

3099

13-0-1329

(Do Not Write Above This Line)

AN ORDINANCE

*Hand Shook*

BY COUNCILMEMBER HOWARD SHOOK

AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION APPLICANT SD-13-015 (859 LORIDANS DRIVE, NW) DEPOSIT A DOLLAR AMOUNT (\$45,000.00) EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO THE DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 7; AND FOR OTHER PURPOSES.

Automatically Terminated AND FILED BY CLERK PER CHARTER SECTION 2-407 DEC 02 2013

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred *10/21/13*

Referred To: *City Utilities*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee *City Utilities*  
 Date *Oct. 29, 2013*  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
 DEC 02 2013  
 ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

CERTIFIED  
 DEC 02 2013  
*Phyllis Dandridge Johnson*  
 MUNICIPAL CLERK

MAYOR'S ACTION

AN ORDINANCE

*Howard Shook*  
BY COUNCILMEMBER HOWARD SHOOK

**AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION APPLICANT SD-13-015 (859 LORIDANS DRIVE, NW) DEPOSIT A DOLLAR AMOUNT (\$45,000.00) EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO THE DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 7; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

**WHEREAS**, the construction of sidewalks along the frontage of this project is unnecessary, since there are only three (3) residential properties with current sidewalks on the adjacent side of the street; and

**WHEREAS**, the councilmember of the district and the community are in favor of this waiver and the placement of sidewalks at a more suitable location; and

**WHEREAS**, the City and the area residents would be better served by the installation of sidewalks and pedestrian improvements in other areas of District 7.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**SECTION 1:** The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that an application for the subdivision of land provide sidewalks is hereby waived for Subdivision SD-13-015 located at 859 Loridans Drive, NW.

**SECTION 2:** That the waiver of said requirements for the aforementioned application is conditioned upon the agreement of the applicant to pay the City of Atlanta a dollar amount (\$45,000.00) equal to the value of construction of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of the Department of Public Works.

**SECTION 3:** That before the Director of the Office of Building issues any building permit for construction within the subdivision sited above, said funds shall be deposited in Trust Fund Account to be created by the Department of Finance, to be used for pedestrian improvements and sidewalk construction only in Council District 7.

**SECTION 4:** That all other requirements of the Code of Ordinances for the subdivisions sited above shall remain in full force and effect.

**SECTION 5:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

**CITY OF ATLANTA SIDEWALK ESTIMATE**

LOCATION: 859 Loridans Drive  
 LIMITS: Subdivision Waiver

ITEM	UNIT	QUANTITY	KNIGHT	TOPPLE	SD&C	PRECISION	SHAHEED	KEMI	CP RICHARDS
<b>SIDEWALK</b>									
CITY STANDARD 4-INCH CONCRETE SIDEWALK	SY	178	\$5,866.67	\$5,840.00	\$6,222.22	\$4,977.78	\$6,755.56	\$9,777.78	\$5,866.67
NO SELECTION									
<b>APRON</b>									
CITY STANDARD CONCRETE DRIVEWAY APRON, 8-INCH THICK	SY	320	\$11,840.00	\$13,440.00	\$12,160.00	\$14,400.00	\$16,320.00	\$20,800.00	\$18,560.00
NO SELECTION									
<b>CURB</b>									
CITY STANDARD CONCRETE HEADER CURB	LF								
NO SELECTION									
<b>HANDICAP RAMPS</b>									
CITY STANDARD WHEELCHAIR RAMP, 6-INCH THICK WITH DETECTABLE TACTILE WARNING SYSTEM	SY								
<b>OTHER MISCELLANEOUS</b>									
GRASSING	SY								
INSTALLATION, MAINTENANCE, AND REMOVAL OF SILT FENCE	LF								
TREE REMOVAL ABOVE 18" TO 36" IN DIAMETER	EA	4	\$4,400.00	\$3,400.00	\$2,400.00	\$4,800.00	\$6,000.00	\$4,000.00	\$8,000.00
TREE REMOVAL 6" TO 18" IN DIAMETER	EA	2	\$1,240.00	\$200.00	\$400.00	\$800.00	\$1,200.00	\$500.00	\$1,600.00
TREE REPLACEMENT FOR TREES 2.5" TO 3.5"	EA	46	\$4,566.67	\$6,850.00	\$6,850.00	\$4,566.67	\$15,983.33	\$4,566.67	\$19,408.33
REPLACEMENT OF RAIL (PIPE HANDRAIL)	LF								
RETAINING WALL 0-4 FT IN HEIGHT	SF	318	\$7,791.00	\$5,724.00	\$7,950.00	\$8,586.00	\$9,063.00	\$9,540.00	\$5,771.70
PROVIDE AND INSTALL CLEANOUT BOXES, VALVE BOXES AND/OR METER BOXES TO GRADE	EA								
NO SELECTION									
NO SELECTION									
NO SELECTION									
NO SELECTION									
MOBILIZATION	EA	1	\$250.00	\$2,000.00	\$220.00	\$400.00	\$3,000.00	\$3,000.00	\$850.00
<b>TOTAL (SUBTOTAL + 15%) =</b>			<b>\$35,954.33</b>	<b>\$37,454.00</b>	<b>\$36,202.22</b>	<b>\$38,530.44</b>	<b>\$58,321.89</b>	<b>\$52,184.44</b>	<b>\$60,056.70</b>

Estimate is based on the letter of sidewalk contract as per Georgia law: O.C.G.A. § 13-4-20 Performance, to be effectual, must be accomplished by the party bound to perform, or by his agent where personal skill is not required, or by someone substituted, by consent, in his place, and must be substantially in compliance with the spirit and the letter of the contract and completed within a reasonable time