

**MAYOR**

Richard E. Roquemore

CITY ADMINISTRATOR

Michael E. Parks

CITY COUNCIL

Robert L. Vogel III

Taylor J. Sisk

Jamie L. Bradley

Joshua Rowan

**CITY OF AUBURN
MAYOR and CITY COUNCIL**

July 24, 2025

6:00 PM

Council Chambers

1 Auburn Way

Auburn, GA 30011

COUNCIL REPORTS AND ANNOUNCEMENTS

NEW BUSINESS

1. RZ25-0001 Cornerstone Home Builders rezoning of parcels AU05 018 and AU05019- Sarah McQuade
2. VWSE25-0002 Cornerstone Waiver from Sec. 16.28.030.C.1 and Sec. 16.28.060.B.1- Sarah McQuade
3. PL25-0009- HPC Investments, LLC Overlay Architectural Review- Sarah McQuade
4. FPR25-001 Kingston Cove Final Plat- Sarah McQuade
5. Renewal of Contract for SCADA system- Iris Akridge
6. Cold Planer Attachment for Mini Excavator- Iris Akridge
7. Renewal of the City of Civility Resolution #03-025 - Michael Parks
8. Engineering Oversight and Construction Contract Administration for the Raw Water Storage Pond- Michael Parks
9. Construction Phase Engineering Services for Phase B Raw Waters Pipeline and Rock Creek Intakes #1 and #2- Michael Parks

CITIZEN COMMENTS ON AGENDA ITEMS

ADJOURN

Agenda subject to change prior to meeting



MAYOR
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AGENDA ITEM: 1

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade
City Planner

DATE: July 24, 2025

PURPOSE: Rezone tax map parcels AU05 018 and AU05 019 from AG: Agricultural to PUD: Planned Unit Development to construct a 40-lot detached single-family residential subdivision.

BACKGROUND: The applicant is requesting to rezone a combined 13.39± acre tract, at the corner of Apalachee Church Rd and McCully Dr to PUD: Planned Unit Development. If approved, the site will be developed with single-family houses at a density of 2.99 units per acre.

The item will be heard by the Planning Commission at a Special Called Meeting on July 23, 2025.

STAFF RECOMMENDATION: Approval with conditions

FUNDING: N/A



COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN

1 AUBURN WAY

AUBURN, GA 30011

PHONE: 770-963-4002

www.cityofauburn-ga.org

CASE NUMBER:	RZ25-0001
LOCATION:	21 Apalachee Church Rd, 1675 McCully Dr
PARCEL NUMBER:	AU05 018, AU05 019
ACREAGE:	13.39±
CURRENT ZONING:	AG: Agricultural district
REQUEST:	Rezone to PUD: Planned Unit Development district
PROPOSED DEVELOPMENT:	40-unit detached single-family housing development
FUTURE DEVELOPMENT MAP:	Agricultural
STAFF RECOMMENDATION:	Approval with Conditions
APPLICANT:	Cornerstone Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP 1550 North Brown Rd, Ste 125 Lawrenceville, GA 30043
CONTACT:	Julia Maxwell jmaxwell@mptlawfirm.com

SUMMARY

The applicant is requesting to rezone a combined 13.39± acre tract from AG: Agricultural (Sec. 17.90.010) to PUD: Planned Unit Development (Sec. 17.90.140) to construct a 40-unit, single-family detached housing subdivision. The development site, comprised of parcels AU05 018 and AU05 019, is currently developed with four (4) single-family residences and several accessory buildings, the oldest of which was constructed in 1956 per property tax records. The proposed density of the subdivision is 2.99 dwelling units per acre.

The proposed development would contain exclusively single-family detached houses with minimum heated floor areas (HFA) of 2,000 square feet; two-story homes would have a minimum HFA of 2,400 square feet. The site is located at the northwestern corner of Apalachee Church Road and McCully Drive, and the developer proposes one access point from Apalachee Church Road. All residences would be served by a new, internal network of public roads and public utilities. The development would feature a residential amenity area and communal mail kiosk with on-street parking.

The submittal provides development standards which have been summarized in the table below:

Specification	Proposed Development Standard	Code Requirement
Minimum Heated Floor Area (HFA) (Sec. 17.90.140.G.4.a)	2,000 sq. ft. (1-story) 2,400 sq. ft. (2-story)	2,000 sq. ft. (1-story) 2,400 sq. ft. (2-story)
Minimum Lot Area (Sec. 17.90.140.G.7.a)	7,500 sq. ft.	7,500 sq. ft.
Minimum Front Building Setback (includes corner lots) (Sec. 17.90.140.G.6.a)	22 ft.	22 ft. (driveway length)
Minimum Side Building Setback	7.5 ft.	Not applicable
Minimum Rear Building Setback	15 ft.	Not applicable

In addition to the general provisions and regulations of the Zoning Ordinance and other codes, sites in the PUD: Planned Unit Development district are subject to additional district requirements. The letter of intent provides for building facades of “brick, stone, shake/siding, and/or board and batten” and the inclusion of two-car garages for each residence. The applicant has provided three (3) residential renderings, each of which show a two-story home with a two-car garage and varied front façade materials. The material descriptions and renderings of the houses seem to satisfy the exterior finish material requirements of Sec. 17.90.140.G.1, provided that each house will include masonry water tables at the side and rear façades. The application also provides sample floor plans, which all appear to meet the minimum 36 square foot porch/deck/patio requirement pursuant to Sec. 17.90.140.G.2. Garage doors on detached residential front façades must not exceed 45% of the total façade width (Sec. 17.90.140.G.5); it is unclear if the proposed houses meet this requirement.

Sec. 17.90.140.H.3 requires that Planned Unit Developments with 40 residences and an overall residential density of no less than 2.00 dwelling units per acre earn an amenity score of two (2) points. The development would provide residents with a 400 square foot gazebo (one point) and regulation-size pickleball courts (two points), exceeding the requirement. The amenities are conceptualized near the proposed mail kiosk.

The development would be served by three internal roadways, each to be publicly dedicated and maintained. Both sides of all internal roadways would feature five (5) foot wide sidewalks, compliant with Sec. 17.90.140.D.4. Along the Apalachee Church Road frontage, a sidewalk is proposed, which would connect directly to the internal network. Eight (8) on-street parallel parking spaces would serve the resident amenity area and mail kiosk. The road network would include two dead-end streets, and the dead-ended portion of each street would host at least one residential driveway. Dead-end streets are also referred to as “stub” streets.

Development Regulations Sec. 16.28.030.C.1 requires that streets not intended for extension provide a cul-de-sac ending rather than dead-end. The developer requests this requirement be formally waived to install permanently dead-ended streets. Sec. 16.28.060.B.1 disallows access to residential parcels from dead-end street segments. As a result, the developer requests this requirement be formally waived for driveway installation for proposed lots 8, 36, and 37. These waiver requests will be processed concurrently with the City Council decision meeting for the subject rezoning application, currently scheduled for August 14, 2025.

Within the development, 2.06 acres (approximately 15.4% of the gross development area) would be reserved for common open space and stormwater management. This space would contain the resident

amenities, a stormwater management pond, an existing telecommunications tower, and an associated access easement linking it to adjacent property. A landscaped strip, ten (10) feet in depth, would be provided along Apalachee Church Road. Street trees are shown to outnumber residential parcels in the development, and the landscaping requirements of Sec. 17.90.140.I will be satisfied.

LAND USE AND COMPREHENSIVE PLAN ANALYSIS

The submitted rezoning proposal represents an increase in site development intensity. Any present agricultural uses would be eliminated in place of higher density single-family residences. If the proposal is approved, the residential density of the site would increase from 0.29 du/acre to 2.99 du/acre.

The site is in a transitional zone between commercial development to the north along the Atlanta Highway (GA-8/US-29 Business) corridor, and single-family residential and agricultural sites to the south. The table below summarizes the nearby zoning districts and land uses:

Direction	Zoning	Current Land Use	Future Land Use
N	C-1: Neighborhood business district, C-3: Central business district	Gasoline station, retail, personal services, offices, fitness center	Corridor Commercial
S	Barrow County AR: Agricultural residential	Agriculture, single-family residential	Corridor Commercial, Barrow County Traditional Neighborhood
W	C-2: General business district, Barrow County AR: Agricultural residential	Agriculture, single-family residential, warehouse, day care	Barrow County Traditional Neighborhood
E	C-1: Neighborhood business district, Barrow County AR: Agricultural residential	Single-family residential, vacant land	Corridor Commercial, Barrow County Traditional Neighborhood

Pursuant to the **City of Auburn Comprehensive Plan, 2023-2028**, the development site is located within the Agricultural Character Area. This Area is intended for “agriculture and very low-density residential development. Ensures that open and/or sparsely developed areas of the city are protected with minimal community impacts.”

The present land use, very low-density residential and agricultural, aligns with the intent of the subject Character Area. However, the proposed Planned Unit Development does not conform to the Character Area intent, due to the increased residential density and reduction in open space. The Agricultural future land use designation exists in isolation; all abutting incorporated parcels are in either the Corridor Commercial or Neighborhood Commercial Character Area.

The subject site partially abuts unincorporated Barrow County to the south, west, and east. The abutting parcels are designated by the County as Traditional Neighborhood, which is intended for “quality infill development” consisting of single-family, townhouse, duplex, and triplex residences at densities between 2 and 6 units per acre.

WETLANDS, STREAMS, AND FLOODPLAIN

The development site does not contain wetlands, streams, or floodplains.

DEVELOPMENT REVIEW

The development shall be subject to the regulations described in the **Auburn Municipal Code**, unless relief has been explicitly granted as part of this application, and apply to and provide guidance for the development of lands within the incorporated areas of the city.

Approval of an erosion control plan from the Georgia Soil and Water Conservation Commission is required prior to land disturbance activity.

Approval of site plans from Barrow County Fire Marshal required.

The submitted concept plan depicts a proposed monument sign. All signage is subject to review and permitting by the City pursuant to Title 17, Chapter 17.120 – Signs, and other applicable regulations. The approval of the subject rezoning request does not constitute permission or assurance that a sign may be installed as depicted in the concept plan.

TRANSPORTATION

The Georgia Department of Transportation (GDOT) does not maintain traffic counts for Apalachee Church Road or McCully Drive.

A traffic study has not been provided as part of this rezoning request. Staff has not requested a traffic study as the proposed unit count (40 dwellings) is not anticipated to cause significant traffic impacts.

ZONING ANALYSIS

(1) Sec. 17.90.140.D – Minimum Standards and Requirements.

All proposed PUD: Planned Unit Development district applications shall conform to the following specific requirements:

(Language in bold is from the City of Auburn Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **The maximum density shall not exceed three (3.0) dwelling units per gross acre.**
 - a. The residential density of the proposed development is 2.99 dwelling units per acre.
2. **The site shall abut public streets for a distance of at least one hundred (100) linear feet.**
 - a. The site abuts public streets for a distance of 1,361 linear feet (0.258 miles).
3. **A registered engineer, architect, land surveyor or landscape architect shall prepare the plans required for inclusion in an application. The plans shall have their official registration seal.**
 - a. The application includes a concept plan, but it's not stamped nor sealed by a required professional.
 - i. Professional stamped and/or sealed plans shall be required prior to development commencement.
4. **Sidewalks shall be required along both sides of all streets within a PUD. The construction standard of the required sidewalks are given in the city development regulations; however,**

the minimum width of all sidewalk along streets shall be five (5.0) feet.

- a. Sidewalks five (5) feet in width are proposed along both sides of all proposed internal streets.

5. The site proposed for a PUD classification shall have a contiguous area of not less than ten (10) acres.

- a. The subject assemblage measures 13.39 +/- acres.

(2) Sec. 17.170.130 – Standards governing exercise of the zoning power

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

(Language in bold is from the City of Auburn Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

- a. The local area is characterized by single-family residential development of varying densities in addition to commercial development.
 - i. The proposed rezoning would permit detached, single-family residential development consistent with nearby properties.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

- a. Staff does not anticipate any adverse effects on nearby properties as a result of the rezoning proposal.
- b. An access easement to the existing telecommunications tower will be maintained as shown on the concept plan.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned;

- a. As currently zoned (AG: Agricultural), the site is used agriculturally and residentially.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

- a. Staff does not anticipate burdensome use of local infrastructure or facilities as a result of the rezoning proposal.

E. Whether the proposed rezoning is in conformity with the policy and intent of the land use plan; and

- a. The proposed rezoning does not conform with the Comprehensive Plan's intent for the site.
 - i. The site is located in the Agricultural Character Area, intended for agricultural and very low-density residential development. This description fits the current site configuration.
 - ii. Developing the site as proposed would detract from the Agricultural intent as determined by the Comprehensive Plan, due to increased residential density and reduced open space.

- b. The Agricultural Character Area is not common in the subject locality; all abutting parcels in the City are designated for commercial future land use. The addition of single family detached residential units will support commercial development envisioned for the area.

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

- a. Staff is not aware of any changing conditions which would inherently support approval or disapproval of the subject rezoning request.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION

Staff recommends **approval with conditions** of subject rezoning request RZ25-0001, as the proposal aligns with City regulations and local land use patterns. Staff recommends the following **conditions** be adopted as part of the approval:

1. The site shall be developed in conformance with the submitted concept plan and development standards adopted as part of this rezoning action. However, alterations necessary to accommodate other conditions specified herein are permitted without additional approval, provided they align with the spirit and context of the approval as determined by the Community Development Director.
2. A continuous landscaped strip, no less than ten (10) feet in depth, shall be established parallel to the entirety of the McCully Drive frontage.
3. Prior to the issuance of a Land Disturbance Permit (LDP) for the construction of any street not ending in a cul-de-sac, formal waivers shall be obtained to allow for the construction of dead-end "stub" streets and driveways from dead-end street segments, pursuant to Title 16, Sec. 16.28.030.C, and Title 16, Sec. 16.28.060.B.
4. The approval of this rezoning request shall not constitute automatic approval of the construction of any street that does not end in a cul-de-sac, nor the installation of any access provisions or driveways from a dead-end segment of any street.
5. The final plat submitted for recordation of the subject development shall bear a statement notifying land purchasers that the property described therein is proximate to a preexisting telecommunications tower, and that a structural failure of the tower might adversely impact one or more of the subdivided lots.
6. The Developer shall use a variety of techniques to avoid the monotonous appearance of identical houses. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, colors, setbacks or other similar techniques to provide a more aesthetically pleasing appearance to the subdivision. There shall be no vinyl siding permitted. No two (2) adjacent houses shall have front elevations which are visually the same; this distinction can be accomplished through a combination of color, materials, architectural features, and/or building massing.
7. A mandatory Homeowners Association (HOA) shall be established and shall be responsible for maintenance of all common facilities, open spaces, recreation areas, and street frontage landscaping.

Landscaping along the frontages of Apalachee Church Road and McCully Drive shall be landscaped by the developer and maintained by the HOA and shall include decorative masonry entrance features. Landscape plans, entrance features, and fencing shall be subject to the review and approval of the Community Development Director. Said HOA shall be incorporated which provides for building and grounds maintenance, repair, insurance, and working capital. Said association must also include declarations, by-laws, and rules which shall at a minimum regulate and control the following:

- a. All grounds, including recreation areas and common areas.
 - b. Stormwater detention infrastructure maintenance.
 - c. Fence, wall, and sign maintenance.
8. Natural vegetation shall remain on the property until the issuance of a development permit.
9. Underground utilities shall be provided throughout the development, except for the existing telecommunications tower and directly related infrastructure.

ANNEXATION & REZONING APPLICATION



**CITY OF AUBURN
COMMUNITY DEVELOPMENT DEPARTMENT
1369 4TH AVE, AUBURN, GA 30011
(770) 963-4002
www.cityofauburn-ga.org**

ANNEXATION & REZONING APPLICATION
AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP FOR THE CITY OF AUBURN, GA.

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION
NAME: Cornerstone Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP		NAME: The Travis and Herman Brown Family Partnership
ADDRESS: 1550 North Brown Road, Suite 125		ADDRESS: P.O. Box 563
CITY: Lawrenceville		CITY: Buford
STATE: GA	ZIP: 30043	STATE: GA ZIP: 30515
PHONE: (770)232-0000		PHONE: (770)232-0000
EMAIL: slanham@mptlawfirm.com		EMAIL: slanham@mptlawfirm.com
CONTACT PERSON: Shane M. Lanham, Attorney for Applicant		PHONE: (770)232-0000
EMAIL: slanham@mptlawfirm.com		

APPLICANT IS: <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER		
PRESENT ZONING DISTRICT(S): AG		REQUESTED ZONING DISTRICT: PUD
PARCEL NUMBER(S): AU05 018 & AU05 019		ACREAGE: +/- 13.394
ADDRESS OF PROPERTY: 21 Apalachee Church Road and 1675 McCully Drive		
PROPOSED DEVELOPMENT: Single-family detached residential neighborhood		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
NO. OF LOTS/DWELLING UNITS: 40	NO. OF BUILDINGS/LOTS: N/A
DWELLING UNIT SIZE (SQ.FT.): 2,000 sf	TOTAL BUILDING SQ.FT.: N/A
GROSS DENSITY: 2.98 units per acre	DENSITY: N/A
NET DENSITY: 3.81 units per acre	

PLEASE ATTACHED A LETTER OF INTENT EXPLAINING PROPOSED DEVELOPMENT

The Pre-Application meeting request for this application took place on April 3, 2025.



David Belle Isle
Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
John D. Hipes*
Christopher D. Holbrook
Jessica R. Kelly
Shane M. Lanham

Jeffrey R. Mahaffey
John N. Mahaffey
Julia A. Maxwell
Steven A. Pickens
Jack M. Ryan
Gabrielle H. Schaller
S. Tess Shaheen
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
CORNERSTONE HOME BUILDERS, LLC**

Mahaffey Pickens Tucker, LLP submits the attached rezoning application (the “Application”) on behalf of Cornerstone Home Builders, LLC (the “Applicant”), relating to a proposed development on approximately 13.394 acres of land (the “Property”) located off Apalachee Church Road in the City of Auburn and further identified as parcel numbers AU05 018 and AU05 019. The Applicant respectfully requests to rezone the Property from the current AG (Agricultural District) to the PUD (Planned Unit Development District) pursuant to the City of Auburn Zoning Ordinance (the “Zoning Ordinance”).

The proposed development would include forty (40) single-family detached homes as depicted on the site plan submitted with the Application. The Applicant proposes to develop the Property in compliance with the PUD zoning classification to allow for a more unique and creative community. As depicted on the site plan, the proposed development would consist of forty (40) single-family detached dwellings with community amenities such as a play area and community garden for residents to enjoy. The proposed development will include a 10-foot landscape strip along Apalachee Church Road and sidewalks will be provided for residents to use within the development. The development would have a gross density of 2.98 units per acre. The minimum lot size will be 7,500 square feet with a lot width of 60 feet. Each dwelling will have a minimum front setback of 22 feet, side setback of 7.5 feet, and rear setback of 15 feet. Water will be provided by the City of Auburn Public Works and sewer will be provided by Barrow County Water and Sewer Authority.


The homes will be compatible with homes in the surrounding area and include attractive architectural elements which would meet or exceed the requirements of the Zoning Ordinance. All of the homes will be a minimum of 2,000 square feet and include a two-car garage. The proposed development will be accessed via a single entrance off Apalachee Church Road. The proposed development will be managed and maintained by a Homeowners' Association.

The proposed development is compatible with surrounding land uses and is in line with the policies and intent of the City of Auburn's 2018 Comprehensive Plan (the "Comprehensive Plan"). Single-family housing is currently in high demand and is projected to stay in high demand. The proposed development will increase the supply of housing in the area and help alleviate the shortage of single-family detached housing. Additionally, the intent and purpose of the PUD zoning district is to promote innovative development types that complement the existing developments in the City of Auburn. Further, PUD allows for more flexibility with the placement, arrangement, and orientation of dwellings while promoting the incorporation of active open spaces and resident-focused amenities.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Auburn Community Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 5th day of May, 2025.

MAHAFFEY PICKENS TUCKER, LLP



Julia A. Maxwell
Attorneys for Applicant

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes. The proposed development is consistent and suitable with the existing use and development of adjacent and nearby properties. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding area.
- (B) No. Approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties.
- (C) The Applicant submits that due to its size, location, layout, topography, and natural features, the Property does not have a reasonable economic use as currently zoned.
- (D) No. Approval of the proposed rezoning will not result in an excessive or burdensome use of the existing infrastructure systems. The Property has direct access to Apalachee Church Road and is in close proximity to Atlanta Highway.
- (E) Yes. The proposed development and rezoning is compatible with the policy and intent of the Comprehensive Plan and the Future Land Use Map. While the Property is identified as “Agricultural” on the Future Land Use Map, it is surrounded by the Single-Family Residential future land use area in the City of Auburn and Traditional Residential future land use character area in Barrow County.
- (F) Yes. The proposed development and rezoning achieves the goal of the Comprehensive Plan by proposing a development and site layout that serves to provide additional housing options to current and future residents of the City of Auburn.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE ZONING ORDINANCE, THE CITY COUNCIL FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(1) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

[Please see attached.](#)

(2) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OF USABILITY OF ADJACENT OR NEARBY PROPERTY:

[Please see attached.](#)

(3) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

[Please see attached.](#)

(4) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

[Please see attached.](#)

(5) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

[Please see attached.](#)

(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 PROPOSED REZONING:

[Please see attached.](#)

**AMENDMENT TO AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE
CITY OF AUBURN, GEORGIA**

APPLICANT:	Cornerstone Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP
ZONING CASE NUMBER:	RZ-25-0001
PRESENT ZONING DISTRICT:	AG
REQUESTED ZONING DISTRICT:	PUD
PROPERTY:	21 Apalachee Church Road and 1675 McCully Drive
SIZE:	+/- 13.394
DISTRICT:	GMD 1740
PROPOSED DEVELOPMENT:	Detached Single Family Residential

The Applicant, Cornerstone Home Builders, LLC, hereby amends its application to amend the official zoning map of Auburn, Georgia heretofore filed with the City of Auburn Community Development Department by the addition of the attached Exhibit to the original application.

This 2nd day of July, 2025.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for Applicant

JUSTIFICATION FOR REZONING

The portions of the Zoning Ordinance of the City of Auburn, Georgia (the “Zoning Ordinance”) which classify or may classify the property which is the subject of this Application (the “Property”) into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant’s property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant’s and the Owner’s property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States , Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the PUD classification as requested by the Applicant and is not economically suitable for development under the present AG zoning classification of the City of Auburn. A denial of this Application would constitute an arbitrary and capricious act by the Auburn City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Auburn City Council to rezone the Property to the PUD classification with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the PUD classification, subject to conditions which are different from the conditions by which the Applicant may

amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious, and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Auburn City Council because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections.

Accordingly, the Applicant respectfully requests that the rezoning Application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 2nd day of July, 2025

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

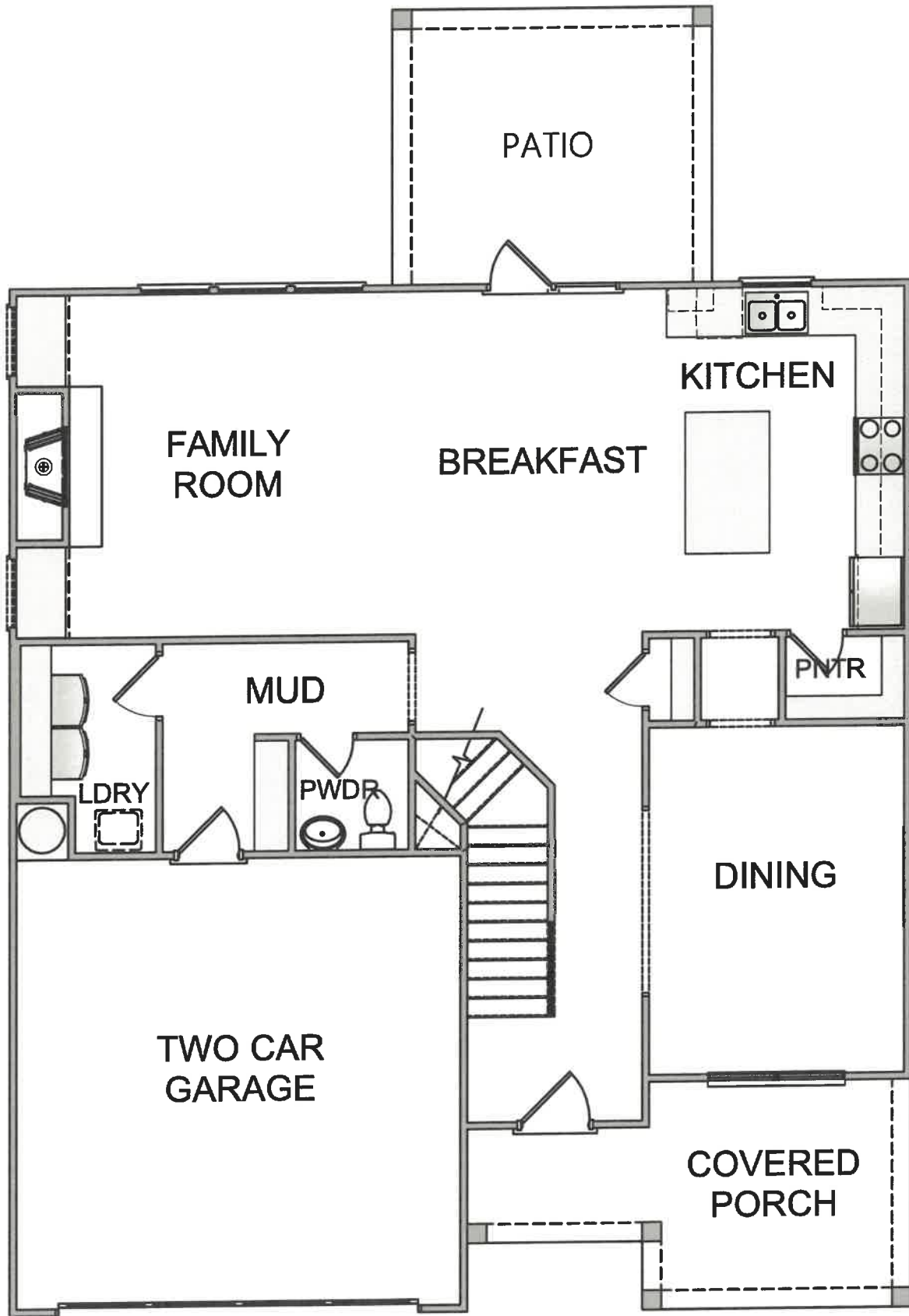
Shane M. Lanham

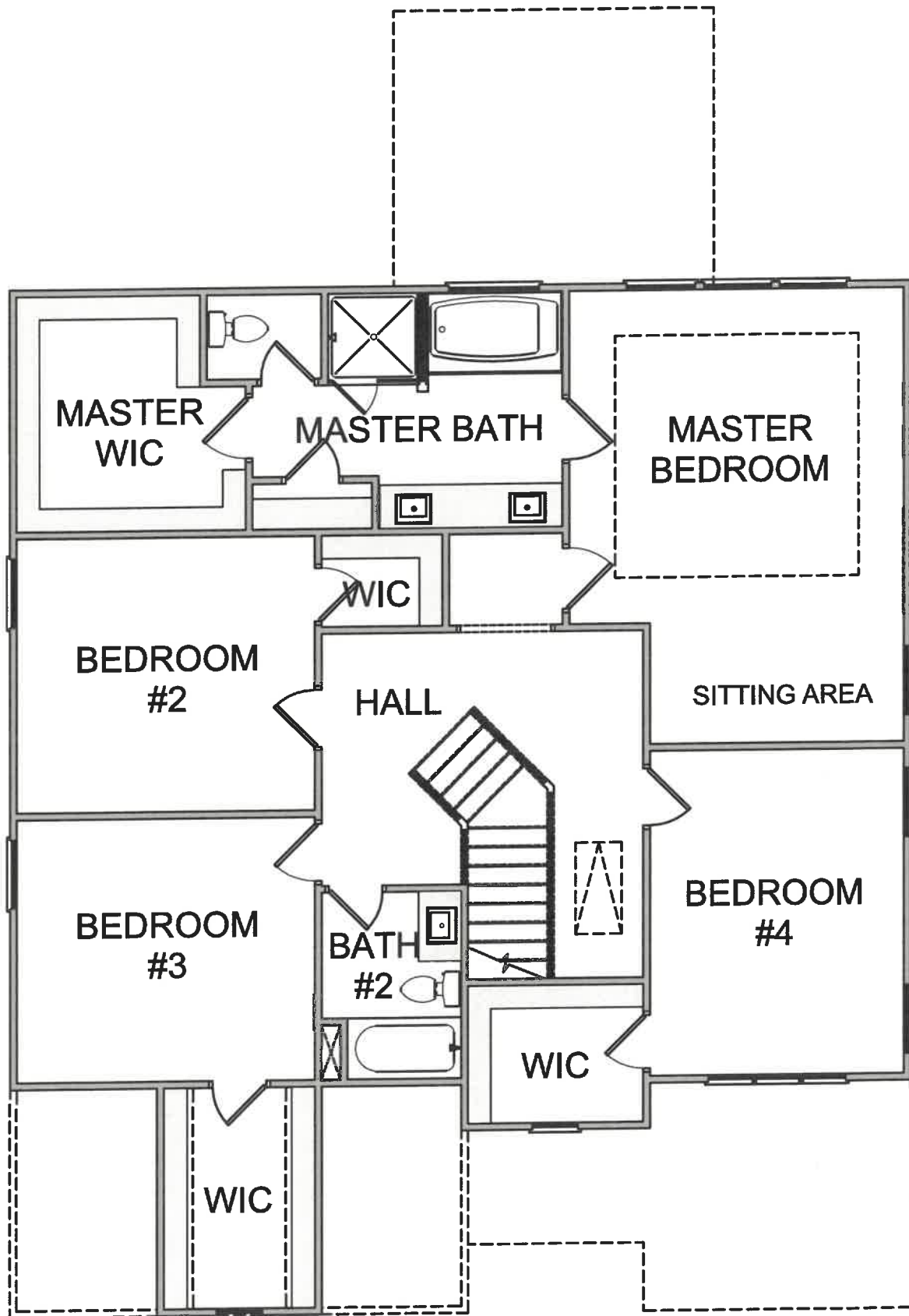
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Lawrenceville, Georgia 30043
(770) 232-0000

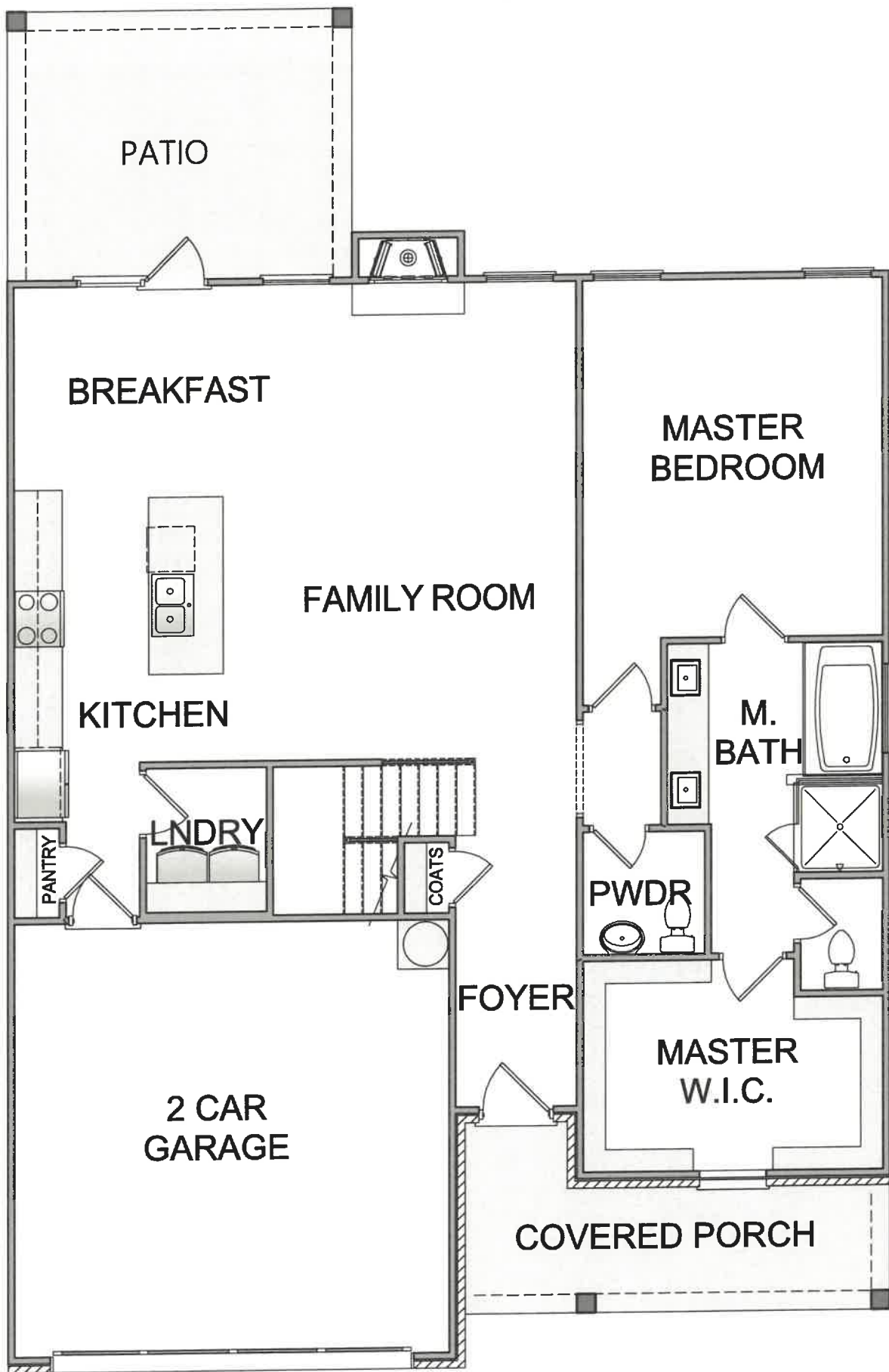
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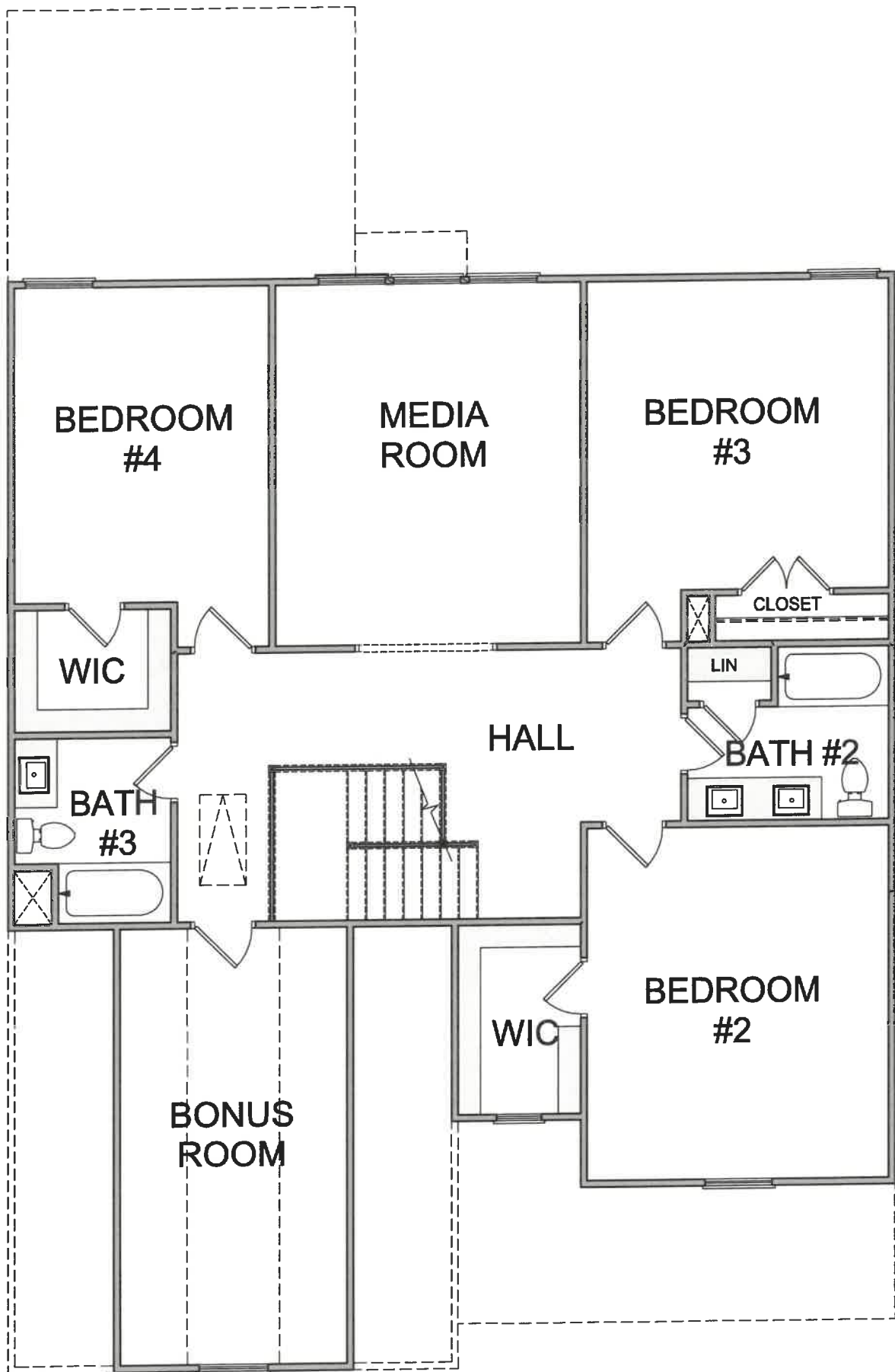




