



## Newnan City Council Meeting

DECEMBER 10, 2019

Newnan City Hall  
Richard A. Bolin Council Chambers  
25 LaGrange Street  
6:30 PM

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### CALL TO ORDER

### INVOCATION

### READING OF MINUTES

- [A.](#) Minutes from Regular Meeting on November 26, 2019

### SPECIAL PRESENTATION

- B. Garnett Reynolds Presentation on behalf of Rotary
- [C.](#) Recognition of the 2019 Newnan Citizen Academy Graduates

### REPORTS OF BOARDS AND COMMISSION

- D. 1 Appointment - Explore Newnan-Coweta, Inc - 3 Year Term

### REPORTS ON OPERATIONS BY CITY MANAGER

- E. Pinning / Promotion to Lieutenant - Sgt. David Schrepfer

### REPORTS AND COMMUNICATIONS FROM MAYOR

### NEW BUSINESS

- [F.](#) Resolution 2020 Newnan City Council Meeting Schedule
- [G.](#) Vendor Recommendation and Selection for Annual Audit
- [H.](#) Information Only - Rezoning Request RZ2019-10, Adevco Corporation for 2.65± acres located on Ashley Park Blvd. (Tax Parcel #086 5043 008) (Planning Commission)
- [I.](#) Alcohol Catering License Ordinance Revision - Section 3-28
- [J.](#) Consideration of Authorizing the Execution of Documents Related to Approved Real Estate Auction and the Release of Known Liens
- [K.](#) Public Hearing - Application for Alcohol Beverage License - Transfer Licensee and License Representative - CVS Pharmacy #7216 - Retail Off Premise (Package) Sales, Malt Beverages and Wine - 239 Temple Avenue - Reason: Personnel Change
- [L.](#) Public Hearing - Application for Alcohol Beverage License - Transfer Licensee - CVS Pharmacy #8907 - Retail Off Premise (Package) Sales, Malt Beverages and Wine - 395 Jackson Street - Personnel Change
- [M.](#) Public Hearing - Application for Alcohol Beverage License - Transfer Licensee - CVS Pharmacy #962 - Retail Off Premise (Package) Sales, Malt Beverages and Wine - 1035 Lower Fayetteville Rd. - Reason: Personnel Change.
- [N.](#) Public Hearing - Application for Alcohol Beverage License - Transfer Licensee - ALDI Inc. #8 - Retail Off Premise (Package) Sales, Malt Beverages and Wine - 1064 Highway 34 E. - Reason: Personnel Change

### UNFINISHED BUSINESS

- O. Second and Final Reading-Ordinance to Amend Zoning Map for Property Located in Land Lots 43 and 54 of the 5th Land District, located at the Intersection of Bullsboro Drive and Ashley Park Drive, Containing 22.456+ Acres
- P. Public Hearing - RZ2019-08 by Edwards6, LLC - 2.15± acres on Summerlin Boulevard - Ordinance
- Q. Status Reports - 33 Hardaway St, 280 W Washington St, 18 Berry Ave, 15 Elm Cir, 6 Glenn St, 8 Glenn St

**VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS**

- R. Request from Southern Riders RC to hold a “Toy Run” to begin at 1:00 PM from Harley Davidson on Hwy 16 through downtown Newnan to Department of Family and Children Services on Hwy 29

**MOTION TO ENTER INTO EXECUTIVE SESSION**

- S. Motion to Enter into Executive Session

**ADJOURNMENT**

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 Prevaling 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



## City of Newnan, Georgia – Mayor and Council

Date: December 10, 2019

Agenda Item: 2019 Newnan Citizen Academy Graduates

Prepared by: Ashley Copeland, Communications Manager

Presented by: Hasco Craver, Asst. City Manager

**Purpose:** To recognize the 2019 Newnan Citizen Academy Graduates

**Background:** The City of Newnan provides a free, 9-course program “Newnan Citizen Academy,” to a group of city residents, business owners and/or property owners over the age of 18 to educate and inform them about all aspects of City government in Newnan. It is an intensive, hands-on program on departmental operations and how critical decisions are made that affect the quality of life in Newnan. Participants are given the opportunity to tour City facilities and hear directly from department managers, professional staff and elected officials.

**2019 Graduates:**

- Addie Kolb
- Craig Jackson
- Jesse Tanner
- June Francis
- Ria Hays
- Ryan Kolb
- Scott Frederking
- Tori Hansen
- Tracey Brooks
- William Johns

## Resolution to Change and Cancel Certain Scheduled Council Meetings for the Calendar Year 2020

**WHEREAS,** the regular meeting dates of the Mayor and City Council are the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month, currently held at 2:30 pm and 6:30 pm respectively, and

**WHEREAS,** the Mayor and City Council routinely deem it necessary to reschedule certain regularly scheduled council meetings due to conflicts with state or national meetings, events and or holidays;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council hereby establish the following meeting schedule for calendar year 2020:

DAY	MONTH	DATE	TIME	DAY	MONTH	DATE	TIME
Tuesday	January	14	2:30	Tuesday	July	21	6:30
Tuesday	January	28	6:30	Tuesday	August	11	2:30
Tuesday	February	11	2:30	Tuesday	August	25	6:30
Tuesday	February	25	6:30	Tuesday	September	8	2:30
Tuesday	March	10	2:30	Monday	September	21	6:30
Tuesday	March	24	6:30	Tuesday	October	13	2:30
Tuesday	April	14	2:30	Tuesday	October	27	6:30
Tuesday	April	28	6:30	Tuesday	November	10	2:30
Tuesday	May	12	2:30	Tuesday	November	24	6:30
Tuesday	May	26	6:30	Tuesday	December	8	6:00*
Tuesday	June	9	6:30	Tuesday	December	8	6:30

\*Public Hearing – 2021 Budget

Done this the 10<sup>th</sup> day of December, 2019.

ATTEST:

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
Keith Brady, Mayor

REVIEWED AS TO FORM:

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro Tem

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
Ray F. DuBose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin K. Koritko, Councilmember

\_\_\_\_\_  
Paul L. Guillaume, Councilmember



## City of Newnan, Georgia - Mayor and Council

Date: December 10, 2019

Agenda Item: Vendor Recommendation and Selection for Annual Audit

Prepared By: Katrina Cline, Finance Director

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**Purpose:** To provide Council with a vendor recommendation for the City's annual audit and receive approval for the award of the contract.

**Background:** Staff issued an RFP for Audit Services on October 11, 2019. Responses were due by November 12, 2019. We received responses from two audit firms: Rushton and Company and Clifton, Lipford, Hardison and Parker (CLHP). Staff has reviewed the responses and a vendor recommendation is included below. The proposed contract term is five (5) years, with an option to renew for two (2) additional years. The contract will begin with the 2019 audit, which commences January 1, 2020.

**Funding:** General Fund. This is an annually budgeted item.

**Recommendation:** After careful consideration of the two proposals, staff is recommending that the City award the contract to Clifton, Lipford, Hardison and Parker (CLHP). The recommendation is primarily based on the following conditions, as the cost proposed by the two firms for the City's portion of the audit only differed by \$500.

- CLHP has performed the City's annual audit services for the past several years and is very familiar with our operations. Governmental audits make up about 70% of CLHP's business, as compared to Rushton, where the majority of their business is private industry (69%).
- CLHP's bid was \$33,500 for the City's audit; Rushton's bid was \$34,000.
- All of CLHP's staff members are CPA's; some of Rushton's are not. This can be extremely important when filing the report with the State and during testing of the data during fieldwork.
- CLHP is estimating 5 days on-site for fieldwork; Rushton estimates 8 – 10 days, which would be disadvantageous for staff.
- If a single audit is required, CLHP's fee will be \$2,500; Rushton's fee for single audit is \$4,500.
- The number of hours proposed by Rushton for the audit seems out-of-proportion, based on the number of days and staff members proposed for the annual audit. See Attachment B, which included for reference.
- CLHP typically rotates out their staff members for the City's audit, with only the audit manager being consistent year-to-year.
- CLHP has never charged any additional fees for consultations, phone calls, duration of audit or fieldwork, regardless of the time it takes to complete. They have provided excellent service and support to staff and the City during past audits and whenever questions arise during the year. Additionally, the State has never found any issues with the final report and we have never missed a filing deadline with CLHP's assistance.

**Previous Discussion with Council:** N/A.



**City of Newnan Bid Sheet  
ATTACHMENT B - Audit Services Bid Sheet**

	<b>Audit Firm's Responses</b>	<b>Audit Firm's Responses</b>
<b>Firm Name?</b>	Clifton, Lipford, Hardison & Parker, LLC	Rushton & Company, LLC
<b>Firm's Location (for servicing Newnan)?</b>	Macon, Georgia	Carrollton, GA lead with assistance from Gainesville, Ga location
<b>Name &amp; Title of Lead Staff person responsible for Newnan's Audit?</b>	Kenneth R. Neil, CPA, Director of Audits	Julie George, CPA Audit Manager, Chris Hoilfield, CPA Partner
<b>- Assigned lead staff person's number of years experience in governmental auditing?</b>	34	20
<b>Number of subordinate staff dedicated to Newnan's audit?</b>	3	2 to 3
<b>Assigned staff's average governmental audit experience (in years)?</b>	15	16
<b>Have all assigned staff members remained current with GAAP/GASB Training?</b>	Yes	Yes
<b>Are all assigned staff members licensed CPA's?</b>	Yes	Partner and Manager are CPA's, other staff may/may not have CPA certificate
<b>Has the firm or its staff received any disciplinary actions within the past 3 years?</b>	No	No
<b>Percentage of firm's business specifically related to governmental audits?</b>	70%	31%
<b>Number of current municipal government clients?</b>	10	22 Cities, 9 Counties, 14 Gov't Authorities/Commissions
<b>Number of staff who will be on-site for field-work and testing annually?</b>	3	3 to 4
<b>Number of total hours proposed to complete audit &amp; file with state?</b>	325	250
<b>Number of days estimated for on-site field work and testing?</b>	5	8 to 10 days including preliminary
<b>Will additional costs be incurred for hours required over proposed hours listed above?</b>	After 20 hours in excess of proposed hours	No
<b>If so, what will be the average hourly rate billed to Newnan for the overages?</b>	\$150	N/A
<b>What hourly rate will be charged for telephone calls/emails/questions during year, outside of office hours?</b>	No charge	None, we don't charge for calls, emails and questions
<b>Total cost for Newnan's Annual Audit? (Do not include component units audits)</b>	\$33,500	\$34,000
<b>Total additional cost for each component unit's annual audit? (DDA and Convention Center)</b>	\$3,500 CC;\$1,500 DDA	Included in fee above, but approx \$1,500 each
<b>If a single audit is required for a given year, what will be the additional cost?</b>	\$2,500	\$4,500
<b>Will the costs be consistent throughout life of contract (7 years potentially)?</b>	Yes	Yes
<b>If not, what is the annual increase?</b>	Not Applicable	Not Applicable
<b>This Proposal is valid until what date?</b>	15-Jan-20	Feb 12, 2020 (90 days)
<b>Please list 3 current Municipal Government clients (in Georgia):</b>		
	City of Loganville, Danny Roberts 770-466-3184	City of Carrollton, Jim Triplett, 678-390-6926
	City of Avondale Estates, Paul Hanebuth 404-294-5400	Town of Tyrone, Sandy Beach, 770-487-4038
	City of Greensboro, Larry Postell 706-453-7967	City of Gainesville, Jeremy Perry, 770-535-6898

**By signing below, I certify that I have fully read and understand the RFP, have full knowledge of the scope, nature, quantity and quality of the work to be performed, the detailed requirements of the services to be provided and the conditions under which the services are to be performed.**

David McCoy, CPA 11.8.2019

**(Printed Name of Signer and Date)**

J. Chris Hollifield, 11/8/2019

**(Printed Name of Signer and Date)**



## City of Newnan, Georgia - Mayor and Council

Date: December 10, 2019

Agenda Item: Rezoning Request RZ2019-10, Adevco Corporation for 2.65± acres located on Ashley Park Blvd. (Tax Parcel #086 5043 008)

Prepared By: Tracy S. Dunnavant, Planning Director

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**Purpose:** To inform the City Council that RZ2019-10 is before the Planning Commission for consideration and a recommendation on the requested zoning classification.

**Background:** The Adevco Corporation has applied for the rezoning of 2.65 ± acres located on Ashley Park Boulevard. The request is to rezone the property from CCS (Community Shopping Center District) to CHV (Heavy Commercial District) with conditions for the purpose of constructing indoor climate-controlled storage units.

### Current Zoning

Tax Parcel #	Acres	Zoning	Units
086 5043 008	2.65±	CCS	N/A

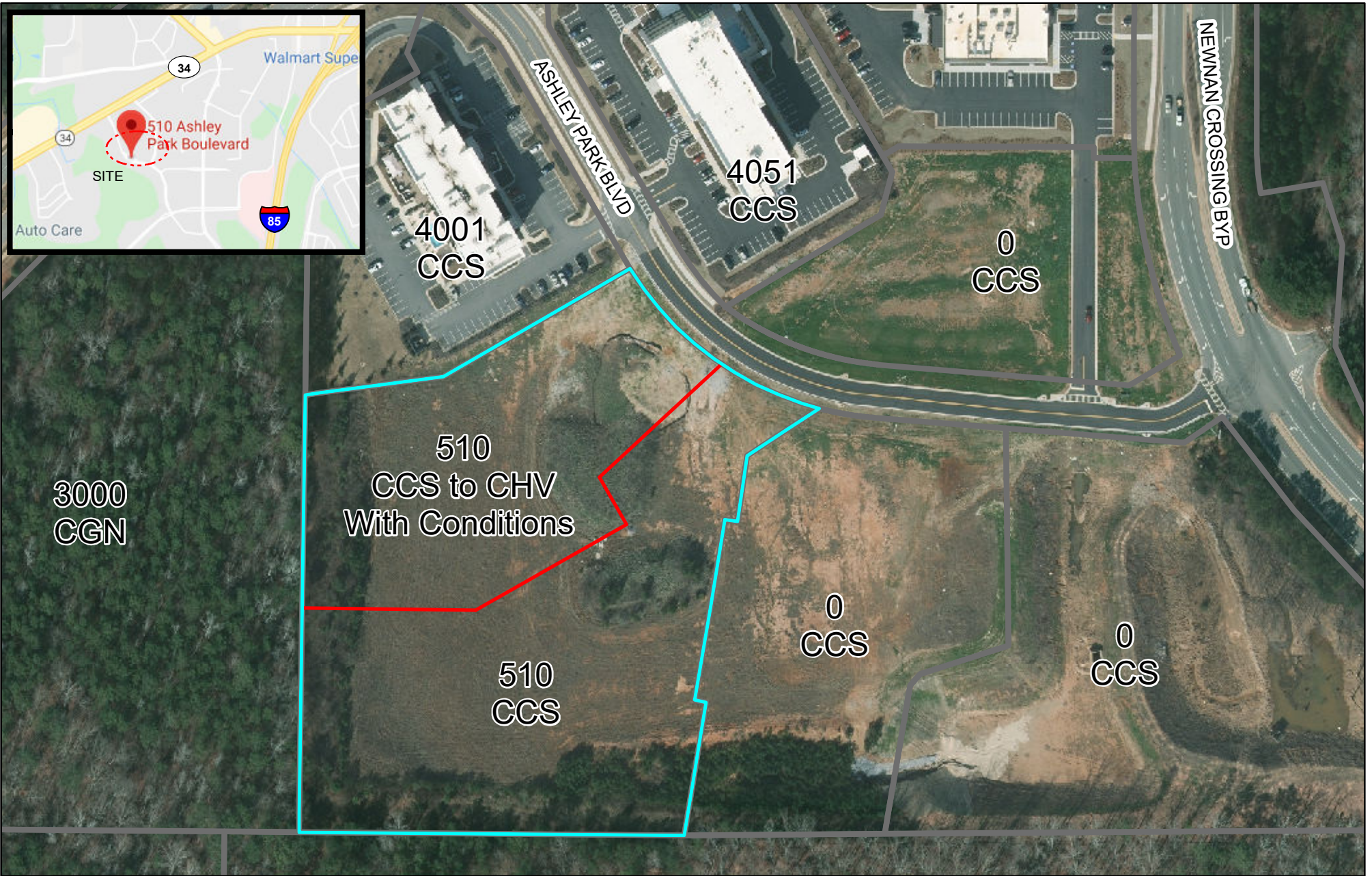
### Requested Zoning

Tax Parcel #	Acres	Zoning	Units
086 5043 008	2.65±	CHV (conditions)	N/A

**Funding:** N/A

**Recommendation:** Information Only

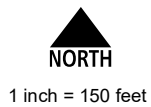
**Previous Discussion with Council:** None



