



Newnan City Council Meeting

NOVEMBER 24, 2020

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

NO OFF-AGENDA ITEMS OR COMMENTS WILL BE CONSIDERED AT TONIGHTS MEETING

CALL TO ORDER

INVOCATION

READING OF MINUTES

- [A.](#) Minutes from Regular Meeting on November 10, 2020

REPORTS OF BOARDS AND COMMISSIONS

- B. 1 Appointment- Newnan Youth Activities, 3 year term
- C. 1 Appointment- Ethics Commission, 2 year term
- D. 2 Appointments- Farmer Street Cemetery Commission, 3 year term
- [E.](#) Annual Report- Planning Commission (Information Only)

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- [F.](#) Consideration of Statewide Mutual Aid and Assistance Agreement
- [G.](#) Consideration of Holiday Pay Resolution
- [H.](#) Consideration of a Resolution to Authorize the Designation of the City Clerk as Open Records Officer; Authorizing the Designation of Administrative Assistant to Police Chief as Open Records Officer for the Newnan Police Department
- [I.](#) Consideration of a Contract Award for LINC Phase A & B and Box Culvert
- [J.](#) MEAG Power Sale of Excess Reserve Capacity to the City of Newnan on behalf of the City of LaFayette
- [K.](#) Hearing Regarding City of Newnan Code of Ordinances, Article V, Section 3-110, Alcoholic Beverages, action for suspension or revocation of beverage license #B-7108 Coweta Foundry, LLC dba Brick House; Michelle Lynn Larsen, Owner, Licensee, License Representative
- [L.](#) Consideration of An Ordinance to Extend a Temporary Ordinance to Encourage Business Within a Portion of the City's Central Business District and Other Businesses

UNFINISHED BUSINESS

- [M.](#) Continuation- Consideration of a Resolution Approving the Issuance of Multifamily Housing Revenue Bonds by the Thomaston Housing Authority

- N. Public Hearing - Annexation; Annex2020-01, Melissa Griffis on behalf of Linchwood Coweta, LLC for 65.77± acres off Parks Road (123 1050 005) - Requested zoning of RU-7 for 106 Single-Family Homes - Consideration of Ordinances

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

MOTION TO ENTER INTO EXECUTIVE SESSION

- O. Motion to Enter into Executive Session

ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 10, 2020 at 2:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

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

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose; George Alexander; Paul Guillaume, Dustin Koritko, Rhodes Shell and Cynthia E. Jenkins. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Della Hill; Public Works Director, Michael Klahr; City Attorney, Brad Sears and Police Chief, Douglas “Buster” Meadows.

MINUTES – REGULAR COUNCIL MEETING – OCTOBER 27, 2020

Motion by Councilman Shell, seconded by Councilman Guillaume to dispense with the reading of the minutes of the Regular Council meeting on October 27, 2020 and adopt them as amended.

MOTION CARRIED. (7 – 0)

ANNUAL REPORT – URBAN REDEVELOPMENT AGENCY

Information only

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION – 3 YEAR TERM

Mayor Brady asked the City Manager to place Councilman Koritko appointment to the Newnan Youth Activities Commission on the agenda for the next Council meeting.

APPOINTMENTS – FARMER STREET CEMETERY COMMISSION

Mayor Brady asked the City Manager to place his appointment and Councilman Koritko’s appointment to the Farmer Street Cemetery Commission on the agenda for the next Council meeting.

APPOINTMENT – ETHICS COMMISSION - 2 YEAR TERM

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

RESIGNATION – NEWNAN CONVENTION AUTHORITY

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to accept the resignation of Kaite McBride Newman on the Newnan Convention Authority, she is moving out of the City of Newnan.

APPOINTMENT – NEWNAN CONVENTION CENTER AUTHORITY

Mayor Brady placed in nomination John Goodrum for the Newnan Convention Center Authority to replace Katie McBride Newman.

Motion by Councilman Shell, seconded by Mayor Pro Tem Alexander to appoint John Goodrum to the Newnan Convention Center Authority.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – APPLICATION FOR ALCOHOL BEVERAGE LICENSE – THE JUICY CRAB

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer of License Representative for the Juicy Crab located at 1120 Bullsboro Drive.

A representative of applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Koritko, seconded by Councilman Shell to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer of License Representative for The Juicy Crab located at 1120 Bullsboro Drive.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – APPLICATION FOR ALCOHOL BEVERAGE LICENSE CHYLACAS GRILL, LLC

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer Licensee for Chylacas Grill, LLC located at 20 Bullsboro Drive.

A representative of applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer Licensee for Chylacas Grill LLC located at 20 Bullsboro Drive.

MOTION CARRIED. (7 – 0)

REQUEST – FROM COWETA COUNTY SCHOOL SYSTEM – INSTALLATION OF FLASHING SCHOOL BEACONS – CEC SCHOOL – MARTIN LUTHER KING JR DRIVE

Motion by Councilwoman Jenkins, seconded by Councilman Guillaume to approve the request by Coweta County School System for the installation of flashing school beacons at the CEC School on Martin Luther King Jr. Drive.

MOTION CARRIED. (7 – 0)

LOCAL MAINTENANCE IMPROVEMENT GRANT (LMIG) – LIST OF STREETS PROPOSED FOR MAINTENANCE

Motion by Councilman DuBose, seconded by Councilman Guillaume to approve the list of streets proposed for maintenance for Local Maintenance Improvement Grant (LMIG).

MOTION CARRIED. (7 – 0)

RESOLUTION – APPROVING THE ISSUANCE OF MULTI FAMILY HOUSING REVENUE BONDS BY THE THOMASTON HOUSING AUTHORITY

After discussion with Council regarding safety issues on rehabilitation of Eastgate Apartments it was decided to continue this item until the November 24, 2020 Council meeting.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to continue the Resolution required by federal law that provides the City's consent for the issuance of housing revenue bonds to assist with the financing for the acquisition and substantial rehabilitation of Eastgate Apartments regarding safety issues.

MOTION CARRIED. (7 - 0)

2ND AND FINAL READING – ORDINANCE TO AMEND ORDINANCES CHAPTER 5, SECTION 5-25, DEMOLITION, REMOVAL OR RELOCATION OF STRUCTURES

Motion by Mayor Pro Tem Alexander, seconded by Councilman Shell to adopt on second reading the Ordinance to amend ordinances, Chapter 5, Section 5-25 Demolition, Removal or Relocation of Structures. Opposed: Koritko

MOTION CARRIED. (6 – 1)

**2ND AND FINAL READING – ORDINANCE – REZONING REQUEST ON BEHALF OF
TURNSTONE GROUP, LLC – 2.70 ACRES LOCATED DIPLOMAT PARKWAY**

Motion by Councilman Shell, seconded by Councilwoman Jenkins to adopt on second reading the Ordinance for the Rezoning on behalf of Turnstone Group, LLC for 2.70 acres located on Diplomat Parkway from CGN to CHV conditioned for climate controlled storage units. Opposed: Alexander

MOTION CARRIED. (6 – 1)

**DESIGNATING WESLEY STREET FROM JEFFERSON STREET TO JACKSON
STREET AS ONE-WAY TO MITIGATE LIMITED SIGHT DISTANCE AT THE
INTERSECTION OF WESLEY STREET AT JEFFERSON STREET**

The Public Works Director/City Engineer indicated at the August 11, 2020 meeting, staff was asked to look into a reported line of sight issues at the subject intersection. This intersection is under the jurisdiction of the Georgia Department of Transportation (Jefferson Street is State Route 14) we forwarded the concern to GDOT for their input. GDOT offered 4 recommendations for mitigating the limited sight distance.

1. Remove on-street parking for approximately 90 feet (5 parking stalls)
2. Remove pedestrian success at Wesley Street and move up the stop bar
3. Install a mirror outside the Right-of-Way across from Wesley Street
4. Covert Wesley Street to one-way, westbound

The City Council instructed staff to consult with a traffic engineering firm to determine traffic impacts in making Wesley Street one-way, option 4 above.

The study reveals that converting the section of Wesley Street between Jackson Street and Jefferson Street to a westbound one-way does not adversely affect the surrounding intersections and traffic operations.

After discussion with Staff and Council it was decided it would be best to leave the subject intersection as is with no changes.

Motion by Councilman DuBose, seconded by Councilman Shell to approve Wesley Street from Jefferson Street to Jackson Street as one-way to mitigate limited sight distance at the intersection of Wesley Street at Jefferson. Opposed: Alexander, Brady, Jenkins and Koritko.

MOTION FAILED. (3 – 4)

REQUEST – FOUNDATION CHRISTIAN CHURCH – HOLD MOVIE EVENT ON SOUTH COURT SQUARE

After discussion with Staff and Council on the request to close South Court Square this close to Christmas would affect the downtown merchants. Council felt it would be better to relocate the event to Greenville Street Park.

Motion by Mayor Pro Tem Alexander, seconded by Councilwoman Jenkins to approve relocating the movie event requested by Foundation Christian Church to Greenville Street Park from South Court Square on December 11th and 12th from 3 pm – 11 pm.

MOTION CARRIED. (7 – 0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko 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 real estate 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 3:15 pm.

MOTION CARRIED. (7 – 0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

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

MOTION CARRIED. (7 – 0)

28 WESTGATE PARK LANE

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko to approve the purchase and demolition of 28 Westgate Park Lane.

MOTION CARRIED. (7 – 0)

WORK SESSION – CALDWELL TANKS PROPERTY

A work session was held for the purpose of presentations and planning proposals for the Caldwell Tanks property from three design firms. Stevens & Wilkinson, K. A. Oldham Design and Nelson Worldwide shared their visions for the property. Mayor Brady indicated planning the future use of this property is important so that it will pay tribute to its heritage. There will be a summary of the work session to be presented to Council at a future meeting.

ADJOURNMENT

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 4:58 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

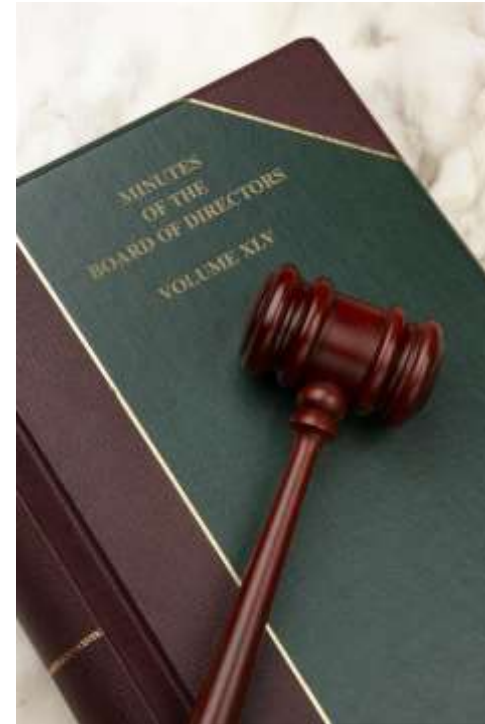
Keith Brady, Mayor

Newnan Planning Commission



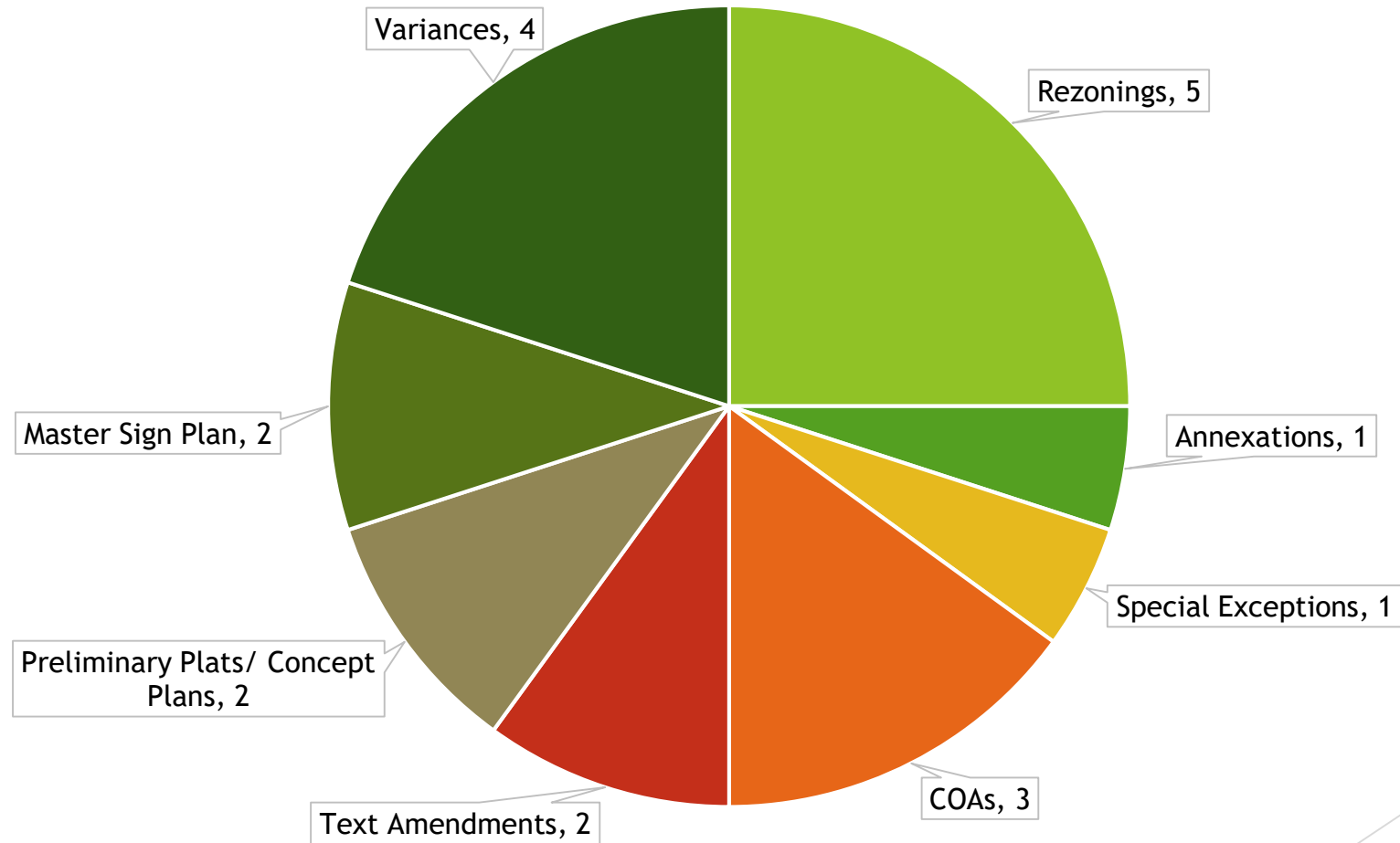
Planning Commission Members

- ▶ Proctor Smith- Chairman
- ▶ Chris Hunt - Vice Chairman
- ▶ Bob Coggin
- ▶ Joe Crain, Jr.
- ▶ Fred Hamlin
- ▶ Alton West
- ▶ Clay McEntire



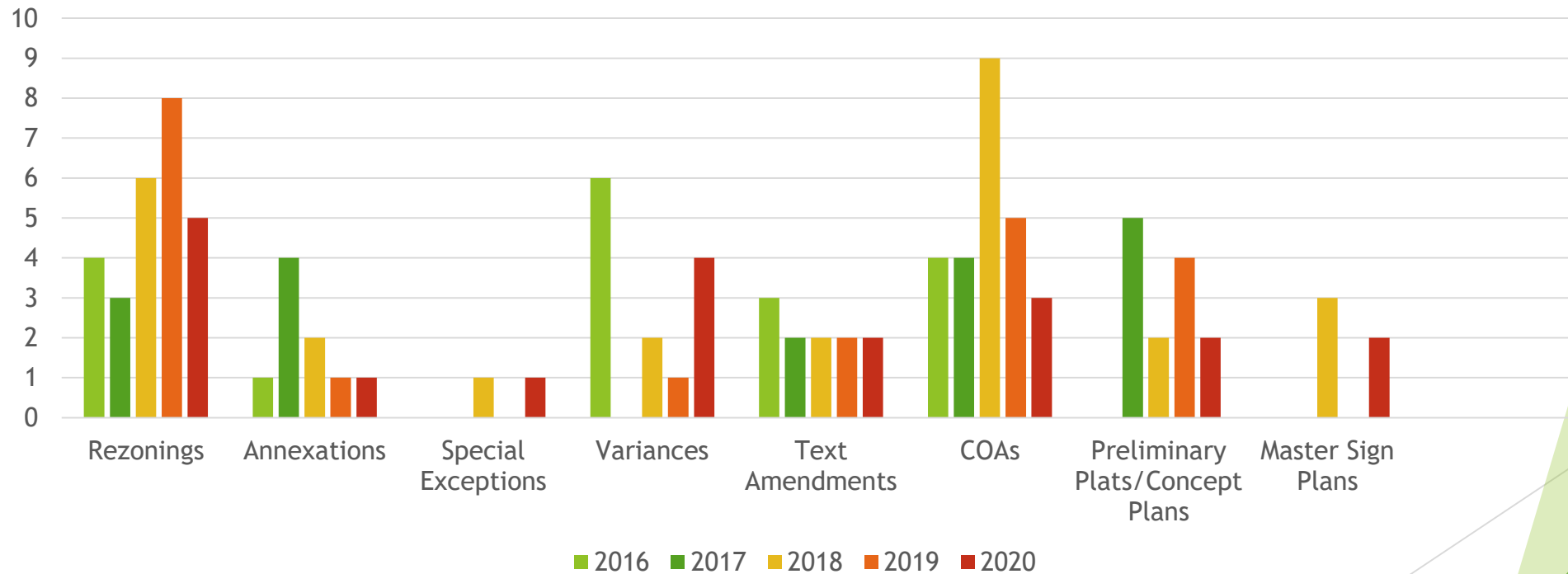
Activities in 2020

(Through November)



