



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
Council Meeting
October 10, 2024
6:00 PM
Council Chambers
1 Auburn Way
Auburn, GA 30011

INVOCATION

PLEDGE

COUNCIL REPORTS AND ANNOUNCEMENTS

PUBLIC HEARING

1. PUD Zoning Text Amendment
2. Rezoning Application –Lyle Rd (tabled by Planning Commission)

NEW BUSINESS

Citizen Comments on Agenda Items

3. Consent Agenda
 - a. Council Business Meeting Minutes- September 12, 2024
 - b. Council Workshop Meeting Minutes- September 26, 2024
 - c. Council Special Called Meeting Minutes- September 30, 2024
 - d. Zoning Map Revision – Sarah McQuade
 - e. Stormwater Fee Adjustment – Michael Parks
 - f. Withers Building Transfer to DDA – Michael Parks
 - g. Municipal Building Closeout – Michael Parks
 - h. Rock Creek Watershed Protection Area – Michael Parks
 - i. USGS/City of Auburn Partnership – Michael Parks
 - j. PUD Zoning Text Amendment—Sarah McQuade

Citizen Comments

ADJOURNMENT

Agenda subject to change prior to meeting



MAYOR
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AGENDA ITEM: 1

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: October 10, 2024

PURPOSE: Applicant-initiated zoning text amendment to Title 17, Section 17.90.140, PUD Planned Unit Development.

BACKGROUND: Staff has received a request to amend the text of City of Auburn Zoning Ordinance, Section 17.90.140, which governs the PUD: Planned unit development district. Specifically, the applicant has requested to amend subsection (C)(1), to increase the maximum permitted density to 3.3du/ac and omit subsection (C)(6), to permit mass-grading of a PUD site.

STAFF RECOMMENDATION: During the Planning and Zoning Commission meeting on September 25, 2024, the Commission recommended denial of the proposed changes to subsection (C)(1), to increase the permitted density, and approval to delete subsection (C)(6), to permit mass-grading of a PUD site.

During the Mayor and Council meeting on September 26, 2024, in which this request was presented for information only to the board, staff was asked to provide additional information regarding the recommended density and to explore other potential standards which would elevate the quality of development within a PUD development. This information has been provided in an accompanying memo to the board.

FUNDING: N/A



Mayor
Richard E. Roquemore

City Administrator
Michael E. Parks

City Council
Robert L. Vogel III
Taylor Sisk
Jamie Bradley
Joshua Rowan

MEMORANDUM

TO: Mayor and Council

FROM: Sarah McQuade, City Planner

DATE: October 4, 2024

RE: ZTA24-000 – Proposed applicant-initiated zoning text amendment to Title 17, Section 17.90.140, PUD Planned Unit Development.

At the September 25, 2024, Planning Commission meeting, the Commission recommended *denial* of an applicant's proposal to increase the overall maximum residential density within the PUD: Planned Unit Development district. Specifically, the applicant proposed a zoning text amendment (ZTA24-000) to increase the maximum density from two and two-tenths (2.2) dwelling units per acre to 3.3 dwelling units per acre. The Community Development of the City of Auburn recommended *approval* of this allowable density increase.

During the September 26 Mayor and Council meeting, staff was asked to provide additional information regarding the recommended density. When considering the applicant's request, staff referred to the City of Auburn Comprehensive Plan, which establishes two chiefly residential Character Areas; Single-Family Residential and Multi-Family Residential. When considering the Future Land Use Map in the Comprehensive Plan (see attachment), a significant amount of the City's land area is within the Single-Family Residential Character Area. The Comprehensive Plan recommends a minimum lot size for this Area is recommended to be 5,000 square feet (pg. 23); this translates to an overall density of 8.71 dwelling units per acre. Realistically, no PUD could achieve an overall density of 8.71 dwelling units per acre due to the need for roadways, common areas, recreation space, and other features which cannot be part of a residential lot. An increase of the PUD maximum overall density from 2.2 to 3.3 aligns with the Comprehensive Plan's most popular Character Area regarding intended density.

When we consider the existing Zoning Ordinance, the PUD: Planned Unit Development district bears many similarities with the PSV: Planned Suburban Village district regarding land use and intent, with the exception being that the PSV district requires a mixture of residential and commercial uses within the planned development. The PSV zone establishes a maximum residential density of 32 units per acre, more than ten times higher than the current limit of 2.2 in the PUD district. Several PSV developments within the City feature townhouses and small-lot single family residences at moderate densities, significantly higher than 2.2 dwelling units per acre but below 32. Increasing the maximum density in the PUD zone from 2.2 to 3.3 dwelling units per acre would not create uniquely dense zoning district, especially in comparison to the PSV zone.

Additionally, the Atlanta Regional Commission (ARC) has established a Livable Centers Initiative (LCI) for the City of Auburn. The LCI zone roughly corresponds to the traditional City center; however, it comes within 1,000 feet of parcel AU11 031B, which is part of the proposed PUD at 100 Lyle Road. The LCI incentivizes “vibrant, walkable places that offer increased mobility options, encourage healthy lifestyles and provide improved access to jobs and services” (Define our Auburn, page 6). The proximity of the proposed development site to the LCI area lends itself to increased residential density.

The concept of a Planned Unit Development zone is not unique to Auburn – many city and county governments have adopted ordinances to allow for these types of developments. They allow for developers to present unique concepts which would not otherwise be permitted, and for the governing body to approve or deny them. The regulations and standards of PUD zones vary between counties and municipalities. For example, the City of Winder does not provide a maximum residential density in their PUD zone. At 2.2 dwelling units per acre, Auburns PUD density maximum is like that of unincorporated Hall County’s 2.0 limit; however, Hall County is significantly more rural and less developed than the City of Auburn.

In addition to asking staff to provide additional information regarding the recommended density, Council also requested that staff consider if there were additional standards which could be added to the PUD district to elevate the quality of development than the based code requirements. Sec. 17.90.140 currently contains the provisions for the PUD: Planned Unit Development district. Additional requirements, such as minimum heated floor area, are found in other parts of Title 17. The Ordinances currently do not provide architectural standards for PUDs – these standards typically establish requirements for façade materials, doors, windows, garage doors, decks, porches, building height, landscaping, and more. Introducing architectural standards to the PUD amendment, as a subsection of 17.90.140, will promote consistency and aesthetically pleasing development within the City.

Potential Standards:

- A. Exterior Finish Materials
 - a. No less than 50% of the front façade of each single-family residence shall consist of masonry, brick, stone, wood, or cementitious fiberboard.
 - b. Exterior facades shall not consist of vinyl, aluminum, plastic, or bare metal.
- B. Architectural Requirements
 - a. All single-family residences shall have a porch, deck, or patio measuring no less than 36 square feet in floor area.
 - b. Architectural projections shall be required to break up monotony.
- C. Façade Variation
 - a. Changes in masonry color or other façade materials are required.
 - b. Changes in window placement and/or composition are required.
- D. Building Dimensions
 - a. *Eliminate minimum dwelling unit floor area requirements (as found in Sec. 17.90.150).*
 - b. Limit building height to 35 feet.
 - c. Detached houses shall be no less than 24 feet in width.
 - d. Townhouse units shall be no less than 20 feet in width.
 - e. No more than 6 townhouse units shall be constructed in one building.
- E. Garage doors
 - a. Limit the width of garage doors as a percentage of the front façade.
 - i. Detached single-family houses shall not have a garage door which exceeds 45% of the width of the front facade.

- ii. Attached single-family units (townhouses) shall not have a garage door which exceeds 55% of the width of the front facade.
 - b. Rear-loaded houses shall be exempt from these requirements.
- F. Landscaping
 - a. Street trees shall be required at a rate of no less than 1 tree per each dwelling unit in the development. All rights-of-way within the development shall be located within 350 feet of a street tree. Street trees shall maintain a distance of no less than 10 feet from each other, as measured at the time of planting.
 - b. Require a variety of different plant species in landscaping, promoting native species and discouraging those which are invasive or high maintenance.
- G. Driveway Design
 - a. Driveways located in the front yard or side-street yard of the building they serve shall be no less than 22 feet in length, as measured from the back of sidewalk (or edge of pavement if no fronting sidewalk is proposed) to the front of the garage door.
 - b. No driveway shall have an overall slope greater than 12%.
- H. Minimum Lot Sizes
 - a. Detached houses: 5,000 square feet (0.115 acres)
 - b. Front-loaded townhouses: 3,000 square feet (0.069 acres)
 - c. Rear-loaded townhouses: 2,000 square feet (0.046 acres)

Due to the advertising requirements required by the State of Georgia, if Mayor and Council would like to consider amending the PUD ordinance to include any of the above recommendations this would need to be handled under a separate Zoning Text Amendment, initiated by City staff at the request of City Council.

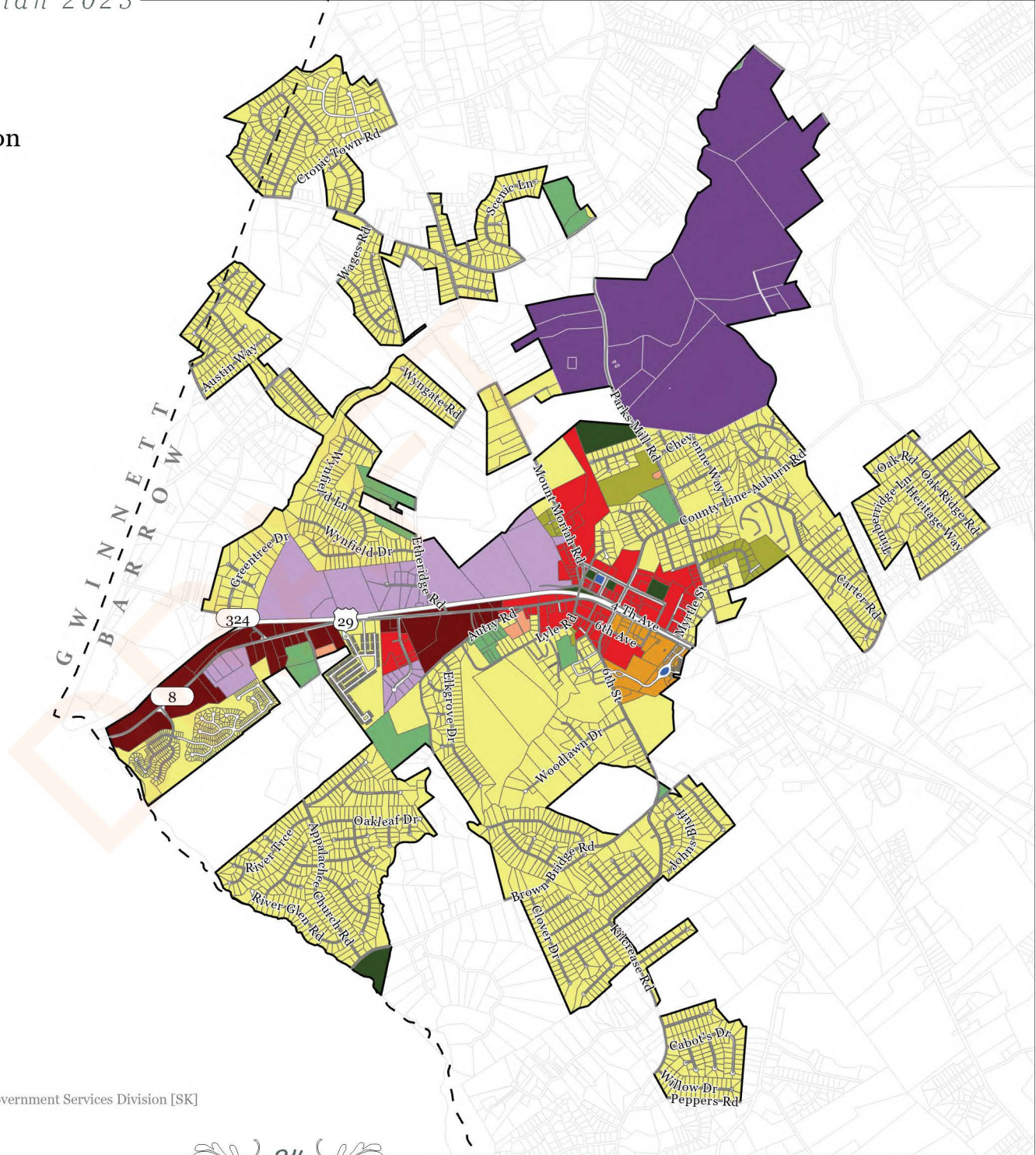
Attachments:
City of Auburn Future Land Use Map

Future Land Use (2023)

- Agricultural
- Parks /Recreation/Conservation
- Public/Institutional
- Neighborhood Commercial
- General Commercial
- Corridor Commercial
- Mixed Use
- Single-Family Residential
- Multi-Family Residential
- Heavy Industrial
- Light Industrial



0 1/2 1 Miles



The information has been provided from general sources and is to be used only as a guide. The NEGRC assumes no liability for its accuracy or for any decisions the user may make based on this document.

Geographic Information Systems

8/3/2023
Planning & Government Services Division [SK]



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

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

PUBLIC HEARING: 2

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: October 10, 2024

PURPOSE: Rezone a 57.92 ± acre tract from AG: Agricultural to PUD: Planned Unit Development to construct a 188-lot single-family detached development.

BACKGROUND: The applicant is proposing to rezone the development site, composed of parcels AU11 148 and AU11 031B, adjacent to Lyle Road. If approved, the site will be developed with 188 single family houses at a density of 3.25 units per acre.

STAFF RECOMMENDATION: Tabled by Planning Commission.

FUNDING: N/A



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**CITY OF AUBURN
MAYOR AND COUNCIL
MEETING IN COUNCIL CHAMBERS
September 12, 2024
6:00 PM
Council Chambers
1 Auburn Way
Auburn, GA 30011**

Present: Mayor: Richard Roquemore
Council Member: Taylor J. Sisk
Council Member: Jamie L. Bradley
Council Member: Joshua Rowan

City Staff in Attendance: Michael Parks, Chief Hodge, Staci Waters, Brooke Haney

Mayor Roquemore called the meeting to order at 6:00 pm.

Rev. Rico Ruiz gave the invocation.

Mayor Roquemore gave the pledge.

Council Reports and Announcements

Mayor Roquemore asked for Council Reports and Announcements. **Council Member Sisk** announced Food Truck Friday will be cancelled due to weather but will be rescheduled. **Michael Parks** announced the Parks and Leisure Board would be discussing the location for the Dog Park and potential Disk Golf for James Shackelford Park.

NEW BUSINESS

Item 1: Citizen Comments on Agenda Items

Mayor Roquemore asked for any citizen comments for items on tonight's agenda. There were no comments made.

Item 2: Consent Agenda

Council Member Rowan would like to make a move to add an Executive Session.

Mayor Roquemore asked for a motion to amend the agenda.

Motion: Made by **Council Member Rowan**

Second: By **Council Member Sisk**.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes.

Mayor Roquemore asked for a motion to approve the remainder of the consent agenda.

- a. Council Business Meeting Minutes- August 4, 2024
- b. Council Workshop Meeting Minutes- August 22, 2024
- c. Council Special Called Meeting Minutes- August 6, 2024
- d. Council Special Called Meeting Minutes- August 13, 2024
- e. Council Special Called Meeting Minutes- August 19, 2024
- f. Council Special Called Meeting Minutes- August 29, 2024
- g. Water Treatment Facility Change Order Approvals
- h. NovaTech Contract

Motion: Made by **Council Member Sisk**. **Second:** By **Council Member Rowan**.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes.

VOTING ITEMS

Item 3: Georgia Reads Proclamation

Michael Parks presented

Mayor Roquemore asked for a motion.

