab

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

8/4/2023 3:33 PM  
S Fork PCG - Fee 2023-08-01.xlsx Br1



Proj. No.: **N/A**

PI No.: **N/A**

Prime: **Heath & Lineback Engineers**

Date: 19-Jul-2023

Project: **S Fork Peachtree Creek Greenway**County: **DeKalb**

Contract Type: **Cost Plus Fixed Fee**

Fixed Fee %: **10%**

▼ Select Firm from Pulldown. Uses List on Project Tab

**It is the Consultant's responsibility to ensure all hours and costs are accounted for in the TOTALS**

[illegible]

City of Tucker, Georgia  
RFP #2023-021

Scoring Will Be Due on Thursday, 6/23/2023  
S. Fork Peachtree Greenway

	Evaluation Committee Member #1					Evaluation Committee Member #2					Evaluation Committee Member #3				
Rating	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC
Qualifications	Good	Excellent	Excellent	Adequate	Excellent	Good	Excellent	Excellent	Good	Excellent	Good	Excellent	Good	Good	Excellent
Past Experience	Adequate	Excellent	Excellent	Adequate	Excellent	Good	Excellent	Good	Adequate	Excellent	Adequate	Excellent	Good	Adequate	Excellent
Scoring	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC
Qualifications	0.75	1	1	0.5	1	0.75	1	1	0.75	1	0.75	1	0.75	0.75	1
Past Experience	0.5	1	1	0.5	1	0.75	1	0.75	0.5	1	0.5	1	0.75	0.5	1
Tabulated Scores	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC
Qualifications	37.5	50	50	25	50	37.5	50	50	37.5	50	37.5	50	37.5	37.5	50
Past Experience	25	50	50	25	50	37.5	50	37.5	25	50	25	50	37.5	25	50
Total Points	62.5	100	100	50	100	75	100	87.5	62.5	100	62.5	100	75	62.5	100
Average Scores	BM&K	KECK & WOOD	THOMAS & HUTTON	JMT	H&L/BCC										
Qualifications	37.50	50.00	45.83	33.33	50.00										
Past Experience	29.17	50.00	41.67	25.00	50.00										
Total Points	66.67	100.00	87.50	58.33	100.00										



City of Tucker, Georgia  
RFP #2023-021

Scoring Will Be Due on Thursday, 6/23/2023  
S. Fork Peachtree Greenway

Evaluation Committee Member #4

Rating		KECK & WOOD			H&L/BCC
Qualifications		Excellent			Excellent
Past Experience		Good			Excellent

Scoring		KECK & WOOD			H&L/BCC
Qualifications		1			1
Past Experience		0.75			1

Tabulated Scores		KECK & WOOD			H&L/BCC
Qualifications		50			50
Past Experience		37.5			50
Total Points		87.5			100



## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Ishri Sankar, Public Works Director  
**CC:** Tami Hanlin, City Manager  
**Date:** 8/4/2023  
**RE:** Memo for 3rd Quarter 2023 Stormwater Repair Projects, Task 1

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### **Description for on the Agenda:**

Approval of Task Order #1 of the 3rd Quarter 2023 Stormwater Repair Projects per the City's Procurement Policy

### **Issue:**

### **Recommendation:**

Approval for Staff to Authorize Task Order #1

### **Background:**

3 Contractors were selected under 2023-016 RFP, Stormwater Maintenance and Repair Services. The first set of repairs to be undertaken in the 3<sup>rd</sup> Quarter of 2023 have been prepared and a unit price with a not to exceed cost proposal was solicited. Task 1 is cleaning and video collection of pipe systems at 10 locations and a task order is prepared in the amount of \$72,884.83, which includes a 15% contingency, with Utility Asset Management. These unit prices are based on the contracted unit proposed in response to 2023-016 RFP.

The project locations are based upon the vetting of service requests inherited from DeKalb County Roads and Drainage, which were unresolved as of July 1, 2023, the date of the City of Tucker taking over Public Works responsibilities. These are locations where the repairs require the resources of the contractors who responded to 2023-016 RFP. The Public Works Department will be compiling these type of projects as Atlas reports deficiencies during their inventory task and service requests from the general public. The Department anticipates preparing task orders for the stormwater repair contractors on a monthly basis and will be guided by procurement policy on whether they come to the City Council for action.

**Financial Impact: \$72,884.83**





**STORMWATER MAINTENANCE AND REPAIR  
CONTRACT AGREEMENT (RFP 2023-016)  
TASK ORDER #1**

**Video Capture of Pipe Conditions**

This TASK ORDER between the parties is entered pursuant to the CONTRACT AGREEMENT (RFP #2023-016) and shall serve as authorization by the City of Tucker to **UTILITY ASSET MANAGEMENT INC.** (“CONTRACTOR”) to perform the services described herein pursuant to the terms and conditions, mutual covenants and promises provided herein and in the CONTRACT AGREEMENT (RFP #2023-016). Now therefore, the parties agree as follows:

**Location of Project:**

Camera (and associated cleaning as may be necessary) of stormwater pipes at 9 locations throughout the city AS NOTED BELOW:

1. 4302 RAILROAD AVE (NEAR 4<sup>TH</sup> STREET)
2. 2384 CASTLERIDGE CT
3. 3944 NORTHLAKE CREEK DRIVE
4. 3165 JERI LYNN DRIVE
5. 3799 GLENEAGES COURT
6. 6098 KINGS MOUNTAIN WAY
7. 1722 KANAWHA TRAIL
8. 2794 STONESMITH COURT
9. 2167 SILVERSMITH LANE

**Description of Services:** The services to be performed by the CONTRACTOR pursuant to this TASK ORDER (the “WORK”), include, but are not limited to, the following:

See detailed instructions in SCOPE OF WORK for each location under “NOTES”.

**Information to be provided by the CITY:**

- Scope of work

**CONTRACTOR Deliverables to CITY:**

- Completed work per Exhibit A – SCOPE OF WORK

**Design Specifications and Guidelines:**

**Total Not to Exceed Fee**

**\$ 72,884.83**

This TASK ORDER is subject to the terms and conditions of the original CONTRACT AGREEMENT (RFP #2023-016) as well as the mutual covenants contained herein.

**General Scope of Service:** The WORK under this TASK ORDER is to be commenced upon receipt of “Notice to Proceed” (NTP). The WORK will be completed within **180** calendar days after Notice to Proceed.

The CONTRACTOR shall prepare a schedule showing milestone completion dates based on completing the WORK within 30 calendar days (hereinafter referred to as the “Schedule for Completion”), excluding City review time. The Schedule for Completion will be revised to reflect the actual NTP date and will be updated as required throughout the project duration.

Every 30 days commencing with the execution of the TASK ORDER, the CONTRACTOR shall submit a report which shall include, but not be limited to, a narrative describing actual work accomplished during the reporting period, a description of problem areas, current and anticipated delaying factors and their impact, explanations of corrective actions taken or planned, and any newly planned activities or changes in sequence (hereinafter referred to as “Narrative Report”). Such report shall also include an indication of the number of hours of work completed by CONTRACTOR in each of the job rate categories included in the CONTRACT AGREEMENT (RFP #2023-016). No invoice for payment shall be submitted and no payment whatsoever will be made to the CONTRACTOR until the Schedule for Completion, and the completion of Narrative Reports are updated and submitted to the City. In no event shall payment be made more often than once every 30 days.

The CONTRACTOR shall coordinate and attend periodic meetings with the CITY regarding the status of the TASK ORDER. The CONTRACTOR shall submit transmittals of all correspondence, telephone conversations, and minutes of project meetings.

The CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of interpreting all designs, drawings, specifications, and other services furnished by or on behalf of the City pursuant to this TASK ORDER. The CONTRACTOR shall correct or revise, or cause to be corrected or revised, any errors or deficiencies in the designs, drawings, specifications, and other services furnished for this TASK ORDER. All revisions shall be coordinated with the CITY prior to issuance. The CONTRACTOR shall also be responsible for any claim, damage, loss or expense from the incorrect interpretation of provided designs, drawings, and specifications pursuant to this TASK ORDER.

CONTRACTOR agrees that fees are earned pursuant to the WORK performed, which in no



event shall exceed the amount set forth in the attached Fee Schedule and which hourly rate shall in no event exceed that provided in the Contract Agreement. Accordingly, invoices shall be submitted pursuant to completion of the Work performed based upon percentage completion.

If the City in good faith determines that the CONTRACTOR has failed to perform or deliver any service or product as required, the CONTRACTOR shall not be entitled to any compensation under the Contract until such service or product is performed or delivered. In this event, the City may withhold that portion of the CONTRACTOR'S compensation which represents payment for services or products that were not performed or delivered. To the extent that the CONTRACTOR'S failure to perform or deliver in a timely manner causes the City to incur costs, the City may deduct the amount of such incurred costs from any amounts payable to CONTRACTOR. The City's authority to deduct such incurred costs shall not in any way affect the City's authority to terminate the Contract. In the event that the CONTRACTOR owes the City any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the City may set off the sum owed to the City against any sum owed by the City to the CONTRACTOR in the City's sole discretion.

**Attachments:**

- EXHIBIT A – SCOPE OF WORK
- EXHIBIT B – COST PROPOSAL (in accordance with rates established in RFP 2023-016)

CITY OF TUCKER:

CONTRACTOR: **UTILITY ASSET MGMT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Bonnie Warne, City Clerk

(Seal)

Approved as to form:

\_\_\_\_\_

Ted Baggett, City Attorney

# EXHIBIT A

	3rd Quarter 2023 Video Capture of Existing Pipe Conditions											Clean ?	Inline ?	Survey / Design		Blockage >25% ?
	Location	# Structures	Length of Pipe	Size of Pipe	No of Barrels	Pipe Material	Live Stream	Notes	District	Service Request						
		EA	LF	IN	EA		Y/N									
1	4302 RAILROAD AVE (NEAR 4TH ST)	5	150	30	1	RCP	N	SINKHOLE FORMING ADJACENT TO STORM PIPE. CCTV TO DETERMINE IF THE ISSUE IS CAUSED BY STORM OR WATER SERVICE/SANITARY SEWER FAILURE.	3			Y				
2	2384 CASTLERIDGE CT	4	360	18	1	CMP	N	PIPE CARRYING STORM RUNOFF FROM ROW HAS RUSTED INVERT WITH VISIBLE HOLES.	3			Y				
3	3944 NORTHLAKE CREEK DRIVE	3	160	30	1	CMP	N	SINKHOLE IN PROPERTY DP 184	3			Y				
4	3165 JERI LYNN DRIVE	6	420	30	1	CMP	Y	8" PIPE INSIDE OF PIPE AND STRUCTURE - SINKHOLE IN PROPERTY	3			Y				
5	3799 GLENEAGLES COURT, TUCKER, GA, 300	3	210	24	1	CMP	N	TOP SLAB REPLACED. MINOR DEBRIS ACCUMULATION. USE POLE CAMERA OR CCTV TO CONFIRM PIPE CONDITION.	3			Y				
6	6098 KINGS MOUNTAIN WAY	2	230 / 180	18 / 36	1	CMP	Y	PIPE REPLACEMENT -METAL PIPE INVERT ERODED OUT -NEED CCTV	1			Y				
7	1722 Kanawha Trail	3	150	18	1	CMP	N	SINKHOLE MANIFESTED -NEED CAMERA AND JET VAC	1	41		Y				
8	2794 STONESMITH COURT	2	115	18	1	CMP	N	CATCH BASIN BLOCKAGE. When it rains it floods her front yard due to the storm sewer being clogged.	3	35		Y				Y
9	2167 SILVERSMITH LANE	3	210	24	1	CMP	N	SINKHOLE MANIFESTED -NEED CAMERA AND JET VAC	3			Y	Y	N		



# 4302 RAILROAD AVE (NEAR 4TH ST)

CCTV and consider entire system for lining. Structures need new inlets.

36" pipe does not appear to exist

Ditch does not exist, should be on the south side of road

Not a catch basin, possibly a pedestal inlet that caught water from ditch, buried with sediment, possibly as a result of previous maintenance

Likely location of previous ditch that has been filled in as a result of historical maintenance. Remove vegetation and reinstall ditch.

