

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 25, 2014 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; Clayton Hicks; Rhodes Shell; Cynthia E. Jenkins; George Alexander and Dustin Koritko. Council member absent: Robert Coggin. Also present were: City Manager, Cleatus Phillips; City Clerk, Della Hill; Public Works Director, Michael Klahr; Planning Director, Tracy Dunnavant; Code Enforcement Officer, Shane Pridgen; City Planners, Dean Smith and Tony Bernard; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

MINUTES – REGULAR COUNCIL MEETING – FEBRUARY 11, 2014

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for February 11, 2014 and adopt them as presented.

MOTION CARRIED. (7 - 0)

NEWNAN YOUTH COUNCIL

Rachel Ahn	12 th Grade	East Coweta
Larry Cullen	10 th Grade	East Coweta
Anna Weatherly	11 th Grade	East Coweta

ANNUAL REPORT – PARKS COMMISSION

The Landscape Architect for the City presented the organizational goals/plans and recommendations for the forthcoming year. He indicated there is money set aside for replacement of playground equipment, construction of new recreational facilities, construction of new City park which mostly will be spent on the renovation of Ray Park and fitness trails at the Conference Centre and adjacent park land property to the west. They will continue to observe and take notes of the overall condition and appearance of the parks. The Parks Commission would like to provide a feasibility study on possible restroom facilities being placed in some of the City Parks. To provide a feasibility study on the possible construction of a dog park. To proceed with the construction of Ray Park which should be completed the end of late spring 2014. They would like to temporarily place the Conference Centre Fitness Trails Project on hold until the preliminary design,

cost estimate, and value engineering efforts are finalized on the proposed Lower Fayetteville Road Roundabout Project.

Motion by Councilman Alexander, seconded by Councilman Hicks to accept the report and recommendations from the Parks Commission as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENT – PARKS AND RECREATION COMMISSION – 3 YEAR TERM

Mayor Brady asked the City Manager to place Councilman Koritko's appointment to the Parks and Recreation Commission for a three (3) year term on the agenda for the next meeting.

APPOINTMENT – TREE COMMISSION – 3 YEAR TERM

Mayor Brady asked the City Manager to place Councilman Koritk's appointment to the Tree Commission for a three (3) year term on the agenda for the next meeting.

BOY SCOUT TROOP

Mayor Brady welcomed Boy Scout Troop 45 from Sargent supported by the Newnan Kiwanis and noted they are working on their Citizenship and Community Badge.

FIRST AMENDMENT – INTERGOVERNMENTAL AGREEMENT BETWEEN COWETA COUNTY, GEORGIA AND THE CITY OF NEWNAN. RELATING TO THE CONSTRUCTION OF INTERSECTION IMPROVEMENT KNOWN AS THE FIVE POINTS INTERSECTION OF POPLAR ROAD, TURKEY CREEK ROAD, EAST NEWNAN ROAD AND MARTIN LUTHER KING JR DRIVE

The City Manager informed Council we are at a point to start getting the right-of-ways necessary for the construction portion of the project. The City and County have determined it is in the best interests of the parties for one party to acquire the majority of right-of-ways necessary to construct the project. Coweta County will pay their portion and the City will pay their portion. He recommends approval of the Agreement as drafted.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the amendment as drafted for the Intersection Improvement at Five Points and Poplar Road.

MOTION CARRIED. (7 – 0)

**PUBLIC HEARING – REZONING REQUEST FROM TURNSTONE HOLDING LLC –
REZONE 51.69 ACRES OFF NEWNAN CROSSING BLVD EAST FROM O1-2 (OFFICE
AND INSTITUTIONAL-HIGH DENSITY DISTRICT) TO RMH (RESIDENTIAL MULTIPLE
FAMILY DWELLING-HIGHER DENSITY DISTRICT) AND CGN (GENERAL
COMMERCIAL) TO DEVELOP 258 UNIT APARTMENT COMPLEX AND
COMMERCIAL/OFFICE USES**

Mayor Brady opened a public hearing on the rezoning request from Turnstone Holding LLC.

The Planner Director informed Council on January 14, 2014 a public hearing was held by the Planning Commission regarding this issue. Staff analyzed criteria prior to formulating a recommendation. If apartments were approved for this site, they would be located between commercial and office use. The location is not ideal due to the types of uses allowed in CGN, the existing creeks along the northern and southern property lines should ensure adequate buffering would be provided. It will impact the buffers required by the adjoining properties (instead of a 15 foot densely planted buffer the developer on both adjacent parcels will be required to install a twenty-five foot densely planted buffer). Because of the size of the project a Community Impact Study was required. The study shows this would cause an impact on the school system serving the areas because they are near capacity and asked that the developer provide advance notice of the construction schedule for planning purposes. The Developer provided a report assessing trip generation rates based on the proposed and existing zonings showing an increase in 26 trips during the AM peak hour, an increase of 28 trips during the PM peak hour and a decrease of 104 daily trips overall. The Police Chief indicated the proposed apartment complex would result in an increase in service calls, therefore additional cost to the police department. The developer is anticipating that the proposed development will generate roughly \$31,183 annually in tax revenue. This request would not be consistent with the proposed use for the property with the Future Land Use Map adopted in 2006. The proposed uses for the properties would be consistent with the purpose and intent of the zoning district that is being proposed. The applicant has indicated they will adhere to all QDC requirements for the commercial properties. They have also agreed to stipulate that they will not seek any future multi-family zoning for the tracts that are included within the master land area.

The Planning Commission met on January 14, 2014 and recommended approval of the request with the following conditions:

- 1) The applicant's proffered condition that no future multi-family rezoning's will be requested for any other tracts included within the master plan area.
- 2) The apartments will be constructed with the elevations and features/amenities specified in the rezoning application.

Mr. Lit Glover, representing the applicant, stated over the years there have been numerous plans for this parcel. This 125 acres needs to be looked at in its entirety and the developer has worked with staff to accomplish this. The developer plans to develop a

multi-family component in the mixed use master planned approach they are taking would significantly enhance the walkable village development they envision for the property. He is requesting to rezone the property from its current zoning classification of O1-2 to RMH. The property lies within the Newnan Crossing PUD which has remaining an unallocated number of multi-family units in excess of the requested number of units.

Mayor Brady closed the public hearing

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to accept the report and recommendation from the Planning Commission as presented.

MOTION CARRIED. (7 – 0)

ORDINANCE – AMEND THE ZONING MAP – PROPERTY LOCATED OFF NEWNAN CROSSING BOULEVARD EAST FROM O1-2 (OFFICE AND INSTITUTIONAL HIGH DENSITY DISTRICT) TO RMH (RESIDENTIAL MULTIPLE FAMILY DWELLING HIGHER DENSITY DISTRICT)

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hick to adopt an ordinance to amend the zoning map for property located on Newnan Crossing Boulevard East from O1-2 (Office and Institutional-High Density District) to RMH (Residential Multiple Family Dwelling-Higher Density District) and CCS (Commercial Shopping Center District) to CGS (General Commercial) with conditions. Opposed: Brady, Shell, Alexander, DuBose and Koritko.

MOTION FAILED. (2 – 5)

REASON – DENIAL OF REZONING REQUEST FROM TURNSTONE HOLDING LLC

The City Attorney indicated under the ordinance there has to be a reason for denial of the rezoning request from Turnstone Holding LLC.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the denial of the rezoning request from Turnstone Holding LLC based on the following:

- 1) There are ample units zoned for apartments to meet the current need.
- 2) Impact of the proposed development on the school system and other governmental services.
- 3) The apartment portion of the rezoning is inconsistent with the City's current Comprehensive Plan.

Opposed: Jenkins and Hicks

MOTION CARRIED. (5 – 2)

PUBLIC HEARING – REZONING REQUEST FROM NEWNAN BYPASS ASSOCIATES INC – REZONE PORTION OF 4.8+ ACRE PARCEL – 77 MILLARD FARMER INDUSTRIAL BLVD - 0.7+ ACRE FROM IHV (HEAVY INDUSTRIAL) TO CGN (GENERAL COMMERCIAL) TO PERMIT MORE COMMERCIAL USES IN EXISTING STRUCTURES FACING STREET AND 4.1+ ACRES REMAIN ZONED AS IHV

Mayor Brady opened a public hearing on the rezoning request from Newnan Bypass Associates Inc. for a portion of 4.8+ acres parcel off 77 Millard Farmer Industrial Blvd.

The City Planner stated the applicant has submitted an application to rezoning part of the 4.8± acre property located at 77 Millard Farmer Industrial Blvd (SR 34 Bypass). The applicant seeks to rezone the front portion (0.7 acres) of the property from IHV (Heavy Industrial) to CGN (General Commercial) to permit more commercial uses in the existing four tenants buildings facing the street. The Planning Commission voted to approve the request to rezone the front part of this property from IHV to CGN and to forward this matter to Council with its recommendation. The applicant did not indicate any proffered conditions.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7 – 0)

ORDINANCE – AMEND ZONING MAP FOR PROPERTY LOCATED ON MILLARD FARMER INDUSTRIAL BOULEVARD – FROM IHV (HEAVY INDUSTRIAL DISTRICT) TO CGN (GENERAL COMMERCIAL)- FIRST READING

Motion by Councilman Shell, seconded by Councilman DuBose to adopt an Ordinance to amend the Zoning Map for property located on Millard Farmer Industrial Boulevard from (Heavy Industrial District) to CGN (General Commercial).

