

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 25, 2020 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; George Alexander, Cynthia E. Jenkins; Paul Guillaume; Rhodes Shell and Dustin Koritko. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; Planner, Dean Smith; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR MEETING – FEBRUARY 11, 2020

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for February 11, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

BOY SCOUT

A Boy Scout from Troop 27 Central Baptist Church was in attendance working on his Citizenship and Community Badge on his road to Eagle.

APPOINTMENT – CULTURAL ARTS COMMISSION (REPLACEMENT JOANNA HARVEY)

Mayor Brady asked the City Manager to place Councilman Koritko appointment to the Cultural Arts Commission on the agenda for the next meeting.

APPOINTMENT – TREE COMMISSION

Motion by Councilman Koritko, seconded by Councilman Alexander to appoint Brandon Schott to the Tree Commission for a three-year term replacing Joel Cheek.

MOTION CARRIED. (7 – 0)

YOUTH COUNCIL

Mekayla Franklin
Rachel Henson

Sophomore
Sophomore

East Coweta
Heritage

Preston Fulmer
Mayme Smith

Sophomore
Sophomore

Newnan
Heritage

STREET ACCEPTANCE – EXTENSIONS OF ASHTON PLACE AND COLLETTE COVE AND NEW ROAD MCGREGOR COVE

The Planner stated the final plat has been reviewed and accepted by the City. Inspections have been conducted and the infrastructure has been deemed to be in accordance with City standards.

Motion by Councilman Guillaume, seconded by Councilman Koritko to accept the extensions of Ashton Place and Collette Cove and a new road, McGregor Cove into the City's street system.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ORDINANCE – AMENDMENT TO ARTICLE 6, SECTION 6-14 OF THE ZONING ORDINANCE – MIXED USE DEVELOPMENT DISTRICT

Mayor Brady opened a public hearing on the amendment to Article 6, Section 6-14 of Zoning Ordinance – Mixed Use Development District.

The City Planner stated it became clear to the Planning Staff that the applications are less of mixed use design, but more of a split zoning intent. Staff concluded the current MXD regulations needed to be amended to provide more of the intent and vision that City Council had when adopted new MXD regulations in 2017. In 2019 and again January 2020 the Planning Commission revised proposed MXD revisions. With these revisions, the City is trying to emphasize a mixture of use types, including different residential use types. We want to clearly state we did not want to see with MXD proposals a mechanism to encourage greater density, nor to circumvent traditional zoning. The Planning Commission voted to recommend adopting the revised language to the Mixed Use Development District.

Mayor Brady closed the public hearing.

Mayor Brady stated the new Ordinance is 24 or 25 pages long. We need more time for discussion and consideration. He is calling for a work session on March 10, 2020 at 1:30 for the amendments to Article 6, Section 6-14 of the Zoning Ordinance for Mixed Use Development District.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to approve a call Work session to amend Article 6, Section 6-14 of the Zoning Ordinance pertaining to Mixed Use Development District in order to have a presentation by Staff for discussion and consideration.

MOTION CARRIED. (7 – 0)

**INFORMATION ONLY – REZONING RZ2020-01 – FOURTH QUARTER PROPERTIES
93 LLC - 8.44± ACRES – NEWNAN CROSSING BYPASS AND ASHLEY PARK
BOULEVARD – PLANNING COMMISSION**

No action.

BID – LINC-PHASE D

The Assistance City Manager stated Staff is recommending Council award a contract for construction of LINC Phase D to Lewallen Construction in the amount of \$2,888,256.09. Also, for Council to consider the project budget as presented. Along with City Staff, PATH Foundation, Kaizen Collaborative and the City Attorney we have completed the design and are moving forward with the one (1) mile section of LINC phase D with a bridge over I-85 that will connect to Ashley Park and McIntosh Parkway area.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the recommendation by Staff and award the contract to Lewallen Construction in the amount of \$2,888,256.09 for the construction of LINC Phase D and approve the projected project budget as presented. Funding SPLOST 2019

MOTION CARRIED. (7 – 0)

**PURCHASE EQUIPPED BACKHOE – CEMETERY DEPARTMENT – DECLARE
EXISTING EQUIPMENT SURPLUS, FOR TRADE**

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the purchase of John Deere backhoe loader for \$75,500 for the Cemetery Department and to declare as surplus a 1993 John Deere backhoe (value \$7,000) and 2008 New Holland B-95 backhoe loader (value \$15,000). Funding: 2020 Capital Equipment, not budgeted.

