



Newnan City Council Meeting

MARCH 14, 2023

Newnan City Hall

Richard A. Bolin Council Chambers

25 LaGrange Street

2:30 PM

CALL TO ORDER

INVOCATION

READING OF MINUTES

- A. Minutes from the Regular Meeting on February 28, 2023

REPORTS OF BOARDS AND COMMISSIONS

- B. 1 Appointment - Cultural Arts Commission, 3 year term
- C. 1 Appointment - Keep Newnan Beautiful, interim term until 8/1/24
- D. 2 Appointments - Parks Commission, 3 year terms
- E. 2 Appointments - Tree Commission, 3 year terms
- F. 1 Appointment - Newnan Youth Activities, 3 year term

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- G. Public Hearing - Application for Alcohol Beverage License - Line Creek Brewing Co. dba The Reserve - Microbrewery (Beer) - 18 Savannah St. - Reason: New Business
- H. Rezoning Request for RZ2023-01 by Freedom Land Holdings, LLC for 5.82+/- acres located at Old Atlanta Highway (Tax Parcel #073C 044 and Tax Parcel #073C 045); Requested zoning from PDC (Planned Commercial Development District) and PDO (Planned Office and Institutional District), respectively, to PDR (Planned Residential Development District) for the purpose of constructing 36 townhouse-style condominiums – For Information Only
- I. First Reading of an Ordinance to Amend the Charter of the City of Newnan for the Purpose of Redistricting
- J. Consideration for Negotiations of Contract Scope, Pricing and Final Contract Cost for Lynch Park Pool Repairs and Mechanical Room Upgrades
- K. Consideration of a Contract Award for Audio/Visual and Cat Services for the Fire Training Facility Project
- L. Consideration of Resolution for Personnel Policy Revision Changing Pay Periods
- M. Consideration of Resolution to advance city employees up to thirty (30) hours as a result of the changing pay periods
- N. Request to declare two (2) city owned properties as surplus and sell at public auction
- O. Consideration of a Parking Restriction Ordinance for Two Streets in the Stonebridge Subdivision.
- P. Consideration of Ratification for the Emergency Culvert Repair on Newnan Crossing Blvd East.

UNFINISHED BUSINESS

- Q. 21 Berry Ave - Owner update and request for extension.
- R. Discussion of Zoning Regulation Text Amendments to Articles 2 & 4
- S. 2nd and Final Reading - Ordinance to Annex 31.79 ± acres located at 521 Lower Fayetteville Rd. and Ordinance to Amend the Zoning Map for PDR Zoning
- T. 2nd and Final Reading - Ordinance to Amend Conditions of Zoning and Amendment to Master Plan for 42.20 ± acres on Poplar Rd.

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- U. Request from Bike Coweta for a Special Event Permit for the Rock & Road Festival on April 15th

MOTION TO ENTER INTO EXECUTIVE SESSION

- V. 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 28, 2023 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

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

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose, Rhodes Shell, George Alexander, Cynthia Jenkins, Dustin Koritko and Paul Guillaume. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – REGULAR COUNCIL MEETING – FEBRUARY 14, 2023

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on February 14, 2023 and adopt them as presented.

MOTION CARRIED. (7-0)

NEWNAN YOUTH COUNCIL ATTENDEES

Councilwoman Jenkins introduced the members of Youth Council who were in attendance. Nysha Reddy, Jenna Mollner, Rees Poulakis and Lauren Johnson.

APPOINTMENT – CULTURAL ARTS COMMISSION, 3 YEAR TERM

Continue to next agenda.

APPOINTMENT – KEEP NEWNAN BEAUTIFUL, INTERIM APPOINTMENT

Continue to next agenda.

APPOINTMENTS – PARKS COMMISSION, 3 YEAR TERMS

Continue to next agenda.

APPOINTMENTS – TREE COMMISSION, 3 YEAR TERMS

Continue to next agenda.

APPOINTMENT – NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Continue to next agenda.

CONSIDERATION OF BUDGET FOR AYRSHIRE FIDDLE ORCHESTRA VISIT

Mayor Brady explained that our sister city is Ayr, Scotland and we are hosting the Ayrshire Fiddle Orchestra in July for the 25th Anniversary of our sister city relationship. The budget has been put together by the Ayrshire Fiddle Orchestra Committee. The County is also contributing as they are a sister County as well.

Motion by Councilman Alexander, seconded by Councilman DuBose to approve the budget as presented.

MOTION CARRIED. (7-0)

REQUEST BY ROBERT BERGMANN ON BEHALF OF THOMAS LAND & DEVELOPMENT, LLC; TO FILE A NEW REZONING APPLICATION FOR 8.44 + ACRES IN ASHLEY PARK AT 440 NEWNAN CROSSING BYPASS

Tracy Dunnavant, Planning Director, explained that in August 2022 Ashley Park had submitted a rezoning application to allow for more residential units and that was denied. The City ordinance requires 12 months before an application can be re-submitted unless Council approved. The applicant is requesting to file a new rezoning application after 6 months that will be for retail and no residential.

Councilman Koritko asked if the new application will go through the entire process again and Ms. Dunnavant said yes.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the request as presented.

MOTION CARRIED. (7-0)

PUBLIC HEARING – CONSIDERATION OF SEVERAL ZONING AND SUBDIVISION REGULATION TEXT AMENDMENTS TO ARTICLES 2, 3, 4 AND 13 OF THE ZONING ORDINANCE AND SECTION 11 OF THE SUBDIVISION REGULATIONS

Mayor Brady opened the public hearing.

Dean Smith, Senior Planner, stated that these items were brought to two Planning Commission meetings. This is an annual process where the zoning ordinance is looked at for changes and things to be more streamlined.

The first item that came up was cargo containers. In the past 2 years there have been more requests for cargo containers as residential and commercial structures and the current zoning ordinance does not address this in detail. This would not allow them in residential and if they are going to be a principal use as a commercial structure then it would involve public input. There is some existing language in the ordinance regarding commercial accessory use and this acknowledges that as well.

The next article looks at townhouses in the RUI district and moves them from allowed to special exception which would involve a public hearing. Townhomes are considered multi-family in the ordinance, as are duplex's which are special exception. This would align both under RUI.

Councilman Alexander asked if the public hearings would be before Council? Mr. Smith stated no, it would be before Planning Commission or Board of Zoning Appeals depending on the zoning. For example, townhomes would go before Zoning Appeals in the RUI zoning. Previously they have just been an allowed use.

Mayor Brady asked if after the advertised public hearing with Planning or Zoning would any of these come to Council? Mr. Smith stated no, it is not written that way but that could be changed as well. Council discussed if these would go to Planning Commission or Zoning Appeals first and then come to Council or just come straight to Council. City Manager suggested that this may need to be delayed to have further discussions. The only special exceptions that currently come to Council are developments of regional impact and telecommunication towers. City Attorney said there are numerous special exceptions that the Board of Zoning Appeals hears and this is just adding one.

Mayor Brady asked if anyone from the public wanted to speak on this issue and no one came forward. Mayor Brady closed the public hearing.

Councilwoman Jenkins asked why containers are being prohibited as an accessory structure in residential, as she has seen good uses of them as a backyard office. Mr. Smith stated that it depends on the situation and sizes of the containers and the concern discussed with Planning Commission was that these are a detriment to the neighborhood based on ones they have seen or have been proposed.

Councilwoman Jenkins then asked about language regarding recreational vehicles and shelters. Mr. Smith explained that this came from an extended code enforcement case last year where someone placed a camper on vacant land and was living out of it. The language about shelters was to further define that in the ordinance.

Councilman Koritko asked about the multi-family apartment use in article 4. Mr. Smith explained that the current ordinance says a group development shall consist of two or more buildings containing a residential use and was intended for multi-family apartments. Now residential developments are using this as a loop hole and building single family detached as a group development build to rent, so this is to correct that. This would state that a group development can either apply for apartments, commercial or industrial.

City Manager said that in his 23 years with the City he only recalls the group development option being used for Ashley Park Shopping Center. Because there are other tools now such as mixed-use development and planned development options, this could possibly be deleted from the ordinance altogether.

Council asked if this can be brought back to the next meeting. Mr. Phillips said that the articles could be split up over a few meetings.

Motion by Councilman Shell, seconded by Councilman Alexander to continue this item to the next agenda.

MOTION CARRIED. (7-0)

PUBLIC HEARING – ANNEXATION/REZONING REQUEST – ANNEX2022-05 BY JEFF ANTHONY ON BEHALF OF LENNAR GEORGIA, LLC; 31.79 + ACRES AT 521 LOWER FAYETTEVILLE ROAD (TAX PARCEL #087 5011 001) REQUESTED ZONING OF PDR (PLANNED DEVELOPMENT RESIDENTIAL) – CONSIDERATION OF ORDINANCES

Mayor Brady recused himself due to a business relationship with the property owner. Mayor Pro Tem Koritko took over the meeting and opened the public hearing.

Tracy Dunnavant, Planning Director, explained that the site was the old Caldwell Tanks building and the original request was to develop a 148-unit subdivision. This has been amended to 140 units with 83 single-family and 57 townhomes and the tract on the northside will be limited to 6 single-family detached residential units. The product is similar to the homes being built in Braemore in Calumet. Average prices will be \$300,000's for townhomes and \$400,000's for detached units with amenities such as walking trails, green space and covered pavilion.

Ms. Dunnavant gave a summary of the 8 required standards. The tracts are surrounded by residential properties with one adjacent parcel that is undeveloped and zoned commercial. The proposed project would have 4.6 units per acre and surrounding developments range from 2.5 units per acre to 10 units per acre for the Newnan Lakes Apartment complex.

Staff feels the use would be suitable given the mixture of residential uses and densities in the area. The greatest impact from this development would be traffic. The applicant is currently working on a traffic impact statement and once the City receives that they will determine what, if any, mitigation should take place. The applicant has proposed a 25-foot buffer between the development and existing residences and that is 15' more than required.

The property is currently zoned RC in the County, which would allow up to 50 lots if the site received CSD approval, so the property could be used as currently zoned but with development costs that may not be feasible.

All of the service providers have reviewed the development and indicated that there would be some impact, but it would not be excessive. The properties are outside of city limits and so the City's Comprehensive Plan could not be considered, however, staff does feel this would be consistent with the County's Comprehensive Plan.

The development would be consistent with the purpose and intent of the proposed zoning district as the concept plan shows a mixture of residential uses, open space, housing elevations and specific amenities. The majority of the adjacent tracts in city limits are future “built community” and “planned development”, so, if brought in these properties would most likely be the same based on proposed future land use definitions.

Staff does feel the proposed use reflects a reasonable balance between the promotion of public health, safety, morality or general welfare and the right to unrestricted use of property. Overall, staff found the development met 6 of the 8 standards.

In accordance with annexation laws, the County was notified and they did file a Notice of Objection. The Department of Community Affairs (DCA) was asked to appoint an arbitration panel to hear the objection but after one of the panelists withdrew, the arbitration ended. The County did ask for 7 conditions to be placed on the subject property if the City moves forward. Also, the applicant is working with the City’s Landscape Architect regarding buffers and tree plantings.

At the December 2022 Planning Commission meeting, they voted unanimously to deny the annexation request. If the City Council decides to approve the request, staff suggests 5 conditions:

1. Project will be consistent with the concept plan, density, project data, amenities, square footages and elevations provided in the application.
2. Development will utilize an HOA to ensure the amenity areas, common spaces, stormwater management pond and buffers are maintained.
3. Developer will mitigate any traffic impacts that the City Engineer determines are warranted.
4. Not more than 20% of the development will be used for rental properties with the restriction being included in the HOA covenants and restrictions.
5. The 2.35 ± acre parcel shall be limited to six single-family detached residential homes.

Councilman Guillaume asked if the Planning Commission had the widened lot sizes presented to them and if so then why they voted no. Ms. Dunnavant stated they did have the lot sizes but they did not like the product at that time. The applicant has gone back and changed the product to bring to Council, Planning Commission has not seen the changes. Councilman Guillaume also expressed concern regarding right-in/right-out and making sure that is looked at with traffic mitigation.

Applicant:

Jeff Anthony with Lennar, explained that the problem the Planning Commission had was the affordable entry level product and asked if they could go with the same product at Braemore? They took that into consideration and now will be reproducing that product. They have changed from a 1-car garage to a 2-car garage, home sites are larger and have more character. They are catering more to a move up buyer.

In addition to the buffer at the front entrance they also agree to place a berm to help provide more of a buffer. There will be approximately a 1.5-acre amenity area. They have also agreed to reduce the rental cap from 20% to 10%. They have already gone ahead and demolished the large Caldwell Tanks building that was on the site and they feel this was a service to the community.

Councilman Alexander asked about the height of the berm? Mr. Anthony said the purpose is to shield the first floor, so probably 6ft. Councilman Guillaume asked about the depth of the driveways, can they stack 4 cars? Mr. Anthony said 2 cars total side by side but not 4.

Mayor Pro Tem Koritko asked about the bike path tying into the LINC? Mr. Anthony said it's planned on property but if there is a place to tie in they are open to that.

Opposition:

Frank Stripling, a long time Newnan resident and the first resident in the Hidden Lakes subdivision adjacent to the subject property. He asked about the section across on the other side of Lower Fayetteville Rd, if that is included in the density? Ms. Dunnavant stated that it is currently owned by Caldwell Tanks, both sides of the street. This developer will be building the portion on the South side and then another developer will build the 6 single-family homes on the North side and there is not a developer yet for that portion.

Mr. Stripling stated that he understands that growth happens but Lower Fayetteville Rd is already very busy. The growth has been tremendous over the last 10 years. He feels that less density is better.

Carlos Disla, homeowner in the Braemore subdivision built by Lennar. He stated that he is not happy with Lennar. There is a gas station going in next to the subdivision and the homeowners were not given any notification from the developer. The City said they sent notices to Lennar. He cautioned Council on doing business with this developer. He is unhappy that the land was zoned commercial and with the lack of communication from Lennar.

Nick Polsinelli, just moved into Newnan and is the last homeowner in the Braemore community. As a first-time home buyer, he was never informed throughout the process about the gas station going in. He questions the integrity of who is building here in Newnan. There are already two gas stations near the community, why is another one needed?

Steve Green, resident of Hidden Lakes, expressed concern for quality of life as the traffic already bad. Another concern is a lake that is behind their homes, what kind of impact will there be from this new subdivision?

John Ream, resident of Lakeshore subdivision, said that there is so much growth going on, maybe too much. There's noise from the highway. This doesn't add value to anyone that lives there now. He expressed concern for the tanks that were previously on the

subject property, is there any risk from that? City Manager said he believed the site had been mitigated but he would refer to the property owner or buyer for that.

Kenneth Woods, resident of Hidden Lakes subdivision, said that his opposition is due to traffic. He also agreed that the lake is a concern, they have done a lot of work on it. Maybe the soil should be tested on the subject site.

Stephen Burton, homeowner in Braemore, stated that the proposed community is very similar to Braemore. He is also concerned about the gas station being built. When he walks out his door he will be facing a gas station. Notice of the gas station was sent to Lennar but not to the homeowners. The lack of transparency from Lennar is a concern.

April Robinson, homeowner in Lakeshore community, stated that there are already a lot of renters. She's concerned about people moving out and companies buying the houses to rent. Traffic is already bad and this will impact it further.

Joe Emmons, resident in Hidden Lakes, said even with the reduction in the number of homes, it still doesn't make sense to develop.

No one else spoke in opposition. Mayor Pro Tem Koritko closed the public hearing. City Manager suggested that since the applicant did not use his full 15 minutes, he may want to speak in rebuttal, so the public hearing would need to be opened again. Mayor Pro Tem Koritko reopened the public hearing.

Councilman Guillaume asked the applicant to address the environmental concerns that were brought up. Mr. Anthony said they have great engineers and are more than happy to make sure any lakes are not polluted in any way. They will look at all aspects and ensure everything stays clean and they have done environmental studies already.

Mayor Pro Tem Koritko closed the public hearing.

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

MOTION CARRIED. (7-0)

Councilman Guillaume reiterated that the builder has indicated that rentals are being taken from 20% to 10%. City Manager stated that the ordinance will have to be edited to reflect that.

Motion by Councilman Guillaume, seconded by Councilman Shell to approve the request for annexation as presented. Opposed: Jenkins, Koritko. 2nd and Final Reading next agenda.

MOTION CARRIED. (4-2)

Motion by Councilman Shell, seconded by Councilman Guillaume to approve the request for rezoning as presented with the same conditions. Opposed: Jenkins, Koritko. 2nd and Final Reading next agenda.

MOTION CARRIED. (4-2)

PUBLIC HEARING – REZONING REQUEST – RZ2022-14 BY GEORGE ROSENZWEIG ON BEHALF OF POPE AND LAND ENTERPRISES, INC.; 42.20 + ACRES ON POPLAR ROAD (TAX PARCEL #S 087 2005 001, 087 2005 002, 087 2005 003); CHANGE IN CONDITIONS OF ZONING AND AMENDMENT TO THE MASTER PLAN – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnavant explained that the property was zoned MXD in February 2022 with a plan to include multi-family, active adult senior units, townhomes, office space, hotel, retail/restaurant, parking decks and amphitheater. The new proposed plan would decrease commercial space to 31,500 square feet, replace the amphitheater with a village green, increase the overall amount of green space, increase hotel by 35 rooms and replace the majority of the parking decks with surface parking.

The applicant is seeking a cap of 20% of townhomes to be rental versus 10% that was previously approved. The applicant will also provide access to the future LINC segment, but will not be constructing that segment. Phasing for the project has been changed to specify that no multi-family or townhome shall receive a certificate of occupancy until 8,500 sq ft of retail space and one greenspace component are under construction. This property is bound by an existing DRI and the new developer will have to meet the conditions of that.

Ms. Dunnavant gave a summary of the 8 required standards. Staff felt the proposed use would be suitable in view of adjacent properties since Council just approved the MXD in February of last year and the uses have not changed. The greatest adverse impact would be traffic. However, the developer has provided a traffic assessment that shows a decrease in daily trips generated due to the reduction in office and commercial space. The property could be used as currently zoned. The project will have an impact on services, but the revised plan will create less of an impact than what was previously approved and all service providers have indicated that they can provide service.

The project would be consistent with the purpose and intent of the proposed zoning and the use would be consistent with what has already been approved and nothing has changed since the Comprehensive Plan update in 2021. Staff does feel the request shows a reasonable balance as a mixed-use development was already approved for this site. Overall, staff found that the development met 7 of the 8 standards.

The Planning Commission voted unanimously to approve the rezoning at their meeting in January, with the following conditions.

1. The project will be consistent with the concept plan and all details in the application.

2. The property will be placed in the Quality Development Corridor Overlay (QDC) district to ensure all commercial and office buildings meet overlay standards.
3. Elevations related to the apartment and townhome developments will be approved by the Planning Commission through the Certificate of Appropriateness Process.
4. A management entity will be created to ensure all common areas, buffers, amenities, etc. are maintained.
5. The developer will be required to meet all conditions specified in the DRI Notice of Decision and recommended by the Director of Engineering.
6. A Development Agreement between the Developer and the City shall be prepared to address phasing and construction and shall be subject to City Council approval prior to the issuance of building permits.
7. The proposed second entrance off of Poplar Road must receive GDOT and Coweta County approval.
8. The wording "8,500 sf of retail space" in proffered condition number 7 shall be amended to state a minimum of "15,000 square feet of retail or office space or a combination of retail and office space".

Applicant:

George Rosenzweig representing the applicant, Pope & Land Enterprises, explained that this is not a rezoning application as the property was already rezoned. The problem is that the rezoning was tied to a specific site plan and conditions and when that deal didn't go through, it wasn't practical for another developer to try and use that same plan. The applicant has some conditions that they would like changed for their plan. The development will be less dense, less traffic, better design and more green space.

The developer's track record includes The Battery in Atlanta. Mr. Rosenzweig introduced the members of the team that would be speaking about different aspects of the plan.

Tom Barranco with Pope & Land, stated that they are very excited for this project. They have been active and invested in the community here for 20 years. The bulk of the development that they do is mixed use.

Bob Hughes with HGOR walked through the plan and changes that have been made. He showed a comparison between the previous plan and the one they are proposing. Then he showed image renderings. They are also proposing a dog park as part of the community.

Councilwoman Jenkins asked about the height of the office buildings? Mr. Hughes said they are 4 stories maximum. Councilwoman Jenkins asked about feet as previously a cap had been discussed. Ms. Dunnavant verified that it is 85 feet in the I-85 corridor. Councilwoman Jenkins asked about the parking deck, height and placement. Mr. Hughes said it's 3 stories and they flipped the placement of the deck so that it's approximate to the office.

Councilman Guillaume asked if the parking deck is based on the commercial space? Mr. Barranco explained that there are 3 office buildings in the plan but initially if you build 1 building to start then there could just be surface parking. This plan gives them flexibility so they can adjust.

Mayor Brady asked how long until they are ready for design approval? Mr. Barranco said they hope soon. They have their own strict guidelines regarding design and then they would combine with features in the City ordinance.

Councilman Alexander asked if the active adult units are also rental and Mr. Barranco confirmed yes. The Councilman then asked Ms. Dunnivant who attended the Planning Commission meeting when they voted unanimously and she stated 5 members.

Councilwoman Jenkins asked if they would be developing this or would they have partners? Mr. Barranco said they would be the master developer but they don't do residential so they would engage a partner for that. They would do the office and probably the retail.

Mayor Pro Tem Koritko asked about providing access to the future LINC segment. Mr. Barranco explained that instead of 1 trail, they want to invite people to walk through the whole project. So, the whole thing would be a connection point from the North down to Poplar Rd. They disagreed with the previous condition in regards to this. They are also not asking for public money as the previous plan did. Mr. Barranco also confirmed there would not be connection over Poplar Rd.

Zack Bell spoke for the project. He is a recent Newnan resident who just moved into Stillwood Farms. He is a daily commuter who works for Delta. He struggled to find a roommate because a lot of people said there is nothing in Newnan. Mr. Bell sees that this would a great opportunity for the community, to have a place for young people to go, have easy access to work for those working at Piedmont Newnan. He thinks the proposed roundabout at Newnan Crossing Bypass and Stillwood will help with traffic. He did ask about police presence with all the on-street parking and being close to the interstate. Mayor Brady stated that that is always the number 1 issue looked at and Pope & Land may have their own security on site.

Eric Thomas, lives in Summergrove, spoke in favor of the project. He sees it as an improvement over the previous plan. He thinks if they provided an actual pathway for the LINC trail would be good. He expressed concerns about the connectivity to Mercantile Drive which is very congested. Increasing traffic there could be problematic.

Opposition:

Jennifer Petrino spoke against the project. She stated she spoke last time against this as well. This is an improvement over the previous proposal and Pope & Land will probably do a good job. She expressed concern though because of the size with residential. She thinks Newnan is becoming the city of apartments. What are the chances that the

apartments are built and then not the rest of the project? She also expressed concerns for traffic. She would have preferred to see less apartments and more retail.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

Councilwoman Jenkins asked about restrictions on types of businesses? Hasco Craver responded and said there are definitions as to fast casual and fast food, those are still in the proposal from the previous plan. Councilwoman Jenkins agreed with the comment about the LINC coming through and being clearly labeled and would like to see that addressed. Mr. Barranco said they are happy to do that.

Councilman Guillaume asked why is it important to have mixed-use developments with the majority being multi-family living? Mr. Barranco said it's a proven fact that the rooftops, the number of people, are what carry retail and using the amenities. The multi-family piece is needed to make the whole thing successful. The product is high quality and that is also reiterated in the ordinance with the Quality Overlay District so that can't be compromised.

Mayor Pro Tem Koritko asked why they are increasing the cap of rentals to 20%? Mr. Barranco said it's the market in their opinion at this location. This is a big location for traveling nurses. They also think it's better to ask for this upfront and not have to come back later. Mayor Pro Tem Koritko stated he also likes the LINC idea but then the LINC would end at Poplar Rd. and there would be no connection with Piedmont. Have there been any discussions with Piedmont? Mr. Barranco stated that is public right of way so there would have to be discussions with GDOT and Coweta County.

Councilwoman Jenkins asked about activation of the space, as this was discussed last time. Have they thought about partnerships for this? Mr. Barranco said they have not thought of any specific partnerships but they know there is an expectation especially with all the greenspaces that it will be activated by public use.

Motion by Councilman Shell, seconded by Councilman DuBose to approve the request as presented with proffered conditions including the LINC connection. Opposed: Alexander, Koritko, Guillaume. 2nd and Final Reading next agenda.

MOTION CARRIED. (4-3)

REQUEST FROM PARKS OF OLMSTED TO PUT UP BANNERS FOR
NEIGHBORHOOD GARAGE SALE, APRIL 9-15

Motion by Mayor Pro Tem Koritko, seconded by Councilman Guillaume to approve the request as presented.

MOTION CARRIED. (7-0)

REQUEST FROM SECOND TO NONE TO CLOSE FRESH BRU DRIVE, MARCH 17-19
FOR REMOTE CONTROL MONSTER TRUCK EVENT

Motion by Mayor Pro Tem Koritko, seconded by Councilman Guillaume to approve the request as presented.

MOTION CARRIED. (7-0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Koritko, seconded by Councilman Alexander that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal, real estate and personnel issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 8:36PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

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

MOTION CARRIED. (7-0)

WASHINGTON CLAIM

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to deny the claim as presented.

MOTION CARRIED. (7-0)

INGRAM CLAIM

Motion by Councilman Alexander, seconded by Councilman Shell to deny the claim as presented.

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to adjourn the Council meeting at 9:20pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor

APPLICATION FOR ALCOHOL BEVERAGE LICENSE

Name: **Line Creek Brewing Co dba The Reserve**

Licensee: **Paul Schwinne**

License Representative: **Christopher Lane**

Type License: **Microbrewery (Beer)**

Location: **18 Savannah St.**

TO THE CITY COUNCIL: REASON – NEW BUSINESS

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

If incomplete, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

(8) An affidavit from the applicant certifying posting of the proposed premises (has) been filed. (Sec. 3-40(b))

Respectfully submitted,

Megan Shea
City Clerk

City of Newnan, Georgia - Mayor and Council



Date: March 14, 2023

Agenda Item: Rezoning Request for RZ2023-01 by Freedom Land Holdings, LLC for 5.82± acres located at Old Atlanta Highway (Tax Parcel #073C 044 and Tax Parcel #073C 045); Requested zoning from PDC (Planned Commercial Development District) and PDO (Planned Office and Institutional District), respectively, to PDR (Planned Residential Development District) for the purpose of constructing 36 townhouse-style condominiums – **For Information Only**

Prepared By: Chris Cole, Senior Planner

Purpose: To inform the City Council that RZ2023-01 is before the Planning Commission for consideration and a recommendation on the requested zoning classification.

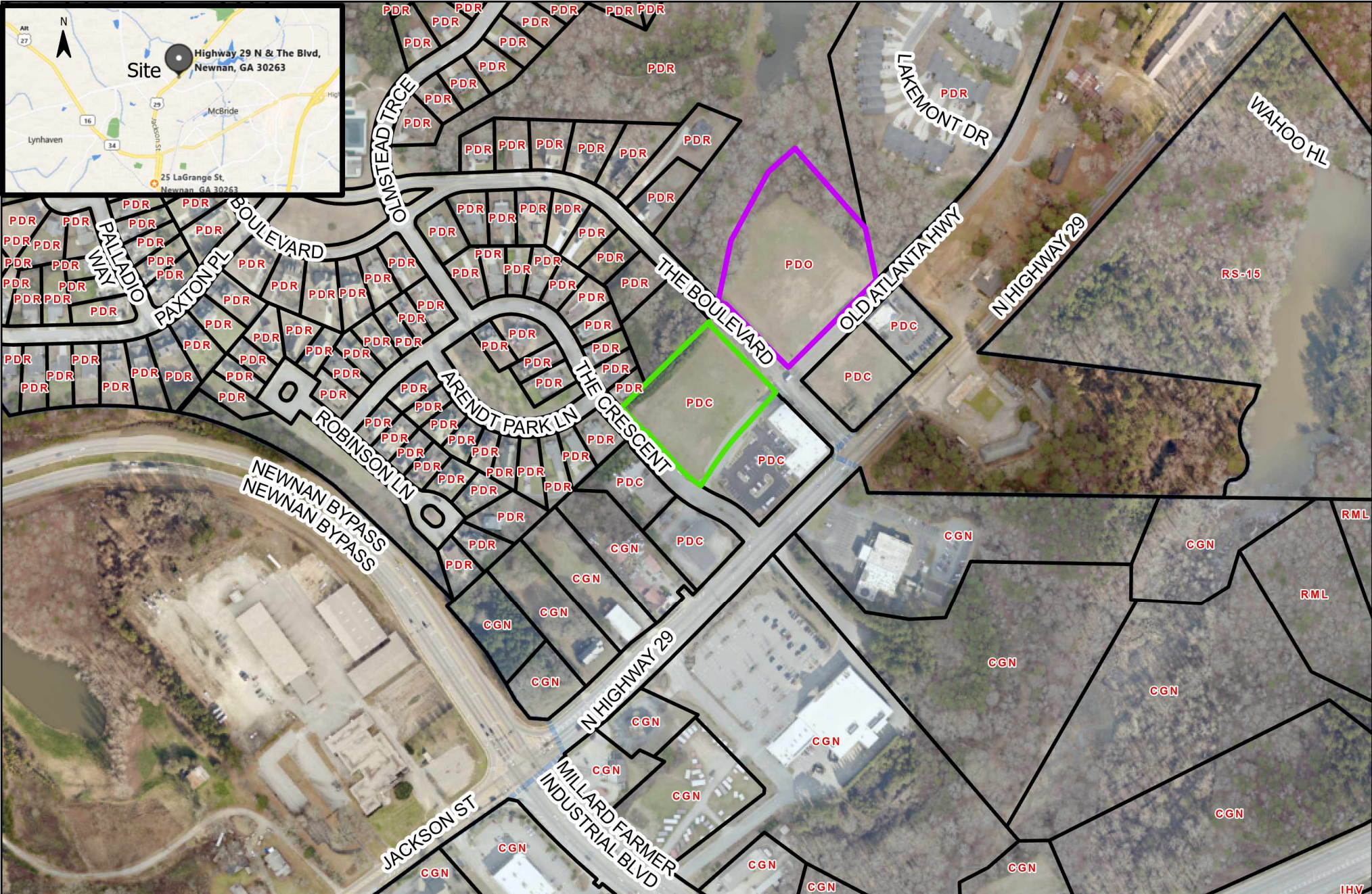
Land Owners	Tax ID Numbers	Acreage	Location
10 The Boulevard, LLC	073C 044	1.99+/- acres	Old Atlanta Highway
10 The Boulevard, LLC	073C 045	3.83+/- acres	Old Atlanta Highway

Background: The petitioner is requesting a zoning designation of PDR (Planned Residential Development District) for these properties located on Old Atlanta Highway. The properties are currently vacant and the applicant is proposing to build 36 townhouse-style condominiums.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: The City Council last considered a rezoning for the subject properties in 2005. In 2022, the current applicant submitted for rezoning for the subject properties and the City Council reviewed the application as “For Information Only” on August 23, 2022. The applicant later withdrew the application on November 9, 2022.



CITY OF NEWNAN



NEWNAN
GEORGIA

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



Project Location

1" = 4,200 feet

Date: 2/27/2023 12:50 PM



 City Limits

Parcel #	Current Zoning
073C 045	 PDO
073C 044	 PDC



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
Fax (770) 251-7262
Email: melissa@newnanlaw.com

February 27, 2023

HAND DELIVERY

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

RE: Application of Freedom Land Holdings, LLC to Amend the Zoning Ordinance
Approximately 5.82± Acres located at Old Hwy. 85, Lots 6 and 7, The Village at Avery Park, Newnan, Georgia

Dear Ms. Dunnivant:

Freedom Land Holdings, LLC, ("Freedom"), the 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 5.82 +/- acres to be rezoned from PDC and PDO to PDR.

As noted on the "Application to Amend Zoning Text" form enclosed herewith, the Property is the best location for a PDR zoning as it is a prime location for a good transition between the offices and residential that already exist at Avery Park. The rezoning will allow for development of this property that has been undeveloped and will help in connecting the area by offering different residential options. The PDR zoning will be beneficial to the business owners and residents not only at The Property, but also the surrounding area.

As you will see on the attached conceptual plan, this zoning request allows the opportunity for residential development in an area that has been undeveloped for many years. This will be a wonderful addition of opportunities for the community to enjoy as well. Also, as you will see on the attached renderings, all storm water will now be underground and the exteriors are consistent with the commercial and office developments that they are adjacent to. The extra brick which exceeds the requirements of the ordinance allows for a very attractive streetscapes as one transitions from the Community Section of Avery Park to the Residential Section.

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.

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

Freedom has, at attached Tabs (1) through (14) included all materials required per the Application Form and applicable Ordinance provision. As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Freedom, as Applicant and myself as counsel for Freedom, 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 Freedom Land Holdings, LLC

MDG/bs
Enclosure(s)

cc: Mr. James Nicholson

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

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 Freedom Land Holdings, LLC

Mailing Address 140 Village Circle, Senoia, GA 30276

Telephone (404) 725-2237 Email: james.nicholson@jefflindseycommunities.com

Property Owner (Use back if multiple names) 10 The Boulevard, LLC

Mailing Address c/o Sellmar Property Management, 101 Swanson Ridge, Peachtree City, GA 30269

Telephone _____

Address/Location of Property Lots 6 and 7 The Village at Avery Park

Tax Parcel No.: 073 044 and 073C 045 Land Lot 72

District/Section 5th Size of Property (Square Feet or Acres) 5.82 acres

Present Zoning Classification: PDC and PDO Proposed Zoning Classification: PDR

Present Land Use: undeveloped land

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 current zoning has been in place for numerous years without success of development. By amending the zoning to PDR, it will allow for consistent development of a residential option within Avery Park. The Applicant has included a playground and pavilion area for residents to enjoy.

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 adjoining property was developed, but this property has remained undeveloped as initially proposed for numerous years. The property is a suitable location for a residential option that will be

Application to Amend Zoning Map

City of Newnan, Georgia

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.

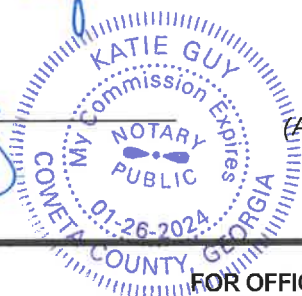
Sworn to and subscribed before me this

FREEDOM LAND HOLDINGS, LLC

9th day of February, 2023

Signature of Applicant

Notary Public



(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE 1-12-2023

RECEIVED BY Chris Cole

DATE OF FILING 2-27-2023

FILING FEE RECEIVED \$ 645.75

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

Parcel 073C 044

10 THE BOULEVARD LLC
C/O SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

12 THE CRESCENT JHJ LLC
c/o TANNEF
SUITE 6-3081 1000 PEACHTREE IND.
SUWANEE, GA 30024

AVERY PARK COMMUNITY ASSOC.
1465 NORTHSIDE DR I STE 1281
ATLANTA, GA 30318

EVANS, DARRIN L.
23 THE CRCS
NEWNAN, GA 30263

FECKOURY MICHELE
38 THE CRESCENT
NEWNAN, GA 30263

HELTON RAYMOND E & KRISTI L
69 THE BLVD
NEWNAN GA 30263

HERNANDEZ INDHIRA & WILKING REYEE
65 THE BLVD
NEWNAN, GA 30263

IH3 PROPERTY GEORGIA LP
C/O INVITATION HOMES & TAX
SUITE 2000/171 MAIN ST
DALLAS, TX 75201

NEWNA FIRST RETAIL, LLC
459 MILLARD FARMER IND. BLVD.
NEWNAN, GA 30263

JENSEN BRIAN
29 THE CRES
NEWNAN, GA 30263

KHWAISH RAINA LLC
10 THE CRESCENT
NEWNAN, GA 30263

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN GA 30263

NELMS BRIAN K & BRANDY A
43 THE CRES
NEWNAN, GA 30265

NEWNAN AUTO BODY & GLASS & RPR.
484 US HIGHWAY 29 NORTH
NEWNAN, GA 30263

CRAIN ELIZABETH
1015 WAHOO HILL
NEWNAN, GA 30263

NEWNAN-COWETA HUMANE SOC.II
608 N HWY 29
NEWNAN, GA 30263

PEACE JEFFREY S & LISA W PEACE
32 THE CRES
NEWNAN, GA 30263

AVERY PARK COMMUNITY ASSC.
#128 / 1465 NORTHSIDE DR.
ATLANTA, GA 30318

PROGRESS RESIDENTIAL BORROWER 1
PO BOX 4090
SCOTTSDALE, AZ 85261

SALVANERA NOEL & REBECCA ANN
39 THE CRESCENT
NEWNAN, GA 30263

THETFORD ROBERT T JR
4 ARENDT PARK LN
NEWNAN, GA 30263

TORTORELLA MICHAEL L & KRISTINE K
16 ARENDT PARK LN
NEWNAN, GA 30264

TRANS VAUGHN DEVELOPMENT
P O BOX 719
NEWNAN, GA 30264

TRANS-VAUGHN DEVELOP. CORP
P O BOX 719
NEWNAN, GA 30263

TROUTMAN GROUP INC
185 GOLFVIEW CLUB DR
NEWNAN, GA 30263

WISE JASON DANIEL & ERIN F VISE
33 THE CRESCENT
NEWNAN, GA 30263

Parcel 073C 045

10 THE BOULEVARD LLC
C/O SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

HELTON RAYMOND E & KRISTI L
69 THE BLVD
NEWNAN, GA 30263

NEWNAN-COWETA HUMANE SOC.
608 N HWY 29
NEWNAN, GA 30263

AVERY PARK COMMUNITY ASSOC.
1465 NORTHSIDE DR I STE 128
ATLANTA, GA 30318

HERNANDEZ INDHIRA & WILKING REYEE MARIN PROPERTIES LLC
65 THE BLVD
NEWNAN, GA 30263

TROUTMAN GROUP INC
185 GOLFVIEW CLUB DR
NEWNAN, GA 30263

AVERY PARK COMMUNITY ASSOC.
#1281 1465 NORTHSIDE DR
ATLANTA, GA 30318

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN, GA 30265

Parcel 073C 041

10 THE BOULEVARD LLC
SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

KHWAISH RAINA LLC
10 THE CRESCENT
NEWNAN, GA 30263

PINKY INC
29 OVERBROOK CT
NEWNAN, GA 30263

12 THE CRESCENT JHJ LLC
c/o TANNEF
SUITE 6-308/ 1000 PEACHTREE IND.
SUWANEE, GA 30024

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN, GA 30265

THETFORD ROBERT T JR
4 ARENDT PARK LN
NEWNAN, GA 30263

JACKSON STREET STATION LLC
SUITE 201/1775 GRAHAM AVE
HENDERSON, NC 27536

NEWNAN AUTO BODY & GLASS REPAI
484 US HIGHWAY 29 NORTH
NEWNAN, GA 30263

TRANS VAUGHN DEVELOPMENT
P O BOX 719
NEWNAN, GA 30264

TAB 3

Legal Description of the Property

DOC# 019083
FILED IN OFFICE
10/13/2017 11:50 AM
BK:4611 PG:662-662
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: \$120.00 ✓

✓ RETURN TO:
GLOVER & DAVIS, P.A.
P.O. DRAWER 1038
NEWNAN, GA 30264

LIMITED
WARRANTY DEED

PT-61 038-2017-005996

STATE OF GEORGIA
COUNTY OF COWETA

FILE #: 2017-0598

THIS INDENTURE made this 11th day of October, 2017, between Cygnus GA, LLC, a Georgia Limited Liability Company, as party or parties of the first part, hereinafter called Grantor, and 10 The Boulevard, LLC, a Georgia Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that certain tract or parcel of land alternate lying and being in Land Lot 72 of the 5th Land District of the City of Newnan, Coweta County, Georgia, being Lots 6 and 7 of The Village Center at Avery Park Subdivision, as per plat of record at Plat Book 70, Pages 200-203, Coweta County, Georgia Records. Reference to said plat is hereby made for a more complete and accurate description of said Lots 6 and 7.

TOGETHER WITH the easements contained in that certain General Warranty Deed from F&H Investment Company, L.L.C., a Georgia limited liability company, to Peachtree City Holdings, L.L.C., a Georgia limited liability company, dated as of August 24, 1998, recorded in Deed Book 1287, Page 362, Coweta County, Georgia Records; and

ALSO TOGETHER WITH these easement rights arising under that certain Declaration of Covenants, Conditions and Restrictions for The Village Center at Avery Park by Peachtree City Holdings, L.L.C., a Georgia limited liability company, dated January 31, 2000, recorded in Deed Book 1485, Page 695, Coweta County, Georgia Records.

The above-described property is conveyed subject to the following:

- (1) Declaration of Covenants, Conditions and Restrictions for The Village Center at Avery Park, recorded at Deed Book 1485, Page 695, Coweta County, Georgia Records, and any amendments thereto.
- (2) All matters as shown on plat of record at Plat Book 70, Pages 200-203; and Plat Book 67, Page 123, Coweta County, Georgia Records.
- (3) Right of Way Easement to Transcontinental Gas Pipe Line Corporation recorded at Deed Book 55, Page 416, Coweta County, Georgia Records; and Amendment to Right of Way Agreement recorded at Deed Book 219, Page 233, aforesaid records.
- (4) Right of Way Easement Agreement in favor of Vyxx, Inc., recorded at Deed Book 1190, Page 507, Coweta County, Georgia Records.
- (5) Water/Sewer Easement in favor of The City of Newnan and Newnan Water & Light Commission, recorded at Deed Book 1143, Page 127, Coweta County, Georgia Records.
- (6) Right of Way Deed to the City of Newnan, Georgia, recorded at Deed Book 1485, Page 690, Coweta County, Georgia Records.
- (7) Rights of tenants or parties in possession.

TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

Cygnus GA, LLC
A Georgia Limited Liability Company

By: *[Signature]* (SEAL)
Andy Cummings, Manager

[Signature]
Notary Public

My Commission Expires:

(SEAL)



1/10

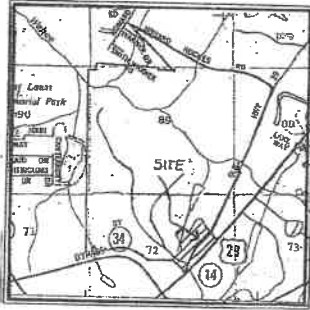
TAB 4

Certified Plat

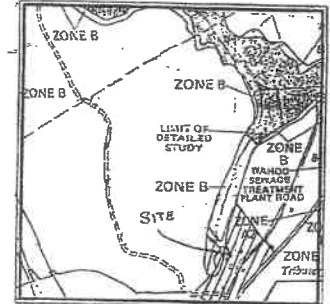
FILED AT OFFICE
CLERK OF
SUPERIOR COURT AND VEHICLE
COURT

NOV 31 AM 9:08

JOHN A. BUCKNER, P.E.
JOHN G. GRIFFITHS, CLERK



VICINITY MAP



70-500
**FINAL SUBDIVISION PLAT FOR
THE VILLAGE CENTER
AT AVERY PARK**

LAND LOT 72 * 5th DISTRICT
CITY OF NEWNAN * COWETA COUNTY, GEORGIA

OWNER/DEVELOPER
PATHWAY COMMUNITIES
P.O. BOX 2007
200 WESTPARK DRIVE, SUITE 300
PEACHTREE CITY, GEORGIA 30260

24 HOUR CONTACT
MS. LEANN WADDELL
770-487-8585

ENGINEER/SURVEYOR
ROCHESTER & ASSOCIATES, INC.
425 OAK STREET, N.W., GAINESVILLE, GEORGIA 30501
ATLANTA: 770-718-0600 * FAYETTEVILLE: 770-716-8123 *
GAINESVILLE: 770-534-5106
SURVEYOR: MARK A. BUCKNER
ENGINEER: JOHN A. BONANNO

A PORTION OF THIS PROPERTY IS LOCATED
IN A FLOOD HAZARD AREA AS PER
F.I.R.M. FLOOD INSURANCE RATE MAP
FOR THE CITY OF NEWNAN,
COWETA COUNTY, GEORGIA.
COMMUNITY PANEL No. 130298 0120A
EFFECTIVE AUGUST 2, 1982.
ZONE B

OWNER'S CERTIFICATION:

STATE OF GEORGIA, COUNTY OF COWETA
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS
SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT
CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL
STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS
LAND HAVE BEEN PAID, AND DEDICATES TO THE USE OF THE PUBLIC FOR-
EVER ALL STREETS, DRAINAGE WAYS AND EASEMENTS SHOWN HEREON AND
OTHER DEDICATES TO THE PUBLIC FOREVER OR RESERVES FOR PURCHASE
BY THE CITY ALL PUBLIC GROUNDS AS INDICATED ON THE PLAT, FOR THE
PURPOSES AND CONSIDERATION HEREIN EXPRESSED.

AGENT _____ DATE _____

OWNER *Leann Waddell* DATE *1/1/83*

PLANNING DEVELOPMENT CERTIFICATE:

PURSUANT TO THE LAND SUBDIVISION REGULATIONS OF THE CITY OF NEWNAN,
GEORGIA, ALL REQUIREMENTS OF APPROVAL HAVING BEEN FULFILLED, THIS
FINAL PLAT WAS GIVEN FINAL APPROVAL BY THE NEWNAN PLANNING COMMISSION
AT ITS MEETING ON 11/21/82 11-25-82

DATE 01-11-83 BY *John A. Buckner*
SECRETARY, PLANNING COMMISSION

CITY COUNCIL CERTIFICATE:

ALL STREET RIGHTS-OF-WAY AND THE IMPROVEMENTS THEREIN AND ANY
CATCH BASINS, JUNCTION BOXES, STORM DRAINAGE PIPE, EASEMENTS, OTHER
STRUCTURES OR AREAS OUTSIDE OF SAID STREET RIGHTS-OF-WAY (EXCLUD-
ING DITCHES AND OTHER OPEN DRAINAGEWAYS), WHICH STRUCTURES OR
AREAS ARE SPECIFICALLY INDICATED ON THIS PLAT AS BEING DEDICATED TO
THE PUBLIC, ARE HEREBY ACCEPTED.

DATE 01-25-83 BY *John A. Buckner*
CITY MANAGER

ENGINEER OR SURVEYOR CERTIFICATE:

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS
PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER
MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST
AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN,
AND THAT ALL ENGINEERING REQUIREMENTS OF THE LAND SUBDIVISION
REGULATIONS OF THE CITY OF NEWNAN, GEORGIA HAVE BEEN FULLY
COMPLIED WITH.

BY _____

REGISTERED C.E. No. 22929

BY *John A. Buckner*

REGISTERED
GEORGIA LAND SURVEYOR No. 2422



THE FIELD DATA UPON WHICH THIS PLAT IS BASED
HAS A CLOSURE PRECISION OF ONE FOOT IN
43,287 FEET AND AN ANGULAR ERROR OF
06 SECONDS PER ANGLE AND WAS ADJUSTED
USING THE COMPASS RULE.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE
AND IS FOUND TO BE ACCURATE WITHIN ONE
FOOT IN 418,623 FEET.
TOPCON GTS-313 USED FOR ANGULAR AND
LINEAR MEASUREMENTS.

THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY
COMMUNITIES. ANY USE BY THIRD PARTIES IS AT THEIR
OWN RISK.

JOB NO. G198134.011-2514

1 OF 4
DATE 12/7/82
SCALE NA
JOB NO. 80134.11
DRAWN BY SWS
FILE NO. NP-VCL-100

THIS PLAT IS NOT VALID UNLESS
IT BEARS THE ORIGINAL SIGNATURE
OF THE REGISTRANT AND APPROVE
THE REGISTRANT'S SEAL.

NO.	DATE	DESCRIPTION

FINAL SUBDIVISION PLAT FOR
**THE VILLAGE CENTER
AT AVERY PARK**
LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
Atlanta 0707-0880 - Fayetteville 0707-0123
Marietta 0707-45-0786 - Gainesville 0707-031-0188
425 oak st., n.w., gainesville, ga. 30501

- LEGEND**
- AE - ACCESS EASEMENT
 - AF - ANGLE IRON FOUND
 - AKA - ALSO KNOWN AS
 - BC - BACK OF CURB
 - BL - BUILDING SETBACK LINE
 - BWF - BARBED WIRE FENCE
 - C&G - CURB & GUTTER
 - CT - CRIMP TOP PIPE
 - CI - CURB INLET
 - CL - CENTER LINE
 - CLF - CHAIN LINK FENCE
 - CMF - CONCRETE MONUMENT FOUND
 - CMP - CORRUGATED METAL PIPE
 - CNS - CONCRETE NAIL SET
 - CONC - CONCRETE
 - CORP - US ARMY CORPS OF ENGINEERS
 - DB,PG - DEED BOOK, PAGE
 - DE - DRAINAGE EASEMENT
 - DI - DROP INLET
 - DIP - DUCTILE IRON PIPE
 - DWCB - DOUBLE-WING CATCH BASIN
 - EASE - EASEMENT
 - EP - EDGE OF PAVEMENT
 - FTE - FINISHED FLOOR ELEVATION
 - FI - FIRE HYDRANT
 - FM - FOREDMAN
 - G- - GAS LINE
 - GM - GAS METER
 - GP - GUY POLE
 - GV - GAS VALVE
 - GW - GUY WIRE
 - HC - HANDICAP PARKING SPACE
 - HW - HEADWALL
 - HWF - HOG WIRE FENCE
 - IPF - IRON PIN FOUND
 - IPS - IRON PIN SET (1/2" R/R)
 - JB - JUNCTION BOX
 - LL - LAND LOT
 - LLI - LAND LOT LINE
 - LP - LIGHT POLE
 - MH - MANHOLE
 - MON - MONUMENT
 - N/O - NEW OR FORMERLY
 - OCS - OUTLET CONTROL STRUCTURE
 - OT - OPEN TOP PIPE
 - P- - POWER LINE
 - P/T- - POWER & TELEPHONE LINE
 - PAVT - PAVEMENT
 - PBX - POWER BOX
 - P.E. - PEDESTRIAN ACCESS INGRESS, CROSS EASEMENT
 - R - PROPERTY LINE
 - PM - POWER METER
 - POB - POINT OF BEGINNING
 - PP - POWER POLE
 - PTP - POWER & TELEPHONE POLE
 - PVC - POLYVINYLCHLORIDE PIPE
 - RD - REINFORCED IRON BAR
 - ROP - REINFORCED CONCRETE PIPE
 - R/W - RIGHT OF WAY
 - SS- - SANITARY SEWER LINE
 - SE - SANITARY SEWER EASEMENT
 - SF - SQUARE FEET
 - SW - SIDEWALK
 - SWCB - SINGLE-WING CATCH BASIN
 - TBM - TEMPORARY BENCHMARK
 - TEB - TELEPHONE BOX
 - TF - TRANSFORMER
 - TMH - TELEPHONE MANHOLE
 - TP - TELEPHONE POLE
 - TPOB - TRUE POINT OF BEGINNING
 - T- - TELEPHONE LINE
 - UE - UTILITY EASEMENT
 - UGP - UNDERGROUND POWER
 - UST - UNDERGROUND TELEPHONE
 - VCP - VITRIFIED CLAY PIPE
 - WE - WATER EASEMENT
 - WI - WEIR INLET
 - W- - WATER LINE
 - WM - WATER METER
 - WHI - WATER MANHOLE
 - WV - WATER VALVE
 - X- - NUMBER OF PARKING SPACES (INCLUDES HC SPACES SHOWN)

FILED IN OFFICE
CLERK OF
SUPERIOR/STATE/JUVENILE
COURT

2000 JAN 31 AM 9:08

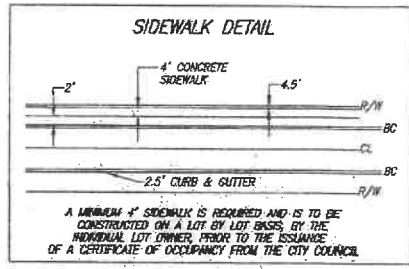
COURT HOUSE, GA
JOAN G. GRIFFIES, CLERK

CENTERLINE CURVE DATA

CURVE	ARC	RADIUS	DELTA	TANGENT	DEGREE OF CURVE	BEARING	CHORD
C1	56.63'	200.00'	16°13'23"	28.51'	28°38'52"	N52°43'48"W	56.44'
C2	66.91'	233.00'	16°27'13"	33.69'	24°35'28"	N52°36'53"W	66.68'

LOT DATA TABLE

LINE/CURVE	BEARING	CHORD	ARC	RADIUS
1	N89°45'00"W	32.60'	36.23'	23.00'
2	S00°24'43"W	32.54'	36.15'	23.00'
3	N89°35'17"W	32.51'	36.10'	23.00'
4	N44°37'07"W	15.57'		
5	N52°43'48"W	65.75'	65.97'	233.00'
6	N60°50'30"W	73.47'		
7	N58°49'04"W	14.13'	14.13'	200.00'
8	N50°35'28"W	43.22'	43.31'	200.00'
9	N89°23'17"W	11.31'		
10	N44°23'17"W	24.53'		
11	N44°23'17"W	83.12'		
12	S45°36'43"W	50.00'		
13	S44°23'17"E	39.82'		
14	S00°36'43"W	11.31'		
15	S45°55'21"E	14.25'	14.25'	266.00'
16	S54°08'58"E	62.00'	62.14'	266.00'
17	S60°50'30"E	73.47'		
18	S52°43'48"E	47.13'	47.29'	167.00'
19	S44°37'07"E	15.45'		
20	S00°24'43"W	32.54'	36.15'	23.00'
21	S00°22'53"W	11.31'		
22	S44°37'07"E	60.85'		
23	S38°54'00"E	66.37'		
24	S45°10'22"W	68.37'		
25	S45°26'33"W	43.78'		
26	S45°26'33"W	112.00'		



AREA SUMMARY

LOT AREA = 10.469 ACRES

ROAD AREA = 1.221 ACRES

OPEN SPACE AREA = 1.257 ACRES

TOTAL AREA = 12.947 ACRES

PLAT BOOK 70 OF 201

- NOTES:**
- TOTAL NUMBER OF LOTS = 7
 - ZONING: PDC & PDD
 - MINIMUM LOT SIZE: 7,250 SQ.FT.
 - MAXIMUM LOT COVERAGE: 35%
 - FLOOR AREA RATIO: 70%
 - MINIMUM DISTANCE BETWEEN BUILDINGS: 20 FEET
 - DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AVERY PARK RECORDED IN DEED BOOK _____, PAGE _____
 - DISTANCES SHOWN HEREON ARE HORIZONTAL.
 - IRON PIN SET (1/2" REBAR) AT ALL LOT CORNERS, UNLESS NOTED OTHERWISE.
 - ISLANDS AND MEDIANS WITHIN PUBLIC RIGHT-OF-WAYS ARE DEDICATED TO THE CITY OF NEWMAN, BUT WILL BE MAINTAINED BY AVERY PARK COMMUNITY ASSOCIATION, INC.
 - THE WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS. THE OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.



THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY COMMUNITIES, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB NO. G198134.011-2514

24

GATE 12/7/00
SCALE: N/A
JOB NO. 98134.11
DRAWN BY SWS
FILE NO. 12-00-1000

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

NO.	DATE	DESCRIPTION

FINAL SUBDIVISION PLAT FOR

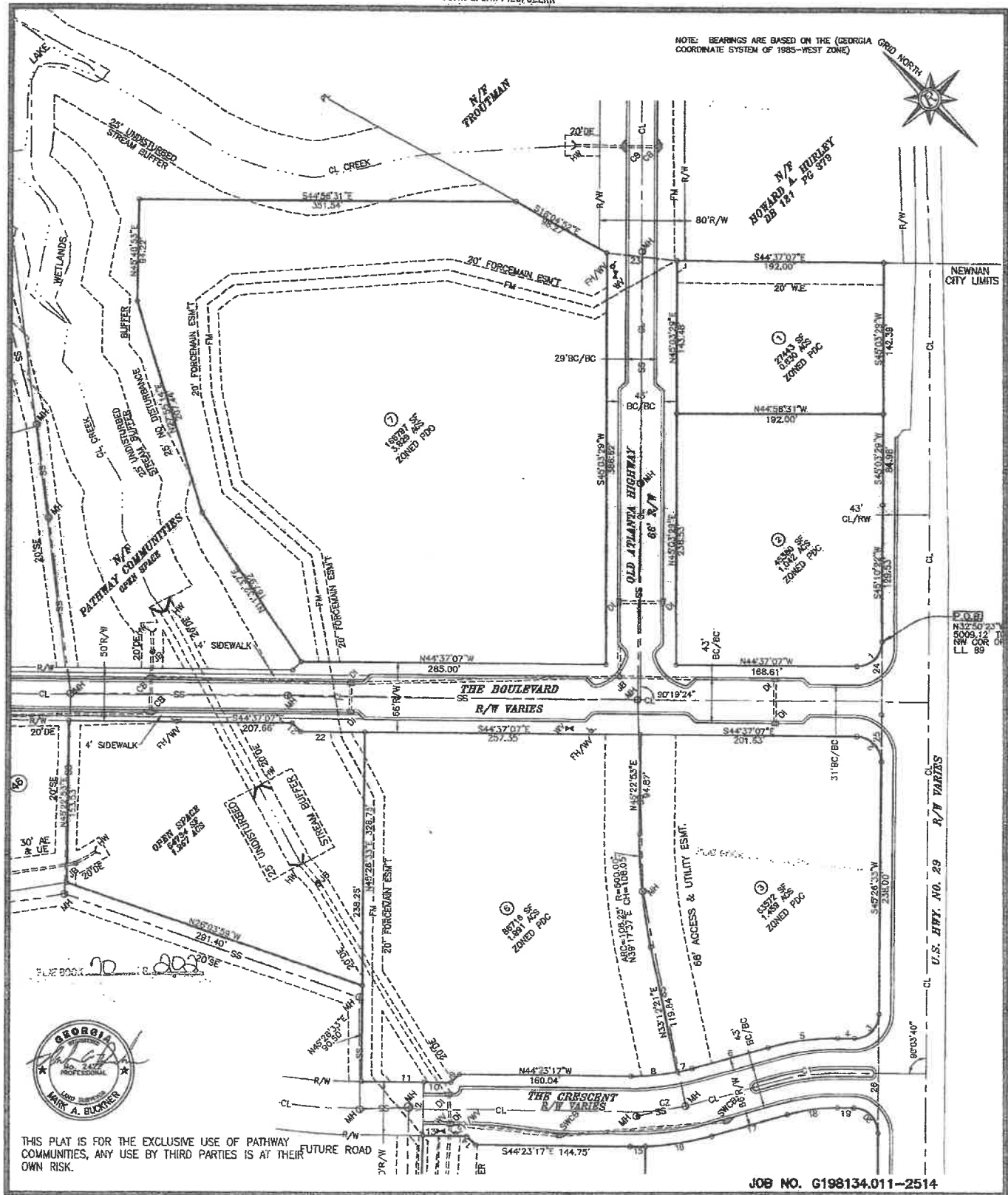
THE VILLAGE CENTER AT AVERY PARK

LOCATED IN
LAND LOT 72 • 5th DISTRICT • CITY OF NEWMAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
phone 0707-8988 • fax 0707-8989
mobile 0607-48-8108 • cell 0707-891-8108
425 east st., s.w. geoswiss, ga. 30601

CLERK OF
SUPERIOR/STATE/JUVENILE
COURT
2008 JAN 31 AM 9:09
COWETA COUNTY, GA
JOAN G. GRIFFIES, CLERK

NOTE: BEARINGS ARE BASED ON THE (GEORGIA
COORDINATE SYSTEM OF 1985--WEST ZONE)



THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY COMMUNITIES, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB NO. G198134.011-2514

SHEET	OF
3	4
DATE	12/7/99
SCALE	1"=60'
JOB NO.	98134.11
DRAWN BY	SS
FILE NO.	W-10000

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0' 30' 60' 120'

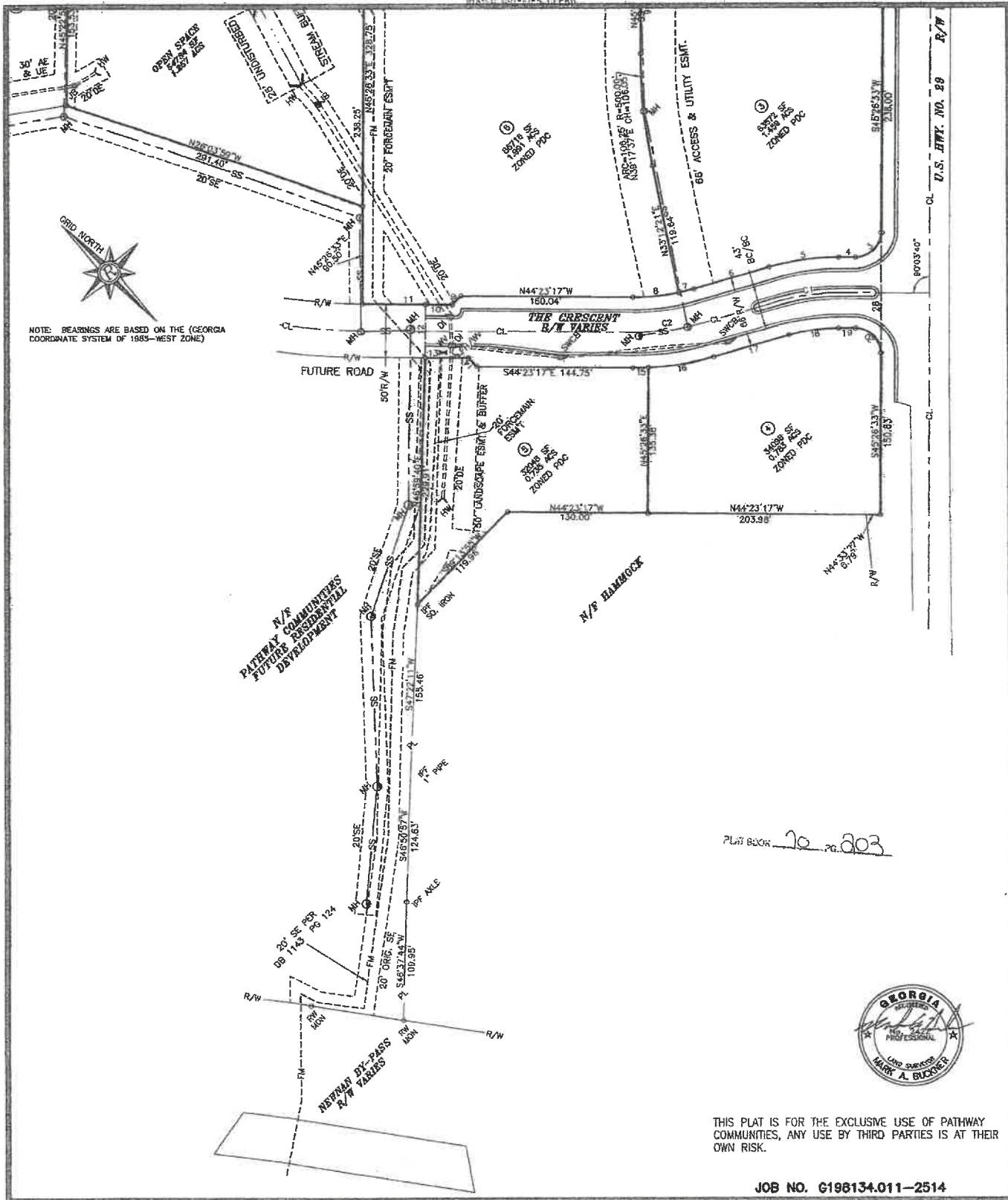
NO.	DATE	DESCRIPTION

FINAL SUBMISSION PLAT FOR
THE VILLAGE CENTER AT AVERY PARK
LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
Atlanta 07679-0600 - Fayetteville 07679-4322
Milledgeville 07632-0700 - Columbus 07703-4700
426 oak st., n.w. gainesville, ga. 30501

2000 JAN 31 AM 9:10

COWETA COUNTY, GA
PLANNING SERVICES DEPT.



NOTE: BEARINGS ARE BASED ON THE (GEORGIA COORDINATE SYSTEM OF 1985—WEST ZONE)



PLAT BOOK 70 PG. 203



THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY COMMUNITIES, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB NO. G198134.011-2514

4 4
DATE 12/7/99
SCALE 1"=50'
JOB NO. 98134.11
DRAWN BY SWB
FILE NO. G-198134

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0 30 60 120

NO.	DATE	DESCRIPTION

FINAL SUBDIVISION PLAT FOR
THE VILLAGE CENTER AT AVERY PARK
LOCATED IN
LAND LOT 72 • 5th DISTRICT • CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
Atlanta (770) 765-0906 • Marietta (770) 778-6123
Milledgeville (706) 749-8126 • Gainesville (770) 524-5100
425 oak st., n.w. gainesville, ga. 30501

TAB 5

Conceptual Plan



TAB 6

Proffered Conditions



City of Newnan, Georgia
Attachment A
Proffered Conditions

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

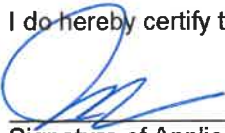
Please list any written proffered conditions below:

The storm water management will be underground. The Applicant shall construct a playground and pavilion area for its residents to enjoy

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

All plans, profiles, elevations and other demonstrative materials included in the application packet are proffered herein

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



Signature of Applicant

Jeffrey Lindsey, President

Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Attorney

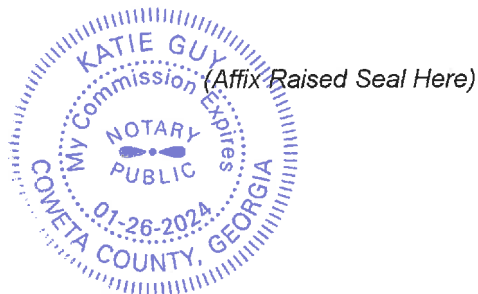
Type or Print Name and Title



Signature of Notary Public

2/9/23

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:

The storm water management will be underground. The Applicant shall construct a playground and pavilion area for its residents to enjoy

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

All plans, profiles, elevations and other demonstrative materials included in the application packet are proffered herein

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

Signature of Applicant's Representative

Rebecca Stone 2/27/23

Signature of Notary Public

Date

Type or Print Name and Title

Melissa D. Griffis, Attorney

Type or Print Name and Title

(Affix Raised Seal Here)



TAB 7

Disclosure of Campaign Contributions and Gifts



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 27th, 2023 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

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


All individuals, business entities, or other organizations' 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.




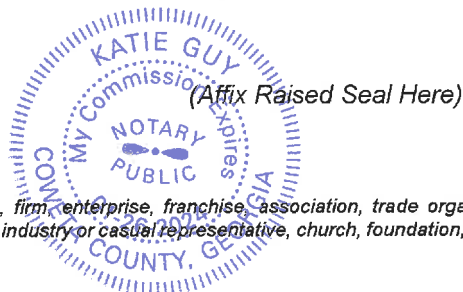
Signature of Applicant

Jeffrey Lindsey, President
Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Attorney
Type or Print Name and Title

 2/9/23
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.



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 27th, 2023 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

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

All individuals, business entities, or other organizations¹ 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.

Signature of Applicant


Type or Print Name and Title

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

Signature of Applicant's Representative

 Signature of Notary Public Date 2/27/23

(Affix Raised Seal Here)


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

TAB 8

Property Owners Authorizations



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 10 The Boulevard, LLC.

Telephone Number _____

Address of Subject Property Lots 6 and 7 The Village at Avery Park

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.

Signature of Property Owner

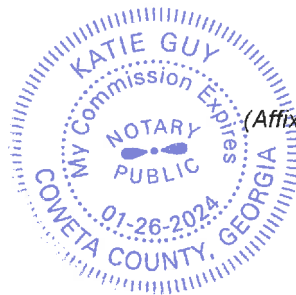
Personally appeared before me

Jeffrey Lindsey

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

Katie Guy
Notary Public

2/9/23
Date



(Affix Raised Seal Here)



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 10 The Boulevard, LLC.

Telephone Number _____

Address of Subject Property Lots 6 & 7 The Village @ Avery Park

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.

Mark A. Lord managing member
 Signature of Property Owner

Personally appeared before me

Mark A. Lord

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

Cl Burns

Notary Public

6/28/22

Date



(Affix Raised Seal Here)

Melissa Griffis

From: Taylor Josey <tjosey@jybrealty.com>
Sent: Friday, February 3, 2023 11:44 AM
To: Melissa Griffis
Subject: FW: Avery Park Commercial Lots Rezoning - 10 The Boulevard, LLC

Melissa-
Below are the approval e-mails for the Avery Park rezoning.

Taylor Josey
Josey, Young & Brady Realty, LLC
75 Jackson Street, Ste 200
Newnan, GA 30263
Cell: 770-652-7469
Office: 770-683-1800
Fax: 770-683-1801
tjosey@jybrealty.com
www.jybrealty.com

From: Ernie Pullano <ernie@cleancare.net>
Sent: Friday, February 3, 2023 11:36 AM
To: Taylor Josey <tjosey@jybrealty.com>
Subject: Re: Avery Park Commercial Lots Rezoning - 10 The Boulevard, LLC

I approve

Sincerely,

Ernest G. Pullano
President

Clean Care of New England
3618 West Shore Road
Warwick, RI. 02886
401-941-9111
401-864-5932 cell
Ernie@cleancare.net

RI Contractor License # 270

CONFIDENTIALITY NOTICE:

This communication (including all attachments) is confidential and is intended for the use of the named addressee(s) only, and may contain information that is private, confidential, privileged, and exempt from disclosure under law. All rights to privilege are expressly claimed and reserved and are not

waived. Any use, dissemination, distribution, copying or disclosure of this message and any attachments, in whole or in part, by anyone other than the intended recipient(s) is strictly prohibited. If you have received this communication in error, please notify the sender immediately, delete this communication from all data storage devices and destroy all hard copies.

On Feb 3, 2023, at 11:13 AM, Taylor Josey <tjosey@jybrealty.com> wrote:

Hi Ernie-

Can we get your approval on the resubmitted rezoning application please? Just respond by e-mail that you approve which will be sufficient for the City of Newnan. Thanks.

Taylor Josey
Josey, Young & Brady Realty, LLC
75 Jackson Street, Ste 200
Newnan, GA 30263
Cell: 770-652-7469
Office: 770-683-1800
Fax: 770-683-1801
tjosey@jybrealty.com
www.jybrealty.com

From: MARK LORD <ARCHER59@msn.com>
Sent: Thursday, February 2, 2023 10:13 AM
To: Taylor Josey <tjosey@jybrealty.com>; Ernie Pullano <ernie@cleancare.net>
Subject: Re: Avery Park Commercial Lots Rezoning - 10 The Boulevard, LLC

Yes, I approve of the rezoning application.

Thank you,

Mark Lord

President | General Polymer Inc.
59 Foundry St. • Central Falls, RI 02863
General Polymer Inc.

 401-742-7035
 401-723-6660
 mlord@genpoly.net
 www.genpoly.net

From: Taylor Josey <tjosey@jybrealty.com>
Sent: Thursday, February 2, 2023 10:10 AM

To: MARK LORD (ARCHER59@msn.com) <archer59@msn.com>; Ernie Pullano <ernie@cleancare.net>
Subject: Avery Park Commercial Lots Rezoning - 10 The Boulevard, LLC

Mark & Ernie-

The buyer's zoning attorney is now preparing the rezoning application for resubmittal to the City of Newnan. Rather than make you sign the new application directly as owners the attorney said you could just consent to the rezoning by responding to this e-mail. Please respond here as to whether you consent to the rezoning application. Thanks!