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – REQUEST – BEHALF OF VERIZON WIRELESS – DEMOLISH EXISTING 70 FOOT TALL CELL PHONE TOWER – ERECT A NEW 131 FOOT TELECOMMUNICATION TOWER FACILITY AT 932 LOWER FAYETTEVILLE ROAD

Mayor Brady opened a public hearing on the request on behalf of Verizon Wireless to demolish the existing 70 foot tall cell phone tower to erect a new 131 foot telecommunication tower facility at 932 Lower Fayetteville Road.

The City Planner stated a public hearing was held on January 5, 2014 on the applicant's request by the Board of Zoning Appeals. The Board of Zoning Appeals reached a decision to deny the applicant's request based on insufficient information. On Friday of

last week we received information which Council was provided in a hand out. The applicant provided information to satisfy the Ordinance's requirements. The variance requests that would be necessary to construct a new tower are in line with the need for the tower versus the cost of an antenna co-location. The test of a hardship necessary to grant relief via the variance process has been met and staff would now be in agreement to recommend approval of both the special exception and variance requests.

Council members have some concerns since the Board of Appeals denied the request for lack of information. Mayor Pro Tem Jenkins questioned why the information had not gone back to Board of Appeals. The City Attorney indicated the decision was ultimately the Council's.

Ms. Jennifer Blackburn, attorney, stated she would like to submit the following analysis of the cost of the tower replacement site versus the tower relocation site.

Tower Replacement v Tower Relocation Lifetime Cost Analysis

Tower Replacement Costs at Current Site:	Tower Removal and Relocation Cost:
New tower fee \$100,000	Tower removal and site restoration fee \$300,000
Lease obligation at site \$745,321	Outstanding lease obligation at existing site \$75,941
Total - \$845,321	Lease at collocation site \$1,156,591
	Equipment for new site \$100,000
	Permitting and regulatory costs at new site \$30,000
	Total - \$1,662,532

The cost is almost twice as much to relocate as it is to rebuild at the current location.

Mayor Brady closed the public hearing.

Motion by Councilman Koritko, seconded by Mayor Pro Tem Jenkins to refer the request to demolish the existing 70 foot tall cell phone tower back to the Board of Appeals to review the new information that was submitted for a recommendation.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – RESOLUTION – 4 WELCH STREET, 78 TEMPLE AVENUE AND 80 TEMPLE AVENUE

Motion by Councilman Hicks, seconded Councilman Alexander to reschedule the public hearings until the March 25, 2014 meeting for 4 Welch Street, 78 Temple and 80 Temple Avenue.

MOTION CARRIED. (7 – 0)

REQUEST REGARDING STRUCTURE – 7 LANDERS STREET

Mr. Jonathan Whatley is requesting one hundred twenty days to complete the repairs on 7 Landers Street.

The Code Enforcement Officer informed Council 7 Landers Street was started before he was employed. He indicated he has researched this issue and found this was brought to Council in 2006 and that resolution was released in 2011. A general repair permit was pulled last year which lapsed at end of January this year for lack of work. A demolition permit was issued in 2011.

The City Manager indicated the work order was not executed.

Motion by Councilman Alexander, seconded by Councilman Shell to continue the request on 7 Landers Street and refer back to staff for further research and recommendation.

MOTION CARRIED. (7 – 0)

**REQUEST – NEWNAN-COWETA ART ASSOCIATION – USE DOWNTOWN SQUARE
SIDEWALKS ON SATURDAY APRIL 12, 2014 (WITH RAIN DATE FOR APRIL 26th)
ANNUAL SPRING ARTS AND CRAFTS SHOW AND ALLOW THEM TO SET UP THE
PREVIOUS FRIDAY EVENING AFTER 5:00 PM**

Motion by Councilman Hicks, seconded by Councilman Shell to approve the request by Newnan-Coweta Art Association to use downtown square and sidewalks on Saturday April 12, 2014 (rain date for April 26th) for their annual Spring Arts and Crafts Show and allow them to set up the previous Friday evening after 5:00 pm.

MOTION CARRIED. (7 – 0)

REQUEST – CLARENCE BOHANNON – BLOCK WESLEY STREET

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose to approve the request by Clarence Bohannon to block Wesley Street from Wesley Street Gym to Richard Allen Drive on Saturday July 26, 2014 from Noon until 6:00 pm for Rocky Hill Community Day.

MOTION CARRIED. (7 – 0)

VISTORS

Mrs. Norma Haynes thanked the Public Works, Police and Fire Departments for all of their hard work during the recent ice and snow storms.