Activity Over the Last 5 Years

5 Year Comparison Chart



Examples of Approved COAs



Other Approvals



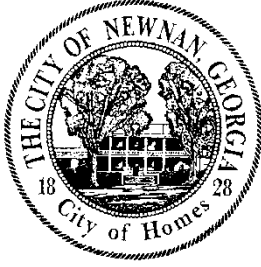
- ▶ Preliminary Plats for Bridgewalk and the Crest
- ▶ Master Sign Plans for Wal-Mart and Newnan Professional Center
- ▶ Minor Master Plan Amendments for Stillwood Farms and Summergrove

Topics for Future Discussion

- ▶ Preparing a Comprehensive Plan During a Pandemic
- ▶ Virtual Training Opportunities
- ▶ Possibly Expanding the Administrative Variance Categories

Questions





City of Newnan, Georgia - Mayor and Council

Date: November 24, 2020

Agenda Item: Consideration of Statewide Mutual Aid and Assistance Agreement

Prepared and Present by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may consider a Statewide Mutual Aid and Assistance Agreement.

Background: The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended, gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

The Agreement will provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and identify those persons who are authorized to act on behalf of the Participating Party.

The Agreement is for a term of four (4) years.

The Agreement is, in essence, an extension to a similar previous agreement that was originally executed in 2017.

The Agreement provides guidance related to the provision of and reimbursement for mutual aid and assistance provided to any other participating political subdivision (city or county).

Funding: N/A

Recommendation: Newnan City Council may adopt and authorize certain individuals to provide, coordinate and seek reimbursement for mutual aid assistance on behalf of the City of Newnan.

Attachments:

1. Statewide Mutual Aid and Assistance Agreement

Previous Discussions with Council: Newnan City Council has considered, executed and participated in similar agreements over time for the prompt, full and effective utilization of resources that are essential to the safety, care and welfare of the citizenry.

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

County/Municipality: City of Newnan

The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

This mutual aid agreement is entered pursuant to authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

ARTICLE I STATEMENT OF AGREEMENT, DEFINITIONS AND AUTHORITIES

This Agreement is made and entered into between the participating political subdivisions, which approve and execute this Agreement, hereinafter called "Participating Parties" and the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). For purposes of this Agreement, the following terms and expressions shall apply:

- (1) "Agreement" means this agreement, generally referred to as the "Statewide Mutual Aid Agreement" (SWMAA).
- (2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.
- (3) "Assisting Party" means a party that provides assistance pursuant to this Agreement during an emergency or disaster.
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide mutual aid assistance.
- (5) "Participating Party" means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement.
- (6) "Participating Parties" means the combination of counties and municipalities that have become parties to this Agreement by their approval and execution of this Agreement.
- (7) "Requesting Party" means a party that requests assistance pursuant to this Agreement during an emergency or disaster.

Any term or expression not defined in this Agreement shall have the meaning specified in the Georgia Emergency Management Act, as amended (the Act) and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II GENERAL PURPOSE

The purpose of this Agreement is to:

1. Provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and
2. Identify those persons who are authorized to act on behalf of the Participating Party signing this Agreement as their Authorized Representative(s) concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another Participating Party, or from or through the State of Georgia. Appendix A of this Agreement shall contain the name(s) of the Participating Party's Authorized Representative for purposes of this Agreement. Appendix A can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix A shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

ARTICLE III ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people shall be the underlying principle on which all articles of this Agreement shall be understood.

In the event of a conflict between any provision of this Agreement and any existing intrastate mutual aid agreement affecting a Participating Party, the provisions of this Agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the Agreement, the director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this Agreement.

ARTICLE IV PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this Article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

- (1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material; and

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party requires mutual aid assistance from another Participating Party and/or the State of Georgia, the Requesting Party may request assistance by:

(1) Contacting the Participating Party who is the owner/operator/employer of the supplies, equipment and/or personnel being sought for mutual aid assistance (the Assisting Party); or

(2) Contacting GEMA/HS to serve as the facilitator of such request for those resources being sought for mutual aid that are owned/operated/employed by Participating Parties (where such Participating Parties have submitted a record of those resources to GEMA/HS for such use); and/or, when such resources being sought for mutual aid are owned/operated/employed directly by the State of Georgia.

The provisions of this Agreement shall only apply to requests for assistance made by an Authorized Representative. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, damage assessment, volunteer and donated goods and search and rescue; and

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time each will be needed; and

(3) The specific place and time for staging of the Assisting Party's response and a point of contact at that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V LIMITATIONS

Any Participating Party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof; provided that it is understood that the Participating Party who is asked to render aid may withhold resources to the extent necessary to meet the current or anticipated needs of the Participating Party's own political subdivision to remain in compliance with such Participating Party's policy, rule or law.

The Assisting Party's mutual aid resources will continue under the command and control of their own

supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

In the event the Governor should declare a State of Emergency, any and all provisions of this Agreement which may conflict with the declared State of Emergency shall be superseded by the terms and conditions contained within the State of Emergency.

ARTICLE VI LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. § 38-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles 1 through 3 of said chapter and title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified in accordance with O.C.G.A. § 38-3-35 shall apply in addition to any other immunity provided by statute or case law.

ARTICLE VII RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. § 38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VIII REIMBURSEMENT

In accordance with O.C.G.A. § 38-3-30(b), The Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of

the claim under oath is served by mail or otherwise upon the designated fiscal officer of the Requesting Party. Appendix B of this Agreement shall contain the name(s) of the Participating Party's designated fiscal officer for purposes of this Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix B shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid, as well as the actual travel and per diem expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers.

Expenses to be reimbursed by the Requesting Party shall include the following:

- (1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act; and
- (2) Equipment costs, which shall include the fair rental value, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced; and
- (3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party; and
- (4) Meals, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this Agreement shall be the actual and reasonable costs incurred by the Assisting Party.

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX IMPLEMENTATION

This Agreement shall become operative immediately upon its approval and execution by GEMA/HS and any two political subdivisions of this State; thereafter, this Agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

Copies of this Agreement shall, at the time of their approval, be deposited with each of the respective Participating Parties and with GEMA/HS.

ARTICLE X
TERM OF AGREEMENT

This Agreement, once executed, is valid until March 1, 2024. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XI
VALIDITY

If any provision of this Agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:

L. Keith Brady, Mayor

L. Keith Brady, Mayor (Printed Name)

County/Municipality: City of Newnan

Date: _____/_____/_____

GEMA/HS Director – Signature

GEMA/HS Director – Print Name

Date: _____/_____/_____

APPENDIX A
AUTHORIZED REPRESENTATIVE

The below named individual(s), in addition to the chief executive officer, is/are the “Authorized Representative(s)” for the City of Newnan, and are authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on behalf of the above-named county/municipality:

Cleatus Phillips	City Manager
Print Name	Job Title/Position

Signature of Above Individual

Hasco Craver	Assistant City Manager
Print Name	Job Title/Position

Signature of Above Individual

L. Keith Brady, Mayor

Date: _____/_____/_____

Chief Executive Officer – Print Name

APPENDIX B
DESIGNATED FISCAL OFFICER(S)

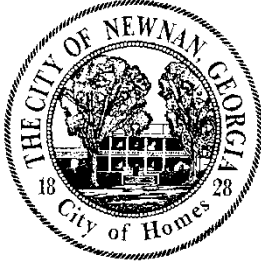
The below named individual(s) is/are the “designated fiscal officer(s)” for the City of Newnan
for the purpose of reimbursement sought for mutual aid:

Katrina Cline	Finance Director
_____ Print Name	_____ Job Title/Position

Signature of Above Individual

_____ L. Keith Brady, Mayor	Date: ____/____/____
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Chief Executive Officer – Print Name



City of Newnan, Georgia - Mayor and Council

Date: November 24, 2020

Agenda Item: Consideration of Holiday Pay Resolution

Prepared by: Hasco Craver, Assistant City Manager

Presented by: Cleatus Phillips, City Manager

Purpose: Newnan City Council may consider a Holiday Pay Resolution.

