



# Newnan City Council Meeting

FEBRUARY 25, 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 February 11, 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.](#) 1 Appointment- Tree Commission- 3 Year Term

## REPORTS ON OPERATIONS BY CITY MANAGER

## REPORTS AND COMMUNICATIONS FROM MAYOR

## NEW BUSINESS

- [D.](#) Street Acceptance request by Fox Ridge Capital, LLC for Ashton Place Subdivision, Phase 3
- [E.](#) Public Hearing and Consideration of Ordinance - Purpose of adopting an amendment to Article 6, Section 6-14 of the Zoning Ordinance pertaining to Mixed Use Development District
- [F.](#) Information Only - Rezoning Request RZ2020-01, Fourth Quarter Properties 93, LLC for 8.44± acres located on Newnan Crossing Bypass and Ashley Park Boulevard (Tax Parcel #087 5043 004) - Planning Commission
- [G.](#) Contract Award Consideration for LINC-Phase D
- [H.](#) Approve purchase of specially equipped backhoe for Cemetery Department and declare existing equipment surplus, for trade

## UNFINISHED BUSINESS

- [I.](#) Public Hearing and Consideration of Ordinance - Rezoning Request RZ2019-10, Adevc Corporation for 2.65± acres located on Ashley Park Boulevard - a portion of tax parcel # (086 5043 008)
- [J.](#) 18 Berry Ave - Owner update and request for extension
- [K.](#) Public Hearing - 21 Berry Ave - Resolution to repair or demolish
- [L.](#) Public Hearing - 69 MLK Jr Dr - Resolution to repair or demolish

## VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- [M.](#) Request by First Baptist Church to block streets June 8th-13th during Vacation Bible School

## MOTION TO ENTER INTO EXECUTIVE SESSION

- [N.](#) Motion to Enter into Executive Session

## ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 11, 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; Planning Director, Tracy Dunnivant; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

**MINUTES – WORK SESSION – JANUARY 28, 2020**

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Work Session, Newnan Entertainment & Sports Project, for January 28, 2020 and adopt them as presented.

**MOTION CARRIED. (7 – 0)**

**MINUTES – REGULAR MEETING – JANUARY 28, 2020**

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for January 28, 2020 and adopt them as amended.

**MOTION CARRIED. (7 – 0)**

**APPOINTMENT – CULTURAL ARTS COMMISSION (REPLACEMENT JOANNA HARVEY)**

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

**APPOINTMENTS – TREE COMMISSION**

Motion by Mayor Brady, seconded by Councilman Alexander to appoint J. R. Roberts to the Tree Commission for a three-year term.

**MOTION CARRIED. (7 – 0)**

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

**BOARD OF ZONING APPEALS ANNUAL REPORT**

The Planning Director on behalf of Chairman Smith, presented the report from the Board of Zoning Appeals. This is a seven-member Board. Activities for 2019:11 variances, 7 special exceptions and 1 appeal for zoning and administrative decision. In terms of future items, we are looking into updating the landscape ordinance with some type of appeals process and more ZBA training.

The City Manager informed Council they met with a consultant today for direction on an appeal process for the Landscaping Ordinance. The Tree Commission will be involved and become the reviewing body for alternative compliance. We received a lot of good ideas from the consultant and we will be making a recommendation to Council soon.

**AUTHORIZE MAYOR TO EXECUTE SERVICE DELIVERY STRATEGY (SDS) AMENDMENT TO INCLUDE "HOUSING" AS A SERVICE**

The Planning Director stated the City will be applying for a Community Development Block Grant (CDBG) during 2020. Since the City plans to address housing within its target area, the SDS must be amended to show the City of Newnan as a provider. Staff is seeking authorization for the Mayor to execute an amendment to the Service Delivery Strategy to include "housing" as a service. The County and all of its jurisdictions will be required to adopt the amendment and then it will be sent to DCA for final approval.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to authorize the Mayor to execute the amendment to the Service Delivery Strategy to include "housing" as a service.

**MOTION CARRIED. (7 – 0)**

**MEAG POWER – SALE OF EXCESS RESERVE TO CITY OF NEWNAN ON BEHALF OF THE CITY OF EAST POINT**

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to approve MEAG Power sale of excess reserve capacity to the City of Newnan on behalf of the City of East Point.

**MOTION CARRIED. (7 – 0)**

**SUBDIVISION PEDESTRIAN PATHWAY ALTERNATE DESIGN – THE PARKS AT OLMSTEAD**

The City Planner stated Staff is seeking approval by Council to consider a revision to the approved pedestrian path system in the residential development known as the Parks at Olmstead. Staff has reviewed the proposed pedestrian path and supports this proposal.

Motion by Councilman Koritko, seconded by Councilwoman Jenkins to approve the revised pedestrian path system in the residential development known as the Parks at Olmstead.

**MOTION CARRIED. (7 – 0)**

**LEASE AGREEMENT – BETWEEN CITY OF NEWNAN AND WHOLISTIC STRESS CONTROL INSTITUTE, INC – OFFICE SPACE AT HOWARD WARNER COMMUNITY CENTER**

Motion by Councilwoman Jenkins, seconded by Councilman DuBose to approve the amendment for term to begin on April 1, 2020 and ending March 31, 2021 in the lease agreement by Wholistic Stress Control Institute, Inc. to allow the use of one Office room at the Howard Warner Community Center.

**MOTION CARRIED. (7 – 0)**

Motion by Councilwoman Jenkins, seconded by Councilman Guillaume to approve the lease agreement beginning on April 1, 2020 ending March 31, 2021 by Wholistic Stress Control Institute to allow the use of one Office room at the Howard Warner Community Center.

**MOTION CARRIED. (7 – 0)**

**SCHEDULE PUBLIC HEARING – 68 SAVANNAH STREET – MARCH 24, 2020**

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to schedule a public hearing for substandard structure located at 68 Savannah Street for March 24, 2020.

**MOTION CARRIED. (7 – 0)**

**SCHEDULE PUBLIC HEARING – 62 MURRAY STREET – MARCH 24, 2020**

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to schedule a public hearing for substandard structure located at 62 Murray Street for March 24, 2020.

**MOTION CARRIED. (7 – 0)**



**REQUEST – ALLOW FOR THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGE ON PUBLIC STREETS AND SIDEWALKS DURING CITY-SPONSORED EVENTS IN A DEFINED LOCATION WITHIN THE DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT**

Motion by Councilman DuBose, seconded by Councilman Shell to approve the request to allow for the possession and consumption of alcoholic beverages on public streets and sidewalks during City - Sponsored events in a defined location within the Downtown Development Authority District. (Spring Art Walk, Summer Wined Up, Fall Art Walk, Oktoberfest Craft Beer Tasting, Tucked Away Music Festival, Greenville Street Park, Holiday Sip and See and Summer NewnanNIGHTS)

**MOTION CARRIED. (7 - 0)**

**REQUEST – MAIN STREET – STREET CLOSURES AND USE SIDEWALKS AND PARKING SPACES AROUND SQUARE FOR 2020 EVENTS**

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the request by Main Street for street closures and to use sidewalks and parking spaces around the Square for 2020 Events.

**MOTION CARRIED. (7 – 0)**

**REQUEST – SURPLUS PROPERTY DECLARATION AND DISPOSITION OF REAL PROPERTY, CAPITAL ASSETS AND CONTROLLED ASSETS**

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request for the Surplus property declaration and disposition of real property, capital assets and controlled assets as presented.

**MOTION CARRIED. (7 – 0)**

**PUBLIC HEARING – ALCOHOL BEVERAGE - SPECIAL PERMITTED EVENT LOCATION LICENSE - KEELEY- KIRBY EVENTS LLC D/B/A SOMETHING SPECIAL AT LILLIAN GARDENS**

Mayor Brady opened a public hearing on the application for a Special Permitted Event Venue License adding On premise Beer and Wine Sales for Keeley-Kirby Events, LLC d/b/a Something Special at Lillian Gardens located at 83 Greenville Street.

A representative of applicant 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.

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the application adding On premise Beer and Wine Sales for Keeley-Kirby Events, LLC d/b/a Something Special at Lillian Gardens located at 83 Greenville Street.

**MOTION CARRIED. (7 – 0)**

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – LEONARDO’S RESTAURANT INC. D/B/A GRAYSON’S STEAK & SEAFOOD**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Leonardo’s Restaurant Inc., d/b/a Grayson’s Steak & Seafood located at 91 Millard Farmer Ind Boulevard.

A representative of applicant 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.

Motion by Councilman DuBose, seconded by Councilman Shell to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Leonardo’s Restaurant Inc., d/b/a Grayson’s Steak and Seafood located at 91 Millard Farmer Ind Boulevard.

**MOTION CARRIED. (7 – 0)**

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – JSR LLC D/B/A MOBILE FOOD MART**

Mayor Brady opened a public hearing on the application for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License transferring owner- From: Raina Singh, LLC -To: JSR Mobile Food Mart located at 10 The Cresent.

A representative of applicant 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.

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the application for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License transferring owner- From: Raina Singh, LLC - To: JSR LLC d/b/a Mobile Food Mart located at 10 The Cresent.

**MOTION CARRIED. (7 – 0)**

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – LITTLE GIANT FARMERS MARKET**

Mayor Brady opened a public hearing on the application for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License transferring License Representative From: Michael D. Hayes - To: James L. Funk for Little Giant Farmers Market located at 487 Jackson Street.

No one was present for the hearing. Add to agenda for another meeting.

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – VALLARTA GRILL**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer of owners for Vallarta Grill located at 45 Newnan Station Dr., Ste. C.

A representative of applicant 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.

Motion by Councilman Koritko, seconded by Councilman Alexander to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Vallarta Grill located at 45 Newnan Station Dr., Ste. C.

**MOTION CARRIED. (7 – 0)**

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

Mayor Brady opened a public hearing on the amendment to the Capital Improvement Element (CIE) and Short-Term Work program (STWP).

The City Planner stated per the minimum standards of the planning process, all local governments must hold two public hearings prior to amending the CIE/STWP. The first public hearing was held on January 14, 2020. This second public hearing will satisfy the standards by allowing the public to review the change. He is asking Council to adopt the resolution.

Mayor Brady closed the public hearing.

Motion by Councilman DuBose, seconded by Councilman Alexander to adopt a Resolution for the minor amendment to the Capital Improvements Element (CIE) and Short-Term Work Program (TWP).

**MOTION CARRIED. (7 – 0)**

**STATUS REPORTS: 280 W WASHINGTON ST., 18 BERRY AVENUE, 6 GLENN STREET AND 15 ELM CIRCLE**

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	Irvin Jones Estate	Progress made	03/23/2020
18 Berry Ave	Dan Moten	Pending sale	02/24/2020
6 Glenn Street	D Free Mgt	Progress made	02/25/2020
15 Elm Cir	Doug Frost	Progress made	03/14/2020

No action needed

**SUBSTANDARD STRUCTURE – REQUESTING EXTENSION – 33 HARDAWAY STREET**

Ms. Jennie Smith informed Council the property has been sold, but until all the heirs have submitted their information they cannot complete the sale. She is still waiting on paper work from three of the heirs. She is asking for another extension to resolve the issue.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to grant an extension until April 14, 2020 in order for the estate to come to an agreement on the structure located at 33 Hardaway Street.

**MOTION CARRIED. (7 - 0)**

**RESOLUTION – ABANDON CERTAIN PUBLIC RIGHT-OF-WAY KNOWN AS ST. CHARLES PLACE, LOCATED WITHIN THE PARKSIDE VILLAGE SUBDIVISION**

The City Planner stated on November 26, 2019 this item was presented to Council. After the presentation of the request, Council voted to approve the process of abandoning the right-of-way located at St. Charles Place and split the property between the two adjacent property owners.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to adopt a resolution to abandon that portion of public right-of-way, known as St. Charles Place and for Mayor to execute the quitclaim deed reflecting the transfer to the adjacent property owners.

**MOTION CARRIED. (7 – 0)**

**OFF AGENDA**

Ms. Cynthia Bennett, on behalf of the Newnan Chamber of Commerce, expressed her gratitude and appreciation for the support of CowetaWorks for 2020. This program has been in effect for three (3) years. This year there were over 2,000 students and teachers

that went through CEC. She thanked the Fire and Police Department for their participation.

**COUNCIL COMMENTS**

Councilwoman Jenkins stated she is wearing red for American Heart Association - Go Red for Women Heart disease. February is heart month.

**ADJOURNMENT**

Motion by Councilman DuBose, seconded by Councilman Koritko to adjourn the Council meeting at 2:57 pm.

**MOTION CARRIED. (7 – 0)**

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Della Hill, City Clerk

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



## City of Newnan, Georgia - Mayor and Council

Date: February 25, 2020

Agenda Item: Street Acceptance – New extensions of Ashton Place and Collette Cove. New road McGregor Cove in the Ashton Place subdivision.

Prepared By: Chris Cole, Planning and Zoning Department

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**Purpose:** A request by Fox Ridge Capital, LLC to accept extensions of existing roads Ashton Place and Collette Cove and a new road, McGregor Cove, into the City's public street system.

**Background:** Ashton Place is a subdivision, formerly known as Fox Ridge, located off of Mary Freeman Road. The applicant is requesting that the City accept the following built streets and rights-of-way:

Ashton Place: 2,138 linear feet, 2.55 acres, with 2,750 linear feet of sidewalk and 0.31 acres in sidewalk area

Collette Cove: 99 linear feet, 0.12 acres, with 180 linear feet of sidewalk and 0.02 acres in sidewalk area.

McGregor Cove: 476 linear feet, 0.71 acres, with 1,092 linear feet of sidewalk and 0.13 acres in sidewalk area.

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

**Funding:** N/A

**Recommendation:** Accept the proposed roads into the City's street system.

**Previous Discussion with Council:**



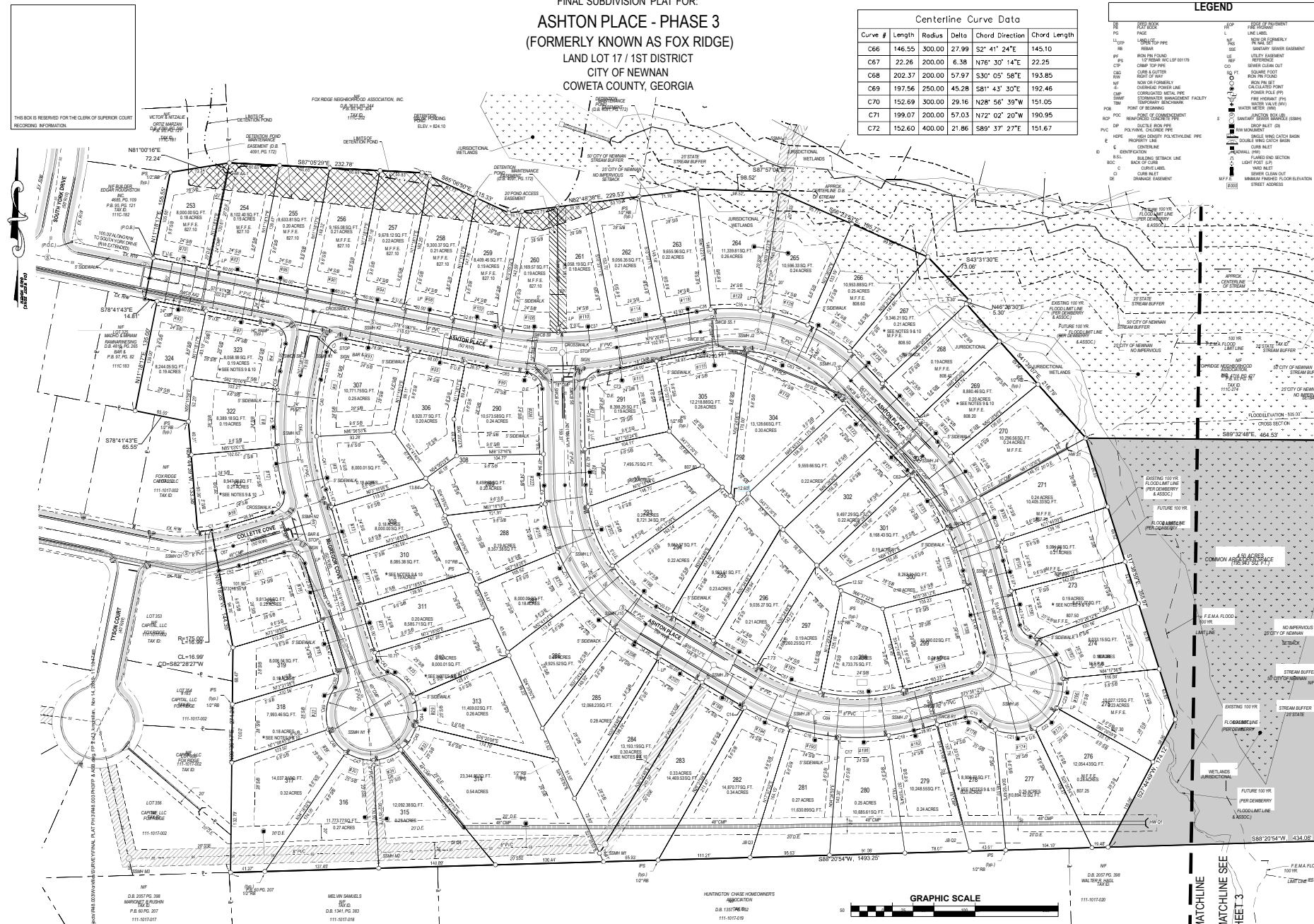
FINAL SUBDIVISION PLAT FOR:  
**ASHTON PLACE - PHASE 3**  
 (FORMERLY KNOWN AS FOX RIDGE)  
 LAND LOT 17 / 1ST DISTRICT  
 CITY OF NEWNAN  
 COWETA COUNTY, GEORGIA

Centerline Curve Data

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C66	146.55	300.00	27.99	S2° 41' 24"E	145.10
C67	22.26	200.00	6.38	N76° 30' 14"E	22.25
C68	202.37	200.00	57.97	S30° 05' 56"E	193.85
C69	197.56	250.00	45.28	S81° 43' 39"E	192.46
C70	152.69	300.00	29.16	N28° 56' 39"W	151.05
C71	199.07	200.00	57.03	N72° 02' 20"W	190.95
C72	152.60	400.00	21.86	S89° 37' 27"E	151.67

LEGEND

RE	REAR BOUNDARY	1/4" = 100'
FR	FRONT BOUNDARY	1/8" = 100'
LR	LEFT SIDE BOUNDARY	1/8" = 100'
RR	RIGHT SIDE BOUNDARY	1/8" = 100'
SP	SPRING	1/4" = 100'
CB	CURB	1/8" = 100'
CP	CURB POINT	1/8" = 100'
CS	CURB SURFACE	1/8" = 100'
CC	CURB CENTERLINE	1/8" = 100'
CR	CURB RADIUS	1/8" = 100'
CF	CURB FINISH	1/8" = 100'
CG	CURB GRADE	1/8" = 100'
CH	CURB HEIGHT	1/8" = 100'
CI	CURB INCH	1/8" = 100'
CJ	CURB JUNCTION	1/8" = 100'
CK	CURB KICK	1/8" = 100'
CL	CURB LENGTH	1/8" = 100'
CM	CURB MATERIAL	1/8" = 100'
CN	CURB NOTATION	1/8" = 100'
CO	CURB OFFSET	1/8" = 100'
CP	CURB POINT	1/8" = 100'
CQ	CURB QUANTITY	1/8" = 100'
CR	CURB RADIUS	1/8" = 100'
CS	CURB SURFACE	1/8" = 100'
CT	CURB THICKNESS	1/8" = 100'
CU	CURB UNDERLAY	1/8" = 100'
CV	CURB VERTICAL CURVE	1/8" = 100'
CW	CURB WIDTH	1/8" = 100'
CX	CURB WIDTH AT CURB	1/8" = 100'
CY	CURB WIDTH AT CENTERLINE	1/8" = 100'
CZ	CURB WIDTH AT EDGE	1/8" = 100'



**Moore Bass CONSULTING**  
 TALLAHASSEE, FLORIDA

PROJECT NAME: ASHTON PLACE PHASE 3  
 CLIENT NAME: FOX RIDGE CAPITAL, LLC  
 1122 COMMERCE DRIVE SUITE 300  
 TALLAHASSEE, FLORIDA 32303

REVISIONS:  
 1. DIRECTOR OF REVENUE COMMENTS: 10/19/19  
 2. RECORDING COUNTY COMMENTS: 11/03/19

ARCHIVE: R48-003 PH3 FP & ASS.dwg  
 DATE: 9/19/19  
 FILE: R48-003  
 CONTRACT #:  
 PLAN: 11-1517-002  
 SHEET: 3 of 3

SEAL:

SHEET TITLE: FINAL SUBDIVISION PLAT

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THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT RECORDING INFORMATION.

MOORE BASS CONSULTING  
 111-5017-019

MELVIN SAMUELS  
 08.1397 PG. 388  
 111-5017-018

HUNTINGTON CHURCH HOMEOWNERS ASSOCIATION  
 08.1397 PG. 389  
 111-5017-019

GRAPHIC SCALE  
 1" = 50'

MATCHLINE SEE SHEET 3

MOORE BASS CONSULTING  
 111-5017-020

D.B. 2007 PG. 388  
 111-5017-020

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## City of Newnan, Georgia - Mayor and Council

Date: February 25, 2020

Agenda Item: Zoning Ordinance Amendment pertaining to Mixed Use Development District

Prepared By: Dean Smith, Planning and Zoning Department

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**Purpose:** To conduct a public hearing for the purpose of adopting an amendment to Article 6, Section 6-14 of the Zoning Ordinance.

**Background:** In 2019, the Planning staff began analyzing the Mixed Use Development (MXD) rezoning applications that had been received. With few exceptions, it became clear to the Planning staff that the applications were less of a mixed-use design, but more of a split zoning intent. Staff concluded that the current MXD regulations needed to be amended to provide more of the intent and vision that City Council had when they adopted new MXD regulations in 2017. In December 2019 and then again in January, 2020, the City of Newnan's Planning Commission revised proposed MXD revisions.

The result of the January, 2020 Planning Commission Public Hearing is before you at this time. With these revisions, the City is trying to emphasize a mixture of use types, including different residential use types. Additionally, illustrations are being included to serve as a guide for any interested in developing a MXD project. Finally, the City wanted to clearly state what we did not want to see with MXD proposals, i.e., a mechanism to encourage greater density, nor to circumvent traditional zoning.

At the conclusion of the Public Hearing held on January 14, 2020, the Planning Commission adopted a motion to move the MXD amendment forward to City Council with a favorable recommendation to consider adopting the revised language.

**Funding:** N/A

**Recommendation:** Approve the revision to Mixed Use Development District Language

**Previous Discussion with Council:**

## **DIVISION I– MIXED USE DEVELOPMENT DISTRICT**

### **Sec. 6-14. - Purpose.**

(a) The MXD, Mixed Use District, is intended to:

(1). Accommodate mixed-use buildings with neighborhood-serving retail, service and other uses, including residential, on the ground floor and/or residential uses above non-residential uses.

(2). Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets; and

(3). Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

(4). This zoning district is intended to provide for vertical and horizontal mixed uses. It is intended to integrate uses primarily within the same building or group of buildings. This may permit buildings and uses to be clustered or arranged in an unconventional manner to maximize open space, create a pedestrian scale and other public benefits. In the MXD district smaller lots than might otherwise be under traditional zoning districts may be allowed; however, the purpose is not merely to allow smaller lots or reduce development requirements but to achieve other goals including the protection of sensitive environmental, historic or aesthetic resources as well as the provision of site amenities such as plazas, parks, open space, walking trails, etc.

The MXD district is not intended to encourage greater density of development, nor circumvent traditional zoning by separating uses into parcels or different project areas; rather, it is to facilitate compatible commercial and noncommercial uses and provide quality developments which enhance the surrounding area. MXD may also be utilized to foster the adaptive reuse of existing buildings. A minimum of two (2) different use categories is required for an MXD district.

(b) See also the Use of Land and Structures Article for specific purposes of this district.

### **Sec. 6-2. - Applicability.**

(a) The MXD District is a separate zoning district and shall follow the same amendment procedures as other zoning districts. Unless otherwise indicated in this Division, the land uses and development standards that are presented with the application for amendment shall, if approved, become the standards for the subject property and shall become a part of the zoning approval.

(b) Any MXD District that was approved prior to the adoption of this Zoning Ordinance or amendments to the Ordinance shall continue to be developed under the provisions and conditions of zoning approval that applied at the time of rezoning.

### **Sec. 6-3. - Infrastructure Requirements.**

(a) Utilities.

Public water and sewer is required. All utility lines in a MXD development shall be placed underground except that adaptive reuse developments may have this provision waived upon a finding by City staff that such requirement would require the replacement or relocation of existing lines. The developer or subdivider shall ensure final and proper completion and installation of utility lines as provided in the Subdivision Regulations. Standards for street lighting shall be provided by the developer in accordance with the approved site plan.

(b) Roads/Streets.

All interior streets and roads must meet the requirements for such facilities for the City of Newnan. The city may require interior streets and sidewalks through the development that connect to existing street and sidewalk infrastructure. Approved development plans containing new public roads, road extensions, or other similar infrastructure shall be provided according to the approved plan. Deviation from plans shall require a revised development plan.

(c) Sidewalks.

Sidewalks are required on all perimeter roads and streets. An internal sidewalk or path system must be provided. If the residential density of the project is greater than 4 units per acre, sidewalks must be provided along the sides of all streets except residential cul-de-sacs of 200 feet length or less. Sidewalks along exclusively residential frontages must be a minimum of 4 feet in width and separated from the curb by a minimum 3 foot tree lawn except that a sidewalk of 7 feet in width may be provided in lieu of a tree lawn provided that street trees are planted in planter beds spaced at no greater than 30 feet on center. Sidewalks in non-residential areas and in mixed residential/non-residential areas shall be a minimum of 6 feet in width with a 3 foot tree lawn. No tree lawn is required if a minimum 8 foot sidewalk is provided. If the residential density is less than 4 units per acre, a walking path may be provided that shall link all land uses in the development. Such a path must be a minimum of 4 feet in width and may be constructed out of Portland cement, bituminous asphalt, or pea gravel provided that the path be framed with boxboards to a depth of 10 inches.

(d) Parking.

The parking requirements shall be derived from the proposed uses making up the concept plan. Each use shall determine its share of required parking. Moreover, spaces calculated for residential units, office condominiums, and other permanent spaces shall be physically separated and dedicated exclusively for that use. Parking decks are recommended but not required. A shared parking plan prepared by a certified traffic or transportation planning consultant may be submitted which indicates a shared parking formula and supporting information. Up to 20% of total combined required parking may be waived with an approved plan.

#### **Sec. 6-4. - Additional Development Requirements**

- (1) General Requirements.
- (2) Single Ownership and Design.

MXD developments must be built as a single integrated design entity. The project must be under single ownership or control when the project receives final approval. Should any part of the project be designed for ownership transfer, this shall be so stated in the application. The management plan for the development shall include language that ties subsequent owners of any part of the development to belong to a management entity overseeing the entire site. A mandatory homeowners association or similar entity shall be created that will be responsible for the upkeep and maintenance of all front yards and common areas including fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development. Mixing requirements should balance a mixture of residential and pedestrian-friendly commercial uses, either by vertical, horizontal or a combination of structure uses.

- (3) Mixture of residential uses in project site. A variety of residential housing types is encouraged to suit a variety of lifestyles, price points and life cycles.

- (4) Mixed Uses in Same Structure.

Within the district, there shall be no restriction on combining different categories of use within the same building other than those imposed by the building code or other federal, state, or local regulations.

- (5) Location of Parking.

Unless physically impossible, all parking for MXD developments shall be located to the rear, a mixture of side and rear, or underground.

- (6) Illumination of Parking.

All parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness using technology and fixtures that will not create a nuisance to other uses within the MXD development nor to uses adjacent or nearby the MXD development.

- (7) Fences and Walls.

MXD developments are expected to become part of the fabric of the city rather than be isolated and fenced in. However, fences and walls may be established in accordance with the Standards for Fences and Walls Section in Division I of the Restrictions on Particular Uses Article.

#### **Sec. 6-5. - Non-Residential Performance Development Requirements.**

- (a) Location of Commercial Uses.

General commercial and service uses shall be concentrated for maximum pedestrian convenience and located for easy accessibility by residents of the district, workers within the district, and visitors. Commercial uses shall be located as to be uninterrupted by residential, office, or other non-commercial uses. It is highly preferable that commercial uses maintain a street presence in a traditional storefront configuration. Other acceptable locations include an arcade, interior mall, or in the lobby of a building containing other allowable uses. Strip commercial with front parking is prohibited.

(b) Common Walls.

Common walls between residential and non-residential uses should be constructed so as to minimize the transmission of noise and vibration. Such common walls shall meet minimum standards for fire walls as required by the City of Newnan's adopted building codes.

(c) Nuisances.

No commercial use shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and or vibration.

(d) Limitation of Hours and Activity.

Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic and late night activity. In addition, no amplified music shall be audible to neighboring residents.

(e) Outdoor Lighting.

All outdoor lighting associated with commercial uses shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not be directed toward residential units nor shall such lighting blink, flash, oscillate, or be of unusual brightness or intensity.

(f) Storage of Refuse.

Commercial units shall maintain a separate refuse storage container from that used by residential uses. It shall be clearly marked for commercial use only and use by residential tenants is prohibited. Refuse storage containers shall be screened on all sides with a latchable gate. Screening material shall be of the same finishing material predominantly used on the principal building. Commercial refuse containers shall be screened by an attractive fence or wall at least 6 feet in height.

**Sec. 6-6. - Compatibility Standards.**

(a) All uses shall conform to the purposes of the MXD district and shall be compatible with all uses, existing or proposed, in the vicinity of the area covered by the proposed MXD development. In order to assist in accomplishing such external compatibility, the following requirements shall apply:

(1) No building shall be constructed to a height greater than its distance from any adjoining property designated for residential use on development plan, unless the City

Council finds that approval of a waiver of this requirement will not adversely affect the adjacent property.

- (b) MXD developments must provide public infrastructure improvements that are compatible in design and function to those of surrounding and adjacent properties. Improvements such as sidewalks, street lighting, trash receptacles, street furniture, and other public elements shall be compatible unless this provision is waived by the City Council based on a conclusion that the proposed improvements are a clear improvement over the existing adjacent infrastructure or public elements.
- (c) General Private Deed Covenants.  
The entire MXD district shall be included within private deed covenants running with the land to assure the continuance of the planned residential development in accordance with approved plans and developments.
- (d) Compliance with the requirements in Sec. 6-6 shall not, in and of itself, be deemed to create a presumption of compatibility.
- (e) Outdoor storage is not permitted.

**Sec. 6-7. - Minimum Landscaping Requirements.**

Minimum standards for landscaping in MXD developments are necessary to ensure that higher standards of site planning are realized and to tie the separate elements of the mixed use development together.

- (a) A landscape plan meeting the requirements of the "Tree Preservation and Landscaping" Ordinance within the City of Newnan Code of Ordinances must be submitted as part of the preliminary development plan. This can be a separate plan or may be integrated with the improvements plan required as part of the preliminary plan submittal. If the project is phased, only the first phase will be required to be provided in detail but calculations and proposed plant materials and treatments must be provided for the entire development.
- (b) Entry points to the development shall be landscaped in an attractive manner using plant specimens utilized throughout the remainder of the development.
- (c) All interior and perimeter roads and streets shall provide street trees allowed by the City of Newnan's Plant Palate. Such trees shall be planted no more than 20 feet apart along all street frontages.
- (d) All boulevards shall provide attractive, low maintenance plantings in the center islands and be grassed throughout the remainder of the islands.
- (e) Landscaping shall be provided adjacent to all buildings and structures including solid waste receptacles.
- (f) A minimum of 5% of the project site shall be landscaped.

**Sec. 6-8. - Open Space Requirements.**

(a) Open Space, Generally.

- (1) Common open space is an important element in a mixed use development serving to provide resting and gathering places, recreation areas, aesthetic complements, stormwater percolation areas, and other purposes.
- (2) Open space for the purpose of the MXD district shall be defined as a portion of a lot or other area of land associated with and adjacent to a building or group of buildings in relation to which it serves to provide light and air, scenic, recreational, resting, or similar purposes. Such space shall, in general, be available for entry and use by the occupants of the building(s) with which it is associated, and at times to the general public.
- (3) Open space may include a limited proportion of space so located and treated as to enhance the amenity of development by providing landscaping features, screening or buffering for the occupants or adjacent landowners, or a general appearance of openness.
- (4) Open space shall include parks, commons, plazas, community green or lawn, landscaped areas, decorative plantings, formal or informal garden, pedestrian walkways or paths, active and passive recreation areas including playgrounds and swimming pools.
- (5) MXD zones must, at a minimum, provide 15% of the site in open space distributed according to the following:

**Table -A: MXD Minimum Open Space Requirements**

Use Group	Required Open Space*
<b>Residential Uses</b>	20
<b>Office Uses</b>	12
<b>Retail and Commercial Service Uses</b>	10
<b>Other Uses</b>	8

\* Number of sq. ft. of open space required for each 100 sq. ft. of gross floor area in the use group

- (b) Open space may not consist of required buffer area, streets, parking lots, driveways, loading areas, sidewalks located in the public right-of-way (except as may be internal to a dedicated park), and area normally inaccessible to pedestrian circulation.
- (c) No more than 50% of required open space may be landscaped area.
- (d) Not more than 50% of required open space may lie in a floodplain, groundwater recharge area, wetland, area of steep slopes (greater than 15%), or other undevelopable or sensitive area.



- (e) Landscaped open space shall be provided by the developer in accordance with an approved landscape plan which meets the minimum requirements of this and other applicable Ordinances.
- (f) Open space may not consist of unimproved or vacant land that does not provide any natural or man-made amenity. This shall include but not be limited to abandoned or overgrown lawn area, scrub land or urban fields, eroded areas or areas of exposed soil, or other land area that, in the opinion of the City Council, does not have any functional or aesthetic use as open space.
- (g) Open space shall be set aside and improved no later than the date on which certificates of occupancy are issued for the first one-third (1/3) of the total number of residential units to be constructed as part of the project. If residential uses will not be a part of the project, such open space shall be set aside no later than the date on which certificates of occupancy are issued for the first 25% of commercial space to be leased or sold as part of the project.
- (h) All common open space required under this Section shall be conveyed to a homeowners association, merchants association, or other association so created for the purpose of maintaining common area within the project area.

**Sec. 6-9. - Reduction of Required Open Space.**

- (a) Adjacent Open Space.

The minimum amount of open space required for an MXD development may be reduced by a maximum of 50% if the MXD site bounds, along at least one property line for a minimum of 100 feet, public open space including a park, playground, plaza, garden, or other open space available for and accessible to public use for recreation, relaxation, walking, etc.

- (b) Open Space Substitutions.

Pedestrian and bicycle amenities may substitute for required open space in the following manner:

- (1) Dedicated bike path connected to existing or planned bike route.
- (2) Open pedestrian bridge.
- (3) Raised pedestrian deck.
- (4) Enclosed pedestrian bridge.
- (5) Elevated pedestrian bridge.
- (6) Shopping or through block arcade.
- (7) Each amenity may be substituted in a 1:1 ratio related to square feet up to 50 percent of required open space.

### **Sec. 6-10. - Street Frontage Requirement.**

In an MXD development, the street frontage requirements for townhouses or mixed-family dwellings may be waived.

### **Sec. 6-11. - Application Procedures and Requirements.**

#### **(a) Development Summary Report Required.**

Applications for rezoning to MXD shall require a written report that establishes the type, nature, size, intent and characteristics of the proposed development. At a minimum, the report shall include the following:

- (1) A complete listing and general description of every land use category proposed within the development, including total acreage of the MXD development, and the total amount of acreage and percentage devoted to each use category, as well as the total number of residential units by type and density, and Floor Area Ratio (FAR) of nonresidential uses. Common open space acreage is to be listed separately.
- (2) Individual areas of an MXD development are to be described as to their specific use and development standards, and keyed to the Master Concept Plan Map (see Sec. 6-12). Each area description must include the following subject matter, as relevant to the proposed character of development:
  - a. Principal and accessory uses proposed for the development. All uses not specifically included in the Development Summary Report, either in a general land use category or detailed for individual areas, and approved by City Council are prohibited unless the application is subsequently amended in accordance with applicable procedures.
  - b. Gross acreage of the individual area and approximate acreages of separate land use or development areas, including common open space.
  - c. Intensity of development, such as:
    1. For residential uses: Density controls (units/acre) or minimum lot size, minimum lot area per dwelling unit, minimum lot width, minimum lot frontage, minimum floor area or residential dwelling unit sizes, and maximum total number of dwelling units by type, as applicable to the character of the development proposed.
    2. For mixed-use and nonresidential uses: Floor area ratio (FAR), dwelling unit sizes and total dwelling units, as applicable to the character of the development proposed.
  - d. Principal building setbacks or build-to lines along all streets and property lines.
  - e. Maximum building heights.
  - f. Buffers, landscape strips and open space standards.

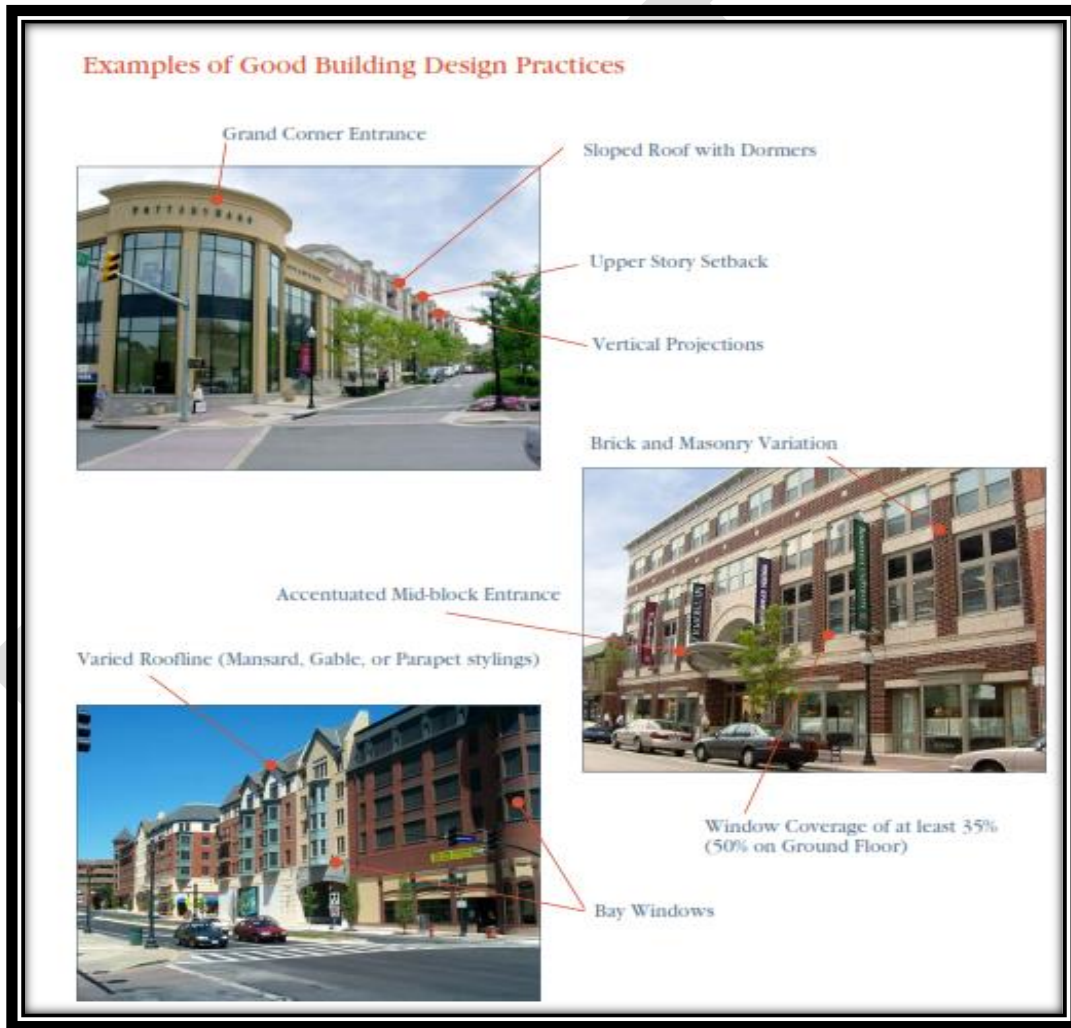
- g. Exceptions or variations from the sign, parking or street design requirements of this Ordinance or other city regulation, if any are being requested.
- h. An indication whether the internal streets will be public or private.
- i. A description of intended plans for the provision of utilities, including water, sewer, drainage facilities and street lighting, as applicable.
- j. For all streets and utilities not proposed for dedication to the public, provisions for the ownership and maintenance must be explained.
- k. Proposed restrictive covenants (for informational purposes only).
- l. Any other relevant or applicable standard or requirement for the individual area.
- m. Applications may include prospective front, side and rear elevation drawings of representative building types. These drawings shall indicate general architectural characteristics. If the MXD district is approved, general compliance with the architectural elevations shall be required.

**Sec. 6-12. - Master Concept Plan Required.**

- (a) Applications for rezoning to the MXD District shall require a Master Concept Plan, including, at a minimum, those items listed below. The Planning and Zoning Director, Planning Commission and/or City Council may require, in addition, such other information, studies, plats, plans or architectural elevations deemed necessary to perform an adequate review of the proposed application.
- (b) Master Concept Plans shall be prepared by a professional engineer, architect, land surveyor, land planner or landscape architect, and his/her seal of registration or professional initials shall be indicated on such plans.
- (c) All Master Concept Plans required by this Section shall contain, at a minimum, the following information:
  - (1) Boundaries of the subject property based on the boundary descriptions or boundary survey submitted with the rezoning application.
  - (2) Title of the proposed development and the name, address and contact information of the property owner or their designated representative.
  - (3) The name, address and contact information of the architect, engineer or other designer of the proposed development.
  - (4) Scale, date, north arrow, and general location map showing relationship of the site to the surrounding area, streets and/or natural features.
  - (5) All existing streets within or adjacent to the property, including right-of-way and street pavement widths; location of existing buildings to be retained or removed; water courses and impoundments, wetlands and the limits of the 100-year flood plain; and other physical characteristics of the property relevant to the development proposal.

- (6) Common open space areas to be retained.
- (7) The general location of the proposed major street circulation system to be located within the development.
- (8) General approximate delineation of individual areas of the proposed development that differ by land use or development standards, keyed to a description for each area contained in the Development Summary Report prepared in accordance with this Section.

**(9) Proposed building designs and architectural elements.**



**(d) Key Elements**

**(1) Diverse Mix of Uses**

(2) Attractive Central Plaza



(3) Pedestrian-Friendly Building Design





(4) Appropriately scaled height

(5) Distinctive



(e) Sign package



**Sec. 6-13. - Review Standards for MXD Rezoning.**

In considering and acting upon applications for rezoning to the Mixed Use Development District, in addition to the standards for rezoning consideration in the Procedures and Permits Article, the City Council may consider and base their recommendation and decision, respectively, on the following information:

- (a) Conformity with the intent and purpose of the MXD District.
- (b) Conformity with the Comprehensive Plan and, if located in the downtown area, the Newnan Livable Centers Initiative.
- (c) Compatibility with adjacent land uses. The uses proposed will not be detrimental to present surrounding uses and potential surrounding development as shown on the Future Land Use Plan.
- (d) Quality of architectural, landscaping and site design.
- (e) Preservation of natural features.
- (f) Provision and type of open space and the provision of other amenities designed to benefit the general public.
- (g) Adequacy of utilities and other public works.

- (h) The Mayor and City Council for the City of Newnan may require changes or alterations in the master concept plan during the approval process in order to further promote the intent and standards of the MXD District.

**Sec. 6-14. - Report and Concept Plan Establish MXD Uses and Requirements**

- (a) The approved development summary report, master concept plan, and all other information, studies, plats, plans or architectural elevations submitted in the application, or required to be submitted by the City Council, shall establish the standards and minimum requirements for the subject property and shall become the conditions of zoning approval that apply to the subject property, regardless of changes in property ownership.
- (b) After rezoning is approved, development of the MXD zoned site or any portion of the site will require submission and approval of subdivision plats and site development plans, in accordance with the Site Development Plan requirements in the Procedures and Permits Article, as well as the City of Newnan Subdivision Regulations.

**Sec. 6-15. - Revisions to Approved MXD Requirements.**

- (a) Any changes that, in the opinion of the Planning and Zoning Director, result in a development of such intent and character that has not been conceptually approved by the City Council shall require additional approval in accordance with procedures established in the Procedures and Permits Article for a revision of conditions of rezoning approval.
  - (1) Such changes may be additions in the types of land uses, increases in square footage or density, decreases in lot sizes, changes in the location or dimensions of major streets, decreases in dwelling unit floor areas, major alterations in the land use patterns, or other substantial changes that are inconsistent with the summary report or the master concept plan approved for the MXD proposal.
  - (2) Minor changes may be approved by the Planning and Zoning Director prior to issuance of development or building permits.
- (b) As development of each portion of an MXD development proceeds, the Master Concept Plan map shall be updated to show each final subdivision plat as it is approved for recording, and each site development plan for a multifamily or nonresidential project upon its approval for a land disturbing activity permit. No certificates of occupancy will be issued within those areas until the Planning and Zoning Director has received the updated Master Concept Plan Map.





## City of Newnan, Georgia - Mayor and Council

Date: February 25, 2020

Agenda Item: Rezoning Request RZ2020-01, Fourth Quarter Properties 93, LLC for 8.44± acres located on Newnan Crossing Bypass and Ashley Park Boulevard (Tax Parcel #087 5043 004)

Prepared By: Tracy S. Dunnavant, Planning Director

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**Purpose:** To inform the City Council that RZ2020-01 is before the Planning Commission for consideration and a recommendation on the requested zoning classification.

**Background:** Fourth Quarter Properties 93, LLC has applied for the rezoning of 8.44 ± acres located on Newnan Crossing Bypass and Ashley Park Boulevard. The request is to rezone the property from CCS (Community Shopping Center District) to MXD (Mixed Use Development District) for the purpose of constructing 278 apartment units with a parking deck, 15 townhomes and approximately 56,000 square feet of commercial space that is currently being permitted.

### Current Zoning

Tax Parcel #	Acres	Zoning	Units
086 5043 004	8.44±	CCS	N/A

### Requested Zoning

Tax Parcel #	Acres	Zoning	Units
086 5043 004	8.44±	MXD	278 multifamily; 15 townhouses proposed; 56,000 sq ft commercial

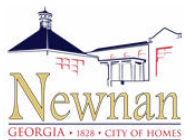
**Funding:** N/A

**Recommendation:** Information Only

**Previous Discussion with Council:** None



**CITY OF NEWNAN** | Project Location



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

N  
  
 1 inch = 150 feet

**LEGEND**

- Project Location
- PARCELS
- CITY LIMITS

ADDRESS **30**  
 440 Newnan Crossing Byp  
 NEWNAN GA. 30263



**FOURTH QUARTER PROPERTIES 93, LLC**

45 Ansley Drive  
Newnan, GA 30263  
678.423.5445

January 31, 2020

Tracy Dunnivant  
Planning & Zoning Director  
City of Newnan  
25 LaGrange Street  
Newnan, Georgia 30263

RE: Ashley Park Phase 3A&B - Rezoning Letter of Intent for MXD  
Commercial and Residential Land Uses

Dear Tracy,

Thomas Land & Development proposes to complete Ashley Park with a multifamily “Apartment Wrap” on the remaining undeveloped 3.98 acre parcel immediately northwest of Belk, known as Phase 3B. The residential complex incorporates a five level, 278 unit apartment building that wraps around a 3-level parking deck with recreational amenity facilities on a surface level above the deck. The wrap provides secured access from parking directly to apartment levels, but also incorporates 15 two-level townhomes facing Ashley Park Blvd with two car garages on the ground level.

The present zoning is CCS as the rest of Ashley Park, with a corner falling within the CGN designation that was based on an old masterplan. To accommodate the intense residential use, we are proposing MXD zoning for 8.44 acres, which also includes the 4.46 acre Phase 3A commercial parcel fronting Newnan Bypass. The project reflects current trends of multi-level apartments set within a larger lifestyle development, but is also located adjacent to other multifamily projects to the west across Ashley Park Boulevard. The proposed parcel framework is planned for potential transfer in ownership. The proposed land uses function as an integral part of Ashley Park, energizing the development with walking patrons to the adjacent restaurants and retailers.

Landscaping for the project will be consistent with Ashley Park, but a typical buffer is not applicable in this setting. Water and sewer facilities, as well as all other utilities are on site to serve the project. In addition to the required Master Concept Plan and Development Summary Report, I have included a Community Impact Study for the apartments, a multi-level floor plan of the residential building and schematic elevation-section displaying the relationships of the parking, residential, and recreational facilities.

I look forward to working with you on this exciting project. Please let me know if you need additional information or assistance.

  
Sincerely,

Robert Bergmann, P.E.  
Engineering Director

ASHLEY PARK PHASE 3A & 3B  
DEVELOPMENT SUMMARY REPORT  
FOR MXD ZONING  
January 31, 2020

**1. Proposed Development Description**

Thomas Land & Development and Fourth Quarter Properties 93 proposes the MXD designation for 8.44 acres, being the northern tax parcel in Tract F-3A of the Revised Final Plat of Ashley Park Phase 2. The eastern component fronting Newnan Bypass known as Phase 3A, consists of 4.46 acres for commercial use consistent with CCS zoning. The western component fronting Ashley Park Blvd called Phase 3B, consists of 3.98 acres for a multifamily “Apartment Wrap”. The single residential complex incorporates a five level, 278-unit apartment building that wraps around a 3-level parking deck with recreational amenity facilities on a surface level above the deck. The Wrap provides secured access from parking directly to apartment levels, but also incorporates 15 two-level townhomes facing Ashley Park Blvd with two car garages on the ground level.

**2. Individual Land Use Category**

**A. Commercial (AP Phase 3A)** - The eastern component of 4.46 acres for commercial is comprised of all uses consistent with and proposed for the original CCS zoning designation.

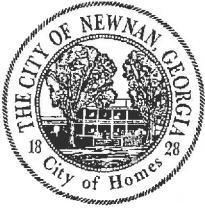
- (1) Open Space – *0.23* acres of the Ashley Park Mainstreet walk and *0.36* acres of perimeter landscape strips surrounding the east parking lot comprise dedicated open space areas within Phase 3A, for a total of *0.59 acres*.
- (2) Density – The proposed Floor Area Ratio is 0.30.
- (3) Setbacks – The front right-of-way setback is maintained at 40’, while most side and internal setbacks are 10’. The exception is a zero setback along the south line adjacent to the Belk drive and parking.
- (4) Building Height – Primary building heights are maintained at 40’, while isolated specific tower features are a maximum of 50’.
- (5) Signs – Internal monument sign spacing along Newnan Bypass is requested at 175’, to allow one additional sign between the existing Ashley Park monument signs at the two driveways.
- (6) Streets and Utilities – All internal streets shall remain private for shared access, and maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions. Some utilities have and will have public easements; all remaining private utilities shall be maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions.
- (7) Building Architecture – Buildings within Phase 3A shall conform to the QDC Overlay District

ASHLEY PARK PHASE 3A & 3B  
MXD DEVELOPMENT SUMMARY REPORT

January 31, 2020

Page 2 of 2

- B. Residential (AP Phase 3B)** - The western component of 3.98 acres for residential use shall allow for intense, multi-level apartments and townhomes, with attached parking deck and drive under garages. Provision should also be made for commercial and service businesses to operate and support residences within the complex along the Mainstreet frontage.
- (1) Open Space – *0.41* acres is dedicated to the recreational amenity area on top of the parking deck, comprised of a potential pool, deck and landscaped areas. The Ashley Park Blvd perimeter landscape strip is *0.47* acres of dedicated open space within Phase 3B. Lastly, *0.20* acres of the front walk is part of the Ashley Park Mainstreet pedestrian way, which is also immediately adjacent but not part of this tract. Total open space is *1.08* acres within the 3.98 acre tract.
  - (2) Density – The proposed unit density is 70 units/acre, comprised of 60% 2-bedroom units, 30% 1-bedroom units, and 10% 3-bedroom units. Dwelling unit sizes will conform to the minimum multifamily unit requirements.
  - (3) Setbacks – The front right-of-way setback is proposed at 30' due to the existing sewer on site and minimum depth of the townhomes. Most other side and internal setbacks are 10', with the one exception being a zero setback along the southeast line adjacent to the Belk drive and parking to the south.
  - (4) Building Height – The 5 level residential wrap requires a maximum building height of 70' from the rear ground level.
  - (5) Signs – One monument sign is requested at the southwest corner of the 3.98 acre parcel along the Belk driveway to Ashley Park Blvd.
  - (6) Streets and Utilities – All internal streets shall remain private for shared access, and maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions. Some utilities have and will have public easements; all remaining private utilities shall be maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions.
  - (7) Building Architecture – The residential building within Phase 3B shall conform to the QDC Overlay District. Waste disposal shall be incorporated with trash chutes and a collector room adjacent to the internal service drive.



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

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

**APPLICATION TO AMEND ZONING MAP**

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

Name of Applicant Fourth Quarter Properties 93, LLC - Robert Bergmann, Engineering Director

Mailing Address 45 Ansley Drive, Newnan GA 30263

Telephone 678-423-5445 Email: rbergmann@thomasent.com

Property Owner (Use back if multiple names) Fourth Quarter Properties 93, LLC

Mailing Address (same as above)

Telephone (same as above)

Address/Location of Property Ashley Park Blvd; NW section of Tract F-3A, Rev Final Plat of Phase 2 Ashley Park

Tax Parcel No.: 086 5043 004 Land Lot 43

District/Section 5th / Coweta Co. Size of Property (Square Feet or Acres) 8.44 Ac

Present Zoning Classification: CCS / CGN Proposed Zoning Classification: MXD

Present Land Use: Commercial / Undeveloped

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

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

The proposed use includes residential, which is not allowed within CCS/CGN. \_\_\_\_\_

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

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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 proposed apartment building is a dense residential development consistent with a mixed use inside of a \_\_\_\_\_  
commercial project.

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Please attach all the following items to the completed application:

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

- 11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.
- 12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:
  - Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
  - Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
  - Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
  - Commercial Application.....\$500.00/Plus \$25.00 Per Acre
  - Industrial Application.....\$500.00/Plus \$15.00 Per Acre
  - Mixed Use Application.....\$500.00/Plus Per Acre fee based upon proposed land use.
  - Planned Development Application.....\$500.00/Plus per Acre fee based upon proposed land use.
  - Overlay Zoning Application.....\$350.00

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

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

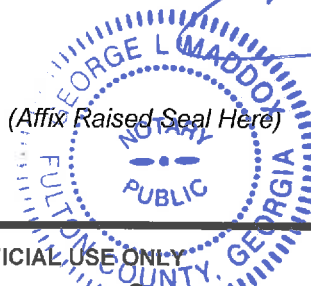
Sworn to and subscribed before me this

31<sup>st</sup> day of January, 20 20

Signature of Applicant

Notary Public

My commission expires 9/25/23



(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: by phone

RECEIVED BY: Tracy S. Dunnavant

DATE OF FILING: 01/31/20

FILING FEE RECEIVED: \$711.00

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

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

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

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

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





City of Newnan, Georgia  
Attachment A  
Proffered Conditions

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

*(Please refer to Article 10 of the Zoning Ordinance for complete details.)*

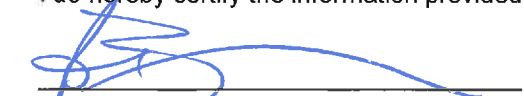
Please list any written proffered conditions below:

1. Multifamily residential density of 70 units/acre,
2. Setbacks - 30' along Ashley Park Blvd, and zero setback along the south property line adjacent to CCS,
3. Building Height - 50' for a commercial tower feature, and 70' for the multi-level residential building,
4. Signs - an additional monument sign along Newnan Bypass, and one along Ashley Park Blvd,

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

1. Master Concept Plan displaying conditions listed above,
2. Residential Wrap Multi-Level Floor Plan,
3. Residential Wrap Building Section
4. Community Impact Study


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

  
Signature of Applicant

Robert Bergmann, Engineering Director  
Type or Print Name and Title

Signature of Applicant's Representative

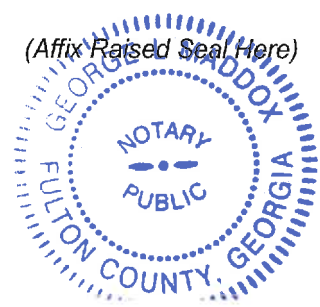
Type or Print Name and Title

  
Signature of Notary Public

1/31/20  
Date

*my commission expires 9/25/23*

(Affix Raised Seal Here)





City of Newnan, Georgia  
Attachment B

# Disclosure of Campaign Contributions & Gifts

Application filed on January 31, 2020 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

3.98 acres of Tract F-3A on the Revised Final Plat of Ashley Park, Phase 2; located in LL 43 of the 5th District of Coweta County. The parcel fronts on Ashley Park Boulevard.

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

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

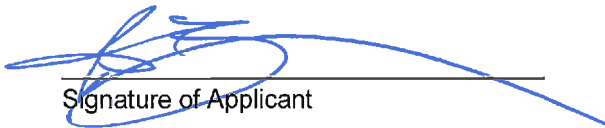
N/A

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)

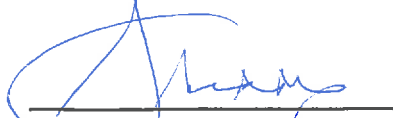
I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

  
Signature of Applicant

Robert Bergmann, Engineering Director  
Type or Print Name and Title

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

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

  
Signature of Notary Public 1/31/20  
Date  
My commission expires 9/25/23



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



City of Newnan, Georgia  
Attachment E  
Rezoning Checklist

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

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

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

ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerAddress3	OwnerCityStZip	Count
086 5054 021	ASHLEY PARK PROPERTY OWNER LLC, C/O APOLLO GLOBAL REAL ESTATE MGMT LP	43RD FLOOR   9 W 57 ST			NEW YORK NY 10019	
086 5054 001	ASHLEY PARK PROPERTY OWNER LLC, C/O APOLLO GLOBAL REAL ESTATE MGMT LP	43RD FLOOR   9 W 57 ST			NEW YORK NY 10019	
086 5043 004A	FOURTH QUARTER PROPERTIES 93 LLC, % THOMAS ENTERPRISES	45 ANSLEY DR			NEWNAN GA 30263	
086 5043 004	FOURTH QUARTER PROPERTIES 93 LLC, % THOMAS ENTERPRISES	45 ANSLEY DR			NEWNAN GA 30263	
086 5043 012	VP PROPERTIES LLC	BUILDING A SUITE 100   1100 OAKLEY INDUSTRIAL BOULEVARD W			FAIRBURN GA 30213	
086 5043 006	LOIS GEORGIA PROPERTIES LLC, C/O ASSESSMENT TECHNOLOGIES LTD	SUITE 607   40 NE LOOP 410			SAN ANTONIO TX 78216	
086 5044 008	361 NEWNAN CROSSING BYPASS LLC, C/O AT HOME STORES LLC	1600 E PLANO PKWY			PLANO TX 75074	
086 5044 013	ASHLEY PARK PROPERTY OWNER LLC, C/O APOLLO GLOBAL REAL ESTATE MGMT LP	43RD FLOOR   9 W 57 ST			NEW YORK NY 10019	
086 5044 014	HENDRICK AUTOMOTIVE GROUP	6000 MONROE RD			CHARLOTTE NC 28212	
086 5043 007	ASHLEY PARK BLVD OWNER LLC, C/O THE PRAEDIUM GROUP LLC	24TH FLOOR   733 THIRD AVE			NEW YORK NY 10017	

LEGAL DESCRIPTION

ASHLEY PARK PHASE 3A & 3B MXD TRACT

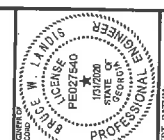
BEGINNING AT THE SOUTH END OF A MITERED INTERSECTION FORMED BY THE NORTH RIGHT OF WAY OF MCINTOSH PARKWAY WITH THE WEST RIGHT OF WAY OF NEWNAN CROSSING BYPASS; FROM SAID POINT OF BEGINNING, THENCE RUNNING N44°16'05"E A DISTANCE OF 41.39'; THENCE ALONG THE WETERNLY RIGHT OF WAY OF NEWNAN CROSSING BYPASS N00°58'42"E A DISTANCE OF 20'; THENCE N00°43'06"E A DISTANCE OF 186.74'; THENCE N06°25'45"E A DISTANCE OF 98.93'; THENCE N00°40'46"E A DISTANCE OF 193.56'; THENCE N00°48'09"W A DISTANCE OF 54.41' TO **THE POINT OF BEGINNING**; THENCE N88°59'17"W A DISTANCE OF 218.27'; THENCE N01°00'43"E A DISTANCE OF 56.56'; THENCE N88°59'17"W A DISTANCE OF 235.04'; THENCE N01°00'43"E A DISTANCE OF 134.79'; THENCE N88°59'17"W A DISTANCE OF 114.00'; THENCE S01°00'43"W A DISTANCE OF 134.79'; THENCE N88°59'17"W A DISTANCE OF 126.09'; THENCE S01°00'43"W A DISTANCE OF 18.21'; THENCE N88°59'17" A DISTANCE OF 59.44'; THENCE S56°40'07"W a distance of 91.83; thence ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 28.58'; WITH A RADIUS OF 50.78; WITH A CHORD BEARING OF S76°54'07"W; WITH A CHORD LENGTH OF 28.20' TO A POINT; THENCE N87°11'13"W A DISTANCE OF 30.20'; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 29.17'; WITH A RADIUS OF 49.42'; WITH A CHORD BEARKING OF N71°09'39"W; WITH A CHORD LENGTH OF 28.75' TO A POINT ALONG THE EASTERLY RIGHT OF WAY OF ASHLEY PARK BOULEVARD; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 168.72'; WITH A RADIUS OF 705.00'; WITH A CHORD BEARING OF N06°02'42"W, WITH A CHORD LENGTH OF 168.32' TO A POINT; THENCE N04°22'31"W A DISTANCE OF 76.87'; THENCE ALONG A CURVE TURNING LEFT WITH AN ARC LENGTH OF 154.93'; WITH A RADIUS OF 708.77', WITH A CHORD BEARING OF 41°51'52"W; WITH A CHORD DISTANCE OF 152.75' TO A POINT; THENCE N31°54'42"W A DISTANCE OF 48.49'; THENCE N31°54'42"W A DISTANCE OF 48.49', THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 10.85'; WITH A RADIUS OF 716.50'; WITH A CHORD BEARING OF N47°57'18"W; WITH A CHORD LENGTH OF 10.84'; THENCE S89°04'02"E A DISTANCE OF 175.43'; THENCE N88°36'51"E A DISTANCE OF 70.04'; THENCE S89°04'02"E A DISTANCE OF 153.50; THENCE S00°55'58"W A DISTANCE OF 24.51'; THENCE S88°51'08"E A DISTANCE OF 726.65'; THENCE ALONG THE WESTERLY RIGHT OF WAY OF NEWNAN CROSSING BYPASS S04°36'43"W A DISTANCE OF 96.40'; THENCE CONTINUING ALONG SAID RIGHT OF WAY S00°48'09"E A DISTANCE OF 309.89 TO **THE POINT OF BEGINNING**, SAID PARCEL BEING 8.44 ACRES.



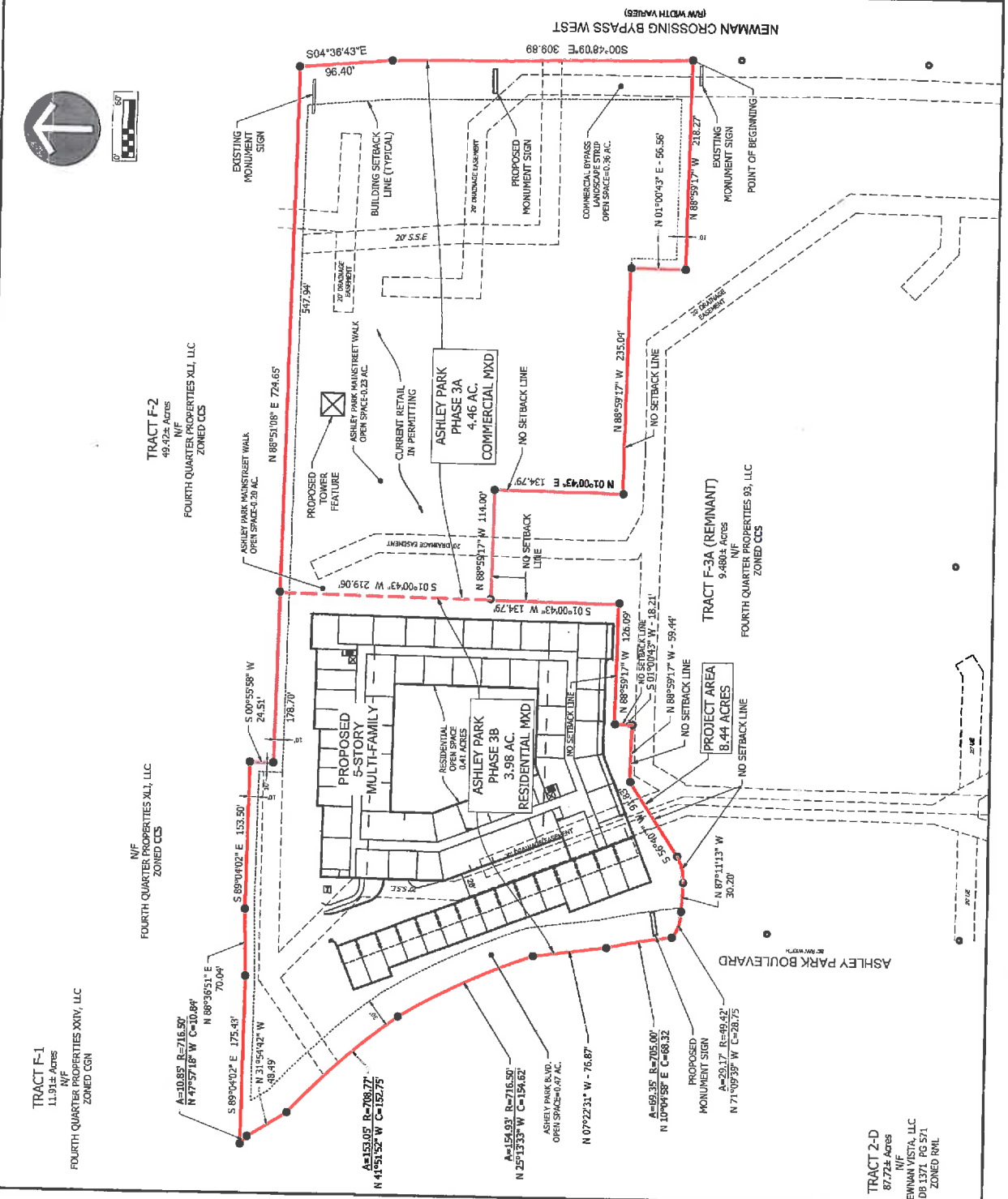
**LANDIS EVANS + PARTNERS**  
www.landisevans.com  
3510 HORTONDALE BLVD.  
SUITE 100  
TAMPA, FLORIDA 33624  
COMMERCIAL DISTRICT  
P.O. BOX 1000  
P.O. CENT. OF AUTH. 415-488

