

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, August 16, 2021

6:30 PM

2nd Floor Conference Room

Policy Work Session

Mayor Craig Newton

Mayor Pro Tem Josh Bare

Councilmember Andrew Hixson

Councilmember Matt Myers

Councilmember Bruce Gaynor

Councilmember Arlene Beckles

- A. Roll Call (recorded)**
- B. Citizen Input**
- C. Board Updates**
 - Historic Preservation Commission Update- Gene Ramsay
- D. General Updates**
 - Historic Norcross Business Association Update- Cate Kitchen, Anna Balkin, and Carolee Armstrong Smith
- E. Council- General Discussion**
- F. Board Appointments**
 - Mayor and Council are asked to consider and approve appointments and re-appointments to the following board, authority or commission:*
 - Norcross Public Arts Commission*
- G. City Manager's Report**
- H. Items for Discussion**
 - 1. [21-6252](#) **Management Agreement Between the City of Norcross & United Futbol**
 - Discussion about a management agreement between the City of Norcross & United Futbol Academy for Summerour Park.
 - [Agenda Report - Management Agreement, Futbol Academy](#)
 - [Management Agreement Between City of Norcross and United Futbol Academy](#)
 - 2. [21-6253](#) **Funding of Non-Profit Agencies**
 - A recommendation to approve funding for administration of the Motel-to-Home Program provided by the United Way of Greater Atlanta, Inc. ("UWGA") in the amount of \$25,000, and authorize execution of an agreement between the City of Norcross and UWGA; approve funding for the Gwinnett Housing Corporation, dba as LiveNorcross, for the services of a project manager from January 1, 2022 through August 30, 2022, in the amount of \$35,000, and authorize execution of an agreement between the City of Norcross and the Gwinnett Housing Corporation.
 - [Agenda Report- Funding of Non-profit Agencies](#)
 - [Agreement b/w United Way and City of Norcross](#)
 - [City of Norcross Funding Request 2022 For LiveNorcross](#)
 - 3. [21-6229](#) **Disadvantaged Business Enterprises**
 - A recommendation to adopt and establish a program to allow for a fair and equitable procurement process that is inclusive of DBEs.
 - [MC Agenda Report - Disadvantaged Business Enterprises](#)

4. [21-6205](#) **RZ2021-003 - Request to Rezone the Properties Located at 772, 782, 802, 812 Holcomb Bridge Rd.**
Status update only for continuation of consideration for the request for advertising purposes.

[RZ2021-003 Memo Policy Meeting Status Update 081621](#)

5. [21-6254](#) **Wi-Fi in City Parks and Rectory Building**
A recommendation to consider placing WIFI in the Rectory Building along with all public parks within the City of Norcross.

[Agenda Report- WIFI in City Parks and Rectory Building](#)

[Comcast Quote](#)

[SHI Leasing Proposals](#)

[City of Norcross -Fusion Connect](#)

6. [21-6255](#) **West Peachtree Street Invitation for Sealed Bids**
A recommendation to Approve an Invitation for Sealed Bids for the sale of city-owned property on West Peachtree Street.

[Agenda Report-West Peachtree Street 8.16.21](#)

[Notice of Invitation to Bid for Sale of West Peachtree Street 8.9.21](#)

7. [21-6249](#) **TEXT2021-002 Request to Amend Various Sections of the Unified Development Ordinance**
A recommendation to Approve a request to Amend Various Sections of the Unified Development Ordinance.

[Text2021-002 Ordinance Packet](#)

8. [21-6248](#) **RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway**
A recommendation to approve the rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway, with the following condition:

1. Any proposed changes or improvements to the site would have to meet the design standards and requirements specified in the City's Unified Development Code by obtaining the necessary permits.

[RZ2021-004 Full Packet](#)

9. [21-6238](#) **Community Forest Master Plan**
A recommendation to adopt the Community Forest Master Plan.

[Community Forest Master Plan July 2021 Packet](#)

10. [21-6239](#) **Tree Inventory Update**
A recommendation to move forward with the attached Georgia Forestry Commission Application Grant.
[GFC Grant Application Packet](#)
11. [21-6237](#) **One Million Trees**
A recommendation to join the Trees Atlanta One Million Trees Program.
[One Million Trees Packet July 2021](#)
12. [21-6256](#) **Massage Establishment Population Triggers**
A proposal that the current population trigger in the City's massage establishment ordinance be increased from 1 massage establishment per 5,000 residents to 1 massage establishment per 10,000 residents and to be effective upon adoption on September 7, 2021.
[Massage Establishment Population Item v2](#)
13. [21-6257](#) **Deconstruction Ordinance/Residential Demolition Moratorium**
A recommendation to extend the moratorium until 12/31/21.
[Agenda Report- Deconstruction Moratorium Memo August 2021](#)
[Portland Deconstruction Ordinance](#)
14. [21-6258](#) **Johnson Dean Park Improvements Phase 2**
Public Works, Utilities, & Parks is requesting approval to advertise a RFP for engineering services for Johnson Dean Park improvements, phase 2.
[Memo - Johnson Dean Park Improvements, Phase 2](#)
[Johnson Dean RFP PWUP-21-03](#)
15. [21-6251](#) **Covid Vaccine Incentive**
A recommendation to authorize the City Manager to offer an incentive to unvaccinated City employees to raise the percentage of vaccinated employees - allowing an employee who completes their vaccination(s) after a specified effective date, to qualify for up to 8 hours of sick leave if they experience a reaction to the vaccination.
[Agenda Report - COVID Incentive](#)
16. [21-6259](#) **Service Line of America Contract**
A recommendation by the City Attorney Pat O'Brien that the City of Norcross dissolves the current Sewer and Water Line marketing License agreement between the City of Norcross and Utility Service Partners Private Label, Inc. ("USP") d/b/a/ Service Line Warranties of America ("SLWA").
[Agenda Report - Sewer and Water Line Marketing License Agreement](#)
[RES - NLC Warranty Program](#)

17. [21-6265](#) **NORCROSS Sign/Artwork**

Discuss a memorandum of understanding developed by the City Attorney to be signed by the City Manager on behalf of the City accepting payment from The Brunswick in an amount of \$29,600 with which the City will pay IMG for fabrication of a NORCROSS sign/artwork as discussed previously by the Mayor and City Council.

[Agenda Report -NORCROSS Sign](#)

[Artwork PPT](#)

I. **Adjourn to Executive Session for Personnel, Real Estate or Legal**

J. **Signed by: _____ Mayor Craig Newton**

K. **Attest: _____ Monique Lang, City Clerk**



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6252	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Management Agreement Between the City of Norcross & United Futbol		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- Management Agreement, Futbol Academy](#)
2. [Management Agreement Between City of Norcross and United Futbol Academy](#)

Title

Management Agreement Between the City of Norcross & United Futbol

Drafter

Mary Beth Bender



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council

From: Mary Beth Bender

Agenda: August, 2021 – Policy Work Session

Agenda #: 21-6252

Item: **Management Agreement between the City of Norcross & United Futbol Academy for Summerour Park.**

CC: Eric Johnson

Recommendation: To discuss management agreement between the City of Norcross & United Futbol Academy for Summerour Park.

Financial Impact: UFAN pays the City \$1500 / month for land use

Consistent with Comprehensive Plan? Yes, this falls under Sustainability & Quality of Life. The City of Norcross takes pride in providing a high quality of life for it's residents. Continued Parks activities and services add to the social health and resilience of our community that we strongly promote.

Next Steps: All parties to sign and execute contract.

Attachments: Management Agreement

Update: We have had an ongoing agreement with UFAN since 2015.

**Management Agreement
Between
The City of Norcross, Georgia
And
United Futbol Academy at Norcross, Inc.**

This management agreement is made and entered into this 1st day of August, 2021 by and between the City of Norcross, Georgia, a Georgia Municipal Corporation, (hereinafter "the City") and United Futbol Academy at Norcross, Inc., a corporation with the Georgia Secretary of State's Office, (hereinafter "UFAN").

WHEREAS, the City leases and controls real property and improvements thereon located at the intersection of Price Place and Beaver Ruin Road, Norcross, Georgia, 30091, Gwinnett County, Georgia, through an Intergovernmental Agreement dated October 6th, 2014, Gwinnett County Tax Parcel R6 242 045 (hereinafter "the Premises") which is more particularly described in Exhibit "A" which is attached hereto, all of which are incorporated herein by reference; and

WHEREAS, UFAN is a non-profit organization established in 2010 whose mission is to promote the game of soccer and to provide a memorable soccer experience for the community; and

WHEREAS, the City desires that the Premises be used for athletic endeavors generally and any other lawful and proper use which would be normal and customary for such an athletic venue, and to provide for an athletic venue for the benefit of the citizens of the City and other groups, organizations, clubs and teams; and

WHEREAS, UFAN is desirous of managing the Premises for the City not only to promote UFAN's soccer activities but also assist in the management of the Premises of the City to accommodate an organized use of the Premises;

NOW, THEREFORE, in consideration of the agreements set forth herein, the covenants and promises set forth herein, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **MANAGEMENT:** The City hereby retains UFAN to manage all athletic activities on or at the Premises during the days and hours of normal operation to be established by the City and posted conspicuously on and at the Premises. Such management shall be limited to supervising and coordinating the usage of the Premises with responsible athletic clubs, athletic organizations, and athletic associations for the use of the Premises consistent

with the available facilities in a responsible and professional manner. UFAN will be responsible for scheduling and coordinating the use of the Premises to allow for maximum facilitation of the Premises to be used for the purpose for which it is managed. UFAN shall have a representative at the Premises during the hours of operation and/or conspicuously post contact information at the Premises to enable users or potential users the ability to promptly engage UFAN for scheduling the use of the Premises.

2. **PREMISES USE BY UFAN:** UFAN shall have priority usage over the Premises from August 1st, 2021, through July 31st, 2022, and during all renewals of this agreement during the following days and times:

- A. Monday through Thursday, 4:00 to 10:00 pm.
- B. Saturdays, 8:00 am to 10:00 pm.
- C. Sundays, 8:00 am to 10:00 pm.
- D. Monday through Friday, 8:00 am to 4:00 pm, when Gwinnett County Schools are not in session, particularly for the use and promotion of Summer Sports Camps.

Such additional terms which may be agreed to between the Parties.

3. **CONSIDERATIONS BY UFAN TO THE CITY FOR THE PRIORITY USAGE:**

- A. UFAN agrees to pay the City \$1,500 per month during the term of this Management Agreement and any renewals thereof.
- B. UFAN agrees to provide five (5) recreational and five (5) Select scholarships that must be applied for through the standard process in conformance with UFAN's procedures.
- C. UFAN will supply the necessary soccer equipment for practicing and the playing of soccer at the Premises which shall include, but not necessarily limited to, goals, benches, and flags.
- D. UFAN will provide signage to explain the rules for use of the artificial turf.
- E. UFAN will create, coordinate, and provide supervision for the programming of soccer play during hours of usage of the Premises.

- F. UFAN will inspect the Premises regularly to eliminate any unsightly and/or dangerous debris from the Premises to provide for a safe and clean environment in which to engage in athletic activities.
 - G. UFAN will act as athletic advisors to the City for the management operation and use of the Premises.
4. **BOOKING**: UFAN shall be responsible for the booking of all games, practices, tournaments, or other related events to be held at the Premises during the terms of this Management Agreement. No company, person, or entity other than the City shall have the right or ability to use the Premises without coordination through UFAN.
 5. **CONTRACTS WITH THIRD PARTIES**: With regards to the Premises and the management by UFAN of said Premises, UFAN will not enter into third party contracts for the use of the Premises for uses inconsistent with the terms hereof. UFAN will provide in any such contract that the contract is strictly between UFAN and the third party establishes no privity with respect to the City.
 6. **PROMOTION**: UFAN will be responsible for the promotion of all of the events and activities held at the Premises at its own sole cost and expense.
 7. **REPAIRS AND MAINTENANCE**: The City will be responsible for major structural repairs to the Premises and any improvements thereon as well as all normal and customary maintenance with regard to the Premises and any improvements.
 8. **UTILITY BILLS**: The City shall be responsible for all utility bills associated with the Premises.
 9. **TERM**: The term of this agreement shall begin upon execution of the agreement by both parties and shall run for thirty (30) successive days. Unless thirty (30) days of prior written notice of termination is given by either party, this agreement shall automatically renew for a successive period of thirty (30) days until terminated.
 10. **TERMINATION OF AGREEMENT**: The City has the right to cancel this agreement upon giving thirty (30) days written notice with or without cause. UFAN shall provide thirty (30) days' notice to the City Manager of its intent to terminate this contract for any reason.
 11. **CITY USE OF FACILITIES**: UFAN shall cooperate with the City in the scheduling of any City events at the Premises that does not conflict with a previously scheduled event.
 12. **CITY'S ACCESS**: The City shall have the right to enter the Premises at all reasonable times to make repairs, perform any necessary maintenance or for any other reason.

13. **ALTERATIONS AND ADDITIONS:** UFAN shall not make any structural alterations, improvements, modifications, or additions within, on, or about the Premises without the prior written consent of the City. To the extent that the City may consent or agree in writing to any structural or non-structural alterations, modifications, or additions within, on, or about the Premises, UFAN acknowledges that any such alterations, modifications, or additions shall be at UFAN's sole expense and UFAN shall pay all bills for labor and material incurred in connection therewith and UFAN shall permit no materialmen's or supplier's lien to be levied, claimed or filed against the Premises, the real property upon which such Premises in situate or any part or portion thereof. In the event of the filing of such lien, UFAN shall take such action as may be required to cause said lien to be removed, cancelled, or satisfied as respects to UFAN and the real property on which it is situate. UFAN understands and agrees that any and all structural alterations, modifications, or additions made within, on or about the Premises shall become permanent fixtures and shall not be removable by UFAN on the normal termination or prior termination of this agreement as provided for herein this Agreement.
14. **DESTRUCTION OF OR DAMAGE TO THE PREMISES:** If the Premises are totally destroyed by storm, fire, lightning, earthquake, or other casualty, or so substantially damaged as to make the terms of this agreement impossible by reason of such cases, this agreement terminate as of the date of such destruction or damage.
15. **INSURANCE:** UFAN shall, at its expense, procure and throughout the time that this Management Agreement is in force, maintain the following insurance:
- Comprehensive Public Liability Insurance (also known as General Liability Coverage), on an occurrence basis with minimum limits of liability of not less than One Million Dollars US (\$1,000,000) for bodily injury, personal injury, death and medical payments to any one (1) person and Two Million Dollars US (\$2,000,000) for bodily injury, personal injury, death and medical payments to more than one (1) person and Five Hundred Thousand Dollars US (\$500,000) for damage to property.*
16. **INDEMNITY:** UFAN shall indemnify and save harmless the City from and against any and all loss, cost (including reasonable attorney fees), damage, expense and liability (including statutory liability and liability arising under the Workman's Compensation Laws) in connection with any and all claims (including claims arising from the condition of the agreement Premises or of any driveway, sidewalk, or parking lot on or adjacent to the agreement Premises) for damages as a result of injury or death of any person or property damage to any property sustained by:

- A. UFAN's partners, customers, invitees, agents, employees, contractors, and subcontractors, their partners, agents, and employees, regardless and irrespective of the cause of such claims for damages, and
 - B. All other persons, including the City's agents and employees, if such injury, death, property damage arises from or in any manner or grows out of any act or neglect on or about the Premises (including any driveway, sidewalk, or parking lot on or adjacent to the Northeast Side of the Premises) by UFAN or any UFAN partners, customers, invitees, agents, employees, contractors, and subcontractors, their partners, agents, and employees or which arise from or in any manner grow out of any defect in any undertaking hereunder by UFAN or any failure of UFAN to comply with the provisions of this agreement.
 - C. In the event that any action or proceeding is brought against the City by reason of any such claim, then UFAN upon notice from the City, shall defend such action or proceeding at UFAN cost, and UFAN shall pay all costs and attorney fees and any judgement or decree and interest thereon which may be entered against the City. The obligations imposed upon UFAN by this Paragraph Number Sixteen (16) accruing prior to any termination of the initial or any subsequent term of this agreement shall survive such termination.
17. **GOVERNMENTAL ORDERS:** UFAN agrees, at its sole expense, to promptly comply with all federal, state, and local laws, rules and regulations including compliance with the City of Norcross' Code and Zoning regulations. UFAN further agrees to comport with the requirements of any legally constituted public authority made necessary by reason of UFAN's occupancy or management of the Premises.
18. **REMOVAL OF FIXTURES – CONDITIONS OF PREMISES UPON TERMINATION:** UFAN may (if not in default hereunder) prior to the expiration of this agreement, or any extension or renewal hereof, remove all fixtures and equipment which UFAN has placed on the Premises, provided UFAN repairs all damage to the Premises caused by such removal. Not later than the last day of the term hereof, or any renewal or extension of the term hereof, UFAN shall, at UFAN's own expense, remove all of UFAN's personal property and improvements which have not become the property of the City, repair all damage done by or in connection with the installation and removal of said property and improvements and surrender the Premises to the City in substantially the same condition as the Premises were in when received by UFAN. Reasonable wear and tear, damage by fire, casualty or other cause not due to the misuse or neglect by UFAN, its partners, customers, invitees, agents, employees, or licensee accepted.

19. **EFFECT OF TERMINATION**: No termination of this agreement prior to the normal ending thereof, by lapse of time or otherwise, shall affect the City's right to enforce the provisions of this agreement for obligations that arose prior to termination.
20. **RIGHTS CUMULATIVE**: All rights, powers, and privileges conferred hereunder upon parties hereto shall be cumulative and not exclusive nor restrictive to those given by law.
21. **WAIVER OF RIGHTS**: No failure of the City to exercise any power given the City hereunder, or to insist upon strict compliance by UFAN with its obligation hereunder, and no customer or practice of the parties at variance with the terms hereof shall constitute a waiver of the City's right to demand exact compliance with the terms hereof.
22. **TIME OF ESSENCE**: Time is of the essence for this agreement.
23. **SIGNS**: No sign, billboard, or other advertising may be placed on the Premises or on the grounds outside the Premises by UFAN without the City's prior written approval. The City reserves the right to approve the size and style set forth on any such sign and the City shall have the right to specify and designate wherein any such sign shall be placed with reference to the premises as well as the manner and method of installation of any such sign.
24. **OUTSIDE STORAGE**: UFAN agrees that there is to be no outside storage of supplies or materials except as permitted by the Zoning Ordinances of the City of Norcross for the zoning classifications of the Premises. This paragraph is of utmost importance and must be strictly adhered to.
25. **APPLICABLE LAW**: The parties hereto acknowledge and agree that this Agreement shall be governed and interpreted in accordance with the laws of the State of Georgia.
26. **LEGAL RESTRICTIONS**: This Agreement is subject to any requirements and limitations as provided by the City Charter, the laws of the State of Georgia, the laws of the United States, and all applicable local, state, or federal regulations as they apply to the City of Norcross and its properties. Such limitations shall include, but not limited to, the ability of the City Council to bind any future City Councils as to prevent free legislation in matters of municipal government, and any provisions of the Georgia Constitution that prohibit the granting of gratuities by local government.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6253	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Funding of Non-Profit Agencies		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- Funding of Non-profit Agencies](#)
2. [Agreement b/w United Way and City of Norcross](#)
3. [City of Norcross Funding Request 2022 For LiveNorcross](#)

Title
Funding of Non-Profit Agencies

Drafter
Eric Johnson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council

From: Andrew Hixson, City Councilmember

Meeting Date: August 16, 2021 – Policy Work Session

Item No.: 21-6253

Title: Funding of Non-profit Agencies from Adopted FY 22 Budget: United Way of Greater Atlanta and Gwinnett Housing Corporation, dba LiveNorcross

Recommendation

Approve funding for administration of the Motel-to-Home Program provided by the United Way of Greater Atlanta, Inc. ("UWGA") in the amount of \$25,000, and authorize execution of an agreement between the City of Norcross and UWGA; approve funding for the Gwinnett Housing Corporation, dba as LiveNorcross, for the services of a project manager from January 1, 2022 through August 30, 2022, in the amount of \$35,000, and authorize execution of an agreement between the City of Norcross and the Gwinnett Housing Corporation.

Background

The City solicited applications by non-profit organizations as part of the budget process for FY 22, which begins September 1, 2021. UWGA and LiveNorcross were among the organizations that submitted funding requests and applications (attached).

Financial Impact

Sufficient funds have been budgeted within the Mayor and City Council budget for FY 22 to address both requests. .

Consistent with Comprehensive Plan?

Yes.

Next Steps

Once executed, the Motel-to-Home program provides for monthly reporting.

The LiveNorcross (GHC) funding provides gap funding from January 1, 2022, through the end of the City fiscal year. Funding for the remainder of calendar year 2022 will likely be requested in the City's next budget process. The organization seeks to achieve status as a Community Housing Development Organization ("CHDO") by January 2023, which will provide ongoing operational funding.

Attachments

United Way of Greater Atlanta, Inc. agreement
LiveNorcross Funding Request

Update

AGREEMENT BETWEEN UNITED WAY OF GREATER ATLANTA AND THE CITY OF NORCROSS, GEORGIA

This Agreement is made and entered into this ___ day of _____ 2021, by and between the City of Norcross, Georgia, a Georgia Municipal Corporation (hereinafter the “City”) and United Way of Greater Atlanta, Inc., a Georgia domestic nonprofit corporation (“UWGA”).

NOW THEREFORE, for and in consideration of the mutual promises and obligations contained herein and under the conditions hereinafter set forth, the parties do hereby agree as follows:

1. **Purpose:** The purpose of this Agreement is solely for the City to provide matching funds OF \$25,000.00 to UWGA during the initial term for the expressed purpose of supporting UWGA to administer and oversee the terms and conditions outlined in this Agreement and to ensure that all monies are utilized pursuant to the terms of this Agreement.
2. **Initial Term:** This Agreement will commence on July 1, 2021 and end on August 31, 2022. At the end of the term, UWGA’s authority to expend unencumbered finds or to obligate them contractually will expire, unless the parties enter into a written amendment to extend the term of the Agreement.
3. **Use of Funds:** UWGA agrees to maintain a separate and distinct set of accounts and records to ensure that the funds will be used exclusively for the purposes outlined herein. All funds must have documented expenditure within the term of the Agreement. Any ineligible or unexpended funds must be returned to the City not later than 15 business days following the date of termination of this Agreement, as amended.
4. **Scope of Work:**
 - A. UWGA shall:
 - Administer and oversee the terms and conditions in this Agreement, and ensure that the monies utilized pursuant to the provisions of this Agreement
 - Provide program management consultation and administrative support
 - Select and partner with The Society of St. Vincent de Paul and Single Parent Alliance and Resource Center who will provide move- in funds for **16-18 families** residing in hotels/motels located in the City of Norcross to move into permanent housing. Families must:
 - Be a family with children (legal identification, birth certificates)
 - Have lived in the extended stay motel that is within Norcross' city limits, for more than 30 days (motel receipt with name and address on it)
 - Be employed and have reasonable income to be able to successfully live out the terms of their lease. (Pay stub, inquiry from Department of Labor)
 - Agree to work with a case manager for the first year of their lease, obtain banking services, begin a credit repair process, and complete follow-up surveys.

- Direct their own apartment search with assistance from the Housing Location Specialists. Once an apartment has been identified a welcome letter from the apartment complex or private landlord that states the rent and deposit amounts and a W-9 form from the property manager is required to be submitted to case manager
- Sign a release form
- Provide \$25,000 matching funds to be used to support homeless families with:
 - The maximum funding per family is up to \$2,500;
 - Funds will be used to provide first-month rent, application fees, utility fees, and deposits and other move-in costs;
 - UWGA to provide half of the funds in advance of the start of the program and the other half once 75% of initial funds have been used;
 - No more than \$5,000 can be used for administration fees (10% of fund); and
 - Submit a quarterly report of overall program evaluation statistics and an account of how funds were spent to the City of Norcross.
- Housing Location Priorities:
 - First priority is to house families within the City of Norcross; if no housing units are available within Norcross City limits that are in the affordability range of a family who continue to meet all other M2H program criteria, and such lack of affordable housing availability is documented in writing, subject to audit by the City of Norcross, then
 - Second is priority to house families within the Norcross High Cluster of Gwinnett County Public Schools; if no housing units are available within the Norcross City limits that are in the affordability range of a family who continue to meet all other M2H program criteria, and such lack of affordable housing availability is documented in writing, subject to audit by the City of Norcross, then
 - Third priority is to house families within Gwinnett County or as per family preference.

B. The City shall provide matching funds of \$25,000 to support the above listed activities.

5. **No Oral Modification.** Any modification or amendment to this Agreement, or an additional obligation assumed by either party in connection with this Agreement, shall be effective only if placed in writing, authorized by both parties and signed by authorized representative of each party.
6. **Performance:** UWGA agrees to furnish all skill and labor of every description necessary to carry out and complete in good, firm and substantial, workmanlike manner, the work specified herein.

7. **Fees and Expenses:** Within thirty (30) days of the execution of this Agreement by both parties, the City agrees to pay to UWGA Twenty-Five Thousand and No/100s Dollars (\$25,000.00) in funds and UGWA agrees to provide an additional Twenty-Five Thousand and No/100s Dollars (\$25,000.00) in matching funds to support the specific activities listed in this Agreement during the Term set forth in this Agreement.
8. **Records:** UWGA's financial records and service provision records must be available for review by the City. UWGA must adhere to the Laws of the State of Georgia and Generally Accepted Accounting Principles ("GAAP") with regard to expenditure reporting and accounting. A certified audit must be on file with the City for the most recent fiscal year prior to entering into this Agreement. A certified audit for the fiscal year(s) covered by this Agreement, as amended, must be submitted as soon as it is available.
9. **Reporting:** On or before the 15th day of each month, UWGA shall provide the City with a monthly report pertaining to the administration and expenditure of funded activities.
10. **Service within the City:** UWGA agrees that all City contributed funds and the matching funds provided by UWGA shall be used only for families currently residing in hotels/motels located within the City of Norcross to move them into permanent housing.
11. **Notices:** All notice and communications provided for hereunder shall be sent as follows:

For United Way of Greater Atlanta:

Denise Townsend, Regional Director
 United Way of Greater Atlanta
 6500 Sugarloaf Parkway, Suite 220
 Duluth, GA 30097
dtownsend@unitedwayatlanta.org
 (404) 527-8805

For the City of Norcross:

Eric Johnson, City Manager
 City of Norcross Georgia
 City Hall
 65 Lawrenceville Street
 Norcross, GA 30092
 Email: eric.johnson@norcrossga.net

With a copy to:

Thompson, O'Brien, Kemp & Nasuti, P.C.
 2 Sun Court, Suite 400
 Peachtree Corners, Georgia 30092
 Attention: J. Patrick O'Brien
 Telephone: 770-925-0111
 Email: pobrien@tokn.com

- 12. Entire Agreement:** This Agreement constitutes the entire agreement between the parties and understanding between the Parties relating to the subject matter hereof and may not be amended, waived or discharged except by an instrument in writing executed by the Party against which enforcement of such amendment, waiver or discharge is sought.
- 13. Effect of Termination:** Either Party may terminate this Agreement by giving fifteen (15) days written notice to the other party. No termination of this agreement prior to the normal ending thereof, by lapse of time or otherwise, shall affect City's right to enforce the provisions of this agreement for obligations that arose prior to termination.
- 14. Rights Cumulative:** All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative but not restrictive to those given by law.
- 15. Waiver of Rights:** No failure of City to exercise any power given City hereunder, or to insist upon strict compliance by UWGA with its obligation hereunder, and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of City's right to demand exact compliance with the terms hereof.
- 16. Time is of the Essence:** Time is of the essence of this agreement.
- 17. Applicable Law:** The parties hereto acknowledge and agree that this Agreement shall be governed and interpreted in accordance with the laws of the State of Georgia.
- 18. Legal Restrictions:** This Agreement is subject to any requirements and limitations as provided by the City Charter, the laws of the State of Georgia, the laws of the United States, and all applicable local, state or federal regulations as they apply to the City of Norcross or its properties. Such limitations shall include, but not be limited to, the ability of the City Council to bind any future City Councils as to prevent free legislation in matters of municipal government, and any provisions of the Georgia Constitution that prohibit the granting of gratuities by local government.

[SIGNATURES CONTINUED NEXT PAGE]

IN WITNESS WHEREOF, the Parties have executed this Agreement under their hands and seals, the day and year first above written.

CITY OF NORCROSS, GEORGIA

BY: _____

TITLE: _____

ATTEST:

BY: _____

TITLE: _____

UNITED WAY OF GREATER ATLANTA, INC.

BY: _____

TITLE: _____

ATTEST:

BY: _____

TITLE: _____

2360806_1.docx

Attachment: Agreement b/w United Way and City of Norcross (21-6253 : Funding of Non-Profit Agencies)

City of Norcross

Community Request for Funding Form

Please complete the following form, giving as much information as possible.

Section 1: Contact Information

Name of organization:	Gwinnett Housing Corporation (GHC) dba LiveNorcross
Address:	502 Glenn Edge Drive, Lawrenceville, GA 30046
Main contact:	Lejla Prljaca
Position in organization:	Executive Director
Address (if different from above):	
Email:	lejla@lhainfo.com; livenorcrossinfo@gmail.com
Daytime telephone number:	4045698407

Section 2: About your organization

2.1 Is this organization a registered non-profit organization? Yes ☒ No ☐ If no, does your organization have a constitution/ rules which it follows? Yes* ☒ No ☐ *If yes, please include a copy in your application. Please see attached organizational bylaws.
2.2 Who does this organization support/benefit? Note: The City of Norcross seeks to support charities, non-profit organizations, and community groups whose impact pursues to provide positive community development but will view any application form on a case-by-case basis. GHC provides housing opportunities and community outreach to residents making up to 80% AMI

City of Norcross

Community Request for Funding Form

2.3 What are the aims of this organization, and what kind of activities/projects does it run?
Please see attached

2.4 Description of how the Donation Request Amount will be of benefit to the Norcross Community?

Please see attached

Section 3: The Need

3.1 How much funding is the organization requesting for the Donation?

GHC/LiveNorcross is requesting \$35,000 to pay for the salary and benefits of a full time LiveNorcross employee for January to September 1, 2022.

3.2 Does this Funding from the City of Norcross include Sponsorship for the organization? Yes ☒ No ☐
Yes

If yes, please explain the current sponsorship display format: (Example: City of Norcross Logo in the weekly bulletin?)

Please see attached

Section 4: Confirmation

For our information, please specify where you heard about the City of Norcross funding initiative?:

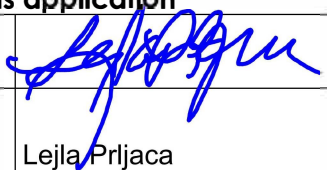
City Manager and Economic Development Director

For us to process your application, please ensure you have:

- Answered all questions on this form
- Signed the form
- Enclosed a copy of your constitution/non-profit designation if necessary

By signing below, you are confirming:

- **You have read and understood the City of Norcross Funding Request Guidelines.**
- **All the information supplied in this donation application is correct.**
- **The Management Committee (or equivalent) of the organization have agreed to the submission of this application**

Signature: 

Print name: Lejla Prljaca

Date: July 5, 2022

The City of Norcross Administrator only. (Verifies that a City of Norcross Admin has reviewed this application form).

Authorized Signature

Print name/Date

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)



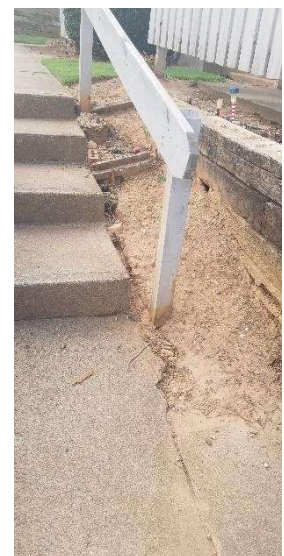
City of Norcross Funding Request, FYE 2022-Attachment

2.3 What are the aims of this organization, and what kind of activities/projects does it run?

“LiveNorcross-A Home to Imagine” is the name of the Norcross’s Georgia Initiative for Community Housing (GICH) program. Our mission is to create a more inclusive and prosperous Norcross by offering housing options for families of all incomes.

For the last 3 years the dedicated LiveNorcross volunteers have served the community by providing the following services:

- Planned and implemented city's first Housing Expo in collaboration with 14 community partners;
- Conducted a survey of the city's workforce consisting of employees of three Norcross schools, Norcross Police Department, Fire Department and city hall employees to assess their housing needs. Prepared and presented a “workforce housing” project to address the noted demand for quality housing;
- In 2019 live Norcross volunteers conducted an apartment survey with a goal of understanding barriers to homeownership and residents’ overall satisfaction with: with their community, property management company and city’s services. The Findings showed a wide range of property management quality standards and various levels of disrepair and safety hazards. The team submitted its report to the council followed by policy considerations that would improve the quality of life of renters in Norcross.
- The work of LiveNorcross professionals and volunteers is widely known for the extended stay study titled “When Extended Stay Becomes Home”. The Study received significant media attention locally and nationally and it was a catalyst for Gwinnett’s first Motel2Home program, a partnership between United Way and City of Norcross.
- As part of the GICH initiative, GHC acquired and rehabilitated a duplex on Mitchell Rd to provide quality affordable housing for the Motel2Home clients.
- Most recently, GHC applied for and received \$400,000 in Cares Act funding on behalf of LiveNorcross to provide much needed homeless prevention programming specifically to the Norcross community.

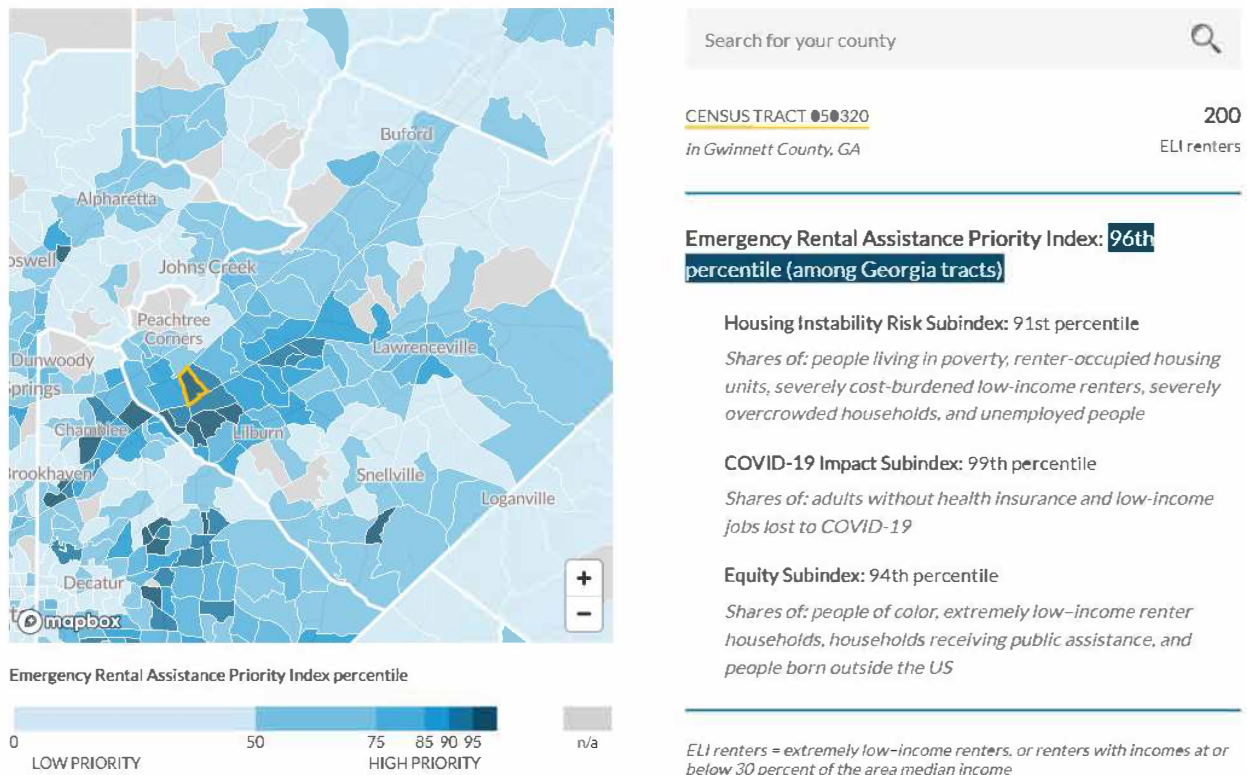


Please refer to the attachments for more information on LiveNorcross accomplishments.

2.4 Description of how the Donation Request Amount will be of benefit to the Norcross Community?

GHC raised enough funds to pay for the salary of the LiveNorcross project manager through the remainder of the 2021 calendar year. GHC/LiveNorcross is seeking funding in the amount of \$35,000 to pay for the said salary and benefits for time period of January 1, 2022-August 30, 2022.

Residents living in Norcross zip codes are facing significant systemic challenges and barriers that limit their socio-economic mobility. All of the existing factors such as higher than average poverty rates, lower rates of home ownership, high transiency and scoring lowest on United's Way Child Well Being Map", have been unfortunately further compounded by the pandemic. Urban Institute's infographic below shows Norcross census tracts at the highest risk for housing instability. If funded, LiveNorcross Project Manager will work with GHC and LiveNorcross volunteers to build on the existing momentum and providing emergency housing assistance followed by more long term planning and community development.



The funding will also enable LiveNorcross to build organization capacity needed to receive the Community Housing Development Organization (CHDO) status by Gwinnett County. Becoming a CHDO will provide a steady stream of operating and development funding every year, as long as the organization is in good standing and meeting its mission. City of Norcross financial support will allow us to build on the existing momentum, leverage the capital of volunteers who are committed to serving this community and preserve the LiveNorcross brand as a catalyst for revitalization and community development.

3.2 Does this Funding from the City of Norcross include Sponsorship for the organization? If yes, please explain the current sponsorship display format.

GHC/LiveNorcross will host several community events throughout the year and the City's logo will be displayed (with City's approval) in all social media, marketing and advertising campaigns. The messaging will demonstrate City's stated commitment to all families, regardless of the socio-economic status. GHC/LiveNorcross is open to alternative sponsorship opportunities, at City's request.

http://www.gwinnettdaily.com/local/norcross-picked-to-participate-in-state-housing-program/article_57730035-da53-50dd-91ef-63a7c21c6bd4.html

FEATURED

Norcross picked to participate in state housing program

By Curt Yeomans

curt.yeomans@gwinnettdaily.com Oct 28, 2017



Norcross news

Norcross was one of five communities across Georgia that was chosen earlier this month to get help from the Georgia Initiative for Community Housing to address housing issues.

The communities, which in addition to Norcross also includes McRae-Helena, Cochran, Byron and a collaborative made up of Troup County, Hoganville, LaGrange and West Point will enter the three-year program in February. The initiative is public-private program offered through the Georgia Department of Community Affairs.

"GICH has helped a range of communities achieve progress toward housing stability," DCA Commissioner Christopher Nunn said in a statement. "It's exciting to see these teams collaborate and develop creative and affordable housing solutions in their communities to build a strong foundation for growth and revitalization."

State officials said each community will have a 12-member team that includes representatives of local government, business, public housing authority and nonprofit housing organizations. Norcross Economic Development Director Chris Moder and Gwinnett Housing Corporation Executive Director Lejla Slowinski will lead the city's team.

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)

The teams will undergo training and technical instruction that will help them create strategies to boost their economies and quality of life.

State officials said some of the strategies that communities who participate in the program take on include offering updating codes and ordinances that deal with zoning, offering tax credits for the development of multi-family apartments, creating of a local land bank authority, developing an urban redevelopment plan, performing a housing assessment and targeting revitalization of neighborhoods that are distressed.

Curt Yeomans

I'm a Crawford Long baby who grew up in Marietta. I eventually wandered away from home and attended the University of Southern Mississippi, in Hattiesburg, Miss., where I first tried my hand at majoring in film for a couple of years. And then political sc



GWINNETT COUNTY



▲ **Comprehensive Plan:** Craig Newton, Norcross mayor

"The definitions at the federal level have not kept pace with what's happening – the suburbanization of poverty."

The second problem is that the definition of homelessness has changed. "Homelessness is taking a different form than it has before," Prljaca says.

In the survey, everyone was asked if they identified as homeless; 47 percent answered yes. But, when residents were asked if they spent a night in their car in the last 12 months – which is a definition of homelessness – many of them, including many of the 47 percent, also said yes.

One problem is that these residents and families have no protection from eviction. But if people are receiving federal public housing assistance from HUD, for example, there are protections in place in the event of eviction disputes. The same thing goes for people receiving housing assistance from other nonprofits.

Most of the families that responded to the survey had either poor credit or an eviction on their record, but they were working. Many want to move to a more solid place to live but don't have the funds for a rental security deposit. If they had an extra \$2,500, they could get out of the extended-stay hotel and into an apartment. So, working with a local nonprofit that set aside \$20,000, researchers were able to re-house nine families through HUD's Rapid Rehousing program, which offers financial assistance to cover the up-front costs of moving, including deposits and utility payments.

"That was the purpose of the study, to learn what some of the barriers [are] to finding permanent housing so we can inform the policymakers and the community [about] what is needed to move these families to permanent housing," Prljaca says.

Other projects on the map in Norcross include Brunswick Gateway Ventures' \$40-million mixed-use development that broke ground earlier this year. That development will include 185 multi-family units within walking distance of Lillian Webb Park and the brand-new Norcross Branch Library. The library is being built in partnership with the county, which is using special purpose local option sales

Visit these Gwinnett Cities

BUFORD COMMUNITY CENTER
BCC
 TOWN PARK & THEATRE
 2200
 BUFORD
 HIGHWAY
 Buford, GA 30518
 PHONE: (770) 945- 6762
 WWW.BUFORDCOMMUNITYCENTER.COM
 WEDDINGS • THEATRE • CORPORATE EVENTS • CONCERTS

City of Sugar Hill
Where Life is Sweeter

Sugar Hill is rapidly becoming the premier destination for business, entertainment, and investment in Gwinnett County. The E Center, a \$46 million public mixed-use development, attracts thousands of regular visitors and has generated over \$180 million in direct private investment. With new restaurants and shops all next to an award-winning theater and outdoor concert venue, Sugar Hill is creating a new standard for living, working, and playing in Gwinnett County. Come see why life and business are a little sweeter in Sugar Hill.

www.CityOfSugarHill.com

GWINNETT COUNTY

tax (SPLOST) funds to construct the 22,000-square-foot facility. The project includes a 128-space parking deck beneath the building, pedestrian plaza and streetscape improvements.

An \$85-million redevelopment project is also underway. Alliance Residential Co. is redeveloping the former 11-acre WestRock package manufacturing campus for mixed-use with more than 350 residential units to be offered by 2020. Forty-seven upscale townhomes are also being built in downtown Norcross.

The city is working on greenway and trail development and was recently awarded a \$380,000 Livable Centers Initiative (LCI) grant from the Atlanta Regional Commission to help fund their planning. The community got a nice boost with the ribbon cutting of Pinnacle Park, a \$2-million, 12-acre project funded by the city and SPLOST funds that connects the Beaver Run Creek Greenway and Gwinnett County trail system.

On the business side, Bake City is constructing a \$10-million, 60,000-square-foot state-of-the-art industrial bakery in the Pinnacle Business Park. The bakery will initially employ about 40, and an expansion in the near future is anticipated. A ribbon-cutting is being planned for this fall.

Birchwood Foods, a longtime corporate citizen, invested \$33 million in a new 80,000-square-foot manufacturing facility in the Gateway 85 Community Improvement District (CID). It's the company's third expansion since coming to Norcross in 1988. The expansion created 80 new jobs. Dennis Vigneri, president and CEO of Birchwood Foods, cited the community's "productive and talented work-

force" as well as the "excellent geographical location" as factors in the decision to expand operations.

They are the factors cited again and again as more and more companies move to or expand in Gwinnett. This growth is also a huge reason to keep chasing transit, Masino says. "I will unforgivingly support transit expansion in Gwinnett County until they kick me out of the building," he says of last spring's failed MARTA expansion referendum. "The business community wants it, and that is my key focus. Things like transit we have to get right. We've clearly already gotten the educational system right, parks and rec, our libraries, all these mixed-use developments in our municipalities are being done right. But the great thing about Gwinnett is that we keep working on what's next." ■



Pinnacle Park Groundbreaking



Authentic and Vibrant Downtown



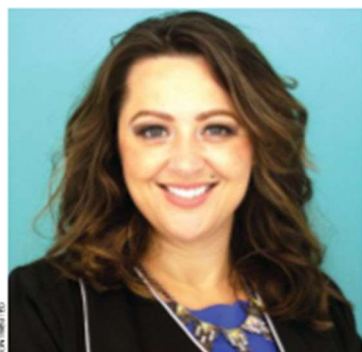
Paul Duke STEM High School

WHAT MAKES US UNIQUE?

Recognized as one of "100 Most Genius Places in America," Norcross, Georgia is emerging as a major regional and global economic engine. Transformative ideas, diversity and strong leadership are the keys to our success. Once known as a small bedroom community, our growth into an employment center, access to talent pools and innovation are some of the reasons why businesses call Norcross home.

- Accessible Location
- Employment Center
- Diverse Workforce
- Logistics Leader
- International Gateway
- Major Freight Hub

www.NorcrossED.com



Addressing Barriers: Lejla Prljica, CEO of the Gwinnett Housing Corp.

FEATURED

Norcross extended stay study reveals affordable housing challenges

By Curt Yeomans curt.yeomans@gwinnettdailypost.com

May 22, 2019



The Latin American Association's Aixa Pascual, left, explains the background on LiveNorcross' extended stay motel resident popula survey as LiveNorcross member Kathleen Allen and Gwinnett Housing Corporation Executive Director Lejla Prljaca look on Tuesday night.

Staff Photo: Curt Yeomans

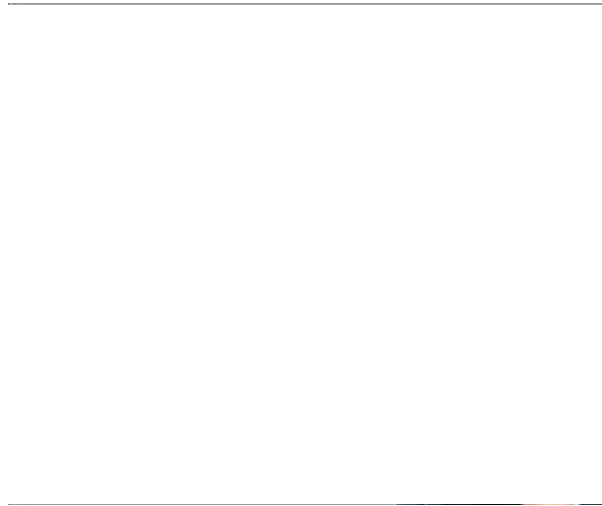
Close to one-tenth of the people who live in Norcross are estimated to live in one of its 14 extended stay motels, according to a report released Tuesday night by a group looking into homelessness in the city.

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)

LiveNorcross spent recent months looking into the city's extended stay motel population to study the challenges that exist to affordable housing in Norcross. LiveNorcross was established a year and a half ago through a partnership with the state to address issues facing the city's homeless population.

H.2.c

Those results were unveiled at the Norcross Cultural Arts Center on Tuesday night.



"Early on, we knew that families and individuals lived in the city's extended stay motels and we wanted to find out 'Who are they?' 'Why they live there?' and 'What resources do they have?'" the Latin American Association's Aixa Pascual said. "(So) we knocked on the doors of extended stay motels in Norcross."

A big takeaway from the extended stay motel survey is that nine of the 14 motels in the city are primarily being used by customers as long-term housing. The survey estimated that between 8% and 12% of Norcross' residents live in extended stay motels.

That estimate is based on the survey determining 1,294 extended stay motel rooms in the city being used for long-term housing and counting it against the U.S. Census Bureau's estimate that more than 16,000 people live in the city.

LiveNorcross member Kathleen Allen, one of the leaders of the survey, said the organization's work on examining the extended stay resident population sheds a light on a community that she feels could potentially be otherwise overlooked.

"It matters to me because these are our neighbors," she said. "It's so easy to think these people are just coming and going and to not see that they are our neighbors."

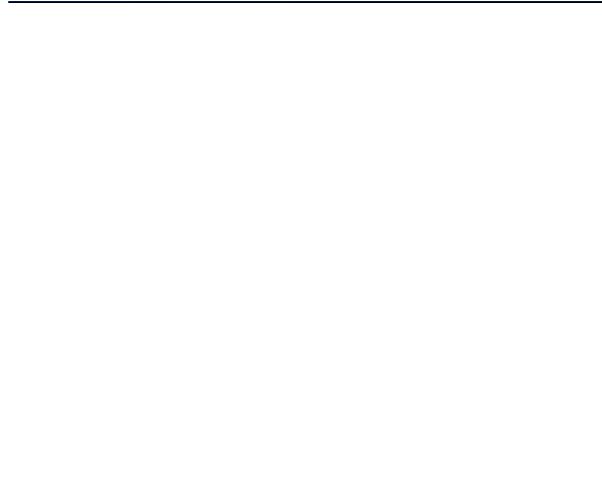
According to a demographic breakdown of the people living in the motels, 70% of them are African American while 22% are white, 4% are Hispanic and 1.3% are Asian.

Women who are the heads of their households make up 45% of the extended stay motel households.

Twenty-nine percent of the people who live in extended stay motels are elderly. Twenty-one percent of the residents receive Social Security or disability payments.

H.2.c

Allen said not all of the people who live in the extended stay motels in the city are necessarily low-income workers. One issue she and other LiveNorcross members pointed out regarding why people are living in extended stay motels is lack of affordable housing.



A report summary that was handed out to attendees at Tuesday’s presentation pointed to apartment rents that are in excess of \$1,000 per month and home prices that are \$500,000 or more as issues driving housing insecurity.

Allen and Gwinnett Housing Corporation Executive Director Lejla Prljaca said many residents are also “cost burdened.” They explained that ideally a person should not spend more than 30% of their income on housing or else that person becomes “cost burdened.”

Data presented in the report summary pegs the number of “cost burdened” renters in Norcross at 60%, while the median rent price in the city is \$1,008.

“What surprised me the most is I didn’t realize how much money some of these families (living in extended stays) make,” Allen said. “They software workers, they’re salaried employees.

“They’re not people making just minimum wage salaries — I mean, some of them are, but many are not. They’re working in factories in Gwinnett. It really is the working poor, and it’s just that struggle to get out is just brutal.”

Some policy recommendations presented Tuesday night included: creating a crime-free hotel and motel program; working with nonprofit organizations that administer rapid rehousing funds; adding affordable housing; converting extended stay hotels and motels into permanent housing; and taking another look at the hotel-motel excise tax to allocate some of its funds to address homelessness and affordable housing.

“Gwinnett County leads the region in median rents, so we’re not the suburban county that we used to be 20 years ago when many people came here to build up their wealth and for low cost of housing and low cost of living,” Prljaca said.

H.2.c

Curt Yeomans

I'm a Crawford Long baby who grew up in Marietta. I eventually wandered away from home and attended the University of Southern Mississippi, in Hattiesburg, Miss., where I first tried my hand at majoring in film for a couple of years. And then political sc

AJC

Atlanta. News. Now.



Living in a motel isn't glamorous; it's a sign that things must change

ONLY ON AJC | June 18, 2019

By [Gracie Bonds Staples](#), The Atlanta Journal-Constitution

Rimbey and Jason Schroeder's three daughters were still sleeping when I arrived one Friday late last month for a visit at a Motel 6 just off Peachtree Industrial Boulevard.

The curtains are drawn, so it is a dark space with clothing strewn throughout and last night's dinner dishes and various sundries cluttering a sink at the entry. It doesn't look like much, but they are together and they are home.

For Rimbey Schroeder, that means everything.

The Schroeders moved into the Motel 6 last August, after being evicted from a California apartment they could no longer afford. The couple, their three daughters, ages 4, 8 and 17, and three dogs live in a ground floor unit that looks to be around 450 square feet between the bedroom, the bathroom and the closet. When it's time to go to sleep, they share two full-size beds: Rimbey and two of the girls on one; Jason and another on the other.

Her husband away at work, Rimbey told me that soon after the family was evicted, Jason Schroeder learned JTech, a subsidiary of HM Electronics, the company he worked for, had an opening here and decided to take it.

In May 2018, they packed up everything they had and moved to Norcross. After living paycheck to paycheck and from hotel to hotel, anything had to be better. Only it wasn't.

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)



Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)

They had no other choice but to settle down in their 2012 Kia Sorento, where they remained until August, when Jason got his first paycheck and enough to move into this Motel 6.

RELATED: Norcross study reveals who is living in extended-stay motels and why

Actually all over Norcross and the country, budget motels like this serve as semipermanent residences for thousands of families too poor or too financially unstable to afford regular rental units or get a decent apartment because there is so little affordable housing stock in the United States.

According to a 2017 study by Harvard University’s Joint Center for Housing Studies, the number of people living in poverty has increased most in suburban and exurban communities. In fact, the study showed that in metro Atlanta, the number of low-density, high-poverty exurban tracts rose from only 11 in 2000 to 72 in 2015.

Compounding the growing poverty rates is that home prices have continued to go up even as wages have remained stagnant. Since 2011, the rate of home price increases has been about 20 percentage points higher than the rate of wage increases, according to March 2019 data from the Atlanta Regional Commission. In metro Atlanta, 56% of homebuyers have incomes below \$100,000, and fewer starter homes are being built, meaning that home ownership is becoming out of reach for lower-income households.

The Schroeders came to my attention after a group of Norcross affordable housing advocates released survey results showing that many hardworking families and elderly individuals on a fixed income are living in extended-stay motels located within the city limits.

I wish I could say that surprised me, but I can’t. The Schroeders aren’t the first family I’ve met who made their homes in hotel rooms. Given their numbers, they probably aren’t the last, but make no mistake, we should be doing all we can to lift them out of the mire, including



Photo: The Atlanta Journal-Constitution

The study was conducted last fall by LiveNorcross, a local program of the statewide Georgia Initiative for Community Housing that is supported by the Georgia Department of Community Affairs, the Georgia Municipal Association and the University of Georgia’s Carl Vinson Institute of Government.

RELATED: Business execs sleep out so homeless youths won’t have to

What was interesting about the study’s findings, based on a survey of residents from nine extended-stay motels, was who lives in these establishments and the barriers they face to finding permanent housing.

- 84% of respondents indicated that the extended-stay motel is their place of residence, and they are for the most part local Gwinnett families.

- The main reason they can't get out is because they can't afford the upfront financial obligations they must fulfill to move into a rental unit.

- 29% of the residents living in extended-stay hotels are ages 55 and up.

Right now, the Schroeders are stable.

"It's not the most ideal situation, but we have a roof over our heads," Rimbey said. "We're able to take care of the rent."

Rent is \$640 every two weeks, but even in an overheated real estate market like metro Atlanta it is by no means cheap. Imagine then trying to save up enough cash for first and last month rent plus a security deposit on a regular apartment. Imagine having to pay for a credit check or producing a bank statement and references.

With a bankruptcy filing in their history and two civil suits from their evictions, rent application for the Schroeders were an automatic denial.

"Right now, I don't see us getting out of this situation," Rimbey said as her daughters began to rise from their slumber. "Here it is difficult to save money. It's what we call the hotel trap. You're stable but stuck. There's no way we can save up three months' rent. We're paying \$1,280 a month. We can't use the hotel as a rental reference, and since we don't have good rental history, we're stuck that way, too."

There are days, Rimbey said, when she is absolutely frustrated and others when she feels nothing but hope. She hopes people will stop seeing numbers, for instance, when looking at people living in poverty.

Numbers don't tell stories, she said, and she's right. With numbers, it's easy to assume people are drug addicts, irresponsible, or unwilling to seek something better. It might never enter your mind they are people just down on their luck.

It's a lot cheaper than California. The environment is better. The schools are absolutely wonderful. It's just that right now I feel stuck, but I'm hopeful we'll find something."

I hope they will, too.

Find Gracie on Facebook (www.facebook.com/graciestaplesajc/) and Twitter (@GStaples_AJC) or email her at gstaples@ajc.com.

Study Explores Characteristics of Residents of Extended-Stay Motels in Georgia

Jun 03, 2019

A report by LiveNorcross, *When Extended Stay Becomes Home* (<https://bit.ly/2WvomXB>), summarizes the findings of a survey of residents of extended-stay motels in Norcross, GA, that sought to better understand who is living in motels on an extended basis and why. The report found that most extended-stay residents originally saw residence in motels as a temporary situation but then struggled to save enough money to move.

Through interviews with motel managers and residents, LiveNorcross found that nine of the fourteen motels within Norcross city limits – with a total of 1,249 rooms for rent - were primarily residential. Volunteers canvassed all nine residential motels over six weekends in the fall of 2018. They received 175 full surveys, including open-ended comments, from extended-stay residents.

Most Norcross extended-stay residents were employed, and 69% worked full-time jobs. Thirty-nine percent of families surveyed had children living with them. Twenty-nine percent were seniors (age 55 and older), many of whom had fixed incomes and were at risk of homelessness as motel rates increased.

The majority of residents saw living in a motel as a temporary situation at first, but 40% of respondents had resided in an extended-stay motel for a year and 22% for three or more years. Eighty-five percent of participants reported being housing cost-burdened, which LiveNorcross defined as paying more than 35% of their incomes towards rent. Twenty-five percent of residents paid more than 80% of their incomes on rent. With such high cost-burdens residents struggled to save enough money for the security deposits and initial rents required to move into rental homes with long-term leases. Seventy-nine percent of respondents reported they simply required some temporary assistance to move to permanent housing, while 71% reported they would not need long-term assistance to maintain such housing. Responses to open-ended survey items indicated that eviction records were also a barrier to leasing a rental home. Only 13% of those surveyed did not express a strong desire to move into permanent housing.

Some of the authors' recommendations include working with non-profits that administer rapid re-housing to provide temporary assistance to residents looking to find permanent housing, converting extended-stay motels into affordable housing, and waiving the hotel-motel excise tax for patrons staying more than a week. The authors also emphasized the need for more affordable, quality rental housing, especially for residents with fixed incomes, to promote housing stability.

When Extended Stay Becomes Home is available at: <https://bit.ly/2WvomXB> (<https://bit.ly/2WvomXB>)



lejla prljaca <lejla@lhainfo.com>

Norcross City Council Approves \$25,000 to Help Families Living in City's Extended-Stay Motels Find Affordable Rentals

Lejla Prljaca <lejla@lhainfo.com>

Tue, Oct 22, 2019 at 4:22 PM

Bcc: Ashley Thompson <Ashley.Thompson@cbs46.com>, "Staples, Gracie (CMG-Atlanta)" <Gracie.Staples@ajc.com>, "Estep, Tyler (CMG-Atlanta)" <Tyler.Estep@coxinc.com>, curt yeomans <curt.yeomans@gwinnettdailypost.com>, karenhuppertz@gmail.com, davewilliams@bizjournals.com, jeff@gwinnettmagazine.com, wgbarks@att.net, htnewsatlanta@yahoo.com, jputnam@peachtreecornersga.gov, communication <communication@norrccrossga.net>, shaunieka.taste@gwinnettcountry.com, awilliams@southwestgwinnettchamber.org, BBrown@southwestgwinnettchamber.org, htolbert@partnershipgwinnett.com, shannum@gwinnettchamber.org, info@gwinnettcitizen.com, elliott@gwinnettforum.com, newsletter@mundohispanico.com, Sonam Vashi <sonamdvasi@gmail.com>, taylor.denman@gwinnettdailypost.com, Pam Ledbetter <pam@accentcreativegroup.com>

Norcross City Council Approves \$25,000 to Help Families Living in City's Extended-Stay Motels Find Affordable Rentals

United Way, St. Vincent de Paul and Gwinnett Housing Corporation partner with Gwinnett city to offer services as Norcross families move to stable housing

(Norcross, GA. Oct. 21, 2019) --- The Norcross City Council unanimously approved the allocation of \$25,000 in city funds to help some 20 local families who currently live in extended-stay hotels find more stable housing.

The \$25,000 will help fund an innovative "motel-to-home" pilot program in the City of Norcross, in partnership with the United Way of Greater Atlanta, the Society of St. Vincent de Paul Georgia, the Gwinnett Housing Corporation and an affordable housing initiative led by volunteers known as LiveNorcross. "Our city's commitment to and partnership with GICH LiveNorcross is solidified by this grant," said Norcross Mayor Craig Newton. "Our council is committed to improving the quality of life for all who call Norcross home."

"We are hoping that this pilot will allow us to show that, with minimal investment, we can assist these working families in securing permanent housing," said Lejla Prljaca, executive director of the Gwinnett Housing Corporation and a LiveNorcross co-founder. "Many of these families are paying up to \$1,600 per month in these establishments, which doesn't allow them to save money needed for deposits and first-month rent. This program will help them overcome that initial hump and move back into more stable housing."

United Way of Greater Atlanta will match the \$25,000 to kick off this initiative. The \$50,000 will help selected families pay for the deposit and first month of rent. The families, which will be screened for needs, will receive ongoing mentoring to ensure they are successful as they transition to more permanent housing.

"Our volunteers throughout the state are reporting an increasing number of families living in extended-stay motels due to the lack of affordable housing options," said Denise Fisher, advocacy director with SVdP Georgia. "The families enter the motels to solve a short-term crisis, but then find themselves stuck financially and unable to get out. These motels have become the affordable housing option of last resort."

LiveNorcross unveiled a study in May that surveyed the residents of extended-stay hotels. There are 14 such hotels within city limits, and nine of these establishments serve primarily as residential facilities. The study found that 84% of survey respondents indicated that the extended-stay motel is their place of residence. Some 29% of the residents are ages 55 and up, and 40% of the families living at these motels have children. The residents of these extended-stays have jobs, but are struggling financially. They are able to pay a monthly amount in hotel stay that would be similar to what they'd pay for rental, yet they can't come up with the two or three months of rent that renters must pay upfront.

Families living for months in motels adversely impacts children's school performance and disrupts family resilience. "It is the largest unmet need in our community, according to data from our 211 service," said Protip Biswas, vice president of homelessness for the United Way of Greater Atlanta. "This partnership and funding to help families with housing and support will be a great step forward and a model to emulate."

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)

The \$50,000 in available funds for this initiative will allow these families to move out and rent an apartment on their own, with the support of the partner organizations. The United Way of Greater Atlanta will administer the pilot, with hopes of expanding the program in the future. SVdP Georgia will lead the program and offer customized case management for the families, including assistance in accessing banking services and credit repair.

"Money alone is often not enough to help these families achieve stable housing," said Fisher of SVdP. "Our experience has taught us that ongoing casework is essential for them to obtain stable housing and be able to keep it. We will also be collecting additional data to provide follow-up to the original LiveNorcross study. It's important for us to be able to identify any additional unanticipated barriers these families face in securing stable housing, so that these can be addressed before we expand the program to other communities."

The Gwinnett Housing Corporation will house some of the homeless families referred to them by the SVdP Georgia case managers through its Pathway HOME program that offers transitional housing for homeless families with children. These affordable housing units were funded, in part by, Gwinnett County's Community Development Program.



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Lejla Prljaca, Executive Director
Lawrenceville Housing Authority
Gwinnett Housing Corporation

502 Glenn Edge Drive
Lawrenceville, GA 30046
Phone: (770) 963-4900 x 2030
Fax: (770) 338-8447
www.lawrencevilleha.org
<http://www.rethinkhousing.org/>



Norcross providing \$25K to help families get out of motels

GWINNETT | Oct 23, 2019

By Tyler Estep, The Atlanta Journal-Constitution

The city of Norcross will provide \$25,000 to start a program aimed at helping families get out of local extended stay motels and find more stable housing.

The city funding will be matched by the United Way of Greater Atlanta, meaning a total of \$50,000 will be available to help selected families cover the deposit and first month's rent necessary to secure a rental home or apartment.

About 20 families could be assisted, officials said.

“We are hoping that this pilot will allow us to show that, with minimal investment, we can assist these working families in securing permanent housing,” said Lejla Prljaca.

inRead invented by Teads

Prljaca is the executive director of the Gwinnett Housing Corporation and a co-founder of the affordable housing initiative called LiveNorcross.

LiveNorcross released a study over the summer that found that a large percentage of people staying at the city's many extended stay motels were using the facilities as their place of residence. Nearly two-thirds of those surveyed had lived at their motels for a year or more. Almost all had steady jobs and said they'd only temporary assistance to get out.

Many were spending as much on their motel rent as they would for a more secure apartment home. That suggested that the residents would be able to pay for [safer](#), more stable housing - and that the costs associated with motel living were preventing them from saving up for the deposits or first and last month's rent necessary to secure such housing.

The new "motel-to-home" program hopes to remedy that situation.

In addition to financial assistance to help move out of their respective motels, families selected for the program will receive ongoing mentoring to help ensure they keep more secure housing moving forward.

"Our council is committed to improving the quality of life for all who call Norcross home,"
Norcross Mayor Craig Newton said.



September 24, 2019

MEDIA ADVISORY

NORCROSS HOLDS RIBBON CUTTING FOR MITCHELL ROAD AFFORDABLE HOUSING DUPLEX

You are invited to join the City of Norcross, LiveNorcross and the Gwinnett Housing Corporation (GHC) in a ribbon cutting for the Mitchell Road Duplex, a Pathway HOME property. The occasion symbolizes the city's efforts to bring more quality, affordable housing to the area and improve the lives of its residents. The families who come to live in Mitchell Road will have the opportunity (and support) to move from homeless to permanent housing.

- WHEN:** Monday, September 30, 2019
2:00 P.M.
- WHERE:** 2105 Mitchell Road
Norcross, GA 30071
- WHAT:** A ribbon cutting and tour of the Mitchell Road Duplex, a Pathway HOME property
- WHO:** City of Norcross leaders, families, media and stakeholders
- WHY:** This duplex is the next step in many changing the lives of Norcross residents. Be a part of the change, and help us welcome a new home to Norcross! At this event you will have the opportunity to meet one of the incoming families, tour one of the unoccupied units and learn more about what you can do to help.
- CONTACT:** Pam Ledbetter
Communications & Marketing for the City of Norcross
pam.ledbetter@norcrossga.net
communication@norcrossga.net
[678-407-8820](tel:678-407-8820)
- BACKGROUND:** In the current economy, housing prices continue to soar, and many residents are finding it difficult to continue renting or owning homes. The lack of quality affordable housing affects area schools, local businesses and families. As a partner in the Georgia Initiative for Community Housing (GICH) through its own LiveNorcross Initiative, the City of Norcross strives to make quality affordable housing available to all its residents.

"As Norcross grows and develops, we want to ensure our city is an attractive place to live for all who call our city home. Our desire is that Norcross feels like home to all of our residents, regardless of where they reside or if they rent, lease or own a home in our great city," said Norcross' Mayor Craig Newton on the occasion of LiveNorcross forming.

Recently, the Gwinnett Housing Corporation (partner of the City of Norcross and co-lead in the city's GICH project) acquired a duplex on Mitchell Road and invested over \$100,000 in improvements to the property and building. The duplex is the latest addition to GHC's growing Pathway HOME program inventory, a housing program for families experiencing homelessness. GHC partners with local organizations who serve these families for a period of two years and offer them access to various self-sufficiency programs while they reside in Pathway HOME properties throughout Gwinnett County.

The Pathway HOME program has proven instrumental in successfully moving families from homeless to homeowners, and it is the goal of both LiveNorcross and the City of Norcross that this newest property will prove the same for some of the families identified earlier this year in the LiveNorcross Extended-Stay Survey. The survey, unveiled in May, revealed that 84% of respondents live full-time in these motel rooms.

The Mitchell Road Duplex is located next to the Mitchell Road Mosaic Mural (a 2018 community project aimed at beautifying this corridor), and is walking distance to both Norcross Elementary School and Summerour Middle School. With access to public transit right next to the duplex, this project will truly give these families an opportunity to save money, work with their case manager and stay in the community without disrupting their children's education.

"It is an honor to partner with the City of Norcross on this initiative. It is inspiring to see the city and Gwinnett create an environment where affordable housing providers such as GHC can serve our hardworking families. We look forward to more projects in the future," remarked Lejla Prljaca, Executive Director of GHC.

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Gwinnett Housing Corp. to open new affordable housing in Norcross

<https://www.ajc.com/news/local/gwinnett-housing-corp-open-new-affordable-housing-norcross/JCONLK8fSbLmP8TE8dFiGN/?fbclid=IwAR1JrQya0p...> 1/1

Attachment: City of Norcross Funding Request 2022 For LiveNorcross (21-6253 : Funding of Non-Profit Agencies)

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[Need Help?](#)

Norcross city leaders, LiveNorcross and the Gwinnett Housing Corporation will officially open the Mitchell Road Duplex, a Pathway HOME property, at 2 p.m. Monday, Sept. 30 at 2105 Mitchell Road. The event symbolizes the city's efforts to bring quality, affordable housing to the city and assist and support families transitioning from homeless to permanent housing.

Citizens attending the event will have the opportunity to meet one of the incoming families, tour one of the unoccupied units and learn more about what the public can do to help.

"As Norcross grows and develops, we want to ensure our city is an attractive place to live for all who call our city home. Our desire is that Norcross feels like home to all of our residents, regardless of where they reside or if they rent, lease or own a home in our great city," said Norcross' Mayor Craig Newton on the occasion of LiveNorcross forming.

The Mitchell Road Duplex is next to the Mitchell Road Mosaic Mural and is walking distance to both Norcross Elementary and Summerour Middle schools.

Taboola Feed

National World News

JOIN US FOR THE FIRST NORCROSS HOUSING EXPO & THE 2018 FALL JOB FAIR



SATURDAY, OCTOBER 13, 2018 • 10 A.M. - 2 P.M.

SUMMEROUR MIDDLE SCHOOL
321 PRICE PL NW • NORCROSS GA, 30071

The First Norcross Housing Expo

Whether you are interested in fixing or rehabilitating your existing home, buying your first home or getting your finances together, you won't want to miss the Norcross Housing Expo!

Exhibitors at the Housing Expo include:

Brand Mortgage
Catholic Charities
City of Norcross, Code Enforcement
Clearpoint
Gwinnett Housing Corporation
Gwinnett County Community Development
Gwinnett Tech WIOA
Habitat Gwinnett
Metro Fair Housing
Money Management
PCCI
Renasant Bank
Latin American Association
Real estate associate broker Tywona Speller

To find out on-site if you qualify for a mortgage, bring your two most recent federal tax returns and W2s; 30-day paystub; and bank statement.

2018 Fall Job Fair

Resume Critique and
LinkedIn Profile Reviews
Dress to Impress

For more information about the Job Fair please submit an email to the Norcross Cooperative Ministry at jobministry@norcrosso-co-op.org

SPONSORED BY:

NORCROSS
COOPERATIVE MINISTRY



NO TE PIERDAS

EL 1ER HOUSING EXPO EN NORCROSS

&

EL OTOÑO 2018 FERIA DE EMPLEO



SÁBADO 13 DE OCTUBRE DE 2018 • 10 A.M.- 2 P.M.

**SUMMEROUR MIDDLE SCHOOL
321 PRICE PL NW • NORCROSS GA, 30071**

El 1er Housing Expo en Norcross

Ya sea que esté interesado en arreglar o rehabilitar su casa, comprar su primera casa, o arreglar su situación financiera, ¡no querrá perderse la Exposición de Viviendas de Norcross!

En el Housing Expo podrás hablar con representantes de:

Brand Mortgage
Catholic Charities
City of Norcross, Code Enforcement
Clearpoint
Gwinnett Housing Corporation
Gwinnett County Community Development
Gwinnett Tech WIOA
Habitat Gwinnett
Metro Fair Housing
Money Management
PCCI
Renasant Bank
Latin American Association
Tywona Speller, agente de bienes raíces

Ya sea que esté interesado en arreglar o rehabilitar su casa, comprar su primera casa, o arreglar su situación financiera, ¡no querrá perderse la Exposición de Viviendas de Norcross!

Otoño 2018 Feria de Empleo

Critica se currículum y revisiones de perfiles de LinkedIn

Vestirse para impresionar

Para mas información sobre la feria de trabajo, por favor mande un correo electrónico a Norcross Cooperative ministryjobministry@norcrosso-co-op.org

SPONSORED BY:

NORCROSS
COOPERATIVE MINISTRY





MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6229	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Disadvantaged Business Enterprises		

Sponsors:

Code Sections:

Attachments:

1. [MC Agenda Report Disadvantaged Business Enterprises](#)

Title
Disadvantaged Business Enterprises

Drafter
Councilmember Matt Myers



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Councilmember Matt Myers
Agenda: July 19, 2021
Agenda #: 21-6229
Item: Disadvantaged Business Enterprises (DBEs)

Recommendation

Adopt and establish a program to allow for a fair and equitable procurement process that is inclusive of DBEs.

Background

During their June 2021 Visioning Session, the Norcross Development Authority (NDA) board members discussed the potential of including a policy within their bylaws that would require monitoring and tracking the NDA's relationship with DBEs (e.g. tracking the percentage of NDA contracts awarded to DBEs or tracking the percentage of NDA financial assistance grants awarded to DBEs).

By definition, DBEs are for-profit small businesses where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

Research shows that DBEs are more likely to face barriers in submitting bids and securing public contracts because of pre-qualification requirements, performance bond requirements and financing barriers. The goal would be to diversify the applicant pool and set up guidelines for City RFP/RFQ processes in an effort to account for DBE businesses.

There is great value in diversification – for example, in the field of financial planning and investing, portfolio diversification yields greater returns. Likewise, in the context of DBEs, diversification of applicant pools is also good. The City will benefit from innovative, more efficient and cost-effective business practices.

Financial Impact

65 LAWRENCEVILLE STREET, NORCROSS, GEORGIA 30071
(678) 421-2027 **UPSTAIRS CITY HALL** (770) 242-0824 **FAX** (770) 448-2111 **POLICE DEPARTMENT**
<http://www.norcrossga.net>

None

Consistent with Comprehensive Plan?

Yes

Goal 2

Continue to strengthen Norcross as a livable, inclusive, and safe environment.

“Norcross is a welcoming community where all citizens thrive regardless of age, income or ethnicity.”

Community Work Program, ED.18

Develop and promote a mentorship program for underrepresented community members to increase access to small business certifications.

Next Steps

Discussion and potential action.

Attachments

None

Update

None



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6205	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Planning and Zoning
Title:	RZ2021-003 - Request to Rezone the Properties Located at 772, 782, 802, 812 Holcomb Bridge Rd.		

Sponsors:

Code Sections:

Attachments:

1. [RZ2021-003 Memo Policy Meeting Status Update 081621](#)

Title

RZ2021-003 - Request to Rezone the Properties Located at 772, 782, 802, 812 Holcomb Bridge Rd.

Drafter

Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council

From: Tracy Rye, AICP

Agenda: August 16, 2021

Agenda #:

Item: **STATUS UPDATE:** Request to rezone the properties located at 772, 782, 802, 812 Holcomb Bridge Road from R75, R100 (Single Family Residential), and M1 (Light Industrial) to RTH (Townhouse Residence) to allow the construction of a 53-unit townhome subdivision.

CC: Eric Johnson

Status Update

The applicant previously requested a 30 day deferral to facilitate a community meeting. Staff pointed out that due to advertising requirements (legal ads and property postings), the case could be delayed longer. The applicant met with the community and the applicant has elected to move forward. Staff has placed new signs on the property and sent new legal ads over to the Gwinnett Daily Post (GDP). Due to limited production runs and advertising deadlines for the GDP, consideration of the case will resume on Monday, September 20, 2021 at the Policy Work Session and Monday, October 4, 2021 at the Mayor and Council Meeting.

Attachments

N/A



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6254	Version:	A
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Wi-Fi in City Parks and Rectory Building		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- WIFI in City Parks and Rectory Building](#)
2. [Comcast Quote](#)
3. [SHI Leasing Proposals](#)
4. [City of Norcross -Fusion Connect](#)

Title
Wi-Fi in City Parks and Rectory Building

Drafter
Dr. James Trent



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: IT Director Dr. James Trent

Meeting Date: August 16, 2021 – Policy Work Session

Item No.: 21-6254

Title: WIFI in all Public Parks & Rectory Building
CC: Eric Johnson

Recommendation

Consider placing WIFI in the Rectory Building along with all public parks within the City of Norcross.

Background

In an effort to continue making our city a destination, our parks infrastructure need to be upgraded to provide WIFI to our residents and visitors. The City of Norcross will consider placing WIFI in the Rectory Building along with all public parks around the City of Norcross.

Financial Impact

The IT Department is in the process of vetting several vendors. The IT Department is seeking a vendor that will complement our current setup and integrate with our current infrastructure. The equipment will be managed similarly to our current WIFI set up at City Hall and Public Works. The estimated cost is \$36,786.42 that is not budgeted.

Next Steps

1. Review vendors (Fusion Connect, T-Mobile/RCN, Comcast and SHI).
2. Meet with selected vendor along with someone from Michael Jones' team to determine location of broadband equipment and coverage areas.

Hi JAmes, thanks for your interest in Comcast Business.

Your business is important to us. To complete your order, please follow and complete these easy steps.

1

Confirm Order Details

2

Approvals

3

Set Up My Account

Order Details

Contact Information

Account Information

Company Name	Lillian Webb Park
Contact/Signer's Name	JAmes Trent
Billing Address	5 COLLEGE ST, NORCROSS, GA 30071
Service Address	5 COLLEGE ST, NORCROSS, GA 30071
Business Phone Number	(770) 448-2122

Attachment: Comcast Quote (21-6254 : Wi-Fi in City Parks and Rectory Building)

Package	Monthly Charges	One-Time Charges
Data Package		
2 Year Contract Term	\$130.00	\$0.00
Internet	Monthly Charges	One-Time Charges
Business Internet 200	Included	\$0.00
Equipment Fee	\$18.45	\$0.00
Installation	Monthly Charges	One-Time Charges
Professional Installation	\$0.00	\$119.95
Totals and Discounts*	Monthly Charges	One-Time Charges
Monthly and One-Time Totals	\$148.45	\$119.95

*Pricing subject to change. Applicable federal, state and local taxes, surcharge and fees may apply. For details on promotional pricing see SOA and Pricing Information.

Your estimated monthly charges will be **\$148.45** and your estimated one-time charges will be **\$119.95**, so your estimated first bill will be **\$268.40**.

Attachment: Comcast Quote (21-6254 : Wi-Fi in City Parks and Rectory Building)

The Comcast Advantage



24/7 customer service



Access to millions of
hotspots
Easy install - Days. Nights.
Weekends.



Microsoft Office 365
Security & anti-virus
protection

Have Any Questions?

Contact your Sales Agent at 267-673-2576 or alexander_pedroza@cable.comcast.com

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[Visitor Agreement](#)

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[Sitemap](#)

[Open Source](#)

[Comcast RISE](#)

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Pricing Proposal
 Quotation #: 20853915
 Created On: 8/10/2021
 Valid Until: 8/31/2021

City of Norcross

James Trent

GA
 United States
 Phone: (770) 448-2122
 Fax:
 Email: James.Trent@norcrossga.net

Inside Account Executive

John Kearney

290 Davidson Ave,
 Somerset, NJ 08873
 Phone: 732-564-8563
 Fax: 732-564-8363
 Email: John_Kearney@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Meraki MR86 Wi-Fi 6 Outdoor AP Cisco Systems - Part#: MR86-HW	22	\$1,488.11	\$32,738.42
2 Meraki MR Enterprise License, 3YR Cisco Systems - Part#: LIC-ENT-3YR	22	\$184.00	\$4,048.00
Subtotal			\$36,786.42
Total			\$36,786.42

Additional Comments

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

University System of Georgia IT Handbook
http://www.usg.edu/information_technology_handbook/

Georgia Technology Authority – Enterprise IT Policies, Standards, and Guidelines
<http://gta.georgia.gov/psg/>

The Products offered under this proposal are resold in accordance with the [SHI Online Customer Resale Terms and Conditions](#), unless a separate resale agreement exists between SHI and the Customer.

Attachment: SHI Leasing Proposals (21-6254 : Wi-Fi in City Parks and Rectory Building)



Leasing Proposal

Thank you for partnering with SHI to accomplish your financing needs.

Customer Name	City of Norcross
Date	August 12, 2021
SHI Quote Number	20853915
Amount Financed	\$36,786.42
Lease Term	36 Months
Purchase Option	\$1 Purchase
Monthly Payment	\$1,116.16
Rate Factor	0.03034

- Subject to credit approval and equipment verification
- Proposal pricing subject to change without notice
- \$99.95 document fee

Lease Purchase Option:

SHI can also help to customize a leasing structure to meet your specific needs.

\$1.00 Purchase Option

This is a capital lease option designed for equipment that you want to own at the end of the lease term.

Benefits of Leasing Technology Equipment:

- Fixed Monthly Payment
- Conserves Working Capital
- Pay For The Time In Use

At SHI, we're committed to providing organizations with the best support and IT solutions in the industry – on time and within budget. What's more, SHI's flexible financing options make acquiring the cutting-edge technology and services you need to advance your business easier than ever before.

Contact your SHI Account Executive for more information, or email SHI_Capital@SHI.com.

Financing is available through DLL Public Finance, LLC to qualified customers in the United States and is subject to credit approval, tax-exempt verification, and execution of DLL's documentation. Other charges including fees and shipping charges may apply. Not all customers may qualify for this offer. Other restrictions may apply.



Leasing Proposal

Thank you for partnering with SHI to accomplish your financing needs.

Customer Name	City of Norcross
Date	August 12, 2021
SHI Quote Number	20853915
Amount Financed	\$36,786.42
Lease Term	3 Years
Purchase Option	\$1 Buyout
Annual Payment	\$13,149.35

- Subject to credit approval and equipment verification
- Proposal pricing subject to change without notice
- \$99.95 document fee

Lease Purchase Option:

SHI can also help to customize a leasing structure to meet your specific needs.

\$1.00 Purchase Option

This is a capital lease option designed for equipment that you want to own at the end of the lease term.

Benefits of Leasing Technology Equipment:

Avoid Technological Obsolescence

May Provide Tax Benefits

Fixed Monthly Payment

Conserves Working Capital

Flexible End-Of-Lease Options

Pay For The Time In Use

At SHI, we're committed to providing organizations with the best support and IT solutions in the industry – on time and within budget. What's more, SHI's flexible financing options make acquiring the cutting-edge technology and services you need to advance your business easier than ever before.

Contact your SHI Account Executive for more information, or email SHI_Capital@SHI.com.

Financing is available through DLL Public Finance, LLC to qualified customers in the United States and is subject to credit approval, tax-exempt verification, and execution of DLL's documentation. Other charges including fees and shipping charges may apply. Not all customers may qualify for this offer. Other restrictions may apply.



Leasing Proposal

Thank you for partnering with SHI to accomplish your financing needs.

Customer Name	City of Norcross
Date	August 12, 2021
SHI Quote Number	20853884
Amount Financed	\$34,718.42
Lease Term	12 Months
Purchase Option	\$1 Purchase
Monthly Payment	\$3,047.84

- Applicable taxes will be added to the payments quoted above
- Subject to credit approval and equipment verification
- Proposal pricing subject to change without notice
- \$99.95 document fee

Lease Purchase Option:

SHI can also help to customize a leasing structure to meet your specific needs.

\$1.00 Purchase Option

This is a capital lease option designed for equipment that you want to own at the end of the lease term.

Benefits of Leasing Technology Equipment:

- Fixed Monthly Payment
- Conserves Working Capital
- Pay For The Time In Use

At SHI, we're committed to providing organizations with the best support and IT solutions in the industry – on time and within budget. What's more, SHI's flexible financing options make acquiring the cutting-edge technology and services you need to advance your business easier than ever before.

Contact your SHI Account Executive for more information, or email SHI_Capital@SHI.com.

Financing is available through SHI International Corp. to qualified commercial customers in the United States Canada, and is subject to credit approval and execution of SHI International Corp. documentation. Offer valid on hardware and software transactions. Other charges including taxes, fees and shipping charges may apply. Not all customers may qualify for this offer. Other restrictions may apply.



Service Order: 609690-1
 Date: 8/11/2021
 This Quote is Valid Through: 9/10/2021

210 Interstate North Parkway, Suite
 200
 Atlanta, GA 30339

H.5.d

Account Information	Sales Contact Information
Customer Name: City of Norcross GA	Sales Contact Name: Serhan Akturk
Address 1: 93 Park Drive	Title: Senior Account Executive
Address 2:	Phone: (703) 259-8212
City: Norcross State: GA Zip: 30071	Fax: (925) 201-0456
Contact Phone: (770) 448-2122	Email: SAkturk@fusionconnect.com
Email: tarajewhitee@norcrossga.net	

		Monthly	One-Time	Monthly	NET One-Time
Access					
10Mb Ethernet (On-net)		\$391.67	\$0.00	\$391.67	\$0.00
10Mb Ethernet (On-net-F)		\$468.67	\$0.00	\$468.67	\$0.00
Business Cable 100M/15M Static (ESA)	9	\$229.99	\$0.00	\$2,069.91	\$0.00
Managed WiFi Service	10	\$0.00	\$0.00	\$0.00	\$0.00
SDWAN Pro Advanced Security (MX84)- 3YR	10	\$173.00	\$0.00	\$1,730.00	\$0.00
Equipment					
Fortinet Fortigate-40F: Rental (GROUND)		\$19.50	\$0.00	\$19.50	\$0.00
Meraki Meraki MS120-8FP (Port PoE) Managed Switch: Rental (GROUND)	10	\$68.00	\$0.00	\$680.00	\$0.00
Meraki MX84: Rental (GROUND)	10	\$0.00	\$0.00	\$0.00	\$0.00
Managed Security Services					
MX84 Advanced Security License and Support 3 YR	10	\$0.00	\$0.00	\$0.00	\$0.00
Monitoring Services					
Proactive Monitoring	21	\$0.00	\$0.00	\$0.00	\$0.00
Optional Services					
WAP Management Service - 3YR	10	\$25.00	\$0.00	\$250.00	\$0.00
ProInstall					
Professional On-Site Install	20	\$0.00	\$350.00	\$0.00	\$7,000.00

	TOTAL:	Avg. Per Site
Total Monthly:	\$5,609.75	\$509.98
Total One Time:	\$7,000.00	\$636.36

No of Sites: 11
 Term: 36 Months
 This Quote is Valid
 Through: 9/10/2021
 Net: 30 Days

Promotions

MRC will be credited for months 13,25 and 36 for applicable SD-WAN services as per Terms and Conditions

Attachment: City of Norcross -Fusion Connect (21-6254 : Wi-Fi in City Parks and Rectory Building)

Site Detail

Site	Install Phone	Address	Access Product	Net MRC	INet NRC	Shipping Priority
Taraje Whitee	(770) 448-2122	93 PARK DR NORCROSS GA 30071-0000	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2122	93 PARK DR NORCROSS GA 30071-0000	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2122	93 PARK DR NORCROSS GA 30071-0000	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	339 AUTRY ST NORCROSS GA 30071-1923	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	339 AUTRY ST NORCROSS GA 30071-1923	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	339 AUTRY ST NORCROSS GA 30071-1923	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	5 COLLEGE ST NORCROSS GA 30071-0000	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	5 COLLEGE ST NORCROSS GA 30071-0000	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	5 COLLEGE ST NORCROSS GA 30071-0000	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	250 PINNACLE WAY NORCROSS GA 30071-3634	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	250 PINNACLE WAY NORCROSS GA 30071-3634	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	250 PINNACLE WAY NORCROSS GA 30071-3634	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	160 N NORCROSS TUCKER RD NORCROSS GA 30071-0000	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	160 N NORCROSS TUCKER RD NORCROSS GA 30071-0000	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	160 N NORCROSS TUCKER RD NORCROSS GA 30071-0000	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	10 COLLEGE ST NORCROSS GA 30071-2540	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	10 COLLEGE ST NORCROSS GA 30071-2540	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	10 COLLEGE ST NORCROSS GA 30071-2540	10Mb Ethernet (On-net-F)	\$536.67	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	65 LAWRENCEVILLE ST NORCROSS GA 30071-2555	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	65 LAWRENCEVILLE ST NORCROSS GA 30071-2555	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	65 LAWRENCEVILLE ST NORCROSS GA 30071-2555	10Mb Ethernet (On-net)	\$411.17	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	219 LAWRENCEVILLE ST NORCROSS GA 30071-0000	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	219 LAWRENCEVILLE ST NORCROSS GA 30071-0000	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	219 LAWRENCEVILLE ST NORCROSS GA 30071-0000	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2112	325 PRICE PL NORCROSS GA 30071-0000	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2112	325 PRICE PL NORCROSS GA 30071-0000	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2112	325 PRICE PL NORCROSS GA 30071-0000	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND

Attachment: City of Norcross -Fusion Connect (21-6254 : Wi-Fi in City Parks and Rectory Building)

Taraje Whitee	(770) 448-2112	17 COLLEGE ST NORCROSS GA 30071-2541	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND
Taraje Whitee	(770) 448-2122	145 N BARTON ST NORCROSS GA 30071-2007	Managed WiFi Service	\$25.00	\$350.00	
Taraje Whitee	(770) 448-2122	145 N BARTON ST NORCROSS GA 30071-2007	SDWAN Pro Advanced Security (MX84)-3YR	\$173.00	\$350.00	GROUND
Taraje Whitee	(770) 448-2122	145 N BARTON ST NORCROSS GA 30071-2007	Business Cable 100M/15M Static (ESA)	\$297.99	\$0.00	GROUND

H.5.d

Attachment: City of Norcross -Fusion Connect (21-6254 : Wi-Fi in City Parks and Rectory Building)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6255	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	West Peachtree Street Invitation for Sealed Bids		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report West Peachtree Street 8.16.21](#)
2. [Notice of Invitation to Bid for Sale of West Peachtree Street 8.9.21](#)

Title

West Peachtree Street Invitation for Sealed Bids

Drafter

William Corbin



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: William Corbin, Economic Development Director
Agenda: August 16, 2021 – Policy Work Session
Agenda #: 21-6255
Item: West Peachtree Street Invitation for Sealed Bids
CC: Eric Johnson, City Manager

Recommendation

Approve Invitation for Sealed Bids for the sale of city-owned property on West Peachtree Street.

Background

The City of Norcross owns a 1.73-acre parcel of land at the corner of West Peachtree Street and Hunter Street close to the downtown historic core.

Mayor & Council issued a similar invitation for sealed bids regarding this property in Spring 2021. However, the received bids were not in conformity with the special terms, instructions and conditions set forth in the invitation.

Staff worked closely with legal counsel during this current iteration of invitation for sealed bids for the West Peachtree Street city-owned property with the goal of creating a bid invitation that is more straightforward, less onerous and easier to respond to by interested developers, builders and investors.

For example, the requirement for an irrevocable letter of credit was removed in favor of an earnest money check from the winning bidder in the amount of 5% of the bid amount.

Furthermore, the Economic Development Director and Community Development Director worked together to incorporate two additional bullet points under the 'Conditions' section of the invitation for sealed bids. The bullet points provide more clarity regarding the maximum number of units allowed as well as parameters relating to vehicular access and stormwater detention facilities.

Financial Impact

Given the prime location, future land use (residential) and previous high bid of \$726,000, the city is likely to generate a significant amount of revenue from the sale of this property.

Consistent with Comprehensive Plan?

Yes. The Comprehensive Plan for this area identifies it as Hopewell Woods, Character Area 5.

This area is envisioned as a a mixed-use area with a diversity of housing types, institutional and office uses as well as limited commercial to support residents and area employees.

Future desired development, as described in the invitation for sealed bids, fits that vision.

Next Steps

Publication of the Notice for Bid in the Gwinnett Daily Post; collection of bid responses; and final approval of the highest responsible, responsive bid by Mayor & Council.

Attachments

Notice for Bid document

Update

None

PUBLIC NOTICE
CITY OF NORCROSS, GEORGIA
INVITATION FOR SEALED BIDS
FOR SALE OF CITY OWNED PROPERTY

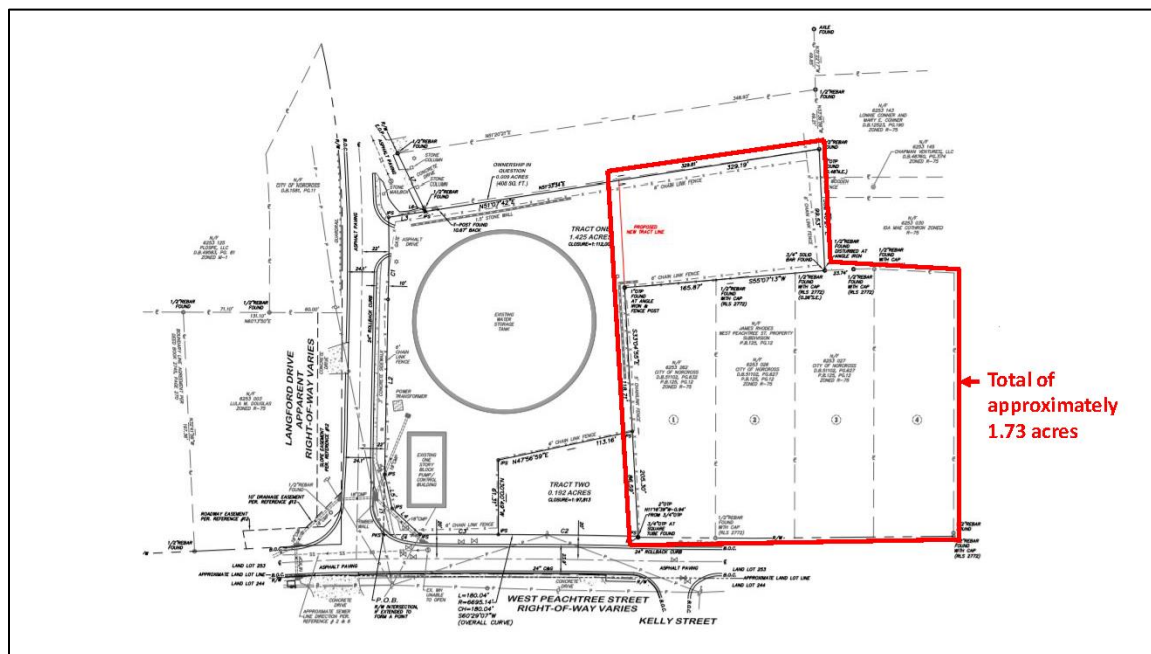
The City of Norcross, Georgia hereby issues this notice for sealed bids for the sale of the following property described (hereinafter the “Subject Property”):

SUBJECT PROPERTY DESCRIPTION

ID	STREET ADDRESS	TAX PARCEL NO.	APPROXIMATE ACREAGE
TRACT 1	658 WEST PEACHTREE STREET	R6253 262	0.33
TRACT 2	656 WEST PEACHTREE STREET	R6253 026	0.32
TRACT 3	646 WEST PEACHTREE STREET	R6253 027	0.34
TRACT 4	636 WEST PEACHTREE STREET	R6253 028	0.38
TRACT ONE-B	ADJACENT TO WATER TANK PROPERTY	A Portion of Tax Parcel No. R6253 003A	0.36
TOTAL APPROXIMATE ACREAGE			1.73

BIDS ARE DUE BY NOVEMBER 9, 2021 AT 10:00 a.m., Eastern Standard Time

SUBJECT PROPERTY CONFIGURATION



Special Terms and Instructions:

- All five (5) lots are sold together to the highest responsive, responsible bidder.
- The approximate metes and bounds legal descriptions of the five (5) lots are attached hereto for the information and convenience of the bidders. The City does not make any representation or warranty as to the accuracy of the attached legal descriptions.
- There are no warranties of title or of suitability for any particular purpose.
- The City will convey title to all five (5) lots by quit claim deed.
- The successful bidder shall be responsible for obtaining their own survey and title search and the preparation of a quit claim deed and legal description.
- Bids should be submitted as a non-negotiable cash offer. The City will not negotiate after bids are opened, and the City will not accept contingencies.
- Each Bid shall include a certified or bank check for earnest money in the amount of 5% of the bid amount. The check for earnest money shall be made payable to the Trust Account of Thompson, O'Brien, Kemp & Nasuti, P.C.
- One (1) copy of the bid form must be fully signed and the required Affidavit must be submitted in a sealed envelope marked "5 West Peachtree Lots" and "Attention Norcross Economic Development Director."
- The Bid Package must be delivered on or before 10 a.m., EST, November 9, 2021 to City Hall either by mail or hand delivery addressed to Norcross Economic Development Director, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071. Late bids will not be accepted.
- The Bid Proposal Form must be completely filled out. Do not leave any space blank.

- Bids shall be opened and publicly read on November 9, 2021 at 11:00 a.m.
- Acceptance of the highest responsive, responsible bid shall be made in writing after approval by the Mayor and Council of the City of Norcross.
- The earnest money check for the selected bidder will be deposited into the Trust Account of Thompson, O'Brien, Kemp & Nasuti, P.C. immediately upon the acceptance of the highest, responsive, responsible bid by the City. The earnest money checks for all other bidders shall be returned by USPS mail to the address on the bid documents within five (5) days of the acceptance of the highest, responsive, responsible bid by the City.
- The selected bidder may elect to extend the closing date for one additional forty-five (45) days at its own sole option by providing additional earnest money in the amount of 5% of the amount bid by check made payable to the Trust Account of Thompson, O'Brien, Kemp & Nasuti, P.C. within the first forty-five (45) day period of the acceptance of the high bid by the City. Any subsequent extension of the closing date shall be by agreement of the City and the selected bidder.
- The total amount of earnest money paid shall be credited against the purchase price at closing, unless the selected bidder fails to complete the purchase of the Subject Property by the deadline for closing.
- If the selected bidder has not completed the purchase of the Subject Property by close of business on the required closing date, the earnest money shall be released to the City of Norcross as liquidated damages.
- The City reserves the right to reject all bids or to cancel the sale. If the City rejects all bids or cancels the sale, the earnest money checks shall be returned to the bidders by USPS mail to the address on the bid documents.
- A tabulation of the bids shall be made available for public inspection following the opening of all bids.
- All such bids shall be retained and will be made available for public inspection following the opening of all bids for a period of not less than 60 days following the date that bids are opened.
- All bids shall be irrevocable.
- No bids shall be contingent on obtaining financing.

Conditions

- The City will not entertain bids that are contingent on rezoning. The property is currently zoned PRD (Planned Residence District). Sale is subject to all easements, public utilities, conditions and deed restrictions and it is the sole responsibility of each bidder to inspect the property prior to submitting a bid.
- The City will only consider bids proposing the construction of single family detached dwelling units on the Subject Property pursuant to the PRD zoning classification. See Norcross Code Section 201-13(e) (II) b.
- The maximum number of units for this project is 13 single family detached dwellings. All dwelling units must have vehicular access through an internal street/alley network constructed to City standards. Additionally, please take into consideration detention and stormwater facilities when developing a site plan.

- The PRD district requires architectural elevation approval by the City's ARB, and site plan approval by both the P&Z Board and the Mayor and Council.
- All prospective bidders shall submit preliminary concept plans as part of their bid.
- In the event that the purchaser has not obtained all land disturbance, building and other development permits necessary to construct single family detached dwelling units as set forth above within 15 months of the filing of the quit claim deed to purchaser, the City may, in its own sole discretion, repurchase the Subject Property from the purchaser for the amount bid and accepted by the City.
- The foregoing conditions will be incorporated into the terms of the quit claim deed issued to the purchaser.

Environmental

- The City is unaware of any wetlands, state water buffers on this site.

Inspection and Testing

- All prospective bidders shall be granted access to physically inspect, test, survey or conduct environmental testing on the Subject Property at least five (5) days prior to submitting bids after obtaining advance written approval from the Norcross Economic Development Director, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071. All such testing shall be at the prospective bidder's sole cost and expense.
- The City shall have the right to observe any testing, to take split samples.
- Each prospective Bidder shall indemnify, defend and hold the City harmless from any and all damage to the land or any loss, claims, penalties, liabilities and costs resulting from any act or omission of any prospective bidder or their agents and subcontractors associated with inspection and testing on the Subject Property.
- If a prospective Bidder conducts any such physical inspection and/or testing, Bidder shall require its contractors and agents to maintain insurance coverage, including but not limited to workers' compensation coverage; employers liability insurance of not less than \$250,000 each occurrence; and General Liability and Automobile Insurance coverage of not less than \$1,000,000.
- Closing will be within forty-five (45) days of acceptance of a bid by the City. Buyer will pay the full amount of the bid in cash at closing.
- The City will deliver the Subject Property to the selected Bidder free and clear of all liens by limited warranty deed.
- The City will pay all costs associated with Closing, including attorneys' fees; provided however, that the selected bidder shall be solely responsible for purchasing and obtaining title insurance.

- The selected Bidder must pay by cashier's check or wire transfer at closing.

The SALE shall be awarded to the highest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

THE CITY RESERVES THE RIGHT TO REJECT ALL BIDS, INCLUDING THE HIGHEST BID, TO WAIVE INFORMALITIES IN BIDDING, AND TO READVERTISE THE BID FOR THE SUBJECT PROPERTY.

Contact

- Prospective bidders must address any and all questions concerning this sale, including requests to review relevant documents, via email to tracy.rye@norcrossga.net and william.corbin@norcrossga.net; or via written letter to Norcross Community Development & Planning, City Hall, 2nd floor, 65 Lawrenceville Street, Norcross, GA 30071.

BID PROPOSAL FORM CITY OF NORCROSS

SALE OF CERTAIN REAL PROPERTY

Description: 1.73 acres, more or less, or land situated at 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, known as tracts 1-4, tax parcel ID nos. R6253 262, R6253 026, R6253 027, and R6253 028, and tract One-B which is contiguous to tracts 1-3 and adjacent to the water tower. See Invitation For Sealed Bids for further details.

Condition: Property is subject to all easements, public utilities, conditions and deed restrictions.

**SUBMIT PROPOSAL IN DUPLICATE,
ENCLOSED IN A SEALED ENVELOPE
MARKED WITH THE PARCEL
NUMBERS.**

MAIL OR DELIVER TO:

**City of Norcross, Norcross Economic
Development Director, City Hall, 2nd floor,
65 Lawrenceville Street, Norcross, GA 30071.**

THE CITY RESERVES THE RIGHT TO REJECT ALL BIDS, INCLUDING THE HIGHEST BID, TO WAIVE INFORMALITIES IN BIDDING, AND TO READVERTISE THE BID FOR THE SUBJECT PROPERTY. ANY INCOMPLETE BID FORM MAY BE REJECTED, ANY BID FORM THAT IS UNSIGNED OR IS NOT ACCOMPANIED BY THE REQUIRED AFFIDAVIT WILL BE REJECTED. NO BIDS WILL BE ACCEPTED AFTER THE DEADLINE.

APPROXIMATE LEGAL DESCRIPTION

Tract One

658 West Peachtree Street:

All that tract or parcel of land containing 0.335 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 164.81 feet to a point; thence, and continuing along said right of way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 63.87 feet to a 3/4" open top pipe found on said right-of-way; thence, and leaving said right-of-way, North 33 degrees 30 minutes 14 seconds West, for a distance of 206.13 feet (along the property line now or formerly of the City of Norcross) to a 1" open top pipe found; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 75.80 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 212.64 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 1, as depicted on that certain final plat for James Rhodes, West Peachtree St. Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Two

656 West Peachtree Street:

All that tract or parcel of land containing 0.323 Acres, lying and being in the City of Norcross, and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (being a variable right-of-way);

thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 130.56 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 34.25 feet to a point on said right-of-way; thence, and continuing along said right-of-way, South 60 degrees 03 minutes 00 seconds West, for a distance of 31.04 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 212.64 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 65.52 feet (along the property line now or formerly of the City of Norcross) to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 217.99 feet to the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 2, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Three

646 West Peachtree Street:

All that tract or parcel of land containing 0.330 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set; thence, and continuing along said right-of-way, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way and being the True Point of Beginning. From the True Point of Beginning, as thus established, and thence continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance 217.99 feet to a point; thence North 54 degrees 49 minutes 15 seconds East, for a distance of 24.38 feet (along the property line now or formerly of the City of Norcross) to a 3/4" solid bar found; thence North 55 degrees 54 minutes 32 seconds East, for a distance of 23.76 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar found; thence, and continuing along said property line, North 58 degrees 08 minutes 04 seconds East, for a distance of 13.22 feet to a 1/2" rebar found; thence, and

continuing along said property line, North 62 degrees 25 minutes 26 seconds East, for a distance of 4.07 feet to a point; thence, and leaving said property line, South 30 degrees 15 minutes 46 seconds East, for a distance of 221.01 feet to the True Point of Beginning, being located on the apparent Northern right-of way of West Peachtree Street.

Said tract or parcel of land is shown as Lot 3, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract Four

636 West Peachtree Street:

All that tract or parcel of land containing 0.328 Acres, lying and being in the City of Norcross and in Land Lot 253, of the 6th District, of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point at the intersected previously non-mitered Western right-of-way for Hunter Street (having a right-of-way of 30.00 feet) and the previously non-mitered apparent Northern right-of-way for West Peachtree Street (having a variable right-of-way); thence Southwesterly, along said right-of-way of West Peachtree Street, for a distance of 70.00+/- feet to a 1/2" rebar set and being the True Point of Beginning, being located on the apparent Northern right-of-way of West Peachtree Street. From the True Point of Beginning, as thus established, and thence, continuing along said right-of-way of West Peachtree Street, South 59 degrees 00 minutes 04 seconds West, for a distance of 65.28 feet to a point on said right-of-way; thence, and leaving said right-of-way, North 30 degrees 15 minutes 46 seconds West, for a distance of 221.01 feet to a point; thence North 62 degrees 25 minutes 26 seconds East, for a distance of 65.35 feet (along the property line now or formerly of Ida Mae Cothron) to a 1/2" rebar set; thence South 30 degrees 15 minutes 46 seconds East, for a distance of 217.10 feet (along the property line now or formerly of Hopewell Missionary Baptist Church) to 1/2" rebar set and the True Point of Beginning.

Said tract or parcel of land is shown as Lot 4, as depicted on that certain final plat for James Rhodes, West Peachtree Street Property, dated January 18, 2008, last revised March 16, 2009, prepared by Daniel S. Griffin, G.R.L.S. No. 2772, recorded in Plat Book 125, Page 198, of the Gwinnett County, Georgia Records, which plat is by reference incorporated herein and made a part hereof.

Tract One - B

All that tract or parcel of land lying and being in The City of Norcross, Land Lot 253 of the 6th Land District, Gwinnett County, Georgia and being more particularly described as follows:

To find The Point of Beginning, commence at the intersection of the Northerly Right-of-Way of West Peachtree Street (Right-of-Way Varies) and the Easterly Right-of-Way of Langford Drive (apparent Right-of-Way Varies), if extended to form a Point, said point marked by a P.K. Nail Found; THENCE leaving said Point North 28 degrees 51 minutes 30 seconds West for a distance of 49.71 feet to an ½" Rebar Found along the Easterly Right-of-Way of Langford Drive; THENCE continuing along said Right-of-Way of Langford Drive for the following three(3) courses and distances, North 28 degrees 51 minutes 30 seconds West for a distance of 144.38 feet to a Point; THENCE along a curve to the left having a radius of 1,237.54 feet and an arc length of 67.70 feet and being subtended by a chord of North 29 degrees 39 minutes 37 seconds West for a distance of 67.69 feet to an ½" Rebar Found; THENCE North 51 degrees 07 minutes 42 seconds East for a distance of 30.62 feet to an ½" Rebar Found; THENCE leaving said Right-of-Way, North 51 degrees 07 minutes 42 seconds East for a distance of 161.84 feet to an Iron Pin Set, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, North 51 degrees 07 minutes 42 seconds East for a distance of 167.35 feet to a ½" Rebar Found; THENCE South 32 degrees 40 minutes 27 seconds East for a distance of 99.53 feet to a ¾" Solid Bar Found; THENCE South 55 degrees 07 minutes 13 seconds West for a distance of 165.87 feet to a 1" Open Top Pipe found at an Angle Iron and Fence Post; THENCE North 33 degrees 04 minutes 55 seconds West for a distance of 87.85 feet to an Iron Pin Set, said point being the TRUE POINT OF BEGINNING.

Said property contains 0.357 acres.

BID PROPOSAL AND AFFIDAVIT

Combined Tracts 1-4 consisting of 636, 646, 656 and 658 West Peachtree Street, Norcross, GA, tax parcel ID nos. R6253 262, R6253 026, R6253 027 and R6253 028.

Bidder Name(s) _____

Address: _____

Contact Person: _____

Contact Phone Number: _____

Contact Email Address: _____

Bidder's Proposed Cash Offer for the Above Described Property:

_____ and ____/100 United States Dollars (\$_____).

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID TO PURCHASE CITY PROPERTY ARE TRUE AND CORRECT.

Signature of Affiant(s):

(Signature)

(Printed Name of Bidder/Agent)

Title

On this ____ day of _____, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public _____

My commission expires _____

(Signature)

(Printed Name of Bidder/Agent)

Title

On this ____ day of _____, 2021, before me personally appeared _____ to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her own free act and deed.

Notary Public _____

My commission expires _____

1694807_1.docx



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6249	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Planning and Zoning
Title:	TEXT2021-002 Request to Amend Various Sections of the Unified Development Ordinance		

Sponsors:

Code Sections:

Attachments:

1. [Text2021-002 Ordinance Packet](#)

Title

TEXT2021-002 Request to Amend Various Sections of the Unified Development Ordinance

Drafter

Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Planning and Zoning Board
Mayor and Council

From: Tracy Rye, AICP

Agenda: August 16, 2021 Policy Work Session

Agenda #: 21-6249

Item: TEXT2021-002

CC: Eric Johnson

Recommendation

Based on the Unified Development Ordinance being the implementation mechanism for the City's 2040 Comprehensive Plan, the Community Development staff recommends that the attached changes/edits be made to various portions of the Unified Development Ordinance as described below.

Background

From time to time, Staff and various Boards will review the Unified Development Ordinance (UDO) to provide for edits in response to state regulations and community needs and values.

1. The Georgia General Assembly enacted HB 493 to provide that all jurisdictions must have protocol in place to provide for third party plan review and inspections on the chance that the jurisdiction is unable to provide those services within the state's specified limits (30 days for plan review and two days for inspections). A new Article VII, Section 107 is proposed to be added to Chapter 100 to meet this requirement from the State.
2. The Historic Preservation Commission suggests that the limit on membership to two consecutive terms be removed.

3. The Tree Preservation Board suggests the attached changes to various section of Chapter 200, Section 205 to make changes that
 - a. reduce the size of a specimen tree;
 - b. to establish a higher replacement value for specimen trees when removed;
 - c. to provide that trees in stream buffers do not count toward tree density requirements;
 - d. to provide that there will be fees for the issuance of tree removal permits;
 - e. to provide that an independent arborist who is not associated with a tree removal company provide assessments for trees claimed to be unhealthy prior to a tree removal permit being issued;
 - f. and to provide that the maximum number of healthy trees that can be removed from a lot in any given year be limited to 3 trees.

Financial Impact

None

Consistent with Comprehensive Plan?

This project is considered to be consistent with the City's adopted 2040 Comprehensive Plan as the Unified Development Ordinance is the implementation mechanism for the Comprehensive Plan policy items.

Planning and Zoning Board Meeting August 4, 2021

The Planning and Zoning Board asked if item 1 was the result of recent state law, which was affirmed by staff; and for item 2 if the HPC is the only Board with term limits, which staff affirmed; and finally for item 3e if the independent Arborist report would be an additional cost to the property owner, which staff affirmed as well. The Planning and Zoning Board voted 5-0 to recommend approval of the amendments as present.

Attachments

Proposed Text Changes

Update

Private Permitting Prequalification

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF NORCROSS, GEORGIA TO PROVIDE REQUIREMENTS FOR PREQUALIFICATION OF PRIVATE PERMITTING REVIEW AND INSPECTION; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

Pursuant to O.C.G.A. §8-2-26(g) (hereinafter the "State Act"), the **Community Development and Planning Department** shall be authorized to prequalify any private professionals prior to them completing plan review and inspection services for permit applicants who have selected a third-party provider. Private professional providers must be certified professional engineers or certified professional architects who are not engaged in the project seeking the permit. Additional certifications can be required of prequalified private professionals if those same requirements are imposed on the municipal employees completing the plan review or inspection.

Article VII. PRIVATE PERMITTING REVIEW AND INSPECTION

Sec. 107-1. Definitions

For purposes of this Third-party Inspection Ordinance, the following definitions shall apply unless the context clearly indicates otherwise:

- (a) *Approved Third-party Inspectors and Plans Reviewer List.* A list maintained by the Community Development and Planning Department comprised of the names of Approved Third-party Inspectors and Plans Reviewers that have complied with the application and renewal requirements of the City and have been approved to perform Third-party Inspections and Plans Review pursuant to this article.
- (b) *Approved Third-party Inspector.* A Registered Professional Engineer or Registered Professional Architect that has complied with the application and renewal requirements of Community Development and Planning Department and has been approved to perform Third-party Inspections pursuant to this article. An Approved Third-party Inspector is intended to constitute a "private professional provider" for the purposes of performing inspections as described in the State Act.
- (c) *Approved Third-party Plans Reviewer.* A Registered Professional Engineer or Registered Professional Architect that has complied with the application and renewal requirements of Community Development and Planning Department and has been approved to perform Third-party Plans Review pursuant to this article. An Approved Third-party Plans Reviewer is intended to constitute a "private professional provider" for the review of reviewing building construction plans as described in the State Act.
- (d) *City.* The City of Norcross, Georgia.
- (e) *Complete Application.* For purposes of processing applications in compliance with the State Act, an application submitted to Community Development and Planning Department shall not be considered complete until all applicable fees have been paid, and all applicable reviewing agencies have received the application and provided any required approvals. For each permit type, Community Development and Planning Department shall establish and publish the requirements of a complete application.
- (f) *Convenience Fees.* Fees established by the Community Development and Planning Department to be paid to the City of Norcross, Georgia- by applicants who chose to use a Third-Party Inspector or Third-party Plans Reviewer or despite the Community Development and Planning Department otherwise being able to provide inspection and plan review services within the time frames required by the State Act. Such fees shall be the same amount as any Regulatory Fees assessed by the Community Development and Planning Department for inspections and plan review services performed by the Community Development and Planning Department.
- (g) *Department.* The Community Development and Planning Department or such other department as may be assigned by City of Norcross or City Manager the responsibility of performing inspections and overseeing the third-party inspection

and plans review system described herein.