Background: Newnan City Council, from time to time, on an annual basis and as funds are available, has considered the adoption of a Holiday Pay resolution authorizing the City Manager to implement a holiday pay resolution. One time holiday pay is made available to all full time employees, and based upon each staff member's tenure.

Funding: General Fund

Recommendation: In an effort to recognize exceptional level of service provided by City staff, the City Manager recommends the approval of the resolution as presented.

Attachments:

1. Holiday Pay Resolution

Previous Discussions with Council: Newnan City Council has considered similar resolutions, as funds are available, from time to time, over time.

HOLIDAY PAY RESOLUTION
The City of Newnan

- WHEREAS,** the Mayor and Council of the City of Newnan has a customary practice to recognize its employees in the fourth-quarter of each budget year with a one-time holiday pay; and,
- WHEREAS,** during 2020 employees have worked diligently to provide a high level of services to our citizens while simultaneously controlling expenses, all amidst the COVID19 Pandemic.
- WHEREAS,** the resources necessary to implement the holiday pay are currently available in the city's general fund budget as a result of the year-to-date revenue over expenditures; and,
- WHEREAS,** the holiday pay will not affect the salary, hourly wage, or pay plan of any employee during the 2021 budget year.

NOW, THEREFORE, BE IT RESOLVED, based on the public benefit and value of the employee's service and dedication to our constituents, the City Manager is hereby authorized to implement this one-time holiday pay to those employees who are actively engaged in work for the City of Newnan on December 1, 2020 in accordance with the following schedule:

- Full-Time employees employed on or before December 31, 2019 – Two Week's Base Salary
- Full-Time employees employed between January 1, 2020 and June 30, 2020 – One Week's Base Salary
- Full-Time employees employed after July 1, 2020 and all Part-Time employees – \$200

DONE, RATIFIED, AND PASSED in regular session, this the _____ day of November, 2020.

ATTEST:

Della Hill, City Clerk

Reviewed:

C. Bradford Sears, Jr., City Attorney

Cleatus Phillips, City Manager

L. Keith Brady, Mayor

George M. Alexander, Mayor Pro-Tem

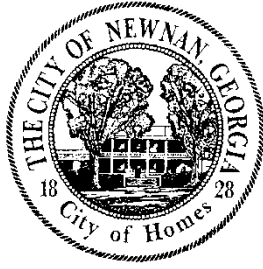
Cynthia E. Jenkins, Councilmember

Rhodes Shell, Councilmember

Ray DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: November 24, 2020

Agenda Item: Consideration of Resolution to Authorize the Designation of the City Clerk as Open Records Officer; Authorizing the Designation of Administrative Assistant to Police Chief as Open Records Officer for the Newnan Police Department.

Prepared and presented by: Hasco Craver, Assistant City Manager

Purpose:

Newnan City Council may consider a resolution designating certain city staff members as Open Records Officers, pursuant to law and as needed by the City of Newnan.

Background:

In accordance with O.C.G.A. Title 50, which provides guidance related to Public Records, Newnan City Council may designate certain city staff members to serve as Open Records Officers. Officers are responsible for the successful enforcement, compliance with and management of public records and associated laws.

It has become apparent to City staff that the increased responsibilities associated with records management now requires the designation of two certain staff members as records officers. More specifically, the Administrative Assistant to the Police Chief shall serve as the Open Records Officer for the Newnan Police Department and the City Clerk shall serve as the Open Records Officer for all other City of Newnan records.

Funding: N/A

Recommendation:

In an effort to provide lawful and efficient services, the Newnan City Council may consider the Resolution as presented

Attachments:

1. Proposed Resolution

Previous Discussions with Council:

Newnan City Council adopted a similar resolution solely designating the City Clerk as the Open Records Officer.

A RESOLUTION

A RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF NEWNAN, GEORGIA, DESIGNATING THE CITY CLERK AS OPEN RECORDS OFFICER PURSUANT TO THE AUTHORITY OF O.C.G.A. §50-18-71; AUTHORIZING THE DESIGNATION OF ASSISTANT OPEN RECORDS OFFICERS; REQUIRING THAT ALL OPEN RECORDS REQUESTS BE MADE IN WRITING AND FILED WITH THE OPEN RECORDS OFFICER OR A DESIGNATED ASSISTANT OPEN RECORDS OFFICER; AND FOR OTHER PURPOSES.

WHEREAS, In the 2012 Session, the Georgia General Assembly enacted H.B. 397 amending Georgia's Open Meetings and Open Records Laws; the City of Newnan is an "agency" subject to such laws;

WHEREAS, pursuant to Article V of O.C.G.A. Title 50, "The Georgia Records Act", codified at O.C.G.A. §50-18-90 *et seq.*, the City Council has designated the City Clerk as the City's Public Records Management Officer to establish and operate the City's Records Management Program and to enforce compliance with retention schedules and other records management procedures require by law; see Sec. 2-140 of the Code of Ordinances of the City of Newnan, Georgia;

WHEREAS, among the responsibilities assigned to the City's Records Management Officer is the duty to promulgate policies and procedures governing records management and the duty to train, supervise and discipline City officers and employees in those procedures and policies;

WHEREAS, under newly revised O.C.G.A. §50-18-71(b)(1)(B) an agency is authorized to require that all Open Records requests be made in writing upon a designated Open Records Officer or assistant Open Records Officer(s), designated in writing by the agency; furthermore, when such designation has been made, notice of the designated Open Records Officer and assistant Open Records Officer shall be given in writing to the legal organ of the County and prominently displayed on the agency websites;

WHEREAS, where designation of Open Records Officer and assistant Open Records Officer(s) is made and advertised in the manner set forth the enforcement provisions of O.C.G.A. §50-18-73 & §50-18-74 shall not be available for alleged violations of the Open Records Law if requests are made orally or in a writing served on any other City officer or employee; and

WHEREAS, the City Council concludes, from the recommendation of the City Manager and in keeping with the City Council's previous designation, that the City Clerk should be designated as its Open Records Officer, for all City records requests, except for requests for all records maintained by the City of Newnan Police Department; and

WHEREAS, the City Council concludes from the recommendation of the City Manager that for all Newnan Police Department open records request for records maintained by the Newnan Police Department that the Administrative Assistant to the Police Chief should be designated as its Open Records Officer.

NOW THEREFORE, BE IT RESOLVED AND IT IS ESTABLISHED THAT:

1. The City Clerk is hereby designated as Open Records Officer for the City of Newnan for all City records except for requests for all records maintained by the City of Newnan Police Department.
2. The Administrative Assistant to the Police Chief is hereby designated as Open Records Officer for the Newnan Police Department for all requests for records maintained by the City of Newnan
3. Notice of this designation shall be promptly given The Times-Herald as legal organ for Coweta County, Georgia, with copies to other local news media upon request.
4. Notice of these designations shall be prominently posted on the City's and the Newnan Police Department's websites, together with a form for making Open Records requests in writing.
5. Continuing notice shall be posted on the official bulletin board at City of Newnan City Hall and on the City's website advising the public that all Open Records requests must be made in writing and served upon the appropriate Open Records Officer in one of the following ways:
 - (a) For all City records except for records maintained by the City of Newnan Police Department in person during normal business hours of the City at 25 LaGrange Street, Newnan, Georgia 30263; by U.S. mail addressed to: Open Records Officer, City of Newnan, P.O. Box 193, Newnan, Georgia 30264; by statutory overnight delivery addressed to: Open Records Officer, City of Newnan, 25 LaGrange Street, Newnan, Georgia 30263; by email addressed to openrecords@cityofnewnan.org;
 - (b) For all records maintained by the City of Newnan Police Department in person during normal business hours of the City of Newnan, Newnan Police Department by U.S. mail addressed to: Open Records Officer, City of Newnan Police Department, 1 Joseph Hannah Boulevard, Newnan, GA 30263; by statutory overnight delivery addressed to: Open Records Officer, City of Newnan Police Department, 1 Joseph Hannah Boulevard, Newnan, Georgia 30263; by email addressed to npdopenrecords@cityofnewnan.org;

- (c) The enforcement provisions of O.C.G.A. §§50-18-73 & 74 shall be available only to enforce non-compliance when a written request is made consistent with this section and shall not be available when request is made orally.
- 6. Forms for making written Open Records requests shall be available, without charge, at City of Newnan, 25 LaGrange Street, Newnan, GA, Newnan Police Department, 1 Joseph Hannah Boulevard, Newnan, Georgia 30263 and on the City's Newnan Police Department's websites.