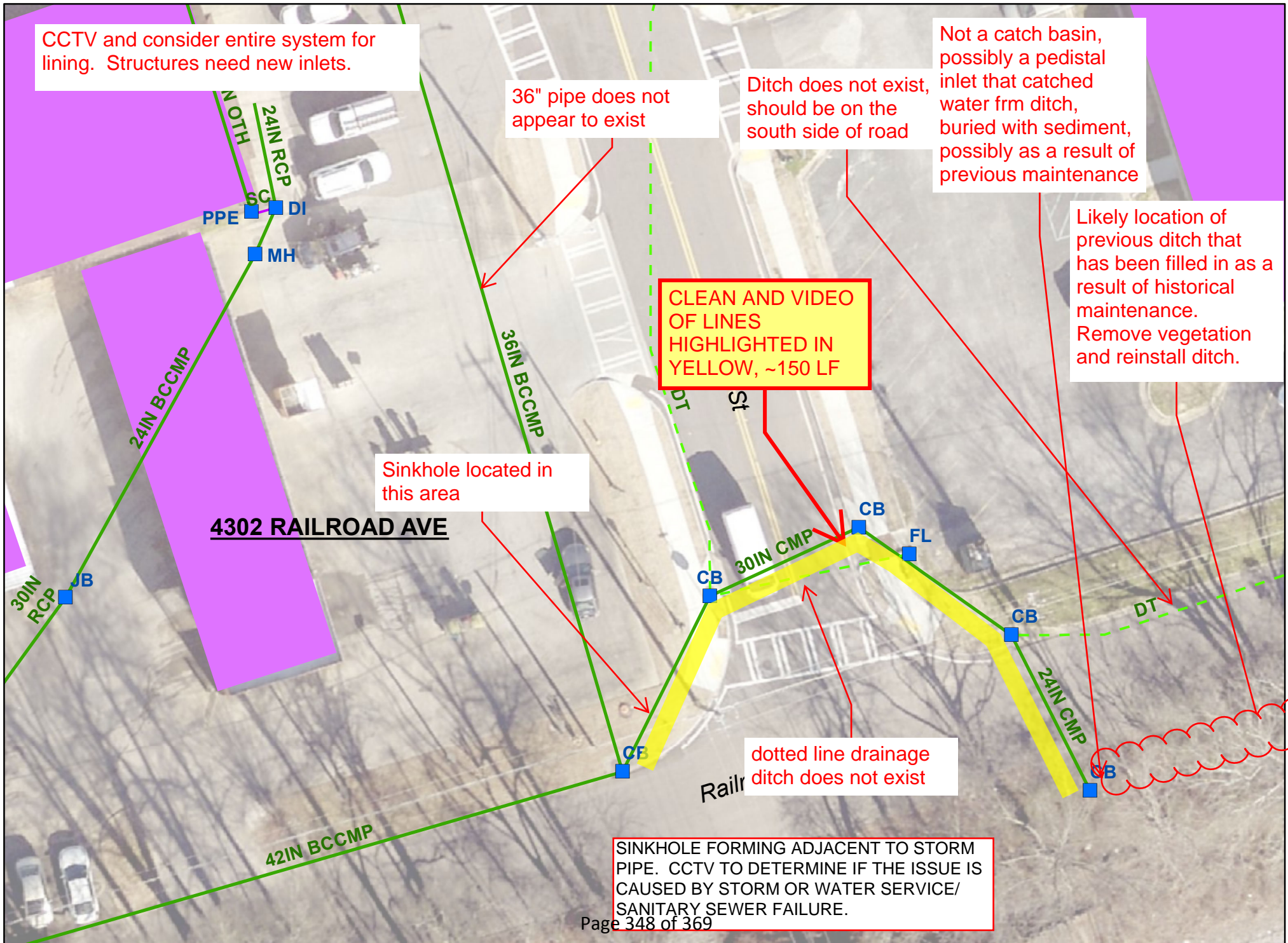
CLEAN AND VIDEO OF LINES HIGHLIGHTED IN YELLOW, ~150 LF

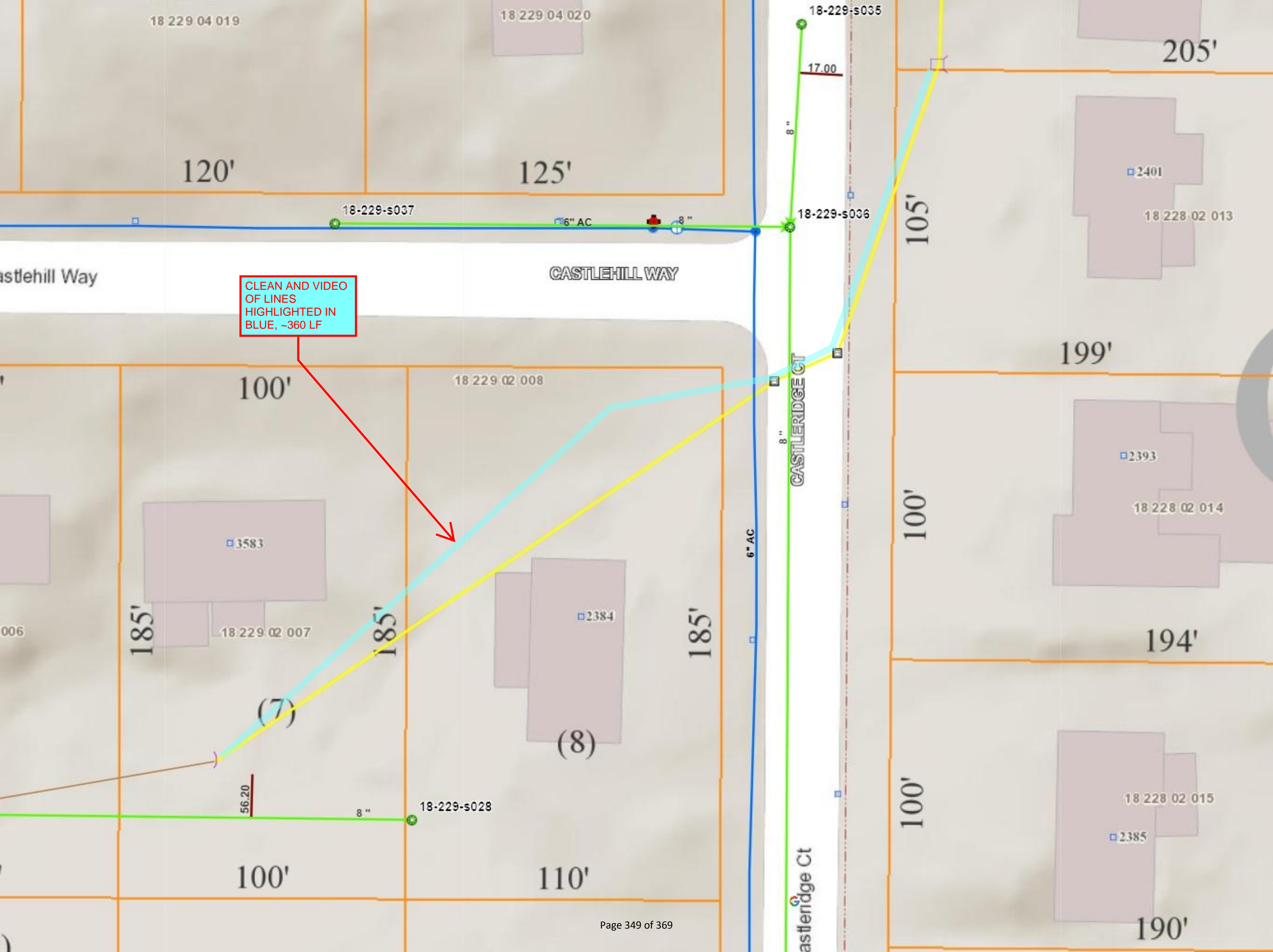
Sinkhole located in this area

**4302 RAILROAD AVE**

dotted line drainage ditch does not exist

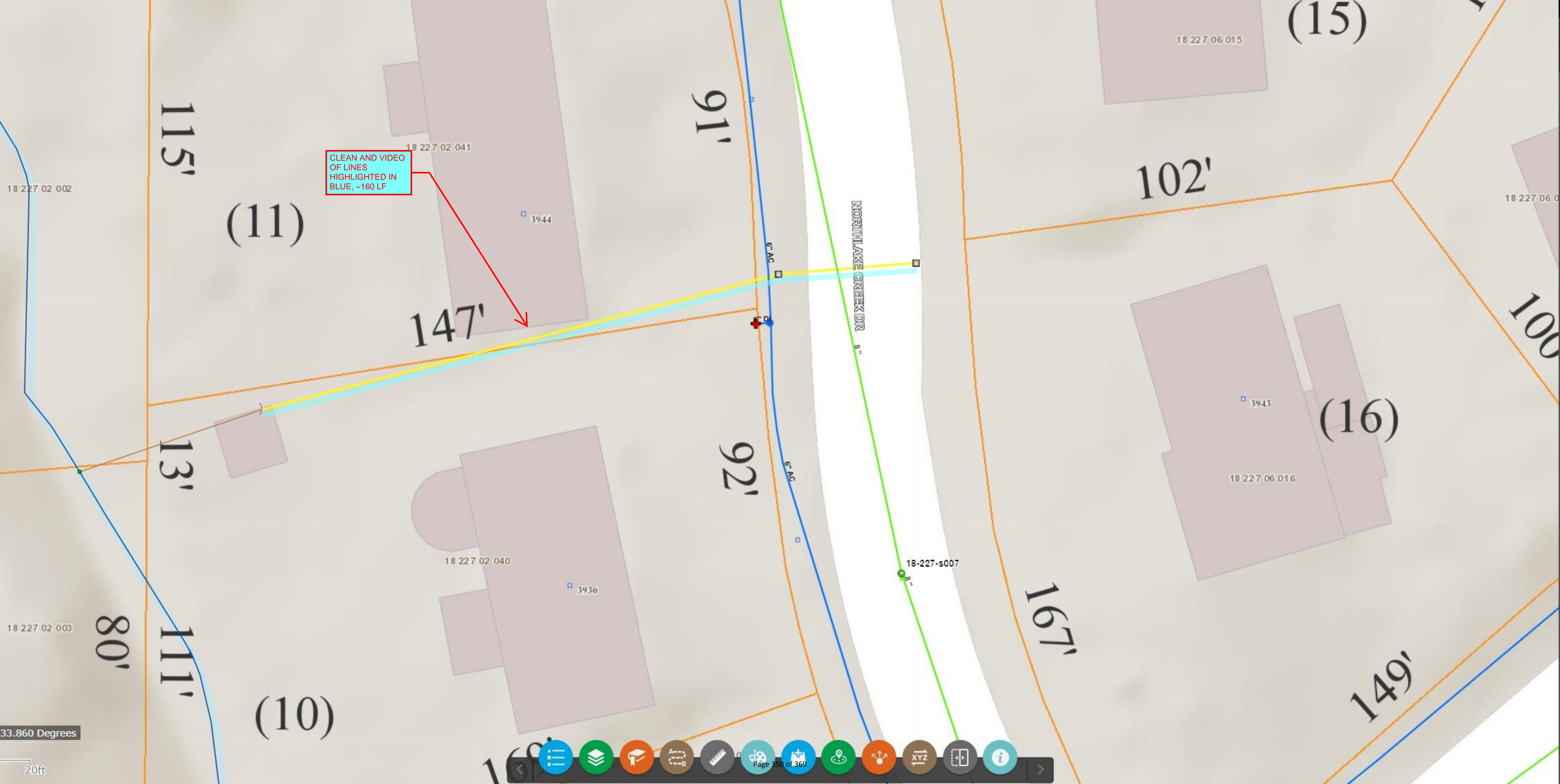
SINKHOLE FORMING ADJACENT TO STORM PIPE. CCTV TO DETERMINE IF THE ISSUE IS CAUSED BY STORM OR WATER SERVICE/ SANITARY SEWER FAILURE.