Motion: Made by **Council Member Bradley**

Second: By **Council Member Sisk**.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all the members present voting yes.

Item 4: Auburn Museum Project

Michael Parks presented

Mayor Roquemore asked for a motion.

Motion: Made by **Council Member Sisk**

Second: By **Council Member Rowan**.

Mayor Roquemore asked for any discussion.

Terri Plumlee, 210 Cheyanne Way, Auburn, GA 30011, showed the design that is being presented. **Council Member Sisk** wanted to clarify that he did not want things to be minimalized if Paul Brown was shut down. Votes were taken with all the members present voting yes.

Item 5: Citizen Comments

Mayor Roquemore asked for any citizen comments.

None were given

Mayor Roquemore asked for a motion to go into Executive Session for Potential Litigation, Pending Litigation, and Personnel Matters.

Motion: Made by **Council Member Sisk** to go into Executive Session for Potential Litigation, Pending Litigation, and Personnel Matters.

Second: By **Council Member Bradley**

Mayor Roquemore asked for any discussion, there was none. Votes were taken with all members present voting yes.

After Executive Session, the City Attorney reported that during Executive Session the Council met to discuss potential litigation, pending litigation, and personnel matters as allowed by the Open Meetings Act. There were no votes taken and no evidence received in the Executive Session. The original affidavit and resolution have been signed and delivered to the staff to be included with the minutes of this meeting.

Item 6: FY2025 BUDGET

Mayor Roquemore asked for a motion to approve the FY 2025 Budget as presented by staff.

Motion: Made by **Council Member Sisk**

Second: By **Council Member Sisk**

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all the members present voting yes.

ADJOURNMENT: **Mayor Roquemore** asked for a motion to adjourn.

Motion: Made by **Council Member Bradley** to adjourn.

Second: By **Council Member Sisk**.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes. Meeting adjourned.

Respectfully submitted,

Read and approved this _____ Day of October 2024

Attest:

Mayor Richard E. Roquemore



MAYOR

Rick E. Roquemore

CITY ADMINISTRATOR

Michael Parks

CITY COUNCIL

Robert L. Vogel III

Taylor J. Sisk

Jamie L. Bradley

Joshua Rowan

CITY COUNCIL WORKSHOP MEETING

September 26, 2024

6:00 PM

Council Chambers

1 Auburn Way

Auburn, GA 30011

Present: Mayor:

Richard Roquemore

Council Member:

Robert L. Vogel. III

Council Member:

Taylor J. Sisk

Council Member:

Jamie L. Bradley

Council Member:

Joshua Rowan

City Staff in Attendance: Michael Parks, Corporal Rucker, Staci Waters, Brooke Haney, Iris Akridge

Also in Attendance: Sarah McQuade, Jack Wilson

Mayor Roquemore called the meeting to order at 6:00 pm.

Council Reports and Announcements

Mayor Roquemore asked for Council Reports and Announcements.

Staci Waters invited those in attendance to Food Truck Friday October 4th, 2024 @ 6:00PM.

Mayor Roquemore asked for a motion to amend the agenda to add a voting item to approve the SDS Mediation Settlement Agreement and related Documents, and to add an appointment of a citizen to Parks and Leisure Commission.

Motion: Made by Council Member Vogel. Second: By Council Member Bradley.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes.

Item 1: SDS Mediation Agreement

Jack Wilson presented the SDS Mediation Agreement and reported on the settlement reached by the County and Cities in mediation.

Mayor Roquemore asked for a motion to approve the SDS Mediation Settlement and all related forms and to authorize the Mayor to sign the Agreement and all documents necessary to complete and report the SDS settlement.

Motion: Made by **Council Member Sisk**

Second: By **Council Member Rowan**

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes.

PUBLIC HEARING

Item 2: Waiver Application No. 24001

The applicant has withdrawn its application for Waiver Case No. 24001. For this reason, there is no public hearing for this waiver.

WORKSHOP ITEMS FOR DISCUSSION

Item 3: Auburn Map Revision

Sarah McQuade presented

- placed on October 10, 2024, Council Business Agenda

Item 4: Rezoning-Lyle Rd.-Discussion Only (P&Z Update)

Sarah McQuade presented

- placed on October 10, 2024, Council Business Agenda

Item 5: PUD Zoning Text Amendment-Lyle Rd.-Discussion Only (P&Z Update)

Sarah McQuade presented

- placed on October 10, 2024, Council Business Agenda

Item 6: Stormwater Fee Adjustment

Michael Parks presented

- placed on October 10, 2024, Council Business Agenda

Item 7: Withers Building Discussion

Michael Parks presented

- placed on October 10, 2024, Council Business Agenda

Item 8: Municipal Building Closeout

Michael Parks presented

- placed on October 10, 2024, Council Business Agenda

Item 9: Watershed Protection Area

Michael Parks presented

- placed on October 10, 2024, Council Business Agenda

Item 10: USGS/City of Auburn Partnership

Michael Parks presented

- placed on October 10, 2024, Council Business Agenda

VOTING ITEMS

Item 11: DDA, Planning Commission, and Parks and Leisure Commission Appointees- Michael Parks

Mayor Roquemore asked for a motion to approve the Board Appointees Presented by staff to appoint Leandro Silva to the Parks and Leisure Committee; Silvia Barber to the Planning Commission; and Jon Gomolak to the Downtown Development Authority.

Motion: Made by **Council Member Vogel Second:** By **Council Member Bradley**

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all the members present voting yes.

Mayor Roquemore asked if there were any citizen comments. There were none.

ADJOURNMENT

Mayor Roquemore asked for a motion to adjourn.

Motion: Made by **Council Member Bradley** to adjourn.

Second: By Council Member Sisk.

Mayor Roquemore asked for any discussion. There was none. Votes were taken with all members present voting yes. Meeting adjourned.

Respectfully submitted,

Read and approved this _____ Day of October 2024 Attest:

Mayor Richard Roquemore



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael Parks

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

**CITY OF AUBURN
MAYOR and CITY COUNCIL
DOWNTOWN DEVELOPMENT AUTHORITY
JOINT WORK SESSION AND INFORMATION SESSION
September 30, 2024
6:00 PM
Council Chambers
1 Auburn Way
Auburn, GA 30011**

Present: Mayor: **Richard Roquemore**
Council Member: **Taylor J. Sisk**
Council Member: **Jamie L. Bradley**
Council Member: **Joshua Rowan**

City Staff in Attendance: Michael Parks, Brooke Haney, Staci Waters

SPECIAL CALLED MEETING:

Item 1: Joint Work Session/ Training Session
City of Lawrenceville Staff and DDA presented

Respectfully submitted,
Read and approved this _____ Day of October 2024 Attest:

Mayor Richard Roquemore



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: D

TO: Mayor and Council

FM: Sarah McQuade
City Planner

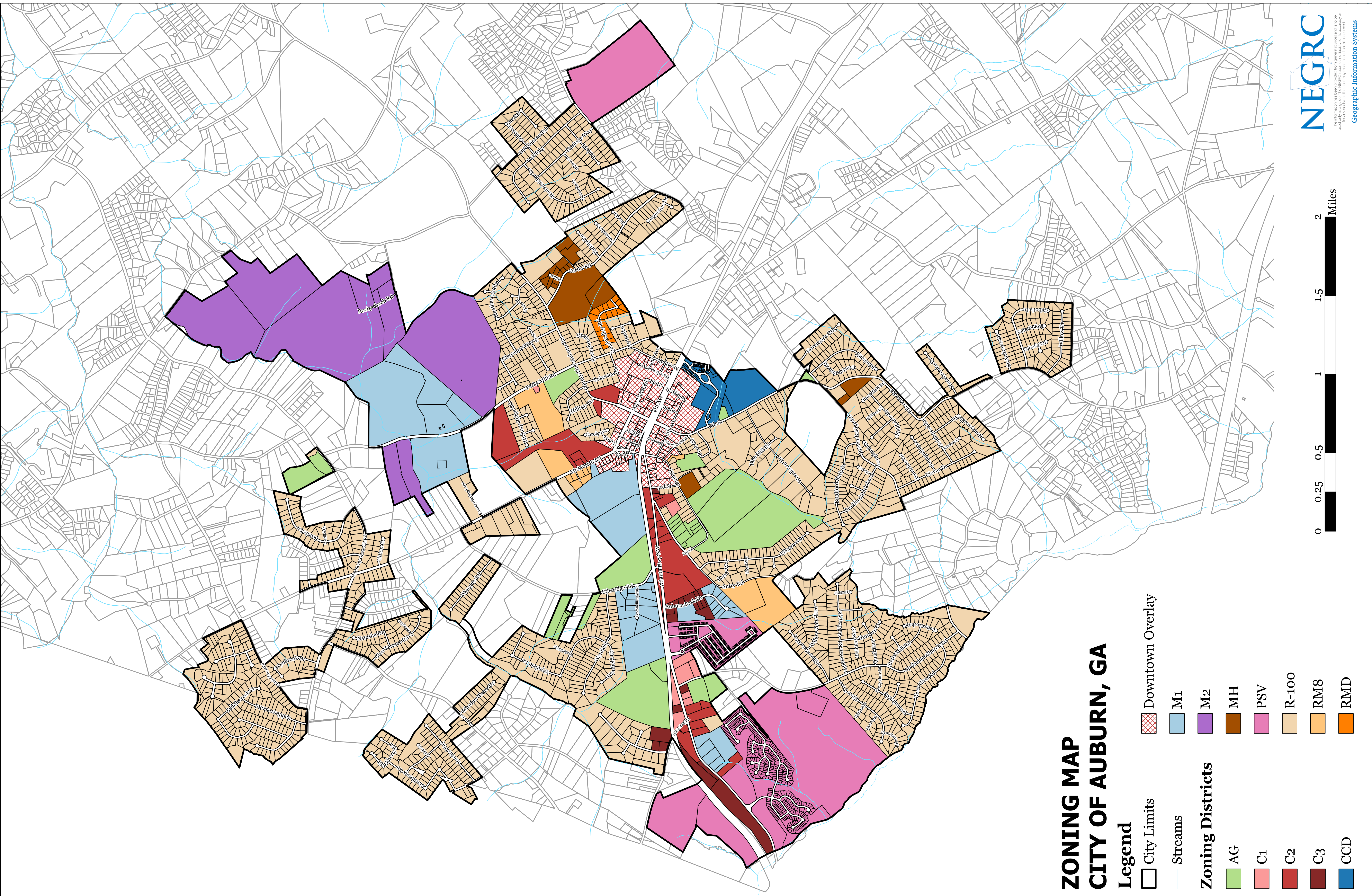
DATE: October 10, 2024

PURPOSE: Proposed adoption of the Updated Official Zoning Map for the City of Auburn

BACKGROUND: This is a map update from the July 2024 approval. The purpose of this request is to record an updated Official Zoning Map for the City. The city last adopted an Official Zoning Map in 2021. In most cases, the update should be done on an annual basis to capture any annexations or rezonings approved during the previous 12 months.

RECOMMENDATION: Recommendation to approve the Official Zoning Map, as presented.

FUNDING: N/A

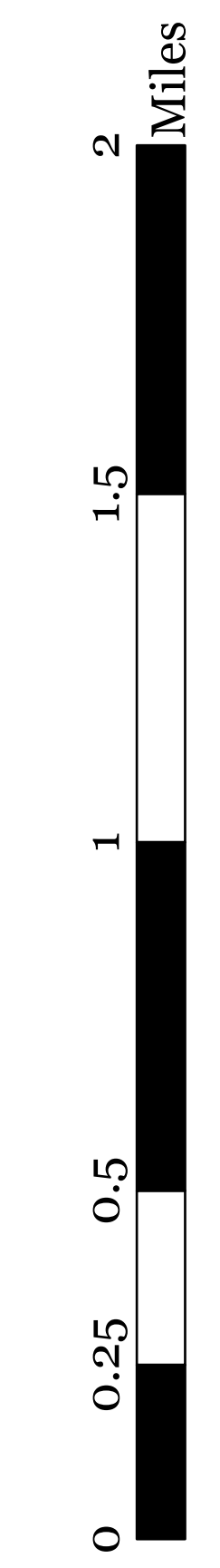


ZONING MAP CITY OF AUBURN, GA

Legend

- City Limits
- Streams
- Downtown Overlay
- M1
- M2
- MH
- PSV
- R-100
- RM8
- RMD
- AG
- C1
- C2
- C3
- CCD

Zoning Districts



ORDINANCE NO. 24-011
AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES

Zoning Map

WHEREAS, the City and the Northeast Georgia Regional Commission have engaged in a comprehensive study and update of the Official Zoning Map of the City; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City to adopt a comprehensive revision of the City's zoning Map; and

WHEREAS, the City's professional staff has recommended the approval of this Map; and

WHEREAS, the Mayor and Council and heard public comments in a public hearing to satisfy the requirements of State law for the advertising, comment, and adoption of this Map;

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the new Official Zoning Map is adopted for the City of Auburn as follows:

1. The Map attached hereto as Exhibit "A" and incorporated herein by reference is hereby adopted as the official zoning map of the City. All conditions of zoning previously attached to the parcels by rezoning shall remain in full force and effect.

SO ORDAINED this ____ day of October, 2024.

Richard E. Roquemore, Mayor

Robert L. Vogel, III, Council Member

Jamie L. Bradley, Council Member

Taylor J. Sisk, Council Member

Joshua Rowan, Council Member

ATTEST:

Brooke Haney, City Clerk



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
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Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: E

TO: Mayor and Council
FROM: Michael Parks, City Administrator
DATE: October 10, 2024

PURPOSE: Stormwater Fee Update

BACKGROUND: The stormwater fee schedule has not been updated since 2011. To align our fees with similar communities, it is essential to revise the schedule. This update will enhance the effectiveness of the City of Auburn Stormwater Department, which operates under an enterprise fund. Improved fees will contribute to better water quality in our streams, leading to more efficient operations at our water treatment facility.

RECOMMENDATION: To approve an update in the City of Auburn stormwater fees

FUNDING: N/A

Examples of Storm Water Utility Fee Structure

#	Land Use	Lot Area		Impervious Surface			Rate /100 sqft	Fee /Year	Fee /Month	Comment
		Acre	Square Ft.	Percent	Square Ft.	100 sqft				
	Residential									
1	Single Family	0.5	21,790	14.0000	3,000	30	\$1.00	\$30.00	\$2.50	3000 sqft house 2 story, 1500 sqft driveway
2	Town Home	Same as Single Family				0		\$30.00	\$2.50	Same as Single Family Residential
3	Apartment Complex	5	217,800	75	163,350	1,634	\$2.50	\$4,083.75	\$340.31	Multi Story Garden Apartments
	Commercial									
4	Drive In Restaurant	1.17	50,965	75	38,224	382	\$2.50	\$955.60	\$79.63	Community Commercial
5	Department Store	1.69	73,616	75	55,212	552	\$2.50	\$1,380.31	\$115.03	Community Commercial
6	Car Wash	1.15	50,094	75	37,571	376	\$2.50	\$939.26	\$78.27	Community Commercial
	Industrial									
7	Factory	35	1,524,600	75	1,143,450	11,435	\$2.50	\$28,586.25	\$2,382.19	Large Industry Facility (individual assessment)

ORDINANCE NO. 24-012

**AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES
SECTION 18.14.050 STORMWATER MANAGEMENT USER FEES**

WHEREAS, the City has adopted ordinances and regulations to promote sound stormwater management practices for the protection of the environment and important public resources; and

WHEREAS, the City staff has undertaken the review of the City's Ordinances and fee structure for stormwater; and

WHEREAS, the City's consulting engineer has studied the current rate structure and proposed amendments to it to confirm that the updated rate structure fairly and accurately reflects the impact and contributing impervious surface areas of the properties categorized herein; and

WHEREAS, the staff has recommended the following Ordinance be adopted to update the City's regulations; and

WHEREAS, the Council finds and concludes that the fee structure outlined herein represents a fair and accurate accounting for the contribution of the parcels and uses listed below to the overall impervious surface area of the City and the costs of maintaining stormwater facilities controlled by the City;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the following Ordinances are amended as follows:

Section 18.14.050 (B) is deleted, and the following fee structure is adopted and is substituted in its place:

- B. Single Family Residential Fee (single family residential housing unit)--\$30 per year per residential lot.