SO RESOLVED, this ____ day of _____, 2020.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

George M. Alexander, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

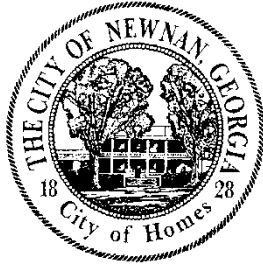
Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: November 24, 2020

Agenda Item: Contract Award Consideration for LINC – Phase A & B and Box Culvert

Prepared and Presented by: Hasco Craver, Assistant City Manager

Purpose:

Newnan City Council may consider and award a contract for a qualified firm to construct LINC Phase A & B and Box Culvert.

Background:

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

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

LINC Phase A & B and Box Culvert includes the following connecting destinations: Historic downtown Newnan, Historic Train Depot, Newnan Lofts, C. Jay Smith Park, Newnan Fire Training Facility. Additionally, LINC Phase A & B includes roughly 1.24 miles of multi-use trail facilities, including a 561' boardwalk. The construction of a triple box culvert, which will allow for uninterrupted travel under Greison Trail is also included in the project.

It is important to note that the project described herein does not include LINC sections within C. Jay Smith Park. New South Construction, the city's parks projects contractor, will be constructing LINC sections within C. Jay Smith Park.

The City of Newnan released a request for Competitive Sealed Proposals for the Construction of LINC Phase A & B and Box Culvert on September 21, 2020.

The City of Newnan received proposals from four firms on October 29, 2020. Please see the list of responding firms below:

Astra Group, Inc.
300 Churchill Court
Woodstock, Georgia 30188

JHC Corporation
1029 Peachtree Parkway North #359
Peachtree City, Georgia 30269

Lewallen Construction Company, Inc.
151 Bells Ferry Lane
Marietta, Georgia 30066

Piedmont Paving, Inc.
1226 Highway 16 East
Newnan, Georgia 30263

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

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

Project Budget	
Construction	\$ 3,129,533.73
Legal	\$ 25,000.00
Acquisitions	\$ 124,805.00
Design & Construction Mgmt.	\$ 292,713.00
Appraisal Services	\$ 11,250.00
Owner Contingency	\$ 50,000.00
Total Estimated Cost	\$ 3,633,301.73

The following table represents available funds in SPLOST 2019 (LINC):

Currently Encumbered (LINC Phase D Construction, Design, Acquisition, Legal)	\$ 3,915,717.89
Total SPLOST 2019 Funding for LINC	\$ 7,000,000.00
Remaining Balance	\$ 3,084,282.11

The following table represents additional funding sources available to complete the proposed project:

Impact Fees (Recreation)	\$ 750,000.00
SPLOST 2013	\$ 1,200,000.00
Total	\$1,950,000.00

Funding:

1. SPLOST 2019
2. Impact Fees
3. SPLOST 2013

Recommendation:

As a result of reviewing the qualified and fully responsive submitted proposal, City Staff is recommending that the City Council award a contract to Lewallen Construction in the amount of \$3,129,533.73 for the construction of LINC Phase A & B and Box Culvert.

The recommendation herein is primarily based upon the following elements:

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

Attachments:

1. Bid Tabulation

Previous Discussions with Council: The Newnan City Council, beginning in 2016, discussed their desire to fund, locate and construct a multi-use path system within the City of Newnan. Numerous additional meetings have taken place over time to actualize the construction of the LINC.



City of Newnan, Georgia

BID OPENING: LINC Phase II A & B and Box Culvert
Thursday, October 29, 2020 – 10:00 A.M.

BIDDER	BID AMOUNT	COMMENTS
Southeastern Site Development		
Helix Group		
A1 Contracting		
✓ Lewallen Construction	\$3,129,533.73	
✓ Astra Group, Inc.	\$3,894,000.00	
Integrated Construction & Nobility		
RTF Services, LLC		
✓ JHC Corporation	\$3,711,385.50	
DAF Concrete Inc.		
Rose Inc		
North Georgia Concrete Inc		
✓ Piedmont Paving	\$3,718,500.67	

BIDS OPENED BY: _____



October 26, 2020

City of LaFayette, Georgia
Attn: The Honorable Phillip A. Arnold, Mayor
207 Duke Street South
LaFayette, GA 30728

City of Newnan, Georgia
Attn: Honorable L. Keith Brady, Mayor
25 LaGrange Street
Newnan, GA 30263

Board of Water, Sewerage and Light
Commissioners of the City of Newnan, Georgia
Attn: Mr. Robert L. Lee, Chairman
70 Sewell Road
Newnan, Georgia 30263

**Re: MEAG Power Sale of Excess Reserve Capacity to the City of Newnan
on Behalf of the City of LaFayette**

Dear Mayor Arnold, Mayor Brady, and Chairman Lee:

This Letter Agreement sets forth the agreement between the Municipal Electric Authority of Georgia ("MEAG Power"), City of LaFayette, Georgia ("LaFayette"), and the City of Newnan, Georgia ("Newnan") for MEAG Power's sale on behalf of LaFayette of certain excess reserve capacity to Newnan pursuant to Section 312 of the Power Sales Contract between MEAG Power and LaFayette. MEAG Power is willing to facilitate and execute this transaction pursuant to Section 312, subject to this Letter Agreement.

The capitalized words or terms that are used in this Letter Agreement, but are not defined herein, shall have the same meanings as assigned to them in the Power Sales Contract.

In consideration of the mutual agreements set forth herein, the sufficiency and adequacy of which are acknowledged by MEAG Power, LaFayette and Newnan, it is understood and agreed that:

(1) Sale of Excess Reserve Capacity by MEAG Power on Behalf of LaFayette.

(a) Pursuant to Section 312 of the Power Sales Contract between MEAG Power and LaFayette, LaFayette has declared capacity in the amount of 4,227 kW, as measured at B1, of the total kW of its Project One Entitlement Share (the "Sales Amount") to be excess to its needs. LaFayette has requested MEAG Power to sell, and MEAG Power shall, in accordance with this Letter Agreement, sell this capacity, but no energy associated therewith, to Newnan.

(b) This Sale Amount shall not reduce LaFayette's cost obligations under the Power Sales Contract and LaFayette shall remain liable to MEAG Power for its entire Entitlement Share. All payments received by MEAG Power from Newnan for the Sale Amount pursuant to this Letter Agreement shall be credited to LaFayette's obligation to MEAG Power to pay for its Entitlement Share.

Municipal Electric Authority of Georgia
1470 Riveredge Parkway NW
Atlanta, Georgia 30328-4640

1-800-333-MEAG 770-563-0300

(2) Purchase of Excess Reserve Capacity by Newnan. Newnan agrees to purchase the Sale Amount for a price of \$6.00 per kW-year (the "Contract Price"). MEAG Power shall bill Newnan for such amount and Newnan shall pay all amounts due in the same manner as other payments under the Power Sales Contract between MEAG Power and Newnan.

(3) Costs. LaFayette shall be obligated for all costs incurred by MEAG Power as a direct result of the transaction identified in this Letter Agreement. MEAG Power agrees to provide sufficient documentation to LaFayette to enable it to verify any such costs.

(4) Indemnification. LaFayette hereby indemnifies and holds MEAG Power and the remaining MEAG Power Participants harmless from and against any and all losses, costs, liabilities, damages, expenses (including without limitation attorneys' fees and expenses) of any kind and incurred or suffered by MEAG Power or its Participants as a result of, or in connection with, LaFayette's sale of excess reserve capacity pursuant to this Letter Agreement.

(5) Term. The initial term of the sale of LaFayette's excess reserve capacity to Newnan pursuant to this Letter Agreement shall begin at 0000 hours on January 1, 2021 and end at 2400 hours on December 31, 2021. Other than as to the sales transaction, all other provisions of the agreement shall remain in effect until all other obligations under this Letter Agreement are satisfied, including, but not limited to, LaFayette's obligation to indemnify MEAG Power and the Participants. All times referenced herein are Central Prevailing Time.

(6) Termination and Unwind. If MEAG Power changes its policy concerning the computation of necessary reserve capacity from a "budgeted coincident peaks" standard to an "actual peaks" standard and such policy change goes into effect during the Term of this Letter Agreement, LaFayette and Newnan shall be returned to their respective positions as if this Letter Agreement had not been entered into (e.g., Newnan shall receive a credit for amounts it paid pursuant to this Letter Agreement and LaFayette shall be billed for all such amounts). Subsequently, this Letter Agreement shall terminate, except that Sections (3) and (4) shall remain effective.

If you are in agreement with the foregoing and after this Letter Agreement has been duly authorized by the respective governing bodies of LaFayette and Newnan, please execute this Letter Agreement in the space provided below.

