

Regular Meeting of the Mayor and Council
City of Woodstock, GA
The Chambers at City Center - 8534 Main Street
770 592-6000 (Main) 770 592-6002 (City Clerk) 770 926-1375 (Fax)
<http://www.woodstockga.gov>

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

AGENDA

Monday, March 23, 2015

Regular Meeting of the Mayor and Council **7:00 PM**

ITEM 1. MEETING CALLED TO ORDER

7:00 PM Meeting called to order on March 23, 2015 at The Chambers at City Center, 8534 Main Street, Woodstock, GA.

ITEM 2. RECOGNITION OF GUESTS AND VISITORS

1. Proclamation - Parkinson's Disease Awareness Month (Mayor Pro-Tem Baxter)
2. Woodstock Public Safety Foundation 2014 Donor Recognition (Chief Moss)

ITEM 3. APPOINTMENTS/OATH OF OFFICE

1. Swearing In or New Police Officers (Chief Moss)

ITEM 4. ANNOUNCEMENTS

1. Announcements for March 2015 (Council Member Leonard)

ITEM 5. INFORMATIONAL ITEMS/PROJECT UPDATES

ITEM 6. PUBLIC COMMENT

(Please complete the appropriate form at the podium and give to the City Attorney - You may only discuss items NOT on tonight's agenda.)

ITEM 7. CONSENT AGENDA

1. 2nd Reading- Text Amendment to Section 6-20 (Jessica Guinn)
2. 2nd Reading- Text Amendment to Chapter 82 Addition of Sidewalk Cafe Ordinance (Jessica Guinn)
3. Memorandum of Understanding (MOU) City of Woodstock and Greenprints Alliance (Preston Pooser)
4. Travel Expense Reimbursement for Council Member Rob Usher (Rhonda Pezzello)
5. Gameday Grill LLC - Retail Sale of Malt Beverages (Jessica Guinn)
6. GA NORTHEASTERN RAILROAD MAJOR BUDGET AMENDMENT (Pat Flood)
7. USIS Contract Renewal (Final Contract Attached)
8. Paving of Various Locations (Pat Flood)
9. Award Bid - Pipeline Inspection Camera & Trailer to Adams Equipment Co., Inc. (Pat Flood)

10. Award Bid - Mill Street Parking to Wildcat Striping & Sealing (Pat Flood)
11. Paden Street Construction (Pat Flood)

ITEM 8. PETITIONS AND COMMUNICATIONS

1. Public Hearing/Vote: V#128-14 and CUP#022-14 Platinum Cars, Inc Request for Conditional Use Permit and Variances (Katie Coulborn)
2. Public Hearing and Vote: LDO Chapter II Definitions and LDO Chapter VII Senior Living (Patti Hart)
3. Sign Variance 9940 Highway 92 (Jessica Guinn)
4. Sign Variance Request Park 9 Apartments- Ridgewalk Parkway (Jessica Guinn)
5. Sign Variance- Lennar 8033 Main Street 12455 Highway 92 (Jessica Guinn)

ITEM 9. MINUTES APPROVAL

1. Approval of Minutes - March 9, 2015 Regular Council Meeting (Rhonda Pezzello)

ITEM 10. NEW BUSINESS

1. Discuss and Approve Modification to Chattahoochee Gold Swim Facility (Jeff Moon)

ITEM 11. OLD BUSINESS

ITEM 12. CITY MANAGER AND STAFF COMMENTS

ITEM 13. MAYOR AND COUNCIL COMMENTS

ITEM 14. EXECUTIVE SESSION - Personnel, Litigation, Real Estate

1. Tinsley/Postiglione Appeal (Jessica Guinn)

ITEM 15. FINAL ADJOURNMENT

CITY OF WOODSTOCK
STATE OF GEORGIA

PROCLAMATION

April is Parkinson's Awareness Month

WHEREAS, The members of the Parkinson's Action Network, the Unified Voice Advocating for a Cure, desire to educate the public and raise awareness about Parkinson's Disease; and

WHEREAS, Parkinson's Disease affects between 500,000 and 1.5 million Americans and is the 14th leading cause of death in the United States costing our Country at least \$14.4 billion annually; and

WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and there is no treatment, therapy or drug to slow or halt progression of the disease; and

WHEREAS, Primary symptoms include tremor, rigidity, slowness of movement and impaired balance and coordination. Other cognitive changes may include difficulty in swallowing, chewing, speaking, urinary problems, skin problems and sleep disruptions; and

WHEREAS, There is hope because new technologies and treatments are being approved to benefit those living with this disease.

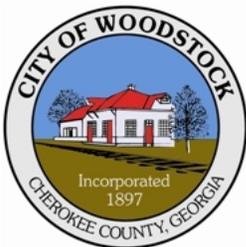
NOW, THEREFORE, I, Donnie Henriques, Mayor of the City of Woodstock, Georgia, do hereby proclaim **April 2015 as Parkinson's Awareness Month** and encourage all citizens to spread the word about this devastating disease to help raise awareness so that a cure can be found.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of March, in the year of our Lord, two thousand fifteen, in the City of Woodstock, Georgia.

As proclaimed on March, 2015.

Donnie Henriques, Mayor

ATTEST: _____
Rhonda Pezzello, City Clerk



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

INFORMATIONAL ITEM - NO VOTE NEEDED (ID # 3311)

Woodstock Public Safety Foundation 2014 Donor Recognition

Presented by:

Summary:

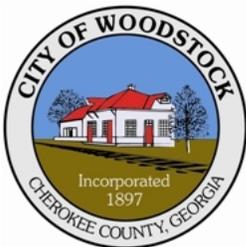
WPSF 2014 Donor Recognition

Supporting Documents:

Mayor and Council Pending

Reviews / Approvals

03/23/2015 7:00 PM



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
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Council Meeting Date
March 23, 2015

INFORMATIONAL ITEM - NO VOTE NEEDED (ID # 3310)

Swearing In or New Police Officers

Presented by:

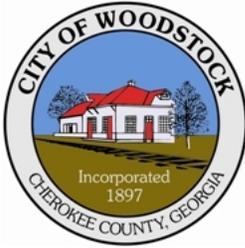
Summary:

Supporting Documents:

Mayor and Council Pending

Reviews / Approvals

03/23/2015 7:00 PM



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
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Council Meeting Date
March 23, 2015

INFORMATIONAL ITEM - NO VOTE NEEDED (ID # 3337)

Announcements for March 2015

Presented by:

Summary:

Cherokee County Comprehensive Transportation Plan Update/Open House

March 24th at The Bluffs in Canton - 6 pm to 8 pm

March 26th at The Chambers at City Center - 6 pm to 8 pm

<http://www.cherokeega.com/roadway-splst-program>

Friday Night Live on April 3 - Roaring 20's Night

Time travel back to the 1920s as the spirit of the Roaring 20's is celebrated in Downtown Woodstock

April 11, 2015 at 1 PM - AMERICAN LEGION AND CITY OF WOODSTOCK'S ANNUAL FLAG RETIREMENT CEREMONY at the Park at City Center

Coming on April 18th: **GREENSTOCK DAY/EARTH DAY CELEBRATION** w/E-Recycle, Shredding, Yard Sales and Special Trash Pick up! See website for more info or call 770 517-6788.

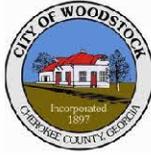
Supporting Documents:

- March 2015 (PDF)

Reviews / Approvals

Mayor and Council Pending

03/23/2015 7:00 PM



TOWNE HALL NEWS

City of Woodstock, Georgia

www.woodstockga.gov

12453 Highway 92, Woodstock, GA 30188 770 592-6000

March 2015

Bring on Spring

COMING NEXT MONTH....Celebrate Georgia Cities Week with *with Woodstock and the Great American Clean Up Week, Earth Day and GREENSTOCK DAY on APRIL 18th.*

- **E-Recycle Day**
- **Document Shredding**
- **City-Wide Yard Sales**
- **Battery, Cell Phone, Hearing Aid, Eyeglass, Magazine, Newspaper & CFL Recycling**
- **Special Trash Pickup during the week of April 20-24.**

Call 770 517-6788 for more info.

MUNICIPAL ELECTED OFFICIALS
770 592-6001 OR 592-6000 X-1003

Mayor	Donnie Henriques – dhenriques@woodstockga.gov
Ward 1	Warren Johnson – wjohnson@woodstockga.gov
Ward 2	Chris Casdia – ccasdia@woodstockga.gov
Ward 3	Bob Mueller – bmueller@woodstockga.gov
Ward 4	Liz Baxter – lbaxter@woodstockga.gov
Ward 5	Bud Leonard – bleonard@woodstockga.gov
Ward 6	Rob Usher – rusher@woodstockga.gov



A VERY SPECIAL THANK YOU TO OUR CITY OF WOODSTOCK PUBLIC WORKS DEPARTMENT, POLICE, FIRE, AND EMERGENCY RESPONSE TEAM FOR KEEPING OUR ROADS CLEAR, OUR LOVED ONES SAFE AND INFORMED AND OUR PROPERTY PROTECTED DURING OUR SNOW STORM 2015.

CITIZENS COOPERATION AND STAYING OFF THE ROADS WAS A VITAL PART OF OUR ABILITY TO MINIMIZE PROBLEMS AND IS GREATLY APPRECIATED!

DUPREE PARK BEGINNER MOUNTAIN BIKE TRAILS 513 NEESE ROAD

The Dupree Park Family MTB Trails are designed as a scaled-down mountain bike trail system with the same trail use rules as the other MTB trail systems in the Woodstock area. This provides an environment that allows the rider to practice navigating a trail map and following guidelines such as the travel direction changing by the day of the week. Rated as Easy, the three main loops are beginner friendly with a wide, smooth trail tread. The grades are very low, and the trails are meant to be fun at slower speeds. Dupree Park also features a short bike skills trail which provides technical trail features designed to teach balance control and bike handling. These are excellent trails for the novice off-road rider and for those getting back on the bike after a long hiatus.

Attachment: March 2015 (3337 : ANNOUNCEMENTS)

A Word from our City Manager

Hello Woodstock!

March 20th brings SPRING to Georgia! That means warmer temperatures, sunshine, planting flowers and spending more time with your family and friends outdoors. In Woodstock, we understand that having beautiful parks, multi-use trails and a vibrant downtown that offers family friendly events is key to your happiness. That's why this time of year is one of our favorites. Our staff and volunteers are busy planning for the exciting Greenstock Day, Trailfest 2015, the Summer Concert Series, Friday Night Live, Woodstock Spring Festival, Memorial Day, July 4th and much more!

With the beauty of spring, comes the threat of strong storms. We want to remind you that tornadoes are no stranger to Georgia during this time of year. We encourage you to become familiar with the difference between a Severe Thunderstorm Watch/Warning and a Tornado Watch/Warning. Purchase a weather radio today and pay attention to the skies and your local weather forecast.

Go to www.ready.gov to find out more on how you can be prepared and stay safe.

Best regards,
Jeffrey S. Moon, City Manager
jmoon@woodstockga.gov



CITY MEETINGS

The Chambers at City Center – 8534 Main Street
View Meeting Agendas, Minutes and Video Online
<http://woodstockga.igm2.com>

1st Thursday: Planning Commission @ 7 pm
2nd and 4th Monday: Regular Council Meeting @ 7 pm
3rd Monday: Council Work Session @ 7 pm

Friday Night Live is Back!

March 6th 6 pm – 9 pm
Downtown Woodstock - "ST. PATTY'S FEST"

downtown
BUZZ

Catch the Buzz...4th Friday of Month Breakfast Meeting

8 am to 9:15 am at The Chambers at City Center
8534 Main Street, Woodstock, GA 30188

18th Annual Woodstock Summer Concert Series 2015 Lineup

"THE GREAT COVER-UP"

Downtown Woodstock

All Concerts Begin at 7:30 PM

<http://www.woodstockconcertseries.com>

May 9 *Savannah Jack*
Country Variety Show Band

June 13 *Eliminator KC*
ZZ Top Tribute Band

July 11 *Departure & Electric Avenue*
Journey Tribute Band & 80's Synth/Pop Hits

August 8 *The Rupert's Orchestra*
Atlanta's Foremost Party Band

September 12 *Gimme Abbey*
A Tribute to The Rolling Stones and The Beatles
(Satisfaction and the Return)


NORTHSIDE HOSPITAL
CHEROKEE



We have a trolley that runs on weekends to help you navigate Downtown Woodstock a little easier or just for the fun of it. For schedule and route information visit:

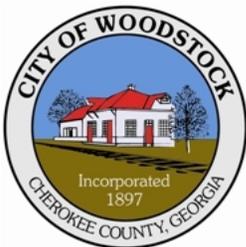
<http://www.downtownwoodstock.org>



March 16-22,
2015

**HOMESTEAD EXEMPTIONS MUST BE
FILED BETWEEN JANUARY 1ST AND
APRIL 1ST**

File your Application with the Cherokee County
Tax Assessor's Office – 678-493-6120
2782 Marietta Hwy, Canton, GA 30114



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

2nd Reading- Text Amendment to Section 6-20

Presented by: Jessica Guinn

Summary:

A text amendment to Section 6-20, Open Containers Prohibited, is proposed to accompany the text amendment to Chapter 82, Streets, Sidewalks and Other Public Places. This amendment would allow for approved sidewalk cafes to be considered a part of the premises of a restaurant for the purposes of on premise consumption of alcoholic beverages.

Additional Information:

Recommendation:

Approve or deny proposed text amendment

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- Sidewalk Cafe- Alcohol Amendment (DOCX)

Reviews / Approvals

Community Development	Completed	03/17/2015 10:51 AM
Jeff Moon	Completed	03/17/2015 11:14 AM
Mayor and Council	Pending	03/23/2015 7:00 PM

ORDINANCE NUMBER ____-2015

AN ORDINANCE AMENDING SECTION 6-20 (OPEN CONTAINERS PROHIBITED) OF CHAPTER 6 (ALCOHOLIC BEVERAGES) OF THE CODE OF ORDINANCES FOR THE CITY OF WOODSTOCK, GEORGIA.

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the “City”) is a municipality duly formed and existing pursuant to Georgia law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws or which are expressly allowed by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:

That the Code of Ordinances, City of Woodstock, Georgia is hereby amended by amending Section 6-20(b) (Open containers prohibited) of the Code of Ordinances, which said section read as follows:

(b) No establishment licensed under this chapter to sell alcoholic beverages shall allow a person to leave those premises with alcoholic beverages in an open cup, bottle, can or other open container.

To be replaced with the following, in lieu thereof:

(b) No establishment licensed under this chapter to sell alcoholic beverages shall allow a person to leave those premises with alcoholic beverages in an open cup, bottle, can or other open

¹ Ga. Const., 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

“The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly.”

²O.C.G.A. § 36-35-3 (a) provides as follows:

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section. This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6.”

container. For the purposes of this ordinance, areas licensed as Sidewalk Cafes pursuant to Section 82-17 shall be considered a part of the premises.

Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS ____ DAY OF _____, 2015.

1st Reading: _____ 2nd Reading: _____

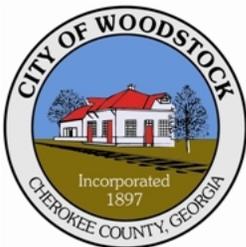
DONNIE HENRIQUES, MAYOR

RHONDA L. PEZZELLO, CLERK

Approved as to form:

ELDON L. BASHAM, CITY ATTORNEY

Attachment: Sidewalk Cafe- Alcohol Amendment (3336 : Sidewalk Cafe Alcohol Amendment)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

2nd Reading- Text Amendment to Chapter 82 Addition of Sidewalk Cafe Ordinance

Presented by: Jessica Guinn

Summary:

To this point, two businesses in Downtown, Village Market and Cafe and Ice, have requested consideration from Mayor and Council to allow for dining on the public sidewalk. Both requests were approved, and have operated with few noted issues. At this time, staff proposes a text amendment to permit sidewalk cafes for licensed restaurants, and to provide clear regulations for the sidewalk cafes.

Additional Information:

Recommendation:

Approve or deny text amendment

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- Sidewalk Cafe Ordinance Summary (DOCX)
- Sidewalk Cafe Ordinance- Final 3-23-15 (DOC)

Reviews / Approvals

Community Development	Completed	03/17/2015 10:49 AM
Jeff Moon	Completed	03/17/2015 11:14 AM
Mayor and Council	Pending	03/23/2015 7:00 PM



Evaluation Prepared by: Jessica Guinn, AICP

1st Reading: March 9, 2015

2nd Reading: March 23, 2015

Agenda Item:

A text amendment to Chapter 82- Streets, Sidewalks and Other Public Places, and an accompanying amendment to Chapter 6- Alcoholic Beverages

Summary:

The proposed text amendment will create a new Section 82-17, Sidewalk Café Ordinance, in order to provide for the authorization and regulation of sidewalk cafes to be operated on public sidewalks in Woodstock. Under the proposed amendment, licensed restaurants within the DT-CBD, DT-RO and DT-CMU zoning districts could apply for and obtain a permit to operate a sidewalk café, provided that the regulations set forth in the code are met. Sidewalk cafes must be partitioned off from the rest of the sidewalk utilizing approved dividers, and may not extend more than six feet from the face of the building. In no case will a sidewalk café be permitted to reduce the clear zone for pedestrians to less than five feet in width. Standards for furnishings and signs are provided in the proposed text, and smoking will be prohibited within sidewalk cafes. Furthermore, the text requires applicants for sidewalk cafes to name the City as an additional insured on their general liability insurance, and to provide coverage at a minimum of \$500,000 per person, and \$1,000,000 per occurrence, with an additional \$1,000,000 umbrella coverage.

The proposed text amendment allows for operators holding a valid alcohol license for on premise consumption to serve alcohol within the confines of a sidewalk café. Alcohol service will be restricted to one alcoholic beverage in the possession of each patron, and alcohol may not be removed from the premises of the restaurant or the sidewalk café. An amendment to Section 6-20, Open Containers Prohibited, accompanies this request in order to replace Section 6-20(b) with the following language:

No establishment licensed under this chapter to sell alcoholic beverages shall allow a person to leave those premises with alcoholic beverages in an open cup, bottle, can or other open container. For the purposes of this ordinance, areas licensed as Sidewalk Cafes pursuant to Section 82-12 shall be considered a part of the premises.

Attachment: Sidewalk Cafe Ordinance Summary (3334 : Sidewalk Cafe Ordinance)

ORDINANCE NUMBER ____-2015

AN ORDINANCE CREATING A NEW SECTION 82-17 (SIDEWALK CAFÉ ORDINANCE) OF CHAPTER 82 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES) OF THE CODE OF ORDINANCES FOR THE CITY OF WOODSTOCK, GEORGIA.

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the “City”) is a municipality duly formed and existing pursuant to Georgia law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:

That the Code of Ordinances, City of Woodstock, Georgia is hereby amended by adding 82-17 to Chapter 82 of the Code of Ordinances, to read as follows:

82-17. Sidewalk Cafes.

- 1. Purpose.** The purpose of this section is to provide for the authorization and regulation of sidewalk cafés as operated by qualified and licensed businesses on public sidewalks within authorized districts of the City of Woodstock.
- 2. Permit.**
 - a. A licensed business within the DT-CBD, DT-RO, or DT-CMU zoning districts who desires to utilize public sidewalks for outdoor seating may apply to the Director of Community Development or its designee for a permit to operate a

¹ Ga. Const., 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

“The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly.”

²O.C.G.A. § 36-35-3 (a) provides as follows:

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section. This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6.”

sidewalk café. Permits shall be renewed annually. The permit application shall include the following information:

- i. Name of applicant;
- ii. A copy of a valid City of Woodstock occupational license to operate a business in front of which the sidewalk café will be located;
- iii. A copy of the current certificate of insurance in the amounts and categories required by this chapter;
- iv. A diagram identifying the perimeter area, the dimensions of the area, the distance from perimeter to curb or nearest obstacle, number and placement of tables, and the design and materials of the required divider.

3. Application and Conditions of Issuance.

- a. Criteria. In reviewing the application for a sidewalk café, the City Manager or his/her designee will consider the following criteria in determining whether a permit may be issued:
 - i. Qualifications. Permits may only be issued incidentally with the operation of a properly licensed business.
 - ii. Location. The outdoor seating area of the sidewalk café may only extend the width of the storefront and must be partitioned off from the rest of the sidewalk. The sidewalk café may not extend more than six (6) feet from the building.
 - iii. Arrangement. The permit application shall include a diagram showing the location of the sidewalk café in relation to the surrounding buildings, streets, and sidewalks, along with the location of all furnishings to be placed in the sidewalk café.
 - iv. Compliance with Regulations. The applicant must acknowledge by signature the regulations provided under this ordinance.
- b. No Property Right. The issuance of a permit shall not be construed or interpreted to convey any property rights or any estate in land to any person or business. Sidewalk café permits are non-transferable. Sidewalk café permits will expire upon change in use of the facility, and December 31 of each year.
- c. Closing of Café. Sidewalk cafés may be ordered closed at any time by the City, for any reason including, but not limited to, construction, maintenance, public health, safety or welfare, emergencies, public parades, and special events.

4. Regulations.

- a. Limitations on area. In no event shall the uses permitted by issuance of permit reduce the portion of any sidewalk customarily used by pedestrians to less than five (5) feet in width. Nothing will be placed within five (5) feet of a fire hydrant, pedestrian crosswalk, or handicapped corner curb cut.
- b. Divider. The sidewalk café shall be separated from the remaining sidewalk by non-permanent barriers that can be disassembled and removed if necessary. This barrier should be of a simple post and chain construction, with posts of 33-36 inches in height above the surface of the sidewalk. Posts should be spaced no more than four (4) feet apart. The design of the divider must be included in the permit application and shown on the diagram. All tables, chairs, and other furnishings shall be located within the limits of the divider and shown on the diagram.
- c. Sanitation. The permittee business shall keep the area covered by the permit clean, neat, and orderly at all times. The business is responsible for removing all debris and trash from the sidewalk café at all times.
- d. Furnishings. Furnishings shall not be secured to lamp posts, streetlights, trees, or any public fixtures. All furnishing shall be removed from the sidewalk café from

time to time as required by the City. Should a severe storm warning be issued, all outdoor furniture shall be removed from the sidewalk café.

- i. Tables and Chairs. Tables and chairs shall match and be made of safe, sturdy, and durable material. All furniture shall be commercial grade and manufactured for outdoor use. White plastic or PVC furniture shall be prohibited.
 - ii. Umbrellas. Each table may be equipped with one umbrella and shall be maintained in good, clean, and operable condition. Table umbrellas shall have no signs or advertisements on them, be completely contained within the outdoor seating area, even when fully extended, and the lowest dimension of the umbrella shall maintain a minimum of seven (7) foot vertical clearance above the sidewalk to allow for patron and server circulation.
 - iii. Signs. Any signs must be kept within the sidewalk café and are subject to sign permit approval. All such signs must comply with City code.
 - iv. All kitchen equipment and refuse containers used to service the sidewalk café shall be located inside the primary business.
- e. Alcohol. Only a properly permitted business with a sidewalk café, which holds a valid alcohol license for consumption on the premises, may serve alcohol to customers in the sidewalk café, subject to the following restrictions:
- i. Alcohol may only be served in the sidewalk café during the hours allowed under the City's ordinance for service.
 - ii. Patrons may not be in possession of more than one alcoholic beverage.
 - iii. Patrons may not remove alcohol from the premises of the business or sidewalk café. The area enclosed for the sidewalk café shall be considered part of the premises for the purposes of consumption of alcoholic beverages.
- f. Smoking. Patrons shall not be allowed to smoke within the sidewalk café.
- g. Sound. Music, live or recorded, or other amplified sound shall be allowed within the sidewalk café, provided it does not violate the City's ordinances related to noise.
- 5. Revocation.** Issuance of a sidewalk café permit is conditional. A permit may be suspended or revoked by the City's Community Development Director or its designee if it is found out that:
- a. Any necessary business or health permit has been suspended, revoked, or cancelled.
 - b. The permit holder is not in compliance with any of the regulations with respect to the sidewalk café.
 - c. The permit holder has failed to correct violations of this chapter or any other ordinance within forty-eight (48) hours of receipt of the notice of same delivered in writing to the permit holder.
 - d. The permit holder has a history of violations of this chapter of three (3) or more within a two (2) year period, or immediately upon any violation depending upon the severity of the violation.
 - e. Permits may be suspended for a period up to twelve (12) months depending upon history and severity of the violation.
- 6. Indemnification.** As a condition of issuance, the approved applicant and any person acting under or pursuant to said approval, agrees to indemnify, hold harmless, release, and defend (even if the allegations are false, fraudulent, or groundless) to the maximum

extent allowed by law, the City Manager, Community Development Director, the City, its City Council, and each member thereof, and its officers, employees, advisory board members and representatives, from and against all liability, loss, suits, claims, damages, costs, judgments, and expenses (including attorneys' fees and costs of litigation) which in whole or in part result from arise out of, or are claimed to result from or arise out of, any acts, negligence, errors or omissions of approved applicant, its employees, representatives, contractors, subcontractors, or agents by reason of or arising out of, or in any matter connected with, any and all acts, operations, privileges authorized, allowed, or undertaken pursuant to the use approval under their ordinance including, without limitation, any condition or property used in operations.

- 7. **Insurance.** The approved applicant shall be required to have general liability insurance providing for the following limits naming the City as an additional insured in the following minimum amounts: \$500,000 per person; and \$1,000,000 per occurrence, with an additional \$1,000,000 umbrella coverage. Not applicable as to private property.
- 8. **Penalties.** In addition to possible suspension or revocation of the permit, the following minimum fines shall be imposed for violations of this chapter: First citation: \$100.00 fine. Second citation (within one-year period): \$250.00 fine. Third and subsequent citations (within one-year period): \$500.00 fine.
- 9. **Americans with Disabilities Act.** Any person receiving a permit hereunder agrees to fully comply with all requirements of the Americans with Disabilities Act as currently existing or as may be hereafter amended.

Effective Date. This Ordinance shall take effect immediately upon its adoption.
PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS ____ DAY OF _____, 2015.

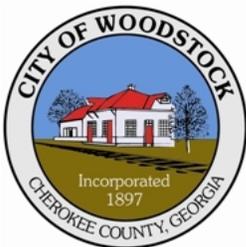
1st Reading: _____ 2nd Reading: _____

DONNIE HENRIQUES, MAYOR

RHONDA L. PEZZELLO, CLERK

Approved as to form:

ELDON L. BASHAM, CITY ATTORNEY



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Memorandum of Understanding (MOU) City of Woodstock and Greenprints Alliance

Presented by: Preston Pooser

Summary:

This was presented at the 3/16/2015 Council Work Session.

Additional Information:

Recommendation:

Budget Information:

Account Name/Number - N/A

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- GPA Woodstock MOU 2015 (DOCX)

Reviews / Approvals

City Clerk	Completed	03/17/2015 10:46 AM
Jeff Moon	Completed	03/17/2015 11:14 AM
Mayor and Council	Pending	03/23/2015 7:00 PM

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

City of Woodstock

AND

Greenprints Alliance, Inc.

Purpose

The purpose of this agreement is to define a framework of collaboration between City Of Woodstock (City) and Greenprints Alliance, Inc. for the design, planning, funding and construction of multi-use trails and green space projects on property owned by the City.

Mutual Benefits and Interests

The Greenprints Project trails in Woodstock will provide a well-built and maintained trail system for recreation and transportation in Woodstock through an active partnership between the City and Greenprints Alliance. The collaboration will deliver a high quality network of multi-use trails and green spaces for public use.

The City of Woodstock Agrees To:

1. Host yearly meetings with GPA and Parks and Recreation to identify special projects for increased collaboration.
2. Consult with Greenprints Alliance in determining project priority.
3. Pursue public grants and other funding opportunities to enable the completion of the Greenprints Master Plan.
4. Permit Greenprints Alliance to be the primary point of contact for private fundraising efforts with corporations and individual donors.
5. Permit Greenprints Alliance to conduct fundraising on site that will directly benefit the trail system, including a donation box at trail heads.
6. Permit Greenprints Alliance to build and maintain maps and notification kiosks at key points on the trail system to share information about the Greenprints plan.
7. Permit Greenprints Alliance to host events and promotional installations on the trail system.

Greenprints Alliance Agrees To:

1. Host an annual community meeting to update the community on progress and solicit feedback.
2. Consult with City in determining project priority.
3. Advocate for a sustainable green space and trail network, which enhances the City of Woodstock's community, natural and economic resources for all generations by promoting the benefits of a green infrastructure system to the general public.
4. Lead private fundraising efforts to augment public funding, including building and maintaining relationships with corporations and individual donors.
5. Support the City's application for grants and other public funding opportunities.
6. Pursue commercial sponsorship of trails or segments, including signage where appropriate.
7. Collect and share trail usage data with the City and other stakeholders.
8. Provide support services to the City relating to right-of-way and land access.
9. Furnish annual financial report to the City covering any fundraising efforts under this agreement.

Project Addendums

Each individual project will require an addendum to this agreement outlining the roles and responsibilities for both parties. The addendum will provide a description of the project and assign responsibilities for all of the following roles:

1. Design and Planning
2. Contractor/Engineering Selection
3. Public Funding
4. Private Funding
5. Trail Naming, Signage and Amenity design
6. Construction Project Management and Oversight
7. Completed facility maintenance and operation

It is mutually understood between the two parties that:

1. Greenprints Alliance is a nonprofit volunteer based organization whose primary interest is to provide high quality multi-use trails and green spaces for the community. There is no financial benefit derived by Greenprints Alliance for the volunteer efforts made on behalf of the Greenprints project or any other City project.
2. This agreement may be modified by mutual consent of both parties, by the issuance of a written dated and signed agreement.
3. This agreement shall be in force and will automatically renew annually in twelve-month increments unless either party provides written notification 90 days prior to the end of the term of the agreement. Either party may terminate this agreement upon 30 days' notice to the other.
4. Concession services on site will not be allowed, except for incidental sales at a Greenprints Alliance sponsored event.
5. Horses and motorized vehicles will not be allowed on the trail system unless authorized by the Parks and Recreation Director.
6. Both Greenprints Alliance and the City must approve any non-Greenprints Alliance events held on any trails that are funded by Greenprints.

Effective Date

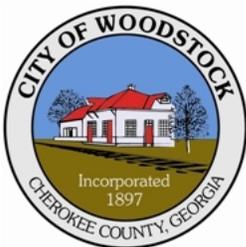
This MOU becomes effective with both signatures on the last date written below and remains in effect until modified or terminated.

City Of Woodstock,

_____ Date _____

_____ Date _____

Gary Moore
Executive Director, Greenprints Alliance, Inc.



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Travel Expense Reimbursement for Council Member Rob Usher

Presented by: Rhonda Pezzello

Summary:

Attended Newly Elected Officials Training in Macon, GA from March 11, 2015 to March 13, 2015. This reimbursement is for meals and mileage in the amount of \$172.83.

Additional Information:

Recommendation:

Budget Information:

Account Name/Number - 101-1110-5230-523510-00

Budget Amount - \$24,000

Amount Spent to Date - \$590.71

Encumbered Balance - 0

Amount of Request - \$172.83

Supporting Documents:

- Rob Usher Travel Expense Form (PDF)

Reviews / Approvals

City Clerk	Completed	03/17/2015 9:07 AM
Jeff Moon	Completed	03/17/2015 10:13 AM
Mayor and Council	Pending	03/23/2015 7:00 PM

TRAVEL EXPENSE REPORT

Reimbursable Out of Pocket Expenses

NAME: Rob Usher DATE: 3/17/15
 DEPT: Mayor/Council PHONE: 770-592-6001
 VENDOR # _____
 DATE OF TRAINING/TRIP: March 11 TO March 13, 2015
 LOCATION: Macon Marriott City Center Hotel
 PURPOSE OF TRAINING/TRIP: Newly Elected Officials Institute

TOTAL MILEAGE: (.57.5 cents/mile as of 1/1/15) Drove Personal Vehicle

Beginning: 74,137 Ending: 74,368 Total Miles: 231

Total Miles: 231 x \$0.57.5 cents per mile As of 1/1/2015 \$ 132.83 Total

ADDITIONAL TRANSPORTATION COSTS: (Attach Receipts)

Parking: \$ — Total
 Cab/Taxi Fare: \$ — Total
 Air Fare; Lodging Other (_____) \$ — Total

Total Due \$ 132.83 (Line A)

MEALS: Paid based on per diem. If meals are included in registration fee or provided free by outside vendor – you will not be reimbursed unless you choose not to attend.

	\$5.00 Breakfast	\$10.00 Lunch	\$15.00 Dinner	
Date: <u>3/11/15</u>	\$5	\$10	<u>\$15</u>	\$ <u>15</u> Daily Total
Date: <u>3/12/15</u>	\$5	\$10	<u>\$15</u>	\$ <u>15</u> Daily Total
Date: <u>3/13/15</u>	\$5	<u>\$10</u>	\$15	\$ <u>10</u> Daily Total
Date: _____	\$5	\$10	\$15	\$ _____ Daily Total
Date: _____	\$5	\$10	\$15	\$ _____ Daily Total
Date: _____	\$5	\$10	\$15	\$ _____ Daily Total
Date: _____	\$5	\$10	\$15	\$ _____ Daily Total
Grand Total				\$ <u>40</u> (Line B)

PAYMENT REQUEST

LINE A: \$ 132.83 + LINE B: \$ 40 = \$ 172.83
TOTAL DUE

TOTAL DUE: \$ 172.83 Less Advance of \$ — = Balance Due: \$ 172.83

Account #: Travel/Training Account Name: 101-1110-5230-523510-00

Employee Signature: [Signature] Dept Director: _____
 Finance Approval _____ City Manager _____

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member Usher)

Item # 3



02/09/2015
334973
M
97957

Mr. Rob Usher
Council Member
City of Woodstock
12453 Highway 92
Woodstock, GA 30188

Meeting: Newly Elected Officials Institute
Thursday, March 12, 2015 through Friday, March 13, 2015

240 Coliseum Drive
Macon, Georgia 31217

You are registered for the following:

Function	Quantity	Rate	Amount
Member Registration	1	325.00	325.00
		Total	325.00
		Payment	325.00
		Balance	0.00

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member

GUEST FOLIO



GUEST FOLIO MACON MARRIOTT CITY CENTER

203 USHER/ROB/MR 119.00 03/13/15 11:00 1000 5482
 ROOM NAME RATE DEPART TIME ACCT# GROUP
 GK TYPE 03/11/15 17:22
 69 ARRIVE TIME
 ROOM CLERK

Room Clerk ADDRESS PAYMENT MRW#:
 DATE REFERENCE CHARGES CREDITS BALANCE DUE

DATE	REFERENCE	CHARGES	CREDITS	BALANCE DUE
03/11	ROOM	203, 1 119.00		
03/12	ROOM	203, 1 119.00		
03/13	MC CARD		\$238.00	

TO BE SETTLED TO: MASTERCARD CURRENT BALANCE .00

THANK YOU FOR CHOOSING MARRIOTT! TO EXPEDITE YOUR CHECK-OUT, PLEASE CALL THE FRONT DESK, OR PRESS "MENU" ON YOUR TV REMOTE CONTROL TO ACCESS VIDEO CHECK-OUT.

AS REQUESTED, A FINAL COPY OF YOUR BILL WILL BE EMAILED TO: RSMITH@WOODSTOCKGA.GOV SEE "INTERNET PRIVACY STATEMENT" ON MARRIOTT.COM



MACON MARRIOTT CITY CENTER
 240 COLISEUM DRIVE
 MACON, GA 31201
 PH# 478-621-5300 FAX# 478-621-5330

This statement is your only receipt. You have agreed to pay in cash or by approved personal check or to authorize us to charge your credit card for all amounts charged to you. The amount shown in the credits column opposite any credit card entry in the reference column above will be charged to the credit card number set forth above. This statement is your only receipt. You have agreed to pay in cash or by approved personal check or to authorize us to charge your credit card for all amounts charged to you. The amount shown in the credits column opposite any credit card entry in the reference column above will be charged to the credit card number set forth above. (The credit card company will bill in the usual manner.) If for any reason the credit card company does not make payment on this account, you will owe us such amount. If you are direct billed, in the event payment is not made within 25 days after check-out, you will owe us interest from the check-out date on any unpaid amount at the rate of 1.5% per month (ANNUAL RATE 18%), or the maximum allowed by law, plus the reasonable cost of collection, including attorney fees.

Signature X _____

To secure your next stay, go to marriott.com

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member Usher)

The Rookery/Dovetail
543 CHERRY STREET
MACON, GA 31201
Phone:478.746.8658
Fax:478.745.9121
www.rookerymacon.com

Tbl #24 Guest Count 3 Dine In Rookery

Emp1:Jonathan B. 03/11/2015 7:12 PM

Seat #1

1 Sweet Tea	2.50
1 Classic City Cheeseburger	9.00
Black Angus	
Med Well	
Hand-Cut Fries	
Cheddar Cheese	
NO BUN	
LO	

Subtotal	11.50
Tax	0.80
Total	12.30

Visa 7382 Payment 12.30

Tip 3.70

Total 16.00

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member Usher)

Customer Copy
Silver Bay Macon

Silver Bay Seafood

Current Batch 03122015
Thu 3/12/2015 7:41:24 PM
Check 227 Table 88
Rebecca G.

Cardholder acknowledges receipt of goods and/or services in the amount of the TOTAL shown hereon and agrees to perform the obligations set forth in the Cardholder agreement with the Issuer

VISA XXXXXXXXXXXX8845
Approval 174810

BASE	\$19.86
TIP	5.14

TOTAL	25.00

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member Usher)

CS# 13

Mar. 13 1998 (Fri) 12:35

WY SIDE 2 KVS Order 56

QTY	ITEM	TOTAL
1	Chk Cheese Meal	5.69
1	M Sweet Iced Tea	

Subtotal 5.69

Tax 0.40

Take-Out Total 6.09

Cashless 6.09

Change 0.00

REF# 5131 802

CARD ISSUER

ACCOUNT#

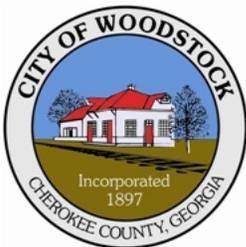
Meal SALE

*****7382

AUTHORIZATION CODE - 134908

REG# 5908 13

Attachment: Rob Usher Travel Expense Form (3328 : Travel Expense Reimbursement for Council Member Usher)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Gameday Grill LLC - Retail Sale of Malt Beverages

Presented by: Jessica Guinn Mark Crumpton

Summary:

Gameday Grill LLC, located at 2990 Eagle Dr, is requesting to add retail sale of malt beverages to their current alcohol license. Mark Crumpton will be listed as the registered alcohol agent. Gameday Grill has been operating and has held an alcohol license since December 2013.

Additional Information:

Recommendation:

All requirements have been met according to our ordinance.

Budget Information:

Supporting Documents:

- Gameday Grill retail sale (PDF)

Reviews / Approvals

Jessica Guinn	Completed	03/11/2015 8:12 AM
City Clerk	Completed	03/13/2015 9:41 AM
Jeff Moon	Completed	03/11/2015 3:52 PM
Mayor and Council	Pending	03/23/2015 7:00 PM

1681-09-2013
1682-09-2013

CITY OF WOODSTOCK
ALCOHOLIC BEVERAGE LICENSE APPLICATION
(For office use only)

Business Name: Gameday Grill
 Street Location: 2990 Eagle Dr.
OFFICE USE ONLY: Date Received 1/15/15 + 1/28/15 Payment \$ 2250.00
 Check # 2003 Money Order # _____
 Note: Office recommendation: Any office recommending denial shall attach written justification and any documents necessary to support the recommendation then forward to the next office for review.

Kate Parker 1/29/15 Requirements met Recommend denial
 Development Serv Rep Signature Date
 Comment Gameday is requesting to add the retail sale of beer (growlers) Currently holds alcohol license for on premise consumption
[Signature] 1/29/15 Requirements met Recommend denial
 Community Development Signature Date
 Comment _____

[Signature] 2/3/15 Requirements met Recommend denial
 Records Clerk Signature Date
 Comment _____

[Signature] 2/6/15 Requirements met Recommend denial
 Police Signature Date
 Comment _____

ADD FAXED TO CHEROKEE TRIBUNE, DATE: 3/2 TO RUN ON THE FOLLOWING DATES: 3/8 + 3/15

COMPLETED SIGNS; NOTIFIED APPLICANT OF HEARING AND TO PLACE SIGNS AT LOCATION. 3/2

VERIFIED PUBLIC NOTICE SIGNS ARE PROPERLY POSTED BY: _____ DATE: _____

COMPLETE AGENDA REQUEST AND FORWARD WITH APPLICATION TO LICENSE ADMINISTRATOR.

CITY COUNCIL ACTION: APPROVED DENIED DATE: _____

Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)

CITY OF WOODSTOCK

12453 Highway 92, Woodstock, Georgia 30188
Attn: Development Services
email: businesslicense@woodstockga.gov
770.592.6054

**RENEWAL PAYMENTS
DELINQUENT AFTER
JANUARY 15, 2015
10% DELINQUENT PENALTY**

7.5.a

Check ALL that apply:

- Renewal No application fee
- Sunday Sales \$500 Annually
- Ancillary Wine Tasting \$100 Annually

DISTILLED SPIRITS

\$5000 annually
(3% excise tax due monthly)

- Restaurant
- Bar/Lounge
- Private Club
- Package Store
- Live Entertainment

MALT BEVERAGES

\$1000 annually

- Restaurant
- Bar/Lounge
- Private Club
- Package Store
- Live Entertainment
- Convenience Store
- Grocery/Super Store

WINE

\$1000 annually

- Restaurant
- Bar/Lounge
- Private Club
- Package Store
- Live Entertainment
- Convenience Store
- Grocery/Super Store

*adding Growlers

BUSINESS INFORMATION

If Business Owner is Different from Applicant - Fingerprinting ID and Consent Form Required

Full Name of Business: GAME DAY FRESH GRILL

D/B/A: _____

Street Address of Business: 2990 Eagle Dr

Business Phone Number: 678-596-7601

Name of Business Owner: MARK CRUMPTON

Mailing Address: [REDACTED]

Business Phone Number: _____ Fax Number: 676-669-2440

Web Site Address: WWW.GAMEDAYFRESH.COM

- Sole Proprietorship
- Partnership
- Corporation
- Domestic
- Foreign

APPLICANT INFORMATION

ID & Consent Form Required

Applicant Name: MARK CRUMPTON

Social Security Number: [REDACTED] Drivers License #: [REDACTED]

Current Home Address: [REDACTED]

City/State/Zip: [REDACTED]

County: [REDACTED] # of Years: [REDACTED]

Home Phone: _____ Cell Number: [REDACTED]

E-Mail Address: [REDACTED]

Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)

Name of Active Manager: _____

Manager's Home Address: _____

City/State/Zip: _____

Home Phone Number: _____ Cell Number: _____

Social Security Number: _____ Date of Birth: _____

Has this person been convicted of a felony within ten (10) years and/or misdemeanor within five (5) years immediately prior to filing this application relating to any Alcohol Beverage Business or any state law, county or municipal ordinance violation relating to any Alcohol Beverage business? Yes No

If yes, please give name, association with business, the year of conviction and the crime as charged: _____

REGISTERED AGENT/OFFICER INFORMATION
Registered Agent/Officer is Required if Business is Incorporated
ID & Consent Form Required

Registered Agent/Officer: MARK CRUMPTON

Social Security Number: [REDACTED] Drivers License #: [REDACTED]

Current Home Address: [REDACTED]

City/State/Zip: [REDACTED]

Home Phone: [REDACTED] Cell Number: [REDACTED]

E-Mail Address: [REDACTED]

GENERAL INFORMATION

- Applicant shall complete entire application by answering all questions, having signed and notarized, if applicable, all necessary forms, where applicable and submitting all applicable fees by certified check, cash or money order. PLEASE TYPE OR PRINT LEGIBLY.
- Is the Applicant, spouse of applicant, manager, business owner, registered agent/officer related to any distributor or wholesaler of malt beverages or employee thereof, within the first degree of constanguinity or affinity as computed according to the civil law so that there might be special concessions granted the license to give him a competitive advantage over others not similarly privileged? YES NO If yes, please attach a list of detailed information regarding the name and relationship.
- Are there any changes in the names, addresses, criminal history or other information of corporate officers, stockholders, partners, managers, business owners, other than those already reported, since your initial application was filed? YES NO If yes, please attach a list of the names, addresses, type of change and date of change.
- Does the licensee, corporation, owner, or any partner have interest in or control over any other beverage alcohol business in the State of Georgia? YES NO If yes please explain.

Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)

CITY OF WOODSTOCK
 12453 Highway 92
 Woodstock, Georgia 30188
 Phone (770) 592-6054 or
 Fax (678)886-6368

REQUEST FOR CRIMINAL
 HISTORY

CONSENT FORM

Please Duplicate As Needed

ATTACH ID COPY TO EACH FORM

**NO CRIMINAL HISTORY
 IN GEORGIA**

Purpose of Request:

Malt Beverages/Wine/Distilled Spirits License

Type Information Requested:

Criminal History

I hereby authorize the City of Woodstock, Georgia to receive any criminal and/or driver's history pertaining to me which may be in the files of any state, federal or local criminal justice agency. PLEASE TYPE/PRINT

Crumpator MARK Stephen
 Last Name First Name Middle Name Maiden

 Street Address Apartment Number

 City State Zip County

 Sex Race Height Weight Eyes Hair

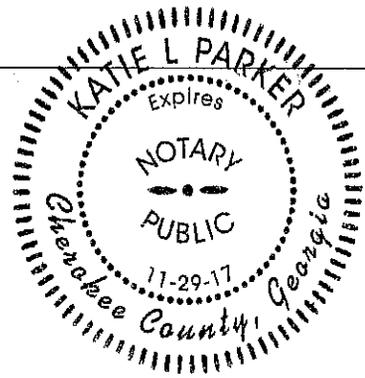
 Date of Birth Place of Birth Social Security Number

 Drivers License Number State Expiration Date

Signature [Handwritten Signature] Date _____

Notary Public: Katie L Parker

My Commission Expires: November 29, 2017



Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)

SIGNATURE SECTION

Before signing this application, check all answers and explanations to make sure that all questions are answered fully and correctly. This application is to be executed under oath and subject to the penalties of false swearing and it includes all attached sheets submitted herewith. Applicant understands that any license issued pursuant to this application is conditioned upon the truth of the answers and statements made herein and that any false answers and statements herein shall constitute cause for the suspension, revocation of any license issued pursuant to this application. Should any change occur during the year for which a license is issued pursuant to this application, or any personnel statement which is made a part of this application, such change must be reported as an amendment to this application as specified by the Woodstock Code of Ordinances. Failure to make such amendment shall be cause for the revocation of any license issued pursuant to this application. Indicate here that this is fully understood. If there has been change in the information during the past year, do not complete this form, but call the Development Services Representative immediately at 770.592.6054 and request a complete application. It may be necessary for fingerprinting or background checks if personnel, officers, stockholders, ownership has changed. Your signature on this form indicates that there have been no changes, other than those previously reported since your initial application and that all information contained herein is true and correct.

I declare under penalty and perjury that this statement has been examined by me and to the best of my knowledge and belief it is true, correct and complete.

[Signature] _____
Signature of Licensee Title Date

(Licensee may be the owner, manager, partner, or an authorized officer of the corporation)

I hereby certify that Mark Crumpton is personally known to me, that said applicant signed the foregoing application after stating to me personal knowledge and understanding of all statements and answers made herein, and, under oath, actually administered by me, has sworn that said statements and answers are true.

This 15 day of January, 2015.

Katie L Parker _____
Notary Public My Commission Expires November 29, 2017



Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)

City of Woodstock
770.592.6054

12453 HIGHWAY 92

Woodstock, GA 30188
Fax 770.926.7820

VIA FACSIMILE

REQUEST FOR ADVERTISEMENT

TO: Cherokee Tribune

FROM: Business License, Tax Department # 95906
770.592.6005

DATE: 03/02/2015

SUBJECT: 2 X 3 LEGAL AD

I need a copy of the advertisement, but I do not need a publisher's affidavit

TYPE OF AD: Classified

RUN DATES: Sunday – 03/08/2015
Sunday – 03/15/2015

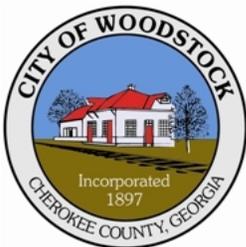
CITY OF WOODSTOCK
APPLICATION FOR RETAIL SALE OF MALT BEVERAGES FOR A RESTAURANT

PUBLIC NOTICE IS HEREBY GIVEN THAT MARK CRUMPTON HAS APPLIED TO THE CITY OF WOODSTOCK ON BEHALF OF **GAMEDAY GRILL, LLC** LOCATED AT 2990 EAGLE DR, WOODSTOCK, GA 30188 FOR RETAIL SALE OF MALT BEVERAGES AT A RESTAURANT WITHIN THE CITY LIMITS OF WOODSTOCK. THE REGISTERED AGENT WILL BE MARK CRUMPTON.

THE WOODSTOCK MAYOR AND COUNCIL WILL CONSIDER THE SAID LICENSE MONDAY, MARCH 23, 2015 AT 7:00 PM AT CHAMBERS AT CITY CENTER LOCATED AT 8534 MAIN STREET, WOODSTOCK, GA.

ANY OBJECTIONS TO THE ISSUANCE OF SAID LICENSE MUST BE IN WRITING AND RECEIVED BY THE LICENSE ADMINISTRATOR AT 12453 HWY 92, WOODSTOCK GA 30188 ON OR BEFORE THE DATE AND TIME OF CONSIDERATION BY THE CITY COUNCIL.

Attachment: Gameday Grill retail sale (3299 : Gameday Grill LLC - Retail Sale- Malt Beverages)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

GA NORTHEASTERN RAILROAD MAJOR BUDGET AMENDMENT

Presented by: Pat Flood

Summary:

This is for the signal replacement at Ridgewalk Parkway that was discussed with Council on March 9th and an agreement with the railroad was approved. We are sharing in the costs with Watermarke Church. They will pay \$13,000 and the City will pay \$13,000. Because this wasn't a budgeted item, a major budget amendment is being requested as attached.

Additional Information:

Recommendation:

Budget Information:

311-4215-5410-541200-00 Ridgewalk Railroad Crossing Expense Requested \$13,000.00

Budgeted \$ 0

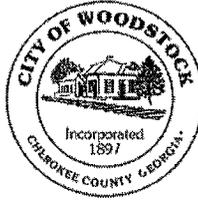
Paid out of Streets SPLOST line Item \$13,000

Supporting Documents:

- major budget amendment ga ne rr (PDF)
- 434 Rev & Exp (PDF)

Reviews / Approvals

Finance Completed	03/17/2015 4:11 PM
City Clerk	Completed 03/17/2015 4:14 PM
Jeff Moon	Completed 03/17/2015 4:15 PM
Mayor and Council	Pending 03/23/2015 7:00 PM



**City of Woodstock, GA
Major Budget Amendment**

Name of Department Public Works - Streets

Budget Amendment Number 2015 - 83 Date 03/17/2015

Account Number	Account Title	Debit Amount	Credit Amount
311-4215-5410-541200-00	Ridgewalk RR Crossing	\$ 26,000.00	\$
311-4215-3710-371108-00	Contributions	\$	\$ 13,000.00
311-4215-3910-391203-00	Transfer From SPLOST IV	\$	\$ 13,000.00
434-4215-6110-611116-00	Transfer To CEF	\$ 13,000.00	\$
434-1510-3810-381120-00	Use of Reserves	\$	\$ 13,000.00
		\$	\$
Total Amount of Transfers		\$ 39,000.00	\$ 39,000.00

Explanation of Budget Transfer Request To use reserves for the
Ridgewalk railroad crossing phase IV construction project.

Signature of Department Head  Date 03/17/2015

City Manager Approval _____ Date _____

Approved by City Council at the Meeting Date Of: _____

Entered by Finance: _____ Date _____

Attachment: major budget amendment ga ne rr (3342 : GA NE RR MAJOR BUDGET AMENDMENT)

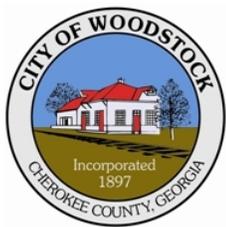
CITY OF WOODSTOCK
REVENUE & EXPENDITURE STATEMENT BY ACCOUNT

FY 2014-2015

03/01/2015 TO 03/31/2015

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET R</u>
REVENUE:				
434-1510-3130-313220-00 SPLOST 2012	245,668.65	1,904,287.12	2,838,623.44	
TOTAL REVENUE	<u>245,668.65</u>	<u>1,904,287.12</u>	<u>2,838,623.44</u>	
EXPENDITURE:				
434-3210-5420-542212-00 VEHICLES	0.00	31,850.00	124,321.91	
434-3210-5420-542510-00 OTHER EQUIPMENT	0.00	21,125.00	44,409.00	
434-3510-5420-542212-00 VEHICLES	0.00	28,805.00	35,808.00	
434-3510-5420-542510-00 OTHER EQUIPMENT	0.00	23,685.00	25,313.78	
434-4215-5410-541440-00 TLP-ARNOLD MILL PROJECT	0.00	5,600.00	0.00	
434-4215-5410-541510-00 BUILDING IMPROVEMENTS	0.00	24,878.03	25,000.00	
434-4215-5420-542510-00 OTHER EQUIPMENT	7,333.00	15,216.00	16,000.00	
434-5535-5410-541411-00 PARKS PROJECTS -- UNDESIGNATED	0.00	0.00	30,000.00	1
434-5535-5420-542212-00 VEHICLES	0.00	22,371.00	22,656.00	
434-5535-5420-542510-00 OTHER EQUIPMENT	0.00	27,036.86	28,306.00	
434-7220-5420-542212-00 VEHICLES	0.00	0.00	20,000.00	1
TOTAL EXPENDITURE	<u>7,333.00</u>	<u>200,566.89</u>	<u>371,814.69</u>	
BEFORE TRANSFERS	<u>238,335.65</u>	<u>1,703,720.23</u>	<u>2,466,808.75</u>	
OTHER FINANCING USE:				
434-1510-6110-611112-90 TRANSFER TO DEBT SERVICE	15,039.33	2,362,850.65	2,416,808.75	
434-1510-6110-611114-00 TRANSFER TO AMPHITHEATRE BOND	0.00	60,000.00	50,000.00	
TOTAL OTHER FINANCING USE	<u>15,039.33</u>	<u>2,422,850.65</u>	<u>2,466,808.75</u>	
AFTER TRANSFERS	<u>223,296.32</u>	<u>-719,130.42</u>	<u>0.00</u>	

Attachment: 434 Rev & Exp (3342 : GA NE RR MAJOR BUDGET AMENDMENT)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

CONTRACT AND/OR RFP (ID # 3323) USIS Contract Renewal

Project: General Service Agreement

Contract Start Date: 2015

Contract Expiration Date: 2016

Contract Status: Final Contract Attached

Grant Type: Not Applicable

E-Verify Info Attached: Not Applicable

Type of Contract: Renewal Contract

Discussion:

Staff would like to request Council approve the USIS Workers Compensation Contract Renewal for the 2015-2016 year.

Comments:

Budget Information:

No change in annual cost of \$8350

Supporting Documents:

- USIS(PDF)

Reviews / Approvals

Rhonda Pezzello Completed 03/13/2015 9:38 AM

Jeff Moon Completed 03/16/2015 9:59 AM

Mayor and Council Pending 03/23/2015 7:00 PM

CONTRACT FOR SERVICES
BETWEEN
USIS, INC.
AND
CITY OF WOODSTOCK, GEORGIA

In consideration of the mutual covenants herein contained, **USIS, INC.** hereinafter referred to as the **COMPANY**, does hereby contract and agree with the City of Woodstock, Georgia, hereinafter referred to as the **EMPLOYER**, as follows:

I. This agreement shall take effect June 1, 2015, and shall continue for a one (1) year period, unless terminated by either party as set forth herein. This contract may be terminated at the request of the **COMPANY** with ninety (90) days written notice, and the **EMPLOYER** with sixty (60) days written notice.

A. Upon termination of the contract all paper files shall be returned to **EMPLOYER** at **EMPLOYER's** expense.

II. All services rendered by the **COMPANY** will fully comply with the rules established by regulatory authorities. The **COMPANY** will perform all services specified herein, including but not limited to the following: Administrative Services, Claims Services, and Data Management Services.