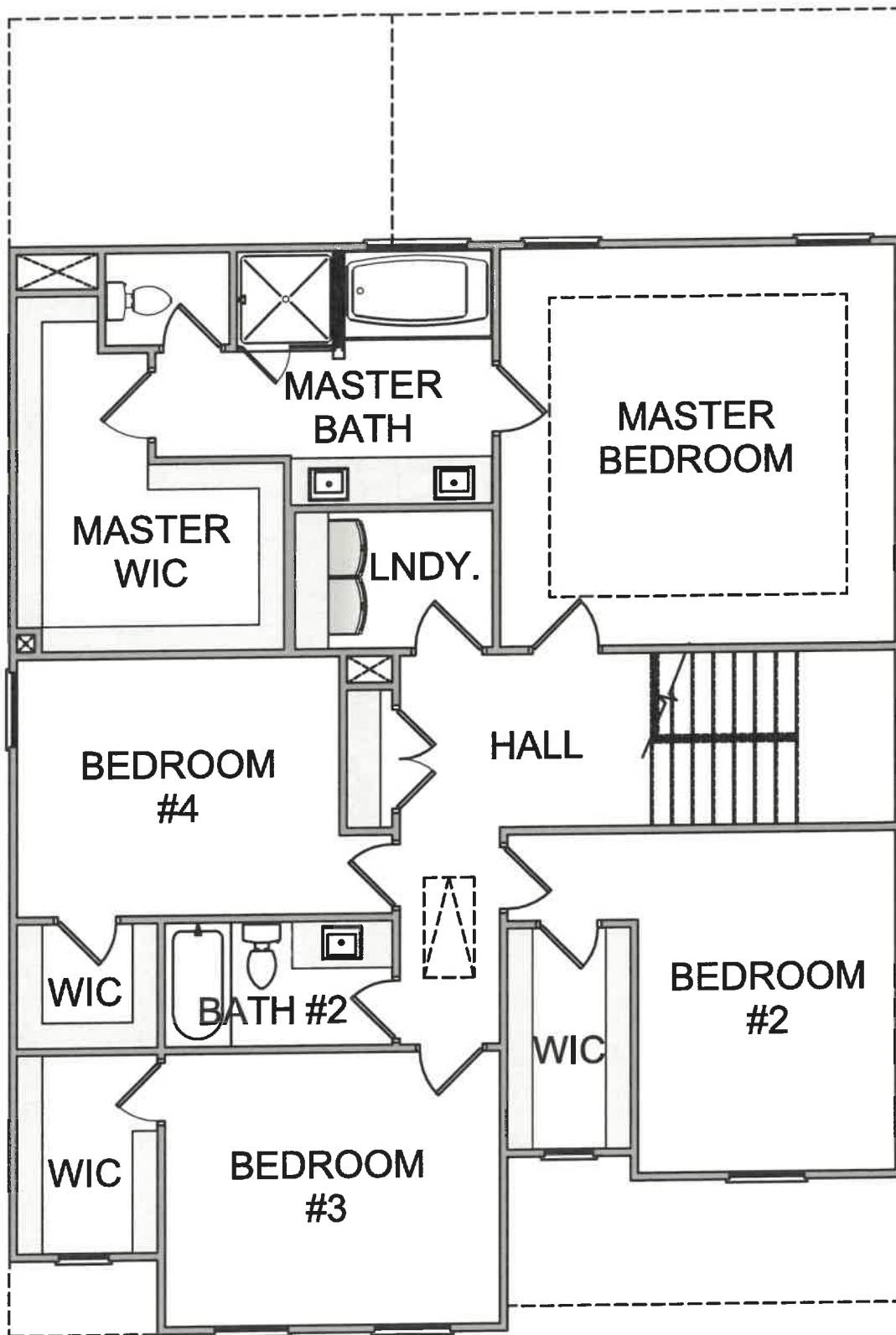


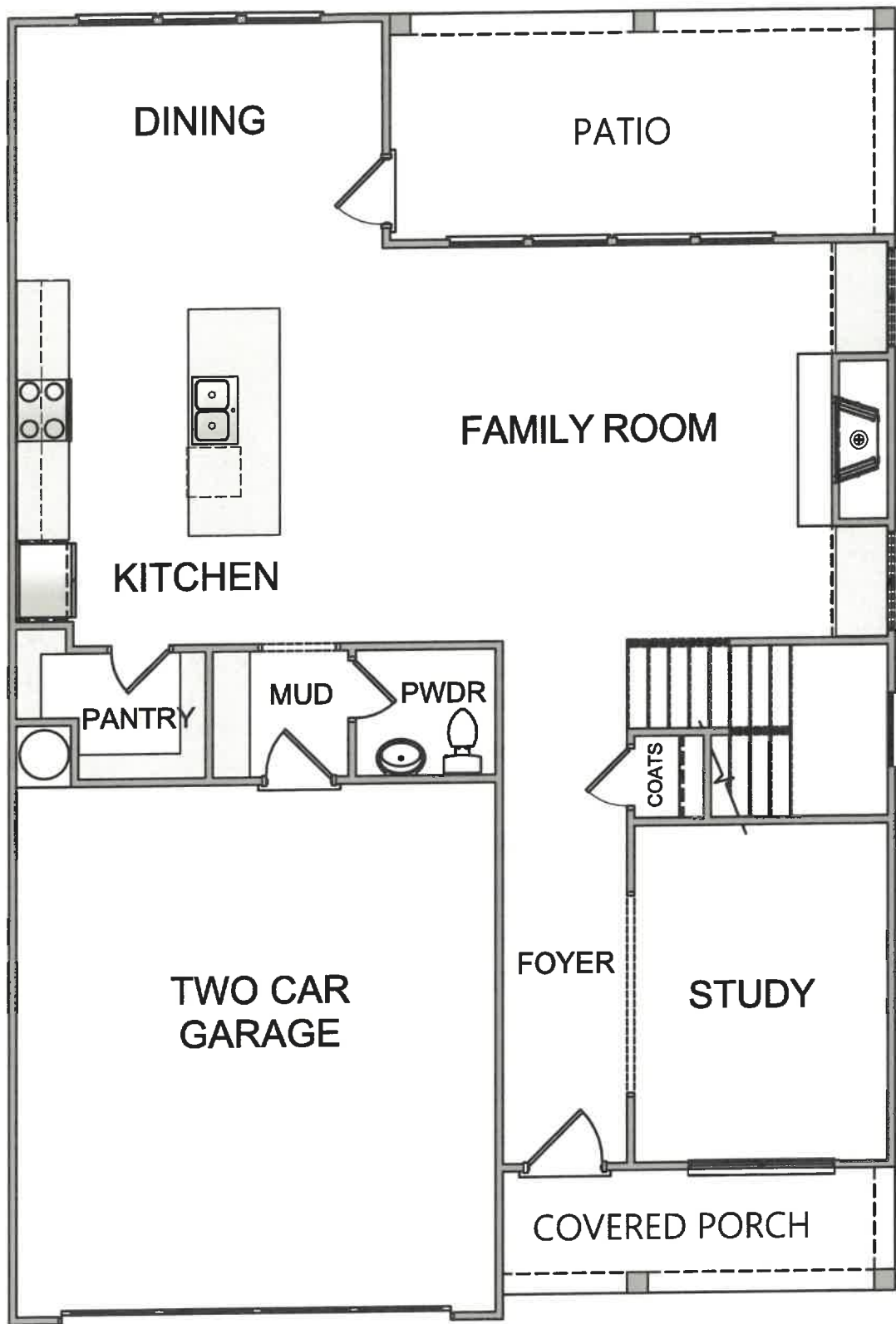


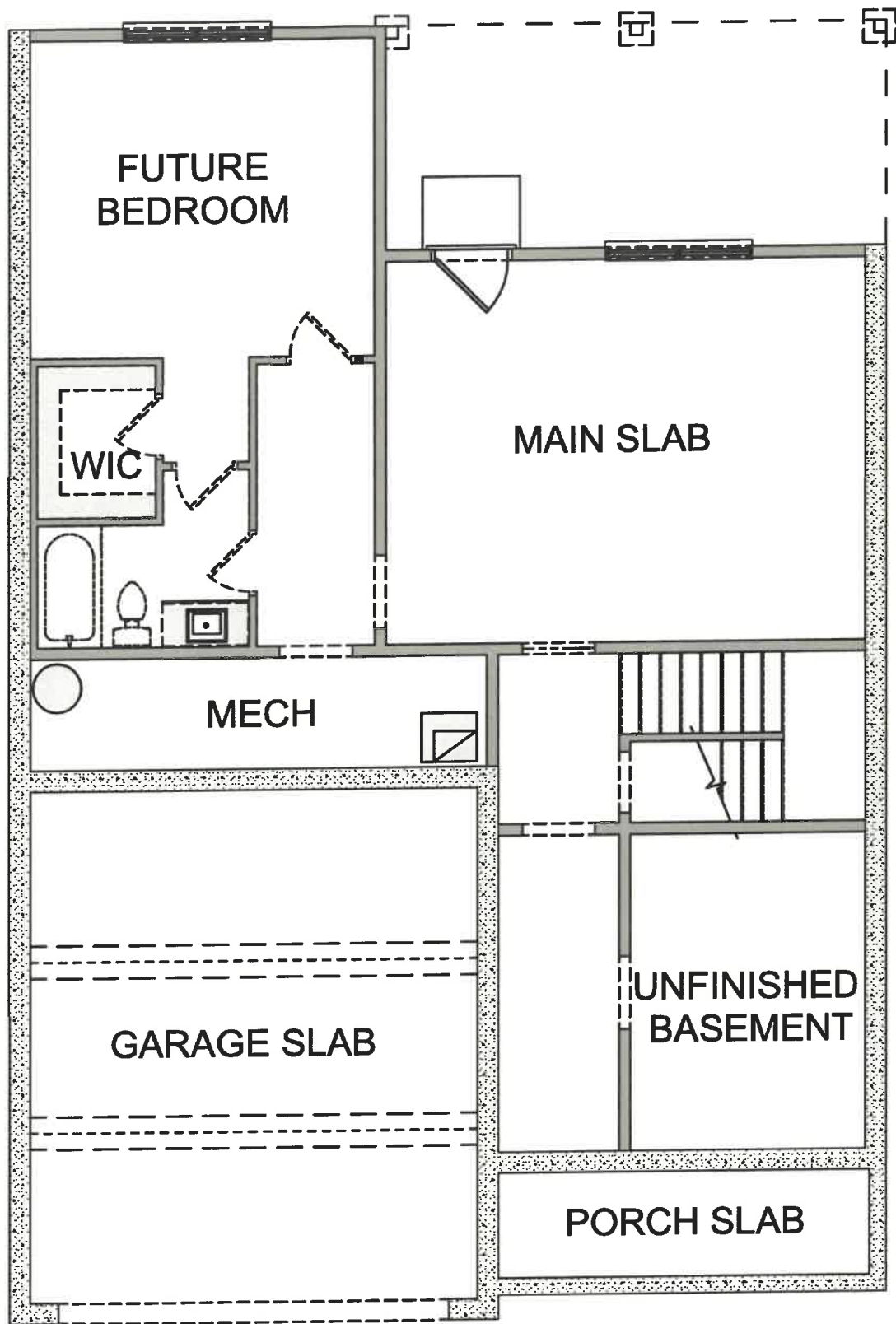












REFERENCES

- 1) D.B.2560, PG.492
- 2) P.B.11, PG.92
- 3) P.B.28, PG.220
- 4) P.B.31, PG.70
- 5) P.B.43, PG.24

GENERAL/SITE NOTES

- 1) OWNER OF RECORD: THE TRAVIS AND HERMAN BROWN FAMILY LIMITED PARTNERSHIP P.O. BOX 563 BUFORD, GA 30515
- 2) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED.
- 3) SITE ELEVATIONS BASED ON NAVD 88 BY OBTAINED BY MEANS OF LOCAL GPS NETWORK.
- 4) RD= RECORD DISTANCE.
- 5) LAND DEVELOPMENT SURVEYORS, INC., IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.

PLAT CLOSURE STATEMENT:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE & IS ACCURATE WITHIN ONE FOOT IN 302,266 FEET, AND CONTAINS A TOTAL OF 13.394 ACRES.

NOTE:

BEARINGS AND ELEVATIONS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS USING CARLSON GNSS ROVER EQUIPMENT AND TRIMBLE, INC. REAL TIME NETWORK ADJUSTMENT AT DATE OF FIELD WORK.

THIS SURVEY WAS PREPARED UTILIZING A DUAL FREQUENCY GPS RECEIVER. NETWORK RTK CORRECTIONS WERE RECEIVED VIA CELLULAR MODEM. THE BASE STATION NETWORK IS OPERATED AND MAINTAINED BY TRIMBLE, INC.

THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3, NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT A 95% CONFIDENCE LEVEL.

THE FIELD SURVEY WAS COMPLETED ON 12/4/24.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THE TERM "CERTIFICATION" OR TO "CERTIFY" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

LINE TABLE		
LINE	LENGTH	BEARING
L1	48.17	S27°06'25"E
L2	192.02	S20°12'54"E
L3	50.00	S15°18'16"E
L4	50.04	N73°22'34"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	331.27	1253.36	N19°55'10"W	330.31
C2	187.58	2177.86	S18°12'09"E	187.52
C3	50.08	919.60	N20°06'56"W	50.07

LEGEND	
IPF	IRON PIN FOUND
IPS	1/2" REBAR PIN SET
LL	LAND LOT
ULL	LAND LOT LINE
P	PROPERTY LINE
C	CENTERLINE
B	BUILDING LINE
R/W	RIGHT-OF-WAY
SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT
MH	MANHOLE
CB	CATCH BASIN
JB	JUNCTION BOX
HW	HEADWALL
DI	DROP INLET
PP	POWER/UTILITY POLE
FH	FIRE HYDRANT
IE	INVERT ELEVATION
FFE	FINISHED FLOOR ELEVATION
BOC	BACK OF CURB
EP	EDGE OF PAVEMENT
---	SANITARY SEWER LINE/PIPE
---	STORM SEWER LINE/PIPE
-X-X-	FENCE LINE
.....	FLOOD HAZARD ZONE LINE
N/F	NOW OR FORMERLY

FLOOD HAZARD NOTE

BY GRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 13013C00400, DATED DECEMBER 1, 2022.

THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS A INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATION(S) OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.



SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 13-6-67.

RETRACEMENT SURVEY PLAN FOR

SOUTHERN HERITAGE HOMES

21 APALACHEE CHURCH ROAD
CITY OF AUBURN

LAND DEVELOPMENT
SURVEYORS, INC.

P.O. BOX 2050
Dacula, GA. 30019
(770) 882-8206
LDSURVEYORS2003@GMAIL.COM
COA LSF#000832

Date: 12/5/24 Land Lot: G.M.D. #1740 District:

County: BARROW COUNTY, GA. Scale: 1"=100'

Field By: J.K. Drawn By: MSF Checked By: LJJ

Job Number: 24225 File Number: 24225.DWG

Sheet No.

1 OF 1

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LAND DESCRIPTION
OVERALL

All that tract or parcel of land lying and being in Georgia Militia District #1740, City of Auburn, Barrow County and being more particularly described as follows:

To find the True Point of Beginning, begin at a point formed by the intersection of Apalachee Church Road (apparent 80' row) and McCully Drive (apparent 60' row), said point being the True Point of Beginning.

THENCE along the Right-of-Way of McCulley Drive South 51 degrees 07 minutes 38 seconds West for a distance of 551.95 feet to a point; THENCE North 39 degrees 15 minutes 22 seconds West for a distance of 604.00 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 29 minutes 09 seconds East for a distance of 252.28 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 18 minutes 16 seconds West for a distance of 50.00 feet to a 1/2 inch open top pipe found; THENCE South 73 degrees 22 minutes 54 seconds west for a distance of 50.04 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 17 minutes 33 seconds West for a distance of 193.70 feet to a point; THENCE North 73 degrees 19 minutes 12 seconds East for a distance of 212.65 feet to a 1/2 inch rebar with cap found; THENCE North 73 degrees 21 minutes 06 seconds East for a distance of 391.94 feet to a point on the westerly right-of-way of Apalachee Church Road; THENCE along said right-of-way South 27 degrees 06 minutes 25 seconds East for a distance of 48.17 feet to a point; THENCE along a curve to the right having a radius of 1253.36 feet an arc length of 331.27 feet being subtended by a chord bearing of South 19 degrees 55 minutes 10 seconds East for a chord length of 330.31 feet to a point; THENCE along a curve to the left having a radius of 2177.86 feet an arc length of 187.58 feet being subtended by a chord bearing of South 18 degrees 12 minutes 09 seconds East for a chord distance of 187.52 feet to a point; THENCE South 20 degrees 12 minutes 54 seconds East for a distance of 192.02 feet to a point; THENCE along a curve to the right having a radius of 919.60 feet being subtended by chord bearing of South 20 degrees 06 minutes 56 seconds East for a chord distance of 50.07 feet to a point, said being the True Point of Beginning.

Said property contains 13.394 acres.
Including all easements within.



City of Auburn
P.O. Box 1059
Auburn, GA 30011
www.cityofauburn-ga.org

File #:

CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the owner's certification must be completed.

OWNER'S CERTIFICATION

The undersigned below, hereby declares that they are the owner(s) of the property, located at 21 Apalachee Church / 1675 McCully Dr as shown in the records of Barrow County, GA.
Auburn GA 30011

Sheila Brown Graft
Signature of Owner

Appeared before me personally this

26 day of APRIL, 2025



[Signature]
Signature of Notary Public

Seal

AGENT'S CERTIFICATION

The undersigned below, or as attached, is hereby authorized to make this application by the property owner for the property listed above, which is the subject of this application.

Dillon Lee
Name of Agent

Address 390 Brogdon Rd
Suwanee GA
30024

678-463-6279
Phone

Appeared before me personally this

26 day of APRIL, 2025



[Signature]
Signature of Notary Public

Seal



City of Auburn
P.O. Box 1059
Auburn, GA 30011
770-963-4002
www.cityofauburn-ga.org

File #: _____

CONFLICT OF INTEREST DISCLOSURE

The undersigned below, making application for Rezoning, Special Exception, Special Use Permit, Variance, etc., has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.



Signature of Applicant

4/29/25

Date

Sheila Brown Croft

Signature of Owner

Date

Dillon Lee


Print Name
member/manager

Title

Sheila Brown Croft

Print Name

Appeared before me personally this
29 day of April, 2025




Signature of Notary Public

Seal



REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL UNLESS WAIVED BY THE CITY COUNCIL. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.


SIGNATURE OF APPLICANT

4/28/25
DATE

Dillon Lee
PRINT NAME AND TITLE


SIGNATURE OF NOTARY PUBLIC

4/28/25
DATE



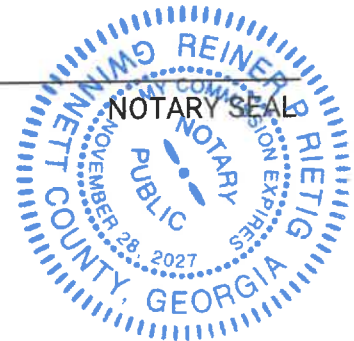
REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL UNLESS WAIVED BY THE CITY COUNCIL. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.

Sheila Brown Craft 4/29/25
SIGNATURE OF PROPERTY OWNER DATE

Sheila Brown Craft
PRINT NAME AND TITLE

[Signature] 4/28/25
SIGNATURE OF NOTARY PUBLIC DATE



CONFLICT OF INTEREST CERTIFICATION FOR REZONING

THE UNDERSIGNED BELOW, MAKING APPLICATION FOR A 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.

Sheila Brown Craft 4/29/25
SIGNATURE OF PROPERTY OWNER DATE

PRINT NAME AND TITLE

[Signature] 4/28/25
SIGNATURE OF NOTARY PUBLIC DATE



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 MEMBER OF THE CITY COUNCIL OR A MEMBER OF THE AUBURN PLANNING COMMISSION?

☐ YES ☒ NO

Sheila Brown Craft
YOUR NAME

IF THE ANSWER IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME AND POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN LAST TWO YEARS)

ATTACHED ADDITIONAL SHEETS IF NECESSARY, TO DISCLOSE OR DESCRIBE ALL CONTRIBUTIONS.

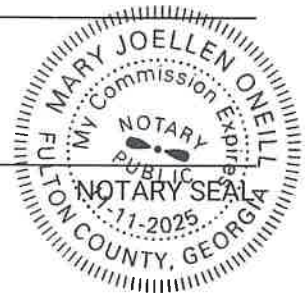
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

THE UNDERSIGNED BELOW, MAKING APPLICATION FOR A 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.

 May 5, 2025
SIGNATURE OF PROPERTY OWNER DATE

Julia Maxwell, Attorney for Applicant
PRINT NAME AND TITLE

 5-5-2025
SIGNATURE OF NOTARY PUBLIC DATE



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 MEMBER OF THE CITY COUNCIL OR A MEMBER OF THE AUBURN PLANNING COMMISSION?

☐ YES ☒ NO

Mahaffey Pickens Tucker, LLP

YOUR NAME

IF THE ANSWER IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME AND POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN LAST TWO YEARS)

ATTACHED ADDITIONAL SHEETS IF NECESSARY, TO DISCLOSE OR DESCRIBE ALL CONTRIBUTIONS.

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL UNLESS WAIVED BY THE CITY COUNCIL. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.



SIGNATURE OF APPLICANT

May 5, 2025

DATE

Julia Maxwell, Attorney for Applicant

PRINT NAME AND TITLE



SIGNATURE OF NOTARY PUBLIC

5-5-2025

DATE



Abutting Property Owners List

Name	Address
SAKSS Auburn, LLC	970 Peachtree Industrial BLVD, Ste. 17 Suwanee, GA 30024
Lee & Park Real Estate, LLC	3321 Orwell Way Unit 4305 Cumming, GA 30041
Chewning Robert W, LLC	2448 Centerville Roasebud Rd Loganville, GA 30052
Bobbie D. Sikes c/o Rocking Horse Ranc	1670 Atlanta HWY NW Auburn, GA 30011
Bobbie D. Sikes	4120 Lakewood Ct Lula, GA 30554
Gisela Solis and Jose Luis Vazquez	1683 McCully Drive Auburn, GA 30011
Cynthia A. Berry and Charles Wilson Berry, Jr.	85 Apalachee Church Road Auburn, GA 30011
Jacquelyn D. Howington	51 Apalachee Church Road Auburn, GA 30011
James Darrell Walls	40 Apalachee Church Road Auburn, GA 30011
Martha W. Pate	34 Apalachee Church Road Auburn, GA 30011
Daniel Ajani and Mary Ajani	2727 Stonebridge Way Dacula, GA 30019
RSE Properties Seven, LLC	P.O. Box 210 Stephens, GA 30667

REZONING CHECKLIST

THE FOLLOWING IS A CHECKLIST OF INFORMATION REQUIRED FOR SUBMISSION OF A REZONING APPLICATION. THE COMMUNITY DEVELOPMENT DEPARTMENT RESERVES THE RIGHT TO REJECT ANY INCOMPLETE APPLICATION.

- ☒ COMPLETED APPLICATION FORMS AND CERTIFICATIONS
- ☒ LEGAL DESCRIPTION
- ☒ BOUNDARY SURVEY
- ☒ SITE PLAN - THREE (3) COPIES AND ONE (1) 8-1/2" X 11" REDUCTION
- ☒ A PDF, CD, OR USB THUMB DRIVE WITH DIGITAL COPIES OF THE PLANS
- ☒ LETTER OF INTENT
- ☒ \$1,000.00 APPLICATION FEE – MAKE CHECKS PAYABLE TO CITY OF AUBURN

ADDITIONAL EXHIBITS (IF REQUIRED):

- ☒ SITE PLAN, ARCHITECTURAL EXHIBITS, AND/OR NARRATIVE REQUIREMENTS.
- ☐ TRAFFIC STUDY
- ☐ REVIEW FORM FOR DEVELOPMENT OF REGIONAL IMPACT (DRI)
- ☐ BUILDING COMPLIANCE INSPECTION



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 2

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade
City Planner

DATE: July 24, 2025

PURPOSE: Waive the requirements of **(1)** Title 16, Sec. 16.28.030.C.1 and **(2)** Title 16, Sec. 16.28.060.B.1, to **(1)** allow for the construction of two permanently dead-ended streets and **(2)** permit access from residential parcels to those dead-end segments, respectively.

BACKGROUND: The applicant is requesting two waivers from the requirements of Title 16, concurrent with a request to rezone the site from AG to PUD for the construction of a 40 unit detached single-family residential subdivision on tax map parcels AU05 018 (21 Apalachee Church Rd) and AU05 019 (1675 McCully Dr).

STAFF RECOMMENDATION: Denial

FUNDING: N/A



COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN

1 Auburn Way

AUBURN, GA 30011

PHONE: 770-963-4002

www.cityofauburn-ga.org

MEMORANDUM

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade, City Planner

DATE: July 24, 2025

RE: Cornerstone Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP requests waivers from **(1)** Title 16, Sec. 16.28.030.C.1 and **(2)** Title 16, Sec. 16.28.060.B.1, to **(1)** allow for the construction of two permanently dead-ended streets and **(2)** permit access from residential parcels to those dead-end segments, respectively. These requests are applicable to a 13.39± acre assemblage composed of tax map parcels AU05 018 (21 Apalachee Church Rd) and AU05 019 (1675 McCully Dr).

Dear Mayor & Council,

The applicant is requesting two (2) waivers from Title 16 – Development Regulations of the City of Auburn. Specifically, they seek relief from the following provisions:

- (1)** Sec. 16.28.030.C.1 requires “dead end streets [be] designed to have one end permanently closed shall provide a cul-de-sac turnaround.”
 - a. The developer seeks this requirement to be waived to allow the construction of two street segments with dead-ends, as conceptualized in their submittal.
- (2)** Sec. 16.28.060.B.1 commands “no lot within the proposed subdivisions gain access from the “stub” street.”
 - a. The developer seeks this requirement to be waived to allow for a total of three lots to gain access from the two proposed dead end street segments, as conceptualized in their submittal.
 - b. Note: “stub street” is synonymous with “dead end.”

The submitted concept plan provides for a 40-lot, detached single-family residential subdivision to be developed with an internal public street network. Rezoning request RZ25-0001, submitted by the

applicant to rezone the subject assemblage from AG: Agricultural to PUD: Planned Unit Development, is under consideration concurrent to these waiver requests.

If waiver request **(1)** is approved, two public roads internal to the development would be constructed with dead-ends measuring 27 feet wide, from curb to curb. The approval of waiver request **(2)** is dependent upon request **(1)** being granted, because no lot can gain access from a dead-end street segment if none are approved for construction. If waiver requests **(1)** and **(2)** are approved, proposed lot 8 would gain direct access from one dead-end road segment, and proposed lots 36 and 37 would gain access from the other dead-end road segment.

Sec. 16.52.030 - Appeal and waiver of the regulations, provides that there shall be a review of each waiver request by all affected city or Barrow and/or Gwinnett County departments, comments provided, and the findings presented to the city council for final action in their normal course of business.

ANALYSIS

Sec. 16.52.030(B) - Appeal and waiver of the regulations, provides that there shall be a review of each waiver request by all other affected city or Barrow and/or Gwinnett County departments and shall forward such comments or recommendations as may be received to the city council for final action in their normal course of business.

The subject waiver request has been reviewed by Barrow County Fire Marshal, Captain Jessie Knight. If approved, the Fire Marshal will be part of the review process, and their approval will be required prior to the issuance of any development permits for the project. The referenced figure is included in the waiver agenda packet. Captain Knight provided the following comments in relation to the waiver request:

"Please see the following information and the attached figure above as it relates to requirements for the roadways per the international fire code, and State amendments.

D107.1 One- or Two-Family Dwelling Residential Developments

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

- 1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.*
- 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.*
- 3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:*
 - a. Enhanced turning radius to meet local responding fire department requirements; and/or*
 - b. Increased road widths to meet local responding fire department requirements; or*
 - c. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or*
 - d. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or*
 - e. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or*
 - f. Single entrance roads providing a dedicated emergency lane separating each drive lane; or*
 - g. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or*
 - h. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department*

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire

department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

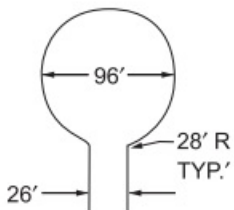
D107.2 Remoteness

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses."

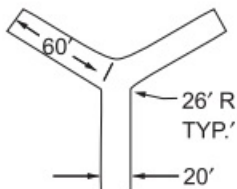
STAFF RECOMMENDATIONS:

Staff recommends the requested waiver from Sec. 16.28.030.C.1 **(1)** be denied, as there are no exceptional conditions or unique property characteristics that support granting the request.

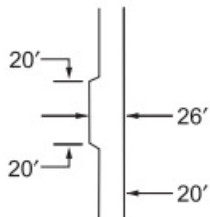
Staff recommends the requested waiver from Sec. 16.28.060.B.1 **(2)** be denied, as there are no exceptional conditions or unique property characteristics that support granting the request.



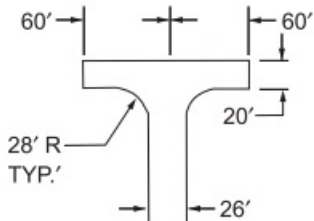
96' DIAMETER
CUL-DE-SAC



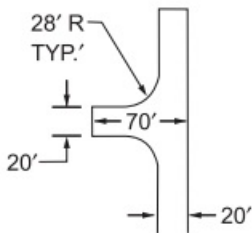
60-FOOT "Y"



MINIMUM CLEARANCE
AROUND A FIRE
HYDRANT





120' HAMMERHEAD

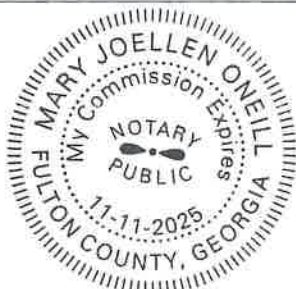


ACCEPTABLE ALTERNATIVE
TO 120' HAMMERHEAD



VARIANCE APPLICATION

Type of Request:	<input type="checkbox"/> Zoning/Special Exception	<input type="checkbox"/> Administrative	<input type="checkbox"/> Sign	<input type="checkbox"/> Stream Buffer	<input checked="" type="checkbox"/> Other
Applicable Zoning/Sign Code Section: Section 16.28.030 and Section 16.28.060					
Nature of Request:	Required	Proposed	Minimum Setback Requirements	Proposed Setback Requirements	
<input type="checkbox"/> Setback					
<input type="checkbox"/> Sign					
<input type="checkbox"/> # Parking Spaces					
<input checked="" type="checkbox"/> Other	Provide a cul-de-sac	dead-end street			
Name of Project/Subdivision: 21 Apalachee Church Road			Present Zoning: AG (PUD requested) per RZ-25-0001		
Property Address/Location: 21 Apalachee Church Road & 1675 McCully Drive			Tax Parcel ID: AU05 018 & AU05 019		
Briefly describe variance request: 1. Waiver to allow for the use of dead-end streets without providing a cul-de-sac turnaround. 2. Waiver to allow certain lots to be accessed via dead-end streets.					
Owner Name: The Travis and Herman Brown Family Partnership					
Address: P.O. Box 563					
Phone: (770) 232-0000			Email: slanham@mptlawfirm.com		
Applicant Name (if different from above): Cornerstone Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP					
Address: 1550 North Brown Road, Suite 125, Lawrenceville, GA 30043					
Phone: (770) 232-0000			Email: slanham@mptlawfirm.com		
<i>To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Auburn Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Auburn Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.</i>					
Owner/Applicant Signature: 			Date: 7/17/2025		
Sworn to and subscribed before me this <u>17th</u> day of <u>July</u> , 20 <u>25</u> .					
Notary Public: 			Date:		
Application Received by:			Case Number:		
Application Fee: <input type="checkbox"/> \$450					
ZBOA Public Hearing Date:					



1.

David Belle Isle
Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
John D. Hipes*
Christopher D. Holbrook
Jessica R. Kelly
Shane M. Lanham

Jeffrey R. Mahaffey
John N. Mahaffey
Julia A. Maxwell
Steven A. Pickens
Jack M. Ryan
Gabrielle H. Schaller
S. Tess Shaheen
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
CORNERSTONE HOME BUILDERS, LLC**

Mahaffey Pickens Tucker, LLP submits the attached rezoning application (the “Application”) on behalf of Cornerstone Home Builders, LLC (the “Applicant”), relating to a proposed development on approximately 13.394 acres of land (the “Property”) located off Apalachee Church Road in the City of Auburn and further identified as parcel numbers AU05 018 and AU05 019. The Applicant respectfully requests to rezone the Property from the current AG (Agricultural District) to the PUD (Planned Unit Development District) pursuant to the City of Auburn Zoning Ordinance (the “Zoning Ordinance”).

The proposed development would include forty (40) single-family detached homes as depicted on the site plan submitted with the Application. The Applicant proposes to develop the Property in compliance with the PUD zoning classification to allow for a more unique and creative community. As depicted on the site plan, the proposed development would consist of forty (40) single-family detached dwellings. 15.38% of the proposed development will be used as common open space and will include approximately 2.06 acres (89,733.6 square feet) of common open space and community amenities such as a pavilion/gazebo and pickleball courts for residents to enjoy. The development would have a gross density of 2.98 units per acre. The minimum lot size will be 7,500 square feet with a lot width of 60 feet. Each dwelling will have a minimum front setback of 22 feet, side setback of 7.5 feet, and rear setback of 15 feet. Water will be provided by the City of Auburn Public Works and sewer will be provided by Barrow County Water and Sewer Authority.

The homes will be compatible with homes in the surrounding area and include attractive architectural elements which would meet or exceed the requirements of the Zoning Ordinance. Building façades of the proposed homes would include brick, stone, shake/siding, and/or board and batten. All of the homes will be a minimum of 2,000 square feet and include a two-car garage. The proposed development will be accessed via a single entrance off Apalachee Church Road. The proposed development will be managed and maintained by a mandatory Homeowners' Association and will be subject to recorded declarations. The streets within the development will be dedicated as public right-of-way. The proposed development will include a 10-foot landscape strip along Apalachee Church Road and sidewalks will be provided for residents to use within the development. All homes have a fifteen-foot rear setback from the property line which will ensure proper protection and buffering for abutting property owners.

The proposed development is compatible with surrounding land uses and is in line with the policies and intent of the City of Auburn's 2018 Comprehensive Plan (the "Comprehensive Plan"). Single-family housing is currently in high demand and is projected to stay in high demand. The proposed development will increase the supply of housing in the area and help alleviate the shortage of single-family detached housing. Additionally, the intent and purpose of the PUD zoning district is to promote innovative development types that complement the existing developments in the City of Auburn. Further, PUD allows for more flexibility with the placement, arrangement, and orientation of dwellings while promoting the incorporation of active open spaces and resident-focused amenities.

To develop the Property as depicted on the site plan submitted with the Application, the Applicant is requesting two waivers:

1. A waiver from Section 16.28.030 to allow for the use of a dead-end streets without providing a cul-de-sac turnaround. Due to the size, shape, and topography of the Property, providing a cul-de-sac turnaround in place of the two proposed dead-end streets would create a serious hardship for the Applicant. Further, approval of the requested waiver will not negatively impact the navigability of the proposed development or the use and enjoyment of the homes for future residents.

2. A waiver from Section 16.28.060 to allow for lots 8, 36, and 37 to be accessed via a dead-end street. Due to the size, shape, and topography of the Property, providing a cul-de-sac turnaround in place of the two proposed dead-end streets would create a serious hardship for the Applicant. Further, approval of the requested waiver will not negatively impact the navigability of the proposed development or the use and enjoyment of the homes for future residents.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Auburn Community Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 5th day of May, 2025.

MAHAFFEY PICKENS TUCKER, LLP



Julia A. Maxwell
Attorneys for Applicant

File Location: s:\design\projects\2025\2401 - 21 apalachee church road - auburn ga\02-design\dwg\01-concept\updated concept 2025\apalachee church - concept.dwg
Plot Date: Tuesday, June 10, 2025 11:39:41 AM

SITE DATA:

TOTAL LOTS: 40 (60' X 127' TYP.)

TOTAL AC: 13.394 ACRES
-2.41 AC R/W
-0.27 CELL TOWER ESMT.
-0.21 PROPOSED POWER ESMT.
= 10.50 ACRES

GROSS DENSITY: 2.98 U/A (3.0 U/A MAX)
NET DENSITY: 3.81 U/A

CURRENT ZONING: AG
PROPOSED ZONING: PUD

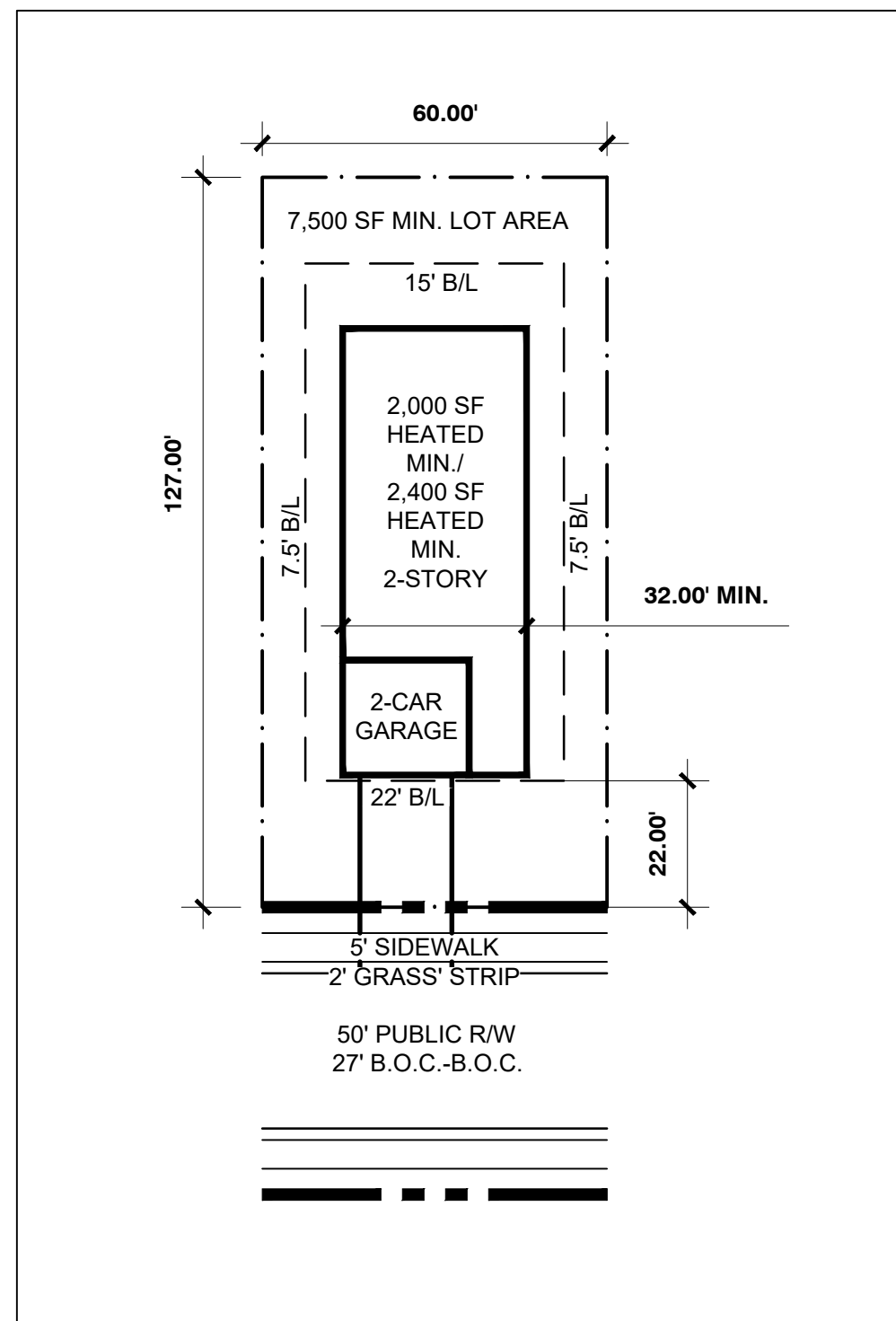
MIN. LOT SIZE: 7,500 SQFT

SETBACKS:
FRONT: 22'
REAR: 15'
SIDE: 7.5'

SIDEWALKS: 5' ALONG BOTH SIDES

AMENITIES:
40 LOTS @ 2.98 U/A = 2 POINTS REQUIRED
PROPOSED 400 SF GAZEBO/PAVILION = 1 POINT
PROPOSED PICKLEBALL COURT = 2 POINT
TOTAL = 3 POINTS

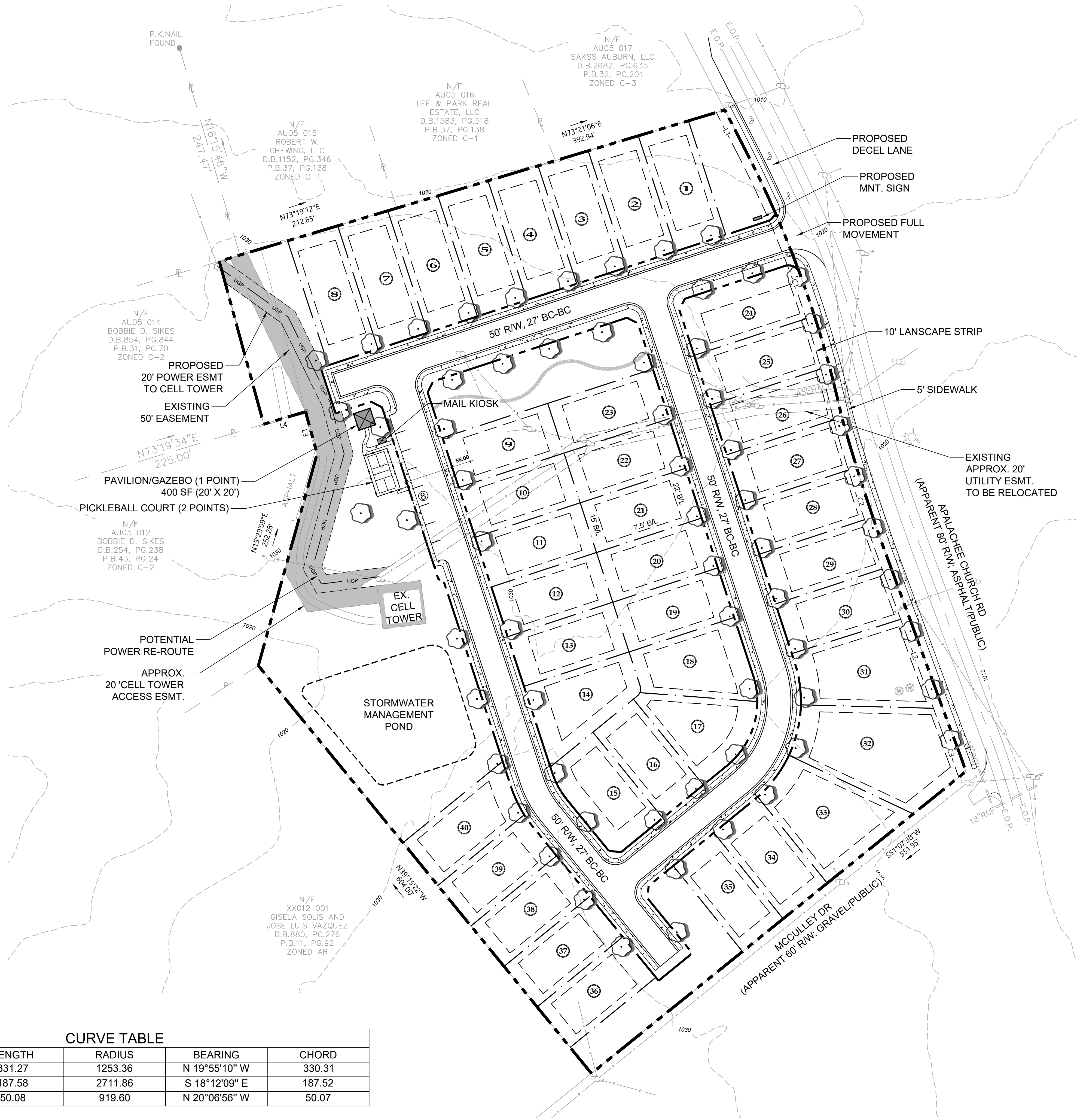
VARIANCE NOTE: VARIANCE REQUEST FROM SEC. 16.28.030 & SEC.16.28.060 TO ALLOW DEAD END STUB STREETS AND ACCESS TO LOTS 8, 36, & 37 VIA THOSE STUB STREETS.



TYPICAL LOT LAYOUT
SCALE: 1" = 30'

LINE TABLE		
LINE	LENGTH	BEARING
L1	48.17	S 27°06'25" E
L2	192.02	S 20°12'54" E
L3	50.00	S 15°18'16" E
L4	50.04	N 73°22'54" E

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	331.27	1253.36	N 19°55'10" W	330.31
C2	187.58	2711.86	S 18°12'09" E	187.52
C3	50.08	919.60	N 20°06'56" W	50.07



CONCEPT PLAN FOR
APALACHEE CHURCH SUBDIVISION

21 APALACHEE CHURCH RD
PARCEL # AU05 018, AU05 019



SCALE: 1"= 60'

PROJECT NUMBER

SHEET TITLE

CONCEPT
PLAN

DATE

06/10/25

PREPARED
FOR:
ETHAN FRAZIER
678-699-9739

LJA
299 S. MAIN STREET
ALPHARETTA, GA 30009
770-225-4730

NOT
RELEASED
FOR
CONSTRUCTION



City of Auburn
P.O. Box 1059
Auburn, GA 30011
www.cityofauburn-ga.org

File #:

CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the owner's certification must be completed.

OWNER'S CERTIFICATION

The undersigned below, hereby declares that they are the owner(s) of the property, located at 21 Apalachee Church / 1675 McCully Dr as shown in the records of Barrow County, GA.
Auburn GA 30011

Sheila Brown Graft
Signature of Owner

Appeared before me personally this

26 day of APRIL, 2025



[Signature]
Signature of Notary Public

Seal

AGENT'S CERTIFICATION

The undersigned below, or as attached, is hereby authorized to make this application by the property owner for the property listed above, which is the subject of this application.

Dillon Lee
Name of Agent
Address 390 Brogdon Rd
Suwanee GA
30024
678-463-6279
Phone

Appeared before me personally this

26 day of APRIL, 2025



[Signature]
Signature of Notary Public

Seal



City of Auburn
P.O. Box 1059
Auburn, GA 30011
770-963-4002
www.cityofauburn-ga.org

File #: _____

CONFLICT OF INTEREST DISCLOSURE

The undersigned below, making application for Rezoning, Special Exception, Special Use Permit, Variance, etc., has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.



Signature of Applicant

4/29/25
Date

Sheila Brown Croft

Signature of Owner

Date

Dillon Lee

Print Name
member/manager


Title

Sheila Brown Croft

Print Name

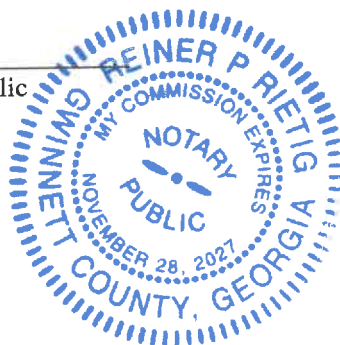
Appeared before me personally this

29 day of April, 2025



Signature of Notary Public

Seal



REFERENCES

- 1) D.B.2560, PG.492
- 2) P.B.11, PG.92
- 3) P.B.28, PG.220
- 4) P.B.31, PG.70
- 5) P.B.43, PG.24

GENERAL/SITE NOTES

- 1) OWNER OF RECORD: THE TRAVIS AND HERMAN BROWN FAMILY LIMITED PARTNERSHIP P.O. BOX 563 BUFORD, GA 30515
- 2) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED.
- 3) SITE ELEVATIONS BASED ON NAVD 88 BY OBTAINED BY MEANS OF LOCAL GPS NETWORK.
- 4) RD= RECORD DISTANCE.
- 5) LAND DEVELOPMENT SURVEYORS, INC., IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.

PLAT CLOSURE STATEMENT:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE & IS ACCURATE WITHIN ONE FOOT IN 302,266 FEET, AND CONTAINS A TOTAL OF 13.394 ACRES.

NOTE:

BEARINGS AND ELEVATIONS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS USING CARLSON GNSS ROVER EQUIPMENT AND TRIMBLE, INC. REAL TIME NETWORK ADJUSTMENT AT DATE OF FIELD WORK.

THIS SURVEY WAS PREPARED UTILIZING A DUAL FREQUENCY GPS RECEIVER. NETWORK RTK CORRECTIONS WERE RECEIVED VIA CELLULAR MODEM. THE BASE STATION NETWORK IS OPERATED AND MAINTAINED BY TRIMBLE, INC.

THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3, NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT A 95% CONFIDENCE LEVEL.

THE FIELD SURVEY WAS COMPLETED ON 12/4/24.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THE TERM "CERTIFICATION" OR TO "CERTIFY" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

LINE TABLE		
LINE	LENGTH	BEARING
L1	48.17	S27°06'25"E
L2	192.02	S20°12'54"E
L3	50.00	S15°18'16"E
L4	50.04	N73°22'34"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	331.27	1253.36	N19°55'10"W	330.31
C2	187.58	2177.86	S18°12'09"E	187.52
C3	50.08	919.60	N20°06'56"W	50.07

LEGEND	
IPF	IRON PIN FOUND
IPS	1/2" REBAR PIN SET
LL	LAND LOT
ULL	LAND LOT LINE
P	PROPERTY LINE
C	CENTERLINE
B	BUILDING LINE
R/W	RIGHT-OF-WAY
SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT
MH	MANHOLE
CB	CATCH BASIN
JB	JUNCTION BOX
HW	HEADWALL
DI	DROP INLET
PP	POWER/UTILITY POLE
FH	FIRE HYDRANT
IE	INVERT ELEVATION
FFE	FINISHED FLOOR ELEVATION
BOC	BACK OF CURB
EP	EDGE OF PAVEMENT
S	SANITARY SEWER LINE/PIPE
SS	STORM SEWER LINE/PIPE
F	FENCE LINE
...	FLOOD HAZARD ZONE LINE
N/F	NOW OR FORMERLY

FLOOD HAZARD NOTE

BY GRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 13013C00400, DATED DECEMBER 1, 2022.

THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS A INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATION(S) OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.



12/5/24

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 13-6-67.

RETRACEMENT SURVEY PLAN FOR

SOUTHERN HERITAGE HOMES

21 APALACHEE CHURCH ROAD
CITY OF AUBURN

LAND DEVELOPMENT
SURVEYORS, INC.

P.O. BOX 2050
Dacula, GA. 30019
(770) 882-8206
LDSURVEYORS2003@GMAIL.COM
COA LSF#000832

Date: 12/5/24 Land Lot: G.M.D. #1740 District:

County: BARROW COUNTY, GA. Scale: 1"=100'

Field By: J.K. Drawn By: MSF Checked By: LJJ

Job Number: 24225 File Number: 24225.DWG

Sheet No.

1 OF 1

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LAND DESCRIPTION
OVERALL

All that tract or parcel of land lying and being in Georgia Militia District #1740, City of Auburn, Barrow County and being more particularly described as follows:

To find the True Point of Beginning, begin at a point formed by the intersection of Apalachee Church Road (apparent 80' row) and McCully Drive (apparent 60' row), said point being the True Point of Beginning.

THENCE along the Right-of-Way of McCulley Drive South 51 degrees 07 minutes 38 seconds West for a distance of 551.95 feet to a point; THENCE North 39 degrees 15 minutes 22 seconds West for a distance of 604.00 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 29 minutes 09 seconds East for a distance of 252.28 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 18 minutes 16 seconds West for a distance of 50.00 feet to a 1/2 inch open top pipe found; THENCE South 73 degrees 22 minutes 54 seconds west for a distance of 50.04 feet to a 1/2 inch open top pipe found; THENCE North 15 degrees 17 minutes 33 seconds West for a distance of 193.70 feet to a point; THENCE North 73 degrees 19 minutes 12 seconds East for a distance of 212.65 feet to a 1/2 inch rebar with cap found; THENCE North 73 degrees 21 minutes 06 seconds East for a distance of 391.94 feet to a point on the westerly right-of-way of Apalachee Church Road; THENCE along said right-of-way South 27 degrees 06 minutes 25 seconds East for a distance of 48.17 feet to a point; THENCE along a curve to the right having a radius of 1253.36 feet an arc length of 331.27 feet being subtended by a chord bearing of South 19 degrees 55 minutes 10 seconds East for a chord length of 330.31 feet to a point; THENCE along a curve to the left having a radius of 2177.86 feet an arc length of 187.58 feet being subtended by a chord bearing of South 18 degrees 12 minutes 09 seconds East for a chord distance of 187.52 feet to a point; THENCE South 20 degrees 12 minutes 54 seconds East for a distance of 192.02 feet to a point; THENCE along a curve to the right having a radius of 919.60 feet being subtended by chord bearing of South 20 degrees 06 minutes 56 seconds East for a chord distance of 50.07 feet to a point, said being the True Point of Beginning.

Said property contains 13.394 acres.
Including all easements within.



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 3

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade
City Planner

DATE: July 24, 2025

PURPOSE: Overlay Architectural Approval (OAR) request for the development of six (6) town houses in the ADOD: Auburn Downtown Overlay District.

BACKGROUND: The applicant is requesting approval to construct one, six-unit town house building in the ADOD in the Arts and Crafts (Craftsman) style at the northeastern corner of 6th St and 6th Ave.

STAFF RECOMMENDATION: Denial.

FUNDING: N/A



COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN

1 Auburn Way

AUBURN, GA 30011

PHONE: 770-963-4002

www.cityofauburn-ga.org

Staff Report for Auburn Downtown Overlay District Architectural Overlay Review

CASE NUMBER:	PL25-0009
ZONING:	Downtown Overlay District (ADOD)
LOCATION:	0 6th Street
PARCEL NUMBER:	A portion of AU11 121
SITE ACREAGE:	2.02 +/- acres
PROPOSED DEVELOPMENT:	Six (6) single-family attached dwellings (townhomes)
FUTURE DEVELOPMENT MAP:	Mixed Use
APPLICANT:	HBC Investments, LLC c/o William J. Diehl, Thompson, O'Brien, Kappler & Nasuti, PC

PROJECT SUMMARY:

The applicant proposes the development of a six (6) unit townhouse building on a site in the Auburn Downtown Overlay District (ADOD). Pursuant to Sec. 17.91.080 of the Zoning Ordinance, the Mayor and City Council of Auburn must review each ADOD development application for compliance with District regulations.

The proposed dwellings would front 6th Avenue, equipped with two-car garages served by a rear alley. The Application does not indicate whether each residence would be individually platted (fee-simple), or if the completed development would remain under single ownership. The proposed rear alley is conceptualized to begin at 6th Street and dead-end on site. The subject parcel totals 2.02 +/- acres, but the application indicates that townhome development would be confined to 0.59 acres at the site's southern end; the balance of the property would remain undeveloped if the application is approved as presented. The Application does not provide any information about the future use of the balance of the property.

According to the submittal, each dwelling would measure two stories tall with 1,968 square feet of heated floor area, equipped with a front porch no less than 30 square feet. The residences are proposed to be "Arts and Crafts" (craftsman) style, with "naturally textured siding," "exposed roof rafters with long overhanging eaves," and "changes in the masonry materials and colors of the homes." A seven (7) foot planting zone, five (5) foot sidewalk, and a six (6) foot Supplemental Zone would be provided along 6th Avenue and 6th Street per the application.

Pursuant to Table 17.91.044, Downtown Streetscape Standards, staff categorize both 6th Avenue and 6th Street as "Downtown Road Type 2 (D2)." This road type reflects local thoroughfares that provide access to

local goods and services. Both streets directly connect the development site to local commercial, civic, and/or institutional land uses, supporting this categorization. The application identifies both streets as "Downtown Road Type 1," but no source or justification for this is provided.

D2 roadways shall be equipped with a planting zone no less than seven (7) feet in depth, a sidewalk zone and no less than six (6) feet in depth (includes a six (6) foot sidewalk), and a supplemental zone no less than six (6) feet in depth. To meet streetscape and setback requirements, the property owner may be required to dedicate right-of-way to the City; this would be administered during the permitting process if council approves the subject request.

SITE HISTORY:

The subject site measures 2.02 +/- acres and is zoned Downtown Overlay District (ADOD). Currently, it's vacant and vegetated. In 2017, a single-family house that formerly existed on the site was demolished; remnants of the driveway would be removed during site development.

DEVELOPMENT REVIEW COMMENTS:

Pursuant to Sec. 17.91.080.B, the Mayor and City Council of Auburn shall review this development application for compliance with all requirements of the Auburn Downtown Overlay District based in part on the criteria outlined herein. Upon decision by the governing body that the proposal complies with said requirements, the applicant may begin development after obtaining the appropriate permit(s).

The Overlay Review Criteria are provided below. Language in bold is from the City of Auburn Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.

a. Applicant submittal includes a project narrative.

- Yes, the submittal includes a project narrative.

b. Applicant has submitted a conceptual plan showing all proposed buildings, site requirements, and other information pertinent to the development of the site.

- The submitted plan does not currently reflect the entirety of the subject property.
 - Approximately 1.43 +/- acres of the subject property are not included in the conceptual plan, and it is unclear if the remainder of the site is to remain undeveloped or be developed in the future. Without this information staff is unable to fully assess the overall impacts of the proposed development or determine whether the proposal is aligned with adopted city policy documents and long-term vision for the area.

c. Elevation drawings submitted shall include dimensions of all sides of existing and proposed structures. Architectural elevations and treatments illustrating the architectural finish of the structures.

- The applicant has provided elevation renderings of the front and rear of the proposed townhouse building.
 - However, renderings of the building sides are absent.

d. Applicant has included exterior finish material selections for all relevant structures to comply with the requirements of Chapter 17.91 Auburn Downtown Overlay District.

- The applicant has provided exterior finish material selections; however, not all details have been addressed.
 - It is unclear which material(s) would be used to face exposed foundation walls on the building sides.

e. Applicant has submitted sign plans and landscape plans in accordance with this Chapter 17.91 Auburn Downtown Overlay District.

- The applicant does not intend to install any signage as part of this proposal.
- The applicant has submitted a landscape plan; however it differs significantly from the conceptual site plan and does not appear to accurately reflect the proposed development.
 - The conceptual plan depicts a narrow landscape strip with sparse row of trees between the street and the sidewalk, lacking detail and showing minimal space between the sidewalk and the town house porches.
 - In contrast, the submitted landscape plan shows trees planted between the sidewalk and town house porches, suggesting a greater setback than indicated in the conceptual site plan. The plan also depicts the town houses as being front-loaded, which is inconsistent with the proposal for a rear-loaded townhouse building served by a private alley.

f. Applicant submittal includes photos of neighboring properties to ensure compatibility with the proposed design.

- The applicant has not provided photos of neighboring properties or information to ensure design compatibility.
 - Neighboring properties are used for single-family residential and retail (including a gasoline station)

g. Applicant shall provide any other information deemed necessary by the City Planner, or their designee to evaluate the appearance of the proposed site and its structures.

- The Community Development Department does not request additional information from the applicant at this time.

h. Property owned by the City or any Authority thereof shall be exempt from the Plan and Review process described herein.

- The subject property is owned privately; therefore, it's not subject to any exemptions.

In addition to the Overlay Review Criteria provided above, the submittal has been reviewed for general compliance with the requirements of Sec. 17.91 of the Zoning Ordinance, which establishes the Auburn Downtown Overlay District. Staff has identified the following potential Code deficiencies:

1. Sec. 17.91.041.B.a.iii.1 governs the massing and composition of Arts and Crafts (Craftsman) residential structures, and commands they "follow a one to one and one-half story structure height."

- a. The proposed townhouse building would measure two stories, which is not consistent with the Code requirement.
 - i. Craftsman buildings “shall follow a one to one and one-half story structure height.”
 - b. Article 17.91.041.B.a.iii.2. states that “stone, brick, and/or stucco shall serve primarily as accent materials to achieve visual interest.”
 - i. The porch columns for all units make use of masonry materials, but not to the extent of creating visual interest.
 - ii. The use of different siding styles and patterns for the porch gables, or delineating masses with brick or masonry façades, would better embody the City’s vision and intent for development in the ADOD.
 - c. The wooden columns and exposed rafters with long overhanging eaves are characteristic features of the Craftsman style. To further enhance the overall aesthetics, incorporating additional details, such as decorative brackets, may bring greater depth and refinement.
 - d. The elevations and drawings provided are not sufficient to verify the angle of the pitched roof. The Craftsman style usually employs a low-pitched roof, often at 18.4 to 26.6 degrees.
 - e. The proposed building massing and composition may be approved by the Mayor and City Council as an alternative design.
2. Sec. 17.91.041.B.a.v allows for single-family façade style and building design alternatives as approved by the Mayor and City Council. This mechanism, at the discretion of the Mayor and City Council, allows for building facades and styles other than Victorian Queen Anne, Victorian Folk, Arts and Crafts (Craftsman), and Art Deco. Staff determines that the proposed townhouse building does not meet any of the four Codified styles; therefore, it is subject to discretionary approval.
- a. The façade variations provided by the applicant are surface level, and do not complement the aesthetic vision of the City.
 - i. While the submitted elevations incorporate several different stylistic elements, the limited massing variation results in a composition which appears somewhat uniform. The proposed color pallet adds visual contrast, however the inclusion of more distinct material changes could help reinforce a cohesive architectural identity more aligned with the City vision.
 - ii. Aligning more closely with one of the codified architectural styles, or drawing stronger influence from a single historic style, would enhance compatibility with the historic character of the area.
3. Sec 17.91.044 governs streetscape requirements; the subject development fronts two roadways classified as Downtown Road Type 2 (D2).
- a. The sidewalk widths must be no less than six (6) feet; the width of the proposed sidewalks along the development frontages are five (5) feet wide.

LIVABLE CENTERS INITIATIVE STUDY, 2020 (LCI):

The development site is located within the area studied in the City’s 2020 Livable Centers Initiative (LCI) Plan, which serves as a policy guide for future development in the City core, including the subject site. While the LCI is not a regulatory document, the Mayor and City Council may consider its

recommendations when evaluating development proposals.

The LCI concept plan (pg. 77) suggests the subject site be split between retail (north) and townhouse development (south). More specifically, the area is highlighted as key opportunity 19.a (pgs. 84-85), which envisions "infill-townhouses (zero lot line development)" along with potentially "23 townhouses and 1 detached cottage" and "16,000 [square feet] of infill retail." The plan also recommends a multi-use trail corridor as and on-street parallel parking as part of the envisioned streetscape.

While not in violation of zoning regulations, the current proposal, of one townhouse building without the incorporation of retail, trail infrastructure, or on-street parking, does not align with the intent of the LCI concept plan and recommendations or the City's long-term vision.

DEPARTMENT ANALYSIS:

The subject proposal is for the development 0.59 +/- acres of a larger 2.02 +/- acre parcel containing one building of six (6) townhomes. The programming for the remaining 1.43 +/- is unknown. Attached single-family housing is a permitted land use in the ADOD. The local Future Land Use Designation (FLU) is Mixed Use, which promotes locally blended land uses. Residential development is envisioned at around six (6) dwelling units per acre, with lots measuring 5,000 to 10,000 square feet in land area. The 0.59-acre area subject to development would have a density of 10.17 dwelling units per acre. Residential lot sizes are unspecified; the applicant has not provided whether residences would be platted individually (fee-simple) or owned collectively (one owner).

