



Newnan City Council Meeting

JANUARY 28, 2020

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

CALL TO ORDER

INVOCATION

READING OF MINUTES

- A. Minutes from Regular Meeting on January 14, 2020

REPORTS OF BOARDS AND COMMISSIONS

- B. 1 Appointment- Newnan Cultural Arts Commission, Replacement Appointment for Joanna Harvey. Appointment term will expire 6/2021.
- C. 2 Appointments- Tree Commission- 3 Year Term
- D. 1 Appointment- Planning Commission- 3 Year Term
- E. 1 Appointment- Parks Commission- 3 Year Term

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- F. Consideration of Local Maintenance Improvement Grant (LMIG) List of Streets Proposed for Maintenance
- G. An Ordinance to Provide for the Amended Adoption Agreement and Amended General Addendum for the City of Newnan's Georgia Municipal Employees Benefit System Defined Benefit Retirement Plan

UNFINISHED BUSINESS

- H. Public Hearing - Rezoning Request RZ2019-09, Dominion Acquisition, LLC for 16.85± acres located on Newnan Crossing Bypass - a portion of tax parcel # (087 5011 003) - Ordinance
- I. Newnan City Council may review facility use data and provide direction related to the potential modification of the current facility use policy

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- J. Request from the Newnan Carnegie Library Foundation to close part of West Broad St. between Jackson and Brown streets on June 5th, 2020.
- K. Valerie Render is requesting to block two parking spaces in the Wadsworth Auditorium parking lot for food trucks on Saturday, June 20, 2020 from 3:00 p.m. - 10:00 p.m.

MOTION TO ENTER INTO EXECUTIVE SESSION

- L. Motion to Enter into Executive Session

ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, January 14, 2020 at 2:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose; George Alexander, Cynthia E. Jenkins; Paul Guillaume; Rhodes Shell and Dustin Koritko. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; City Planner, Chris Cole; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – PUBLIC HEARING BUDGET 2020– DECEMBER 10, 2019

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Public Hearing on December 10, 2019 on the 2020 Budget and adopt them as presented.

MOTION CARRIED. (7 – 0)

MINUTES – REGULAR MEETING – DECEMBER 10, 2019

Motion by Councilman Guillaume, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting for December 10, 2019 and adopt them as presented.

MOTION CARRIED. (7 – 0)

CITY MANAGER

The City Manager announced a meeting tonight, January 14, 2020 at 6:00 pm at Newnan Center and Thursday, January 16, 2020 at 6:00 pm at 25 LaGrange Street (City Council Chambers) for public input session on the Newnan Entertainment and Sports Facility.

SUBSTANDARD STRUCTURES – STATUS REPORTS – 280 W WASHINGTON ST, 18 BERRY AVENUE, AND 6 GLENN STREET

The Code Enforcement Officer stated these properties have been before Council in Public Hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
280 W Washington St	Irvin Jones Estate	Progress made	03/23/2020
18 Berry Ave	Dan Moten	No progress	02/24/2020

6 Glenn St

D Free Mgt

Progress made

02/25/2020

No Action required.

SUBSTANDARD STRUCTURE – EXTENSION – 33 HARDAWAY STREET

The Code Enforcement Officer Informed Council the owner is requesting an extension of thirty (30) days for family to resolve issue to complete sale transaction.

Motion by Councilman Shell, seconded by Councilman Alexander to approve an extension for thirty (30) days for structure located at 33 Hardaway Street to resolve family issue to complete sale transaction.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE – EXTENSION – 15 ELM CIRCLE

The Code Enforcement Officer Informed Council the owner is requesting an extension of sixty (60) days to complete the repairs. Progress has been made on the structure.

Motion by Councilman Koritko, seconded by Councilman Shell to approve an extension for sixty (60) days for owner to complete the repairs on 15 Elm Circle.

MOTION CARRIED. (7 – 0)

AWARD CONTRACT - PROFESSIONAL ARCHITECTURAL SERVICES FOR PICKLE BALL FACILITY

The Assistant City Manager stated in response to the Newnan City Council's directive, prepared and released a Request for Proposals (RFP) for Professional Architectural Services – Newnan Parks Pickle Ball Facility. We received six (6) proposals. City Staff recommends awarding the professional architectural contract to Hughes, Good, O'Leary & Ryan, Inc. for \$149,500.

Motion by Councilman Guillaume, seconded by Councilman Shell to award the contract for the Professional Architectural Services for the Newnan Parks Pickle Ball Facility to Hughes, Good, O'Leary & Ryan, Inc for \$149,500.

MOTION CARRIED. (7 – 0)

VISTOR – LIGHTS ON TREES DOWNTOWN

Ms. Norma Haynes is requesting lighting the trees in downtown on the weekends. (Friday, Saturday and Sunday nights).

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander instructed Staff to move forward with lighting the trees in downtown during the weekends on Friday, Saturday and Sunday nights.

MOTION CARRIED. (7 – 0)

ADJOURNMENT -SINE DIE

Mayor Brady adjourned – Sine Die

CALL TO ORDER

Mayor Brady called the meeting to order for January 14, 2020.

SWEARING IN CEREMONY

The City Attorney stated George Alexander, Cynthia Jenkins, Dustin Koritko and Paul Guillaume have been duly sworn in.

APPOINTMENT – MAYOR PRO-TEM

Motion by Councilman Koritko, seconded by Councilman Guillaume to appoint George Alexander (senior member of Council) as Mayor Pro Tem for a one-year term. Opposed: Jenkins and Brady.

MOTION CARRIED. (5 – 2)

Ms. Jenkins indicated she had not been part of the Council's decision to change the Mayor Pro Tem selection process and asked the Council to deny the motion. I am not sure this is the best way to administer the appointment. Changing the position has always been a decision made by this body. This motion has moved into the realm of a change of public policy. Her main objection is that members bypassed the Council's usual decision making. She feels the process involves bringing ideas to the table, with concerns publicly and consulting City staff including the City attorney before moving forward with a vote. The right thing is to go through our process and include the proper due diligence process and inclusion of all voices at the table.

Mayor Brady directed Staff to add the Mayor Pro Tem selection criteria to the agenda for the Council's February retreat.

APPOINTMENTS – DEPARTMENT HEADS

The City Manager recommended all current department heads be re-appointed for year 2020.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to approve the recommendation by City Manager to re-appoint all current Department Heads for year 2020.

MOTION CARRIED. (7 – 0)

APPOINTMENT – CITY ATTORNEY

Motion by Councilman Alexander, seconded by Councilman Koritko to re-appoint Brad Sears as City Attorney for year 2020.

MOTION CARRIED. (7 – 0)

APPOINTMENT – MUNICIPAL COURT JUDGE

Motion by Councilman Alexander, seconded by Councilman Koritko to re-appoint Clay Collins as Municipal Court Judge for year 2020.

MOTION CARRIED. (7 – 0)

APPOINTMENT – MUNICIPAL COURT JUDGE PRO TEM

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to re-appoint Rufus Smith as Municipal Court Judge Pro Tem for year 2020.

MOTION CARRIED. (7 – 0)

APPOINTMENTS – PARKS COMMISSION

Motion by Mayor Brady, seconded by Councilman Alexander to re-appoint Ann Yancey to the Parks Commission for another three-year term.

MOTION CARRIED. (7 – 0)

Motion by Councilman DuBose, seconded by Councilman Guillaume to re-appoint Martin Smith to the Parks Commission for another three-year term.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place Councilman Koritko's appointment to the Parks Commission on the agenda for the next meeting.

APPOINTMENTS – PLANNING COMMISSION

Motion by Mayor Brady, seconded by Councilwoman Jenkins to re-appoint Clay McEntire to the Planning Commission for another three-year term.

MOTION CARRIED. (7 – 0)

Motion by Councilman Shell, seconded by Councilman Alexander to re-appoint Fred E. Hamlin III for another three-year term.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place Councilwoman Jenkins appointment to the Planning Commission on the agenda for the next meeting.

APPOINTMENT – HOUSING AUTHORITY

Mayor Brady re-appointed Otis Jones III to the Housing Authority for another five-year term. No action required.

APPOINTMENTS TREE COMMISSION

Mayor Brady asked the City Manager to place his appointment and Councilman Koritko's appointment to the Tree Commission on the agenda for the next meeting.

APPOINTMENT – CULTURAL ARTS COMMISSION – REPLACING (JOANNA HARVEY)

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

SCHEDULE CITY FLOATING HOLIDAY – 2020

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request to set February 17, 2020 for the City Floating Holiday for 2020

MOTION CARRIED. (7 – 0)

RESOLUTION – 2020 PAY PLAN

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt a Resolution for the 2020 Pay Plan as presented.

MOTION CARRIED. (7 - 0)

SPEED RESTRICTION UPDATE & RADAR USAGE

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the list of Minimum Speed Restriction for approved roadways to use Radar and Lidar speed measurement tools.

MOTION CARRIED. (7 – 0)

ORDINANCE – ADOPTION OF BUDGET – FISCAL YEAR BEGINNING JANUARY 1, 2020 – DECEMBER 31, 2020

Motion by Councilman Shell, seconded by Councilman Koritko to adopt an Ordinance for 2020 Budget effective for the Fiscal Year beginning January 1, 2020 – December 31, 2020 as presented.

MOTION CARRIED. (7 – 0)

ICMA-RC LOAN AGREEMENT AMENDMENT

Motion by Councilman Guillaume, seconded by Councilman Shell to approve the ICMA-RC Loan Agreement Amendment for optional retirement plan to allow for non-emergency employee loans.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ALCOHOL BEVERAGE LICENSE – ARA FOODS LLC DBA NEWELL GROCERY – 45 ROBINSON STREET SUITE A

Mayor Brady opened a public hearing on the application for a Retail Off Premise (Package) sales license of malt beverages and wine for ARA Foods, LLC dba Newell Grocery located at 45 Robinson Street, Suite A.

A representative was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order. Ms. Carol Newell, owner of property, stated her late husband operated the grocery store and it is very important to that community.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the application for a Retail Off Premise (Package) sales of malt beverages and wine license for ARA Foods LLC, dba Newell Grocery located at 45 Robinson Street, Suite A.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – AMENDMENT TO CAPITAL IMPROVEMENTS ELEMENT (CIE) AND SHORT-TERM WORK PROGRAM (STWP)

Mayor Brady open a public hearing on the minor amendment to the Capital Improvements Element (CIE) and Short-Term Work Program.

The City Planner stated the City is requesting to amend the 2019 CIE/STWP in advance of the upcoming 2020 Community Development Block Grant (CDBG) application. All local governments must hold two public hearings prior to amending the CIE/STWP. The first public hearing is to advise the public that the City is undertaking a minor amendment to the CIE and STWP portions of its 2016 Comprehensive Plan to discuss the purpose of these documents, and to welcome community input on any issues related to these documents. The second public hearing will take place at the February 11, 2020 Council meeting. At the second public hearing the updated document will be presented.

Mayor Brady closed the public hearing.

SCHEDULE PUBLIC HEARING – 69 MARTIN LUTHER KING JR DRIVE

The Code Enforcement Officer informed Council an inspection by the Building Department was conducted and found the property to be unsafe. He is requesting a public hearing be scheduled for February 25, 2020.

Motion by Councilman Alexander, seconded by Councilman Koritko to schedule a public hearing on the substandard structure located at 69 Martin Luther King Jr Drive for February 25, 2020.

MOTION CARRIED. (7 – 0)

SCHEDULE PUBLIC HEARING – 21 BERRY AVENUE

The Code Enforcement Officer informed Council an inspection by the Building Department was conducted and found the property to be unsafe. He is requesting a public hearing be scheduled for February 25, 2020.

Motion by Councilman Guillaume, seconded by Councilman Koritko to schedule a public hearing on the substandard structure located at 21 Berry Avenue for February 25, 2020.

MOTION CARRIED. (7 – 0)

OFF AGENDA

Ms. Kimberly Burroughs Debrow, resident 59 Wesley Street, stated she and husband are both attorneys and are raising a family in Newnan. She stated Newnan is in good hands. I am here asking Council to look into the proper policy of electing a Mayor Pro Tem. This seems unfair that the adoption of a new procedure did not acknowledge the 14 years of

service of former Mayor Pro Tem and the wisdom. She has represented the community well and has been an example for other young ladies. I hope this body makes the right decision.

WORK SESSION

The City Manager stated health care continues to increase and is getting close to 25% of General Fund. More organizations are moving from fully insured to self-insured programs.

Michael Berman, Merlinos & Associates, consulting firm, indicated he was engaged to perform an actuarial study to assess the feasibility of the City moving to self-insurance medical coverage in 2021. His firm is a consulting firm with more than 50 actuarial professionals. On an average, companies see between 10% and 15% in savings their first year switching to self-insured. Some other benefits to self-insured are ability to customize the medical and pharmacy plan designs, getting access and control of your claims data, no longer subject to state mandated benefits, not subject to state health insurance premium taxes and removal of profit margin and retention fees charged by carriers. In order to mitigate potential large swings in claim payments, self-insured employers usually purchase Stop Loss Reinsurance coverage. Based on results of the analysis at least 72% of the time switching to self-insured coverage will save the City money compared to current coverage.

The City Manager recommends hiring an Insurance Broker firm in order to move forward with the process. Staff is working on a draft RFP at this time.

Motion by Councilman Guillaume, seconded by Councilman Alexander to instruct Staff to move forward with hiring Self-Insurance Broker.

MOTION CARRIED. (7 – 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 4:24 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor



City of Newnan, Georgia - Mayor and Council

Date: January 28, 2020

Agenda Item: Local Maintenance Improvement Grant (LMIG)

List of Streets Proposed for Maintenance

Prepared By: Michael Klahr, Public Works Director

Purpose: To present a prioritized list of streets proposed for maintenance under the LMIG program.

Background: The City of Newnan has received notification from the Georgia Department of Transportation (GDOT) that for fiscal year 2020, the City of Newnan's formula amount for the LMIG program is \$437,676.17. Our local match is 30%.

Proposed for maintenance are 2.80 centerline miles on 11 streets, and includes variable depth milling, deep patch, and one or more courses of asphalt overlay.

The list was developed from a comprehensive evaluation of pavement conditions of the public streets and roads in the City of Newnan.

Special note:

We are currently in the process of updating our evaluation of pavement conditions. Following completion of this evaluation, we may propose additional streets for maintenance, depending on available funding.

Funding: SPLOST 2017

Recommendation: Approve proposed list of streets

Previous Discussion with Council: N/A



January 6, 2020

RISK MANAGEMENT
BENEFIT SERVICES
TRUSTEES

Chairman
W. D. Palmer, III
Councilmember, Cam

Vice Chairman
Rebecca L. Tydings
City Attorney, Center

Secretary-Treasurer
Larry H. Hanson
Executive Director

Trustees:

Boyd Austin
Mayor, Dallas

Shelly Berryhill
Councilmember, Hav

Linda Blechinger
Mayor, Auburn

Ronald Feldner
City Manager, Garde

Marcia Hampton
City Manager, Dougl

Meg Kelsey
City Manager, LaGra

Sam Norton
Mayor, Dahlongega

David Nunn
City Manager, Madisc

James F. Palmer
Mayor, Calhoun

Kenneth L. Usry
Mayor, Thomson

Clemontine Washing
Mayor Pro Tem, Midv

Vince Williams
Mayor, Union City

TRANSMITTED VIA EMAIL AND U.S. MAIL
(dhill@cityofnewnan.org)

Ms. Della Hill
City Clerk
City of Newnan
P.O. Box 1193
Newnan, Georgia 30264-1193

Re: City of Newnan Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Retirement Plan; Amendment to Eliminate Service Credit Cap and Increase Retirement Benefits for Elected Officials to \$95.00 a Month Per Year of Service as an Elected Official

Dear Ms. Hill:

Per the City's request, enclosed please find a draft amended Adoption Agreement and a draft amended General Addendum for the City of Newnan's Georgia Municipal Employees Benefit System ("GMEBS") Defined Benefit Retirement Plan ("Plan"). The amendment to the Plan eliminates the cap on total credited service that can be used to calculate a benefit under the Plan for participants who terminate on or after March 1, 2020 (see Adoption Agreement, p. 21). The amendment also increases the benefit formula for elected officials in office on or after March 1, 2020 from \$69.00 a month per year of service as an elected official to \$95.00 a month per year of service as an elected official (see Adoption Agreement, p. 24).

The Adoption Agreement provides that the amendment will become effective on March 1, 2020. **Please note that per O.C.G.A. § 47-5-40, the Adoption Agreement has been drafted in the form of an ordinance.**

If the draft Adoption Agreement and General Addendum are acceptable as drafted, please have the designated representatives sign and date each document where indicated (p. 37 and p. 2, respectively) and return the executed documents to:

Ms. Gina Gresham
GMA Legal Assistant
c/o Georgia Municipal Association
P.O. Box 105377
Atlanta, GA 30348

We will then countersign the originals and return the fully executed documents to you for your files.

Ms. Della Hill
January 6, 2020
Page 2

If you have any questions about the information provided in this letter or require further information, please feel free to contact me at (678) 686-6236 or cdorsey@gacities.com.

Sincerely,



Caroline Dorsey
Assistant General Counsel

Encl.

- C: Mr. Bradford Sears, City Attorney, City of Newnan (w/ encl.)
- Ms. Marinetty Bienvenu, Director, Employee Benefit Service (w/o encl.)
- Ms. Michelle Warner, Director, Retirement Field Services (w/o encl.)
- Ms. Gwin Hall, Senior Associate General Counsel (w/o encl.)

**GENERAL ADDENDUM TO THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Newnan, Georgia, as follows (complete one or more sections, as applicable):

*** Items (1) through (14) of General Addendum – Not Applicable ***

(15) Other (may include, but shall not be limited to, provisions relating to Master Plan Sections 6.03, 6.06, 8.04, 8.06, 8.08, 8.09, 8.10, 8.12, 9.01 and 9.02):

(a) Break-in-Service Rule Not Applicable – Notwithstanding the provisions of Master Plan Section 4.06, in determining a Participant's Total Credited Service for purposes of Vesting, all individual periods of Service with the City which are otherwise creditable hereunder shall be aggregated together, regardless of any breaks in Service (due to Termination of employment). In no event, however, will any period of unemployment or employment as an ineligible employee be taken into account in determining the amount of any benefit payable under the Plan.

The terms of the foregoing Addendum to the Adoption Agreement are approved by the City and Mayor of the City of Newnan, Georgia this _____ day of _____, 20____.

Attest: CITY OF NEWNAN, GEORGIA

City Clerk Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

**Board of Trustees
Georgia Municipal Employees
Benefit System**

(SEAL)

Secretary

GEORGIA MUNICIPAL EMPLOYEES
BENEFIT SYSTEM

DEFINED BENEFIT RETIREMENT PLAN

AN ORDINANCE
and
ADOPTION AGREEMENT
for

City of Newnan

Form Volume Submitter Adoption Agreement
Amended and Restated as of January 1, 2013
(With Amendments Taking Effect on or Before January 1, 2017)

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A.	Re-Employment as Eligible Employee After Normal, Alternative Normal, or Early Retirement and Following Bona Fide Separation of Service (see Master Plan Section 6.06(c) Regarding Re-Employment as an Ineligible Employee and Master Plan Section 6.06(e) and (f) Regarding Re-Employment After Disability Retirement)	27
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I. AN ORDINANCE

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Newnan, Georgia in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O.C.G.A. § 47-5-1 et seq.

BE IT ORDAINED by the Mayor and Council of the City of Newnan, Georgia, and it is hereby ordained by the authority thereof:

Section 1. The Retirement Plan for the Employees of the City of Newnan, Georgia is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement.

Ordinance continued on page 37

II. GMEBS DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT

1. ADMINISTRATOR

Georgia Municipal Employees Benefit System
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 404-577-6663

2. ADOPTING EMPLOYER

Name: **City of Newnan, Georgia**

3. GOVERNING AUTHORITY

Name: **Mayor and Council**
Address: **P.O. Box 1193, Newnan, GA 30264-1193**
Phone: **(770) 253-2682**
Facsimile: **(770) 254-2353**

4. PLAN REPRESENTATIVE

[To represent Governing Authority in all communications with GMEBS and Employees]
(See Section 2.49 of Master Plan)

Name: **City Manager**
Address: **P.O. Box 1193, Newnan, GA 30264-1193**
Phone: **(770) 253-2682**
Facsimile: **(770) 254-2353**

5. PENSION COMMITTEE

[Please designate members by position. If not, members of Pension Committee shall be determined in accordance with Article XIV of Master Plan]

The Pension Committee shall be comprised of three (3) Employees appointed by the Governing Authority.

Pension Committee Secretary: City Clerk
Address: P.O. Box 1193, Newnan, GA 30264-1193
Phone: (770) 253-2682
Facsimile: (770) 254-2353

6. TYPE OF ADOPTION

This Adoption Agreement is for the following purpose (check one):

- This is a new defined benefit plan adopted by the Adopting Employer for its Employees. This plan does not replace or restate an existing defined benefit plan.
- This is an amendment and restatement of the Adopting Employer's preexisting non-GMEBS defined benefit plan.
- This is an amendment and restatement of the Adoption Agreement previously adopted by the Employer, as follows (check one or more as applicable):
 - To update the Plan to comply with PPA, HEART, WRERA, and other applicable federal laws and guidance.
 - To make the following amendments to the Adoption Agreement (must specify below revisions made in this Adoption Agreement; all provisions must be completed in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): This is an amendment to eliminate the limit on the Total Credited Service that can be used to calculate a benefit under the Plan for Participants who Terminate on or after March 1, 2020 (see Adoption Agreement p. 21). This is also an amendment to increase the Normal Retirement benefit formula for elected or appointed members of the Governing Authority in such office on or after March 1, 2020, from \$69.00 per month per year of credited service as an elected or appointed member of the Governing Authority to \$95.00 per month per year of service as an elected or appointed member of the Governing Authority (see Adoption Agreement p. 24).

7. EFFECTIVE DATE

NOTE: This Adoption Agreement and any Addendum, with the accompanying Master Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined benefit plan, and is part of the GMEBS Defined Benefit Retirement Plan. Plan provisions designed to comply with certain provisions of the Pension Protection Act of 2006 ("PPA"); the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"); and the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"); and Plan provisions designed to comply with certain provisions of additional changes in federal law and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2012-76 (the 2012 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Master Plan Document. By adopting this Adoption Agreement, with its accompanying Master Plan Document, the Adopting Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by PPA, HEART, WRERA, and the 2012 Cumulative List with the applicable effective dates.

- (1) Complete this item (1) only if this is a new defined benefit plan which does not replace or restate an existing defined benefit plan.**

The effective date of this Plan is _____.

(insert effective date of this Adoption Agreement not earlier than January 1, 2013).

- (2) Complete this item (2) only if this Plan is being adopted to replace a non-GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be the _____ **(insert effective date of this Adoption Agreement not earlier than January 1, 2013)**. This Plan is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on _____ **(insert original effective date of preexisting plan)**.

- (3) Complete this item (3) only if this is an amendment and complete restatement of the Adopting Employer's existing GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be March 1, 2020 **(insert effective date of this Adoption Agreement not earlier than January 1, 2013)**.

This Plan is adopted as an amendment and restatement of the Employer's preexisting GMEBS Adoption Agreement, which became effective on November 12, 2019 **(insert effective date of most recent Adoption Agreement preceding this Adoption Agreement)**.

The Employer's first Adoption Agreement became effective July 1, 2003 **(insert effective date of Employer's first GMEBS Adoption Agreement)**. The Employer's GMEBS Plan was originally effective April 1, 1990 **(insert effective date of Employer's original GMEBS Plan)**. (If the Employer's Plan was originally a non-GMEBS Plan, then the Employer's non-GMEBS Plan was originally effective _____ **(if applicable, insert effective date of Employer's original non-GMEBS Plan)**.)

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8. PLAN YEAR

Plan Year means (check one):

- Calendar Year
- Employer Fiscal Year commencing _____
- Other (must specify month and day commencing): April 1.

9. CLASSES OF ELIGIBLE EMPLOYEES

Only Employees of the Adopting Employer who meet the Master Plan's definition of "Employee" may be covered under the Adoption Agreement. Eligible Employees shall not include non-governmental employees, independent contractors, leased employees, nonresident aliens, or any other ineligible individuals, and this Section 9 must not be completed in a manner that violates the "exclusive benefit rule" of Internal Revenue Code Section 401(a)(2).

A. Eligible Regular Employees

Regular Employees include Employees, other than elected or appointed members of the Governing Authority or Municipal Legal Officers, who are regularly employed in the services of the Adopting Employer. Subject to the other conditions of the Master Plan and the Adoption Agreement, the following Regular Employees are eligible to participate in the Plan (check one):

- ALL** - All Regular Employees, provided they satisfy the minimum hour and other requirements specified under "Eligibility Conditions" below.
- ALL REGULAR EMPLOYEES EXCEPT** for the following employees (must specify; specific positions are permissible; specific individuals may not be named): _____

B. Elected or Appointed Members of the Governing Authority

An Adopting Employer may elect to permit participation in the Plan by elected or appointed members of the Governing Authority and/or Municipal Legal Officers, provided they otherwise meet the Master Plan's definition of "Employee" and provided they satisfy any other requirements specified by the Adopting Employer. Municipal Legal Officers to be covered must be specifically identified by position. Subject to the above conditions, the Employer hereby elects the following treatment for elected and appointed officials:

(1) Elected or Appointed Members of the Governing Authority (check one):

- ARE NOT** eligible to participate in the Plan.
- ARE** eligible to participate in the Plan.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date, or special waiting period provision): _____

(2) Municipal Legal Officers (check one):

- ARE NOT** eligible to participate in the Plan.
- ARE** eligible to participate in the Plan. The term "Municipal Legal Officer" shall include only the following positions (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date) (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**) : _____.

10. ELIGIBILITY CONDITIONS

A. Hours Per Week (Regular Employees)

The Adopting Employer may specify a minimum number of work hours per week which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Regular Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum hour requirement for Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

Exceptions: If a different minimum hour requirement applies to a particular class or classes of Regular Employees, please specify below the classes to whom the different requirement applies and indicate the minimum hour requirement applicable to them.

Class(es) of Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): Employees initially employed prior to November 1, 1994.

Minimum hour requirement applicable to excepted Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

B. Months Per Year (Regular Employees)

The Adopting Employer may specify a minimum number of work months per year which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum requirement for Regular Employees:

- No minimum
- At least 5 months per year (regularly scheduled)

Exceptions: If different months per year requirements apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

The months to year requirement for excepted class(es) are:

- No minimum
- At least _____ months per year (regularly scheduled)

11. WAITING PERIOD

Except as otherwise provided in Section 4.02(b) of the Master Plan, Eligible Regular Employees shall not have a waiting period before participating in the Plan. Likewise, elected or appointed members of the Governing Authority and Municipal Legal Officers, if eligible to participate in the Plan, shall not have a waiting period before participating in the Plan.

12. ESTABLISHING PARTICIPATION IN THE PLAN

Participation in the Plan is considered mandatory for all Eligible Employees who satisfy the eligibility conditions specified in the Adoption Agreement, except as provided in Section 4.03(e) of the Master Plan. However, the Employer may specify below that participation is optional for certain classes of Eligible Employees, including Regular Employees, elected or appointed members of the Governing Authority, Municipal Legal Officers, City Managers, and/or Department Heads. If participation is optional for an Eligible Employee, then in order to become a Participant, he must make a written election to participate within 120 days after employment, election or appointment to office, or if later, the date he first becomes eligible to participate in the Plan. The election is irrevocable, and the failure to make the election within the 120 day time limit shall be deemed an irrevocable election not to participate in the Plan.

Classes for whom participation is optional (**check one**):

- None (Participation is mandatory for all Eligible Employees except as provided in Section 4.03(e) of the Master Plan).
- Participation is optional for the following Eligible Employees (**must specify - specific positions are permissible; specific individuals may not be named; all positions or classes specified must be Eligible Employees**): _____.

13. CREDITED SERVICE

In addition to Current Credited Service the Adopting Employer may include as Credited Service the following types of service:

A. Credited Past Service with Adopting Employer

Credited Past Service means the number of years and complete months of Service with the Adopting Employer prior to the date an Eligible Employee becomes a Participant which are treated as credited service under the Plan.

(1) Eligible Employees Employed on Original Effective Date of GMEBS Plan.

With respect to Eligible Employees who are employed by the Adopting Employer on the original Effective Date of the Employer's GMEBS Plan, Service with the Adopting Employer prior to the date the Eligible Employee becomes a Participant (including any Service prior to the Effective Date of the Plan) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except for Service rendered prior to _____ (insert date).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except as follows (**must specify other limitation in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____
- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

(2) Previously Employed, Returning to Service after Original Effective Date. If an Eligible Employee is not employed on the original Effective Date of the Employer's GMEBS Plan, but he returns to Service with the Adopting Employer sometime after the Effective Date, his Service prior to the date he becomes a Participant (including any Service prior the Effective Date) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), subject to any limitations imposed above with respect to Eligible Employees employed on the Effective Date.
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), provided that after his return to employment, the Eligible Employee performs Service equal to the period of the break in Service or one (1) year, whichever is less. Any limitations imposed above with respect to Eligible Employees employed on the Effective Date shall also apply.
- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

Other limitation(s) on Recognition of Credited Past Service (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and**

the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): **In addition to the above limitations, Credited Past Service shall not include any tenure of office as an elected or appointed member of the Governing Authority unless the Participant was serving as an elected or appointed member of the Governing Authority of Eligible Regular Employee on April 1, 1990.**

(3) Eligible Employees Initially Employed After Effective Date. If an Eligible Employee's initial employment date is after the original Effective Date of the Employer's GMEBS Plan, his Credited Past Service shall include only the number of years and complete months of Service from his initial employment date to the date he becomes a Participant in the Plan.

(4) Newly Eligible Classes of Employees. If a previously ineligible class of Employees becomes eligible to participate in the Plan, the Employer must specify in an addendum to this Adoption Agreement whether and to what extent said Employees' prior service with the Employer shall be treated as Credited Past Service under the Plan.

B. Prior Military Service

Note: This Section does not concern military service required to be credited under USERRA – See Section 3.02 of the Master Plan for rules on the crediting of USERRA Military Service.

(1) Credit for Prior Military Service.

The Adopting Employer may elect to treat military service rendered prior to a Participant's initial employment date or reemployment date as Credited Service under the Plan. Unless otherwise specified by the Employer under "Other Conditions" below, the term "Military Service" shall be as defined in the Master Plan. Except as otherwise required by federal or state law or under "Other Conditions" below, Military Service shall not include service which is credited under any other local, state, or federal retirement or pension plan.