Taylor Josey
Josey, Young & Brady Realty, LLC
75 Jackson Street, Ste 200
Newnan, GA 30263
Cell: 770-652-7469
Office: 770-683-1800
Fax: 770-683-1801
tjosey@jybrealty.com
www.jybrealty.com

TAB 9

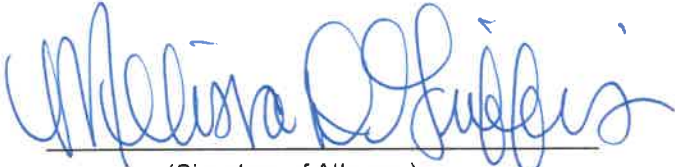
Authorization of Attorney



City of Newnan, Georgia
Attachment D
Attorney's Authorization

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

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


(Signature of Attorney)

Name of Attorney Melissa D. Griffis, Esq.

Address 32 South Court Square

 Newnan, GA 30263

Telephone (770) 253-3282

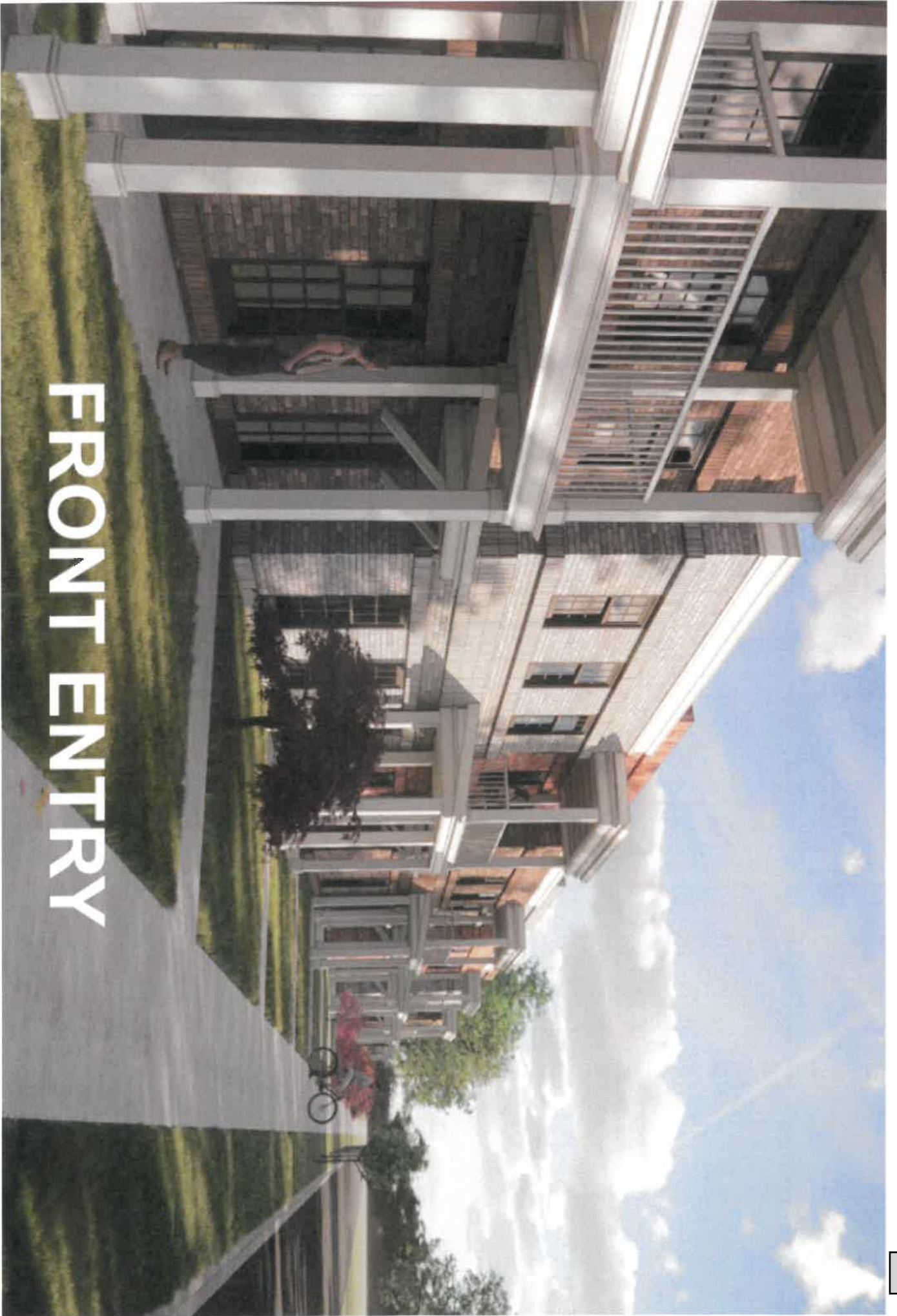
Date 2-27-2023

TAB 10

Community Impact Study (Not Applicable)

TAB 11

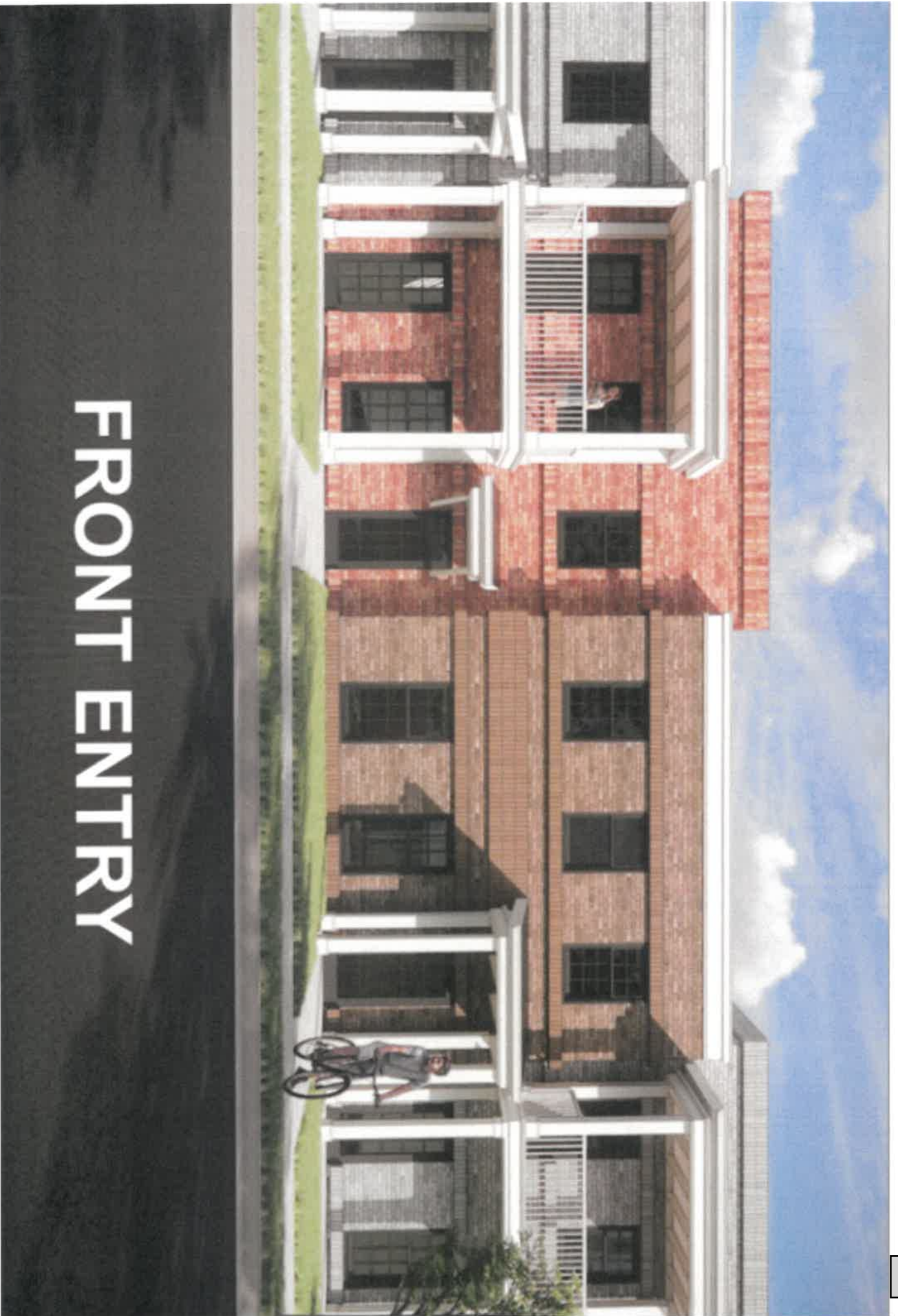
Renderings



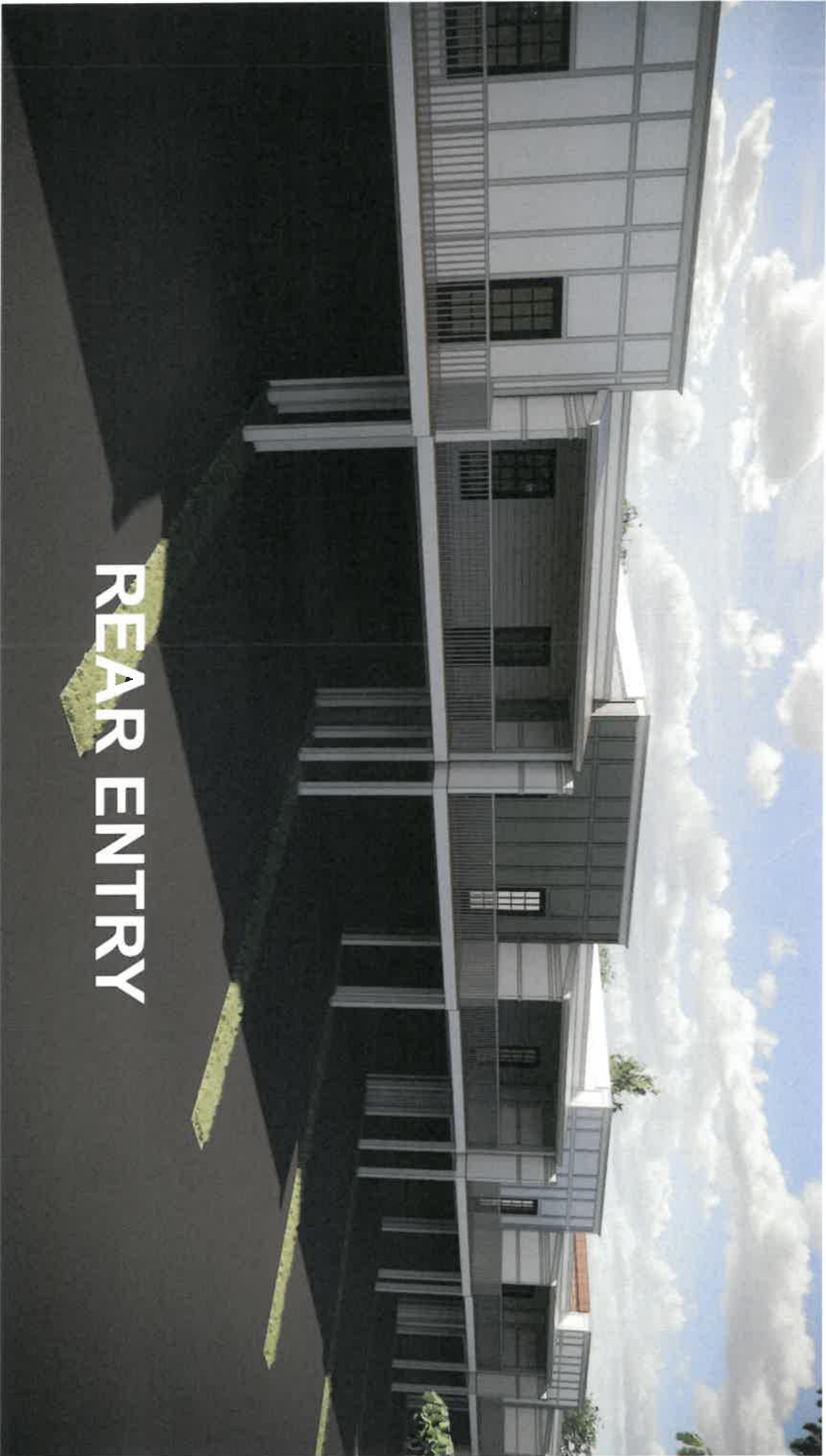
FRONT ENTRY



FRONT ENTRY



FRONT ENTRY



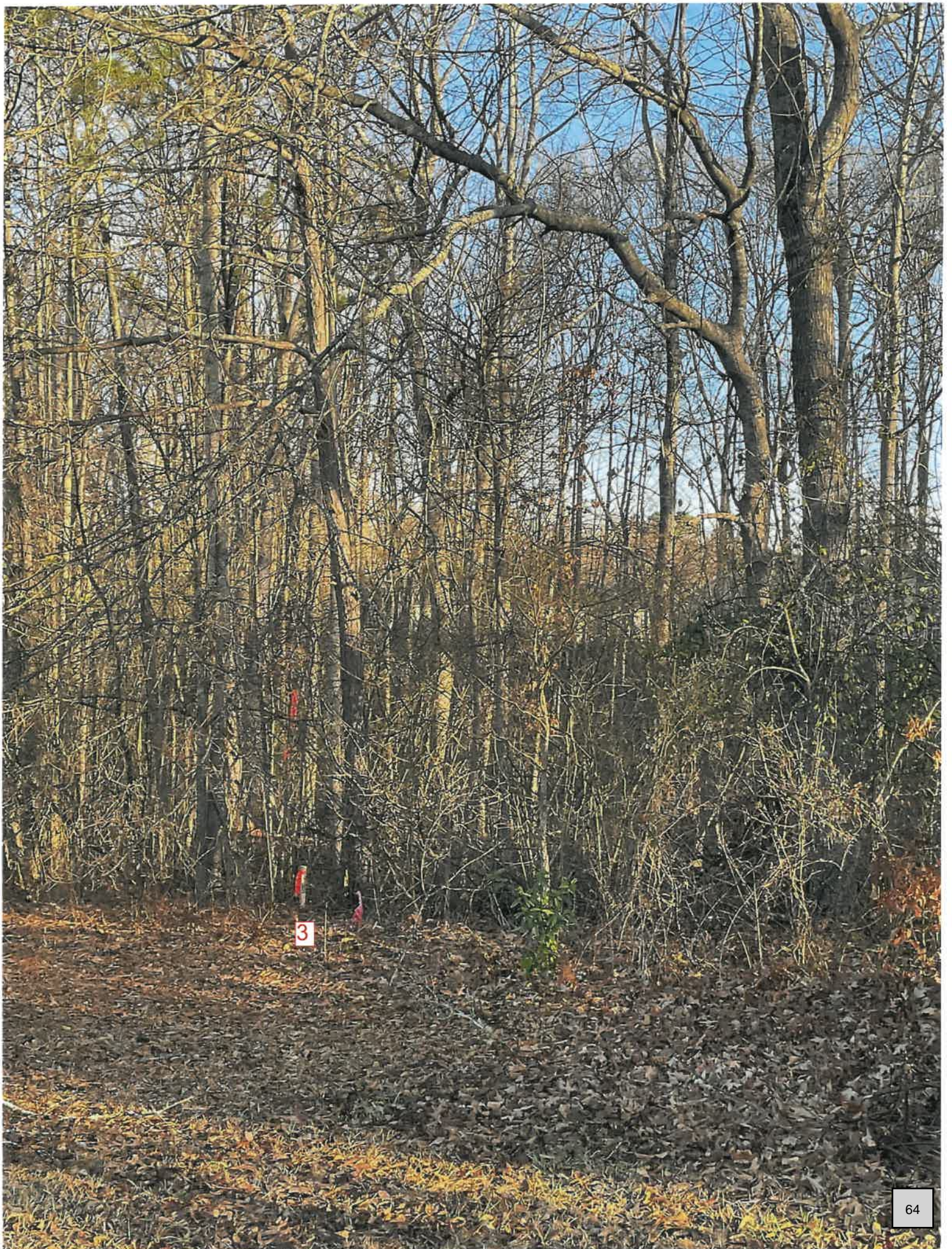
TAB 12

Tree Management Plan











City of Newnan
Attachment F

Preliminary Tree Management Minimum Elements

A Preliminary Tree Management Plan must include, at a minimum, the following:

- Graphic representation of existing tree canopy
- Descriptive written or labelling information about existing tree canopy
- Total number of acres
- Number of disturbed acres
- Number of acres within any undevelopable portion, i.e. utility easements, floodplains, ponds, streams and stream buffers, etc.
- Graphic display and label any required or proffered zoning buffers.
Provide acreage.
- Number of actual tree save acreage not including any of the categories listed above.
- Provide detailed and graphic descriptions of all tree save areas and how tree save areas will be safeguarded and protected.

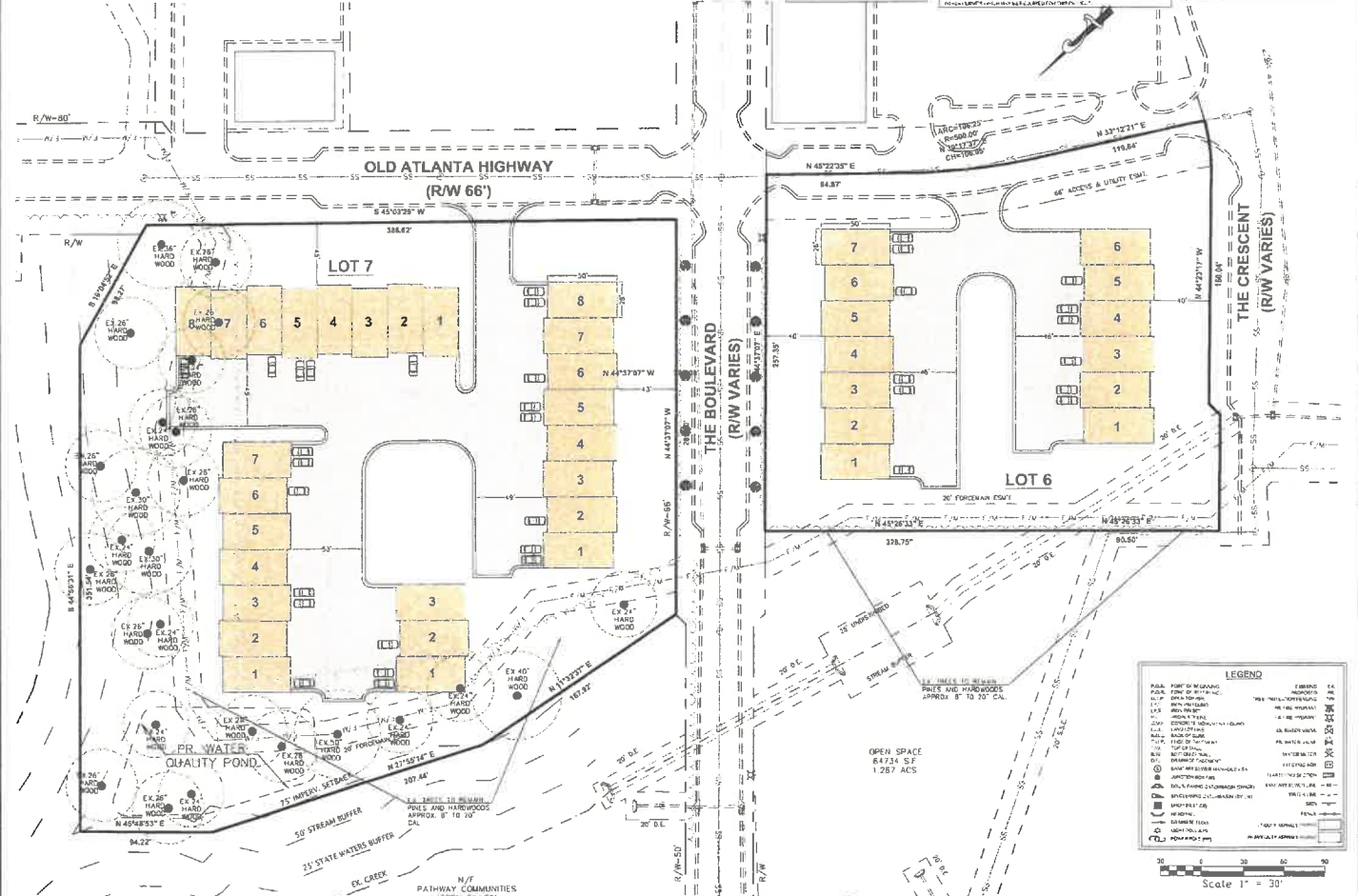
BASED ON THE INFORMATION SHOWN ON THE PLATTED BOUNDARY MAPS AND SURVEY DATA, THE INFORMATION IS NOT GUARANTEED TO BE ACCURATE OR COMPLETE. THE USER SHOULD CONSULT THE SURVEY RECORDS FOR A MORE DETAILED DESCRIPTION OF THE PROPERTY.

GENERAL NOTES:

- THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE PLATTED BOUNDARY MAPS AND SURVEY DATA.
- THE USER SHOULD CONSULT THE SURVEY RECORDS FOR A MORE DETAILED DESCRIPTION OF THE PROPERTY.
- SEE MEETINGS.

NOTE:

THE USER SHOULD CONSULT THE SURVEY RECORDS FOR A MORE DETAILED DESCRIPTION OF THE PROPERTY.



LEGEND

PLATTED BOUNDARY MAP	EXISTING
PROPOSED	PROPOSED
AS-BUILT	AS-BUILT
OPEN SPACE	OPEN SPACE
STREAM BUFFER	STREAM BUFFER
CREEK	CREEK
HARDWOOD TREES	HARDWOOD TREES
...	...

Scale: 1" = 30'

Paramount ENGINEERING, LLC

PROJECT: **MANOR AT AVERY PARK**

SHEET: **TREE MANAGEMENT PLAN**

DATE: 07/21/22

DRAWN BY: GPH

SCALE: 1" = 30'

SHEET **1**

DRIVING NO.: AVERY PARK



TREE REMOVAL PROCESS

An e-mail request will need to be submitted to the City Arborist at mfurbush@cityofnewnan.org from the tree removal contractor who will be taking the trees down.

The information below will need to be provided to the City Arborist so that he can come out to the property and inspect the trees that are in question.

1. Name and address of the homeowner
2. Name and contact information of the tree removal company
3. Number of trees to be removed
4. Types of trees to be removed
5. Diameter of trees to be removed
6. Reason for requested tree removal
7. Assurance that the trees have been clearly marked for inspection

Once the City Arborist receives the above information from the Tree Removal Contractor, he will then go to the site and inspect the subject trees. If they are approved for removal, he will send an approval e-mail response to the initial e-mail request from the contractor. The contractor can then print the approval e-mail and use that piece of paper to come in and get the required tree removal permit. Failure to do this can result in additional permit fees and subsequent fines. Most of our local tree removal contractors are quite familiar with this process.

PLEASE NOTE: ANYTIME that you are attempting to remove trees within SUMMERGROVE, the City Arborist will need BOTH the Homeowner Association Application AND the Homeowner Association Approval Letter.

TAB 13

(\$645.75 to the City of Newnan)

TAB 14

Rezoning Checklist



City of Newnan, Georgia
Attachment E
Rezoning Checklist

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
- Concept Plan
- Preliminary Tree Management Plan
- 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.

NOTICE

Notice is hereby given that a proposed amendment to the Charter of the City of Newnan will be considered by the Mayor and Council of the City of Newnan, which will amend the Charter of the City of Newnan and amend ARTICLE V. Sec. 5-5 Division of City into three (3) Two-member council districts; authority, effect, so as to provide for a change in the boundaries of the three (3) two-member election districts due to the 2020 Census and Sec. 5-8 Election dates and Commencement of Terms so as to provide for continuity of the terms of the current elected councilmembers.

The Mayor and Council of the City of Newnan will consider and act upon the proposed amendment and change at its regular meeting of March 14, 2023, with final adoption at its regular meeting of March 28, 2023.

A copy of said proposed amendment is on file in the Office of the Clerk of the City of Newnan and in the Office of the Clerk of Superior Court of Coweta County for the purposes of examination and inspection by the public. The Clerk of the City of Newnan will furnish to anyone, upon written request, a copy of the proposed amendment.

This 8th day of March, 2023.

Megan Shea, City Clerk
City of Newnan, Georgia

SCHEDULE

Home Rule for Municipalities (O.C.G.A. §36-35-3)

According to the Home Rule for Municipalities (O.C.G.A. §36-35-3), in order to properly amend the City's Charter, the following must occur:

- (1) The Mayor and Council must duly adopt the ordinance at two regular consecutive meetings no less than 7 nor more than 60 days apart;
- (2) A notice must be published in the Newnan Times-Herald once a week for 3 weeks within a period of 60 days immediately preceding the ordinance's final adoption. I have attached a form for you.
- (3) A copy of the notice must be maintained in the Clerk's office and made available to any person upon written request; and
- (4) Similarly, a copy must be filed with the Clerk of the Superior Court of Coweta County to facilitate public inspection, upon written request.

Suggested Schedules might be:

Deadline To Paper by noon	3/3/2023	(Charter Ordinance ready by March 7 to Megan)
Run:	3/8/2023	
Run:	3/15/2023	
Run:	3/22/2023	
1 st Reading:	3/14/2023	
Final Reading:	3/28/2023	(Adopt code of ordinance changes at this meeting also)

AN ORDINANCE TO AMEND AN ACT CREATING A NEW CHARTER FOR THE CITY OF NEWNAN, GEORGIA APPROVED MARCH 31, 1987 (GA. L. 1987, P. 5160, *et seq.*), AS AMENDED BY DELETING SEC. 5-5 AND SEC. 5-8 OF ARTICLE V AND ADOPTING A NEW SEC. 5.5 and SEC. 5.8 OF ARTICLE V; TO REPEAL ALL OTHER ACTS AND ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES

WHEREAS, the City of Newnan, Georgia, a municipal corporation of the State of Georgia (the "City"), operates pursuant to the Constitution and laws of the State of Georgia and its Charter approved March 31, 1987 (Ga. Laws 1987, p. 5160, *et seq.*, as amended (the "Charter")); specifically HB 72 Act No. 6 adopted in the 2013 session of the Georgia General Assembly and signed by the Governor on February 13, 2013; and

WHEREAS, the City of Newnan, upon receipt of the 2020 decennial census figures by the United States Census Bureau has reviewed the data and reviewed the boundaries of the City Council member districts for compliance with State and Federal law; and

WHEREAS, the City determined that it is necessary to make certain amendments to its Charter pursuant to its home rule powers granted pursuant to Article IX, Section II, Paragraph II of the Constitution of the State of Georgia and O.C.G.A. Section 36-35-1 through 36-35-7 in order to amend the boundaries of the City's Council member districts to comply with State and Federal law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Newnan, Georgia and IT IS HEREBY ORDAINED, by the authority of the same, as follows:

Section 1. The Charter of the City of Newnan, Georgia, which was established by an Act creating a new Charter for the City of Newnan, Georgia on March 31, 1987 (a. Laws 1987, p. 5160, *et seq.*), as amended, is hereby amended by deleting Section 5.5 in its entirety and adopting a new Sec. 5.5 to read as follows:

Sec. 5.5 Division of the City into three (3) two-member council districts.

(a) For the purpose of electing councilmembers, the City of Newnan shall be divided into three districts, Districts, 1, 2 and 3. Those districts shall be and correspond to those three numbered districts described in and attached to and made a part of this ordinance and further defined by maps delineating Proposed Council Districts 1, 2 and 3 attached hereto and made a part hereof as Exhibit "A", Pages 1, 2, 3 and 4 and Census Tracts and Blocks designated for Districts 1, 2 and 3 attached hereto and made a part hereof as Exhibit "B", Pages 1, 2 and 3.

(b) For the purposes of such plan:

(1) The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe

individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia; and

(2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2020 for the State of Georgia.

(c) Any part of the City of Newnan which is not included in a district described in subsection (a) of this section shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2020 for the State of Georgia.

(d) Any part of the City of Newnan which is described in subsection (a) of this section as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2020 for the State of Georgia.

(e) Each district shall have two posts designated as Post A and Post B.

(f) Successors to the councilmembers in Districts 1, 2 and 3 shall be elected at the November municipal general election immediately preceding the expiration of their respective terms of office and shall take office at the first organizational meeting of the city council in January immediately following their election for terms of four years.

(g) The councilmembers shall be residents of their respective districts at the time of their election and shall remain residents of their respective districts during their terms of office.

(h) Councilmembers shall be elected by majority vote of the electors of their respective district only.

Section 2. The Charter of the City of Newnan, Georgia, which was established by an Act creating a new Charter for the City of Newnan, Georgia on March 31, 1987 (a. Laws 1987, p. 5160, *et seq*), as amended, is hereby amended by deleting Section 5.5 in its entirety and adopting a new Sec. 5. to read as follows:

Sec. 5.8 Election dates and commencement of terms.

(a) The terms of office of council members from District 1 whose terms of office would otherwise expire at the first organizational meeting in January, 2026, shall not be affected and such terms shall expire at the first organizational meeting in January, 2026. Thereafter, council members elected from district 1 in 2025 and every four years thereafter, shall take office at the first organizational meeting in January immediately following their election and shall have terms of office which expire at the first organizational meeting in January of the fourth succeeding year.

(b) The terms of office of council members from districts 2 and 3 whose terms of office would otherwise expire at the first organizational meeting in January, 2024, shall not be affected and such terms shall expire at the first organizational meeting in January, 2024. Thereafter, council members from district 2 and 3 shall be elected in 2023 and every four years thereafter, shall take office at the first organizational meeting in January immediately following their election, and shall have terms of office which expire at the first organizational meeting in January of the fourth succeeding year.

(c) The term of office of the mayor shall expire at the first organizational meeting in January, 2026. The person elected to the office of mayor in 2025 shall take office at the first organizational meeting in January, 2026. Thereafter, a mayor shall be elected in 2025 and every four years thereafter, shall take office at the first organizational meeting in January immediately following the election, and shall have a term of office which expires at the first organizational meeting in January of the fourth succeeding year.

Section 3. All portions of the Charter or amendments thereto or all ordinances in conflict herewith be and the same are hereby repealed.

Section 4. If any part of this ordinance shall be declared void it is the intent and the purpose hereof that all other provisions not so declared void shall remain in full force and effect.

Section 5. The effective date of this ordinance shall be the date of adoption at its final reading.

This ordinance was introduced and read at a lawful meeting of the Council of the City of Newnan held on _____, 20____, passed, and adopted on a first reading.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

This ordinance was read for a second time at a lawful meeting of the Council of the City of Newnan held on _____, 20___, passed and adopted on a final reading.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Dustin Koritko, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

Proposed Council Districts

D1

D2

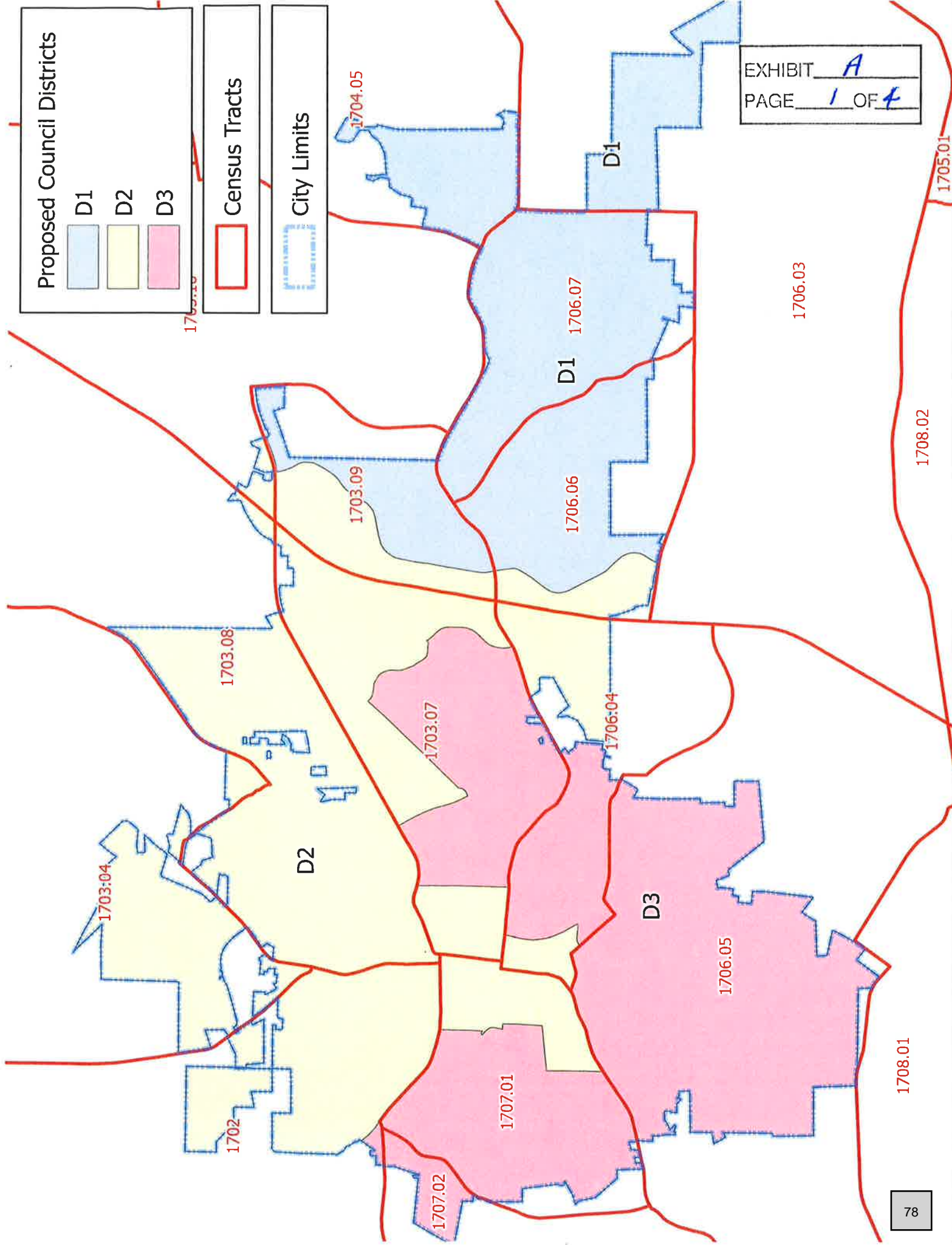
D3

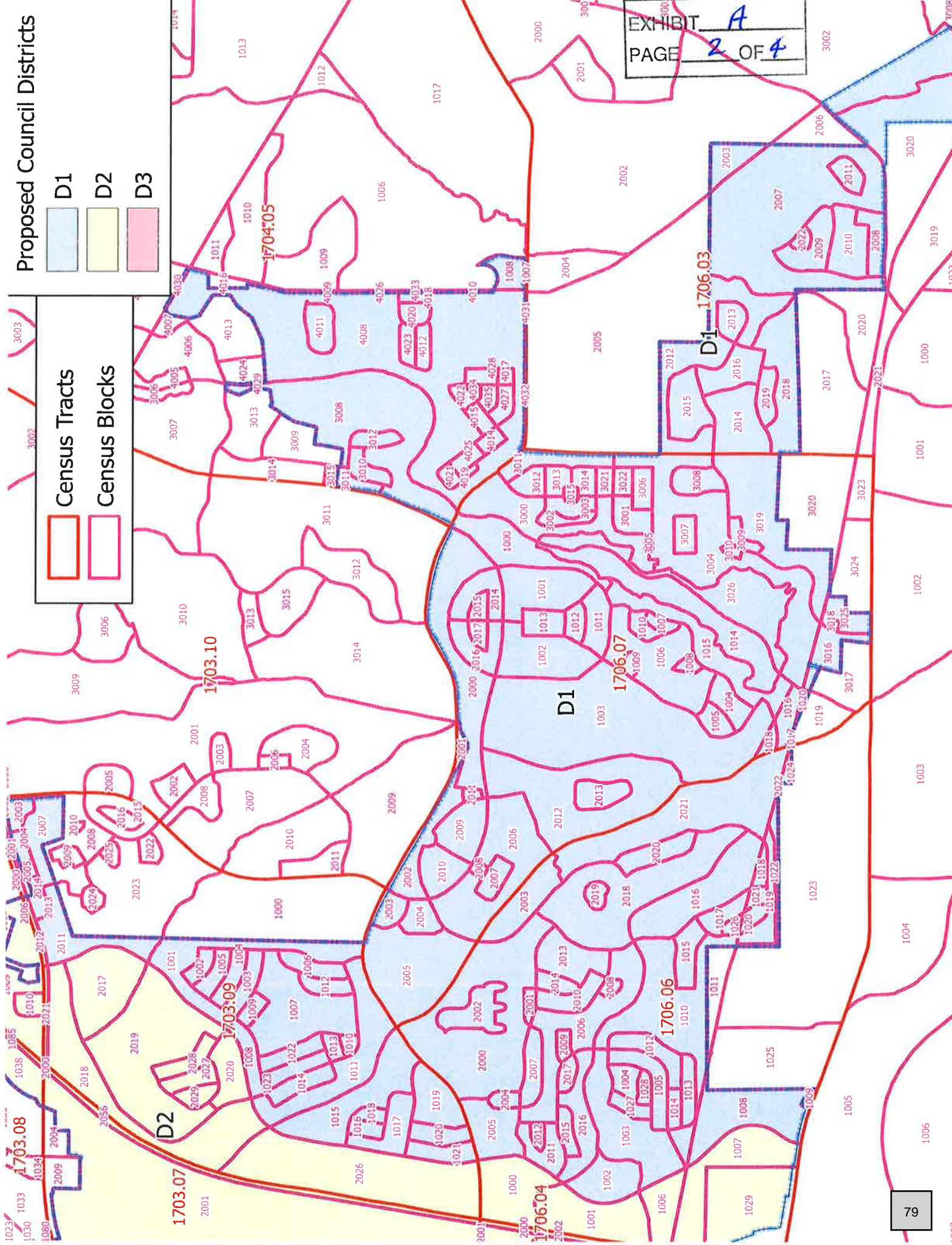
Census Tracts

City Limits

EXHIBIT A

PAGE 1 OF 4





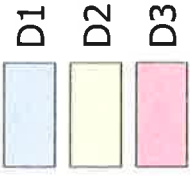
Proposed Council Districts

- D1
- D2
- D3

- Census Tracts
- Census Blocks

EXHIBIT **A**
PAGE **2** OF **4**

Proposed Council Districts



Census Tracts
Census Blocks

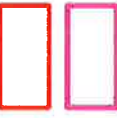
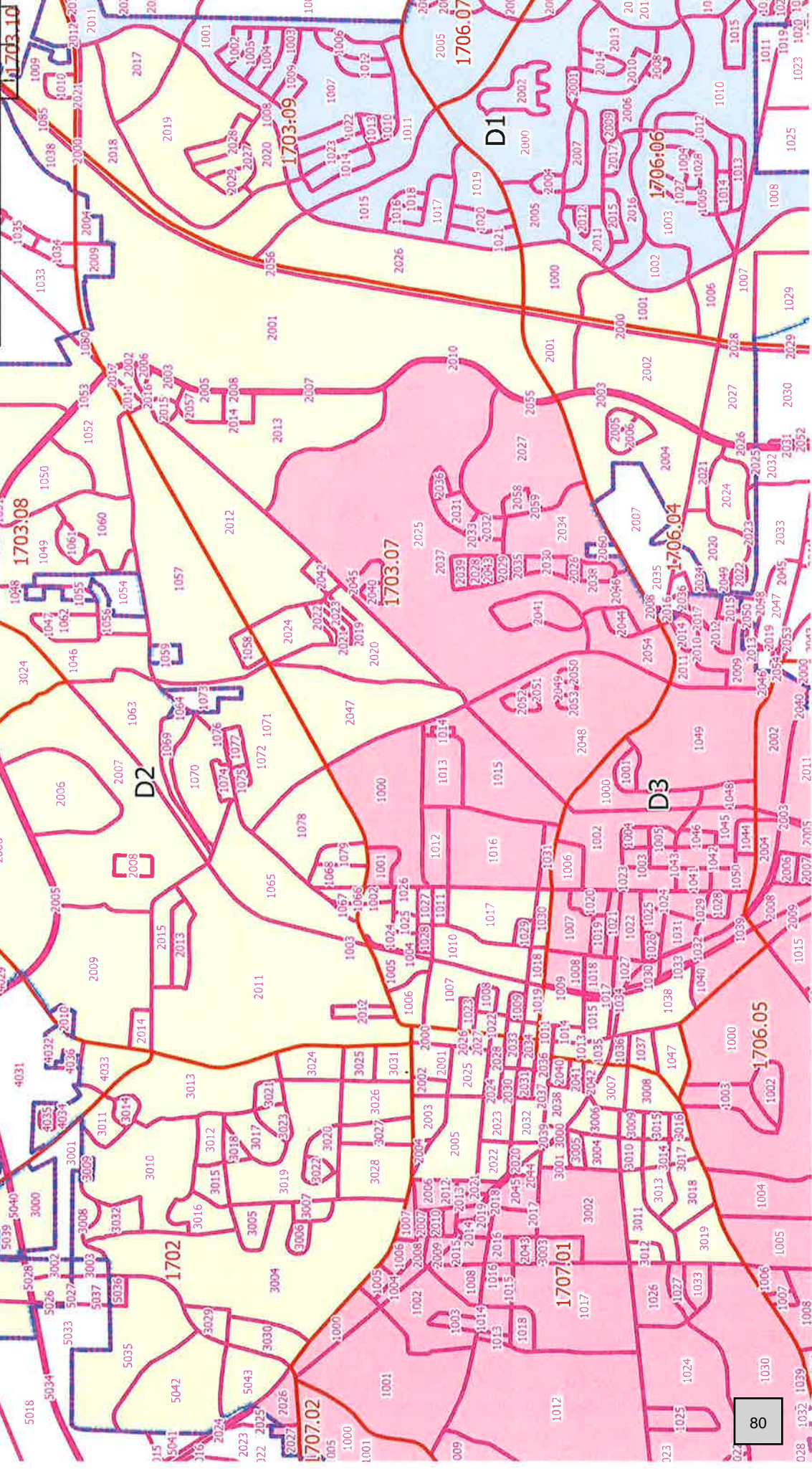
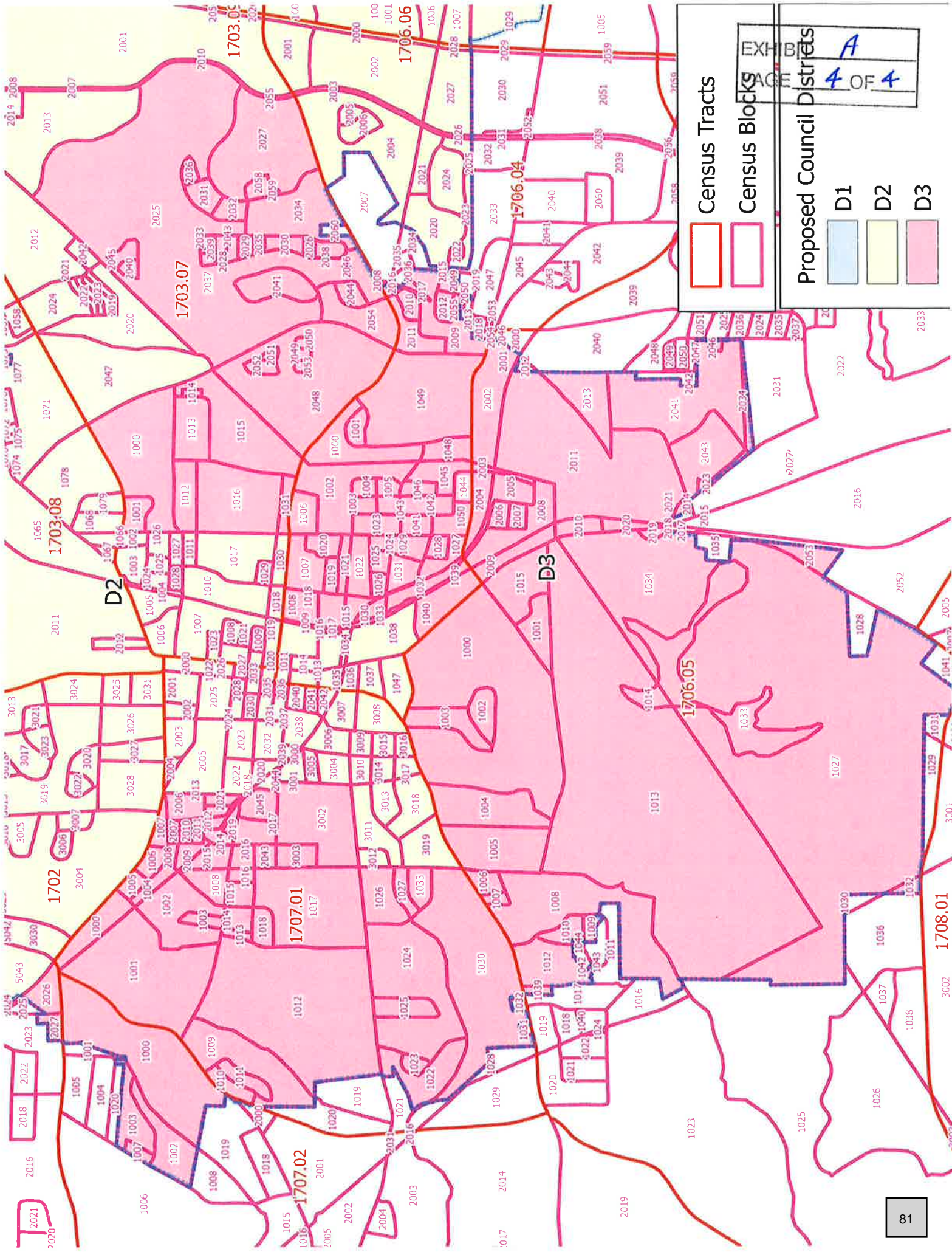


EXHIBIT
PAGE 3 OF 4





Census Tracts

Census Blocks

Proposed Council Districts

- D1
- D2
- D3

EXHIBIT PAGE 4 OF 4

District 1

Tract 170309

Block

1001	1002	1003	1004	1005	1006	1007	1008	1009
1010	1011	1012	1013	1014	1015	1016	1017	1018
1019	1020	1021	1022	1023	2003	2004	2005	2007
2013	2014							

Tract 170405

Block

1008	3008	3010	3011	3012	4008	4011	4012	4014
4015	4017	4018	4019	4020	4021	4022	4023	4025
4027	4028	4029	4034	4035	4030			

Tract 170603

Block

2003	2007	2008	2009	2010	2011	2012	2013	2014
2015	2016	2018	2019	2022				

Tract 170606

Block

1002	1003	1004	1005	1008	1010	1012	1013	1014
1015	1016	1017	1018	1019	1020	1021	1022	1026
1027	1028	2000	2001	2002	2003	2004	2005	2006
2007	2008	2009	2010	2011	2012	2013	2014	2015
2016	2017	2018	2019	2020	1024	2021		

Tract 170607

Block

1000	1001	1002	1003	1004	1005	1006	1007	1008
1009	1010	1011	1012	1013	1014	1015	1016	1018
1020	2000	2002	2003	2004	2005	2006	2007	2008
2009	2010	2011	2012	2013	2014	2015	2016	2017
3000	3001	3002	3003	3004	3005	3006	3007	3008
3009	3010	3011	3012	3013	3014	3015	3016	3018
3019	3021	3022	3025	3026				

District 2

Tract 170200

Block

3000	3002	3004	3005	3006	3007	3008	3010	3011
3012	3013	3014	3015	3016	3017	3018	3019	3020
3021	3022	3023	3024	3025	3026	3027	3028	3029
3030	3031	3032	5019	5020	5026	5027	5028	5029
5035	5036	5039	5040	5042	5043			

Tract 170304

Block

3013	3019	3020	3022	3023	3024	4004	4005	4006
4007	4008	4009	4010	4011	4012	4013	4014	4015
4016	4017	4018	4019	4020	4021	4024	4025	4026
4027	4032	4033	4034	4035	4037			

Tract 170307

Block

1002	1003	1004	1005	1006	1007	1008	1009	1010
1011	1017	1018	1019	1020	1021	1022	1023	1024
1025	1026	1027	1028	1029	1030	2000	2001	2002
2003	2005	2006	2007	2008	2011	2012	2013	2014
2015	2016	2017	2018	2019	2020	2021	2022	2023
2024	2042	2047	2055	2056	2057			

Tract 170308

Block

1026	1027	1028	1029	1030	1031	1032	1038	1039
1040	1041	1042	1043	1044	1045	1046	1047	1049
1050	1051	1052	1053	1055	1056	1057	1058	1060
1061	1063	1065	1066	1067	1068	1069	1070	1071
1072	1074	1075	1076	1077	1078	1079	1080	1085
1086	1087	1088	1089	1090	1091	2000	2002	2005
2006	2007	2008	2009	2011	2012	2013	2014	2015

Tract 170309

Block

2020	2026	2029	2012	2017	2018	2019	2021	2027
2028								

Tract 170310

Block

1009	1010
------	------

Tract 170604

Block

1010	1011	1012	1013	1014	1015	1016	1034	1035
1036	1037	1038	1047	2000	2001	2002	2003	2004
2005	2006	2020	2021	2022	2023	2024	2025	2026
2027	2028							

Tract 170606

Block

1000	1001	1006	1007
------	------	------	------

Tract 170701

Block

2000	2001	2002	2003	2004	2005	2020	2022	2023
2024	2025	2026	2027	2028	2029	2030	2031	2032
2033	2034	2035	2036	2037	2038	2039	2040	2041
2042	2044	3000	3001	3004	3005	3006	3007	3008
3009	3010	3011	3012	3013	3014	3015	3016	3017
3018	3019							

District 3

Tract 170200

Block

2026	2027
------	------

Tract 170307

Block

1000	1001	1012	1013	1014	1015	1016	1031	2048
2049	2050	2051	2052	2053	2010	2025	2026	2027
2028	2029	2030	2031	2032	2033	2034	2035	2036
2037	2038	2039	2040	2041	2043	2044	2045	2054
2058	2059							

Tract 170604

Block

1000	1001	1002	1003	1004	1005	1006	1007	1008
1009	1017	1018	1019	1020	1021	1022	1023	1024
1025	1026	1027	1028	1029	1030	1031	1032	1033
1039	1040	1041	1042	1043	1044	1045	1046	1048
1049	1050	2009	2010	2011	2012	2013	2015	2017
2049								

Tract 170605

Block

1032	1000	1001	1002	1003	1004	1005	1006	1007
1008	1009	1010	1012	1013	1014	1015	1027	1033
1034	1039	2002	2003	2004	2005	2006	2007	2008
2009	2010	2011	2013	2014	2019	2020	2023	2034
2041	2043	2046	2053					

Tract 170701

Block

1000	1001	1002	1003	1004	1005	1006	1007	1008
1009	1010	1011	1012	1013	1014	1015	1016	1017
1018	1022	1023	1024	1025	1026	1027	1030	1033
2006	2007	2008	2009	2010	2011	2012	2013	2014
2015	2016	2017	2018	2019	2021	2043	2045	3002
3003								

Tract 170702

Block

1000	1002	1003	1007
------	------	------	------



NEWNAN
GEORGIA

City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Consideration for Negotiations of Contract Scope, Pricing And Final Contract Cost for the Lynch Pool Repair Services and Mechanical Room Upgrades at 23 Richard Allen Drive.

Prepared By: Mark Johnston, Facilities Maintenance Director

Purpose: Newnan City Council may consider negotiations of contract scope, pricing and final contract cost with a qualified firm to perform Lynch Pool Repairs and Mechanical Room Upgrades located at 23 Richard Allen Dr, all while staying within the previously approved budget of \$194,000 utilizing fund balance.

Background: The Lynch Park Pool was updated in 2009 and is one of the most popular amenities the City offers to its citizens. The 14-year-old amenity has sustained well. However, in the past couple of years, the earth/concrete has settled at the “Beach entrance” causing issues in the filtering process. Additionally, the mechanical room equipment is also beginning to show deterioration.

Staff met with the low bidder post bid to ensure all scope presented in the RFP was included; it was. However, during the post bid meeting, staff determined that some additional work may be required by extending the gutters to match the newly poured concrete pads around the edge of the Beach entrance of the pool to ensure the finish product will be esthetically pleasing (not look like a patch) and will operate as it did when the pool first opened in 2009. Staff requested the low bidder, S.H. Creel Contracting, LLC to provide the cost of the additional items which brought the total contract if Council approved to \$158,089.56.

An Invitation to Bid was released on January 25, 2023 and the proposals were due Friday, February 17, 2023 with these two firms responding:

RW Pool Service	S.H. Creel Contracting LLC
82 Elders Mill Estates Dr	756 White Blossom Ct
Senoia, GA 30276	Powder Springs, GA 30127

Staff is confident with the initial bid as well as the additional scope requested of S.H. Creel Contracting. Staff also feels that S.H. Creel Contracting will provide quality and timely delivery of the construction for the Lynch Park Pool Repair Services and Mechanical Room Upgrades at 23 Richard Allen Dr.

Funding: Fund Balance (\$194,000.00 Previously Approved)

Recommendation: Staff recommends the approval of the negotiations of contract scope, pricing and the final contract cost with S.H. Creel Contracting in the amount of \$158,089.56

Attachments: Bid Tab

Previous Discussion with Council: N/A

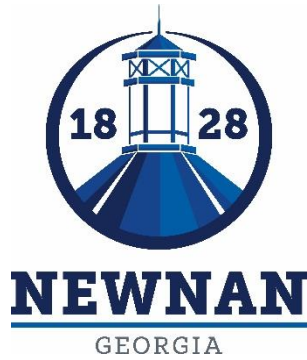


City of Newnan, Georgia

BID OPENING: Lynch Pool Repair Services and Mechanical Room Upgrades
Friday, February 17th 2023 – 2pm

BIDDER	BID AMOUNT	COMMENTS
SH Creel Contracting LLC	\$112,828.07	
RW Pool Service	\$188,800.00	

BIDS OPENED BY



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Consideration of a Contract Award for Audio / Visual and Cabling Services for the Fire Training Facility Project

Prepared By: Ronda Helton, Program Manager and Hasco Craver, Assistant City Manager

Presented By: Hasco Craver, Assistant City Manager

Purpose: To consider a contract award for Audio/Visual and Cabling Services for the classroom located within the future Fire Training Facility along Greison Trail.

Background:

In 2018, City of Newnan residents approved the SPLOST 2019 referendum, which included a public safety line item for a fire training facility. The original project budget was stated at \$1.7M. However, due to the greater than expected increase of SPLOST 2019 revenue, as well as the inflationary pressures on the construction industry, Newnan City Council increased the project budget to \$3.8M.

On July 24, 2021, Newnan City Council approved a contract for architectural/engineering services with 2WR. In concert with the initial programming and design exercise, City staff, in consultation 2WR, determined that a Construction Manager at Risk (CM) project delivery method was the appropriate method for successfully constructing the Fire Training Facility project.

On May 10, 2022, Newnan City Council approved a CM at Risk Contract with New South Construction for the redevelopment of the Fire Training Facility. Concurrently, the Newnan City Council approved an associated project budget. Very specifically and listed within the project budget, there exists an allocation of \$100,000 for furniture, fixtures and equipment (FFE).

Audio/visual and data cabling is considered an activity within the furniture, fixtures and equipment (FFE) section in the overall approved budget. Please note that A/V and Cabling is only one aspect of the full FFE program. Items such as desks, chairs, etc. will also be considered FFE items and paid for utilizing the approved total budget line item discussed herein.

City Staff recently released an RFP for the Audio/Visual and Cabling services for the classroom and received five (5) proposals.

Below is a list of firms that submitted proposals.

Busker Communications
2567 Athens Hwy
Gainesville, GA 30507

E-Logic
4545 E. River Rd, Bldg. B
W. Henrietta, NY 14586

Solutionz, Inc.
1880 Enterprise Drive
Buford, GA 30581

Integrated Office Solutions
531 Forest Pkwy, Ste 220
Forest Park, GA 30297

CCS
4401 Bretton Ct – Bldg. 2.
Acworth, GA 30101

Two (2) of the proposals (E-Logic and Integrated Office Solutions) were not within the targeted budget for A/V and Cabling services; three (3) of the proposals were comparable (Busker Communications, Solutionz, Inc., CCS). Therefore, City Staff interviewed the three remaining firms to confirm pricing and scope.

After meeting with the lowest bidder (CCS), it was determined that they did not consider the entire scope of the project. Subsequently, the subject proposal from CCS was considered incomplete.

The remaining firms (Solutionz, Inc. and Busker Communications) clearly understood the scope, included all necessary equipment and services to meet the contract requirements.

Upon confirming scope, it is the recommendation of City Staff that the Newnan City Council consider price as the final determining factor.

Funding:

SPLOST 2019

Attachment:

1. Bid Tab
2. Solutionz Inc. Agreement

Recommendation:

Staff recommends that the Newnan City Council enter into a contract with Solutionz Inc. for the Fire Training Facility Audio/Visual and Cabling. Solutionz Inc. was determined to be the most responsive low bidder.

Previous Discussion with Council:

Beginning in 2018, with the development of the SPLOST 2019 project list, Newnan City Council has considered numerous items related to the successful redevelopment of the Fire Training Facility.



City of Newnan, Georgia

BID OPENING: Technology Systems (Cabling/ AV) February 7, 2023 2:00PM EST

BIDDER	BID AMOUNT	COMMENTS
Hypertech		
Unicom Government		
Busker Communications	\$28,975.87	
Koly Technology		
Hueltech		
Adapt To Solve		
Solutionz	\$28,897.48	
Integrated Office Solutions	\$51,000.00	
ASW		
CCS	\$26,859.84	
Georgia Technology Systems		
E- Logic Inc.	\$99,559.20	

BIDS OPENED BY:

SOLUTIONZ

RFQ Response

Prepared for:

City of Newnan

Technology Systems RFP

Ronda Helton

25 LaGrange Street

Newnan, GA 30263

Date: February 28, 2023

Prepared by:

Heather Corbin | 404-698-4010

Solutionz, Inc.

120 Interstate North Pkwy East, Bldg 300, Suite 314

Atlanta, GA 30339

phone 770-955-7368 | fax 770-955-9246

Project Number: 2301152

Valid Until 3/14/2023

City of Newnan
25 LaGrange Street
Newnan, GA 30263
Ronda Helton

To our valued customers:

Due to current worldwide component shortages coupled with increasingly challenging shipping and logistic backlogs, the pricing on this quote, along with the corresponding delivery costs and timeframes, are subject to frequent change and may be negatively impacted.

As a result of this market volatility, the prices and delivery times quoted herein will be valid for fourteen (14) days from issuance for any quote dated 5/1/2021 and after. Customers should request an updated quote prior to issuing a Purchase Order if greater than 14 days after the quotation date.

Solutionz is making every effort to ensure timely delivery of all goods and materials required to complete projects as scheduled. To this end, we strongly recommend ordering in advance and allowing Solutionz to procure your items and store them at our warehouse for a small fee. This allows Solutionz to prioritize your order with all suppliers during periods where we experience supply shortages; giving you the best opportunity to keep your project schedule on track and at the best possible price.

Thank you for your consideration and for trusting Solutionz with your order!

Sincerely,



Bill Warnick
Chief Executive Officer
Solutionz Inc.

Solutionz, Inc.

120 Interstate North Pkwy East, Bldg 300, Suite 314
Atlanta, GA 30339
phone 770-955-7368 | fax 770-955-9246

City of Newnan

25 LaGrange Street | Newnan, GA 30263
Technology Systems RFP
February 28, 2023

Project #: 2301152

Quote #: 040767

Statement of Functionality

- » 86" Viewsonic IFP will be wall mounted.
- » Inputs to the Viewsonic include HDMI 1 (laptop) and HDMI 2 (cable TV). HDBaseT TX/RX will be used to transmit laptop HDMI/USB from the podium to the display location.
- » Video conferencing camera will be mounted below the display. USB will connect to the HDBaseT RX to connect to the laptop.
- » Button controller will provide power on/off, volume control, and source selection.

Solutionz, Inc.

120 Interstate North Pkwy East, Bldg 300, Suite 314
 Atlanta, GA 30339
 phone 770-955-7368 | fax 770-955-9246
 contact:

City of Newnan

25 LaGrange Street | Newnan, GA 30263
 Technology Systems RFP
 February 28, 2023

Master Summary

Ref	System Name	System Description	Equipment	Materials	Professional Services	G&A, Warranty and Freight	TOTAL	
1	Data Cabling	Data Cabling	\$ 4,340.48	\$ 712.00	\$ 5,080.00	\$ 207.00	\$ 10,339.48	
2	AV System	AV System	\$ 8,627.00	\$ 231.00	\$ 3,817.00	\$ 383.00	\$ 13,058.00	
3					\$ -		\$ -	
4					\$ -		\$ -	
5					\$ -		\$ -	
6					\$ -		\$ -	
7					\$ -		\$ -	
TOTALS			\$ 12,967.48	\$ 943.00	\$ 8,897.00	\$ 590.00	\$ 23,397.48	
							Prime Call IM (Declined)	\$ -
							Sales Tax (Rate: 0.000%)	\$ -
							Bond Not in Contract	\$ -
							Permit	\$ 500.00
							Grand Total (Base, Not Including Alternates)	\$ 23,897.48

Alternates & Options

Not Including Tax, Prime Call, Permits or Bond

Ref	System Name	System Description	Equipment	Materials	Professional Services	G&A, Warranty and Freight	TOTAL
1					\$ -		\$ -
2					\$ -		\$ -
3					\$ -		\$ -
4					\$ -		\$ -

Solutionz, Inc.

120 Interstate North Pkwy East, Bldg 300, Suite 314
 Atlanta, GA 30339
 phone 770-955-7368 | fax 770-955-9246

City of Newnan

25 LaGrange Street | Newnan, GA 30263
 Technology Systems RFP
 February 28, 2023

Project #: 2301152
 Quote #: 040767

System:

Data Cabling

ITEM	BRAND	QTY	UNIT	DESCRIPTION			
1	LV Data Cabling						
2	Berk-Tek	4000	EA	Cable - Category 6 copper cable (Plenum-rated) (Color: Blue) - Data/WAP			
	Caddy	1	EA	Cable Support - Open cable support with mounting/support hardware (Small) box of 50			
3							
4	Chatsworth	1	EA	Wall Mount Swing Gate Rack			
5	Chatsworth	1	EA	6 port outlet strip			
6	Commscope	1000	EA	Cable - Coax Plenum Cable			
7	Hilti	1	EA	Ceiling Hanger X-CX ALH22 12ga 12Ft 100/bag			
8	Leviton	20	EA	Blank insert for empty patch panel ports - (Black)			
9	Leviton	2	EA	Coax RF6 F-Type Jack			
10	Leviton	10	EA	Blank insert for faceplate - (Color: White)			
11	Leviton	6	EA	2-port106 frame (Color: White) floorbox			
12	Leviton	3	EA	2-port surface-mount box (Color: White) - WAP			
13	Leviton	6	EA	2-port single-gang wall plate (Color: White)			
14	Leviton	1	EA	48-port Flat modular patch panel frame - Data			
15	Leviton	26	EA	Category 6 modular jack (Color: BLUE)- DATA - WAP			
16	PPC Production	4	EA	Coax RF6 F-Type Crimp On Connector			
17	STI	1	EA	4" Sleeve Kit			
18	Tyton	2	EA	Tie Wraps Plenum - 11 inch 100 pack			
19	Velcro	1	EA	Velcro Tie Wraps - Roll of 75' by 3/4" (Black)			
20	Zero Connect	4	EA	5' Coax Patch Cord			
21	Zero Connect	26	EA	7' Category 6 copper patch cable (Color: BLUE) Data			
22	Zero Connect	26	EA	10' Category 6 copper patch cable (Color: BLUE) Data			
23			EA				
24							
					Total Equipment	\$	4,340.48
25	Materials						
26		1	Lot	Miscellaneous Parts & Hardware		\$ 250.00	\$ 250.00
27		1	Lot	Wire, Cable & Connectors		\$ 462.00	\$ 462.00
28					Total Materials	\$	712.00
29	Services						
38					Total Services		\$5,080.00
39							
40	G&A, Warranty and Freight						
41		1.00		G&A		\$ 207.00	\$ 207.00
42					Total G&A	\$	207.00
43							
44					Sub Total	\$	10,339.48
45					Sales Tax (0.000%)	\$	-
46					System Total, Not Including Permits	\$	10,339.48

Solutionz, Inc.

120 Interstate North Pkwy East, Bldg 300, Suite 314
 Atlanta, GA 30339
 phone 770-955-7368 | fax 770-955-9246

City of Newnan

25 LaGrange Street | Newnan, GA 30263
 Technology Systems RFP
 February 28, 2023

Project #: 2301152
 Quote #: 040767

System:

AV System

ITEM	BRAND	QTY	UNIT	DESCRIPTION			
1			EA				
2							
	Display						
3	ViewSonic	1	EA	86" Interactive Display			
4	CHIEF	1	EA	Micro-Adjust Tilt Wall Mount X-Large			
5	Poly	1	EA	Studio X50 4K Video System			
6	Digitalinx	1	EA	HDMI HDBT USB AUDIO TX/RX SET			
7	BIAMP	1	EA	8-button control pad, US, white			
8			EA				
9			EA				
10			EA				
11					Total Equipment	\$	8,627.00
12							
	Materials						
13		1	Lot	Miscellaneous Parts & Hardware	\$	77.00	\$ 77.00
14		1	Lot	Wire, Cable & Connectors	\$	154.00	\$ 154.00
15					Total Materials	\$	231.00
16							
	Services						
25					Total Services		\$3,817.00
26							
27							
	G&A, Warranty and Freight						
28		1.00	G&A		\$	383.00	\$ 383.00
29					Total G&A	\$	383.00
30							
31					Sub Total	\$	13,058.00
32					Sales Tax (0.000%)	\$	-
33					System Total, Not Including Permits	\$	13,058.00

SecureAV Opt Out

Due to the current threat environment that exists today, we created SecureAV. This offering was developed to protect your organization from the inherent vulnerabilities that are known in AV equipment. Historically the need was minimal as there was a limited amount of AV equipment that resided on the network. With a rise in AV over IP and with the exponential growth of automated hacking (even with segmented VLANS we are seeing breaches), today's threat environment has never been greater.

SecureAV is built to give you visibility to these threats and allow you to take action. Threats such as:

- Compromised servers
- UC Ecosystem Attacks
- Insecure Endpoints
- Eavesdropping and Modification
 - Control Channel Attacks: Fuzzing, DoS, SPIT and Toll Fraud
 - SIP Trunking and PSTN Interconnection
 - Identity, Spoofing and VOIP Vishing
 - Attacks Against Distributed AV System

We understand that you have chosen to opt out of SecureAV. Solutionz, Inc. requires a signature stating that you are declining this coverage and that you are aware of the potential threats that exist in your AV environments.

I agree that I have been presented with all the benefits of SecureAV but have chosen decline coverage at this time.

Client Signature

Print Name

Date

Sign and return this document along with this Quote to: Solutionz, Inc. at, 120 Interstate North Pkwy East, Bldg 300, Suite 314, Atlanta, GA 30339, or email to: hcorbin@solutionzinc.com

Please retain a copy for your records.

If you have any questions or concerns please feel free to contact me directly at 404-698-4010

We highly recommend you consider SecureAV in the future for all your organization's AV deployments. Coverage can be provided at any time.

Terms and Conditions

1. ALL SALES ARE FINAL. Any subsequent design changes at the direction of the customer must be agreed upon in writing.
2. PAYMENT TERMS: Invoices are due and payable within 30 days of the invoice date (i.e. Net 30).
3. INVOICING TERMS: Customer will be invoiced pursuant to the binding sales agreement (see Invoicing Notes below).
4. EXPIRATION: The Estimate is valid for a period of Fourteen (14) days from issuance unless otherwise renewed in writing by Solutionz, Inc.. Solutionz reserves the right to revise or withdraw this Estimate prior to written acceptance by the Customer.
5. AGREEMENT: The prices and terms on this Estimate are not subject to verbal changes, verbal approvals or other verbal agreements. Any changes to prices, terms and conditions must be agreed upon in writing by both parties. Prices are based on market conditions existing on the date of this Estimate and Solutionz, Inc. may revise this Estimate as conditions change prior to final acceptance.
6. LABOR: All labor hours are based on regular working hours, Monday through Friday, 8:00AM-5:00PM. Any work outside of these hours will result in additional charges unless otherwise specified in the Estimate. In addition, all labor hours are based on continuous unrestricted access to the jobsite and facility where the work is to take place. Any access restrictions, interruptions, work stoppages or rescheduling of work not directly caused by Solutionz, Inc. will result in additional labor charges.
7. SALES TAX: Customer tax status may vary, therefore, all Solutionz, Inc. pricing is agreed to on a pre-tax basis. Taxes on Solutionz, Inc. Estimates are estimated as well. The actual amount and/or corrected amount of taxes are the customer's sole responsibility regardless of how taxes were presented in the signed Estimate. Any and all applicable taxes (e.g., Sales Tax, Use Tax, Value Added Tax) will be added to customer invoices pursuant to local laws.
8. FREIGHT, TAXES & TARIFFS: All freight is FOB Origin unless specified otherwise. Some items may drop ship directly to jobsite from the manufacturer. Unless specifically identified in a line item of this Estimate, import tariffs or other international shipping and freight charges are the customer's responsibility and are not included in this Estimate.
9. DEFAULT: Finance charges of 1.5% per month will apply after 15 days in default. Solutionz, Inc. may, at its discretion, turn past due accounts over to collections by an outside company. Customer agrees to pay all costs incurred including, but not limited to, collection fees of 25% of the past due amounts, court costs, and reasonable attorney fees.
10. PAYMENT PROCESSING FEES: Pricing herein was developed on a cash-basis, therefore, alternative payment methods (such as credit cards, bank cards, or other procurement programs that may reduce the net amount received by Solutionz, Inc. other than cash/check/ACH/wire will be assessed processing fees of 3% added to amount due. Not negotiable.
11. STORED GOODS: Customer will be invoiced for all equipment that is stored in a Solutionz, Inc. warehouse on behalf of customer. Storage fees of \$500/mo will apply for each pallet of customer equipment stored beyond 45 days
12. 90-DAY WARRANTY: 90-day warranty on workmanship includes all cabling, connections, and system installation from date of beneficial use. 90-day warranty on equipment includes all installed system equipment from date of first beneficial use. Manufacturers' warranties which extend beyond the 90 days will be honored on a carry-in basis. Any owner furnished equipment (OFE) is assumed to be in good working order. Owner furnished equipment is not covered under any Solutionz, Inc. warranty.

Contract Amount: \$23,897.48 Base, Not Including Alternates

I certify that I am authorized to sign this agreement on behalf of the company named below. I understand that ALL SALES ARE FINAL.

To help us better manage your account, please provide the following information:

SIGNED AND AGREED TO BY:

ACCOUNTS PAYABLE CONTACT:

Company

Name

Signature

Date

Email

Print Name

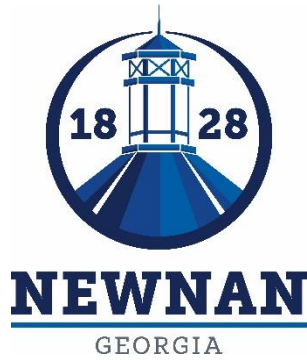
Title

Phone

NOTICE TO CUSTOMER:

By signing above or incorporating this Estimate (or Estimate number by reference) into a contract or purchase order, the Customer hereby acknowledges receipt of and agreement to comply with all terms outlined herein as well as Solutionz Terms & Conditions provided under separate cover. This Estimate, including any drawings, specifications, and designs are proprietary property of Solutionz and shall not be disclosed outside the Customer to whom it is addressed. This information shall not be duplicated, used or disclosed for any purpose other than to evaluate this proposal.

Please sign and return this document to me via email hcorbin@solutionzinc.com and retain a signed copy for your records. If you have any questions, you can contact me directly at 404-698-4010



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Consideration of Resolution for Personnel Policy Revision
3.2 WORK PERIODS

Prepared By: Nanette Freeman, Human Resources Director

Purpose: Request to change the work week to Monday, 12:01 a.m. and continuing to Sunday, midnight.

Background: Current work week is Thursday, 12:01 a.m. and continuing to Wednesday, midnight.

Funding: n/a

Recommendation: Approve change to work week as presented.

Attachments: Proposed wording for 3.2 WORK PERIODS

Previous Discussion with Council: n/a

3.2 WORK PERIODS

This section shall not apply to executive, professional, administrative, and all other employees who are exempt from the FLSA. The referenced work periods may be changed to accommodate special work schedules, such as summer maintenance schedules.

- 3.2.1 The work period for any 24-hour shift firefighter shall be 28 days. All firefighters shall work a schedule of 24 hours on and 48 hours off for an average of 216 hours per 28-day period.
- 3.2.2 The work period for any sworn police officer shall be 14 days which coincide with the payroll periods. All sworn officers will be scheduled for an average of 40 or 42 hours per week over a 14-day period, depending on the assignment.
- 3.2.3 The work week for all other City employees shall be a seven day period beginning on ~~Thursday, 12:01 a.m. and continuing to Wednesday, midnight~~ **Monday, 12:01 a.m. and continuing to Sunday, midnight**. The minimum workweek for full-time employees shall be 40 hours.

RESOLUTION TO AMEND PERSONNEL POLICY 3.2 WORK PERIODS

WHEREAS, the City of Newnan has a Personnel Policy to provide general guidelines about City’s policy and procedures for employment; and

WHEREAS, the Personnel Policy is reviewed and updated as necessitated, to reflect changes in City’s policy and procedures; and

WHEREAS, the Personnel Policy Section 3.2 Work Periods has been drafted to reflect change to Sub-Section 3.2.3 work week beginning Monday 12:01 a.m. and continuing to Sunday midnight;

NOW, THEREFORE, BE IT RESOLVED, that the *Personnel Policy 3.2 WORK PERIODS* which is attached hereto is adopted by the City Council this 14th day of March 2023 and is effective March 16, 2023.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this 14th day of March 2023 in regular session assembled.

Attest:

Megan Shea, City Clerk

Keith Brady, Mayor

Dustin Koritko, Mayor Pro Tem

Witness:

George M. Alexander, Councilmember

C. Bradford Sears, Jr., City Attorney

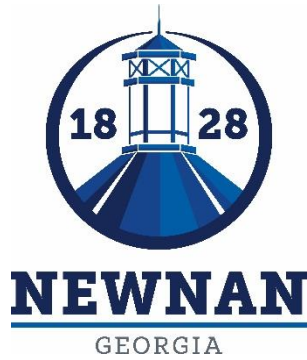
Cynthia E. Jenkins, Councilmember

Cleatus W. Phillips, City Manager

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Consideration of Resolution to advance city employees up to thirty (30) hours as a result of the changing pay periods

Prepared By: Cleatus Phillips

Purpose: To consider a resolution to advance non-exempt city employees up to thirty (30) hours as a result of changing the pay period.

Background: The City has traditionally utilized a pay period ending on Wednesday and the pay date for such pay period has been on the Friday of the same week. This two (2) day turn-around period often requires supervisors to enter payroll hours prior to the end of the pay period. The practice of entering payroll hours prior to the end of the pay period often requires adjustments on the following pay period if employee doesn't work hours as scheduled. This simply isn't a recommended practice.

The previous agenda item changes the pay period to end on Sunday rather than on Wednesday to allow more time between end of the pay period and the pay date. There is an impact as the first pay period after this change will result in non-exempt employee's pay check being up to three (3) days shorter than normal, which will be impactful to the non-exempt employees of the City of Newnan.

Some have asked if the next check will be three (3) days longer. The answer is no. See the example below:

- Last check under old pay period – Thursday, March 2 through Wednesday, March 15. This is 10 working days and is PAID on Friday March 17.
- First check under new pay period – Thursday, March 16 through Sunday, March 26. This is 7 working days (hence the need for the advance) and is paid on Friday, March 31.
- Second check under new pay period – Monday, March 27 through Sunday, April 9. This is 10 working days (NOT 13) and is paid on Friday, April 14.
- Then it continues as normal with 10 working days per check. Without the check, the employee would not see the 3 days pay until their final check with the City.

Funding: No impact as employees are budgeted for 26 pay checks per year at 80 hours per check. This does NOT change that. Without the advance, the most non-exempt employees would still get 26 pay checks but one of those checks would be at 56 hours and not 80 hours.

Recommendation: Adopt the resolution as presented.

Previous Discussion with Council: n/a

RESOLUTION TO ADVANCE EMPLOYEE HOURS AS A RESULT OF CHANGING PAY PERIODS

- WHEREAS,** the City of Newnan has traditionally utilized a pay period ending on Wednesday and the pay date for such pay period has been on the Friday of the same week; and,
- WHEREAS,** the two (2) day turn-around period between the end of the pay period and pay date most often requires supervisors to enter payroll hours prior to the end of the pay period; and,
- WHEREAS,** the practice of entering payroll hours prior to the end of the pay period often requires adjustments on the following pay period if employee doesn't work hours as scheduled; and,
- WHEREAS,** the City has changed the pay period to end on Sunday rather than on Wednesday to allow more time between end of the pay period and the pay date; and,
- WHEREAS,** the first pay period after this change will be result in non-exempt employee's pay check being up to three (3) days shorter than normal; and,
- WHEREAS,** the loss of up to three (3) days of pay will be impactful to the employees of the City of Newnan.
- WHEREAS,** without an advance of hours, the employee would not see the three (3) days of pay until their final payment as an employee with the City of Newnan.

NOW, THEREFORE, BE IT RESOLVED, that non-exempt employee be advanced up to 30 hours of pay on the first pay check following the change to the new pay period.

FURTHER, BE IT RESOLVED, that the advance be cleared as liability for each non-exempt employee that works at least twelve (12) months after the date of the advance.

DONE, RATIFIED, AND PASSED in regular session, this the _____ day of March, 2023.

ATTEST:

Megan Shea, City Clerk

Reviewed:

C. Bradford Sears, Jr., City Attorney

Cleatus Phillips, City Manager

L. Keith Brady, Mayor

Dustin Koritko, Mayor Pro-Tem

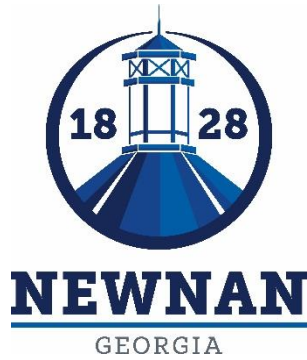
George M. Alexander, Councilmember

Cynthia E. Jenkins, Councilmember

Rhodes Shell, Councilmember

Ray Dubose, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Request to declare two (2) city owned properties as surplus and sell at public auction.

Prepared By: Cleatus Phillips

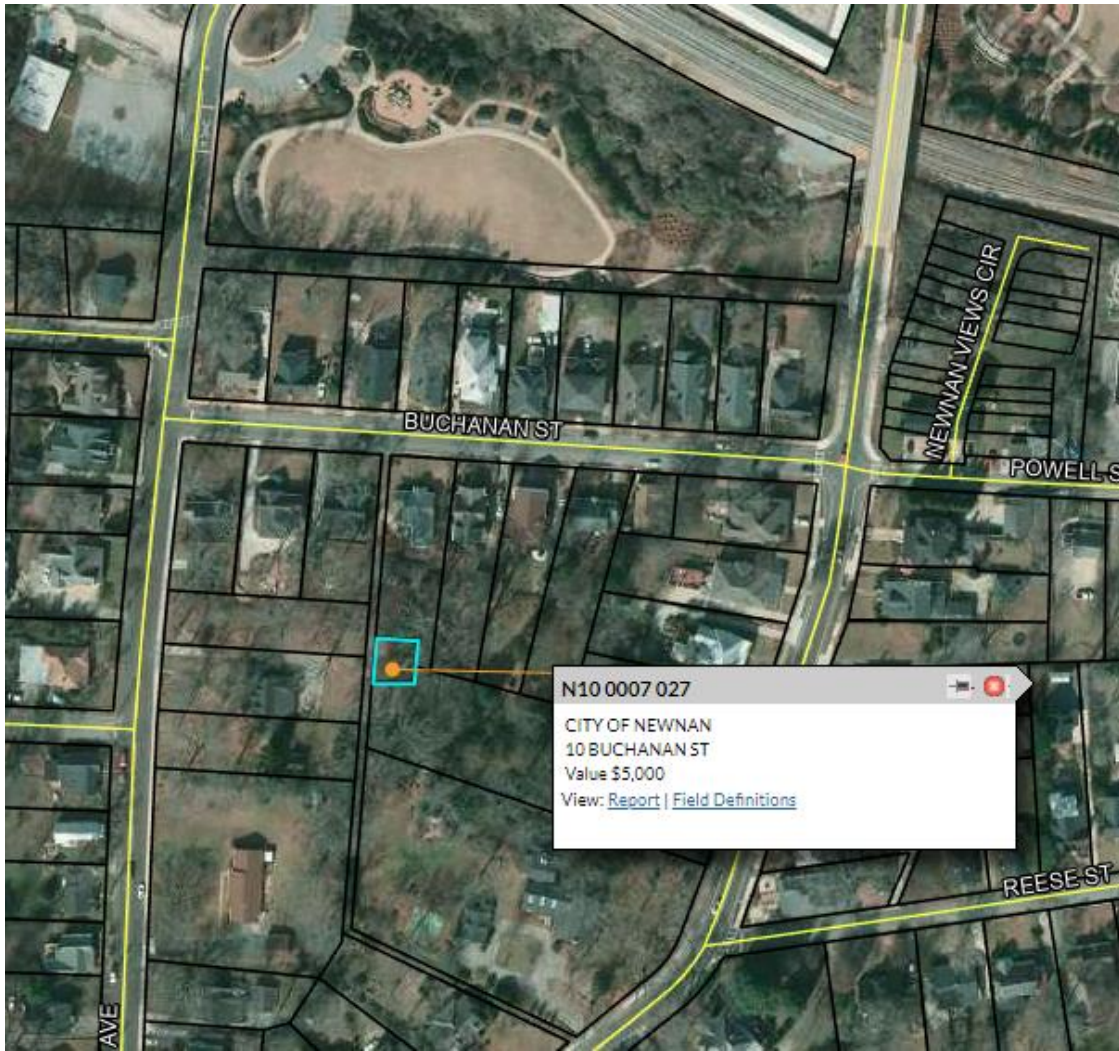
Purpose: Request to declare 66 1st Avenue and 10 Buchanan Street as surplus and sell at public auction.

Background: These two lots have traditionally been used for purposes related to Newnan Utilities. The City has recently been informed that Newnan Utilities has no further use of the property and prefer that the lots be considered as surplus. 10 Buchanan is not buildable and has no street frontage. 66 1st Avenue was formerly used for a water line and currently contains some improvements/easements that serve an adjoining property. These improvements basically render the property unbuildable.

Funding: n/a

Recommendation: Declare 66 1st Avenue and 10 Buchanan Street as surplus and sell at public auction.

Previous Discussion with Council: n/a



Homestead Application

[Apply for Homestead Exemption](#)

Summary

Parcel Number	N10 0007 027
Location Address	10 BUCHANAN ST
Legal Description	BUCHANAN ST V/L <small>(Note: Not to be used on legal documents)</small>
Class	E1-Exempt <small>(Note: This is for tax purposes only. Not to be used for zoning.)</small>
Tax District	NEWNAN 02 (District 02)
Millage Rate	24.33
Acres	0
Neighborhood	NEWNAN HS 0912 (0912)
Homestead Exemption	No [50]
Landlot/District	N/A

[View Map](#)

Owner

[CITY OF NEWNAN](#)


Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Exempt	LOT 5000.00	Lot	0	0	0	0	1

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
00			\$0	UNKNOWN STATUS		CITY OF NEWNAN

Information

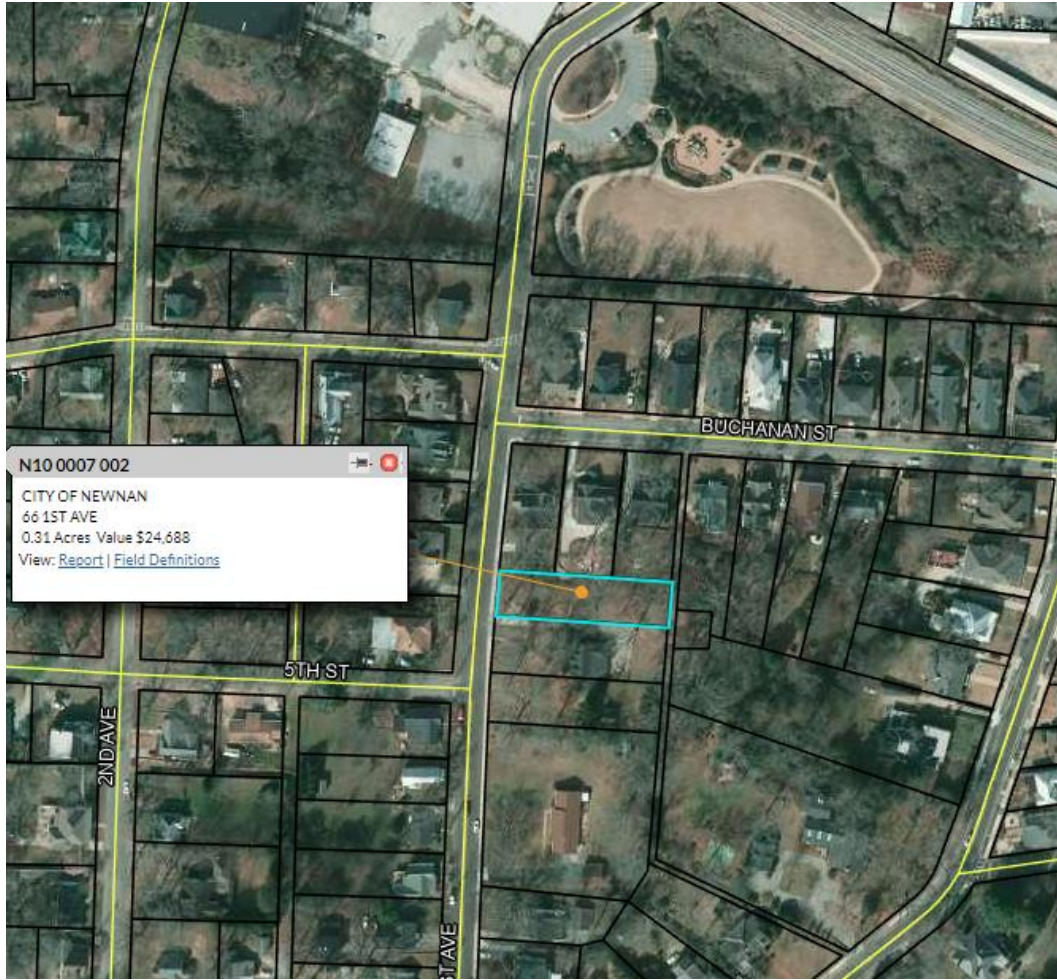


Coweta County, GA
57 Perry Street
Newnan, GA 30263

Chief Appraiser
Dean Henson
(770) 254-2680

Announcements

[How to use the Beacon site - view Demo Videos](#)



Homestead Application

Apply for Homestead Exemption

Summary

Parcel Number	N10 0007 002
Location Address	66 1ST AVE
Legal Description	V/L FIRST AVE <small>(Note: Not to be used on legal documents)</small>
Class	E1-Exempt <small>(Note: This is for tax purposes only. Not to be used for zoning.)</small>
Tax District	NEWNAN 02 (District 02)
Millage Rate	24.33
Acres	0.31
Neighborhood	NEWNAN / OFF LAGRANGE 0876 (0876)
Homestead Exemption	No (S0)
Landlot/District	N/A

[View Map](#)

Owner

CITY OF NEWNAN
NEWNAN, GA 30263

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Exempt	RES FF 350.00	Front Feet	13,680	60	228	0.31	1

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
00			\$0	UNKNOWN STATUS		CITY OF NEWNAN

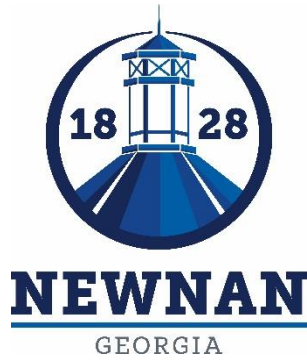
Information

Coweta County, GA
37 Perry Street
Newnan, GA 30263

Chief Appraiser
Dean Henson
(770) 254-2680

Announcements

[How to use the Beacon site - view Demo Videos](#)



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Consideration of a Parking Restriction Ordinance for Two Streets in the Stonebridge Subdivision.

Prepared By: Ray Norton, Public Works Director

Purpose:

Newnan City Council may consider an ordinance to restrict parking on one side of the street on a portion of Stonebridge Crossing and Granite Way on Wednesdays from 6AM till 6PM.

Background:

On January 1, 2023 AmWaste started providing garbage collection in Newnan. This process of collection is performed with automated loaders that requires unimpeded access to garbage cans. The townhomes in the sections referred to in the Parking Restriction Ordinance do not have sufficient driveway lengths to accommodate off street parking. Vehicles currently park on both sides of the street and garbage collection vehicles not able to navigate and perform collections as needed due to this. Restricting parking to one side of the street on Wednesdays from 6AM till 6PM will allow for safe and consistent garbage collection.

Staff has been in contact with the Stonebridge HOA and received their approval for the proposed Parking Restriction Ordinance.

Funding:

Not Applicable

Attachments:

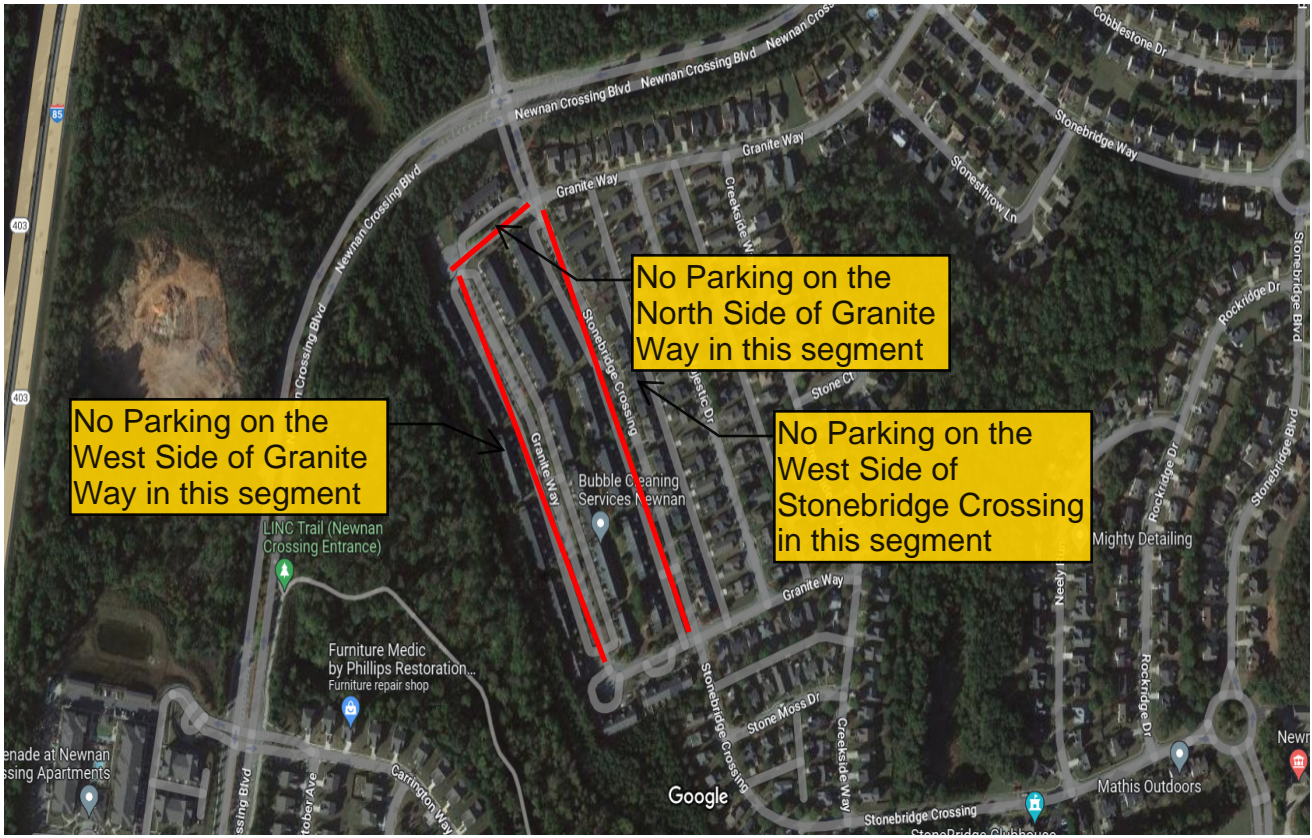
Parking Restriction Map

Recommendation:

Staff recommends approving the Parking Restriction Ordinance for Stonebridge Subdivision.

Previous Discussion with Council:

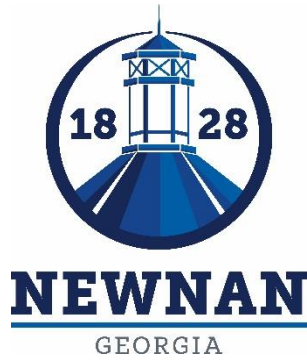
None



No Parking on the West Side of Granite Way in this segment

No Parking on the North Side of Granite Way in this segment

No Parking on the West Side of Stonebridge Crossing in this segment



City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Ratification for the Emergency Culvert Repair on Newnan Crossing Blvd East.

Prepared By: Ray Norton, Public Works Director

Purpose:

Newnan City Council may consider the ratification of the emergency procurement cost for the culvert replacement located on Newnan Crossing Blvd East.

Background:

On April 12, 2022 Newnan City Council approved a Resolution to Declare A Local State of Emergency in The City of Newnan Related to Design, Construction and Demolition Activities at Newnan Crossing Blvd East Due to Culvert Collapse.

All emergency purchases that exceed \$50,000.00 will require ratification of the city council.

Total cost for repairs amounted to \$ 2,708,828.85.

Funding:

ARPA Funds

Attachments:

Cost Summary

Recommendation: Ratify the expenditures for the emergency repair

Previous Discussion with Council:

None

Newnan Crossing Blvd East Culvert Expenses

Piedmont Paving	Construction Cost	\$2,487,773.35
Integrated Science & Engineering	Design Cost	\$99,078.00
VR Newnan Holdings	Right of Way Acquisition	\$70,000.00
Nova Environmental	Geotechnical Testing	\$44,627.50
Ronnie D. Jones	Sewer Valve Installation	\$7,350.00

TOTAL \$2,708,828.85

City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023



Agenda Item: 21 Berry Ave

Prepared and Presented by:
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

NEWNAN
GEORGIA

Purpose: Owner to update council on status and request an extension to repair the dilapidated structure at 21 Berry Ave.

Background: Owner: Doug and 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. Accept the extension request from owner in order to complete the renovations to the property.
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 25, 2020 – Public hearing was held and resolution was adopted to repair or demolish within 90 days.

August 12, 2021 – Owner was granted 90-day extension by council.

November 9, 2021 – Owner was granted 90-day extension by council.

February 8, 2022 – Owner was granted 180-day extension by council.

September 13, 2022 – Owner was granted a 180-day extension by council, to include a 90-day update by staff.

December 13, 2022- Staff update on status of repairs.







