

City Council of Peachtree City

Agenda

May 15, 2008

7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Recognize Graduates of Citizens Police Academy
 - Recognize Mayor's Youth Basketball Teams
 - Recognize Youth Council Seniors
 - Recognize Winners of Building Safety Week Coloring Contest
 - Recognize Employee of the Month – Kathy Thomas
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - May 1, 2008, Special Called Meeting
 - May 1, 2008, Regular Meeting
- VII. Consent Agenda
 1. Alcohol License – Change in License Representative – Outback Steakhouse
 2. Alcohol License – Addition of Distilled Spirits – Bia's
 3. Consider Easement from Southland Nursing Homes, Inc., for Riley Field Driveway
 4. Consider 2008 LARP Contract
 5. Consider Appointments to Library Commission – Paul Lentz, Sally Meyer
- VIII. Old Agenda Items

03-08-01	Consider Comprehensive Revenue Analysis / Fee Changes • Occupational Taxes • Developmental Services Fees • Recreation Facility Rental Fees and The Gathering Place User Fees
03-08-07	Consider Rezoning, GC to LUC-21, Wisdom Road (Fairfield Inn)
04-08-15	Consider Contract – EMS Billing
- IX. New Agenda Items

05-08-04	Public Hearing – Consider Variance Request – Sign, Kedron Office Park
05-08-05	Public Hearing – Consider Variance Request – Buffer, Northlake/Aberdeen Parkway
05-08-06	Citizen Request to Address Council Regarding Brown Bagging
05-08-07	Consider Position Reclassifications for Staff Assistant and Executive Assistant
- X. Council/Staff Topics
- XI. Executive Session

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

City of Peachtree City
Minutes of Special Called Meeting
May 1, 2008
6:00 p.m.

The City Council of Peachtree City met in a Special Called Meeting on Thursday, May 1, 2008, at 6:01 p.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum. The purpose of the meeting was to hold an executive session to discuss pending or potential litigation.

Boone moved to convene in executive session for pending or potential litigation at 6:02 p.m. Sturbaum seconded. The motion carried unanimously.

Sturbaum moved to reconvene in regular session at 6:50 p.m. Haddix seconded. The motion carried unanimously.

Boone moved to accept the settlement agreement with Pitney Bowes for unpaid hotel/motel taxes for the amount discussed in executive session. Sturbaum seconded. The motion carried unanimously.

Sturbaum moved to adjourn. Boone seconded. The motion carried unanimously. The meeting adjourned at 6:51 p.m.

Pamela Dufresne, Deputy City Clerk

Harold K. Logsdon, Mayor

City Council of Peachtree City
Minutes of Meeting
May 1, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, May 1, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Ron Mundy of the Fire Department for 25 years of service. Logsdon proclaimed May 5-9 as Building Safety Week. Members of the West Georgia Building Inspectors Association presented the City with a \$500 check for the City's smoke detector program. Financial Services Director Paul Salvatore and Assistant Finance Director Janet Camburn were recognized for receiving the 2008 Distinguished Budget Presentation Award from the Government Finance Officers Association.

Public Comment

Ric Hunt addressed Council regarding the prohibition of brown bagging at the City's restaurants. He said it should be an issue between the restaurants and the public. He gave Mayor Logsdon a letter with 180 signatures and asked to have the matter on the regular agenda for a fair discussion.

Agenda Changes

There were no changes.

Minutes

Boone moved to approve the April 17, 2008, regular meeting minutes as written. Haddix seconded. The motion carried unanimously.

Monthly Reports

There were no comments on the Monthly Reports.

Consent Agenda

- 1. Consider Auction of Surplus Property**
- 2. Consider Budget Adjustments**
- 3. Alcohol License – Change in Licensee and License Representative – El Ranchero, Braelinn Village**
- 4. Consider Revision to Floodplain Ordinance**

Logsdon clarified that the change to the floodplain ordinance was something that had to be done. City Manager Bernard McMullen noted that the only change to the floodplain ordinance (Consent Agenda #4) was a date.

Plunkett noted some of the items on the surplus property list, such as a chair made from a tree, asked why the City could not throw away some of items on the surplus property list that had no apparent value. City Attorney Ted Meeker said the state had a process that had to be followed, and everything had some value.

Plunkett moved to approve the Consent Agenda items. Boone seconded. The motion carried unanimously.

Old Agenda Items

02-08-18 Discussion/Consideration on Repair of Police Department Building

City Engineer Dave Borkowski addressed Council and said that staff continued to recommend the repair of the building. Borkowski referred to the first report on groundwater, which was done 2004. United Consulting was hired to perform geotechnical investigations, and no groundwater was found in the five-foot deep well adjacent to the building. Staff continued to pursue the possibility of groundwater infiltration. In August 2006, United Consulting performed another geotechnical analysis of the building and its perimeter in order to rule out groundwater. Twelve wells ranging from six feet to over 14 feet in depth were installed inside and around the building. The wells were sampled on August 8, August 10, and August 17, and no groundwater was encountered in any of them. United Consulting's summary noted that the excessive moisture in the building was not because of shallow groundwater or saturated soils. However, the soils did contain significant "fines," silt and clay particles, that posed a greater than normal potential to hold water, which could result in a "perched" water condition when combined with improper site drainage around the building. Borkowski said that there had been some confusion about groundwater. Over the years, various consultants and air quality people had referenced groundwater as a likely source, but all of those reports recommended additional study.

Borkowski continued that staff had wanted to ensure lack of rain had not influenced the results of the tests. Borkowski referred to the rainfall scorecard included with the memo prepared for the meeting, and noted that the wells were dug when there had been well over eight inches of rain for the month, which was above average. The wells had been monitored since 2006, and groundwater had been found in very few of the wells since that time. Wells 1, 3, 6, 11, and 12 were the wells that had some groundwater periodically. The drainage in those locations was very poor, creating what was basically a bathtub situation. Based on this data and a myriad of other reports, staff concluded that the problem with the moisture was not due to groundwater inundation. There were several sources that led to the water vapor problem, including HVAC issues, wall and building construction, and exterior drainage issues. The existing renovation contract with R.L. Ward dealt with the HVAC issues. The ensuing renovations would deal with the other issues. He added that, generally, geotechnical engineers were not concerned with groundwater during foundation design unless the groundwater was three to five feet from the foundation. When groundwater was closer, the design would include a French drain system or active sump system to get the water away from the foundation.

Borkowski said the plan to address mold issues in the building included removing all of the interior drywall and insulation on the exterior walls. Atlanta Environmental, Inc., had been contracted to develop a mold remediation plan and to perform a clearance survey when the remediation was done. Staff would continue to get air samples in the building after it was occupied.

Sturbaum noted that lifting the foundation was not an option to get rid of the groundwater. He asked if there would be a system to remove any groundwater that had been reported under the foundation. Borkowski said that staff did not feel it was true groundwater, but water sitting around the building and being picked up in the wells.

Logsdon asked if anyone attending the meeting had any comments, and no one offered any comment. He thanked staff for their work. He supported staff's recommendation to repair the building. All of the reports said the groundwater was there, but was not the problem. The groundwater had been dealt with, but was not the problem based on what he had read.

Boone said he did not have a problem with the staff recommendation. The research had been extensive, and the experts had given an analysis of what needed to be done. He could not see purchasing or rebuilding another facility to accommodate the Police Department. It would be cost prohibitive for the taxpayers, and he was not willing to pass the burden onto the taxpayers.

Sturbaum said he did not support the repair of the building. He still believed there was a groundwater issue. He noted other reports that referred to groundwater, including an August 2005 report that noted the moisture coming through the floor was higher than a factor of three to four. His concern was that all aspects of the building would not be repaired. Sturbaum said he respected the opposing position and complimented staff on their work. However, Sturbaum said he could not support the repair program as proposed. Logsdon asked Sturbaum if he had another proposal. Sturbaum said other facilities had been looked at and numerous options had been weighed. He did not have a solution right now, but he would like to keep looking.

Haddix said that an excellent building had been found, but the cost had gone from a small cost or donation to full market value. At that point, the building was not an option. He still saw issues with the existing building. He respected the engineering position, but he had seen statements in the reports that supported the groundwater issue. The ground had been soaking wet during the drought. One report was done when there was a 9.3-inch rain deficit, and the report noted the ground was wet. The water was coming from somewhere. An inspection of the property was done in 1999, but they had not built where they inspected. The building was at least 250 feet off the site that was inspected and had a completely different lay of the land. His past experiences told him there were groundwater issues. Haddix agreed with staff about the exterior of the building. It was badly built. The groundwater issues were still there and were not going away.

Plunkett noted that she had voted against repairing the building the first time in October 18, 2007, but she had heard more in support and had more confidence regarding the repair this time. She asked Haddix how long Council should wait before making a decision on the repair or committing to spend \$5.5 million on a new building. Haddix said the City had been fixing the building for seven years, but it had never stayed fixed, which was the problem. The repairs had cost more than the initial cost of the building. A short-term savings would turn into a long-term loss. Plunkett said the fix would have been a long-term solution if it had worked. There was no place for them to go, and they could not build a \$6 million building overnight. She asked whether Council would be a better steward by spending the additional money to remediate the problems and get rid of the mold than by waiting indefinitely for a choice Council might not have. Haddix said there were experts who said the building could not be fixed. There might not be a report from them, but those experts had contacted some of the Council Members. The answer was not clear cut even on the experts' side. A short interim term to locate an alternative would be better.

Logsdon said the cost of the repairs was going to be more than a half million dollars. The problem had been identified before any member of Council had taken office. The experts had been assembled over the last few years to address the problem, and the due diligence had been done. Council had listened to the experts, and it was time to make a decision.

Boone said the experts had pointed out that the flow of moisture from the exterior into the walls was because of the poor construction. The recommended repairs would fix the problem. It would almost be a brand new building, and it should last a long time. Boone moved to fix the Police Department with the prescribed renovations as brought out by the engineering experts and engineering staff. Plunkett seconded the motion and asked Boone to add two items to his motion – a report from the mold remediation and that an additional mold check be done before the Department moved backed in. In addition, Plunkett asked that mold checks be done on a regular basis at the highest standard. Borkowski said he would ask the industrial hygienist how often the checks should be done. Plunkett told Boone she would second the motion if he agreed with her conditions. Boone restated the motion with the additions suggested by Plunkett. Plunkett seconded. The motion carried 3-2 (Haddix, Sturbaum).

Plunkett said Council needed to make a decision regarding the proposed settlement agreement with Leslie Contracting. She noted that Leslie Contracting, the original contractor on the Police building, had agreed to work with the City to remediate the problems with the building. By working with Leslie and accepting the agreement, the City would save approximately \$177,000. Meeker added that Leo Daley prepared the plans for repairs, and there was an agreement by Leslie to do the work. Leo Daley would supervise the work. Plunkett said she had checked out Leo Daley and heard only great things. Boone noted that it was admirable for Leslie to come forward and save the City money.

Plunkett moved to accept the settlement agreement proposed by Leslie Contracting. Boone seconded.

Sturbaum asked if Leo Daley's supervision was spelled out in the settlement agreement. Meeker said it would be in a separate short form contract, but that was the agreement of the parties. Leslie Contracting was aware the City had retained the services of Leo Daley to supervise the contract.

The motion carried unanimously.

New Agenda Items

05-08-01 Consider Transmittal Resolution for Partial Update to the Comprehensive Plan

Planning Assistant Tony Bernard said the update was to the Short Term Work Program/Capital Improvements Element. The documents were required by the Department of Community Affairs (DCA) as a supplement to the partial update to the Comprehensive Plan that was submitted in 2007. Staff recommended approval of the resolution.

Haddix moved to approve the transmittal resolution for the partial update to the Comprehensive Plan. Boone seconded.

Plunkett asked if approving the resolution meant that the Recreation Department could not add anything to the Comprehensive Plan. Bernard said it did not. Sturbaum commended staff for the work done on the Comprehensive Plan update.

The motion carried unanimously.

05-8-02 Consider Truck Bids for Leisure Services

Leisure Services Director Randy Gaddo said staff recommended Council award the purchase of two Ford trucks to Allan Vigil Ford of Morrow for \$52,581. The bids were for an F-350 that would be specially equipped to haul irrigation equipment and tools. The F-250 would be used for general maintenance and pulling heavy loads. Sturbaum noted that the bids had exceeded the budgeted amount of \$42,000 and clarified that there was enough funding to cover the difference. Gaddo said there was. Sturbaum asked Salvatore if it would affect the budget savings in a significant way. Salvatore said it would not. Plunkett asked if the trucks were necessary and mandatory for the continuation of business this year. Gaddo said they were absolutely needed.

Sturbaum moved to accept the bid form Allan Vigil not to exceed \$52,581 for one F-250 pickup and one F-350 pickup for Leisure Services. Haddix seconded. The motion carried unanimously.

05-08-03 Consider Truck Bids for Public Works

Public Services Director Tom Corbett said four vehicles were bid, but the budgeted amount had come up short. There was just not enough money to cover the fourth vehicle, and it would be re-bid at a later date. One of the trucks to be replaced was a 1991 model with 124,000 miles on it. Another truck had 59,000 miles, but was a vehicle that should be judged by engine hours. When vehicles came up in the five-year plan, they looked at them to see if they could go another year. The vehicles to be replaced would require extensive maintenance to keep on the road. The third vehicle was new and would be used for the building maintenance function. Plunkett asked if three or four vehicles had been budgeted. Corbett said four vehicles had been budgeted. Plunkett noted there would not be a savings at all by not purchasing the fourth vehicle. Corbett said there would not be savings.

McMullen said that, following discussions with the vehicle manager, the City historically had used smaller pick-ups, but they did not have enough power to do the jobs. There were also safety issues when the smaller trucks pulled trailers and had to stop. The smaller trucks had been budgeted prior to the discussion with the vehicle manager. Corbett added that the bigger vehicle would last longer in the longer run. McMullen noted that the smaller trucks had gas engines, while the larger trucks had diesel engines, which were less expensive to maintain and had longer lives.

Logsdon asked if the biograde diesel fuel cost less. Corbett said it was two to three cents per gallon less. Logsdon noted it was just better for the environment.

Boone moved to purchase three Ford F-350s not to exceed \$87,572. Haddix seconded. The motion carried unanimously.

Council/Staff Topics

There were no Council or staff topics.

Plunkett moved to convene in executive session for threatened or pending litigation and a personnel matter at 7:59 p.m. Boone seconded. The motion carried unanimously.

Boone moved to reconvene in regular session at 8:21 p.m. Haddix seconded. The motion carried unanimously.

Plunkett moved to initiate the necessary legal action against Cobb & Associates and related parties regarding the design of the Police building. Sturbaum seconded. The motion carried unanimously.

There being no further business to discuss, Haddix moved to adjourn. Sturbaum seconded the motion. The motion carried unanimously. The meeting adjourned at 8:23 p.m.

Pamela Dufresne, Deputy City Clerk

Harold K. Logsdon, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: City Clerk

DATE: May 6, 2008

SUBJECT: Alcohol License – Change in License Representative –
Outback Steakhouse
May 15, 2008, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a change in the alcohol license for Outback Steakhouse.

Discussion:

Outback Steakhouse, 995 North Peachtree Parkway, has submitted an application for a change in license representative. Ms. LaDonna Chavez has requested she be appointed as the License Representative. She will attend the meeting on Thursday, May 12th, to answer any questions you may have.

Budgetary Impact:

There is no impact to the budget due to the change in license representative.

BT:pd

Attachments

Application For Alcoholic Beverage License

Business Name: Outback Steakhouse	Business Location: 915 N. Peachtree Pkwy	
Nature of Business: Restaurant	Mailing Address: 3390 Peachtree Rd Ste 200 Atlanta, GA 30326	Business Phone Number: 770-486-9292
Name of Licensee: PAUL ALLEN	Home Address: 116205 Sonsoles De Avila Tampa, FL 33613	Home Phone Number: 813-269-9661
Name of License Representative: Leticia Chavez	Home Address: 2222 East West Connector #209 Austell, GA 30106	Home Phone Number: 770-485-4774

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
☒	Malt Beverage	☐	Malt Beverage	☐	Malt Beverage
☒	Wine	☐	Wine	☐	Wine
☒	Distilled Spirits	☐	Distilled Spirits	☐	Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
Outback Steakhouse of Florida Inc, GP	2202 N WESTHORE BLVD 5th FLOOR, TAMPA, FL 33607	813-282-1225
Outback Steakhouse of N. GA II, LP	3390 Peachtree Pkwy Ste 200 Atlanta, GA 30326	404-806-5345
Leticia Chavez, M.P.	2222 EAST WEST CONNECTOR #209 AUSTELL, GA 30106	770-485-4774

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES/NO **NO**

If YES, Please Provide Name of Employee: _____

State of Georgia

City of Peachtree City:

I, H. C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

LaDonna Michelle Chavez Romero

2222 East West Connector #209 Austell, GA 30106
Address

Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.



Signature

4/28/09

Date



Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: Acting City Clerk

DATE: May 9, 2008

SUBJECT: Alcohol License – Addition of Distilled Spirits – Bia's
May 15, 2008, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a change to the alcohol license.

Discussion:

Bia's, a restaurant to be located at 300 City Circle, has submitted a request to add distilled spirits to its alcohol license. Mr. Yousuf Hasan will remain as the Licensee and License Representative. He will attend the meeting on Thursday, May 15th, to answer any questions you may have.

Budgetary Impact:

The budgetary impact of the addition of distilled spirits to Bia's alcohol license will be positive. The applicant will be required to pay an additional \$3,650 to modify their license to include distilled spirits.

BT:pd

Attachments

Application For Alcoholic Beverage License

Business Name: BIA'S PEACHTREE CITY LLC	Business Location: PEACHTREE CITY	
Nature of Business: RESTAURANT	Mailing Address: 300 CITY CIRCLE STE. 1520, PEACHTREE CITY	Business Phone Number: 678-364-8890
Name of Licensee: YOUSUF HASAN	Home Address: 923 PEACHTREE ST. NE, #926, ATLANTA, GA 30309	Home Phone Number: 404-921-4220
Name of License Representative: Same as above	Home Address:	Home Phone Number:

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
☒	Malt Beverage	☐	Malt Beverage	☐	Malt Beverage
☒	Wine	☐	Wine	☐	Wine
☒	Distilled Spirits	☐	Distilled Spirits	☐	Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
YOUSUF HASAN	923 PEACHTREE ST. NE #926 ATLANTA GA 30309	cell - 404 921 4220 OFF - 404 607 1486

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES ☒ NO ☐

If YES, Please Provide Name of Employee: _____

State of Georgia

City of Peachtree City

I, H.C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

Yousuf Hasan

923 Peachtree St. NE, #926
Atlanta, GA 30309

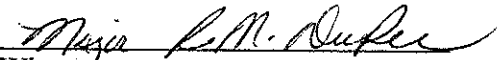
has been investigated and found not to have been convicted of, nor to have entered a plea of nolo
contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal
narcotics or drugs within five (5) years prior to the date of the application for this license.



H.C. "Skip" Clark II
Chief of Police

5/9/08

Date



Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *Benjamin M. Muller*
Leisure Services Director *[Signature]*
Developmental Services Director *[Signature]*
City Engineer *David H. Browne*

FROM: Stormwater Manager *[Signature]*

DATE: May 7, 2008

SUBJECT: Drainage Easement for Riley Field Drive
May 15, 2008 *City Council Meeting*

Recommendation:

Staff recommends Council accept a drainage easement from Southland Nursing Homes, Inc for drainage required for the construction of a new driveway at Riley Field.

Discussion:

In an effort to establish better traffic flow into and out of Riley Field recreation area, a new drive is to be constructed. As this new drive has the potential to back water up onto the adjacent property during 100 year storm events, a permanent drainage easement is required. As such, City staff requested such an easement from Southland Nursing Homes, Inc.

Staff recommends that Council accept this easement so that plans can be finalized and construction may begin.

Budget Impact:

There is no cost associated with the acceptance of this easement.

Attachments

cc: Leisure Services Director
City Engineer
File

After recording, return to:

Theodore P. Meeker, III
Davis & Meeker, LLC
6631 Watson Street
Union City, GA 30291

**STATE OF GEORGIA
COUNTY OF FAYETTE**

DEED OF EASEMENT

THIS INDENTURE, made and entered into this 23rd day of April in the year 2008, between Southland Nursing Homes, Inc as party of the first part, hereinafter referred to as "GRANTOR", and the City of Peachtree City, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as "GRANTEE" (GRANTOR" and "GRANTEE" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESS THAT: Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these present does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee the following:

A perpetual non-exclusive easement over, through, under and across certain property described below being a permanent easement approximately two thousand thirty-seven (2,037) square feet in area as described within the Drainage Easement Exhibit for Riley File Exit Road on Exhibit "A" which is attached hereto and incorporated herein by express reference. Such easement area is more fully described in the Legal Description set forth in Exhibit "B" which is attached hereto and is incorporated herein by express reference.

The purpose of the grant of easement is to allow the Grantee, for the purpose of drainage, flood the area below the 867 contour (NAVD88) for high level storm events which exceed a 100 year storm event. The permanent easement herein granted shall be perpetual in duration.

The Grantor shall assume no liability for injuries or damages to public users of the City's drainage easement, and Grantor shall forfeit no other property rights by virtue of the existence of this easement on his property.

This instrument shall be binding upon the heirs, successors and assigns of the Grantor herein and shall inure to the benefit of the successors in interest of the grantee herein.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals, or if corporate, have caused this document to be executed by its duly authorized officers and its seal to be hereunto affixed, as of this day and the year first above written.

OWNER: Southland Nursing Homes, Inc

By: E. C. Nelson, Pres
Printed Name

[Signature]
Signature

Signed sealed and delivered,
In the presence of

Tamara L. Walker
Witness

NOTARY:

Michelle L Ford
Printed name

[Signature]
Signature

My Commission expires:

07-30-2011
SEAL



FAIRFIELD DRIVE

PB 27
PS 21

P.O.C.
S83°20'49"E
378.14'
IDP
3/4"
REBAR
S83°20'49"E
43.88'

N/T
SOUTHLAND NURSING
HOME INC

Drainage Easement Area
2,037 sq. ft.
0.05 acres

687 CONTOUR
(NAVDSSE)

R=1816.68
L=480.92'
CB=S73°04'49"E
CH=465.30

WISDOM ROAD
80' R/W

PEACH
RIE

N51°10'31"W
11.77'
N01°20'25"E
27.20'



40' 20' 0' 40'
SCALE: 1" = 40'

Land Lot 131 of the 7th District of Fayette County, Georgia

EXHIBIT "B"

All that tract or parcel of land lying and being in Land Lot 131 of the 7th District of Fayette County, City of Peachtree City, Fayette County, Georgia and being more particularly described as follows:

To arrive at the True Point of Beginning, Commence at the easterly right-of-way of Fairfield Drive, variable right-of-way, and the northerly right-of-way of Wisdom Road, said right-of-way is 80 feet

THENCE following the northerly right-of-way of Wisdom Road South 83 degrees 20 minutes 49 seconds East for a distance of 376.14 feet to a point being the Southeastern corner of a Peachtree City Greenbelt and the southwesterly corner of Southland Nursing Home Inc. property;

THENCE continuing along the northerly right-of-way of Wisdom Road, South 83 degrees 20 minutes 49 seconds East for a distance of 43.08 feet to a point;

THENCE continuing along the northerly right-of-way of Wisdom Road along a curve to the right having a radius of 1616.68 feet and an arc length of 466.92 feet, being subtended by a chord of South 75 degrees 04 minutes 49 seconds East for a distance of 465.30 feet to the southeasterly corner of Southland Nursing Home Inc. property;

THENCE leaving the northerly right-of-way of Wisdom Road, North 01 degrees 20 minutes 25 seconds East along the easterly line of Southland Nursing Home Inc. property for a distance of 27.20 feet to The True Point of Beginning said point falls on the 867 foot (NAVD88) contour line;

THENCE leaving said property line, following said contour line the following courses: North 61 degrees 10 minutes 31 seconds West for a distance of 11.77 feet to a point;

THENCE North 15 degrees 00 minutes 32 seconds West for a distance of 20.66 feet to a point;

THENCE North 00 degrees 08 minutes 22 seconds East for a distance of 42.67 feet to a point;

THENCE North 08 degrees 09 minutes 54 seconds East for a distance of 54.72 feet to a point;

THENCE North 12 degrees 56 minutes 58 seconds East for a distance of 52.91 feet to the easterly line of Southland Nursing Home Inc. property;

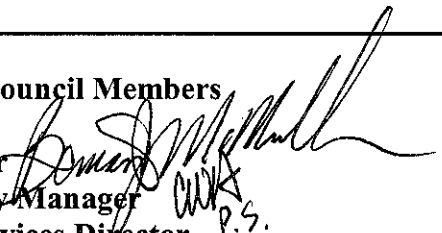
THENCE leaving said contour line, along said property line South 01 degrees 20 minutes 25 seconds West for a distance of 174.07 feet to The True Point of Beginning;

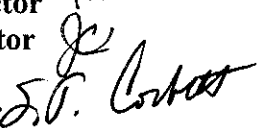
Said property contains 2037 square feet or 0.05 Acres

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Assistant City Manager
Financial Services Director P.S.
Assistant Finance Director

FROM: Public Services Director 

DATE: May 5, 2008

SUBJECT: Local Assistance Road Program (LARP) Contract
May 15, 2008 City Council Agenda

Recommendation:

Staff recommends that the City execute this contract for resurfacing the following seven streets:

LAU08-S011-00(216)

<i>STREET</i>	<i>LENGTH (MILES)</i>
1. Chadwick Drive (Braelinn Rd. to Kensington Dr. S.)	0.420
2. Clover Green (Clover Reach to Paschall Rd.)	0.180
3. Harbor Loop (Fisher's Luck N. to Fisher's Luck S.)	0.410
4. Kenton Place (Holly Grove Rd. to Welton Way S.)	0.530
5. Rosemont	0.160
6. Smokerise Trace (Smokerise Pt. to Tinsley Mill Rd.)	1.460
7. Stonington Drive	0.450
<i>Total Miles:</i>	<i>3.610</i>

Discussion:

Staff has reviewed the Georgia Department of Transportation (GDOT) Local Assistance Road Program (LARP) contract LAU08-S011-00(216) which is a standard GDOT contract. This contract is available for review should Council desire to do so.

The contract amount of **\$145,082.76** is the approximate cost of materials only and does not include labor, equipment, or delivery costs for the installation of the asphalt paving. Staff will solicit bids for the resurfacing of these streets.

Budget Impact:

The estimated cost of this paving is **\$400,000.00**. The Finance Department generally projects the revenue from the LARP reimbursement at about 90% of the contract, which would be **\$130,574.48**. The balance of **\$269,425.52** would come from SPLOST reserves.

cc: City Engineer

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

ORIGINAL

CONTRACT

CITY CONTRACT

DO NOT UNSTAPLE THIS BOOKLET....ENTER ALL REQUIRED INFORMATION
----- EITHER BY HAND OR BY STAMP.

DATE OF OPENING : NONE

CALL ORDER : NONE

CONTRACT ID : C38236-08-000-0

PCN	PROJECTS AND CONTRACT NO.
-----	-----
S011216C10000	LAU08-S011-00(216) C1
COUNTY : FAYETTE	

CODE: 5PE090

1. CITY OF PEACHTREE CITY

THIS AGREEMENT made and entered into this _____ day of _____, 200__ by and between the Department of Transportation, an agency of the State of Georgia ("Department") and the City of Peachtree city, Georgia who have been duly authorized to execute this Agreement:

WITNESSETH:

WHEREAS, the Department and City/County desire the improvements and construction of a certain facility and the City/County desires and agrees to furnish and deliver all the material and to do and perform all the work and labor for said purpose.

NOW THEREFORE, for and in consideration of the premises, the mutual covenants herein contained it is agreed by and between the Department and the City/County that:

A. BASIC AGREEMENT:

1. The City/County shall contract for 3.610 miles of plant mix resurfacing on various streets in Peachtree City, Contract ID No. C38236-08-000-0, hereinafter referred to as the "Project". It is understood that the quantities shown are approximates only and subject either to increase or decrease and any increases or decreases are to be paid for at the contract unit price given, labeled Exhibit A, attached hereto and incorporated herein by reference. The maximum allowable costs for the Project shall be \$145,082.76.
2. The work and materials shall be in strict and entire conformity with the provisions of this Agreement and the plans prepared by the City/County and approved by the Chief Engineer or his authorized representative the originals of which are on file at the Department and which said plans are hereby made a part of this Agreement as if fully set forth herein. The Project will be constructed in accordance with the standard specifications, 2001 edition, as further amended, and the Supplemental Specifications and Special Provisions, attached hereto as Exhibit B and incorporated herein by reference.
3. The work can be performed by the local government or can be subcontracted out to a private contractor. If the work is performed by a private contractor the local government is responsible for preparing the bid contract documents and letting the work out for bid in accordance with the express limitations as provided in Part 2 of Article 3 of Title 32 or any other provision of law. The local government shall ensure that the project is constructed in accordance with GDOT specifications regardless of whether the contract is performed by the local government or a private contractor. The local government will also be responsible for notifying the GDOT Area Construction Office prior to work starting on the project regardless of who performs the work. The Department will have Inspectors on the project to perform routine construction inspections and material testing.
4. It is understood that the material pits are to be furnished by the City/County at no cost to the Department.

5. It is understood that the Department will not participate in the cost of any utility facility removal and relocations necessary in connection with the construction of this Project, unless otherwise specified in the Agreement. The City/County shall be responsible for handling the arrangements with the utility owners for any removal and relocation necessary. The City/County shall give the utility owners ample notice, of the impending construction to allow time for engineering and material orders required for any removal and relocations as may be necessary. Also, the City/County agrees to clear right-of-way obstructions without expense to the Department. For purposes of applying provisions of this paragraph, railroads are considered utilities. In addition to the foregoing, the City/County shall obtain approval of plans and acquire easements or other property rights from the railroad for construction within railroad property/right-of-way and shall provide for the protection of railroad interests, including flagging and inspection, as may be required by the railroad.
6. The work shall begin after the issuance of a notification to proceed by the Department to the City/County and shall be carried through to completion without unreasonable delay and without suspension of work unless authorized in writing by the Department. The City/County shall perform its responsibilities for the Project until the maximum allowable cost to the Department has been reached or until April 21, 2010, whichever comes first.
7. The work shall be done in accordance with the laws of the State of Georgia under the direct supervision and to the entire satisfaction of the Department. The decision of the Chief Engineer upon any question connected with the execution or fulfillment of this Agreement and interpretation of the specifications or upon any failure or delay in the prosecution of the work by the City/County shall be final and conclusive.
8. The City/County agrees to perform all extra work that may be required of them on the basis of actual cost.
9. The financing of this Project shall be as follows:
Payments will be made on monthly statements as the work progresses.

GENERAL PROVISIONS:

1. Covenants Against Contingent Fees. The City/County shall comply with the relevant requirements of all federal, state and local laws in effect as of the date hereof. The City/County warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the City/County, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the City/County, any fee, commission, percentage, brokerage fee, gifts, or any consideration, contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, the DEPARTMENT shall have the right to annul this Agreement without liability or, in its discretion to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.
2. No Third Party Beneficiaries. Nothing herein shall be construed as conferring upon or giving to any person, other than the parties hereto, any rights or benefit under or by reason of this Agreement.

3. Entire Agreement. This Contract instrument, including all incorporated documents, contains the entire Contract between the parties with regard to the subject matter hereof, and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.
4. Severability. If any provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions shall remain in force and unaffected to the fullest extent permitted by law and regulation.
5. Compliance with Applicable Laws.
 - A. The undersigned certify that the provisions of Section 45-10-20 through 45-10-28 of the Official Code of Georgia Annotated relating to Conflict of Interest and State employees and officials trading with the State have been complied with in full.
 - B. IT IS FURTHER AGREED that the City/County shall comply and shall require its subcontractors to comply with the regulations for COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, as amended, and 23 CFR 200.
 - C. IT IS FURTHER CERTIFIED that the provisions of Sections 50-24-1 through 50-24-6 of the Official Code of Georgia annotated, relating to the "Drug-Free Workplace Act" have been complied with in full. Including compliance by prime contractors and sub-contractors performing work under this Agreement.
 - D. By execution of this contract, I certify under penalty of law that the City/County is in compliance with the service delivery strategy law (House Bill 489) and is not debarred from receiving financial assistance from the State of Georgia.
 - E. By execution of this contract, I certify under penalty of law that the City/County is in compliance State Audit Requirements as provided under Exhibit C attached hereto and incorporated herein by reference.
 - F. IT IS FURTHER CERTIFIED that pursuant to O.C.G.A. § 13-10-91 I and all contractor and sub-contractors performing work under this Agreement are in compliance with the Federal Work Authorization Program. Prime contractors and sub-contractors may participate in any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 ("IRCA").
6. Effective Date. This Agreement shall become effective upon the date above first written.
7. Governing Law. This Agreement is made and entered into in Fulton County, Georgia, and shall be governed and construed under the laws of the State of Georgia.

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

IN WITNESS WHEREOF, said parties have hereunto set their seals the day and year above first written.

DEPARTMENT OF TRANSPORTATION

CITY/COUNTY

Commissioner

Mayor/Commissioner

Witness

ATTEST:

This contract approved by the
City/County at a meeting held at

Treasurer

Date

58-1079955
Fed ID No. / IRS No.

EXHIBIT A

 DEPARTMENT OF TRANSPORTATION
 STATE OF GEORGIA
 CONTRACT SCHEDULE

CONTRACT ID: C38236-08-000-0

PROJECT(S) : S011216C10000 LAU08-S011-00(216) C1

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
SECTION 0001 ROADWAY					145,082.76	
0005	402-1812 RECYCLED ASPH CONC LEVELING, INCL BITUM MATL & H LIME	TN 139.000	40.80000		5,671.20	
0010	402-3100 RECYCLED ASPH CONC 9.5 MM SUPERPAVE, TYPE I, GP 1 OR BLEND 1, INCL BITUM MATL & H LIME	TN 1,842.000	40.20000		74,048.40	
0015	402-3101 RECYCLED ASPH CONC 9.5 MM SUPERPAVE, TYPE I, BLEND 1, INCL BITUM MATL & H LIME	TN 1,535.000	40.20000		61,707.00	
0020	413-1000 BITUM TACK COAT	GL 3,242.000	1.11000		3,598.62	
0025	652-2502 SOLID TRAFFIC STRIPE, 5 IN, YELLOW	LM 0.320	162.00000		51.84	
0030	652-3502 SKIP TRAFFIC STRIPE, 5 IN, YELLOW	GLM 0.050	114.00000		5.70	
TOTAL BID					145,082.76	

EXHIBIT B

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

SPECIAL PROVISIONS

CONTRACT ID : C38236-08-000-0

3.610 MILES OF PLANT MIX RESURFACING ON VARIOUS STREETS IN
PEACHTREE CITY.

S.P. CODE	SPECIAL PROVISIONS DESCRIPTION
107-1-01-SP	LEGAL REGULATIONS AND RESPONSIBILITIES TO THE PUBLIC
108-1-01-SP	PROSECUTION AND PROGRESS
109-1-02-SP	MEASUREMENT & PAYMENT
152-1-01-SP	FIELD LABORATORY BUILDING (OFF/SYSTEM 400/402)
400-1-01-SP	ASPHALTIC CONCRETE (OFF SYSTEM - 400/402)
402-1-01-SP	RECYCLED ASPH CONCRETE (OFF SYSTEM - 400/402)
802-1-01-SP	AGGR FOR ASPH CONC (Off System 400/402)
819-1-01-SP	FIBER STAB ADDITIVES (Off System 400/402)
828-1-01-SP	HOT MIX ASPH CONC MIXTURES (Off System 400/402)
883-1-01-SP	MINERAL FILLER (Off System 400/402)
A99-0-00-	PLANS (7)

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION
(For State Aid Contracts Only)

Section 107—Legal Regulations and Responsibility to the Public

Delete Subsection 107.23.A and substitute the following:

107.23 Environmental Considerations

All environmental considerations and clearances shall be the responsibility of the County or municipality to meet, including the requirements of Section 404 of the Clean Water Act (33 USC 1344).

After July 1, 1991, State funded projects must comply with the requirements of Chapter 16 of Title 12 of the Official Code of Georgia Annotated, the Georgia Environmental Policy Act (GEPA), of 1991. In compliance with GEPA, those projects for which Federal funding is sought, and NEPA compliance is accomplished, are exempt from the requirements of GEPA.

GEPA requires that environmental documentation be accomplished for County or City projects if more than 50 percent of the total project cost is funded by a grant of a State Agency or a grant of more than \$250,000.00 is made by the State Agency to the municipality or County. The "responsible official of the government agency shall determine if a proposed governmental action is a proposed governmental action which may significantly adversely affect the quality of the environment."

A. The Following Projects Would Not Significantly Adversely Affect The Quality Of The Environment:

Non-land disturbing activities and minor land disturbing activities that would not be anticipated to significantly affect the quality of the environment include the following list. These types of projects funded with state money would not be subject to environmental assessment of any kind. Hearing procedures outline in GEPA would not be applicable.

1. Minor roadway and non-historic bridge projects.
 - a. Modernization of an existing highway by resurfacing, restoration, rehabilitation, adding shoulders, widening a single lane or less in each direction and the addition of a median within previously disturbed existing right-of-way.
 - b. Adding auxiliary lanes for localized purposes (weaving, climbing, speed changes, etc.) and correction substandard curves and intersections within previously disturbed existing right-of-way.
 - c. Non-historic bridge replacement projects in existing alignment with no detour bridge.
2. Lighting, signing, pavement marking, signalization, freeway surveillance and control systems, and railroad protective devices.
3. Safety projects such as grooving, glazed screen, safety barriers, energy attenuators, median barriers, etc.
4. Highway landscaping and landscaping modification, rest area projects and truck weigh stations within previously disturbed existing right-of-way.
5. Construction of bus shelters and bays within existing right-of-way.
6. Temporary replacement of a highway facility that is commenced immediately after the occurrence of a natural disaster of catastrophic failure to restore the highway for the health, welfare, and safety of the public.

Section 107—Legal Regulations and Responsibility to the Public

B. The Following Projects May Not Significantly Adversely Affect The Quality Of The Environment:

For projects that will cause land disturbance and for which there is no anticipation that the project may significantly adversely affect the quality of the environment, certain studies will be undertaken. These studies would serve to document whether or not the County or municipality should anticipate that a project might significantly adversely affect the quality of the environment. Documentation of the studies will be accomplished through the use of the "GEPA Investigation Studies" checklist.

The types of projects that would fall under the category, would include:

1. Bridge replacement projects on new location or with a detour bridge, where there are no significant adverse impacts to historic or archaeological resources, no involvement with Federally listed threatened and endangered species and no significant adverse impact to wetlands.
2. Passing lanes, median additions and widening projects, where there are no significant adverse impacts to historic or archaeological resources, no involvement with Federally listed threatened and endangered species and no significant adverse impact to wetlands.
3. Safety and intersection improvements where there are no significant adverse impacts to historic or archaeological resources, no involvement with Federally listed threatened and endangered species and no significant adverse impact to wetlands.
4. Rest area projects and truck weigh stations with no purchase of additional right-of-way.
5. New location projects where there are no significant adverse impacts to historic or archaeological resources, no involvement with Federally listed threatened and endangered species and no significant adverse impact to wetlands.

If studies demonstrate that the project will not significantly adversely affect the quality of the environment, project files will be documented. If studies demonstrate that the project may significantly adversely affect the quality of the environment, development of an environmental effects report (EER) will be undertaken along with full GEPA compliance.

C. The Following Projects May Significantly Adversely Affect The Quality Of The Environment:

This category of projects may include major widening and new location projects. If such projects result in a significant adverse effect, an EER shall be prepared.

D. EER Procedure:

GEPA calls for consideration of the "cumulative effect of the proposed government actions on the environment.....if a series of proposed government actions are related either geographically or as logical parts in a chain of contemplated actions." Therefore, EER's for sections of roadways to be widened or built as new location facilities will include all projects that are connected geographically or as logical parts in a chain of contemplated actions.