**MUNICIPAL ELECTRIC AUTHORITY OF
GEORGIA**

ATTEST:

By:

James E. Fuller
President and Chief Executive Officer

[SIGNATURES CONTINUED ON NEXT PAGE]

Municipal Electric Authority of Georgia
1470 Riveredge Parkway NW
Atlanta, Georgia 30328-4640

1-800-333-MEAG 770-563-0300

Agreed to and accepted, this ____ day
of _____, _____.
Month Year

CITY OF LAFAYETTE

By: _____

ATTEST:

City Clerk

[SEAL]

Agreed to and accepted, this ____ day
of _____, _____.
Month Year

CITY OF NEWNAN

By: _____

ATTEST:

City Clerk

[SEAL]

**BOARD OF WATER, SEWERAGE AND LIGHT
COMMISSIONERS OF THE CITY OF NEWNAN,
GEORGIA**

By: _____
Robert L. Lee, Chairman

ATTEST:

Secretary

[SEAL]



The City of Newnan, Georgia

City Clerk's Office

November 4, 2020

CERTIFIED RETURN RECEIPT REQUESTED
7019 2970 0000 0181 2245 and REGULAR MAIL

TO: Michelle Lynn Larsen, Owner, Licensee, License Representative
Coweta Foundry, LLC dba
Brick House
27 Braves Crossing Drive
Sharpsburg, Georgia 30277

VIA HAND DELIVERY

TO: Michelle Lynn Larsen, Owner, Licensee, License Representative
c/o Farmers Insurance
80 Newnan Station Drive
Suite H
Newnan, Georgia 30265

RE: Alcoholic Beverages Beer/Wine/Distilled Spirits
On Premise Consumption
License # B-7108
Issued 1/1/2020 Expiration Date: 12/31/2020

NOTIFICATION OF HEARING

According to Article V, Section 3-110, City of Newnan, Code of Ordinances, Alcoholic Beverages, action for the suspension or revocation of above beverage license has been commenced by me as City Clerk. I have received notification from the Newnan Police Department that citations have been issued by the city police to you and/or your employees, Taylor Marie Blackstone, Michelle Lynn Larsen Danielle D. Smith, Jordan McCurry and Averil Campbell Williamson on 9/26/2020, for violation of Section 3-5 (a)(1), Sale of Alcoholic Beverages to a person under the age of 21, of the City's Alcoholic Beverages Ordinance. A copy of Sec. 3-5 is enclosed.

In addition, I have received notification from the Newnan Police Department that citations have been issued by the city police to you and/or your employees, Taylor Marie Blackstone and Michelle Lynn Larsen on 9/26/2020, for violation of Section 3-6 (c), Consumption prohibited; open containers, of the City's Alcoholic Beverages Ordinance, of the City's Alcoholic Beverages Ordinance. A copy of Sec. 3-6 is enclosed.

In addition, I have received notification from the Newnan Police Department that citations have been issued by the city police to you and/or your employees, Taylor Marie Blackstone on 9/26/2020, for violation of Section 3-10 (b), Establishments to be

Michelle Lynn Larsen, Owner, Licensee, License Representative
November 4, 2020
Page -2-

kept in orderly manner, of the City's Alcoholic Beverages Ordinance, of the City's Alcoholic Beverages Ordinance. A copy of Sec. 3-10 is enclosed.

Further, I have been informed that the charges against you and your employees are pending in the City of Newnan Municipal Court as to the violation listed above.

In addition, I have received notification from The Newnan Police Department that Michelle Larsen has been arrested for issuing bad checks which case is pending in the Superior Court of Coweta County. A copy of Section 3-110(1) and (6) is attached.

In addition, I have received notification from The Newnan Police Department that during the course of the City's investigation on the allegation of the bad check charges, Michelle Larsen told the investigating officer that she had nothing to do with the business at the Brick House. That that was her husband's business in violation of Section 3-2:

Licensee: The licensee for all businesses shall be:

(5) If the licensee is a resident of Coweta County and a manager of the business who is on the premises on a **regular basis**, licensee may also be the license representative of the business. If not, a license representative shall be named in accordance with this chapter.

License representative: If a license representative is required, the license representative shall be a resident of Coweta County and a manager of the business who is on the premises on a **regular basis**.

Michelle Larsen swore that she was both the Licensee and License Representative in her application for the on premises alcohol license application in violation of the ordinance's requirements. A copy of the applicable portions of Section 3-2 are attached.

Enclosed is a copy of Section 3-110 that provides that the

- (1) Arrest or conviction (to include a plea of nolo contendere) by local, state or federal authorities of the licensee, license representative or any employees of the licensee for any felony, or any misdemeanor of a crime opposed to decency and morality, or any law, regulation or ordinance involving beverage alcohol, gambling, or tax law violation;
- (2) Citations issued by local, state or federal authorities to the licensee, license representative or any employees of the licensee for violations of any part of this chapter or any regulation pertaining to state or federal licensing of the possession, sale or distribution of beverage alcohol;

(4) Material falsification of any fact given in application for a license issued under this article or bearing upon the licensee's qualification therefor; any act which may be construed as a subterfuge in an effort to circumvent any of the qualification for a license under this article shall be deemed a violation of the requirement attempted to be circumvented.

(6) Any other factors known to the licensing authority whereby it is objectively shown the licensee, by reason of business experience, financial standing, trade association, personal association, record of arrests, or reputation in any community in which he has resided, is not likely to maintain the operation, for which he is licensed in conformity with federal, state or local laws.

With respect to this section, it shall be rebuttably presumed that the violative act was done with the knowledge or consent of the licensee; provided, however, that such presumption may be rebutted only by evidence which precluded every other reasonable hypothesis save that such licensee did not know, assist or aide in such occurrence or prevented such activity.

is due cause as grounds for the suspension or revocation of your City license.

You are hereby notified that a hearing is scheduled before the City Council on Tuesday, November 24, 2020, at 6:30 p.m. in the Richard A. Bolin Council Chambers at City Hall, 25 LaGrange Street on this matter at which time a recommendation may be made at that time to place on probation or to suspend or to revoke your license to the City Council. Please be advised that you and/or your counsel will have the opportunity to address the City Council at this hearing.

If you have any questions regarding this matter, please feel free to contact me at the City Clerk's office, 25 LaGrange Street, or at (770) 253-2682.

Sincerely,



Della Hill
City Clerk, City of Newnan

Enclosure

cc: Mayor and Members of City Council
Cleatus Phillips, City Manager
Chief Douglas L. Meadows, Newnan Police Dept.
C. Bradford Sears, Jr., City Attorney

(Ord. No. 2019-17, § II, 10-8-19)

Editor's note— Ord. No. 2019-17, § II, adopted October 8, 2019, added provisions designated as § 3-99, inasmuch as this section already exist, and at the editor's discretion, the provisions have been included as § 3-101.

Secs. 3-102—3-109. - Reserved.

ARTICLE V. - SUSPENSION, REVOCATION AND PROBATION OF LICENSES; DUE PROCESS; HEARING

Sec. 3-110. - Grounds for suspension or revocation; notice; hearing; bond for reinstatement.

- (a) Any license which has been issued or which may hereafter be issued by the city may be suspended or revoked for due cause as hereinafter defined. "Due cause," for purposes of this section shall include, but not be limited to:
- (1) Arrest or conviction (to include a plea of nolo contendere) by local, state or federal authorities of the licensee, license representative or any employees of the licensee for any felony, or any misdemeanor of a crime opposed to decency and morality, or any law, regulation or ordinance involving beverage alcohol, gambling, or tax law violations;
 - (2) Citations issued by local, state or federal authorities the licensee, license representative or any employees of the licensee for violations of any part of this chapter or any regulation pertaining to state or federal licensing of the possession, sale or distribution of beverage alcohol;
 - (3) Suspension or revocation of any state license required as condition for the possession, sale or distribution of beverage alcohol;
 - (4) Material falsification of any fact given in application for a license issued under this article or bearing upon the licensee's qualification therefor; any act which may be construed as a subterfuge in an effort to circumvent any of the qualification for a license under this article shall be deemed a violation of the requirement attempted to be circumvented.
 - (5) The licensed business fails to properly account for, file, report and maintain any records or remit or pay any renewal license fee imposed, sales taxes, or excise taxes required under the city ordinances.
 - (6) Any other factors known to the licensing authority whereby it is objectively shown the licensee, by reason of business experience, financial standing, trade association, personal association, record of arrests, or reputation in any community in which he has resided, is not likely to maintain the operation for which he is licensed in conformity with federal, state or local laws.

With respect to this section, it shall be rebuttably presumed that the violative act was done with the knowledge or consent of the licensee; provided, however, that such presumption may be rebutted only by evidence which precludes every other reasonable hypothesis save that such licensee did not know, assist or aide in such occurrence or prevented such activity.

- (b) Action to place on probation, suspend, revoke and/or fine a license shall be commenced by the city clerk making written recommendation to the city council, and giving written notice to the licensee, either by certified mail, return receipt requested, or by personal service upon licensee or his agent at the licensed location stating the grounds therefor, and the date, time and place such matter will be heard by the city council. Notice shall be served at least ten days prior to the date of the hearing. Included in the notice shall be an advertisement of the licensee's right to be heard before the council. Any licensee requiring subpoenas to compel the attendance of witnesses or documents at the hearing shall file a written request with the city manager at least five days prior to the hearing. Hearings may be continued for good cause only.
- (c) All final decisions to place on probation, suspend, revoke and/or fine a license shall be made by the city council, in writing with the reasons therefor stated. Notice of a final decision shall be given the licensee within three business days.

- (d) Hearings shall only be as formal as necessary to preserve order and shall be compatible with the principles of justice. The attorney or his designee shall present the city's case and bear the burden of proving by a preponderance of the evidence that cause exists to suspend or revoke the license. The licensee may be represented by legal counsel, may confront and cross-examine witnesses, and shall have the right to call witnesses and present evidence in his behalf. A hearing record shall be maintained by the city; however, either party may arrange for transcription by a court reporter at his sole expense. Hearings shall be presided over by the mayor who shall preserve order and rule upon all matters of evidence. Irrelevant, immaterial and unduly repetitious evidence shall be excluded.
- (e) Upon the second suspension or revocation of a license within any five-year period, as a prerequisite to reinstatement or reissuance of the license, the licensee, in addition to the requisite fees assessed under this article, shall post a surety bond payable to the City of Newnan, the amount of \$5,000.00, conditioned upon the licensee maintaining the operation for which he is licensed in conformity with all federal, state and local laws, ordinances, rules and regulations. Upon any subsequent act giving due cause for suspension or revocation of the license, the bond shall be forfeited and license revoked.
- (f) Notwithstanding the options available to the city council to place on probation, suspend or revoke a license as set forth hereinabove, the city council may, in addition to placing on probation, suspending or revoking, in its discretion levy a fine upon the licensee in an amount not to exceed \$1,000.00 per violation.

(Ord. No. 96-8, § 1, 4-9-96; Ord. No. 17-4, § 11, 3-28-17)

Secs. 3-111—3-119. - Reserved.

ARTICLE VI. - TAXATION OF PACKAGE SALES

Sec. 3-120. - Excise tax report; penalty for failure to file; payment.

- (a) In addition to the annual retail license fee required for the sale of alcoholic beverage, there is hereby levied and imposed upon all wholesale dealers selling malt beverages within the city a specific excise tax in the amount of \$0.004166 per ounce on malt beverages sold by each wholesale dealer except when malt beverages are sold in individual containers with a capacity of 15½ gallons or more, the excise tax shall be \$6.00 per 15½-gallon container, or if the container is larger than 15½ gallons, the tax shall be proportioned at the rate of \$0.387 per each additional gallon or portion of a gallon capacity of the container.
- (b) An excise tax is hereby imposed on wine sold within the limits of the city at the rate of \$0.22 per liter.
- (c) Each wholesale dealer selling malt beverages within the corporate limits shall file a report by the tenth day of each month showing for the preceding calendar month the exact quantities of malt beverages, by size and type of container, constituting a beginning and ending inventory for the month, sold within the corporate limits. Each wholesale dealer shall remit to the city on the tenth day for the month succeeding the calendar month in which such sales were made, the amount of excise tax due in accordance with the section.
- (d) No decal, stamp or other identifying marking shall be required on malt beverages sold within the corporate limits.
- (e) The excise tax provided for in this section shall be in addition to any license fee, occupation tax or other charge which may now or in the future be imposed upon the business of selling malt beverages or wines at retail or wholesale, within the city.
- (f) The failure to make a timely report and remittance shall render a wholesale dealer liable for a penalty of ten percent of the total amount due during the first 30-day period following the date such report and remittance were due and a further penalty of ten percent of the amount of such remittance for each successive 30-day period or any portion thereof, during

Special event or private function shall mean any organized activity having as its purpose entertainment, recreation and/or education, such as a festival, party, reception, celebration or assembly which occurs or takes place on private or public property.

Wholesaler or wholesale dealer: Any person who sells alcoholic beverages to other wholesale dealers, to retail package dealers, or to retail consumption dealers.

Wine: Any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, grapes, or other natural products by natural fermentation. "Wine" includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, sake, natural wines, rectified wines, and like products. The term "wine" does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

(Ord. No. 96-8, § I, 4-9-96; Ord. No. 98-19, § 1, 6-9-98; Ord. No. 03-39, § VIII, 10-28-03; Ord. No. 11-8, § I, 5-24-11; Ord. No. 13-15, § I, 7-23-13; Ord. No. 13-18, § 1, 8-13-13)

Sec. 3-3. - Sale of packaged distilled spirits prohibited.

The wholesale and retail package sale of distilled spirits, except as provided herein, is hereby prohibited and made unlawful within the limits of this city.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-4. - Sale, possession, etc., of alcoholic beverages on which state tax or license fee not paid prohibited.

It shall be unlawful for any person to sell at retail or otherwise within the city, possess, conceal, store or convey any wine, malt beverage, distilled spirits or other alcoholic beverages on which any tax or license fee imposed by the laws of the state or this chapter have not been paid, and any such beverages as above described that are found without a state tax stamp shall be seized as contraband and immediately delivered to the state revenue commissioner as provided by law. Any violation of this section shall be punished as provided for in section 1-14.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-5. - Purchase, possession, etc., by underage persons.

(a) Except as otherwise authorized by law:

- (1) No person knowingly, directly or through another person, shall furnish, cause to be furnished, or permit any person in such person's employ to furnish any alcoholic beverage to any person under 21 years of age.
- (2) No person under 21 years of age shall purchase or knowingly possess any alcoholic beverages.
- (3) No person under 21 years of age shall misrepresent such person's age in any manner whatever for the purpose of obtaining illegally any alcoholic beverage.
- (4) No person knowingly or intentionally shall act as an agent to purchase or acquire any alcoholic beverage for or on behalf of a person under 21 years of age.
- (5) No person under 21 years of age shall misrepresent his identity to use any false identification for the purpose of purchasing or obtaining any alcoholic beverage.

(b) The prohibitions contained in subsection (a)(1), (2) and (4) of this section shall not apply with respect to the sale, purchase or possession of alcoholic beverages for consumption:

- (1) For medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this state;
- (2) At a religious ceremony; or
- (3) In the home with parental consent provided that such person is over 18 years of age.

- (c) The prohibition contained in subsection (a)(1) of this section shall not apply with respect to sale of alcoholic beverages by a person when such person has been furnished with proper identification showing that the person to whom the alcoholic beverage is sold is 21 years of age or older. For purposes of this subsection, the term "proper identification" means any document issued by a governmental agency containing a description of the person, such person's photograph, or both, and giving such person's date of birth and includes, without being limited to, a passport, military identification card, driver's license, or an identification card authorized under O.C.G.A. sections 40-5-100 through 40-5-104. "Proper identification" shall not include a birth certificate.
- (d) If such conduct is not otherwise prohibited pursuant to O.C.G.A. section 3-3-24, nothing contained in this section shall be construed to prohibit any person under 21 years of age from:
 - (1) Dispensing, serving, selling, or handling alcoholic beverages as a part of employment in any licensed establishment;
 - (2) Being employed in any establishment in which alcoholic beverages are distilled or manufactured; or
 - (3) Taking orders for and having possession of alcoholic beverages as a part of employment in a licensed establishment.
- (e) Notwithstanding, no person shall allow or require a person under 18 years of age nor shall a person under 18 years of age take an order for alcoholic beverages for on-premises consumption or accept alcoholic beverages for check-out for off-premises consumption.

(Ord. No. 96-8, § 1, 4-9-96)

Sec. 3-6. - Consumption prohibited; open containers.

