

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, May 6, 2024

6:30 PM

Council Chambers

Mayor and Council

Mayor Craig Newton

Mayor Pro Tem Bruce Gaynor

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Marshall Cheek

- A. Call to Order by Mayor Craig Newton**
PLEASE TURN OFF ALL CELL PHONES AND ELECTRONIC DEVICES
- B. Invocation**
- C. Pledge of Allegiance to the Flag of the United States of America**
- D. Roll Call (recorded)**
- E. Presentation of previous meetings minutes for acceptance**
 - 1. [24-6996](#) **Approval of Previous Meeting Minutes**

[Mayor and Council - Regular Meeting - Apr 1, 2024, 6:30 PM](#)

[Policy Work Session - Policy Work Session - Apr 15, 2024, 6:30 PM](#)
- F. Set agenda as presented for scheduled meeting.**
 - 1. [24-6995](#) **Acceptance of the Agenda and Approval of the Consent Agenda**
- G. Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**
 - 1. [24-6994](#) **Proclamation Recognizing Professional Municipal Clerks Week**
A Proclamation Recognizing Professional Municipal Clerks Week May 5 - May 11, 2024.
[PRO - Professional Municipal Clerks Week - 2024](#)
- H. Floor Open to Citizens Desiring to Address the Governing Authority**
 - a. **Comments by Citizens**
 - b. **Comments by Council**
 - c. **Comments by City Manager**
 - * PI 00160067 – Norcross Greenway-LCI - Reimbursable Contract for Acquisition of Right-of-Way (ROW) with GDOT
- PH. Public Hearings**
 - PH1. [24-6919](#) **SUP2023-005 - Towing Service and Impound Lot**
Request for a Special Use Permit to operate a towing service and impound lot.
[Agenda Report - SUP2023-005 - Towing service and Impound Lot](#)

[SUP2023-005 Staff Report](#)

PH2. [24-6958](#)**RZ2024-002 - 3385 Medlock Bridge Rd**

Approval of rezoning from R100 (Single Family Residential) to PRD (Planned Residential Development), at 3385 Medlock Bridge Rd, with conditions.

[Agenda Report - RZ2024-002 - 3385 Medlock Bridge Rd](#)

[RZ2024-002 Staff Report- 3385 Medlock Bridge Rd](#)

[REZONING SITE PLAN-3385 Medlock Bridge Rd](#)

[Rezoning Application GHC 3385 Medlock Bridge Rd](#)

PH3. [24-6957](#)**RZ2024-001 - 3391 & 3395 Medlock Bridge Rd**

Approval of rezoning from R100 (Single Family Residential) to C-1 (Neighborhood Commercial) with the following conditions:

[Agenda Report - RZ2024-001 - 3391 & 3395 Medlock Bridge Rd](#)

[RZ2024-001 Staff Report 3391 and 3395 Medlock Bridge Rd](#)

[3391 and 3395 Medlock Bridge Concept Plan](#)

[BLG Rezoning Application Final 3391 and 3395 Medlock Bridge Rd](#)

PH4. [24-6978](#)**Mixed Use Development Standards**

Consider whether to revise the City's language related to mixed use development and where it may apply.

[Agenda Report - Mixed Use Development Standards](#)

J. Reports of the Mayor and Councilmembers**a. General Announcements****MAY CALENDAR OF EVENTS****Norcross Bike Rodeo**

Saturday, May 11 | 9:00 a.m. - 12:00 p.m. | Summerour Middle School Parking Lot

Movie Monday: About My Father

Monday, May 13 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Coffee With Council

Saturday, May 18 | 8:00 a.m. | 45 South Cafe

Policy Work Session

Monday, May 20 | 6:30 p.m. | City Hall, 2nd Floor Conference Room

Summer Concert Series: The Platinum Band

Friday, May 24 | 7:30 - 9:30 p.m. | Thrasher Park

City Hall Closed For Memorial Day

Monday, May 27 | Sanitation & Recycling Services Will Be Delayed

Memorial Day Remembrance

Monday, May 27 | 11:30 a.m. - 1:00 p.m. | Thrasher Park

Movie Monday: Wish

Monday, May 28 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

K. Board Appointments

There are no Board, Commission, or Authority appointments/re-appointments for Mayor and Council to consider at this time.

L. Consent Agenda

1. [24-6969](#) **Revised Contractual Agreement with United Futbol Academy**
Approve a revised contractual agreement between the City of Norcross and United Futbol Academy.

[Agenda Report - Revised Contractual Agreement with United Futbol Academy](#)

[United Futbol Academy Contract - 2021](#)

[United Futbol Academy Proposed Contract - 2024](#)
2. [24-6970](#) **ADA Ramp at Norcross Gallery and Studios**
Approve the build of (The Americans with Disabilities Act) ADA-compliant accessible ramp for wheelchair users at Norcross Gallery & Studios - 116 Carlyle St NW, Norcross GA 30071.

[Agenda Report - ADA Ramp at Norcross Gallery and Studios](#)

[ADA Checklist for Existing Facilities](#)

[Vendor Quote](#)
3. [24-6972](#) **Pinnacle Forest Preserve and Fickling Pond Forest Preserve**
A request for two city-owned properties to be designated as "Forest Preserves."

[Agenda Report - Pinnacle Forest Preserve and Fickling Pond Forest Preserve](#)

[Fickling Pond Property](#)

[Fickling Pond Street Side](#)

[Fickling Pond GIS](#)

[Fickling Pond Aerial View](#)

[Pinnacle Court Street Side](#)

[Pinnacle Court Property](#)

[Pinnacle Forest Aerial View](#)

[Pinnacle Forest GIS](#)

4. [24-6971](#) **State of Georgia Law Enforcement Certification Program Contract Renewal**
Approve State of Georgia law enforcement certification program contract renewal.

[Agenda Report - State of Georgia Law Enforcement Certification Program Contract Renewal](#)

[Agency Application Agreement - State Certification](#)
5. [24-6953](#) **Training and Travel Expenses Policy**
Receive an update on proposed changes to the City's travel expenses policy.

[Agenda Report - Training and Travel Expenses Policy](#)
[Current Travel Expenses Policy](#)
[Proposed Training and Travel Expenses Policy](#)
6. [24-6974](#) **Consolidation of Community Development and Planning and Economic Development Departments**
Authorize the consolidation of two existing departments: Community Development and Planning, and Economic Development, into a single department, the Community Planning and Economic Development Department.

[Agenda Report - Consolidation of Community Development and Planning and Economic Development Departments](#)
7. [24-6980](#) **Addition of Three Traffic Officers**
Expand the police force by adding three additional officers to focus on traffic specifically.

[Agenda Report - Addition of Three Traffic Officers](#)
- M. **Items for Discussion**
- N. **Adjourn in memory of**
- O. **Adjourn to Executive Session for Personnel, Real Estate or Legal**
- P. **Signed by**_____ **Mayor Craig Newton**
- Q. **Attest:**_____ **Monique Philip, City Clerk**



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6996	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Approval of Previous Meeting Minutes		

Sponsors:

Code Sections:

Title
 Approval of Previous Meeting Minutes

Motion
 A motion to Approve/Deny the April 1st Regular Council Meeting Minutes and the April 15th Policy Work Session and Executive Session Minutes.

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Monday, April 1, 2024

6:30 PM

Council Chambers

Mayor and Council

Mayor Craig Newton

Mayor Pro Tem Bruce Gaynor

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Marshall Cheek

Minutes Acceptance: Minutes of Apr 1, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

- A. Call to Order by Mayor Craig Newton
- B. Invocation
- C. Pledge of Allegiance to the Flag of the United States of America
- D. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Bruce Gaynor	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Josh Bare	Councilmember	Present	
Matt Myers	Councilmember	Present	
Marshall Cheek	Councilmember	Present	

Regular Meeting was called to order at 6:33 PM by Mayor Craig Newton

- E. Presentation of previous meetings minutes for acceptance

24-6963: Approval of Previous Meeting Minutes

Motion

A motion to Approve the meeting minutes for the January 12th Mayor and Council Visioning Session, March 4th Regular Council Meeting, and the March 18th Special Called Meeting, Policy Work Session and Executive Session.

- a. Mayor and Council Visioning Session - Visioning Session - Jan 12, 2024, 9:00 AM

RESULT: APPROVED [UNANIMOUS]
MOVER: Bruce Gaynor, Mayor Pro Tem
SECONDER: Marshall Cheek, Councilmember
AYES: Gaynor, Hixson, Bare, Myers, Cheek

- b. Mayor and Council - Regular Meeting - Mar 4, 2024, 6:30 PM

RESULT: APPROVED [UNANIMOUS]
MOVER: Bruce Gaynor, Mayor Pro Tem
SECONDER: Marshall Cheek, Councilmember
AYES: Gaynor, Hixson, Bare, Myers, Cheek

- c. Special Called Meeting - Special Meeting - Mar 18, 2024, 6:00 PM

RESULT: APPROVED [UNANIMOUS]
MOVER: Bruce Gaynor, Mayor Pro Tem
SECONDER: Marshall Cheek, Councilmember
AYES: Gaynor, Hixson, Bare, Myers, Cheek

- d. Policy Work Session - Policy Work Session - Mar 18, 2024, 6:30 PM

RESULT: APPROVED [UNANIMOUS]
MOVER: Bruce Gaynor, Mayor Pro Tem
SECONDER: Marshall Cheek, Councilmember
AYES: Gaynor, Hixson, Bare, Myers, Cheek

Minutes Acceptance: Minutes of Apr 1, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

F. Set agenda as presented for scheduled meeting.**1. 24-6964: Acceptance of the Agenda and Approval of the Consent Agenda****Motion**

A motion to Accept the Agenda and Approve the Consent Agenda with the following items being moved to discussion:

24-6945: Electric Rate Study

24-6950: Storm Damage Reduction/ Tree Removal Program and Front Yard Tree Program

24-6954: City Speed Bump Policy Discussion

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Councilmember
SECONDER:	Marshall Cheek, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

G. Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**a. 24-6965: Proclamation for National Safe Digging Month April 2024**

RESULT:	PRESENTED BY MAYOR CRAIG NEWTON
----------------	--

H. Floor Open to Citizens Desiring to Address the Governing Authority**a. Comments by Citizens**

- * Greg Bradley - Comments regarding the support of speed bumps on Lake Drive.
- * Kim Galano – Introduction; Judge of Magistrate Court of Gwinnett County; candidate of Superior Court of Gwinnett County
- * Evelyn Smith - comments regarding the support of speed bumps near west Peachtree Street.
- * Jim Eyre - Comments expressing gratitude to Chief Grogan pertaining to RFQ for the Construction Manager at Risk for the Public Safety Building. Comments pertaining to items 24-6934: Comprehensive Plan Update, item 24-6944: Town Center LCI Plan Update and item 24-6919: SUP2023-005 - Towing Service and Impound Lot
- * Gordon Neilson- Comments regarding code violations for parking his RV in his driveway.
- * Barry Payne - comments pertaining to graffiti near Sheffield Forest.

b. Comments by Council**c. Comments by City Manager**

PH. Public Hearings**1. 23-6876: Review and Revision of Charter Language**

Motion (Final Adoption)

A motion to Approve the attached Resolution, amending Part I - CHARTER AND RELATED LAWS of the Norcross, Georgia Code of Ordinances with the following enacting clause:

The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that Part I - CHARTER AND RELATED LAWS of the City Charter for the City of Norcross, shall be amended by ordinance after compliance with the procedure set forth in O.C.G.A. § 36-35-3 (b)(1) as more particularly set forth below.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matt Myers, Councilmember
SECONDER:	Marshall Cheek, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

2. 24-6934: Comprehensive Plan Update

Motion

A motion to move the adoption of the "Imagine Our Future" 2045 Comprehensive Plan to a Special Called Meeting on April 15, 2024 and for staff to publish the changes recommended by DDA Chair Jim Eyre for the benefit of the public.

RESULT:	MOTION FAILED [2 TO 3]
MOVER:	Josh Bare, Councilmember
SECONDER:	Matt Myers, Councilmember
AYES:	Josh Bare, Matt Myers
NAYS:	Bruce Gaynor, Andrew Hixson, Marshall Cheek

Motion

A motion to Approve a resolution to adopt the Norcross "Imagine Our Future" 2045 Comprehensive Plan, with the submitted errata sheet and additional policy issues to be addressed at a later date.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bruce Gaynor, Mayor Pro Tem
SECONDER:	Josh Bare, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

3. 24-6944: Town Center LCI Plan Update

Motion

A motion to Approve a resolution to adopt the City of Norcross Town Center 2024 Livable Center Initiative Study.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Councilmember
SECONDER:	Matt Myers, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

4. **24-6919: SUP2023-005 - Towing Service and Impound Lot**

Motion

A motion to table item 24-6919 to the May 6, 2024, Council meeting.

RESULT:	TABLED SENT TO [UNANIMOUS] Next 5/6/2024 6:30 PM
TO:	Mayor and Council
MOVER:	Matt Myers, Councilmember
SECONDER:	Marshall Cheek, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

J. **Reports of the Mayor and Councilmembers**

a. **General Announcements**

APRIL CALENDAR OF EVENTS

First Friday Concert: Weekend Getaway Band

Friday, April 5 | 7:00 - 9:00 p.m. | Cultural Arts & Community Center

Movie Monday: Champions

Monday, April 8 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Coffee With Council

Saturday, April 13 | 8:00 a.m. | 45 South Café

Planting For Pollinator Workshop

Saturday, April 13 | 10:30 a.m. - 12:00 p.m. | City Hall, 2nd Floor Community Room

Policy Work Session

Monday, April 15 | 6:30 p.m. | City Hall, 2nd Floor Conference Room

Neighborhood Cleanup & Recycling Day

Saturday, April 20 | 8:00 a.m. - 12:00 p.m. | Norcross Public Works

Historic Cemetery Tour

Sunday, April 21 | 2:00 p.m. | Norcross City Cemetery

Movie Monday: Sun Moon

Monday, April 22 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Historic Cemetery Tour

Tuesday, April 23 | 11:00 a.m. | Norcross City Cemetery

Planting For Pollinator Workshop

Saturday, May 4 | 10:30 a.m. - 12:00 p.m. | City Hall, 2nd Floor Community Room

K. Board Appointments**A. 24-6966: Board Appointment - Architectural Review Board**

Motion

A motion to Approve the appointment of the following candidate to the Architectural Review Board with terms as presented:

Architectural Review Board

Barbra Grayson 06/01/2027

RESULT:	APPROVED [UNANIMOUS]
TO:	Mayor and Council
MOVER:	Marshall Cheek, Councilmember
SECONDER:	Andrew Hixson, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

B. 24-6967: Board Appointment - Historic Preservation Commission

Motion

A motion to Approve the reappointment of the following candidate to the Historic Preservation Commission with terms as presented:

Historic Preservation Commission

Gene Ramsay 12/01/2027

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Councilmember
SECONDER:	Andrew Hixson, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

L. Consent Agenda

RESULT:	ADOPTED ON CONSENT AGENDA [UNANIMOUS]
MOVER:	Josh Bare, Councilmember
SECONDER:	Marshall Cheek, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

1. 24-6946: Surplus Vehicles Request

Motion

A motion to Approve the surplus of six (6) vehicles and four (4) bicycles.

2. 24-6947: Change Order NO. 2 for County Road Project

Motion

A motion to Approve Change Order #2, authorizing expenditures of up to \$339,571.11 of City 2014 SPLOST funds for construction costs associated with the joint-funded Buford Highway/Jimmy Carter intersection improvements managed by Gwinnett County.

Minutes Acceptance: Minutes of Apr 1, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

3. **24-6948: CDBG 2023 Resurfacing and Stormwater Infrastructure**

Motion

A motion to Approve the contract with Atlanta Paving Company for Street Resurfacing and stormwater infrastructure repair and replacement at a cost of \$1,098,360.66, to be funded by the CDBG 2023 grant funds and City SPLOST Transportation funding.

4. **24-6949: SPLOST Transportation Resurfacing**

Motion

A motion to Approve a contract with Atlanta Paving and Concrete Construction, Inc. for Street Resurfacing, to be funded by SPLOST 2023 grant fund in the amount of \$1,567,697.20.

M. **Items for Discussion**

1. **24-6945: Electric Rate Study**

Motion

A motion to Approve the adoption of the attached electric rate schedule completed by ECG effective with Winter rates in November.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andrew Hixson, Councilmember
SECONDER:	Matt Myers, Councilmember
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

2. **24-6950: Storm Damage Reduction/ Tree Removal Program and Front Yard Tree Program**

Motion

A motion to Approve the Storm Damage Reduction/Tree Removal Program and Front Yard Tree Program.

RESULT:	APPROVED [3 TO 1]
MOVER:	Bruce Gaynor, Mayor Pro Tem
SECONDER:	Marshall Cheek, Councilmember
AYES:	Bruce Gaynor, Matt Myers, Marshall Cheek
NAYS:	Andrew Hixson
ABSTAIN:	Josh Bare

3. **24-6954: City Speed Bump Policy Discussion**

Motion

A motion to table item 24-6954 indefinitely.

RESULT:	TABLED INDEFINITELY (WITH VOTE) [UNANIMOUS]
MOVER:	Josh Bare, Councilmember
SECONDER:	Bruce Gaynor, Mayor Pro Tem
AYES:	Gaynor, Hixson, Bare, Myers, Cheek

N. Adjourn in memory of

O. Adjourn to Executive Session for Personnel, Real Estate or Legal
Councilmember Bare, seconded by Councilmember Hixson, moved to adjourn to the Exec Session for Personnel, Real Estate, and Legal at 8:31 p.m. The vote was unanimously approved.

P. Signed by _____ Mayor Craig Newton

Q. Attest: _____ Monique Philip, City Clerk

Minutes Acceptance: Minutes of Apr 1, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Monday, April 15, 2024

6:30 PM

2nd Floor Conference Room

Policy Work Session

Mayor Craig Newton

Mayor Pro Tem Bruce Gaynor

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Marshall Cheek

Minutes Acceptance: Minutes of Apr 15, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

A. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Bruce Gaynor	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Josh Bare	Councilmember	Present	
Matt Myers	Councilmember	Present	
Marshall Cheek	Councilman	Present	

Policy Work Session was called to order at 6:30 PM by Mayor Craig Newton

B. Citizen Input**C. Board Updates**

*Planning and Zoning Board – postponed to May

D. General Updates**E. Council - General Discussion****F. City Manager's Report****G. Board Appointments****H. Items for Discussion****1. 24-6958: RZ2024-002 - 3385 Medlock Bridge Rd**

RESULT: THIS MATTER WAS REFERRED TO

Next: 5/6/2024 6:30 PM

TO: Mayor and Council

2. 24-6957: RZ2024-001 - 3391 & 3395 Medlock Bridge Rd

RESULT: THIS MATTER WAS REFERRED TO

Next: 5/6/2024 6:30 PM

TO: Mayor and Council

3. 24-6968: Dumpster Enclosure Mural on Jones Street

RESULT: ITEM PRESENTED TO MAYOR AND COUNCIL. NO FURTHER ACTION NEEDED

4. 24-6969: Revised Contractual Agreement with United Futbol Academy

RESULT: THIS MATTER WAS REFERRED TO

Next: 5/6/2024 6:30 PM

TO: Mayor and Council

Minutes Acceptance: Minutes of Apr 15, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)

5. 24-6970: ADA Ramp at Norcross Gallery and Studios**RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****6. 24-6971: State of Georgia Law Enforcement Certification Program Contract Renewal****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****7. 24-6972: Pinnacle Forest Preserve and Fickling Pond Forest Preserve****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****8. 24-6953: Training and Travel Expenses Policy****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****9. 24-6976: Mayor and Council Individual Travel Allocations****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/20/2024 6:30 PM****TO: Policy Work Session****10. 24-6977: Elected Official Compensation****RESULT: THIS MATTER WAS REFERRED TO****Next: 9/16/2024 6:30 PM****TO: Policy Work Session****11. 24-6975: Compliance with Agenda Publications****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/20/2024 6:30 PM****TO: Policy Work Session****Minutes Acceptance: Minutes of Apr 15, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)**

12. 24-6978: Refinement of Apartment Multi-Use Policy**RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****13. 24-6979: Speed Bump Policy****RESULT: THIS MATTER WAS REFERRED TO THE CITY MANAGER TO WORK WITH STAFF TO DEVELOP A POLICY AND RETURN TO A FUTURE WORK SESSION****14. 24-6980: Addition of Three Traffic Officers****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****15. 24-6974: Consolidation of Community Development and Planning and Economic Development Departments****RESULT: THIS MATTER WAS REFERRED TO****Next: 5/6/2024 6:30 PM****TO: Mayor and Council****I. Adjourn to Executive Session for Personnel, Real Estate, or Legal**

Councilmember Hixson, seconded by Councilmember Cheek, moved to adjourn to the exec session for real estate at 9:48 p.m. The vote was unanimously approved.

J. Signed by: _____ Mayor Craig Newton**K. Attest: _____ Monique Philip, City Clerk**

Minutes Acceptance: Minutes of Apr 15, 2024 6:30 PM (Presentation of previous meetings minutes for acceptance)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6995	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Acceptance of the Agenda and Approval of the Consent Agenda		

Sponsors:

Code Sections:

Title

Acceptance of the Agenda and Approval of the Consent Agenda

Motion

A motion to Accept the agenda and Approve the Consent Agenda.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6994	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Proclamation Recognizing Professional Municipal Clerks Week		

Sponsors:

Code Sections:

Attachments:

1. [PRO- Professional Municipal City Clerks Week - 2024](#)

Title

Proclamation Recognizing Professional Municipal Clerks Week

Presenter

Mayor Craig Newton

Proclamation

The City of Norcross, Georgia

55th ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK

May 5 - May 11, 2024

- WHEREAS,** The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and
- WHEREAS,** The Office of the Professional Municipal Clerk is the oldest among public servants, and
- WHEREAS,** The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and
- WHEREAS,** Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and
- WHEREAS,** The Professional Municipal Clerk serves as the information center on functions of local government and community, and
- WHEREAS,** Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations, and
- WHEREAS,** It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Norcross that the week of May 5 through May 11, 2024, be recognized as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk Monique Philip and Deputy Clerk, Shayla Alexis, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

DATED THIS 6TH DAY OF MAY 2024

Craig Newton, Mayor

Attest: Monique Philip, City Clerk

Attachment: PRO- Professional Municipal City Clerks Week - 2024 (24-6994 : Proclamation Recognizing Professional Municipal Clerks Week)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6919	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	SUP2023-005 - Towing Service and Impound Lot		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - SUP2023-005 – Towing service and Impound Lot](#)
2. [SUP2023-005 Staff Report](#)

Title
 SUP2023-005 - Towing Service and Impound Lot

Drafter
 Kellie Littlefield

Motion

A motion to Approve/Deny an application for a Special Use Permit for a towing an impound lot.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council

From: Kellie Littlefield, Senior Planner

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6919

Title: SUP2023-005 – Towing service and Impound Lot

CC: Eric Johnson, City Manager

Recommendation:

Approval of a request for a Special use permit at 105 Hill St, by Mr. Dennis Tulley, for a Towing and Impound Service Lot with conditions.

Background:

The applicant requests to receive a special use permit to operate a towing service and impound lot situated on a portion of the proposed parcel at 105 Hill Street. The proposed location is at the southern part of the property adjacent to South Cemetery Street.

Financial Impact:

None

Consistent with Comprehensive Plan:

Policy 1-2: Redevelop and enhance existing commercial and industrial areas.

Policy 1-7: Protect natural resources, mature tree canopy, environmentally sensitive areas, and valuable historic, archaeological or cultural resources from human encroachment through land development regulations and or incentives.

Next Steps:

I.1.a

Consider the proposal to include the following conditions recommended by Staff and approved by the Planning & Zoning Board :

1. Development is to be confined to the delineations of the submitted concept plan. All development shall meet or exceed the standards indicated in the Uniform Development Ordinance.
2. All driveway entrances must be commercial grade, providing an apron to accommodate all types of traffic.
3. The identified office shall be upgraded to commercial office space, in foundation reinforcement, all ADA criteria, and accessibility, meeting all building code and Fire Marshal Requirements.
4. The metal building on site shall be augmented to current commercial building code, meeting all Fire Marshal Requirements.
5. All trees on site must be preserved, and any trees requested to be removed must have a certified arborist report submitted with the tree removal permit.
6. The site must be fenced with opaque fencing materials (metal and masonry mixed materials), with a minimum of 8-foot-tall fencing materials.
7. All road frontages shall provide a landscaped border, no more than 30% of one species of tree or shrub.
8. The portion of the parcel is required to contain all stormwater management within the delineated site. All stormwater must be designed consistent with current regulations for stormwater management.
9. The site is required to provide an outdoor lighting plan for customer parking, and the impound lot. Each parking lot shall have a minimum of 1 freestanding lighting fixture.
10. The customer parking lot is required to be paved, providing striping, and adequate ADA compliant parking.
11. All retaining walls, and any other structures, must be brought to the current code.
12. A delineation barrier between the customer parking and the impound lot must be placed either with fencing, or landscaping.
13. The impound lot shall note a capacity of parking on the Land Disturbance Permit.
14. An onsite monitoring system shall be installed to manage any incoming traffic, with notification to the Norcross Police Department to monitor any emergency situations.
15. An enclosed dumpster shall be placed interior to the impound lot and shall be composed of appropriate materials subject to design review.
16. All towing service vehicles shall be parked within the fenced area of the impound yard at all times.
17. The site is required to have soil testing conducted prior to the issuance of a Land Disturbance Permit by a Professional Engineer specializing in Geotechnical. Results are to be included in civil drawings which will be held on file in the Community Development Office.
18. No dismantling or salvage activities shall be permitted at any time.
19. Any manufacturing, processing, assembly, fabrication, servicing (including washing of vehicles), and repair operations are carried out within an entirely enclosed building.
20. Buildings shall be equipped with approved, and serviced FOG required traps or filters. All fluids shall be collected and contained for offsite disposal.
21. All signs shall be permitted separately. A general signage plan will be required in compliance with the Land Disturbance Permit.
22. There shall be no variance or encroachment of any kind to the stream buffer for the comprehensive site.

Attachments

Staff Report

Update

The following additional conditions were proposed by Mayor and Council at the February 19th Policy Work Session:

23. There shall be no more than 20 cars for impound on the site at any time.
24. The service will declare hours of operation to cease before 10:00 PM, and not begin until 8:00 AM.
25. As the applicant has requested to operate an impound lot, all vehicles will be stored on location for no more than 30 calendar days.



Meeting Date: 02/07/2024 at 6:30 PM

Petition Number: SUP2023-005

Project Type: Towing and Impound Lot

Property Location: 105 Hill St

Tax Parcel ID: R6243 139

Petitioner: Dennis Tuley

Petitioner's Request: Special Use Permit for an Towing service and Impound Lot M-1 zoning district

Recommendation: **Approval, with conditions**

Summary

The applicant requests to receive a special use permit to operate a towing service and impound lot situated on a portion of the proposed parcel at 105 Hill Street. The proposed location is at the southern part of the property adjacent to South Cemetery Street (see below).

Timeline

Under Section 104-3.B of the UDO, special use permit applications require and initial review to be by the Planning and Zoning Board (P&Z), followed by Policy Work Session discussion (PWS) and the Mayor and Council's voting meeting for final action. Here is the proposed schedule.

Board	Meeting Type	Meeting	Meeting Time	Room
P&Z	Hearing	Wednesday, February 7, 2024	6:30 PM	Community Room 2 nd Floor
M&C Policy Work Session	Hearing	Monday, February 19, 2024	6:30 PM	Conference Room 2 nd Floor
M&C Voting	Voting	Monday, March 4, 2024	6:30 PM	Council Chambers 1 st Floor

Attachment: SUP2023-005 Staff Report (24-6919 : SUP2023-005 - Towing Service and Impound Lot)

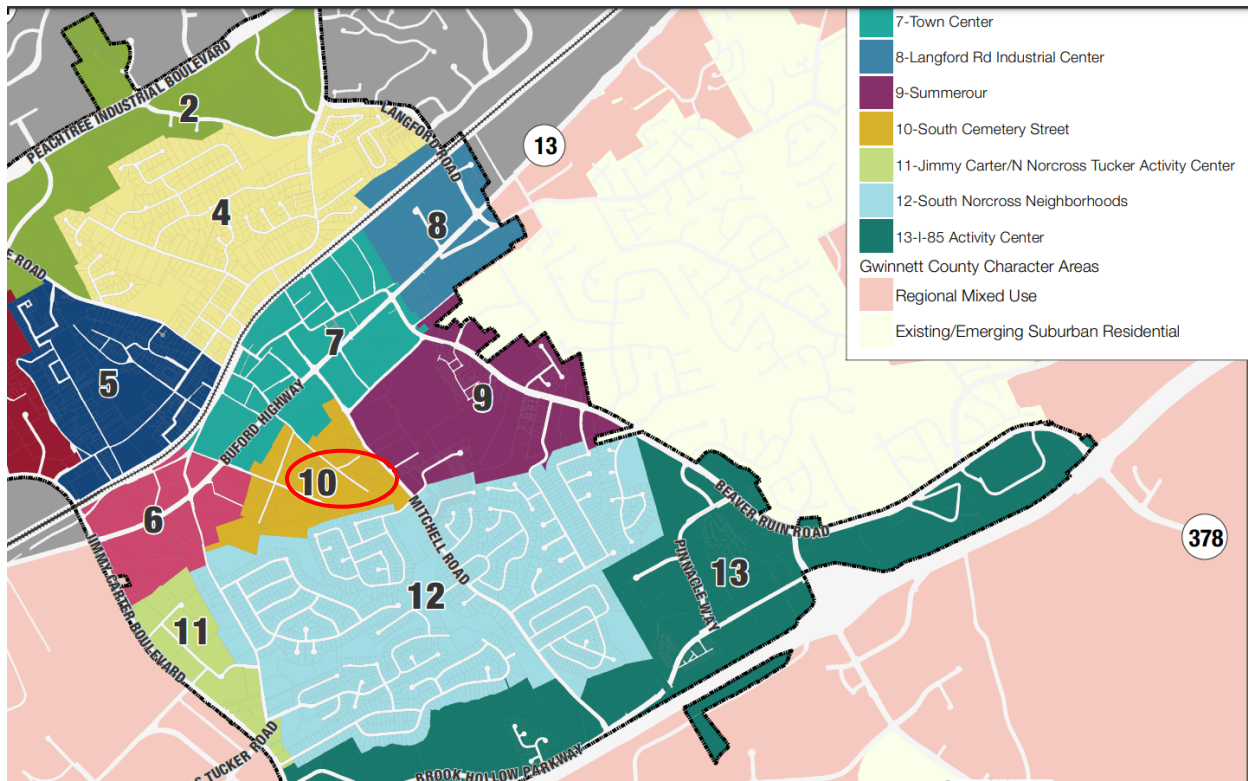
Aerial View



Zoning Map



Future Development Map



PROPERTY INFORMATION	
Property Location	105 Hill Street
Acreage:	Total site is 6.18 acres, proposed location site is less than 1 acre.
Existing Zoning / Land Use	M-1/ Light Industrial
Proposed Zoning / Land Use	M-1 Light Industrial
Character Area	10 – South Cemetery Street
Existing Lot Dimensions:	Frontage: Approximately 151' on Cemetery Street Depth: Approximately 187' NOTE: These measurement are based on the identified portion of the parcel, and identified on scaled drawings submitted with the application
Existing Building Dimensions:	There are two buildings on the identified portion of the parcel. A 1500 square foot single family home will be converted to an office; and a 2700 square foot metal building, that is currently non-compliant for industrial use.
Topography:	High Point: West side Low Point: East side

Elevation:	High Point: 964feet Low Point: 652 feet
Encumbrances:	There is a stream buffer on the rear of the parent parcel, as well as significant drainage issues throughout the property.

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	R-75 Single Family Housing	688 Mitchell Road	.5 acres
East	R-75 Single Family Housing	Undeveloped, Parcel Number: 6225 176	4.19 acres
South	M-1 Limited Industrial	705 Lively Ave	12.7 acres
West	M-1 Limited Industrial	631 S Cemetery St	0.5 acres

Applicant's Request

The applicant, Dennis Tuley, seeks to utilize a portion of the parcel at the location, 105 Hill Street (an industrial park) for a towing service with an impound lot. The portion of the parcel contains a 1500 square foot house, which is planned to be converted into an office, which is approximately 1500 square feet. Additionally the parcel contains a 2700 square foot building, which is approximately 2,700 square feet, which will contain a concrete pad to contain vehicles in various states of disrepair.

Existing Conditions

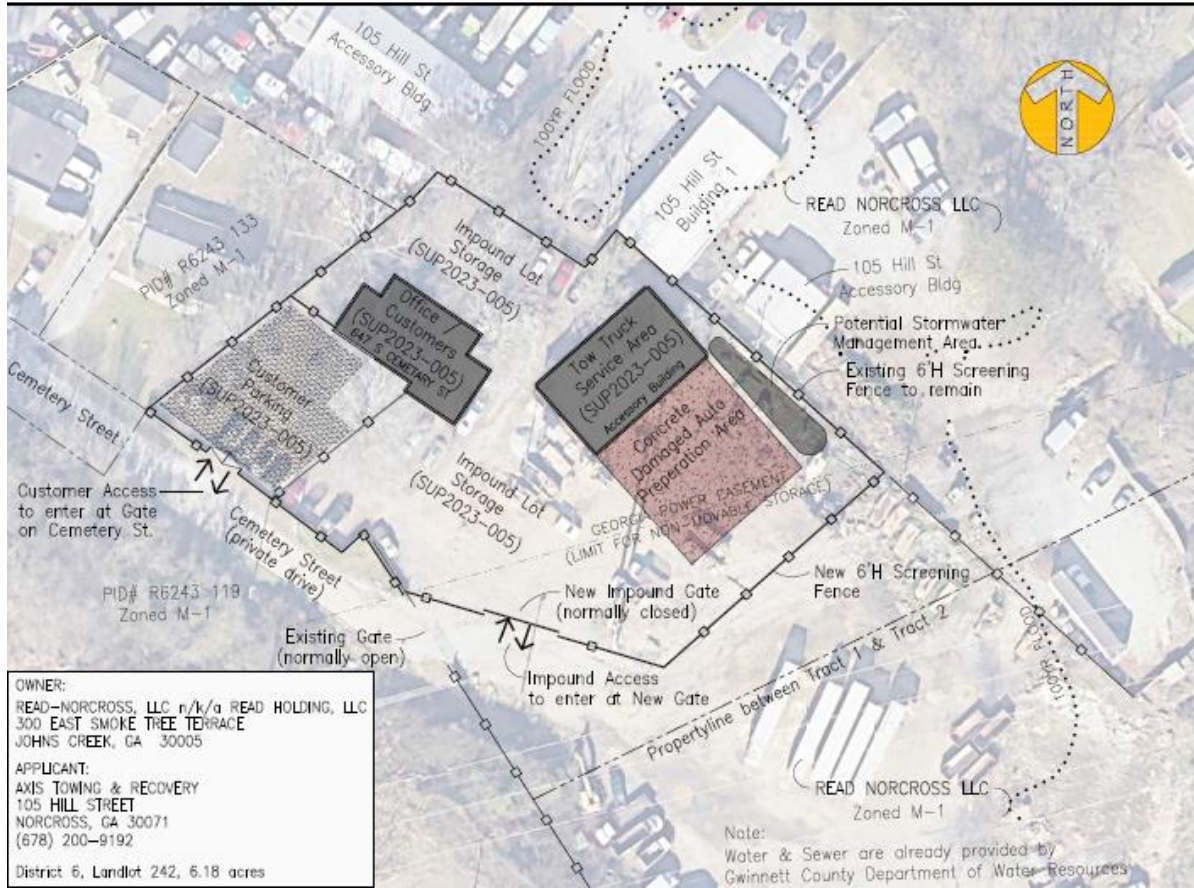
The subject property is zoned M-1 (Light Industrial) and it is currently developed as and industrial park with five buildings, in various uses, on 6.18 acres. The majority of businesses at the park are open Monday – Friday from 8 AM to 5 PM.

The portion of the parcel, specific to the SUP, is located adjacent to a landscaping business, as well as a transportation company. The parcel does not currently have any stormwater control measures. The proposed concept plan shows a retention pond, and the site will require engineered drawings to determine what BMPs are most appropriate for the request impervious.

The proposed portion of the parent parcel has two entrances off S Cemetery Street. The first entrance is primarily for customers, and will access customer parking. A separate entrance to the rear of the property, will provide access for commercial vehicles, tow vehicles and impounded vehicles.

Project Description

The applicant seeks a special use permit for a towing service with an impound lot, in the M-1 Light Industrial zoning district. A survey of the subject parcel, and with a street view of the subject building are depicted below for reference.



ZONING ANALYSIS

Current Zoning

The subject property is zoned M-1, Limited Industrial. Adjacent uses include a various uses permitted in the M-1 zoning district, including commercial truck repair.

Zoning Request

The M-1 Light Industrial district is established to provide adequate space in appropriate locations along streets, and at intersections for various types of business and service uses. These uses should include the retailing of major goods and services, warehousing, and automotive services, to include repair and auto-body repairs. Development of uses in the district characteristically occupies a larger area than in the C2, General Business District because it is intended to serve a more intense use.

2040 Comprehensive Plan Analysis

There is no proposed change to the Comprehensive Plan. The property is located in Character Area 10, South Cemetery Street. The following considerations should be made in order for the use to be compatible with the surrounding area.

- Industrial and heavy commercial uses should not be visible from Buford Highway, and screened appropriately
- Auto related commercial, heavy commercial uses, and light industrial uses are allowed
- Consider first floor minimum heights in M1 to accommodate future industrial uses

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:

Generalized Use	10-S Cemetery St
Heavy commercial (auto related, outdoor storage)	Allowed

B. Policy Goals

Under the policy goals the proposed special use permit meets the following criteria:

- *Policy 1-2: Redevelop and enhance existing commercial and industrial areas.*
- *Policy 1-3: Support opportunities for infill development that reflects the neighborhood character.*
- *Policy 4-6: Support local entrepreneurs in building future ready businesses.*

C. Character Area Vision

The S Cemetery Road Character Area contains several points that support the vision of area of which the following applies:

A concentration of light industrial and heavier commercial

D. Land Use Definition

Motor vehicle related use refers to any use primarily involving motor vehicle related retail (see definition), vehicle repair, vehicle service, vehicle maintenance, or vehicle sales.

Motor vehicle repair means any building, structure, improvements, or land used for the repair, service, and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles, not including body work or vehicle painting.

Junkyard means property used for indoor or outdoor storage, keeping or abandonment, whether or not for sale or resale, of junk including, but not limited to: scrap metal, rags, paper or other scrap materials, used lumber, salvaged house-wrecking demolition and structured steel materials and equipment or property used for the dismantling, or abandonment of automobiles or other vehicles or machinery or parts thereof.

***STAFF NOTE: The ordinance does not distinguish between a “junkyard” and an “Impound Lot”.**

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a special use permit 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?

Staff is of the opinion that the request to approve a special use permit for a towing service and impound lot is consistent and suitable in view of the use and development of the adjacent and nearby properties. The area in general is developed as an industrial park, specifically for automotive repair and refurbishment.

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

The proposed project for a towing service and impound lot, is not anticipated to have any adverse effects on existing uses or usability of nearby properties. The site would have to meet parking, landscaping, lighting, stormwater management, building standards and all required licensing standards in addition to occupancy limits as determined by the Gwinnett County Fire Marshal.

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

The subject property has reasonable economic use as zoned and occupied currently.

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 do not foresee any excessive or burdensome use of existing streets, transportation, utilities, and schools.

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

The subject site is located within the S Cemetery Street Character Area, which is intended as a growing industrial area that has appropriate screening, and maintains access for commercial traffic. Therefore, it meets the intent of the Comprehensive Plan.

5) 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.

6) Whether the policies and objectives of the comprehensive plan, particularly in relationship to the proposed site and surrounding area align and support the proposal.

The policies and objectives of the comprehensive plan, in relationship to the proposed site and surrounding area, aligns with and supports the applicant's request. The site is located within an established industrial park.

7) Whether the proposal has the potential for adverse impacts on the surrounding area, regarding, but not limited to traffic, storm drainage, land values and compatibility of land use activities.

The proposed use has one existing commercial grade driveway that serves the subject site to facilitate traffic into and out of the site, and a residential style driveway that will need to conform to current building standards to be addressed in the Land Disturbance phase. Additionally the storm drainage will need to be addressed as the site has been developed. There are no staff concerns about land values or compatibility of land use activities relative to the proposed use of the site.

8) In the case of antennae and towers, the proposal will need to meet the standards listed in subsection 202)z)(5), special use permits.

This criterion does not apply to this request and therefore is not applicable.

Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Section C; the proposed development appears to meet the presented policy goals in Section B. The impound lot use is defined as a "Junkyard" in the definition section of the UDO.

Recommendation

Staff recommends approval, with conditions, of the special use permit for a towing service and impound lot at this location. The applicant is reminded that a special use permit can be considered for revocation, after public notice and a public hearing by the Mayor and Council, should it be determined that there are violations of any Norcross Ordinances with respect to the operations of the business.

Conditions

1. Development is to be confined to the delineations of the submitted concept plan. All development shall meet or exceed the standards indicated in the Uniform Development Ordinance.
2. All driveway entrances must be commercial grade, providing an apron to accommodate all types of traffic.
3. The identified office shall be upgraded to commercial office space, in foundation reinforcement, all ADA criteria, and accessibility, meeting all building code and Fire Marshal Requirements.
4. The metal building on site shall be augmented to current commercial building code, meeting all Fire Marshal Requirements.
5. All trees on site must be preserved, and any trees requested to be removed must have a certified arborist report submitted with the tree removal permit.
6. The site must be fenced with opaque fencing materials (metal and masonry mixed materials), with a minimum of 8-foot-tall fencing materials.
7. All road frontages shall provide a landscaped border, no more than 30% of one species of tree or shrub.
8. The portion of the parcel is required to contain all stormwater management within the delineated site. All stormwater must be designed consistent with current regulations for stormwater management.
9. The site is required to provide an outdoor lighting plan for customer parking, and the impound lot. Each parking lot shall have a minimum of 1 freestanding lighting fixture.
10. The customer parking lot is required to be paved, providing striping, and adequate ADA compliant parking.
11. All retaining walls, and any other structures, must be brought to the current code.
12. A delineation barrier between the customer parking and the impound lot must be placed either with fencing, or landscaping.
13. The impound lot shall note a capacity of parking on the Land Disturbance Permit.
14. An onsite monitoring system shall be installed to manage any incoming traffic, with notification to the Norcross Police Department to monitor any emergency situations.
15. An enclosed dumpster shall be placed interior to the impound lot and shall be composed of appropriate materials subject to design review.
16. All towing service vehicles shall be parked within the fenced area of the impound yard at all times.
17. The site is required to have soil testing conducted prior to the issuance of a Land Disturbance Permit by a Professional Engineer specializing in Geotechnical. Results are

to be included in civil drawings which will be held on file in the Community development Office.

18. No dismantling or salvage activities shall be permitted at any time.
19. Any manufacturing, processing, assembly, fabrication, servicing (including washing of vehicles), and repair operations are carried out within an entirely enclosed building.
20. Buildings shall be equipped with approved, and serviced FOG required traps or filters. All fluids shall be collected and contained for off site disposal.
21. All signs shall be permitted separately. A general signage plan will be required in compliance with the Land Disturbance Permit.
22. There shall be no variance or encroachment of any kind to the stream buffer for the comprehensive site.