As part of the required application materials, the applicant has included a project narrative, conceptual plan, elevation drawings and exterior finish materials selections. The submitted elevation drawings are incomplete as they do not provide elevation of the buildings' sides. The applicant has not provided photographs of neighboring properties as required pursuant to Sec. 17.91.080.B.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

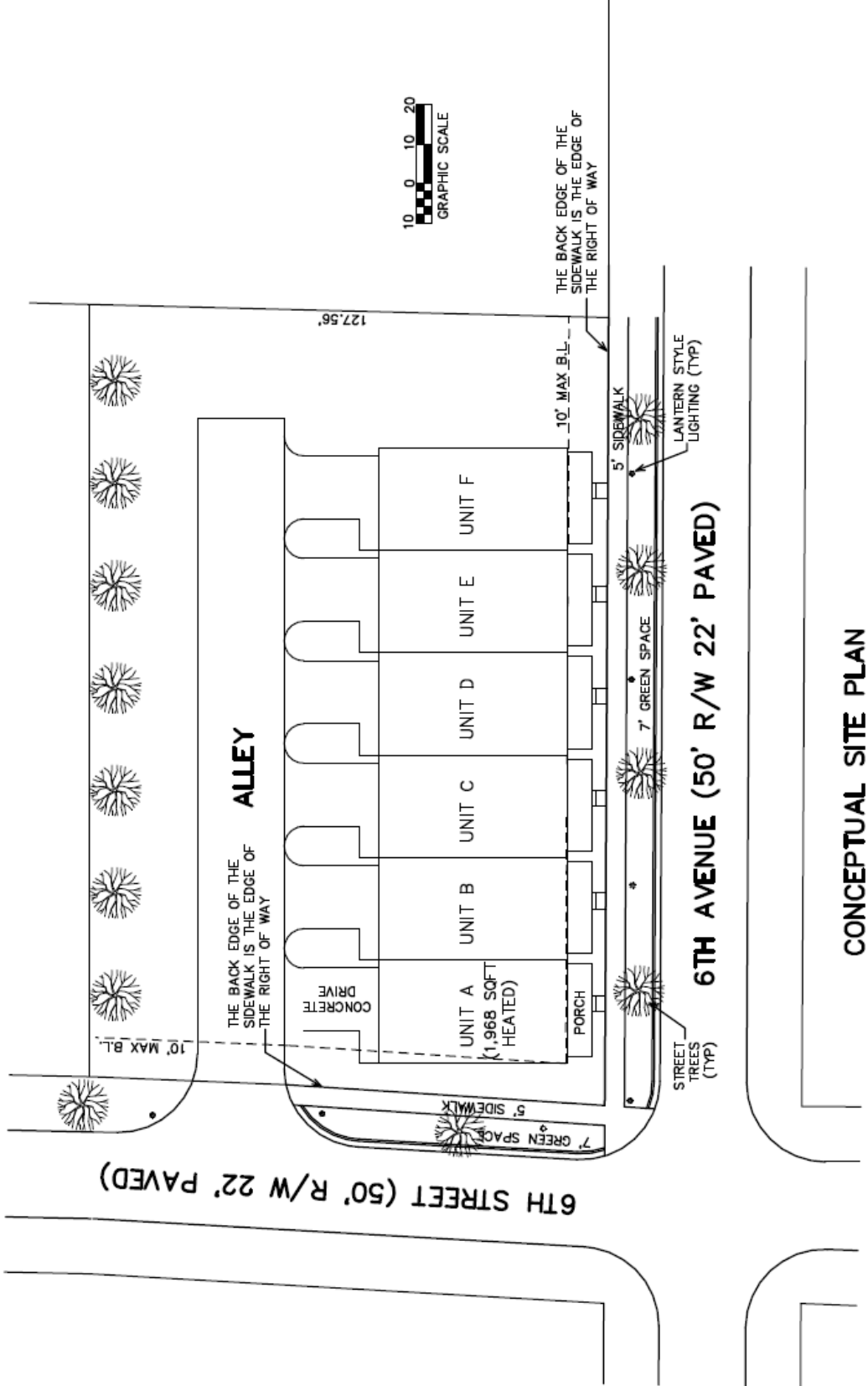
In accordance with the review procedure established in Sec. 17.91.080, and the general provisions of Sec. 17.91, staff finds the application is **not compliant** with the requirements of the Auburn Downtown Overlay District. Staff recommends rejection of the subject Overlay Architectural Review request, as the proposal is not aligned with the single-family residential development standards of Sec. 17.91.041 and several core elements are missing from subject application.

However, should the City Council find subject OAR request PL25-0009 to be compliant, staff recommends the following stipulations be enforced upon the site and adopted as part of the approval:

1. A continuous sidewalk no less than six (6) feet in width shall be constructed along the entire frontage of the subject 2.02-acre parcel.
2. The property owner shall dedicate, to the City of Auburn, the right-of-way necessary to meet Streetscape requirements, pursuant to Zoning Ordinance Sec. 17.91.044.
3. The applicant shall resubmit building elevations and renderings to the Community Development Department for review that depict the following:
 - a. No less than seventy-five percent (75%) of the front and side facades of the building shall consist of brick or stone.

- b. No townhouse unit shall bear an overly similar front or rear exterior color or appearance when compared to any abutting townhouse unit.
- 4. The applicant shall submit an updated tree and landscaping plan to the Community Development Department for review.

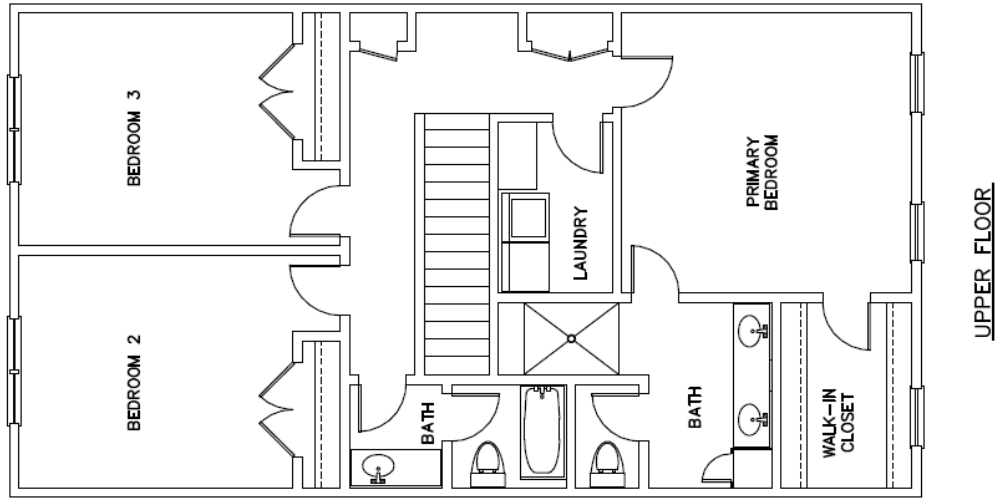
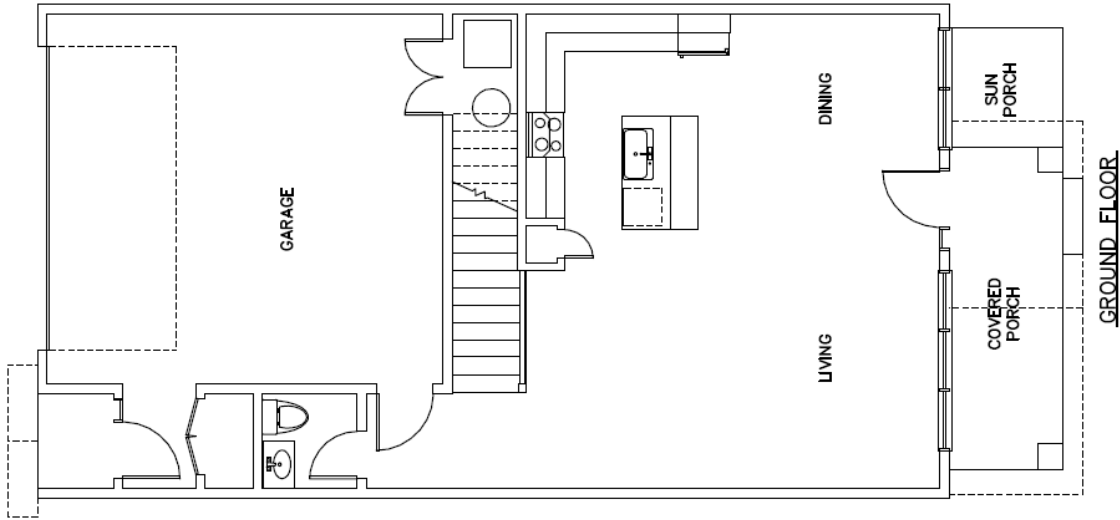
Conceptual Plan:



**DOWNTOWN AUBURN
CRAFTSMAN STYLE
TOWN HOMES**

Floor Plan:

DOWNTOWN AUBURN
CRAFTSMAN STYLE
TOWN HOMES



Elevation Drawings:





COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN

1369 FOURTH AVENUE

AUBURN, GA 30011

(770) 963-4002

www.cityofauburn-ga.org

OAR #: _____

**DOWNTOWN AUBURN OVERLAY DISTRICT
ARCHITECTURAL REVIEW**

In accordance with provisions of the Auburn Downtown Overlay District regulations, new buildings, exterior improvements to existing buildings, landscaping, signage, and site planning must be approved by the Auburn Planning and Zoning Commission before issuance of a building permit.

SUBMITTAL REQUIREMENTS: 1 HARD COPY AND/OR DIGITAL COPIES OF EXTERIOR VIEWS, CONCEPT DRAWINGS, PHOTOS, LANDSCAPE PLAN, SITE PLAN, OR COLOR SAMPLES.

DATE: 2/28/25

APPLICANT NAME: HPC Investments, LLC c/o William J. Diehl, Thompson, O'Brien, Kappler & Nasuti, PC

PROPERTY ADDRESS: 0 6th Street, Auburn, Georgia

PHONE: 404-545-4371

EMAIL: wdiehl@tokn.com

PROPERTY OWNER: HPC Investments, LLC

ADDRESS: 5615 Golf Club, Drive, Braselton, GA

PHONE: 770-925-0111 EMAIL: WDiehl@TOKN.COM

IMPROVEMENT TYPE: (Check all that apply)

X New Building Existing Building Site Dev. Sign

PROJECT DESCRIPTION:

Development of a six (6) unit townhome development on a .59 acre site.

PLANNING & ZONING COMMISSION HEARING DATE: _____ 1361 FOURTH AVE (COUNCIL CHAMBERS)

RECOMMENDATION: _____ APPROVAL APPROVAL W/ CONDITIONS DENIAL

CONDITIONS: _____

REVIEW COMPLETED: _____ SIGNATURE: _____



March 12, 2025

Via Submission to the Department of Community Development

Mayor and Council of the City of Auburn
1 Auburn Way
Auburn, Georgia 30011

RE: Project Narrative for Downtown Auburn Overlay District Architectural Review
concerning a 59-acre portion of the parcel commonly known as 0 6th Street,
Barrow County Parcel Identification Number: AU11 121 (the "**Property**")

Mayor and City Council,

This office represents Chirs and Amber Halper and their company HBC Investments, LLC (the "**Halpers**") in connection with development requests and entitlements concerning the Property referenced above. The Property is an undeveloped lot which previously contained a dilapidated home and now is primed for redevelopment consistent with the City's plans and zoning ordinance. The submitted plan envisions the revitalization of this empty lot and the implementation of the City's long-term plans, as demonstrated in the City's Livable Centers Initiative ("**LCI**") and its Comprehensive Plan ("**Comp. Plan**").

The Property is located within the Auburn Downtown Overlay District ("**ADOD**"), recently adopted by the City Council. This narrative is submitted in connection with that newly adopted ordinance. We seek plan review and approval by the City Council pursuant to Section 17.91.080. The ADOD was recently created to modernize the City's development code and to ensure that Auburn's vision for downtown development is implemented through the zoning ordinance. Of particular importance to this proposal, the ADOD set a high-standard for residential development; a standard that is reflected in development's commitment to walkability, traditional streetscapes, and quality architecture.

This project is consistent with that high standard. It envisions the development of six (6) townhome units along a .59 acre portion on the Northeast corner of 6th Street and 6th Avenue. These homes are front facing (rear garage) with landscaping and streetscape improvements, resulting in an attractive product that addresses and expands pedestrian access, while increasing connectivity between commercial areas and other existing single-family communities.

COMPLIANCE WITH THE CITY'S ADOD STANDARDS

The City's ADOD ordinance imposes a superseding zoning regulation upon properties located within the district, allowing for a variety of commercial and residential uses within the district. The district's stated purpose is to "strike a balance between concerning the rich historical fabric of the community while facilitating innovative and sustainable development." Code of Ordinances § 17.91.010.

Among the permitted uses are single family, attached dwellings (i.e., townhomes), as are envisioned in this Application. Thus, the use and intensity of development is compliant with the zoning overlay. The ADOD also imposes architectural and streetscape requirements.¹ The development plan submitted with this narrative meets those requirements and further detail on that conformance is provided in the following subsections:

A. Architectural Requirements

Single-family residential architectural requirements within the ADOD are provided in section 17.91.041. The code requires front facades to be constructed in one of four architectural styles and the facades here meet the requirements of the Arts and Craft style: having rectangular floor plans and simple structure heights. The elevations show a mixture of materials with naturally textured siding (cement-fiber boards cast with wood grain) being the primary material and with masonry materials used in the porch's column bases as architecturally appropriate accents. Home colors will be within the Sherwin Williams "Craftsman" color palate.² The homes' porches are the most prominent feature of the front façade and its details are styled in the traditional, craftsman style by constructing strong and simple wooden columns on brick bases and having exposed roof rafters with long overhanging eaves.

The elevations meet the exterior finish materials standards. All brick is installed at full or half-depth; no vinyl siding nor metal sheeting is used.

Further, the homes will provide private outdoor space, with a minimum 30 square foot porch. Architectural projections are provided by the craftsman-styled porches. Gables on the home are varied as the topography slopes to the southeast, thereby breaking up the facades and minimizing massing of facades. Variations in the façade will be provided through changes in the masonry materials and colors of the homes. Colors will vary between the homes with one color not being used more than twice. Finally, the homes will not exceed the 10-foot setback maximum.

¹ The Property is exempt from Greenspace requirements per Section 17.91.044(E)(1).

² <https://www.sherwin-williams.com/en-us/color/color-collections/architectural-paint-colors/craftsman-design-exterior-paint-colors>

B. Streetscape Requirements

The ADOD's streetscape requirements are set forth Section 17.91.004. Both 6th Street and 6th Avenue are classified as Downtown Road Type 1. The site plan details that the development meets the Planting Zone Width of 7 feet, Sidewalk Width of 5 feet, and a minimum 6-foot Supplemental Zone Width.

The Planting Zone contains a mixture of overstory street-trees and acorn streetlights. Sidewalks are continuous and run along the corner lot, up and down 6th Street and 6th Avenue, where currently no sidewalk exists. A nearly 10-foot supplemental zone exists between the sidewalk and the front facades of the home. The supplemental zones will be landscaped and will contain porch encroachments permitted by the zoning ordinance. On the 6th Street side of the development, where the side elevation is most visible from the street, landscaping and trees will be planted to address any massing of materials and to provide continuity between the front facades. The effect of the landscaping and porch layouts is to create a community-oriented style of the development that lends itself to neighbor-connectivity, by situating the homes' porches within a pedestrian friendly environment.

Compliance with the City's Long-term Planning Visions

Finally, the Halpers' vision for the Property is consistent with the City's Comp. Plan and its LCI, both of which recognize the Property's potential for infill residential development that connects residential with commercial areas within the downtown district. In fact, the LCI study identifies the Property appropriate for a 23-unit rear-loaded townhome development with connectivity to commercial development along Atlanta Highway:



While this development is not in the same scale of that development envisioned in the LCI, this smaller development allows for incremental growth and may help foster additional growth while providing similar connectivity and streetscape development along 6th Street and 6th Avenue.

Similarly, the City's Comp. Plan envisions greater connectivity and an emphasis on creating a genuine sense of place through street design and architecture. For example, the Comp. Plan stresses the need to "foster collaboration with the community" through prioritizing improvements to "walkability and cycling options" and revitalization of the City's historic downtown. Comp. Plan p. 7.

Conclusion

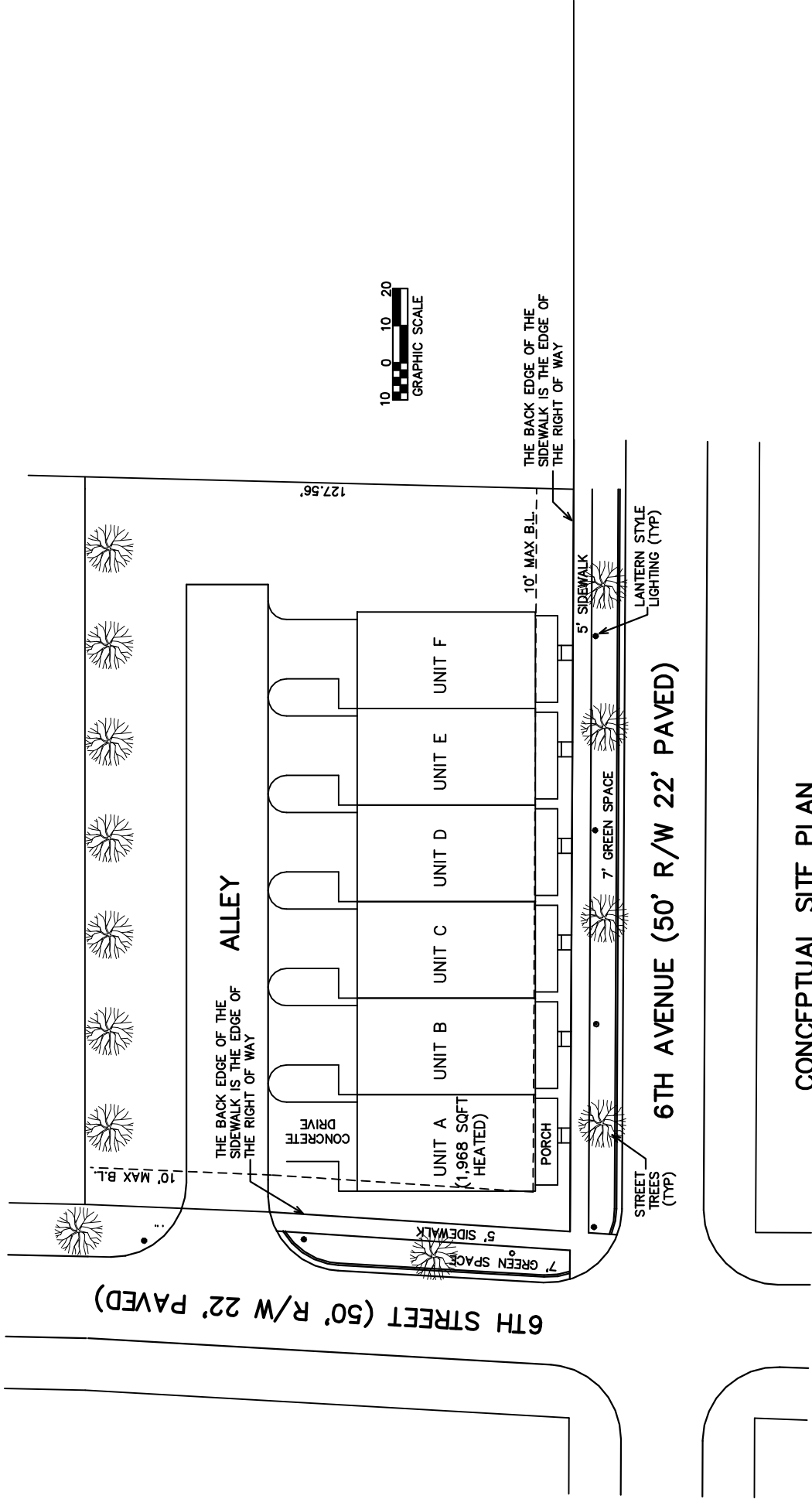
For the reasons stated above and detailed in the enclosed site plans and elevations, the Halpers asks that this Council approve the Application and allow for the development envisioned by the City in zoning regulations, Comprehensive Plan and LCI.

/s/ William Diehl
William J. Diehl

ADOD Project Narrative
0 6th Street, Auburn GA
March 13, 2025
Page 5 of 5

Thompson, O'Brien, Kappler & Nasuti, PC
2 Sun Court, Suite 400
Peachtree Corners, Georgia 30092
wdiehl@tokn.com // 770.925.0111

Enclosures: Site Plan
 Elevations
 Floor Plan



CONCEPTUAL SITE PLAN

DOWNTOWN AUBURN
CRAFTSMAN STYLE
TOWN HOMES



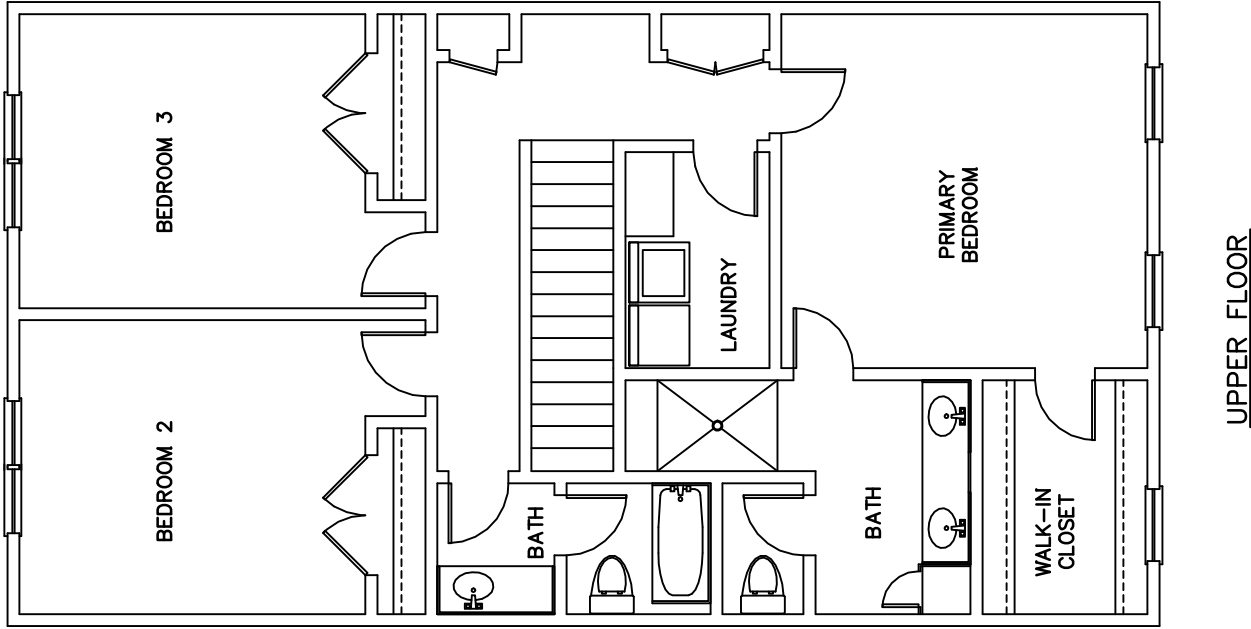
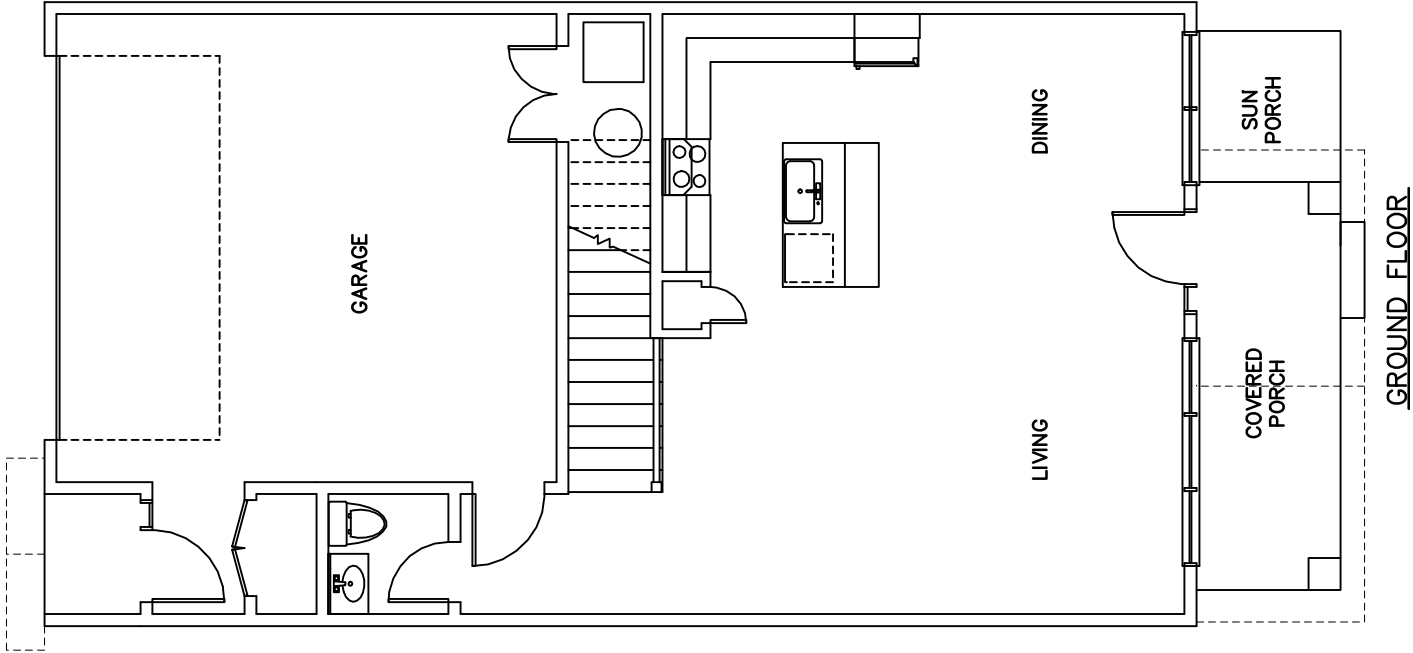
5TH AVENUE(FRONT) ELEVATION



REAR ELEVATION

DOWNTOWN AUBURN
CRAFTSMAN STYLE
TOWN PLMES

DOWNTOWN AUBURN
CRAFTSMAN STYLE
TOWN HOMES

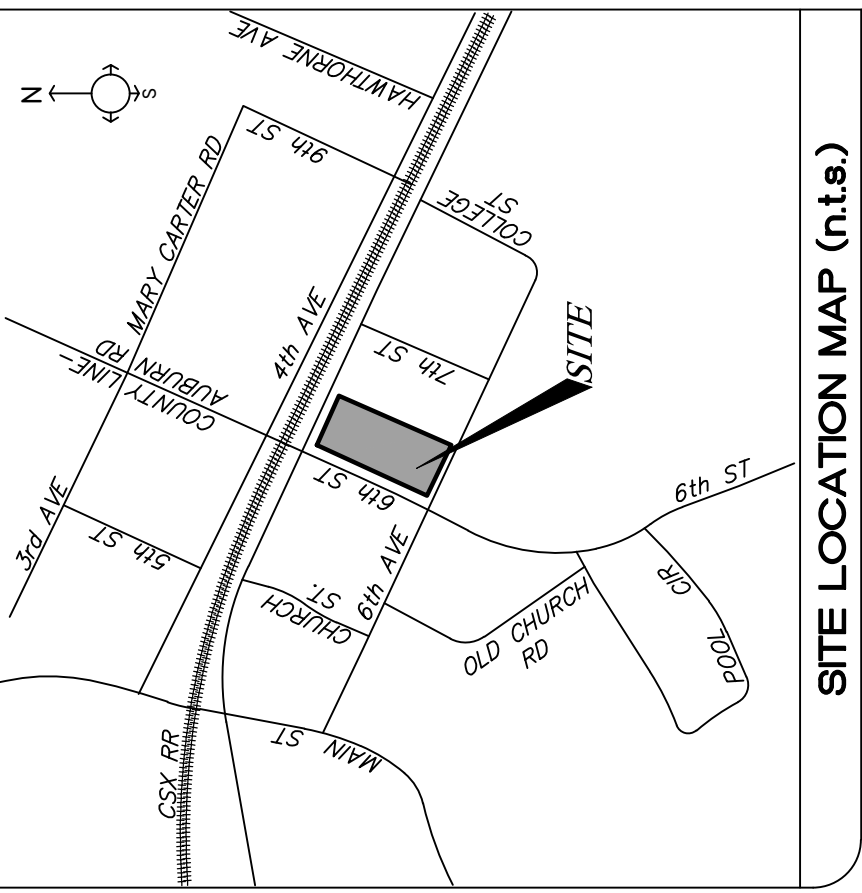


TOTAL AREA 1.95 ACRES

NOTES:
1.) PRESENT ZONING: C2 GENERAL COMMERCIAL DISTRICT
2.) TOTAL AREA 1.95 ACRES
3.) WATER PROVIDED BY CITY OF AUBURN
4.) CITY OF AUBURN SEWER

BUILDING SETBACKS C2:
FRONT: 10' FROM R/W OF ROADS
SIDE: 5' FROM PROPERTY LINES
REAR: 5' FROM PROPERTY LINES

REFERENCE:
1.) SURVEY FOR CB-4 L.L.C. BY W.T. DUNAHOO & ASSOC.
DATED: 12/19/22
2.) NOAA TOPO



SITE LOCATION MAP (n.t.s.)

AUBURN DT JUNE 2023

SPECIMEN SIZE TREES ARE
FLAGGED WITH PINK / BLACK
FLAGGING AND TAGGED WITH
NUMERED METAL TAG
CORRESPONDING TO MAP. ALL
TREES MUST BE SURVEYED.

COORDINATE WITH PROJECT
MANAGER FOR DENSITY TREE
SURVEY NEEDS.

LOCATIONS SHOWN ARE
APPROXIMATE.

QUESTIONS ??? CONTACT TY
CASTEEL @ 404.358.2326

MONDO LP+D

Sullins Engineering, LLC
CIVIL ENGINEERS ~ LAND PLANNERS
CONTACT: MATTHEW SULLINS
302 WEST MAY STREET
WINDER, GA. 30680
PHONE: (678) 687-6219

ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN
ACCORDANCE WITH THE APPROPRIATE LOCAL SPECIFICATIONS AND REQUIREMENTS
AND SHALL BE PERFORMED IN A WORKMANLIKE MANNER.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS,
DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING
UTILITY LOCATIONS NOT SHOWN ON THE PLANS, PRIOR TO CONSTRUCTION AND SHALL BE
RESPONSIBLE FOR ANY DAMAGES DUE TO HIS OPERATION.
THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS.
BEFORE DISMISSED, IN METRO ATLANTA DIAL 404/325-5000, THROUGHOUT GEORGIA
DIAL 800/282-7411.

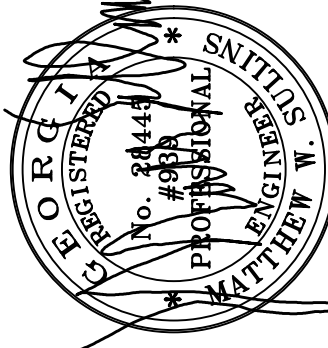
6th STREET
LOCATED IN:
PARCEL: AULT 121 GMD: 277
CITY OF AUBURN
BARROW COUNTY, GEORGIA

SITE PLAN FOR:

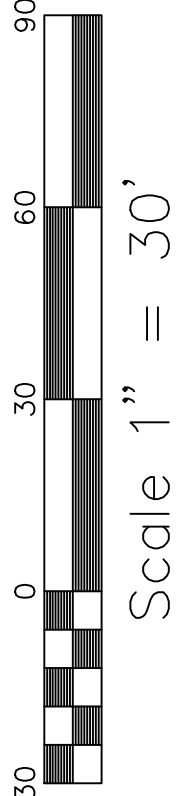
Tree #	DBH (Inches)	Species
378	38	OAK
379	45	OAK
380	31	OAK
381	32	MAPLE
382	30	CEDAR
383	55	OAK
384	34	OAK
385	46	OAK
386	32	HICKORY

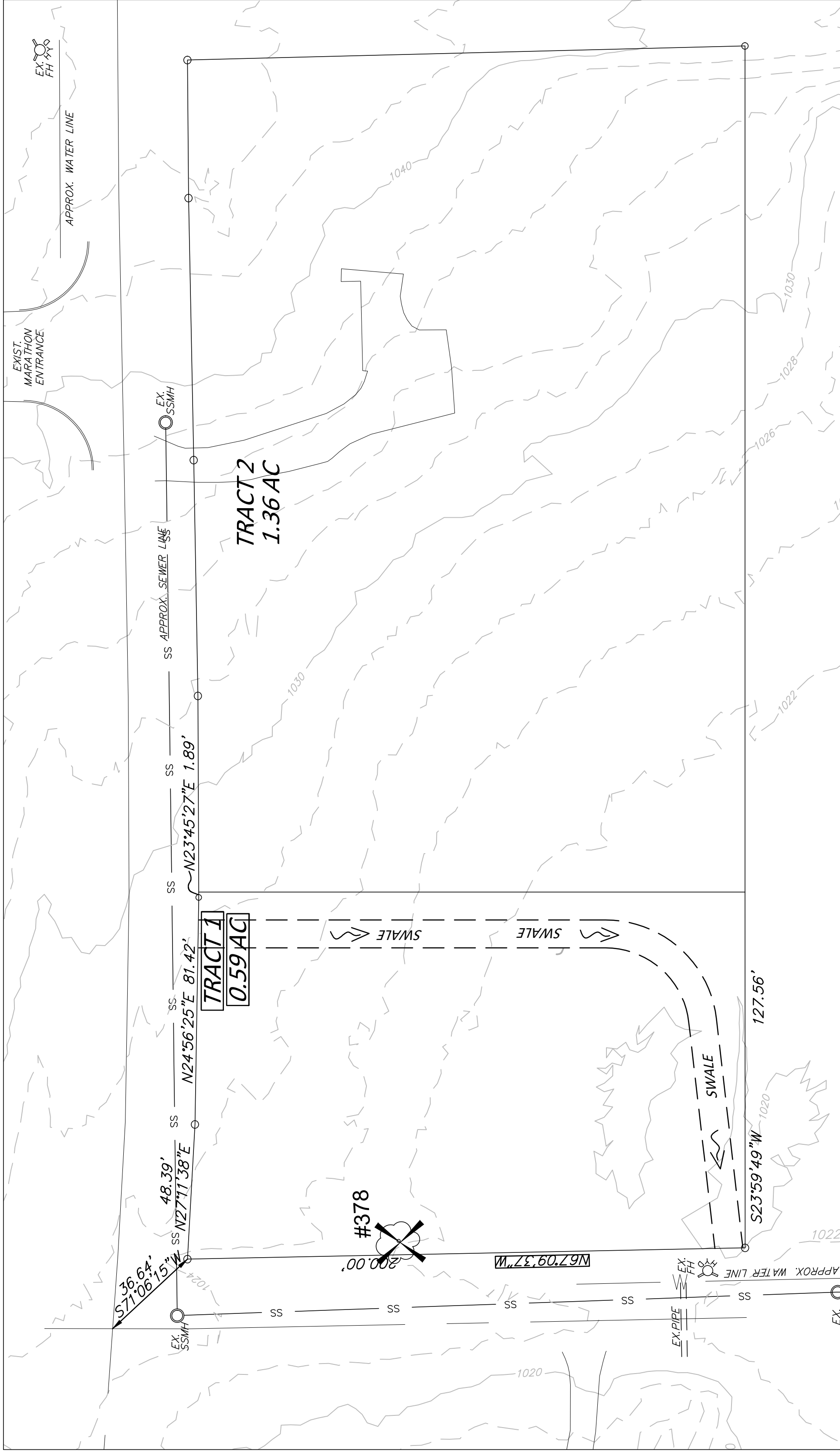
~ LEGEND ~
INVERT = INVERT
C = CENTERLINE
M.H. = MANHOLE
ELEV. = ELEVATION
L.P. = LIGHT POLE
-W- = WATER LINE
P = PROPERTY LINE
R/W = RIGHT OF WAY
IPF = IRON PIN SET (1/2" OPEN TOP)
IPF = IRON PIN FOUND (1/2" REBAR)

GEORGIA811
Utilities Protection Center, Inc.
www.Georgia811.com
800-282-7411
Know what's below.
Call before you dig.