CLEAN AND VIDEO OF LINES HIGHLIGHTED IN BLUE, ~360 LF

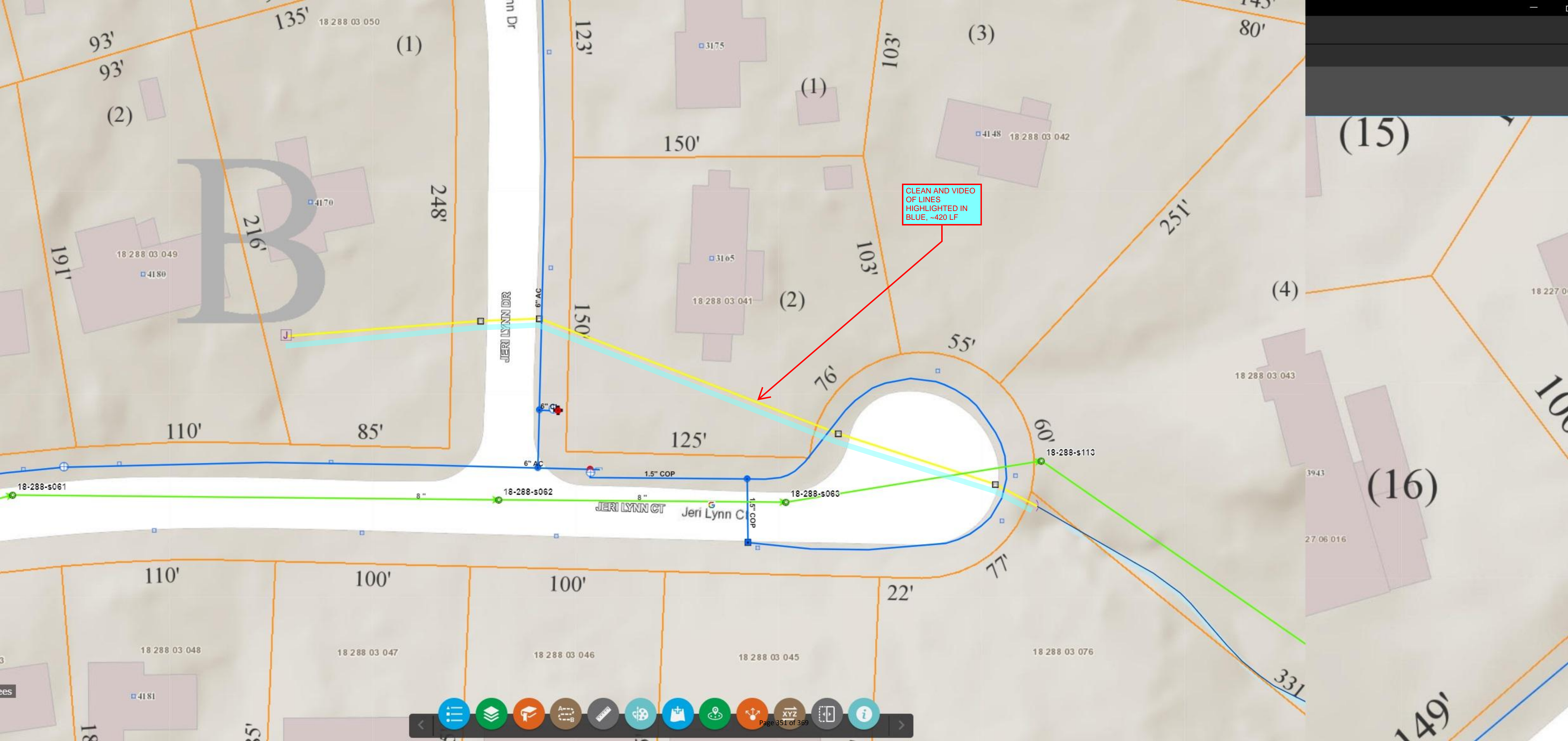




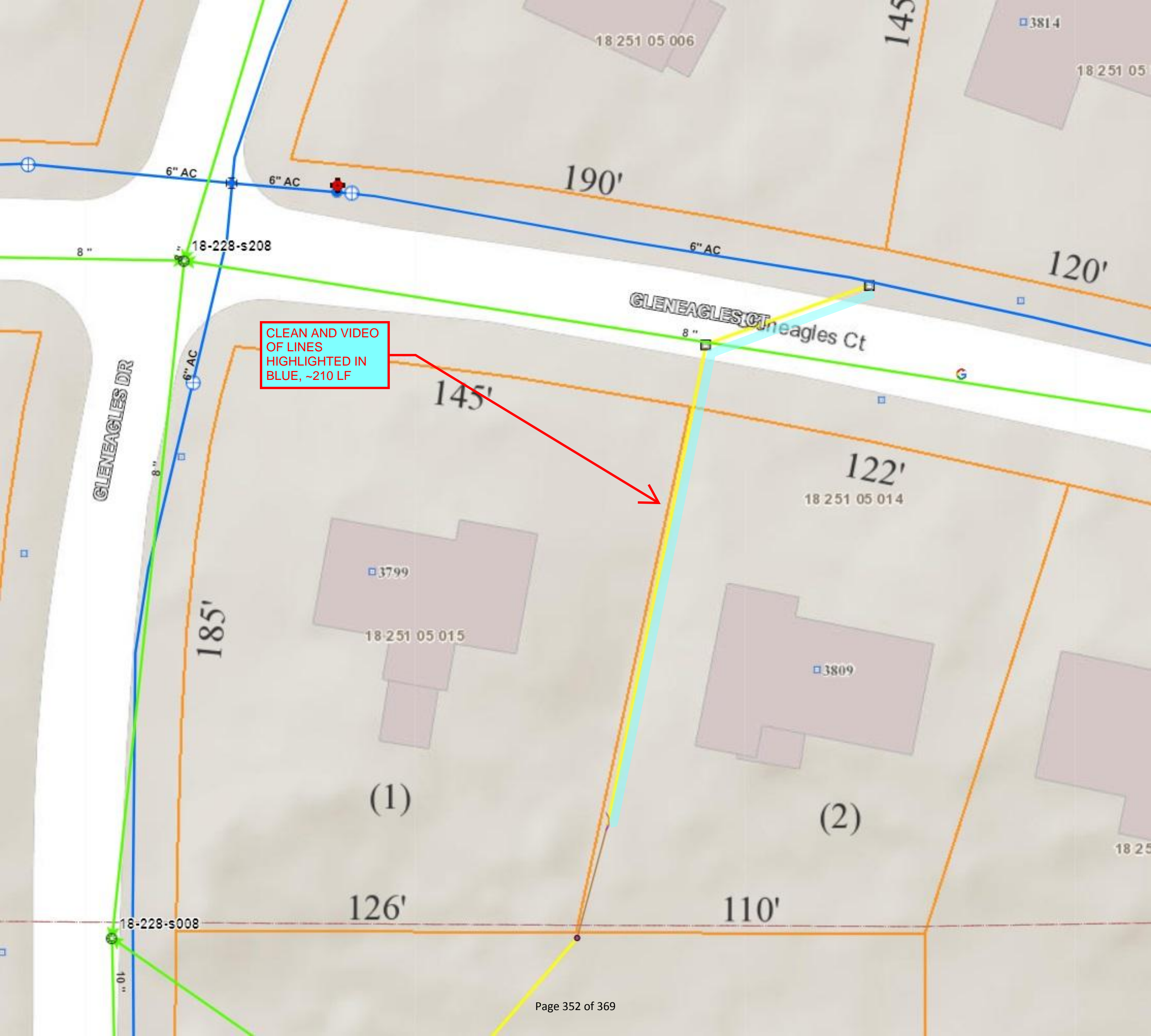
33.860 Degrees

20ft



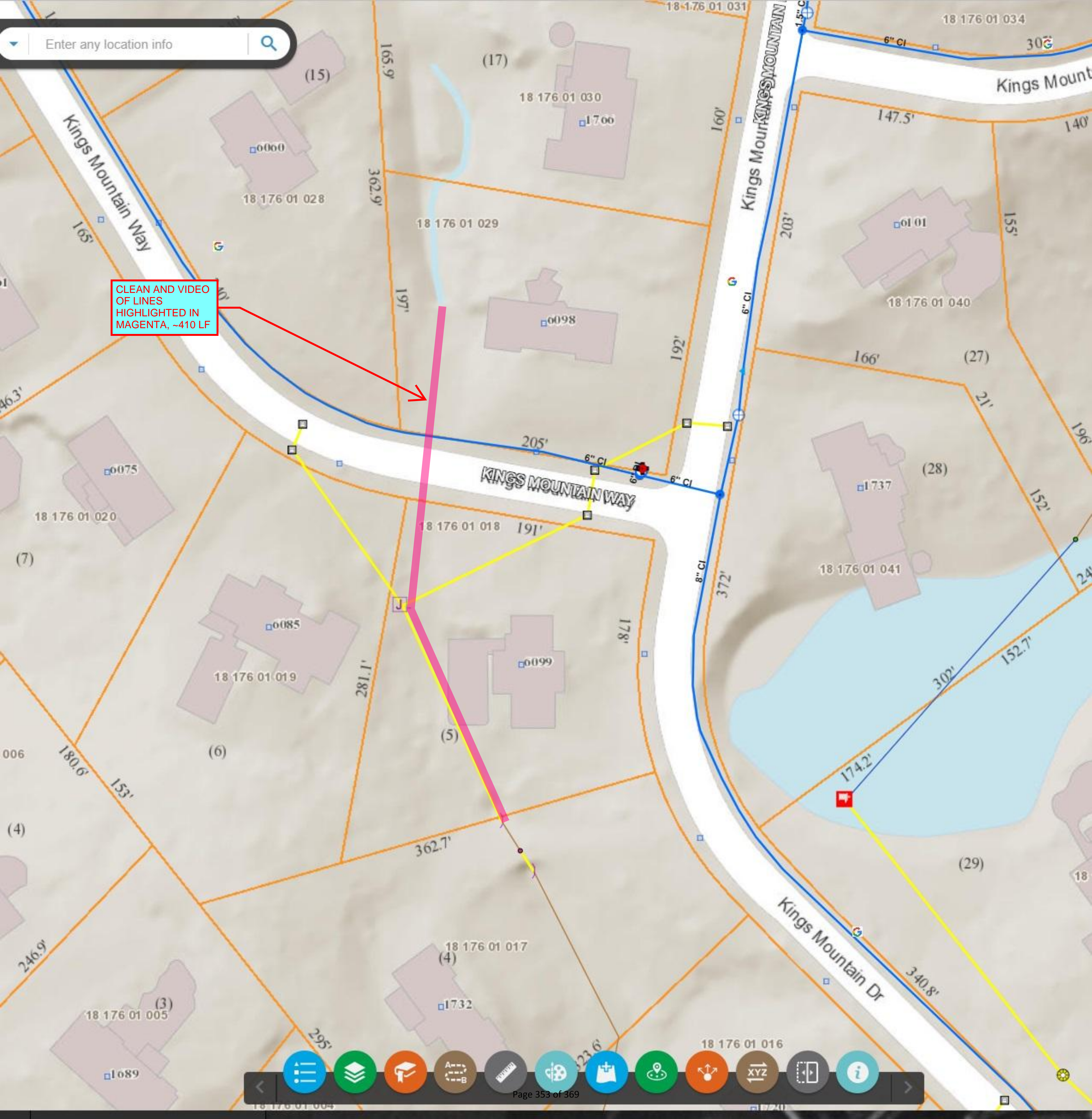






CLEAN AND VIDEO  
OF LINES  
HIGHLIGHTED IN  
BLUE, ~210 LF



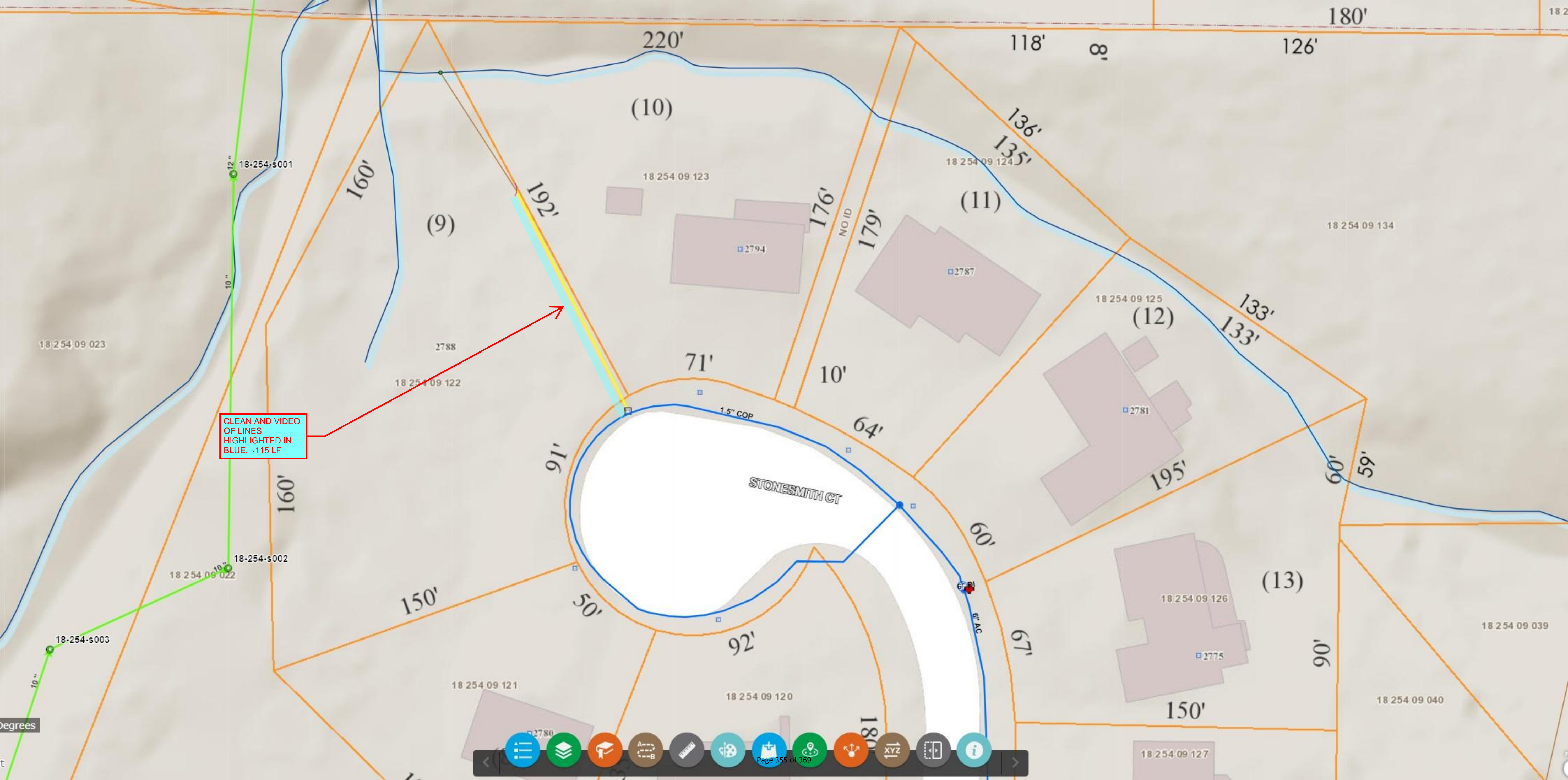


CLEAN AND VIDEO OF LINES HIGHLIGHTED IN MAGENTA, ~410 LF

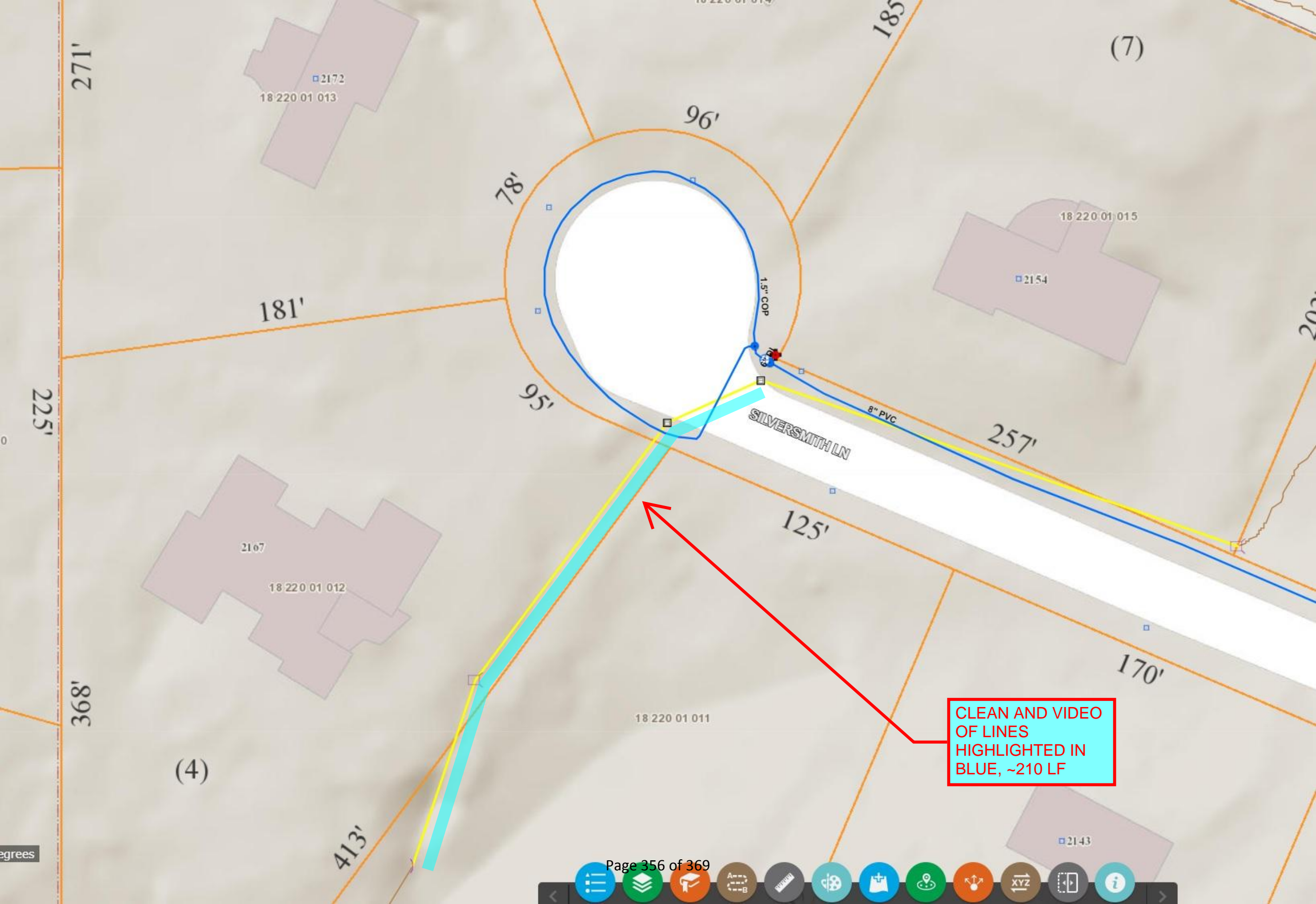












271'

(7)

2172  
18 220 01 013

96'

185'

181'

78'

18 220 01 015

2154

1.5" COP

95'

8" PVC

SILVERSMITH LN

257'

225'

125'

2167

18 220 01 012

368'

170'

18 220 01 011

(4)

413'

CLEAN AND VIDEO OF LINES  
HIGHLIGHTED IN BLUE, ~210 LF

egrees



## EXHIBIT B

Scope of Work: Provide all equipment, labor and supervision to perform the following work in accordance with contract specifications and associated documents.									1	1	2	2	3	3	4	4	5	5	6	6	*6A	*6A	7	7	8	8	9	9	**10	**10	
TUCKER STORM ANNUAL UNIT PRICE SCHEDULE									4303 RR AVE/4TH ST	2385 CASTLERIDG E CT		3945 NORTHLAKE CREEK DRIVE		3166 JERI LYNN DRIVE		3800 GLENEAGLES CT		6098 KINGS MOUNTAIN WAY		6098 KINGS MOUNTAIN WAY		1722 Kanawha Trail		2794 STONESMITH COURT		2167 SILVERSMITH LANE		2120 ALDAH DR			
Item	Unit			Unit Price	Total Qty	Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	Est Qty	Est Total \$	
<b>General Conditions</b>																															
Mobilization	EA	\$		2,127.50	10	\$ 21,275.00	1	\$ 2,127.50	1	\$ 2,127.50	1	\$ 2,127.50	1.0	\$ 2,127.50	1	\$ 2,127.50	1	\$ 2,127.50		\$ -	1	\$ 2,127.50		\$ -	1	\$ 2,127.50		\$ -	1	\$ 2,127.50	
Traffic Control Minor 1 – Includes Continuous	Per Day	\$		2,300.00	0.5	\$ 1,150.00	0.5	\$ 1,150.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	
Traffic Control Minor 2 – includes Cones and TV Storm Lines (includes DVD & Report)	LF	\$		1,897.50	0.5	\$ 8,538.75		\$ -	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75		\$ -	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75	0.5	\$ 948.75	
Hydro-Excavation complete (onsite hours only) with Jetter Vac	Per Hour	\$		460.00	2231	\$ 11,545.43	150	\$ 776.25	366	\$ 1,894.05	160	\$ 828.00	420.0	\$ 2,173.50	210	\$ 1,086.75	230	\$ 1,190.25	180	\$ 931.50	150	\$ 776.25	115	\$ 595.13	210	\$ 1,086.75	40	\$ 207.00			
18" PIPE - Cleaning less than 25% full	LF	\$		6.10	861	\$ 5,247.80		\$ -	366	\$ 2,230.77		\$ -		\$ -		\$ -	230	\$ 1,401.85		\$ -	150	\$ 914.25	115	\$ 700.93		\$ -		\$ -		\$ -	
24" PIPE - Cleaning less than 25% full	LF	\$		7.48	460	\$ 3,438.50		\$ -		\$ -		\$ -		\$ -	210	\$ 1,569.75		\$ -		\$ -		\$ -		\$ -	210	\$ 1,569.75	40	\$ 299.00			
30" PIPE - Cleaning less than 25% full	LF	\$		8.05	692	\$ 5,570.60	112	\$ 901.60		\$ -	160	\$ 1,288.00	420.0	\$ 3,381.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	
36" PIPE - Cleaning less than 25% full	LF	\$		8.97	180	\$ 1,614.60		\$ -		\$ -		\$ -		\$ -		\$ -	180	\$ 1,614.60		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	
24" PIPE - Cleaning 25% full or greater	LF	\$		11.04	36	\$ 397.44	36	\$ 397.44		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	
						\$ 63,378.11		\$ 7,192.79		\$ 7,201.07		\$ 5,192.25		\$ 8,630.75		\$ 5,732.75		\$ 4,719.60		\$ 3,494.85		\$ 5,686.75		\$ 5,292.30		\$ 6,652.75		\$ 3,582.25			

**Jeff Mueller, Assistant Public Works Director, would like to add a 15% contingency to the \$63,378.11 and make the not to exceed amount \$72,884.83.**

**This will be a unit price contract with a not to exceed amount, inclusive of a 15% contingency.**





## MEMO

**To:** Honorable Mayor and City Council Members  
**From:** Ishri Sankar, Public Works Director  
**CC:** Tami Hanlin, City Manager  
**Date:** 8/4/23  
**RE:** Memo for 3rd Quarter 2023 Stormwater Repair Projects, Task 2

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### **Description for on the Agenda:**

Approval of Task Order #2 of Quarter 3 2023 Stormwater Repair Projects per the City's Procurement Policy

### **Issue:**

### **Recommendation:**

Approval for Staff to Authorize Task Order #2

### **Background:**

3 Contractors were selected under 2023-016 RFP, Stormwater Maintenance and Repair Services. The second set of repairs to be undertaken in the 3<sup>rd</sup> Quarter of 2023 have been prepared and a unit price with a not to exceed cost proposal was solicited. Task 2 is storm water structure and conduit repairs and cleaning of pipe systems at 4 locations and a task order is prepared in the amount of \$96,971.68, which includes a 15% contingency, with Cajenn Construction. These unit prices are based on the contracted unit proposed in response to 2023-016 RFP.

The project locations are based upon the vetting of service requests inherited from DeKalb County Roads and Drainage, which were unresolved as of July 1, 2023, the date of the City of Tucker taking over Public Works responsibilities. These are locations where the repairs require the resources of the contractors who responded to 2023-016 RFP. The Public Works Department will be compiling these type of projects as Atlas reports deficiencies during their inventory task and service requests from the general public. The Department anticipates preparing task orders for the stormwater repair contractors on a monthly basis and will be guided by procurement policy on whether they come to the City Council for action.

**Financial Impact:** \$96,971.68



**STORMWATER MAINTENANCE AND REPAIR  
CONTRACT AGREEMENT (RFP 2023-016)  
TASK ORDER #2**