Mayor: Craig Newton • Mayor Pro Tem: Bruce Gaynor • Councilmember: Andrew Hixson • Councilmember: Josh Bare
Councilmember: Matt Myers • Councilmember: Marshall Cheek • City Manager: Eric Johnson • City Clerk: Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6958	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	RZ2024-002 - 3385 Medlock Bridge Rd		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - RZ2024-002 - 3385 Medlock Bridge Rd](#)
2. [RZ2024-002 Staff Report 3385 Medlock Bridge Rd \(002\)](#)
3. [REZONING SITE PLAN-3385 Medlock Bridge Rd](#)
4. [Rezoning Application GHC 3385 Medlock Bridge Rd](#)

Title

RZ2024-002 - 3385 Medlock Bridge Rd

Drafter

Kellie Littlefield

Motion

A motion to Approve/Deny the rezoning from R100 (Single Family Residential) to PRD (Planned Residential Development) at 3385 Medlock Bridge Rd, with the following conditions:

1. To restrict the use of the property for single-family townhomes.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. Within the landscape buffer of the sides and rear of the property the applicant is required to install enhanced landscape strips, with no more than 30 percent of trees to be of one species.

4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

Agenda Report

To: Mayor and Council

From: Kellie Littlefield, Senior Planner

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6958

Title: RZ2024-002 - 3385 Medlock Bridge Rd

CC: Eric Johnson, City Manager

Recommendation

Approval of rezoning from R100 (Single Family Residential) to PRD (Planned Residential Development) with the following conditions:

1. To restrict the use of the property for single-family townhomes.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. Within the landscape buffer of the sides and rear of the property the applicant is required to install enhanced landscape strips, with no more than 30 percent of trees to be of one species.
4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.

Background

The applicant requests to build a townhome development.

Financial Impact

None

Attachment: Agenda Report - RZ2024-002 - 3385 Medlock Bridge Rd (24-6958 : RZ2024-002 - 3385 Medlock Bridge Rd)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment

Next Steps

Consider the proposal as submitted and reviewed by staff.

Attachments

RZ2024-002 Staff Report- 3385 Medlock Bridge Rd
 REZONING SITE PLAN-3385 Medlock Bridge Rd
 Rezoning Application_GHC_3385 Medlock Bridg Rd

Update



Meeting Date: 04/03/2024 at 6:30 PM

Petition Number: RZ2024-002

Project Type: Residential

Property Location: 3385 Medlock Bridge Rd

Tax Parcel ID: 6286 010B

Petitioner: Gwinnett Housing Corporation

Petitioner's Request: Rezoning from R100 (Single Family Residential) to PRD (Planned Residential Development)

Recommendation: **Approval with Conditions**

Summary

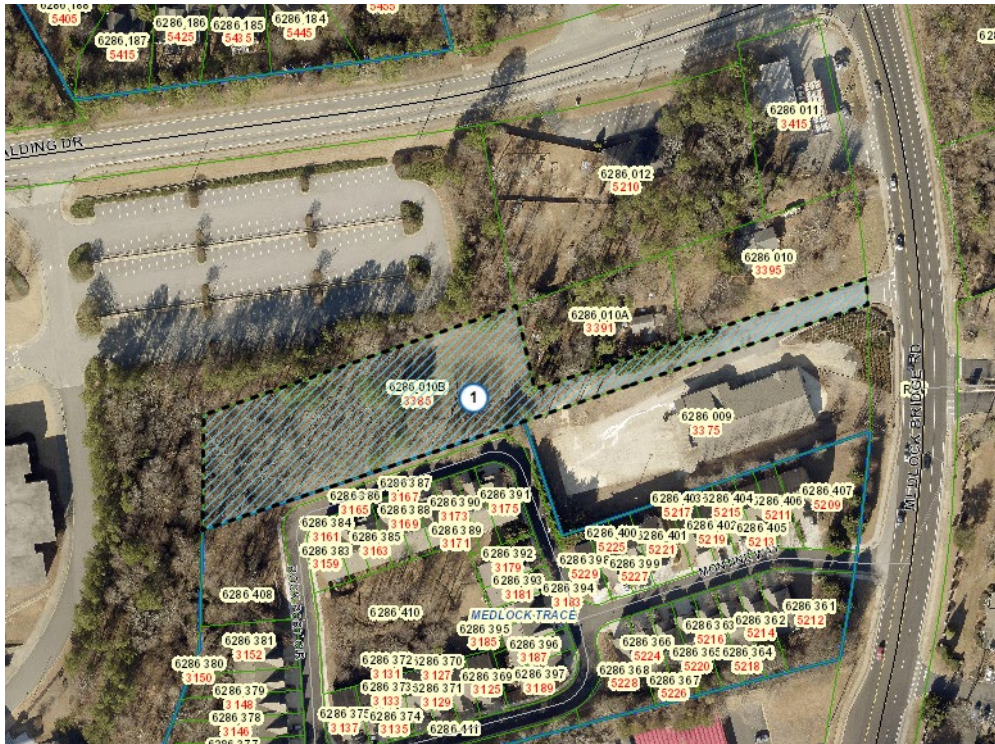
The property owner seeks to rezone the property from R100 to PRD to use the property for a townhome residence.

Timeline

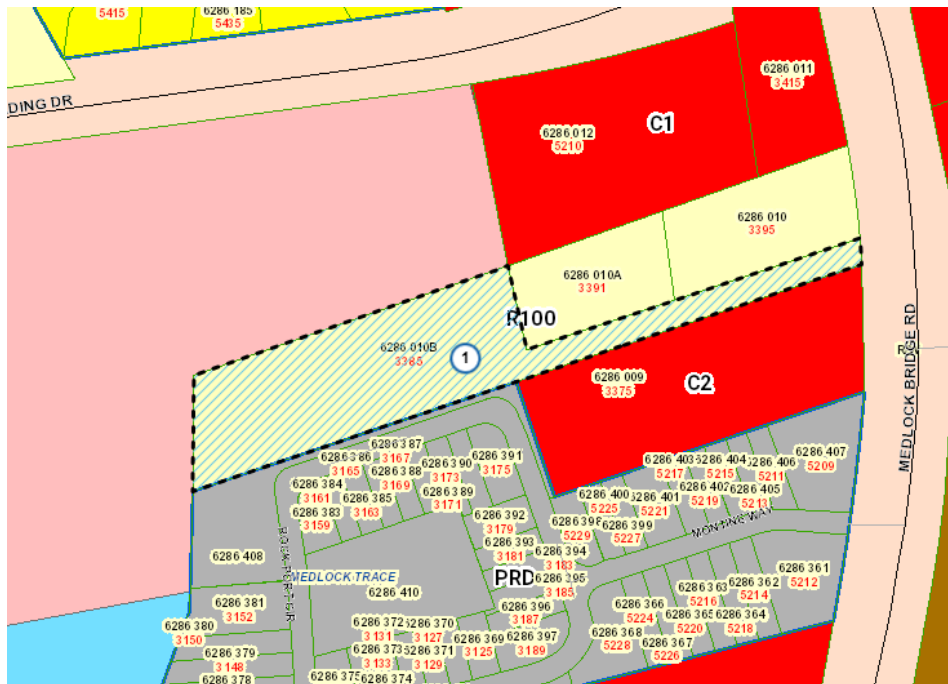
Under the UDO Section 104-3.B rezoning applications require the first review to be by the Planning and Zoning Board, followed by Mayor and Council's policy meeting and the Mayor and Council's regular meeting for final action. Below is the proposed schedule of dates.

Board	Meeting Type	Meeting	Meeting Time	Room
P&Z	Hearing	Wednesday, April 3, 2024	6:30 PM	Conference Room 2 nd Floor
M&C Policy	Meeting	Monday, April 15, 2024	6:30 PM	Conference Room 2 nd Floor
M&C Regular	Hearing	Monday, May 6, 2024	6:30 PM	Council Chambers 1 st Floor

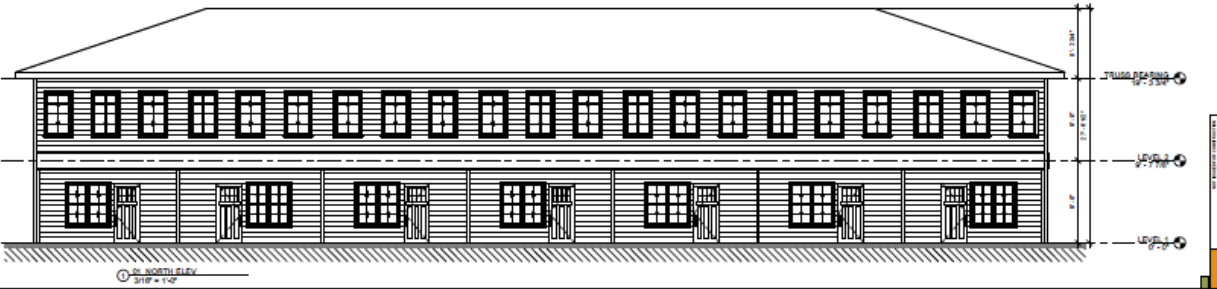
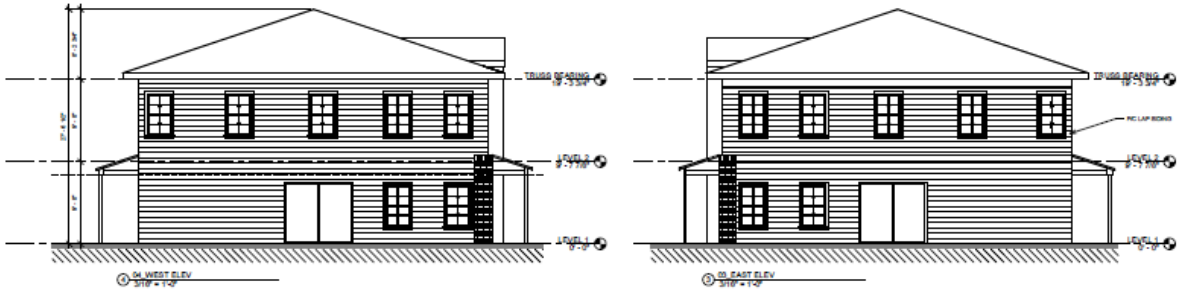
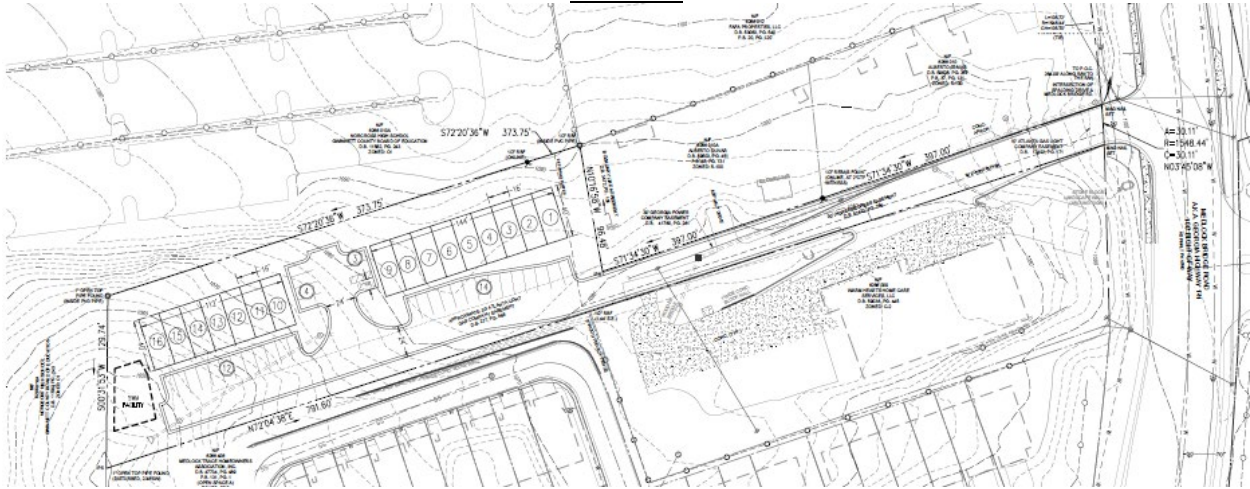
Aerial View



Zoning Map



Site Plan



PROPERTY INFORMATION	
Property Location	3385 Medlock Bridge Road
Acreage:	1.33 acres
Existing Zoning / Land Use	R100 – Single Family Residential
Proposed Zoning / Land Use	PRD – Planned Residential Development
Character Area	3 – Pinckneyville
Existing Lot Dimensions:	Frontage: Approximately 30' along Medlock Bridge Road Depth: Approximately 787'

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	C1 – Neighborhood Commercial	5210 Spalding Drive Daycare	1.29 acres
East	C1 – Neighborhood Commercial	3390 Medlock Bridge Rd Peachtree Corners	0.74 acres
West	O/I – Office Institutional	Gwinnett County Board of Education	51.98 acres
South	PRD – Planned Residential Development	Montine Way Medlock Trace Subdivision	5.07 acres

Applicant's Request

The property owner seeks to rezone the property from R100 to PRD to use the property for a townhome residence.

Existing Conditions

The subject is currently improved with an entrance, but currently has no buildings. The site has a dual driveway entrance at the front of the property.

Project Description

The property owner seeks to use the property as a townhome residential community to provide affordable housing, in conjunction with Gwinnett County through dispersed grant funds.

ZONING ANALYSIS

Current Zoning

The subject property is zoned R100 (Single Family Residential). Adjacent zoning districts include PRD to the south, currently used as the Medlock Trace community. The Commercially zoned as

well as single-family subdivision, across Medlock Bridge Road, is located in Peachtree Corners. Uses North of the property include a high school and a mix of neighborhood commercial services.

Zoning Request

Rezone the property for residential use as abutting properties are also zoned for and use for residential purposes. The Gwinnett Housing Corporation seeks to install 16 single family attached townhomes. The units are designed to be affordable housing options for residents who will have attendees enrolled in the adjacent high school.

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 3 - Pinckneyville

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:

3 - Pinckneyville	
Low Density Residential	Places of assembly
Medium Density Residential	Transportation and communication utilities
Planned Residential Community (mixed housing types allowed)	Parks and recreation
Skilled nursing facilities (no rehab)	

B. Policy Goals

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

- *Policy 1-1: Protect the valued community character and aesthetics of existing neighborhoods by discouraging drive-through services, excessive signage, and inadequate screening near residential areas.*
- *Policy 1-3: Support opportunities for infill development that reflects the neighborhood character.*
- *Policy 1-4: Encourage mixed-use development and pedestrian-oriented design standards.*

C. Character Area Vision

The Pinckneyville Character Area contains three points that support the area's vision of which the following applies:

- *Residential uses predominate in proximity to the school*
- *A pedestrian and bicycle network physically connects area uses, supporting a multi-modal hub*

D. Land Use Definition

Medium Density Residential - land used for single family housing and customary accessory structures on individual parcels.

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?

Staff is of the opinion that the request to rezone the subject property to PRD is suitable based on the existing uses of adjacent and nearby properties, which consist of single-family detached residential units.

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

The proposed rezoning request does not have an adverse effect on existing uses or usability of nearby properties, as currently zoned.

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

The subject property has reasonable economic use under the current R100 zoning district. The proposed project is a single family attached product.

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 foresee any excessive or burdensome use of existing streets, transportation, utilities, and schools.

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

The subject site is located within the Pinckneyville Character Area, which is intended to create cohesion between Norcross High School and adjoining residential areas. This project does meet the intent of the Comprehensive Plan as the subject and will become a residential property blending with the surrounding residential uses, and create pedestrian access directly to the high school.

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 is a rezoning case being presented at the same meeting as this case, which is for an adjacent property which provides for a supporting use of a daycare.

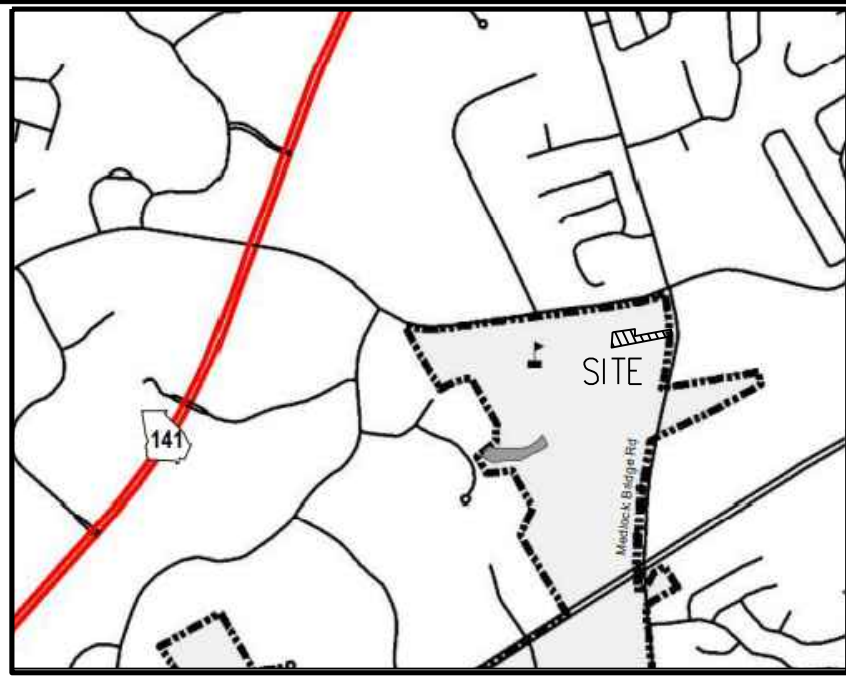
Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Section C; the proposed development appears to it meet the presented policy goals in Section B and it meets the density residential definition in Section D.

Recommendation

Staff recommends **approval** of the zoning component of RZ2024-002 subject to the following conditions:

1. To restrict the use of the property for a single-family townhomes.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. Within the landscape buffer of the sides and rear of the property the applicant is required to install enhanced landscape strips, with no more than 30 percent of trees to be of one species.
4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.



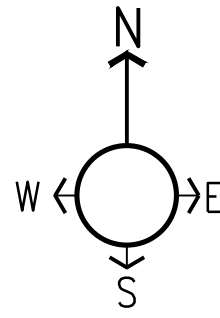
VICINITY MAP

SCALE: NTS

SOURCE: USGS

GENERAL NOTES

1. PROPERTY ADDRESS: 3385 MEDLOCK BRIDGE ROAD, NORCROSS GEORGIA, 30092
2. GWINNETT COUNTY TAX PARCEL ID: 6-286-010B
3. THERE ARE NO WETLANDS ON THIS PROPERTY PER THE NATIONAL WETLANDS INVENTORY MAP
4. BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY PREPARED BY PRECISION PLANNING INC DATED DECEMBER 6TH 2022.
5. THERE IS NO FLOODPLAIN ON THIS PROPERTY FROM A WATER COURSE WITH A DRAINAGE AREA EXCEEDING 100 ACRES OR FLOODPLAIN PER FIRM PANEL NUMBER 13135C0067G. WITH A DATE OF MARCH 4TH 2013
6. THIS PLAN IS CONCEPTUAL IN NATURE AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES.
7. WATER AND SEWER SERVICE TO BE PROVIDED BY GWINNETT COUNTY



SITE DATA:

TOTAL PROPERTY ACREAGE: 1.33 ACRES

CURRENT ZONING:
PARCEL 6-268-010B: R-100

PROPOSED ZONING: PRD PLANNED RESIDENTIAL DISTRICT

PROPOSED TOTAL UNITS: 16

DENSITY: 12.03 UNITS PER ACRE

OFF-STREET PARKING SPACES PER UNIT = 2 X 16 = 32 SPACES

ADDITIONAL GUEST PARKING FOR TOWNHOUSE DEVELOPMENTS SHALL BE PROVIDED AT A RATIO OF 1 ADDITIONAL SPACE PER 4 DWELLING UNITS. GUEST PARKING = 1/4 X 16 = 4.

PROVIDE 33 OFF-STREET PARKING SPACES, WITH 10% VARIANCE REDUCTION.



CALL 811 BEFORE ANY EXCAVATION WORK BEGINS OR ANY WORK BEGINS WITHIN TEN FT.(10') OF OVERHEAD POWER LINES OF 750 VOLTS OR MORE. SMART DIGGING MEANS CALLING 811 BEFORE EACH JOB. WHOEVER YOU ARE A HOMEOWNER OR A PROFESSIONAL EXCAVATOR, ONE CALL TO 811 GETS YOUR UNDERGROUND UTILITY LINES MARKED FOR FREE.