A. **ADMINISTRATIVE SERVICES**

1. Prepare, file and maintain all records and reports as may be required by legal authorities (State, local and Federal) or by excess insurers.

2. Prepare, file and maintain statistical information required by the Department of Insurance or other appropriate State agencies, by required date.

B. CLAIMS SERVICES

1. Establish reporting procedures which are compatible with the needs of the Employer.
2. Provide necessary forms and instructions for use.
3. Receive and examine on behalf of the **EMPLOYER** all reports of employee injury claims.
4. Conduct investigations that will disclose all of the pertinent facts on any accident as deemed necessary to allow determination as to compensability.
5. Accept or deny all reported claims for employee injuries on behalf of the **EMPLOYER** in accordance with the applicable Workers' Compensation Law.
6. Employ outside professionals such as private detectives, expert witnesses, field claim adjusters and attorneys to assist in the investigation, should it be necessary, at the expense of the **EMPLOYER**, subject to prior approval by and consultation with **EMPLOYER**.
7. Review all medical bills and other services for which a claim is being made for reasonableness and conformity to appropriate medical and

surgical fee schedules through our specialized Cost Containment Unit.

8. Adjust and settle all reported claims. Such settlement is to include preparation and execution of all necessary compromise and release agreements.
9. Prepare and maintain files necessary for legal defense of claims and/or litigation (such as actions for subrogation) or other proceedings.
10. Pay in a timely fashion and for appropriate amount all claims and expenses pertaining thereto from the Working Loss Fund. The Working Loss Fund will be established by the **EMPLOYER** and will be maintained at a dollar level sufficient to meet the monthly obligations.
11. Conduct an ongoing review of all open cases where appropriate to establish the status of each disabled employee claim in order to bring to an amicable conclusion.
12. Provide **EMPLOYER** with narrative status reports of major or litigated claims.
13. Provide coordination with rehabilitation of injured employees in the consultation, retraining and reassignment of employees with limited physical abilities arising from covered injuries, at the expense of the **EMPLOYER**.

14. In coordination with **EMPLOYER**, maintain a current roster of qualified physicians for the treatment of covered injuries on a first and specialized basis, as well as maintaining procedures for close liaison with the treating physicians.
15. All expenses regarding the checking account(s) to be at the cost of the **EMPLOYER**.
16. Employ outside professionals for field case management, rehabilitation, vocational training and catastrophic case management at the expense of the **EMPLOYER** subject to prior approval by and consultation with the **EMPLOYER**.

C. DATA MANAGEMENT SERVICES - Provide Employer's and Liability

Claims Reports monthly with the following individual claim details:

1. Claimant's name and social security number
2. Date of injury or loss
3. Nature of injury or loss
4. Description of accident
5. Payments to date
6. Reserves for future payments
7. Allocated claims expense paid-to-date
8. Reserve for future allocated claims expense

D. WORKING LOSS FUND RECONCILIATION - Provide monthly reports as follows:

1. Report will be mailed to **EMPLOYER** fifteen (15) days after close of each monthly period.
2. Report will show:
 - a. Balance of fund at inception
 - b. Total disbursement by date and claimant
 - c. Balance of fund at close
 - d. Amount of reimbursement required

III. **WORKERS COMPENSATION CLAIM SERVICES:**

- A. Service fees will be charged at a flat rate of \$8,350 for the twelve (12) month period.
- B. **Cost Containment Services (Medical Bill Repricing):** The fee for medical bill re-pricing by the **COMPANY** shall be \$6.25 per medical bill, which will be invoiced by the **COMPANY** on a quarterly basis.
- C. **Network Savings:** A fee of 25% of network contract savings (not fee schedule savings) shall be paid related to medical providers and pharmacy networks.

IV. **TAIL CLAIMS:**

Workers' Compensation Tail Claims: – There will be no charge for residual claims at the beginning of the contract and there will be no annual claim fee for claims remaining open.

- V. If requested by the Employer and other than filing of applications for self-insurance, the **COMPANY'S** performance will continue for a period of ninety (90) days after the expiration of the contract period. All reports required by regulatory authorities will

be filed for the contract period. Fees equal to 1/12th of the annual fee shall be paid for each month the additional services are requested by the Employer and subsequently provided.

VI. **INDEMNIFICATION:**

Each party (the "Indemnitor") shall indemnify, to the extent permitted by Georgia law, defend and hold harmless the other party (the "Indemnitee") and its affiliates, officers, directors, agents and employees from and against any and all claims, losses, liabilities, damages, costs, penalties, fines, interest and expenses, including punitive damages and reasonable attorney's fees, arising from or caused in whole or in part by any breach of this Agreement or negligent act or omission by the Indemnitor or its officers, agents or employees. If the Indemnitee is not actively negligent, such indemnification shall be complete and total and without regard to the comparative fault of the parties. If there is active negligence on the part of the Indemnitee, such indemnification shall be partial and provided only to the extent of the comparative fault of the Indemnitor. Notwithstanding the foregoing, USIS shall have no liability under this provision for any act or omission taken by it in accordance with the written instructions of the **EMPLOYER**. This provision shall survive termination of this Agreement.

VII. The **COMPANY** will not assign this agreement or any responsibilities pursuant to said agreement without the express consent, in writing, of the **EMPLOYER**.

IN WITNESS WHEREOF, the **COMPANY** and the **EMPLOYER** agree to the above terms, conditions and provisions, and hereby cause this agreement to become effective.

By:

Signature

Witness Signature

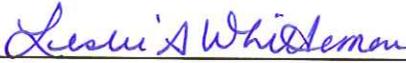
Title

Date

USIS, INC.

By: 

Signature



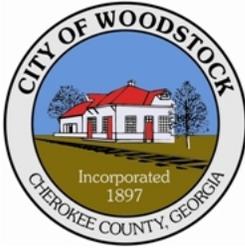
Witness Signature

Executive Vice President

Title

3/4/15

Date



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Paving of Various Locations

Presented by: Pat Flood

Summary:

An RFP (2015-13) was published soliciting bids for the paving of various areas within the City. Proposal in the amount of \$192,702.00 has been received from Wildcat Striping and Sealing to make repairs and pave areas of Ashland Parkway, and to overlay and stripe portions of Main Street. All projects are eligible for LMIG funding.

A Major Budget Amendment is attached for submittal upon approval from Council.

This same project was sent out to bid last year but was never awarded due to lack of funding. When we submitted for bids this year, we only received on responsive bidder - Wildcat Striping & Sealing.

Additional Information:

Recommendation:

Award of bid to Wildcat Striping & Sealing, approve attached Major Budget Amendment to move funds.

Budget Information:

Account Name/Number - GA-LMIG Streets Grant/250-42155410-541400-00

Budget Amount - \$221,000.00

Amount Spent to Date - 0.00

Encumbered Balance - 0.00

Amount of Request - 192,702.00

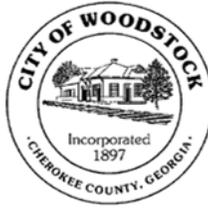
Supporting Documents:

- 2015 - 57BA (PDF)
- 2015-13 Bid Tab (PDF)
- WC Proposal (PDF)
- 250 Rev & Exp 032315 (PDF)

Reviews / Approvals

Pat Flood	Completed	03/17/2015 2:34 PM
Finance	Completed	03/17/2015 3:50 PM
City Clerk	Completed	03/17/2015 2:35 PM

Jeff Moon Completed 03/17/2015 2:36 PM
Mayor and Council Pending 03/23/2015 7:00 PM



**City of Woodstock, GA
Major Budget Amendment**

PUBLIC WORKS - STREETS

Name of Department _____

Budget Amendment Number 2015 - 57 Date 02/10/2015

Account Number	Account Title	Debit Amount	Credit Amount
250-4215-5410-541400-00	GA-LMIG STREETS GRANT	\$ 6,322.26	\$
250-4215-3341-334110-00	GA-LMIG GRANT REVENUE	\$	\$ 6,322.26
101-4215-6110-611030-00	TRANSFER TO GRANT FUND	\$ 1,896.68	\$
101-4215-5210-521220-00	Contract Services	\$	\$ 1,896.68
101-4215-6110-611030-00	TRANSFER TO GRANT FUND	\$ 1,896.68	\$
250-4215-3910-391030-00	TRANSFER FROM GEN FUND	\$	\$ 1,896.68
Total Amount of Transfers		\$ 10,115.62	\$ 10,115.62

Explanation of Budget Transfer Request To recognize additional grant revenue received (\$6,322.26) and to move additional city funds (\$1,896.68) so as to meet the required 30% match for the LMIG grant.

Signature of Department Head _____ Date 02/10/2015

City Manager Approval _____ Date _____

Approved by City Council at the Meeting Date Of: _____

Entered by Finance: _____ Date _____

Attachment: 2015 - 57BA (3329 : Paving of Various Locations)



Wildcat Striping & Sealing

Proposal #29174
March 3rd, 2015

5365 Truman Drive
Decatur, GA 30035
V: 678.937.9525
F: 678.937.9151

Submitted to
Address
City, State, Zip
Contact Name
Contact Email
Contact Phone
Contact Mobile

City of Woodstock
12453 Hwy 92
Woodstock, GA 30188
Chris Knock
cknock@woodstockga.gov
(678) 481-0772

Jobsite Name
Jobsite Address
Jobsite City, St, Zip
Estimator
Direct Line
Email

Ashland Parkway and Main St Repairs
Main St and Haney St
Woodstock, GA 30188
Ashley Dunn Baum
ashley@wildcatstriping.com

QTY	Description	Price	Ext Price	Accept?
1	Ashland Parkway Base Repairs: Remove and replace 8 areas totaling 431 SY with up to 3" of asphalt prior to overlay.	\$20,356.00	\$20,356.00	_____
1	Ashland Parkway Overlay: Overlay .75" PermaFlex and 1" Topping in 5656 SY from Gainesway Dr to Kneeland Ave. NOTE : Price per SY: \$11.93	\$67,490.00	\$67,490.00	_____
1	Main St: Overlay from Haney Rd to Ridgeway Parkway with 1.5" Topping in 9918 SY. Includes Decel lane.	\$91,924.00	\$91,924.00	_____
1	Main St Thermoplastic: Apply 2755' of Double Yellow, 5510' of Edgeline, 5 Arrows, 325' of 5", and 215' of 24", 100' of Skip, 2 Stop bars.	\$12,932.00	\$12,932.00	_____

This proposal excludes the following : Underground Utilities, Temporary Striping, and any item or quantity not listed above.

Please Note : Surface to be striped needs to be ready for paint application prior to Wildcat mobilization. Cleaning or pressure washing must be done by owner or contractor. All vehicles and materials need to be removed from site prior to Wildcat mobilization. Any trip to a job not resulting in work being preformed fully due to the fault of others will result in additional charges.

THERE IS NO OTHER EXPRESS WARRANTY IN THIS CONTRACT OTHER THAN STATED HEREON. ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS IS LIMITED TO THE LANGUAGE STATED IN THIS CONTRACT.

We propose hereby to furnish labor, Equipment and material - complete in accordance with the above specifications. Prices are Guaranteed for 30 Days All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Our workers are fully covered by Workman's Comp. Should the amount due under this contract or any part of it be past due the Contractor shall be entitled to attorney's fees and all costs of collection, plus interest based on legal rate or 1.5% per month on overdue amounts.

Payment is due upon completion for each phase of work. Please check the method of payment.

Acceptance of proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Cash _____ Check _____ CC _____ Other _____

CC # _____ Type (Visa - MC - AMEX - Discover) _____

CCV Code _____ Expiration Date _____

Signature _____ Date _____

Signature _____ Date _____

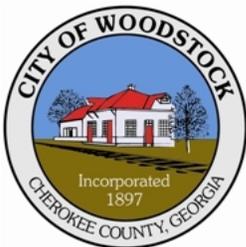
CITY OF WOODSTOCK
REVENUE & EXPENDITURE STATEMENT BY ACCOUNT

FY 2014-2015

03/01/2015 TO 03/31/2015

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET R</u>
REVENUE:				
250-3210-3311-331110-00 DOJ - BULLET RESISTANT VEST	0.00	475.12	0.00	
250-3210-3311-331155-00 GEMA - K9 EOD GRANT	1,439.87	1,439.87	3,000.00	
250-3210-3710-371100-00 WAL-MART COMMUNITY GRANT	0.00	2,000.00	0.00	
250-3510-3311-331111-00 FEMA - ASSISTANCE TO FIREFIGHTER	0.00	0.00	136,101.60	1
250-3510-3311-331112-00 FEMA - FP&S GRANT	0.00	0.00	15,069.58	1
250-3510-3710-371100-00 WAL-MART COMMUNITY GRANT	0.00	2,000.00	2,500.00	
250-3510-3710-371101-00 GA - BRANT CHESNEY MEMORIAL GRANT	0.00	0.00	3,000.00	1
250-4215-3341-334110-00 GA-LMIG GRANT	0.00	176,322.26	170,000.00	
250-7410-3311-331150-00 ARC-LCI EXPANSION	1,600.00	56,800.00	60,000.00	
250-7410-3311-331160-01 GDOT-TE GRANT RUBES CREEK	16.13	12,746.13	540,000.00	
250-7410-3311-331165-00 GDOT-TE GRANT SOUTH MAIN STREET	0.00	0.00	67,200.00	1
TOTAL REVENUE	15,786.00	251,783.38	996,871.18	
EXPENDITURE:				
250-3210-5310-531600-00 DOJ-BULLET RESISTANT VEST	47.80	7,684.80	8,918.00	
250-3210-5310-531700-00 WAL-MART COMMUNITY GRANT SUPPLIES	0.00	2,000.00	0.00	
250-3210-5310-531729-00 GEMA - K9 EOD GRANT EXPENSE	0.00	2,367.82	3,000.00	
250-3510-5310-531610-00 FEMA-FIREFIGHTER ASSIST GRANT	0.00	0.00	153,724.00	1
250-3510-5310-531620-00 FEMA-FIRE PREVENTION & SAFETY GRANT	0.00	0.00	15,862.73	1
250-3510-5310-531700-00 WAL-MART COMMUNITY GRANT SUPPLIES	0.00	2,000.00	2,500.00	
250-3510-5310-531710-00 BRANT CHESNEY GRANT - SUPPLIES	0.00	0.00	3,000.00	1
250-4215-5410-541400-00 GA-LMIG STREETS GRANT	0.00	0.00	221,000.00	1
250-7410-5210-521200-00 ARC-LCI EXPANSION STUDY	2,000.00	71,000.00	75,000.00	
250-7410-5410-541200-01 GDOT-TE GRANT RUBES CREEK CONST	0.00	64,259.18	675,000.00	
250-7410-5410-541410-00 GDOT-TE GRANT SOUTH MAIN STREET	0.00	36,291.04	84,000.00	
TOTAL EXPENDITURE	6,347.80	185,602.84	1,242,004.73	
BEFORE TRANSFERS	9,438.20	66,180.54	-245,133.55	
OTHER FINANCING SOURCE:				
250-3210-3910-391000-00 INTERFUND TRANSFER IN -- GF	0.00	8,918.00	8,918.00	
250-3510-3910-391010-00 INTERFUND TRANSFER IN -- GF	0.00	0.00	793.15	1
250-3510-3910-391020-00 INTERFUND TRANSFER IN -- GF	0.00	2,500.00	15,122.40	
250-3510-3910-391070-00 INTERFUND TRANSFER IN -- GF	0.00	0.00	2,500.00	1
250-4215-3910-391030-00 INTERFUND TRANSFER IN -- GF	0.00	0.00	51,000.00	1
250-7410-3910-391040-00 INTERFUND TRANSFER IN -- GF	0.00	15,000.00	15,000.00	
250-7410-3910-391050-00 INTERFUND TRANSFER IN -- GF	0.00	135,000.00	135,000.00	
250-7410-3910-391060-00 INTERFUND TRANSFER IN -- GF	0.00	16,800.00	16,800.00	
TOTAL OTHER FINANCING SOURCE	0.00	178,218.00	245,133.55	
AFTER TRANSFERS	9,438.20	244,398.54	0.00	

Attachment: 250 Rev & Exp 032315 (3329 : Paving of Various Locations)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Award Bid - Pipeline Inspection Camera & Trailer to Adams Equipment Co., Inc.

Presented by: Pat Flood

Summary:

RFP 2015-14 was released on February 6, 2015 requesting proposals for the purchase of a pipeline inspection camera and trailer for the purpose of evaluating and maintaining the storm drain systems throughout the City.

Submittals were received from Adams Equipment Co., Inc (\$177400.00), Atlas Inspection Technologies, LLC (\$180952.68), and Environmental Products of Georgia (\$184923.00). Copies of vendor proposals may be found on the z:drive for reference.

Staff recommends awarding the bid for purchase to Adams Equipment Co., Inc. as the proposal meets the requirements.

Additional Information:

Recommendation:

Award bid to Adams Equipment Co., Inc

Budget Information:

Account Name/Number - Other Equipment / 507-4325-5420-542610-00

Budget Amount - \$223,632.00

Amount Spent to Date - 0.00

Encumbered Balance - 0.00

Amount of Request - \$177,400.00

Supporting Documents:

- AE Proposal (PDF)
- Bid Tab 2015-14 (PDF)
- RFP 2015-14 (PDF)
- 507 Rev & Exp (PDF)

Reviews / Approvals

Pat Flood	Completed	03/17/2015 2:32 PM
Finance	Completed	03/17/2015 2:32 PM
City Clerk	Completed	03/17/2015 2:32 PM
Jeff Moon	Completed	03/17/2015 4:15 PM

Mayor and Council Pending 03/23/2015 7:00 PM

City of Woodstock Request for Proposal Pipeline Inspection Camera and Trailer

RFP#: 2015-14

A. Introduction

This proposal is submitted to Woodstock, GA in response to the Request for Proposal for the Pipeline Inspection Camera and Trailer. Proposal submitted by:

Dealer: Adam's Equipment
 Contact: Tim Conger
 6971 Oak Ridge Commerce Way
 Austell, GA 30168
 Phone: 770-745-0819
 Fax: 770-745-0821
 Toll Free: 800-868-1313
 E-Mail: TConger@adamsequipmentco.com

B. References

- 1.) Dalton Utilities – Steve Bratton – 706-463-2390
- 2.) Dekalb County – Robert Gordon – 404-713-7823
- 3.) Cherokee County WSA – Jeff Hooper – 678-773-8689

C. Technical and Management Proposal

Experience and Past Performance

CUES has been in business for 51 years and is the largest manufacturer of this Closed Circuit TV Inspection equipment in the country. Established in 1964, Cues continues to be the industry leader in designing and manufacturing closed circuit television systems and software based data acquisition / decision support systems for the inspection and condition assessment of wastewater collection and sewer line systems. CUES currently supports over 10,000 active systems in the United States. We ship 95% of our spare parts orders on same day receipt of order or within 24 hours.

CUES produces over 200 trucks and trailer mounted TV Inspection Systems per year.

Technical and Management Approach

CUES Inc, FL, is submitting this proposal as a qualified firm to provide a complete Multi Conductor TV Inspection Trailer mounted system that will be outfitted to **complete CCTV inspection for pipes ranging from 6" – 24"**. This TV Inspection Unit will have the ability to inspect service lateral connections ranging from 3"-24" diameter via a mainline lateral launcher. **CUES shall provide an integrated wireless controller for all camera, transporters, and reels via a hand held portable pendant.** It will operate all functions from the front, rear, or

within 50 ft. line of sight of the unit. An optical zoom pan and tilt camera will be supplied with a 40:1 zoom ratio with built-in inclinometer to work with a video cable reel with 1000 ft. high strength multi conductor video cable and an automatic payout system for the cable. A track camera transporter will be provided to inspect 6" through 24" pipe,

The CUES Software Division will install and train Granite XP Condition Assessment Software in the unit, with a bi-directional interface to ESRI ArcView Mapping System, and with an interface to the IBM Maximo asset management software system.

1. Plan and Method of Approach to Accomplish the Scope of Work

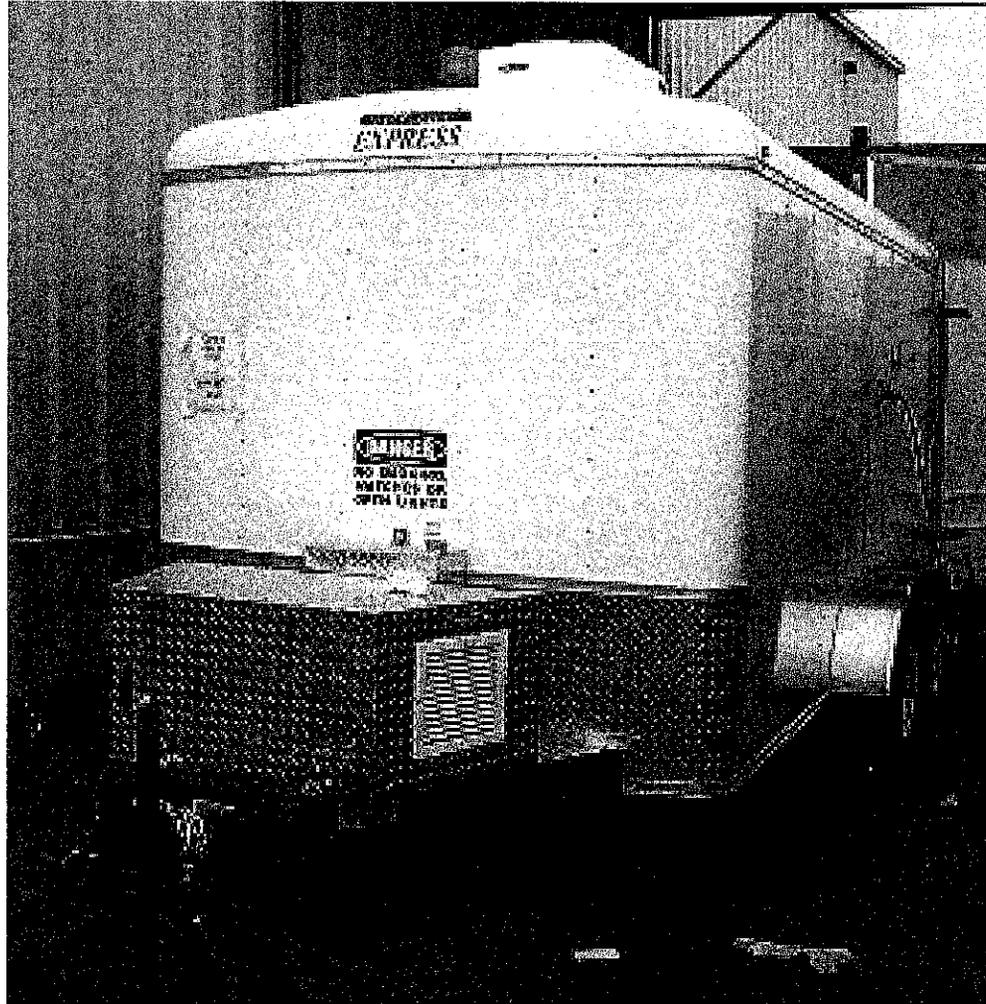
CUES proposes to furnish and install a new CCTV Inspection System installed in a new 7 X 14 tandem axle trailer with 7,000GVW. All necessary equipment shall be included to perform CCTV Inspections and condition assessment of pipelines 6" – 24". Detailed descriptions and benefits of the equipment provided by CUES are listed below. The unit will be built, billed, and shipped to arrive at the City of Woodstock no later than May 29th, 2015.

CUES will provide on -site training for all CCTV inspection equipment and condition assessment software by certified CUES trainers.

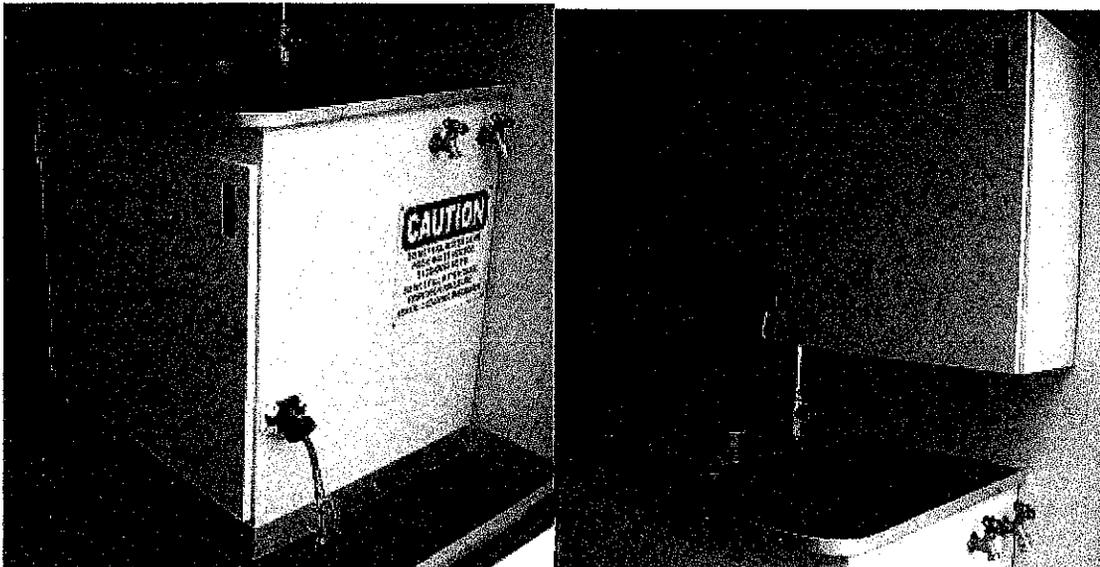
2. Closed Circuit Television System for Main line Inspection Specifications

Description:

In summary, CUES will provide a new 7 X 14 tandem axle trailer with 7,000GVW. The modifications to include an amber Strobe light mounted on the roof with the control inside. There shall be dual adjustable 12V halogen floodlights mounted inside of the trailer at the rear header to enable the operator to safely adjust them while standing inside of the trailer facing rearward. Other items include:



- The trailer interior is divided into two areas; a viewing studio and a work / storage / equipment room. It is divided by a full bulkhead wall with a full height operator pass through door that will separate both areas. The bulkhead wall will contain a large “safety plus” window to provide a full view from the viewing console to the rear of the truck. All monitors will be thin flat screen monitors with high resolution to save space and provide high quality video.
- A 7.0 kW Onan Gas generator will be provided to power the TV equipment.
- A roof mounted 13,500btu with 5,600btu heat strip shall be provided
- A wall mounted heater shall be provided in the control room
- All cabinet construction will be of 7 ply cabinet grade plywood and all cabinet doors shall have metal flush mounted positive latches, eliminating the unwanted opening of doors during transit.
- The viewing room shall have a Lonseal non-skid floor that is **guaranteed for 10 years**.
- A 20 gallons wash down system shall be provided with an upper cabinet.
- A washable kemlite surface will be installed on the walls and ceiling in the control and equipment area.
- All wiring is completed to NEC codes and there will be no exposed wiring.



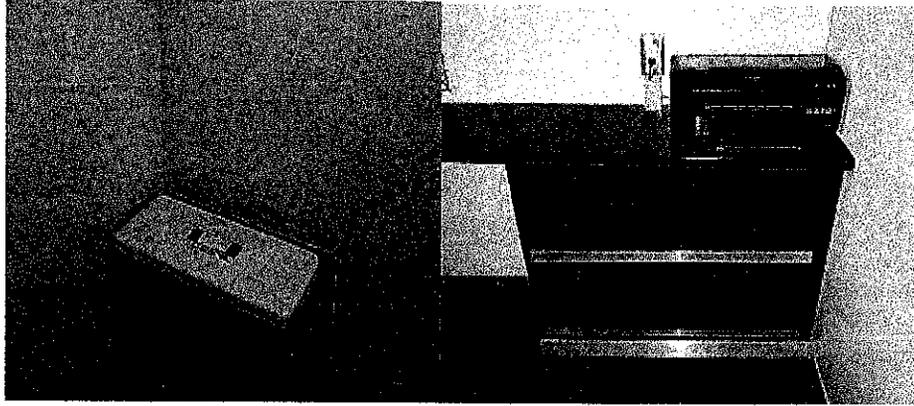
a. Features and Benefits of the Proposed Evolution II Summit Interior:

- Maximum ergonomic comfort for the operator on a 1" thick counter top.
- To maximize the working area in the viewing room, a contoured control console is used mounting the electronic components on the countertop. This maximizes our ability to provide counter space.
- A full viewing window with smoked Plexiglas is provided as a safety and communication enhancement that provides full visibility from the viewing studio to the rear of the trailer.
- Ample workspace and storage in the equipment room to include a wash down system.
- All exposed corners and surfaces will be protected with an industrial aluminum liner. All walls will be covered with a washable Kemlite. A 3" aluminum kick plate is installed to protect the bottom surfaces of all free- standing cabinets.
- Moisture Protection - All free- standing cabinets are mounted on raised runners to stop any capillary absorption of water from the floor during wash down.
- **10 years warranty on all cabinets and woodwork in the trailer.**



Summit Power / Control Units mounted above the desk

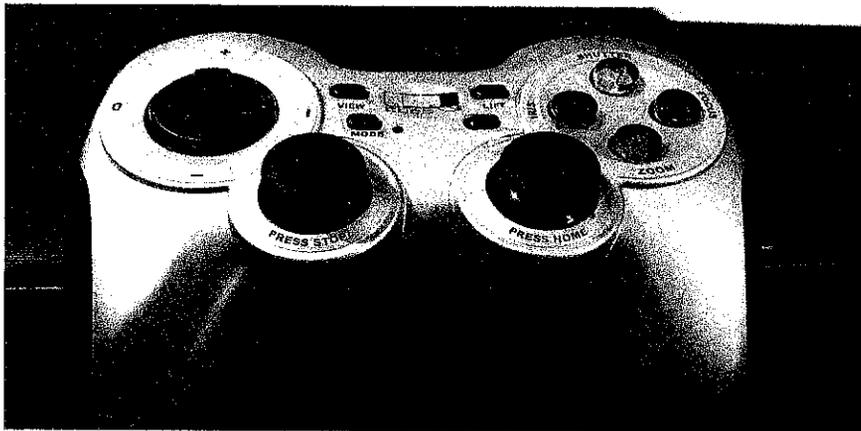
Attachment: AE Proposal (3332 : Pipeline Inspection Camera and Trailer)



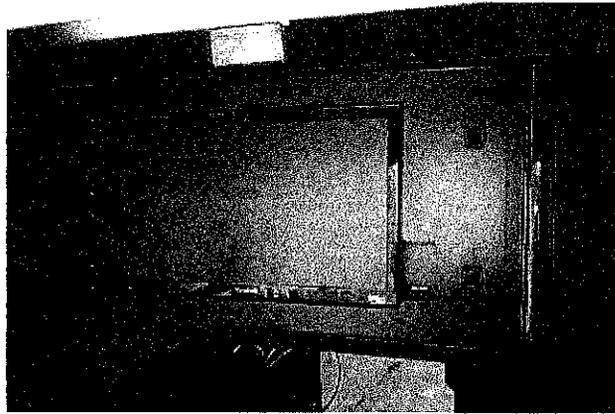
Bench Seat

Storage under Desk top

The Summit Interior features the wired and (2) wireless hand held controllers for camera, transporter and TV cable reel. This allows the operator desktop to have a more spacious work area.



One hand control via the hand held controllers is provided for the operator. This allows the operator to move about freely with complete operation of the camera, transporters and reel functions from any location inside or outside the TV unit.



Rear View monitor shall allow viewing of operation from outside the unit shall be mounted in the bulkhead wall.

b. TV Equipment Section:

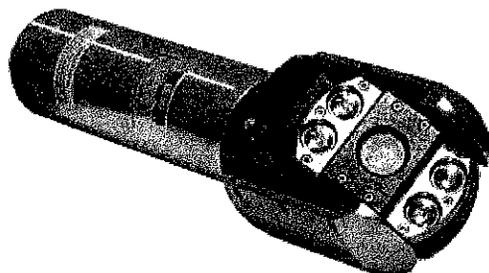
Description

CUES will supply an optical zoom pan and tilt camera with built-in inclinometer, Power Control Unit, Flat Screen Monitor for Video, rear auxiliary flat screen monitor, Granite XP Data management system. A video cable reel with 1000' TV cable with auto pay out system and Track Transporter for pipe sizes 6" - 24" shall be provided.

Benefits and Features of TV Equipment:

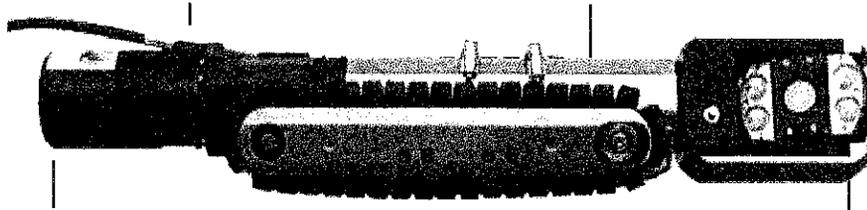
OZ II Optical Zoom Pan and Tilt Camera:

- Provides 40:1 optical / digital zoom ration with built in lighting for 6" through 72" lines. Optical Zoom is 10:1
- The camera is provided with built in self- diagnostics to include temperature, humidity, camera and light voltage, serial number, and hour meter to facilitate maintenance and trouble- shooting.
- The camera is provided with a 4-step light enhancement feature for challenging light conditions. Each step increases the light sensitivity of the camera by a multiple of 4 times.
- The camera head has a built in protective fork system to shield the camera from shock and impact during retrieval and insertion.



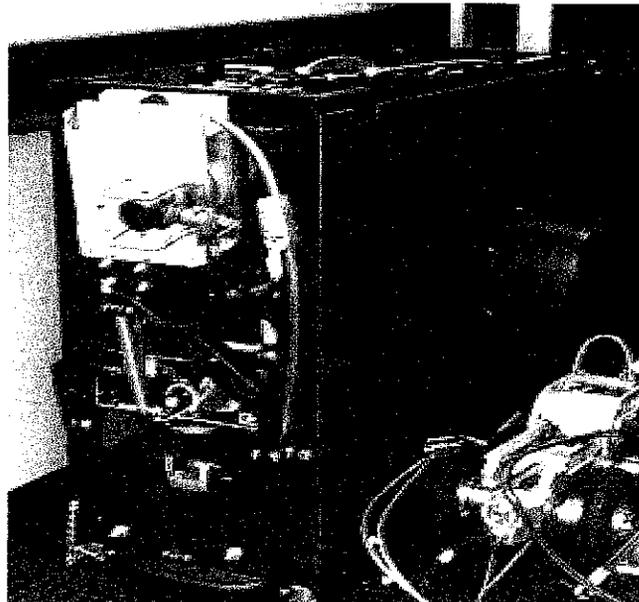
Ultra Shorty 21 Track Transporter

- Camera/tractor allows line entry through inverts with limited space and traverses 22, 45, and 90 degree sweeps in smaller diameter lines
- Proven transmission with power forward, freewheel and power reverse: high speed retract without running over cable and easy to back out of a dropped manhole
- Weighted track extenders that lift to optically center camera, greater weight for increase traction
- Waterproof motor with bulkhead connector: protection against leaks and motor damage
- Greater than 1" top clearance and 1" bottom clearance in 6" lines: navigates through offsets and protruding laterals
- Inspection speed can be optimized to match pipe size conditions



Full Size Video Cable Reel with 1000 ft. multi conductor cable

- 1000 ft. high strength multi conductor video cable (2,000 lbs. break strength)
- **Automatic payout of video cable** – coordinates the speed of the payout for the video cable with the camera transporter to minimize cable drag and maximize cable pull distance.
- A stainless steel drip pan shall be removed by unpinning it, then sliding it out from below the reel towards the rear of the truck.
- The reel shall have a black thermoplastic powder coated frame that provides excellent corrosion and UV protection and is resistant to chemical such as acids and alkalis.



Granite XP Data Acquisition Software:

General Overview

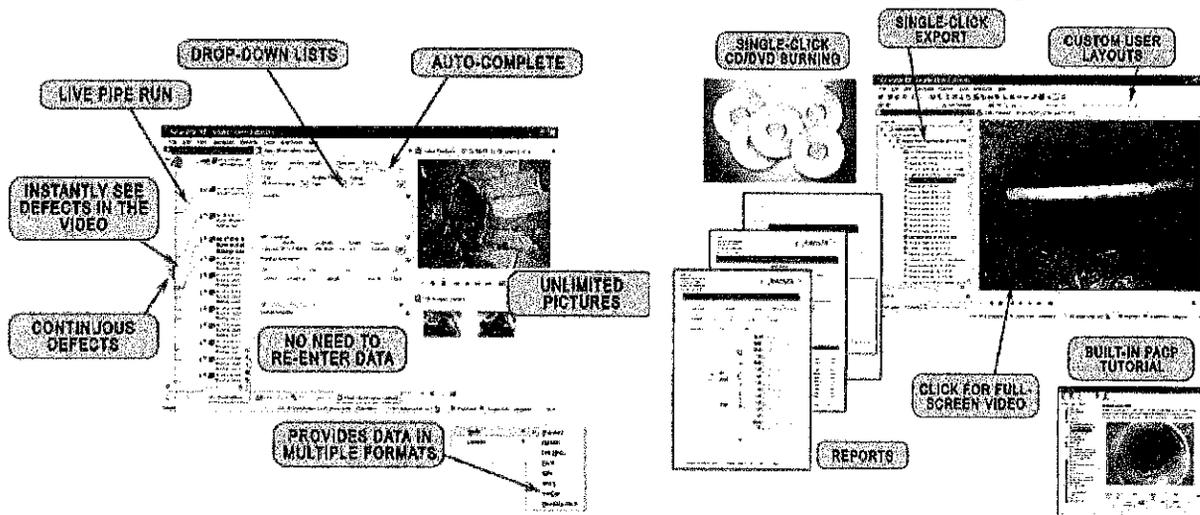
- Granite XP (Granite) is a comprehensive data collection and pipeline inspection management software offering **flexibility, customization, and ease-of-use** to meet the growing needs of municipalities as well as requirements for CMOM and GASB 34.
- Granite XP has been certified for PACP use by NASSCO
- There is no third party software supplied. All software and interfaces are written and supplied by CUES, creating the need for only one phone call to facilitate troubleshooting by the City of Woodstock. CUES technicians are strongly educated on the relationship between the CCTV equipment, the video overlay, the software, and the footage meter, as they are all designed and built by CUES engineers.
- Granite XP is designed with an **asset-based architecture**, so you can navigate to a particular asset (e.g., pipe segment or manhole) and view all the inspections related to that asset as suggested by GASB 34 and CMOM. This asset-based architecture was written to facilitate data transfer between asset-based Asset Management packages like Azteca Cityworks, Hansen, and Maximo, and GIS systems such as ESRI ArcGIS.
- For users who prefer to create individual Projects and perform data collection in the traditional way, Granite XP makes the process faster and easier

Ease of Use

- CD/DVD burning can be done with one mouse click.
- Granite XP's wizard can burn directly to CD/DVD, even in the truck
- Inspections can be selected from the Project Navigator and burned to CD/DVD with a single click
- Reports can be created with one mouse click and have your logo in them
- The user can perform "multi selection" to select, for example, a complete database, a specific project, a particular asset, or many other options. A copy of the GXP Viewer can also be included for client review.
- Drop-down menus and 'auto-complete' feature offer quick and accurate selection
- Help Files are available in the program anytime to assist the user
- Intuitive Microsoft layouts are familiar to almost everyone
- Granite XP allows for reverse setup's in a single inspection
- Flexible Architecture
- Plug-ins allow software developers to provide significant customization and the addition of future modules (extensible)
- Third-party software, custom-designed modules, and infrastructure asset management systems can be integrated without rebuilding the program
- Flexibility to customize your personal views of information depending on the type of work you do; layouts can be easily customized or you can select one of the default layouts for quick operation
- Label Manager provides a quick method to customize the fields and labels to work in your specific environment
- The Code Editor includes several standard code systems including PACP, WRc, Sewer.Dat. and supports User-defined code systems. You do not need to load new software to switch code systems. It is easily changed within the Granite XP program.

Unique Features of Granite XP Software

- Our focus is on the user application and ease of use for acquiring information and digital video that can be quickly distributed within your organization to facilitate the decision making process.
- Observations and defects noted can be designated as spot or continuous. For example, a longitudinal crack can be designated as starting at 6ft. and ending at 9ft. Additional observations can be nested within the same footage span, either and designated as spot or continuous.
- Random Access of Video – the user points and clicks on an observation, and the corresponding video appears, thus eliminating time consuming searches for specific video.
- One Click CD / DVD burning.
- Multiple and editable code systems that can be customized to fit your needs.
- Unlimited number of snap shots per observation.
- Can support, synchronize, and run on multiple enterprise databases such as Oracle, SQL Server, and Access.
- Customizable screen layouts and field label manager to fit your individual requirements.
- Real time on screen Pipe Graphs with defects, observations, and lateral locations noted with corresponding footage.
- Real time on screen Pipe Graphs with pipeline gradient graphs.
- Built-in synchronization and replication to allow for the smooth merging of data to and from the field, to the office, and to interested parties such as engineering firms.

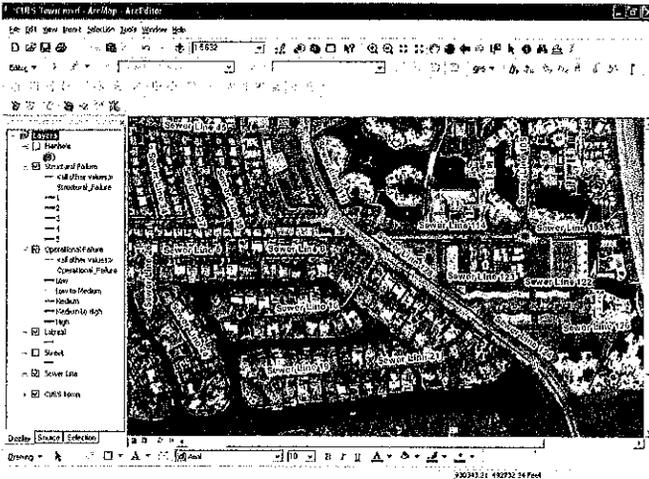
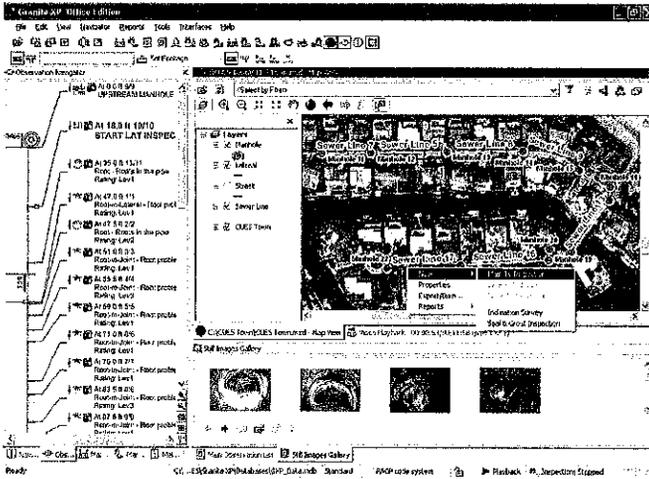


Granite XP ESRI GIS Interface Module software License

Developed by CUES as a registered business partner with ESRI, this module for Granite XP provides a bi-directional interface between ESRI ARCGIS 9.0 (and later products) and the Granite XP software. This module enables GIS map files to be imported directly into Granite XP where they can be used to verify and validate the location of water assets. Users are able to point and click on an asset within the applicable map within Granite XP. After clicking on the asset, the set up screen is automatically populated with the asset location and attribute information. The operator may initiate an inspection by simply right-clicking on the map.

Completed inspections can be exported (checked in) directly to ESRI ArcGIS with automatic error checking. The Granite XP ESRI bi-directional interface also provides the ability to create a new asset in the field. The office administrator/supervisor will be able to determine whether the new or newly found asset would be exported to the master GIS database. The system is able to collect, store, display, manipulate and analyze data, and then link the information to the ESRI ArcGIS map file. The software provides a chronological record of every inspection completed on the asset.

In your two days of remote, web-based, advanced configuration and training with GIS/IT staff by a CUES software division to install and train the ESRI bi-directional interface in accordance to the unique business requirements of the city. CUES will work with your personnel to define the goals and then configure and document the software system accordingly. Additionally one ESRI ArcEngine Runtime License is also included for installation with the Inspection Edition. Both the Enterprise Edition and Engineering Edition will have full GIS map control as well. The ESRI module is only sold for Inspection Editions (vehicles/portable units) and all other Granite XP software editions, including the Viewer Edition, will be able to render the GIS maps.



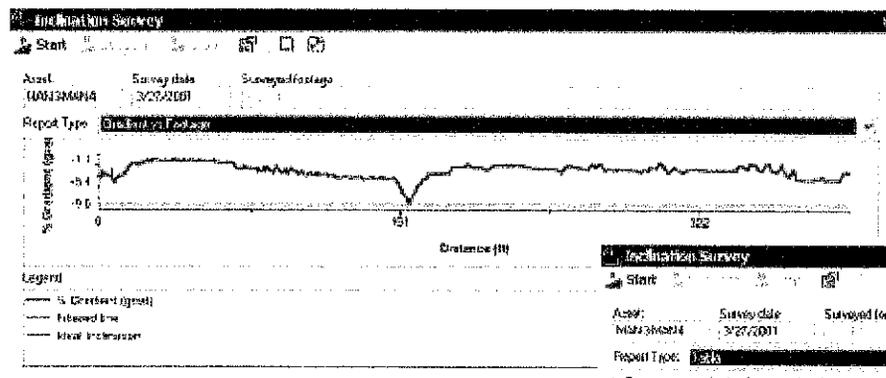
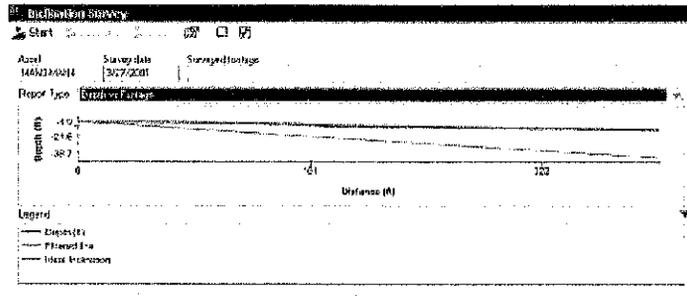
Attachment: AE Proposal (3332 : Pipeline Inspection Camera and Trailer)

THE INCLINATION MODULE

The CUES Software Inclination Module is used to measure the asset incline or depth as a function of distance traversed by the camera during a TV inspection.

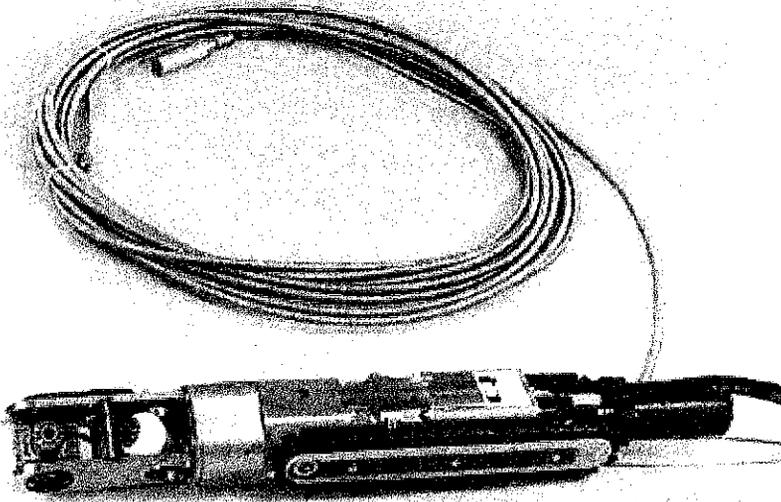
With the CUES Software Inclination Module, you can:

- Create, modify, conduct, and delete inclination surveys
- Record pipe gradient readings and apply statistical filters to the data to eliminate noise and invalid readings like debris and offsets
- Generate multiple graphical and tabular reports
- Perform inclination survey and mainline inspections simultaneously
- Estimate variances by comparing the actual readings to a graph of a perfect pipe
- Generate and view graph in real-time
- Display the following information:
 - The asset's site ID for each individual inclination survey
 - The survey date
 - The distance footage for each time the survey is stopped or suspended
- Using the auto-zoom feature, select a portion of the chart with a mouse and zoom to that specific portion
- Using the autofit feature, restore the content of the current chart's window back to the original size and restore the rescale mode during each survey
- Generate reports in four (4) different format options:
 - Chart (Inclination vs. Footage) – displays the chart whose Y axis is inclination
 - Chart (% Gradient vs. Footage) – displays the chart whose Y axis is inclination in gradients
 - Chart (Depth vs. Footage) – displays the chart whose Y axis is depth
 - Table – displays the inclination survey table



Footage	Inclination	Depth	Total Depth	% Gradient
105.20	-1.64	-1.12	359.15	-2.86
106.30	-1.65	-1.12	358.40	-2.90
107.50	-1.63	-1.12	370.17	-2.75
108.69	-1.71	-1.09	370.50	-2.98
109.70	-1.71	-1.09	371.84	-2.98
109.80	-1.71	-1.08	371.10	-2.98
109.90	-1.71	-1.08	371.52	-2.99
110.00	-1.71	-1.08	371.65	-2.99
110.10	-1.71	-1.08	372.19	-2.99
110.20	-1.71	-1.08	372.53	-2.99
110.40	-1.71	-1.08	373.21	-2.99
110.50	-1.71	-1.08	373.55	-2.99
110.70	-1.60	-1.06	374.22	-2.78

Attachment: AE Proposal (3332 : Pipeline Inspection Camera and Trailer)



Self-propelled lateral launcher

LAMP Lateral & Mainline Probe

Pan & Tilt Camera and Lateral Inspection Camera

- Pan & tilt inspection of mainline with simultaneous inspection of lateral service
- Pan & tilt inspection of 6" through 24" diameter mainlines
- Lateral inspection of 2" through 6" diameter services
- Both camera dimensions = 1.5" diameter x 3.5" length
- Centering ball for lateral camera - maximizes protection and passage
- White LED lighting for both cameras, life expectancy rated at 5000 hours
- Self-propelled camera launcher contains pan & tilt camera and lateral camera
- Low lux cameras - light sensitive to .3 lux at F1.2
- High resolution cameras - great clarity of detail
- Built-in Sonde and self-leveling / auto upright lateral camera included

Lateral/Mainline Self-Propelled Camera Launcher

- Launcher is self-propelled with forward, freewheel, and powered reverse - 60 ft. per minute maximum forward speed
- Lateral camera launches, extends, and retracts at a maximum speed of 30 ft. per minute.
- Displays mainline and lateral footage on screen and videotape
- Launcher optically centers the camera in the pipe above most flow and debris lines
- Launcher contains variable weight extenders, which increase weight [traction] and bottom clearance as pipe diameter increases
- Launcher rotates to position lateral camera for entry, monitored by pan & tilt camera and picture-in-picture video display
- Robust 80 ft. combination push/video cable for lateral camera enclosed and protected by a stainless steel sheath
- Length of launcher with pan and tilt camera and lateral including connectors is less than 37" long

Lateral/Video Cable Reel

- Storage for integrated lateral/video cable
- Variable speed control with clutch for easy retrieval of integrated lateral/video cable

Work Plan and Task Schedule:

Note: The following schedule is intended as a guide only. Below days indicate calendar days and are approximate time frames only. Actual dates are subject to change at Cues discretion, not to exceed required delivery date.

Day 1-20: Cues receives official notification of award. (This *must* be accomplished by providing Cues with written confirmation of order by means of a purchase order, signed contract, or other formal written notification, either mailed or faxed.)

During this period, Cues will order the trailer, process all order paperwork and get ready to assemble all the items of the proposed system. Any additional information required from the purchaser will be obtained during this time. CUES and Woodstock can discuss any Data Conversion needs at this time.

Days 20-40: Trailer is at CUES at CUES and all sub assemblies are manufactured.

Days 40-75: Installation of custom interior into vehicle and TV equipment installed into vehicle.

Days 75-90: Trailer Quality Control Completion and shipped to City of Woodstock in Woodstock, GA.

Training:

CUES will provide 3 days training for TV crews for TV Inspection Equipment and Data Acquisition Software on TV Inspection trailer and one additional follow up day will be provided.

Warranty

CUES standard two- year warranty applies to all systems manufactured and supplied by CUES. The CUES standard warranty is attached. The manufacturer's warranty applies to the chassis and generator.

Advanced Office Personal training:

The CUES Software Division will provide advanced office training via webex and telephone to properly document the business procedures for the ESRI ArcGis Bi-directional interface software in accordance to your requirements.

Projected Workload:

CUES firm and staff projected workload will enable CUES to make the delivery by May 29th, 2015.

C. Commercial Proposal

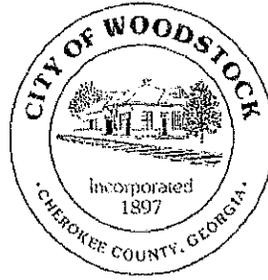
1. **Pricing:** \$

2. **Delivery**

CUES firm and staff projected workload will enable CUES to make the delivery by May 29th, 2015 to the City of Woodstock in GA.

**RFP 2015 - 14 - Pipeline Inspection
Camera & Trailer
March 3, 2015 3:00pm**

Firm Name	Lump Sum Total
Adams Equipment Co., Inc.	\$ 177,400.00
Atlas Inspection Technologies, LLC	\$ 180,952.68
Environmental Products of Georgia	\$ 184,923.00



City of Woodstock

12453 Highway 92, Woodstock, Georgia 30188

770-592-6003 · 678-388-6361 (Fax)

www.woodstockga.gov

REQUEST FOR PROPOSALS For Pipeline Inspection Camera and Trailer

RFP NUMBER

2015 - 14

For all questions about this RFP contact:

Crystal L. Welch, Budget Analyst

770-592-6000 Ext 1203

RELEASED ON:

February 6, 2015

DUE ON:

March 3, 2015 by 3:00 P.M. Eastern Standard Time

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)

TABLE OF CONTENTS

1.0 INTRODUCTION3

1.1 PURPOSE OF PROPOSAL3

1.2 SCHEDULE3

1.3 COMMUNICATIONS WITH STAFF3

1.4 QUESTIONS & ANSWERS3

2.0 SCOPE OF WORK3

2.1 TYPE OF GOOD/SERVICE AND OBJECTIVES:.....4

2.2 DELIVERY TIME.....4

3.0 PROPOSAL FORMAT.....4

3.1 TERMS AND CONDITIONS.....5

4.0 OTHER ITEMS.....5

4.1 REJECTION OF PROPOSALS/CANCELLATION OF RFP.....5

4.2 PROPOSAL WITHDRAWAL.....5

4.3 COST FOR PREPARING PROPOSALS5

EXHIBIT A PIPELINE INSPECTION CAMERA AND TRAILER SPECIFICATIONS.....6

EXHIBIT B CONTRACTOR INFORMATION14

EXHIBIT C E-VERIFY AFFIDAVIT WITH INSTRUCTIONS.....15

EXHIBIT D W-9 FORM.....16

EXHIBIT E ITEMIZED PRICING FORM.....17

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)

1.0 INTRODUCTION

1.1 Purpose of Proposal

The City of Woodstock is accepting proposals from qualified contractors for the purpose of procuring a pipeline inspection camera and trailer.

Interested parties must submit proposals (3 hard copies) to the City of Woodstock Finance Department by the due date for their proposals to be considered.

1.2 Schedule

This Request for Proposals is scheduled as follows:

February 6, 2015	Release of RFP
March 3, 2015, 3:00 P.M.	Proposals due date
March 2015	Contract award

1.3 Communications with Staff

From the issue date of the solicitation document and until a Contractor is selected and the selection is made public, Vendors are not allowed to communicate for any reason with any City staff except through the Budget Analyst named in this document or during the bidder's/offeror's conference, or as provided for existing contracts.

For violation of this provision, the City may reject any bid/proposal of the offending bidder/offeror or initiate suspension/debarment proceeding with respect to the offending vendor or bidder/offeror.

1.4 Questions & Answers

All questions concerning this RFP must be submitted via email or writing to the City's Budget Analyst:

Crystal L. Welch
12453 Highway 92
Woodstock, Georgia 30188
clwelch@woodstockga.gov

No questions other than written will be accepted. Answers to written questions along with necessary corrections or additions thereto, will be sent to all responding vendors in an email notification.