- (h) *Inspection.* The observance of work and the performance of test for certain components and elements to establish conformance with City approved construction documents, building codes and ordinances adopted by City, and the requirements of the state minimum standards as adopted and amended by the Georgia Department of Community Affairs.
- (i) *Inspection Certification.* A written statement signed by an Approved Third-party Inspector or his or her approved Technician, which shall indicate that the item(s) being inspected, in the Approved Third-party Inspector's professional opinion and to the best of their knowledge, complies with City approved construction documents, building codes and ordinances adopted by City, the requirements of the state minimum standards as adopted and amended by the Georgia Department of Community Affairs, and any other applicable inspections that are typically performed by Inspectors employed by City.
- (j) *Inspection Field Report.* A written report prepared by an Approved Third-party Inspector or a Technician working under the direct supervision of an Approved Third-party Inspector describing the work conducted and findings of an inspection performed by an Approved Third-party Inspector or a Technician working under the direct supervision of an Approved Third-party Inspector.
- (k) *Plans Review Affidavit.* A written affidavit on a form adopted by the Georgia Department of Community Affairs that is completed and signed under oath by an Approved Third-party Plans Reviewer, which shall indicate the plans which have been reviewed for the purpose of a building permit for the application in question, in the Approved Third-party Plans Reviewer's professional opinion and to the best of their knowledge, complies with the regulatory requirements as designated by City, including the Georgia State Minimum Standard Codes most recently adopted by the Department of Community Affairs and any locally adopted ordinances and amendments to such codes, applicable zoning ordinances and conditions, design standards, and any other applicable laws and regulations that would otherwise be required of staff employed by the City.
- (l) *Registered Professional Architect.* An individual that holds a certificate of registration issued under O.C.G.A. § 43-4-1 et seq.
- (m) *Registered Professional Engineer.* An individual that holds a certificate of registration issued under O.C.G.A. § 43-15-1 et seq.
- (n) *Regulatory Fees.* All fees established by the City to be paid to the City for any regulatory action, inspection services, or plan review services as provided by the State Act and this Article.
- (o) *Technician.* An individual who performs inspections under the direct supervision of an Approved Third-party Inspector.
- (p) *Third-party Inspection and Plans Review Program.* The rules and procedures described in this Third-party Inspection and Plans Review Ordinance.
- (q) *Third-party Plans Review.* Plans review performed in conformance with this program by Approved Third-party Plans Reviewers.
- (r) *Third-party Inspection.* Inspection performed in conformance with this program by Approved Third-party Inspectors.

Sect Sec. 107-2. Third-party Inspection and Plans Review Program

- (a) The Department will establish and maintain an Approved Third-party List from whom the Department will accept Third-party Inspections and Third-party Plans Reviews in accordance with this Third-party Inspection and Plans Review Ordinance.
- (b) In full compliance with the requirements of the State Act, City shall allow owners, developers, and contractors to submit Inspection Certifications by Approved Third-party Inspectors and Plans Review Affidavits by Approved Third-party Plans Reviewers in order to satisfy certain inspection and plans review requirements.
- (c) The Department will only consider Inspection Certifications and Plans Review Affidavits from parties listed on the Approved Third-party List. City makes no representation concerning the Approved Third-party Inspectors and Approved Third-party Plans Reviewers other than that they have submitted evidence showing that they have met the minimum criteria necessary to qualify for the Third-party Inspection and Plans Review Program described herein.
- (d) In order for an Inspection Certification or Plans Review Affidavit to be accepted by the Department for a particular project, an Approved Third-party Inspector or Approved Third-party Plans Reviewer must be independent of and must not be an employee of or otherwise affiliated with or financially interested in the person, firm or corporation engaged in the construction project to be reviewed or inspected.
- (e) The person, firm or corporation retaining an Approved Third-party Inspector or Approved Third-party Plans Reviewer to conduct an inspection or plans review shall be required to pay to City the same Regulatory Fees and charges which would have been required had the inspection or plans review been conducted by a City inspector or plans reviewer. Should the Department determine that it cannot conduct a particular inspection or plans review in a time as determined by the State Act, the applicable Regulatory Fees shall be reduced by fifty percent (50%). Should the Department determine that it can conduct a particular inspection or plans review in a time as determined by the State Act, a Convenience Fee shall be paid to the City. Upon payment in full of the Convenience Fees associated with the complete application, the applicant may nevertheless choose to retain, at its own expense, an Approved Third-party Inspector or Approved Third-party Plans Reviewer to provide the required inspection or plan review, subject to the requirements set forth in this Article. Any Fees or Convenience Fees paid to the City are nonrefundable.
- (f) All other fees and costs related to the performance of the Third-party Inspections or Third-party Plans Review are matters solely between the Approved Third-party Inspector or Approved Third-party Plans Reviewer and the person, firm, or corporation engaging the Approved Third-party Inspector or Approved Third-party Plans Reviewer.
- (g) Notwithstanding the submission of an Inspection Certification or Plans Review Affidavit, the Department retains the authority to make all code interpretations and to monitor the quality of all Third-party Inspections and Third-party Plans Reviews and nothing in this article shall be construed as authorizing any Approved Third-party Inspector or Approved Third-party Plans Reviewer to issue a Certificate of Occupancy.

- (h) The Department will follow all applicable procedures set forth in the State Act for all inspections and plans reviews. For purposes of processing applications in compliance with the State Act, an application submitted to the Department shall not be considered complete until all applicable fees have been paid, and all applicable reviewing agencies have received the application and provided any required approvals.

Sec. 107-3. Inspections types

- (a) The Department will, at a minimum, accept Third-party Inspections in compliance with the State Act for any construction inspections required by the City Code of Ordinances. A comprehensive list of the various inspections types, their allowed timing and other related details are established by Department policy. This document is available from the Department and is published on the City website.
- (b) Approved Third-party Inspectors shall be authorized to conduct any inspection required by the City necessary or required to determine compliance with all regulatory requirements and for the issuance of a building permit or certificate of occupancy, provided that the inspection being performed is within the scope of the Approved Third-party Inspector's area of competency. However, nothing in this article shall be construed as authorizing Third-party Inspections for compliance with state or local fire safety standards or erosion control standards.

Sec. 107-4. Approved Third-party Inspector requirements and qualifications

- (a) Individuals desiring to be placed on the Approved Third-party Inspectors and Plans Reviewer List as an Approved Third-party Inspector must submit an initial application along with an application fee of \$250 to the Department. Those individuals that are placed on the Approved Third-party Inspectors List must submit a renewal form every year no later than September 1st thereafter. Individuals that do not timely submit a renewal form shall be removed from the Approved Third-party Inspectors List.
- (b) In order to qualify as an Approved Third-party Inspector, an individual must:
 - (1) Be employed by or be a partner in an engineering or architect firm, in full compliance with City Code of Ordinances, including current occupational tax and registration required thereunder;
 - (2) Be a Registered Professional Engineer or a Registered Professional Architect as defined in this article;
 - (3) Otherwise be in good standing with all pertinent certification and professional accreditation boards;
 - (4) Possess and maintain minimum insurance as described herein; and
 - (5) Demonstrate relevant experience of at least one (1) year.
- (c) An individual shall not be qualified to be placed on the Approved Third-party List if he or she has had his or her authority to issue third-party Inspection Certifications in any other jurisdictions revoked. If an individual previously qualified to be on the Approved Third-party List and subsequently has his or her authority to issue third-

party Inspection Certifications revoked, the individual shall automatically be removed from the Approved Third-party List.

- (d) An Approved Third-party Inspector may not submit an Inspection Certification if the Approved Third-party Inspector is an officer or employee of the owner, developer, contractor or other party or if the Approved Third-party Inspector is employed by or a partner in a firm that is affiliated with or financially interested in the owner, developer, contractor or other party on whose behalf the Inspection Certification is submitted.
- (e) Technicians may perform inspections under the supervision of an Approved Third-party Inspector provided that the technician has satisfied any specific requirements as may be designated by the City building official if those same requirements are imposed on the municipal employees completing the plan review or inspection.
- (f) Technicians performing inspections under the supervision of an Approved Third-party Inspector shall be a certified International Code Council (ICC) Inspector or equivalent if those same requirements are imposed on the municipal employees completing the plan review or inspection
- (g) Approved Third-party Inspectors shall obtain and maintain the following minimum insurance coverages and provisions, evidence of which shall be submitted to the Department with the initial application and each calendar year thereafter.
 - (1) All private professional providers providing inspection services pursuant to this subsection shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance. The limits of such insurance shall be not less than \$1 million per claim and \$1 million in aggregate coverage for any project with a construction cost of \$5 million or less and \$2 million per claim and \$2 million in aggregate coverage for any project with a construction cost of more than \$5 million. Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project. The permit applicant shall verify compliance with the insurance requirements of this paragraph. The cancellation provision shall provide for 30 days notice of cancellation.
 - (2) Norcross, Georgia, its officers, officials, employees and representatives shall be named as additional insureds on the required insurance policies for all insurance coverages including but not limited to General Liability, Auto Liability, Employers Liability and Umbrella/Excess coverage, except that additional insured status shall not be required for Professional Liability and Workers Compensation coverages.
 - (3) The required insurance coverage shall be provided by an insurance company at all material times licensed to do business by, and in good standing with, the Georgia Department of Insurance.
 - (4) Approved Third-party Inspectors shall maintain the minimum insurance coverage as required above at all times during which they are listed as Approved Third-party Inspectors. Approved Third-party Inspectors shall provide the Department with evidence of minimum insurance coverages and provisions on an annual basis prior to the expiration of any policy or coverage and upon request by the Department. Should any insurance coverage or

information change, the Approved Third-party Inspector shall provide written notice of any such change to the City within ten (10) business days. If at any time an Approved Third-party Inspector fails to maintain the required insurance coverage, the Department may remove them from the Approved Third-party List.

- (h) Suspension of Technicians and Approved Third-party Inspectors:
An individual who performs inspections under this article, whether a Technician or an individual Approved Third-party Inspector, shall be subject to suspension from the Approved Third-party List, and from submitting Inspection Field Reports and Inspection Certifications for the following infractions:
- (1) Providing inspections without appropriate license or certification.
 - (2) Providing inspection services prior to issuance of a valid building permit.
 - (3) Failing to identify any noncompliance with any applicable code, as amended, including, but not limited to the International Building Code, International Mechanical Code, International Energy Conservation Code, and Life Safety Code, as determined in the sole good faith discretion of the Chief Building Official of the City. However, it is the express intent of the City not to impose sanctions on an individual under this Article for failing to identify multiple instances of noncompliance in one inspection such as that each such failure constitutes an individual and separate infraction. Rather, multiple failures contained in a single inspection under this paragraph shall be treated as a single infraction.
 - (4) Authorizing any deviation from the approved permit.
 - (5) Falsifying reports.
 - (6) Unauthorized employee performing inspections.
 - (7) Performing unauthorized types of inspections.
 - (8) Inspections passed with hold on project or under stop work order.
 - (9) Failure to identify noncompliance with any applicable code not captured in subsection (3) above, upon identification of such failure by the City on multiple occasions, as determined in the sole good faith discretion of the Chief Building Official of the City.
- (i) Suspension for submitting Inspection Field Reports and Inspection Certifications for infractions by a Technician or individual Approved Third-party Inspector shall be progressive based on the number of infractions in the previous 12-month period. For any combination of infractions within a 12-month period, the following actions and suspensions against a Technician or individual Approved Third-party Inspector shall be assessed:

First Infraction	Warning Letter
Second Infraction	30-Day suspension from eligibility to perform inspections and submit Inspection Field Reports and Inspection Certifications

Third Infraction	90-Day suspension from eligibility to perform inspections and submit Inspection Field Reports and Inspection Certifications
Fourth Infraction	1-Year suspension from eligibility to perform inspections and submit Inspection Field Reports and Inspection Certifications

- (j) An Approved Third-party Inspector shall be subject to progressive action based on the number of infractions in the previous 24-month period by individuals performing inspections, including the individual Approved Third-party Inspector or any one or more Technicians acting under the supervision of the Approved Third-party Inspector (which shall include Technicians serving as employees, independent contractors, agents, etc.). Violations under this paragraph shall accrue upon every third infraction by an individual contemplated in paragraph (h) above, and shall subject Approved Third-Party Inspectors to the following actions and suspensions for any combination of infractions within a 24-month period:

First Violation (upon third individual infraction)	Written Letter of Reprimand
Second Violation (upon sixth individual infraction)	30-Day suspension from Approved Third-Party Inspector and Plans Reviewer List
Third Violation (upon ninth individual Infraction)	90-Day suspension from Approved Third-Party Inspector and Plans Reviewer List
Fourth Violation (upon twelfth individual infraction)	1-Year suspension from Approved Third-Party Inspector and Plans Reviewer List

The City shall send written notice to the Approved Third-party Inspector for each infraction as contemplated in paragraph (i) above, the purpose of which shall be to inform the Approved Third-party Inspector of the number of infractions accruing under paragraph (i), to put the Approved Third-party Inspector on notice of possible violations under this paragraph (j), and so the Approved Third-party Inspector has the opportunity to take any remedial action necessary to prevent future infractions and/or violations.

- (k) Notwithstanding any other provision of this Article, in the event a Technician or individual Approved Third-party Inspector is found to have falsified a report or where life safety issues were not identified, the progressive actions and suspensions of this Article may, in the discretion of the City, be bypassed with an immediate suspension and/or disqualification imposed.
- (l) Appeal of suspensions and/or disqualifications shall be processed through the City Manager.

Sec. 107-5. Procedures for conducting Third-Party Inspections

- (a) An Approved Third-party Inspector shall not suggest, direct, or authorize any deviation from approved construction documents without first obtaining approval

from the Department.

- (b) Procedures for third-party Inspections:
 - (1) Procedures for third-party inspections as established and amended from time to time by the Community Development and Planning Department are available from the Department and published on the City website.
- (c) The Department shall have a right of entry to any premises inspected by an Approved Third-party Inspector or Technician to ensure compliance with this Article and the State Act.

Sec. 107-6. Approved Third-party Plans Reviewer requirements and qualifications

- (a) Individuals wishing to be placed on the Approved Third-party List as an Approved Plans Reviewer must submit an initial application along with an [application fee – if an application fee is required by municipality] as established by the City to the Department.
- (b) In order to qualify as an Approved Third-party Plans Reviewer, an individual must:
 - (1) Be, or be a partner in or employed by, an engineering or architect firm, in full compliance with City, Georgia Code of Ordinances, including current occupational tax and registration required thereunder;
 - (2) Be a Registered Professional Engineer or Registered Professional Architect as defined in this article;
 - (3) Otherwise be in good standing with all pertinent certification and professional accreditation boards;
 - (4) Possess and maintain minimum insurance as described herein; and
 - (5) Demonstrate relevant experience of at least one (1) year.
- (c) An individual shall not be qualified to be placed on the Approved Third-party List if he or she has had his or her authority to issue third-party Plans Review Affidavits in any other jurisdictions revoked. If an individual previously qualified to be on the Approved Third-party List and subsequently has his or her authority to issue third-party Plans Review Affidavits revoked, the individual shall be removed from the Approved Third-party Inspectors and Plans Reviewer List.
- (d) An Approved Third-party Plans Reviewer may not submit a Plans Review Affidavit if the Approved Third-party Plans Reviewer is an officer or employee of the owner, developer, contractor or other party or if the Approved Third-party Plans Reviewer is employed by or a partner in a firm that is affiliated with or financially interested in the owner, developer, contractor or other party on whose behalf the Plans Review Affidavit is submitted.
- (e) All private professional providers providing plan review services pursuant to this subsection shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance. The limits of such insurance shall be not less than \$1 million per claim and \$1 million in aggregate coverage for any project with a construction cost of \$5 million or less and \$2 million per claim and \$2 million in aggregate coverage for any project with a construction cost of more than \$5 million. Such insurance may be a practice policy or project-specific coverage. If the

insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project. The permit applicant shall verify compliance with the insurance requirements of this paragraph. The cancellation provision shall provide for 30 days notice of cancellation.

- (f) Norcross, Georgia, its officers, officials, employees and representatives shall be named as additional insureds on the required insurance policies for all insurance coverages including but not limited to General Liability, Auto Liability, Employers Liability and Umbrella/Excess coverage, except that additional insured status shall not be required for Professional Liability and Workers Compensation coverages.
- (g) The required insurance coverage shall be provided by an insurance company at all material times licensed to do business by, and in good standing with, the Georgia Department of Insurance.
- (h) Approved Third-party Plan Reviewers shall maintain the minimum insurance coverage as required above at all times during which they are listed as Approved Third-party Plan Reviewers. Approved Third-party Plan Reviewers shall provide the Department with evidence of minimum insurance coverages and provisions on an annual basis prior to the expiration of any policy or coverage and upon request by the Department. Should any insurance coverage or information change, the Approved Third-party Plan Reviewer shall provide written notice of any such change to the City within ten (10) business days. If at any time an Approved Third-party Plan Reviewer fails to maintain the required insurance coverage, the Department may remove them from the Approved Third-party List.
- (i) Suspension of Approved Third-party Plans Reviewers:

An individual who performs plans review under this article shall be subject to suspension from the Approved Third-party List, and from submitting Plans Review Affidavits for the following infractions:

- (1) Providing plans reviews without appropriate license or certification.
- (2) Failing to identify any noncompliance with any applicable code, as amended, (including, but not limited to), the International Building Code, International Mechanical Code, International Energy Conservation Code, and Life Safety Code as determined in the sole good faith discretion of the Chief Building Official of the City. However, it is the express intent of the City not to impose sanctions on an individual under this Article for failing to identify multiple instances of noncompliance in one inspection such as that each such failure constitutes an individual and separate infraction. Rather, multiple failures contained in a single inspection under this paragraph shall be treated as a single infraction.
- (3) Falsifying Plans Review.
- (4) Performing unauthorized types of plan reviews.
- (j) Suspension for submitting Plans Review Affidavits for infractions by an Approved Third-party Plans Reviewer shall be progressive based on the number of infractions in the previous 12-month period. For any combination of infractions within a 12-month period, the following actions and suspensions against an Approved Third-party Plans Reviewer shall be assessed:

First Infraction	Written Letter of Reprimand
Second Infraction	30-Day suspension from Approved Third-Party Inspector and Plans Reviewer List
Third Infraction	90-Day suspension from Approved Third-Party Inspector and Plans Reviewer List
Fourth Infraction	1-Year suspension from Approved Third-Party Inspector and Plans Reviewer List

The City shall send written notice to the Approved Third-party Plans Reviewer for each infraction as contemplated in paragraph (j) above, the purpose of which shall be to inform the Approved Third-party Plans Reviewer of the number of infractions accruing under paragraph (j) and so the Approved Third-party Plans Reviewer has the opportunity to take any corrective action necessary to prevent future infractions.

- (k) Notwithstanding any other provision of this Article, in the event an Approved Third-party Plans Reviewer is found to have falsified Plans Review Affidavits or where life safety issues were not identified, progressive actions and suspensions of this Article may, in the discretion of the City, be bypassed with an immediate suspension and/or disqualification imposed.
- (l) Appeal of suspensions and/or disqualifications shall be processed through the office of the City Manager.

Sec. 107-7. Procedures for conducting Third-party Plan Reviews

- (a) Any plan review conducted by an Approved Third-party Plans Reviewer shall be no less extensive than plan reviews conducted by City personnel.
- (b) The following procedures shall apply to all Third-party Plans Review:
 - (1) All plans must be shown as approved by all external reviewing agencies where applicable, including but not limited to, Gwinnett County Planning and Development, Gwinnett County Fire Marshal, Gwinnett County Environmental Health, Gwinnett County Department of Water Resources or the Georgia Department of Agriculture prior to approval by a Third-party Plan Reviewer
 - (2) All Third-party Plan Reviewers must stamp and sign all plans as approved in addition to submitting a signed affidavit that the referenced plans have been reviewed and approved.

Sec. 107-8. Appeals

- (a) If the local building official and the private professional provider are unable to resolve a dispute or meet within the time required by the State Act, the matter shall be referred to the Zoning Board of Appeals as outlined in Sec 103-9 of the Norcross Unified Development Ordinance.

- (b) Nothing in this subsection shall limit the authority of the a local code official to issue a stop-work order for a building project or any portion of such project, which may go into effect immediately as provided by law, after giving notice and opportunity to remedy the violation, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

Sec. 103-6. Historic Preservation Commission (HPC).**(b) HPC Membership and terms.**

- (1) The HPC shall consist of five members appointed by the City Council. All members shall be residents of the city, or the owner of a property in the historic district, and a majority of the members shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources.
- (2) To the extent available in the city, at least three members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology or related professions.
- (3) Members shall serve three-year terms. ~~Members may not serve more than two consecutive terms.~~

PART II - CODE OF ORDINANCES
Chapter 200 - LAND USE AND ZONING
ARTICLE V. TREE CONSERVATION, BUFFERS, AND LANDSCAPING

ARTICLE V. TREE CONSERVATION, BUFFERS, AND LANDSCAPING

Sec. 205-5. Tree conservation.

(a) *Tree density requirements.*

- (1) *Use of tree units.* The landscaping requirements of this article regarding the preservation or planting of trees is expressed in terms of "tree units" rather than the number of trees or tree canopy. This approach provides the applicant with wide latitude of choice as to the number and sizes of trees to be planted, and their distribution following aesthetic landscaping practices, while achieving a common standard on all properties.
- (2) *Establishment of tree unit values.* The diameter of a tree's trunk establishes the "tree unit" value of an existing tree, as shown on table 205-5(1), or for a newly planted tree as shown on table 205-5(2).
 - a. The values assigned to trees of the same size are different for existing and new trees, as indicated in the table. One "unit" is not the same as one "tree."
 - b. Actual tree diameters or calipers are to be rounded to the nearest whole number for the calculation of tree unit values (e.g., four and one half inches in diameter = five inches).

Table 205-5(1): Tree Units for Existing Trees

Tree Diameter (DBH) in inches	Tree Units
Seedlings	0.0
1	0.0
2	0.0
3	0.0
4	0.6
5	0.8
6	1.0
7	1.2
8	1.3
9	1.5
10	1.7
11	1.9
12	2.1
13	2.3
14	3.0
15	3.3
16	3.6
17	4.0
18	4.2
19	4.4
20	4.6
21	4.8

22	5.0
23	5.2
24	5.4
25	5.6
26	5.8
27	6.0
28	6.2
29	6.4
30	6.6
31	7.2
32	7.8
33	8.4
34	9.0
35	10.0
36	11.0
37 or greater	12.0 + 1.0 for each inch in diameter greater than 37

Notes

1. Minimum DBH to receive credit in tree units for an existing tree is four inches.

Table 205-5(2): Tree Units for New (Replacement) Trees

Tree Caliper in inches	Tree Units
Seedlings	0.0
1	0.0
2	0.3
3	0.4
4	0.5
5	0.6
6	0.7
7	0.9
8	1.1
9	1.3
10	1.5
11	1.7
12	1.9
13	2.2
14	2.5
15	2.8
16	3.1
17 or greater	3.5 + 0.5 for each inch in caliper greater than 17

Notes

1. Minimum caliper to receive credit in tree units for a new tree is two inches.

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(Supp. No. 33)

(3) *Tree unit values for specimen trees or tree stands.*

a. Specimen trees and specimen tree stands; defined.

1. *Specimen tree*: any tree which qualifies for special consideration for preservation due to size, type and condition, as follows.
 - a) Any tree in fair or better condition which equals or exceeds the following diameter breast height (dbh) sizes:
 - 1) ~~24~~ 28-inch dbh—overstory hardwoods such as oaks, hickories, yellow poplars, sweetgums, etc.
 - 2) 12-inch dbh—understory small trees such as dogwoods, redbuds, sourwoods, etc.
 - 3) 30-inch dbh—pine trees (all species).
2. *Specimen tree stand*: A contiguous grouping of trees which has been determined to be of high value in the opinion of the Community Development Director or their designee. Determination is based upon the following criteria:
 - a) A relatively mature, even-aged stand.
 - b) A stand with purity of species composition or of a rare or unusual nature.
 - c) A stand of historical significance.
 - d) A stand with exceptional aesthetic quality.
- b. The tree unit values shown in table 205-5(1) may be increased by 100 percent for an existing tree that meets the definition of a "specimen tree" or for a "specimen tree stand" as defined herein, provided that extraordinary measures as needed are taken to protect the tree and assure its survival. Such measures may include but are not limited to the provision of tree wells, retaining walls, aeration, or supplementary irrigation, as applicable to the site of the tree and as approved by the Director.

3. Specimen Tree Removal

- a) Any specimen tree removed from a parcel with a permit shall be replace by three (3) times the equivalent inches (dbh) of replacement tree units or existing trees in the excess of the requirements of the tree preservation and replacement requirements, using species with potential for comparable size, quality and maturity.**
- b) Specimen trees are treated separately from the maintenance of the tree density unit requirements for each individual lot in terms of tree removal. Tree density units must be maintained in addition to increased requirements when a specimen tree is proposed for removal.**
- c) Specimen trees removed without a permit are subject to replacement value of eight (8) times the equivalent inches (dbh).**

(b) *Tree density standards.*

- (3) *Trees in stream buffer.* Trees located in a stream buffer may **not** be counted toward fulfilling the tree density standard provided the acreage within the stream buffer is included in the calculations used to fulfill the tree density standard.

Sec. 205-8. Tree conservation, buffers, and landscaping permit compliance.

- (a) *Tree removal.* An application for a tree removal permit when land disturbing activity is not involved shall follow the requirements of section 104-7(m), tree removal permit. **There shall be a fee for the issuance of all tree removal permits as determined from time to time by the Mayor and Council.**
- (1) For all sites not under a land development or building permit, there is a limit to removal of healthy trees. No more than three (3) healthy trees may be removed on any one parcel in any given calendar year.**
- (2) Trees considered to be unhealthy or in danger of falling will be reviewed on a case-by-case basis as determined by the Community Development Director or his or her designee and subject to the report of an independent ISA certified Arborist or other recognized tree professional.**
- (3) All sites must continue to meet the City's tree density unit calculations under this UDO and the specifications for specimen trees as outlined in this UDO. Additional tree plantings may be required as a condition of the issuance of a tree removal permit**
- (b) *Site inspections.*
- (1) *Authority.* The Community Development Director or their designee has the authority to perform site inspections and enforce the provisions of this chapter.
- (2) *Visits to site for discussions regarding regulations.* Prior to the issuance of a tree removal permit or right-of-way encroachment permit, a visit shall be made to the proposed site by the Community Development Director or their designee and the applicant for the purpose of discussing the provisions of this chapter.
- a. After a permit is issued and tree protection measures have been installed, and prior to any land disturbance, another site inspection shall be made by the Community Development Director or their designee.
- b. Another site inspection shall occur prior to the issuance of final plat approval or a certificate of occupancy. All provisions of this chapter shall be met before final plat approval or a certificate of occupancy can be issued.
- c. Other site inspections may take place without notice at any time prior to or after the issuance of a certificate of occupancy or final plat approval to ensure continuing compliance with the provisions of this chapter.
- (3) *Access by authorized representatives.* No person, corporation or association shall refuse entry or access to any authorized representative or agent of the Community Development Director or their designee who requests entry for the purposes of inspection and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.
- (c) *Tree maintenance.* The owner shall be responsible for maintaining the health of all conserved and new trees. The owner shall replace any new tree that dies within three years, or prior to issuance of the final certificate of occupancy for the project, whichever occurs last.
- (d) *Penalties.*
- (1) *Failure to obtain permit.* If any person commences any land disturbing activity, tree destruction, tree cutting, tree removal or building activity requiring a tree removal permit without first obtaining said permit, the person shall be deemed to be in violation of the provisions of this chapter.

- (2) *Violations.* The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, may be chargeable with separate offenses for each such violation. Any person violating any of the provisions of this chapter other than as hereinabove provided shall, upon conviction, be punished as prescribed in this subsection (d). Each day during which such violation occurs or continues shall constitute and be punishable as a separate offense.
- (3) *Stop work orders.* A stop work order may be issued by the Community Development Director or their designee for violation of any provision of this chapter. All stop work orders shall be effective immediately upon issuance and shall remain in effect until the necessary corrective action or mitigation has occurred and permission has been granted by the city to resume work. No certificate of occupancy or final plat approval shall be issued while a stop work order is in effect or until an assessed fine has been paid and permission has been granted by the city in writing for a certificate of occupancy or final plat approval.
- (4) *Responsibility.* The Community Development Director, or their designee is responsible for determining whether a violation has occurred. Violations may include, but are not limited to: failure to obtain a tree removal permit, deviation from the approved plan; failure to properly install tree protection structures; failure to maintain tree protection structures in effective condition; evidence of harmful activities occurring within the tree protection zone; improper planting; failure to conserve or establish the required tree canopy cover; unauthorized delay in tree planting; damage to a conserved or established tree's crown, trunk, roots, or critical root zone; and damage to a city tree's crown, trunk, roots, or critical root zone.
- (5) *Monetary penalties.* Any person who violates any provision of this chapter, any permit condition, or who negligently or intentionally fails or refuses to comply with any order, notice of code violation or formal charge of violation which the Community Development Director or their designee issues as provided in this chapter shall be liable for a penalty of up to \$1,000.00 per day for each violation of the provisions of this chapter. Each day that such failure or refusal continues shall constitute a separate violation.

(Ord. No. 08-2019 , § I, 6-3-2019; Ord. No. 14-2019 , 11-4-2019)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6248	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Planning and Zoning
Title:	RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway		

Sponsors:**Code Sections:****Attachments:**

1. [RZ2021-004 Full Packet](#)

Title

RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway

Drafter

Tracy Rye



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **JOSH BARE** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **MATT MYERS** ·
COUNCILMEMBER **BRUCE GAYNOR** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council

From: Tracy Rye, AICP

Agenda: August 16, 2021

Agenda #: 21-6248

Item: Request to rezone the property located at 5250 Brook Hollow Parkway from C2 (General Business) to M1 (Light Industry)

CC: Eric Johnson

Recommendation

Based on compatibility with the 2040 Comprehensive Plan and with the surrounding land uses, the Community Development Staff recommend approval of the rezoning request, subject to the following condition:

1. Any proposed changes or improvements to the site shall meet the design standards and requirements specified in the City's Unified Development Code by obtaining the necessary permits.

Background

The applicant has submitted a rezoning application for the property located at 5250 Brook Hollow Parkway from C2 to M1 with no proposed changes or improvements to the site. The current tenant uses the property for an office and a warehouse, which was allowed within the C2 zoning district under the old zoning ordinance. The current Unified Development Code does not allow warehouse uses by right and requires a Special Use Permit through the public hearing process. The buyer of the property, Dalfen Industrial, requests the rezoning to M1 for compatibility with adjacent and nearby properties and to prepare for future tenants.

Financial Impact

Staff does not anticipate negative financial impacts should the rezoning request be denied.

Consistent with Comprehensive Plan?

This project is considered to be consistent with the City's adopted 2040 Comprehensive Plan. This property is located within the I-85 Activity Center, which seeks to "preserve industrial properties as an employment center." Light Industrial and warehousing uses are allowed in the I-85 Activity Center Character Area.

Planning & Zoning Board Meeting (August 4, 2021)

Following the presentation from the Community Development Director, the applicant's representative, Shawn Adams, summarized the rezoning request. The P&Z Board asked the staff if the request was consistent with the City's Comprehensive Plan to which the Director responded yes. No concerns or additional questions were discussed. The P&Z Board recommended approval subject to staff's conditions.

Next Steps

N/A

Attachments

Staff Report

Update

N/A



Meeting Date: 8/4/2021 at 6:30 PM

Petition Number: REZ2021-004

Project Type:

Rezoning parcel with no proposed improvements to the site

Property Location:

5250 Brook Hollow Parkway

Tax Parcel ID:

6213 081

Petitioner:

Modeh Realty (Brook Hollow Logistics Center GA) LP

Petitioner's Request:

Request to rezone the subject property from C2 (General Business) to M1 (Light Industry)

Recommendation:

Approval with Conditions

Summary

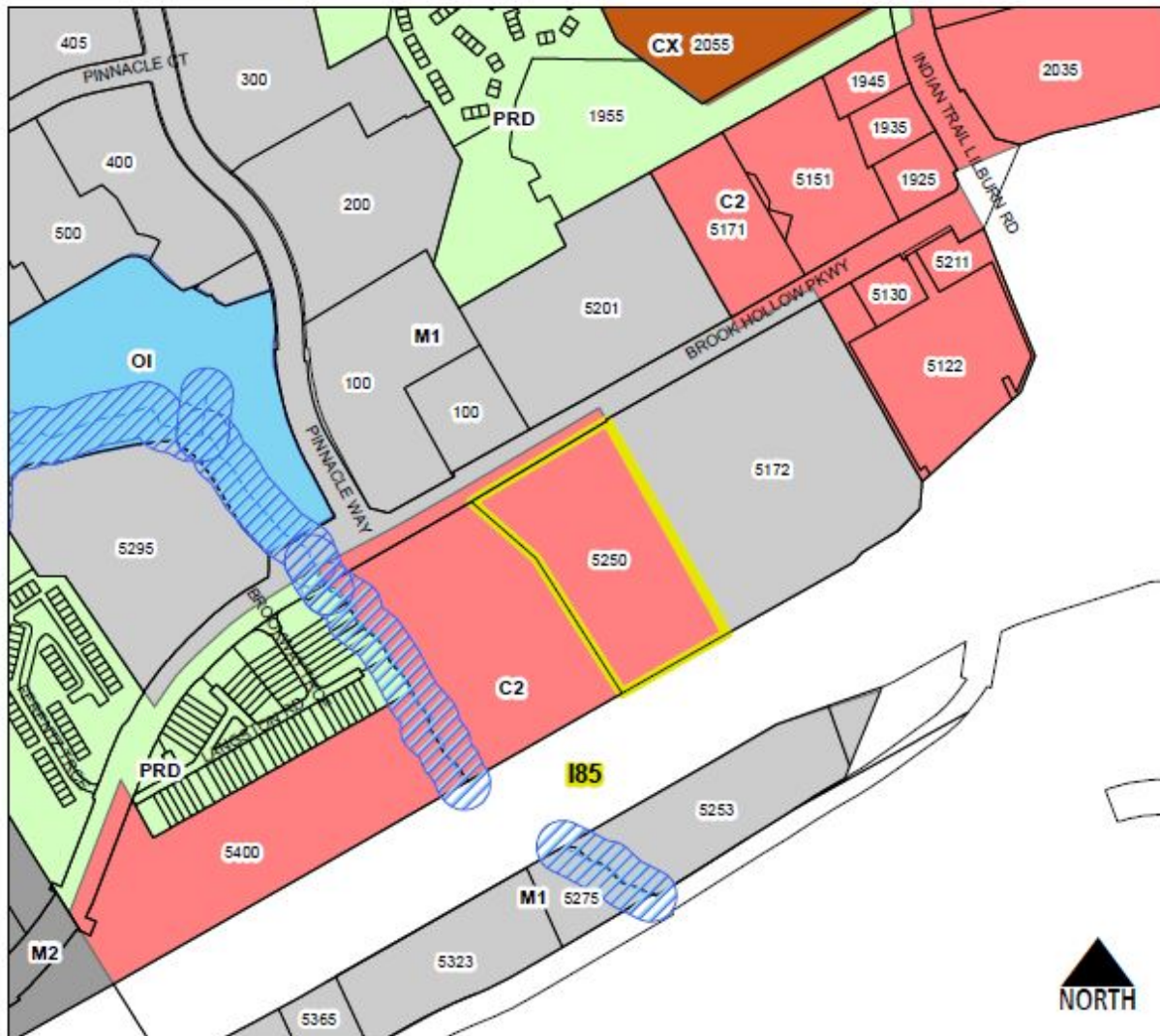
The applicant requests a Zoning Map Amendment to rezone the property located at 5250 Brook Hollow Parkway from C2 (General Business) to M1 (Light Industry) with no proposed changes or improvements to the site. The applicant seeks to continue the existing use of the property, which is occupied by a furniture distributor business (Office Creations, Inc) since 2017. The existing tenant (Office Crations, Inc) currently uses the property for an office and a warehouse, which was allowed within the C2 zoning district under the old zoning ordinance. The City's Unified Development Code does not allow warehouse uses by right and requires a Special Use Permit through the public hearing process. The company, Dalfen Industrial, anticipates acquiring the property and seeks to rezone the property to M1 to prepare for future tenants and to be in line with existing uses in the area.

Timeline

Under the UDO Section 104-3.B rezoning applications require the first review to be by the Planning and Zoning Board, followed by Mayor and Council's policy meeting and the Mayor and Council's regular meeting for final action. Below is the proposed schedule of dates.

Board	Meeting Type	Meeting	Meeting Time	Room
P&Z	Hearing	Wednesday, August 4, 2021	6:30 PM	Council Chambers 1 st Floor
M&C Policy	Meeting	Monday, August 16, 2021	6:30 PM	Conference Room 2 nd Floor
M&C Regular	Hearing	Tuesday, September 7, 2021	6:30 PM	Council Chambers 1 st Floor

Zoning Map **Zoning Map RZ2021-004 5250 Brook Hollow Parkway**



Legend

- 75ft Impervious Setback
- Streams

Zoning (Adopted 6-4-2021)

- C2
- CX
- M1
- M2
- OI
- PRD

0 250 500 1,000 Feet

Prepared by the City of Norcross Community Development Department



Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

Character Area Map

Character Area Map RZ2021-004 5250 Brook Hollow Parkway



Legend

Norcross Character Areas

13-I-85 Activity Center

0 250 500 1,000 Feet

Prepared by the City of Norcross Community Development Department



Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

PROPERTY INFORMATION	
Property Location	5250 Brook Hollow Parkway
Acreage:	Approximately 6 acres
Existing Zoning / Land Use	C2 / Office / Light Industrial / Warehouse
Proposed Zoning / Land Use	M1 / Office / Light Industrial / Warehouse
Character Area	I-85 Activity Center
Existing Lot Dimensions:	Frontage: 441' on Brook Hollow Pkwy and 347' on I-85 Depth: 460 feet
Existing Building Dimensions:	Width: 150 feet Depth: 399 Feet
Topography:	High Point: Northwest Corner Low Point: Southwest Corner
Elevation:	High Point: 954 feet Low Point: 910 feet
Encumbrances:	N/A

EXISTING ZONING AND LAND USE OF PROPERTIES WITHIN 500 FEET			
Location relative to subject property	Zoning/Land use	Address(es)	Land Area (acres) (approximate)
North / Northwest	M1 / Warehouse	5255 Brook Hollow Pkwy	1.62
North / Northeast	M1 / Office	5201 Brook Hollow Pkwy	3.84
East	M1 / Warehouse, office	5172 Brook Hollow Pkwy	10.31
South	I-85	N/A	N/A
West	C2 / Undeveloped	(-) Brook Hollow Pkwy	7.84

Applicant's Request

The applicant seeks to rezone the 6-acre lot from C2 (General Business) to M1 (Light Industry) to align the zoning of the property with the existing use on the site and surrounding zoning districts found in nearby properties and prepare the property for future tenants. The property is currently occupied by an office furniture distributor tenant with showroom to display products. The tenant currently performs the functions of a light industrial business including warehouse uses. The current tenant will continue to occupy the site after the property is acquired by Dalfen Industrial. Under the UDO light industrial and warehouse uses are not allowed by right and require a special

use permit in the C2 district, whereas M1 allows such uses by right. The applicant seeks to rezone the property for consistency with the existing use on the site and surrounding properties.

Existing Conditions

The subject 6-acre lot, located at 5250 Brook Hollow Parkway, is zoned C2 and is currently improved with a 1-story building of approximately 59,500 square feet. The entrance to the building faces I-85. The lot has a total of 19 loading docks on the side of the building facing the driveway along the west property line and 2 drive-up doors facing Brook Hollow Parkway. The site is improved with 44 parking spaces and approximately 47,000 square-foot concrete pad. The property is currently used as an office furniture distribution center with light industrial/warehouse uses.

Project Description

The applicant seeks to rezone the property from C2 to M1, as M1 allows for light industrial and warehouse uses by right. The applicant specified in his application that the existing office furniture distribution business will continue to maintain its operations and that the purpose of the rezoning is to bring the property's zoning classification in line with the current development and use of the property and surrounding properties as well as prepare the site for future tenants. The applicant does not propose improvements or changes to the site.

ZONING ANALYSIS

Current Zoning

The subject property is zoned C2. Nearby zoning districts consist of M1 to the north and east, currently used for wholesale, warehouse and office uses, and C2 to the west, which is currently an undeveloped lot. Uses within half-mile of the subject property on Brook Hollow Parkway consist of two existing townhome subdivisions (Brookhollow Village and Sterling Brook), hotel uses (Red Roof Inn and Knights Inn), office complex buildings (Pinnacle Center and Indian Trail Center), retail and restaurant uses (Planet Smoke and Wendy's). The C2 zoning district does not allow light industrial and warehouse uses by right but requires a special use permit, whereas M1 does allow such uses by right.

Zoning Request

The applicant seeks to rezone the subject property to M1. The M1 zoning district is comprised of lands that are located on, or have ready access to, a major street or state highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit industrial operations. This property has frontage along Brookhollow Parkway, a minor arterial, and I-85 and is surrounded by M1 zoning district to the north and east and C2 to the west. There are no adjacent residential zoning districts. The M1 zoning district allows wholesale, warehousing, and distribution office uses by right. As stated earlier, the applicant seeks to rezone the property for consistency with the surrounding zoning to the north and east and the existing light industrial/warehouse use on the site. This property is located within the I-85 Activity Center, which seeks to "preserve industrial properties as an employment center."

2040 Comprehensive Plan Analysis

The 2040 Comprehensive Plan, the “Comp Plan”, is a document that reflects the wishes of the community as acknowledged and adopted by the Mayor and Council. The Comp Plan contains four sections to determine the appropriateness of a zoning action. Those sections are: 1) Table 2.4 a matrix that depicts land uses by character area, 2) specific visions for each of the thirteen-character areas, 3) the overarching policy goals for the city, and 4) Land Use Definitions. The subject parcels fall within Character Area 13, the I-85 Activity Center.

A. Land Uses by Character Area

Taken from the matrix, the following uses are either specifically detailed in the character area description or considered appropriate according to the matrix:

I-85 Activity Center Character Area	
High Density Residential	Mixed-use (vertical)
Planned residential community (mixed housing types allowed)	Light Industrial and warehousing
Skill nursing facilities (no rehab)	Heavy industrial
Community level commercial or office (< 50,000 sf)	Places of assembly
Regional level commercial or office (>50,000 sf)	Transportation and communication utilities
Heavy commercial (auto related, outdoor storage)	Parks and recreation
Entertainment related commercial	

B. Policy Goals

Under the policy goals the proposed rezoning meets the following criteria:

- Policy 1-3: Support opportunities for infill development that reflects the neighborhood character.
- Policy 4-1: Support programs for retention, expansion, and creation of businesses that enhance our economic well-being, particularly those in target industries.

NOTE: Although the applicant is not proposing an infill development, the change in zoning designation would reflect and match the existing neighborhood character of immediately adjacent and nearby properties and will help retain the existing business located at the site.

C. Character Area Vision

The I-85 Activity Center Character Area contains eleven points that support the area's vision of which the following applies:

- Preserve industrial properties as an employment center.

The change in zoning designation would allow the preservation of the existing business as an allowed use by-right within the M1 district without requiring a special use permit under the

current C2 district.

D. Land Use Definition

Light industrial and warehousing – Clean, light industrial uses that have minimum impact on nearby residential use are encouraged, as well as transportation/warehousing/distribution uses carefully planned to avoid freight traffic impacts on residential areas.

As stated by the applicant, the current tenant will continue the use of the existing business on the site, which currently performs light industrial and warehousing activities. The change in zoning, additionally, will help the owner prepare for future tenants.

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a zoning action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties?

The request to rezone the property from C2 to M1 will allow a use suitable based on the existing uses of adjacent and nearby properties. The current site is already used as a light industrial/warehousing business. There are existing warehousing, wholesale, and distribution businesses surrounding the site to the north and east of the subject property.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

Staff does not anticipate the zoning proposal to adversely affect existing surrounding properties.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

Due to the existing improvements, building layout, and location, the property has the characteristics of a property built for light industrial and warehouse uses. Those uses are not allowed by right in the C2 zoning districts and only permitted by obtaining a special use permit approved by the Mayor & City Council. Using the property under the current by-right uses would require some degree of improvements for it to be retrofitted or redeveloped as retail, office, or any public function facility.

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

Staff does not anticipate negative impacts on existing streets, transportation facilities, utilities or schools.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan?

The subject site is located in the I-85 Activity Center Character Area, which is intended to be a growing regional center that has convenient to I-85, is supportive of a major transit hub, and celebrates the cultural diversity of the area. The area is characterized by master planned developments of mid-rise buildings with a mix of uses and intensities where office, restaurants, and housing options are available, but still preserving industrial properties as an employment center. The Land Use Table found on page 38 of the 2040 Comprehensive Plan allows for light industrial warehousing uses within the character area. The change in zoning designation would allow the preservation of the existing business and future potential light industrial warehouse business.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

There are no known existing or changing conditions affecting the use of the property.

Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Sections A-C; the proposed development appears to it meet the presented policy goals in Section C and it meets the light industrial and warehousing land use definition.

Recommendation

Staff recommends **approval** of the zoning component of REZ2021-004, the adoption of zoning standards under the existing M1 (Light Industry) for the property located at 5250 Brook Hollow Parkway, Tax Parcel ID 6213 081, subject to the following conditions:

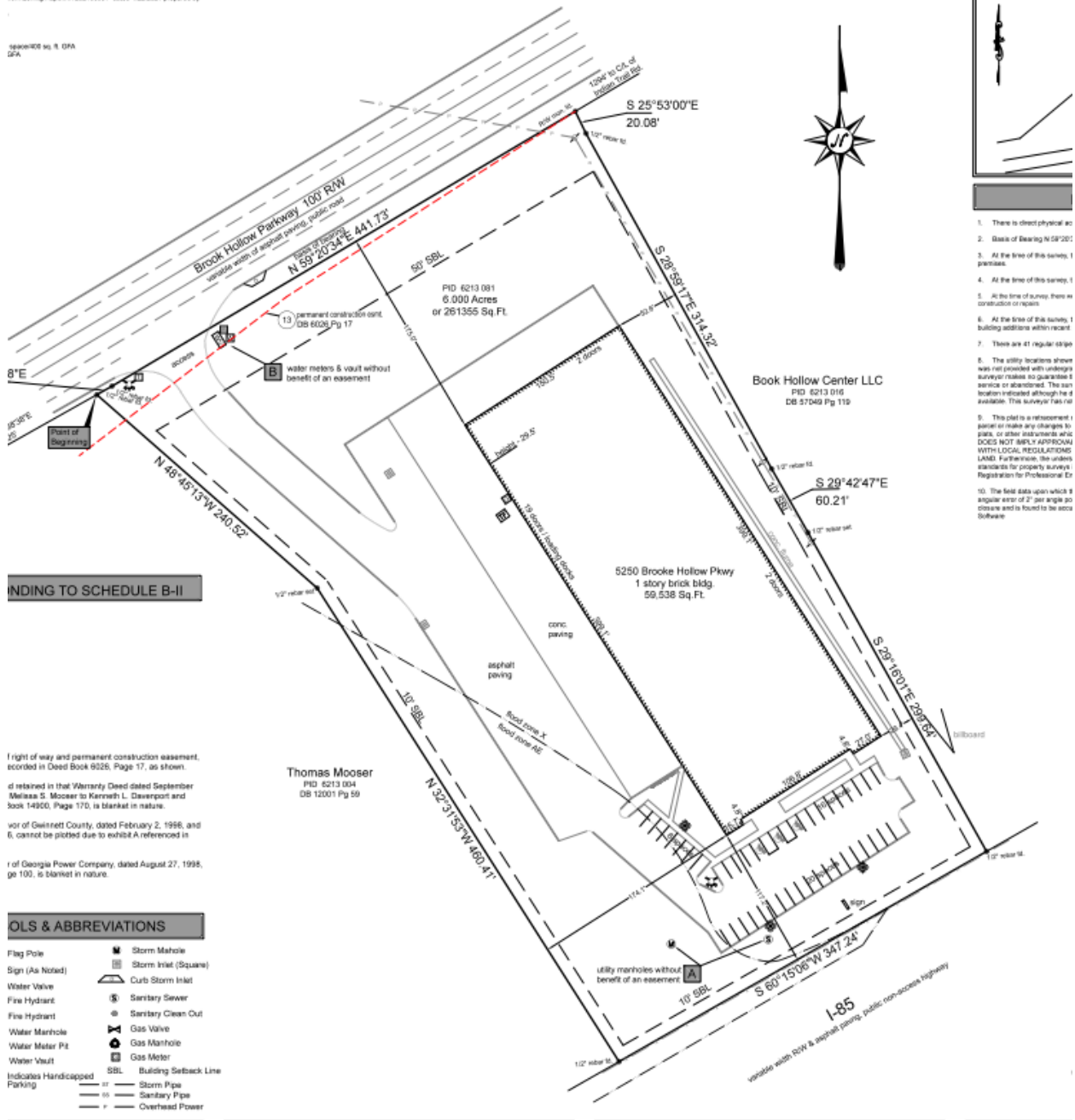
1. Any proposed changes or improvements to the site would have to meet the design standards and requirements specified in the City's Unified Development Code by obtaining the necessary permits.

Survey

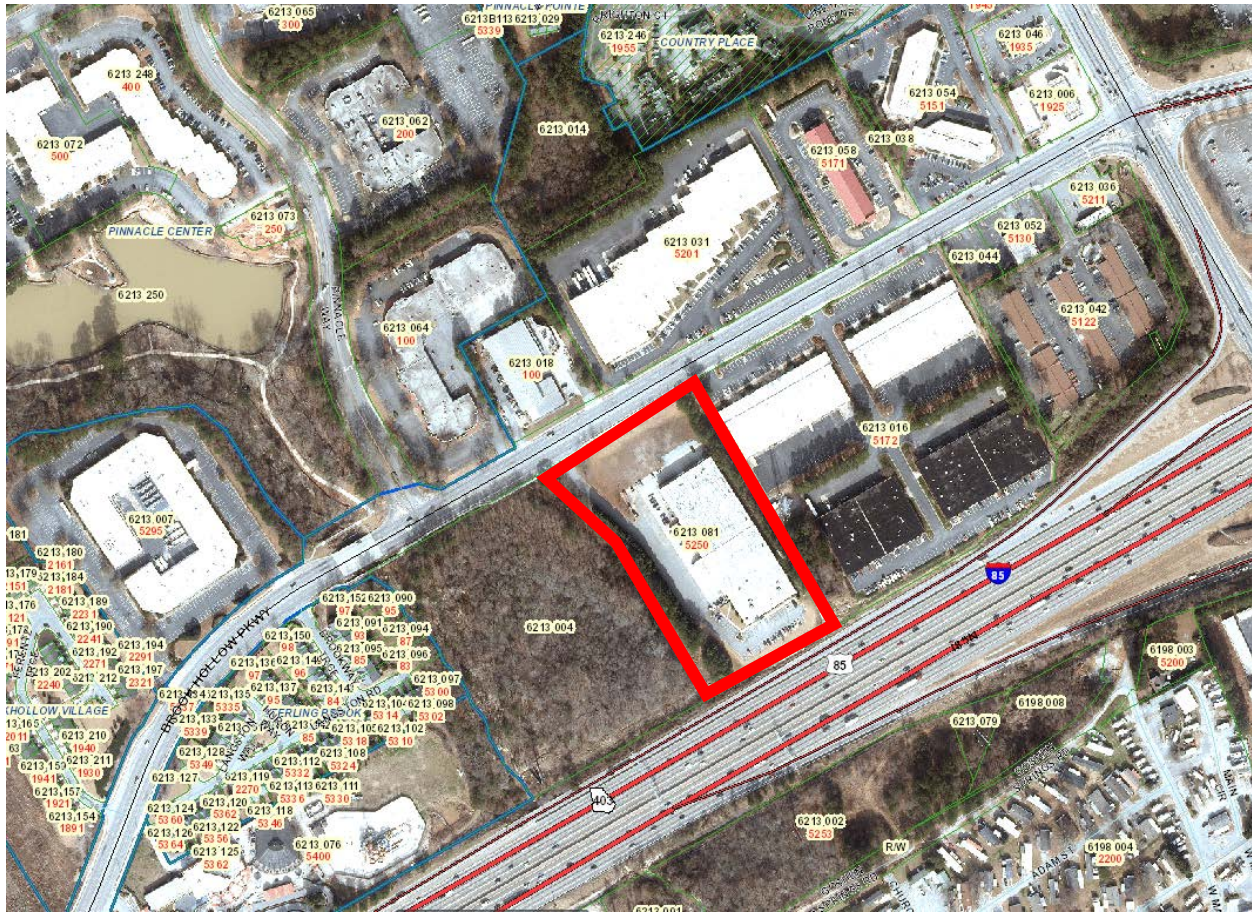
G INFORMATION

Location and information shown herein was provided to the
from Zoning Report #723210001, dated 4/22/2021 prepared by

space/200 sq. ft. OPA
DPA



Aerial



Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

Photos





REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name: Davenport Properties, LLC
 Owner's Address: 232 Cedar Park Circle
 City: Sarasota State: FL Zip Code: 34242
 Phone: _____ Cell Phone: _____ Email: _____

APPLICANT'S CONTACT INFORMATION

Applicant's Name: Modeh Realty (Brook Hollow Logistics Center GA) LP, a Delaware limited partnership
 Applicant's Address: c/o Melody A. Glouton Esq., Andersen, Tate & Carr P.C., 1960 Satellite Blvd.
 Suite: 4000 City: Duluth State: GA Zip Code: 30097
 Phone: 770-822-0900 Cell Phone: _____ Email: mglouton@atclawfirm.com

PROPERTY LOCATION

Tax Parcel Number(s): R6213 081 Size in acres: 6.0
 Address(es): 5250 Brook Hollow Parkway, Norcross
 Number of existing structures: 1 Number of parking spaces: 44

PROPOSED USE

Current Zoning: C-2 Requested Zoning: M-1
 Date of Pre-Application Mtg: 6/14/2021
 Is the request in conformity with the Current Land Use Plan? X Yes No
 Comp Plan Designation: I-85 Activity Ctr If No, Comp Plan Amendment is required
 Is this site located in the National/Local Historic District? Yes X No
 If yes, what are the plans for the historic resources, if any, onsite _____

Proposed Use Details:

The property is currently occupied by an office furniture distributor with a showroom to display some of their product offerings. They currently perform all the normal functions of a light industrial tenant in the warehouse. They will continue to be a tenant in the building and the use will remain unchanged. The applicant is looking to rezone the property to M-1 so the property is more in line with the existing uses in the area, and to prepare for potential future tenants.

ITEMS THAT MUST ACCOMPANY APPLICATION

- A. **Owner's Signature or Affidavit** - If the owner and applicant are not the same, the owner must sign the application or complete the attached affidavit.
- B. **Plat/Survey** – Submit one (1) full size, one (1) 11 x 17 and one (1) digital copy of a plat in JPG or PDF format, drawn by an engineer or land surveyor, describing in detail the tract, parcel or lot of land proposed to be rezoned. The plat must include the following information:
 1. A current boundary survey and plot plan, dimensioned and to scale, prepared by a registered surveyor, architect or engineer showing the seal of such surveyor, architect, or engineer.
 2. This survey shall be a plat of the land in question, or a description by metes and bounds, bearings and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the City of Norcross, then, the lot, block, and subdivision designations with appropriate plat reference.
 3. A description of existing land uses on adjacent and surrounding property.
- C. **Concept Plan** – Submit one (1) full size copy, one (1) 11x17 copy and one (1) digital copy in JPG or PDF format of a concept plan, including but not limited to all items listed on the attached checklist for such plan.
- D. **Impact Analysis** –
 1. If the zoning change has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration attached to this application.
 2. A traffic study, a hydrology study, market study and other studies of the impact of the proposed development prepared by a duly licensed engineer or qualified professional may be required by the Community Development Department, Planning & Zoning Board or the Mayor & City Council as deemed necessary for adequate consideration and a fully-informed decision on the proposed request. The studies shall be prepared under the direction of the City at the applicant's expense.

- E. **Warranty Deed** – A copy of the recorded warranty deed to the property must accompany each application. The owner on the deed must be the same as the owner listed on the application.
- F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Fees are non-refundable.
- I. **Development of Regional Impact** – If your application meets the Atlanta Regional Commission's (ARC) alternative rules for a Development of Regional Impact, additional review will be required by ARC and the State. More information can be found here, <https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/>
- J. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- K. Any other information required by the Community Development Department or any other City department which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.



Signature of Applicant

6/1/21

Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Application Number: _____ Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

The rezoning steps are as follows: 1) applications submitted on the 1st Wednesday of each month, 2) will be heard before the Planning and Zoning Board on the 1st Wednesday of the following month and 3) will be heard before the Mayor and Council on the 1st Monday of the subsequent month.

(THE APPLICANT OR APPLICANT'S AGENT MUST ATTEND ALL HEARINGS REGARDING THE APPLICATION)



Ownership Affidavit & Designation of Agent

I. Ownership.

I, Davenport Properties, LLC, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) R6213 081

Location address: 5250 Brook Hollow Parkway, Norcross, GA

_____ for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of: Davenport Properties, LLC

Please complete the appropriate section below:

NOTE: The person signing under section IV Acknowledgement, must be listed below as an officer or partner.

☐ Individual

☒ Corporation/Limited Liability Company (LLC)

☐ Partnership

☐ Government Entity

Provide Names of Officers/Members:

Kenneth Davenport

Jane Davenport

Provide Names of General Partners:

Secretary of State Registration Number: K821708

Name/Address of Registered Agent: Kenneth Davenport, 232 Cedar Park Cir. Sarasota, FL 34242

II. Designation of Owner's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief. (Note: Prior to the issuance of a building permit, the owner's agent must be the contractor listed on the permit application.)

Owner's Agent: _____

Address: _____

Contact Person: _____ Telephone No.: _____

III. Notice to Owner.

- A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
- B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027

IV. Acknowledgement.

• Individual

Signature

Print Name: _____

Address: _____

Phone #: _____

• Government Entity

Print Government Name

By: _____

Signature

Print Name: _____

Title: _____

Department: _____

• Corporation/LLC

Print Corporation/LLC Name

By: _____

Signature

Print Name: C. Darion DavenportIts: ManagerAddress: 232 Cedar Park CirSarasota FL 34242

Phone #: _____

• Partnership

Print Partnership Name

By: _____

Signature

Print Name: _____

Its: _____

Address: _____

Phone #: _____

NOTARY INFORMATION (Please use appropriate block.)

STATE OF ~~GEORGIA~~ Florida
COUNTY OF Sarasota

• Individual

Before me, this 29 day of June, 2021, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Government Entity

Before me, this _____ day of _____, 20____, personally appeared _____ as _____ and on behalf of _____, who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Corporation/LLC

Before me, this 29th day of June, 2021, personally appeared C. Darion Davenport of _____, a Davenport Properties LLC (State) LLC on behalf of the corporation/LLC, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

• Partnership

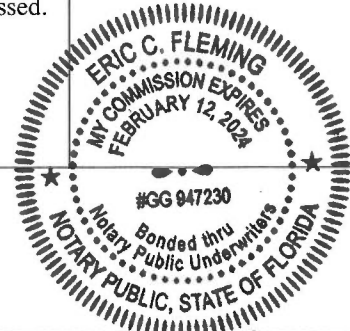
Before me, this _____ day Of _____, 20____, personally appeared _____ partner/agent on behalf of _____, a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Signature of Notary

Print Notary Name

NOTARY STAMP:

My commission expires: _____

Identification Method: ☒ Personally known.
☐ Produced I.D. – Type: _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Kevin Caille 6/1/21 Kevin Caille ; Market Officer
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO (YES or NO)

Kevin Caille

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.

DATE RECEIVED: _____ CASE#: _____ ACCEPTED BY: _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

SIGNATURE OF APPLICANT DATE

TYPE OR PRINT NAME AND TITLE

Melody A. Glouton

Melody A. Glouton, Attorney for Applicant

SIGNATURE OF APPLICANT'S DATE
ATTORNEY OR REPRESENTATIVE

TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

No (YES or NO)

Andersen, Tate & Carr, P.C.

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.

DATE RECEIVED: _____ CASE#: _____ ACCEPTED BY: _____

REVISED APRIL 2019

Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

BK 16238 PG0021

WHEN RECORDED RETURN TO:
 Richard B. Freeman, P.C.
 121 Perimeter Center West, Suite 2200
 Atlanta, Georgia 30346-1200

WINNETT CO. GEORGIA
 REAL ESTATE TRANSFER TAX
 \$ 1,111.50
 TOM LAWLER CLERK OF
 SUPERIOR COURT

FILED & RECORDED
 CLERK SUPERIOR COURT
 GWINNETT COUNTY, GA.

98 JUN 19 AM 8:00

TOM LAWLER, CLERK

STATE OF GEORGIA,
 County of DeKalb.

GENERAL WARRANTY DEED

THIS INDENTURE, made and entered into this June 9, 1998, between Kenneth L. Davenport and Jane B. Davenport of the State of Georgia, County of Fulton (hereafter in this Indenture collectively known and designated as "Grantor"), and Davenport Properties, LLC, a Georgia limited liability company having its principal place of doing business in Gwinnett County, Georgia (hereafter in this Indenture collectively known and designated as "Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to Grantor in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and does by these presents grant, bargain, sell and convey to Grantee, and Grantee's respective heirs, successors and assigns, all of the following described land and interests in land, estates, easements, rights, improvements, property, fixtures, equipment, furniture, furnishings, appliances, and appurtenances, (hereinafter collectively referred to as the "Premises"):

- (a) All that tract or parcel of land (hereinafter referred to as the "Land") being more particularly described upon the attached Exhibit "A", which is made a part hereof by reference thereto;
- (b) All buildings, structures, and other improvements now located on the Land; and
- (c) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, water, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber, and other emblements now located on the Land or under or above the same or any part or parcel thereof, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments, and appurtenances, reversion and reversions, remainder and remainders, whatsoever, in any way belonging, relating, or appertaining to the Premises or any part thereof, or which hereafter shall in any way belong, relate, or be appurtenant thereto, now owned by Grantor.

TO HAVE AND TO HOLD the Premises and all parts, rights, members and appurtenances thereof, to the use, benefit, and behoof of Grantee and the successors and assigns of Grantee, IN FEE SIMPLE, forever; and Grantors covenant that Grantor is lawfully seized and possessed of the Premises, as aforesaid, and has good right to convey the same, that the same is unencumbered, except for those matters expressly set forth hereinafter, and that Grantor does

0511473 - 76

110

BK 16238 PG0022

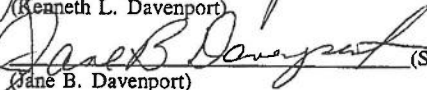
warrant and will forever defend the title thereto against the claims of all persons whomsoever, except as to the following permitted title exceptions:

1. Ad valorem taxes assessed against the subject property for the calendar year 1998 and all subsequent years, not yet due and payable.
2. Easement Agreement dated October 22, 1973, and recorded in Deed Book 766, Page 129, Gwinnett County, Georgia Records.
3. Easement contained within that certain quitclaim deed dated November 26, 1979 between Claude H. Turner and Gwinnett County, State of Georgia, and recorded in Deed Book 1845, Page 253, aforesaid records.
4. Easement contained within that certain quitclaim deed dated November 26, 1979 between Claude H. Turner and Gwinnett County, State of Georgia, and recorded in Deed Book 1845, Page 255, aforesaid records.
5. Department of Transportation Right of Way Deed dated September 16, 1981, and recorded in Deed Book 2254, Page 93, aforesaid records.
6. Non-Exclusive Easement Agreement dated March 23, 1984, and recorded in Deed Book 2781, Page 251, aforesaid records.
7. Judgment of Court for condemnation between Gwinnett County, Georgia, as Condemnor, and Claude H. Turner, as Condemnee, and recorded in Deed Book 6026, Page 17, aforesaid records.
8. Matters shown upon the survey made for Kenneth L. Davenport and Jane B. Davenport by Armstrong Land Surveying, Inc., certified by Robert T. Armstrong, Georgia Registered Land Surveyor No. 1909, dated July 17, 1997.
9. Easement reserved and retained in that certain Warranty Deed dated September 19, 1997, from Thomas E. Mooser and Melissa S. Mooser to Kenneth L. Davenport and Jane B. Davenport, recorded in Deed Book 14900, Page 170, aforesaid records.
10. Water Metering Device Easement from Kenneth L. Davenport and Jane B. Davenport in favor of Gwinnett County, dated February 2, 1998, and recorded in Gwinnett County records at Deed Book 15500, Page 076.

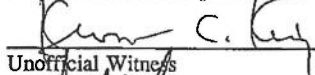
BK 16238 PG0023

IN TESTIMONY WHEREOF, Grantor has hereunto set Grantor's hand and affixed Grantor's seal the day and year first above written.

 (SEAL)
(Kenneth L. Davenport)

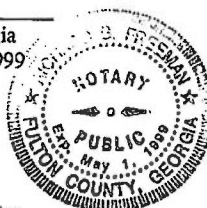
 (SEAL)
(Jane B. Davenport)

Signed, sealed and delivered on
June 9, 1998, in the presence of:


Unofficial Witness

Notary Public, Fulton County, Georgia
My Commission Expires: May 1, 1999

(NOTARY SEAL)



Document Prepared By:
Richard B. Freeman
Richard B. Freeman, P.C.
Suite 220, 121 Perimeter Center West
Atlanta, GA 30346-1200
(770) 394-8616

Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

BK 16238 PG 0024

EXHIBIT "A"

All that lot, tract or parcel of land situate, lying and being in Land Lot numbered 213 of the 6th District, Gwinnett County, Georgia, being particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the point of intersection of the existing southeasterly line of the right of way of Brook Hollow Parkway (formerly known as Indian Trail Industrial Parkway) with the westerly line of said Land Lot 213; run thence in a northeasterly direction, along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 1,331.81 feet to a point; continue thence along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway and run north 60 degrees 38 minutes 38 seconds east a distance of 487.25 feet to a 5/8-inch rebar set, WHICH REBAR IS THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN; from said point of beginning as thus established, run north 60 degrees 38 minutes 38 seconds east, along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 14.32 feet to a right of way monument; run thence north 59 degrees 20 minutes 34 seconds east, continuing along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 441.73 feet to a right of way monument; thence leave the right of way of Brook Hollow Parkway and run south 25 degrees 53 minutes 00 seconds east a distance of 20.08 feet to a 3/8-inch rebar found; run thence south 28 degrees 59 minutes 17 seconds east a distance of 314.32 feet to a 3/8-inch rebar found; run thence south 29 degrees 42 minutes 47 seconds east a distance of 60.21 feet to a 3/8-inch rebar found; run thence south 29 degrees 16 minutes 01 seconds east a distance of 299.64 feet to a 5/8-inch rebar found lying on the northwesterly line of the 300-foot right of way of Interstate 85; run thence south 60 degrees 15 minutes 06 seconds west, along the northwesterly line of the aforesaid right of way of Interstate 85, a distance of 347.24 feet to a 5/8-inch rebar set; run thence north 32 degrees 31 minutes 53 seconds west a distance of 460.41 feet to a 5/8-inch rebar set; run thence north 48 degrees 45 minutes 06 seconds west a distance of 240.52 feet to the rebar which is the point of beginning; being shown as Tract One, 6.000 acres, upon a Boundary Survey for Kenneth L. Davenport, Jane B. Davenport and Chicago Title Insurance Company, dated July 17, 1997, made by Armstrong Land Surveying, Inc., certified by Robert T. Armstrong, Georgia Registered Land Surveyor No. 1901, to which reference is hereby made.

Grantor does further grant, bargain, sell, alien, convey and confirm unto the said Grantee the all right, title, claim, interest or demand of Grantor in those certain easements granted to the grantee within a warranty deed from Thomas E. Mooser et al. to Kenneth L. Davenport et al. dated September 19, 1997, and recorded in the office of the Clerk of the Superior Court of Gwinnett County, Georgia, at Deed Book 14900, Page 170



INVOICE

City of Norcross
65 Lawrenceville Street
Norcross, Georgia 30071

Phone: 678-421-2027

Fax: 770-242-0824

www.norcrossga.net

APPLICANT:

Melody Glouton
 Andersen, Tate & Carr PC
 1960 Satellite Blvd, Suite 4000
 Duluth GA 30097

Permit No: RZ2021-004

Parcel No: R6213 081

Description: Rezoning 5250 Brook Hollow Pkwy

Valuation:

Fee Description	Account	Fee Amount
<u>BUILDING PERMIT FEES</u>		
Rezoning Fee 5.0 - 9.9 acres	231	\$ 1,250.00

PROVIDE SOLID WASTE SERVICES ACCOUNT
 NUMBER FOR THE FOLLOWING:

- ☐ CONSTRUCTION ACTIVITIES:
 ACCT # _____
- ☐ TENANT OCCUPANCY:
 ACCT # _____
- ☐ NOT APPLICABLE (INITIAL):

Total Fees Due:

\$ 1,250.00

Date Printed: 07/01/2021

FINANCE

From: [Government Window](#)
To: [Tracy Rye](#); [Erica Madsen](#); [Karen Slaton-Dixon](#); [Sonja Hampton](#); [Hannah Knab](#)
Subject: New payment has been received (Confirmation #14192096)
Date: Wednesday, July 7, 2021 11:50:00 AM

Caution: This email came from outside Norcross Networks. Do not open attachments or click on links if you do not recognize the sender.

		Permit Payment Receipt Norcross, GA 65 Lawrenceville St. Norcross, Georgia 30071 Office: 770-448-2122		Office: Norcross-Permits Category: Rezoning Application Receipt Note: Rezoning Fee 5.0-9.9 acres Payment Type/Last 4 of CC: Visa-4996 Payment Method: WEB	
		Thank you for your payment. You will see two transactions on your card related to your payment: 1) Permit billed by Norcross, GA 2) Service Fee billed by GovernmentWindow			
Customer Name:					
Cardholder Name:	Melody Glouton				
Billing Address:	1960 Satellite Boulevard, Suite 4000				
City/State/Zip:	Duluth, GA 30097				
Phone #:	770-822-0900				
Email:	mglouton@atclawfirm.com				
Payment Date:	07/07/2021 11:49:49 AM				
Payment Clerk:					
Confirmation #:	14192096				

Project ID:	RZ2021-004
Permit Amount:	\$1,250.00
Service Fee Amount:	\$37.50
Total Paid:	\$1,287.50

From: [Tracy Rye](#)
To: [Louisa Tovar](#)
Subject: FW: New payment has been received (Confirmation #14192096)
Date: Wednesday, July 7, 2021 11:52:28 AM
Attachments: [image001.png](#)
[image002.png](#)

Just FYI

Tracy D. Rye, AICP
Community Development & Planning Director
 City of Norcross
 65 Lawrenceville Street
 Norcross, Georgia 30071
 [p] 678.421.2027
 [f] 770.242.0824
www.norcrossga.net



From: Government Window <no-reply@governmentwindow.com>
Sent: Wednesday, July 7, 2021 11:50 AM
To: Tracy Rye <Tracy.Rye@norcrossga.net>; Erica Madsen <erica.madsen@norcrossga.net>; Karen Slaton-Dixon <kdixon@norcrossga.net>; Sonja Hampton <shampton@norcrossga.net>; Hannah Knab <hannah.knab@norcrossga.net>
Subject: New payment has been received (Confirmation #14192096)

Caution: This email came from outside Norcross Networks. Do not open attachments or click on links if you do not recognize the sender.

Permit Payment Receipt
Norcross, GA
 65 Lawrenceville St.
 Norcross, Georgia 30071

Office: Norcross-Permits
Category: Rezoning Application
Receipt Note: Rezoning Fee 5.0-9.9 acres
 Payment Type/Last 4 of CC: Visa-4996
 Payment Method: WEB

	Office: 770-448-2122
--	----------------------

Customer Name:
Cardholder Name:
Melody Glouton
Billing Address:
1960 Satellite Boulevard, Suite 4000
City/State/Zip:
Duluth, GA 30097
Phone #:
770-822-0900
Email:
mglouton@atclawfirm.com
Payment Date:
07/07/2021 11:49:49 AM
Payment Clerk:
Confirmation #:
14192096

Thank you for your payment. You will see two transactions on your card related to your payment:

- 1) Permit billed by Norcross, GA
- 2) Service Fee billed by GovernmentWindow

Project ID:
RZ2021-004
Permit Amount:
\$1,250.00
Service Fee Amount:
\$37.50
Total Paid:
\$1,287.50

ANDERSEN | TATE | CARR

LETTER OF INTENT AND JUSTIFICATION FOR REZONING

Rezoning Application City of Norcross, Gwinnett County, Georgia

Applicant:

Modeh Realty (Brook Hollow Logistics Center GA) LP

Property:

Tax Parcel ID R6213 081

±6.0 Acres of Land

Located at 5250 Brook Hollow Parkway, Norcross, Georgia 30071

From C-2 to M-1

Submitted for Applicant by:

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

mglouton@atclawfirm.com

Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

I. INTRODUCTION

This Application for Rezoning is submitted for a 6.00-acre parcel of land located in Land Lot 213 of the 6th District of Gwinnett County, Georgia, identified as Tax Parcel R6213 081 (hereinafter the “Property”). The Property is shown on the survey prepared by Pirkle & Associates Surveying, Inc., dated May 24, 2021, and filed with this Application. The Property that is the subject of this rezoning application is owned by Davenport Properties, LLC and identified as shown below in the Gwinnett County GIS:



The Property is currently zoned C-2 (General Business District) pursuant to the Norcross Unified Development Ordinance (the “UDO”). The use of professional and business office is permitted by right in the C-2 zoning district and the use of wholesale warehouse is permitted by special permit in the C-2 zoning district. No active zoning, building or fire code violations have been reported or disclosed that would affect the Property. The Applicant, Modeh Realty (Brook Hollow Logistics Center GA) LP (the “Applicant”) now seeks approval to rezone the Property to M-1 (Light Industrial District) to align the zoning of the Property with its current development and use along with that of surrounding properties.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a primarily rectangular tract fronting Brook Hollow Parkway. It is immediately adjacent to other industrial properties, with the rear of the Property abutting Interstate 85 (“I-85”). The Property is surrounded by other M-1 zoned parcels, an undeveloped C-2 parcel and nearby multi-family uses. It is bounded on the east by an existing industrial development consisting of various wholesalers which extends across Brook Hollow to the

north. The Property has convenient access to Indian Trail Rd and I-85. The Property's location on the north bound side of Brook Hollow allows for convenient access to I-85 by utilizing only right-hand turns from the Property to the interstate. Pursuant to the City of Norcross zoning map, the adjacent zoning classifications are as follows:

North		M-1	Light Industrial
South		M-1	Light Industrial
East		M-1	Light Industrial
West		C-2	General Business

The 2040 Norcross Comprehensive Plan (the "2040 Plan") classifies this Property as residing within the I-85 Activity Center Character Area. As outlined in the 2040 Plan, the I-85 Activity Center Character Area expressly states a preference for light industrial properties and calls for the preservation of industrial properties within the Character Area for employment centers. The Applicant is requesting to rezone the Property to M-1 for the purpose bringing the Property's zoning classification in line with the current development and use of the Property as an office furniture distributor as well as surrounding uses. The Applicant's request is consistent with the policies and intent of the 2040 Plan and would achieve the stated goal of preserving industrial uses as an employment center.

III. PROJECT SUMMARY

As shown on the site plan prepared by Pirkle & Associates Surveying, Inc. dated May 24, 2021, and filed with this Application (hereinafter the "Site Plan"), the Applicant proposes to utilize the existing development on the Property as well as continue operations with the current office furniture distributor. The Property currently contains an approximately 60,000sf one-story brick building with 2 drive-up doors facing Brook Hollow, 19 dock doors along the side, and a 110' concrete truck court. The existing building incorporates other common light industrial features including a 24' clear height and a wet class VI sprinkler system. The Applicant does not intend to alter or amend the existing structure. The site is reflected below:



As indicated, the surrounding area is characterized by existing light industrial uses which is supported by the 2040 Plan and Future Land Use Map. Accordingly, the Applicant's request is consistent with surrounding uses and the stated goals of the 2040 Plan.

IV. RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

The Applicant provides the following information in response to the required analysis:

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

Yes, the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property in addition to the continued use and development of the Property. The proposal will utilize the existing 60,000 square foot distribution facility and maintain its current use which is consistent with adjacent industrially zoned properties. As provided for in the 2040 Plan, use of the Property for Light Industrial is preferred considering its proximity to the I-85 interchange and is encouraged to be preserved as an employment center.

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

No, approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties from an environmental, noise, easement, accessibility, traffic, or any other standpoint. The proposal utilizes the existing development on the Property and will maintain its current use. Further, the surrounding properties are already operating with several industrial uses that are consistent with the Applicant's proposal.

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Applicant submits that due to the size, location, layout, topography, market conditions, and natural features of the Property, it does not have reasonable economic use as currently zoned. The Property is currently developed as a light industrial building with 21 loading doors with the building oriented towards I-85. Further, the building sits below grade and setback from Brook Hollow Parkway limiting its visibility to passersby which is not conducive to general commercial businesses. Therefore, the Property does not have reasonable economic use as a C-2 property given its industrial location, lack of visibility to passersby and orientation to I-85 in the same manner as surrounding industrial properties.

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

No, the proposed rezoning will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposal will be utilizing the existing development and maintaining the current use thus not resulting in any further burden on infrastructure than what currently exists. More importantly, industrial facilities, especially distribution centers, use minimal water and sewer capacity and foster less traffic than general commercial businesses.

(E) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

Yes, the proposed rezoning substantially conforms to the policy and intent of the land 2040 Plan. The 2040 Plan expressly provides for a preference of light industrial uses within the I-85 Activity Center Character Area and encourages preservation of industrial uses as an employment center for the community. In addition, the Property is adjacent to existing industrial uses and backs up to I-85.

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

Given the position of the Property and its proximity to existing industrial, as well as the I-85 Interchange, the proposed rezoning would bring the Property in line with its current development and use as well as that of surrounding properties.

V. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that "Norcross Unified Development Ordinance" (the "UDO"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude the continued and future use as light industrial (M-1) is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the UDO deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Mayor and Council of the City of Norcross to impose greater restrictions upon the manner in which the Property will be used than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the UDO constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the

zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Mayor and Council of the City of Norcross cannot lawfully impose more restrictive standards upon the use of the Property than presently exists, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from C-2 to M-1 be approved. The Applicant welcomes the opportunity to meet with the City of Norcross Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 29th of June, 2021.

ANDERSEN, TATE & CARR, P.C.

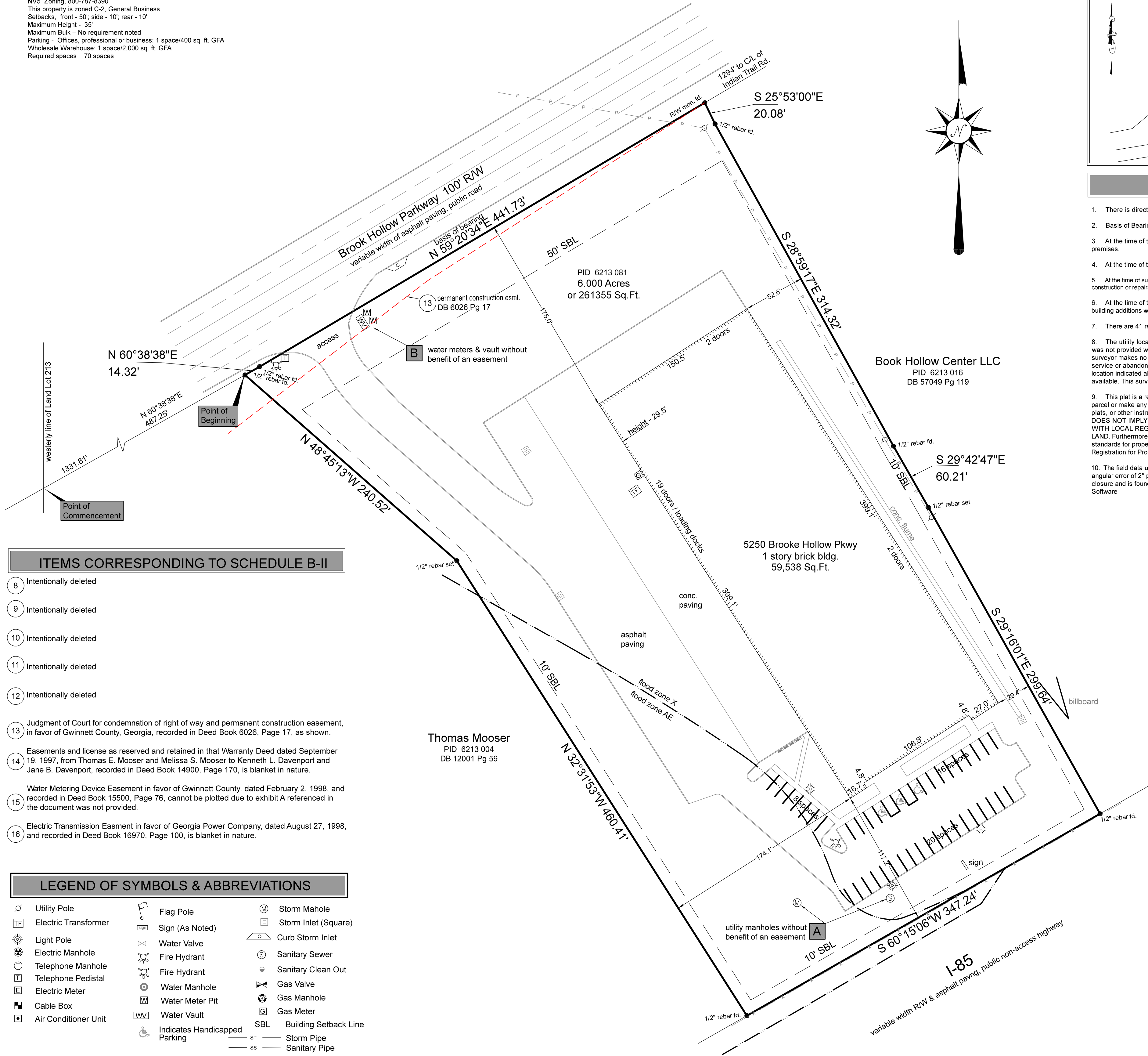
Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/ag

ZONING INFORMATION

Pursuant to Table A Item 6b, the zoning classification and information shown hereon was provided to the surveyor by the Client. Zoning data obtained from Zoning Report #7202100961 dated 4/22/2021 prepared by NV5 Zoning, 900-781-6390
This property is zoned C-2, General Business
Setbacks, front - 50'; side - 10'; rear - 10'
Maximum Height - 35'
Maximum Bulk - No requirement noted
Parking - Offices, professional or business: 1 space/400 sq. ft. GFA
Wholesale Warehouse: 1 space/2,000 sq. ft. GFA
Required spaces 70 spaces



ITEMS CORRESPONDING TO SCHEDULE B-II

- 8 Intentionally deleted
- 9 Intentionally deleted
- 10 Intentionally deleted
- 11 Intentionally deleted
- 12 Intentionally deleted
- 13 Judgment of Court for condemnation of right of way and permanent construction easement, in favor of Gwinnett County, Georgia, recorded in Deed Book 6026, Page 17, as shown.
- 14 Easements and license as reserved and retained in that Warranty Deed dated September 19, 1997, from Thomas E. Mooser and Melissa S. Mooser to Kenneth L. Davenport and Jane B. Davenport, recorded in Deed Book 14900, Page 170, is blanket in nature.
- 15 Water Metering Device Easement in favor of Gwinnett County, dated February 2, 1998, and recorded in Deed Book 15500, Page 76, cannot be plotted due to exhibit A referenced in the document was not provided.
- 16 Electric Transmission Easment in favor of Georgia Power Company, dated August 27, 1998, and recorded in Deed Book 16970, Page 100, is blanket in nature.

LEGEND OF SYMBOLS & ABBREVIATIONS

- Utility Pole
- Electric Transformer
- Light Pole
- Electric Manhole
- Telephone Manhole
- Telephone Pedestal
- Electric Meter
- Cable Box
- Air Conditioner Unit
- Flag Pole
- Sign (As Noted)
- Water Valve
- Fire Hydrant
- Water Manhole
- Water Meter Pit
- Water Vault
- Indicates Handicapped Parking
- Storm Mahole
- Storm Inlet (Square)
- Curb Storm Inlet
- Sanitary Sewer
- Sanitary Clean Out
- Gas Valve
- Gas Manhole
- Gas Meter
- SBL Building Setback Line
- Storm Pipe
- Sanitary Pipe
- Overhead Power

FLOOD NOTE

By graphic plotting only, this property is in Zone X & AE of the flood insurance rate map. Community Panel No 13135C0098F which bears an effective date of 9/29/2006, and is partially in a special flood hazard area. As shown on FEMA website (fema.gov) by firmette created on 4/20/2021 we have learned this community does currently participate in the program. No field surveying was performed to determine

PROJECT REVISION RECORD

DATE	DESCRIPTION	DATE	DESCRIPTION
4/20/21	first draft		
5/24/21	comments		
FIELD WORK:	DRAFTED:	CHECKED BY:	FB & PG.

SIGNIFICANT OBSERVATIONS

- A utility manholes without benefit of an easement
- B water meters & vault without benefit of an easement

LEGAL

THIS SURVEY WAS PREPARED FOR THE PURPOSE OF THIS REAL ESTATE TRANSACTION ONLY AND NO FURTHER PARTIES OTHER THAN THOSE CERTIFIED ABOVE SHALL RELY ON IT FOR ANY OTHER PURPOSE OR TRANSACTION

RECORD DESCRIPTION

The Land referred to herein below is situated in the County of Gwinnett, State of Georgia, and described as follows:

All that lot, tract or parcel of land situate, lying and being in land Lot numbered 213 of the 6th District, (Gwinnett County, Georgia, being particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING, commence at the point of intersection of the existing southeasterly line of the right of way of Brook Hollow Parkway (formerly known as Indian Trail Industrial Parkway) with the westerly line of said Land Lot 213, run thence in a northeasterly direction, along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 1,331.81 feet to a point, continue thence along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway and run north 60 degrees 38 minutes 38 seconds east a distance of 487.25 feet to a 5/8-inch rebar set, WHICH REBAR IS THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN; from said point of beginning as thus established, run north 60 degrees 38 minutes 38 seconds east, along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 14.32 feet to a right of way monument, run thence north 59 degrees 20 minutes 34 seconds east, continuing along the southeasterly line of the aforesaid right of way of Brook Hollow Parkway, a distance of 441.73 feet to a right of way monument; thence leave the right of way of Brook Hollow Parkway and run south 25 degrees 53 minutes 00 seconds east a distance of 20.08 feet to a 3/8-inch rebar found; run thence south 28 degrees 59 minutes 17 seconds east a distance of 314.32 feet to a 3/8-inch rebar found, run thence south 29 degrees 42 minutes 47 seconds east a distance of 60.21 feet to a 3/8-inch rebar found; run thence south 29 degrees 16 minutes 01 seconds east a distance of 299.64 feet to a 5/8 inch rebar found lying on the northwesterly line of the 300-foot right of way of Interstate 85; run thence south 60 degrees 15 minutes 06 seconds west, along the northwesterly line of the aforesaid right of way of Interstate 85, a distance of 347.24 feet to a 5/8-inch rebar set; run thence north 32 degrees 31 minutes 53 seconds west a distance of 460.41 feet to a 5/8-inch rebar set; run thence north 48 degrees 45 minutes 06 seconds west a distance of 240.52 feet to the rebar which is the point of beginning.

TOGETHER WITH the benefit of those certain easements created in a warranty deed from Thomas E. Mooser et al. to Kenneth L. Davenport, dated September 19, 1991, and recorded in the office of the Clerk of the Superior Court of Gwinnett County, Georgia, at Deed Book 14900, Page 170.

For Information Only: Premises is known as 5250 Brook Hollow Parkway, Norcross, GA and designated as Property ID No. R6213 081

The lands surveyed, shown and described hereon are the same lands as described in the title commitment provided by First American Title Insurance Company, commitment #52992, effective date 4/1/2021, and all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site, or otherwise known to me have been plotted hereon or otherwise noted as to their location relative to the subject property.

ALTA/NSPS LAND TITLE SURVEY

for
Dalfen GA & NJ
NV5 Project No. 202101650, 002
5250 Brooke Hollow Pkwy, Norcross, GA

based upon Title Commitment No 52992
of First American Title Insurance Company
bearing an effective date of 4/1/2021

Surveyor's Certification

To: Dalfen Industrial, LLC, and its successors and assigns; Royal Abstract National LLC; First American Title Insurance Company; and Bock & Clark Corporation, an NV5 Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6a, 6b, 7a, 7b, 7c, 8, 9, 10, 13, 14, 16, 17, 18 and 19 of Table A thereof. The field work was completed on 4/20/2021



PIRKLE & ASSOCIATES SURVEYING, INC.
783 Slater Durnea Road
Glenville, Georgia 30427
Email: pirklesurveying@outlook.com
Phone 912-854-3298 Cell 912-237-3770
Ga LSF 000232

Princeton P. Pirkle, Jr.
Georgia RLS #1474
Date of Field Survey: 4/20/2021
Date of Last Revision: 5/24/2021
NETWORK PROJECT NO. 202101650-002 CMP

SHEET 1 OF 1

Bock & Clark Corporation
an NV5 Company

NV5

Transaction Services 1-800-SURVEYS (787-8397)
3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com

SURVEY ZONING ENVIRONMENTAL ASSESSMENT

Check wait times and required paperwork in advance.

Make an Appointment



TIFFANY P. PORTER
GWINNETT COUNTY
TAX COMMISSIONER



BILL DETAIL

[View/Pay Your Taxes](#) / [Account Detail](#) / [Bill Detail](#)

Tax Account

Mailing Address:

DAVENPORT PROPERTIES LLC
232 CEDAR PARK CIR
SARASOTA , FL 34242-1216

SITUS:

5250 BROOK HOLLOW PKWY

Tax District:

NORCROSS

Parcel ID	Property Type	Last Update
R6213 081	Real Property	6/29/2021 4:13:29 PM

Legal Description

BROOK HOLLOW PKWY

Tax Values

Description	Market Value	Assessed Value
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Description	Market Value	Assessed Value
Land	\$858,100.00	\$343,240.00
Improvement	\$2,496,400.00	\$998,560.00
Total	\$3,354,500.00	\$1,341,800.00
Class Codes	398-Warehouse	

Live
CHA

Assessments

	Net Tax	Savings
<u>School Taxes</u>	\$28,982.88	\$0.00
<u>STATE OF GEORGIA TAXES</u>	\$0.00	\$0.00
<u>County Incorporated No Police</u>	\$15,363.61	\$0.00
Total Tax	\$44,346.49	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	24236088	12/1/2020	2020	\$0.00	\$0.00	\$0.00	\$0.00
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	24236088	B20.40882	\$44,346.49	10/21/2020

Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)

Select Language ▼

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Administration 

Attachment: RZ2021-004 Full Packet (21-6248 : RZ2021-004 Request for a Rezoning from C-2 to M-1 at 5250 Brook Hollow Parkway)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6238	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Tree Board
Title:	Community Forest Master Plan		

Sponsors:

Code Sections:

Attachments:

1. [Community Forest Master Plan July 2021 Packet](#)

Title
Community Forest Master Plan

Drafter
Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Tree Preservation Board
Mayor & Council

From: Tracy Rye, AICP

Agenda: July 28, 2021

Agenda #: 21-6238

Item: Community Forest Master Plan

CC: Eric Johnson

Recommendation

To adopt the Community Forest Master Plan.

Background

Based on the City's designation as a Certified Platinum Green Community through the Atlanta Regional Commission, the staff and Tree Preservation Board Chairman present the attached Community Forest Master Plan for adoption. Having a Community Forest Master Plan is an item in the Green Communities Book for which jurisdictions can gain points. Since the City has a Tree City USA designation and has a keen interest in managing trees and local forests, it is felt that it would be worthwhile to adopt the attached plan.

Financial Impact

None

Consistent with Comprehensive Plan?

This discussion is consistent with Goal 1 of the Comprehensive Plan to "Continue to Define Norcross' Sense of Plan" and Goal 6 of the Comprehensive Plan to "Further the City's Tradition of Strong Leadership and High Level of Quality Services".

65 LAWRENCEVILLE STREET, NORCROSS, GEORGIA 30071
(678) 421-2027 **UPSTAIRS CITY HALL** (770) 242-0824 **FAX** (770) 448-2111 **POLICE DEPARTMENT**
<http://www.norcrossga.net>

Next Steps

Request the Mayor and Council to consider adopting the Community Forest Master Plan.

Attachments

N/A

Update

N/A

INTRODUCTION

The City of Norcross, Georgia earned the designation of **Tree City USA** in February 2003 by the Arbor Day Foundation. As the foundation web site states *“The Tree City USA program has been greening up cities and towns across America since 1976. It is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees.”* Norcross has met the core standards of the designation by *“maintaining a tree board or department, having a community tree ordinance, spending at least \$2 per capita on urban forestry and celebrating Arbor Day.”* The city is committed to maintaining and improving a healthy forest canopy through maintenance, permitting, planting and public education.

Between 1995 and 2025, Georgia’s population is projected to grow by 37%, adding 2.7 million people. Only California, Texas, and Florida are expected to add more people (Georgia Department of Natural Resources, 2012). These new Georgians will expect housing, employment, transportation, and recreational opportunity close to home. Unless urban ecosystems are protected now, the trees, greenspace, rivers, and streams that make neighborhoods livable, walkable, and more desirable may become a casualty of growth.

Norcross recognizes that its community forests and greenspace are critical to ecosystem health, economic growth, and the character of the City, and that planning and action is required now if trees and greenspace are to be a part of the community’s future. Blending the historic character of the city with new higher-density growth while maintaining a viable tree canopy and healthy environment will take coordinated action and planning. A combination of strong, enforced ordinances, knowledgeable staff, an engaged community, and a diligent Tree Preservation Board will be required to maintain and improve the economic and ecological health of the city.

APPROACH FOR COMMUNITY FOREST MANAGEMENT

The best approach to managing a community forest is to have an organized, proactive management program that includes tools such as a tree inventory, benefit analysis, and canopy assessment from which goals are set and progress is measured. With these tools, the care of community trees can be prioritized, scheduled, and completed so that public safety is enhanced, canopy is created in strategic places, and budgets are effectively drafted based on need rather than reactive solutions to crises in the community forest.

In 2017, Norcross worked with a consultant, Downey Trees Inc., to develop an inventory of trees on public property. A spreadsheet of all city owned trees and a map showing forested areas were produced.

Public Works is tasked with managing these trees including pruning and removal when recommended. New trees are planted through a combination of Public Works budget and the city’s Tree Bank funding.

One of the challenges to new tree plantings is available space. Most rights-of-way are either fully planted or are not suitable locations due to limited space, the presence of underground and overhead

utilities, and poor soils. City parks may have some spaces for new trees, particularly when planting young trees to replace lost or aging trees. Community-owned forested areas may have a full canopy and are possibly candidates for invasive plant removal and new tree plantings to improve the quality of the forest environment.

This Plan is divided into five main sections:

1. **Benefits of Community Forests and Trees:** Presents information about the benefits trees provide to communities, both economically and ecologically.
2. **Existing Community Forest Program:** Provides a summary of current forest management in the city and presents goals and objectives.
3. **Community Forest Assessment and Analyses:** Summarized completed studies and the inventory and a land cover analysis with recommendations for increasing and promoting healthy tree cover.
4. **Tree Maintenance Program:** Describes maintenance protocols for tree protection, public safety, tree planting, educational outreach, and environmental health.
5. **Key Policy Actions:** Policy Actions to maintaining a healthy community forest

SECTION I – BENEFITS OF COMMUNITY FORESTS AND TREES

There is much evidence that the loss of trees and forested areas leads to environmental and economic decline. Alternatively, communities with well-managed forested spaces and street trees have a higher quality of life and thriving economies. The Georgia Forestry Commission lists the following benefits of community forests:

- Increasing property value. The presence of larger street trees can add from 3% – 15% to home values.
- Increasing spending in business districts. Shoppers spend 9% – 12% more for goods and services in central business districts with high quality tree canopies.
- Improving driving safety by decreasing highway and mid-block crash rates.
- Preventing crime. Public housing communities with more trees experience 52% fewer total crimes, 48% fewer property crimes, and 56% fewer violent crimes.
- Keeping citizens healthier by trapping dust, pollen and smoke, resulting in cleaner, cooler air.
- Providing environmental benefits like oxygen production, carbon dioxide absorption, erosion prevention, improved water quality, and wildlife habitat.

Now, more than ever, with increasing high-density development and decreasing tree cover, it is important to protect existing trees and larger tracts of forested spaces with a diverse mix of species including overstory, mid-level and understory types. The removal of invasive species should also be considered to decrease the competition with native preferred species. An individual tree has value but for real ecological health, a system of well-managed and interconnected forest spaces is paramount. The value of these remaining forested spaces cannot be over emphasized. If these spaces have their original undisturbed soils, a full complement of diverse native trees of differing sizes and ages along with

an understory regime untarnished by invasive plants, the ecological functions of this forest type are of exceptionally high value and should be protected and maintained.

At the same time, business areas benefit from healthy landscapes including trees. Consumers are willing to pay more to park and shop in landscaped business districts. On average, consumers will pay about 11% more for goods in landscaped areas, with this figure being as high as 50% for convenience goods (Wolf, 1998(a); Wolf, 1999; and Wolf, 2003). Consumers also feel that the quality of the products is better in business districts having trees over those that were considered barren (Wolf, 1998(a)). Additionally, the quality of landscaping along the routes leading to the business district had a positive influence on consumers' perceptions of the area (Wolf, 2000). In these more developed areas, a mix of native and non-native species may be required to withstand the harsh conditions of limited space, higher temperatures, poor soils, and exposure. Well planned and properly installed landscaping is worth the effort to reduce maintenance time and costs later on.

Several studies in the United States analyzed the effect of tree cover on the price of residential home sales, finding that values of properties in tree-lined areas may be 3% to 7% higher when trees are in the yard, 5% to 20% when the property is next to natural open space, and 9% when adjacent to street trees. Commercial property rental rates were 7% greater when trees were present on the property (Wolf, 2009).

Tree-lined streets also make our streets safer by reducing traffic speeds and the amount of stress drivers feel which likely reduces road rage (Wolf, 1998(b); Kuo and Sullivan, 2001(b)). Ulrich (1984, 1986) found that hospital patients who were recovering from surgery and had a view of a grove of trees through their windows required fewer pain relievers, experienced fewer complications, and left the hospital sooner than similar patients who had a view of a brick wall. The calming effects of trees and other greenery is well documented.

Trees improve air quality. During photosynthesis, trees remove CO₂ from the atmosphere to form carbohydrates that are used in plant structure/function and return oxygen (O₂) back to the atmosphere as a by-product. **Without trees and other living organisms that produce oxygen, we would not have an atmosphere that allows us to breathe.** Trees, therefore, act as a carbon (C) sink. Urban forests cleanse the air by intercepting and slowing particulate materials and by absorbing pollutant gases on their leaf surfaces. Pollutants partially controlled by trees include nitrogen oxides (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), CO₂, ozone (O₃), and small particulates less than 10 microns in size (PM₁₀). Coder (1996) found that trees can reduce street level air pollution by 60%.

Trees reduce energy usage by lowering local air temperatures when they transpire water and shade surfaces. Urban trees shade buildings in the summer and block winter winds. **The net cooling effect of a healthy tree is equivalent to 10 room-size air conditioners operating 20 hours a day** (North Carolina State University, 2012). Trees placed properly around buildings as windbreaks can save up to 25% on winter heating costs (Heisler, 1986).

Public safety must be considered when planning and maintaining community forests and street trees. Particularly following storm events, the public perception of trees may be of the hazards and risk of falling trees or limbs even though those risks may be low overall. Jurisdictions must **plan and budget for maintenance** to gain and keep public support for community forests.

Trees are typically not considered part of stormwater management systems; they are generally, and falsely, considered landscaping. Planting a tree as just landscaping is not taking advantage of the stormwater utility benefits it provides. Leafy tree canopies catch precipitation before it reaches the ground, allowing some water to gently drip and the rest to evaporate. This lessens the initial impact of storms, reduces runoff and erosion, and increases groundwater recharge. For every 5% of tree cover added to a community, stormwater runoff is reduced by approximately 2% (Coder, 1996). Research by the USDA Forest Service indicates that 100 mature tree crowns intercept about 100,000 gallons of rainfall per year, reducing runoff and providing cleaner water (USDA Forest Service, 2003(a)). A typical community forest of 10,000 trees will retain approximately **10 million gallons of rainwater** per year (USDA Forest Service, 2003(b)).

The city participated in a case study called *Trees to Offset Stormwater, Case Study #06* developed by the Green Infrastructure Center in October 2018. The study produced maps indicating areas of viable green infrastructure (primarily tree cover) and other areas where green infrastructure could be implemented to improve stormwater management.

On a typical residential property, trees reduce water loss to runoff and protect hardscapes and landscaping by capturing much of the rainfall in the canopy and protecting plants and structures underneath. The leaves and roots slow runoff and allow more infiltration of rainwater into the ground that can drastically reduce the need to water lawns and other plants and save money in water bills. It makes little sense to funnel rainwater off of a property in the quickest manner and then turn on the hose the next day to water the lawn.

The strategic location of trees to manage stormwater is another consideration when planning for the protection of existing trees and planting of new trees. Tree-filled bioswales, linear, connected or stormwater tree pits, structural soils, suspended pavements and structural cells, rain gardens, green roofs, and green streets are just a few of the many options available that integrate trees into stormwater infrastructure.

SECTION II – EXISTING COMMUNITY FOREST PROGRAM

The city of Norcross currently has a strong community forest program based in Public Works and Community Development but supported by all branches of government including the Mayor's office, the City Council, Code Enforcement and the Tree Preservation Board.

- Public Works – maintains city parks and rights-of-way including trees and other landscaping. With the help of the city Arborist, PW staff monitors the health of trees, implements a program of fertilization, watering, and other tree care services, and removes hazard trees and limbs that pose a potential risk to citizens and property.
- Community Development – reviews plans for new development and ensures that the code of ordinances is complied with pertaining to tree preservation, tree protection, and replanting requirements for new construction. The city Arborist is headquartered in Community Development and, besides plan review, oversees the Tree Removal Permit program.
- The city Mayor participates in Arbor Day events and issues proclamations related to Arbor Day and other tree related events.

- The City Council adopts and revises the ordinances for tree protection and provides the budgets for maintenance while considering the economic progress and healthy environment of the city.
- Code Enforcement patrols the city and enforces the ordinance related to tree removal permits through citations, stop work orders and other measures.
- The Tree Preservation Board is tasked with providing outreach to the community to promote the preservation of trees and healthy forests. The board also advises city staff and council on ways to improve the tree canopy through revisions to the Code of Ordinances and increased budgets for maintenance. The TPB promotes the planting of new trees wherever the opportunity arises and allocates funds from the Norcross Tree Bank for this purpose.

SECTION III – COMMUNITY FOREST ASSESSMENT AND ANALYSIS

As previously mentioned, the city has an inventory of trees on public properties that lists almost 1,300 trees and includes species, size, location, general health, and action recommendations, if any. The list was developed by Downey Trees, Inc. in 2017 based on the information criteria below and is maintained and updated by city staff through January 2021. As identified unhealthy or other at-risk trees are removed, plans are developed and implemented to replace those trees within the City utilizing funds paid into the City's Tree Bank or replanted utilizing available funds from the City's Public Works budget. The Tree Preservation Board is asking for funding from the City in the FY 2022 budget to perform a brand new, updated tree inventory using new more efficient aerial technology. This request is currently under consideration at this time. The current tree inventory list is attached in Appendix.

Recognizing trends within the tree population can help guide both short- and long-term management planning. Usually tree inventory data are examined to determine the diversity of species present, the distribution of size classes (with size being based on DBH), and the general health of the tree population. Those analyses, along with professional judgment, are used to make generalizations about the state of the inventoried tree population. In this Plan, the following population characteristics were assessed:

Species Diversity—Species diversity is the variety and abundance of trees in a specific population. It affects the population's ability to sustain threats from invasive pests and diseases as well as impact tree maintenance needs and costs, tree planting goals, and canopy continuity. Having a low species diversity (large number of trees of the same species) can lead to catastrophic results in the event of species-specific epidemics (i.e., DED, Dutch elm disease) and can increase program costs should a particularly high-maintenance tree dominate streets and/or parks.

The composition of a thriving tree population should adhere to the 10-20-30 Rule for species diversity rule (Ohio Department of Natural Resources Urban Forestry Program, 2012). This rule implies that no more than 10% of the community forest should be of the same species, while no more than 20% of the forest should be of the same genera, and a single family should not make up more than 30% of the community's forest.

In this Plan, the species distributions for inventoried ROW and park trees are analyzed using the principles of the 10-20-30 Rule.

Diameter Size Class Distribution—Diameter size class distribution is the proportion of trees by diameter size class in a specific population. It affects the environmental and economic benefits provided by the population as well as tree maintenance needs and costs, tree planting goals, and canopy continuity. The diameter size class distribution can also be used to estimate relative age of a tree population.

General Health—The general health of a tree population indicates how well trees are performing given their site-specific conditions. General health affects both short- and long-term tree maintenance needs and costs as well as canopy continuity.

Priority Maintenance

The purpose of identifying and ranking the priority maintenance needs of the community forest is to enable managers to prioritize tree work based on observed risk. Once tree work is prioritized, it can be accomplished systematically to eliminate the greatest risk and liability first (Stamen, 2011).

Risk is a graduated scale that measures the potential danger associated with a tree. A tree is considered hazardous when the potential danger associated with it exceeds the level of risk that is acceptable by the governing agency.

It is important to understand that managing trees for risk reduction can provide many benefits including: Lower frequency and severity of accidents, damage, and injury. Fewer expenditures for claims and legal expenses. Healthier, long-lived trees. Over time, fewer tree removals. Over time, lower tree maintenance costs.

Regular inspection of trees and performance of cyclic tree maintenance generally reduces the risk of failure as problems can be found and addressed before they escalate.

How Risk Was Assessed

All community forests have inherent risks of tree or tree part failure. During the inventory, Downey performed a risk assessment and that assessment was used to assign a risk rating to each tree. To rate each tree, Downey used a protocol based on the USDA Forest Service Community Tree Risk Rating System (Pokorny, et.al, 2003). The probability of failure, size of defective part, probability of target impact, and other risk factors were evaluated for each tree inventoried. While our new anticipated survey technology will give Norcross more specific evaluations and maintenance recommendations our current inventory assessment is defined into three categories: good, fair, and poor.

Usually trees with elevated levels of risk (**Poor**) are removed or the defects that warranted their risk rating are eliminated via pruning. However, in some situations, risk can be reduced by adding support to the tree (cabling or bracing) or by moving the target away from the tree. Downey only recommends removal or pruning to alleviate risk. In special situations, such as significant or memorial tree or a tree in an historic area, Norcross may decide that cabling, bracing, or moving the target may be an option for alleviating risk.

Some trees described as **Poor** have defects that cannot be cost-effectively or practically treated. The majority of the trees in this category have multiple and significant defects present in the trunk, crown, or critical root zone. Defective trees and/or tree parts are generally larger than 20 inches in diameter and found in areas of frequent occupation, such as a main thoroughfare, congested street, and/or near a school.

Some trees designated as **Poor** have defects that may or may not be cost-effectively or practically treated. The majority of the trees in this category have multiple or significant defects affecting more than 40% of the trunk, crown, or critical root zone. Defective trees and/or tree parts are generally 4 to 20 inches in diameter and found in areas of frequent occupation, such as a main thoroughfare, congested street, and/or near a school.

Trees described as **Fair** have defects that may be cost-effectively or practically treated. The majority of trees in this category exhibit several moderate defects affecting less than 40% of a tree's trunk, crown, or critical root zone. These trees may be in high, moderate, or low use areas.

Trees designated as **Fair** have minor visible structural defects or wounds and are typically found in areas with moderate to low use.

SECTION IV – Tree Maintenance Program

Proactive Maintenance Proactive tree maintenance requires that trees are managed and maintained under the watchful eye of an individual, department, or agency. Typically, tree work is performed during a cycle. Individual tree health and form are addressed “routinely” during the cycle. When trees are planted, they are planted selectively and with purpose. Ultimately, proactive tree maintenance should reduce crisis situations in community forests as every tree in the managed population is visited, assessed, and maintained on a regular basis and tree planting is planned. Downey’s recommended proactive tree maintenance includes cyclic pruning, inspections, and tree planting.

Cyclic Pruning

The goal of cyclic pruning is to visit, assess, and prune trees on a regular schedule to improve health and reduce risk. Typically, Downey recommends that pruning cycles begin after all Severe and High Risk trees are corrected through priority removal or pruning. However, because of the long-term benefit that will come from the implementation of cyclic pruning, Downey may recommend it be implemented sooner. To ensure all trees receive the type of pruning they need to mature with better structure and fewer hazards, two pruning cycles, the Young Tree Training Cycle (YTT Cycle) and the Routine Pruning Cycle (RP Cycle), are recommended. The cycles differ in the type of pruning, the general age of the tree they target, and the length of the cycle.

YTT Cycle. Young trees generally have a DBH of six inches or less. Sometimes young trees have branch structures that can lead to potential problems as the tree ages. Codominant leaders, many limbs attaching at the same point on the trunk, or crossing/interfering limbs are common problems young trees can have. If these problems are not corrected, they can become worse as the tree grows older, and may increase risk and create potential liabilities. During the YTT Cycle, pruning is performed to improve tree form or structure. The recommended length of the YTT Cycle is three years because young trees tend to grow at faster rates (on average) than more mature trees.

RP Cycle. The RP Cycle includes all small and large trees (most trees with a DBH greater than six inches) that need cleaning, crown raising, and reducing to remove deadwood and improve their structure. The length of the RP Cycle is based on the size of the tree population and what was determined by Downey to be a reasonable number of trees to prune per year. The RP Cycle recommended for Norcross is five years.

Pruning Cycle Progression. The recommended number of trees in the YTT Cycle and RP Cycle is constantly changing as trees are planted, age, and die. Newly planted trees will enter the YTT Cycle once they are established (generally one to two years after planting). Young trees will reach maturity and leave the YTT Cycle and enter the RP Cycle. And finally when a tree reaches the end of its useful life, it should be removed and, thus be eliminated from the RP Cycle.

Pest Management

Norcross has also adopted an Integrated Pest Management Program for tree and landscaping management. Norcross Landscape Maintenance seeks to control pests without harming non-target organisms, or negatively affecting air and water quality and public health. It relies on IPM which uses a range of cultural, mechanical, physical, and biological control methods **before using pesticides**. Chemical controls are applied only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, the least toxic and the least persistent pesticide that will provide adequate pest control is applied.

Community Outreach and Education

Various avenues exist for outreach. The Tree Preservation Board has created a Walking Tour of Trees through two of our City parks – an older historical park (Thrasher Park) and a newly created park (Pinnacle Park). These tours are accompanied by an audio description of the select trees on the tour with information about the species and their history. The Tree Walking Tours can be accessed on our aplacetoimagine.com website. In addition, a Walking Tour of Trees brochure to accompany both tours was just recently updated within the last year and is available in print and electronic format for residents and visitors. In addition, the City, through its PR department, publishes a print and electronic monthly newsletter that routinely includes a section entitled “Tree Talk” that provides valuable tips and information on planting and maintaining trees and important information on the value of our trees and tree canopy. And, as an acknowledged Tree City USA affiliate for 16+ years, the City, through its Tree Preservation Board, hosts an annual Arbor Day event that highlights the benefits of trees and includes a tree planting.

SECTION V – Key Policy Actions

Key policy actions to continue the good work that has already been in place in Norcross is threefold.

Tree Maintenance

Continue to fund the Public Works Department to perform calculated and necessary tree maintenance based on the tree inventory plan on hand at the time and to at least partially fund tree replacement projects to enhance the existing Tree Fund.

Continue to outsource tree maintenance to include routine and structural pruning, tree and stump removal to accredited companies

Green Infrastructure

Continue to maintain the “no net loss of tree canopy” policy.

Incorporate engineered systems designed to promote tree growth and manage stormwater in the development code.

Continue to encourage tree planting citywide.

Growth and Development

Continue to fund the Tree Preservation Board activities, including annual funding of a City Arborist position from eight hours weekly to an integrated full time City staff person.

Update the existing tree canopy assessment

Update the existing City tree inventory with new aerial technology with an efficient “pull down” menu of information on individual trees.

Modify the Tree Preservation Ordinance as conditions warrant

Enhance public outreach programs to emphasize Best Management Practices (BMPs) such as proper pruning and mulching of trees.

REFERENCES

NORCROSS TREE INVENTORY 2017

DOWNEY CITY TREE MAP 2017

NORCROSS ARBOR DAY PROCLAMATION 2018, 2019, 2020, 2021

FEBRUARY 2013 NORCROSS APPROVED AS TREE CITY USA

TREES TO OFFSET STORMWATER – CASE STUDY 06 CITY OF NORCROSS GEORGIA



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6239	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Tree Board
Title:	Tree Inventory Update		

Sponsors:

Code Sections:

Attachments:

1. [GFC Grant Application Packet](#)

Title
Tree Inventory Update

Drafter
Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Tree Preservation Board
Mayor & Council

From: Tracy Rye, AICP

Agenda: July 28, 2021

Agenda #: 21-6239

Item: Georgia Forestry Commission Grant Application

CC: Eric Johnson

Recommendation

To move forward with the attached Georgia Forestry Commission Application Grant.

Background

The Tree Preservation Board, along with the Public Works Department wishes to pursue an updated Tree Inventory for the 2021-2022 fiscal year. The Tree Inventory will require an RFP and is estimated to cost \$33,600. The Tree Preservation Board requested funds in the amount of \$16,800 in the Community Development Budget for FY2021-2022 and would need to pursue the attached grant with the Georgia Forestry Commission for the remaining \$16,800. The GFC grant would be in the form of a reimbursement for funds expended on behalf of the City.

Given that the preservation of the City's Tree Canopy is a high priority for all involved, an update to the City's Tree Inventory document at this time is supported.

Financial Impact

\$16,800 budgeted line item for FY2021-2022

Consistent with Comprehensive Plan?

This discussion is consistent with Goal 1 of the Comprehensive Plan to “Continue to Define Norcross’ Sense of Plan” and Goal 6 of the Comprehensive Plan to “Further the City’s Tradition of Strong Leadership and High Level of Quality Services”.

Next Steps

Request the Mayor and Council to consider approving the attached application

Attachments

N/A

Update

N/A

Application Form

Urban and Community Forestry Grant Program

Please type

This page must be the first page of your application packet.

(For office use only)

Grant #: _____

GFC District # _____

SCFP District _____

Date Postmarked: _____

Tree City USA: Yes / No

Project Information							
Project Title (10 words or less):	City of Norcross Tree Inventory						
Project Description (3 sentences or less):	The City of Norcross hopes to conduct an updated tree inventory in the coming year in order to review and evaluate the current condition of the city's trees. The effort will be headed by the City of Norcross Community Development Department and the Tree Preservation Board.						
Applicant Information							
Organization Name:	City of Norcross						
FEI Number:	58-6000632				501(c)3 status: ☐ YES ☒ NO		
Project Manager (Person responsible for project reporting and activities. All correspondence will be directed to this contact.)							
First Name:	Tracy			Last Name:	Rye		
Title:	Community Development & Planning Director						
Mailing Address:	65 Lawrenceville Street						
City:	Norcross	County:	Gwinnett	State:	GA	Zip:	30071
Daytime Phone:	678.421.2067		Fax Number:	770.242.0824			
E-Mail Address:	Tracy.Rye@norcrossga.net						
Web Site:	http://www.norcrossga.net/						
Financial Information							
<i>U&CF Funds Requested + Total Cash Match + Total In-Kind Match = Total Amount of Project</i>							
U&CF Funds Requested	\$16,800						
Total Cash Match	\$16,800						
Total In-Kind Match	\$0						
Total Amount of Project	\$33,600						
Signature of Agreement							
As the duly authorized representative of the applicant named above, I hereby certify that all parts of this grant application have been read and understood and that all information submitted herein is true and correct. If awarded a grant under the Urban and Community Forestry Grant Program of the Georgia Forestry Commission, said organization agrees to comply with all Federal and State guidelines for completion of the grant.							
Signature of Authorized Representative				Date			
Name and Title of Authorized Representative (Please print or type)							

Attachment: GFC Grant Application Packet (21-6239 : Tree Inventory Update)

Legislative Information

Please list the Georgia State Senators, Representatives, and US Congressmen and their corresponding District numbers within all Districts affected by your grant. Please go to <http://www.congress.org/congressorg/dbq/officials/> to verify your information.

State Senators	District Number
Sheikh Rahman (D)	005
State Representatives	District Number
Marvin Lim	99
US Congressman	District Number
Senator Raphael Warnock	D-GA
Senator Jon Ossoff	D-GA
Representative Carolyn Bourdeaux DPA	D-GA-007

I. Introduction and Purpose

A. Provide a brief introduction to your organization in 100 words or less.

Located just 17 miles northeast of bustling Atlanta, Georgia, the City of Norcross is a dynamic and diverse cultural hub nestled near the western edge of Gwinnett County. The City of Norcross has experienced significant growth in recent years. In 2019, it was estimated that the city's population had surged by 11% since the last census was conducted in 2010 (U.S. Census Bureau) to 16,458. This is due in part to the city's welcoming attitude and its continued efforts to create an environment for residents and businesses to thrive.

B. Explain the Purpose of your project in one or two sentences.

The City of Norcross and its Tree Preservation Board seek grant support to conduct an updated tree inventory in 2021-2022.

II. Objectives

The City of Norcross Tree Inventory project seeks to conduct a current inventory of the trees located in the City of Norcross. The inventory will evaluate the health of the city's canopy, allowing the city to develop an effective management plan for its trees. This effort will share in the federal program objectives to Integrate Urban and Community Forestry into all scales of planning and to Improve Urban and Community Forest management, maintenance, and stewardship. Creating an updated tree inventory is the first step in planning for and making informed management decisions, including identifying the city's budget strategies and priorities for tree management.

Regarding state priorities, the City of Norcross Inventory project will work to preserve Healthy forest ecosystems throughout communities through an emphasis on the green infrastructure approach toward planning, development, and policy. The inventory will identify potential risks to the health of the city's forest ecosystem, signaling necessary actions for the city to take in its management plans. The city takes pride in its strategic planning efforts, ensuring continued positive growth and development throughout the city. The benefits of those efforts came to fruition when in 2010, the city became one of the first communities to be certified under the Atlanta Regional Commission's Green Communities Program. In 2016, the city was recertified as 'Platinum' certified; only one of two cities ever to receive this honor in the state of Georgia.

III. Project Detail

A. Activities

The City of Norcross plans to partner with a private company to conduct an inventory of the existing trees within the city limits. This partner will be chosen through the city's issuance of a

Request for Proposals. The chosen partner will assess and inventory each existing tree in the city's public spaces and input the data into a geographic information system. The assessment of an individual tree consists of a 360-degree, ground-based visual inspection of the tree's crown, trunk, and above-ground roots. The inventory captures a range of useful data for each tree, including its location, species, age, condition, defects, recommended action, and a rating for each recommendation (level of priority for action). This information will include the condition of the existing trees and note potential risks to the city's forest ecosystem and community safety.

Once the tree inventory has been completed, the partner will provide the information to the City of Norcross and its Tree Preservation Board to make recommendations for action regarding the community's trees. The City of Norcross will have access to the inventory information in a new, technologically advanced format, allowing for easier maintenance and prolonged use.

B. Timeline

September 2021, the City of Norcross begins its new fiscal year, making matching funds available for the City of Norcross Tree Inventory project. The City will issue an RFP for the project on September 1, 2021. In late September 2021, the City will enter into its agreement with its chosen partner to conduct the tree inventory. The inventory will be conducted through the month of October 2021, with data and results expected to be delivered by November or December 2021. The expected Project Start Date is September 1, 2021 and the expected Project End Date is December 31, 2021.

C. Personnel, Partnerships, and Participants

The City of Norcross Tree Inventory project will involve three major players for implementation, including the City of Norcross Community Development Department, the Norcross Tree Preservation Board, and a private tree specialist company to be determined.

The Norcross Community Development Department is led by Ms. Tracy Rye, AICP. Ms. Rye has been with the City of Norcross since December 2017. She previously worked with Douglas County's Community Services Department and the Georgia Institute of Technology. She specializes in zoning, land use, and annexation analysis, drafting local ordinances and land use plans.

The Norcross Tree Preservation Board was established to assist the Community Development Department in interpreting and enforcing the provisions of the Tree Protection, Buffers and Landscape Ordinance in the City's Unified Development Ordinance (Article V, Chapter 200) and to advise the mayor and City Council on matters pertaining to the preservation of trees and conservation of tree canopy cover within the city. The Board's Chair is Ms. Charlotte Osborn.

IV. Benefits

The City of Norcross Tree Inventory project will provide the city with valuable information to be used to plan and manage the city's forest ecosystem. Conducting a tree inventory for the city will provide an efficient and cost-effective way to care for the community's trees, ultimately improving the safety and beautification of the city.

From a safety perspective, the tree inventory will identify potential risks to the community that may have arisen due to pests and deterioration. The inventory will also allow the City of Norcross to make data-based decision making, providing useful data from which to identify needs and priorities. The tree inventory will provide the city with cost benefits, enabling it to create a timeline for tree-related projects based on the calculated urgency identified in the report. Additionally, the tree inventory report will provide the city with guidance on locations with a high need for replanting.

V. End Product/Result

The anticipated deliverable to derive from the City of Norcross Tree Inventory project is a final tree inventory report issued to the city from its chosen partner. This report will contain valuable information regarding the health and safety of the trees located in public spaces throughout the community.

VI. Budget

Detailed list of expenditures for U&CF funds

Contractual Fee (Estimation based on proposal) \$33,600

Detailed explanation of Cash and In-Kind Match

Matching funds in the amount of \$16,800 will be pledged from the City of Norcross. These funds will come from the Community Development Department's FY22 budget as a Tree Preservation line item.

PROJECT TITLE: CITY OF NORCROSS TREE INVENTORY

FINANCIAL DETAIL FORM
 APPLICATION FOR FEDERAL ASSISTANCE
U&CF Sub-Grant Funds From The
 Georgia Forestry Commission

COST CATEGORY	U&CF FUNDS REQUESTED	Cash Match		In-Kind Match		Total
	\$	AMOUNT \$	SOURCE	VALUE \$	SOURCE	\$
OVERHEAD/ADMINISTRATION (NOT A REIMBURSABLE EXPENSE – CAN ONLY BE APPLIED AS MATCH)						
PERSONNEL/LABOR						
FRINGE BENEFITS						
TRAVEL						
CONSULTANT SERVICES	16,800	16,800	DEPARTMENT BUDGET			33,600
MATERIALS & SUPPLIES						
EQUIPMENT USAGE/RENTAL						
PRINTING						
OTHER: (PLEASE SPECIFY)						
Totals	\$16,800	\$16,800		\$0		TOTAL AMOUNT OF PROJECT = \$33,600

LIABILITY WAIVER

(To be completed and included for any projects involving tree plantings)

The City of Norcross
_____ hereby releases the
(Organization name)
Georgia Forestry Commission from any liability associated with contractors, volunteers, local
government employees or other persons working on the Urban and Community Forestry
Grant Program.

Printed Name
of Authorized
Representative: _____

Signature: _____

Title: _____

Date: _____

Attachment: GFC Grant Application Packet (21-6239 : Tree Inventory Update)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN **ARLENE BECKLES**
 COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

July 9, 2021

Ms. Joan Scales
 Urban and Community Forestry Grant Program
 Georgia Forestry Commission
 1055 E. Whitehall Road
 Athens, GA 30605

Dear Ms. Scales:

This letter is to express support from the City of Norcross and the Tree Preservation Board for the implementation of the City of Norcross Tree Inventory project, referenced in the grant application to the Georgia Forestry Commission. The City of Norcross pledges to match the requested funding amount (\$16,800) to reach the project's total budget amount (\$33,600). The match funding will come from the City of Norcross Community Development Department's FY22 budget as a Tree Preservation line item. Thank you for your consideration of this request.

Sincerely,

Craig Newton
 Mayor of Norcross, Georgia



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6237	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Tree Board
Title:	One Million Trees		

Sponsors:

Code Sections:

Attachments:

1. [One Million Trees Packet July 2021](#)

Title
One Million Trees

Drafter
Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Tree Preservation Board
Mayor & Council

From: Tracy Rye, AICP

Agenda: July 28, 2021

Agenda #: 21-6237

Item: One Million Trees Program

CC: Eric Johnson

Recommendation

To join the Trees Atlanta One Million Trees Program.

Background

Based on a conversation with Trees Atlanta, we should consider joining their One Million Trees Program and details are as follows:

From 2020-2030 plant or preserve 1,000,000 trees

Trees Atlanta is looking to expand partnership opportunities and would be happy to have Norcross join the program in 2021

Trees Atlanta wants to bring preservation/tree planting to the foreground

In the first year (2020) 10,000-12,000 trees estimated to be planted, 55,000 trees preserved through permanent protection (the City of Atlanta acquired additional greenspace)

Goals:

1. If you have a true tree planting program, continue and expand
2. Look for opportunities to preserve currently unprotected trees (buy greenspace)
3. Encourage/reach out to residents on the benefits of trees/get residents to preserve on their own (educate through programs, newsletter articles, etc)
4. Tally the number of trees planted each year and report back annually

Currently only trees planted or preserved in the public domain count towards this program. They hope to have a reporting mechanism for private property in the future.

Ways to join (choose 1) verifying that we want to participate and commit to planting and preserving trees and submission of an annual report on progress:

Letter from the Mayor

Resolution of City Council

Letter from the City Manager

Trees Atlanta would be happy to work with us on future educational offerings.

Financial Impact

None

Consistent with Comprehensive Plan?

This discussion is consistent with Goal 1 of the Comprehensive Plan to “Continue to Define Norcross’ Sense of Plan” and Goal 6 of the Comprehensive Plan to “Further the City’s Tradition of Strong Leadership and High Level of Quality Services”.

Next Steps

Request the Mayor and Council to consider joining the One Million Trees program via one of the methods listed above.

Attachments

N/A

Update

N/A



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6256	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Message Establishment Population Triggers		

Sponsors:

Code Sections:

Attachments:

1. [2021 Message Establishment Population Item v2](#)

Title
Message Establishment Population Triggers

Drafter
Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Tracy Rye, AICP
Agenda: August 16, 2021
Agenda #: 21-6256
Item: Massage Establishment Population Triggers
CC: Eric Johnson

Recommendation

In order to be more fully prepared for the publication of final 2020 Census population numbers, and after consultation with Legal, Staff propose that the current population trigger in the City's massage oestablishment ordinance be increased from 1 massage establishment per 5,000 residents to 1 massage establishment per 10,000 residents and to be effective upon adoption on September 7, 2021.

Background

In 2018, the City made changes to the massage establishment ordinance, limiting the number of massage establishments to 1 per 5,000 residents living in the City. It was known at that time that after the 2020 Census it would be necessary to revisit the population triggers in this ordinance. After conducting further research, staff and Legal are providing the attached proposed changes for consideration.

As a note, any massage establishments that otherwise lawfully existed prior to the 2018 change and which otherwise lawfully exists at the time of the currently proposed change, can still continue on provided that there is no change in location or ownership and provided that occupational tax certificates are appropriately renewed according to the City's renewal timelines for such. These licensees may be considered to be legal, non conforming. Any changes to owner, location or proposal for new licenses will need to meet the requirements of the amended ordinance, including the maximum number of

allowed licenses based on population factors. If there are more licensees than the ordinance allows for, no new licenses or change of ownership/location will be allowed.

Financial Impact

None

Consistent with Comprehensive Plan?

This project is considered to be consistent with the City's adopted 2040 Comprehensive Plan as it aids in maintaining Goal 4 *"Maintain a vibrant economy and continue to facilitate job growth"* and Goal 6 *"Further the City's Tradition of Strong Leadership and High Level of Quality Services"*

Next Steps

Adopt the attached changes.

Attachments**Update**

Chapter 8 Businesses and Business Regulations

Article XI Massage Therapy

Sec. 8-421. – Location and distance requirements

(a)

After ~~September 7, 2021~~ ~~December 1, 2018~~, there shall be no more than one massage establishment per ~~10,000~~ ~~5,000~~ persons living within the city limits based on the most current U.S. Census and calculated on a pro-rata basis. Further, there shall be a 250 foot buffer from any massage establishment to any residentially zoned property, property occupied by a house of worship, public or private elementary or secondary school, public park, state licensed child care facility, truck terminal or bus terminal as measured from the front door of the structure where massage establishment occurs to the nearest parcel boundary line of the aforementioned uses as measured by a straight line on the ground.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6257	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Deconstruction Ordinance/Residential Demolition Moratorium		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- Deconstruction Moratorium Memo August 2021](#)
2. [Portland Deconstruction Ordinance](#)

Title

Deconstruction Ordinance/Residential Demolition Moratorium

Drafter

Tracy Rye



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Tracy Rye, AICP
Agenda: August 16, 2021
Agenda #: 21-6257
Item: Deconstruction Ordinance/Residential Demolition Moratorium
CC: Eric Johnson

Recommendation

In order to more fully vet a process and ordinance for deconstruction and recycling of residential tear downs, additional research needs to occur. At a minimum we need additional assistance from the Historic Preservation Commission and possibly Sustainable Norcross Commission. Staff recommends extending moratorium until at least December 31, 2021 and exempting City and Court initiated demolitions.

Background

In July, the Council adopted a moratorium on residential demolitions in order to explore the possibility of adding a deconstruction and recycling ordinance to the UDO. Staff has solicited feedback from the HPC and SNC along with reaching out for additional information from subject matter experts. In order to craft a reasonable ordinance that ensures that the intent of the ordinance can be met, additional time for research is needed. HPC and SNC are engaged and willing to assist in this effort.

Financial Impact

None

Consistent with Comprehensive Plan?

This project is considered to be consistent with the City's adopted 2040 Comprehensive Plan as it aids in maintaining Top Implementation Action item 7 for the planning horizon 2019-2024 which is "*Maintain Green Community Platinum Status*" and could be considered to be a future innovation item as well as Community Work Program (CWP) item SQ. 11 "*Study needs and opportunities to increase recycling...*".

Next Steps

Consider extending moratorium at next meeting.

Attachments**Update**

ORDINANCE No. 187876

Adopt requirements for deconstruction of the city's oldest and most historic houses and duplexes (Ordinance; add Code Chapter 17.106)

The City of Portland Ordains:

Section 1. The Council finds:

1. On February 12, 2015, City Council directed the Bureau of Planning and Sustainability to develop strategies for increasing deconstruction activity.
2. On April 15, 2015, the Bureau of Planning and Sustainability convened a Deconstruction Advisory Group comprised of deconstruction experts, builders, developers, neighborhood groups and historic preservationists; this group met 16 times to provide advice on strategies and incentives for advancing deconstruction activities.
3. On June 3, 2015, City Council adopted Resolution 37127, which directed the Bureau of Planning and Sustainability to establish a deconstruction grant program with funding from the Solid Waste Management Fund Reserves and to report back in January 2016 with recommendations for next steps.
4. On September 8, 2015 the Bureau of Planning and Sustainability launched the deconstruction grant program and has funded 11 projects to date, resulting in innovative approaches, new participants, and increased awareness of the benefits of deconstruction.
5. On February 17, 2016, City Council adopted Resolution 37190 which directed the Bureau of Planning and Sustainability to develop code language for Council consideration to require deconstruction for the city's oldest and most historic houses and duplexes.
6. Bureau of Planning and Sustainability applied (Ordinance 187474) and received notice of award from the Oregon Department of Environmental Quality (DEQ) for \$50,000 in funding to supplement the existing deconstruction grant program.
7. A review draft of the deconstruction code language was available for a four-week public comment period.
8. With the assistance of a local workforce development consultant, the Bureau of Planning and Sustainability convened a group of stakeholders to develop a training and certification plan for deconstruction workforce and contractor.

NOW, THEREFORE, the Council directs:

- a. City Code Title 17 is amended to add a new Chapter 17.106, Deconstruction of Buildings Law attached as Exhibit A.
- b. The City Code amendment adding Chapter 17.106 shall be effective on and after October 31, 2016 to allow adequate time for the development of administrative rules, procedures, database programming, and training/certification of deconstruction workforce and contractors.
- c. The Bureau of Planning and Sustainability shall report back to City Council within the first six and twelve months of the deconstruction program's effective date, addressing program status and making recommendations on whether or not to modify, maintain, or expand the program with a goal of including houses and duplexes built before 1941 by the year 2019.
- d. Develop administrative rules, procedures and forms associated with adopted code language.

Passed by the Council: JUL 06 2016

Mayor Charlie Hales
Prepared by: Shawn Wood
Date Prepared: May 25, 2016

Mary Hull Caballero
Auditor of the City of Portland
By *Gayle Jennings*
Deputy

EXHIBIT A**Chapter 17.106 Deconstruction of Buildings Law**

17.106.005 Short Title

17.106.010 Purpose

17.106.020 Definitions

17.106.030 Authority of Director to Adopt Rules

17.106.040 Regulations

17.106.050 Enforcement and Penalties

17.106.060 Right of Appeal

17.106.005 Short Title

Chapter 17.106 of the Portland City Code shall be known as the Deconstruction of Buildings Law.

17.106.010 Purpose

This Chapter provides deconstruction requirements for the removal of Portland's older and more historic primary dwelling structures. The Deconstruction of Buildings Law seeks to:

- A. Maximize the salvage of valuable building materials for reuse;
- B. Reduce carbon emissions associated with demolition;
- C. Reduce the amount of demolition waste disposed of in landfills; and
- D. Minimize the adverse impacts associated with building removal.

17.106.020 Definitions

The terms used in Chapter 17.106 are defined as provided in this section:

- A. "Certified Deconstruction Contractor" means a contractor licensed with the Oregon Construction Contractors Board (CCB) that has successfully completed a deconstruction certification program

recognized by the Bureau of Planning and Sustainability. A firm will be considered certified if at least one person currently employed by the firm is certified.

- B. "Deconstruction" means the systematic dismantling of a structure, typically in the opposite order it was constructed, in order to maximize the salvage of materials for reuse, in preference over salvaging materials for recycling, energy recovery, or sending the materials to the landfill.
- C. "Director" means, the Director of the Bureau of Planning and Sustainability or his or her authorized designee.
- D. "Primary Dwelling Structure" means one and two-family structures (detached and attached) based on current permitted occupancy at the time of demolition permit application. Primary Dwelling Structures do not include accessory structures such as garages or accessory dwelling units.
- E. "Recycling" means the processing of waste materials into new products or material feed stock for products. Materials that can be recycled include but are not limited to concrete, metal piping, and asphalt roofing shingles.
- F. "Responsible Party" means any owner or person in control of a primary dwelling structure, or their authorized agent.
- G. "Reuse" means the utilization of a product or material that was previously installed for the same or similar function to extend its life cycle. Materials salvageable for reuse include but are not limited to cabinets, doors, hardware, fixtures, flooring, siding, and framing lumber.

17.106.030 Authority of Director

- A. The Director is hereby authorized to administer and enforce the provisions of this Chapter.
- B. The Director is authorized to adopt rules, procedures, and forms to implement the provisions of this Chapter.
 - 1. Any rule adopted pursuant to this Section shall require a public review process. Not less than 10 nor more than 30 days before such public review process, notice shall be given by publication in

a newspaper of general circulation. Such notice shall include the place, time and purpose of the public review process and the location at which copies of the full set of the proposed rules may be obtained.

2. During the public review, the Director shall hear testimony or receive written comment concerning the proposed rules. The Director shall review the recommendations, taking into consideration the comments received during the public review process, and shall either adopt the proposed rules, modify or reject them. Unless otherwise stated, all rules shall be effective upon adoption by the Director and shall be filed in the Office of the Director and with the City Auditor's Portland Policy Documents repository.

- C. The Director may temporarily suspend or modify the requirements of this Chapter based on a determination that such requirements are temporarily infeasible due to economic or technical circumstances. The Director's determination to temporarily suspend or modify shall be filed as a report with the City Council. The Director's determination shall be effective after the Council has accepted the report.

17.106.040 Regulations

- A. Scope. The deconstruction requirements of this Chapter apply to demolition permit applications under Chapter 24.55 of the City Code for:
 1. Primary dwelling structures that were built in 1916 or earlier according to building permit records on file with the Bureau of Development Services, or if no such permit records exist, then County tax assessor information; or
 2. Primary dwelling structures that have been designated as a historic resource subject to the demolition review or demolition delay review provisions of Title 33.
- B. Requirements. Primary dwelling structures must be deconstructed in accordance with the provisions of this Chapter and associated administrative rules. Salvaged material may be sold, donated, or reused on site.
 1. Demolition Permit Application. An application for a demolition permit under Chapter 24.55 for any primary dwelling structure shall not be considered complete unless it is accompanied by a completed Pre-Deconstruction Form provided by the Director.

2. Certified Deconstruction Contractor. Deconstruction work must be performed by a Certified Deconstruction Contractor. A Certified Deconstruction Contractor shall be assigned to the project throughout the course of deconstruction. Certified Deconstruction Contractors must comply with the requirements of this Chapter and the administrative rules. The Bureau of Planning and Sustainability will maintain on file and available to the public a list of current Certified Deconstruction Contractors.
3. Site Posting. On the first day of active deconstruction a yard sign provided by the Director when the permit is issued must be posted at the site. The sign must indicate that the structure is being deconstructed and must provide City of Portland contact information for questions or concerns.
 - a. The sign must remain in place throughout the course of deconstruction.
 - b. The sign must be placed on each street frontage of the site.
 - c. Signs must be posted within 5 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and allow no motor vehicle access.
4. Heavy Machinery. Heavy machinery may be used in deconstruction to assist in the salvage of materials for reuse or to remove material not required to be salvaged for reuse. Heavy machinery may not be used in deconstruction to remove or dismantle components of buildings in ways that render building components unsuitable for salvage. For purposes of this Chapter 17.106, heavy machinery includes, but is not limited to, track hoes, excavators, skid steer loaders, or forklifts.
5. Documentation. Certified Deconstruction Contractors must maintain receipts for donation, sale, recycling, and disposal of all materials for any deconstruction project. Materials intended for reuse on site must be documented with photographs. The Director may ask that a Certified Deconstruction Contractor produce the receipts or photographs for inspection any time until the demolition permit is approved to be finalized.
6. Demolition Permit Final. A completed Post-Deconstruction Form and all documentation required in Subsection 5 above must be submitted to the Bureau of Planning and Sustainability before the Bureau of Development Services may approve a demolition permit as finalized.

- C. Additional Regulations. Compliance with Chapter 17.106 does not exempt the demolition of buildings from any other requirements of the City Code, such as in Title 11 Trees, Title 24 Building Regulations, or Title 33 Planning and Zoning.
- D. Exemptions. The following are exempt from the requirements of Chapter 17.106:
1. A building permit to move a structure as provided under Chapter 24.25.
 2. Any primary dwelling structure that has been determined by the Bureau of Development Services to be dangerous and is required to be abated by demolition as provided in Section 29.40.030.
 3. Any primary dwelling structure that the Director has determined is unsuitable for deconstruction because:
 - a. The structure is structurally unsafe or is otherwise hazardous to human life; or
 - b. Most of the material in the structure is not suitable for reuse.
- E. Request for an Exemption. An applicant may request an exemption from the requirements of this Chapter under Subsection 17.106.040 D. by submitting a written request for exemption, together with supporting evidence, when submitting a demolition permit application.
- F. Determination of an Exemption. The Director will make the final determination of exemption based on evidence submitted by the applicant as well as an inspection to confirm conditions and unsuitability. The demolition permit will not be issued until the final determination is made on the exemption request. Should the applicant disagree with the final determination the determination may be appealed by the applicant under Subsection 17.106.060 B.

17.106.050 Enforcement and Penalties

- A. The Director may impose penalties on any responsible party who fails to comply with the requirements of this Chapter or who has misrepresented any material fact in a document or evidence required to be prepared or submitted by this Chapter.
1. A first violation of this Chapter may be subject to a penalty of up to \$500.
 2. A second violation of this Chapter by the same person may be subject to a penalty of up to \$1,000.

3. Third and subsequent violations of this Chapter by the same person may be subject to a penalty of up to \$1,500.
 4. Penalties may be imposed on a per month, per day, per incident, or such other basis as the Director may determine as appropriate based upon criteria in Subsection E below.
 5. Any person receiving a notice of violation shall, within 10 days of issuance of the notice, either pay to the City the stated amount of the penalty or request an appeal as provided in Section 17.106.060.
- B. Heavy Machinery.
1. Improper use of heavy machinery in violation of this Chapter may be subject to a penalty of up to \$10,000.
 2. Any person receiving a notice of violation shall, within 10 days of issuance of the notice, either pay to the City the stated amount of the penalty or request an appeal as provided in Section 17.106.060.
- C. Additional Enforcement Actions for Certified Deconstruction Contractors. The Director may impose the following additional remedies for Certified Deconstruction Contractors.
1. A first violation of this Chapter may result in removal from the list of approved Certified Deconstruction Contractors for up to 6 months.
 2. A second violation of this Chapter may result in removal from the list of approved Certified Deconstruction Contractors for up to 12 months.
 3. Third and subsequent violations may result in revocation of certification whereby a contractor may not apply for recertification for a period of 18 months.
 4. Temporary removal from the list of approved Certified Deconstruction Contractors will expire immediately following the term of removal and will not require further action from the Director.
- D. Stop Work Orders. When necessary to obtain compliance with this Chapter, the Director may issue a stop work order requiring that all work, except work directly related to elimination of the violation, be immediately and completely stopped. If the Director issues a stop work order, activity subject to the order may not be resumed until such time as the Director gives specific approval in writing. The stop work order will be in writing and posted at a conspicuous location at the site. When an emergency condition exists, a stop work order may be issued orally, followed by a written

stop work order. It is unlawful for any person to remove, obscure, mutilate or otherwise damage a stop work order. Any person subject to a stop work order may seek administrative review of the order and may appeal the Director's administrative determination as provided in Subsection 17.106.060 B.

E. The Director will consider the following criteria in determining the amount of penalties or remedies to impose under this Section:

1. The nature and extent of the person's involvement in the violation;
2. Whether the person was seeking any benefits, economic or otherwise, through the violation;
4. Whether other similar prior violations have occurred with that person;
5. Whether the violation was isolated and temporary, or repeated and continuous;
6. The length of time from any prior violations;
7. The magnitude and seriousness of the violation;
8. The costs of investigation and remedying the violation;
9. Other relevant, applicable evidence bearing on the nature and seriousness of the violation.

F. If the Director assesses an enforcement penalty as described in this Section, the Director will file a statement with the City Auditor that identifies the property, the amount of the penalty, and the date from which the charges are to begin. The Auditor will then:

1. Notify the property owner of the assessment of enforcement penalties;
2. Record a property lien in the Docket of City Liens;
3. Bill the property owner monthly for the full amount of enforcement penalties owing, plus additional charges to cover administrative costs of the City Auditor; and
4. Maintain lien records until the lien and all associated interest, penalties, and costs are paid in full; and the Director certifies that all violations listed in the original or any subsequent notice of violation have been corrected.

G. Inspections. The Director may conduct inspections whenever necessary to enforce any provisions of this Chapter, to determine compliance with this Chapter or whenever the Director has reasonable cause to believe there exists any violation of this Chapter. If the responsible party is at the site when the inspection is occurring, the Director will first present proper credentials to the responsible party and request entry.

17.106.060 Right of Appeal

- A. Whenever the responsible party has been given a written notice or order pursuant to this Chapter or has been directed to make any correction, pay a penalty or to perform any act and the responsible party believes the finding of the notice or order was in error, the responsible party may have the notice or order reviewed by the Director. If a review is sought, the responsible party will submit a written request to the Director within 10 days of the date of the notice or order. Such review will be conducted by the Director. The responsible party requesting such review will be given the opportunity to present evidence to the Director. Following a review, the Director will issue a written determination. Nothing in this Section shall limit the authority of the Director to initiate a code enforcement proceeding under Title 22.
- B. A responsible party may appeal the Director's written determination to the Code Hearings Officer in accordance with Portland City Code Chapter 22.10. The filing of an appeal request will remain the effective date of a penalty until the appeal is determined by the Code Hearings Officer. If, pursuant to said appeal hearing, payment of a penalty is ordered, such payment must be received by the Director or postmarked within 15 calendar days after the order becomes final.
-



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6258	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Johnson Dean Park Improvements Phase 2		

Sponsors:

Code Sections:

Attachments:

1. [Memo - Johnson Dean Park Improvements, Phase 2](#)
2. [Johnson Dean RFP PWUP-21-03](#)

Title
Johnson Dean Park Improvements Phase 2

Drafter
Mary Beth Bender



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **JOSH BARE** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **MATT MYERS** ·
COUNCILMEMBER **BRUCE GAYNOR** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council

From: **Mary Beth Bender**

Agenda: August 17, 2021 – Policy Work Session

Agenda #:

Item: **Johnson Dean Park Improvements, Phase 2**

CC: Eric Johnson

Recommendation

To approve the advertising for an RFP for engineering services for Johnson Dean Park improvements, phase 2.

Background

In March 2020, the Council was presented with this item, a consultant was then selected via a sealed bid process, however due to COVID-19, this project was put on hold and the quotes obtained from the consultants are no longer valid. As a result there is a need to proceed with the bidding process again to obtain new quotes to complete the improvements as outlined in the scope of services

The scope of services are to include the demolition of existing and design of the new driveway, 4 parking spaces with a parking space for a school bus, a small pavilion, restroom along with all necessary utilities (Water, Sewer, Electric, etc..)

Financial Impact

The quotes represented to the city in 2018 for the civil design and the Construction documents were \$28,000-\$34,000. Staff is anticipating the costs to be slightly higher.

Consistent with Comprehensive Plan?

This item reinforces Goal 2 of the Community Vision outlined in the 2040 Norcross Comprehensive Plan: Continue to strength Norcross as a livable, inclusive, and safe Environment.

Next Steps

Upon direction and approval to proceed. Public Works, Utilities and Parks department staff will proceed with advertising this RFP to obtain the quotes and select a qualified consultant.

Attachments

- 1) RFP
- 2) Johnson Dean Park Master Plan prepared by Columbia Engineering in 2009
- 3) Aerial imagery delineating the Johnson Dean Park

Update

N/A

Johnson-Dean Park Master Plan

Mayor & Council Briefing Packet

City of Norcross Gwinnett County, Georgia

Prepared for:
Norcross Department of Public Works
December 2009

Prepared by:



EXECUTIVE SUMMARY

Parameters: Johnson-Dean Park is located on North Barton Street, one and a half blocks from Thrasher Park and includes the site of the historic City Waterworks well and pump-house. The park is 7.6 acres, with mature trees, a stream and diverse wildlife habitats. With a grant from the Georgia Greenspace Program, the City purchased the land in 2003. By using GGP grant money, the City has committed to preserving the natural habitats and to protect archaeological and historic resources. Terms of the grant limit the type of uses to trails, picnic facilities, restrooms, playgrounds, parking and access. Terms also limit the extent of these uses to 15 percent of land area. An important pre-requisite to the master plan was the Phase I Intensive Archaeological Survey for identification of sensitive areas. All aspects of the master plan must be compatible with the need to utilize the land for informal recreational activities and protection of natural and historic resources.

As a natural resource-based park, the Johnson-Dean Park experience will be unique among Norcross Parks. Proximity to downtown makes it a walk-able destination for those who use historic downtown as well as for City residents. One challenge for the master plan is to accommodate public access to a park embedded in a single-family residential neighborhood. Since the park is literally in the neighborhood's back yard, major issues include security, privacy, fencing, hours of operation and appropriate level of amenities. Public Input was essential. Norcross citizens told us how much they value this natural area and helped us identify ways to make it better.



Educational opportunities abound and are important to the enjoyment of the Park. Consideration of interpretative subjects and opportunities are reflected on the Concept Plans. The park is rich with wildlife and birds, old growth trees and unusual forest associations, a Pink Lady Slipper colony, evidence of forest succession, farming remnants, breached dam and mill run, and unique historic buildings.

Purpose: The purpose of the master planning process is to identify the best way to use this unique property. To serve that purpose, the planning process included fact-finding elements (archaeological survey, tree survey and forestry report) and opportunities for citizen input.

Participants: The Norcross Department of Public Works (DPW) is responsible for planning and management for the Norcross park system, with assistance by the Norcross Parks and Green Space Commission (PGSC). PGSC is comprised of citizens who serve to improve the Norcross park system. Columbia Engineering was selected to provide master planning services, including archaeological and forestry reports. Norcross neighbors expressed their ideas in formal ways (public input meeting) and in informal ways (emails, phone calls).



Process: Beginning with the Kick-off meeting in April 2008, the process of discovery and synthesis led us to Concept Plans A and B, presented to Mayor and Council in December 2009. To ensure that the master plan is based upon knowledge of the resources and desires of the community, the planning process included these major components:

- Phase I Intensive Archaeological Survey was prepared by History Inc.
 - o Provided valuable archaeological and historical information for interpretation
 - o Concluded that the park contains no archaeological sites eligible for inclusion in the National Register of Historic Places
 - o City Waterworks structures are included in the National Register of Historic Places as part of the Norcross Historic District
- Urban Forest Management Report was prepared by Edward A. Macie, Urban Forester
 - o Inventory of forest types with management recommendations
 - o Inventory of trees 18 inches DBH (diameter at breast height) or larger
- Project Inventory and Analysis information was organized into 4 maps
 - o Community Connectivity: how J-D relates to surrounding community
 - o Forest Management: organizes J-D into forest management types
 - o Natural Features: recognizes characteristics pertinent to planning
 - o Man made Features: recognizes structures and historic elements
- Communication among Stakeholders
 - o Background information made available by PGSC
 - o Meetings, discussions and emails between PGSC / Public Works Department and consultant
 - o Active solicitation of community ideas through Public Input Meeting
 - o Incorporation of community feedback into recommended master plan concept



Johnson-Dean Park Master Plan Mayor and Council Briefing Packet, City of Norcross



Concept Plans: The initial Concept Plan was presented at the Public Input Meeting in May 2009. Citizen comments let us know that the facilities program was more ambitious than many of them desired. Scaled-back alternatives retained nature trails but eliminated play area, outdoor classroom, and parking behind the Waterworks building. We determined that two concepts be presented for Mayor and Council consideration, with a recommendation in favor of Concept Plan A.

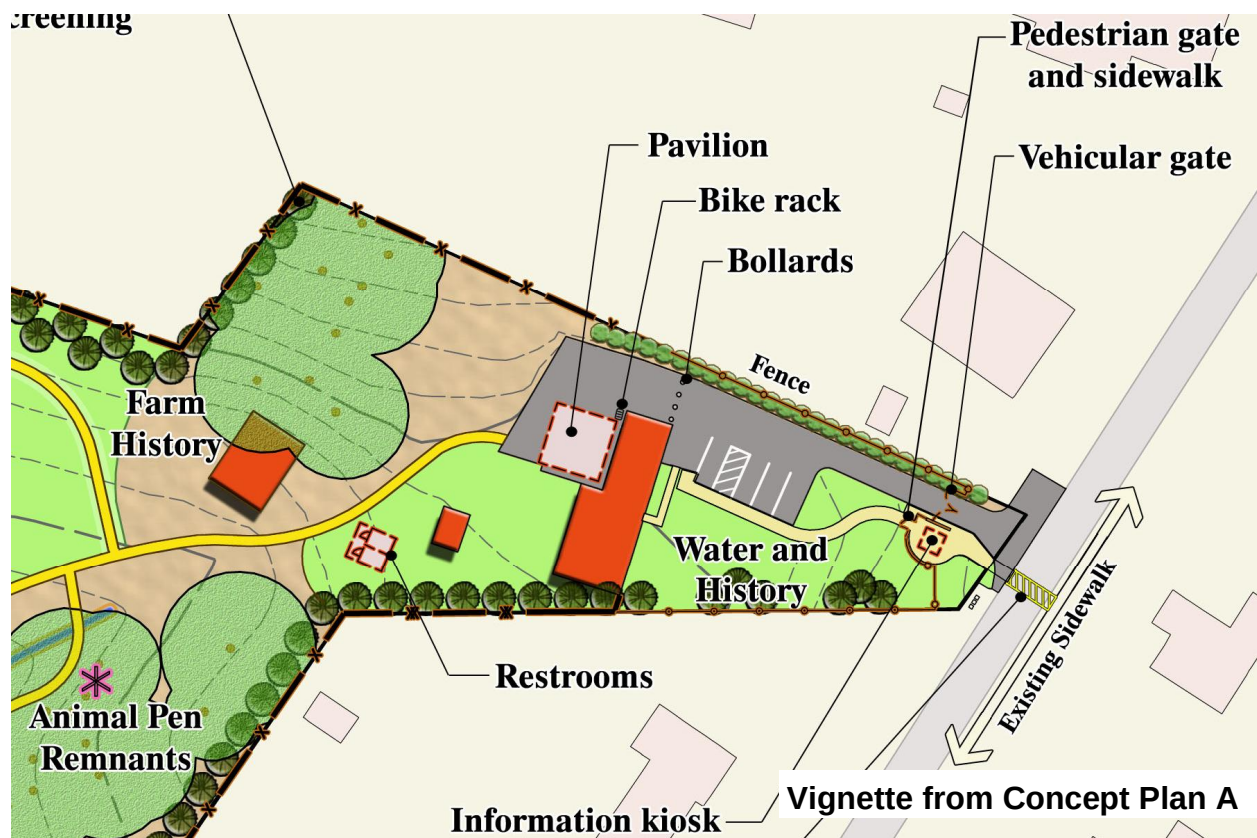
Concept Plan A:

- 4 parking spaces, including one van-accessible handicap space
- Vehicular gate open during park hours
- Small pavilion behind waterworks building and restroom facility (2 restrooms or 1 uni-sex)

Concept Plan B:

- No parking
- Vehicular gate closed except for service use
- No pavilion or restroom facility

Concept Plans A and B differ only in the areas of vehicular access and parking, restrooms and small pavilion. Concept A provides access opportunities to a broader range of citizens, including handicapped persons and those unable to walk or bike. It also provides the minimal amenities of restroom(s) and a small pavilion for shelter from rain and sun.



MASTER PLAN RECOMMENDATIONS

General Park Concept for Master Plan

Johnson-Dean Park will offer a recreation experience unique and complementary within the Norcross Park system: nature-based passive recreation. The requirement for protection and the opportunity for interpretation of historic and natural resources sets the theme. The process has involved information gathering, synthesis, debate, input from stakeholders and review of design ideas.

The facilities program has been debated and refined. Concept Plan A illustrates recommended facilities and design ideas :

- Limit vehicular access to the existing driveway, which will serve as access for visitors, maintenance and construction.
- Install 4 Parking spaces in front of Water Works building, including at least one van-accessible handicapped space.
- Encourage visitors to walk or bike to the park. Provide a bike rack.
- Install pedestrian crosswalks on Barton Street and Sunset Drive.
- Use way-finding signage to guide pedestrians from Thrasher Park and downtown Norcross.
- City Water works and well buildings are historic structures which are included in the National Register of Historic Places as part of the Norcross Historic District and will be preserved. Stabilize against further damage and for public safety. Remove non-historic and deteriorated additions. Action beyond stabilization will be determined at a later date. Although the barn is not eligible for National Register status, current thinking is to preserve and interpret it as interesting evidence of farming history.



- Provide restrooms. Provide a small open or screened pavilion for shelter from the rain and sun.
- Construct a trail system with natural surface that will link interesting site features. Develop a self-guiding brochure for educational information.
- Choose site furnishings that are complementary to nature park theme, including log or rustic-themed benches.
- Avoid excessive grooming and allow wooded areas to reflect the natural process from seedlings to decay. Bonus: reduced maintenance costs.
- Do not provide facilities that encourage group use. Group use is not appropriate due to park size, location in a residential area and access from a residential street.
- Establish park hours from dawn to dusk.
- Install or preserve fencing along residential property lines.
- Install appropriate additional plantings along residential property lines to enhance privacy.
- Dogs on leash are welcome. Waste removal by owners is required.

Visitor Experience

Provide a variety of opportunities for quiet enjoyment – trail walking in a natural environment, wildlife & bird observation, plant appreciation, nature and history education.

Provide self guiding materials available from information kiosk. Materials can be laminated and returned at the end of park visit for use by the next visitor. Materials can be updated and changed with relatively small expense.

Provide walking paths with numbered stations correlated to self-guiding material.





Johnson-Dean Park presents opportunities for educational interpretation of many types:

- History of the property, including the Water works role in Norcross growth.
- The importance of farming and the role of farming families in local history. Artifacts include barn, old field, fence remnants, walled spring, old lake and mill race, animal pen remnants, fence-row trees.
- The importance of water and water distribution in local history and in the future.
- Impact to streams and native vegetation by man-made activities and introductions.
- Potential for demonstration projects.
- Observation and study of plants and wildlife.
- Contributions of parkland toward protecting and enhancing water quality, providing flood protection, providing natural habitat and corridors for native wildlife and plants.

Trails and Open Space

Natural surface trails which are fit to the existing topography will provide an easy walk for most users. Trail routes are designed for compatibility with the lay-of-the-land and access many interesting and educational features. Due to grade constraints, trails will not meet the strict grade requirements of ADA slopes. Trails stay as far from residential property lines as is practical on a relatively small property.

A variety of green spaces contained within the park provide the basis for an interesting and varied trail system. Different types of green space encourage and support a diversity of wildlife. To enhance that variety, re-establish the old pasture and maintain as a meadow, with grass growth expected between one and three feet, depending on season, with a wide path mowed as a part of the trail system. To preserve habitat, limit the trail route to the north side of the old lake bed. An observation area, with benches, invites wildlife viewing. Habitat trees (dead trees that are home or food for wildlife) can remain where they do not endanger trail users. Downed trees provide natural habitat and educational opportunities for visitors.



NEXT STEPS

Use the Johnson-Dean Master Plan documents to:

- Inform the Comprehensive Park System Plan planning process.
- Provide a basis for construction documents.
- Make decisions regarding appropriate maintenance and management.
- Provide a basis for allocation of funds, including request for grants.
- Build relationships with advocacy groups and individuals.
- Involve citizens in vision for the future of the park.





City of Norcross
Department of Public Works, Utilities & Parks

Johnson Dean Park Improvements
Request for Proposal
(PWUP 21-03)

The City of Norcross is soliciting competitive sealed bids from qualified professionals for the design and construction documents for the Johnson Dean improvements.

Bids should be typed or submitted in ink and returned in a sealed container marked on the outside with the RFP number and Company name. Bids will be received until 11:00 A.M. local time on Wednesday October 13th, 2021 at the Department of Public Works, Utilities & Parks located at 345 Lively Avenue, Norcross, Georgia 30071. Any bid delivered after this date and time will not be accepted. Bids will be publicly opened and read at 11:05 A.M. Apparent bid results will be available the following business day on the City's website www.norcrossga.net

A mandatory Pre-Bid conference will be held at 11:00 A.M., September 29th, 2021 at the City of Norcross Department of Public Works, Utilities & Parks conference room located at 345 Lively Avenue, Norcross, Georgia 30071. The conference will include a review of the Bid documents, and a question-and-answer period. Attendance at the pre-Bid Conference is not required, but it is strongly recommended. Bidders are expected to be familiar with the Bid documents and to provide the city with any questions regarding the Bid documents at the Pre-conference or by the deadline for questions to be submitted.

Questions regarding the bids should be directed to Melissa Zeigler, Public Works Capital Projects Administrator, at Melissa.zeigler@norcrossga.net no later than October 4th, 2021. Bids are legal and binding upon the bidder when submitted. All bids should be submitted in duplicate.

The written bid documents supersede any verbal or written prior communications between the parties.

Award will be made to the supplier submitting the lowest responsive and responsible bid. The City of Norcross reserves the right to reject any or all bids to waive technicalities and to make an award deemed in its best interest. Bids may be split or awarded in entirety. The City of Norcross reserves the option to negotiate terms, conditions, and pricing with the lowest responsive, responsible bidder(s) at its discretion.

All companies submitting a bid will be notified in writing of award.

We look forward to your bid and appreciate your interest in the City of Norcross.

Mary Beth Bender

City of Norcross

Assistant City Manager

City of Norcross
Department of Public Works, Utilities & Parks

Scope of Work

Johnson Dean Park improvements:

Department of Public Works, Utilities & Parks intends to receive a response from qualified professionals for the **DESIGN SERVICES FOR THE JOHNSON DEAN IMPROVEMENTS** based on the scope of services outlined below

1. Field Run Survey:

- a. A boundary survey and a topographic survey at 1-foot intervals showing the property lines including Right-of-way, meets and bounds, total acreage, all existing features (Existing structures, limits of pavement, concrete, utilities (underground and above ground) with associated recorded easements.
- b. If applicable survey existing natural features including streams centerline and wrested vegetation, floodplain, wetlands.
- c. Survey to set flags at property corner and any missing pins.
- d. Tree survey to include tree location, tree species, size, and caliper (diameter at breast height)

2. Site Design:

The preparation of the construction plans of the improvements including the driveway widening, the addition of parking spaces (a minimum of 4 parking spaces along with a parking space for a school bus) and a 10' x 15 open sided pavilion, a single restroom and an entrance monument sign.

- a. Show Demolition limits of existing brick wall, necessary notes.
- b. Detailed site plan illustrating the location of all proposed improvements with dimensions to property lines. Width of proposed driveway, limits of pavements and dimensions of parking spaces, location and dimensions of restroom facility, the pavilion, and the monument entrance sign.
- c. The grading and drainage plan for the above-mentioned additions/improvements, with labeled slopes, flow arrows to indicate positive conveyance of runoff away from all existing and proposed structures.
- d. Conveyance structures (Swales, underground pipes) to be sized with all necessary data (Bottom of ditch, slopes, grade, capacity, pipe sizes, slopes, inverts, etc.)
- e. In the city's effort to promote green infrastructure and Low Impact Development BMPs parking spaces are to utilize Permeable pavers, all construction specifications and details are to be included
- f. Erosion and Sedimentation Control plans showing the location of all BMPs.
- g. Utility improvements (Water, Sewer and Electrical) including all profiles where necessary.
- h. Construction site details and Construction Notes
- i. Supplementary Landscaping, irrigation and grassing for all disturbed areas.
- j. Land disturbance permitting will be handled through the City of Norcross. The consultant will be required to submit design plans for municipal plan review where necessary, including Gwinnett County Fire Marshall's office, Gwinnett County Department of Water Resources. All revisions for permitting approval shall be included in the fee.
- k. Consultant shall provide an Hourly NTE Fee for bidding and construction administration to include response to bid questions (City will prepare the addendum) submittal review, RFIs,

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Department of Public Works, Utilities & Parks

punch list inspection and punch list development and 6 discretionary site visits at the request of the City.

3. Opinion of Probable Costs

- a.** Consultant to provide a detailed cost estimate based on the construction documents.

INSTRUCTIONS

All sealed bids must be submitted by Wednesday October 13th, 2021 @ 11:00 AM to the address below: Please submit two hard (paper) copies and one soft (PDF or other electronic document) copy of your bid package to:

Mary Beth Bender
 PWUP 21-03
 Department of Public Works, Utilities & Parks
 345 Lively Avenue
 Norcross, GA 30071

Please request bidding documents/specifications and submit questions via e-mail only. Submit questions/requests to Melissa Zeigler via e-mail at Melissa.zeigler@norcrossga.net.

Questions must be submitted by October 4th, 2021.

MANDATORY: Pre Bid Meeting

A mandatory Pre-Bid conference will be held at 11:00 A.M., September 29th, 2021 at the City of Norcross Department of Public Works, Utilities & Parks conference room located at 345 Lively Avenue, Norcross, Georgia 30071.

We appreciate your interest in the City of Norcross!

City of Norcross
Department of Public Works, Utilities & Parks

I. GENERAL CONDITIONS

BIDDERS ARE ADVISED TO THOROUGHLY UNDERSTAND THE GENERAL CONDITIONS AND SPECIAL PROVISIONS, PRIOR TO SUBMITTING THEIR BID

A. Qualifications

1. Bids will be considered only from experienced and well-equipped Contractor(s) engaged in work of this type and magnitude.
2. Bidders may be required to submit evidence setting forth qualifications, which entitle his or her company for consideration as a responsible contractor. A list of work of similar character successfully completed within the last two years may be required giving the location, size and listing of equipment available for use on this work. Before accepting any bid, the City may require evidence of the Contractor's financial ability to successfully perform the work to be accomplished under the contract.

B. Guarantee to Accompany Bid

1. If the proposer's bid is greater than \$30,000.00, Bids must be accompanied by a certified check or cashier's check or acceptable bid bond in an amount not less than five percent (5%) of the amount bid per section, and failure to submit a bid bond will be cause for rejection.

C. Authority to Sign

1. The Bidder should ensure that the legal proper name of his proprietorship, firm, partnership and/or corporation is printed or typed in the space provided on the Schedule of items.

D. Rights Reserved

1. City of Norcross reserves the right to reject any and all Bids, to waive informalities or to re-advertise. It is understood that all Bids are made subject to this agreement, that City of Norcross reserves the right to decide which Bid it deems lowest and best. In arriving at this decision, full consideration will be given to the reputation of the Bidder, their financial responsibility, and work of this type successfully completed and past performance with the City of Norcross.

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Department of Public Works, Utilities & Parks

2. Bidders are advised to examine Plans and Specifications carefully and to make examinations of the site of the proposed work as are necessary to familiarize themselves with location conditions, which may affect the proposed work. Bidders are also advised to inform themselves fully in regard to conditions under which the work will be performed. The City of Norcross will not be responsible for the Bidders errors or misjudgment, nor for any information on location conditions or general laws and regulations.
3. Any unauthorized additions, conditions, limitations, or provisions attached to the Bid shall render it informal, and may be cause for rejection.

E. Award of Contract

1. The contract will be awarded to the lowest responsive and responsible bidder whose bid will be most advantageous to the City, price and other factors considered. The City is to make the determination.
2. The bid evaluation will be made on the following criteria:
 - i. Bid price
 - ii. Compliance with specification
 - iii. Qualifications of personnel
 - iv. Commitment to complete work on a timely basis
 - v. References
3. Prior to award of the Contract, the successful bidder will be required to submit a construction schedule to the City, demonstrating the bidder's ability to commence and proceed in a timely manner. A bidder's failure to demonstrate the ability to proceed as required may result in the award to the next lowest, responsive and responsible bidder, as deemed in the City's best interest.
4. Failure to demonstrate the ability for contract execution and progression will result in, at the City's discretion, the award of any and/or all of the Bidder's contracts to the next lowest responsible bidder or the re-advertisement and re-bidding of any and/or all of these contracts.
5. Prior to execution of a Contract, if the contract amount is greater than \$30,000.00, a Contract Performance Bond and a Payment Bond, each equal to 100% of the Contract amount per section, must be provided by the successful bidder by a surety company qualified to do business in the State of Georgia with an AM Best rating of B+ or higher and satisfactory to the City of Norcross. Bonds given shall meet the requirements as listed in this Bid package.
6. Prior to execution of a Contract, a Utility Coordination Meeting is required between Contractor(s), utility agencies and City of Norcross Public Works to ensure clarity

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Department of Public Works, Utilities & Parks

and commitments concerning inter-related construction work schedules.

F. Production Requirements

1. Time is of the utmost importance of this project. The successful bidder will be required to commence work within ten (10) calendar days from the receipt of the Notice to Proceed, and must carry on with utmost diligence in order to complete the work within 60 Days.

G. Progress Payments and Retainage

1. After work has commenced, progress payments shall be made least monthly, based on the value of work completed as provided in the contract documents plus the value of materials and equipment suitably stored, insured, and protected at the construction site, less retainage.
2. The City shall retain a maximum of 10 percent of each progress payment; provided, however, when 50 percent of the contract value including change orders and other additions to the contract value provided for by the contract documents is due and the manner of completion of the contract work and its progress are reasonably satisfactory to the City, the City shall withhold no more retainage. At the discretion of the City and with the approval of the Contractor, the retainage of each subcontractor may be released separately as the subcontractor completes his or her work.

H. Location and Site

1. The site of the proposed work is as described in the scope of work within the City of Norcross, Georgia.
2. The Contractor shall accept the site in its present condition and carry out all work in accordance with the requirements of the specifications as indicated on the drawings or as directed by the Department of Public Works.
3. The Contractor, before submitting a bid is required to visit the site, and acquaint himself with the actual conditions and the location of any and/or all obstructions that may exist on the site. The site visit must be confirmed by the Project Manager.
4. The Contractor is responsible for the location of above and below ground utilities and structures, which may be affected by the work.

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I. Compliance with OSHA Standards and Regulations

1. The work connected with this Contract shall be performed in accordance with all applicable OSHA regulations and standards including any additions or revisions thereto, until the job is completed and accepted by the City of Norcross.

J. Non Collusion

1. Vendor(s), by submitting signed bid, certify that the accompanying bid is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Georgia or United States law.

K. Materials

1. Unless otherwise specified in the Contract Documents, Contractor shall provide and assume full responsibility for all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water, sanitary facilities, temporary facilities, and all other facilities and incidentals necessary for the completion of the Work.
2. All materials and equipment incorporated into the Work shall be of good quality and new, except as otherwise provided in the Contract Documents. All special warranties and guarantees required by the Specifications shall expressly run to the benefit of Owner.

L. Inspection

City of Norcross does not commit to have a full time inspection or testing of work while in progress or at sources of materials furnished. Any lack of inspection and/or testing will in no way relieve the Contractor of his responsibility to provide quality workmanship in accordance with the specifications. Base placement and subgrade prep will be inspected by the City of Norcross, at the City's cost. Any test ordered under the supervision of the City that fail to meet standards and retesting is required will be at the Contractors expense.

M. Contract Requirements

1. Successful vendor is required to do the following within ten (10) days of Notice:
 - a) Return to Department of Public Works contract documents executed by the authorized representative attested by the corporate secretary treasurer.

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Department of Public Works, Utilities & Parks

- b) Provide Insurance Certificates as specified in the bid documents.
- c) Provide bonding as required by the bid documents
- 2. Failure to execute the Contract, Contract Performance Bond and Payment Bond, or furnish satisfactory proof of carriage of the insurance required within ten days after the date of Notice of Award of the Contract may be just cause for the annulment of the award and for the forfeiture of the bid guaranty of City of Norcross, not as a penalty, but as liquidation of damages sustained. At the discretion of the City, the award may then be made to the next lowest, responsible bidder, or the work may be re-advertised or constructed by City forces. The Contract and Contract Bonds shall be executed in duplicate.

N. Miscellaneous Provisions

- 1. Permits: All permits, including Land Disturbance Permits, can be obtained through the City's Community Development Department at 770-448-2122. It is the responsibility of the contractor to obtain permits needed. There is no fee for permits for City projects. For design/build projects, it is the responsibility of the contractor to obtain necessary permitting from the fire marshal.
- 2. Schedule: The Contractor shall provide to mbender@norcrossga.net a schedule of construction activities. The schedule must be presented at least seven (7) days prior to work commencing in order to notify residents and/or businesses.
- 3. Work Hours: No work shall take place on Sunday unless approved by the City of Norcross. The contractor shall submit to the City of Norcross a written request at least seven (7) days prior to the weekend work. See City Ordinance Sec. 26-22.
- 4. Detour/Closures: All road closures and detours shall be approved by the Norcross Department of Public Works.
- 5. Residential Refuse: The Contractor is required to contact Norcross Public Works department at 678-421-2069, to obtain sanitation schedules in an attempt to reduce inconveniences to the citizens of Norcross.
- 6. Disposal of Refuse: The Contractor shall be solely responsible for disposing of materials and shall take into account, before bidding the compliance with the above stated ordinances and regulations. Disposal of debris must be done in a lawful manner, in accordance with all applicable federal, state and/or local laws, statutes, rules, ordinances, and/or regulations. All trash and debris shall be collected and removed from the site(s) on a daily basis. The Contractor will not be permitted to burn any of the materials on site or within the boundary limits of Norcross, Georgia.

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Department of Public Works, Utilities & Parks

BID PACKET CHECKLIST

PROJECT: _____

BID DATE: _____

Enclosed with this Bid Packet are the following Forms and instructions. Use this checklist to ensure you have properly completed all Forms. You must return the following pages to be eligible for consideration of this project.

- _____ Two Hard Copies & One Electronic Copy of Bid
- _____ Bid on Letterhead
- _____ Bid Bond or Certified Check, if bid is over \$30,000
- _____ Certificate of Liability Insurance
- _____ E-Verify Contractor & SAVE Affidavits
- _____ Reference Page
- _____ Ship Proposal to: City of Norcross
 345 Lively Avenue
 Norcross, GA 30071
 Attn: Mary Beth Bender, Director

City of Norcross
Department of Public Works, Utilities & Parks

References:

The Contractor must provide at the time of bid opening a list of contact numbers, addresses and a contact person from three (3) jobs completed having similar specification within the metro Atlanta area.

City of Norcross requests a minimum of three (3) references where work of a similar size and scope has been completed.

1. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

2. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

3. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____



E-Verify Contractor Affidavit O.C.G.A. § 13-10-91 (b)(1)

Physical performance of services: Contracts with the City involving both physical labor and any services over \$2499.99 in value.

Contractors must be registered with and use the E-Verify program. If you have not registered, you can find the information at www.uscis.gov (click on E-verify Homepage, see start here directions.)

It is the responsibility of the Contractor to submit additional E-Verify Affidavits on every Sub-Contractor for this project.

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

Project Name: _____ Date of Project: _____

Legal Name of Contractor: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Federal Work Authorization User Identification Number (E-Verify Number): _____ (4-6 digit numeric #)

Date of Authorization: _____

EXEMPT: YES OR NO

****If a contractor has no employees and does not hire or intend to hire they may satisfy the law by submission of (State DL or State ID) Drivers' License Number: _____***

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

Signature of Authorized Officer/Agent

Date

Printed Name and Title of Authorized Officer/Agent

MUST BE COMPLETED BY NOTARY

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20____

Executed in _____ (City), _____ (State)

NOTARY PUBLIC Signature

My Commission Expires



SAVE Public Benefit Affidavit O.C.G.A. § 50-36-1

Instructions: As required by Georgia Security and Immigration Compliance Act of 2006, as amended, every agency administering or providing Public Benefits is responsible for requiring that applicants for public benefits execute a sworn affidavit verifying the applicant's lawful presence in the United States (Ga. Code 50-36-1(f)(2)). The applicant shall execute this affidavit in front of a Notary and return it to the city along with the associated application, renewal form, contract, bid packet, or other applicable document.

By executing this affidavit under oath, as an applicant for _____ (Occupational Tax license or Alcoholic Beverage license or any other Public benefit) as referenced in O.C.G.A. § 50-36-1, from the City of Norcross, the undersigned applicant verifies one of the following with respect to my application for public benefit. (Please check one)

- 1) _____ I am a United States citizen. (REQUIRES VERIFICATION AT SUBMISSION)
- 2) _____ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant has also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by Georgia Law O.C.G.A § 50-36-1(f) (1) A complete list of secure and verifiable documents on back of this form.

REQUIRES VERIFICATION AT SUBMISSION – Which type of secure and verifiable document was provided with this affidavit? _____.

In making the above representation under oath, I understand that any person who knowingly and willfully who makes a false, fictitious, or fraudulent statement or representation in this affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

MUST BE COMPLETED BY NOTARY

I, _____ (representative for) _____
(Printed NAME of individual and natural person) (Name of BUSINESS, corporation, partnership, etc.)

Signature of Applicant

Date

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20____

Executed in _____ (City), _____ (State)

NOTARY PUBLIC Signature

My Commission Expires

SECURE AND VERIFIABLE DOCUMENTS

The following list of secure and verifiable documents, published under the authority of O.C.G.A.

§ 50-36-2 contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- A United States passport or passport card
- A United States military identification card
- A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. **Please note that a driver's license from one of the following states is NOT acceptable at this point due to non-compliance with the immigration verification prior to issuance: Alaska, Idaho, Illinois, New Jersey, New Mexico, New York, Rhode Island, Utah or Washington, PENDING: Maryland and Massachusetts.
- An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at:
<http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>
- A United States Permanent Resident Card or Alien Registration Receipt Card
- An Employment Authorization Document that contains a photograph of the bearer
- A passport issued by a foreign government
- A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard
- A Free and Secure Trade (FAST) card
- A NEXUS card
- A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card
- A driver's license issued by a Canadian government
- A Certificate of Citizenship issued by the United States Department of Citizenship and
- Immigration Services (USCIS) (Form N-560 or Form N-561)
- A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)

In addition to the documents listed herein, if, in administering a public benefit or program, an agency is required by federal law to accept a document or other form of identification for proof of or documentation of identity, that document or other form of identification will be deemed a secure and verifiable document solely for that particular program or administration of that particular public benefit. [O.C.G.A. § 50-36-2(c)]



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6251	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Mayor and Council
Title:	Covid Vaccine Incentive		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - COVID Incentive](#)

Title
Covid Vaccine Incentive

Drafter
Eric Johnson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
 COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Eric Johnson, City Manager
Meeting Date: August 16, 2021 – Policy Work
Session Item No.: 21- 6251
Title: Covid Incentive for Employees

Recommendation

Authorize the City Manager to offer an incentive to unvaccinated City employees to raise the percentage of vaccinated employees – allowing an employee who completes their vaccination(s) after a specified effective date, to qualify for up to 8 hours of sick leave if they experience a reaction to the vaccination.

Background

Data from the City's health insurance provider, Cigna, suggests that less than a third of employees and covered beneficiaries are vaccinated. This data excludes those who may have been vaccinated without furnishing their health insurance card. The objective of any action the City initiates is to *raise the vaccination level among the City workforce*. While both vaccinated and unvaccinated employees are susceptible to the Delta variant of Covid-19, the potential for lost work time is greater for those who are unvaccinated due to the higher risk of hospitalization resulting from infection -- as is the potential to become infected and, as a result, spread it within the workforce.

There are many reasons why an employee may choose not to be vaccinated and short of requiring vaccination, there are limits to which factors the City can address. One is the concern that an adverse reaction may result in an employee needing to use their leave. Another may be simply needing a reason to rethink their reluctance to vaccination.

While a targeted incentive may not be seen as equitable, the focus of this action is to reduce the potential for impacts on workforce health and productivity and the incentive is only offered to an employee who experiences sickness following vaccination.

Financial Impact

Overtime may be needed to cover essential workers whose shift needs to be covered if the City offers sick leave for an employee who is vaccinated and experiences a reaction that necessitates time away from work.

Consistent with Comprehensive Plan? Yes.

Next Steps

Attachments - none

Update - NA



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6259	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	Service Line of America Contract		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- Sewer and Water Line Marketing License Agreement](#)
2. [RES - NLC Warranty Program](#)

Title
Service Line of America Contract

Drafter
Pat O'Brien, City Attorney



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Pat O'Brien
Agenda: August 16, 2021 – Policy Work Session
Agenda #: 21-6259
Item: Sewer and Water Line Marketing License Agreement
CC: Eric Johnson

Recommendation

Pat O'Brien, from the law firm of Thompson, O'Brien, Kemp & Nasuti, P.C., recommends that the City of Norcross dissolves the current Sewer and Water Line marketing License agreement between the City of Norcross and Utility Service Partners Private Label, Inc. ("USP") d/b/a/ Service Line Warranties of America ("SLWA").

Financial Impact N/A

Consistent with Comprehensive Plan? N/A

Next Steps

Dissolve the current Sewer and Water Line marketing License agreement between the City of Norcross and Utility Service Partners Private Label, Inc. ("USP") d/b/a/ Service Line Warranties of America ("SLWA").

Update

Due to the current programs promotional collateral causing confusion among residents, it is the recommendation of the City's law firm to dissolve the agreement as it is no longer a viable program.

65 LAWRENCEVILLE STREET, NORCROSS, GEORGIA 30071
(678) 421-2027 **UPSTAIRS CITY HALL** (770) 242-0824 **FAX** (770) 448-2111 **POLICE DEPARTMENT**
<http://www.norcrossga.net>

RESOLUTION OF THE CITY OF NORCROSS, GEORGIA

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN MARKETING SERVICES AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. ("USP") D/B/A SERVICE LINE WARRANTIES OF AMERICA ("SLWA") TO LICENSE THE USE OF THE CITY OF NORCROSS' TRADEMARK IN CONJUNCTION WITH ADVERTISEMENT TO THE CITY'S RESIDENTS OF WARRANTY PLANS FOR REPAIR OF WATER AND SEWER LINES ON RESIDENTIAL PROPERTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

The Council of the City of Norcross, Georgia, has considered and hereby adopts the following as a Resolution of said Council:

WHEREAS, residents of the City of Norcross are responsible for the maintenance and repair of water and sewer service lines that are on their properties and not within the City's right-of-way, and;

WHEREAS, water and sewer lines, on private property, can vary widely in age and condition, resulting in substantial cost to residents when there is a malfunction on residential property, and;

WHEREAS, the City of Norcross, Georgia is currently a member of the National League of Cities (hereinafter the "NLC"), and

WHEREAS, the NLC has introduced Utility Service Partners Private Label, Inc. ("USP") d/b/a Service Line Warranties of America ("SLWA"), as a resource for warranties of residential property owners whose water and sewer lines require repair, and;

WHEREAS, the NLC Service Line Warranty Program offers affordably priced emergency repair and replacement plans to address ageing private sewer and water infrastructure to homeowners in its member cities; and

WHEREAS, USP d/b/a SLWA is a privately held company which administers the NLC Service Line Program which is offered nationally on a voluntary basis to help cities assist their

residents by providing an affordable solution for sewer and water line repair or replacement as well as an educational aspect to homeowners to notify them of their responsibility for the aforementioned utility lines on the property of the homeowners; and

WHEREAS, City staff has recommended that the City of Norcross enter into an agreement with the National League of Cities Service Line Warranty Program, which offers homeowners the opportunity for repairing broken or leaking water or sewer lines for a low monthly fee, for a period of one year, renewing on an annual basis thereafter; and

WHEREAS, the Mayor and Council of the City of Norcross desire to allow the operation of the Service Line Warranty Program within the City of Norcross for the benefit of the residents of the City need access to a repair program for those portions of their own lateral lines for which they have responsibility on their property such as water, sewer and in home plumbing service lines; and

WHEREAS, the City of Norcross can withdraw from the Service Line Warranty Program at any time by passing a resolution to rescind the authorization

NOW THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the City of Norcross that the City hereby approves and supports the application for USP d/b/a SLWA to develop a marketing services agreement to offer the aforementioned services to the residents of the City of Norcross;

BE IT FURTHER RESOLVED, that the City Council further authorized the Mayor and the City Clerk to execute and attest to a certain Sewer and Water Line Marketing License Agreement between the City of Norcross and Utility Service Partners Private Label, Inc. ("USP") d/b/a Service Line Warranties of America ("SLWA"), to license the use of the City of Norcross' trademark in conjunction with advertisement to the City's residents of warranty plans

for repair of water and sewer lines on residential property in substantially the same form that is attached hereto as Exhibit "A";

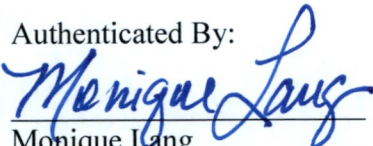
BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon its final passage.

Adopted by the Mayor and Counsel of the City of Norcross this 25th day of October, 2018.



Craig Newton, Mayor
City of Norcross, Georgia

Authenticated By:



Monique Lang

EXHIBIT “A”

SEWER AND WATER LINE MARKETING LICENSE AGREEMENT

Attachment: RES - NLC Warranty Program (21-6259 : Service Line Warranties of America License Agreement)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **ARLENE BECKLES** • COUNCILMEMBER **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	21-6265	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/16/2021 6:30 PM	In Control:	Policy Work Session
Title:	NORCROSS Sign/Artwork		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report -NORCROSS Sign](#)
2. [Artwork PPT](#)

Title
NORCROSS Sign/Artwork

Drafter
Eric Johnson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS**
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Eric Johnson, City Manager
Meeting Date: August 16, 2021 – Policy Work Session Item
No.: 21- 6265
Title: NORCROSS Sign/artwork

Recommendation

Discuss a memorandum of understanding developed by the City Attorney to be signed by the City Manager on behalf of the City accepting payment from The Brunswick in an amount of \$29,600 with which the City will pay IMG for fabrication of a NORCROSS sign/artwork as discussed previously by the Mayor and City Council.

Background

The Mayor and City Council has previously discussed the offer of the donation of the NORCROSS sign/artwork from the Brunswick. In discussion with the grantor (The Brunswick) and the grantee (the City), the offer has been revised to reflect a cash payment intended to cover the fabrication cost with the City accepting responsibility for paying for fabrication. The City will still be responsible for installation and maintenance. As reflected in the material originally submitted to the City, the site for installation would be between the new Norcross Library and Lillian Webb Park in a grassy area of the Park that is outside the construction site. The sign will face the Library. The cost of any illumination has not been determined, pending a discussion and decision on any lighting design.

Financial Impact

The cash payment of \$29,600 is based on the estimated fabrication cost. Preparation of the site would be conducted by City staff. A cost of materials required (cement, rebar) has not been determined, or the cost of electrical equipment and lights.

Consistent with Comprehensive Plan? Yes. This is part of the branding of the City and the colors used will conform with wayfinding signs. It will become part of the image of the City and its location and design next to the modern Library is appropriate.

Next Steps Funds received will be deposited into a liability account in the General Fund (100-12.7112) from which payment will be made for fabrication. A subsequent budget amendment will be prepared, as necessary, to record the revenue and expenditure to the appropriate fiscal year(s).

Attachments – Design document.

Update - NA

Artpiece

To Celebrate the 150th year
Of the founding of Norcross

Ideas from other communities



Attachment: NORCROSS Artwork (21-6163 : Norcross Logo Installation)



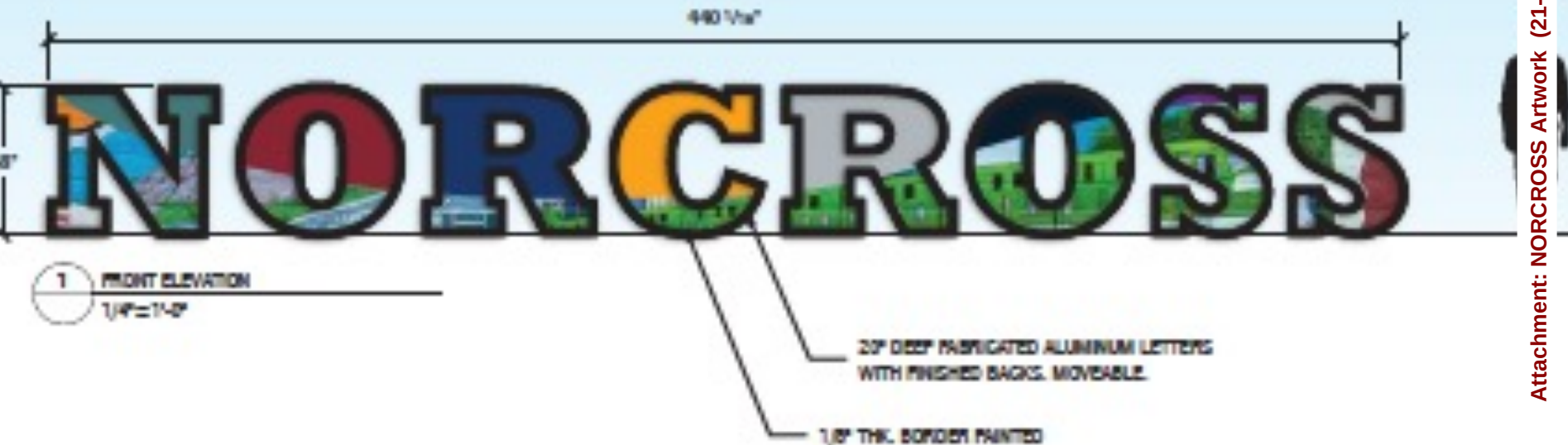
Attachment: NORCROSS Artwork (21-6163 : Norcross Logo Installation)



Attachment: NORCROSS Artwork (21-6163 : Norcross Logo Installation)



To be erected on Pad 1 until
Library and Plaza are completed



On back side of sign will be a panel that reads:

M.3.b

Norcross est. 1870

*This installation is presented to the city in
honor of the 150th year of incorporation!*

By The Brunswick
October 1, 2021

Note: this is not the font or color

Attachment: NORCROSS

Packet Pg. 150

Robert West print



General graphic idea for sign



Details

- * The artwork is three dimensional and could be any color or graphic (like the train) and would give people an opportunity to take pictures and share on social media.
- * A cost estimate from Dave Jones at IMG in Norcross is about \$28,000 (not including installation). The Brunswick has pledged the money to fund the fabrication. The base or end of the artwork could include the designation of the 150th Celebration.
- * Installation would be facing the Norcross Library entrance and the Plaza steps so that Lillian Webb Park would be the background for pictures. It could be mounted on two railroad tracks and secured to the ground.