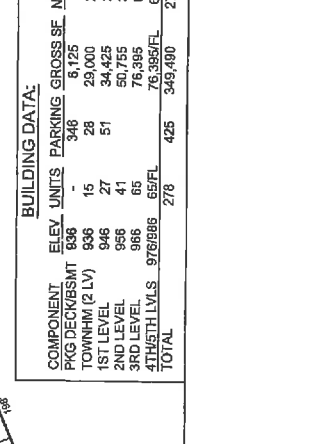
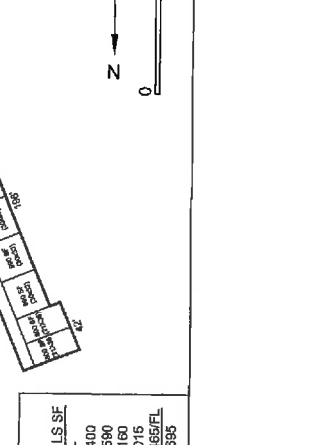
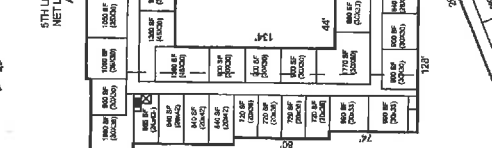
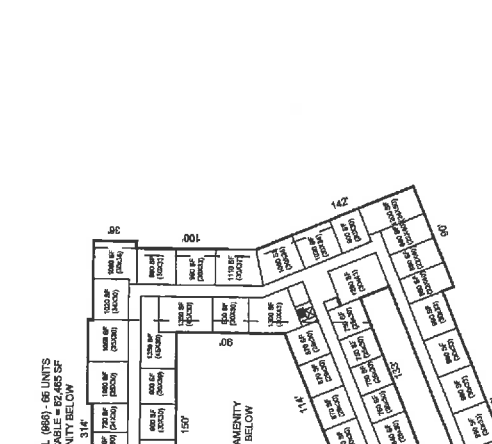
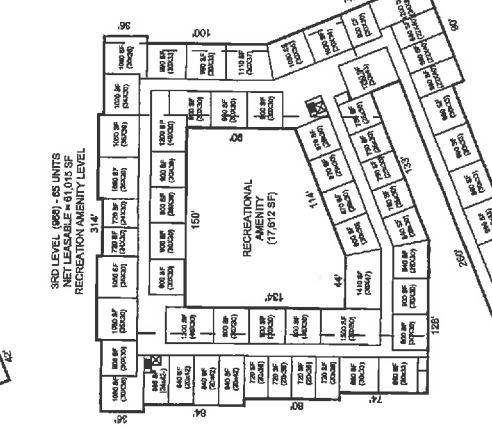
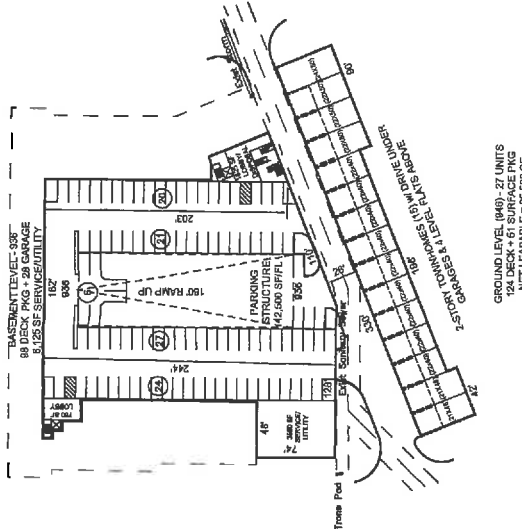
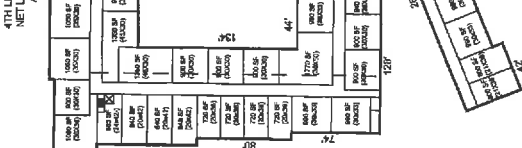
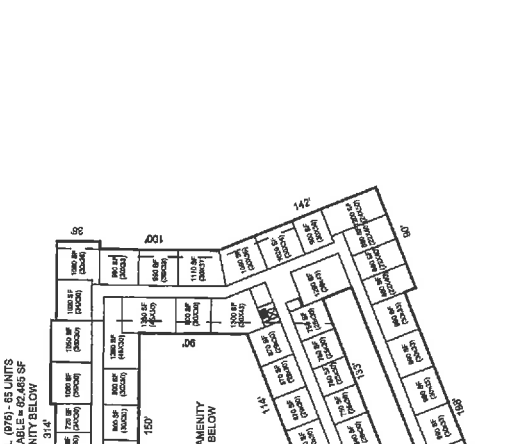
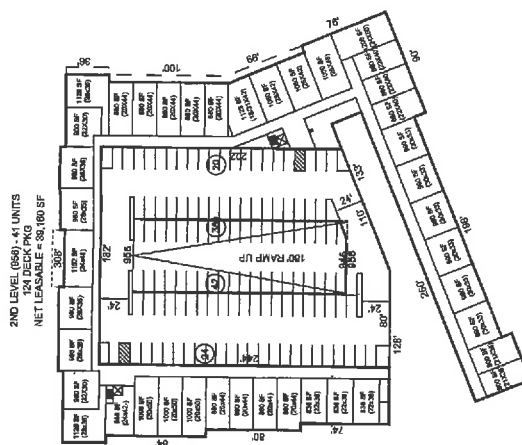
THESE PLANS ARE FOR THE EXCLUSIVE USE OF LANDIS EVANS + PARTNERS AND ARE NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF LANDIS EVANS + PARTNERS. THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PURPOSE.

**REZONING PLAT/MASTER CONCEPT PLAN**  
ASHLEY PARK - PHASE 3A & 3B  
January 30, 2020  
CITY OF NEWMAN, COWETA COUNTY, GEORGIA

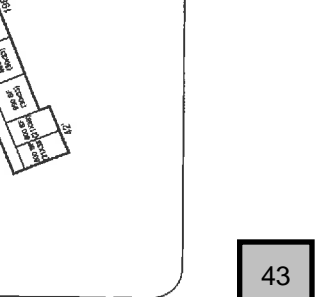


DESIGNED BY: [Blank]  
DRAWN BY: M.S.  
CHECKED BY: J.D.E.  
PROJECT NO: 1948-20  
SHEET NUMBER: 1 of 1



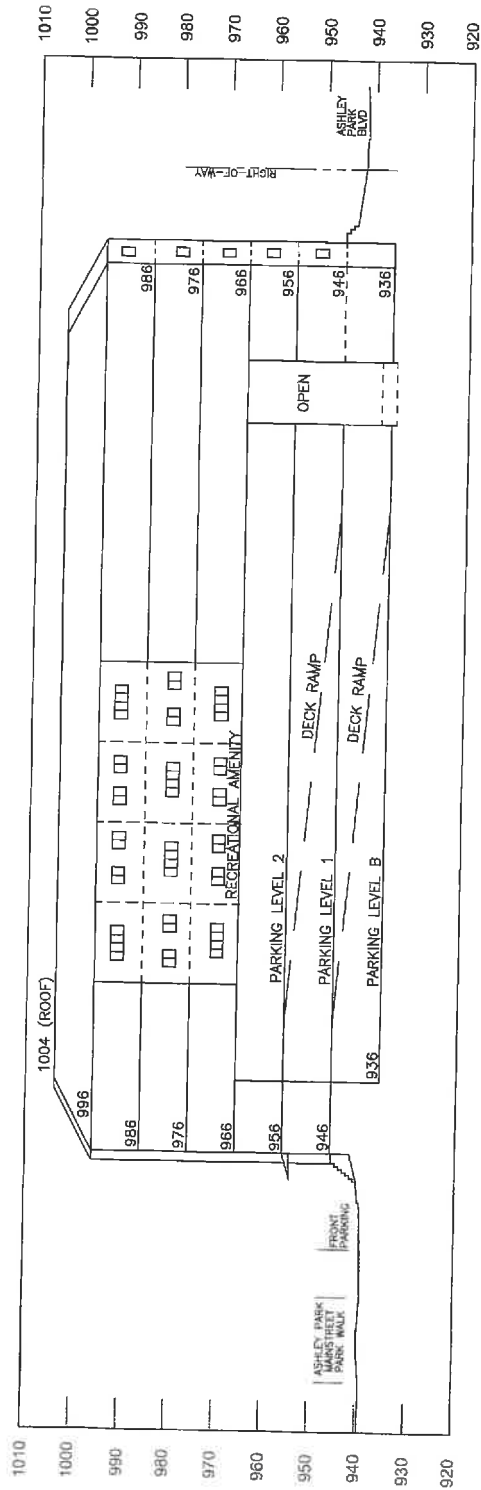


BUILDING DATA:			
COMPONENT	ELEV	UNITS	NET LS SF
PKG DECK(S)MT	938	346	8,125
TOWNHOM (2 LV)	938	15	23,400
1ST LEVEL	928	27	26,580
2ND LEVEL	928	41	38,180
3RD LEVEL	928	65	60,075
4TH/5TH LVL	978/985	65/65	76,995
TOTAL		276	349,490

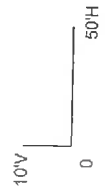


**ASHLEY PARK PHASE 3B**  
 RESIDENTIAL WRAP  
 MULT-LEVEL FLOOR PLAN

THOMAS LAND & DEVELOPMENT  
 JANUARY 31, 2020



RESIDENTIAL WRAP  
NORTH ELEVATION -  
BUILDING SECTION



ASHLEY PARK PHASE 3B  
RESIDENTIAL WRAP  
BUILDING ELEVATION/SECTION

THOMAS L. SMITH & DEVELOPMENT

JANUARY 31, 2020



# Community Impact Study

*Ashley Park Phase IIIB*

Newnan, Georgia

**January 2020**

Prepared by:



**LANDIS EVANS**  
+ P A R T N E R S

3810 Northdale Blvd., Suite 100  
Tampa, Florida 33624

**Ashley Park Phase 3B  
Community Impact Study  
January 31, 2020**

Introduction

The subject site is located at the southeast corner of Ashely Park Boulevard and Newnan Place Parkway in Newnan, Georgia. The site is listed as parcel number 0865043004 by the Coweta County Property Appraiser. Per the property card (attached in Appendix A), the total site is approximately 7.98 acres in size. Ashley Park Phase 3B as the development will be known is proposed by Thomas Land Development. The project will be constructed on the western 3.98 acres of the overall parcel.

The development is proposed to consist of 272 multi-family dwellings. A conceptual site plan is attached within Appendix B.

Primary access to the site is provided by a full access driveway connection to Newnan Place Parkway. A secondary access point is provided by an internal connection to the Belk store which allows for access internally through the site to Ashley Park Boulevard, McIntosh Parkway, and Newnan Crossing Bypass West.

Since the development exceeds 150 units, a Community Impact Assessment is required to be prepared. Input for determining the impacts to the community was requested from the following agencies:

- The City of Newnan Police Department;
- The City of Newnan Fire Department;
- The City of Newnan Utilities;
- The Coweta County School Board.

The responses from the above agencies are included as attachments to this report.

A traffic impact study has been prepared and is provided under a separate cover. This report includes a detailed traffic methodology statement.

An analysis of the property taxes and impact fees is also discussed.

Traffic Impact

Preparation of a traffic study is to be provided under separate cover. A detailed traffic study methodology has been attached to this report as Appendix C.

The project is anticipated to generate 1481 Average Daily Trips. Nine (9) intersections have been identified for study. Background AM and PM traffic counts will be obtained for these intersections. Using these counts, the generated trips from the development will be distributed across the selected intersections. The intersections will then be analyzed for level of service and any required improvements will be identified.

City of Newnan Police Department

A request was made to the City of Newnan Police Department for information regarding the quantity of police calls for similar developments, attached to this report in Appendix D. Police Chief Meadows provided a letter summarizing the quantity of police calls for five (5) developments for the years 2018 and 2019, also within Appendix D. The rental staff for each development was contacted by telephone to obtain the quantity of units within each development. On average, one unit generates 0.0018184 police calls. For this development of 272 units, it is estimated that there will be an increase of 180.53 police calls per year.

<b>POLICE CALLS PER UNIT (Years 2018 and 2019)</b>				
<i>Location</i>	<i>Calls for Service</i>	<i>Units</i>	<i>Calls/Unit</i>	<i>Notes</i>
The Preserve at Greisen Trail	305	235	1.30	Units obtained from rental staff
Lullwater at Calumet	129	240	0.54	Units obtained from rental staff
The Vinings at Newnan Lakes	211	239	0.88	Units obtained from rental staff
Stillwood Farm Apartments	339	298	1.14	Units obtained from rental staff
Newnan Crossing Apartments	534	192	2.78	Units obtained from rental staff
Average Calls/Unit			1.33	272 units proposed
Number of days			730.00	
Average Calls/Unit/Day			0.001818	
Estimated Increase in Quantity of Calls/Day			<b>0.495</b>	
Estimated Increase in Quantity of calls per year			<b>180.53</b>	

City of Newnan Fire Department

A request was made to the City of Newnan Fire Department for information regarding the quantity of fire calls for similar developments, copy attached to this report in Appendix E.

As of the date of this report, the requested information has not been received.

Newnan Utilities

A request was made to Newnan Utilities for information regarding the capability to serve this development, a copy of which is within Appendix F.

Based on the published water usage estimates by the Georgia Department of Public Health, this development is anticipated to use and generate 81,600 gallons of potable water and sanitary sewerage per day. This based on an average number of bedrooms per unit of two (2) for the 272 units at 150 gallons per day per bedroom.

As of the date of this report, the requested information has not been received.

Coweta County School Board

A request was made to Coweta County School Board for information regarding the impacts to the school system regarding this development. A copy of this request is attached within Appendix G.

As of the date of this report, the requested information has not been received.

Tax Revenue

The overall tax parcel proposed for development, Parcel 0865053004, has a 100% appraised value of \$2,472,463 per the 2019 Annual Assessment Notice attached in Appendix H.

At an average unit appraised value of \$135,016.01 and a proposed density of 272 units, the approximate fair market value of the site will increase by \$36,724,354.96. The table below summarizes the existing and estimated increase in value and property tax revenue.

ESTIMATED INCREASE IN ANNUAL PROPERTY TAX VALUE				
EXISTING 100% APPRAISED VALUE				\$ 2,472,463.00
ESTIMATED INCREASE IN 100% APPRAISED VALUE				\$ 36,724,354.96
ESTIMATED NEW 100% APPRAISED VALUE				\$ 39,196,817.96
ESTIMATED NEW 40% ASSESSED VALUE				\$ 15,678,727.18
TAXING AUTHORITY	MILLAGE RATE	EXISTING ASSESSMENT	IMPROVED TAXABLE VALUE	ESTIMATED INCREASE IN PROPERTY TAX
COWETA COUNTY	0.00763	\$ 7,545.96	\$ 119,628.69	\$ 112,082.73
COWETA COUNTY SCHOOLS	0.01859	\$ 18,385.23	\$ 291,467.54	\$ 273,082.31
CITY OF NEWNAN	0.004	\$ 3,955.94	\$ 62,714.91	\$ 58,758.97
<b>TOTALS</b>		<b>\$ 29,887.13</b>	<b>\$ 473,811.14</b>	<b>\$ 443,924.01</b>

Impact Fees

Based on the current Development and Sanitary Sewer Impact Fee assessments for new developments within the City of Newnan, the development will generate \$717,011.04 in impact fees. The table below summarizes the impact fees.

<b>Fee Type</b>	<b>Unit Cost</b>	<b>Total (272 Units)</b>
Development Impact Fee	\$ 1,136.07	\$ 309,011.04
Sanitary Sewer Impact Fee	\$ 1,500.00	\$ 408,000.00
<b>Total Impact Fees</b>		<b>\$ 717,011.04</b>

# APPENDICES

A	Coweta County Property Card
B	Conceptual Site Plan
C	Traffic Impacts
D	Police Department Impacts
E	Fire Department Impacts
F	Utility Impacts
G	Schools
H	Tax Revenue



# APPENDIX A – PROPERTY CARD





**Summary**  
 Parcel Number 086 5043 004  
 Location Address 7.98 AC LL 43 LD 5  
 Legal Description (Note: Not to be used on legal documents) C4-Commercial  
 Class (Note: This is for tax purposes only. Not to be used for zoning.) NEWMAN 08 ANNEX (District 08)  
 Tax District 7.98  
 Millage Rate 30.039  
 Acres 7.98  
 Neighborhood Comm/Ind Newnan (G10000)  
 Homestead Exemption No (S0)  
 Landlot/District 43/5  
[View Map](#)

**Owner**  
 FOURTH QUARTER PROPERTIES 93 LLC  
 % THOMAS ENTERPRISES  
 45 ANSLEY DR  
 NEWNAN, GA 30263

**Land**  
 Type Commercial  
 Description Comm-Ashley Park  
 Calculation Method Square Feet

**Accessory Information**  
 Description Comm-Paving-Asphalt  
 Year Built 2008  
 Dimensions/Units 1x20000/0  
 Identical Units 0  
 Value \$39,200

**Sales**

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
3/28/2008	3352.446		\$0	UNQUALIFIED VACANT	CITY OF NEWNAN	FOURTH QUARTER PROPERTIES 93, LLC
3/21/2008	3333.849		\$14,560	UNQUALIFIED VACANT	NEWMAN VISTA LLC	FOURTH QUARTER PROPERTIES 93 LLC
2/15/2008	3335.232		\$0	UNQUALIFIED VACANT	CITY OF NEWNAN	FOURTH QUARTER PROPERTIES 93, LLC
4/8/2005	2720.169		\$8,188,500	QUALIFIED MULTIPLE	NEWMAN CROSSING PARTNERSHIP	FOURTH QUARTER PROPERTIES 93 LLC
4/17/1989	514.001		\$0	UNKNOWN STATUS	SIGNA DEVELOPMENT CORP	NEWMAN CROSSING PARTNERSHIP

**Valuation**

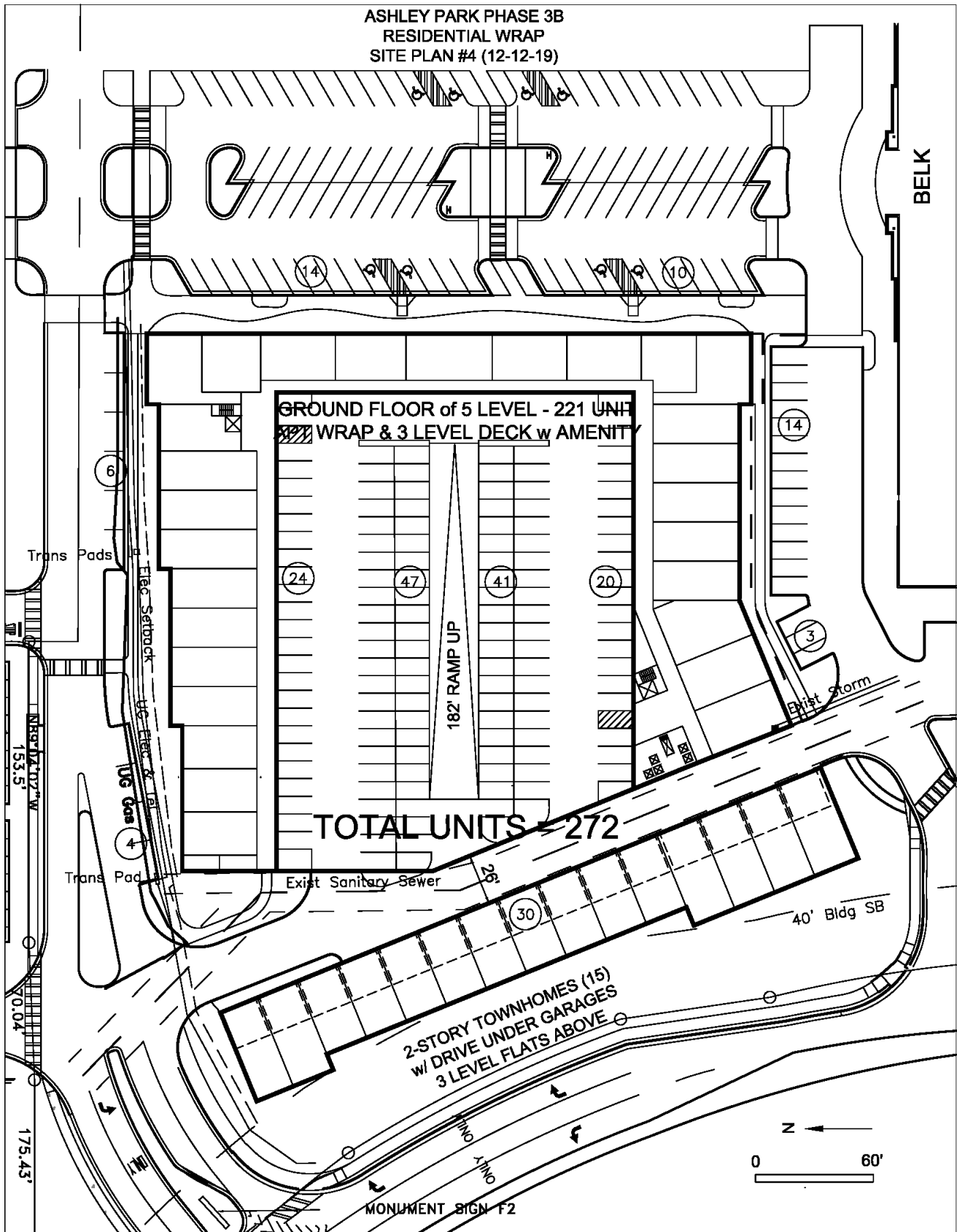
	2019	2018	2017	2016
Previous Value	\$2,472,463	\$2,472,463	\$2,472,463	\$2,472,463
Land Value	\$2,433,263	\$2,433,263	\$2,433,263	\$2,433,263
+ Improvement Value	\$0	\$0	\$0	\$0
+ Accessory Value	\$39,200	\$39,200	\$39,200	\$39,200
= Current Value	\$2,472,463	\$2,472,463	\$2,472,463	\$2,472,463

**Assessment Notices 2019**  
 268942839

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



# APPENDIX B – CONCEPTUAL SITE PLAN





# APPENDIX C – TRAFFIC IMPACTS

# Traffic Impact Analysis

## *Ashley Park Phase IIIB*

### Newnan, GA

## Proposed Methodology

January 2020

Prepared by:



**LANDIS EVANS**  
+ P A R T N E R S

3810 Northdale Blvd., Suite 100  
Tampa, FL 33624

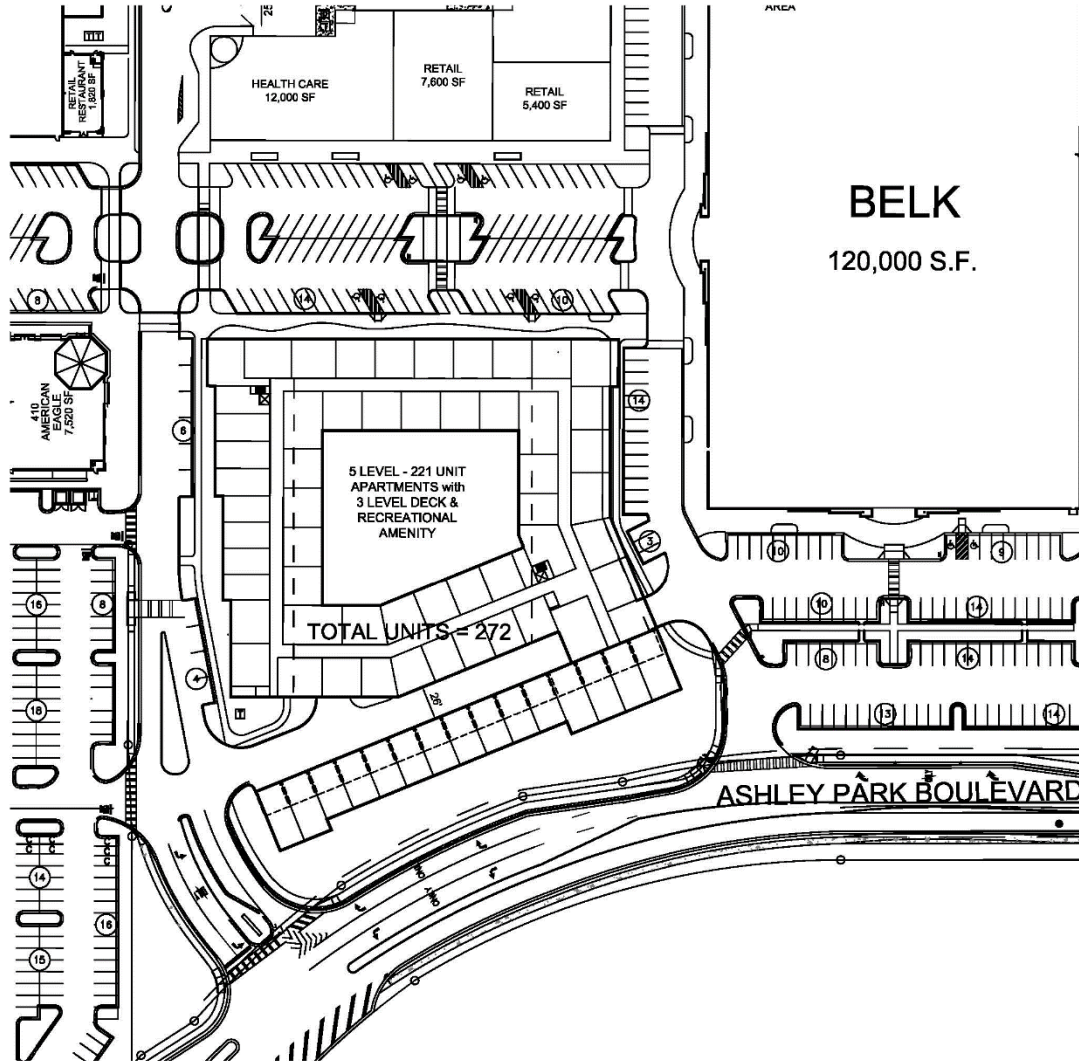
### Methodology

This report summarizes the methodology in performing the traffic impact analysis for the proposed Ashley Park Phase 3B. This development will consist of 272 dwelling units along with a three-level parking deck and a recreational amenity. A project vicinity map is shown below, and the site plan with the surrounding development is provided as Figure 2.

Figure 1 Vicinity Map



Figure 2 General Site Plan





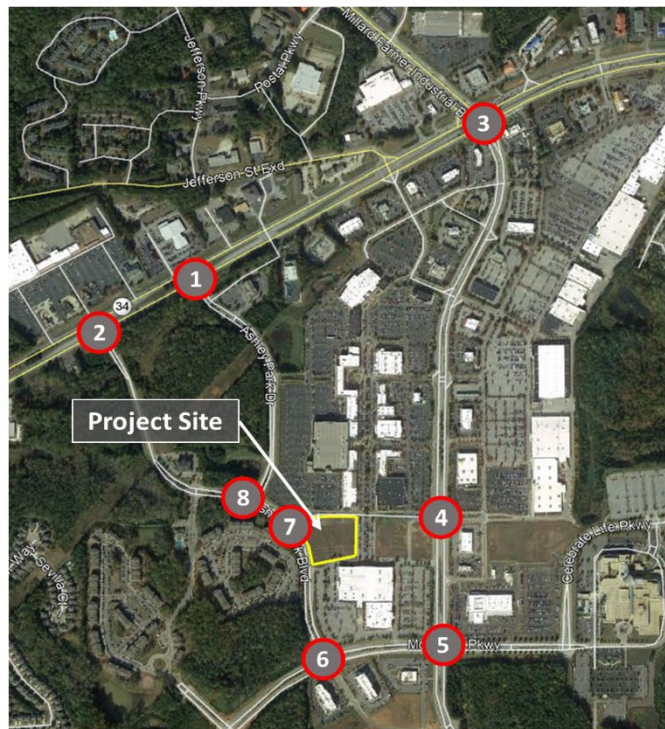
### BACKGROUND TRAFFIC GENERATION

The *existing* background traffic for the identified study intersections will be based on AM and PM peak hour turning movement counts that will be performed specifically for this study. These study intersections include primary access points and other impacted intersections as listed below:

1. Ashley Park Drive and Bullsboro Drive
2. Ashley Park Boulevard and Bullsboro Drive
3. Newnan Crossing Bypass and Bullsboro Drive
4. Newnan Crossing Bypass and Newnan Place Parkway
5. Newnan Crossing Bypass and McIntosh Parkway
6. McIntosh Parkway and Ashley Park Boulevard
7. Ashley Park Boulevard and Newnan Place Parkway
8. Ashley Park Boulevard and Ashley Park Drive

These intersections are shown in Figure 3.

**Figure 1-3 Study Intersections**



**TRIP GENERATION**

The peak hour traffic (trip-ends) generation of the proposed development is estimated using the Institute of Transportation Engineers' (ITE) *Trip Generation Manual 10th Edition*. Table 1 below shows the total daily trips, as well as trips during the AM and PM peak hours that would be generated by the development, which is classified as mid-rise multifamily housing. The fitted curve equation is used based on ITE guidance for this specific land use. Due to the shops, restaurants, and other existing developments within the vicinity of the project site, some trips generated by the proposed development will be accommodated by internal capture. This trip reduction and net trip generation is detailed in included in Table 1.

**Table 1 Trip Generation and Internal Capture**

Development (Trip Type)	Size	Land Use Code	ADT	AM Peak Hour Trip Ends Enter/Exit (%) (%)	PM Peak Hour Trip Ends Enter/Exit (%) (%)
Multi-family (Mid-Rise) Housing	272 units	221	1481	23/68 25%/75%	71/45 61%/39%
			<b>Internal Capture</b>	0/2 0%/100%	34/21 62%/38%
			<b>Net Total</b>	23/66 26%/74%	37/24 61%/39%

**TRIP DISTRIBUTION AND ASSIGNMENT**

The project's generated traffic is to be distributed based on existing traffic patterns. Traffic counts will be conducted for trip distribution data and submitted for approval.

C:\Users\evans\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\2S2QFY8R\Traffic Analysis Methodology Memo Draft 04 (002).docx

Trips generated by the project have been preliminarily distributed based upon review of the surrounding land uses. This predicted traffic flow will be revised upon review of the traffic count data. The trip *assignment* will be performed based on the project's generated trips and percent distribution along each roadway.

Due to the size and geometry of the development, it is anticipated that there will be two primary site access points. These access points coincide with study intersections numbers 4 and 7 in Figure 3 and are shown in the preliminary proposed distribution shown in Figure 4.

Figure 4 Proposed Traffic Distribution.



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Ashley Park 3B  
Traffic Impact Analysis – Proposed Methodology

Page 7 of 7

**Intersection Analyses, Level of Service Determinations and Recommendations**

The intersection analyses will be conducted for both “background” and “background plus project” conditions. A one-year buildout date will be used, and a 2% growth factor will be applied to the background traffic. The traffic analysis software Synchro will be used for the signal analyses.

# APPENDIX D – POLICE IMPACTS





January 22, 2020

Chief Douglas R. Meadows  
City of Newnan Police Department  
PO Box 1193  
Newnan, GA 30264

RE: Community Impact Assessment – Ashley Park Phase 3B

Dear Mr. Meadows:

Please find the attached conceptual site plan for a 272-unity multifamily development. The site is located at the southeast corner of Ashley Park Boulevard and Newnan Place Parkway on Parcel Number 086 5043 0004 (property card attached). A rezoning application is planned to be submitted to the City of Newnan to rezone the property to allow the proposed use. Since this application is for a development that exceeds 150 dwelling units, the City requires a Community Impact Assessment for Police, Fire, Water/Sewer, and Education Services to determine the impact of the proposed development on the service capacity for each.

Please provide a letter indicating the estimated impact for your service area. If you have any questions, please do not hesitate to contact me at 813-949-7449 or via email at [jmueller@landisevans.com](mailto:jmueller@landisevans.com). You may provide your letter via email or hardcopy.

Thank you,

A handwritten signature in blue ink, appearing to read "John J. Mueller".

John J. Mueller, P.E.  
Senior Engineer

Attachments

Landis Evans + Partners • 3810 Northdale Blvd. • Suite 100 • Tampa, FL 33624  
P (813) 949-7449 F (800) 878-1490 [www.landisevans.com](http://www.landisevans.com)



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

01/29/2020

**Impact Assessment for Ashley Park Phase 3B**

**Mr. Mueller,**

In comparing the calls for service to other area complexes, the following information was found:

LOCATION	CALLS FOR SERVICE
The Preserve at Greisen Trail	305
Lullwater at Calumet	129
The Vinings at Newnan Lakes	211
Stillwood Farm Apartments	339
Newnan Crossing Apartments	534

This information will be shared with our Planning and Zoning Department as well.

If you need any further, please let us know.

Sincerely,

D. L. Meadows  
Chief of Police  
Newnan Police Department





# APPENDIX E – FIRE IMPACTS



January 22, 2020

Chief Stephen Brown  
City of Newnan Fire Department  
23 Jefferson St.  
Newnan, GA 30263

RE: Community Impact Assessment – Ashley Park Phase 3B

Dear Mr. Brown:

Please find the attached conceptual site plan for a 272-unity multifamily development. The site is located at the southeast corner of Ashley Park Boulevard and Newnan Place Parkway on Parcel Number 086 5043 0004 (property card attached). A rezoning application is planned to be submitted to the City of Newnan to rezone the property to allow the proposed use. Since this application is for a development that exceeds 150 dwelling units, the City requires a Community Impact Assessment for Police, Fire, Water/Sewer, and Education Services to determine the impact of the proposed development on the service capacity for each.

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# APPENDIX F – UTILITY IMPACTS



January 22, 2020

Scott Tolar, P.E.  
Newnan Utilities  
70 Sewell Rd.  
Newnan, GA 30263

RE: Community Impact Assessment – Ashley Park Phase 3B

Dear Mr. Tolar, P.E.:

Please find the attached conceptual site plan for a 272-unity multifamily development. The site is located at the southeast corner of Ashley Park Boulevard and Newnan Place Parkway on Parcel Number 086 5043 0004 (property card attached). A rezoning application is planned to be submitted to the City of Newnan to rezone the property to allow the proposed use. Since this application is for a development that exceeds 150 dwelling units, the City requires a Community Impact Assessment for Police, Fire, Water/Sewer, and Education Services to determine the impact of the proposed development on the service capacity for each.

Please provide a letter indicating the estimated impact for your service area. If you have any questions, please do not hesitate to contact me at 813-949-7449 or via email at [jmueller@landisevans.com](mailto:jmueller@landisevans.com). You may provide your letter via email or hardcopy.

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John J. Mueller, P.E.  
Senior Engineer

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P (813) 949-7449 F (800) 878-1490 [www.landisevans.com](http://www.landisevans.com)



# APPENDIX G – SCHOOL IMPACTS



January 22, 2020

Ronald C. Cheek  
Coweta County School System  
170 Werz Industrial Blvd.  
Newnan, GA 30263

RE: Community Impact Assessment – Ashley Park Phase 3B

Dear Mr. Cheek:

Please find the attached conceptual site plan for a 272-unity multifamily development. The site is located at the southeast corner of Ashley Park Boulevard and Newnan Place Parkway on Parcel Number 086 5043 0004 (property card attached). A rezoning application is planned to be submitted to the City of Newnan to rezone the property to allow the proposed use. Since this application is for a development that exceeds 150 dwelling units, the City requires a Community Impact Assessment for Police, Fire, Water/Sewer, and Education Services to determine the impact of the proposed development on the service capacity for each.

Please provide a letter indicating the estimated impact for your service area. If you have any questions, please do not hesitate to contact me at 813-949-7449 or via email at [jmueller@landisevans.com](mailto:jmueller@landisevans.com). You may provide your letter via email or hardcopy.

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John J. Mueller, P.E.  
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Attachments

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# APPENDIX H – TAX REVENUE



7542352-13487-1-2

COWETA COUNTY BOARD OF ASSESSORS  
37 PERRY STREET  
NEWNAN GA 30263

PT-306 (revised Jan 2016)

RETURN SERVICE REQUESTED

**Official Tax Matter - 2019 Tax Year**

This correspondence constitutes an official notice of ad valorem assessment for the tax year shown above.

**Annual Assessment Notice Date: 5/24/2019**

**Last date to file a written appeal: 7/8/2019**

**\*\*\* This is not a tax bill - Do not send payment \*\*\***

County property records are available online at: [www.cowetatax.com](http://www.cowetatax.com)

7542352-13487-1 1 2 13487 1 AV 0.383 32



FOURTH QUARTER PROPERTIES 93 LLC  
% THOMAS ENTERPRISES  
45 ANSLEY DR  
NEWNAN GA 30263-7107

9799PRNA 4/18/19 K

The amount of your ad valorem tax bill for the year shown above will be based on the **Appraised** (100%) and **Assessed** (40%) values specified in **BOX 'B'** of this notice. **You have the right to submit an appeal regarding this assessment to the County Board of Tax Assessors.** If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at <https://dor.georgia.gov/documents/property-tax-appeal-assessment-form>.

At the time of filing your appeal you must select one of the following appeal methods:

**A**

- (1) County Board of Equalization (value, uniformity, denial of exemption, or taxability)
- (2) Arbitration (value)
- (3) County Hearing Officer (value or uniformity, on non-homestead real property or wireless personal property valued, in excess of \$500,000)

All documents and records used to determine the current value are available upon request. For further information regarding this assessment and filing an appeal, you may contact the county Board of Tax Assessors which is located at 37 Perry Street Newnan, GA 30263 and which may be contacted by telephone at: (770) 254-2680. Your staff contact is Jeff Kee or the Appeals Coordinator.

Additional information on the appeal process may be obtained at <https://dor.georgia.gov/property-tax-real-and-personal-property>

Account Number	Property ID Number	Acreage	Tax Dist	Covenant Year	Homestead
268942839	086 5043 004	7.98	08		NO-S0
<b>Property Description</b>	7.98 AC LL 43 LD 5				
<b>Property Address</b>	0				
	<b>Taxpayer Returned Value</b>	<b>Previous Year Fair Market Value</b>	<b>Current Year Fair Market Value</b>	<b>Current Year Other Value</b>	
<b>100% Appraised Value</b>	0	2,472,463	2,472,463	0	
<b>40% Assessed Value</b>	0	988,985	988,985	0	

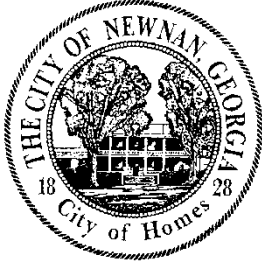
**REASONS FOR ASSESSMENT NOTICE**

C2 -Annual Notice: No change in return/previous value

The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

Taxing Authority	Other Exempt	Homestead Exempt	Net Taxable Value	Millage	Estimated Tax
C STATE	0	0	988,985	0.000000	0.00
COUNTY M & O	0	0	988,985	0.007630	7,545.96
SCHOOL M & O	0	0	988,985	0.018590	18,385.23
FIRE	0	0	988,985	0.000000	0.00
NEWNAN CITY TAX	0	0	988,985	0.004000	3,955.94

**Total Estimated Tax 29,887.13**



## City of Newnan, Georgia - Mayor and Council

Date: February 25, 2020

Agenda Item: Contract Award Consideration for LINC – Phase D

Prepared and Presented by: Hasco Craver, Assistance City Manager

### **Purpose:**

Newnan City Council may consider and award a contract for a qualified firm to construct LINC Phase D.

### **Background:**

Identified as a priority during the 2017 Newnan City Council Retreat, the construction of the LINC will afford citizens and visitors alike an alternative transportation facility designed to increase healthy lifestyles, boost economic development and increase connectivity between neighborhoods, shopping, schools and the downtown commercial district.

A comprehensive Master Plan was developed by members of the community, in concert with the PATH Foundation and Kaizen Collaborative. The LINC Master Plan identified 25.5 miles of multi-use trail opportunities throughout our community. The Master Plan divided the entire system into fifteen (15) segments.

In spring 2018, Newnan City Council awarded a construction contract for the completion of first section of LINC: the Newnan Centre Connection. The construction was completed in early 2019 and has enjoyed tremendous success.

Newnan City Council, in fall 2018, awarded a Professional Services Contract to the PATH Foundation and Kaizen Collaborative to perform design services related to LINC Sections A-D.

Between Fall 2018 and December 2019, the City of Newnan, in concert with the PATH Foundation, Kaizen Collaborative and the City Attorney, completed the design of LINC Section D, acquired five (5) permanent easements, five (5) temporary construction easements and secured a permit from the Georgia Department of Transportation for the construction and maintenance of LINC Section D.

The City of Newnan, on January 13, 2020, released a request for Competitive Sealed Proposals for the Construction of LINC Section D.

The City of Newnan received proposals from six firms. Please see the list of responding firms below:

Astra Group, LLC  
300 Churchill Court  
Woodstock, GA 30188

Georgia Development Partners, LLC  
300 Galleria Parkway SE, Suite 310  
Atlanta, GA 30339

JHC Corporation  
1029 Peachtree Parkway North  
Peachtree City, GA 30269

Lewallen Construction  
151 Bells Ferry Lane  
Marietta, GA 30066

Massana Construction, Inc.  
115 Howell Road  
Tyrone, GA 30290

Southeastern Site Development, Inc.  
14 East Gordon Road  
Newnan, GA 30263

Upon receipt of proposals, the project team (PATH Foundation, Kaizen Collaborative and City Staff) performed a detailed investigation of each firm's wherewithal, project understanding, fee and previous and similar project experience and proposal responsiveness.

The following table represents a project budget, developed by City Staff, utilizing the low-bidder total amount for construction as well as other anticipated potential costs:

<b>Project Budget</b>	
Construction	\$ 2,888,256.09
Legal	\$ 20,000.00
Acquisitions	\$ 106,035.00
Design & Construction Mgmt.	\$ 184,150.00
Appraisal Services	\$ 11,250.00
Owner Contingency	\$ 50,000.00
<b>Total Estimated Cost</b>	<b>\$ 3,259,691.09</b>

**Funding:**

1. SPLOST 2019

**Recommendation:**

As a result of reviewing the qualified and fully responsive submitted proposal, City Staff is recommending that the City Council award a contract to Lewallen Construction in the amount of \$2,888,256.09 for the construction of LINC Section D.

The recommendation herein is primarily based upon the following elements:

- Firm's responsiveness; and
- Firm's experience constructing similar facilities in the region; and
- Firms' submitted price

In addition, City staff is recommending that the City Council consider the project budget as detailed herein.

**Attachments:**

1. Bid Tabulation

**Previous Discussions with Council:** The Newnan City Council, beginning in 2016, discussed their desire to fund, locate and construct a multi-use path system within the City of Newnan.

Numerous additional meetings have taken place over time to actualize the construction of the LINC.



# City of Newnan, Georgia

**BID OPENING: LINC Phase D Construction**  
**February 11, 2020 – 10:00am**

BIDDER	BID AMOUNT	COMMENTS
✓ Lewallen Construction Marietta, GA	\$2,888,256.09	
✓ Astra Woodstock, GA	\$3,488,888.00	
✓ Southeastern Site Deve. Newnan, GA	\$3,407,497.93	
Piedmont Paving Newnan, GA		
✓ Georgia Development Partners Atlanta, GA	\$4,748,357.51	
Kiewit Infrastructure Peachtree City, GA		
✓ JHC Corp Peachtree City, GA	\$3,207,205.27	
✓ Massana, Inc Tyrone, GA	\$3,205,560.00	

BIDS OPENED BY

## City of Newnan, Georgia - Mayor and Council



Date: February 25, 2020

Agenda Item: Backhoe- Cemetery Department

Approve Purchase of New Equipment

Declare Existing Equipment Surplus, for Trade

Prepared By: Michael Klahr, Public Works Director

---

**Purpose:** To consider the purchase of a specially equipped backhoe for use by the Cemetery Department

**Background:** The Cemetery Department has a need for a specially equipped backhoe, used in the digging of graves. The specifications include a clamshell front bucket, extendahoe, 42 inch wide bucket, cab with AC, and 4x4 drive. This type of configuration helps in operations allowing the extension of the special sized bucket over markers, etc.

2020 John Deere 310SL Backhoe Loader, w/ 42 inch wide grave digging bucket, \$75,500, with trades. This is quoted from Sorcewell Contract (formally NJPA, National Joint Powers Association), a cooperative national competitive solicitation procurement process for State and Local Governments

Two existing backhoes in inventory are proposed for trade.