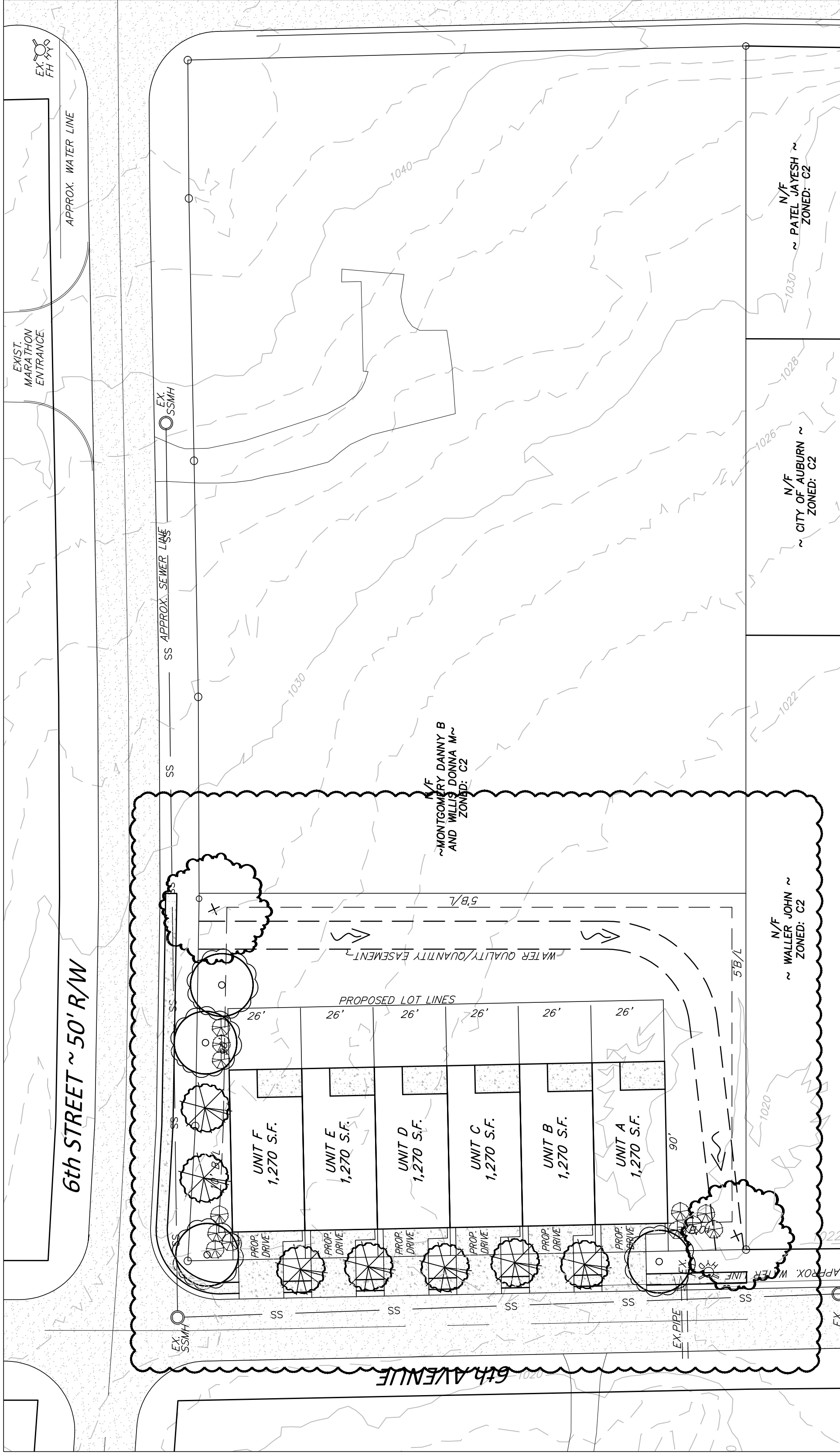


DATE: 2/13/23
JOB #: 2065
SHEET 1





TREE PROTECTION PLAN



OVERLAY LANDSCAPE PLAN

TREE PROTECTION CALCULATIONS

Total Site Acreage = 0.59 Acres

Total Site Acreage: 0.59
Required Site Density Factor (SDF)
0.59
Standard Acres x 100 Units = 59.00 SDF
Standard SDF 59.00

No Existing Density Units Proposed to be Preserved

78 DENSITY TO BE PLANTED ONSITE - 59 Units Required =
19 Surplus Density Unit Provided

SEE BELOW FOR SPECIFICATIONS

SPECIMEN TREE IMPACT

Tree #	DBH (Inches)	Species	Recommended Condition	Status	Recompense Value
378	38	OAK	NON-SPECIMEN	Remove	0

NO SPECIMEN QUALITY, SPECIMEN SIZE TREES REMOVED =
NO RECOMPENSE DUE

ARBORIST REPORT PROVIDED COVERING SPECIMEN SIZED TREES
EXISTING ON THE SITE HAS BEEN PROVIDED AS PART OF THIS
SUBMITTAL UNDER SEPARATE COVER.

**SPECIMEN SIZE TREE
PROPOSED TO BE REMOVED**

10' Landscape Strip

6TH STREET

129 Linear Ft / 25' = 5 Trees and 5 Shrubs Required.

6TH AVENUE


200 Linear Ft / 25' = 8 Trees and 8 Shrubs Required.

Total of 13 Trees and 13 Shrubs Provided

Sod or Seed all remaining areas.

PLANT SCHEDULE						TOTAL	
COMMON NAME	BOTANICAL NAME	SIZE	HT	QTY	DENSITY VALUE	DENSITY	COMMENTS
AMERICAN GOLD MOBILE	ACER RUBRA 'FIS-A-VUE'	3" CAL.	14'-16'	7	6	42	BBB+ Full Canopy Matched Height Matching Healthy Balanced Spread
UPPERCOT VILLOW OAK	QUERCUS PRINCEPIS	3" CAL.	14'-16'	2	6	12	BBB+ Full Canopy Matched Height Matching Healthy Balanced Spread
CORNSTONE HURDBEAN	CORNSTONIA	3" CAL.	14'-16'	4	6	24	BBB+ Full Canopy Matched Height Matching Healthy Balanced Spread
CHANGES RUBY LIPSURE HURD	Lonicera Chang's Ruby	7 gal	30"	9			Full to Ground Matching Healthy Balanced Spread to Min. 24"
TOTAL UNITS PLANTED=						78	

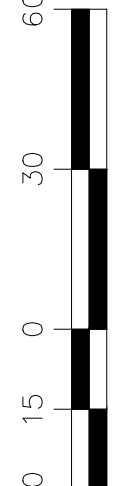
Root barriers. Installation of root barriers, in accordance with manufacturer's specifications, when trees are planted within ten feet of a sidewalk, curb, paved surface, or underground utility corridor, shall be required. Street trees installed between a sidewalk and curb and gutter shall require root barriers along both the sidewalk and the curb. Street trees installed between an underground utility corridor and a sidewalk shall require root barriers along both the utility corridor and the sidewalk. The linear distance of the root barrier shall be no less than 20 feet in length (10 feet from the trunk of the tree in each direction), unless the adjacent hardscape measures less than this total length, parallel to the improvement to be protected.



IF YOU DID GEORGIA...
CAL US FIRST!

GEORGIA 811
811-2-PAVING

DIAL 811
OR 1-800-282-7411
IT'S THE LAW



30 15 0 30 60
(IN FEET)



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 4

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade
City Planner

DATE: July 24, 2025

PURPOSE: Seek approval of a final plat for a residential development in the RM-8: Residential Multifamily Apartment district, known as Kingston Cove.

BACKGROUND: The applicant is requesting approval of a final plat for the Kingston Cove development. The construction of 182 town houses under collective ownership is proposed for the site.

The item will be heard by the Planning Commission at a Special Called Meeting on July 23, 2025.

STAFF RECOMMENDATION: Approval.

FUNDING: N/A



COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN

1 AUBURN WAY

AUBURN, GA 30011

PHONE: 770-963-4002

www.cityofauburn-ga.org

MEMORANDUM

TO: City of Auburn Mayor and City Council

FROM: Sarah McQuade, City Planner

DATE: July 24, 2025

RE: Kingston Cove Final Plat Approval

Dear Mayor and Council,

The applicant is requesting approval of a final plat for Kingston Cove pursuant to [Title 16](#) – Development Regulations of the City of Auburn.

PROPOSAL:

The purpose of the final plat is to record the subdivision of Kingston Cove with the Barrow County Clerk of Court. Totalling 25.94 acres, Kingston Cove will consist of 182 collectively owned town houses. Once a final plat has been recorded, the applicant may begin vertical construction of the development.

BACKGROUND / CURRENT ZONING:

On May 2, 2012, the City of Auburn adopted an ordinance to rezone the subject site from AG: Agricultural to RM-8: Residential Multifamily Apartment District. On October 5, 2023, the City of Auburn and Starlight Homes Georgia, LLC, reached a development agreement regarding the subject site. The agreement includes the following stipulations:

- i. Elevations and relief for the townhomes depicted in the Revised Site Plan will be in substantial conformity with the illustration attached hereto as Exhibit “B” and incorporated herein by reference. A combination of brick, fiber cement, cementitious siding, cementitious board and batten and cementitious shake will be used for exterior construction. Vinyl siding will shall not be used.
- ii. The internal streets reflected on the Revised Site Plan shall remain private and will not be dedicated to the City.

- iii. ECP and Starlight will meet landscaping and buffer requirements within the City's Development Regulations, Chapter 16.44.
- iv. The property, buildings and units shown on the Revised Site Plan will be owned by a common entity during development and build out. Following site development, the developer entity will prepare and record a final plat for the as-built development. Individual developed units will then be marketed and sold as fee simple townhomes, with the end user being conveyed the footprint of the unit as shown on the final recorded plat. Front yards and rear yards for the individual units will be owned by an association with individual unit owners having use rights for the front and rear yards in accordance with association declaration and covenants to be prepared and recorded for the development (the Revised Site Plan and these stipulations i - iv are collectively referred to as the "Proposed Development").

Note: The internal streets are shown to be public on the submitted final plat, contrary to the requirements of stipulation ii above. The surveyor will revise the final plat to indicate private streets prior recording.

ANALYSIS:

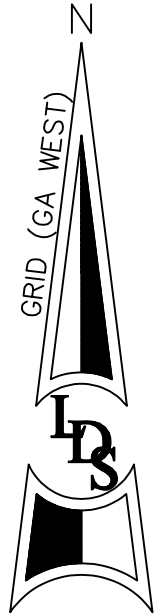
Pursuant to [Sec. 16.20.070 – Approval of Final Subdivision Plat](#), the approval of the final plat shall reflect the owner's certification that all site work and construction has been accomplished according to the terms of approved plans and permits, and that all facilities intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes and ordinances.

- Sec. 16.20.070.A.2 states the city planner/engineer shall notify the applicant within thirty days of the formal submittal of the final plat the date of the scheduled meetings of the city council of the city which may consider the approval of the final plat, and shall indicate on a review copy of the final plat or in a written memorandum all comments related to compliance of the final plat with these regulations, the zoning ordinance, conditions of zoning approval, and the regulations of the city, Barrow and/or Gwinnett County departments, and state agencies as appropriate. The city council shall have final authority to determine the applicability of any and all comments under these development regulations, the zoning ordinance or conditions of zoning approval.
 - *Staff has reviewed the final plat for compliance with the above-referenced regulations, ordinances, and conditions of zoning, and found it to be complaint.*

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

Staff recommends **Approval, with modification** of the final plat for Kingston Cove, finding it to be compliant with all applicable agreements, codes, and ordinances upon revision to indicate the internal streets are private and not public.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



SHEET INDEX	
1	COVER PAGE
2	OVERALL & CHARTS
3-5	FINAL PLAT
6	REZONING

BLOCK & LOT CHART	
BLOCK	NO. OF LOTS
TOWNHOMES	182 UNITS
TOTAL	182 UNITS

AREA	AREA (AC)
RIGHT-OF-WAY	3.841
TOWNHOMES	4.561
OPEN SPACE/COMMON AREA	8.688
EASEMENT/STORMWATER	7.720
FLOODPLAIN AREA	1.131
OVERALL SITE	25.941

OPEN SPACE/COMMON AREAS
TOTAL OPEN/COMMON AREA= 22.100 AC.
AREA EXCLUDING BUILDINGS, PATIOS, DRIVEWAYS, FLOODPLAIN, STORMWATER AREAS, DRAINAGE EASEMENTS
EXCLUDED AREA= 13.412 AC.
USEABLE AREA= 8.688 AC.
TOTAL AREA (25.941 AC.) / USEABLE AREA (8.688 AC.)
TOTAL USEABLE OPEN SPACE/COMMON AREA: 33.49%
MINIMUM REQUIRED 20% OF GROSS AREA: 5.188 AC.

AMENITY/PARK AREA
TOTAL AREA= 2.712 AC.
FLOODPLAIN AREA= 0.189 AC.
USEABLE AREA= 2.523 AC.
REQUIRED AMENITY/PARK AREA: 1.556 AC.
PROVIDED AMENITY/PARK AREA: 2.523 AC.

- GENERAL NOTES:
- TOTAL ACREAGE: 25.941
 - TOTAL NUMBER OF LOTS: 182 TOWNHOMES
 - ZONING = RM-8
 - DENSITY:
GROSS DENSITY = 182 UNITS/ 25.94 ACRES = 7.02 UNITS/ACRE
 - SETBACK REQUIREMENTS: SINGLE FAMILY LOTS
FRONT SETBACK = 50 FEET (EXTERNAL)
REAR SETBACK = 40 FEET (EXTERNAL)
SIDE SETBACK = 15 FEET (EXTERNAL)
MINIMUM BUILDING SEPARATION = 10 FEET
MINIMUM DWELLING SIZE= 1,000 SQUARE FEET (RM-8 ZONING)
BUFFER (ADJACENT TO R-100 ZONING) = 50 FEET
STANDARD DWELLING SIZE
TOWNHOMES:
22' WIDE x 40' LENGTH + 8'x8'(64 S.F.) PATIO (FRONT ENTRY)
 - BOUNDARY INFORMATION FROM A SURVEY, BY LAND DEVELOPMENT SURVEYORS, INC., DATED 3/11/22.
 - THE DEVELOPMENT SHALL HAVE STREET LIGHTING AND ALL UTILITIES SHALL BE PLACED UNDERGROUND.
 - ALL STREETS ARE TO BE PUBLIC.
 - DEVELOPER SHALL INSTALL SIDEWALKS ON ABUTTING STREETS, LOTS, AND OPEN SPACE LOTS AND SHALL INSTALL INTERSECTIONS, AND L-SHAPED MID-BLOCK RAMPS AT CUL-DE-SAC TURNAROUNDS ON A LOT BY LOT BASIS.
 - PINS SET AT ALL CORNERS ARE #4 REBAR IPS WITH CAPS UNLESS OTHERWISE NOTED.
 - PERMANENT STRUCTURES AND TREES NOT ALLOWED IN SANITARY SEWER EASEMENTS ACCORDING TO CURRENT BARROW COUNTY POLICY.
 - STRUCTURES ARE NOT ALLOWED IN THE DRAINAGE EASEMENT.
 - THE LOTS SHOWN HEREON MAY NOT BE SUBDIVIDED EXCEPT THROUGH THE SUBDIVISION PROCESS AS PROVIDED BY THE CITY OF AUBURN UNIFIED DEVELOPMENT ORDINANCE IN EFFECT AT THE TIME.
 - STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.
 - ZONING INFORMATION TAKEN FROM THE CITY OF AUBURN ZONING MAPS. ZONED RM-8.
 - FIELD WORK COMPLETED 04/21/25.

PUBLIC NOTICE—DRAINAGE

NOTE: THE CITY OF AUBURN ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.

NOTES:

NO THE OWNER'S/DEVELOPER'S KNOWLEDGE, NO CEMETERIES OR ENCROACHMENT EXIST ON SITE.

ALL COMMON AREAS TO BE OWNED AND MAINTAINED BY MANDATORY HOMEOWNERS ASSOCIATION.

PROTECTIVE COVENANTS

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENTS(S) RECORDED IN DEED BOOK 2935, PAGE 28-100 ATTACHED HERETO DATED 04/10/25, WHICH HEREBY BECOME A PART OF THIS PLAT, AND WHICH WERE RECORDED AND SIGNED BY THE OWNER.



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
325-5000
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION, AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

STORMWATER NOTES:

- A 50-FOOT UNDISTURBED BUFFER AND 75-IMPERVIOUS SETBACK SHALL BE MAINTAINED ADJACENT TO ALL STREAMS.
- THE CITY OF AUBURN ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
- AN APPROVED RESIDENTIAL DRAINAGE PLAN (RDP) IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT ON THOSE LOTS LABELED "RDP". AN APPROVED HOLD AND RELEASE AFFIDAVIT IS REQUIRED ON THOSE LOTS LABELED "RDP" OR RESIDENTIAL DRAINAGE STUDY (RDS). AN ELEVATION CERTIFICATE IS REQUIRED ON LOTS LABELED "RDP-E" OR "RDS-E".

Wetland Certification: The Design Professional, whose seal appears hereon, certifies the following: 1.) the national wetland inventory maps have been consulted; and, 2.) the appropriate plan sheet [X] does/[] does not (circle appropriate box) indicate areas of united states army corps of engineers jurisdictional wetlands as shown on the maps; and, 3.) if wetlands are indicated, the land owner or developer has been advised that land disturbances of protected wetlands shall not occur unless the appropriate federal wetlands alteration ("section 404") permit has been obtained.

FLOOD HAZARD NOTE

BY GRAPHICAL PLOTTING ONLY, A PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 13013C0040D, DECEMBER 1, 2022.

THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS A INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATION(S) OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.

UTILITY PROVIDERS

WATER- CITY OF AUBURN
SANITARY SEWER- BARROW COUNTY
POWER- GEORGIA POWER

PARKING

REQUIRED PARKING (2 SPACES PER UNIT) 364 SPACES

REQUIRED AMENITY PARKING 36 SPACES

(1 SPACE PER 5 UNITS)

TOTAL REQUIRED 400 SPACES

PROVIDED DRIVEWAY PARKING 364 SPACE (2 CAR/DRIVEWAY)

AMENITY/ON-STREET 39 SPACES

TOTAL AMENITY/ON-STREET SPACES PROVIDED 39 SPACES

TOTAL OVERALL PARKING SPACES PROVIDED 403 SPACES

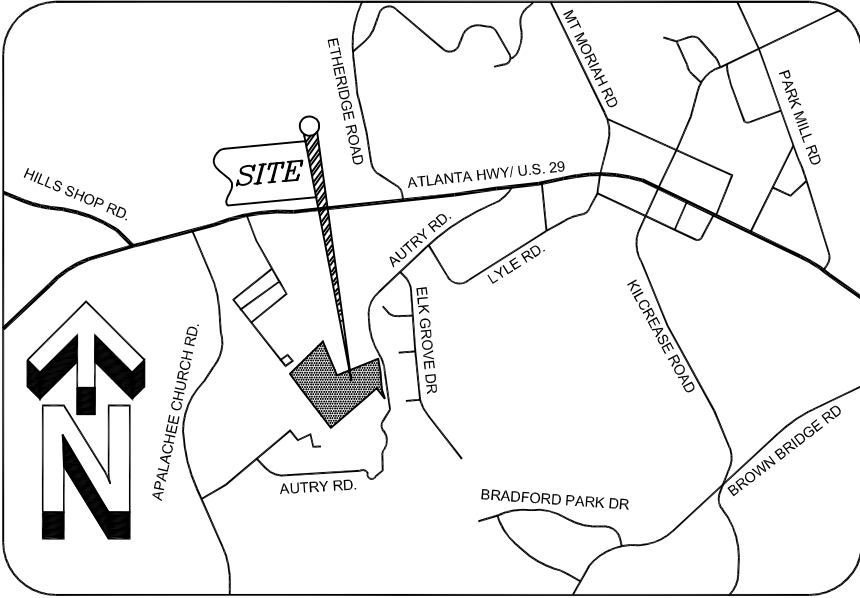
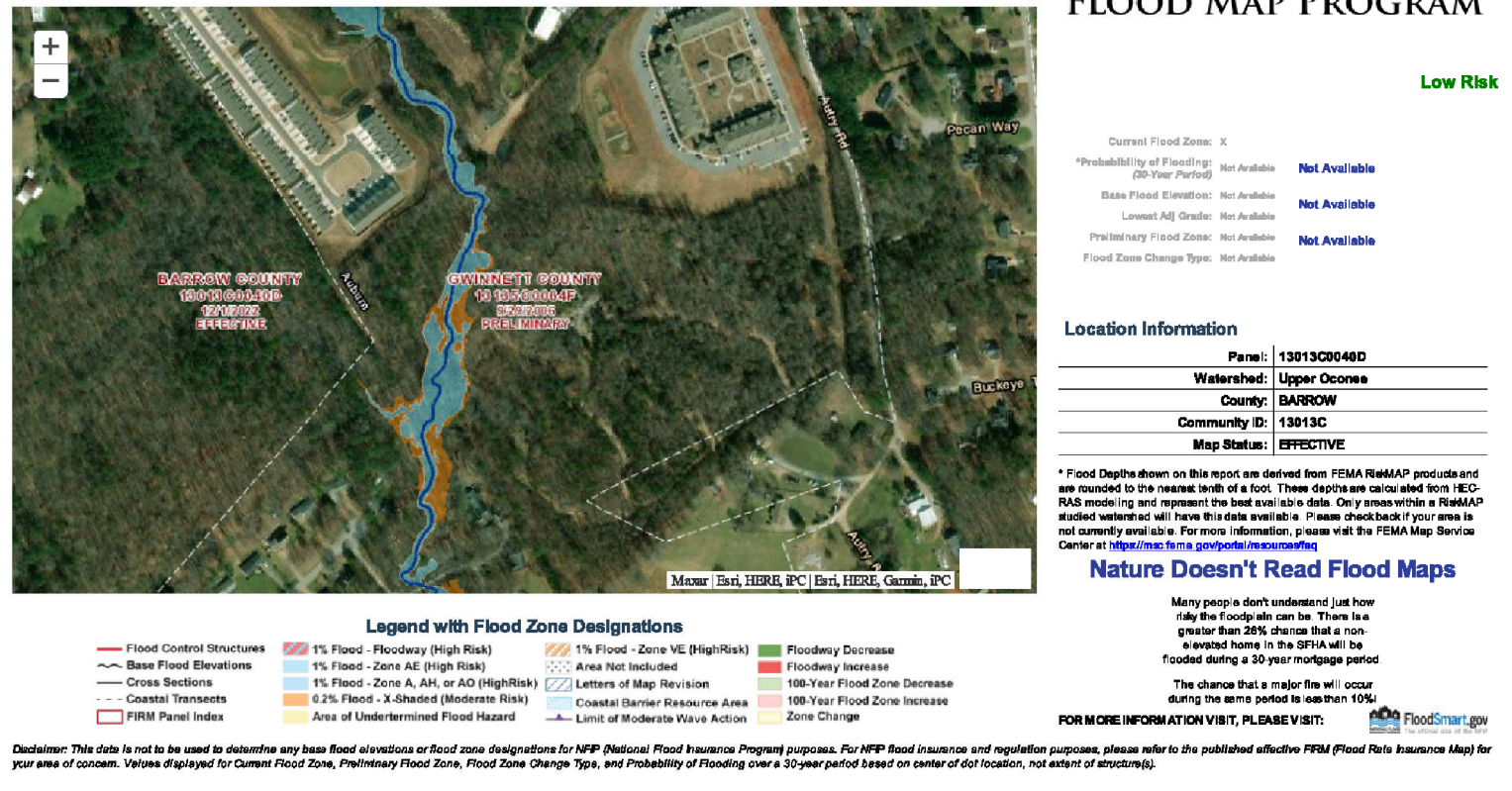
REZONING

CASE NUMBER
RZ-13-001 / RZ-13-002

FINAL PLAT FOR KINGSTON COVE

171 AUTRY ROAD
AUBURN, GA 30017
LOCATED IN GEORGIA MILITIA DISTRICT 1740
PARENT PARCEL AU05 028A
CITY OF AUBURN
BARROW COUNTY, GEORGIA

145-173 Autry Rd, Auburn, Georgia,
30011



VICINITY MAP
N.T.S.

OWNERS ACKNOWLEDGEMENT AND DECLARATION

(STATE OF GEORGIA)
(COUNTY OF BARROW) (CITY OF AUBURN)
"The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicated by this declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed."

PRINTED OWNER/SUBDIVIDER: STARLIGHT HOMES GEORGIA DATE: 6/26/2025

SIGNATURE OWNER/SUBDIVIDER: Gregory D. Hasty DATE: 6/26/2025

Property Info:

Tax Parcel ID No: AU05 028A
Address (if one has been assigned): 171 AUTRY ROAD
Acreage: 25.94 Existing Zoning: RM-8 Proposed Use: Residential Development
I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Barrow and/or Gwinnett County.
Signature of Property Owner:
I authorize the person named below to act as applicant in the pursuit of this application:

Name of Applicant: STARLIGHT HOMES GEORGIA DATE: 6/26/2025

SIGNATURE OF APPLICANT: Gregory D. Hasty

Property Owner personally appeared before me this ____ day of _____

Notary Public

My Commission expires _____

FINAL PLAT APPROVAL

This Final Plat has been reviewed for general compliance with the Zoning Ordinance and Development Regulations of the City of Auburn, Georgia, and is approved for approval by the City Council.

"I hereby certify that the subdivision plat shown hereon has been found to comply with the Zoning Ordinance and Subdivision Regulations of the City of Auburn, Georgia, and that it has been approved by the City of Auburn for recording in the Office of the Clerk of Superior Court of Barrow and/or Gwinnett County."

DATED THIS DAY ____ OF _____, 2025.

CITY OF AUBURN PLANNER/ENGINEER

UTILITY DEDICATION:

"The owner hereby dedicates to the City of Auburn forever the water lines within easements or within street rights-of-way(s) shown on this plat, as follows.

Water lines: 8" DIP 4,067.55 linear feet

Name of Applicant: STARLIGHT HOMES GEORGIA DATE: 6/26/2025

SIGNATURE OF APPLICANT: Gregory D. Hasty

Property Owner personally appeared before me this ____ day of _____

Notary Public

My Commission expires _____

FINAL PLAT APPROVAL

"The Mayor of the City of Auburn, Georgia, certifies that this plat complies with the City of Auburn Zoning Ordinance, and the City of Auburn development regulations, and has been approved by all other affected city, county, or state departments, as appropriate, and the City Council of the City of Auburn. The Mayor hereby accepts on behalf of the City of Auburn the dedication of all public right-of-way and easements, and public water, sewer, storm drainage, and other public facilities and appurtenances shown thereon, subject to ratification by the City Council of the City of Auburn. This plat is approved, subject to the provisions and requirements of the development performance and maintenance agreement executed for this project between the owner and the City of Auburn."

DATED THIS DAY ____ OF _____, 2025.

MAYOR, CITY OF AUBURN

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GENERAL SURVEY NOTES

- HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983(2011) GEORGIA STATE PLANE, WEST ZONE. VERTICAL: NORTH AMERICAN VERTICAL DATUM OF 1988. ORTHOMETRIC HEIGHTS WERE COMPUTED USING GCOID 12A. UNIT OF MEASUREMENTS: U.S. SURVEY FOOT. DISTANCES SHOWN ARE HORIZONTAL AT GROUND LEVEL. THE DATUMS FOR THIS SURVEY WERE ESTABLISHED UTILIZING GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK (VRS) PROVIDED BY eGPS SOLUTIONS.
- ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURT'S OFFICE IN THE GEORGIA COUNTY LISTED.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJACENT PROPERTY OWNERS DEED REFERENCES WERE OBTAINED LOCAL AUTHORITY TAX RECORDS AND ARE NOT GUARANTEED AS TO THE ACCURACY OF COMPLETENESS.
- STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON. (ON SOME SURVEYS NOT ALL INTERIOR IMPROVEMENTS MAY NOT BE SHOWN)
- LOCATIONS ARE ACCURATE ONLY WERE DIMENSIONED.
- THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.
- THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67 AS AMENDED BY THE HB 1004 (2016), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF THE LAW PREVAIL.

FINAL SURVEYORS CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENT SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 21,235 FEET AND AN ANGULAR ERROR OF .02" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 973,409 FEET, AND CONTAINS A TOTAL OF 25.94 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS: TRIMBLE S6 ROBOTIC TOTAL STATION

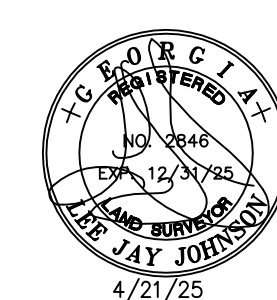
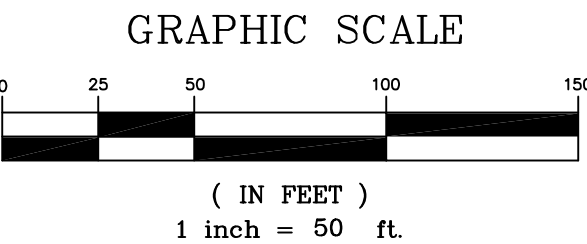
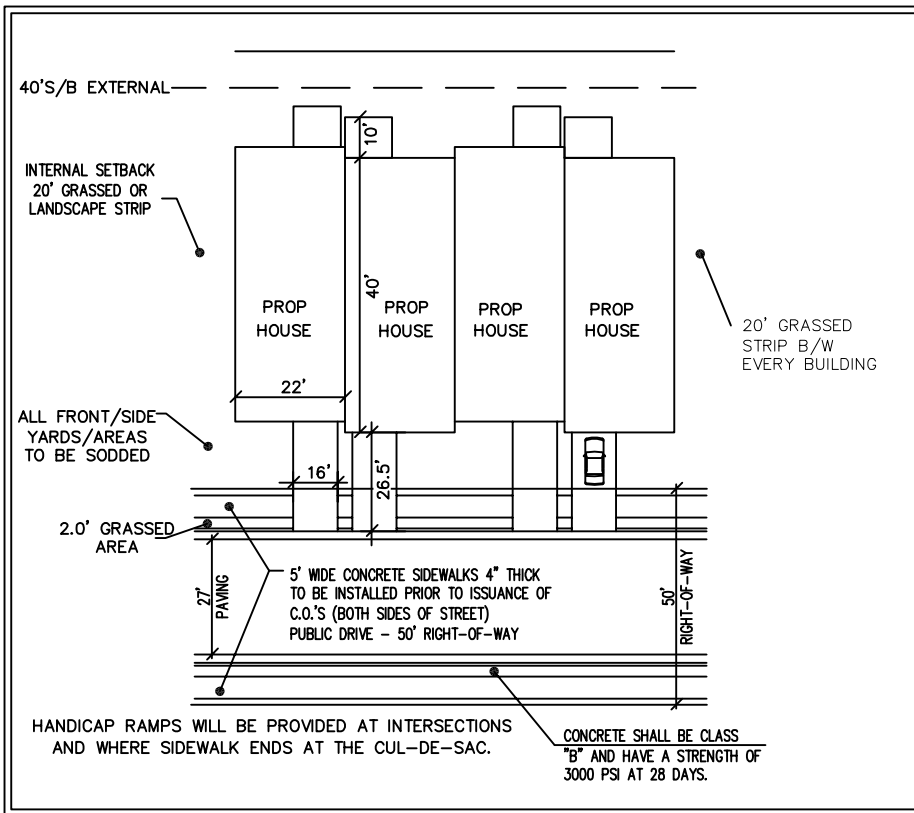
BY: [Signature]
REGISTERED GEORGIA LAND SURVEYOR
REG. NO.: 2846 DATE OF EXPIRATION: 12/31/2025

ENGINEER'S UTILITY CERTIFICATE:

"THE CIVIL ENGINEER RESPONSIBLE FOR THE DESIGN AND OVERSIGHT OF CONSTRUCTION OF WATER AND/OR SEWER LINES WITHIN THIS SUBDIVISION TO BE DEDICATE, HEREBY CERTIFIES THAT SAID WATER AND/OR SEWER LINES HAVE BEEN CONSTRUCTED AND INSPECTED AS BEING IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF THE UTILITY PROVIDER(S) AND THE REQUIREMENTS OF THE CITY OF AUBURN (OR BARROW COUNTY AS APPLICABLE).

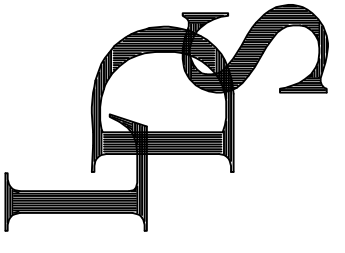
PROFESSIONAL ENGINEER

TOWNHOME TYPICAL LOT LAYOUT N.T.S.