ABBREVIATIONS

APPROX = APPROXIMATE
BC = BACK OF CURB
BFE = BOTTOM FLOOR ELEVATION
BM = BENCHMARK
BW = BOTTOM OF WALL
BLDG = BUILDING
B/L = BUILDING LINE
CB = CATCH BASIN
C/L = CENTERLINE
CD = CLEANOUT
CONC = CONCRETE
CMP = CONCRETE MONUMENT FOUND
CSP = CORRUGATED METAL PIPE
CSP = CORRUGATED STEEL PIPE
C/G = CURB & GUTTER
CTF = CRIMP TOP FOUND
DIA = DIAMETER
DE = DRAINAGE EASEMENT
DIP = DROP INLET
DWCB = DOUBLE WING CATCH BASIN
EP = ELEVATION
ELEV = ELEVATION
EX = EXISTING
FC = FACE OF CURB
FFE = FINISHED FLOOR ELEVATION
FH = FIRE HYDRANT
FS = FLARED END SECTION
FM = FORCE MAIN
GMH = GEORGIA POWER MANHOLE
GR = GRATE INLET
GW = GUY WIRE
HW = HEADWALL
HOPE = HIGH DENSITY POLYETHYLENE

LEGEND

HP = HIGH POINT
INV = INVERT
IE = INVERT ELEVATION
IPF = IRON PIN FOUND
IPV = IRON PIN SET - 1/2" REBAR
ICV = IRRIGATION CONTROL VALVE
JB = JUNCTION BOX
LLL = LAND LOT LINE
LP = LIGHT POLE
LOWP = LOW POINT
MH = MANHOLE
MSL = MEAN SEA LEVEL
OTP = OPEN TOP PIPE
OCS = OUTLET CONTROL STRUCTURE
PMT = PAVEMENT
PED = PEDESTAL
PK = PK NAIL FOUND
PCP = POLYVINYL CHLORIDE PIPE
POB = POINT OF BEGINNING
PWR = POWER
PP = POWER POLE
PTP = POWER/TELEPHONE POLE
P/L = PROPERTY LINE
PROP = PROPOSED
RCP = REINFORCED CONCRETE PIPE
R/W = RIGHT-OF-WAY
SSE = SANITARY SEWER EASEMENT
FT = FEET
SSMH = SANITARY SEWER MANHOLE
SWCB = SINGLE WING CATCH BASIN
SW = SIDEWALK
SF = SQUARE FEET
TEL = TELEPHONE
TB = TOP OF BANK
TC = TOP OF CURB
TPOB = TRUE POINT OF BEGINNING
TW = TOP OF WALL
TRANS = TRANSFORMER
UG = UNDERGROUND

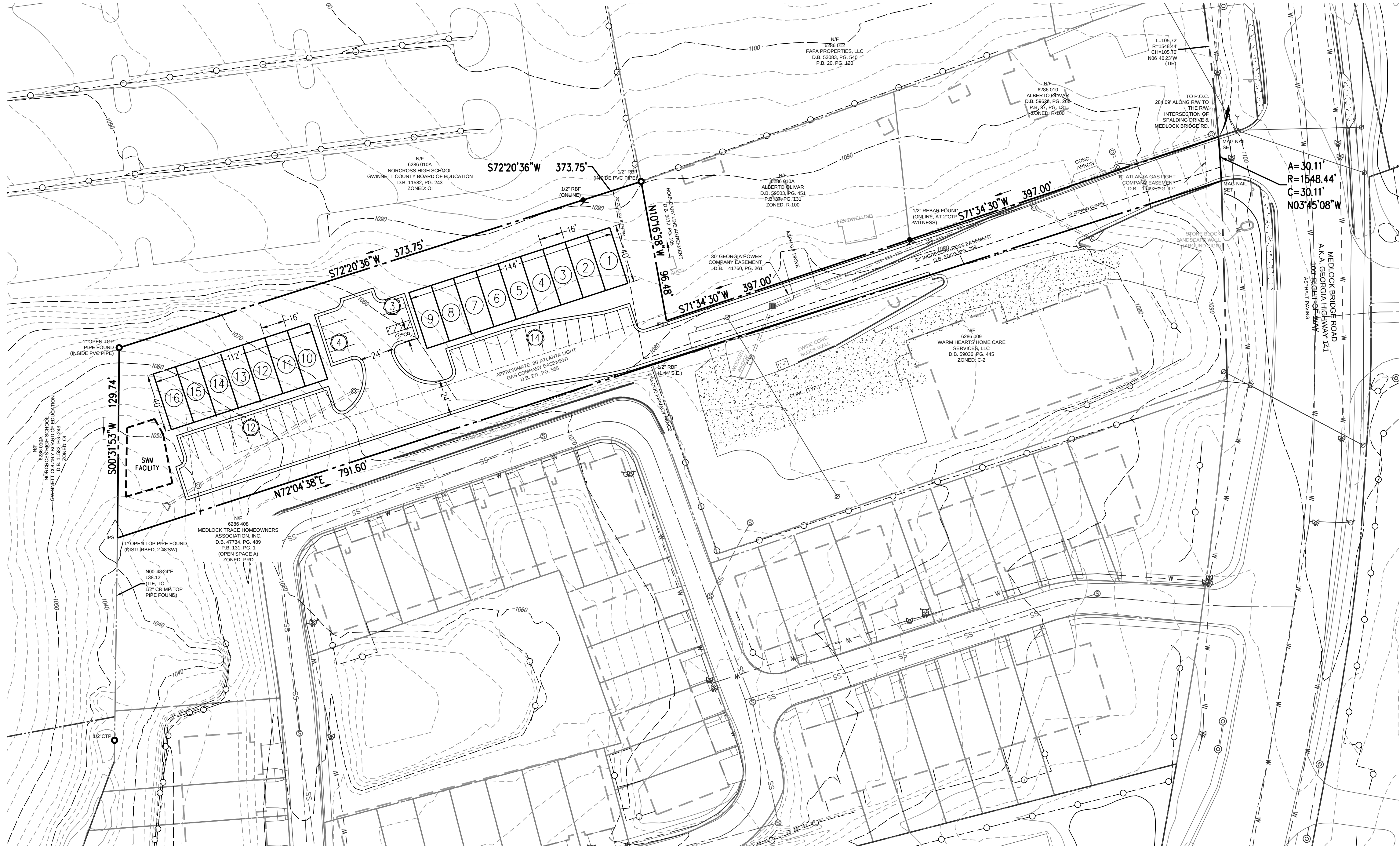
UGTM = UG TELEPHONE MARKER
WM = WATER METER
WV = WATER VALVE
YI = YARD INLET

LINE TYPES

— = BRANCH/CREEK
— = FENCE
— = GAS LINE
— = LAND LOT LINE
— = PLUGGED PIPE/STUB
— = POWER LINE
— = SANITARY SEWER LINE
— = STORM DRAINAGE LINE
— = TELEPHONE LINE
— = TRAVERSE LINE/POINT
— = WATER LINE

SYMBOLS

● = PROPERTY CORNER
d = SIGN
○ = SSMH
○ = STUB
○ = HYDRANT
○ = WATER METER
○ = WATER VALVE
○ = LIGHT POST
○ = UTILITY POLE

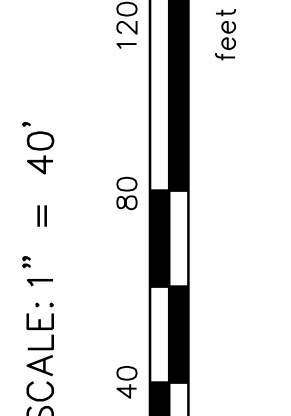


BLUE LANDWORKS
CONSULTING ENGINEERS & SURVEYORS
LICENSE # LSF0001044
5019 WEST BROAD STREET
SUITE 4020
SUGAR HILL, GEORGIA 30058
TELEPHONE: (678) 804-8586
INFO@BLUELANDWORKS.COM
WWW.BLUELANDWORKS.COM

PREPARED FOR:
GWINNETT HOUSING CORPORATION
502 GLEN EDGE DR
LAWRENCEVILLE
GA 30046

THIS PROFESSIONAL'S SEAL OR SIGNATURE IS EFFECTIVE ONLY TO THAT PERSON WHOSE NAME IS PRINTED HEREON. THIS DOCUMENT IS UNLAWFUL IF IT IS NOT SIGNED BY THE PROFESSIONAL. THE PROFESSIONAL IS NOT RESPONSIBLE FOR ANY SUBSEQUENT MODIFICATION, CORRECTION, OR UNAUTHORIZED USE OF THIS DOCUMENT. TO VERIFY THE VALIDITY OF THE SEAL/SIGNATURE, CONTACT THE

ISSUE #	DATE	REVISIONS
1	12/15/23	SUBMIT FOR REVIEW



**3385 MEDLOCK BRIDGE ROAD
NORCROSS GA 30092**

6TH LAND DISTRICT
LAND LOT(S) 286
PARCEL(S) 6286 010B
CITY OF NORCROSS
GWINNETT COUNTY, GA
JERAM, CH
CHECKED: JH

REZONING SITE PLAN

PROJECT# 2023.066

1 OF 1



REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name:

Gwinnett County Water and Sewerage Authority

Owner's Address:

684 Winder Highway

City: Lawrenceville

State: Georgia

Zip Code: 30045

Phone: 770-822-7033

Cell Phone:

Email: clyde.shackleford@gwinnettcountry.com

APPLICANT'S CONTACT INFORMATION

Applicant's Name:

Gwinnett Housing Corporation C/O W. Charles "Chuck" Ross, Esquire

Applicant's Address:

PO Box 1390

Suite:

City: Lawrenceville

State: GA

Zip Code:

30046

Phone: 770-962-0100

Cell Phone:

Email: cross@powelledwards.com

PROPERTY LOCATION

Tax Parcel Number(s): R6286 010B

Size in acres: 1.33

Address(es): 3385 Medlock Bridge Road, Norcross, Georgia 30092

Number of existing structures: 0

Number of parking spaces: 0

PROPOSED USE

Current Zoning: R-100

Requested Zoning: PRD

Date of Pre-Application Mtg: 10/24/23

Is the request in conformity with the Current Land Use Plan? ☒ Yes ☐ No

Comp Plan Designation: 3-Pinckneyville If No, Comp Plan Amendment is required

Is this site located in the National/Local Historic District? ☐ Yes ☒ No

If yes, what are the plans for the historic resources, if any, onsite N/A

Proposed Use Details:

The Applicant proposes to construct sixteen townhomes consisting of two buildings (one with nine units and one with seven units) on the 1.33-acre vacant parcel adjacent to Norcross High School and currently owned by the Gwinnett County Water and Sewerage Authority. The townhomes would be owned by the Applicant and rented to families with children attending Norcross High School. The income requirement for renters would be up to 80% of the median income for the adjacent area. The development will provide for safe access for the students to the high school.

Pursuant to Section 203-9 of the City of Norcross' Unified Development Ordinance, a total of thirty-six (36) parking places would be required. Due to the unique location of the property adjacent to the high school and the existing pedestrian and bike path infrastructures emphasized for the Pinckneyville Character Area, the Applicant requests a ten percent (10%) variance to provide for 33 parking spaces.

Further details of this proposed development and support for it may be found in the attached Letter of Intent.

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

2/20/2024

Date

CITY USE ONLY. DO NOT WRITE BELOW

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

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

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

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Criteria and Standards for Considering a Rezoning

The Mayor and City Council find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power. Please address these criteria to the best of your ability. You may use a separate sheet if necessary.

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

The adjacent properties are Norcross High School, the Medlock Trace townhome community and currently vacant parcels planned to be developed for a day care facility. The proposed use would be fully consistent with the existing uses of the adjacent properties.

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

The property is vacant land situated behind the Norcross High School parking lot. Due to its location, residential uses are really the most appropriate use. It will also be located at the end of a lightly used driveway. It will have no adverse effects upon the adjacent or nearby properties.

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

Due to the limitations of its small size and the dimensional requirements of the R100 zoning designation the current zoning would not provide for the highest and best use of this parcel. As such, while the parcel may have *some* economic use, it could not be considered *reasonable* in light of existing option such as what is proposed by the Applicant.

- 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;

To the contrary, the zoning proposal would allow for the residents to walk to school rather than being transported by bus or car. Also, it is only sixteen units, so any additional traffic would be negligible. There is also nothing unusual about the development which would place any excessive use on utilities.

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

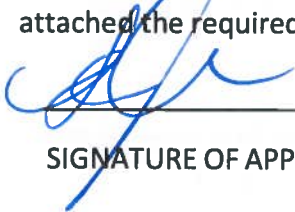
The proposed development is located within the Pinckneyville character area. This area is characterized predominantly with residential uses near the high school. This development will be able to take advantage of the existing pedestrian and bicycle network to further support the intent of this character area. Additionally, the buildings are being designed to blend in with existing uses to provide for compatibility in this area.

- 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.

This development will be operated by the Gwinnett Housing Corporation which has a track record of exceptional management and for maintaining well operating communities. This will ensure a development which will provide affordable housing with impeccable maintenance.

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.


2/20/2024 **Lejla Prljaca, Director**
 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)

Lejla Prljaca

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.

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



2/20/24

W. Charles Ross, Esquire

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)

W. Charles Ross, Esquire

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: _____

I.2.d

Attachment: Rezoning Application_GHC_3385 Medlock Bridge Rd (24-6958 : RZ2024-002 - 3385 Medlock Bridge Rd)

Please see attached Letter of Intent.



Ownership Affidavit & Designation of Agent

I. Ownership.

I, Clyde Shackelford, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) R6286 010B

Location address: 3385 Medlock Bridge Road

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of: Gwinnett County Department of Water Resources

Gwinnett County Water and Sewerage Authority

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:

Provide Names of General Partners:

Secretary of State Registration Number: _____

Name/Address of Registered Agent: _____

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.

- 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.
- 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 #: _____

• Corporation/LLC

Print Corporation/LLC Name _____

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
Phone #: _____

• Partnership

Print Partnership Name _____

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
Phone #: _____

• Government Entity

Gwinnett County Department of
Water Resources *Gwinnett County Water and Sewerage Authority*

Print Government Name _____

By: *Clyde Shackelford*
Signature

Print Name: Clyde Shackelford
Title: Real Estate and Records Management Division Director
Department: Water Resources

NOTARY INFORMATION (Please use appropriate block.)STATE OF GEORGIACOUNTY OF Gwinnett

• Individual

Before me, this 29 day of December, 2023, personally appeared Clyde Shackelford who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Government Entity

Before me, this 29 day of December, 2023, personally appeared Clyde Shackelford as _____ and on behalf of Gwinnett County, who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Corporation/LLC

Before me, this _____ day of _____, 20____, personally appeared _____ of _____ a _____ corporation/ (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

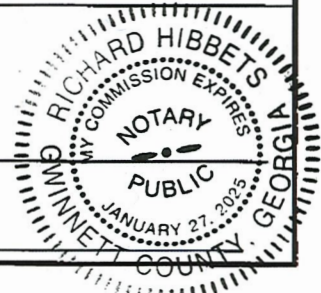
Richard Hibbets

Print Notary Name

NOTARY STAMP:

My commission expires: 1/27/2025

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



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



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6957	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	RZ2024-001 - 3391 & 3395 Medlock Bridge Rd		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - RZ2024-001 - 3391 & 3395 Medlock Bridge Rd](#)
2. [RZ2024-001 Staff Report 3391 and 3395 Medlock Bridge Rd](#)
3. [3391 and 3395 Medlock Bridge Concept Plan](#)
4. [BLG Rezoning Application Final 3391 and 3395 Medlock Bridge Rd](#)

Title

RZ2024-001 - 3391 & 3395 Medlock Bridge Rd

Drafter

Kellie Littlefield

Motion

A motion to Approve/Deny the rezoning from R100 (Single Family Residential) to C-1 (Neighborhood Commercial) at 3391 & 3395 Medlock Bridge Rd with the following conditions:

1. To restrict the use of the property to the proposed use as a daycare.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. The site plan will address ingress and egress of traffic in conjunction with the traffic associated with the townhome development.

4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council

From: Kellie Littlefield, Senior Planner

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6957

Title: RZ2024-001 - 3391 & 3395 Medlock Bridge Rd

CC: Eric Johnson, City Manager

Recommendation

Approval of rezoning from R100 (Single Family Residential) to C-1 (Neighborhood Commercial) with the following conditions:

1. To restrict the use of the property to the proposed use as a daycare.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. The site plan will address ingress and egress of traffic in conjunction with the traffic associated with the townhome development.
4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.

Background

The applicant requests to build a daycare facility.

Financial Impact

None

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
3. Maintains a Vibrant Economy and Continue to Facilitate Job Growth

Next Steps

Consider the proposal as submitted and reviewed by staff.

Attachments

RZ2024-001 Staff Report_3391 and 3395 Medlock Bridge Rd

3391 and 3395 Medlock Bridge Concept Plan

BLG Rezoning Application Final_3391 and 3395 Medlock Bridge Rd

Update



Meeting Date: 04/03/2024 at 6:30 PM

Petition Number: RZ2024-001

Project Type:	Commercial
Property Location:	3391 & 3395 Medlock Bridge Rd
Tax Parcel ID:	R6286 010 & R6286 010A
Petitioner:	Bright Learning Academy
Petitioner's Request:	Rezoning from R100 (Single Family Residential) to C-1 (Neighborhood Business)
Recommendation:	Approval with Conditions

Summary

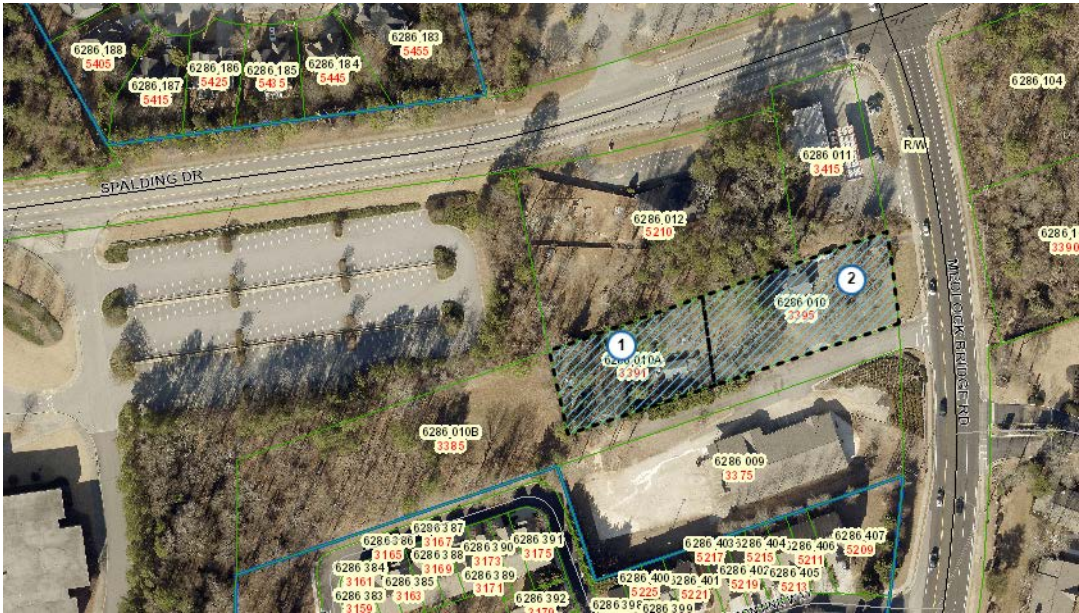
The property owner seeks to rezone the property from R100 to C1 to use the property for a daycare facility.

Timeline

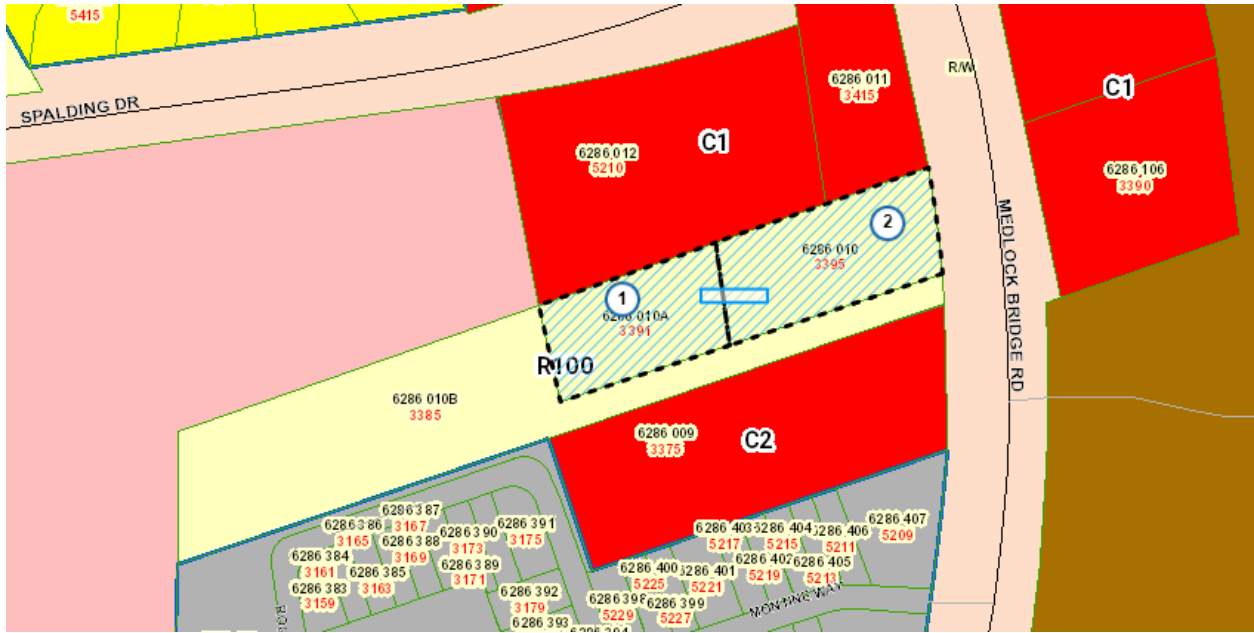
Under the UDO Section 104-3.B rezoning applications require the first review to be by the Planning and Zoning Board, followed by Mayor and Council's policy meeting and the Mayor and Council's regular meeting for final action. Below is the proposed schedule of dates.

Board	Meeting Type	Meeting	Meeting Time	Room
P&Z	Hearing	Wednesday, April 3, 2024	6:30 PM	Conference Room 2 nd Floor
M&C Policy	Meeting	Monday, April 15, 2024	6:30 PM	Conference Room 2 nd Floor
M&C Regular	Hearing	Monday, May 6, 2024	6:30 PM	Council Chambers 1 st Floor

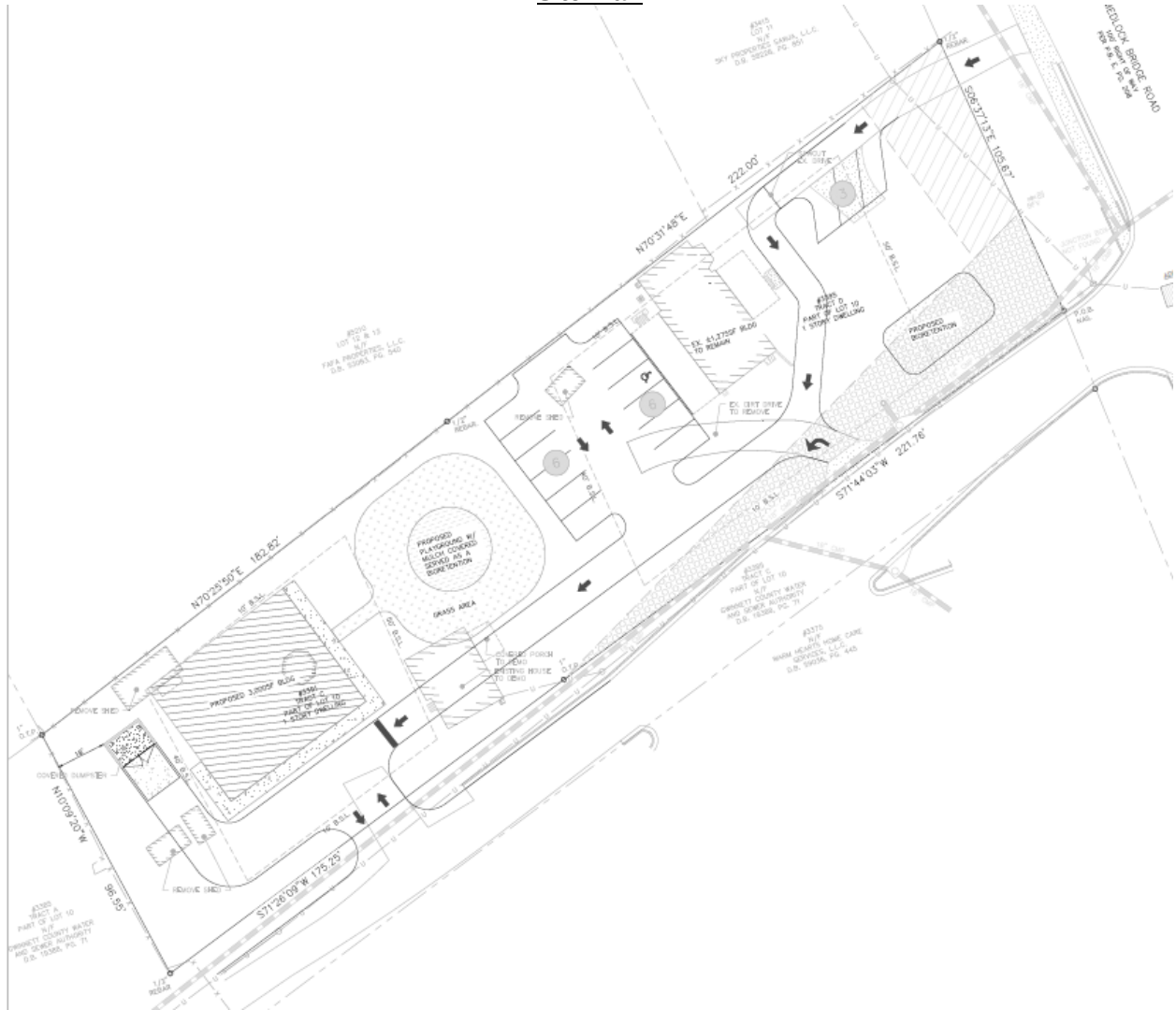
Aerial View



Zoning Map



Attachment: RZ2024-001 Staff Report_3391 and 3395 Medlock Bridge Rd (24-6957 : RZ2024-001 - 3391 & 3395 Medlock Bridge Rd)

Site Plan

PROPERTY INFORMATION	
Property Location	3391 & 3395 Medlock Bridge Road
Acreage:	0.91 acres
Existing Zoning / Land Use	R100 – Single Family Residential
Proposed Zoning / Land Use	C1 – Neighborhood Business
Character Area	3 – Pinckneyville
Existing Lot Dimensions:	Frontage: Approximately 96' along Medlock Bridge Road Depth: Approximately 398'

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	C1 – Neighborhood Commercial	5210 Spalding Drive Current location of daycare	1.29 acres
East	C1 – Neighborhood Commercial	3390 Medlock Bridge Rd Peachtree Corners	0.74 acres
West	R100 – Proposed townhomes	3385 Medlock Bridge Rd Gwinnett Housing Corp	2.16 acres
South	PRD – Planned Residential Development	Montine Way Medlock Trace Subdivision	5.07 acres

Applicant's Request

The property owner seeks to rezone the property from R100 to C1 to use the property for a daycare.

Existing Conditions

The subject property is currently improved with an office, and entrance off the adjacent property.

Project Description

The property owner seeks to use the property as a daycare, providing childcare services. The business is currently located in a complex facing Spalding Drive. The proposal allows for the business to remain in proximity to established business location.

ZONING ANALYSIS

Current Zoning

The subject property is zoned R100 (Single Family Residential). Adjacent zoning districts include PRD to the south, currently used as the Medlock Trace community. The zoning district across Medlock Bridge Rd is also C1 and is located in the City of Peachtree Corners.

Zoning Request

Rezoning the property for residential use aligns with adjacent zoning.

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 3 - Pinckneyville

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:

3 - Pinckneyville	
Low Density Residential	Places of assembly
Medium Density Residential	Transportation and communication utilities
Planned Residential Community (mixed housing types allowed)	Parks and recreation
Skilled nursing facilities (no rehab)	

B. Policy Goals

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

- *Policy 2-3: Promote walkable, bicycle friendly, safe neighborhoods.*
- *Policy 2-4: Encourage walkability, interaction among businesses, clear visibility of entryways and centralized open space.*
- *Policy 2-8: Integrate educational opportunities into parks and recreational services, public libraries, museums, and other cultural amenities*

C. Character Area Vision

The Pinckneyville Character Area contains three points that support the area's vision of which the following applies:

- *Ensure compatibility between non-residential development/redevelopment and adjoining neighborhoods through the use of buffers and transitional land uses.*

D. Land Use Definition

The Pinckneyville character area addresses commercial development, stating that Low to moderate density residential preferred, supported by small scale office and neighborhood-oriented commercial.

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?

Staff is of the opinion that the request to rezone the subject property to C1, for the purpose of a daycare, is suitable based on the existing uses of adjacent and nearby properties, which consist of neighborhood commercial and single-family detached residential units.

2) Whether the zoning proposal will adversely affect the existing use or usability of

adjacent or nearby property?

The proposed rezoning request does not have an adverse effect on existing uses or usability of nearby properties.

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

The subject property has reasonable economic use under the current R100 zoning district. The proposed project is a supporting neighborhood commercial use to existing housing.

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 foresee any excessive or burdensome use of existing streets, transportation, utilities, and schools.

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

The subject site is located within the Pinckneyville Character Area, which is intended to create cohesion between Norcross High School and adjoining residential areas. The Comprehensive Plan addresses commercial uses in the character area, and encourages mixed uses to support residential uses.

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 is a rezoning case being presented at the same meeting as this case, which is for an adjacent property which provides for a supporting use of townhomes.

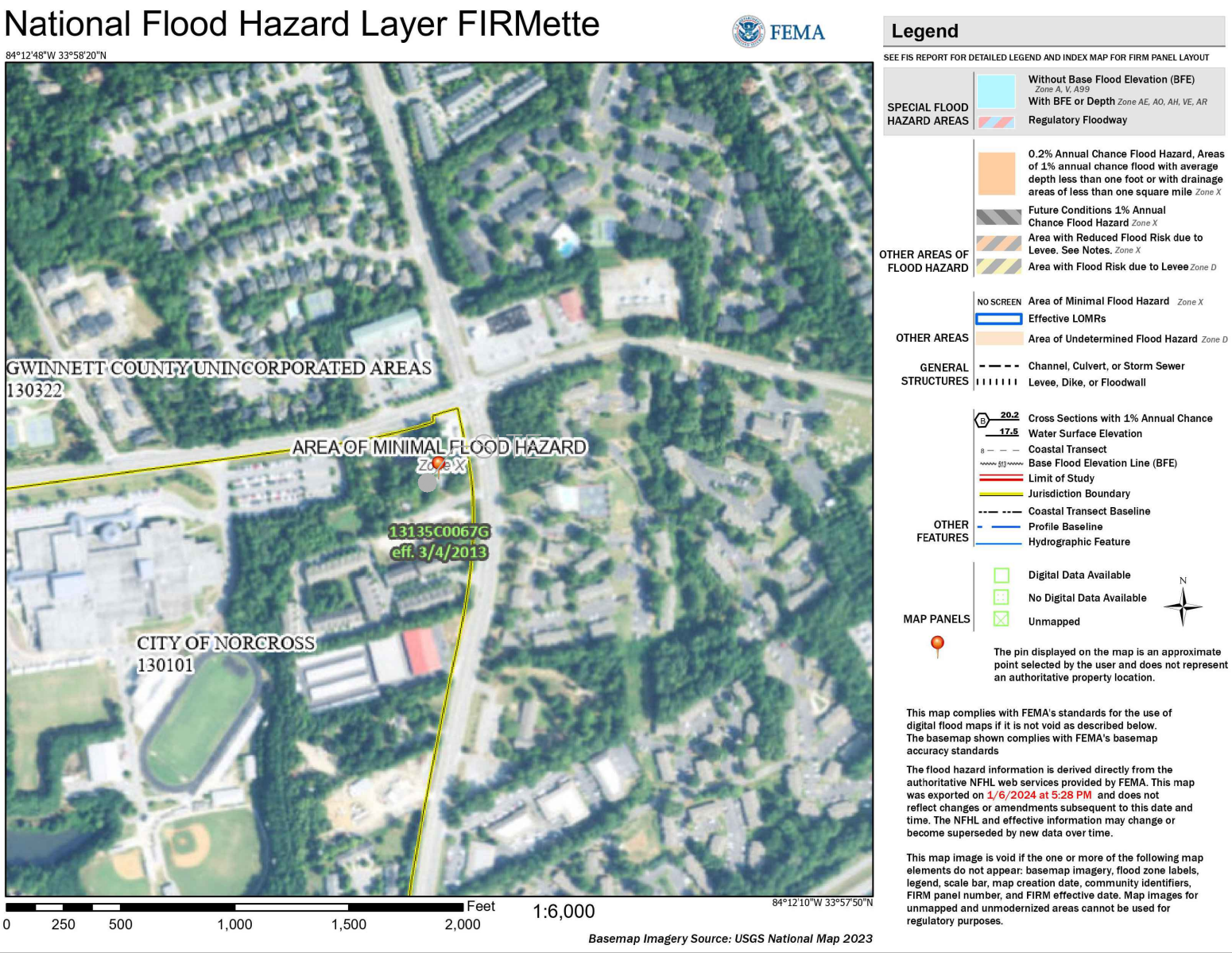
Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Section C; the proposed development appears to it meet the presented policy goals in Section B and it meets the density residential definition in Section D.

Recommendation

Staff recommends **approval** of the zoning component of RZ2024-002 subject to the following conditions:

1. To restrict the use of the property to the proposed use of a daycare.
2. The site shall be developed in accordance with the general conformity to the site plan as submitted.
3. The site plan will address ingress and egress of traffic in conjunction with the traffic associated with the townhome development.
4. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with all design standards or UDO code section not addressed in the staff report.



ZONING: R-100
PROPOSED ZONING: C1

PARCEL 1
PARCEL ID = 6286 010
ADDRESS: 3395 MEDLOCK BRIDGE
SITE AREA = 0.51 AC

PARCEL 2
PARCEL ID = 6286 010A
ADDRESS: 3391 MEDLOCK BRIDGE
SITE AREA = 0.40 AC

COMBINED TOTAL AREA = 39,830 SF (0.91 AC)

NO TREES PROPOSED TO BE REMOVED IN THIS LOT COMBINATION.

THERE ARE NO WETLANDS OR STATE WATER LOCATED WITHIN 200 FT FROM THIS PROJECT SITE.
THERE ARE NO APPLICABLE 25' OR 50' UNDISTURBED BUFFERS LOCATED WITHIN THIS PROJECT SITE.
APPROVAL OF THIS PLANS DOES NOT CONSTITUTE APPROVAL BY CITY OF NORROSS OF ANY LAND DISTURBING ACTIVITIES WITHIN WETLAND AREAS. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND DISTURBANCE.
THE RECEIVING WATER IS CROOKED CREEK.
NO BURY PIT ON SITE.

24-HR EMERGENCY CONTACT
JIALING HSU
770-733-3462

A circular professional engineer seal for the State of Georgia. The outer ring contains the text "GEORGIA" at the top and "REGISTERED" at the bottom, separated by two stars. The center of the seal contains the text "No. PE043788" and "PROFESSIONAL ENGINEER". The seal is signed with a cursive signature, "Heng-Yi Liao", across the middle.

[illegible]

SHEET DATE:
C01 01/15/24



REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name:

Alberto Olivar

Owner's Address:

3391 Medlock Bridge Road

City: Norcross State: GA Zip Code: 30092

Phone: _____ Cell Phone: _____ Email: _____

APPLICANT'S CONTACT INFORMATION

Applicant's Name:

BLG Realty Investment, LLC C/O W. Charles "Chuck" Ross, Esq.

Applicant's Address:

PO Box 1390

Suite: _____ City: Lawrenceville State: GA Zip Code: 30046

Phone: 770-962-0100 Cell Phone: 770-630-1983 Email: cross@powelledwards.com

PROPERTY LOCATION

Tax Parcel Number(s): R6286 010 & R6286 010A Size in acres: .913

Address(es): 3395 & 3391 Medlock Bridge Road

Number of existing structures: 7 Number of parking spaces: N/A at present

PROPOSED USE

Current Zoning: R100 Requested Zoning: C-1

Date of Pre-Application Mtg: 1/22/24

Is the request in conformity with the Current Land Use Plan? XXX Yes No

Comp Plan Designation: Pinckneyville If No, Comp Plan Amendment is required

Is this site located in the National/Local Historic District? Yes XXX No

If yes, what are the plans for the historic resources, if any, onsite _____

Proposed Use Details:

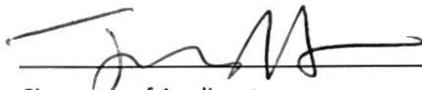
Applicant proposes to combine the two adjacent parcels and construct a 3,000 square-foot daycare/school facility with attached playground. Please see attached Letter of Intent (LOI) for further details of the project.

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

1/23/24
Date

CITY USE ONLY. DO NOT WRITE BELOW

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

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

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

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Criteria and Standards for Considering a Rezoning

The Mayor and City Council find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power. Please address these criteria to the best of your ability. You may use a separate sheet if necessary.

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

The surrounding uses are Norcross High School, a healthcare facility, proposed town homes and a service station. The Applicant already operates its facility directly behind the proposed location and there have been no issues with the use in the past.

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

As noted above, the Applicant has been operating an identical operation on adjacent property with no issues. Considering the entrance will now be moved off of a major thoroughfare onto a sparsely traveled private road, there will be no adverse effects to adjacent or nearby property.

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

Although the property may have *an* economic use as a residential parcel, it is not a *reasonable* economic use. The property owner is entitled to get the highest and best use of his property. Due to the unique shape and size of this property, allowing this property to endure as a single family residential property is not *reasonable* in light of other uses nearby.

- 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;

Relocating the day care from one adjacent parcel to another will have no effect on utilities or schools. Moving the location to a less traveled access street will decrease any burden on existing streets.

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

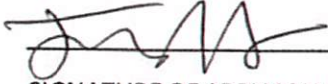
The proposed development is consistent with the City of Norcross Comprehensive Plan. The Pinckneyville Character Area is characterized as a small, safe and accessible activity center with a mix of residential, institutional and small scale commercial and office uses. This is specifically the type of use contemplated by the Plan. Further, the fact that the drop-off/pick-up access will be from a low traffic private street makes this location particularly appropriate for this character area.

- 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.

Yes, the property is extremely narrow making development of anything, even a single family home, extremely challenging. The Applicant has worked very hard to propose an extremely mindful project that supports responsible land use and sustainability.

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.


1/23/24
Jialing Hsu, Member
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE


1/23/24
W. Charles Ross, Esq.
 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)

Jialing Hsu

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.

REVISED APRIL 2019

DATE RECEIVED: _____

CASE#: _____

ACCEPTED BY: _____

I.3.d



Ownership Affidavit & Designation of Agent

I. Ownership.

I, Alberto Olivar, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) R6286 010 & R6286 010A

Location address: 3395 & 3391 Medlock Bridge Road, Norcross, Georgia 30092

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of: Alberto Olivar

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**

Provide Names of Officers/Members:

Provide Names of General Partners:

☐ **Government Entity**

Secretary of State Registration Number: _____

Name/Address of Registered Agent: _____

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: BLG Realty Investment, LLC c/o Jialing Hsu

Address: 5210 Spalding Drive, Norcross, Georgia 30092

Contact Person: W. Charles Ross, Esq.

Telephone No.: 770-962-0100

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: Alberto Olivar
Address: 3391 Medlock Bridge Road
Norcross, Georgia 30092
Phone #: _____

• Government Entity

Print Government Name _____
By: _____
Signature
Print Name: _____
Title: _____
Department: _____

• Corporation/LLC

Print Corporation/LLC Name _____
By: _____
Signature
Print Name: _____
Its: _____
Address: _____
Phone #: _____

• Partnership

Print Partnership Name _____
By: _____
Signature
Print Name: _____
Its: _____
Address: _____
Phone #: _____

NOTARY INFORMATION (Please use appropriate block.)

STATE OF GEORGIA
COUNTY OF WINNETT

• Individual

Before me, this 27 day of
DECEMBER, 2023, personally appeared
_____ who executed the
foregoing instrument, and acknowledged before me
that same was executed for the purposes therein
expressed.

• Government Entity

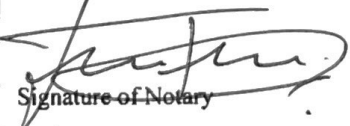
Before me, this _____ day of _____,
20____, personally appeared _____
as _____
and on behalf of _____,
who executed the foregoing instrument, and
acknowledged before me that same was executed
for the purposes therein expressed.

• Corporation/LLC

Before me, this _____ day of _____,
20____, personally appeared _____
of _____
a _____ corporation/
(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

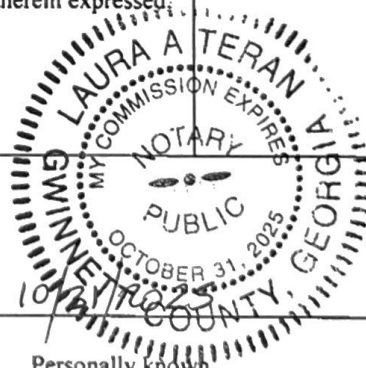
LAURA A. TERAN
Print Notary Name

NOTARY STAMP:

My commission expires: _____

Identification Method: _____ Personally known.

☒ Produced I.D. - Type: GA DL 038461168





Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6978	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Mixed Use Development Standards		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Mixed Use Development Standards](#)

Title

Mixed Use Development Standards

Drafter

Councilmember Josh Bare



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council
From: Councilmember Josh Bare
Meeting Date: May 6, 2024 – Mayor and Council
Item No.: 24-6978
Title: Mixed Use Development Standards
CC: Eric Johnson, City Manager

Recommendation Consider whether to revise the City’s language related to mixed use development and where it may apply.

Background Currently, mixed use development applies in three zoning categories: HX (historical mixed use), CX (commercial mixed use) and NX (neighborhood mixed use).

HX – Historic Mixed Use Section 201-19 – Focus is primarily on maintaining the historic character of standing buildings.

NX – Neighborhood Mixed Use Section 201-20 – Focus is primarily on providing residential products, with commercial services as a benefit or amenity.

CX – Commercial Mixed Use Section 201-22 – Focus is to provide commercial services, retail, eating, or entertainment, with residential components direct access (either onsite or within a pedestrian accessible walking distance – usually less than a quarter mile).

Mixed use development is defined as follows:

Chapter 100, Article II, Sec. 102-2 (Defined Terms)

Mixed-use development means development of a single building or single parcel to contain two or more of the following types of uses: residential, retail/commercial, office, or institutional, and in which each of such uses constitute at least 20 percent of the gross floor area, excluding accessory uses. Mixed uses may be combined vertically within the same building or placed side by side on the same parcel; provided they are in close proximity, planned as a unified and complementary whole, and functionally integrated with interconnected vehicular and pedestrian access and parking areas.

Chapter 200, Article I, Division 4 (Mixed-use and Commercial Districts)

The intent of the mixed-use and commercial districts is to encourage the creation of new, and the enhancement of, existing mixed-use and commercial areas that primarily serve a variety of retail, service and office needs at a variety of intensities.

Financial Impact: None.

Consistent with Comprehensive Plan? Goal 6 - Furthers the City's Tradition of Strong Leadership and High Level of Quality Services.

Next Steps

Attachments None.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6969	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Revised Contractual Agreement with United Futbol Academy		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Revised Contractual Agreement with United Futbol Academy](#)
2. [United Futbol Academy Contract - 2021](#)
3. [United Futbol Academy Proposed Contract - 2024](#)

Title

Revised Contractual Agreement with United Futbol Academy

Drafter

Michael Jones

Motion

A motion to Approve/Deny a revised contractual agreement between the City of Norcross and United Futbol Academy.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council
From: Michael Jones, Parks & Rec. Superintendent
Meeting Date: May 6, 2024 – Mayor and Council
Item No.: 24-6969
Title: Revised Contractual Agreement with United Futbol Academy
CC: Eric Johnson, City Manager

Recommendation

Consider a request to revise a contractual agreement between the City of Norcross and United Futbol Academy.

Background

United Futbol has been leasing Summerour soccer field since 2015 whose mission is to promote the game of soccer and to provide a memorable soccer experience for the community. 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, teams, etc. In addition, UFA is desirous of managing the premises for the city not only to promote UFA's soccer activities but to also assist in the management of the premises of the city to accommodate an organized use of the premises.

The proposed contractual agreement revisions between the City of Norcross and United Futbol Academy are as follows:

- Extend their program hours Mondays-Thursdays from 5pm-8pm to **5pm-10pm**.
- Increase their lease payment from \$1,500 to **\$1,750 per month**.
- Agrees to provide 10 recreation and **10 select scholarships** instead of 5 each that must be applied through the standard process in conformance with UFAN's procedures.
- set aside adequate training space and facilitate public use for small- sided games a minimum of **4 hours weekly** (currently 2 hours) during regular hours of operation. Adequate training space will include a **minimum of 1/2** (currently 1/4) **of a field for use**. UFAN will coordinate dates and times through the City on a regular basis as well as provide oversight of said activities.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Financial Impact

No financial impact

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
3. Increases Opportunities for Travel via Different Modes within and Outside the Community
4. Maintains a Vibrant Economy and Continue to Facilitate Job Growth
5. Ensures that Norcross Residents have a Variety of Attainable, Quality Housing Options
6. Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps

Upon Council's approval, execute the proposed contract.

Attachments

United Futbol Academy Contract - 2021

United Futbol Academy Proposed Contract - 2024

Update

**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, 5:00 to 8:00 pm.
 - B. Saturdays, 8:00 am to 8:00 pm.
 - C. Sundays, 8:00 am to 10:00 pm.
 - D. Monday through Friday, 8:00 am to 1:00 pm, when Gwinnett County Schools are not in session, particularly for the use and promotion of Summer Sports Camps. The UFA is in agreement to share $\frac{1}{4}$ of the field when requested and in partnership with UFA practices and games.

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 set aside adequate training space and facilitate public use for small-sided games a minimum of 2 hours weekly during regular hours of operation. Adequate training space will include a minimum of ¼ of a field for use. UFAN will coordinate dates and times through the City on a regular basis as well as provide oversight of said activities.
 - 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 or 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.

UNITED FUTBOL ACADEMY
AT NORCROSS, INC.



(Signature)

S. Deo Molefe Executive Director
(Printed name and title) Director

1/11/2020
(DATE)

(SEAL)

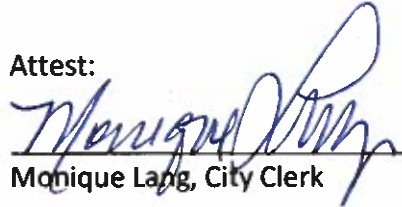
CITY OF NORCROSS



Craig Newton, Mayor
(Signature)

Craig Newton
(Printed name and title)

Attest:

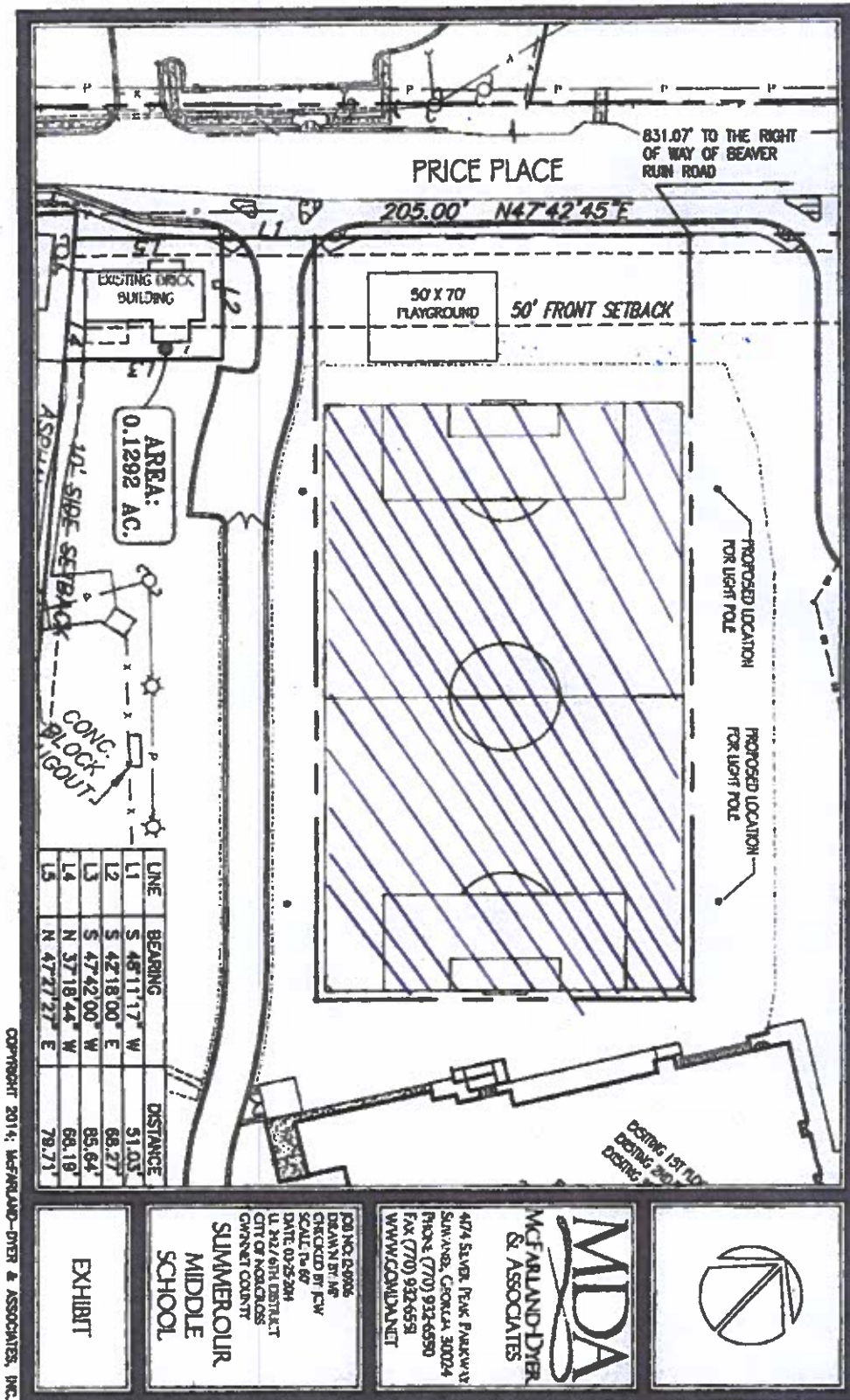


Monique Lang, City Clerk

1/12/2020
(DATE)

(SEAL)





ALL-STATE LEGAL®

A

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 March 1st, 2024 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 Run 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 March 1, 2024, through February 31, 2025, and during all renewals of this agreement during the following days and times:

- A. Monday, Tuesday, and Thursday, 5:00 to 10:00 pm.
- B. Wednesday, 5:00 to 8:00 pm.
- C. Saturdays, 8:00 am to 8:00 pm.
- D. Sundays, 8:00 am to 10:00 pm.
- E. Monday through Friday, 8:00 am to 1:00 pm, when Gwinnett County Schools are not in session, particularly for the use and promotion of Summer Sports Camps. The UFA is in agreement to share 1/4 of the field when requested and in partnership with UFA practices and games.

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 \$1,750 per month during the term of this Management Agreement and any renewals thereof.
- B. UFAN agrees to provide five (10) recreational and five (10) Select scholarships that must be applied for through the standard process in conformance with UFANs' 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 set aside adequate training space and facilitate public use for small- sided games a minimum of 4 hours weekly during regular hours of operation. Adequate training space will include a minimum of 1/2 of a field for use. UFAN will coordinate dates and times through the City on a regular basis as well as provide oversight of said activities.
- G. 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.
- H. 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 al 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 al 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 al 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 al 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 ni 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 al 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 ni 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 al 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:** fl 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 terminates 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 (it 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 shall 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 or 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.

UNITED FUTBOL ACADEMY
AT NORCROSS, INC.

CITY OF NORCROSS

S. Deo Moleka
(Signature)

Craig Newton, Mayor
(Signature)

S. Deo Moleka
Executive Director of Business Development
(Printed name and title)

Craig Newton, Mayor
(Printed name and title)

Attest:

(DATE)

(DATE)

(SEAL)

(SEAL)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6970	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	ADA Ramp at Norcross Gallery and Studios		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - ADA Ramp at Norcross Gallery and Studios](#)
2. [ADA Checklist for Existing Facilities](#)
3. [Vendor Quote](#)

Title

ADA Ramp at Norcross Gallery and Studios

Drafter

Donald Maxwell

Motion

A motion to Approve/Deny the construction of a rounded ADA-compliant accessible ramp for wheelchair users at Norcross Gallery & Studios, at the cost of \$16,155, funded by the Capital project fund established for AC units.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council

From: Donald Maxwell, Stormwater Superintendent

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6970

Title: ADA-Compliant Ramp at Norcross Gallery & Studios

CC: Eric Johnson, City Manager

Recommendation

Build (The Americans with Disabilities Act) ADA-compliant accessible ramp for wheelchair users at Norcross Gallery & Studios – 116 Carlyle St NW, Norcross GA 30071.

Background

Rebuild current ramp to meet ADA standards. In an effort to continue to strengthen the City of Norcross as a livable, inclusive, and safe environment, the Norcross Gallery & Studios is requesting an ADA-compliant accessible ramp for their wheelchair users. City Staff is requesting a budget adjustment for this project.

Financial Impact

\$14,780 for a squared ramp
 \$16,155 for a rounded ramp
 (Not included in FY24 budget)

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Next Steps

Obtain three quotes and contract with the lowest, qualified vendor to complete to build the ramp.

Attachments

ADA Checklist for Existing Facilities
Vendor Quote

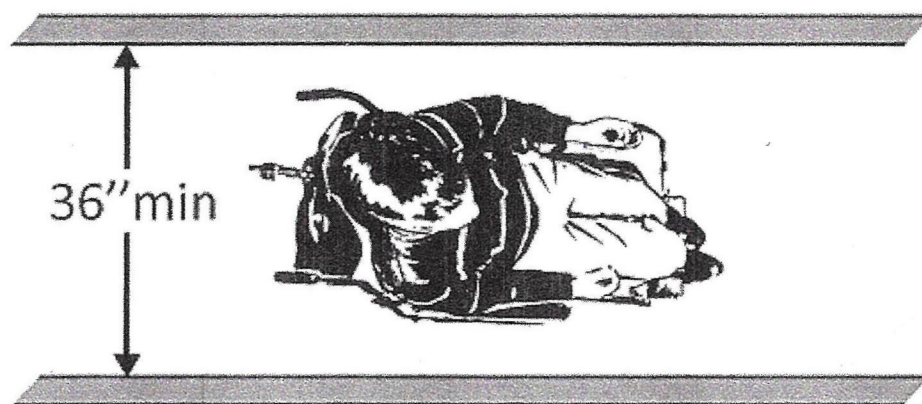
Update

N/A

ADA Checklist for Existing Facilities

Priority 1 – Approach & Entrance

Based on the 2010 ADA Standards for Accessible Design



Project Norcross Gallery & Studios- Accessibility

Building Norcross Gallery & Studios

Location 116 Carlyle St NW Norcross, GA 30071

Date 7/22/2023, 7/27/2023, 8/5/2023

Surveyors Kathryn Heller, Linda Lasley, Ed Heller

Contact Information 770-840-9844

An accessible route from site arrival points and an accessible entrance should be provided for everyone.

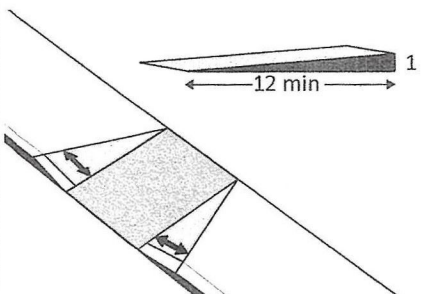


Institute for Human Centered Design
www.HumanCenteredDesign.org

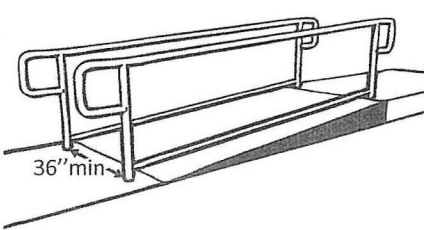
Copyright © 2016

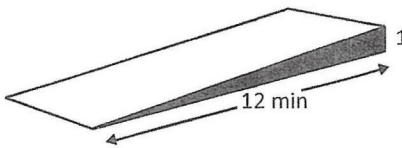
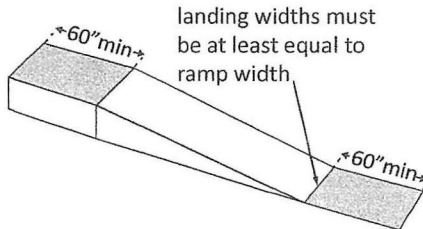


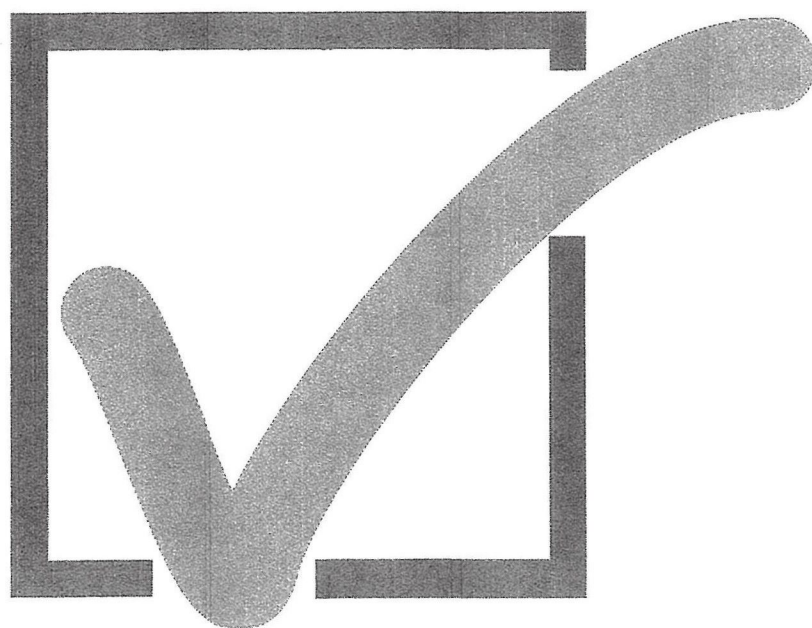
ADA National Network
Questions on the ADA 800-949-4232 voice/tty
www.ADAchecklist.org

inch of height change there are at least 10 inches of flare run? [406.3]			Photo #:	
1.24 If the landing at the top is less than 36 inches long, are there curb ramp flares? Are the slopes of the flares no greater than 1:12, i.e. for every inch of height change there are at least 12 inches of flare run? [406.4]	☐ Yes ☐ No ☐ Yes ☐ No Measurement:		N/A Photo #:	• Add ramp flares • Regrade flares •

Ramps If any portion of the accessible route is steeper than 1:20, it should be treated as a ramp.

1.25 If there is a ramp is it at least 36 inches wide? [405.5] Note: If there are handrails, measure between the handrails.	☒ Yes ☐ No Measurement: 36		Photo #:	• Alter ramp • •
1.26 Is the surface stable, firm and slip resistant? [405.4]	☒ Yes ☐ No		Photo #:	• Resurface ramp • •

1.27 For each section of the ramp, is the running slope no greater than 1:12, i.e. for every inch of height change there are at least 12 inches of ramp run? [405.2] Note: Rises no greater than 3 inches with a slope no steeper than 1:8 and rises no greater than 6 inches with a slope no steeper than 1:10 are permitted when such slopes are necessary due to space limitations.	☒ Yes ☐ No Measurement: 1:12, 1:14		Photo #:	• Relocate ramp • Lengthen ramp to decrease slope •
1.28 Is there a level landing that is at least 60 inches long and at least as wide as the ramp: At the top of the ramp? At the bottom of the ramp? [405.7.2, 405.7.3]	☐ Yes ☒ No Measurement: ☒ Yes ☐ No Measurement:		Although level landings are at least as wide as the ramp, the top of ramp is 30 inches long. Photo #:	• Alter ramp • Relocate ramp •



ADA Checklist for Existing Facilities

Based on the 2010 ADA Standards for Accessible Design



Produced by
Institute for Human Centered Design
www.HumanCenteredDesign.org

www.ADAchecklist.org
Copyright © 2016



ADA National Network
www.ADAta.org

Questions on the ADA 800-949-4232 voice/tty
Questions on checklist 617-695-0085 voice/tty
ADAinfo@NewEnglandADA.org

CURB-TECH, INC.

www.curb-tech.net
P O Box 2697
Cumming, GA 30028

PROPOSAL

NAME / ADDRESS
City of Norcross 65 Lawrenceville St. Norcross, GA 30071

Date	Proposal No.
3/17/2024	5018

PROJECT	165 Ruth Street 2024 116 CARLYLE ST.
---------	---

DESCRIPTION	QTY	COST	TOTAL
Demo Existing Walk, Stairs, Rails as required	1	1,350.00	1,350.00
20 cy. Dumpster for Debris Removal	2	555.00	1,110.00
4" 3000 lb. Concrete Sidewalk	300	8.50	2,550.00
8" Concrete Walls as required	1	1,850.00	1,850.00
2" Galvanized Pipe Handrails	88	50.00	4,400.00
1" Lower Pipe Rail	88	40.00	3,520.00
Priced as Drawn, Option to Curve all landings and handrails to match add \$ 1675.00. Total Project \$ 16,155.00 Price is good for 60 days.			
TOTAL			\$14,780.00

CONDITIONS:

- Payment to be made, based on field measured quantities, upon completion of each phase of construction and accepted by County/City Government.
- All grading to be +/- .2 of one foot. Additional grading, if required, @ \$95.00/hr.
- All engineering to be done by others. Not responsible for sub grade compaction.
- Curb stakes to be placed at 4' offsets.
- All storm sewer boxes to be set to correct grade and alignment to avoid additional cost.
- This proposal may be withdrawn if not accepted within 30 days HOWEVER subject to change if concrete prices change. Surcharges may apply, i.e., fuel, environmental fees.

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED.
PAYMENT WILL BE MADE AS OUTLINED ABOVE.

ACCEPTED BY (SIGNATURE): _____ DATE ACCEPTED: _____

232

Attachment: Vendor Quote (24-6970 : ADA Ramp at Norcross Gallery and Studios)



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6972	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Pinnacle Forest Preserve and Fickling Pond Forest Preserve		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Pinnacle Forest Preserve and Fickling Pond Forest Preserve](#)
2. [Fickling Pond Property](#)
3. [Fickling Pond Street Side](#)
4. [Fickling Pond GIS](#)
5. [Fickling Pond Aerial View](#)
6. [Pinnacle Court Street Side](#)
7. [Pinnacle Court Property](#)
8. [Pinnacle Forest Aerial View](#)
9. [Pinnacle Forest GIS](#)

Title

Pinnacle Forest Preserve and Fickling Pond Forest Preserve

Drafter

Shahin Khalili

Motion

A motion to Approve/Deny Pinnacle Forest Preserve and Fickling Pond Forest Preserve to be designated as “Forest Preserves.”



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

Agenda Report

To: Mayor and Council

From: Shahin Khalili, City Arborist

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6972

Title: Pinnacle Forest Preserve and Fickling Pond Forest Preserve

CC: Eric Johnson, City Manager

Recommendation

A request for two city-owned properties to be designated as “Forest Preserves.”

Background

Two separate properties, Parcel ID 6213 069(Pinnacle Court) and Parcel ID 6273 001(Longview Drive), are city owned parcels, with creeks, flood zones, and sewer easements throughout. It is at the recommendation of city staff and multiple resident boards to designate these parcels as forest preserves (“Pinnacle Forest Preserve” and “Fickling Pond Forest Reserve”, respectively), so that they can be brought into the Parks system.

Financial Impact:

None

Consistent with Comprehensive Plan?

(Select the appropriate goal(s).

1. Continues to define Norcross’ sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
3. Furthers the City’s Tradition of Strong Leadership and High Level of Quality Services

Attachments

Fickling Pond Property
Fickling Pond Street Side
Fickling Pond GIS
Fickling Pond Aerial View
Pinnacle Court Street Side
Pinnacle Court Property
Pinnacle Forest Aerial View
Pinnacle Forest GIS

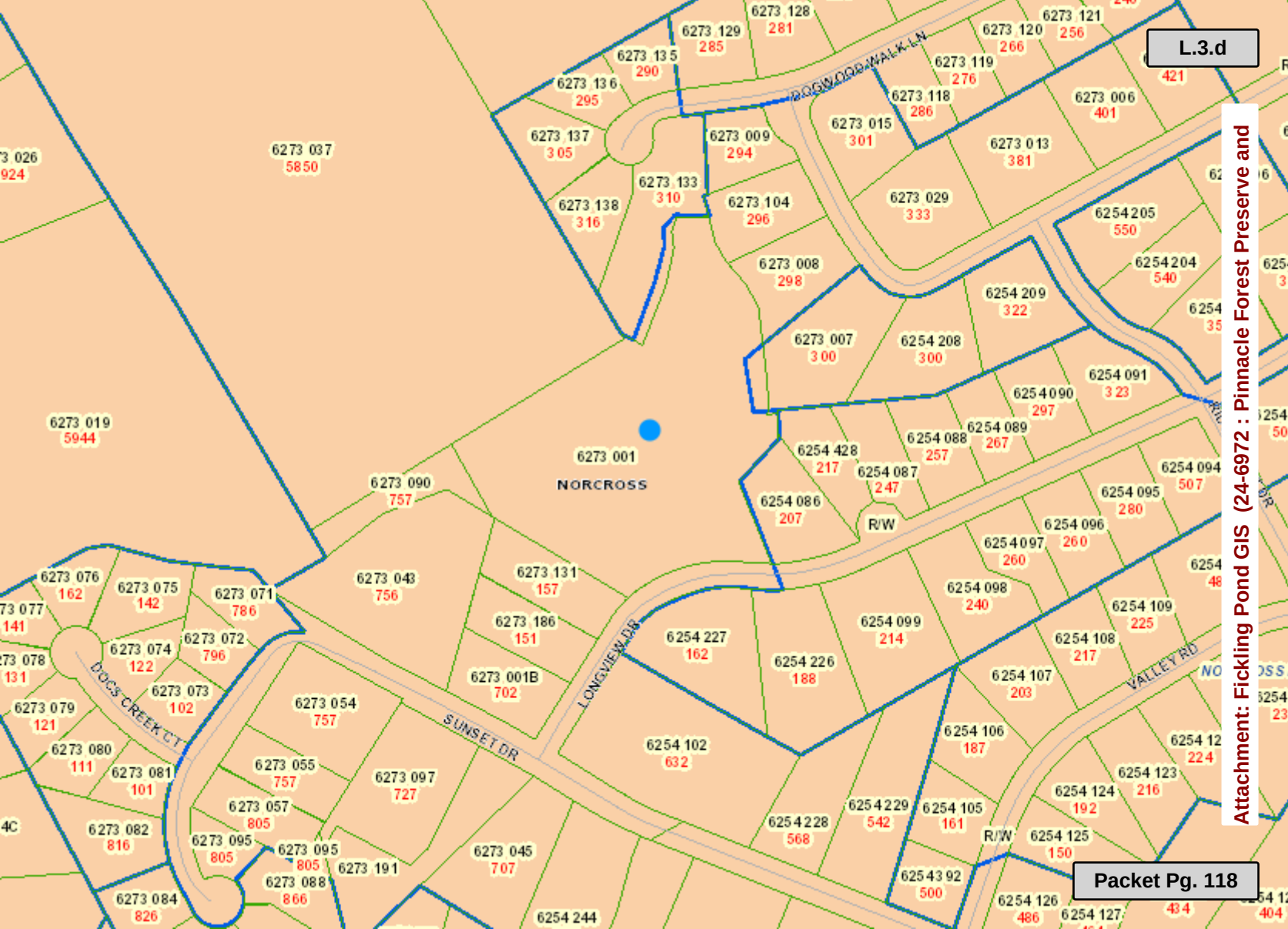
Next Steps

If approved by Council, these properties will become designated as “Forest Preserves” and their future management and plans can be adopted and implemented by the Parks system.