The first, a 1993 John Deere backhoe (asset tag 200096, serial number T0300DA789930), was declared surplus for sale or trade by the City Council at the February 11, 2020 meeting.  
Trade value= \$7,000

Similarly, a second piece of equipment will need to be declared surplus, for trade;  
2008 New Holland B-95 backhoe loader (asset number 200015, serial number 728519000).  
Trade value= \$15,000

**Funding:** 2020 Capital Equipment, not budgeted

**Recommendation:** Approve the purchase of the John Deere backhoe loader for \$75,500, with trades

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

**PURCHASER NAME AND ADDRESS (First Signer)**

NAME(First, Middle, Last)  
**CITY OF NEWMAN**

STREET or RR  
**PO BOX 1193**

CITY <b>NEWMAN</b>	STATE <b>GA</b>	ZIP CODE <b>30264</b>	COUNTY <b>Coweta</b>
-----------------------	--------------------	--------------------------	-------------------------

PHONE NUMBER \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

REWARDS #  
**993346884**

**PURCHASER NAME AND ADDRESS (Second Signer)**

NAME(First, Middle, Last)

STREET or RR

CITY	STATE	ZIP CODE	COUNTY
------	-------	----------	--------

PHONE NUMBER \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

REWARDS # \_\_\_\_\_

**DEALER NAME AND ADDRESS**

DEALER NAME <b>Flint Equipment Company</b>	Dealer Account No. : <b>179052</b>
---	---------------------------------------

STREET or RR  
**4500 Wendell Drive SW**

CITY <b>Atlanta</b>	STATE <b>GA</b>	ZIP CODE <b>30336</b>	Phone Number <b>404-691-9445</b>
------------------------	--------------------	--------------------------	-------------------------------------

Date Of Order:  
**Feb 04, 2020**

Dealer Order No. : \_\_\_\_\_

TYPE OF SALE:  
 CASH     LEASE     TIME SALE

PURCHASER TYPE: **5 City/Town/Village**    MARKET USE CODE: **49 Highways & Streets**

**Add Purchaser to Mailing List (Check One or More)**

Construction     Utility     Forestry     Government

PURCHASER IS:  Business     Individual    Purchaser Acct.: \_\_\_\_\_

SOCIAL SECURITY     IRS TAX ID NO     EIN

NO. : \_\_\_\_\_

EXTENDED WARRANTY IS:  Accept     Decline    LOCATION OF FIRST WORKING USE : \_\_\_\_\_    Use State/Province: **GA**    COUNTY CODE: **77**

\_\_\_\_\_  
(Initials)    Use County **COWETA**

Ultimate Uptime Package Purchase:     Yes     No    \_\_\_\_\_  
(Initials)

QTY	NEW	DEMO	RENT	USED	EQUIPMENT (Model, Size, Description)	Hours of Use	PIN or Serial Number	Delivered Cash Price
1	X				2020 JOHN DEERE 310SL BACKHOE LOADER <b>Stock #</b> 0101F652774	0	T0310SLTLF381346	\$ 97,500 00
1					42" Grave Digging bucket	0		\$ 0 00
1					Multi Purpose Front Bucket	0		\$ 0 00
					+ John Deere Extended Warranty : 36Month 5000Hour Power Train and Hydraulic			\$ 0 00
					- DECLINED :John Deere Preventative Maintenance :			
<b>(1) TOTAL CASH PRICE</b>								<b>\$ 97,500 00</b>

QTY	TRADE-IN (Model, Size, Description)	Hours of Use	PIN or Serial Number	AMOUNT
1	1993 JOHN DEERE 300D BACKHOE LOADER	4372	T0300DA789930	\$ 7,000 00
1	2008 NEW HOLLAND B-95	2389	031066104	\$ 15,000 00



**Quote ID:** 21178220

**Customer Name:** CITY OF NEWNAN

**COMMENTS:**

 Cash  
 Sourcewell Number Bulletin-C010-20U  
 Program ID - UINV0021

(2) TOTAL TRADE-IN ALLOWANCE	\$ 22,000	00
(3) TOTAL TRADE-IN PAY-OFF	\$ 0	00
(4) BALANCE	\$ 75,500	00
(5) SUBTOTAL	\$ 75,500	00
(6) RENTAL APPLIED	\$ 0	00
(7) CASH WITH ORDER	\$ 0	00
(8) BALANCE DUE (5-(6 & 7))	\$ 75,500	00

**ACKNOWLEDGMENTS:** Purchaser offers to sell, transfer, and convey the item(s) listed as "Trade In" to the Dealer at or prior to the time of delivery of the above product(s), as a "trade-in" to be applied against the cash price. Purchaser represents that each "trade-in" item shall be free and clear of all security interests, liens, and encumbrances at the time of transfer to the Dealer except to the extent shown below. The price to be allowed for each "trade-in" item is listed on this

document. The Purchaser promises to pay the balance due (line 8 ) shown hereon in cash, or to execute a Time Sale Agreement (Retail Installment Contract), or a Loan Agreement for the purchase price of the Product(s), plus additional charges shown thereon, or to execute a Lease Agreement, on or before delivery of the equipment ordered herein. Despite delivery of the Product(s) to the Purchaser, title shall remain with the Seller until one of the foregoing is accomplished. The Purchaser and the Dealer agree that this Purchase Order is not a security agreement and that delivery of the Product(s) to the Purchaser pursuant to this Purchase Order will not constitute possession of the Product(s) by the Purchaser, as a debtor, for the purposes of the purchase money security provisions in any statutes relating to personal property security or its equivalent. Purchaser understands that its rights in connection with this purchase are limited as set forth in this Purchase Order.

**DISCLOSURE OF REGULATION APPLICABILITY:** When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. More information is available on the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

**IMPORTANT WARRANTY NOTICE:** The Standard Warranty for new John Deere construction and forestry products is set forth in a separate document provided by the dealer. Please read the Standard Warranty carefully before signing. No express warranty is made unless specified in the Warranty Statement. PURCHASER'S RIGHTS AND REMEDIES PERTAINING TO THIS PURCHASE ARE LIMITED AS INDICATED IN THE STANDARD WARRANTY AND PURCHASE ORDER. WHERE PERMITTED BY LAW, NO IMPLIED WARRANTY OF MERCHANTABILITY, CONDITIONS OR FITNESS IS MADE.

The undersigned purchaser(s) (the "Purchaser") hereby orders the product(s) (the "Product") described above from the Dealer. The Dealer shall not be liable for failure to provide the Product or for any delay in delivery if such failure or delay is due to the Dealer's inability to obtain such Product from the manufacturer or supplier or other cause beyond the Dealer's control. The cash price shown above is subject to the Dealer receiving the Product from the manufacturer or supplier prior to any change in price by the manufacturer or supplier and is also subject to any new or increased taxes being imposed upon the sale of the Product after the date of this Purchase Order.

**TERMS & CONDITIONS VERIFICATION STATEMENT :** Use of John Deere Data Services, if applicable, and all rights and obligations of John Deere and the Purchaser (or "Customer" as identified in the applicable agreement), are governed by the terms and conditions outlined in the Warranty Statement and the applicable John Deere Construction & Forestry Company Subscriptions & Data Services Dealer Agreement and/or Customer Data Services agreements available at [www.JohnDeere.com/Agreements](http://www.JohnDeere.com/Agreements). Purchaser agrees to be bound by these terms and conditions if Purchaser activates or otherwise uses any of the Data Services. If Purchaser does not agree to these terms and conditions, Purchaser must not activate or otherwise use the Data Services.

**USE OF INFORMATION/PRIVACY NOTICE** I understand that John Deere Construction & Forestry Company and its affiliates ("John Deere") and Dealer collect information, including my personal information and machine data to provide warranty, customer service, product and customer support, marketing and promotional information about Dealer, John Deere and their equipment, products and services and to support other business processes and purposes. See the John Deere Privacy Statement (<https://www.deere.com/en/privacy-and-data/privacy-statements/>) for additional information on the types of personal information and machine data John Deere collects, how it is collected, used and disclosed. See Dealer directly for information about its privacy policy.

Purchaser's signature below acknowledges the Purchaser has received a copy of the Standard Warranty, Version  (Initials) \_\_\_\_\_ and understands its terms and conditions.

Purchaser (First Signer)	<input type="text" value="CITY OF NEWNAN"/>	Signature _____	Date _____
Purchaser (Second Signer)	<input type="text"/>	Signature _____	Date _____
Dealer Representative	<input type="text" value="Flint Equipment Company"/>	Signature _____	Date _____
Salesperson	<input type="text" value="SOLESBEE,JASON"/>	Signature _____	Date _____

<b>DELIVERY ACKNOWLEDGEMENT</b>	Delivered with Operator's Manual On: <input type="text"/>	Purchaser Signature _____
---------------------------------	---	---------------------------

- C&F Warranty  
  Hitachi Warranty  
 Timberjack Warranty

 Show Details

## **STANDARD WARRANTY FOR NEW JOHN DEERE CONSTRUCTION, UTILITY, CCE AND FORESTRY PRODUCTS – US & Canada**

- **Construction, Forestry & Compact Construction Equipment (CCE) Products\***: 12 months Full Machine Standard Warranty
- **\* Compact Construction Equipment Products** Delivered and settled on or after 01 June 2018: 24 months or 2000 hours (whichever comes first) Full Machine Standard Warranty
- **C&E Series Pull-Type Scrapers**: 6 months Full Machine Standard Warranty
- **DC & DE Series Pull-Type Scrapers**: 12 months Full Machine Standard Warranty
- **Scraper Tractors**: 24 Months or 2000 Hours (whichever occurs first) Full Machine Standard Warranty
- **Forestry Attachments**: 12 Months or 2000 Hours (whichever occurs first) Full Machine Standard Warranty
- **Frontier Equipment**: 6 months Full Machine Standard Warranty (90 days in rental applications)

The "Standard Warranty" is part of the warranty protection package available from John Deere Construction & Forestry Company (John Deere Limited in Canada) ("John Deere") to purchasers of new John Deere products ("product"):

**STANDARD Warranty** is John Deere's standard new product warranty, described in this document, provided at no additional charge to the purchaser.

**EXTENDED Warranty** is a separate repair contract made available by John Deere for purchasers who wish to complement their Standard Warranty coverage. Complete Extended Warranty details, including coverage options and limitations, are set forth in the Application for Extended Warranty, which is available from authorized John Deere dealers.

**STRUCTURALL Warranty** applies to certain structural components as listed below and as described in this document.

**FACTORY-INSTALLED UNDERCARRIAGE Warranty** applies to certain undercarriage components as listed below and as described in this document.

### **A. STANDARD WARRANTY - GENERAL PROVISIONS**

John Deere will repair or replace, at its option, any parts (except those specified below) of a new John Deere product that, as delivered to the original retail purchaser(s), are defective in material or workmanship. Performance of this warranty will be free of charge for parts and labor/labour, except as otherwise stated below. Standard Warranty applies only to purchases from John Deere and authorized John Deere dealers and, except as otherwise provided in the next sentence and section L below, is extended only to the original retail purchaser of the product. Remaining Standard Warranty applicable to a used John Deere product is transferred to a subsequent purchaser of the product only if the subsequent purchaser requests a transfer from an authorized John Deere dealer before the product's Standard Warranty expires. Coverage begins on the date of delivery of the product to the original retail purchaser. For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. Warranty statements required by law covering engine emissions-related parts and components are found on a separate written warranty certificate provided to the purchaser at the time of the original retail purchase.

### **B. WHAT IS COVERED BY STANDARD WARRANTY -**

All parts of a new John Deere product (except those noted in Sections D and E below) are covered during the Standard Warranty period set out above.

### **C. EXCLUSIVE REMEDY -**

The repair or replacement of covered parts or components that are defective, as provided in Sections A, B, D.2 and D.3 herein, shall be the purchaser's exclusive remedy for any defect in the product. However, if after repeated attempts such repair or replacement fails to correct the performance problem caused by the defect, the purchaser's sole remedy shall be a refund of the amount paid for the product (in exchange for a return of the product), excluding any transportation charges, license fees, taxes and insurance premiums, and less a reasonable allowance for use of the product prior to its return. In no event will the dealer, John Deere or any company affiliated with John Deere be liable for any incidental or consequential damages, including but not limited to loss of profits, rental of substitute equipment or other commercial loss. Correction of defects in the manner provided above shall constitute fulfillment of all liabilities of the Dealer, John Deere, or any company affiliated with John Deere to the purchaser or any other

person, whether based upon contract, tort, strict liability, or otherwise. This limitation does not apply to claims for personal injury.

#### D. ITEMS COVERED SEPARATELY -

1. Standard Warranty does not apply to batteries, radios, tires, cameras, or to Cummins, MTU or Detroit Diesel Engines installed in John Deere products, which are covered by separate written warranties.
2. Factory-Installed Undercarriage Warranty covers all non-rubberized factory-installed undercarriage wear components for 3 years or 4,000 hours from the date of delivery to the original retail purchaser, whichever occurs first (unless terminated earlier under Section F, below). For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. In addition to the items listed in section E below, Factory-Installed Undercarriage Warranty does not cover: failures due to wear, machine application, maintenance practices, or improper machine configuration; removal and installation labor/labour; transportation or hauling costs; unapproved parts; non-wear items; and rubberized undercarriage components such as rubber tracks. Warranty claims will be pro-rated based upon wear of the failed component and whether track shoe width is approved by John Deere. Factory-Installed Undercarriage Warranty does not apply to Scraper Tractors.
3. StructurALL Warranty for new John Deere Products (except Compact Excavators & Loaders, Skid-Steer Loaders, Compact Track Loaders, Scraper Tractors, Pull-Type Scrapers, and Forestry Attachments, which are not eligible for StructurALL Warranty) begins at the date of delivery to the original retail purchaser and ends (unless terminated earlier under Section F, below) after three (3) years, or 10,000 hours (whichever occurs first). For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. **StructurALL Warranty applies only to the following structural components listed below as installed on the product at the time of original manufacture.** If a particular component is not listed below it is not covered by StructurALL Warranty.

Arm; Articulation Joint (incl. pins & bushings); Bin Frame; Boom; Carbody; C-Frame\*; Circle Frame; Coupler (John Deere built ONLY); Dipperstick; Draft Frame; Engine Frame; Equipment Frame; Grapple Arch and Grapple Boom; Loader Arm; Loader Frame; Mainframe; Moldboard Lift Arm; NeverGrease™ Pin Joints [Includes steering pin and bushing joints (standard equipment), roller elements (roller bearings) in bucket to boom joints and sliding elements (bushing) for boom and linkage joints (optional equipment)]; Rollover Protection Structure (ROPS); Side Frame; Swing Frame; Track Frame; Undercarriage Frame; X-Frame; Z-bar loader linkage (including bell crank and bucket driver link); Specialty booms and arms marketed as "heavy duty" by John Deere.

*Items Covered by StructurALL for Cut-to-Length Forestry Machines:* Front frame (welded assembly); Rear frame (welded assembly); Crane king post with basement; Middle joint frame; Cabin swing frame; Main Boom

StructurALL Warranty does not apply to:

1. Any product used primarily in extreme duty or severe duty applications such as but not limited to: demolition and wrecking, chemical plant (including fertilizer plants), salt mines, steel mill, land fill and transfer stations, scrap handling, scarifying and other applications that are similarly destructive or similarly heavy duty except specialty booms and arms as stated in Section D.3 above.
2. C-Frames on H-Series & J-Series Crawlers equipped with root rakes or used in forestry applications unless equipped with an "extreme duty" reinforcement package.
3. Cut-to-Length Forestry Heads and Slash Bundler Units.
4. Crawlers equipped with optional side booms.
5. Cut-to-Length Forestry, Excavator, and Log Loader swing bearings.
6. Motor Graders equipped with front- or rear-mounted snow wings.

## **E. ITEMS NOT COVERED -**

John Deere is NOT responsible for the following:

1. Freight
2. Adjustments to compensate for wear, for periodic maintenance or adjustments that result from normal wear and tear.
3. Damage caused by unapproved adjustments (electronic or mechanical) to machine or machine components outside of published specifications including but not limited to engine, hydraulic components and relief valves.
4. Program updates, calibrations, and pressure adjustments.
5. Diagnostic Time
6. Additional Labor/Labour Time - Above SPG/Labor/Labour Rate
7. Additional Cleaning - Above SPG/Labor/Labour Rate
8. Rental Fees
9. Depreciation or damage caused by normal wear or application, lack of reasonable and proper maintenance, failure to follow operating instructions, misuse, negligence, collision or other accidents.
10. Premiums charged for Overtime Labor/Labour
11. Transportation to and from the dealership.
12. Travel time, mileage or service calls by the dealer.
13. Non-John Deere components or modifications, Rotobec grapples, and attachments installed aftermarket.
14. Shop supplies and maintenance items such as, but not limited to: filters, fuels, oil, hydraulic fluid, lubricants, coolants, conditioners, shop towels, cleaners and degreasers. Note: Reimbursement for refills of oils/coolants lost due to a warrantable failure is covered when a system failure occurs outside the boundaries of a normal oil change (within 25% of specified change interval as provided in the Operator's Manual).
15. Torn, cut, or worn hoses.
16. Wear items, such as, but not limited to: body liner, belts, blades, bulbs, lubricated joints (including pins and bushings), dry brakes, brake linings, dry clutch linings, saw blades, chains, skidder grapple shocks, color marking nozzles, and articulation bumpers.
17. Items such as cutting-edge parts, delimiting knives, bucket teeth and rubber track are not warranted for depreciation or damage caused by normal wear, lack of proper maintenance, misuse, failure to follow operating instructions, the elements or accident.
18. Any defect in a non-covered component, or damage to or failure of a covered component caused by a defect in a non-covered component.
19. Secondary damage which occurs from continued operation of a product after recognition of the occurrence of a failure.
20. Parts supplied or modifications done by third party suppliers.
21. Topping off fluids when fluid levels fall in the range between low and full
22. Parts/Kits not ordered on machine and installed aftermarket. These parts will be covered by any applicable parts warranty.
23. Attachments installed aftermarket – i.e. Winch not installed at factory.
24. Custom options installed outside the factory – i.e. G.R. Manufacturing option packages.
25. Used Products (except as otherwise provided in section L below).

## **F. TERMINATION OF WARRANTY-**

John Deere is relieved of its obligations under Standard Warranty, StructurALL Warranty, Factory-Installed Undercarriage Warranty and/or Extended Warranty if:

1. Service (other than normal maintenance and replacement of service items) is performed by someone other than an authorized John Deere dealer; or
2. The product is modified or altered in ways not approved by John Deere; or
3. Any unapproved or improperly sized attachment is installed on the product. Approval and attachment size shall be at John Deere's sole discretion. (Consult dealer prior to installing attachments or product modification).
4. The product is moved outside the US and/or Canada.

## **G. PARTS REPLACED UNDER WARRANTY -**

Only new or remanufactured parts or components furnished or approved by John Deere, will be used if John Deere elects to repair the product. If any such part or component is defective in material or workmanship when installed in the product, John Deere will repair or replace, as it elects, such defective part or component, provided the defect is

reported to an authorized John Deere dealer within 90 days of installation or before expiration of the applicable Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty whichever is later.

#### H. TELEMATICS

*NOTICE: Products may be equipped with telematics hardware and software ("Telematics") that transmit data to John Deere/ Dealer. Purchaser may deactivate Telematics at [www.jdlink.com](http://www.jdlink.com).*

Notwithstanding Purchaser's right, title or interest in the Products, Purchaser agrees that John Deere and Dealer (their affiliates, successors and assigns), without further notice to Purchaser have the right to:

1. Access, use, collect and disclose any data generated by, collected by, or stored in, Products or any hardware or devices interfacing with Products ("Machine Data");
2. Access Machine Data directly through data reporting devices integrated within, or attached to, Products, including Telematics ("Data Reporting Systems"); and
3. Update the Data Reporting Systems software from time to time. Machine Data will only be used in accordance with John Deere's Machine Data Policy, located at [www.JohnDeere.com/MachineDataPolicy](http://www.JohnDeere.com/MachineDataPolicy).

#### I. OBTAINING WARRANTY SERVICE -

To obtain warranty service, the purchaser must request warranty service from a John Deere dealer authorized to sell the product to be serviced. When making such a request, the purchaser must present evidence of the product's delivery date, make the product available at the dealer's place of business, and inform the dealer in what way the purchaser believes the product to be defective. Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty repairs may be made in the field if the purchaser and servicing dealer so desire. However, John Deere will not be responsible for any charges (such as dealer travel time, mileage or extra labor/labour) that would not have been incurred had the product been repaired at the dealer's place of business.

#### J. NO IMPLIED WARRANTY, CONDITIONS OR OTHER REPRESENTATION -

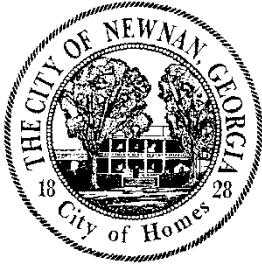
Where permitted by law, neither John Deere nor any company affiliated with it makes any warranties, representations, conditions or promises, express or implied, as to the quality, performance, or freedom from defect of its products, other than those set forth in this document and **NO IMPLIED WARRANTY OF MERCHANTABILITY, CONDITIONS OR FITNESS IS MADE.**

#### K. NO DEALER WARRANTY -

The selling dealer makes no warranty of its own on any item covered by this warranty, and makes no warranty on other items unless the dealer delivers to the purchaser a separate written warranty certificate specifically warranting the item. **The dealer has no authority to make any representation or promise on behalf of John Deere, or to modify the terms or limitations of this warranty in any way.**

#### L. USED JOHN DEERE PRODUCTS ONLY -

John Deere will transfer remaining Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty to the purchaser of a used John Deere construction and/or forestry product that has been used for less than the full warranty period provided at the product's original retail purchase. This transfer is not effective until change of ownership is registered by a John Deere dealer. **ALL THE TERMS, INCLUDING LIMITATIONS AND EXCLUSIONS, OF THE JOHN DEERE STANDARD WARRANTY, FACTORY-INSTALLED UNDERCARRIAGE WARRANTY, AND/OR STRUCTURALL WARRANTY ORIGINALLY PROVIDED FOR THE PRODUCT REMAIN IN EFFECT AND APPLICABLE.**



## City of Newnan, Georgia – Mayor and City Council

Date: February 25, 2020

Agenda Item: Rezoning Request – RZ2019-10  
2.65± acres located on Ashley Park Boulevard (Tax Parcel # 086 5043 008)

Prepared and Presented by: Tracy Dunnavant, Planning Director

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

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

## REZONING ASSESSMENT

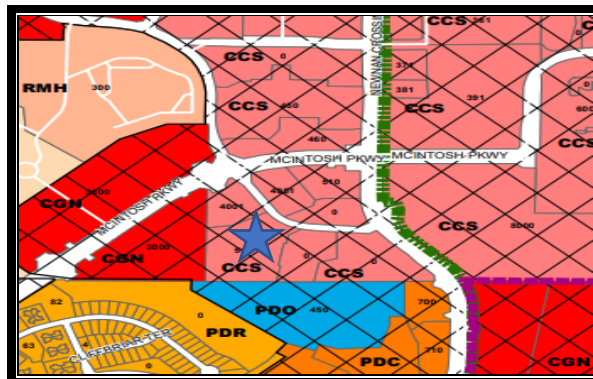
### APPLICANT INFORMATION:

Adecco Corporation  
400 Northridge Road  
Suite 620  
Atlanta, GA 30350

### SITE INFORMATION:

The site consists of 2.65± acres of a 6.36± acre tract located on Ashley Park Boulevard. The tax parcel ID number is 086 5043 008. The tract is adjacent to the Towne Place Suites and just south west of the Home2 Suites.