**CITY OF NEWNAN** | Project Location



CITY OF NEWNAN  
 PLANNING DEPT.  
 25 LAGRANGE STREET  
 NEWNAN, GEORGIA 30263  
[www.cityofnewnan.com](http://www.cityofnewnan.com)



**LEGEND**

- Project Location
- PARCELS
- CITY LIMITS

ADD 16

510 Ashley Park Blvd  
 Newnan, GA 30263



**ROSENZWEIG, JONES, HORNE & GRIFFIS, P.C.**  
**ATTORNEYS AT LAW**  
**32 South Court Square**  
**PO Box 220**  
**NEWNAN, GEORGIA 30264**  
**www.newnanlaw.com**

MELISSA D. GRIFFIS (GA, AL)

TELEPHONE (770) 253-3282  
FAX (770) 251-7262  
E-mail:melissa@newnanlaw.com

November 26, 2019

**HAND DELIVERY**

Ms. Tracy Dunnivant, Planning Director  
The City of Newnan  
25 LaGrange Street  
Newnan, Georgia 30263

RE: Application of Adecco Corporation to Amend the Zoning Ordinance from  
CCS to CHV Conditional  
Approximately 2.65 Acres located at Ashley Park Blvd., Newnan, Georgia

Dear Ms. Dunnivant:

Adecco Corporation, applicant in the above-described property ("the Property") in the City of Newnan, Georgia, hereby makes this application to amend the zoning ordinance, to allow rezoning of the approximate 2.65 +/- acres to be rezoned from CCS to CHV Conditional.

The Applicant is excited to provide an indoor climate controlled storage unit facility located in the City of Newnan, Georgia. The Applicant is willing to condition said rezoning for indoor climate controlled storage units with no outdoor storage allowed. The building will have a sprinkler system within and will be a maximum of forty (40) feet in height as allowed per the Zoning Ordinance.

There are many proffered conditions in the attached zoning application packet. Please also see all attached plans, profiles, elevations, pictures and other demonstrative materials submitted or also to be considered as proffered conditions. The proposed amendment will facilitate the smart growth and development that is expected in the City of Newnan.

As noted on the "Application to Amend Zoning Text" form enclosed herewith, the Property is the best location for a CHV conditional zoning as it is a prime location for an indoor climate controlled storage component. The rezoning will allow for development of this current property that has been undeveloped for many years. The CHV conditional zoning will be beneficial to the residents not only at The Property, but also the residents and business owners in the surrounding area.

Ms. Tracy Dunnavant, Planning Director  
November 26, 2019  
Page 2

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For the reasons stated above, Adecco Corporation believes that this application is not only consistent with, but advances the intent of the City of Newnan. Zoning Ordinance.

Adecco Corporation has, at attached Tabs (1) through (12) included all materials required per the Application Form and applicable Ordinance provisions. As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Adecco Corporation, as Applicant and myself as counsel for Adecco Corporation, look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,



Melissa D. Griffis  
For Adecco Corporation

MDG/kr  
Enclosure(s)

# **TAB 1**

## **Application to Amend the Zoning Map**



**CITY OF NEWNAN, GEORGIA  
Planning & Zoning Department**

25 LaGrange Street  
Newnan, Georgia 30263  
Office (770) 254-2354  
Fax (770) 254-2361

**APPLICATION TO AMEND ZONING MAP**

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**Note to Applicant:** Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant Adevco Corporation

Mailing Address 400 Northridge Road, Suite 620, Atlanta, GA 30350

Telephone (770) 441-7600 Email: mike.bell@adevco.com

Property Owner (Use back if multiple names) Newnan Crossing Partnership

Mailing Address c/o Glover & Davis, P.A., 10 Brown Street, Newnan, GA 30263

Telephone (770) 683-6000

Address/Location of Property Ashley Park Boulevard

Tax Parcel No.: 086 5043 008 Land Lot 43

District/Section 5<sup>th</sup> Size of Property (Square Feet or Acres) 2.65 +/- acres

Present Zoning Classification: CCS Proposed Zoning Classification: CHV Conditional

Present Land Use: Vacant

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To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable The Subject Property is undeveloped land and has been vacant for years. There is a need in the City of Newnan for indoor climate controlled storage units with no outdoor storage allowed.

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made \_\_\_\_\_

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? The Subject Property will be conditioned for CHV indoor climate controlled storage units with no outdoor storage allowed. The renderings attached display the building looks like a building allowed in CCS, it is the conditioned use that is expanding the district as CHV is the only zoning district that allows the proposed use.

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
  - What the property is to be used for, if known.
  - The size of the parcel or tract.
  - The zoning classification requested and the existing classification at the filing of this application.
  - The number of units proposed.
  - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
  - Any proposed buffers and modification to existing buffers.
  - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
  - ✓ Boundary survey showing property lines with lengths and bearings
  - ✓ Adjoining streets, existing and proposed, showing right-of-way
  - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
  - ✓ North arrow and scale
  - ✓ Adjacent land ownership, zoning and current land use
  - ✓ Total and net acreage of property
  - ✓ Proposed building locations
  - ✓ Existing and proposed driveway(s)
  - ✓ Lakes, ponds, streams, and other watercourses
  - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
  - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
  - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
  - Office proposals in excess of 200,000 gross square feet
  - Commercial proposals in excess of 250,000 gross square feet
  - Industrial proposals which would employ over 500 persons
  - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.

12. Fees for Amending the Zoning Map shall be made payable to the *City of Newnan* and are listed below:

- Single-Family Application..... \$500.00/Plus \$15.00 Per Acre
  - Multi-Family Application ..... \$500.00/Plus \$25.00 Per Acre
  - Office/Institutional Application..... \$500.00/Plus \$15.00 Per Acre
  - Commercial Application ..... \$500.00/Plus \$25.00 Per Acre
  - Industrial Application ..... \$500.00/Plus \$15.00 Per Acre
  - MXD..... \$500.00/Plus \$25.00 Per Acre
- For multi-family and \$15.00 Per Acre for CBD

**PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.**

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

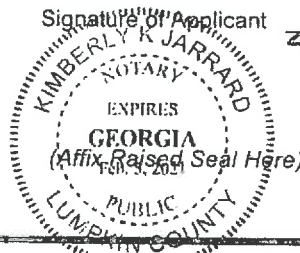
Sworn to and subscribed before me this

20<sup>th</sup> day of November, 2019

Kimberly K Jarrard  
Notary Public

Signature of Applicant

J. Michael Bell



**FOR OFFICIAL USE ONLY**

DATE OF PRE-APPLICATION CONFERENCE \_\_\_\_\_

RECEIVED BY \_\_\_\_\_

DATE OF FILING \_\_\_\_\_

FILING FEE RECEIVED \_\_\_\_\_

DATE OF NOTICE TO NEWSPAPER \_\_\_\_\_

DATE OF PUBLIC HEARING \_\_\_\_\_

PLANNING COMMISSION RECOMMENDATION (DATE) \_\_\_\_\_

DATE OF TRANSMITTAL TO CITY COUNCIL \_\_\_\_\_

CITY COUNCIL DECISION (DATE) \_\_\_\_\_

## **TAB 2**

### **Names and Addresses of All Property Owners Within 250' Feet**

**PROPERTY OWNERS WITHIN 250'**

Ashley Park OB 1 LLC  
Suite 300  
1125 Commerce Drive  
Peachtree City, GA 30269

Coweta County LTC, LLC  
1005 Boulder Drive  
Gray, GA 31032

Highlands at Madison Park Home  
4006 Mundy Mill  
Oakwood, Ga 30566

Newnan Crossing Partnership  
c/o Glover & Davis, PA  
PO Box 1038  
Newnan, GA 30264

Newnan Vista LLC  
Suite 210  
200 Ashford Center North  
Atlanta, GA 30338

Paramount Ashley Park, LLC  
Suite 400  
5901C Peachtree Dunwoody Rd.  
Atlanta, GA 30328

Pond Holding Group, LLC  
Suite 400  
5901C Peachtree Dunwoody Rd.  
Atlanta, GA 30328



## **TAB 3**

# **Legal Description of the Property**

Ashley Park Boulevard Tract 1 legal description

All that tract of land lying in or being in Land Lot 43, 5<sup>th</sup> District, City of Newnan, Coweta County, Georgia, and being more particularly described as follows:

Beginning at a rock found at the Southeast corner of Land Lot 43 and the POINT OF BEGINNING;

Thence South 89 degrees 45 minutes 07 seconds West for a distance of 1373.18 feet to a 1/2" rebar found;

Thence North 00 degrees 46 minutes 59 seconds East for a distance of 277.80 to a computed point and the TRUE POINT OF BEGINNING;

Thence continuing North 00 degrees 46 minutes 59 seconds East for a distance of 243.66 feet to a 1/2" rebar with plastic cap set;

Thence North 82 degrees 30 minutes 58 seconds East for a distance of 142.93 feet to a 1/2" rebar with plastic cap set;

Thence North 59 degrees 55 minutes 13 seconds East for a distance of 246.76 feet to a 1/2" rebar with plastic cap set on the South Right of Way of Ashley Park Boulevard (60' Right of Way);

Thence continuing along said Right of Way South 30 degrees 21 minutes 21 seconds East for a distance of 9.19 feet to a computed point on the South Right of Way of Ashley Park Boulevard;

Thence continuing along said Right of Way along a curve to the left having a radius of 360.00 feet, an arc distance of 141.09 feet, said curve being subtended by a chord which bears South 41 degrees 35 minutes 01 second East for a distance of 140.19 feet to a computed point on the South Right of Way of Ashley Park Boulevard;

Thence leaving said Right of Way South 29 degrees 04 minutes 29 seconds West for a distance of 93.77 feet to a computed point;

Thence South 30 degrees 04 minutes 47 seconds East for a distance of 62.53 feet to a computed point;

Thence South 59 degrees 55 minutes 13 seconds West for a distance of 281.62 feet to a computed point;

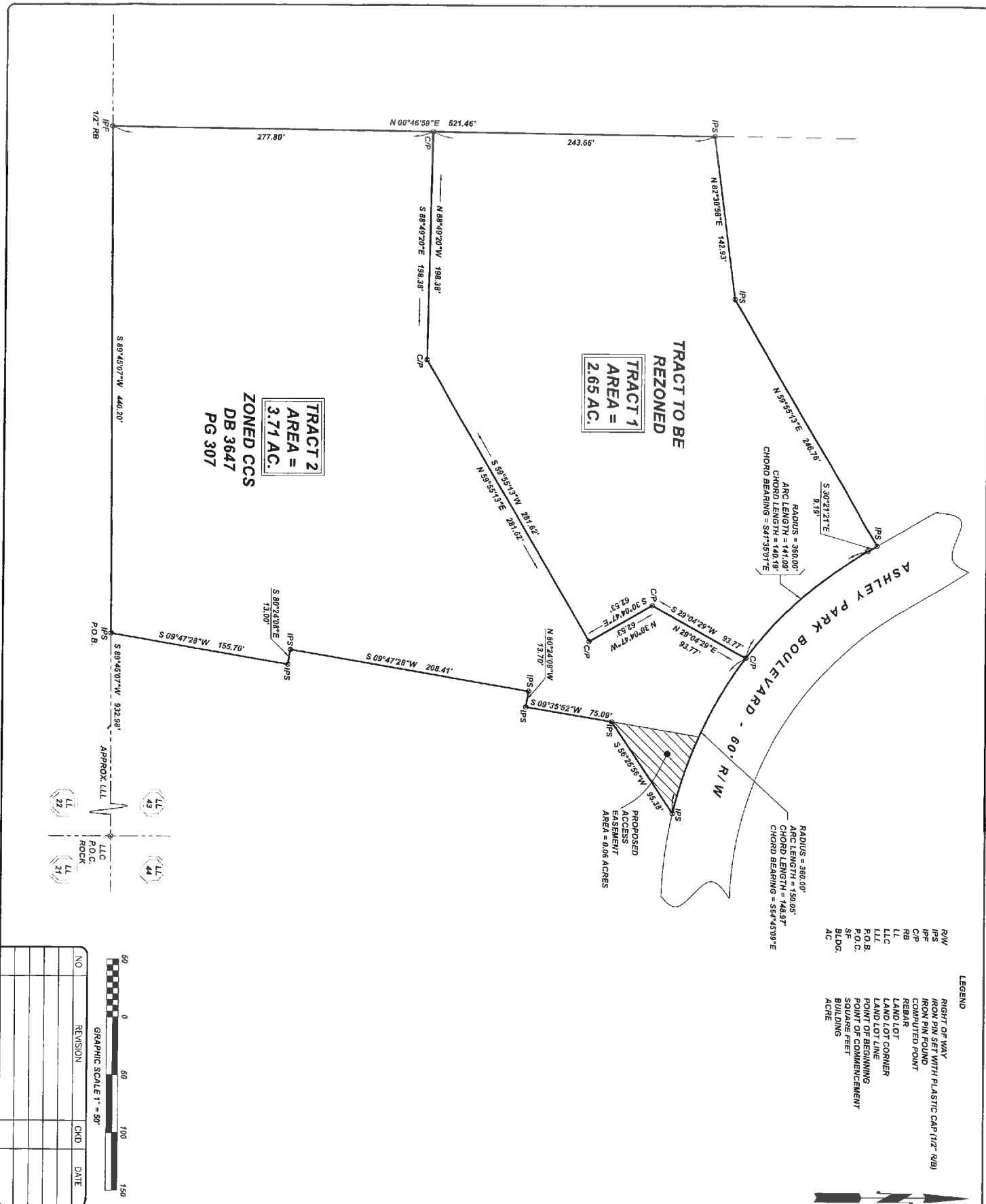
Thence North 88 degrees 49 minutes 20 seconds West for a distance of 198.38 feet to a computed point and the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 2.65 acres, more or less.

# **TAB 4**

## **Certified Plat**



**REZONING MAP FOR:  
ADEVCO**

LOCATED WITHIN LAND LOT 43, DISTRICT 5, CITY OF NEWNAN, COWETA COUNTY, GEORGIA

PREPARED BY:

**GeoCon Surveying, Inc.**  
2339 HAYS MILL ROAD  
CARROLLTON, GA 30117  
(770) 830-1997 L.S.F. #000446



# **TAB 5**

## **Preferred Conditions**



City of Newnan, Georgia  
Attachment A  
**Proffered Conditions**

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.  
*(Please refer to Article 10 of the Zoning Ordinance for complete details.)*

Please list any written proffered conditions below:

The Subject Property shall be CHV conditioned for indoor climate controlled storage units only. No outdoor storage or long-term parking allowed.

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

Please see all attached plans, profiles, elevations, pictures and other demonstrative materials submitted with the application.

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

J. Michael Bell  
Signature of Applicant

J. MICHAEL BELL  
Type or Print Name and Title

\_\_\_\_\_  
Signature of Applicant's Representative

MELISSA D. GRIFFIS, ESQ.  
Type or Print Name and Title

Kimberly K Jarrard  
Signature of Notary Public      Date 11/24/19

(Affix Raised Seal Here)





City of Newnan, Georgia  
Attachment A  
**Proffered Conditions**

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I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Applicant's Representative

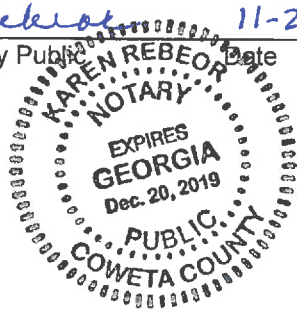
J. MICHAEL BELL

\_\_\_\_\_  
Type or Print Name and Title

MELISSA D. GRIFFIS, ESQ.

\_\_\_\_\_  
Type or Print Name and Title

Karen Rebeor 11-26-19  
\_\_\_\_\_  
Signature of Notary Public Date



(Affix Raised Seal Here)



## **TAB 6**

# **Disclosure of Campaign Contributions And Gifts**



City of Newnan, Georgia  
Attachment B

# Disclosure of Campaign Contributions & Gifts

Application filed on December 1, 2019, for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

Ashley Park Boulevard

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission?    Yes                       No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

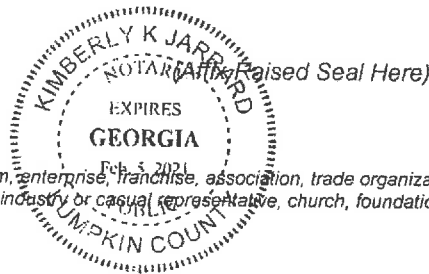
J. Michael Bell  
Signature of Applicant

J. MICHAEL BELL  
Type or Print Name and Title

Signature of Applicant's Representative

MELISSA D. GRIFFIS, ESQ.  
Type or Print Name and Title

Kimberly K Jarrell  
Signature of Notary Public                      Date 9/24/19



Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia

Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on December 1, 2019 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

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Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes No

If YES, please complete the following section (attach additional sheets if necessary):

Table with 3 columns: Name and Official Position of Government Official, Contributions (List all which aggregate to \$250 or more), Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Handwritten signature of Melissa D. Griffis

J. MICHAEL BELL

Type or Print Name and Title

Signature of Applicant's Representative

MELISSA D. GRIFFIS, ESQ.

Type or Print Name and Title

Handwritten signature of Karen Rebeor and date 11-26-19

Signature of Notary Public

Date



Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry, or casual representative, church, foundation, club, charitable organization, or educational organization.

# **TAB 7**

## **Property Owner's Authorization**



City of Newnan, Georgia  
 Attachment C  
**Property Owner's Authorization**

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner Newnan Crossing Partnership

Telephone Number (770) 683-6000 c/o Glover and Davis, PA

Address of Subject Property A portion of Parcel Number 086 5043 008 fronting Ashley Park Boulevard,  
as further depicted in this Application.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Newnan Crossing Partnership,  
 A Georgia General Partnership  
 By: Agave Investments, Ltd.,  
 Its Managing General Partner

Signature of Property Owner  
 Miguel Angel Ferriz Martinez, President

UNITED MEXICAN STATES  
 STATE OF NUEVO LEON  
 CITY OF MONTERREY  
 CONSULATE GENERAL OF THE  
 UNITED STATES OF AMERICA } SS

I, Norman Galimba, a (Vice) Consul of the United States of America do certify that the within and foregoing instrument was signed, sealed and delivered by Miguel Ferriz, who acknowledges himself to be President of Agave Investments Ltd., the Managing General Partner of Newnan Crossing Partnership, whose signature appears hereon, in my presence on this 25<sup>th</sup> day of November, 2019 and swore that the information contained in this authorization is true and correct to the best of his knowledge and belief.

I further certify that I am a duly appointed and commissioned (Vice) Consul of the United States of America, residing and serving as such in Monterrey, Nuevo Leon, Estados Unidos Mexicanos.

This 26<sup>th</sup> day of November, 2019.

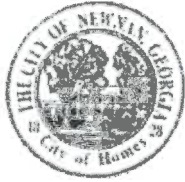
Norman Galimba  
 U.S. (VICE) CONSUL



Norman Galimba  
 Consul  
 U.S. Consulate Monterrey

**TAB 8**

**Authorization of Attorney**



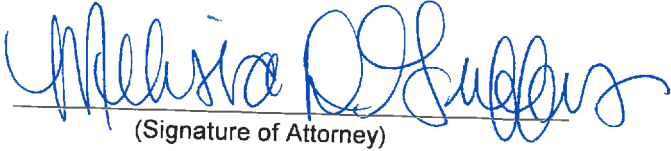
City of Newnan, Georgia  
Attachment D  
**Attorney's Authorization**

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**NOTE:** *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.

  
(Signature of Attorney)

Name of Attorney Melissa D. Griffis, Esq.

Address 32 South Court Square

Newnan, GA 30263

Telephone (770) 253-3282

Date 11-26-2019

**TAB 9**

**Community Impact Study  
(Not Applicable)**



## **Tab 10**

# **Photo Renderings**



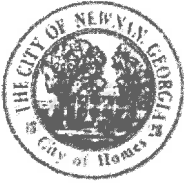
**TAB 11**

**Filing Fee**

**(\$539.75 to the City of Newnan)**

# **TAB 12**

## **Rezoning Checklist**



City of Newnan, Georgia  
Attachment E  
**Rezoning Checklist**

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The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- Completed application form
- Letter of intent
- Names and addresses of all owners of all property within 250 feet of the subject property
- Legal description of property
- Certified plat
- Completed Attachment A — Proffered Conditions (if applicable)
- Completed Attachment B — Disclosure of Campaign Contributions & Gifts (if applicable)
- Completed Attachment C — Property Owner's Authorization (if applicable)
- Completed Attachment D — Attorney's Authorization (if applicable)
- N/A Community Impact Study (if applicable)
- Filing Fee in the form of a check payable to the **City of Newnan**

**Note:** Please attach this form to the filing application.

**SANDERS, HAUGEN, & SEARS, P.C.  
ATTORNEYS AT LAW  
11 PERRY STREET  
P. O. BOX 1177  
NEWNAN, GEORGIA 30264-1177**

**(770) 253-3880  
FAX (770) 254-0093**

**C. BRADFORD SEARS, JR.  
E-MAIL: bsears@sandershaugen.com**

**WALTER D. SANDERS  
(1909 - 1989)  
WILLIS G. HAUGEN  
(1929 - 2014)**

TO: Mayor and City Council  
City of Newnan, Georgia

CC: C. Phillips, City Manager  
Katrina Cline, Director of Finance

FROM: C. Bradford Sears, Jr., Esq.  
City Attorney, City of Newnan

DATE: December 3, 2019

RE: Alcohol Catering License

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**MEMORANDUM**

Attached is a re-codified revision to the Alcohol Caterers License Ordinance which inadvertently codified the addition as Sec. 3-23 which is Regulation of Alcohol Sales at the Newnan Center.

The correct codification section should be Sec. 3-28.

**AN ORDINANCE TO CORRECT THE SECTION NUMBER OF AN ORDINANCE AMENDING CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN, GEORGIA ADOPTED MARCH 11, 2019 PROVIDING FOR THE REGULATION OF ALCOHOLIC BEVERAGES FOR CATERING IN THE CITY OF NEWNAN; ESTABLISHING LICENSE AND PERMIT FEES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES**

WHEREAS, it was determined that certain changes were necessary in the text of Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Newnan to provide for the regulation of alcoholic beverages for events in the City of Newnan, Georgia and to establish a licensing and permit fee.

WHEREAS, Ordinance No. 2019-3 Ancillary alcohol caterers; event permits for catered functions was adopted March 11, 2019 and inadvertently was designated as Section 3-23 which is the Section number previously assigned to regulation of sales and construction of alcoholic beverages at the Newnan Centre.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED by the City Council of the City of Newnan, Georgia, and it is hereby ordained by the authority of same:

Section I: Article I. In General. Chapter 3, Alcoholic Beverages of the City of Newnan Code of Ordinances, be and is hereby amended by changing the section number to Sec. 3-28, Ancillary alcohol caterers; event permit for caterers and functions to which will read as follows:

**Sec. 3-28. Ancillary alcohol caterers; event permit for catered functions.**

(a) As used in this section, the term:

(1) *Licensed alcoholic beverage caterer* means any person, other than a private club, who holds a valid license from the State of Georgia and any county or municipality in this state wherein the caterers place of business is located which authorizes the licensee to sell, either by the drink or package, wine, malt beverages or distilled spirits.

(2) *Authorized catered function* means a function held at a location within the city for which an event permit has been issued in accordance with this section.

(b) Any person who holds a valid license from the county or municipality wherein his place of business is located, including the City of Newnan, which authorizes the licensee to sell malt beverages or wine by the package or by the drink for consumption on the premises may apply to the city clerk for an "off-premises consumption: malt beverages/wine" license to distribute malt beverages or wine by the drink off-premises within the city at authorized catered functions in conjunction with

food service. Applications shall be supported by evidence of required licenses in good standing.

(c) Any person who holds a valid license from the county or municipality wherein his place of business is located, including the City of Newnan, which authorizes the licensee to sell distilled spirits, malt beverages or wine, by the package or by the drink for consumption on-premises may apply to the city clerk for an event permit to sell distilled spirits, malt beverages or wine, by the drink off-premises within the city at authorized catered functions in conjunction with food service. Applications shall be supported by evidence of required licenses in good standing.

(d) The event permit application shall include the name of the caterer, together with his license number; the date, time and duration of the event; the name and address of the event host or sponsor, and, if different, the address of the location where the event will be held. The application shall be signed by the licensed alcoholic beverage caterer and the event host or sponsor. If the event host or sponsor is not the owner of the property at which the event will be held, then the owner of the property, or the owner's authorized agent, shall sign the application consenting to the distribution of alcoholic beverages at that location. Each event permit shall require payment of a \$50.00 fee; provided, however, if the caterer does not maintain a place of business within the city, in addition to the above fee, there is hereby levied an excise tax upon the total quantity of alcoholic beverages brought into the city for such event. At all times during which an authorized catered function is taking place, or alcoholic beverages are being transported within the city, the licensee shall maintain the original off-premises license and event permit in the vehicles used for transporting the alcoholic beverages. No event permit shall be issued for more than three consecutive days and a full permit fee shall be assessed for each day of the event.

(e) The licensed alcoholic beverage caterer shall provide such personnel as needed to handle all beverage alcohol served or dispensed at the catered event. This shall include bartending, dispensing, serving, providing, or furnishing of alcoholic beverages. Employees of a licensed alcoholic beverage caterer shall be 21 years of age or older in order to handle beverage alcohol at such catered event. Only when the sale of beverage alcohol is authorized on Sunday by state law and local ordinance shall the sale of alcohol be allowed on Sunday by a licensed alcoholic beverage caterer.

(f) Any person violating any of the provisions of O.C.G.A. § 3-11-4 regulating off-premises consumption sales by licensed alcoholic beverage caterers shall be tried, upon citation returnable to the municipal court, for a violation of this chapter, and, if convicted, punished in the manner hereinafter provided.

(g) The provisions of this Sec. 3-28 shall not repeal or limit the privileges and requirements set out in Sec. 3-20, Sec. 3-21 or Sec. 3-22 of this Article I.

Section II: The Code of Ordinances of the City of Newnan, Georgia, is further amended at Chapter 3, Alcoholic Beverages, Article II – Licenses, at Sec. 3-31, License and Permit Fees, by adding the following to subsection (a) “Ancillary Alcohol Beverage Caterer .... \$100.00” in addition to any other license fee referenced herein above, if required.



Section III. Sec. 3-23, Regulation of Sales and Consumption of Alcoholic Beverages at the Newnan Centre shall remain in full force and effect and unchanged.

Section IV: All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby repealed.

Section V: Should any phrase, clause, sentence, or section of this Ordinance be deemed unconstitutional by a Court of competent jurisdiction, such determination shall not affect the remaining provisions of this Ordinance, which provisions shall remain in full force and effect.

Section VI: The effective date of this Ordinance shall be upon adoption.

DONE, RATIFIED and PASSED, by the City Council of the City of Newnan, Georgia, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, in regular session.

ATTEST:

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
L. Keith Brady, Mayor

REVIEWED AS TO FORM:

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro-Tem

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Raymond F. DuBose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin Koritko, Councilmember

\_\_\_\_\_  
Paul Guillaume, Councilmember



## City of Newnan, Georgia - Mayor and Council

Date: December 10, 2019

Agenda Item: Consideration of Authorizing the Execution of Documents Related to Approved Real Estate Auction and the Release of Known Liens

Prepared By: Hasco Craver, Assistant City Manager

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**Purpose:** To consider authorizing the Mayor to execute documents related to the sale of certain properties as part of the approved real estate auction listing agreement and the release of all known liens on subject properties.

**Background:** Newnan City Council, at the March 26, 2019 City Council Retreat, discussed the potential sale of certain city owned properties. Councilmembers spent considerable time reviewing a comprehensive list of properties to determine their current and future use as well as any potential redevelopment benefit. It is important to note that the City's interest in the subject properties varies (i.e. acquired via tax sale, full ownership, etc.).

City staff, working in concert with the City Attorney's office as well as Newnan Utilities, reviewed the list of subject properties. Please note that the City of Newnan has recorded certain infrastructure easements on six (6) properties (see notes in attached document).

Newnan City Council, on May 28, 2019, authorized the execution of a Real Estate Auction Listing Agreement with Terry Howe and Associates. The Real Estate Auction Listing Agreement provided guidelines for Terry Howe and Associates to prepare documents related to how the auction will be advertised and promoted, the terms of the auction, the financial obligations of the Buyer and Seller in the transaction, associated commissions, title examination and other pertinent items related to the sale of subject properties.

Terry Howe and Associates hosted an online auction for all subject properties between November 8, 2019 and November 21, 2019.

Proposals were received for twenty-seven (27) properties (see attached document).

It is important to note that the property located at Bullsboro Drive (parcel number N57-466) was not sold. The City of Newnan will

In addition to the aforementioned items, Newnan City Council may relieve any known liens on subject properties. The table on the following page provides information related to known liens:

<b>Parcel</b>	<b>Property Description</b>	<b>Lien Description</b>
N43A-063	37 Westgate Park Lane, Newnan, GA	Demolition
N13 0004 013	23 Dewey Street, Newnan, GA	Property Secure
N34-0001-017	64 Berry Avenue, Newnan, GA	Demolition, Grass Cutting, Property Secure
N42-0002-010	203 W. Washington Street, Newnan, GA	Demolition, Grass Cutting
N14-0004-011	23 Davis Street, Newnan, GA	Demolition
N22-0012-003	34 Ray Street, Newnan, GA	Demolition
N03-0002-009	10 Second Street, Newnan, GA	Grass Cutting
N22-0003-012	113 W. Washington Street, Newnan, GA	Demolition
N42-0001-011	85 Belt (Belk) Road, Newnan, GA	Demolition
N34-0002-020	9 Roberts Road, Newnan, GA	Demolition, Grass Cutting, Property Secure

**Funding:** N/A

**Recommendation:** In an effort to accomplish the goals presented to City Staff at the March 2019 City Council Retreat, City staff recommends the authorization of the Mayor to execute documents related to the sale of subject properties.

**Previous Discussion with Council:** Newnan City Council, beginning at the March 2019 City Council Retreat, has discussed and taken action related to the sale of the subject properties several times over the past eight (8) months.

<b>TMS</b>
N43-004
N25-0003-004
N43A-063
N22-0005-005
N09-0002-024
N13 0004 013
N56-008
N24 0003 008
N34-0001-017
N42-0002-010
N14-0004-011
N22-0012-003
N32-0003-005
N13-0003-008
N03-0002-009
N42-0001-006
N25-0002-003
N42-0002-003
N42-0002-004
N22-0003-019
W08 525
N22-0003-012
N42-0001-011
N34-0002-020
N24-0007-006
N08-0001-008
SG7-320

<b>Legal Description</b>
5.256 AC LL 27 LD 5 - 200 W. Washington Street, Newnan, GA
LOT 5 BLK 12 - 24 Pratt Street, Newnan, GA
V/L 257 SEC 2 W GATE PK S/D - 37 Westgate Park Lane, Newnan, GA
V/L 41 RAY ST - 41 Ray Street, Newnan, GA
HSES/LT 13 BLK E SPRING ST - 140 Spring Street, Newnan, GA
H/L 23 DEWEY STREET - 23 Dewey Street, Newnan, GA
V/L 77 BERRY AVE - 77 Berry Avenue, Newnan, GA
LOT 10 BLK 7 SUNSET LANE - 94 Sunset Lane, Newnan, GA
V/64 BERRY AVE 12 A ROBINSON - 64 Berry Avenue, Newnan, GA
L 203 W WASHINGTON ST 5LD - 203 W. Washington Street, Newnan, GA
LOT #22 , 23 DAVIS ST - 23 Davis Street, Newnan, GA
H/L 34 RAY STREET - 34 Ray Street, Newnan, GA
HILL ST 1 LOT - 14 Hill Street, Newnan, GA
V/L 12 DEWEY ST - 12 Dewey Street, Newnan, GA
L 10 SECOND STREET - 10 Second Street, Newnan, GA
H/L 71 BELT RD LOT 6 INGRAM S/D - 71 Belt (Belk) Road, Newnan, GA
LOT 3 BLK 6 - Sunset Lane, Newnan, GA
BELT RD LT 15 WM INGRAM S/D - 74 Belt (Belk) Road, Newnan, GA
BELT RD LT 14 WM INGRAM S/D - 76 Belt (Belk) Road, Newnan, GA
V/L REAR W WASHINGTON - 105-Rear W. Washington Street, Newnan, GA
7.08 AC SULLIVAN RD LL 17 5 & 6 LD - Timberlane Subdivision detention area, Newnan, GA
L 113 W WASHINGTON STREET - 113 W. Washington Street, Newnan, GA
L 85 BELT RD 11 INGRAM - 85 Belt (Belk) Road, Newnan, GA
L 9 ROBERTS RD PT 13 B ROBINS - 9 Roberts Road, Newnan, GA
V/L 145 W WASHINGTON ST - 145 W. Washington Street, Newnan, GA
L 3 MELSON STREET - 3 Melson Street, Newnan, GA
LT 40 THE TOWNHOMES @ EASTLAKE - Portico Place, Newnan, GA

<b>BidPrice</b>	<b>NU Easement</b>
\$1,950.00	Utility Easement
\$3,700.00	
\$575.00	
\$600.00	
\$1,550.00	
\$775.00	Utility Easement
\$1,605.00	
\$1,150.00	
\$2,600.00	
\$1,335.00	
\$350.00	
\$320.00	
\$1,050.00	
\$760.00	
\$6,775.00	
\$980.00	Utility Easement
\$2,200.00	
\$1,400.00	
\$900.00	
\$975.00	Utility Easement
\$1,900.00	Utility Easement
\$950.00	
\$1,255.00	
\$825.00	
\$975.00	
\$710.00	
\$9,750.00	

**APPLICATION FOR ALCOHOL BEVERAGE LICENSEE &  
LICENSE REPRESENTATIVE TRANSFER**

Name: **CVS PHARMACY #7216**

Licensee: **FROM: MELANIE K. LUKER  
TO: LINDA CIMBRON**

License Representative: **FROM: LAWRENCE WHEELER  
TO: MICHELLE JOHNSTON**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **239 TEMPLE AVENUE**

**TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE**

- (1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons \_\_\_\_\_

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- (2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons \_\_\_\_\_

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- (3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons \_\_\_\_\_

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- (4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons \_\_\_\_\_

- (5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons \_\_\_\_\_

---

- (6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons \_\_\_\_\_

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- (7) A publisher's affidavit (has not) been filed showing the notice requirement (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

- (8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,

Della Hill  
City Clerk



# APPLICATION FOR ALCOHOL BEVERAGE LICENSEE TRANSFER

Name: **CVS PHARMACY #8907**

Licensee: **FROM: MELANIE K. LUKER**  
**TO: LINDA CIMBRON**

License Representative: **VELMA GARZA**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **395 JACKSON STREET**

## **TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE**

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons \_\_\_\_\_

(2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons \_\_\_\_\_

(3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons \_\_\_\_\_

(4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons \_\_\_\_\_

(5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons \_\_\_\_\_

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(6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons \_\_\_\_\_

---

(7) A publisher's affidavit (has not) been filed showing the notice requirement (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,

Della Hill  
City Clerk

# APPLICATION FOR ALCOHOL BEVERAGE LICENSEE TRANSFER

Name: **CVS PHARMACY #962**

Licensee: **FROM: MELANIE K. LUKER**  
**TO: LINDA CIMBRON**

License Representative: **ALISHA MANLEY**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **1035 LOWER FAYETTEVILLE ROAD**

## **TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE**

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons \_\_\_\_\_

(2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons \_\_\_\_\_

(3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons \_\_\_\_\_

(4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons \_\_\_\_\_

(5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons \_\_\_\_\_

---

(6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons \_\_\_\_\_

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If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,

Della Hill  
City Clerk

# APPLICATION FOR ALCOHOL BEVERAGE LICENSEE TRANSFER

Name: **ALDI INC. (GEORGIA) D/B/A ALDI #8**

Licensee: **FROM: TERRY E. PFOTMILLER**  
**TO: SHAUN M. O'KEEFE**

License Representative: **MARK JOSEPH ARSENAULT**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **1064 HIGHWAY 34 E**

## **TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE**

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons \_\_\_\_\_

(2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons \_\_\_\_\_

(3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons \_\_\_\_\_

(4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons \_\_\_\_\_

(5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons \_\_\_\_\_

---

(6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons \_\_\_\_\_

---

(7) A publisher's affidavit (has not) been filed showing the notice requirement (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,

Della Hill  
City Clerk

WP South Acquisitions, LLC  
Land Lots 43 and 54,  
5<sup>th</sup> Land District  
22.456± acres located at the  
intersection of Bullsboro Drive  
and Ashley Park Drive  
(Portion of Tax Parcel)  
#086 5054 018

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY LOCATED  
IN LAND LOTS 43 AND 54 OF THE 5<sup>TH</sup> LAND DISTRICT, LOCATED AT THE  
INTERSECTION OF BULLSBORO DRIVE AND ASHLEY PARK DRIVE,  
CONTAINING 22.456± ACRES IN THE CITY OF NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone said property from City of Newnan Zoning Classification CGN (General Commercial) to RMH (Residential Multiple Family Dwelling-Higher Density District); and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 26<sup>th</sup> day of November, 2019; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit "A" attached hereto and by reference made a part hereof be rezoned RMH (Residential Multiple Family Dwelling-Higher Density District) subject to the following condition:

1. The project will be consistent with the plan, density, project data, amenities and architectural details as provided as part of the application.

Section II. All Ordinances or parts of Ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section III. This Ordinance shall be effective upon adoption.

DONE, RATIFIED and PASSED, by the City Council of the City of Newnan, Georgia, this the \_\_\_\_ day of \_\_\_\_\_, 2019 in regular session assembled.

ATTEST:

\_\_\_\_\_  
L. Keith Brady, Mayor

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro-Tem

REVIEWED AS TO FORM:

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Cleatus Phillips, City Manager

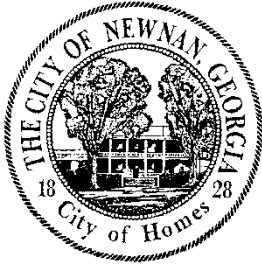
\_\_\_\_\_  
Raymond F. DuBose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin Koritko, Councilmember

\_\_\_\_\_  
Paul Guillaume, Councilmember





## City of Newnan, Georgia – City Council

Date: December 10, 2019

Agenda Item: Rezoning Request – RZ2019-08  
2.15± acres located on Summerlin Boulevard (Tax Parcel # 098A 654)

Prepared and Presented by: Tracy Dunnavant, Planning Director

**Purpose:** John Edwards, on behalf of Edwards6, LLC, has applied for the rezoning of 2.15 ± acres located on Summerlin Boulevard. The request is to rezone the property from OI-1 (Low Density Office and Institutional District) to CCS (Community Shopping Center District) for the purpose of constructing a restaurant.

**Background:** In accordance with the Zoning Procedures Law, City Staff has completed a rezoning assessment that provides background information, an overview of the request, and an evaluation of the application in terms of the standards for rezonings. The Assessment is as follows:

## REZONING ASSESSMENT

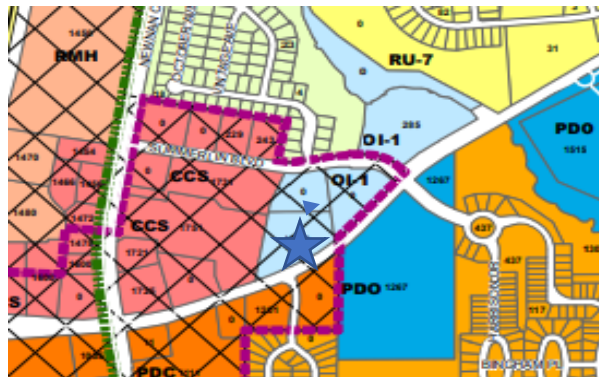
### APPLICANT INFORMATION:

John Edwards  
Edwards6, LLC  
3421 Main Street  
Atlanta, GA 30337

### SITE INFORMATION:

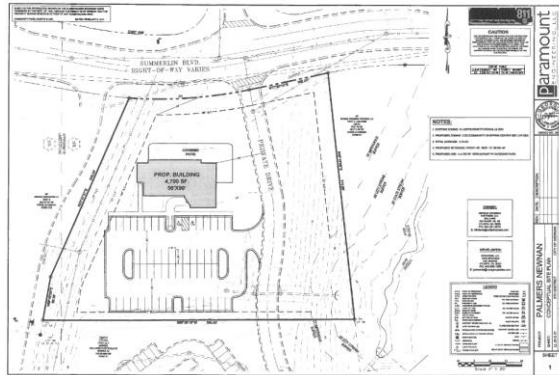
The site consists of 2.15± acres located on Summerlin Boulevard. The tax parcel ID number is 098A 654. The tract is located to the east of the Kroger shopping center on Lower Fayetteville Road just north of the gastroenterology business and south of Woodbury Estates.

The site is currently vacant and zoned O-I 1 (Low Density Office and Institutional District). There are several site constraints which impact the amount of land available for development including a private drive, a stream buffer, and utility easements. The proposed site plan has been included as part of the application to show the layout of the buildings in terms of the buffers and setbacks that will be required for the site.



**OVERVIEW OF REQUEST:**

The applicant is requesting the rezoning of 2.15± acres located at Summerlin Boulevard. The property is currently zoned O-1 1 (Low Density Office and Institutional District) and the applicant is requesting CCS (Community Shopping Center District) for the construction of a 4,700 square foot restaurant.



The entrance to the restaurant will be from the private drive running through the property, which allows access via both Summerlin Boulevard and Lower Fayetteville Road. In addition, the property is located within the Quality Development Corridor Overlay district which means all elevations must meet percentage requirements in terms of primary and secondary materials. The property is also within the Lower Fayetteville Road Commercial Landscape overlay which mandates a 20-foot replanted streetscape strip.

**STANDARDS:**

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to give reasonable consideration to the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and those with a red "X" ✗ as standards not being met.

**Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?** The proposed use would be primarily surrounded by commercial and office uses with CCS and OI-1 zoning designations. Woodbury Estates, which is zoned RU-2, does have an entrance across the road to the north.

In terms of development of adjacent properties, there is a shopping center with outparcels to the west, a gastroenterology business to the south, vacant OI-1 land to the east and the aforementioned entrance to Woodbury Estates to the north. In addition, there are two commercial lots along Summerlin just north of the Kroger shopping center tract that house a day care facility and a veterinarian office and an assisted living facility is located on the north east corner of Summerlin and Lower Fayetteville Road.

Given the surrounding uses being primarily commercial and office, Staff feels a restaurant would be a suitable use for the tract. There are already several restaurants just north of the site that back up to Summerlin road and there are additional lots that could be developed for that same use. In addition, the land to the east is already zoned CCS, so the rezoning would essentially extend that zoning by one tract. Also, the location of the restaurant will be within walking distance for multiple residential developments as well as users of the LINC.

**Staff Assessment – PROPOSED USE IS SUITABLE ✓**

**Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?**

The greatest impact resulting from the rezoning would be additional traffic. The development is expected to generate roughly 543 additional trips per day; however, both ends of Summerlin Boulevard are signalized and the private drive has a right-in-right-out onto Lower Fayetteville Road as well as a full access onto Summerlin. In addition, although the Woodbury Estates entrance is located directly across the street, it should be mentioned that there is a second entrance for the residential development off Newnan Crossing Boulevard East that could be used by its residents during peak hours. Also, the existing trips reflected in the traffic generation summary are based on a general office use. If the use was for a more intense type of office use, such as a medical or dental facility, the trips would be significantly higher.

**Staff Assessment – ADVERSE AFFECT IS MINIMAL ✓**

**Are their substantial reasons why the property cannot or should not be used as currently zoned?**

The property could be used as currently zoned. The tract abuts an office and institutional use and other OI-1 zoning designations.

**Staff Assessment – PROPERTY COULD BE USED AS CURRENTLY ZONED ✗**

**Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

In an effort to determine the impact of the proposed use on City service provision, comments were sought from providers associated with the services listed above. A summary of their responses are as follows:

*Police:* Police Chief Meadows has indicated that his department will be able to service the development. A copy of the Chief's letter has been provided as an attachment to the assessment.

*Fire:* Chief Stephen Brown indicated that the department currently has enough manpower and equipment to serve the proposed development. A copy of his letter has been provided as an attachment to the assessment.

*Newnan Utilities:* Newnan Utilities will be the water and sewer provider for the project. Scott Tolar reviewed the project and indicated that there is ample capacity to serve the proposed facility. Needs from the developer in terms of each service has been included in a letter that has been provided as an attachment to the assessment.

*Coweta County School System:* Since the project is commercial, the development will have no impact on the Coweta County School System.

*Engineering:*

**Environmental Concerns:**

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition.

**Access, Layout, and Road Concerns:**

1. ADA compliant five (5) foot sidewalks shall be provided along all street frontage both public and private streets.

**Trip Generation Existing Zoning:**

This existing site is zoned OI-1 with 2.15 acres and the proposed project will be for a restaurant approximately 4,700 Square feet. Trip Generation Manual, 9<sup>th</sup> edition was referenced for traffic generation summary shown below:

**TRAFFIC GENERATION SUMMARY**

(Compare a 4,700 SF office building with a like sized sit-down restaurant)

DAY	Existing Zoning Trips Estimate	Proposed Zoning Trips Estimate	Difference
WEEKDAY (vpd)	54	597	+543
WEEKDAY AM PEAK (vph)	8	63	+55
WEEKDAY PM PEAK (vph)	7	86	+79
SUNDAY (vpd)	4	620	+616
SATURDAY (vpd)	8	742	+734

The anticipated traffic generation from this zoning change is an increase of 55 to 79 more vehicles per hour during the peak AM and PM hours. The adjacent roads can handle this traffic but could see increased delay. The entrance will be located on a private drive that has a right in-right out onto Lower Fayetteville Road and a full access onto Summerlin Blvd which is signalized at each end.

As with all development, the project will have some impact on service provision. The question is whether or not it is excessive or burdensome. In this case, all of the service providers have indicated that they are able to address the needs of the development.

**Staff Assessment – PROJECT WILL HAVE SOME IMPACT, BUT IMPACT IS NOT EXCESSIVE OR BURDENSOME ✓**

**Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?** The Future Land Use Map shows this property as future commercial. The Georgia Department of Community Affairs “commercial” category is for land dedicated to non-industrial business uses, including retail sales, office, service and entertainment facilities located either as a single use in one building or together in a shopping center or office building.” Newnan defines this category as “areas including downtown Newnan and much of the Bullsboro Drive, Greenville Street and Temple Avenue corridors. Other areas include the Ashley Park shopping areas along Newnan Crossing Bypass, as well as portions of Lower Fayetteville Road.”

Since this property would be a “single service use” in the Lower Fayetteville Road area and the future land use map shows the tract as future commercial, it would be compatible with the purpose and intent of the Comprehensive Plan.

**Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE COMMERCIAL ✓**

**Is the proposed use consistent with the purpose and intent of the proposed zoning district?** The CCS (Community Shopping Center District) is created to permit the development of neighborhood, community, and regional shopping centers in scale with surrounding market areas, at locations recommended in the City of Newnan Comprehensive Plan. These shopping centers shall serve areas not already conveniently and adequately provided with commercial and service areas, parking areas and landscaped open space; with design features which reduce traffic; and with design, landscaping and

buffers which protect property values in surrounding neighborhoods. CCS districts shall provide a broad range of facilities and services appropriate to the general need of the area served. The type of center appropriate to any specified location shall be determined by the market served; the proximity and access provided to residential districts and consistency with the Comprehensive Plan.

In terms of location, the request would meet the intended parameters as the site would abut an existing community shopping center area. Also, the restaurant will be located within walking distance of numerous existing residential developments including Woodbury Estates, The Promenade at Newnan Crossing apartment complex, Watercrest Assisted Living Facility, and Stonebridge as well as the LINC.

**Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE PROPOSED ZONING DISTRICT**



**Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?** The City completed a full update of its Comprehensive Plan in 2016 which included the future land use map. The subject property was given a commercial designation by the City Council.

**Staff Assessment –THE COMPREHENSIVE PLAN ALREADY SHOWS THE PROPERTY AS FUTURE COMMERCIAL**



**Does 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 property?**

As we continue to grow, there is a need to provide additional retail and services opportunities for our existing and future subdivisions. Both the Comprehensive Plan and the Zoning Map show this area as a commercial center designed to serve the neighboring communities. By allowing restaurants, retail establishments, and other service providers to locate in and around the planned commercial centers, we are helping to decrease drive time and provide a more walkable community. In addition, the restaurant will be located on a street with two signalized intersections and off a private drive with a right-in-right-out on Lower Fayetteville Road. Even though additional traffic will be generated, the Engineering Department has indicated that “the adjacent roads can handle this traffic but there could be an increased delay”.

**Staff Assessment – THE PROPOSED PROJECT WOULD REFLECT A REASONABLE BALANCE -**



**SUMMARY OF STAFF FINDINGS:**

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **7 of the 8 standards**.

**OPTIONS:**

- A. Approve the rezoning request as submitted
- B. Approve the rezoning request with conditions
- C. Deny the rezoning request

**RECOMMENDATION:**

The Planning Commission at their November 12, 2019 meeting held a public hearing regarding the request and voted unanimously to recommend approval with the following condition:

The final site plan must be consistent with the conceptual site plan that was submitted as part of the application specifically with regard to the relationship of the way the building and parking lot will be positioned on the site.

**ATTACHMENTS:**      Application for Rezoning  
                                 Location Map  
                                 Service Provider Comments

**Funding:** N/A

**Previous Discussion with Council:** October 22, 2019



**CITY OF NEWNAN** | Project Location



CITY OF NEWNAN  
 PLANNING DEPT.  
 25 LAGRANGE STREET  
 NEWNAN, GEORGIA 30263  
[www.cityofnewnan.com](http://www.cityofnewnan.com)



**LEGEND**

- Project Location
- PARCELS
- CITY LIMITS

ADD 71

Summerlin Blvd  
 NEWNAN GA. 30265



**CITY OF NEWNAN, GEORGIA**  
**Planning & Zoning Department**

25 LaGrange Street  
Newnan, Georgia 30263  
Office (770) 254-2354  
Fax (770) 254-2361

**APPLICATION TO AMEND ZONING MAP**

**Note to Applicant:** Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline *will not be accepted*.

Name of Applicant EDWARDS6, LLC.- JOHN EDWARDS

Mailing Address 3421 MAIN ST., ATLANTA, GA. 30337

Telephone 404-583-1055 Email: jedwards@coregroupsales.com

Property Owner (Use back if multiple names) NEWNAN CROSSING PARTNERS, LLC.- BILL LAMB

Mailing Address 252 PHARR RD. NE, ATLANTA, GA. 30305

Telephone 404-231-0579

Address/Location of Property LOT 5 THE OUTPARCELS @ SUMMERLIN BLVD.

Tax Parcel No.: 098A 654 Land Lot 20 & 21

District/Section 5 Size of Property (Square Feet or Acres) 2.15 Ac.

Present Zoning Classification: O-I Proposed Zoning Classification: CCS

Present Land Use: WOODED/ VACANT

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable \_\_\_\_\_

This lot is a small outparcel and there is a glut of O-I property nearby. This area is best suited for a neighborhood comm. use

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made The adjacent property is zoned CCS. The proposed restaurant use is

one that is allowed in CCS.

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions?

N/A



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Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
  - What the property is to be used for, if known.
  - The size of the parcel or tract.
  - The zoning classification requested and the existing classification at the filing of this application.
  - The number of units proposed.
  - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
  - Any proposed buffers and modification to existing buffers.
  - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
  - ✓ Boundary survey showing property lines with lengths and bearings
  - ✓ Adjoining streets, existing and proposed, showing right-of-way
  - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
  - ✓ North arrow and scale
  - ✓ Adjacent land ownership, zoning and current land use
  - ✓ Total and net acreage of property
  - ✓ Proposed building locations
  - ✓ Existing and proposed driveway(s)
  - ✓ Lakes, ponds, streams, and other watercourses
  - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
  - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
  - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
  - Office proposals in excess of 200,000 gross square feet
  - Commercial proposals in excess of 250,000 gross square feet
  - Industrial proposals which would employ over 500 persons
  - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.

12. Fees for Amending the Zoning Map shall be made payable to the *City of Newnan* and are listed below:

- Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
- Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
- Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
- Commercial Application.....\$500.00/Plus \$25.00 Per Acre
- Industrial Application.....\$500.00/Plus \$15.00 Per Acre
- Mixed Use Application.....\$500.00/Plus Per Acre fee based upon proposed land use.
- Planned Development Application.....\$500.00/Plus per Acre fee based upon proposed land use.
- Overlay Zoning Application.....\$350.00

**PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.**

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Sworn to and subscribed before me this 9<sup>th</sup> day of October, 2019

Justin H. Justice  
Notary Public

Signature of Applicant [Handwritten Signature]

NOTARY  
JUSTIN H. JUSTICE  
My Comm. Expires March 2022  
Affix Seal Here  
PUBLIC  
WAYETTE COUNTY, GEORGIA

**FOR OFFICIAL USE ONLY**

DATE OF PRE-APPLICATION CONFERENCE: \_\_\_\_\_

RECEIVED BY: Dean Smith

DATE OF FILING: 10-10-19

FILING FEE RECEIVED: \$550.00

DATE OF NOTICE TO NEWSPAPER: \_\_\_\_\_

DATE OF PUBLIC HEARING: \_\_\_\_\_

PLANNING COMMISSION RECOMMENDATION (DATE): \_\_\_\_\_

DATE OF TRANSMITTAL TO CITY COUNCIL: \_\_\_\_\_

CITY COUNCIL DECISION (DATE): \_\_\_\_\_



City of Newnan, Georgia  
Attachment A  
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.  
*(Please refer to Article 10 of the Zoning Ordinance for complete details.)*

Please list any written proffered conditions below:

This property is located in the QDC (Quality Development Corridor) which requires additional landscaping and building facade requirements. It is our opinion that these additional requirements are sufficient to provide a quality and attractive development..

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

QDC Facade & Landscaping Requirements

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

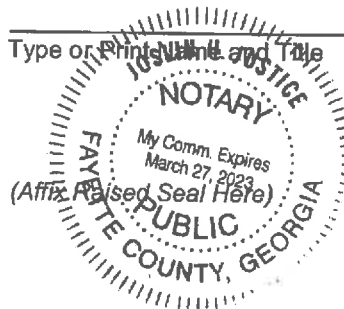
*[Handwritten Signature]*  
Signature of Applicant

*John R. Edwards III*  
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

*Justin H. Justice* 10.9.19  
Signature of Notary Public Date





City of Newnan, Georgia  
Attachment B

# Disclosure of Campaign Contributions & Gifts

Application filed on \_\_\_\_\_, 20\_\_ for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations<sup>1</sup> having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission?  Yes  No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

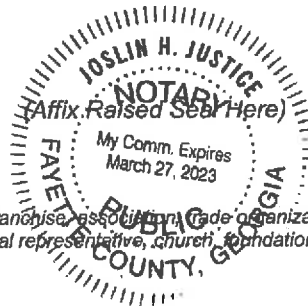
[Handwritten Signature]  
Signature of Applicant

JOHN R EDWARDS III  
Type or Print Name and Title

\_\_\_\_\_  
Signature of Applicant's Representative

\_\_\_\_\_  
Type or Print Name and Title

Justin H. Justice 10/9/19  
Signature of Notary Public                      Date



<sup>1</sup>Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia  
Attachment C  
Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property

Name of Property Owner NEWNAN CROSSING PARTNERS, LLC.- BILL LAMB

Telephone Number 404-231-0579

Address of Subject Property LOT 5 THE OUTPARCELS @ SUMMERLIN BLVD.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

*Greg Lee Investments, Inc, Manager*

*Hal Lamb, President*

Signature of Property Owner

Personally appeared before me

Hal Lamb

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Beth Boylen

Notary Public

(Affix Raised Seal Here)

10-09-2019

Date

Beth Boylen  
NOTARY PUBLIC  
DeKalb County, GEORGIA  
My Commission Expires 6-20-2020



City of Newnan, Georgia  
Attachment D  
**Attorney's Authorization**

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**NOTE:** *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.