Residential Town Homes Fee--\$30 per year per residential unit or lot.

Commercial Properties Fee-- are based on Fee--75% of lot area in square feet divided by 100 square feet multiplied by \$2.50.

Industrial Properties, Apartment Complexes, Mobile Home Parks--75% of lot area in square feet divided by 100 square feet multiplied by \$2.50.

Office and Institutional Properties Fee--75% of lot area in square feet divided by 100 square feet multiplied by \$2.50.

The City shall bill these sums on the monthly utility bill and the sums shall be due and payable at the same time as monthly utility bill payments are due.

This Ordinance shall be effective immediately upon its adoption by the City Council.

All other and further ordinances and parts of ordinances shall remain in full force and effect.

If any portion of this Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, the rest and remainder of this Ordinance shall continue in full force and effect.

SO ORDAINED, this _____ day of October, 2024.

Richard E. Roquemore, Mayor

Joshua Rowan, Council Member

Robert L. Vogel, III Council Member

Jamie L. Bradley, Council Member

Taylor J. Sisk, Council Member

ATTEST:

Brooke Haney, City Clerk



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

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AGENDA ITEM: F

TO: Mayor and Council

FROM: Michael Parks
City Administrator

DATE: October 10, 2024

PURPOSE: Discuss the possibility of deeding the Withers Building to the Downtown Development Authority.

BACKGROUND: We have had an interest in The Withers Building for commercial use. With its prime location in Downtown Auburn, it would bring opportunities for growing businesses in our city.

RECOMMENDATION: To deed the property to the Downtown Development Authority for redevelopment and lease, with a deed restriction against sale without City approval.

FUNDING: N/A

ATTACHMENTS: N/A

RESOLUTION #08-024

A RESOLUTION AUTHORIZING THE CITY OF AUBURN TO DEED CERTAIN PROPERTY TO THE CITY OF AUBURN DOWNTOWN DEVELOPMENT AUTHORITY IN FEE SIMPLE FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF SUCH PROPERTY FOR ECONOMIC DEVELOPMENT AND IN A MANNER CONSISTENT WITH THE PURPOSES OF THE AUTHORITY; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the City has a fully functioning Downtown Development Authority (“DDA”) with all of the powers of such authorities granted by State law; and

WHEREAS, The City of Auburn owns a parcel of property on Seventh Street which can be redeveloped for more productive use; and

WHEREAS, it is in the best interest of the public health, safety and welfare to convey the parcel known as Tax Parcel AU 11 123 on Seventh Street, commonly known as the “Withers Building” to the Downtown Development Authority to pursue redevelopment of it consistent with the City’s Comprehensive Plan; and

WHEREAS, the DDA has proven its ability to properly manage and make use of properties in a manner consistent with the purposes of the DDA pursuant to O.C.G.A. § 36-42-1 *et seq.*; and

WHEREAS, because of the special powers of the DDA granted under state law and the experience and expertise of the DDA and City staff, the City believes that the DDA is better suited to improve and manage property in a manner that is consistent with the City’s goals and its Comprehensive Plan; and

WHEREAS, the Mayor and City Council believe that deeding the property described herein to the DDA in fee simple will allow the DDA additional flexibility to make use of the

property in a manner consistent with its purpose under state law; and in a manner that will benefit the citizens and businesses of the City; and

**NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY
ORDAINS AND RESOLVES AS FOLLOWS:**

Section 1. Approval. The Mayor and City Council of the City of Auburn hereby approves and authorizes the City to deed in fee simple to the Auburn Downtown Development Authority the City's parcel described to the DDA for redevelopment and improvement of the parcel:

All that tract or parcel of land lying and being in the 1740th District, Barrow County, Georgia being Parcel B as delineated on that plat of survey prepared by W.T. Dunahoo, Georgia Registered Land Surveyor No. 1577, dated April 23, 1968, revised January 18, 1990, and recorded in Plat Book 34, page 9, said plat being incorporated herein by reference for a complete description thereof.

Further, The City Council approves and authorizes the Mayor to execute a deed of the subject property to the DDA on behalf of the City. The Deed shall contain a restriction that the Property may not be sold without the prior express approval of the City of Auburn.

Section 2. Approval of Execution. The Mayor and City staff are hereby authorized to sign and seal all documents necessary to effectuate this Resolution.

Section 3. Severability. To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. Repeal of Conflicting Provisions. All City resolutions inconsistent with this Resolution are hereby repealed.

Section 5. Effective Date. This Resolution shall be effective on the date of its approval.

So RESOLVED, this the _____ day of October, 2024.

Richard E. Roquemoire, Mayor

Robert L. Vogel, III, Council Member

Taylor J, Sisk, Council Member

Jamie L. Bradley, Council Member

Joshua Rowan, Council Member

ATTEST:

Brooke Haney, City Clerk

After recording, return to:

Robert Jackson Wilson, PC
295 S. Culver Street, Suite C
Lawrenceville, GA 30046-1390

Barrow County Parcel
AU11 123

STATE OF GEORGIA

COUNTY OF BARROW

WARRANTY DEED

THIS INDENTURE, made the _____ day of October, in the year Two Thousand Twenty-Four, between

THE CITY OF AUBURN, GEORGIA,

A Georgia Municipal Corporation

of the County of Barrow, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

**THE DOWNTOWN DEVELOPMENT AUTHORITY
OF THE CITY OF AUBURN, GEORGIA**

as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

That Grantor, for and in consideration of the sum of OTHER GOOD AND VALUABLE CONSIDERATION AND TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in the 1740th Militia District, Barrow County, Georgia, being more particularly described as Parcel B as delineated on that plat of survey prepared by W.T. Dunahoo, Georgia Registered Land Surveyor No. 1577, dated April 23, 1968, revised January 18, 1990, and recorded in Plat Book 34, page 9, said plat being incorporated herein by reference for a complete description thereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE. The Grantee may lease the Property and pledge it as collateral in any loan transaction; however, the Grantee may not sell the property without the prior approval of the Grantor.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming under the Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
this ____ day of October, 2024.
in the presence of:

GRANTOR:

Unofficial Witness

By: _____ (SEAL)
Richard E. Roquemore, Mayor

Notary Public

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: G

TO: Mayor and Council

FROM: Michael Parks
City Administrator

DATE: October 10, 2024

PURPOSE: Municipal Complex Closeout

BACKGROUND: The City of Auburn entered into a contract with BM&K Construction to build the Auburn Municipal Complex. The complex has been awarded a certificate of occupancy from the state. The city has been in negotiations with BM&K to close out the contract with BM&K. Attached you will find the recommendation from the project manager for the city as the procedure to end the contract.

RECOMMENDATION: To approve the contract amendment to close out the construction contract with BM&K for the Auburn Municipal Complex.

FUNDING: SPLOST/General Fund

Municipal Complex Status

Construction

- All sitework has been completed and final engineering certification issued by the design engineer.
- A final CO was obtained in August 2024 after the final fire marshal and elevator inspections.
- Punchout related activities are complete for the building as certified by John Jeffcoat/Carter-Watkins Architects and for the sitework as certified by David Walker/AEC Civil Engineer.
-

Financial Payment

- BM&K submitted two Payment Applications requesting payment of retention.
- Requested retention payments are:

Sitework	\$ 416,653.75
Building	\$ 890,787.33
Total	\$1,307,441.08
- Contract value of \$185,097.00 is remaining for completion of the Parks/PD change order.

Closeout Recommendations

- Final payment can be made pursuant to the contract.
- Performance bonds are in place for the sitework and building sufficient to cover city's exposure.
- Per an email received from BM&K on 2/13/2024, BM&K claims outstanding payables to subcontractors in the amount of \$1,168,051.00. Recommend the following payments:
- Secure an extended warranty of 3 years related to exterior moisture control (roof/walls)
- Conditions to a final settlement include:
 - BM&K made a claim of \$236,235 in extra overhead related to a range of delays. Those claims can be deemed improperly filed due to method and timing.
 - The city can claim Liquidated Damages under the contract based on an original completion date 7/31/2022 and Substantial Completion of 12/13/2023 (500 days). The value without adjustment is \$375,000 (500 days @ \$750/day)
 - Recommend settlement at no payments to either party.



American Global

April 17, 2024

Don Clerici
BM&K Construction & Engineering
P.O. Box 878
Braselton, GA 30517

**Re: Auburn City Hall Municipal Complex Site Contract
Bond #PRF9359312**

To Whom it May Concern:

Please be advised that the above referenced performance and payment bonds for the captioned project will remain in full force and effect until the principal's obligations under said contract have been fully extinguished.

Please feel free to contact me with any questions related to the reference bonds.

Sincerely,

Wes Williams, Senior Vice President
American Global, LLC
3330 Cumberland Parkway Blvd, SE #675
Atlanta, GA 30339



STATE OF GEORGIA
OFFICE OF
GEORGIA SAFETY FIRE COMMISSIONER

Permit No. INS24-001456
Certificate No. 100790
ISG No.

JOHN F. KING
COMMISSIONER OF INSURANCE
SAFETY FIRE COMMISSIONER

620 West Tower, 2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334

CERTIFICATE OF OCCUPANCY
Auburn City Hall, CP# 22592, File No. 007-PAS-093
1258 Atlanta HWY
Auburn, GA 30011

Area of Building Covered: 34275 County: Barrow County - 007
Occupancy Classification: PAS-Assembly Sprinklered: Total
Construction Type: II(000) - IIB
Occupant Load Limitation: 765

This Certificate of Occupancy certifies the building listed hereon complies with the minimum standards required by the Georgia Safety Laws on the date issued.* This Certificate of Occupancy shall run for the life of the building, provided the internal or external features of the building are not materially altered, the type of occupancy remains unchanged or there has been no fire of serious consequence, or other hazard discovered.

*Code Certified Under: 2018 NFPA 101 Life Safety Code New Date Issued: 08/21/2024 Fee: \$0.00

Issued by the Safety Fire
Division:

Craig Landolt (signature)

Craig Landolt

STATE OF GEORGIA

BARROW COUNTY

AMENDMENT TO CONSTRUCTION MANAGEMENT AGREEMENT

This Amendment to that Construction Management Agreement between **BM&K CONSTRUCTION** (hereinafter referred to as “Contractor”) entered into by and between **THE CITY OF AUBURN, GEORGIA** (hereinafter referred to as “Owner”), dated November 6, 2020.

RECITALS:

WHEREAS, on or about November 6, 2020, the parties entered into a Construction Management Agreement for the construction of a new municipal complex; and

WHEREAS, the Owner and Contractor have agreed to amend the contract to set forth herein to modify the scope of work, confirm and ratify certain payments made in settlement, and amend the contract in other respects;

NOW THEREFORE, in consideration of these premises and other good and valuable consideration, the receipt and sufficiently of which is hereby acknowledged, the parties hereto agree as follows:

1. All capitalized terms in this Amendment to the extent not otherwise expressly defined herein shall have the same meaning given to such terms in the original contract.
2. The parties acknowledge and agree that the contractor will perform the work described in the attached “Parks & Rec Finished Space – Schedule of Values” dated May 6, 2024, and attached hereto is Exhibit “A” and incorporated herein by reference for the remaining original contract value of Contract value of \$185,097.00. The work described in the attached Schedule of Values shall be completed for the lump sum, fixed price of \$185,097.00. This work shall be completed no later than _____, 2025.
3. Contractor further hereby provides a three year warranty on the on the building envelope, including the wall systems and roof to cover any claims related to leakage or moisture penetration. The warranty shall begin on the date of issuance of the final Certificate of Occupancy and continue for three calendar years. Contractor will make any repairs to the roof and walls and cure any leaks and damages associated with leaks arising within this supplemental warranty period.
4. Contractor certifies that all material and equipment suppliers and subcontractors have been paid in full.

5. The parties further agree that neither party shall seek or be entitled to recover any liquidated damages associated with the delays and construction on the original project. In consideration of the mutual promises outlined in this Agreement, no liquidated damages or delay damages shall be sought or provided by either party to the other.
6. This Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original, and all of which together shall constitute one document.
6. Except as expressly amended herewith, the terms and conditions of the original Contract shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and seals this ____ day of October, 2024.

**OWNER:
THE CITY OF AUBURN, GEORGIA**

**CONTRACTOR:
BM&K CONSTRUCTION**

By: _____ (SEAL)
Richard E. Roquemore, Mayor

By: _____ (SEAL)
Donald Clerici, CEO

Date: _____

Date: _____



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: H

TO: Mayor and Council
FROM: Michael Parks, City Administrator
DATE: October 10, 2024

PURPOSE: Watershed Protection Area

BACKGROUND: Auburn's New Drinking Water Treatment Plant uses raw water from Rock Creek as its water source. When Auburn was granted a raw water withdrawal permit the Land Uses in the Rock Creek Watershed came under regulation by Rule 391-3-16-.01 Minimum Criteria for Small Water Supply Watersheds. A watershed is all the land that rainfall runs off into a stream, wetland, creek, or river up stream of a given location. The watershed for Auburn's Rock Creek raw water intakes is about 5.2 square miles north and west of the culvert where Parks Mill Road crosses Rock Creek near the Public Works Building. The watershed includes land in Downtown, Auburn City Limits, Barrow County, the Proposed City of Mulberry, and Gwinnett County. The roads that approximately encompass the watershed are Auburn County Line Road, Parks Mill Road, Harmony Grove Church Road, Union Grove Church Road, Fence Road, Auburn Road, Hill's Shop Road, and Atlanta Highway.

RECOMMENDATION: To approve the land requirements in the protected watershed area.

FUNDING: N/A

ORDINANCE NO. 24-013

AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES

Section 15.32.035 - Rock Creek Watershed District Policy

WHEREAS, the City of Auburn has established regulations for water supply and watershed protection; and

WHEREAS, the City has undertaken the acquisition and development of a new drinking water supply storage pond and treatment facility within the City limits; and

WHEREAS, water in the storage pond is to be withdrawn from Rock Creek for storage and treatment under Environmental Protection Division Permit 007-0303-07; and

WHEREAS, Permit 007-0303-07 requires the implementation of watershed protection; and

WHEREAS, the City's engineers and planners have recommended that the City adopt a watershed protection policy related to the Rock Creek Watershed area; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City to enact regulations to protect the Rock Creek Watershed District area; and

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the following Section 15.32.035 be and is adopted as follows:

1.

The Rock Creek Water Supply Watershed District is hereby designated and adopted. It shall comprise the land that drains to Rock Creek from the stream bank to the ridgeline of the watershed. The boundary of the Watershed District is defined by the ridgeline of the watershed and the political boundaries of the City where those boundaries occur within the watershed as shown on the map attached hereto as Exhibit "A" and incorporated herein by reference. The applicable provisions of Georgia Rules and Regulations 391.3.16-.01 are hereby adopted by reference.

Mayor and City Council instructs the City staff to report the adoption of this Watershed District to Barrow County, Gwinnett County, and the City of Mulberry, Georgia and to request that those local governments adopt similar regulations to govern development activities within the Rock Creek Watershed as to those parcels.

2.