The site is currently vacant and zoned CCS (Community Shopping Center District). The proposed site plan has been included as part of the application to show the layout of the building in terms of the buffers and setbacks that will be required for the site. The building will be located within the QDC (Quality Development Overlay District), which has additional requirements in terms of landscaping and building materials.



**OVERVIEW OF REQUEST:**

The applicant is requesting the rezoning of 2.65± acres located on Ashley Park Boulevard. The property is currently zoned CCS (Community Shopping Center District) and the applicant is requesting CHV (Heavy Commercial District) for the construction of a three-story, indoor climate-controlled storage unit facility. The Zoning Ordinance allows self-storage facilities in CHV zoning designations with the following conditions:

- 1) The facilities will be limited to dead storage use only. No other commercial or industrial use shall be permitted.
- 2) All storage on the property shall be located within an enclosed building with the exception of boats, automobiles, campers and other vehicular items may be stored outside, provided that such storage shall be enclosed by a 6-foot fence, shall be located no closer than 50 feet from adjacent residential uses shall be located outside of the required parking areas. **\*\*The applicant has proffered that there will be no outside storage or long-term parking on the site.\*\***
- 3) Plumbing shall not be extended to individual storage spaces and plumbing fixtures such as sinks, toilets and the like shall not be installed. **\*\*The office will be able to have a restroom.\*\***
- 4) Minimum building site shall be 2 acres.



The site will be conditioned for indoor climate-controlled storage units only. The proposed building will contain 800 units with 102,144 gross square feet of floor area. There will be no outdoor storage or long-term parking permitted on the site. In addition, the applicant has provided an elevation representative of the facility they would like to construct.





The facility will have a 600-700 square foot office with anticipated office hours running from 8:30 a.m. to 6:30 p.m. Tenants will have access to the units from 8:00 a.m. to midnight daily. The applicant has indicated that these hours may vary depending upon the management company that is selected.

**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 uses and vacant land with CCS, CGN and PDO zoning designations. In terms of development of adjacent properties, there are two hotels to the north/northeast, an office building currently being constructed to the east, and vacant, undeveloped land to the south (PDO) and west (CGN). The applicant is seeking a heavy commercial zoning which allows more intense uses than the surrounding designation; however, the applicant has agreed to limit the use of the property to indoor climate-controlled storage units. In addition, one of the conditions for self-storage units prohibits other commercial and industrial uses on the site.

Given the surrounding uses being primarily commercial, the limitation on the use, and the project being conditioned on the elevation provided, staff feels indoor climate-controlled storage units would be a suitable use for the tract. The view of the building will be partially obstructed from Newnan Crossing Bypass by the two-story office building currently being built as well as the existing hotel. In addition, with the use being limited to only indoor climate-controlled storage units, the property will not be able to accommodate truck/trailer rentals, as is often seen with this type of use. Also, the rezoning would be conditioned upon no long-term parking and outdoor storage, which eliminates the storage of cars, boats, RVs, etc. on the property and the look would have to be consistent with the rendering provided in the application.

It should also be mentioned that with the residential development that is being proposed for McIntosh Parkway (Edinburgh -171 units, Halcyon – 94 units, McIntosh Commons 42 units), the townhouses being built on Greison Trail (98 units), and the 269 apartments that were recently approved on Ashley Park Drive, there will more than likely be a need for an additional storage facility in the area as these types of residential developments (apartments, townhouses, and condos) typically have limited storage space.

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

**Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?** The greatest impact resulting from the rezoning would be the potential truck traffic and noise generated by the renters of the storage units as they move items in and out of storage. Per the applicant, tenants will have access to their units from 8:00 a.m. to midnight. Staff would recommend conditioning the approval to those hours since the use would be adjacent to a hotel.

In terms of traffic, the storage facility is predicted to generate around 200 trips per day. This is much less than the majority of uses that can currently be built on the site. For example, a 100-unit hotel similar to those in the area will generate an estimated 800 plus trips on a typical weekday. A restaurant like Art & Jakes with 10,000 square feet of gross floor area will generate almost 900 trips.

**Staff Assessment – MINIMAL ADVERSE AFFECT WITH CONDITION ON HOURS ✓**

**Are their substantial reasons why the property cannot or should not be used as currently zoned?**  
The property could be used as currently zoned. The tract is primarily surrounded by less intense

commercial zoning designations, which would be appropriate for a CCS zoned tract. In addition, the tract will be subdivided with half of the tract remaining CCS.

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

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

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

*Police:* Police Chief Meadows has indicated that his department will be able to service the development. I asked the Chief to provide actual call numbers for several other self-storage facilities. Here are the figures for the last two years:

- 340 Millard Farmer Industrial Blvd: 27 calls
- 827 Greison Trail: 12 calls
- 305 Jefferson St: 11 calls
- 931 Lower Fayetteville Rd: 13 calls

As you can see, the majority averaged roughly one call every two months.

*Fire:* Chief Stephen Brown indicated that the department currently has enough manpower and equipment to serve the proposed development. As with Chief Meadows, staff asked Chief Brown to pull calls for the addresses listed above. He indicated that there were a combined 6 calls for all of these facilities over the last two years.

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

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

*Engineering:*

**Environmental Concerns:**

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

1. 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.
2. As presented in the concept drawing it appears that tract 1 and tract 2 will have a shared drive/access at the entrance to the storage facility. This needs to be clearly shown as a shared drive no additional access shall be granted in the future to tract 2 except in conjunction with the adjacent tract to the east.

**Trip Generation Proposed Zoning:**

This proposed project will be for 800 storage units on 2.65 acres. Anticipated trips generated from this project using ITE Trip Generation Manual, 9<sup>th</sup> edition.

Self Service Storage Units: 800 units

- a. Weekday : 0.25/unit = 200 vpd
- b. Weekday peak AM hour: .03/unit = 24 vph
- c. Weekday peak PM hour: .03 /unit = 24 vph
- d. Sunday: 0.15/unit = 120 vpd
- e. Saturday 0.22/ unit = 176 vpd

The anticipated traffic generation from this zoning change is an additional 200 vehicle trips per day. The overall trend would be more vehicular traffic on the adjacent transportation network. The site fronts on Ashley Park Blvd that connects at each end to McIntosh Parkway and Newnan Crossing Bypass, which are designed for the anticipated traffic load. The entrance as shown would be shared with the adjacent tract to minimize points of possible vehicular conflict on Ashley Park Boulevard.

**Staff Assessment – PROJECT IMPACT IS NOT EXCESSIVE OR BURDENSOME ✓**

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

Since this property would be a “single service use” in one building within the Ashley Park area and the future land use map shows the tract as future commercial, it would be compatible with the purpose and intent of the Comprehensive Plan. The Plan does not distinguish between heavy and traditional commercial uses.

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

**Is the proposed use consistent with the purpose and intent of the proposed zoning district?** The CHV (Heavy Commercial District) is designed for intensive commercial uses such as heavy automobile repair, contractor’s storage, and truck rental and sales and those selected manufacturing uses that are compatible with such commercial development. The permitted manufacturing uses are either free of objectionable influences in their operations and appearance or can eliminate or control influences in their operations and appearance or can eliminate or control objectionable characteristics by landscaping, screening, and other abatement devices. Allowable uses are required to utilize public water and sewer infrastructure. In terms of location, because most of the uses often require direct access to major streets and rail facilities, this district should be located near major transportation routes. CHV zones should be used as a buffer or transition between industrial development and commercial or multifamily residential developments.

The issue of how to classify indoor climate-controlled indoor storage units was discussed during the recent conversations with the Planning Commission regarding amendments to the Zoning Ordinance. At that time, the Commission felt that these uses needed to be looked at on a case by case basis and remain CHV.

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

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

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

**Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

The area where the site is located is primarily zoned for commercial and office uses. Both the Comprehensive Plan and the Zoning Map show this area as a commercial center designed to serve the neighboring communities. As previously stated, there are numerous residential developments approved for the area. With them being primarily condos, apartments and townhouses, there will more than likely be a need for additional storage.

Also, while self-storage units are a heavy commercial use, the applicant has proffered that there will be no outdoor storage and no long-term parking. In addition, all of the units will be indoors and will be housed in a single building. The greatest concern would be noise and truck traffic; however, if the hours are limited, it should help minimize these issues.

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

**SUMMARY OF STAFF FINDINGS:**

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

**OPTIONS:**

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

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission at their January 14, 2020 meeting held a public hearing regarding the rezoning request and voted unanimously to recommend denial. The Commission specified that the proposed use would not be compatible with the envisioned use of the property and the existing businesses in the area.

**STAFF SUGGESTED CONDITIONS:**

If the Council should decide to approve the rezoning request, Council would suggest adding the following conditions:

- 1) The use shall be limited to indoor climate-controlled storage units only and will be consistent with all plans, profiles, elevations, pictures and other demonstrative materials submitted as part of the application.
- 2) No outdoor storage or long-term parking allowed.
- 3) Tenant access to the units shall be limited to the hours of 8:00 a.m. to midnight.

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

**Funding:** N/A

**Previous Discussion with Council:** 12/10/2019

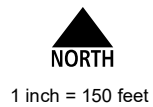




**CITY OF NEWNAN** | Project Location



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



**LEGEND**

- Project Location
- PARCELS
- CITY LIMITS

ADD 92

510 Ashley Park Blvd  
 Newnan, GA 30263

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

MELISSA D. GRIFFIS (GA, AL)

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

November 26, 2019

**HAND DELIVERY**

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

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

Dear Ms. Dunnivant:

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

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

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

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



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

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

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

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

Yours Truly,

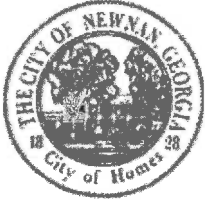


Melissa D. Griffis  
For Adevco Corporation

MDG/kr  
Enclosure(s)

# **TAB 1**

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



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

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

**APPLICATION TO AMEND ZONING MAP**

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

Name of Applicant Adevco Corporation

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

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

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

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

Telephone (770) 683-6000

Address/Location of Property Ashley Park Boulevard

Tax Parcel No.: 086 5043 008 Land Lot 43

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

Present Zoning Classification: CCS Proposed Zoning Classification: CHV Conditional

Present Land Use: Vacant

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

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

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

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

Please attach all the following items to the completed application:

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

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

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

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

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

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

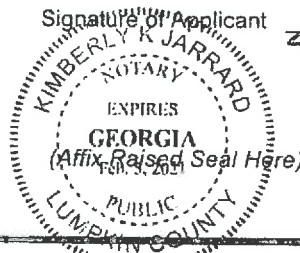
Sworn to and subscribed before me this

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

Kimberly K Jarrard  
Notary Public

Signature of Applicant

J. Michael Bell



**FOR OFFICIAL USE ONLY**

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

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

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

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

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

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

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

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

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

## **TAB 2**

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

**PROPERTY OWNERS WITHIN 250'**

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

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

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

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

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

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

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



## **TAB 3**

# **Legal Description of the Property**

Ashley Park Boulevard Tract 1 legal description

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

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

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

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

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

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

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

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

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

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

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

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

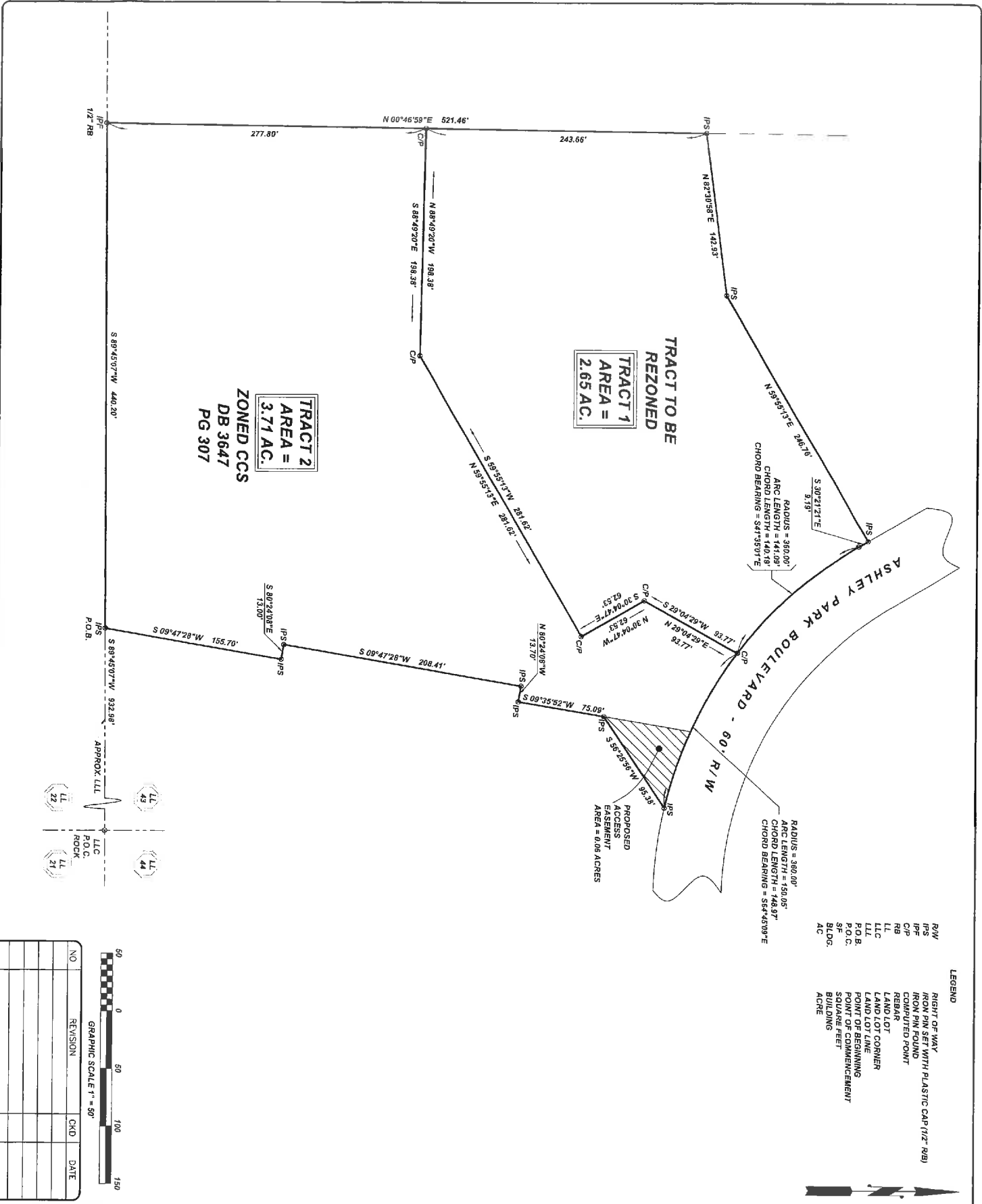
Thence North 88 degrees 49 minutes 20 seconds West for a distance of 198.38 feet to a computed point and the TRUE POINT OF BEGINNING.

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

Said property contains 2.65 acres, more or less.

# **TAB 4**

## **Certified Plat**



NO.	REVISION	OKD.	DATE

**PROJECT NUMBER**  
14-112

**DRAWN BY**  
KLE

**CHECKED BY**  
HTM

**ISSUE DATE**  
11/21/19

**FILE NAME**  
14-112

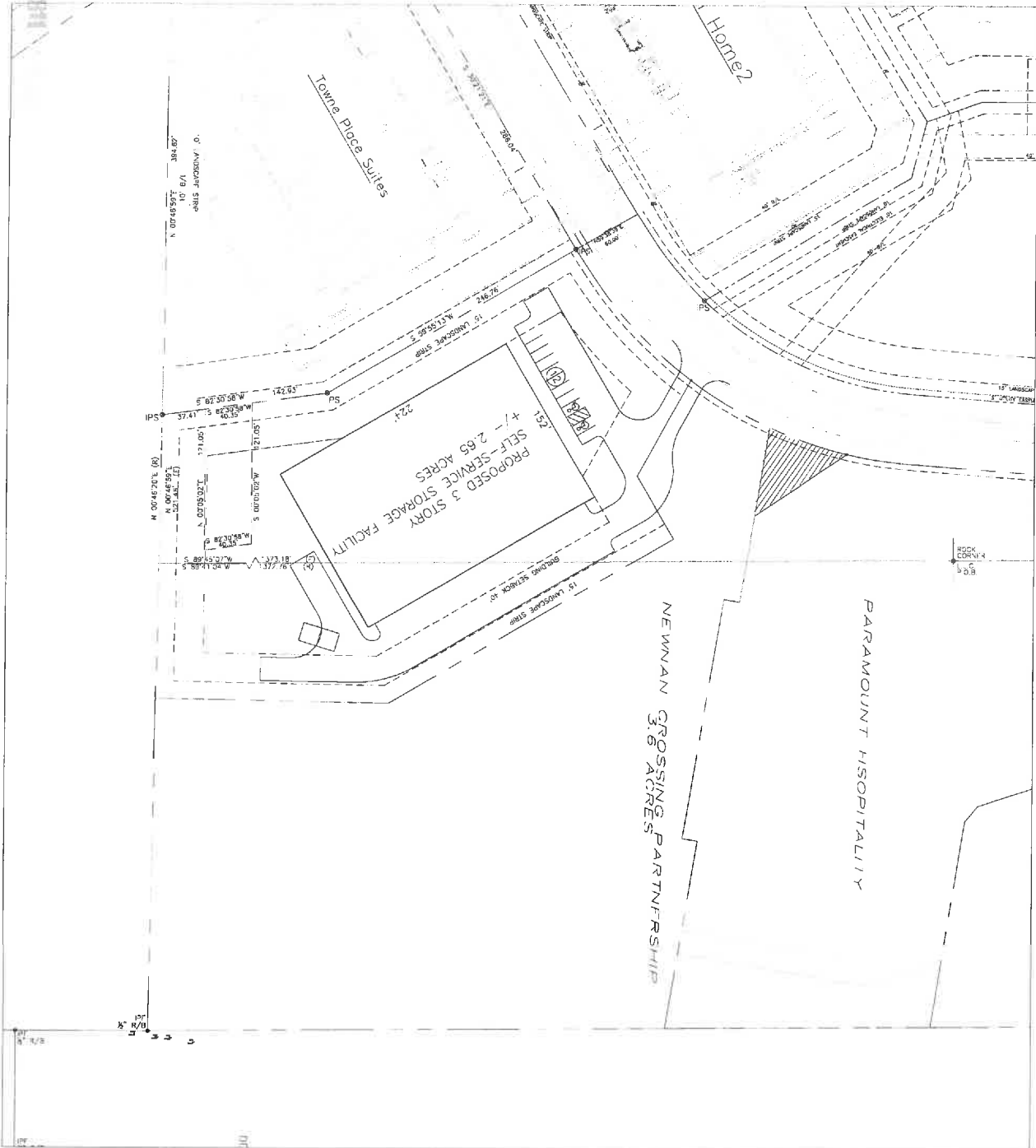
**DRAWING NUMBER**  
1 OF 1

**REZONING MAP FOR:**  
**ADEVCO**

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

**PREPARED BY:**  
**GeoCon Surveying, Inc.**  
2339 HAYS MILL ROAD  
CARROLLTON, GA 30115  
(770) 830-1997 L.S.F. #000446

**104**



MP1  
SHEET

DRAWN  
RGB  
CHECKED  
RG

DATE  
9/25/19  
JOB No.  
18-348

ADEVCO  
NEWMAN

PRELIMINARY  
SITE PLAN



DATE REVISION

## **TAB 5**

### **Preferred Conditions**



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

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

Please list any written proffered conditions below:

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

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

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

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

J. Michael Bell  
Signature of Applicant

J. MICHAEL BELL  
Type or Print Name and Title

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

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

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

(Affix Raised Seal Here)







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

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

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

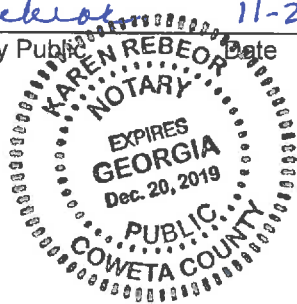
J. MICHAEL BELL

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

MELISSA D. GRIFFIS, ESQ.

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

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



(Affix Raised Seal Here)

## **TAB 6**

# **Disclosure of Campaign Contributions And Gifts**



City of Newnan, Georgia  
Attachment B

# Disclosure of Campaign Contributions & Gifts

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

Ashley Park Boulevard

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

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

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

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

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

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

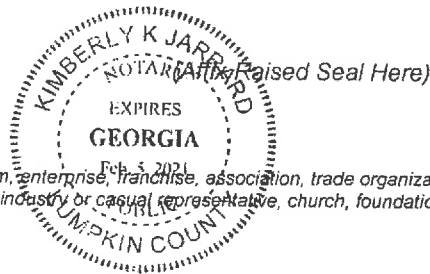
J. Michael Bell  
Signature of Applicant

J. MICHAEL BELL  
Type or Print Name and Title

Signature of Applicant's Representative

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

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



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



**City of Newnan, Georgia**  
Attachment B

**Disclosure of Campaign Contributions & Gifts**

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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.

Signature of Applicant

*Melissa D. Griffis*

J. MICHAEL BELL

Type or Print Name and Title

Signature of Applicant's Representative

*Karen Rebeor 11-26-19*

MELISSA D. GRIFFIS, ESQ.

Type or Print Name and Title

Signature of Notary Public

Date



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

# **TAB 7**

## **Property Owner's Authorization**



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

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

Name of Property Owner Newnan Crossing Partnership

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

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

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

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

Signature of Property Owner  
 Miguel Angel Ferriz Martinez, President

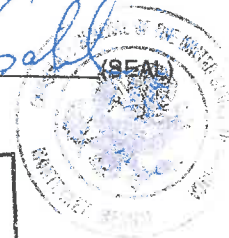
UNITED MEXICAN STATES  
 STATE OF NUEVO LEON  
 CITY OF MONTERREY  
 CONSULATE GENERAL OF THE  
 UNITED STATES OF AMERICA } SS

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

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

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

Norman Galimba  
 U.S. (VICE) CONSUL

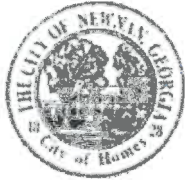


Norman Galimba  
 Consul  
 U.S. Consulate Monterrey

## **TAB 8**

# **Authorization of Attorney**





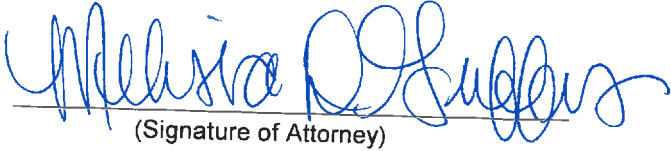
City of Newnan, Georgia  
Attachment D  
**Attorney's Authorization**

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

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

  
(Signature of Attorney)

Name of Attorney Melissa D. Griffis, Esq.

Address 32 South Court Square

Newnan, GA 30263

Telephone (770) 253-3282

Date 11-26-2019

**TAB 9**

**Community Impact Study  
(Not Applicable)**

## **Tab 10**

# **Photo Renderings**



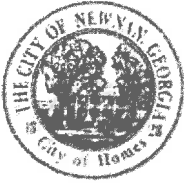
**TAB 11**

**Filing Fee**

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

# **TAB 12**

## **Rezoning Checklist**



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

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

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

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





PRELIMINARY  
SITE PLAN

A handwritten signature or set of initials in black ink, located below the title.



December 31, 2019

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

**REF: Proposed Rezoning Request – 2.65 Acre tract from CCS to CHV for Indoor Climate Controlled Storage**

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 086 5043 008
2. 2.65 Acres of Parcel 086 5043 008
3. Climate Controlled Storage Units
4. As Shown on Attachments
5. Electric:
  - a. Developer shall provide Newnan Utilities Engineering with AutoCAD dwg. files for electrical design.
  - b. Developer or Electrical Engineer shall complete Newnan Utilities load data sheet
  - c. Electrical shall be built out per Newnan Utilities contractor manual
6. 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.

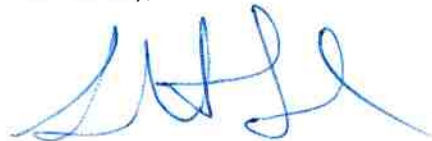
- iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades, sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
- v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
- vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

7. Water:

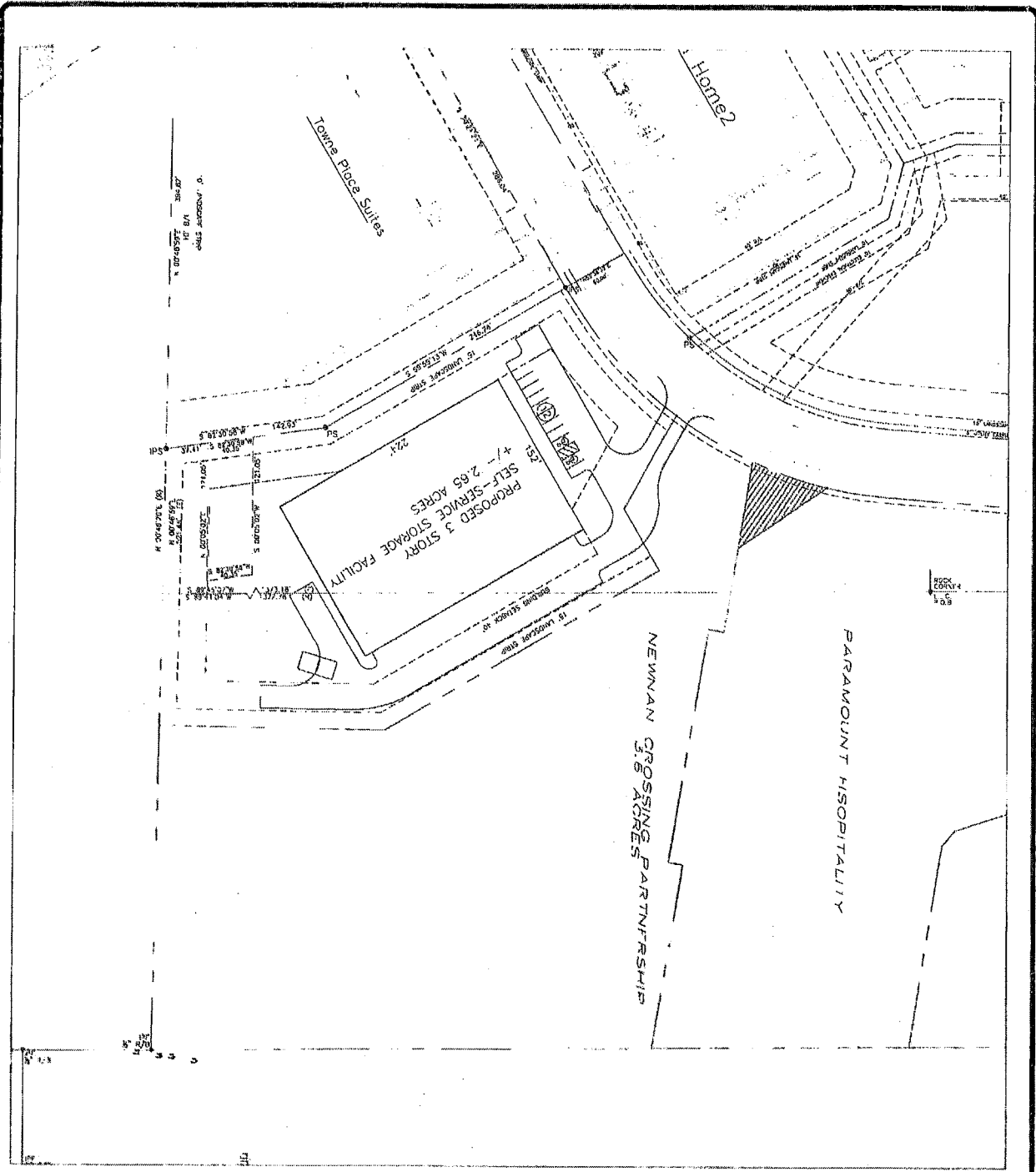
- a. Developer shall connect to Newnan Utilities Water System.
- b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
  - i. Construction of development water system per Newnan Utilities Specifications.
  - ii. Design and construction of connection to 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



MP1  
 ORANI OAT  
 RCB 9/26/19  
 CHECKED JOB No.  
 RGO 18-348

ADEVCO  
 NEWMAN

PRELIMINARY  
 SITE PLAN



DATE REVISION



# The City of Newnan, Georgia

## Public Works Department

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01/7/2020

Engineering Department Review

### REZONING REQUEST

Adevco Corporation – 800 Storage Units  
Parcel 086-5043-008

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### **Environmental Concerns:**

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

1. 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.
2. As presented in the concept drawing it appears that tract 1 and tract 2 will have a shared drive/access at the entrance to the storage facility. This needs to be clearly shown as a shared drive no additional access shall be granted in the future to tract 2 except in conjunction with the adjacent tract to the east.

### **Trip Generation Proposed Zoning:**

This proposed project will be for 800 storage units on 2.65 acres. Anticipated trips generated from this project using ITE Trip Generation Manual, 9<sup>th</sup> edition.

#### Self Service Storage Units: 800 homes

- a. Weekday : 0.25/unit = 200 vpd
- b. Weekday peak AM hour: .03/unit = 24 vph
- c. Weekday peak PM hour: .03 /unit = 24 vph
- d. Sunday: 0.15/unit = 120 vpd
- e. Saturday 0.22/ unit = 176 vpd

The anticipated traffic generation from this zoning change is an additional 200 vehicle trips per day. The overall trend would be more vehicular traffic on the adjacent transportation network. The site fronts on Ashley Park Blvd that connects at each end to McIntosh Parkway and Newnan Crossing Bypass, which are designed for the anticipated traffic load. The entrance as shown would be shared with the adjacent tract to minimize points of possible vehicular conflict on Ashley Park Boulevard.



# NEWNAN FIRE DEPARTMENT

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



Stephen R. Brown, Fire Chief

January 2, 2020

To: Tracy Dunnavant

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

I have reviewed the request on concerning the Rezoning Request of The Adevc Corporation applied for 2.65 ± acres located on Ashley Park Boulevard; I have determined that we have the adequate personnel and equipment to service this location.

Thank you,

Chief Stephen Brown

Newnan Fire Department



## Tracy Dunnavant

---

**From:** Stephen Brown  
**Sent:** Friday, January 3, 2020 2:12 PM  
**To:** Tracy Dunnavant  
**Subject:** RE: Indoor climate controlled storage units

Ok

We are pulling the last 2 years. 2018 and 2019

340 Millard Farmer- 1 call-EMS  
931 Lower Fayetteville Road-3 calls and all EMS  
305 Jefferson Street-2 calls and both were EMS

Very minimum for us 6 total calls in 2 years

Stephen Brown  
Fire Chief  
City of Newnan  
25 Jefferson St.  
Newnan, Georgia 30263  
(770) 253-1851 office  
(770)328-1141 cell  
[sbrown@cityofnewnan.org](mailto:sbrown@cityofnewnan.org)  
[www.ci.newnan.ga.us](http://www.ci.newnan.ga.us)

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**From:** Tracy Dunnavant  
**Sent:** Friday, January 3, 2020 12:53 PM  
**To:** Stephen Brown <SBrown@cityofnewnan.org>; Buster Meadows <DLMeadows@cityofnewnan.org>  
**Subject:** Indoor climate controlled storage units

Good Afternoon,

In putting together the rezoning report, Cleatus wants me to include call numbers. Do you mind looking at these addresses and letting me know how many calls you had to these businesses over the last few years?

- 340 Millard Farmer Industrial Blvd
- 827 Greison Trail
- 305 Jefferson St
- 931 Lower Fayetteville Rd

I know these aren't indoor, but they will still be comparable since they are storage units.

Thanks so much for your help!

Tracy

**Tracy S. Dunnavant**  
**Planning & Zoning Director**  
City of Newnan  
25 LaGrange Street

Newnan, Georgia 30263

(770) 254-2354 ext. 4

[www.ci.newnan.ga.us](http://www.ci.newnan.ga.us)



## Tracy Dunnavant

---

**From:** Buster Meadows  
**Sent:** Friday, January 3, 2020 3:57 PM  
**To:** Tracy Dunnavant; Stephen Brown  
**Cc:** Buster Meadows  
**Subject:** RE: Indoor climate controlled storage units

Hey Tracy,

I have put the numbers next to each address below. The total call number is for the last two years.

If you need any further, let me know.

Thanks.

Buster

---

**From:** Tracy Dunnavant <TDunnavant@cityofnewnan.org>  
**Sent:** Friday, January 3, 2020 12:53 PM  
**To:** Stephen Brown <SBrown@cityofnewnan.org>; Buster Meadows <DLMeadows@cityofnewnan.org>  
**Subject:** Indoor climate controlled storage units

Good Afternoon,

In putting together the rezoning report, Cleatus wants me to include call numbers. Do you mind looking at these addresses and letting me know how many calls you had to these businesses over the last few years?

- 340 Millard Farmer Industrial Blvd: 27 calls
- 827 Greison Trail: 12 calls
- 305 Jefferson St: 11 calls
- 931 Lower Fayetteville Rd: 13 calls

I know these aren't indoor, but they will still be comparable since they are storage units.

Thanks so much for your help!

Tracy

**Tracy S. Dunnavant**  
**Planning & Zoning Director**  
City of Newnan  
25 LaGrange Street  
Newnan, Georgia 30263  
(770) 254-2354 ext. 4  
[www.ci.newnan.ga.us](http://www.ci.newnan.ga.us)

ADEVCO CORPORATION  
2.65 ± acres, located on Ashley Park Boulevard  
Land Lot 43, 5th Land District, Coweta  
County, Georgia  
A portion of Tax Parcel #086 5043 008

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY  
LOCATED ON ASHLEY PARK BOULEVARD, CONTAINING 2.65± ACRES IN  
LAND LOT 43, OF THE FIFTH LAND DISTRICT, IN THE CITY OF NEWNAN,  
GEORGIA**

WHEREAS, the owner has 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 CHV (Heavy Commercial District); and

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

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 25th day of February, 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 2.65± acres be rezoned as CHV (Heavy Commercial District) subject to the conditions which follow.

- 1) The use shall be limited to indoor climate-controlled storage units only and will be consistent with all plans, profiles, elevations, pictures and other demonstrative materials submitted as part of the application as shown on Exhibit “B” attached hereto.
- 2) No outdoor storage or long-term parking allowed.
- 3) Tenant access to the units shall be limited to the hours of 8:00 a.m. to midnight.

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:

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

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

REVIEWED AS TO FORM:

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

\_\_\_\_\_  
George M. Alexander, Mayor Pro-Tem

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

\_\_\_\_\_  
Cynthia E. Jenkins, Councilmember

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

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

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

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

EXHIBIT "A"  
Page 1 of 2

Ashley Park Boulevard Tract 1 legal description

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

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

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

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

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

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

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

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

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

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

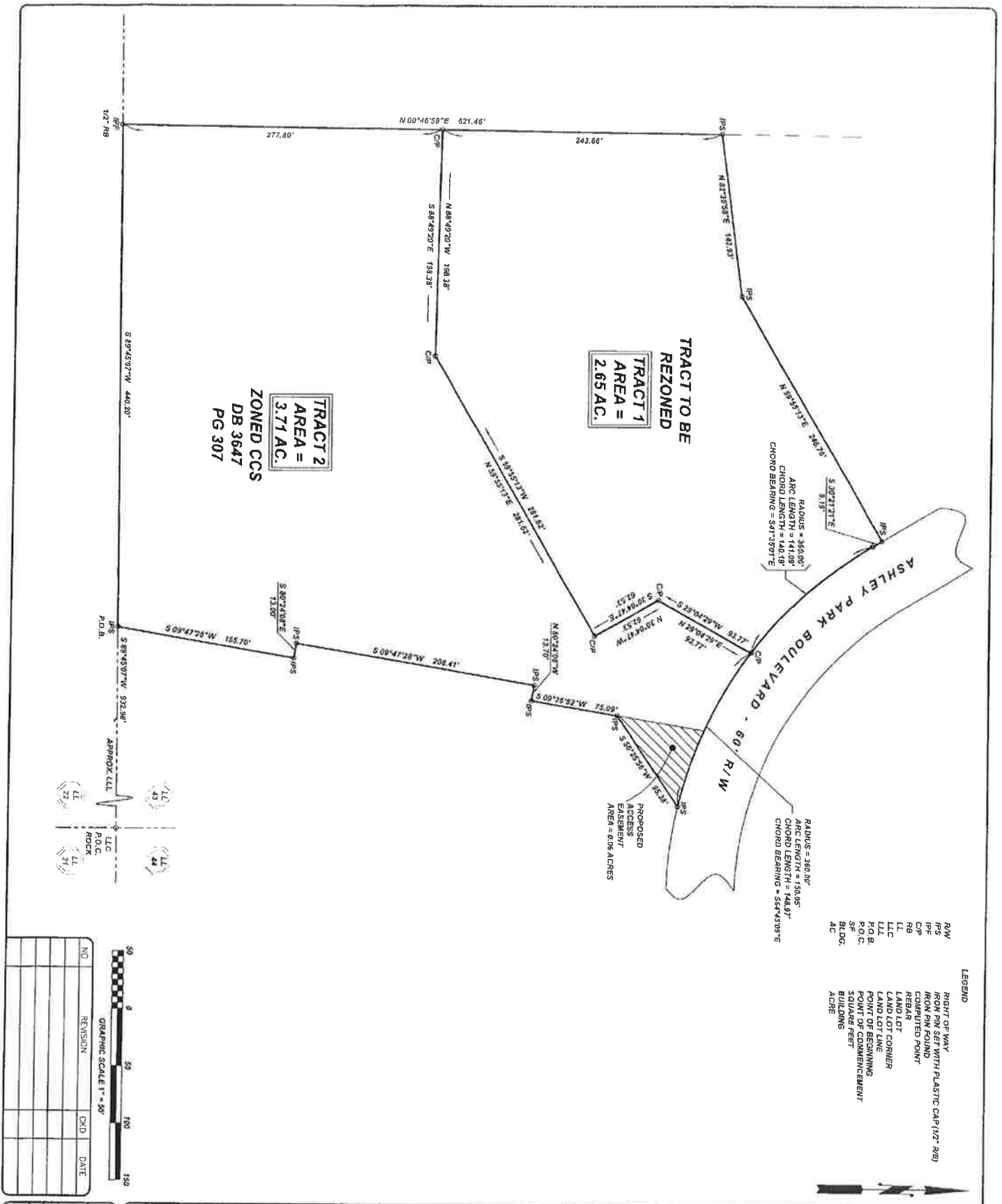
Thence South 30 degrees 04 minutes 47 seconds East for a distance of 62.53 feet to a computed point;

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

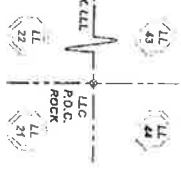
Thence North 88 degrees 49 minutes 20 seconds West for a distance of 198.38 feet to a computed point and the TRUE POINT OF BEGINNING.

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

Said property contains 2.65 acres, more or less.



- LEGEND**
- R/W RIGHT OF WAY
  - IP/S FROM PIN SET WITH PLASTIC CAP (1/2" - 3/8")
  - IP/P FROM PIN FOUND
  - CP/PC COMPUTED POINT
  - IP/PP INTERSECTION POINT
  - LL LAND LOT
  - LLC LAND LOT CORNER
  - P.O.B. POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - S.M.D.G. SQUARE METERS
  - AC SQUARE FEET
  - ACR ACRES



NO.	REVISION	CKD.	DATE

PROJECT NUMBER	14-112
DRAWN BY	KLE
CHECKED BY	HTM
ISSUE DATE	11/21/19
FILE NAME	14-112
DRAWING NUMBER	1 OF 1

**REZONING MAP FOR:**  
**ADEVCO**

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

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



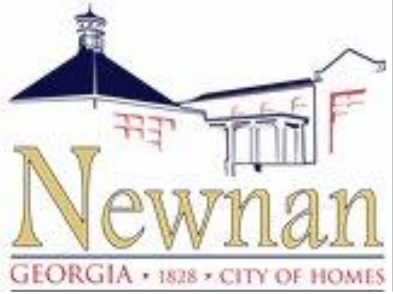




PRELIMINARY  
SITE PLAN

*[Handwritten signature]*





## City of Newnan, Georgia - Mayor and Council

Date: February 25, 2020

Agenda Item: 18 Berry Ave

Prepared and  
Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** Owner to update council on intention to sell the property located at 18 Berry Ave.

**Background:** Owner: Moten Estate (Dan Moten)

Date Sub-Standard housing file was opened: December 18, 2018

Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On December 18, 2018 the Building Department conducted an inspection of the premises and found the structure to be unsafe, uninhabitable. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 5, 6, 7, 8, 9, 10).

**Options:**

1. To review the owner's status update regarding the sale of the property.
2. Other direction from council.

**Funding:** Not Applicable

**Recommendation:** Staff is requesting Council's approval to proceed with Option1.

**Previous Discussions  
With Council:**

April 19, 2019 – Info only provided to council.

June 18, 2019 – Public hearing was held and Resolution was adopted to repair or demolish (inform council of intent) within 30 days.

July 16, 2019 – Owner was given a 90 day resolution deadline to repair or demolish. Owner informed council he had decided to sell the property. Deadline expires October 15, 2019.

October 8, 2019 – Owner informed council he was selling property with a closing of 10/9/19. Will update council on October 22.

October 22, 2019 – Owner granted 120 day extension by council.

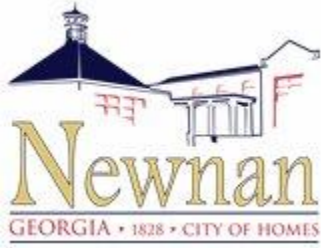








# City of Newnan, Georgia - Mayor and Council



Date: February 25, 2020

Agenda Item: 21 Berry Ave

Prepared and Presented by:  
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** To conduct a public hearing concerning the dilapidated structure located at 21 Berry Ave, Newnan, Ga 30263

**Background:** Owner: Teresa Calderon  
Date Sub-Standard housing file was opened: July 18, 2018.  
Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On November 20, 2019 the Building Department conducted an inspection of the premises. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 4, 5, 6, 8, 9, 10).

**Options:**

1. Adopt a resolution directing the property owner to either repair or demolish the structure within forty five (45) days.
2. Other direction from Council.

**Funding:** Not Applicable

**Recommendation:** Staff is requesting Council's approval to proceed with Option 1.

## **Previous Discussions with Council:**

December 12, 2019 – Council informed of conditions.

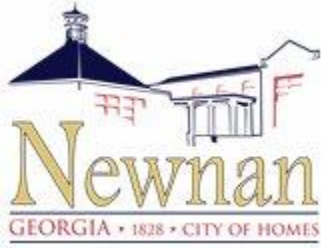
January 14, 2020 – Public Hearing was requested.







# City of Newnan, Georgia - Mayor and Council



Date: February 25, 2020

Agenda Item: 69 MLK Jr Dr

Prepared and Presented by:  
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** To conduct a public hearing concerning the dilapidated structure located at 69 MLK Jr Dr, Newnan, Ga 30263

**Background:** Owner: Evelyn Ruth Glenn  
  
Date Sub-Standard housing file was opened: November 2, 2015.  
Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On September 18, 2019 the Building Department conducted an inspection of the premises. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 4, 5, 6, 8, 9, 10).

**Options:**

1. Adopt a resolution directing the property owner to either repair or demolish the structure within forty five (45) days.
2. Other direction from Council.

**Funding:** Not Applicable

**Recommendation:** Staff is requesting Council's approval to proceed with Option 1.

## **Previous Discussions with Council:**

December 12, 2019 – Council informed of conditions.

January 14, 2020 – Public Hearing was requested.











February 4, 2020

Dear Mayor and City Council,

I am submitting this request to you on behalf of First Baptist Church of Newnan.

We will be having Vacation Bible School from 8:30 am to 12 noon the week of June 8th to June 13th. We will begin registering children each morning at 8:00am. Due to the safety of the children attending Vacation Bible School and then being picked up from Vacation Bible School, we would like to obtain permission to block Brown Street from the intersection of Brown Street/West Washington Street to the intersection of Brown Street/Madison Street from the time of 8:00 am until 12:30 pm each day during the week of June 8<sup>th</sup>-13<sup>th</sup>.

We are grateful for your consideration in this endeavor and look forward to hearing from you. If you have any questions, please contact me by the information listed below or on my cell phone at 678-633-7731.

Sincerely,

Susan Hester  
Children's Director  
First Baptist Church  
15 West Washington St.  
Newnan, GA 30263  
770-253-0797  
[www.fbcnewnan.org](http://www.fbcnewnan.org)

**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

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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).