

**CITY OF NEWNAN, GEORGIA**  
**REGULAR COUNCIL MEETING**

**APRIL 23, 2019**

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, April 23, 2019 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

**CALL TO ORDER**

Mayor Brady called the meeting to order and delivered the invocation.

**PRESENT**

Mayor Keith Brady: Council members present: Ray DuBose, Rhodes Shell; Dustin Koritko; Cynthia E. Jenkins; and George Alexander. Council member absent: Paul Guillaume. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; City Planner, Dean Smith; Public Works Director, Michael Klahr; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

**MINUTES – REGULAR COUNCIL MEETING – APRIL 9, 2019**

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for April 9, 2019 and adopt them as presented.

**MOTION CARRIED. (6 – 0)**

**YOUTH COUNCIL**

Lindsay Eggen	Sophomore	East Coweta
Graham Cullen	Sophomore	East Coweta
Dev Lakwani	Senior	Newnan
Megan Czerwinski	Senior	Northgate
Lyle Johnston	Senior	Newnan

**GRADUATING SENIORS – NEWNAN YOUTH COUNCIL**

Mayor Brady and Mayor Pro Tem Jenkins recognized 2018-2019 Newnan Youth Council graduating seniors who have served two to three terms.

**APPOINTMENTS – NEWNAN YOUTH ACTIVITIES COMMISSION**

Mayor Brady asked the City Manager to place his and Mayor Pro Tem Jenkins appointments to the Newnan Youth Activities Commission on the agenda for the next meeting.

**APPOINTMENTS – URBAN REDEVELOPMENT AGENCY**

Motion by Councilman Alexander, seconded by Councilman Koritko to re-appoint Sara Freeman to the Urban Redevelopment Agency for another three year term.

**MOTION CARRIED. (6 – 0)**

Mayor Brady asked the City Manager to place Mayor Pro Tem Jenkins and his appointments on the agenda for the next meeting to the Urban Redevelopment Agency.

**RESIGNATION – KEEP NEWNAN BEAUTIFUL COMMISSION**

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the resignation of Leah Wylie on the Keep Newnan Beautiful Commission.

**MOTION CARRIED. (6 – 0)**

Mayor Brady asked the City Manager to place Councilman Alexander and Councilman Shell's appointments on the agenda for the next meeting to the Keep Newnan Beautiful Commission.

**POLICE DEPARTMENT – PINNING/PROMOTION TO LIEUTENANT: SGT. PHIL HINES**

The Police Chief informed Council Sgt. Phil Hines has been promoted to Lieutenant. The pinning of Badge was conducted by his son and daughter.

**AGREEMENT – LITTLE PEOPLES LEARNING CENTER – PORTION OF VERONA  
ROSSER ON PINSON STREET**

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the Lease Agreement with Little Peoples Learning Center for a portion of the Verona Rosser Center located on Pinson Street.

**MOTION CARRIED. (6 – 0)**

**INTERGOVERNMENTAL AGREEMENT BETWEEN COWETA COUNTY, THE COWETA  
COUNTY BOARD OF ELECTIONS AND REGISTRATION AND THE CITY OF NEWNAN  
RELATING TO ELECTIONS SERVICES**

Motion by Councilman Alexander, seconded by Councilman Koritko to adopt the Intergovernmental Agreement between Coweta County, the Coweta County Board of Elections and Registration and the City of Newnan relating to elections services.

**MOTION CARRIED. (6 – 0)**

**PROFESSIONAL SERVICE AGREEMENT – (PSA) BETWEEN THE CITY OF NEWNAN AND PATH FOUNDATION, INC. FOR LINC SEGMENT C**

Motion by Councilman DuBose, seconded by Councilman Shell to adopt the Professional Service Agreement (PSA) between the City of Newnan and the PATH Foundation, Inc. for LINC Segment C as presented.

**MOTION CARRIED. (6 – 0)**

**INFORMATION ONLY - REZONING BY WALTER DRAKE – 1.23± ACRES – OFF ELLIS AND FAIR STREETS FROM HEAVY COMMERCIAL (CHV) AND URBAN NEIGHBORHOOD COMMERCIAL DISTRICT (CUN) TO URBAN RESIDENTIAL DWELLING DISTRICT- HISTORICAL AND INFILL (RU-1) - PLANNING COMMISSION**

**APPLYING FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR FY 2020**

The Planning Director stated if Council would like to pursue a CDBG grant for 2020, the City would need to update their Service Delivery Strategy (SDS) to show “housing “ as a service. The proposed application would request funding for improvements within the Chalk Level area.

Motion by Councilman Alexander, seconded by Councilman DuBose to instruct Staff to move forward with applying for the Community Development Block Grant for 2020.

**MOTION CARRIED. (6 – 0)**

**REZONING OF CITY OWNED LOTS**

The City Manager informed Council after looking into rezoning certain city owned lots Staff has determined that some of the houses adjacent to the subject tracts were actually larger than the 1,600 square feet required by RU-7. Staff suggested the administrative variance be used in lieu of initiating rezoning for the majority of the city owned lots to provide more flexibility through a case by case assessment. For the CUN zoned lots, Staff would recommend looking at rezoning the block as a whole and following the same notification process as was undertaken during the 2017 comprehensive zoning map amendment.

No action taken on rezoning of City Owned lots.

Mayor Pro Tem Jenkins stated she has a problem with this since we are in the process of a study for affordable housing. She feels we will be adding to the problem. She is looking at how this could affect us in the future.

Motion by Councilman Alexander, seconded by Councilman Shell to instruct staff to move forward with the sale of city owned lots as identified with funding from lots to go to Urban Redevelopment to be use to develop these properties. Opposed: Jenkins

**MOTION CARRIED. (5 – 1)**

**ACCEPTANCE OF 9.66 ACRES – REO FUNDING SOLUTIONS III, LLC- FUTURE USE AS CITY PARK**

The City Planner informed Council the City and REO Funding Solutions III LLC are ready to execute the necessary documents to acquire the property upon Council's direction to accept the aforementioned 9.66 acre tract.

Motion by Councilman Alexander, seconded by Councilman Koritko to accept the proposed land donation of 9.66 acres from REO Funding Solutions III, LLC for future use as a City Park.

**MOTION CARRIED. (6 – 0)**

**PUBLIC HEARING – REQUEST BY DENNIS DREWYER BEHALF OF ASCENSION QOF PARTNERS, LLP – CHANGE ZONING ON 24.47± ACRES – MCINTOSH PARKWAY FROM URBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT (RU-7) TO MIXED USE DEVELOPMENT DISTRICT (MXD)**

Mayor Brady opened a public hearing on the request to rezone 24.47± acres located on McIntosh Parkway from Urban Residential Single-Family Dwelling (RU-7) to Mixed Use Development District (MXD).

The City Planner informed Council the applicant is seeking to change the zoning on two separate land tracts with a total combined acreage of 24.47± acres at is current zone RU-7 (4 units per acre). The applicant is seeking to develop a blended condominium development consisting of office/commercial uses along McIntosh Parkway and residential uses throughout the remainder of the properties. This area was forecasted on the future land use map to be combination of commercial and office uses. The proposed zoning MXD (4 units per acre on residential component) will consist of 95 residences on 20.83 acres with commercial uses on 3.64 acres. The development will be designed, built and managed under a condominium association document/agreement. The traffic is expected to generate a 6% to 127% increase over a strictly RU-7 residential development. Commercial uses are expected to drive more traffic. This increase translates to approximately 2 to 29 more vehicles within a 24-hour period on the road versus a strictly residential development with no commercial component. The proposed MXD use is compatible with adjacent and nearby properties; is consistent with the Future Land Use map; is consistent with the MXD zoning district requires and provides a reasonable balance between public considerations and the unrestricted use of property. It was anticipated that when McIntosh Parkway was opened, that the City would see residential and commercial development along the McIntosh Parkway corridor. The proposed

development is within scale of the overall impact of uses within the surrounding area according to our analysis. The overall purpose of the MXD designation was to allow and encourage flexibility and creativity in the design and developed of a comprehensively planned, mixed-use center of the nature that is described in this application. The Planning Commission held a public hearing on March 12, 2019 and voted unanimously to recommend referring to City Council with the following conditions:

1. The development of the property be consistent with the concept plan, pictures, amenities, and supporting documentation that have been provided as part of this application.
2. The proposed entrance road and shared drives shown on the concept plan are to be private roads. All private roads are required to be constructed to meet City Standards and pass inspection by the City; however, private roads will be maintained in perpetuity by the applicant/owner.
3. The commercial uses shall be limited to uses permitted in the OI-1, OI-2, CCS and CGN zoning designations.
4. A consistent sign package will be used throughout the development to avoid a myriad of sign designs and types. Exposed neon tubing or anything that mimics exposed neon tubing shall not be permitted in any signs.
5. The applicant shall provide a 50-foot easement along the northern portion of the property for the LINC and that easement shall only be disturbed under the direction of the City of Newnan.
6. The landscaping design on the southern portion of the property along the parking lots shall be designed in such a way to screen headlight traffic that would affect the neighboring residential properties.
7. The architecture of the buildings would be reflective of the photographs that were provided in the back of the packet that consists of dormers, post and beam construction, etc.

### **Applicant**

Mr. Dennis Drewyer on behalf of Ascension QOF Partners is seeking to change the zoning on two separate land tracts with a total combined acreage of 24.47± acres currently zoned RU-7 (4 units per acre) and is requesting MXD (Mixed Use Development District). He stated this plan is a concept similar to a new mill village using high-end materials in a coastal craftsman design that is all owned by a single owner. The development will have concierge services, a clubhouse with a leasing office, a pool and entertainment deck, a wifi cafe, a fitness area, private roads, and interconnected greenspace. He stated residential rental condos are a trend that is on fire throughout the southeast and seems to attract seniors and millennials. The lots are very narrow and no

parking is allowed on streets. It is possible in 10 to 15 years these properties could be sold to individuals. He is asking Council for their consideration.

Councilman Alexander asked if the pictures in the agenda packet would be same as what would be built. Mr. Drewyer said they would be. Councilman Koritko wanted to make sure the streets will be privately owned. Mayor Pro Tem Jenkins has concerns with additional rental housing since we are looking to increase home ownership for affordable housing. Mayor Brady stated the density is still over the top even with the reduction of units from initial plan from 125 to 95 units and also the issue with long-term promises of developers. The Mayor also is concerned with the mixed use component referencing to the proposed office space. He noted when you come out of Ashley Park going down the parkway into downtown that is all residential.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Shell to accept the report from the Planning Commission

**MOTION CARRIED. (6 – 0)**

**ORDINANCE**

Motion by Councilman Shell, seconded by Councilman Alexander to deny the zoning application for MXD (Mixed Use Development District) because McIntosh Parkway from the apartments is residential all the way to the downtown business district and the commercial will affect the existing residential in the area.

**MOTION CARRIED. (6 – 0)**

**PUBLIC HEARING – REQUEST BY DENNIS DREWYER ON BEHALF OF CATHRYN AND WILLIAM SULLIVAN TO ANNEX 30.78± ACRES AT 950 NORTH HIGHWAY 29 INTO THE CITY LIMITS – ZONING RS-15 SUBURBAN RESIDENTIAL SINGLE FAMILY DWELLING DISTRICT – MEDIUM DENSITY - ACCOMMODATE A FUTURE 40 LOT RESIDENTIAL SUBDIVISION**

Mayor Brady opened the Public Hearing on the annexation of 30.78± acres at 950 North Highway 29 into the City Limits.

The Planning Director informed Council this property is located off Highway 29 and Old Atlanta Highway across from Avery Park and Lake Ridge Subdivision. They are seeking RS-15 zoning for 40 units on 30 acres. The RS-15 would be a transition between the County's RC zoning and the City's RU-7 zoning on the adjacent tract and the PDR for Avery Park. Staff has reviewed the request in terms of the criteria for considering a rezoning request and the full report is included in your packet. A fiscal impact analysis was completed and project will bring in roughly \$2,100 more in revenues vs. expenditures annually and around \$93,000 more in up front revenues (impact fees, permits,

inspections, etc.) No issues with service provision from departments. The subdivision would generate roughly 200 more cars per day. The Comp Plan is outside jurisdiction but would be consistent with the future land use on the adjacent Reynolds tract. Because of environmental constraints the front of the tract will be basically preserved as all access will be on Old Atlanta Highway. The County Board of Commissioners considered the annexation at their March 12<sup>th</sup> meeting and voted not to object. The Planning Commission at their March 12<sup>th</sup> meeting held a public hearing and voted unanimously to recommend approval of the annexation and rezoning request with conditions:

1. The development will be consistent with the information and elevations that were provided as part of the annexation application.
2. The development shall be limited to a maximum of 40 lots.
3. Homes will be constructed using masonry products (brick, stone, rock and cultured stone), hardie board, and architectural shingles. Use of vinyl siding shall be limited to trim work only.
4. An engineering study will be required to determine the best solution for the development's intersection with Howard Hughes Road which will need to be approved in conjunction with Coweta County.
5. Amenities shall consist of pocket parks, pathways, and open space areas to feature the two existing ponds as depicted on the proposed concept plan.
6. The lots fronting on Old Atlanta Highway shall be provided with a parallel (private) access drive with two (2) entries. All private drives shall be developed to city street standards and shall be maintained in perpetuity by the developer/home owner's association.
7. The existing driveway to Highway 29 North shall be repaired to emergency vehicle capacity, then gated for access in case of emergency situations where other access is blocked.
8. Minimum square feet of living space shall be proffered at 2,000 square feet with approximately 60% of space "down" to prohibit a 1,000 square feet over 1,000 square feet box unit.
9. Garages shall face front or side entry, but must utilize carriage house doors with complimentary colors.
10. The architecture shall reflect not only the style and design but the proportion of the primary masonry materials that are shown on the colored renderings provided as part of the application.

**Applicant**

Mr. Dennis Drewyer, on behalf of Cathryn and William Sullivan's is requesting the annexation of 30.78± acres located at 950 North Highway 29 (formerly known as the Pike property) into the city limits. The requested zoning is RS-15 Single Family Dwelling District to accommodate a future 40 lot residential subdivision. The RS-15 is a district designed for low density single-family residential dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient and attractive residential area. The proposed lot sizes one and half acres at a price point beginning at \$350,000 and up. The existing vegetation and ponds will be preserved to help maintain the scenic and rural feel of Highway 29 North corridor. Both of the entrances will be located on Old Atlanta Highway so there will be no access off Highway 29 except for emergency purposes. The access road will be for emergency purposes and will be gravel and gated. He is asking Council to consider the request for the annexation.

Councilman Koritko asked if access road was in the County. Mr. Drewyer indicated they owned the road. The RS-15 Single Family Development process requires two entrances and the access road is not required.

The City Manager indicated if it is not necessary to have the driveway for emergency vehicles then there is no need for the driveway. The Public Works Director/City Engineer stated they will make sure all regulations are met.

**Opposition**

Mr. Mac Tracey spoke in opposition of the annexation for the 30.78± acre development indicating a similar RS-15 rezoning nearby was recently rejected by the county and city. He noted there should be no more than 19 homes on 31 acres, which would be consistent with the Lake Ridge, Lake Hills and Newnan Pines neighborhoods. If approved, please hold off on other requests for similar homes until see how this works.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Koritko to accept the report from the Planning Commission to annex 30.78± acres located at 950 North Highway 29 into the City Limits

**MOTION CARRIED. (6 – 0)**



**ANNEXATION ORDINANCE**

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to adopt the Ordinance to annex 30.78± acres located at 950 North Highway 29 into the city limits omitting proffered condition #7.

**MOTION CARRIED. (6 – 0)**

**ORDINANCE – AMEND ZONING MAP TO ZONE 30.78 ± ACRES RS- 15 – FIRST READING**

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to adopt the Ordinance to amend Zoning Map for property located at 950 North Highway 29, containing 30.78± acres for zoning of RS-15 Suburban Residential Single Family Dwelling District-Medium Density on First Reading.

**MOTION CARRIED. (6 – 0)**

**PUBLIC HEARING/RESOLUTION – 11 MELSON STREET**

Mayor Brady opened a public hearing on 11 Melson Street.

The Code Enforcement Officer stated the property was purchased in 2016 by Cassandra Richardson. Some permits were pulled at that time and some work was done. The property has been vacant for some time and there are safety issues, also have had several complaints. The structure does exceed 50% of the structure's assessed tax value to repair. The owner is requesting 90 days to either repair or demolish.

The owner, Cassandra Richardson, stated she does not have the finances at this time due to family issues. She is working on cleaning up the outside.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to continue the substandard structure located at 11 Melson Street until June 18, 2019 Council meeting.

**MOTION CARRIED. (6 - 0)**

**PUBLIC HEARING/RESOLUTION – 15 ELM CIRCLE**

Mayor Brady opened a public hearing on the property located at 15 Elm Circle.

The Code Enforcement Officer informed Council the owner Jeff Payne can not be located. Family members are working with an attorney to get issues resolved. The cost to repair the structure at 15 Elm Circle does exceed 50% of the structure's assessed tax value.

Ann Scofield, representative of minor children, is requesting Council to continue the issue until the family can obtain an attorney to settle the estate.

Diane Avery, cousin, stated Jeff Payne has a mental condition. He has done nothing to fix the property. She is asking Council to continue the issue.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to continue the substandard structure locate at 15 Elm Circle until the June 18, 2019 Council meeting.

**MOTION CARRIED. (6 - 0)**

**REQUEST – FOUNDATION CHRISTIAN CHURCH - USE GREENVILLE STREET PARK**  
**– DURING JUNE – SUMMER COMMUNITY EVENTS – MIDDLE AND HIGH SCHOOL**

Motion by Councilman Koritko, seconded by Mayor Pro Tem Jenkins to approve the request by Foundation Christian Church to use Greenville Street Park on Sundays during June the 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup> from 5 pm to 9 pm for Middle and High School Summer Community Events.

**MOTION CARRIED. (6 – 0)**

**REMARKS**

Mayor Pro Tem Jenkins thanked staff for the great job on the District 4th meeting at Howard Warner Building.

**ADJOURNMENT**

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 8:00 pm.

**MOTION CARRIED. (6 – 0)**

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Della Hill, City Clerk

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Keith Brady, Mayor