2.0 SCOPE OF WORK

2.1 Type of Good/Service and Objectives:

The City of Woodstock is accepting proposals from qualified contractors for the purpose of procuring a pipeline inspection camera and trailer.

Goods and services shall meet or exceed the guidelines specified in Exhibit A Pipeline Inspection Camera and Trailer Specifications.

Pricing shall be itemized as per the specification list as well as provide the total lump sum cost. (Exhibit E)

Proposals shall include a two year (2) standard warranty, three (3) days of on-site training, a one (1) day follow up on-site training and delivery.

The City reserves the right to select all or some of the specifications when finalizing the rfp award.

2.2 Delivery Time

This is a time sensitive procurement. Equipment must be received by the City no later than May 29, 2015.

3.0 PROPOSAL FORMAT

1. Contractor Information Form – Exhibit B
2. Annotated list of references (with addresses and telephone numbers).
3. A copy of the firm's Public Liability Insurance, Workers' Compensation and Commercial General Liability Insurance.
4. Completed Exhibit C: E-Verify Affidavit
5. Completed Exhibit D: W-9 Form
6. Exhibit E: Itemized Fee Proposal in a **separate sealed envelope** within or attached to the RFP.
 - a. Pricing proposals shall be valid for a period of 90 days after the rfp submittal date.

A clear, concise proposal in the specified proposal format is requested with all the necessary information included. Proposals shall be addressed as follows:

City of Woodstock
Attn: Crystal L. Welch

12453 Highway 92
Woodstock, GA 30188

Please **indicate the RFP Number** on the outside of the envelope.

3.1 Terms and Conditions

1. The City of Woodstock hereby requests proposals for the goods and services inclusive of the scope of work listed.
2. City of Woodstock reserves the right to evaluate the firm's qualifications. Only those firms who, in the opinion of the City of Woodstock, meet the minimum necessary qualifications will have their price and contract/agreement proposal evaluated.
3. All proposals, fee schedules and other documents furnished to the City of Woodstock are subject to the Georgia Open Records Act.
4. Termination: The contract will be subject to the terms and conditions included in the Service Agreement. The City of Woodstock reserves the right to cancel due to nonperformance or violation of contract terms.

4.0 OTHER ITEMS

4.1 Rejection of Proposals/Cancellation of RFP

The City reserves the right to reject any or all proposals, to waive any irregularity or informality in a proposal, 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 proposals **that do not contain all elements and information requested in this document**. The City reserves the right to cancel this RFP at any time. The City will not be liable for any cost/losses incurred by the Offerors throughout this process.

4.2 Proposal Withdrawal

A submitted proposal may be withdrawn prior to the due date by a written request to the Budget Analyst. 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.

EXHIBIT A PIPELINE INSPECTION CAMERA AND TRAILER SPECIFICATIONS

- **1 7X14 TANDEM AXLE TRAILER, 7000GVWR**
 - 1 Tandem Axle Trailer
- **1 TV TRAILER EXTERIOR LIGHTING & CONTROL ROOM TO INCLUDE:**
 - 1 Amber Electronic Strobe Warning Beacons
 - 2 Adjustable Floodlights Rear of Vehicle Area Illumination
 - Control Room Interior:
 - 1 Lonseal Lonplate Flooring
 - 1 Kemlite Wall Covering
 - 1 Smooth-Painted Aluminum Ceiling
 - 1 Bulkhead Wall With Passage Door From Control Room to Equipment Room
 - 1 "Safety Plus Visual" Viewing Window in Bulkhead Wall
 - 1 Above Desk Control Console with Rack Mount for Electronic Equipment
 - 1 Desktop / Work Area
 - 1 110-Volt Fluorescent Light Fixture
 - 1 Electrical Outlet with Dual Receptacles
 - 1 Fire Extinguisher with Bracket, 10BC Rating
 - 1 Operators Chair, Swivel With Casters
 - 1 12-Volt Courtesy Light
- **1 CARBON MONOXIDE DETECTOR MOUNTED IN INTERIOR OF UNIT**
- **1 ROOF TOP AIR CONDITIONER, 13,500 BTU WITH HEAT STRIP**
- **1 WALL MOUNTED ELECTRIC HEATER**
- **1 STORAGE CABINET UNDER CONTROL ROOM DESKTOP**
- **1 BENCH SEAT IN CONTROL ROOM**
- **1 TV TRAILER EQUIPMENT ROOM INTERIOR TO INCLUDE:**
 - 1 Kemlite Wall Covering
 - 1 Smooth-Painted Aluminum Ceiling
 - 1 Climate Controlled Breaker Box/Electronics Storage Area with Locking Positive Latches
 - 1 Electrical Outlet with Dual Receptacles
 - 1 110-Volt Fluorescent Light Fixture
 - 1 12-Volt Courtesy Light with 15 Minute Timer Located at Rear Door Area

- **1 LONSEAL LONPLATE FLOORING IN EQUIPMENT ROOM**
- **1 20-GALLON WASHDOWN SYSTEM TO INCLUDE:**
 - 1 20-Gallon Fresh Water Tank
 - 1 Electric Water Pump
 - 1 Retractable Hose Reel with 25' Water Hose and Nozzle
- **1 UPPER AND LOWER STORAGE CABINET IN EQUIPMENT ROOM**
 - 1 Lower Storage Cabinet / Work Top with Sink and Faucet
 - 1 Upper Wall Mounted Storage Cabinet
- **1 ADDITIONAL LIGHT AND OUTLET**
 - 1 Fluorescent Light and Fixture Mounted Above Work Top
 - 1 Dual Receptacle Outlet Above Work Top
- **1 24" REAR FLAT SCREEN MONITOR MOUNTED IN BULKHEAD WALL**
 - 1 Flat Screen Monitor
 - 1 Cable Assembly - Video Monitor to Monitor in Control Room
- 1 Electrical Outlet
- **1 15 GALLON EPA FUEL TANK FOR TRAILER**
- **1 7000 WATT GAS ONAN EVAPORATOR GENERATOR**
 - 1 120 Volt 60 HZ 7000 Watt EFI (Electronic Fuel injection) Commercial Grade Generator
 - 1 Gasoline Powered
 - 1 Electric Start
 - 1 Air Cooled
 - 1 Generator Remote Start/Stop Cable assembly
- **1 POWER SUPPLY COMPONENTS TO INCLUDE:**
 - 1 Commercial Power Supply Receptacle, 25' Cord, and Plug
 - 1 Electrical Supply Center with Circuit Breaker Box
 - 1 Commercial power and Generator Power Connectors
 - 1 Automatic Power Transfer Switch
- **1 SYSTEM ENGINEERING PANEL, FOR POWER INFORMATION AND GENERATOR**
- **FUNCTIONS, RACK MOUNTED, TO INCLUDE:**
 - 1 Four Function AC Power Meter displaying Critical Power Information including:

- 1 Voltage
- 1 Hertz
- 1 Amperage
- 1 Active Power (Watts)
- 1 Front panel Selector Switch for two modes of operation:
- 1 Fixed reading
- 1 Continuous Auto-cycling
- 1 Generator Battery Meter to Display Starting and Charging Voltage
- 1 Generator Hour Meter
- 1 Generator Remote Start/Stop Control Switch
- 1 On/Off Switch for Emergency Warning beacons (Switch to Illuminate When On)
- **1 P&T ZOOM M/C LED INCLINOMETER CAMERA**
 - 1 Solid State Color Sewer TV Camera
 - 1 Pan & Rotate Camera Head, 40:1 Zoom Ratio, 10x Optical Zoom, 4x Digital Zoom
 - 1 NTSC Color Standard with 4x Light Integration
 - 1 4 x 5W Cluster LED's for 6" through 72" lines
 - 1 Built In Pipe Grade Verification System [Inclinometer] to Read and Transmit Pipe Grade
 - Data
 - 1 [+ / -5 Degrees [+ / -8.7% Grade] with Maximum Error of + / -0.1 Degrees]
 - 1 Camera Transportation and Storage Case
- **1 21" TRAC TRANSPORTER M/C TO INCLUDE:**
 - 1 6" Trac Transporter with Freewheel and Powered Reverse
 - 1 Y Eliminator
- **1 8"-15" EXTENDERS FOR 21" TRAC TRANSPORTER**
- **1 18" - 24" TRAC TRANSPORTER EXTENSION KIT**
- **1 SPARE PARTS KIT FOR TRAC TRANSPORTER TO INCLUDE:**
 - 1 Additional Chain Links And Rubber Cleats
- **1 12/5/4 ADAPTER CABLE**
- **1 1000' CABLE ASSEMBLY, M/C 12PIN METAL**

- 1 1000' Gold Multi Conductor Kevlar Fiber Armored Combination TV Transmission / Tow
- Cable
- 1 .450 Diameter
- 1 Metal Splice Chamber with Pigtail
- 1 Cable Strain Relief
- **1 TV REEL ASSEMBLY, MECHANICAL FOOTAGE FOR SUMMIT .450 CABLE W/AUTO PAYOUT**
 - 1 Black Thermoplastic Powder Coated Frame
 - 1 Power Levelwind & Multi Ratio Manual Transmission
 - 1 Automatic Cable Payout System
 - 1 Footage Meter with Local Counter and Remote Counter
 - 1 Transmission Control at Viewing Station
 - 1 Local Reel Mount Electrical and Mechanical Control
 - 1 Sealed Continuous Contact Collector Assembly
 - 1 Removable Drip Pan for Cleaning
- **2 24" FLAT SCREEN TV MONITOR**
- **1 PCU ASSEMBLY [RACK MOUNT]**
- **1 CCU ASSEMBLY [RACK MOUNT]**
 - 1 Alpha Numeric Information Display, with Multi Paging and Defect Coding
 - 1 Remote "QWERTY" Keyboard for Data Entry
 - 1 On Screen Footage Display
 - 1 WRC and PACP Codes
- **1 TEST CABLE**
- **1 WIRED USB CONTROLLER**
 - 1 Joystick Control for Pan and Tilt Zoom Camera to Include:
 - 1 360 Degree Rotate
 - 1 330 Degree Optical Pan
 - 1 Joystick Control for All Steering Functions & Forward / Reverse Directions for Transporter
 - 1 Camera Lift Control for Optional Electronic Camera Lift
 - 1 All Other Controls for Camera to Include:
 - 1 Camera Iris and Focus Override & Zoom

- 1 Camera Lights & Shutter Control for Light Enhancement
- 1 Camera Diagnostics & Auto Home
- 1 Cruise Control to Set Speed of the Transporter for Hands Off Operation
- 1 All Reel Controls to Include: Retrieve, Release, and Variable Speed [Excluding Dolly Systems]
- **2 WIRELESS CONTROLLER**
 - 1 Joystick Control for Pan and Tilt Zoom Camera to Include:
 - 1 360 Degree Rotate
 - 1 330 Degree Optical Pan
 - 1 Joystick Control for All Steering Functions & Forward / Reverse Directions for Transporter
 - 1 Camera Lift Control for Optional Electronic Camera Lift
 - 1 All Other Controls for Camera to Include:
 - 1 Camera Iris and Focus Override & Zoom
 - 1 Camera Lights & Shutter Control for Light Enhancement
 - 1 Camera Diagnostics & Auto Home
 - 1 Cruise Control to Set Speed of the Transporter for Hands Off Operation
 - 1 All Reel Controls to Include: Retrieve, Release, and Variable Speed [Excluding Dolly Systems]
- **1 8.7" MINI KEYBOARD**
- **1 [RACK MOUNT] COMPUTER W/DATA COLLECTION SOFTWARE TO INCLUDE (MINIMUM):**
 - 1 Motherboard with 1155 Socket and Intel Z87 Chipset
 - 1 Intel Core i7-4770K Haswell 3.5 GHz Quad-Core Processor
 - 1 8GB (2x4GB) 240-pin of DDR3 1600 SDRAM
 - 2 LAN, On Board Network Connections, 10 / 100 / 1000 Mbps
 - 6 USB 2.0 Ports (4 on Rear, 2 on Front)
 - 6 USB 3.0 Ports (6 on Rear)
 - 2 RS232 Serial Comm Ports
 - 1 Bluetooth v4.0 / v3.0 + HS
 - 1 WiFi IEEE 802.11 a/b/g/n
 - 1 On Board Sound

- 1 DVD +/- RW DVD Burner 20x / CD - RW 40x Internal
- 1 1 TB (7,200 RPM) SATA Hard Drive
- 1 120 GB Solid State Drive, SATA3
- 1 400 Watt 1UEPS 80 PLUS Server ATX Power Supply
- 1 USB Video Capture Device for MPEG 1 / 2 / 4 / WMV
- 1 1GB 64-bit DDR3 PCI Express Video Card
- 1 Industrial Hardened Case Slim 2U Design for 19" Rack
- 1 Windows 7 Professional 64-bit Operating System
- 1 Granite XP Inspection Edition Version x.x Software
- 1 User Guide - Hard Copy
- 1 User Guide - CD
- **1 USB BLACK COMPUTER KEYBOARD AND MOUSE**
- **1 HP OFFICEJET COLOR PRINTER**
- **1 LATERAL MODULE, Granite XP SOFTWARE**
- **1 INCLINOMETER MODULE, Granite XP SOFTWARE**
- **1 ESRI GIS MODULE, Granite XP SOFTWARE**
- **1 ARCGIS RUNTIME ENGINE SOFTWARE**
- **1 DATA GIS SYSTEMS REMOTE ONLINE IMPLEMENTATION ASSISTANCE Granite XP**
- **1 ENHANCED SUPPORT PLAN FOR Granite XP SOFTWARE**
- **1 Granite XP ENGINEERING EDITION**
- **2 LAPTOP,PANASONIC TOUGHBOOK 31**
- **1 SELF PROPELLED LATERAL INSPECTION / EVALUATION SYSTEM TO INCLUDE:**
 - 1 Mini Mainline Inspection Camera:
 - 1 1.50" Maximum Diameter x 3.5" Maximum Length Color Camera
 - 1 Lighthouse, 200 Degree Optical Pan Angle, 270 Degree Optical Rotate Angle
 - 1 Built In Light Ring With Solid State White LED Lighting
 - 1 Mini Fixed Orientation Color Camera
 - 1 1.50" Maximum Diameter x 3.5" Maximum Length
 - 1 Built In Light Ring With Solid State White LED Lighting
 - 1 Built In Transmitter, 512Hz
 - 1 Auto Upright Module

- 1 Lateral Launcher Assembly With Rotation / Extend / Retract Camera Positioning
- 1 Push Cable Drive Assembly Installed In Lateral Launcher
- 1 Self Propelled Launcher Robot With Freewheel, Forward, and Power Reverse
- 1 Set of Weighted Adapters For Self Propelled Lateral Launcher Robot For 6" 30" Pipe
- 1 80 ft. Steel Push Cable Assembly
- 1 Electric Reel with Automatic Levelwind, Slipping and Clutch for Powered Retrieve of Push
- Cable
- 1 Control System to Include Launcher / Self Propelled Robot Control with:
 - 1 Extend / Retract, Left / Right Rotation, Camera Selection and Picture In Picture Selection
 - 1 Cable Drive Speed
 - 1 Control For Self Propelled Launcher Robot
 - 1 Interconnect Cable For Launcher To Push Cable
 - 1 Interconnect Cable For Control System To Power Control Unit
 - 1 Set of Skids For Push / Inspection Camera
- **1 TEST CABLE**
- **1 MANHOLE TOP ROLLER ASSEMBLY, TV ONLY**
- **1 MANHOLE ADAPTER CLAW HOOK**
- **6 RETRIEVAL/DOWNHOLE POLE ASSEMBLY**
- **1 INVERT ROLLER ASSEMBLY**
- **1 RETRIEVAL HOOK**
- **1 MULTI CONDUCTOR TV ONLY TOOL KIT**
 - 1 Milliampmeter Tool
 - 1 Electrical Tape
 - 1 Needle Nose Pliers
 - 1 Six-In-One Screwdriver
 - 1 6" Adjustable Wrench
 - 1 Anti Seize Grease
 - 1 9-Piece Allen Wrench kit
 - 1 Solder Iron Kit

- 1 Industrial Pliers
- 1 5/32 T-Handle Hex Wrench
- 1 Multi Conductor TV Only Operation Manual
- 1 Parts Catalog
- 1 Cable Repair Kit DVD
- 1 TV Only Training DVD
- **1 TRAINING, ON-SITE (THREE DAYS)**
- **1 FOLLOW UP TRAINING, ON-SITE (ONE DAY)**
- **STANDARD WARRANTY (FOR A TOTAL OF 2 YEARS)**
- **1 TRAILER DELIVERY- 210 Bell Pl Woodstock GA**

EXHIBIT B CONTRACTOR INFORMATION

See following page.

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)



City of Woodstock

CONTRACTOR INFORMATION

Firm Name: Adams Equipment Co., Inc.

Contact Person: James T. Conger

Firm Address: 6971 Oak Ridge Commerce way
Austell, GA 30168

Phone: 770-745-0819

Fax: 770-745-0821

Email: tconger@adams equipment co. com

With this packet, please also provide a W-9 and Certificate of Insurance for the company/firm.

James T. Conger
Signature – Authorized Officer or Agent

2/27/2015
Date

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)

EXHIBIT C E-VERIFY AFFIDAVIT WITH INSTRUCTIONS

See following page.

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)



City of Woodstock

INSTRUCTIONS

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the City of Woodstock, Georgia (the "City") has registered with and is participating in a federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontract who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

E-Verify/Company ID Issued by the E-Verify Program

Federal Work Authorization User Identification Number

Date E-Verify/Company ID was issued by E-Verify

Date of Authorization

Contractor's Company/Firm Name

Name of Contractor

Name of project or type of service provided

Name of Project

City of Woodstock, Georgia

Name of Public Employer

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

Executed on _____, 201__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

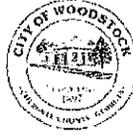
Subscribed and Sworn before me this the _____ day of _____, 201__.

Notary Public

My Commission Expires

INSTRUCTIONS ONLY - COMPLETE FOLLOWING PAGE

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)



City of Woodstock

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the City of Woodstock, Georgia (the "City") has registered with and is participating in a federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontract who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

224309
Federal Work Authorization User Identification Number

06/23/09
Date of Authorization

Adams Equipment Co., Inc.
Name of Contractor

RFP 2015-14 Pipeline Inspection Camera Trailer
Name of Project

City of Woodstock, Georgia
Name of Public Employer

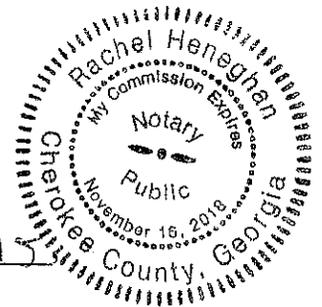
I hereby declare under penalty of perjury that the foregoing is true and correct.
Executed on February 27, 2015 in Austell (city), GA (state).

James T. Conger
Signature of Authorized Officer or Agent

James T. Conger President
Printed Name and Title of Authorized Officer or Agent

Subscribed and Sworn before me this the 27 day of February, 2015

Rachel Heneghan November 16, 2018
Notary Public My Commission Expires



Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)

EXHIBIT D W-9 FORM

See following page.

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Adams Equipment Co., Inc.

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:

Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____

Other (see instructions) ▶ _____

Exemptions (see instructions):

Exempt payee code (if any) _____

Exemption from FATCA reporting
code(s) (if any) _____

Address (number, street, and apt. or suite no.)

6971 Oak Ridge Commerce Way

City, state, and ZIP code

Austell, GA 30168

Requester's name and address (optional)

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 the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

				-							
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Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number

5	8	-	1	5	9	3	9	6	3
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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 on page 3.

Sign Here

Signature of U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on www.irs.gov/w9 for information about Form W-9, at www.irs.gov/w9. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. **ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(ii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

- A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
- B—The United States or any of its agencies or instrumentalities
- C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
- E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
- F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
- G—A real estate investment trust
- H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
- I—A common trust fund as defined in section 584(a)
- J—A bank as defined in section 581
- K—A broker
- L—A trust exempt from tax under section 664 or described in section 4947(a)(1)
- M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

- N—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. **Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.
2. **Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
3. **Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.
4. **Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).
5. **Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ¹
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

*Note. Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

Attachment: RFP 2015-14 (3332 : Pipeline Inspection Camera and Trailer)

CITY OF WOODSTOCK
REVENUE & EXPENDITURE STATEMENT BY ACCOUNT

FY 2014-2015

03/01/2015 TO 03/31/2015

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET R</u>
REVENUE:				
507-4325-3230-323129-00 SOIL EROSION PERMITS	30.00	420.00	750.00	
TOTAL REVENUE	30.00	420.00	750.00	
EXPENDITURE:				
507-4325-5110-511110-00 SALARIES AND WAGES	10,725.27	195,703.53	385,726.73	
507-4325-5110-511317-00 OVERTIME	720.22	5,288.38	8,000.00	
507-4325-5110-512915-00 EMPLOYEE RECOGNITION	0.00	0.00	700.00	1
507-4325-5120-512110-00 INSURANCE - HEALTH	6,171.00	55,539.00	74,052.00	
507-4325-5120-512215-00 SOCIAL SECURITY TAXES	809.06	17,822.55	30,120.10	
507-4325-5120-512410-00 GENERAL PENSION - GMA	1,747.75	15,729.75	25,291.70	
507-4325-5120-512412-00 401 A RETIREMENT	537.88	11,580.68	16,150.68	
507-4325-5120-512810-00 INSURANCE - LIFE	45.50	455.00	624.00	
507-4325-5120-513010-00 INSURANCE - DENTAL	0.00	2,790.39	3,664.70	
507-4325-5210-521210-00 PROFESSIONAL SERVICES	5,691.66	9,087.96	10,000.00	
507-4325-5210-521215-00 EMERGENCY MAINTENANCE CONTRACTS	0.00	0.00	15,000.00	1
507-4325-5210-521220-00 CONTRACT SERVICES	0.00	6,055.85	12,000.00	
507-4325-5220-522212-00 SMALL EQUIPMENT MAINT.	0.00	62.69	1,000.00	
507-4325-5220-522220-00 VEHICLE MAINTENANCE	730.00	13,393.87	15,000.00	
507-4325-5220-522240-00 LANDSCAPE MAINTENANCE	0.00	1,619.48	5,000.00	
507-4325-5220-522344-00 EQUIPMENT RENTAL	3,023.00	3,264.00	5,000.00	
507-4325-5230-523210-00 TELEPHONE EXPENSE	751.81	4,847.82	7,500.00	
507-4325-5230-523310-00 PUBLIC NOTIFICATION	826.12	856.12	2,000.00	
507-4325-5230-523510-00 TRAVEL & TRAINING	0.00	1,561.40	10,000.00	
507-4325-5230-523915-00 PUBLICATION & DUES	0.00	179.00	1,750.00	
507-4325-5230-524010-00 UNIFORMS	1,041.46	4,471.82	6,000.00	
507-4325-5230-524110-00 POSTAGE	0.00	68.53	1,500.00	
507-4325-5310-531110-00 OFFICE SUPPLIES	69.98	982.99	3,500.00	
507-4325-5310-531117-00 CLEANING SUPPLIES	453.76	753.69	1,000.00	
507-4325-5310-531119-00 PUBLIC EDUCATION SUPPLIES	0.00	762.91	1,000.00	
507-4325-5310-531167-00 SOFTWARE EXPENSE	0.00	403.90	2,000.00	
507-4325-5310-531224-00 CHEMICALS	0.00	72.00	1,000.00	
507-4325-5310-531610-00 MINOR EQUIPMENT	1,840.67	10,978.23	15,000.00	
507-4325-5310-531710-00 STREET MARKING MATERIALS	0.00	0.00	200.00	1
507-4325-5310-531715-00 SIGNS	0.00	440.60	500.00	
507-4325-5310-532020-00 HOT MIX, ASPHALT & GRAVEL	0.00	10,121.98	20,000.00	
507-4325-5310-532125-00 CONSTRUCTION MATERIALS	0.00	5,565.08	20,000.00	
507-4325-5310-532227-00 SAFETY MATERIALS	63.35	1,050.32	2,500.00	
507-4325-5410-541410-00 INFRASTRUCTURE	0.00	254,467.00	312,000.00	
507-4325-5420-542213-00 VEHICLE OPERATIONS	0.00	11,187.67	34,000.00	
507-4325-5420-542610-00 OTHER EQUIPMENT	0.00	0.00	223,632.00	1
507-4325-5520-552210-00 SETTLEMENTS	0.00	0.00	2,000.00	1
507-4325-5610-561110-00 DEPRECIATION EXPENSE	0.00	88,665.87	160,255.29	
507-4325-5810-581210-00 CAPITAL LEASE PRINCIPAL	0.00	0.00	104,913.85	1
507-4325-5820-582214-00 INTEREST	0.00	0.00	836.18	1
507-4325-5820-582215-00 CAPITAL LEASE INTEREST	0.00	0.00	3,978.32	1

Attachment: 507 Rev & Exp (3332 : Pipeline Inspection Camera and Trailer)

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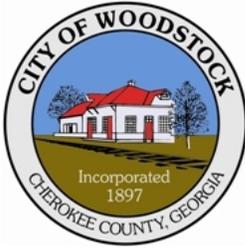
CITY OF WOODSTOCK
REVENUE & EXPENDITURE STATEMENT BY ACCOUNT

FY 2014-2015

03/01/2015 TO 03/31/2015

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET R</u>
TOTAL EXPENDITURE	35,248.49	735,830.06	1,544,395.55	
BEFORE TRANSFERS	-35,218.49	-735,410.06	-1,543,645.55	
OTHER FINANCING USE:				
507-4325-6110-611125-00 OPERATING TRANSFER - GF	0.00	218,300.00	327,450.00	
507-4325-6110-611126-00 OPERATING TRANSFER - DEBT SEC	0.00	92,798.92	0.00	
TOTAL OTHER FINANCING USE	0.00	311,098.92	327,450.00	
AFTER TRANSFERS	-35,218.49	-1,046,508.98	-1,871,095.55	

Attachment: 507 Rev & Exp (3332 : Pipeline Inspection Camera and Trailer)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Award Bid - Mill Street Parking to Wildcat Striping & Sealing

Presented by: Pat Flood

Summary:

An RFP (2015-11) was released to request proposals for the paving and striping of the Mill Street Parking Lot as well as to install sidewalk and curb and gutter.

Bids were received from Wildcat Striping and Sealing (\$84322.00), Summit Construction & Development LLC (\$101511.20), C&S Paving Co. Inc (\$104850.00) and CMEC, LLC (\$136142.50).

After review, staff recommends award of bid to Wildcat Striping & Sealing in the amount of \$84322.00.

An attachment is included detailing the budget information as multiple accounts are involved. A Major Budget Amendment has been provided from Parks & Rec and is attached for approval. DDA will be contributing \$5000.00 and will provide landscaping once the project is complete.

Additional Information:

Recommendation:

Award bid to Wildcat Striping & Sealing

Budget Information:

An attachment is included detailing the budget information as multiple accounts are involved. A Major Budget Amendment has been provided from Parks & Rec and is attached for approval. DDA will be contributing \$5000.00 and will provide landscaping once the project is complete.

Supporting Documents:

- 2015 - 11 - Pre-Bid Roster (PDF)
- 2015 - 11 Bid Tab (PDF)
- Account Info (XLSX)
- Amendment PR (PDF)
- WC Proposal (PDF)
- 315 Rev & Exp (PDF)

Reviews / Approvals

Pat Flood	Completed	03/17/2015 2:22 PM
Finance	Completed	03/17/2015 4:01 PM
City Clerk	Completed	03/17/2015 2:22 PM

Jeff Moon Completed 03/17/2015 4:16 PM
Mayor and Council Pending 03/23/2015 7:00 PM

RFP 2015 - 11 - Mill Street Parking
 Mandatory Pre-Bid Meeting Sign In Roster
 February 10, 2015 2:00 pm

	Company	Attendee Name	Phone	Email
1	City of Woodstock, GA	Crystal L. Welch - Budget Analyst <i>CLW</i>	770-592-6000 ext 1203	clwelch@woodstockga.gov
2	City of Woodstock, GA	Jeremy Parker - PW Field Operations Manager <i>JP</i>	N/A	N/A
3	HEH PAVING Inc	ERIC BRUNSON	770) 964-4955	ericbrunson@hehpaving.com
4	Heh Paving Inc	Lazai Williams	404-729-8721	Lazai.williams@hehpaving.com
5	GEORGIA DEVELOPMENT PARTNERS	MATT MOORE		jraimes@gdpbuilds.com
6	CDS PAVING CO INC	Todd Miller	71422-9124	Todd@cdspaving.com
7	CMEC, LLC	Shyam Subugia	678 682 9762	CMECLLC11@gmail.com
8	EAST COAST GRADING	AMY STARNES	706 717 1040	amy@ecginc.com
9	Wildcat Striping & Sealing	Laura Duan for Ashley Baum	1078-937-9525	laura@wildcatstriping.com ashley@" " " " " "
10	CITY OF WOODSTOCK	Chris	N/A	N/A
11	CITY OF WOODSTOCK	Chris	N/A	N/A
12	Summit Construction & Dev.	Thomas Buah	678 334 7788	tbuah@summitcd.com
13	Baldwin Paving	Evan van der Heijden	770-425-7191	evan.der.h@baldwin-paving.com
14				
15				
16				
17				
18				
19				
20				

Attachment: 2015 - 11 - Pre-Bid Roster (3339 : Mill Street Parking)

RFP 2015 - 11 - Mill Street Parking
February 27, 2015 10:00 am

Firm Name	Lump Sum Total	Comments
Wildcat Striping & Sealing	\$ 84,322.00	Price excludes: permit, cleaning, landscaping, surveyng, underground utilities, bollards and any item or quantity not listed.
Summit Construction & Development LLC	\$ 101,511.20	Price includes traffic control, erosion control & grading.
C & S Paving Co. Inc	\$ 104,850.00	Price excludes: bonds, layout, testing, permits, traffic control, demolition, patching, compaction of utility trenches, saw cutting, pressure washing and sealing and striping.
CMEC, LLC	\$ 136,142.50	No warranty on overlay due to existing underlying asphalt condition

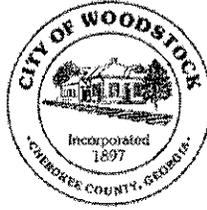
Attachment: 2015 - 11 Bid Tab (3339 : Mill Street Parking)

Account Name	Account Number	Budget Amount	Spent to Date	Encumbered
Infrastructure	507-4325-5410-541410-00	\$ 549,000.00	\$ 75,768.00	\$ -
Contract Services	101-4215-5210-521220-00	\$ 95,700.00	\$ 11,860.70	\$ 2,000.00
Parks & Rec Impact DDA		\$ 368,500.00	\$ 104,095.22	\$ 173,333.11

Attachment: Account Info (3339 : Mill Street Parking)

Requested Amount

\$	12,650.00
\$	49,618.00
\$	17,054.00
\$	5,000.00
\$	84,322.00



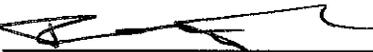
**City of Woodstock, GA
Major Budget Amendment**

Name of Department Parks and Recreation

Budget Amendment Number _____ Date 3-17-2015

Account Number	Account Title	Debit Amount	Credit Amount
315-5535-5410-541110-00	Capital- Park Outlay	\$ 17,054	\$
315-1510-3940-394136-00	Use of Reserves	\$	\$ 17,054
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Amount of Transfers		\$ 17,054	\$ 17,054

Explanation of Budget Transfer Request Parks and Recreation portion
of the Mill Street Paving project as it relates to the Trail connection.

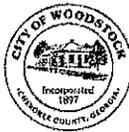
Signature of Department Head  Date 3-17-2015

City Manager Approval _____ Date _____

Approved by City Council at the Meeting Date Of: _____

Entered by Finance: _____ Date _____

Attachment: Amendment PR (3339 : Mill Street Parking)



City of Woodstock

CONTRACTOR INFORMATION

Firm Name: Tomal Corporation d/b/a Wildcat Striping and Sealing

Contact Person: Ashley Dunn - Baum

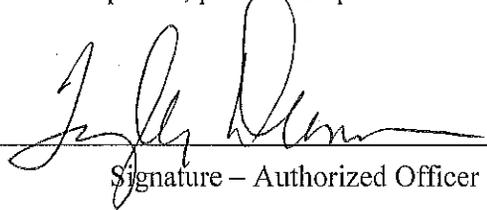
Firm Address: 5365 Truman Drive
Decatur GA 30035

Phone: 678-937-9525 (O) - 678-300-3328 (L)

Fax: 678-937-9151 -

Email: Ashley@wildcatstriping.com

With this packet, please also provide a W-9 and Certificate of Insurance for the company/firm.


Signature – Authorized Officer or Agent

2-24-2015
Date

Attachment: WC Proposal (3339 : Mill Street Parking)



Wildcat Striping & Sealing

Proposal #29090
February 24th, 2015

5365 Truman Dr
Decatur, GA 30035
V: 678.937.9525
F: 678.937.9151

7.10.e

Submitted to
Address
City, State, Zip
Contact Name
Contact EMail
Contact Phone
Contact Mobile

City of Woodstock
12453 Hwy 92
Woodstock, GA 30188
Chris Knock
cknock@woodstockga.gov
(678) 481-0772

Jobsite Name
Jobsite Address
Jobsite City, St, Zip
Estimator
Direct Line
EMail

Wall St and Main St Sidewalk Project
Wall St and Main St
Woodstock, GA 30188
Ashley Dunn Baum
ashley@wildcatstriping.com

QTY	Description	Price	Ext Price	Accept?
1	Concrete: Form and pour 1000 LF of 24" Curb and Gutter.	\$12,650.00	\$12,650.00	_____
1	Sidewalk: Form and pour 3030 SF of 4" concrete sidewalk.	\$17,054.00	\$17,054.00	_____
1	Thermoplastic: Apply 1280 SF of Crosswalk Striping.	\$3,435.00	\$3,435.00	_____
1	ADA Ramps: Install 21 ADA Ramps with Brick Paver Inlays.	\$16,503.00	\$16,503.00	_____
1	Dumpster pad: Form and pour 200 SF of 6" concrete in dumpster area.	\$1,438.00	\$1,438.00	_____
1	Mill 125' on Elm street to lower road.	\$3,304.00	\$3,304.00	_____
1	Asphalt: Apply 1" Overlay to 6776 SF on Wall St. Includes demo of 50 LF of wall at new island.	\$10,775.00	\$10,775.00	_____
1	Asphalt: Apply 1" Overlay to 211 SY on Elm St. Includes 25 SY of patching at trail tie in.	\$3,974.00	\$3,974.00	_____
1	Remove and replace 1.5" Asphalt, 2" Binder, and 8" of GAB on Elm St.	\$15,189.00	\$15,189.00	_____

This proposal excludes the following : Permit, Cleaning, Landscaping, Surveying, Underground Utilities, Bollards, and any item or quantity not listed above.

Please Note : Surface to be striped needs to be ready for paint application prior to Wildcat mobilization. Cleaning or pressure washing must be done by owner or contractor. All vehicles and materials need to be removed from site prior to Wildcat mobilization. Any trip to a job not resulting in work being preformed fully due to the fault of others will result in additional charges.

Attachment: WC Proposal (3339 : Mill Street Parking)

THERE IS NO OTHER EXPRESS WARRANTY IN THIS CONTRACT OTHER THAN STATED HEREON. ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS IS LIMITED TO THE LANGUAGE STATED IN THIS CONTRACT.

We propose hereby to furnish labor, Equipment and material - complete in accordance with the above specifications. Prices are Guaranteed for 30 Days

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Our workers are fully covered by Workman's Comp. Should the amount due under this contract or any part of it be past due the Contractor shall be entitled to attorney's fees and all costs of collection, plus interest based on legal rate or 1.5% per month on overdue amounts.

Payment is due upon completion for each phase of work. Please check the method of payment.

Cash _____ Check _____ CC _____ Other _____

CC # _____ Type (Visa - MC - AMEX - Discover)

CCV Code _____ Expiration Date _____

Acceptance of proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature _____ Date _____

Signature _____ Date _____



City of Woodstock

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the City of Woodstock, Georgia (the "City") has registered with and is participating in a federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontract who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

150155
Federal Work Authorization User Identification Number

09-08-2008
Date of Authorization

Wildcat Striping and Seeding
Name of Contractor

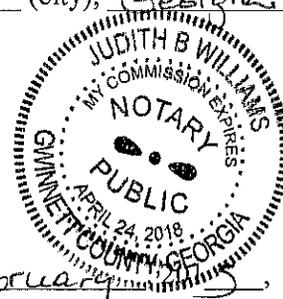
RFP 2015 - 11 - Mill St. Parking
Name of Project

City of Woodstock, Georgia
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.
Executed on February 24, 2015 in Decatur (city), Georgia (state).

[Signature]
Signature of Authorized Officer or Agent

Tyler Dunn, Vice President
Printed Name and Title of Authorized Officer or Agent



Subscribed and Sworn before me this the 24 day of February.

Judith B. Williams 4-24-2018
Notary Public My Commission Expires

Attachment: WC Proposal (3339 : Mill Street Parking)

Form **W-9**
(Rev. December 2014)
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.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
TOMAL CORPORATION

2 Business name/disregarded entity name, if different from above
WILDCAT STRIPING AND SEALING

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:
 Individual/sole proprietor or single-member LLC
 C Corporation
 S Corporation
 Partnership
 Trust/estate
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____
 Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
 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.)
5365 TRUMAN DRIVE

6 City, state, and ZIP code
DECATUR, GEORGIA 30035

7 List account number(s) here (optional)

Requester's name and address (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 Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-					

OR

Employer identification number									
5	8	-	1	2	7	9	0	9	2

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 on page 3.

Sign Here Signature of U.S. person ▶  Date ▶ 1-20-2015

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

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?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

BDH ASSOCIATES, INC

4572 Lawrenceville Hwy., Suite 201
 Lilburn, Georgia 30047
 (770) 564-2999 or Toll Free (888) 328-0500
 Fax (770) 564-9327

February 24, 2015

RE: **Tomal, Inc. dba Wildcat Striping and Sealing**
Bonding Limits

To Whom It May Concern:

This letter will confirm that BDH Associates, Inc. has established surety bond credit for **Tomal, Inc. dba Wildcat Striping and Sealing** for performance and payment bonds through Western Surety Company. Western Surety is rated A, FSC IX by A.M. Best and is listed in the U.S. Treasury, Circular 570 with an underwriting limitation of \$81,813,000.

Western Surety Company has established the following bond limits for **Tomal, Inc. dba Wildcat Striping and Sealing** is as follows:

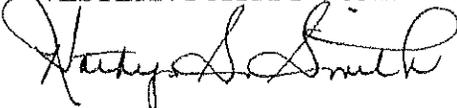
Single Bond Limit:	\$350,000 per contract amount;
Aggregate Bond Limit:	\$500,000 maximum bonded backlog
Available:	\$500,000 available

In the event **Tomal, Inc. dba Wildcat Striping and Sealing** is low bidder and awarded a contract, BDH is prepared to provide the required performance and payment bonds subject to normal underwriting requirements at the time of award. It must be understood and agreed that the providing of any bond(s) is at the sole discretion of the Surety Company, and will be based upon their view of the underwriting factors at the time the bond is requested.

You must understand that any arrangement for final bond(s) is a matter between the Contractor and Surety, and we assume no liability to any third parties if for any reason we do not execute said bond(s).

Respectfully,

WESTERN SURETY COMPANY



Kathy S. Smith
 Attorney-in-fact

Attachment: WC Proposal (3339 : Mill Street Parking)



TOMAL CORPORATION
dba **Wildcat Striping & Sealing**
"A COMPLETE PARKING LOT SOLUTION"

7.10.e

5365 TRUMAN DRIVE / DECATUR, GA 30035 / PHONE: (678) 937-9525 / FAX: (678) 937-9151

Reference List

Stewart Brothers , Inc.
2480 Pleasantdale Road
Doraville, Ga. 30340
Contact: Sam Youngblood
770-447-5810

Lewallen Construction
151 Bells Ferry Lane
Marietta, Ga. 30066
Contact: Peggy Lewallen
770—426-6667

United Parcel Services
Supply Corporation
270 Marvin Miller Dr.
Contact: Carlos Nunexz
Atlanta, Ga. 30336

Burke Painting
2950 Cole Court
Norcross, Ga. 30071
Contact: Mitch Leaptrot
770-231-3101

Precision 2000 Inc.
2215 Lawson Way
Atlanta, Ga. 30341
Contact: Alberto Gomez
770-455-6142

City of Woodstock
12453 Highway 92
Woodstock, Ga. 30188
Contact: Chris Knock
770-592-6003

Choate Construction
8200 Roberts Dr. Suite 600
Atlanta, Ga. 30350
Contact: Matt Relick

Catamount Construction
10 Mansell Court East
Suite 150
Roswell, Ga. 30076
Contact: Jonathan Whitlow
770-518-2800

Attachment: WC Proposal (3339 : Mill Street Parking)

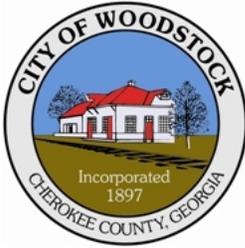
CITY OF WOODSTOCK
REVENUE & EXPENDITURE STATEMENT BY ACCOUNT

FY 2014-2015

03/01/2015 TO 03/31/2015

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET R</u>
REVENUE:				
315-1510-3610-361172-00 INTEREST ON INVESTMENTS	0.00	4,169.09	125.00	-3,2
315-7220-3410-341322-00 IMPACT FEES - PARK	22,645.80	303,453.72	239,875.00	.
TOTAL REVENUE	22,645.80	307,622.81	240,000.00	.
EXPENDITURE:				
315-5535-5410-541110-00 PARK-CAPITAL OUTLAY	36,204.04	277,428.33	368,500.00	
315-7220-5530-553110-00 MANAGEMENT FEE EXPENSE	0.00	25,000.00	10,000.00	-1
TOTAL EXPENDITURE	36,204.04	302,428.33	378,500.00	
BEFORE TRANSFERS	-13,558.24	5,194.48	-138,500.00	
OTHER FINANCING SOURCE:				
315-1510-3940-394136-00 USE OF RESERVES	0.00	0.00	138,500.00	1
TOTAL OTHER FINANCING SOURCE	0.00	0.00	138,500.00	1
AFTER TRANSFERS	-13,558.24	5,194.48	0.00	

Attachment: 315 Rev & Exp (3339 : Mill Street Parking)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Paden Street Construction

Presented by: Pat Flood

Summary:

We are requesting for Council to approve the Mayor to sign an agreement allowing the City to pay for half the cost associated with Paden St construction pending the City Attorneys review and approval. The agreement will be provided at the Council meeting. At this time the agreement is being revised by the City Attorney to include the purchase of stream credits from the Army Corp.

Attached is a quote showing the total cost for construction at \$355,531.00 (City portion not to exceed \$177,765.50). The construction cost will be a capital project budgeted for in the FY 2016/2017 general fund budget.

This project will also require the purchase of stream credits from the Army Corp. The stream credit total cost is estimated not to exceed \$29,000 (City portion not to exceed \$14,500.00). The City portion of the stream credit cost will be paid out of the Storm Water construction line item FY 2016/2017. Total cost of the project is \$384,531.00. The total that the City would be responsible for will not exceed \$192,265.50.

Additional Information:

Recommendation:

Approve Mayor's signature pending City Attorney approval of agreement

Budget Information:

Account Name/Number - to be determined from FY 16-17

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- Paden St. cost summary Revised 03.17.15 (XLSX)
- z-Woodstock 2_Paden St_1.30.15 (PDF)

Reviews / Approvals

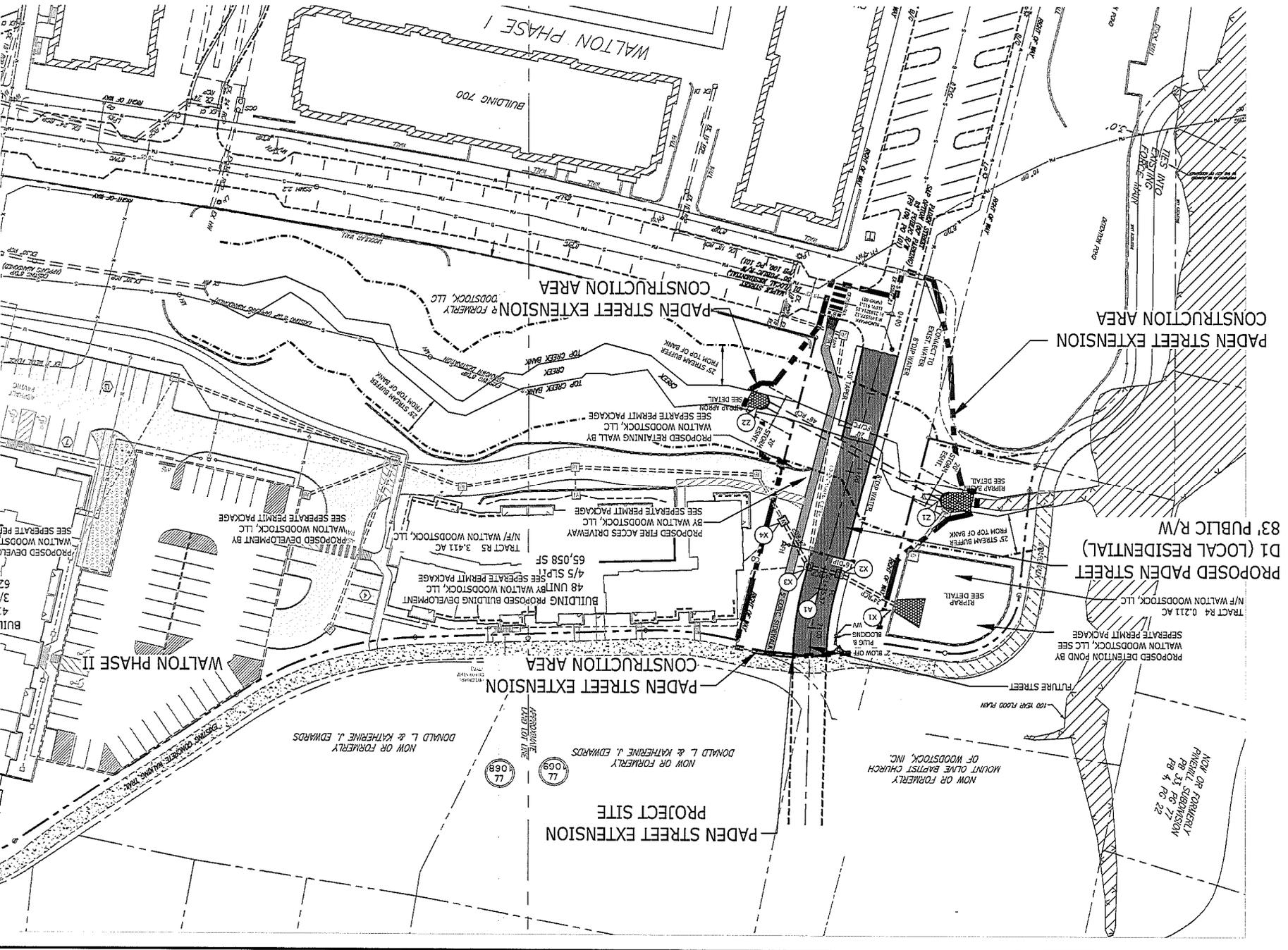
Pat Flood Completed 03/17/2015 3:59 PM

City Clerk Completed 03/17/2015 3:59 PM
Jeff Moon Completed 03/17/2015 4:00 PM
Mayor and Council Pending 03/23/2015 7:00 PM

Paden St. Summary

	New Scenario	
5% General Conditions	\$	16,161
Engineering	\$	15,000
Clearing and Demo		
Grading Contract	\$	119,777
Erosion Control	\$	4,050
Erosion Control Maintenance	\$	5,500
Site layout	\$	6,300
Storm sewer	\$	40,306
Sanitary sewer	\$	35,322
Water system	\$	17,400
Retaining walls		
Curbing	\$	7,580
Sidewalks	\$	6,080
Asphalt paving	\$	17,695
Sleeving	\$	1,500
Striping	\$	3,000
Fine grading	\$	7,500
Street lighting	\$	15,000
Street landscaping/trees	\$	18,000
Street signage	\$	3,200
Utility relocation	\$	323,210
Site work contingency	\$	-
Contractor overhead	\$	-
5% Contractor Fee	\$	16,161
	\$	355,531

Attachment: Paden St. cost summary Revised 03.17.15 (3341 : Paden Street Construction)



- GRADY - Paden Street

PROPOSAL

08/28/14

Sheet 6 of 6

Submitted To:	Walton Construction		Phone:		Fax:	
			Job Name:	Walton Woodstock II Paden Street		
			Location:	Cherokee County, Georgia		
			Engineer:	Douligerakis Consulting		

We hereby submit specifications and estimates for:

As per plans dated 03/24/14 with revision date 07/25/14.

Summary	
Erosion Control	\$ 4,050.00
Grading	\$ 119,777.00
Sanitary Sewer	\$ 35,322.20
Storm Drain	\$ 40,306.65
Water	\$ 17,400.00
Total \$	216,855.85

Note: This quote is good for 30 days from date sent.

Note: No sewer shown on the plans for the Apartments.

Excludes: Tap Fees, Bond, Utility Interference and Relocation, Permits, Rock Excavation, Landscaping, Soil & Material Testing, Cleaning Storm Drain after Construction, Unsuitable Soil Conditions, Meters, NOI, NPDES Monitoring, Staking, Demo of Existing Structures, Asbuilts, All Walls, Sidewalks, Asphalt Testing, Storm Drain Bedding Stone, GAB under Curb, Throats and Tops, Baffles in Ponds, Sidewalk Excavation and backfill

We propose hereby to furnish material and labor - complete in accordance with above specification, for the sum of

As Noted Above

Payment to be made as follows:

Monthly Draws

Brian Gosdin	Acceptance of Proposal
Authorized Signature, Brent Scarbrough & Company, Inc.	Date:

NOTICE TO OWNER

Under the Mechanic's Lien Law, any contractor, subcontractor, laborer, material man or other person who helps to improve your property and is not paid for his labor, services or material, has a right to enforce his claim against your property. Under the law, you may protect yourself against such claims by filing, before commencing such work of improvement, an original contract for the work of improvement of a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor's payment bond be recorded in such office. Said bond shall be in an amount not less than fifty percent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, services, equipment or materials for the work described in said contract.

Barnett Contracting Inc.

P.O. Box 627

1832 Lexington Road

Washington, Georgia 30673

Paden Street Extension- 09/04/14

<u>Erosion Control</u>			
Inlet Protection	6		
Temporary Grassing	1		
Matting w/ seed	400		\$ 5,255.00
<u>Clearing and Grading</u>			
CO Pad	1		
Clear and Grind	1		
Strip Topsoil, Stockpile, and Respread	355		
Haul in and Place Fill Material	5073		
Site Fine Grade	1		\$ 122,155.00
<u>Sanitary Sewer</u>			
Tie in	1		
Opencut Asphalt, Patch with Concrete	1		
4' Manhole	1		
8" DIP	180		
6" DIP	60		
8" x 6" Tee Wye and 45	1		
Cleanout with Riser	1		

Ayers Enterprises, Ltd.

7595 Ball Mill Road
Dunwoody, Georgia 30350
John Ayers 770-519-7186

Paden Street

01/02/15

The below prices are based on plans revised on 08/27/14.

Erosion Control- Complete per plan	\$	7,255.00
Clearing and Grading (cut to subgrade)	\$	189,259.00
Storm Drain and Sanitary Sewer	\$	80,123.00
Water (meter by others)	\$	16,123.00
	\$	292,760.00

Estimate will be bill based on actual quantities installed. Does not include any asphalt paving or concrete flat work. Quote is good for 45 days. Upon request, a breakout of line items can be submitted to the owner.

Contract

asphalt enterprises, inc. -ae-

No. 021928

4422 BRETTON COURT, SUITE 103, ACWORTH, GEORGIA 30101
www.asphaltenterprises.com

TEL. (770) 424.5001
FAX (678) 574.8521

CONTRACT SUBMITTED TO Walton Construction		PHONE 678-303-4154	DATE 1/21/2015
STREET ADDRESS 6640 Akers Mill Road, Bldg 1700		JOB NAME Padden St	
CITY, STATE AND ZIP CODE Atlanta, GA 30339		JOB LOCATION Woodstock, GA	
CONTACT NAME Matt Schaffer		JOB PHONE mschaffer@waltonconstructionservices.com	

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR THE FOLLOWING:

Asphalt Work:

Pave approx. 465 sq. yds. as noted below.

8" GAB, 2" Binder, and 1.5" Topping.

Layout and stripe lines and pavement markings to plans.

Scope of Work:

Install 8 inches of GAB crushed stone in area to be paved. Fine grade and compact all stone with vibratory compaction equipment, prior to paving. Install and compact 2 inches of asphalt binder. Apply liquid tack coat to asphalt binder. Install and compact 1.5 inches of asphalt topping to the total binder surface. All aggregate and asphalt will be compacted to a maximum density using vibratory steel wheel and pneumatic tire rollers.

All sub-grades are to be within 1/10th +/- and set by General Contractor prior to commencement of work. We will not proceed with stone installation without an approved proof roll of the sub-base. Price does not include the repair or replacement of any sub-base materials.

*Price is based on provided plans or quantities. Any additional yardage or excessive depths requiring additional materials will be billed based on unit pricing. All work shall be completed in 2 move-ins. One for installation of rock and 1 for paving. Please add \$ 2,750.00 for any additional mobilization required by General Contractor.

Exclusion: We are not responsible for permits, bonds, poor sub-soil, wet weather springs, removal of rocks and boulders, landscaping, utility location and relocation, water drainage in areas with a less than 2% fall.

** The total price quoted below is based on current prices of asphalt materials. However, due to the recent volatility of the liquid asphalt market, this price may be subject to a materials surcharge and any time prior to the commencement of work.

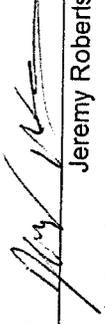
WE PROPOSE TO COMPLETE THE ABOVE WORK IN ACCORDANCE WITH ABOVE SPECIFICATIONS, FOR THE SUM OF:
SEVENTEEN THOUSAND SIX HUNDRED NINETY FIVE AND NO / 100 ----- dollars (\$

\$17,695.00

PAYMENT TO BE MADE UPON COMPLETION OF WORK UNLESS OTHERWISE STATED BELOW:

There shall be a one (1) year guarantee on the material and all workmanship, except that as applied to cracks. The guarantee shall be limited to the replacement of the material and application of the same. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and beyond the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Property owner indemnifies Asphalt Enterprises, Inc. from any and all claims except those due to negligence.

AUTHORIZED SIGNATURE



Jeremy Roberts

NOTE: This contract may be withdrawn by us if not accepted within 30 days.

SIGNATURE _____

SIGNATURE _____

STATEMENT OF PROPOSAL The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. All expenses incurred in the collection of monies owed according to this act will be borne by the customer. This includes, but is not limited to: Attorney's fees and all costs of litigation, lien filing and release fees and administrative fees incurred by us, accounts past due after thirty (30) days are subject to a finance charge of one and one-half (1 1/2 %) per month.

of Acceptance _____

Packet Pg. 119

C & S Paving, Inc

P.O Box 1155
Marietta, Ga. 30061
(770) 422-9124
Fax (770) 425-6244

Proposal:

Walton Construction Services, LLC
6640 Akers Mill Rd.
Atlanta, GA 30039
Attn: Matt Schaffer
mschaffer@waltoncommunities.com

January 19, 2015

Re: Paden Street

C&S Paving proposes to furnish all labor, materials and equipment necessary to;

Light Duty:

8" GAB, 2" B-Binder, 1½" F-Top
425 s.y. @ \$60.85 per s.y. ----- \$25,861.25

30" Curb and Gutter:

Install 3500 psi for 30" Curb and Gutter
315 l.f. @ \$24.75 per l.f. ----- \$7,796.25

Sidewalk:

Install 4" 3000 psi sidewalk
1,150 s.f. @ \$5.50 per s.f. ----- \$6,325.00

Notes:

1. Pricing is based on (2) base and (2) paving mobilization, Sub-grade to be within +/- .10 by others and free of unsuitable materials.
2. Bonds, layout, testing, permits, traffic control, demolition, patching, compaction of utility trenches, saw cutting, pressure washing, sealing and striping are excluded unless specifically listed as included as part of each individual bid item on page one of this proposal.
3. C&S Paving will not guarantee drainage of the pavement surface in areas where the slope is less than 1%, or guarantee binder course if used for construction staging area.
4. Prime coat is excluded unless specifically listed as part of each individual bid item on page one of this proposal.
5. Final billing will be based on final field measurements after job completion unless stated as a lump sum project.
6. C&S Paving agrees to carry Workmen's Compensation and Public Liability Insurance.
7. Pricing is good for 30 days from the date quoted.
8. Pricing base on material costs as of date of proposal and subject to change.

We thank you for the opportunity of quoting this project and if found to be satisfactory, please sign the original and return to us for our files.

Accepted: _____

Authorized Official

Todd Miller

Project Manager
C & S Paving, Inc.

Date

Printed Signature



PROPOSAL

www.brentscarbrough.com

01/19/15

Sheet 1 of 1

Submitted To:	Walton Construction	Phone:		Fax:	
		Job Name:	Walton Woodstock II Paden Street		
		Location:	Cherokee County, Georgia		
		Engineer:	Doulgerakis Consulting		

We hereby submit specifications and estimates for:

As per plans dated 12/23/14 with no revision date.

<u>Curb-Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Price</u>	<u>Subtotal</u>
Header Curb	lf	330	22.00	7260.00
Concrete Valley Curb	lf	65	22.00	1430.00
Concrete Flume	lf	6	44.00	264.00
Total \$			8,954.00	

Asphalt Paving-

<u>Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Price</u>	<u>Subtotal</u>
Mobilization (one time only)	ls	1	5000.00	5000.00
Asphalt Paving	sy	435	50.00	21750.00
8" GAB, 2" Binder, 1.5" Asphalt Topping	ea	6	250.00	1500.00
Bollards	ls	1	1000.00	1000.00
#57 Stone at end of Asphalt	Total \$			29,250.00

Signage-

<u>Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Price</u>	<u>Subtotal</u>
Street Signs	ea	4	800.00	3200.00
Total \$			3,200.00	

Excludes: All Striping, GAB under Curb, Crosswalks, Sidewalks, Asphalt Testing

We propose hereby to furnish material and labor - complete in accordance with above specification, for the sum of

As Noted Above

Payment to be made as follows:

Brian Goslin	Authorized Signature, Brent Scarbrough & Company, Inc.	Monthly Draws	Acceptance of Proposal
NOTICE TO OWNER		Date:	

Under the Mechanic's Lien Law, any contractor, subcontractor, laborer, material man or other person who helps to improve your property and is not paid for his labor, services or material, has a right to enforce his claim against your property. Under the law, you may protect yourself against such claims by filing, before commencing such work of improvement, an original contract for the work of improvement or a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor's payment bond be recorded in such office. Said bond shall be in an amount not less than fifty percent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, services, equipment or materials for the work described in said contract.

155 ROBINSON DRIVE ▲ FAYETTEVILLE, GA 30214 ▲ OFFICE (770) 461-8603 ▲ FAX: (770) 461-0470
TOLL FREE: 866-464-8603

Member: National Utility Contractors Association, Georgia Utility Contractors Association, Associated General Contractors

Attachment: z-Woodstock 2_Paden St_1.30.15 (3341 : Paden Street Construction)

Mainard Eason Construction, Inc.

77 Musgrove Road
Griffin, Ga. 30223
Phone 770-233-3764
Fax 770-233-3765

January 24, 2015

Walton Construction Services, LLC.
6640 Akers Mill Road
Building 1700
Atlanta, GA 30339

Attn: Mark Stovall

Project: Walton Woodstock

Subject: Concrete work on Paden Street

The estimated costs for installing approximately 315ft lineal feet 24" curb and gutter will be approximately \$ 7,580.00.

The estimated costs for installing approximately 325ft lineal feet of 5ft sidewalk will be approximately \$ 6,080.00.

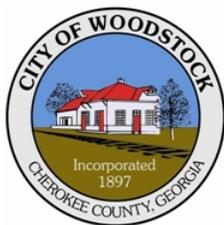
This cost includes all labor and materials.

If there are any questions, please call me at 404-597-0820.

Thank you,

Albert Blatt
Project Manager
Mainard Eason Construction, Inc.

Cc: M. Eason



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

ORDINANCE (ID # 3322)

Public Hearing/Vote: V#128-14 and CUP#022-14 Platinum Cars, Inc Request for Conditional Use Permit and Variances

Presented by:

Summary:

The City of Woodstock, Georgia has received a Variance and Conditional Use Permit application from Trilochan Bhatia of Alpharetta, GA (Case V#128-14 and CUP#022-14 Platinum Used Cars). The property is located at 10915 Highway 92 in Woodstock, Georgia consisting of ±0.73 acres. The property is identified as tax map and parcel number 15N18 049A zoned GC (General Commercial) with Parkway Overlay in the City limits of Woodstock, GA. Variances requested are to LDO Section 7.930 #6 for building materials and 7.928 for buffers and setbacks for a non-compliant building that has been constructed on the property without permits. The Conditional Use Permit is required to allow for auto sales and service.

Recommendation:

Hold public hearing.

Vote to deny or approve conditional use permit and variance requests.

Budget Information:

Supporting Documents:

- V#128-14 and CUP#022-14 CC Staff Report (PDF)
- DRAFT Planning Commission Minutes V#128-14 CUP#022-14 (DOCX)
- V128-14 Application for Variances (PDF)
- V128-14 Applicant Response Statement Variances (PDF)
- CUP022-14 Application for Conditional Use Permit (PDF)
- Platinum Used Cars As-built Site Plan (PDF)
- Platinum Cars Public Input Meeting Minutes (PDF)
- Speer Letter 3.5.15 (letter from neighboring property owner) (PDF)

Reviews / Approvals

Community Development	Completed	03/16/2015 11:45 AM
City Clerk	Completed	03/17/2015 9:15 AM
Jeff Moon	Completed	03/17/2015 10:14 AM
Mayor and Council	Pending	03/23/2015 7:00 PM

**City of Woodstock
Ordinance# (ID # 3322)**

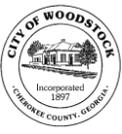
**PUBLIC HEARING/VOTE: V#128-14 AND CUP#022-14 PLATINUM CARS, INC REQUEST FOR
CONDITIONAL USE PERMIT AND VARIANCES**

Ordinance draft is attached.

**Donnie Henriques, Mayor
City of Woodstock, Georgia**

Attest: _____
**Rhonda Pezzello, City Clerk
City of Woodstock, Georgia**

As approved this 3/23/2015th day of March, 2015



CASE V#128-14

Platinum Used Cars – 10915 Highway 92

Council Ward: 3
Evaluation Prepared by: Katie Coulborn

Applicant: Trilochan Bhatia (on behalf of Platinum Cars, Inc.)
2006 Tavistock Court
Alpharetta, GA 30022
678-213-2346

Owner: Jeffrey B. Johnson

Parcel #: 15N18 049A

Location: 10915 Highway 92

Area: +/- 0.73 ac.

Request: Variance requests for architecture, buffers, and setbacks to allow a non-compliant building that has been constructed on the property without permits. Concurrent request for Conditional Use Permit to expand a non-conforming use (auto sales).

Proposed Use/

Purpose: The new accessory structure is being used as a minor automotive repair facility for the business inventory.

Current Zoning: GC (General Commercial) with Parkway Overlay

Current Land Use: Used car sales (legal non-conforming use) with accessory structure for minor automotive repairs.

Future Land Use: WPC – Workplace Center

Surrounding Properties:

	Current Zoning	Current Land Use
North	GC (General Commercial)	Office suites
East	GC (General Commercial)	Small strip commercial center with State Farm
South	GC (General Commercial)	Undeveloped and vacant parcels
West	GC (General Commercial) and R-3 (Medium Density Residential)	Straw, Stuff and More, Inc. and Woodstock Village Townhomes

Input Meeting: January 5, 2015

DPC Meeting: January 7, 2015

PC Meeting: March 5, 2015

Council Meeting: March 23, 2015

Attachment: V#128-14 and CUP#022-14 CC Staff Report (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Executive Summary:

In mid-2014, a building was erected on the subject property, which is occupied by Platinum Cars, Inc. The accessory structure was constructed without permits of any kind to be used for minor automotive repair for the business inventory. The repair facility is not open to the public but contains a car lift, tools, oil, and other car repair items. Since no permits were applied for and no plans were submitted, the building cannot be occupied safely until it has been inspected by the Fire and Building Departments. This is impossible without a set of plans. The applicant has been unable to produce plans for the building and after much correspondence and several meetings to try to resolve the issue, the applicant has indicated that they would like to wait to see if the variances will be approved before they invest a considerable amount of money to make the building comply with safety codes and regulations. A stop work order has been issued to the building as of January 26, 2015, which requires the building to be emptied and no person to enter the building for any reason.

The building is classified in LDO Chapter 2 Definitions, as an *accessory building*: A subordinate building, the use of which is incidental to that of a main building and is located on the same lot therewith. Accessory buildings are required by LDO Sec. 7.304 (19) to be no closer than 5 feet from side or rear lot lines, meaning that the structure can encroach into the side or rear setback, as long as it is 5 feet from the property line. The structure is only 3.3' from the rear property line. In addition, this lot lies within the Parkway Overlay district, which is more restrictive than General Commercial alone, requiring a 40' buffer against commercial uses and a 75' buffer against residential. According to LDO Chapter 7, Article VI, buffers shall be free of encroachments (7.603 #4) and shall not be used for anything other than some forms of passive recreation (7.604). The Parkway Overlay district also has architectural standards (7.930) which would prohibit the type of building that was erected.

Code Section	Ordinance Requirement	Existing
7.304 (19) (c) Standards applying to all districts – Accessory use requirements.	Accessory buildings must be no closer than 5' to a side or rear lot line.	Building is 3.3' from rear property line
7.928 Parkway Overlay - Site development standards	75' buffer between commercial and residential	No buffer
7.928 Parkway Overlay - Site development standards	40' buffer between commercial and commercial	No buffer
7.930 Parkway Overlay – Architectural Standards	80% brick requirement	Prefabricated metal building

The property is used for automobile sales, which is a legally non-conforming use. Currently, automobile sales is only allowed in the General Commercial zoning district by approval of a Conditional Use Permit. The property was used for automobile sales before this use became conditional, so it was essentially “grandfathered.”

LDO Sec. 7.811 states in part:

Lawful non-conforming uses, buildings, and structures existing at the time of the passage of this ordinance...shall be allowed to remain subject to the following provisions:

2. *Enlargement prohibited.* A non-conforming use of land shall be restricted to the area occupied by such use as of the effective date of this Ordinance. A non-conforming use of a building or buildings shall not be enlarged to either additional land or buildings after the effective date of this ordinance.

Because of this provision, the applicant has applied for a Conditional Use Permit to expand the non-conforming use into the accessory structure. Furthermore, under the current legally non-conforming status, should the existing buildings be damaged by fire, flood, wind, or other act of God or man exceeding 60 percent of the fair market value prior to the damage, the use could not be reestablished. Approval of a Conditional Use to allow for Automobile Sales would provide some protection for the business owner in the event of such damage.

The Woodstock Police Department has responded to multiple calls to the site for illegal parking and offloading of tractor-trailers in the right-of-way for Churchill Court and the deceleration lane on Highway 92 at Churchill Court, thus creating a safety hazard on these public rights-of-way. Public Works has subsequently installed no parking signs along Churchill Court, and the Police Department has issued citations to delivery drivers who have parked in the right-of-way to offload vehicles.

The City has also had complaints from neighboring property owners about employees and customers from Platinum using their private parking.

Granting a Conditional Use Permit for the use would make Automobile Sales no longer a non-conforming use. It is possible to grant the Conditional Use Permit to make the use legal without granting the variances to allow the accessory structure. Staff recommends granting the CUP with the condition that when the business ownership lapses, the use shall not be continued, as well as with other conditions that would control the visual appearance, parking and offloading practices, and intensity of the use to keep the business from remaining injurious to public safety and to make it more compatible with the surrounding uses.

Zoning History:

No zoning history was found in relation to the subject property.

Criteria for Consideration of a Conditional Use Request:

Woodstock LDO Section 7.503- Conditional Use Permit Review Criteria, provides the following criteria which must be considered in reviewing Conditional Use requests:

(a) Whether or not there will be a significant adverse effect on the surrounding area in which the proposed use will be located.

The existing non-conforming use has adverse effects on surrounding properties because of the documented parking problem and the continued illegal offloading practices. The business consistently has more cars delivered than will fit on the site and has apparently been unable to require delivery drivers to offload inventory safely. Expanding the use with a new building would increase the parking problem, taking up space that is needed to park the cars. Allowing the use to continue without more regulation would prolong these adverse effects.

(b) Whether or not the use is otherwise compatible with the surrounding area.

Prior to 2010, Automobile Sales was a permitted use in the General Commercial zoning district. There are several other auto sales uses in the district that were established before 2010 such as Hennessey Honda, Cherokee Ford, the old Hyundai dealership, and Southern Auto Brokers which is nearby on Highway 92. The Conditional Use Permit process was implemented for uses that “generally would not be appropriate throughout a zoning district, but which, if controlled as to the visual appearance, number, area, height location, or relation to abutting or nearby uses, would not be injurious to the public...” (Sec. 7.502) W.T. Standard was recently granted a Conditional Use Permit just across the street from the subject property for wholesale auto sales. If granted for Platinum, this would be the first CUP for general auto sales in the district, though the property has been used for general auto sales since 2006, and prior to that time, the property was used for a rental car business. To the west is Straw, Stuff and More, Inc., which is a retail business with outdoor sales. This is the most compatible abutting use. The other adjacent uses are mostly offices, and the site is bordered in a small section by a residential development. These uses are less compatible with the use in question, but if controlled, the business could be conducted without being a nuisance.

(c) Whether or not the use proposed will result in a nuisance as defined under state law.

O.C.G.A. §41-1-1 defines a nuisance as, “*anything that causes hurt, inconvenience, or damage to another and the fact that the act done may otherwise be lawful shall not keep it from being a nuisance.*” The repeated illegal parking and offloading poses a nuisance to the surrounding property owners, the police department, and the public.

(d) Whether or not quiet enjoyment of surrounding property will be adversely affected.

If the building for repairs was approved, only minor auto repairs would be taking place inside the accessory structure. These repairs may currently be happening outside a building, so allowing the building would likely decrease noise produced on the site. Continuation of the use is not likely to make any more noise than is produced by current conditions.

(e) Whether or not property values of surrounding property will be adversely affected.

Property values are not likely to change in response to expanding or continuing the use.

(f) Whether or not adequate provisions are made for parking and traffic considerations.

Parking and traffic are the main issues caused by the current business. Adequate provisions are not made for the number of cars the applicant has on the site and the traffic situation in reference to offloading inventory is often unsafe, illegal, and requires constant police supervision.

(g) Whether or not the site or intensity of the use is appropriate.

The intensity of the use concerning how much of the site is used for holding inventory is inappropriate compared to other businesses in the area. Properties developed recently in the Parkway Overlay district have large buffers and streetscape zones. Most other properties developed prior to the Parkway Overlay district's existence are not nearly as cluttered and intense as the subject property. The subject property is almost entirely covered in pavement and has very few trees and grass compared to other properties in the area. In historical aerial photos of the site, there have been cars parked where the accessory structure now stands, indicating that this space is needed for inventory storage. Taking away the inventory parking space will heighten the problem. The applicant has stated that they usually have 100 – 110 cars on the lot. It appears from these photos, that this is too much inventory for a site of this size. According to the 2006 photo, where the marked spaces can clearly be seen, there are 54 marked parking spaces on this lot.

**(h) Whether or not special or unique conditions created by the use are consistent with the purpose, intent and goals of the Comprehensive Town Plan**

The Future Character Area for the subject property is WPC – Workplace Center. The workplace calls for “large employment centers that incorporate many aspects of commerce such as professional office buildings, corporate offices, regional offices, high-tech and research facilities and small office complexes; educational services and recreation and light industrial uses such as warehousing and wholesale...Buffers are critical between incompatible uses. Guidelines that address signage and lighting will help to mitigate the negative impacts of a high concentration of commercial and industrial uses.”

While the use does provide employment, the intent of the Workplace Center does not seem to include outdoor retail sales as a desirable use. The Plan does recognize that uses in this area may be incompatible with each other, so it recommends buffers and other mitigation tactics, none of which are employed by the use in question.

(i) Whether or not adequate provisions are made regarding hours of operation.

The hours of operation are adequate and similar to other businesses on Highway 92.

(j) Whether or not adequate controls and limits are placed on commercial and business deliveries.

Controls and limits required by the Police Department and City Code have not been successful on commercial deliveries of inventory. This is a chronic problem for the business and Police Department. The applicant has been asked repeatedly to control how the cars are delivered. The applicant has stated that they have asked the drivers to deliver the cars at other locations, but the drivers deliver directly on Highway 92 in the deceleration lane or median, or on Churchill Court anyway. If a CUP is granted with conditions requiring legal offloading of inventory, future violations would be a violation not only of traffic laws, but of conditions of zoning, which would require a court appearance.

(k) Whether or not adequate landscape plans are incorporated to ensure appropriate transition between adjacent or nearby properties.

No landscape plans have been incorporated in this request.

(l) Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

The public safety of the surrounding neighborhood is already adversely affected.

(m) Whether the application complies with any applicable specific requirements set forth in this chapter for Conditional Use permits for particular types of uses.

There are no specific requirements set forth for conditional use permits for Automobile Sales.

Criteria for Consideration of a Variance Request:

Woodstock LDO Section 10.160- Variances, provides the following criteria which must be considered as the Planning Commission and City Council review variance requests:

(n) There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.

The main exceptional condition existing on this property is the size of the parcel. The parcel is 114' wide. The buffers and side setbacks required in the Parkway Overlay are 40' (commercial) and 10', totaling 100' for both sides, meaning that the entire width of the property is covered in buffers and setbacks. For the small section of the property bordering residential, the buffer would be 75', meaning that the buffers and setbacks would overlap.

(o) The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

Application of the buffers on this property would create a hardship. If the buffers were not enforced, the accessory structure would only have to comply with the requirement to be 5' from the property line. This is also required by the International Building Code. Currently the structure sits 3.3' from the rear property line. The applicant contends that the structure needs to be located there so that cars can drive between the principal structure and the accessory structure. There is currently approximately 14' separating the two structures. Moving the building forward 1.7' would still allow enough room to drive a car between the structures, so the application of the 5' separation between the building and property line is not a practical difficulty or hardship.

(p) Such conditions are peculiar to the particular piece of property involved.

These conditions are peculiar to the subject property.

(q) A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.

A literal interpretation of the buffer standards would deprive the applicants of the ability to have buildings on their property generally. A literal interpretation of the setback and architectural requirements would not deprive the applicant of any rights.

(r) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.

Allowing the building to be closer than 5' to the property line could cause detriment to the public good, as it would violate the International Building Code, to which all buildings are required to adhere. Relief from the architectural requirements and building placement standards could impair the intent of the Parkway Overlay district standards, which, in part, is to "generate quality development along the thoroughfare while promoting economic, cultural, open space, and safety features to promote the public welfare."

(s) Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.

Generally, other buildings in the vicinity have complied with the buffers and architectural requirements. There have been some cases of architectural variances, but in those cases, brick has been proposed to be replaced mostly with other masonry materials. We have been unable to find a case where a 100% metal building has been permitted in recent memory.

(t) Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

Granting of the application is not necessary for the preservation or enjoyment of a property right. The applicant has stated that the accessory structure was constructed for the convenience of doing repairs on cars on-site instead of contracting that work out.

(u) The condition from which relief or a variance is sought did not result from willful action by the applicant.

The condition from which relief is sought did result from the applicant's actions. If the applicant had applied for a building permit for the structure before it was constructed, the City could have made the applicant aware that the building is not allowed by the building and zoning codes as it was constructed.

(v) Authorizing of the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.

It is not clear whether authorizing the variance would impair adequate supply of light to adjacent property. Taking up space that was once used for parking or inventory storage would increase the street parking congestion if the applicant does not decrease the number of cars on the lot. As it stands un-permitted and un-inspected, the building could pose a safety risk. If the variances are granted, the applicant will have to submit plans, get building permits, have the building inspected, and make any required changes to the building for safety. The surrounding property values, health, safety, comfort, morals and general welfare of the citizens are not likely to be substantially affected by the authorization of the variances, if the building is made safe and moved at least 5' from the property line.

Staff Recommendation:

At the January 14, 2015, meeting the Development Process Committee voted to recommend approval the Conditional Use Permit with the following conditions and denial of the variance requests.

1. By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any amount of time by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.
2. No more than 60 cars for sale, or in the process of being sold, shall be on the lot at any given time.
3. No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking on grass.
4. No unloading of inventory on any public street, median, or any public right of way.

At the same Development Process Committee meeting, the Committee voted to recommend certain additional conditions in the event the variances are granted to allow the accessory structure to remain.

1. Upon approval of Conditional Use Permit and any variances, the applicant must submit engineered drawings and specifications for the accessory structure. When drawings are submitted and the building is inspected, the applicant must comply with the requests of the City of Woodstock Building Department and Fire Department concerning building safety, including the construction/anchoring of the building, electrical work, and proper ventilation.
2. The accessory structure must be moved so that it is no closer than five feet to any property line.
3. Variance to the Parkway Overlay buffer requirements is granted.
4. The accessory structure must be faced in brick for 80% of the façade on at least three sides of the building.

Planning Commission Recommendation:

At the March 5, 2015, meeting the Planning Commission voted on the Conditional Use Permit and the Variance request separately. They voted to approve the Conditional Use Permit with the following conditions (changes from the staff conditions are in italics.)

1. By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any amount of time by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.
2. No more than *100* cars for sale, or in the process of being sold, shall be on the lot at any given time.
3. No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking *in the Highway 92 grass right of way*.
4. No unloading of inventory on any *Highway 92* public right of way.
5. *No outdoor storage of any parts, chemicals, or materials.*
6. *Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.*

The vote on whether to approve the variance request was a tie 3-3, and moves forward to the Mayor and Council with no recommendation from the Planning Commission.

Attachments:

- Zoning Map
- Aerial
- Site Map
- Site Photos

Zoning Map



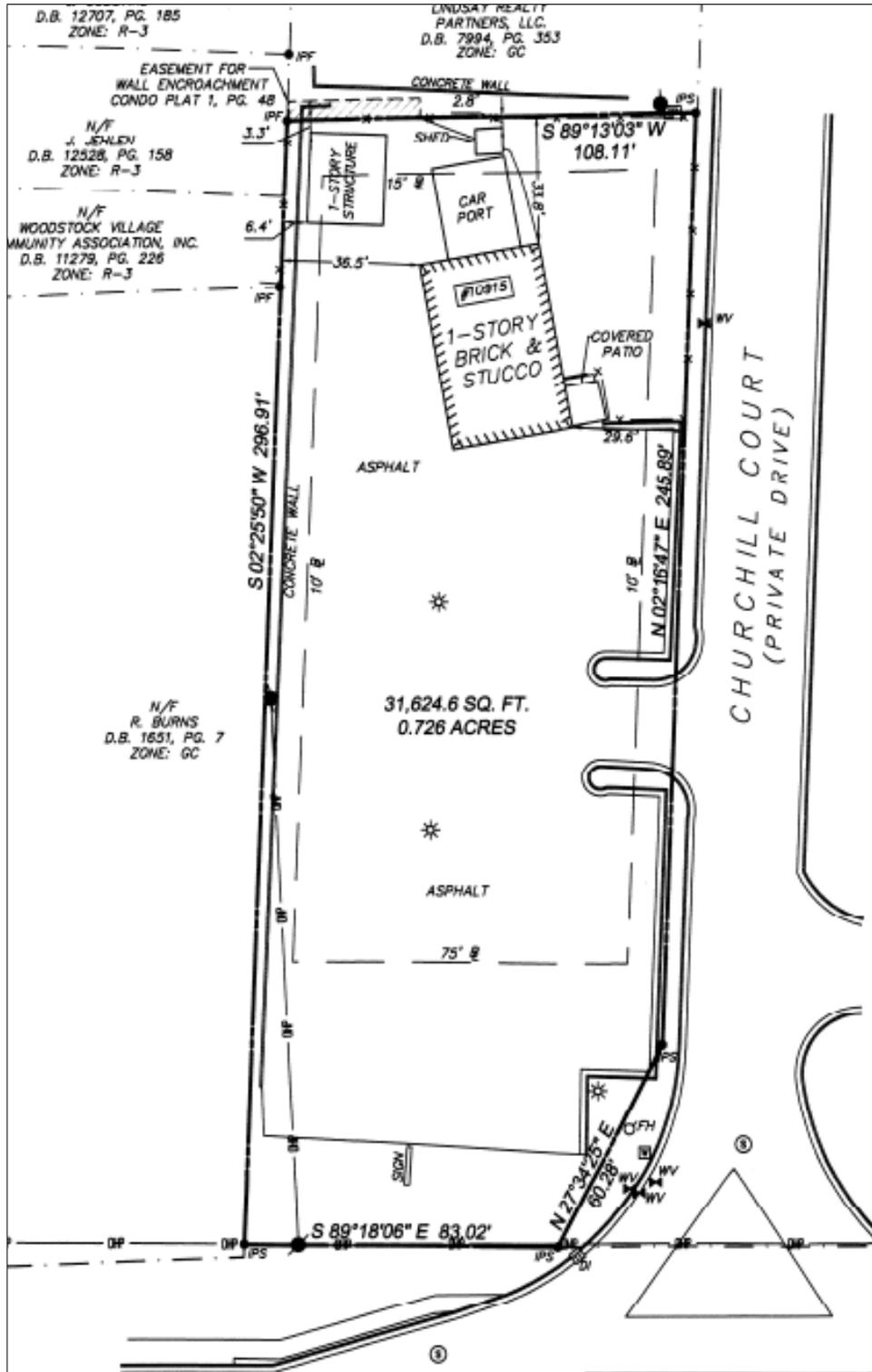
Attachment: V#128-14 and CUP#022-14 CC Staff Report (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Aerial



Attachment: V#128-14 and CUP#022-14 CC Staff Report (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Site Map



Attachment: V#128-14 and CUP#022-14 CC Staff Report (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Site Photos



Attachment: V#128-14 and CUP#022-14 CC Staff Report (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

3/5/14 Planning Commission DRAFT Minutes
 V#128-14 and CUP#022-14 Platinum Cars, Inc.

Katie Coulborn presented the staff report.

Comments – CURRENT MEETING

Rakesh Parmar (Applicant) - If we are limited to 60 cars, that would put the business in jeopardy. 110 to 120 cars has worked in the past for us. There have been complaints about parking, but Chief Moss approved us parking cars on the street. We no longer park in front of the State Farm and chiropractor's office. We have an agreement with the tree business to park customer and employee cars there, not inventory. For condition 4, unloading inventory is crucial to the business. There is a semi once or twice per week and it takes about an hour to unload. We don't do it on Highway 92. We make sure that they come inside. The tree business will allow us to use his property for unloading.

Lee Zell – How many cars are there that are not located on the lot?

Rakesh Parmar – Just inventory cars are on the lot. Four or five employee cars are parked on the street.

Lee Zell – How many cars parked over by State Farm?

Rakesh Parmar – None.

Lee Zell - How many in the tree lot?

Rakesh Parmar – None.

Lee Zell – I noticed a lot of cars on the street. I also noticed a carport with a tarp over it attached to the main building.

Rakesh Parmar – The carport behind the building, that's where all the car detailing is going on.

Lee Zell – I noticed a lot of things outside behind the building like tires, buckets of chemicals, and an entire truck bed. Some of these items have been pushed over the walls onto other properties. It looked like these things have been outside for a long time. What do you store back there?

Rakesh Parmar – We are waiting to see how this variance goes. If we can keep the shed, that's our storage.

Lee Zell – If the shed goes away, where will you store these items?

Rakesh Parmar – They will be disposed of.

James Drinkard – The materials that Mr. Zell saw are in the yard. Prior to the close of the shed, were these things in the yard?

Rakesh Parmar – Yes.

Lee Zell – How often do you take wheels and debris to the junk yard?

Rakesh Parmar – I don't know. I have only been working for the company since December.

Jeff Wood – Do you agree to the additional variance conditions that staff has recommended?

Rakesh Parmar – When we put up the building, we were not aware of the zoning rules. We thought it was okay. It was a surprise to find out that there was a problem. Do I agree? Possibly not, but we understand that the City has rules. We don't agree to number 1; number 2, the structure is anchored to the ground and moving it is not financially feasible; I have no comment about number 3; and for number 4, the building can't be easily seen from Highway 92, so we don't think the brick is necessary.

Jeff Wood – What was the previous name of the business? Executive something?

Joe Hill (Service Director for Platinum Cars, Inc.) – The same family has owned the business for almost eight years.

Jeff Wood – Item 2 says no more than 60 cars on the lot. How many cars can you park on the property?

Joe Hill – We carry an inventory of 120 cars. With that number, we still have a complete passage way to drive around the property.

Jeff Wood – Does that include the cars parked on the grass in the right of way on Highway 92?

Joe Hill – We don't do that. The only time we do it is on the weekends, but everyone does that.

Jeff Wood – Your employees park on the street now, where do the customers park?

Joe Hill – Directly in front of the building. We have 6 space, 2 are handicapped.

Jeff Wood – there are no parking signs on the street. Where are they located?

Joe Hill – No parking sign on the street between 92 and our driveway.

Jeff Wood – For clarification, you do not agree with any of the conditions placed on the building for safety?

Joe Hill – We actually agree with variance conditions 1 through 3. Number 4, you really can't see the building from 92 until you get on the lot. It would be a waste of money and resources to build a brick wall. There's a privacy fence against the residential property on top of a retaining wall.

Jeff Wood – Can the truck safely off-load on Churchill Court?

Joe Hill – Yes, and sometimes they get there before we do and I tell them to not park at any other business. It's hard to control the truck drivers. I feel like our feet are being held to the fire here because at any time of the day, you go down that street and there's some truck unloading something for other businesses, but we're being told we're not allowed to.

Jeff Wood – I do see a lot of trucks unloading in the street. Do we not have a code that prevents this?

Katie Coulborn – Yes. That's why they've been ticketed so many times in the deceleration lane.

Jeff Wood – So putting it in a condition would be redundant?

Katie Coulborn – yes, but the reason that it's here, I've had a conversation with Chief Moss, the neighbors have Chief Moss's cell phone number, they have to call him a lot. He sent me a list of tickets that truck drivers here have been given over the last few years and it was a considerable amount. It's been an ongoing problem and the truck drivers are always a different person. We agree that it's hard for

them to make the drivers park where they are supposed to but putting this as a condition is another way to reinforce so not only will the driver get ticketed, but then it's a zoning violation so the business can be held responsible. Chief Moss is concerned that it's a safety issue.

Jeff Wood – Are they required to have greenspace because the grassy area at the northeast corner could maybe be developed for more parking.

Katie Coulborn – More parking would require a variance to the buffer. The commercial and residential buffers cover that entire area.

Jeff Wood – How did staff come to the 60 cars on the lot condition?

Katie Coulborn – By counting the parking spaces. If you look at page 5 of the staff report, there are 54 marked parking spaces and we realize that they can get more on the lot so if they have 60 vehicles for sale and then they have employee vehicles and customer vehicles, we thought that would be a more appropriate number than the double that they have now.

Jeff Wood – So the city expects employers to provide on-site parking for their employees and customers?

Katie Coulborn – Yes.

James Drinkard – Within this overlay, are shared parking agreements allowed?

Katie Coulborn – Yes.

Lee Zell – So this is a conditional use permit to expand the car lot?

Katie Coulborn – To be clear, staff recommended that they ask for the conditional use permit. The started out asking for variances to allow the building that they put up, but if they got variances to allow the building, they wouldn't be able to do anything inside it without a conditional use permit to expand the use.

Lee Zell – If they're doing automotive repairs, is that a different use than sales?

Katie Coulborn – Because the automotive repairs are only for their inventory and not for the public, we consider it an expansion of the automotive sales use.

Lee Zell – So back to the debris, the rims, the car parts, I have pictures of things that have been there so long that they're imbedded in the ground. I also spoke to the homeowners that back up to the property. What method does the city have for not allowing accumulation of debris and car parts?

Katie Coulborn – The city has a property maintenance code that the code enforcement officers can enforce. They can write citations for accumulation of junk if they get a call from a neighboring property. Previous to this building going up, I don't think anyone called about junk on this property. There were no open code enforcement cases going but it is something that can be regulated by our department.

Lee Zell – I walked the property today. There are many buckets sitting outside with pinestraw and dirt on them that shows they've been there a really long time. Multiple stacks of rims and rotted tires and a whole truck liner that has been pushed over the line to the lawyer's property. The homeowners pointed

out that the fence doesn't completely shield the building. They said that employees take smoke breaks literally standing in these people's backyards. The fence is incomplete.

Katie Coulborn – That's why we have buffers and setbacks.

Jessica Guinn – All these reasons are things that factored in to the staff recommendation for denial of the variance to allow that structure to be there. There are a number of things that we took into account, from the parking standpoint, having that additional structure that came in without permits took away some additional space that could have been utilized for parking and yes, absolutely, all the buffers that typically would provide some screening there are lacking here. Point of clarification, the 5' setback is not just important from a zoning standpoint but also from a fire code standpoint. If they are any closer than 5', they would have to have a fire rated wall on the structure. Fire rating could be achieved but that's another significant cost. But we can't vary that. We can't waive the fire code.

Lee Zell – Behind the building is stacks of old rotten tires laying against the metal building with electrical wiring going through a pvc pipe into a metal wall. Seems like a fire hazard.

Jessica Guinn – When we went out there with the building official and fire, there was no way that we could look at this building and make a determination about whether or not it was safe for people to occupy without plans. That's when we issued the stop work order and said we have got to have everything out of here.

OPEN PUBLIC HEARING

No one signed up to speak.

CLOSE PUBLIC HEARING

Lee Zell – To the applicant, are you telling us that if you get the variance for the shed, all the debris outside would now go inside the shed?

Rakesh Parmar – It wouldn't necessarily go inside, some of it needs to be disposed of. The items that could be used would be in the storage.

Joe Hill – The gentleman who handles all of the debris is the mechanic in that shed and I've had to move him to our place in Union City so that we can continue doing business. Honestly since they put the stop work order on it, I don't think any of us have walked back there. If it's an issue, that's going to get addressed regardless.

Lee Zell – Would you be agreeable to putting the fence up so people won't walk into those yards?

Joe Hill – Yes, that's not a problem.

Jeff Wood – I'd like to handle the Conditional Use Permit separately from the Variances. **Motion** to recommend approval of the Conditional Use Permit with the four staff recommended conditions.

Motion dies for lack of a second.

Lee Zell – **Motion** to approve the CUP and Variance with the 8 staff recommended conditions, plus Condition 9, Applicant shall add a wooden 6' privacy fence attached to the existing fence at the

northwest corner of the property and extending to the northeast corner of the property at Churchill Court.

Motion dies for lack of a second.

Jeff Wood – **Motion** to recommend approval of the Conditional Use Permit with staff recommendations 1 through 4.

2nd by David Hacker

Jeff Wood – They’ve been relatively good neighbors even though their neighbors don’t agree, they bring revenue to the city. 60 cars sounds low. They say they can do 120 cars. I’d like to not see their employees parking in the street so 100 cars seems like a good meet-in-the-middle number. **Friendly Amendment** to change Condition 2 to allow no more than 100 cars for sale, or in the process of being sold, on the lot at any given time.

David Hacker – Friendly Amendment **accepted**.

Lee Zell – Is every car included in that number?

Jeff Wood – Just the inventory, not employee or customer cars. On-street parking is allowed by right there, but it would be good for their neighbors to get the cars off the street. It would also give a place for the trucks to unload. They have a parking agreement with the neighbor to the west.

David Hacker – Do you have a shared parking agreement with the neighbor (to the west) in writing?

Joe Hill – No, but we can get it in writing.

Jeff Wood – **Friendly Amendment** to change the wording in Condition 3 to “No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking *in the Highway 92 grass right of way.*”

David Hacker – Friendly Amendment **accepted**.

Jeff Wood – Number 4, it’s already illegal so why do we have number 4? Should we strike that?

Jessica Guinn – The reason that is in there as Katie already said is that citations go directly to the truck drivers. By putting it here as a condition, we are putting the burden on the property owners to make sure that their deliveries are being made not within the public right of way. If they continue, the property owner at that point is in violation of zoning and we would have a course of action to handle the situation directly with the property owner, whereas we could have a different truck driver pull up there every day.

Jeff Wood – with the words public right of way, that would not allow them to offload on Churchill Court, correct?

Jessica Guinn – Correct. I think 92 is where we really have the heartburn. It sounds like there have been some issues with them unloading in the median and the acceleration and deceleration lanes.

Lee Zell – They have already said that they have the permission from the tree business to offload there.

Jeff Wood – But then if that property redevelops, that agreement goes away. **Friendly Amendment** to change the wording in Condition 4 to “No unloading of inventory on any *Highway 92* public right of way”.

David Hacker – Friendly Amendment **accepted**. I have to say, I appreciate your business. From an office user, it’s important to know that you’re a good neighbor trying to keep the cars out of the way, so I understand why people are like that, but no one is here to speak against it so I’m more inclined to support trying to keep the business going with minimal impact.

Lee Zell – Is it correct that staff told us that the chiropractor and State Farm agent and some other people instantly called about the case?

Katie Coulborn – Yes. The day after they got the public input meeting letter they contacted me. It seems they couldn’t be here tonight but I think they are planning to come to City Council. Earlier today Patti got a call from a residential property owner and they sent me an email with a letter explaining some of their concerns but it was too late to put it in the agenda packet.

Lee Zell – **Friendly Amendment** to add Condition 5, *No outdoor storage of any parts, chemicals, or materials*.

James Drinkard – Does Mr. Wood accept?

Jeff Wood – Friendly Amendment **not accepted**.

Lee Zell – Offering as a **regular Amendment**.

2nd by David Hacker

Lee Zell – **Friendly Amendment** to add Condition 6, *Applicant shall add a wooden 6’ privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court*.

Jeff Wood – Friendly Amendment **accepted**.

James Drinkard – Now Condition 5, which is the outdoor storage, is open for debate.

Jeff Wood – I would think that we have city laws about outdoor storage of debris.

Patti Hart – Outdoor storage is allowed by Conditional Use Permit only in this district. We have a definition for outdoor storage:

Vote on Amendment for Condition 5, **Motion passes 5-1**, Jeff Wood in opposition.

James Drinkard – Debate is open on the other items, the approval of the Conditional Use Permit with Conditions 1-6.

Lee Zell – I’m pleased with these conditions. The applicant knows where we’re coming from now. I’m still concerned with unloading on Churchill Court.

Jeff Wood – This property was a car lot before the residential lots were completed.

James Drinkard – The only reason I’m willing to support the Conditional Use Permit is to get this situation under control and clean this property up. Right now I do not consider it to be a good business. It’s bordering on a nuisance and it needs to stop. The complaints that we are hearing from our own police chief and neighbors are ridiculous and unacceptable. You need to clean up your property.

Motion passes 6-0.

Jeff Wood – **Motion** to recommend approval of the variances with staff recommended conditions 1-4. **2nd** by Lee Zell.

Jeff Wood – The structure was built without permits. Ignorance is not an excuse for not following the rules, and as a business owner in the community you have to do this. That said, in order to keep the building, it should be safe. I have a concern about adding the brick. They are probably going to have to build a foundation for the building. If it makes it through the building code process, I’ll be surprised.

Lee Zell – This variance is like here you have permission to go meet the building inspector. And it’s not going to be a pleasant visit. There are a lot of updates that will need to occur. I have confidence in our building staff and permits department.

David Hacker – I’m not in favor of Condition 4. I don’t think it’s necessary. If they’re going to be moving the structure, I think that’s enough. Besides, it makes it more of a permanent structure that’s non-conforming. **Friendly Amendment** to strike Condition 4.

Jeff Wood – Friendly Amendment **accepted**.

James Drinkard – Before I call for the vote, I want to say I will not support this.

Tie vote 3-3. The variance request moves forward with no recommendation.

Summary of recommendation:

Recommended approval of Conditional Use Permit with the following conditions:

1. By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any amount of time by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.
2. No more than *100* cars for sale, or in the process of being sold, shall be on the lot at any given time.
3. No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking *in the Highway 92 grass right of way*.
4. No unloading of inventory on any *Highway 92* public right of way.
5. *No outdoor storage of any parts, chemicals, or materials.*
6. *Applicant shall add a wooden 6’ privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.*

Request for variances with staff recommended conditions moves forward with no recommendation because of a tie vote.

Property Information:

Location: 10915 Hwy 92 E Woodstock GA 30188

Current Zoning: GC with Parkway Overlay Total Acreage: 0.73

Tax Map #: 15 N18 Parcel #: 049A Future Development Map Designation: _____

Adjacent Zonings: North GC South GC East GC & R2 West GC

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

Various from section 7.930 #6
Various from section 7.928 for buffers & setbacks

Proposed Use(s) of Property:

Minor Mechanical Fixes For Car Dealership

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: _____

How is sewage from this site to be managed?

County Water

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? _____ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

Attachment: V128-14 Application for Variances (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

DEC 11 2014

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? _____ trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	

• A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Trilochan Bhatia do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 1 day of Sept, 2014.

Print Name Trilochan Bhatia

Applicant Signature Bhatia

Attachment: V128-14 Application for Variances (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

DEC 11 2014

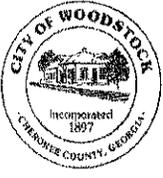
APPLICANT RESPONSE STATEMENT- VARIANCES

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative. In the case of concurrent variances, a response to the standards below should be provided for each variance requested.

1. Explain requested variance. *We added a small building for our mechanic to perform small repairs to our customer's cars.*
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography. *The lot size is too small to have placed the building in any other position*
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship. *Not being able to provide good service for our customers*
4. Such conditions are peculiar to the particular piece of property involved. *yes*
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. *yes*
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. *no it would not*
7. Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity. *yes*
8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant. *It is to give good service to the customers in our community*
9. The condition from which relief or a variance is sought did not result from willful action by the applicant
no
10. Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.
no it would not

DEC 11 2014



CITY OF WOODSTOCK Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Planning and Zoning Division of the Community Development Department at 770-592-6050 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: RAKESH PARMAR Phone: 678-213-2345

Applicant's Information:

Name: TRILOCHAN BHATIA

Address: 10915 HWY 92 E Phone: 678-213-2345

City, State, Zip: WOODSTOCK GA 30188 Fax: 678-213-2346

Property Owner's Information: same as above

Name: JEFF JOHNSON

Address: 1495 MTN RSVE DR Phone: 404-520-3433

City, State, Zip: KENNESAW GA 30152 Fax: 678-213-2346

Requested Public Hearing (check all that apply):

Annexation

Conditional Use Permit

Rezoning

Comprehensive Plan Amendment

Variance

Other: _____

STAFF USE ONLY:

Case: CUP # 022-14

Received by: Kate Coulborn

Fee Paid: \$ 300.00 mp

Date: 1-13-15

USE-003689-2015

PUBLIC HEARING SCHEDULE:

Public Input Meeting: _____

DPC Meeting Date: 1/7/15

Planning Commission: 2/5/15

City Council: 2/23/15

Other: _____

Attachment: CUP022-14 Application for Conditional Use Permit (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Property Information:

Location: 10915 HWY 92 E, WOODSTOCK GA 30188

Current Zoning: GC WITH PARKWAY OVERLAY Total Acreage: 0.73

Tax Map #: 15 N 18 Parcel #: 049A Future Development Map Designation: _____

Adjacent Zonings: North GC South GC East GC & R2 West GC

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

Expanding a non-conforming use - auto sales

Proposed Use(s) of Property:

Expansion of auto sales

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: _____

How is sewage from this site to be managed?

County Water

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? _____ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

Attachment: CUP022-14 Application for Conditional Use Permit (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? _____ trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	
<ul style="list-style-type: none"> A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified. 				

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, TRILOCHAN BHATIA, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 8 day of JANUARY, 20 15

Print Name TRILOCHAN BHATIA

Applicant Signature Bhatia

Attachment: CUP022-14 Application for Conditional Use Permit (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)

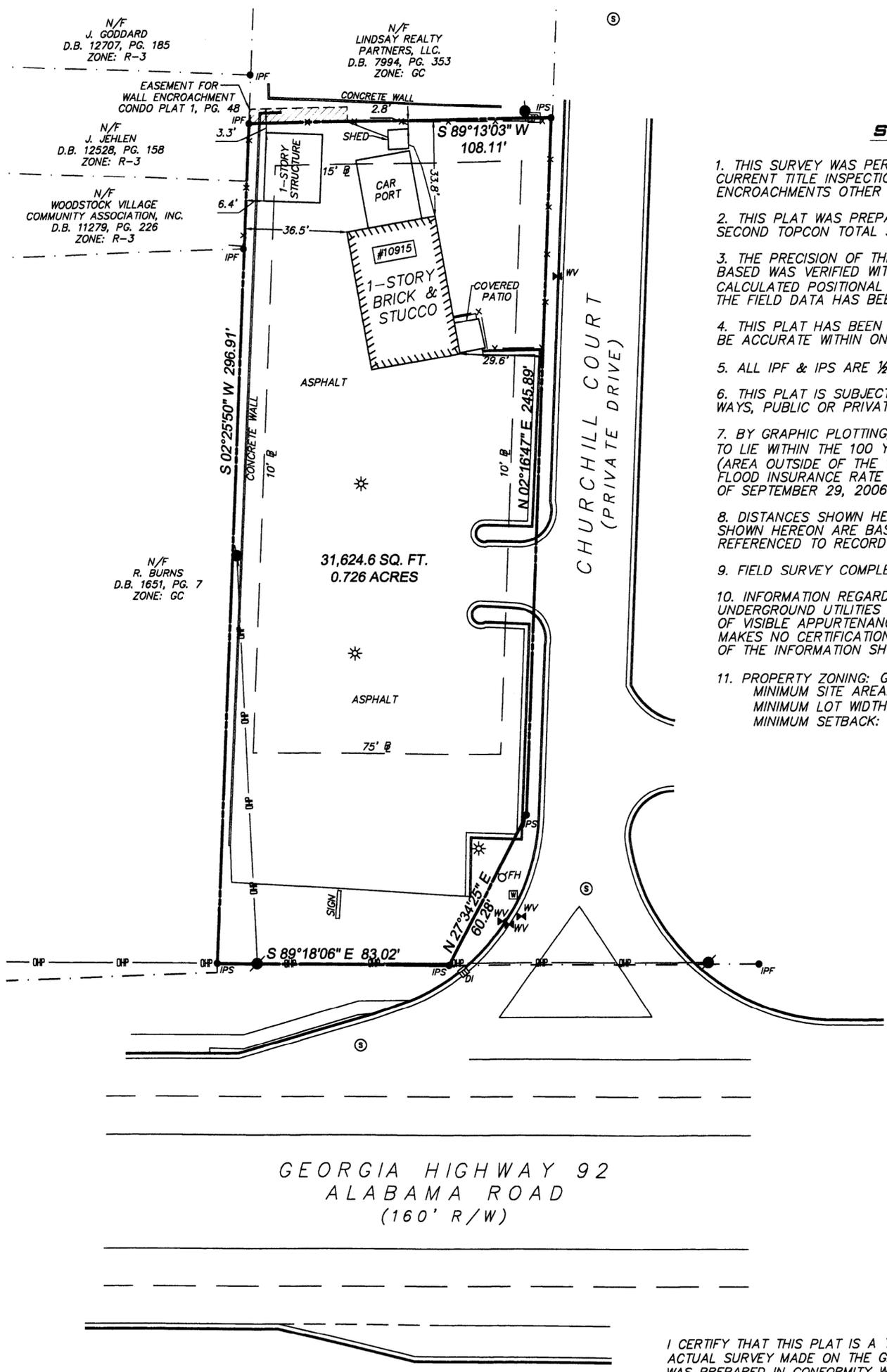
APPLICANT RESPONSE STATEMENT- CONDITIONAL USE PERMITS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a conditional use permit, please respond to the following standards in the form of a written narrative:

1. Explain requested conditional use permit. *expand auto sales*
2. Whether or not there will be significant adverse effect on the surrounding area in which the proposed use will be located. *no*
3. Whether or not the use is otherwise compatible with the surrounding area.
use is compatible
4. Whether or not the use proposed will result in a nuisance as defined under state law.
no impact
5. Whether or not quiet enjoyment of surrounding property will be adversely effected.
no impact
6. Whether or not property values of surrounding property will be adversely effected.
no impact
7. Whether or not adequate provisions are made for parking and traffic considerations.
no impact; parking not affected
8. Whether or not the site or intensity of the use is appropriate.
no impact
9. Whether or not special or unique conditions created by the use are consistent with the purpose, intent and goals of the Comprehensive Town Plan.
no impact
10. Whether or not adequate provisions are made regarding hours of operation.
no impact;
11. Whether or not adequate controls and limits are placed on commercial and business deliveries.
no impact
12. Whether or not adequate landscape plans are incorporated to ensure appropriate transition between adjacent or nearby properties.
no impact
13. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.
no impact
14. Whether the application complies with any applicable specific requirements set forth in this chapter for conditional use permits for particular types of uses.
no impact
15. Whether the applicant has provided sufficient information to allow full consideration of all relevant factors.
application outlines what use is for
16. Whether the conditional use requested emits or creates unusual odors which would warrant use of an odor elimination/attenuation system as recommended by industry standards.
no impact

RECORD



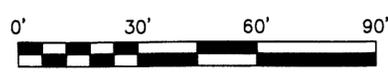
SURVEY NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS, ENCUMBRANCES, OR ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.
2. THIS PLAT WAS PREPARED FROM A FIELD SURVEY USING A THREE SECOND TOPCON TOTAL STATION.
3. THE PRECISION OF THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS VERIFIED WITH REDUNDANT LINEAR MEASUREMENTS. THE CALCULATED POSITIONAL TOLERANCE IS LESS THAN 0.10' PER POINT. THE FIELD DATA HAS BEEN ADJUSTED USING LEAST SQUARES.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 116,032 FEET.
5. ALL IPF & IPS ARE 1/2" REBAR UNLESS NOTED OTHERWISE.
6. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAYS, PUBLIC OR PRIVATE.
7. BY GRAPHIC PLOTTING, NO PORTION OF THIS PROPERTY APPEARS TO LIE WITHIN THE 100 YEAR FLOOD PLAIN AND LIES IN ZONE "X" (AREA OUTSIDE OF THE 100 YEAR FLOOD PLAIN) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13057C0334D, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
8. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. BEARINGS SHOWN HEREON ARE BASED ON ANGLES TURNED AND ARE REFERENCED TO RECORD NORTH.
9. FIELD SURVEY COMPLETED: DECEMBER 05, 2014
10. INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS BASED ON THE LOCATION OF VISIBLE APPURTENANCES. LANDPRO SURVEYING AND MAPPING, INC MAKES NO CERTIFICATION AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION SHOWN HEREON.
11. PROPERTY ZONING: GENERAL COMMERCIAL (GC)
 MINIMUM SITE AREA: 0.5 ACRES
 MINIMUM LOT WIDTH: 100'
 MINIMUM SETBACK: FRONT 75'
 REAR 15'
 SIDE 10'

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



JAMES H RADER GEORGIA RLS# 3033



LEGEND

⊙	PROPERTY CORNER	PVC	POLYVINYL CHLORIDE PIPE
IPF	PROPERTY LINE	PH	FIRE HYDRANT
IPS	1/2" REBAR FOUND	WV	WATER VALVE
RBR	1/2" REBAR SET	WM	WATER METER
CTP	REBAR	W	WATER LINE
OTF	CRIMPED TOP PIPE	TP	TELEPHONE PEDESTAL
CMF	OPEN TOP PIPE	TM	TELEPHONE MANHOLE
FND	CONCRETE MONUMENT FOUND	UT	UNDERGROUND TELEPHONE
PM	FOUND	TV	CABLE TELEVISION PEDESTAL
PO	POWER POLE	CATV	CABLE TELEVISION
PM	POWER METER	SD	STORM DRAIN JUNCTION BOX
PO	POWER BOX	DI	DROP INLET
EM	ELECTRIC MANHOLE	SI	STORM DRAINAGE LINE
OHE	OVERHEAD POWER	CMP	CORRUGATED METAL PIPE
UGP	UNDERGROUND POWER	RCP	REINFORCED CONCRETE PIPE
GV	GAS VALVE	CPP	CORRUGATED PLASTIC PIPE
GL	GAS LINE	MW	MONITORING WELL
SM	SANITARY SEWER MANHOLE	T	TREE
SC	SANITARY SEWER CLEAN OUT	TL	TREELINE
GT	GREASE TRAP	B	BENCHMARK
SSL	SANITARY SEWER LINE	L	LAND LOT LINE
DIP	DUCTILE IRON PIPE	F	FENCE

LANDPRO
 SURVEYING AND MAPPING
 305 CREEKSTONE RIDGE
 WOODSTOCK, GA 30188
 TELE: 404-386-2170
 FAX: 678-213-1519
 AUTHORIZATION NO. LSF000838
 WWW.LANDPROSURVEYING.COM
 COPYRIGHT 2014

ASBUILT SURVEY FOR:

PLATINUM USED CARS

LAND LOT 1169
 DISTRICT 15, SECTION 2
 CITY OF WOODSTOCK
 CHEROKEE COUNTY, GA

SCALE	DATE	PROJECT NO.	SHEET
1" = 30'	12/10/14	20141210	1 OF 1

Attachment: Platinum Used Cars As-built Site Plan (3322 : V#1128-14 and CUP#022-14 Platinum Cars, Inc)



PLATINUM CARS WOODSTOCK
10915 HWY 92, Woodstock, GA 30188
Phone: 678-213-2345 Fax: 678-213-2346

DATE: 1/5/2015 7.00pm

Platinum Cars Public Meeting Minutes

To Whom It May Concern:

The open meeting was scheduled at 7.00 pm. Two individuals attended the meeting.

No concerns were voiced by the two individuals with regards to Platinum Cars enclosed shed for repairs. The two individuals understood Platinum Cars' business needs for the enclosed structure and no objections were raised.

Platinum Cars
Rakesh Parmar

Katie Coulborn

From: Rob Speer <speerlaw@hotmail.com>
Sent: Thursday, March 05, 2015 5:39 PM
To: Patti Hart
Cc: Katie Coulborn
Subject: RE: Platinum Cars #V128-14 and CUP #022-14
Attachments: Platinum Cars 003.jpg, Platinum Cars 001.jpg, Platinum Cars 002.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Hey Katie!

Thank you for the time that you spent with me late today regarding the variance request(s) for Platinum Cars. I own the two condos right next to these people (on the end of our building) and have attached photographs of the back of their "building" that is adjacent to our property.

I can also speak for the other owners of townhouses in the building located at 100 Churchill Court, Woodstock, Georgia.

We are very concerned about the following problems with the Platinum Car people:

1. The structure behind their main building is very unsightly as you can see, and is seriously devaluing our property values;
2. They park cars all up and down the street (usually right in front of our building);
3. They paint and work on cars behind the "tarp" you see in the photos, which makes noise and is also a health hazard;
4. We can smell fumes very frequently coming from their buildings;
5. They play really loud music at times;
6. At night, members of their staff have been witnessed lurking around the area between cars in the roadway and
7. Of great concern is the fact that the weight of all of the structures and equipment placed by them at or near our retaining wall may destroy the integrity of the wall, causing eventual collapse or other structural damage.

Please let Ms. Katie Coulborn know about these problems and contact me at her earliest convenience.

I have no problem with Platinum Cars running a business, but I do have a problem with them doing so at the expense of their neighbors and the community in general.

You can contact me at (770) 517-0017.

Thank you for your time and effort.