MOTION CARRIED. (7 – 0)

**PUBLIC HEARING/ORDINANCE – REZONING REQUEST RZ2019-10 – ADEVCO
CORPORATION - 2.65± ACRES – ASHLEY PARK BOULEVARD**

Mayor Brady opened a public hearing on the rezoning request Adevco Corporation for 2.65± acres located on Ashley Park Boulevard.

The Planning Director stated the applicant is requesting to rezone 2.65± acres located on Ashley Park Boulevard from CCS (Community Shopping Center District) to CHV (Heavy Commercial District) with conditions for the purpose of constructing 800 indoor climate-controlled storage unit facility. The applicant is proffering that the development would be restricted to indoor climate controlled units only with no outdoor storage or long-term parking. The tract is currently vacant and sits adjacent to the Towne Place Suites and just south west of the Home2 Suites. The applicant plans to subdivide the tract into two parcels and a concept plan has been provided to show the location and layout of the

building. They have also provided an elevation showing the look of the development. The facility will have 600 to 700 square foot office with anticipated office hours of 8:30 am to 6:30 pm depending upon the management company. Tenant access will be from 8:00 am until midnight. Staff has completed an assessment of each of the 8 required standards:

Staff felt the use was suitable in view of the zoning and development of adjacent and nearby properties since the site is pretty much surrounded by commercial uses and vacant land. CHV is a more intense use, but with the conditions they are proffering will limit the intensity. Also, with the proposed development on McIntosh Parkway and the Greison Trail area as well as the additional apartment units, there will more than likely be a need for this type of use.

Adverse impact on adjacent or nearby property - The greatest impact resulting from the rezoning would be the potential truck traffic and noise; therefore, staff would recommend limiting the hours for tenant access to 8:00 am until midnight.

Could the property be used as currently zoned – yes.

Will the proposed use cause an excessive or burdensome use of public facilities - All of the service providers indicated that they would be able to service the site without any issues. Trips generated would be less than commercial uses and the calls for police and fire are projected to be quite low based on the numbers provided by the Chiefs included in the assessment.

In terms of the Comprehensive Plan, the FLU map shows the property as future commercial. The project would be compatible with the Comprehensive Plan as the plan does not distinguish between heavy and traditional commercial uses. As previously specified, the applicant is seeking a CHV zoning. Self storage units would be consistent with the purpose and intent of the proposed zoning.

Would the proposed use be supported by new or changing conditions not anticipated by the Comprehensive Plan? The City completed its full update on the Comprehensive Plan in 2016 and it shows the property as commercial.

Staff does feel the project shows a reasonable balance between the promotion of public health, safety, morality, or general welfare and the right to unrestricted use of property. The area where the site is located is primarily zoned for commercial and office uses. Both the Zoning Map and the Comprehensive Plan show this area as a commercial center designed to serve the neighboring communities. With the approved development in the area, there will be a need for this type of use.

In summary, Staff found that the development met 7 of the 8 standards. The proposed project would reflect a reasonable balance.

The Planning Commission at their January 14, 2020 meeting held a public hearing regarding the rezoning request and voted unanimously to recommend denial. The

Commission specified that the proposed use would not be compatible with the envisioned uses of the property and the existing businesses in the area.

However, if Council should decide to approve the rezoning request, Staff would recommend conditioning it upon the following:

The use shall be limited to indoor climate-controlled storage units only and will be consistent with all plans, profiles, elevations, pictures and other demonstrative materials submitted as part of the application.

No outdoor storage or long-term parking allowed.

Tenant access to the units shall be limited to the hours of 8:00 am to midnight.

Applicant:

Ms. Griffis, on behalf of Adevco Corporation, is making application to amend the zoning ordinance to allow rezoning of 2.65 ± acres to be rezone from CCS to CHV Conditional. The building will look more like an office building rather than an indoor climate-controlled storage unit. No outdoor storage will be allowed. This is very consistent with the buildings that already exist. The Planning Department looked at amending the Zoning Ordinance to allow for storage units, however they decided to look at each request case by case. We are asking Council to consider the rezoning request to allow storage units in the CHV zoning district. Contractors and builders use storage building and we are asking Council to consider the starting hours to be between 6:00 am and 7:00 am.

Michael Bell, Adevco Corporation is based in Atlanta. They develop offices, apartments and self storage units. They build attractive facilities with brick and stucco. To enter the building an access code is required. A management company has not been chosen at this time. The total number of units will be from 720 to 750.

No one spoke in opposition.

Mayor Brady closed the public hearing.

Motion by Councilman DuBose, seconded by Councilman Koritko to accept the report from the Planning Commission.

MOTION CARRIED. (7 – 0)

Mayor Brady stated he has been through several rewrites of the Zoning Ordinance since he has been in office. We have spent hours of discussion on this topic if it should be in regular commercial or heavy commercial district. The discussions ended up with storage units in the classification they are in now. It has been consistent and I see no reason to change.

Councilman Alexander stated he agrees with the Mayor we need to stay consistent.

Ordinance

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to deny the request to amend the Zoning Map for property located on Ashley Park Boulevard containing 2.65± acres from CCS (Community Shopping Center District) to CHV (Heavy Commercial District) because not consistence with the use of property and businesses.

MOTION CARRIED. (7 – 0)

REQUEST EXTENSION – 18 BERRY AVENUE

The Code Enforcement Officer Informed Council the owner, Dan Moten intentions were to sell the property located at 18 Berry Avenue. (Owner Dan Moten passed away about two weeks ago) Ms. Carole Newell is now the contact person.

Ms. Newell informed Council they do have a buyer for the property and she is requesting an extension of ninety (90) days to complete the legal issues.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to approve an extension of ninety (90) days for the family to take care of legal issue for the structure located at 18 Berry Avenue.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING /RESOLUTION – 21 BERRY AVENUE

Mayor Brady opened a public hearing on the structure located at 21 Berry Avenue.

The Code Enforcement Officer informed Council an inspection of the premises was conducted and found the structure to be unsafe. The cost to bring the structure into compliance by means of repair does exceed 50% of the structure's assessed tax value.

The owner Doug Calderon is requesting 90 days to take care of legal issues on the property in order to move forward.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to adopt the resolution instructing the owner to either repair or demolish the structure located at 21 Berry Avenue within ninety (90) days.

MOTION CARRIED. (7 - 0)

PUBLIC HEARING /RESOLUTION – 69 MLK JR DRIVE

Mayor Brady opened a public hearing on the structure located at 69 MLK Jr Drive.

The Code Enforcement Officer stated an inspection was conducted and found the structure to be unsafe. The cost to bring the structure into compliance by means of repair does exceed 50% of the structure's assessed tax value.

The property owner indicated they have contacted a contractor and is requesting ninety (90) days in order to move forward with a schedule for repairs on the structure.

Mayor Brady closed the public hearing.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to adopt the resolution instructing the owner to move forward with work schedule for repairs for the structure located at 69 MLK Jr. Drive within ninety (90) days.

MOTION CARRIED. (7 – 0)

REQUEST – FIRST BAPTIST CHURCH – BLOCK STREETS – VACATION BIBLE SCHOOL – JUNE 8 – 13

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request by First Baptist Church to block Brown Street from intersection of Brown Street/West Washington Street to the intersection of Brown Street/Madison Street for Vacation Bible School during the week of June 8th – 13th.

MOTION CARRIED. (7 – 0)

COUNCIL REMARKS

Councilman Shell has a concern with intersections overgrown with vegetation restricting sight.

The City Manager stated the City has standards in place to follow. He will meet with Staff to discuss the issue.

ADJOURNMENT

Motion by Councilman DuBose, seconded by Councilman Koritko to adjourn the Council meeting at 7:07 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor