

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 26, 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, Paul Guillaume; Dustin Koritko; Rhodes Shell; George Alexander and Cynthia E. Jenkins. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Public Works Director, Michael Klahr; Planning Director, Tracy Dunnavant; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Deputy Police Chief, Jay LaChance.

MINUTES – REGULAR COUNCIL MEETING – NOVEMBER 12, 2019

Motion by Councilman Koritko seconded by Councilman DuBose to dispense with the reading of the minutes of the Regular Council meeting for November 12, 2019 and adopt them as presented.

MOTION CARRIED. (7 – 0)

PLANNING COMMISSION REPORT

The Planning Director presented the report from the Planning Commission. They have a seven-member board that has met every month this year. This has been a very busy year for the commission. She gave an overview of the activities for the last five years. The commission wants to look into modification of the mixed-use development and the cottage residential development. The Commission will be attending training in January.

NEWNAN YOUTH COUNCIL

Rachel Caylor	Junior	Northgate
Rebecca Caylor	Junior	Northgate
Jaidyn Hammett	Sophomore	Northgate
Ashlee Guy	Junior	East Coweta
David Browning	Junior	Heritage

RESIGNATION - JOANNA HARVEY – NEWNAN CULTURAL ARTS COMMISSION

Motion by Councilman Koritko, seconded by Councilman Shell to approve the resignation of Joanna Harvey from the Newnan Cultural Arts Commission term to expire June 2021 with regrets.

MOTION CARRIED. (7 – 0)

RESIGNATION – AMY RUDNIK – TREE COMMISSION

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the resignation of Amy Rudnik from the Tree Commission term to expire January 2020 with regrets.

MOTION CARRIED. (7 – 0)

RESOLUTION – CERTIFYING MUNICIPAL ELECTION RESULTS – NOVEMBER 5, 2019

Motion by Councilman DuBose, seconded by Councilman Shell to adopt the Resolution certifying the Municipal Election results for November 5, 2019.

MOTION CARRIED. (7 – 0)

RESOLUTION – 2019 EMPLOYEE HOLIDAY PAY

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to adopt the resolution for the 2019 Employee Holiday Pay.

MOTION CARRIED. (7 – 0)

CHANGE ORDER – ADDITIONAL PAVING OF VARIOUS STREETS UNDER LMIG PROGRAM

Motion by Councilman DuBose, seconded by Councilman Shell to approve the change order for additional paving of various streets under the LMIG program.

MOTION CARRIED. (7 – 0)

REQUEST – ABANDON PUBLIC RIGHT-OF-WAY – ST. CHARLES PLACE

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Guillaume to approve the request to start the process to abandon the Right-of-Way located at St. Charles Place to the adjacent property owners, in accordance with Part 1, Article VI, and Section 6.23 of the Code of Ordinance for the City of Newnan for the sale of City property.

MOTION CARRIED. (7 – 0)

ON-CALL PAVEMENT MARKINGS AGREEMENTS

Motion by Councilman Shell, seconded by Councilman Koritko to approve the agreements with Peek Pavement Marking, LLC and Highway Services, Inc. for the On-Call pavement markings.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ORDINANCE – REZONING REQUEST RZ2019-07 – WP SOUTH ACQUISITIONS LLC – 22.456± ACRES – INTERSECTION OF BULLSBORO DRIVE AND ASHLEY PARK DRIVE

Mayor Brady recused himself stating he has a potential conflict of interest.

Mayor Pro Tem Jenkins opened a public hearing on the rezoning request.

The Planning Director stated this is a request by WP South Acquisitions, LLC to rezone 22.456 acres of a 24.475-acre tract located at the intersection of Bullsboro Drive and Ashley Park Drive from CGN (General Commercial) to RMH. The remaining two acres fronting on Bullsboro would stay commercial.

There are several site constraints including a 135-foot power easement, a stream running through the middle of the property, floodplain, and road frontage on 3 sides of the property that will require additional buffers and setbacks.

The applicant would like to build 269 apartment units. The majority being one and two bedrooms with a limited number of 3.

The average rents would be \$1,300 per unit or \$1.40 per sq ft.

The development would include class “a” interior finished and amenities as well as landscape will “accentuate the site and utilize native Georgia plantings”

Staff has completed an assessment of each of the 8 required standards and I will give a quick summary of each:

Staff felt the use was suitable in view of zoning and development of adjacent and nearby properties since it is roughly 500 feet north of an existing 500-unit apartment complex. In addition, the location is bordered on 3 sides by streets. Aside from the apartment complex, the site is pretty much surrounded by commercial and service uses which promotes a live/work/play environment.

Adverse impact on adjacent or nearby property - greatest would be traffic; however, the complex would be located on two streets that currently have a level of service “A”. Even

with additional trips generated by the project, that service level would not change. Also, Bullsboro is a four-lane drive highway with a right-in-right out at Ashley Park Drive and a traffic light at Ashley Park Boulevard and is capable of handling the additional traffic. In addition, the apartments would provide additional customers for the surrounding business. Could it be used as currently zoned – Yes, it is zoned general commercial and the future land use map shows it as future commercial.

Would the project cause an “excessive or burdensome” use of public facilities – All multi-family developments in excess of 150 units must submit a Community Impact Assessment as part of their application. This assessment evaluates impact on streets, fire, police, water/sewer utilities, and the school system. Each service provider is contacted and that information has been included in your packet. After reviewing all responses, staff determined that the project will have an impact on public services, but it would not be excessive or burdensome. Also, as part of the assessment, each project must provide tax revenue information. Per the report, this project would generate \$504,000 in property taxes and over \$709,000 in impact fees.

In terms of the Comprehensive Plan, the FLU map shows the property as future commercial. The project would not be compatible with the comprehensive plan’s vision for this area. As previously specified, the applicant is seeking an RMH zoning. An apartment complex 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 adopted a new Zoning Ordinance and corresponding map in September of 2017 and both show the property as commercial.

Staff does feel the project shows a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property. As cities grow, there is a need to provide housing opportunities for all individuals including those who do not desire or cannot afford home ownership. This need increases as more retail and service providers located within the Newnan area bringing more moderate paying jobs and as our population continues to age. The key is to maintain a balance between meeting multi-family demands and oversaturation of the market.

In summary, Staff found that the development met 5 of the 8 standards. The Planning Commission held a public hearing on October 8, 2019 and two motions were made for consideration by the members. The first was to deny the application and the second was to approve it. Each motion failed by a 3-3 count as one commission member was absent. Therefore, no recommendation was given. However, should the Council elect to approve the request, Staff would recommend the approval be conditioned upon the project being consistent with the plan density, project data, amenities and architectural details provided in the application.

Applicant

Ms. Melissa Griffis, Rosenqweig, Jones, Horne & Griffis, on behalf of Wood Properties stated she is here to make sure all rezoning application, development study and proffered conditions were submitted. A traffic study was completed showing very little impact. There are challenges with streams, power easement and the designated flood plain on this property.

John Miles, Piedmont Newnan Hospital, stated this was property the hospital has owned since they came to Newnan. It was inherited from the previous owners and have never had any plans for it. The property doesn't meet any of our needs for our health care. We would like to sell the property.

Bennett Sands, represented Wood Partners, stated they build their own product. They are looking at building residential units that would be walkable to Ashley Park area. We will be helping turn Ashley Park into mixed used residential. The traffic will be very little, the tax base will increase. The supply and demand show new housing is needed to keep up with growth. They are building units affordable. HUD has completed a study indicating you do not need to spend more than 30 percent of your income on your cost of living. We are building units that would be affordable to people who work and support the City of Newnan.

Opposition

John Palmer, Alpine Drive, stated he is opposed to the rezoning request because we do not know the exact impact on the schools, fire and police.

Carrie Knight, resident, has a concern with the number of apartments that are coming into the City now because of the impact on schools. She would appreciate the City slowing down on the rezoning for apartment because of the rate of growth.

Jocelyn Palmer, resident, would like for the City to consider looking at our comprehension plan and not trying to imitate the City of Atlanta.

Melissa Griffis stated in the report the Police and Fire Chiefs indicated they would have no problem with serving the project. A housing study was completed in the Spring showing we are behind where we need to be. There is still a need to meet the market demand.

Mayor Pro Tem Jenkins closed the public hearing.

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

MOTION CARRIED. (7 – 0)

Councilmembers have some concerns with the elevation, parking, target demographic and sidewalks related with this project.

ORDINANCE – AMEND THE ZONING MAP PROPERTY LOCATED AT INTERSECTION OF BULLSBORO DRIVE AND ASHLEY PARK DRIVE 22.456± ACRES

Motion by Councilman Guillaume, seconded by Councilman Shell to adopt an Ordinance to amend the Zoning map for property located at Intersection of Bullsboro Drive and

Ashley Park Drive for 22.456± acres with conditions. Recuse: Brady. Opposed: Alexander and Koritko.

MOTION CARRIED. (4 – 2 - 1)

SUBSTANDARD STRUCTURE – 6 GLENN STREET – EXTENSION

The Code Enforcement Officer Informed Council the owner is requesting an extension to complete the repairs. Progress has been made and he is recommending a 90-day extension.

Motion by Councilman Alexander, seconded by Councilman Koritko to approve a ninety (90) day extension for the substandard structure located at 6 Glenn Street.

MOTION CARRIED. (7 – 0)

SUBSTANDARD HOUSING – 8 GLENN STREET – EXTENSION

The Code Enforcement Officer indicated the owner has only a few things on the punch list to complete the repairs. I am recommending a thirty (30) day extension on the structure located at 8 Glenn Street.

Motion by Councilman Shell, seconded by Councilman Koritko to approve the extension of thirty (30) days for owner to complete the repairs for structure located at 8 Glenn Street.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE - REQUEST EXTENSION – 180 WEST WASHINGTON STREET

The Owner is requesting an extension in order to complete repairs to the structure located at 180 West Washington Street. There has been no progress made on the structure.

Motion by Councilman Shell, seconded by Councilman Guillaume to deny the request for an extension for structure located at 180 West Washington Street.

MOTION CARRIED. (7 - 0)

REQUEST – CLOSE PORTION OF MADISON STREET AT RPM

Motion by Councilman Koritko, seconded by Councilman Shell to approve the request to close a portion of Madison as in the past for a Makers Fair/Craft Fair at RPM on Sunday December 8, 2019 from 9:00 am to 6:00 pm.

MOTION CARRIED. (7 – 0)

**REQUEST – FROM NEWNAN PRESBYTERIAN PRESCHOOL/KINDERGARTEN – USE
PARKING SPACES ON EAST SIDE OF COURTHOUSE/VISTORS CENTER FOR
NEWNAN CHRISTMAS TOUR OF HOMES**

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the request from the Newnan Presbyterian Preschool/Kindergarten to use parking spaces on the East side of the Courthouse/Visitors Center for the Newnan Christmas Tour of Homes Friday December 6, 2019 from 4 to 9 pm for passengers to exit the shuttle bus.

MOTION CARRIED. (7 – 0)

**REQUEST – PREVALING GRACE MINISTRIES – EXTEND STANDING RENTAL
AGREEMENT - HOWARD WARNER GYMNASIUM AND HOWARD WARNER
COMMUNITY CENTER**

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to continue the request for Prevailing Grace Ministries to extend their rental agreement for the Howard Warner Gymnasium and Howard Warner Community Center until the first meeting in January 2020.

MOTION CARRIED. (7 – 0)

Council instructed Staff to look at long term rental and review the possibility of adding fees for Howard Warner Building and present recommendation back to Council.

**REQUEST – THE WHOLISTIC STRESS CONTROL INSTITUTE, INC IS REQUESTING
RENTAL AGREEMENT FOR THE HOWARD WARNER COMMUNITY CENTER FOR
OFFICE HOURS AND YOUTH PROGRAM**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose to continue the request by The Wholistic Stress Control Institute, Inc. for a standing rental agreement for the Howard Warner Community Center for office space until the first meeting in January 2020.

MOTION CARRIED. (7 – 0)

They are requesting to use one office at the Howard Warner.

**REQUEST – FROM ELITE YOUTH ORGANIZATION IS REQUESTING STANDING
RENTAL AGREEMENT FOR THE WADSWORTH AUDITORIUM FOR GIRL'S DANCE
TEAM**

Withdrawn

**REQUEST – ANNETTE MOORE, ROYAL BAPTIST CHURCH – SET UP TABLE
AROUND COURT SQUARE - FREE GIFT WRAPPING**

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the request by Annette Moore, Royal Baptist Church to set up table around Court Square to offer free gift wrapping on Thursday December 19, 2019 from 11:30 am until 4:00 pm.

MOTION CARRIED. (7 – 0)

OFF AGENDA

Ms. Jocelyn Palmer, resident Alpine Drive, stated the new Dog Park was great. She suggested changes for the Dog Park: more food, water, poop stations and check drainage. The Park is always busy. Staff will address the issues and respond to her.

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko that we now enter into closed session as allowed by O. C. G. A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing real estate and legal issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O. C. G. A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 7:50 pm.

MOTION CARRIED. (7 – 0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council meeting was within the exceptions provided by O. C. G. A. §50-14-4(b)

MOTION CARRIED. (7 – 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 8:09 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor