

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

**FEBRUARY 21, 2017**

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 21, 2017 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: Cynthia E. Jenkins; Ray DuBose; George Alexander; Clayton Hicks; Dustin Koritko and Rhodes Shell. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; Public Works Director, Michael Klahr; Code Enforcement Officer, Adam Cash; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

**MINUTES – REGULAR COUNCIL MEETING – JANUARY 24, 2017**

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for January 24, 2017 and adopt them as presented.

**MOTION CARRIED. (7 – 0)**

**NEWNAN YOUTH COUNCIL**

Grace Lyle	Sophomore	Heritage
Kiara Coleman	Junior	Northgate
Miki Patel	Junior	Heritage
Jamison Phillips	Junior	Newnan

**APPOINTMENT – BOARD OF ZONING APPEALS**

Motion by Councilman Koritko, seconded by Councilman Alexander to appoint Frank Flournoy to the Board of Zoning Appeals for a three year term.

**MOTION CARRIED. (7 – 0)**

**APPOINTMENT – NEWNAN URBAN REDEVELOPMENT AUTHORITY**

Mayor Brady asked the City Manager to place this appointment to the Newnan Urban Redevelopment Authority on the agenda for the next meeting.

**APPOINTMENT – PARKS COMMISSION**

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Greg Heller to the Parks Commission for another three year term.

**MOTION CARRIED. (7 – 0)**

**APPOINTMENT – TREE COMMISSION**

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Joel Cheek to the Tree Commission for another three year term.

**MOTION CARRIED. (7 – 0)**

**BOY SCOUT – LOUIS GAGNON**

In attendance was Louis Gagnon, Troop 2193 Cokes Chapel United Methodist Church, working on his Citizenship in Community on his road to Eagle.

**OFF AGENDA – JACKSON STREET AT TEMPLE AVENUE – BUMP OUTS**

The City Manager apologized this item was left off the agenda; however we received more information today regarding the issue. Staffs from the City and members of the Downtown Development Authority recently met with representatives of the Georgia Department of Transportation regarding the curb extension on Jackson Street at Temple Avenue due to a number of collisions drivers have had with these curb extensions. In working with the GDOT and the Engineering consultant for the streetscape design (Pond Engineering) it was concluded that better visibility of the curb extension is needed. Staff is seeking direction from Council on how to move forward.

The Public Works Director/City Engineer indicated staffs proposal to modify the configuration of the curb extension, pulling it back almost two feet and increasing the turning radius. Also propose to better define the travel lane by adding white line and gored areas at Clark Street fully delineating the parking spaces along both sides of Jackson Street and adding a gore area in advance of the first curb extension. They propose to use reflective thermoplastic pavement markings. To accommodate a crosswalk at this location, we propose adding a receiving curb extension on the left (east) side of Jackson Street to provide the shortest reasonable distance for crossing, and to provide better visibility of a pedestrian. The GDOT has requested a set of engineered plans for our proposed changes. In addition GDOT will require a study to justify a crosswalk in this location.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Shell instructed staff to move forward with Pond Engineering and GDOT for solutions to the bump outs on Jackson Street and Temple Avenue.

**MOTION CARRIED. (7 – 0)**

**PUBLIC HEARING - ALCOHOL BEVERAGE LICENSE – GURU MATA LLC, DBA JD FOOD MART 100 TEMPLE AVENUE**

Mayor Brady opened a public hearing on the application for Retail Off premise (Package) License Sales of Malt Beverages and Wine for Guru Mata LLC d/b/a JD Food Mart located at 100 Temple Avenue.

A representative of applicant was present for the hearing.

No one spoke for or against the application. Mayor Brady closed the public hearing.

The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Hicks, seconded by Councilman Shell to approve the application for Retail Off premise (Package) License Sales of Malt Beverages and Wine for Guru Mata LLC d/b/a JD Food Mart located at 100 Temple Avenue.