The City Administrator and City Clerk are further authorized to correct typographical errors in the text of this Ordinance and the existing City Code and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

3.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional, or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

4.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

5.

This Ordinance shall be effective immediately upon its adoption by the Mayor and City Council.

SO ORDAINED this _____ day of October, 2024.

Richard E. Roquemore, Mayor

Joshua Rowan, Council Member

Robert L. Vogel, III Council Member

Jamie L. Bradley, Council Member

Taylor J. Sisk, Council Member

ATTEST:

Brooke Haney, City Clerk

Auburn's Rock Creek Watershed Protection Area

Significant land use requirements in Rule 391-3-16-.01 Minimum Criteria for Small Water Supply Watersheds are:

- impervious surface area shall be less than 25 percent of the property area.
- A 100-foot-wide buffer along all stream banks.
- A 150-foot setback for impervious surfaces from stream banks,
- A 150-foot setback for septic tanks and drain fields from stream banks,

Proposed Actions are:

- Prepare and display Watershed Protection Map in City Hall offices for 60 or more days.
- Obtain mailing list from Tax Assessor's Offices in Gwinnett and Barrow County and mail letters to all property owners.
- Contact Barrow County Planning and Community Development and Gwinnett County Planning and Development and request their cooperation in enforcing the Georgia regulations.
- Require compliance with Rule 391-3-16-.01 on all future development in the Rock Creek Watershed.

By Jim Aton, 404-234-7412, Hussey Gay Bell

Legend

- Contam. Inv. Facility
- ▲ Pump/Lift Station
- ⌘ Bridge/Culvert
- Lake
- River
- Rock Creek
- Railway
- Reservoir Parcel
- County Park
- City of Auburn
- County Line

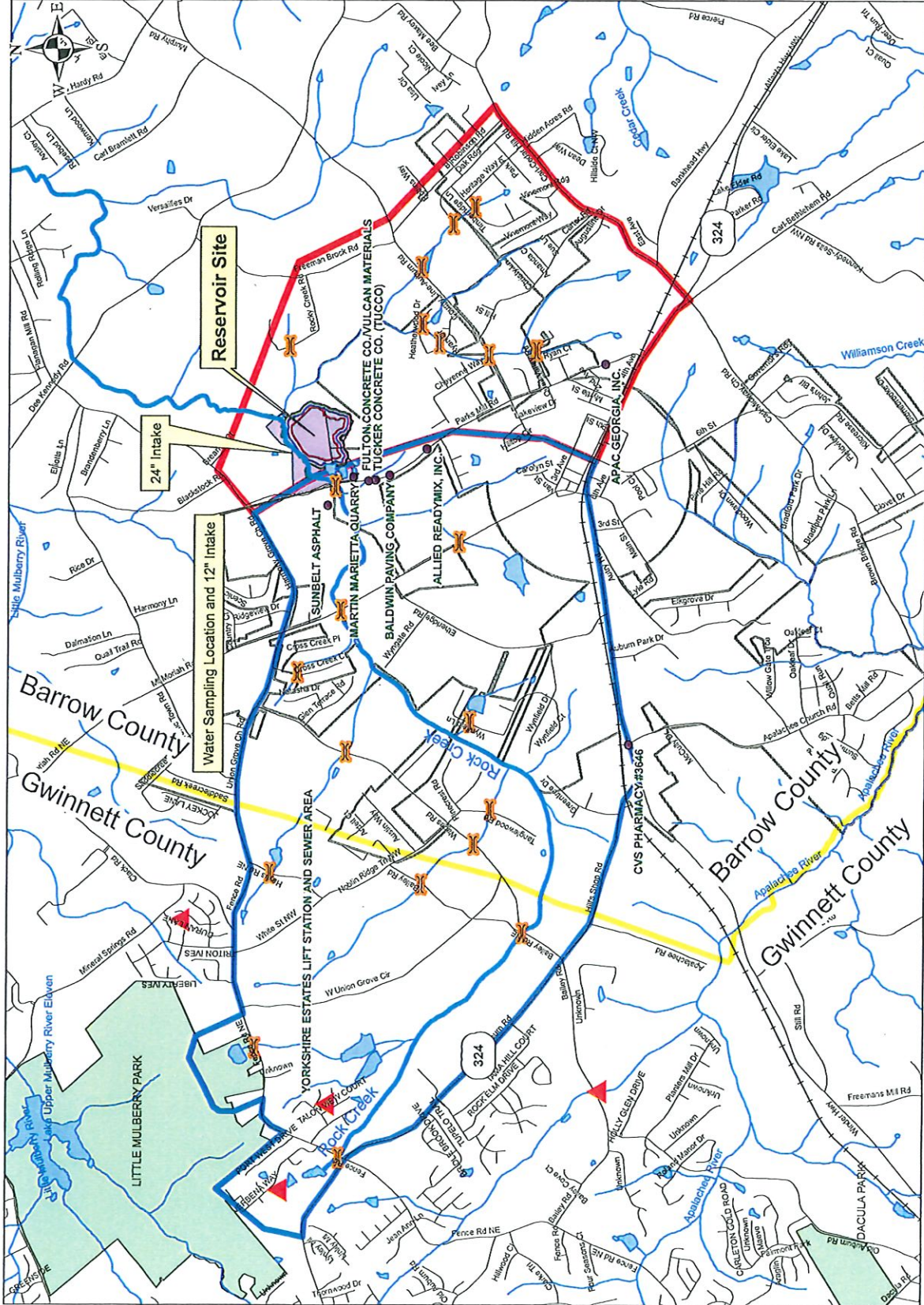
Basins

- Rock Creek Basin
- Tributary Basin

Auburn's Watershed Protection Map

9/18/2024

Prepared by
Hussey Gay Bell





Subject 391-3-16 RULES FOR ENVIRONMENTAL PLANNING CRITERIA

Rule 391-3-16-.01 Criteria for Water Supply Watersheds

(7) Minimum Criteria for Small Water Supply Watersheds.

- a) A small water supply watershed has less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.
- b) Stream Corridor Criteria for Small Water Supply Watersheds.
 1. The perennial stream corridors of a small water supply watershed within a seven (7) mile radius upstream of a governmentally owned public drinking water supply intake or water supply reservoir are protected by the following criteria:
 - i. A buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks.
 - ii. No impervious surface shall be constructed within a 150 foot setback area on both sides of the stream as measured from the stream banks.
 - iii. Septic tanks and septic tank drainfields are prohibited in the setback area of (ii) above.
 2. The perennial stream corridors within a small water supply watershed and outside a seven (7) mile radius upstream of a governmentally owned public drinking water supply intake or water supply reservoir are protected by the following criteria:
 - i. A buffer shall be maintained for a distance of 50 feet on both sides of the stream as measured from the stream banks.
 - ii. No impervious surface shall be constructed within a 75 foot setback area on both sides of the stream as measured from the stream banks.
 - iii. Septic tanks and septic tanks drainfields are prohibited in the setback areas of (ii) above.
- c) The following criteria apply at all locations in a small water supply watershed.
 1. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.
 2. New hazardous waste treatment or disposal facilities are prohibited.
 3. The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to twenty-five (25) percent, or existing use, whichever is greater.
 4. New facilities which handle hazardous materials of the types and amounts determined by the Department of Natural Resources shall perform their operations on impermeable surfaces having spill and leak collection systems as prescribed by the Department of Natural Resources.
- d) The water supply reservoirs in small water supply watersheds are to be managed as described in (8).



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: I

TO: Mayor and Council

FROM: Michael Parks
City Administrator

DATE: October 10, 2024

PURPOSE: U.S. Geological Partnership

BACKGROUND: The City of Auburn needs to install a stream gage in Rock Creek to meet one of the conditions in the Permit 007-0303-07 to withdraw water from Rock Creek. The City of Auburn has a permit to withdraw raw water from Rock Creek for treatment at the new Drinking Water Treatment Plant. Georgia Environmental Protection Division (EPD) prefers that the gage be installed and operated by the United States Geological Survey (USGS). For your approval is an agreement between the City and USGS to install and operate the gage. The agreement is for five years and will need to be renewed in five years. The operating cost has been included in the operating budget for the DWTP.

RECOMMENDATION: To approve the partnership with U.S. Geological Survey for installation of a stream gauge to monitor the flow conditions

FUNDING: GEFA/Operational Budget

ATTACHMENTS:
EPD Withdrawal Permit
USGA Agreement



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
South Atlantic Water Science Center
1770 Corporate Drive, Suite 500
Norcross, GA 30093

August 21, 2024

Mr. Michael Park
City Administrator
City of Auburn
1369 4th Ave
Auburn, GA 30011

Dear Mr. Park:

Attached is our standard joint-funding agreement 25MPJFAG0000078 between the U.S. Geological Survey South Atlantic Water Science Center and City of Auburn for negotiated deliverables (see attached), during the period October 1, 2024 through September 30, 2029 in the amount of \$116,750.00 from your agency. U.S. Geological Survey contributions for this agreement are \$0.00 for a combined total of \$116,750.00. Please sign and return one fully-executed original to Megan Jernigan at sawscbudgethelp@usgs.gov or mail to the address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **October 1, 2024**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Robert Sobczak at (470) 734-1524 or email rsobczak@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed annually via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Megan Jernigan at phone number (919) 819-9441 or sawscbudgethelp@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

Victor C. Engel
Director, South Atlantic Water Science Center

Attachment
25MPJFAG0000078

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2024, by the U.S. GEOLOGICAL SURVEY, South Atlantic Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Auburn party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for negotiated deliverables (see attached), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00.

- (a) \$0.00 by the party of the first part during the period October 1, 2024 to September 30, 2029
- (b) \$116,750.00 by the party of the second part during the period October 1, 2024 to September 30, 2029
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0.00.
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/office-of-science-quality-and-integrity/fundamental-science-practices>).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR

Customer #: 600008815
Agreement #: 25MPJFAG0000078
Project #: MP00GXH
TIN #: 58-0945938

Water Resource Investigations

9. Billing for this agreement will be rendered annually. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Robert Sobczak
Assistant Director for Data- Georgia
Address: 1770 Corporate Drive Suite 500
Norcross, GA 30093
Telephone: (470) 734-1524
Fax: (678) 924-6710
Email: rsobczak@usgs.gov

Customer Technical Point of Contact

Name: Michael Park
City Administrator
Address: 1369 4th Ave
Auburn , GA 30011
Telephone: (770) 963-4002 Ext 202
Fax: (n/a)
Email: mparks@cityofauburn-ga.org

USGS Billing Point of Contact

Name: Megan Jernigan
Budget Analyst
Address: 3916 Sunset Ridge Road
Raleigh, NC 27607
Telephone: (919) 819-9441
Fax:
Email: sawscbudgethelp@usgs.gov

Customer Billing Point of Contact

Name: Michael Park
City Administrator
Address: 1369 4th Ave
Auburn , GA 30011
Telephone: (770) 963-4002 Ext 202
Fax: (n/a)
Email: mparks@cityofauburn-ga.org

U.S. Geological Survey
United States
Department of Interior

City of Auburn

Signature

Signatures

By _____
Name: Victor C. Engel
Title: Director, South Atlantic Water Science Center

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

PERMIT NO. 007-0303-07

ISSUANCE DATE:

MAR 15 2019



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

PERMIT TO WITHDRAW, DIVERT OR IMPOUND SURFACE WATER

PERMIT HOLDER'S NAME **City of Auburn**
PERMIT HOLDER'S ADDRESS **P. O. Box 1059, Auburn, GA 30011**
COUNTY: **Barrow County**

In accordance with the provisions of the Georgia Water Quality Control Act, (O.C.G.A. § 12-5-20 et seq.) as amended, and the Rules and Regulations for Water Quality Control, Chapter 391-3-6, promulgated pursuant thereto, this permit is issued to **withdraw** surface water from **Rock Creek at Parks Mill Road (1), and Rock Creek at Reservoir (2) in Oconee River Basin** for the purpose of **municipal water supply**.

The City of Auburn (Permittee) must comply with the following limitations:

- (1) Maximum 24 hour: Withdrawal **15.6** MGD; Impoundment ___ MGD; Diversion ___ MGD
- (2) Not to exceed a monthly average of **7.2** MGD
- (3) Not to exceed an annual average of **3.9** MGD

This Permit is conditioned upon the permit holder complying with the attached **Standard Conditions** (1 through 5) and the additional **Special Conditions** (12 through 21) which are hereby made a part of this Permit.

In accordance with the application dated **5/1/2018** and in conformity with the statements and supporting data entered therein or attached thereto, all of which are filed with the Environmental Protection Division of the Department of Natural Resources and are hereby made part of this Permit.

This Permit is effective from the date first above written and is subject to revocation pursuant to the Georgia Water Quality Control Act, as amended, O.C.G.A. § 12-5-31 (k).

Absent prior revocation in accordance with the above language, this Permit will expire **ten (10) years** from the issuance date on this permit.



Richard J. [Signature]
Director
Environmental Protection Division



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: J

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: October 10, 2024

PURPOSE: Applicant-initiated zoning text amendment to Title 17, Section 17.90.140, PUD Planned Unit Development.

BACKGROUND: Staff has received a request to amend the text of City of Auburn Zoning Ordinance, Section 17.90.140, which governs the PUD: Planned unit development district. Specifically, the applicant has requested to amend subsection (C)(1), to increase the maximum permitted density to 3.3du/ac and omit subsection (C)(6), to permit mass-grading of a PUD site.

STAFF RECOMMENDATION: During the Planning and Zoning Commission meeting on September 25, 2024, the Commission recommended denial of the proposed changes to subsection (C)(1), to increase the permitted density, and approval to delete subsection (C)(6), to permit mass-grading of a PUD site.

During the Mayor and Council meeting on September 26, 2024, in which this request was presented for information only to the board, staff was asked to provide additional information regarding the recommended density at 3.0 units per acre and to explore other potential standards which would elevate the quality of development within a PUD development. This information has been provided in an accompanying memo to the board and the proposed text amendment.

FUNDING: N/A

ORDINANCE NO. 24-014
AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES
PUD PLANNED UNIT DEVELOPMENT DISTRICT
SECTION 17.90.140 (c)(1) and (6)

WHEREAS, the City has adopted a comprehensive Zoning Ordinance including Use Provisions for a number of zoning districts and classifications intended to create a beneficial mix of housing types and price points; and

WHEREAS, an application has been submitted to amend the City Code sections outlined herein; and

WHEREAS, the Planning Commission and Mayor and Council have heard public comments in public hearings to satisfy the requirements of State law for the advertising, comment, and adoption of this Ordinance amendment;

WHEREAS, the City's professional staff has recommended the approval of this Amendment; and

WHEREAS, the Mayor and City Council find and conclude that it is in the best interest of the health, safety and welfare of the citizens of the City to adopt the following amendment to the PUD requirements; and

WHEREAS, the Mayor and City Council find and conclude that the revisions outlined in this Ordinance promote sound planning practices consistent with the policies and intent of the City's Comprehensive Plan and Zoning Ordinance;

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the City Code Section 17.90.140(c) be and is amended as follows:

The existing Section 17.90.140(c)(1) is deleted and the following is adopted and substituted in its place:

Section 17.90.140(c)(1). The maximum density shall not to exceed three (3.0) dwelling units per gross acre.

The existing Section 17.90.(c)(6) is deleted.

The City Administrator and City Clerk are further authorized to correct typographical errors in the text of this Ordinance and the existing City Code and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional, or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SO ORDAINED this ____ day of October, 2024.

Richard E. Roquemore, Mayor

Robert L. Vogel, III, Council Member

Jamie L. Bradley, Council Member

Taylor J. Sisk, Council Member

Joshua Rowan, Council Member

ATTEST:

Brooke Haney, City Clerk