Land Development
Surveyors, Inc.

P.O. BOX 2050
Dacula, GA. 30019
(770) 682-8206
LDSURVEYORS2023@GMAIL.COM
COA LSF#006632



KINGSTON COVE

PARCEL AU05 028A
LOCATED IN GEORGIA MILITIA DISTRICT 1740
CITY OF AUBURN, BARROW COUNTY, GEORGIA
SCALE: 1"=50'

FINAL PLAT

FOR:

SHEET TITLE

CHECKED

LJW

DATE

NO. DESCRIPTION

COMMENTS

COMMENTS

DATE

4/21/25
DATE

22123
JOB NUMBER

1 of 6

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

LEGEND

OL	ON LINE
NL	NAIL FOUND
IPS	IRON PIN SET (1/2" REBAR)
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
BM	BENCHMARK
TBM	TEMPORARY BENCHMARK
HDPE	HIGH DENSITY POLYURETHANE PIPE
LLL	LAND LOT LINE
LL	LAND LOT
PL	PROPERTY LINE
CL	CENTERLINE
B	BUILDING LINE
R/W	RIGHT-OF-WAY
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
CP	COMMUNICATIONS PEDESTAL
LP	LIGHT POLE
PP	POWER POLE OR UTILITY POLE
MH	MANHOLE
CB	CATCH BASIN
JB	JUNCTION BOX
HW	HEADWALL
DI/GI	DROP INLET/GRATE INLET
CI	GRATE INLET
FH	FIRE HYDRANT
WV	WATER VALVE
WM	WATER METER
GV	GAS VALVE
+941.2	EXISTING GROUND ELEVATION
-910--	PROPOSED GROUND ELEVATION
-910--	EXISTING CONTOUR ELEVATION
-910--	PROPOSED CONTOUR ELEVATION
DWCB	DOUBLE WING CATCH BASIN
ICV	IRRIGATION CONTROL VALVE
C&G	CURB & GUTTER
BOC	BACK OF CURB
TOC	TOP OF CURB
PB/PG	PLAT BOOK / PAGE
DB/PG	DEED BOOK / PAGE
POB	POINT OF BEGINNING
TPOB	TRUE POINT OF BEGINNING
ELEV	ELEVATION
IE	INVERT ELEVATION
FFE	FINISHED FLOOR ELEVATION
EOP	EDGE OF PAVEMENT
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
PVC	POLYVINYLCHLORIDE PIPE
SD	STORMWATER ACCESS LID
BM	BENCH MARK
PL	POWERLINE
UP	UNDERGROUND POWER
T	TELEPHONE LINE
UT	UNDERGROUND TELEPHONE LINE
G	GAS LINE
CTV	CABLE T.V. LINE
UCTV	UNDERGROUND CABLE T.V. LINE
SS	SANITARY SEWER LINE
W	STORM SEWER PIPE
W	WATER LINE / PIPE
F	FENCE LINE
B	BRANCH / CREEK / STREAM CENTERLINE
D	DITCH / DRAIN CENTERLINE
F	FLOOD HAZARD ZONE LIMITS
T	TREE
L	LIMITED ACCESS
N/F	NOW OR FORMERLY
FM	SANITARY SEWER FORCE MAIN

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

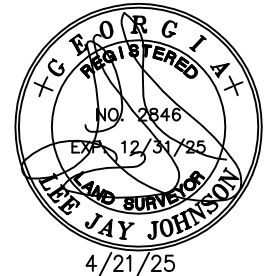
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C/L LINE TABLE		
LINE	LENGTH	BEARING
CL1	69.95	S80°30'32"W
CL2	225.68	S68°22'00"W
CL3	497.49	S49°13'49"W
CL4	224.37	N37°27'44"W
CL5	139.46	N37°27'44"W
CL6	102.62	S52°32'16"W
CL7	224.00	S52°32'16"W
CL8	79.00	S52°32'16"W
CL9	376.78	S37°27'44"E
CL10	93.34	S37°27'44"E
CL11	224.37	N49°13'49"E
CL12	503.42	N49°13'49"E
CL13	120.43	N85°34'34"E
CL14	119.02	N85°34'34"E
CL15	265.52	N06°17'48"W

R/W LINE TABLE		
LINE	LENGTH	BEARING
L1	14.14	S38°30'32"W
L2	29.95	S80°30'32"W
L3	225.68	S68°22'00"W
L4	458.29	S49°13'49"W
L5	63.26	N37°27'44"W
L6	77.62	N52°32'16"E
L7	50.00	N37°27'44"W
L8	431.62	S52°32'16"W
L9	50.00	S37°27'44"E
L10	56.00	N52°32'16"E
L11	445.12	S37°27'44"E
L12	50.00	N52°32'16"E
L13	70.42	N37°27'44"W
L14	692.87	N49°13'49"E
L15	199.45	N85°34'34"E
L16	14.14	S49°25'26"E
L17	14.14	N54°29'28"W
L18	29.95	S80°30'32"W
L19	204.59	S06°17'48"E
L20	47.08	N85°34'34"E
L21	14.14	N49°13'49"E
L22	464.22	N49°13'49"E
L23	86.33	N85°34'34"E
L24	191.07	N06°17'48"W
L25	225.68	S68°22'00"W
L26	462.57	S49°13'49"W
L27	150.25	S37°27'44"E
L28	158.00	S52°32'16"W
L29	308.82	S37°27'44"E
L30	158.26	N49°13'49"E
L31	299.69	N37°27'44"W

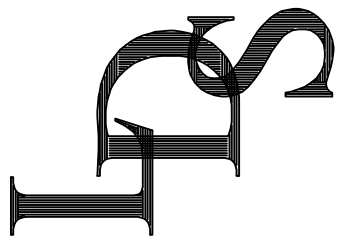
C/L CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD	BEARING
CLC1	500.00	51.48	51.45	S77°33'35"W
CLC2	500.00	54.49	54.46	S71°29'18"W
CLC3	200.00	66.80	66.49	S58°47'54"W
CLC4	150.00	95.15	93.57	S67°24'11"W

R/W CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	525.00	111.26	111.05	S74°26'16"W
C2	225.00	75.15	74.80	S58°47'54"W
C3	12.00	19.54	17.45	S84°06'58"E
C4	12.00	18.85	16.97	S07°32'16"W
C5	12.00	18.85	16.97	N82°27'44"W
C6	12.00	18.16	16.47	S05°53'02"W
C7	125.00	79.29	77.97	S67°24'11"W
C8	475.00	20.40	20.40	S79°16'43"W
C9	8.00	11.78	10.74	S35°52'32"W
C10	8.00	12.30	11.13	S50°21'37"E
C11	175.00	111.01	109.16	S67°24'11"W
C12	8.00	12.83	11.50	N39°38'23"E
C13	8.00	14.50	12.60	N58°14'10"W
C14	475.00	12.09	12.09	S69°05'44"W
C15	175.00	58.45	58.18	S58°47'54"W
C16	12.00	18.16	16.47	S05°53'02"W
C17	12.00	19.54	17.45	S84°06'58"E
C18	8.00	12.57	11.31	S07°32'16"W
C19	8.00	13.03	11.64	S84°06'58"E
C20	8.00	12.10	10.98	N05°53'02"E
C21	8.00	12.57	11.31	N82°27'44"W



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P.O. BOX 2050
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(770) 682-8206
LSURVEYORS2003@GMAIL.COM
COA LSF#000632



KINGSTON COVE

PARCEL A005 028A
LOCATED IN GEORGIA MILITIA DISTRICT 1740
CITY OF AUBURN, BARROW COUNTY, GEORGIA
SCALE: 1" = 100'

OVERALL
FINAL PLAT

FOR:
SHEET TITLE

DATE NO DESCRIPTION

5/27/25 1 ADDRESS COMMENTS

6/25/25 2 ADDRESS COMMENTS

4/21/25
DATE

22123
JOB NUMBER

2 of 6

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

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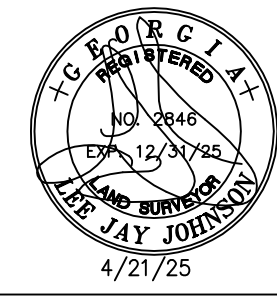
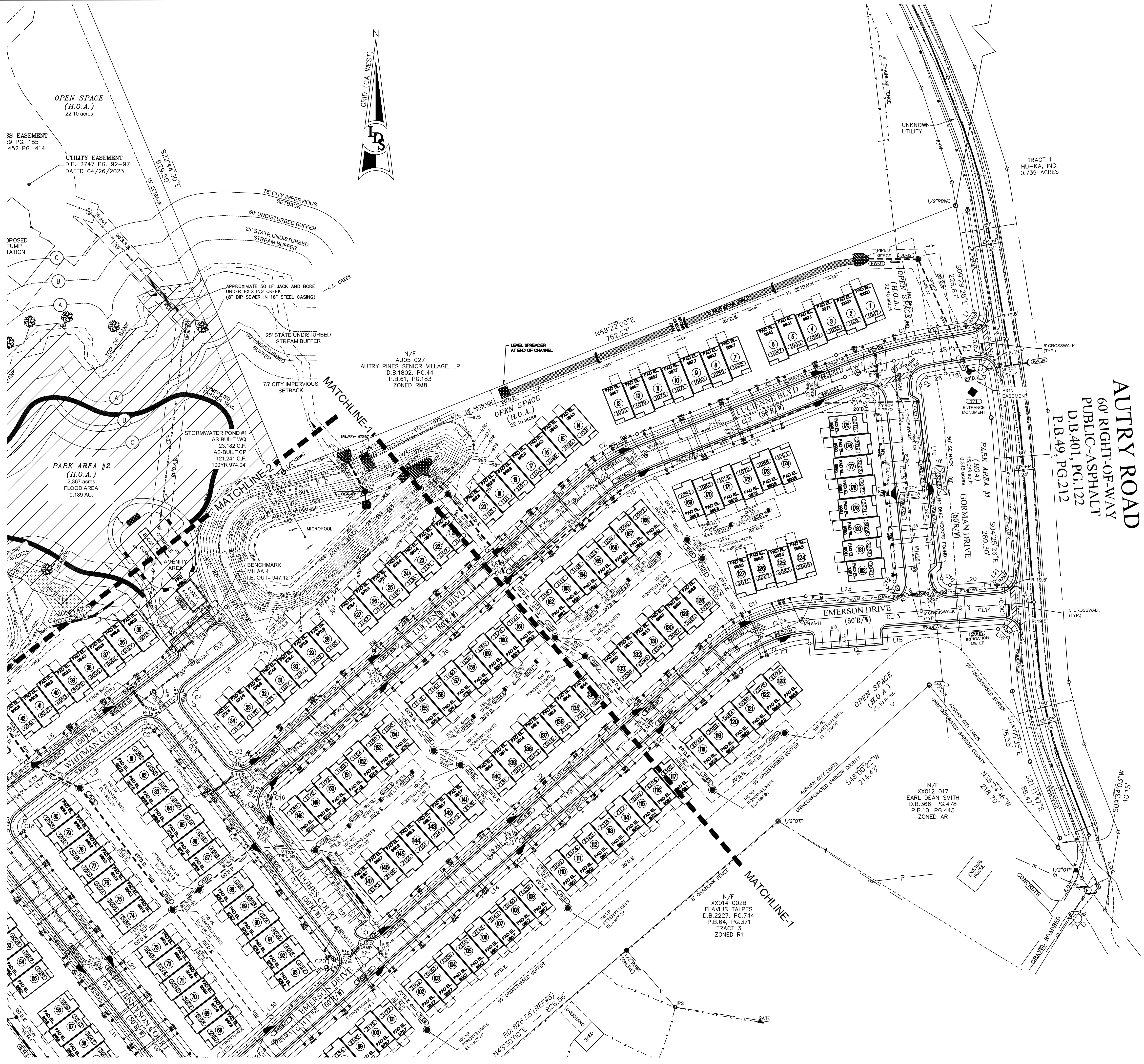
LEGEND

- OL ON LINE
NL NAIL FOUND
IP/S IRON PIN SET (1/2" REBAR)
IP/F IRON PIN FOUND
CMF CONCRETE MONUMENT FOUND
BM BENCHMARK
TBM TEMPORARY BENCHMARK
HDPE HIGH DENSITY POLYURETHANE PIPE
LLL LAND LOT LINE
LLP PROPERTY LINE
R/W CENTERLINE
S.E. BUILDING LINE
D.E. RIGHT-OF-WAY
LP LOT
PP POWER POLE OR UTILITY POLE
MH MANHOLE
CB CATCH BASIN
JB JUNCTION BOX
HW HEADWALL
DI/GI DRAIN INLET/GRATE INLET
ICI GRATE INLET
FH FIRE HYDRANT
WV WATER VALVE
WM WATER METER
GV GAS VALVE
4941.2 EXISTING GROUND ELEVATION
9341.2 PROPOSED GROUND ELEVATION
-910- EXISTING CONTOUR ELEVATION
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DWCB DOUBLE WING CATCH BASIN
IRV IRRIGATION CONTROL VALVE
C&G CURB & GUTTER
BOC BACK OF CURB
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PB/PG PLAT BOOK / PAGE
DB/PG DEED BOOK / PAGE
POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING
ELEV ELEVATION
IE INVERT ELEVATION
FFE FINISHED FLOOR ELEVATION
EOP EDGE OF PAVEMENT
OMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
DIP DUCTILE IRON PIPE
PVC POLYVINYLCHLORIDE PIPE
SWW STORMWATER ACCESS LID
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UP POWERLINE
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T UNDERPHONE LINE
UT UNDERGROUND TELEPHONE LINE
G GAS LINE
CTV CABLE T.V. LINE
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T TREE
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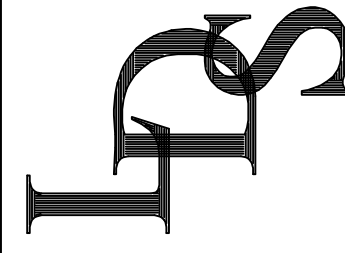
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(AS MEASURED FROM POINT OF WRESTED
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(B) 50' CITY UNDISTURBED STREAM BUFFER
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(C) 75' CITY IMPERVIOUS SETBACK
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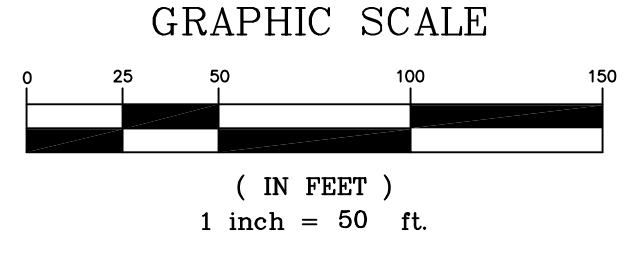


KINGSTON COVE
PARCEL AU05 028A
LOCATED IN GEORGIA MILITIA DISTRICT 1740
CITY OF AUBURN, BARROW COUNTY, GEORGIA
SCALE: 1" = 50'

FINAL PLAT FOR:		SHEET TITLE	
DATE	NO	DESCRIPTION	NO
5/27/25	1	ADDRESS COMMENTS	
6/25/25	2	ADDRESS COMMENTS	

DATE	4/21/25
DATE	22123
JOB NUMBER	

3 of 6



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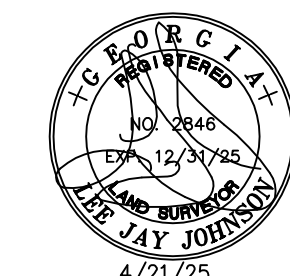
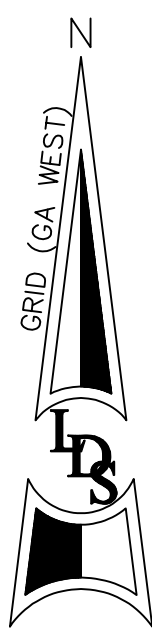
LEGEND

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NL NAIL FOUND
IPS IRON PIN SET (1/2" REBAR)
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C.P. COMMUNICATIONS PEDESTAL
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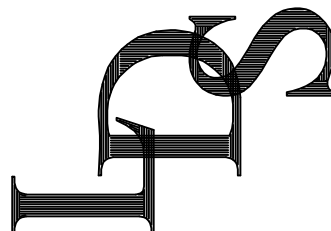
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KINGSTON COVE

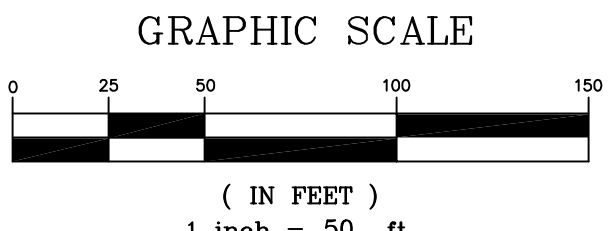
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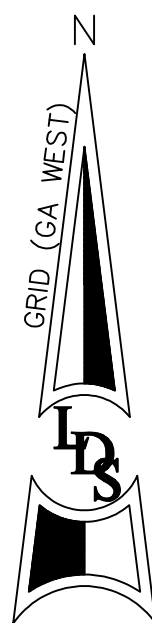
4 of 6



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LEGEND

OL	ON LINE
NL	NAIL FOUND
IPS	IRON PIN SET (1/2" REBAR)
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
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UCTV	UNDERGROUND CABLE T.V. LINE
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W	WATER LINE / PIPE
X	FENCE LINE
BR	BRANCH / CREEK / STREAM CENTERLINE
DR	DITCH / DRAIN CENTERLINE
FZ	FLOOD HAZARD ZONE LIMITS
T	TREE
LA	LIMITED ACCESS
N/F	NOW OR FORMERLY
FM	SANITARY SEWER FORCE MAIN



N/F
XX014 001J
JUDY M. FOWLER &
BOBBY RAY FOWLER
D.B.2429, PG.685
ZONED AG

N/F
AU050 001Z
ROCKLYN HOMES, INC
D.B.2272, PG.452
P.B.65, PG.122
ZONED PSV

OPEN SPACE
(H.O.A.)
22.10 acres

APPROXIMATE LOCATION
100-YEAR FLOODPLAIN
PER FEMA

N/F
AU06 241
STEPHANIE C. PRESLEY &
TRAVIS S. PRESLEY JR
D.B.586, PG.489
P.B.35, PG.91
WILLOW GATE SUB.
UNIT 3/LOT 17
ZONED R100

50'x50'
PERMANENT EASEMENT
D.B. 802 PG. 158

OPEN SPACE
(H.O.A.)
22.10 acres

ACCESS EASEMENT
P.B. 59 PG. 185
D.B. 1452 PG. 414

UTILITY EASEMENT
D.B. 2747 PG. 92-97
DATED 04/26/2023

PARK AREA #2
(H.O.A.)
2.367 acres
FLOOD AREA
0.189 AC.

STORMWATER POND #1
AS-BUILT WQ
23,182 C.F.
AS-BUILT CP
121,241 C.F.
100YR 974.04'

STORMWATER POND #2
AS-BUILT WQ
25,979 C.F.
AS-BUILT CP
93,508 C.F.
100YR 947.69'

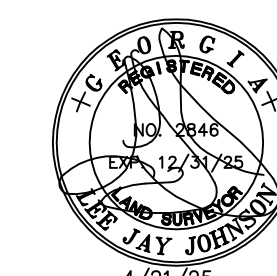
N/F
AU05 027
AUTRY PINES SENIOR VILLAGE, LP
D.B.1802, PG.44
P.B.61, PG.183
ZONED RM8

LEVEL SPREADER
AT END OF CHANNEL

- (A) 25' STATE UNDISTURBED STREAM BUFFER
(AS MEASURED FROM POINT OF WRESTED
VEGETATION)
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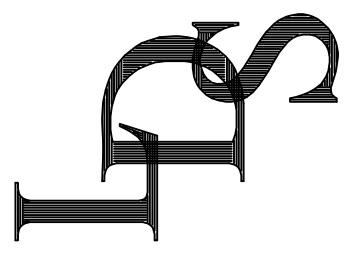
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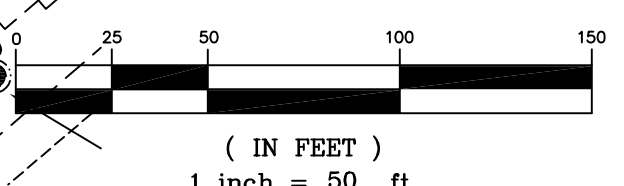
DRAWN
CHECKED
LW

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4/21/25
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5 of 6

GRAPHIC SCALE



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SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") made as of the 5th day of September, 2023 is entered into by and between ECP Autry, LLC, a Georgia limited liability company ("ECP"), Starlight Homes Georgia, L.L.C., a Georgia limited liability company ("Starlight"), and The City of Auburn, Georgia, a Georgia municipal corporation ("City"). ECP, Starlight and the City are sometimes referred to in this Agreement collectively as the "Parties" and individually as a "Party".

Statement of Background

1. ECP is the owner of approximately 25.94 acres of land located in the 174th G.M. District of the City of Auburn, Barrow County, Georgia, tax parcel AU05 028A, and as more particularly described in that certain Limited Warranty Deed recorded at Deed Book 2669, Page 652, Barrow County, Georgia Records ("Deed").

2. On or about May 24, 2023, ECP, as owner, and Starlight, as applicant, submitted a Development Permit Application ("Permit Application") to the City to develop the Property with a 182 unit townhome development.

3. On or about June 27, 2023, City personnel issued review comments to the Permit Application, stating an interpretation that the development sought with the Permit Application is not consistent with conditions of zoning within City Ordinance 13-004.

4. ECP and Starlight disagree with such interpretation and contend that conditions of zoning within City Ordinance 13-004 do not apply to the Property.

5. On July 19, 2023, ECP and Starlight submitted an administrative appeal to the City from the June 27, 2023 interpretation and review comments on the Permit Application pursuant to City Code §§ 16.20.030 and 16.20.030 ("Appeal"). The Appeal is properly before the City Council as required by the City's Development Regulations, Title 16. ECP and Starlight also submitted a notice of their constitutional rights and of their intention to file a lawsuit against the City in connection with the rights they contend they hold regarding the Property.

6. Following commencement of the Appeal, the City ceased processing the Permit Application and the Permit Application remains pending.

7. ECP, Starlight and the City have conferred and have agreed to compromise and settle the Appeal and to provide for processing of the Permit Application with a revised site plan and certain stipulations of development.

8. The Parties desire to enter into this Agreement for the purpose of resolving the Appeal and to avoid the expense, time, and uncertainty of litigation.

Page 1 of 5

Statement of Agreement

NOW, THEREFORE, for and in consideration of the respective rights and obligations of the Parties under this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby covenant and agree as follows:

1. **Recitals.** The Recitals set forth above in the Statement of Background are incorporated into this Statement of Agreement by this reference and made a part hereof as if fully set forth herein.

2. **Agreement.** With this Agreement, ECP and Starlight hereby amend the Permit Application with the Revised Site Plan attached hereto as Exhibit "A" and incorporated herein by this reference ("Revised Site Plan"). Pursuant to City Code § 16.20.020, the City approves of the Revised Site Plan and ECP and Starlight agree to develop the Property under the Permit Application in substantial conformity with the Revised Site Plan and to further amend the Permit Application to include the following stipulations:

i. Elevations and relief for the townhomes depicted in the Revised Site Plan will be in substantial conformity with the illustration attached hereto as Exhibit "B" and incorporated herein by reference. A combination of brick, fiber cement, cementitious siding, cementitious board and battens and cementitious shake will be used for exterior construction. Vinyl siding shall not be used.

ii. The internal streets reflected on the Revised Site Plan shall remain private and will not be dedicated to the City.

iii. ECP and Starlight will meet landscaping and buffer requirements within the City's Development Regulations, Chapter 16.44.

iv. The property, buildings and units shown on the Revised Site Plan will be owned by a common entity during development and build out. Following site development, the developer entity will prepare and record a final plat for the as-built development. Individual developed units will then be marketed and sold as fee simple townhomes, with the end user being conveyed the footprint of the unit as shown on the final recorded plat. Front yards and rear yards for the individual units will be owned by an association with individual unit owners having use rights for the front and rear yards in accordance with association declaration and covenants to be prepared and recorded for the development (the Revised Site Plan and these stipulations i - iv are collectively referred to as the "Proposed Development").

The City interprets the Permit Application, as amended by this Agreement with the Proposed Development, to be consistent with the City's zoning ordinance and map and the City

Page 2 of 5

REZONING
CASE NUMBER
RZ-13-001 / RZ-13-002

agrees to process the Permit Application, as amended by this Agreement with the Proposed Development, and to issue permits, plat approvals and other development approvals as necessary or required for the Proposed Development on the Property in accordance with the City's Development Regulations and this Agreement. Any substantial deviation from the terms outlined in this Section 2 must be approved by the Mayor and City Council of the City of Auburn.

3. **Dismissal of Appeal.** Upon the Parties' full execution of this Agreement, the Appeal submitted by ECP and Starlight shall be fully resolved and dismissed without prejudice.

4. **Authority of the Parties.** The Parties and each of their undersigned representatives hereby warrant and represent that they or their respective undersigned representatives have full and complete authority to execute this Agreement on behalf of each Party hereto and to fully bind each Party to this Agreement.

5. **Compromise of Dispute.** Resolution of the disputes between the Parties under the terms and conditions set forth in this Agreement constitutes a compromise of disputed claims. The consideration exchanged mutually by and between the Parties in furtherance of the settlement of a dispute and the same allows the Parties to buy their respective peace and to avoid the time, expense and uncertainty of litigation.

6. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.

7. **Binding Effect.** This Agreement shall bind and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors, any entity created by ECP or Starlight for purchase and/or development of the Property, and the Parties' assigns.

8. **Construction.** This Agreement is a fully negotiated document and shall be deemed to have been jointly drafted by the Parties, and therefore, shall not be more strictly construed against any Party as the draftsman.

9. **Entire Agreement; Modification.** This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof and no prior or contemporaneous oral or written representations between the Parties relating to the subject matter hereof shall have any legal effect. This Agreement shall not be amended, altered, revised, modified, terminated or changed, except by further written agreement signed by all Parties.

10. **Voluntary Execution; Consultation with Legal Counsel.** Each Party acknowledges that such Party has read and understands the substance and effect of this Agreement. Each Party states that such Party is executing this Agreement of such Party's own free will and accord for the purposes and the considerations set forth in this Agreement and that such Party has consulted with such Party's legal counsel with respect to all terms or conditions in this Agreement as to which such Party had any questions. Each Party acknowledges that such Party has carefully read and fully understands all of the terms and conditions of this Agreement and that such Party is executing, sealing and delivering this Agreement voluntarily.

Page 3 of 5

11. **Counterparts; Facsimile and Electronic Signatures.** This Agreement may be executed in several counterparts, each of which shall constitute an original and all of which shall constitute one and the same instrument. This Agreement may be executed by any Party hereto using a facsimile or a PDF electronic email signature or other form of electronic signature, and such facsimile or electronic signature shall be binding and enforceable to the same extent as an original signature.

12. **Survival.** This Agreement and all terms and conditions hereof shall survive the execution, sealing and delivery hereof by the Parties, and shall continue in full force and effect as necessary or helpful for any Party to obtain, enforce or otherwise satisfy such Party's obligations and responsibilities under this Agreement, and/or to obtain, enforce or otherwise secure such Party's rights and remedies provided in this Agreement, whether at law or in equity, as applicable.

13. **Severability.** The Parties hereto agree and acknowledge that each of the provisions, covenants, promises and agreements stated in this Agreement are separate, distinct, and severable, and the unenforceability of any such provision, covenant, promise or agreement shall not affect the validity or enforceability of the other provisions, covenants, promises or agreements set forth in this Agreement. Should any sentence, term, part or portion of this Agreement be declared or determined to be illegal, invalid, or unenforceable, the validity of the remaining parts, sentences, terms, or provisions shall not be affected thereby and said illegal, invalid, or unenforceable sentence, part, term, or provision shall be deemed not to be a part of this Agreement.

14. **Time of Essence.** Time is and shall be of the essence in this Agreement.

15. **Attorney's Fees.** The Parties each agree to bear his or its own attorney's fees, costs and expenses paid or incurred in connection with the Appeal and this Agreement.

IN WITNESS WHEREOF, the Parties have executed, delivered and sealed this Agreement as of the 5th day of September, 2023.

SIGNATURES ON FOLLOWING PAGE

ECP:
ECP AUTRY, LLC
a Georgia limited liability company

By: _____ (Seal)
Title: _____

STARLIGHT:
STARLIGHT HOMES GEORGIA, L.L.C.
a Georgia limited liability company

By: _____ (Seal)
Title: Division Manager

CITY:
THE CITY OF AUBURN, GEORGIA
a Georgia municipal corporation

By: _____ (Seal)
Title: Mayor



Page 5 of 5

13-004

AN ORDINANCE TO AMEND THE CITY OF AUBURN CODE OF ORDINANCES TO REZONE THE DEVELOPMENT SITE ON PARCELS AU05 027 AND AU05 028A ON AUTRY RD. FROM AG, AGRICULTURAL, TO RM-8, RESIDENTIAL MULTIFAMILY APARTMENTS IN THE CITY OF AUBURN

WHEREAS, the owner has authorized Nick Stettin of Autry Plaza Senior Village GP to submit an application to rezone said property from AG to RM-8; and

WHEREAS, the subject property is designated in the Future Land Use plan for Multi-family use;

WHEREAS the City has reviewed the application and determined that the requested zoning complies with other adopted City policies and initiatives; and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 17, 2013 and submitted a favorable recommendation to the City Council; and;

WHEREAS, the City Council conducted a public hearing on May 2, 2013 on the proposed rezoning in accordance with Georgia Law; and

WHEREAS it is in the best interest of the health, safety and welfare of the citizens of the City to zone the property described herein;

NOW THEREFORE THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS as follows:

1. The area described in Exhibit "A" is rezoned to RM-8, (Residential Multifamily Apartment District), subject to the following conditions of zoning:

A. Developed be limited by deed restriction to senior residential apartments for occupancy by persons 55 of age and older. Final site design shall be subject to review and approval by the City Planner.

B. The development shall be limited to a maximum of 64 units.

C. Height shall be limited to no more than two stories and 38 feet.

D. Buildings shall be finished with architectural treatments of brick on a minimum of 60% on each building elevation. The balance shall be fiber-cement siding. Final building elevation design shall be subject to approval by the City Planner.

E. A perimeter security fence shall be erected around the entire property, whose materials shall be subject to final approval by the City Planner.

13-004

F. Minimum amenities shall include a common area with pavilions, tables and benches, a community garden of 100 sq. ft. minimum, and a walking trail around the perimeter of the property.

G. The builder shall pave Autry Rd. with asphalt in accordance with City engineering standard to the property entry.

2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDERED this 2nd day of May, 2012.

Mayor: _____
Zinda Hoshkotte, Mayor

Council Member: _____
Robert Vogel, Council Member

Council Member: _____
Donna Scuffetti, Council Member

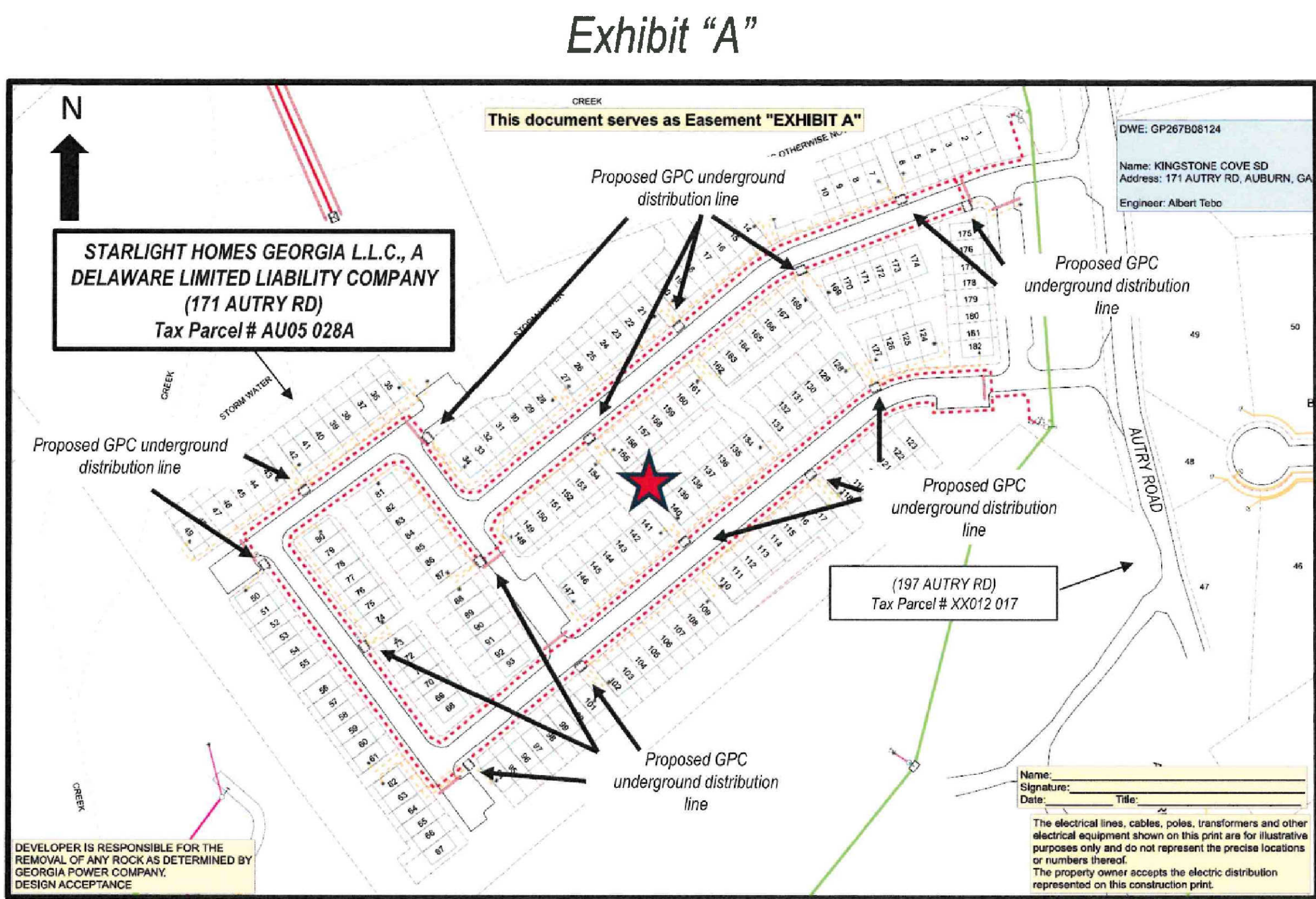
Council Member: _____
Peggy Lanning, Council Member

ATTEST:

Joylee Brown
Joylee Brown, City Clerk

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



Georgia Power
Land Department

Parcel 001
DRAWING NOT TO SCALE

171 AUTRY RD | KINGSTON COVE (BARROW COUNTY)
DISTRIBUTION LINE
STARLIGHT HOMES GEORGIA L.L.C., A DELAWARE
LIMITED LIABILITY COMPANY
LIMS # 2025020323
Work Location(s): NA

GRAPHIC SCALE
0 25 50 100 150
(IN FEET)
1 inch = 50 ft.

FINAL PLAT
FOR:

SHEET TITLE

CHECKED
LJJ

DRAWN
JB/SF

FIELD

DATE	NO	DESCRIPTION
5/27/25	1	ADDRESS CORRECTIONS
6/25/25	2	COMMENTS

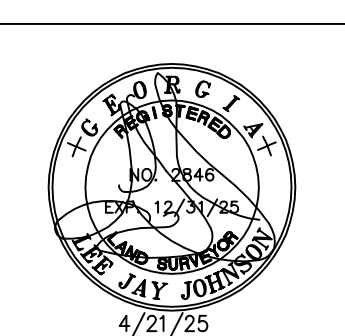
4/21/25
DATE

22123
JOB NUMBER

6 of 6

KINGSTON COVE

PARCEL AU05 028A
LOCATED IN BARROW COUNTY, DISTRICT 1740
CITY OF AUBURN, BARROW COUNTY, GEORGIA
SCALE: 1"=50'



Land Development
Surveyors, Inc.

P.O. BOX 2050
Dacula, GA 30019
(770) 682-8206
LDSURVEYORS2003@GMAIL.COM
COA LSF#000832



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel, III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM NO: ____5____

TO: MAYOR & COUNCIL

FROM: Iris Akridge – Public Works Director
Jim Aton – City Engineer

DATE: July 24, 2025

PURPOSE: Proposal for Annual Controls, SCADA, and Instrumentation Services

BACKGROUND: Global Control Services Inc. (GCS) service agreement would ensure continued support for our water and wastewater systems through expert maintenance, troubleshooting, and optimization of SCADA and control systems.

Global Control Systems has extensive experience working with municipal utilities and brings a strong understanding of regulatory requirements, automation standards, and system integration.

Benefits to the City:

- Maintain and improve operational reliability
- Supports regulatory compliance
- Ensures efficient automation and system monitoring
- Reduces downtime and unplanned maintenance
- Provides consistent technical support and timely response

The services proposed are essential to maintaining the city's infrastructure and keeping our utility systems operating safely and efficiently.

FUNDING:

RECOMMENDATION: I respectfully submit this for your review and approval - Global Control Services Inc. (GCS) for annual Controls, SCADA and Instrumentation services in the amount of \$10,800.

Attachment:

Proposal for Annual Controls, SCADA, and Instrumentation Services



Proposal for Annual Controls, SCADA, and Instrumentation Services

Submitted by: Global Control Systems, Inc.

Date: June 23, 2025

To:

Iris Akridge

Director of Public Works

City of Auburn Water Plant

1411 Sunbelt Way, Auburn, GA 30011

Introduction

Global Control Systems, Inc. (GCS) is pleased to present this proposal to provide annual Controls, SCADA, and Instrumentation services to the City of Auburn. With our extensive experience in municipal water and wastewater systems, we are committed to supporting the city's operational reliability, regulatory compliance, and automation system efficiency.

Scope of Services

This proposal covers technical support, preventative maintenance, and general troubleshooting for the city's SCADA systems, PLCs, instrumentation, and associated control hardware and software. Services include:

1. SCADA system diagnostics and performance monitoring
2. PLC logic support and control system tuning
3. Instrument calibration, verification, and replacement recommendations
4. Alarm and event log review and optimization
5. Backup and verification of PLC/SCADA project files
6. Field troubleshooting of I/O and communication issues
7. General operational support and recommendations

Service Structure

Scheduled Site Visits

8. Global Control Systems provides up to **six (6) pre-scheduled site visits annually**.
9. Each visit will include **up to 8 hours** (including travel time), conducted by qualified technicians or engineers.
10. Work will be coordinated in advance to prioritize service tasks, align with system operations, and ensure efficient use of time on-site.



Remote and In-House Support

- A. In addition to scheduled visits, GCS will provide remote and in-house technical support in response to customer-initiated requests.
- B. Telephone or remote support services are billed in **2-hour minimum increments**.
- C. Any remote/in-house support provided will be counted against the total of six (6) included service visits, with a **minimum of 2 hours deducted per call**.

Annual Fee Structure

The total cost for the annual services described above is:

\$10,800.00

This includes:

- D. Up to six (6) on-site service visits
- E. Remote support (as defined above, deducted from the included hours)
- F. Travel expenses and mileage for scheduled visits

Additional On-Site Services:

If additional on-site support is requested beyond the six scheduled visits, services will be billed at our standard hourly rate of **\$225** with a 4-hour minimum per visit.

Emergency after-hours services: 2 times the standard hourly rate.

Notes

- G. No material hardware or software is included in this contract, not limited to upgrades.
- H. **The service agreement is valid for one year from the date of execution.**
- I. Site visit scheduling must be coordinated at least two weeks in advance.
- J. Emergency or expedited site support outside the defined visit schedule is subject to availability and additional billing.
- K. Unused hours or visits do not carry over into the following contract year.

Value to the City

By partnering with Global Control Systems, the City of Auburn receives:

- L. Dedicated and reliable technical support
- M. Reduced downtime and quicker resolution of system issues
- N. Proactive maintenance and long-term system performance improvements
- O. A predictable support structure that helps manage maintenance budgets



We appreciate the opportunity to present this proposal to you and look forward to working with you on this project. If you have any questions, please do not hesitate to contact us.

Sincerely,

Global Control Systems Inc.

Rakesh Patel

Annual Contract Authorization

To proceed with the proposed services, please sign below:

Authorized Representative – City of Auburn

Signature: _____ Print: _____

Title: _____ Date: _____

Accepted by – Global Control Systems, Inc.

Signature: _____ Print: _____

Title: _____ Date: _____

www.globalcontrolsystems.com



Pricing and Validity

Standard Terms & Conditions

4. All prices quoted are in **United States Dollars (USD)**.
5. Quoted prices are valid for **thirty (30) calendar days** from the date of the proposal.
6. Pricing is exclusive of taxes, duties, permits, or any other governmental fees unless otherwise stated.

Payment Terms

7. Invoices are due **30 days net from the invoice date, unless otherwise agreed upon** in writing.
8. Late payments may incur interest at **1.5% per month** (18% annually) or the maximum allowed by law, whichever is lower.
9. Partial payments and milestone billing will be applied for projects or extended services as stated in the proposal.

Delivery and Lead Times

10. Delivery and/or project initiation will commence upon receipt of a **purchase order (PO)** or signed agreement, along with any required initial payment or deposit.
11. Standard delivery or service lead times will be defined within the proposal and are subject to change based on the current workload and material availability.
12. Delays caused by force majeure, supplier delays, or client-side approvals may extend delivery timelines.

Warranty

13. A **one (1) year warranty** is provided on all hardware supplied and labor performed under this agreement.
14. The warranty covers defects in materials and workmanship under regular use and conditions.
15. Warranty does not cover misuse, abuse, unauthorized modifications, or damage caused by third-party equipment or systems.

Ownership and Risk

16. Title to hardware shall be transferred to the client upon full payment.
17. The risk of loss or damage to goods passes to the client upon delivery to the site or the designated shipping address.

Changes and Cancellations

18. Any change in scope, quantity, or timeline after proposal acceptance may require a change order and may impact pricing and delivery.
19. Cancellations after acceptance may incur charges for work performed, materials ordered, and restocking fees if applicable.

Limitation of Liability

20. In no event shall the supplier be liable for **indirect, incidental, special, or consequential damages**, including but not limited to lost profits or downtime.
21. Total liability for any claim shall not exceed the total amount paid for the specific goods or services giving rise to the claim.

Governing Law

22. These Terms and Conditions shall be governed by the laws of the **State of Georgia**, without regard to its conflict of law provisions.

www.globalcontrolsystems.com



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel, III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM NO: 6

TO: MAYOR & COUNCIL

FROM: Iris Akridge – Public Works Director

DATE: July 24, 2025

PURPOSE: Proposal to Discuss Acquisition of a Cold Planer Attachment for Mini Excavator

BACKGROUND: The Department is seeking to upgrade its field performance and service delivery through the purchase of a Cold Planer (road milling machine) attachment, designed to be compatible with our current excavator. This proposed equipment upgrade would significantly improve the ability to perform small-scale asphalt milling with greater precision, speed, and cost-efficiency.

The addition of this attachment directly supports commitment to proactive roadways, sidewalk, and curb maintenance by allowing targeted removal of deteriorated pavement without causing disruption to surrounding surfaces. It is particularly effective for:

- Preparing potholes and utility trench areas for resurfacing
- Grinding elevated pavement sections to improve drainage and safety
- Smoothing rough or uneven asphalt edges prior to patching or overlaying
- Restoring pavement surrounding manholes, valves, and storm drains

This equipment will help the Road crew complete small road repairs faster and without needing outside contractors. It will save time, lower costs, and help keep roads safer. Its small size makes it perfect for working in narrow or hard-to-reach areas where larger machines can't fit.

Three estimates were obtained:

1 – Yancey Bros., Co.	\$15,848.00*
2 – Harco Equipment	\$22,900.00
3 – Gene & Matt Tractor Sales	\$24,100.00

FUNDING: Machinery & Equipment: 100-4100-542100 \$15,848.00

RECOMMENDATION: Approval is asked for the purchase of a Caterpillar Cold Planer attachment from Yancey Bros. Co. in the amount of \$15,848. This equipment will enable the Road Crew to complete milling and surface preparation tasks with increased efficiency and precision, particularly in confined or hard-to-reach areas where larger machinery cannot be used effectively.

Attachments:

Proposals for Cold Planer Attachment for Mini Excavator

1 – Yancey Bros., Co.

2 – Harco Equipment

3 – Gene & Matt Tractor Sales



July 1, 2025

City of Auburn

GEORGIA STATE CONTRACT – 9999-001-SPD0000177-0024

RE: Quote 286475-02

Dear Sir,

Yancey Bros. is happy to provide the attached quotation for equipment based on our discussion and your requirements. Please review this carefully to ensure that all necessary items are accounted for. I am available should any questions arise.

Caterpillar, Inc. Cold Planer for Mini-Exc.

CONFIGURATION DETAILS

Components	Ref No.	Wgt	Qty	List
CAT Consist				
MINI HYD EXCAVATOR WORK TOOLS	0P-0227	0	1	0
CAT Components (Attachments)				
LINES, B9 HAMMER, 7-10T	580-9885	24	1	542
BRACKET, MHE 7-9T, 50MM, XL	564-9840	186	1	660
COLD PLANER, PC35	619-6535	1080	1	15,889
Total CAT List/Net:				17,091

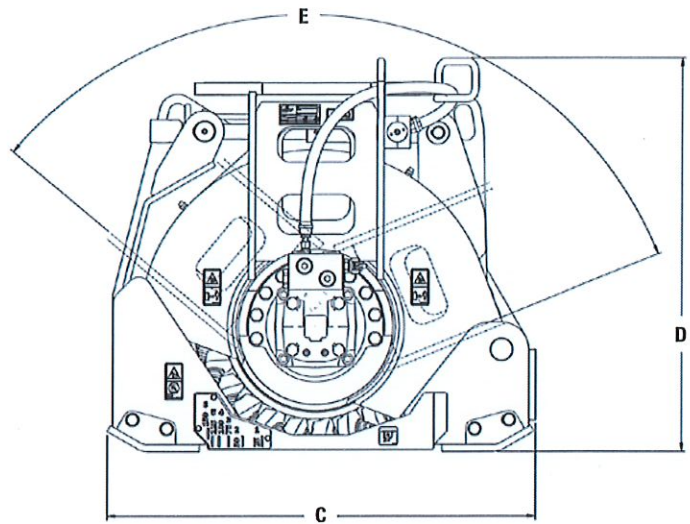
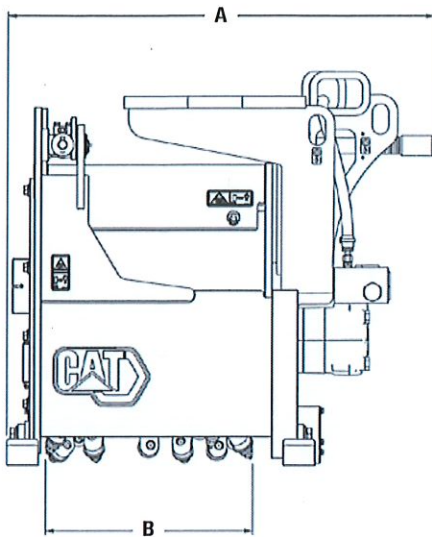
Total List Price	\$17,091
State Discount for CAT Attachments 15%	-\$2,564
Total After State Contract Discount	\$14,527
Installation & Testing Cold Planer	\$1,321
Total Price	\$15,848

Accepted by _____ on _____

Signature

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not

DIMENSIONS



Model	PC35	PC45
A Overall Width	856 mm 33.7 in	943 mm 37.1 in
B Working Width	350 mm 13.8 in	450 mm 17.7 in
C Overall Length	860 mm 33.9 in	947 mm 37.3 in
D Overall Height	808 mm 31.8 in	866 mm 34.1 in
E Rotation Angle	119°	117°
Weight	489 kg 1078 lb	666 kg 1468 lb
Maximum Cutting Depth	120 mm 5 in	150 mm 6 in
Required Hydraulics	First Auxiliary	First Auxiliary
Optimal Hydraulic Flow	45-80 L/min 12-21 gpm	75-140 L/min 20-37 gpm
Optimal Hydraulic Pressure	150-250 bar 2175-3625 psi	150-250 bar 2175-3625 psi
Drum Speed at Maximum Flow	255 rpm	220 rpm
Number of Conical Bits	42	48



BIT OPTIONS

All purpose conical bits are standard. Optional bits include: concrete, heavy duty concrete and heavy duty asphalt. Tools to change out bits are included.



STANDARD TWO YEAR WARRANTY

Standard two-year warranty gives you peace of mind when purchasing a quality Cat Cold Planer attachment.

COLD PLANERS

MINI HYDRAULIC EXCAVATORS
BACKHOE LOADERS



Models

PC35
PC45

Machine Compatibility

305, 305.5, 306, 307.5, 308, 309, 415, 416, 420, 428, 430, 432, 434, 440, 444
307.5, 308, 309, 310, 415, 416, 420, 428, 430, 432, 434, 440, 444, 450

Current machines listed. Machine model availability and attachment vary by region. Contact your local Cat® dealer for exact compatibility and availability.



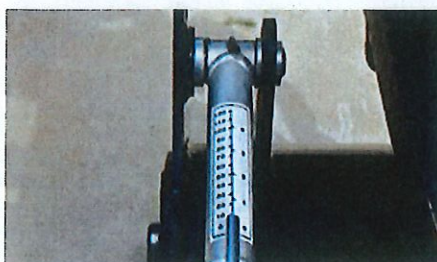
Cat® cold planers are designed for small paving jobs in residential and commercial applications and are primarily used to economically restore asphalt and concrete surfaces. They are ideal for milling imperfections prior to resurfacing, removing deteriorated pavement, removing traffic lane stripes and jobs where the use of dedicated planers is limited. The Cat PC35 and PC45 Cold Planers are designed for use on Cat mini hydraulic excavators and backhoe loaders.

FEATURES



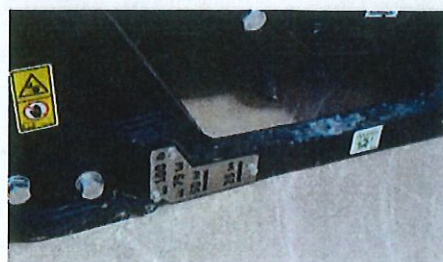
MAX PRO PRESSURE GAUGE

Max pro pressure gauge provides operator feedback to adjust ground speed for maximum productivity in changing material loads. Gauge displays planer performance in real-time conditions and is visible from the cab. Standard on all models.



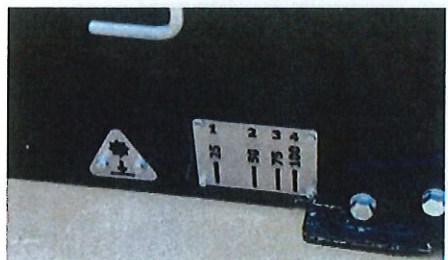
MANUAL ADJUST DEPTH WITH INDICATOR SCALE

Operator can easily adjust the depth using the provided hand crank and indicator scale.



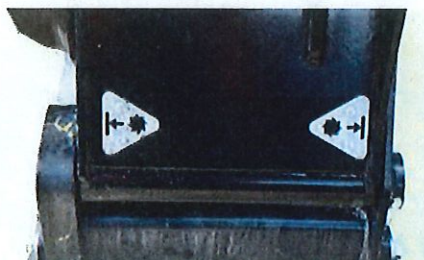
CUT MARKS

Indicates contact point of drum with surface based on depth of cut. An assistant can communicate with the operator when to start and stop the cut.



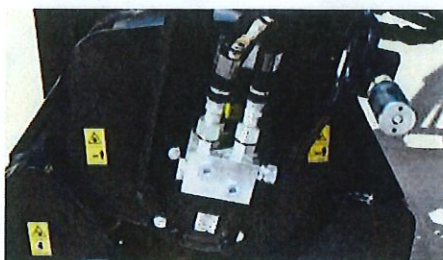
DRUM CENTER INDICATOR

Indicates center of the drum on the side of the planer.



CUT WIDTH INDICATOR

Indicates the width of the cut of the drum.



LONG LIFE MOTOR

Gear motor provides optimal performance and efficiency.



REPLACEABLE SKID SHOES

Easily replaceable, wear-resistant skid shoes remain parallel to the ground for optimum stability.



EFFICIENT HOSE ROUTING

Hose guides ensure hydraulic lines are out of the way during all operating orientations.



MOUNTING BRACKET SYSTEM

Requires common mounting bracket that utilizes a shared bolt pattern that allows interchangeability between cold planers, hammers and vibratory plate compactors.

HARCO EQUIPMENT - WINDER

610 ATLANTA HWY NW
WINDER, GA. 30680
WWW.HARCORENTALS.COM

770-867-9496 Phone
770-307-0236 Fax



Status: Quote

Quote #: q4078-3

Quote To: Wed 6/25/2025 12:00PM

Operator: LIAM NOONAN

Terms: On Account

Customer #: 2552

CITY OF AUBURN
P.O. BOX 1059
Auburn, GA 30011

Phone 770-963-4002

Job Descr: FAE RPL/HY QUOTE

Qty	Key	Items	Part#	Each	Price
1	RPL/HY-30	ROAD PLANER, FAE RPL/HY INCLUDES SETUP AND ATTACHMENT BRACKET - 2YR WARRANTY - 16-20WKS	RPL/HY-30	\$22,900.00	\$22,900.00

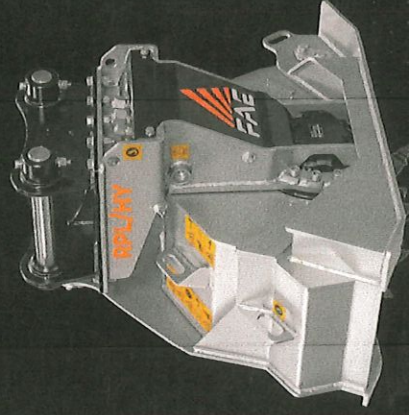
Quote valid for 30 days.

		Sales:			
		\$22,900.00			
Subtotal:			Total:	Paid:	Amount Due:
\$22,900.00			\$22,900.00	\$0.00	\$22,900.00

Signature: _____
CITY OF AUBURN



NEW RPL/HY

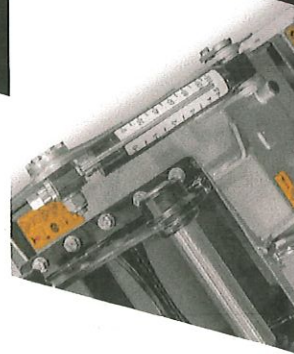


CONSTRUCTION

fae-group.com

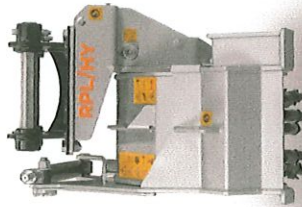
USA

DP016001 - USA - FAE RPL/HY - 000001 - by FAE GROUP S.p.A.



RPL/HY

Road planers are machines that can mill road surfaces, partially or fully, removing the asphalt or concrete layer. FAE's road planers are used to prepare the road surface for the next layer of asphalt or concrete. The RPL/HY is specifically designed by FAE to increase performance and reduce vibration. As an excavator attachment, the RPL/HY is ideal for use where maneuverability, flexibility and precision are needed, such as in narrow corners, on sidewalks, and in service channels.



0 - 50 gal/min

13 - 24 gal/min

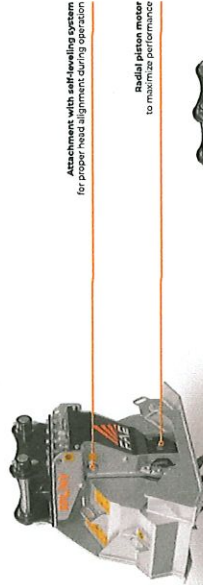
50 - 100 gal/min

APPLICATIONS:
Asphalt shredding
Asphalt recycling

ROAD PLANERS FOR EXCAVATORS RPL/HY

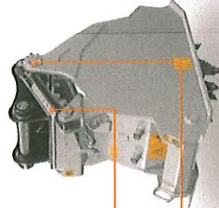
Fixed tooth road planer for excavators up to 8 t.

The RPL/HY is a road planer for excavators from 3 to 8 t. capable of milling up to 5 inches deep. The RPL/HY is ideal for preparing the surface of the road for laying a new layer of asphalt or concrete. Its features include a wide adjustable



Attachment with self-leveling system
for proper head alignment during operation

Radial piston motor
to maximize performance



Depth indicator

Mechanical adjustment of working depth

MAIN OPTIONS



Teeth for working on
concrete



Custom attachment bracket

STANDARD EQUIPMENT

470 cc hydraulic piston motor	Enclosed, dust-resistant machine body
Direct-drive transmission	Fittings for hydraulic connections
Flow Control system valve with integrated safety and anti-cavitation valves	Self-leveling attachment bracket
Mechanically adjustable working depth	Rotor with pins R44/A

OPTIONS

Customized attachment bracket kit with customized pins	Multiple tooth options
--	------------------------

MODEL	RPL/HY 30
Flow rate (gal/min)	13-24
Pressure (PSI)	2600-3000
Excavator weight (t)	5-8
Working width (in)	13
Total width (in)	20
Weight (lbs)	882
Rotor diameter (in)	20.7
Working depth (in)	0-4.5
Hydraulic type R44/A	32

Data refers to machine as standard. The actual data in the catalogue may be obtained without prior notice.

ROTOR TYPE R





Gene & Matt Tractor Sales, Inc.

Quote Page 1 of
Quote Number: 853257
Effective Date: 04/21/2025
Valid Through: 04/30/2025

Ship To

CITY OF AUBURN
JOE MORAVEC
GA
Mobile: (762) 338-9103

Kubota Dealer

Gene & Matt Tractor Sales, Inc.
652 Atlanta Hwy NW
Winder, GA 30680
Brandon Phillips
Phone: (706) 498-3715
Email:
BPhillips.geneandmatt@gmail.com

Bill To

CITY OF AUBURN
JOE MORAVEC
GA
Mobile: (762) 338-9103

AP-CP3018 - 18" COLD PLANER

Description	Manufacturer	Model #	Qty	Price Each	Total
18" COLD PLANER	LAND PRIDE	AP-CP3018	1	\$24,100.00	\$24,100.00

Cash Details

Equipment Total	\$24,100.00
Additional Charges	\$0.00
Cash Sale Price	\$24,100.00

2.15% - 5.15%
12 - 36 months

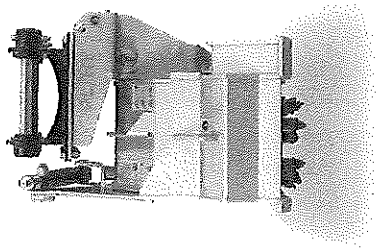
ALL QUOTES GOOD FOR 30 DAYS.

Kubota Disclaimer

Sales quote can only be provided by a participating Kubota dealer. Only Kubota and Kubota performance-matched Allied equipment are eligible. Inclusion of ineligible equipment may result in a higher blended APR. Stand Alone Kubota or Allied implements and attachments/accessories are subject to stand alone programs. Financing is available through Kubota Credit Corporation, U.S.A.; subject to credit approval. Program eligibility requirements are subject to change without notice and may be withdrawn without notice. Some exceptions apply. See dealer or go to KubotaUSA.com for more information.

RPL/HY

Road planers are machines that can mill road surfaces, partially or fully removing the asphalt or concrete layer. P&H's road planers are based on "cold planer" technology. With "cold planer" technology, the planer removes the top layer of the road surface by the impact of special teeth arranged along a rapidly spinning rotor. The layout of the RPL/HY rotor was specifically designed by P&H to increase performance and reduce vibration. As an excavator attachment, the RPL/HY is ideal for use where maneuverability, flexibility and precision are needed, such as in narrow corners, on sidewalks, and in service channels.



0 - 50 gal/min

50 - 100 gal/min

APPLICATIONS:
Asphalt shredding
Asphalt recycling

ROAD PLANERS FOR EXCAVATORS RPL/HY

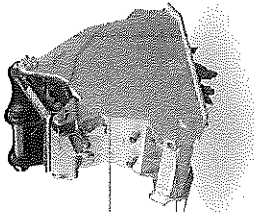
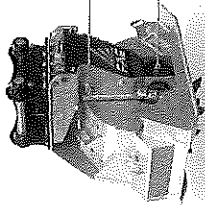
Fixed tooth road planer for excavators up to 8 t.

This 250 liter fixed tooth road planer for excavators up to 8 t is designed for use in narrow corners, on sidewalks, and in service channels. The RPL/HY is ideal for use where maneuverability, flexibility and precision are needed, such as in narrow corners, on sidewalks, and in service channels.



Attachment with self-leveling system for automatic alignment during operation

Radial piston motor to maintain performance



Depth indicator

Mechanical adjustment of working depth



Teeth for working on concrete



Custom attachment bracket

STANDARD EQUIPMENT

250 cc hydraulic piston motor	Endorsed dust-resistant machine body
Flow Centre transmission	Fittings for hydraulic connections
Flow Centre system valve with integrated safety and self-leveling attachment bracket	
Mechanically adjustable working depth	Rotor with 16 teeth

OPTIONS

Custom attachment bracket for customised jobs	Multiple tooth options
---	------------------------

MODEL

Flow rate (gal/min)	10-54
Pressure (PSI)	2000-5000
Connector weight (lb)	3-6
Working width (in)	32
Total width (in)	20
Weight (lbs)	880
Rotor diameter (in)	14
Working depth (in)	0-4.5
Hydraulic type (R/L/A)	32

Data refers to machine as standard. The excluded data in this catalogue may be delivered without prior notice.

ROTOR TYPE R



RPL 250/4A (standard)
RPL 250/4C (optional)



MAYOR
Richard E. Roquemore

CITY ADMINISTRATOR
Michael Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 7

TO: Mayor and Council

FROM: Michael E. Parks
City Administrator

DATE: July 18, 2025

PURPOSE:

Readoption of the Civility Pledge Resolution #03-025

BACKGROUND:

Civility Pledge

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect. Courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

RECOMMENDATION:

To approve Resolution #03-025 Pledging to Practice and Promote Civility in the City of Auburn.

FUNDING: N/A

RESOLUTION # 03-025

PLEDGING TO PRACTICE AND PROMOTE CIVILITY IN THE CITY OF AUBURN

WHEREAS, the City Auburn of the City of Auburn (the “Council”), the governing body of the City of Auburn, Georgia (the “Municipality”), recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

WHEREAS, the City Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

WHEREAS, the members of City Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

WHEREAS, City Council meetings are open to the public and thus how City officials execute their legal duties is on public display; and

WHEREAS, civility by City officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between City officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

WHEREAS, civility between City officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

WHEREAS, civility between City officials is possible if each member of the elected body remembers that they represent not only themselves, but the constituents in their area and in the City; and

WHEREAS, in order to publicly declare its commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the Council of the City of Auburn has determined to readopt this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION ONE

The City of Auburn pledges to practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities.

SECTION TWO

The elected officials of the City Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of the City of Auburn.

SECTION THREE

This pledge strives to ensure that all communication be open, honest, and transparent as this is vital for cultivating trust and relationships.

SECTION FOUR

This pledge strives to show courtesy by treating all colleagues, staff and members of the public in a professional and respectful manner whether in-person, online or in written communication, especially when we disagree.

SECTION FIVE

This pledge strives to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance, and civility are imperative to success and demonstrates the Council's commitment to respect different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner.

SECTION SIX

This pledge demonstrates our commitment against violence and incivility in all their forms whenever and wherever they occur in all our meetings and interactions.

SECTION SEVEN

The City of Auburn expects members of the public to be civil in its discussion of matters under consideration by and before the City Council, with elected officials, staff, and each other.

ADOPTED this ____ day of August, 2025.

Mayor Richard E. Roquemore

Council Member Jamie L. Bradley

Council Member Robert L. Vogel, III

Council Member Taylor J. Sisk

Council Member Joshua Rowan

ATTEST:

Brooke Haney, City Clerk



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 8

TO: Mayor and Council

FM: Michael Parks
City Administrator

DATE: July 18, 2025

PURPOSE:

Provide Engineering Oversight and Construction Contract Administration for the construction of the tunnel and shaft at the Raw Water Storage Pond.

BACKGROUND:

The construction of the tunnel and shaft for the withdrawal of water from the Raw Water Storage Pond is about to begin. The project was awarded to Heavy Constructors. Engineering Oversight and Construction Contract Administration of the project is needed. The City of Auburn and Carter & Sloope signed an engineering services agreement a couple of years ago. This authorization request is an extension of that agreement.

RECOMMENDATION:

Request a motion to approve this agreement for engineering services. The cost to Auburn will be \$107,032

FUNDING:

These engineering services will be paid out of a \$4,000,000 GEFA loan or future revenue bonds.

June 27, 2025

Mr. Horace Gee
Utilities Director
City of Winder, Georgia
Horace.gee@cityofwinder.com

Mr. Michael Parks
City Administrator
City of Auburn, Georgia
mparks@cityofauburn-ga.org

RE: Winder-Auburn Raw Water Storage Pond
C&S File No.: W7450.014

Dear Mr. Gee and Mr. Parks:

We are providing this letter to amend our Agreement dated November 22, 2020. The scope of services described below is for construction phase services and construction observation for the tunnel and shaft construction. This work was not contemplated during the original scoping of the project. During original scoping there were three options to be decided upon and it was unknown which design would be needed.

Scope of Work

6. Construction Administration and Observation for tunnel and shaft

Management of construction efforts (i.e. "construction management" services) are specifically excluded from our Scope of Work; however, if the Client authorizes us to proceed, C&S will provide professional services in the general administration of the tunnel and shaft construction contract and act as the Client's representative during construction to the extent and limitations of the duties, responsibilities and authority of the Engineer as established in this written Agreement and in the Contract Documents, which is assigned in EJCDC C-700 Standard General Conditions of the construction contract included in the Bidding Documents.

For the purposes of this Agreement, we are assuming the following schedule based on the contractor's schedule that was submit with his bid.

Construction Component	Anticipated Component Duration (Days)	Field Oversight
Tunnel Excavation	20	Two (2) visits - one at start and one at end of tunnel construction, 5 days each
Raise Bore Chamber	5	One (1) visit, 5 days
Shaft Pilot Hole	5	One (1) visit, 5 days
Raise Bore	22	Three (3) visits, one day each
Shaft Liner Installation	22	Two (2) visits, one day each
Tunnel Liner Installation	24	Three (3) visits, one day each

The following tasks will be completed as needed during construction of the tunnel and shaft:

- a. *Baselines and Benchmarks:* As appropriate, establish baselines and benchmarks for locating the Work which, in the Engineer's judgment, are necessary to enable the Contractor to proceed.
- b. *Clarifications, Interpretations and Field Orders:* Respond in writing with reasonable promptness to Requests for Information (RFI's) and issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work and subject to any limitations in the Construction Contract Documents, and prepare and issue Field Orders requiring minor changes in the work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents and shall be provided as part of the Engineer's Scope of Services; however, if the Contractor's request for information, clarification, or interpretation are, in the Engineer's professional opinion, for information readily apparent from reasonable observation of field conditions or a review of the Contract Documents, or are reasonably inferable there from, the Engineer shall be entitled to compensation for Additional Services for the Engineer's time spent responding to such request provided the Engineer notify Client in advance that it deems such request to be so apparent, seek compensation for such clarification and interpretation and Client does not timely instruct the Engineer not to undertake the clarification or interpretation. Should the Client agree to reimburse the Engineer for these Additional Services, the Engineer shall prepare a Change Order for the Client that will deduct the cost of these Additional Services from the Client's contract with the Contractor.
- c. *Shop Drawings and Samples:* Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for general conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.
- d. *Change Orders and Work Change Directives:* Review and recommend Change Order justifications and prepare Change Orders and Work Change Directives, as appropriate, to modify the Contract Documents as may be necessary.
- e. *Differing Site Conditions:* Assist the Client with a response to any notice from Contractor of differing site conditions, including conditions relating to underground facilities such as utilities, and hazardous environmental conditions. Conduct reviews, obtain information, and prepare findings, conclusions, and recommendations for Client's use, subject to the limitations and responsibilities under the Agreement and the Construction Contract.
- f. *Non-reviewable matters:* If a submitted matter in question concerns the Engineer's performance of its duties and obligations, or terms and conditions of the Construction Contract Documents that do not involve (1) the performance or acceptability of the Work under the Construction Contract Documents, (2) the design (as set forth in the Drawings, Specifications, or otherwise), or (3) other engineering or technical matters, then Engineer will promptly give written notice to Client and Contractor that Engineer will not provide a decision or interpretation.
- g. *Standards for Certain Construction-Phase Decisions:* Engineer will render decisions regarding the requirements of the Construction Contract Documents, and judge the acceptability of the Work, pursuant to the specific procedures set forth in the Construction Contract for initial

interpretations, Change Proposals, and acceptance of the Work. In rendering such decisions and judgements, Engineer will not show partiality to Client or Contractor, and will not be liable to Client, Contractor, or others in connection with any proceedings, interpretations, decisions, or judgements conducted or rendered in good faith.

- h. Progress Meetings:* C&S will attend progress meetings at the jobsite as needed, but at a minimum, monthly. We will prepare meeting agendas, lead the progress meetings and issue meeting minutes for review and approval by the Client and Contractor.
- i. Limitation of Responsibilities:* Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractors, suppliers, or other individuals or entities performing or furnishing any portions of the Work, or any agents or employees of any of them. The Engineer shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents or any laws, codes, rules or regulations.

C&S will provide visits to the Project site at intervals appropriate to the various stages of construction, as Engineer deems necessary, or as otherwise agreed to in writing by the Client and the Engineer, during construction, to observe as an experienced and qualified design professional the progress and quality of Contractor's executed Work. Such visits and observations by Engineer, and/or his Resident Project Representative, if any, are not intended to be an exhaustive check or to extend to every aspect of Contractor's Work in progress or to involve detailed inspections or Special Inspections or tests of Contractor's Work in progress beyond the responsibilities specifically assigned to the Engineer in this Agreement and the Contract Documents, but rather our site visits will be limited to spot checking and similar methods of general observation of the Work based on Engineer's exercise of professional judgment as assisted by the Resident Project Representative, if any. Based on information obtained during such visits and general observations, Engineer will determine, in general, if the Work is proceeding in accordance with the Construction Contract Documents, and Engineer shall keep the Client informed of the progress of the Work.

The purpose of Engineer's visits to, and representative's visits, if any, at the Project site will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase, and, in addition, by the exercise of Engineer's efforts as an experienced and qualified design professional, to become generally familiar with the Work in progress and to determine, in general, if the Work is proceeding in accordance with the Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. The Engineer and/or his Resident Project Representative will not supervise, direct or have control over Contractor's work during such visits or as a result of such observations of Contractor's Work, nor will we have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by the Contractor, for security or safety at the Site, for safety precautions and programs incident to any Constructor's work in progress, for the coordination of Constructors' work or schedules, nor for any failure of any Constructor to comply with Laws and Regulations applicable to furnishing and performing of its work.. These rights and responsibilities are solely those of the Contractor in accordance with the Contract Documents. Accordingly, we will neither guarantee the performance of any Contractor nor assume responsibility for any Contractor's failure to furnish and perform the Work in accordance with the Contract Documents. We will record our observations in Project observation reports and at the end of the Project, we will assemble these reports and provide the Client with one (1) hard copy and one (1) electronic copy in Adobe PDF format.

Continuous onsite observation by a Resident Project Representative at the Project site is not included in our budget. If continuous observation is desired please let us know and we will revise this agreement.

- a. *Jobsite Safety:* Neither the professional activities of the Engineer, or the presence of the Engineer or its employees and sub-consultants at the construction site / Project site, shall impose any duty on the Engineer, nor relieve the Contractor of its obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending and coordinating the Work in accordance with the Contract Documents and any health or safety precautions required by any regulatory agencies. The Engineer and its personnel have no authority to exercise any control over any construction contractor or its employees in connection with their work or any health or safety programs or procedures. The Client agrees that the Contractor shall be solely responsible for jobsite safety, and warrants the intent shall be carried out in the Client's contract with the Contractor. The Client also agrees that the Contractor shall defend and indemnify the Client, the Engineer and the Engineer's sub-consultants and they shall be made additional insureds under the Contractor's policies of general liability insurance.
- b. *Inspections and Tests:* The Engineer will require special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Engineer's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Engineer shall be entitled to rely on the results of such tests.
- c. *Defective Work:* The Engineer will recommend to Client that the Contractor's Work be rejected while it is in progress if, on the basis of Engineer's or his representative's observations, Engineer believes that such Work will not produce a completed Project that conforms generally to the Contract Documents or that it will threaten the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
- d. *Disagreements between Client and Contractor:* The Engineer will render formal written decisions on all duly submitted issues relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution, performance, or progress of Contractor's Work; review each duly submitted Claim by Client or Contractor, and in writing either deny such Claim in whole or in part, approve such Claim, or decline to resolve such Claim if Engineer in its discretion concludes that to do so would be inappropriate. In rendering such decision, Engineer shall be fair and not show partiality to Client or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.

June 27, 2025

Fee Basis

Carter & Sloope will invoice for this work. We propose to complete these services for **\$314,800**. Per the MOU between the Cities this would be \$207,768 for Winder and \$107,032 for Auburn.

If you have any questions or concerns regarding our proposed Scope of Work and/or proposed fee, please contact me. I would welcome the opportunity to discuss this with you. If the Scope of Services is acceptable, please sign, date, and return one (1) copy to us for our files. Once approved, Carter & Sloope can begin work on this project immediately.

Sincerely,



Martin C. Boyd, P.E.
Carter & Sloope, Inc.



James B. Aton, P.E.
Hussey Gay Bell, Inc.

I hereby acknowledge review of this Scope of Services and authorize Carter & Sloope, Inc. to proceed with the work as described in this agreement.

Signature

Date

Title



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 9

TO: Mayor and Council

FM: Michael Parks
City Administrator

DATE: July 18, 2025

PURPOSE: Provide Construction Phase Engineering Services during the construction of the Phase B raw water pipeline and Rock Creek Intakes #1 and #2.

BACKGROUND: The project was bid out back in November 2023 and is being funded with ARPA Federal Grant. The start of work has been delayed due to funding issues, grant administration issues, material issues, permitting issues, and coordination with the other construction contract in progress at the Raw Water Storage Pond. The Contractor, Strack, Inc. is now ready to start construction. Engineering oversight is needed. This Task Order provides that oversight.

RECOMMENDATION: Approval of this task order so that Hussey Gay Bell can proceed with the project in the amount of \$120,500.

FUNDING: The engineering and construction cost of the pipelines and intakes #1 and #2 is being paid for with an ARPA grant.

HUSSEY GAY BELL

Established 1958

AUTHORIZATION FOR PROFESSIONAL SERVICES TASK ORDER

CLIENT: City of Auburn
PO Box 1059
Auburn, GA 30011
Attn: Honorable Rick Roquemore, Mayor, and Auburn City Council

CONSULTANT: Hussey, Gay, Bell & DeYoung, Inc., Consulting Engineers **DATE:** July 17, 2025
3100 Breckinridge Boulevard, Building 300
Duluth, Georgia 30096-4986

Page 1 of 15

RE: *Task Order 41*
Rock Creek Intake #2 and Pipelines, Phase B, Construction Phase Services
Auburn Water Supply and Storage Project
Hussey Gay Bell Project No.: 25-0016-WS

The CLIENT herewith requests and authorizes the CONSULTANT to perform Engineering, Planning, and/or Surveying Services described below and agree to the terms as follows. For the purposes of this agreement, the Contractor is the design-build contractor selected by the CLIENT.

The scope of the work being administered includes 917 feet of 12-inch diameter IPS-HDPE pipe with manholes, 1,830 feet of 18-inch diameter IPS-HDPE pipe, 350 feet of 24" DIP pipe, 410 feet of 6-inch C-900 PVC pipe, one flow control manhole with valve, one manhole with flow meter, one (1) Rock Creek Intake #2, 140 feet of 24-inch DIP, and associated appurtenances. The work also includes such administrative services as may be necessary to assist the city with the administration of grants, loans and program management services associated with the project. Construction Period is estimated to be 7 to 9 months.

Engineering Services

The CONSULTANT will provide the following Engineering and Surveying services during the construction of the Raw water force main from the RWSP to the Drinking Water Treatment Plant.

Construction Phase Services Summary is presented below with a detailed list of services presented in ATTACHMENTS A and B.

- A. Attend the pre-construction conference with the CLIENT and Strack Inc., the Contractor. Discuss the construction schedule, pay request submittals, shop drawing submittals, and change order procedures.
- B. Coordinate, collaborate and meet with the Contractor on the minor details to be resolved prior to construction.
- C. Respond in writing to Contractor requests for information regarding construction of improvements. Assist the Contractor with plan interpretations.
- D. Provide benchmark and property line locations so that the Contractor can locate the buildings and utilities according to the CONSULTANT'S plans.
- E. Review shop drawings and other submittals.
- F. Review soil test reports and consult with the soils engineer as necessary.

[https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July 24th/9. Task order](https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July%2024th/9.%20Task%20order)

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- G. Make periodic site visits (daily) to determine that the work is being performed in general accordance with the contract drawings and specifications. Report any defective work to the CLIENT.
- H. Meet with the Contractor and CLIENT once each month to discuss progress and review pay applications. The CONSULTANT shall submit a written report to the CLIENT and Contractor for each week's progress. The maximum of duration of construction is anticipated to be two hundred seventy (270) days or about nine (9) months. Visits will be made during that period. Near the end of construction, CONSULTANT will seek future authorization to participate in the equipment testing and EPD's operations permit process.
- I. Upon receipt of a pay request from the Contractor, CONSULTANT will visit the site to determine that the payment items have been installed or partly installed. Review and process in a timely manner monthly pay estimates by the Contractor (about 10 days). Recommend payment based on construction completeness to date.
- J. Process any requests for a change in the construction scope by the Contractor. Work shall include: a visit to the site to determine the need for the change, assist the CLIENT in negotiating the cost of the increase/decrease based on fair market value, and upon approval by all parties, issue a written change order describing the revised work along with the agreed costs. If the CLIENT requests a change order, it will be prepared as an additional service to this contract.
- K. Review and comment on the Operations and Maintenance Manual to be prepared by the Design-Build Contractor.
- L. Perform an inspection at the substantial completion point of the project and prepare a punch list of any deficient items associated with the plant and site construction. Prepare an opinion of substantial completion.
- M. Perform a final inspection to determine the punch list items have been addressed by the Contractor.

The CLIENT and the CONSULTANT agreed that the above summary of construction phase professional services are more specifically defined in Attachment A. Resident Project Representative services are more specifically defined in Attachment B. Should scope differences be identified, Attachments A and B will govern.

In addition to the Construction Contract Phase Services, the work also includes such administrative services as may be necessary to assist the city with the administration of grants, loans and program management associated with the project.

Indemnification

The CLIENT and the CONSULTANT agree that the CLIENT will defend, indemnify, and hold harmless the CONSULTANT from any claim or suit whatsoever, including, but not limited to, all payments, expenses or costs involved, arising from, or alleged to have arisen from the Contractor's performance or the failure of the Contractor's work to conform to the design intent and the contract documents. The CONSULTANT agrees to be responsible for its own or its employee's acts, errors, or omissions.

Schedule

The CONSULTANT anticipates that these tasks will take about nine (9) months or two hundred seventy (270) days from Notice to Proceed to completion or execution of this agreement. Should the construction period exceed this estimate, additional services and compensation will be required.

Deliverable

Attend construction for the period of the Contractor's agreement and prepare twice monthly progress reports to CLIENT. Provide baseline project surveying control. O&M manual.

[https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July 24th/9. Task order](https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July%2024th/9.%20Task%20order)

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Fee for Engineering Services

The CLIENT agrees to pay an amount equal to the time and expenses incurred according to the following:

The CONSULTANT'S fee for the Engineering Services described above in Items A through M will be a lump sum amount of \$120,500 and will be paid in 10 monthly amounts. Fee is estimated based on 3.8% of construction costs, reference USDA guidance documents plus effort to assist with grants, loans and program management.

Should this fee need modification, CONSULTANT will seek CLIENT'S concurrence at an early date. CONSULTANT'S fee for the Additional Services will be an amount equal to the number of hours and fractions thereof devoted to the project by each category of personnel assigned to the project multiplied by the respective hourly charge rates, as shown on Attachment C.

The estimated fee is subject to renegotiation if the Engineering Services are not authorized within sixty (60) days from the date of this Authorization.

Reimbursable Expenses

Reimbursable expenses are included in the above fee budget but may be itemized separately from engineering services on invoices.

Authorization

CONSULTANT will commence services immediately upon receipt of signed authorization.

Terms and Conditions

All other terms and conditions of the original agreement between the parties, dated November 2, 2012, remain the same.

Please sign in the space provided and return one (1) original copy to our office. We appreciate the opportunity to provide the City of Auburn this service and look forward to working with you on this project.

HUSSEY, GAY, BELL & DEYOUNG, INC.
CONSULTING ENGINEERS

CITY OF AUBURN

By: James B. Aton

By: _____

Name/Title: James B. Aton, PE
Project Manager/Engineer

Name/Title: Rick Roquemore, Mayor

By: _____

Attest: _____

Name/Title: Mark Bond, PE
President, Atlanta

Name/Title: _____

Date: _____
JBA

Date: _____

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[https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July 24th/9. Task order](https://cpak-my.sharepoint.com/personal/swaters_cityofauburn-ga_org/Documents/workshops/WORKSHOPS/2025/July%2024th/9.%20Task%20order)

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ATTACHMENT A

Construction Phase Services

A. The CONSULTANT will provide the following construction phase services:

1. *General Administration of Construction Contract.* Consult with CLIENT and act as CLIENT'S representative as provided in the General Conditions. The extent and limitations of the duties, responsibilities and authority of CONSULTANT as assigned in said General Conditions shall not be modified, except as CONSULTANT may otherwise agree in writing. All of CLIENT'S instructions to Contractor will be issued through CONSULTANT, who shall have authority to act on behalf of CLIENT in dealings with Contractor to the extent provided in this Agreement, said General Conditions and except as otherwise provided in writing.
2. *Resident Project Representative (RPR).* When the CONSULTANT must be absent from the site, the CONSULTANT will provide the services of an RPR at the site to assist the CONSULTANT and to provide more extensive observation of Contractor's work. Duties, responsibilities, and authority of the RPR are as set forth in Exhibit B. The furnishing of such RPR's services will not extend CONSULTANT'S responsibilities or authority beyond the specific limits set forth elsewhere in this Agreement.
3. *Selecting Independent Testing Laboratory.* Assist CLIENT in the selection of an independent testing laboratory to perform material testing, compaction and soils testing.
4. *Pre-Construction Conference.* Participate in a pre-construction conference prior to commencement of work at the site.
5. *Baselines and Benchmarks.* As appropriate, establish baselines and benchmarks for locating the work which in CONSULTANT'S judgment are necessary to enable Contractor to proceed.
6. *Visits to Site and Observation of Construction.* In connection with observations of Contractor's work in progress while it is in progress:
 - a. Make visits to the site daily or at intervals appropriate to the various stages of construction, as CONSULTANT deems necessary, in order to observe as an experienced and qualified design professional the progress and quality of the work. Such visits and observations by CONSULTANT, and the Resident Project Representative, if any, are not intended to be exhaustive or to Extend to every aspect of Contractor's work in progress or to involve detailed inspections of Contractor's work in progress beyond the responsibilities specifically assigned to CONSULTANT in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on CONSULTANT'S exercise of professional judgment as assisted by the Resident Project Representative, if any. Based on information obtained during such visits and such observations, CONSULTANT will determine in general if Contractor's work is proceeding in accordance with the Contract Documents, and CONSULTANT shall keep CLIENT informed of the progress of the Work.
 - b. The purpose of CONSULTANT'S visits to, and representation by the Resident Project Representative, if any, at the Site, will be to enable CONSULTANT to better carry out the duties and responsibilities assigned to and undertaken by CONSULTANT during the Construction Phase, and, in addition, by the exercise of CONSULTANT'S efforts as an experienced and qualified design professional, to provide for CLIENT a greater degree of confidence that the completed work will conform in general to the Contract Documents and that the integrity of the design concept of the completed project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by contractor. CONSULTANT shall not,

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during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall CONSULTANT have authority over or responsibility for the site safety, means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, or for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, CONSULTANT neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

7. *Defective Work.* Recommend to CLIENT that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, CONSULTANT believes that such work will not produce a completed project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed project as a functioning whole as indicated in the contract documents.
8. *Clarifications and Interpretations; Field Orders.* Issue necessary clarifications and interpretations of the contract documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the contract documents. CONSULTANT may issue field orders authorizing minor variations from the requirements of the contract documents.
9. *Change Orders and Work Change Directives.* Recommend change orders and work change directives to CLIENT, as appropriate, and prepare change orders and work change directives as required.
10. *Shop Drawings and Samples.* Review and approve or take other appropriate action in respect to shop drawings and samples and other data which Contractor is required to submit, but only for conformance with the information given in the contract documents and compatibility with the design concept of the completed project as a functioning whole as indicated in the contract documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto. CONSULTANT has an obligation to meet any Contractor's submittal schedule that has earlier been acceptable to CONSULTANT.
11. *Substitutes and "or-equal."* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor.
12. *Inspections and Tests.* Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by laws and regulations or the contract documents. CONSULTANT'S review of such certificates will be for the purpose of determining that the results certified indicate compliance with the contract documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the contract documents. CONSULTANT shall be entitled to rely on the results of such tests.
13. *This Section Not Used.*
14. *Applications for Payment.* Based on CONSULTANT'S observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
 - a. Determine the amounts that CONSULTANT recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute CONSULTANT'S representation to CLIENT, based on such observations and review, that, to the best of CONSULTANT'S knowledge, information and belief, Contractor's work has progressed to the point indicated, the quality of such work is generally in

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accordance with the contract documents (subject to an evaluation of the work as a functioning whole prior to or upon substantial completion, to the results of any subsequent tests called for in the contract documents and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is CONSULTANT'S responsibility to observe Contractor's work. In the case of unit price work, CONSULTANT'S recommendations of payment will include final determinations of quantities and classifications of Contractor's work (subject to any subsequent adjustments allowed by the contract documents). The responsibilities of CONSULTANT contained in General Conditions are expressly subject to the limitations set forth in General Conditions and other express or general limitations in this Agreement and elsewhere.

- b. By recommending any payment, CONSULTANT shall not thereby be deemed to have represented that observations made by CONSULTANT to check the quality or quantity of Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the work beyond the responsibilities specifically assigned to CONSULTANT in this Agreement and the contract documents. Neither CONSULTANT'S review of Contractor's work for the purposes of recommending payments nor CONSULTANT'S recommendation of any payment including final payment will impose on CONSULTANT responsibility to supervise, direct, or control Contractor's work in progress or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on CONSULTANT to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the contract price, or to determine that title to any portion of the work in progress, materials, or equipment has passed to CLIENT free and clear of any liens, claims, security interests, or encumbrances, or that there may not be other matters at issue between CLIENT and Contractor that might affect the amount that should be paid.

15. Contractor's Completion Documents.

- a. Receive and review maintenance and operating instructions, schedules, and guarantees.
- b. Receive bonds, certificates, or other evidence of insurance not previously submitted and required by the contract documents, certificates of inspection, tests and approvals, shop drawings, samples and other data approved as provided under General Conditions, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. The extent of such CONSULTANT'S review will be limited as provided in General Conditions.
- c. CONSULTANT shall transmit these documents to CLIENT.

16. *Substantial Completion.* Promptly after notice from Contractor that Contractor considers the entire work ready for its intended use, in company with CLIENT and Contractor, conduct an inspection to determine if the work is substantially complete. If after considering any objections of CLIENT, CONSULTANT considers the work substantially complete, CONSULTANT shall deliver a certificate of Substantial Completion to CLIENT and contractor.

17. *Additional Tasks.* Perform or provide the following additional construction phase tasks or deliverables: None.

18. *Final Notice of Acceptability of the Work.* Conduct a final inspection to determine if the completed work of contractor is acceptable so that CONSULTANT may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, CONSULTANT shall also provide a notice in the form attached hereto as the "Notice of Acceptability of Work" that the work is acceptable to the best of

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CONSULTANT'S knowledge, information, and belief and based on the extent of the services provided by CONSULTANT under this agreement.

- B. *Duration of Construction Phase.* The construction phase will commence with the execution of the first construction agreement for the project or any part thereof and will terminate upon written recommendation by CONSULTANT for final payment to Contractor. If the project involves more than one prime contract, Construction Phase services may be rendered at different times in respect to the separate contracts.
- C. *Limitation of Responsibilities.* CONSULTANT shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing any of the work. CONSULTANT shall not be responsible for failure of any contractor to perform or furnish the work in accordance with the contract documents.

PART 2 -- ADDITIONAL SERVICES

A2.01 Additional Services Requiring CLIENT'S Authorization in Advance

- A. Upon written authorization from CLIENT, CONSULTANT, during the post-construction phase, shall:
1. Provide assistance in connection with the testing and adjusting of project equipment or systems.
 2. Assist CLIENT in training CLIENT'S staff to operate and maintain project, equipment, and systems.
 3. Assist CLIENT in developing procedures for control of the operation and maintenance of, and record keeping for project equipment and systems.
 4. Together with CLIENT, visit the project to observe any apparent defects in the work, assist CLIENT in consultations and discussions with Contractor concerning correction of any such defects, and make recommendations as to replacement or correction of defective work, if present.
 5. Perform or provide the following additional post-construction phase tasks or deliverables:
 6. In company with CLIENT or CLIENT'S representative, provide an inspection of the project within one (1) month before the end of the correction period to ascertain whether any portion of the work is subject to correction.
- B. If authorized in writing by CLIENT, CONSULTANT shall furnish or obtain from others additional services of the types listed below. These services will be paid for by CLIENT as indicated in fee for engineering services.
1. Preparation of applications and supporting documents (in addition to those furnished under basic services) for private or governmental grants, loans or advances in connection with the project; preparation or review of environmental assessments and impact statements; review and evaluation of the effects on the design requirements for the project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the project.
 2. Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by CLIENT.
 3. Services resulting from significant changes in the scope, extent, or character of the portions of the project designed or specified by CONSULTANT or its design requirements including, but not limited to, changes in

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size, complexity, CLIENT'S schedule, character of construction, or method of financing; and revising previously accepted studies, reports, drawings, specifications, or contract documents when such revisions are required by changes in laws and regulations enacted subsequent to the effective date of this agreement or are due to any other causes beyond CONSULTANT'S control.

4. Services resulting from CLIENT'S request to evaluate additional study and report phase alternative solutions beyond those identified in contract documents.
5. Services required as a result of CLIENT'S providing incomplete or incorrect project information.
6. Providing renderings or models for CLIENT'S use.
7. Undertaking investigations and studies including, but not limited to, detailed consideration of operations, maintenance, and overhead expenses; the preparation of feasibility studies, cash flow and economic evaluations, rate schedules, and appraisals; assistance in obtaining financing for the project; evaluating processes available for licensing, and assisting CLIENT in obtaining process licensing; detailed quantity surveys of materials, equipment, and labor; and audits or inventories required in connection with construction performed by CLIENT.
8. Furnishing services of CONSULTANT'S subconsultants for other than engineering services.
9. Services attributable to more prime construction contracts than one.
10. Services during out-of-town travel required of CONSULTANT other than for visits to the site or CLIENT'S office.
11. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by CLIENT; and performing or furnishing services required to revise studies, reports, drawings, specifications, or other bidding documents as a result of such review processes.
12. Preparing additional bidding documents or contract documents for alternate bids or prices requested by CLIENT for the work or a portion thereof.
13. Determining the acceptability of substitute materials and equipment proposed during the bidding or negotiating phase when substitution prior to the award of contracts is allowed by the bidding documents.
14. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
15. Providing construction re-surveys and restaking to enable Contractor to perform its work and any type of property surveys or related engineering services needed for the transfer of interests in real property; and providing other special field surveys.
16. Providing construction phase services beyond the contract times set forth in the design-build contract.
17. Providing assistance in resolving any hazardous environmental condition in compliance with current laws and regulations.
18. Preparing and furnishing to CLIENT record drawings showing appropriate record information based on project

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annotated record documents received from Contractor.

19. Preparation of operation and maintenance manuals.

20. Preparing to serve or serving as a consultant or witness for CLIENT in any litigation, arbitration or other dispute resolution process related to the project.
21. Providing more extensive services required to enable CONSULTANT to issue notices or certifications requested by CLIENT.
22. Other services performed or furnished by CONSULTANT not otherwise provided for in this agreement.

A2.02 Required Additional Services

- A. CONSULTANT shall perform or furnish, without requesting or receiving specific advance authorization from CLIENT, the additional services of the types listed below. CONSULTANT shall advise CLIENT in writing promptly after starting any such additional services.
1. Services in connection with work change directives and change orders to reflect changes requested by CLIENT so as to make the compensation commensurate with the extent of the additional services rendered.
 2. Services in making revisions to drawings and specifications occasioned by the acceptance of substitute materials or equipment other than "or-equal" items; and services after the award of the construction agreement in evaluating and determining the acceptability of a substitution which is found to be inappropriate for the project or an excessive number of substitutions.
 3. Services resulting from significant delays, changes, or price increases occurring as a direct or indirect result of materials, equipment, or energy shortages.
 4. Additional or extended services during construction made necessary by (1) emergencies or acts of God endangering the work, (2) an occurrence of a hazardous environmental condition, (3) work damaged by fire or other cause during construction, (4) a significant amount of defective, neglected, or delayed work by Contractor, (5) acceleration of the progress schedule involving services beyond normal working hours, or (6) default by Contractor.
 5. Services (other than engineering services during the post-construction phase) in connection with any partial utilization of any part of the work by CLIENT prior to substantial completion.
 6. Evaluating an unreasonable claim or an excessive number of claims submitted by Contractor or others in connection with the Work.

ATTACHMENT B

Resident Project Representative

- A. CONSULTANT shall furnish a Resident Project Representative ("RPR"), assistants, and other field staff to assist CONSULTANT in observing progress and quality of the work. The RPR, assistants, and other field staff under this Attachment B may provide full time representation or may provide representation to a lesser degree when the CONSULTANT is away for the site such as vacation or sick leave.
- B. Through such additional observations of Contractor's work in progress and field checks of materials and equipment by the RPR and assistants, CONSULTANT shall endeavor to provide further protection for CLIENT against defects and deficiencies in the work. However, CONSULTANT shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over the Contractor's work nor shall CONSULTANT have authority over or responsibility for the means, methods, techniques, sequences, or procedures selected by Contractor, for safety precautions and programs incident to the Contractor's work in progress, for any failure of Contractor to comply with laws and regulations applicable to Contractor's performing and furnishing the work, or responsibility of construction for Contractor's failure to furnish and perform the work in accordance with the contract documents.
- C. The duties and responsibilities of the RPR are limited to those of CONSULTANT in the Agreement with the CLIENT and in the contract documents, and are further limited and described as follows:
- I. *General:* RPR is CONSULTANT'S agent at the site, will act as directed by and under the supervision of CONSULTANT, and will confer with CONSULTANT regarding RPR's actions. RPR's dealings in matters pertaining to the Contractor's work in progress shall in general be with CONSULTANT and Contractor, keeping CLIENT advised as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with CLIENT with the knowledge of and under the direction of CONSULTANT.
 2. *Schedules:* Review the progress schedule, schedule of shop drawing and sample submittals, and schedule of values prepared by Contractor and consult with CONSULTANT concerning acceptability.
 3. *Conferences and Meetings:* Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.
 4. *Liaison:*
 - a. Serve as CONSULTANT'S liaison with Contractor, working principally through Contractor's superintendent and assist in understanding the intent of the contract documents.
 - b. Assist CONSULTANT in serving as CLIENT'S liaison with Contractor when Contractor's operations affect CLIENT'S on-site operations.
 - c. Assist in obtaining from CLIENT additional details or information, when required for proper execution of the work.
 5. *Interpretation of Contract Documents:* Report to CONSULTANT when clarifications and interpretations of the contract documents are needed and transmit to Contractor clarifications and interpretations as issued by CONSULTANT.

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6. *Shop Drawings and Samples:*

- a. Record date of receipt of samples and approved shop drawings.
- b. receive samples which are furnished at the site by Contractor and notify CONSULTANT of availability of samples for examination.
- c. Advise CONSULTANT and Contractor of the commencement of any portion of the work requiring a shop drawing or sample submittal for which RPR believes that the submittal has not been approved by CONSULTANT.

7. *Modifications:* Consider and evaluate Contractor's suggestions for modifications in drawings or specifications and report with RPR's recommendations to CONSULTANT. Transmit to Contractor in writing decisions as issued by CONSULTANT.

8. *Review of Work and Rejection of Defective Work:*

- a. Conduct on-site observations of Contractor's work in progress to assist CONSULTANT in determining if the work is in general proceeding in accordance with the contract documents.
- b. Report to CONSULTANT whenever RPR believes that any part of Contractor's work in progress will not produce a completed project that conforms generally to the contract documents or will prejudice the integrity of the design concept of the completed project as a functioning whole as indicated in the contract documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise CONSULTANT of that part of work in progress that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.

9. *Inspections, Tests, and System Startups:*

- a. Consult with CONSULTANT in advance of scheduled major inspections, tests, and systems startups of important phases of the work.
- b. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate CLIENT'S personnel, and that Contractor maintains adequate records thereof.
- c. Observe, record, and report to CONSULTANT appropriate details relative to the test procedures and systems startups.
- d. Accompany visiting inspectors representing public or other agencies having jurisdiction over the project, record the results of these inspections, and report to CONSULTANT.

10. *Records:*

- a. Maintain at the site orderly files for correspondence, reports of job conferences, reproductions of original contract documents including all change orders, field orders, work change directives, addenda, additional drawings issued subsequent to the execution of the contract, CONSULTANT'S clarifications and interpretations of the contract documents, progress reports, shop drawing and sample submittals

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received from and delivered to Contractor, and other project-related documents.

- b. Prepare a daily report or keep a diary or logbook, recording Contractor's hours on the site, weather conditions, data relative to questions of change orders, field orders, work change directives, or changed conditions, site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to CONSULTANT.
- c. Record names, addresses and telephone numbers of all Contractors, subcontractors, and major suppliers of materials and equipment.
- d. Maintain records for use in preparing project documentation.
- e. Upon completion of the work, furnish original set of all RPR project documentation to CONSULTANT.

11. *Reports.*

- a. Furnish to CONSULTANT periodic reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of shop drawing and sample submittals.
- b. Draft and recommend to CONSULTANT proposed change orders, work change directives, and field orders. Obtain backup material from Contractor.
- c. Furnish to CONSULTANT and CLIENT copies of all inspection, test, and system startup reports.
- d. Report immediately to CONSULTANT the occurrence of any site accidents, any hazardous environmental conditions, emergencies, or acts of God endangering the work, and property damaged by fire or other causes.

12. *Payment Requests:* Review applications for payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to CONSULTANT, noting particularly the relationship of the payment requested to the schedule of values, work completed, and materials and equipment delivered at the site, but not incorporated in the work.

13. *Certificates, Operation and Maintenance Manuals:* During the course of the work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the specifications to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the contract documents, and have these documents delivered to CONSULTANT for review and forwarding to CLIENT prior to payment for that part of the work.

14. *Completion.*

- a. Before CONSULTANT issues a certificate of substantial completion, submit to Contractor a list of observed items requiring completion or correction.
- b. Observe whether Contractor has arranged for inspections required by laws and regulations, including but not limited to, those to be performed by public agencies having jurisdiction over the work.
- c. Participate in a final inspection in the company of CONSULTANT, CLIENT, and Contractor and prepare a final list of items to be completed or corrected.

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- d. Observe whether all items on final list have been completed or corrected and make recommendations to CONSULTANT concerning acceptance and issuance of the notice of acceptability of the work.

D. Resident Project Representative shall not:

1. Authorize any deviation from the contract documents or substitution of materials or equipment (including "or-equal" items).
2. Exceed limitations of CONSULTANT'S authority as set forth in the agreement or the contract documents.
3. Undertake any of the responsibilities of Contractor, subcontractors, suppliers, or Contractor's superintendent.
4. Advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of Contractor's work unless such advice or directions are specifically required by the contract documents.
5. Advise on, issue directions regarding, or assume control over safety precautions and programs in connection with the activities or operations of CLIENT or Contractor.
6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by CONSULTANT.
7. Accept shop drawing or sample submittals from anyone other than Contractor.
8. Authorize CLIENT to occupy the project in whole or in part.

**ATTACHMENT C
FEE SCHEDULE
EFFECTIVE January 1, 2024**

Hourly charge rates include salary/wage costs, fringe benefits, overhead costs, and profit margin.

EMPLOYEE CATEGORY	HOURLY CHARGE RATE
Engineer/Principal	160.00
Engineer VI	150.00
Engineer V	145.00
Engineer IV	130.00
Engineer III	115.00
Engineer II	100.00
Engineer I	95.00
Land Planner/Principal	150.00
Land Planner V	140.00
Land Planner IV	135.00
Land Planner III	110.00
Land Planner II	90.00
Land Planner I	80.00
Designer III	85.00
Designer II	75.00
Designer I	67.00
Environmental Specialist	80.00
CADD Operator	65.00
Drafter III	55.00
Drafter II/Intern	50.00
Project Coordinator	80.00
Construction Observer II	90.00
Construction Observer I	70.00
Surveyor/Principal	150.00
Survey Supervisor II	120.00
Survey Supervisor I	110.00
Survey Technician II	95.00
Survey Technician I	85.00
Survey Party Chief III	90.00
Survey Party Chief II	80.00
Survey Party Chief I	70.00
Survey Instrument Operator	60.00
Survey Assistant	45.00
Deed Research Specialist	68.00
Senior Administrative Assistant	70.00
Administrative Assistant II	60.00
Administrative Assistant I	48.00
Repro Clerk	60.00

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