**MOTION CARRIED. (7 – 0)**

**PERFORMANCE AGREEMENT – BETWEEN CITY OF NEWNAN AND COURTENAY BUDD CARAMICO – 2017 FRIENDS OF WADSWORTH CONCERT**

Motion by Councilman Alexander, seconded by Councilman DuBose to approve the Performance Agreement between the City of Newnan and Courtenay Budd Caramico for 2017 Friends of Wadsworth Concert scheduled for Saturday March 11, 2017 at 7:30 pm.

**MOTION CARRIED. (7 – 0)**

**AGREEMENT – WESLEY STREET GYM REQUEST BY DEPHAINE HILL, DEE POSITIVE MOVES FOR DANCE TEAMS FOR GIRLS AGES 5 TO 18 YEARS OF AGE – PRACTICE AND HOLD MEETINGS ON SATURDAYS**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the agreement for Wesley Street Gym request by Dephaine Hill, Dee Positive Movers for dance teams for girls ages 5 to 18 years of age to practice and hold meetings on Saturdays from 2:00 pm until 6:00 pm.

**MOTION CARRIED. (7 – 0)**

**REQUEST – CONSIDERATION TO RENAME PEACHTREE STREET TO HAMILTON BOHANNON STREET – MAYOR BRADY STATED SHOULD BE DRIVE**

The City Planner indicated this is a request to rename Peachtree Street in honor of the musician Hamilton Bohannon. His career has grown throughout the years as a recording artist, songwriter and record producer. Staff conducted some preliminary research speaking with E-911 and the U.S. Post Office. Both agencies responded stating that changing the name of the road to Bohannon Drive would create some confusion with the existing road names in Coweta County, Bohannon Road and Bohannon Court. However, both agencies were in agreement with the City's proposed name of Hamilton Bohannon Drive.

Councilman Shell stated he has a problem naming streets and building for people who are still living.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to direct staff to pursue this request to rename Peachtree Street to Hamilton Bohannon Drive and schedule a public hearing and notify all 20 plus properties of the change. Opposed: Shell

**MOTION CARRIED. (6 – 0 -1)**

**REQUEST – EDGAR HUGHSTON BUILDER, INC., ACCEPT EXTENSIONS OF PREVIOUSLY APPROVED CLIFFHAVEN CIRCLE, ALYSSA ROAD, WYATT'S WAY AND HUGHSTON WALK LOCATED IN THE MADISON PARK SUBDIVISION INTO THE CITY STREET SYSTEM**

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve the request by Edgar Hughston Builder, Inc. to accept the extensions of previously approved Cliffhaven Circle, Alyssa Road, Wyatt's Way and Hughston Walk located in the Madison Park Subdivision into the City street system on continuance of amended plat.

**MOTION CARRIED. (7 – 0)**

**REQUEST BY THE PACIFIC GROUP, ACCEPT CLIFFBRIAR TERRACE AND EXTENSION OF PREVIOUSLEY APPROVED THOMASTON STREET , EACH LOCATED IN THE MADISON PARK AT NEWNAN LAKES SUBDIVISION INTO THE CITY STREET SYSTEM**

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve the request by The Pacific Group to accept Cliffbriar Terrace and an extension of previously approved Thomaston Street located in the Madison Park at Newnan Lakes Subdivision into the City Street System on continuance of City Attorney reviewing the language and the letter of credit between the developer and the City.

**MOTION CARRIED. (7 – 0)**

**NEWNAN UTILITIES – GEORGIA TRANSMISSION EASEMENTS**

Motion by Councilman DuBose, seconded by Councilman Hicks to approve the Telecommunication Easement Agreements for property north of Highway 34 and west of Providence Church Road that will allow GTC to continue their fiber ring which connects 2 electrical substations.

**MOTION CARRIED. (7 – 0)**

**APPROVAL – AMENDED AND RESTATED SUPPLEMENTAL JOINT ORDINANCE /  
NEWNAN UTILITIES PRIVATE PLACEMENT REFUNDING BOND FOR DEBT  
SERVICE SAVINGS**

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the amended and restated supplemental joint Ordinance/Newnan Utilities private placement refunding Bond for Debt Service Savings.

**MOTION CARRIED. (7 – 0)**

**AFFIRM THE CONTINUATION OF CITY’S AGREEMENT WITH COLUMBIA  
ENGINEERING - PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE  
CONSTRUCTION OF MCINTOSH PARKWAY**

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to approve the request to affirm the continuation of the agreement with Columbia Engineering to provide construction management services for the construction of McIntosh Parkway at \$200,000.

**MOTION CARRIED. (7 – 0)**

**SUBSTANDARD STRUCTURE – SCHEDULE PUBLIC HEARING – 14 PEACHTREE  
STREET**

Motion by Councilman Hicks, seconded by Councilman Alexander to schedule a public hearing on the substandard structure located at 14 Peachtree Street for March 28, 2017.

**MOTION CARRIED. (7 – 0)**

**SUBSTANDARD HOUSING – REQUEST EXTENSION – 286 W. WASHINGTON  
STREET**

The Code Enforcement Officer informed Council a schedule for the repairs was submitted and he recommends granting the extension.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the request for an extension of one hundred eighty (180) days for the substandard structure located at 286 West Washington Street.

**MOTION CARRIED. (7 – 0)**

**SUBSTANDARD STRUCTURE STATUS REPORTS – 7 UPPER MANN, 29 WILCOXIN, 79 SPENCE AVENUE, 121 PINSON AND 136 SPRING STREET**

The Code Enforcement Officer indicated the above structures have been before Council with public hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
7 Upper Mann	Donald Smith	Progress made	07-08-2017
29 Wilcoxon Street	Wanda Beckom	Progress made	05-07-2017
79 Spence Avenue	Andre Sparks	No progress	04-24-2017
121 Pinson Street	Marcus Beasley	No progress	04-10-2017
136 Spring Street	Clay Estate	No progress	07-23-2017

No action required information only.

**PUBLIC HEARING – REO FUNDING SOLUTIONS III, LLC REQUEST TO REZONE 40.66± ACRES LOCATED OFF NEWNAN CROSSING BOULEVARD EAST FROM OI-2 (OFFICE AND INSTITUTIONAL- HIGH DENSITY) TO RMH (RESIDENTIAL MULTIPLE FAMILY DWELLING-HIGHER DENSITY DISTRICT) AND CCS (COMMUNITY SHOPPING CENTER DISTRICT TO DEVELOP A MIXTURE OF USES)**

Mayor Brady opened a public hearing on the rezoning of 40.66± acres located off Newnan Crossing Boulevard East.

The Planning Director informed Council in 2013 and 2014 various tracts were submitted for rezoning however they were denied by Council and the tracts continue to remain vacant. The applicant envisions this property as a mixed use community that would incorporate a number of residential and commercial/office uses in setting designed as a walkable village development. The breakdown is: 300 apartments, 35 townhomes units, 140 senior adult housing units, and 270,000 square feet of office space, 150,000 square feet of retail space and possibly the original hotel and conference center. They are proffering 20.97 acres as a future City park and 1.44 acres as community plaza space. The developer is asking Council to allow them to transfer 20.97 acres of the density from this tract to their multi-family development in exchange for dedicating the land. A mixture of residential, commercial and office uses would be suitable for the surrounding zoning classifications for the proposed development. The impact of the project on the school system, roads/streets, police, fire, water/sewer and taxes was assessed. The Director of Facilities for the Coweta School System expressed a concern over residents in apartment complexes being more transient than single-family which presents challenges when planning for enrollment and meeting students' needs. The school system asked that the

developer provide advance notice of the construction schedule for planning purposes. The applicant has indicated that they are willing to provide the aforementioned information to the School System during the design phase so that they can plan appropriately for the school age children the requested uses may generate. The Developer has provided a report from Kimley Horn assessing trip generation rates based on the proposed and existing zonings. The Engineering Department will approve all road improvements associated with the development to ensure compliance with the DRI. The Police Chief indicated that the proposed development would result in an increase in service calls therefore additional cost to the police department. The Fire Chief has indicated the department will be able to service this development. Newnan Utilities has indicated there is ample capacity in terms of water and sewer to service the property. The developer has indicated the overall value of the development per the tabulation table is \$1,049,025 for all taxes and an additional 330 employees. The ADA compliant six (6) foot sidewalks shall be provided along the public right of way adjacent to the development. 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 the property.

The applicant has proffered the following:

1. The Applicant will dedicate Parcel K, as depicted on the attached Land Use Exhibit prepared by KHA, to the City at no cost for the City's use as a community park upon the following: 1) The successful rezoning of the current rezoning application, which shall include a multi-family parcel (Parcel 1 being 24.27 acres) with no more than 475 total units, 300 of which shall be multi-family apartments; 2) The requisite transfer of density rights (95 total residential units), open space and/or previous area from Parcel K to Parcels G,H, and I); 3) The approval of any necessary variances or other required conditions as depicted on site plan submitted in this rezoning application; and 4) The execution of an access and construction easement agreement for the use of the storm water facilities located on parcel K for Applicants remaining land (Parcels L, M, and N).
2. The City will allow the Applicant to use the Open Space, Park Space, Recreational Amenities and Previous areas of the 20.97 acre parcel being dedicated to the City for a future City Park in conjunction with the Applicant's calculation for Open Space, Park Space and Pervious Area for the Applicant's remaining property being rezoned to RMH. Thus the total Open Space calculations, Park Space calculations and previous area calculations relating to the overall RMH property will be based on the total area (52.61 acres) of the Applicant's property, with 20.97 acres of this remaining CGN. Planned amenities on the multi-family site do, however, include a community clubhouse with leasing center, a clubroom and fitness center, a community pool, and outdoor grilling areas.
3. Upon successful Rezoning and Platting of the 1.44 acre parcel off Newnan Crossings Boulevard to CCS (depicted as parcel Y on the attached Land Use Exhibit prepared by KHA), the Applicant will design, construct and landscape the

Community Plaza space and work with the City on the programming of this Community Plaza space.

4. The City will allow the Applicant to transfer density rights and utilize open space and previous areas from the 1.44 acre parcel being constructed as a Community Plaza space (Parcel Y) for calculations to meet any minimum requirements for the Applicant's remaining property being rezoned to CCS. The intention of this stipulation is to allow the Community Plaza area to be applied to meet minimum ordinance requirements (minimum lot acreage for example). This proffered condition will allow Outparcels B, C and D to meet the minimum lot acreage requirement, minimum open space requirements, maximum impervious acreages, etc. by utilizing/ applying the Community Plaza acreages to these parcels.
5. The required building setback for the RMH property along Newnan Crossings Boulevard is 100' based on the City's current Zoning Code. The Applicant has shown on the attached Site Plans and Land Use Maps a reduction to the required building setback for the RMH property along Newnan Crossings Boulevard to 50' in order for the Applicant to develop a more walkable community and cluster the multi-family density with the proposed retail at the corner of Newnan Crossings Boulevard and Lower Fayetteville Road. The Applicant understands that this reduction will still require a Variance Application be filed with the board of Zoning Appeals. Dedication of the 20.97 acre Parcel K is contingent on successful approval of the Variances needed to reduce this 100' building setback to 50'.
6. All internal roads will be Private and will be maintained in perpetuity by the Applicant/Owner. All access to the proposed Townhome parcel, Senior Living parcel and Multi-Family parcel will be through access easements over the internal loop road as shown on the attached Internal Private Loop Road Exhibit. The City agrees that this will meet the intent of Section 11, Item 14 of the City of Newnan Subdivision Regulations as, Based on Chapter 22 (Residential Districts §22.040 General Residential District Provisions 4) the code states that "Each townhouse shall front on a dedicated public street" and that "Townhouse may only front on a private street in accordance with Section 11, item 14".
7. Development will be substantial accordance with the Site Plan and supplemental documents submitted with the rezone application; however, building locations, internal driveways, parking layouts, sidewalk locations, open space areas, building elevations, etc. are conceptual in nature and may change during the final civil and architectural design of each internal parcel. These minor deviations will not require revisions to the rezone application.
8. Access to the overall development will be consistent with the approved Development of Regional Impact (DRI) for this development.

The Planning Commission held a public hearing on January 10, 2017 and voted 4-2 to recommend denying the rezoning request. They cited traffic, school capacity, apartment

congestion, and concerns about Council not wanting the park and a lack of specific business/buyers for some of the tracts as their reason for denial.

Staff feels the area is well suited for mixed use development given the neighboring uses and the project's frontage on a four lane boulevard, occupancy rate at 90%. The Developer is willing to dedicate 20.97 acres to the City for a future community park. The City's Impact fees collected for that project could be used to develop the land. Staff recommends approval of the rezoning request with the eight (8) Proffered Conditions.

### **APPLICANT**

Mr. David Edwards, representing REO Funding Solutions, indicated they are interested in developing a mixture of uses including a City park, 300 apartments, 35 townhouse units, 140 senior adult housing units, office space, and retail space. They are open to amending the density transfer and the park donation conditions per the clarification memorandum if Council prefers not to accept the detention ponds. This development will generate over 330 jobs and generate overall one million dollars for all taxes (City, County and School Board). If approved this 46 acres project will be developed all at one time.

Mayor Brady indicated the development of a pathway system is in the planning stages around the City and County that includes a bridge across I-85 right through the area you are planning to develop.

Mr. Edwards advised Council the pathway system will be a phenomenal amenity and will be easy to accommodate.

### **OPPOSITION**

Ms. Gloria Porter, resident Highlands at Newnan Crossing, indicated there are traffic jams on Highway 34 and Lower Fayetteville Road every afternoon. She noted if this rezoning is approved there will be more traffic and noise. When the trees are removed you will be able to hear the traffic noise more.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to accept the report from the Planning Commission on the rezoning of 40.66 acres off Newnan Crossing Boulevard East from OI-2 to RMH and CCS use.

### **MOTION CARRIED. (7 – 0)**

The Planning Director indicated the developer is open to amending the density transfer and the park donation conditions included in the packet and accept the detention ponds.

Council indicated they do not want to be an owner of detention ponds.

**ORDINANCE – AMEND THE ZONING MAP FOR PROPERTY LOCATED IN LAND LOT 21 OFF NEWNAN CROSSING BOULEVARD EAST**

Motion by Council DuBose, seconded by Councilman Hicks to approve the request to rezone 40.66± acres located off Newnan Crossing Boulevard East with the proffered condition the applicant acknowledges the City is in the process of designing and developing a recreation pathway system within the City. One option is to provide a pedestrian bridge across I-85 in the location of the CTCA Hospital on the West side of I-85 crossing through the property on Newnan Crossing Boulevard East. The developer agrees to work with staff to identify the path area across the property and to design the project to accommodate the path and dedicate a 25' easement to the City for the proposed path. Amended motion by Councilman Shell, seconded by Councilman Hicks to add proffered conditions in regards to non-acceptance of the detention ponds. Opposed: Koritko and Alexander.

**MOTION CARRIED. (5 – 2)**

**REQUEST – CTCA HEMATOLOGY TEAM – HOST SECOND 5K RACE – DOWNTOWN “RUN FOR HOPE TO CURE BLOOD CANCERS”**

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request by CTCA Hematology Team to host their second 5K Race in downtown Newnan “Run for Hope to Cure Blood Cancers” on June 17, 2017 beginning at 7:30 am.

**MOTION CARRIED. (7 – 0)**

**REQUEST – LOCATION MANAGER – FILM PORTIONS OF NETFLIX ORIGINAL “CANDY JAR” IN VARIOUS LOCATIONS IN THE CITY OF NEWNAN**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request by the location Manager to film portions of Netflix Original “Candy Jar” in various locations in the City of Newnan with condition the residences around Powell Place be notified.

**MOTION CARRIED. (7 – 0)**

**ADJOURNMENT**

Motion by Councilman Alexander, seconded by Councilman Hicks to adjourn the Council meeting at 7:45 pm.

**MOTION CARRIED. (7 – 0)**

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Della Hill, City Clerk

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Keith Brady, Mayor