1. During preparation of an environmental effect report, the County or Municipality will consult with and solicit comments from agencies that have jurisdiction by law, special expertise, or other interest with respect to environmental impacts.
2. In compliance with GEPA the following shall be contained in the EER, at a minimum:
 - a. Cover sheet;
 - b. Executive summary;
 - c. Alternatives, including the no-build;
 - d. Relevant environmental setting: Geology, soils, water supply and wetlands, floral fauna, archaeology/history, economic environment, energy, cultural resources;
 - e. The environmental impact of the proposed action of the relevant setting and mitigation measures proposed to avoid or minimize adverse impact;
 - f. Unavoidable adverse environmental effects;
 - g. Value of short-term uses of the environment and maintenance and enhancement of its long-term value;
 - h. Beneficial aspects, both long term and short term and its economic advantages and disadvantages;
 - i. Comments of agencies which have jurisdiction by law, special expertise, or other interest with respect to any environmental impact or resource;

Section 107—Legal Regulations and Responsibility to the Public

3. At least 45 days prior to making a decision as to whether to proceed with the undertaking, publish in the "legal organ of each County in which the proposed governmental action or any part thereof is to occur, notice that an environmental effects report has been prepared".
4. The County or Municipality shall send a copy of the EER and all other comments to the Director, EPD.
5. The County or municipality shall make the document available to the public and agencies, upon request.
6. A public hearing will be held in each affected county if at least 100 residents of the State of Georgia request on within 30 days of publication in the legal organ of an affected County. The responsible official or his designee may hold a public hearing if less than 100 requests are received. (The county or municipality is not relieved of other State legal requirements of public hearings, however.)
7. Following the public notice period and/or public hearing, a summary of the document, comments received and recommendation as to whether to proceed with the action as originally prepared, to proceed with changes, or not to proceed will be prepared (Notice of Decision).
8. This decision document, when signed by the responsible official, will be sent to the director, EPD, and an abbreviated notice of the decision will be published in the legal organ of each County in which the proposed governmental action or any part thereof is to occur.
9. A copy of the decision document, the EER and public hearing comments (if any) will be sent to the Department Of Transportation, Office of Environment and Location and The Department of Natural Resources, Environmental Protection Division for their files.

**Department Of Transportation
Office Of Environment And Location
3933 Aviation Circle
Atlanta, Georgia 30336**

**Department Of Natural Resources
Environmental Protection Division
205 Butler Street, Se
Suite 1152
Atlanta, Georgia 30334**

Any mitigation measures identified in the EER will be incorporated into the final project plans.

Date: May 29, 2001
First Use Date 2001 Specifications: November 1, 2002

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

Section 108—Prosecution and Progress

Retain Subsection 108.03 except as modified below:

For this Project, the Progress Schedule required by Subsection 108.03 need not be submitted.

Date: July 3, 2001
First Use Date 2001 Specifications: November 1, 2002

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

**Section 109—Measurement & Payment
(City /County Contracts)**

Delete the first sentence of Subsection 109.07.A, paragraph one, and substitute the following:

- A. General: On the tenth day of each calendar month, the total value of Items complete in place will be estimated by the Engineer and certified for payment.

Date: August 8, 2002
First Use Date 2001 Specifications: November 1, 2002

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

Section 152—Field Laboratory Building

Delete Subsection 152.1.02.B and substitute the following:

B. Referenced Documents

GDT 38

GDT 83

NFPA-10A

Delete Subsection 152.3.05.D.5.e through h.

First Use: February 3, 2006
Revised: February 6, 2006
Revised: May 1, 2006
Revised: July 17, 2006
Revised: September 29, 2006
Revised: December 7, 2006
Off System Revised: February 22, 2007
Off System Revised: December 4, 2007

Georgia Department of Transportation

State of Georgia

Special Provision

Section 400—Hot Mix Asphaltic Concrete Construction

Delete Section 400 and Substitute the following:

400.1 General Description

This work includes constructing one or more courses of bituminous plant mixture on the prepared foundation or existing roadway surface. The mixture shall conform with lines, grades, thicknesses, and typical cross sections shown on the Plans or established by the Engineer.

This section includes the requirements for all bituminous plant mixtures regardless of the gradation of the aggregates, type and amount of bituminous material, or pavement use.

Work will be accepted on a lot-to-lot basis according to the requirements of this Section and Section 106.

400.1.01 Definitions

Segregated Mixture: Mixture lacking homogeneity in HMA constituents of such a magnitude that there is a reasonable expectation of accelerated pavement distress or performance problems. May be quantified by measurable changes in temperature, gradation, asphalt content, air voids, or surface texture.

New Construction: A roadway section more than 0.5 mile (800 m) long that is not longitudinally adjacent to the existing roadway. If one or more lanes is added longitudinally adjacent to the existing lane, the lane or lanes shall be tested under the criteria for a resurfacing project.

Trench Widening: Widening no more than 4 ft. (1.2 m) in width.

Comparison sample: Opposite quarter of material sampled by the Contractor.

Referee sample: A sample of the material retained during the quartering process which is used for evaluation if a comparison of Contractor and Departmental test results is outside allowable tolerances.

Quality assurance sample: Independent sample taken by the Department to verify quality of mix or acceptance decision.

400.1.02 Related References

A. Standard Specifications

Section 106—Control of Materials

Section 109—Measurement and Payment

Section 152—Field Laboratory Building

Section 400—Hot Mix Asphaltic Concrete Construction

Section 413—Bituminous Tack Coat

Section 424—Bituminous Surface Treatment

Section 802—Coarse Aggregate for Asphaltic Concrete

Section 828—Hot Mix Asphaltic Concrete Mixtures

B. Referenced Documents

AASHTO T 209

AASHTO T 202

AASHTO T 49

Laboratory Standard Operating Procedure (SOP) 27, "Quality Assurance for Hot Mix Asphaltic Concrete Plants in Georgia"

Department of Transportation Standard Operating Procedure (SOP) 15

Georgia Department of Transportation Standard Operation Procedure (SOP) 40

GDT 38

GDT 73

GDT 78

GDT 83

GDT 93

GDT 119

GDT 125

GDT 134

GSP 15

GSP 21

QPL 1

QPL 2

QPL 7

QPL 26

QPL 30

QPL 39

QPL 41

QPL 45

QPL 65

QPL 67

QPL 70

QPL 77

400.1.03 Submittals

A. Invoices

When the Department requests, furnish formal written invoices from a supplier for all materials used in production of HMA. Show the following on the Bill of Lading:

Section 400—Hot Mix Asphaltic Concrete Construction

- Date shipped
- Quantity in tons (megagrams)
- Included with or without additives (for asphalt cement)

Purchase asphaltic cement from a supplier who will provide copies of Bill of Lading upon the Department's request.

B. Paving Plan

Before starting asphaltic concrete construction, submit a written paving plan to the Engineer for approval. Include the following on the paving plan:

- Proposed starting date
- Location of plant(s)
- Rate of production
- Average haul distance(s)
- Number of haul trucks
- Paver speed feet (meter)/minute for each placement operation
- Mat width for each placement operation
- Number and type of rollers for each placement operation
- Sketch of the typical section showing the paving sequence for each placement operation
- Electronic controls used for each placement operation
- Temporary pavement marking plan

If staged construction is designated in the Plans or contract, provide a paving plan for each construction stage.

If segregation is detected, submit a written plan of measures and actions to prevent segregation. Work will not continue until the plan is submitted to and approved by the Department.

C. Job Mix Formula

After the Contract has been awarded, submit to the Engineer a written job mix formula proposed for each mixture type to be used based on an approved mix design. Furnish the following information for each mix:

- Specific project for which the mixture will be used
- Source and description of the materials to be used
- Mixture I.D. Number
- Proportions of the raw materials to be combined in the paving mixture
- Single percentage of the combined mineral aggregates passing each specified sieve
- Single percentage of asphalt by weight of the total mix to be incorporated in the completed mixture
- Single temperature at which to discharge the mixture from the plant
- Theoretical specific gravity of the mixture at the designated asphalt content
- Name of the person or agency responsible for quality control of the mixture during production

Do the following to have the formulas approved in accordance with SOP 40 "Approval of Contractor Job Mix Formulas" and to ensure their quality:

1. Submit proposed job mix formulas for review at least two weeks before beginning the mixing operations.
2. Do not start hot mix asphaltic concrete work until the Engineer has approved a job mix formula for the mixture to be used. No mixture will be accepted until the Engineer has given approval.
3. Provide mix designs for all Superpave and 4.75 mm mixes to be used. The Department will provide mix design results for other mixes to be used.
4. After a job mix formula has been approved, assume responsibility for the quality control of the mixtures supplied to the Department according to Subsection 106.01, "Source of Supply and Quantity of Materials."

Section 400—Hot Mix Asphaltic Concrete Construction

D. Quality Control Program

Submit a Quality Control Plan to the Office of Materials and Research for approval. The Quality Control Program will be included as part of the certification in the annual plant inspection report.

400.2 Materials

Ensure that materials comply with the specifications listed in Table 1.

Table 1—Materials Specifications

Material	Subsection
Asphalt Cement, Grade Specified	<u>820.2</u>
Coarse Aggregates for Asphaltic Concrete	<u>802.2.02</u>
Fine Aggregates for Asphaltic Concrete	<u>802.2.01</u>
Mineral Filler	<u>883.1</u>
Heat Stable Anti-Stripping Additive	<u>831.2.04</u>
Hydrated Lime	<u>882.2.03</u>
Silicone Fluid	<u>831.2.05</u>
Bituminous Tack Coat: PG 58-22, PG 64-22, PG 67-22	<u>820.2</u>
Hot Mix Asphaltic Concrete Mixtures	<u>828</u>

400.2.01 Delivery, Storage, and Handling

Storage of material is allowed in a properly sealed and insulated system for up to 24 hours except that Stone Matrix Asphalt (SMA), Open-Graded Friction Course (OGFC), or Porous European Mix (PEM) mixtures shall not be stored more than 12 hours. Mixtures other than SMA, OGFC, or PEM may be stored up to 72 hours in a sealed and insulated system, equipped with an auxiliary inert gas system, with the Engineer's approval. Segregation, lumpiness, drain-down, or stiffness of stored mixture is cause for rejection of the mixture. The Engineer will not approve using a storage or surge bin if the mixture segregates, loses excessive heat, or oxidizes during storage.

The Engineer may obtain mixture samples or recover asphalt cement according to GDT 119. AASHTO T 202 and T 49 will be used to perform viscosity and penetration tests to determine how much asphalt hardening has occurred.

A. Vehicles for Transporting and Delivering Mixtures

Ensure that trucks used for hauling bituminous mixtures have tight, clean, smooth beds.

Follow these guidelines when preparing vehicles to transport bituminous mixtures:

1. Use an approved releasing agent from QPL 39 in the transporting vehicle beds, if necessary, to prevent the mixture from sticking to the bed. Ensure that the releasing agent is not detrimental to the mixture. When applying the agent, drain the excess agent from the bed before loading. Remove from the project any transporting vehicles determined to contain unapproved releasing agents.
2. Protect the mixture with a waterproof cover large enough to extend over the sides and ends of the bed. Securely fasten the waterproof cover before the vehicle begins moving.
3. Insulate the front end and sides of each bed with an insulating material with the following specifications:
 - Consists of builders insulating board or equivalent
 - Has a minimum "R" value of 4.0
 - Can withstand approximately 400 °F (200 °C) temperatures

Install the insulating material so it is protected from loss and contamination. A "Heat Dump Body" may be used in lieu of insulation of the bed. "Heat Dump Body" refers to any approved transport vehicle that is capable of diverting engine exhaust and transmitting heat evenly throughout the dump body to keep asphalt at required temperature. Mark the "Heat Dump Body" clearly with "OPEN" and "CLOSE" position at the exhaust diverter. Install a padlock and lock it in the "OPEN" position when the "Heat Dump Body" is used to transport bituminous mixtures.

Section 400—Hot Mix Asphaltic Concrete Construction

4. Mark each transporting vehicle with a clearly visible identification number.
5. Create a hole in each side of the bed so that the temperature of the loaded mixture can be checked. The placement of these holes shall be located to assure that the thermometer is being placed in the hot mix asphaltic concrete.

Ensure that the mixture is delivered to the roadway at a temperature within $\pm 20^{\circ}\text{F}$ ($\pm 11^{\circ}\text{C}$) of the temperature on the job mix formula.

If the Engineer determines that a truck may be hazardous to the Project or adversely affect the quality of the work, remove the truck from the project.

B. Containers for Transporting, Conveying, and Storing Bituminous Material

To transport, convey, and store bituminous material, use containers free of foreign material and equipped with sample valves. Bituminous material will not be accepted from conveying vehicles if material has leaked or spilled from the containers.

400.3 Construction Requirements

400.3.01 Personnel

General Provisions 101 through 150.

400.3.02 Equipment

Hot mix asphaltic concrete plants that produce mix for Department use are governed by Quality Assurance for Hot Mix Asphaltic Concrete Plants in Georgia, Laboratory Standard Operating Procedure No. 27.

The Engineer will approve the equipment used to transport and construct hot mix asphaltic concrete. Ensure that the equipment is in satisfactory mechanical condition and can function properly during production and placement operations. Place the following equipment at the plant or project site:

A. Field Laboratory

Provide a field laboratory according to Section 152.

B. Plant Equipment

1. Scales

Provide scales as follows:

- a. Furnish (at the Contractor's expense) scales to weigh bituminous plant mixtures, regardless of the measurement method for payment.
- b. Ensure that the weight measuring devices that provide documentation comply with Subsection 109.01, "Measurement and Quantities."
- c. When not using platform scales, provide weight devices that record the mixture net weights delivered to the truck. A net weight system will include, but is not limited to:
 - Hopper or batcher-type weight systems that deliver asphaltic mixture directly to the truck
 - Fully automatic batching equipment with a digital recording device
- d. Use a net weight printing system only with automatic batching and mixing systems approved by the Engineer.
- e. Ensure that the net weight scale mechanism or device manufacturer, installation, performance, and operation meets the requirements in Subsection 109.01, "Measurement and Quantities"
- f. Provide information on the Project tickets according to Department of Transportation SOP-15.

2. Time-Locking Devices

Furnish batch type asphalt plants with automatic time-locking devices that control the mixing time automatically. Construct these devices so that the operator cannot shorten or eliminate any portion of the mixing cycle.

3. Surge- and Storage-Systems

Provide surge and storage bins as follows:

- a. Ensure that bins for mixture storage are insulated and have a working seal, top and bottom, to prevent outside air infiltration and to maintain an inert atmosphere during storage. Bins not intended as storage bins may be

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used as surge bins to hold hot mixtures for part of the working day. However, empty these surge bins completely at the end of the working day.

- b. Ensure that surge and storage bins can retain a predetermined minimum level of mixture in the bin when the trucks are loaded.
 - c. Ensure that surge and storage systems do not contribute to mix segregation, lumpiness, drain-down, or stiffness.
4. Controls for Dust Collector Fines

Control dust collection as follows:

- a. When collecting airborne aggregate particles and returning them to the mixture, have the return system meter all or part of the collected dust uniformly into the aggregate mixture and waste the excess. The collected dust percentage returned to the mixture is subject to the Engineer's approval.
 - b. When the collected dust is returned directly to the hot aggregate flow, interlock the dust feeder with the hot aggregate flow and meter the flow to maintain a flow that is constant, proportioned, and uniform.
5. Hydrated Lime Treatment System

When hydrated lime is required as a mixture ingredient:

- a. Use a separate bin and feed system to store and proportion the required quantity into the mixture.
- b. Ensure that the aggregate is uniformly coated with hydrated lime aggregate before adding the bituminous material to the mixture. Add the hydrated lime so that it will not become entrained in the exhaust system of the drier or plant.
- c. Control the feeder system with a proportioning device that meets these specifications:
 - Is accurate to within ± 10 percent of the amount required
 - Has a convenient and accurate means of calibration
 - Interlocks with the aggregate feed or weigh system to maintain the correct proportions for all rates of production and batch sizes and to ensure that mixture produced is properly treated with lime

Provide flow indicators or sensing devices for the hydrated lime system and interlock them with the plant controls to interrupt mixture production if hydrated lime introduction fails to meet the required target value after no longer than 60 seconds.

6. Net Weight Weighing Mechanisms

Certify the accuracy of the net weight weighing mechanisms by an approved registered scale service person at least once every 6 months. Check the accuracy of net weight weighing mechanisms at the beginning of Project production and thereafter as directed by the Engineer. Check mechanism accuracy as follows:

- a. Weigh a load on a set of certified commercial truck scales. Ensure that the difference between the printed total net weight and that obtained from the commercial scales is no greater than 4 lbs/1,000 lbs (4 kg/Mg) of load.

Check the accuracy of the bitumen scales as follows:

- Use standard test weights.
 - If the checks indicate that printed weights are out of tolerance, have a registered scale service person check the batch scales and certify the accuracy of the printer.
 - While the printer system is out of tolerance and before its adjustment, continue production only if using a set of certified truck scales to determine the truck weights.
- b. Have plants that use batch scales maintain ten 50 lb (25 kg) standard test weights at the plant site to check batching scale accuracy.

Ensure that plant scales that are used only to proportion mixture ingredients, not to determine pay quantities, are within two percent throughout the range.

C. Equipment at Project Site

1. Cleaning Equipment

Provide sufficient hand tools and power equipment to clean the roadway surface before placing the bituminous tack coat. Use power equipment that complies with Subsection 424.3.02.F, "Power Broom and Power Blower."

2. Pressure Distributor

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To apply the bituminous tack coat, use a pressure distributor that complies with Subsection 424.3.02.B, "Pressure Distributor."

3. Bituminous Pavers

To place hot mix asphaltic concrete, use bituminous pavers that can spread and finish courses that are:

- As wide and deep as indicated on the Plans
 - True to line, grade, and cross section
 - Smooth
 - Uniform in density and texture
- a. Continuous Line and Grade Reference Control. Furnish, place, and maintain the supports, wires, devices, and materials required to provide continuous line and grade reference control to the automatic paver control system.
 - b. Automatic Screed Control System. Equip the bituminous pavers with an automatic screed control system actuated from sensor-directed mechanisms or devices that will maintain the paver screed at a pre-determined transverse slope and elevation to obtain the required surface.
 - c. Transverse Slope Controller. Use a transverse slope controller capable of maintaining the screed at the desired slope within ± 0.1 percent. Do not use continuous paving setups that result in unbalanced screed widths or off-center breaks in the main screed cross section unless approved by the Engineer.
 - d. Screed Control. Equip the paver to permit the following four modes of screed control. The method used shall be approved by the Engineer.
 - Automatic grade sensing and slope control
 - Automatic dual grade sensing
 - Combination automatic and manual control
 - Total manual control

Ensure that the controls are referenced with a taut string or wire set to grade, or with a skitype device or mobile reference at least 30 ft (9 m) long when using a conventional ski. A noncontacting laser or sonar-type ski with at least four referencing mobile stations may be used with a reference at least 24 ft. (7.3 m) long. Under limited conditions, a short ski or shoe may be substituted for a long ski on the second paver operating in tandem, or when the reference plane is a newly placed adjacent lane.

Automatic screed control is required on all Projects; however, when the Engineer determines that Project conditions prohibit the use of such controls, the Engineer may waive the grade control, or slope control requirements, or both.

- e. Paver Screed Extension. When the laydown width requires a paver screed extension, use bolt-on screed extensions to extend the screeds, or use an approved mechanical screed extension device. When the screed is extended, add auger extensions to assure a length of no more than 18 inches from the auger to the end gate of the paver. Auger extensions may be omitted when paving variable widths. Ensure the paver is equipped with tunnel extensions when the screed and augers are extended.
- f. 30 - 45 Degree Wedge. When shown on/required by the plans, equip the paver to ensure a 30 degree minimum up to a 45 degree maximum wedge along the outside edge of the roadway (measured from the horizontal plane) is in place after final compaction on the final surface course. Use an approved mechanical device that will:
 - Apply compactive effort to the asphalt mixture to eliminate objectionable voids as the mixture passes through the wedge device
 - Produce a wedge with a uniform texture, shape, and density while automatically adjusting to varying heights encountered along the roadway shoulder.

NOTE: Do not use extendible strike-off devices instead of approved screed extensions. Only use a strike-off device in areas that would normally be luted in by hand labor.

4. Compaction Equipment

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Ensure that the compaction equipment is in good mechanical condition and can compact the mixture to the required density. The compaction equipment number, type, size, operation, and condition is subject to the Engineer's approval.

400.3.03 Preparation

A. Prepare Existing Surface

Prepare the existing surface as follows:

1. Clean the Existing Surface. Before applying hot mix asphaltic concrete pavement, clean the existing surface to the Engineer's satisfaction.
2. Patch and Repair Minor Defects

Before placing leveling course:

- a. Correct potholes and broken areas that require patching in the existing surface and base as directed by the Engineer.
 - b. Cut out, trim to vertical sides, and remove loose material from the areas to be patched.
 - c. Prime or tack coat the area after it has been cleaned. Compact patches to the Engineer's satisfaction. Material for patches does not require a job mix formula, but shall meet the gradation range shown in Section 828. The Engineer must approve the asphalt content to be used.
3. Apply Bituminous Tack Coat

Apply the tack coat according to Section 413. The Engineer will determine the application rate, which must be within the limitations Table 2.

Table 2—Application Rates for Bituminous Tack, gal/yd² (L/m²)

	Minimum	Maximum
All Mixes *	0.04 (0.180)	0.06(0.270)
*On thin leveling courses and freshly placed asphaltic concrete mixes, reduce the application rate to 0.02 to 0.04 gal/yd ² (0.09 to 0.18 L/m ²).		

B. Place Patching and Leveling Course

1. When the existing surface is irregular, bring it to the proper cross section and grade with a leveling course of hot mix asphaltic concrete materials.
2. Place leveling at the locations and in the amounts directed by the Engineer.
3. Use leveling course mixtures that meet the requirements of the job mix formulas defined in:
 - Subsection 400.3.05.A, "Observe Composition of Mixtures"
 - Section 828
4. If the leveling and patching mix type is undesignated, determine the mix type by the thickness or spread rate according to Table 3.

Table 3—Leveling and Patching Mix Types

Thickness	Rate of Spread	Type of Mix
Up to 0.75 in (19 mm)	Up to 85 lbs/yd ² (45 kg/m ²)	4.75 mm Mix or 9.5 mm Superpave Type I
0.75 to 1.5 in (19 to 38 mm)	85 to 165 lbs/yd ² (45 to 90 kg/m ²)	9.5 mm Superpave Type II
1.5 to 2 in (38 to 50 mm)	165 to 220 lbs/yd ² (90 to 120 kg/m ²)	12.5 mm Superpave *
2 to 2.5 in (50 to 64 mm)	220 to 275 lbs/yd ² (120 to 150 kg/m ²)	19 mm Superpave *
Over 2.5 in (64 mm)	Over 275 lbs/yd ² (150 kg/m ²)	25 mm Superpave

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- * These mixtures may be used for isolated patches no more than 6 in. (150 mm) deep and no more than 4 ft. (1.2 m) in diameter or length.

400.3.04 Fabrication

General Provisions 101 through 150.

400.3.05 Construction

Provide the Engineer at least one day's notice prior to beginning construction, or prior to resuming production if operations have been temporarily suspended.

A. Observe Composition of Mixtures

1. Calibration of plant equipment

If the material changes, or if a component affecting the ingredient proportions has been repaired, replaced, or adjusted, check and recalibrate the proportions.

Calibrate as follows:

- a. Before producing mixture for the Project, calibrate by scale weight the electronic sensors or settings for proportioning mixture ingredients.
- b. Calibrate ingredient proportioning for all rates of production.

2. Mixture control

Compose hot mix asphaltic concrete from a uniform mixture of aggregates, bituminous material, and if required, hydrated lime, mineral filler, or other approved additive.

Make the constituents proportional to produce mixtures that meet the requirements in Section 828. The general composition limits prescribed are extreme ranges within which the job mix formula must be established. Base mixtures on a design analysis that meets the requirements of Section 828. Ensure that the field performance of the in-place mixtures meet the requirements of Section 828.2.B for Permeability, Moisture Susceptibility, Rutting Susceptibility and Fatigue. The in-place mixtures will be subject to testing for compliance with requirements of Section 828.2.B under the following conditions:

- Deviates greater than 10 percent on gradation on the mixture control sieves from the approved job mix formula based on acceptance or assurance samples.
- Deviates greater than 0.7 percent in asphalt content from the job mix formula based on acceptance or assurance samples.
- The calculated mean pavement air voids result in an adjusted pay factor greater than 0.80 or any single sub-lot results in mean pavement air voids exceeding 10.5 %.
- Mix produced using an unapproved mix design or job mix formula.

Remove and replace (at the Contractor's expense) any areas determined to not meet the requirements of Section 828.2.B

If control test results show that the characteristic tested does not conform to the job mix formula control tolerances given in Section 828, take immediate action to ensure that the quality control methods are effective.

Control the materials to ensure that extreme variations do not occur. Maintain the gradation within the composition limits in Section 828.

B. Prepare Bituminous Material

Uniformly heat the bituminous material to the temperature specified in the job mix formula with a tolerance of ± 20 °F (± 10 °C).

C. Prepare the Aggregate

Prepare the aggregate as follows:

1. Heat the aggregate for the mixture, and ensure a mix temperature within the limits of the job mix formula.

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2. Do not contaminate the aggregate with fuel during heating.
3. Reduce the absorbed moisture in the aggregate until the asphalt does not separate from the aggregate in the prepared mixture. If this problem occurs, the Engineer will establish a maximum limit for moisture content in the aggregates. When this limit is established, maintain the moisture content below this limit.

D. Prepare the Mixture

Proportion the mixture ingredients as necessary to meet the required job mix formula. Mix until a homogenous mixture is produced.

1. Add Hydrated Lime

When hydrated lime is included in the mixture, add it at a rate specified in Section 828 and the job mix formula. Use methods and equipment for adding hydrated lime according to Subsection 400.3.02.B.6, "Hydrated Lime Treatment System."

Add hydrated lime to the aggregate by using Method A or B as follows:

Method A—Dry Form—Add hydrated lime in its dry form to the mixture as follows, according to the type of plant:

- a. Batch Type Asphalt Plant: Add hydrated lime to the mixture in the weigh hopper or as approved and directed by the Engineer.
- b. Continuous Plant Using Pugmill Mixer: Feed hydrated lime into the hot aggregate before it is introduced into the mixer so that dry mixing is complete before the bituminous material is added.
- c. Continuous Plant Using Drier-Drum Mixer: Add hydrated lime so that the lime will not become entrained into the air stream of the drier and so that thorough dry mixing will be complete before the bituminous material is added.

Method B—Lime/Water Slurry—Add the required quantity of hydrated lime (based on dry weight) in lime/water slurry form to the aggregate. This solution consists of lime and water in concentrations as directed by the Engineer. Equip the plant to blend and maintain the hydrated lime in suspension and to mix it with the aggregates uniformly in the proportions specified.

2. Add Gilsonite Modifier

When required, add the Gilsonite modifier to the mixture at a rate such that eight percent by weight of the asphalt cement is replaced by Gilsonite. Use either PG 64-22 or PG 67-22 asphalt cement as specified in Subsection 820.2.01. Provide suitable means to calibrate and check the rate of Gilsonite being added. Introduce Gilsonite modifier by either of the following methods.

- a. For batch type plants, incorporate Gilsonite into the pugmill at the beginning of the dry mixing cycle. Increase the dry mix cycle by a minimum of 10 seconds after the Gilsonite is added and prior to introduction of the asphalt cement. For this method, supply Gilsonite in plastic bags to protect the material during shipment and handling and store the modifier in a waterproof environment. The bags shall be capable of being completely melted and uniformly blended into the combined mixture.

Gilsonite may also be added through a mineral filler supply system as described in Subsection 400.3.02.B.5, "Mineral Filler Supply System." The system shall be capable of injecting the modifier into the weigh hopper near the center of the aggregate batching cycle so the material can be accurately weighed.

- b. For drum drier plants, add Gilsonite through the recycle ring or through an acceptable means which will introduce the Gilsonite prior to the asphalt cement injection point. The modifier shall be proportionately fed into the drum mixer at the required rate by a proportioning device which shall be accurate within ± 10 percent of the amount required. The entry point shall be away from flames and ensure the Gilsonite will not be caught up in the air stream and exhaust system.

3. Materials from Different Sources

Do not use mixtures prepared from aggregates from different sources intermittently. This will cause the color of the finished pavement to vary.

E. Observe Weather Limitations

Do not mix and place asphaltic concrete if the existing surface is wet or frozen. Follow the temperature guidelines in the following table:

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Table 4—Lift Thickness Table

Lift Thickness	Minimum Temperature
1 in (25 mm) or less	55 °F (13 °C)
1.1 to 2 in (26 mm to 50 mm)	45 °F (8 °C)
2.1 to 3 in (51 mm to 75 mm)	40 °F (4 °C)
3.1 to 4 in (76 mm to 100 mm)	35 °F (2 °C)
4.1 to 8 in (101 mm to 200 mm)	32 °F (0 °C) and rising. Base Material must not be frozen.

F. Perform Spreading and Finishing

Spread and finish the course as follows:

1. Determine the course's maximum compacted layer thickness by the type mix being used according to Table 5.

Table 5—Maximum Layer Thickness

Mix Type	Minimum Layer Thickness	Maximum Layer Thickness	Maximum Total Thickness
25 mm Superpave	2 1/2 in (64 mm)	4 in (100 mm) *	—
19 mm Superpave	1 3/4 in (44 mm)	3 in (75 mm) *	—
12.5 mm Superpave	1 3/8 in (35 mm)	2 1/2 in (64 mm)*	8 in (200 mm)
9.5 mm Superpave Type II	1 1/8 in. (28 mm)	1 1/2 in (38 mm)	4 in (100 mm)
9.5 mm Superpave Type I	7/8 in (22 mm)	1 1/4 in (32 mm)	4 in (100 mm)
4.75 mm Mix	3/4 in (19 mm)	1 1/8 in (28 mm)	2 in (50 mm)

* Allow up to 6 in (150 mm) per lift on trench widening. Place 9.5 mm Superpave and 12.5 mm Superpave up to 4 in (100 mm) thick for driveway and side road transition.

2. Unload the mixture into the paver hopper or into a device designed to receive the mixture from delivery vehicles.
3. Except for leveling courses, spread the mixture to the loose depth for the compacted thickness or the spread rate. Use a mechanical spreader true to the line, grade, and cross section specified.
4. For leveling courses, use a motor grader equipped with a spreader box and smooth tires to spread the material or use a mechanical spreader meeting the requirements in Subsection 400.3.02.C, "Equipment at Project Site."
5. Obtain the Engineer's approval for the sequence of paving operations, including paving the adjoining lanes. Minimize tracking tack onto surrounding surfaces.
6. Ensure that the outside edges of the pavement being laid are aligned and parallel to the roadway center line.
7. For New Construction or Resurfacing Contracts that contain multiple lifts or courses, arrange the width of the individual lifts so that the longitudinal joints of each successive lift are offset from the previous lift at least 1 ft (300 mm). This requirement does not apply to the lift immediately over thin lift leveling courses.
Ensure that the longitudinal joint(s) in the surface course and the mix immediately underneath asphaltic concrete OGFC or PEM are at the lane line(s).

NOTE: Perform night work with artificial light provided by the Contractor and approved by the Engineer.

8. Where mechanical equipment cannot be used, spread and rake the mixture by hand. Obtain the Engineer's approval of the operation sequence, including compactive methods, in these areas.
9. Keep small hand raking tools clean and free from asphalt build up. Do not use fuel oil or other harmful solvents to clean tools during the work.
10. Do not use mixture with any of these characteristics:

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- Segregated
 - Nonconforming temperature
 - Deficient or excessive asphalt cement content
 - Otherwise unsuitable to place on the roadway in the work
11. Remove and replace mixture placed on the roadway that the Engineer determines has unacceptable blemish levels from segregation, streaking, pulling and tearing, or other characteristics. Replace with acceptable mixture at the Contractor's expense. Do not continually place mixtures with deficiencies.
Do not place subsequent course lifts over another lift or courses placed on the same day while the temperature of the previously placed mix is 140 °F (60 °C) or greater.
 12. Obtain the Engineer's approval of the material compaction equipment. Perform the rolling as follows:
 - a. Begin the rolling as close behind the spreader as possible without causing excessive distortion of the asphaltic concrete surface.
 - b. Continue rolling until roller marks are no longer visible.
 - c. Use pneumatic-tired rollers with breakdown rollers on all courses except asphaltic concrete OGFC, PEM and SMA or other mixes designated by the Engineer.
 13. If applicable, taper or "feather" asphaltic concrete from full depth to a depth no greater than 0.5 in (13 mm) along curbs, gutters, raised pavement edges, and areas where drainage characteristics of the road must be retained. The Engineer will determine the location and extent of tapering.

G. Maintain Continuity of Operations

Coordinate plant production, transportation, and paving operations to maintain a continuous operation. If the spreading operations are interrupted, construct a transverse joint if the mixture immediately behind the paver screed cools to less than 250 °F (120 °C).

H. Construct the Joints

1. Construct Transverse Joints
 - a. Construct transverse joints to facilitate full depth exposure of the course before resuming placement of the affected course.
 - b. Properly clean and tack the vertical face of the transverse joint before placing additional material.

NOTE: Never burn or heat the joint by applying fuel oil or other volatile materials.

- c. Straightedge transverse joints immediately after forming the joint.
 - d. Immediately correct any irregularity that exceeds 3/16 in. in 10 ft (5 mm in 3 m).
2. Construct Longitudinal Joints
Clean and tack the vertical face of the longitudinal joint before placing adjoining material. Construct longitudinal joints so that the joint is smooth, well sealed, and bonded.

I. Protect the Pavement

Protect sections of the newly finished pavement from traffic until the traffic will not mar the surface or alter the surface texture. If directed by the Engineer, use artificial methods to cool the newly finished pavement to open the pavement to traffic more quickly.

J. Modify the Job Mix Formula

If the Engineer determines that undesirable mixture or mat characteristics are being obtained, the job mix formula may require immediate adjustment.

400.3.06 Quality Acceptance

A. Acceptance Plans for Gradation and Asphalt Cement Content

The Contractor will randomly sample and test mixtures on a lot basis. The Department will monitor the Contractor testing program and perform comparison and quality assurance testing.

1. Determine Lot Amount

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A lot consists of the tons (megagrams) of asphaltic concrete produced and placed each production day. If this production is less than 500 tons (500 Mg), or its square yard (meter) equivalent, production may be incorporated into the next working day. The Engineer may terminate a lot when a pay adjustment is imminent if a plant or materials adjustment resulting in a probable correction has been made. Terminate all open lots at the end of the month except for materials produced and placed during the adjustment period. If the final day's production does not constitute a lot, the production may be included in the lot for the previous day's run; or, the Engineer may treat the production as a separate lot with a corresponding lower number of tests.

2. Determine Lot Acceptance

If the Engineer determines that the material is not acceptable to leave in place, the materials shall be removed and replaced at the Contractor's expense.

3. Provide Quality Control Program

Provide a Quality Control Program as established in SOP 27 which includes:

- Assignment of quality control responsibilities to specifically named individuals who have been certified by the Office of Materials and Research
- Provisions for prompt implementation of control and corrective measures
- Provisions for communication with Project Manager, Bituminous Technical Services Engineer, and Testing Management Operations Supervisor at all times
- Provisions for reporting all test results daily through the Office of Materials and Research computerized Field Data Collection System; other checks, calibrations and records will be reported on a form developed by the Contractor and will be included as part of the project records
- Notification in writing of any change in quality control personnel

a. Certification Requirements:

- Use laboratory and testing equipment certified by the Department. (Laboratories which participate in and maintain AASHTO accreditation for testing asphaltic concrete mixtures will be acceptable in lieu of Departmental certification.)
- Provide certified quality control personnel to perform the sampling and testing. A Quality Control Technician (QCT) may be certified at three levels:
 - 1) Temporary Certification – must be a technician trainee who shall be given direct oversight by a certified Level 1 or Level 2 QCT while performing acceptance testing duties during the first 5 days of training. The trainee must complete qualification requirements within 30 production days after being granted temporary certification. A trainee who does not become qualified within 30 production days will not be re-eligible for temporary certification. A certified Level 1 or Level 2 QCT shall be at the plant at all times during production and shipment of mixture to monitor work of the temporarily certified technician.
 - 2) Level 1 – must demonstrate they are competent in performing the process control and acceptance tests and procedures related to hot mix asphalt production and successfully pass a written exam.
 - 3) Level 2 – must meet Level 1 requirements and must be capable of and responsible for making process control adjustments, and successfully pass a written exam.
 - Technician certification is valid for 3 years from the date on the technician's certificate unless revoked or suspended. Eligible technicians may become certified through special training and testing approved by the Office of Materials and Research. Technicians who lose their certification due to falsification of test data will not be eligible for recertification in the future unless approved by the State Materials and Research Engineer.

b. Quality Control Management

- 1) Designate at least one Level 2 QCT as manager of the quality control operation. The Quality Control Manager shall meet the following requirements:
 - Be accountable for actions of other QCT personnel
 - Ensure that all applicable sampling requirements and frequencies, test procedures, and Standard Operating Procedures are adhered to
 - Ensure that all reports, charts, and other documentation is completed as required
- 2) Provide QCT personnel at the plant as follows:

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- If daily production for all mix types is to be greater than 250 tons (megagrams), have a QCT person at the plant at all times during production and shipment of mixture until all required acceptance tests have been completed
- If daily production for all mix types will not be greater than 250 tons (megagrams) a QCT may be responsible for conducting tests at up to two plants, subject to random number sample selection
- Have available at the plant or within immediate contact by phone or radio a Level 2 QCT responsible for making prompt process control adjustments as necessary to correct the mix

3) Sampling, Testing, and Inspection Requirements.

Provide all sample containers, extractants, forms, diaries, and other supplies subject to approval of the Engineer.

Perform daily sampling, testing, and inspection of mixture production that meets the following requirements:

- (a) Randomly sample mixtures according to GSP 15, and GDT 73 (Method C) and test on a lot basis. In the event less than the specified number of samples are taken, obtain representative 6 in (150 mm) cores from the roadway at a location where the load not sampled was placed. Take enough cores to ensure minimum sample size requirements are met for each sample needed.
- (b) Maintain a printed copy of the computer generated random sampling data as a part of the project records.
- (c) Perform sampling, testing, and inspection duties of GSP 21.
- (d) Perform extraction or ignition test (GDT 83 or GDT 125) and extraction analysis (GDT 38). If the ignition oven is used, a printout of sample data including weights shall become a part of the project records. For asphalt cement content only, digital printouts of liquid asphalt cement weights may be substituted in lieu of an extraction test for plants with digital recorders. Calculate the asphalt content from the ticket representing the mixture tested for gradation.
- (e) Save extracted aggregate, opposite quarters, and remaining material (for possible referee testing) of each sample as follows:
 - Store in properly labeled, suitable containers
 - Secure in a protected environment
 - Store for three working days. If not obtained by the Department, within three days they may be discarded.
- (f) Add the following information on load tickets from which a sample or temperature check is taken:
 - Mixture temperature
 - Signature of the QCT person performing the testing
- (g) Calibrate the lime system when hydrated lime is included in the mixture:
 - Perform a minimum of twice weekly during production
 - Post results at the plant for review
 - Provide records of materials invoices upon request (including asphalt cement, aggregate, hydrated lime, etc.)
- (h) Take action if acceptance test results are outside Mixture Control Tolerances of Section 828.
 - One sample out of tolerance
 - (1) Contact Level 2 - QCT to determine if a plant adjustment is needed
 - (2) Immediately run a process control sample. Make immediate plant adjustments if this sample is also out of tolerance
 - (3) Test additional process control samples as needed to ensure corrective action taken appropriately controls the mixture
 - Two consecutive acceptance samples of the same mix type out of tolerance regardless of Lot or mix design level, or three consecutive acceptance samples out of tolerance regardless of mix type

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- (1) Stop plant production immediately
- (2) Reject any mixture already in storage that:
 - Deviates more than 10 percent in gradation from the job mix formula based on the acceptance sample
 - Deviates more than 0.7 percent in asphalt content from the job mix formula based on the acceptance sample
- (3) Make a plant correction to any mix type out of tolerance prior to resuming production
 - Do not send any mixture to the project before test results of a process control sample meets Mixture Control Tolerances
 - Reject any mixture produced at initial restarting that does not meet Mixture Control Tolerances
- 4) Comparison Testing and Quality Assurance Program

Periodic comparison testing by the Department will be required of each QCT to monitor consistency of equipment and test procedures. The Department will take independent samples to monitor the Contractor's quality control program.

a) Comparison Sampling and Testing

Retain samples for comparison testing and referee testing if needed as described in Subsection 400.3.06.A.3.b.3. Discard these samples only if the Contractor's acceptance test results meet a 1.00 pay factor and the Department does not procure the samples within three working days.

The Department will test comparison samples on a random basis. Results will be compared to the respective contractor acceptance tests and the maximum difference shall be as follows:

Table 6—Allowable Percent Difference Between Department and Contractor Acceptance Tests

<u>SIEVE SIZE</u>	<u>SURFACE</u>	<u>SUB-SURFACE</u>
1/2 in. (12.5 mm)		4.0%
3/8 in. (9.5 mm)	3.5%	4.0%
No. 4 (4.75 mm)	3.5%	3.5%
No. 8 (2.36 mm)	2.5%	3.0%
No. 200 (75 µm)	2.0%	2.0%
A.C.	0.4%	0.5%

- (1) If test comparisons are within these tolerances:
 - Continue production
 - Use the Contractor's tests for acceptance of the lot
 - (2) If test comparisons are not within these tolerances:
 - Another Departmental technician will test the corresponding referee sample
 - Results of the referee sample will be compared to the respective contractor and Departmental tests using the tolerance for comparison samples given above.
 - (a) If referee test results are within the above tolerances when compared to the Contractor acceptance test, use the Contractor's test for acceptance of the effected lot.
 - (b) If referee test results are not within the above tolerances when compared to the Contractor acceptance test, the Department will review the Contractor's quality control methods and determine if a thorough investigation is needed.
- b) Quality Assurance Sampling and Testing

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- (1) Randomly take a minimum of two quality assurance samples from the lesser of five days or five lots of production regardless of mix type or number of projects.
- (2) Compare test deviation from job mix formula to Mixture Control Tolerances in Section 828. If results are outside these tolerances, another sample from the respective mix may be taken.

NOTE: For leveling courses less than 110 lb/yd² (60 kg/m²) that have quality assurance test results outside the Mixture Control Tolerances of Section 828, use the Department's test results only.

If test results of the additional sample are not within Mixture Control Tolerances, the Department will take the following action:

- Take random samples from throughout the lot as in Subsection 400.3.06.A.3.b.3 and use these test results for acceptance and in calculations for the monthly plant rating. Determine if the Contractor's quality control program is satisfactory and require prompt corrective action by the Contractor if specification requirements are not being met.
- Determine if the QCT has not followed Departmental procedures or has provided erroneous information.
- Take samples of any in-place mixture represented by unacceptable QCT tests and use the additional sample results for acceptance and in calculations for the monthly plant rating. The Contractor QCT tests will not be included in the monthly plant rating.

B. Compaction

Determine the mixture compaction using either GDТ 39 or GDТ 59. The compaction is accepted in lots defined in Subsection 400.3.06. A "Acceptance Plans for Gradation and Asphalt Cement Content" and is within the same lot boundaries as the mixture acceptance.

1. Calculate Pavement Mean Air Voids

The Department will calculate the pavement air voids placed within each lot as follows:

- a. One test per sub-lot.
 - Lots ≥ 500 tons of mix should be divided into 5 sub-lots of equal distance.
 - Lots < 500 tons of mix should be comprised of a sub-lot or sub-lots consisting of up to 100 tons of mix each. There may be less than 5 sub-lots.
- b. Average the results of all tests run on randomly selected sites in that lot.
- c. Select the random sites using GDТ 73.

Density tests are not required for asphaltic concrete placed at 125 lbs/yd² (68 kg/m²) or less, 4.75 mm mix and mixes placed as variable depth or width leveling. Compact these courses to the Engineer's satisfaction. Density tests will not be performed on turn-outs and driveways.

The targeted maximum Pavement Mean Air Void content for all Superpave mixtures is 5.0 percent. Ensure that the maximum Pavement Mean Air Voids for all Superpave mixtures does not exceed 78 percent. The maximum Pavement Mean Air Voids for 2 foot shoulder widening is 9.0 percent. The adjustment period for density shall be three lots or three production days, whichever is less, in order for the contractor to ensure maximum compactive effort has been achieved which will yield no more than the specified maximum allowed Mean Air Voids. If the contractor needs to adjust the mixture to improve density results, a change in the job mix formula may be requested for approval during the adjustment period so long as the following values are not exceeded:

- Coarse pay sieve $\pm 4\%$
- No. 8 (2.36 mm) sieve $\pm 2\%$
- No. 200 (75 μ m) sieve $\pm 1\%$
- Asphalt Content $\pm 0.2\%$
- All value changes must still be within specification limits

Section 400—Hot Mix Asphaltic Concrete Construction

If the Office of Materials and Research is satisfied that the contractor has exerted the maximum compactive effort and is not able to maintain Pavement Mean Air Voids at no more than 78%, the Engineer may establish a maximum target for Pavement Mean Air Voids.

If the Pavement Mean Air Voids within a Lot exceeds 7.8 (or 100% of the maximum target air voids, if established is not maintained); the Engineer may stop the paving operation until appropriate steps are taken by the Contractor to correct the deficiency. Upon approval of the Engineer, the paving operation may be restarted but will be limited to a 1000 ft (300 m) test section to verify that the corrective action taken will result in satisfactory density. Continued operation may not be permitted if the Pavement Mean Air Voids fail to meet the specified density requirements.

2. Obtain Uniform Compaction

For a lot to be accepted for compaction, the air void range cannot exceed 4 percent for new construction or 5 percent for resurfacing projects. The range is the difference between the highest and lowest acceptance test results within the affected lot.

C. Surface Tolerance

In this Specification, pavement courses to be overlaid with an Open-Graded Friction Course or PEM are considered surface courses. Other asphalt paving is subject to straightedge and visual inspection and irregularity correction as shown below:

1. Visual and Straightedge Inspection

Paving is subject to visual and straightedge inspection during and after construction operations until Final Acceptance. Locate surface irregularities as follows:

- a. Keep a 10 ft (3 m) straightedge near the paving operation to measure surface irregularities on courses. Provide the straightedge and the labor for its use.
- b. Inspect the base, intermediate, and surface course surfaces with the straightedge to detect irregularities.
- c. Correct irregularities that exceed 3/16 in. in 10 ft (5 mm in 3 m) for base and intermediate courses, and 1/8 in. in 10 ft (3 mm in 3 m) for surface courses.

Mixture or operating techniques will be stopped if irregularities such as rippling, tearing, or pulling occur and the Engineer suspects a continuing equipment problem. Stop the paving operation and correct the problem.

D. Reevaluation of Lots

Reevaluation of Lots and acceptance will be based on Department evaluations. The Department will be reimbursed by the Contractor for all costs of these evaluations. Request for reevaluation shall be made within 5 working days of notification of the lot results.

E. Segregated Mixture

Prevent mixture placement that yields a segregated mat by following production, storage, bading, placing, and handling procedures. Also, make needed plant modifications and provide necessary auxiliary equipment. (See Subsection 400.1.01, "Definitions.")

If the mixture is segregated in the finished mat, the Department will take actions based on the degree of segregation. The actions are described below.

1. Unquestionably Unacceptable Segregation

When the Engineer determines that the segregation in the finished mat is unquestionably unacceptable, follow these measures:

- a. Suspend Work and require the Contractor to take positive corrective action. The Department will evaluate the segregated areas to determine the extent of the corrective work to the in-place mat as follows:
 - Perform extraction and gradation analysis by taking 6 in (150 mm) cores from typical, visually unacceptable segregated areas.
 - Determine the corrective work according to Subsection 400.3.06.E.3.
- b. Require the Contractor to submit a written plan of measures and actions to prevent further segregation. Work will not continue until the plan is submitted to and approved by the Department.

Section 400—Hot Mix Asphaltic Concrete Construction

- c. When work resumes, place a test section not to exceed 500 tons (500 Mg) of the affected mixture for the Department to evaluate. If a few loads show that corrective actions were not adequate, follow the measures above beginning with step 1.a. above. If the problem is solved, Work may continue.
2. Unacceptable Segregation Suspected
When the Engineer observes segregation in the finished mat and suspects that it may be unacceptable, follow these measures:
 - a. Allow work to continue at Contractor's risk.
 - b. Require Contractor to immediately and continually adjust operation until the visually apparent segregated areas are eliminated from the finished mat. The Department will immediately investigate to determine the severity of the apparent segregation as follows:
 - Take 6 in (150 mm) cores from typical areas of suspect segregation.
 - Test the cores for compliance with the mixture control tolerances in Section 828.

When these tolerances are exceeded, suspend work for corrective action as outlined in Subsection 400.3.06.E.3.

3. Corrective Work
 - a. Remove and replace (at the Contractor's expense) any segregated area where the gradation on the control sieves is found to vary 10 percent or more from the approved job mix formula, the asphalt cement varies 1.0% or more from the approved job mix formula, or if in-place air voids exceed 12.5% based on GDT 39. The control sieves for each mix type are shown in Subsection 400.5.01.B "Determine Lot Acceptance."
 - b. Subsurface mixes. For subsurface mixes, limit removal and replacement to the full lane width and no less than 10 ft. (3 m) long and as approved by the Engineer.
 - c. Surface Mixes. For surface mixes, ensure that removal and replacement is not less than the full width of the affected lane and no less than the length of the affected areas as determined by the Engineer.
- Surface tolerance requirements apply to the corrected areas for both subsurface and surface mixes.

400.3.07 Contractor Warranty and Maintenance

A. Contractor's Record

Maintain a dated, written record of the most recent plant calibration. Keep this record available for the Engineer's inspection at all times. Maintain records in the form of:

- Graphs
- Tables
- Charts
- Mechanically prepared data

400.4 Measurement

Thickness and spread rate tolerances for the various mixtures are specified in Subsection 400.4.A.2.b, Table 11, Thickness and Spread Rate Tolerance at Any Given Location. These tolerances are applied as outlined below:

A. Hot Mix Asphaltic Concrete Paid for by Weight

1. Plans Designate a Spread Rate

- a. Thickness Determinations. Thickness determinations are not required when the Plans designate a spread rate per square yard (meter).

If the spread rate exceeds the upper limits outlined in the Subsection 400.4.A.2.b, Table 11, "Thickness and Spread Rate Tolerance at Any Given Location", the mix in excess will not be paid for.

If the rate of spread is less than the lower limit, correct the deficient course by overlaying the entire lot.

The mixture used for correcting deficient areas is paid for at the Contract Unit Price of the course being corrected and is subject to the Mixture Acceptance Schedule—Table 9 or 10.

- b. Recalculate the Total Spread Rate. After the deficient hot mix course has been corrected, the total spread rate for that lot is recalculated, and mix in excess of the upper tolerance limit as outlined in the Subsection 400.4.A.2.b, Table 11, "Thickness and Spread Rate Tolerance at Any Given Location" is not paid for.

Section 400—Hot Mix Asphaltic Concrete Construction

The quantity of material placed on irregular areas such as driveways, turnouts, intersections, feather edge section, etc., is deducted from the final spread determination for each lot.

2. Plans Designate Thickness

If the average thickness exceeds the tolerances specified in the Subsection 400.4.A.2.b, Table 11, "Thickness and Spread Rate Tolerance at Any Given Location", the Engineer shall take cores to determine the area of excess thickness. Excess quantity will not be paid for.

If the average thickness is deficient by more than the tolerances specified in the Thickness and Spread Rate Tolerance at Any Given Location table below, the Engineer shall take additional cores to determine the area of deficient thickness. Correct areas with thickness deficiencies as follows:

- Overlay the deficient area with the same mixture type being corrected or with an approved surface mixture. The overlay shall extend for a minimum of 300 ft (90m) for the full width of the course.
- Ensure that the corrected surface course complies with Subsection 400.3.06.C.1, "Visual and Straightedge Inspection." The mixture required to correct a deficient area is paid for at the Contract Unit Price of the course being corrected.

The quantity of the additional mixture shall not exceed the required calculated quantity used to increase the average thickness of the overlaid section to the maximum tolerance allowed under the following table.

Table 11—Thickness and Spread Rate Tolerance at Any Given Location

Course	Thickness Specified	Spread Rate Specified
Asphaltic concrete base course	± 0.5 in (±13 mm)	+40 lbs, -50 lbs (+20 kg, -30 kg)
Intermediate and/or wearing course	± 0.25 in (± 6 mm)	+20 lbs, -25 lbs (+10 kg, -15 kg)
Overall of any combination of 1 and 2	± 0.5 in (±13 mm)	+40 lbs, -50 lbs (+20 kg, -30 kg)

Note 1: Thickness and spread rate tolerances are provided to allow normal variations within a given lot. Do not continuously operate at a thickness of spread rate not specified.

When the Plans specify a thickness, the Engineer may take as many cores as necessary to determine the average thickness of the intermediate or surface course. The Engineer shall take a minimum of one core per 1,000 ft (300 m) per two lanes of roadway. Thickness will be determined by average measurements of each core according to GDT 42.

If the average exceeds the tolerances specified in the Subsection 400.4.A.2.b, Table 11, "Thickness and Spread Rate Tolerance at Any Given Location", additional cores will be taken to determine the area of excess thickness and excess tonnage will not be paid for.

B. Hot Mix Asphaltic Concrete Paid for by Square Yard (Meter)

- The thickness of the base course or the intermediate or surface course will be determined by the Department by cutting cores and the thickness will be determined by averaging the measurements of each core.
- If any measurement is deficient in thickness more than the tolerances given in the table above, additional cores will be taken by the Department to determine the area of thickness deficiency. Correct thickness deficiency areas as follows:
 - Overlay the deficient area with the same type mixtures being corrected or with surface mixture. Extend the overlay at least 300 ft (90 m) for the full width of the course.
 - Ensure that the corrected surface course complies with Subsection 400.3.06.C.1, Visual and Straightedge Inspection".
 - The mixture is subject to the Mixture Acceptance Schedule—Table 9 or 10.
- No extra payment is made for mixtures used for correction.
- No extra payment is made for thickness in excess of that specified.

Section 400—Hot Mix Asphaltic Concrete Construction

NOTE: Thickness tolerances are provided to allow normal variations within a given lot. Do not continuously operate at a thickness not specified.

C. Asphaltic Concrete

Hot mix asphaltic concrete, complete in place and accepted, is measured in tons (megagrams) or square yards (meters) as indicated in the Proposal. If payment is by the ton (megagram), the actual weight is determined by weighing each loaded vehicle on the required motor truck scale as the material is hauled to the roadway, or by using recorded weights if a digital recording device is used.

The weight measured includes all materials. No deductions are made for the weight of the individual ingredients. The actual weight is the pay weight except when the aggregates used have a combined bulk specific gravity greater than 2.75. In this case the pay weight is determined according to the following formula:

$$T1 = T \times \left\{ \frac{\% AC + \left(\frac{\% \text{ Aggregate} \times 2.75}{\text{combined bulk Specific Gravity}} \right) + \% Y}{100} \right\}$$

Where:

T1	Pay weight, tonnage (Mg)
T=	Actual weight
% AC=	Percent asphalt cement by weight of total mixture
% Aggregate =	Percent aggregate by weight of total mixture
Combined Bulk Sp. Gr.=	Calculated combined bulk specific gravity of various mineral aggregates used in the mixture
% Y=	Percent hydrated lime by weight of mineral aggregate

D. Bituminous Material

Bituminous material is not measured for separate payment.

E. Hydrated Lime

When hydrated lime is used as an anti-stripping additive, it is not measured for separate payment.

F. Field Laboratory

The field laboratory required in this Specification is not measured for separate payment.

G. Asphaltic Concrete Leveling

Payment of hot mix asphaltic concrete leveling, regardless of the type mix, is full compensation for furnishing materials, bituminous materials, and hydrated lime (when required) for patching and repair of minor defects, surface preparation, cleaning, hauling, mixing, spreading, and rolling.

Mixture for leveling courses is subject to the acceptance schedule as stated in Subsection 400.3.06.A and Subsection 400.3.06.B.

H. Asphaltic Concrete Patching

Hot mix asphaltic concrete patching, regardless of the type mix, is paid for at the Contract Unit Price per ton (Megagram), complete in place and accepted. Payment is full compensation for:

- Furnishing materials such as bituminous material and hydrated lime (when required)
- Preparing surface to be patched

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- Cutting areas to be patched, trimmed, and cleaned
- Hauling, mixing, placing, and compacting the materials

400.4.01 Limits

When the asphaltic concrete is paid for by the square yard (meter) and multiple lifts are used, the number and thickness of the lifts are subject to the Engineer's approval and are used to prorate the pay factor for the affected roadway section.

400.5 Payment

Hot mix asphaltic concrete of the various types are paid for at the Contract Unit Price per ton (megagram) or per square yard (meter). Payment is full compensation for furnishing and placing materials including asphalt cement, hydrated lime when required, approved additives, and for cleaning and repairing, preparing surfaces, hauling, mixing, spreading, rolling, and performing other operations to complete the Contract Item.

Payment will be made under:

Item No. 400	Asphaltic concrete <u>type</u> Suprpave, <u>group-blend</u> , Including polymer-modified bituminous materials and hydrated lime	Per ton (megagram)
Item No. 400	Asphaltic concrete <u>type</u> , Superpave, <u>group-blend</u> , including bituminous materials and hydrated lime	Per ton (megagram)
Item No. 400	Asphaltic concrete <u>type</u> Superpave, <u>group-blend</u> , Including bituminous materials, Gilsonite modifier, and hydrated lime	Per ton (megagram)

Item No. 400	<u> </u> inches asphaltic concrete, <u>type</u> Superpave, <u>group-blend</u> including bituminous materials, Gilsonite modifier and hydrated lime	Per square yard (meter)
Item No. 400	Asphaltic concrete <u>type</u> Stone Matrix Asphalt, <u>group-blend</u> , including polymer-modified bituminous materials and hydrated lime	Per ton (megagram)
Item No. 400	Asphaltic concrete <u>type</u> OGFC, <u>group 2</u> only, including bituminous materials and hydrated lime	Per ton (megagram)
Item No. 400	Asphaltic concrete <u>type</u> OGFC, <u>group 2</u> only, including polymer-modified bituminous materials and hydrated lime	Per ton (megagram)
Item No. 400	Asphaltic concrete <u>type</u> Porous European Mix, <u>group 2</u> only, including polymer-modified bituminous materials and hydrated lime	Per ton (megagram)

400.5.01 Adjustments

A. Determine Lot Acceptance

The control sieves used in the mixture acceptance schedule for the various types of mix are indicated below:

Control Sieves Used in the Mixture Acceptance Schedule	
Asphaltic concrete 25 mm Superpave	1/2 in., No. 8 (12.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 19 mm Superpave	3/8 in., No. 8 (9.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 12.5 mm Superpave	3/8 in., No. 8 (9.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 9.5 mm Superpave	No. 4, No. 8 (4.75 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 4.75 mm Mix	No. 8 (2.36 mm) sieve and asphalt cement

The Department will perform the following tasks:

1. Determine the mean of the deviations from the job mix formula per test results per lot.

Section 400—Hot Mix Asphaltic Concrete Construction

2. Determine this mean by averaging the actual numeric value of the individual deviations from the job mix formula; disregard whether the deviations are positive or negative amounts.

C. Calculate Pavement Mean Air Voids

The Department will determine the percent of maximum air voids for each lot by dividing the pavement mean air voids by the maximum pavement mean air voids acceptable.

D. Asphaltic Concrete For Temporary Detours

Hot mix asphaltic concrete placed on temporary detours that will not remain in place as part of the permanent pavement does not require hydrated lime. Hot mix used for this purpose is paid for at an adjusted Contract Price.

Where the Contract Price of the asphaltic concrete for permanent pavement is let by the ton (megagram), the Contract Price for the asphaltic concrete placed on temporary detours is adjusted by subtracting \$0.75/ton (\$0.85/mg) of mix used.

Where the Contract price of the mix in the permanent pavement is based on the square yard (meter), obtain the adjusted price for the same mix used on the temporary detour by subtracting \$0.04/yd² (\$0.05/m²) per 1-in (25-mm) plan depth.

Further price adjustments required in Subsection 400.3.06, "Quality Acceptance," are based on the appropriate adjusted Contract Price for mix used in the temporary detour work.

E. Determine Lot Payment

If the Engineer determines that the material is not acceptable to leave in place, remove and replace the materials at the Contractor's expense.

First Use Date 2001 Specification: November 18, 2005

Revised: August 9, 2006

Revised September 27, 2006

Revised: December 7, 2006

(Off System) Revised: February 22, 2007

(Off System) Revised: November 2, 2007

(Off System) Revised: December 4, 2007

DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

SPECIAL PROVISION

Section 402—Hot Mix Recycled Asphaltic Concrete

Delete Subsection 402.5 and substitute the following:

402.5 Payment

The work performed and the materials furnished as described in this Specification will be paid for at the Contract Unit Price per ton (megagram). Payment is full compensation for providing materials, hauling and necessary crushing, processing, placing, rolling and finishing the recycled mixture, and providing labor, tools, equipment, and incidentals necessary to complete the work, including hauling and stockpiling RAP or RAS material.

Payment will be made under:

Item No. 402	Recycled asphaltic concrete ____ mm Superpave, group-blend, including bituminous materials	Per ton (megagram)
Item No. 402	Recycled asphaltic concrete ____ mm Superpave, group-blend, including bituminous materials and hydrated lime	Per ton (megagram)
Item No. 402	Recycled asphaltic concrete ____ mm Superpave, group-blend, including polymer-modified bituminous materials and hydrated lime	Per ton (megagram)
Item No. 402	Recycled asphaltic concrete ____ mm Superpave, Type ____, group- blend, including bituminous materials and hydrated lime	Per ton (megagram)
Item No. 402	Recycled asphaltic concrete _____ mm mix, group-blend, including bituminous materials and hydrated lime	Per ton (megagram)
Item No. 402	_____ in (mm) recycled asphaltic concrete <u>type</u> Superpave, group-blend, including bituminous materials	Per square yard (meter)
Item No. 402	_____ in (mm) recycled asphaltic concrete <u>type</u> Superpave, group-blend, including bituminous materials and hydrated lime	Per square yard (meter)
Item No. 402	_____ in (mm) recycled asphaltic concrete <u>type</u> Superpave, group-blend, including polymer-modified bituminous materials and hydrated lime	Per square yard (meter)
Item No. 402	_____ in (mm) recycled asphaltic concrete _____ mm mix, group-blend, including bituminous materials and hydrated lime	Per square yard (meter)
Item No. 402	Recycled asphaltic concrete patching including bituminous materials	Per ton (megagram)
Item No.	Recycled asphaltic concrete patching including bituminous	Per ton (megagram)

402	materials and hydrated lime	
Item No. 402	Recycled asphaltic concrete leveling including bituminous materials	Per ton (megagram)
Item No. 402	Recycled asphaltic concrete leveling including bituminous materials and hydrated lime	Per ton (megagram)

402.5.01 Adjustments

A. Determine Lot Acceptance

The control sieves used in the mixture acceptance schedule for the various types of mix are indicated below:

Control Sieves Used in the Mixture Acceptance Schedule	
Asphaltic concrete 25 mm Superpave	1/2 in., No. 8 (12.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 19 mm Superpave	3/8 in., No. 8 (9.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 12.5 mm Superpave	3/8 in., No. 8 (9.5 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 9.5 mm Superpave	No. 4, No. 8 (4.75 mm, 2.36 mm) sieves and asphalt cement
Asphaltic concrete 4.75 mm Mix	No. 8 (2.36 mm) sieve and asphalt cement

The Department will perform the following tasks:

1. Determine the mean of the deviations from the job mix formula per test results per lot.
2. Determine this mean by averaging the actual numeric value of the individual deviations from the job mix formula; disregard whether the deviations are positive or negative amounts.

B. Calculate Pavement Mean Air Voids

The Department will determine the percent of maximum air voids for each lot by dividing the pavement mean air voids by the maximum pavement mean air voids acceptable.

C. Asphaltic Concrete for Temporary Detours

Hot mix asphaltic concrete placed on temporary detours that will not remain in place as part of the permanent pavement does not require hydrated lime. Hot mix used for this purpose is paid for at an adjusted Contract Price.

Where the Contract Price of the asphaltic concrete for permanent pavement is let by the ton (megagram), the Contract Price for the asphaltic concrete placed on temporary detours is adjusted by subtracting \$0.75/ton (\$0.85/mg) of mix used.

Where the Contract price of the mix in the permanent pavement is based on the square yard (meter), obtain the adjusted price for the same mix used on the temporary detour by subtracting \$0.04/yd² (\$0.05/m²) per 1-in (25-mm) plan depth.

Further price adjustments required in Subsection 400.3.06, "Quality Acceptance," are based on the appropriate adjusted Contract Price for mix used in the temporary detour work.

D. Determine Lot Payment

If the Engineer determines that the material is not acceptable to leave in place, remove and replace the materials at the Contractor's expense.

Date: August 8, 2002
First Use Date 2001 Specifications: November 1, 2002

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

Section 802—Aggregates for Asphaltic Concrete

Delete Subsection 802.2.01.A.5.

Date August 8, 2002
First Use Date 2001 Specifications: November 1, 2002

GEORGIA DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
SPECIAL PROVISION

Section 819—Fiber Stabilizing Additives

Delete Section 819:

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

Special Provision

Section 828—Hot Mix Asphaltic Concrete Mixtures

Delete Section 828 and substitute the following:

828.1 General Description

This specification includes the requirements for hot mix asphaltic concrete mixtures, including:

- Open-graded surface mixtures (OGFC and PEM)
- Stone Matrix Asphalt mixtures (SMA)
- Superpave mixtures
- Fine-graded (4.75 mm) mixtures

828.1.01 Definitions

The Nominal Maximum Sieve Size is one standard sieve size larger than the first sieve to retain more than ten percent of the aggregate, per AASHTO PP28. Mixture types in this section are identified according to Nominal Maximum Sieve Size.

828.1.02 Related References

A. Standard Specifications

Section 400—Hot Mix Asphaltic Concrete Construction

Section 800—Coarse Aggregate

Section 802—Aggregates for Asphaltic Concrete

Section 819—Fiber Stabilizing Additives

Section 820—Asphalt Cement

Section 831—Admixtures

Section 882—Lime

Section 883—Mineral Filler

B. Referenced Documents

PP 2

PP28

TP 8-94

T 112

T 209

T 305

T 312

T-245

PS-129

SOP-36

SOP-2 SP

GDT 56

GDT 66

GDT 114

GDT 115

GDT 123

QPL 1

QPL 2

QPL 7

QPL 26

QPL 41

QPL 77

QPL 81

828.2 Materials

A. Requirements

Use approved hot mix asphalt concrete mixtures that meet the following requirements:

1. Produce each asphalt mixture according to a Job Mix Formula and Asphalt Mix Design approved by the Department. For submittal and approval of Job Mix Formulas, see Subsection 400.1.
2. Ensure that individual acceptance test results meet the Mixture Control Tolerances specified in the appropriate table below, Subsections 828.2.01 through 828.2.04.
3. Ensure that the Engineer approves all materials used to prepare and place the mixtures before incorporating them into the Work. Use only the ingredients listed in the approved Asphalt Mix Design and Job Mix Formula. For virgin aggregates use sources which meet the requirements of Section 802 and are listed in QPL 1 or QPL 2; for mixes in which local sand is permitted, use the approved sand source identified in the mix design. For mixtures containing Reclaimed Asphalt Pavement (RAP), use only RAP from the approved stockpile identified in the mix design. Use asphalt cement meeting the requirements of Section 820, from a source listed in QPL 7.
4. Obtain approved Superpave mix designs and 4.75 mm mix designs from a mix design laboratory certified by the Department. Obtain approved mix designs for types PEM, OGFC, and SMA mixtures from the Department's Office of Materials and Research, which produces and furnishes these mix designs.
5. Ensure that Superpave and 4.75 mm mix designs are designed in accordance with SOP-2SP ("Control of Superpave Bituminous Mixture Designs") and are approved by the Department as provided therein. Ensure that these mixes are designed by a laboratory and technician certified in accordance with SOP-36, ("Certification of Laboratories and Personnel for Design of Superpave Asphalt Mixtures").
6. Use only mixtures composed of the aggregate groups and blends indicated in the Proposal and Plans by their pay item designations, defined as follows;

Pay Item Designation	Allowable Aggregate Groups
Group I or II	Group I, Group II, or Blend I
Group II only	Group II only
Blend I	Either 100% Group II material or a blend of Group I and Group II. Do not use Group I material for more than 60%, by weight, of the total aggregate nor more than 50%, by weight, of the coarse aggregate fraction.

7. For patching or leveling use Group I, Group II, or Blend I. Mix types for patching and leveling are specified in Subsection 400.3.03.B.

8. Include lime (hydrated lime) from an approved source and meeting the requirements of Subsection 882.2.03 in all paving courses except as otherwise provided in the Contract. For a list of approved sources of lime, see QPL 41.
 - a. Add lime to each mixture at the rate prescribed in the approved mix design.
 - b. Mix designs using only virgin aggregate shall include lime at a minimum rate of 1.00 % of the total dry aggregate weight. Mix designs using RAP shall include lime at a minimum rate equal to 1.00 % of the virgin aggregate fraction plus 0.50 % of the aggregate in the RAP fraction.
 - c. If necessary to meet requirements for mixture properties, and pursuant to an approved mix design, add more lime or add lime plus an approved Heat-Stable Anti-Stripping Additive that meets the requirements of Subsection 831.2.04. However, the Department will not make additional payment for these materials. For a list of sources of Heat-Stable Anti-Stripping Additives, see QPL 26.
 - d. Where specifically allowed in the contract on LARP, airport, and parking lot projects, an approved Heat-Stable Anti-Stripping Additive that meets the requirements of Subsection 831.2.04 may be substituted for hydrated lime. In this case the mix gradation shall be adjusted as necessary to replace the lime with an equivalent volume of fines passing the 0.075 mm sieve. Add Heat-Stable Anti-stripping Additive at a minimum rate of 0.5 percent of the asphalt cement portion.
9. Use performance grade PG 67-22 asphalt cement in all mix designs and mixtures except as follows:
 - a. For mixtures containing 25% or greater RAP, the Engineer will determine the performance grade to be used.
 - b. On PR, LARP, airport, and parking lot projects, PG 64-22 may be substituted for PG 67-22, with approval of the Office of Materials and Research, on roads having current ADT less than 2,000.
 - c. Use only grade PG 76-22 in the following mixes: SMA, 12.5 mm PEM, 12.5 mm and 9.5 mm OGFC, 12.5 mm Superpave, excluding shoulder construction, on projects with ADT greater than 25,000; and in all mixtures for which polymer-modified asphalt is specified in the pay item.
10. Use of local sand is restricted as follows:
 - a. Do not place mixtures containing local sand on the traveled way of the mainline or ramps of the Interstate System. Mixtures with local sand may be used for shoulder construction on these facilities.
 - b. Local sand shall not constitute more than 20 % of the total aggregate weight of any mix design or production mix.
 - c. Subject to the above limits, 19 mm, 12.5 mm, and 9.5 mm Superpave mix designs and 4.75 mm mix designs containing local sand may be used on projects with a current ADT not exceeding 2,000.
 - d. 25 mm Superpave mix designs containing not more than 20 % local sand may be used on all facilities except the main line and ramps of the Interstate System.
 - e. Obtain local sand for use in asphalt mixtures from a source approved by the Department.
 - f. Approval of local sand sources: The Department will sample, test, and approve sources of local sand. Local sand shall not contain more than 7.0 % clay by weight and shall be free of foreign substances, roots, twigs, and other organic matter. It shall be free of clay lumps, as determined by AASHTO T 112, and shall have a sand equivalent value exceeding 25%, as determined by GD T 63.

B. Design requirements and limits – all mix types

1. Design procedures: For all Superpave and 4.75 mm mixes, designers shall adhere to the Superpave System for Volumetric Design (AASHTO T 312 and AASHTO PP 2), as adapted in SOP-2SP. The Department will design open-graded mixes and Stone Matrix Asphalt (SMA) mixes according to GD T 114 and GD T 123, respectively. In all cases, the procedure for measuring Maximum Specific Gravity (G_{mm}) shall be AASHTO T 209. In addition to gradation and volumetric analysis, mix designs shall include the following performance tests, as applicable.
 - **9.5 mm Superpave**

9.5mm Superpave mixes should specify "Type I" or "Type II" mix design in the plans or contract documents. If "Mix Design Level A" is specified, ensure the Asphaltic Concrete meets the requirements of a "Type I" mix. If a "Mix Design Level B, C or D" is specified, ensure the Asphaltic Concrete meets the requirements of a "Type II" mix.
 - **Other Superpave mixes**

No "Type" is required for other Superpave Asphaltic Concrete mixes (12.5 mm, 19 mm, or 25 mm). Any "Mix Design Levels A, B, C or D" specified in the plans or contract documents do not affect the current asphalt mix designs.

2. Permeability test: Superpave and Stone Matrix mix designs shall include testing according to ASTM PS-129. Specimen air voids for this test shall be 6.0 ± 1.0 %. The average permeability of three specimens may not exceed 3.60 ft per day (125×10^{-5} cm per sec).
3. Moisture susceptibility test: Mix designs of all types except open-graded surface mixes shall include testing for moisture susceptibility according to GD 66. Specimen air voids for this test shall be 7.0 ± 1.0 %. The minimum tensile splitting ratio is 0.80, except that a tensile splitting ratio of no less than 0.70 may be acceptable if all individual strength values exceed 100 psi (690 kPa). Average splitting strength of the three conditioned and three controlled samples shall be not less than 60 psi (415 kPa) for either group. Retention of coating as determined by GD 56 shall be not less than 95%.
4. Rutting susceptibility test. Mix designs of all types except Open-graded Surface Mixes (OGFC and PEM), and mixtures designed exclusively for trench widening shall include testing according to GD 115. Design limits for this test are as follows: Specimen air voids for this test shall be 5.0 ± 1.0 % for all mix types. Testing temperature shall be 64°C (147°F) for all mix types except 25 mm Superpave mixes, which shall be tested at 49°C (120°F). Maximum deformation shall be 5.0 mm for all mixes except 4.75 mm mix and 9.5 mm Type I Superpave mix. Maximum deformation for these mix types shall be 8.0 mm at 64°C .
5. Fatigue testing: The Department may verify Superpave designs by fatigue testing according to AASHTO TP 8-94 or other procedure approved by the Department.

828.2.01 Open-Graded Surface Mixtures

A. Requirements

Use approved mixtures that meet the following mixture control tolerances and design criteria:

Sieve Size	Mixture Control Tolerance, %	Design Gradation Limits, % Passing		
		9.5 mm OGFC	12.5 mm OGFC	12.5 mm PEM
3/4 in (19 mm) sieve	± 0.0		100	100
1/2 in (12.5 mm) sieve	± 6.1	100*	85-100	80-100
3/8 in (9.5 mm) sieve	± 5.6	85-100	55-75	35-60
No. 4 (4.75 mm) sieve	± 5.7	20-40	15-25	10-25
No. 8 (2.36 mm) sieve	± 4.6	5-10	5-10	5-10
No. 200 (75 μm) sieve	± 2.0	2-4	2-4	1-4
Range for % AC	± 0.4	6.0-7.25	5.75-7.25	5.5-7.0
Class of stone (Section 800)		"A" only	"A" only	"A" only
Drain-down (AASHTO T305), %		<0.3	<0.3	<0.3

* Mixture control tolerance is not applicable to this sieve for this mix.

1. In 12.5 mm and 9.5 mm OGFC and 12.5 mm PEM mixes, use only PG 76-22 asphalt cement (specified in Section 820).
2. All OGFC and PEM mixes shall include a stabilizing fiber of the type (cellulose or mineral) specified in the mix design and meeting the requirements of Section 819. The dosage rate shall be as specified in the mix design and shall be sufficient to prevent drain-down exceeding the above tolerance.

828.2.02 Stone Matrix Asphalt Mixtures

A. Requirements

Use approved mixtures that meet the following mixture control tolerances and design criteria:

Sieve Size	Mixture Control Tolerance	Design Gradation Limits, Percent Passing		
		9.5 mm SMA	12.5 mm SMA	19 mm SMA
1- in (25 mm) sieve	±0.0			100
3/4 in (19 mm) sieve	±7.0	100*	100*	90-100
1/2 in (12.5 mm) sieve	±6.1	98-100**	85-100	44-70
3/8 in (9.5 mm) sieve	±5.6	70-100	50-75	25-60
No. 4 (4.75 mm) sieve	±5.7	28-50	20-28	20-28
No. 8 (2.36 mm) sieve	±4.6	15-30	16-24	15-22
No. 50 (300 µm) sieve	±3.8	10-17	10-20	10-20
No. 200 (75 µm) sieve	±2.0	8-13	8-12	8-12
Range for % AC	±0.4	6.0-7.5	5.8-7.5	5.5-7.5
Design optimum air voids (%)		3.5 ±0.5	3.5 ±0.5	3.5 ±0.5
% aggregate voids filled with AC (VFA)		70-90	70-90	70-90
Tensile splitting ratio after freeze-thaw cycle GDT-66		80%	80%	80%
Drain-down (AASHTO T305), %		<0.3	<0.3	<0.3

*Mixture control tolerance is not applicable to this sieve for this mix.

**Mixture control tolerance shall be ± 2.0% for this sieve for 9.5 mm SMA mixes placed at spread rates greater than 135 lb/yd². For 9.5 mm SMA mixes placed at spread rates of 135 lb/yd² or less, 100 % passing is required on this sieve.

1. SMA mixtures shall be compacted at 50 gyrations with the Superpave Gyratory compactor or 50 blows with the Marshall compactor.
2. All SMA mixtures shall contain mineral filler and fiber stabilizing additives and shall meet the following requirements:
 - a. Asphalt cement grade PG-76-22 (specified in Section 820) is required in all SMA mixtures.
 - b. Aggregates for SMA shall meet the requirements of Subsection 802.2.02.A.3.
 - c. Use mineral filler that meets requirements of Section 883 and is approved by the Department. Approved sources of mineral filler are listed in QPL 81.
 - d. Do not use local sand in lieu of mineral filler.
 - e. Use an approved Fiber Stabilizing Additive of the type (cellulose or mineral) specified in the mix design and meeting the requirements of Section 819. Approved sources of Fiber Stabilizing Additive are listed in QPL 77. The dosage rate will be as specified in the mix design and shall be sufficient to prevent drain-down exceeding the above tolerance.

828.2.03 Superpave Asphalt Concrete Mixtures

A. Requirements

Ensure that Superpave mixtures meet the following mixture control tolerances and design limits:

1. All mixes are to be designed at a design gyration number (N_{des}) of 65 gyrations and an initial gyration number (N_{ini}) of 6 gyrations.
2. Gradation limits for Superpave mixtures are as follows:

Sieve Size	Mixture Control Tolerance	Design Gradation Limits, Percent Passing				
		9.5 mm Superpave Type I	9.5 mm Superpave Type II	12.5 mm Superpave Note 1	19 mm Superpave	25 mm Superpave
1-1/2 in (37.5 mm) sieve						100
1- in (25.0 mm) sieve	± 8.0			100*	100*	90-100
3/4 in (19.0 mm) sieve	±8.0**	100*	100*	98-100****	90-100	55-89**
1/2 in (12.5 mm) sieve	±6.0***	98-100****	98-100****	90-100	60-89	50-70
3/8 in (9.5 mm) sieve	±5.6	90-100	90-100	70-89	55-75	
No. 4 (4.75 mm) sieve	±5.6	65-85	55-75			
No. 8 (2.36 mm) sieve	±4.6	48-55	42-47	38-46	32-36	30-36
No. 200 (75 µm) sieve	±2.0	5.0-7.0	5.0-7.0	4.5-7.0	4.0-6.0	3.5-6.0

* Mixture control tolerance is not applicable to this sieve for this mix.

** Mixture control tolerance shall be ± 10.0% for this sieve for 25 mm Superpave.

*** Mixture control tolerance shall be ± 8.0% for this sieve for 19 mm Superpave.

**** Mixture control tolerance shall be ± 2.0% for this sieve for 12.5 mm and 9.5 mm mixes.

Note 1: Use PG 76-22 in 12.5 mm Superpave, excluding shoulder construction, on all projects with ADT greater than 25,000.

3. The Mixture Control Tolerance for asphalt cement shall be ± 0.4% for all mix types.

4. Volumetric limits are as follows:

Design Parameter	Mix Type	Limits
% of Maximum Specific Gravity (G_{mm}) @ design gyrations, N_{des}	All	96%
% G_{mm} at the initial number of gyrations, N_i	All	91.5% maximum
% voids filled with asphalt (VFA) at N_{des}	9.5 mm Type I	Min. 72; Max. 80
	all other types	Min 72; Max. 76
Fines to effective asphalt binder ratio (F/P_{be})	9.5 mm Type I	0.6 to 1.4
	all other types	0.8 to 1.6
Minimum % Voids in Mineral Aggregate (VMA)*	25 mm	13.0
	19 mm	14.0
	12.5 mm	15.0
	9.5 Type I	16.0
	9.5 Type II	16.0

* VMA shall be calculated using the effective specific gravity of the aggregate (G_{se}). See SOP-2SP.

828.2.04 Fine-Graded Mixtures

A. Requirements

Design gyrations (N_{des}) for fine-graded mixes shall be 50 gyrations. Ensure that fine-graded mixtures meet the following mixture control tolerances and design limits:

ASPHALTIC CONCRETE - 4.75 mm Mix		
Sieve Size	Mixture Control Tolerance	Design Gradation Limits, % passing
1/2 in (12.5 mm) sieve*	±0.0	100*
3/8 in (9.5 mm) sieve	±5.6	90-100
No. 4 (4.75 mm) sieve	±5.7	75-95
No. 8 (2.36 mm) sieve	±4.6	60-65
No. 50 (300 µm) sieve	±3.8	20-50
No. 200 (75 µm) sieve	±2.0	4-12
Range for % AC	±0.4	6.00 – 7.50
Design optimum air voids (%)		4.0 – 7.0
% Aggregate voids filled with AC		60 - 80

* Mixture control tolerance is not applicable to this sieve for this mix.

B. Fabrication

See Section 400.

C. Acceptance

See Subsection 106.03 and Section 400. Ensure that individual test results meet the Mixture Control Tolerances listed in Subsections 828.2.01, 828.2.02, 828.2.03, or 828.04, whichever applies.

D. Materials Warranty

See General Provisions 101 through 150.

Date: August 8, 2002
First Use Date 2001 Specifications: November 1, 2002

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

Section 883—Mineral Filler

Delete Section 883.

LARP Project Report

Roads/Streets in: FAYETTE

City: PEACHTREE CITY

Project Number: LAU08-S011-00(216)

1	Road Name: CHADWICK DRIVE Co. Rd. No: Beginning At: BRAELINN ROAD Ending At: KENSINGTON DR (SOUTH)	Length (MI): 0.420 Width (FT): 24.000 Required Striping:	Proposed Construction: ASP LEV, INCL LIME SPE 9.5MM, TP I, GP1 OR BL1 &L	125.0
2	Road Name: CLOVER GREEN Co. Rd. No: Beginning At: CLOVER REACH Ending At: PASCHALL ROAD	Length (MI): 0.180 Width (FT): 31.000 Required Striping: Center	Proposed Construction: ASP LEV, INCL LIME SPE 9.5MM, TP I, BL1 &L	125.0
3	Road Name: HARBOR LOOP Co. Rd. No: Beginning At: FISHER'S LUCK (NORTH) Ending At: FISHER'S LUCK (SOUTH)	Length (MI): 0.410 Width (FT): 26.000 Required Striping:	Proposed Construction: ASP LEV, INCL LIME SPE 9.5MM, TP I, GP1 OR BL1 &L	125.0
4	Road Name: KENTON PLACE Co. Rd. No: Beginning At: HOLLY GROVE ROAD Ending At: WELTON WAY (SOUTH)	Length (MI): 0.530 Width (FT): 24.000 Required Striping:	Proposed Construction: ASP LEV, INCL LIME SPE 9.5MM, TP I, GP1 OR BL1 &L	125.0
5	Road Name: ROSEMONT Co. Rd. No: Beginning At: PEACHTREE PARKWAY Ending At: CUL-DE-SAC	Length (MI): 0.160 Width (FT): 24.000 Required Striping:	Proposed Construction: ASP LEV, INCL LIME SPE 9.5MM, TP I, GP1 OR BL1 &L	125.0

6 Road Name: SMOKERISE TRACE

Co. Rd. No:

Beginning At: SMOKERISE POINT

Ending At: TINSLEY MILL ROAD

Length (MI): 1.460

Width (FT): 24.000

Required Striping:

Proposed Construction:
ASP LEV, INCL LIME
SPE 9.5MM, TP I, 125.0
BL1 & L

7 Road Name: STONINGTON DRIVE

Co. Rd. No:

Beginning At: PEACHTREE PARKWAY

Ending At: CUL-DE-SAC

Length (MI): 0.450

Width (FT): 32.000

25.000

Required Striping:

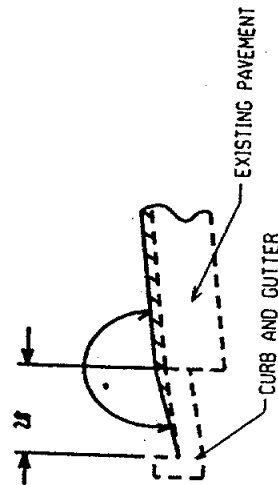
Proposed Construction:
ASP LEV, INCL LIME
SPE 9.5MM, TP I, 125.0
GP1 OR BL1 & L

LARP TYPICAL RESURFACING SECTION

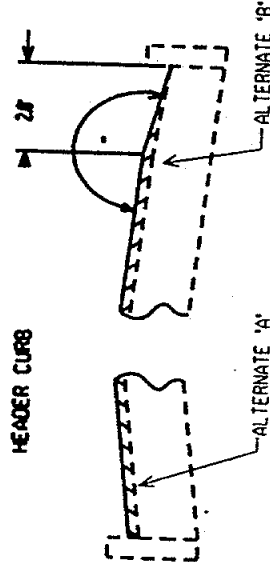
CURB AND GUTTER DETAIL

DETAIL FOR FEATHERING SURFACING

CURB AND GUTTER



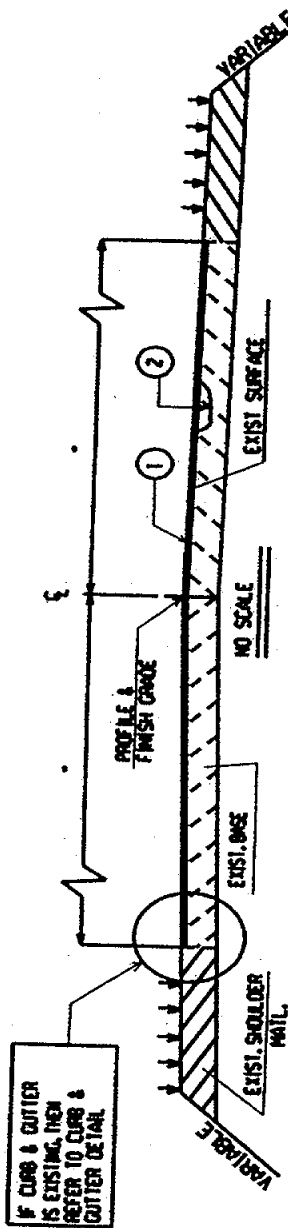
HEADER CURB



NOTE: METHOD OF FEATHERING AT PAVEMENT EDGE ALTERNATE A OR ALTERNATE B SHALL BE DETERMINED BY THE ENGINEER. UNDER NORMAL CONDITIONS, ALTERNATE A SHALL BE USED FOR FEATHERING UNLESS RESURFACING HAS REDUCED THE "EFFECTIVE HEIGHT" OF THE EXISTING CURB TYPE FACILITY. IN THIS EVENT, ALTERNATE "B" SHALL BE USED.

NOTE: • THE ALGEBRAIC DIFFERENCE BETWEEN THE NEW RIDING SURFACE AND THE FEATHERING IN THE CURB AND GUTTER SHALL NOT EXCEED 7 %.

7/84



• SEE LARP PROJECT REPORT SHEETS FOR PAVEMENT WIDTHS

REQ'D ① 125

LBS PER SY ASPH CONC 9.5 MM SUPERPAVE, TP 1, BLEND 1, INCL BITUM MATL & H. LIME

REQ'D ② ASPH CONC LEVELING, INCL BITUM MATL & H. LIME TO BE PLACED AS DIRECTED BY THE ENGINEER. NOTE: THE LOCAL GOVERNMENT WILL CERTIFY ALL NECESSARY R/W, REMOVE OR ADJUST ALL UTILITIES, AND DO THE NECESSARY PATCHING, AS DIRECTED BY THE ENGINEER, AT NO COST TO THE DEPARTMENT OF TRANSPORTATION.

NOTE: THE LOCAL GOVERNMENT SHALL BE RESPONSIBLE FOR PLACEMENT MAINTENANCE, AND INSPECTION OF TRAFFIC CONTROL DEVICES AND TEMPORARY EROSION CONTROL ITEMS.

NOTE: THE WIDTH OF PAVING OF TURNOUTS FOR SIDEROADS AND DRIVES SHALL BE AS REQUIRED TO PROVIDE A SMOOTH AND WELL DRAINED TRANSITION TO AND FROM PUBLIC ROADS AND DRIVEWAYS, AS APPROVED BY THE ENGINEER.

246

THIS TYPICAL SECTION APPLIES TO PRIORITY "1'S"

AS SHOWN ON THE LARP PROJECT REPORT SHEET(S).

PROJECT NO.

LA008-S011-00 (216)

COUNTY

FAYETTE

CITY

PEACHTREE CITY

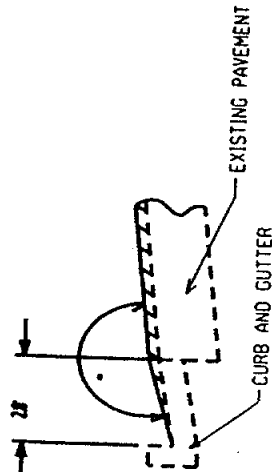
LARP TYPICAL RESURFACING SECTION

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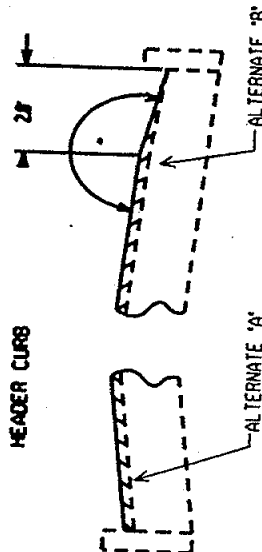
CURB AND GUTTER DETAIL

DETAIL FOR FEATHERING SURFACING

CURB AND GUTTER



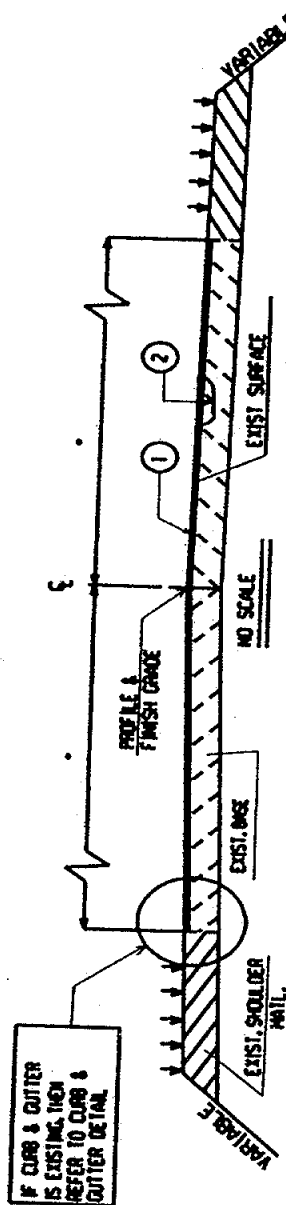
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NOTE: METHOD OF FEATHERING AT PAVEMENT EDGE ALTERNATE A OR ALTERNATE B SHALL BE DETERMINED BY THE ENGINEER. UNDER NORMAL CONDITIONS, ALTERNATE A SHALL BE USED FOR FEATHERING UNLESS RESURFACING HAS REDUCED THE "EFFECTIVE HEIGHT" OF THE EXISTING CURB TYPE FACILITY. IN THIS EVENT, ALTERNATE "B" SHALL BE USED.

NOTE: THE ALGEBRAIC DIFFERENCE BETWEEN THE NEW RIDING SURFACE AND THE FEATHERING IN THE CURB AND GUTTER SHALL NOT EXCEED 7%.

7/84



• SEE LARP PROJECT REPORT SHEETS FOR PAVEMENT WIDTHS

- REQ'D ① 12.5 LBS PER SY ASPH CONC 9.5 MM SUPERPAVE, TP 1, GP1 OR BLEND 1, INCL BITUM MATL & H. LINE
- REQ'D ② ASPH CONC LEVELING, INCL BITUM MATL & H. LINE TO BE PLACED AS DIRECTED BY THE ENGINEER.
- NOTE: THE LOCAL GOVERNMENT WILL CERTIFY ALL NECESSARY R/W, REMOVE OR ADJUST ALL UTILITIES, AND DO THE NECESSARY PATCHING, AS DIRECTED BY THE ENGINEER, AT NO COST TO THE DEPARTMENT OF TRANSPORTATION.
- NOTE: THE LOCAL GOVERNMENT SHALL BE RESPONSIBLE FOR PLACEMENT MAINTENANCE, AND INSPECTION OF TRAFFIC CONTROL DEVICES AND TEMPORARY EROSION CONTROL ITEMS.
- NOTE: THE WIDTH OF PAVING OF TURNOUTS FOR SIDEROADS AND DRIVES SHALL BE AS REQUIRED TO PROVIDE A SMOOTH AND WELL DRAINED TRANSITION TO AND FROM PUBLIC ROADS AND DRIVEWAYS, AS APPROVED BY THE ENGINEER.

THIS TYPICAL SECTION APPLIES TO PRIORITY "S"

AS SHOWN ON THE LARP PROJECT REPORT SHEETS.

#1, 3, 4, 5, 7

PROJECT NO. LADD-SOIL-00(216)

COUNTY FAYETTE

CITY PEACHTREE CITY



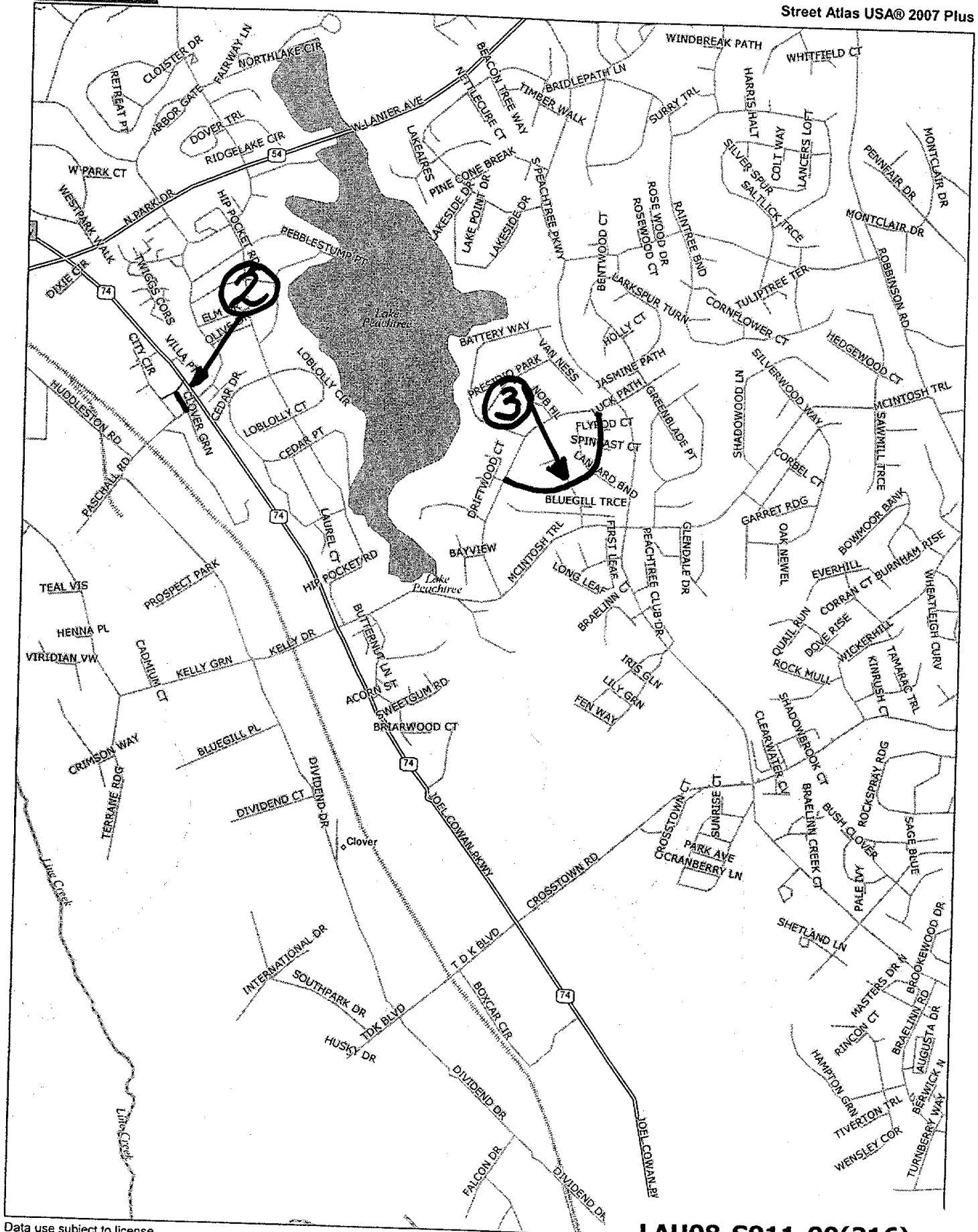
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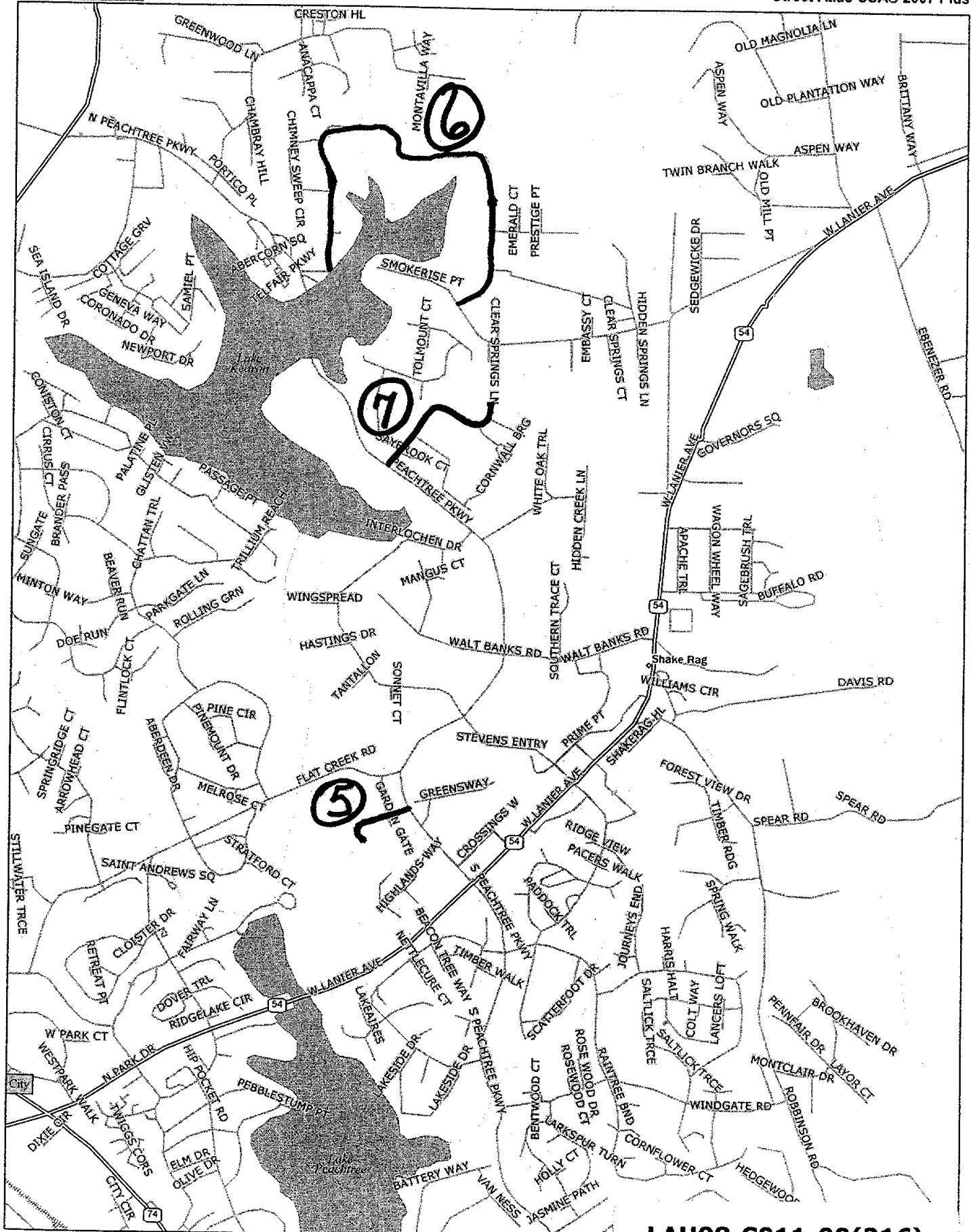
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FAYETTE COUNTY
PEACHTREE CITY

EXHIBIT C

CERTIFICATION OF COMPLIANCE WITH STATE AUDIT REQUIREMENT

I hereby certify that I am a principle and duly authorized representative of _____ whose address is _____, and it is also certified that:

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

- (a) Each unit of local government having a population in excess of 1,500 persons or expenditures of \$175,000.00 or more shall provide for and cause to be made an annual audit of the financial affairs and transactions of all funds and activities of the local government for each fiscal year of the local government.
- (b) The governing authority of each local unit of government not included above shall provide for and cause to be made the audit required not less often than once every two fiscal years.
- (c) The governing authority of each local unit of government having expenditures of less than \$175,000.00 in that government's most recently ended fiscal year may elect to provide for and cause to be made, in lieu of the biennial audit, an annual report of agreed upon procedures for that fiscal year.
- (d) A copy of the report and any comments made by the state auditor shall be maintained as a public record for public inspection during the regular working hours at the principal office of the local government. Those units of local government not having a principal office shall provide a notification to the public as to the location of and times during which the public may inspect the report.

Date

Signature

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager 

DATE: May 9, 2008

SUBJECT: CONSIDER APPOINTMENTS OF LIBRARY COMMISSION MEMBERS
Consent Agenda, May 15, 2008

The Selection Committee, composed of Mayor Harold Logsdon, Council Member Doug Sturbaum, Library Commission Chairman Keely Suiter, and myself, considered nine applicants for two vacancies on the Library Commission.

It is the recommendation of the Committee that Paul Lentz and Sally Meyer be appointed to terms that would expire on 5/31/11.

Copies of their applications are attached for your review.

BJM:nv

Attachments

LIBRARY COMMISSION
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Library Commission.

Applicant must be a legal resident of the State of Georgia and have been a resident of Peachtree City for at least six months prior to the date an application is submitted. Elected officials of any governmental jurisdiction in the County and City employees are not eligible for appointment.

The Library Commission is comprised of five members who are appointed to 3-year terms. The Commission meets the second Wednesday of the month at 6:30 p.m. at City Hall. Members are required to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Commission meetings as possible in an effort to become familiar with the responsibilities of the Commission.** The Commission is responsible for promoting and supporting library services in Peachtree City, assisting in recommending policies that enhance the operation and programs of the Library, providing recommendations regarding budgeting needs of the library, and advising City Council and staff in their efforts to establish and maintain the highest quality of library services for Peachtree City.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Nikki Vrana, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 **by 5:00 p.m. on Friday, April 25, 2008.** The City will contact you within two weeks of the application closing date.

If you have any questions, please call 770-487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME PAUL W LENTZ JR

ADDRESS 12 NORTHLAKE CIR

PEACHTREE CITY, GA 30269

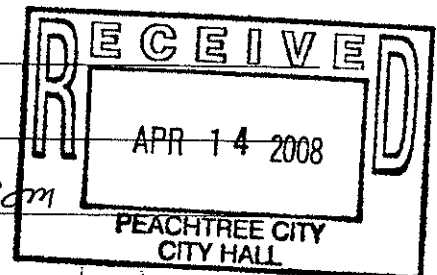
TELEPHONE: (Day Time) 404-376-0237

(Evening) SAME

(Fax No:) NONE

(Email): ecomconcc@yahoo.com

Paul W Lentz
SIGNATURE



4/11/08
DATE

How long have you been a resident of Peachtree City?

2 YRS 7mos

Why are you interested in serving on the Library Commission?

TO PROVIDE SUPPORT TO LIBRARY STAFF AND ADVOCATE
LIBRARY NEEDS TO CITY/CITIZENS

What qualifications and experience do you possess that would benefit the Library

Commission? LONG HISTORY OF VOLUNTEER WORK: OED(US), BSA,
CIVIL AIR PATROL, CITY COMMITTEE (TUPELO, MS), NEIGHBORHOOD
ASS'N, PTC LIBRARY

List major jobs you have held during your working career to include name of company
and position.

USAF 20 YEARS (LTCOL, RET)
TAUGHT MANAGEMENT TO FEDERAL AGENCIES AFTER
AF RETIREMENT

Do you have any past experience relating to a library? If so, please describe.

VOLUNTEER @ PTC LIBRARY

Have you attended any Library Commission meetings in the past year and, if so, how
many? NO

Are you willing to take continuing education classes?

YES

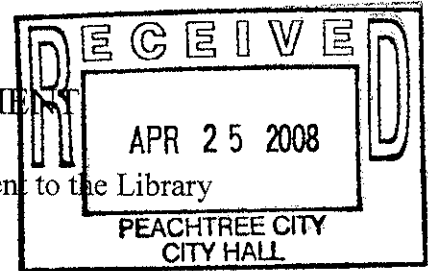
Would there be any possible conflict of interest between your employment and serving on
the Library Commission?

NO (RETIRED)

Describe your current community involvement.

VOLUNTEER, PTC LIBRARY

LIBRARY COMMISSION
APPLICATION FOR APPOINTMENT



Thank you for your interest in being considered for appointment to the Library Commission.

Applicant must be a legal resident of the State of Georgia and have been a resident of Peachtree City for at least six months prior to the date an application is submitted. Elected officials of any governmental jurisdiction in the County and City employees are not eligible for appointment.

The Library Commission is comprised of five members who are appointed to 3-year terms. The Commission meets the second Wednesday of the month at 6:30 p.m. at City Hall. Members are required to attend a minimum of eighty percent (80%) of all meetings.

Applicants are encouraged to attend as many Commission meetings as possible in an effort to become familiar with the responsibilities of the Commission. The Commission is responsible for promoting and supporting library services in Peachtree City, assisting in recommending policies that enhance the operation and programs of the Library, providing recommendations regarding budgeting needs of the library, and advising City council and staff in their efforts to establish and maintain the highest quality of library services for Peachtree City.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Nikki Vrana, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 **by 5:00 p.m. on Friday, April 25, 2008.**

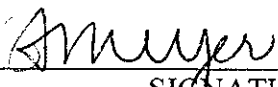
If you have any questions, please call 770-487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Sally Meyer

ADDRESS 133 Calloway Crossing, Peachtree City, GA 30269

TELEPHONE (Day Time) (770) 487-5425 (work, M-F); (770) 500-0625 (cell)
(Evening) (770) 486-8305
(Fax No:) none
(Email) meyer.mom@comcast.net

 4/24/08
SIGNATURE DATE

How long have you been a resident of Peachtree City?

I moved to Peachtree City in January 1994. My family joined me on February 14, 1994. We lived in an apartment until our home was completed in September 1994. We have lived on Calloway Crossing since then.

Why are you interested in serving on the Library Commission?

I love to read and am a regular customer of the library. As a teacher and parent, I recognize the importance of having an excellent library in our town. As a citizen, I understand that, in order maintain excellence; residents must be willing to volunteer. This appointment would allow me to be more involved in my passion (reading) and my community.

What qualifications and experience do you possess that would benefit the Library Commission?

- I am a teacher, so I am familiar with the reading needs and challenges of students in Peachtree City. For the past four years, I have served on the Fayette County Reading Invitational committee for the Fayette County Schools. My role on this committee is to read the Georgia Book Award books and, with others on the committee, select the books that are most suited for fourth and fifth grade students. In the spring of each year, we have the Reading Invitational-a contest in which teams answer questions about the books on the lists. It has been a wonderful way to encourage reading while ensuring that students are consistently exposed to new literature. In my classroom, I am continuously looking for ways to improve upon what and how I teach so that the instruction my students receive is the best I can make it. I would be able to use this same reflective approach when analyzing changes that could be made in the library.
- I am an avid reader, so I am aware of some of the strengths and limitations of the collection in the Peachtree City Library.
- As a former banker, I am highly knowledgeable about budgets and economics.

List major jobs you have held during your working career to include name of company and position.

Fayette County Board of Education (8/98 – present)

- Crabapple Lane Elementary School, Teacher of the Gifted (7/07-present)
- County Office, Itinerant Teacher of the Gifted (7/05-7/07)
- Peebles Elementary School, Fourth/Fifth Grade Teacher (8/98 – 7/05)

Bank of America (1974-1986; 1988-1996)

My initial position at Bank of America was as a teller. Then, I became a loan officer, which led to a position as Assistant Manager of a branch. I took time off to stay home with my family in 1986. When I returned, I was a part-time customer service representative. I made a decision to return to full time work and was a Section Manager in Corporate Banking.

Do you have any past experience relating to a library? If so, please describe.

As a resident of Peachtree City and as a voracious reader, I am a frequent visitor to the library. As a parent, I have helped my children with research at the library as well.

As a teacher, my interaction with the library at school is somewhat different than my experiences with the Peachtree City Library. In each of the schools I have worked in, I have developed a strong relationship with the media specialist which has helped me understand of the challenges of her job. From making appropriate selections that broaden and deepen the collection, to creating a welcoming environment that makes the library a learning adventure for all, to prioritizing tasks to ensure that patrons have materials available as quickly as possible, the librarian's job is a tremendous challenge.

As a member of the Fayette County Reading Invitational committee for the Fayette County Schools and as a teacher, I have had the opportunity to select items that I think are-and are not-appropriate for children, and work with the media specialist or the Reading Coordinator to make necessary materials available to students.

Have you attended any Library Commission meetings in the past year and, if so, how many?

I have not attended any meetings in the past year. I noticed this opportunity after you had your last meeting. I have attended a City Council meeting.

Are you willing to take continuing education classes?

I will take advantage of any opportunity offered which will extend my knowledge. Continuous learning is one of the things that I love about being a teacher. I have participated in two multi-year Teaching American History grants on my own time outside of school, have attended a week long summer session at Mount Vernon, and have taken a multitude of classes offered by the Fayette County Schools. Additionally, in spring 2009, I will complete my Master's degree in Mathematics Education at the University of Georgia.

Would there be any possible conflict of interest between your employment and serving on the Library Commission?

I obtained permission from my principal prior to completing this application. I believe that my work at Crabapple Lane Elementary School will only enhance my ability to serve on the Peachtree City Library Commission.

Describe your current community involvement.

In my role as a teacher, there are many PTO sponsored events in which I participate, and I have sponsored many clubs as well. I have also provided after school help sessions and have tutored students in math. I volunteer for events sponsored by the Peachtree City Running Club, including the annual Classic event. I am also a regular volunteer at the Ti-Peachtree City Triathlon Club's annual Tri-PTC Triathlon. Since their opening in 2007, I have served many times as a volunteer usher at the Legacy Theatre in Tyrone.

SALLY J. MEYER
133 Calloway Crossing
Peachtree City, GA 30269
(770) 486-8305

OBJECTIVE: An appointment to the Peachtree City Library Commission

TEACHING EXPERIENCE: **Crabapple Lane Elementary School** (2007-present)
Teacher of the Gifted

Tyrone Elementary School (2005 to 2007)

Robert J. Burch and Cleveland Elementary Schools (2006 to 2007)

Teacher of the Gifted (Itinerant)

Sponsor: *Our School Bank*, Tyrone Elementary School

Sponsor: *Burch Mart*, Robert J. Burch Elementary

Peeples Elementary School (1998-2006)

Teacher of the Gifted (2005-2006)

Fourth/Fifth Grade Teacher (1998-2005)

Sponsor: *Junior Historians*, *Math Magicians*, *Voracious Readers*

Accomplishments

- Peeples Elementary School Teacher of the Year, 2005
- State Finalist, Presidential Award for Excellence in Math and Science Teaching, 2004 and 2006
- Recognized on the National Honor Roll of Outstanding American Teachers
- Recognized in *Who's Who Among America's Teachers*; 2003-2004, 2004-2005, 2006-2007
- Georgia Council for Teachers of Mathematics, Excellence in Mathematics Teaching Award, 2004
- Writer, Georgia Performance Standards; Georgia Department of Education, 2003-2004
- Earned National Board Certification as a Middle Childhood Generalist, 2005
- Presenter, Georgia Council for Gifted Children Annual Conference, 2007
- Teacher Representative, Fayette County Reading Invitational Committee, 2003 to present
- Social Studies Curriculum Chairperson, 2006-present
- Math Curriculum Chairperson, 1998-2005
- Grant Participant, *Linking American History: Past to Present*; Fayette, Henry and Cobb County Schools; 2004-2006
- Grant Participant, *Creating a Nation: Seeds of Democracy*; Fayette, Henry, and Cobb County Schools; 2006-2007
- Grant Participant, *Shaping the Constitution: A View From Mount Vernon*; The Bill of Rights Institute and the National Endowment for the Humanities, 2004
- Teacher Representative, Peeples Elementary School Council, 2002-2004

VOLUNTEER EXPERIENCE: **Peachtree City Running Club**, Peachtree City, GA
Peachtree City Classic, Finish Line Volunteer (2004-present)

Tri-Peachtree City Triathlon Club, Peachtree City, GA
Tri-Peachtree City Triathlon, Volunteer (2005-present)

Legacy Theater, Tyrone, GA
Usher (2007-present)

**PRIOR
EMPLOYMENT:**

Bank of America, San Francisco, CA
1974-1986, 1988-1995

Assistant Vice President/Operations Manager, OCR Lockbox, Atlanta, GA,
1993-1995

Accomplishments:

- Developed, documented, and taught staff training program
- Managed a staff of approximately 200 temporary employees to work effectively as a team during peak processing periods
- Earned a performance rating of "Far Exceeds Objectives"

Assistant Vice President/Section Manager, Payment Products Credit Risk Control, Concord, CA, 1990-1993

Accomplishments:

- Developed instruction and trained senior management on credit risk issues
- Formulated operational processes and trained individual employees to perform related functions
- Earned a performance rating of "Far Exceeds Objectives"

Assistant Vice President/Head of Financial Services, Bank of America, Lafayette, CA, 1985-1986

Accomplishments:

- Awarded Hong Kong vacation as the leader in asset generation for the San Francisco Bay Area, 1986
- Awarded the title, Assistant Vice President

EDUCATION:

Mercer University, Macon, GA
Bachelor of Science in Middle Grades Education, May 1998
Areas of concentration: science and mathematics

Accomplishments:

- Mercer University cumulative GPA 4.0
- Awarded President's List and Dean's List honors all sessions attended

University of Georgia, Athens, GA
Masters Degree Candidate in the field of Mathematics Education
Anticipated Graduation Date May 2009

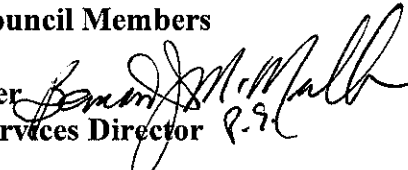
**MEMBERSHIPS/
ASSOCIATIONS**

Organization of American Historians
Friends of the National Archives
Friends of the Georgia Archives
Georgia Council for Gifted Children
Professional Association of Georgia Educators

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Financial Services Director 

FROM: Acting Administrative Services Director/City Clerk 

DATE: May 7, 2008

SUBJECT: Consider Occupational Tax Fee Changes
May 15, 2008, City Council Meeting

Recommendation:

Staff recommends that Council approve the following changes to the Occupational Taxes:

- Establish the \$20 per year administrative fee for businesses exempt from the Occupational Tax but wanting to be included in the database or obtain an Occupational Tax Certificate, to be implemented immediately for newly registering businesses.
- Increase the per-employee tax from \$17.50 to \$18.50, with a \$105 minimum and \$6,000 maximum, to be effective for 2009 taxes.

Discussion:

In 2004, Council established the City's Occupational Tax as \$17.50 per employee plus an administrative fee of \$20, with a minimum annual tax of \$100 and a maximum annual tax of \$5,000. Following the regular review of City fees (every three years by the City's financial policies), staff made three recommendations to adjust the fee to more accurately reflect the averages found in a survey of comparable and local Georgia communities.

The original three recommendations made to bring Peachtree City's Occupational Taxes in line with the area were:

- Maintain \$100 minimum for companies with 1 to 4 employees but raise maximum amount (500+ employees) from \$5,000 to \$8,000 in \$1,000 increments over a 3-year period.
- Increase the per employee charge from \$17.50 to \$18.50

- Establish the \$20 administrative charge for entities that are exempt from the tax but still chose to be listed in our database (additional \$1 - 2K additional annual revenue) and on our web site.

Council requested input from the business community on the proposal, so staff forwarded the study to both the Fayette County Chamber of Commerce and the Fayette County Development Authority as representatives of the existing and potential business community. Both entities expressed concerns about some of the proposals, which are attached.

The first area of concern was that imposing any tax increase in the current economy, which includes rising fuel and food costs, would further increase to the cost of doing business. The feeling was that the increased revenue for the City was minor (an estimated \$20,000 total) in comparison the negative message it could send to struggling businesses.

The second area of concern was the equity of the proposed increase. Both entities felt that, by not increasing the minimum tax, 50% of the increased burden would be born by just 4 companies. Representatives from both organizations felt that, if Council felt the tax increase was necessary, raising the minimum to \$105 and the maximum to \$6,000 would be more equitable.

A table showing the alternate revenue impact of the suggestion (\$18.50 per employee, \$105 minimum tax, \$6,000 maximum tax) is attached. The change results in an increased tax revenue of \$1,400 over the original staff recommendation (total of \$20,891), and staff agrees that this is a more equitable distribution of the proposed increase.

Budget Impact:

The \$20 administrative fee could add an estimated \$1,000 - \$2,000 in annual revenue from otherwise exempt businesses wishing to pay the fee.

Adopting the \$18.50 per employee with a \$105 minimum and \$6,000 maximum tax for 2009 would increase revenue by an estimated \$20,891.

Betsy Tyler

Subject: FW: Tax question / impact on industry

From: Virginia Gibbs [mailto:president@fayettechamber.org]

Sent: Wednesday, April 09, 2008 11:44 AM

To: Betsy Tyler

Cc: mforshee@fayettega.org

Subject: RE: Tax question / impact on industry

Betsy,

Thanks for including us on your request for initial feedback. Your timing is perfect as our Board of Director's meets tomorrow. One initial concern I would imagine will be voiced relates to the increase in maximum tax. If I read it right, 50% of the increased burden of the raised maximum will be born by just 4 companies.

I'll be back in touch once I've had a chance to take a pulse with a few of our members. And thanks again for including us in the dialogue.

Virginia Gibbs | Fayette County Chamber of Commerce | President | 200 Courthouse Square,
Fayetteville, GA 30214 | 770.461.9983 | Fax 770.461.9622 | www.FayetteChamber.org

05/08/2008

Betsy Tyler

Subject: FW: Tax question / impact on industry

From: Matt Forshee [mailto:mforshee@fayettega.org]

Sent: Wednesday, April 09, 2008 1:12 PM

To: 'Virginia Gibbs'; Betsy Tyler

Cc: 'Randy Hayes'; Harold Logsdon

Subject: RE: Tax question / impact on industry

Betsy,

My concerns may be a little different than what Virginia vocalized.

I'm concerned that, though the impact does appear to be spread out overall, it does seem to hit some of our largest employers pretty strongly. Some of these large employers have very tight bottom lines as it is. Another \$3,000 a year may not seem like much, but it does add up. I really don't want to get to a tipping point where someone like Panasonic says that it has become more cost efficient for them to produce in Mexico, rather than Peachtree City. I'm not saying they would do that or are at that stage, but fuel to the fire is still fuel, whether it's an ounce or a gallon.

The way I see it, you've got 1,427 companies that have less than 5 employees. If you went up on their fee by \$7 per business, you'd bring in more than enough to cover what those top four businesses are paying in increases. You're also spreading it over just as many numbers of employees but at a much less noticeable amount.

If you kept the maximum tax at \$5000 and raised the minimum tax to \$107, you'd spread your increased revenue needs more equitably over the businesses that call Peachtree City home. I think you could also look at raising the maximum by \$500 to \$1000 and then look at a new increase again in 3 years. That would also allow you to drop the minimum down to \$105 and then the argument is that everyone is paying some level of increase.

I'd be happy to work with you or anyone else further on this to ensure that you have the right solution.

Regardless, thanks for giving me the opportunity to comment on it. It's good to know that a community like ours exists where we can respect and trust the comments and recommendations of others. Other communities aren't so fortunate.

Matt

05/08/2008

Betsy Tyler

Subject: FW: Tax question / impact on industry

From: Matt Forshee [mailto:mforshee@fayettega.org]

Sent: Wednesday, April 09, 2008 3:06 PM

To: Betsy Tyler

Subject: RE: Tax question / impact on industry

Betsy,

I forwarded your request for comments on to my Board and I asked them to respond with their comments directly to you on this issue.

My Chairman, Randy Hayes' comments are:

"I am glad Matt pointed out the fact that the increase would be born by a relative few companies and not by the entire business community. I want to state that I am totally against any increase!! However, if the Mayor and Council feel they need to add NEW or ADDITIONAL taxes onto an already economically challenged Business Community, then everyone should share some of the burden. Not just the largest businesses or industries.

Unemployment rates are inching upwards, I saw this morning oil was \$111.00 per barrel, a new high, diesel fuel is at or over \$4.00 per gallon, home prices are falling, Health care cost are still escalating, wheat cost have increased to their highest on record, but the local Cities still want to add to the burden of running a business!

These businesses that the City wants to expand taxes on are the ones getting the least amount of services. These businesses they want to increase taxes on are the ones they go to when they need donations for their events. These businesses need someone on the Council to speak for them. Are they getting anything for the increase? Better or more services from the City?

I find it odd that the State Legislators have been debating tax cuts for the Citizens of Georgia, the US Representatives and Senators are studying a Tax Stimulus Plan and the City of PTC wants to increase taxes!

Am I missing something? Are we not in a recession? Matt, I think your response was on target."

05/08/2008

Betsy Tyler

Subject: FW: Peachtree City Occupational Tax Increase Comment Period

From: Matt Forshee [mailto:mforshee@fayettega.org]
Sent: Wednesday, April 09, 2008 3:44 PM
To: Betsy Tyler
Subject: FW: Peachtree City Occupational Tax Increase Comment Period

Betsy,

Here's one more from Phil Smelley, on my Board. He owns a pretty good sized local small business, though not one in Peachtree City.

Just a thought, but is it possible to put off a change in this fee until next year, when the overall economy is in a better state?

Matt

From: Phil Smelley [mailto:phil@complete-insurance.com]
Sent: Wednesday, April 09, 2008 4:38 PM
To: mforsee@fayettega.org; 'Bryan Edwards'; 'Dot Kite'; 'HOLLIS HARRIS'; 'Jerry Cobb'; 'Joe Morton'; 'John Woody'; 'Randy Hayes'
Cc: afields@fayettega.org; 'Virginia Gibbs'
Subject: RE: Peachtree City Occupational Tax Increase Comment Period

Good comments all around and a nice option to the original proposal by Matt. However, I am afraid that the majority response among the business community would more closely resemble Randy's response. Business owners, large and small are feeling a squeeze right now. I think the reaction would be overwhelming and mostly negative for the relatively small amount of revenue increase anticipated.

Warmest regards,

C. Phillip Smelley, CIC
President
The Complete Insurance Source
(770) 371-8247 ext 202
(770) 371-1999 fax
(770) 403-9506 Cell

05/08/2008

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *Benjamin J. McCall*
Developmental Services Director *David*

FROM: City Planner/ Zoning Administrator *David*

DATE: May 9, 2008

SUBJECT: Proposed fee increases – Developmental Services
May 15, 2008 City Council Agenda

Recommendation:

Staff recommends that City Council adopt the proposed changes in the Fee Schedule for Developmental Services and incorporate these fees into the appropriate city ordinance.

Discussion:

At the April 3, 2008 City Council meeting, staff presented a variety of proposed fee increases to the existing fee structure for services provided by the Developmental Services Division. These increases were based on an extensive study of the fee structure of other jurisdictions within the metro-Atlanta area as well as new services provided by the Planning, Engineering, Stormwater, Building and Code Enforcement Departments.

During discussion of the proposed fees, staff was asked if the public had an opportunity to review the fees, especially those in the building industry that would be impacted by the proposed increases. Staff responded that the fees had been posted on our website, but that no formal discussion had taken place.

Staff presented the proposed fees at the Quarterly Builder's Meeting on April 24, and based on feedback received from those in attendance, restructured several of the proposed fees, which are reflected in the re-inspection of residential and commercial buildings. We have also adjusted the fees for both residential and commercial plan review.

Budget impact:

At this time, it is unknown the extent these fee increases will have on the city budget.

Attachment

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: City Council

VIA: City Manager 
Assistant City Manager
Finance Director P.S.

FROM: Director of Leisure Services 

DATE: May 7, 2008

SUBJECT: Consider Fee Recommendations, Recreation
For May 15 City Council Meeting

Recommendation: That Council considers fees for access to the Gathering Place.

Discussion:

Gathering Place access fee: As a result of a work session with City Council and interested seniors on April 22, the following Gathering Place Access Fee recommendation is made: \$10 per year for Peachtree City and other Fayette County residents and \$20 per year for out of county users, effective January 2009. This does not include rentals or people taking instructional classes offered by the Recreation Department at the Gathering Place. Guest passes would be allowed to enable card holders to occasionally bring guests without having to pay. We plan to use a swipe card process to enable people to quickly check in and to have an automated system to provide reports on attendance. We anticipate this system will cost approximately \$660 for 1000 passes and a one-time logo set up fee of \$75, plus about \$200 for the swipe machine, with occasional cost for additional cards as needed. If approved, prior to the effective date we will attempt to develop no-cost or inexpensive ways to add value to the access card, such as provision of two guest passes at payment, possible percentage off an instructional class, etc.

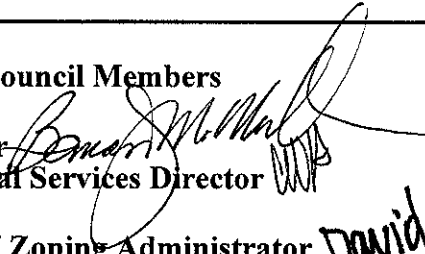
Facility Rental Fees for churches, schools and civic groups: based on input from past fee discussions at City Council, we have chosen to drop this recommendation at this time. A suggestion to base room rental fees on utility costs resulted in negligible fees that would not have a significant impact on offsetting expenses. In the interest of maintaining positive relations with community groups who exist to serve civic functions in various ways, we feel it is best to study this further to determine if there are other options to consider.

Budgetary Impact: Estimated new revenue from Gathering Place Access Fee, \$5,000 - \$8,000.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Developmental Services Director 

FROM: City Planner/ Zoning Administrator  David

DATE: May 9, 2008

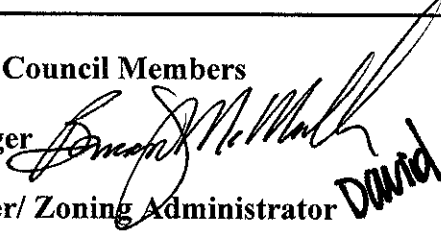
SUBJECT: Rezoning request – Fairfield Inn and Suites (Wisdom Road)
May 15, 2008 City Council agenda

The Applicant has requested that the subject rezoning request be continued to the next City Council meeting. It is our understanding they are redesigning the building to avoid a rezoning and are submitting the revised building elevations to their corporate office for approval.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 

FROM: City Planner/ Zoning Administrator 

DATE: March 27, 2008

SUBJECT: Rezoning request – Fairfield Inn and Suites (Wisdom Road)
April 3, 2008 City Council agenda

Recommendation:

Staff continues to recommend that the proposed rezoning be approved subject to the understandings and conditions identified within our original Position Paper (dated March 12, 2008).

Discussion:

At the March 20 City Council meeting, discussion of the proposed rezoning was continued in order to provide Staff time to work with the Planning Commission to determine specific language that should be included within the zoning ordinance pertaining to additional uses that would not be permitted, clarification of building materials that would be used on the building, and additional landscaping requirements that would be required on the subject tract.

Staff discussed these items with the Planning Commission in a workshop format this past Monday and met with the Planning Commission Representative to discuss the amended language. Based on these meetings, Staff is proposing several revisions to the LUC-21 zoning ordinance presented at the last City Council meeting:

Proposed revision – permitted uses:

(Section 1016B.21.1) Permitted uses.

1. ~~Full service hotel.~~
2. ~~Ancillary uses, such as, but not limited to, a meeting room or dining facility located wholly within the building.~~
3. ~~Accessory uses, as identified in Section 908.~~

In order to create a commercial district that is related to its surrounding area and in the best interest of public safety, welfare and convenience, the district shall be limited to the

Rezoning request – Hilton Garden Inn (Commerce Drive North)

March 28, 2008

Page 2

following specific uses: a full service hotel and commercial recreational facility located entirely within a building on the premises.

The following additional uses which relate to the primary activity of this development shall be permitted if located entirely within the building:

- 1. Retail business involving the sale of merchandise on the premises;**
- 2. Business involving the rendering of a personal service on the premises;**
- 3. Office for governmental, business, professional or general purpose;**
- 4. Private or semiprivate club, lodge or social center;**
- 5. Restaurant/ lounge; and**
- 6. Accessory uses, as identified in Section 908.**

Purpose of revision

The purpose of this revision is to identify specific uses that would be permitted on the subject tract. While a full-service hotel can include a variety of uses, the intent of identifying specific uses is to gear this particular zoning designation to the uses that have been presented and would be provided in the proposed hotel complex.

Proposed revision – uses not permitted:

(Section 1016B.21.2) Uses not permitted.

- 1. Extended stay lodging facility.**
- 2. Residential use (apartments, condominiums, townhomes, flats, lofts, etc.).**

Purpose of revision

The purpose of this revision is to identify specific uses that would NOT be permitted on the subject tract. The limited use zoning designation allows the city to identify site-specific criteria for the subject tract. In this case, the zoning would permit a full service hotel as well as other supporting uses. What we do not want to see on this tract is the conversion of the proposed hotel into an extended stay lodging facility or any type of permanent residential use. Including these specific items within the zoning ordinance would prevent this from occurring.

Proposed revision – other requirements:

(Section 1016B.21.4) Other requirements.

- 8. Architectural concept.**

The architectural design, color selection and exterior building materials shall be substantially the same or equal to the building elevations prepared by Architectural Design Workshop P.C. dated November 22, 2007 (Exhibit "C"). These drawings were reviewed in accordance with the city's Design Guidelines Ordinance and presented to and approved by the Planning Commission on March 10, 2008 as a part of the rezoning process.

Prior to submittal of the building plans to the Building Department, the Applicant shall submit the exterior building materials and color selections to the City Planner and the Planning Commission Representative for approval. The purpose of this submittal is to ensure the exterior building materials and color selections are compatible with the exterior building materials and color selections of existing buildings within the Wisdom Pointe retail complex.

Purpose of revision

The purpose of this revision is to identify specific review requirements for the proposed exterior building materials and color selections for the building. While these items have been reviewed and approved by the Planning Commission as a part of the conceptual site plan review process as well as the review of the rezoning application, this language will require the Applicant to once again submit these items to City Staff and the Planning Commission Representative for review and approval prior to submitting this information to the Building Department for permitting. This language is intended to be more of a "checks and balances" requirement.

Proposed revision – landscape concept:

10. Landscape concept.

~~As set forth within the city's Landscape Ordinance; provided, however, that since the proposed building would exceed the maximum building height (35') established within the GC zoning ordinance by 33%, the total number of canopy and understory trees required under the city's Landscape Ordinance shall be increased by not less than 33%.~~

As set forth within the city's Landscape Ordinance; provided, however, that since the proposed building would exceed the maximum 35' building height established within the GC zoning ordinance by 33%, a minimum of 33% of the required canopy trees shall be increased to no less than 4" in caliper. Additionally, no less than 50% of the canopy and understory trees provided to meet tree replacement requirements shall be specified as evergreen plant material.

Purpose of revision

Staff's initial proposal was to require an increase in the total number of canopy and understory trees based on the percentage the proposed building exceeded the minimum building height established within the GC zoning ordinance. Upon further analysis of this proposed requirement, it became aware it would have been virtually impossible to meet these additional planting requirements due to space limitations on the subject tract.

Rezoning request – Hilton Garden Inn (Commerce Drive North)

March 28, 2008

Page 4

We are now proposing specific planting requirements that would be applied to the total number of canopy and understory trees provided to meet tree replacement requirements. The city's Landscape Ordinance requires the provision of one canopy tree (minimum 2½" caliper) and one understory tree (minimum 2" caliper) for every 1,000 SF of impervious surface.

Because the Applicant is requesting a building that is 33% taller than what is permitted within the GC zoning district, Staff feels that a minimum of 33% of the required canopy trees should be no less than 4" in caliper. This would provide taller trees on the property that could be used to assist in reducing the scale of the taller building.

In addition, Staff is proposing that a minimum of 50% of the required canopy and understory trees be specified as evergreen plant material. This requirement would not only provide variety in the overall plant palette, but would also alleviate the possibility that all trees on the property would be without leaves in the fall and winter as discussed at both the Planning Commission and City Council meetings.

Budget impact:

There are no budgetary impacts associated with this request.

Attachment

POSITION PAPER

Proposed Rezoning
Fairfield Inn tract (2.846 acres), SR 74 North and Wisdom Road
City Planner/ Zoning Administrator
March 12, 2008



Situation:

Kasandas Properties Peachtree LLC purchased a 2.846-acre tract of land within the Wisdom Pointe retail complex for the purpose of constructing a freestanding Fairfield Inn and Suites hotel. The subject tract is zoned GC General Commercial and designated as COM Commercial on the city's Land Use Map.

The proposed 84-room hotel would be three stories in height and encompass approximately 43,272 SF of total floor area. The overall building height as proposed would be 55' from finish grade to the ridge line of the roof. During the review of the conceptual site plan at the September 10, 2007 Planning Commission workshop, it was discovered the maximum building height within the GC zoning district was limited to no more than 35' from finish grade. This change had been incorporated with other amendments to the GC zoning ordinance on March 2, 2006. Up until that date, the maximum building height within the GC zoning ordinance was ten stories, but if over 35', they must be approved by the Fire Department.

The Applicant desired to continue through the site plan review process with the understanding that approval of the conceptual site plan would be contingent on both the Planning Commission and City Council approving an increase to the maximum building height within the GC zoning district to 60' from finish grade to the ridge line or tallest portion of the roof.

Rather than adopt new height restrictions, City Council amended the ordinance as follows:

The maximum height of all buildings shall not exceed 35' in height from finish grade to the ridge line or the tallest portion of the roof without first rezoning the property. In no case shall the maximum height of a building exceed 60' in height from finish grade to the ridge line or the tallest portion of the roof.

The Applicant is requesting that the property be rezoned from GC General Commercial to LUC Limited Use Commercial to permit the construction of a building with a height not to exceed 55' from finish grade to the ridge line of the roof. A copy of the Request for Rezoning application is included as Attachment "A".

Facts:

1. The property known to us as the Fairfield Inn tract is 2.846 acres in area and is currently zoned GC General Commercial. The property owner, Kasandas Properties Peachtree LLC, desires to construct an 84-room hotel on the property that would be three stories in height and 55' from finish grade to the tallest portion of the roof (Attachment "B").

Fairfield Inn tract

March 12, 2008

Page 2

2. For many years, the maximum building height for all buildings within the GC zoning district was limited to no more than ten stories, but if the building exceeded 35' in height, review and approval by the Fire Marshal was required.
3. On March 2, 2006, the GC zoning ordinance was amended to limit the maximum building height of all buildings to no more than 35' in height from finish grade. This amendment created numerous non-confirming structures that had been reviewed and permitted under the former height limitations.
4. On February 21, 2008, the GC zoning ordinance was amended to limit the maximum building height of all buildings to no more than 35' in height without first rezoning the property. This amendment further stated the maximum height of any building within the GC zoning district could not exceed 60' in height. As a part of the rezoning process, the Applicant would have to coordinate with the Fire Marshal and the Building Official to ensure their understanding of the design of the building as well as City Staff and the Planning Commission, who would review the design of the building in conformance with the city's Design Guidelines Ordinance.
5. On February 21, 2008, several amendments to the city's Design Guidelines Ordinance were adopted, all of which addressed building height and massing.
6. As a part of the conceptual site plan submittal package, the Applicant presented schematic building elevations to City Staff and the Planning Commission for review and approval. These elevations were approved subject to detailed drawings being submitted to City Staff and the Planning Commission Representative for review and approval prior to submittal of the building plans. The purpose of this review would be to make sure they were in compliance with the Design Guidelines Ordinance.
7. The existing Wisdom Pointe retail building on the adjoining parcel to the south is approximately 42' in height from finish grade to the top of the roof. This building was approved prior to the amendments to the zoning ordinance restricting the height to no more than 35' (Attachment "C").
8. At their meeting on March 10, 2008, the Planning Commission voted unanimously to recommend that City Council approve the rezoning request (Attachment "D").

Recommendation:

Through the years, the city has reviewed and approved numerous buildings within the GC zoning district that exceed 35' in height. The majority of these buildings were approved prior to the establishment of the city's Design Guidelines Ordinance. The intent of this ordinance was to establish minimum criteria each developer would have to abide by when developing retail, commercial and industrial property within the city.

Fairfield Inn tract

March 12, 2008

Page 3

In an effort to address building height and scale, the recent amendments to the Design Guidelines Ordinance address building height and massing. The proposed Fairfield Inn and Suites hotel incorporates many of the recommendations of this ordinance into the design of the building, including change in plane, creating a base/ middle/ top, and incorporating various building materials and colors into each elevation of the building (Attachment "E").

The Applicant has worked closely with City Staff and the Planning Commission to refine the prototypical franchise architecture into a building that complements the surrounding development. The building is similar in scale to the existing Wisdom Pointe retail building to the south and will serve as an "anchor" to the existing retail buildings within the overall development.

Staff recommends that the rezoning of the 2.846-acre Fairfield Inn tract from GC General Commercial to LUC Limited Use Commercial be approved and that the recommendation be subject to the following understandings and conditions:

- 1. As shown on the schematic building elevations, the maximum height of the building shall not exceed 55' in height from finish grade to the ridge line or the tallest portion of the roof.*
- 2. All conditions of conceptual site plan approval (granted October 8, 2007) shall be incorporated into the final site plan submittal package.*
- 3. The architectural design, exterior building materials and color selection of all buildings shall be similar to those used within the existing Wisdom Pointe retail center*

Attachments

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

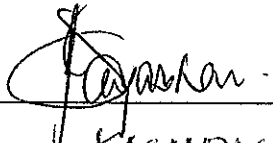
A request is hereby being made to change the zoning classification of the following described property:

AS BEING IN LANDLOT 158, DISTRICT 7, FAYETTE COUNTY, GEORGIA
LOCATED AT WISDOM ROAD OF HIGHWAY 74, PEACHTREE CITY GA.

This property is presently zoned: GC - GENERAL COMMERCIAL

The proposed zoning classification is: LUC - LIMITED USE COMMERCIAL

I certify that I am the owner, or the duly authorized agent of the owner, of the property described above:

Signature: 

Owner: (print) KASANDAS PROPERTIES PEACHTREE LLC.

Agent: (print) ISHVAR DAYABHAI., ARCHITECTURAL DESIGN WORKSHOP P.C.

Address: 814 COVERED BRIDGE WAY, FAIRBURN, GA 30213

Phone: 770 306 7464 Date: 2-20-08

This request, along with the required fee (\$600 + \$25/acre) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: David E. Rant

Title: City Planner / Zoning Administrator

Date: 02-22-08

Request Number: 2008-10

Date of Planning Commission Public Hearing: 03-10-08 adv. 02-27-08

Date of City Council Public Hearing: 03-10-08 adv. 03-05-08

Reasons for Rezoning

Fairfield Inn & Suites

Wisdom Road at Highway 74, Peachtree City Ga.

This site has been marketed and sold as suitable for Hotel development. Typical hotel developments are dictated by Franchise Standards. These typically are 3 stories in height with a pitched roof. Given the width of the building the roof height would exceed the 35' height restriction. My client checked with the City and was assured that a development as envisaged was feasible and the fire department had accepted the prototypical 3 story building. Having been through Planning Commission Meetings it became apparent that the general commercial zoning limited the building height restriction to 35'. However, upon careful scrutiny of recent project developments with similar zoning it was found the city had accepted heights of up to 60'. The Planning Commission had approved our schematic proposal subject to certain conditions. This approval was granted on 10-8-07.

We are well into completing construction documents for this project. This together with the enormous cost of the project thus far has left my client no option but to apply the change in zoning. The limited use commercial zoning will enable us to continue to develop this property as intended.

Impact on City Services:

The City will reap substantial tax revenues over the life of this development. The impact on city services, police, fire and emergency services is not expected to be disproportionate. Utilities usage will be commensurate with this type of commercial development and is not likely to adversely affect supply.

Access to the site is not likely to create any congestion to the level of traffic currently or expected in the future. The site will be landscaped and maintained as it is mandated by the Franchisor and good business sense. This development will be integrated to the adjacent Wisdom Point Retail Center and the materials such as the brick to be used will contribute to that end. There is sufficient area within the site that the implementation of the development would not create any public nuisance.

After recording, please return to:
Kumar, Prabhu, Patel & Banerjee, LLC
Samir C. Patel, Esq.
1117 Perimeter Center West, W311
Atlanta, Georgia 30338

STATE OF GEORGIA
COUNTY OF FAYETTE

LIMITED WARRANTY DEED

THIS INDENTURE is made this 21st day of June, 2007, by and between JAMIE A. WHITE WYATT (hereinafter called "Grantor"); and KASANDAS PROPERTIES PEACHTREE CITY, LLC, a Georgia limited liability company (hereinafter called "Grantee"). The words "Grantor" and "Grantee" include the neuter, masculine and feminine genders, and the singular and the plural.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors, legal representatives and assigns of Grantee, all that tract or parcel of land lying and being in Fayette County, Georgia, being more particularly described on Exhibit "A", attached hereto and incorporated herein by reference.

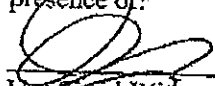
TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of Grantee forever, in fee simple, subject to the matters set forth on Exhibit "B", attached hereto and incorporated herein by reference; and

GRANTOR SHALL WARRANT and forever defend the right and title to said tract or parcel of land unto Grantee, and the successors, legal representatives and assigns of Grantee, against the claims of all persons claiming by, through or under Grantor;

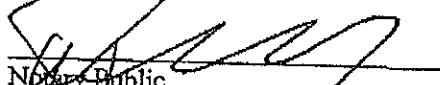
IN WITNESS WHEREOF, Grantor has caused its duly authorized agent to execute this indenture, and to deliver this indenture to Grantee, all the day and year first written above.

Signed, sealed and delivered in the presence of:

GRANTOR:


Unofficial Witness

By: 
Name: Jamie A. White Wyatt


Notary Public

My Commission Expires:

(NOTARIAL SEAL)

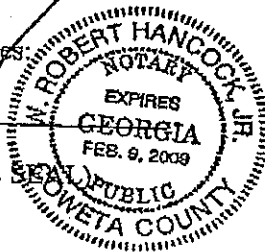




EXHIBIT "A"

Property Description

All that tract or parcel of land lying and being in Land Lot 158 of the 7th District, Fayette County, Georgia, and being more particularly described as follows:

Commencing at the point of intersection of the easterly right-of-way of State Route 74 (R/W varies) and the Southerly right-of-way of Wisdom Road (80' R/W), thence along said southerly right-of-way 439.09 feet to a PK nail set in the centerline of a private asphalt driveway, said point being the TRUE POINT OF BEGINNING;

thence along said southerly right-of-way and a curve to the right an arc distance of 33.25 feet, said curve having a radius of 1754.50 feet and being subtended by a chord of 33.25 feet, at South 88 degrees 55 minutes 36 seconds East, to a 1/2" rebar found; thence leaving said southerly right-of-way South 26 degrees 39 minutes 37 seconds East, 515.04 feet to a 3/4" open top pipe found; thence South 63 degrees 39 minutes 54 seconds West, 300.17 feet to a PK nail set; thence North 23 degrees 50 minutes 45 seconds West, 399.93 feet to a PK nail found in the centerline of said private asphalt driveway; thence along said centerline the following courses and distances: North 71 degrees 06 minutes 03 seconds East, 86.84 feet to a point; along a curve to the left, an arc distance of 130.67 feet, said curve having a radius of 112.69 feet and being subtended by a chord of 123.47 feet, at North 37 degrees 52 minutes 56 seconds East, to a point; North 04 degrees 39 minutes 49 seconds East, 103.03 feet to a PK nail set, said point being the TRUE POINT OF BEGINNING;

Said tract or parcel of land contains 2.846 acres and is more accurately depicted on a plat of survey prepared by GeoSurvey, Ltd., dated November 14, 2006, job number 20063002.

Together with easement rights reserved in Warranty Deed from Jamie A. White Wyatt to John Barrow, dated September 1, 1999, filed September 14, 1999, recorded in Deed Book 1429, page 623, Fayette County, Georgia records.

And together with easement rights contained in Storm Water Sewer Easement from Peachtree Housing, Ltd. to Jamie A. White Wyatt and Barrow and Hirsch Properties, Inc., dated April 26, 2002, filed August 7, 2002, recorded in Deed Book 1919, page 75, Fayette County, Georgia records.

EXHIBIT B
PERMITTED EXCEPTION

1. Taxes for the year 2007 and subsequent years
2. Rights of access conveyed in Right of Way Deed in favor of Department of Transportation, dated July 10, 1986, recorded in Deed Book 396, Page 761 of the Fayette County, Georgia records.
3. Deed of Conveyance and Easement from Jamie A. White Wyatt to Peachtree City Water & Sewage Authority, dated and filed July 21, 1998, recorded in Deed Book 1271, page 752 of the Fayette County, Georgia records.
4. Reciprocal Easement and Restrictive Covenant Agreement by and between Jamie A. White Wyatt and Norma J. Hill, George J. Hill, and Peachtree National Bank, and Gary W. Fincher, Wayne P. Fincher, Dudley H. Fincher d/b/a Fincher Realty and Leasing, dated September 1, 1999, filed September 14, 1999, recorded in Deed Book 1429, Page 619, Fayette County, Georgia records.
5. Easements granted in Warranty Deed from Jamie A. White Wyatt to John Barrow, dated September 1, 1999, filed September 14, 1999, recorded in Deed Book 1429, page 623, Fayette County, Georgia records.
6. Reciprocal Easement, Restrictive Covenant and Operation Agreement by and between Jamie A. White Wyatt and Barrow and Hirsch Properties, Inc., dated June 20, 2007, filed _____, 2007, recorded in Deed Book _____, page _____, Fayette County, Georgia records. *W*
7. Detention Pond Agreement by and between Jamie A. White Wyatt and Barrow and Hirsch Properties, Inc., dated June 20, 2007, filed _____, 2007, recorded in Deed Book _____, page _____, Fayette County, Georgia records. *W*
8. Agreement and Restrictive Covenant by and between Jamie A. White Wyatt and Kasandas Properties Peachtree City, LLC, dated June 21, 2007, filed _____, 2007, recorded in Deed Book _____, page _____, Fayette County, Georgia records. *W*

W



**UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
March 10, 2008**

**PH-08-04 Proposed rezoning, Fairfield Inn and Suites, Wisdom Road, GC
to LUC-21 (to allow a building taller than 35').**

The Vice Chairman opened the public hearing at 7:41 p.m.

Mr. Ishwar Dayabhai from the Architectural Design Workshop was in attendance to present Kasandas Properties' request to rezone a 2.846-acre tract of land within the Wisdom Pointe retail complex for the purpose of constructing a freestanding Fairfield Inn and Suites hotel. The proposed 84-room hotel would be three stories in height and would encompass approximately 43,272 SF of total floor area. He said this was a fairly typical Fairfield Inn and Suites that had been adapted to blend architecturally with the adjacent Wisdom Pointe development. Mr. Dayabhai noted that greater than 35 percent of the property was greenspace.

Mr. Bernard stated that the Applicant was requesting that the property be rezoned from GC General Commercial to LUC Limited Use Commercial to permit the construction of building with a height not to exceed 55' from finish grade to the ridge line of the roof.

During the review of the conceptual site plan for this project at the September 10, 2007 Planning Commission workshop, it was discovered that the maximum building height within the GC zoning district was limited to no more than 35' from finish grade, a change which had been incorporated with other amendments to the GC zoning ordinance on March 2, 2006. Up until that date, the maximum building height within the GC zoning ordinance was ten stories, but if over 35', approval by the Fire Department was required.

Mr. Bernard further explained that rather than adopt new height restrictions, City Council amended the ordinance as follows:

The maximum height of all buildings shall not exceed 35' in height from finish grade to the ridge line or the tallest portion of the roof without first rezoning the property. In no case shall the maximum height of a building exceed 60' in height from finish grade to the ridge line or the tallest portion of the roof.

At the time the conceptual site plan was presented to the Planning Commission and the discrepancy in the ordinance was discovered, the Applicant indicated they desired to continue through the site plan review process. This was with the understanding that approval of the conceptual site plan would be contingent on both the Planning Commission and City Council approving an increase to the maximum building height

within the GC zoning district to 60' from finish grade to the ridge line or tallest portion of the roof.

Mr. Bernard had provided the Commissioners a picture of Wisdom Pointe, the property adjacent to this one, which showed a building height of 42'.

Mr. Staples reviewed the history of this project which had been reviewed in multiple workshops and noted that the conceptual site plan had previously been approved by the Planning Commission.

Mr. Bernard pointed out that the elevations had been approved subject to detailed drawings being submitted to City Staff and the Planning Commission. He added that the purpose of the review at this meeting was to ensure the Applicant was in compliance with the design guidelines.

Ms. Phyllis Aguayo of Stoneybrook subdivision said that she had more comments than opposition to the development. Those comments included the following:

- She thought commercial development in Peachtree City was supposed to be something special and different. She had stayed in Fairfield Inns throughout the country but other than a slight difference in the façade, she did not see anything different about this one. She hoped this building would be more architecturally distinct than what was seen everywhere else.
- She thought the building was awfully tall and big for Peachtree City and hoped there would be something to soften it.

Ms. Lynda Wojcik of Emerling Grove subdivision agreed with Ms. Aguayo. She also felt that since the Applicant wanted something from the City, a rezoning that included a taller building, they should provide a façade that would be more architecturally pleasing.

Mr. Bernard pointed out that because of the topography of the site, this building would sit lower on the land than the adjacent buildings.

In response to comments Ms. Wojcik made directly to him, Mr. Dayabhai stated that the zoning of this property initially allowed buildings up to 10 stories in height if approved by the Fire Marshal. When their plan was initially presented to the City, it received approval from the Fire Marshal. At that point, his client purchased the property thinking

this development was feasible for the tract. He said they had put forth extra effort relative to the landscaping and the veneer treatment of the façade and noted that the sketch that was displayed did not do justice to the plan.

Mr. Staples agreed with both Ms. Wojcik and Mr. Dayabhai. He agreed with Mr. Dayabhai's time line and expressed his appreciation for the Applicant's patience in this process. He added that everyone would continue to work to ensure the City got the best product both in architecture and landscaping.

Mr. Staples asked whether Mr. Dayabhai had made any progress with Wisdom Pointe relative to integrating the pedestrian traffic to facilitate walking to the restaurants. Mr. Dayabhai said they were going to make it more prominent and were working on landscaping as well as the connection through the shopping center.

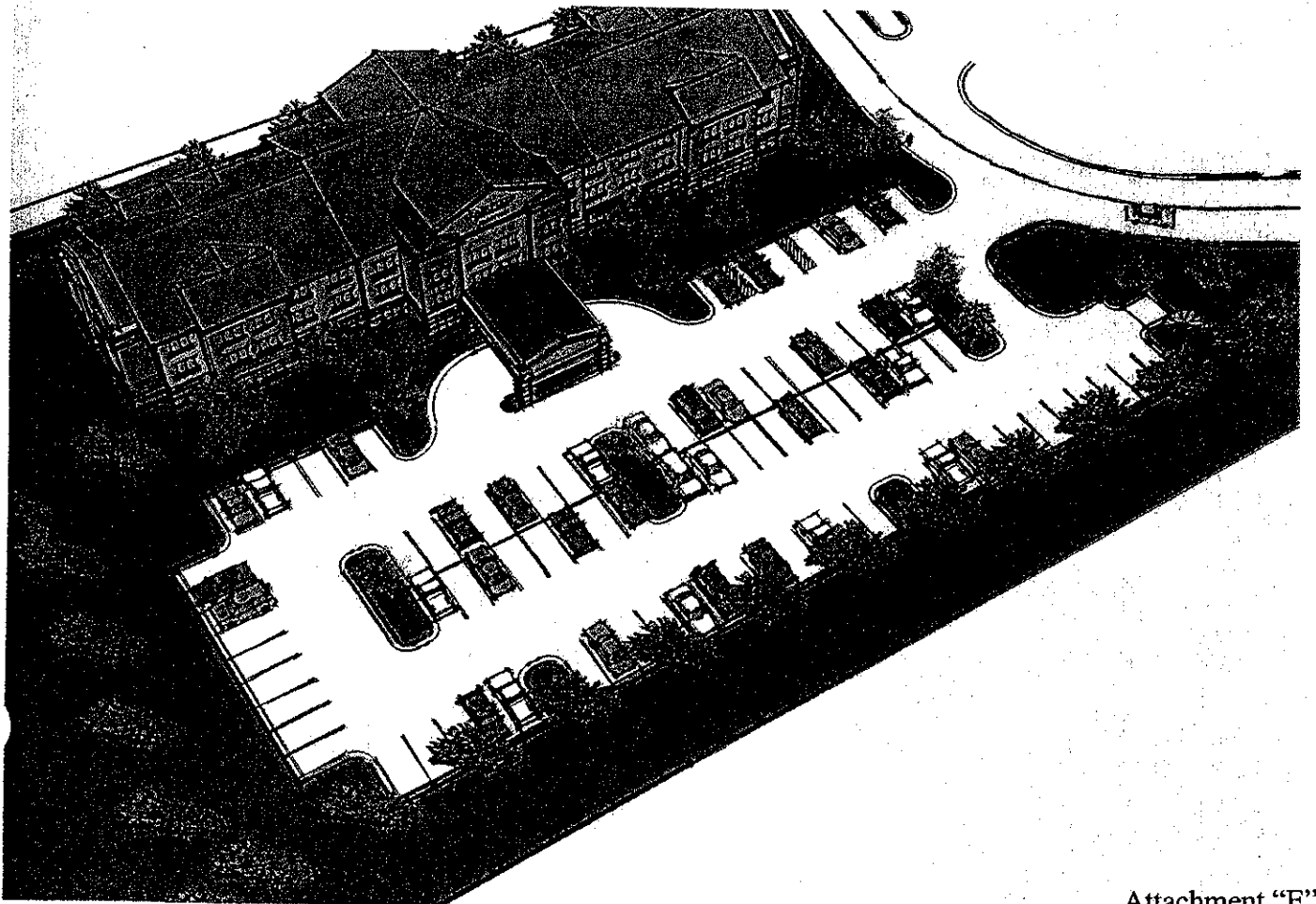
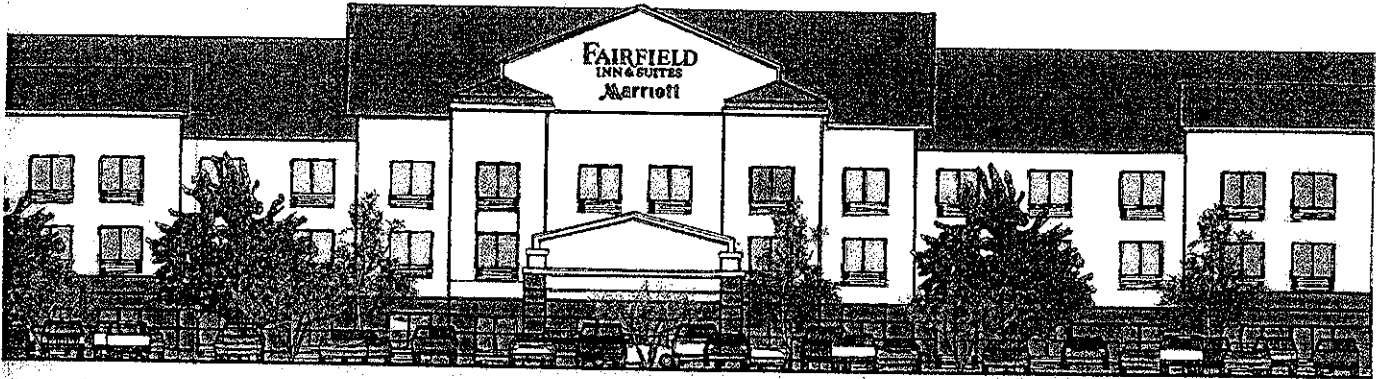
Mr. Scott closed the public hearing at 7:50 p.m.

The Commissioners agreed that the rules were changed on the Applicant mid-stream. Mr. McCann had seen some of the other drawings, and he thought this would be nice when it was finished.

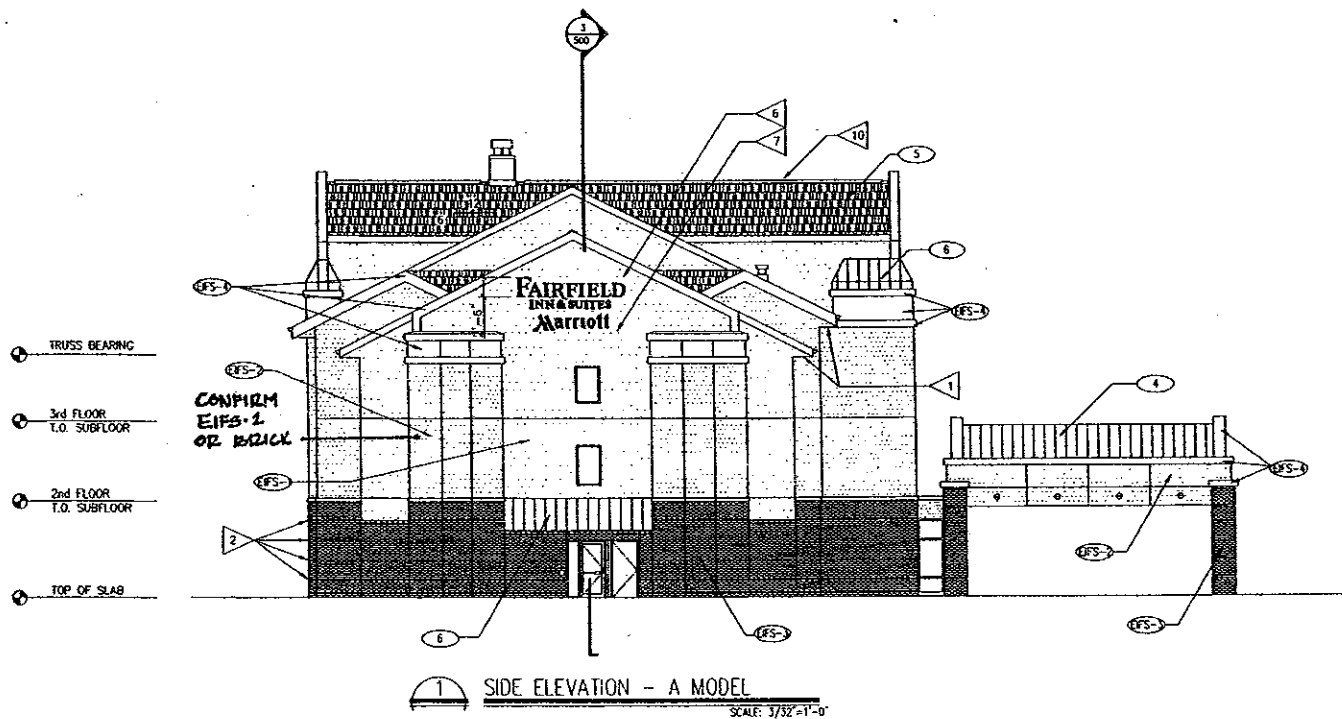
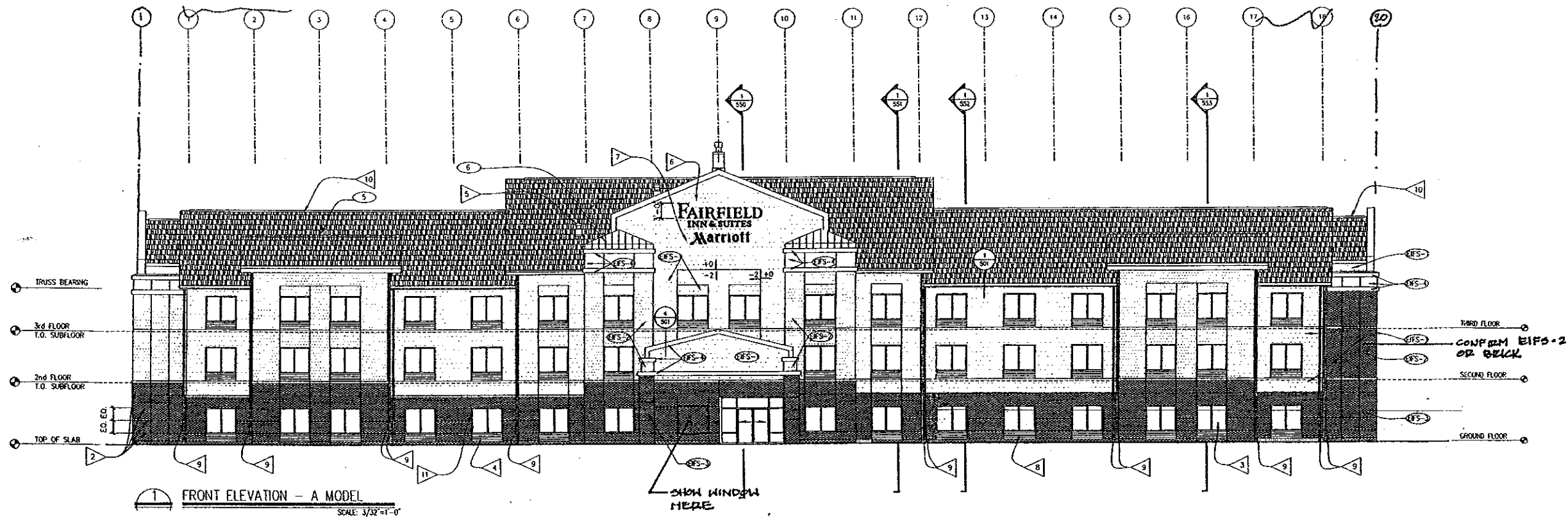
After discussion, a motion was made by Mr. Staples, seconded by Mr. McCann, and unanimously adopted to forward to City Council the proposed rezoning of the 2.846-acre Fairfield Inn tract from GC to LUC with a recommendation that it be approved and that the recommendation be subject to the following understandings and conditions:

- 1. As shown on the schematic building elevations, the maximum height of the building shall not exceed 55' in height from finish grade to the ridge line or the tallest portion of the roof.*
- 2. All conditions of conceptual site plan approval (granted October 8, 2007) shall be incorporated into the final site plan submittal package.*
- 3. The architectural design, exterior building materials and color selection of all buildings shall be similar to those used within the existing Wisdom Pointe retail center.*

The Applicant agreed to the conditions.







Exterior Finish Schedule			
Item	Material	COLOR	GENERAL NOTES
ROOFING	SHINGLES (5)	ANTIQUE SLATE	2
GUTTERS	ALUMINUM	WHITE	5, 13
DOWNSPOUTS	ALUMINUM	WHITE	3, 5, 13
FASCIA	WOOD W/ METAL	WHITE	6
SOFFIT	EIFS	EIFS-4	4
WINDOWS	ALUMINUM OR VINYL	WHITE	2
CHIMNEY	EIFS FINISH COAT	EIFS-1	4
CEILING AT ENTRIES	EIFS FINISH COAT	EIFS-4	4
POOL FENCE	SPLIT FACE CMU / ALUMINUM	VARIES	13
HVAC GRILLS	ALUMINUM	VARIES	8, 13
HVAC ENCLOSURE FENCE	WOOD	WHITE	13
RAMP TRIM	WOOD W/ METAL	WHITE	6
METAL ROOF	METAL (6)	CHARCOAL GREY	13
PORTE COCHERE CORING	METAL (4)	WHITE	13

Graphic	EIFS Wall System	ALTERNATE BRICK
	EIFS-1 - MATCH DRYKIT #108 "MAJOR WHITE" TEXTURE - MATCH DRYKIT "SMALLER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	TO MATCH GLEN GERY TURNER BRICK SIZE - STANDARD MODULAR
	EIFS-2 - MATCH DRYKIT #116 "VICTORIAN LACE" TEXTURE - MATCH DRYKIT "SMALLER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	TO MATCH GLEN GERY TURNER BRICK SIZE - STANDARD MODULAR
	EIFS-3 - MATCH TO "WOODS POINT" BRICK	SIZE - STANDARD MODULAR
	EIFS-4 - MATCH DRYKIT #102 "DARK WHITE" - FINE TEXTURE TEXTURE - MATCH DRYKIT "SMALLER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	N/A
Graphic	PTAC Grille and Integral Frames	
	PTAC GRILLE, FULL WIDTH ARCHITECTURAL COVER - WHITE TO MATCH WINDOW COLOR	

GENERAL NOTES

- FOR EXTERIOR FINISHES SEE EXTERIOR FINISH INDEX IN PROJECT DESIGN MANUAL.
- SEE SPECIFICATIONS FOR MANUFACTURER.
- DOWNSPOUT BOOT AND EXPOSED PORTION OF UNDERGROUND STORM SEWER PIPE TO BE PAINTED TO MATCH DOWNSPOUT.
- EIFS COLORS ARE INTEGRAL IN THE FINISH COAT, NOT A PAINTED FINISH.
- GUTTERS SHALL BE PREFINISHED ALUMINUM WITH MINIMUM THICKNESS OF .032, BEVELED PROFILE, SIZED AS REQ'D (EFL W/ 1" HIGHER BACK & NON-CORROSIVE LEAF SCREEN. DOWNSPOUTS SHALL BE PREFINISHED ALUMINUM w/ MINIMUM THICKNESS OF .027, SIZED AS REQ'D (3"x4" MIN.).
- COLOR TO MATCH PRE-FINISHED GUTTER COLOR.
- PAINT ALL ROOF TOP MOUNTED DEVICES AND PENETRATIONS TO MATCH ROOF.
- ALL LOUVERS AND HVAC GRILLS COLOR TO MATCH ADJACENT MATERIAL COLOR EXCEPT WHERE NOTED.
- SEE DOOR AND WINDOW SCHEDULES FOR ADDITIONAL INFORMATION.
- SEE DESIGN GUIDELINE SPECIFICATIONS FOR ALTERNATE BRICK OPTION AND COLORS.
- SEE MARSHALL SIGN MANUAL FOR EXTERIOR SIGN DESIGN AND PLACEMENT.
- SEE COVER SHEET FOR INFORMATION REGARDING THE INTENT AND LIMITATIONS OF THIS DOCUMENT.
- PRE-FINISHED.
- ALL ROOF PENETRATIONS ARE TO BE LOCATED ON THE REAR ELEVATION ROOF UNLESS NOTED OTHERWISE.
- BUILDING SIGN IS OPTIONAL ON SIDE AND REAR ELEVATIONS.

CRITERIA NOTES

- SOFFIT
- 1 1/2" V JOINT IN EIFS (TYP)
- WINDOWS (TYPICAL) 6'-0" WIDE, C-30
- MECH LOUVER
- 22-GAUGE SHEET METAL CAP ON ALL CHIMNEYS
- INDIVIDUAL INTERNALLY ILLUMINATED BUILDING SIGN. VERIFY LOCATION BASED ON SITE CONSTRAINTS AND SIGN LINES. SIGN TO BE FURNISHED AND INSTALLED BY OTHERS. CONTRACTOR TO PROVIDE POWER TO J-BOL. SIGN IS OPTIONAL ON SIDE AND REAR ELEVATIONS.
- LOCATE SIGN AS CLOSE TO TOP PLATE AS POSSIBLE, WHILE STILL ALLOWING ELECTRICAL CONNECTION TO EACH LETTER FROM AT&T
- PTAC GRILLE (TYP)
- DOWNSPOUT (TYP)
- CONTINUOUS RIDGE VENT TYPICAL
- EIFS RECESS TO MATCH WINDOW SIZE



ARCHITECTURAL DESIGN WORKSHOP P.C.

814 COVERED BRIDGE WAY, FARMERS, GA. 30213, TEL 770 308 7464.

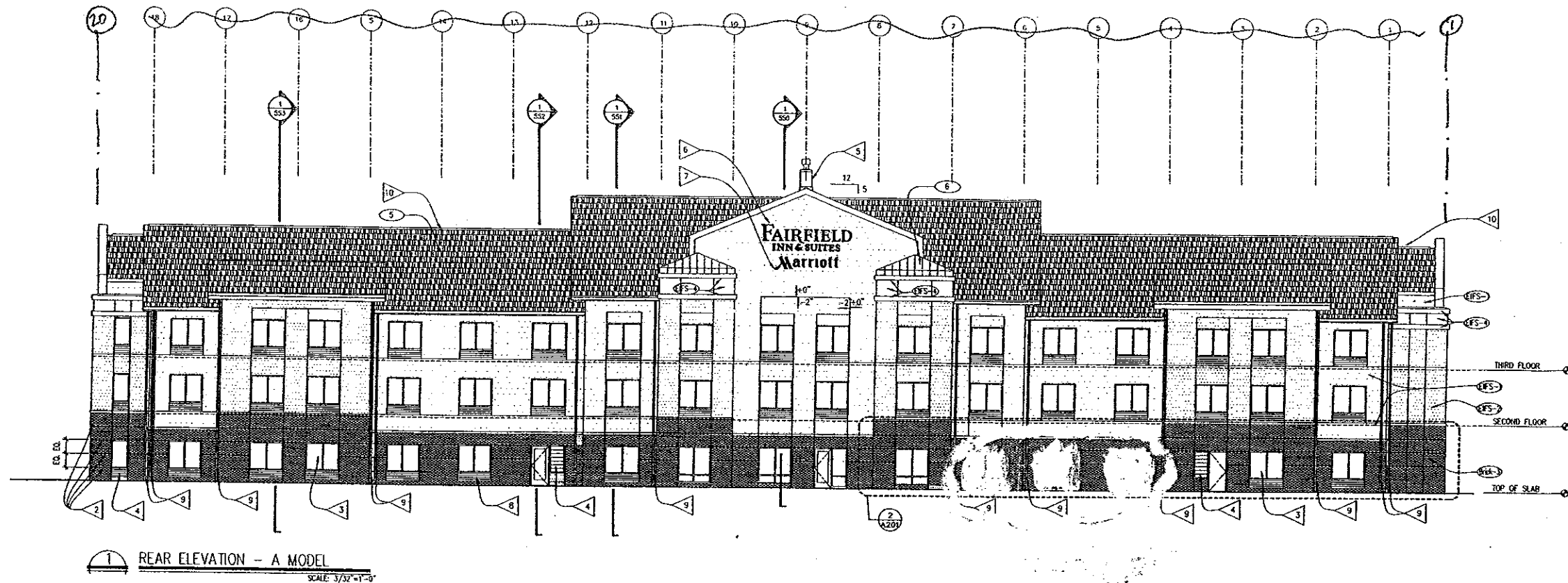
CLIENT: Kasandas Properties Inc.

PROJECT: New Fairfield Inn & Suites #7329.
Wisdom Road @ Highway 74, Peachtree City, Ga.

Building Elevations

Project Number: 2007-1-11
Drawn by: VP
Scale: 1/8" = 1'-0"
Date: 11-22-07
Preliminary Design
Checked by: ID
Date: 11-22-07

A200



REVISE ELEVATION
GRID TO MATCH FLOOR
PLAN GRID.



ARCHITECTURAL DESIGN WORKSHOP P.C.

814 COVERED BRIDGE WAY, FAIRBURN, GA. 30213. TEL. 770.308.7484.

CLIENT: Kasandas Properties Inc.

PROJECT: New Fairfield Inn & Suites #7329.
Wisdom Road @ Highway 74, Peachtree City, Ga.

PLAN TO CONSOLIDATE VENTS AND FLUES
AND INDICATE ACCURATELY ON THE CD
SUBMISSION.

GENERAL NOTES

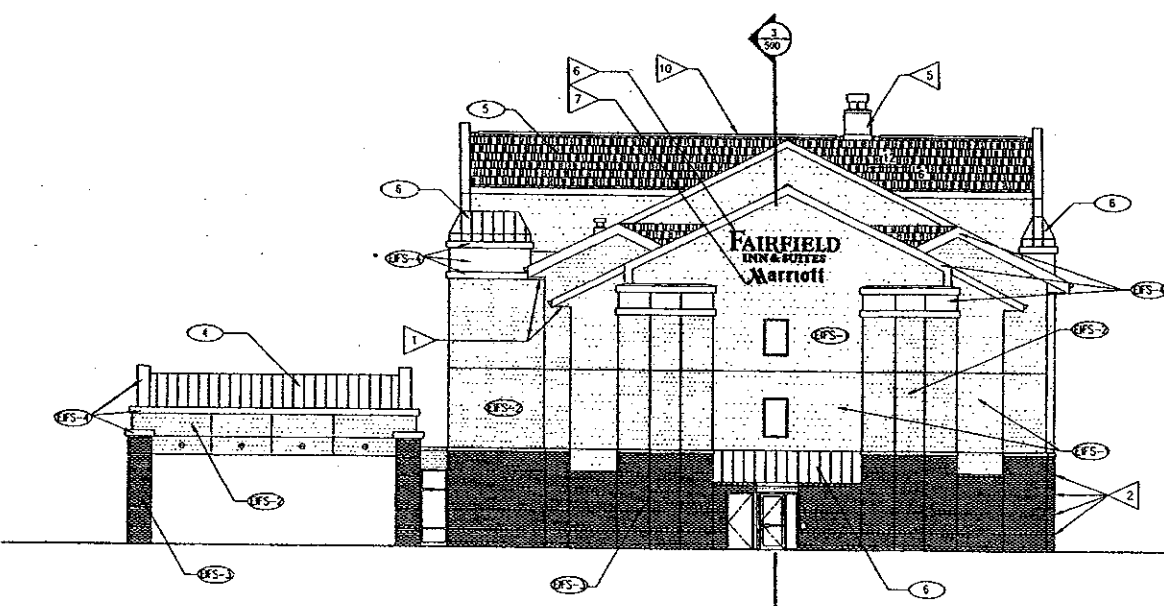
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- ALL LOUVERS AND HVAC GRILLES COLOR TO MATCH ADJACENT MATERIAL COLOR EXCEPT WHERE NOTED.
- SEE DOOR AND WINDOW SCHEDULES FOR ADDITIONAL INFORMATION.
- SEE DESIGN GUIDELINE SPECIFICATIONS FOR ALTERNATE BRICK OPTION AND COLORS.
- SEE MARRIOTT SIGN MANUAL FOR EXTERIOR SIGN DESIGN AND PLACEMENT.
- SEE COVER SHEET FOR INFORMATION REGARDING THE INTENT AND LIMITATIONS OF THIS DOCUMENT.
- PRE-FINISHED
- ALL ROOF PENETRATIONS ARE TO BE LOCATED ON THE REAR ELEVATION ROOF UNLESS NOTED OTHERWISE.
- BUILDING SIGN IS OPTIONAL ON SIDE AND REAR ELEVATIONS.

CRITERIA NOTES

- SOFFIT
- 1 1/2" V JOINT IN EPS (TYP)
- WINDOWS (TYPICAL) 6'-0" WIDE, 6'-0" HIGH
- MECH. LOUVER
- 22-GAUGE SHEET METAL CAP ON ALL CHIMNEYS
- INDIVIDUAL INTERNALLY ILLUMINATED BUILDING SIGN. VERIFY LOCATION BASED ON SITE CONSTRAINTS AND SIGN LINES. SIGN TO BE FURNISHED AND INSTALLED BY OTHERS - CONTRACTOR TO PROVIDE POWER TO J-BOX. SIGN IS OPTIONAL ON SIDE AND REAR ELEVATIONS.
- LOCATE SIGN AS CLOSE TO TOP PLATE AS POSSIBLE, WHILE STILL ALLOWING ELECTRICAL CONNECTION TO EACH LETTER FROM ATTIC
- PIAC GRILLE (TYP.)
- DOWNSPOUT (TYP.)
- CONTINUOUS RIDGE VENT TYPICAL
- EPS RECESS TO MATCH WINDOW SIZE

Exterior Finish Schedule			
Item	Material	COLOR	GENERAL NOTES
ROOFING	SHINGLES	ANTIQUE SLATE	2
GUTTERS	ALUMINUM	WHITE	5, 13
DOWNSPOUTS	ALUMINUM	WHITE	3, 5, 13
FASCH	WOOD W/ METAL	WHITE	6
SOFFIT	E.I.F.S.	E.I.F.S.-4	4
WINDOWS	ALUMINUM OR VINYL	WHITE	2
CHIMNEY	E.I.F.S. FINISH COAT	E.I.F.S.-1	4
CEILING AT ENTRIES	E.I.F.S. FINISH COAT	E.I.F.S.-4	4
POOL FENCE	SPLIT FACE CMU / ALUMINUM	VARIABLE	13
HVAC GRILLES	ALUMINUM	VARIABLE	8, 13
HVAC ENCLOSURE FENCE	WOOD	WHITE	13
RARE TRIM	WOOD W/ METAL	WHITE	6
METAL ROOF	METAL	CHARCOAL GREY	13
PORTI COCHERE COPING	METAL	WHITE	13

Graphic	E.I.F.S. Wall System	ALTERNATE BRICK
	EIFS-1 - MATCH DRYVT #108 "MAJOR WHITE" TEXTURE - MATCH DRYVT "SANDPAPER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	TO MATCH GLEN OREY "MAJESTIC BRICK" SIZE - STANDARD MODULAR
	EIFS-2 - MATCH DRYVT #110 "VICTORIAN LACE" TEXTURE - MATCH DRYVT "SANDPAPER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	TO MATCH GLEN OREY "GOLDEN DAWN" SIZE - STANDARD MODULAR
	EIFS-3 - MATCH DRYVT #102 "BRIE WHITE" - FINE TEXTURE TEXTURE - MATCH DRYVT "SANDPAPER FINE" REFER TO DESIGN GUIDELINE SPECIFICATIONS EXTERIOR FINISH INDEX	N/A
	EIFS-4 - MATCH HAZARD PORTITE BRICK	SIZE - STANDARD MODULAR
Graphic	PIAC Grille and Integral Frames	
	PIAC GRILL, FULL WITH ARCHITECTURAL LOUVER - WHITE TO MATCH WINDOW COLOR	



Building Elevations

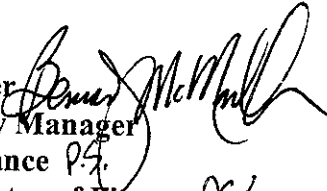
Project Number: 2007-11
Status: Preliminary Design
Drawn by: VP
Scale: 1/8\"/>

A201

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

VIA: Bernie McMullen, City Manager 
Colin Halterman, Assistant City Manager
Paul Salvatore, Director of Finance P.S.
Janet Camburn, Assistant Director of Finance
Angela Egan, Purchasing Agent
Matthew Robinson, Systems Administrator 
Ed Eiswerth, Fire Chief 

FROM: David Williamson, Asst. Opns. / EMS Officer 

DATE: May 6, 2008

SUBJECT: Outsourcing Emergency Medical Services Billing
Council Agenda May 15, 2008

Recommendation:

Staff recommends that Council authorize the outsourcing of Emergency Medical Services Billing and award an annually renewable contract to Ambulance Reimbursement Systems, Inc in the amount of 6.5% of net collections.

Discussion:

On February 27, 2008 the City advertised for bids for the outsourcing of EMS billing. Twelve bids were received, reviewed and scored by City staff, see attached spreadsheet. After a final review and clarification of the proposals submitted, to include insurance and payment bond requirements, Ambulance Reimbursement Systems, Inc was the highest scored and met all bid specifications and other elements deemed essential by staff.

The purpose for outsourcing EMS billing is four fold.

First, the workload on the Office Administrator and Staff Assistant is becoming overwhelming. In 1993 the Fire Department had 20 fulltime employees, 35 volunteers, and a total of 510 patients were billed. Today we have 60 fulltime and 21 part time employees, 56 volunteers, and a total of 1032 patients were billed in 2007 and the number of patients billed is expected to increase 5% - 10% each year. In 1993 the entire administrative workload was performed by one person. Today the increased workload is being performed by two individuals to the best of their ability. The Fire Department requested an additional Staff Assistant position be added in FY08 to perform EMS billing and other duties. This position was not funded due to financial constraints. The total

annual cost of a new Staff Assistant would be \$47,363 in FY 09 versus the estimated cost of \$25,905 for fees related to outsourcing the EMS Billing. By outsourcing EMS billing an additional Staff Assistant would not be required at this time.

Secondly, the billing of Emergency Medical Services is becoming increasingly complicated, ever changing and regulated by many state and Federal agencies. The training required to keep abreast of changes and to keep the City in compliance with regulations is ever increasing in cost. It is estimated that at least \$1,500 - \$2,000 in training would be required in FY09 and this cost would increase yearly.

Thirdly, the entire patient billing process would be accomplished in a timelier manner, and the control of funds would be in accordance with the requirements set forth by standard accounting principles and the City's financial auditors.

Fourthly, in conversing with a number of local governments about outsourcing EMS billing all reported an increase in the total EMS billed amounts recovered when billing was contracted out.

Net collections for the remainder of FY 2008 are estimated to be \$125,000. Estimated payments for the remainder of FY 2008 to Ambulance Reimbursement Systems, Inc will be \$8,125. The recommended implementation date of the outsourcing will be June 1, 2008 and will include the Emergency Medical Services billings for May 2008.

Budget Impact:

The estimated cost of the proposed contract would be \$8,125 for the remainder of FY 2008 and \$25,254 for FY 2009 based on estimated billings of \$388,513.

**EVALUATION SUMMARY
EMS BILLING SERVICES
COMBINED EVALUATION**

Company	Amount	Ambulance billing, collections experience and references (20%)	Documented demonstration of understanding for the scope of the RFP (15%)	Firm Methodolo gy (10%)	Professional staff qualifications/ education (10%)	Firm organizational background and resources 15%	Fees (25%)	Timely and professional responsivene ss to this request (5%)	Weighte d Score w/out fee	Weighted Score with fee
Ambulance Billing Consultants		4.00	4.00	4.00	4.00	4.00	4.06	5.00	3.1	4.09
National Reimbursement Group		4.00	4.00	2.50	4.00	3.50		5.00	2.8	
Collection Choice Corporation		1.50	1.50	1.50	1.50	1.50		5.00	1.3	
ARS Inc.		4.00	3.50	4.50	4.00	4.00	5.00	5.00	3.0	4.29
Fitch & Associates/MedServ		3.50	3.00	2.50	3.00	1.50		5.00	2.2	
Paristar		4.00	4.00	3.50	4.00	4.00		5.00	3.0	
ADPI Corp		4.00	4.00	4.50	4.00	4.00	3.80	5.00	3.1	4.07
ACS Gov't Sys.		4.00	4.00	4.00	4.00	3.50	4.63	5.00	3.0	4.15
United Financial		4.00	4.00	3.00	4.00	3.50		5.00	2.9	
M3/EMS MED3000		4.00	4.00	2.50	4.00	4.00		5.00	2.9	
EMS Consultants		4.00	1.00	1.50	4.00	2.50		5.00	2.1	
D Med Corp		2.50	2.50	2.50	3.50	3.50		5.00	2.3	

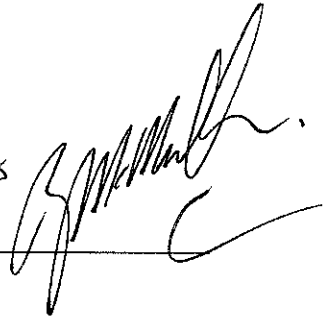
Note: Rate firms from 1 to 5 with 5 being the highest.

POSITION PAPER

Proposed Variance: Sign – Kedron Office Campus
World Drive

City Planner/ Zoning Administrator

May 9, 2008

David  

Situation:

Pathway Communities received final site plan approval for the Kedron Office Campus on July 8, 2006. Once fully developed, the 14.6-acre site will include a total of four office buildings, including three two-story office buildings (36,000 SF each) and a one-story office building (18,000 SF), for a combined total of 126,000 SF of office space. Each of the buildings will contain multiple tenants. The subject tract is zoned OI Office Institutional.

The overall 14.6-acre tract was subdivided into two parcels on April 2, 2007 (Attachment "A"). Lot 1 is 8.128-acres in size and contains Building 100 (existing) and the future Building 200. Lot 2 is 6.522-acres in size and will contain Buildings 300 and 400. Section 66-15 (1)b. (Attachment "B") of the city's sign ordinance allows one monument sign per platted lot along the right-of-way. However, if a parcel is adjacent to more than one street, one monument sign shall be permitted along no more than two streets, provided that the signs are separated by a minimum of 200 feet. In this particular case, Lot 1 would be permitted one monument sign adjacent to World Drive and one monument sign adjacent to Peachtree Parkway, and Lot 2 would be limited to one monument sign along World Drive.

Additionally, Section 66-15 (1)d.3 of the city's sign ordinance limits the maximum sign area of any monument sign within the OI zoning district to no more than 35 SF. Section 66-16 (3) of the sign ordinance (Attachment "C") limits the maximum height of monument signs to no more than five feet from finish grade.

Luckett Architects is representing the owners of the property and has developed a master sign program for the overall development. The sign program proposes a total of two monument signs along World Drive, which complies with the city's sign ordinance. However, the proposed monument sign would be approximately 57.3 SF in size which exceeds the maximum sign area permitted within the OI zoning district (35 SF) by 22.3 SF. In addition, the height of the proposed monument signage would be 8'-9", which exceeds the maximum height of 5' by 3'-9".

The Applicant states in their application *"the drive along World Drive is not of sufficient length to allow the driver of an approaching vehicle time to read and perceive four separate building monument signs."* In reality, the city's sign ordinance limits the subject development to no more than two monument signs along World Drive. Rather than listing each of the individual tenants on the monument signs as proposed, the sign program could be developed to identify "Building 100, Building 200, Building 300 and Building 400" respectfully on the appropriate monument sign, and then include an internal directional sign program (which is permitted by our sign

Proposed Variance: Sign – Kedron Office Campus

May 9, 2008

Page 2

ordinance) to direct visitors to the appropriate buildings once they enter the development, which would avoid any confusion of approaching vehicles having to read the tenant listing on the individual monument signs.

The Applicant is requesting a variance to Section 66-15(1)d.3 of the city's sign ordinance to allow a 57.3 SF monument sign, which is a 61% increase to the maximum size permitted (35 SF). In addition, the Applicant is seeking a variance from Section 66-16(3) of the city's sign ordinance to allow a monument sign that is 8'-9" in height, which is a 57% increase in the maximum height permitted (5 feet).

A copy of the sign variance application that addresses variance policies and procedures as well as a drawing of the sign proposal are included as Attachment "D."

Facts:

1. The subject parcel is zoned OI Office Institutional. The city's sign ordinance states the maximum size of any monument sign, inclusive of any border and trim, but excluding the base, apron, supports and other structural members shall be limited to no more than 35 SF on lots zoned for office use.
2. The Applicant is proposing a monument sign that would be 57.3 SF in size, which exceeds the maximum size permitted by 61%.
3. The city's sign ordinance states the maximum height of any monument sign shall be no greater than five feet from finish grade to the top of the sign.
4. The Applicant is proposing a monument sign that would be 8'-9" in height, which exceeds the maximum height permitted by 57%.
5. The existing monument sign for the 60,000 SF World Airways building, which is also zoned OI Office Institutional and located directly across World Drive from the subject tract, meets both the maximum size and height requirements established within the city's sign ordinance.
6. All other monument signs for buildings located on tracts zoned OI Office Institutional zoning district meet the established size and height requirements.
7. To date, the city has not granted any variances to the established guidelines within the city's sign ordinance.

Proposed Variance: Sign – Kedron Office Campus

May 9, 2008

Page 3

Recommendation:

City Staff recommends that the variance request not be approved, as the proposed monument signs would exceed both the maximum size and height established within the city's sign ordinance. The proposed 61% increase in maximum size permitted and 57% increase in maximum height permitted are not warranted for this location and may set a precedent for both developed and undeveloped parcels throughout the city.

Attachments "A - E"

LEGEND

ACS	ACRES
AIF	ANGLE IRON FOUND
BWF	BARBED WIRE FENCE
CUP	CORRUGATED METAL PIPE
CTF	CRIMP TOP PIPE FOUND
DE	DRAINAGE EASEMENT
DB, PO	DEED BOOK, PAGE
DWCB	DOUBLE WING CATCH BASIN
SWCB	SINGLE WING CATCH BASIN
FH	FIRE HYDRANT
GW	GUY WIRE
IPF	IRON PIN FOUND
IPS	IRON PIN SET (1/2" R/B)
IM	IRRIGATION METER
LL	LAND LOT
LLL	LAND LOT LINE
LP	LIGHT POLE
MH	MANHOLE
NF	NAIL FOUND
N/F	NOW OR FORMERLY
N/T	OVERHEAD UTILITY
-P/T-	POWER & TELEPHONE LINE
E	PROPERTY LINE
POB	POINT OF BEGINNING
PP	POWER POLE
PP	PIPE FOUND
PTP	POWER & TELEPHONE POLE
R/W	RIGHT OF WAY
RBF	REINFORCING IRON BAR FOUND
SF	SQUARE FEET
SE	SANITARY SEWER LINE
SE	SANITARY SEWER EASEMENT
TP	TELEPHONE POLE
-T-	TELEPHONE LINE
JB	JUNCTION BOX
HW	HEAD WALL
SE	SANITARY SEWER EASEMENT
MH	MAN HOLE

THIS BOUNDARY SURVEY IS FOR THE EXCLUSIVE USE OF THE OWNER SHOWN HEREON. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 328.7 FEET AND AN ANGULAR ERROR OF 00 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 243.370 FEET. TOPCON GT5-313 USED FOR ANGULAR AND LINEAR MEASUREMENTS. FIELD DATA DATED 11/13/2006.

FINAL PLAT APPROVAL

THIS PLAT COMPLIES WITH THE ZONING REGULATIONS, THE LAND DEVELOPMENT ORDINANCE AND ALL OTHER REGULATIONS GOVERNING THE LAND DEVELOPMENT FOR THE CITY OF PEACHTREE CITY.

David S. Mee 3/30/07
CITY ENGINEER
William E. Port 03-30-07
CITY PLANNER
James M. Mee 3-30-07
MAYOR/CITY MANAGER
David S. Mee 3-30-07
CITY CLERK
DATE

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT.

BY *John D. Huls*
REGISTERED GEORGIA LAND SURVEYOR No. 2422 DATE: 3/5/07

OWNER'S ACKNOWLEDGEMENT

PEACHTREE CITY, FAYETTE COUNTY, GEORGIA

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE EXISTING PROPERTY INTO TWO LOTS.

John D. Huls 3/7/07
OWNER
DATE

NO PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA PER FIRM FLOOD INSURANCE RATE MAP FOR FAYETTE COUNTY, GEORGIA COMMUNITY PANEL NO. 13113C00800 EFFECTIVE DATE: MARCH 18, 1994 FLOOD LINE LOCATION TAKEN FROM CONSTRUCTION PLANS FOR KEDRON OFFICE PARK BY INTEGRATED SCIENCE & ENGINEERING DATED 01-06-2006.

NF KEDRON HILLS SUBDIVISION

Doc ID: 007444100001 Type: PLT
Filed: 04/02/2007 at 01:27:00 PM
Fee Amt: \$9.00 Page 1 of 1
Fayette: 18, Clerk Superior Court
Shells Studdard Clerk of Court

BK 43 PG 200

COPY

LOT 1
6.128 ACS
354072 SF

LOT 2
6.522 ACS
284084 SF



JOB No. F206012.KED.03.00 - 2514

SHEET 1 OF 1
DATE: 03/02/2007
SCALE: 1" = 100'
FILE# KOP-BDRY
JOB# F206012.KED.03
DRAWN BY SERI

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE, IN INK OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0' 50' 100' 200'

NO.	DATE	DESCRIPTION

FINAL PLAT FOR:
**KEDRON OFFICE PARK
PATHWAY COMMUNITIES**
LOCATED IN
LAND LOTS 122 & 135
7TH DISTRICT
PEACHTREE CITY, FAYETTE COUNTY, GEORGIA

Rochester
Rochester & Associates, Inc.
285 Highway 314, Suite A
Fayetteville, Georgia 30214
(770) 716-8123 (770) 716-8124 Fax
www.rochester-apsoc.com

Sec. 66-15. Retail, commercial, office or industrial (LC, GC, LUC, OI, LI, GI, LUI).

For properties which are zoned for any retail, commercial, office or industrial use, such properties may post only such signs as are authorized by this section. All signs not expressly authorized by this section are prohibited on such properties. Authorized signs shall comply with the following requirements:

- (1) Monument signs. Such property may contain one or more monument signs in accordance with the following:
 - a. Except for regulatory signs approved and erected by appropriate federal, state or local authorities, no signs shall be constructed, erected or maintained within a public right-of-way.
 -  b. Only one monument sign per platted lot shall be allowed along the right-of-way, provided that for business premises fronting on more than one street, one monument sign shall be allowed along no more than two right-of-way frontages, which signs shall be separated a minimum of 200 feet.
 - c. All monument signs shall be located within a landscaped island with curb and gutter or within a landscaped area. No monument sign shall be permitted to encroach in a parking area to such extent that the remaining parking spaces fail to meet the minimum standards of the zoning ordinance for off-street parking.
 - d. The maximum sign area of any monument sign, inclusive of any border and trim, but excluding the base, apron, supports and other structural members shall be:
 1. On lots zoned for retail or commercial use with a single tenant, 35 square feet in sign area.
 2. On lots zoned for retail or commercial use with more than one tenant, including signs that are shared, 50 square feet in sign area.
 -  3. On lots zoned for office use, 35 square feet in sign area.
 4. On lots zoned for industrial use with a single tenant, 35 square feet in sign area.
 5. On lots zoned for industrial use with more than one tenant, including signs that are shared, 50 square feet in sign area.
- (2) Drive thru menu boards. In addition to any other monument signs authorized by this section, if such property contains a business premises where materials are delivered at a drive thru delivery point other than on the front side of the building, then one additional monument sign per delivery point shall be allowed to be located on the property in the side or rear yard; no such sign shall exceed 32 square feet in sign area nor five feet in height. The location of the menu board on the lot shall be approved as a part of the site plan review process.

- (3) Wall signs (retail and commercial zoning districts).
 - a. For a single tenant building and/ or multi-tenant building with less than 100 linear feet of building frontage, the wall sign for each tenant shall be limited to no more than one and one-half square feet per linear foot of building frontage. The maximum area of the wall sign for each tenant shall not exceed 100 square feet.
 - b. For a single tenant building and/ or a multi-tenant building with more than 100 linear feet of building frontage, the wall sign for each tenant shall be limited to no more than two and one-half square feet per linear foot of building frontage. The maximum size of the wall sign for each tenant shall not exceed 150 square feet.
- (4) Wall signs (office zoning districts).
 - a. For a single or multi-tenant office building, the wall sign shall be limited to one-half square feet per linear foot of building frontage to a maximum of 30 square feet.
 - b. Each tenant within a multi-tenant office building that has direct access from the exterior of the building into the actual tenant space may have one wall sign not to exceed ten square feet located immediately adjacent to or above the entrance to the tenant space.
 - c. In a multi-building office complex, each building may have one identification sign not exceeding five square feet.
- (5) Wall signs (industrial zoning districts).
 - a. For an industrial building occupied by a single tenant, the wall sign shall not exceed one-half square feet per linear foot of building frontage. The maximum size of the wall sign for the building shall not exceed of 50 square feet.
 - b. For a multi-tenant industrial building, each tenant shall be allowed one wall sign not to exceed 30 square feet. In a multi-building complex, each building may have an identification sign not exceeding five square feet.
 - c. For an industrial building with single-tenant or multi-tenant occupancy and more than 30,000 square feet of gross floor area, the wall sign shall not exceed one square foot per linear foot of building frontage. The maximum size of the wall sign shall not exceed 150 feet.
- (6) Wall signs may be flat against the wall or pinned away from the wall, but in no case project more than 15 inches from the wall surface.
- (7) For any building that is primarily used for retail and service commercial, office/institutional or industrial purposes, no part of a wall or building sign shall extend above the eave line or the top of a parapet on the wall to which it is attached.
- (8) For any building that is primarily used for retail and service commercial purposes, no part of a wall sign shall be located more than 36 feet above the

existing level of the ground. In addition, for any retail or service commercial buildings, no sign shall be installed on any wall over the level of the bottom of any second story window on that wall unless the building is a multi-tenant structure where tenants have direct access from their second floor space to the outside. This direct access must include outside walkways and stairways properly designed for public use.

- (9) Signs may not cover or interrupt architectural features of a structure.
- (10) Multi-frontage sites are calculated with one major frontage only. The building frontage shall be determined by using the address of the building.
- (11) Multi-tenant building directories are allowed if not in excess of six square feet in width, two-inch maximum size letters, and must be located within ten feet of the structure(s) on the lot.
- (12) Directional signs. In addition to any other signs authorized herein, any such property may contain not more than two directional signs per driveway entrance. Such signs are limited to no more than 24 inches in height and no more than two square feet in sign area.
- (13) Blade signs. Where blade signs are approved as a part of the overall sign program for a particular retail or commercial development, the blade sign shall not exceed six square feet in area and shall maintain a seven-foot clearance between finish grade and the bottom of the sign. Blade signs shall not be illuminated.
- (14) Master sign plan. All multiple-occupancy development complexes, such as shopping centers or planned industrial parks, shall submit to the city planner a master sign plan prior to the issuance of new sign permits, which plan must comply with all provisions of this chapter.

The master sign plan shall establish standards and criteria for all signs in the complex, which require permits and shall address, at a minimum, the following:

- a. Proposed sign locations.
- b. Approved materials and colors.
- c. Type of illumination, including fixture specifications and wattage.
- d. Design of free standing and wall sign structures.
- e. Size.
- f. Quantity.
- g. Uniform standards for non-business signage, including directional and informational signs.
- h. Identification of delivery or rear access door by name and suite number.

Approval by the city planner shall apply only to the architectural elements, uniformity of size, color and placement of the master sign program. The review by the city planner shall not address the content of any sign within the master sign program.

All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the master sign plan.

Any amendments to a master sign plan must be approved by the city planner and the property owner(s) within the development complex before such amendment will become effective. Approval by the city planner shall apply only to the architectural elements, uniformity of size, color and placement of the master sign program. The review by the city planner shall not address the content of the master sign program.

It shall be the responsibility of the owner or leasing agent of the property to provide the occupant with a copy of the approved master sign plan.

The signing for new businesses within existing projects shall comply with the provisions of this chapter.

- (15) Banners. Banners shall be permitted in all zoning districts of the city, and shall be permitted for a period not to exceed 14 calendar days at any one time. Only one banner shall be permitted for an individual tenant or business during a period of 120 days. The maximum size of a permitted banner shall not exceed 35 square feet. Banners shall be securely attached to a building and maintain a seven-foot clearance between walking surface and bottom edge of the banner if placed over a walk surface. Banners shall not be attached to the roof of the structure, or above the parapet line of the structure. Unless specifically permitted elsewhere in this chapter, no banner will be permitted off the premises.
- (16) Window signs. Except as otherwise provided in this chapter, window signs are allowed for each tenant within commercial zoning districts only (GC, LC, and LUC). Window signs are defined as any type of sign that is located on the interior of a business premises and is either attached to or is located within 48 inches of an exterior window, and is intended primarily to be viewed from the exterior of the premises. Window signs may be installed without a permit, but they must be installed in accordance with the provisions of this chapter.

Window signage applied directly to the window shall be limited to decal-type or direct adhesion graphics. No panels, boxes or other items mounted directly against the face of the window shall be allowed. There shall be no background for window signage which obstructs view through the glass. Opaque signage shall be limited to the letter and/ or graphics only.

The total square footage of all window signs shall not exceed 25 percent of the individual tenant's total window area exposed to public view, subject to the following conditions:

- a. No more than six windows shall be used to display window signs; and
- b. If the business premises has three windows or less, no more than two windows shall be used to display window signs.
- c. No more than 50 percent of an area of a window shall be used to display window signs, and no window sign shall extend from one window to another. As used in this section, the term "window" shall include only the glass portion of a window, and shall not include any frames or other

non-glass portion of such window. Glass doors are to be considered windows for the purposes of administering this article.

d. Temporary writing or graphics applied to the glass or window, such as by marker, paint or shoe polish, shall be prohibited.

(17) If a lot contains a mixture of commercial, industrial and/or residential uses, the signage requirements for each use shall apply. For example, if a lot contains residential and commercial uses, the sign regulations for the residential uses on such lot shall be as set forth in section 66-13 or section 66-14, and the sign regulations for the commercial uses on such lot shall be as set forth in this section.

(Ord. No. 891, § 1, 10-5-2006)

Sec. 66-16. Computation of sign area.

The following principles shall control the computation of sign area for monument and wall signs:

- (1) *Monument signs.* The area of a monument sign shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face and are not intended to contain any message or idea and are purely structural or decorative in nature.

The supports or structure upon which the sign face is located shall not be included in determining the overall size of the monument sign unless they are designed in a manner to form an integral part of the display and the surface area of the frame that is parallel to the display is no greater than 100 percent of the area of the sign displayed, and provided that no part of the monument sign is higher than five feet.

Double-sided signs with parallel, opposing faces shall not exceed 18 inches in width as measured from sign face to sign face. Only one face of a double-faced sign and bearing identical copy shall be used to compute the overall sign area.

- (2) *Wall signs.* The area of a wall sign shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face and are not intended to contain any message or idea and are purely structural or decorative in nature. Any open space contained within the limits of the rectangle delimiting the sign face, sign face module, or sign structure shall be included in the computation of the area of such sign face, sign face module, or sign structure.

- (3) *Computation of sign height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- a. Existing grade prior to construction, or
- b. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

 The maximum height of monument signs shall be no greater than five feet.

(Ord. No. 891, § 1, 10-5-2006)

April 4, 2008

Mr. David E. Rast, ASLA
City Planner/Zoning Administrator
153 Willowbend Road
Peachtree City, Georgia 30269

RE: Kedron Office Campus
Site Monument Signage Program

Dear Mr. Rast,

The Kedron Office Campus is a speculative office building development consisting of four two-story office structures located east of World Drive. Each office structure consists of 32,000 square feet of lobby and office space as shown on attached drawing SP-1.

As agent for Pathway Communities, Luckett Architects is submitting this request for variance to the Peachtree City Sign Ordinance. Per the Peachtree City Sign Ordinance, the Kedron Office Complex is allotted a total of five (5) site monument signage placards. Each office building structure is allotted one monument sign. Building 100 is allotted an additional monument sign because Building 100 shares frontage on the south & eastern property lines.

Pathway Communities prefers to locate all monument signage along World Drive as clear definition of arrival to the Office Campus. A monument sign along Peachtree Parkway due to topography and existing trees would be confuse drivers as to the entrance to the Campus. The monument sign would further clutter Peachtree Parkway with signage.

The driving approach to the Kedron Office entrance drive from Peachtree Parkway along World drive is approximately 353 feet. Existing site trees and topography (slope of land) restricts that drive further to a distance of 280'-4". This is not a feasible distance to locate four monument signs. See drawing SP-1 attached.

HARDSHIP: The drive along World Drive is not of sufficient length to allow the driver of an approaching vehicle time to read and perceive four separate building monument signs.

Therefore Pathway Communities is proposing a total of two (2) building monument sign locations as depicted on drawing SP-2 attached. At both locations each signage placard would be oriented on one signage backboard in a vertical composition as dimensionally shown on drawing AS-1. The vertical orientation presents itself for quicker interpretation to the driver.

LUCKETT

◇ ARCHITECTS LLC ◇

157 TECHNOLOGY PARKWAY, SUITE 500, NORCROSS, GA 30092 (P) 770-448-4077 (F) 770-448-4179

RECEIVED APR 08 2008

Attachment "E"

The signage backboard would consist of cast stone pilaster and tennessee crab orchard stacked stone veneer to match the office building design motif. On each stone backboard two (2) brushed aluminum (silver) signage placards would be mounted as depicted in drawing As-1 & AS-P (color). Each signage placard would conform to the size of the Peachtree Sign Ordinance maximum 35 square feet in size. Each placard would consist of rectangular panels for text mounting. The panels are removable and will be replaced each time a office building tenant changes for flexibility.

Text on each panel is black in color and the font style is “Kabel Medium”. Text size will be as follows: Building address is 6” in height and the tenant text is 3 ¾” in height. Each placard will accommodate four tenants.

Pathway Communities offers this proposal limiting site monument signage to just two locations as depicted on drawing SP-2 in lieu of five locations allowed by ordinance.

In conclusion we feel that our proposal for site monument signage would consolidate signs offering the visitor, office employee, or City resident a sensitive landscaping environment and surrounding residents a less obtrusive solution to street signage.

We will devote every effort to work with Peachtree City to insure a successful, sensitive solution for site signage. If you should have any questions on any of these items please do not hesitate to call me.

Sincerely,



Steven A. Lockett, AIA
President
Agent for Pathway Communities

LUCKETT

◇ ARCHITECTS LLC ◇

PATHWAY COMMUNITIES

WORLD DRIVE, PEACHTREE CITY, GEORGIA 30269

KEDRON OFFICE CAMPUS MASTER SIGNAGE PROGRAM

ARCHITECT: LUCKETT ARCHITECTS, LLC
157 TECHNOLOGY PARKWAY, SUITE 500
NORCROSS, GEORGIA 30092
P: (770) 448 - 4077
F: (770) 448 - 4179

DEVELOPER/OWNER: PATHWAYS COMMUNITIES
100 WORLD DRIVE, SUITE 600
PEACHTREE CITY, GEORGIA 30269
P: (770) 487 - 8585
F: (770) 631 - 5066

T-1

OF

PATHWAY
COMMUNITIES
KEDRON OFFICE CAMPUS
MASTER SIGNAGE PROGRAM

DATE:

L U C K E T T

ARCHITECTS, LLC

157 TECHNOLOGY PARKWAY
SUITE 500
NORCROSS, GEORGIA 30092
(770) 448-4077

☐ REVIEW
ONLY

☐ PRICING
ONLY

☒ CONSTRUCTION

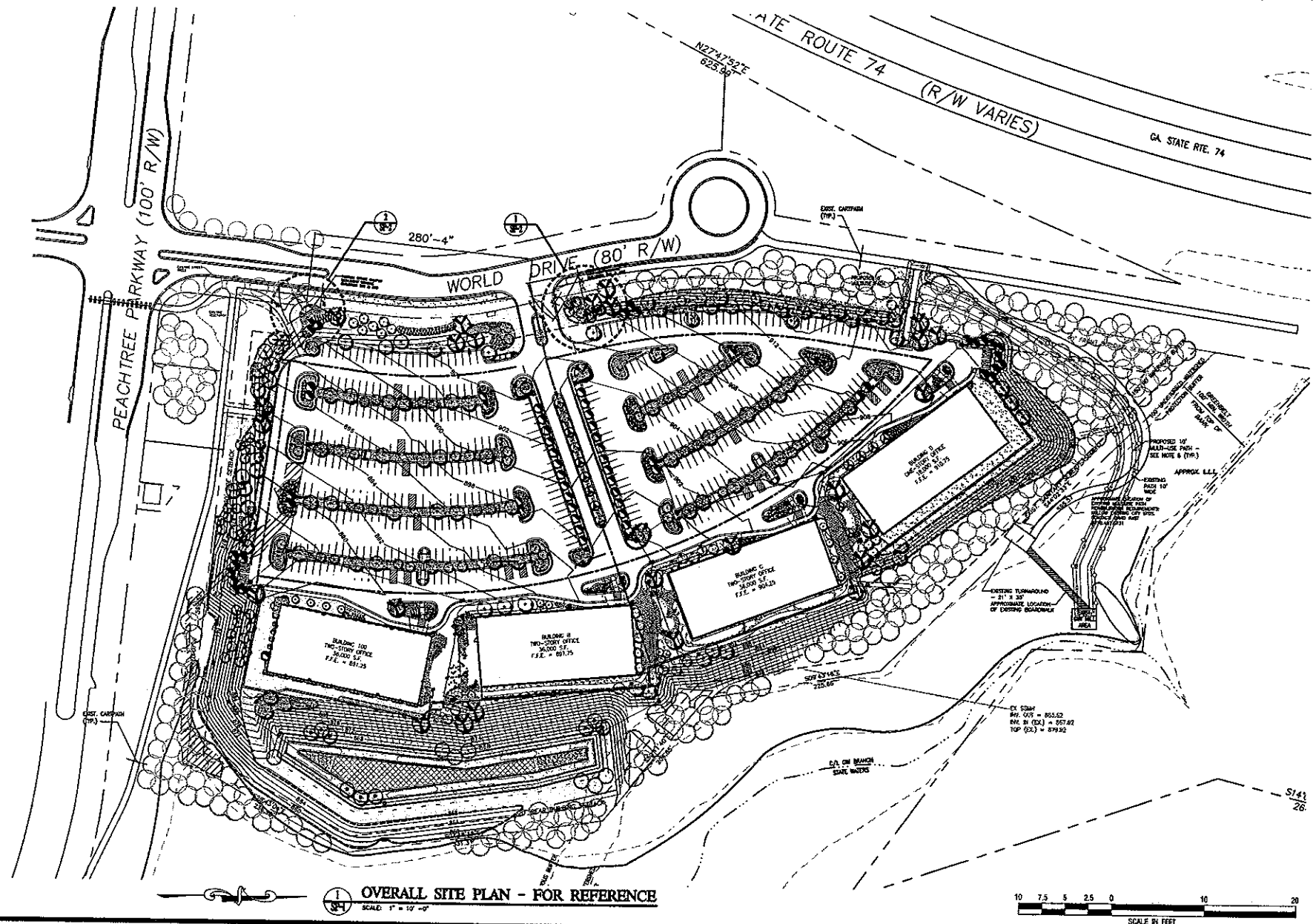
PATHWAY COMMUNITIES
KEDRON OFFICE CAMPUS
MASTER SIGNAGE PROGRAM

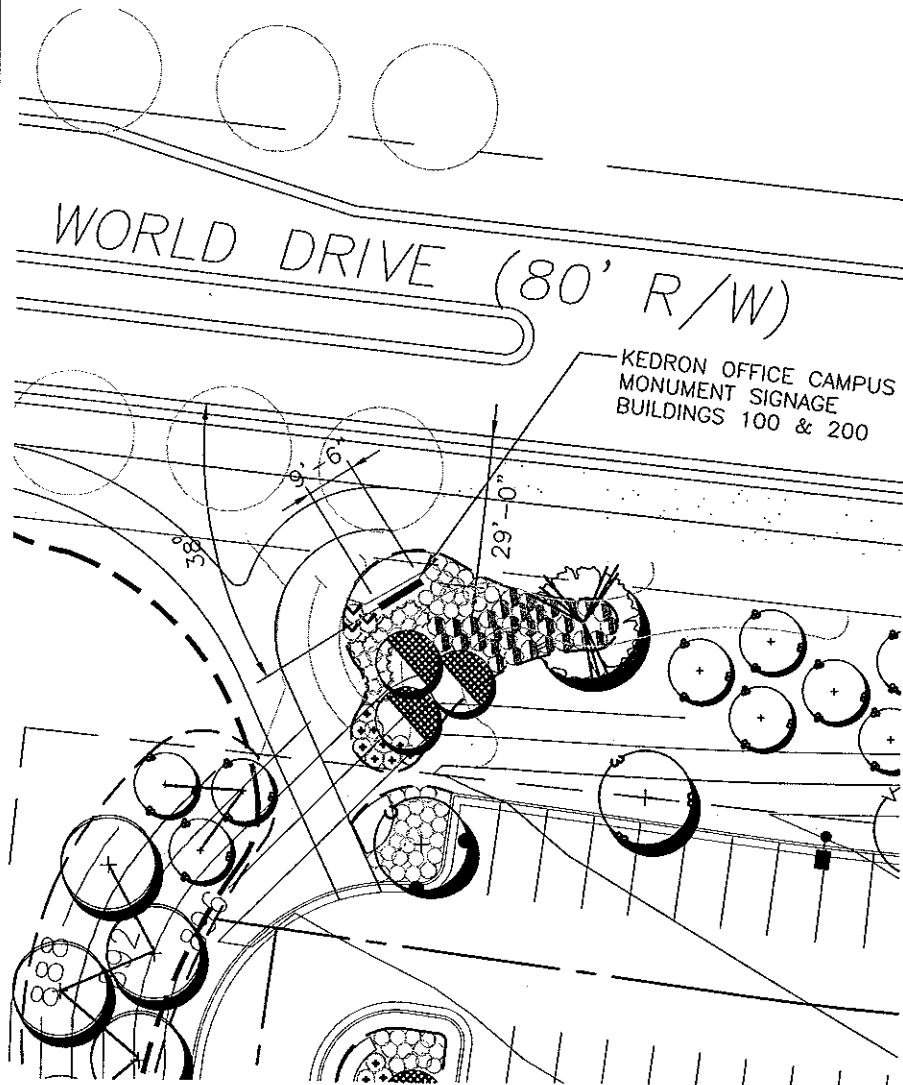
DATE:

L U C K E T T

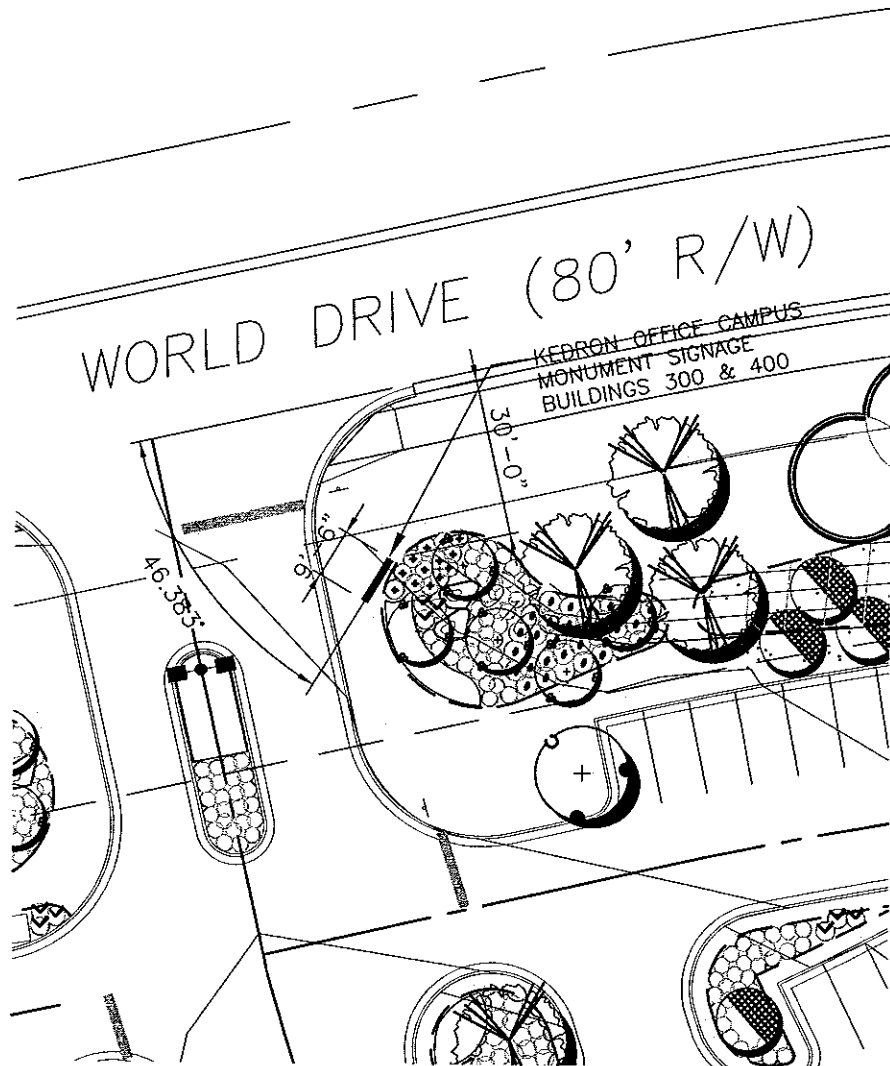
ARCHITECTS, LLC
157 TECHNOLOGY PARKWAY
SUITE 800
NORCROSS, GEORGIA 30092
(770) 448-4077

- ☐ REVIEW ONLY
- ☐ DESIGN ONLY
- ☒ CONSTRUCTION



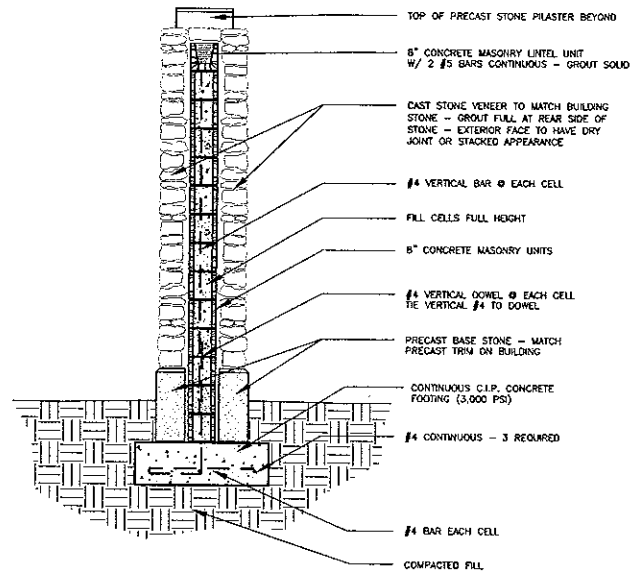


2 ENLARGED PARTIAL SITE PLAN
SCALE: 1/2" = 1'-0"

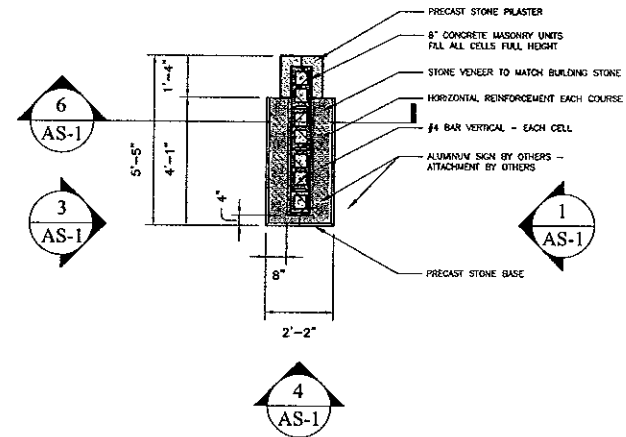


1 ENLARGED PARTIAL SITE PLAN
SCALE: 1/2" = 1'-0"

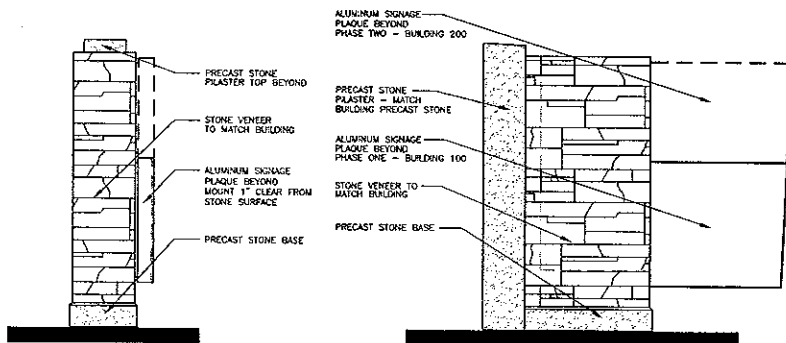
SP-2 OF	
PATHWAY COMMUNITIES KEDRON OFFICE CAMPUS MASTER SIGNAGE PROGRAM	
L U C K E T T ARCHITECTS, LLC 157 TECHNOLOGY PARKWAY SUITE 200 NORCROSS, GEORGIA 30092 (770) 448-4077	DATE:
☐ REVIEW ONLY ☐ PRICING ONLY ☒ CONSTRUCTION	



6 SECTION - MONUMENT SIGNAGE
SCALE: 3/8" = 1'-0"

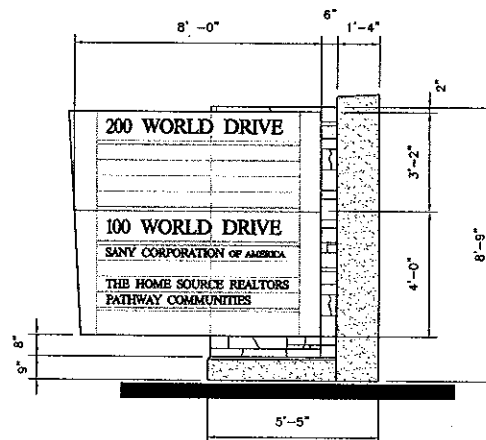


5 PLAN VIEW - MONUMENT SIGNAGE
SCALE: 1/4" = 1'-0"

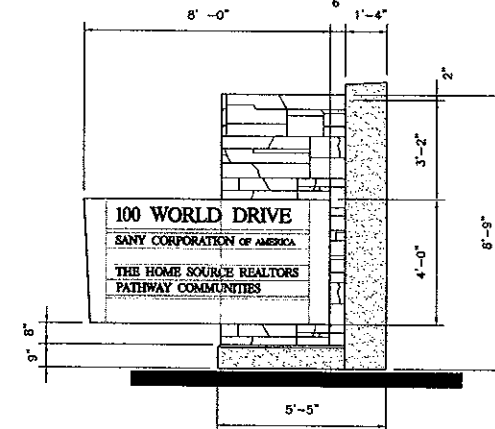


4 SIDE ELEVATION
MONUMENT SIGNAGE
SCALE: 1/4" = 1'-0"

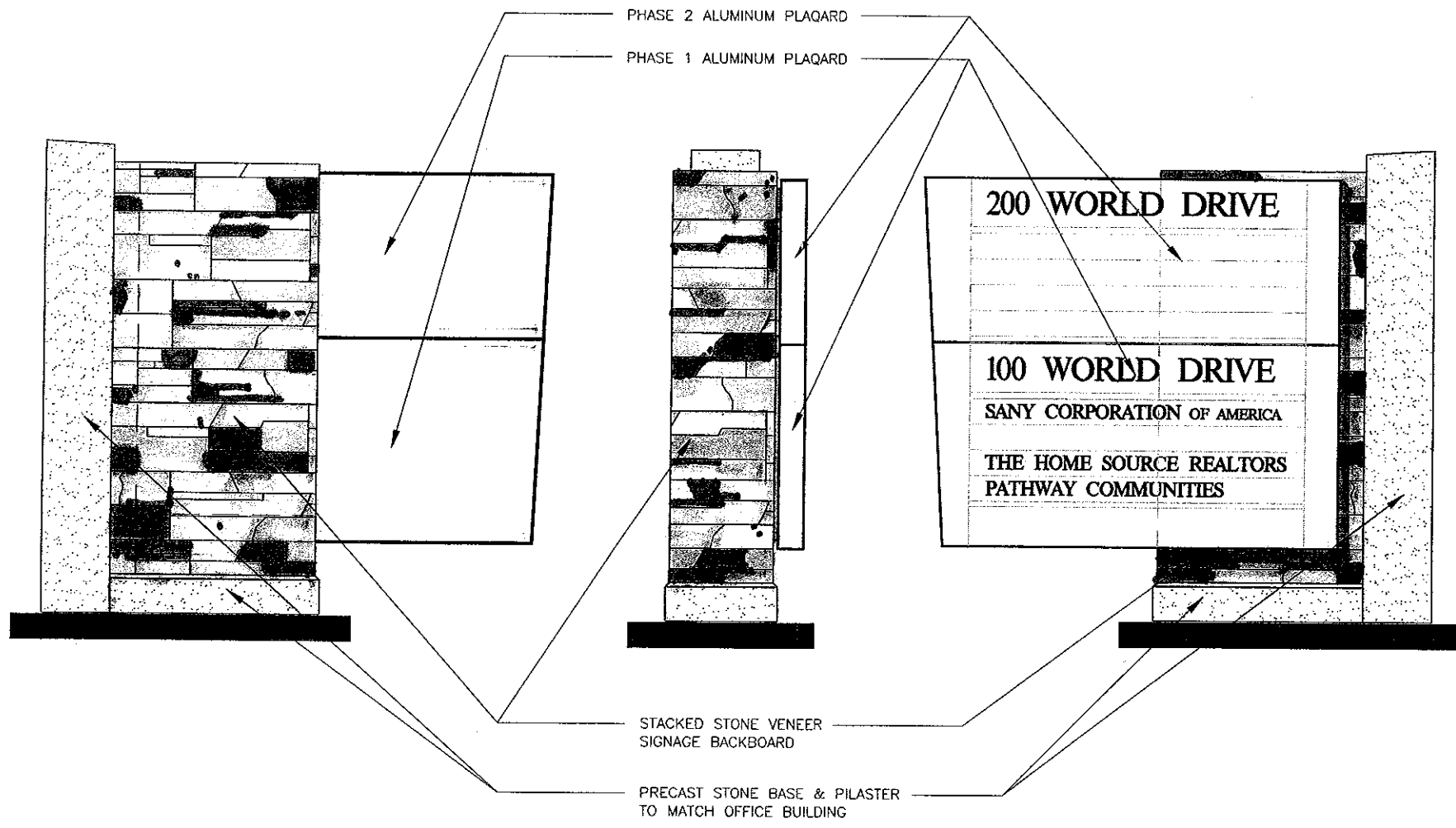
3 REAR ELEVATION
MONUMENT SIGNAGE
SCALE: 1/4" = 1'-0"



2 FRONT ELEVATION
MONUMENT SIGNAGE - PHASE 2
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION
MONUMENT SIGNAGE - PHASE 1
SCALE: 1/4" = 1'-0"



3
AS-P
REAR ELEVATION
MONUMENT SIGNAGE - PHASE 2
SCALE: 1/2" = 1'-0"

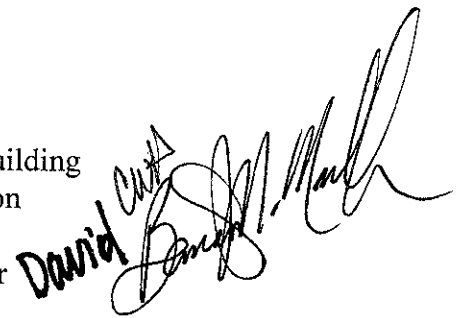
2
AS-P
SIDE ELEVATION
MONUMENT SIGNAGE - PHASE 2
SCALE: 1/2" = 1'-0"

1
AS-P
FRONT ELEVATION
MONUMENT SIGNAGE - PHASE 2
SCALE: 1/2" = 1'-0"

POSITION PAPER

Proposed Variance: Northlake Office Building
H&R Land Development Corporation

City Planner/ Zoning Administrator
May 9, 2008



Situation:

H&R Land Development Corporation owns the property located at the corner of Aberdeen Parkway and Northlake Drive. The subject tract is 0.96-acres in size and is zoned GC General Commercial. The Applicant is proposing to construct an 11,000 SF office building and associated parking, which is a permitted use within this zoning district.

Prior to submittal of the conceptual site plan, the Applicant met with City Staff to discuss the required tree save and landscape buffers associated with this site. Based on Staff's guidance and interpretation of the buffer ordinance, the conceptual site plan was prepared showing a 20' tree save and landscape buffer adjacent to Aberdeen Parkway and a 20' tree save and landscape buffer adjacent to Northlake Drive. This interpretation was based on the Staff's prior opinion that the lot was previously platted and was less than one acre in size, thereby reducing the buffer requirements.

The conceptual site plan was submitted on April 24, 2006, and was reviewed by Staff and approved by the Planning Commission on June 12, 2006. One of the conditions of approval stated "existing vegetation within the tree save and landscape buffers adjacent to Northlake Drive and Aberdeen Parkway must be protected throughout the construction process."

Prior to preparing the final site plan, it was found the subject tract was not included in the overall hydrological study approved for the Westpark commercial development, which necessitated additional stormwater and water quality features. As the plan was revised to meet the city's Post Construction Stormwater Management Ordinance, these features began to consume more of the site than originally anticipated. The required stormwater and water quality features were shown on the site plan, but were located in what was supposed to be the tree save and landscape buffers adjacent to Northlake Drive and Aberdeen Parkway. Unfortunately, this was not caught by City Staff until after the final site plan was approved. Once this was discovered, we immediately put a hold on this project and notified the Applicant.

The final site plan was initially submitted on November 11, 2007. After Staff review, the plan was revised and additional submittals were made on February 1, 2008 and February 28, 2008. The final site plan was ultimately approved by City Staff and the Planning Commission Representative on March 24, 2008. The approved final site plan shows the entire site being clear cut, leaving no vegetation within the required tree save and landscape buffers. In addition, the final site plan identified clearing and grading within the city-owned right-of-ways adjacent to the site to accommodate the proposed stormwater system.

Proposed Variance: Northlake Office Building

May 9, 2008

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In researching our files for this particular tract of land, a letter was found that was written by the former Director of Developmental Services to the former owner of the property. This letter was written shortly after the initial Buffer Ordinance was adopted and identified how the Buffer Ordinance would apply to this particular tract of land. The only difference between what this letter stated and the information City Staff provided to the current owner of the property was the provision there should be no access from this site onto Aberdeen Parkway.

All of this information was forwarded to the City Attorney, who disagreed with the position of the former Director of Developmental Services as well as the information provided to the Applicant by City Staff. The City Attorney felt that both of the required buffers would apply to this tract of land. In his opinion, he felt the exceptions speak of "existing developed lots." This lot is not developed, though it was platted. The definition of "existing lot," therefore, does not come into play as the ordinance put the additional term of "developed." The rest of the exception follows this logic, as it references the buffer not applying "unless the zoning of the property is changed or there is a major change in the intensity of the existing use on that lot." Clearly, this would indicate that the lot is already developed for the exception to apply. Based on this, the City Attorney felt the required buffers would be 50' adjacent to Aberdeen Parkway and 25' adjacent to Northlake Drive.

Because of these discrepancies and the guidance received from City Staff, the Applicant is requesting a variance to the city's buffer ordinance to allow the development to proceed as designed and approved. The Applicant indicated they have secured a construction loan and hired a contractor for the development as initially approved, and have stated that revising the drawings at this time would not only cause a significant delay in their construction schedule, but could possibly deem the site un-useable as currently zoned.

The Applicant is requesting a variance to Sections 723.3 (b) and 723.5 (b) of the city's Buffer Standards for Major Thoroughfares Ordinance to allow the development to proceed as designed and approved. A copy of the variance application is included as Attachment "A".

Facts:

1. The subject parcel is zoned GC General Commercial, which requires a minimum front building setback of 40'; a minimum side building setback of 10'; and a minimum rear building setback of 20'. The proposed development as designed meets these requirements.
2. The subject tract is classified as a "multiple frontage lot", which requires that the front setback be measured from both Aberdeen Parkway and Northlake Drive. The proposed development as designed meets these requirements.

Proposed Variance: Northlake Office Building

May 9, 2008

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3. The city's buffer ordinance was adopted on October 16, 1997 (Attachment "B"). The purpose of adopting this ordinance was to enhance and protect the appearance of the major thoroughfares and transportation corridors throughout the city by requiring the preservation of existing vegetation.
4. The buffer ordinance classifies Aberdeen Parkway as a scenic road from Northlake Drive to Commerce Drive on its south side. For non-residential developments, the ordinance states "a continuous 50-foot-wide (minimum) undisturbed natural buffer shall be established for any nonresidential development adjacent to the above scenic roads. At the option of the owner/ developer, a 50-foot-wide city-owned greenbelt buffer may be substituted for the required undisturbed natural buffer."
5. The buffer ordinance classifies Northlake Drive as a village collector road. For non-residential development, the ordinance states "a continuous 25-foot-wide tree-save/ landscape buffer shall be established for any nonresidential development adjacent to a village collector road."
6. The buffer ordinance includes special conditions and exceptions for both village collector roads and scenic roads for "any existing developed lot" which allow a reduction in the required tree save and landscape buffer.
7. The buffer ordinance does not include a definition of "existing developed lot." However, the buffer ordinance does define "existing lot" as "any lot that has been legally platted and established prior to the adoption of the new buffer standards. That lot may be developed for a use in accordance with the existing zoning or it may be in an undeveloped state."
8. Following the adoption of the buffer ordinance, the former Director of Developmental Services wrote letters to several property owners identifying how the new buffer requirements would impact their property. In a letter to Mr. John McGinn (former owner of the subject tract) dated November 17, 1997 (Attachment "C"), the former Director stated "Northlake Drive and Aberdeen Parkway are classified as Village Collectors. Because the tract at the corner is less than one acre, the required buffers for both streets must not be less than 20 feet wide. Along Northlake the buffer may be a tree-save/landscape area, but along Aberdeen it must be kept undisturbed."
9. Prior to their purchasing the subject tract, the Applicant met with the City Planner to discuss their proposed development and how the buffer ordinance might impact their plans. At that meeting, City Staff stated the subject tract would be subject to a minimum 20' wide tree save and landscape buffer adjacent to both Aberdeen Parkway and Northlake Drive. This interpretation was based on the fact the property was less than one acre in size and was platted prior to adoption of the buffer ordinance as identified within

Proposed Variance: Northlake Office Building

May 9, 2008

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the special exceptions and conditions identified within the ordinance. At the time, the City Planner was unaware of the letter sent to the former property owner.

10. The Applicant submitted a conceptual site plan for the subject tract on April 24, 2006, which included the required 20' tree save and landscape buffers (Attachment "D"). It was presented that the vegetation between the building and both roads would be preserved to enhance the scenic nature and visual appearance of the corner.
11. The conceptual site plan was approved by the Planning Commission on June 12, 2006. One of the conditions of approval stated "existing vegetation within the tree save and landscape buffers adjacent to Northlake Drive and Aberdeen Parkway must be protected throughout the construction process."
12. The final site plan for the proposed development was initially submitted on November 11, 2007 (Attachment "E"). After Staff review, revised final site plans were prepared and submitted on February 1, 2008 and February 28, 2008. The final site plan was ultimately approved by City Staff and the Planning Commission Representative on March 24, 2008.
13. The approved final site plan did not include the required tree save and landscape buffers as required by the buffer ordinance or as shown on the conceptual site plan.
14. On April 1, 2008, Staff discovered this error and placed approval of this project on hold until this issue could be resolved.
15. The Applicant submitted a request for variance on April 28, 2008 asking that a variance be granted to the city's buffer ordinance to allow development to proceed as presented and approved. Within their application, the Applicant states that without approval of the variance the property is un-useable as currently zoned.

Recommendation:

Following adoption of the city's buffer ordinance in 1997, the former owner of the subject tract received a letter from the former Director of Developmental Services identifying how the new buffer requirements would impact the property. The information provided by City Staff at that time was not accurate.

Prior to purchasing the property and developing a conceptual site plan, the Applicant met with the City Planner to discuss the city's buffer ordinance and how it might impact the proposed development. The conceptual site plan was prepared based on this information and was ultimately approved by the Planning Commission. The information provided by City Staff was not accurate.

The Applicant's Civil Engineer failed to include the required tree save and landscape buffers on the final site plan as identified in the conditions of conceptual site plan approval. Unfortunately,

Proposed Variance: Northlake Office Building

May 9, 2008

Page 5

this design error was not caught by City Staff during their review of the final site plan, which was ultimately reviewed and approved by both City Staff and the Planning Commission Representative.

The Applicant has invested a significant amount of time and effort in getting this plan approved, and claims that the site is not useable as currently zoned without a variance from the city's buffer ordinance. The fact that the final site plan was prepared without taking the required tree save and landscape buffers into account is not the fault of the city, as this was clearly identified within the conditions of conceptual site plan approval. Failure to catch this error during our review of the final site plan, however, is solely the responsibility of City Staff.

There are at least three actions Council might consider. First, Council could grant the Applicant's request and grant a variance to the city's buffer ordinance. Doing so would allow the development to proceed as initially approved, but would also allow the removal of all vegetation from the required tree save and landscape buffers. This may also set a precedent for future variance requests to the established guidelines within the buffer ordinance.

Second, Council could deny the Applicant's request and require them to redesign the site to comply with the tree save and landscape buffers identified by the City Attorney, which would provide a 50' tree save and landscape buffer adjacent to Aberdeen Parkway and a 25' tree save and landscape buffer adjacent to Northlake Drive. Redesigning the site to incorporate these buffers may result in a smaller building, parking area and stormwater system.

Third, as somewhat of a compromise, Council could grant the Applicant a variance and require a 20' tree save and landscape buffer adjacent to Aberdeen Parkway and a 20' tree save and landscape buffer adjacent to Northlake Drive, which would be consistent with the information provided to the former owner of the property by the former Director of Developmental Services and to the new property owner by the City Planner. This would also be consistent with the conditions imposed by the Planning Commission as a part of the conceptual site plan approval. This would require the Applicant to redesign a portion of the site to remove the stormwater and water quality features from the tree save and landscape buffers, which would result in protecting the existing vegetation within these buffers.

Should Council decide to grant this variance, Staff recommends that the following understandings and conditions be incorporated into this action:

1. *There shall be no clearing, grading or disturbance within the tree save and landscape buffers adjacent to Aberdeen Parkway and Northlake Drive approved by City Council.*
2. *Clearing within the right-of-ways to accommodate the access drives into the site shall be kept to a minimum. All access drives shall intersect the adjoining streets at a 90 degree angle.*

Proposed Variance: Northlake Office Building

May 9, 2008

Page 6

3. *All conditions of conceptual site plan and final site plan shall be incorporated into the revised final site plan, which shall be reviewed by City Staff and the Planning Commission Representative.*

Attachments "A - E"

REQUEST FOR VARIANCE **LAND DEVELOPMENT ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Land Development Ordinance for the property located at: THE CORNER OF NORTHLAKE DRIVE AND ABERDEEN PARKWAY

The reason this variance is being requested is as follows: REQUEST OF CURRENT BUFFER ORDINANCES OF ABERDEEN PARKWAY AND NORTHLAKE DR, TO ALLOW FOR THE CONSTRUCTION OF NORTHLAKE WOODS OFFICES BLDG THAT HAVE ALREADY BEEN APPROVED BY THE PTC PLANNING OFFICE, WITHOUT SAID VARIANCE, THE LAND IS UNUSABLE AS CURRENTLY ZONED.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) NORTHLAKE WOODS OFFICES LLC
 Address: 96 H+R LAND DEVELOPMENT CORP., 1131 SENOIA RD SUITE 'A', TYRONE, GA 30290
 Phone: (770) 631-4428
 Signature: [Signature] RICHARD ROBERTSON - MEMBER

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rort
 Title: City Planner / Zoning Administrator
 Date of Acceptance: April 28, 2008
 Date of Public Hearing: May 15, 2008

Sec. 723. Buffer standards for major thoroughfares.

In order to protect the health, safety, and welfare of its citizens, the city has determined that buffer standards need to be adopted and enforced for the property along its major thoroughfares. These standards are intended to promote an orderly development process by setting forth specific standards to be consistently applied to all building sites along major thoroughfares; they are intended to maintain and enhance the aesthetic standards that have already been established as a part of the city's streetscape; they are intended to ameliorate air quality and water runoff problems; they are intended to help reduce traffic congestion and unsafe driving conditions; and they are intended to encourage an orderly pattern of planned development along all the major traffic arteries in the city, as opposed to the sprawl and strip commercial development that typically characterizes unplanned development without proper buffer standards.

The buffer standards have been established for the four main categories of major thoroughfares: arterial highways, community collector roads, village collector roads, and scenic roads. The specific thoroughfares within each of these categories are identified, standards are presented for both residential and nonresidential land uses along the thoroughfares, and special conditions and exceptions are presented for each classification.

723.1 Arterial highways.

There are two arterial highways in Peachtree City: SR 54 and SR 74. The following buffer standards shall apply to all residential and nonresidential development along these highways:

- (a) *Residential buffers.* A continuous 100-foot-wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to an arterial highway.
- (b) *Nonresidential buffers.* A continuous 60-foot-wide tree-save/landscape buffer shall be established for any nonresidential development adjacent to an arterial highway.
- (c) *Special conditions and exceptions.*
 - (1) The required tree-save/landscape buffer for any nonresidential property may be reduced as follows, subject to the approval of the city landscape architect and the planning commission:
 - a. A buffer may be reduced from 60 feet to 50 feet, provided the developer installs additional landscaping that amounts to at least ten percent of the caliper inches of the trees required for the entire site by the landscape ordinance.
 - b. A buffer may be reduced from 60 feet to 40 feet, provided the developer installs additional landscaping that amounts to at least 20 percent of the caliper inches of the trees required for the entire site by the landscape ordinance.
 - (2) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to an arterial highway unless the zoning of the property is changed or there is a major change in the

intensity of the existing use.

- (3) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to an arterial highway if that lot is less than one acre in area or has an average depth of 200 feet or less (measured from the right-of-way of the adjacent arterial highway). For these lots, the minimum buffer shall be not less than 20 feet wide.
- (4) For any existing platted lot which is adjacent to an arterial highway and which has an average depth of between 200 feet and 220 feet (measured from the right-of-way line of the adjacent arterial highway), the required buffer width may be established at 20 feet plus the number of feet the average depth of the lot exceeds 200 feet. This means that the depth of a buffer for these lots could range from 20 feet minimum to 40 feet maximum.
- (5) The buffer requirements for paragraphs (a) and (b) above may be reduced by ten feet if a nonresidential lot is located between an arterial highway and a parallel service road and if a tree-save/landscape buffer at least 30 feet wide is established adjacent to the service road.
- (6) For lots that front on an arterial highway and have a second or third frontage on another arterial highway, community collector road, village collector road, or scenic road, the respective buffer standards for each of the adjacent major thoroughfares shall apply.

723.2 Community collector roads.

There are 17 community collector roads, either existing or proposed, in Peachtree City. They include: Crosstown Drive, Dividend Drive, Ebenezer Road, Flat Creek Road, Huddleston Road, Kelly Drive, McIntosh Trail, MacDuff Parkway, Northeast collector (proposed), Paschall Road, Peachtree Parkway North (scenic road), Peachtree Parkway South, Robinson Road, Rockaway Road, Senoia Road (Old SR 74), TDK Boulevard extension (proposed), TDK Boulevard/ Crosstown Drive.

The following buffer standards shall apply to all residential and nonresidential development along these roads:

- (a) *Residential buffers.* A continuous 50-foot-wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to a community collector road.
- (b) *Nonresidential buffers.* A continuous 50-foot-wide tree-save/landscape buffer shall be established for any nonresidential development adjacent to a community collector road.
- (c) *Special conditions and exceptions.*
 - (1) The required tree-save/landscape buffer for any nonresidential property may be reduced as follows, subject to the approval of the city landscape architect and the planning commission:
 - a. A buffer may be reduced from 50 feet to 40 feet, provided the developer installs additional landscaping that amounts to at least

ten percent of the caliper inches of the trees required for the entire site by the landscape ordinance.

- b. A buffer may be reduced from 50 feet to 30 feet, provided the developer installs additional landscaping that amounts to at least 20 percent of the caliper inches of the trees required for the entire site by the landscape ordinance.
- (2) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to a collector road unless the zoning of the property is changed or there is a major change in the intensity of the existing use on that lot.
- (3) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to a community collector road if that lot is less than one acre in area or has an average depth of 200 feet or less (measured from the right-of-way of the adjacent collector road). For these lots, the minimum buffer shall be not less than 20 feet wide.
- (4) For lots that front on a community collector road and have a second or third frontage on another arterial highway, community collector road, village collector road, or scenic road, the respective buffer standards for each of the adjacent major thoroughfares shall apply.

723.3 Village collector roads.

There are 16 village collector roads, either existing or proposed, in Peachtree City. They include: Aberdeen Parkway (scenic road), Braelinn Road, Cameron Trail, Fishers Luck, Georgian Park, Holly Grove Road, Kedron Drive, Log House Road, Northlake Drive, Riley Parkway (scenic road), Stevens Entry (SR 54 to Peachtree Parkway), Sumner Road, Walt Banks Road, Willowbend Road, Windgate Road and Wisdom Road.

The following buffer standards shall apply to all residential and nonresidential development along these roads:

- (a) *Residential buffers.* A continuous 25-foot-wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to a village collector road.
- (b) *Nonresidential buffers.* A continuous 25-foot-wide tree-save/landscape buffer shall be established for any nonresidential development adjacent to a village collector road.
- (c) *Special conditions and exceptions.*
 - (1) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to a village collector road unless the zoning of the property is changed or there is a major change in the intensity of the existing use on that lot.
 - (2) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to a village collector road if that lot is less than one acre in area or has an

average depth of 200 feet or less (measured from the right-of-way of the adjacent collector road). For these lots, the minimum buffer shall be not less than 20 feet wide.

- (3) For lots that front on a village collector road and have a second or third frontage on another arterial highway, community collector road, village collector road, or scenic road, the respective buffer standards for each of the adjacent major thoroughfares shall apply.

723.4 Scenic roads, Peachtree Parkway North.

Peachtree Parkway North is classified as a scenic road from Gin Branch to Flat Creek Road. The following buffer standards shall apply to all residential and nonresidential development along this road:

- (a) *Residential buffers.* A continuous 100-foot-wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to the scenic road portion of Peachtree Parkway North.
- (b) *Nonresidential buffer.* A continuous 50-foot-wide (minimum) city-owned greenbelt buffer and a continuous 50-foot-wide (minimum) undisturbed natural buffer, or a continuous 100-foot-wide (minimum) city-owned greenbelt buffer shall be established for any nonresidential development adjacent to the scenic road portion of Peachtree Parkway North.
- (c) *Special conditions and exceptions.*
 - (1) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to the scenic road portion of Peachtree Parkway North unless the zoning of the property is changed or there is a major change in the intensity of the existing use on that lot.
 - (2) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing lot that is less than two acres in area or has an average depth of 300 feet or less (measured from the right-of-way of the Parkway). For these lots, the minimum buffer shall be not less than 50 feet wide.
 - (3) For lots that front on one scenic road and have a second or third frontage on another arterial highway, community collector road, village collector road, or scenic road, the respective buffer standards shall apply for all of the adjacent major thoroughfares.

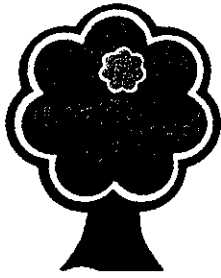
723.5 Scenic roads, Aberdeen Parkway and Riley Parkway.

Aberdeen Parkway is classified as a scenic road from Northlake Drive to Commerce Drive on its south side and to tract A-V-19 on its north side. Riley Parkway is classified as a scenic road from Aberdeen Parkway to Flat Creek Road. The following buffer standards shall apply to all residential and nonresidential development along these roads:

- (a) *Residential buffers.* A continuous 50-foot-wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to the above scenic roads.

- (b) *Nonresidential buffers.* A continuous 50-foot-wide (minimum) undisturbed natural buffer shall be established for any nonresidential development adjacent to the above scenic roads. At the option of the owner/developer, a 50-foot-wide city-owned greenbelt buffer may be substituted for the required undisturbed natural buffer.
- (c) *Special conditions and exceptions.*
 - (1) The buffer requirements for paragraphs (a) and (b) above shall not apply to any existing developed lot adjacent to the above scenic roads unless the zoning of the property is changed or there is a major change in the intensity of the existing use on that lot.
 - (2) For lots that front on one scenic road and have a second or third frontage on another arterial highway, community collector road, village collector road, or scenic road, the respective buffer standards shall apply for all of the adjacent major thoroughfares.

(Ord. No. 884, 5-18-2006)



Peachtree City

Georgia

November 17, 1997

Mr. John McGinn
McGinn & Daniel
510 Northlake Drive
Peachtree City, GA 30269

Re: Tract A-III-3

Dear John:

The purpose of this letter is to give you a zoning and buffer determination for the 0.96-acre tract you own at the southwest corner of Northlake Drive and Aberdeen Parkway.

The property is currently zoned GC General Commercial. The Land Use Plan calls for the property to be rezoned to OI Office/Institutional or LUC Limited Use Commercial for a low-intensity commercial use. The Plan also states that there should be no direct access from the tract to Aberdeen Parkway. Both the low-intensity use and the limited access are intended to protect the scenic nature of Aberdeen Parkway.

Northlake Drive and Aberdeen Parkway are classified as Village Collectors. Because the tract at the corner is less than one acre, the required buffers for both streets must not be less than 20 feet wide. Along Northlake the buffer may be a tree-save/landscape area, but along Aberdeen it must be kept undisturbed.

The building setback along Northlake and Aberdeen is 40 feet. The side setback is 10 feet, and the rear setback is 20 feet. The side and rear setbacks may be applied to either of the property lines not adjoining the street rights-of-way. It will be required that this tract be connected to the sewerage system when a building is constructed.

If you have any questions about this letter, please call me at 487-5731.

Sincerely,

James B. Williams
Director of Developmental Services

JBW/jir

CEMETERY TRACT

REVISIONS

NO.	DESCRIPTION

A TIM HARPER DEVELOPMENT PROJECT
NORTHLAKE OFFICE BUILDING
NORTHLAKE DRIVE & ABERDEEN PARKWAY
PEACHTREE CITY
06-0967

PROJECT

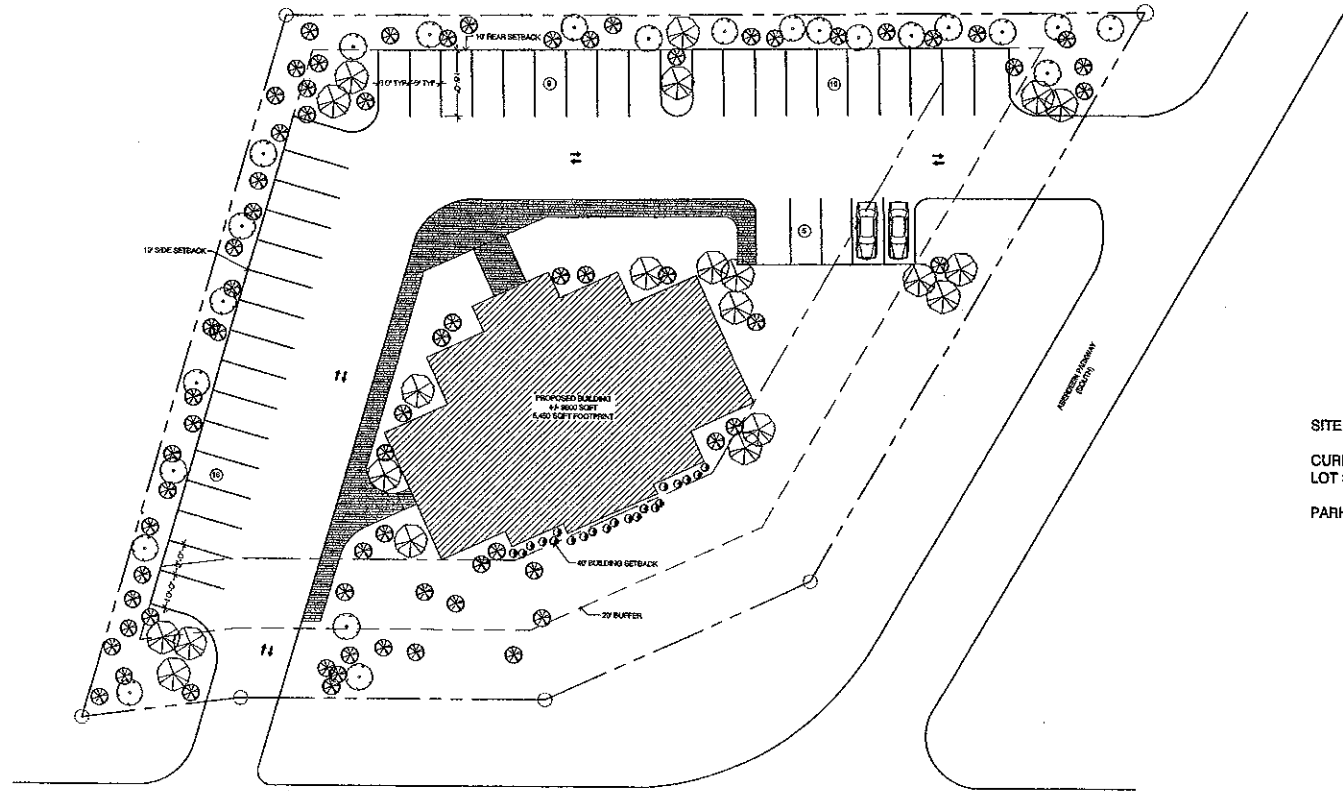
SEA

MARCH 18, 2006
CONCEPTUAL DESIGN
NOT RELEASED FOR CONSTRUCTION
RELEASE DATE

**CONCEPTUAL
SITE PLAN**

20060401.P01

Drawn by JAN 01	Checked by JAN 01
Project No. 06-0967	Sheet A0.1 of 01



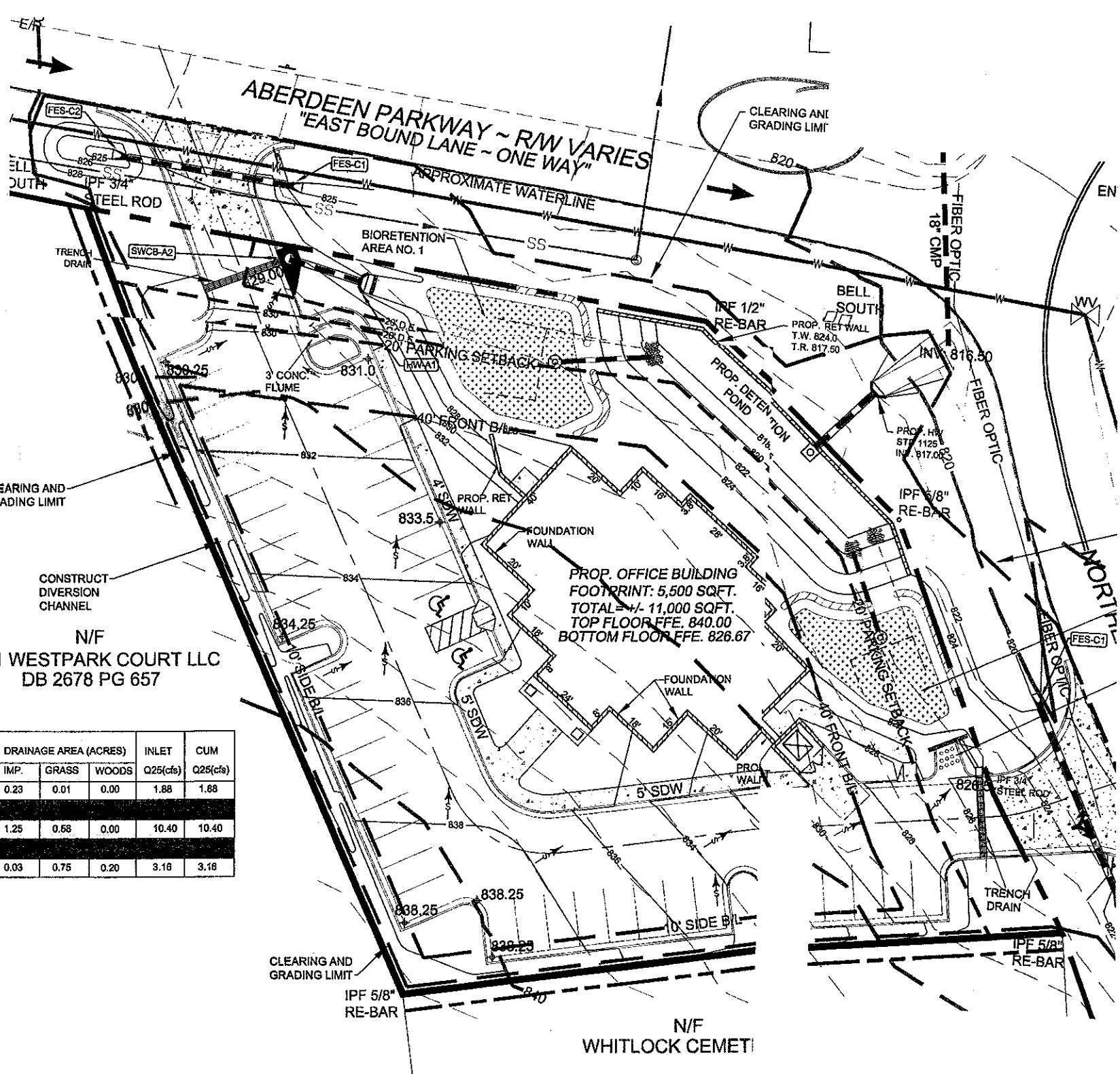
SITE DATA:
CURRENT ZONING- GC
LOT SIZE- 0.96
PARKING: 40 SPACES

Received
APR 24 2006
Office of City Planner
Peachtree City, GA

1 CONCEPTUAL SITE PLAN
06-0967

SCALE: 1/16" = 1'-0"





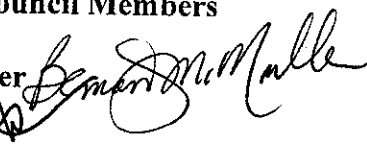
N/F
1031 WEST PARK COURT LLC
DB 2678 PG 657

LENGTH (ft)	DRAINAGE AREA (ACRES)			INLET		CUM
	IMP.	GRASS	WOODS	Q25(cfs)	Q25(cfs)	
22	0.23	0.01	0.00	1.88	1.88	
49	1.25	0.68	0.00	10.40	10.40	
59	0.03	0.75	0.20	3.16	3.16	

N/F
WHITLOCK CEMET

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Police Chief 

FROM: Acting Administrative Services Director/City Clerk 

DATE: May 9, 2008

SUBJECT: Alcoholic Beverage Ordinance – Brown Bagging
May 15, 2008, City Council Meeting

Mr. Ric Hunt has asked to address Council regarding allowing the practice of “Brown Bagging” at local restaurants (email attached).

In December 2007, the Mayor and Council adopted a revision to the Alcoholic Beverage Ordinance prohibiting brown bagging, through which patrons bring and consume their own alcohol at a restaurant, private club, or other establishment providing food or entertainment. Prior to the adoption of this amendment, brown bagging was already prohibited at facilities having an alcohol license, with the exception of the Frederick Brown, Jr. Amphitheater.

The practice of brown bagging can cause problems because the City, including the Police Department, does not have knowledge of what locations are allowing alcohol. Establishments allowing this practice do not have to obtain an alcohol license, with the associated background checks for the responsible parties. In at least one case, a local establishment that was allowing the practice had held an alcohol license that was revoked by the State. Without the licensing process, locations allowing brown bagging may be within a prohibited distance of a school, church, or alcohol treatment center, which would have been revealed had the applicant obtained a license to sell alcoholic beverages.

Betsy Tyler

From: Pam Dufresne
Sent: Thursday, May 08, 2008 9:48 AM
To: Betsy Tyler
Subject: FW: Request to be put on City Council agenda

From: Hunt Real Estate Investments [mailto:Ric@HuntRealEstateInvestments.com]
Sent: Friday, May 02, 2008 12:18 PM
To: Pam Dufresne
Subject: Request to be put on City Council agenda

Hi Pam,

This is a formal request to be placed on the City Council agenda for Thursday May 15th to discuss changing the city's brown bag ordinance.

Best Regards,

Ric Hunt
Hunt Real Estate Investments, Inc.
147 Interlochen Dr.
Peachtree City, GA 30269
(770) 330-7171
Ric@HuntRealEstateInvestments.com

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *Benjamin McMillan*
Financial Services Director *P.S.*
Human Resources Manager *Bo*

FROM: Administrative Services Director / City Clerk *PS*

DATE: May 9, 2009

SUBJECT: Consider Position Reclassifications
May 9, 2008, City Council Meeting

Recommendation:

Staff recommends that Council reclassify the following positions:

Current Position/Grade

1. Staff Assistant – City Hall
Grade 72
2. Executive Assistant
Grade 75

Proposed Position/Grade

Staff Assistant/Deputy City Clerk
Grade 73

Administrative Services Supervisor
Grade 77

Discussion:

At the April 17 meeting, Council appointed Pam Dufresne as Deputy City Clerk for the City. Following the appointment, her job description was forwarded to the Mercer Group (the City's consultant that established and maintains the City's current pay and classification plan) for evaluation. The Mercer Group indicated that the additional level of authority raised the rating for the position, warranting a change from Grade 72 to Grade 73 for the position. This is a 5% salary increase, which was provided to Ms. Dufresne at the time of the appointment. The classification would remain as long as Ms. Dufresne holds the appointment as Deputy City Clerk.

Ms. Nikki Vrana was hired in 2006 as the Executive Assistant to the City Manager, Mayor, Council, and Administrative Services Director, dealing with correspondence, screening calls,

addressing citizen complaints, scheduling meetings and appointments, handling special projects as needed for the Director and City Manager.

The proposed Administrative Services Supervisor reclassification will incorporate supervision of the City Hall Reception Desk personnel and planning and scheduling of the tasks that fall under that office responsibilities (registration/payment collection processes for golf carts, yard sales, occupational taxes, etc.).

The Mercer Group evaluated the proposed Administrative Services Supervisor job description based on the changes from the Executive Assistant job description, and recommended a reclassification from Grade 75 to Grade 77 (a 10% salary increase).

Budget Impact:

The reclassification of the Staff Assistant Position will have no additional budgetary impact because the salary adjustment was made when the Deputy City Clerk appointment was made.

The reclassification of the Executive Assistant Position will have a \$3,416.07 per year impact on the City Manager budget.

ADMINISTRATIVE SERVICES SUPERVISOR
JOB DESCRIPTION

Deleted: EXECUTIVE ASSISTANT

Job Code: 115

Position: Administrative Services Supervisor
Division: Administrative Services
Reports to: Administrative Services Director
Overview: This position is responsible for overseeing the administrative operations of the Administrative Services Division, including the City Hall reception office, for providing general administrative and clerical support to the Administrative Services Director, the City Manager, the Mayor and the City Council, and for coordinating special events and projects at City Hall.

Deleted: Executive Assistant

FACTOR 1: Education & Directly Applicable Experience

High School diploma and seven to ten years directly related experience or
Two years of college or Associate's Degree and two to less than five years directly related experience or
A Bachelor's Degree and less than two years directly related experience.

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FACTOR 2: Supervisory Controls

The supervisor makes assignments by defining objectives, priorities and deadlines, and assists employees with unusual situations which do not have a precedent. The employee plans and carries out the successive steps and handles problems and deviations in the work assignment in accordance with instructions, policies, previous training or accepted practices in the job. Completed work is usually evaluated for technical soundness, appropriateness and conformity to policy requirements. The methods used in arriving at the end results are not usually reviewed in detail. The key phrase is "under broad supervision."

Deleted: The work is performed under general supervision; the supervisor provides continuing or individual assignments by indicating generally what is to be done, limitations, quality and quantity expected, deadlines, and priority of assignments. The supervisor provides additional, specific instructions for new, difficult or unusual assignments including suggested work methods or advice on source material available.¶

¶ The employee uses initiative in carrying out recurring assignments independently but refers deviations, problems and unfamiliar situations not covered by instructions to the supervisor for clarification and direction.

Deleted: This position does not supervise any other positions.

FACTOR 3: Supervision Given

Knowledge of supervisory or management practices associated with a relatively narrow and usually specialized organizational unit. Supervision is generally over a group of similar positions such as a clerical operation, maintenance staff or a professional group such as engineers. Supervises Part-Time Customer Service Reps (City Hall)

FACTOR 4: Guidelines

Guidelines are available, but are not completely applicable to the work or have gaps in their specificity. The employee uses judgment in interpreting and adapting guidelines such as organizational policies, regulations, precedents, and directions for application to specific cases or problems. The employee analyzes results and recommends changes.

Deleted: Executive Assistant

FACTOR 5: Complexity	The work typically includes varied duties requiring many different and unrelated processes and methods. Decisions involve the assessment of unusual circumstances, variations in approach, and incomplete or conflicting data. The work requires many decisions concerning such things as the interpretation of large amounts of data, planning of the work, or refining the methods and techniques to be used.
FACTOR 6: Scope and Effect	The work product or service affects the work of other experts, the development of major aspects of programs or missions, or the well-being of substantial numbers of people.
FACTOR 7: Personal Contacts	The majority of personal contacts are with high-ranking officials outside of the organization.
FACTOR 8: Purpose of Contacts	The purpose is to obtain, clarify, or give information regardless of the nature of the information, i.e. the data may range from easily understood to highly technical.
FACTOR 9: Physical Demands	The work is mainly sedentary but may require some walking, standing, stooping, carrying of light items such as papers, books, or small parts, or driving an automobile. No special physical demands are required to perform the work.
FACTOR 10: Work Environment	The work environment involves everyday risks or discomforts which require normal safety precautions. Use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals are minimally required.
PAY GRADE: 77	
FLSA STATUS: NON-EXEMPT	

Deleted: 75

Deleted: Executive Assistant

ADMINISTRATIVE SERVICES MANAGER– ESSENTIAL DUTIES

Deleted: EXECUTIVE ASSISTANT

▪ <u>Supervises City Hall receptionist personnel and licensing/registration/cashiering function</u>
▪ Screens citizen complaints and follows up with the proper departments.
▪ Reviews mail and documentation, maintains and schedules appointments and calendar and produces confidential memoranda for Mayor and City Manager.
▪ <u>Assists to the Public Information Officer – newsletters, website maintenance, presentations, brochures, etc.</u>
▪ <u>Oversees Administrative Services files and records.</u>
▪ Serves as Quality Improvement Advisor to all departments. Leads QIT committee. Tracks projects' status and targets for Directors and Chiefs.
▪ Attends meetings/transcribes minutes.
▪ <u>Coordinates special events and special projects at City Hall and for Mayor & Council</u>
▪ Files/retrieves and maintains materials/data from department's computerized and manual filing systems.
▪ Composes and types correspondence, memoranda, reports, forms, proclamations, awards, etc.
▪ Generates databases for tracking, mailings, etc.
▪ Other duties, as requested.
▪ Revised 07/14/06.

Deleted: <#>Maintains and reviews logs for letters and complaints, requiring signatures by Mayor, Council members or Manager, to ensure timely responses. ¶

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Deleted: Provides backup to the Staff Assistant and Receptionist

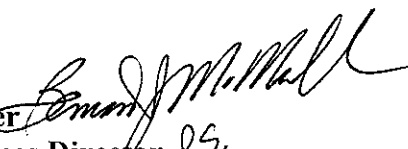
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Deleted: Executive Assistant

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Bernie McMullen, City Manager 
Paul Salvatore, Financial Services Director P.S.
Janet Camburn, Assistant Financial Services Director 

FROM: H. C. "Skip" Clark II, Chief of Police 

DATE: May 9, 2008

SUBJECT: Consider Agreement and Ordinance Amendment on Alcoholic Beverage Handling Permits
May 15, 2008, City Council Agenda

Recommendation:

Staff recommends that City Council adopt the attached Ordinance Revision and authorize the Mayor to sign the associated Intergovernmental Alcohol Control Agreement.

Discussion:

In March 2006, the Association of Fayette County Governments determined that to serve the needs of Fayette County better, certain amendments were needed concerning the Alcoholic Beverages Ordinances of Peachtree City, Fayetteville, and Tyrone. Subsequently, the City Council of Peachtree City directed staff to meet with the other jurisdictions and to draft an amended version of Peachtree City Code of Ordinances, Chapter 6, Section 6-127. City Council believed that these amendments were necessary to further the general health, safety and welfare of the community and to provide a fair and equitable process for food service employees when applying for handling permits. Additionally, the amendments would promote uniformity throughout Fayette County by creating a single alcoholic beverage handling permit, which would be honored by each participating jurisdiction.

After several meetings between the Fayetteville Police Department and Peachtree City Police Department, a final draft of the ordinance was agreed upon and sent to each respective City Attorney for review. The City Council of Fayetteville adopted their amended ordinance and the Intergovernmental Alcohol Control Agreement on May 1st, 2008.

Budget Impact:

The Police Department has no method to determine an exact budget impact concerning this issue. Currently, the City of Peachtree City receives an application processing fee of \$25.00 for each alcohol beverage handling permit. There will be a budget impact observed due to a decline in the number of applications processed, as some individuals will prefer to apply for handling permits in Fayetteville or in Tyrone.

HCC/rmd

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF PEACHTREE CITY, GEORGIA, AS AMENDED, TO PROVIDE FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; TO ESTABLISH REVOCATION PROCEEDINGS; AND FOR OTHER PURPOSES

WHEREAS, the City of Peachtree City (the "City") has determined that to serve the needs of the community certain amendments are needed in the City's Alcoholic Beverage Ordinance; and

WHEREAS, these amendments are necessary to create uniformity throughout Fayette County as to server permits; and

WHEREAS, the City incorporates these amendments to the Alcoholic Beverages Ordinance in order to further the general health, safety and welfare of the community.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Section 128 of Chapter 6, Article III, of the Alcoholic Beverages Ordinance of the City of Peachtree City, Georgia, as amended, be deleted in its entirety and a new Section 6-127 be added as follows:

Sec. 6.127. Alcoholic Beverage Handling Permits

(a) Any person, manager, or employee, who is responsible to sell, serve, deliver, dispense, or take orders for alcoholic beverages in restaurants, hotels, conference centers, lounges, stores, or any other business entity, or who handles alcoholic beverages in package stores, or who works as a security employee in any on premise consumption or package store, whether or not such person is contracted or an employee of such package store or on premise consumption location, shall apply to the police department for an alcoholic beverage handling permit or have a valid servers permit issued from another law enforcement jurisdiction within Fayette County.

(b) It shall be unlawful for any licensed establishment to hire any person, or to permit any person to work or assist in any capacity to sell, serve, deliver, dispense or take orders for alcoholic beverages until such person has procured a city alcoholic beverage handling permit or have a valid servers permit issued from another law enforcement jurisdiction within Fayette County.

(c) Alcoholic beverage handling permits shall not be issued to any person who has pled guilty to, or has been convicted of a violation of the provisions of this chapter, or any similar provisions from any other jurisdiction, or convicted of a violation of any offense relating to the manufacture

or sale of alcoholic beverages within the preceding two years. For the purpose of this section an indictment, plea of guilty, or a plea of nolo contendere shall constitute a violation.

(d) Alcoholic beverage handling permits shall not be issued to any person who has pled guilty more than once, or has been convicted more than once of any violation of the provisions of this chapter, or any similar provisions from any other jurisdiction or to a violation of any offence relating to the manufacturer or sale of alcoholic beverages.

(e) Alcoholic beverage handling permits shall not be issued to any person who has pled guilty to or been convicted of, or entered a plea of nolo contendere to any misdemeanor or felony relating to illegal gambling, soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, illegal drugs/narcotics, theft, crimes of violence, sexual offenses, or any other crime opposed to the decency, morality, or public welfare (including identity and credit card fraud) within the preceding five years from the date of their application for a handling permit. Additionally, alcoholic beverage handling permits will not be issued to any person who is serving probation for a felony sentence involving any felony described above.

(f) City alcoholic beverage handling permits will be issued from the chief of police of the participating jurisdiction within Fayette County.

(g) It shall be unlawful for any licensed establishment employee to sell, serve, deliver, dispense or take orders for alcoholic beverages within the city limits without having been issued a valid alcoholic beverage handling permit from the chief of police of the city police department or a valid server's permit from another law enforcement jurisdiction within Fayette County.

(1) Prior to selling, serving, delivering, dispensing or taking orders for alcoholic beverages, employees who work for a licensed establishment shall be fingerprinted, photographed and cleared through a background investigation by the police department. The employees shall make themselves available for photographing, fingerprinting and such other investigation as may be required by the police department in accordance with state law and local ordinance. The employees shall sign a waiver and authorization form authorizing the police department to request on behalf of the applicant criminal history reports from the Georgia Department of Public Safety or any other appropriate state or federal government entity.

(2) Once cleared, a permit shall be issued to the employee indicating that such person is eligible to sell, serve, deliver, dispense or take orders for alcoholic beverages for the purpose of on premises or off premises consumption.

(3) The alcoholic beverage handling permit may be used at multiple locations if requested by the applicant; however, when applying for a handling permit the applicant must list all applicable city locations for which the employee works. Proof of employment will be required for each location.

(4) All alcoholic beverage handling permits are the sole and exclusive property of the city police department. Destruction, theft, defacement, or detriment of identification shall be punishable as a felony under state law.

(5) It shall be unlawful for a person to alter, deface, or fraudulently re-produce a city alcoholic beverage handling permit.

(6) The permit issued under this section shall be issued only to eligible persons who are at least 18 years of age.

(h) No alcoholic beverage handling permit shall be issued until such time as a signed application has been filed with the chief of police and a background check has been completed. The applicant will submit an annual administrative processing fee of \$25.00 to be included upon receipt of their application. In the event the applicant does not meet the eligibility requirements, the fee is non-refundable. Such application shall include but not be limited to the name, current home address, telephone number, social security number, date of birth, place of birth, proof of the date of birth of the applicant and the identity of the applicant including at least one photographic identity card issued by a governmental agency, height, weight, hair and eye color and a list of prior arrest and time of service in jail or prison. The fact of an arrest record shall be used for investigative purposes only and shall give rise to no presumption or inference of guilt. Due to the inclusion of arrest information, these applications shall be regarded as confidential and shall not be produced for public inspection without a court order.

(1) If there is no record of a violation of this article and the employee is determined eligible, the chief of police shall issue an alcoholic beverage handling permit. If it is found that the employee cannot be cleared, the applicant will be notified that they do not meet the eligibility requirements.

(2) Permits will be renewed annually prior to the expiration date indicated on the handling permit. Upon renewal, proof of completion of a course of instruction for servers and date of completion must be submitted.

(3) For those applicants who, within the past five-year period, have resided or currently reside in a state other than Georgia, the applicant must furnish to the chief of police a certified copy of a driver's history and criminal background history from the state or states in which he or she has resided or resides.

(4) All permits issued through administrative error or through an error in the completion of a background investigation may be terminated by the chief of police.

(5) An employee excluded from being granted or maintaining a permit under these terms shall have the right to appeal such exclusion to the chief of police.

(i) It shall be the responsibility of the licensee or the license representative to acquaint all employees engaged in the sale or service of alcoholic beverages with the requirements of this chapter and state law regulating the handling, selling, serving, delivering, dispensing or taking orders for alcoholic beverages.

(j) It shall be the responsibility of the licensee or the license representative to file with the chief of police the names of all employees authorized to handle, sell, serve, deliver, dispense or take orders for alcoholic beverages, to include security personnel. The information will consist of the name of the establishment, the permit number, the employee's name, home address and home telephone number. Such list shall be filed upon obtaining the initial alcoholic beverage license or, for those businesses that are not open on the date the license is issued, upon the date the licensee's premises opened to the public. An updated list of employees shall be filed with the chief of police on an annual basis, before January 31.

(k) This section shall not be construed to require a permit of those employees whose duties are limited solely to those of busboy, stock clerk (see exceptions regarding package stores in paragraph a.), cook or dishwasher, or any other employee whose duties do not include handling alcoholic beverages.

(l) While on duty in any licensed establishment, every person required to possess an alcoholic beverage handling permit shall have their handling permit conspicuously displayed on their person and visible at all times. All permits issued under this section shall be made available for inspection upon the demand of any law enforcement officer employed by the city police department.

(m) In any prosecution for violation of subsection (k) of this section, it shall be presumed that the manager or employee did not have a permit unless the permit was displayed as required in the same subsection (k).

(n) All licensed establishments will be in compliance within 90 days from the approval of this section by city council.

(o) The penalty for violating any of the provisions of this section shall be a city code violation (misdemeanor) punishable by a fine not to exceed \$1,000.00.

Section 2. Section 128 of Chapter 6, Article III, of the Alcoholic Beverages Ordinance of the City of Peachtree City, Georgia, as amended, be deleted in its entirety and a new Section 6-128 be added as follows:

Sec. 6-128. Alcoholic Beverage Handling Permit Revocation Proceedings.

(a) The omission or falsification of any material information in an application for a permit shall be a violation of this section and grounds for the denial, suspension or revocation of any such permit.

(b) The service or selling of alcoholic beverage to any person that the employee or agent knew or should have known to be in a state of intoxication is grounds for suspension or revocation of any such permit.

(c) The service or selling of alcoholic beverage to any person without requiring proof of age identification as required in this chapter is grounds for suspension or revocation of any such permit.

(d) The violation of any law, ordinance or regulation governing the operation of an establishment licensed to sell alcoholic beverages or which is reasonably related to the operation of such establishment is grounds for suspension or revocation of any such permit.

(e) An employee excluded from being granted or maintaining a permit under these terms, or whose permit is revoked or suspended, shall have the right to appeal such decision as provided in section 6.127.

Section 3. The preamble to this ordinance is hereby incorporated into this ordinance as if set out fully herein.

Section 4. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 5. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 6. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2008.

Harold K. Logsdon, Mayor

Attest: _____
City Clerk

INTERGOVERNMENTAL ALCOHOL
CONTROL AGREEMENT

THIS AGREEMENT made and executed this ____ day of _____, 200_, by and among the City of Fayetteville, Georgia ("Fayetteville") and the City of Peachtree City, Georgia, each acting by and through its Mayor and City Council (both parties collectively referred to as "Cities").

WHEREAS, pursuant to the authority of the Constitution of the State of Georgia, Article 9, Section 2, Paragraph 3, and O.C.G.A. § 3-3-2, political subdivisions within the State of Georgia are given the power to grant, refuse, suspend or revoke alcoholic beverage permits and licenses; and

WHEREAS, pursuant to the City Code of Ordinances Section 10-31 et seq., Fayetteville has established an alcoholic beverage license ordinance regulating alcoholic beverage permits and licenses; and

WHEREAS, pursuant to the City Code of Ordinances Section 6-36 et seq., Peachtree City has established an alcoholic beverage license ordinance regulating alcoholic beverage permits and licenses; and

WHEREAS, the parties to this agreement declare that uniform enforcement of laws and regulations regarding alcoholic beverage server permits would benefit the general welfare and safety of the citizens of the Parties; and

WHEREAS, the Parties desire to grant reciprocity to holders of a alcoholic beverage server permit in either Fayetteville or Peachtree City; and

NOW THEREFORE, in consideration of the mutual covenants, promises and conditions contained herein, the receipt and sufficiency of which are hereby acknowledged, it is agreed as follows:

1.

Fayetteville and Peachtree City do hereby agree to grant reciprocity to holders of an alcoholic beverage server permit from one of the Parties.

2.

The Parties agree to share any and all information regarding alcoholic beverage server permits, including any violations, proceedings or proposed changes in the ordinances regarding alcoholic beverage server permits.

3.

The Parties agree that each city shall be allowed one representative to monitor and provide input into the enforcement of the other city's alcoholic beverage server permit ordinances.

4.

This agreement shall be governed by Georgia law.

5.

The services performed and expenditures made under this Agreement shall be deemed for public and governmental purposes. All immunities from liability enjoyed by Fayetteville and Peachtree City, within its respective boundaries shall extend to its participation in enforcing its alcoholic beverage license laws under this Agreement outside of its respective boundaries, unless otherwise prohibited by law.

6.

All of the privileges and immunities from liability, exemption from laws, ordinances, and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death, and other benefits which apply to the personnel of each City when meeting outside their respective boundaries of that political subdivisions shall apply to such officers, agents or employees to the same degree, manner and extent while performing such function inside their political subdivisions boundaries.

7.

This Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right or action under any provision hereunder whatsoever for any cause, claim, assertion or benefit.

8.

The term of this Agreement shall commence on _____, __, 200__, and shall continue until its termination is declared by either party by providing the other party with a sixty (60) day advance written notice of its intention to terminate this Agreement.

[signatures appear on following page]

Executed in Fayette County, Georgia, this 1st day of May, 2008.

MAYOR AND COUNCIL OF THE
CITY OF FAYETTEVILLE

By: Walt L. White
Walt White, Mayor Pro Tem

ATTEST:

By: Judy Stephens
Judy Stephens, City Clerk

MAYOR AND CITY COUNCIL OF
THE CITY OF PEACHTREE CITY

By: _____
Harold Logsdon, Mayor

ATTEST:
