



AGENDA

Gainesville Mayor/Council Meeting
Tuesday, September 18, 2018, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS / RECOGNITIONS:

- A. Meritorious Service Award - Adam Davis
- B. Gainesville Redevelopment Authority Community Service
- C. Post-Employment Service Recognition
- D. Proclamation: Constitution Week
- E. Proclamation: National IT Professionals Day

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

- A. SPLOST VII Citizens' Review Committee
 - Position held by Michelle Mintz

Minutes

- A. August 16, 2018 Work Session
- B. August 21, 2018 Mayor/Council Meeting

Resolutions

- A. BR-2018-43 Amendment to the City of Gainesville Personnel Policies and Procedures Manual
- B. BR-2018-44 Sanitary Sewer Service Annexation Policy
- C. PR-2018-16 2018 Edward Byrne Memorial Justice Assistance Grant
- D. PR-2018-17 Lake Knickerbocker Dam Improvements Project
- E. PR-2018-18 Renovation of the Chattahoochee Golf Clubhouse Project
- F. PR-2018-19 Riverside Drive Water Treatment Plant Solids Dewatering Upgrade Project
- G. PR-2018-20 Water Resources Data Management

GENERAL LEGISLATION:

A. Ordinance No. 2018-17

Amend Chapter 6-4 entitled "Alcoholic Beverages"

AN ORDINANCE TO DELETE CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA IN ITS ENTIRETY; TO ENACT A NEW CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES; TO REGULATE THE SALE, LICENSING, AND CONSUMPTION OF THE SALE OF ALCOHOLIC BEVERAGES TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTIONS:

A. BR-2018-45 Establish Fees Related to Alcohol Licensing

PUBLIC HEARING(S):

Annexation/Zoning Items

A. Request from **LLJ Development, LLC** to rezone a 6.854± acres tract located on the east side of Dawsonville Highway, southeast of Beechwood Boulevard (a/k/a **0 and 1010 Dawsonville Highway**) from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B). **Ward Number: One.** Tax Parcel Number(s): 01-115-001-002 and 061. **Request: Fitness Center, retail and restaurant.**

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Monday, September 17, 2018, 9:18 AM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/13/2018

Presenter: Carol Martin

Item of Business: Meritorious Service Award - Adam Davis

Meeting Date: 9/18/2018

Purpose of Request:

To present the GPD Meritorious Service Award to Adam Davis for his life saving actions 05/10/18.

History/Background:

See attached Meritorious Service Award Certificate.

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Carol Martin

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Meritorious Service Award - Adam Davis	Backup Material



MERITORIOUS SERVICE

This certificate is awarded to

Adam Davis

For recognition of your life saving actions on May 10, 2018.

On May 10, 2018 while off-duty, you were having lunch at Sherry's BBQ. A patron notified the department that you immediately went to the aid of an individual inside the restaurant that you observed had his hands around his neck and was choking. You successfully performed the Heimlich Maneuver, dislodging the food allowing the gentleman to breath.

You are to be commended for your actions, your dedication to the law enforcement profession and this agency, and your service to our community.

Care Martin

Chief of Police

08/13/18

Date

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/14/2018
Presenter: Danny Dunagan
Item of Business: Gainesville Redevelopment Authority Community Service
Meeting Date: 9/18/2018

Purpose of Request:

The purpose of this request is to extend appreciation for volunteer service on the Gainesville Redevelopment Authority.

History/Background:

Facts & Issues for Consideration:

See attached summary.

Department Recommendation:

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
 RDA Recognition Summary	Executive Summary

BOARD/COMMITTEE RECOGNITION

September 18, 2018 Council Meeting

The Redevelopment Authority was created in 1978 and currently has nine members. The purpose of the Authority is to assist and promote economic development and redevelopment.

Members serve four year terms and must operate, manage or work for a business within the City or own real property in the City.

Existing Members:

Carol Burrell
Blair Diaz
Cooper Embry
Brett Fowler
Jay Jacobs

Kelly Lee
Matt Nix
Kris Nordholz
Tyler Smith

Other members that served this year:

Mark Bell
Doug Carter

Joe Wood, Jr.
David Abee

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/29/2018
Presenter: Danny Dunagan
Item of Business: Post-Employment Service Recognition
Meeting Date: 9/18/2018

Purpose of Request:

To recognize the following retirees for their service:

1. Preston Barrett
2. Ronnie Childs
3. Chris Coy
4. Catiel Felts
5. Hank Heffner

History/Background:

Facts & Issues for Consideration:

Retiree Catiel Felts is not available to attend the meeting.

See the attached summary for general information regarding the retirees.

Department Recommendation:

Department Director:

Janeann Allison

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

General Fund, i.e., Mayor/Council Budget

Finance Comments:

Administrative Comments:

Funding is included through the annual budget process.

ATTACHMENTS:

Description

Type

Retiree Statistical Sheet	Backup Material
Preston Barrett Testimonial	Backup Material
Ronnie Childs Testimonial	Backup Material
Chris Coy Testimonial	Backup Material
Catiel Felts Testimonial	Backup Material
Hank Heffner Testimonial	Backup Material



The City of Gainesville Retired Employees

**Preston Barrett
Fire Department**

**25 years, 30 days
03/01/1993 – 03/30/2018**

**Ronnie Childs
City Manager's Office/TV 18**

**21 years, 1 month, 16 days
05/14/1997 – 06/29/2018**

**Chris Coy
Police Department**

**27 years, 9 months, 17 days
09/13/1990 – 06/29/2018**

**Hank Heffner
Parks and Recreation Department**

**28 years, 5 months, 28 days
01/02/1990 – 06/29/2018**

NOT AVAILABLE TO ATTEND THE MEETING

**Catiel Felts
City Manager's Office/CVB**

**22 years, 1 month, 17 days
04/15/1996 – 05/31/2018**

Total Accumulated Services: 123 years, 7 months, and 6 days



Preston Barrett

Your retirement, after 25 years, 30 days of service to the Gainesville City Government, is an occasion which fully merits a formal and sincere expression of the appreciation for the sterling qualities of mind and spirit which have been reflected in your devotion to the citizens of our City.

As Council Members, we are acutely aware that progress in municipal government is largely predicated upon the loyalty and effectiveness of its employees in faithfully carrying out the acts of the Council, and efficiently delivering the services provided by the departments in which they are employed.

Let it be further known, that the City of Gainesville takes great pleasure in the caliber of employees such as yourself, whose records of service have contributed substantially to the stature of our City as one of the most progressive of Georgia's municipalities.

Therefore, the governing body of the City of Gainesville issues this "Testimonial" in grateful appreciation for your loyalty and dedication to the City of Gainesville during your long and honorable record of service.

Executed this 18th day of September 2018.

Mayor C. Danny Dunagan, Jr.

Council Member Ruth H. Bruner

Mayor Pro Tem W. Samuel Couvillon

Council Member Zack Thompson

Council Member George Wangemann

Council Member Barbara B. Brooks



Ronnie Childs

Your retirement, after 21 years, 1 month and 16 days of service to the Gainesville City Government, is an occasion which fully merits a formal and sincere expression of the appreciation for the sterling qualities of mind and spirit which have been reflected in your devotion to the citizens of our City.

As Council Members, we are acutely aware that progress in municipal government is largely predicated upon the loyalty and effectiveness of its employees in faithfully carrying out the acts of the Council, and efficiently delivering the services provided by the departments in which they are employed.

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Council Member Ruth H. Bruner

Mayor Pro Tem W. Samuel Couvillon

Council Member Zack Thompson

Council Member George Wangemann

Council Member Barbara B. Brooks



Chris Coy

Your retirement, after 27 years, 9 months and 17 days of service to the Gainesville City Government, is an occasion which fully merits a formal and sincere expression of the appreciation for the sterling qualities of mind and spirit which have been reflected in your devotion to the citizens of our City.

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Mayor Pro Tem W. Samuel Couvillon

Council Member Zack Thompson

Council Member George Wangemann

Council Member Barbara B. Brooks



Catiel Felts

Your retirement, after 22 years, 1 month, 17 days of service to the Gainesville City Government, is an occasion which fully merits a formal and sincere expression of the appreciation for the sterling qualities of mind and spirit which have been reflected in your devotion to the citizens of our City.

As Council Members, we are acutely aware that progress in municipal government is largely predicated upon the loyalty and effectiveness of its employees in faithfully carrying out the acts of the Council, and efficiently delivering the services provided by the departments in which they are employed.

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Mayor C. Danny Dunagan, Jr.

Council Member Ruth H. Bruner

Mayor Pro Tem W. Samuel Couvillon

Council Member Zack Thompson

Council Member George Wangemann

Council Member Barbara B. Brooks



Hank Heffner

Your retirement, after 28 years, 5 months and 28 days of service to the Gainesville City Government, is an occasion which fully merits a formal and sincere expression of the appreciation for the sterling qualities of mind and spirit which have been reflected in your devotion to the citizens of our City.

As Council Members, we are acutely aware that progress in municipal government is largely predicated upon the loyalty and effectiveness of its employees in faithfully carrying out the acts of the Council, and efficiently delivering the services provided by the departments in which they are employed.

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Executed this 18th day of September 2018.

Mayor C. Danny Dunagan, Jr.

Council Member Ruth H. Bruner

Mayor Pro Tem W. Samuel Couvillon

Council Member Zack Thompson

Council Member George Wangemann

Council Member Barbara B. Brooks

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/10/2018
Presenter: Danny Dunagan
Item of Business: Proclamation: Constitution Week
Meeting Date: 9/18/2018

Purpose of Request:

To support the Colonel William Candler Chapter of the Daughters of American Revolution as they continue to acknowledge and promote the 231st Anniversary of the signing of the Constitution of the United States.

Attendees:

- Regent of the Candler Chapter, Penny Walker
- Co-Chairmen of Constitution Week Jacquie Weldon and Margaret Whalen

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Proclamation: Constitution Week	Presentation



PROCLAMATION

WHEREAS, *in 1955 the President General of the Daughters of the American Revolution, Gertrude S. Carraway, adopted a project to promote the observance of the U.S. Constitution with a memorial week beginning on the anniversary of the signing of this document, September 17th; and*

WHEREAS, *Constitution Week was officially declared by President Eisenhower on August 2, 1956, the culmination of a proposal the Daughters of the American Revolution sent through Senator William F. Knowland of California; and*

WHEREAS, *locally, the Colonel William Candler Chapter of the National Daughters of the American Revolution will proudly celebrate and promote the two hundred and thirtieth Anniversary of the signing of the Constitution of United States; and*

WHEREAS, *this 231st Anniversary of the Constitution provides a historic opportunity for all Americans to reflect on the rights and privileges of citizenship incorporated within its framework, and to learn about and celebrate the achievements of our founding forefathers and foremothers throughout the year; and*

NOW, THEREFORE, BE IT RESOLVED, *that I, C. Danny Dunagan, Jr., Mayor and the Gainesville City Council, do hereby proclaim September 17-23, 2018 to be*

“Constitution Week”

rededicating ourselves to our country and the support and defense of our Constitution and to a greater involvement in responsible citizenship.

Presented this 18th day of September, 2018

C. Danny Dunagan, Jr., Mayor
City of Gainesville

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/29/2018
Presenter: Mayor Dunagan
Item of Business: Proclamation: National IT Professionals Day
Meeting Date: 9/18/2018

Purpose of Request:

Recognize the important contributions and dedication of the City of Gainesville's IT Division who provides effective service delivery to the internal customers, citizens and visitors of Gainesville.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Janeann Allison

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Proclamation: National IT Professionals Day	Presentation



PROCLAMATION

WHEREAS, *An estimated 6.9 million workers are employed in the American technology sector, and that role continues to rise in every sector, with an increasing role in ensuring that local government programs and services are efficient and effective; and*

WHEREAS, *the City of Gainesville Information Technology department has been focused on its efforts to implement IT programs that provide better, faster service at a lower cost to taxpayers, improving interagency cooperation, and making information more accessible to taxpayers; and*

WHEREAS, *the recognition of the City of Gainesville Information Technology division highlights the City of Gainesville's commitment to leveraging effective and efficient technology for improved service to taxpayers.*

NOW, THEREFORE, BE IT RESOLVED, *that I, C. Danny Dunagan, Jr., Mayor and the Gainesville City Council, do hereby proclaim September 18, 2018 to be*

“National IT Professionals Day”

recognizing the important contributions, and continued dedicated efforts of the City of Gainesville's Information Technology Division to provide effective service delivery to the citizens and visitors of Gainesville, while continuing to do the right thing for its citizens and internal customers.

Presented this 18th day of September, 2018

**C. Danny Dunagan, Jr., Mayor
City of Gainesville**

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/13/2018

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 9/18/2018

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/7/2018

Presenter: Danny Dunagan

Item of Business: SPLOST VII Citizens' Review Committee

- Position held by Michelle Mintz

Meeting Date: 9/18/2018

Purpose of Request:

The purpose of this request is to address the expired term position previously held by Michelle Mintz.

History/Background:

Committee members serve a one-year term and follow the guidelines set forth in the City Charter, Code of Ordinances and the Intergovernmental Agreement made effective May 14, 2015.

Facts & Issues for Consideration:

To address the vacant position that was held by Michelle Mintz.

Department Recommendation:

The Mayor nominated Etherean Williams to replace Michelle Mintz during the September 13, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
 SPLOST VII Members	Backup Material

SPLOST VII CITIZENS' REVIEW COMMITTEE

GOVERNING BODY	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
City	Bell	Mark	5/19/2015	6/21/2016 11/21/2017 6/5/2018	6/30/2019
City	Mintz	Michelle	5/19/2015	6/21/2016 11/21/2017	6/30/2018
City	Norton, Jr.	Frank	5/19/2015	6/21/2016 11/21/2017 6/5/2018	6/30/2019
County District 1	Gee	Jacob	7/1/2018		6/30/2019
County District 2	Hoffman	Brent	5/14/2015	6/23/2016 (term begin 7/1/16) 7/1/2017 7/1/2018	6/30/2019
County District 3	Aiken	Douglas	5/14/2015	6/23/2016 (term begin 7/1/16) 7/1/2017 7/1/2018	6/30/2019
County District 4	Werner	Carol	5/14/2015	6/23/2016 (term begin 7/1/16) 7/1/2017 7/1/2018	6/30/2019
County	Horne	Robert	5/14/2015	6/23/2016 (term begin 7/1/16) 7/1/2017 7/1/2018	6/30/2019
County	Gracey	Brian	5/14/2015	6/23/2016 (term begin 7/1/16) 7/1/2017 7/1/2018	6/30/2019

TERM: One-Year

CONTACT: Lisa Ritchie, Hall County Commission Clerk

NOTES: Meets no less than quarterly.
This committee was established
per Resolution CR-2015-02 based
on Intergovernmental Agreement

Established: Friday, June 22, 2018

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/23/2018
Presenter: Denise Jordan
Item of Business: August 16, 2018 Work Session
Meeting Date: 9/18/2018

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/23/2018
Presenter: Denise Jordan
Item of Business: August 21, 2018 Mayor/Council Meeting
Meeting Date: 9/18/2018

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/6/2017
Presenter: Bryan Lackey
Item of Business: BR-2018-43 Amendment to the City of Gainesville Personnel Policies and Procedures Manual
Meeting Date: 9/18/2018

Purpose of Request:

To amend the following section of the Personnel Policy:

- 4.00 Leave Benefits

History/Background:

All changes highlighted attached policy.

4.00 1. PTO Accruals: Instead of losing the leave when an employee is over the Annual Maximum, the overage will roll into a PTO Bank to be used for emergency illness by the employee.

4.00 7. Creation and explanation of the PTO Bank.

4.00 8. Change in language to allow a few employees (hired before 1/1/12) that still have sick leave remaining, to utilize the remaining hours for personal, dependent, or spouse illnesses.

4.00 28. Clarifies the benefits for an employee that is serving as a reservist vs. an employee that is active duty. All employees serving in the military in any capacity are still afforded job protection and reemployment rights as governed by USERRA.

Facts & Issues for Consideration:

Department Recommendation:

Approval.

Department Director:

Janeann Allison

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

	Description	Type
▣	BR-2018-43 Amendment to Personnel Policies and Procedures Manual - 4.0 Leave Benefits	Resolution
▣	Revised policy with highlighted changes	Policy
▣	4.00 Leave Benefits current policy	Policy

RESOLUTION BR-2018-43

**AMENDMENT TO THE CITY OF GAINESVILLE
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Governing Body for the City of Gainesville adopted a new Personnel Policies and Procedures Manual in 2016, which needs amendments from time to time; and

WHEREAS, the Personnel Manual has been the fundamental feature for personnel administration for the City of Gainesville; and

WHEREAS, the Governing Body for the City of Gainesville desires to amend the Personnel Manual by:

Revising the current section 4.00 Leave Benefits, as attached.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby adopts the attached amendments to the personnel policy and such amendments shall be effective September 18, 2018.

Adopted this _____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

4.00 LEAVE BENEFITS

Regular status full-time employees are provided with paid time off (PTO) benefits instead of paid vacation and sick leave. PTO may be taken by an employee with prior approval by his/her supervisor or designee, at such times and in such increments as best accommodates each employee's own schedule and the department's staffing needs. PTO is intended to allow employees paid time off from work for reasons such as vacation, personal illness, family illness, medical appointments, religious holidays, or personal or family business. Employees who are absent from work for any reason (other than bereavement leave, workers' compensation, military leave or jury duty) are required to use accrued PTO before taking leave without pay.

PAID TIME-OFF

1. PTO Accruals - Full-time eligible employees accrue PTO biweekly and based on service years according to the below table, unless otherwise stipulated.

PTO hours may continue to accrue in excess of the "Annual Maximum" to provide scheduling flexibility around peak workload periods and as an added benefit to employees. PTO balances over the "Annual Maximum" will be transferred to the PTO Bank if not used by the last day of the first full pay period in April and October of each year.

NOTE: See 4.00, Item 5, Payment of Unused PTO, for maximum payment upon termination.

General Employees (Excluding Fire Department Shift Personnel):

Hired Before 1/1/12			Hired on or after 1/1/12*		
Service Years	Annual Accrual Hours	Annual Maximum	Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	80	80	Less than 1	96**	80
1 – 4	160	180	1 – 4	120	140
5 – 9	200	240	5 - 9	160	200
10+	240	300	10 - 19	200	240
			20+	240	300

*All employees hired between 1/1/12 and 1/4/15 will receive a one-time adjustment of 16 hours added to their PTO balance to show on pay check 2/20/15.

**All employees hired after 1/5/15, will receive 16 hours of PTO immediately upon employment and an additional 80 hours will accrue at a bi-weekly rate of 3.0769 hours for a total of 96 hours of PTO for the 1st year of employment.

Fire Department Shift personnel (24/48):

Hired Before 1/1/12			Hired on or after 1/1/12*		
Service Years	Annual Accrual Hours	Annual Maximum	Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	120	120	Less than 1	120**	96
1 – 4	192	360	1 – 4	144	168
5 – 9	240	360	5 - 9	192	240
10+	288	360	10 - 19	240	288
			20+	288	360

*All Fire Department Shift employees hired between 1/1/12 and 1/4/15 will receive a one-time adjustment of 24 hours added to their PTO balance to show on pay check 2/20/15.

**All Fire Department Shift employees hired after 1/5/15, will receive 24 hours of PTO immediately upon employment and an additional 96 hours will accrue at a bi-weekly rate of 3.6923 hours for a total of 120 hours of PTO for the 1st year of employment.

Police 12 Hour Shift Personnel Hired 2011 or earlier previously grandfathered in on the below table. A grandfathered employee transferring out of a Police 12-hour shift position will transfer to the General Table and will not be allowed to transfer back to this Grandfathered Table for any reason.

Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	100	100
1 – 4	180	180
5 – 9	220	240
10+	260	300

2. PTO Accruals During Periods of Leave - During periods of employee leave, PTO accruals will continue on the following schedule:
 - If on leave for short-term disability, PTO accruals will end on the date short-term benefits begin;
 - If on leave for other reasons (including workers' compensation, military, other FMLA leaves, etc.), PTO accruals will stop when the employee's PTO balance is exhausted or after 30 days of continuous leave, whichever is earlier.
3. Scheduled PTO Eligibility - A request for leave form shall be submitted to the employee's immediate supervisor. Scheduled PTO may be taken in any time increment after approval by the Department Director or his/her designee and is subject to administrative review.

[See Section on Extended Leave of Absence.] Employees on PTO are subject to recall in cases of emergency.

4. Unscheduled PTO - PTO that is not scheduled in accordance with departmental policy (other than illness) will be considered unscheduled PTO. Excessive unscheduled PTO may be addressed through the performance evaluation process and/or through progressive discipline or appropriate employment action.
5. Payment of Unused PTO - Upon termination, employees will **only be paid for accumulated unused PTO up to the maximum annual accrual amount** provided all equipment, uniforms, tools, keys, and other City property issued to the employee have been returned, and no outstanding liabilities or debts remain. **Hours accrued over the Annual Maximum will be forfeited.**

LEAVE FOR MEDICAL PURPOSES

6. PTO for Illness - An employee may use PTO in the event of personal illness or serious illness of a dependent child or spouse in need of continuous short-term care. The City understands that use of such PTO may be without advance notice. However, the employee shall report illness prior to scheduled work time. If this is not possible, the employee must report the tardiness or absence within 30 minutes after the scheduled start time. Failure to do so may result in an unpaid, unexcused absence. Employees are expected to comply with departmental policy with regard to using PTO for illness. A department may establish a more restrictive policy due to operating necessities. Excessive unscheduled PTO may be addressed through the performance evaluation process and/or through progressive discipline. The City will comply with the provisions of the Family and Medical Leave Act in the administration of this policy.
7. PTO Bank – All leave balances over the “Annual Maximum” will be transferred to the PTO Bank if not used by the last day of the first **full** pay period in April and October of each year. The purpose of this bank is to supplement an employee’s loss of income during the extended leave of absence for medical reasons which would be covered under FMLA. Withdrawals may only be made from the Employee’s own account in the PTO Bank and may only be withdrawn with the approval of the Administrative Services Director when all PTO and Sick Leave balances have been exhausted. For a withdrawal request to be considered, documentation of the medical need and a signed request form will be mandatory. Under NO circumstances will employees be paid for hours in the PTO bank upon terminating employment with the City.
8. Sick Leave Usage (if applicable) - Employees hired before 1/1/12 may have an unused sick leave balance. An employee may use accrued sick leave in the event of personal or dependents/spouse illness or injury.

The employee shall report illness prior to scheduled work time. If this is not possible, the employee must report the tardiness or absence within 30 minutes after the scheduled start time. Failure to do so may result in an unpaid, unexcused absence. A department may establish a more restrictive policy due to operating necessities. Employees who separate from the City shall forfeit all unused sick leave.

9. Medical Certification (Doctor's Note) - Medical absences (sick or unscheduled PTO) may require a doctor's statement before an employee may return to work, at the Department Director's discretion. An employee may also be required to provide medical certification if a request for sick pay falls within a period when the employee is on PTO or if absent from work frequently or habitually.
10. Fitness for Duty - An employee who takes leave for an extended illness, is hospitalized or serves in a safety sensitive position, may be asked to provide a fitness for duty (FFD) clearance from a health care provider upon return to work.
10. Short-Term Disability (STD) - The City will provide short-term disability benefits to qualified employees at the rate of 60% of actual wage loss, excluding unscheduled overtime work up to a maximum of \$2,000 per week. Employee elimination period and eligibility for STD benefits are subject to the policies in place at the time of personal disability event. Benefits will be supplemented with an employee's sick or PTO balances up to 100% of regular pay level. Short-term disability benefits may continue for up to 13 consecutive weeks. Long-term disability benefits may become available for employees who elected this coverage.
11. Family and Medical Leave Act of 1993 - The City complies with the Family and Medical Leave Act of 1993. Employee rights and responsibilities are posted throughout City departments.

FMLA currently requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. To be eligible for FMLA, an employee must have worked continuously for 1 year, and worked 1,250 hours over the previous 12 months. If your leave qualifies, you have a right for up to 12 weeks of unpaid leave in a 12-month period. This period is calculated under the FMLA "rolling" 12-month period and is measured backward from the date of any FMLA leave usage. Under FMLA, unpaid leave must be granted for any of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his/her job.
- For a qualifying exigency arising out of the fact that employee's spouse, son or daughter (of any age) or parent is on active duty or call to active duty status.

Eligible employees may apply for short-term disability benefits during FMLA related to personal illness. PTO and sick hours (if applicable) shall be used during the FMLA absence.

Sick leave accruals may be used for personal illness during the FMLA absence in accordance with City sick leave policy. When paid leave has been exhausted, additional unpaid leave will be provided to total up to 12 weeks.

If two employees within the same household are requesting leave for the same purpose, they shall be entitled to a combined leave of up to 12 weeks.

If the FMLA is amended in any respect, this policy shall be considered amended to be consistent with the changes in the Act.

12. Advance Notice and Medical Certification - The employee is required to provide advance leave notice and medical certification whenever possible. Taking of leave may be denied unless the following requirements are met:

- The employee ordinarily must provide 30 days advance notice when the leave is foreseeable (examples include pregnancy, scheduled surgery, non-emergency medical procedures, etc.)
- The City will require a medical certification to support a request for leave because of a serious health condition, and may require second and third opinions (at the City's expense) and/or a fitness for duty examination in order to return to work.

13. Intermittent FMLA Absence - FMLA may be taken intermittently or on a reduced schedule if medically necessary, with proper notification, and consistent with the Act.

14. Certification of a Serious Health Condition - Serious Health Condition is an illness, injury, impairment, or physical or mental condition involving either inpatient care or continuing treatment by a health care provider. Employees must provide certification of a serious health condition for his/her own serious health condition, or that of a family member. Employees must contact Human Resources for information concerning the certification process.

15. Employee Privacy - The City is in compliance with The Health Insurance Portability and Accountability Act of 1996 (HIPAA), which supports efforts to protect patient confidentiality and security of individual health information. To that end, the City has adopted a Privacy Notice outlining employee rights and responsibilities. Copies of this notice are available through Human Resources.

16. Health Benefits Protection - Employees continue to receive health benefits for up to 12 weeks during FMLA on the same terms and conditions as for active employees. The employee must continue to pay appropriate employee and dependent premiums, co-payments, and other out-of-pocket costs.

17. Upon return from FMLA absence - The City will restore the employee to the original or equivalent position with equivalent pay, benefits, and other employment terms. The use of

FMLA leave shall not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

18. Absence extending beyond FMLA expiration - The job-protected rights afforded by FMLA do not apply to leaves which continue beyond the 12-week period of entitlement.
19. Returning to Work After Approved Leave - An employee who has been out on extended medical leave for more than seven (7) calendar days must be cleared through Human Resources prior to returning to work by providing a medical release from the treating physician with or without work restrictions. In addition, an employee may be required to undergo a fitness for duty drug screen as directed by Human Resources. Failure to seek return to work clearance at the expiration of approved leave shall be considered absent without leave, constituting grounds for disciplinary action up to and including termination of employment.
20. Returning to Work Before the Expiration of Approved Leave - An employee granted a leave of absence who wishes to return to work before the leave period has expired shall be required to notify the immediate supervisor. No employee shall be permitted to return to work without a written medical release from the treating physician and clearance through Human Resources. Depending on the circumstances of the leave, a fitness for duty exam may also be required.
21. Working during Approved Medical Leave - An employee while on an authorized medical leave of absence may not obtain or engage in either part-time or full-time employment, nor engage in training or development relating to their job. Failure to abide by the terms of the approved leave will result in disciplinary action up to and including termination of employment.

OTHER LEAVE TYPES

22. Funeral Leave - Funeral leave of up to three (3) workdays per calendar year, with a maximum of 24 work hours **annually** will be granted with pay for an employee absent from work so they may travel to, make arrangements for, or attend the funeral of the following members of the employee's family: spouse, parent or guardian, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, stepmother, stepfather, stepchild, stepsister, stepbrother, or other relative living in the employee's household. Funeral leave shall also be granted for in-law relationships for mother in-law, father in-law, brother in-law and sister in-law. In all cases, bereavement leave must be approved in advance. No exceptions will be allowed to this policy.
23. Leave Without Pay - Employees are not permitted to take leave without pay if an accrued leave type balance that is appropriate for the situation is available, unless leave involves workers' compensation, military leave, or jury duty. The Department Director will give consideration for a leave without pay based on the employee's leave impact on

departmental functions, schedule, and reason for the request, as well as the employee's performance and attendance record.

24. Holidays - The following nine days are designated as official holidays for employees in the City of Gainesville personnel system: New Year's Day, Dr. Martin Luther King, Jr. Birthday, Memorial Day, Independence Day (July 4th), Labor Day, Thanksgiving Day, Friday following Thanksgiving, Christmas Eve, and Christmas Day. In order to qualify for holiday pay, employees are required to work the day before and the day after a holiday unless the employee is off on approved PTO or sick leave.
25. Holidays During Leave Periods - Employees will be paid holiday pay if a holiday falls within an approved leave period of 30 calendar days or less. Holidays which occur while the employee is on medical leave, workers' compensation, or PTO of more than 30 calendar days are not paid as holidays. If an employee is working partial days due to a medical absence, holidays will be prorated to reflect this.
26. Holiday Pay Compensation - A regular status full-time employee who works on a holiday shall receive holiday pay, plus payment for hours actually worked. Holiday hours are not considered time worked for the computation of overtime pay. Holiday pay practices may be altered depending on the operational needs of the department.
27. Extended Leave of Absence - All extended leaves of absence (more than seven days) must be approved by the Department Director, reviewed and approved by the Director of Human Resources, and are subject to final approval by the City Manager.
28. Military Leave - Every employee shall be entitled to military leave in accordance with state and federal laws.
- National Guard or Reserve: The City will provide affected employees serving in the National Guard or any reserve unit of the United States Armed Forces with job protection and group benefits coverage in accordance with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). The City will also provide up to 18 days (144 hours) annually of paid military leave.
 - Active Duty: Employees contracting with any branch of the Armed Forces for Active Duty, not during the time of war or national emergency, shall be placed on Leave without Pay and will be moved to an inactive status. Such employee will be granted reemployment rights as governed by the Uniform Services Employment and Reemployment Rights Act of 1994. No paid military leave is given for those serving in an active duty capacity.
29. Jury Duty - Any full-time employee called for jury duty or subpoenaed as a witness in the line of duty will be excused from work upon presentation of a court summons or subpoena

to the immediate supervisor. The employee will be paid regular pay up to two weeks provided evidence is submitted from the court for the number of days served. Only the actual number of days spent in court will be counted in calculating the payment. The combination of jury duty pay and actual hours worked is not to exceed 40 hours per week unless authorized by an employee's supervisor or Department Director. Payment received from the court will not be deducted from the employee's pay. If an employee reports for jury duty or to testify as a witness on a particular day and is excused from serving that day, the employee must notify the immediate supervisor to determine if the needs of the City require the employee to work that day.

30. City of Gainesville Retirement Plan Credited Service - Credited Service is defined as worked time granted during employment periods when employees participate in one of the City's Retirement Plans. For the purposes of providing credited service for retirement benefit calculations, employees on paid leaves of absence (sick, PTO and/or short-term disability) will be granted service credit. The Department Director, Director of Human Resources, and City Manager may approve unpaid leave period up to one year in duration for which service credit will be granted. No credited service beyond one (1) year will be granted for any employee who remains on a continuous leave of absence. When calculating total City service, leave periods beyond one year or more will not be counted as worked time.

INCLEMENT WEATHER

31. Absences Due to Hazardous Weather - The City of Gainesville will open at regularly scheduled times and will remain open as scheduled during inclement weather unless the City Manager issues an official closing statement. Unless such a statement is issued, all employees will be expected to work regularly scheduled hours.
32. Critical City Services - Certain positions require mandatory coverage because they provide critical City services. Official closing statements and inclement weather procedures do not apply to employees who provide critical City services in departments such as fire, police, utility and public works, and others. Employees in this classification should report for duty as scheduled or if unable to report, abide by established departmental procedures.

The remainder of this policy pertaining to inclement weather applies only to administrative employees or others in non-critical service positions.

33. Inclement Weather Closing

- If the City of Gainesville administrative offices will be closed for all or part of a day due to inclement weather, the City Manager will issue an official closing statement.
- If no official closing statement is issued, employees should report to work as scheduled or if unable to work, abide by established departmental procedures.

34. Inclement Weather Pay - The intent of inclement weather pay is to make the non-critical service employee “whole” for the hours that could not be worked because the City was officially closed during the employee’s scheduled shift hours.

An employee in this category who reports to work as directed on the day of late opening or early closing shall be entitled to inclement weather pay for the number of hours that could not be worked because the City was officially closed. Employees who work during official closings are not entitled to additional pay. Any hours worked in excess of scheduled hours will reduce the amount of paid inclement weather time available to that employee.

An employee in this category who arrives late or leaves early will be paid actual hours worked plus inclement weather hours for the time the City was officially closed. An employee should discuss with the supervisor options for any other scheduled hours which were missed during the City’s official opening hours. One of several options may be selected such as using accrued PTO or if no accrued leave is available, leave without pay, or the employee may make up the time lost from work at a time scheduled by the supervisor within the same work week

An employee who does not report to work due to inclement weather shall take PTO or leave without pay for the full shift.

4.00 LEAVE BENEFITS

Regular status full-time employees are provided with paid time off (PTO) benefits instead of paid vacation and sick leave. PTO may be taken by an employee with prior approval by his/her supervisor or designee, at such times and in such increments as best accommodates each employee's own schedule and the department's staffing needs. PTO is intended to allow employees paid time off from work for reasons such as vacation, personal illness, family illness, medical appointments, religious holidays, or personal or family business. Employees who are absent from work for any reason (other than bereavement leave, workers' compensation, military leave or jury duty) are required to use accrued PTO before taking leave without pay.

PAID TIME-OFF

1. PTO Accruals - Full-time eligible employees accrue PTO biweekly and based on service years according to the below table, unless otherwise stipulated.

PTO hours may continue to accrue in excess of the "Annual Maximum" from January through June and from July to December of each year in order to provide scheduling flexibility around peak workload periods. PTO balances over the "Annual Maximum" will be forfeited if not used by the last day of the last pay period in June and again in December of each year. Accrued PTO balances will be reduced to the "Annual Maximum" after the last check processing in June and again in December of each year.

NOTE: See 4.00, Item 5, Payment of Unused PTO, for maximum payment upon termination.

General Employees (Excluding Fire Department Shift Personnel):

Hired Before 1/1/12			Hired on or after 1/1/12*		
Service Years	Annual Accrual Hours	Annual Maximum	Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	80	80	Less than 1	96**	80
1 – 4	160	180	1 – 4	120	140
5 – 9	200	240	5 - 9	160	200
10+	240	300	10 - 19	200	240
			20+	240	300

*All employees hired between 1/1/12 and 1/4/15 will receive a one-time adjustment of 16 hours added to their PTO balance to show on pay check 2/20/15.

**All employees hired after 1/5/15, will receive 16 hours of PTO immediately upon

employment and an additional 80 hours will accrue at a bi-weekly rate of 3.0769 hours for a total of 96 hours of PTO for the 1st year of employment.

Fire Department Shift personnel (24/48):

Hired Before 1/1/12			Hired on or after 1/1/12*		
Service Years	Annual Accrual Hours	Annual Maximum	Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	120	120	Less than 1	120**	96
1 – 4	192	360	1 – 4	144	168
5 – 9	240	360	5 - 9	192	240
10+	288	360	10 - 19	240	288
			20+	288	360

*All Fire Department Shift employees hired between 1/1/12 and 1/4/15 will receive a one-time adjustment of 24 hours added to their PTO balance to show on pay check 2/20/15.

**All Fire Department Shift employees hired after 1/5/15, will receive 24 hours of PTO immediately upon employment and an additional 96 hours will accrue at a bi-weekly rate of 3.6923 hours for a total of 120 hours of PTO for the 1st year of employment.

Police 12 Hour Shift Personnel Hired 2011 or earlier previously grandfathered in on the below table. A grandfathered employee transferring out of a Police 12-hour shift position will transfer to the General Table and will not be allowed to transfer back to this Grandfathered Table for any reason.

Service Years	Annual Accrual Hours	Annual Maximum
Less than 1	100	100
1 – 4	180	180
5 – 9	220	240
10+	260	300

2. PTO Accruals During Periods of Leave - During periods of employee leave, PTO accruals will continue on the following schedule:
 - If on leave for short-term disability, PTO accruals will end on the date short-term benefits begin;
 - If on leave for other reasons (including workers' compensation, military, other FMLA leaves, etc.), PTO accruals will stop when the employee's PTO balance is exhausted or after 30 days of continuous leave, whichever is earlier.

3. Scheduled PTO Eligibility - A request for leave form shall be submitted to the employee's immediate supervisor. Scheduled PTO may be taken in any time increment after approval by the Department Director or his/her designee and is subject to administrative review. [See Section on Extended Leave of Absence.] Employees on PTO are subject to recall in cases of emergency.
4. Unscheduled PTO - PTO that is not scheduled in accordance with departmental policy (other than illness) will be considered unscheduled PTO. Excessive unscheduled PTO may be addressed through the performance evaluation process and/or through progressive discipline or appropriate employment action.
5. Payment of Unused PTO - Upon termination, employees will **only be paid for accumulated unused PTO up to the maximum annual accrual amount** provided all equipment, uniforms, tools, keys, and other City property issued to the employee have been returned, and no outstanding liabilities or debts remain. **Hours accrued over the Annual Maximum will be forfeited.**

LEAVE FOR MEDICAL PURPOSES

6. PTO for Illness - An employee may use PTO in the event of personal illness or serious illness of a dependent child or spouse in need of continuous short-term care. The City understands that use of such PTO may be without advance notice. However, the employee shall report illness prior to scheduled work time. If this is not possible, the employee must report the tardiness or absence within 30 minutes after the scheduled start time. Failure to do so may result in an unpaid, unexcused absence. Employees are expected to comply with departmental policy with regard to using PTO for illness. A department may establish a more restrictive policy due to operating necessities. Excessive unscheduled PTO may be addressed through the performance evaluation process and/or through progressive discipline. The City will comply with the provisions of the Family and Medical Leave Act in the administration of this policy.
7. Sick Leave Usage (if applicable) - Employees hired before 1/1/12 may have an unused sick leave balance. Employees must use this balance before using PTO for illness or injury.

An employee may use accrued sick leave in the event of personal illness or injury. It may not be used for appointments, to care for dependents or spouse, or for procedures (unless the procedure results in employee's inability to return to work.)

The employee shall report illness prior to scheduled work time. If this is not possible, the employee must report the tardiness or absence within 30 minutes after the scheduled start time. Failure to do so may result in an unpaid, unexcused absence. A department may establish a more restrictive policy due to operating necessities. Employees who separate from the City shall forfeit all unused sick leave.

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- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his/her job.
- For a qualifying exigency arising out of the fact that employee's spouse, son or daughter (of any age) or parent is on active duty or call to active duty status.

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 - The City will require a medical certification to support a request for leave because of a serious health condition, and may require second and third opinions (at the City's expense) and/or a fitness for duty examination in order to return to work.
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18. Absence extending beyond FMLA expiration - The job-protected rights afforded by FMLA do not apply to leaves which continue beyond the 12-week period of entitlement.

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21. Working during Approved Medical Leave - An employee while on an authorized medical leave of absence may not obtain or engage in either part-time or full-time employment, nor engage in training or development relating to their job. Failure to abide by the terms of the approved leave will result in disciplinary action up to and including termination of employment.

OTHER LEAVE TYPES

22. Funeral Leave - Funeral leave of up to three (3) workdays per calendar year, with a maximum of 24 work hours **annually** will be granted with pay for an employee absent from work so they may travel to, make arrangements for, or attend the funeral of the following members of the employee's family: spouse, parent or guardian, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, stepmother, stepfather, stepchild, stepsister, stepbrother, or other relative living in the employee's household. Funeral leave shall also be granted for in-law relationships for mother in-law, father in-law, brother in-law and sister in-law. In all cases, bereavement leave must be approved in advance. No exceptions will be allowed to this policy.
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25. Holidays During Leave Periods - Employees will be paid holiday pay if a holiday falls within an approved leave period of 30 calendar days or less. Holidays which occur while the employee is on medical leave, workers' compensation, or PTO of more than 30 calendar days are not paid as holidays. If an employee is working partial days due to a medical absence, holidays will be prorated to reflect this.
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27. Extended Leave of Absence - All extended leaves of absence (more than seven days) must be approved by the Department Director, reviewed and approved by the Director of Human Resources, and are subject to final approval by the City Manager.
28. Military Leave - Every employee shall be entitled to military leave in accordance with state and federal laws. The City will provide affected employees with job protection and group benefits coverage in accordance with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).
29. Jury Duty - Any full-time employee called for jury duty or subpoenaed as a witness in the line of duty will be excused from work upon presentation of a court summons or subpoena to the immediate supervisor. The employee will be paid regular pay up to two weeks provided evidence is submitted from the court for the number of days served. Only the actual number of days spent in court will be counted in calculating the payment. The combination of jury duty pay and actual hours worked is not to exceed 40 hours per week unless authorized by an employee's supervisor or Department Director. Payment received from the court will not be deducted from the employee's pay. If an employee reports for jury duty or to testify as a witness on a particular day and is excused from serving that day, the employee must notify the immediate supervisor to determine if the needs of the City require the employee to work that day.
30. City of Gainesville Retirement Plan Credited Service - Credited Service is defined as worked time granted during employment periods when employees participate in one of the City's Retirement Plans. For the purposes of providing credited service for retirement benefit calculations, employees on paid leaves of absence (sick, PTO and/or short-term disability) will be granted service credit. The Department Director, Director of Human Resources, and

City Manager may approve unpaid leave period up to one year in duration for which service credit will be granted. No credited service beyond one (1) year will be granted for any employee who remains on a continuous leave of absence. When calculating total City service, leave periods beyond one year or more will not be counted as worked time.

INCLEMENT WEATHER

31. Absences Due to Hazardous Weather - The City of Gainesville will open at regularly scheduled times and will remain open as scheduled during inclement weather unless the City Manager issues an official closing statement. Unless such a statement is issued, all employees will be expected to work regularly scheduled hours.

32. Critical City Services - Certain positions require mandatory coverage because they provide critical City services. Official closing statements and inclement weather procedures do not apply to employees who provide critical City services in departments such as fire, police, utility and public works, and others. Employees in this classification should report for duty as scheduled or if unable to report, abide by established departmental procedures.

The remainder of this policy pertaining to inclement weather applies only to administrative employees or others in non-critical service positions.

33. Inclement Weather Closing

- If the City of Gainesville administrative offices will be closed for all or part of a day due to inclement weather, the City Manager will issue an official closing statement.
- If no official closing statement is issued, employees should report to work as scheduled or if unable to work, abide by established departmental procedures.

34. Inclement Weather Pay - The intent of inclement weather pay is to make the non-critical service employee “whole” for the hours that could not be worked because the City was officially closed during the employee’s scheduled shift hours.

An employee in this category who reports to work as directed on the day of late opening or early closing shall be entitled to inclement weather pay for the number of hours that could not be worked because the City was officially closed. Employees who work during official closings are not entitled to additional pay. Any hours worked in excess of scheduled hours will reduce the amount of paid inclement weather time available to that employee.

An employee in this category who arrives late or leaves early will be paid actual hours worked plus inclement weather hours for the time the City was officially closed. An employee should discuss with the supervisor options for any other scheduled hours which were missed during the City’s official opening hours. One of several options may be selected such as using accrued PTO or if no accrued leave is available, leave without pay, or the employee may make up the time lost from work at a time scheduled by the supervisor within the same work week

An employee who does not report to work due to inclement weather shall take PTO or leave without pay for the full shift.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/5/2018
Presenter: Bryan Lackey
Item of Business: BR-2018-44 Sanitary Sewer Service Annexation Policy
Meeting Date: 9/18/2018

Purpose of Request:

To clarify the policy associated with providing sanitary sewer service.

History/Background:

The City of Gainesville has a method for providing sanitary sewer service to properties outside the city limits. This policy updates these procedures.

Facts & Issues for Consideration:

Department Recommendation:

Approval of resolution describing the policy.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ BR-2018-44 Sanitary Sewer Service Annexation Policy	Resolution

RESOLUTION BR-2018-44

SANITARY SEWER SERVICE ANNEXATION POLICY

WHEREAS, the City of Gainesville (hereinafter “the City”) owns and operates a sanitary sewer collection system serving the City; and

WHEREAS, the City requires property owners who desire to connect to the sanitary sewer collection system to pursue annexation into the corporate limits of the City prior to connection, when the property to be served by the sanitary sewer collection system is contiguous to the municipal boundaries of the City; and

WHEREAS, owners of property which is not contiguous to the municipal boundaries of the City, but who desire connection to the sanitary sewer collection system, must execute two (2) documents: (1) an agreement with the City allowing said property to connect to the sanitary sewer collection system and (2) a Power of Attorney granting authority to the City to pursue annexation of said property in the event that said property becomes contiguous to the municipal boundaries of the City in the future; and

WHEREAS, in some instances, the City may desire to provide sanitary sewer service to property which is contiguous to the municipal boundaries of the City for protection of the public health and welfare of the community, despite the proposed use of said property not conforming to the City Unified Land Development Code and/or despite the proposed use of said property being inconsistent with the City Comprehensive Future Land Use Plan; and

WHEREAS, in the instances referenced in the preceding paragraph, after the property owner executes two (2) documents: (1) an agreement with the City allowing said property to connect to the sanitary sewer collection system and (2) a Power of Attorney granting authority to the City to pursue annexation of said property in the event that said property becomes contiguous to the municipal boundaries of the City in the future, the City may, after approval of the governing body of the City, allow connection to the sanitary sewer collection system.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby expresses its agreement with the policy stated herein for owners of property outside the corporate limits of the City who wish to obtain sanitary sewer service from the City.

Adopted this ____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/20/2018
Presenter: Bryan Lackey
Item of Business: PR-2018-16 2018 Edward Byrne Memorial Justice Assistance Grant
Meeting Date: 9/18/2018

Purpose of Request:

Approval to apply for and accept grant funding from the Bureau of Justice (BJA) to purchase 42 rifle plates and carriers.

History/Background:

The BJA will award grant funds up to \$12,765.00 for the purchase of Tactical rifle plates and carriers for uniformed officers.

Facts & Issues for Consideration:

The Edward Byrne Memorial Justice Assistance Grant provides local agencies with 100% grant funding to purchase supplies and equipment that may not otherwise have available funding at the local level.

Department Recommendation:

We are requesting approval to proceed with and accept this grant funding if selected.

Department Director:

Carol Martin

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ PR-2018-16 2018 Edward Byrne Memorial Justice Assistance Grant	Resolution
☐ Grant Summary	Cover Memo
☐ Budget Outline	Backup Material

RESOLUTION PR-2018-16

2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

WHEREAS, the United States Department of Justice, Bureau of Justice Assistance announced the availability of block grant funds, which may be utilized for the purchase of equipment and technology related to basic law enforcement functions; and

WHEREAS, the Bureau of Justice has awarded the City of Gainesville \$12,765.00 with no requirement of any cash match.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville authorizes the application of and receipt of said funds awarded by the Bureau of Justice Assistance; and further authorizes the City Manager of the City of Gainesville to execute all documents related to the application and acceptance of said grant.

Adopted this _____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



**CITY OF GAINESVILLE
POLICE DEPARTMENT**

Carol Martin
Chief of Police

701 Queen City Parkway, SW
Gainesville, GA 30501
Telephone: 770.534.5252
Fax: 770.535.5620
Web Site: www.gainesville.org

**2018 Edward Byrne Memorial Justice Assistance Grant
Program Narrative
Attachment 1**

The officers of the Gainesville Police Department are currently issued soft body armor, which they wear under their uniform shirts. This body armor is designed to stop small arms rounds and, in limited areas, the carrier plates can stop larger caliber bullets.

With the increase in gun violence against police officers over the past few years, the Gainesville Police Department would use funding from this grant to procure rifle plates and rifle plate carriers to be worn in high-risk situations. The plate carrier vest would attach over the top of the officer's uniform and would completely cover the officers, front and rear torso area. These plates and carriers are capable of stopping firearms rounds from large caliber weapons.

These plate carriers would be worn in addition to the soft body armor; they do not replace the soft body armor. The plate carriers would only be worn at times that there was intelligence information that the officers was dealing with a known elevated threat. A few examples, barricaded subjects, active shooters, warrant service against subjects known to have violent past.

We believe that this equipment will create a safer policing environment for our personnel, thus providing our citizens with better police services.



**CITY OF GAINESVILLE
POLICE DEPARTMENT**

Carol Martin
Chief of Police

701 Queen City Parkway, SW
Gainesville, GA 30501
Telephone: 770.534.5252
Fax: 770.535.5620
Web Site: www.gainesville.org

**2018 Edward Byrne Memorial Justice Assistance Grant
Budget and Budget Narrative
Attachment 2**

Our goal with this grant is provide first responding officers with add ballistic protection when responding to active scenes that have escalated potential for violence against officers. We currently wear soft body armor that is only designed to protect against smaller caliber weapons, like handguns. Through this grant, we hope to purchase the necessary equipment to outfit each uniform officer with rifle plates, and outer plate carrier vest. This added protection will enable our officers to work in a safer manner, while addressing threats that put the community as a whole at risk.

The necessary equipment exceeds the current police department budget. It would take several years to allocate enough funds through the police department's general budget. This grant allows our agency to purchase that equipment now.

Upon notification of the grant, the City Finance Department will establish a separate account for the grant. All activities associated with the grant must use that account number to ensure proper accountability. Outside companies, to ensure proper procedures, shall conduct periodic audits. Now, drawdowns are not anticipated. Reimbursement will be requested after payment by the city.

Upon receipt of the equipment, any additional requirements are the financial responsibility of the City of Gainesville Police Department and not any other governmental agency.

Item	Quantity	Cost
Rifle Plates and Carriers	Per unit cost \$303.93 42 Units	\$12,765.00

Total: \$12,765.00
Grant Total: \$12,765.00
Difference: \$0.00

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/5/2018
Presenter: Bryan Lackey
Item of Business: PR-2018-17 Lake Knickerbocker Dam Improvements Project
Meeting Date: 9/18/2018

Purpose of Request:

Award of construction contract to Griffin Brothers, Inc. and enter into a Professional Services Agreement with Schnabel Engineering, Inc.

History/Background:

On October 20, 2015, Gainesville City Council adopted resolution PR-2015-35 authorizing the Department of Water Resources (DWR) staff to proceed with the design phase of improvements to Lake Knickerbocker Dam with design services to be provided by Schnabel Engineering, Inc. DWR staff has obtained and evaluated proposals from prospective contractors to perform improvements to Knickerbocker Dam and obtained approval from the U.S. Army Corps of Engineers to proceed with the work.

Proposals were received on August 2, 2018 with Griffin Brothers, Inc. submitting the highest scoring proposal for this project.

Facts & Issues for Consideration:

This project will perform maintenance work on Knickerbocker Dam including removal of trees, installation of rip-rap, installation of a bar-screen on the spillway and repair of the existing drain structure.

Department Recommendation:

Authorize staff by resolution to award the construction contract to Griffin Brothers, Inc. for construction of the Lake Knickerbocker Dam Improvements Project and enter into an Agreement for Professional Services with Schnabel Engineering, Inc. for construction phase services.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

Amount Requested:

\$3,074,107.00

Source of Funds:

Department of Water Resources Capital Projects Fund

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
PR-2018-17 Lake Knickerbocker Dam Improvements Project	Resolution
Lake Knickerbocker Dam Improvements CIP Summary	Attachments/Exhibits
Lake Knickerbocker Dam Improvements Presentation	Powerpoint Presentation

RESOLUTION PR-2018-17

LAKE KNICKERBOCKER DAM IMPROVEMENTS

WHEREAS, the City of Gainesville operates and maintains Lake Knickerbocker Dam; and

WHEREAS, the Department of Water Resources (DWR) has identified maintenance items to be performed on the existing Lake Knickerbocker Dam; and

WHEREAS, the governing body in its regular meeting on October 20, 2015, adopted Resolution PR-2015-35 authorizing DWR staff to proceed with design of these identified maintenance items with design services provided by Schnabel Engineering, Inc.; and

WHEREAS, design of the Lake Knickerbocker Dam Improvements project was completed and proposals were received from prospective contractors on August 2, 2018; and

WHEREAS, Griffin Brothers, Inc. submitted the highest scoring proposal for construction of the Lake Knickerbocker Dam Improvements project; and

WHEREAS, DWR staff and Schnabel Engineering, Inc. has reviewed and evaluated the submitted proposals and recommends the construction contract be awarded to Griffin Brothers, Inc.; and

WHEREAS, Schnabel Engineering, Inc. has provided a proposal and scope of services on August 27, 2018 to perform construction phase services and inspections for the construction of the Lake Knickerbocker Dam Improvements project; and

WHEREAS, DWR staff has reviewed the proposal from Schnabel Engineering, Inc. and recommends entering into an Agreement for Professional Services.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes award of construction contract to Griffin Brothers, Inc. and authorizes staff to enter into an Agreement for Professional Services with Schnabel Engineering, Inc. for construction phase services.

BE IT FURTHER RESOLVED THAT the total authorized expenditure shall not exceed \$3,074,107.00, including contingency, legal fees, consultant fees, staff time, and other project costs. Said expenditure shall be from the Department of Water Resources Capital Projects Fund and/or other funding sources as required.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager and City Attorney to sign applicable documents that may be necessary to complete this project.

Adopted this _____ day of _____, 2018.

RESOLUTION PR-2018-17

LAKE KNICKERBOCKER DAM IMPROVEMENTS

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

DEPT OF WATER RESOURCES

CAPITAL IMPROVEMENTS PROJECT SUMMARY REQUEST

PROJECT NAME:		Lake Knickerbocker Dam Improvements	
PROJECT NUMBER:		18821	PROJECT DEPARTMENT Water Resources
RESOLUTION NUMBER:		PR-2018-17	LOCATION: 4970.00
PROJECT MANAGER:		Myron Bennett	
CHECK ONE: NEW PROJECT:		ADDITIONAL FUNDING _____ X _____	

CODE		ACCOUNT NUMBER	AMOUNT REQUEST
SWB - CITY PROVIDED PROJECT MANAGEMENT			
1100	Salaries and Wages	511100.XXX to 511150.XXX	\$25,000.00
1101	Overtime Earnings	511300.XXX to 511350.XXX	
1110	Health and Life Insurance Premiums	512100.000	
1140	Social Security and Medicare Expense	512200.000	
1171	Retirement Contribution - Plan A	512400.001	
	SUBTOTAL		\$25,000.00
PDD - PROJECT DEVELOPMENT & DESIGN			
8101	Project Development	541000.001	
8102	Facility Design/Bidding Service	541000.002	
8103	Geotechnical	541000.003	
8104	Laboratory	541000.004	
8105	Survey	541000.005	
8106	Other	541000.011	
8107	Legal Services	541000.006	
	SUBTOTAL		\$0.00
LAND - LAND/EASEMENT ACQUISITION			
8201	Survey	541100.003	
8202	Legal Services	541100.004	
8203	Land Agent Services	541100.005	
8204	Land Purchase	541100.001	
8205	Easement Acquisition	541100.002	
	SUBTOTAL		\$0.00
CON - CONSTRUCTION			
8301	Construction Admin. Services	541000.007	\$195,000.00
8302	Resident Inspection Services	541000.008	
8303	Legal Services	541000.006	\$5,000.00
8304	Contracted Construction Cost	541000.009	\$2,590,097.95
8305	City-Furnished Materials	541000.010	
8306	Other	541000.011	\$259,009.05
8308	Furnishings and Equipment (Taggable Assets)	531600.002	
	SUBTOTAL		\$3,049,107.00
MEQ - MACHINERY AND EQUIPMENT			
2000	Equipment	542000.000	
2200	Vehicles	542200.000	
	SUBTOTAL		\$0.00
INT - INTANGIBLES			

5431	Master Plans & Studies	543000.001	
5432	Software	543000.002	
5433	Other	543000.003	
	SUBTOTAL		\$0.00
RMT - REPAIRS AND MAINTENANCE			
5201	Annual Maintenance Contracts	522200.001	
5202	General Repairs and Maintenance	522200.002	
5203	Equipment Repairs	522200.003	
5204	Vehicles	522200.004	
5205	Tires	522200.005	
5206	Streets	522200.006	
5207	Sidewalks	522200.007	
5208	Bridges	522200.008	
5209	Stormwater	522200.009	
	SUBTOTAL		\$0.00
	TOTAL		\$3,074,107.00

Department of Water Resources

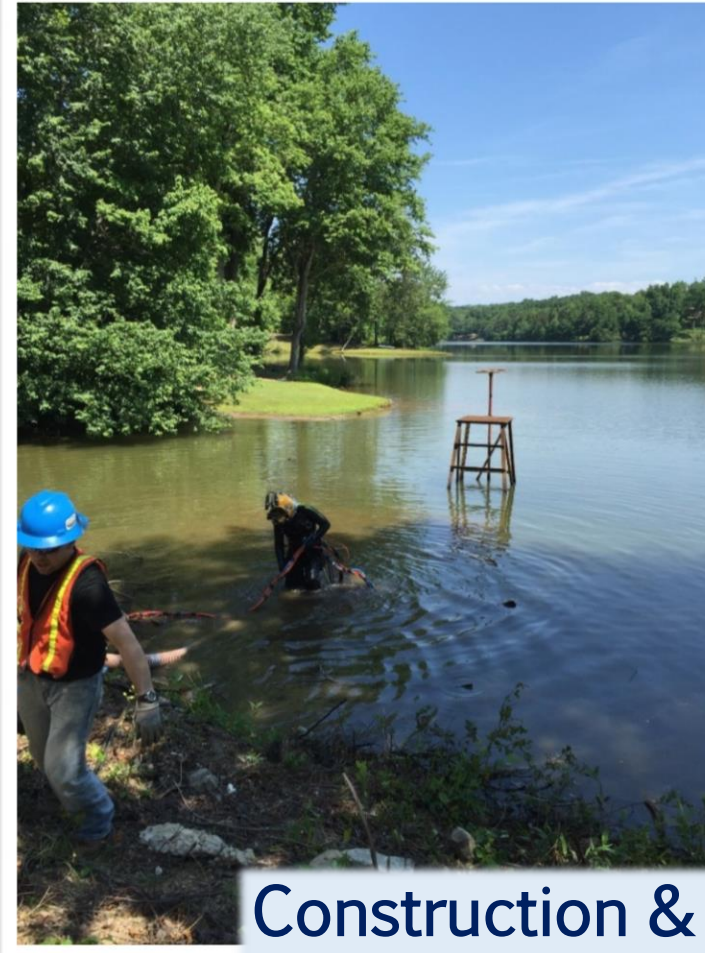


Lake Knickerbocker Dam Improvements

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Lake Knickerbocker Dam Improvements



**Construction &
Inspection Services**

- Total Cost = \$3,074,107

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/27/2018
Presenter: Bryan Lackey
Item of Business: PR-2018-18 Renovation of the Chattahoochee Golf Clubhouse Project
Meeting Date: 9/18/2018

Purpose of Request:

Award of Construction Contract to Hartley Construction Company, Inc.

History/Background:

The City of Gainesville is engaged in renovating the Chattahoochee Golf Course Clubhouse to modernize and update the dining room and kitchen areas.

Facts & Issues for Consideration:

Staff has evaluated four Bids which were received for the renovation project and recommends award of construction contract to Hartley Construction Company, Inc.

Department Recommendation:

Authorize staff by resolution to award the construction contract to Hartley Construction Company, Inc.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

Amount Requested:	Source of Funds:
\$314,350.00	GL 595.6135.00.541300.000.30000.CON.8304

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ PR-2018-18 Renovation of the Chattahoochee Golf Clubhouse Project	Resolution
☐ Renovation of the Chattahoochee Golf Clubhouse CIP Summary	Attachments/Exhibits
☐ Renovation of the Chattahoochee Golf Clubhouse Presentation	Presentation

RESOLUTION PR-2018-18

RENOVATION OF THE CHATTAHOOCHEE GOLF CLUBHOUSE PROJECT

WHEREAS, the City of Gainesville is engaged in renovating the Chattahoochee Golf Clubhouse to modernize and update the dining room and kitchen areas; and

WHEREAS, bids from contractors were received on August 16, 2018; and

WHEREAS, the lowest responsive bid was submitted by Hartley Construction Company, Inc; and

WHEREAS, staff has reviewed and evaluated the bid from Hartley Construction Company, Inc. and in a letter dated August 27, 2018 recommends the construction contract be awarded to Hartley Construction Company, Inc.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes award of the construction contract to Hartley Construction Company, Inc. for the Renovation of the Chattahoochee Golf Clubhouse Project.

BE IT FURTHER RESOLVED THAT the total authorized expenditure shall not exceed \$314,350.00 and that said expenditure shall be from the Golf Fund (595), project number 3000, General Ledger account 595.6135.00.541300.000.30000.CON.8304. The estimated project construction time is 120 calendar days from the date of notice to proceed.

BE IT FURTHER RESOLVED THAT the City of Gainesville Mayor, City Manager and City Attorney are authorized to sign such documents that may be necessary to complete this project.

Adopted this _____ **day of** _____, **2018.**

C. Danny Dunagan, Jr. Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

DEPT OF WATER RESOURCES

CAPITAL IMPROVEMENTS PROJECT SUMMARY REQUEST

PROJECT NAME:		Renovation of the Chattahoochee Golf Clubhouse Project	
PROJECT NUMBER:		3000	PROJECT DEPARTMENT Golf Course
RESOLUTION NUMBER:		PR-2018-18	LOCATION:
PROJECT MANAGER:		Barclay Fouts	
CHECK ONE: NEW PROJECT:		ADDITIONAL FUNDING ☒ X	

CODE		ACCOUNT NUMBER	AMOUNT REQUEST
SWB - CITY PROVIDED PROJECT MANAGEMENT			
1100	Salaries and Wages	511100.XXX to 511150.XXX	\$7,500.00
1101	Overtime Earnings	511300.XXX to 511350.XXX	
1110	Health and Life Insurance Premiums	512100.000	
1140	Social Security and Medicare Expense	512200.000	
1171	Retirement Contribution - Plan A	512400.001	
	SUBTOTAL		\$7,500.00
PDD - PROJECT DEVELOPMENT & DESIGN			
8101	Project Development	541000.001	
8102	Facility Design/Bidding Service	541000.002	
8103	Geotechnical	541000.003	
8104	Laboratory	541000.004	
8105	Survey	541000.005	
8106	Other	541000.011	
8107	Legal Services	541000.006	
	SUBTOTAL		\$0.00
LAND - LAND/EASEMENT ACQUISITION			
8201	Survey	541100.003	
8202	Legal Services	541100.004	
8203	Land Agent Services	541100.005	
8204	Land Purchase	541100.001	
8205	Easement Acquisition	541100.002	
	SUBTOTAL		\$0.00
CON - CONSTRUCTION			
8301	Construction Admin. Services	541000.007	\$4,500.00
8302	Resident Inspection Services	541000.008	
8303	Legal Services	541000.006	\$2,500.00
8304	Contracted Construction Cost	541000.009	\$299,850.00
8305	City-Furnished Materials	541000.010	
8306	Other	541000.011	
8308	Furnishings and Equipment (Taggable Assets)	531600.002	
	SUBTOTAL		\$306,850.00
MEQ - MACHINERY AND EQUIPMENT			
2000	Equipment	542000.000	
2200	Vehicles	542200.000	
	SUBTOTAL		\$0.00
INT - INTANGIBLES			

5431	Master Plans & Studies	543000.001	
5432	Software	543000.002	
5433	Other	543000.003	
	SUBTOTAL		\$0.00
RMT - REPAIRS AND MAINTENANCE			
5201	Annual Maintenance Contracts	522200.001	
5202	General Repairs and Maintenance	522200.002	
5203	Equipment Repairs	522200.003	
5204	Vehicles	522200.004	
5205	Tires	522200.005	
5206	Streets	522200.006	
5207	Sidewalks	522200.007	
5208	Bridges	522200.008	
5209	Stormwater	522200.009	
	SUBTOTAL		\$0.00
	TOTAL		\$314,350.00

Department of Water Resources



Renovation of the Chattahoochee Golf Clubhouse Project

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Renovation of the Chattahoochee Golf Clubhouse Project



Construction & Inspection Services

- Total Cost = \$314,350



CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/4/2018

Presenter: Bryan Lackey

Item of Business: PR-2018-19 Riverside Drive Water Treatment Plant Solids Dewatering Upgrade Project

Meeting Date: 9/18/2018

Purpose of Request:

Award of construction contract to M.B. Kahn Construction Company, Inc and enter into a Professional Services Agreement with Hazen and Sawyer.

History/Background:

The Riverside Drive Water Treatment Plant Dewatering Facility has existing equipment that has reached the end of its useful life and requires replacement in order to properly remove and dewater sludge during the drinking water purification process. Department of Water Resources (DWR) staff recommends the replacement of two (2) sludge presses and upgrades to the existing ancillary equipment that are a part of the sludge dewatering operations.

Facts & Issues for Consideration:

DWR staff received construction bids on July 12, 2018 with M.B. Kahn Construction Company, Inc. submitting the lowest responsive bid. DWR staff has also received a proposal from Hazen and Sawyer to perform construction phase services for this project.

Department Recommendation:

Authorize staff by resolution to award the construction contract to M.B. Kahn Construction Company, Inc. for the construction of the Riverside Drive Water Treatment Plant Solids Dewatering Facility Upgrade Project and enter into an Agreement for Professional Services with Hazen and Sawyer for construction phase services.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

Amount Requested:

\$2,150,000.00

Source of Funds:

Department of Water Resources Capital Projects Fund

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description		Type
	PR-2018-19 Riverside Drive Water Treatment Plant Solids Dewatering Facility Upgrade	Resolution
	Riverside Drive WTP Dewatering Const CIP	Attachments/Exhibits
	Riverside Drive WTP Dewatering Const Presentation	Presentation

RESOLUTION PR-2018-19

Riverside Drive Water Treatment Plant Solids Dewatering Facility Upgrade

WHEREAS, the City of Gainesville owns and operates a water treatment and distribution system that serves the City of Gainesville and portions of Hall County; and

WHEREAS, the Riverside Drive Water Treatment Plant (WTP) Solids Dewatering Facility is an essential component of this system; and

WHEREAS, to maintain this facility in working order, the Department of Water Resources (DWR) staff has determined that components of the Dewatering Facility are in need of repair, replacement and improvement; and

WHEREAS, resolution PR-2016-53 authorized staff and Hazen and Sawyer to proceed with the design and bidding of the Riverside WTP Solids Dewatering Facility Upgrades; and

WHEREAS, the design of the Solids Dewatering Facility Upgrades was completed and proposals from construction contractors were received on July 12, 2018; and

WHEREAS, the lowest responsive bid for the Solids Dewatering Facility Upgrades project was submitted by M.B. Kahn Construction Company, Inc.; and

WHEREAS, DWR staff and Hazen & Sawyer has evaluated the bids and recommends the construction contract be awarded to M.B. Kahn Construction Company, Inc.; and

WHEREAS, Hazen and Sawyer has provided a proposal and scope of services on July 5, 2018 to perform construction phase services, assist with reviewing submittals and perform inspections for the construction of the Riverside Drive WTP Solids Dewatering Facility Upgrades project; and

WHEREAS, DWR staff has reviewed the proposal from Hazen and Sawyer and recommends entering into an Agreement for Professional Services.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes award of the construction contract to M.B. Kahn Construction Company, Inc.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes staff to enter into an Agreement for Professional Services with Hazen and Sawyer for construction phase services.

BE IT FURTHER RESOLVED THAT the total authorized expenditure shall not exceed \$2,150,000.00, including contingency, legal fees, consultant fees, staff time and other project costs. The said expenditure shall be from the Department of Water Resources Capital Projects Fund and/or other funding sources as required.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager and/or City Attorney to sign applicable documents that may be necessary to complete this project.

RESOLUTION PR-2018-19

Riverside Drive Water Treatment Plant Solids Dewatering Facility Upgrade

Adopted this _____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

DEPT OF WATER RESOURCES

CAPITAL IMPROVEMENTS PROJECT SUMMARY REQUEST

PROJECT NAME:	Riverside Drive Water Treatment Plant Solids Dewatering Upgrade		
PROJECT NUMBER:	308.18901.	PROJECT DEPARTMENT	
RESOLUTION NUMBER:	PR-2018-19	LOCATION:	4430.07
PROJECT MANAGER:	Jason Perry		
CHECK ONE: NEW PROJECT:		ADDITIONAL FUNDING	X

CODE		ACCOUNT NUMBER	AMOUNT REQUEST
SWB - CITY PROVIDED PROJECT MANAGEMENT			
1100	Salaries and Wages	511100.XXX to 511150.XXX	\$60,000.00
1101	Overtime Earnings	511300.XXX to 511350.XXX	
1110	Health and Life Insurance Premiums	512100.000	
1140	Social Security and Medicare Expense	512200.000	
1171	Retirement Contribution - Plan A	512400.001	
	SUBTOTAL		\$60,000.00
PDD - PROJECT DEVELOPMENT & DESIGN			
8101	Project Development	541000.001	
8102	Facility Design/Bidding Service	541000.002	
8103	Geotechnical	541000.003	
8104	Laboratory	541000.004	
8105	Survey	541000.005	
8106	Other	541000.011	
8107	Legal Services	541000.006	
	SUBTOTAL		\$0.00
LAND - LAND/EASEMENT ACQUISITION			
8201	Survey	541100.003	
8202	Legal Services	541100.004	
8203	Land Agent Services	541100.005	
8204	Land Purchase	541100.001	
8205	Easement Acquisition	541100.002	
	SUBTOTAL		\$0.00
CON - CONSTRUCTION			
8301	Construction Admin. Services	541000.007	\$140,327.00
8302	Resident Inspection Services	541000.008	
8303	Legal Services	541000.006	\$5,500.00
8304	Contracted Construction Cost	541000.009	\$1,942,270.00
8305	City-Furnished Materials	541000.010	
8306	Other	541000.011	\$1,903.00
8308	Furnishings and Equipment (Taggable Assets)	531600.002	
	SUBTOTAL		\$2,090,000.00
MEQ - MACHINERY AND EQUIPMENT			
2000	Equipment	542000.000	
2200	Vehicles	542200.000	
	SUBTOTAL		\$0.00
INT - INTANGIBLES			

5431	Master Plans & Studies	543000.001	
5432	Software	543000.002	
5433	Other	543000.003	
	SUBTOTAL		\$0.00
RMT - REPAIRS AND MAINTENANCE			
5201	Annual Maintenance Contracts	522200.001	
5202	General Repairs and Maintenance	522200.002	
5203	Equipment Repairs	522200.003	
5204	Vehicles	522200.004	
5205	Tires	522200.005	
5206	Streets	522200.006	
5207	Sidewalks	522200.007	
5208	Bridges	522200.008	
5209	Stormwater	522200.009	
	SUBTOTAL		\$0.00
	TOTAL		\$2,150,000.00



Department of Water Resources

Riverside Water Treatment Plant Solids Dewatering Facility Upgrade

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Riverside Water Treatment Plant Solids Dewatering Facility Upgrade



Construction & Inspection Services

- Total Cost = \$2,150,000

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/5/2018
Presenter: Bryan Lackey
Item of Business: PR-2018-20 Water Resources Data Management

Meeting Date: 9/18/2018

Purpose of Request:

Authorize DWR to enter into Professional Services Agreement(s) for data management.

History/Background:

DWR has a significant amount and variety of data and DWR is required to make various reports to meet permit and regulatory requirements.

Facts & Issues for Consideration:

The management and integration of data will improve operations efficiency and communications.

Department Recommendation:

Authorize staff by resolution to award one or more Professional Services Agreement(s).

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

Amount Requested:

\$300,000.00

Source of Funds:

Department of Water Resources Capital Projects Fund

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
 PR-2018-20 Water Resources Data Management	Resolution
 DWR Data Management CIP Summary	Attachments/Exhibits

RESOLUTION PR-2018-20

DEPARTMENT OF WATER RESOURCES DATA MANAGEMENT

WHEREAS, the City of Gainesville owns and operates a water and wastewater system that serves a large portion of Hall County; and

WHEREAS, the Department of Water Resources maintains billing and financial systems; and

WHEREAS, the Department of Water Resources executes a Capital Plan to maintain the assets of the water and wastewater system; and

WHEREAS, the Department of Water Resources collects, maintains, and manages a significant amount and variety of data; and is required to make various reports to meet permit and regulatory requirements; and

WHEREAS, the management and integration of data into a consolidated information base can improve the organization of the data, compliance reporting, planning, resource management, communications, emergency response and public information resulting in better information with which to guide operational efficiency and to ensure transparent communications; and

WHEREAS, the Department of Water Resources staff recommends entering into one or more Agreement(s) for Professional Services to assist with this effort.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes staff to enter into Agreement(s) for Professional Services for Data Management.

BE IT FURTHER RESOLVED THAT the total authorized expenditure shall not exceed \$300,000.00 and that said expenditure shall be from the Department of Water Resources Capital Projects Fund.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager and/or City Attorney to sign applicable documents that may be necessary to complete this project.

Adopted this _____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

DEPT OF WATER RESOURCES

CAPITAL IMPROVEMENTS PROJECT SUMMARY REQUEST

PROJECT NAME: DWR Data Management			
PROJECT NUMBER: _____		PROJECT DEPARTMENT Water Resources	
RESOLUTION NUMBER: PR-2018-20		LOCATION: 4985.00	
PROJECT MANAGER: Myron Bennett			
CHECK ONE: NEW PROJECT: ☒ ADDITIONAL FUNDING _____			

CODE		ACCOUNT NUMBER	AMOUNT REQUEST
SWB - CITY PROVIDED PROJECT MANAGEMENT			
1100	Salaries and Wages	511100.XXX to 511150.XXX	
1101	Overtime Earnings	511300.XXX to 511350.XXX	
1110	Health and Life Insurance Premiums	512100.000	
1140	Social Security and Medicare Expense	512200.000	
1171	Retirement Contribution - Plan A	512400.001	
	SUBTOTAL		\$0.00
PDD - PROJECT DEVELOPMENT & DESIGN			
8101	Project Development	541000.001	
8102	Facility Design/Bidding Service	541000.002	
8103	Geotechnical	541000.003	
8104	Laboratory	541000.004	
8105	Survey	541000.005	
8106	Other	541000.011	
8107	Legal Services	541000.006	
	SUBTOTAL		\$0.00
LAND - LAND/EASEMENT ACQUISITION			
8201	Survey	541100.003	
8202	Legal Services	541100.004	
8203	Land Agent Services	541100.005	
8204	Land Purchase	541100.001	
8205	Easement Acquisition	541100.002	
	SUBTOTAL		\$0.00
CON - CONSTRUCTION			
8301	Construction Admin. Services	541000.007	
8302	Resident Inspection Services	541000.008	
8303	Legal Services	541000.006	
8304	Contracted Construction Cost	541000.009	
8305	City-Furnished Materials	541000.010	
8306	Other	541000.011	
8308	Furnishings and Equipment (Taggable Assets)	531600.002	
	SUBTOTAL		\$0.00
MEQ - MACHINERY AND EQUIPMENT			
2000	Equipment	542000.000	
2200	Vehicles	542200.000	
	SUBTOTAL		\$0.00
INT - INTANGIBLES			

5431	Master Plans & Studies	543000.001	\$300,000.00
5432	Software	543000.002	
5433	Other	543000.003	
	SUBTOTAL		\$300,000.00
RMT - REPAIRS AND MAINTENANCE			
5201	Annual Maintenance Contracts	522200.001	
5202	General Repairs and Maintenance	522200.002	
5203	Equipment Repairs	522200.003	
5204	Vehicles	522200.004	
5205	Tires	522200.005	
5206	Streets	522200.006	
5207	Sidewalks	522200.007	
5208	Bridges	522200.008	
5209	Stormwater	522200.009	
	SUBTOTAL		\$0.00
	TOTAL		\$300,000.00

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/14/2018

Presenter: Angela Sheppard

Item of Business: **Ordinance No. 2018-17**
Amend Chapter 6-4 entitled "Alcoholic Beverages"

AN ORDINANCE TO DELETE CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA IN ITS ENTIRETY; TO ENACT A NEW CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES; TO REGULATE THE SALE, LICENSING, AND CONSUMPTION OF THE SALE OF ALCOHOLIC BEVERAGES TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Meeting Date: 9/18/2018

Purpose of Request:

To amend the alcoholic beverage ordinance.

History/Background:

Facts & Issues for Consideration:

The Ordinance is being amendment to address Distilleries, Sample/Drink sizes and Temporary Limited Licenses.

Department Recommendation:

Approval of the Ordinance No 2018-17.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

- Ordinance No. 2018-17 Amend Chapter 6-4 Alcoholic Beverages
- Ordinance Amendment - Marked Up Version

Ordinance
Backup Material

Passed: _____

AN ORDINANCE

No. 2018-

AN ORDINANCE TO DELETE CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA IN ITS ENTIRETY; TO ENACT A NEW CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES; TO REGULATE THE SALE, LICENSING, AND CONSUMPTION OF THE SALE OF ALCOHOLIC BEVERAGES TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Sections 6-4-1 through 6-4-117 of Chapter 6-4 of the Code of the City of Gainesville, Georgia are hereby deleted in their entirety.

SECTION II.

Chapter 6-4 of the Code of the City of Gainesville Georgia is hereby enacted and shall read as follows:

ARTICLE 1. PURPOSE AND LICENSING

Sec. 6-4-1. General Policies and Purpose.

- (a) Alcoholic beverages may be sold, manufactured, distributed and imported in the City of Gainesville only after the issuance of a license for such sale by the City and only in the manner permitted by said license, unless exempted by state law. Alcoholic beverages may be sold, manufactured, distributed and imported in the City only by a licensee who complies with the rules and regulations of this Ordinance, and with the licensing, regulatory and revenue requirements of the State of Georgia.
- (b) Notwithstanding anything in this chapter to the contrary, the sale of alcoholic beverages in the city is a privilege and not a right, and the issuance of a license hereunder shall not create any property rights in the licensee.
- (c) The city council designates the city manager for the purpose of administering this chapter. Any powers granted to or duties imposed upon the city manager may be delegated by the city manager to other city personnel. The city manager or designee shall be responsible for the interpretation of the requirements,

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standards, definitions, or any other provision of this chapter, unless that authority is provided to another administrative official within a specific article. Interpretations of the city manager or designee may be appealed under the provisions of section 6-4-11. The city manager or designee shall have administrative authority of this code.

- (d) Each licensee of the City shall display the license prominently at all times at the premises for which the license is issued.
- (e) The holder of every alcoholic beverage license hereunder shall have available in his place of business at all times a copy of this chapter and shall be responsible for compliance herewith by all persons on the premises.
- (f) Any premises outlets which cannot be determined as one (1) identifiable place of business shall require additional licenses regardless of such establishments having the same tradename, ownership, or management.
- (g) The purposes of this Ordinance include but are not limited to the following:
 - 1. Compliance with state law.
 - 2. Prevention and control of the sale of alcoholic beverages by unfit persons.
 - 3. Protection of the public health, safety, and general welfare.

Sec. 6-4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Alcoholic beverage* means any beverage containing alcohol and shall include but shall not be limited to, malt beverages, wines and distilled spirits.
- (b) *Alcoholic beverage caterer* means any retail dealer who has been licensed by the city to sell alcoholic beverages by the drink or the unopened package.
- (c) *Art Shop* means a retail business devoted exclusively to providing art education that is limited to instruction in painting, sculpture and similar crafts. An art shop may also sell and display portraits, paintings, sculptures, art supplies and similar art work and crafts. An art shop shall not allow activities that would cause the business to be an "adult entertainment establishment" as defined in Chapter 6-10 of this Code.
- (d) *Authorized catered event* means an event at a location not otherwise licensed for consumption of alcoholic beverages by the drink at which alcoholic beverages are furnished, for consideration, and sold, dispensed or provided free of charge to persons present at the event, by the drink, pursuant to a permit obtained under this section.

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- (e) *Business* means any person, corporation, partnership, or other legal entity which exerts substantial efforts within the city, engages in, causes to be engaged in, and/or represents or holds out to the public to be engaged in any occupation or activity with the object of gain or benefit, either directly or indirectly.
- (f) *Brewery* means a place where malt beverages are manufactured. In addition to manufacturing, malt beverages may be sold for consumption on the premises, and/or sold by the package for consumption off the premises in accordance with State law.
- (g) *Brewpub* means any restaurant in which malt beverages are manufactured, subject to the barrel production limitation prescribed in O.C.G.A § 3-5-36. Barrels of malt beverage sold to licensed wholesale dealers for distribution or to the public for consumption off the premises as authorized by State law shall not be used when determining the total annual gross food and beverages sales.
- (h) *BYOB* or *brown bagging* means possession of an open glass bottle, can, or other container containing an alcoholic beverage or consumption of an alcoholic beverage on premises:
 - 1. For which a city business/occupation tax certificate has been issued; and
 - 2. Which occurs at a location different from where said alcoholic beverage was purchased.
- (i) *Church* means a body of communicants gathered into church order: united under one (1) form of government by the profession of the same faith and the observance of the same ritual and ceremonies, place where persons regularly assemble in a facility for worship, congregation, or organization for religious purposes.
- (j) *College Campus* means a collection of two or more buildings used for educational purposes, on either one parcel or contiguous parcels that are under the same ownership by either a public or private institution of higher learning.
- (k) *Distilled spirits* means any alcoholic beverage obtained by distillation or containing more than twenty-four (24) percent alcohol by volume.
- (l) *Distillery* means a facility that manufactures distilled spirits.
- (m) *Establishment* means any physical location or section thereof for the operation of a business.
- (n) *Food caterer* means any person who holds a valid business license and for consideration, prepares food for consumption off the premises.
- (o) *Fortified wine* means any alcoholic beverage containing not more than twenty-four (24) percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentations with brandy added. The term includes, but is not limited to "brandy."
- (p) *Georgia Farm Winery* means a farm winery which is licensed by the state to manufacture wine in Georgia.
- (q) *Growler* means a reusable, resealable, and professionally sanitized glass jug used to transport malt beverages or wine for off-premises consumption that is not to exceed 64 ounces and is filled with malt beverages or wine from a keg by a licensee, or an employee of a licensee, with a malt beverage and/or wine license for consumption off premises issued by the City of Gainesville.

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- (r) *Hard cider* means an alcoholic beverage obtained by the fermentation of the juice of apples, containing not more than six (6) percent alcohol by volume, including, but not limited to flavored or carbonated cider. For purposes of this chapter, hard cider shall be deemed a malt beverage.
- (s) *Importer* means any person who imports an alcoholic beverage into this state from a foreign country and sells the alcoholic beverage to another importer, broker or wholesaler and who warehouses a stock of the alcoholic beverage.
- (t) *Licensed alcoholic beverage caterer* means any person licensed for the sale of alcoholic beverages by the state and who possesses a license by a local government in the state authorizing such person to sell or dispense alcoholic beverages by the drink off licensed premises and in connection with an authorized catered function.
- (u) *Licensee* means any person who holds a license from the city to engage in the selling, manufacturing, distributing or importing at retail or wholesale, of any alcoholic beverages.
- (v) *Lounge* means a separate room connected with a part of and adjacent to a restaurant with all booths, stools and tables being unobstructed and open to view. All lounges shall be air conditioned and have a seating capacity of at least forty (40).
- (w) *Malt beverage* means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing not more than fourteen (14) percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer and strong beer. The term does not include sake, also known as Japanese rice wine.
- (x) *Managing Agent* means an individual that is at least twenty-one (21) years of age, is a U.S. citizen or an alien lawfully admitted for permanent residency, is a resident of the State of Georgia, has day-to-day managerial authority over the business conducted on the licensed premises including the sale of alcoholic beverages, and is employed full-time by the licensed business.
- (y) *Manufacturer* means any maker, producer or bottler of an alcoholic beverage. The term also means:
 - 1. In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits; provided, however, that a vintner that blends wine with distilled spirits to produce a fortified wine shall not be considered a manufacturer of distilled spirits;
 - 2. In the case of malt beverages, any brewer; and
 - 3. In the case of wine, any vintner
- (z) *Minor* means any person less than twenty-one (21) years of age.
- (aa) *Multi-use facility* means a structure containing three or more retail or office establishments and one or more eating establishment, which has a court area for pedestrian use.
- (bb) *Non-profit, charitable and civic organization* means a bona fide nonprofit civic organization which is exempt from federal income tax pursuant to the provisions of subsection (c), (d), or (e) of 26 U.S.C. Section 501.

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- (cc) *Nonprofit botanical garden or nature science center* means a facility primarily used to develop and maintain animals or plant collections, including flowers, shrubs and trees, for public display, education, research, conservation and enjoyment, through, without limitation, horticultural gardens, public and private programs, exhibitions and special events, having not less than 75 acres of outdoor gardens or land preserved for conservation, containing a documented collection of living plants, shrubs and trees, having meeting event space with a capacity for not less than 100 people, that is owned by a corporation that is exempt from federal income taxes pursuant to section 501(c) of the Internal Revenue Code, as amended.
- (dd) *Open air café* means a premise located within the pedestrian court area and adjacent sidewalk of a multi-use facility where food is available for purchase during all hours of operation and where alcoholic beverages may be purchased from a restaurant contained within the multi-use facility for consumption within the open air café.
- (ee) *Person* means any individual, firm, partnership, cooperative, nonprofit membership corporation, social club, joint venture, association, company, corporation, limited liability company, limited liability partnerships, agency, syndicate, estate, trust, business trust, receiver, fiduciary or other group or combination acting as a unit, body politic or political subdivision, the plural as well as the singular member, whether public, private or quasi-public.
- (ff) *Premises* means one physically identifiable place of business operated by the same ownership and/or overall management consisting of one or more contiguous rooms with only one address registered as a single place of business with the local licensing authority and the state. "Premises" is further defined to include the following areas:
1. In the case of hotels, motels or private clubs, the swimming pool which is owned by said hotel, motel or club.
 2. Outdoor areas or patios approved pursuant to this chapter.
 3. In the case of a malt beverage and/or wine licensee where a golf course is located adjacent to and contiguous with a restaurant, the playing area of the golf course.
 4. In the case of a nonprofit botanical garden or nature science center, the geographic grounds.
 5. In the case of an open air café, the pedestrian court area and sidewalk in front of the building in which the multi-use facility is contained.
 6. In the case of the Gainesville Civic Center, the geographic grounds of the Gainesville Civic Center and the Martha Hope Cabin.
 7. In the case of a brewery or distillery, an adjacent outdoor area, contained on the same property utilized by the licensee. If the adjacent outdoor area is a parking lot that is shared and utilized by more than one business, the outdoor consumption area must be controlled to limit public access.
 8. In the case of a temporary limited license permit holder, the sidewalk café, deck, lawn and parking lot adjacent to the licensed premises during the hours for which the temporary limited

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license is valid. In the case of a parking lot that is shared and utilized by more than one business, the outdoor consumption area must be controlled to limit public access.

(gg) *Private club* means any nonprofit association organized under the laws of this state which:

1. Has been in existence at least one (1) year prior to the filing of its application for a license to be issued pursuant to this chapter;
2. Has at least seventy-five (75) regular dues-paying members;
3. Owns, hires or leases a building or space within a building for the reasonable use of its members, which building or space:
 - i. Has suitable kitchen and dining room space and equipment; and
 - ii. Is staffed with a sufficient number of employees for cooking, preparing and serving meals for its members and guests; and
4. Has no member, officer, agent or employee directly or indirectly receiving, in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond a fixed salary as defined by state law.

(hh) *Private function* means any affair where attendance is by invitation only, where no business transactions are conducted during the private function and there is no cost to attend or to consume the food or alcohol either by donations or by any other means.

(ii) *Residence* means the act or fact of living or regularly staying at or in some place for the discharge of a duty or the enjoyment of a benefit or the place where one actually lives as distinguished from his domicile or place of temporary sojourn.

(jj) *Resident* means a person whose primary residence is within the territorial limits of the county.

(kk) *Restaurant* means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment, air conditioned, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests for every hour they are open. At least one (1) meal per day shall be served at least five (5) days a week, except that restaurants that open for business more than five (5) days a week, shall be required to serve at least one (1) meal per day each day that the restaurant is open, with the exception of holidays, vacation and periods of redecoration, and the serving of such meals shall be the principal business conducted, with the serving of alcoholic beverages to be consumed on the premises as only incidental thereto. A restaurant shall provide at least thirty (30) seats for customers.

(ll) *School* means an organized source of education or training whether public or private for the teaching of children in which the traditional subjects and learning processes associated with the Pre-K - 12 grades of school are taught.

(mm) *Tasting room* means an outlet for the promotion of a Georgia Farm Winery's wine by providing samples of such wine to the public and for the sale of such wine at retail for consumption on the premises and for

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sale in closed packages for consumption off the premises. Samples of wine can be given free of charge or for a fee.

- (nn) *Wholesaler or Wholesale Dealer* means any person who sells alcoholic beverages to other wholesale dealers, to retail dealers, or to retail consumption dealers. This shall include any person that transports or delivers alcoholic beverages from a manufacturer for sale at retail by the package.
- (oo) *Wine tasting* means an event as defined in the rules and regulations of the department of revenue.
- (pp) *Wine* means any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing process when it conforms to the definition of wine contained in this section.

Sec. 6-4-3. Qualifications for Licensing.

- (a) To qualify for an alcoholic beverage license, an applicant shall meet the following:
 - 1. Designate a managing agent that meets the defined qualifications in Section 6-4-2. In the case of a non-profit private club, the managing agent may be an officer of the non-profit private club in lieu of a full-time employee if the individual is otherwise qualified.
 - 2. All licensed establishments must have and continuously maintain in Hall County a registered agent upon whom any process, notice or demand required or permitted by law or under this chapter to be served upon the licensee or owner may be served. The registered agent must be a resident of Hall County. The licensee shall file the name of such agent, along with the written, notarized consent of such agent with the city in such form as may be prescribed.
 - 3. Have a certificate of occupancy that has been issued by the City for the premises for which an alcoholic beverage license is sought.
- (b) Where the application is made on behalf of a corporation, partnership, limited liability corporation, limited liability partnership or sole proprietorship, the license shall be issued jointly to the organization and an individual that meets the qualifications of a managing agent.

Sec. 6-4-4. The Application Process.

- (a) Any person desiring to obtain an alcoholic beverage license in the City shall submit a written and signed application on forms provided by City and in connection therewith, shall, under oath, answer all questions, supply all information, and furnish all certificates, affidavits, bonds and other supporting data as required by the City.

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- (b) All applications for licenses to sell alcoholic beverages of any kind shall be made in person by the applicant to the city manager or designee and shall contain but not be restricted to the following statements and information:
1. The name, age, address and length of residency of applicant.
 2. The name of the corporation, partnership, sole proprietorship, or other organization applying for the license. Said name shall include the legal name as well as the trade name of the business.
 3. A statement of whether the applicant or any person with an interest in the application has made application at any previous time for any alcoholic beverage license and the disposition of such application.
 4. Whether the applicant or any person with an interest in the application has ever been convicted of a crime, other than for traffic violations.
 5. Whether a previous license issued to the applicant or any person with interest in the application has been revoked by any state or subdivision thereof or by the federal government and the reason therefor.
 6. The identity of any other person interested directly or indirectly in the profits or losses or both of the proposed business.
 7. The physical address and detailed plans of such building and outside premises, and evidence of ownership of the building, or a document that evidences the right of the applicant to use the premises, including but not limited to a deed, lease, sublease, management agreement, concession agreement, shall be attached to the application
 8. Every new application for a package license hereunder shall be accompanied by a drawing to scale, showing the nearest church, school or college or by the affidavit of a registered surveyor that the proposed location of the business complies with the distance requirements as specified in this chapter. Applications for renewal of licenses, or for premises that have been licensed in the preceding 12 months, are exempted from this subsection.
- (c) Every managing agent, owner and interest holder listed in an application for an alcoholic beverage license shall be fingerprinted in a manner prescribed by the city.
- (d) The license fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application. Any person who is doing business on or after the first day of January shall pay the full annual license fee without proration; provided, however, that if an application is filed after July 1st, the license fee shall be one-half (½) of the annual license fee for such calendar year.
- (e) All new applications for alcoholic beverage licenses shall be accompanied either by lawful money of the U.S., or by a certified check, cashier's check or money order, payable to the city for the proper amount of the license fee. If the application is denied or if the applicant withdraws the application prior to its being

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issued, the license fee shall be refunded, less a one hundred fifty dollar (\$150.00) administrative fee which shall be retained by the city.

- (f) The city license issued shall be valid for the calendar year indicated thereon and shall expire at midnight on the last day of the year.
- (g) All applications for alcoholic beverage licenses shall be filed with and approved by the city manager or designee provided the applicant meets all of the requirements and qualifications of this chapter.
- (h) The written application for the license shall be a permanent record, and the licensee must maintain current and accurate information within said application as required by this chapter.

Sec. 6-4-5. Grounds for Denial of Application.

- (a) The following shall be sufficient cause for the denial of an application:
 - 1. Failure of the applicant to meet the qualifications for licensing as set forth in this chapter.
 - 2. The making of any untrue or misleading statement in the application for an alcoholic beverage license.
 - 3. Failure to meet distance requirements as provided in this chapter.
 - 4. Where it appears that the applicant would not have adequate participation in the proposed business to direct and manage its affairs, or where it appears that the application is intended to be a mere surrogate for a person or persons who would not otherwise qualify for a license for any reason whatsoever.
- (b) When contrary to the public interest and welfare, no license to sell alcoholic beverages of any kind shall be issued to or for:
 - 1. Any person by reason of such person's business experience, trade associations, personal associations, record of arrest, or reputation in any community in which he has resided, who is not likely to maintain the operation for which he is seeking a license in conformity with federal, state or local laws, rules and regulations.
 - 2. Any person who has been convicted under any federal, state or local law of any felony involving moral turpitude.
 - 3. Any person who has been convicted under any federal, state or local law of any felony not involving moral turpitude within ten (10) years immediately preceding the filing of application for such license.
 - 4. Any person convicted under any federal, state or local law of a misdemeanor, particularly, but not limited to, those involving alcoholic beverages, gambling or tax law violations, if such conviction

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tends to indicate that the applicant will not maintain the operation for which he is seeking a license in conformity with federal, state or local laws, rules and regulations.

5. A location not suitable in the judgment and discretion of the city because of traffic congestion, general character of the neighborhood, or by reason of the effect which such an establishment would have on the adjacent and surrounding properties or on the neighborhood.
6. A location within an area where, in the judgment of the city manager, the number of alcoholic beverage licenses already granted makes it contrary to the public interest or welfare.
7. A location at which the operation of the proposed business would be in violation of the City's Unified Land Development Code.
8. A location at which a previous alcoholic beverage license has been revoked or suspended, and where, in the judgment of the city manager, the problems which have arisen from the operation of an alcoholic beverage license at such location indicate that it is not in the interest of public health, safety, welfare or morals that the sale of alcoholic beverages be permitted at such location.
9. A person or location which the granting of such license would constitute a violation of state law or regulations.
10. The operation of a distilled spirits package business licensed hereunder by any person already holding two (2) such licenses.
11. Any person who is as close kin as brothers or sisters, by blood or marriage, to one already holding two (2) distilled spirits package licenses under this chapter.
12. Any trustee or director of a private club, if disqualified under this chapter.

Sec. 6-4-6. Renewal of Licenses.

- (a) The city manager or designee may approve all applications for renewal of an existing license upon payment of the license fees for renewal of licenses, where no objections have been raised by the City Manager or designee and the application clearly shows no change in the ownership, managing agent, location, or operation of the business.
- (b) A licensee that desires to continue in business during the next or subsequent calendar year must make application for such year, on or before November 15th of the preceding year. License fees for such year shall be submitted on or before December 15 of the preceding year. Any license fee submitted after the due date of December 15th, shall be considered delinquent and assessed a penalty in the amount of ten (10) percent of the fees due. Interest on delinquent fees shall be assessed at one (1) percent for each month or fraction thereof of delinquency.

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- (c) If objections have been raised by the City Manager or designee due to previous violations of this chapter or if there have been any changes in the ownership, managing agent, location, or operation of the business, a new application must be submitted to the city manager or designee.

Sec. 6-4-7. Duty to Remain Current.

- (a) It is the duty and responsibility of the licensee to notify the city manager or designee of any changes to the information contained in the original application. Any amendments to the original application shall be made in writing on forms provided by the city manager or designee and shall be under oath and verified as otherwise required of license applications.
- (b) Failure to maintain a current application shall be grounds for revocation of the license.
- (c) In the event the "managing agent" either ceases to be employed by or ceases to have day-to-day managerial oversight of alcoholic beverage sales, the licensee shall notify the city within five (5) days of the change and must follow the requirements to transfer the license to a new "managing agent" as set forth in section 6-4-8 (b). If the applicant does not meet the qualifications for "managing agent" as required by this chapter and the city manager or designee recommends denial, the applicant may have a hearing as set out in section 6-4-11.
- (d) In the event the "registered agent" changes, the licensee shall notify the city within ten (10) days of the change and must submit written information on forms provided by the city. A fee as required in Title 10 will be charged for the processing of a change in the "registered agent."
- (e) No person shall have, own or enjoy any ownership, interest in, share in the profits from, or otherwise participate in the business of any alcoholic beverage licensee in the city unless a full description of such interest is furnished to the city manager or designee at the time such interest arises. It shall be the duty of the licensee to report to the city manager or designee, within twenty (20) days, any change in any interest in such licensee's business including but not limited to:
 - 1. Any division of the profits;
 - 2. Any division of net or gross sales for any purpose whatsoever;
 - 3. Any change in the payment of rents or leases;
 - 4. Any change in the ownership of any lease or building or land used in such business;
 - 5. Any change in the ownership of any corporation that has any interest in such business or the change of management of such corporation.
- (f) After receipt of notice pursuant to Section 6-4-7(e), the city manager or designee shall notify such person within thirty (30) days of any objection to the ownership or interest set forth therein, based on the interest holder's ability to qualify as a licensee under this chapter. In the event such interest is not disposed of in accordance with the objections set forth by the city manager or designee within thirty (30) days after the mailing of the notice by the city manager or designee, or in the event no objections are mailed to the

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licensee within such thirty-day period, or in the event such person fails to notify the city manager or designee of the transfer of any such interest within twenty (20) days after the acquisition thereof, then the license as provided for herein may be subject to suspension or revocation by the city manager or designee.

- (g) The licensee shall make all reports required by this section in the form required by the city manager or designee, and such reports shall be an amendment to the licensee's permanent license application on file with the city and as such shall be under oath and verified as otherwise required of license applications.

Sec. 6-4-8. Transfer of Licenses.

- (a) No city license may be transferred from one (1) person or from one (1) location to another without permission and approval of the city manager or designee upon receipt of a written application made. Approvals as to any change shall be at the discretion of the city manager or designee.
- (b) In the event of a change in the managing agent of a licensee, the city license shall remain in effect pending approval or denial of the transfer provided:
 - 1. The licensee notifies the city manager or designee within ten (10) days of the change of the managing agent;
 - 2. The licensee submits a proper written application for approval thereof;
 - 3. The licensee pays a transfer fee as required by Title 10;
 - 4. The transferee meets all qualifications of a managing agent as required by this chapter; and
 - 5. There has been no change of ownership, location or operation of the business.
- (c) Any licensee desiring to discontinue business at one (1) location and commence business at some other new location must make a complete change of location application for such new location. Upon proper application and provided that there has been no change of ownership or interest in the business, the city manager or designee may permit the license to be transferred upon payment of a fee required in Title 10 for a change of location, provided that the licensee and the new location meet all qualifications required by this chapter. The fee for a change of location shall be in addition to the original license fee paid by the licensee for the calendar year.
- (d) Upon the sale of an existing business, the city license issued for that business location shall remain in effect pending approval or denial of a new application by the city manager or designee, provided that the buyer or transferee meets all the qualifications of a managing agent as required by this chapter, and provided that the buyer or transferee has immediately upon the date of sale or prior to the date of sale made proper written application and has paid the original license fee required by Title 10.

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Sec. 6-4-9. Right to Investigate.

- (a) Upon receipt by the city manager or designee of any application for an alcoholic beverage license, or for the transfer of any license, each person listed on the application shall consent to a criminal background check on the forms supplied by the city manager or designee.
- (b) The city manager or designee, the chief of police, or any policeman of the city may enter upon the premises operated under the provisions of this chapter during operating hours for the purpose of inspecting the premises and enforcing this chapter and shall have access during the inspection of all books, records, and supplies relating to the sale, storage or possession of alcoholic beverages.

Sec. 6-4-10. Surrender, Suspension or Revocation of License or Imposition of a Monetary Administrative Penalty.

- (a) The following may be grounds for the suspension and/or revocation of an alcoholic beverage license or for the imposition of a monetary administrative penalty against the licensee.
 - 1. The violation by the licensee of any state or federal law or regulation, except misdemeanors or any ordinance of the city, other than traffic violations. The determination of whether any such violation has occurred shall be made by the administrative hearing officer and an actual conviction in a court for such offense shall not be necessary in order to suspend or revoke the license or issue a monetary administrative penalty.
 - 2. The failure of the licensee or his employee to report promptly to the police department any violation of law or municipal ordinance, breach of the peace, disturbance or altercation resulting in violence, occurring on the premises.
 - 3. Any conduct on the part of the owner of the business, the licensee or his employee contrary to the public welfare, safety, health or morals. While not to be considered a comprehensive or exhaustive listing of prohibited behavior, specific instances of prohibited behavior by the owner, the licensee and/or his employee include, but are not limited to, the following:
 - a. Consumption or being under the influence of alcoholic beverage while working or on duty;
 - b. Breach of the peace, disturbance or altercation resulting in violence;
 - c. The conviction of any felony reasonably related to the ability of the licensee to operate and maintain the premises in a proper manner;
 - d. The violation of any state law or regulation governing the manufacture, sale, distribution or transportation of alcoholic beverages;

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- e. The violation of any section of O.C.G.A. § 10-1-370 et seq., known as the Uniform Deceptive Trade Practices Act, reasonably related to the operation of licensed establishments;
 - f. The conviction of the owner or the licensee of driving under the influence of alcoholic beverages and/or drugs on two (2) or more occasions;
 - g. Permitting the solicitation of patrons on the licensed premises for prostitution or any other unlawful act where the licensee or the licensee's employee or agent knew or should have known of such conduct;
 - h. The selling or serving of any alcoholic beverage to any person that the licensee or the licensee's employee or agent knew or should have known to be in a state of intoxication;
 - i. The failure to comply with any and all federal, state or municipal tax laws and regulations applicable to the operation of establishments licensed to sell alcoholic beverages;
 - j. Failure by the licensee to adequately supervise and monitor the conduct of the employees, patrons and others on the licensed premises or on any property owned or leased by the owner or licensee, including but not limited to parking lots and parking areas, or on any parking lots or areas which may be lawfully used by patrons of a licensed establishment, in order to protect the safety and well-being of the general public and of those utilizing the premises.
4. Operating or conducting the business in a manner contrary to the public welfare, safety, health or morals, or in such manner as to constitute a nuisance. Any combination totaling three (3) or more of the following occurrences within any thirty-day period shall constitute prima facie evidence that the licensee is operating or conducting an alcoholic beverage business in a manner which is contrary to the public welfare, safety, health or morals, or in such manner as to constitute a nuisance: Three (3) or more violations of law, violations of municipal ordinances, breach of the peace, disturbance or altercation resulting in violence, all occurring on the premises. The business license holder shall, upon suspension for violations of this section, have the burden of proving such occurrences were beyond his control and not related to the operation of his business.
5. The violation of any state law or regulation or municipal ordinance pertaining to alcoholic beverages.
6. The violation of any provision contained in this chapter.
- (b) For the purposes of this section, the definition of an employee shall include any agent or independent contractor that is working for hire on the licensed premises.
- (c) The city manager or designee, with an order from the Gainesville Municipal court and/or administrative hearing officer, shall have the right to suspend any alcoholic beverage license pending a hearing as

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provided for in section 6-4-11 where in the judgment of the city manager or designee such action is necessary to protect the public health, safety, welfare or morals.

- (d) The city manager or designee, chief of police or any police department shift commander on duty at the time may close any location holding an alcoholic beverage license for a period not in excess of twenty-four (24) hours in the event there shall occur on the premises any violation of law or municipal ordinance, breach of the peace, disturbance or altercation resulting in violence, or other occurrence which is contrary to the public health, welfare, safety or morals, when in the judgment of the city manager or designee, chief of police or shift commander such action is necessary to protect the public health, welfare, safety or morals.
- (e) In the case of the revocation or surrender of an alcoholic beverage license before expiration, the holder thereof shall not be entitled to receive any refund or fees paid to the City regarding the license to sell alcoholic beverages.
- (f) All licenses issued pursuant to this chapter shall be valid only so long as the licensee is actively engaged in such business, with the exception of holidays, vacations, and periods of redecoration, and in the event the licensee shall cease to be actively engaged in such business such license shall be invalid and the licensee of such business shall immediately notify the city manager or designee and return his license thereto.
- (g) The violation of any of the provisions of this chapter by a holder of an alcoholic beverage license, or his agent, or employee, shall be unlawful, and shall be punishable as provided in section 1-1-7 of this Code, and shall also subject the holder of such license to suspension or revocation of such license or monetary administrative penalty, or any combination thereof as the city manager or designee deems proper.

Sec. 6-4-11. Hearing on Denial, Suspension or Revocation or Imposition of Monetary Administrative Penalty.

- (a) Before the denial of any application, including a renewal application, for an alcoholic beverage license or for the transfer of any alcoholic beverage license, or the revocation or suspension of any existing alcoholic beverage license, or for the imposition of a monetary administrative penalty against a licensee, the applicant or licensee, as the case may be, shall be given notice in writing from the city manager or designee to show cause before an administrative hearing officer at a time and place specified therein not less than three (3) days nor more than thirty (30) days from the date of service of the notice, why such application for license or for transfer of license should not be denied, or why such license should not be revoked or suspended as the case may be, or why a monetary administrative penalty should not be imposed, stating the grounds therefor, and at the appointed time and place the applicant or licensee shall have an opportunity to show cause, if any exist, why such application should not be denied or such license revoked or suspended or a monetary administrative penalty imposed after which the administrative hearing officer shall take such actions as he or she in his or her judgment and discretion, shall deem warranted under the facts.

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- (b) The decision of the administrative hearing officer shall be final unless appealed by certiorari to the superior court of Hall County.
- (c) In all instances of a denial of any application for an alcoholic beverage license or the revocation of any existing alcoholic beverage license, the applicant, licensee or any person(s) with twenty-five (25) percent or more interest, shall not reapply for a license for at least one (1) year from the final date of the denial or revocation.

Sec. 6-4-12. Employee Permits.

- (a) No person shall be employed to dispense, sell, serve, take orders, or mix alcoholic beverages, or be in any managerial position, by an establishment holding a license for the sale of distilled spirits by the package or for consumption on premises or an establishment holding a license for malt beverage or wine for consumption on premises unless such person has been approved by the chief of police or his designee. The individual named on the alcoholic beverage license as the managing agent for such establishment shall be exempt from obtaining an employee permit.
- (b) Upon approval by the chief of police or his designee, such person shall be issued an employee permit which shall contain the name, expiration date, fingerprint and photograph of such employee. Such employee permit shall remain the property of the city and shall be in the possession of the employee at any time he or she is working at any licensed establishment, and shall be produced upon the request of any law enforcement officer of the city.
- (c) No permit shall be issued until such time as a signed application has been filed with the Gainesville Police Department and upon the payment of the non-refundable fee designated in Title 10 of this Code. The applicant shall furnish, at the time of presenting the application, two (2) forms of valid, current identification. Such application shall contain the following information: Applicant's name, date of birth, height, weight, race, sex, address, telephone number, and disclosure of arrest record. Applicant must give permission to the police department to obtain and inspect any criminal history on such applicant which is in the possession of any law enforcement agency.
- (d) No person shall be granted an employee permit that has been convicted, plead guilty, or entered a plea of nolo contendere to any crime involving the sale or furnishing of alcoholic beverages to an underage person or any felony within three (3) years of the date of the application.
- (e) No person shall be granted an employee permit if he or she has been the holder of an alcoholic beverage license or employee permit which has been revoked within five (5) years of the date of the application.
- (f) An employee permit shall be valid for three (3) years from the date of issue. At the expiration of three (3) years, the employee permit may be renewed upon the submission of a renewal application, the payment of the appropriate fee, and upon determination that such individual remains qualified under this chapter.
- (g) The employee permit is non-transferable and is valid only for the individual named on the permit. Such permit is valid for the individual named while employed in any establishment licensed in the city.

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- (h) An employee permit may be suspended or revoked by the chief of police if it is determined that the individual has violated any provision of this chapter or committed any offense which would make him or her ineligible to hold such a permit.
- (i) Falsifying or failing to disclose any information required by this chapter shall be grounds for denial or revocation of the employee permit.
- (j) Notification of any denial, suspension, or revocation of an employee permit shall be in writing and served either in person or by certified mail and shall contain the reasons for such action and the notice of the right to appeal the decision.
 - 1. Decisions of the chief of police that adversely affect or aggrieve any applicant, certificate holder, or permit holder under this chapter may be appealed to the administrative hearing officer, as defined in section 1-8-1 of this Code. All appeals shall be submitted in writing to the chief of police within ten (10) calendar days after notification of the adverse decision.
 - 2. A hearing shall be conducted on each appeal within thirty (30) days of the date of the filing of the written appeal, unless a continuance of such hearing is agreed to by the appellant and the chief of police, or unless the hearing is rescheduled by the administrative hearing officer. The appellant at such hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross-examine witnesses.
 - 3. The appellant shall be notified in writing of the date and time of the hearing at least three (3) calendar days prior to the date of the hearing.
 - 4. The findings of the administrative hearing officer shall be final unless appealed within thirty (30) days of the date of the finding by certiorari to the Superior Court of Hall County.
- (k) No licensee shall allow any employee or manager required to hold an employee permit to work on the premises unless the employee or manager has in their possession a current valid employee permit. Provided, however, that an individual may be employed for a period of time not to exceed fourteen (14) days pending the submission of the application to and the approval of the permit by the police department.

Sec. 6-4-13. – Sec. 6-4-19. Reserved.

ARTICLE 2. MANUFACTURERS

Sec. 6-4-20. Malt Beverage.

No individual shall be permitted to own or operate a brewery without first obtaining a proper brewery license from the City. A licensed brewery shall comply with State law relating to the limited sale of malt

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beverages to the public and may sell on all days and at all times that sales of malt beverages by retailers are lawful within the City.

Sec. 6-4-21. Wine.

A Georgia Farm Winery may engage in retail package sales of wine in a tasting room or the retail consumption sales on premises of its wine and the wine of any other Georgia Farm Winery in a tasting room.

Sec. 6-4-22. Distilled Spirits.

No individual shall be permitted to own or operate a distillery without first obtaining a proper distillery license from the City. A licensed distillery shall comply with State and Federal law relating to the manufacture and limited sale of distilled spirits to the public and may sell on all days and at all times that sales of distilled spirits by retailers are lawful within the City.

Sec. 6-4-23. – 6-4-29. Reserved.

ARTICLE 3. EXCISE TAX ON MIXED DRINKS CONSUMED ON PREMISES

Sec. 6-4-31. Definitions.

Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *Agent* means the person designated by the licensee in this application for permit to sell alcoholic beverages by the drink.
2. *Drink* or *mixed drink* shall include any distilled spirits served for consumption on the premises, which may or may not be diluted by water or other substance in solution.
3. *Licensee* means any person who holds a license from the city to engage in the sale of distilled spirits by the drink for consumption on the premises.
4. *Monthly period* means the calendar months of any year.
5. *Purchase price* means the consideration received for the sale of distilled spirits by the drink valued in money, whether received in cash or otherwise, including receipts, cash, credit, property or services of any kind or nature, and also the amount for which credit is allowed by the licensee to the purchaser, without any deduction therefrom whatsoever.
6. *Purchaser* means any person who orders and gives present or future consideration for any distilled spirits by the drink.

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7. *Return* means any return filed or required to be filed as herein provided.
8. *Tax* means the tax imposed by this section.

Sec. 6-4-32. Imposition and Rate of Tax.

There is hereby imposed and levied upon every purchaser of a distilled spirits purchased by the drink within this city a tax in the amount provided in Title 10.

Sec. 6-4-33. Collection of Tax.

- (a) Every licensee or his agent is hereby authorized and directed to collect the tax imposed herein from purchasers of distilled spirits by the drink within the licensed premises. Such licensee or agent shall furnish such information as may be required by the city to facilitate the collection of the tax.
- (b) In all cases where the collection of food and drinks is by deferred payment or credit, the licensee is liable at the time of and to the extent that such credits are incurred in accordance with the rate of tax owing on the amount thereof. The city shall have authority to adopt rules and regulations prescribing methods and schedules for the collection and payment of the tax.

Sec. 6-4-34. Determination, Returns and Payments.

- (a) The tax imposed by this article shall become due and payable from the purchaser at the time of purchase of any mixed drink in this city. All amount of such taxes collected by the licensee shall be due and payable to the city monthly on or before the twentieth day of every month next succeeding each respective monthly period for which this tax is imposed; provided, however, that upon a proper showing that the tax imposed will not be collected until after a regular billing period of the collecting agent, then the collection of the tax may be deferred by the city for an additional period not exceeding thirty (30) days.
- (b) On or before the twentieth day of the month following each monthly period, a return for the preceding monthly period shall be filed with the city in such form as the city may prescribe by every licensee liable for the payment of tax hereunder. All returns shall show the gross receipt of the sale of distilled spirits by the drink and the amount of the tax collected on such drinks.
- (c) Licensees collecting the tax shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting and paying the amount due, if such amount is not delinquent at the time of payment. The rate of the deduction shall be the same rate authorized for deductions from state tax under State Law.

Sec. 6-4-35. Deficiency Determinations.

- (a) If the city has cause to believe that the return or returns of the tax or the amount of the tax required to be paid to the city by any person is not proper, it may compute and determine the amount required to be paid upon the basis of any information that is within or may come into its possession. One (1) or more deficiency determinations may be made of the amount due for one (1) or more monthly period.

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- (b) The amount of the determination shall bear interest at the rate of three-fourths of one percent per month, or fraction thereof from the due date of taxes.
- (c) The city or its designated representatives shall give to the licensee written notice of his determination. The notice may be served personally or by mail; if by mail, such service shall be addressed to the licensee at his address as it appears in the records of the city. Service by mail is complete when delivered by certified mail with a receipt signed by the addressee.
- (d) Except in the case of failure to make a return, every notice of a deficiency determination shall be mailed within three (3) years after the twentieth day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three (3) years after the return is filed, whichever period should last expire.

Sec. 6-4-36. Determination if No Return Made.

- (a) If any person fails to make a return, the city shall make an estimate of the amount of the gross receipts of the person, or as the case may be, of the amount of the total sales in this city which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make the return and shall be based upon any information which is in possession of or may come into the possession of the city official. Written notice shall be given in the manner prescribed in section 6-4-35 (c).
- (b) The amount of the determination shall bear interest at the rate of three-fourths of one percent per month, or fraction thereof, from the due date of taxes.

Sec. 6-4-37. Penalty for Nonpayment.

Any person who fails to pay the tax herein imposed or fails to pay any amount of the tax required to be collected and paid to the city within the time required shall pay a penalty of twenty-five (25) percent of the tax or amount of the tax, in addition to the tax or amount of the tax plus interest on the unpaid tax or any portion thereof as set forth in section 6-4-36 (b).

Sec. 6-4-38. Action for Collection.

- (a) At any time within three (3) years after any tax or any amount of tax required to be collected becomes due and payable and at any time within three (3) years after the delinquency of any tax or any amount of tax required to be collected, the city may bring an action in the courts of this state any other state or of the United States in the name of the city to collect the amount delinquent together with penalties and interest, court fees, filing fees, attorney's fees and other legal fees incident thereto.
- (b) Whenever the amount of any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or received by the city under this chapter, it may be offset against any future liability for the tax.

Sec. 6-4-39. Overpayment.

If the licensee determines that he has overpaid or paid more than once, which fact has not been determined by the city, he will have three (3) years from the date of payment to file claim in writing with the City Manager stating the specific ground upon which claim is founded. The claim shall be audited. If the claim is approved, the excess amount paid the city may be credited on any amounts then due and payable from the person by whom it was paid, or from his administrators or administrators.

Sec. 6-4-40. Purchasers or Successors of Business.

- (a) If any licensee liable for any amount under this chapter sells out his business or quits the business, his successors or assigns shall withhold sufficiently from the purchase price to cover such amount until the former owner produces from the city either a receipt reflecting full payment or a certificate stating that no amount is due.
- (b) If the purchaser of a business fails to withhold purchase as required, he shall be personally liable for the payment of the amount required to be withheld by him to the extent of the purchase price.

Sec. 6-4-41. Administration.

- (a) Every licensee for the sale of alcoholic beverages by the drink in the city shall keep such records, receipts, invoices and other pertinent papers in such form as the city may require.
- (b) The city or any person authorized in writing by the city may examine the books, papers, records, financial reports, equipment and other facilities of any licensee for sale of distilled spirits by the drink and any licensee liable for the tax in order to verify the accuracy of any return made, or if no return is made by the licensee, to ascertain and determine the amount required to be paid.
- (c) In administration of the provisions of this subsection, the city may require the filing of reports by any person or class of persons having in such person's or persons' possession or custody information relating to purchases which are subject to the tax. Reports shall be filed with the city when required by the city and shall set forth the purchase price for each purchase, the date or dates of purchase, and such other information as the city may require.

Sec. 6-4-42. Violations.

- (a) Any person violating any of the provisions of this chapter shall be deemed guilty of an offense and upon conviction thereof shall be punished as provided in section 1-1-7 of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the subsection is committed, continued or permitted by such person, and shall be punished accordingly. Any licensee or any other person who fails to furnish any return required to be made, or fails or refuses to furnish a supplemental return or other data required by the city or who renders a false or fraudulent return shall be deemed guilty of an offense and upon conviction thereof shall be punished as aforesaid.

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- (b) Any person violating any of the provisions of this article may, in addition to the other penalties and liabilities provided for herein, have his license or permit revoked as provided for previously herein.

Sec. 6-4-43. – 6-4-49. Reserved.

ARTICLE 4. EXCISE TAX REQUIRED OF WHOLESALE DEALERS

Sec. 6-4-50. Imposition of Tax.

There is hereby levied and imposed upon each wholesale dealer and manufacturer distributing malt beverages, wine or distilled spirits within the city an excise tax in the amounts fixed in Title 10.

Sec. 6-4-51. Payment of Taxes.

- (a) Payment of excise taxes for the distribution of malt beverages, wine or distilled spirits shall be remitted by the tenth day of each month following the month in which deliveries were made.
- (b) Copies of the "summary of sales" showing delivery by each supplier to retailers and/or consumption on the premises licensees shall be furnished to the city's finance department with each monthly payment.

Sec. 6-4-52. – 6-4-59. Reserved.

ARTICLE 5. MALT BEVERAGE AND WINE – ORIGINAL PACKAGE

Sec. 6-4-60. Distance Requirements.

- (a) No malt beverage and/or wine shall be offered for sale or sold in an unopened package within one hundred (100) yards of any school building, school grounds or college campus. This subsection shall not apply:
 - 1. To a grocery store licensed for the retail sale of only wine and malt beverages for consumption off the premises, which shall be allowed to sell wine and malt beverages within 100 yards of any school building, school grounds or college campus. As used in this subparagraph, the term "grocery store" means a retail establishment which has a total retail floor space of at least 10,000 square feet of which at least 85 percent is reserved for the sale of food and other nonalcoholic items and conducts all of its sales inside the building containing its retail floor space.
 - 2. To any premises or location where an alcoholic beverage license was issued or approved prior to July 1, 1981, so long as alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter.

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3. To any premises or location where alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter and a school or college campus is built or erected within the minimum distances provided for in this section.
- (b) No malt beverage and/or wine shall be offered for sale or sold in an unopened package within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government.
- (c) All measurements to determine distances required by this chapter shall be measured as provided for in Section 6-4-110.

Sec. 6-4-61. Hours of Sale.

The hours of sale of malt beverages and wine at retail and not for consumption on premises are from 7:00 a.m. to 11:45 p.m. on Monday through Saturday and from 12:30 p.m. to 11:30 p.m. on Sunday.

Sec. 6-4-62. Growler Sales.

Package malt beverage licensees or wine licensees, who are not also licensed to sell distilled spirits by the package, may fill growlers with malt beverages and/or wine at the licensed location subject to the following requirements:

1. At least ninety (90) percent of the licensee's total gross sales are from packaged sale of malt beverages and/or wine or the licensee's premises have a minimum of four hundred (400) square feet of floor space dedicated to the display of malt beverages and/or wine offered for sale.
2. A growler shall not exceed sixty-four (64) ounces. Growlers may only be filled from kegs or barrels procured by the licensee from a duly licensed wholesaler.
3. Only professionally sanitized and sealed growlers may be filled and made available for retail sale.
4. Each growler must be securely sealed and removed from the premises in its original sealed condition.
5. Samples of tap malt beverages may be made available. No individual shall be allowed to sample more than a total of forty-eight (48) ounces of malt beverages per day.
6. Samples of wine may be made available. No individual shall be allowed to sample more than a total of twenty-four (24) ounces per day.
7. Individuals may sample both beer and wine, however no individual shall be allowed to sample a total combination of more than forty-eight (48) ounces per day.
8. A licensee may charge a fee for samples of tap malt beverages or wine.

Sec. 6-4-63. No Consumption on Premises.

- (a) It shall be unlawful for any person to consume any alcoholic beverage on the premises licensed for the sale of malt beverages or wine by the package and it shall be unlawful for any licensee by the package to open for, or break the package for, a purchaser and/or permit the consumption of alcoholic beverages on said premises.
- (b) This section shall not apply for the holder of a temporary limited license as provided for in this chapter during the hours for which the temporary limited license is valid.

Sec. 6-4-64. – Sec. 6-4-69. Reserved.

ARTICLE 6. DISTILLED SPIRITS – ORIGINAL PACKAGE

Sec. 6-4-70. Distance Requirements.

- (a) No distilled spirits shall be offered for sale or sold in an unopened package within one hundred (100) yards of any church building or within two hundred (200) yards of any school building, education building, school grounds or college campus.
- (b) A new retail package liquor licensed place of business or the relocation of an existing retail package liquor licensed place of business engaged in the retail package sales of distilled spirits shall not be located within five hundred (500) yards of any other business licensed to sell package liquor at retail.
- (c) The distance provided for herein shall not apply:
 - 1. To any premises or location where alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter and a school or church is built or erected within the minimum distances provided for in this section.
 - 2. To any premises or location licensed as an importer, so long as the same is allowed by the state; provided, however, no signs or other forms of advertisement shall be placed on or near the licensed premises, which directly or indirectly advertise that alcoholic beverages are stored or warehoused on the premises.
- (d) No distilled spirits shall be offered for sale or sold in an unopened package within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government.
- (e) All measurements to determine distances required by this chapter shall be measured as provided for in Section 6-4-110.

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Sec. 6-4-71. Hours of Sale.

- (a) The hours of sale of distilled spirits at retail and not for consumption on premises are from 8:00 a.m. to 11:45 p.m. on Monday through Saturday and from 12:30 p.m. to 11:30 p.m. on Sunday.
- (b) No retail dealer of distilled spirits shall be in, or permit others to be in, its place of business Monday through Saturday any time prior to 6:00 a.m. or thirty (30) minutes past the closing time. No retail dealer of distilled spirits shall be in, or permit others to be in, its place of business on Sundays prior to 10:30 a.m. or 30 minutes past the closing time.

Sec. 6-4-72. No Consumption on Premises.

It shall be unlawful for any person to consume any alcoholic beverage on the premises licensed for the sale of distilled spirits by the package and it shall be unlawful for any licensee by the package to open for, or break the package for, a purchaser and/or permit the consumption of alcoholic beverages on said premises.

Sec. 6-4-73. Sufficient Lighting Required.

The building in which each retail dealer of distilled spirits in the unbroken package is located shall contain sufficient lighting so that the building itself, the premises and all entrances are readily visible at all times from the street on which the building is located so as to reveal the inside retail area of the building and so as to reveal all of the outside premises of such building.

Sec. 6-4-74. – Sec. 6-4-79. Reserved.

ARTICLE 7. CONSUMPTION ON PREMISES OF ALCOHOLIC BEVERAGES

Sec. 6-4-80. Distance Requirements.

- (a) No malt beverages, wine and/or distilled spirits for consumption on the premises may be offered for sale, sold or dispensed within one hundred (100) yards of any property containing three hundred (300) housing units or fewer, which property is owned or operated by a housing authority created by OCGA § 8-3-1 et seq., also known as the Housing Authorities Law. This subsection shall not apply at any location for which a license has been issued prior to July 1, 2000, or to the renewal of such license.
- (b) All measurements to determine distances required by this Chapter shall be measured as provided for in Section 6-4-110.

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Sec. 6-4-81. Hours of Sale.

- (a) The hours of sale for consumption by the drink on the premises where sold are from 8:00 a.m. to 1:30 a.m. on Monday through Friday, from 8:00 a.m. on Saturday through 1:30 a.m. on Sunday, and from and 12:30 p.m. on Sunday to 1:30 a.m. on Monday.
- (b) All alcoholic beverages shall be removed, from the area of the premises utilized by customers or patrons within forty-five (45) minutes after the closing time for the sale of alcoholic beverages.

Sec. 6-4-82. Food Volume Ratio for Restaurants.

- (a) Restaurants shall maintain at least fifty (50) percent of their business volume from the sale of food, private clubs exempted. Food sales shall include all consumable items sold on the premises except alcoholic beverages. The fifty-percent ratio shall be determined on a calendar quarter basis by review of the monthly report submitted by each licensee.
- (b) Monthly reports for the preceding month's alcohol and food sales shall be submitted on forms provided by the city on or before the 20th day of the month.
- (c) In the event food sales fall below fifty (50) percent of the business volume of the licensee for any two (2) consecutive quarters, then the city manager or designee may request a hearing for the suspension or revocation of such license in accordance with section 6-4-11. Nothing herein provided shall prevent the city manager or designee from suspending or revoking such license for any other violations of this chapter.
- (d) Authorized officials of the city may examine the records of businesses licensed hereunder at any reasonable time to ascertain that the requirements of this and other provisions of this chapter are met.

Sec. 6-4-83. Sales Volume Ratio for Select Businesses.

Any business required to pay a business occupation tax that does not meet the criteria in Section 6-4-82, Section 6-4-84, or Section 6-4-85 may obtain a consumption on premises license for malt beverages and wine subject to the following conditions:

- (a) The sale of alcoholic beverages shall be clearly incidental to the primary business conducted on the premises.
- (b) No individual shall be allowed to consume more than forty-eight (48) ounces of malt beverages per day or more than a total of twenty-four (24) ounces of wine per day. Individuals may consume both beer and wine, but shall not consume a total combination of more than forty-eight (48) ounces per day.
- (c) Consumption on the premises licensees shall maintain at least sixty (60) percent of their business volume from the sale of merchandise or services, not including alcoholic beverages. The sixty-percent ratio shall be determined on a calendar quarter basis on the monthly report submitted by each licensee.
- (d) Monthly reports for the preceding month's alcohol and retail or services sales shall be submitted on forms provided by the city on or before the 20th day of the month.
- (e) No alcoholic beverages shall be served on Sunday.

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- (f) To qualify for a license, a retail or business establishment must be open to the public for business a minimum of 32 hours per week.

Sec. 6-4-84. Reserved.

Sec. 6-4-85. Non-Profit Organizations with Facilities.

- (a) Non-profit organizations meeting the criteria of subsection (b) below may obtain a consumption on premises license subject to the following conditions:
 - 1. The sale of alcoholic beverages shall be clearly incidental to the primary function of the non-profit organization on the premises.
 - 2. No alcoholic beverages shall be served on Sunday except as provided by O.C.G.A. § 3-3-7.
- (b) To qualify for a consumption on premises license, the nonprofit organization must be exempt from federal income taxes pursuant to section 501(c), (d) or (e) of the Internal Revenue Code and must have a building, facility or grounds that is primarily used for public education, research, conservation and enjoyment, or that serves as a repository for a collection of literary, natural, or scientific objects of interest, or works of art where such facility or building is arranged, intended, designed and open to be viewed by members of the public with or without an admission fee. This shall include, but not be limited to, nonprofit botanical gardens or nature science centers.

Sec. 6-4-86. Brown Bagging.

- (a) It shall be unlawful for a licensee or any other business that has been issued a business occupation tax certificate to allow customers to bring with them their own alcoholic beverages, a practice commonly referred to as "BYOB" or "brown bagging."
- (b) It shall be unlawful for any alcoholic beverages to be served, stored, kept or consumed by any person on the premises of any business establishment for which a city business/occupation tax certificate has been issued, excluding those businesses with a valid alcoholic beverage license or as otherwise exempted by this chapter.
- (c) The prohibitions in paragraph (a) shall not apply to a private function, art shop, or when contained in a 16 ounce clear plastic cup within the Downtown Dining District and when authorized by the business establishment.
- (d) Art shops, as defined by this chapter are subject to the specific provisions governing the operation of an art shop:
 - 1. An art shop may allow customers to bring in a bottle or bottles of wine and/or malt beverages to be consumed on the premises.

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2. The customer must remove any unconsumed wine and or malt beverages from the premises before leaving the premises.
3. The brown bagging of wine and or malt beverages in an art shop shall be subject to this chapter and to state law; including but not limited to the prohibition of consumption by one who is under 21 years of age or intoxicated.
4. An art shop may serve food provided it meets all federal, state and local requirements.

Sec. 6-4-87. No Outside Consumption.

- (a) A consumption on premises licensee shall not permit a purchaser to remove from the premises any alcoholic beverage from the premises, and it is the licensee's responsibility to ensure that no beverages are sold and carried out.
- (b) It shall be unlawful for any licensee hereunder to make deliveries of any alcoholic beverage beyond the boundaries of the premises covered by the license.
- (c) It is prohibited for customers to gather outside a premises licensed to sell alcoholic beverages and consume alcoholic beverages.
- (d) It is prohibited for the manager or any employee to allow persons to gather outside an alcoholic beverage premise and consume alcoholic beverages.
- (e) This section shall not apply in the following instances:
 1. For events that are sponsored or organized by the City of Gainesville where the alcohol is obtained from a participating business within any City designated area, and is contained in and consumed from an approved, clear plastic container.
 2. Where the City Council through a resolution has permitted otherwise.
 3. For restaurants that have a valid sidewalk café permit provided that all outdoor activities are contained within the permitted sidewalk café.
 4. For an open air café as defined by this chapter.
 5. Beverages for consumption at a publicly owned or privately owned golf course.
 6. For the carrying out of a partially consumed bottle of wine as defined in Section 6-4-88.
 7. When a temporary limited license has been issued, provided that the person consuming or possessing an alcoholic beverage remains on the licensed premises as defined in Section 6-4-2(ff)(8).
 8. For a Downtown Dining District as defined by this chapter.

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(f) Downtown Dining District - Outside consumption of alcoholic beverages permitted.

1. For the purposes of this Chapter only, a Downtown Dining District is defined as follows: A specifically authorized and pedestrian oriented area of the City as established by resolution of Mayor and Council that allows those establishments with a valid alcohol license within such area to dispense and/or serve an alcoholic beverage for carry out purposes, provided all other laws, rules and ordinances are followed.
2. Within a Downtown Dining District, any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense an alcoholic beverage in a clear plastic cup; provided, however, that no person shall remove more than two such alcoholic beverage from the licensed premises at a time.
3. Within a Downtown Dining District, no unsealed container in which an alcoholic beverage is carried and consumed shall exceed sixteen (16) fluid ounces in size.
4. It shall be unlawful within a Downtown Dining District for any person to drink, attempt to drink or possess any alcoholic beverage in an unsealed can, glass or metal container, on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private. This section shall not prohibit the possession of containers of alcoholic beverages with unbroken seals.
5. No alcoholic beverage purchased pursuant to this provision may be consumed outside of the Downtown Dining District, or upon any private property, without the express consent of the private property owners.
6. Unless authorized by Mayor and Council in the Resolution creating the Downtown Dining District, no alcoholic beverage purchased within the Downtown Dining District pursuant to this provision shall be consumed within the Downtown Dining District on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private, prior to 12:00 p.m. or later than 12:00 a.m.

Sec. 6-4-88. Partially Consumed Bottles of Wine Purchased with a Meal.

- (a) Any restaurant which is licensed to sell alcoholic beverages for consumption on the premises may permit a patron to remove one (1) unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and a consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises.
- (b) A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises.
- (c) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container.

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- (d) If transporting in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a lock trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

Sec. 6-4-89. Open Area and Patio Sales.

- (a) Alcoholic beverage sales may be made by a licensed consumption on premises establishment in a patio/open area type environment if the establishment has been approved as provided in this section.
- (b) The requirements for approval are:
 - 1. The patio/open area must be enclosed by some structure providing for public ingress/egress only through the main licensed premises. The only exception to this would be a fire exit as required by building and fire codes. Such fire exit would not be for general public use unless an emergency exists and would be of the type which sounds an alarm so that the establishment would be alerted of unauthorized use if no emergency exists. The height of such structure shall be a minimum of three and one-half (3.5) feet above the patio floor. The structure is not required to be solid nor does it have to restrict visibility into or out of the patio/open area.
 - 2. The patio/open area shall not be required to be covered by a roof.
 - 3. The patio/open area shall be used merely as an extension of the interior seating area. Service in the patio/open area shall be only by waiter or waitress or by customer self-service at an interior selling location; i.e. no outside bar or service window.
- (c) It is prohibited for an establishment to be in violation of the City's noise ordinance as defined in Chapter 3-8 of the Code of Ordinances and to allow any noise to be created in a patio/open area which may be heard from a distance of one hundred (100) feet from the patio/open area. Any measurement made pursuant to this section shall describe the shortest straight line distance from the patio to the point in question.
- (d) Patio/open area plans must be reviewed and approved on an individual basis by the city manager or designee. Patio/open areas must be permitted and approved by the city's building inspection and fire departments as required by their governing regulations or codes.
- (e) Nothing contained herein shall prohibit a hotel or motel with a consumption on the premises license from making sales and allowing consumption of alcoholic beverages in the patio areas of such hotel or motel. "Patio areas," as that term is used herein, do not have to conform to the standards in this section.
- (f) Sidewalk cafés approved pursuant to Chapter 6-13 are exempt from this section.
- (g) Licensed consumption on premises establishments located within the City's Midtown Tax Allocation District, as adopted by Ordinance 2006-53, are exempt from subsection (b) of this section.

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Sec. 6-4-90. Happy Hour Promotions.

- (a) As used in this section, the term “*drink*” means a single portion beverage which contains any alcoholic beverage.
- (b) This section shall be construed to cover, include and apply to all alcoholic beverages including malt beverages, wine and distilled spirits for consumption on premises by properly licensed establishments in the city. All consumption on premises licensees are prohibited from selling or giving away alcoholic beverages under the following circumstances:
 - 1. Offering all you can drink for a set price during a set time.
 - 2. Serving multiple drinks for a single price unless the drinks are part of a variety sampler of which no more than a total of sixteen (16) ounces can be served as part of the sampler and which sampler shall be comprised of at least four (4) different varieties of malt beverages or wine or three (3) different mixes containing distilled spirits.
 - 3. Making a single price the basis for a required purchase of two (2) or more servings.
 - 4. Serving alcoholic beverages by the pitcher, except to two (2) or more persons at any one (1) time.
 - 5. Offering reduced-price drinks to any segment of the population for any period of time as an inducement to patronize the premises; except between the hours of 4:00 p.m. and 8:00 p.m. on Monday through Saturday, drinks may be sold at a reduced price which is no less than half the price usually charged.
 - 6. Selling alcoholic beverages for less than half the normal retail price, or selling alcoholic beverages in pitchers or in jumbo sizes for less than half the normal retail price. Nothing contained in this subsection shall be construed to prohibit the dispensing of drinks in pitchers or in jumbo sizes, provided that such pitchers or jumbo sizes shall be available at all times that the licensee is open for business.
 - 7. Using coupons or other special promotional items as an inducement to purchase alcoholic beverages.
 - 8. Sponsoring, conducting or allowing contests or other promotions which have as their primary purpose increasing the consumption of alcoholic beverages.
 - 9. Offering or delivering any free alcoholic beverages to the general public except as otherwise allowed by law.
- (c) The prohibitions and restrictions in the foregoing subsection which apply to licensees or agents or employees of licensees shall not:
 - 1. Apply at private functions;
 - 2. Prohibit the offering of free food or entertainment at any time;

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3. Prohibit including drinks as part of the price of a hotel, travel, entertainment, or meal package;
4. Prohibit the sale, offer to sell, or delivery of wine or malt beverage by the bottle, pitcher or carafe;
5. Prohibit any motel or hotel from offering room service to registered guests.

Sec. 6-4-91. Brewpubs.

- (a) No individual shall be permitted to own or operate a brewpub without first obtaining a proper brewpub license from the city. Each brewpub licensee shall comply with all other applicable state and local license requirements.
- (b) A brewpub license authorizes the holder of such license to:
 1. Manufacture on the licensed premises not more than ten thousand (10,000) barrels of malt beverage in a calendar year solely for retail sale.
 2. Operate a restaurant that shall be the sole retail outlet for such malt beverage and may offer for sale for consumption on premises any other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this chapter, provided that such alcoholic beverages are purchased from a licensed wholesale dealer and, provided further, in addition to malt beverages manufactured on the premises, each brew pub licensee shall offer for sale commercially available canned or bottled malt beverages purchased from a licensed wholesale dealer.
 3. Sell up to a maximum of five thousand (5,000) barrels annually of such malt beverage to licensed wholesale dealers. Under no circumstances shall such malt beverages be sold by a brewpub licensee to any person holding a retail consumption dealer's license or a retailer's license for the purpose of resale.
 4. Sell malt beverages manufactured on the premises by the package for consumption off the premises.
- (c) Possession of a brewpub license shall not prevent the holder of such license from obtaining any other license available under this chapter for the same premises.
- (d) A brewpub licensee shall pay all state and local license fees and excise taxes applicable to individuals licensed under this chapter as manufacturers, retailers and, where applicable, wholesale dealers.
- (e) Except as set forth in this section, a brewpub licensee shall be subject to all sections of this chapter.

Sec. 6-4-92. Private Clubs.

- (a) Private clubs, meeting the definition of this chapter, are eligible to apply for a license for consumption on premises of alcoholic beverages.

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- (b) No license shall be issued or renewed for the sale of alcoholic beverages prior to the furnishing of evidence, satisfactory to the city, that such private club has been approved as a tax exempt entity by the IRS.

Sec. 6-4-93. Gainesville Civic Center.

- (a) The sale of alcoholic beverages and consumption of mixed drinks on the premises of the Gainesville Civic Center shall be allowed.
- (b) The Director of the Gainesville Parks and Recreation Department, or his designee, may hold an alcoholic beverage license for the Gainesville Civic Center. There shall be no alcoholic beverage license fee paid by the Director of the Gainesville Parks and Recreation Department or his designee.
- (c) The consumption on the premises license provided for herein is exempted from the food sale requirements provided for in section 6-4-82 of this chapter.
- (d) The city may solicit for proposals to be the designee for the Gainesville Parks and Recreation Department for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center.
- (e) Any designee shall obtain a business occupation tax and an alcoholic beverage license for consumption on the premises under this chapter.
- (f) The hours of sale of alcoholic beverages on the premises of the Gainesville Civic Center shall be the same as provided in Section 6-4-81.

Sec. 6-4-94. – 6-4-99. Reserved.

ARTICLE 8. EVENTS

Sec. 6-4-100. Non-Profit Special Temporary Event Permit.

- (a) Bona fide non-profit charitable and civic organizations, colleges and universities desiring to sell alcoholic beverages may apply to the city manager or designee for a special temporary event permit authorizing the organization to sell or distribute alcoholic beverages for a period not to exceed three (3) days as provided in rules 560-2-11-.02 and 560-2-11-.03 of the rules and regulations of the state department of revenue as amended from time to time.
- (b) The non-refundable permit fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application for a special temporary event permit.
- (c) Bona fide non-profit charitable and civic organizations, colleges and universities, if approved for a temporary event, may sell distilled spirits and malt beverages for consumption on premises only. Wine may be sold for consumption on the premises and by the unopened package subject to O.C.G.A. §§ 3-9-3, 3-9-4 and 3-9-5 and subject to distance requirements for package sales as outlined in this chapter. If

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the temporary event is a wine tasting, then the event shall also be subject to the provisions of section 6-4-104.

- (d) Holders of a special temporary event permit shall be considered the same as any other licensee and subject to all laws, rules and regulations and other applicable sections of this chapter relating thereto.
- (e) No more than six (6) permits may be issued to an organization in any one (1) calendar year pursuant to this section.
- (f) Permits issued pursuant to this section shall be valid only for the place specified in the permit.
- (g) Applicants under this section do not have to obtain alcohol bonds.
- (h) If a designee has been appointed by the Gainesville Parks and Recreation Board for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center, then only the designee shall submit an application for a special temporary event permit to be held at the Gainesville Civic Center.

Sec. 6-4-101. For-Profit Special Temporary Event Permit.

- (a) A for-profit organization desiring to sell alcoholic beverages may apply to the city manager or designee for a special temporary event permit which, if issued, licenses the event for alcohol sales by the drink.
- (b) A for-profit organization desiring to obtain a special temporary event permit, must possess a valid consumption on premises license for malt beverage, wine or liquor or a valid malt beverage, wine, or distilled spirits package license issued by the city.
- (c) The non-refundable permit fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application for a special temporary event permit.
- (d) Provided a special temporary permit has been issued to a for-profit organization, said organization shall be subject to all laws, rules and regulations and other applicable sections of this chapter relating thereto.
- (e) Permits issued pursuant to this section shall be valid only for the place specified in the application.
- (f) If a designee has been appointed by the Gainesville Parks and Recreation Board for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center, then only the designee shall submit an application for a special temporary event permit to be held at the Gainesville Civic Center.
- (g) No special temporary event permit shall be issued within any property zoned central business during any event that is sponsored or organized by the City of Gainesville.
- (h) The licensee for a permitted special temporary event shall designate and clearly mark, by the use of ropes, barricades, stanchions or similar devices, a specific area within which alcoholic beverages may be consumed.
- (i) Applicants desiring to sell distilled spirits must obtain an alcohol bond as required by the City.

Sec. 6-4-102. Temporary Limited License.

- (a) A retail dealer that is licensed to sell alcohol for consumption on the premises or a retail dealer licensed to sell only malt beverages and/or wine by the package where 75% of total annual retail sales of the business are from beer or wine sales by the package and/or from charges for samples of beer or wine, may apply for a temporary limited license to allow for the sale of alcohol by the drink for consumption on the premises.
 - 1. Applications for the temporary limited license shall be made by the licensee with the city manager or designee on forms provided by the City.
 - 2. Payment of the non-refundable license fee as provided for in Title 10 shall be paid at the time the application is submitted.
- (b) If issued, the temporary limited license shall allow for outdoor consumption on the premises during an event and shall be valid for one calendar day for the specific event as set forth in the application. For the purposes of this section, a calendar day for which the temporary limited license is granted will extend to 1:30 a.m.
- (c) The hours and day of sale or distribution of alcoholic beverages at a licensed event shall be conducted in compliance with Section 6-4-81 of this chapter.
- (d) Any licensed retail dealer shall not be granted more than thirty (30) temporary limited licenses per calendar year and any licensed retail dealer shall not be granted more than four (4) per calendar month.
- (e) If a temporary limited license is issued prior to an event, revenue from food and alcohol sales that occur during the time the temporary limited license is valid may be exempt from the food volume ratio requirement stated in Section 6-4-82 of this chapter and from the sales volume ratio requirement stated in Section 6-4-83 of this chapter. If the temporary limited license holder chooses to have food and alcohol exempt from the food volume ratio requirement stated in Section 6-4-82, the food and alcohol sales that occur during the time the temporary limited license is valid, must be reported to the City on a separate report from the monthly sales report that is provided to the City. Any attempt to manipulate food or alcohol sales between days, times or reports may be cause for revocation of the retail dealer's alcohol license.
- (f) No temporary limited license shall be issued within any property zoned central business during any event that is sponsored or organized by the City of Gainesville, unless approved by the City.
- (g) Any retailer dealer receiving a temporary limited license under this section shall comply with all other provisions of this chapter not in conflict with this section.

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Sec. 6-4-103. Catered Events.

- (a) Annual licenses to cater alcoholic beverages by the drink on premises at authorized catered events may be obtained only by those persons, firms or corporations currently licensed by the city for the sale of alcoholic beverages by the drink or for sales of alcohol in the unbroken package.
- (b) Any licensee desiring to obtain a license to be an alcoholic beverage caterer in the City shall submit, in person, a written and signed application on forms provided by City. Only a licensed alcoholic beverage caterer may distribute or sell alcoholic beverages by the drink at an authorized catered event, after the application and issuance of a catered event permit.
- (c) Before a licensed alcoholic beverage caterer may sell or dispense alcoholic beverages at any authorized catered function, such caterer shall apply for a catered event permit from the city manager or designee at least ten (10) working days prior to the event.
 - 1. The application for a catered event permit shall include the name of the alcoholic beverage caterer, the caterer's license number, and the date, address and time of the event.
 - 2. If the catered event permit is granted, it shall be good only for the specific event at the specified address and times set forth in the application, unless otherwise stated by city council by resolution.
 - 3. The permit shall be kept in the vehicle used to transport alcoholic beverages to the event at all times during which the permit is in effect.
- (d) Caterers licensed by the city shall maintain a record of all alcoholic beverages transported for each event, and shall make report and remittance of such taxes with their regular monthly reports to the city.
- (e) No alcoholic beverages shall be transported, distributed, or sold to other than licensed locations in the city, except to permitted catered events, unless otherwise authorized by this chapter or by state law.
- (f) No licensed alcoholic beverage caterer shall employ any person under twenty-one (21) years of age to dispense, serve, sell or handle alcoholic beverages at authorized catered functions.
- (g) No catered event permit will be issued for an event at the Gainesville Civic Center or any location with respect to which any alcohol license has been denied or revoked within the past twelve (12) months; nor for any location with respect to which conduct prohibited in this chapter has previously occurred.
- (h) The hours and days of sale or distribution of alcoholic beverages at an authorized catered event, except for private functions, shall be conducted in compliance with Section 6-4-81 of this chapter. Except as set forth above in this section, an off-premises permit holder must comply with all other provisions set forth in this chapter.

Sec. 6-4-104. Wine Tasting.

- (a) A request to conduct a wine tasting may be approved by the city manager or designee when such request is made in writing on an application furnished by the city manager or designee, and a non-refundable fee

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as provided for in Title 10 is submitted. If issued, the wine tasting shall be conducted under the following conditions:

1. A wine tasting must comply with all local and state laws and regulations pertaining to the sale and distribution of alcoholic beverages in the state and the city.
 2. No wine tasting may be conducted on the premises of any place of business licensed to sell distilled spirits in the unbroken package or container at retail.
- (b) A bona fide non-profit charitable and civic organization that seeks to conduct a wine tasting shall comply with all requirements set forth in O.C.G.A. §§ 3-9-3, 3-9-4, and 3-9-5 and must make application twenty-five (25) days prior to the proposed event on forms supplied by the city.
- (c) A for-profit organization that seeks to conduct a wine tasting and is not licensed shall comply with all requirements set forth in O.C.G.A. § 3-6-20 and must make application twenty-five (25) days prior to the proposed event on forms supplied by the city, and shall obtain the wine secured for the wine tasting through a wholesale dealer possessing a valid license to distribute wine issued by the city.
- (d) Licensees that are licensed to sell wine in the unbroken package are exempt from the requirement to make application for a wine tasting if sixty (60) percent or greater of the total malt beverage and/or wine sales is derived from the sale of wine. Samples of wine may be made available for consumption on the premise provided no individual shall be allowed to sample more than a total of twenty-four (24) ounces per day. A licensee may charge a fee for samples of wine.

Sec. 6-4-105. Home Brew Special Events.

- (a) Home brewed malt beverages for purposes of this section shall be limited to malt beverages produced by an individual(s) pursuant to the provisions of O.C.G.A. § 3-5-4 and any applicable rules and regulations of the Georgia Department of Revenue.
- (b) A home brew special event may be conducted on the premises of any place of business licensed under this chapter for the sale, storage, or distribution of alcoholic beverages by the package or for consumption on the premises, or may be conducted at locations not otherwise licensed under this chapter.
- (c) All applications for a home brew special event shall be submitted in writing to the city manager or designee, on forms provided by the city, along with a payment of a non-refundable fee as outlined in Title 10.
- (d) At a minimum, applicants shall provide the following information in their application:
1. Name, address, and contact number of the applicant;
 2. Location of the event;
 3. Date and times at which the event will be held;

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4. Estimated number of participants in the event.
- (e) Home brew special events shall be subject to the following regulations:
1. Events shall only be held during legal hours for drinking on premises as defined in this chapter.
 2. Consumption of alcoholic beverages at the event shall be limited solely to home brewed malt beverages produced pursuant to O.C.G.A. § 3-5-4. Consumption of other alcoholic beverages shall be prohibited.
 3. Consumption of home brewed malt beverages shall be limited solely to participants in and judges of the special event. For the purpose of this section participants shall be either individuals submitting home brewed malt beverages to the event or individuals admitted to the event by the sponsor without having to submit a home brew.
 4. At the event, home brewed malt beverages shall not be sold, offered for sale, or made available for consumption by the general public.
 5. A home brew special event permittee shall not allow any person to take an open container of alcoholic beverage from the designated event area.
- (f) A home brew special event permittee shall be subject to all laws, rules and regulations of the city and state, including the rules and regulations of the Georgia Department of Revenue and shall be subject to permit revocation for violation thereof.

Sec. 6-4-106. – 6-4-109. Reserved.

ARTICLE 9. RULES AND REGULATIONS

Sec. 6-4-110. Measurement of Distances.

- (a) All measurements to determine distances required by this chapter shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:
1. In a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale;
 2. To the front door of the building of a church, government-owned treatment center or a retail package store; or
 3. To the nearest property line of the real property being used for school or educational purposes or property that is owned or operated by a housing authority.

Sec. 6-4-111. Grandfather Provision for Distance Requirements.

If the sale of alcoholic beverages was lawful at a location at any time during the 12 months immediately preceding an application for renewal or a new application for an alcoholic beverage license, the premises shall be grandfathered in regarding any distance requirements as outlined in this chapter.

Sec. 6-4-112. Sales on Election Day.

No malt beverages, wine or distilled spirits will be sold within two hundred fifty (250) feet of any polling place or of the outer edge of any building within which such polling place is established on primary or election days. As used in this section, the term "day" means that period of time beginning with the opening of the polls and ending with the closing of the polls.

Sec. 6-4-113. Responsibility of Licensees and Employees.

- (a) No holder of a license authorizing the sale of alcoholic beverages in the city nor any agent or employee of the licensee, shall do any of the following upon the licensed premises:
 - 1. Knowingly furnish or cause to be furnished or permit any other person in his employ to furnish any minor alcoholic beverages.
 - 2. Knowingly sell alcoholic beverages to any person while such person is in an intoxicated condition.
 - 3. Sell alcoholic beverages upon the licensed premises on any day or at any time when such sale or consumption is prohibited by law.
 - 4. Permit any disturbance of the peace or obscenity or any lewd, immoral or improper entertainment, conduct or practice on the licensed premises. Such misconduct shall be immediately reported to the city police department.
 - 5. Sell, offer for sale, possess, or permit the consumption on the licensed premises of any kind of alcoholic beverages, the sale, possession or consumption of which is not authorized under his license.
 - 6. Add to the contents of a bottle or to refill empty bottles or in any other manner to misrepresent the quantity, quality or brand name of any alcoholic beverage.
- (b) Sell or offer for sale alcoholic beverages by use of vending machines.
- (c) Receive or cause to be delivered at the licensed premises any alcoholic beverages by any means other than by a conveyance owned and operated by a wholesale dealer with a license from the city to make such deliveries. Transportation of alcoholic beverages by any other means shall be grounds for revocation of all licenses concerned.
- (d) The sale of alcoholic beverages for consumption by persons in any back room or side room which is not open to the general public use is prohibited, except that private parties and conventions, or a properly

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permitted wine tasting, which have been scheduled in advance, may be served in public or private dining rooms or meeting rooms, and provided further that this prohibition shall not apply at private clubs hereunder, nor to the sale for consumption hereunder to the registered guests of any hotel or motel in their designated rooms.

- (e) All alcoholic beverages shall be stored only on the premises for which the license is issued.

Sec. 6-4-114. Financial Interest Prohibited.

It shall be unlawful for any person to hold an alcoholic beverage license (package or consumption) who also has any direct financial interest in any wholesale alcoholic beverage business. It shall be unlawful for the holder of any alcoholic beverage license (package or consumption) to or accept or receive financial aid or assistance from the holder of any alcoholic beverage manufacturer's or wholesale dealer's license.

Sec. 6-4-115. Employment of Minors.

- (a) No person shall allow or require a person in his employment under eighteen (18) years of age to dispense, serve, sell or take orders for any alcoholic beverages for consumption on premises.
- (b) No person shall allow or require a person in his employment under eighteen (18) years of age to sell or take orders for any distilled spirits in the unopened package.
- (c) No person shall allow or require a person in his employment under sixteen (16) years of age to sell or take orders for any malt beverages or wine in the unopened package.

Sec. 6-4-116. Regulations Involving Minors.

- (a) The following regulations involving minors shall apply:
 - 1. No person knowingly, by himself or through another, shall furnish, cause to be furnished, or permit any person in his employ to furnish any alcoholic beverage to any person under twenty-one (21) years of age.
 - 2. No person under twenty-one (21) years of age shall purchase or knowingly possess any alcoholic beverage.
 - 3. No person knowingly or intentionally shall act as an agent to purchase or acquire any alcoholic beverage for or on behalf of a person under twenty-one (21) years of age.
 - 4. No person under twenty-one (21) years of age shall misrepresent his age, identity or use any false identification for the purpose of purchasing or obtaining any alcoholic beverage.
- (b) In any case where a reasonable or prudent person could reasonably be in doubt as to whether or not the person to whom an alcoholic beverage is to be sold or otherwise furnished is actually twenty-one (21) years of age or older, it shall be the duty of the person selling or otherwise furnishing such alcoholic beverage to request to see and to be furnished with proper identification in order to verify the age of such

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person; and the failure to make such request and verification in any case where the person to whom the alcoholic beverage is sold or otherwise furnished is less than twenty-one (21) years of age may be considered by the trier of fact in determining whether the person selling or otherwise furnishing such alcoholic beverage did so knowingly.

- (c) For purposes of this chapter, "proper identification" means any document issued by a governmental agency containing a description of the person, such person's photograph, or both and giving such person's date of birth and includes, without being limited to, a passport, military identification card, driver's license or an identification card authorized under O.C.G.A. § 40-5-100 et seq. "Proper identification" shall not include a birth certificate.
- (d) The prohibition contained in subsection (a) above shall not apply with respect to the sale, purchase or possession of alcoholic beverages for consumption:
 - 1. For medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this state.
 - 2. At a religious ceremony.
 - 3. In the home of the minor with the consent of said minor's parent or legal guardian.

Sec. 6-4-117. Violations.

Any person violating any of the provisions of this chapter shall be punished as provided in section 1-1-7 of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, and shall be punished accordingly.

SECTION III.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION IV.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

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SECTION V.

The Ordinance is enacted as an amendment to Chapter 6-4 of the Code of Ordinances of the City of Gainesville, Georgia.

SECTION VI.

The effective date of this Ordinance shall be upon approval by the Governing Body of the City of Gainesville.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

City of Gainesville
Alcoholic Beverage Ordinance
Chapter 6~4
Adopted: 9.18.18

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ARTICLE 1. PURPOSE AND LICENSING

Sec. 6-4-1. General Policies and Purpose.

- (a) Alcoholic beverages may be sold, manufactured, distributed and imported in the City of Gainesville only after the issuance of a license for such sale by the City and only in the manner permitted by said license, unless exempted by state law. Alcoholic beverages may be sold, manufactured, distributed and imported in the City only by a licensee who complies with the rules and regulations of this Ordinance, and with the licensing, regulatory and revenue requirements of the State of Georgia.
- (b) Notwithstanding anything in this chapter to the contrary, the sale of alcoholic beverages in the city is a privilege and not a right, and the issuance of a license hereunder shall not create any property rights in the licensee.
- (c) The city council designates the city manager for the purpose of administering this chapter. Any powers granted to or duties imposed upon the city manager may be delegated by the city manager to other city personnel. The city manager or designee shall be responsible for the interpretation of the requirements, standards, definitions, or any other provision of this chapter, unless that authority is provided to another administrative official within a specific article. Interpretations of the city manager or designee may be appealed under the provisions of section 6-4-11. The city manager or designee shall have administrative authority of this code.
- (d) Each licensee of the City shall display the license prominently at all times at the premises for which the license is issued.
- (e) The holder of every alcoholic beverage license hereunder shall have available in his place of business at all times a copy of this chapter and shall be responsible for compliance herewith by all persons on the premises.
- (f) Any premises outlets which cannot be determined as one (1) identifiable place of business shall require additional licenses regardless of such establishments having the same tradename, ownership, or management.
- (g) The purposes of this Ordinance include but are not limited to the following:
 - 1. Compliance with state law.
 - 2. Prevention and control of the sale of alcoholic beverages by unfit persons.
 - 3. Protection of the public health, safety, and general welfare.

Sec. 6-4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Alcoholic beverage* means any beverage containing alcohol and shall include but shall not be limited to, malt beverages, wines and distilled spirits.
- (b) *Alcoholic beverage caterer* means any retail dealer who has been licensed by the city to sell alcoholic beverages by the drink or the unopened package.
- (c) *Art Shop* means a retail business devoted exclusively to providing art education that is limited to instruction in painting, sculpture and similar crafts. An art shop may also sell and display portraits, paintings, sculptures, art supplies and similar art work and crafts. An art shop shall not allow activities that would cause the business to be an "adult entertainment establishment" as defined in Chapter 6-10 of this Code.
- (d) *Authorized catered event* means an event at a location not otherwise licensed for consumption of alcoholic beverages by the drink at which alcoholic beverages are furnished, for consideration, and sold, dispensed or provided free of charge to persons present at the event, by the drink, pursuant to a permit obtained under this section.
- (e) *Business* means any person, corporation, partnership, or other legal entity which exerts substantial efforts within the city, engages in, causes to be engaged in, and/or represents or holds out to the public to be engaged in any occupation or activity with the object of gain or benefit, either directly or indirectly.
- (f) *Brewery* means a place where malt beverages are manufactured. In addition to manufacturing, malt beverages may be sold for consumption on the premises, and/or sold by the package for consumption off the premises in accordance with State law.
- (g) *Brewpub* means any restaurant in which malt beverages are manufactured, subject to the barrel production limitation prescribed in O.C.G.A § 3-5-36. Barrels of malt beverage sold to licensed wholesale dealers for distribution or to the public for consumption off the premises as authorized by State law shall not be used when determining the total annual gross food and beverages sales.
- (h) *BYOB or brown bagging* means possession of an open glass bottle, can, or other container containing an alcoholic beverage or consumption of an alcoholic beverage on premises:
 - 1. For which a city business/occupation tax certificate has been issued; and
 - 2. Which occurs at a location different from where said alcoholic beverage was purchased.
- (i) *Church* means a body of communicants gathered into church order: united under one (1) form of government by the profession of the same faith and the observance of the same ritual and ceremonies, place where persons regularly assemble in a facility for worship, congregation, or organization for religious purposes.
- (j) *College Campus* means a collection of two or more buildings used for educational purposes, on either one parcel or contiguous parcels that are under the same ownership by either a public or private institution of higher learning.
- (k) *Distilled spirits* means any alcoholic beverage obtained by distillation or containing more than twenty-four (24) percent alcohol by volume.
- (l) *Distillery* means a facility that manufactures distilled spirits.

- (m) *Establishment* means any physical location or section thereof for the operation of a business.
- (n) *Food caterer* means any person who holds a valid business license and for consideration, prepares food for consumption off the premises.
- (o) *Fortified wine* means any alcoholic beverage containing not more than twenty-four (24) percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentations with brandy added. The term includes, but is not limited to “brandy.”
- (p) *Georgia Farm Winery* means a farm winery which is licensed by the state to manufacture wine in Georgia.
- (q) *Growler* means a reusable, resealable, and professionally sanitized glass jug used to transport malt beverages or wine for off-premises consumption that is not to exceed 64 ounces and is filled with malt beverages or wine from a keg by a licensee, or an employee of a licensee, with a malt beverage and/or wine license for consumption off premises issued by the City of Gainesville.
- (r) *Hard cider* means an alcoholic beverage obtained by the fermentation of the juice of apples, containing not more than six (6) percent alcohol by volume, including, but not limited to flavored or carbonated cider. For purposes of this chapter, hard cider shall be deemed a malt beverage.
- (s) *Importer* means any person who imports an alcoholic beverage into this state from a foreign country and sells the alcoholic beverage to another importer, broker or wholesaler and who warehouses a stock of the alcoholic beverage.
- (t) *Licensed alcoholic beverage caterer* means any person licensed for the sale of alcoholic beverages by the state and who possesses a license by a local government in the state authorizing such person to sell or dispense alcoholic beverages by the drink off licensed premises and in connection with an authorized catered function.
- (u) *Licensee* means any person who holds a license from the city to engage in the selling, manufacturing, distributing or importing at retail or wholesale, of any alcoholic beverages.
- (v) *Lounge* means a separate room connected with a part of and adjacent to a restaurant with all booths, stools and tables being unobstructed and open to view. All lounges shall be air conditioned and have a seating capacity of at least forty (40).
- (w) *Malt beverage* means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing not more than fourteen (14) percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer and strong beer. The term does not include sake, also known as Japanese rice wine.
- (x) *Managing Agent* means an individual that is at least twenty-one (21) years of age, is a U.S. citizen or an alien lawfully admitted for permanent residency, is a resident of the State of Georgia, has day-to-day managerial authority over the business conducted on the licensed premises including the sale of alcoholic beverages, and is employed full-time by the licensed business.
- (y) *Manufacturer* means any maker, producer or bottler of an alcoholic beverage. The term also means:

1. In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits; provided, however, that a vintner that blends wine with distilled spirits to produce a fortified wine shall not be considered a manufacturer of distilled spirits;
 2. In the case of malt beverages, any brewer; and
 3. In the case of wine, any vintner
- (z) *Minor* means any person less than twenty-one (21) years of age.
- (aa) *Multi-use facility* means a structure containing three or more retail or office establishments and one or more eating establishment, which has a court area for pedestrian use.
- (bb) *Non-profit, charitable and civic organization* means a bona fide nonprofit civic organization which is exempt from federal income tax pursuant to the provisions of subsection (c), (d), or (e) of 26 U.S.C. Section 501.
- (cc) *Nonprofit botanical garden or nature science center* means a facility primarily used to develop and maintain animals or plant collections, including flowers, shrubs and trees, for public display, education, research, conservation and enjoyment, through, without limitation, horticultural gardens, public and private programs, exhibitions and special events, having not less than 75 acres of outdoor gardens or land preserved for conservation, containing a documented collection of living plants, shrubs and trees, having meeting event space with a capacity for not less than 100 people, that is owned by a corporation that is exempt from federal income taxes pursuant to section 501(c) of the Internal Revenue Code, as amended.
- (dd) *Open air café* means a premise located within the pedestrian court area and adjacent sidewalk of a multi-use facility where food is available for purchase during all hours of operation and where alcoholic beverages may be purchased from a restaurant contained within the multi-use facility for consumption within the open air café.
- (ee) *Person* means any individual, firm, partnership, cooperative, nonprofit membership corporation, social club, joint venture, association, company, corporation, limited liability company, limited liability partnerships, agency, syndicate, estate, trust, business trust, receiver, fiduciary or other group or combination acting as a unit, body politic or political subdivision, the plural as well as the singular member, whether public, private or quasi-public.
- (ff) *Premises* means one physically identifiable place of business operated by the same ownership and/or overall management consisting of one or more contiguous rooms with only one address registered as a single place of business with the local licensing authority and the state. "Premises" is further defined to include the following areas:
1. In the case of hotels, motels or private clubs, the swimming pool which is owned by said hotel, motel or club.
 2. Outdoor areas or patios approved pursuant to this chapter.
 3. In the case of a malt beverage and/or wine licensee where a golf course is located adjacent to and contiguous with a restaurant, the playing area of the golf course.
 4. In the case of a nonprofit botanical garden or nature science center, the geographic grounds.

5. In the case of an open air café, the pedestrian court area and sidewalk in front of the building in which the multi-use facility is contained.
6. In the case of the Gainesville Civic Center, the geographic grounds of the Gainesville Civic Center and the Martha Hope Cabin.
7. In the case of a brewery or distillery, an adjacent outdoor area, contained on the same property utilized by the licensee. If the adjacent outdoor area is a parking lot that is shared and utilized by more than one business, the outdoor consumption area must be controlled to limit public access.
8. In the case of a temporary limited license permit holder, the sidewalk café, deck, lawn and parking lot adjacent to the licensed premises during the hours for which the temporary limited license is valid. In the case of a parking lot that is shared and utilized by more than one business, the outdoor consumption area must be controlled to limit public access.

(gg) *Private club* means any nonprofit association organized under the laws of this state which:

1. Has been in existence at least one (1) year prior to the filing of its application for a license to be issued pursuant to this chapter;
2. Has at least seventy-five (75) regular dues-paying members;
3. Owns, hires or leases a building or space within a building for the reasonable use of its members, which building or space:
 - i. Has suitable kitchen and dining room space and equipment; and
 - ii. Is staffed with a sufficient number of employees for cooking, preparing and serving meals for its members and guests; and
4. Has no member, officer, agent or employee directly or indirectly receiving, in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond a fixed salary as defined by state law.

(hh) *Private function* means any affair where attendance is by invitation only, where no business transactions are conducted during the private function and there is no cost to attend or to consume the food or alcohol either by donations or by any other means.

(ii) *Residence* means the act or fact of living or regularly staying at or in some place for the discharge of a duty or the enjoyment of a benefit or the place where one actually lives as distinguished from his domicile or place of temporary sojourn.

(jj) *Resident* means a person whose primary residence is within the territorial limits of the county.

(kk) *Restaurant* means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment, air conditioned, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests for every hour they are open. At least one (1) meal per day shall be served at least five (5) days a week, except that

restaurants that open for business more than five (5) days a week, shall be required to serve at least one (1) meal per day each day that the restaurant is open, with the exception of holidays, vacation and periods of redecoration, and the serving of such meals shall be the principal business conducted, with the serving of alcoholic beverages to be consumed on the premises as only incidental thereto. A restaurant shall provide at least thirty (30) seats for customers.

- (ll) *School* means an organized source of education or training whether public or private for the teaching of children in which the traditional subjects and learning processes associated with the Pre-K - 12 grades of school are taught.
- (mm) *Tasting room* means an outlet for the promotion of a Georgia Farm Winery's wine by providing samples of such wine to the public and for the sale of such wine at retail for consumption on the premises and for sale in closed packages for consumption off the premises. Samples of wine can be given free of charge or for a fee.
- (nn) *Wholesaler or Wholesale Dealer* means any person who sells alcoholic beverages to other wholesale dealers, to retail dealers, or to retail consumption dealers. This shall include any person that transports or delivers alcoholic beverages from a manufacturer for sale at retail by the package.
- (oo) *Wine tasting* means an event as defined in the rules and regulations of the department of revenue.
- (pp) *Wine* means any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing process when it conforms to the definition of wine contained in this section.

Sec. 6-4-3. Qualifications for Licensing.

- (a) To qualify for an alcoholic beverage license, an applicant shall meet the following:
 - 1. Designate a managing agent that meets the defined qualifications in Section 6-4-2. In the case of a non-profit private club, the managing agent may be an officer of the non-profit private club in lieu of a full-time employee if the individual is otherwise qualified.
 - 2. All licensed establishments must have and continuously maintain in Hall County a registered agent upon whom any process, notice or demand required or permitted by law or under this chapter to be served upon the licensee or owner may be served. The registered agent must be a resident of Hall County. The licensee shall file the name of such agent, along with the written, notarized consent of such agent with the city in such form as may be prescribed.
 - 3. Have a certificate of occupancy that has been issued by the City for the premises for which an alcoholic beverage license is sought.

- (b) Where the application is made on behalf of a corporation, partnership, limited liability corporation, limited liability partnership or sole proprietorship, the license shall be issued jointly to the organization and an individual that meets the qualifications of a managing agent.

Sec. 6-4-4. The Application Process.

- (a) Any person desiring to obtain an alcoholic beverage license in the City shall submit a written and signed application on forms provided by City and in connection therewith, shall, under oath, answer all questions, supply all information, and furnish all certificates, affidavits, bonds and other supporting data as required by the City.
- (b) All applications for licenses to sell alcoholic beverages of any kind shall be made in person by the applicant to the city manager or designee and shall contain but not be restricted to the following statements and information:
 - 1. The name, age, address and length of residency of applicant.
 - 2. The name of the corporation, partnership, sole proprietorship, or other organization applying for the license. Said name shall include the legal name as well as the trade name of the business.
 - 3. A statement of whether the applicant or any person with an interest in the application has made application at any previous time for any alcoholic beverage license and the disposition of such application.
 - 4. Whether the applicant or any person with an interest in the application has ever been convicted of a crime, other than for traffic violations.
 - 5. Whether a previous license issued to the applicant or any person with interest in the application has been revoked by any state or subdivision thereof or by the federal government and the reason therefor.
 - 6. The identity of any other person interested directly or indirectly in the profits or losses or both of the proposed business.
 - 7. The physical address and detailed plans of such building and outside premises, and evidence of ownership of the building, or a document that evidences the right of the applicant to use the premises, including but not limited to a deed, lease, sublease, management agreement, concession agreement, shall be attached to the application
 - 8. Every new application for a package license hereunder shall be accompanied by a drawing to scale, showing the nearest church, school or college or by the affidavit of a registered surveyor that the proposed location of the business complies with the distance requirements as specified in this chapter. Applications for renewal of licenses, or for premises that have been licensed in the preceding 12 months, are exempted from this subsection.

- (c) Every managing agent, owner and interest holder listed in an application for an alcoholic beverage license shall be fingerprinted in a manner prescribed by the city.
- (d) The license fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application. Any person who is doing business on or after the first day of January shall pay the full annual license fee without proration; provided, however, that if an application is filed after July 1st, the license fee shall be one-half (½) of the annual license fee for such calendar year.
- (e) All new applications for alcoholic beverage licenses shall be accompanied either by lawful money of the U.S., or by a certified check, cashier's check or money order, payable to the city for the proper amount of the license fee. If the application is denied or if the applicant withdraws the application prior to its being issued, the license fee shall be refunded, less a one hundred fifty dollar (\$150.00) administrative fee which shall be retained by the city.
- (f) The city license issued shall be valid for the calendar year indicated thereon and shall expire at midnight on the last day of the year.
- (g) All applications for alcoholic beverage licenses shall be filed with and approved by the city manager or designee provided the applicant meets all of the requirements and qualifications of this chapter.
- (h) The written application for the license shall be a permanent record, and the licensee must maintain current and accurate information within said application as required by this chapter.

Sec. 6-4-5. Grounds for Denial of Application.

- (a) The following shall be sufficient cause for the denial of an application:
 - 1. Failure of the applicant to meet the qualifications for licensing as set forth in this chapter.
 - 2. The making of any untrue or misleading statement in the application for an alcoholic beverage license.
 - 3. Failure to meet distance requirements as provided in this chapter.
 - 4. Where it appears that the applicant would not have adequate participation in the proposed business to direct and manage its affairs, or where it appears that the application is intended to be a mere surrogate for a person or persons who would not otherwise qualify for a license for any reason whatsoever.
- (b) When contrary to the public interest and welfare, no license to sell alcoholic beverages of any kind shall be issued to or for:
 - 1. Any person by reason of such person's business experience, trade associations, personal associations, record of arrest, or reputation in any community in which he has resided, who is not likely to maintain the operation for which he is seeking a license in conformity with federal, state or local laws, rules and regulations.

2. Any person who has been convicted under any federal, state or local law of any felony involving moral turpitude.
3. Any person who has been convicted under any federal, state or local law of any felony not involving moral turpitude within ten (10) years immediately preceding the filing of application for such license.
4. Any person convicted under any federal, state or local law of a misdemeanor, particularly, but not limited to, those involving alcoholic beverages, gambling or tax law violations, if such conviction tends to indicate that the applicant will not maintain the operation for which he is seeking a license in conformity with federal, state or local laws, rules and regulations.
5. A location not suitable in the judgment and discretion of the city because of traffic congestion, general character of the neighborhood, or by reason of the effect which such an establishment would have on the adjacent and surrounding properties or on the neighborhood.
6. A location within an area where, in the judgment of the city manager, the number of alcoholic beverage licenses already granted makes it contrary to the public interest or welfare.
7. A location at which the operation of the proposed business would be in violation of the City's Unified Land Development Code.
8. A location at which a previous alcoholic beverage license has been revoked or suspended, and where, in the judgment of the city manager, the problems which have arisen from the operation of an alcoholic beverage license at such location indicate that it is not in the interest of public health, safety, welfare or morals that the sale of alcoholic beverages be permitted at such location.
9. A person or location which the granting of such license would constitute a violation of state law or regulations.
10. The operation of a distilled spirits package business licensed hereunder by any person already holding two (2) such licenses.
11. Any person who is as close kin as brothers or sisters, by blood or marriage, to one already holding two (2) distilled spirits package licenses under this chapter.
12. Any trustee or director of a private club, if disqualified under this chapter.

Sec. 6-4-6. Renewal of Licenses.

- (a) The city manager or designee may approve all applications for renewal of an existing license upon payment of the license fees for renewal of licenses, where no objections have been raised by the City Manager or designee and the application clearly shows no change in the ownership, managing agent, location, or operation of the business.

- (b) A licensee that desires to continue in business during the next or subsequent calendar year must make application for such year, on or before November 15th of the preceding year. License fees for such year shall be submitted on or before December 15 of the preceding year. Any license fee submitted after the due date of December 15th, shall be considered delinquent and assessed a penalty in the amount of ten (10) percent of the fees due. Interest on delinquent fees shall be assessed at one (1) percent for each month or fraction thereof of delinquency.
- (c) If objections have been raised by the City Manager or designee due to previous violations of this chapter or if there have been any changes in the ownership, managing agent, location, or operation of the business, a new application must be submitted to the city manager or designee.

Sec. 6-4-7. Duty to Remain Current.

- (a) It is the duty and responsibility of the licensee to notify the city manager or designee of any changes to the information contained in the original application. Any amendments to the original application shall be made in writing on forms provided by the city manager or designee and shall be under oath and verified as otherwise required of license applications.
- (b) Failure to maintain a current application shall be grounds for revocation of the license.
- (c) In the event the "managing agent" either ceases to be employed by or ceases to have day-to-day managerial oversight of alcoholic beverage sales, the licensee shall notify the city within five (5) days of the change and must follow the requirements to transfer the license to a new "managing agent" as set forth in section 6-4-8 (b). If the applicant does not meet the qualifications for "managing agent" as required by this chapter and the city manager or designee recommends denial, the applicant may have a hearing as set out in section 6-4-11.
- (d) In the event the "registered agent" changes, the licensee shall notify the city within ten (10) days of the change and must submit written information on forms provided by the city. A fee as required in Title 10 will be charged for the processing of a change in the "registered agent."
- (e) No person shall have, own or enjoy any ownership, interest in, share in the profits from, or otherwise participate in the business of any alcoholic beverage licensee in the city unless a full description of such interest is furnished to the city manager or designee at the time such interest arises. It shall be the duty of the licensee to report to the city manager or designee, within twenty (20) days, any change in any interest in such licensee's business including but not limited to:
 - 1. Any division of the profits;
 - 2. Any division of net or gross sales for any purpose whatsoever;
 - 3. Any change in the payment of rents or leases;
 - 4. Any change in the ownership of any lease or building or land used in such business;

5. Any change in the ownership of any corporation that has any interest in such business or the change of management of such corporation.
- (f) After receipt of notice pursuant to Section 6-4-7(e), the city manager or designee shall notify such person within thirty (30) days of any objection to the ownership or interest set forth therein, based on the interest holder's ability to qualify as a licensee under this chapter. In the event such interest is not disposed of in accordance with the objections set forth by the city manager or designee within thirty (30) days after the mailing of the notice by the city manager or designee, or in the event no objections are mailed to the licensee within such thirty-day period, or in the event such person fails to notify the city manager or designee of the transfer of any such interest within twenty (20) days after the acquisition thereof, then the license as provided for herein may be subject to suspension or revocation by the city manager or designee.
- (g) The licensee shall make all reports required by this section in the form required by the city manager or designee, and such reports shall be an amendment to the licensee's permanent license application on file with the city and as such shall be under oath and verified as otherwise required of license applications.

Sec. 6-4-8. Transfer of Licenses.

- (a) No city license may be transferred from one (1) person or from one (1) location to another without permission and approval of the city manager or designee upon receipt of a written application made. Approvals as to any change shall be at the discretion of the city manager or designee.
- (b) In the event of a change in the managing agent of a licensee, the city license shall remain in effect pending approval or denial of the transfer provided:
 1. The licensee notifies the city manager or designee within ten (10) days of the change of the managing agent;
 2. The licensee submits a proper written application for approval thereof;
 3. The licensee pays a transfer fee as required by Title 10;
 4. The transferee meets all qualifications of a managing agent as required by this chapter; and
 5. There has been no change of ownership, location or operation of the business.
- (c) Any licensee desiring to discontinue business at one (1) location and commence business at some other new location must make a complete change of location application for such new location. Upon proper application and provided that there has been no change of ownership or interest in the business, the city manager or designee may permit the license to be transferred upon payment of a fee required in Title 10 for a change of location, provided that the licensee and the new location meet all qualifications required by this chapter. The fee for a change of location shall be in addition to the original license fee paid by the licensee for the calendar year.

- (d) Upon the sale of an existing business, the city license issued for that business location shall remain in effect pending approval or denial of a new application by the city manager or designee, provided that the buyer or transferee meets all the qualifications of a managing agent as required by this chapter, and provided that the buyer or transferee has immediately upon the date of sale or prior to the date of sale made proper written application and has paid the original license fee required by Title 10.

Sec. 6-4-9. Right to Investigate.

- (a) Upon receipt by the city manager or designee of any application for an alcoholic beverage license, or for the transfer of any license, each person listed on the application shall consent to a criminal background check on the forms supplied by the city manager or designee.
- (b) The city manager or designee, the chief of police, or any policeman of the city may enter upon the premises operated under the provisions of this chapter during operating hours for the purpose of inspecting the premises and enforcing this chapter and shall have access during the inspection of all books, records, and supplies relating to the sale, storage or possession of alcoholic beverages.

Sec. 6-4-10. Surrender, Suspension or Revocation of License or Imposition of a Monetary Administrative Penalty.

- (a) The following may be grounds for the suspension and/or revocation of an alcoholic beverage license or for the imposition of a monetary administrative penalty against the licensee.
 - 1. The violation by the licensee of any state or federal law or regulation, except misdemeanors or any ordinance of the city, other than traffic violations. The determination of whether any such violation has occurred shall be made by the administrative hearing officer and an actual conviction in a court for such offense shall not be necessary in order to suspend or revoke the license or issue a monetary administrative penalty.
 - 2. The failure of the licensee or his employee to report promptly to the police department any violation of law or municipal ordinance, breach of the peace, disturbance or altercation resulting in violence, occurring on the premises.
 - 3. Any conduct on the part of the owner of the business, the licensee or his employee contrary to the public welfare, safety, health or morals. While not to be considered a comprehensive or exhaustive listing of prohibited behavior, specific instances of prohibited behavior by the owner, the licensee and/or his employee include, but are not limited to, the following:
 - a. Consumption or being under the influence of alcoholic beverage while working or on duty;
 - b. Breach of the peace, disturbance or altercation resulting in violence;
 - c. The conviction of any felony reasonably related to the ability of the licensee to operate and maintain the premises in a proper manner;

- d. The violation of any state law or regulation governing the manufacture, sale, distribution or transportation of alcoholic beverages;
 - e. The violation of any section of O.C.G.A. § 10-1-370 et seq., known as the Uniform Deceptive Trade Practices Act, reasonably related to the operation of licensed establishments;
 - f. The conviction of the owner or the licensee of driving under the influence of alcoholic beverages and/or drugs on two (2) or more occasions;
 - g. Permitting the solicitation of patrons on the licensed premises for prostitution or any other unlawful act where the licensee or the licensee's employee or agent knew or should have known of such conduct;
 - h. The selling or serving of any alcoholic beverage to any person that the licensee or the licensee's employee or agent knew or should have known to be in a state of intoxication;
 - i. The failure to comply with any and all federal, state or municipal tax laws and regulations applicable to the operation of establishments licensed to sell alcoholic beverages;
 - j. Failure by the licensee to adequately supervise and monitor the conduct of the employees, patrons and others on the licensed premises or on any property owned or leased by the owner or licensee, including but not limited to parking lots and parking areas, or on any parking lots or areas which may be lawfully used by patrons of a licensed establishment, in order to protect the safety and well-being of the general public and of those utilizing the premises.
- 4. Operating or conducting the business in a manner contrary to the public welfare, safety, health or morals, or in such manner as to constitute a nuisance. Any combination totaling three (3) or more of the following occurrences within any thirty-day period shall constitute prima facie evidence that the licensee is operating or conducting an alcoholic beverage business in a manner which is contrary to the public welfare, safety, health or morals, or in such manner as to constitute a nuisance: Three (3) or more violations of law, violations of municipal ordinances, breach of the peace, disturbance or altercation resulting in violence, all occurring on the premises. The business license holder shall, upon suspension for violations of this section, have the burden of proving such occurrences were beyond his control and not related to the operation of his business.
 - 5. The violation of any state law or regulation or municipal ordinance pertaining to alcoholic beverages.
 - 6. The violation of any provision contained in this chapter.
- (b) For the purposes of this section, the definition of an employee shall include any agent or independent contractor that is working for hire on the licensed premises.

- (c) The city manager or designee, with an order from the Gainesville Municipal court and/or administrative hearing officer, shall have the right to suspend any alcoholic beverage license pending a hearing as provided for in section 6-4-11 where in the judgment of the city manager or designee such action is necessary to protect the public health, safety, welfare or morals.
- (d) The city manager or designee, chief of police or any police department shift commander on duty at the time may close any location holding an alcoholic beverage license for a period not in excess of twenty-four (24) hours in the event there shall occur on the premises any violation of law or municipal ordinance, breach of the peace, disturbance or altercation resulting in violence, or other occurrence which is contrary to the public health, welfare, safety or morals, when in the judgment of the city manager or designee, chief of police or shift commander such action is necessary to protect the public health, welfare, safety or morals.
- (e) In the case of the revocation or surrender of an alcoholic beverage license before expiration, the holder thereof shall not be entitled to receive any refund or fees paid to the City regarding the license to sell alcoholic beverages.
- (f) All licenses issued pursuant to this chapter shall be valid only so long as the licensee is actively engaged in such business, with the exception of holidays, vacations, and periods of redecoration, and in the event the licensee shall cease to be actively engaged in such business such license shall be invalid and the licensee of such business shall immediately notify the city manager or designee and return his license thereto.
- (g) The violation of any of the provisions of this chapter by a holder of an alcoholic beverage license, or his agent, or employee, shall be unlawful, and shall be punishable as provided in section 1-1-7 of this Code, and shall also subject the holder of such license to suspension or revocation of such license or monetary administrative penalty, or any combination thereof as the city manager or designee deems proper.

Sec. 6-4-11. Hearing on Denial, Suspension or Revocation or Imposition of Monetary Administrative Penalty.

- (a) Before the denial of any application, including a renewal application, for an alcoholic beverage license or for the transfer of any alcoholic beverage license, or the revocation or suspension of any existing alcoholic beverage license, or for the imposition of a monetary administrative penalty against a licensee, the applicant or licensee, as the case may be, shall be given notice in writing from the city manager or designee to show cause before an administrative hearing officer at a time and place specified therein not less than three (3) days nor more than thirty (30) days from the date of service of the notice, why such application for license or for transfer of license should not be denied, or why such license should not be revoked or suspended as the case may be, or why a monetary administrative penalty should not be imposed, stating the grounds therefor, and at the appointed time and place the applicant or licensee shall have an opportunity to show cause, if any exist, why such application should not be denied or such license revoked or suspended or a monetary administrative penalty imposed after which the administrative hearing officer

shall take such actions as he or she in his or her judgment and discretion, shall deem warranted under the facts.

- (b) The decision of the administrative hearing officer shall be final unless appealed by certiorari to the superior court of Hall County.
- (c) In all instances of a denial of any application for an alcoholic beverage license or the revocation of any existing alcoholic beverage license, the applicant, licensee or any person(s) with twenty-five (25) percent or more interest, shall not reapply for a license for at least one (1) year from the final date of the denial or revocation.

Sec. 6-4-12. Employee Permits.

- (a) No person shall be employed to dispense, sell, serve, take orders, or mix alcoholic beverages, or be in any managerial position, by an establishment holding a license for the sale of distilled spirits by the package or for consumption on premises or an establishment holding a license for malt beverage or wine for consumption on premises unless such person has been approved by the chief of police or his designee. The individual named on the alcoholic beverage license as the managing agent for such establishment shall be exempt from obtaining an employee permit.
- (b) Upon approval by the chief of police or his designee, such person shall be issued an employee permit which shall contain the name, expiration date, fingerprint and photograph of such employee. Such employee permit shall remain the property of the city and shall be in the possession of the employee at any time he or she is working at any licensed establishment, and shall be produced upon the request of any law enforcement officer of the city.
- (c) No permit shall be issued until such time as a signed application has been filed with the Gainesville Police Department and upon the payment of the non-refundable fee designated in Title 10 of this Code. The applicant shall furnish, at the time of presenting the application, two (2) forms of valid, current identification. Such application shall contain the following information: Applicant's name, date of birth, height, weight, race, sex, address, telephone number, and disclosure of arrest record. Applicant must give permission to the police department to obtain and inspect any criminal history on such applicant which is in the possession of any law enforcement agency.
- (d) No person shall be granted an employee permit that has been convicted, plead guilty, or entered a plea of nolo contendere to any crime involving the sale or furnishing of alcoholic beverages to an underage person or any felony within three (3) years of the date of the application.
- (e) No person shall be granted an employee permit if he or she has been the holder of an alcoholic beverage license or employee permit which has been revoked within five (5) years of the date of the application.
- (f) An employee permit shall be valid for three (3) years from the date of issue. At the expiration of three (3) years, the employee permit may be renewed upon the submission of a renewal application, the payment of the appropriate fee, and upon determination that such individual remains qualified under this chapter.

- (g) The employee permit is non-transferable and is valid only for the individual named on the permit. Such permit is valid for the individual named while employed in any establishment licensed in the city.
- (h) An employee permit may be suspended or revoked by the chief of police if it is determined that the individual has violated any provision of this chapter or committed any offense which would make him or her ineligible to hold such a permit.
- (i) Falsifying or failing to disclose any information required by this chapter shall be grounds for denial or revocation of the employee permit.
- (j) Notification of any denial, suspension, or revocation of an employee permit shall be in writing and served either in person or by certified mail and shall contain the reasons for such action and the notice of the right to appeal the decision.
 - 1. Decisions of the chief of police that adversely affect or aggrieve any applicant, certificate holder, or permit holder under this chapter may be appealed to the administrative hearing officer, as defined in section 1-8-1 of this Code. All appeals shall be submitted in writing to the chief of police within ten (10) calendar days after notification of the adverse decision.
 - 2. A hearing shall be conducted on each appeal within thirty (30) days of the date of the filing of the written appeal, unless a continuance of such hearing is agreed to by the appellant and the chief of police, or unless the hearing is rescheduled by the administrative hearing officer. The appellant at such hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross-examine witnesses.
 - 3. The appellant shall be notified in writing of the date and time of the hearing at least three (3) calendar days prior to the date of the hearing.
 - 4. The findings of the administrative hearing officer shall be final unless appealed within thirty (30) days of the date of the finding by certiorari to the Superior Court of Hall County.
- (k) No licensee shall allow any employee or manager required to hold an employee permit to work on the premises unless the employee or manager has in their possession a current valid employee permit. Provided, however, that an individual may be employed for a period of time not to exceed fourteen (14) days pending the submission of the application to and the approval of the permit by the police department.

Sec. 6-4-13. – Sec. 6-4-19. Reserved.

ARTICLE 2. MANUFACTURERS

Sec. 6-4-20. Malt Beverage. .

No individual shall be permitted to own or operate a brewery without first obtaining a proper brewery license from the City. A licensed brewery shall comply with State law relating to the limited sale of malt beverages to the public and may sell on all days and at all times that sales of malt beverages by retailers are lawful within the City.

Sec. 6-4-21. Wine.

A Georgia Farm Winery may engage in retail package sales of wine in a tasting room or the retail consumption sales on premises of its wine and the wine of any other Georgia Farm Winery in a tasting room.

Sec. 6-4-22. Distilled Spirits.

No individual shall be permitted to own or operate a distillery without first obtaining a proper distillery license from the City. A licensed distillery shall comply with State and Federal law relating to the manufacture and limited sale of distilled spirits to the public and may sell on all days and at all times that sales of distilled spirits by retailers are lawful within the City. Sec. 6-4-23. – 6-4-29. Reserved.

ARTICLE 3. EXCISE TAX ON MIXED DRINKS CONSUMED ON PREMISES

Sec. 6-4-31. Definitions.

Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *Agent* means the person designated by the licensee in this application for permit to sell alcoholic beverages by the drink.
2. *Drink* or *mixed drink* shall include any distilled spirits served for consumption on the premises, which may or may not be diluted by water or other substance in solution.
3. *Licensee* means any person who holds a license from the city to engage in the sale of distilled spirits by the drink for consumption on the premises.

4. *Monthly period* means the calendar months of any year.
5. *Purchase price* means the consideration received for the sale of distilled spirits by the drink valued in money, whether received in cash or otherwise, including receipts, cash, credit, property or services of any kind or nature, and also the amount for which credit is allowed by the licensee to the purchaser, without any deduction therefrom whatsoever.
6. *Purchaser* means any person who orders and gives present or future consideration for any distilled spirits by the drink.
7. *Return* means any return filed or required to be filed as herein provided.
8. *Tax* means the tax imposed by this section.

Sec. 6-4-32. Imposition and Rate of Tax.

There is hereby imposed and levied upon every purchaser of a distilled spirits purchased by the drink within this city a tax in the amount provided in Title 10.

Sec. 6-4-33. Collection of Tax.

- (a) Every licensee or his agent is hereby authorized and directed to collect the tax imposed herein from purchasers of distilled spirits by the drink within the licensed premises. Such licensee or agent shall furnish such information as may be required by the city to facilitate the collection of the tax.
- (b) In all cases where the collection of food and drinks is by deferred payment or credit, the licensee is liable at the time of and to the extent that such credits are incurred in accordance with the rate of tax owing on the amount thereof. The city shall have authority to adopt rules and regulations prescribing methods and schedules for the collection and payment of the tax.

Sec. 6-4-34. Determination, Returns and Payments.

- (a) The tax imposed by this article shall become due and payable from the purchaser at the time of purchase of any mixed drink in this city. All amount of such taxes collected by the licensee shall be due and payable to the city monthly on or before the twentieth day of every month next succeeding each respective monthly period for which this tax is imposed; provided, however, that upon a proper showing that the tax imposed will not be collected until after a regular billing period of the collecting agent, then the collection of the tax may be deferred by the city for an additional period not exceeding thirty (30) days.
- (b) On or before the twentieth day of the month following each monthly period, a return for the preceding monthly period shall be filed with the city in such form as the city may prescribe by every licensee liable for the payment of tax hereunder. All returns shall show the gross receipt of the sale of distilled spirits by the drink and the amount of the tax collected on such drinks.

- (c) Licensees collecting the tax shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting and paying the amount due, if such amount is not delinquent at the time of payment. The rate of the deduction shall be the same rate authorized for deductions from state tax under State Law.

Sec. 6-4-35. Deficiency Determinations.

- (a) If the city has cause to believe that the return or returns of the tax or the amount of the tax required to be paid to the city by any person is not proper, it may compute and determine the amount required to be paid upon the basis of any information that is within or may come into its possession. One (1) or more deficiency determinations may be made of the amount due for one (1) or more monthly period.
- (b) The amount of the determination shall bear interest at the rate of three-fourths of one percent per month, or fraction thereof from the due date of taxes.
- (c) The city or its designated representatives shall give to the licensee written notice of his determination. The notice may be served personally or by mail; if by mail, such service shall be addressed to the licensee at his address as it appears in the records of the city. Service by mail is complete when delivered by certified mail with a receipt signed by the addressee.
- (d) Except in the case of failure to make a return, every notice of a deficiency determination shall be mailed within three (3) years after the twentieth day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three (3) years after the return is filed, whichever period should last expire.

Sec. 6-4-36. Determination if No Return Made.

- (a) If any person fails to make a return, the city shall make an estimate of the amount of the gross receipts of the person, or as the case may be, of the amount of the total sales in this city which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make the return and shall be based upon any information which is in possession of or may come into the possession of the city official. Written notice shall be given in the manner prescribed in section 6-4-35 (c).
- (b) The amount of the determination shall bear interest at the rate of three-fourths of one percent per month, or fraction thereof, from the due date of taxes.

Sec. 6-4-37. Penalty for Nonpayment.

Any person who fails to pay the tax herein imposed or fails to pay any amount of the tax required to be collected and paid to the city within the time required shall pay a penalty of twenty-five (25) percent of the tax or amount of the tax, in addition to the tax or amount of the tax plus interest on the unpaid tax or any portion thereof as set forth in section 6-4-36 (b).

Sec. 6-4-38. Action for Collection.

- (a) At any time within three (3) years after any tax or any amount of tax required to be collected becomes due and payable and at any time within three (3) years after the delinquency of any tax or any amount of tax required to be collected, the city may bring an action in the courts of this state any other state or of the United States in the name of the city to collect the amount delinquent together with penalties and interest, court fees, filing fees, attorney's fees and other legal fees incident thereto.
- (b) Whenever the amount of any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or received by the city under this chapter, it may be offset against any future liability for the tax.

Sec. 6-4-39. Overpayment.

If the licensee determines that he has overpaid or paid more than once, which fact has not been determined by the city, he will have three (3) years from the date of payment to file claim in writing with the City Manager stating the specific ground upon which claim is founded. The claim shall be audited. If the claim is approved, the excess amount paid the city may be credited on any amounts then due and payable from the person by whom it was paid, or from his administrators or administrators.

Sec. 6-4-40. Purchasers or Successors of Business.

- (a) If any licensee liable for any amount under this chapter sells out his business or quits the business, his successors or assigns shall withhold sufficiently from the purchase price to cover such amount until the former owner produces from the city either a receipt reflecting full payment or a certificate stating that no amount is due.
- (b) If the purchaser of a business fails to withhold purchase as required, he shall be personally liable for the payment of the amount required to be withheld by him to the extent of the purchase price.

Sec. 6-4-41. Administration.

- (a) Every licensee for the sale of alcoholic beverages by the drink in the city shall keep such records, receipts, invoices and other pertinent papers in such form as the city may require.
- (b) The city or any person authorized in writing by the city may examine the books, papers, records, financial reports, equipment and other facilities of any licensee for sale of distilled spirits by the drink and any licensee liable for the tax in order to verify the accuracy of any return made, or if no return is made by the licensee, to ascertain and determine the amount required to be paid.
- (c) In administration of the provisions of this subsection, the city may require the filing of reports by any person or class of persons having in such person's or persons' possession or custody information relating to purchases which are subject to the tax. Reports shall be filed with the city when required by the city and shall set forth the purchase price for each purchase, the date or dates of purchase, and such other information as the city may require.

Sec. 6-4-42. Violations.

- (a) Any person violating any of the provisions of this chapter shall be deemed guilty of an offense and upon conviction thereof shall be punished as provided in section 1-1-7 of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the subsection is committed, continued or permitted by such person, and shall be punished accordingly. Any licensee or any other person who fails to furnish any return required to be made, or fails or refuses to furnish a supplemental return or other data required by the city or who renders a false or fraudulent return shall be deemed guilty of an offense and upon conviction thereof shall be punished as aforesaid.
- (b) Any person violating any of the provisions of this article may, in addition to the other penalties and liabilities provided for herein, have his license or permit revoked as provided for previously herein.

Sec. 6-4-43. – 6-4-49. Reserved.

ARTICLE 4. EXCISE TAX REQUIRED OF WHOLESALE DEALERS

Sec. 6-4-50. Imposition of Tax.

There is hereby levied and imposed upon each wholesale dealer and manufacturer distributing malt beverages, wine or distilled spirits within the city an excise tax in the amounts fixed in Title 10.

Sec. 6-4-51. Payment of Taxes.

- (a) Payment of excise taxes for the distribution of malt beverages, wine or distilled spirits shall be remitted by the tenth day of each month following the month in which deliveries were made.
- (b) Copies of the "summary of sales" showing delivery by each supplier to retailers and/or consumption on the premises licensees shall be furnished to the city's finance department with each monthly payment.

Sec. 6-4-52. – 6-4-59. Reserved.

ARTICLE 5. MALT BEVERAGE AND WINE – ORIGINAL PACKAGE

Sec. 6-4-60. Distance Requirements.

- (a) No malt beverage and/or wine shall be offered for sale or sold in an unopened package within one hundred (100) yards of any school building, school grounds or college campus. This subsection shall not apply:

1. To a grocery store licensed for the retail sale of only wine and malt beverages for consumption off the premises, which shall be allowed to sell wine and malt beverages within 100 yards of any school building, school grounds or college campus. As used in this subparagraph, the term “grocery store” means a retail establishment which has a total retail floor space of at least 10,000 square feet of which at least 85 percent is reserved for the sale of food and other nonalcoholic items and conducts all of its sales inside the building containing its retail floor space.
 2. To any premises or location where an alcoholic beverage license was issued or approved prior to July 1, 1981, so long as alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter.
 3. To any premises or location where alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter and a school or college campus is built or erected within the minimum distances provided for in this section.
- (b) No malt beverage and/or wine shall be offered for sale or sold in an unopened package within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government.
- (c) All measurements to determine distances required by this chapter shall be measured as provided for in Section 6-4-110.

Sec. 6-4-61. Hours of Sale.

The hours of sale of malt beverages and wine at retail and not for consumption on premises are from 7:00 a.m. to 11:45 p.m. on Monday through Saturday and from 12:30 p.m. to 11:30 p.m. on Sunday.

Sec. 6-4-62. Growler Sales.

Package malt beverage licensees or wine licensees, who are not also licensed to sell distilled spirits by the package, may fill growlers with malt beverages and/or wine at the licensed location subject to the following requirements:

1. At least ninety (90) percent of the licensee's total gross sales are from packaged sale of malt beverages and/or wine or the licensee's premises have a minimum of four hundred (400) square feet of floor space dedicated to the display of malt beverages and/or wine offered for sale.
2. A growler shall not exceed sixty-four (64) ounces. Growlers may only be filled from kegs or barrels procured by the licensee from a duly licensed wholesaler.
3. Only professionally sanitized and sealed growlers may be filled and made available for retail sale.
4. Each growler must be securely sealed and removed from the premises in its original sealed condition.
5. Samples of tap malt beverages may be made available. No individual shall be allowed to sample more than a total of forty-eight (48) ounces of malt beverages per day.

6. Samples of wine may be made available. No individual shall be allowed to sample more than a total of twenty-four (24) ounces per day.
7. Individuals may sample both beer and wine, however no individual shall be allowed to sample a total combination of more than forty-eight (48) ounces per day.
8. A licensee may charge a fee for samples of tap malt beverages or wine.

Sec. 6-4-63. No Consumption on Premises.

- (a) It shall be unlawful for any person to consume any alcoholic beverage on the premises licensed for the sale of malt beverages or wine by the package and it shall be unlawful for any licensee by the package to open for, or break the package for, a purchaser and/or permit the consumption of alcoholic beverages on said premises.
- (b) This section shall not apply for the holder of a temporary limited license as provided for in this chapter during the hours for which the temporary limited license is valid.

Sec. 6-4-64. – Sec. 6-4-69. Reserved.

ARTICLE 6. DISTILLED SPIRITS – ORIGINAL PACKAGE

Sec. 6-4-70. Distance Requirements.

- (a) No distilled spirits shall be offered for sale or sold in an unopened package within one hundred (100) yards of any church building or within two hundred (200) yards of any school building, education building, school grounds or college campus.
- (b) A new retail package liquor licensed place of business or the relocation of an existing retail package liquor licensed place of business engaged in the retail package sales of distilled spirits shall not be located within five hundred (500) yards of any other business licensed to sell package liquor at retail.
- (c) The distance provided for herein shall not apply:
 1. To any premises or location where alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter and a school or church is built or erected within the minimum distances provided for in this section.
 2. To any premises or location licensed as an importer, so long as the same is allowed by the state; provided, however, no signs or other forms of advertisement shall be placed on or near the licensed premises, which directly or indirectly advertise that alcoholic beverages are stored or warehoused on the premises.

- (d) No distilled spirits shall be offered for sale or sold in an unopened package within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government.
- (e) All measurements to determine distances required by this chapter shall be measured as provided for in Section 6-4-110.

Sec. 6-4-71. Hours of Sale.

- (a) The hours of sale of distilled spirits at retail and not for consumption on premises are from 8:00 a.m. to 11:45 p.m. on Monday through Saturday and from 12:30 p.m. to 11:30 p.m. on Sunday.
- (b) No retail dealer of distilled spirits shall be in, or permit others to be in, its place of business Monday through Saturday any time prior to 6:00 a.m. or thirty (30) minutes past the closing time. No retail dealer of distilled spirits shall be in, or permit others to be in, its place of business on Sundays prior to 10:30 a.m. or 30 minutes past the closing time.

Sec. 6-4-72. No Consumption on Premises.

It shall be unlawful for any person to consume any alcoholic beverage on the premises licensed for the sale of distilled spirits by the package and it shall be unlawful for any licensee by the package to open for, or break the package for, a purchaser and/or permit the consumption of alcoholic beverages on said premises.

Sec. 6-4-73. Sufficient Lighting Required.

The building in which each retail dealer of distilled spirits in the unbroken package is located shall contain sufficient lighting so that the building itself, the premises and all entrances are readily visible at all times from the street on which the building is located so as to reveal the inside retail area of the building and so as to reveal all of the outside premises of such building.

Sec. 6-4-74. – Sec. 6-4-79. Reserved.

ARTICLE 7. CONSUMPTION ON PREMISES OF ALCOHOLIC BEVERAGES

Sec. 6-4-80. Distance Requirements.

- (a) No malt beverages, wine and/or distilled spirits for consumption on the premises may be offered for sale, sold or dispensed within one hundred (100) yards of any property containing three hundred (300) housing units or fewer, which property is owned or operated by a housing authority created by OCGA § 8-3-1 et seq., also known as the Housing Authorities Law. This subsection shall not apply at any location for which a license has been issued prior to July 1, 2000, or to the renewal of such license.

- (b) All measurements to determine distances required by this Chapter shall be measured as provided for in Section 6-4-110.

Sec. 6-4-81. Hours of Sale.

- (a) The hours of sale for consumption by the drink on the premises where sold are from 8:00 a.m. to 1:30 a.m. on Monday through Friday, from 8:00 a.m. on Saturday through 1:30 a.m. on Sunday, and from and 12:30 p.m. on Sunday to 1:30 a.m. on Monday.
- (b) All alcoholic beverages shall be removed, from the area of the premises utilized by customers or patrons within forty-five (45) minutes after the closing time for the sale of alcoholic beverages.

Sec. 6-4-82. Food Volume Ratio for Restaurants.

- (a) Restaurants shall maintain at least fifty (50) percent of their business volume from the sale of food, private clubs exempted. Food sales shall include all consumable items sold on the premises except alcoholic beverages. The fifty-percent ratio shall be determined on a calendar quarter basis by review of the monthly report submitted by each licensee.
- (b) Monthly reports for the preceding month's alcohol and food sales shall be submitted on forms provided by the city on or before the 20th day of the month.
- (c) In the event food sales fall below fifty (50) percent of the business volume of the licensee for any two (2) consecutive quarters, then the city manager or designee may request a hearing for the suspension or revocation of such license in accordance with section 6-4-11. Nothing herein provided shall prevent the city manager or designee from suspending or revoking such license for any other violations of this chapter.
- (d) Authorized officials of the city may examine the records of businesses licensed hereunder at any reasonable time to ascertain that the requirements of this and other provisions of this chapter are met.

Sec. 6-4-83. Sales Volume Ratio for Select Businesses.

Any business required to pay a business occupation tax that does not meet the criteria in Section 6-4-82, Section 6-4-84, or Section 6-4-85 may obtain a consumption on premises license for malt beverages and wine subject to the following conditions:

- (a) The sale of alcoholic beverages shall be clearly incidental to the primary business conducted on the premises.
- (b) No individual shall be allowed to consume more than forty-eight (48) ounces of malt beverages per day or more than a total of twenty-four (24) ounces of wine per day. Individuals may consume both beer and wine, but shall not consume a total combination of more than forty-eight (48) ounces per day.
- (c) Consumption on the premises licensees shall maintain at least sixty (60) percent of their business volume from the sale of merchandise or services, not including alcoholic beverages. The sixty-percent ratio shall be determined on a calendar quarter basis on the monthly report submitted by each licensee.

- (d) Monthly reports for the preceding month's alcohol and retail or services sales shall be submitted on forms provided by the city on or before the 20th day of the month.
- (e) No alcoholic beverages shall be served on Sunday.
- (f) To qualify for a license, a retail or business establishment must be open to the public for business a minimum of 32 hours per week.

Sec. 6-4-84. Reserved.

Sec. 6-4-85. Non-Profit Organizations with Facilities.

- (a) Non-profit organizations meeting the criteria of subsection (b) below may obtain a consumption on premises license subject to the following conditions:
 - 1. The sale of alcoholic beverages shall be clearly incidental to the primary function of the non-profit organization on the premises.
 - 2. No alcoholic beverages shall be served on Sunday except as provided by O.C.G.A. § 3-3-7.
- (b) To qualify for a consumption on premises license, the nonprofit organization must be exempt from federal income taxes pursuant to section 501(c), (d) or (e) of the Internal Revenue Code and must have a building, facility or grounds that is primarily used for public education, research, conservation and enjoyment, or that serves as a repository for a collection of literary, natural, or scientific objects of interest, or works of art where such facility or building is arranged, intended, designed and open to be viewed by members of the public with or without an admission fee. This shall include, but not be limited to, nonprofit botanical gardens or nature science centers.

Sec. 6-4-86. Brown Bagging.

- (a) It shall be unlawful for a licensee or any other business that has been issued a business occupation tax certificate to allow customers to bring with them their own alcoholic beverages, a practice commonly referred to as "BYOB" or "brown bagging."
- (b) It shall be unlawful for any alcoholic beverages to be served, stored, kept or consumed by any person on the premises of any business establishment for which a city business/occupation tax certificate has been issued, excluding those businesses with a valid alcoholic beverage license or as otherwise exempted by this chapter.
- (c) The prohibitions in paragraph (a) shall not apply to a private function, art shop, or when contained in a 16 ounce clear plastic cup within the Downtown Dining District and when authorized by the business establishment.
- (d) Art shops, as defined by this chapter are subject to the specific provisions governing the operation of an art shop:

1. An art shop may allow customers to bring in a bottle or bottles of wine and/or malt beverages to be consumed on the premises.
2. The customer must remove any unconsumed wine and or malt beverages from the premises before leaving the premises.
3. The brown bagging of wine and or malt beverages in an art shop shall be subject to this chapter and to state law; including but not limited to the prohibition of consumption by one who is under 21 years of age or intoxicated.
4. An art shop may serve food provided it meets all federal, state and local requirements.

Sec. 6-4-87. No Outside Consumption.

- (a) A consumption on premises licensee shall not permit a purchaser to remove from the premises any alcoholic beverage from the premises, and it is the licensee's responsibility to ensure that no beverages are sold and carried out.
- (b) It shall be unlawful for any licensee hereunder to make deliveries of any alcoholic beverage beyond the boundaries of the premises covered by the license.
- (c) It is prohibited for customers to gather outside a premises licensed to sell alcoholic beverages and consume alcoholic beverages.
- (d) It is prohibited for the manager or any employee to allow persons to gather outside an alcoholic beverage premise and consume alcoholic beverages.
- (e) This section shall not apply in the following instances:
 1. For events that are sponsored or organized by the City of Gainesville where the alcohol is obtained from a participating business within any City designated area, and is contained in and consumed from an approved, clear plastic container.
 2. Where the City Council through a resolution has permitted otherwise.
 3. For restaurants that have a valid sidewalk café permit provided that all outdoor activities are contained within the permitted sidewalk café.
 4. For an open air café as defined by this chapter.
 5. Beverages for consumption at a publicly owned or privately owned golf course.
 6. For the carrying out of a partially consumed bottle of wine as defined in Section 6-4-88.
 7. When a temporary limited license has been issued, provided that the person consuming or possessing an alcoholic beverage remains on the licensed premises as defined in Section 6-4-2(ff)(8).

8. For a Downtown Dining District as defined by this chapter.
- (f) Downtown Dining District - Outside consumption of alcoholic beverages permitted.
1. For the purposes of this Chapter only, a Downtown Dining District is defined as follows: A specifically authorized and pedestrian oriented area of the City as established by resolution of Mayor and Council that allows those establishments with a valid alcohol license within such area to dispense and/or serve an alcoholic beverage for carry out purposes, provided all other laws, rules and ordinances are followed.
 2. Within a Downtown Dining District, any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense an alcoholic beverage in a clear plastic cup; provided, however, that no person shall remove more than two such alcoholic beverage from the licensed premises at a time.
 3. Within a Downtown Dining District, no unsealed container in which an alcoholic beverage is carried and consumed shall exceed sixteen (16) fluid ounces in size.
 4. It shall be unlawful within a Downtown Dining District for any person to drink, attempt to drink or possess any alcoholic beverage in a can, glass or metal container, on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private. This section shall not prohibit the possession of containers of alcoholic beverages with unbroken seals.
 5. No alcoholic beverage purchased pursuant to this provision may be consumed outside of the Downtown Dining District, or upon any private property, without the express consent of the private property owners.
 6. Unless authorized by Mayor and Council in the Resolution creating the Downtown Dining District, no alcoholic beverage purchased within the Downtown Dining District pursuant to this provision shall be consumed within the Downtown Dining District on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private, prior to 12:00 p.m. or later than 12:00 a.m.

Sec. 6-4-88. Partially Consumed Bottles of Wine Purchased with a Meal.

- (a) Any restaurant which is licensed to sell alcoholic beverages for consumption on the premises may permit a patron to remove one (1) unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and a consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises.
- (b) A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises.
- (c) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and

a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container.

- (d) If transporting in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a lock trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

Sec. 6-4-89. Open Area and Patio Sales.

- (a) Alcoholic beverage sales may be made by a licensed consumption on premises establishment in a patio/open area type environment if the establishment has been approved as provided in this section.
- (b) The requirements for approval are:
 - 1. The patio/open area must be enclosed by some structure providing for public ingress/egress only through the main licensed premises. The only exception to this would be a fire exit as required by building and fire codes. Such fire exit would not be for general public use unless an emergency exists and would be of the type which sounds an alarm so that the establishment would be alerted of unauthorized use if no emergency exists. The height of such structure shall be a minimum of three and one-half (3.5) feet above the patio floor. The structure is not required to be solid nor does it have to restrict visibility into or out of the patio/open area.
 - 2. The patio/open area shall not be required to be covered by a roof.
 - 3. The patio/open area shall be used merely as an extension of the interior seating area. Service in the patio/open area shall be only by waiter or waitress or by customer self-service at an interior selling location; i.e. no outside bar or service window.
- (c) It is prohibited for an establishment to be in violation of the City's noise ordinance as defined in Chapter 3-8 of the Code of Ordinances and to allow any noise to be created in a patio/open area which may be heard from a distance of one hundred (100) feet from the patio/open area. Any measurement made pursuant to this section shall describe the shortest straight line distance from the patio to the point in question.
- (d) Patio/open area plans must be reviewed and approved on an individual basis by the city manager or designee. Patio/open areas must be permitted and approved by the city's building inspection and fire departments as required by their governing regulations or codes.
- (e) Nothing contained herein shall prohibit a hotel or motel with a consumption on the premises license from making sales and allowing consumption of alcoholic beverages in the patio areas of such hotel or motel. "Patio areas," as that term is used herein, do not have to conform to the standards in this section.
- (f) Sidewalk cafés approved pursuant to Chapter 6-13 are exempt from this section.
- (g) Licensed consumption on premises establishments located within the City's Midtown Tax Allocation District, as adopted by Ordinance 2006-53, are exempt from subsection (b) of this section.

Sec. 6-4-90. Happy Hour Promotions.

- (a) As used in this section, the term “*drink*” means a single portion beverage which contains any alcoholic beverage.
- (b) This section shall be construed to cover, include and apply to all alcoholic beverages including malt beverages, wine and distilled spirits for consumption on premises by properly licensed establishments in the city. All consumption on premises licensees are prohibited from selling or giving away alcoholic beverages under the following circumstances:
 - 1. Offering all you can drink for a set price during a set time.
 - 2. Serving multiple drinks for a single price unless the drinks are part of a variety sampler of which no more than a total of sixteen (16) ounces can be served as part of the sampler and which sampler shall be comprised of at least four (4) different varieties of malt beverages or wine or three (3) different mixes containing distilled spirits.
 - 3. Making a single price the basis for a required purchase of two (2) or more servings.
 - 4. Serving alcoholic beverages by the pitcher, except to two (2) or more persons at any one (1) time.
 - 5. Offering reduced-price drinks to any segment of the population for any period of time as an inducement to patronize the premises; except between the hours of 4:00 p.m. and 8:00 p.m. on Monday through Saturday, drinks may be sold at a reduced price which is no less than half the price usually charged.
 - 6. Selling alcoholic beverages for less than half the normal retail price, or selling alcoholic beverages in pitchers or in jumbo sizes for less than half the normal retail price. Nothing contained in this subsection shall be construed to prohibit the dispensing of drinks in pitchers or in jumbo sizes, provided that such pitchers or jumbo sizes shall be available at all times that the licensee is open for business.
 - 7. Using coupons or other special promotional items as an inducement to purchase alcoholic beverages.
 - 8. Sponsoring, conducting or allowing contests or other promotions which have as their primary purpose increasing the consumption of alcoholic beverages.
 - 9. Offering or delivering any free alcoholic beverages to the general public except as otherwise allowed by law.
- (c) The prohibitions and restrictions in the foregoing subsection which apply to licensees or agents or employees of licensees shall not:
 - 1. Apply at private functions;
 - 2. Prohibit the offering of free food or entertainment at any time;

3. Prohibit including drinks as part of the price of a hotel, travel, entertainment, or meal package;
4. Prohibit the sale, offer to sell, or delivery of wine or malt beverage by the bottle, pitcher or carafe;
5. Prohibit any motel or hotel from offering room service to registered guests.

Sec. 6-4-91. Brewpubs.

- (a) No individual shall be permitted to own or operate a brewpub without first obtaining a proper brewpub license from the city. Each brewpub licensee shall comply with all other applicable state and local license requirements.
- (b) A brewpub license authorizes the holder of such license to:
 1. Manufacture on the licensed premises not more than ten thousand (10,000) barrels of malt beverage in a calendar year solely for retail sale.
 2. Operate a restaurant that shall be the sole retail outlet for such malt beverage and may offer for sale for consumption on premises any other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this chapter, provided that such alcoholic beverages are purchased from a licensed wholesale dealer and, provided further, in addition to malt beverages manufactured on the premises, each brew pub licensee shall offer for sale commercially available canned or bottled malt beverages purchased from a licensed wholesale dealer.
 3. Sell up to a maximum of five thousand (5,000) barrels annually of such malt beverage to licensed wholesale dealers. Under no circumstances shall such malt beverages be sold by a brewpub licensee to any person holding a retail consumption dealer's license or a retailer's license for the purpose of resale.
 4. Sell malt beverages manufactured on the premises by the package for consumption off the premises.
- (c) Possession of a brewpub license shall not prevent the holder of such license from obtaining any other license available under this chapter for the same premises.
- (d) A brewpub licensee shall pay all state and local license fees and excise taxes applicable to individuals licensed under this chapter as manufacturers, retailers and, where applicable, wholesale dealers.
- (e) Except as set forth in this section, a brewpub licensee shall be subject to all sections of this chapter.

Sec. 6-4-92. Private Clubs.

- (a) Private clubs, meeting the definition of this chapter, are eligible to apply for a license for consumption on premises of alcoholic beverages.

- (b) No license shall be issued or renewed for the sale of alcoholic beverages prior to the furnishing of evidence, satisfactory to the city, that such private club has been approved as a tax exempt entity by the IRS.

Sec. 6-4-93. Gainesville Civic Center.

- (a) The sale of alcoholic beverages and consumption of mixed drinks on the premises of the Gainesville Civic Center shall be allowed.
- (b) The Director of the Gainesville Parks and Recreation Department, or his designee, may hold an alcoholic beverage license for the Gainesville Civic Center. There shall be no alcoholic beverage license fee paid by the Director of the Gainesville Parks and Recreation Department or his designee.
- (c) The consumption on the premises license provided for herein is exempted from the food sale requirements provided for in section 6-4-82 of this chapter.
- (d) The city may solicit for proposals to be the designee for the Gainesville Parks and Recreation Department for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center.
- (e) Any designee shall obtain a business occupation tax and an alcoholic beverage license for consumption on the premises under this chapter.
- (f) The hours of sale of alcoholic beverages on the premises of the Gainesville Civic Center shall be the same as provided in Section 6-4-81.

Sec. 6-4-94. – 6-4-99. Reserved.

ARTICLE 8. EVENTS

Sec. 6-4-100. Non-Profit Special Temporary Event Permit.

- (a) Bona fide non-profit charitable and civic organizations, colleges and universities desiring to sell alcoholic beverages may apply to the city manager or designee for a special temporary event permit authorizing the organization to sell or distribute alcoholic beverages for a period not to exceed three (3) days as provided in rules 560-2-11-.02 and 560-2-11-.03 of the rules and regulations of the state department of revenue as amended from time to time.
- (b) The non-refundable permit fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application for a special temporary event permit.
- (c) Bona fide non-profit charitable and civic organizations, colleges and universities, if approved for a temporary event, may sell distilled spirits and malt beverages for consumption on premises only. Wine may be sold for consumption on the premises and by the unopened package subject to O.C.G.A. §§ 3-9-3, 3-9-4 and 3-9-5 and subject to distance requirements for package sales as outlined in this chapter. If

the temporary event is a wine tasting, then the event shall also be subject to the provisions of section 6-4-104.

- (d) Holders of a special temporary event permit shall be considered the same as any other licensee and subject to all laws, rules and regulations and other applicable sections of this chapter relating thereto.
- (e) No more than six (6) permits may be issued to an organization in any one (1) calendar year pursuant to this section.
- (f) Permits issued pursuant to this section shall be valid only for the place specified in the permit.
- (g) Applicants under this section do not have to obtain alcohol bonds.
- (h) If a designee has been appointed by the Gainesville Parks and Recreation Board for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center, then only the designee shall submit an application for a special temporary event permit to be held at the Gainesville Civic Center.

Sec. 6-4-101. For-Profit Special Temporary Event Permit.

- (a) A for-profit organization desiring to sell alcoholic beverages may apply to the city manager or designee for a special temporary event permit which, if issued, licenses the event for alcohol sales by the drink.
- (b) A for-profit organization desiring to obtain a special temporary event permit, must possess a valid consumption on premises license for malt beverage, wine or liquor or a valid malt beverage, wine, or distilled spirits package license issued by the city.
- (c) The non-refundable permit fees as required in Title 10 of the Code of Ordinances of the City of Gainesville are due and payable upon the filing of the application for a special temporary event permit.
- (d) Provided a special temporary permit has been issued to a for-profit organization, said organization shall be subject to all laws, rules and regulations and other applicable sections of this chapter relating thereto.
- (e) Permits issued pursuant to this section shall be valid only for the place specified in the application.
- (f) If a designee has been appointed by the Gainesville Parks and Recreation Board for alcoholic beverage services for consumption on the premises at the Gainesville Civic Center, then only the designee shall submit an application for a special temporary event permit to be held at the Gainesville Civic Center.
- (g) No special temporary event permit shall be issued within any property zoned central business during any event that is sponsored or organized by the City of Gainesville.
- (h) The licensee for a permitted special temporary event shall designate and clearly mark, by the use of ropes, barricades, stanchions or similar devices, a specific area within which alcoholic beverages may be consumed.
- (i) Applicants desiring to sell distilled spirits must obtain an alcohol bond as required by the City.

Sec. 6-4-102. Temporary Limited License.

- (a) A retail dealer that is licensed to sell alcohol for consumption on the premises or a retail dealer licensed to sell only malt beverages and/or wine by the package where 75% of total annual retail sales of the business are from beer or wine sales by the package and/or from charges for samples of beer or wine, may apply for a temporary limited license to allow for the sale of alcohol by the drink for consumption on the premises.
 - 1. Applications for the temporary limited license shall be made by the licensee with the city manager or designee on forms provided by the City.
 - 2. Payment of the non-refundable license fee as provided for in Title 10 shall be paid at the time the application is submitted.
- (b) If issued, the temporary limited license shall allow for outdoor consumption on the premises during an event and shall be valid for one calendar day for the specific event as set forth in the application. For the purposes of this section, a calendar day for which the temporary limited license is granted will extend to 1:30 a.m.
- (c) The hours and day of sale or distribution of alcoholic beverages at a licensed event shall be conducted in compliance with Section 6-4-81 of this chapter.
- (d) Any licensed retail dealer shall not be granted more than thirty (30) temporary limited licenses per calendar year and any licensed retail dealer shall not be granted more than four (4) per calendar month.
- (e) If a temporary limited license is issued prior to an event, revenue from food and alcohol sales that occur during the time the temporary limited license is valid may be exempt from the food volume ratio requirement stated in Section 6-4-82 of this chapter and from the sales volume ratio requirement stated in Section 6-4-83 of this chapter. If the temporary limited license holder chooses to have food and alcohol exempt from the food volume ratio requirement stated in Section 6-4-82, the food and alcohol sales that occur during the time the temporary limited license is valid, must be reported to the City on a separate report from the monthly sales report that is provided to the City. Any attempt to manipulate food or alcohol sales between days, times or reports may be cause for revocation of the retail dealer's alcohol license.
- (f) No temporary limited license shall be issued within any property zoned central business during any event that is sponsored or organized by the City of Gainesville, unless approved by the City.
- (g) Any retailer dealer receiving a temporary limited license under this section shall comply with all other provisions of this chapter not in conflict with this section.

Sec. 6-4-103. Catered Events.

- (a) Annual licenses to cater alcoholic beverages by the drink on premises at authorized catered events may be obtained only by those persons, firms or corporations currently licensed by the city for the sale of alcoholic beverages by the drink or for sales of alcohol in the unbroken package.
- (b) Any licensee desiring to obtain a license to be an alcoholic beverage caterer in the City shall submit, in person, a written and signed application on forms provided by City. Only a licensed alcoholic beverage caterer may distribute or sell alcoholic beverages by the drink at an authorized catered event, after the application and issuance of a catered event permit.
- (c) Before a licensed alcoholic beverage caterer may sell or dispense alcoholic beverages at any authorized catered function, such caterer shall apply for a catered event permit from the city manager or designee at least ten (10) working days prior to the event.
 - 1. The application for a catered event permit shall include the name of the alcoholic beverage caterer, the caterer's license number, and the date, address and time of the event.
 - 2. If the catered event permit is granted, it shall be good only for the specific event at the specified address and times set forth in the application, unless otherwise stated by city council by resolution.
 - 3. The permit shall be kept in the vehicle used to transport alcoholic beverages to the event at all times during which the permit is in effect.
- (d) Caterers licensed by the city shall maintain a record of all alcoholic beverages transported for each event, and shall make report and remittance of such taxes with their regular monthly reports to the city.
- (e) No alcoholic beverages shall be transported, distributed, or sold to other than licensed locations in the city, except to permitted catered events, unless otherwise authorized by this chapter or by state law.
- (f) No licensed alcoholic beverage caterer shall employ any person under twenty-one (21) years of age to dispense, serve, sell or handle alcoholic beverages at authorized catered functions.
- (g) No catered event permit will be issued for an event at the Gainesville Civic Center or any location with respect to which any alcohol license has been denied or revoked within the past twelve (12) months; nor for any location with respect to which conduct prohibited in this chapter has previously occurred.
- (h) The hours and days of sale or distribution of alcoholic beverages at an authorized catered event, except for private functions, shall be conducted in compliance with Section 6-4-81 of this chapter. Except as set forth above in this section, an off-premises permit holder must comply with all other provisions set forth in this chapter.

Sec. 6-4-104. Wine Tasting.

- (a) A request to conduct a wine tasting may be approved by the city manager or designee when such request is made in writing on an application furnished by the city manager or designee, and a non-refundable fee

as provided for in Title 10 is submitted. If issued, the wine tasting shall be conducted under the following conditions:

1. A wine tasting must comply with all local and state laws and regulations pertaining to the sale and distribution of alcoholic beverages in the state and the city.
 2. No wine tasting may be conducted on the premises of any place of business licensed to sell distilled spirits in the unbroken package or container at retail.
- (b) A bona fide non-profit charitable and civic organization that seeks to conduct a wine tasting shall comply with all requirements set forth in O.C.G.A. §§ 3-9-3, 3-9-4, and 3-9-5 and must make application twenty-five (25) days prior to the proposed event on forms supplied by the city.
- (c) A for-profit organization that seeks to conduct a wine tasting and is not licensed shall comply with all requirements set forth in O.C.G.A. § 3-6-20 and must make application twenty-five (25) days prior to the proposed event on forms supplied by the city, and shall obtain the wine secured for the wine tasting through a wholesale dealer possessing a valid license to distribute wine issued by the city.
- (d) Licensees that are licensed to sell wine in the unbroken package are exempt from the requirement to make application for a wine tasting if sixty (60) percent or greater of the total malt beverage and/or wine sales is derived from the sale of wine. Samples of wine may be made available for consumption on the premise provided no individual shall be allowed to sample more than a total of twenty-four (24) ounces per day. A licensee may charge a fee for samples of wine.

Sec. 6-4-105. Home Brew Special Events.

- (a) Home brewed malt beverages for purposes of this section shall be limited to malt beverages produced by an individual(s) pursuant to the provisions of O.C.G.A. § 3-5-4 and any applicable rules and regulations of the Georgia Department of Revenue.
- (b) A home brew special event may be conducted on the premises of any place of business licensed under this chapter for the sale, storage, or distribution of alcoholic beverages by the package or for consumption on the premises, or may be conducted at locations not otherwise licensed under this chapter.
- (c) All applications for a home brew special event shall be submitted in writing to the city manager or designee, on forms provided by the city, along with a payment of a non-refundable fee as outlined in Title 10.
- (d) At a minimum, applicants shall provide the following information in their application:
1. Name, address, and contact number of the applicant;
 2. Location of the event;
 3. Date and times at which the event will be held;

4. Estimated number of participants in the event.
- (e) Home brew special events shall be subject to the following regulations:
1. Events shall only be held during legal hours for drinking on premises as defined in this chapter.
 2. Consumption of alcoholic beverages at the event shall be limited solely to home brewed malt beverages produced pursuant to O.C.G.A. § 3-5-4. Consumption of other alcoholic beverages shall be prohibited.
 3. Consumption of home brewed malt beverages shall be limited solely to participants in and judges of the special event. For the purpose of this section participants shall be either individuals submitting home brewed malt beverages to the event or individuals admitted to the event by the sponsor without having to submit a home brew.
 4. At the event, home brewed malt beverages shall not be sold, offered for sale, or made available for consumption by the general public.
 5. A home brew special event permittee shall not allow any person to take an open container of alcoholic beverage from the designated event area.
- (f) A home brew special event permittee shall be subject to all laws, rules and regulations of the city and state, including the rules and regulations of the Georgia Department of Revenue and shall be subject to permit revocation for violation thereof.

Sec. 6-4-106. – 6-4-109. Reserved.

ARTICLE 9. RULES AND REGULATIONS

Sec. 6-4-110. Measurement of Distances.

- (a) All measurements to determine distances required by this chapter shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:
1. In a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale;
 2. To the front door of the building of a church, government-owned treatment center or a retail package store; or
 3. To the nearest property line of the real property being used for school or educational purposes or property that is owned or operated by a housing authority.

Sec. 6-4-111. Grandfather Provision for Distance Requirements.

If the sale of alcoholic beverages was lawful at a location at any time during the 12 months immediately preceding an application for renewal or a new application for an alcoholic beverage license, the premises shall be grandfathered in regarding any distance requirements as outlined in this chapter.

Sec. 6-4-112. Sales on Election Day.

No malt beverages, wine or distilled spirits will be sold within two hundred fifty (250) feet of any polling place or of the outer edge of any building within which such polling place is established on primary or election days. As used in this section, the term "day" means that period of time beginning with the opening of the polls and ending with the closing of the polls.

Sec. 6-4-113. Responsibility of Licensees and Employees.

- (a) No holder of a license authorizing the sale of alcoholic beverages in the city nor any agent or employee of the licensee, shall do any of the following upon the licensed premises:
 - 1. Knowingly furnish or cause to be furnished or permit any other person in his employ to furnish any minor alcoholic beverages.
 - 2. Knowingly sell alcoholic beverages to any person while such person is in an intoxicated condition.
 - 3. Sell alcoholic beverages upon the licensed premises on any day or at any time when such sale or consumption is prohibited by law.
 - 4. Permit any disturbance of the peace or obscenity or any lewd, immoral or improper entertainment, conduct or practice on the licensed premises. Such misconduct shall be immediately reported to the city police department.
 - 5. Sell, offer for sale, possess, or permit the consumption on the licensed premises of any kind of alcoholic beverages, the sale, possession or consumption of which is not authorized under his license.
 - 6. Add to the contents of a bottle or to refill empty bottles or in any other manner to misrepresent the quantity, quality or brand name of any alcoholic beverage.
- (b) Sell or offer for sale alcoholic beverages by use of vending machines.
- (c) Receive or cause to be delivered at the licensed premises any alcoholic beverages by any means other than by a conveyance owned and operated by a wholesale dealer with a license from the city to make such deliveries. Transportation of alcoholic beverages by any other means shall be grounds for revocation of all licenses concerned.
- (d) The sale of alcoholic beverages for consumption by persons in any back room or side room which is not open to the general public use is prohibited, except that private parties and conventions, or a properly

permitted wine tasting, which have been scheduled in advance, may be served in public or private dining rooms or meeting rooms, and provided further that this prohibition shall not apply at private clubs hereunder, nor to the sale for consumption hereunder to the registered guests of any hotel or motel in their designated rooms.

- (e) All alcoholic beverages shall be stored only on the premises for which the license is issued.

Sec. 6-4-114. Financial Interest Prohibited.

It shall be unlawful for any person to hold an alcoholic beverage license (package or consumption) who also has any direct financial interest in any wholesale alcoholic beverage business. It shall be unlawful for the holder of any alcoholic beverage license (package or consumption) to or accept or receive financial aid or assistance from the holder of any alcoholic beverage manufacturer's or wholesale dealer's license.

Sec. 6-4-115. Employment of Minors.

- (a) No person shall allow or require a person in his employment under eighteen (18) years of age to dispense, serve, sell or take orders for any alcoholic beverages for consumption on premises.
- (b) No person shall allow or require a person in his employment under eighteen (18) years of age to sell or take orders for any distilled spirits in the unopened package.
- (c) No person shall allow or require a person in his employment under sixteen (16) years of age to sell or take orders for any malt beverages or wine in the unopened package.

Sec. 6-4-116. Regulations Involving Minors.

- (a) The following regulations involving minors shall apply:
 - 1. No person knowingly, by himself or through another, shall furnish, cause to be furnished, or permit any person in his employ to furnish any alcoholic beverage to any person under twenty-one (21) years of age.
 - 2. No person under twenty-one (21) years of age shall purchase or knowingly possess any alcoholic beverage.
 - 3. No person knowingly or intentionally shall act as an agent to purchase or acquire any alcoholic beverage for or on behalf of a person under twenty-one (21) years of age.
 - 4. No person under twenty-one (21) years of age shall misrepresent his age, identity or use any false identification for the purpose of purchasing or obtaining any alcoholic beverage.
- (b) In any case where a reasonable or prudent person could reasonably be in doubt as to whether or not the person to whom an alcoholic beverage is to be sold or otherwise furnished is actually twenty-one (21) years of age or older, it shall be the duty of the person selling or otherwise furnishing such alcoholic beverage to request to see and to be furnished with proper identification in order to verify the age of such

person; and the failure to make such request and verification in any case where the person to whom the alcoholic beverage is sold or otherwise furnished is less than twenty-one (21) years of age may be considered by the trier of fact in determining whether the person selling or otherwise furnishing such alcoholic beverage did so knowingly.

- (c) For purposes of this chapter, "proper identification" means any document issued by a governmental agency containing a description of the person, such person's photograph, or both and giving such person's date of birth and includes, without being limited to, a passport, military identification card, driver's license or an identification card authorized under O.C.G.A. § 40-5-100 et seq. "Proper identification" shall not include a birth certificate.
- (d) The prohibition contained in subsection (a) above shall not apply with respect to the sale, purchase or possession of alcoholic beverages for consumption:
 - 1. For medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this state.
 - 2. At a religious ceremony.
 - 3. In the home of the minor with the consent of said minor's parent or legal guardian.

Sec. 6-4-117. Violations.

Any person violating any of the provisions of this chapter shall be punished as provided in section 1-1-7 of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, and shall be punished accordingly.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 9/11/2018
Presenter: Angela Sheppard
Item of Business: BR-2018-45 Establish Fees Related to Alcohol Licensing
Meeting Date: 9/18/2018

Purpose of Request:

To update the Alcoholic Beverage Fee Schedule.

History/Background:

The City sets licensing fees for the manufacture, wholesale and retail sales of distilled spirits, malt beverages, and wine.

Facts & Issues for Consideration:

Department Recommendation:

Approve the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ BR-2018-45 Establish Fees Related to Alcohol Licensing	Resolution
☐ Alcoholic Beverage Annual Fee Schedule	Attachments/Exhibits

RESOLUTION BR-2018-45

Establish Fees Related to Alcohol Licensing

WHEREAS, Section 10-1-63 entitled Schedule of Fees of the Code of Ordinances of the City of Gainesville, Georgia states that fees related to alcohol licensing will be set by Resolution of the Governing Body of the City of Gainesville; and

WHEREAS, the Governing Body will from time to time, review all fees and make changes as needed; and

WHEREAS, the Governing Body has reviewed the fees on the attached schedule.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville hereby approves the fees on the attached Alcoholic Beverage Annual Fee Schedule.

Adopted this _____ **day of** _____, **2018.**

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

ALCOHOLIC BEVERAGE ANNUAL FEE SCHEDULE

Distilled Spirits (liquor)	
Manufacturer	\$3,000
Importer	\$100
Wholesale	\$3,000
Package	\$5,000
Pouring	\$3,000
Pouring off premises at a catered function by the drink	\$100
Malt Beverages	
Manufacturer	\$3,000
Importer	\$100
Wholesale	\$100
Package	\$700
Pouring	\$700
Pouring off premises at a catered function by the drink	\$50
Wine	
Manufacturer	\$3,000
Importer	\$100
Wholesale	\$100
Package	\$700
Pouring	\$700
Pouring off premises at a catered function by the drink	\$50
Georgia Farm Winery Tasting Room	\$1,400
Brewpub	
With distilled spirits	\$4,400
Without distilled spirits	\$1,400
Modifications to License	
Change of a managing agent of a licensee (6-4-8(b))	\$100
Change of a registered agent of a licensee (6-4-7(d))	\$25
Change of location pursuant (6-4-8(c))	\$500
Special Events	
Special temporary event permit (6-4-100 or 6-4-101)	\$25 per permit
Temporary limited license (6-4-102)	\$25 per permit
Wine tasting (6-4-104)	\$25 per wine tasting event
Home brew special event (6-4-105)	\$25 per event
Employee Permits	
Employee Permits (6-4-12 (d))	\$20

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 8/30/2018

Presenter: Matt Tate

Item of Business: Request from **LLJ Development, LLC** to rezone a 6.854± acres tract located on the east side of Dawsonville Highway, southeast of Beechwood Boulevard (a/k/a **0 and 1010 Dawsonville Highway**) from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B). **Ward Number: One.** Tax Parcel Number(s): 01-115-001-002 and 061. **Request: Fitness Center, retail and restaurant.**

Meeting Date: 9/18/2018

Purpose of Request:

The applicant is proposing to rezone the subject property for a fitness center, retail and restaurant use. The property contains two lots consisting of 4.594± acres and 2.26± acres. The larger tract is zoned Office and Institutional (O-I) and General Business (G-B) and contains a grassed lot that was previously developed for a nursing home. The smaller tract is already zoned General Business (G-B) and contains a detention pond. The proposed fitness center building is 22,000± square feet in size and the retail/restaurant building is 6,800 square feet. The anticipated hours of operation for the fitness center are 5:00 a.m. to midnight. The applicant intends to utilize City water and sewer services and access is proposed from an existing driveway on Dawsonville Highway in the form of right in/right out and a left in per GDOT approval. The property is located within the Gateway Corridor Overlay Zone and the adjacent uses include the Northlake Square shopping center, Jackson EMC office, various retail strip uses and single-family residential to the rear within the Lakeshore Heights neighborhood.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff recommended conditional approval with 6 conditions. PAB recommended conditional approval with 6 conditions. See PAB Recommendation report for details and excerpts from the PAB meeting.

SAMPLE MOTIONS

Approval of Ordinance:

I move to approve the Ordinance No. 2018-18 to rezone the subject property from Office and Institutional and General Business to all General Business with six conditions as presented.

Denial of the Request:

I move to deny this request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description		Type
☐	Legal Ads	Legal Ad
☐	PAB Recommendation Report	Report
☐	Ordinance No. 2018-18	Ordinance
☐	Location Maps	Backup Material
☐	Narrative	Backup Material
☐	Survey	Backup Material
☐	Concept Plan	Backup Material
☐	Elevations	Backup Material
☐	Traffic Impact Study	Backup Material

LEGAL AD
Gainesville Planning and Appeals Board

Publish Sunday, July 29, 2018
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, August 14, 2018 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following request:

- 1) Request from **LLJ Development, LLC** to rezone a 6.854± acres tract located on the east side of Dawsonville Highway, southeast of Beechwood Boulevard (a/k/a **0 and 1010 Dawsonville Highway**) from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-115-001-002 and 061
Request: Fitness center, retail and restaurant

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3.3(c))
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LEGAL AD
Gainesville City Council

Publish Sunday, September 2, 2018
THE TIMES

NOTICE OF PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE GAINESVILLE ZONING MAP

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, September 18, 2018 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following request:

- 1) Request from **LLJ Development, LLC** to rezone a 6.854± acres tract located on the east side of Dawsonville Highway, southeast of Beechwood Boulevard (a/k/a **0 and 1010 Dawsonville Highway**) from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-115-001-002 and 061
Request: Fitness center, retail and restaurant

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})

GAINESVILLE PLANNING and APPEALS BOARD **RECOMMENDATION**

Applicant LLJ Development, LLC
Property Owner Northeast Georgia Medical Center
Location 0 and 1010 Dawsonville Highway
Request Rezone from O-I and G-B to G-B
Total Acres 6.854± acres
Ward One
Proposed Use Fitness center, retail and restaurant
Planning Division Staff Recommendation **Approval, with conditions**
Planning and Appeals Board Recommendation **Approval, with conditions**
Date August 14, 2018

▪ **Applicant's Proposal and Background Information**

The applicant is proposing to rezone the subject property for a fitness center, retail and restaurant uses. The property is located within the Gateway Corridor Overlay Zone and contains two lots consisting of 4.594± acres and 2.26± acres. The larger tract is zoned Office and Institutional (O-I) and General Business (G-B) and contains a grassed lot that was previously the location of the New Horizons West Nursing Home that was demolished in 2013. The smaller tract is already zoned General Business (G-B) and contains a detention pond.

The proposed fitness center building is 22,000± square feet in size and the retail/restaurant building is 6,800 square feet. The anticipated hours of operation for the fitness center are 5:00 a.m. to 12:00 a.m. Access is proposed from an existing shared driveway on Dawsonville Highway which currently serves the adjacent Jackson EMC gated employee parking lot. The applicant is proposing to maintain the existing right in/right out and a left in access. Per GDOT approval, the proposed improvements include extending the existing northbound right turn lane, as well as, median improvements that will eliminate left turning movements leaving the subject property. City water and sewer services will be utilized which are presently available to the site.

A previous rezoning request from Lidl US Operations, LLC for a 36,000 square foot grocery store on the subject property was approved with conditions by the Planning and Appeals Board but was later withdrawn at the City Council meeting on September 19, 2017.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Northlake Square shopping center; Guilford Clinic; Gateway Thrift Store	General Business (G-B)
South	Jackson EMC office; Undeveloped property	Light Industrial (L-I) Residential-I (R-I)
East	Lakeshore Heights Subdivision	Residential-I (R-I)
West	Trinity Baptist Church; McEver Corners shopping center; retail, and office	Residential-I (R-I) General Business (G-B)

▪ **Other Departmental Comments**

According to the Georgia Department of Transportation (GDOT), any work within the right-of-way will require review and approval from GDOT.

▪ **Traffic Impact Study Summary**

A Traffic Impact Study (TIS) was completed for the proposed development on July 25, 2018, by Wolverton & Associates, Inc. Both A.M. and P.M. peak period turning movement counts were conducted at the following three intersections:

- SR 53/Dawsonville Highway and Commercial Driveways -Olive Garden and Chipotle (signalized)
- SR 53/Dawsonville Highway and Site Driveway (unsignalized)
- SR 53/Dawsonville Highway and SR 53/McEver Road (signalized)

Based on the Institute of Transportation Engineers (ITE), Trip Generation 10th Edition, the estimated trips for the development are provided below.

Land Use	Size (SF)	AM Peak Hour		PM Peak Hour		Weekday Trips
		Enter	Exit	Enter	Exit	
Health & Fitness Club	22,000	15	15	45	30	500
Small Restaurant	3,600	55	35	50	50	1,246
Small Retail Store	3,200	5	5	15	10	203
Totals	28,800	75	55	110	90	1,949

Recommended improvements from the TIS are shown on the concept plan and include the addition of a 300-foot long, northbound right turn lane on SR 53/Dawsonville Highway at the proposed site driveway. As well, the existing intersection would be converted to an RCUT median which will allow for right turns into and out of the site driveway and left turns into the site driveway. As a result, left turning movements would no longer be permitted from the site driveway or from the driveway located on the opposite side of Dawsonville Highway in front of Leslie's Pool Supplies, Danny's Donuts and Batteries + Bulbs. With no left turn from the subject property, vehicles will likely perform a right turn movement from the site driveway and make a U-turn at the next available median opening to the north. Of note, a corridor study from Ahaluna Drive to Shallowford Road conducted by GDOT recommended that the right turn lanes be connected to provide a 6-lane divided highway which is anticipated to be constructed shortly after the construction of the proposed development.

According to this study, with the proposed changes, the level of service for the AM peak hour westbound approach improves from an inadequate Level of Service (LOS F) to an adequate (LOS B). The PM westbound approach would still operate at a (LOS F) but the delay value is reduced by 98%. The site intersection would operate at a (LOS B) in the AM but the site driveway would operate at a (LOS F) in the PM peak hour. However, there would be a 97% reduction in delay due to the combination of the RCUT median and 6-lane widening project.

▪ **Zoning History**

The following zoning actions have taken place in the immediate area during the last ten years:

2018 – A request by REB Land Development, LLC to rezone a 2.744± acres tract located at 621 Lakeshore Drive NW from Residential-I (R-I) to General Business (G-B) zoning for a multi-tenant retail, office and restaurant was withdrawn at the City Council meeting.

2018 – A request by John Harris to rezone a 5.73± acres tract located at 1331 Lanier Valley Drive from Residential-II (R-II) and General Business (G-B) to General Business (G-B) zoning for a non-profit residential facility was approved with conditions.

2018 – A request by Lake 53, LLC to rezone a 6.227± acres tract located at 1995 Dawsonville Highway from General Business (G-B) to Planned Unit Development (P-U-D) zoning for 79 residential condominiums and office space was conditionally approved.

2017 – A request by Lidl US Operations to rezone a 6.854± acres tract (subject property) located at 0 and 1010 Dawsonville Highway from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for a grocery store was withdrawn at City Council.

2017 – A request by Oak Hall Companies, LLC to rezone a 157.98± acres tract located at 0, 1264 and 1817 Ahaluna Drive; 1876 Dawsonville Highway; 2208 Karen Lane; 0 and 2029 Strickland Drive; 0 and 1489 West Lake Drive from Residential-I-A (R-I-A), Residential-I (R-I), Planned Unit Development (P-U-D) and Regional Business (R-B) to Planned Unit Development (P-U-D) and General Business (G-B) zoning for a mixed-use, age restricted community was approved with conditions.

2017 – A request by Oak Hall Companies, LLC to annex a 50.81± acres tract with a zoning of Planned Unit Development (P-U-D) and General Business (G-B) located at 0 and 1758 Ahaluna Drive; 1508, 1550, 1740, 1746, 1758, 1760, 1934 and 1982 Dawsonville Highway; 300 and 301 Skyview Drive; 0, 2008 and 2016 Strickland Drive was conditionally approved for a mixed-use, age restricted community.

2017 – A request by Oak Hall Companies, LLC to annex a 26.16 ± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; 2049 Strickland Drive was conditionally approved for an age restricted, active adult community.

2015 – A request by West Ahaluna, LLC to annex an 8.74± acres tract with a zoning of Residential-I-A (R-I-A) located at 0 and 1264 Ahaluna Drive was conditionally approved for no proposed use.

2014 – A request by West Ahaluna, LLC to annex a 70.23± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 1817 Ahaluna Drive; 1982 Dawsonville Highway; 2208 Karen Lane; 2008, 2016 and 2029 Strickland Drive was approved with conditions. In addition, the same applicant requested to rezone a 31.93± acres tract located at 0 Ahaluna Drive NW and 1489 West Lake Drive NW from Residential-I (R-I) to Planned Unit Development (P-U-D) was also approved with conditions for a 199-lot single-family subdivision.

2013 – A request by America's Home Place, Inc. to rezone a 25.11± acres tract located at 0 and 1198 Dawsonville Highway; 1232 Ahaluna Drive and 1162 Lakeshore Circle from Residential-I (R-I), Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B) zoning for a commercial shopping center was approved with conditions.

2012 – A request by America's Home Place, Inc. to rezone a 4.711± acres tract located at 0, 1122, 1138, 1162 and 1198 Dawsonville Highway from Residential-II (R-II), Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for retail, restaurant and vehicle service uses was approved with conditions.

2011 – A request by Kauffman Tire Inc. for a special use within Regional Business (R-B) zoning on a 1.19± acres tract located at 801 & 805 Dawsonville Highway was approved with conditions for an automotive tire and service store.

2010 – A request by Bill Dupree to annex a 7.11± acres tract with General Business (G-B) zoning and rezone a 2.44± acres tract from Residential-II (R-II) to General Business (G-B) located at 0, 1293, 1297 and 1139 Dawsonville Highway was approved with conditions for a business center with retail, office and restaurant uses.

▪ **Staff Analysis**

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The subject property has remained undeveloped for approximately five years. During that time, as many numerous commercial buildings have been developed within the immediate area consisting of the Northlake Square shopping center, three retail strip centers, five restaurants and a hotel. The adjacent properties consist of both residential and commercial uses with zonings of Residential-I (R-I), General Business (G-B) and Light Industrial (L-I). The proposed fitness center, retail and restaurant use is consistent with existing and new commercial development located along Dawsonville Highway.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The Dawsonville Highway corridor will continue to experience increased traffic volumes which are currently strained during the holiday period and certain peak times. The proposed development will add additional turning movements, but in itself should not adversely affect the adjacent or nearby property as the subject property is currently zoned for office and commercial purposes and could be developed as such.

The subject property is close to Lake Lanier which will need to be protected through proper erosion control measures and the utilization of existing storm water infrastructure.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The proposed use appears to be consistent with the purpose and intent of the Comprehensive Plan.

The subject property is located within two land use categories based on the Future Development Map for the City of Gainesville. The front portion of the subject property is within the *Public/Institutional/Transportation/Communication/Utilities* land use category which includes areas containing or planned for institutional uses including governmental, educational, and medical facilities, houses of worship, and similar institutional facilities; or major transportation, utilities or communication facilities. This was due to the fact that the property was previously a

nursing home. The rear portion of the property is located within the *Retail/Commercial* land use category which includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses. Commercial uses may be located as a single use in one building or grouped together in a shopping center.

The subject property is also located within the *Suburban Commercial* Character Area. This area will continue to grow as a regional retail center for the City and Hall County, but should diversify over time to include multi-family housing and a higher-density mix of retail, office, services and high-quality employment. In addition, expanding premium retail could offer a variety of shopping options that are currently not available elsewhere in the City. The area has become one of the most prominent commercial corridors and gateways into the City, and a thriving economic anchor for the northwest side. When development occurs, adequate buffers should be maintained around development to protect watersheds and sensitive environments. Land uses allowed within the *Suburban Commercial* area include commercial, public / institutional, multi-family residential and mixed use.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The subject property is zoned Office and Institutional (O-I) and General Business (G-B). The Office and Institutional (O-I) portion of property is larger and could be developed for office, medical and institutional purposes, such as the previous nursing home use. The General Business (G-B) zoned portion could be developed as a commercial outparcel fronting along Dawsonville Highway (S.R.53). As well, the General Business (G-B) rear portion of property contains an existing detention pond that was originally constructed for commercial purposes. Given the adjacent uses and commercial zoning, it appears the proposed rezoning request is reasonable.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The subject property and surrounding development currently utilizes City water and sewer services and there is sufficient capacity to serve the development.

Existing public safety services respond to the adjacent and nearby properties. Gainesville Fire Station #1 is located approximately 2.4 miles from the property. In addition, a future fire station is planned at the entrance to the proposed Oak Hall Companies development located one mile north of the subject property.

No impacts to the school system are expected as the development is for non-residential purposes.

Additional traffic generated by the proposal or any new development will add to the existing peak hour delays experienced along Dawsonville Highway and nearby intersections. The applicant's traffic study proposes a full access driveway to include a 300-foot long right turn lane be added northbound on Dawsonville Highway at the proposed site driveway, and an RCUT median that would result in a $\frac{3}{4}$ access for the site driveway (right in/out and left in). GDOT controls the existing driveway and intersection, and will review the applicant's access plan to determine what will be permissible given planned improvements to the corridor. In addition, staff recommends the developer pursue inter-parcel access with the adjacent properties which

may provide connection to the closest signalized intersections located at Academy Sports and Home Depot.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The anticipated use for the subject property is for non-residential purposes which is consistent with the Comprehensive Plan and the proposed development.

The property is located between Dawsonville Highway and Lake Lanier, and is within one of Gainesville's most active regional commercial corridors. This area has experienced tremendous growth over the past 20 years, some of which include the Northlake Square shopping center, three retail strip centers, Carrington Park retail center, Village Shoppes of Gainesville, Home Depot, Best Buy, McEver Corners shopping center, Texas Roadhouse, Olive Garden, Cheddar's, Buffalo Wild Wings, Culver's restaurant, child day care facility and a 94-room Holiday Inn Express currently under construction. As well, it is believed the planned 235± acres Oak Hall Companies mixed-use development located north of the site will begin development within a year. The development is anticipated to be built over a 6 to 7 year period to include a total of 860 age-restricted residential units, 56,000 square feet of commercial space and 24,000 square feet of retail/office/restaurant space.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Due to the subject property's proximity to existing commercial uses, and the fact that the property is currently zoned for office and commercial purposes, the proposed fitness center, retail and restaurant use, with the recommended zoning conditions appears to promote a reasonable balance between the interests of the City, the property owner, and neighboring residents and property owners.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this rezoning request with **G-B zoning**, based on the Comprehensive Plan and the adjacent residential and non-residential land uses.

Conditions

1. The proposed buildings shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application including exterior materials, roof and wall signs.
2. Prohibited uses for the subject property shall include motels or hotels, group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.

3. The existing vegetated buffer areas adjacent to the Lakeshore Heights Subdivision shall remain undisturbed. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the existing detention pond at the top of the slope where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.
4. Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent properties located to the north and south as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.
5. All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
6. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Excerpts from the August 14, 2018 PAB Meeting Minutes

Applicant Presentation: **Skylar Long**, 1220 East 16th Street, Cordele, stated he was the Project Manager for the applicant which is a family owned development company now in its fifth generation in almost 100 years. They have worked heavily throughout Georgia as well as other markets in the southeast, totaling between 500,000 to 600,000 square feet of retail development over the past five years. He stated they have already completed two other fitness centers for this nationally known company which has a great product and maintains their space nicely. Mr. Long stated the site was originally a nursing home which has been vacant for a number of years now. They plan to have the fitness center to the rear of the subject property with possible retail and restaurant located in the front. The detention area is already in place which also serves the Northlake Square development, and utilities are on site for the proposed development as well.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval to rezone the subject property from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for a fitness center, retail and restaurant uses with the following conditions:

Conditions

1. The proposed buildings shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application including exterior materials, roof and wall signs.
2. Prohibited uses for the subject property shall include motels or hotels, group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.
3. The existing vegetated buffer areas adjacent to the Lakeshore Heights Subdivision shall remain undisturbed. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the existing detention pond at the top of the slope where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.
4. Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent properties located to the north and south as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.
5. All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
6. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Motion made by Board Member Martin

Motion seconded by Board Member Thompson

Vote – 5 favor, 1 recusal (Carter), 1 absent (Fleming)

Passed: _____

AN ORDINANCE

No. 2018-18

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 6.854± ACRES TRACT LOCATED ON THE EAST SIDE OF DAWSONVILLE HIGHWAY, SOUTHEAST OF BEECHWOOD BOULEVARD (A/K/A 0 AND 1010 DAWSONVILLE HIGHWAY) FROM OFFICE AND INSTITUTIONAL (O-I) AND GENERAL BUSINESS (G-B) TO GENERAL BUSINESS, WITH CONDITIONS (G-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Amendment to Zoning Map)

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **General Business, with conditions (G-B-c)**:

Conditions

- 1. The proposed buildings shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application including exterior materials, roof and wall signs.**
- 2. Prohibited uses for the subject property shall include motels or hotels, group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 3. The existing vegetated buffer areas adjacent to the Lakeshore Heights Subdivision shall remain undisturbed. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the existing detention pond at the top of the slope where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.**
- 4. Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent**

ORDINANCE NO. 2018-18

properties located to the north and south as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.

5. All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
6. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Legal Description

Commencing at a centerline intersection of Dawsonville Highway (State Route 53) (being a publicly dedicated variable width right of way) and Beachwood Boulevard (being a publicly dedicated variable width right of way) thence leaving said intersection North 71 degrees 07 minutes 29 seconds East a distance of 459.57 feet to a 5/8 inch capped rebar set; said rebar being the TRUE POINT OF BEGINNING;

Thence North 68 degrees 10 minutes 01 seconds East a distance of 220.48 feet to a 5/8 inch capped rebar set; Thence South 30 degrees 48 minutes 45 seconds East a distance of 483.03 feet to a 1/2 inch rebar found; Thence South 83 degrees 08 minutes 06 seconds West a distance of 238.36 feet to a 1 inch open top pipe found; Thence South 83 degrees 17 minutes 48 seconds West a distance of 21.78 feet to a 3/8 inch rebar found; Thence South 83 degrees 07 minutes 24 seconds West a distance of 104.25 feet to a 3/8 inch rebar found; Thence South 60 degrees 23 minutes 02 seconds West a distance of 361.03 feet to a mag nail set; Thence North 28 degrees 01 minutes 03 seconds West a distance of 8.26 feet to a mag nail set; Thence North 38 degrees 54 minutes 34 seconds West a distance of 39.01 feet to a 1/2 inch rebar found; Thence South 61 degrees 09 minutes 15 seconds West a distance of 153.11 feet to a 1/2 inch rebar found on the right of way of said State Route 53; Thence along said right of way North 24 degrees 18 minutes 58 seconds West a distance of 138.40 feet to a 1/2 inch rebar found; Thence leaving said right of way North 65 degrees 40 minutes 29 seconds East a distance of 129.37 feet to a 5/8 inch capped rebar set; Thence North 77 degrees 36 minutes 15 seconds East a distance of 56.96 feet to a 5/8 inch capped rebar set; Thence North 23 degrees 52 minutes 00 seconds West a distance of 170.65 feet to a 5/8 inch capped rebar set; Thence North 23 degrees 56 minutes 40 seconds West a distance of 100.00 feet to a 5/8 inch capped rebar set; Thence North 68 degrees 10 minutes 01 seconds East a distance of 45.62 feet to a 5/8 inch capped rebar set; Thence North 68 degrees 10 minutes 00 seconds East a distance of 362.83 feet to a 5/8 inch capped rebar set; said rebar being the TRUE POINT OF BEGINNING.

Said tract of land contains 6.854 Acres (298,543 square feet).

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

ORDINANCE NO. 2018-18

SECTION III.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5.

SECTION V.

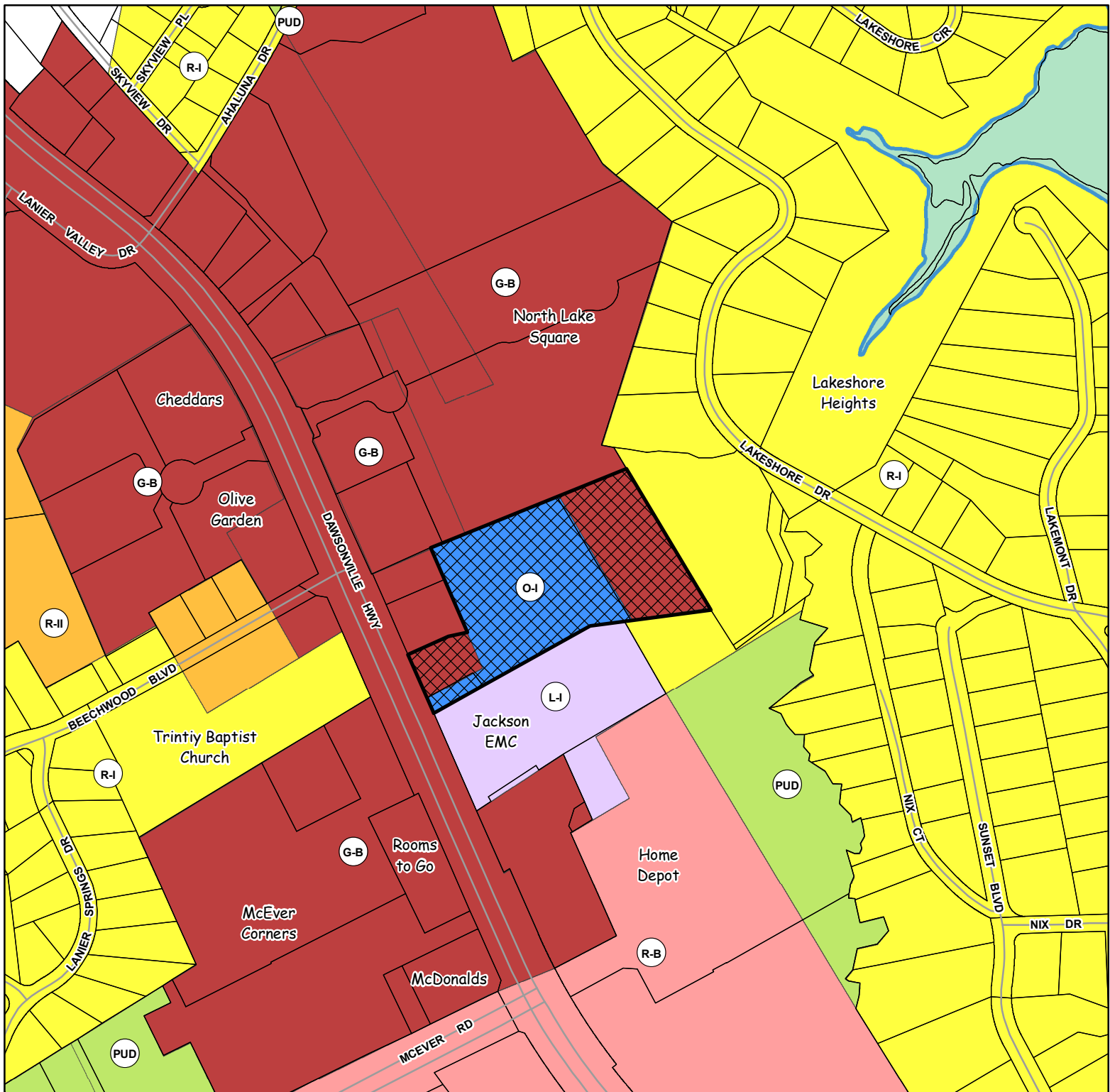
The effective date of this Ordinance shall be upon approval by the governing body of the City of Gainesville, Georgia.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



Applicant:

LLJ DEVELOPMENT, LLC

Gainesville Community Development Department

REZONING REQUEST



Request:
Rezone 6.854+/- acre tract from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for fitness center/retail/restaurant

Subject Area Address:
0 and 1010 Dawsonville Highway

Meeting: 8/14/2018

Prepared: 7/20/2018

 Subject Area

0 240 480 720 960 Feet



1" = 400'

Tax Parcel: 01-115-001-002, 061

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Applicant:

LLJ DEVELOPMENT, LLC

Gainesville Community Development Department

REZONING REQUEST



Subject Area

Aerial from 2015



0 240 480 720 960 Feet

1" = 400'



Request:
Rezone 6.854+/- acre tract from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for fitness center/retail/restaurant

Subject Area Address:
0 and 1010 Dawsonville Highway

Meeting: 8/14/2018

Prepared: 7/20/2018

Tax Parcel: 01-115-001-002, 061

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Gainesville Fitness Center – Project Narrative

The subject property was developed as a medical facility many years ago. The structures on the property have been demolished, and the property is currently vacant.

The property is currently zoned O-I and G-B and consists of 6.854 acres. The applicant requests the zoning be amended to G-B which is compatible with its intended use as a Fitness Center, Retail and Restaurant. Per City Staff recommendations, we have included the O-I parcel along with the G-B parcel will ensure any zoning conditions are assigned to the entire project. The Fitness Center building is 22,000 square feet. The Retail and Restaurant building is 6,800 sf. The total parking provided is 260 spaces. This assumes an administrative variance will be needed to increase the allowable parking. Public gravity sewer and water services are available at the site to serve the project. Stormwater detention and water quality treatment have already been provided within two existing detention ponds in the North Lake Square development to the north and east of the subject property.

The project driveway is an existing public stub street that intersects with Dawsonville Highway. It currently serves as the access point for Jackson EMC located to the south of the subject property. This driveway is full access non-signalized with an existing southbound left turn lane and a small north bound right turn lane. Georgia Department of Transportation (“GDOT”) is currently planning improvements to Dawsonville Highway to restrict access at this existing driveway and expand the through movement from 4 lanes to 6 lanes. The project proposes to eliminate the existing left out movement due to the heavy rush hour traffic. The existing decel lane is also proposed to be lengthened. Ultimately, GDOT will require approval of a driveway permit for the improvements.

Interparcel connectivity will exist with the Jackson EMC site to the south of the proposed site. However, Jackson EMC has its rear parking lot area gated and closed to the general public. Connectivity to the small outparcels in front of the site along Dawsonville Highway is not practical due to their site layout and the finished grade differences. Those parcels are approximately 10 feet higher than the proposed Fitness Center finished grades. Interparcel connectivity with the property to the north and west is also not practical due to the existing detention pond, large slopes, and retaining walls.

It is anticipated that store hours will be from approximately 5:00 a.m. to 12:00 a.m.



TITLE REVIEW

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBER: P001188 / HB303.015
DATE EFFECTIVE: APRIL 15, 2017

12 - EASEMENT FROM GEORGE MARTIN, SR. AND MRS. GEORGE LILLIE MARTIN TO THE CITY OF GAINESVILLE, GEORGIA, DATED SEPTEMBER 21, 1964, FILED SEPTEMBER 25, 1964 AND RECORDED IN DEED BOOK 291, PAGE 257, RECORDS OF THE SUPERIOR COURT OF HALL COUNTY, GEORGIA.

SUBJECT DOCUMENT IS ILLEGIBLE, UNABLE TO
DETERMINE RELATIONSHIP TO PROPERTY.

13 - EASEMENT FROM EDWARD O. REED TO THE CITY OF GAINESVILLE, GEORGIA, DATED APRIL 14, 1965, FILED APRIL 15, 1965 AND RECORDED IN DEED BOOK 303, PAGE 223, AFORESAID RECORDS.

SUBJECT DOCUMENT REFERS TO A RECORDED PLAT THAT IS NOT PROVIDED. SURVEYOR IS UNABLE TO DETERMINE RELATIONSHIP TO SUBJECT PROPERTY.

14 - EASEMENTS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM MEDICAL INVESTMENTS CORPORATION TO GAINESVILLE HEALTH CARE CENTER, LTD., A GEORGIA LIMITED PARTNERSHIP, DATED MARCH 29, 1976, FILED APRIL 22, 1976 AND RECORDED IN DEED BOOK 597, PAGE 238, AFORESAID RECORDS.

SUBJECT DOCUMENT DESCRIBES TWO SANITARY SEWER EASEMENTS THAT AFFECT THE SUBJECT PROPERTY AS SHOWN.

15 - RIGHT-OF-WAY DEED FROM COLUMBUS MEDICAL
NURSING HOME, INC. TO THE GEORGIA DEPARTMENT OF
TRANSPORTATION, DATED FEBRUARY 9, 1991, FILED
APRIL 9, 1993 AND RECORDED IN DEED BOOK 1934,
PAGE 325, AFORESAID RECORDS.

SUBJECT DOCUMENT DESCRIBES THE ACQUISITION OF
RIGHT OF WAY FOR DAWSONVILLE HIGHWAY. DOES NOT
AFFECT THE SUBJECT PROPERTY.

16 - MUTUAL AND RECIPROCAL EASEMENT AGREEMENT
FOR STORM WATER DETENTION FACILITY AND STORM
WATER DRAINAGE PIPELINE BY AND BETWEEN
NORTHEAST GEORGIA MEDICAL CENTER, INC. AND
AMERICA'S HOME PLACE, INC., DATED MARCH 31, 2014
FILED APRIL 21, 2014 AND RECORDED IN DEED BOOK
7354, PAGE 402, AFORESAID RECORDS.

SUBJECT DOCUMENT DESCRIBES MUTUAL AND
RECIPROCAL EASEMENTS FOR STORM WATER DETENTION
AND STORM SEWER PIPING. EXHIBIT A AND EXHIBIT B
FOR SUBJECT DOCUMENT IS ILLEGIBLE. SURVEYOR IS
UNABLE TO DETERMINE RELATIONSHIP TO SUBJECT
PROPERTY.

17 - TEMPORARY CONSTRUCTION EASEMENT
AGREEMENT BETWEEN NORTHEAST GEORGIA MEDICAL
CENTER, INC., A GEORGIA NOT-FOR-PROFIT
CORPORATION, AMERICA'S HOME PLACE, INC. AND
TLPT-2-GAINESVILLE, LLC, A TEXAS LIMITED LIABILITY
COMPANY, DATED AS OF DECEMBER 31, 2014, FILED
JANUARY 7, 2015 AND RECORDED IN DEED BOOK 746;
PAGE 646, AFORESAID RECORDS; AS AFFECTED BY
THAT CERTAIN AFFIDAVIT RELATING TO TITLE, DATED
DECEMBER 15, 2015, FILED DECEMBER 17, 2015 AND
RECORDED IN DEED BOOK 7627, PAGE 735, AFORESAID
RECORDS.

SUBJECT DOCUMENT RECORDED AT DEED BOOK 7463, PAGE 646 DESCRIBES A TEMPORARY EASEMENT THAT HAS NOW EXPIRED AND NO LONGER AFFECTS THE SUBJECT PROPERTY. SUBJECT DOCUMENT RECORDED AT DEED BOOK 7627, PAGE 735 DESCRIBES TWO (ITEMS: B & D) TEMPORARY EASEMENT THAT IS NOW EXPIRED AND A PERMANENT EASEMENT AGREEMENT (ITEM C). SUPPORTING DOCUMENT NOT PROVIDED.

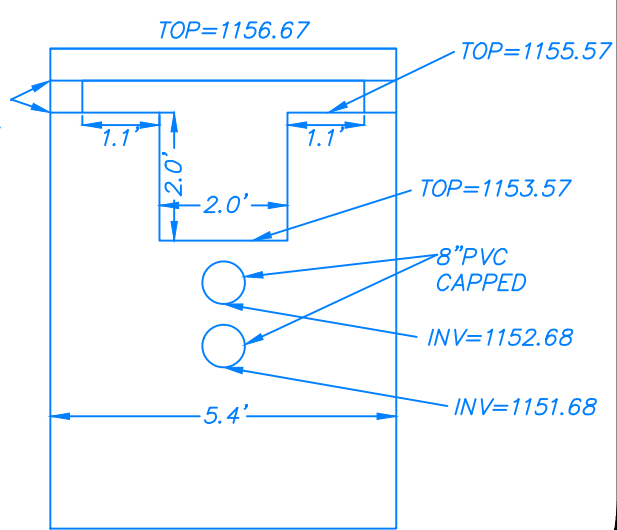
18 - ALL MATTERS AFFECTING SUBJECT PROPERTY AS SHOWN ON THE FOLLOWING PLATS:
(A) PLAT BOOK 32, PAGE 116:

(B) PLAT BOOK 249, PAGE 824;
SUBJECT PLAT DEPICTS A 30 FOOT SANITARY
SEWER EASEMENT THAT AFFECTS THE SUBJECT
PROPERTY AS SHOWN.

(C) PLAT BOOK 869, PAGE 241;
SUBJECT PLAT DEPICTS SEVERAL STORM AND
DRAINAGE EASEMENTS THAT AFFECT THE SUBJECT
PROPERTY, SAID EASEMENTS ON SUBJECT
DOCUMENT ARE TOO VAGUE TO PLOT.

TO: LIDL US PROPERTIES, LLC AND
FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPSPLAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPSPL, AND INCLUDES ITEMS 11-4, 6(B), 7(A), 7(B1), 7(C), 8-9, 11, 13, 14, 16-20(A), AND 21-22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 7, 2017.



CITY OF GAINESVILLE PUBLIC UTILITIES
NICK SWAFFORD
757 QUEEN CITY PKWY
GAINESVILLE, GA 30501
PH: 770.538.2452
NSWAFFORD@GAINESVILLE.ORG

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305-409-1542

GEORGIA POWER
GEORGIA POWER CABLE LOCATING
 404-506-6539
LIBERTY UTILITIES
MARK REEVES
PROJECT SPECIALIST
 P: 678-707-5220
 C: 770-540-6997
 F: 770-534-3183
 E: MARK.REEVES@LIBERTYUTILITIES.COM
 175 JOHN W. MORROW JR. PKWY,
 GAINESVILLE, GA 30501

COMCAST CATV
BRAD SEARS
770-559-6052

OVERALL LEGAL

COMMENCING AT A CENTERLINE INTERSECTION OF DAWSONVILLE HIGHWAY
(STATE ROUTE 53) (BEING A PUBLICLY DEDICATED VARIABLE WIDTH RIGHT
OF WAY) AND BEACHWOOD BOULEVARD (BEING A PUBLICLY DEDICATED
VARIABLE WIDTH RIGHT OF WAY) THENCE LEAVING SAID INTERSECTION NORTH
71 DEGREES 07 MINUTES 29 SECONDS EAST A DISTANCE OF 459.57 FEET TO
A 5/8 INCH CAPPED REBAR SET; SAID REBAR BEING THE TRUE POINT OF
BEGINNING;

THENCE NORTH 68 DEGREES 10 MINUTES 01 SECONDS EAST A DISTANCE OF 220.48 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE SOUTH 30 DEGREES 48 MINUTES 45 SECONDS EAST A DISTANCE OF 483.03 FEET TO A 5/8 INCH REBAR FOUND; THENCE SOUTH 83 DEGREES 08 MINUTES 06 SECONDS WEST A DISTANCE OF 112.02 FEET TO A 1/2 INCH PIPE FOUND; THENCE SOUTH 83 DEGREES 17 MINUTES 48 SECONDS WEST A DISTANCE OF 21.78 FEET TO A 3/8 INCH REBAR FOUND; THENCE SOUTH 83 DEGREES 17 MINUTES 48 SECONDS WEST A DISTANCE OF 1.26 FEET TO A 3/8 INCH REBAR FOUND; THENCE SOUTH 60 DEGREES 23 MINUTES 02 SECONDS WEST A DISTANCE OF 361.03 FEET TO A MAG NAIL SET; THENCE NORTH 28 DEGREES 01 MINUTES 03 SECONDS WEST A DISTANCE OF 8.26 FEET TO A MAG NAIL SET; THENCE NORTH 28 DEGREES 01 MINUTES 03 SECONDS WEST A DISTANCE OF 39.01 FEET TO A 1/2 INCH REBAR FOUND; THENCE SOUTH 61 DEGREES 09 MINUTES 15 SECONDS WEST A DISTANCE OF 153.11 FEET TO A 1/2 INCH REBAR FOUND ON THE RIGHT OF WAY OF SAID HIGHWAY; THENCE SOUTH 61 DEGREES 09 MINUTES 15 SECONDS WEST A DISTANCE OF 18.18 FEET TO A 1/2 INCH REBAR FOUND; THENCE SOUTH 61 DEGREES 09 MINUTES 15 SECONDS WEST A DISTANCE OF 138.40 FEET TO A 1/2 INCH REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY NORTH 65 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 129.37 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE NORTH 65 DEGREES 40 MINUTES 29 SECONDS EAST A DISTANCE OF 56.96 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE NORTH 23 DEGREES 52 MINUTES 00 SECONDS WEST A DISTANCE OF 170.65 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE NORTH 23 DEGREES 52 MINUTES 00 SECONDS WEST A DISTANCE OF 170.65 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE NORTH 23 DEGREES 52 MINUTES 00 SECONDS WEST A DISTANCE OF 45.62 FEET TO A 5/8 INCH CAPPED REBAR SET; THENCE NORTH 68 DEGREES 10 MINUTES 00 SECONDS EAST A DISTANCE OF 392.83 FEET TO A 5/8 INCH CAPPED REBAR SET; SAID REBAR BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 6.854 ACRES (298,543 SQUARE FEET)

PREPARED FOR:
LIDL US PROPERTIES, LLC &
FIRST AMERICAN TITLE INSURANCE COMPANY

ALTA/NSPS LAND TITLE SURVEY OF:
TAX PARCEL # 1115001002
&

STATE: GEORGIA	COUNTY: HALL
AND LOT: 163	DISTRICT: 9TH CITY OF

REVISIONS

[illegible]

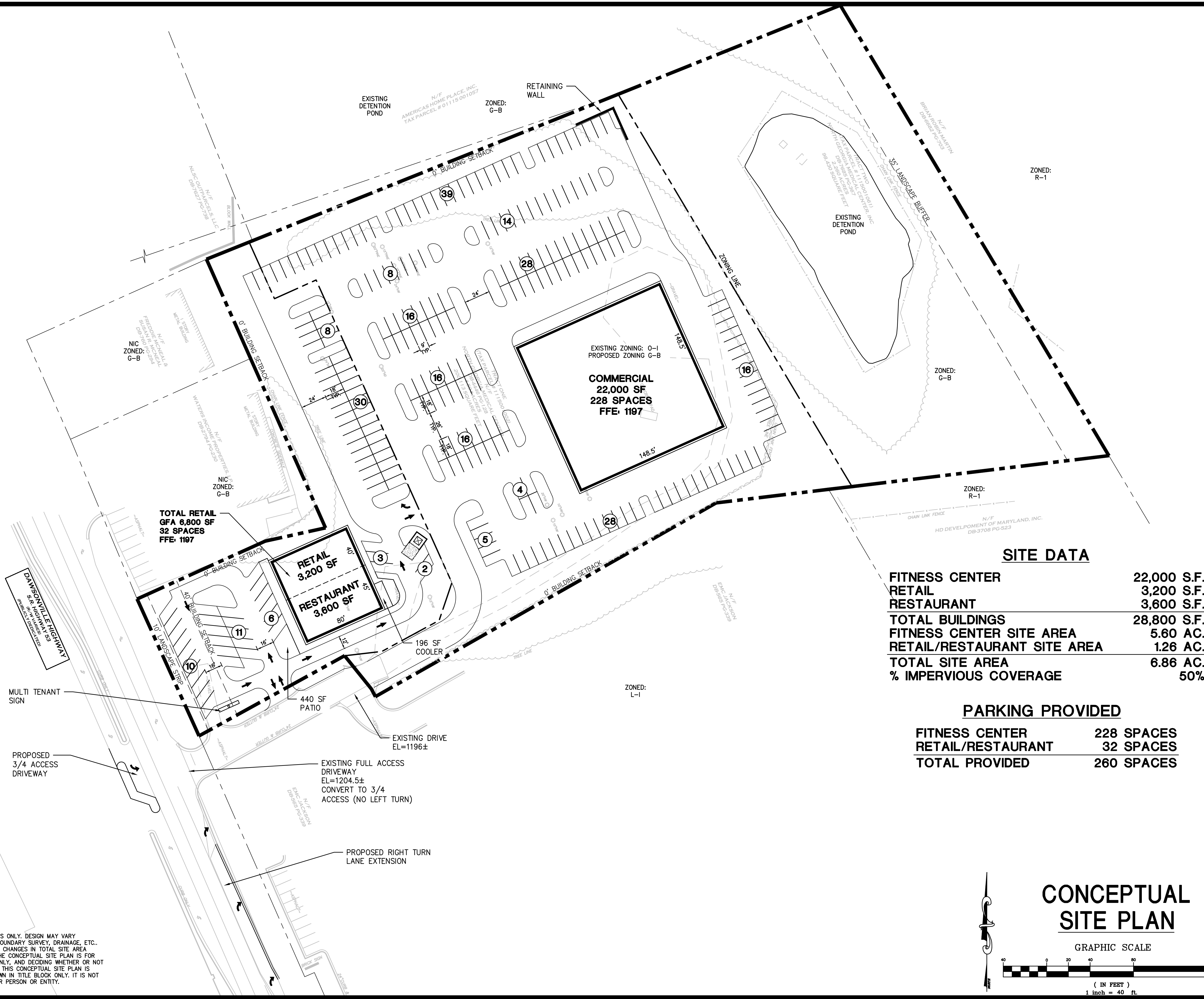
**Lowery
& Associates**
AND SURVEYING, LLC

DATE: JUNE 9, 2017

JOB #: 1719

DRAWN BY: J.THREADGILL

NOTE:
THIS DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DESIGN MAY VARY
DEPENDING ON ACTUAL TOPOGRAPHIC AND BOUNDARY SURVEY, DRAINAGE, ETC..
THIS ADDITIONAL INFORMATION COULD CAUSE CHANGES IN TOTAL SITE AREA
REQUIRED DUE TO SLOPES, PARKING, ETC. THE CONCEPTUAL SITE PLAN IS FOR
THE PURPOSE OF DEVELOPING A CONCEPT ONLY, AND DECIDING WHETHER OR NOT
TO CONDUCT MORE DETAILED INVESTIGATION. THIS CONCEPTUAL SITE PLAN IS
PREPARED FOR CLIENT WHOSE NAME IS SHOWN IN TITLE BLOCK ONLY. IT IS NOT
TO BE USED OR RELIED UPON BY ANY OTHER PERSON OR ENTITY.



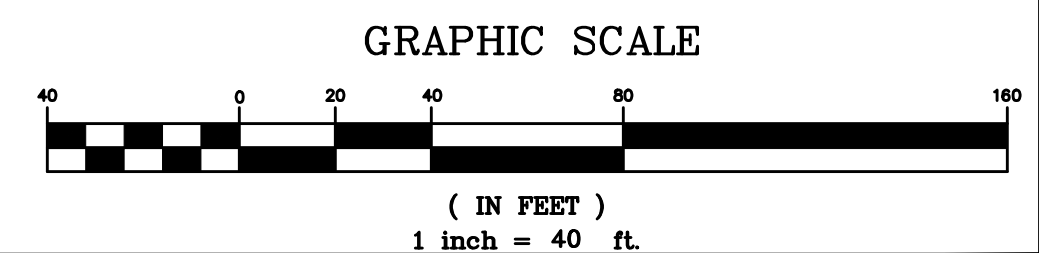
SITE DATA

FITNESS CENTER	22,000 S.F.
RETAIL	3,200 S.F.
RESTAURANT	3,600 S.F.
TOTAL BUILDINGS	28,800 S.F.
FITNESS CENTER SITE AREA	5.60 AC.
RETAIL/RESTAURANT SITE AREA	1.26 AC.
TOTAL SITE AREA	6.86 AC.
% IMPERVIOUS COVERAGE	50%

PARKING PROVIDED

FITNESS CENTER	228 SPACES
RETAIL/RESTAURANT	32 SPACES
TOTAL PROVIDED	260 SPACES

CONCEPTUAL SITE PLAN



Project Title
**COMMERCIAL DEVELOPMENT
GAINESVILLE, GA**
BY: **LL J DEVELOPMENT, LLC
CORDELE, GA**

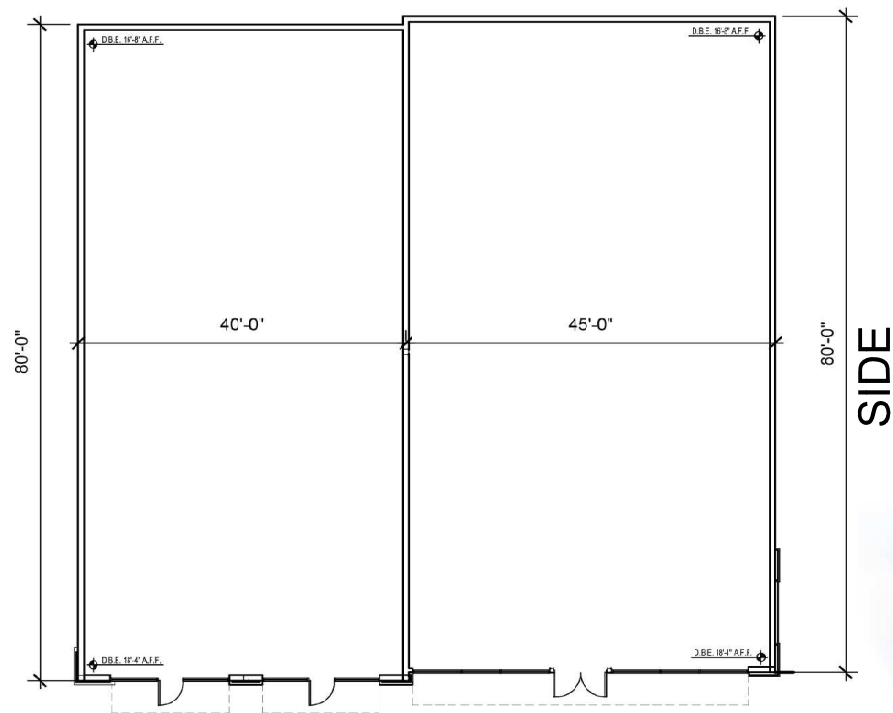
REVISIONS	BY

DRAWN BY	DMN
CHECKED BY	THH
DATE	06/28/2018
SCALE	1" = 40'
JOB No.	18-LD-056
SHEET NUMBER	4.3
OF	SHEETS









FRONT

SIDE



FRONT ELEVATION



SIDE ELEVATION

Traffic Impact Study

Proposed Commercial Development

SR 53/Dawsonville Highway
Gainesville, Georgia

Prepared For: LL J Development, LLC
Cordele, Georgia

Wolverton Project No.

18-LD-056

July 24, 2018



WOLVERTON

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1. INTRODUCTION

1.1. Study Area

This traffic study was conducted to evaluate the traffic impacts of a proposed commercial development consisting of a fitness center, small restaurant and retail store located in Gainesville, Georgia. The proposed site is located to the east of SR 53/Dawsonville Highway, just north of the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road. The proposed lot for the site is currently undeveloped, but the proposed site driveway is existing and currently serves light traffic from Jackson Electric Membership Corporation (Jackson EMC). Figure 1 illustrates the location of the site and identifies the roadway network in the vicinity.

1.2. Proposed Development

The proposed development will consist of a 28,800 square feet of building space. Figure 2 illustrates the proposed site plan. The commercial businesses are expected to be built out in 2019. The site will have $\frac{3}{4}$ access point commonly referred to as a RCUT median. RCUT median openings allow right-turns into and out of the site driveway and also allows left-turns into the site driveway. The only two traffic movements that are not allow are through and left-turn movements from the site driveway. The one driveway to the site will be on SR 53/Dawsonville Highway that is approximately 900 feet north of the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road.

1.3. Planned Transportation Improvements

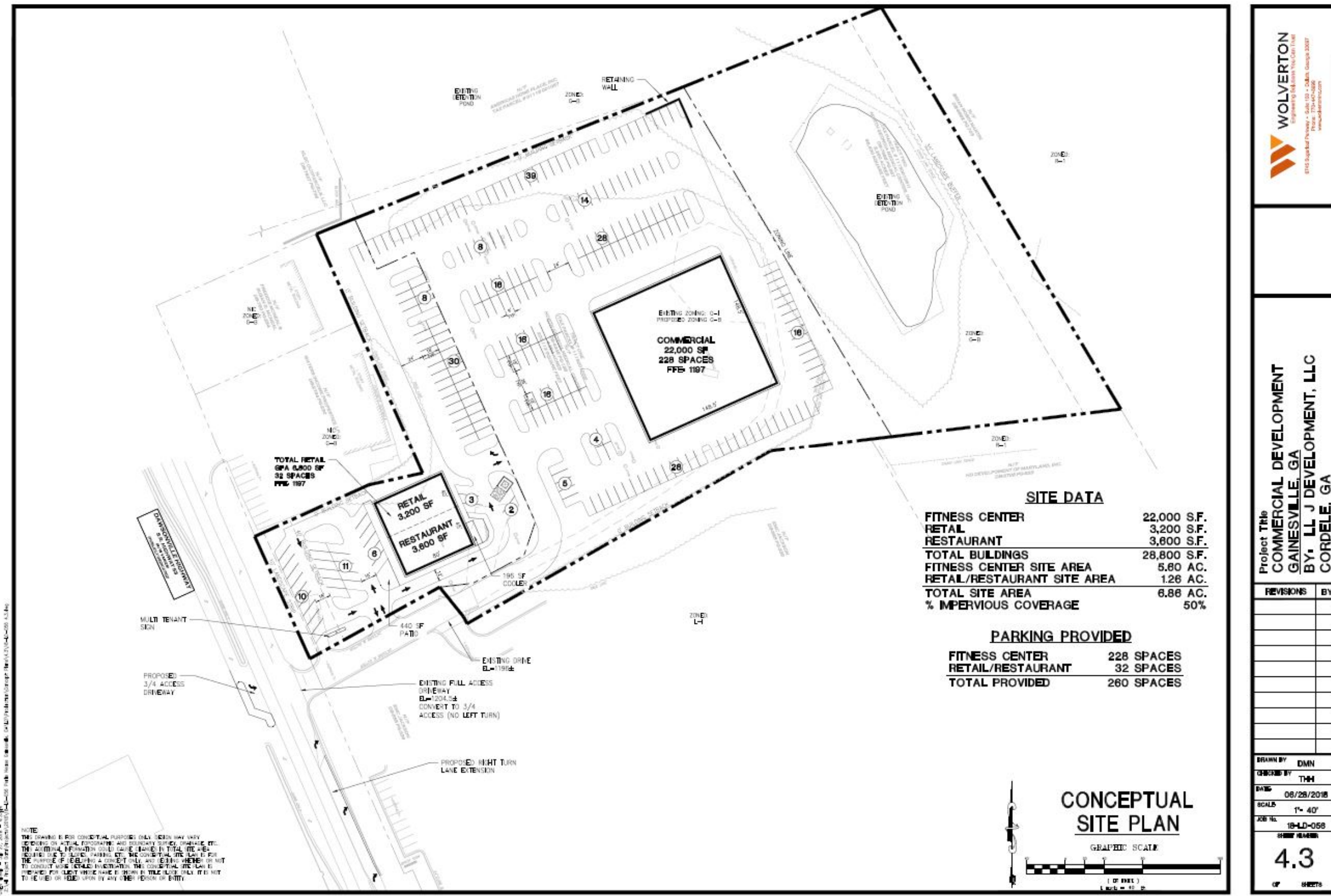
As part of the proposed development, as shown on the site plan, a 300-foot long right-turn lane will be added northbound on SR 53/Dawsonville Highway at the proposed Site Driveway. The length of the right-turn lane exceeds the recommended storage length of 250 feet for 45 mph highways in the design guidelines of the American Association of State Highway and Transportation Officials (AASHTO). There will be no queuing in this lane because the intersection is unsignalized. The site plan along with the planned transportation improvements are shown in Figure 2.

Georgia Department of Transportation (GDOT) had a corridor study conducted on SR 53/Dawsonville Highway from Ahalluna Drive to Shallowford Road. The results of this corridor study recommended that the right-turn lanes in this corridor be connected to provide a six-lane divided highway. This transportation improvement is proposed to be constructed shortly after the construction of the proposed development site plan.

Figure 1 – Vicinity Map



Figure 2 – Proposed Site Plan



2. EXISTING CONDITIONS

2.1. Roadways

SR 53/Dawsonville Highway is a four-lane median divided highway that runs primarily north-south and serves heavy commercial development within the vicinity of the site. SR 53/Dawsonville Highway is classified as an Urban Principal Arterial and has a posted speed limit of 45 mph within the vicinity of the site. SR 53 originates at the Alabama state line and travels primarily east through Georgia's rural and mountainous regions in the northwest and northern portions of the state. SR 53 intersects US 19/SR 400 in Dawsonville and continues east through Forsyth County, before finally entering Hall County, crossing the Chestatee River and making the southwest turn onto McEver Road. SR 53 then proceeds in a southerly and southeasterly direction toward the Athens area, where it terminates at its intersection with SR 15 in downtown Watkinsville. On Dawsonville Highway south of McEver Road, the highway is signed as SR 53 Connector. SR 53 Connector runs east from McEver Road into downtown Gainesville, running in common with SR 60 beginning at its intersection with Jesse Jewell Parkway. SR 53 Connector terminates at its interchange with Interstate 985.

SR 53/McEver Road is a four-lane median divided highway that runs primarily east-west and serves industrial and heavy commercial development within the vicinity of the site. McEver Road is classified as an Urban Principal Arterial and has a posted speed limit of 45 mph. McEver Road originates as Peachtree Industrial Boulevard in Gwinnett County at the intersection with Holcomb Bridge Road, and becomes McEver Road at the Hall County line.

2.2. Intersections

The following three intersections were identified to be studied:

1. SR 53/Dawsonville Highway and Commercial Driveways –Olive Garden and Chipotle (signalized)
2. SR 53/Dawsonville Highway and Site Driveway (unsignalized)
3. SR 53/Dawsonville Highway and SR 53/McEver Road (signalized)

Existing geometry and traffic operation control of the existing intersections were inventoried. Traffic signal timing data for the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road is contained in Appendix B. Figure 3 illustrates the existing geometry and operation control of the studied intersections and the lanes proposed when the GDOT transportation project is constructed along this corridor.

2.3. Existing Traffic Flow Patterns

Existing TMC data was obtained from GDOT for two of the studied intersections: SR 53/Dawsonville Highway at the proposed site driveway and SR 53/Dawsonville Highway at McEver Road. The traffic volumes at these intersections were provided to GDOT by WSP and are contained in Appendix A. The traffic for the intersection of SR 53/Dawsonville Highway at the commercial driveways (Olive Garden & Chipotle), located approximately 900 feet north of the site driveway, was obtained from A&R Engineering (see Appendix A.) The existing 2017 traffic for the commercial driveways is the projected traffic at full build-out of the retail center on the east side of SR 53. Figure 4 illustrates the existing turning movement volumes for the AM and PM peak hours.

Figure 3 – Existing and Proposed Lane Configurations and Traffic Control

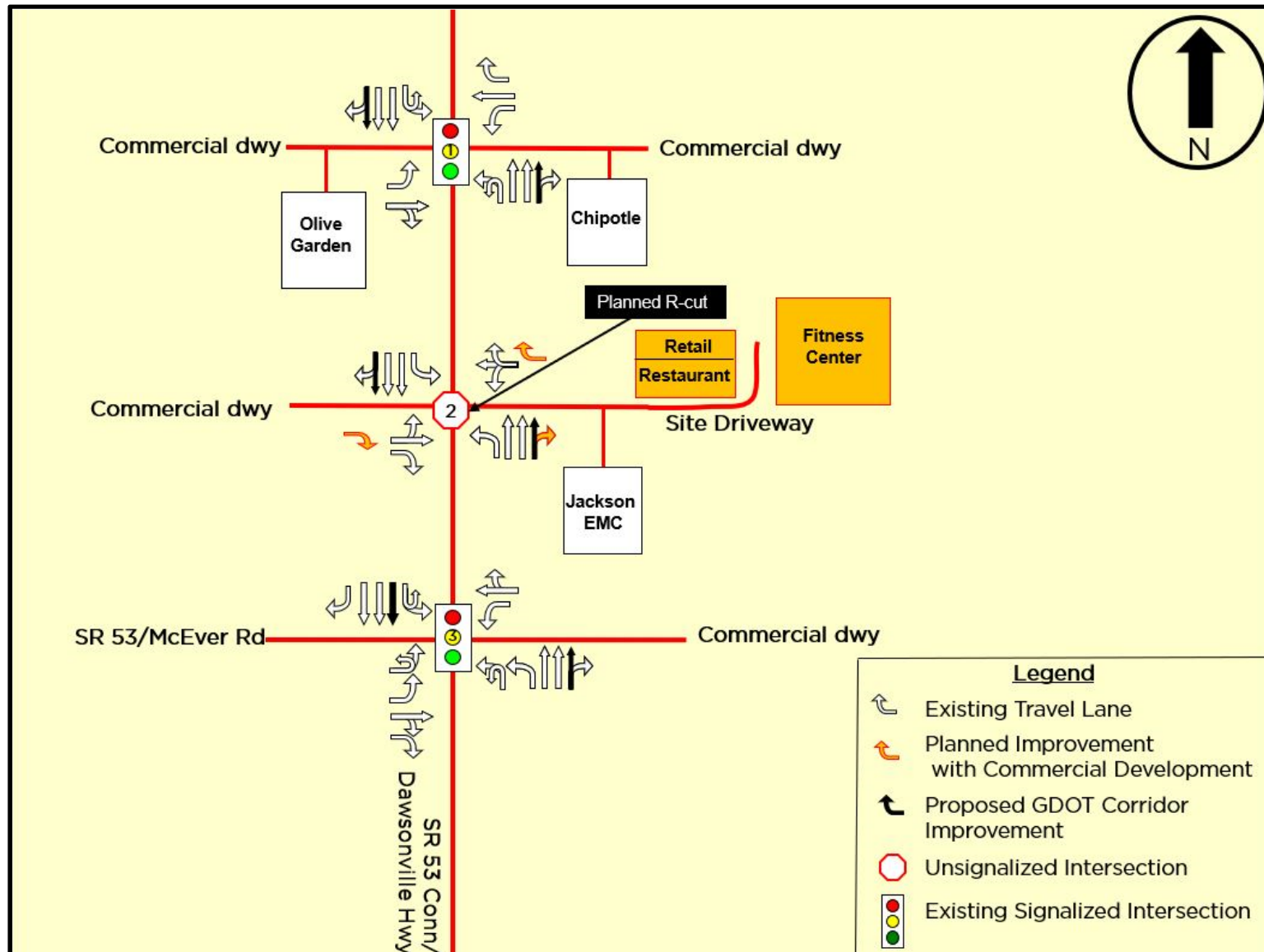
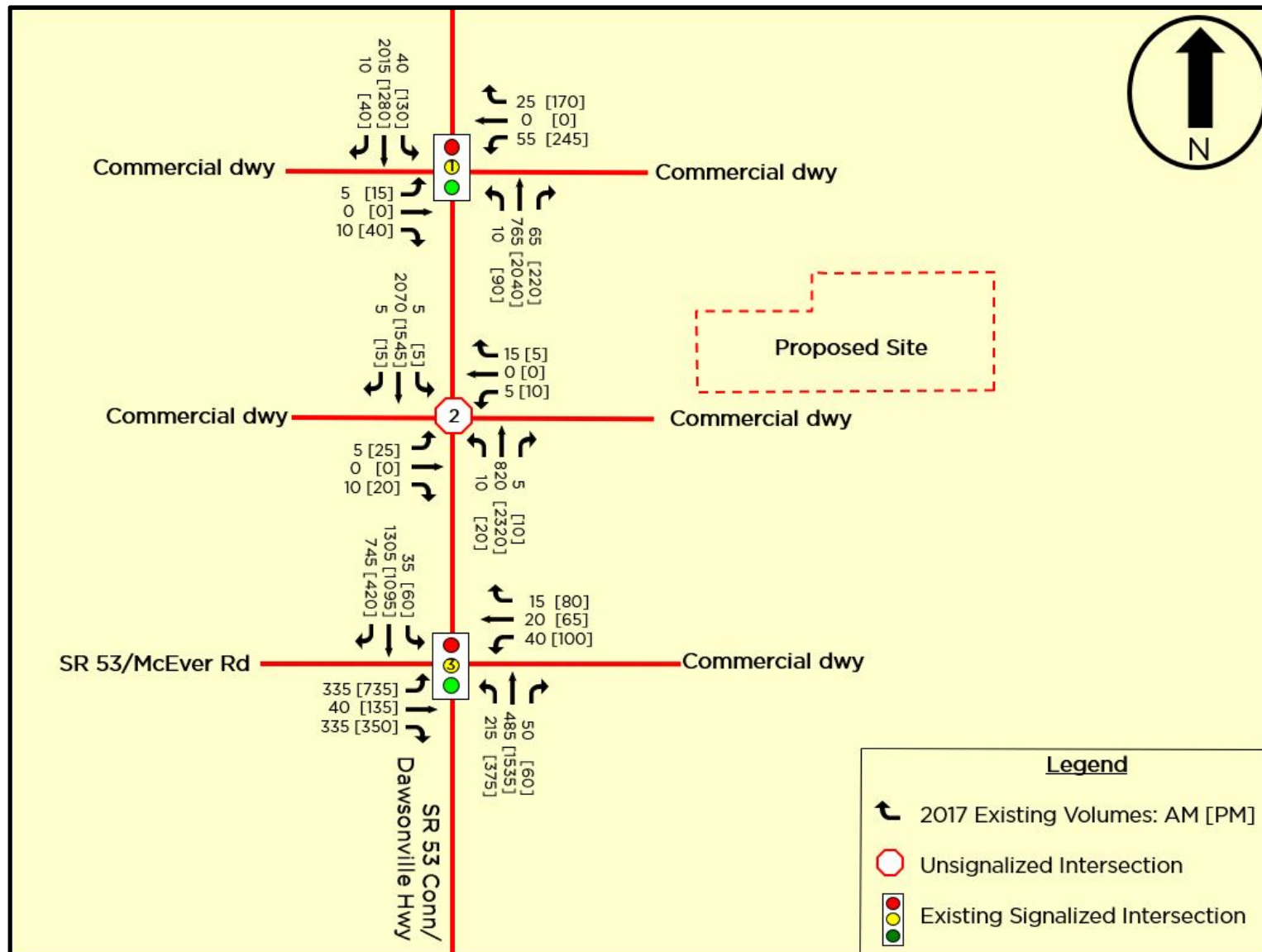


Figure 4 – Existing Peak Hour Volumes



2.4. TRAFFIC PROJECTIONS

Future Background Traffic

The GDOT traffic corridor study prepared contained 2037 traffic for two of the intersections. From this traffic corridor study, it was determined that a 1% per year growth rate was used in the corridor study. Therefore, 1% per year of growth was applied to the existing 2017 traffic to obtain the 2019 build year traffic for the development and the GDOT widening project.

Trip Generation

The amount of traffic to be generated by the proposed development was estimated by using trip rates observed at other similar developments. The widely recognized publication from the Institute of Transportation Engineers (ITE), *Trip Generation 10th Edition* (1), contains trip rates summarized by type of development. The ITE data provide trip rates that can be applied to the size of a development to derive trip generation projections. See the Table 1 for the trip generation of the development.

Table 1 - Trip Generation

Land Use	ITE Code	Size (SF)	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Health & Fitness Club	492	22,000	15	15	45	30
Small Restaurant	933	3,600	55	35	50	50
Small Retail Store	814	3,200	5	5	15	10
Totals			75	55	110	90

Trip Distribution for New Trips

After the magnitude of generated trips has been established, it is then necessary to determine the routing of the new trips. The trip distribution for the new trips was based on the existing traffic patterns¹ from the AM and PM peak period counts at the existing site driveway.

The resulting traffic projections for the three intersections were balanced between the intersections. The projected traffic flow diagrams for the year 2019 without the proposed development is shown in Figure 5: Future Year 2019 Peak Hour Volumes Without Proposed Development. Figure 6 contains the future year 2019 peak hour volumes with the GDOT corridor project improvements and Figure 7 contains the future year 2019 peak hour volumes with the proposed development and the GDOT corridor project improvements.

¹ GDOT SR 53/Dawsonville Highway Corridor Study conducted by Arcadis with traffic volumes provided by WSP.

Figure 5 – Future Year 2019 Peak Hour Volumes Without Proposed Development

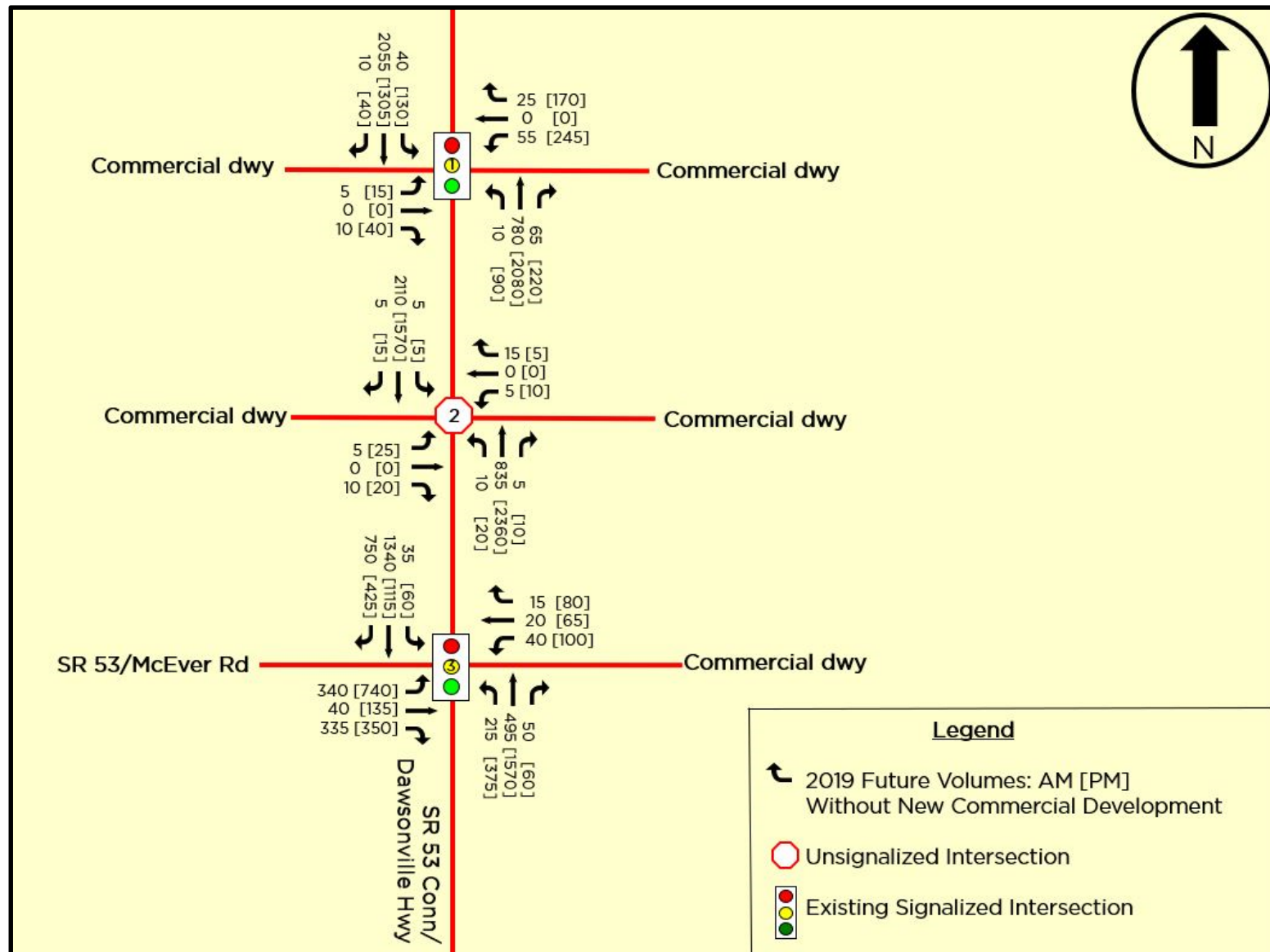


Figure 6 – Future Year 2019 Peak Hour Volumes with GDOT Improvements

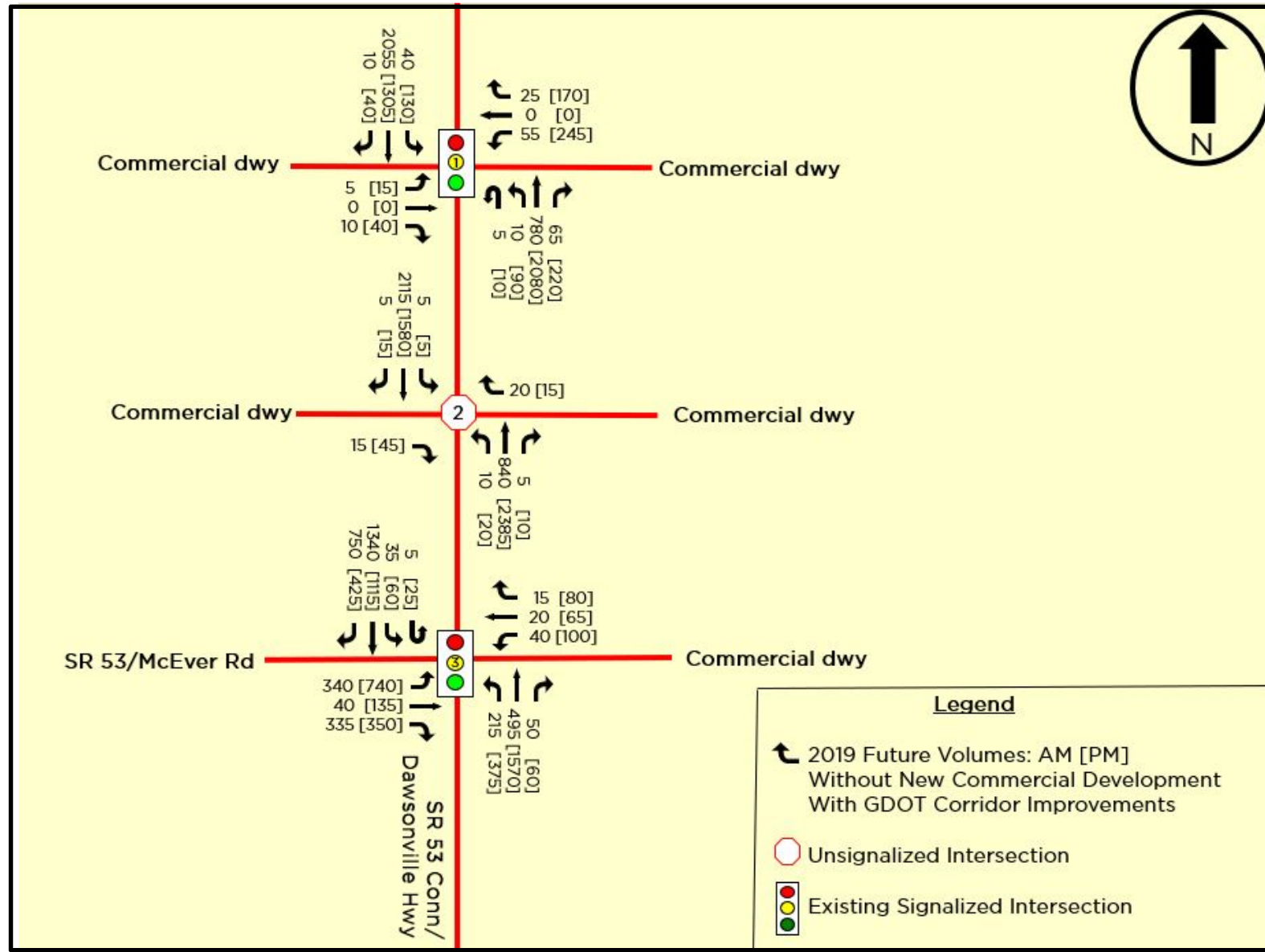
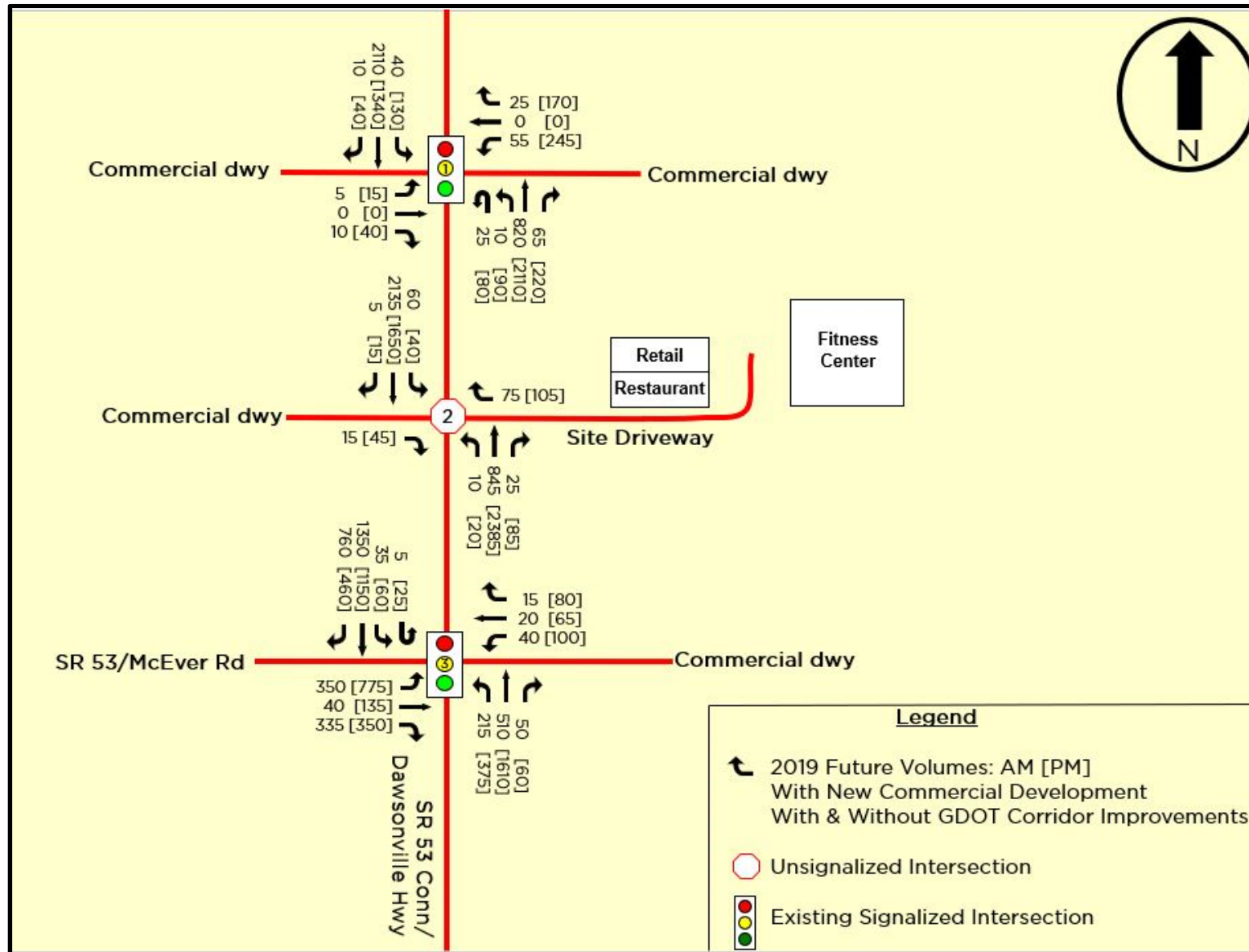


Figure 7 – Future Year 2019 Peak Hour Volumes with Proposed Development & GDOT Improvements



2.5. DATA ANALYSIS

Level of Service Criteria

In order to quantify the impacts of the additional traffic and to determine any needed roadway and/or operational improvements, the existing and projected conditions were evaluated with traffic capacity analysis techniques. *Synchro* (9) was used to conduct capacity analysis. *Synchro* implements the capacity methods of the *Highway Capacity Manual* (HCM) for performing the industry standard evaluation of primarily signalized intersection performance. Delays used in the reports follow the procedure as recommended by the HCM. The HCM defines Level of Service (LOS) in terms of the amount of control delay, including initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The *Highway Capacity Software, Version 7 (HCS7)* was used to evaluate the unsignalized location because *Synchro* does not handle the capacity and queue lengths at RCUT intersections as well as *HCS7*, which has an RCUT analysis. Therefore, the unsignalized intersection at the site driveway was analyzed with *HCS7*. The methodology matches the capacity methods of HCM for both traditional unsignalized intersections and RCUT intersections.

The LOS definitions for both stop sign controlled intersections and traffic signal-controlled intersections are provided in Table 2.

Table 2 – Level of Service Criteria

LEVEL OF SERVICE	CONTROL DELAY PER VEHICLE (SEC)	
	WITH STOP SIGN	WITH TRAFFIC SIGNAL
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: *Highway Capacity Manual*

GDOT has ranges of adequate LOS based on area classification. Rural, sparsely developed areas have a minimum LOS requirement of C. This is due to the expectancy of rural residents for relatively uncongested conditions and design flexibility related to lower right of way costs. The minimum LOS for urban areas is D. This reflects the greater acceptance of delay and congestion by urban residents. Additionally, the increased density of developments makes right of way costs much higher in urban areas. The Dawsonville Highway project corridor is in the Atlanta metro area and, therefore, has a minimum LOS requirement of D.

Capacity analysis was used to evaluate the Existing Year 2017 and four future 2019 scenarios for the intersections being studied. For Existing Year 2017, the existing lane configurations and traffic control were used. For Future Year 2019, the lane configurations shown on the site plan were used. Table 3 shows the resulting analysis during the AM and PM peak hours. *Synchro* printouts are contained in Appendix C. Table 4 presents the queue lengths for only traffic movements that are impacted by the proposed development.

Table 3 – Results of Capacity Analysis

INT #	INTERSECTION SR 53/ Dawsonville Hwy	CONTROL	AM PEAK HOUR				
			Existing Year 2017	Future Year 2019	Year 2019 with Development	Year 2019 with GDOT Project	Year 2019 with Development & GDOT Project
1	Olive Garden/ Chiptole	Traffic Signal	B (18.2)	B (17.4) ²	B (18.5)	B (12.7)	B (13.2)
2	Jackson EMC & Site Driveway	TWSC*	E (48.0)	F (51.4)	B (12.7)	B (13.1)	B (14.6)
3	SR 53/McEver Road	Traffic Signal	F (86.7)	F (88.9)	F (90.2)	E (64.8)	E (64.0) ²
INT #	INTERSECTION SR 53/ Dawsonville Hwy	CONTROL	PM PEAK HOUR				
			Existing Year 2017	Future Year 2019	Year 2019 with Development	Year 2019 with GDOT Project	Year 2019 with Development & GDOT Project
1	Olive Garden/ Chiptole	Traffic Signal	C (31.8)	C (32.7)	C (33.9)	C (27.5)	C (31.5)
2	Jackson EMC & Site Driveway	TWSC*	F (3612.3)	F (4055.8)	F (78.6)	E (36.9)	F (134.8)
3	SR 53/McEver Road	Traffic Signal	F (167.3)	F (173.1)	F (193.0)	F (88.0)	F (96.2)

*Capacity analysis of the Two-Way Traffic Control (TWTC) represents only the westbound approach of the Site Driveway.

² At signalized intersections, the delay at the intersection is shown to be reduced when there is actually a greater volume of traffic on some traffic movements because more vehicles have to wait less time for the traffic signal to cycle back to the green phase. Consequently, the delay value for the overall intersection will appear to show a slight improvement.

Table 4 – Queue Lengths of Impacted Movements due to the Development

INT #	INTERSECTION SR 53/ Dawsonville Hwy	Traffic Movement	AM PEAK HOUR									
			Existing Year 2017		Future Year 2019		Year 2019 with Development		Year 2019 with GDOT Project		Year 2019 with Development & GDOT Project	
			50th	95th	50th	95th	50th	95th	50th	95th	50th	95th
1	Olive Garden/ Chiptole	NB Left	4	m2	3	m2	12	m7	0	m2	5	m16
2	Jackson EMC & Site Driveway	SB Left	--	0	--	0	--	8	--	0	--	15
		WB LTR	--	18	--	20	--	--	--	--	--	--
		WB Right	--	--	--	--	--	13	--	3	--	15
3	SR 53/McEver Road	SB Left	38	m45	38	m47	43	m52	39	m63	45	m69
INT #	INTERSECTION SR 53/ Dawsonville Hwy	Traffic Movement	PM PEAK HOUR									
			Existing Year 2017		Future Year 2019		Year 2019 with Development		Year 2019 with GDOT Project		Year 2019 with Development & GDOT Project	
			50th	95th	50th	95th	50th	95th	50th	95th	50th	95th
1	Olive Garden/ Chiptole	NB Left	8	m1	8	m1	31	m28	20	m21	89	m95
2	Jackson EMC & Site Driveway	SB Left	--	3	--	3	--	28	--	8	--	85
		WB LTR	--	88	--	85	--	--	--	--	--	--
		WB Right	--	--	--	--	--	115	--	10	--	153
3	SR 53/McEver Road	SB Left	75	m113	74	m112	103	m148	78	m#160	109	m#211

m Volume for 95th percentile queue is metered by upstream signal# 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.

Intersection Capacity Analysis Results

The results of the three intersections studied along the SR 53/Dawsonville Highway corridor shows that when comparing the year 2019 without and with the proposed site development, the level of service improves with the proposed site development. The site development plans to convert the intersection to a RCUT median and add a 300-foot northbound right-turn lane. The level of service improves from LOS F to LOS B during the AM peak hour and although the westbound approach would still operate at a LOS F, the delay value is reduced by 98% in the PM. This indicates that the site driveway intersection as configured as an RCUT reduces delay and operates better during the AM and PM peak hour. Under future conditions with the proposed site development and the planned GDOT corridor project there is also improvement. The site intersection would operate adequately (LOS B) in the AM and although the site driveway would operate inadequately (LOS F) during the PM peak hour, there would be a 97% reduction in delay due to the combination of the RCUT and 6-lane widening project.

The 50th and 95th percentile queue lengths (the queue would be expected to be this length or shorter 50% and 95% of the time) for each intersection during both peak hours can be seen in Table 4 for those traffic movements impacted by the site development. *Synchro* was used to obtain the queue lengths and the signalized intersections and *HCS7* for the unsignalized site driveway intersection. At the site driveway, during the PM peak hour, the 95th percentile queue length of the westbound right-turn movement (153 feet) is shorter than the length of its storage capacity (250 feet). The storage capacity of the westbound right-turn movement for the site is measured from the stop bar to the main parking lot of the Fitness Center. The design of the site driveway, therefore, will adequately serve traffic queues.

3. CONCLUSIONS

This traffic study was conducted to evaluate the traffic impacts of a proposed commercial development consisting of a fitness center, small restaurant and retail store located in Gainesville, Georgia. The proposed site is located to the east of SR 53/Dawsonville Highway, just north of the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road. The proposed lot for the site is currently undeveloped, but the proposed site driveway is existing and currently serves light traffic from Jackson Electric Membership Corporation (Jackson EMC).

The proposed development will consist of a 28,800 square feet of building space. The commercial businesses are expected to be built out in 2019. The site will have $\frac{3}{4}$ access point commonly referred to as a RCUT median. RCUT median openings allow right-turns into and out of the site driveway and also allows left-turns into the site driveway. The only two traffic movements that are not allow are through and left-turn movements from the site driveway. The one driveway to the site will be on SR 53/Dawsonville Highway just north of the intersection of SR 53/Dawsonville Highway and SR 53/McEver Road.