Update







L3.d

Attachment: Fickling Pond GIS (24-6972 : Pinnacle Forest Preserve and



L3.e

Attachment: Fickling Pond Aerial View (24-6972 : Pinnacle Forest Preserve and Fickling Pond Forest

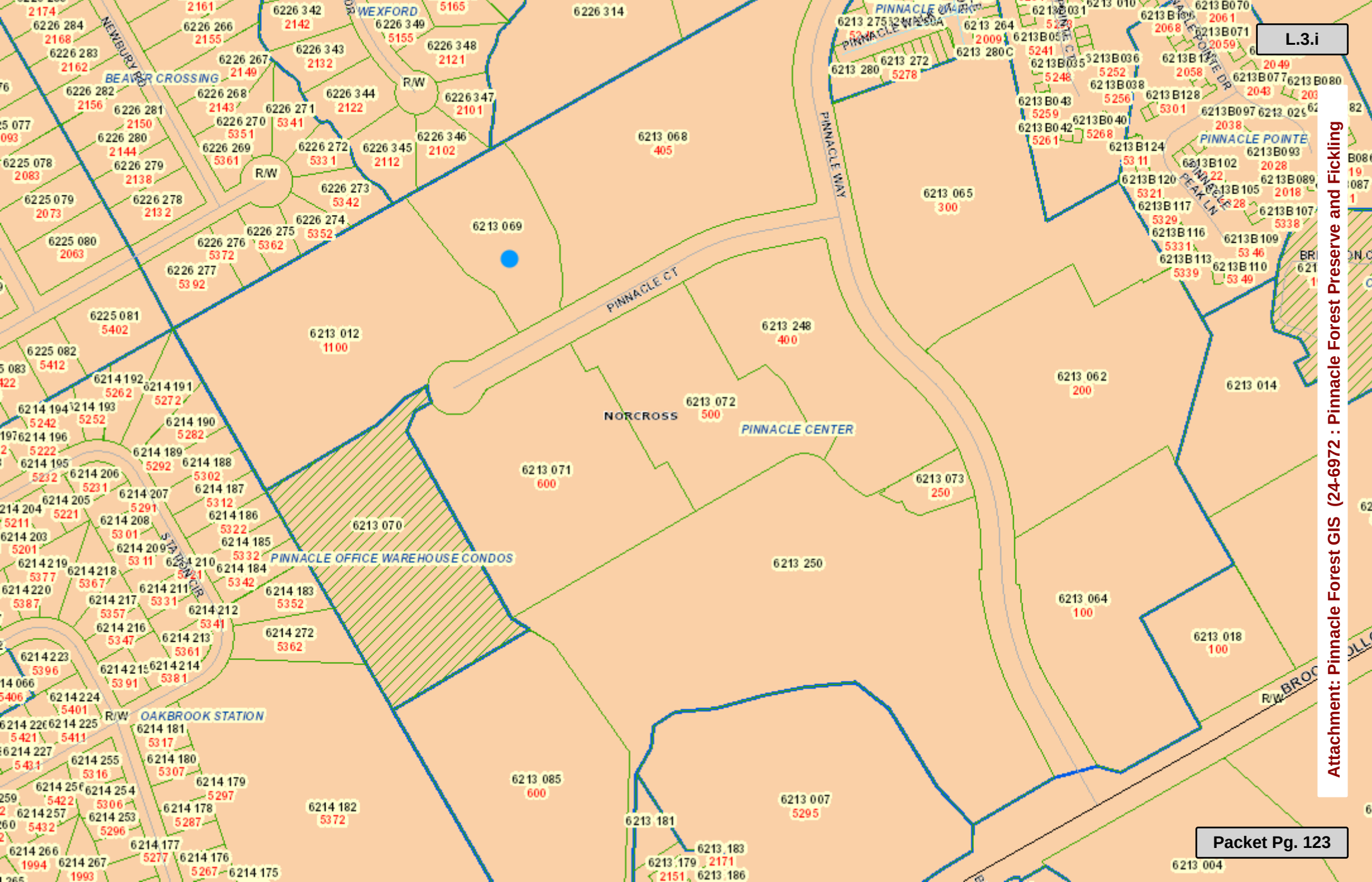






L3.h

Attachment: Pinnacle Forest Aerial View (24-6972 : Pinnacle



L3.i

Attachment: Pinnacle Forest GIS (24-6972 : Pinnacle Forest Preserve and Fickling



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6971	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	State of Georgia Law Enforcement Certification Program Contract Renewal		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - State of Georgia Law Enforcement Certification Program Contract Renewal](#)
2. [Agency Application Agreement - State Certification](#)

Title

State of Georgia Law Enforcement Certification Program Contract Renewal

Drafter

Beverly Parnell

Motion

A motion to Approve/Deny the renewal of a contract for the State of Georgia Law Enforcement Certification Program, to be executed by the Mayor.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

Agenda Report

To: Mayor and Council

From: Beverly Parnell, Captain

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6971

Title: State of Georgia law enforcement certification program contract renewal

CC: Eric Johnson, City Manager

Bill Grogan, Chief of Police

Recommendation

Approve State of Georgia law enforcement certification program contract renewal.

Background

The Norcross Police Department participates in Georgia Law Enforcement Certification Program through the Georgia Chief's Association. Our last contract was signed in 2021. We have just started a new cycle of Certification and the new contract needs to be signed. The State Certification Program has standards covering nine (9) chapters deemed to be essential to the efficient and effective operation of law enforcement agencies. The standards are fluid and up-to-date based on changes occurring in law enforcement. Participating agencies are expected to implement all standards.

Financial Impact:

The overall price increased from \$375 per year to \$445 per year beginning in 2024.

Consistent with Comprehensive Plan?

Yes, it is consistent with Goal 6 as it furthers strong leadership and insures a high level of quality services.

Attachments

Agency Application Agreement – State Certification

Next Steps

Mayor's signature

Update

N/A

Georgia Law Enforcement Certification Program AGENCY APPLICATION & PARTICIPATION AGREEMENT



The Agency Application and Participation Agreement (hereinafter the "Agreement") is entered into between the:

Norcross Police Department

(hereinafter referred to as the "Agency") and the Georgia Association of Chiefs of Police (hereinafter referred to as the "Association").

I. APPLICATION

The Norcross Police Department ("Agency") hereby applies to participate in the Georgia Law Enforcement Certification Program (GLECP) and affirms that it is committed to earning certification in accordance with the requirements set forth by the Association. The Agency and the Association agree to the provisions and terms set forth in this Agency Application and Participation Agreement, and to be bound by them in the execution of the Agreement.

A. AGENCY

Name of Law Enforcement Agency:

Norcross Police Department

Address:

65 Lawrenceville St

Norcross, GA 30071

Telephone: (770) 448-2111

Cell: _____

County: Gwinnett

Number of Authorized Full-time Sworn Personnel: 49

Number of Authorized Full-time Civilian Personnel: 20

Number of Authorized Part-time Sworn Personnel: 1

Number of Authorized Part-time Civilian Personnel: 1

Service Area Population: 17,706 Square Miles: 6.2
 Agency Chief Executive Officer: Chief Bill Grogan

Certification Contact Person: Samantha Khamphavongsa
 Telephone: (770) 448-2111 CELL: _____
 E-mail: samantha.khamphavongsa@norcrosspd.com

All correspondence should be sent to the agency at: (if different from above):

B. ASSOCIATION

The official address of the Association for all matters relating to the Certification Program is:

Ed Densmore
 State Certification Coordinator
 Georgia Association of Chiefs of Police
 3500 Duluth Park Lane
 Suite 700
 Duluth, Georgia 30096
 Telephone: 770-495-9650
 E-mail: certification@gachiefs.com

II. PARTICIPATION AGREEMENT

The Agency and Association agree as follows:

A. PURPOSE AND LIMITATIONS OF THIS AGREEMENT

1. The purpose of this Agreement is to establish the terms of the relationship between the Agency and the Association and to establish their mutual responsibilities in the certification process.
2. It is understood that the Agency is not legally bound to participate in the Certification Program and that any responsibilities or expenses incurred by the Agency pursuant to this Agreement have been assumed voluntarily.
3. It is further understood that the Agency participation in the Certification Program is contingent upon the continued approval of the chief executive officer of the Agency and the governing body.

B. AGENCY RESPONSIBILITIES

The Agency agrees to:

1. Provide all information requested by the Association in good faith and to the best of the Agency's knowledge and honest judgment. Such information should include documents, files, records, and other data required by the Association insofar as they may be provided in accordance with the laws and regulations of the State of Georgia and of the municipality/county of which the agency is a part.
2. Cooperate fully with the Association assessors during the on-site verification of the Agency's compliance with program standards. The agency further agrees to provide all necessary files, records, and facilities requested by the assessors.
3. Pay the Association a non-refundable application fee based on the size of the agency.
 - Less than 25 full-time, sworn officers - \$375
 - 25-99 full-time, sworn officers - \$445
 - 100-199 full-time, sworn officers - \$515
 - 200+ full-time, sworn officers - \$600

The application expires three (3) years from the date of execution. The application fee is waived upon agency recertification. Application fee payable by check should accompany the application agreement. Application fee payable by credit card may be handled by email to have an invoice created.

4. Pay for the costs of assessors' travel, including gas, lodging, and parking, and seventy-five dollar (\$75) per diem per day for the Team Leader and fifty dollar (\$50) per diem per day for the assessor to cover meals and incidentals during the on-site evaluation. The per diem should be available to the assessment team upon their arrival at the agency.
5. If an agency is awarded a conditional certification by the Joint Review Committee (JRC) and a re-visit is necessary to ensure compliance with any standard(s) found not in compliance during the initial on-site, the agency shall be responsible for a fifty dollar (\$50) per diem fee for the assessor conducting the re-visit.
6. Once certified, pay the Association an annual fee based on agency size during the entire certification period. The agency will be invoiced in January

with a due date of sixty (60) days from the date of the invoice. (See "F. PENALTIES")

7. Agency will provide a minimum of one State Certified Assessor. If the agency has less than twenty (20) authorized personnel, this requirement is not applicable.
8. In order to maintain the integrity of the GLECP, the Association retains the right to conduct a follow-up inspection of an agency's certification files at any time during the 36-month contract period (48 months for CALEA Agencies) after the agency is awarded certification. This inspection shall be done by the Coordinator of the GLECP, or his/her designee. The purpose of this inspection is to ensure that the certified agency is maintaining certification files on a timely and consistent basis. This inspection in no way constitutes any type of mock assessment nor is the agency responsible for any expenses. If, in the opinion of the person conducting the inspection, the files are found to be inadequate or insufficient, a letter to the CEO will be sent from the Association to inform the CEO of potential problems with the certification files. The purpose of this inspection is to help agencies with difficult standards and to maintain a level of performance and transparency needed to retain future certification.

C. ASSOCIATION RESPONSIBILITIES

The Association agrees to:

1. Provide all publications, documents, forms, instructions, and assistance as necessary for the Agency to participate in the certification process.
2. Provide trained assessors to the Agency for the purposes of conducting an on-site assessment of Agency compliance with relevant standards.
3. Review and evaluate all information and findings obtained from the assessment and advise the Agency of the results thereof.
4. Provide formal certification and other necessary materials to the Agency in recognition of the certification status.
5. If certification is not granted, advise the Agency of the reason for denial and the necessary steps to gain certification.
6. Send the Agency an invoice for the annual fee once the Agency is certified.

D. LENGTH OF CERTIFICATION

Certification shall be for a period of 36 months. Agencies wishing to be re-certified at the end of this term will be expected to follow a procedure similar to the initial certification process and to comply with all guidelines then in effect. Agencies that are accredited by CALEA and under a four-year cycle may opt to move to a four-year cycle in certification.

E. MAINTENANCE OF AGENCY CERTIFICATION STATUS

1. Upon Certification by the Association, the Agency shall maintain compliance with all certification standards.
2. The Agency agrees to submit an annual report attesting to its continued compliance with all applicable standards. The Agency will notify the Association in the event that it cannot maintain compliance with any of the required standard(s).

F. PENALTIES

1. Certified Agencies that fail to pay the annual fee within sixty (60) days of the invoice date will be invoiced an additional penalty fee of twenty-five dollars (\$25.00). If the annual fee has not been paid within ninety (90) days of the invoice date, the Agency's Certification may be suspended by the Joint Review Committee.
2. An agency is prohibited from representing themselves as a state certified agency if they are no longer certified. If an agency loses their certification or voluntarily withdraws from the process, they have thirty (30) days to remove any certification decals from their patrol vehicles, remove the certification pins from their uniforms, and remove the certification logo from their website or stationery that identifies them as a state certified agency.

G. MISCELLANEOUS

1. This agreement shall take effect upon execution by authorized representatives of the Agency and the Association.
2. The Agency retains the right to terminate this Agreement for any reason by submitting written notice to the Association that the Agency intends to withdraw from the certification process. In this event, all fees and costs paid

to the Association by the Agency during and in connection with the certification process are nonrefundable.

3. The Association retains the right to terminate this Agreement if it determines that the Agency is not acting in good faith to honor the terms of the Agreement. The Association will submit written notice to the Agency's Chief Executive Officer if it chooses to exercise this privilege.
4. This document contains the full agreement of both parties. The parties to this Agreement acknowledge that there are no provisions, terms, or obligations other than those set forth herein.
5. The Georgia Association of Chiefs of Police or its designee will act on behalf of and in the name of the Association in all matters pursuant to this Agreement.
6. All disputes relative to this Agreement or any other matters pertaining to certification will be resolved by the Association following a hearing in which Agency representatives may participate.
7. Unless otherwise terminated by the Association or the Agency, this Agreement shall terminate on the _____ day of _____, _____. (To be completed by the Association).

III. EXECUTION OF AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year appearing opposite the respective signatures.

Georgia Association of Chiefs of Police:

Signature / State Certification Coordinator Date

Agency Chief Executive Officer:

Signature / Title Date

Governmental Body Chief Executive Officer:

Signature / Title Date



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6953	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Training and Travel Expenses Policy		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Training and Travel Expenses Policy](#)
2. [Current Travel Expenses Policy](#)
3. [Proposed Training and Travel Expenses Policy](#)

Title

Training and Travel Expenses Policy

Drafter

Charlene Marsh

Motion

A motion to Approve/Deny an amendment to the City of Norcross Financial Management Policies, Part II, Section IV, as presented in the document entitled “Proposed Training and Travel Expenses Policy.”



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council

From: Charlene Marsh, Assistant to the City Manager

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6953

Title: Training and Travel Expenses Policy

CC: Eric Johnson, City Manager

Recommendation Approve an amendment to the City of Norcross Financial Management Policies, Part II, Section IV, as presented in the document entitled “Proposed Training and Travel Expenses Policy.”

Background At the March 18, 2024 policy work session, mayor and council received an update from staff on proposed changes to the City’s travel expenses policy, which applies to mayor and council, city staff, and board and authority members who travel at the expense of the City. The travel expense policy is currently found in the City’s Financial Policies, which were last updated in 2014. The recommended changes are intended to address inconsistencies and holes in the current policy that inhibit proper authorization of travel expense and to provide consistent and clear guidance on travel-related processes and procedures. The policy will be supplemented by procedures laid out in a travel guide that will both further define how the policy will be applied while making it easier to update those procedures as new technologies and practices emerge.

The major issues covered by the revised policy are summarized below:

Authorization: No changes have been made to travel authorization.

Prepayment of travel expenses: The proposed policy includes a statement on the prepayment of eligible expenses (lodging, registration, and common carrier transportation) to avoid payment of sales or in-state hotel/motel taxes by the City via reimbursement.

Lodging: Under the current policy, the City will pay for a single occupancy hotel room for travel that requires overnight absence more than 50 road miles from City Hall, limited to the conference rate if available. No changes are recommended.

Transportation: A new section for transportation is recommended. The current policy does not include guidance on travel expenses associated with use of a City-owned vehicle or a personal vehicle. The proposed section outlines the use of the Internal Revenue Service’s mileage reimbursement rate for use of a personal vehicle and fuel cost reimbursements for miles driven in a city vehicle, which is the preferred method of transportation. Travelers who request IRS

mileage reimbursement will forfeit reimbursement for fuel, and vice versa. The newly proposed section also addresses evolutions in technology by including the use of ridesharing services as an eligible travel expense.

Meals and Incidentals: The City's current approach to reimbursement of meal expenses is receipt-based with no spending maximum. The proposed policy follows the General Services Administration's guidance for city-specific per diem amounts for meals and incidentals for overnight travel. For daily travel, travelers will be eligible for reimbursement at respective city's meal rate if a meal is not provided. No receipts will be required for reimbursement of meals and incidentals expense on a per diem basis.

Daily Travel: The proposed policy defines daily travel as a single day business trip that is less than 50 miles from the City and requires absence from the City for more than four hours.

Travel Advances: The current policy includes guidance for the administration of travel advances. The proposed policy changes the timeline for submission of requests to the Finance Department from one week in advance of travel to two weeks in advance of travel.

Georgia Public Safety Training Center (GPSTC): The proposed policy includes a carve-out for meal and lodging expenses at GPSTC due to the location's unique approach to such costs.

City Credit Cards: Currently, City employees with City-issued credit cards utilize the cards while on travel. Under the proposed policy, usage of city credit cards for meals and incidentals while traveling will be replaced by cash advances or reimbursements in keeping with a per diem approach.

Financial Impact: Overall, no specific impact is projected. GSA has used a per diem approach for decades that facilitates travel anywhere in the Continental US or abroad. It simplifies record-keeping and discourages frivolous spending.

Consistent with Comprehensive Plan? Goal 6 - Furthers the City's Tradition of Strong Leadership and High Level of Quality Services.

Attachments

Current Travel Expenses Policy

Proposed Training and Travel Expenses Policy

Next Steps Detailed travel procedures will be developed and published for the use of authorized travelers. Additionally, new authorization and expense summary forms will be created: one form for overnight travel expenses, one form for daily travel expenses, and one form for non-travel expense reimbursement.

Update

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

- B. Neither the Mayor, nor any members of the City Council, nor City employee shall be authorized under any circumstances whatsoever to be reimbursed with City funds for any expenditure, donation or contribution for purely charitable purposes except as specifically authorized in this section.

SECTION VI. TRAVEL EXPENSES

Purpose

These provisions establish the policy governing authorized travel for employees, members of the Norcross Council, and other authorized persons who travel at the expense of the City of Norcross. In conjunction with the annual budget process, the City Council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. Departments shall not incur travel expenditures unless an appropriation is available, or budget amendment has been completed. This policy will provide control functions, assure proper record keeping and ensure fiscal responsibility whenever training is required.

Definitions

For the purpose of this policy and procedure, the following words or phrases shall mean:

A. **Authorized Travelers**

- Council members. Officials serving on the City Council, including the Mayor.
- City employees. An individual filling an authorized position in the City, other than Council members.
- Members of boards and authorities who travel on City related educational seminars and training will fall under these guidelines.

- B. **Business Client.** Any person, other than a Council member, employee, or other traveler, who receives the services of or is subject to solicitation by the City in connection with the performance of its lawful duties; and other business, financial, promotional, or other persons affiliated with the City.

- C. **Common Carrier.** Train, bus, commercial airline operating scheduled flights, or rental cars of an established rental car firm.

- D. **Complimentary Upgrade.** Any seat assignment arranged in advance by specific request of the traveler or by an airline employee that provides the Authorized Traveler with a class of travel in excess of the airfare paid.

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

- E. **Daily Travel.** All travel, including conferences and seminars that does not require an overnight stay.
- F. **Denied Boarding Customer.** Those Authorized Travelers that have been denied boarding a flight by the Airline because of overbooking, mechanical problems or other flight delays.
- G. **Domestic Travel.** Travel within the United States, including US Territories where use of a passport is not required.
- H. **Emergency Notice.** Notification given to a traveler less than twenty-four (24) hours prior to the start of a travel period.
- I. **International Travel.** Travel not within the definition of Domestic Travel.
- J. **Most Economical Method of Travel.** The mode of transportation (City-owned vehicle, privately owned vehicle, common carrier, etc.) and schedule of transportation, taking into consideration the following:
 - the purpose and nature of the travel;
 - the most efficient and economical means of travel (considering the time length of the trip, number of connections, time of day, cost of transportation or subsistence required, early booking of airline reservations to take advantage of discounted fares); and
 - the number of persons making the trip and the amount of equipment or material to be transported.
- K. **Official Headquarters.** The physical location to which the Council member, employee or other traveler is assigned to perform their regular duties.
- L. **Standby Seat.** A seat assigned by the airline to an Authorized Traveler when traveling in a standby mode.
- M. **Travel Services.** The City employee(s) assigned the duties and responsibilities to coordinate, perform research, and make reservations for City travel.
- N. **Travel Expenses.** The actual and reasonable costs of transportation, meals, lodging, and incidental expenses normally incurred by a traveler, which costs are defined and prescribed as hereinafter set forth.
- O. **Travel Period.** The period of time between the time of departure and time of return.

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

Travel Principles and Objectives

Travelers should recognize they are using public funds and are expected to exercise the same care in incurring travel expenses that any prudent person exercises when traveling on business.

It is the responsibility of the traveler to comply with this policy and to be knowledgeable of the nature and extent of reimbursable expenses.

It is the general policy of the City to reimburse reasonable travel expenses, incurred during authorized travel, subject to any limitations provided for in this policy.

If an Authorized Traveler on a trip deviates from this policy for justifiable reasons, the circumstances of the deviation and the reasons therefore are to be documented and reviewed for approval by the City Manager.

