

Planning Commission Public Hearing

Municipal Council Chambers

4303 Lawrenceville Road

Thursday, February 28, 2019 • 6:30 p.m.

ATTENDANCE: Planning & Development Director, Tim Prater; Planning Commission Chairwoman, Janice Tribble; Planning Commissioners, Barbara Forrester, Bruce Granoff, Amanda Soesbe, Richard Homick, New Member Melisa Arnold, Mayor Rey Martinez and Admin. Assistant II, Angela Page recorded the minutes. Katherine Self was an absentee.

MEETING CALLED TO ORDER: The meeting was called to order at 6:31 p.m. Invocation was given by Janice Tribble followed by the pledge of allegiance.

APPROVAL OF MINUTES:

A motion was made by Barbara Forrester and seconded by Bruce Granoff to approve the minutes from the November 29, 2018 Planning Commission meeting. Motion carried 4-0.

BUSINESS:

Chairwoman Janice Tribble turns the floor over to Mayor Rey Martinez as he begins to appoint and swear in the new Planning Commissioner Melisa Arnold for a term of 1 year. Melisa Arnold is welcomed by all members and staff.

ADJOURN - A motion was made by Amanda Soesbe and seconded by Richard Homic to adjourn. Meeting adjourned at 6:36pm. Motion carried 4-0.

Planning & Development

Planning Commission Chairman

Planning Commission Called Public Hearing

Municipal Council Chambers

4303 Lawrenceville Road

Thursday, April 25, 2019 • 6:30 p.m.

AGENDA

- **CALL MEETING TO ORDER**
- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **APPROVE MINUTES FROM FEBRUARY 28, 2019 MEETING**

Case # R19-003: Request of rezoning property located at 112 Brand Road S.E. from R44 to CH.

ADJOURN -



CITY OF LOGANVILLE
Department of Planning & Development
P.O. Box 39 • 4303 Lawrenceville Road
Loganville, GA 30052
770.466.2633 • 770.466.3240 • Fax 770.554.5556

Date: 4.5.2019

Application # R 19-003

REQUEST FOR ZONING MAP AMENDMENT

A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION*	
NAME:	The Bredas, LLC c/o Mahaffey Pickens Tucker, LLP	NAME:	McBee, John H & Carolyn
ADDRESS:	1550 North Brown Road, Suite 125	ADDRESS:	112 Brand Road SE
CITY:	Lawrenceville	CITY:	Loganville
STATE:	Georgia Zip: 30043	STATE:	Georgia Zip: 30052
PHONE:	770 232 0000	PHONE:	770 232 0000
		(*attach additional pages if necessary to list all owners)	
Applicant is: Property Owner ☒ Contract Purchaser Agent Attorney			
CONTACT PERSON: Shane Lanham		PHONE: 770 232 0000	
EMAIL: slanham@mptlawfirm.com		FAX: 678 518 6880	
PROPERTY INFORMATION			
MAP & PARCEL # <u>R5161 04:</u>		PRESENT ZONING: <u>R44</u>	
		REQUESTED ZONING: <u>CH</u>	
ADDRESS: <u>112 Brand Road SE</u>		COUNTY: <u>Gwinnett</u>	
		ACREAGE: <u>+/-17.411</u>	
PROPOSED DEVELOPMENT: <u>Office and training location for pest control company</u>			

You must attach: ☒ Application Fee ☒ Legal Description ☒ Plat of Property ☒ Campaign Contribution Disclosure
☒ Letter of Intent ☒ Site Plan ☒ Names/Addresses of Abutting Property Owners ☒ Impact Analysis

Pre-Application Conference Date: _____

Accepted by Planning & Development: [Signature]

DATE: 4-5-19

FEE PAID: \$500.00

CHECK # _____ RECEIPT # _____ TAKEN BY: _____ DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation

Commission Chairman: _____ DATE: _____

CITY COUNCIL ACTION: Approved Approved w/conditions Denied Tabled to _____
 Referred Back to Planning Commission Withdrawn

Mayor

City Clerk

Date

Application # **R** 19-003

Applicant's Certification

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

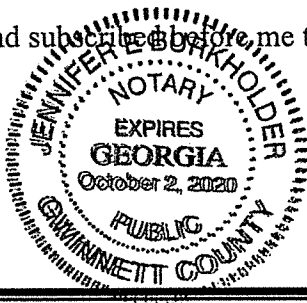
[Signature]
Applicant's Signature

4/5/19
Date

Shane Lanham, attorney for the applicant
Print Name and Title

Sworn to and subscribed before me this 5th day of APRIL, 2019.

(Seal)



[Signature]
Signature of Notary Public

Property Owner's Certification
(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

- a) _____ the owner of record of property contained in this application, and/or
- b) _____ the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

Owner's Signature

Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal)

Signature of Notary Public

Application # R 19-003

Applicant's Certification

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

Applicant's Signature _____

Date _____

Print Name and Title _____

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal)

Signature of Notary Public _____

Property Owner's Certification
(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

- a) _____ the owner of record of property contained in this application, and/or
- b) _____ the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

Owner's Signature _____

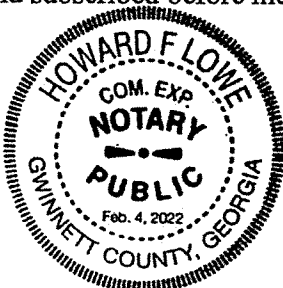
Date _____

Print Name and Title _____

Sworn to and subscribed before me this 1st day of April, 2019.

(Seal)

Signature of Notary Public _____



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

The undersigned, making application for rezoning with the City of Loganville, Georgia, have complied with the Official Code of Georgia, Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information as requested below.

Applicant's Signature

Date

Print Name

Signature of Applicant's
Attorney or Agent

4/4/19
Date

Shane Lanham, attorney for the applicant
Print Name

Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?

_____ **YES** xx _____ **NO**

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

NAME & OFFICIAL POSITION
OF GOVERNMENT OFFICIAL

CONTRIBUTIONS (List all
aggregating to \$250 or more)

DATE OF
CONTRIBUTION

Attach additional sheets as necessary to disclose and describe all contributions.

APPLICANT'S RESPONSES TO EVALUATION CRITERIA

In the space provided or in a separate attachment, provide responses to the following questions:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?
Please see attached.
2. How does the proposed use impact thoroughfare congestion and traffic safety?
Please see attached.
3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
Please see attached.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;
Please see attached.
5. How does the proposed zoning provide protection of property against blight and depreciation?
Please see attached.
6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
Please see attached.
7. In what way does the proposed zoning affect adjacent property owners if the request is approved?
Please see attached.
8. What is the impact upon adjacent property owners if the request zoning is not approved?
Please see attached.
9. Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.
Please see attached.

APPLICANT'S RESPONSE TO EVALUATION CRITERIA

1. **How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?** The proposed development would maintain the overall appearance of the City and aesthetics conditions of adjacent parcels, because the Applicant is not proposing to construct new buildings on the site. Rather, the proposed rezoning would allow the Applicant to occupy the existing structure as an office space.
2. **How does the proposed use impact thoroughfare congestion and traffic safety?** The proposed use would not cause a significant detriment to thoroughfare congestion and traffic safety. The Property has convenient access to Brand Road and Loganville Highway (State Route 20).
3. **How does the proposed use impact population density and the potential for overcrowding and urban sprawl?** The proposed use would not impact population density or cause overcrowding or urban sprawl. Rather, the Applicant is a local company which is proposing to locate its office from unincorporated Gwinnett County into the City.
4. **How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?** The proposed use would not overburden the existing utilities.
5. **How does the proposed zoning provide protection of property against blight and depreciation?** The proposed development would maintain the aesthetics of the property by utilizing the existing structures.
6. **How is the proposed use and zoning consistent with the adopted Comprehensive Plan?** The Comprehensive Plan anticipates and encourages non-residential development along major corridors. The Property is located along Loganville Highway and the proposed use is compatible with surrounding uses and existing development patterns.
7. **In what way does the proposed zoning affect adjacent property owners if the request is approved?** The proposed zoning would not likely affect adjacent property owners if the request is approved. The proposed use is relatively low-intensity compared to large-scale commercial uses that exist nearby along major transportation corridors such as Loganville Highway.
8. **What is the impact upon adjacent property owners if the request zoning is not approved?** The Property is currently for sale is likely to be used for non-residential uses.
9. **Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.** The Applicant respectfully submits that the proposed use of the Property is compatible with the land use policies of the City of Loganville and it is consistent with established development patterns in the City. The proposed use also represents job growth within the City limits and a positive impact to the City's tax digest.

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

LETTER OF INTENT FOR REZONING APPLICATION

*Of Counsel

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of The Bredas, LLC (the "Applicant") for the purpose of requesting the rezoning of an approximately 17.4-acre tract located along Loganville Highway (State Route 20) at its intersection with Brand Road (the "Property"). The Property is currently zoned R-44.

The Applicant is requesting to rezone the Property to the CH zoning classification in order to use the Property as the new corporate headquarters for Breda Pest Management. Breda Pest Management is a local, second-generation, family-owned business that has a current office location in unincorporated Gwinnett County. The Applicant has served property owners in the metropolitan Atlanta area since 1975 and has experienced strong growth over the years. As a result of this strong growth, the Applicant has outgrown its current location. The office operations of the business are currently contained within an approximately 1,440 square foot building. The proposed rezoning would allow the Applicant to occupy the existing main building on the Property which would provide almost 5,700 square feet of space and also allow for potential growth into the future. In addition to office operations, the Applicant would also be able to use the current building for training purposes by guiding employees through realistic scenarios as the current building on the Property was initially constructed and most recently used as a single-family residence.

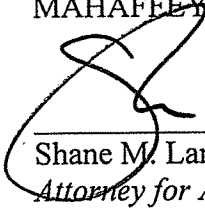
The Property's location on Loganville Highway (State Route 20) would provide easy, convenient access for employees and customers to major transportation corridors. The proposed use of the Property is also consistent with existing development patterns in the City. Like much of metropolitan Atlanta, Loganville has experienced growth in recent years and that growth tends to occur along major transportation corridors such as Loganville Highway. This trend is evident along Athens Highway (U.S. Route 78) which contains a mix of commercial and office uses spurring outward from Loganville's downtown core. The Property is located adjacent to a large institutional use in the church facility to the northeast. To the south along Loganville Highway,

the Property is adjacent to a large, approximately 20-acre right-of-way tract acquired as part of plans to widen Loganville Highway. As indicated by the growth along Athens Highway to the southwest, the Loganville Highway corridor is likely to experience additional commercial development. Although, the City of Loganville Comprehensive Plan (2017 Update) categorizes the Property as "Agriculture/Forestry" on the Future Land Use Map, the Comprehensive Plan Short-Term Work Program encourages the City to "[i]dentify suitable locations for commercial development that are consistent with the community's vision and seek out developers and business owners." The Applicant respectfully submits that the Property is a suitable location for commercial development due, in part, to its frontage on a major transportation corridor. The proposed rezoning would also provide an appropriate transition of land uses from commercial development at the Loganville Highway/Brand Road intersection towards single-family residential uses to the east. Over the coming years, commercial development in the City would likely be focused at intersections along major transportation corridors transitioning to residential uses located off of the right-of-way.