As part of the proposed development, as shown on the site plan, a 300-foot long right-turn lane will be added northbound on SR 53/Dawsonville Highway at the proposed Site Driveway. The length of the right-turn lane exceeds the recommended storage length of 250 feet for 45 mph highways in the design guidelines of AASHTO. There will be no queuing in this lane because the intersection is unsignalized.

Georgia Department of Transportation had a corridor study conducted on SR 53/Dawsonville Highway from Ahalluna Drive to Shallowford Road. The results of this corridor study recommended that the right-turn lanes in this corridor be connected to provide a six-lane divided highway. This transportation improvement is proposed to be constructed shortly after the construction of the proposed development site plan.

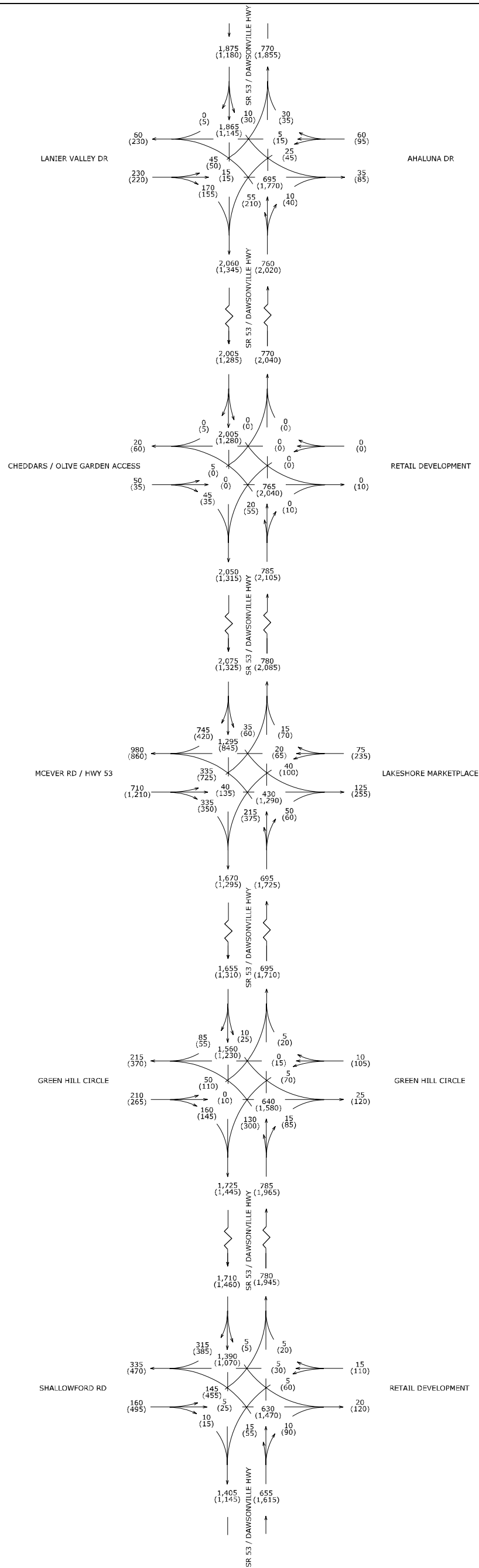
When comparing the year 2019 without and with the proposed site development, the level of service improves with the proposed site development. The site development plans to convert the intersection to a RCUT median and add a 300-foot northbound right-turn lane. The level of service improves from LOS F to LOS B during the AM peak hour and although the westbound approach would still operate at a LOS F, the delay value is reduced by 98% in the PM. This indicates that the site driveway intersection as configured as an RCUT reduces delay and operates better during the AM and PM peak hour. Under future conditions with the proposed site development and the planned GDOT corridor project there is also improvement. The site intersection would operate adequately (LOS B) in the AM and although the site driveway would operate inadequately (LOS F) during the PM peak hour, there would be a 97% reduction in delay due to the combination of the RCUT and 6-lane widening project.

The 50th and 95th percentile queue lengths (the queue would be expected to be this length or shorter 50% and 95% of the time) for each intersection during both peak hours for those traffic movements impacted by the site development. *Synchro* was used to obtain the queue lengths and the signalized intersections and *HCS7* for the unsignalized site driveway intersection. At the site driveway, during the PM peak hour, the 95th percentile queue length of the westbound right-turn movement (153 feet) is shorter than the length of its storage capacity (250 feet). The storage capacity of the westbound right-turn movement for the site is measured from the stop bar to the main parking lot of the Fitness Center. The design of the site driveway, therefore, will adequately serve traffic queues. The queue determination for the southbound left-turn is 85 feet with the proposed development and the implementation of GDOT's widening project. Therefore, a left-turn lane with 335 feet of storage is recommended by the design guidelines of AASHTO.

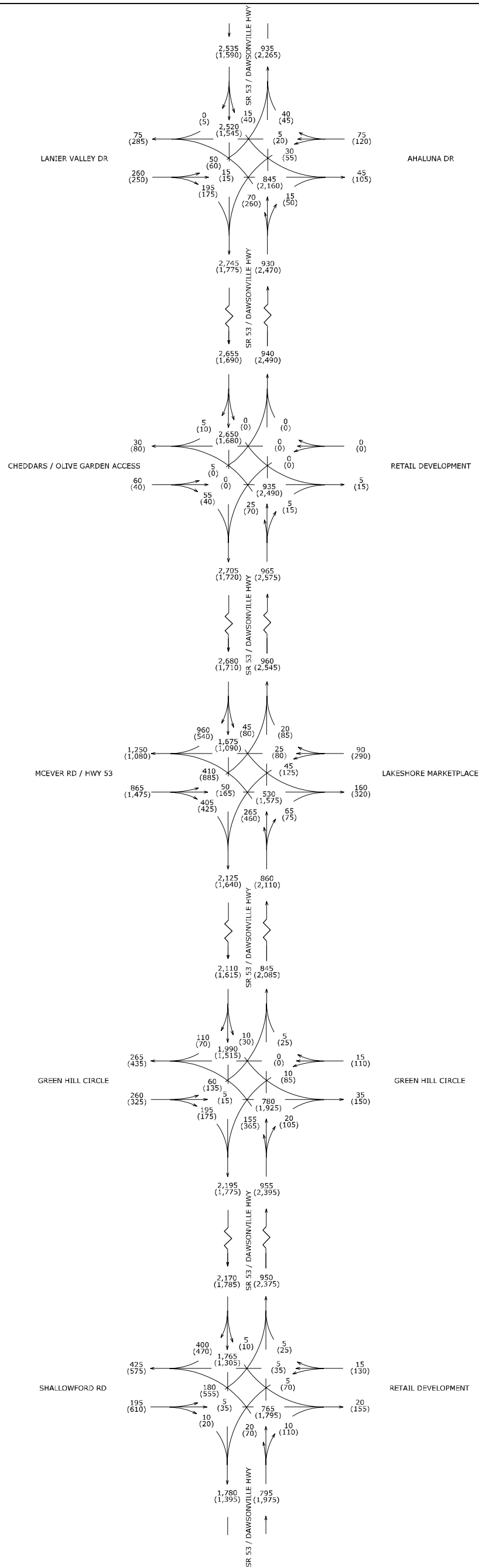
4. REFERENCES

1. Synchro, Version 9, Trafficware Ltd., Sugar Land, TX, 2015.
2. Highway Capacity Software, Version 7.2.1, McTrans Corporation, May 15, 2017.
3. Highway Capacity Manual, HCM 2000/2010, Transportation Research Board, Washington, DC, 2000/2010.
4. ITE Trip Generation Manual, 10th edition, published by the Institute of Transportation Engineers, September 2017.

APPENDIX A - Traffic Data



STATEWIDE OPERATIONAL IMPROVEMENTS WORK AUTHORIZATION 10-21 PROJECT ID: 17-023 SR 53 FROM AHALUNA DR TO SHALLOWFORD RD	EXISTING YEAR (2017) DHV AM PEAK HOUR = XXX PM PEAK HOUR = (XXX) PEAK HOUR TRUCK: 2.0%	
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STATEWIDE OPERATIONAL IMPROVEMENTS
WORK AUTHORIZATION 10-21
PROJECT ID: 17-023
SR 53 FROM AHALUNA DR TO SHALLOWFORD RD

FUTURE YEAR (2037) DHV
AM PEAK HOUR = XXX
PM PEAK HOUR = (XXX)
PEAK HOUR TRUCK: 2.0%



13-005 SR 53 / Americas Home Place SWA
Traffic Volumes
Future Conditions

A&R Engineering
May 2014

2. SR 53@Main Site Drwy

A.M. Peak Hour

Condition	Northbound					Southbound					Eastbound					Westbound			
	L	T	R	Tot		L	T	R	Tot		L	T	R	Tot		L	T	R	Tot
Existing:	10	550	0	560		0	1310	6	1316		1	0	7	8		0	0	0	0
Growth Factor (%):	1	1	1			1	1	1			1	1	1			1	1	1	
Base Condition:	10	556	0	566		0	1323	6	1329		1	0	7	8		0	0	0	0
Total New Trips	0	0	61	61		37	0	0	37		0	0	0	0		53	0	24	77
Pass-by Trips	0	0	0	0		0	0	0	0		0	0	0	0		0	0	0	0
Future Traffic Volumes:	10	556	61	627		37	1323	6	1366		1	0	7	8		53	0	24	77

P.M. Peak Hour

Condition	Northbound					Southbound					Eastbound					Westbound			
	L	T	R	Tot		L	T	R	Tot		L	T	R	Tot		L	T	R	Tot
Existing:	85	1660	0	1745		0	909	39	948		13	0	38	51		0	0	0	0
Growth Factor (%):	1	1	1			1	1	1			1	1	1			1	1	1	
Base Condition:	86	1677	0	1762		0	918	39	957		13	0	38	52		0	0	0	0
Total New Trips	0	0	144	144		87	0	0	87		0	0	0	0		200	0	90	290
Pass-by Trips	0	-74	74	0		41	-41	0	0		0	0	0	0		42	0	77	119
Future Traffic Volumes:	86	1603	218	1906		128	877	39	1044		13	0	38	52		242	0	167	409

APPENDIX B - Traffic Signal Timing

SEPAC ECOM All Data

6/19/2017

4:31:00PM

Intersection Name: **G0307 Dawsonville @ McEver**

Intersection Alias: **G0307**

Access Data

1 :1200 Baud
3 :19200 Baud

Access Code: **9999**

Channel:

Address: **1**

Revision: **3.34g**

IP Address: **192.168.34.86**

Phase Initialization Data

Phase	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Initial	2-Red	1-Inact	1-Inact	1-Inact	2-Red	1-Inact	1-Inact	1-Inact	0-None	0-None	0-None	0-None	0-None	0-None	0-None	0-None

PHASE DATA

<u>Vehical Basic Timings</u>							<u>Misc Timings</u>						<u>Pedestrian Timings</u>						<u>Alt</u>		<u>Actuated</u>	
Min						All	Green	Yellow	Offset	Walk	Walk			Ped	Alt	Ped	Flash	Ext	Rest in			
Phase	Green	Passage	Max1	Max2	Yellow	Red	Delay	Delay	Time	Offset	Bike	Bike	Walk	Clr	Walk	Clr	Walk	Ped Clr	Walk			
1	5	4.1	20	45	4.5	3.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
2	16	5.1	50	90	4.4	2.2	0.0	0.0	0	0-Advance	0	0	4	34	0	0	No	0	No			
3	5	3.1	25	45	4.3	3.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
4	5	3.1	25	35	4.3	3.0	0.0	0.0	0	0-Advance	0	0	4	36	0	0	No	0	No			
5	5	3.1	20	35	4.2	3.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
6	12	5.1	50	90	4.4	2.2	0.0	0.0	0	0-Advance	0	0	4	25	0	0	No	0	No			
7	5	3.1	25	45	3.5	3.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
8	5	3.1	15	20	4.3	3.0	0.0	0.0	0	0-Advance	0	0	4	38	0	0	No	0	No			
9	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
10	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
11	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
12	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
13	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
14	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
15	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			
16	0	0.0	0	0	3.0	0.0	0.0	0.0	0	0-Advance	0	0	0	0	0	0	No	0	No			

Vehicle Density Timings							General Control				Miscellaneous				No	Special Sequence		
Ph.	Added	Max	Time	Car	Time	Min	Non-Act	Veh	Ped	Recall	Non	Dual	Last	Condit	Gap	Omit	Minus	Omit
	Initial	Initial	B4	B4	To	Gap	Response	Recall	Recall	Delay	Lock	Entry	Car	Service	Out		Yel	Call
1	0.0	0	0	0	0	0.0	None	None	None	0	Yes	No	No	No	Yes	0	0	0
2	2.0	30	15	0	15	3.0	NonActI	Min	None	0	No	Yes	No	No	No	0	0	0
3	0.0	0	0	0	0	0.0	None	None	None	0	Yes	No	No	No	Yes	0	0	0
4	0.0	0	0	0	0	0.0	None	None	None	0	Yes	Yes	No	No	No	0	0	0
5	0.0	0	0	0	0	0.0	None	None	None	0	Yes	No	No	No	Yes	0	0	0
6	2.0	30	15	0	15	3.0	NonActI	Min	None	0	No	Yes	No	No	No	0	0	0
7	0.0	0	0	0	0	0.0	None	None	None	0	Yes	No	No	No	Yes	8	0	0
8	0.0	0	0	0	0	0.0	None	None	None	0	Yes	Yes	No	No	No	0	0	0
9	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
10	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
11	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
12	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
13	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
14	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0
15	0.0	0	0	0	0	0.0	None	None	None	0	No	No	No	No	No	0	0	0

Vehical Detector Phase Assignment						Pedestrian Detector					Special Detector Phase Assignment						
Assign		Switch				Assign		Switch				Assign		Switch			
Phase	Mode	Phase	Extend	Delay		Phase	Mode	Phase	Extend	Delay		Phase	Mode	Phase	Extend	Delay	
Veh Det:3	2	Veh	0	0.0	0	Default Data					Default Data						
Veh Det:4	2	Veh	0	0.0	0												
Veh Det:5	2	Veh	0	0.0	0												
Veh Det:6	2	Veh	0	0.0	0												
Veh Det:7	2	Veh	0	0.0	0												
Veh Det:9	3	Veh	0	0.0	0												
Veh Det:11	4	Veh	0	0.0	0												
Veh Det:12	4	Veh	0	0.0	0												
Veh Det:13	4	Veh	0	0.0	0												
Veh Det:14	4	Veh	0	0.0	0												
Veh Det:15	4	Veh	0	0.0	0												
Veh Det:17	1	Veh	0	0.0	0												
Veh Det:18	3	Veh	0	0.0	0												
Veh Det:19	5	Veh	0	0.0	0												
Veh Det:21	6	Veh	0	0.0	0												
Veh Det:22	6	Veh	0	0.0	0												
Veh Det:23	6	Veh	0	0.0	0												
Veh Det:24	6	Veh	0	0.0	0												
Veh Det:25	6	Veh	0	0.0	0												
Veh Det:29	7	Veh	0	0.0	0												
Veh Det:31	8	Veh	0	0.0	0												
Veh Det:32	8	Veh	0	0.0	0												
Veh Det:33	8	Veh	0	0.0	0												
Veh Det:34	8	Veh	0	0.0	0												
Veh Det:35	8	Veh	0	0.0	0												

Unit Data

General Control

Startup Time:	4 sec		Input	Output
Startup State:	All Red	Ring	Respons	Selection
Red Revert:	50.0 sec	1	Ring 1	Ring 1
Auto Ped Clr:	No	2	Ring 2	Ring 2
Stop T Reset:	No	3	None	None
Alt Sequence:	0	4	None	None
Special Seq:	0-Standard			
I/O Modes:				
ABC Input(Entry) Modes:	0		D Input(Entry) Modes:	0
ABC Output(O/STS) Modes:	0		D Output(O/STS) Modes:	0

Remote Flash

Test A = Flash			Default Data - No Flash
Phase	Entry	Exit	
Default Data - No Flash			

Overlaps

Phase(s)	Overlaps															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Phase(s)	Overlaps															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Phase(s)	Overlaps															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Phase(s)	Overlaps															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Trail Green	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trail Yellow	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trail Red	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
TG Preempt	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Yel Phase	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Ring

			Phase(s)																
Phase	Ring	Next Phase	Concurrent Phases	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	1	2		1	2	3	4	1	1	3	3	9	10	11	12	13	14	15	16
2	1	3		5	5	7	7	2	2	4	4								
3	1	4		6	6	8	8	5	6	7	8								
4	1	1																	
5	2	6																	
6	2	7																	
7	2	8																	
8	2	5																	

Alternate Sequences

	Ph. Pair 1	Ph. Pair 2	Ph. Pair 3	Ph. Pair 4
Alt. Seq. 1	1/2			
Alt. Seq. 2	3/4			
Alt. Seq. 3	1/2	3/4		
Alt. Seq. 4	5/6			
Alt. Seq. 5	1/2	5/6		
Alt. Seq. 6	3/4	5/6		
Alt. Seq. 7	1/2	3/4	5/6	
Alt. Seq. 8	7/8			
Alt. Seq. 9	1/2	7/8		
Alt. Seq. 10	3/4	7/8		
Alt. Seq. 11	1/2	3/4	7/8	
Alt. Seq. 12	5/6	7/8		
Alt. Seq. 13	1/2	5/6	7/8	
Alt. Seq. 14	3/4	5/6	7/8	
Alt. Seq. 15	1/2	3/4	5/6	7/8

Port 1 Data

BIU	Port	Basic	Message
Addr	Status	Det	40

Default Data

Signal Driver Ouput

Channel	Control	Hardware Pins
1	1 - Veh Phase 1	1 - Phase 1 RYG
2	2 - Veh Phase 2	2 - Phase 2 RYG
3	3 - Veh Phase 3	3 - Phase 3 RYG
4	4 - Veh Phase 4	4 - Phase 4 RYG
5	5 - Veh Phase 5	5 - Phase 5 RYG
6	6 - Veh Phase 6	6 - Phase 6 RYG
7	7 - Veh Phase 7	7 - Phase 7 RYG
8	8 - Veh Phase 8	8 - Phase 8 RYG
9	18 - Ped Phase 2	10 - Phase 2 DPW
10	20 - Ped Phase 4	12 - Phase 4 DPW
11	22 - Ped Phase 6	14 - Phase 6 DPW
12	24 - Ped Phase 8	16 - Phase 8 DPW
13	33 - Overlap A	17 - Overlap A RYG
14	34 - Overlap B	18 - Overlap B RYG
15	35 - Overlap C	19 - Overlap C RYG
16	36 - Overlap D	20 - Overlap D RYG
17	17 - Ped Phase 1	9 - Phase 1 DPW
18	19 - Ped Phase 3	11 - Phase 3 DPW
19	21 - Ped Phase 5	13 - Phase 5 DPW
20	23 - Ped Phase 7	15 - Phase 7 DPW

Coordination Data

General Coordination Data

Operation Mode: 1=Auto

Coordination Mode: 0=Permissive

Maximun Mode: 2=Max 2

Correction Mode: 2=Short Way

Offset Mode: 1=End Grn

Force Mode: 0=Plan

Max Dwell Time: 30

Yield Period: 0

Manual Dial: 1

Manual Split: 1

Manual Offset: 1

Dial/Split

Cycle

1/1	150
1/2	140
1/3	130
1/4	150
2/1	160
2/2	140
2/3	140
2/4	160
3/1	160
3/2	130
3/3	160
3/4	160
4/1	160
4/2	160
4/3	160
4/4	160

Split Times and Phase Modes											
Dial 1 / Split 1											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	22	0=Actuated	2	57	1=Coordinate	3	28	0=Actuated	4	43	0=Actuated
5	20	0=Actuated	6	59	1=Coordinate	7	16	0=Actuated	8	55	0=Actuated
Dial 1 / Split 2											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	30	0=Actuated	4	25	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	30	0=Actuated	8	25	0=Actuated
Dial 1 / Split 3											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	30	0=Actuated	2	50	1=Coordinate	3	30	0=Actuated	4	20	0=Actuated
5	20	0=Actuated	6	60	1=Coordinate	7	25	0=Actuated	8	25	0=Actuated
Dial 1 / Split 4											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	22	0=Actuated	2	57	1=Coordinate	3	28	0=Actuated	4	43	0=Actuated
5	20	0=Actuated	6	59	1=Coordinate	7	16	0=Actuated	8	55	0=Actuated
Dial 2 / Split 1											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	40	0=Actuated	4	35	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 2 / Split 2											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	30	0=Actuated	4	25	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	30	0=Actuated	8	25	0=Actuated
Dial 2 / Split 3											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	30	0=Actuated	4	25	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	30	0=Actuated	8	25	0=Actuated
Dial 2 / Split 4											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	33	0=Actuated	2	67	1=Coordinate	3	28	0=Actuated	4	32	0=Actuated
5	25	0=Actuated	6	75	1=Coordinate	7	33	0=Actuated	8	27	0=Actuated
Dial 3 / Split 1											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	45	0=Actuated	4	30	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 3 / Split 2											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	30	0=Actuated	2	50	1=Coordinate	3	30	0=Actuated	4	20	0=Actuated
5	20	0=Actuated	6	60	1=Coordinate	7	25	0=Actuated	8	25	0=Actuated
Dial 3 / Split 3											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	45	0=Actuated	4	30	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 3 / Split 4											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	33	0=Actuated	2	70	1=Coordinate	3	35	0=Actuated	4	22	0=Actuated
5	18	0=Actuated	6	85	1=Coordinate	7	35	0=Actuated	8	22	0=Actuated
Dial 4 / Split 1											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	40	0=Actuated	4	35	0=Actuated

5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 4 / Split 2											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	40	0=Actuated	4	35	0=Actuated
5	25	0=Actuated	6	60	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 4 / Split 3											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	45	0=Actuated	4	30	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated
Dial 4 / Split 4											
Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode	Ph.	Splits	Ph. Mode
1	35	0=Actuated	2	50	1=Coordinate	3	45	0=Actuated	4	30	0=Actuated
5	20	0=Actuated	6	65	1=Coordinate	7	40	0=Actuated	8	35	0=Actuated

Traffic Plan Data

Plan: 1/1/1	Offset Time: 19 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 1/2/1	Offset Time: 120 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 1/3/1	Offset Time: 110 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 1/4/1	Offset Time: 19 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 2/1/1	Offset Time: 80 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 2/2/1	Offset Time: 120 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 2/3/1	Offset Time: 120 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
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Plan: 2/4/1	Offset Time: 105 Mode: 0=Normal	Alternat Sequence: 0 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 3/1/1	Offset Time: 40 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 3/2/1	Offset Time: 110 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 3/3/1	Offset Time: 52 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 3/4/1	Offset Time: 88 Mode: 0=Normal	Alternat Sequence: 0 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 4/1/1	Offset Time: 80 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 4/2/1	Offset Time: 80 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0
Plan: 4/3/1	Offset Time: 52 Mode: 0=Normal	Alternat Sequence: 1 Special Function: 0	Rg 2 Lag Time: 0 Correction Mode: 0=No	Rg 3 Lag Time: 0	Rg 4 Lag Time: 0

Plan: 4/4/1

Offset Time: 52

Alternat Sequence: 1

Rg 2 Lag Time: 0

Rg 3 Lag Time: 0

Rg 4 Lag Time: 0

Mode: 0=Normal

Special Function: 0

Correction Mode: 0=No

Local TBC Data

Start of Daylight Saving

Month: 3

Week: 2

Cycle Zero Reference

Hours: 4

Min: 30

End of Daylight Saving

Month: 11

Week: 1

Source Day	Equate Days						
	1	2	3	4	5	6	7
1	51	0	0	0	0	0	0
2	3	4	5	6	52	0	0
7	57	0	0	0	0	0	0

Traffic Data

Event	Day	Time	D/S/O	flash	PHASE FUNCTION															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	1	0:1	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
2	1	8:0	1/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
3	1	11:0	2/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
4	1	14:0	2/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
5	1	20:0	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
6	2	0:1	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
7	2	6:0	1/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
8	2	9:30	1/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
9	2	11:0	2/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
10	2	15:0	3/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
11	2	19:0	3/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
12	2	21:0	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
13	7	0:1	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
14	7	8:0	1/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
15	7	10:0	2/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
16	7	21:0	2/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
17	7	22:0	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
18	71	0:1	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
19	71	8:0	2/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
20	71	10:0	2/4/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
21	71	21:0	2/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
22	71	22:0	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
23	72	0:1	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
24	72	6:0	1/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
25	72	9:30	2/1/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
26	72	11:0	2/4/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
27	72	15:0	3/4/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
28	72	19:0	2/2/1		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
29	72	21:0	0/0/4		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

AUX. Events

Event	Program Day	Hour	Min.	Aux Ouputs			Det.	Det.	Det.	Special Function Outputs								
				1	2	3	Diag.	Rpt.	Mult100	Dimming	1	2	3	4	5	6	7	8
				☐	☐	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐

Event	Month	Day	Year	Special Day	Special Week
1	11	24	16	57	0
2	11	25	16	71	0
3	11	26	16	71	0
4	11	27	16	71	0
5	12	3	16	71	0
6	12	4	16	71	0
7	12	10	16	71	0
8	12	11	16	71	0
9	12	12	16	72	0
10	12	13	16	72	0
11	12	14	16	72	0
12	12	15	16	72	0
13	12	16	16	72	0
14	12	17	16	71	0
15	12	18	16	71	0
16	12	19	16	72	0
17	12	20	16	72	0
18	12	21	16	72	0
19	12	22	16	72	0
20	12	23	16	72	0
21	12	24	16	72	0
22	1	1	100	1	0
23	7	4	100	7	0
24	12	25	100	1	0

Special Functions

Function	SF1	SF2	SF3	SF4	SF5	SF6	SF7	SF8	SF9	SF10	SF11	SF12	SF13	SF14	SF15	SF16
Special Function 1	X															
Special Function 2		X														
Special Function 3			X													
Special Function 4				X												
Special Function 5					X											
Special Function 6						X										
Special Function 7							X									
Special Function 8								X								

Phase Function

	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
Phase 1 Max2	X															
Phase 2 Max2		X														
Phase 3 Max2			X													
Phase 4 Max2				X												
Phase 5 Max2					X											
Phase 6 Max2						X										
Phase 7 Max2							X									
Phase 8 Max2								X								

Phase Omit

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16

<u>Ped Omit</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Veh Det Coord ReSvc</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Function Phase Recall</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
Phase 1 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐	☐	☐	☐	☐	☐
Phase 2 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐	☐	☐	☐	☐
Phase 3 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐	☐	☐	☐
Phase 4 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐	☐	☐
Phase 5 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐	☐
Phase 6 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐	☐
Phase 7 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐
Phase 8 Max Recall	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X

<u>Phase Min Recall</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Veh Det Ped Recall</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Veh Det Bike Recall</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Vehicle Function</u>																
<u>Veh Det Switch Omit</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Veh Det Switch Now</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Veh Det Switch Also</u>	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

<u>Overlap Function</u>																
	PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12	PF13	PF14	PF15	PF16
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Dimming Data						
Default Data - No Dimming Programmed						
Lane Defination						
Lanes	Name	Green Inbound	Yellow Inbound	Red Inbound	Green Outbound	Yellow Outbound
Default Data - Lane Defination						

program_day program_hour program_minute LanePhFun

Preemption Data

General Preemption Data

Preempt > Flash Preempt 2 > Preempt 3 Preempt 4 > Preempt 5
Preempt 1 > Preempt 2 Preempt 3 > Preempt 4 Preempt 5 > Preempt 6

Preempt Timers

Preempt	Non-Locking	Link to Preempt	Delay	Ext end	Duration	Max Call	Lock-Out	Min Green	Min Walk	Debounce	Gate ext end	Select			Track				Dwell Green	Return		
												Ped Clear	Yel	Red	Grn	Ped	Yel	Red		Ped Clear	Yel	Red
1	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20
2	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20
3	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20
4	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20
5	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20
6	No	0	0	0	0	0	0	0	0	0	0	8	40	20	10	8	40	20	10	8	40	20

Preempt 1

Exit
Phase Phase Calls

Preempt 2

Exit
Phase Phase Calls

Preempt 3

Exit
Phase Phase Calls

Preempt 4

Exit
Phase Phase Calls

Preempt 5

Exit
Phase Phase Calls

Preempt 6

Exit
Phase Phase Calls

Priority Timers

Priority	Non-Locking	Delay	Ext end	Free Dial	Free Split	Min Green	No Lock out	Lock out A	Lock out B	Max Green	Pre-Green	Recall	Excl-co Phase Svc.	Transit Overlap	
														Signal Type	Blankout

Priority Detector Channels

Priority

Detector

Priority Fixed Phases

Priority

Legend:
CO-PHASE 0 1
 FALSE TRUE
QJ-PHASE

Priority

Priority Bank :

Level

- Partial Priority**
- Alt Seq
 - Alt Seq Enabled
 - Min Walk

- Full Priority**
- Freq. Override
 - Ped skip
 - Force full Priority
 - Frequency
 - Freq. Level

- Recovery**
- Method
 - Return
 - PedWait
 - PedOverride

Codes:	0	X
	FALSE	TRUE

Priority : Priority Bank : Queue Phase Detector Time Default data	Priority : Priority Bank : Queue Phase Detector Time Default data	Priority : Priority Bank : Queue Phase Detector Time Default data
Priority : Priority Bank : Queue Phase Detector Time Default data	Priority : Priority Bank : Queue Phase Detector Time Default data	Priority : Priority Bank : Queue Phase Detector Time Default data

Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data	Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data
Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data	Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data
Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data	Priority : Bank Detector PE 1A 2A 3A 4A 5A 6A B Default Data

Preempt 1

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph	Track	Dwell	Cycle	Ovlp	Track	Dwell	Cycle	Trail Grn

Default Data

Preempt 2

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph.	Track	Dwell	Cycle	Ovlp.	Track	Dwell	Cycle	Trail Grn

Default Data

Preempt 3

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph.	Track	Dwell	Cycle	Ovlp.	Track	Dwell	Cycle	Trail Grn

Default Data

Preempt 4

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph.	Track	Dwell	Cycle	Ovlp.	Track	Dwell	Cycle	Trail Grn

Default Data

Preempt 5

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph.	Track	Dwell	Cycle	Ovlp.	Track	Dwell	Cycle	Trail Grn

Default Data

Preempt 6

Vehical Phases			Pedestrian Phases			Overlaps						
Ph.	Track	Dwell	Cycle	Ph.	Track	Dwell	Cycle	Ovlp.	Track	Dwell	Cycle	Trail Grn

Default Data

System/Detectors Data

Local Critical Alarms

Local Free: No

Cycle Failure: Yes

Coord Failure: Yes

Conflict Flash: Yes

Remote Flash: Yes

2nd Phone:

Local Fash: Yes

Cycle Fault: Yes

Coord Fault: Yes

Premption: No

Voltage Monitor: Yes

Special Status 1: No

Special Status 2: No

Special Status 3: No

Special Status 4: No

Special Status 5: No

Special Status 6: No

Traffic Responsive

System	Detector	Veh/	Average	Occupancy	Min	Queue 1	System	Weight	Queue 2	System	Weight	
Detector	Channel	Name	Hr	Time(mins)	Correction/10	Volume %	Detectors	Detectors	Factor	Detectors	Detectors	Factor

Default Data

Sample Interval:

Queue: 1

Input Selection: 0=Average

Detector Failed Level : 0

Queue: 2

Input Selection: 0=Average

Detector Failed Level : 0

Default Data

Vehical Detector

Diagnostic Value 0			
Max	No	Erratic	
Detector	Presence	Activity	Count

Vehical Detector

Diagnostic Value 1			
Max	No	Erratic	
Detector	Presence	Activity	Count

Special Detector

Diagnostic Value 0			
Max	No	Erratic	
Detector	Presence	Activity	Count

Default Data - Diag 0 Values

Default Data - No Diag 1 Values

Default Data - No Diag 0 Valu

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Pedestrian Detector				Pedestrian Detector				Special Detector			
Diagnostic Value 0				Diagnostic Value 1				Diagnostic Value 1			
	Max	No	Erratic		Max	No	Erratic		Max	No	Erratic
Detector	Presence	Activity	Count	Detector	Presence	Activity	Count	Detector	Presence	Activity	Count
Default Data - No Diag 0 Values				Default Data - No Diag 1 Values				Default Data - No Diag 1 Values			
Speed Trap Data								Speed Trap			
Speed Trap:								Low Treshold			
Measurement:				Dial/Split/Offset				Speed Trap			
Detector 1				//				High Treshold			
Detector_2				Default Data							
Distance :											
Default Data											
Volume Detector Data											
Report Interval											
0											
Volume Controller											
Detector Detector											
Number Channel											
Default Data											

APPENDIX B - SYNCHRO & HCS 7 Analysis Printouts

Queues

2017 Existing AM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/24/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	5	11	60	27	11	832	71	43	2288	11
v/c Ratio	0.03	0.04	0.35	0.06	0.10	0.32	0.06	0.09	0.87	0.01
Control Delay	59.0	0.3	67.1	0.3	5.9	9.5	3.4	3.6	20.3	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	59.0	0.3	67.1	0.3	5.9	9.5	3.4	3.6	20.3	0.0
Queue Length 50th (ft)	4	0	55	0	4	185	9	7	800	0
Queue Length 95th (ft)	19	0	104	0	m2	m160	m13	15	923	0
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	172	251	171	441	111	2623	1192	496	2623	1191
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.04	0.35	0.06	0.10	0.32	0.06	0.09	0.87	0.01

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2017 Existing AM

07/24/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	10	55	0	25	10	765	65	40	2105	10
Future Volume (vph)	5	0	10	55	0	25	10	765	65	40	2105	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.75		1.00	0.04	1.00	1.00	0.32	1.00	1.00
Satd. Flow (perm)	1439	1615		1426		1615	70	3610	1615	601	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	0	11	60	0	27	11	832	71	43	2288	11
RTOR Reduction (vph)	0	10	0	0	0	24	0	0	19	0	0	3
Lane Group Flow (vph)	5	1	0	60	0	3	11	832	52	43	2288	8
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Effective Green, g (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Actuated g/C Ratio	0.12	0.12		0.12		0.12	0.76	0.73	0.73	0.76	0.73	0.73
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	172	193		171		193	111	2623	1173	496	2623	1173
v/s Ratio Prot		0.00					c0.00	0.23		0.00	c0.63	
v/s Ratio Perm	0.00			c0.04		0.00	0.07		0.03	0.06		0.00
v/c Ratio	0.03	0.01		0.35		0.02	0.10	0.32	0.04	0.09	0.87	0.01
Uniform Delay, d1	58.3	58.1		60.6		58.2	25.0	7.3	5.8	4.6	15.3	5.6
Progression Factor	1.00	1.00		1.00		1.00	1.61	1.28	2.72	1.00	1.00	1.00
Incremental Delay, d2	0.3	0.1		5.6		0.2	0.8	0.1	0.0	0.3	4.4	0.0
Delay (s)	58.6	58.2		66.2		58.4	40.9	9.5	15.8	5.0	19.7	5.6
Level of Service	E	E		E		E	D	A	B	A	B	A
Approach Delay (s)		58.3			63.8			10.3			19.3	
Approach LOS		E			E			B			B	
Intersection Summary												
HCM 2000 Control Delay			18.2									B
HCM 2000 Volume to Capacity ratio			0.77									
Actuated Cycle Length (s)			150.0									18.0
Intersection Capacity Utilization			77.9%									D
Analysis Period (min)			15									
c Critical Lane Group												



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	394	224	217	47	42	253	571	59	41	1535	876
v/c Ratio	1.87	0.80	0.57	0.32	0.20	0.87	0.29	0.06	0.36	0.75	0.71
Control Delay	442.9	49.6	11.1	49.3	37.6	94.8	18.0	0.1	67.0	27.4	12.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	442.9	49.6	11.1	49.3	37.6	94.8	18.0	0.1	67.0	27.4	12.1
Queue Length 50th (ft)	~301	108	0	37	22	128	147	0	38	733	445
Queue Length 95th (ft)	#381	176	47	62	51	#185	221	0	m45	838	610
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	211	457	539	269	542	292	1985	1046	163	2037	1238
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.87	0.49	0.40	0.17	0.08	0.87	0.29	0.06	0.25	0.75	0.71

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2017 Existing AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/24/2018



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	335	40	335	40	20	15	215	485	50	35	1305	745
Future Volume (vph)	335	40	335	40	20	15	215	485	50	35	1305	745
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Frpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.88	0.85	1.00	0.94		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1543	1519	1693	1666		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.25	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1543	1519	443	1666		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	394	47	394	47	24	18	253	571	59	41	1535	876
RTOR Reduction (vph)	0	105	192	0	16	0	0	0	25	0	0	364
Lane Group Flow (vph)	394	119	25	47	26	0	253	571	34	41	1535	512
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.7	87.7	8.8	82.5	82.5
Effective Green, g (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.7	87.7	8.8	82.5	82.5
Actuated g/C Ratio	0.06	0.11	0.11	0.16	0.11		0.10	0.58	0.58	0.06	0.55	0.55
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	211	175	173	134	178		327	1918	940	98	1965	859
v/s Ratio Prot	c0.12	c0.08		0.02	0.02		c0.07	0.17		0.02	c0.43	
v/s Ratio Perm			0.02	0.04					0.02			0.33
v/c Ratio	1.87	0.68	0.14	0.35	0.15		0.77	0.30	0.04	0.42	0.78	0.60
Uniform Delay, d1	70.2	63.8	59.9	55.1	60.7		66.3	15.7	13.2	68.1	26.6	22.6
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.93	0.95	3.56
Incremental Delay, d2	407.9	10.0	0.4	1.6	0.4		10.9	0.4	0.1	2.5	1.9	1.8
Delay (s)	478.1	73.8	60.2	56.7	61.1		77.2	16.1	13.3	66.1	27.3	82.2
Level of Service	F	E	E	E	E		E	B	B	E	C	F
Approach Delay (s)		261.1			58.8			33.4			47.5	
Approach LOS		F			E			C			D	

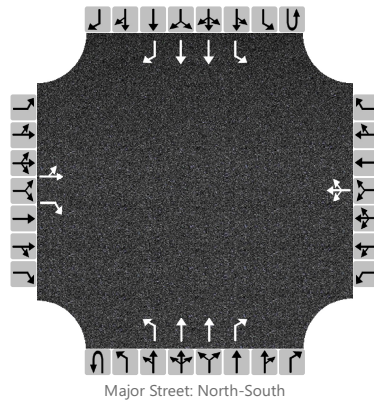
Intersection Summary

HCM 2000 Control Delay	86.7	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	0.86		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	79.0%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2017	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	AM Peak Hour	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	1		0	1	0	0	1	2	1	0	1	2	1
Configuration		LT		R			LTR			L	T	R		L	T	R
Volume, V (veh/h)		5	0	10		5	0	15		10	820	5		5	2070	5
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.5	6.5	6.9		7.5	6.5	6.9		4.1				4.1		
Critical Headway (sec)		7.56	6.56	6.96		7.56	6.56	6.96		4.16				4.16		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		5		11			21			11				5		
Capacity, c (veh/h)		9		198			104			221				747		
v/c Ratio		0.56		0.06			0.20			0.05				0.01		
95% Queue Length, Q ₉₅ (veh)		1.1		0.2			0.7			0.2				0.0		
Control Delay (s/veh)		649.1		24.3			48.0			22.1				9.9		
Level of Service, LOS		F		C			E			C				A		
Approach Delay (s/veh)	219.5				48.0				0.3				0.0			
Approach LOS	F				E											

Queues

2017 Existing PM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/20/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	16	43	266	185	98	2217	239	141	1391	43
v/c Ratio	0.06	0.10	1.03	0.50	0.38	0.95	0.22	0.95	0.59	0.04
Control Delay	54.3	0.5	124.8	35.3	4.6	25.6	2.5	102.9	17.2	1.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.3	0.5	124.8	35.3	4.6	25.6	2.5	102.9	17.2	1.1
Queue Length 50th (ft)	14	0	~295	91	8	1282	44	98	414	0
Queue Length 95th (ft)	37	0	#486	176	m1	m632	m18	#246	476	8
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	269	414	259	373	255	2323	1090	148	2346	1071
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.06	0.10	1.03	0.50	0.38	0.95	0.22	0.95	0.59	0.04

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2017 Existing PM

07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	0	40	245	0	170	90	2040	220	130	1280	40
Future Volume (vph)	15	0	40	245	0	170	90	2040	220	130	1280	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.73		1.00	0.13	1.00	1.00	0.04	1.00	1.00
Satd. Flow (perm)	1439	1615		1385		1615	256	3610	1615	73	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	16	0	43	266	0	185	98	2217	239	141	1391	43
RTOR Reduction (vph)	0	35	0	0	0	71	0	0	51	0	0	15
Lane Group Flow (vph)	16	8	0	266	0	114	98	2217	188	141	1391	28
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Effective Green, g (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Actuated g/C Ratio	0.19	0.19		0.19		0.19	0.69	0.64	0.64	0.71	0.65	0.65
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	269	302		259		302	255	2323	1039	148	2346	1049
v/s Ratio Prot		0.00					0.02	0.61		c0.05	0.39	
v/s Ratio Perm	0.01			c0.19		0.07	0.25		0.12	c0.61		0.02
v/c Ratio	0.06	0.03		1.03		0.38	0.38	0.95	0.18	0.95	0.59	0.03
Uniform Delay, d1	53.4	53.1		65.0		56.8	12.1	26.3	11.5	57.2	15.9	10.0
Progression Factor	1.00	1.00		1.00		1.00	0.67	0.90	0.54	1.00	1.00	1.00
Incremental Delay, d2	0.4	0.2		63.1		3.6	0.4	1.4	0.0	62.3	1.1	0.0
Delay (s)	53.8	53.2		128.1		60.4	8.6	25.2	6.2	119.6	17.1	10.0
Level of Service	D	D		F		E	A	C	A	F	B	B
Approach Delay (s)		53.4			100.3			22.8			26.0	
Approach LOS		D			F			C			C	
Intersection Summary												
HCM 2000 Control Delay			31.8									C
HCM 2000 Volume to Capacity ratio			0.97									
Actuated Cycle Length (s)			160.0							18.0		
Intersection Capacity Utilization			98.8%							F		
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2017 Existing PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/20/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	865	299	272	118	170	441	1806	71	71	1288	494
v/c Ratio	1.24	0.66	0.44	0.40	0.60	1.61	1.45	0.10	0.51	0.94	0.55
Control Delay	170.1	55.8	7.1	37.2	59.7	333.2	244.0	0.3	72.5	61.4	13.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	170.1	55.8	7.1	37.2	59.7	333.2	244.0	0.3	72.5	61.4	13.2
Queue Length 50th (ft)	~576	276	0	81	137	~339	~1317	0	75	703	148
Queue Length 95th (ft)	#648	369	58	116	199	#420	#1452	0	m113	m#768	m194
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	698	455	618	555	313	274	1244	687	289	1369	903
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.24	0.66	0.44	0.21	0.54	1.61	1.45	0.10	0.25	0.94	0.55

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2017 Existing PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

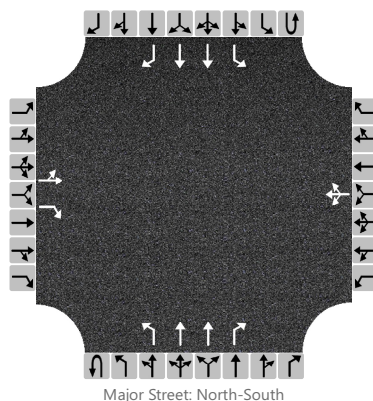
07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	735	135	350	100	65	80	375	1535	60	60	1095	420
Future Volume (vph)	735	135	350	100	65	80	375	1535	60	60	1095	420
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Frpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.93	0.85	1.00	0.92		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1579	1519	1693	1650		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.57	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1579	1519	1015	1650		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	865	159	412	118	76	94	441	1806	71	71	1288	494
RTOR Reduction (vph)	0	17	196	0	29	0	0	0	44	0	0	305
Lane Group Flow (vph)	865	282	76	118	141	0	441	1806	27	71	1288	189
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	33.5	44.5	44.5	37.8	24.8		12.8	60.7	60.7	13.1	61.3	61.3
Effective Green, g (s)	33.5	44.5	44.5	37.8	24.8		12.8	60.7	60.7	13.1	61.3	61.3
Actuated g/C Ratio	0.21	0.28	0.28	0.24	0.16		0.08	0.38	0.38	0.08	0.38	0.38
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	698	439	422	294	255		274	1245	610	138	1369	598
v/s Ratio Prot	c0.26	c0.18		0.03	0.09		0.13	c0.55		0.04	c0.36	
v/s Ratio Perm			0.05	0.06					0.02			0.12
v/c Ratio	1.24	0.64	0.18	0.40	0.55		1.61	1.45	0.04	0.51	0.94	0.32
Uniform Delay, d1	63.2	50.8	43.9	50.2	62.5		73.6	49.6	31.3	70.4	47.6	34.6
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.89	1.05	4.16
Incremental Delay, d2	119.7	3.2	0.2	0.9	2.6		290.6	207.3	0.1	3.6	11.8	1.1
Delay (s)	182.9	54.0	44.1	51.1	65.1		364.2	257.0	31.5	66.3	61.8	145.4
Level of Service	F	D	D	D	E		F	F	C	E	E	F
Approach Delay (s)		129.8			59.4			270.5			84.2	
Approach LOS		F			E			F			F	
Intersection Summary												
HCM 2000 Control Delay			167.3			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			1.25									
Actuated Cycle Length (s)			160.0						28.7			
Intersection Capacity Utilization			99.1%						F			
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2017	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	PM Peak Hour	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	1		0	1	0	0	1	2	1	0	1	2	1
Configuration		LT		R			LTR			L	T	R		L	T	R
Volume, V (veh/h)		25	0	20		10	0	5		20	2320	10		5	1545	15
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		27		22			16			22				5		
Capacity, c (veh/h)		5		307			3			368				171		
v/c Ratio		5.08		0.07			4.71			0.06				0.03		
95% Queue Length, Q ₉₅ (veh)		4.8		0.2			3.4			0.2				0.1		
Control Delay (s/veh)		3143.7		17.6			3612.3			15.4				26.6		
Level of Service, LOS		F		C			F			C				D		
Approach Delay (s/veh)	1740.2				3612.3				0.1				0.1			
Approach LOS	F				F											

Queues

2019 Future without Devel AM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/24/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	5	11	60	27	16	848	71	43	2234	11
v/c Ratio	0.03	0.04	0.35	0.06	0.14	0.32	0.06	0.09	0.85	0.01
Control Delay	59.0	0.3	67.1	0.3	7.9	9.6	3.3	3.6	19.0	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	59.0	0.3	67.1	0.3	7.9	9.6	3.3	3.6	19.0	0.0
Queue Length 50th (ft)	4	0	55	0	5	190	10	7	751	0
Queue Length 95th (ft)	19	0	104	0	m3	m158	m12	15	866	0
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	172	251	171	435	111	2623	1192	488	2623	1191
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.04	0.35	0.06	0.14	0.32	0.06	0.09	0.85	0.01

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future without Devel AM

07/24/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	10	55	0	25	15	780	65	40	2055	10
Future Volume (vph)	5	0	10	55	0	25	15	780	65	40	2055	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.75		1.00	0.04	1.00	1.00	0.31	1.00	1.00
Satd. Flow (perm)	1439	1615		1426		1615	70	3610	1615	589	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	0	11	60	0	27	16	848	71	43	2234	11
RTOR Reduction (vph)	0	10	0	0	0	24	0	0	19	0	0	3
Lane Group Flow (vph)	5	1	0	60	0	3	16	848	52	43	2234	8
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Effective Green, g (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Actuated g/C Ratio	0.12	0.12		0.12		0.12	0.76	0.73	0.73	0.76	0.73	0.73
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	172	193		171		193	111	2623	1173	488	2623	1173
v/s Ratio Prot		0.00					c0.00	0.23		0.00	c0.62	
v/s Ratio Perm	0.00			c0.04		0.00	0.11		0.03	0.06		0.00
v/c Ratio	0.03	0.01		0.35		0.02	0.14	0.32	0.04	0.09	0.85	0.01
Uniform Delay, d1	58.3	58.1		60.6		58.2	22.7	7.3	5.8	4.6	14.7	5.6
Progression Factor	1.00	1.00		1.00		1.00	2.06	1.28	2.67	1.00	1.00	1.00
Incremental Delay, d2	0.3	0.1		5.6		0.2	1.1	0.1	0.0	0.4	3.7	0.0
Delay (s)	58.6	58.2		66.2		58.4	48.0	9.5	15.5	5.0	18.4	5.6
Level of Service	E	E		E		E	D	A	B	A	B	A
Approach Delay (s)		58.3			63.8			10.6			18.1	
Approach LOS		E			E			B			B	
Intersection Summary												
HCM 2000 Control Delay			17.4									B
HCM 2000 Volume to Capacity ratio			0.76									
Actuated Cycle Length (s)			150.0								18.0	
Intersection Capacity Utilization			76.5%								D	
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future without Devel AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/24/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	400	224	217	47	42	253	582	59	41	1576	882
v/c Ratio	1.90	0.80	0.57	0.32	0.20	0.87	0.29	0.06	0.36	0.77	0.71
Control Delay	454.9	49.6	11.1	49.3	37.6	94.8	18.1	0.1	65.9	28.8	13.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	454.9	49.6	11.1	49.3	37.6	94.8	18.1	0.1	65.9	28.8	13.0
Queue Length 50th (ft)	~307	108	0	37	22	128	150	0	38	767	455
Queue Length 95th (ft)	#388	176	47	62	51	#185	226	0	m47	863	625
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	211	457	539	269	542	292	1985	1046	163	2037	1238
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.90	0.49	0.40	0.17	0.08	0.87	0.29	0.06	0.25	0.77	0.71

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future without Devel AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

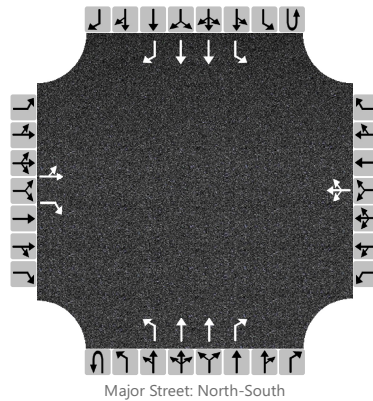
07/24/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	340	40	335	40	20	15	215	495	50	35	1340	750
Future Volume (vph)	340	40	335	40	20	15	215	495	50	35	1340	750
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.88	0.85	1.00	0.94		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1543	1519	1693	1666		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.25	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1543	1519	443	1666		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	400	47	394	47	24	18	253	582	59	41	1576	882
RTOR Reduction (vph)	0	105	192	0	16	0	0	0	25	0	0	364
Lane Group Flow (vph)	400	119	25	47	26	0	253	582	34	41	1576	518
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.7	87.7	8.8	82.5	82.5
Effective Green, g (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.7	87.7	8.8	82.5	82.5
Actuated g/C Ratio	0.06	0.11	0.11	0.16	0.11		0.10	0.58	0.58	0.06	0.55	0.55
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	211	175	173	134	178		327	1918	940	98	1965	859
v/s Ratio Prot	c0.12	c0.08		0.02	0.02		c0.07	0.18		0.02	c0.44	
v/s Ratio Perm			0.02	0.04					0.02			0.33
v/c Ratio	1.90	0.68	0.14	0.35	0.15		0.77	0.30	0.04	0.42	0.80	0.60
Uniform Delay, d1	70.2	63.8	59.9	55.1	60.7		66.3	15.7	13.2	68.1	27.2	22.7
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.91	0.98	3.68
Incremental Delay, d2	420.4	10.0	0.4	1.6	0.4		10.9	0.4	0.1	2.6	2.2	2.0
Delay (s)	490.6	73.8	60.2	56.7	61.1		77.2	16.1	13.3	64.9	28.9	85.6
Level of Service	F	E	E	E	E		E	B	B	E	C	F
Approach Delay (s)		268.6			58.8			33.2			49.5	
Approach LOS		F			E			C			D	
Intersection Summary												
HCM 2000 Control Delay			88.9			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			0.88									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			28.7			
Intersection Capacity Utilization			80.0%			ICU Level of Service			D			
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	AM Peak Hour	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	1		0	1	0	0	1	2	1	0	1	2	1
Configuration		LT		R			LTR			L	T	R		L	T	R
Volume, V (veh/h)		5	0	10		5	0	15		10	835	5		5	2110	5
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.5	6.5	6.9		7.5	6.5	6.9		4.1				4.1		
Critical Headway (sec)		7.56	6.56	6.96		7.56	6.56	6.96		4.16				4.16		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		5		11			21			11				5		
Capacity, c (veh/h)		8		191			98			213				736		
v/c Ratio		0.62		0.06			0.21			0.05				0.01		
95% Queue Length, Q ₉₅ (veh)		1.2		0.2			0.8			0.2				0.0		
Control Delay (s/veh)		729.1		25.0			51.4			22.8				9.9		
Level of Service, LOS		F		C			F			C				A		
Approach Delay (s/veh)	245.0				51.4				0.3				0.0			
Approach LOS	F				F											

Queues

2019 Future without Devel PM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/20/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	16	43	266	185	98	2261	239	141	1418	43
v/c Ratio	0.06	0.10	1.03	0.50	0.40	0.97	0.22	0.95	0.60	0.04
Control Delay	54.3	0.5	124.8	35.3	5.3	27.3	2.5	102.9	17.5	1.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.3	0.5	124.8	35.3	5.3	27.3	2.5	102.9	17.5	1.1
Queue Length 50th (ft)	14	0	~295	91	8	1315	45	98	427	0
Queue Length 95th (ft)	37	0	#486	176	m1	m637	m18	#246	492	8
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	269	410	259	373	247	2323	1089	148	2346	1071
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.06	0.10	1.03	0.50	0.40	0.97	0.22	0.95	0.60	0.04

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future without Devel PM

07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	0	40	245	0	170	90	2080	220	130	1305	40
Future Volume (vph)	15	0	40	245	0	170	90	2080	220	130	1305	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.73		1.00	0.13	1.00	1.00	0.04	1.00	1.00
Satd. Flow (perm)	1439	1615		1385		1615	244	3610	1615	73	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	16	0	43	266	0	185	98	2261	239	141	1418	43
RTOR Reduction (vph)	0	35	0	0	0	71	0	0	50	0	0	15
Lane Group Flow (vph)	16	8	0	266	0	114	98	2261	189	141	1418	28
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Effective Green, g (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Actuated g/C Ratio	0.19	0.19		0.19		0.19	0.69	0.64	0.64	0.71	0.65	0.65
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	269	302		259		302	247	2323	1039	148	2346	1049
v/s Ratio Prot		0.00					0.02	c0.63		c0.05	0.39	
v/s Ratio Perm	0.01			c0.19		0.07	0.25		0.12	0.61		0.02
v/c Ratio	0.06	0.03		1.03		0.38	0.40	0.97	0.18	0.95	0.60	0.03
Uniform Delay, d1	53.4	53.1		65.0		56.8	12.5	27.2	11.5	57.2	16.1	10.0
Progression Factor	1.00	1.00		1.00		1.00	0.78	0.92	0.53	1.00	1.00	1.00
Incremental Delay, d2	0.4	0.2		63.1		3.6	0.4	2.2	0.0	62.3	1.2	0.0
Delay (s)	53.8	53.2		128.1		60.4	10.2	27.1	6.2	119.6	17.3	10.0
Level of Service	D	D		F		E	B	C	A	F	B	B
Approach Delay (s)		53.4			100.3			24.6			26.1	
Approach LOS		D			F			C			C	
Intersection Summary												
HCM 2000 Control Delay			32.7									C
HCM 2000 Volume to Capacity ratio			0.98									
Actuated Cycle Length (s)			160.0									
Intersection Capacity Utilization			99.9%									F
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future without Devel PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/20/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	871	299	272	118	170	441	1847	71	71	1312	500
v/c Ratio	1.25	0.66	0.44	0.40	0.60	1.61	1.48	0.10	0.51	0.96	0.55
Control Delay	173.4	55.8	7.1	37.2	59.7	333.2	257.9	0.3	72.5	63.8	13.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	173.4	55.8	7.1	37.2	59.7	333.2	257.9	0.3	72.5	63.8	13.2
Queue Length 50th (ft)	~582	276	0	81	137	~339	~1364	0	74	718	151
Queue Length 95th (ft)	#655	369	58	116	199	#420	#1495	0	m112	m#795	m199
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	698	455	618	555	313	274	1244	687	289	1369	907
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.25	0.66	0.44	0.21	0.54	1.61	1.48	0.10	0.25	0.96	0.55

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future without Devel PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

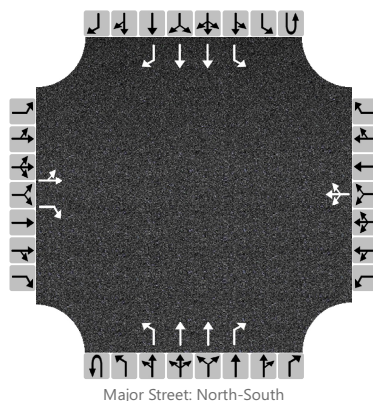
07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	740	135	350	100	65	80	375	1570	60	60	1115	425
Future Volume (vph)	740	135	350	100	65	80	375	1570	60	60	1115	425
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.93	0.85	1.00	0.92		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1579	1519	1693	1650		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.57	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1579	1519	1015	1650		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	871	159	412	118	76	94	441	1847	71	71	1312	500
RTOR Reduction (vph)	0	17	196	0	29	0	0	0	44	0	0	308
Lane Group Flow (vph)	871	282	76	118	141	0	441	1847	27	71	1312	192
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	33.5	44.5	44.5	37.8	24.8		12.8	60.7	60.7	13.1	61.3	61.3
Effective Green, g (s)	33.5	44.5	44.5	37.8	24.8		12.8	60.7	60.7	13.1	61.3	61.3
Actuated g/C Ratio	0.21	0.28	0.28	0.24	0.16		0.08	0.38	0.38	0.08	0.38	0.38
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	698	439	422	294	255		274	1245	610	138	1369	598
v/s Ratio Prot	c0.26	c0.18		0.03	0.09		0.13	c0.56		0.04	c0.37	
v/s Ratio Perm			0.05	0.06					0.02			0.12
v/c Ratio	1.25	0.64	0.18	0.40	0.55		1.61	1.48	0.04	0.51	0.96	0.32
Uniform Delay, d1	63.2	50.8	43.9	50.2	62.5		73.6	49.6	31.3	70.4	48.1	34.7
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.89	1.05	4.15
Incremental Delay, d2	123.3	3.2	0.2	0.9	2.6		290.6	221.9	0.1	3.6	14.0	1.1
Delay (s)	186.5	54.0	44.1	51.1	65.1		364.2	271.6	31.5	66.2	64.3	145.2
Level of Service	F	D	D	D	E		F	F	C	E	E	F
Approach Delay (s)		132.2			59.4			281.7			85.9	
Approach LOS		F			E			F			F	
Intersection Summary												
HCM 2000 Control Delay			173.1			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			1.27									
Actuated Cycle Length (s)			160.0			Sum of lost time (s)				28.7		
Intersection Capacity Utilization			100.2%			ICU Level of Service				G		
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	PM Peak Hour	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	1		0	1	0	0	1	2	1	0	1	2	1
Configuration		LT		R			LTR			L	T	R		L	T	R
Volume, V (veh/h)		25	0	20		10	0	5		20	2360	10		5	1570	15
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		27		22			16			22				5		
Capacity, c (veh/h)		5		300			3			359				165		
v/c Ratio		5.58		0.07			5.24			0.06				0.03		
95% Queue Length, Q ₉₅ (veh)		4.9		0.2			3.4			0.2				0.1		
Control Delay (s/veh)		3489.7		17.9			4055.8			15.7				27.5		
Level of Service, LOS		F		C			F			C				D		
Approach Delay (s/veh)	1931.0				4055.8				0.1				0.1			
Approach LOS	F				F											

Queues

2019 Future with Devel AM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/20/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	5	11	60	27	38	891	71	43	2293	11
v/c Ratio	0.03	0.04	0.35	0.06	0.34	0.34	0.06	0.09	0.87	0.01
Control Delay	59.0	0.3	67.1	0.3	20.3	9.5	3.0	3.6	20.4	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	59.0	0.3	67.1	0.3	20.3	9.5	3.0	3.6	20.4	0.0
Queue Length 50th (ft)	4	0	55	0	12	198	9	7	804	0
Queue Length 95th (ft)	19	0	104	0	m7	m157	m11	15	929	0
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	172	251	171	420	111	2623	1192	467	2623	1191
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.04	0.35	0.06	0.34	0.34	0.06	0.09	0.87	0.01

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future with Devel AM

07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	10	55	0	25	35	820	65	40	2110	10
Future Volume (vph)	5	0	10	55	0	25	35	820	65	40	2110	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.75		1.00	0.04	1.00	1.00	0.29	1.00	1.00
Satd. Flow (perm)	1439	1615		1426		1615	70	3610	1615	560	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	0	11	60	0	27	38	891	71	43	2293	11
RTOR Reduction (vph)	0	10	0	0	0	24	0	0	19	0	0	3
Lane Group Flow (vph)	5	1	0	60	0	3	38	891	52	43	2293	8
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Effective Green, g (s)	18.0	18.0		18.0		18.0	114.0	109.0	109.0	114.0	109.0	109.0
Actuated g/C Ratio	0.12	0.12		0.12		0.12	0.76	0.73	0.73	0.76	0.73	0.73
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	172	193		171		193	111	2623	1173	467	2623	1173
v/s Ratio Prot		0.00					c0.01	0.25		0.00	c0.64	
v/s Ratio Perm	0.00			c0.04		0.00	0.25		0.03	0.07		0.00
v/c Ratio	0.03	0.01		0.35		0.02	0.34	0.34	0.04	0.09	0.87	0.01
Uniform Delay, d1	58.3	58.1		60.6		58.2	28.1	7.4	5.8	4.7	15.4	5.6
Progression Factor	1.00	1.00		1.00		1.00	2.10	1.24	2.40	1.00	1.00	1.00
Incremental Delay, d2	0.3	0.1		5.6		0.2	3.7	0.2	0.0	0.4	4.4	0.0
Delay (s)	58.6	58.2		66.2		58.4	62.7	9.4	13.9	5.1	19.8	5.6
Level of Service	E	E		E		E	E	A	B	A	B	A
Approach Delay (s)		58.3			63.8			11.7			19.4	
Approach LOS		E			E			B			B	
Intersection Summary												
HCM 2000 Control Delay			18.5			HCM 2000 Level of Service				B		
HCM 2000 Volume to Capacity ratio			0.78									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			18.0			
Intersection Capacity Utilization			78.0%			ICU Level of Service			D			
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future with Devel AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/20/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	412	224	217	47	42	253	600	59	47	1588	894
v/c Ratio	1.95	0.80	0.57	0.32	0.20	0.87	0.30	0.06	0.39	0.78	0.72
Control Delay	478.9	49.6	11.1	49.3	37.6	94.8	18.5	0.1	67.4	28.4	12.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	478.9	49.6	11.1	49.3	37.6	94.8	18.5	0.1	67.4	28.4	12.7
Queue Length 50th (ft)	~320	108	0	37	22	128	157	0	43	777	472
Queue Length 95th (ft)	#402	176	47	62	51	#185	236	0	m52	869	633
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	211	457	539	269	542	292	1975	1042	163	2037	1238
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.95	0.49	0.40	0.17	0.08	0.87	0.30	0.06	0.29	0.78	0.72

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future with Devel AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	350	40	335	40	20	15	215	510	50	40	1350	760
Future Volume (vph)	350	40	335	40	20	15	215	510	50	40	1350	760
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.88	0.85	1.00	0.94		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1543	1519	1693	1666		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.25	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1543	1519	443	1666		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	412	47	394	47	24	18	253	600	59	47	1588	894
RTOR Reduction (vph)	0	105	192	0	16	0	0	0	25	0	0	364
Lane Group Flow (vph)	412	119	25	47	26	0	253	600	34	47	1588	530
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.3	87.3	9.2	82.5	82.5
Effective Green, g (s)	9.5	17.1	17.1	23.8	16.1		14.3	87.3	87.3	9.2	82.5	82.5
Actuated g/C Ratio	0.06	0.11	0.11	0.16	0.11		0.10	0.58	0.58	0.06	0.55	0.55
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	211	175	173	134	178		327	1910	936	103	1965	859
v/s Ratio Prot	c0.12	c0.08		0.02	0.02		c0.07	0.18		0.03	c0.44	
v/s Ratio Perm			0.02	0.04					0.02			0.34
v/c Ratio	1.95	0.68	0.14	0.35	0.15		0.77	0.31	0.04	0.46	0.81	0.62
Uniform Delay, d1	70.2	63.8	59.9	55.1	60.7		66.3	16.0	13.4	68.0	27.3	23.0
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.93	0.96	3.28
Incremental Delay, d2	445.5	10.0	0.4	1.6	0.4		10.9	0.4	0.1	2.8	2.3	2.0
Delay (s)	515.7	73.8	60.2	56.7	61.1		77.2	16.5	13.5	66.3	28.5	77.5
Level of Service	F	E	E	E	E		E	B	B	E	C	E
Approach Delay (s)		283.8			58.8			33.1			46.5	
Approach LOS		F			E			C			D	
Intersection Summary												
HCM 2000 Control Delay			90.2			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			0.89									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)				28.7		
Intersection Capacity Utilization			80.6%			ICU Level of Service				D		
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

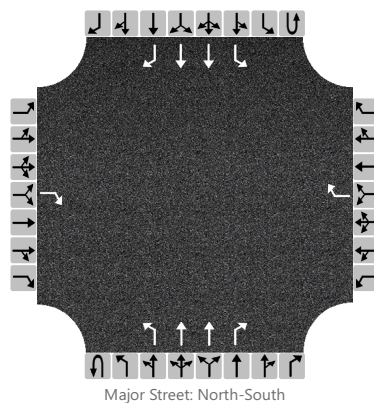
General Information

Analyst	Wolverton
Agency/Co.	GDOT
Date Performed	7/23/2018
Analysis Year	2019
Time Analyzed	AM Peak Hour-Development
Intersection Orientation	North-South
Project Description	Commercial Development on SR 53

Site Information

Intersection	SR 53 at Site Driveway
Jurisdiction	City of Gainesville
East/West Street	Site Driveway
North/South Street	SR 53/Dawsonville Hwy
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	2	1	0	1	2	1
Configuration				R				R		L	T	R		L	T	R
Volume, V (veh/h)				15				75		10	845	25		60	2135	5
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)				7.1				7.1		5.3				5.3		
Critical Headway (sec)				7.16				7.16		5.36				5.36		
Base Follow-Up Headway (sec)				3.9				3.9		3.1				3.1		
Follow-Up Headway (sec)				3.93				3.93		3.13				3.13		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				16				82		11				65		
Capacity, c (veh/h)				187				546		207				716		
v/c Ratio				0.09				0.15		0.05				0.09		
95% Queue Length, Q ₉₅ (veh)				0.3				0.5		0.2				0.3		
Control Delay (s/veh)				26.0				12.7		23.3				10.5		
Level of Service, LOS				D				B		C				B		
Approach Delay (s/veh)	26.0				12.7				0.3				0.3			
Approach LOS	D				B											

Queues

2019 Future with Devel PM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/20/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	16	43	266	185	185	2293	239	141	1457	43
v/c Ratio	0.06	0.11	1.03	0.50	0.78	0.99	0.22	0.95	0.62	0.04
Control Delay	54.3	0.5	124.8	35.6	25.9	28.5	1.9	102.9	17.9	1.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.3	0.5	124.8	35.6	25.9	28.5	1.9	102.9	17.9	1.1
Queue Length 50th (ft)	14	0	~295	92	31	1328	38	98	446	0
Queue Length 95th (ft)	37	0	#486	177	m28	m646	m14	#246	513	8
Internal Link Dist (ft)		164				848			580	
Turn Bay Length (ft)				135	240		250	235		400
Base Capacity (vph)	269	407	259	372	237	2323	1088	148	2346	1071
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.06	0.11	1.03	0.50	0.78	0.99	0.22	0.95	0.62	0.04

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future with Devel PM

07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	0	40	245	0	170	170	2110	220	130	1340	40
Future Volume (vph)	15	0	40	245	0	170	170	2110	220	130	1340	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.95	1.00	1.00	0.95	1.00
Flt	1.00	0.85		1.00		0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1805	1615		1805		1615	1805	3610	1615	1805	3610	1615
Flt Permitted	0.76	1.00		0.73		1.00	0.12	1.00	1.00	0.04	1.00	1.00
Satd. Flow (perm)	1439	1615		1385		1615	229	3610	1615	73	3610	1615
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	16	0	43	266	0	185	185	2293	239	141	1457	43
RTOR Reduction (vph)	0	35	0	0	0	70	0	0	49	0	0	15
Lane Group Flow (vph)	16	8	0	266	0	115	185	2293	190	141	1457	28
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Actuated Green, G (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Effective Green, g (s)	30.0	30.0		30.0		30.0	111.0	103.0	103.0	113.0	104.0	104.0
Actuated g/C Ratio	0.19	0.19		0.19		0.19	0.69	0.64	0.64	0.71	0.65	0.65
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lane Grp Cap (vph)	269	302		259		302	237	2323	1039	148	2346	1049
v/s Ratio Prot		0.00					0.04	c0.64		c0.05	0.40	
v/s Ratio Perm	0.01			c0.19		0.07	0.50		0.12	0.61		0.02
v/c Ratio	0.06	0.03		1.03		0.38	0.78	0.99	0.18	0.95	0.62	0.03
Uniform Delay, d1	53.4	53.1		65.0		56.9	16.4	27.9	11.5	57.2	16.4	10.0
Progression Factor	1.00	1.00		1.00		1.00	2.24	0.90	0.39	1.00	1.00	1.00
Incremental Delay, d2	0.4	0.2		63.1		3.6	2.4	3.4	0.0	62.3	1.2	0.0
Delay (s)	53.8	53.2		128.1		60.5	39.2	28.4	4.5	119.6	17.7	10.0
Level of Service	D	D		F		E	D	C	A	F	B	B
Approach Delay (s)		53.4			100.4			27.0			26.2	
Approach LOS		D			F			C			C	
Intersection Summary												
HCM 2000 Control Delay			33.9									C
HCM 2000 Volume to Capacity ratio			0.99									
Actuated Cycle Length (s)			160.0									
Intersection Capacity Utilization			100.8%									G
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future with Devel PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/20/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	912	299	272	118	170	441	1894	71	100	1353	541
v/c Ratio	1.31	0.66	0.44	0.40	0.60	1.61	1.59	0.11	0.60	0.99	0.58
Control Delay	196.0	55.8	7.1	37.2	59.7	333.2	304.9	0.3	73.5	69.4	12.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	196.0	55.8	7.1	37.2	59.7	333.2	304.9	0.3	73.5	69.4	12.9
Queue Length 50th (ft)	~628	276	0	81	137	~339	~1449	0	103	741	159
Queue Length 95th (ft)	#700	369	58	116	199	#420	#1588	0	m148	m#841	m209
Internal Link Dist (ft)		546			135		841			829	
Turn Bay Length (ft)	180		475			400		240	250		575
Base Capacity (vph)	698	455	618	555	313	274	1189	662	289	1369	932
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.31	0.66	0.44	0.21	0.54	1.61	1.59	0.11	0.35	0.99	0.58

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future with Devel PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

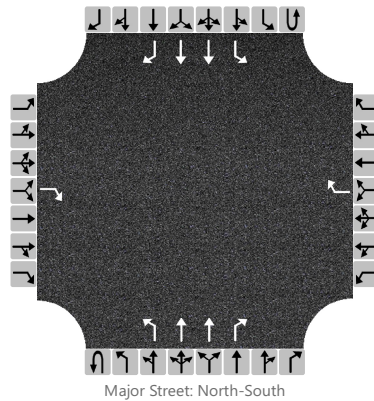
07/20/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	775	135	350	100	65	80	375	1610	60	85	1150	460
Future Volume (vph)	775	135	350	100	65	80	375	1610	60	85	1150	460
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.95	1.00	1.00	0.95	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.93	0.85	1.00	0.92		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	3335	1579	1519	1693	1650		3433	3282	1609	1687	3574	1563
Flt Permitted	0.95	1.00	1.00	0.57	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	3335	1579	1519	1015	1650		3433	3282	1609	1687	3574	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	912	159	412	118	76	94	441	1894	71	100	1353	541
RTOR Reduction (vph)	0	17	196	0	29	0	0	0	45	0	0	334
Lane Group Flow (vph)	912	282	76	118	141	0	441	1894	26	100	1353	207
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8					2			6
Actuated Green, G (s)	33.5	44.5	44.5	37.8	24.8		12.8	58.0	58.0	15.8	61.3	61.3
Effective Green, g (s)	33.5	44.5	44.5	37.8	24.8		12.8	58.0	58.0	15.8	61.3	61.3
Actuated g/C Ratio	0.21	0.28	0.28	0.24	0.16		0.08	0.36	0.36	0.10	0.38	0.38
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6	6.6	7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1	5.1	4.1	5.1	5.1
Lane Grp Cap (vph)	698	439	422	294	255		274	1189	583	166	1369	598
v/s Ratio Prot	c0.27	c0.18		0.03	0.09		0.13	c0.58		0.06	c0.38	
v/s Ratio Perm			0.05	0.06					0.02			0.13
v/c Ratio	1.31	0.64	0.18	0.40	0.55		1.61	1.59	0.04	0.60	0.99	0.35
Uniform Delay, d1	63.2	50.8	43.9	50.2	62.5		73.6	51.0	33.0	69.1	49.0	35.1
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00	0.89	1.04	4.08
Incremental Delay, d2	148.2	3.2	0.2	0.9	2.6		290.6	270.8	0.1	5.9	19.5	1.3
Delay (s)	211.4	54.0	44.1	51.1	65.1		364.2	321.8	33.2	67.7	70.3	144.5
Level of Service	F	D	D	D	E		F	F	C	E	E	F
Approach Delay (s)		149.0			59.4			321.1			90.3	
Approach LOS		F			E			F			F	
Intersection Summary												
HCM 2000 Control Delay			193.0			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			1.33									
Actuated Cycle Length (s)			160.0			Sum of lost time (s)				28.7		
Intersection Capacity Utilization			102.9%			ICU Level of Service				G		
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	PM Peak-Development	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	2	1	0	1	2	1
Configuration				R				R		L	T	R		L	T	R
Volume, V (veh/h)				45				105		20	2385	85		40	1650	15
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				49				114		22				43		
Capacity, c (veh/h)				281				152		332				149		
v/c Ratio				0.17				0.75		0.07				0.29		
95% Queue Length, Q ₉₅ (veh)				0.6				4.6		0.2				1.1		
Control Delay (s/veh)				20.5				78.6		16.6				38.7		
Level of Service, LOS				C				F		C				E		
Approach Delay (s/veh)	20.5				78.6				0.1				0.9			
Approach LOS	C				F											

Queues

2019 Future GDOT IMP AM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/24/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	5	11	60	27	11	919	43	2245
v/c Ratio	0.02	0.03	0.28	0.06	0.08	0.26	0.10	0.64
Control Delay	54.6	0.2	60.0	0.2	2.6	3.7	4.8	14.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.6	0.2	60.0	0.2	2.6	3.7	4.8	14.6
Queue Length 50th (ft)	4	0	53	0	0	61	9	423
Queue Length 95th (ft)	18	0	100	0	m1	18	18	464
Internal Link Dist (ft)		164				848		580
Turn Bay Length (ft)				135	240		235	
Base Capacity (vph)	220	316	218	476	146	3491	451	3524
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.02	0.03	0.28	0.06	0.08	0.26	0.10	0.64

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future GDOT IMP AM

07/24/2018

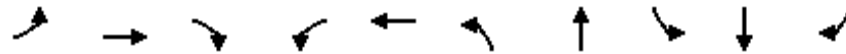
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	10	55	0	25	10	780	65	40	2055	10
Future Volume (vph)	5	0	10	55	0	25	10	780	65	40	2055	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Flt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1805	5127		1805	5183	
Flt Permitted	0.76	1.00		0.75		1.00	0.05	1.00		0.28	1.00	
Satd. Flow (perm)	1439	1615		1426		1615	91	5127		539	5183	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	0	11	60	0	27	11	848	71	43	2234	11
RTOR Reduction (vph)	0	9	0	0	0	23	0	6	0	0	0	0
Lane Group Flow (vph)	5	2	0	60	0	4	11	913	0	43	2245	0
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2			6		
Actuated Green, G (s)	23.0	23.0		23.0		23.0	109.0	102.0		109.0	102.0	
Effective Green, g (s)	23.0	23.0		23.0		23.0	109.0	102.0		109.0	102.0	
Actuated g/C Ratio	0.15	0.15		0.15		0.15	0.73	0.68		0.73	0.68	
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Grp Cap (vph)	220	247		218		247	146	3486		450	3524	
v/s Ratio Prot		0.00					0.00	0.18		c0.00	c0.43	
v/s Ratio Perm	0.00			c0.04		0.00	0.05			0.06		
v/c Ratio	0.02	0.01		0.28		0.02	0.08	0.26		0.10	0.64	
Uniform Delay, d1	54.0	53.8		56.1		53.9	9.9	9.3		5.8	13.5	
Progression Factor	1.00	1.00		1.00		1.00	0.39	0.38		1.00	1.00	
Incremental Delay, d2	0.2	0.1		3.1		0.1	0.9	0.2		0.4	0.9	
Delay (s)	54.1	53.9		59.2		54.0	4.8	3.8		6.3	14.4	
Level of Service	D	D		E		D	A	A		A	B	
Approach Delay (s)		54.0			57.6			3.8			14.3	
Approach LOS		D			E			A			B	
Intersection Summary												
HCM 2000 Control Delay			12.7								B	
HCM 2000 Volume to Capacity ratio			0.55									
Actuated Cycle Length (s)			150.0							18.0		
Intersection Capacity Utilization			59.6%								B	
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future GDOT IMP AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/24/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	400	224	217	47	42	253	641	47	1576	882
v/c Ratio	0.84	0.67	0.52	0.41	0.40	0.75	0.23	0.39	0.57	0.77
Control Delay	79.2	38.0	11.1	56.8	54.8	80.1	17.0	62.9	46.1	33.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	79.2	38.0	11.1	56.8	54.8	80.1	17.0	62.9	46.1	33.9
Queue Length 50th (ft)	197	104	0	36	23	126	115	45	572	574
Queue Length 95th (ft)	242	178	62	66	59	165	147	m71	593	638
Internal Link Dist (ft)		546			135		841		829	
Turn Bay Length (ft)	180		475			400		250		575
Base Capacity (vph)	500	440	512	114	215	338	2743	128	2767	1152
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.80	0.51	0.42	0.41	0.20	0.75	0.23	0.37	0.57	0.77

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future GDOT IMP AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

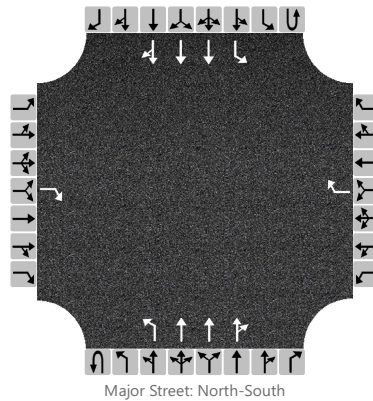
07/24/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	340	40	335	40	20	15	215	495	50	40	1340	750
Future Volume (vph)	340	40	335	40	20	15	215	495	50	40	1340	750
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.91		1.00	0.91	1.00
Frpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00
Frt	1.00	0.88	0.85	1.00	0.94		1.00	0.99		1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3335	1543	1519	1693	1666		3433	4690		1687	5136	1563
Flt Permitted	0.95	1.00	1.00	0.61	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (perm)	3335	1543	1519	1091	1666		3433	4690		1687	5136	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	400	47	394	47	24	18	253	582	59	47	1576	882
RTOR Reduction (vph)	0	99	184	0	17	0	0	7	0	0	0	324
Lane Group Flow (vph)	400	125	33	47	25	0	253	634	0	47	1576	558
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8								6
Actuated Green, G (s)	21.3	22.9	22.9	11.6	7.0		16.3	84.6		9.2	77.8	77.8
Effective Green, g (s)	21.3	22.9	22.9	11.6	7.0		16.3	84.6		9.2	77.8	77.8
Actuated g/C Ratio	0.14	0.15	0.15	0.08	0.05		0.11	0.56		0.06	0.52	0.52
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1		4.1	5.1	5.1
Lane Grp Cap (vph)	473	235	231	102	77		373	2645		103	2663	810
v/s Ratio Prot	c0.12	c0.08		0.01	0.01		c0.07	0.14		0.03	0.31	
v/s Ratio Perm			0.02	0.02								c0.36
v/c Ratio	0.85	0.53	0.14	0.46	0.32		0.68	0.24		0.46	0.59	0.69
Uniform Delay, d1	62.7	58.6	55.1	65.7	69.2		64.3	16.5		68.0	25.1	27.0
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00		0.83	1.88	4.54
Incremental Delay, d2	13.1	2.4	0.3	3.4	2.5		4.9	0.2		3.8	0.8	4.0
Delay (s)	75.9	61.0	55.4	69.1	71.7		69.2	16.7		60.5	47.8	126.6
Level of Service	E	E	E	E	E		E	B		E	D	F
Approach Delay (s)		66.6			70.3			31.6			75.8	
Approach LOS		E			E			C			E	
Intersection Summary												
HCM 2000 Control Delay			64.8			HCM 2000 Level of Service				E		
HCM 2000 Volume to Capacity ratio			0.72									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)				28.7		
Intersection Capacity Utilization			74.4%			ICU Level of Service				D		
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	AM Peak - GDOT Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	3	0	0	1	3	0
Configuration				R				R		L	T	TR		L	T	TR
Volume, V (veh/h)				15				20		10	840	5		5	2115	5
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)				7.1				7.1		5.3				5.3		
Critical Headway (sec)				7.16				7.16		5.36				5.36		
Base Follow-Up Headway (sec)				3.9				3.9		3.1				3.1		
Follow-Up Headway (sec)				3.93				3.93		3.13				3.13		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				16				22		11				5		
Capacity, c (veh/h)				163				468		86				426		
v/c Ratio				0.10				0.05		0.13				0.01		
95% Queue Length, Q ₉₅ (veh)				0.3				0.1		0.4				0.0		
Control Delay (s/veh)				29.5				13.1		52.7				13.6		
Level of Service, LOS				D				B		F				B		
Approach Delay (s/veh)	29.5				13.1				0.6				0.0			
Approach LOS	D				B											

Queues

2019 Future GDOT IMP PM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/23/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	16	43	266	185	98	2500	141	1461
v/c Ratio	0.04	0.08	0.75	0.38	0.41	0.91	0.65	0.49
Control Delay	45.4	0.3	69.3	22.9	10.6	23.9	51.0	20.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	45.4	0.3	69.3	22.9	10.6	23.9	51.0	20.8
Queue Length 50th (ft)	13	0	258	65	20	857	91	320
Queue Length 95th (ft)	34	0	373	141	m21	m866	171	358
Internal Link Dist (ft)		164				848		580
Turn Bay Length (ft)				135	240		235	
Base Capacity (vph)	368	517	354	492	240	2756	216	2972
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.04	0.08	0.75	0.38	0.41	0.91	0.65	0.49

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

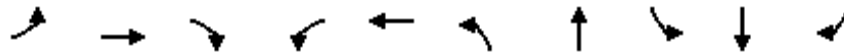
HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future GDOT IMP PM

07/23/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	0	40	245	0	170	90	2080	220	130	1305	40
Future Volume (vph)	15	0	40	245	0	170	90	2080	220	130	1305	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Flt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1805	5113		1805	5164	
Flt Permitted	0.76	1.00		0.73		1.00	0.14	1.00		0.04	1.00	
Satd. Flow (perm)	1439	1615		1385		1615	258	5113		83	5164	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	16	0	43	266	0	185	98	2261	239	141	1418	43
RTOR Reduction (vph)	0	32	0	0	0	79	0	8	0	0	2	0
Lane Group Flow (vph)	16	11	0	266	0	106	98	2492	0	141	1459	0
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2			6		
Actuated Green, G (s)	41.0	41.0		41.0		41.0	95.0	86.0		107.0	92.0	
Effective Green, g (s)	41.0	41.0		41.0		41.0	95.0	86.0		107.0	92.0	
Actuated g/C Ratio	0.26	0.26		0.26		0.26	0.59	0.54		0.67	0.58	
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Grp Cap (vph)	368	413		354		413	240	2748		216	2969	
v/s Ratio Prot		0.01					0.02	c0.49		c0.06	0.28	
v/s Ratio Perm	0.01			c0.19		0.07	0.22			0.38		
v/c Ratio	0.04	0.03		0.75		0.26	0.41	0.91		0.65	0.49	
Uniform Delay, d1	44.8	44.6		54.8		47.4	15.2	33.4		47.5	20.1	
Progression Factor	1.00	1.00		1.00		1.00	0.89	0.66		1.00	1.00	
Incremental Delay, d2	0.2	0.1		13.7		1.5	1.4	1.7		14.3	0.6	
Delay (s)	45.0	44.7		68.5		48.9	15.0	23.7		61.8	20.7	
Level of Service	D	D		E		D	B	C		E	C	
Approach Delay (s)		44.8			60.4			23.4			24.3	
Approach LOS		D			E			C			C	
Intersection Summary												
HCM 2000 Control Delay			27.5			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.83									
Actuated Cycle Length (s)			160.0			Sum of lost time (s)			18.0			
Intersection Capacity Utilization			87.5%			ICU Level of Service			E			
Analysis Period (min)			15									
c Critical Lane Group												



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	871	299	272	118	170	441	1918	71	1312	500
v/c Ratio	1.00	0.64	0.44	0.53	0.89	0.84	0.99	0.81	0.81	0.60
Control Delay	89.7	53.1	6.8	44.2	97.8	81.1	63.1	120.2	65.7	25.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	89.7	53.1	6.8	44.2	97.8	81.1	63.1	120.2	65.7	25.3
Queue Length 50th (ft)	~477	266	0	79	146	234	724	78	508	199
Queue Length 95th (ft)	#561	355	57	119	#254	280	726	m#160	515	261
Internal Link Dist (ft)		546			135		841		829	
Turn Bay Length (ft)	180		475			400		250		575
Base Capacity (vph)	867	464	623	237	199	523	1947	88	1618	835
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.00	0.64	0.44	0.50	0.85	0.84	0.99	0.81	0.81	0.60

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future GDOT IMP PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

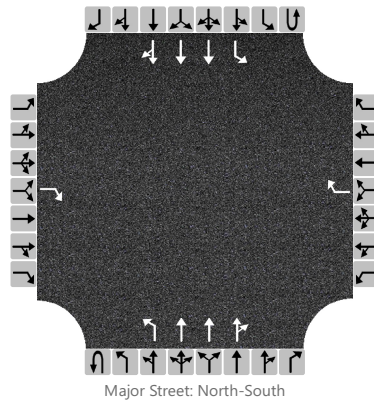
07/23/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	740	135	350	100	65	80	375	1570	60	60	1115	425
Future Volume (vph)	740	135	350	100	65	80	375	1570	60	60	1115	425
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.91		1.00	0.91	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00
Frt	1.00	0.93	0.85	1.00	0.92		1.00	0.99		1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3335	1579	1519	1693	1650		3433	4705		1687	5136	1563
Flt Permitted	0.95	1.00	1.00	0.57	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (perm)	3335	1579	1519	1015	1650		3433	4705		1687	5136	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	871	159	412	118	76	94	441	1847	71	71	1312	500
RTOR Reduction (vph)	0	19	195	0	28	0	0	2	0	0	0	343
Lane Group Flow (vph)	871	280	77	118	142	0	441	1916	0	71	1312	158
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8								6
Actuated Green, G (s)	41.6	45.2	45.2	27.6	16.0		24.4	66.2		8.3	50.4	50.4
Effective Green, g (s)	41.6	45.2	45.2	27.6	16.0		24.4	66.2		8.3	50.4	50.4
Actuated g/C Ratio	0.26	0.28	0.28	0.17	0.10		0.15	0.41		0.05	0.31	0.31
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1		4.1	5.1	5.1
Lane Grp Cap (vph)	867	446	429	224	165		523	1946		87	1617	492
v/s Ratio Prot	c0.26	0.18		0.04	c0.09		0.13	c0.41		0.04	c0.26	
v/s Ratio Perm			0.05	0.05								0.10
v/c Ratio	1.00	0.63	0.18	0.53	0.86		0.84	0.98		0.82	0.81	0.32
Uniform Delay, d1	59.2	50.0	43.4	58.9	70.9		65.9	46.4		75.1	50.4	41.7
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00		0.96	1.21	6.88
Incremental Delay, d2	31.7	2.8	0.2	2.3	34.1		11.9	17.0		40.8	4.1	1.5
Delay (s)	90.9	52.8	43.6	61.2	105.0		77.8	63.4		112.7	65.2	288.6
Level of Service	F	D	D	E	F		E	E		F	E	F
Approach Delay (s)		74.1			87.1			66.1			126.3	
Approach LOS		E			F			E			F	
Intersection Summary												
HCM 2000 Control Delay			88.0			HCM 2000 Level of Service				F		
HCM 2000 Volume to Capacity ratio			1.00									
Actuated Cycle Length (s)			160.0							28.7		
Intersection Capacity Utilization			88.5%							E		
Analysis Period (min)			15									
c Critical Lane Group												

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	PM Peak - GDOT Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	3	0	0	1	3	0
Configuration				R				R		L	T	TR		L	T	TR
Volume, V (veh/h)				45				15		20	2385	10		5	1580	15
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)				7.1				7.1		5.3				5.3		
Critical Headway (sec)				7.16				7.16		5.36				5.36		
Base Follow-Up Headway (sec)				3.9				3.9		3.1				3.1		
Follow-Up Headway (sec)				3.93				3.93		3.13				3.13		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				49				16		22				5		
Capacity, c (veh/h)				253				129		169				60		
v/c Ratio				0.19				0.12		0.13				0.08		
95% Queue Length, Q ₉₅ (veh)				0.7				0.4		0.4				0.3		
Control Delay (s/veh)				22.6				36.9		29.5				70.0		
Level of Service, LOS				C				E		D				F		
Approach Delay (s/veh)	22.6				36.9				0.2				0.2			
Approach LOS	C				E											

Queues

2019 Future with Devel & GDOT Imp AM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/24/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	5	11	60	27	38	962	43	2304
v/c Ratio	0.02	0.04	0.29	0.06	0.25	0.27	0.10	0.65
Control Delay	55.4	0.2	61.3	0.2	17.4	3.8	4.6	14.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	55.4	0.2	61.3	0.2	17.4	3.8	4.6	14.9
Queue Length 50th (ft)	4	0	53	0	5	43	9	443
Queue Length 95th (ft)	18	0	101	0	m16	24	18	486
Internal Link Dist (ft)		164				848		580
Turn Bay Length (ft)				135	240		235	
Base Capacity (vph)	210	305	209	456	152	3528	437	3524
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.02	0.04	0.29	0.06	0.25	0.27	0.10	0.65

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future with Devel & GDOT Imp AM

07/24/2018

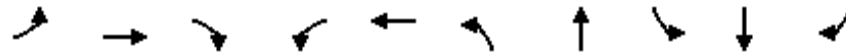
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	10	55	0	25	35	820	65	40	2110	10
Future Volume (vph)	5	0	10	55	0	25	35	820	65	40	2110	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Flt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1805	5130		1805	5183	
Flt Permitted	0.76	1.00		0.75		1.00	0.04	1.00		0.27	1.00	
Satd. Flow (perm)	1439	1615		1426		1615	82	5130		519	5183	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	0	11	60	0	27	38	891	71	43	2293	11
RTOR Reduction (vph)	0	9	0	0	0	23	0	6	0	0	0	0
Lane Group Flow (vph)	5	2	0	60	0	4	38	956	0	43	2304	0
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2			6		
Actuated Green, G (s)	22.0	22.0		22.0		22.0	111.0	103.0		109.0	102.0	
Effective Green, g (s)	22.0	22.0		22.0		22.0	111.0	103.0		109.0	102.0	
Actuated g/C Ratio	0.15	0.15		0.15		0.15	0.74	0.69		0.73	0.68	
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Grp Cap (vph)	211	236		209		236	152	3522		437	3524	
v/s Ratio Prot		0.00					c0.01	0.19		0.00	c0.44	
v/s Ratio Perm	0.00			c0.04		0.00	0.17			0.07		
v/c Ratio	0.02	0.01		0.29		0.02	0.25	0.27		0.10	0.65	
Uniform Delay, d1	54.8	54.7		57.0		54.7	11.8	9.1		5.8	13.8	
Progression Factor	1.00	1.00		1.00		1.00	2.98	0.40		1.00	1.00	
Incremental Delay, d2	0.2	0.1		3.4		0.1	3.6	0.2		0.4	1.0	
Delay (s)	55.0	54.7		60.4		54.9	38.6	3.8		6.3	14.8	
Level of Service	E	D		E		D	D	A		A	B	
Approach Delay (s)		54.8			58.7			5.1			14.6	
Approach LOS		D			E			A			B	
Intersection Summary												
HCM 2000 Control Delay			13.2									B
HCM 2000 Volume to Capacity ratio			0.57									
Actuated Cycle Length (s)			150.0									
Intersection Capacity Utilization			60.7%									B
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future with Devel & GDOT Imp AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/24/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	412	224	217	47	42	253	659	47	1588	894
v/c Ratio	0.86	0.66	0.52	0.41	0.40	0.75	0.24	0.39	0.58	0.78
Control Delay	80.4	37.7	11.1	56.7	54.8	80.1	17.2	62.5	46.1	34.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	80.4	37.7	11.1	56.7	54.8	80.1	17.2	62.5	46.1	34.4
Queue Length 50th (ft)	204	104	0	36	23	126	119	45	576	586
Queue Length 95th (ft)	250	178	62	66	59	165	152	m69	597	647
Internal Link Dist (ft)		546			135		841		829	
Turn Bay Length (ft)	180		475			400		250		575
Base Capacity (vph)	500	440	512	114	215	338	2737	128	2758	1151
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.82	0.51	0.42	0.41	0.20	0.75	0.24	0.37	0.58	0.78

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future with Devel & GDOT Imp AM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/24/2018



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔↔	↔	↔	↔	↔		↔↔	↔↔↔		↔	↔↔↔	↔
Traffic Volume (vph)	350	40	335	40	20	15	215	510	50	40	1350	760
Future Volume (vph)	350	40	335	40	20	15	215	510	50	40	1350	760
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.91		1.00	0.91	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00
Frt	1.00	0.88	0.85	1.00	0.94		1.00	0.99		1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3335	1543	1519	1693	1666		3433	4690		1687	5136	1563
Flt Permitted	0.95	1.00	1.00	0.61	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (perm)	3335	1543	1519	1091	1666		3433	4690		1687	5136	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	412	47	394	47	24	18	253	600	59	47	1588	894
RTOR Reduction (vph)	0	99	184	0	17	0	0	7	0	0	0	324
Lane Group Flow (vph)	412	125	33	47	25	0	253	652	0	47	1588	570
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8								6
Actuated Green, G (s)	21.6	23.1	23.1	11.5	6.9		16.2	84.4		9.2	77.7	77.7
Effective Green, g (s)	21.6	23.1	23.1	11.5	6.9		16.2	84.4		9.2	77.7	77.7
Actuated g/C Ratio	0.14	0.15	0.15	0.08	0.05		0.11	0.56		0.06	0.52	0.52
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1		4.1	5.1	5.1
Lane Grp Cap (vph)	480	237	233	102	76		370	2638		103	2660	809
v/s Ratio Prot	c0.12	c0.08		0.01	0.01		c0.07	0.14		0.03	0.31	
v/s Ratio Perm			0.02	0.02								c0.36
v/c Ratio	0.86	0.53	0.14	0.46	0.33		0.68	0.25		0.46	0.60	0.70
Uniform Delay, d1	62.7	58.4	54.9	65.8	69.3		64.4	16.7		68.0	25.2	27.4
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00		0.83	1.86	4.32
Incremental Delay, d2	14.2	2.2	0.3	3.4	2.6		5.2	0.2		3.7	0.8	4.2
Delay (s)	76.9	60.6	55.2	69.2	71.9		69.6	16.9		60.2	47.7	122.6
Level of Service	E	E	E	E	E		E	B		E	D	F
Approach Delay (s)		67.1			70.5			31.5			74.4	
Approach LOS		E			E			C			E	

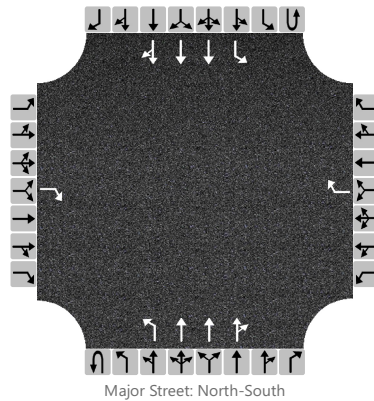
Intersection Summary

HCM 2000 Control Delay	64.0	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.74		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	75.1%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	AM Peak-Devel & GDOT proj	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	3	0	0	1	3	0
Configuration				R				R		L	T	TR		L	T	TR
Volume, V (veh/h)				15				75		10	845	25		60	2135	5
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				16				82		11				65		
Capacity, c (veh/h)				160				459		84				413		
v/c Ratio				0.10				0.18		0.13				0.16		
95% Queue Length, Q ₉₅ (veh)				0.3				0.6		0.4				0.6		
Control Delay (s/veh)				30.0				14.6		54.2				15.3		
Level of Service, LOS				D				B		F				C		
Approach Delay (s/veh)	30.0				14.6				0.6				0.4			
Approach LOS	D				B											

Queues

2019 Future with Devel & GDOT Imp PM

1: SR 53/Dawsonville Hwy & Commercial Dwy

07/21/2018



Lane Group	EBL	EBT	WBL	WBR	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	16	43	266	185	185	2532	141	1500
v/c Ratio	0.04	0.08	0.75	0.35	0.57	0.91	0.69	0.57
Control Delay	45.4	0.3	69.3	11.0	38.1	25.7	56.2	28.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	45.4	0.3	69.3	11.0	38.1	25.7	56.2	28.5
Queue Length 50th (ft)	13	0	258	18	89	861	92	391
Queue Length 95th (ft)	34	0	373	85	m95	m760	#183	438
Internal Link Dist (ft)		164				848		580
Turn Bay Length (ft)				135	240		235	
Base Capacity (vph)	368	546	354	535	325	2788	205	2617
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.04	0.08	0.75	0.35	0.57	0.91	0.69	0.57

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

1: SR 53/Dawsonville Hwy & Commercial Dwy

2019 Future with Devel & GDOT Imp PM

07/21/2018

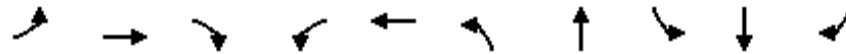
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	0	40	245	0	170	170	2110	220	130	1340	40
Future Volume (vph)	15	0	40	245	0	170	170	2110	220	130	1340	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Util. Factor	1.00	1.00		1.00		1.00	1.00	0.91		1.00	0.91	
Flt	1.00	0.85		1.00		0.85	1.00	0.99		1.00	1.00	
Flt Protected	0.95	1.00		0.95		1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1805	1615		1805		1615	1805	5114		1805	5165	
Flt Permitted	0.76	1.00		0.73		1.00	0.10	1.00		0.05	1.00	
Satd. Flow (perm)	1439	1615		1385		1615	185	5114		94	5165	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	16	0	43	266	0	185	185	2293	239	141	1457	43
RTOR Reduction (vph)	0	32	0	0	0	121	0	8	0	0	2	0
Lane Group Flow (vph)	16	11	0	266	0	64	185	2524	0	141	1498	0
Turn Type	Perm	NA		Perm		Perm	pm+pt	NA		pm+pt	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8		8	2			6		
Actuated Green, G (s)	41.0	41.0		41.0		41.0	107.0	87.0		95.0	81.0	
Effective Green, g (s)	41.0	41.0		41.0		41.0	107.0	87.0		95.0	81.0	
Actuated g/C Ratio	0.26	0.26		0.26		0.26	0.67	0.54		0.59	0.51	
Clearance Time (s)	6.0	6.0		6.0		6.0	6.0	6.0		6.0	6.0	
Lane Grp Cap (vph)	368	413		354		413	326	2780		205	2614	
v/s Ratio Prot		0.01					c0.07	c0.49		0.06	0.29	
v/s Ratio Perm	0.01			c0.19		0.04	0.31			0.35		
v/c Ratio	0.04	0.03		0.75		0.15	0.57	0.91		0.69	0.57	
Uniform Delay, d1	44.8	44.6		54.8		46.1	19.2	32.9		44.4	27.5	
Progression Factor	1.00	1.00		1.00		1.00	2.00	0.70		1.00	1.00	
Incremental Delay, d2	0.2	0.1		13.7		0.8	3.1	2.6		17.2	0.9	
Delay (s)	45.0	44.7		68.5		46.9	41.6	25.6		61.6	28.4	
Level of Service	D	D		E		D	D	C		E	C	
Approach Delay (s)		44.8			59.6			26.7			31.2	
Approach LOS		D			E			C			C	
Intersection Summary												
HCM 2000 Control Delay			31.5			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.84									
Actuated Cycle Length (s)			160.0			Sum of lost time (s)			18.0			
Intersection Capacity Utilization			88.1%			ICU Level of Service			E			
Analysis Period (min)			15									
c Critical Lane Group												

Queues

2019 Future with Devel & GDOT Imp PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/21/2018



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	912	299	272	118	170	441	1965	100	1353	541
v/c Ratio	1.05	0.65	0.44	0.53	0.89	0.85	1.04	0.88	0.83	0.63
Control Delay	101.6	53.2	6.9	44.2	97.8	81.5	79.4	120.3	63.3	25.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	101.6	53.2	6.9	44.2	97.8	81.5	79.4	120.3	63.3	25.9
Queue Length 50th (ft)	~535	266	0	79	146	235	~812	109	535	249
Queue Length 95th (ft)	#607	355	57	119	#254	280	#812	m#211	534	325
Internal Link Dist (ft)		546			135		841		829	
Turn Bay Length (ft)	180		475			400		250		575
Base Capacity (vph)	865	463	622	237	199	521	1882	113	1624	864
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.05	0.65	0.44	0.50	0.85	0.85	1.04	0.88	0.83	0.63

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis

2019 Future with Devel & GDOT Imp PM

3: SR 53/Dawsonville Hwy & SR 53/McEver Rd/Lakeshore Marketplace dwy

07/21/2018



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔↔	↔	↔	↔	↔		↔↔	↔↔↔		↔	↔↔↔	↔
Traffic Volume (vph)	775	135	350	100	65	80	375	1610	60	85	1150	460
Future Volume (vph)	775	135	350	100	65	80	375	1610	60	85	1150	460
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			3%			0%			0%	
Total Lost time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Lane Util. Factor	0.97	0.95	0.95	1.00	1.00		0.97	0.91		1.00	0.91	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00
Frt	1.00	0.93	0.85	1.00	0.92		1.00	0.99		1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3335	1579	1519	1693	1650		3433	4705		1687	5136	1563
Flt Permitted	0.95	1.00	1.00	0.57	1.00		0.95	1.00		0.95	1.00	1.00
Satd. Flow (perm)	3335	1579	1519	1015	1650		3433	4705		1687	5136	1563
Peak-hour factor, PHF	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	912	159	412	118	76	94	441	1894	71	100	1353	541
RTOR Reduction (vph)	0	19	195	0	28	0	0	2	0	0	0	370
Lane Group Flow (vph)	912	280	77	118	142	0	441	1963	0	100	1353	171
Confl. Peds. (#/hr)							1					1
Heavy Vehicles (%)	5%	11%	1%	5%	9%	0%	2%	10%	0%	7%	1%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	1	0	0	0
Turn Type	Prot	NA	Perm	pm+pt	NA		Prot	NA		Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4	8								6
Actuated Green, G (s)	41.5	45.1	45.1	27.6	16.0		24.3	63.9		10.7	50.6	50.6
Effective Green, g (s)	41.5	45.1	45.1	27.6	16.0		24.3	63.9		10.7	50.6	50.6
Actuated g/C Ratio	0.26	0.28	0.28	0.17	0.10		0.15	0.40		0.07	0.32	0.32
Clearance Time (s)	6.5	7.3	7.3	7.3	7.3		7.2	6.6		7.5	6.6	6.6
Vehicle Extension (s)	3.1	3.1	3.1	3.1	3.1		3.1	5.1		4.1	5.1	5.1
Lane Grp Cap (vph)	865	445	428	224	165		521	1879		112	1624	494
v/s Ratio Prot	c0.27	0.18		0.04	c0.09		0.13	c0.42		0.06	c0.26	
v/s Ratio Perm			0.05	0.05								0.11
v/c Ratio	1.05	0.63	0.18	0.53	0.86		0.85	1.04		0.89	0.83	0.35
Uniform Delay, d1	59.2	50.1	43.5	58.9	70.9		66.0	48.0		74.1	50.8	42.0
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00		0.91	1.15	7.25
Incremental Delay, d2	45.9	2.8	0.2	2.3	34.1		12.1	33.5		49.3	4.6	1.7
Delay (s)	105.2	52.9	43.7	61.2	105.0		78.2	81.5		117.1	62.8	306.2
Level of Service	F	D	D	E	F		E	F		F	E	F
Approach Delay (s)		83.4			87.1			80.9			131.6	
Approach LOS		F			F			F			F	

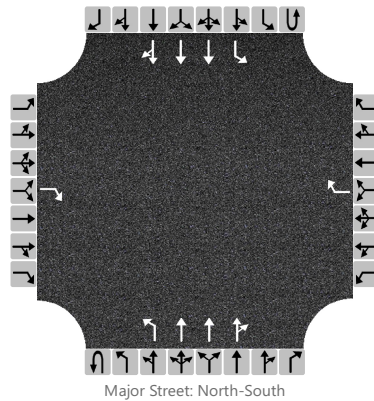
Intersection Summary

HCM 2000 Control Delay	98.2	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	1.05		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	28.7
Intersection Capacity Utilization	90.8%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

HCS7 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	Wolverton	Intersection	SR 53 at Site Driveway
Agency/Co.	GDOT	Jurisdiction	City of Gainesville
Date Performed	7/23/2018	East/West Street	Site Driveway
Analysis Year	2019	North/South Street	SR 53/Dawsonville Hwy
Time Analyzed	PM Peak-Devel & GDOT proj	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	Commercial Development on SR 53		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	1	0	1	3	0	0	1	3	0
Configuration				R				R		L	T	TR		L	T	TR
Volume, V (veh/h)				45				105		20	2385	85		40	1650	15
Percent Heavy Vehicles (%)				3				3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				49				114		22				43		
Capacity, c (veh/h)				239				121		154				55		
v/c Ratio				0.21				0.94		0.14				0.79		
95% Queue Length, Q ₉₅ (veh)				0.8				6.1		0.5				3.4		
Control Delay (s/veh)				23.9				134.8		32.1				182.9		
Level of Service, LOS				C				F		D				F		
Approach Delay (s/veh)	23.9				134.8				0.3				4.2			
Approach LOS	C				F											