\_\_\_\_\_  
(Signature of Attorney)

Name of Attorney \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Date \_\_\_\_\_



City of Newnan, Georgia  
Attachment E  
**Rezoning Checklist**

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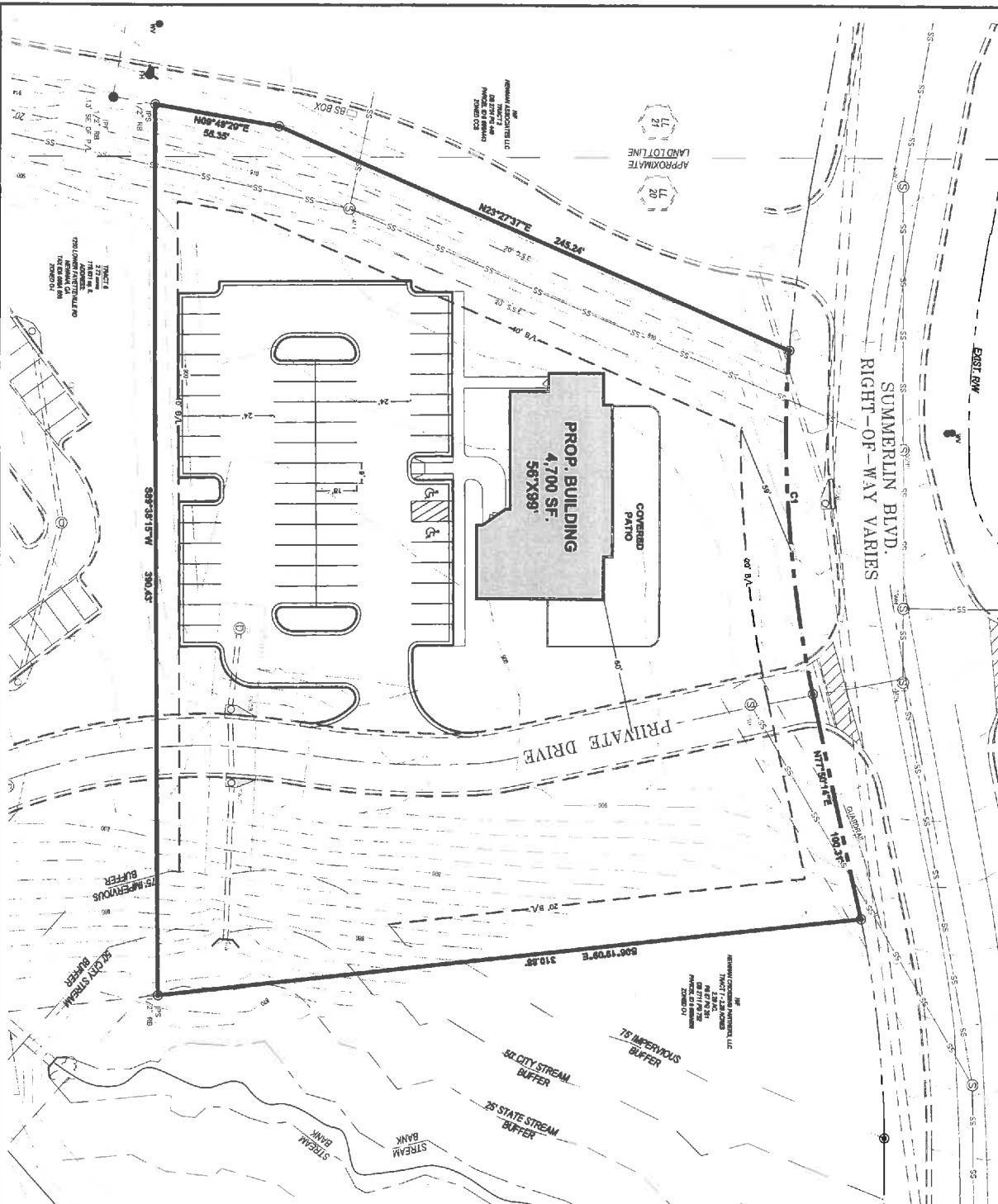
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The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- \_\_\_\_\_ Completed application form
- \_\_\_\_\_ Letter of intent
- \_\_\_\_\_ Names and addresses of all owners of all property within 250 feet of the subject property
- \_\_\_\_\_ Legal description of property
- \_\_\_\_\_ Certified plat
- \_\_\_\_\_ Completed Attachment A – Proffered Conditions (if applicable)
- \_\_\_\_\_ Completed Attachment B – Disclosure of Campaign Contributions & Gifts (if applicable)
- \_\_\_\_\_ Completed Attachment C – Property Owner's Authorization (if applicable)
- \_\_\_\_\_ Completed Attachment D – Attorney's Authorization (if applicable)
- \_\_\_\_\_ Community Impact Study (if applicable)
- \_\_\_\_\_ Filing Fee in the form of a check payable to the **City of Newnan**

**Note:** Please attach this form to the filing application.

THIS IS A PRELIMINARY DRAWING FOR THE USE OF THE ARCHITECT AND CONTRACTOR. IT IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT AND CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED HEREON. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED HEREON. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED HEREON. DATED: FEBRUARY 4, 2015



- NOTES:**
- EXISTING ZONING: O1 (OFFICE/COMMERCIAL) A OCC
  - PROPOSED ZONING: C24 COMMUNITY SHOPPING CENTER DIST. 1 W/ OCC
  - TOTAL ACRES: 2.15 AC.
  - PROPOSED SETBACKS: FRONT - 0' FT. SIDE - 10' REAR - 4'
  - PROPOSED USE: 44,700 SF. RESTAURANT W/ OUTDOOR PATIO

**CAUTION**

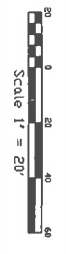
THIS DRAWING IS THE PROPERTY OF PARAMOUNT ENGINEERING. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ANY UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS DRAWING. CONTACT: GEORGE@PARAMOUNT-ENG.COM

**LEGEND**

PROPOSED	EXISTING	ADJUSTED	BOUNDARY
PROPOSED BUILDING	EXISTING BUILDING	ADJUSTED BUILDING	BOUNDARY LINE
PROPOSED DRIVE	EXISTING DRIVE	ADJUSTED DRIVE	BOUNDARY LINE
PROPOSED PATIO	EXISTING PATIO	ADJUSTED PATIO	BOUNDARY LINE
PROPOSED PARKING	EXISTING PARKING	ADJUSTED PARKING	BOUNDARY LINE
PROPOSED BUFFER	EXISTING BUFFER	ADJUSTED BUFFER	BOUNDARY LINE
PROPOSED STREAM BANK	EXISTING STREAM BANK	ADJUSTED STREAM BANK	BOUNDARY LINE
PROPOSED UTILITY	EXISTING UTILITY	ADJUSTED UTILITY	BOUNDARY LINE
PROPOSED LANDSCAPE	EXISTING LANDSCAPE	ADJUSTED LANDSCAPE	BOUNDARY LINE
PROPOSED SIGNAGE	EXISTING SIGNAGE	ADJUSTED SIGNAGE	BOUNDARY LINE
PROPOSED LIGHTING	EXISTING LIGHTING	ADJUSTED LIGHTING	BOUNDARY LINE
PROPOSED FENCE	EXISTING FENCE	ADJUSTED FENCE	BOUNDARY LINE
PROPOSED WALL	EXISTING WALL	ADJUSTED WALL	BOUNDARY LINE
PROPOSED CURB	EXISTING CURB	ADJUSTED CURB	BOUNDARY LINE
PROPOSED DRIVEWAY	EXISTING DRIVEWAY	ADJUSTED DRIVEWAY	BOUNDARY LINE
PROPOSED WALKWAY	EXISTING WALKWAY	ADJUSTED WALKWAY	BOUNDARY LINE
PROPOSED BIKEWAY	EXISTING BIKEWAY	ADJUSTED BIKEWAY	BOUNDARY LINE
PROPOSED RAMP	EXISTING RAMP	ADJUSTED RAMP	BOUNDARY LINE
PROPOSED STAIR	EXISTING STAIR	ADJUSTED STAIR	BOUNDARY LINE
PROPOSED ELEVATION	EXISTING ELEVATION	ADJUSTED ELEVATION	BOUNDARY LINE
PROPOSED AREA	EXISTING AREA	ADJUSTED AREA	BOUNDARY LINE
PROPOSED POINT	EXISTING POINT	ADJUSTED POINT	BOUNDARY LINE
PROPOSED LINE	EXISTING LINE	ADJUSTED LINE	BOUNDARY LINE
PROPOSED CURVE	EXISTING CURVE	ADJUSTED CURVE	BOUNDARY LINE
PROPOSED TANGENT	EXISTING TANGENT	ADJUSTED TANGENT	BOUNDARY LINE
PROPOSED CHORD	EXISTING CHORD	ADJUSTED CHORD	BOUNDARY LINE
PROPOSED ARC	EXISTING ARC	ADJUSTED ARC	BOUNDARY LINE
PROPOSED SPHERE	EXISTING SPHERE	ADJUSTED SPHERE	BOUNDARY LINE
PROPOSED CYLINDER	EXISTING CYLINDER	ADJUSTED CYLINDER	BOUNDARY LINE
PROPOSED CONE	EXISTING CONE	ADJUSTED CONE	BOUNDARY LINE
PROPOSED PYRAMID	EXISTING PYRAMID	ADJUSTED PYRAMID	BOUNDARY LINE
PROPOSED PRISM	EXISTING PRISM	ADJUSTED PRISM	BOUNDARY LINE
PROPOSED CUBE	EXISTING CUBE	ADJUSTED CUBE	BOUNDARY LINE
PROPOSED RECTANGLE	EXISTING RECTANGLE	ADJUSTED RECTANGLE	BOUNDARY LINE
PROPOSED SQUARE	EXISTING SQUARE	ADJUSTED SQUARE	BOUNDARY LINE
PROPOSED TRIANGLE	EXISTING TRIANGLE	ADJUSTED TRIANGLE	BOUNDARY LINE
PROPOSED QUADRANGLE	EXISTING QUADRANGLE	ADJUSTED QUADRANGLE	BOUNDARY LINE
PROPOSED PENTAGON	EXISTING PENTAGON	ADJUSTED PENTAGON	BOUNDARY LINE
PROPOSED HEXAGON	EXISTING HEXAGON	ADJUSTED HEXAGON	BOUNDARY LINE
PROPOSED HEPTAGON	EXISTING HEPTAGON	ADJUSTED HEPTAGON	BOUNDARY LINE
PROPOSED OCTAGON	EXISTING OCTAGON	ADJUSTED OCTAGON	BOUNDARY LINE
PROPOSED NONAGON	EXISTING NONAGON	ADJUSTED NONAGON	BOUNDARY LINE
PROPOSED DECAGON	EXISTING DECAGON	ADJUSTED DECAGON	BOUNDARY LINE
PROPOSED UNDECAGON	EXISTING UNDECAGON	ADJUSTED UNDECAGON	BOUNDARY LINE
PROPOSED DODECAGON	EXISTING DODECAGON	ADJUSTED DODECAGON	BOUNDARY LINE

**DEVELOPER:**  
 NEWMAN DEVELOPMENT, LLC  
 1111 AVENUE G, SUITE 200  
 ATLANTA, GA 30309  
 PH: 404-251-1878  
 E: info@newmandev.com

**OWNER:**  
 NEWMAN DEVELOPMENT, LLC  
 1111 AVENUE G, SUITE 200  
 ATLANTA, GA 30309  
 PH: 404-251-1878  
 E: info@newmandev.com



PROJECT: <b>PALMERS NEWMAN</b>	REV: _____	DATE: _____	DESCRIPTION: _____
	SHEET: <b>CONCEPTUAL SITE PLAN</b>		
LL 20 & 21	5TH DISTRICT	CITY OF NEWMAN	
DATE: 10-09-19	DRAWN BY: GPH	SCALE: 1" = 20'	DRAWING NO: 291005-PALMERS

1

SHEET

**Paramount**  
ENGINEERING

11 E. BROAD ST.  
NEWMAN, GA 30263  
george@paramount-eng.com

80





October 10, 2019

City of Newnan  
Planning & Zoning Department  
25 Lagrange St.  
Newnan, Georgia 30263

**RE: Letter of Intent- Palmers Restaurant- Summerlin Blvd.**

To Whom It May Concern,

This letter is in reference to the requested rezoning of a 2.15 ac. tract (Lot 5 The Outparcels @ Summerlin Blvd) from O-I to CCS for construction of an approximately 4,700 sqft restaurant. The proposed floor area ratio (FAR) is  $4,700 \text{ GFA} / 93,654 \text{ sf} = 0.05$ . Only one building is proposed at this time. There are existing stream buffers on this site that will remain undisturbed. There are currently water and sewer service available for this lot.

Please feel free to call with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Harper', followed by a long horizontal line extending to the right.

George P. Harper, P.E.



2005-2140

DOCH 008469  
FILED IN OFFICE  
03/31/2005 02:51 PM  
BK:2711 PG:752-768  
CINDY G BROWN  
CLERK OF SUPERIOR COURT  
COWETA COUNTY

*Cindy G. Brown*  
REAL ESTATE TRANSFER TAX  
PAID: \$0.00 ✓

SPACE ABOVE LINE FOR RECORDER'S USE

Please record and return to:

Jonathan M. Perry, Esq.  
Greenberg Traurig, LLP  
The Forum, Suite 400  
3290 Northside Parkway  
Atlanta, Georgia 30327

RETURN TO:  
GLOVER & DAVIS, P.A.  
P.O. DRAWER 1038  
NEWNAN, GA 30824

STATE OF GEORGIA        )  
                                  ) ss:  
COUNTY OF COWETA     )

QUITCLAIM DEED

THIS INDENTURE, made this 30<sup>th</sup> day of March, 2005 by and between CHRIS COOPER, INC., a Texas corporation (hereinafter referred to as "Grantor"), having an address of 1909 Woodall Rodgers Freeway, Dallas, Texas 75201, and NEWNAN CROSSING PARTNERS, LLC, a Georgia limited liability company (hereinafter referred to as "Grantee"), having an address of 525 Pharr Road, N.E., Atlanta, Georgia 30305 (the words "Grantor" and "Grantee" to include its respective heirs, successors and assigns where the context requires or permits);

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, has bargained, sold, and quitclaimed and by these presents does hereby remise, convey and forever QUITCLAIM unto Grantee, its heirs, legal representatives, successors and assigns, the property more particularly described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter referred to as the "Property");

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

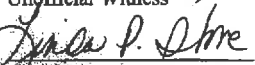
atl-fs1\509649v01\80005.010900

17/02

IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this Quitclaim Deed as of the date and year first above written.

Signed, sealed and delivered  
in the presence of:


  
Unofficial Witness

  
Notary Public [Affix seal and  
state date of expiration of  
commission] 2-10-07



GRANTOR:

CHRIS COOPER, INC.,  
a Texas corporation

By:   
Chris Cooper,  
President

[CORPORATE SEAL]

EXHIBIT A

LEGAL DESCRIPTION

TRIANGLE TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lots 20 & 21, 5th District, Coweta County, Georgia, containing 7.15 acres or 311,420 square feet, being known as Tract 1 in accordance with an Boundary Survey for Newnan Crossing Partnership by Moore Bass Consulting, Inc., Wayne Alan Powers #2891, dated 10-26-04, and being more particularly described as follows:

Commencing at the intersection of the easterly right-of-way of Interstate 85 (right-of-way varies) and the northern right-of-way of Lower Fayetteville Road (right-of-way varies); Thence along the northern right-of-way of Lower Fayetteville Road North 80 degrees 06 minutes 42 seconds East a distance of 216.83 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road South 85 degrees 38 minutes 21 seconds East a distance of 350.82 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road South 85 degrees 38 minutes 21 seconds East a distance of 148.37 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road North 82 degrees 25 minutes 03 seconds East a distance of 133.71 feet, to a point at the intersection of the western right-of-way of Proposed Newnan Crossing Boulevard East (right-of-way varies);

Thence continuing along said right-of-way of Lower Fayetteville Road North 82 degrees 25 minutes 03 seconds East a distance of 120.00 feet, to a one half-inch rebar found at the eastern right-of-way of Proposed Newnan Crossing Boulevard East;

Thence leaving said right-of-way of Lower Fayetteville Road and along the eastern right-of-way of Proposed Newnan Crossing Boulevard East North 07 degrees 34 minutes 57 seconds West a distance of 15.94 feet, to a point on the proposed northerly right-of-way of Lower Fayetteville Road;

Thence leaving said right-of-way and along the proposed northerly right-of-way of Lower Fayetteville Road along an arc of a curve to the left and arc length of 294.71 feet and a radius of 2799.79 feet, said curve being subtended by a chord bearing, North 77 degrees 44 minutes 49 seconds East a distance of 294.58 feet, to a point;

Thence continuing along said right-of-way along an arc of a curve to the left an arc length of 337.50 feet and a radius of 2799.79 feet, said curve being subtended by a chord bearing, North 71 degrees 16 minutes 41 seconds East a distance of 337.30 feet, to a point;

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Thence continuing along said right-of-way along an arc of a curve to the left an arc length of 277.93 feet and a radius of 2799.79 feet, said curve being subtended by a chord bearing, North 64 degrees 58 minutes 51 seconds East a distance of 277.81 feet, to a point, said point being the POINT OF BEGINNING;

Thence North 09 degrees 49 minutes 14 seconds East a distance of 417.56 feet to a point;

Thence North 09 degrees 49 minutes 14 seconds East a distance of 74.25 feet to a point;

Thence North 23 degrees 28 minutes 31 seconds East, a distance of 245.24 feet to a point on the southerly right-of-way of Proposed Summerlin Blvd. (80' right-of-way);

Thence continuing along said right-of-way of Proposed Summerlin Blvd. (80' right-of-way), along an arc of a curve to the left an arc length of 151.89 feet and a radius of 540.00 feet, said curve being subtended by a chord bearing, North 85 degrees 53 minutes 35 seconds East a distance of 151.39 feet, to a point;

Thence continuing along the said right-of-way North 77 degrees 50 minutes 07 seconds East, a distance of 100.31 feet to a point;

Thence continuing along the said right-of-way along an arc of a curve to the right an arc length of 97.66 feet and a radius of 460.00 feet, said curve being subtended by a chord bearing, North 83 degrees 55 minutes 04 seconds East, a distance of 97.48 feet, to a point;

Thence continuing along said right-of-way North 90 degrees 00 minutes 00 seconds East, a distance of 68.59 feet to a point on the southerly right-of-way of Proposed Summerlin Blvd. (80' right-of-way) at this point;

Thence continuing along said right-of-way South 00 degrees 00 minutes 00 seconds West, a distance of 10.00 feet to a point on the southerly right-of-way of Proposed Summerlin Blvd. (100' right-of-way) at this point

Thence continuing along said right-of-way of Proposed Summerlin Blvd. (100' right-of-way), South 90 degrees 00 minutes 00 seconds East, a distance of 79.56 feet to a point;

Thence continuing along said right-of-way along an arc of a curve to the right an arc length of 158.18 feet and a radius of 200.00 feet, said curve being subtended by a chord bearing, South 67 degrees 20 minutes 34 seconds East, a distance of 154.09 feet to a point;

Thence continuing along said right-of-way South 44 degrees 41 minutes 09 seconds East, a distance of 24.39 feet to a point on the proposed northerly right-of-way of Lower Fayetteville Road (right-of-way varies);

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Thence leaving said right-of-way of Proposed Summerlin Blvd. (100' right-of-way), and along the proposed northerly right-of-way of Lower Fayetteville Road (right-of-way varies), South 43 degrees 50 minutes 59 seconds West, a distance of 179.66 feet to a point;

Thence continuing along said right-of-way, along an arc of a curve to the right an arc length of 893.62 feet and a radius of 2799.79 feet, said curve being subtended by a chord bearing South 52 degrees 59 minutes 36 seconds West, a distance of 889.83 feet to a point, said point being the POINT OF BEGINNING.

TOGETHER WITH:

RIGHT-OF-WAY ACQUISITION-TRIANGLE TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lots 20 & 21, 5th District, Coweta County, Georgia, 1.69 acres or 73,499 square feet, being known as Tract 2 in accordance with an Boundary Survey for Newnan Crossing Partnership by Moore Bass Consulting, Inc., Wayne Alan Powers #2891, dated 10-26-04, and being more particularly described as follows:

Commencing at the intersection of the easterly right-of-way of Interstate 85 (right-of-way varies) and the northern right-of-way of Lower Fayetteville Road (right-of-way varies); Thence along the northern right-of-way of Lower Fayetteville Road North 80 degrees 06 minutes 42 seconds East a distance of 216.83 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road South 85 degrees 38 minutes 21 seconds East a distance of 350.82 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road South 85 degrees 38 minutes 21 seconds East a distance of 148.37 feet, to a point;

Thence continuing along said right-of-way of Lower Fayetteville Road North 82 degrees 25 minutes 03 seconds East a distance of 133.71 feet, to a point at the intersection of the western right-of-way of Proposed Newnan Crossing Boulevard East (right-of-way varies);

Thence continuing along said right-of-way of Lower Fayetteville Road North 82 degrees 25 minutes 03 seconds East a distance of 120.00 feet, to a one half-inch rebar found at the eastern right-of-way of Proposed Newnan Crossing Boulevard East;

Thence leaving said right-of-way of Lower Fayetteville Road and along the eastern right-of-way of Proposed Newnan Crossing Boulevard East North 07 degrees 34 minutes 57 seconds West a distance of 15.94 feet, to a point on the proposed northerly right-of-way of Lower Fayetteville Road.

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**NEWNAN POLICE DEPARTMENT**  
**CITY OF NEWNAN**  
1 Joseph Hannah Blvd  
P.O. Box 1193  
Newnan, GA 30264  
770-254-2355  
FAX: 678-423-4130

October 29, 2019

Newnan Planning and Zoning Department

Reference: Rezoning Request RZ2019-08

Dear Tracy,

After reviewing the proposed changes and use of the property, Newnan Police Department will be able to handle the new restaurant.

If you have any questions, please let me know.

Thanks.

Douglas L. Meadows  
Chief of Police  
Newnan Police Department





# NEWNAN FIRE DEPARTMENT

23 JEFFERSON STREET • NEWNAN, GA 30263  
770-253-1851 (P) • 770-638-8678 (F)



Stephen R. Brown, Fire Chief

Oct. 30, 2019

To: Tracy Dunnavant

Ref: Summerlin Blvd.

Dear Tracy,

I have reviewed your request on: Rezoning Request RZ2019-08, Edwards6, LLC for 2.15 ± acres located on Summerlin Boulevard (Tax Parcel # 098A 654)

And I have determined that we have the adequate personnel and equipment to service this location.

Thank you,

Chief Stephen Brown

  
Newnan Fire Department



November 5, 2019

Attn: Tracy S. Dunnavant  
Planning & Zoning Director  
City of Newnan  
25 LaGrange Street  
Newnan, Georgia 30263

**REF: Proposed Rezoning Request – RZ2019-08**

Dear Ms. Dunnavant,

I am writing per your request to confirm that Newnan Utilities will be the water and sewer service provider for the above referenced project. At this time, Newnan Utilities also has ample capacity to serve this proposed facility, based on the following information:

1. Parcel Number 098A 654
2. 2.15 +/- Acres
3. Sanitary Sewer:
  - a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
  - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
    - i. Design and Construction of development sanitary sewer system per Newnan Utilities Specifications.
    - ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.
    - iii. Cost for analyzing existing sanitary sewer system by an engineer firm approved by Newnan Utilities.
    - iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades, sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
    - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
    - vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

4. Water:

- a. Developer shall connect to Newnan Utilities Water System.
- b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
  - i. Construction of development water system per Newnan Utilities Specifications.
  - ii. Design and construction of connection to Newnan Utilities Water System.
  - iii. Cost for analyzing existing water sewer system by an engineer firm approved by Newnan Utilities.
  - iv. Existing water upgrades to handle proposed development. This is to include water system upgrades, fire protection upgrades, and any other upgrades deemed necessary by Newnan Utilities.
  - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.

Please let me know if you have any questions or need additional information.

Sincerely,



Scott Tolar, P.E.  
Newnan Utilities  
(770) 301-0245



# The City of Newnan, Georgia

## Public Works Department

11/04/2019

Engineering Department Review

RE: Rezoning request RZ2019-08 – Summerlin Blvd from OI-1 to CCS

### **Environmental Concerns:**

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition.

### **Access, Layout, and Road Concerns:**

1. ADA compliant five (5) foot sidewalks shall be provided along all street frontage both public and private streets.

### **Trip Generation Existing Zoning:**

This existing site is zoned OI-1 with 2.15 acres and the proposed project will be for a restaurant approximately 4,700 Square feet. Trip Generation Manual, 9<sup>th</sup> edition was referenced for traffic generation summary shown below:

### **TRAFFIC GENERATION SUMMARY**

(Compare a 4,700 SF office building with a like sized sit down restaurant)

DAY	Existing Zoning Trips Estimate	Proposed Zoning Trips Estimate	Difference
WEEKDAY (vpd)	54	597	+543
WEEKDAY AM PEAK (vph)	8	63	+55
WEEKDAY PM PEAK (vph)	7	86	+79
SUNDAY (vpd)	4	620	+616
SATURDAY (vpd)	8	742	+734

The anticipated traffic generation from this zoning change is an increase of 55 to 79 more vehicles per hour during the peak AM and PM hours. The adjacent roads can handle this traffic but could see increased delay. The entrance will be located on a private drive that has a right in-right out onto Lower Fayetteville Road and a full access onto Summerlin Blvd which is signalized at each end.



P

Palmer's



*Kavin Baschit*

**ires**  
R-J  
ROOT BEER  
WITH REAL ROOT JUICES  
TASTES SO GOOD



John Edwards,  
Edwards6, LLC  
Land Lots 20 and 21,  
5<sup>th</sup> Land District  
2.15± acres  
Lot 5 of the Outparcels @  
Summerlin Boulevard  
(Tax Parcel #098A 654)

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY LOCATED  
IN LAND LOTS 20 AND 21 OF THE 5<sup>TH</sup> LAND DISTRICT, LOT 5 OF THE  
OUTPARCELS LOCATED AT SUMMERLIN BOULEVARD, CONTAINING 2.15±  
ACRES IN THE CITY OF NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone said property from City of Newnan Zoning Classification O-I 1 (Low Density Office and Institutional District) to CCS (Community Shopping Center District); and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 10<sup>th</sup> day of December, 2019; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit "A" attached hereto and by reference made a part hereof be rezoned CCS (Community Shopping Center District) subject to the following condition:

1. The final site plan must be consistent with the conceptual site plan that was submitted with the application specifically with regard to the relationship of the way the building and parking lot will be positioned on the site as depicted on Exhibit "B" attached hereto and by reference made a part hereof.



Section II. All Ordinances or parts of Ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section III. This Ordinance shall be effective upon adoption.

DONE, RATIFIED and PASSED, by the City Council of the City of Newnan, Georgia, this the \_\_\_\_ day of \_\_\_\_\_, 2019 in regular session assembled.

ATTEST:

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
L. Keith Brady, Mayor

REVIEWED AS TO FORM:

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro-Tem

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Raymond F. DuBose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin Koritko, Councilmember

\_\_\_\_\_  
Paul Guillaume, Councilmember

**Legal Description  
The Outparcels at Summerlin Boulevard Phase 2  
Tract 5**

All that tract and parcel of land lying and being in land lots 20 & 21 of the 5th Land District of Coweta County, Georgia and more particularly described as follows:

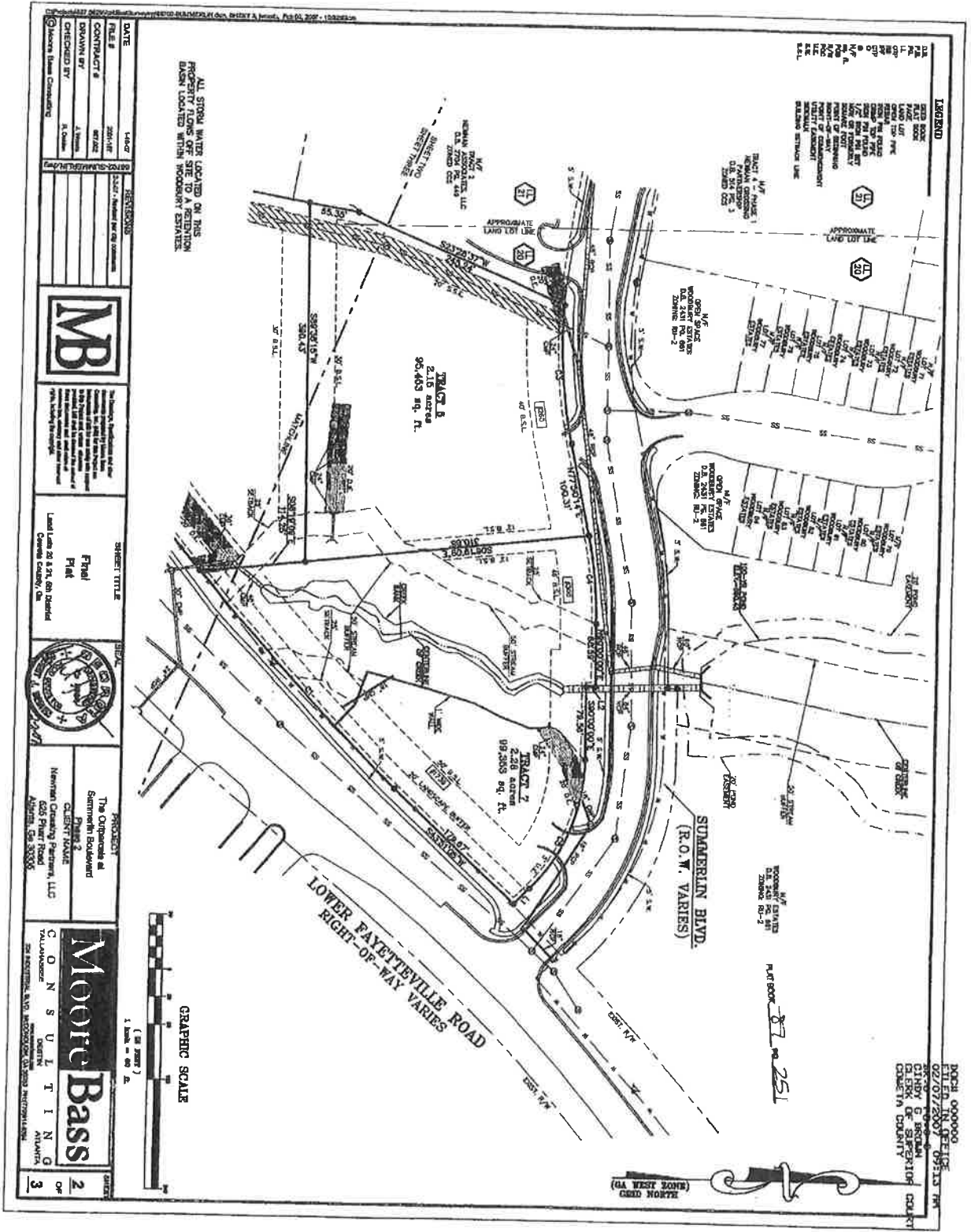
Commencing at the intersection of the northern right-of-way of Lower Fayetteville Road and the southern right-of-way of Summerlin Blvd.; Thence N 44°41'02" W a distance of 24.39' to a point; Thence around a curve having a radius of 200.01', an arc distance of 158.18', a chord bearing of N 67°20'28" W a distance of 154.09' to a point; Thence N 90°00'00" W a distance of 79.56' to a point; Thence N 00°00'06" E a distance of 10.00' to a point; Thence S 90°00'00" W a distance of 68.59' to a point; Thence around a curve having a radius of 460.01', an arc distance of 97.67', a chord bearing of S 83°55'10" W a distance of 97.48' to a point; this point being **THE POINT OF BEGINNING.**

From **THE POINT OF BEGINNING:**

Thence S 06°19'09" E a distance of 310.88' to a point;  
Thence S 89°38'15" W a distance of 390.43' to a point;  
Thence N 09°49'20" E a distance of 55.35' to a point;  
Thence N 23°28'37" E a distance of 245.24' to a point;  
Thence around a curve having a radius of 539.70', an arc distance of 151.89', a chord bearing of N 85°53'36" E a distance of 151.39' to a point;  
Thence N 77°50'14" E a distance of 100.31' to  
**THE POINT OF BEGINNING.**

Containing 2.15 acres.

EXHIBIT "A"  
Page 2 of 2



ALL STORM WATER LOCATED ON THIS PROPERTY FLOWS OFF SITE TO A RETENTION BASIN LOCATED WITHIN WOODBERRY STRAITS.

DATE	1/20/11
FILE #	2011-01
CONTRACT #	000000
DRAWN BY	J. White
CHECKED BY	J. White
DESIGNED BY	J. White
DATE	1/20/11

PROJECT	2011-01
CLIENT	Sumner
DATE	1/20/11



MOORE BASS  
ARCHITECTS  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Phone: 404.525.8800  
Fax: 404.525.8801  
www.moorebass.com

PROJECT TITLE  
Final  
SHEET TITLE  
Final  
Scale  
As Shown

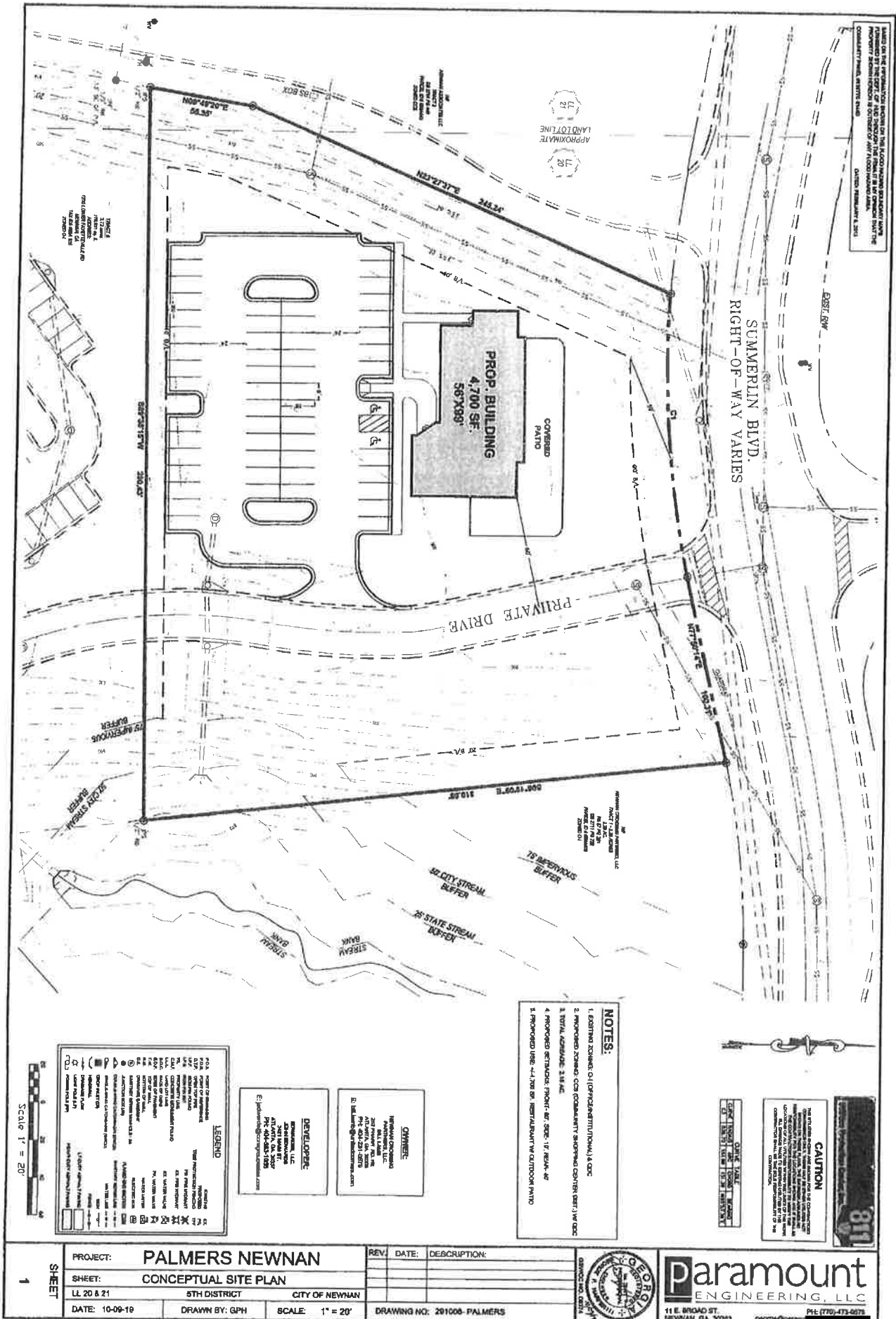


PROJECT  
The Outposts at  
Sumner Boulevard  
Phase 2  
CLIENT NAME  
Newman Clearing Partners, LLC  
605 Plover Road  
Atlanta, GA 30308

MOORE BASS  
ARCHITECTS  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Phone: 404.525.8800  
Fax: 404.525.8801  
www.moorebass.com

DATE	1/20/11
FILE #	2011-01
CONTRACT #	000000
DRAWN BY	J. White
CHECKED BY	J. White
DESIGNED BY	J. White
DATE	1/20/11

BOOK 000000  
FILED IN OFFICE  
02/07/2007 09:51 AM  
CLERK OF SUPERIOR COURT  
COLLETTA COUNTY



BASED ON THE INFORMATION RECEIVED ON THE ACCOMPANYING SURVEY AND PROVIDED BY THE CLIENT, THE ENGINEER HAS FOUND THAT THE COMPLETION OF THIS PROJECT WILL NOT VIOLATE ANY APPLICABLE REGULATIONS AND ORDINANCES.

- NOTES:**
1. EXISTING ZONING: O (OFFICE/COMMERCIAL) & C-DC
  2. PROPOSED ZONING: C-DC (COMMUNITY SHOPPING CENTER DISTRICT) & C-DC
  3. TOTAL ACRES: 2.18 AC
  4. PROPOSED RETRACTION FRONT: 40' SIDE: 12' REAR: 40'
  5. PROPOSED USE: 4-1,200 SF, 1-LEVEL, 1-1/2 STORY, 1/2" GLASS, 1/2" GLASS

**OWNER:**  
 NEWNAN DEVELOPMENT, LLC  
 1111 W. MAIN ST.  
 NEWNAN, GA 30159  
 TEL: 478-251-0878  
 E: info@newnan.com

**DESIGN LOBBY:**  
 GEORGE W. BROWN, III  
 1111 W. MAIN ST.  
 NEWNAN, GA 30159  
 TEL: 478-251-0878  
 E: info@newnan.com

**LEGEND**

PROJ. NO.	PROJECT NO.	DATE	SCALE
1000	1000	10/06/19	1" = 20'
1.0	1.0	1.0	1.0
2.0	2.0	2.0	2.0
3.0	3.0	3.0	3.0
4.0	4.0	4.0	4.0
5.0	5.0	5.0	5.0
6.0	6.0	6.0	6.0
7.0	7.0	7.0	7.0
8.0	8.0	8.0	8.0
9.0	9.0	9.0	9.0
10.0	10.0	10.0	10.0
11.0	11.0	11.0	11.0
12.0	12.0	12.0	12.0
13.0	13.0	13.0	13.0
14.0	14.0	14.0	14.0
15.0	15.0	15.0	15.0
16.0	16.0	16.0	16.0
17.0	17.0	17.0	17.0
18.0	18.0	18.0	18.0
19.0	19.0	19.0	19.0
20.0	20.0	20.0	20.0

**CAUTION**

THIS PLAN AND ALL INFORMATION CONTAINED HEREON ARE THE PROPERTY OF PARAMOUNT ENGINEERING, LLC. NO PART OF THIS PLAN OR INFORMATION CONTAINED HEREON IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PARAMOUNT ENGINEERING, LLC.

**DATE PAID**

10/06/19

PROJECT: PALMERS NEWNAN	REV:	DATE:	DESCRIPTION:
	SHEET: CONCEPTUAL SITE PLAN		
LL 20 & 21	CITY OF NEWNAN		
DATE: 10-06-19	DRAWN BY: GPH	SCALE: 1" = 20'	DRAWING NO: 201006-PALMERS

**paramount**  
 ENGINEERING, LLC

11 E. BROAD ST.  
 NEWNAN, GA, 30253

PH: (770) 473-6278

# City of Newnan, Georgia – Mayor and Council



Date: December 10, 2019

Agenda Item: 33 Hardaway St, 280 West Washington St., 6 Glenn St, 8 Glenn St, 15 Elm Cir, 18 Berry Ave

Prepared and Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** To inform Council of the status of 33 Hardaway St, 280 West Washington St., 6 Glenn St, 8 Glenn St, 15 Elm Cir, 18 Berry Ave having been before Council in Public Hearings.

**Background:** Date of Status Check: December 3, 2019

<u>Property Address</u>	<u>Owner</u>	<u>Original Hearing</u>	<u>Original # Of Days Allowed</u>	<u>Original Resolution Deadline</u>	<u>Extensions</u>	<u>Updated Resolution Deadline</u>	<u>Status</u>
33 Hardaway St	Annie Cook Est	June 18, 2019	120 days	October 17, 2019	90 days	January 13, 2020	Property for sale
280 West Washington St	Irvin Jones Estate	February 24, 2015	180 Days	August 23, 2015	180 Days	March 23, 2020	Interior progress
18 Berry Ave	Dan Moten	June 18, 2019	30 days	July 16, 2019	120 days	February 24, 2020	No progress. Potential sale pending.

15 Elm Cir	Doug Frost	April 23, 2019	45 days	October 14, 2019	90 days	January 13, 2020	Interior/Exterior progress
6 Glenn St	D Free Mgt LLC	August 27, 2019	30 days	September 27, 2019	60 days	February 25, 2020	Interior and exterior progress
8 Glenn St	D Free Mgt LLC	August 27, 2019	60 days	November 24, 2019	30 days	December 27, 2019	Interior and exterior progress

**Options:**

1. Accept status reports, no further action is required.
2. Other direction from Council.

**Funding:**

Not Applicable

**Recommendation:**

Staff is requesting Council's approval for Option 1.

**Previous Discussions**

**With Council:**

All have previous history with Council.



## City of Newnan, Georgia - Mayor and Council

Date: December 10, 2019

Agenda Item: Request from Southern Riders RC to hold a "Toy Run" to begin at 1:00 PM on Sunday December 15<sup>th</sup> from Harley Davidson on Hwy 16 through downtown Newnan to Department of Family and Children Services on Hwy 29

Prepared By: L Winn / Request from Matthew Dean for Southern Riders

---

This request will require temporarily blocking intersections at these locations during the event:

- Greenville & Corinth
- Sewell & Greenville
- Spence & Greenville
- All of the Square
- Jefferson & Clark
- Jackson & Clark
- Roscoe & Jackson
- Bypass & Jackson
- Hwy 16 and Hwy 29

(A small portion of the above intersections are not inside the City Limits and require the applicant to seek approval from Coweta County)

### Attachment

# **SOUTHERN RIDERS, RC**

## **1<sup>st</sup> Annual Toy Run**

**Sunday, December 15, 2019**

**Registration beginning at 11:00 am**

***Great South Harley Davidson***

**Kick stands up/motors running at 1:00 pm**

**RAIN OR SHINE**

**Toy Run to benefit**

***Department of Family and Children's Services***

**Donation of one new unwrapped toy valued at \$10.00 or**

**\$10.00 cash donation per rider or vehicle**

**All additional donations are appreciated**

**Thanks to all our Sponsors**

Iron Cross MC   *Brent Scarbrough & Co, Inc.*   DD Enterprises of GA, LLC  
*Horizon, LLC*   Rope Embroidery   *Beauty in Motion*   IMOG Jewelry & Pawn  
JB Walker & the Cheap Whiskey Band   *Don Pece Trucking*   ADI Originals





**Motion to Enter into Executive Session**

I move 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

---

And that we, in open session, 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.

**Motion to Adopt Resolution after Adjourning Back into Regular Session**

I move that we 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).