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

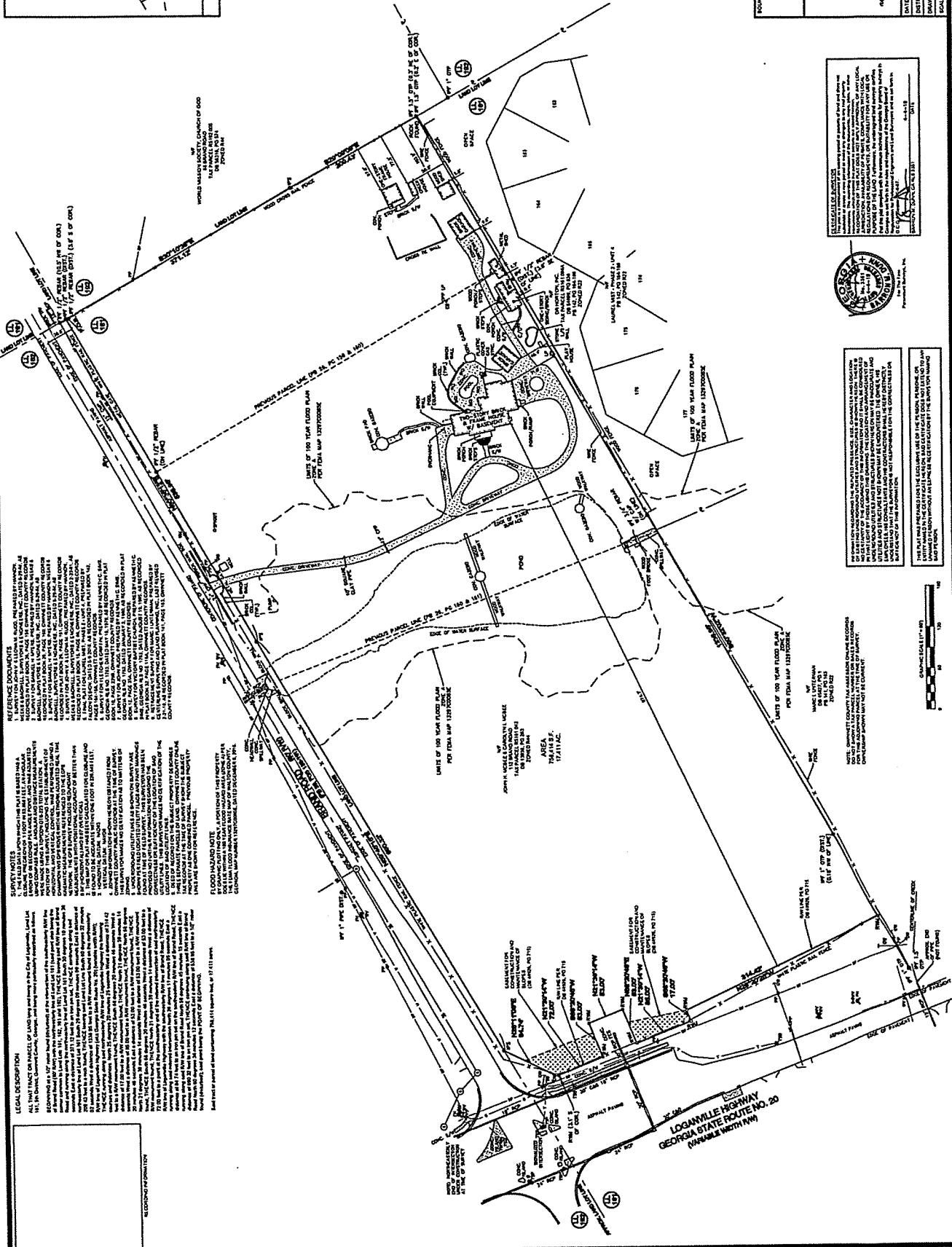
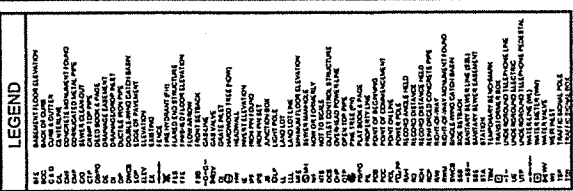
Respectfully submitted this 5th day of April, 2019.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Attorney for Applicant

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LEGAL DESCRIPTION

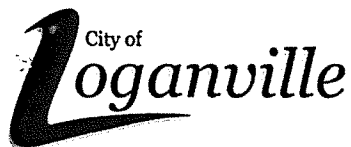
ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lot 161, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found (disturbed) at the intersection of the southeasterly R/W line of Brand Road (80' R/W) with the northwesterly line of Land Lot 161 (said point also being the corner common to Land Lots 161, 162, 191 and 192); THENCE leaving said R/W line of Brand Road and running along the northeasterly line of Land Lot 161 South 30 degrees 10 minutes 38 seconds East a distance of 371.12 feet to an iron pin set; THENCE continuing along said northeasterly line of Land Lot 161 South 29 degrees 09 minutes 09 seconds East a distance of 209.43 feet to a rock found; THENCE leaving said Land Lot Line South 60 degrees 32 minutes 02 seconds West a distance of 1336.95 feet to a R/W monument found on the northeasterly R/W line of Loganville Highway (aka Georgia State Route No. 20) (variable width R/W); THENCE running along said northeasterly R/W line of Loganville Highway the following courses and distances: North 25 degrees 20 minutes 25 seconds West a distance of 314.42 feet to a R/W monument found; THENCE South 68 degrees 20 minutes 46 seconds West a distance of 17.00 feet to a R/W monument found; THENCE North 21 degrees 39 minutes 14 seconds West a distance of 85.00 feet to a R/W monument found; THENCE North 68 degrees 20 minutes 46 seconds East a distance of 53.00 feet to a R/W monument found; THENCE North 21 degrees 39 minutes 14 seconds West a distance of 53.00 feet to a R/W monument found; THENCE South 68 degrees 20 minutes 46 seconds West a distance of 53.00 feet to a R/W monument found; THENCE North 21 degrees 39 minutes 14 seconds West a distance of 72.00 feet to a point at the southeasterly end of the mitered intersection of said northeasterly R/W line of Loganville Highway with the southeasterly R/W line of Brand Road; THENCE running along said mitered intersection North 26 degrees 11 minutes 05 seconds East a distance of 84.74 feet to an iron pin set on the southeasterly R/W line of Brand Road; THENCE running along said R/W line of Brand Road North 59 degrees 45 minutes 15 seconds East a distance of 690.32 feet to an iron pin set; THENCE continuing along said R/W line of Brand Road North 60 degrees 36 minutes 12 seconds East a distance of 538.95 feet to a 1/2" rebar found (disturbed); said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 758,414 square feet, or 17.411 acres.