**Inlining and Siphon Hole Repair**

This TASK ORDER between the parties is entered pursuant to the CONTRACT AGREEMENT (RFP #2023-016) and shall serve as authorization by the City of Tucker to **CAJENN CONSTRUCTION AND REHABILITATION SERVICES INC.** (“CONTRACTOR”) to perform the services described herein pursuant to the terms and conditions, mutual covenants and promises provided herein and in the CONTRACT AGREEMENT (RFP #2023-016). Now therefore, the parties agree as follows:

**Location of Project:**

1. 2800 Livsey Court. REPAIR SIPHON HOLE AT STR 279163407779
2. 2892 Peppermint Drive. Trenchless repair (inlining) of approximately 70 linear feet of 36-inch CMP pipe. See attached exhibit.
3. 2255 Crestcliff Drive. REPAIR SIPHON HOLE AT STR 275460401067 AND 275475401068
4. 5907 Millstone Lane. REPAIR SIPHON HOLE AT STR 302590396066

**Description of Services:** The services to be performed by the CONTRACTOR pursuant to this TASK ORDER (the “WORK”), include, but are not limited to, the following:

The work required under this contract includes furnishing materials, qualified labor, equipment, traffic control, erosion control, grouting, bypass pumping and site restoration.

1. Clean pipe, remove debris
2. Cured in place pipe inlining
3. Grout pipe connections in manhole structures
4. Back fill sinkholes along segment
5. Replace sidewalk segments as necessary
6. Clean work area.

**Information to be provided by the CITY:**

- Scope of work

**CONTRACTOR Deliverables to CITY:**

- Completed work per Exhibit A – SCOPE OF WORK



**Design Specifications and Guidelines:**

**Total Not to Exceed Fee**

**\$ 96,971.68**

This TASK ORDER is subject to the terms and conditions of the original CONTRACT AGREEMENT (RFP #2023-016) as well as the mutual covenants contained herein.

**General Scope of Service:** The WORK under this TASK ORDER is to be commenced upon receipt of “Notice to Proceed” (NTP). The WORK will be completed within 180 calendar days after Notice to Proceed.

The CONTRACTOR shall prepare a schedule showing milestone completion dates based on completing the WORK within 30 calendar days (hereinafter referred to as the “Schedule for Completion”), excluding City review time. The Schedule for Completion will be revised to reflect the actual NTP date and will be updated as required throughout the project duration.

Every 30 days commencing with the execution of the TASK ORDER, the CONTRACTOR shall submit a report which shall include, but not be limited to, a narrative describing actual work accomplished during the reporting period, a description of problem areas, current and anticipated delaying factors and their impact, explanations of corrective actions taken or planned, and any newly planned activities or changes in sequence (hereinafter referred to as “Narrative Report”). Such report shall also include an indication of the number of hours of work completed by CONTRACTOR in each of the job rate categories included in the CONTRACT AGREEMENT (RFP #2023-016). No invoice for payment shall be submitted and no payment whatsoever will be made to the CONTRACTOR until the Schedule for Completion, and the completion of Narrative Reports are updated and submitted to the City. In no event shall payment be made more often than once every 30 days.

The CONTRACTOR shall coordinate and attend periodic meetings with the CITY regarding the status of the TASK ORDER. The CONTRACTOR shall submit transmittals of all correspondence, telephone conversations, and minutes of project meetings.

The CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of interpreting all designs, drawings, specifications, and other services furnished by or on behalf of the City pursuant to this TASK ORDER. The CONTRACTOR shall correct or revise, or cause to be corrected or revised, any errors or deficiencies in the designs, drawings, specifications, and other services furnished for this TASK ORDER. All revisions shall be coordinated with the CITY prior to issuance. The CONTRACTOR shall also be responsible for any claim, damage, loss or expense from the incorrect interpretation of provided designs, drawings, and specifications pursuant to this TASK ORDER.

CONTRACTOR agrees that fees are earned pursuant to the WORK performed, which in no event shall exceed the amount set forth in the attached Fee Schedule and which hourly rate shall in no event exceed that provided in the Contract Agreement. Accordingly, invoices shall be submitted pursuant to completion of the Work performed based upon percentage completion.

If the City in good faith determines that the CONTRACTOR has failed to perform or deliver any service or product as required, the CONTRACTOR shall not be entitled to any compensation under the Contract until such service or product is performed or delivered. In this event, the City may withhold that portion of the CONTRACTOR'S compensation which represents payment for services or products that were not performed or delivered. To the extent that the CONTRACTOR'S failure to perform or deliver in a timely manner causes the City to incur costs, the City may deduct the amount of such incurred costs from any amounts payable to CONTRACTOR. The City's authority to deduct such incurred costs shall not in any way affect the City's authority to terminate the Contract. In the event that the CONTRACTOR owes the City any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the City may set off the sum owed to the City against any sum owed by the City to the CONTRACTOR in the City's sole discretion.

**Attachments:**

- EXHIBIT A – SCOPE OF WORK
- EXHIBIT B – COST PROPOSAL (in accordance with rates established in RFP 2023-016)

CITY OF TUCKER:

CONTRACTOR: CAJENN CONSTRUCTION  
AND REHABILITATION SERVICES INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Bonnie Warne, City Clerk

(Seal)

Approved as to form:

\_\_\_\_\_

Ted Baggett, City Attorney





### **3<sup>rd</sup> Quarter 2023 Storm System Improvements, Task 2**

#### **Request for Quote, Cajenn**

The selected contractor is requested to provide a proposed lump sum amount based on the categories and unit prices provided per the contract for RFP 2023-016 to provide repairs at the aforementioned locations:

3RD QUARTER 2023 DRAINAGE SYSTEM REPAIRS, TASK 2								
	Location	# Structures	Length of Pipe	Size of Pipe	No of Barrels	Pipe Material	Live Stream	Notes
		EA	LF	IN	EA		Y/N	
2	2800 Livsey Ct	1	0	18	1	CMP	N	REPAIR SIPHON HOLE AT STR 279163407779
3	2692 Peppermint Drive	4	70	36	1	CMP	N	STRAIGHT TO INLINING
4	2255 Crestcliff Drive	2	0	30	1	RCP	Y	REPAIR SIPHON HOLE AT STR 275460401067 AND 275475401068
7	5907 MILLSTONE LANE	1	0	30	1	CMP	N	REPAIR SIPHON HOLE AT STR 302590396066

The quote shall be generated based upon the categories and unit prices per the contract agreement associated with RFP 2023-016 between the City and Cajenn Construction and Rehabilitation Services, Inc. and can be submitted to Jeff Mueller via email at [jmueller@tuckerga.gov](mailto:jmueller@tuckerga.gov). We hope to have this project authorized by the city council at their August 14, 2023 meeting, so it would be beneficial to have a quote by Monday, July 31, 2023.

#### **Scope of Work**

1. 2800 Livsey Court. REPAIR SIPHON HOLE AT STR 279163407779
2. 2892 Peppermint Drive. Trenchless repair (inlining) of approximately 70 linear feet of 36 inch CMP pipe. See attached exhibit.
3. 2255 Crestcliff Drive. REPAIR SIPHON HOLE AT STR 275460401067 AND 275475401068
4. 5907 Millstone Lane. REPAIR SIPHON HOLE AT STR 302590396066

The work required under this contract includes furnishing materials, qualified labor, equipment, traffic control, erosion control, grouting, bypass pumping and site restoration.

1. Clean pipe, remove debris
2. Cured in place pipe inlining
3. Grout pipe connections in manhole structures
4. Back fill sinkholes along segment
5. Replace sidewalk segments as necessary
6. Clean work area.



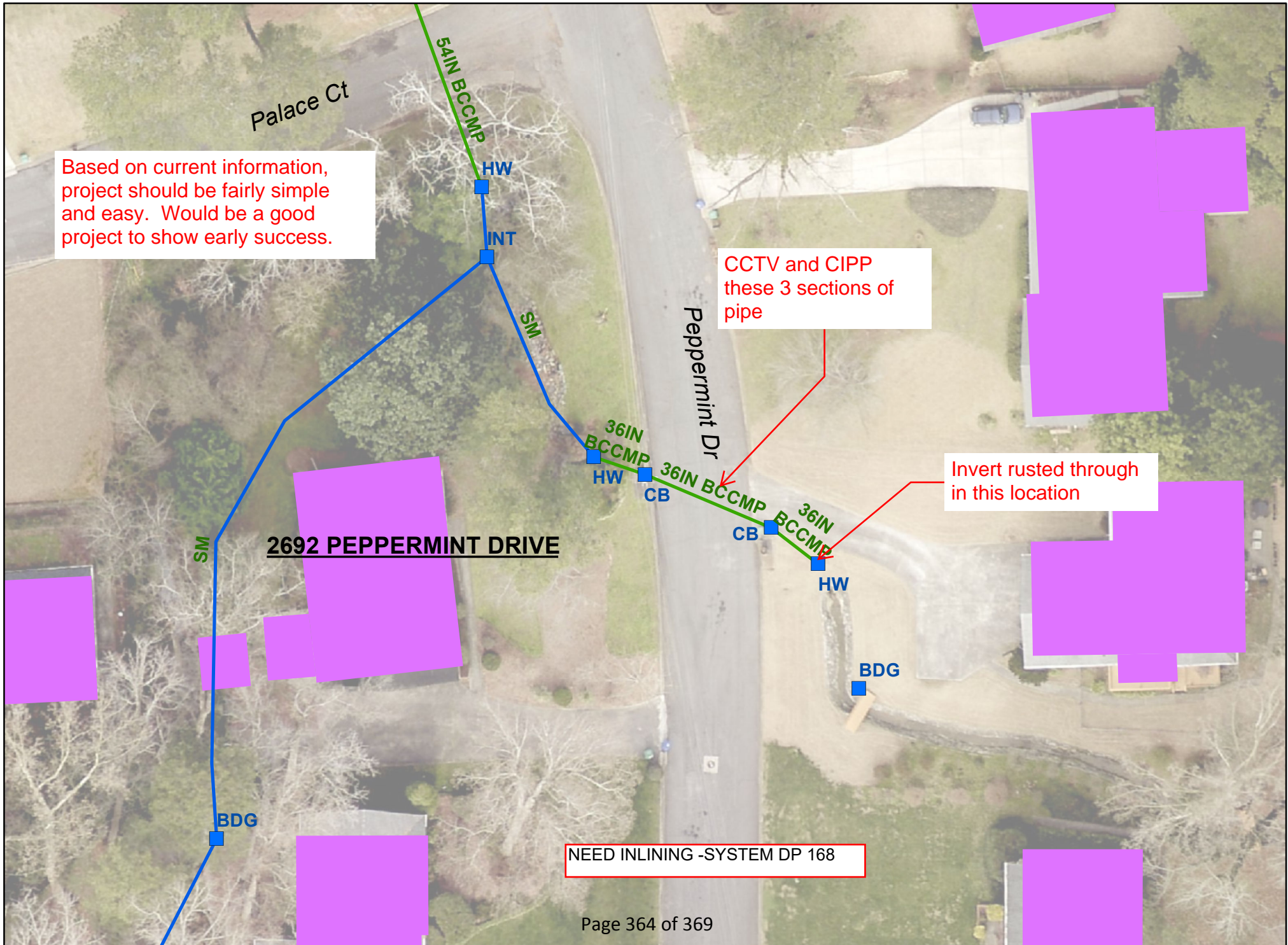
**General conditions**

1. The Contractor shall maintain access to residential properties as necessary by detours or covering of the work area when not mobilized.
2. The Contractor shall furnish, install, maintain and remove all necessary traffic signs, barricades, lights, signals, cones and other traffic control devices, and all flagging and other means of traffic protection and guidance as required by Special Provision 150 of the Georgia Department of Transportation. Such work shall be considered incidental to the overall contract, and no additional compensation will be made.
3. The Contractor will be responsible for calling in and identifying utility locations. The City shall be notified of any potential utility conflicts.

Thank you for your interest in the City of Tucker.



# 2692 PEPPERMINT DRIVE



**EXHIBIT B**

<b><i>Location</i></b>	<b><i>Estimated Cost</i></b>		<b><i>Installed Cost</i></b>	
2255 Crestcliffe Dr	\$	21,411.40	\$	-
2800 Livsey Ct	\$	10,880.00	\$	-
2892 Peppermint Dr	\$	46,114.00	\$	-
5907 Millstone Lane	\$	5,917.80	\$	-
Total	\$	84,323.20	\$	-
Contingency 15%	\$	12,648.48		
	\$	96,971.68		



UNIT PRICE SCHEDULE		Cajon		2255 Crestcliff Drive			
Item	Unit	Contracted Price	Estimated Qty	Estimated Total	Installed Qty	Installed Total	
<b>General Conditions</b>							
Mobilization	EA	\$ 2,400.00	1	\$ 2,400.00		\$ -	
Out of Scope Work, Foreman	HR	\$ 95.00		\$ -		\$ -	
Out of Scope Work, Laborer	HR	\$ 75.00		\$ -		\$ -	
<b>Traffic Control</b>							
Traffic Control Minor 1 – Includes Continuous Crew of 2 Flagmen	Per Day	\$ 3,000.00		\$ -		\$ -	
Traffic Control Minor 2 – Includes Cones and Signage	Per Day	\$ 2,000.00	1.5	\$ 3,000.00		\$ -	
Traffic Control Major - Included Road Closure Detours, Signs,	EA	\$ 6,500.00		\$ -		\$ -	
Mobile Electronic Detour Signs	Per Day	\$ 325.00		\$ -		\$ -	
<b>TV Inspection and Jet/Vac Cleaning</b>							
TV Storm Lines (includes DVD & Report)	LF	\$ 5.00	250	\$ 1,250.00		\$ -	
Visual Inspection (Pictures), per Project (During Construction)	EA	\$ 250.00		\$ -		\$ -	
Hydro-Excavation complete (on-site hours only)	Per Hour	\$ 370.00		\$ -		\$ -	
<b>Storm Line Cleaning (less than 25% full)</b>							
12" PIPE - Cleaning less than 25% full	LF	\$ 5.00		\$ -		\$ -	
16" PIPE - Cleaning less than 25% full	LF	\$ 5.00		\$ -		\$ -	
18" PIPE - Cleaning less than 25% full	LF	\$ 7.00		\$ -		\$ -	
21" PIPE - Cleaning less than 25% full	LF	\$ 7.00		\$ -		\$ -	
24" PIPE - Cleaning less than 25% full	LF	\$ 8.00		\$ -		\$ -	
30" PIPE - Cleaning less than 25% full	LF	\$ 8.00	250	\$ 2,000.00		\$ -	
36" PIPE - Cleaning less than 25% full	LF	\$ 9.00		\$ -		\$ -	
42" PIPE - Cleaning less than 25% full	LF	\$ 9.00		\$ -		\$ -	
48" PIPE - Cleaning less than 25% full	LF	\$ 10.00		\$ -		\$ -	
54" PIPE - Cleaning less than 25% full	LF	\$ 12.00		\$ -		\$ -	
60" PIPE - Cleaning less than 25% full	LF	\$ 14.00		\$ -		\$ -	
66" PIPE - Cleaning less than 25% full	LF	\$ 16.00		\$ -		\$ -	
72" PIPE - Cleaning less than 25% full	LF	\$ 18.00		\$ -		\$ -	
78" PIPE - Cleaning less than 25% full	LF	\$ 19.00		\$ -		\$ -	
84" PIPE - Cleaning less than 25% full	LF	\$ 20.00		\$ -		\$ -	
90" PIPE - Cleaning less than 25% full	LF	\$ 22.00		\$ -		\$ -	
96" PIPE - Cleaning less than 25% full	LF	\$ 25.00		\$ -		\$ -	
<b>Storm Line Cleaning (25% full or greater)</b>							
12" PIPE - Cleaning 25% full or greater	LF	\$ 7.00		\$ -		\$ -	
16" PIPE - Cleaning 25% full or greater	LF	\$ 9.00		\$ -		\$ -	
18" PIPE - Cleaning 25% full or greater	LF	\$ 13.00		\$ -		\$ -	
21" PIPE - Cleaning 25% full or greater	LF	\$ 14.00		\$ -		\$ -	
24" PIPE - Cleaning 25% full or greater	LF	\$ 12.00		\$ -		\$ -	
30" PIPE - Cleaning 25% full or greater	LF	\$ 14.00		\$ -		\$ -	
36" PIPE - Cleaning 25% full or greater	LF	\$ 17.00		\$ -		\$ -	
42" PIPE - Cleaning 25% full or greater	LF	\$ 19.00		\$ -		\$ -	
48" PIPE - Cleaning 25% full or greater	LF	\$ 21.00		\$ -		\$ -	
54" PIPE - Cleaning 25% full or greater	LF	\$ 24.00		\$ -		\$ -	
60" PIPE - Cleaning 25% full or greater	LF	\$ 25.00		\$ -		\$ -	
66" PIPE - Cleaning 25% full or greater	LF	\$ 29.00		\$ -		\$ -	
72" PIPE - Cleaning 25% full or greater	LF	\$ 30.00		\$ -		\$ -	
78" PIPE - Cleaning 25% full or greater	LF	\$ 35.00		\$ -		\$ -	
84" PIPE - Cleaning 25% full or greater	LF	\$ 39.00		\$ -		\$ -	
90" PIPE - Cleaning 25% full or greater	LF	\$ 40.00		\$ -		\$ -	
96" PIPE - Cleaning 25% full or greater	LF	\$ 40.00		\$ -		\$ -	
<b>Specialty Storm Line Cleaning</b>							
Applicable to heavy roots, large diameter rocks, large debris, etc				\$ -		\$ -	
12" to 36" PIPE	LF	\$ 62.00		\$ -		\$ -	
42" to 96" PIPE	LF	\$ 87.00		\$ -		\$ -	
Invert Installation, 4" Diameter	EA	\$ 425.00	2	\$ 850.00		\$ -	
Invert Installation, 5" Diameter	EA	\$ 450.00		\$ -		\$ -	
Invert Installation, 6" Diameter	EA	\$ 475.00		\$ -		\$ -	
Invert Installation, other configurations	SF	\$ 70.00		\$ -		\$ -	
Uncover Buried Junction Box (<4')	EA	\$ 625.00		\$ -		\$ -	
Uncover Buried Junction Box (4'-7')	EA	\$ 780.00		\$ -		\$ -	
Uncover Buried Junction Box (8'-11')	EA	\$ 1,050.00		\$ -		\$ -	
Uncover Buried Junction Box (>12')	EA	\$ 1,550.00		\$ -		\$ -	
Brick Opening of Stormline 18" to 30" (Abandonment)	EA	\$ 400.00		\$ -		\$ -	
Brick Opening of Stormline 36" to 54" (Abandonment)	EA	\$ 700.00		\$ -		\$ -	
Flowable Fill Abandonment (Pumping included if needed)	CY	\$ 1,400.00	5	\$ 7,000.00		\$ -	
Pressure Grouting (Pumping included if needed)	CY	\$ 1,700.00		\$ -		\$ -	
<b>Grout Connection To Structure</b>							
12" Grout Each End to Structure	EA	\$ 125.00		\$ -		\$ -	
16" Grout Each End to Structure	EA	\$ 160.00		\$ -		\$ -	
18" Grout Each End to Structure	EA	\$ 190.00		\$ -		\$ -	
21" Grout Each End to Structure	EA	\$ 190.00		\$ -		\$ -	
24" Grout Each End to Structure	EA	\$ 200.00		\$ -		\$ -	
27" Grout Each End to Structure	EA	\$ 220.00		\$ -		\$ -	
30" Grout Each End to Structure	EA	\$ 220.00	4	\$ 880.00		\$ -	
36" Grout Each End to Structure	EA	\$ 250.00		\$ -		\$ -	
42" Grout Each End to Structure	EA	\$ 275.00		\$ -		\$ -	
48" Grout Each End to Structure	EA	\$ 300.00		\$ -		\$ -	
54" Grout Each End to Structure	EA	\$ 400.00		\$ -		\$ -	
60" Grout Each End to Structure	EA	\$ 400.00		\$ -		\$ -	
66" Grout Each End to Structure	EA	\$ 500.00		\$ -		\$ -	
72" Grout Each End to Structure	EA	\$ 500.00		\$ -		\$ -	
Grout all joint, cracks & holes, in structures, complete (structures 8'	EA	\$ 700.00		\$ -		\$ -	
Grout all joint, cracks & holes, in structures, complete (structures greater	EA	\$ 1,450.00	2	\$ 2,900.00		\$ -	
<b>Cast in Place Concrete</b>							
Paved Ditch/Swale (4" Thick)	SY	\$ 65.00		\$ -		\$ -	
Driveway 4" Concrete (Residential w/o of GAB included)	SY	\$ 80.00		\$ -		\$ -	
Driveway 6" Concrete (Commercial w/o of GAB included)	SY	\$ 90.00		\$ -		\$ -	
Driveway 8" Concrete (Commercial w/o of GAB included)	SY	\$ 110.00		\$ -		\$ -	
Regular Duty Sidewalk (4" Thick, 3000 psi) <5' length	SY	\$ 80.00	2.33	\$ 186.40		\$ -	
Regular Duty Sidewalk (4" Thick, 3000 psi) 5'-10' length	SY	\$ 80.00		\$ -		\$ -	
Regular Duty Sidewalk (4" Thick, 3000 psi) 11'-20' length	SY	\$ 80.00		\$ -		\$ -	
Medium Duty Sidewalk (6" Thick, Fiber Reinf. 3000 psi) <5' length	SY	\$ 85.00		\$ -		\$ -	
Medium Duty Sidewalk (6" Thick, Fiber Reinf. 3000 psi) 5'-10' length	SY	\$ 85.00		\$ -		\$ -	
Medium Duty Sidewalk (6" Thick, Fiber Reinf. 3000 psi) 11'-20' length	SY	\$ 85.00		\$ -		\$ -	
Heavy Duty Sidewalk (6" w/Wire Mesh, & 3500 psi) <5' length	SY	\$ 100.00		\$ -		\$ -	
Heavy Duty Sidewalk (6" w/Wire Mesh, & 3500 psi) 5'-10' length	SY	\$ 100.00		\$ -		\$ -	
Heavy Duty Sidewalk (6" w/Wire Mesh, & 3500 psi) 11'-20' length	SY	\$ 100.00		\$ -		\$ -	
Curb & Gutter 6"x24"x12" High Back	LF	\$ 50.00		\$ -		\$ -	
Curb & Gutter 6"x30"x12" High Back	LF	\$ 54.00		\$ -		\$ -	
Curb and Gutter 6"x24"x10" Roll Back	LF	\$ 48.00		\$ -		\$ -	
Straight Header Curb	LF	\$ 46.00		\$ -		\$ -	
Concrete Drainage Structures Poured in Place w/ Steel	CY	\$ 2,248.00		\$ -		\$ -	
High Early Strength (5000 psi)	CY	\$ 500.00		\$ -		\$ -	
ADA Ramp	EA	\$ 450.00		\$ -		\$ -	
<b>Road Restoration</b>							
Graded Aggregate Base	Ton	\$ 86.00		\$ -		\$ -	
Crusher Run Stone	Ton	\$ 83.00		\$ -		\$ -	
Asphaltic Concrete Binder Course	Ton	\$ 302.00		\$ -		\$ -	
Asphaltic Concrete Surface Course	Ton	\$ 327.00		\$ -		\$ -	
Tack Coat	Gall	\$ 35.00		\$ -		\$ -	
2" Asph. Con. Hot Mix for Trench Cap	Ton	\$ 323.00		\$ -		\$ -	
8" Thick 3000 psi. Concrete Trench Cap	CY	\$ 660.00		\$ -		\$ -	
<b>Earthwork &amp; Grading</b>							
Tree Removal 6"-12"	EA	\$ 950.00		\$ -		\$ -	
Tree Removal 13"-23"	EA	\$ 1,700.00		\$ -		\$ -	
Tree Removal >23"	EA	\$ 3,100.00		\$ -		\$ -	
Clear & Grubbing	SY	\$ 14.00		\$ -		\$ -	
Channel Excavation	CY	\$ 24.00		\$ -		\$ -	
Additional Excavation	CY	\$ 20.00		\$ -		\$ -	
Haul-In Structural Fill Material	CY	\$ 72.00		\$ -		\$ -	
Haul-Off Soil Material	CY	\$ 80.00	7	\$ 560.00		\$ -	
Finish Grading	SY	\$ 10.00		\$ -		\$ -	
Trench Rock Excavation	CY	\$ 320.00		\$ -		\$ -	
Debris Removal	CY	\$ 75.00		\$ -		\$ -	
<b>Erosion Control</b>							
Stone Rip Rap Type I in Place	TON	\$ 95.00		\$ -		\$ -	
Stone Rip Rap Type II in Place	TON	\$ 95.00		\$ -		\$ -	
Stone Grouted Rip Rap 12" Installed	SY	\$ 98.00		\$ -		\$ -	
Install & Remove Type A Silt Fence	LF	\$ 5.00	30	\$ 150.00		\$ -	
Flexmat Ditch Liner	SY	\$ 45.00		\$ -		\$ -	
Install & Remove Type C Silt Fence	LF	\$ 6.00		\$ -		\$ -	
Install & Remove Type C Silt Fence - Alternative	LF	\$ 6.00		\$ -		\$ -	
Inlet Sediment Traps - Silt Fence S02	EA	\$ 244.00		\$ -		\$ -	
Rock Bags for curb inlet/C&S sediment Protection	EA	\$ 155.00		\$ -		\$ -	
Install & Remove Orange Tree Save Fence	LF	\$ 8.00		\$ -		\$ -	
Geobion Structures ( GDOT Section 626 & 809)	SF	\$ 115.00		\$ -		\$ -	
Permanent Soil Reel Mat Installed	SY	\$ 11.00		\$ -		\$ -	
Organic Material Fiber Blanket Installed	SY	\$ 8.00		\$ -		\$ -	
Seed & Straw (Permanent Grassing)	SY	\$ 5.00	5	\$ 25.00		\$ -	
Seed & Straw (Temporary Grassing)	SY	\$ 4.00		\$ -		\$ -	
Sodding Complete-Fescue	SY	\$ 20.00		\$ -		\$ -	
Sodding Complete-Bermuda	SY	\$ 19.00		\$ -		\$ -	
Sodding Complete-Zoysia	SY	\$ 23.00		\$ -		\$ -	
Sodding Complete-Centipede	SY	\$ 23.00		\$ -		\$ -	
Topsoil Complete	CY	\$ 70.00	3	\$ 210.00		\$ -	
Pine Straw	EA	\$ 10.00		\$ -		\$ -	
Straw Mulch	SY	\$ 5.00		\$ -		\$ -	
***** END OF SPECIFICATIONS *****				\$ 21,411.40		\$ -	

UNIT PRICE SCHEDULE		Cajenn		Estimated Qty	Estimated Total	Installed Qty	Installed Total
Item	Unit	Contracted Price					
<b>General Conditions</b>							
Mobilization	EA	\$ 2,400.00	1	\$	2,400.00	\$	-
Out of Scope Work, Foreman	HR	\$ 95.00		\$	-	\$	-
Out of Scope Work, Laborer	HR	\$ 75.00		\$	-	\$	-
<b>Traffic Control</b>							
Traffic Control Minor 1 - Includes Continuous Crew of 2 Flagmen	Per Day	\$ 3,000.00		\$	-	\$	-
Traffic Control Minor 2 - Includes Cones and Signage	Per Day	\$ 2,000.00	1	\$	2,000.00	\$	-
Traffic Control Major - Included Road Closure Detours, Signs,	EA	\$ 6,500.00		\$	-	\$	1 day construction
Mobile Electronic Detour Signs	Per Day	\$ 325.00		\$	-	\$	-
<b>TV Inspection and Jet-Vac Cleaning</b>							
TV Storm Lines (includes DVD & Report)	LF	\$ 5.00		\$	-	\$	-
Visual Inspection (Pictures), per Project (During Construction)	EA	\$ 250.00		\$	-	\$	-
Hydro-Excavation complete (onsite hours only)	Per Hour	\$ 370.00		\$	-	\$	-
<b>Storm Line Cleaning (less than 25% full)</b>							
12" PIPE - Cleaning less than 25% full	LF	\$ 5.00		\$	-	\$	-
15" PIPE - Cleaning less than 25% full	LF	\$ 5.00		\$	-	\$	-
18" PIPE - Cleaning less than 25% full	LF	\$ 7.00		\$	-	\$	-
21" PIPE - Cleaning less than 25% full	LF	\$ 7.00		\$	-	\$	-
24" PIPE - Cleaning less than 25% full	LF	\$ 8.00		\$	-	\$	-
30" PIPE - Cleaning less than 25% full	LF	\$ 8.00		\$	-	\$	-
36" PIPE - Cleaning less than 25% full	LF	\$ 9.00		\$	-	\$	-
42" PIPE - Cleaning less than 25% full	LF	\$ 9.00		\$	-	\$	-
48" PIPE - Cleaning less than 25% full	LF	\$ 10.00		\$	-	\$	-
54" PIPE - Cleaning less than 25% full	LF	\$ 12.00		\$	-	\$	-
60" PIPE - Cleaning less than 25% full	LF	\$ 14.00		\$	-	\$	-
66" PIPE - Cleaning less than 25% full	LF	\$ 16.00		\$	-	\$	-
72" PIPE - Cleaning less than 25% full	LF	\$ 18.00		\$	-	\$	-
78" PIPE - Cleaning less than 25% full	LF	\$ 19.00		\$	-	\$	-
84" PIPE - Cleaning less than 25% full	LF	\$ 20.00		\$	-	\$	-
90" PIPE - Cleaning less than 25% full	LF	\$ 22.00		\$	-	\$	-
96" PIPE - Cleaning less than 25% full	LF	\$ 25.00		\$	-	\$	-
Invert Installation, 4' Diameter	EA	\$ 425.00	1	\$	425.00	\$	-
Invert Installation, 5' Diameter	EA	\$ 450.00		\$	-	\$	-
Invert Installation, 6' Diameter	EA	\$ 475.00		\$	-	\$	-
Invert Installation, other configurations	SF	\$ 70.00		\$	-	\$	-
Uncover Buried Junction Box (<4')	EA	\$ 625.00		\$	-	\$	-
Uncover Buried Junction Box (4'-7.9')	EA	\$ 780.00		\$	-	\$	-
Uncover Buried Junction Box (8'-11.9')	EA	\$ 1,050.00		\$	-	\$	-
Uncover Buried Junction Box (>12')	EA	\$ 1,550.00		\$	-	\$	-
Brick Opening of Stormline 18" to 30" (Abandonment)	EA	\$ 400.00		\$	-	\$	-
Brick Opening of Stormline 36" to 54" (Abandonment)	EA	\$ 700.00		\$	-	\$	-
Flowable Fill Abandonment (Pumping included if needed)	CY	\$ 1,400.00	3	\$	4,200.00	\$	-
Pressure Grouting (Pumping included if needed)	CY	\$ 1,700.00		\$	-	\$	-
<b>Grout Connection To Structure</b>							
12" Grout Each End to Structure	EA	\$ 125.00		\$	-	\$	-
15" Grout Each End to Structure	EA	\$ 160.00		\$	-	\$	-
18" Grout Each End to Structure	EA	\$ 190.00		\$	-	\$	-
21" Grout Each End to Structure	EA	\$ 190.00		\$	-	\$	-
24" Grout Each End to Structure	EA	\$ 200.00		\$	-	\$	-
27" Grout Each End to Structure	EA	\$ 220.00		\$	-	\$	-
30" Grout Each End to Structure	EA	\$ 220.00		\$	-	\$	-
36" Grout Each End to Structure	EA	\$ 250.00		\$	-	\$	-
42" Grout Each End to Structure	EA	\$ 275.00		\$	-	\$	-
48" Grout Each End to Structure	EA	\$ 300.00	2	\$	600.00	\$	-
54" Grout Each End to Structure	EA	\$ 400.00		\$	-	\$	-
60" Grout Each End to Structure	EA	\$ 400.00		\$	-	\$	-
66" Grout Each End to Structure	EA	\$ 500.00		\$	-	\$	-
72" Grout Each End to Structure	EA	\$ 500.00		\$	-	\$	-
Grout all joint, cracks & holes, in structures, complete (structures 8'	EA	\$ 700.00	1	\$	700.00	\$	-
Grout all joint, cracks & holes, in structures, complete (structures greater	EA	\$ 1,450.00		\$	-	\$	-
<b>Earthwork &amp; Grading</b>							
Tree Removal 6"-12"	EA	\$ 950.00		\$	-	\$	-
Tree Removal 13"-23"	EA	\$ 1,700.00		\$	-	\$	-
Tree Removal >23"	EA	\$ 3,100.00		\$	-	\$	-
Clear & Grubbing	SY	\$ 14.00		\$	-	\$	-
Channel Excavation	CY	\$ 24.00		\$	-	\$	-
Additional Excavation	CY	\$ 20.00		\$	-	\$	-
Haul-In Structural Fill Material	CY	\$ 72.00		\$	-	\$	-
Haul-Off Soil Material	CY	\$ 80.00	3.5	\$	280.00	\$	-
Finish Grading	SY	\$ 10.00		\$	-	\$	-
Trench Rock Excavation	CY	\$ 320.00		\$	-	\$	-
Debris Removal	CY	\$ 75.00		\$	-	\$	-
<b>Erosion Control</b>							
Stone Rip Rap Type I In Place	TON	\$ 95.00		\$	-	\$	-
Stone Rip Rap Type III In Place	TON	\$ 95.00		\$	-	\$	-
Stone Grouted Rip Rap 12" Installed	SY	\$ 98.00		\$	-	\$	-
Install & Remove Type A Silt Fence	LF	\$ 5.00		\$	-	\$	-
Flexmat Ditch Lining	SY	\$ 45.00		\$	-	\$	-
Install & Remove Type C Silt Fence	LF	\$ 6.00		\$	-	\$	-
Install & Remove Type C Silt Fence - Alternative	LF	\$ 6.00		\$	-	\$	-
Inlet Sediment Traps - Silt Fence Sd2	EA	\$ 244.00		\$	-	\$	-
Rock Bags for curb inlet/CB sediment Protection	EA	\$ 155.00		\$	-	\$	-
Install & Remove Orange Tree Save Fence	LF	\$ 8.00		\$	-	\$	-
Gabion Structures ( GDOT Section 626 & 809)	SF	\$ 115.00		\$	-	\$	-
Permanent Soil Reinf Mat Installed	SY	\$ 11.00		\$	-	\$	-
Organic Material Fiber Blanket Installed	SY	\$ 8.00		\$	-	\$	-
Seed & Straw (Permanent Grassing)	SY	\$ 5.00	5	\$	25.00	\$	-
Seed & Straw (Temporary Grassing)	SY	\$ 4.00		\$	-	\$	-
Sodding Complete-Fescue	SY	\$ 20.00		\$	-	\$	-
Sodding Complete-Bermuda	SY	\$ 19.00		\$	-	\$	-
Sodding Complete-Zoysia	SY	\$ 23.00		\$	-	\$	-
Sodding Complete-Centipede	SY	\$ 23.00		\$	-	\$	-
Topsoil Complete	CY	\$ 70.00	3	\$	210.00	\$	-
Pine Straw	EA	\$ 10.00	4	\$	40.00	\$	-
Straw Mulch	SY	\$ 5.00		\$	-	\$	-
Tree Replacement 1-1/2" Hardwood, installed	EA	\$ 490.00		\$	-	\$	-
Tree Replacement 2-1/2" Hardwood, installed	EA	\$ 630.00		\$	-	\$	-
Tree Replacement 1-1/2" Hardwood, installed	EA	\$ 497.00		\$	-	\$	-
Tree Replacement 2-1/2" Pine, installed	EA	\$ 481.00		\$	-	\$	-
Shrub Replacement: 1 gallon, installed	EA	\$ 81.00		\$	-	\$	-
Shrub Replacement: 3 gallon, installed	EA	\$ 125.00		\$	-	\$	-
Shrub Replacement: 5 gallon, installed	EA	\$ 160.00		\$	-	\$	-
Shrub Replacement: 7 gallon, installed	EA	\$ 210.00		\$	-	\$	-
Shrub Replacement: 15 gallon, installed	EA	\$ 480.00		\$	-	\$	-
Shrub Replacement: 30 gallon, installed	EA	\$ 690.00		\$	-	\$	-
Bedding Flower per flat of 18, installed	SY	\$ 41.00		\$	-	\$	-
Irrigation Line Replacement	LF	\$ 28.00		\$	-	\$	-
Irrigation Head Replacement (Builder Grade)	EA	\$ 45.00		\$	-	\$	-
***** END OF SPECIFICATIONS *****				\$	10,880.00	\$	-