NEWNAN
GEORGIA

City of Newnan, Georgia - Mayor and Council

Date: March 14, 2023

Agenda Item: Zoning Regulations Text Amendments to Articles 2 and 4

Prepared By: Dean Smith, Planning and Zoning Department

Purpose: To seek direction from City Council on certain proposed text amendments to the City of Newnan's Zoning Ordinance.

Background: At the Council meeting on February 28, 2023, there was discussion regarding proposed changes on several zoning amendments. At the request of Council, further action on the proposed text amendments was continued to the March 14, 2023 meeting. Additionally, it was discussed that the proposed text amendments coming before City Council at a particular meeting be segmented into smaller blocks for consideration.

This agenda item seeks to ask Council for its direction on certain proposed text amendments, namely Articles 2 and 4. At the last Council meeting of February 28, 2023, there was discussion about the proposed change to Townhouses in the RU-I zoning district and which body should conduct a public hearing on Special Exception uses for townhouses in RU-I zoning districts. There was a suggestion that Council might be the body to conduct such a public hearing, as opposed to the Board of Zoning Appeals which would hear this type of request meet at 10:00 in the morning, a time not always suitable to generate public attendance and input.

Furthermore, there were questions about what types of zoning actions Council currently hears and if a special exception for Townhouses would be in line with other zoning actions heard by Council. The following are zoning actions heard by City Council.

- Variances for any Mixed Use Development or Developments of Regional Impact.
- Special Exception requests concerning Developments of Regional Impact.
- Special Exception requests for Bed & Breakfast inns
- Special Exception requests for Telecommunication Tower Facilities (Cell Phone Towers)

While the ordinance designates the Board of Zoning Appeals as the primary board to hear Special Exception requests, there are certain matters in which Council has elected to hear directly. The Board of Zoning Appeals currently hears Special Exception hearings on duplex projects in the RU-I zoning, which is akin to multifamily development, like Townhouses. This was the initial reasoning to have Townhouse proposal come before the Board of Zoning Appeals for RU-I zoned properties.

The Planning Commission also hears several special exception requests in areas zoned Planned Development and for Townhouse developments being proposed in the "Groundfloor Residential Overlay District" which is an area near downtown and within the Central Business District and for any new residential construction in historic register areas. Should a concern of Council be that the meeting time be conducive to allow the majority of the public to attend, then either a night meeting of Council (6:30 p.m.) or a Planning Commission meeting (7:00 p.m.) would accomplish that goal.

Additional questions for consideration:

Duplex dwellings in RU-I zoning are currently allowed by Special Exception hearings in front of the Board of Zoning Appeals. Do we also want to have duplex proposals in the RU-I zoning district go before the Planning Commission as well, as opposed to the Board of Zoning Appeals who currently hear duplex requests?

Is it desirous to leave Townhouses in RU-I zoning the way it is now, as an allowed use?

Is it desirous to change duplexes in RU-I zoning from having to obtain a Special Exception use to being allowed as a permitted use?

Under Article 4, staff had proposed some clarification changes to the language involving a “group development”. Group developments have typically been shopping centers, office complexes, industrial buildings and apartments. Group development allowed for a business to subdivide itself out of a shopping center complex for example and be a legal lot of record as long as it met certain criteria such as:

- Uses shall be limited to those allowed within the district in which it is located.
- Density and building coverage requirements of the district are met.
- The distance of every building from the nearest property line shall be adequate to meet all setback and other dimensional requirements of the district in which the lot is located.
- An unobstructed passageway at least 15-feet wide is maintained from a public street to each building for use by service and emergency vehicles.
- Each building on the lot is separated by at least 5 feet from any other building on the lot.

At the February 28, 2023 Council meeting, it was mentioned that the City may consider deleting this language in its entirety, as its primary purpose was to allow shopping centers to be created, along with individual outparcels within shopping centers. The Group Development provision was not intended to be used for a detached residential single-family development; however, in its present form, it can and was used for that intent.

Questions for Group Development for consideration:

Do we want to delete this language in its entirety?

Do we want to limit group development to commercial and industrial uses only, and remove residential options from consideration?

Recommendation: Approve the text amendments to the Zoning Regulations.

Previous Discussion with Council: February 28, 2023 and October 11, 2022

LENNAR GEORGIA, LLC
31.79 ± acres, located at 521 Lower Fayetteville Road
Land Lots 10 and 11, 5th Land District,
Coweta County, Georgia
Tax Parcel #087 5011 001

**ORDINANCE TO ANNEX TO THE EXISTING CORPORATE LIMITS OF THE CITY OF
NEWMAN, GEORGIA CERTAIN UNINCORPORATED LAND ADJOINING THE
EXISTING CORPORATE LIMITS OF SAID CITY IN ACCORDANCE WITH SECTION
36-36-21 OF THE OFFICIAL CODE OF GEORGIA, AND FOR OTHER PURPOSES**

BE IT ORDAINED, by the Mayor and City Council of the City of Newnan, and it is hereby ordained by authority of the same and by the authority granted to the governing authority of the City of Newnan by Section 36-36-21, Official Code of Georgia, annotated, that the following described property is hereby annexed and shall hereinafter be treated and considered as a part of the corporate limits of the City of Newnan, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lots 10 and 11 of the 5th Land District of Coweta County, Georgia, containing 31.79± acres and being more particularly described on Exhibit "A" attached hereto and by reference made a part hereof and shown on Plats of Survey attached hereto as Exhibit "B" and by reference made a part hereof.

BE IT FURTHER ORDAINED, that said property is annexed into the corporate limits of the City of Newnan subject to the following conditions:

- 1) The project will be consistent with the concept plan, density, project data, amenities, square footages and elevations provided as part of the application.
- 2) The development will utilize an HOA to ensure the amenity areas, common spaces, stormwater management pond, and buffers are properly maintained.
- 3) The developer will mitigate any traffic impacts the City Engineer determines are warranted based on the traffic impact statement and timeline for the Lower Fayetteville Road project.
- 4) No more than 20% of the development will be used for rental properties with the restrictions being included in the HOA covenants and restrictions.
- 5) The 2.354 acre tract located on the north side of Lower Fayetteville Road shall be limited to six (6), single family detached homes.

BE IT FURTHER ORDAINED that said property annexed be zoned PDR (Planned Development Residential District) subject to the conditions set out herein above and as provided in the separate rezoning ordinance adopted in connection herewith.

BE IT FURTHER ORDAINED that said property is hereby incorporated into the City of Newnan's Election District 2.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon adoption and as provided in O.C.G.A. §36-36-2.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this ____ day of _____, 2023 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Dustin Koritko, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

Survey Legal Description
Lower Fayetteville Road
Portion of Tax Parcel 087 5011 0001

EXHIBIT	<u>A</u>
PAGE	<u>1</u> OF <u>2</u>

All that tract or parcel of land lying and being in land lots 10 and 11 of the 5th district, Coweta County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the north eastern corner of lot 1-8 Hidden Lakes, Phase 1 (PB 57, PG 29), said point also being on the southern right of way line of Lower Fayetteville Road (80' R/W); thence leaving said point and along said southern right of way of Lower Fayetteville Road North 61°10'39" East, a distance of 517.28 feet to a point; Thence North 61°16'55" East, a distance of 333.17 feet to a point; Thence North 64°44'51" East, a distance of 207.03 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484") said point also being located on the northwestern corner of lands now or formerly Ted Justiss, said point also being at the intersection of the southern right of way of Lower Fayetteville Road and the City Limits of the City of Newnan; Thence leaving said right of way and along the property line of said Justiss property and along the City Limit Line of the City of Newnan, South 34°37'13" East, a distance of 362.74 feet to an iron pin found (6" wide iron bar); Thence North 88°14'07" East, a distance of 500.74 feet to an iron pin found (6" wide iron bar) located on the western line of Lakeshore Subdivision Phase 2 (PB 86, PG 321); Thence along said Lakeshore Subdivision, South 00°14'56" West, a distance of 504.15 feet to an iron pin found (1/2" rebar with cap "H&J-LOT CORNER"); Thence South 61°08'59" West, a distance of 1159.18 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484"); Thence North 38°37'16" West, a distance of 469.91 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484"); Thence North 75°53'26" West, a distance of 79.88 feet to a point located on the southwest corner of lot 1-9 of Hidden Lakes Phase 1; Thence North 28°30'04" West, a distance of 525.91 feet to an iron pin found (1/2" rebar) located on the southern right of way of Lower Fayetteville Road and the POINT OF BEGINNING.

Said tract of land containing 29.401 acres more or less.

Survey Legal Description
Lower Fayetteville Road
Portion of Tax Parcel 087 5011 0001

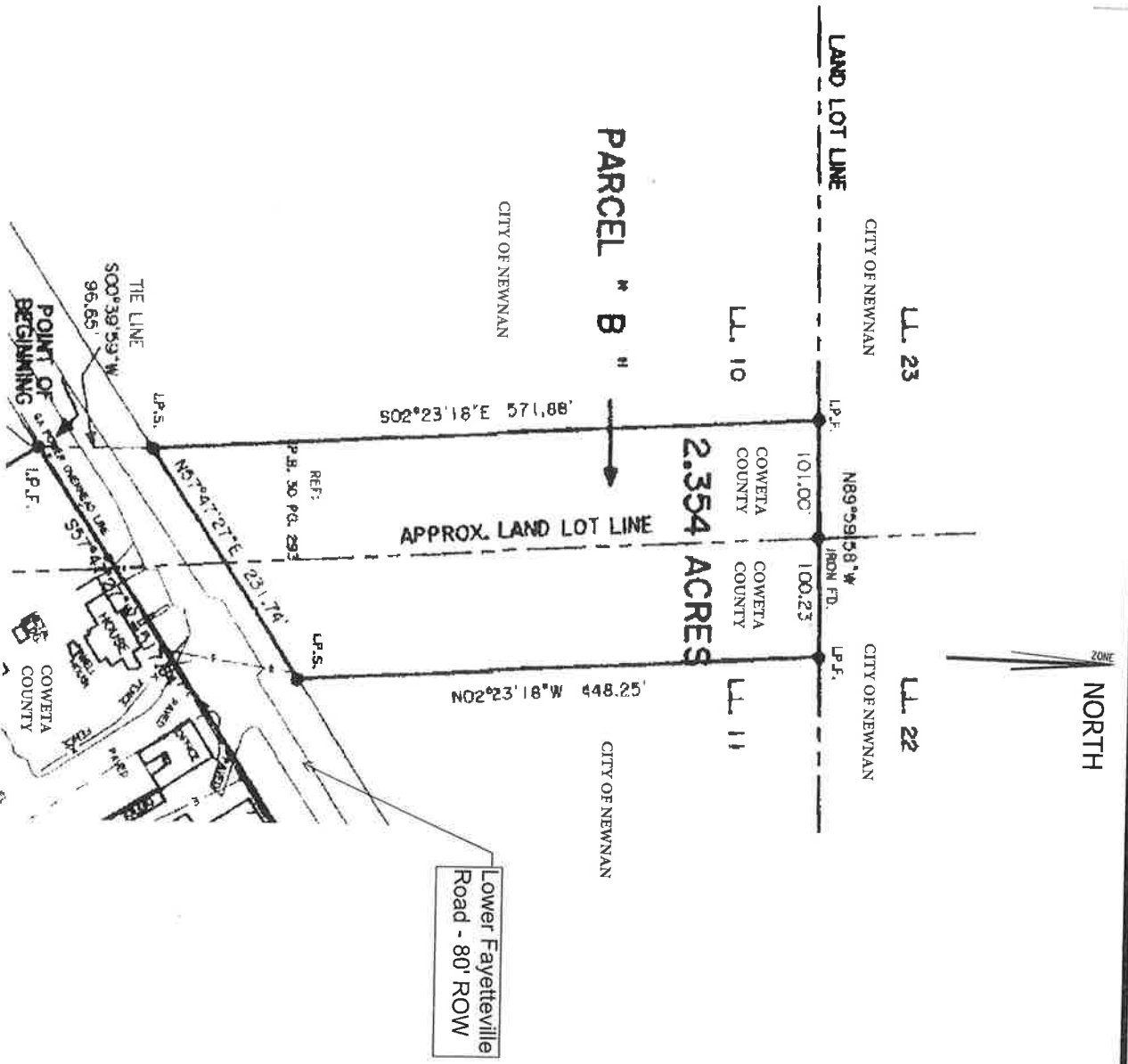
All that tract or parcel of land lying and being in land lots 10 and 11 of the 5th district, Coweta County, Georgia and being more particularly described as follows:

Parcel "B" as shown on plat of survey for Caldwell Tanks, Inc. dated 5/31/99 by W.W. Flowers, Jr., registered land surveyor recorded in Plat Book 71, Page 134, in the office of the Clerk of Superior Court, which plat is incorporated herein by reference to more fully describe the property.

Said tract of land containing 2.354 acres more or less.

- LEGEND
- AC ACCESS
 - A/U ACCESS UTILITY EASEMENT
 - CL CENTERLINE
 - DMB DRAIN AND GUTTER
 - EP EDGE OF PAVEMENT
 - EX EXISTING
 - LL LAND LOT LINE
 - HP HAMMOCK
 - HP PROPERTY CORNER
 - POB POINT OF BEGINNING
 - PL PLAT BOOK
 - RFN ROAD RIGHT OF WAY
 - SF SQUARE FOOT
 - SS SEWER
 - ST STAIRWAY
 - TRG TRAIL
 - TRP TRAIL POINT OF BEGINNING

EXHIBIT B
PAGE 2 OF 2



REFERENCE PLAT

Plat information taken from boundary survey for Caldwell Tanks Inc. dated May 31, 1999 and recorded at Plat Book 71, Page 134 in the Coweta County records.

NOTE: NO FIELD WORK WAS PERFORMED FOR THE PURPOSE OF THIS EXHIBIT. THIS IS NOT A BOUNDARY SURVEY AND NOT INTENDED TO TRANSFER PROPERTY.

SHEET 1 OF 1

DATE: _____
SCALE: _____
FILE # EXHIBIT
JOB # G213115.LNR
DRAWN BY WDC

GRAPHIC SCALE

0' 25' 50' 100'

NO.	DATE	DESCRIPTION

REVISIONS

Zoning Exhibit
FOR:
LOWER FAYETTEVILLE ROAD TRACT

LOCATED IN
LAND LOT 10 & 11
5th District
Coweta COUNTY, GEORGIA

Rochester & Associates, Inc.

425 Oak Street N.W. • Gainesville, Georgia 30501
(770)718.0500 (770)718.9090 Fax • www.rochester-asso

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2023.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

LENNAR GEORGIA, LLC
31.79 ± acres, located at 521 Lower Fayetteville Rd
Land Lots 10, and 11, 5th Land District, Coweta
County, Georgia
Tax Parcel #087 5011 001

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED AT 521 LOWER FAYEVILLE ROAD, CONTAINING 31.79± ACRES
IN LAND LOTS 10 AND 11, 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 RC (Rural Conservation) to PDR (Planned Development Residential) following annexation into the corporate limits of the City of Newnan; and

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

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 28th day of February, 2023; 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 31.79± acres and shown on Plats of Survey attached hereto as Exhibit “B” and by reference made a part hereof be rezoned as PDR (Planned Development Residential) subject to the conditions which follow.

- 1) The project will be consistent with the concept plan, density, project data, amenities, square footages and elevations provided as part of the application and attached hereto as Exhibit “C”.
- 2) The development will utilize an HOA to ensure the amenity areas, common spaces, stormwater management pond, and buffers are properly maintained.

- 3) The developer will mitigate any traffic impacts the City Engineer determines are warranted based on the traffic impact statement and timeline for the Lower Fayetteville Road project.
- 4) No more than 10% of the development will be used for rental properties with the restrictions being included in the HOA covenants and restrictions.
- 5) The 2.354 acre tract located on the north side of Lower Fayetteville Road shall be limited to six (6), single family detached homes.

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 _____, 2023 in regular session assembled.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2023.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

MARJORIE P. PHILLIPS, and
ESTATE OF DEWARD ALLEN PAYTON, and
PHILLIPS FAMILY PARTNERSHIP, LLLP and
POPLAR 20-20, LLC
**42.20± acres, located off Poplar Road
Land Lot 5, 2nd Land District,
Coweta County, Georgia
Tax Parcel #'s: 0872005001, 0872005002,
and 0872005003**

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOT 5 OF THE 2nd LAND DISTRICT
IDENTIFIED AS 42.20± ACRES OFF POPLAR ROAD IN THE CITY OF
NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to amend the zoning conditions on the property described on Exhibit “A” attached hereto identified as 42.20± acres located off Poplar Road in Land Lot 5, 2nd Land District, Coweta County, Georgia, and shown on Plat of Survey dated November 17, 2022 prepared by Metro Engineering & Surveying Co., Inc. attached hereto as Exhibit “B”, said property being zoned MXD (Mixed Use Development District) City of Newnan Zoning Classification with conditions by Ordinance No. 2022-4 on February 8, 2022 ; and

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

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 28th day of February, 2023; and

WHEREAS, after the above-referenced public hearing, the City Council has determined that an amendment to Ordinance No. 2022-4 adopted February 8, 2022 zoning the property with conditions 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 shown on Plat of Survey attached hereto as Exhibit “B”, containing 42.20± acres attached hereto and by reference made a part hereof zoned to City of

Newnan Zoning Classification MXD (Mixed Use Development District) with conditions be zoned Newnan Zoning Classification MXD (Mixed Use Development District) subject to the following amended conditions:

1. The project will be consistent with the amended concept plan, density, project data, proffered conditions, renderings and amenities provided as part of the application, consistent with the submittals attached hereof as Exhibit “C”.
2. The property will be placed in the Quality Development Corridor Overlay (CDC) District to ensure all commercial and office buildings meet overlay standards.
3. Design Guidelines will be approved by the Planning Commission prior to any building permits being issued for the development.
4. Elevations related to the apartment and townhome developments will be approved by the Planning Commission through the Certificate of Appropriateness Process.
5. A management entity will be created to ensure all common areas, buffers, amenities, etc. are maintained.
6. The developer will be required to meet all conditions specified in the DRI Notice of Decision and recommended by the Director of Engineering as listed in his updated letter of January 24, 2023 and provided in this report or as otherwise agreed to by the parties including the Georgia Regional Transportation Authority (GRTA); said letter attached hereto as Exhibit “D”.
7. A Development Agreement between the Developer and the City shall be prepared to address phasing and scheduling of construction, which Development Agreement shall be subject to approval by the City Council prior to the issuance of any building permits.
8. The proposed second entrance off of Poplar Road must receive Georgia Department of Transportation (GDOT) and Coweta County approval.
9. The wording “8,500 sf of retail space” referenced in the applicants proffered condition number 7 regarding project phasing shall be amended to state a minimum of “15,000 square feet of retail or office space or a combination of retail and office space”.
10. Notwithstanding Applicant’s proffered conditions, no more than 10% of the development will be used for rental properties with the restrictions being included in the HOA covenants and restrictions.

11. The developer will dedicate a portion of the project's trail system traversing from the future roundabout at Stillwood Drive throughout the development to a point at Poplar Road to accommodate the City's LINC trail. Said portion will be built per LINC trail specifications, be clearly identified as a segment of the LINC and will be designed to connect to the future LINC extension proposed for Newnan Crossing Boulevard East.

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 _____, 2023 in regular session assembled.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2023.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Dustin Koritko, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes Shell, Councilmember

Raymond F. DuBose, Councilmember

Paul Guillaume, Councilmember



REQUEST FOR SPECIAL EVENT PERMIT

EVENT: Rock&Road Festival

DATE: April 15, 2023

TIME: noon-9pm

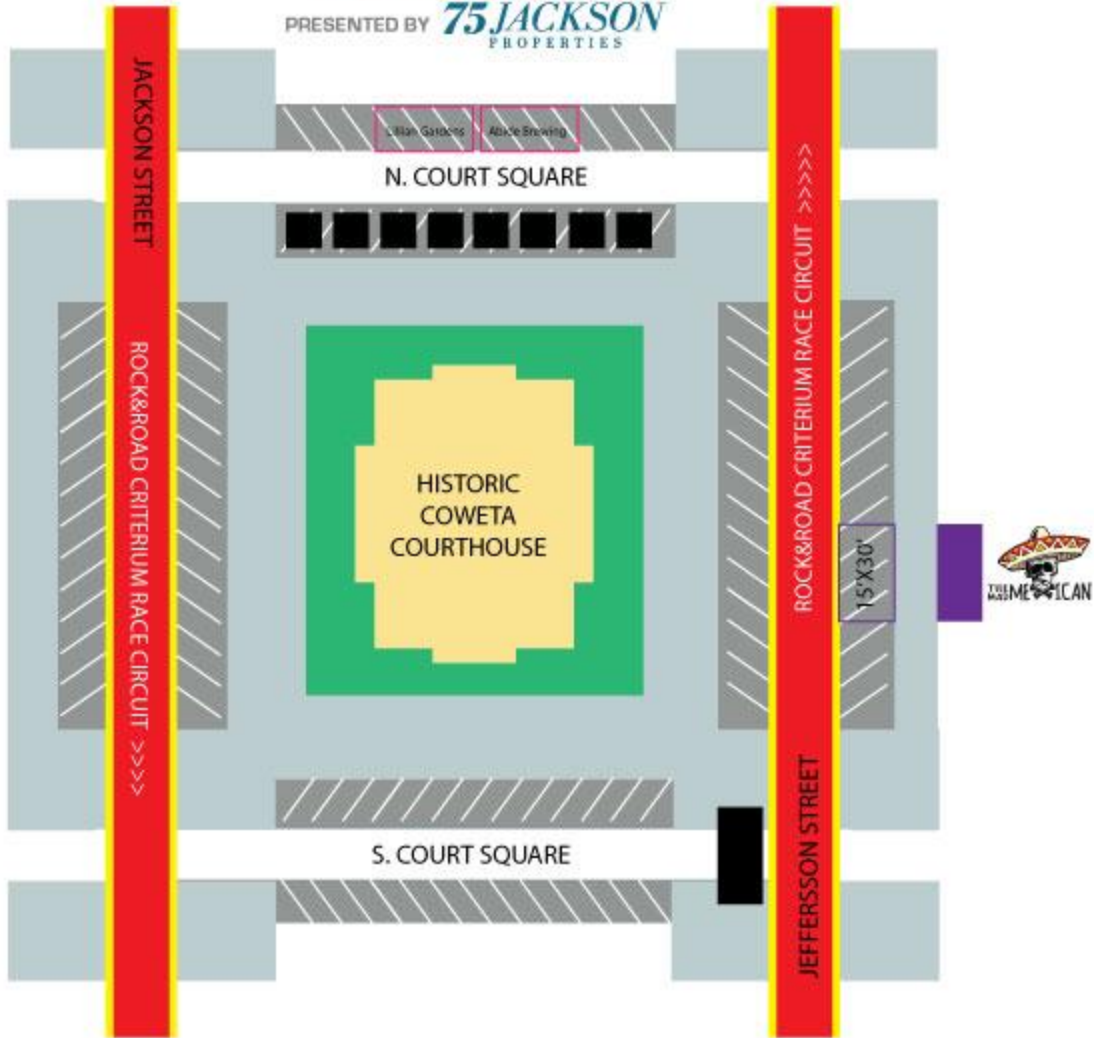
LOCATION: Downtown Newnan

Bike Coweta Inc requests permission on behalf of downtown restaurants to offer curbside cafe style service and/or cash bar sales on April 15, 2023 from noon to 9pm during the Rock&Road Festival. Multiple downtown restaurants plan to offer cafe service upon approval by the City Council. A 15' x 30' area of parking spaces would be secured in front of each restaurant. 15' x 30' spaces would also be made available to participating restaurants for cash bar sales on North and South Court Square.

All participating restaurants are required to be in good standing with the City of Newnan and have a current license by the City of Newnan to provide alcohol sales.

ROCK & ROAD FESTIVAL

PRESENTED BY 75 JACKSON PROPERTIES



- Rock&Road Criterium Race Circuit
- Race Circuit Fencing
- Sample Restaurant
- Sample Restaurant Cafe
- Cash Alcohol Sales on Square

Motion to Enter into Executive Session

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).