LIST OF ABUTTING PROPERTY OWNERS

Name	Parcel	Address
DR Horton, Inc	5161 098A	1371 Dogwood Dr SW, Conyers, GA 30012
World Mission Society Church of God	5192 005	305 Godwin Ave, Ridgewood, NJ 07450



R-19-003

PLANNING & DEVELOPMENT INVOICE

DATE:

ANNEXATION APPLICATION – CASE #: A _____

CUSTOMER NAME: _____

CODE: ANNEX FEE: _____ TAKEN BY: _____

CASH/CHECK #: _____ RECEIPT #: _____

NOTES: _____

☐ MAJOR VARIANCE APPLICATION – CASE #: V _____

CUSTOMER NAME: _____

CODE: VAR FEE: _____ TAKEN BY: _____

CASH/CHECK #: _____ RECEIPT #: _____

NOTES: _____

4/5/19

☐ RE-ZONE APPLICATION – CASE #: R19-003CUSTOMER NAME: BREDA PEST MANAGEMENT, INC.CODE: REZONE FEE: \$500.00 TAKEN BY: TECASH/CHECK #: 3166 RECEIPT #: 1257284NOTES: R19-003 – 112 BRAND ROAD SW - REZONE☐ ADMINISTRATIVE VARIANCE APPLICATION – PERMIT #: _____

CUSTOMER NAME: _____

CODE: VAR FEE: _____ TAKEN BY: _____

CASH/CHECK #: _____ RECEIPT #: _____

NOTES: _____

☐ FINAL PLAT – PROJECT NAME: _____

CUSTOMER NAME: _____

ADDRESS: _____

CODE: PLANEN FEE: _____CODE: PLANAD FEE: _____CODE: SIGN FEE: _____

TOTAL: _____

CASH/CHECK #: _____ RECEIPT #: _____

TAKEN BY: _____

NOTES: _____

CITY OF LOGANVILLE

CASH RECEIPT

R 19-003

Receipt No: 1257284
Date: 4/5/2019
Time: 2:18:22PM
For: REZONING APPLICATION
Received From: BREDA PEST
MANAGEMENT, INC.-CK#3166
500.00

R19-003-112 BRAND ROAD SW-REZONE

Check	500.00	
Total		500.00
Received		500.00
Change:		0.00

Received By: TENGEVOLD

R 19-6

Date: April 5, 2019

Please run in the Wednesday, April 10, 2019 edition of the Walton Tribune.
E-mail the price of the ad and I will send a P.O. # right back!
P O. # (Line Item #100-7400-523301)

Thanks,

Angela Page

Public Hearing Notice:

The City of Loganville Planning Commission will meet Thursday, April 25, 2019
at 6:30p.m. in the Council Chambers.

The agenda will be the request of rezoning the property located at 112 Brand Road
SE, Loganville, GA 30052. Map & Parcel number R15161 04: Present zoning
R44: Requested zoning CH.

The public is welcome to attend.

TO AVAL. AT 020 MAT-
FIELD DR
MONROE, GA 30655
*8059

6183

**Public
Hearing Notice:**

The City of Loganville
Planning Commission
will meet Thursday,
April 25, 2019 at
6:30p.m. in the Council
Chambers.

The agenda will be the
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Map & Parcel number
R15161 04: Present
zoning R44: Reques-
ted zoning CH.

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tainage and other de-
ductions provided in the
Contract Documents.
Further details concern-
ing the payment provi-
sions of the Contract
are contained in Sec-
tion 14 of the General
Conditions of the Con-
tract Documents.

Bidding Documents
and Contract Docu-