UNIT PRICE SCHEDULE			Unit	Contract Price	Estimated Qty	Estimated Total	Installed Qty	Installed Total
<b>General Conditions</b>								
Mobilization			EA	2,400.00	1	\$ 2,400.00	\$ -	\$ -
Out of Scope Work, Foreman			HR	95.00		\$ -	\$ -	\$ -
Out of Scope Work, Laborer			HR	75.00		\$ -	\$ -	\$ -
<b>Traffic Control</b>								
Traffic Control Minor - Includes Continuous Crew of 2 Elements			Per Day	3,000.00		\$ -	\$ -	\$ -
Traffic Control Major - Includes Cones and Signage			Per Day	2,000.00	1.75	\$ 3,500.00	\$ -	\$ -
Traffic Control Major - Includes Road Closure Detours, Signs			EA	6,500.00		\$ -	\$ -	\$ -
Mobile Electronic Detour Signs			Per Day	325.00		\$ -	\$ -	\$ -
<b>TV Inspection and Jet-Vac Cleaning</b>								
TV Storm Lines Includes DVD & Report			LF	5.00	75	\$ 375.00	\$ -	\$ -
Visual Inspection (Pickups), per Project (During Construction)			EA	250.00		\$ -	\$ -	\$ -
Hydro-Excavation complete (on-site hours only)			Per Hour	370.00		\$ -	\$ -	\$ -
<b>Storm Line Cleaning (less than 25% full)</b>								
12" PIPE - Cleaning less than 25% full			LF	5.00		\$ -	\$ -	\$ -
14" PIPE - Cleaning less than 25% full			LF	5.00		\$ -	\$ -	\$ -
16" PIPE - Cleaning less than 25% full			LF	7.00		\$ -	\$ -	\$ -
21" PIPE - Cleaning less than 25% full			LF	7.00		\$ -	\$ -	\$ -
24" PIPE - Cleaning less than 25% full			LF	8.00		\$ -	\$ -	\$ -
30" PIPE - Cleaning less than 25% full			LF	8.00		\$ -	\$ -	\$ -
36" PIPE - Cleaning less than 25% full			LF	9.00	50	\$ 450.00	\$ -	\$ -
42" PIPE - Cleaning less than 25% full			LF	9.00		\$ -	\$ -	\$ -
48" PIPE - Cleaning less than 25% full			LF	10.00		\$ -	\$ -	\$ -
54" PIPE - Cleaning less than 25% full			LF	12.00		\$ -	\$ -	\$ -
60" PIPE - Cleaning less than 25% full			LF	14.00		\$ -	\$ -	\$ -
66" PIPE - Cleaning less than 25% full			LF	16.00		\$ -	\$ -	\$ -
72" PIPE - Cleaning less than 25% full			LF	18.00		\$ -	\$ -	\$ -
84" PIPE - Cleaning less than 25% full			LF	20.00		\$ -	\$ -	\$ -
96" PIPE - Cleaning less than 25% full			LF	22.00		\$ -	\$ -	\$ -
108" PIPE - Cleaning less than 25% full			LF	25.00		\$ -	\$ -	\$ -
<b>Storm Line Cleaning (25% full or greater)</b>								
12" PIPE - Cleaning 25% full or greater			LF	7.00		\$ -	\$ -	\$ -
14" PIPE - Cleaning 25% full or greater			LF	8.00		\$ -	\$ -	\$ -
16" PIPE - Cleaning 25% full or greater			LF	13.00		\$ -	\$ -	\$ -
21" PIPE - Cleaning 25% full or greater			LF	14.00		\$ -	\$ -	\$ -
24" PIPE - Cleaning 25% full or greater			LF	15.00		\$ -	\$ -	\$ -
30" PIPE - Cleaning 25% full or greater			LF	14.00		\$ -	\$ -	\$ -
36" PIPE - Cleaning 25% full or greater			LF	17.00	25	\$ 425.00	\$ -	\$ -
42" PIPE - Cleaning 25% full or greater			LF	19.00		\$ -	\$ -	\$ -
48" PIPE - Cleaning 25% full or greater			LF	21.00		\$ -	\$ -	\$ -
54" PIPE - Cleaning 25% full or greater			LF	24.00		\$ -	\$ -	\$ -
60" PIPE - Cleaning 25% full or greater			LF	25.00		\$ -	\$ -	\$ -
66" PIPE - Cleaning 25% full or greater			LF	25.00		\$ -	\$ -	\$ -
72" PIPE - Cleaning 25% full or greater			LF	30.00		\$ -	\$ -	\$ -
78" PIPE - Cleaning 25% full or greater			LF	35.00		\$ -	\$ -	\$ -
84" PIPE - Cleaning 25% full or greater			LF	39.00		\$ -	\$ -	\$ -
96" PIPE - Cleaning 25% full or greater			LF	40.00		\$ -	\$ -	\$ -
108" PIPE - Cleaning 25% full or greater			LF	40.00		\$ -	\$ -	\$ -
<b>Specialty Storm Line Cleaning</b>								
Applicable to heavy roots, large diameter rocks, large debris, etc								
12" to 30" PIPE			LF	60.00		\$ -	\$ -	\$ -
42" to 96" PIPE			LF	87.00		\$ -	\$ -	\$ -
<b>Internal Pipe Point Repairs (including cutting, trimming, jacking)</b>								
18" Diameter			LF	580.00		\$ -	\$ -	\$ -
24" Diameter			LF	625.00		\$ -	\$ -	\$ -
30" Diameter			LF	490.00		\$ -	\$ -	\$ -
36" Diameter			LF	450.00	2	\$ 900.00	\$ -	\$ -
42" Diameter			LF	435.00		\$ -	\$ -	\$ -
48" Diameter			LF	399.00		\$ -	\$ -	\$ -
60" Diameter			LF	384.00		\$ -	\$ -	\$ -
72" Diameter			LF	382.00		\$ -	\$ -	\$ -
96" Diameter			LF	399.00		\$ -	\$ -	\$ -
<b>Precast Replacement Top Only for Single Wires, w/ Ring &amp; Cover, not</b>			EA	2,700.00		\$ -	\$ -	\$ -
<b>Precast Replacement Top Only for Double Wires w/ Ring &amp; Cover, not</b>			EA	2,700.00		\$ -	\$ -	\$ -
<b>Cast Precast Top w/ MR Ring and Cover</b>			EA	990.00		\$ -	\$ -	\$ -
<b>Cast in Place Top Only w/ Ring &amp; Cover</b>			EA	1,100.00		\$ -	\$ -	\$ -
<b>Cast in Place Throat Only</b>			EA	2,400.00	2	\$ 4,800.00	\$ -	\$ -
<b>Invert Installation, 4" Diameter</b>			EA	425.00	2	\$ 850.00	\$ -	\$ -
<b>Invert Installation, 6" Diameter</b>			EA	450.00		\$ -	\$ -	\$ -
<b>Invert Installation, other configurations</b>			SP	70.00		\$ -	\$ -	\$ -
<b>Uncover Buried Junction Box (4")</b>			EA	625.00		\$ -	\$ -	\$ -
<b>Uncover Buried Junction Box (4" x 7")</b>			EA	780.00		\$ -	\$ -	\$ -
<b>Uncover Buried Junction Box (6" x 11")</b>			EA	1,050.00		\$ -	\$ -	\$ -
<b>Uncover Buried Junction Box (6" x 12")</b>			EA	1,550.00		\$ -	\$ -	\$ -
<b>Back Opening of Stormline, 18" to 30" (Abandonment)</b>			EA	400.00		\$ -	\$ -	\$ -
<b>Back Opening of Stormline, 36" to 54" (Abandonment)</b>			EA	700.00		\$ -	\$ -	\$ -
<b>Flowable Fill Abandonment (Pumping included if needed)</b>			CY	1,400.00		\$ -	\$ -	\$ -
<b>Pressure Grouting (Pumping included if needed)</b>			CY	1,700.00	0.5	\$ 850.00	\$ -	\$ -
<b>GROUT CONNECTION TO STRUCTURE</b>								
12" Grout Each End to Structure			EA	125.00		\$ -	\$ -	\$ -
14" Grout Each End to Structure			EA	160.00		\$ -	\$ -	\$ -
16" Grout Each End to Structure			EA	190.00		\$ -	\$ -	\$ -
21" Grout Each End to Structure			EA	190.00		\$ -	\$ -	\$ -
24" Grout Each End to Structure			EA	200.00		\$ -	\$ -	\$ -
30" Grout Each End to Structure			EA	220.00		\$ -	\$ -	\$ -
36" Grout Each End to Structure			EA	220.00		\$ -	\$ -	\$ -
42" Grout Each End to Structure			EA	250.00	6	\$ 1,500.00	\$ -	\$ -
48" Grout Each End to Structure			EA	275.00		\$ -	\$ -	\$ -
60" Grout Each End to Structure			EA	300.00		\$ -	\$ -	\$ -
66" Grout Each End to Structure			EA	400.00		\$ -	\$ -	\$ -
72" Grout Each End to Structure			EA	400.00		\$ -	\$ -	\$ -
84" Grout Each End to Structure			EA	500.00		\$ -	\$ -	\$ -
96" Grout Each End to Structure			EA	500.00		\$ -	\$ -	\$ -
<b>Grout at joint, cracks &amp; holes in structures, complete structures if</b>			EA	700.00		\$ -	\$ -	\$ -
<b>Grout at end, cracks &amp; holes in structures, complete structures, smaller</b>			EA	1,400.00		\$ -	\$ -	\$ -
<b>LINING REQUIREMENTS</b>								
<b>Guard in Place Pipe Liner (CIPP) - (12" or less in depth)</b>								
<b>Include Pre and Post Inspection Inspection during Run</b>								
12" PIPE - 4.0mm (.157")			LF	80.00		\$ -	\$ -	\$ -
12" PIPE - 7.5mm (.295")			LF	95.00		\$ -	\$ -	\$ -
14" PIPE - 8.0mm (.314")			LF	110.00		\$ -	\$ -	\$ -
21" PIPE - 8.0mm (.314")			LF	130.00		\$ -	\$ -	\$ -
24" PIPE - 11.0mm (.433")			LF	157.00		\$ -	\$ -	\$ -
30" PIPE - 13.5mm (.531")			LF	195.00		\$ -	\$ -	\$ -
36" PIPE - 16.5mm (.649")			LF	242.00	75	\$ 18,150.00	\$ -	\$ -
42" PIPE - 19.5mm (.768")			LF	300.00		\$ -	\$ -	\$ -
48" PIPE - 22.5mm (.886")			LF	368.00		\$ -	\$ -	\$ -
54" PIPE - 25.5mm (1.004")			LF	650.00		\$ -	\$ -	\$ -
60" PIPE - 28.5mm (1.122")			LF	750.00		\$ -	\$ -	\$ -
66" PIPE - 31.5mm (1.237")			LF	800.00		\$ -	\$ -	\$ -
72" PIPE - 34.5mm (1.358")			LF	1,200.00		\$ -	\$ -	\$ -
78" PIPE - 37.5mm (1.476")			LF	1,300.00		\$ -	\$ -	\$ -
84" PIPE - 42.0mm (1.654")			LF	1,700.00		\$ -	\$ -	\$ -
90" PIPE - 45.0mm (1.772")			LF	1,800.00		\$ -	\$ -	\$ -
96" PIPE - 48.0mm (1.890")			LF	1,900.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 12" PIPE</b>			LF	4.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 16" PIPE</b>			LF	5.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 18" PIPE</b>			LF	7.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 21" PIPE</b>			LF	7.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 24" PIPE</b>			LF	15.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 30" PIPE</b>			LF	19.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 36" PIPE</b>			LF	17.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 42" PIPE</b>			LF	19.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 48" PIPE</b>			LF	19.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 54" PIPE</b>			LF	21.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 60" PIPE</b>			LF	28.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 66" PIPE</b>			LF	31.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 72" PIPE</b>			LF	60.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 78" PIPE</b>			LF	80.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 84" PIPE</b>			LF	80.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 90" PIPE</b>			LF	100.00		\$ -	\$ -	\$ -
<b>Additional Cost Per 1.5mm (.0591") Thickness - 96" PIPE</b>			LF	150.00		\$ -	\$ -	\$ -
<b>Inversion Setup</b>								
<b>Inversion Setup Change 15" - 36" CIPP</b>			EACH	2,900.00	2	\$ 5,800.00	\$ -	\$ -
<b>Inversion Setup Change 42" - 60" CIPP</b>			EACH	6,000.00		\$ -	\$ -	\$ -
<b>Inversion Setup Change 66" - 96" CIPP</b>			EACH	10,000.00		\$ -	\$ -	\$ -
<b>Miscellaneous Items</b>								
<b>Connect to Existing Structures</b>			EA	1,620.00		\$ -	\$ -	\$ -
<b>Costs Removal, Tandem Dump Truck</b>			Per Load	667.00		\$ -	\$ -	\$ -
<b>Removal of Existing Non-Drainage Structure</b>			EA	2,400.00		\$ -	\$ -	\$ -
<b>Removal of Existing Drainage Structure</b>			EA	2,200.00	2	\$ 4,400.00	\$ -	\$ -
<b>Remove Existing Pipe all Ties and Sides</b>			LF	70.00		\$ -	\$ -	\$ -
<b>Save Cut Existing Pavements</b>			LF	4.00		\$ -	\$ -	\$ -
<b>Shove 30"</b>			TON	84.00		\$ -	\$ -	\$ -
<b>Shove 36"</b>			TON	87.00		\$ -	\$ -	\$ -
<b>No. 3s and 4's Shove</b>			TON	87.00		\$ -	\$ -	\$ -
<b>Back-Off Dumper</b>			EA	760.00		\$ -	\$ -	\$ -
<b>Relocate Existing Residential Water Meter, Including Box</b>			EA	740.00		\$ -	\$ -	\$ -
<b>Install Thermal Barrier to protect water service line or other utilities</b>			SP	8.00		\$ -	\$ -	\$ -
<b>Biggest pumps setup-equipment and hose placement</b>			EA	950.00	1	\$ 950.00	\$ -	\$ -
<b>C Pumpers Operation Time</b>			HR	97.00	8	\$ 9,540.00	\$ -	\$ -
<b>B Pumpers Operation Time</b>			HR	119.00		\$ -	\$ -	\$ -
<b>T Pumpers Operation Time</b>			HR	166.00		\$ -	\$ -	\$ -
<b>12" Pumping Operation Time</b>			HR	199.00		\$ -	\$ -	\$ -
<b>Temporary C Chain Link Fence</b>			LF	50.00		\$ -	\$ -	\$ -
<b>Remove and Replace Existing 4" Galvanized Standard Chain Link Fence</b>			LF	59.00		\$ -	\$ -	\$ -
<b>Remove and Replace Existing 6" Galvanized Standard Chain Link Fence</b>			LF	58.00		\$ -	\$ -	\$ -
<b>Remove and Replace Existing 8" Black Vinyl Standard Chain Link</b>			LF	64.00		\$ -	\$ -	\$ -
<b>Remove and Replace Existing 8" Wood Fence Residential</b>			LF	62.00		\$ -	\$ -	\$ -
<b>Remove and Replace Existing 8" Wood Fence Residential</b>			LF	62.00		\$ -	\$ -	\$ -
<b>Steel Plates 1/4" x 6" x 8"</b>			EA	275.00		\$ -	\$ -	\$ -
<b>Reset Existing Headwall - 18" DIA</b>			EA	340.00		\$ -	\$ -	\$ -
<b>Reset Existing Headwall - 24" DIA</b>			EA	540.00		\$ -	\$ -	\$ -
<b>Reset Existing Headwall - 36" DIA</b>			EA	640.00		\$ -	\$ -	\$ -
<b>Reset Existing Headwall - 48" DIA</b>			EA	790.00		\$ -	\$ -	\$ -
<b>Reset Existing Headwall - 60" DIA</b>			EA	1,277.00		\$ -	\$ -	\$ -
<b>Adapt Manhole Cover in Pavement (complete, includes removal or</b>			EA	1,076.00		\$ -	\$ -	\$ -
<b>Adapt Manhole Cover in Pavement (complete, includes removal or</b>			EA	1,076.00		\$ -	\$ -	\$ -
						\$ 461,144.00	\$ -	\$ -