Except as noted above, noncompliance with this policy will be addressed in accordance with the City's ethical or conduct policies and reimbursement may be denied.

IV. Planning and Approval

Travel Authorization. All requests for travel (domestic and international) must be submitted on the Travel Authorization & Expense Report (Report). It should contain the dates of travel, and all other pertinent information required to process the requested travel arrangements. The approving authority must ensure that funding is available in the appropriate line item budget. The Report must include a statement of purpose for the travel and indicate the benefits to the City. A copy of any printed program or agenda shall also be submitted. If none is available, a statement to that effect must be submitted. The Report must be signed by the traveler, and approvals obtained in advance of the proposed travel, as follows:

<u>Type of Travel</u>	<u>Approval Authority</u>
Budgeted Daily	Department Heads or designee
Unbudgeted Daily	City Manager or designee
Budgeted Domestic	Department Heads or designee
Unbudgeted Domestic	City Manager or designee
International Travel	City Manager or designee

While Department Heads are authorized to delegate approval of travel to a named designee, nonetheless, the Department Head is ultimately responsible for the appropriateness and accuracy of all travel within the respective department.

All Department Heads are hired with the understanding they hold the necessary discretion and judgment to plan travel and training costs in a prudent and professional manner. Accordingly, a department head is authorized to schedule his or her travel arrangements for any budgeted daily or domestic travel. However, international and unbudgeted travel must be approved by the City Manager.

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

The City Manager is hired with the understanding he or she holds the necessary discretion and judgment to plan travel and training costs in a prudent and professional manner. Accordingly, the City Manager is authorized to schedule his or her own travel arrangements for any budgeted travel.

The Mayor and each Council member shall provide a detail listing to the City Clerk or designee of planned trips in carrying out their duties as elected officials of the City. The Mayor and Council members may utilize budgeted funds for travel and training, but are still expected to adhere to the Travel Principles & Objectives. When reasonably possible, the City Clerk or designee should be used to arrange travel arrangements for the Mayor and all Council Members. Any Council member, to include the Mayor, shall not incur travel expenditures unless an appropriation is available, or budget amendment has been completed.

Department Responsibilities. The Department Head or designee shall have the responsibility to review all travel requests and ensure their compliance with policy and procedures. The Department Head or designee will coordinate all travel that requires only mileage reimbursement up to 100 miles.

The Department Head or designee shall be responsible for arranging travel plans, including Daily Travel that has conference or seminar registration, rental car or airfare, in accordance with policy and procedure. All other travel reservations will be made by the Department Head or designee, such as a local or nationally recognized travel agency, unless otherwise approved by the City Manager or designee. The Department Head or designee may provide options for lodging, airfare, and other expenses if deemed cost-effective.

Use of Internet. In accordance with the City Internet Usage, use of the internet to arrange for City travel is acceptable. Airline reservations can be made by The Department Head or designee using the internet, by accessing travel websites. Authorized Travelers may use the internet to research fares and other travel expenses for trip planning purposes.

V. Special Conditions of Travel

Travel for Employment Interviews. Travel and transportation expenses of the City's employment applicants will be reimbursed in accordance with this policy. To the extent possible, all travel arrangements and lodging will be made by the Human Resources Manager upon approval by the City Manager.

Most Advantageous Method. Authorized Travelers are required to use the Most Advantageous Method of travel available to the City. If an Authorized Traveler departs early or returns late to take advantage of reduced airfares, lodging and meals will be reimbursed in accordance with this Policy, provided that a net savings to the City is realized and such savings are documented in advance.

Physically Disabled, Sick or Injured Travelers. Any traveler who is on authorized travel, and becomes sick or injured, to the extent they can no longer perform the City's business, may be eligible to continue receiving meal allowances, and other reasonable expenses during incapacitation. This eligibility may extend until such time as the Authorized

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

Traveler is able to continue to perform the City's business, or return to official headquarters, whichever is earlier. In order to qualify, the traveler must notify the Department Head, City Manager or designee as soon as possible, but not later than 72 hours after incurring the illness or injury, and receive authorization for continued reimbursement. Notwithstanding any provision contained herein to the contrary, the City may reimburse or pay travel expenses incurred by the physically disabled traveler, which are in excess of the travel expenses ordinarily authorized, provided such excess travel expenses are reasonable and necessary under the circumstances for the safe travel of the physically disabled individual. Any and all reasonable and necessary expenses being claimed by the traveler must be accompanied by sufficient documentation to justify the expense(s).

Emergency Travel. The City Manager or designee may authorize travel for any employee, Council member, or other traveler pursuant to emergency notice. The requirements of this policy may be waived at the discretion of the City Manager or designee whenever travel is pursuant to emergency notice. Travel expense reports shall be submitted upon completion of travel in accordance with this policy.

VI. Rates of Payment

Reimbursement Method. Reimbursement claims for meals and lodging are to be reported on the Travel and Expense Reimbursement Form by date, location and amount. An individual taking annual leave while away from headquarters on official business is not entitled to reimbursement for the period of leave. Employees will not be reimbursed for hotel/motel tax or sales tax incurred when traveling within the State

A consistent method of reimbursements for meals and/or lodging shall be followed for each travel request, as follows:

For domestic travel, a traveler may receive:

1. Reimbursement of meals and incidentals based on actual itemized receipts, plus reimbursement for lodging based on actual receipts.

Lodging. A traveler may be reimbursed for the actual cost of a single occupancy hotel room for travel that requires overnight absence more than 50 road miles from Official Headquarters. The City will consider, in the following order of importance, the traveler's safety, the convenience of the hotel location for the traveler's business, and the rate guidelines as outlined in the paragraph below, when making hotel reservations. Lodging expenses must be substantiated by a hotel receipt and will be made for the actual amount of the bill. A city employee on travel status, if accompanied by someone, who is not a city employee on travel status, will be entitled to reimbursement at the lowest applicable room rate (Example: Any upgrade beyond the conference rate will not be reimbursed). Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned city business.

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

1. Domestic Lodging Rates. Reimbursement or payment for domestic lodging is limited to the group rate, if available. If a group rate is not available, lodging expenses are limited to reasonable amounts for the area traveled. Primary responsibility for the reasonableness of amounts charged rests with the approving authority.
2. International Lodging Rates. International lodging expenses are limited to reasonable amounts, not to exceed the conference rate. Expenses will be reviewed by the approving authority as indicated herein for reasonableness.
3. In-State Lodging -- Tax Exemption. When reserving lodging within the State of Georgia, a City credit card payment, an advance check, or other established procedure shall be used to ensure exemption from sales tax. City employees must use the hotel/motel tax exempt status form and should obtain a copy of this form prior to departure. If forms are not available in the employee's department, they may be obtained from the Finance Department. The same requirements apply to sales tax.
4. Taxi Service. Shuttle or taxi service will be reimbursed between the individual's departure point and the common carrier's departure point; between the common carrier's arrival point and the individual's lodging or meeting place; and between the lodging and meeting place if at difference locations. It is expected that the most economical transportation service that is feasible and available will be utilized. Receipts are necessary for such items of transportation
5. Miscellaneous Expenses. Registration fees required for participation in workshops seminars or conferences which an employee is directed and/or authorized to attend will be allowed when supported by a paid receipt or copy of the check showing payment. Tips related to services other than meals should be included under miscellaneous expenses. Expenses for official telephone messages which must be paid for by the traveler are allowable. Postage expense incurred relative to travel will be allowed. Claims for theater, and entertainment will not be reimbursed.
6. Common Carrier. Transportation by common carrier will be scheduled by plane, bus or rail. Reimbursement will be made upon presentation of a ticket stub, receipt or other documentary evidence of expenditure (reimbursement for upgrade cost will not be allowed). Officials or employees traveling by commercial air carrier will not be reimbursed for that portion of first class air fare which exceeds the amount of the regular coach fare for the flight on

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

which such official or employee is. Every effort should be made to reserve seats far enough in advance to take advantage of any discount fares.

7. Non-reimbursable Expenses. Additional amounts charged to the room, including but not limited to movies, or, alcoholic beverages, will not be reimbursed.

Travel Meals. Receipted meals must be accompanied by an itemized receipt reflecting the amount spent on the meal. The receipt must reflect the restaurant name and address on the cash register or itemized credit card receipt. If this is not available then a receipt validated with the restaurant name and address will be accepted. Stubs from guest checks are not acceptable. If a meal is not itemized, then reimbursement will not be allowed, and the authorized traveler will have to cover the expense.

For the purposes of determining meal allowances, the Travel Day shall begin two hours before departure on domestic flights and three hours before departure on International flights. Travel involving ground transportation shall commence at point and time of departure. Exceptional gratuities must be documented in writing and approved by the approving authority.

- G. Travel Advances – Travel advances may be granted subject to certain guidelines given below. Travel advance checks may be issued to employees provided it is (1) solely for travel involving official city business, (2) authorized by Department Director or elected official, and (3) funds have been appropriated and are available. The amount of the travel advance shall be determined according to the nature and probable duration of the travel required on the travel authorization but shall be held to a minimum and allowed only when an advance is warranted in the judgment of the department director or elected official. Travel advance requests must be made on a purchase order and submitted to the General Government Administration Department at least one week prior to the beginning of travel. When submitting travel advances to the General Government Administration Department, attach information to the advance concerning registration fees, hotel reservations and any other documentation to justify requests. Cashing of the advance check shall be considered acknowledgment of the receipt of the funds by the payee of the check. All employees are fully responsible for travel funds advanced to them and shall account for these funds on a Travel and Expense Reimbursement Form.

Ultimately, however, department directors or elected officials have the responsibility of accounting for all funds expended for travel purposes by employees that report to them.

Travel advances are expected to be settled within 30 days of the employee's return. Any unsettled advance for more than 30 days from the date of issue will be deemed to be a salary advance. After the 30-day period, the employee and the travel authorizer will be notified that the whole advance will be deducted from the employee's salary unless settled immediately.

CITY OF NORCROSS FINANCIAL MANAGEMENT POLICIES

Travel advances shall be adjusted to actual expenditures in the following manner:

1. When the actual travel expenditures reported on the travel statement exceed the amount of the travel advance, the employee shall be reimbursed for the amount of the excess.
2. When the actual travel expenditures reported on the travel statement are less than the amount of the travel advance, the employee shall reimburse the city for the difference. The reimbursement to the city shall be by check or money order in order to eliminate the possibility of loss of cash. This reimbursement shall be made at the same time that the travel statement is submitted.
3. In the event of cancellation or indefinite postponement of authorized travel, advances which were made shall be refunded immediately. (Within 48 hours of the date the trip was canceled.)

NOTE: Employees should be aware that certain travel-related expenditures may be tax-deductible and reimbursements may be taxable. Each individual is responsible for determining how expenditures and reimbursements should be handled when filing his/her income tax forms.

SECTION VII. MISCELLANEOUS ISSUES

- A. City funds shall be used to pay for flowers or other gifts for the death of an employee or a member of his (her) immediate family. The immediate family is defined as: parent, spouse/domestic partner, child, brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparents, son-in-law, daughter-in-law, grandchild, step-parents, step grandchildren, and step-children. Special requests may be made in extenuating circumstances of family members not identified in above list.
City funds may be used to pay for flowers or other gifts for a death as deemed appropriate by the City Manager. Flowers for hospitalization of a City employee may be paid from City funds.
- B. Fees for members of Boards and Authorities shall be established by the City Council unless otherwise provided by State legislation.
- C. Any official or employee making an expenditure or reimbursement request shall include therein the purpose of the expenditure and the benefit to the City of that expenditure. The responsibility for the appropriateness of the expenditure shall reside with the official who authorizes the expenditures. Appropriateness of expenditures for City Council members shall be verified by the City Manager and/or his/her designee.
- D. All expenditure and reimbursement requests shall be signed by the official Department Head or employee on whose behalf the expenditure is being or has been made.

CITY OF NORCROSS TRAINING AND TRAVEL EXPENSES POLICY

A. PURPOSE

These provisions establish the policy governing authorized travel for employees, members of the Norcross city council, and other authorized persons who travel at the expense of the City of Norcross. In conjunction with the annual budget process, the mayor and council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. No one covered by this policy shall incur travel expenditures unless an appropriation is available, or a budget amendment has been completed. If an authorized traveler must deviate from this policy for justifiable reasons, the circumstances must be documented and reviewed for approval by the city manager. This policy will provide control functions, assure proper record keeping and ensure fiscal responsibility whenever training is required. Procedures may be found in the employee handbook.

B. AUTHORIZATION

All requests for travel must be submitted on the travel authorization form with the necessary information to process the requested travel arrangements. The city manager and department heads are authorized to schedule their own travel arrangements for any budgeted trips and are ultimately responsible for the appropriateness and accuracy of all travel within the respective department. All international and unbudgeted travel must be approved by the city manager.

Mayor and council members shall provide a detail listing to the city clerk or designee of planned trips in carrying out their duties as elected officials of the City. When reasonably possible, the city clerk or designee should arrange travel for the mayor and council members.

C. TRAVEL EXPENSES

The City shall reimburse or pay authorized expenses incurred by authorized travelers. Prepayment of expenses such as lodging, registration, or common carrier transportation should be arranged to prevent payment of sales or hotel/motel taxes by the City.

1. Lodging

Lodging shall be limited to the minimum number of nights required to conduct the assigned city business and limited to trips that require an overnight absence more than 50 road miles from official headquarters (City Hall). The City will pay the cost of a single occupancy hotel room at the group block rate or lowest applicable rate if no block rate is available. Receipts are required for all lodging expenses.

In-State Lodging Tax Exemption

Authorized travelers are responsible for obtaining the necessary tax-exempt certificate for hotel/motel tax exemption from the Finance Department prior to travel. Travelers will not be reimbursed for hotel/motel tax or sales tax incurred when traveling within the state due to failure to present the certificate.

2. Transportation

The method of transportation shall be the most economically feasible. Receipts are required for all transportation expenses except those reimbursed via IRS mileage rates. Due to the availability of other methods of transportation, vehicle rental may only be authorized by the city manager or their designee.

City-owned Vehicle

Whenever possible travelers should use a City-owned vehicle for travel. The City will cover City-owned vehicle fuel costs incurred during travel. All efforts should be made to utilize county fueling sites before and after travel.

Personal Vehicle

If no City vehicle is available, or if using a City vehicle is impractical, a traveler may use a personal vehicle for transportation to and from a training event and be reimbursed at the rate most recently approved by the Internal Revenue Service (IRS) for a direct round trip, with a departure point of City Hall. Side or personal trips shall be excluded from the mileage reimbursement request. A traveler receiving mileage reimbursement for travel using a personal vehicle forfeits reimbursement for fuel.

The City assumes no liability for property damage incurred as a result of operation of personal vehicles. When practical, travelers should carpool when attending the same conference, community meeting, or training.

Common Carrier

Transportation by plane, bus, or rail is acceptable for destinations not within reasonable driving distance. Prepayment and reimbursement shall be limited to regular coach fare. Travelers will not be reimbursed for that portion of business or first-class air fare which exceeds the amount of the regular coach fare.

Taxi or Rideshare Service

Shuttle, taxi, or rideshare service will be reimbursed for trips to and from departure point, meeting place, and lodging.

Parking and Tolls

Reimbursement of parking and toll costs is permitted; however, parking shall be limited to self-park. If self-park is not available, evidence must be provided with the reimbursement request.

3. Meals and Incidentals

Receipts are not required for meals and incidentals administered on a per diem basis.

Overnight Travel

Expenses associated with meals and incidentals (snacks, tips) for overnight travel (50+ miles from the city) shall be administered per diem by the City. Per diem amounts for cities across the United States will be derived from the [U.S. General Services Administration \(GSA\)](#) which

updates per diem rates annually. On the first and last travel day, travelers are only eligible for 75% of the total meals and incidentals rate. Occasionally, due to the location of the travel, the per diem may be insufficient.

Daily Travel

Meal expenses for single day-business trips that are less than 50 miles from the City and require attendance for more than 4 hours are eligible for reimbursement at the respective GSA rates where it can be clearly shown that a meal is not provided.

If full meals are provided by the training, conference, or lodging accommodations travelers should not expense additional meals.

Group functions with a consolidated overall billing (i.e. when all traveler expenses are combined into one bill) to the City are not eligible for per diem allowance; rather, participating travelers participating in a group function shall use a City credit card for their actual additional costs not to exceed policy stated herein regarding itemized receipts.

4. Seminar, Program, and Conference Fees

Registration fees required for participation in workshops, seminars, or conferences which an employee is directed and/or authorized to attend will be paid or reimbursed by the traveler's department when supported by a paid receipt or copy of the check showing payment.

5. Miscellaneous

Dependents, spouses, or other guests may accompany an authorized traveler while on training or conducting city business out of town. Guests accompanying travelers on official business shall not be eligible for reimbursed expenses by the City.

Telephone, fax, long-distance, internet, printing, and other communication expenses shall be reimbursed only for city-related business with official receipt(s).

6. Non-Reimbursable Expenses

Non-reimbursable expenses include but are not limited to the following: entertainment; personal care items; expenses for dependents, spouses, or guests; theft, loss, or damage of personal goods; supplemental lodging and transportation charges and upgrades; fitness facility membership/access fees; and late/early check-in or checkout fees.

D. RATES OF PAYMENT

1. Reimbursements

Reimbursement may be granted upon return from travel for funds used by the traveler for authorized business expenses upon submission of necessary documentation. An individual taking annual leave while away from headquarters on official business is not entitled to reimbursement for the period of leave. Itemized receipts shall be required for all expenses incurred except meals and incidentals reimbursed on a per diem basis.

2. Travel Advances

A travel advance is any payment given to a traveler prior to the actual scheduled date of an official business trip covering certain expenses resulting from that travel. Travel advance requests must be made via purchase order and submitted to the Finance Department at least two (2) weeks prior to the beginning of travel.

Travel advances are expected to be settled within 30 days of the traveler's return. Any unsettled advance for more than 30 days from the date of issue will be deemed to be a salary advance. After the 30-day period, the traveler and the authorizing authority will be notified that the whole advance will be deducted from the traveler's salary unless settled immediately.

E. SPECIAL CONDITIONS OF TRAVEL

City Credit Card Usage: City credit cards may not be used for meals and incidentals included in the per diem.

Travel for Employment Interviews: Travel and transportation expenses of the City's employment applicants will be reimbursed in accordance with this policy. To the extent possible, all travel arrangements and lodging will be made by the human resources manager upon approval by the city manager.

Physically Disabled, Sick or Injured Travelers: Any traveler who is on authorized travel, and becomes sick or injured, to the extent they can no longer perform the City's business, may be eligible to continue receiving meal allowances, and other reasonable expenses during incapacitation. This eligibility may extend until such time as the authorized traveler is able to continue to perform the City's business, or return to official headquarters, whichever is earlier.

Emergency Travel: The city manager or designee may authorize travel and waive policy requirements for any authorized traveler pursuant to emergency notice.

Georgia Public Safety Training Center: Specific dollar amounts for hotel and meal expense reimbursements for training at GPSTC are subject to Norcross Police Department policy.

NOTE: Travelers should be aware that certain travel-related expenditures may be tax-deductible, and reimbursements may be taxable. Each individual is responsible for determining how expenditures and reimbursements should be handled when filing his/her income tax forms.

Exceptions for any travel accommodations due to medical conditions, food allergies, handicaps of any kind, disabilities, religious or moral beliefs, or any other circumstance can be made for any traveler on City business and will be made at the discretion of the city manager or their designee. Food allergies, prior medical conditions, etc. need to be officially documented by a licensed healthcare professional.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6974	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Consolidation of Community Development and Planning and Economic Development Departments		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Consolidation of Community Development and Planning and Economic](#)

Title

Consolidation of Community Development and Planning and Economic Development Departments

Drafter

Eric Johnson

Motion

A motion to Approve/Deny the authorization of the consolidation of two existing departments: Community Development and Planning, and Economic Development, into a single department, the Community Planning and Economic Development Department.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council

From: Eric Johnson, City Manager

Meeting Date: May 6, 2024 – Mayor and Council

Item No.: 24-6974

Title: Consolidation of Community Development and Planning and Economic Development Departments

Recommendation Authorized the consolidation of two existing departments: Community Development and Planning, and Economic Development, into a single department, the Community Planning and Economic Development Department.

Background Community development and planning and economic development are functions that should work closely, as reflected in the Comprehensive Plan, where the community work program reflects a number of assignments to these two areas, and other studies such as the Buford Highway Master Plan. Land use has implications for economic development prospects, while incentives for economic development may reflect expedited reviews, permitting, and inspections.

Previously, the Norcross Community Development and Planning was elevated to Assistant City Manager for the purpose of providing oversight to both areas. With a standalone Assistant City Manager now intended to narrow the day-to-day responsibilities of the City Manager and focus on getting projects accomplished, the consolidation will allow a single department head to manage both functions and ensure they work closely together. Below the level of department head, there will be a Senior Planner and a Senior Manager of Economic Development.

Financial Impact There is no added cost. Existing positions will be reclassified.

Consistent with Comprehensive Plan? Goal 6 - Furthers the City's Tradition of Strong Leadership and High Level of Quality Services.

Next Steps A department head vacancy can be modified to reflect the expanded role.

Attachments None.



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

City of Norcross

Legislation Details (With Details)

File #:	24-6980	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	5/6/2024 6:30 PM	In Control:	Mayor and Council
Title:	Addition of Three Traffic Officers		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Addition of Three Traffic Officers](#)

Title
Addition of Three Traffic Officers

Drafter
Councilmember Josh Bare



Mayor: Craig Newton • **Mayor Pro Tem:** Bruce Gaynor • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Marshall Cheek • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Agenda Report

To: Mayor and Council
From: Councilmember Josh Bare
Meeting Date: May 6, 2024 – Mayor and Council
Item No.: 24-6980
Title: Addition of Three Traffic Officers
CC: Eric Johnson, City Manager

Recommendation

Expand the police force by adding three additional officers to focus on traffic specifically.

Background

Financial Impact:

The fiscal impact is \$600,000 in the first 12 months, and \$300,000 per year in continuing costs.

Consistent with Comprehensive Plan?

1. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
2. Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Attachments

Next Steps

Update