Military Service credited under this Section shall not include any service which is otherwise required to be credited under the Plan by federal or state law. Prior Military Service shall be treated as follows (**check one**):

- Prior Military Service is **not** creditable under the Plan (**if checked, skip to Section 13.C. – Prior Governmental Service**).
- Prior Military Service shall be counted as Credited Service for the following purposes (check one or more as applicable):
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Maximum Credit for Prior Military Service.

Credit for Prior Military Service shall be limited to a maximum of _____ years (**insert number**).

(3) Rate of Accrual for Prior Military Service.

Credit for Prior Military Service shall accrue at the following rate (check one):

- One month of military service credit for every _____ month(s) (insert number) of Credited Service with the Adopting Employer.
- One year of military service credit for every _____ year(s) (insert number) of Credited Service with the Adopting Employer.
- All military service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years (insert number) of Credited Service with the Employer.
- Other requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(4) Payment for Prior Military Service Credit(check one):

- Participants shall **not** be required to pay for military service credit.
- Participants shall be required to pay for military service credit as follows:
 - The Participant must pay _____% of the actuarial cost of the service credit (as defined below).
 - The Participant must pay an amount equal to (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

Other Conditions for Award of Prior Military Service Credit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(5) **Limitations on Service Credit Purchases.** Unless otherwise specified in an Addendum to the Adoption Agreement, for purposes of this Section and Section 13.C. concerning prior governmental service credit, the term "actuarial cost of service credit" is defined as set forth in the Service Credit Purchase Addendum. In the case of a service credit purchase, the Participant shall be required to comply with any rules and regulations established by the GMEBS Board of Trustees concerning said purchases.

C. Prior Governmental Service

Note: A Participant's prior service with other GMEBS employers shall be credited for purposes of satisfying the minimum service requirements for Vesting and eligibility for Retirement and pre-retirement death benefits as provided under Section 9.05 of the Master Plan, relating to portability service. This Section 13(C) does not need to be completed in order for Participants to receive this portability service credit pursuant to Section 9.05 of the Master Plan.

(1) Credit for Prior Governmental Service.

The Adopting Employer may elect to treat governmental service rendered prior to a Participant's initial employment date or reemployment date as creditable service under the Plan. Subject to any limitations imposed by law, the term "prior governmental service" shall be as defined by the Adopting Employer below. The Employer elects to treat prior governmental service as follows **(check one)**:

- Prior governmental service is **not** creditable under the Plan **(if checked, skip to Section 13.D. – Unused Sick/Vacation Leave)**.
- Prior governmental service shall be counted as Credited Service for the following purposes under the Plan **(check one or more as applicable)**:
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Definition of Prior Governmental Service.

Prior governmental service shall be defined as follows: **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Unless otherwise specified above, prior governmental service shall include only full-time service (minimum hour requirement same as that applicable to Eligible Regular Employees).

(3) Maximum Credit for Prior Governmental Service.

Credit for prior governmental service shall be limited to a maximum of _____ years **(insert number)**.

(4) Rate of Accrual for Prior Governmental Service Credit.

Credit for prior governmental service shall accrue at the following rate **(check one)**:

- One month of prior governmental service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- One year of prior governmental service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- All prior governmental service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Adopting Employer.
- Other requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(5) Payment for Prior Governmental Service Credit.

- Participants shall **not** be required to pay for governmental service credit.
- Participants shall be required to pay for governmental service credit as follows:
 - The Participant must pay ____% of the actuarial cost of the service credit.
 - The Participant must pay an amount equal to **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.**

Other Conditions for Award of Prior Governmental Service Credit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): ____.**

D. Leave Conversion for Unused Paid Time Off (e.g., Sick, Vacation, or Personal Leave)

(1) Credit for Unused Paid Time Off.

Subject to the limitations in Section 3.01 of the Master Plan, an Adopting Employer may elect to treat accumulated days of unused paid time off for a terminated Participant, for which the Participant is not paid, as Credited Service. The only type of leave permitted to be credited under this provision is leave from a paid time off plan which qualifies as a bona fide sick and vacation leave plan (which may include sick, vacation or personal leave) and which the Participant may take as paid leave without regard to whether the leave is due to illness or incapacity. The Credited Service resulting from the conversion of unused paid time off must not be the only Credited Service applied toward the accrual of a normal retirement benefit under the Plan. The Pension Committee shall be responsible to certify to GMEBS the total amount of unused paid time off that is creditable hereunder.

Important Note: Leave cannot be converted to Credited Service in lieu of receiving a cash payment. If the Employer elects treating unused paid time off as Credited Service, the conversion to Credited Service will be automatic, and the Participant cannot request a cash payment for the unused paid time off.

The Employer elects the following treatment of unused paid time off:

- Unused paid time off shall **not** be treated as Credited Service **(if checked, skip to Section 14 – Retirement Eligibility).**
- The following types of unused paid time off for which the Participant is not paid shall be treated as Credited Service under the Plan **(check one or more as applicable):**
 - Unused sick leave
 - Unused vacation leave
 - Unused personal leave

- Other paid time off (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

(2) Minimum Service Requirement.

In order to receive credit for unused paid time off, a Participant must meet the following requirement at termination (check one):

- The Participant must be 100% vested in a normal retirement benefit.
- The Participant must have at least _____ years (insert number) of Total Credited Service (not including leave otherwise creditable under this Section).
- Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(3) Use of Unused Paid Time Off Credit. Unused paid time off for which the Participant is not paid shall count as Credited Service for the following purposes under the Plan (check one or more as applicable):

- Computing amount of benefits payable.
- Meeting minimum service requirements for vesting.
- Meeting minimum service requirements for benefit eligibility.

(4) Maximum Credit for Unused Paid Time Off.

Credit for unused paid time off for which the Participant is not paid shall be limited to a maximum of ____ months (insert number).

(5) Computation of Unused Paid Time Off.

Unless otherwise specified by the Adopting Employer under "Other Conditions" below, each twenty (20) days of creditable unused paid time off shall constitute one (1) complete month of Credited Service under the Plan. Partial months shall not be credited.

(6) Other Conditions (please specify, subject to limitations in Section 3.01 of Master Plan; must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

14. RETIREMENT ELIGIBILITY

A. Early Retirement Qualifications

Early retirement qualifications are (check one or more as applicable):

- Attainment of age 55 (insert number)

- Completion of 10 years (insert number) of Total Credited Service

Exceptions: If different early retirement eligibility requirements apply to a particular class or classes of Eligible Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Eligible Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Early retirement qualifications for excepted class(es) are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service

B. Normal Retirement Qualifications

Note: Please complete this Section and also list "Alternative" Normal Retirement Qualifications, if any, in Section 14.C.

(1) Regular Employees

Normal retirement qualifications for Regular Employees are (check one or more as applicable):

- Attainment of age 65 (insert number)
- Completion of 10 years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

Exceptions: If different normal retirement qualifications apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Class(es) of Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): Eligible Regular Employees initially employed before April 11, 1995.

Normal retirement qualifications for excepted class(es) are (check one or more as applicable):

- Attainment of age 65 (insert number)

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- Completion of 5 years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

(2) Elected or Appointed Members of Governing Authority

Complete this Section only if elected or appointed members of the Governing Authority or Municipal Legal Officers are permitted to participate in the Plan. Normal retirement qualifications for this class are (check one or more as applicable):

- Attainment of age 62 (insert number)
- Completion of 10 years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

Exceptions: If different normal retirement qualifications apply to particular elected or appointed members of the Governing Authority or Municipal Legal Officers, the Employer must specify below to whom the different requirements apply and indicate below the requirements applicable to them.

Particular elected or appointed members of the Governing Authority or Municipal Legal Officers to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Normal retirement qualifications for excepted elected or appointed members of the Governing Authority or Municipal Legal Officers are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service

- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

C. Alternative Normal Retirement Qualifications

The Employer may elect to permit Participants to retire with unreduced benefits after they satisfy service and/or age requirements other than the regular normal retirement qualifications specified above. The Employer hereby adopts the following alternative normal retirement qualifications:

Alternative Normal Retirement Qualifications (check one or more, as applicable):

- (1) Not applicable (the Adopting Employer does not offer alternative normal retirement benefits under the Plan).
- (2) **Alternative Minimum Age & Service Qualifications (if checked, please complete one or more items below, as applicable):**
 - Attainment of age _____ (**insert number**)
 - Completion of _____ years (**insert number**) of Total Credited Service
 - In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the above qualifications in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):

- (3) **Rule of 88 (insert number).** The Participant's combined Total Credited Service and age must equal or exceed this number. Please complete additional items below:

To qualify for this alternative normal retirement benefit, the Participant (**check one or more items below, as applicable**):

- Must have attained at least age _____ (**insert number**)
- Must not satisfy any minimum age requirement
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): Eligible Regular Employees.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the Rule in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):

(4) **Alternative Minimum Service.** A Participant is eligible for an alternative normal retirement benefit if he has at least _____ years (**insert number**) of Total Credited Service, regardless of the Participant's age.

In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum service requirement specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(5) **Other Alternative Normal Retirement Benefit.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):
_____.

(6) **Other Alternative Normal Retirement Benefit for Public Safety Employees Only.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): Rule of 85 for Firefighters and Police Officers. The Participant must be a Firefighter or Police Officer (as defined in Section 2.34 or 2.51 of the Master Plan, respectively) and his or her combined years of age and years of Total Credited Service as a Firefighter or Police Officer (disregarding any otherwise applicable cap on Total Credited Service) must equal at least eighty-five (85).

- In-Service Distribution to Eligible Employees who are Public Safety Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 50 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All public safety employee Participants who qualify.
- Only the following public safety employee Participants (**must specify - specific positions are permissible; specific individuals may not be named**): Firefighters and Police Officers (as defined in Sections 2.34 and 2.51 of the Master Plan, respectively).

A public safety employee Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____

Note: "Public safety employees" are defined under the Internal Revenue Code for this purpose as employees of a State or political subdivision of a State who provide police protection, firefighting services, or emergency medical services for any area within the jurisdiction of such State or political subdivision.

D. Disability Benefit Qualifications

Subject to the other terms and conditions of the Master Plan and except as otherwise provided in an Addendum to this Adoption Agreement, disability retirement qualifications are based upon Social Security Administration award criteria or as otherwise provided under Section 2.23 of the Master Plan. The Disability Retirement benefit shall commence as of the Participant's Disability Retirement Date under Section 2.24 of the Master Plan.

To qualify for a disability benefit, a Participant must have the following minimum number of years of Total Credited Service (**check one**):

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum.
- _____ years (**insert number**) of Total Credited Service.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

15. RETIREMENT BENEFIT COMPUTATION

A. Maximum Total Credited Service

The number of years of Total Credited Service which may be used to calculate a benefit is (**check one or all that apply**):

- not limited.
- limited to _____ years for all Participants.
- limited to _____ years for the following classes of Eligible Regular Employees:
 - All Eligible Regular Employees.

- Only the following Eligible Regular Employees: _____.
- limited to _____ years as an elected or appointed member of the Governing Authority.
- limited to _____ years as a Municipal Legal Officer.
- Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

B. Monthly Normal Retirement Benefit Amount

(1) Regular Employee Formula

The monthly normal retirement benefit for Eligible Regular Employees shall be 1/12 of (check and complete one or more as applicable):

- (a) **Flat Percentage Formula. 1.5% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee.**

This formula applies to:

- All Participants who are Regular Employees.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): **Eligible Regular Employees who Retire pursuant to the Rule of 88 or Rule of 85 but Terminate before attaining at least one of the following:**
 - (1) Age 58 (55 for Firefighters and Police Officers as defined in Sections 2.34 and 2.51 of the Master Plan, respectively) and completion of at least 30 years of Total Credited Service; or**
 - (2) Age 62.**
- (b) **Alternative Flat Percentage Formula. 2.0% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee. This formula applies to the following Participants (must specify - specific positions are permissible; specific individuals may not be named): Eligible Regular Employees other than those to whom the Flat Percentage Formula under Section 15(B)(1)(a) applies.**
- (c) **Split Final Average Earnings Formula. _____ % (insert percentage) of Final Average Earnings up to the amount of Covered Compensation (see subsection (2) below for definition of Covered Compensation), plus _____ % (insert percentage) of Final Average Earnings in excess of said**

Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**:_____.
- (d) **Alternative Split Final Average Earnings Formula.** _____ % (insert percentage) of Final Average Earnings up to the amount of **Covered Compensation** (see subsection (2) below for definition of **Covered Compensation**), plus _____% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants.
- Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

[Repeat above subsections as necessary for each applicable benefit formula and Participant class covered under the Plan.]

(2) Covered Compensation (complete only if Split Formula(s) is checked above):

Covered Compensation is defined as (check one or more as applicable):

- (a) **A.I.M.E. Covered Compensation** as defined in Section 2.18 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
 - All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.
- (b) **Dynamic Break Point Covered Compensation** as defined in Section 2.19 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
 - All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**:_____.
- (c) **Table Break Point Covered Compensation** as defined in Section 2.20 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
 - All Participants who are Regular Employees.

- Only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.
- (d) **Covered Compensation** shall mean a Participant's annual Earnings that do not exceed \$_____ (**specify amount**). This definition shall apply to (**check one**):
 - All Participants who are Regular Employees.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

(3) Final Average Earnings

Unless otherwise specified in an Addendum to the Adoption Agreement, Final Average Earnings is defined as the monthly average of Earnings paid to a Participant by the Adopting Employer for the **36 (insert number not to exceed 60)** consecutive months of Credited Service preceding the Participant's most recent Termination in which the Participant's Earnings were the highest, multiplied by 12. Note: GMEBS has prescribed forms for calculation of Final Average Earnings that must be used for this purpose.

This definition of Final Average Earnings applies to:

- All Participants who are Regular Employees.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary for each applicable definition and Participant class covered under the Plan.]

(4) Formula for Elected or Appointed Members of the Governing Authority

The monthly normal retirement benefit for members of this class shall be as follows (**check one**):

- Not applicable (elected or appointed members of the Governing Authority or Municipal Legal Officers are not permitted to participate in the Plan).
- \$95.00 (insert dollar amount)** per month for each year of Total Credited Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer or major fraction thereof (6 months and 1 day).

This formula applies to:

- All elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate.
- Only the following elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary for each applicable formula for classes of elected or appointed members covered under the Plan.]

C. Monthly Early Retirement Benefit Amount

Check and complete one or more as applicable:

- (1) **Standard Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced on an Actuarially Equivalent basis in accordance with Section 12.01 of the Master Plan to account for early commencement of benefits. This provision shall apply to:
 - All Participants.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

- (2) **Alternative Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced to account for early commencement of benefits based on the following table. This table shall apply to:
 - All Participants.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

Alternative Early Retirement Reduction Table

<u>Number of Years Before Age 65 (62 for elected or appointed members of the Governing Authority) (check as applicable)</u>	<u>Percentage of Normal Retirement Benefit* (complete as applicable)</u>
<input checked="" type="checkbox"/> 0	1.000
<input checked="" type="checkbox"/> 1	0.950
<input checked="" type="checkbox"/> 2	0.900
<input checked="" type="checkbox"/> 3	0.850
<input checked="" type="checkbox"/> 4	0.800
<input checked="" type="checkbox"/> 5	0.750
<input checked="" type="checkbox"/> 6	0.700
<input checked="" type="checkbox"/> 7	0.650
<input checked="" type="checkbox"/> 8	0.600
<input checked="" type="checkbox"/> 9	0.550
<input checked="" type="checkbox"/> 10	0.500
<input type="checkbox"/> 11	0.____
<input type="checkbox"/> 12	0.____
<input type="checkbox"/> 13	0.____
<input type="checkbox"/> 14	0.____
<input type="checkbox"/> 15	0.____

*Interpolate for whole months

D. Monthly Late Retirement Benefit Amount (check one):

- (1) The monthly Late Retirement benefit shall be computed in the same manner as the Normal Retirement Benefit, based upon the Participant's Accrued Benefit as of his Late Retirement Date.
- (2) The monthly Late Retirement benefit shall be the greater of: (1) the monthly retirement benefit accrued as of the Participant's Normal Retirement Date, actuarially increased in accordance with the actuarial table contained in Section 12.05 of the Master Plan; or (2) the monthly retirement benefit accrued as of the Participant's Late Retirement Date, without further actuarial adjustment under Section 12.06 of the Master Plan.

E. Monthly Disability Benefit Amount

The amount of the monthly Disability Benefit shall be computed in the same manner as the Normal Retirement benefit, based upon the Participant's Accrued Benefit as of his Disability Retirement Date.

Minimum Disability Benefit. The Adopting Employer may set a minimum Disability Benefit. The Employer elects the following minimum Disability benefit (**check one**):

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum is established.
- No less than (**check one**): 20% 10% ____% (if other than 20% or 10% insert percentage amount) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)
- No less than (**check one**): 66 2/3 % ____% (if other than 66 2/3%, insert percentage amount) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability, less any monthly benefits paid from federal Social Security benefits as a result of disability as reported by the Employer. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)

Note: The Adopting Employer is responsible for reporting to GMEBS any amounts to be used in an offset.

F. Minimum/Maximum Benefit For Elected Officials

In addition to any other limitations imposed by federal or state law, the Employer may impose a cap on the monthly benefit amount that may be received by elected or appointed members of the Governing Authority. The Employer elects (**check one**):

- Not applicable (elected or appointed members of the Governing Authority do not participate in the Plan).
- No minimum or maximum applies.
- Monthly benefit for Service as an elected or appointed member of the Governing Authority may not exceed 100% of the Participant's final salary as an elected or appointed member of the Governing Authority.
- Other minimum or maximum (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):

16. SUSPENSION OF BENEFITS FOLLOWING BONA FIDE SEPARATION OF SERVICE; COLA

A. Re-Employment as Eligible Employee After Normal, Alternative Normal, or Early Retirement and Following Bona Fide Separation of Service (see Master Plan Section 6.06(c) Regarding Re-Employment as an Ineligible Employee and Master Plan Section 6.06(e) and (f) Regarding Re-Employment After Disability Retirement)

(1) Reemployment After Normal or Alternative Normal Retirement. In the event that a Retired Participant 1) is reemployed with the Employer as an Eligible Employee (as defined in the Plan) after his Normal or Alternative Normal Retirement Date and after a Bona Fide Separation from Service, or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) due to the addition of such class to the Plan after his Normal or Alternative Normal Retirement Date, the following rule shall apply (**check one**):

- (a) The Participant's benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.
- (b) The Participant may continue to receive his retirement benefit in accordance with Section 6.06(b) of the Master Plan. This rule shall apply to (**check one**): all Retired Participants only the following classes of Retired Participants (**must specify (specific positions are permissible; specific individuals may not be named) - benefits of those Retired Participants not listed shall be suspended in accordance with Section 6.06(a) of the Master Plan if they return to work with the Employer**): _____

(2) Reemployment After Early Retirement. In the event a Participant Retires with an Early Retirement benefit after a Bona Fide Separation from Service 1) is reemployed with the Employer as an Eligible Employee before his Normal Retirement Date; or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) before his Normal Retirement Date due to the addition of such class to the Plan, the following rule shall apply (**check one or more as applicable**):

- (a) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.

This rule shall apply to (**check one**): all Retired Participants; only the following classes of Retired Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____

- (b) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan. However, the Participant may begin receiving benefits after he satisfies the qualifications

for Normal Retirement or Alternative Normal Retirement, as applicable, and after satisfying the minimum age parameters of Section 6.06(a)(3) of the Master Plan, in accordance with Section 6.06(b)(2)(B)(i) of the Master Plan.

This rule shall apply to **(check one)**: all Retired Participants; only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____

- (c) The Participant's Early Retirement benefit shall continue in accordance with Section 6.06(b)(2)(B)(ii) of the Master Plan.

This rule shall apply to **(check one)**: all Retired Participants; only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____

B. Cost Of Living Adjustment

The Employer may elect to provide for an annual cost-of-living adjustment (COLA) in the amount of benefits being received by Retired Participants and Beneficiaries, which shall be calculated and paid in accordance with the terms of the Master Plan. The Employer hereby elects the following **(check one)**:

- (1) No cost-of-living adjustment.
- (2) Variable Annual cost-of-living adjustment not to exceed _____% **(insert percentage)**.
- (3) Fixed annual cost-of-living adjustment equal to _____% **(insert percentage)**.

The above cost-of-living adjustment shall apply with respect to the following Participants (and their Beneficiaries) **(check one)**:

- All Participants (and their Beneficiaries).
- Participants (and their Beneficiaries) who terminate employment on or after _____ **(insert date)**.
- Other **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)); specific positions are permissible; specific individuals may not be named)**: _____

The Adjustment Date for the above cost-of-living adjustment shall be (if not specified, the Adjustment Date shall be January 1): _____

17. TERMINATION OF EMPLOYMENT BEFORE RETIREMENT; VESTING

A. Eligible Regular Employees

Subject to the terms and conditions of the Master Plan, a Participant who is an Eligible Regular Employee and whose employment is terminated for any reason other than death or retirement shall earn a vested right in his accrued retirement benefit in accordance with the following schedule (check one):

- No vesting schedule (immediate vesting).
- Cliff Vesting Schedule.** Benefits shall be 100% vested after the Participant has a minimum of 10 years (insert number not to exceed 10) of Total Credited Service. Benefits remain 0% vested until the Participant satisfies this minimum.
- Graduated Vesting Schedule.** Benefits shall become vested in accordance with the following schedule (insert percentages):

<u>COMPLETED YEARS OF TOTAL CREDITED SERVICE</u>	<u>VESTED PERCENTAGE</u>
1	%
2	%
3	%
4	%
5	%
6	%
7	%
8	%
9	%
10	%

Exceptions: If a vesting schedule other than that specified above applies to a special class(es) of Regular Employees, the Employer must specify the different vesting schedule below and the class(es) to whom the different vesting schedule applies.

Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): Eligible Regular Employees initially employed before April 11, 1995.

Vesting Schedule for excepted class (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): Benefits shall be 100% vested after the Participant has completed a minimum of 5 years of Total Credited Service. Benefits remain 0% Vested until the Participant satisfies this minimum.

B. Elected or Appointed Members of the Governing Authority

Subject to the terms and conditions of the Master Plan, a Participant who is an elected or appointed member of the Governing Authority or a Municipal Legal Officer shall earn a vested right in his accrued retirement benefit for Credited Service in such capacity in accordance with the following schedule (check one):

- Not applicable (elected or appointed members of the Governing Authority are not permitted to participate in the Plan).
- No vesting schedule (immediate vesting).
- Other vesting schedule (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): Benefits shall be 100% vested after the Participant has a minimum of 10 years of Total Credited Service as an elected or appointed member of the Governing Authority. Benefits remain 0% Vested until the Participant satisfies this minimum.

18. PRE-RETIREMENT DEATH BENEFITS

A. In-Service Death Benefit

Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following in-service death benefit, to be payable in the event that an eligible Participant's employment with the Employer is terminated by reason of the Participant's death prior to Retirement (check and complete one):

- (1) **Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant, had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan. In order to be eligible for this benefit, a Participant must meet the following requirements (check one):
 - The Participant must be vested in a normal retirement benefit.
 - The Participant must have _____ years (insert number) of Total Credited Service.
 - The Participant must be eligible for Early or Normal Retirement.
 - Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.
- (2) **Actuarial Reserve Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, actuarially equivalent to the reserve

required for the Participant's anticipated Normal Retirement benefit, provided the Participant meets the following eligibility conditions (**check one**):

- The Participant shall be eligible upon satisfying the eligibility requirements of Section 8.02(c) of the Master Plan.
- The Participant must have _____ years (**insert number**) of Total Credited Service.
- Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

Imputed Service. For purposes of computing the actuarial reserve death benefit, the Participant's Total Credited Service shall include (**check one**):

- Total Credited Service accrued prior to the date of the Participant's death.
- Total Credited Service accrued prior to the date of the Participant's death, plus (**check one**): one-half (1/2) _____ (**insert other fraction**) of the Service between such date of death and what would otherwise have been the Participant's Normal Retirement Date. (**See Master Plan Section 8.02(b) regarding 10-year cap on additional Credited Service.**)

Minimum In-Service Death Benefit for Vested Employees Equal to Terminated Vested Death Benefit. Unless otherwise specified under "Exceptions" below, if a Participant's employment is terminated by reason of the Participant's death prior to Retirement, and if as of the date of death the Participant is vested but he does not qualify for the in-service death benefit, then the Auto A Death Benefit will be payable, provided the Auto A Death Benefit is made available to terminated vested employees under the Adoption Agreement (see "Terminated Vested Death Benefit" below).

(3) **Exceptions:** If an in-service death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (**must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415**): _____.

Participants to whom alternative death benefit applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Eligibility conditions for alternative death benefit (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

B. Terminated Vested Death Benefit

(1) Complete this Section only if the Employer offers a terminated vested death benefit. The Employer may elect to provide a terminated vested death benefit, to be payable in the event that a Participant who is vested dies after termination of employment but before Retirement benefits commence. Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following terminated vested death benefit (**check one**):

- Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan.
- Accrued Retirement Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary which shall be actuarially equivalent to the Participant's Accrued Normal Retirement Benefit determined as of the date of death.

(2) Exceptions: If a terminated vested death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415): _____.

Participants to whom alternative death benefit applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Eligibility conditions for alternative death benefit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

19. EMPLOYEE CONTRIBUTIONS

(1) Employee contributions (check one):

- Are not required.
- Are required in the amount of _____ % (insert percentage) of Earnings for all Participants.
- Are required in the amount of _____ % (insert percentage) of Earnings for Participants in the following classes (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsection as necessary if more than one contribution rate applies.]

(2) Pre-Tax Treatment of Employee Contributions. If Employee Contributions are required in Subsection (1) above, an Adopting Employer may elect to "pick up" Employee Contributions to the Plan in accordance with IRC Section 414(h). In such case, Employee Contributions shall be made on a pre-tax rather than a post-tax basis, provided the requirements of IRC Section 414(h) are met. If the Employer elects to pick up Employee Contributions, it is the Employer's responsibility to ensure that Employee Contributions are paid and reported in accordance with IRC Section 414(h). The Adopting Employer must not report picked up contributions as wages subject to federal income tax withholding.

The Employer hereby elects (**check one**):

- To pick up Employee Contributions. By electing to pick up Employee Contributions, the Adopting Employer specifies that the contributions, although designated as Employee Contributions, are being paid by the Employer in lieu of Employee Contributions. The Adopting Employer confirms that the executor of this Adoption Agreement is duly authorized to take this action as required to pick up contributions. This pick-up of contributions applies prospectively, and it is evidenced by this contemporaneous written document. On and after the date of the pick-up of contributions, a Participant does not have a cash or deferred election right (within the meaning of Treasury Regulation Section 1.401(k)-1(a)(3)) with respect to the designated Employee Contributions, which includes not having the option of receiving the amounts directly instead of having them paid to the Plan.
- Not to pick up Employee Contributions.

(3) Interest on Employee Contributions. The Adopting Employer may elect to pay interest on any refund of Employee Contributions.

- Interest shall not be paid.
- Interest shall be paid on a refund of Employee Contributions at a rate established by GMEBS from time to time.
- Other rate of interest (**must specify rate in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):

20. MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If an Adopting Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Board for approval. The amendment of the

new Adoption Agreement (or Addendum) is not effective until approved by the Board and other procedures required by the Plan have been implemented.

The Administrator will timely inform the Adopting Employer of any amendments made by the Board to the Plan.

21. TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan. The Administrator will inform the Adopting Employer in the event the Board should decide to discontinue this volume submitter program.

22. EMPLOYER ADOPTION AND AUTHORIZATION FOR AMENDMENTS

Adoption. The Adopting Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this ordinance. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Adopting Employer under the Plan, and any conditions imposed by the Adopting Employer with respect to, but not inconsistent with, the Plan. The Adopting Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board of Trustees of GMEBS. The Adopting Employer acknowledges that it may not be able to rely on the volume submitter advisory letter if it makes certain elections under the Adoption Agreement or the Addendum.

The Adopting Employer hereby agrees to abide by the Master Plan, Trust Agreement, and rules and regulations adopted by the Board of Trustees of GMEBS, as each may be amended from time to time, in all matters pertaining to the operation and administration of the Plan. It is intended that the Act creating the Board of Trustees of GMEBS, this Plan, and the rules and regulations of the Board are to be construed in harmony with each other. In the event of a conflict between the provisions of any of the foregoing, they shall govern in the following order:

- (1) The Act creating the Board of Trustees of The Georgia Municipal Employees' Benefit System, O.C.G.A. Section 47-5-1 *et seq.* (a copy of which is included in the Appendix to the Master Defined Benefit Plan Document) and any other applicable provisions of O.C.G.A. Title 47;
- (2) The Master Defined Benefit Plan Document and Trust Agreement;
- (3) This Ordinance and Adoption Agreement (and any Addendum); and
- (4) The rules and regulations of the Board.

In the event that any section, subsection, sentence, clause or phrase of this Plan shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of

this Plan, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have passed the remaining parts of this Plan or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

This Adoption Agreement (and any Addendum) may only be used in conjunction with Georgia Municipal Employees Benefit System Master Defined Benefit Retirement Plan Document approved by the Internal Revenue Service under advisory letter J501718a dated March 30, 2018. The Adopting Employer understands that failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Master Plan Document and Trust, may result in disqualification of the Adopting Employer's Plan under the Internal Revenue Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS advisory letter should be directed to the Administrator. The Administrator is Georgia Municipal Employees Benefit System, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia, 30303. The business telephone number is: (404) 688-0472. The primary person to contact is: GMEBS Legal Counsel.

Authorization for Amendments. Effective on and after February 17, 2005, the Adopting Employer hereby authorizes the volume submitter practitioner who sponsors the Plan on behalf of GMEBS to prepare amendments to the Plan, for approval by the Board, on its behalf as provided under Revenue Procedure 2005-16, as superseded by Revenue Procedure 2015-36, Revenue Procedure 2011-49, and Announcement 2005-37. Effective January 1, 2013, Georgia Municipal Association, Inc., serves as the volume submitter practitioner for the Plan. Employer notice and signature requirements were met for the Adopting Employer before the effective date of February 17, 2005. The Adopting Employer understands that the implementing amendment reads as follows:

On and after February 17, 2005, the Board delegates to the Practitioner the authority to advise and prepare amendments to the Plan, for approval by the Board, on behalf of all Adopting Employers, including those Adopting Employers who have adopted the Plan prior to the January 1, 2013, restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Adopting Employers. Employer notice and signature requirements have been met for all Adopting Employers before the effective date of February 17, 2005. In any event, any amendment prepared by the Practitioner and approved by the Board will be provided by the Administrator to Adopting Employers.

Notwithstanding the foregoing paragraph, no amendment to the Plan shall be prepared on behalf of any Adopting Employer as of either:

- the date the Internal Revenue Service requires the Adopting Employer to file Form 5300 as an individually designed plan as a

result of an amendment by the Adopting Employer to incorporate a type of Plan not allowable in a volume submitter plan as described in Revenue Procedure 2015-36; or

- as of the date the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Adopting Employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the Adopting Employer is conditioned on the Plan receiving a favorable determination letter.

The Adopting Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the volume submitter advisory letter.

AN ORDINANCE (continued from page 1)

Section 2. Except as otherwise specifically required by law or by the terms of the Master Plan or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated his office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be March 1, 2020.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Mayor and Council of the City of Newnan, Georgia this _____ day of _____, 20_____.

Attest:

CITY OF NEWNAN, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

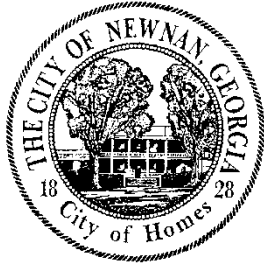
The terms of the foregoing Adoption Agreement are approved by the Board of Trustees of Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20_____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary



City of Newnan, Georgia – Mayor and City Council

Date: January 28, 2020

Agenda Item: Rezoning Request – RZ2019-09
16.85± acres located off Newnan Crossing Bypass a
portion of (Tax Parcel # 087 5011 003)

Prepared and Presented by: Tracy Dunnavant, Planning Director

REZONING ASSESSMENT

APPLICANT INFORMATION:

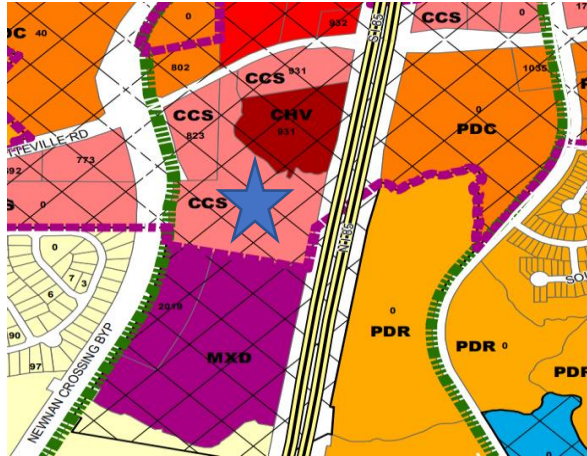
George Rosenzweig on behalf of Dominion Acquisition, LLC
2905 Northwest Boulevard, Suite 150
Plymouth, MN 55441

According to the information they provided, Dominion is a national multi-family company, headquartered in Minnesota, that was founded in 1972. They are the second largest affordable apartment development and management company in the nation. They currently own and manage over 30,000 units and have a staff of over 1,000 employees. Although Dominion's portfolio consists of a variety of product types and classes, roughly 90% of their portfolio is comprised of affordable communities (primarily Section 42 Tax Credit and senior properties).

SITE INFORMATION:

The site consists of 16.85± acres located between Newnan Crossing Bypass and Interstate 85. The tax parcel ID number is 087 5011 003. The tract is located next to the Springs apartments that received rezoning approval in 2018.

The site is currently vacant and zoned CCS (Community Shopping Center District). It fronts on both Lower Fayetteville Road and Newnan Crossing Bypass, but the applicant has indicated that all access will come off Newnan Crossing Bypass. The acreage abutting Lower Fayetteville Road will remain undeveloped as it includes both a creek and significant floodplain. A tributary of White Oak Creek runs along the eastern border which will require increased stream buffers. The property is also located within the Stillwood Creek Watershed Basin and will be required to comply with the conditions set forth in the Stillwood Creek Watershed Draining Ordinance. The applicant has indicated that they will be seeking variances for a front setback reduction, a reduction in parking, and a building height increase to 55 feet. The proposed site plan has been included as part of the application and shows the layout of the buildings as well as the buffers and setbacks that will be required for the site.



OVERVIEW OF REQUEST:

The applicant is requesting the rezoning of 16.85± acres located between Newnan Crossing Bypass and Interstate 85. The property is currently zoned CCS (Community Shopping Center District) and the applicant is requesting RMH (Residential Multiple-Family Dwelling – Higher Density District) for the construction of 202 affordable senior independent over 55 age restricted apartment units. This means that 80% of the units will be occupied by at least one person who is 55 years of age and older. RMH allows 12 dwelling units per acre. The proposed development shows a site density of 12 units per acre.



The development, known as Legends of Newnan, will be housed in a single four-story building with 230 surface parking spaces (303 are required). The targeted unit mix is 110 one-bedroom (54%), 76 two-bedroom (38%) and 16 three-bedroom (8%) units. The development will be a Section 42 project, which provides tax credits to developers of affordable housing and allows the applicant to reduce rents on a sliding, income-based scale. The applicant states that 2020 rents would range from \$464 to \$1,237 per month for a one bedroom with utilities and between \$557 and \$1,485 per month for a two bedroom with utilities. Although no specific square footages are listed, the applicant will be required to meet the City’s Zoning Ordinance requirements of a one-bedroom unit - 700 square feet, two-bedroom unit - 950 square feet and three-bedroom unit – 1,100 square feet. In addition, the average square footage for all residential units must be a minimum of 800 square feet.

All units will be provided full kitchens, a dishwasher, stove, refrigerator, microwave, and an exterior patio/balcony. Images from other projects developed by the applicant have been provided as part of this report to represent the product that the developer is proposing to build.

In terms of amenities, the complex will feature “facilities and services specifically designed to meet the physical or social needs of older persons, including by way of example, a community garden, courtyard, walkways, benches, grilling areas, a fitness center, business center, game, card and craft room, theatre, laundry facilities and a beauty salon”.

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 designations with CCS and CHV zoning designations. However, the adjacent property to the south was rezoned to MXD (Mixed Use Development District) in 2018 and is being developed with 320 apartment units known as The Springs. There will also be commercial/office uses fronting on Newnan Crossing Bypass in the future that could serve both apartment communities. To the east is Interstate 85 and a commercial strip center with self-storage units behind the commercial building. These could also benefit from the additional residents. To the north is a vacant and dilapidated non-conforming house, and across Newnan Crossing Bypass is Lakeshore Subdivision and vacant land. With the Interstate, the Bypass and the existing creeks and floodplain, the majority of the land and existing uses will either be buffered or not significantly impacted by the proposed apartments.

Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? As with most apartment developments, the greatest impact on adjacent or nearby properties resulting from the rezoning would be additional traffic. The apartments are expected to generate roughly 787 additional trips per day based on data from independent senior living developments; however, Newnan Crossing Bypass is a major, four lane road designed to handle increased volumes of traffic. A traffic study (included in the packet) was performed and found that the proposed development is “expected to have minimal traffic-related impact on the study area. The existing levels of service at the study intersections are Level of Service (LOS) “D” or better. The average delay at the study intersections will increase by no more than 0.6 seconds per vehicle for any approach”.

The property does lie within the Stillwood Creek Watershed Basin. This will require the developer to comply with the conditions set forth in the watershed drainage ordinance to ensure all environmental impacts are addressed. In addition, stream buffers will be required to protect the existing creek.

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 (CCS). The tract is surrounded by commercial uses and the future land use map designates this property as future clean industrial.

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? As a requirement for multifamily developments exceeding 150 units, the applicant must submit a Community Impact Assessment (CIA) which looks at the services listed above and provides a financial analysis of the project. A copy of the full assessment has been provided with the accompanying documentation for this report. A summary of the assessment's findings are as follows:

Police: Police Chief Meadows has indicated that the 202-unit multifamily development will result in approximately 515 new residents. With each citizen generating 1.62 calls, he estimates an additional 835 calls per year. The Chief states that one additional officer and fully equipped patrol car would be needed to maintain the current number of calls per officer per hour. However, he adds that they are able to service the development, but it may have a slight impact on response time. A copy of the Chief's letter has been provided as an attachment to the CIA.

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

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 an email that has been provided as an attachment to the assessment.

Engineering:

Environmental Concerns:

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition.
2. All streams, wetlands and other environmentally sensitive areas such as, floodplain, shall be field determined and located within open space to the extent practically possible.
3. This site is located within the water supply watershed and thus increased stream buffers apply. Perennial streams shall carry an undisturbed stream buffer of 100 feet with an additional impervious surface setback of 50 feet. Intermittent streams shall carry an undisturbed stream buffer of 50 feet with an additional 25-foot impervious surface setback. State waters buffers shall be measured from the point of wretched vegetation and shall be delineated in the field.
4. This site is located within the Stillwood Creek Watershed Basin and is required to comply with the conditions set forth in the Stillwood Creek Watershed Drainage Ordinance.

Sidewalk and Road Concerns:

1. The developer shall provide a minimum 50-foot access easement to the lot directly north and adjacent to this site for future connectivity to the median break along Newnan Crossing Bypass.
2. ADA compliant six (6) foot sidewalks shall be provided along the public right of way adjacent to the development (not including the freeway) and 5 foot sidewalks within the development.
3. As shown on the concept plan full length right turn lane, and left turn lanes and median break to be constructed to City Standards.
4. Street lights along Newnan Crossing Bypass shall be installed by the developer.

A copy of the Engineer’s report has been provided as part of the is assessment.

Traffic: A traffic impact study was performed for the proposed development. The traffic expected to be generated is as follows:

EXPECTED TRIP GENERATION

LAND USE CODE	LAND USE	SIZE	DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
252	Independent Senior Living	202 Dwelling Units	787	14	26	40	28	23	51
		Unadjusted Volume		14	26	40	28	23	51
		Pass-By Trips		0	0	0	0	0	0
		Volume Added to Adjacent Streets		14	26	40	28	23	51

Per the community impact assessment:

“Based on the findings of the traffic study, the proposed Legends of Newnan senior living community is expected to have minimal traffic-related impact on the study area. The existing levels of service at the study intersections are Level of Service (LOS) D or better. The average delay at the study intersections will increase by no more than 0.6 seconds per vehicle for any approach. The proposed driveway is expected to operate at LOS C or better. The access as proposed in the site plan will operate well as shown.”

Coweta County Schools: Per the CIA, the Coweta County School System did not reply to the request. They typically indicate that many of the schools within the County are near capacity and request that a schedule be provided so that they can prepare for the additional impact. However, in this case, the development is geared toward 55 and over adults who typically do not have many school aged children in the home. The applicant has indicated that roughly 93% of the residents living in their senior projects are age 51 and older.

Tax Revenue: Per the CIA, it is estimated that the fair market value of the property would increase by \$17 million with the proposed improvements. The following table shows the estimated change in tax revenues for the County, City and School System:

ESTIMATED CHANGE IN ANNUAL PROPERTY TAX REVENUE				
ENTITY	MILLAGE RATE	EXISTING ASSESSED VALUE= \$1,271,350 (27.4% of \$,639,967)	IMPROVED (\$18,271,350 Value)	ADDITIONAL PROPERTY TAX
County	7.63	\$3,880	\$55,764	\$51,884
School	18.59	\$9,454	\$135,866	\$126,412
City	4	\$2,034	\$29,234	\$27,200
TOTAL	30.22	\$15,368	\$220,864	\$205,496

In addition to the estimated tax revenue, the CIA indicates that the property would require significant impact fees paid to the City of Newnan and Newnan Utilities totaling over \$532,486.

As with all development, the project will impact 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 IMPACT, BUT IMPACT IS NOT EXCESSIVE OR BURDENSOME ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

While the Comprehensive Plan does state the need for affordable residential development, the Future Land Use Map shows this property as future clean industrial. Newnan defines this category as “areas that provide sites for clean-based industries (as opposed to the more traditional areas) and supporting, nonresidential land uses that complement industrial uses or require an industrial environment”.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE CLEAN INDUSTRIAL ✗

Is the proposed use consistent with the purpose and intent of the proposed zoning district?

The RMH (Residential Multiple-Family Dwelling – Higher Density District) zoning designation is intended to provide for higher density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities; thereby resulting in medium gross densities. New RMH districts are most appropriately located adjacent to existing RMH districts, in areas in transition between denser residential neighborhoods and commercial development, or in areas where the future land use map indicates would be appropriate for high density residential uses.

Apartments are one of the stated uses of the land and are permitted in the RMH zoning district. In terms of location, the request would meet the intended parameters as the concept shows an intense concentration of dwelling units with large open spaces that include common areas and recreational facilities. In addition, although the zoning is MXD for the adjacent tract to the south, it is currently being developed with apartments.

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. In September of 2017, the City adopted a new Zoning Ordinance and corresponding zoning map. In the Zoning Ordinance update, the subject property was given a commercial designation by the City Council and the Future Land Use map shows the property as future clean industrial.

Staff Assessment – RECENTLY COMPLETED UPDATES TO BOTH THE ZONING ORDINANCE AND COMPREHENSIVE PLAN SHOW THE PROPERTY AS A USE NOT CONSISTENT WITH MULTI-FAMILY RESIDENTIAL ✗

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? Since 2013, the City has approved roughly 1,550 new multi-family units (269 this past month). Of those, 1,390 are market rate to higher end apartments. The remaining 160 are affordable with rates based on income. The project that is being proposed would fall into the affordable category, but unlike the 160-unit project, at least 80% of these residents must have a family member 55 or older.

Currently in the City of Newnan, the Forest at York is a 72 unit 55 and over apartment complex that provides income-based housing. In addition, there is a new dependent retirement community being built off of Newnan Lakes Boulevard that will include 75 independent living units for seniors as a component within their development; however, those units would not be considered affordable. While we have several assisted living developments within the city, there are really very few independent apartment complexes specifically designed for seniors with limited income. This development would help meet a need that the Comprehensive Plan has identified by providing additional affordable senior housing.

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 **5 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:

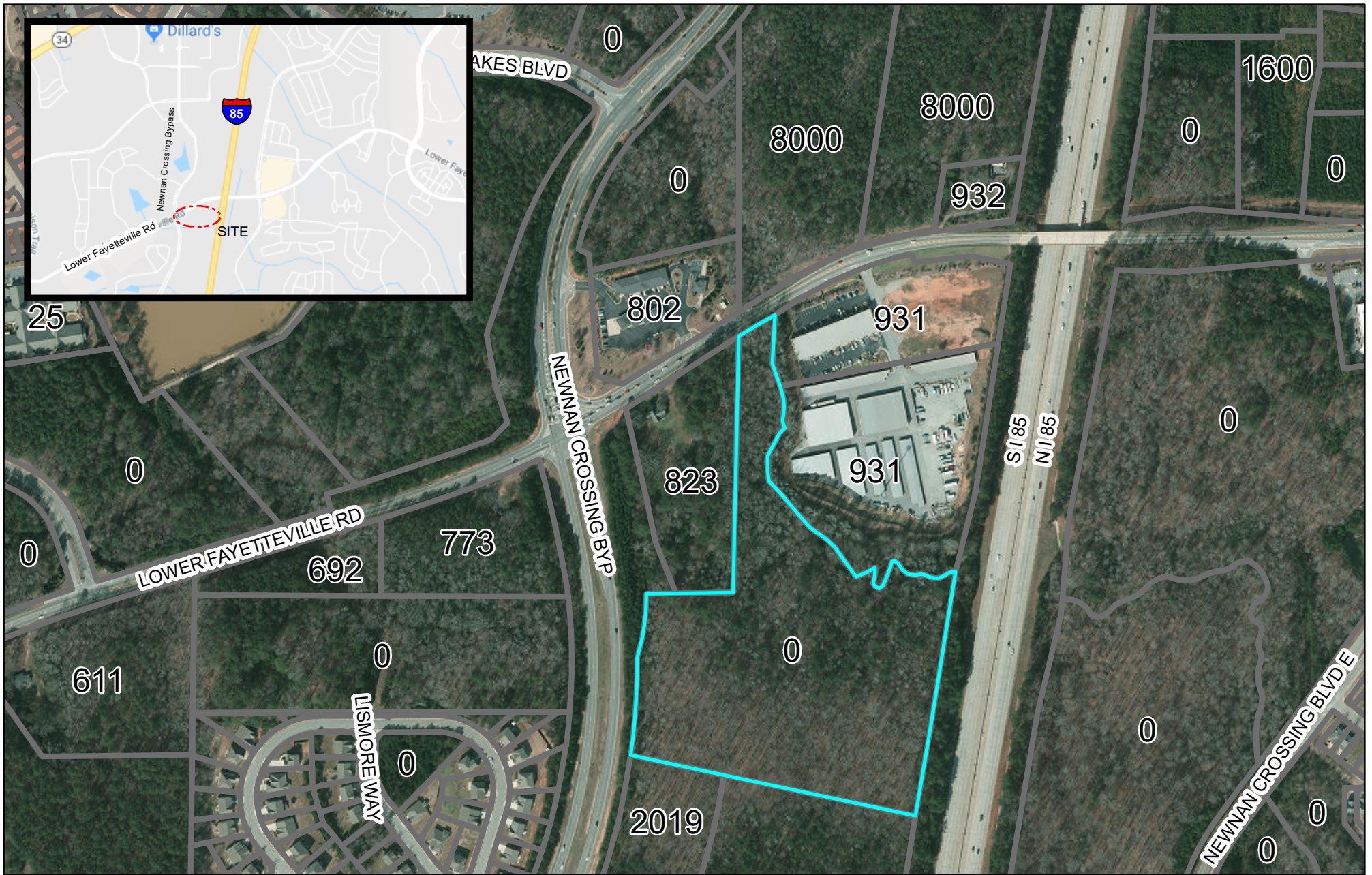
The Planning Commission at their December 17, 2019 meeting held a public hearing regarding the request and voted unanimously to recommend approval with the following conditions:

1. The project will be consistent with the plan, density, project data, amenities, proffered conditions and architectural details as provided as part of the application. Variances reflected in these documents for height, front building setback and parking will only be granted upon consideration and final approval by the Board of Zoning Appeals.
2. The applicant's proffered conditions (Attachment A-Proffered Condition in Application), provided that if any conditions contradicted City of Newnan zoning ordinance, that the City's zoning ordinance would rule.
3. During the site plan review process, applicant would demonstrate to staff the potential location on their site where the adjoining property owner could connect for inter-parcel connectivity.
4. Applicant agrees to pay their share for street light installation at the appropriate time.
5. Applicant would conduct a feasibility study regarding constructing a walking trail/pedestrian path on its property up to Lower Fayetteville Road.

ATTACHMENTS: Application for Rezoning
Location Map
Community Impact Assessment
Traffic Study

FUNDING: N/A

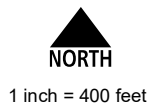
PREVIOUS DISCUSSION WITH COUNCIL: November 12, 2019



CITY OF NEWNAN | Project Location



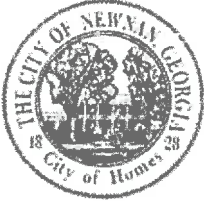
CITY OF NEWNAN
 PLANNING DEPT.
 25 LAGRANGE STREET
 NEWNAN, GEORGIA 30263
www.cityofnewnan.com



LEGEND

- Project Location
- PARCELS
- CITY LIMITS

ADD 64
 Newnan Crossing Bypass
 NEWNAN GA. 30263



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 George C. Rosenzweig, Esq.

Mailing Address P.O. Box 220, Newnan, GA 30264

Telephone 770-253-3282 Email george@newnanlaw.com

Property Owner (Use back if multiple names) Cates Family Partnership

Mailing Address 815 Sherlin Ln, Great Falls, VA 22066

Email eveloudenback@gmail.com

Address/Location of Property The real property comprising approximately 16.85 acres located between Newnan Crossing Bypass and Interstate 85, in the City of Newnan, Coweta County, Georgia.

Tax Parcel No.: 087 5011 003 Land Lot _____

District/Section District 2 Size of Property (Square Feet or Acres) 16.85

Present Zoning Classification: CCS Proposed Zoning Classification: RMH

Present Land Use: Vacant

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

Explain how conditions have changed that render the zoning map designation invalid and no longer applicable The property is adjoined by a recently rezoned MXD property, currently under development. The subject property is no longer suited to CCS (Commercial Shopping Center) and is much better suited to an age restricted over 55 multi-family residential development as more particularly described in the Letter of Intent for Rezoning from George C. Rosenzweig.

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 N/A

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 requested zoning change is compatible with the adjoining MXD development. Among the features of the proposed plan will be connectivity with the MXD tract. Because of the evolving nature of MXD zoning in Newnan, Applicant believes that a request for MXD zoning (an extension of the adjoining tract's zoning) would not be productive at this time.

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.

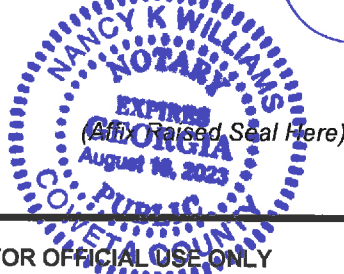
Sworn to and subscribed before me this

1st day of November, 2019

Signature of Applicant

Nancy K Williams

Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE October 18, 2019

RECEIVED BY Dean Smith

DATE OF FILING 11-1-19

FILING FEE RECEIVED \$922.00

DATE OF NOTICE TO NEWSPAPER _____

DATE OF PUBLIC HEARING _____

PLANNING COMMISSION RECOMMENDATION (DATE) _____

DATE OF TRANSMITTAL TO CITY COUNCIL _____

CITY COUNCIL DECISION (DATE) _____

TAB 1

LETTER OF INTENT

ROSENZWEIG, JONES, HORNE & GRIFFIS, P. C.
ATTORNEYS AT LAW
32 SOUTH COURT SQUARE
POST OFFICE BOX 220
NEWNAN, GEORGIA 30264

GEORGE C. ROSENZWEIG

TELEPHONE (770) 253-3282
FAX (770) 251-7262
E-MAIL george@newnanlaw.com

November 1, 2019

BY HAND DELIVERY

City of Newnan, Georgia
Planning and Zoning Department
25 LaGrange Street
Newnan, Georgia 30263

**RE: LETTER OF INTENT FOR REZONING
16.85 Acre Tract between Newnan Crossing Bypass and Interstate 85
from CCS to RMH for Age-Restricted affordable over 55 Senior Housing**

George C. Rosenzweig, attorney at law, submits this letter of intent for rezoning and rezoning application on behalf of Dominion Acquisition, LLC in order to develop an approximately 16.85-acre tract located between Newnan Crossing Bypass and Interstate 85 in the City of Newnan for an affordable age-restricted senior housing development. The Property, currently zoned CCS ("Commercial Shopping Center"), is adjoined by a 30-acre MXD-zoned tract currently under development for, among other purposes, apartments; a development that includes self-storage; and undeveloped, vacant land.

The Applicant requests approval of the re-zoning application in order to allow the construction of a 12 unit per acre over 55 age-restricted affordable senior housing development which will be regulated by the Georgia Department of Community Affairs in compliance with the Federal Housing for Older Persons Act of 1995 (HOPA), the regulations of the Secretary of the Department of Housing and Urban Development, and Section 42 of the Internal Revenue Code. At least 80% of the units will be occupied by at least one person who is 55 years of age and older. The development will operate and be administered by published policies and procedures for operation and verification of occupancy as well as specific deed restrictions, restrictive covenants, and the specific, particularized, proffered conditions submitted as part of the zoning application.

The development will provide significant facilities and services specifically designed to meet the physical or social needs of older persons including, by way of example, a community garden, courtyard, walkways, benches, and grilling areas, as well as amenities including a fitness center, business center, game, card and craft room, theatre, laundry facilities, and beauty salon. Residences will be provided with full kitchens including a dishwasher, stove, refrigerator, and microwave. Additionally, each unit will feature an exterior patio/balcony.

Although a small portion of the property fronts on Lower Fayetteville Road, there will be no entrance, exit, or access onto Lower Fayetteville Road. All access will be from the Newnan Crossing Bypass. Because of the age of the occupants of the development, there will be minimal traffic, particularly, during morning and afternoon rush hours. And, there will be no increased demands on the public schools.

It is my pleasure, in submitting this letter of intent, to introduce you to Dominion, one of the project partners. Dominion, based in Minneapolis, is a national developer of age-restricted housing with over 45 years of experience as an owner, operator, developer, and residential management company. Dominion is among the nation's largest such companies with over 30,000 units owned and managed. It is Dominion's philosophy to hold projects, long-term, bringing decades of experience to ensure a quality development for decades to come.

Dominion offers a product, not currently available in Newnan, providing older persons in the community the opportunity to live in affordable new housing, as opposed to older single or multi-family housing. The typical Dominion resident is a 74 year old female widow on fixed income. Statistically, 72% of residents of Dominion Senior Projects are females and 28% males, with the following age breakdowns: 16% age 51-61, 25% age 62-69, 33% age 70-79, and 19% age 80+. The typical resident is retired, living on Social Security, plus a nest egg from retirement funds, the proceeds from a home sale, or some other source.

The proposed project will be developed pursuant to Section 42 of the Internal Revenue Code which provides a tax credit for investment in projects providing affordable housing to people with fixed or lower income. This is not a HUD Section 8 project. Unlike HUD Section 8 (which subsidizes tenants), a Section 42 project, providing tax credits to developers of affordable housing, enables Dominion to reduce rents, on a sliding, income-based scale. For example, for 2020, rents would range from \$464.00 to \$1,237.00 per month for a one bedroom, with utilities, and from \$557.00 per month to \$1,485.00 per month for a two bedroom with utilities, depending on the income of the tenant.

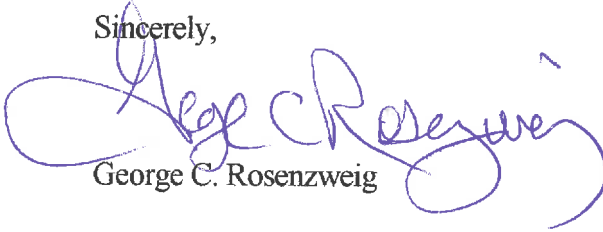
We believe the proposed development is compatible with the needs outlined in the City of Newnan Comprehensive Plan 2016-2036, which encourages and supports opportunities for affordable residential development. Newnan residents who participated in the Comprehensive Plan Workshop expressed the desire for senior housing that was affordable while, at the same time, high quality. The Dominion project meets both requirements and is in close proximity to Newnan's numerous medical facilities. Expanding housing options for seniors allows current residents to remain in their communities as they progress through various stages of life and also provides housing options for senior citizens who retire from out of the area and choose to relocate closer to their grandchildren. Approving our intended use of this parcel would allow residents of Newnan to "age in place" in their current neighborhoods and communities, thus increasing the quality of life for current and future citizens of Newnan.

City of Newnan, Georgia
November 1, 2019
Page Three

Dominium and I welcome the opportunity to meet with staff of the City of Newnan Planning and Zoning Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the application and proffered conditions.

Thank you for your consideration.

Sincerely,



George C. Rosenzweig

GCR/nkw



KEY PLAN

SITE INFORMATION

CURRENT OWNER: CATES FAMILY PARTNERSHIP
 DB: 701 PG. 55
 TAX PARCEL ID # 087 5011 003
 ADDRESS: UNASSIGNED
 CURRENT ZONING: CCS (COMMUNITY SHOPPING CENTER)
 PROPOSED ZONING: RMH (RESIDENTIAL MULTI FAMILY DWELLING)

PROPOSED BUILDING

4 STORIES
 202 SENIOR INDEPENDENT LIVING UNITS
 230 PARKING SPACES

VARIANCES TO BE REQUESTED

FRONT SETBACK REDUCTION
 PARKING REDUCTION
 BUILDING HEIGHT INCREASE TO 55'-0"

150' CITY REQUIRED IMPERVIOUS SETBACK

42' REAR SETBACK

SITE AREA:
 16.8501 Ac.

NO CEMETERIES LOCATED ON PROPERTY

F.F.916

70 dB

NEW MEDIAN BREAK COORDINATED BY PROPERTY ACROSS BYPASS

NEWNAN CROSSING BYPASS (200' R/W)

INTERSTATE I-85 (VARIABLE WIDTH R/W) (LIMITED ACCESS R/W)

INTERSTATE I-85 (R/W VARIES)



LEGENDS OF NEWNAN

NEWNAN, GA.

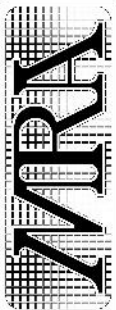
11.19.2019

CONCEPTUAL SITE PLAN



PROJECT:	2019-056
DATE:	12-31-19
DESIGN BY:	ARCHITECTS

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 25 CHURCH STREET SUITE 300 DECATUR GEORGIA 30030-3229 404-597-2800
 LEGENDS OF NEWNAN
 NEWNAN, GA.



SA1

TAB 2

PROPERTY OWNERS WITHIN 250 FEET

PROPERTY OWNERS WITHIN 250'

Parcel ID 087D 203
Julie Carl-Smith & Linda Elias-Carl
149 Inverness Avenue
Newnan, GA 30263

Parcel ID 087D 202
Victor Daniel Howard & Tiffany Howard
153 Inverness Avenue
Newnan, GA 30263

Parcel ID 086 5022 003
Carey Jackson
60 Fox Hollow
Newnan, GA 30263

Parcel ID 087 5021 001
Prime Holdings Group LLC
827 Greison Trail
Newnan, GA 30263

Parcel ID 086 5022 002
Rags Holdings LLC
376 Ebenezer Church Road
Fayetteville, GA 30215

Parcel ID 087 5011 008
Continental 449 Fund LLC
W134 N8675 Executive Parkway
Menomonee Falls, WI 53051

Parcel ID 087 5011 007
Eight Investors LLC
Suite 3300
1755 Hwy. 34 E.
Newnan, GA 30265

Parcel ID 086 5022 007
Davisha N Hiren LLC
203 Champion Dr.
Carrollton, GA 30117

Parcel ID 086 5021 002
Georgia Healthcare Properties LLC
600 Celebrate Life Parkway
Newnan, GA 30265

TAB 3

LEGAL DESCRIPTION OF PROPERTY

PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lots 11, 12 & 21, 5th District, City of Newnan, Coweta County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at a concrete right of way monument found at the intersection of the Westerly Right-of-Way Line of Interstate 85, (a variable width right of way) and the Southerly Right-of-Way Line of Lower Fayetteville Road (a variable width right of way); thence, leaving said point and running with the said line of Lower Fayetteville Road, North 79° 57' 06" West, 135.87 feet; thence, South 84° 17' 14" West, 175.19 feet; thence, North 11° 10' 44" West, 24.88 feet to a concrete right of way monument found; thence, 366.30 feet along the arc of a curve deflecting to the left, having a radius of 939.60 feet and a chord bearing and distance of South 67° 42' 18" West, 363.98 feet; thence, South 56° 39' 13" West, 112.64 feet to the centerline of a ditch, said point being the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and said line of Lower Fayetteville Road and running with the centerline of said ditch and the property now or formerly owned by Prime Holdings, Group, LLC, as described in a deed recorded among the Land Records of Coweta County in Deed Book 3252, Page 195

1. South 02° 17' 57" West, 51.04 feet; thence,
2. South 05° 03' 19" West, 71.98 feet; thence,
3. South 21° 41' 36" East, 61.04 feet; thence,
4. South 19° 39' 26" East, 23.08 feet; thence,
5. South 10° 09' 38" East, 8.93 feet; thence,
6. South 07° 29' 38" East, 50.53 feet; thence,
7. South 03° 16' 56" West, 27.22 feet; thence,
8. South 12° 17' 12" West, 18.27 feet; thence,
9. South 15° 15' 01" East, 25.09 feet; thence,
10. South 70° 35' 00" West, 14.01 feet; thence,
11. South 34° 39' 12" West, 39.63 feet; thence,
12. South 30° 05' 57" West, 34.10 feet; thence,
13. South 19° 49' 06" West, 20.63 feet; thence,
14. South 02° 11' 29" East, 20.20 feet; thence,
15. South 13° 37' 37" East, 52.72 feet; thence,
16. South 45° 28' 06" East, 38.79 feet; thence,
17. South 39° 24' 44" East, 96.16 feet; thence,
18. South 44° 18' 20" East, 86.87 feet; thence,
19. South 58° 05' 36" East, 43.01 feet; thence,
20. South 40° 11' 31" East, 28.09 feet; thence,
21. South 35° 41' 54" East, 106.28 feet; thence,
22. North 61° 55' 48" East, 63.82 feet; thence,
23. South 02° 26' 57" East, 33.41 feet; thence,
24. South 17° 36' 54" West, 20.51 feet; thence,
25. South 25° 38' 46" East, 13.22 feet; thence,
26. South 79° 41' 29" East, 16.00 feet; thence,
27. North 56° 20' 20" East, 18.92 feet; thence,
28. North 22° 16' 25" East, 22.67 feet; thence,
29. North 07° 31' 44" East, 43.77 feet; thence,
30. North 43° 23' 16" East, 11.81 feet; thence,
31. South 62° 54' 48" East, 23.05 feet; thence,

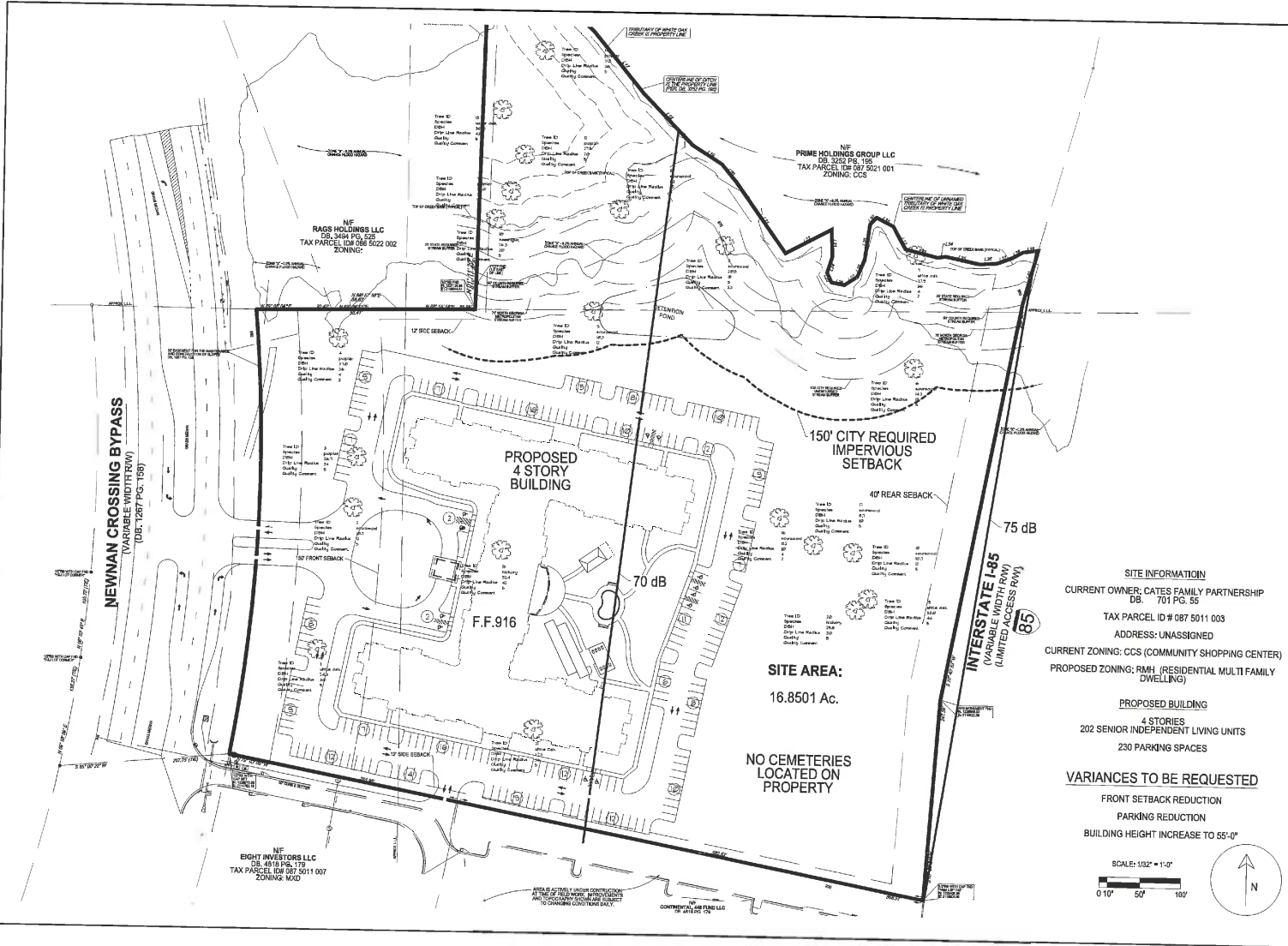
32. South 28° 53' 39" East, 31.59 feet; thence,
33. South 76° 17' 41" East, 40.28 feet; thence,
34. North 81° 52' 58" East, 10.12 feet; thence,
35. South 78° 18' 33" East, 42.39 feet; thence,
36. North 86° 16' 49" East, 22.00 feet; thence,
37. North 69° 24' 24" East, 19.53 feet; thence,
38. North 61° 13' 03" East, 15.21 feet; thence,
39. North 82° 41' 35" East, 18.68 feet to a point on the aforesaid line of Interstate 85; thence, running with the said line of Interstate 85
40. South 15° 13' 17" West, 67.35 feet; thence,
41. South 10° 40' 53" West, 497.25 feet to a concrete right of way monument found; thence,
42. South 03° 53' 21" West, 247.56 feet to a ½ inch capped rebar found (labeled V&M LSF1145); thence, leaving the aforesaid line of Interstate 85 and running with the property now or formerly owned by Continental, 449 Fund LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 4818, Page 179
43. North 79° 03' 05" West, 582.53 feet; thence, running with the property now or formerly owned by Eight Investors, LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 3257, Page 427
44. North 79° 03' 05" West, 285.98 feet to a ½ inch capped rebar set on the Easterly Right of Way Line of Newnan Crossing Bypass (a variable width right of way); thence, running with the said line of Newnan Crossing Bypass
45. 548.76 feet along the arc of a curve deflecting to the left, having a radius of 2,009.86 feet and a chord bearing and distance of North 02° 29' 51" East, 547.06 feet to a ½ inch capped rebar set at the intersection with the north line of aforesaid Land Lot 11; thence, continuing with the said line of Newnan Crossing Bypass and the line of Land Lot 11
46. North 89° 05' 04" East, 92.42 feet to a ½ inch rebar found; thence, leaving the aforesaid line of Newnan Crossing Bypass and running with the property now or formerly owned by Rags Holding, LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 3494, Page 525
47. North 89° 04' 01" East, 53.41 feet to a 1 ½ inch open top pipe found (disturbed); thence,
48. North 88° 57' 58" East, 56.03 feet to a ½ inch rebar found; thence,
49. North 88° 59' 58" East, 65.98 feet to a ½ inch rebar found; thence,
50. North 01° 11' 20" East, 783.82 feet to a nail found on the aforesaid line of Lower Fayetteville Road; thence, running with the said line of Lower Fayetteville Road
51. North 56° 39' 13" East, 132.96 feet to the Point of Beginning, containing 733,992 square feet or 16.8501 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

TAB 4

CERTIFIED PLAT

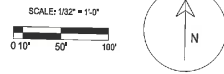
PLOTTED: 11/1/2019 2:55:09 PM - DRAWING: P:\ADMIN\2019-208 NEWMAN_GVA-RES-5-17-R PRELIM-ARCHITECTURAL SITE PLAN 202 UNITS.DWG - PLOTTED BY: JCC BRUNER - COPYRIGHT: 2019



SITE INFORMATION
 CURRENT OWNER: CATES FAMILY PARTNERSHIP
 DB: 701 PG. 55
 TAX PARCEL ID # 087 5011 003
 ADDRESS: UNASSIGNED
 CURRENT ZONING: CCS (COMMUNITY SHOPPING CENTER)
 PROPOSED ZONING: RMH (RESIDENTIAL MULTI FAMILY DWELLING)

PROPOSED BUILDING
 4 STORIES
 202 SENIOR INDEPENDENT LIVING UNITS
 230 PARKING SPACES

VARIANCES TO BE REQUESTED
 FRONT SETBACK REDUCTION
 PARKING REDUCTION
 BUILDING HEIGHT INCREASE TO 55'-0"



	<p style="text-align: center;"> MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C. 215 CHURCH STREET, SUITE 200, DECATUR, GEORGIA 30030-3029 404-372-2800 LEGEMDS OF NEWMAN NEWMAN, GA </p>
	<p style="text-align: center;"> MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C. 215 CHURCH STREET, SUITE 200, DECATUR, GEORGIA 30030-3029 404-372-2800 LEGEMDS OF NEWMAN NEWMAN, GA </p>

SA.1

CALL TABLE

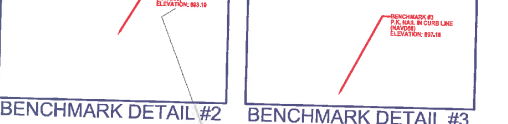
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 02° 17' 57" W	L21	S 35° 41' 54" E	700.85'	
L2	S 02° 02' 12" W	L22	N 07° 52' 40" W	83.64'	
L3	S 21° 41' 38" E	L23	S 02° 30' 03" E	53.44'	
L4	S 18° 30' 38" E	L24	S 17° 12' 52" E	10.00'	
L5	S 07° 03' 38" E	L25	S 20° 30' 46" E	15.26'	
L6	S 02° 12' 52" E	L26	N 02° 12' 52" E	10.00'	
L7	S 02° 12' 52" E	L27	N 08° 20' 20" E	15.26'	
L8	S 02° 12' 52" E	L28	N 02° 12' 52" E	10.00'	
L9	S 02° 12' 52" E	L29	N 07° 51' 49" E	48.75'	
L10	S 02° 12' 52" E	L30	N 02° 12' 52" E	11.61'	
L11	S 02° 12' 52" E	L31	S 02° 56' 49" E	10.00'	
L12	S 02° 12' 52" E	L32	N 02° 12' 52" E	31.68'	
L13	S 02° 12' 52" E	L33	S 70° 17' 41" E	40.26'	
L14	S 02° 12' 52" E	L34	N 02° 12' 52" E	10.00'	
L15	S 02° 12' 52" E	L35	S 78° 10' 33" E	42.30'	
L16	S 02° 12' 52" E	L36	N 02° 12' 52" E	32.66'	
L17	S 02° 12' 52" E	L37	N 02° 12' 52" E	10.00'	
L18	S 02° 12' 52" E	L38	N 02° 12' 52" E	42.71'	
L19	S 02° 12' 52" E	L39	N 02° 12' 52" E	10.00'	
L20	S 02° 12' 52" E	L40	S 12° 12' 52" E	42.30'	

P.O.C. DETAIL - INSET "A"

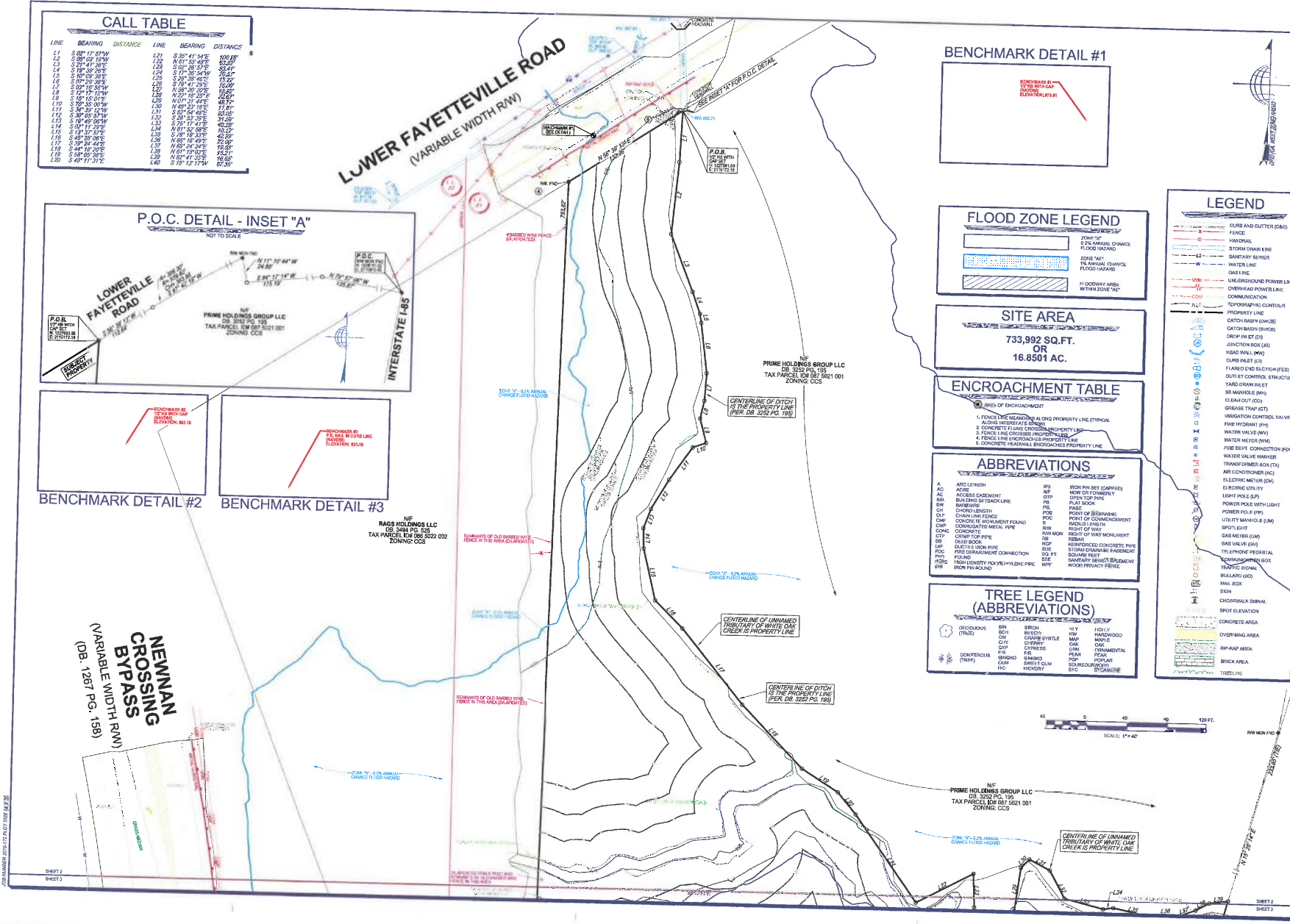


BENCHMARK DETAIL #2

BENCHMARK DETAIL #3



**LOWER FAYETTEVILLE ROAD
(VARIABLE WIDTH R/W)**



BENCHMARK DETAIL #1



FLOOD ZONE LEGEND



SITE AREA

733,992 SQ. FT.
OR
16,8501 AC.

ENCROACHMENT TABLE

NO.	DESCRIPTION
1	FENCE THE MEANS OF ENCROACHMENT ALONG PROPERTY LINE (TYPICAL)
2	CONCRETE SLABE CROSSING PROPERTY LINE
3	FENCE LINE CROSSING PROPERTY LINE
4	FENCE LINE CROSSING PROPERTY LINE
5	CONCRETE HEADWALL ENCROACHES PROPERTY LINE

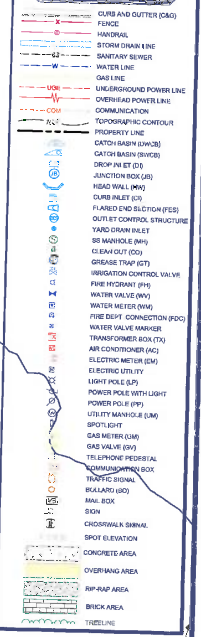
ABBREVIATIONS

A	ARC LENGTH	BS	BORN PIN BOX (CAPPER)
AC	ADDRESS EASEMENT	BS	BORN PIN CHIMNEY
AS	ADDRESS	BS	BORN PIN CURB
BA	BUILDING SETBACK LINE	BS	BORN PIN DRIVE
BT	BENCH MARK	BS	BORN PIN EASEMENT
CL	CHAIN LENGTH	BS	BORN PIN FENCE
CE	CHALLENGE EVIDENCE	BS	BORN PIN FENCE
CM	CONCRETE	BS	BORN PIN FENCE
CP	CONCRETE PIPE	BS	BORN PIN FENCE
CS	CONCRETE	BS	BORN PIN FENCE
CT	CRIMP TOP PIPE	BS	BORN PIN FENCE
DB	DEER BOX	BS	BORN PIN FENCE
DP	DUCTILE IRON PIPE	BS	BORN PIN FENCE
DS	DRAINAGE	BS	BORN PIN FENCE
FS	FIRE DEPARTMENT CONNECTION	BS	BORN PIN FENCE
FS	FIRE	BS	BORN PIN FENCE
FS	FIRE	BS	BORN PIN FENCE
FS	FIRE	BS	BORN PIN FENCE
FS	FIRE	BS	BORN PIN FENCE

TREE LEGEND (ABBREVIATIONS)

BR	BROOK	HY	HOLLY
BS	BIRCH	HW	HAWKWOOD
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG
CH	CHERRY	MA	MADROG

LEGEND



TerraMark
Professional Land Surveyors, Inc.
1000 New Ferry Road
Marietta, GA 30067
Phone: (770) 421-1111
www.terra-mark.com

Project No.	Date	Client	City	State	County
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb
2015-172	08/11/15	Prime Holdings Group LLC	Atlanta	GA	DeKalb

ALTANSP'S LAND TITLE SURVEY
DOMINION ACQUISITIONS, LLC &
FIRST AMERICAN TITLE INSURANCE COMPANY
(LEGENDS OF NEWMAN)
LAND LOTS 11, LOCATED IN
CITY OF NEWMAN, COMEY COUNTY, GEORGIA

SHEET NO.
2
3
DRAWING TM 15 172

SHEET 2
SHEET 3

NEWMAN CROSSING BYPASS
(VARIABLE WIDTH R/W)
(DB. 1267/PG. 158)

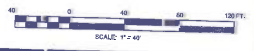
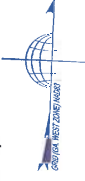
INTERSTATE I-85
(VARIABLE WIDTH R/W)
(LIMITED ACCESS R/W)

SEE SHEET 2 OF 3 FOR ABBREVIATION TABLE,
LEGEND, TREE LEGEND, FLOOD ZONE LEGEND,
SITE AREA, ENCROACHMENT TABLE,
CALL TABLE & BENCHMARK DETAILS

NE RAGS HOLDINGS LLC
DB. 5408 PCL 525
TAX PARCEL ID# 088 5022 102
ZONING: MCD

NE EIGHT INVESTORS LLC
DB. 4818 PCL 179
TAX PARCEL ID# 087 3011 007
ZONING: MKD

CONTINENTAL 448 FUND LLC
DB. 4818 PCL 179
PB, 88 PCL 292
TAX PARCEL ID# 087 3011 007
ZONING: MKD



Project No.	Date	Drawn	Checked	Reviewed	Scale	Sheet	Total
2018-172	11/14/2018	AS	AS	AS		3	3
2018-172	11/14/2018	AS	AS	AS		3	3
2018-172	11/14/2018	AS	AS	AS		3	3

ALTANSIPS LAND TITLE SURVEY
FOR
**DOMINION ACQUISITIONS, LLC &
FIRST AMERICAN TITLE INSURANCE COMPANY**
(LEGENDS OF NEWMAN)
LAND LOTS 11, 12, 13 & 22, 5TH DISTRICT
CITY OF NEWMAN, CONETA COUNTY, GEORGIA

SHEET NO.
3 / 3
DRAWING TM 16-172

TAB 6

PROFFERED 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:

- A. Applicant proffers, as conditions, which are more particularly explained in the accompanying Letter of Intent from George C. Rosenzweig dated November 1, 2019:
 - The development will be regulated by the Georgia Department of Community Affairs in compliance with the Federal Housing for Older Persons Act of 1995 ("HOPA"), and implementing regulations from the U.S. Department of Housing and Urban Development, as well as the requirements of Section 42 of the Internal Revenue Code.
 - The density of the development will be 12 units per acre.
 - The development will be deed and covenant restricted.
 - At least 80% of units will be occupied by one person who is 55 years of age and older.
 - Compliance with Georgia Department of Community Affairs, HOPA, HUD, and Internal Revenue Code requirements will be periodically verified.
 - Significant facilities and services specifically designed to meet the physical or social needs of older persons including, by way of example, a community garden, courtyard, walkways, benches, and grilling areas, as well as amenities including, by way of example, a fitness center, business center, game, card and craft room, theatre, laundry facilities, and beauty salon.
 - Residences will be provided with full kitchens including a dishwasher, stove, refrigerator, and microwave.
 - Each unit will feature an exterior patio/balcony.
 - There will be no entrance, exit, or access onto Lower Fayetteville Road.
- B. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
 - Easy access step free feature at each entrance to the home
 - Easy passage feature, to include 32-inch wide doorways
 - Easy use feature - all units shall be one level
- C. Natural vegetation shall remain on the property prior to issuance of a Development Permit
- D. All disturbed grassed areas shall be sodded
- E. All utilities shall be placed underground
- F. Ground signage shall be limited to monument-type sign(s). The sign shall include a minimum 2-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
- G. Dumpster/trash compactor locations shall be internal to the building.
- H. Limited to development as a retirement community for occupancy by persons 55 years of age and older as defined by fair housing standards for older persons.
- I. The development shall be limited to a maximum of 202 units, or 12 units/acre.
- J. Height of the buildings to be limited to 55 feet

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

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

Signature of Applicant

George C. Rosenzweig

Signature of Applicant's Representative

Nancy K. Williams *11.1.2019*

Signature of Notary Public

Date

Type or Print Name and Title

George C. Rosenzweig, Attorney
Type or Print Name and Title

(Affix Raised Seal Here)



TAB 7

**DISCLOSURE OF CAMPAIGN
CONTRIBUTIONS AND GIFTS**



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

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

The real property comprising approximately 16.85 acres located between Newnan Crossing Bypass and Interstate 85 and immediately south of Lower Fayetteville Road, in the City of Newnan, Coweta County, GA

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.

Eva Loudenback
Signature of Applicant

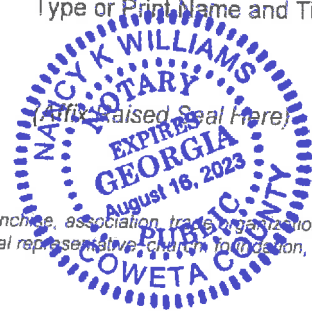
Eva Loudenback
Type or Print Name and Title
General Partner

George C. Rosenzweig
Signature of Applicant's Representative

George C. Rosenzweig, Attorney
Type or Print Name and Title

Nancy K. Williams
Signature of Notary Public

Date 11.1.2019



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 8

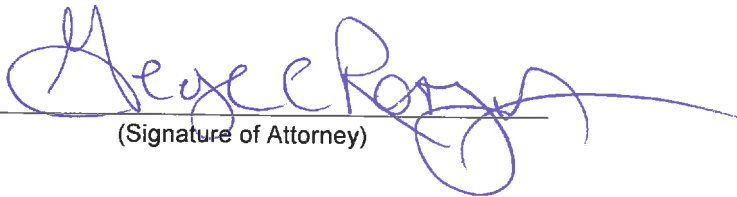
AUTHORIZATION OF ATTORNEY



City of Newnan, Georgia
Attachment D
Attorney's Authorization

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 George C. Rosenzweig

Address P.O. Box 220, Newnan, Georgia 30264

Telephone (770) 253-6282

Date November 1, 2019

TAB 9

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 Cates Family Partnership

Telephone Number (703) 309-0909

Address of Subject Property The real property comprising approximately 16.85 acres located between Newnan Crossing Bypass and Interstate 85, in the City of Newnan, Georgia

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.

Eva Loudenback

Signature of Property Owner

Personally appeared before me

Eva Loudenback

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

Helena Carino Satina

Notary Public

Nov. 1, 2019

Date



HELENA CARINO SATINA
NOTARY PUBLIC 7685670
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES SEPTEMBER 30, 2020

(Affix Raised Seal Here)

TAB 10

**COMMUNITY IMPACT STUDY IS BEING
PREPARED BY VERN WILBURN AND WILL BE
SUBMITTED AS SOON AS POSSIBLE**



October 30, 2019

Mr. Stephen Brown, Chief
Newnan Fire Department
25 Jefferson Street
Newnan, GA 30263

Re: Proposed Independent Senior Living Apartments, The Legends of Newnan
Newnan Crossing Blvd, Newnan

Dear Chief Brown,

We are assessing the impacts on the community of the referenced senior living complex. The proposed development would be located on the east side of Newnan Crossing Bypass just south of Lower Fayetteville Road.

This is to request your input concerning the impact of the proposed development on the provision of fire services.

Attached is a preliminary site plan showing a total of 202 residential units. There will be a full access driveway connection to Newnan Crossing Bypass. There will also be a secondary access connection to a shared access roadway to the adjacent Springs development that is currently under construction. Access to the site will not be gated, but access to the building will require a key FOB.

Please provide your response back to me by November 12, 2019 so that we can include your input in the package that we plan to submit to the Planning and Zoning Director prior to November 19, 2019.

If you have any questions, please contact me at 770.683.2125.

Sincerely,
MALDINO AND WILBURN, LLC

A handwritten signature in blue ink, appearing to read 'Vern Wilburn', is written over the typed name.

Vern Wilburn, P.E., PTOE
Partner

Attachment (Preliminary Site Plan)

Cc: George Rosensweig, Shaun Reinhardt, Tracy Dunnivant



October 30, 2019

Mr. Douglas L. Meadows, Chief
Newnan Police Department
P.O. Box 1193
Newnan, GA 30264

Re: Proposed Independent Senior Living Apartments, The Legends of Newnan
Newnan Crossing Blvd, Newnan

Dear Chief Meadows,

We are assessing the impacts on the community of the referenced senior living complex. The proposed development would be located on the east side of Newnan Crossing Bypass just south of Lower Fayetteville Road.

This is to request your input concerning the impact of the proposed development on the provision of police services.

Attached is a preliminary site plan showing a total of 202 residential units. There will be a full access driveway connection to Newnan Crossing Bypass. There will also be a secondary access connection to a shared access roadway to the adjacent Springs development that is currently under construction. Access to the site will not be gated, but access to the building will require a key FOB.

Please provide your response back to me by November 12, 2019 so that we can include your input in the package that we plan to submit to the Planning and Zoning Director prior to November 19, 2019.

If you have any questions, please contact me at 770.683.2125.

Sincerely,
MALDINO AND WILBURN, LLC

A handwritten signature in blue ink, appearing to read 'Vern Wilburn'.

Vern Wilburn, P.E., PTOE
Partner

Attachment (Preliminary Site Plan)

Cc: George Rosensweig, Shaun Reinhardt, Tracy Dunnivant



October 30, 2019

Mr. Scott Tolar, P.E.
Newnan Utilities
315 Millard Farmer Industrial Blvd
Newnan, GA 30263

Re: Proposed Independent Senior Living Apartments, The Legends of Newnan
Newnan Crossing Blvd, Newnan

Dear Mr. Tolar,

We are assessing the impacts on the community of the referenced senior living complex. The proposed development would be located on the east side of Newnan Crossing Bypass just south of Lower Fayetteville Road.

This is to request your input concerning the impact of the proposed development on the provision of utility services.

Attached is a preliminary site plan showing a total of 202 residential units. There will be a full access driveway connection to Newnan Crossing Bypass. There will also be a secondary access connection to a shared access roadway to the adjacent Springs development that is currently under construction. Access to the site will not be gated, but access to the building will require a key FOB.

Please provide your response back to me by November 12, 2019 so that we can include your input in the package that we plan to submit to the Planning and Zoning Director prior to November 19, 2019.

If you have any questions, please contact me at 770.683.2125.

Sincerely,
MALDINO AND WILBURN, LLC

A handwritten signature in blue ink, appearing to read 'Vern Wilburn'.

Vern Wilburn, P.E., PTOE
Partner

Attachment (Revised Site Plan)

Cc: George Rosensweig, Shaun Reinhardt, **Tracy Dunnavant**



October 30, 2019

Mr. Ronald Cheek
Director of Facilities
Coweta County School System
170 Werz Industrial Drive
Newnan, GA 30263

Re: Proposed Independent Senior Living Apartments, The Legends of Newnan
Newnan Crossing Blvd, Newnan

Dear Mr. Cheek,

We are assessing the impacts on the community of the referenced senior living complex. The proposed development would be located on the east side of Newnan Crossing Bypass just south of Lower Fayetteville Road.

This is to request your input concerning the impact of the proposed development on the provision of school services. Please keep in mind that the proposed development is for senior citizens.

Attached is a preliminary site plan showing a total of 202 residential units. There will be a full access driveway connection to Newnan Crossing Bypass. There will also be a secondary access connection to a shared access roadway to the adjacent Springs development that is currently under construction. Access to the site will not be gated, but access to the building will require a key FOB.

Please provide your response back to me by November 12, 2019 so that we can include your input in the package that we plan to submit to the Planning and Zoning Director prior to November 19, 2019.

If you have any questions, please contact me at 770.683.2125.

Sincerely,
MALDINO AND WILBURN, LLC

A handwritten signature in blue ink, appearing to read 'Vern Wilburn', written over a light blue horizontal line.

Vern Wilburn, P.E., PTOE
Partner

Attachment (Preliminary Site Plan)

Cc: George Rosensweig, Shaun Reinhardt, Tracy Dunnivant

TAB 11

NOT APPLICABLE/THIS IS NOT A DRI

TAB 12

**CHECK PAYABLE TO
CITY OF NEWNAN IS ENCLOSED**

PAYMENT DATE
11/04/2019
COLLECTION STATION
Comm Dev
RECEIVED FROM
Dominium Development &
Acquisition, LLC

City of Newnan
25 LaGrange Street
PO Box 1193
Newnan, Georgia 30264

BATCH NO.
2019-11000375
RECEIPT NO.
2019-00007652
CASHIER
Tina Fronebarger
ENTRY DATE
11/04/2019 08:18:55 AM

DESCRIPTION
Rezoning Request - 16.85 acres between Newnan Crossing Bypass & I-85 (Tax Parcel 087-5011-003)

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT																												
REZN	Rezoning/Annexation Fee Rezoning Request - 16.85 acres between Newnan Crossing Bypass & I-85 (Tax Parcel 087-5011-003) 100.11.1111 Cash \$922.00 100.00.32.2215 Planning & Zoning Regulatory Fees \$922.00	\$922.00																												
	<table border="0"> <tr> <td colspan="3" data-bbox="321 678 440 705">Payments:</td> </tr> <tr> <td data-bbox="464 684 532 711">Type</td> <td data-bbox="623 684 691 711">Detail</td> <td data-bbox="1089 684 1182 711">Amount</td> </tr> <tr> <td data-bbox="464 716 532 743">Check</td> <td data-bbox="623 716 691 743">168268</td> <td data-bbox="1089 716 1182 743">\$922.00</td> </tr> <tr> <td colspan="3" data-bbox="748 810 1182 1037"> <table border="0"> <tr> <td>Total Cash</td> <td>\$0.00</td> </tr> <tr> <td>Total Check</td> <td>\$922.00</td> </tr> <tr> <td>Total Charge</td> <td>\$0.00</td> </tr> <tr> <td>Total Wire</td> <td>\$0.00</td> </tr> <tr> <td>Total Other</td> <td>\$0.00</td> </tr> <tr> <td>Total Remitted</td> <td>\$922.00</td> </tr> <tr> <td>Change</td> <td>\$0.00</td> </tr> <tr> <td>Total Received</td> <td>\$922.00</td> </tr> </table> </td> </tr> </table>	Payments:			Type	Detail	Amount	Check	168268	\$922.00	<table border="0"> <tr> <td>Total Cash</td> <td>\$0.00</td> </tr> <tr> <td>Total Check</td> <td>\$922.00</td> </tr> <tr> <td>Total Charge</td> <td>\$0.00</td> </tr> <tr> <td>Total Wire</td> <td>\$0.00</td> </tr> <tr> <td>Total Other</td> <td>\$0.00</td> </tr> <tr> <td>Total Remitted</td> <td>\$922.00</td> </tr> <tr> <td>Change</td> <td>\$0.00</td> </tr> <tr> <td>Total Received</td> <td>\$922.00</td> </tr> </table>			Total Cash	\$0.00	Total Check	\$922.00	Total Charge	\$0.00	Total Wire	\$0.00	Total Other	\$0.00	Total Remitted	\$922.00	Change	\$0.00	Total Received	\$922.00	
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Change	\$0.00																													
Total Received	\$922.00																													
	Total Amount:	\$922.00																												

Customer Copy

99

Dominium New Construction Projects:

Dominium Senior Apartments set the new benchmark for quality and affordability, offering the freedoms of maintenance-free living combined with luxurious amenities such as granite counters, a built-in washer/dryer in every apartment, and a plethora of community amenities.

The following pages contain images of existing Dominion new construction communities and are representative of the quality design and architecture proposed with the Legends of Newnan project.









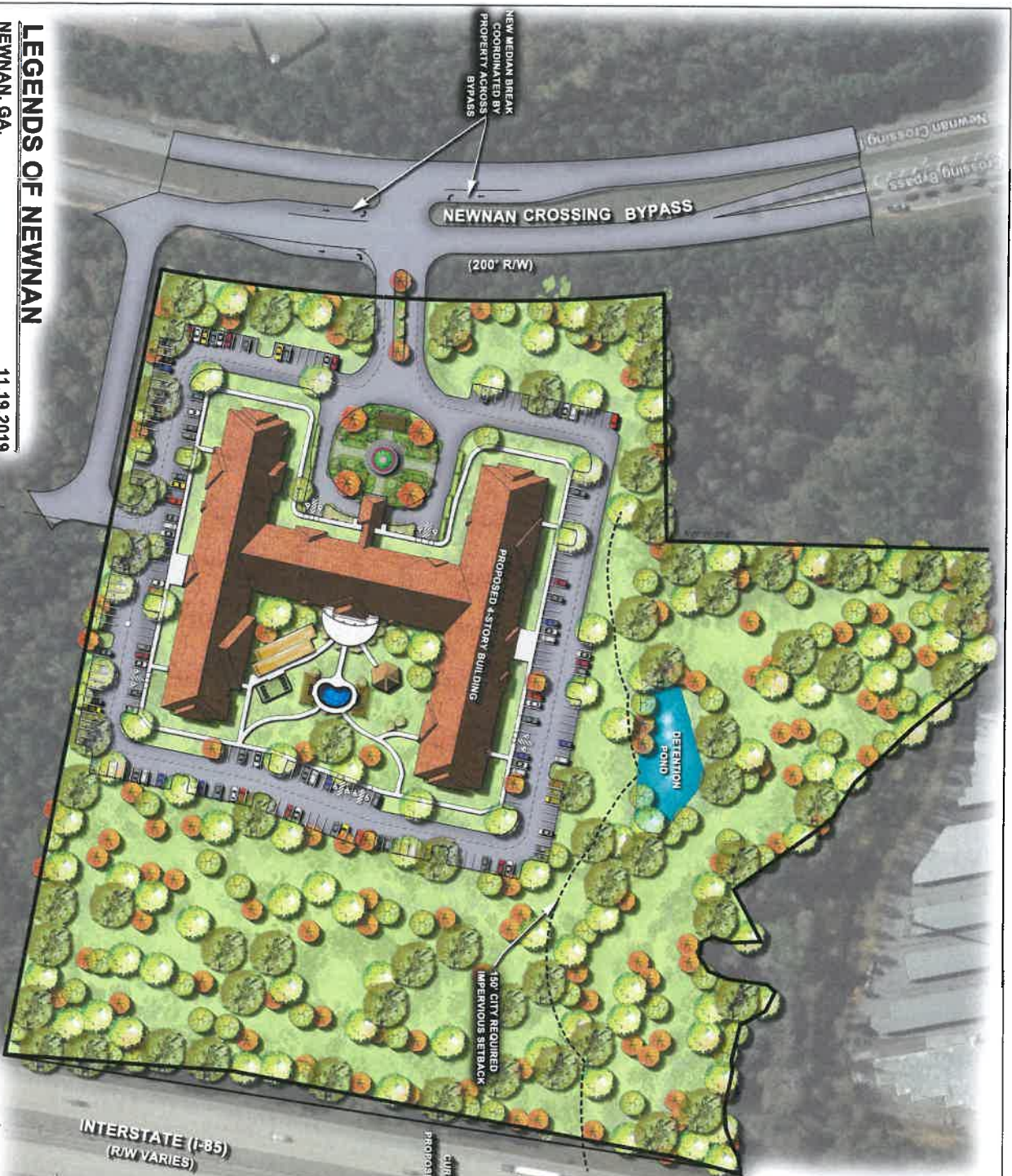






LEGENDS OF NEWMAN
NEWMAN, GA.

11.19.2019



CONCEPTUAL SITE PLAN



- VARIANCES TO BE REQUESTED**
- FRONT SETBACK REDUCTION
- PARKING REDUCTION
- BUILDING HEIGHT INCREASE TO 35'-0"

SITE INFORMATION

CURRENT OWNER: CATES FAMILY PARTNERSHIP
 008 / 701 PG. 26

TAX PARCEL ID # 007 5011 003

ADDRESS: UNASSIGNED

CURRENT ZONING: C-2 (COMMUNITY SHOPPING CENTER)

PROPOSED ZONING: RMH (RESIDENTIAL MULTI-FAMILY DWELLING)

KEY PLAN



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800

LEGENDS OF NEWMAN
 NEWMAN, GA

PROJECT	2019-0256	REVISION	
DATE	10-31-19		
DRAWN BY / CHECKED BY	DM		



LEGENDS OF NEWNAN
NEWNAN, GEORGIA

CONCEPTUAL RENDERING

■ MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C. ■
12/2/2019



2 PARTIAL FRONT EXTERIOR ELEVATION



1 PARTIAL FRONT EXTERIOR ELEVATION

LEGENDS OF NEWMAN
NEWMAN, GA.

FRONT ELEVATION (with stone & brick)

11.21.2019



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
LEGENDS OF NEWMAN
NEWMAN, GA

EXTERIOR ELEVATIONS

PROJECT	2019-2020	REVISION	
DATE	11-19-19		
DRAWN BY / CHECKED BY	RM		

Dominium Senior Communities



 DOMINIUM



Our Seniors

Who is our resident?

Average resident: 74 year old female widow on fixed income (i.e. Social Security)

Residents stay in your community!

Many of our residents are seniors already living in your communities; they move to stay in current neighborhood because they are unable to maintain their home.

Seniors move to your community!

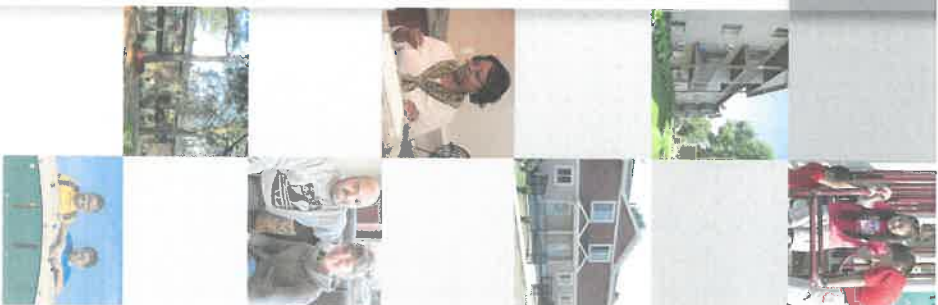
Approximately 60% of residents move to be closer to children or grandchildren.



Our Seniors (continued)

Residents Surveyed at Dominion Senior Properties

	#	%
Total Residents Surveyed	1,619	100%
Household Members		
Co-Head of Household	115	7%
Dependent	11	1%
Head of Household	1,298	80%
Spouse	169	10%
Other	26	2%
Gender		
Male	446	28%
Female	1,170	72%
Age Range		
55-61	258	16%
62-69	409	25%
70-79	537	33%
80+	307	19%
Other	108	7%



What Does Affordable Mean?

Resident Income Threshold: 2020 income threshold: ~\$41,250

Calculation of Income: Fixed Income + 2% of assets:
Avg. annual benefit for retired workers: ~\$17,532
Avg. other income for retiree: ~\$8,118
Amount of assets that qualify: ~\$780,000

Rent limits imposed:
2020 rents charged to residents:
1 bedroom: \$928 with utilities
2 bedroom: \$1,114 with utilities
3 bedroom: \$1,287 with utilities



Community Assessment Memo

To: Tracy Dunnavant, Planning Director

From: Vern Wilburn, P.E., PTOE

Date: November 26, 2019

Re: The Legends, Proposed Retirement Community, Newnan Crossing Bypass

This memo outlines the expected community impacts from the proposed rezoning and development of a 16.8501-acre site located adjacent to Newnan Crossing Bypass south of Lower Fayetteville Road. The development, known as Legends of Newnan, is being proposed by Dominion Acquisition, LLC.

The proposed development is a senior living community consisting of 202 residential units. A site plan is included as Attachment A.

Primary access for the development is a full access driveway connecting to Newnan Crossing Bypass. The main driveway is located about 750 feet south of Lower Fayetteville Road. A secondary access connection is planned to the adjacent Springs apartment complex.

Input was requested from various agencies and utility providers including: the Coweta County School Board, Newnan Utilities, the Newnan Police Department, and the Newnan Fire Department. Responses have been received from the police and fire departments. The responses are included in this memo.

A traffic impact study was also prepared and is presented as a separate document. The results of the traffic study are summarized herein.

ROADS AND STREETS

A traffic impact study was performed for the proposed development. The traffic impact study report prepared by Maldino and Wilburn is included as a separate document. This section will summarize the findings of the traffic study.

The traffic expected to be generated by the proposed development is shown in the following table.

EXPECTED TRIP GENERATION

LAND USE CODE	LAND USE	SIZE	DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
252	Independent Senior Living	202 Dwelling Units	787	14	26	40	28	23	51
		Unadjusted Volume		14	26	40	28	23	51
		Pass-By Trips		0	0	0	0	0	0
		Volume Added to Adjacent Streets		14	26	40	28	23	51

Based on the findings of the traffic study, the proposed Legends of Newnan senior living community is expected to have minimal traffic-related impact on the study area. The existing levels of service at the study intersections are Level of Service (LOS) D or better. The average delay at the study intersections will increase by no more than 0.6 seconds per vehicle for any approach.

The proposed driveway is expected to operate at LOS C or better. The access as proposed in the site plan will operate well as shown.

NEWNAN POLICE DEPARTMENT

A letter was received from Police Chief Meadows who provided information on the expected impact. A copy of the letter from Chief Meadows is included as Attachment B.

Chief Meadows states that the population increase is 2.55 people per residential unit or 515 total new residents resulting in 835 additional annual calls for service. Based on the current number of police officers (35) servicing calls, this would equate to 23 additional annual calls per year per officer.

The developers provided feedback on Chief Meadow's forecasted population of 2.55 people per unit. They believe this projected increase is too high considering the unit mix consists of primarily one bedroom units, with some two bedroom units. Less than 10% of the units will have three bedrooms. In addition the population being served is seniors so even in the three bedroom units the 3rd bedroom is typically used for an office, sewing room, guest room or some ancillary use.

NEWNAN FIRE DEPARTMENT

An email response was received from Fire Chief Stephen Brown who indicated that the department currently has enough manpower and equipment to serve the proposed development. A copy of the email from Chief Brown is included as Attachment C.

NEWNAN UTILITIES

No response was received from Newnan Utilities as of this date.

COWETA COUNTY SCHOOL SYSTEM

No response was received from the Coweta County School System as of this date.

It should be noted that an additional tax revenue of \$126,412 per year would be dedicated to the school system as a result of the proposed development (see page 4). Since the residents will be 55 and older, no school age children are likely to live in this community.

TAX REVENUE

The subject property, Parcel 087 5011 003, currently has an assessed value of \$4,639,967. Tax parcel information from the qPublic website is included as Attachment D.

Parcel 087 5011 003 is comprised of three separate areas totaling 61.45 acres. The site proposed for the Legends of Newnan is the area that has 16.85 acres. Since this site represents 27.4% of the total parcel, the existing value and existing tax revenues are estimated as 27.4% of the values found on qPublic.

It is estimated that the fair market value of the property would increase by \$17 million as a result of the proposed improvements. The assessed valuation would be 40% of the fair market value or \$7,308,540. The following table shows the estimated change in tax revenues for the County, City, and School System.

ESTIMATED CHANGE IN ANNUAL PROPERTY TAX REVENUE

ENTITY	MILLAGE RATE	EXISTING ASSESSED VALUE= \$1,271,350 (27.4% of \$,639,967)	IMPROVED (\$18,271,350 Value)	ADDITIONAL PROPERTY TAX
County	7.63	\$3,880	\$55,764	\$51,884
School	18.59	\$9,454	\$135,866	\$126,412
City	4	\$2,034	\$29,234	\$27,200
TOTAL	30.22	\$15,368	\$220,864	\$205,496

OTHER BENEFITS TO THE CITY OF NEWNAN

The development of this property as proposed would require significant impact fees to be paid including the following:

TYPE OF FEE	UNIT COST	TOTAL
Development Impact Fee	\$1,136.07 per unit	\$229,486
Sanitary Sewer Impact Fee	\$1,500 per unit	\$303,000
TOTAL IMPACT FEES		\$532,486

ATTACHMENTS

PRELIMINARY SITE PLAN A
LETTER FROM NEWNAN POLICE DEPARTMENT B
LETTER FROM NEWNAN FIRE DEPARTMENT C
TAX PARCEL DATA FROM QPUBLIC WEBSITE D

Attachment A
Preliminary Site Plan





SITE INFORMATION

CURRENT OWNER: CATES FAMILY PARTNERSHIP
DB: 701 PG. 55

TAX PARCEL ID # 087 5011 003

ADDRESS: UNASSIGNED

CURRENT ZONING: CCS (COMMUNITY SHOPPING CENTER)

PROPOSED ZONING: RMH (RESIDENTIAL MULTI FAMILY DWELLING)

PROPOSED BUILDING

4 STORIES
202 SENIOR INDEPENDENT LIVING UNITS
230 PARKING SPACES

VARIANCES TO BE REQUESTED

FRONT SETBACK REDUCTION
PARKING REDUCTION
BUILDING HEIGHT INCREASE TO 55'-0"

SITE AREA:
16.8501 Ac.

NO CEMETERIES LOCATED ON PROPERTY

LEGENDS OF NEWNAN
NEWNAN, GA. 11.19.2019

CONCEPTUAL SITE PLAN



PROJECT:	2019-056
DATE:	12-31-19
DESIGN BY:	ARCHITECTS

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 300 DECATUR GEORGIA 30030-3229 404-597-2800

LEGENDS OF NEWNAN
NEWNAN, GA

MRA

SA1

Attachment B
Letter from Newnan Police Department





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

November 5, 2019

To: Vern Wilburn
Maldino & Wilburn
Traffic Engineering Consultants

Reference: Impact of Proposed Independent Senior Living Apartments,
Newnan Crossing Blvd

Dear Mr. Wilburn,

In reviewing historical information concerning number of calls for service, response time, and number of officers, following is the impact to the police department services for the 202 residential units that will occupy this site.

These numbers do not include any information concerning office and/or retail storefronts.

The numbers are projected with 35 Officers being used to determine calls per officers. These 35 officers are patrol officers who will normally be the first responders to any call for service.

While these numbers may appear to be low in number, it does take an officer off the street longer than just taking information, and filing a report.

Please see the chart on page two for full details of our report.

It will also require one additional fully equipped patrol cars for the additional Officer(s).

We would be able to service this development, but it could require a longer response time.

Respectfully,

Douglas L. Meadows
Chief of Police

Date: 11/05/2019

Reference: Proposed Independent Senior Living Apartments,
The Legends of Newnan; Newnan Crossing Blvd

Annual calls for service	Estimated population	Calls per citizen	Current calls per Officer	Estimated occupants each new resident	Total new occupants	Calls for additional residents	Additional calls per Officer	Additional Officer to maintain current calls per Officer	Estimated time on each call	Response time
54,954	34,000	1.62	1,571	2.55	515	835	24	1	1 hour	5 minutes

Attachment C
Letter from Newnan Fire Department





NEWNAN FIRE DEPARTMENT

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



Stephen R. Brown, Fire Chief

November 1, 2019

Vern Wilburn, PE PTOE
Maldino & Wilburn Traffic Engineering Consultants
75 Jackson Street
Newnan, Ga. 30263

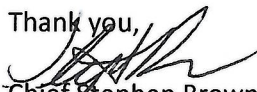
Re: Proposed Independent Senior Living Apartments
The Legends of Newnan
Newnan Crossing Blvd, Newnan

Dear Ms. Wilburn,

Newnan Fire Department personnel has reviewed the plans for the Proposed Independent Senior Living Apartments; The Legends of Newnan, Newnan Crossing Blvd, Newnan Ga. 30263. At this time we confirm that we have adequate man power and equipment to service this property.

If you have any question concerning this matter, please feel free to contact me.

Thank you,


Chief Stephen Brown
Newnan Fire Department

Attachment D
Tax Parcel Data



Summary

Parcel Number 087 5011 003
Location Address
Legal Description 61.451 AC LL 11 12 21 LOWER FAYETTEVILLE
(Note: Not to be used on legal documents)
Class C5-Commercial
(Note: This is for tax purposes only. Not to be used for zoning.)
Tax District NEWNAN 08 ANNEX (District 08)
Millage Rate 30.039
Acres 61.45
Neighborhood EAST COWETA HS 0914 (0914)
Homestead Exemption No (S0)
Landlot/District 11 / 5

[View Map](#)

Owner

[CATES FAMILY PARTNERSHIP](#)
 815 SHERLIN LN
 GREAT FALLS, VA 22066

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Newnan Crossing Bypass	Square Feet	2,676,762	0	0	61.45	0

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/1/1992	701 55		\$0	UNQUALIFIED IMPROVED		CATES FAMILY PARTNER
7/12/1989	526 485		\$0	UNKNOWN STATUS		INZER LAURA C & EVA

Valuation

	2019	2018	2017	2016
Previous Value	\$4,639,967	\$4,639,967	\$4,639,967	\$5,242,636
Land Value	\$4,639,967	\$4,639,967	\$4,639,967	\$4,639,967
+ Improvement Value	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0
= Current Value	\$4,639,967	\$4,639,967	\$4,639,967	\$4,639,967

Assessment Notices 2019



No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Septic Drawings, Photos, Sketches.

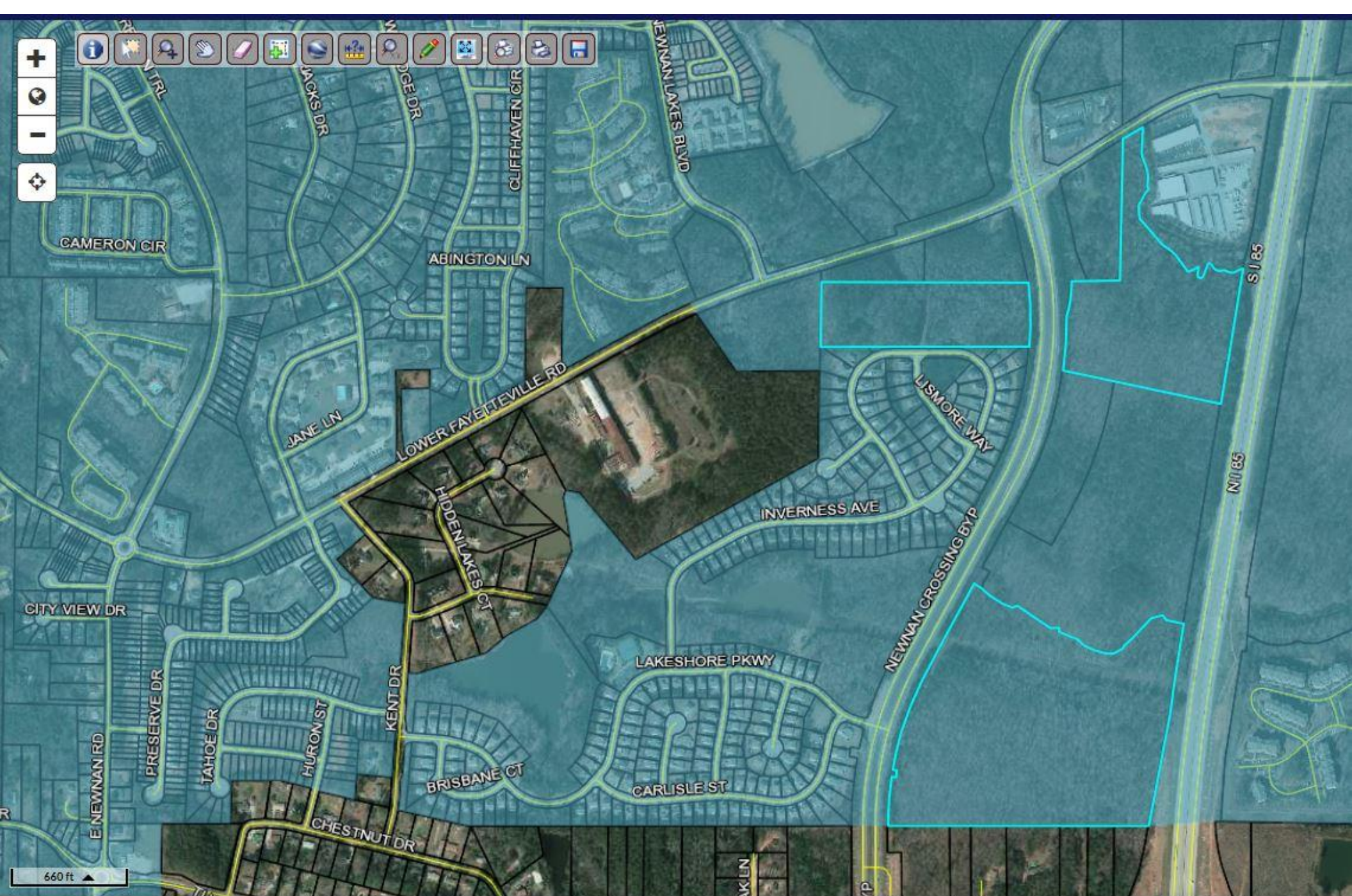
The Coweta County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 11/22/2019, 1:11:02 AM

Version 2.3.22

Developed by

Parcel ID 087 5011 003
 Class Code Commercial
 Taxing District NEWNAN 08 ANNEX
 NEWNAN 08 ANNEX
 Acres 61.45

Owner CATES FAMILY PARTNERSHIP
 815 SHERLIN LN
 GREAT FALLS VA 22066
 Physical Address n/a
 Assessed Value Value \$4639967

(Note: Not to be used on legal documents)

Traffic Impact Study
Prepared for Dominion

The Legends of Newnan

Newnan Crossing Boulevard
Newnan, Ga

November 26, 2019

Prepared by
Maldino & Wilburn, LLC

November 26, 2019

Prepared For:

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Additional investigation by:
Mallory Maldino, EIT

Maldino & Wilburn Project No.:
19-40

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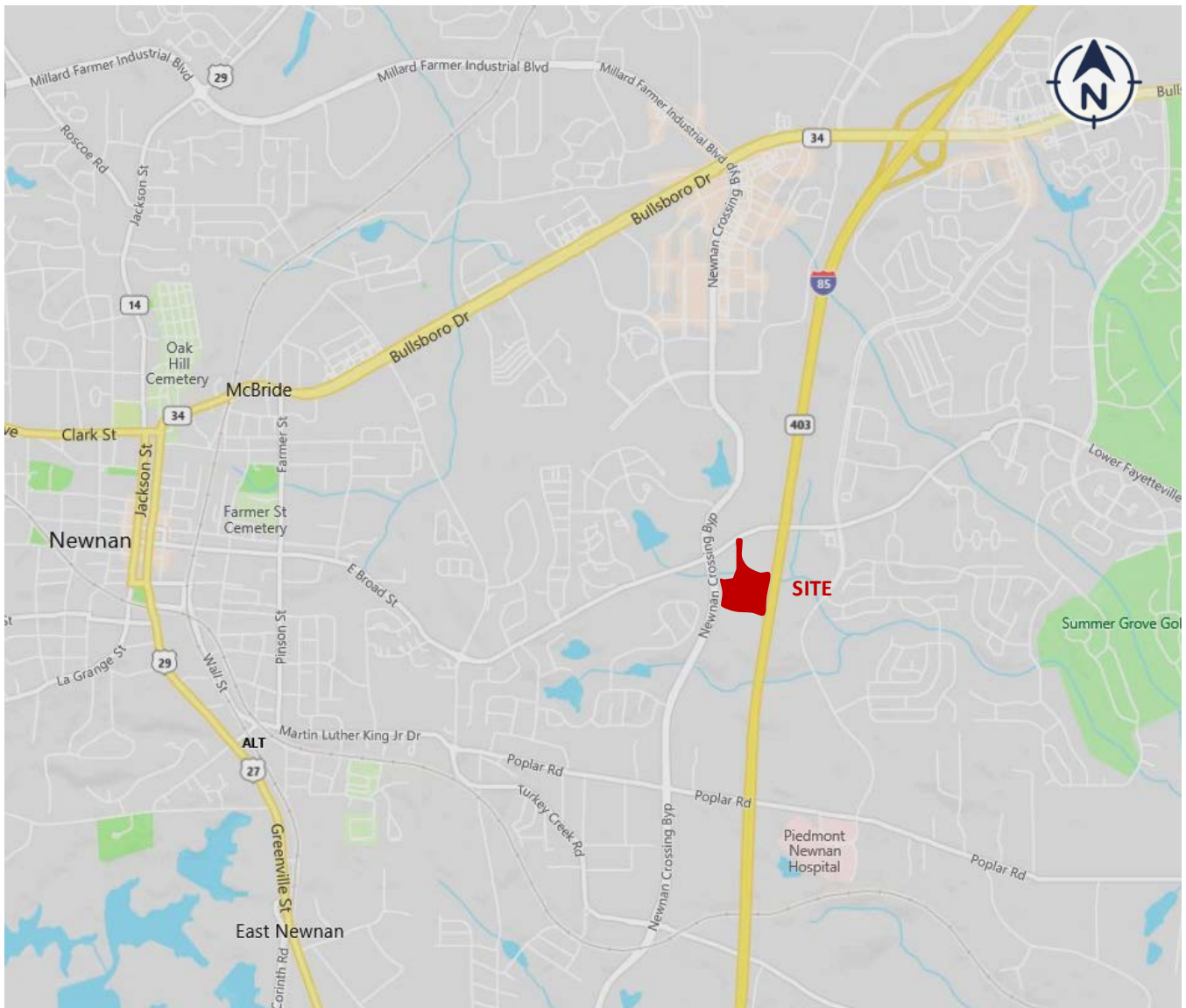
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1. Introduction

The purpose of this study is to evaluate the traffic-related impact of the proposed senior living development, Legends of Newnan. The location of the site is adjacent to Newnan Crossing Bypass south of Lower Fayetteville Road as shown below in Figure 1.

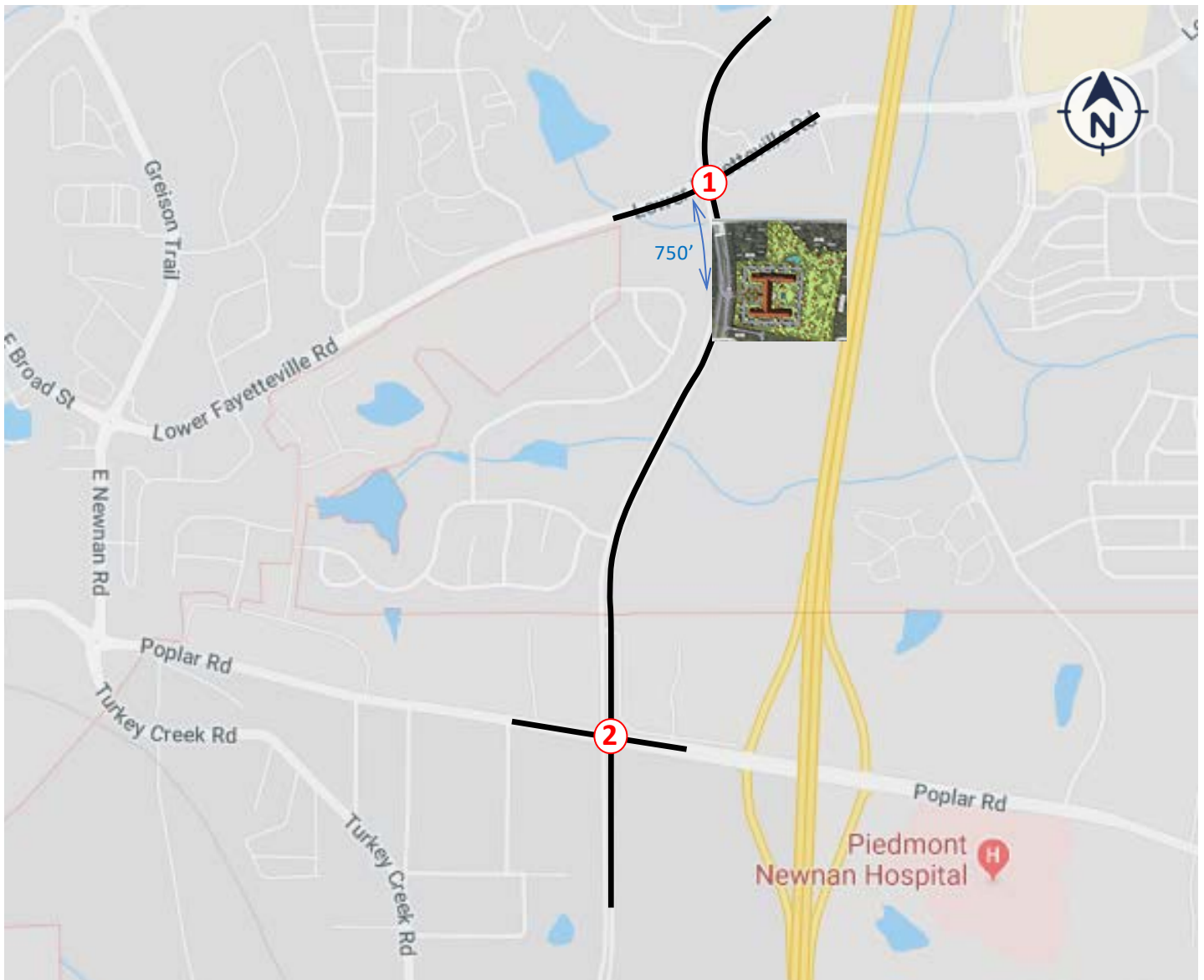
Figure 1: Project Location Map



The study area is shown in closer detail below in Figure 2, including the site plan for the Legends of Newnan development. The intersections included in the analysis for the study are as follows:

1. Newnan Crossing Bypass & Lower Fayetteville Road
2. Newnan Crossing Bypass & Poplar Road

Figure 2: Study Area Map

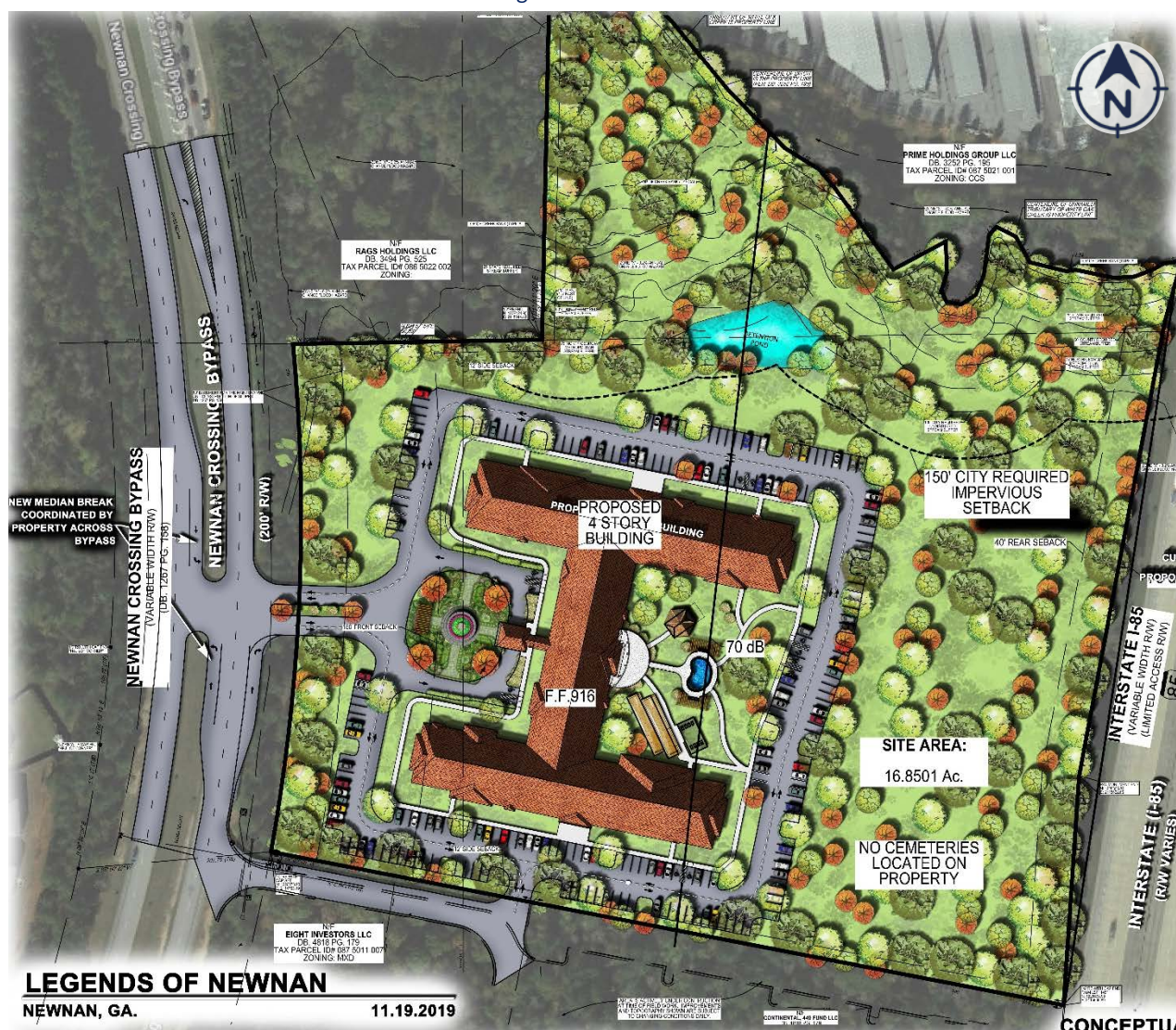


Proposed Development

A preliminary site plan is shown in Figure 3. The proposed development is a senior living community with 202 living units.

Primary access for the development is a full access driveway connecting to Newnan Crossing Bypass. The main driveway is located about 750 feet south of Lower Fayetteville Road. A secondary access connection is planned to the adjacent Springs apartment complex. On Newnan Crossing at the main driveway, the site plan shows the addition of both left and right turn lanes into the development.

Figure 3: Site Plan



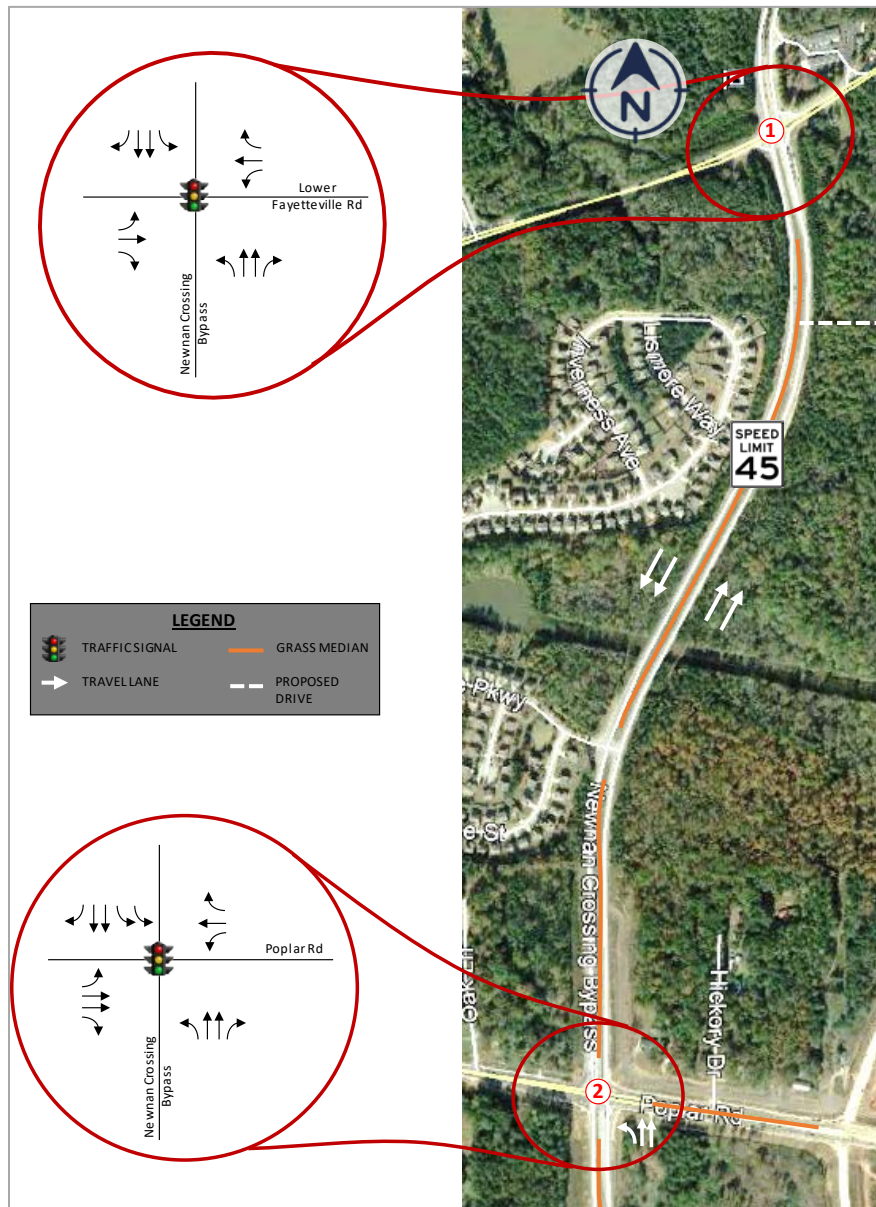
2. Existing Conditions

An inventory of existing conditions in the study area was collected including traffic control forms, geometric conditions, traffic volumes, and other pertinent information within the study area.

Traffic Control, Geometry, And Speed Limits

The existing traffic control and geometric conditions at the study intersections are shown below in Figure 4.

Figure 4: Lanes and Traffic Control



3. Projected Conditions

The methodology for evaluating the traffic impacts of the development included the traditional three step planning process including: trip generation, trip distribution, and traffic assignment.

Trip Generation

The trips expected to be generated by the development were estimated based on trip rates from the Institute of Transportation Engineers (ITE) publication *Trip Generation, 10th Edition*, using *TripGen 10* software by Trafficware. The estimated trip generation is summarized below in Table 1. Trip generation reports are provided in Appendix B.

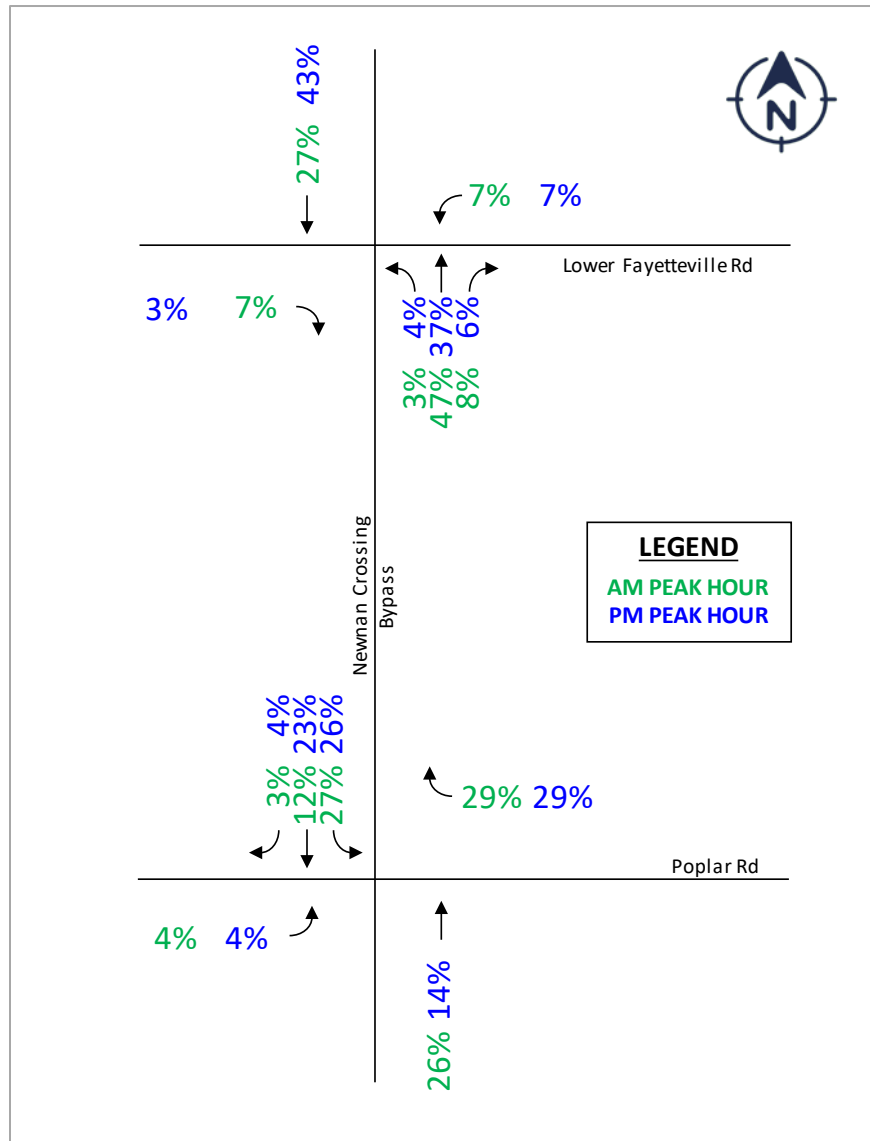
Table 1: Trip Generation

LAND USE CODE	LAND USE	SIZE	DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
252	Independent Senior Living	202 Dwelling Units	787	14	26	40	28	23	51
		Unadjusted Volume		14	26	40	28	23	51
		Pass-By Trips		0	0	0	0	0	0
		Volume Added to Adjacent Streets		14	26	40	28	23	51

Trip Distribution

The expected distribution of the generated trips was developed by analyzing the existing peak hour traffic volumes. Figure 6 illustrates the trip distribution pattern used to assign the generated new trips.

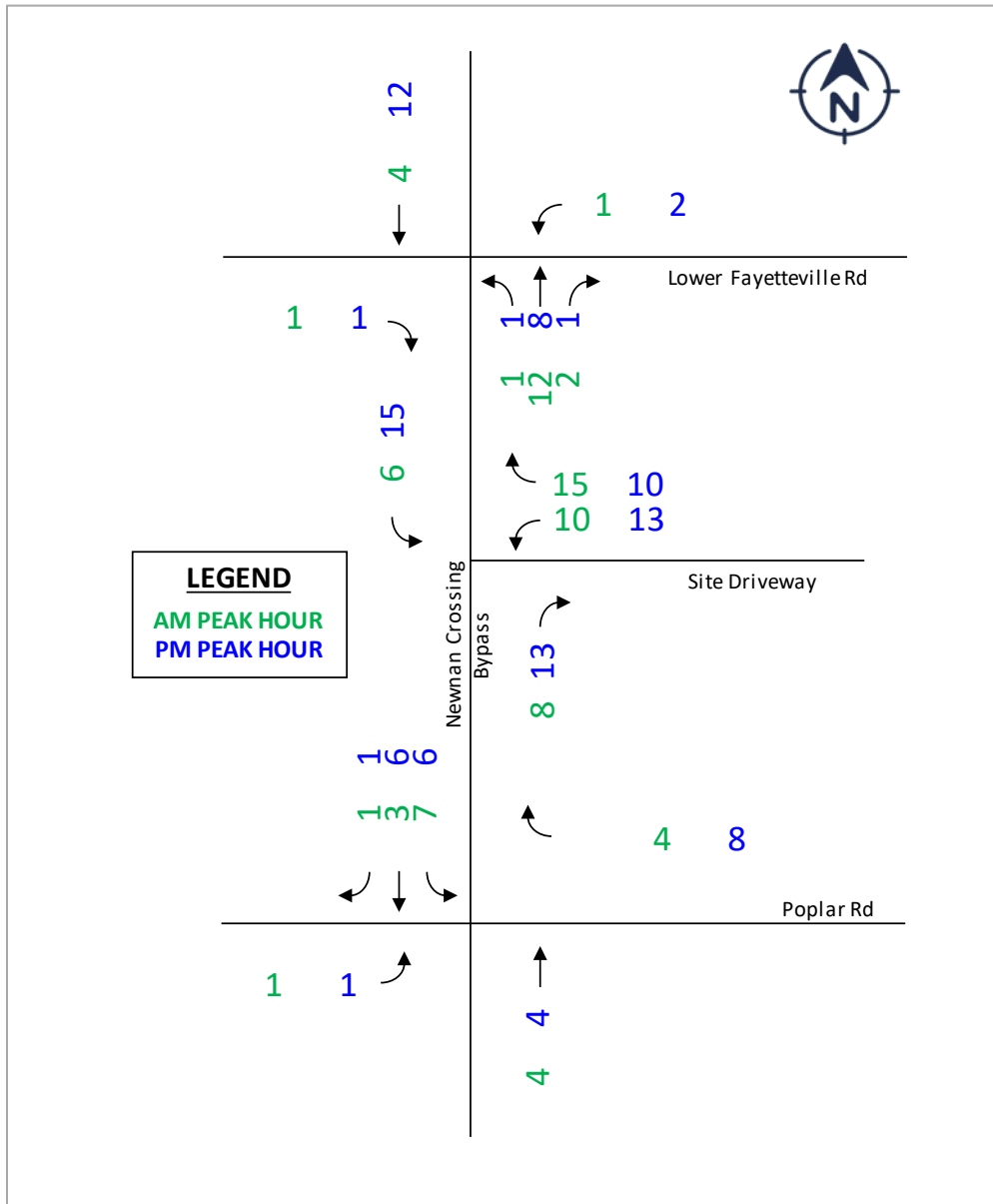
Figure 6: Trip Distribution Pattern



Traffic Assignment

The trips expected to be generated by the development were assigned to the road network in accordance with the trip distribution presented in the previous chapter. The resulting assignment of the expected generated trips is shown below in Figure 7.

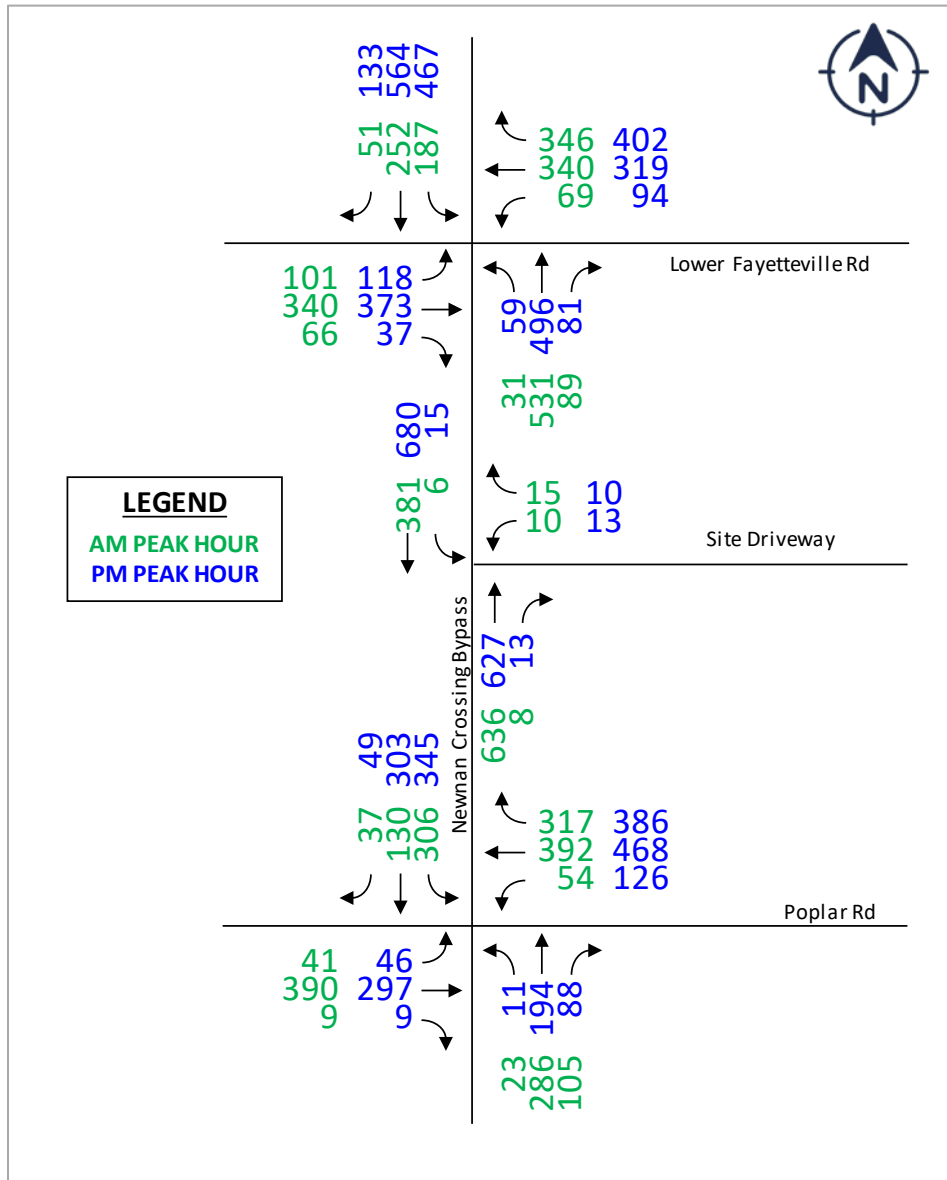
Figure 7: Assigned Generated Traffic



Projected Traffic Volumes

The assigned generated traffic volumes were superimposed with the existing traffic volumes, with the result being the projected traffic volumes. Figure 8 illustrates the traffic volumes expected after the development is constructed and fully operational.

Figure 8: Projected Traffic Volumes



4. Capacity Analysis

Capacity analysis was performed for existing and projected conditions using Synchro 10 software by Trafficware. The results of intersection capacity analyses are reported in terms of Level of Service, which is a function of average delay per vehicle, in seconds. The Level of Service Scale according to the Highway Capacity Manual (HCM) is shown in Table 2.

Table 2: HCM Level of Service Scale

LEVEL OF SERVICE	AVERAGE DELAY PER VEHICLE (SECONDS)	
	STOP CONTROL	SIGNAL CONTROL
A	≤10.0	≤10.0
B	10.1 to 15.0	10.1 to 20.0
C	15.1 to 25.0	20.1 to 35.0
D	25.1 to 35.0	35.1 to 55.0
E	35.1 to 50.0	55.1 to 80.0
F	>50.0	>80.0

Capacity analysis results for the study intersections under existing and projected conditions are summarized below in Table 3. Capacity analysis reports for existing and projected conditions are provided in Appendix C and Appendix D, respectively.

Table 3: Capacity Analysis Results

INTERSECTION	APPROACH	AM PEAK HOUR		PM PEAK HOUR	
		EXISTING	PROJECTED	EXISTING	PROJECTED
1. Newnan Crossing Bypass & Lower Fayetteville Rd	EB – L Fayetteville Rd	C (30.1)	C (30.1)	D (43.5)	D (43.4)
	WB – L Fayetteville Rd	C (27.7)	C (27.8)	C (24.5)	C (24.6)
	NB – Newnan Crossing Bypass	C (24.0)	C (24.2)	C (32.6)	C (32.9)
	SB – Newnan Crossing Bypass	C (22.2)	C (22.6)	C (34.6)	D (35.2)
2. Newnan Crossing Bypass & Poplar Rd	EB – Poplar Rd	C (21.9)	C (21.9)	C (22.0)	C (22.1)
	WB – Poplar Rd	C (20.3)	C (20.3)	B (18.7)	B (18.6)
	NB – Newnan Crossing Bypass	C (23.2)	C (23.3)	C (25.0)	C (25.1)
	SB – Newnan Crossing Bypass	D (36.1)	D (37.0)	C (31.3)	C (31.6)
3. Newnan Crossing Bypass & Site Driveway	WB – Site Driveway	N/A	B (14.7)	N/A	C (18.4)
	SB – Newnan Crossing Bypass Left Turn	N/A	A (0.1)	N/A	A (0.2)

5. Conclusions & Recommendations

Based on the findings of this study, the proposed Legends of Newnan senior living community is expected to have minimal traffic-related impact on the study area. The existing levels of service at the study intersections are Level of Service (LOS) D or better. The average delay at the study intersections will increase by no more than 0.6 seconds per vehicle for any approach.

The proposed driveway is expected to operate at LOS C or better. The access as proposed in the site plan will operate well as shown. The turn lanes into the driveway should be designed in accordance with guidelines contained in the GDOT Driveway Manual as shown in Table 4.

Table 4: Minimum Dimensions of Turn Lanes

TYPE	FULL WIDTH STORAGE, Ft	TAPER, Ft
Left Turn Lane	235	270
Right Turn Lane	175	100

Appendices

- A. Turning Movement Count Data
- B. Trip Generation Reports
- C. Capacity Analysis Reports – Existing Conditions
- D. Capacity Analysis Reports – Projected Conditions

Appendix A
Traffic Data Reports

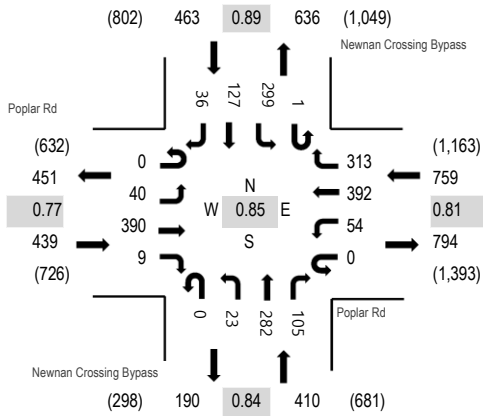




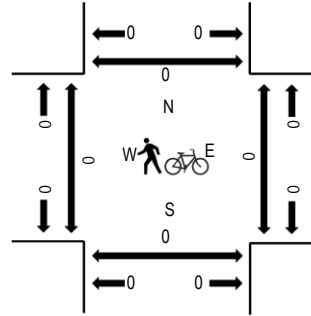
(303) 216-2439
www.alltrafficdata.net

Location: #1 Newnan Crossing Bypass & Poplar Rd AM
Date and Start Time: Tuesday, November 5, 2019
Peak Hour: 07:15 AM - 08:15 AM
Peak 15-Minutes: 07:45 AM - 08:00 AM

Peak Hour - All Vehicles



Peak Hour - Pedestrians/Bicycles in Crosswalk



Note: Total study counts contained in parentheses.

Traffic Counts

Interval Start Time	Poplar Rd Eastbound				Poplar Rd Westbound				Newnan Crossing Bypass Northbound				Newnan Crossing Bypass Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
6:30 AM	0	3	55	0	0	2	15	41	0	0	37	16	0	62	12	2	245	1,315	0	0	0	0
6:45 AM	0	10	71	0	0	3	31	48	0	0	39	22	0	50	20	3	297	1,611	0	0	0	0
7:00 AM	0	5	74	0	1	6	41	47	0	0	42	25	0	67	26	6	340	1,923	0	0	0	0
7:15 AM	0	2	94	2	0	9	59	59	0	2	47	29	1	98	24	7	433	2,071	0	0	0	0
7:30 AM	0	12	128	2	0	14	90	89	0	4	60	34	0	77	22	9	541	2,057	0	0	0	0
7:45 AM	0	17	91	4	0	17	127	102	0	7	98	20	0	77	40	9	609		0	0	0	0
8:00 AM	0	9	77	1	0	14	116	63	0	10	77	22	0	47	41	11	488		0	0	0	0
8:15 AM	0	8	60	1	0	12	80	77	0	1	56	33	0	63	26	2	419		0	0	0	0

Peak Rolling Hour Flow Rates

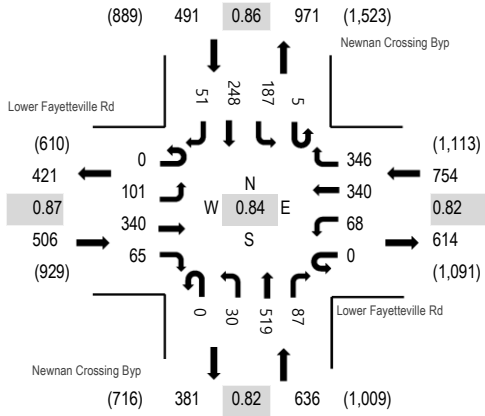
Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	1	0	1	3	1	0	2	0	0	8
Lights	0	39	379	8	0	53	384	308	0	22	271	101	1	294	126	36	2,022
Mediums	0	1	11	1	0	1	8	4	0	0	8	3	0	3	1	0	41
Total	0	40	390	9	0	54	392	313	0	23	282	105	1	299	127	36	2,071



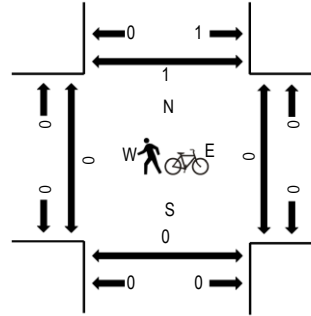
(303) 216-2439
www.alltrafficdata.net

Location: #2 Newnan Crossing Byp & Lower Fayetteville Rd AM
Date and Start Time: Tuesday, November 5, 2019
Peak Hour: 07:30 AM - 08:30 AM
Peak 15-Minutes: 07:45 AM - 08:00 AM

Peak Hour - All Vehicles



Peak Hour - Pedestrians/Bicycles in Crosswalk



Note: Total study counts contained in parentheses.

Traffic Counts

Interval Start Time	Lower Fayetteville Rd Eastbound				Lower Fayetteville Rd Westbound				Newnan Crossing Byp Northbound				Newnan Crossing Byp Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
6:30 AM	0	25	65	18	0	3	28	33	2	1	70	11	0	26	40	7	329	1,553	0	0	0	0
6:45 AM	0	13	53	15	0	6	27	43	1	4	68	22	1	41	60	9	363	1,791	0	0	0	0
7:00 AM	0	24	61	11	0	16	47	42	1	1	64	18	1	42	57	8	393	2,137	0	0	0	0
7:15 AM	0	26	87	25	0	17	42	55	1	6	87	16	0	35	62	9	468	2,312	0	0	0	0
7:30 AM	0	21	116	17	0	21	75	76	0	5	119	16	2	34	52	13	567	2,387	0	0	0	0
7:45 AM	0	33	87	21	0	21	99	111	0	5	160	30	1	56	73	12	709		0	0	0	0
8:00 AM	0	25	62	17	0	15	90	73	0	8	132	23	1	42	68	12	568		0	0	0	0
8:15 AM	0	22	75	10	0	11	76	86	0	12	108	18	1	55	55	14	543		0	0	0	0

Peak Rolling Hour Flow Rates

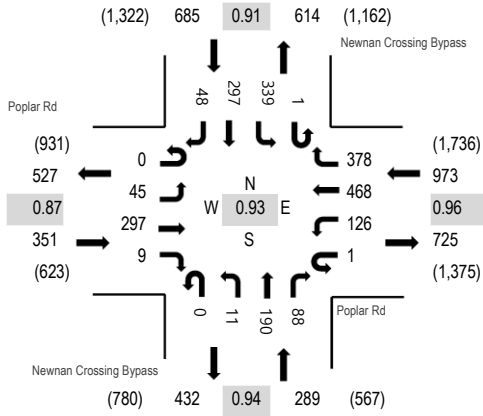
Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	1	0	0	3	0	0	2	6	0	12
Lights	0	101	333	65	0	65	332	339	0	29	509	83	5	180	234	50	2,325
Mediums	0	0	7	0	0	3	8	6	0	1	7	4	0	5	8	1	50
Total	0	101	340	65	0	68	340	346	0	30	519	87	5	187	248	51	2,387



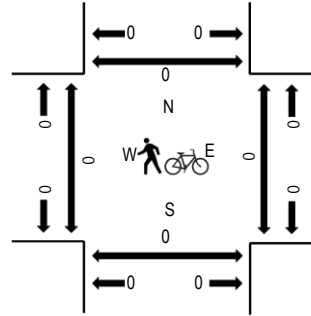
(303) 216-2439
www.alltrafficdata.net

Location: #1 Newnan Crossing Bypass & Poplar Rd PM
Date and Start Time: Tuesday, November 5, 2019
Peak Hour: 05:00 PM - 06:00 PM
Peak 15-Minutes: 05:15 PM - 05:30 PM

Peak Hour - All Vehicles



Peak Hour - Pedestrians/Bicycles in Crosswalk



Note: Total study counts contained in parentheses.

Traffic Counts

Interval Start Time	Poplar Rd Eastbound				Poplar Rd Westbound				Newnan Crossing Bypass Northbound				Newnan Crossing Bypass Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:30 PM	0	8	64	2	0	26	97	100	0	1	51	18	0	75	62	7	511	2,234	0	0	0	0
4:45 PM	0	11	66	3	0	31	81	74	0	6	54	20	0	101	61	15	523	2,279	0	0	0	0
5:00 PM	0	11	89	2	0	40	104	83	0	3	43	27	0	85	85	12	584	2,298	0	0	0	0
5:15 PM	0	15	78	4	0	33	124	97	0	3	51	17	1	97	79	17	616	2,184	0	0	0	0
5:30 PM	0	14	61	1	1	24	119	103	0	2	52	23	0	75	77	4	556	2,014	0	0	0	0
5:45 PM	0	5	69	2	0	29	121	95	0	3	44	21	0	82	56	15	542		0	0	0	0
6:00 PM	0	7	47	0	0	25	84	71	0	1	55	17	0	87	63	13	470		0	0	0	0
6:15 PM	0	3	61	0	0	24	79	71	0	1	43	11	0	83	51	19	446		0	0	2	0

Peak Rolling Hour Flow Rates

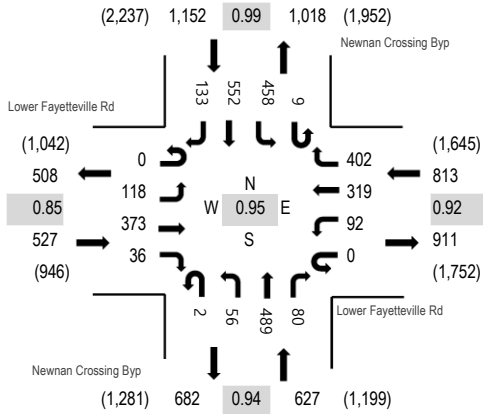
Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	1	0	1	0	0	4	0	0	1	1	0	8
Lights	0	45	292	9	1	119	464	375	0	11	185	86	1	335	290	48	2,261
Mediums	0	0	5	0	0	6	4	2	0	0	1	2	0	3	6	0	29
Total	0	45	297	9	1	126	468	378	0	11	190	88	1	339	297	48	2,298



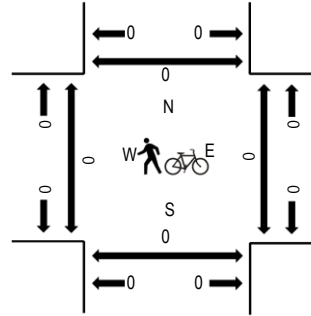
(303) 216-2439
www.alltrafficdata.net

Location: #2 Newnan Crossing Byp & Lower Fayetteville Rd PM
Date and Start Time: Tuesday, November 5, 2019
Peak Hour: 04:30 PM - 05:30 PM
Peak 15-Minutes: 05:15 PM - 05:30 PM

Peak Hour - All Vehicles



Peak Hour - Pedestrians/Bicycles in Crosswalk



Note: Total study counts contained in parentheses.

Traffic Counts

Interval Start Time	Lower Fayetteville Rd Eastbound				Lower Fayetteville Rd Westbound				Newnan Crossing Byp Northbound				Newnan Crossing Byp Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:30 PM	0	25	85	7	0	29	93	109	1	11	117	21	0	89	133	31	751	3,119	0	0	0	0
4:45 PM	0	30	84	6	0	15	68	96	1	15	138	18	4	115	146	35	771	3,116	0	0	0	0
5:00 PM	0	28	99	8	0	22	79	87	0	12	114	25	1	134	131	35	775	3,088	0	0	0	0
5:15 PM	0	35	105	15	0	26	79	110	0	18	120	16	4	120	142	32	822	3,011	0	0	0	0
5:30 PM	0	17	69	5	0	17	73	95	1	17	126	24	0	124	150	30	748	2,908	0	0	0	0
5:45 PM	0	30	67	6	0	15	75	108	1	20	114	21	1	130	117	38	743		0	0	0	0
6:00 PM	0	24	85	6	0	22	102	102	0	17	89	18	1	106	101	25	698		0	0	0	0
6:15 PM	0	32	73	5	0	23	98	102	4	11	91	18	2	106	126	28	719		0	0	0	0

Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	3	0	0	0	5	0	8
Lights	0	118	373	34	0	92	314	398	2	56	478	79	9	457	540	133	3,083
Mediums	0	0	0	2	0	0	5	4	0	0	8	1	0	1	7	0	28
Total	0	118	373	36	0	92	319	402	2	56	489	80	9	458	552	133	3,119

Appendix B
Trip Generation Reports



Trip Generation Summary

Alternative: Alternative 1

Phase:

Open Date: 11/10/2019

Project: The Legends Newnan

Analysis Date: 11/10/2019

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic					
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
252	Independent Senior Living Apartments 202 Dwelling Units		394	393	787		14	26	40		28	23	51
Unadjusted Volume			394	393	787		14	26	40		28	23	51
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			394	393	787		14	26	40		28	23	51

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Appendix C
Capacity Analysis Reports – Existing Conditions



Phasings
6: Newnan Crossing Bypass & Poplar Rd

PM Peak Hour
Existing Conditions

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	45	297	9	127	468	378	11	190	88	340	297	48
Future Volume (vph)	45	297	9	127	468	378	11	190	88	340	297	48
Satd. Flow (prot)	1805	3539	1615	1703	1881	1599	1805	3505	1583	3467	3539	1615
Flt Permitted	0.373			0.950			0.555			0.950		
Satd. Flow (perm)	709	3539	1615	1703	1881	1599	1054	3505	1583	3467	3539	1615
Satd. Flow (RTOR)			327			394			327			255
Lane Group Flow (vph)	52	341	10	132	488	394	12	202	94	374	326	53
Turn Type	pm+pt	NA	Perm	Prot	NA	Perm	pm+pt	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2		3	8		7	4	
Permitted Phases	6		6			2	8		8			4
Total Split (s)	11.0	29.0	29.0	19.0	37.0	37.0	11.0	24.0	24.0	18.0	31.0	31.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Act Effct Green (s)	28.4	23.4	23.4	10.7	33.8	33.8	14.9	9.9	9.9	11.7	25.5	25.5
Actuated g/C Ratio	0.36	0.29	0.29	0.13	0.42	0.42	0.19	0.12	0.12	0.15	0.32	0.32
v/c Ratio	0.16	0.33	0.01	0.58	0.61	0.44	0.05	0.46	0.19	0.74	0.29	0.08
Control Delay	13.1	24.0	0.0	43.6	24.0	3.8	19.1	36.5	0.9	43.4	22.4	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	13.1	24.0	0.0	43.6	24.0	3.8	19.1	36.5	0.9	43.4	22.4	0.2
LOS	B	C	A	D	C	A	B	D	A	D	C	A
Approach Delay		22.0			18.7			25.0			31.3	
Approach LOS		C			B			C			C	
Queue Length 50th (ft)	13	71	0	64	206	0	4	51	0	95	63	0
Queue Length 95th (ft)	31	110	0	122	333	56	15	84	0	#161	115	0
Internal Link Dist (ft)		812			914			539			1554	
Turn Bay Length (ft)	200		200	200		200	200		200	200		200
Base Capacity (vph)	321	1037	704	278	797	904	244	794	611	523	1191	712
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.16	0.33	0.01	0.47	0.61	0.44	0.05	0.25	0.15	0.72	0.27	0.07

Intersection Summary

Cycle Length: 90

Actuated Cycle Length: 79.8

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.74

Intersection Signal Delay: 23.8

Intersection LOS: C

Intersection Capacity Utilization 63.7%

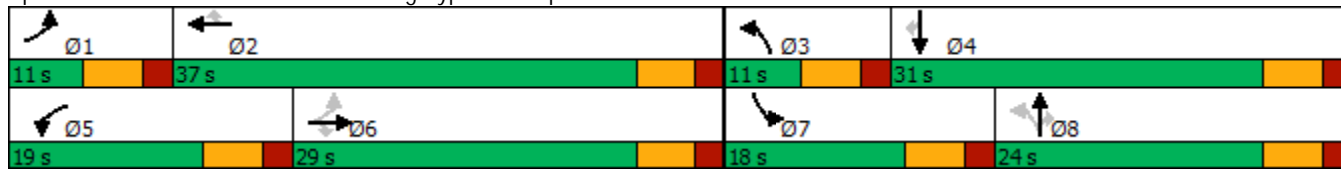
ICU Level of Service B

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 6: Newnan Crossing Bypass & Poplar Rd



Appendix D
Capacity Analysis Reports – Projected Conditions



Phasings
6: Newnan Crossing Bypass & Poplar Rd

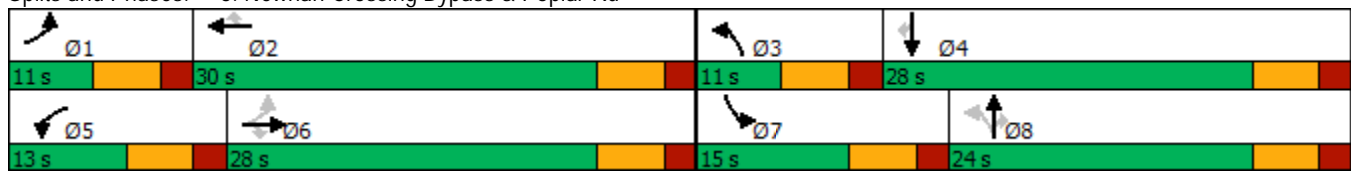
AM Peak Hour
Projected Conditions

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	41	390	9	54	392	317	23	286	105	306	130	37
Future Volume (vph)	41	390	9	54	392	317	23	286	105	306	130	37
Satd. Flow (prot)	1770	3505	1468	1770	1863	1583	1736	3471	1553	3433	3574	1615
Flt Permitted	0.269			0.950			0.659			0.950		
Satd. Flow (perm)	501	3505	1468	1770	1863	1583	1204	3471	1553	3433	3574	1615
Satd. Flow (RTOR)			205			391			205			205
Lane Group Flow (vph)	53	506	12	67	484	391	27	340	125	344	146	42
Turn Type	pm+pt	NA	Perm	Prot	NA	Perm	pm+pt	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2		3	8		7	4	
Permitted Phases	6		6			2	8		8			4
Total Split (s)	11.0	28.0	28.0	13.0	30.0	30.0	11.0	24.0	24.0	15.0	28.0	28.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Act Effct Green (s)	26.5	22.7	22.7	6.7	26.4	26.4	17.7	12.7	12.7	9.1	23.7	23.7
Actuated g/C Ratio	0.37	0.31	0.31	0.09	0.36	0.36	0.24	0.17	0.17	0.13	0.33	0.33
v/c Ratio	0.20	0.46	0.02	0.41	0.71	0.47	0.08	0.56	0.28	0.80	0.12	0.06
Control Delay	14.2	23.3	0.1	41.3	30.0	4.7	15.9	31.6	2.3	48.6	20.1	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	14.2	23.3	0.1	41.3	30.0	4.7	15.9	31.6	2.3	48.6	20.1	0.2
LOS	B	C	A	D	C	A	B	C	A	D	C	A
Approach Delay		21.9			20.3			23.3			37.0	
Approach LOS		C			C			C			D	
Queue Length 50th (ft)	13	100	0	30	202	0	8	77	0	81	22	0
Queue Length 95th (ft)	29	130	0	64	#322	38	21	107	2	#159	51	0
Internal Link Dist (ft)		812			914			539			1059	
Turn Bay Length (ft)	200		200	200		200	200		200	200		200
Base Capacity (vph)	271	1096	599	172	678	824	331	868	542	429	1202	679
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.20	0.46	0.02	0.39	0.71	0.47	0.08	0.39	0.23	0.80	0.12	0.06

Intersection Summary

Cycle Length: 80
 Actuated Cycle Length: 72.6
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.80
 Intersection Signal Delay: 24.7
 Intersection LOS: C
 Intersection Capacity Utilization 61.4%
 ICU Level of Service B
 Analysis Period (min) 15
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 6: Newnan Crossing Bypass & Poplar Rd



Intersection						
Int Delay, s/veh	0.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↘	↗	↕↕	↗	↘	↕↕
Traffic Vol, veh/h	10	15	636	8	6	381
Future Vol, veh/h	10	15	636	8	6	381
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	85	85	85	85
Heavy Vehicles, %	1	1	2	1	1	4
Mvmt Flow	11	16	748	9	7	448

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	986	374	0	0	757	0
Stage 1	748	-	-	-	-	-
Stage 2	238	-	-	-	-	-
Critical Hdwy	6.82	6.92	-	-	4.12	-
Critical Hdwy Stg 1	5.82	-	-	-	-	-
Critical Hdwy Stg 2	5.82	-	-	-	-	-
Follow-up Hdwy	3.51	3.31	-	-	2.21	-
Pot Cap-1 Maneuver	247	626	-	-	856	-
Stage 1	431	-	-	-	-	-
Stage 2	782	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	245	626	-	-	856	-
Mov Cap-2 Maneuver	245	-	-	-	-	-
Stage 1	431	-	-	-	-	-
Stage 2	776	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	14.7	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	WBLn2	SBL	SBT	
Capacity (veh/h)	-	-	245	626	856	-
HCM Lane V/C Ratio	-	-	0.044	0.026	0.008	-
HCM Control Delay (s)	-	-	20.4	10.9	9.2	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0.1	0	-

Phasings
3: Newnan Crossing Bypass & L Fayetteville Rd

PM Peak Hour
Projected Conditions

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	118	373	37	94	319	402	59	496	81	467	564	133
Future Volume (vph)	118	373	37	94	319	402	59	496	81	467	564	133
Satd. Flow (prot)	1805	1900	1553	1805	1863	1599	1805	3539	1599	1805	3539	1615
Flt Permitted	0.284			0.179			0.438			0.222		
Satd. Flow (perm)	540	1900	1553	340	1863	1599	832	3539	1599	422	3539	1615
Satd. Flow (RTOR)			255			437			255			182
Lane Group Flow (vph)	139	439	44	102	347	437	63	528	86	519	570	134
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	7	4		3	8		1	6		5	2	
Permitted Phases	4		4	8		8	6		6	2		2
Total Split (s)	11.0	29.0	29.0	11.0	29.0	29.0	11.0	24.0	24.0	26.0	39.0	39.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Act Effct Green (s)	27.4	23.5	23.5	26.1	21.1	21.1	23.0	18.0	18.0	44.1	35.5	35.5
Actuated g/C Ratio	0.31	0.27	0.27	0.30	0.24	0.24	0.26	0.20	0.20	0.50	0.40	0.40
v/c Ratio	0.58	0.87	0.07	0.56	0.78	0.61	0.23	0.73	0.16	0.99	0.40	0.18
Control Delay	31.4	51.5	0.2	31.8	44.6	7.0	17.1	40.1	0.7	59.3	21.2	1.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	31.4	51.5	0.2	31.8	44.6	7.0	17.1	40.1	0.7	59.3	21.2	1.8
LOS	C	D	A	C	D	A	B	D	A	E	C	A
Approach Delay		43.4			24.6			32.9			35.2	
Approach LOS		D			C			C			D	
Queue Length 50th (ft)	52	242	0	38	181	0	18	150	0	-230	126	0
Queue Length 95th (ft)	88	#377	0	72	#288	73	39	206	0	#440	173	17
Internal Link Dist (ft)		880			923			425			400	
Turn Bay Length (ft)	200		200	200		200	200		200	300		300
Base Capacity (vph)	239	505	600	183	487	740	272	723	529	525	1422	758
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.58	0.87	0.07	0.56	0.71	0.59	0.23	0.73	0.16	0.99	0.40	0.18

Intersection Summary

Cycle Length: 90

Actuated Cycle Length: 88.2

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.99

Intersection Signal Delay: 33.5

Intersection LOS: C

Intersection Capacity Utilization 84.4%

ICU Level of Service E

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: Newnan Crossing Bypass & L Fayetteville Rd



Intersection						
Int Delay, s/veh	0.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↘	↗	↕↕	↗	↘	↕↕
Traffic Vol, veh/h	13	10	627	13	15	680
Future Vol, veh/h	13	10	627	13	15	680
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	90	90	90	90
Heavy Vehicles, %	1	1	2	1	1	2
Mvmt Flow	15	12	697	14	17	756

Major/Minor	Minor1	Major1	Major2		
Conflicting Flow All	1109	349	0	0	711
Stage 1	697	-	-	-	-
Stage 2	412	-	-	-	-
Critical Hdwy	6.82	6.92	-	-	4.12
Critical Hdwy Stg 1	5.82	-	-	-	-
Critical Hdwy Stg 2	5.82	-	-	-	-
Follow-up Hdwy	3.51	3.31	-	-	2.21
Pot Cap-1 Maneuver	205	650	-	-	891
Stage 1	458	-	-	-	-
Stage 2	640	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	201	650	-	-	891
Mov Cap-2 Maneuver	201	-	-	-	-
Stage 1	458	-	-	-	-
Stage 2	628	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	18.4	0	0.2
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	201	650	891	-
HCM Lane V/C Ratio	-	-	0.076	0.018	0.019	-
HCM Control Delay (s)	-	-	24.4	10.6	9.1	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.2	0.1	0.1	-



The City of Newnan, Georgia

Public Works Department

12/13/2019
Engineering Department Review
REZONING REQUEST
Dominion
Parcel 087-5011-003

Environmental Concerns:

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition.
2. All streams, wetlands and other environmentally sensitive areas such as, floodplain, shall be field determined and located within open space to the extent practically possible.
3. This site is located within the water supply watershed and thus increased stream buffers apply. Perennial streams shall carry an undisturbed stream buffer of 100 feet with an additional impervious surface setback of 50 feet. Intermittent streams shall carry an undisturbed stream buffer of 50 feet with an additional 25 foot impervious surface setback. State waters buffers shall be measured from the point of wrested vegetation and shall be delineated in the field.
4. This site is located within the Stillwood Creek Watershed Basin and is required to comply with the conditions set forth in the Stillwood Creek Watershed Drainage Ordinance.

Sidewalk and Road Concerns:

1. The developer shall provide a minimum 50 foot access easement to the lot directly north and adjacent to this site for future connectivity to the median break along Newnan Crossing Bypass.
2. ADA compliant six (6) foot sidewalks shall be provided along the public right of way adjacent to the development (not including the freeway) and 5 foot sidewalks within the development.
3. As shown on the concept plan full length right turn lane, and left turn lanes and median break to be constructed to City Standards.
4. Street lights along Newnan Crossing Bypass shall be installed by the developer.

December 12, 2019

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

REF: Proposed Rezoning Request – 16.85 Acre tract from CCS to RHM for Age-Restricted affordable over 55 Senior Housing

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 087 5011 003
2. 16.85 Acres of Parcel 087 5011 003
3. 202 Senior Independent Living Units
4. As Shown on Attachments
5. 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.

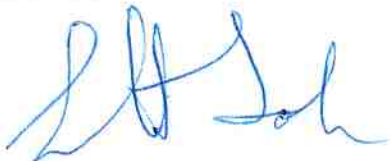
- vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

6. 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,

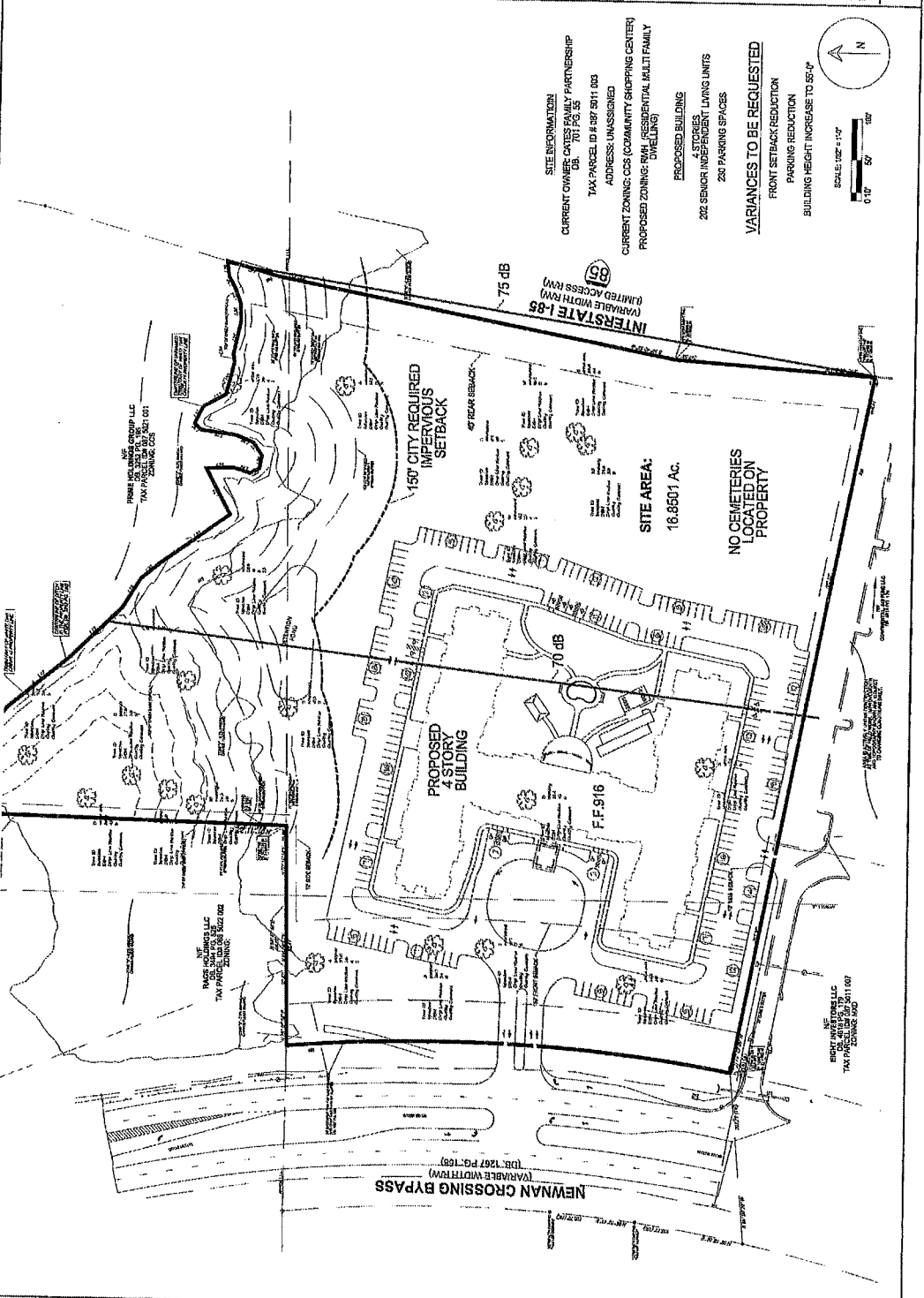


Scott Tolar, P.E.
Newnan Utilities
(770) 301-0245

MRA
 MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET, SUITE 200, DECATUR, GEORGIA 30030-3335 404-372-2800
 NEWMAN, GA

SAI
 SITE PLAN

DATE	DRAWN	CHECKED	SCALE



CATES FAMILY PARTNERSHIP and
DOMINIUM ACQUISITION, LLC
16.85± acres located off Newnan Crossing
Bypass, LLs 11, 12 & 21, 5th LD
City of Newnan, Coweta County, Georgia
Tax Parcel #087 5011 003

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED OFF NEWNAN CROSSING BYPASS, CONTAINING 16.85± ACRES,
LAND LOTS 11m 12, & 21 OF THE FIFTH LAND DISTRICT, IN THE CITY
OF NEWNAN, GEORGIA**

WHEREAS, the owners have filed an application for rezoning of the property described on Exhibit "A" attached hereto and by reference made a part hereof from CCS (Community Shopping Center District) to RMH (Residential Multiple-Family Dwelling-Higher Density District) with proffered conditions; 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 28th day of January, 2020; 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 containing 16.85± acres, Land Lots 11, 12 & 21, of the 5th Land District be rezoned as RMH (Residential Multiple-Family Dwelling-Higher Density District) subject to the conditions which follows:

1. The project will be consistent with the plan, density, project data, amenities, proffered conditions and architectural details as provided as part of the application. Variances reflected in these documents for height, front building setback and parking will only be granted upon consideration and final approval by the Board of Zoning Appeals.

2. The applicant's proffered conditions (Attachment A-Proffered Condition in Application), provided that if any conditions contradicted City of Newnan zoning ordinance, that the City's zoning ordinance would rule.

3. During the site plan review process, applicant would demonstrate to staff the potential location on their site where the adjoining property owner could connect for inter-parcel connectivity.

4. Applicant agrees to pay their share for street light installation at the appropriate time.

5. Applicant would conduct a feasibility study regarding constructing a walking trail/pedestrian path on its property up to Lower Fayetteville Road.

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 _____, 2020 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

George M. Alexander, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

PROPERTY DESCRIPTION

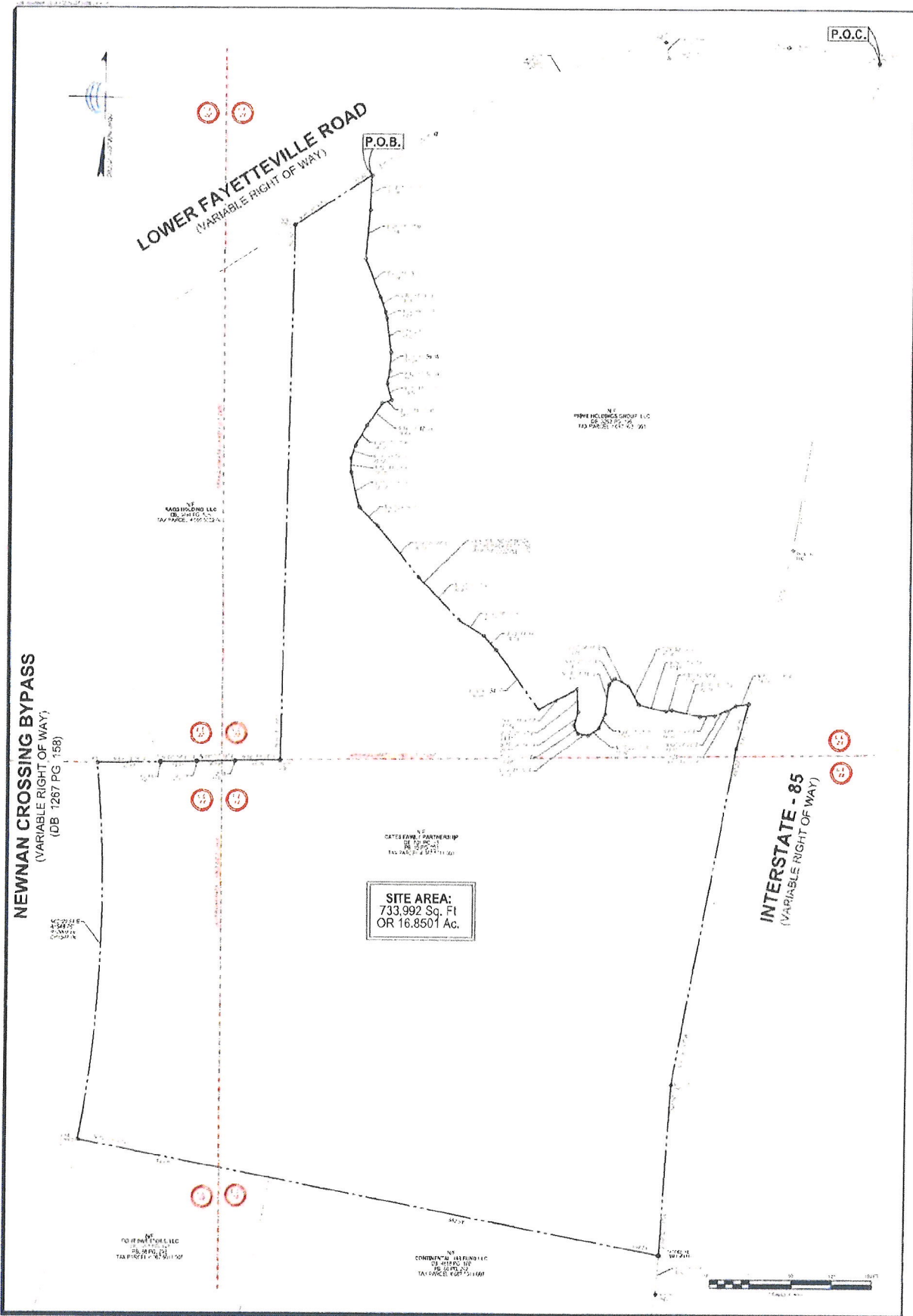
Being all that tract or parcel of land lying and being in Land Lots 11, 12 & 21, 5th District, City of Newnan, Coweta County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at a concrete right of way monument found at the intersection of the Westerly Right-of-Way Line of Interstate 85, (a variable width right of way) and the Southerly Right-of-Way Line of Lower Fayetteville Road (a variable width right of way); thence, leaving said point and running with the said line of Lower Fayetteville Road, North 79° 57' 06" West, 135.87 feet; thence, South 84° 17' 14" West, 175.19 feet; thence, North 11° 10' 44" West, 24.88 feet to a concrete right of way monument found; thence, 366.30 feet along the arc of a curve deflecting to the left, having a radius of 939.60 feet and a chord bearing and distance of South 67° 42' 18" West, 363.98 feet; thence, South 56° 39' 13" West, 112.64 feet to the centerline of a ditch, said point being the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and said line of Lower Fayetteville Road and running with the centerline of said ditch and the property now or formerly owned by Prime Holdings, Group, LLC, as described in a deed recorded among the Land Records of Coweta County in Deed Book 3252, Page 195

1. South 02° 17' 57" West, 51.04 feet; thence,
2. South 05° 03' 19" West, 71.98 feet; thence,
3. South 21° 41' 36" East, 61.04 feet; thence,
4. South 19° 39' 26" East, 23.08 feet; thence,
5. South 10° 09' 38" East, 8.93 feet; thence,
6. South 07° 29' 38" East, 50.53 feet; thence,
7. South 03° 16' 56" West, 27.22 feet; thence,
8. South 12° 17' 12" West, 18.27 feet; thence,
9. South 15° 15' 01" East, 25.09 feet; thence,
10. South 70° 35' 00" West, 14.01 feet; thence,
11. South 34° 39' 12" West, 39.63 feet; thence,
12. South 30° 05' 57" West, 34.10 feet; thence,
13. South 19° 49' 06" West, 20.63 feet; thence,
14. South 02° 11' 29" East, 20.20 feet; thence,
15. South 13° 37' 37" East, 52.72 feet; thence,
16. South 45° 28' 06" East, 38.79 feet; thence,
17. South 39° 24' 44" East, 96.16 feet; thence,
18. South 44° 18' 20" East, 86.87 feet; thence,
19. South 58° 05' 36" East, 43.01 feet; thence,
20. South 40° 11' 31" East, 28.09 feet; thence,
21. South 35° 41' 54" East, 106.28 feet; thence,
22. North 61° 55' 48" East, 63.82 feet; thence,
23. South 02° 26' 57" East, 33.41 feet; thence,
24. South 17° 36' 54" West, 20.51 feet; thence,
25. South 25° 38' 46" East, 13.22 feet; thence,
26. South 79° 41' 29" East, 16.00 feet; thence,
27. North 56° 20' 20" East, 18.92 feet; thence,
28. North 22° 16' 25" East, 22.67 feet; thence,
29. North 07° 31' 44" East, 43.77 feet; thence,
30. North 43° 23' 16" East, 11.81 feet; thence,
31. South 62° 54' 48" East, 23.05 feet; thence,

32. South 28° 53' 39" East, 31.59 feet; thence,
33. South 76° 17' 41" East, 40.28 feet; thence,
34. North 81° 52' 58" East, 10.12 feet; thence,
35. South 78° 18' 33" East, 42.39 feet; thence,
36. North 86° 16' 49" East, 22.00 feet; thence,
37. North 69° 24' 24" East, 19.53 feet; thence,
38. North 61° 13' 03" East, 15.21 feet; thence,
39. North 82° 41' 35" East, 18.68 feet to a point on the aforesaid line of Interstate 85; thence, running with the said line of Interstate 85
40. South 15° 13' 17" West, 67.35 feet; thence,
41. South 10° 40' 53" West, 497.25 feet to a concrete right of way monument found; thence,
42. South 03° 53' 21" West, 247.56 feet to a ½ inch capped rebar found (labeled V&M LSF1145); thence, leaving the aforesaid line of Interstate 85 and running with the property now or formerly owned by Continental, 449 Fund LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 4818, Page 179
43. North 79° 03' 05" West, 582.53 feet; thence, running with the property now or formerly owned by Eight Investors, LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 3257, Page 427
44. North 79° 03' 05" West, 285.98 feet to a ½ inch capped rebar set on the Easterly Right of Way Line of Newnan Crossing Bypass (a variable width right of way); thence, running with the said line of Newnan Crossing Bypass
45. 548.76 feet along the arc of a curve deflecting to the left, having a radius of 2,009.86 feet and a chord bearing and distance of North 02° 29' 51" East, 547.06 feet to a ½ inch capped rebar set at the intersection with the north line of aforesaid Land Lot 11; thence, continuing with the said line of Newnan Crossing Bypass and the line of Land Lot 11
46. North 89° 05' 04" East, 92.42 feet to a ½ inch rebar found; thence, leaving the aforesaid line of Newnan Crossing Bypass and running with the property now or formerly owned by Rags Holding, LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 3494, Page 525
47. North 89° 04' 01" East, 53.41 feet to a 1 ½ inch open top pipe found (disturbed); thence,
48. North 88° 57' 58" East, 56.03 feet to a ½ inch rebar found; thence,
49. North 88° 59' 58" East, 65.98 feet to a ½ inch rebar found; thence,
50. North 01° 11' 20" East, 783.82 feet to a nail found on the aforesaid line of Lower Fayetteville Road; thence, running with the said line of Lower Fayetteville Road
51. North 56° 39' 13" East, 132.96 feet to the Point of Beginning, containing 733,992 square feet or 16.8501 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.



SHEET NO.
1/1

PROPERTY EXHIBIT FOR
DOMINUM INC.
(THE LEGENDS AT NEWMAN)
LOCATED IN
LAND LOTS 11, 12 & 21, 5TH DISTRICT
CITY OF NEWMAN
COWETA COUNTY, GEORGIA

Lot No.	Area (Sq. Ft.)	Area (Ac.)
11		
12		
21		
Total	733,992	16.8501



DATE: 10/11/11
SCALE: AS SHOWN
BY: [Signature]



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:

- A. Applicant proffers, as conditions, which are more particularly explained in the accompanying Letter of Intent from George C. Rosenzweig dated November 1, 2019:
 - The development will be regulated by the Georgia Department of Community Affairs in compliance with the Federal Housing for Older Persons Act of 1995 ("HOPA"), and implementing regulations from the U.S. Department of Housing and Urban Development, as well as the requirements of Section 42 of the Internal Revenue Code.
 - The density of the development will be 12 units per acre.
 - The development will be deed and covenant restricted.
 - At least 80% of units will be occupied by one person who is 55 years of age and older.
 - Compliance with Georgia Department of Community Affairs, HOPA, HUD, and Internal Revenue Code requirements will be periodically verified.
 - Significant facilities and services specifically designed to meet the physical or social needs of older persons including, by way of example, a community garden, courtyard, walkways, benches, and grilling areas, as well as amenities including, by way of example, a fitness center, business center, game, card and craft room, theatre, laundry facilities, and beauty salon.
 - Residences will be provided with full kitchens including a dishwasher, stove, refrigerator, and microwave.
 - Each unit will feature an exterior patio/balcony.
 - There will be no entrance, exit, or access onto Lower Fayetteville Road.
- B. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
 - Easy access step free feature at each entrance to the home
 - Easy passage feature, to include 32-inch wide doorways
 - Easy use feature - all units shall be one level
- C. Natural vegetation shall remain on the property prior to issuance of a Development Permit
- D. All disturbed grassed areas shall be sodded
- E. All utilities shall be placed underground
- F. Ground signage shall be limited to monument-type sign(s). The sign shall include a minimum 2-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
- G. Dumpster/trash compactor locations shall be internal to the building.
- H. Limited to development as a retirement community for occupancy by persons 55 years of age and older as defined by fair housing standards for older persons.
- I. The development shall be limited to a maximum of 202 units, or 12 units/acre.
- J. Height of the buildings to be limited to 55 feet

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

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

Signature of Applicant

George C. Rosenzweig

Signature of Applicant's Representative

Nancy K. Williams 11.1.2019

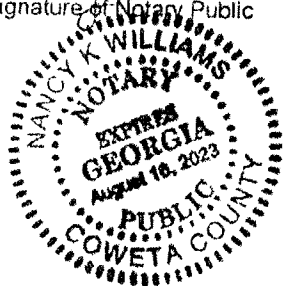
Signature of Notary Public

Date

Type or Print Name and Title

George C. Rosenzweig, Attorney
Type or Print Name and Title

(Affix Raised Seal Here)





City of Newnan, Georgia - Mayor and Council

Date: January 28, 2020

Agenda Item: Newnan City Council may review facility use data and provide direction related to the potential modification of the current facility use policy

Prepared By: Katie Mosley, Leisure Services Director

Presented By: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may review facility use data and provide direction related to the potential modification of the current facility use policy.

Background: Newnan City Council, at the November 26, 2019 City Council Meeting, requested a report from staff outlining current facility usage at Howard Warner Community Center, Howard Warner Gymnasium, and Wesley Street Gymnasium. The report was requested after staff asked for direction and consideration from the Newnan City Council of a potential change to the facility usage policy.

In advance of the creation of the Leisure Services Department, a facility usage policy was established in order for city facilities to be best managed and utilized on a continuous basis by a variety of citizens and organizations. Over time, due to the marketing efforts of the Leisure Services Department, the City has received multiple requests for regular use from different groups.

The requests have submitted to Newnan City Council and approval was given for each request.

Currently, staff is faced with a challenge of honoring the original intent of the approved facility use policy against the approval of long-term standing agreements.

There are seven existing regular standing agreement users in the three aforementioned locations. All users have requested an extension of their agreement and the City has recently received two additional requests for regular use.

If all requests and extensions are approved, the schedule will no longer allow for individual one-time rental requests, which may decrease the number and variety of users.

It is important to note that the current users are all providing exemplar programs and services to those participating program recipients.

An outline of all current agreement holders has been provided for Council review.

In addition, copies of the November 2017 agenda item discussing the adoption of a facility use policy as well as the March 2018 agenda item discussing the creation of the Leisure Services Department have been attached herein for reference.

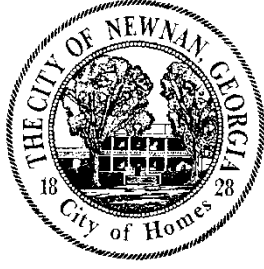
Funding: None

Recommendation: In an effort to provide the best possible services in City facilities, staff is recommending that the Newnan City Council review the current facility use policy and provide direction to staff on how to either maintain or modify the policy.

Previous Discussion with Council: Newnan City Council considered the adoption of a facility use policy in November 2017; funded the creation of a Leisure Services Department in March 2018 and has continued to consider facility use requests over time.

Standing Agreement Users

Name of Organization	Description	Ages	Number of Participants	Fees	Facility	Days/Times	Impact	Observations Notes
Majestic Pearls	The Majestic Pearls are a traveling and competitive majorette dance team. We travel to different states monthly to compete. Beyond dance, MP is instilled in sisterhood and discipline. Young girls to teens are taught to always work hard, be above your environment and family oriented.	4 -18yrs old	50	\$65	Howard Warner Community Center	Monday Wednesday Thursday 5:30pm-9pm	I have watched my program become a safe haven for many girls on the team. The dance team has allowed them to express who they are with no extra judgements because of their background. My program allows girl to travel and see the world, feeds, nurture and tutor as well. The growth and impact has allowed the girls to grow from 10 girls to now , 3 teams with a total of 60 girls in just 1 short year.	Uses the center regularly and generally leaves the facility in good condition. They arrive and depart at their scheduled times. Organization is growing and we have observed that they are operating as they say are.
Enhancing Lives In Today's Era (ELITE) Youth Organization	ELITE Youth Organization provides enriched programs to first-time youth offenders and disenfranchised young men and women. Programs/ Services Offered: Intervention Diversion Program; Job Readiness/ Career Exploration; Counseling; Hi-Impact Mentoring Program; Sexual Health Education; The Writer's Block (Trauma Writing Workshop); Community Service Projects and Sports (Basketball).	birth to young adults age 26	10	No Fee	Howard Warner Gym	Wednesdays 7pm - 9pm Saturdays 10am - 1pm Sundays 6pm - 8pm	Please see attached impact statement	Uses the center regularly and generally leaves the facility in good condition. They arrive and depart at their scheduled times. We have not observed much growth with the organization but they are collaborating with other groups using our facilities.
Empowered 4 Life	Empowered 4 Life believes that education is key to changing the mindset of our next generation. We will continue to impact our community by educating our youth Empowered 4 Life which currently serves 168 students in our community is very thankful for our active collaboration with the City of Newnan.	12-18 yrs old	168	No Fee	Wesley Street Gym	Mondays 7pm - 9pm Fridays 7pm - 9pm Saturdays 9am - 11am	I know that we are making a Impact when we see the parent portals and reports cards and transcripts. I know that we are making a impact when the number of students going to college, graduating from college and starting their own brand. Empowered 4 Life challenge our students to be Employers not employees and we are happy that 29 of our students have started their own business. I know we are making a Impact when our kids open doors for their parents. I know we are making a impact when our kids are texting me "Mr Derrick when can we volunteer again".	Very involved organization. This group operates just as they say they do. We have observed the growth happening within this organization. They consistently use the facility and leave it in good condition.
Newnan Elite	We are a local basketball team that encourages different ages of kids to come out and play basketball, earn a scholarship to go to college, while keeping good grades throughout their school careers. We also focus on skills such as being able to communicate with others, work with a team of people, and life lessons through sports.	10-17 yrs old	40-50	No Fee	Wesley Street Gym	Wednesdays 7pm - 9pm Saturdays 6pm - 8pm Sundays 6pm - 8pm	Since this organization has been together, the kids have better grades, their families are coming out to support their kids, the kids are learning how to win and how to get back up after a lost. They are learning a lot of life lessons to help them later in life. We work with Madras, op Evans, Smokey Rd, East Coweta High, Newnan High, Lec, all the surrounding schools so we definitely impact our youth in the community.	This is our newest group that is an expansion and working under Empowered 4 Life.
The Cobra Foundation	Youth Mentoring Organization that uses sports to develop life skills for both at risk and non risk youth.	4-17 yrs old	235	Football \$100 Basketball \$65	Howard Warner Gym	Mondays 7pm - 9pm Tuesdays 7pm - 9pm Thursdays 7pm - 9pm Sundays 2pm - 6pm	The impact we have on the community is huge. Many of the Kids we come in contact with are the very ones excelling on and off the field at the local High School Levels. Because we provide both Basketball and Football activities year we are able to keep kids focus on developing themselves for the next chapters of their life. Not only do we as a program promote well within the City of Newnan we are promote well outside of the City of Newnan as our team compete at a high level on a Statewide and National level.	Uses the gym on a regular basis and generally leave the facility in good condition. We have had minor issues with this group using the facility outside their approved times and not leaving the facility on time for the next group after them to enter. However, this group is operating as they say they are and we have observed growth within this organization.
Grind 2 Shine Empowerment Program	Grind 2 Shine Youth Empowerment Program Incorporated is a Georgia Domestic Nonprofit Organization based out of Newnan, Georgia. The organization focuses on mentoring, leadership, basketball training, exercise classes, community workshops, and back to school events. The goals of the program are character building, encourage academic success, and ensure that all youth are living a healthy lifestyle. Grind 2 Shine partners with other organizations such as the school system and the Boys and Girls Club.	7-18 yrs old	171	No fee for most programs \$75 fee for basketball	Wesley Street Gym	Tuesdays 7pm - 9pm Thursday 7pm - 9pm Saturdays 11am - 2pm	Through our character and leadership classes, mentoring program, basketball programs, and community events we have been able to provide the kids in the community a viable option to help them to not only develop and live a healthy lifestyle but to also provide them with a platform to become well rounded and productive young people. Our student athletes are some of the best students in the classroom and are some of the best athletes on the court or fields. We have been fortunate enough to witness our kids go on and be successful in life by receiving athletic and academic scholarships as well as to enter the workforce and become productive adults.	Very involved organization. This group operates just as they say they do. We have observed the growth happening within this organization. They consistently use the facility and leave it in good condition.
Prevailing Grace Ministries	Faith based non profit organization whose mission is to meet the spiritual, social, and personal needs of everyone in the community. Our goal is better our community by actively being involved in the community and showing and giving unconditional love to all.	All ages	30	No Fee	Howard Warner Gym and Community Center	HW Gym Sundays 9am - 1pm HW Community Center Tuesdays 6:30pm - 9pm	We believe our program is changing lives by showing love and being present and available to meet the needs of all people in the community.	This group is a faith based church that is using our facility to get started. They take care of the space and generally leave it in good condition. They are using this facility for the purposed of bible study and worship.



City of Newnan, Georgia - Mayor and Council

Date: November 28, 2017

Agenda Item: Consideration of City of Newnan Facility Use Policy and Pricing Guide

Prepared by: Hasco Craver, Assistant City Manager

Purpose:

Newnan City Council may consider providing direction to City staff for the adoption of a City of Newnan Facility Use Policy and Pricing Guide to assist in the management of certain city facilities.

The City of Newnan, from time to time, enters into use agreements with residents and visitors interested in utilizing the following facilities:

- Greenville Street Park
- First Avenue Park
- Temple Avenue/Veterans Park
- C.J. Smith Park
- Lynch Park
- Ray Park
- Wadsworth Auditorium
- Wesley Street Gymnasium
- Howard Warner Meeting Room
- Howard Warner Gymnasium
- Carnegie Library Meeting Room
- Newnan Centre - Please note that the facility is currently managed by an independent local government authority that autonomously manages policies, procedures and pricing. Enclosed is a copy of the rental pricing guide for the Newnan Centre.

Inconsistencies in the governing policies and pricing has created an environment whereby City staff are unable to easily market and manage certain facilities. Inefficiencies are present when clear guidance is absent.

Background:

Newnan City Council, at the October 24, 2017 meeting, reviewed a proposed policy statement aimed at managing the use of the recently redeveloped Howard Warner facility. Numerous councilpersons requested additional information related to other known City facilities and the policies and pricing that accompany each facility.

The list below represents current policy/pricing for the above-listed City facilities:

FACILITY	DEPOSIT	RENTAL FEE	NOTES
Greenville Street Park	\$500 (refundable)	None	Scheduled on first-come-first-serve basis

First Avenue Park	None	None	Scheduled on first-come-first-serve basis
Temple Avenue/Veterans Park	None	None	Scheduled on first-come-first-serve basis
C. J. Smith Park	None	None	Scheduled on first-come-first-serve basis
Lynch Park	None	None	Scheduled on first-come-first-serve basis
Ray Park	None	None	Scheduled on first-come-first-serve basis
Wadsworth Auditorium	\$400	Nonprofit (Coweta) - \$200/day Nonprofit (non-Coweta) - \$300/day For profit (Coweta) - \$400/day For profit (non-Coweta) - \$500/day	A/V - \$25/hour Security - \$35/hour per officer Optional Cleaning Fee - \$150
Wesley Street Gymnasium	\$50	City Resident - \$25/2 hours Non-Resident - \$40/2 hours	
Howard Warner Meeting Room	*undetermined	*undetermined	
Howard Warner Gymnasium	*undetermined	*undetermined	
Carnegie Library Meeting Room	\$100/ 1 Room \$200/ 2 Rooms	<u>2 Rooms (Full Day Rental)</u> Nonprofit (Coweta) - \$150/day Nonprofit (non-Coweta) - \$250/day For profit (Coweta) - \$275/day For profit (non-Coweta) - \$475/day <u>2 Rooms (1/2 Day Rental)</u> Nonprofit (Coweta) - \$100/day Nonprofit (non-Coweta) - \$150/day For profit (Coweta) - \$175/day For profit (non-Coweta) - \$275/day <u>1 Room (Full Day Rental)</u> Nonprofit (Coweta) - \$100/day Nonprofit (non-Coweta) - \$150/day For profit (Coweta) - \$175/day For profit (non-Coweta) - \$275/day <u>1 Room (1/2 Day Rental)</u> Nonprofit (Coweta) - \$75/day Nonprofit (non-Coweta) - \$100/day For profit (Coweta) - \$125/day For profit (non-Coweta) - \$175/day	

City staff considered the following factors in advance of proposing a potential Facility Use Policy and Pricing Guide:

- Accessibility to City facilities for all persons
- Consistency of policy by type (indoor/outdoor)
- Consistency of pricing by type (indoor/outdoor)
- Usage patterns (historic and future)
- Internal operations and maintenance personnel (City staff)
- External operations and maintenance personnel (contractors)

Please find a copy of the proposed of City of Newnan Facility Use Policy attached herein.

Facility use agreements for specific facilities will be constructed as a result of Newnan City Council direction.

City staff suggests that Newnan City Council consider imposing a deposit for all facilities and a usage/rental fee for indoor facilities only. The rationale behind the aforementioned suggestion includes the increased operations and maintenance costs associated with operating and managing facilities (i.e. utilities, cleaning, likelihood of needing repair, etc.).

City staff suggests that the Newnan City Council consider the following pricing guide:

FACILITY	DEPOSIT	RENTAL FEE	NOTES
Greenville Street Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
First Avenue Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
Temple Avenue/Veterans Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
C.J. Smith Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
Lynch Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
Ray Park	\$50 (refundable)	None	Scheduled on first-come-first-serve basis
Wadsworth Auditorium	\$100 (refundable)	Nonprofit (Coweta) - \$200/day Nonprofit (non-Coweta) - \$300/day	A/V - \$25/hour

		For profit (Coweta) - \$400/day For profit (non-Coweta) - \$500/day	Security - \$35/hour per officer Optional Cleaning Fee - \$150
Wesley Street Gymnasium	\$50 (refundable)	Nonprofit (Coweta) - \$25/day Nonprofit (non-Coweta) - \$50/day For profit (Coweta) - \$50/day For profit (non-Coweta) - \$100/day	Scheduled on first-come-first-serve basis
Howard Warner Meeting Rooms	\$100 (refundable)	Nonprofit (Coweta) - \$25/day Nonprofit (non-Coweta) - \$50/day For profit (Coweta) - \$50/day For profit (non-Coweta) - \$1000/day	Scheduled on first-come-first-serve basis
Howard Warner Gymnasium	\$50 (refundable)	Nonprofit (Coweta) - \$25/day Nonprofit (non-Coweta) - \$50/day For profit (Coweta) - \$50/day For profit (non-Coweta) - \$100/day	Scheduled on first-come-first-serve basis
Carnegie Library Meeting Room	\$100 (refundable)	<u>2 Rooms (Full Day Rental)</u> Nonprofit (Coweta) - \$150/day Nonprofit (non-Coweta) - \$250/day For profit (Coweta) - \$275/day For profit (non-Coweta) - \$475/day <u>2 Rooms (1/2 Day Rental)</u> Nonprofit (Coweta) - \$100/day Nonprofit (non-Coweta) - \$150/day For profit (Coweta) - \$175/day For profit (non-Coweta) - \$275/day <u>1 Room (Full Day Rental)</u> Nonprofit (Coweta) - \$100/day Nonprofit (non-Coweta) - \$150/day For profit (Coweta) - \$175/day For profit (non-Coweta) - \$275/day <u>1 Room (1/2 Day Rental)</u> Nonprofit (Coweta) - \$75/day Nonprofit (non-Coweta) - \$100/day For profit (Coweta) - \$125/day For profit (non-Coweta) - \$175/day	Scheduled on first-come-first-serve basis

Please note that due to current appeal and interest as well as the availability of City staff to manage rentals, no changes were made to the Carnegie Library Meeting Room policy/pricing.

Funding: N/A

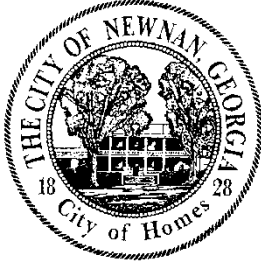
Recommendation: Newnan City Council may provide direction to City staff for the adoption of a City of Newnan Facility Use Policy and Pricing Guide to assist in the management of certain city facilities.

Attachments:

1. Newnan Centre Rental Pricing Guide

2. City of Newnan Facility Use Policy - DRAFT

Previous Discussions with Council: Newnan City Council considered a draft facility use policy for the Howard Warner facilities at the October 24, 2017 meeting.



City of Newnan, Georgia - Mayor and Council

Date: March 27, 2018

Agenda Item: Establishment of Leisure Services Function - Ordinance to Amend 2018 Budget; Amend 2018 City of Newnan Pay Plan

Prepared by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may consider the establishment of a Leisure Services Function to provide planning, scheduling, managing and evaluating special events at numerous public facilities:

- Wadsworth Auditorium
- Howard Warner Community Center
- Wesley Street Gymnasium
- First Avenue Park
- Greenville Street Park
- Veterans Park
- C.J. Smith Park
- Picket Field
- Lynch Park Pool
- Others, as needed

The Leisure Services Function, will provide the following services:

- To negotiate and manage agreements with service providers,
- To coordinate and oversee rental agreements,
- To coordinate and oversee special events held in the facilities,
- To promote city facilities to relevant service providers (community groups, performing artists, fine arts, educational institutions, sports providers, etc.)
- To coordinate required resources with applicable departments, and also,
- Work with the public to develop and maintain critical relationships.

The Leisure Services function will include the creation of two (2) new full-time positions and the four (4) current part-time park attendants will be moved from Facilities Maintenance to Leisure Services. The two (2) new positions will be a Leisure Services Manager and a Leisure Services Coordinator. The Manager's position has been graded at Pay Grade of 20, which has a minimum starting salary of \$56,492. The Coordinator's position has been graded at Pay Grade of 13, which has a minimum starting salary of \$37,581. Please see a detailed description of personnel costs below:

	2018
Salary (2 full time positions)	\$95,000.00
Health Insurance	\$28,358.00
Retirement	\$9,500.00
FICA	\$7,268.00
Unemployment	25.00
Workers Comp*	\$115.00
Other Benefits	N/A
SALARY AND BENEFIT TOTAL	\$140,266.00

It is anticipated that the establishment of a Leisure Services Function will require an allocation of \$27,430 in operating costs. Please see a detailed description of operational costs below:

	2018
Vehicle	N/A
Fuel	N/A
Computer Hardware/Software	\$2,000.00
Small Office Furniture (2 Desks, 4 Chairs)	\$4,200.00
Public Relations	\$5,000.00
Training	\$2,000.00
Travel	\$3,000.00
Materials and Supplies	\$1,000.00
Office Supplies	\$500.00
Phone Allowance (2 employees)	\$1,080.00
Uniforms	\$150.00
Professional Services	\$5,000.00
Dues and Fees	\$500.00
Advertising	\$2,000.00
Minor Equipment	\$1,000.00
OPERATING TOTAL	\$27,430.00

It is important to note that the Leisure Services Manager will become the staff liaison to the Newnan Cultural Arts Commission, will be housed within the Business Development Department and will report to the Assistant City Manager.

The Leisure Services Function will maintain an office in the City's Municipal Building.

Background: Newnan City Council, at the 2018 City Council Retreat, discussed the establishment of a Leisure Services Function. After great conversation, Newnan City Council directed City staff to prepare a mid-year budget amendment to allocate funds to the creation of the function. It was recommended that the Leisure Services Manager be hired in 2018 and the Leisure Services Coordinator be hired in 2019.

Funding: Newnan City Council, at the 2018 City Council Retreat, was presented numerous potential funding options. Newnan City Council recommended that City staff present a budget amendment that reduces the UWG Debt Service Payment in 2018. The City of Newnan has been making accelerated debt service payments in order to realize an early payoff in 2019. Current interest rate is 1.9% but will adjust to 3.9% in 2020.

In considering the abovementioned funding option, the General Fund may be utilized for the proposed establishment of a Leisure Services Function.

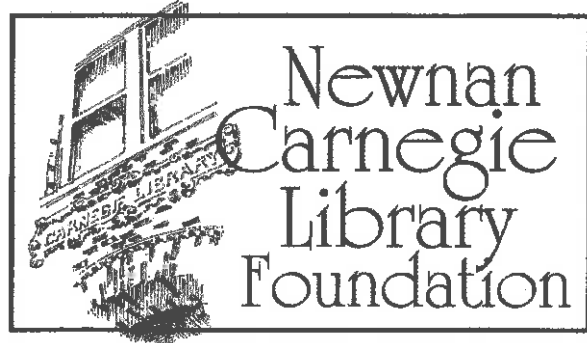
Recommendation: Newnan City Council may consider a budget amendment of \$91,500 to the 2018 General Fund. More specifically, Newnan City Council may reduce the budgeted UWG Debt Service from \$825,000 to \$733,500, thus re-allocating \$91,500 for the establishment of the Leisure Services Function for 2018. Please note that the proposed budget amendment would fund the Leisure Services Function for nine (9) months, beginning on April 1, 2018.

In addition, Newnan City Council may consider the addition of a Leisure Services Manager and Leisure Services Coordinator to the 2018 Pay Plan.

Attachments:

1. Ordinance to Amend the 2018 Fiscal Year Budget
2. Resolution to Amend the 2018 Pay Plan

Previous Discussions with Council: Considered at the 2018 Newnan City Council Retreat, City staff was directed to present a mid-year budget amendment to allocate funds for the creation of a Leisure Services Function.



To: Hasco W. Carver IV
Assistant City Manager
City of Newnan
25 LaGrange St.
Newnan, GA 30263

From: Tim Bowyer
President Newnan Carnegie Library Foundation
P.O. Box 606
Newnan, GA 30264

RE: Temporary closure of a portion of West Broad Street during Southern LitFest Event
June 5, 2020

Hasco:

I am writing to request the closure of West Broad Street between Jackson and Brown streets on June 5, 2020, from noon until 11:00 PM.

We are requesting this closure because of the increased pedestrian traffic that we anticipate between the Carnegie Library and the parking lot next to the Trech Bike store. We are planning an evening dinner for Sothern LitFest attendees to be held in the tented parking lot. Some of the time will be used by contractors to safely prepare and clean up for this evening event.

Thank you for your consideration of this matter.

Kind regards,

A handwritten signature in cursive script that reads "Tim Bowyer".

Tim Bowyer
President
Newnan Carnegie Library Foundation

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).