UNIT PRICE SCHEDULE		Cajenn					
Item	Unit	Contracted Price	Estimated Qty	Estimated Total	Installed Qty	Installed Total	
<b>General Conditions</b>							
Mobilization	EA	\$ 2,400.00	1	\$ 2,400.00		\$ -	
Out of Scope Work, Foreman	HR	\$ 95.00		\$ -		\$ -	
Out of Scope Work, Laborer	HR	\$ 75.00		\$ -		\$ -	
<b>Traffic Control</b>							
Traffic Control Minor 1 – Includes Continuous Crew of 2 Flagmen	Per Day	\$ 3,000.00		\$ -		\$ -	
Traffic Control Minor 2 – Includes Cones and Signage	Per Day	\$ 2,000.00	1	\$ 2,000.00		\$ -	.5 remove patch and back fill, .5 paving
Traffic Control Major - Included Road Closure Detours, Signs,	EA	\$ 6,500.00		\$ -		\$ -	
Mobile Electronic Detour Signs	Per Day	\$ 325.00		\$ -		\$ -	
<b>Road Restoration</b>							
Graded Aggregate Base	Ton	\$ 86.00		\$ -		\$ -	
Crusher Run Stone	Ton	\$ 83.00		\$ -		\$ -	
Asphaltic Concrete Binder Course	Ton	\$ 302.00		\$ -		\$ -	
Asphaltic Concrete Surface Course	Ton	\$ 327.00		\$ -		\$ -	
Tack Coat	Gal	\$ 35.00		\$ -		\$ -	
2" Asph. Con. Hot Mix for Trench Cap	Ton	\$ 323.00	3	\$ 969.00		\$ -	3' x 1.5
8" Thick 3000 psi- Concrete Trench Cap	CY	\$ 660.00		\$ -		\$ -	
<b>Earthwork &amp; Grading</b>							
Tree Removal 6"-12"	EA	\$ 950.00		\$ -		\$ -	
Tree Removal 13"-23"	EA	\$ 1,700.00		\$ -		\$ -	
Tree Removal >23"	EA	\$ 3,100.00		\$ -		\$ -	
Clear & Grubbing	SY	\$ 14.00		\$ -		\$ -	
Channel Excavation	CY	\$ 24.00		\$ -		\$ -	
Additional Excavation	CY	\$ 20.00		\$ -		\$ -	
Haul-In Structural Fill Material	CY	\$ 72.00		\$ -		\$ -	
Haul-Off Soil Material	CY	\$ 80.00	5.86	\$ 468.80		\$ -	
Finish Grading	SY	\$ 10.00		\$ -		\$ -	
Trench Rock Excavation	CY	\$ 320.00		\$ -		\$ -	
Debris Removal	CY	\$ 75.00		\$ -		\$ -	
<b>Miscellaneous Items</b>							
Connect to Existing Structures	EA	\$ 1,625.00		\$ -		\$ -	
Debris Removal, Tandem Dump Truck	Per Load	\$ 667.00		\$ -		\$ -	
Removal of Existing Non Drainage Structure	EA	\$ 2,498.00		\$ -		\$ -	
Removal of Existing Drainage Structure	EA	\$ 2,200.00		\$ -		\$ -	
Remove Existing Pipe all Types and Sizes	LF	\$ 70.00		\$ -		\$ -	
Saw Cut Existing Pavements	LF	\$ 4.00	20	\$ 80.00		\$ -	
Stone #57	TON	\$ 84.00		\$ -		\$ -	
Surge Stone	TON	\$ 87.00		\$ -		\$ -	
No. 3's and 4's Stone	TON	\$ 87.00		\$ -		\$ -	
Roll-Off Dumpster	EA	\$ 706.00		\$ -		\$ -	
Relocate Existing Residential Water Meter, Including Box	EA	\$ 740.00		\$ -		\$ -	
Install Thermal Barrier to protect water service line or other utilities	SF	\$ 9.00		\$ -		\$ -	
Bypass pumping setup-equipment and hose placement	EA	\$ 950.00		\$ -		\$ -	
4" Pumping Operation Time	HR	\$ 83.00		\$ -		\$ -	
6" Pumping Operation Time	HR	\$ 97.00		\$ -		\$ -	
8" Pumping Operation Time	HR	\$ 119.00		\$ -		\$ -	
10" Pumping Operation Time	HR	\$ 166.00		\$ -		\$ -	
12" Pumping Operation Time	HR	\$ 199.00		\$ -		\$ -	
Temporary 4' Chain Link Fence	LF	\$ 32.00		\$ -		\$ -	
Remove and Replace Existing 4' Galvanized Standard Chain Link	LF	\$ 50.00		\$ -		\$ -	
Remove and Replace Existing 5' Galvanized Standard Chain Link	LF	\$ 59.00		\$ -		\$ -	
Remove and Replace Existing 4' Black Vinyl Standard Chain Link	LF	\$ 58.00		\$ -		\$ -	
Remove and Replace Existing 5' Black Vinyl Standard Chain Link	LF	\$ 64.00		\$ -		\$ -	
Remove and Replace Existing 4' Wood Fence Residential	LF	\$ 53.00		\$ -		\$ -	
Remove and Replace Existing 6' Wood Fence Residential	LF	\$ 62.00		\$ -		\$ -	
Steel Plates (Typ. 5'x8' Size)	EA	\$ 275.00		\$ -		\$ -	
Reset Existing Headwall - 18" DIA	EA	\$ 340.00		\$ -		\$ -	
Reset Existing Headwall - 24" DIA	EA	\$ 540.00		\$ -		\$ -	
Reset Existing Headwall - 36" DIA	EA	\$ 640.00		\$ -		\$ -	
Reset Existing Headwall - 48" DIA	EA	\$ 790.00		\$ -		\$ -	
Reset Existing Headwall - 60" DIA	EA	\$ 1,277.00		\$ -		\$ -	
Adjust Manhole Cover in Pavement (complete, includes removal or	EA	\$ 1,878.00		\$ -		\$ -	
Adjust Manhole Cover in soil (complete, includes removal or	EA	\$ 1,096.00		\$ -		\$ -	
***** END OF SPECIFICATIONS *****				\$ 5,917.80		\$ -	