Robert Speer
The Magic Lawyer®

www.themagiclawyer.com

xc: (1) Ian Lindsay, Andrew Lindsay, Astra Group

(2) Ben Foster

From: pdhart@woodstockga.gov
To: speerlaw@hotmail.com
CC: kcoulborn@woodstockga.gov
Subject: Platinum
Date: Thu, 5 Mar 2015 21:49:52 +0000

This email has been scanned for email related threats and delivered safely by Mimecast
For more information please visit [http //www mimecast com](http://www.mimecast.com)

Attachment: Speer Letter 3.5.15 (letter from neighboring property owner) (3322 : V#128-14 and CUP#022-14 Platinum Cars, Inc)



PERMETER SURVEILLANCE BY CAMERAS

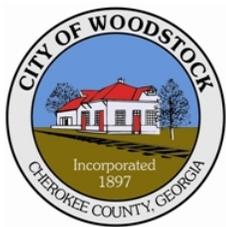
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City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

ORDINANCE (ID # 3324)

Public Hearing and Vote: LDO Chapter II Definitions and LDO Chapter VII Senior Living

Presented by:

Summary:

The City Council of the City of Woodstock is proposing revisions to the Land Development Ordinance Chapter VII Performance Zoning Standards Section 7.740 Specific Standards for Senior Living and Chapter 2 Definitions.

Recommendation:

Hold Public Hearing as advertised.

Vote for approval or denial of LDO CH II Definitions text amendments as presented.

Vote for approval or denial of LDO CH VII Senior Living text amendments as presented.

Budget Information:

Supporting Documents:

- text amendment to LDO Chapter II, Definitions.Council 3.23.15 (DOCX)
- text amendment to LDO Chapter VII Senior Living.Council3.23.15 (DOCX)
- Ordinance for Chapter II 3.23.15.Draft(3) (RTF)
- Ordinance for ChapterVII Senior Living 3 23 15 Draft(3)ELB revised (RTF)
- 03.05.15 PC Minutes.DRAFT (PDF)

Reviews / Approvals

Community Development	Completed	03/17/2015 2:36 PM
City Clerk	Completed	03/17/2015 9:17 AM
Jeff Moon	Completed	03/17/2015 2:36 PM
Mayor and Council	Pending	03/23/2015 7:00 PM

**City of Woodstock
Ordinance# (ID # 3324)**

**PUBLIC HEARING AND VOTE: LDO CHAPTER II DEFINITIONS AND LDO CHAPTER VII
SENIOR LIVING**

See LDC Chapter II and Chapter VII Ordinances attached.

**Donnie Henriques, Mayor
City of Woodstock, Georgia**

Attest: _____
**Rhonda Pezzello, City Clerk
City of Woodstock, Georgia**

As approved this 3/23/2015th day of March, 2015

Evaluation Prepared by: Patti Hart
PC Meeting: March 5, 2014
Council Meeting: March 23, 2014

Agenda Item:

A text amendment to LDO Chapter VII Definitions

Summary:

Staff proposes the following changes to definitions associated with the Senior Living Ordinance in order to provide consistency with the State of Georgia definition of Assisted Living. The absence of this clarification could provide an avenue for developers to receive density bonuses for a product type that is little more than an age restricted multifamily product than a Senior Living Community in the intent of LDO Sec 7.740 Specific Standards for Senior Living.

In the following definition changes we intend to clearly establish “Assisted Living” as being eligible for density bonuses provided by LDO section 7.744 Residential Density Bonuses and “Independent Retirement Living”, if not provided in combination with assisted Living units (as provided in LDO Sec 7.744) as not eligible for density bonuses.

Proposed Changes:

Amend existing Assisted Living Definition;

Assisted Living: Multi-family housing including congregate and/or personal care services. licensed by the State of Georgia as a long –term care provider and commonly referred to as “assisted living community”. Assisted living goes by many names including nursing homes, personal care, residential care, or congregate care. The services offered vary widely, but frequently include core services, meals, housekeeping and transportation and often some assistance with laundry, grooming, medication management and other functions of daily living.

Strike Existing Independent Living Definition:

~~*Independent Retirement Living:* A facility, which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette. This commercial enterprise offers services of convenience including one (1) or two (2) meals daily, transportation and planned activities. Personal care is provided on a minimal basis.~~

Add New Independent Living Definition:

Independent Retirement Living – Senior adult housing which consists of attached independent living developments which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette, including retirement communities, age restricted housing, and active adult communities. These developments may include limited social or recreational services, but generally lack centralized dining and on site medical facilities or services.

Evaluation Prepared by: Patti Hart
PC Meeting: March 5, 2014
Council Meeting: March 23, 2014

Agenda Item:

A text amendment to LDO Chapter VII, Section 7.740 Senior Living

Summary:

7.741. - Purpose and Intent of Senior Living.

The regulations set forth in Senior Living are designed to “Locate these developments in areas where retail, professional, civic, and cultural uses are convenient for residents to access, preferably even when they can no longer drive.”. Staff is proposing changes to the Senior Living Ordinance, and associated definitions, to provide additional clarification regarding the services that would satisfy 7.745 Location Requirements for and SL-C as amended below;

1. SL-C must be located within a one-quarter-mile radius of commercial retail uses including but not limited to a minimum of two of the following: grocery stores, pharmacies, ~~and/or medical service facilities~~ Government Community Centers (including Senior Centers and Libraries) and Private Health Clubs. SL-C projects may be exempt from these requirements if these uses are provided on-site of an Assisted Living Community. Projects must also maintain the scale and intensity of surrounding uses.

Additionally, since ‘Full Care Facility’ is currently allowed under 7.505 Permitted and Prohibited Uses in Office Space and Institutional (OSI) with uncapped density, staff proposes removing it entirely from Sec 7.744 Residential Density Bonus. A full Service Care facility as defined by our code as follows; “*Full Care Facility*: Any facility that admits patients on medical referral only for continuous medical supervision and for skilled nursing care and rehabilitative care.” which is more institutional in nature, and a more appropriate fit in OSI.

The final change proposed is to add to Section 7.746 Site Planning Requirements language to clarify the intent to apply required buffers to abutting County properties with equal or less intense Zoning Classifications. The code currently only refers to specific City of Woodstock Zoning Classifications.

For example, currently SL-C requires a 25 foot buffer against City Zoning Classification R-1 which has a density of 2 units per acre, but not Cherokee County Zoning Classification of R-20 which is also 2 units an acre. With this change both R-1 and R-20 would require a buffer.

7.740. - Specific Standards for Senior Living.

7.741. - Purpose and Intent of Senior Living.

The regulations set forth in Senior Living are designed to:

1. Provide for the development of detached, attached, and multi-family dwelling units limited to those persons age fifty-five (55) and older as defined by the Fair Housing Act.
2. Locate these developments in areas where retail, professional, civic, and cultural uses are convenient for residents to access, preferably even when they can no longer drive.
3. Promote the concept of Aging in Place which provides a variety of living choices aimed at allowing residents to remain in their communities as they age. These include communities with a mix of housing type and size, active living communities, assisted living facilities and full care facilities.
4. Promote pedestrian safety by ensuring sidewalk-oriented buildings and attractive street-facing facades that foster pedestrian activity and liveliness.
5. Provide an adequate amount of meaningful open space within each development which creates areas for social interaction among neighbors, opportunities for recreation, and is easily accessible for all residents.

7.742. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 6, repealed § 7.742, which pertained to Definitions Related to Senior Living and derived from the publication of this Land Development Code.

7.743. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 7, repealed § 7.743, which pertained to Principal Permitted Uses and derived from the publication of this Land Development Code. Subsequently, said ordinance relocated former subsections 7.743(1)—(3) to § 7.301.

7.744. - Residential Density Bonus.

Density bonuses will be awarded to each Senior Living project which incorporates affordable units, assisted living units, and/or full care facilities. These bonuses are listed in the table and are based on a percentage of the total units by project, followed by a maximum allowed density in each subarea.

Density Bonus Table			
SENIOR LIVING Subareas			
	SL-A	SL-B	SL-C

Density Bonus Table			
SENIOR LIVING Subareas			
	SL-A	SL-B	SL-C
Base density	4	6	12
Affordable units (10%)*	2	2	8
Affordable units (30%)*	3	3	12
Affordable units (50%)*	4	4	18
Assisted living units (10%)*			8
Assisted living units (30%)*			12
Assisted living units (50%)*			18
Full care facility (100%)*			18
Maximum allowed density**	8	10	30
*Percentages are based on the total number of units in each development and are the minimum necessary to achieve bonus density.			
**Affordable and assisted living unit bonuses may be combined, but cannot exceed max density			

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7.745. - Location Requirements.

Any project in a SL category must adhere to the following location requirements. These requirements are calculated by measuring the walkable distance on an improved surface between the main entrance of the SL neighborhood or building to the front door of the commercial facility.

1. SL-A and SL-B must be located within a three-quarter-mile radius of commercial retail uses including but not limited to grocery stores, pharmacies, and/or medical service facilities. Projects must also maintain the scale and intensity of surrounding uses.
2. SL-C must be located within a one-quarter-mile radius of commercial retail uses including but not limited to a minimum of two of the following: grocery stores, pharmacies, ~~and/or medical service facilities~~ Government Community Centers (including Senior Centers and Libraries) and Private Health Clubs. SL-C projects may be exempt from these requirements if these uses are provided on-site of an Assisted Living Community. Projects must also maintain the scale and intensity of surrounding uses.

7.746. - Site Planning Requirements.

Senior Living Site Limits Table			
SENIOR LIVING Subareas			
	SL-A	SL-B	SL-C
Minimum lot width (feet)	35	16	N/A
Build-to line (feet)	Min - 5 Max - 20	Min - 5 Max - 10	Min - 5 Max - 10
Rear setback (minimum feet)	With alley - 0 No alley - 20	With alley - 0 No alley - 20	20
Side setback (minimum feet)	5	N/A	N/A
Buffer (feet)*			
R-1, R-2	N/A	25	25
R-3, R-4	N/A	N/A	N/A
OSI, NC, GC	N/A	N/A	N/A
LI, HI	50	50	50

*Buffers apply only on property lines contiguous to adjacent zoning categories and shall also apply to the closest compatible County Zoning Classification.

Any project in a SL category must adhere to each of the following site planning requirements:

1. The minimum requirement for open space shall be twenty (20) percent of the project area. Required infrastructure, detention facilities and mandatory stream buffers shall not be used in open space calculations. Not more than fifty (50) percent of the total open space requirement shall be provided in the form of private open space.
2. Each unit in SL-A and SL-B shall provide a minimum of one (1) parking space in a garage structure, not to exceed two (2) spaces. All garages must be accessed through the use of rear alleys.
3. No parking in SL-C shall be permitted between the building(s) and the main access street in order to facilitate pedestrian access to the street. Vehicular access to the building(s) shall be provided from the rear, side, underneath or a courtyard. In addition, a main pedestrian access to each building shall be provided on the side facing the street.

7.747. - Street Design Requirements.

1. In order to promote a safe pedestrian environment, street design shall accommodate the use of landscape strips, a minimum six-foot wide sidewalk on both sides of the street, and dedicated on-street parking areas where appropriate.
2. When a SL project fronts an existing street, the above requirements are to be applied along the existing street along the entire frontage of the property.

7.748. - Senior Living Zoning Category Requirements.

1. The total number of units zoned under any SL category shall not exceed more than twenty (20) percent of the total number of housing units within the City Limits. The number of units that may be zoned SL will be updated as needed by the City.
2. All SL developments shall have development plans approved by the City within eighteen (18) months of receiving SL zoning or it shall revert to the previous zoning category. At its discretion, City Council may grant extensions.
3. In order to promote a pedestrian friendly environment, the following overlay standards are expressly waived in favor of the requirements in the SL site limits table: lot sizes, lot widths, streetscape adjustments, setbacks, and buffers. Any overlay standards related to streetscape themes and architectural requirements shall be adhered to.

7.749. - Senior Living General Requirements.

1. All other sections of the City of Woodstock's Land Development Ordinance shall be enforced including but not limited to tree preservation, stream buffer requirements, engineering requirements, and signage regulations.
2. Upgrades to existing adjacent infrastructure shall be required including but not limited to the installation or upgrade of crosswalks and sidewalks, pedestrian signalization including count down timers and audio notification for the visually impaired, and/or wheelchair compatibility.
3. The exterior of each dwelling unit and other buildings shall be brick, cast stone, concrete siding such as Hardiplank, natural wood, hard coat stucco, and/or natural stone.
4. All residential units within SL shall incorporate applicable and "Easy Living Home" standards to include:
 - a. A step free entrance into the main floor at either the front or side of the structure, or through the garage;
 - b. A bedroom, kitchen, wheelchair friendly bathroom, and entertaining area all on the main floor;
 - c. Every interior door on the main floor provides a minimum thirty-two (32) inches of clear passage;
 - d. Blocking installed in the bathroom(s) on the main floor to facilitate the future addition of handrails or similar accessibility features.

**ORDINANCE
CITY OF WOODSTOCK, GEORGIA**

AN ORDINANCE AMENDING CHAPTER II OF THE LAND DEVELOPMENT
ORDINANCE OF THE CITY OF WOODSTOCK, GEORGIA

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the "City") is a municipality duly formed and existing pursuant to Georgia Law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self-government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the City Council of the City of Woodstock, Georgia desires to replace the existing **Chapter II Definitions** of the Land Development Ordinance, City of Woodstock, Georgia with a new Chapter II as set forth herein; and

Whereas, the purpose of this revision is to define Assisted Living in accordance with the state definition and to revise the definition of Independent Retirement Living to better differentiate it from the Assisted Living definition.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL ORDAINS, by the lawful authority vested in them as follows:

Section 1.

Chapter II Definitions of the Land Development Ordinance of the City of Woodstock, Georgia is hereby repealed in its entirety and a new **Chapter II Definitions** as more particularly set forth on Exhibit "A" attached hereto and made a part hereof by reference is hereby inserted in lieu thereof.

¹ Ga. Const. 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

"The General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly."

² O.C.G.A. §36-35-3(a) provides as follows:

"(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable hereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code Section. This Code Section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6."

Section 2.

The City Clerk is hereby authorized and directed to incorporate the provisions of the new **Chapter II** as set forth on Exhibit "A" attached hereto into the Land Development Ordinance for the City of Woodstock, Georgia replacing the existing **Chapter II**.

Section 3.

Repeal of conflicting Ordinances. Any and all ordinances, resolutions, or regulations, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Severability. If any sentence, clause, part, paragraph, section, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole or any other part hereof shall not be affected.

Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 23rd DAY OF March, 2015.

First Reading Date: ____ March 23rd ____

Public Hearing Date: ____ February 10, 2015 ____

Public Hearing Advertised: ____ March 23, 2015 ____

Final Adoption Date: ____ March 23, 2015 ____

DONNIE HENRIQUES,
MAYOR CITY OF WOODSTOCK,
GEORGIA

RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK

EXHIBIT "A"
CHAPTER II
OF LAND DEVELOPMENT ORDINANCE
Land Development Ordinance
Chapter II. Definitions

For the purpose of this Ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words used in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, association, governmental body, corporation and all other legal entities. The term "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied." The masculine gender includes the feminine and neuter. Where requirements are set based on number of days, days are computed based on the calendar, except that when the final date falls on a weekend or holiday, the day due shall continue until the next regular working day.

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout the Ordinance. Terms not herein defined shall be as defined elsewhere in the Ordinance, or as defined in Webster's New World Dictionary of the American Language-Second College Edition and shall have the meaning customarily assigned to them.

Access: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

Accessory Building: A subordinate Building, the use of which is incidental to that of a main Building and is located on the same Lot therewith.

Accessory Dwelling Unit: A dwelling unit not greater than eight hundred fifty (850) square feet or forty (40) percent of the floor area of the primary dwelling unit, which ever is greater, located in an Outbuilding and located on the same lot with a single-family dwelling.

Accessory Use: A use customarily incidental, appropriate, and subordinate to the principal use of land or Building and located upon the same Lot therewith.

Accidental Discharge: A discharge prohibited by this article into the MS4 which occurs by chance and without planning or consideration prior to occurrence.

Addition (to an Existing Building): Any walled and roofed expansion to the perimeter of a Building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is New Construction.

Administrative Floodplain: Means any land area susceptible to Flooding, which would have one (1) percent probability of Flooding occurrence in any calendar year based on the basin being fully developed as shown on the projected future land use map.

Advertising: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural Structures or on buildings, Structures, milestones, signboards, billboards, wallboard, roofboard, frames, supports, fences, or other man-made Structure, and any such advertising is a Structure within the meaning of the word "Structure" as utilized in the Ordinance.

Advertising Sign or Structure: See Sign.

Affordable Unit: Units are defined as affordable when the total housing cost does not exceed thirty (30) percent of a household's income. Housing costs include rental expenditures or mortgage expenses. For the purposes of the density bonus units are defined as affordable when they are affordable to a household whose income is at or below fifty (50) percent of Cherokee County's median income as reported by the most recent survey provided by the U.S. Census Bureau. The affordable housing income threshold and associated housing cost shall be updated annually by the City based on U.S. Census Bureau data, U.S. Housing and Urban Development (HUD) data and existing mortgage financing conditions. Affordable units must be restricted as such for the lifetime of the unit and are available for sale or rent only to households whose income is at or below fifty (50) percent of Cherokee County's median income as reported by the most recent survey provided by the U.S. Census Bureau.

Aging in Place: The opportunity to live in a specific community for as long as possible. Aging in Place is facilitated by the presence of housing which meets the changing needs of an aging adult, provides transportation alternatives, opportunities for exercise and physical activity and a vibrant community life which engages older residents with the community as a whole.

Alley: A service way providing a secondary means of access to abutting property and not intended for general traffic circulation.

Alteration of Building: Any change in the supporting members of a Building except such change as may be required for its safety; any addition to a building; or any change in use from that of one (1) district

classification to another or of a Building from one (1) location to another.

Animal Clinic: A place where dogs, cats, birds or other animals normally kept as household pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Apartment Building: A Structure containing three (3) or more Dwelling Units.

Appeal: Means a request for a review by the Woodstock City Council of an interpretation of any provision of this Ordinance or a request for a variance.

Applicant: Any person making a request to the City for any approval, permit or authorization under the procedures contained in this Ordinance.

Area of Shallow Flooding: Means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with Base Flood depths from one (1) to three (3) feet and/or where a clearly defined channel does not exist, where the path of Flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area(s) of Special Flood Hazard(s), or Special Flood Hazard Area(s) (SFHA) or Special Flood Hazard(s): Means the land subject to a one (1) percent or greater chance of Flooding in any given year. This includes all Floodplain and Flood prone areas at or below the Base Flood Elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all Floodplain and Flood prone areas at or below the Future Conditions Flood Elevation, and all other Flood prone areas as referenced in Chapter XIII of this ordinance. All Streams with a drainage area of one hundred (100) acres or greater shall have the Area of Special Flood Hazard delineated.

Assisted Living: Multi-family housing including congregate and/or personal care services licensed by the State of Georgia as a long-term care provider and commonly referred to as "assisted living community". Assisted living goes by many names including nursing homes, personal care, residential care, or congregate care. The services offered vary widely, but frequently include core services, meals, housekeeping and transportation and often some assistance with laundry, grooming, medication management and other functions of daily living.

Automobile Filling Station: A Building or Lot having pumps and storage tanks at which fuels, oils or accessories for the use of motor vehicles are dispersed, sold or offered for retail sale and where repair service is incidental. (Gasoline service station.)

Automotive Repair Facility- Major: A facility performing major repair services for motor vehicles which require substantial replacement and/or repair of major components. Examples of major repair services include, but are not limited to, transmission repair/replacement, engine overhaul and radiator repair, along with body and paint repair. Any repair services to construction equipment, agricultural equipment, commercial highway tractors, or dump trucks shall be considered major automotive repair.

Automotive Repair Facility- Minor: A facility performing minor repair services for motor vehicles which require only brief adjustment and replacement of minor components. Examples of minor automotive repair services include, but are not limited to, tune-up, oil change, lubrication, brake repair, air conditioning system service, muffler replacement, tire repair and replacement, alignment, emissions testing, audio and alarm installation, custom accessories, minor scratch and dent repair, and glass repair or replacement.

Base Flood: The flood having a one (1) percent chance of being equaled or exceeded in any given year as established in the most recent FEMA Flood Insurance Study and Flood Insurance Rate Map.

Base Flood Elevation: Means the highest water surface elevation anticipated at any given point during the Base Flood.

Basement: Means that portion of a Building having its floor subgrade (below ground level) on all sides.

Best Management Practices (BMPs), Erosion Control: Erosion BMPs refer to sound conservation and engineering practices to prevent and minimize Erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the Commission as of January 1 of the year in which the Land Disturbing Activity was permitted.

Best Management Practices (BMPs), Stormwater: Stormwater BMPs refer to a wide range of management procedures, activities, and prohibitions or practices which control the quality and/or quantity of Stormwater Runoff and which are compatible with the planned land use. The term "properly designed" means designed in accordance with the specifications contained in the Georgia Stormwater Management Manual.

Block: A land area, which may consist of contiguous Lots, established by a recorded plat, and usually bordered by ways or spaces for public or common use.

Board: The Board of Natural Resources.

Boarding House: A Dwelling Unit other than a Hotel/Motel, where for compensation and by prearrangement for definite periods, meals or lodging and meals, are provided for five (5) or more persons who are not blood related.

Bond: A legal instrument with clause, which establishes a sum or money, fixed as a penalty, binding the parties to pay the same; conditioned, however, that the payment of penalty may be avoided by the performance by the part of certain acts.

Breakaway Wall: Means a wall that is not part of the structural support of the Building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the Building or the supporting foundation system.

Buffer, Erosion: The area of land immediately adjacent to the banks of State Waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Buffer, Stream (see also Stream Buffer): the area of land immediately adjacent to the banks of State Waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Buffer Area(s): A Buffer Area is a land area reserved to provide a visual and noise barrier, which is created by the use of planted or natural existing materials, alone or in combination with berms, fencing or walls. A Buffer Area shall be located on the outer perimeter of a Lot or parcel, extending from the Lot or parcel boundary line and shall be established independently of Building Setbacks. Building Setback requirements shall begin at the portion of a Buffer Area furthest from the property line such that the Buffer Area is not included within any area required for a Building Setback.

Building: Any permanent Structure attached to the ground, which has a roof and which is designed for the shelter, housing, or enclosure or persons, animals, or property of any kind.

Building Inspector: The legally designated Building Code and Inspection Official of the City of Woodstock, or his authorized representatives.

Building, Main or Principal: A Building in which is conducted the principal use of the Lot on which it is situated. In any resident district any dwelling shall be deemed to be a main Building of the Lot on which it is located.

Build-To Line: The Build-To Line is the line along which the building Street Facade is permitted to

be located. The distance between the Build-To Line and the nearest street curb is equal to the Sidewalk Area width requirements, except where Public or Private Open Space is adjacent to the Sidewalk Area, the Build-To Line shall extend around the perimeter of such Open Space Requirements include the minimum Street Facade Frontage of principal structures.

Campground: A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

Certified Personnel: A person who has successfully completed the appropriate erosion and sedimentation control certification course approved by the Commission.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

City of Woodstock Municipal Separate Storm Sewer System, or MS4: Any facility designed or used for collecting and/or conveying Stormwater, including but not limited to any roads with drainage systems, highways, City streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural Stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage Structures.

Clean Water Act: The Federal Water Pollution Control Act, (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Clinic—Medical: A Building or portion of a Building where patients are not lodged overnight, but are admitted for examination and treatment by a group of physicians or dentists practicing together.

Cluster Development: A residential Development which allows the Developer to develop Lots smaller than those specified in the zoning ordinance, provided the overall density and use is maintained. A variety of housing types may be utilized in a cluster Development (may utilize PUD zoning).

Club, Lodge: Buildings and facilities owned or operated by an association or persons for a social or recreational purpose.

Common Open Space: An area of land and/or water within a Subdivision or Development, which is designed and intended primarily for the use or enjoyment of residents, occupants and Owners within the project.

Commission: The State Soil and Water Conservation Commission.

Community Development Department: The City of Woodstock's Community Development Department (formerly known as the Planning and Economic Development Department).

Conditional Use: A use that generally would not be appropriate throughout a zoning district but which, if controlled as to visual appearance, number, area, height, location, or relation to abutting or nearby uses, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general welfare. Such uses may be permitted only in zoning districts specified in this Ordinance and are subject to conditions and approval by the Mayor and Council.

Condominium: A form of Ownership of less than the whole of a Building or system of Buildings under a statute, which provides the mechanics and facilities for formal filing, and recording of divided interests in real property, whether the division is vertical or horizontal.

Conservation Easement: An agreement between a land Owner and the City of Woodstock or other government agency or land trust that permanently protects Open Space or Greenspace on the Owner's land by limiting the amount and type of Development that can take place, but continues to leave the remainder of the fee interest in private Ownership.

Construction Activity: Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in Land Disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Conveyance: Stormwater features designed for the movement of Stormwater through the drainage system, such as concrete or metal pipes, ditches, depressions, swales, catch basins, curbs, gutters, storm drains, etc.

CPESC: Certified Professional in Erosion and Sediment Control with current certification by Certified Profession in Erosion and Sediment Control Inc., a corporation registered in North Carolina, which is also referred to as CPESC or CPESC, Inc.

Crosswalk: A right-of-way within a block dedicated to public use, intended primarily for pedestrian use, and designed to provide access to adjacent roads and Lots.

Customary Home Occupation: An occupation, profession or trade customarily carried on by an occupant in a Dwelling Unit as a secondary use which is clearly incidental to the Dwelling Unit for residential purposes.

Cut: A portion of and surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as excavation.

Cutting: The removal of any soil or other solid material either organic or inorganic from the natural ground surface. Also known as excavating.

Day Care Center: Any establishment operated by an individual, partnership, society, agency, corporation, institution or group, and licensed by or registered with the State of Georgia as a group day care home or day care center, which enrolls therein for pay, for supervision and care, seven (7) or more children or adults. Such facility may provide supervision, care, education, recreation and specialized programming but does not provide overnight accommodations.

Density: The number of Dwelling Units per acre of land. Gross density refers to the number of units per acre of the total land area to be developed. Net density refers to the number of units per acre of land devoted to residential use. In no case shall the maximum density for the Development exceed the density permitted in the zoning district.

Department: The Department of Natural Resources.

Design Manual, Stormwater Management: The current version of the Georgia Stormwater Management Manual (GSMM) will provide the primary guidance for the design and evaluation of Stormwater Management Facilities in the City of Woodstock. A copy of the GSMM can be viewed in the Department of Public Works or can be accessed at www.georgiastormwater.com.

Design Professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a CPESC with a current certification.

Design Standards: The specifications to land Owners or subdividers for the preparation of Plats, both preliminary and final indicating among other things, the optimum, minimum, or maximum dimensions of such items as Right-Of-Way, Blocks, Easements, and Lots.

Designated Hazardous Waste: Any solid waste identified as such in regulations promulgated by Georgia Department of Natural Resources Board. The Board may identify as designated hazardous waste any solid waste which the Board concludes is capable of posing a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed, based on the factors set forth in regulations promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal act which are codified as 40 C.F.R. Section

261.11(a)(3), in force and effect on February 1, 1996, if such solid waste contains any substance which is listed on any one (1) or more of the following lists:

1. List of Hazardous Constituents, codified as 40 C.F.R. Part 261, Appendix VIII, in force and effect on February 1, 1996;
2. Ground-water Monitoring List, codified as 40 C.F.R. Part 264, Appendix IX, in force and effect on February 1, 1996;
3. List of Hazardous Substances and Reportable Quantities, codified as 40 C.F.R. Table 302.4, and all appendices thereto, in force and effect on February 1, 1996;
4. List of Regulated Pesticides, codified as 40 C.F.R. Part 180, in force and effect on February 1, 1996;
5. List of Extremely Hazardous Substances and Their Threshold Planning Quantities, codified as 40 C.F.R. Part 355, Appendix A, in force and effect on February 1, 1996; or
6. List of Chemicals and Chemical Categories, codified as 40 C.F.R. Part 372.65 in force and effect on February 1, 1996.

Designated Recycling Collection Location: Metal or heavy-duty plastic containers, bins or dumpsters designed for short-term holding of recyclable items such as tin, aluminum, glass and paper (no perishable or food items allowed) for scheduled minimum monthly pickup with no on-premise sorting. The center must be maintained in a safe, clean and sanitary fashion and shall be visually screened and maintained and shall be within the Building Setbacks.

Detention: The temporary storage of Stormwater Runoff in a Stormwater Management Facility for the purpose of controlling the peak discharge.

Detention Facility: A detention basin or Structure designed for the detention of Stormwater Runoff and gradual release of stored water at controlled rates.

Developer: A person who undertakes Land Development Activities.

Development: Means any man-made change to improved or unimproved real estate, including but not limited to, Buildings or other Structures, mining, dredging, filling, clearing, grubbing, grading, paving,

any other installation of Impervious Cover, excavation or drilling operations, or permanent storage of materials or equipment.

Development Activity: Manmade change to improved or unimproved real estate, including, but not limited to, Buildings or other Structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

Development Plats—Preliminary and Final Preliminary: A tentative drawing or map of a proposed Subdivision meeting requirements herein enumerated and showing the proposed layout in sufficient detail, although not completely computed, to indicate unquestionably its workability.

Development Process Committee: Means the committee composed of those staff members responsible for Development within the City. Specifics of this committee are located in Chapter X of this Ordinance.

Director: The Director of the Environmental Protection Division of the Department of Natural Resources.

Discharge: The release of treated or untreated Stormwater Runoff or other material to the City of Woodstock MS4.

District: The Limestone Valley Soil and Water Conservation District.

District Zoning: A section or sections of the City of Woodstock for which the zoning regulations governing the use of Buildings and premises, the size of Yards, and the intensity of use are uniform.

Division: The Environmental Protection Division (EPD) of the Department of Natural Resources.

Downtown District: The area approved on the accompanying Downtown District Subarea Map, which includes areas surrounding the intersection of Towne Lake Parkway and Arnold Mill Road and Main Street.

Downtown District Regulating Plan: The Downtown District Regulating Plan is a supplement to the Official Zoning Map and shall only apply to the Downtown District and identifies street types for the purposes of regulating street and Sidewalk Area requirements.

DPW: The City of Woodstock Department of Public Works.

Drainage Easement: An Easement appurtenant or attached to a Tract or Parcel of land allowing the Owner of adjacent tracts or other persons to discharge Stormwater Runoff onto the Tract or Parcel of land subject to the Drainage Easement.

Drainage Structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one (1) place to another by intercepting the flow and carrying it to a release point for Stormwater Management, drainage control, or Flood control purposes.

Drainage System: A conveyance or system of conveyances designed and used for collecting or conveying Stormwater Runoff.

Dwelling Unit: One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for residential purposes with provision for cooking, eating and sleeping and physically set apart from any other rooms or dwelling areas in the same Structure or another Structure.

Easements: A grant by a property Owner for the use of a strip of land by an individual, company or agency for a specified purpose.

Easy Living Standards: Building guidelines developed by the Easy Living Home Coalition to insure that a house can remain accessible to a homeowner should they ever face a short or long term disability. These standards include:

- a. A step free entrance into the main floor at either the front or side of the structure, or through the garage;
- b. A bedroom, kitchen, wheelchair friendly bathroom, and entertaining area all on the main floor;
- c. Every interior door on the main floor provides a minimum thirty-two (32) inches of clear passage;
- d. Blocking installed in the bathroom(s) on the main floor to facilitate the future addition of handrails or similar accessibility features.

Elevated Building: Means a non-Basement Building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls anchored so as not to impair the integrity of the Building during a Base Flood event.

Enforcement Officer: The City of Woodstock Building Inspector or such person designated by the City Council to be responsible for enforcing the provisions of the Ordinance.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and Sedimentation Control Plan: A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum, protections at least as stringent as the State General Permit, BMPs, and requirements in Chapter IV, Section 4.400, paragraph 3 of this Ordinance.

Existing Construction: Any Structure for which the "start of construction" commenced before December 11, 1986, the effective date of the first FIRM map published for the City of Woodstock.

Existing Grade: The vertical location of the existing ground surface prior to Cutting or Filling.

Existing Manufactured Home Park or Subdivision: Means a manufactured home park or Subdivision for which the construction of facilities for servicing the Lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 11, 1986, the effective date of the first FIRM map published for the City of Woodstock.

Expansion to an Existing Manufactured Home Park or Subdivision: Means the preparation of additional sites by the construction of facilities for servicing the Lots on which the Manufactured Homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Extended Detention: The detention of Stormwater Runoff for an extended period, typically twenty-four (24) hours or greater.

Extreme Flood Protection: Measures taken to prevent adverse impacts from infrequent storm events with a return period of one hundred (100) years or more.

Family Care Facility: A facility, which provides resident service in a private residence to six (6) or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled or in need of adult supervision and are provided service and supervision with their individual needs. This category includes foster or boarding homes for children, group homes, and family homes.

Farmlands: Land areas of at least five (5) acres in size on which Land Disturbing Activities are not

undertaken for the purpose of raising crops or livestock. The purpose of this definition is not to include home gardens.

Fee Simple: Absolute title to land, free of any other claims against the title, which one can sell or pass to another by will or inheritance.

FEMA: Means the Federal Emergency Management Agency.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

Filling: The placement of any soil or other solid material either organic or inorganic on a natural ground surface or an excavation.

Final Stabilization: A term that refers to when (1) all soil disturbing activities at the site have been completed, and (2) for all unpaved areas, areas not covered by permanent structures, and areas located outside the waste disposal limits of a landfill cell that has been certified by the Division for waste disposal, one hundred (100) percent of the soil surface is uniformly covered in permanent vegetation with a density of seventy (70) percent or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) are in place. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.

Finished Grade: The final grade or elevation of the ground after Cutting or Filling and conforming to the proposed design.

Flood or Flooding: Means a general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM): Means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of Special Flood Hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM): Means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of Special Flood Hazard and the risk premium zones applicable to the community. This definition also includes Digital Flood Insurance Rate

Maps (DFIRMs).

Flood Insurance Study (FIS): Is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the Base Flood.

Floodplain: Any land areas susceptible to Flooding, which would have at least a one (1) percent probability of Flooding occurrence in any calendar year based on the basin being fully developed as shown in the current land use plan.

Floodplain, Administrative: Means any land area susceptible to Flooding, which would have at least a one (1) percent probability of Flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan.

Floodplain Management Plan: As specified in Chapter XIII, a Floodplain Management Plan (FMP) must be submitted with the stamp and signature of a Professional Engineer (PE) licensed in the state of Georgia, who will verify that all designs are consistent with the requirements of Chapter XIII. The FMP shall generally include, but not be limited to, the following: plans drawn to scale of the site in question and the nature, location, and dimensions of existing or proposed Structures, earthen fill placement, storage of materials or equipment, and drainage and Stormwater Management Facilities.

Floodproofing: Means any combination of structural and non-structural additions, changes, or adjustments to Structures which reduce or eliminate Flood damage to real estate or improved real property, water and sanitary facilities, Structures and their contents.

Floodway or Regulatory Floodway: Means the channel of a Stream or other watercourse and the adjacent land areas of the Floodplain which is necessary to contain and discharge the Base Flood flow without cumulatively increasing the Base Flood Elevation more than one (1) foot.

Floor: Means the top surface of an enclosed area in a Building (including Basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Frontage: All the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of a street, or if the street is deadended then all the property abutting on one (1) side between an intersecting street and the dead end of the street.

Full Care Facility: Any facility that admits patients on medical referral only for continuous

medical supervision and for skilled nursing care and rehabilitative care.

Functionally Dependent Facility: Means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Future Conditions Flood: Means the Flood having a one (1) percent chance of being equaled or exceeded in any given year based on Future Conditions Hydrology. Also known as the one hundred-year Future Conditions Flood.

Future Conditions Flood Elevation: Means the Flood standard equal to or higher than the Base Flood Elevation. The Future Conditions Flood Elevation is defined as the highest water surface anticipated at any given point during the Future Conditions Flood.

Future Conditions Floodplain: Means any land area susceptible to Flooding by the Future Conditions Flood.

Future Conditions Hydrology: The hydrologic response of a basin in terms of peak flows, hydrographs, and runoff volumes based on the basin being fully developed (full build-out) as shown on the current version of the City of Woodstock future land use map.

Give-Way Street: A narrow residential street that has two (2) travel lanes and allows on-street parking such that vehicles must yield to oncoming traffic.

Grading: Altering surfaces to specified elevations, dimensions, and/or slopes; this includes stripping, Cutting, Filling, stockpiling and shaping or any combination thereof and shall include the land in its Cut or Filled condition.

Greenspace (also see "Open Space"): Permanently protected areas of the site that are preserved in a natural state.

Ground Elevation: The original elevation of the ground surface prior to Cutting or Filling.

Group Care Facility: A facility, which provides resident services to seven (7) or more individuals for whom one (1) or more are unrelated. These individuals are handicapped, aged, or disabled, are undergoing rehabilitation, or in need of adult supervision and are provided service in accordance with their individual needs. This category includes uses, licensed or supervised by the Federal, State, or County

health/welfare agency, such as group homes (all ages), halfway houses, resident facilities, and foster or boarding homes.

Group Home: A dwelling shared by four (4) or fewer persons, excluding resident owner, (or no more than six (6) persons including the resident owner), who live together as a single housekeeping unit and in a long term, family like environment in which the resident owner, serving as the primary caregiver to the residents, provides care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential,

1.

No group home shall be located within two thousand (2,000) feet of another group home as measured at the property line.

2.

A group home shall be limited to one (1) structure and multiple structures located near one (1) another shall not be considered components of one (1) group home. Each structure shall meet distance requirements.

The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, a work release facility for convicts or ex-convicts, a home for detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in custody of the state, or other housing facilities serving as an alternative to incarceration. The term group home shall also not allow the use of a dwelling as an apartment or duplex. A group home shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. § 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. § 42-1-12. A group home may include a home for the handicapped. As used in this subsection, the term "handicapped" shall mean:

1.

Having a physical or mental impairment that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently.

2.

Having a record of having such an impairment; or

3.

Being regarded as having impairment.

However, the term handicapped shall not include current illegal use of or addition to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

Habitable Space: Covered and conditioned building floor area utilized for any principal permitted use except parking, storage, digital industry switchboards, power generators, and other relay equipment.

Health Inspector: The legally designated County Health Sanitarian of the Cherokee County Health Department, or his authorized representatives.

Height of Building: The vertical distance measured from the mean finished ground level adjoining the Building to the highest point of the roof.

Highest Adjacent Grade: Means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a Building.

Historic Structure: Means any Structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district.
3. Individually listed on a State Inventory of Historic places in States with Historic Preservation Programs which have been approved by the Secretary of the Interior, or;
4. Individually listed on a local inventory of historic places in communities with historic Preservation programs that have been certified either:
 - a. By an approved State Program as determined by the Secretary of the Interior, or;
 - b. Directly by the Secretary of the Interior in States without approved programs.

Historic Zone: An area shown on the Downtown District Subareas Map, which has specific requirements that supersede certain other requirements of the Downtown District as amended.

Hotel/Motel: A Building in which lodging, or food and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms are made through an inside

lobby and office supervised by a person in charge at all hours. A hotel is open to the transient public and is thus differentiated from a boarding house or a rooming house which are herein separately defined.

Hotspot: An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in Stormwater. Examples of Stormwater hotspots include: gas/fueling stations, vehicle maintenance areas, vehicle washing/steam cleaning, auto recycling facilities, outdoor material storage areas, loading and transfer areas, landfills, Construction sites, Industrial sites, and Industrial rooftops.

Hydrologic Soil Group (HSG): A Natural Resource Conservation Service classification system in which soils are categorized into four (4) runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Illegal Connection: Means either of the following:

1.

Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-Stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by the DPW; or

2.

Any pipe, open channel, drain or conveyance connected to the City MS4 which has not been documented in plans, maps, or equivalent records and approved by the DPW.

Illicit Discharge: Any direct or indirect non-Stormwater discharge to the City of Woodstock MS4 except as exempted in this ordinance.

Impervious Cover: A surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and most concrete or asphalt surfaces.

~~*Independent Retirement Living:* A facility, which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette. This commercial enterprise offers services of convenience including one (1) or two (2) meals daily, transportation and planned activities. Personal care is provided on a minimal basis.~~

Independent Retirement Living – Senior adult housing which consists of attached independent living developments which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette, including retirement communities, age restricted housing, and active adult communities. These developments may include limited social or recreational services, but generally lack centralized dining and on site medical facilities or services.

Individual Sewage Disposal System: A septic tank, seepage tile sewage disposal system, or any other sewage treatment device other than a public treatment system approved by the Cherokee County Health Department.

Industrial Stormwater Permit: A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries as defined in 40 C.F.R. Section 122.26(b)(14) which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration: The process of percolating stormwater runoff into the subsoil.

Inspection and Maintenance Agreement: A written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land Development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land Development project.

Interior Island: A minimum one hundred sixty-two (162) square foot curbed area that includes a canopy tree and no impervious surface.

Issuing Authority: The Woodstock Community Development Department and the Public Works Department are a joint issuing authority and are certified pursuant to subsection (a) O.C.G.A. § 12-7-8.

Junk Yard: Any use involving the storage or disassembly of wrecked automobiles, trucks, or other vehicles or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof; the keeping, abandonment, sale or resale of junk including scrap metal, used paper, or other scrap material, salvaged house wrecked an structural steel materials and equipment; storage, baling or otherwise dealing in bones, animal hides, used cloth or rags, used plumbing fixtures, appliances, furniture, and used brick, wood or other building.

Jurisdictional Wetland: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land Development: Any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land Development Activity: Those actions or activities which comprise facilitate or result in Land Development.

Land Disturbance: Any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filing of land, that does not involve construction, paving or any other installation of impervious cover.

Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into State Water or onto lands within the State, including but not limited to, clearing, dredging, grading excavating, transporting and Filling of land but not including agricultural practices as described in Chapter IV, Section 4.300, paragraph 5, of this Ordinance.

Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one (1) plan of Development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, Lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Limited Use: Principal permitted uses subject to the following additional requirements:

1. The floor area of an individual tenant or business shall be located at street intersections and not exceed three thousand (3,000) square feet and shall have a minimum of twenty (20) feet of Street Facade along both Build-To Lines.
2. Uses are limited to bakery—no distribution, barber and beauty shop, coffee shop/cafe, deli, dry cleaning—pick-up/drop-off, grocery with general merchandise store combination, ice cream and yogurt, library branch, newsstand, restaurant/cafe—no alcohol except beer and wine sales, shoe repair, and tailor.
3. Limited Uses are restricted to the sidewalk level of a building, and are only permitted when said building includes two (2) or more stories of dwelling units directly above said

use.

Loading Space: A space within the main Building or on the same Lot therewith, providing for the standing, loading, or unloading of a vehicle.

Local Issuing Authority: The governing authority of any county or municipality which is certified pursuant to O.C.G.A. § 12-7-8(a).

Local Planning Commission: The Woodstock Municipal Planning Commission.

Lot: A piece, parcel, or plot of land in one (1) Ownership, which may include one (1) or more Lots of Record, occupied or to be occupied by one (1) principal Building and its accessory buildings including the Open Space required under this Ordinance.

Lot Area: The total surface area of land included within Lot lines.

Lot—Corner: A Lot of which at least two (2) adjoining sides about their full lengths on a street, provided that the interior angle at the intersection of two (2) such sides is less than one hundred thirty-five (135) degrees.

Lot Depth: The average distance from the street line of the Lot to its rear line, measured in their general direction of the side lines of the Lot.

Lot—Double Frontage: A Lot other than a corner Lot abutting two (2) streets.

Lot Frontage: That dimension of a Lot or portion of a Lot abutting on a public street.

Lot—Interior: A Lot other than a corner Lot.

Lot Lines: The boundary dividing a given Lot from the street, an alley, or adjacent Lots.

Lot of Record: A Lot which is part of a Subdivision recorded in the Superior Court Clerk's Office, or a Lot described by metes and bounds, the description of which has been recorded in the Superior Court Clerk's Office prior to the date of passage of the Ordinance.

Lot Width: The width of a Lot at the Building Setback line measured at right angles to the centerline of its depth.

Lowest Floor: Means the lowest floor of the lowest area, including Basement. An unfinished or

flood resistant enclosure, used solely for parking of vehicles, Building access, or storage, in an area other than a Basement, is not considered a Building's lowest floor, provided that such enclosure is not built so as to render the Structure in violation of other provisions of this code.

Maintenance: Any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this article or to prevent structural failure of such facilities.

Manufactured Home: Means a building, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable Structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.

Mean Sea Level: Means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the Floodplain. For purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A § 12-5-440 et seq. which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Mini-Warehouse: A Building in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for storing the excess personal property of an individual or family when such is not with their residence, such as a passenger motor vehicle, house trailer, motorcycle, boat, camper, furniture, limited commercial storage (items of local retail merchants, small contractors, and professionals), and other items of personal property generally stored in residential accessory Structures. No business activities other than the rental of storage units shall be conducted on the premises.

Minimum Floor Elevation: The lowest elevation permissible for the construction, erection, or other placement of any floor including a Basement floor.

Mobile Home Park: A plot of ground upon which two (2) or more mobile homes occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodations.

Mobile Home Space: A plot of ground within a Mobile Home Park designated for the

accommodation of not more than one (1) mobile home of single-family occupancy.

Modular Home: A factory fabricated dwelling over thirty-two (32) feet in length and at least twenty-four (24) feet wide designed and constructed without carriage or hitch collar as stationary house construction for placement upon permanent foundation, to be permanently connected to utilities, for year-round occupancy. It can consist of two (2) or more components that can be separated when transported by designed to be joined into one (1) integral unit. Modular homes shall meet the minimum standards for house construction as specified in the Southern Standard Building Code, the FHA-Minimum Property Standards, the State Factory Built Housing Rules, and have a roof with at least a 3/12 pitch.

National Geodetic Vertical Datum (NGVD): As corrected in 1929, National Geodetic Vertical Datum refers to a vertical control used as a reference for establishing varying elevations within the Floodplain.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by the Georgia EPD under authority delegated pursuant to 33 U.S.C. § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area wide basis.

Natural Ground Surface: The ground surface in its original state before any grading, excavation or Filling.

Nephelometric Turbidity Units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.

New Construction: Any Structure for which the "start of construction" commenced after December 11, 1986, the effective date of the first FIRM map published for the City of Woodstock. The term also includes any subsequent improvements to such Structures.

New Development: A Land Development Activity on a previously undeveloped site.

New Manufactured Home Park or Subdivision: Means a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the Lots on which the Manufactured Homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Floodplain management regulations adopted by a community.

NOI: Notice of Intent form provided by the Division for coverage under the State General Permit.

NOT: Notice of Termination form provided by the Division to terminate coverage under the State General Permit.

Non-Conforming Use: The use of a Building, or land existing at the time of enactment of this Ordinance or subsequent amendment which does not conform to the regulations for the district in which it is located.

Non-Point Source Pollution: A form of water Pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of Pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, Stormwater Runoff, and leaching. Non-Point Source Pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Non-Stormwater Discharge: Any discharge to the storm drain system that is not composed entirely of Stormwater.

Non-structural Stormwater Management Practice, or Nonstructural Practice: Any natural or planted vegetation or other nonstructural component of the Stormwater management report that provides for or enhances Stormwater quantity and/or quality control or other Stormwater management benefits, and includes, but is not limited to, preservation and enhancement of riparian buffers, open and Greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

North American Vertical Datum (NAVD) of 1988: Means the vertical control used as a reference for establishing varying elevations within the Floodplain.

Noxious Matter: Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms, chemical reactions, or detrimental effects on the social, economic, or psychological well-being of individuals.

Off-Site Stormwater Facility: A Stormwater Management Facility located outside the boundaries of the site.

Off-Street Loading Space: The area required to load or unload goods or other material plus the necessary driveways and maneuvering area.

On-Site Stormwater Facility: A Stormwater Management Facility located within the boundaries of the site.

Open Space: Private Open Space and Public Open Space appropriately improved for pedestrian use and amenity and not including areas used for vehicles, except for incidental service, maintenance or emergency actions only. Open Space shall be exterior and computed as the total square footage of said spaces.

1.

Private Open Space: Open Space that is private courtyards, lawns, gardens, terraces, or balconies, which restrict access to residents of adjacent development.

2.

Public Open Space: Park, Plaza, or Greenway Trail that is open to the public during normal City of Woodstock park hours and Sidewalk Area requirements located on private property.

3.

Park: A Public Open Space that provides recreation amenities and gathering places. A Park shall have streets along a minimum of fifty (50) percent of its perimeter and shall have no more than twenty (20) percent of its area covered with impervious surfaces, with the exception of Greenway Trails.

4.

Plaza: A Public Open Space that is available for civic and commercial activities, but may have access limited for the purposes of providing outdoor dining areas. A Plaza shall have streets along a minimum of fifty (50) percent of its perimeter and a landscape consisting of durable pavement, trees and other plant materials.

Operator: The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day to day operational control of those activities that are necessary to ensure compliance with a stormwater pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the Erosion and Sedimentation Control Plan or to comply with other permit conditions.

Outbuilding: An ancillary building located towards the rear of the same lot containing a single-family dwelling or Townhouse. It may be connected to such dwelling by an unheated walkway or breezeway. Outbuildings shall not exceed eight hundred fifty (850) square feet of habitable space, excluding garages, nor shall they exceed thirty-five (35) feet in height or the height of the principal structure, whichever is less.

Outfall: The location where stormwater, in a discernible, confined and discrete conveyance, leaves a facility (or site) or, if there is receiving water on site, where stormwater becomes a point source discharging into that receiving water.

Overbank Flood Protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-bank Flooding (i.e., flow events that exceed the capacity of the channel and enter the Floodplain). These measures need to provide peak discharge control of the two (2) through a twenty-five-year storm event such that the Post-Development peak rate does not exceed the Pre-Development rate to reduce overbank Flooding.

Owner: Means the legal or beneficial Owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, leasee or other person, firm or corporation in control of the site.

Owner(s) of Record: The Owner(s) of property as specified on the deed of the Lot of record.

Parcel: Any lot, Lot or acreage shown as a unit on the latest City tax assessment records.

Parking, Commercial: An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than twenty-four (24) hours for a fee, operated as the principal use of the property or structure.

Parking Lot: An off-street facility including parking spaces along with adequate provisions for drives and aisles for maneuvering and getting access, and for entrance and exit designed so as to be usable.

Parking Space: An off-street space available for parking one (1) motor vehicle and having an area of not less than two hundred (200) square feet exclusive of passageways and driveways giving access thereto, and having direct access to a street or alley.

Patio House: A single-family dwelling in which most, or all, of a Lot is used with yard space combined instead of divided. Front, rear, and side yards are consolidated into one (1) garden area, either partially or completely bordered by rooms or enclosed by walls.

Percentage or Grade: On street center line, means the distance vertically (up and down) from the horizontal in feet and tenths of a foot for each one hundred (100) feet of horizontal distance.

Permit: The Permit, issued by the Development Process Committee required for undertaking any Land Development and/or Land-Disturbing Activity in the City.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, State agency, municipality or other political subdivision of this State, any interstate body, or any other legal entity.

Pervious Material: Any material allowing the passage of water from the surface into the water table. Pervious materials can be concrete pavers or a variety of commercially available products. Gravel shall not be counted as a pervious material.

Phase or Phased: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Planned Street: Proposed new streets as indicated on the Downtown District Regulating Plan.

Plat—Final: The final map or drawing and accompanying materials, described in this Ordinance, on which the subdivider's plan of the Subdivision is presented to the Planning Commission for approval and which, if approved by the Commission is recorded in the Office of the Clerk of Superior Court.

Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animals wastes; wastes and residues that result from constructing a building or Structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution: The contamination or other significant alteration of any water's physical, chemical or biological properties, including change in temperature, taste, color, turbidity, or odor of such waters or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to render such waters harmful, detrimental or injurious to the public health, safety or welfare or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Post-Development: The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the Land Development Activity on a site as the context may require.

Pre-Application Review: An initial and informal stage of Subdivision review at which the Developer may make known preliminary plan proposals and the City Planning staff or the Planning

Commission may respond and/or advise the Developer concerning the Subdivision regulations.

Pre-Development: The time period, or the conditions that existed, on a site prior to any Land Development and equivalent to the original hydrologic conditions (e.g., natural forest in good condition).

Premises: Any Building, Lot, Parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Principal Use: The specific primary purpose for which land or Building is used.

Private: Property or facilities owned by individuals, corporations, and other organizations and not by city, county, state or federal government or any agency or Subdivision thereof.

Private Street: A street over which the general public has no right of use.

Procedure: A procedure adopted by City of Woodstock to implement a regulation or regulations adopted under this article, or to carry out other responsibilities as may be required by this article or other codes, ordinances or resolutions of the City.

Professional Office: Structure wherein services are performed involving predominately administrative, professional or clerical operations, such as law, doctor, optician, audiologist, accounting, tax preparation, real estate, stock broker, architect, engineer, manufacturer representative, professional counselor, land surveyor, political/campaign, telephone sales, travel bureau, and the like.

Project: The entire proposed Development project regardless of the size of the area of land to be disturbed.

Properly Designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Commission as of January 1 of the year in which the Land-Disturbing Activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

Public Water System: Any water distribution system which has fifteen (15) or more service connections or serves more than twenty-five (25) people.

Public Works Department or PWD: The City of Woodstock Public Works Department.

Qualified Personnel: Any person who meets or exceeds the certified education and training

requirements of O.C.G.A. § 12-7-19 as referenced in Chapter IV.

Recreational Vehicle: Means a vehicle which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and,
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling: Any process by which materials which would otherwise become solid waste are collected, separated or processed and reused or returned to use in the form of raw material or products.

Recycling Processing Facility: A facility engaged in buying, processing and resale or reuse of recyclable materials. Such term shall not include a solid waste handling facility. Such facility may involve storage, shipping and receiving of recyclable materials.

Redevelopment: Any construction, alteration, or improvement exceeding five thousand (5,000) square feet of Land Disturbance on sites where the existing land use is already developed as commercial, industrial, institutional, or multi-family residential. Redevelopment excludes ordinary maintenance activities, remodeling of existing Buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate Stormwater Runoff, or cause additional Nonpoint Source Pollution.

Regional Stormwater Management Facility, or Regional Facility: Stormwater Management Facilities, typically Stormwater ponds, designed to control Stormwater Runoff from multiple properties, where the Owners or Developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Regulation: Any regulation, rule or requirement adopted by the City Council pursuant to the requirements of this article.

Regulatory Flood: Means the Base Flood.

Regulatory Flood Elevation: Means the Base Flood Elevation.

Regulatory Floodplain: Any land area susceptible to flooding, which would have at least a one (1) percent probability of flooding occurrence in any calendar year based on the latest FEMA Flood Insurance Study and depicted in the latest Flood Insurance Rate Map.

Rehabilitation Homes: A facility for the treatment of individuals with mental or physical disorders who must be housed in the facility during the term of their rehabilitation. The primary function of the facility shall be to provide the proper community environment to restore those residing in the facility to a state of health, efficiency, and useful, constructive activity. This is distinguished from hospitals, clinics, mental hospitals, sanitariums, etc., in that the function is not the treatment of the chronically ill but rather to facilitate the return of patients to a normal life within the community.

Rental Unit: A residential use which is contractually conveyed by the owner to a tenant for a specified time and amount of money.

Reserve Strip: A strip or Parcel of land along, around, or between properties, the purpose of which is to restrict Access.

Residential Board and Care Facility: A commercial facility which provides residential services for compensation for ambulatory elderly persons, including room and board, limited personal services and planned activities. This is a group living environment with private or semi-private bedrooms and bathrooms, requiring a state operating license and providing meals, housekeeping, laundry and personal care services, with twenty-four-hour staff availability. Medical care, similar to that offered in a nursing home, is not provided.

Residential—Live/Work Unit: A fee simple mixed use unit with a substantial Commercial Component that may accommodate employees and walk in trade. Therefore the unit shall require ADA compliance for accessibility.

Residential Multi-family: A building or portion of a building used or designed to contain dwelling units for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The terms "multiple-family" and "multi-family" are synonymous.

Residential Single-Family Attached: A building containing a dwelling unit connected along one (1) or more side walls to another dwelling unit by a common party wall, with no dwelling units or portions thereof arranged over another.

Residential Single-Family Detached: A building containing one (1) dwelling unit, designed to be occupied exclusively by one (1) family, and not attached to any other dwelling unit.

Residential Treatment: An architectural treatment that:

1. Is provided on the sidewalk level of a Street Facade.
2. Provides Habitable Space for a minimum of the first ten (10) feet in depth behind the Street Facade.
3. Provides equally sized vertical windows where the top of which and the bottom of which shall be no higher and no lower than to the top of the door frame and the bottom of door frame.
4. Provides windows for a minimum of thirty (30) percent and a maximum of sixty (60) percent of the total Street Facade area, with the facade of each unit being calculated independently.
5. Provides an entry stoop or porch at a primary pedestrian Street Facade entrance.

Re-Subdivision: A change in a map of any approved or recorded Subdivision plat altering the number of Lots incorporated within the confines of the original plat.

Retail Store: A commercial use or establishment where at least one-half (½) of the sale of goods is made to the ultimate consumer for direct consumption and not for resale.

Review Agency: Any so designated agency other than the Planning Commission may review appropriate parts of plat submissions by reason of technical capability, authority, or interest.

Right-Of-Way: A strip of land designated, reserved, dedicated, or purchased for the purpose of pedestrian or vehicular access or utility line installation.

Riparian: Belonging or related to the bank of a river, Stream, lake, pond or impoundment.

Roadway: The actual road surface including necessary road shoulders and drainage facilities including ditches and curb and gutters, which is utilized to transport motor vehicles.

Roadway Drainage Structure: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one (1) side of a traveled way consisting of one (1) or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Rooming House: A Building other than a Hotel/Motel where lodging for five (5) or more persons not of the same family is provided for definite periods and for compensation and by prearrangement for definite periods.

Runoff: Stormwater Runoff.

Sanitary Landfill: An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill.

Sanitary Sewer: A municipal or community sewage collection, treatment, and disposal system of a type approved by the County Health Department.

Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Service Buildings: A Building, housing facilities such as recreational, maintenance, laundry and office Structure necessary to the successful Development and management of a Development.

Setback: The distance between the street Right-Of-Way line and the front line of a Building or any projection thereof, excluding uncovered steps.

Setback, Stream: Means, with respect to a Stream, the area established by Chapter XVII, as extending beyond any Buffer applicable to the Stream.

Shopping Center: Three (3) or more commercial establishments planned, developed and managed as a unit and providing parking facilities in common on the site.

Sidewalk Area: Begins at the street curb and consists of a contiguous Sidewalk Landscape Zone, Sidewalk Clear Zone, and Sidewalk Supplemental Zone including intervening driveways.

1.

Sidewalk Landscape Zone: The portion of a Sidewalk Area adjacent to the street curb and reserved for the placement of trees, groundcover, and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, tree grates, newspaper boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

2.

Sidewalk Clear Zone: The portion of a Sidewalk Area that is reserved for pedestrian passage and is unobstructed by permanent objects to a height of eight (8) feet, including but not limited to, steps and stoops, traffic control boxes, and utility structures. The Sidewalk Clear Zone shall be adjacent and between the Sidewalk Landscape Zone and the Sidewalk Supplemental Zone and shall have a consistent cross-slope not exceeding two (2) percent.

3.

Sidewalk Supplemental Zone: The area between the back of the Sidewalk Clear Zone and the Build-To Line. Adjacent to Storefront Treatments, Sidewalk Supplemental Zones may be used for pedestrian amenity elements such as benches, merchandise display, potted plants, and decorative fountains. Outdoor dining is permitted only when adjacent to eating and drinking establishments. Elements that are prohibited in the Supplemental Zone include: recreational areas and facilities such as swimming pools, tennis courts; fences and walls greater than forty (40) inches in height; service elements such as dumpsters, loading docks and similar elements; mechanical features; and parking. Public access may be restricted only for areas adjacent to Residential Treatment, and for outdoor dining areas when adjacent to Storefront Treatments. No element shall be attached to the Sidewalk Supplemental Zone in any way.

Sign, or other Advertising Device: Any Structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is in the nature of an announcement, direction, or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device.

Site: Means the parcel of land being developed, or the portion thereof on which the Development project is located.

Slope: Degree of deviation of a surface from the horizontal, usually expressed in percent or degree.

Soil and Water Conservation District Approved Plan: An Erosion and Sedimentation Control Plan approved in writing by the District.

Special Flood Hazard Area(s) (SFHA)/Special Flood Hazard(s) (Also see Area(s) of Special Flood Hazard(s)): means the land subject to a one (1) percent or greater chance of Flooding in any given year. This includes all Floodplain and Flood prone areas at or below the Base Flood Elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all Floodplain and Flood prone areas at or below the Future Conditions Flood Elevation, and all other Flood prone areas as referenced in Chapter XIII of this ordinance. All Streams with a drainage area of one hundred (100) acres or greater shall have the Area of Special Flood Hazard delineated.

Stabilization: The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or in combination with installing temporary or permanent Structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Start of Construction: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a Building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a Basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory Buildings, such as garages or sheds not occupied as Dwelling Units or not part of the main Building. For a Substantial Improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a Building, whether or not the alteration affects the external dimensions of the Building.

State General Permit: The National Pollution Discharge Elimination System general permit or permits for Stormwater Runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq., and subsection (f) of Code Section 12-5-30.

State Waters: Any and all rivers, Streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Storage Yard: The keeping, in an unroofed area of any goods, material, merchandise or vehicles in the same place for more than twenty-four (24) hours.

Storefront Treatment: An architectural treatment that:

1. Is provided on the sidewalk level of a Street Facade.
2. Provides Habitable Space for a minimum of the first twenty (20) feet in depth behind the Street Facade.
3. Provides a display window area consisting of:
 - a. A non-glass base or knee wall beginning at grade and extending to a point no less than eight (8) inches but not more than twenty-four (24) inches above the Sidewalk Area at the Build-To Line.
 - b. A glass display window a minimum of seventy-five (75) percent of the length of the built portion of the Build-To Line beginning at the top of the bulkhead or knee wall, to a height not less than ten (10) feet and not more than twelve (12) feet above said Sidewalk Area at the Build-To Line below the base of the window. Such glass shall provide views into display windows that have a minimum depth of two and one-half (2½) feet into and are accessible from the building interior.
 - c. Primary pedestrian entrances on the Street Facade recessed a maximum of seven (7) feet from the exterior facade, remain unlocked during normal business hours, and have a surface area that is a minimum of seventy (70) percent glass.
 - d. A glass transom located along the Street Facade of a structure above the glass display window and entry door shall have a minimum height of twenty-four (24) inches and a maximum height of thirty-six (36) inches.
 - e. Provides no length of facade exceeding twenty (20) feet without intervening glass display windows or glass doors.
- 4.

A non-glass sign band located above the glass transom having a minimum height of thirty-six (36) inches.

5.

A cornice line above the sign band a minimum height of eight (8) inches.

6.

Street address numbers, a minimum of six (6) inches in height located above the primary pedestrian entrance.

7.

Recesses any sidewalk level drop ceiling a minimum of eighteen (18) inches from the display window opening.

8.

Finished floor to ceiling slab shall be a minimum of eighteen (18) feet. Finished ceiling height shall be a minimum of fourteen (14) feet.

Street Facade: The exterior wall of a building, not including extruding structures such as porches, stoops or bay windows, that is located along the Build-To Line or street without an intervening building or Street Wall.

Street Facade Frontage: The percent of Street Facade required along the Build-To Line.

Street Wall: A wall no less than seventy-five (75) percent opaque built along the Build-To Line and co-planer with the Street Facade, often for the purpose of masking a parking lot from the street. Street Walls shall be a minimum of three and one-half (3½) feet in height, and constructed of a material matching the adjacent Street Facade or dense evergreen hedge. Street Walls shall be discontinued no more than necessary to allow automobile and pedestrian access. The Street Wall shall have other individual openings not exceeding four (4) square feet in area at height of less than three and one-half (3½) feet.

Stormwater: Stormwater Runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Better Site Design: Nonstructural site design approaches and techniques as described in the Stormwater Management Design Manual that can reduce a site's impact on the watershed and can provide for Nonstructural Stormwater Management. Stormwater Better Site Design includes conserving and protecting natural areas and Greenspace, reducing Impervious Cover and using natural features for Stormwater Management.

Stormwater Management: The collection, conveyance, storage, treatment and disposal of Stormwater Runoff.

Stormwater Management Design Manual: The current version of the Georgia Stormwater Management Manual (GSMM) will provide the primary guidance for the design and evaluation of Stormwater Management Facilities in the City of Woodstock. A copy of the GSMM can be viewed in the Department of Public Works or can be accessed at www.georgiastormwater.com.

Stormwater Management Facility: Means constructed or natural components of a Stormwater drainage system, designed to perform a particular function, or multiple functions.

Stormwater Management Measure: Means any Stormwater Management Facility or Nonstructural Stormwater Practice.

Stormwater Management Report: A document to be prepared for every project and sealed by a Professional Engineer currently registered in the State of Georgia describing the nature of Stormwater issues and management strategies associated with the site. The purpose of the report shall be to formulate a plan to manage Stormwater in compliance with the provisions of this Ordinance, including but not limited to the requirements set forth in the GSMM, so that Stormwater Runoff hazards are not created, existing runoff-related problems are not exacerbated, and Stormwater quality is not adversely effected, either upstream or downstream from or within the boundaries of the Property being developed.

Stormwater Management System: The entire network of natural and constructed facilities and practices for the storage, treatment, and conveyance of Stormwater Runoff.

Stormwater Quality Site Development Review Tool: A spreadsheet tool available from the Public Works Department specifically designed to meet the unified sizing and water quality performance criteria outlined in the Georgia Stormwater Management Manual. Use of the tool is one (1) of the pre-construction review requirements for New Development and Redevelopment in the City.

Stormwater Retrofit: A Stormwater Management practice designed for a currently developed site that previously had either no Stormwater Management practice in place or a practice inadequate to meet the Stormwater Management requirements of the site.

Stormwater Runoff: The direct response of a land surface to precipitation and includes the surface and subsurface runoff that enters a Stormwater conveyance system or other concentrated flow during and following a precipitation event.

Story, Half (1/2): A space under a sloping roof which has the line of intersection of roof decking and floor surface not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

Story: That portion of a Building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space between the floor and the ceiling next above it, provided that a room, suite, or story, with more than one-half ($\frac{1}{2}$) of its height below grade shall not be considered a story for the purposes of height regulations, and provided further, that a room, suite, or story, having part but not more than half of its height below grade shall be considered a story for the purpose of height regulations only if said room, suite, or story shall be subdivided and used for business, or shall be used for dwelling purposes by other than a member of the household or a janitor, servant, or watchman employed on the premises.

Stream(s): Any Stream, beginning at:

1.

The location where the normal Stream flow has wrested the vegetation. The normal Stream flow is any flow that consists solely of base flow or consists of both base flow and direct runoff during any period of the year. Base flow results from the groundwater that enters the Stream channel through the soil. This includes spring flows into Streams; or,

2.

A point in the Stream channel with a drainage area of twenty-five (25) acres or more; or,

3.

Where evidence indicates the presence of a Stream in a drainage area of other than twenty-five (25) acres, the Public Works Department may require field studies to verify the existence of a Stream.

Stream Bank(s): The sloping land that contains the Stream channel and the normal flows of the Stream.

Stream Buffer: The area of land immediately adjacent to the banks of State Waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Stream Buffer Protection Area: With respect to a Stream, the combined areas of all required buffers and Setbacks applicable to such Stream as designated in Chapter XVII.

Stream Channel: The portion of a watercourse that contains the base flow of the Stream.

Stream Protective Covenants: Contracts made between private parties or conditions recorded with an approved Plat or otherwise recorded in the land records of the County in which the property is located and running with the land, specifying the manner in which land may be used, developed, or improved with the view to protecting and preserving the physical and economic integrity of any given area.

Stream Setback: Means, with respect to a Stream, the area established by Chapter XVII, as extending beyond any Buffer applicable to the Stream.

Street: A right-of-way for vehicular traffic whether designated as Street, highway, thoroughfare, parkway, road, avenue, drive, expressway, boulevard, lane, place, circle, alley, or otherwise.

1.

Arterials: These roads are designed to carry rapid, continuous traffic to major magnets within the urban area. Routes will usually pass through or near the heart of the city, connecting residential, commercial, industrial and public activity areas.

2.

By-Pass: A highway designed for fast, continuous movement of all types of traffic between highways and widely separated parts of the urban area. By-passes generally have limited or controlled access and are usually grade-separated at railroads and major crossings.

3.

Collector Streets: These Streets bring traffic to arterials, or inter-connect arterials. They provide for relatively easy movement at moderate speeds from homes and businesses to arterials.

4.

Local Streets: These Streets provide direct access to abutting properties.

5.

Alley or Service Drive: A minor access way used for service access, or property access under specified circumstances, to the back or side of properties otherwise abutting on a Street.

6.

Marginal Access Street: A residential Street parallel and adjacent to major thoroughfares or arterial Streets and which provides access to abutting properties and protection from through traffic.

7.

Cul-de-Sac: A local Street or road with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

8.

Half-Street: A Street or road adjacent to a Subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed Subdivision and the responsibility for the other half is undecided or is left to the adjacent

property Owner.

Street Line or Right-Of-Way Line: A dividing line between a Lot, tract, or parcel of land and a contiguous street.

Structure: Anything constructed or erected which required location on the ground or attachment to something having a location on the ground. The term shall include such things as gasoline pumps, signs, mobile homes, and other portable vehicles or Structures from which products are vended, and similar objects.

Structural Alterations: Any change in the supporting members of a Building such as bearing walls or bearing partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

Structural Erosion and Sedimentation Control Practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization Structures, sediment traps and land grading, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Structural Stormwater Control: A Structural Stormwater Management facility or device that controls Stormwater Runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff. Criteria for the design and construction of these devices can be found in the Stormwater Management Design Manual.

Subdivision: The division of a tract or parcel of land into two (2) or more Lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building Development, and includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. For the purpose of this Ordinance the definition of a Subdivision is broken down into three (3) subcategories as follows:

1.

Exempt Subdivision of Land: Divisions of land which have the following characteristics are exempt from the Subdivision regulations as set forth in this Ordinance:

a.

Intra-family transfers if no new public streets are involved as long as the Lot is recorded and the deed transferred simultaneously; or

b.

Sale of property to the, abutting land Owners.

2.

Minor Subdivisions of Land: Divisions of land containing six (6) or less Lots fronting on an existing road, not involving any new or improved public or private road and not in conflict with any of the provisions of this Ordinance.

3.

Major Subdivisions: All Subdivisions not classified as exempt or minor Subdivisions.

Substantial Damage: Means damage of any origin sustained by a Structure whereby the cost of restoring the Structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the Structure before the damage occurred.

Substantial Improvement: Means any combination of repairs, reconstruction, alteration, or improvements to a Building, taking place during a ten-year period in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the Building prior to the improvement. The market value of the Building should be: a. The appraised market value of the Building prior to the start of the initial repair or improvement; or b. In the case of damage, the value of the Building prior to the damage occurring. This term includes Structures which have incurred "substantial damage," regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the Building commences, whether or not that alteration affects the external dimensions of the Building. The term does not, however, include any project for improvement of a Building required to comply with existing health, sanitary, or safety code specifications which have been identified by the City of Woodstock and which are solely necessary to assure safe living conditions.

Substantially Improved Existing Manufactured Home Parks or Subdivisions: Is where the repair, reconstruction, rehabilitation or improvement of these streets, utilities and pads before the repair, reconstruction or improvement commenced.

Swimming Pools: An outdoor swimming pool shall be any pool or open tank not located within a completely enclosed Building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1½) feet.

Top of the Stream Bank: Means the point on a Stream's cross-section defined by the bank full elevation or the highest point in elevation immediately adjacent to the Stream channel, whichever is greater.

Tourist Courts: Land occupied by one (1) or a group of two (2) or more detached, semidetached or

multiple unit Buildings; containing single guest rooms and suites of rooms with or without kitchenettes and equipment, with automobile parking space and incidental utility Structures, which are in connection therewith, all of which is used or designed for, but not necessarily limited to, use primarily by automobile transients, for which daily, weekly, or monthly rates are available.

Tourist Court or Motel Apartments: Accommodations within a motel Building or Buildings which feature one (1) or more rooms with cooking facilities designed for, but not necessarily limited to, automobile transients on a daily, weekly, or monthly basis, where everything for the guests' convenience, except food, clothing and medical supplies is furnished as part of the charge.

Townhouse: Attached single-family residential structure in which no residential unit is directly above or below another residential unit.

Toxic Material: Materials (gaseous, liquid, solid, particulate, or any other form) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Travel Trailer: A motorized camper, converted bus, tent-trailer or other similar vehicular or portable Structure used or designed for temporary portable housing or occupancy while on vacation, recreation, or other trips and provided with sleeping accommodations.

Travel Trailer Park: A parcel or area of land designed and equipped to accommodate travel trailers for short periods of time, not to extend fourteen (14) days.

Trout Streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20, in the Department of Natural Resource's rules for Water Quality Control, Chapter 391-3-6, available at www.gaepd.org. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Usable Floor Space: Floor space used for retail sale or display includes permanent outdoor-sales, but excludes outdoor motor vehicle sales areas.

Use, Principal: The primary purpose for which a Lot is occupied and/or used.

Variance: A modification of the strict terms of this Ordinance granted by the City Council where

such modification will not be contrary to the public interest, and where, owing the conditions peculiar to the property such as irregular Lot size, topographic or other characteristics of the land and not as the result of any action on the part of the property Owner, literal enforcement of this Ordinance would result in unnecessary and undue hardship. Such modification may not authorize a principal or accessory use of the property, which is not permitted within the Zoning District in which the property is located.

Vegetative Erosion and Sedimentation Control Measures: Measures for the Stabilization of erodible or sediment-producing areas by covering the soil with:

- Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
- Temporary seeding, producing short-term vegetative cover; or
- Sodding, covering areas with a turf of perennial sod-forming grass.

Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Vehicle for Hire: Any motor vehicle designed or used for the purpose of transporting passengers for consideration or charges which are determined by agreement, contract, mileage or by the length of time the vehicle is used. Such term does not include vehicles regulated by the state public service commission. For the purposes of this article, vehicles for hire shall mean taxicabs and sedans.

Vehicle for Hire Company: An establishment offering to transport passengers for a fee in any motorized or animal drawn vehicle, the charges for which are determined by agreement, mileage or by the length of time for which the vehicle is engaged and also described is a taxi or limousine service.

Warehouse: A Building provided for the purpose of depository or securing of goods, wares or merchandise.

Water Quality: Those characteristics of stormwater runoff that relate to the physical, chemical, biological or radiological integrity of water.

Water Quality Protection: Required for all Developments to improve the quality of Storm Runoff from the Development site. Stormwater management systems (which can include both Structural Stormwater Controls and better site design practices) must be designed to treat the prescribed water quality treatment volume from the site according to the specifications of the Stormwater Management Design Manual. Additionally, runoff from hotspot land uses and activities identified by the Public Works Department must be adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

Watercourse: Any natural or artificial watercourse, Stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Watershed: The land area that drains into a particular Stream.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wholesale Establishment: A use or establishment where at least one-half (½) of the goods for sale will not be bought for direct consumption by the buyer, but will be resold.

Yard: An Open Space on the same Lot with a Building, unoccupied and unobstructed by any portion of a Structure from the ground upwards, except as otherwise provided herein.

Yard, Front: An open, unoccupied space on the same Lot with a principal Building, extending the full width of the Lot and located between the street line and the front line of the most protruding portion of the Building projected to the side lines of the Lot.

Yard, Rear: An Open Space on the same Lot with a principal Building, unoccupied except by a permitted accessory Building, extending the full width of the Lot and located between the rear lines of the most protruding portion of the Building projected to the side lines of the Lot.

Yard, Side: An open, unoccupied space on the same Lot with a principal Building located between the side of the most protruding portion of the Building and the side line of the Lot and extending from the rear line of the front yard to the front line of the rear yard.

**ORDINANCE
CITY OF WOODSTOCK, GEORGIA**

AN ORDINANCE AMENDING CHAPTER VII OF THE LAND DEVELOPMENT
ORDINANCE OF THE CITY OF WOODSTOCK, GEORGIA

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the "City") is a municipality duly formed and existing pursuant to Georgia Law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self-government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the City Council of the City of Woodstock, Georgia desires to replace Sections 7.740 Specific Standards for Senior Living through and including 7.749 of the existing **Chapter VII Performance Zoning Standards** of the Land Development Ordinance, City of Woodstock, Georgia with a new section 7.740 through 7.749 as set forth herein; and

Whereas, the purpose of this revision is to clarify location requirements eligible for density bonuses;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL ORDAINS, by the lawful authority vested in them as follows:

Section 1.

Sections 7.740 Specific Standards for Senior Living through and including 7.749 of Chapter VII Performance Zoning Standards of the Land Development Ordinance of the City of Woodstock, Georgia are hereby repealed in their entirety and new Sections 7.740 Specific Standards for Senior Living through and including 7.749 **Chapter VII Performance Zoning Standards** as more particularly set forth on Exhibit "A" attached hereto and made a part hereof by reference are hereby inserted in lieu thereof.

¹ Ga. Const. 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

"The General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly." ² O.C.G.A. §36-35-3(a) provides as follows:

"(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable hereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code Section. This Code Section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6."

Section 2.

The City Clerk is hereby authorized and directed to incorporate the provisions of the new **7.740 Specific Standards for Senior Living through and including 7.749 Chapter VII Performance Zoning Standards Sections** as set forth on Exhibit "A" attached hereto into the Land Development Ordinance for the City of Woodstock, Georgia replacing the existing 7.740 Specific Standards for Senior Living through and including 7.749 **Chapter VII Performance Zoning Standards Sections**.

Section 3.

Repeal of conflicting Ordinances. Any and all ordinances, resolutions, or regulations, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Severability. If any sentence, clause, part, paragraph, section, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole or any other part hereof shall not be affected.

Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 23rd DAY OF March 2014.

First Reading Date: March 23, 2015
Public Hearing Date: March 23, 2015
Public Hearing Advertised: February 10, 2015
Final Adoption Date: March 23, 2015

DONNIE HENRIQUES,
MAYOR CITY OF WOODSTOCK,
GEORGIA

RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK

Attachment: Ordinance for Chapter VII Senior Living 3 23 15 Draft(3)ELB revised (3324 : LDO Chapter II and LDO Chapter VII Senior Living)

EXHIBIT “A”
CHAPTER VII
Sec 7.740 – 7.749
OF LAND DEVELOPMENT ORDINANCE

7.740. - Specific Standards for Senior Living.

7.741. - Purpose and Intent of Senior Living.

The regulations set forth in Senior Living are designed to:

1. Provide for the development of detached, attached, and multi-family dwelling units limited to those persons age fifty-five (55) and older as defined by the Fair Housing Act.
2. Locate these developments in areas where retail, professional, civic, and cultural uses are convenient for residents to access, preferably even when they can no longer drive.
3. Promote the concept of Aging in Place which provides a variety of living choices aimed at allowing residents to remain in their communities as they age. These include communities with a mix of housing type and size, active living communities, assisted living facilities and full care facilities.
4. Promote pedestrian safety by ensuring sidewalk-oriented buildings and attractive street-facing facades that foster pedestrian activity and liveliness.
5. Provide an adequate amount of meaningful open space within each development which creates areas for social interaction among neighbors, opportunities for recreation, and is easily accessible for all residents.

7.742. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 6, repealed § 7.742, which pertained to Definitions Related to Senior Living and derived from the publication of this Land Development Code.

7.743. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 7, repealed § 7.743, which pertained to Principal Permitted Uses and derived from the publication of this Land Development Code. Subsequently, said ordinance relocated former subsections 7.743(1)—(3) to § 7.301.

7.744. - Residential Density Bonus.

Density bonuses will be awarded to each Senior Living project which incorporates affordable units, assisted living units, and/or full care facilities. These bonuses are listed in the table and are based on a percentage of the total units by project, followed by a maximum allowed density in each subarea.

Density Bonus Table			
SENIOR LIVING Subareas			
	SL-A	SL-B	SL-C
Base density	4	6	12
Affordable units (10%)*	2	2	8
Affordable units (30%)*	3	3	12
Affordable units (50%)*	4	4	18
Assisted living units (10%)*			8
Assisted living units (30%)*			12
Assisted living units (50%)*			18
Full care facility (100%)*			18
Maximum allowed density**	8	10	30
*Percentages are based on the total number of units in each development and are the minimum necessary to achieve bonus density.			
**Affordable and assisted living unit bonuses may be combined, but cannot exceed max density			

7.745. - Location Requirements.

Any project in a SL category must adhere to the following location requirements. These requirements are calculated by measuring the walkable distance on an improved surface between the main entrance of the SL neighborhood or building to the front door of the commercial facility.

1. SL-A and SL-B must be located within a three-quarter-mile radius of commercial retail uses including but not limited to grocery stores, pharmacies, and/or medical service facilities. Projects must also maintain the scale and intensity of surrounding uses.
2. SL-C must be located within a one-quarter-mile radius of commercial retail uses including but not limited to a minimum of two of the following; grocery stores, pharmacies, ~~and/or medical service facilities~~ Government Community Centers (including Senior Centers and Libraries) and Private Health Clubs. SL-C projects may be exempt from these requirements if these uses are provided on-site of an Assisted

Living Community. Projects must also maintain the scale and intensity of surrounding uses.

7.746. - Site Planning Requirements.

Senior Living Site Limits Table			
SENIOR LIVING Subareas			
	SL-A	SL-B	SL-C
Minimum lot width (feet)	35	16	N/A
Build-to line (feet)	Min - 5 Max - 20	Min - 5 Max - 10	Min - 5 Max - 10
Rear setback (minimum feet)	With alley - 0 No alley - 20	With alley - 0 No alley - 20	20
Side setback (minimum feet)	5	N/A	N/A
Buffer (feet)*			
R-1, R-2	N/A	25	25
R-3, R-4	N/A	N/A	N/A
OSI, NC, GC	N/A	N/A	N/A
LI, HI	50	50	50

*Buffers apply only on property lines contiguous to adjacent zoning categories and shall also apply to the closest compatible County Zoning Classification-

-

Any project in a SL category must adhere to each of the following site planning requirements:

1. The minimum requirement for open space shall be twenty (20) percent of the project area. Required infrastructure, detention facilities and mandatory stream buffers shall not be used in open space calculations. Not more than fifty (50) percent of the total open space requirement

shall be provided in the form of private open space.

2. Each unit in SL-A and SL-B shall provide a minimum of one (1) parking space in a garage structure, not to exceed two (2) spaces. All garages must be accessed through the use of rear alleys.

3. No parking in SL-C shall be permitted between the building(s) and the main access street in order to facilitate pedestrian access to the street. Vehicular access to the building(s) shall be provided from the rear, side, underneath or a courtyard. In addition, a main pedestrian access to each building shall be provided on the side facing the street.

7.747. - Street Design Requirements.

1. In order to promote a safe pedestrian environment, street design shall accommodate the use of landscape strips, a minimum six-foot wide sidewalk on both sides of the street, and dedicated on-street parking areas where appropriate.

2. When a SL project fronts an existing street, the above requirements are to be applied along the existing street along the entire frontage of the property.

7.748. - Senior Living Zoning Category Requirements.

1. The total number of units zoned under any SL category shall not exceed more than twenty (20) percent of the total number of housing units within the City Limits. The number of units that may be zoned SL will be updated as needed by the City.

2. All SL developments shall have development plans approved by the City within eighteen (18) months of receiving SL zoning or it shall revert to the previous zoning category. At its discretion, City Council may grant extensions.

3. In order to promote a pedestrian friendly environment, the following overlay standards are expressly waived in favor of the requirements in the SL site limits table: lot sizes, lot widths, streetscape adjustments, setbacks, and buffers. Any overlay standards related to streetscape themes and architectural requirements shall be adhered to.

7.749. - Senior Living General Requirements.

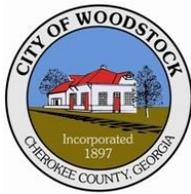
1. All other sections of the City of Woodstock's Land Development Ordinance shall be enforced including but not limited to tree preservation, stream buffer requirements, engineering requirements, and signage regulations.

2. Upgrades to existing adjacent infrastructure shall be required including but not limited to the installation or upgrade of crosswalks and sidewalks, pedestrian signalization including count down timers and audio notification for the visually impaired, and/or wheelchair compatibility.

3. The exterior of each dwelling unit and other buildings shall be brick, cast stone, concrete siding such as Hardiplank, natural wood, hard coat stucco, and/or natural stone.

4. All residential units within SL shall incorporate applicable and "Easy Living Home" standards to include:

- a. A step free entrance into the main floor at either the front or side of the structure, or through the garage;
- b. A bedroom, kitchen, wheelchair friendly bathroom, and entertaining area all on the main floor;
- c. Every interior door on the main floor provides a minimum thirty-two (32) inches of clear passage;
- d. Blocking installed in the bathroom(s) on the main floor to facilitate the future addition of handrails or similar accessibility features.



Regular Commission Meeting
City of Woodstock, GA
The Chambers at City Center - 8534 Main Street
770 592-6000 (Main) 770 592-6002 (City Clerk) 770 926-1375 (Fax)
<http://www.woodstockga.gov>

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

~ MINUTES ~

Thursday, March, 5, 2015

Regular Commission Meeting
7:00 PM

ITEM I. Call to Order

7:00 PM Meeting called to order on March 5, 2015 at The Chambers at City Center, 8534 Main Street, Woodstock, GA.

Attendee Name	Title	Status	Arrived
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ITEM II. Approval of Minutes

1. Approval of 2.5.15 Planning Commission Minutes

Vote to approve minutes of 2.5.15 as written. Vote Deferred.

COMMENTS - Current Meeting:

Due to lack of quorum the approval of the Minutes of the February 5, 2015 meeting will be reset to the April Meeting.

ITEM III. Petitions and Communications

1. Ordinance (ID # 3294) V#128-14 and CUP#022-14 Platinum Cars, Inc.

The City of Woodstock, Georgia has received a Variance and Conditional Use Permit application from Trilochan Bhatia of Alpharetta, GA (**Case V#128-14 and CUP#022-14 Platinum Used Cars**). The property is located at 10915 Highway 92 in Woodstock, Georgia consisting of ±0.73 acres. The property is identified as tax map and parcel number 15N18 049A zoned GC (General Commercial) with Parkway Overlay in the City limits of Woodstock, GA. Variances requested are to LDO Section 7.930 #6 for building materials and 7.928 for buffers and setbacks for a non-compliant building that has been constructed on the property without permits. The Conditional Use Permit is required to allow for auto sales and service.

Hold public hearing.

Vote to recommend approval or denial of the requests.

COMMENTS - Current Meeting:

Katie Coulborn presented the staff report.

Comments - CURRENT MEETING

Rakesh Parmar (Applicant) - If we are limited to 60 cars, that would put the business in jeopardy. 110 to 120 cars has worked in the past for us. There have been complaints about parking, but

Attachment: 03.05.15 PC Minutes.DRAFT (3324 : LDO Chapter II and LDO Chapter VII Senior Living)

Chief Moss approved us parking cars on the street. We no longer park in front of the State Farm and chiropractor's office. We have an agreement with the tree business to park customer and employee cars there, not inventory. For condition 4, unloading inventory is crucial to the business. There is a semi once or twice per week and it takes about an hour to unload. We don't do it on Highway 92. We make sure that they come inside. The tree business will allow us to use his property for unloading.

Lee Zell - How many cars are there that are not located on the lot?

Rakesh Parmar - Just inventory cars are on the lot. Four or five employee cars are parked on the street.

Lee Zell - How many cars parked over by State Farm?

Rakesh Parmar - None.

Lee Zell - How many in the tree lot?

Rakesh Parmar - None.

Lee Zell - I noticed a lot of cars on the street. I also noticed a carport with a tarp over it attached to the main building.

Rakesh Parmar - The carport behind the building, that's where all the car detailing is going on.

Lee Zell - I noticed a lot of things outside behind the building like tires, buckets of chemicals, and an entire truck bed. Some of these items have been pushed over the walls onto other properties. It looked like these things have been outside for a long time. What do you store back there?

Rakesh Parmar - We are waiting to see how this variance goes. If we can keep the shed, that's our storage.

Lee Zell - If the shed goes away, where will you store these items?

Rakesh Parmar - They will be disposed of.

James Drinkard - The materials that Mr. Zell saw are in the yard. Prior to the close of the shed, were these things in the yard?

Rakesh Parmar - Yes.

Lee Zell - How often do you take wheels and debris to the junk yard?

Rakesh Parmar - I don't know. I have only been working for the company since December.

Jeff Wood - Do you agree to the additional variance conditions that staff has recommended?

Rakesh Parmar - When we put up the building, we were not aware of the zoning rules. We thought it was okay. It was a surprise to find out that there was a problem. Do I agree? Possibly not, but we understand that the City has rules. We don't agree to number 1; number 2, the structure is anchored to the ground and moving it is not financially feasible; I have no comment about number 3; and for number 4, the building can't be easily seen from Highway 92, so we don't think the brick is necessary.

Jeff Wood - What was the previous name of the business? Executive something?

Joe Hill (Service Director for Platinum Cars, Inc.) - The same family has owned the business for almost eight years.

Jeff Wood - Item 2 says no more than 60 cars on the lot. How many cars can you park on the property?

Joe Hill - We carry an inventory of 120 cars. With that number, we still have a complete passage way to drive around the property.

Jeff Wood - Does that include the cars parked on the grass in the right of way on Highway 92?

Joe Hill - We don't do that. The only time we do it is on the weekends, but everyone does that.

Jeff Wood - Your employees park on the street now, where do the customers park?

Joe Hill - Directly in front of the building. We have 6 space, 2 are handicapped.

Jeff Wood - there are no parking signs on the street. Where are they located?

Joe Hill - No parking sign on the street between 92 and our driveway.

Jeff Wood - For clarification, you do not agree with any of the conditions placed on the building for safety?

Joe Hill - We actually agree with variance conditions 1 through 3. Number 4, you really can't see the building from 92 until you get on the lot. It would be a waste of money and resources to build a brick wall. There's a privacy fence against the residential property on top of a retaining wall.

Jeff Wood - Can the truck safely off-load on Churchill Court?

Joe Hill - Yes, and sometimes they get there before we do and I tell them to not park at any other business. It's hard to control the truck drivers. I feel like our feet are being held to the fire here because at any time of the day, you go down that street and there's some truck unloading something for other businesses, but we're being told we're not allowed to.

Jeff Wood - I do see a lot of trucks unloading in the street. Do we not have a code that prevents this?

Katie Coulborn - Yes. That's why they've been ticketed so many times in the deceleration lane.

Jeff Wood - So putting it in a condition would be redundant?

Katie Coulborn - yes, but the reason that it's here, I've had a conversation with Chief Moss, the neighbors have Chief Moss's cell phone number, they have to call him a lot. He sent me a list of tickets that truck drivers here have been given over the last few years and it was a considerable amount. It's been an ongoing problem and the truck drivers are always a different person. We agree that it's hard for them to make the drivers park where they are supposed to but putting this as a condition is another way to reinforce so not only will the driver get ticketed, but then it's a zoning violation so the business can be held responsible. Chief Moss is concerned that it's a safety issue.

Jeff Wood - Are they required to have greenspace because the grassy area at the northeast corner could maybe be developed for more parking.

Katie Coulborn - More parking would require a variance to the buffer. The commercial and residential buffers cover that entire area.

Jeff Wood - How did staff come to the 60 cars on the lot condition?

Katie Coulborn - By counting the parking spaces. If you look at page 5 of the staff report, there are 54 marked parking spaces and we realize that they can get more on the lot so if they have 60 vehicles for sale and then they have employee vehicles and customer vehicles, we thought that would be a more appropriate number than the double that they have now.

Jeff Wood - So the city expects employers to provide on-site parking for their employees and customers?

Katie Coulborn - Yes.

James Drinkard - Within this overlay, are shared parking agreements allowed?

Katie Coulborn - Yes.

Lee Zell - So this is a conditional use permit to expand the car lot?

Katie Coulborn - To be clear, staff recommended that they ask for the conditional use permit. They started out asking for variances to allow the building that they put up, but if they got variances to allow the building, they wouldn't be able to do anything inside it without a conditional use permit to expand the use.

Lee Zell - If they're doing automotive repairs, is that a different use than sales?

Katie Coulborn - Because the automotive repairs are only for their inventory and not for the public, we consider it an expansion of the automotive sales use.

Lee Zell - So back to the debris, the rims, the car parts, I have pictures of things that have been there so long that they're imbedded in the ground. I also spoke to the homeowners that back up to the property. What method does the city have for not allowing accumulation of debris and car parts?

Katie Coulborn - The city has a property maintenance code that the code enforcement officers can enforce. They can write citations for accumulation of junk if they get a call from a neighboring property. Previous to this building going up, I don't think anyone called about junk on this property. There were no open code enforcement cases going but it is something that can be regulated by our department.

Lee Zell - I walked the property today. There are many buckets sitting outside with pinestraw and dirt on them that shows they've been there a really long time. Multiple stacks of rims and rotted tires and a whole truck liner that has been pushed over the line to the lawyer's property. The homeowners pointed out that the fence doesn't completely shield the building. They said that employees take smoke breaks literally standing in these people's backyards. The fence is incomplete.

Katie Coulborn - That's why we have buffers and setbacks.

Jessica Guinn - All these reasons are things that factored in to the staff recommendation for denial of the variance to allow that structure to be there. There are a number of things that we took into account, from the parking standpoint, having that additional structure that came in without permits took away some additional space that could have been utilized for parking and

yes, absolutely, all the buffers that typically would provide some screening there are lacking here. Point of clarification, the 5' setback is not just important from a zoning standpoint but also from a fire code standpoint. If they are any closer than 5', they would have to have a fire rated wall on the structure. Fire rating could be achieved but that's another significant cost. But we can't vary that. We can't waive the fire code.

Lee Zell - Behind the building is stacks of old rotten tires laying against the metal building with electrical wiring going through a pvc pipe into a metal wall. Seems like a fire hazard.

Jessica Guinn - When we went out there with the building official and fire, there was no way that we could look at this building and make a determination about whether or not it was safe for people to occupy without plans. That's when we issued the stop work order and said we have got to have everything out of here.

OPEN PUBLIC HEARING

No one signed up to speak.

CLOSE PUBLIC HEARING

Lee Zell - To the applicant, are you telling us that if you get the variance for the shed, all the debris outside would now go inside the shed?

Rakesh Parmar - It wouldn't necessarily go inside, some of it needs to be disposed of. The items that could be used would be in the storage.

Joe Hill - The gentleman who handles all of the debris is the mechanic in that shed and I've had to move him to our place in Union City so that we can continue doing business. Honestly since they put the stop work order on it, I don't think any of us have walked back there. If it's an issue, that's going to get addressed regardless.

Lee Zell - Would you be agreeable to putting the fence up so people won't walk into those yards?

Joe Hill - Yes, that's not a problem.

Jeff Wood - I'd like to handle the Conditional Use Permit separately from the Variances. **Motion** to recommend approval of the Conditional Use Permit with the four staff recommended conditions.

Motion dies for lack of a second.

Lee Zell - **Motion** to approve the CUP and Variance with the 8 staff recommended conditions, plus Condition 9, Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.

Motion dies for lack of a second.

Jeff Wood - **Motion** to recommend approval of the Conditional Use Permit with staff recommendations 1 through 4.

2nd by David Hacker

Jeff Wood - They've been relatively good neighbors even though their neighbors don't agree, they bring revenue to the city. 60 cars sounds low. They say they can do 120 cars. I'd like to not

see their employees parking in the street so 100 cars seems like a good meet-in-the-middle number. **Friendly Amendment** to change Condition 2 to allow no more than 100 cars for sale, or in the process of being sold, on the lot at any given time.

David Hacker - Friendly Amendment **accepted**.

Lee Zell - Is every car included in that number?

Jeff Wood - Just the inventory, not employee or customer cars. On-street parking is allowed by right there, but it would be good for their neighbors to get the cars off the street. It would also give a place for the trucks to unload. They have a parking agreement with the neighbor to the west.

David Hacker - Do you have a shared parking agreement with the neighbor (to the west) in writing?

Joe Hill - No, but we can get it in writing.

Jeff Wood - **Friendly Amendment** to change the wording in Condition 3 to “No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking *in the Highway 92 grass right of way*.”

David Hacker - Friendly Amendment **accepted**.

Jeff Wood - Number 4, it’s already illegal so why do we have number 4? Should we strike that?

Jessica Guinn - The reason that is in there as Katie already said is that citations go directly to the truck drivers. By putting it here as a condition, we are putting the burden on the property owners to make sure that their deliveries are being made not within the public right of way. If they continue, the property owner at that point is in violation of zoning and we would have a course of action to handle the situation directly with the property owner, whereas we could have a different truck driver pull up there every day.

Jeff Wood - with the words public right of way, that would not allow them to offload on Churchhill Court, correct?

Jessica Guinn - Correct. I think 92 is where we really have the heartburn. It sounds like there have been some issues with them unloading in the median and the acceleration and deceleration lanes.

Lee Zell - They have already said that they have the permission from the tree business to offload there.

Jeff Wood - But then if that property redevelops, that agreement goes away. **Friendly Amendment** to change the wording in Condition 4 to “No unloading of inventory on any *Highway 92* public right of way”.

David Hacker - Friendly Amendment **accepted**. I have to say, I appreciate your business. From an office user, it’s important to know that you’re a good neighbor trying to keep the cars out of the way, so I understand why people are like that, but no one is here to speak against it so I’m more inclined to support trying to keep the business going with minimal impact.

Lee Zell - Is it correct that staff told us that the chiropractor and State Farm agent and some other people instantly called about the case?

Katie Coulborn - Yes. The day after they got the public input meeting letter they contacted me. It seems they couldn't be here tonight but I think they are planning to come to City Council. Earlier today Patti got a call from a residential property owner and they sent me an email with a letter explaining some of their concerns but it was too late to put it in the agenda packet.

Lee Zell - **Friendly Amendment** to add Condition 5, *No outdoor storage of any parts, chemicals, or materials.*

James Drinkard - Does Mr. Wood accept?

Jeff Wood - Friendly Amendment **not accepted.**

Lee Zell - Offering as a **regular Amendment.**

2nd by David Hacker

Lee Zell - **Friendly Amendment** to add Condition 6, *Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.*

Jeff Wood - Friendly Amendment **accepted.**

James Drinkard - Now Condition 5, which is the outdoor storage, is open for debate.

Jeff Wood - I would think that we have city laws about outdoor storage of debris.

Patti Hart - Outdoor storage is allowed by Conditional Use Permit only in this district. We have a definition for outdoor storage:

Vote on Amendment for Condition 5, **Motion passes 5-1**, Jeff Wood in opposition.

James Drinkard - Debate is open on the other items, the approval of the Conditional Use Permit with Conditions 1-6.

Lee Zell - I'm pleased with these conditions. The applicant knows where we're coming from now. I'm still concerned with unloading on Churchill Court.

Jeff Wood - This property was a car lot before the residential lots were completed.

James Drinkard - The only reason I'm willing to support the Conditional Use Permit is to get this situation under control and clean this property up. Right now I do not consider it to be a good business. It's bordering on a nuisance and it needs to stop. The complaints that we are hearing from our own police chief and neighbors are ridiculous and unacceptable. You need to clean up your property.

Motion passes 6-0.

Jeff Wood - **Motion** to recommend approval of the variances with staff recommended conditions 1-4.

2nd by Lee Zell.

Jeff Wood - The structure was built without permits. Ignorance is not an excuse for not following the rules, and as a business owner in the community you have to do this. That said, in order to keep the building, it should be safe. I have a concern about adding the brick. They are probably

going to have to build a foundation for the building. If it makes it through the building code process, I'll be surprised.

Lee Zell - This variance is like here you have permission to go meet the building inspector. And it's not going to be a pleasant visit. There are a lot of updates that will need to occur. I have confidence in our building staff and permits department.

David Hacker - I'm not in favor of Condition 4. I don't think it's necessary. If they're going to be moving the structure, I think that's enough. Besides, it makes it more of a permanent structure that's non-conforming. **Friendly Amendment** to strike Condition 4.

Jeff Wood - Friendly Amendment **accepted**.

James Drinkard - Before I call for the vote, I want to say I will not support this.

Tie vote 3-3. The variance request moves forward with no recommendation.

Summary of recommendation:

Recommended approval of Conditional Use Permit with the following conditions:

1. By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any amount of time by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.
2. No more than 100 cars for sale, or in the process of being sold, shall be on the lot at any given time.
3. No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking *in the Highway 92 grass right of way*.
4. No unloading of inventory on any *Highway 92* public right of way.
5. *No outdoor storage of any parts, chemicals, or materials.*
6. *Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.*

Request for variances with staff recommended conditions moves forward with no recommendation because of a tie vote.

2. Ordinance (ID # 3295) LDO Chapter II Definitions LDO Chapter VII Senior Living

The City Council of the City of Woodstock is proposing revisions to the Land Development Ordinance Chapter VII Performance Zoning Standards Section 7.740 Specific Standards for Senior Living and Chapter 2 Definitions.

Hold Public Hearing as advertised.

Vote to recommend approval or denial of application

COMMENTS - Current Meeting:

Patti Hart presented the staff report and DPC recommendation. Staff proposes the following changes to definitions associated with the Senior Living Ordinance in order to provide consistency with the State of Georgia definition of Assisted Living. The absence of this clarification could provide an avenue for developers to receive density bonuses for a product type that is little more than an age restricted multifamily product than a Senior Living Community in the intent of LDO Sec 7.740 Specific Standards for Senior Living.

In the following definition changes we intend to clearly establish “Assisted Living” as being eligible for density bonuses provided by LDO section 7.744 Residential Density Bonuses and “Independent Retirement Living”, if not provided in combination with assisted Living units or affordable units (as provided in LDO Sec 7.744) as not eligible for density bonuses;

Amend existing Assisted Living Definition;

Assisted Living: Multi-family housing including congregate and/or personal care services, licensed by the State of Georgia as a long -term care provider and commonly referred to as “assisted living community”. Assisted living goes by many names including nursing homes, personal care, residential care, or congregate care. The services offered vary widely, but frequently include core services, meals, housekeeping and transportation and often some assistance with laundry, grooming, medication management and other functions of daily living.

Strike Existing Independent Living Definition:

Add New Independent Living Definition:

Independent Retirement Living - Senior adult housing which consists of attached independent living developments which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette, including retirement communities, age restricted housing, and active adult communities. These developments may include limited social or recreational services, but generally lack centralized dining and on site medical facilities or services.

In regard to Chapter VI Senior Living;

The regulations set forth in Senior Living are designed to “Locate these developments in areas where retail, professional, civic, and cultural uses are convenient for residents to access, preferably even when they can no longer drive.”. Staff is proposing changes to the Senior Living Ordinance, and associated definitions, to provide additional clarification regarding the services that would satisfy 7.745 Location Requirements for and SL-C as amended below;

1. SL-C must be located within a one-quarter-mile radius of commercial retail uses including but not limited to a minimum of two of the following; grocery stores, pharmacies, Government Community Centers (including Senior Centers and Libraries) and Private Health Clubs. SL-C projects may be exempt from these requirements if these uses are provided on-site of an Assisted Living Community. Projects must also maintain the scale and intensity of surrounding uses. since ‘Full Care Facility’ is currently allowed under 7.505 Permitted and Prohibited Uses in

Office Space and Institutional (OSI) with uncapped density, staff proposes removing it entirely from Sec 7.744 Residential Density Bonus. A full Service Care facility as defined by our code as follows; “*Full Care Facility*: Any facility that admits patients on medical referral only for continuous medical supervision and for skilled nursing care and rehabilitative care.” which is more institutional in nature, and a more appropriate fit in OSI.

The final change proposed is to add to Section 7.746 Site Planning Requirements language to clarify the intent to apply required buffers to abutting County properties with equal or less intense Zoning Classifications. The code currently only refers to specific City of Woodstock Zoning Classifications.

For example, currently SL-C requires a 25 foot buffer against City Zoning Classification R-1 which has a density of 2 units per acre, but not Cherokee County Zoning Classification of R-20 which is also 2 units an acre. With this change both R-1 and R-20 would require a buffer.

Jeff Wood - Have any SL-C's been given density bonuses for Independent Retirement Living recently?

Jessica Guinn - The applicant of the Neese Rd and Hwy 92 SL-C asserted that his project fell under our definition of Assisted Living and was therefore eligible for density bonuses but staff believed it was more closely aligned with our definition of Independent Retirements Living which is not eligible for density bonuses. We hope to clarify the intent of our ordinance by changing our definition to match the state definition.

PUBLIC HEARING - no speakers

Jeff Wood - **Motion** to recommend approval of Chapter II definition changes as presented by staff.

2nd David Hacker

Motion **Passes** by Unanimous Vote.

Jeff Wood - **Motion** to recommend approval of Chapter VII Senior Living changes as presented by staff.

2nd Renee Gable

Motion **Passes** by Unanimous Vote.

ITEM IV. New Business

ITEM V. Announcements and Informational Items

Jessica Guinn presented the following updates;

In February, even with all of the weather related closures, we issued 35 Single Family permits. This was our highest month since we started our permit tracking spreadsheet in 2011.

Camellia Place has LDP on Rope Mill.

Phase II of Outlet Mall (35,000 sq ft) has building permits ready to issue.

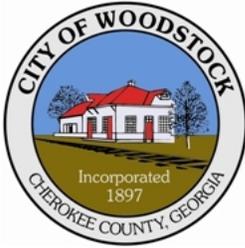
MadLife Studios plans are under review.

Katie is working on Green Communities recertification . Currently Silver Certified, aiming for Gold.

No Cases for April but a few ordinances including Dark Skies, Parking Ordinance and donation collection boxes.

ITEM VI. Adjournment

Adjourned at 9PM



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Sign Variance 9940 Highway 92

Presented by: Jessica Guinn Summitt Boone

Summary:

Summitt Boone requests a sign variance to extend the time allowable for a temporary sign. LDO Section 6.6.2 limits temporary sign permits to thirty consecutive days, and no more than two times per twelve months. The applicant has a temporary sign permit for a real estate sign on the property, which is occupied by a vacant 5,800 square foot commercial building. The applicant requests to extend the allowable time to six months with an option for an additional six months if the property has not sold. Should the property sell prior to the end of the requested time, the sign would be removed immediately.

Additional Information:

Recommendation:

Approve or deny sign permit request.

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- Summitt Boone 3-23-15 (PDF)

Reviews / Approvals

Jessica Guinn	Completed	03/16/2015 12:46 PM
City Clerk	Completed	03/17/2015 9:24 AM
Jeff Moon	Completed	03/17/2015 10:13 AM
Mayor and Council	Pending	03/23/2015 7:00 PM

Summitt Boone
 Associate Broker
 Realtor
 RE Associates, LLC
 106 Diane Court
 Waleska, GA 30183

March 5, 2015

City of Woodstock
 Attn: Jake Hill
 12453 Hwy 92
 Woodstock, GA 30188

Subject: Temporary Signage Variance - 9940 Highway 92, Woodstock

Dear Mayor and City Council:

Successful Woodstock commercial business development is good for the economy and the residents of South Cherokee County. A vacant building on a major artery like Highway 92 has a negative impact on the business community.

Please consider this request for a Temporary Sign Variance for an extended time period. I am attempting to sell the subject 5,800 sq. ft. vacant commercial building. Normal time required to sell this location can be 6 to 12 months with a "For Sale" sign.

This is a request to extend the time from my existing 1-month temporary sign permit, expiring on March 23, to a 6-month period and an option for an additional 6-months, if not sold. Of course, as soon as the building is sold, the sign will be removed immediately.

Photo is attached and Sign measurements are:
 48 inches high and 48 inches wide (including the side mounting posts)
 It is 96 inches high from ground to top of sign

Since listing this property, about 45 days ago, every prospect lead has come as a result of the existing "For Sale" sign. It would be very difficult to sell without the sign.

My \$200 check for this application is enclosed.

Thank you for your consideration in making Woodstock a progressive area for commercial growth.

Sincerely,

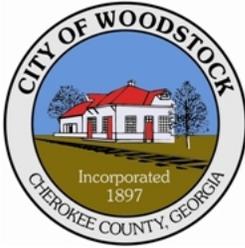


Summitt Boone
 770-335-4751



9940 HWY 92, WOODSTOCK

Attachment: Summitt Boone 3-23-15 (3326 : Sign Variance- 9940 Highway 92)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Sign Variance Request Park 9 Apartments- Ridgewalk Parkway

Presented by: Jessica Guinn Chuck Young

Summary:

On behalf of Prestwick Companies, Chuck Young requests a sign variance for temporary signage marketing the new Park 9 apartment community, currently under construction on Ridgewalk Parkway. Specific variances requested are as follows:

1. Variance from Section 6.6.2 (a) to allow more than one temporary sign on the proposed location. As proposed, the temporary sign would be located on the site of the new RaceTrac, currently under construction on Ridgewalk Parkway. RaceTrac has agreed to allow the temporary sign for Park 9 to be placed on the site, provided that RaceTrac itself will not be restricted from placing a temporary marketing sign on the site during construction of the station.
2. Variance from Section 6.6.2 (b) to allow for an extension in the time allowed for a temporary sign. Under current code a temporary sign permit is valid for no more than 30 consecutive days, no more than two times in a twelve-month period. RaceTrac has agreed to allow the proposed sign to remain on the property through the duration of the construction of the RaceTrac station; however, the sign must be removed when the store opens.

Park 9 is located on Ridgewalk Parkway, west of I-575 and just outside of the Brookshire community. This portion of Ridgewalk Parkway, up until recent months, was known as Ashland Parkway. This change has resulted in challenges directing prospective residents to the site, as Google Maps, Yahoo Maps, and similar sites have not yet updated the street name. The applicant has been working with the engineers at Google, as well as the Cherokee County GIS department to resolve this issue; however, it may take six to twelve months to complete this process. The applicant contends that temporary signage is important to marketing and directing people to the site, which also has limited visibility from Ridgewalk Parkway.

Additional Information:

Recommendation:

Approve or deny sign variance request.

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- park 9 combined(PDF)

Reviews / Approvals

Jessica Guinn	Completed	03/16/2015 12:20 PM
City Clerk	Completed	03/17/2015 9:19 AM
Jeff Moon	Completed	03/17/2015 10:14 AM
Mayor and Council	Pending	03/23/2015 7:00 PM



Prestwick
companies

March 9, 2015

Jessica Guinn, AICP
Community Development Director
City of Woodstock
12453 Highway 92
Woodstock, GA 30188

Re: Request for Signage Variance

Dear Jessica,

Thanks again for your attention to our Park 9 addressing and signage issue. As a follow up to my February 5th letter and our email exchange regarding options for temporary signage, please let this letter serve as Prestwick's request for a signage variance.

We have received permission from Justin Story with RaceTrac to install temporary signage on their site on Ridgewalk Parkway. Please see attached letter. This sign will be in addition to the temporary sign RaceTrac will be installing on site to market their store. Therefore, we're requesting that a sign variance be given to allow a second sign, our sign, on their property.

Additionally, due to the addressing issue outlined in the February 5th letter, we're also requesting an extension to the 60 day restriction to allow the sign to be installed as long as racetrack will allow. RaceTrac has stated that our sign must be removed when their store opens, so it's likely that our temporary sign will not be up more than six months. Hopefully our addressing/mapping issue will be resolved by that time.

Please let me know if you have any questions.

Sincerely,

Chuck Young
chuck@prestwickcompanies.com

Attachment: park 9 combined (3325 : Park 9 Sign Variance)

February 24, 2015

Jessica Guinn, AICP
Community Development Director
City of Woodstock
12453 Highway 92
Woodstock, GA 30188

Re: Park 9/Prestwick Companies Temporary Signage

Dear Ms. Guinn:

RaceTrac would allow Park 9/Prestwick ("Prestwick") to place a temporary marketing sign, not to exceed 50 square feet in total area (the "Sign"), on a mutually acceptable portion of the RaceTrac property located at Ridgewalk Parkway and I-575 (the "RaceTrac Property") subject to the following conditions:

- Prestwick shall first apply for and receive a variance allowing it to add such Sign to the RaceTrac Property without limiting or impacting the availability of RaceTrac's intended signage on the RaceTrac Property.
- RaceTrac will still be allowed to place its temporary sign meeting the City's requirements for the full duration allowed per site. Our understanding is that will be for 2 months per year.
- Prestwick will install and remove the Sign at its sole cost and expense.
- Prestwick shall remove the Sign at any time upon RaceTrac's request.

Sincerely,


Justin R. Story, PE
Engineering Project Manager
RaceTrac

Cc: Chuck Young – Prestwick Companies

Attachment: park 9 combined (3325 : Park 9 Sign Variance)

SINGLE-SIDED MARKETING SIGN

8.4.a



4200 STEVE REYNOLDS BLVD
SUITE 8
NORCROSS, GA 30093
770-717-7755
866-300-9440 FAX

CLIENT
PRESTWICK COMPANIES
3715 NORTHSIDE PKWY I
BUILDING 200, SUITE 175
ATLANTA, GA 30327

PROJECT ADDRESS
PARK 9
WOODSTOCK, GA

ACCOUNT MANAGER
Cheri Espinosa
PROJECT MANAGER
Ben Fulghum
DESIGNER
MS
DATE
2-3-15

- Concept
- Proof
- Production

REVISION
2/4/15 MS
2/10/15 MS
2/13/15 MS

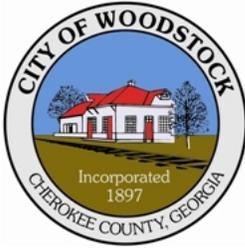
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without the written consent of Cust
Factory. Dimensions and colors may vary
due to the practical limitations inhere
fabrication. Any colors shown ar
approximations.

Attachment: park 9 combined (3325 : Park 9 Sign Variance)



SCALE: 3/4" = 1'
QUANTITY: ONE (1)





City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Sign Variance- Lennar 8033 Main Street 12455 Highway 92

Presented by: Jessica Guinn Scott Powers

Summary:

Lennar is seeking a variance to allow for two 15 square foot temporary signs- one on property located at 8033 Main Street, and one at 12455 Highway 92. These signs will serve as marketing/directional signs for the Haney Walk subdivision, currently under development on Haney Road.

The property at 8033 Main Street is currently zoned DT-RO, which would allow for the temporary sign; however, it would be limited to two 30 day periods per year, as specified in LDO Sec. 6.6.2. The applicant would like to keep the sign in place throughout the sales phase- approximately 2 years.

12455 Main Street, the current location of Little River United Methodist Church, is zoned GC, which would also allow for a temporary sign for two 30 day periods per year. Again, the applicant would like to keep the sign in place through the sales phase.

As outlined in LDO Sec. 6.7.8, variances from LDO Chapter VI- Signs should be limited to hardship situations. No hardship has been presented to justify this variance.

Additional Information:

Recommendation:

Approve or deny sign variance request.

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

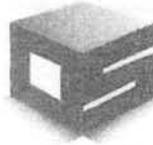
Supporting Documents:

- Lennar 3-23-15 (PDF)
- Lennar Sign Locations 3-23-15 (PDF)

Reviews / Approvals

Jessica Guinn Completed 03/17/2015 11:06 AM

City Clerk	Completed	03/17/2015 2:20 PM
Jeff Moon	Completed	03/17/2015 11:15 AM
Mayor and Council	Pending	03/23/2015 7:00 PM



ONSIGHT^{INC}
SIGNAGE & VISUAL SOLUTIONS

March 5, 2015

To the City of Woodstock Council Members:

Lennar Homes of Atlanta is developing a new community within your city limits called Haney Walk. This community is located at the end of Haney Rd and is difficult to find for most new homeowners.

Lennar has asked us, Onsight, Inc, to request for a variance from your existing regulations to allow us to install two signs to help direct traffic to this new community. The community will be under construction for a period of 2-3 years and your current time restraints for temporary signs doesn't allow for proper advertising for this subdivision.

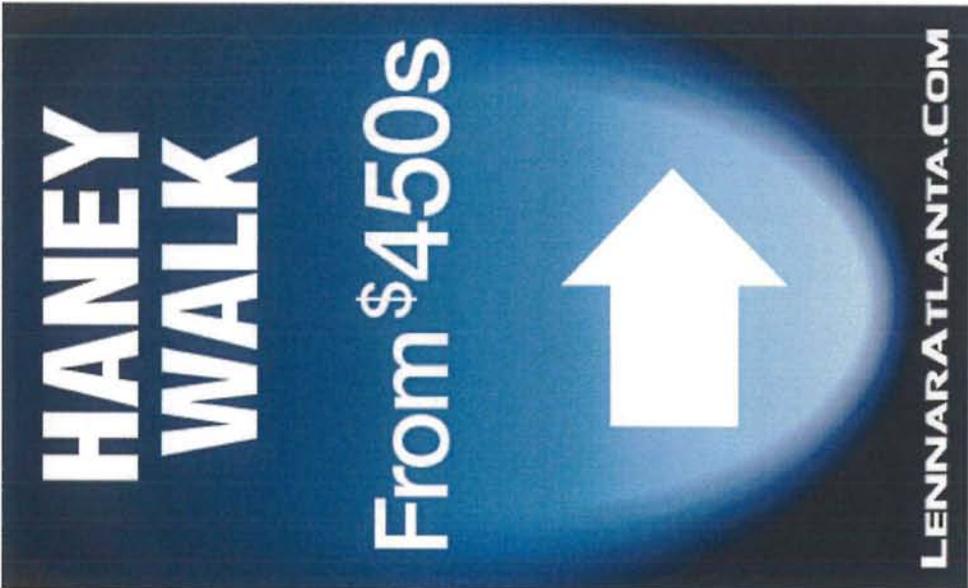
The two locations we are asking a variance for are 8099 N. Main and 12455 Hwy 92. I am more than happy to attend your upcoming Commissioners meeting to listen to your questions and answer all I can.

Thank you for this consideration.

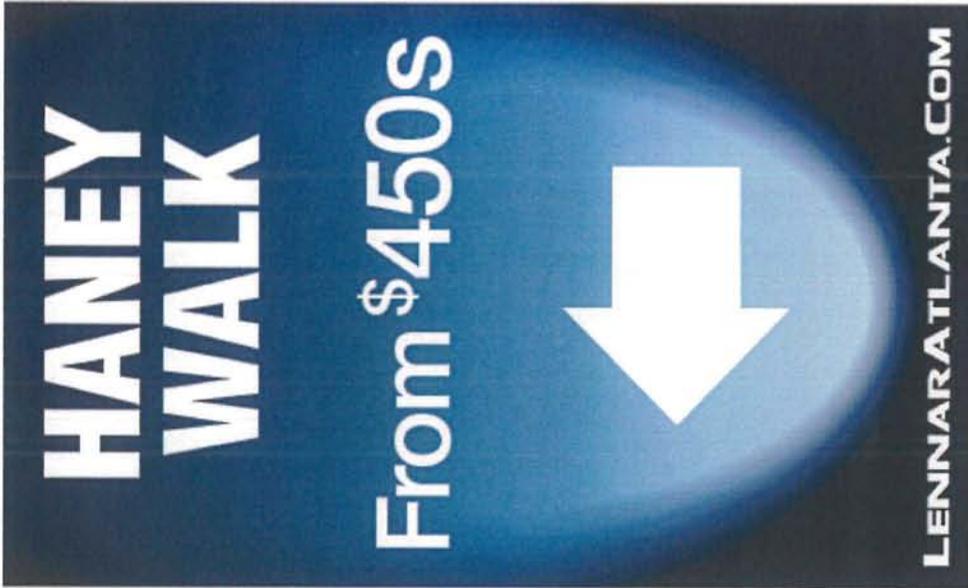
Sincerely,


Scott Powers

Attachment: Lennar 3-23-15 (3338 : Lennar Sign Variance)



FRONT



BACK

QTY: 1
36" x 60"

DIGITAL PRINTS
DOUBLE SIDED

DADO CUT TO HOLD SIGN FACE.
FINIAL TOPS AS 2 6 X 6 X 2 AND 2 10 X 10 X 2.
FINIALS ARE ALSO PAINTED WHITE



SIGN LEASE AGREEMENT

This agreement made this 24th day of February, 2015 between _____, hereinafter referred to as "Lessor" and **Lennar Corporation**, hereinafter referred to as "Lessee".

WITNESSETH, the Lessor hereby grants to the Lessee the right and permission to use the premises for the purpose of erecting and maintaining a sign on Lessor's property at 8099 N. Main St. (the "Property"). The term of this agreement shall be from 1st March 2015 to 30th September 2015. Lessee shall have the right to renew this agreement for additional terms by notifying Lessor in writing prior to the expiration of the then current term. The payment for the six-month term will be \$900.00, payable upon execution of this agreement, and installation of the sign. An extension to this lease can be negotiated at the lease end. Otherwise, the sign will be removed.

Lessee shall have the right to maintain, repair, replace and repaint said sign as often as Lessee desires. Lessor grants to Lessee the right to enter onto the Property to exercise these rights. During the term hereof, Lessor shall not cause or permit any sign, structure, landscaping or other obstruction to be constructed or installed that would block or impair the view of the sign from vehicular traffic. The sign is and shall remain the property of the Lessee, and until the termination of this Agreement, Lessee shall have the right to enter onto Property and remove the sign.

Lessee represents and warrants that Lessor is the owner of the premises where sign is located or has full right and authority to make this lease. Lessor shall have the right to terminate this agreement upon thirty (30) days written notice and will refund to Lessee a pro-rata portion of the term payment. Lessee shall have the right to terminate this agreement upon thirty (30) days written notice to Lessor.

Lessor acknowledges that this lease grants exclusive privilege to Lessee and that no other signs shall be placed on the property during the lease period without the permission of the Lessee, *with the exception of for sale or for rent signs placed by Lessor*. IT IS AGREED that time shall be of the essence and this Agreement shall be binding on both parties, their heirs, personal representatives and/or assigns.

LESSOR

Joan M. Ruddell
Signature
Joan M. Ruddell
Print Name
3710 Pine Mt. Circle
Address
Kennesaw, Ga 30152
City/State ZIP
404-643-4666
Phone

LESSEE

LENNAR Corporation
By: Rose Humphrey
Rose Humphrey, Marketing Manager
1000 Holcomb Woods Parkway
Building 200, Suite 200
Roswell, GA 30076
770-670-2757

Attachment: Lennar 3-23-15 (3338 : Lennar Sign Variance)



Temporary Sign Permit Application

12453 Highway 92, Woodstock, GA 30188
 p: 770.592.6054 f: 770.926.7820

e: woodstockbuilding@woodstockga.gov w: www.woodstockga.gov

OFFICE USE ONLY:

Received by: _____ Date: _____ Plan # _____ EGov Verified: _____

PROJECT INFORMATION	APPLICANT
Project Name: <u>HANEV WALK</u>	Name: <u>SCOTT POWERS/ON SIGHT</u>
Address: <u>8099 N. MAIN ST.</u>	Phone: <u>(770) 878-4649</u>
- No Temporary Sign or Banner is permitted to be placed in the right-of-way.	Email: <u>SCOTT@thinkonsight.com</u>
	BL #: <u>2014000857</u>

SIGN TYPE AND DIMENSIONS (complete only one option per application)

<input checked="" type="checkbox"/> Temporary Sign (excluding banner): - Must be less than 32 square feet and no more than 8 feet in height - Valid for up to 30 consecutive days, no more than twice in a 12-month period Structure: H: <u>8</u> ft. X W: <u>4</u> ft. = <u>32</u> sf Sign Area: H: <u>4</u> ft. X W: <u>8</u> ft. = <u>32</u> sf List any other Freestanding Signs on property: <u>NONE</u> - Include site plan showing location of proposed sign - Include separate drawing including dimensions Requested permit start date: _____	<input type="checkbox"/> Banner: - Must be made of fabric or similar lightweight material and be less than 24 square feet - Valid for up to 15 consecutive days, no more than once every three months Describe proposed Banner location: _____ Proposed Banner Area: _____ sf Draw proposed banner below (including dimensions): _____ Requested permit start date: _____
--	--

PROPERTY OWNER/AGENT INFORMATION

Name: <u>JOAN RUDDELL</u>	I hereby certify that I am the owner or representative agent of the property on which the proposed sign will be located and I approve of its design and location: Signature of Owner/Agent: <u>See attached lease</u>
Phone: <u>(404) 643-4666</u>	
Email: <u>Ruddell@bellsouth.net</u>	
Address: <u>3710 PINE MOUNTAIN CIR.</u>	
State: <u>KENNESAW GA</u> Zip: <u>30152</u>	

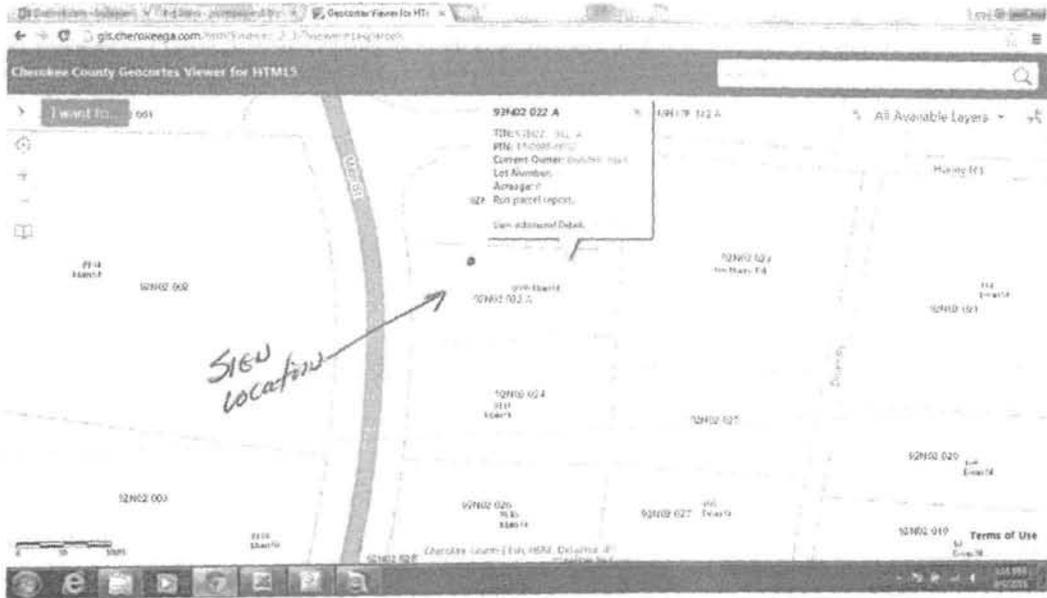
Applicant's Affidavit:

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in the City of Woodstock, Georgia. I understand that a separate permit must be obtained for electrical, plumbing, heating, ventilation and air conditioning, pools, signs, etc.

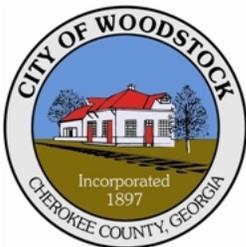
I certify that all information contained in this application, plans and other documents submitted to obtain the requested permit is accurate and all work will be done in compliance with all applicable laws and ordinances regulating construction and zoning.

Applicant's Name: J. SCOTT POWERS Signature: [Signature] Date: 2/25/15

Attachment: Lennar 3-23-15 (3338 : Lennar Sign Variance)



Attachment: Lennar 3-23-15 (3338 : Lennar Sign Variance)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Approval of Minutes - March 9, 2015 Regular Council Meeting

Presented by: Rhonda Pezzello

Summary:

Additional Information:

Recommendation:

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

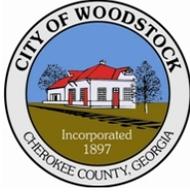
Supporting Documents:

- 03092015 Minutes.draft (DOC)

Mayor and Council Pending

Reviews / Approvals

03/23/2015 7:00 PM



EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Regular Meeting of the Mayor and Council
City of Woodstock, GA
The Chambers at City Center - 8534 Main Street
770 592-6000 (Main) 770 592-6002 (City Clerk) 770 926-1375 (Fax)
<http://www.woodstockga.gov>

~ MINUTES ~

Monday, March, 9, 2015

Regular Meeting of the Mayor and Council
7:00 PM

ITEM 1. MEETING CALLED TO ORDER

7:00 PM Meeting called to order on March 9, 2015 at The Chambers at City Center, 8534 Main Street, Woodstock, GA.

Attendee Name	Title	Status	Arrived
Warren Johnson	Council Member - Ward 1	Present	
Chris Casdia	Council Member - Ward 2	Absent	
Bob Mueller	Council Member - Ward 3	Present	
Liz Baxter	Council Member - Ward 4	Present	
Bud Leonard	Council Member - Ward 5	Absent	
Rob Usher	Council Member - Ward 6	Present	
Donnie Henriques	Mayor	Present	
Jeff Moon	City Manager	Present	
Eldon Basham	City Attorney	Present	
Rhonda Pezzello	City Clerk	Present	
Robert Porche	CFO	Present	
Preston Pooser	Parks & Recreation Director	Present	
Pat Flood	Public Works Director	Present	
Jim Moore	IT Director	Present	
Jessica Guinn	Community Development Director	Present	
Calvin Moss	Police Chief	Present	
David Soumas	Fire Chief	Present	
Brian Stockton	Economic Development Director	Present	
Crystal Welch	Budget Analyst	Present	
Audrey Sullivan	Financial Analyst	Present	

ITEM 2. RECOGNITION OF GUESTS AND VISITORS

1. **PROCLAMATION - March 19th is Agriculture Day**
2. **PROCLAMATION - Autism Awareness Day and Month**

ITEM 3. APPOINTMENTS/OATH OF OFFICE

1. **Swearing in of Dwight Waggoner to DDA/CVB (Ward 6)**

COMMENTS - Current Meeting:

Motion to approve made by Council Members Usher/Johnson. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Rob Usher, Council Member - Ward 6
SECONDER:	Warren Johnson, Council Member - Ward 1
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

ITEM 4. ANNOUNCEMENTS**1. Announcements for March 2015**

Fix a Leak Week is March 16-22. Visit the Stormwater Page on City's website for more info.

Cherokee County Comprehensive Transportation Plan Update/Open House
March 24th at The Bluffs in Canton - 6 pm to 8 pm
March 26th at The Chambers at City Center - 6 pm to 8 pm
<http://www.cherokeega.com/roadway-splst-program>

Coming on April 18th: GREENSTOCK DAY/EARTH DAY CELEBRATION w/E-Recycle, Shredding, Yard Sales and Special Trash Pick up! See website for more info or call 770 517-6788.

ITEM 5. INFORMATIONAL ITEMS/PROJECT UPDATES**ITEM 6. PUBLIC COMMENT****ITEM 7. CONSENT AGENDA****COMMENTS - Current Meeting:**

Motion to pull Consent agenda item 7.1 by Council Member Johnson/Mueller. All in favor. Motion carried 4-0

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

1. Major Budget Amendment, Dupree Park Fitness Trail (APPROVED)

Staff requests City Council to approve a major budget amendment transferring \$75,000 from Impact Fees to the Park Capital Outlay account in the current operating budget.

Staff Requests Council to Award Hasley Recreation's bid in the amount of \$48,950 and Architectural Design Specialist's bid in the amount of \$6,295 for Outdoor Fitness Equipment.

The remainder of the funds transferred will be used to construct the related Concrete Pad.

Account Name/Number - 315-5535-5410-541110-00 Capital Outlay

Budget Amount - \$248,000.00 + \$75,000 = \$323,000

Amount Spent to Date - \$67,648.18

Amount of Request - \$75,000

COMMENTS - Current Meeting:

Council Member Johnson: Were there any additional bids received? No, per Preston- Just wondering how large a difference throughout the market.

Preston Pooser: Specific on equipment he wanted. Wanted handicap accessible equipment. Wrote proposal so he could pick and choose. Selectorized was from Hasley and non-selectorized was from other company.

Council Member Johnson: Are there other companies? At a glance on others that bid from both sides, could be a savings of \$6-8,000 on limited number of pieces - are there other companies where we could pick up some other savings?

Preston Pooser: Sent out to six companies that had Selectorize - sent out to 5 or 6 at least. These were the only two that responded.

Motion to approve made by Council Members Johnson/Usher. All in favor. Motion carried 4-0.

2. UMR Health Insurance Agreement (APPROVED)

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

3. Ordinance (ID # 3298) A#070-14 Kingsridge De-Annexation Second Reading (APPROVED)

The City of Woodstock, Georgia has received an application for de-annexation from Sharon Oglesby, Donald Moncrief, Jr., and Jackson A. Norton of Woodstock, GA (Case A#070-14). The properties are located at 1070 and 1080 Castlewood Drive, and 890 Tanglewood Trail, and consist of ±0.552, 0.620, and 0.584 acres respectively. The properties are identified as tax map and parcel numbers 15N12B 299, 347, and 348 zoned GC (General Commercial) in the City limits of Woodstock, GA. The application is to request de-annexation. If approved, the properties would revert back to Cherokee County jurisdiction and zoning.

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

4. Contract and/or RFP (ID # 3303) J & M Displays Fireworks Contract (APPROVED)

Asking approval of 2015 fireworks contract from J & M Displays, the same company we used for last year's fireworks display. Total cost of the show \$ 15,000 to be paid from FY 2016 Budget Funds.

Amount of Contract: \$ 15,000

Special Events: 101-5535-5230-523967-00

\$ 15,000 to be paid out of FY 2016 Budget Funds.

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

5. Major Budget Amendment to Purchase GIS Printer (APPROVED)

The plotter (large format printer) currently used by the GIS department reached end of life in 2007; however, it has continued to meet the printing needs of the city well beyond that point. Recently, repairs to the plotter were made, but a replacement part was very difficult to obtain due to the advanced age of the equipment.

A long-term vacancy in the GIS department has resulted in adequate savings in the Salaries and Wages line item of the GIS department budget to cover the cost to replace the plotter. In fact, as of February 28, only 47% of funds budgeted for the Salaries and Wages line item had been used, although 67% of the current fiscal year is complete. At this time, we are requesting approval of a major budget amendment to transfer \$9,900 from the Salaries and Wages line item to the Minor Equipment line item in order to move forward with purchase of a new plotter. This equipment is critical to the functions of the GIS department, which serves numerous other departments in the City. This request will in no way increase the overall budget for the department in this fiscal year.

Account Name/Number - Minor Equipment 101-7412-5310-531610-00 / Salaries & Wages 101-7410-5110-511110-00

Budget Amount - \$6,800.00 / \$95,798.26 (respectively)

Amount Spent to Date - \$6,328.17 / \$44,625.16 (respectively)

Encumbered Balance - \$0 / \$0

Amount of Request - \$9,900.00

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

6. Sign Variance Applebee's- 901 Ridgewalk Parkway (APPROVED)

Staff requests approval of a sign variance for property located at 901 Ridgewalk Parkway (Applebee's). A sign permit was previously approved to allow for an eight foot tall monument sign on the property. In reviewing the sign permit request for the neighboring parcel (Outparcel #5), staff noted that the LDO definition of "Sign Height" calls for height to be measured from the top of the nearest adjacent curb to the top of the sign structure. The Applebee's sign is eight feet in height as measured from the bottom to the top of the sign structure; however, due to the developed conditions of the site the sign would measure greater than eight feet in height as measured from the top of the curb of Ridgewalk Parkway to the top of the sign structure. This is a hardship related to the development of the property, and is in no way the result of the actions of the applicant.

Typically, a provision such as that provided in the LDO for the measurement of sign height would apply to signs that are located below the finished grade of the road. In fact, this seems to be how this language was interpreted in the past. The literal interpretation of this provision, however, does not differentiate between signs located above grade and those below grade. Staff will prepare and bring forth a text amendment to this language in the sign ordinance in order to

clarify the appropriate method for measuring sign height, whether the proposed sign is at, above, or below grade.

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

7. 2nd Reading - Emergency Ordinance of the Senior Living Moratorium Extension (APPROVED)

On May 14, 2014, the City Council approved a moratorium on new zoning applications for Senior Living (SL) zoning district in order for staff to review the City's zoning requirements for the Senior Living zoning classifications, research best practices, and to provide recommendations for amendments to the Land Development Ordinance.

This moratorium was extended through February 23, 2015 and needs to be extended again for an additional 30 days at staff's request.

COMMENTS - Current Meeting:

Motion to approve Consent agenda items 7.2 through 7.7 made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

ITEM 8. PETITIONS AND COMMUNICATIONS

ITEM 9. MINUTES APPROVAL

1. Approval of Minutes - 2/23/2015 Regular Council Meeting (APPROVED)

Items in red were added since sent out as draft.

COMMENTS - Current Meeting:

Motion to approve made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

ITEM 10. NEW BUSINESS

1. Major Budget Amendment - Rope Mill Park, Avalanche Mountain Bike Trail (APPROVED)

Staff requests City Council to approve a major budget amendment transferring \$20,500 from Impact Fees to the Park Capital Outlay account in the current operating budget.

Staff Requests Council to approve work to be completed by SORBA in the amount of \$20,500.

Account Name/Number - 315-5535-5410-541110-00 Capital Outlay

Budget Amount - \$248,000.00 + \$20,500 = \$323,500

Amount Spent to Date - \$67,648.18

Amount of Request - \$20,500

COMMENTS - Current Meeting:

Preston Pooser presented the request to the Mayor and Council. He stated that initially, the City had agreed to contribute \$40,000 and the mountain bike community would contribute a matching \$40,000. However, the mountain bike community was able to raise the full \$80,000. The \$40,000 from the City was put into contingency for either new trail construction around the Avalanche Loop or for new sections of trail on the north side of the river.

Avalanche Trail - current trail builders are in town right now and will be for another month.

David Potts: **Introduced** Gary Moore, Executive Director - fulltime employee for Greenprints and Trail Coordinator for SORBA Woodstock.

Mr. Potts stated they are receiving very positive feedback about the trails, although parking is still an issue. On the north side of river they found terrain they didn't know was there and ended up making the trail larger. Burned through original \$80,000 they had. The new trail will come past new bathroom facilities and will correct some hazardous dangerous areas. He stated we need a new trail segment around another dangerous section as well. We also need to do some rehab to trail section on other side of I-575.

Greenprints is asking for Council's support. Items requested were laid out by order of importance. 1. New trail construction at entrance of Avalanche Loop. New trail will be constructed around new restroom facilities and will allow bikers and hikers access to the facilities. Cost \$4000. 2. New trail construction and two retaining walls around hazardous section of trail near rock outcropping. Retaining walls will reduce out-slope and stabilize trail tread. Rock armoring of trail tread will eliminate erosion and prevent biker traffic from exiting trail down dangerous eroded fall line. Cost \$6000. 3) New trail construction around sewer easement on Avalanche Trail. New trail will be less hazardous to trail users and will set up a safe approach to the bridge. Cost \$3500. 4. Total of two new bridges and two sections of new trail to be built. Cost: \$7000. Total project cost is \$20,500.

They are going to continue to raise money through the private sector. Trail Dynamics is a private trail building company. Trail built by them rather than volunteers is much better. We have to get this company while we can – they are booked after they leave here and are headed to Virginia next.

Council Member Baxter asked if \$20,500 should take them into next budget year. Yes, per Preston - at least another year.

Motion to approve request made by Council Members Baxter/Johnson. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Liz Baxter, Council Member - Ward 4
SECONDER:	Warren Johnson, Council Member - Ward 1
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

2. 1st Reading- Text Amendment to Section 6-20 (APPROVED)

A text amendment to Section 6-20, Open Containers Prohibited, is proposed to accompany the text amendment to Chapter 82, Streets, Sidewalks and Other Public Places. This amendment would allow for approved sidewalk cafes to be considered a part of the premises of a restaurant for the purposes of on premise consumption of alcoholic beverages.

COMMENTS - Current Meeting:

Motion to approve 1st reading made by Council Member Mueller/Johnson. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Warren Johnson, Council Member - Ward 1
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

3. 1st Reading- Text Amendment to Chapter 82 Addition of Sidewalk Cafe Ordinance (APPROVED)

To this point, two businesses in Downtown, Village Market and Cafe and Ice, have requested consideration from Mayor and Council to allow for dining on the public sidewalk. Both requests were approved, and have operated with few noted issues. At this time, staff proposes a text amendment to permit sidewalk cafes for licensed restaurants, and to provide clear regulations for the sidewalk cafes.

Staff Summary:

The proposed text amendment will create a new Section 82-17, Sidewalk Café Ordinance, in order to provide for the authorization and regulation of sidewalk cafes to be operated on public sidewalks in Woodstock. Under the proposed amendment, licensed restaurants within the DT-CBD, DT-RO and DT-CMU zoning districts could apply for and obtain a permit to operate a sidewalk café, provided that the regulations set forth in the code are met. Sidewalk cafes must be partitioned off from the rest of the sidewalk utilizing approved dividers, and may not extend more than six feet from the face of the building. In no case will a sidewalk café be permitted to reduce the clear zone for pedestrians to less than five feet in width. Standards for furnishings and signs are provided in the proposed text, and smoking will be prohibited within sidewalk cafes. Furthermore, the text requires applicants for sidewalk cafes to name the City as an additional insured on their general liability insurance, and to provide coverage at a minimum of \$500,000 per person, and \$1,000,000 per occurrence, with an additional \$1,000,000 umbrella coverage.

The proposed text amendment allows for operators holding a valid alcohol license for on premise consumption to serve alcohol within the confines of a sidewalk café. Alcohol service will be restricted to one alcoholic beverage in the possession of each patron, and alcohol may not be removed from the premises of the restaurant or the sidewalk café. An amendment to Section 6-20, Open Containers Prohibited, accompanies this request in order to replace Section 6-20(b) with the following language:

No establishment licensed under this chapter to sell alcoholic beverages shall allow a person to leave those premises with alcoholic beverages in an open cup, bottle, can or other open container. For the purposes of this ordinance, areas licensed as Sidewalk Cafes pursuant to Section 82-12 shall be considered a part of the premises.

COMMENTS - Current Meeting:

Jessica stated that she would also like to request changing the wording from “licensed restaurant” to “outdoor business” and change from “outdoor dining” to “outdoor seating.”

Those who haven't gotten permission for outdoor seating yet would be sent communication from (particularly downtown businesses) that the City is pleased to offer them this opportunity and that we are hear to answer any questions. We will give them 30 days to come in to compliance and

apply for permit at no charge. Then after 30 days code enforcement will go out and visit them and help them come into compliance.

Council Member Baxter: Could they set up like a bar stool type long and narrow tables on the west side of Main because of limited space? Yes, per Jessica, nothing determines the type of furniture they use.

Motion to approve made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

Changed to “outdoor business” and “outdoor seating” for 1st reading.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

4. 1st Reading - Amendment to Woodstock Code of Ordinances Ch. 14-1 and Ch. 58-32 (APPROVED)

We are revising these two ordinances in order to be consistent with current State Law regarding hunting and firearms possession within the City Limits.

COMMENTS - Current Meeting:

The Department of Natural Resources reminded the City that only they can regulate hunting on their land which prompted the City to look at our ordinance. **City Attorney** drafted changes in these two sections. (Chief Moss was also involved in the drafting of these.) Addresses discharge of firearms rather than "hunting".

We had also not made changes to Section 58-32 pursuant to the new gun legislation approved by the State last year. So we added verbiage about personal defense. Also, an indoor fire range is now permitted in the ordinance. We have not had any requests nor do we have any requests pending for an indoor range at this time. We are just thinking ahead to include an indoor fire range as well.

Motion to approve made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

5. GA NE RAILROAD - Ridgewalk Signal Replacement Agreement (APPROVED)

Attached is a lump sum agreement for the signal replacement at Ridgewalk Parkway. The equipment is on hand, so once this agreement is executed the railroad can make plans to replace the signal equipment.

The City Attorney has reviewed and approved.

COMMENTS - Current Meeting:

City Manager: This is the first of two phases. The next will be at the next meeting.

Modifications of their equipment on west bound lanes on north side of this intersection.

South on main - turning westbound - cross arm to be extended – needs to be replaced and scaffolding has to come across two lanes - also needs to be replaced. RR requiring agreement with City - can't do with church because it's a city road.

Split the cost with the church - we recommend this because when plans were reviewed - RR was not included in plan review. No one's fault - just overlooked. In fairness we should split the cost with the church. \$13,000 is the total cost for us for a \$1 million dollar road project. Next meeting the City Manager will request a budget amendment.

Our cost is \$13,000 - coming from streets SPLOST budget.

Motion to approve made by Council Members Usher/Mueller. All in favor. Motion carried 4-0.

Council Member Usher thinks its good we're getting this in compliance safety wise and paying attention to safety.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Rob Usher, Council Member - Ward 6
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

ITEM 11. OLD BUSINESS

1. Sign Variance Request Tinsley/Postiglione- Woodstock Parkway (DENIED)

On behalf of Tinsley/Postiglione, Adam Webb of Webb, Klase & Lemond, LLC has submitted a sign variance request for property located south of Ridgewalk Parkway on Woodstock Parkway, fronting the northbound lanes of I-575, identified as Tax Parcel ID 15N11 041. The request is for relief from LDO Section, restricting billboards within 500 feet of properties either zoned or designated for single-family residential use. The proposed billboard location is located 426' from the Deer Run subdivision. The parcel is currently zoned LI (Light Industrial) within the Tech Park Overlay, which would allow for single-family residential uses on the subject property.

This item was tabled at the February 23, 2015 meeting.

COMMENTS - Current Meeting:

Sign Variance Request

I-575 ROW just south of the outlet. Closer than 500' from residential use or zoned property. They are 426' from Deer Run and LI w/Tech Park overlay that does allow for single family and County R-40 which also allows for single family.

No questions for staff or applicant.

Motion to deny made by Council Members Usher/Mueller. All in favor. Motion carried 4-0.

RESULT:	DENY [UNANIMOUS]
MOVER:	Rob Usher, Council Member - Ward 6
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

2. Tinsley/Postiglione Appeal (TABLED)

On behalf of Tinsley/Postiglione, Adam Webb of Webb, Klase & Lemond, LLC has submitted an appeal to a denial of a billboard application for property located south of Ridgewalk Parkway on

Woodstock Parkway, fronting the northbound lanes of I-575, identified as Tax Parcel ID 15N11 041. The sign permit application was denied by staff in accordance with LDO Section, restricting billboards within 500 feet of properties either zoned or designated for single-family residential use. The proposed billboard location is located 426' from the Deer Run subdivision. The parcel is currently zoned LI (Light Industrial) within the Tech Park Overlay, which would allow for single-family residential uses on the subject property.

This item was tabled at the February 23, 2015 meeting.

COMMENTS - Current Meeting:

Jessica Guinn gave a brief overview of the request. She stated that the application was received on December 17, 2014, a letter of denial was sent on January 12, 2015 and they filed a letter of appeal on January 27, 2015.

This applicant filed an application for this same location back in June 2013 but staff denied it so the applicant filed an appeal but later withdrew the appeal

Adam Webb, Attorney for Mr. Tinsley and Mr. Postiglione presented their appeal.

He asked the Council to “put on a different hat.” This is a different matter than a variance. The variance requested was discretionary but he said they are now looking at actual language of code and to remember that Georgia law says the tie goes in favor of the land owner and in favor of the applicant. If there is ambiguity then resolve it in the favor of the applicant, free use of property.

Seeking to reverse decision of the staff. How, well first, the staff determined that spacing from properties designated single family residential included all properties in the technology park overlay district. This is industrially zoned property and a few years ago industrial zoned property had an overlay added to it. Encouraged business below, residential above. Council specifically said this is to add additional rights. Added possibilities. Never took anything away. Very clear.

Here is where they said you have lost the right that the Council gave the Cody's on this property to have a billboard on the parcel. This is just a misinterpretation of how the code should be interpreted. Asking this body to right that wrong.

If you look at the sign code: 6.2.3.....it reads:

6.2.3. - Mixed Use Districts.

Those properties zoned as mixed use under the City zoning regulations shall follow residential district standards for residentially used portions of the development and commercial standards for commercial portions of the development. Where a mix of uses occurs within a single building, such as residential over office or storefront use, the commercial standards of this Chapter shall apply.

You see you have mixed use – allowing a mash of uses.

Mixed Use districts - those properties zoned as mixed use - should follow residential district standards for residential zoned and commercial standards for commercial use.

Other portions of sign code, Section 6.3.1 – this gives you all the provisions for signs that apply to all properties zoned SF residential - applies to signs in residential areas. But we know that the outlet mall has more than 18' square foot of signs. Staff is saying the same ordinance that restricts billboards was the one applied to the outlet mall. We all know the Outlet shops didn't comply with this ordinance per Mr. Webb. He said this is a silly notion. And that the ordinance itself shows this repeatedly as he's shown this cannot be the case.

6.3.1. - *Applicability.*

The provisions of this Article apply to all properties zoned single-family residential, properties used for single-family residential occupancy, and townhomes, as well as properties in mixed use or overlay districts designed for single-family residential occupancy. Institutional uses located in single-family residential zones and multi-family residential uses are governed by Article IV, rather than this Article.

He further stated that the appellant agrees that if this parcel is ever developed for SF use or is shared with a single family residential use then the billboard would be removed within 90 days (of breaking ground). This could be a condition. This alleviates any real concern. But we all know it's a far fetched notion. The Cody's have an arrangement with the outlet mall to use this parcel for additional parking and hopefully a billboard. It now has two sewer easements across the parcel. It's a strange property that was cut down the middle because of the road.

The second element that is being appealed here is the idea that the Deer Run Subdivision – the 5 parcels in Deer Run - are within the 500' arc. It's across the interstate. Not intended to be spacing across the interstate. We know that because of how the ordinance was written.

The ordinance says no billboard shall be located within 1000' of another billboard. Very similar to the State of Georgia except State says 500' of another billboard. Same side of the road. Does not apply across the road - go down to 6.4.6 g and h of the Woodstock Sign Code:

(g) *No Billboard shall be located within five hundred (500) feet of single-family residentially zoned parcels and/or parcels designated for single-family residential use.*

(h) *No Billboard shall be located with five hundred (500) feet in any direction of a public park, public playground, public recreational area, public forest, scenic area, or cemetery; provided, however, that such Sign may be located within five hundred (500) feet of such a use where the Sign is separated by buildings or other permanent physical obstructions so as to not be visible from the public park, public playground, public recreational area, public forest, scenic area or cemetery.*

It says "in any direction" which Mr. Webb says means you do a radial spacing. He says we know this because it's taken from State law and that is how the State does it and it's a misinterpretation not to recognize this is based upon State code.

By reference, Mr. Webb is including the exhibits presented at the February 23rd meeting and the City is including ordinances presented per City Attorney:

Appellant: 1) O.C.G.A. 32-6-75 billboard spacing on the same side of the road is a general rule. Radial in any direction should be the interpretation. 2) Variance Application and Sign Permit Appeal (Pre-hearing brief in support of variance or appeal); 3) The online version of Sec. 7.940 of the LDO and Ch. VI of the LDO; 4) The agenda packet – section 7.4 from 2/23/2015 Council Meeting.

City of Woodstock introduced certified copies of the Sign Ordinance and Technology Park Overlay Ordinance: Sign Ordinance adopted April 28, 2014 and revised on Dec. 8, 2014 and Technology Park Overlay initially adopted 2000, revised in 2002, 2007 and 2013.

OCGA 32-6-75 - A14 – says: (14) Is within 500 feet in any direction of a public park, public playground, public recreation area, public forest, scenic area, or cemetery; provided, however, that such sign may be located within 500 feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the 500 foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery;

This is the exact same language as is in the City Code.

Mr. Webb called Mr. Tinsley to the front. He was sworn in by Mr. Webb.

Mr. Webb: Tell us your experience in outdoor advertising.

Mr. Tinsley: Ladies and gentleman I'm Dave Tinsley, Owner of Tinsley-Postiglione Advertising and I've got over 18 ½ years in the billboard industry in Georgia.

Mr. Webb: Are you called upon to deal with local and state sign codes in your business?

Mr. Tinsley: Quite often.

Mr. Webb: Tell us about the state regulation of billboards, just generally.

Mr. Tinsley: Well briefly, just the way you described. The law requires separation of billboards on the same side of the interstate. State law is to be recognized by state and local governments. State and local governments can be more restrictive but can't be more lenient. But ya'll do have one place where you have 1000' and not 500' on billboard separation.

Mr. Webb: When you see the billboard regulation that is 32-6-75 for example, 500' spacing between billboards does that mean on the same side of the interstate or on both sides of the interstate?

Mr. Tinsley: Same side.

Mr. Webb: So could you have a billboard by state law right across from the interstate from each other?

Mr. Tinsley: There are several like that ... all over the state.

Mr. Webb: In the State 32-6-75 A(14) where it talks about in any direction of a public park, cemetery those type of things, is that interpreted by the state to cross over interstates or highways?

Mr. Tinsley: It is.

Mr. Webb: Now have you also dealt in your profession with local ordinances?

Mr. Tinsley: I have.

Mr. Webb: In State of Georgia do some of them follow sort of some of the state's lead and some of them do differently?

Mr. Tinsley: They do.

Mr. Webb: When you look at the Woodstock code, how would you characterize that one?

Mr. Tinsley: Well, the way I interpret it, it mimics state law with the exception of the spacing between the billboards.

Mr. Webb: And you said that was a 1000' in Woodstock but it is 500' by State.

Mr. Tinsley: That's correct.

Mr. Webb: What's your interpretation as to state code? Does this billboard you propose qualify with all the state regulations?

Mr. Tinsley: Yes.

Mr. Webb: We've talked about the City regulations, the distance from overlay park zoning. Are you stipulating before this board that if it would ever have a single family residence on that parcel that the billboard would be removed within 90 days?

Mr. Tinsley: We are.

Mr. Webb: As for the other part, distance from the Deer Run Subdivision, if you did not space across the interstate, would that be a problem? If you did not have a spacing restriction they were attempting to apply across from the interstate would that be a problem?

Mr. Tinsley: Not at all.

Mr. Webb: Have you looked at other residential SF residential parcels on the same side of the interstate?

Mr. Tinsley: I have.

Mr. Webb: Is there any problem from this billboard for those uses?

Mr. Tinsley: I don't see any.

Mr. Webb: Have you ever dealt with a city that had spacing requirements between billboards and residences?

Mr. Tinsley: Yes sir.

Mr. Webb: When they have done that have you ever had one that interpreted for example potential for future single family use as being a reason to turn down a billboard?

Mr. Tinsley: Not in my experience.

Mr. Webb: Have you reviewed City of Woodstock closely for billboard locations that would comply with the code?

Mr. Tinsley: We have.

Mr. Webb: Is there a viable billboard location where the city allows them out there on I-575?

Mr. Tinsley: This is the only one

Mr. Webb: If the City's interpretation is correct - Has the City affectively banned billboards?

Mr. Tinsley: I would say that.

Mr. Postiglione was sworn in.

Mr. Webb asked Mr. Postiglione to tell the Council his intentions for this billboard.

Mr. Postiglione: He stated he is the day to day operator for billboards - he's the phone number - all calls come to him. Enormous amount of demand for billboards in Woodstock. Good demographic from an advertiser's standpoint but also a testament for the effectiveness for billboard advertising. Phone rings all the time. When City changed the ordinance a few years back we set out to look for available locations and this one we believe now meets all the criteria - has commitments on these billboards. This would be the last one brought into the City - we would hope because of the demand that this would be built with trivision - face physically rotates every 3rd of a turn - would allow six advertisers on one billboard. Has commitments for four of the six ads.

Mr. Webb asked what type of advertisers?

Mr. Postiglione: Vast majority are City folks - All About Health, Dress Up Boutique and Northside Hospital wants two sides. Has no doubt that the other two segments will be occupied as well by local folks.

Mr. Webb asked what are the positives for both those businesses and the City.

Mr. Postiglione: 1st) Revenue for property owner, signed a lease in November for parking for the outlet mall; 2nd is revenue generated for his advertisers. 3) Revenue for City - jobs created if and if businesses do good, City does good. Ripple effect and multiplier effect.

Attachment: 03092015 Minutes.draft (3330 : Approval of Minutes)

Mr. Webb asked him to confirm in his expert estimation a few things. Does State restrict billboard spacing on same side of road or across the road? As to billboard to billboard...

Mr. Postiglione: Only the same side.

Mr. Webb: Only the same side, doesn't bounce across the road?

Mr. Postiglione: Correct.

Mr. Webb: When State says any direction - do they cross highway or interstate?

Mr. Postiglione: Yes.

Mr. Webb: Is this code supposed to be interpreted across interstate when it doesn't say in any direction?

Mr. Postiglione: No.

Mr. Webb: Would you confirm Mr. Tinsley's interpretation that if City's interpretation is right, do you agree there is no viable location in City

Mr. Postiglione: Yes unless City annexes.

Mr. Webb: Do you affirm your testimony last time for variance proceeding and to incorporate into your presentation here?

Mr. Postiglione: Yes

The City Attorney clarified what Mr. Postiglione meant by "No viable location". It was clarified that he meant "new locations".

Clarified - new - not viable.

Mr. Postiglione operates several billboard locations in City.

Mr. Postiglione: No viable new billboard sites fronting I-575 or anywhere else.

Mayor took a break to speak with City Attorney for a moment.

Since subject of Northside Hospital Cherokee as potential advertiser came up, Mayor Henriques recused himself. That's his employer. Mayor Pro-tem Baxter took over the meeting.

Closing Statement Given by Mr. Webb

Thank you for hearing us out, we appreciate it. We take property rights very seriously in State of Georgia as well we should. To hear this body to declare I-575 is where they want billboards to go, the applicant applied based on these regulations and then were turned down for what he says is bogus grounds. Planning staff did not want to approve this billboard despite its compliance with the code.

Mr. Webb cited a recent media interview where Ms. Guinn said the code doesn't differentiate, it is 500' in any direction. He says that is the language she wants to be there, but it is not there. She is injecting this language in code but it is not there. Not meant to regulate billboard spacing to residential or other billboards based on State code.

Typically billboards are permitted under light industrial, then we gave a Tech Park Overlay that gives residential - took away their billboard right which is not what the overlay was for. If that were the case, then the outlet malls would have been given only 18' signage. Stipulation that billboard would be removed in the event of any single family residential.

Ultimately tender a decision in writing per City Attorney.

City Attorney suggested to table until next meeting (March 23) to allow Council to issue a decision in writing.

Motion to table made by Council Members Mueller/Usher. All in favor. Motion carried 4-0.

RESULT:	TABLE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

3. Discuss Croy Engineering Proposal (Towne Lake/Arnold Mill Widening Project) (APPROVED)

Proposal is for the fatal flaws analysis discussed at the retreat. Total cost could be as much as \$18,740 depending on whether or not Council goes with only Task 1 (Peer Review Analysis) or both Task 1 and Task 2 (Alternate Improvements).

Cost of Project: \$18,740

COMMENTS - Current Meeting:

City Manager: Their proposal is to evaluate the proposal, look at pros and cons and bring back alternatives. Staff recommendation is to proceed. Croy has a lot of historical traffic count data from interchange plus we've gotten them the Ross Consulting information as well.

Motion to approve made by Council Members Johnson/Baxter and to include tasks 1 and 2. All in favor. Motion carried 4-0.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Warren Johnson, Council Member - Ward 1
SECONDER:	Liz Baxter, Council Member - Ward 4
AYES:	Warren Johnson, Bob Mueller, Liz Baxter, Rob Usher

4. Woodstock Art Commission Update and Direction (Brian Stockton)

Susan Wright did a presentation about a month ago regarding creation of this commission. After more research, issues arose..

It was determined that donations are easier to accept if the art commission is part of the Main Street program which is an existing 501c6 committee. The MOU would be between the Arts Commission and the DDA with same outline as discussed before. Staff will bring back a master plan for approval.

Other cities have found ways to do this (501c3 organizations), but we haven't delved into it enough to do this. Would like to get moving on the master plan.

Council Member Baxter: Use same people as advisory group?

This would fall as a 5th Main Street committee that anyone can join. There are 7 or 8 people that have been working on this, but there could be more until such time a commission is established.

Could make it a condition that you have to be a member of the Main Street Committee as a 501c6 organization in order to allow them to take a donation. .

As Commission there were budgeting concerns as well. Main Street program is not audited - only the hotel/motel component is audited.

This is informational. Staff will start working on a master plan and a MOU. May still end up being a full blown Commission. Or the MOU may suffice. Council Member Baxter was good with this.

Master plan will be non-binding.

Council Member Usher and Council Member Johnson also agreed.

ITEM 12. MAYOR AND COUNCIL COMMENTS

American Legion - Wednesday night 3/18 – anniversary and recognizing Police and Firefighter of the year. 6 pm at Magnolia Hall. RSVP to Council Member Leonard.

Council Member Usher can't be there due to training.

Public Safety Academy – Council Member Usher - fun entertaining and informative - very well done per Council Member Baxter and Council Member Johnson.

ITEM 13. CITY MANAGER AND STAFF COMMENTS

Requested an executive session with no anticipated action being taken afterwards.

ITEM 14. EXECUTIVE SESSION - Personnel, Litigation, Real Estate

Motion to adjourn into executive session made at 8:27 pm by Council Members Johnson/Mueller.

ITEM 15. FINAL ADJOURNMENT

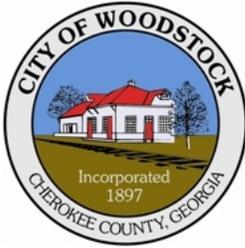
Motion for final adjournment made by Council Members Mueller/Johnson at 9:03 pm. All in favor. Motion carried 4-0.

As approved this 23rd day of March, 2015.

Donnie Henriques, Mayor

Rhonda Pezzello, City Clerk

Attachment: 03092015 Minutes.draft (3330 : Approval of Minutes)



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Discuss and Approve Modification to Chattahoochee Gold Swim Facility

Presented by: Jeff Moon

Summary:

Additional Information:

Recommendation:

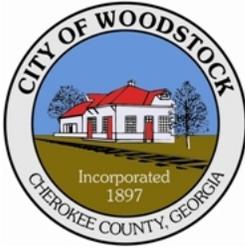
Budget Information:

N/A

Supporting Documents:

Reviews / Approvals

City Clerk	Completed	03/17/2015 1:41 PM
Jeff Moon	Completed	03/17/2015 1:41 PM
Mayor and Council	Pending	03/23/2015 7:00 PM



City of Woodstock
State of Georgia

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Council Meeting Date
March 23, 2015

Tinsley/Postiglione Appeal

Presented by: Jessica Guinn Adam Webb

Summary:

On behalf of Tinsley/Postiglione, Adam Webb of Webb, Klase & Lemond, LLC has submitted an appeal to a denial of a billboard application for property located south of Ridgewalk Parkway on Woodstock Parkway, fronting the northbound lanes of I-575, identified as Tax Parcel ID 15N11 041. The sign permit application was denied by staff in accordance with LDO Section, restricting billboards within 500 feet of properties either zoned or designated for single-family residential use. The proposed billboard location is located 426' from the Deer Run subdivision. The parcel is currently zoned LI (Light Industrial) within the Tech Park Overlay, which would allow for single-family residential uses on the subject property.

This item was tabled at the March 9, 2015 meeting.

Additional Information:

Recommendation:

Approve or deny variance request

Budget Information:

Account Name/Number -

Budget Amount -

Amount Spent to Date -

Encumbered Balance -

Amount of Request -

Supporting Documents:

- Tinsley Billboard Application 2015-02-17_13-55-15 (PDF)
- Tinsley- Signed Denial Letter 1-12-15 (PDF)
- Tinsley Postiglione Adam Webb Letter 2.2.15 (PDF)
- Tinsley appeal letter 2015-02-17_13-55-53 (PDF)

Reviews / Approvals

Jessica Guinn	Completed	03/17/2015 10:45 AM
City Clerk	Completed	03/17/2015 2:28 PM
Jeff Moon	Completed	03/17/2015 11:16 AM
Mayor and Council	Pending	03/23/2015 7:00 PM



Permanent Sign Permit Application

12453 Highway 92, Woodstock, GA 30188

p: 770.592.6054 f: 770.926.7820

e: woodstockbuilding@woodstockga.gov w: www.woodstockga.gov

OFFICE USE ONLY:

Received by: JH Date: 12/19/14 Plan # 3255-2014 EGov Verified: JH

PROJECT INFORMATION		CONTRACTOR	
Project Name: <u>Cody Property (Tract A)</u>		Name: <u>J-MAR CRANEWORKS</u>	
Address: <u>997108 Roper Mill Rd.</u>		Phone: (770) <u>597-9031</u>	
Tax Parcel ID: <u>15N11-041</u> Parcel Size: <u>3.49 AC</u>		Email: <u>mdhardin@mindspring</u>	
Sign Value: \$ <u>30,000</u> Electrical Required: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Existing		BL #: <u>73940 - see Aerial</u>	
SIGN TYPE (check only one option per application)		APPLICANT	
Freestanding: <input type="checkbox"/> Monument <input type="checkbox"/> Nostalgic (DT-CMU, DT-GC, DT-HO) <input checked="" type="checkbox"/> Pole (adj to 575 only) <input type="checkbox"/> Panel Replacement (existing sign) <input checked="" type="checkbox"/> Other: <u>Billboard</u>	Building: <input type="checkbox"/> Wall <input type="checkbox"/> Awning/Canopy <input type="checkbox"/> Projecting <input type="checkbox"/> Panel Replacement (existing sign) <input type="checkbox"/> Other: _____	Name: <u>Tinsley/Postiglione</u> Phone: (404) <u>316-6751</u> Email: <u>dtin885965@aol</u> Address: <u>1155 Norfolk Dr - Acworth</u> State: <u>GA</u> Zip: <u>30102</u> <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Tenant <input checked="" type="checkbox"/> Owner	
SIGN DIMENSIONS (complete applicable section only)			
Freestanding: Structure: H: <u>50</u> ft. X W: _____ ft. = _____ sf Sign Area: H: <u>14</u> ft. X W: <u>48</u> ft. = <u>672</u> sf List any other Freestanding Signs on property: <u>N/A</u>		Building: Dimensions of tenant's wall that Sign is being placed on: H: _____ ft. X W: _____ ft. = _____ sf Proposed Sign Area: _____ sf List any other Building Signs on tenant space:	
PROPERTY OWNER/AGENT INFORMATION			
Name: <u>Heav/Dirk - Cody</u> Phone: (828) <u>479-6040</u> Email: <u>AdCody@gmail.com</u> Address: <u>P.O. Box 1117 Robbinsville</u> State: <u>NC</u> Zip: <u>28771</u>		I hereby certify that I am the owner or representative agent of the property on which the proposed sign will be located and I approve of its design and location: Signature of Owner/Agent: <u>Dirk Cody</u>	

Send to: 131 Occ...
Milledgeville
3106

Applicant's Affidavit:

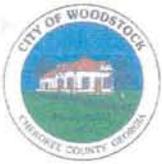
Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in the City of Woodstock, Georgia. I understand that a separate permit must be obtained for electrical, plumbing, heating, ventilation and air conditioning, pools, signs, etc.

I certify that all information contained in this application, plans and other documents submitted to obtain the requested permit is accurate and all work will be done in compliance with all applicable laws and ordinances regulating construction and zoning.

Applicant's Name: David Tinsley Signature: [Signature] Date: 12-17-14

received
JH 12/17/14

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



Permanent Sign Permit Application

12453 Highway 92, Woodstock, GA 30188

p: 770.592.6054 f: 770.926.7820

e: woodstockbuilding@woodstockga.gov w: www.woodstockga.gov

Special Instructions to Applicants:

The term "Sign" means and includes every device, frame, letter, figure, character, mark, plane, point, design, picture, logo, stroke, stripe, trademark or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public. Also, the above, when near the inside surface of a window in such a way as to be in the view of the general public and used or intended to be used to attract attention or convey information to the public.

Unless specifically exempted from obtaining a permit under provisions of Chapter VI of the Land Development Ordinance of the City of Woodstock, Georgia (LDO) Section 6.2.2, no person shall erect, construct, replace, relocate or structurally alter any Sign within the City without first obtaining a Sign permit from the Building Official. No permit shall be required to repaint or change the lettering of an existing conforming Sign, provided that no other changes are made and no change of ownership of the entity displaying the message thereon has been made.

All capitalized terms used in this Sign Permit Application shall have the definitions outlined in Section 6.1.3 of Chapter VI of the Land Development Ordinance of the City of Woodstock, Georgia.

Application Filing Checklist:

Applications for permits shall be made upon forms provided by the City and shall contain or have attached thereto the following information:

- Name, address and telephone number of the applicant.
- Tax Parcel ID and address of building, structure, or parcel to which or upon which the Sign is to be attached or erected. In the absence of a street address, a method of location that is acceptable to the Building Official shall be used.
- For Freestanding Signs: Two (2) accurate drawings showing the position of the sign in relation to nearby buildings or structures, including other Signs, driveways, parking areas, and any other limiting site features (survey not required).
- One (1) accurate drawing to scale of the plans, specifications and method of construction and attachment of the Sign to the building or ground. For Freestanding Signs: The drawing shall be an engineered structural drawing designed to the International Building Code and shall specifically include the size of the Sign area, overall height of the Sign, location of the Sign installation and its relation to existing rights-of-way and all driveways, a site distance diagram, and any protective devices or landscaping around the base of the Sign.
- Name, address, telephone number and business license number of the person erecting the Sign.
- Written consent of the owner or lessor of the building or land to which or upon which the Sign is to be erected.
- N/A The location and size of all other Signs on the parcel upon which the Sign is to be erected.
- The size of the parcel on which the Sign is to be erected and the length of the street frontage for the street to which the Sign is oriented.
- If the Sign is to be lighted, an application for electrical permit meeting all standards of the City of Woodstock, Georgia's electrical code.
- The value of the Sign.
- Such other information as the City of Woodstock, Georgia shall require to show full compliance with this and other ordinances of the City of Woodstock, Georgia.

ROCKDALE COUNTY BUSINESS AND OCCUPATIONAL LICENSE

P.O. BOX 289
CONYERS, GA 30012

J-MAR CRANWORKS, INC.
KLONDIKE RD SW, 3057

7349 OTHER SPECIAL TRADE CONTRACTORS

Mailing Address:

J-MAR CRANWORKS, INC.
MARCUS D. HARDIN, PRESIDENT
3057 KLONDIKE RD SW
CONYERS, GA 30094



73940



35038

NON-TRANSFERABLE

THIS IS A RECEIPT FOR OCCUPATIONAL TAXES FOR JAN. 1 - DEC. 31, 2014

THIS LICENSE EXPIRES 12-31-2014

THIS LICENSE MUST BE DISPLAYED IN A CONSPICUOUS PLACE

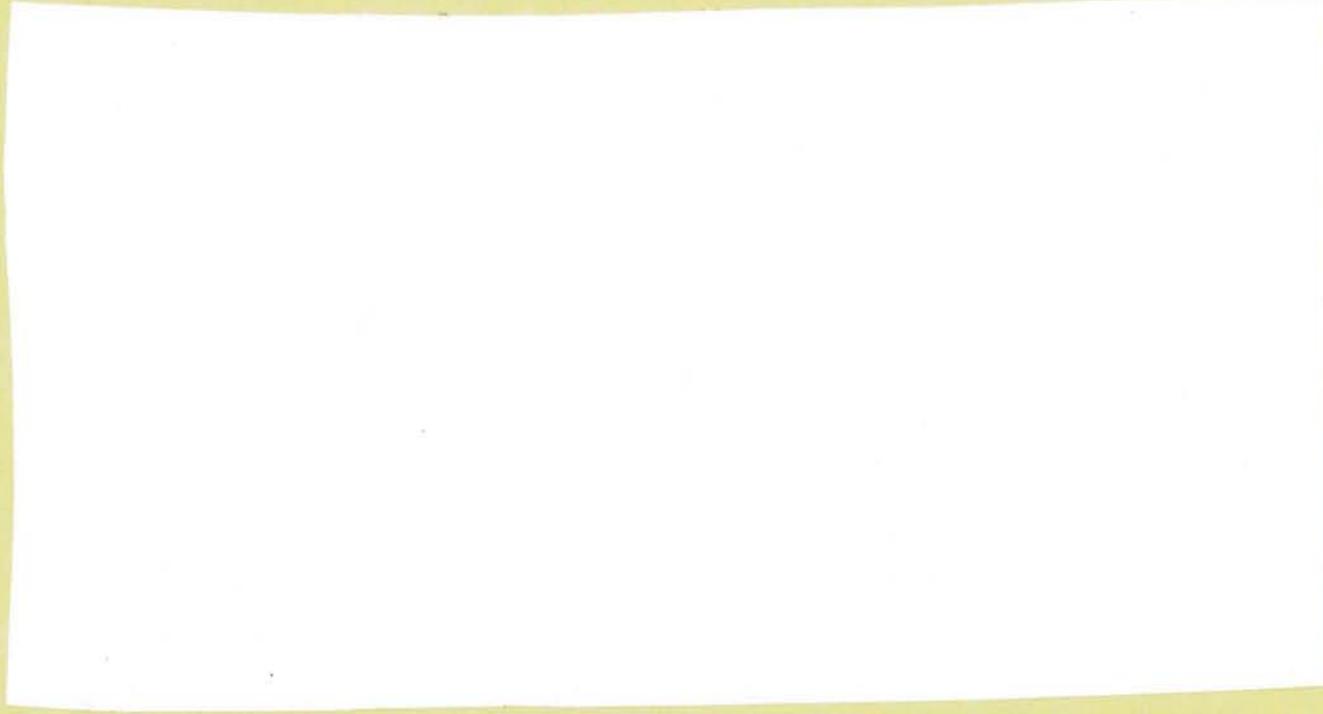
P.O. Box 289 * 958 Milstead Avenue * Conyers, Georgia 30012 * www.rockdalecounty.org

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)

CODY, KIRK; DAVID CODY, DONNA VENABLE & DANA ADAMS

ROPE MILL RD
997108
UN: 33 - CHANGE IN MARKET VALUE
SCHOOL M&O, SCHOOL BOND, PARK BOND, WOODSTOCK, STATE TAX, COUNTY INCORP
LL854 875 DIST 15
WESTERN WOODSTOCK AREA
CARD NO. 1 of 1
11.306 AC
TW-1
UNIQ ID 420117
ID NO: 15-0875-0004
Parcel ID: 15N11 041
SPLIT FROM ID
15N875-004
C-07 EX- AT- SRC= Inspection
LAST ACTION 20121015

CONSTRUCTION DETAIL				MARKET VALUE						DEPRECIATION		CORRELATION OF VALUE	
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	% GOOD	NORM	CREDESC TO		
0	50	00									DEPR. BUILDING VALUE - CARD DEPR. OB/XF VALUE - CARD MARKET LAND VALUE - CARD TOTAL MARKET VALUE - CARD		
0	0	0									204,200 204,200		
TOTAL APPRAISED VALUE - CARD TOTAL APPRAISED VALUE - PARCEL													
204,200 204,200													
TOTAL PRESENT USE VALUE - LAND TOTAL VALUE DEFERRED - PARCEL TOTAL TAXABLE VALUE - PARCEL													
0 0 204,200													



PRIOR	PERMIT		
BUILDING VALUE	CODE	DATE	NUMBER
0			
0	N	08/02/2012	003099-2012
259,300			
0	N	07/02/2012	003104-2012
0			
259,300			

OFF. RECORD BOOK	PAGE	DATE MO YR	DEED TYPE	Q/U	V/I	INDICATE SALES PRICE
10937	0431	7 2009	RD	Z	V	0
03539	0302	12 1999	RW	Z	V	0
03610	0035	12 1996	RW	Z	V	0
03051	0247	11 1996	WD	E	V	96,000
00446	0114	3 1985	WD	X	V	99,500

SALES DATA	
ROUT: WTRSHD:	

HEATED AREA	
NOTES	

SUBAREA				CODE	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG #	L / B	AYB	EYB	DEP SCH	OVR	% COND	OB/XF DEPR. VALUE
SUBAREA TOTALS				0	TOTAL OB/XF VALUE													

LAND INFORMATION																	
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJ/NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNIT TYPE	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
RURAL AC	0120	R-40	1050	0	1.1400	4	1.2200	+17 +05 +00 +00 +00	PW	13,000.00	11.306	AC	1.390	18,070.00	204299	0	

TOTAL MARKET LAND DATA																		
												11.306						

TOTAL PRESENT USE DATA																	

NN: 10 - LAND VALUE ADJUSTMENT
 COUNTY INCORP (100), PARK BOND (100), SCHOOL BOND (100), SCHOOL M&O (100),
 STATE TAX (100), WOODSTOCK (100)
 LL854 875 DIST 15
 CARD NO. 1 of 1
 6.316 AC
 TW-1

UNIQ ID 420117 SPLIT FROM ID
 ID NO: 15-0875-0004

Reval Year: 2013 Tax Year: 2013

Appraised By 24 on 04/15/2013 92000 SOUTH CHEROKEE COMMERCIAL

SRC= Inspection
 AT- LAST ACTION 20130415

CONSTRUCTION DETAIL		MARKET VALUE							DEPRECIATION		CORRELATION OF VALUE			
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	NORM	CRECENCE TO				
0	97	00								% GOOD				
BUILDING ADJUSTMENTS														
TOTAL ADJUSTMENT FACTOR	VACANT													
TOTAL QUALITY INDEX	STORIES:													

CLASS: A

CHEROKEE COUNTY
 VALUE IS SUBJECT TO TAX ASSESSOR'S OFFICE

DEPR. BUILDING VALUE - CARD	0
DEPR. OB/XF VALUE - CARD	0
MARKET LAND VALUE - CARD	947,400
TOTAL MARKET VALUE - CARD	947,400
TOTAL APPRAISED VALUE - CARD	947,400
TOTAL APPRAISED VALUE - PARCEL	947,400
TOTAL PRESENT USE VALUE - LAND	0
TOTAL VALUE DEFERRED - PARCEL	0
TOTAL TAXABLE VALUE - PARCEL	947,400

PRIOR		PERMIT			
BUILDING VALUE	OBXF VALUE	CODE	DATE	NO.	AMT.
0	0	N	08/02/2012	00309	79,650
204,200	0			9-2012	00
0	0	N	07/02/2012	00310	9,750.00
0	0			4-2012	00
TOTAL VALUE	204,200				

ROUT: WTRSHD:

SALES DATA

OFF. RECORD	DATE	DEED				INDICATE	
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03539	0302	12	1999	RW	Z	V	0
03610	0035	12	1996	RW	Z	V	0
03051	0247	11	1996	WD	E	V	96,000
00446	0114	3	1985	WD	X	V	99,500

HEATED AREA

NOTES
 WD 11829 / 52 = 241 - 15N11 1A
 2.58 - 15N11 B

SUBAREA				CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG #	AYB	EYB	DEP SCH	OVR	% COND	OB/XF DEPR. VALUE
SUBAREA TOTALS				0	TOTAL OB/XF VALUE													
BLDG DIMENSIONS																		

LAND INFORMATION

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJ/NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNIT TYPE	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
INDUSTRIAL	0600	LI	1230	0	1.0000	0	0.7500	+20 +05 +00 +00 +00 USE LOC	PW	200,000.00	6.316	AC	0.750	150,000.00	947400	0	

TOTAL MARKET LAND DATA

										6.316					947400		
--	--	--	--	--	--	--	--	--	--	-------	--	--	--	--	--------	--	--

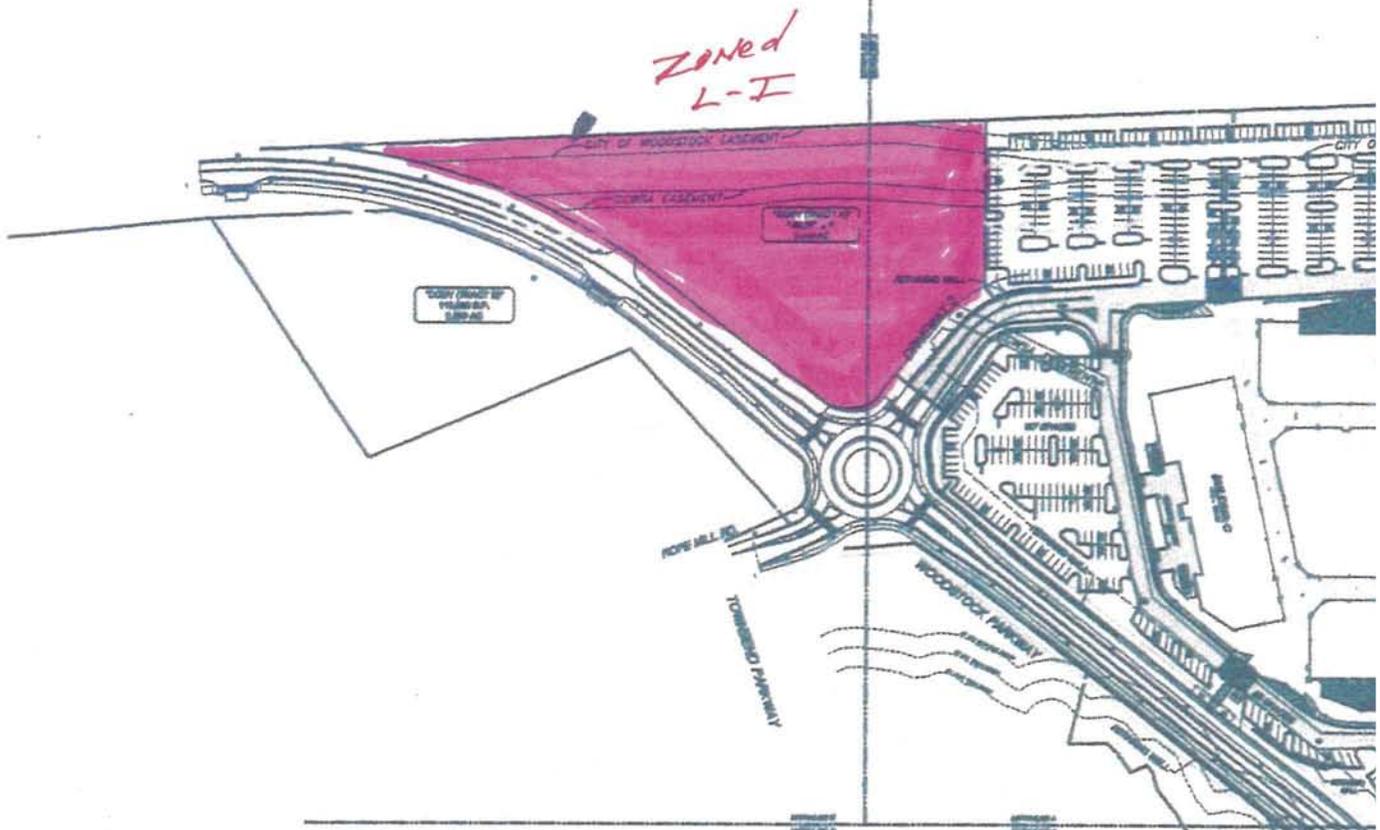
TOTAL PRESENT USE DATA

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

15N11 041

4/30/2013 1:20:43 PM.

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



BUILDING FLOOR AREAS AND ELEVATIONS

BUILDING	NET BUILDING AREA (SF)	COMMON AREAS (SF)	NET LEASABLE BUILDING AREA (SF)	FINISHED FLOOR ELEVATION
A	42,127		42,127	482.00
B	52,700		52,700	482.00
C	20,440		-	482.00
D	70,210		61,900	482.00
E	84,630		82,900	482.00
F	30,453 (COMPLETED, FUTURE)		30,453 (COMPLETED, FUTURE)	482.00
G	37,300		36,550	482.00
H	68,844		66,700	482.00
TOTAL	426,947	04,000	371,637	482.00

PARKING SUMMARY

OUTLET SHIPPED PHASE 1	BRIDGE BUILDING S.F.	SPACES REQUIRED	SPACES PROVIDED	BRIDGE BALD
OUTLET SHIPPED PHASE 1	405,424	1,204 SPACES	1,700 SPACES	1/2
OUTLET SHIPPED PHASE 2	20,453	100 SPACES	NO ADDITIONAL	1/2
COMMON AREAS	84,886	226 SPACES	NO ADDITIONAL	1/2
TOTAL SHIPPER	510,763	1,704 SPACES	1,700 SPACES	2.52/1,000 SF
NET LEASABLE S.F.	341,176		SPACES PROVIDED	LEASE 8170
OUTLET SHIPPED PHASE 1	241,176		1,700 SPACES	5.32/1,000 SF
OUTLET SHIPPED PHASE 2	20,453		NO ADDITIONAL	1/2
TOTAL SHIPPER	271,629		1,700 SPACES	4.78/1,000 SF
ADA ACCESSIBLE SPACES		26 SPACES	26 SPACES	

NOTE: 1) CITY OF WOODSTOCK REQUIRES A MINIMUM OF 2.32/1,000 SF FOR ON-SITE PARKING
 2) TOTAL PARKING SPACES SHOWN (1,700) INCLUDES ADA ACCESSIBLE SPACES PROVIDED (26)

SITE SUMMARY

TRACT A	2,630 AC.
TRACT B	2,830 AC.
TRACT 1A	20,891 AC.
TRACT 1B	0,300 AC.
OUTPARCELS	2,837 AC.

OUTPARCEL SUMMARY

OUTLET SHIPPED	20,891 AC.
OUTPARCEL 1	1,270 AC.
OUTPARCEL 2	0,870 AC.
OUTPARCEL 3	1,040 AC.
OUTPARCEL 4	1,280 AC.
OUTPARCEL 5	1,240 AC.
OUTPARCEL 6	1,280 AC.
OUTPARCEL 7	1,610 AC.

AREA INFORMATION

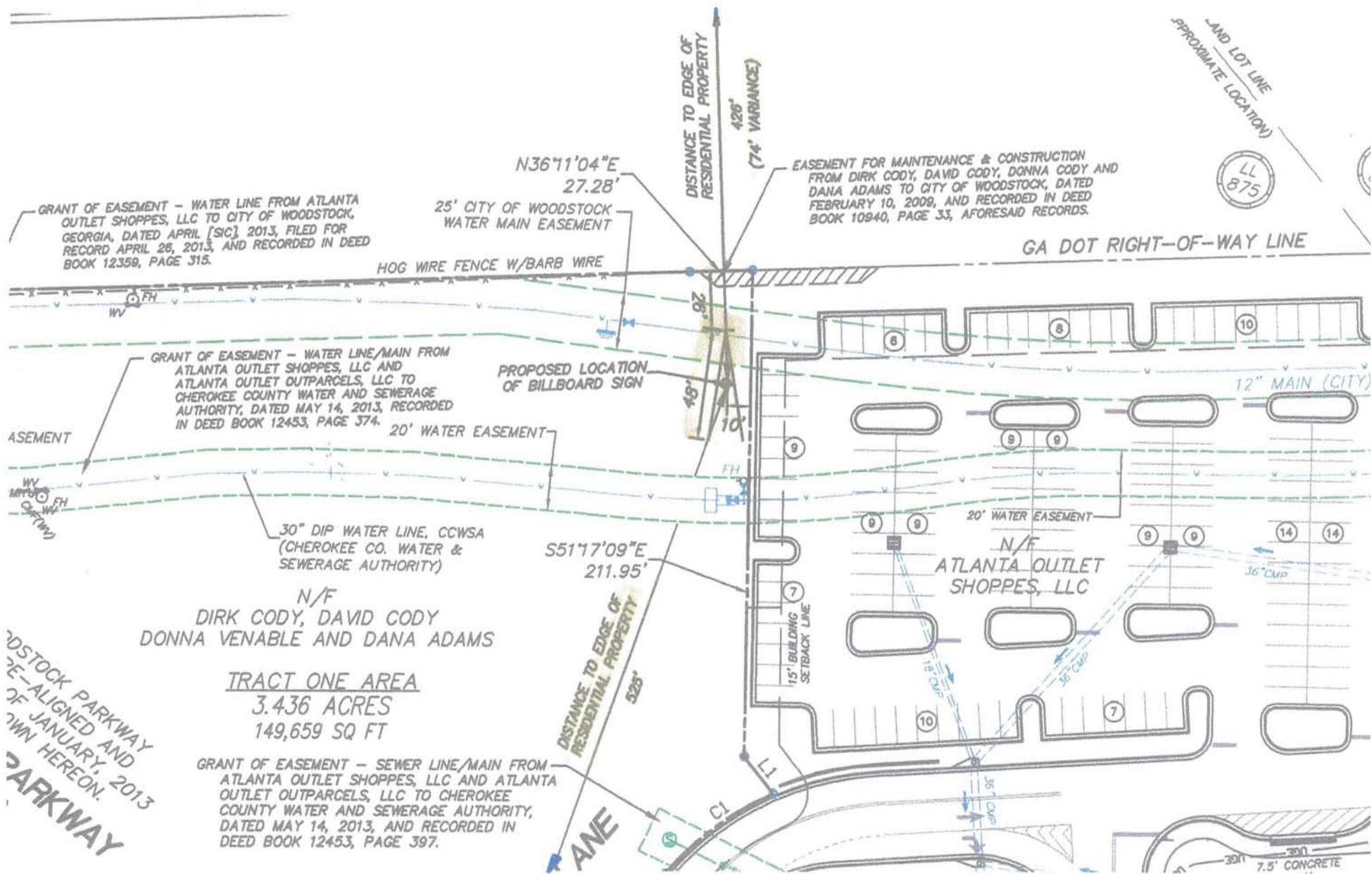
TRACT 1A (OUTLET SHIPPED)	1,706,260 S.F.	20,891 ACRES
WOODSTOCK PARKWAY		
OLD RIGHT-OF-WAY	210,260 S.F.	2.848 ACRES
NEW RIGHT-OF-WAY	222,870 S.F.	3.219 ACRES
COPY PROPERTY		
OLD COPY (TRACT A)	182,847 S.F.	2.487 ACRES
OLD COPY (TRACT B)	284,120 S.F.	3.289 ACRES
TOTAL	478,440 S.F.	10.845 ACRES
NEW COPY (TRACT A)	148,700 S.F.	2.430 ACRES
NEW COPY (TRACT B)	110,500 S.F.	2.500 ACRES
TOTAL	259,200 S.F.	3.470 ACRES
SPANNING BUFFER AREA		
LAND WITHIN	25,275 S.F.	0.58 ACRES
AREA TO REMOVE	25,700 S.F.	0.74 ACRES
TOTAL SPANNING AREA	60,975 S.F.	1.40 ACRES
STRIPED AREA (TRACT 1B)		
OUT OF BUFFER (20' STRIP)	20,420 S.F.	2.70 ACRES
IN BUFFER (20' STRIP)	61,100 S.F.	1.864 ACRES
TOTAL (TRACT 1B)	265,320 S.F.	3.564 ACRES

TOTAL DISTURBED AREA FOR SITE DEVELOPMENT = 52.32 ACRES

24-HR EMERGENCY CO

C60

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



WOODSTOCK PARKWAY
 RE-ALIGNED AND
 OF JANUARY, 2013
 TOWN HEREON.
PARKWAY

N/F
 DIRK CODY, DAVID CODY
 DONNA VENABLE AND DANA ADAMS

TRACT ONE AREA
 3.436 ACRES
 149,659 SQ FT

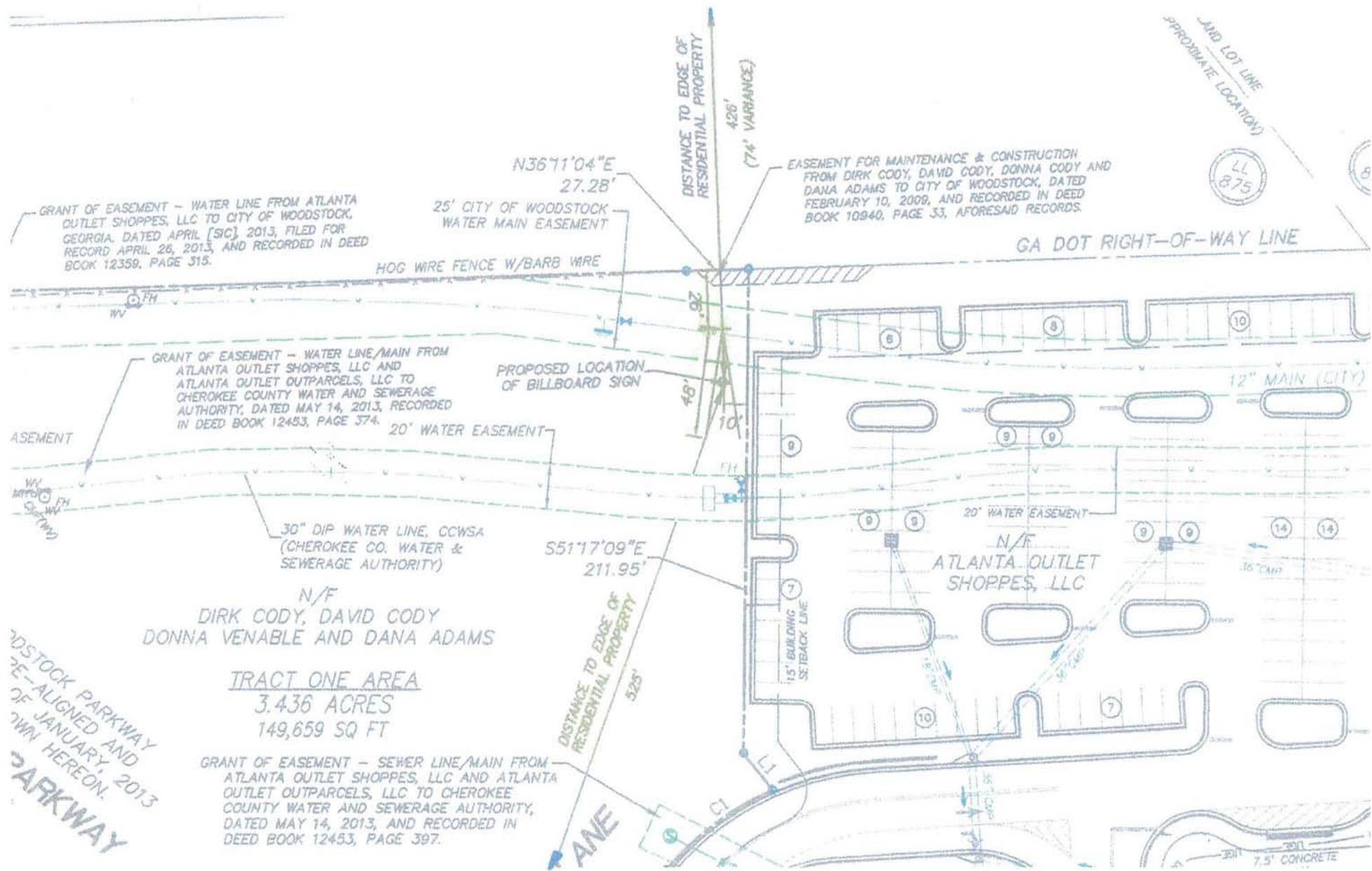
GRANT OF EASEMENT - SEWER LINE/MAIN FROM
 ATLANTA OUTLET SHOPPES, LLC AND ATLANTA
 OUTLET OUTPARCELS, LLC TO CHEROKEE
 COUNTY WATER AND SEWERAGE AUTHORITY,
 DATED MAY 14, 2013, AND RECORDED IN
 DEED BOOK 12453, PAGE 397.

EASEMENT FOR MAINTENANCE & CONSTRUCTION
 FROM DIRK CODY, DAVID CODY, DONNA CODY AND
 DANA ADAMS TO CITY OF WOODSTOCK, DATED
 FEBRUARY 10, 2009, AND RECORDED IN DEED
 BOOK 10940, PAGE 33, AFORESAID RECORDS.

LL
 875

6575 ft. to closets billboard / CBS, North 575
 4804 ft. to closets public park / Ropemill
 No public forest, scenic area, or cemetery

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



N/F
DIRK CODY, DAVID CODY
DONNA VENABLE AND DANA ADAMS

TRACT ONE AREA
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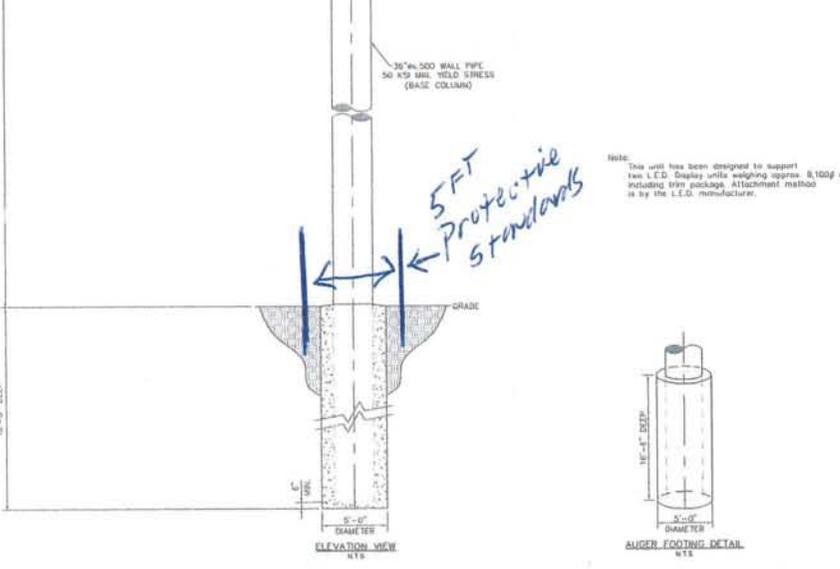
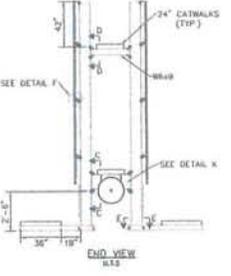
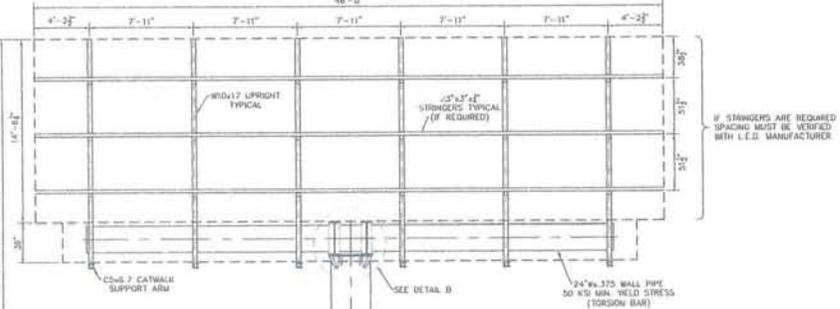
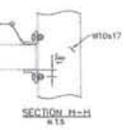
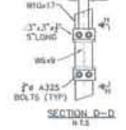
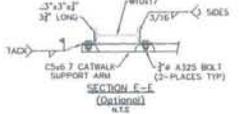
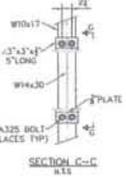
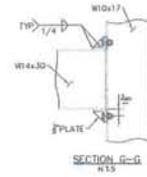
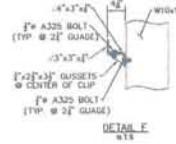
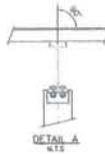
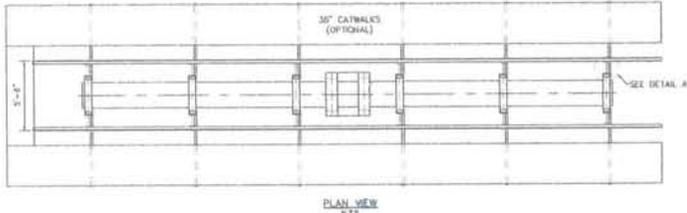
GRANT OF EASEMENT - SEWER LINE/MAIN FROM ATLANTA OUTLET SHOPPES, LLC AND ATLANTA OUTLET OUTPARCELS, LLC TO CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY, DATED MAY 14, 2013, AND RECORDED IN DEED BOOK 12453, PAGE 397.

WOODSTOCK PARKWAY
RE-ALIGNED AND
OF JANUARY, 2013
PARKWAY

6575 ft. to closets billboard / CBS, North 575
4804 ft. to closets public park / Ropemill
No public forest, scenic area, or cemetery

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)

NOTE: 24" UPPER & LOWER RISER CATWALKS NOT SHOWN FOR CLARITY.



Note: This unit has been designed to support two L.E.D. Display units weighing approx. 8,100# each including trim package. Attachment method is by the L.E.D. manufacturer.

GENERAL NOTES:

- All design, detailing, fabricating and construction shall conform to the following codes and specifications:
 - The International Building Code 2006 and/or 2009 Edition
 - American Society of Testing and Materials (ASTM) specifications
 - Building Code Requirements for Reinforced Concrete (ACI 318-05)
 - Code for Welding in Building Construction of the American Welding Society
 - Specification for the Design, Fabrication and Erection of Structural Steel for Buildings by the American Institute of Steel Construction (AISC) (Current Edition)
- Concrete shall be 3000 P.S.I. @ 28 days Compressive Strength, STD WT (150 P.C.F.)
- Reinforcing Steel shall be ASTM A-61 Grade 60. (If required)
 - All reinforcing steel shall be free from rust, oil, fuel or coatings that would reduce or destroy bond.
 - All reinforcing bars shall lap 30 diameters minimum, except as noted.
 - Minimum concrete cover on bars, stirrups and main bars shall be 3/4 inch for walls and surfaces not exposed to weather in contact with ground; 3 inches unreinforced surfaces deposited against ground except as noted.
- Structural Steels and Plates shall be A-572 Grade 50 unless otherwise noted. Structural tubing shall be ASTM A-501 Grade B, Fy=46 ksi. Structural piping shall be ASTM A-53, Type E, or S, Fy=35 ksi, Minimum.
- Anchor Bolts shall be ASTM A-307, unless otherwise noted.
- High strength bolts for connections shall be ASTM A-325, unless otherwise noted.
- Welding electrodes shall comply with AWS D1.1-04, E70XX.
- Design Wind Speed = 30 MPH (I.B.C.) Equivalent Wind Load = 22.50 PSF @ 10' above the ground. 3 Second Wind G.
- Soil Bearing Capacity Requirements:
 - Spread Footings shall be Fy=50 ksi.
 - Cube or Auger Footing Minimum Soil Bearing Capacity shall be 5000 psf. See fact of design.
- Contractor shall verify all dimensions on site before erection. Notify the Engineer of any discrepancies.
- Splicing of pipes having an equal diameter and yield is permitted. A full penetration butt joint shall be used. Splices shall not be within one half (1/2) foundation depth below grade, within 10' grade or within 10' above interlocking unless noted otherwise.
- This unit has been designed to support Division units weighing approximately 8,100# each.

NOTICE: This drawing is for permitting purposes only. It is for the sole use of T.E.S. and its deauthorized use is strictly prohibited.

Selective Structures, LL
811 East Avenue
Athens, TN 37303

DESCRIPTION:
14'-0" x 48'-0" CM, BB @ 50'-0" w/(2)-9,100# L.E.D. Units
Woodstock, GA

TES THOMPSON ENGINEER SERVICE

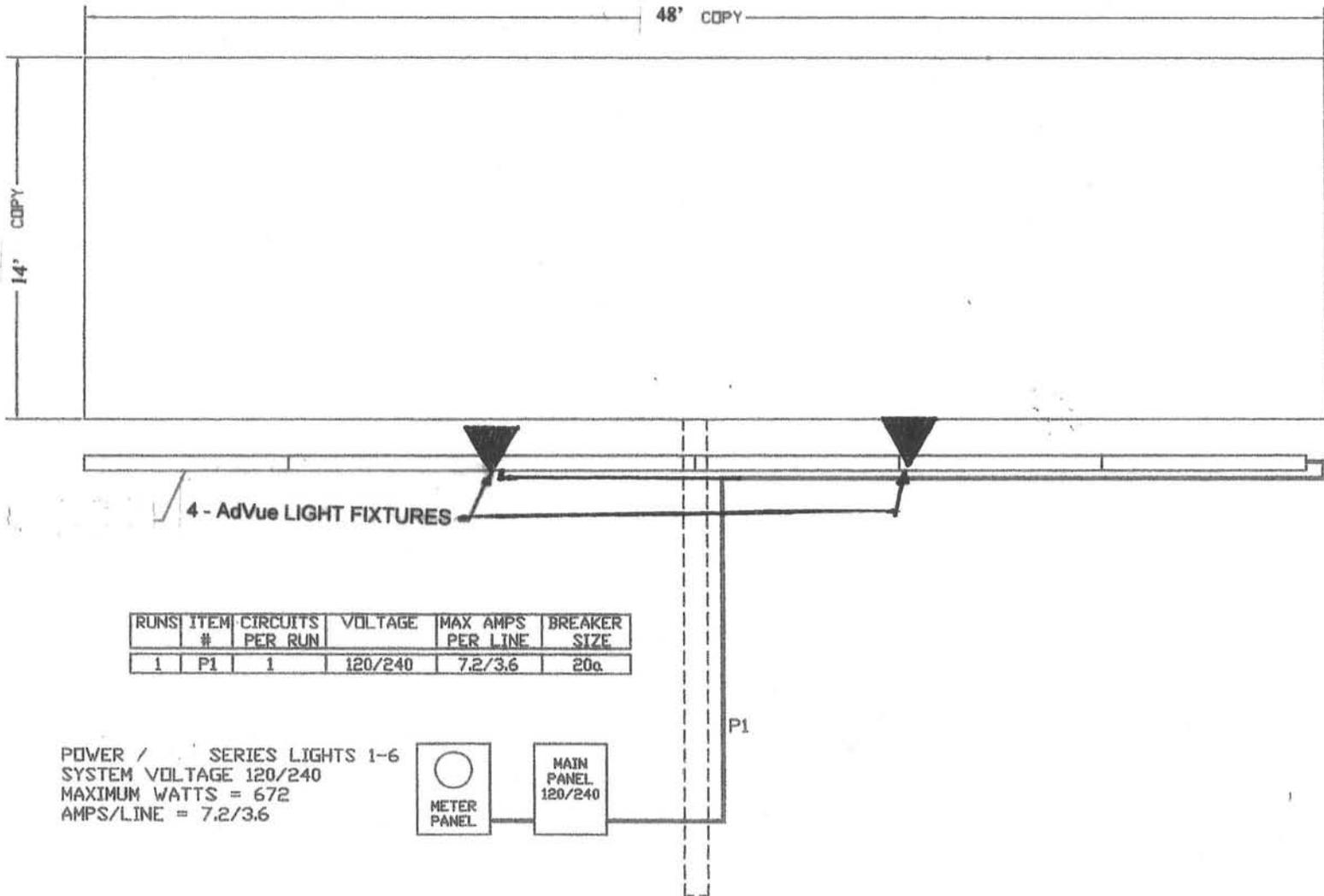
102 BOX 1040
WOODSTOCK, TN 37390
(615) 731-7131

BEY CHANGED TO A BLOCK 1

DRAWN BY DATE DRA SCALE PROJECT / SELECTIVE DRAWING / SHEET #

1 of 1

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



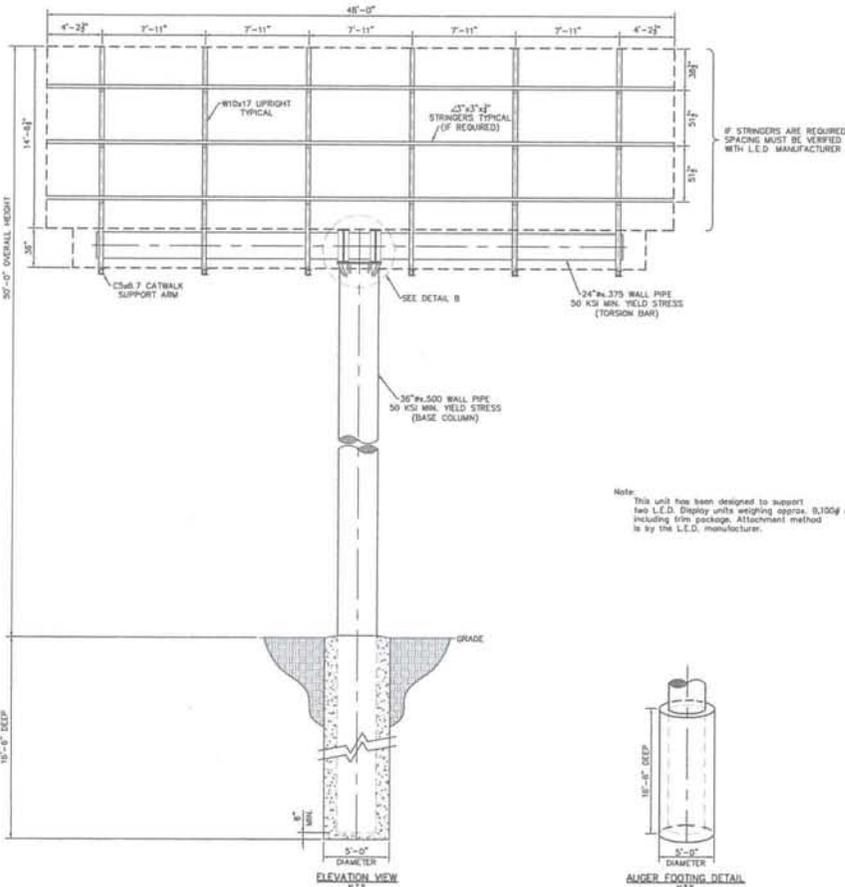
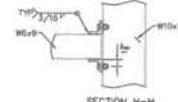
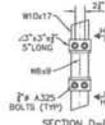
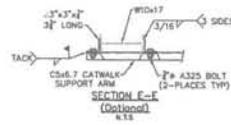
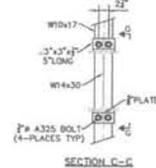
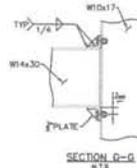
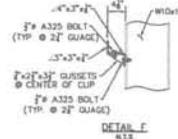
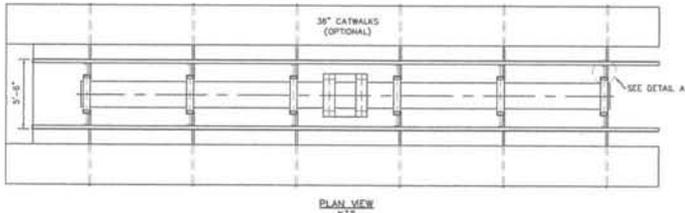
- FORMETCO IS NOT RESPONSIBLE FOR THE QUALITY OF THE POWER DELIVERY SYSTEM TO THE DISPLAY
- ALL DISPLAYS MUST BE GROUNDED PER ARTICLE 250 AND 600 OF THE NEC
- ALL ELECTRICAL WORK DONE MUST MEET OR EXCEED ANY LOCAL AND NATIONAL ELECTRICAL CODES
- THE OVER CURRENT PROTECTION DEVICE MUST BE MATCHED TO THE FAULT CURRENT THAT IS AVAILABLE IN THE POWER DELIVERY CIRCUIT.
- ALL PRIMARY FEEDER CIRCUITS TO THE DISPLAY MUST BE UL 489 LISTED
- ALL SPECIFICATIONS ARE SUBJECT TO CHANGE DUE TO FORMETCO'S CONTINUING PRODUCT IMPROVEMENT

REV		DESCRIPTION	DATE	APPD
REVISIONS				
<small>THIS DRAWING IS THE EXCLUSIVE CONFIDENTIAL PROPERTY OF AD-TECH INTERNATIONAL, INC. ALL RIGHTS, INCLUDING COPYRIGHT AND PATENT RIGHTS, ARE RESERVED BY AD-TECH INTERNATIONAL, INC. DO NOT COPY THIS DRAWING WITHOUT PERMISSION OF AD-TECH INTERNATIONAL, INC.</small>				

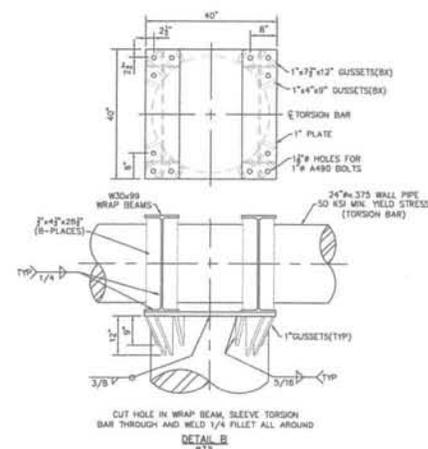
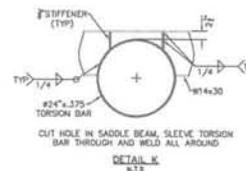
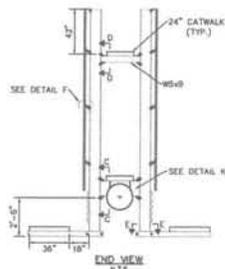
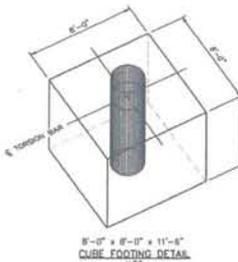
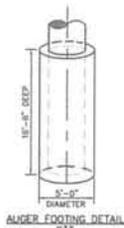
PART NUMBER	Ad-Tech International, Inc.
ADVERTISER	Advertising Technologies - Engineering & Design
DATE	2765-A Bankers Industrial Dr. Atlanta, GA 30386
SCALE	14X48 RISER LAYOUT
SCALE	(4) AdVue Holophane Fixs

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)

NOTE: 24" UPPER & LOWER INSIDE CATWALKS NOT SHOWN FOR CLARITY.



Note: This unit has been designed to support two L.E.D. Display units weighing approx. 8,100# ea. including trim package. Attachment method is by the L.E.D. manufacturer.



GENERAL NOTES:

- All design, detailing, fabricating and construction shall conform to the follow codes and specifications:
 - The International Building Code 2006 and/or 2009 Edition.
 - American Society of Testing and Mater (ASTM) specifications
 - Building Code Requirements for Reinforce Concrete (ACI 318-05)
 - Code for Welding in Building Construct of the American Welding Society.
 - Specification for the Design, Fabricate and Erection of Structural Steel for Buildings by The American Institute of Steel Construction (AISC) (Current Ed)
- Concrete shall be 3000 P.S.I. @ 28 day Compressive Strength, STD WT (150 P.C.)
- Reinforcing Steel shall be ASTM A-615 Grade 60, (if required).
 - All reinforcing steel shall be free from rust, oil, rust or coatings that would reduce or destroy bond.
 - All reinforcing bars shall lap 30 Diameters minimum, except as noted.
 - Minimum concrete cover on ties, stir and main bars shall be 3/4 inch for wall and surfaces not exposed to wind or in contact with ground, 3 inches for unformed surfaces deposited against a ground except as noted.
- Structural Steel and Plates shall be A-36. Shape Beams shall be Fy=50 ksi. Structural tubing shall be ASTM A-500, Grade B, Fy=48 ksi. Structural piping shall be ASTM A-53, G Type E or S, Fy=35 ksi, Minimum.
- Anchor Bolts shall be ASTM A-307, unless otherwise noted.
- High strength bolts for connections shall ASTM A-325, unless otherwise noted.
- Welding electrodes shall comply with AISC D1.1-04, E70XX.
- Design Wind Speed= 30, MPH (18.0) Equivalent Wind Load= 23.59 PSF @ 20' above the ground. 3 Second Wind Gusts
- Soil Bearing Capacity Requirements:
 - Spread Footings shall be 3,000 P.S.F.
 - Cube or Auger Footing: Minimum Late Soil Bearing Capacity shall be 3,000, P per foot of depth.
- Contractor shall verify all dimensions on conditions in the field before erection on notify the Engineer of any discrepancies.
- Splicing of pipes having on rigid diamet wall and yield is permitted. A full penet weld all around (per AWS D1.1) shall be used and must be performed by a certified welder. Splices shall not be within one half of 1 foundation depth below grade, within 10' grade or within 10' above telescoping splices unless noted otherwise.
- This unit has been designed to support Truss units weighing approximately 3,200 lbs.

NOTICE
This drawing is for permitting purposes on is for the sole use of TES and its design. Unauthorized use is strictly prohibited.

Selective Structures, LLC
811 East Avenue
Athens, TN 37303

DESCRIPTION:
14'-0" x 48'-0" CM. BB @ 50'-0" O. w/(2)-9,100# L.E.D. Units Woodstock, GA

TES THOMPSON ENGINEERING SERVICES,
P.O. BOX 1500
ENGLISWOOD, TN 37020
(423)771-7330

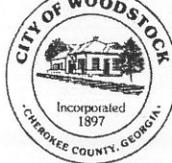
REVISOR
W1-Changed bar to a Bolt to Be

DRAWN BY:
DATE DRAWN:
SCALE:
PROJECT #:
SELECTIVE #:
DRAWING #:
LD-809/PNT

Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



Attachment: Tinsley Billboard Application 2015-02-17_13-55-15 (3333 : Tinsley/Postiglione Appeal)



City of Woodstock
12453 Highway 92
Woodstock, GA 30188
Website: www.woodstockga.gov

January 12, 2015

Dave Tinsley
Tinsley/Postiglione
1155 Norfolk Drive
Acworth, GA 30102

RE: Permanent Sign Application for Cody Property dated December 19, 2014 (the "Application")

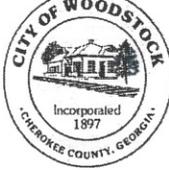
Mr. Tinsley:

We have reviewed the Permanent Sign Application for the Cody Property/Tract "A" you submitted on June 4, 2013 requesting a billboard valued at \$30,000.00 (the "Billboard") to be placed on a portion of the 3.49 acre tract which is the subject of the Sign Application. This Application is denied as more particularly discussed below.

The placement of the Billboard is in violation of the current zoning for the 3.49 acre tract which is the subject of the Application. Said tract is zoned Light Industrial with Technology Park Overlay District. Light Industrial is defined as follows:

LI Light Industrial District: Light industrial operations, limited to business parks and warehouses, but prohibiting residential uses. Limited manufacturing establishments that do not use large quantities of water or emit excessive noise, odors, dust, vibrations, or fumes may be permitted.

Section 7.943(4) of the City of Woodstock Land Development Ordinance states that a permitted use under the Technology Park Overlay District is "Residential, including: single family homes, fee simple townhome, independent retirement living, apartment, residential over commercial". Section 6.4.6 of the City of Woodstock Land Development Ordinance states in applicable part that no Billboard (as said term is defined in the Ordinance) shall be located within 500 feet of single family residentially zoned parcels and/or parcels designated for single family residential use. Because the Technology Park Overlay District allows residential, and the City of Woodstock Sign Ordinance states that no billboards shall be located within 500 feet of a residential parcel, the Billboard requested in the Application is in violation of the zoning as it currently exists. Therefore, the Application is denied because it violates zoning.



City of Woodstock
12453 Highway 92
Woodstock, GA 30188
Website: www.woodstockga.gov

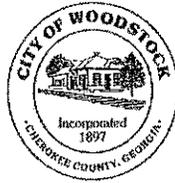
In addition to being in violation of the current zoning of the property on which the billboard is proposed, the proposed location of the billboard is 450 feet from Deer Run, as single-family residential neighborhood west of I-575, as indicated on the survey submitted by the applicant. This is in violation of the aforementioned LDO Section 6.4.6; therefore, the application is denied.

If you should have any questions about the content of this correspondence, please feel free to contact the City at (770) 592-6000.

Sincerely,

Jessica J. Guinn, AICP
Community Development Director

Tinsley January 12, 2015
Page 2



City of Woodstock
12453 Highway 92
Woodstock, GA 30188
Website: www.woodstockga.gov

February 2, 2015

Adam Webb
Webb, Klase & Lemond, LLC
1900 The Exchange, SE
Suite 480
Atlanta, Georgia 30339

Mr. Webb,

The City of Woodstock is in receipt of the letter of appeal dated January 27, 2015, regarding the Permanent Sign Application submitted by Tinsley/Postiglione for a billboard on parcel number 15N11-041 in the City of Woodstock, along with the accompanying request for a sign variance. In accordance with Section 6.7.1 of the City of Woodstock Land Development Code, the Mayor and City Council will hold a hearing to consider both of these matters on Monday, February 23, 2015 at 7:00 p.m. The hearing will be held at the Chambers at City Center, located at 8534 Main Street, Woodstock, GA 30188. This hearing was previously scheduled for February 9, 2015; however, it has been changed per your request.

Please feel to contact our office at (770) 592-6000 with any questions regarding this matter.

Sincerely,

Jeffrey Moon
City Manager

Attachment: Tinsley Postiglione Adam Webb Letter 2.2.15 (3333 : Tinsley/Postiglione Appeal)

WEBB, KLASSE & LEMOND, LLC

ATTORNEYS AT LAW

1900 THE EXCHANGE, S.E. • SUITE 480 • ATLANTA, GEORGIA 30339

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January 27, 2015

Via E-Mail, Facsimile & Hand Delivery

Mr. Jeffrey S. Moon
City Manager
City of Woodstock
12453 Highway 92
Woodstock, GA 30188

Re: **Tinsley/Postiglione Appeal**

Dear Mr. Moon:

I write to you on behalf of my clients, David Tinsley and Bob Postiglione. On December 17, 2014, my clients submitted a sign application to the City for review. Via a letter dated January 12, 2015, Community Development Director Jessica Guinn denied my clients' application on the basis that (1) the proposed location is within 500 feet of a residential parcel due to the fact that the subject property is located in the Technology Park Overlay District and (2) the property is 450 feet from Deer Run, a single-family residential neighborhood across I-575. I have enclosed a copy of this letter for your convenience.

As I am sure you are aware, Section 6.7.1(i) of Chapter VI of the Land Development Code ("LDC") for the City of Woodstock requires an appeal of the denial of a sign permit application be made within 10 business days of notice of denial. Moreover, Section 6.7.1(i) requires that a written notice of appeal be filed with the City Manager. Therefore, please accept this letter as my clients' written notice of appeal regarding this application. If there is a particular form that needs to be submitted or any fees that need to be paid in connection with this appeal, please let me know immediately so that a representative of my client can come by the City today and submit any additional information.

Although Section 6.7.1(i) does not require that a party's written notice of appeal provide the specific grounds for its appeal, the basis of my clients' appeal will include the following:

Attachment: Tinsley appeal letter 2015-02-17_13-55-53 (3333 : Tinsley/Postiglione Appeal)

Mr. Jeffrey S. Moon
 January 27, 2015
 Page 2 of 3

- Ms. Guinn’s contention that the subject property qualifies as residential because it is in the Technology Park Overlay District and billboards are not allowed within 500 feet of a residential parcel is directly contrary to the plain language of the LDC and therefore, invalid. Ms. Guinn’s denial letter clearly states that the property is zoned Light Industrial and that residential uses are prohibited in Light Industrial zoning districts. *See* Jan. 12th Letter, p. 1. Section 7.941(3) of the LDC clearly states that the overlay ordinance was meant to confer **additional** rights, not deprive property of existing rights. Yet Ms. Guinn is using the overlay district to deprive the property of an otherwise permitted use in the Light Industrial zoning district. Moreover, the notion that residential uses are even remotely possible on the subject property is absurd given the property’s proximity to I-575 and the massive adjacent retail complex.
- Ms. Guinn’s attempt to deny my client’s application because the proposed billboard is located approximately 450 feet from Deer Run, a residential neighborhood **on the other side** of I-575 is also erroneous. The 500-foot spacing requirement from single-family residentially zoned parcels and/or parcels designated for single-family residential use imposed by Section 6.4.6(g) applies only to such properties on the same side of the Interstate, not across the Interstate as Ms. Guinn contends. As Section 6.4.6(h) of the LDC makes clear, where the City intends to rely on radial spacing, the City includes the phrase “in any direction.” Ms. Guinn’s interpretation is contrary to the plain language of the City’s ordinance. Moreover, the State of Georgia and the Department of Transportation apply billboard spacing requirements on the **same side** of the highway only. This is the general rule.
- That the City’s creation of the Technology Park Overlay District and portions of the LDC are procedurally invalid based on the City’s failure to comply with Georgia’s Zoning Procedures Law (O.C.G.A. § 36-66-1, *et seq*) and/or the City’s own public notice requirements (LDC § 11.203). For example, the City failed to display an on-site sign on the Cody Property regarding the proposed adoption of the Technology Park Overlay District and otherwise failed to notify the property owner regarding proposed adoption as well.

In addition to these arguments, my clients’ appeal will include arguments that Chapter VI of the City’s LDC (the sign regulations) is unconstitutional and otherwise invalid under both state and federal law. My clients reserve the right to present additional grounds for appeal at the hearing on this matter and anticipate submitting a more detailed memorandum and additional materials in advance of the hearing.

My clients are simultaneously requesting variances from both bases of denial. If the variances are approved, there will be no need to consider this appeal, or vice versa. For scheduling purposes, please make sure the appeal and variance requests are considered at the same meeting.

Mr. Jeffrey S. Moon
January 27, 2015
Page 3 of 3

The proposed sign is a win/win/win proposition, allowing local businesses to advertise to I-575 motorists, helping a landowner who has helped the City, and increasing the tax base. Since the area is now unquestionably commercial, we are hopeful that there will be no objection. If you have any questions regarding this notice of appeal, please do not hesitate to contact me.

Sincerely,



E. Adam Webb

EAW/al

cc: Ms. Jessica J. Guinn (via U.S. Mail)
Mr. David Tinsley (via email only)
Mr. Bob Postiglione (via email only)

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