- (a) As used in this section, "open container" means any container, containing alcoholic beverages, which is immediately capable of being consumed from or the seal of which has been broken.
- (b) No person shall possess an open container of any alcoholic beverage while operating a motor vehicle in this city or while occupying a motor vehicle as a passenger. An open container shall be considered to be in the possession of the operator of a vehicle if the container is not in the possession of a passenger. This provision shall not apply if the alcoholic beverage is located in a locked glove compartment, locked trunk, or other locked non-passenger area of the vehicle. This provision is intended to prohibit the consumption of alcoholic beverages by the operator and passengers in motor vehicles.
- (c) No person shall possess an open container of an alcoholic beverage while walking, standing or otherwise occupying any public street, road, or highway, sidewalk adjacent thereto, public park, or public parking lot. Consumption of alcoholic beverages in or on other publicly-owned properties of the city is prohibited except as to such properties which have a fully operational commercial kitchen located on the premises.
- (d) Except for those package retailers as provided in section 3-67, no person shall possess an open container of an alcoholic beverage on the premises of any retail package licensee, including parking lots located adjacent thereto.
- (e) No person shall enter or leave the premises of an establishment licensed to sell or dispense alcoholic beverages for consumption on the premises with an open container of any alcoholic beverage except that any restaurant which is licensed to sell alcoholic beverages for consumption on the premises may permit a patron to remove one unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises. A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises. The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container. If transported in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a locked trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

(Ord. No. 96-8, § 1, 4-9-96; Ord. No. 08-19, §§ IX, XI, 12-16-08; Ord. No. 13-18, § 2, 8-13-13)

Sec. 3-7. - Public drunkenness.

It shall be unlawful for any person in this city to be and appear in an intoxicated condition in any public place or within the curtilage of any private residence not his own other than by invitation of the owner or lawful occupant, when such condition of intoxication is made manifest by boisterousness, or by indecent condition or act, or by vulgar, profane, loud or unbecoming language.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-8. - Quantity possesses restricted.

It shall be unlawful for any person to be found in possession or control of more than one standard case of 1.75 liter, liter or 750 milliliter size containers of distilled spirits but not more than eight individual containers of distilled spirits of a size of 200 milliliters or four individual containers of distilled spirits of a size of 500 milliliters. Any distilled spirits found in the possession of any person shall have been purchased by the person for use and consumption from a lawful and authorized retailer and properly stamped. This prohibition shall not apply to possession of distilled spirits in a properly licensed premise for consumption of distilled spirits on the premises only by the licensee, its representative or employees or by a properly licensed wholesaler or its employees making deliveries to a properly licensed premises.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-9. - Sale of distilled spirits, malt beverages or wine by the drink for consumption only on the premises; combining retail package and retail consumption licenses prohibited.

- (a) No person shall be allowed to sell, distribute, or give away distilled spirits, malt beverages, or wine by the drink for consumption only on the premises except as set forth in this chapter.
- (b) No business licensed for the retail package sale of alcoholic beverages shall hold a license for, or allow the retail consumption of alcoholic beverages on the premises.
- (c) No retail package license shall be issued for, or in connection with any restaurant, cafe, eating place or location permitted as a permitted location at which special events or private functions are held.

(Ord. No. 96-8, § I, 4-9-96; Ord. No. 98-19, § 2, 6-9-98; Ord. No. 03-39, § IX, 10-28-03)

Sec. 3-10. - Establishments to be kept in orderly manner.

- (a) It shall be the duty of all business establishments serving food, licensed to sell malt beverages, wine or distilled spirits by the drink for consumption on the premises only pursuant to this chapter, licensee, license representative or employee of such establishment. to keep the licensed premises clear at all times of all persons who are rowdy and noisy, who are intoxicated, or who are becoming intoxicated, who fail to keep the peace, or who do anything tending to breach peace and cause a public disturbance.
- (b) It shall be unlawful for all business establishments serving food, licensed to sell malt beverages, wine or distilled spirits by the drink for consumption on the premises only pursuant to this chapter, licensee, license representative or employee of such establishment to permit any activity in the licensed premises, including musical or other entertainment, whether live, recorded, mechanical or digital, that creates a noise which is audible more than 100 feet from the licensed premises after 10:00 p.m.

(Ord. No. 96-8, § I, 4-9-96; Ord. No. 08-19, § VII, 12-16-08)

Sec. 3-11. - Times for sales.

Sec. 3-1. - Purpose and authority to regulate alcoholic beverages in city.

- (a) This chapter has been enacted in furtherance of the police powers of the city and in accordance with a plan designed for the purposes, among others, of promoting the health and general welfare of the community, to establish reasonable standards for the regulation and control of the licensing and sales of alcoholic beverages, to protect and preserve schools and churches, to give effect to existing land use and to preserve certain residential areas, with reasonable considerations, among others, to the character of the areas and their peculiar suitability for particular uses, the congestion in the roads and streets, and with a general view of promoting desirable living conditions and sustaining stability of neighborhood and property values, and to protect against the evils of concentration of ownership or control of the retail outlets for alcoholic beverages or to prevent undesirable persons from controlling the retail alcoholic beverage industry.
- (b) The provisions of this chapter are ordained under and by virtue of the authority granted by the laws of the State of Georgia, O.C.G.A. Chapter 3; Regulation of Alcoholic Beverages Generally. To adopt all reasonable rules and regulations as may fall within the police powers of the municipality to regulate any such business; O.C.G.A. section 3-4-90, authorizing each municipality to issue licenses, through ordinance, to sell distilled spirits for beverage purposes by the drink, the sales to be for consumption only on the premises; O.C.G.A. section 3-4-110, granting such municipality the full power to adopt all reasonable rules and regulations governing the conduct of any such licensee including, but not limited to, the regulation of hours of business, types of employees, and other matters which may fall within the police powers of such municipality; O.C.G.A. section 3-5-40 and 3-5-42, authorizing municipal licenses for the business of manufacturing, distributing and selling malt beverages at wholesale and retail; and O.C.G.A. section 3-6-40, authorizing municipal licenses for the manufacturing, distributing and selling wine at wholesale and retail.
- (c) The provisions of this chapter regulating the sale of alcoholic beverages and nudity on the premises are ordained by virtue of the authority granted by the constitution and laws of the United States and State of Georgia, as most recently delineated by the Supreme Court of Georgia in its decisions of *Gravelly vs. Bacon* and *S.J.T., Inc. vs. Richmond County* in order to avoid the effects of criminal interests and negative effects on the community by the decreased safety and welfare of the city's citizens, the hindering of commercial growth in the city, and the deterioration of the city's economic base.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-2. - Definitions.

As used in this chapter the following terms shall have the meanings ascribed to them:

Alcoholic: Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Alcoholic beverage: All alcoholic, distilled spirits, beer, spirituous liquors, malt beverage, wine, or fortified wine as defined in this section.

Brewpub: A restaurant in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36 for retail consumption on the premises and solely in draft form except that up to 5,000 barrels annually may be sold to licensed wholesale dealers for distribution to retailers and retail consumption dealers as provided in O.C.G.A. § 3-5-36(2)(c).

Brown bagging: The act of patrons entering any restaurant, private club, or other establishment providing food or entertainment in the normal course of business and bringing in and consuming the patrons' own alcoholic beverage.

Brown bag establishment: Any restaurant, private club or other establishment providing food or entertainment in the normal course of business, and in which the owners or their agents knowingly allow patrons to bring in and consume the patrons' own alcoholic beverages.

Caterer means any person who prepares food and furnishes beverages, but not alcoholic beverages, for consumption off the premises of a food service facility or restaurant for a special event.

Close corporation: A domestic corporation which does not:

- (1) Have more than five stockholders;
- (2) Have a corporation as a shareholder; or
- (3) Have more than one class of stock.

Distilled spirits or spirituous liquors: Any alcoholic beverage obtained by distillation or containing more than 21 percent alcohol by volume including, but not limited to, all fortified wines, whiskey, rum, gin, brandy, vodka, tequila and all other alcoholic beverages of a similar nature and with similar alcoholic content.

Family: Any person related to the holder of a license within the first degree of consanguinity or affinity as computed according to civil law.

Fortified wine: Any alcoholic beverage containing more than 21 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. "Fortified wine" includes, but is not limited to, brandy.

Golf club means a corporation or association organized and existing under the laws of the state, actively in operation within the city prior to submitting an application for a license hereunder, having an 18 hole golf course of regulation size, a restaurant used exclusively for the purpose of preparing and serving meals with a seating capacity of at least 60 patrons, a golf club membership and has at least 100 paid-up members who have paid a membership fee for family or individual membership, and a full-time management staff for the social activities of the club, including the management of the premises where food and drink are sold. Food shall be served at least seven days a week, with the exception of weeks including holidays, vacation and periods of renovation. As used in this section, "seating" shall mean that no more than 25 percent of such seating shall be at a common table or counter area or shall be other than individual tables or booths designed for seating of at least two individuals.

Growler: A bottle, container or vessel, with a capacity of at least 12 ounces and not exceeding 64 ounces that is designed for and especially intended to be filled with beer from a keg by a licensee or employee of a licensee in compliance with the terms and conditions set forth in section 3-67 of this chapter.

Hotel: Every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential. To meet the definition of "hotel" under this chapter the facility must have 50 or more rooms used for sleeping accommodations of such guests and one or more public dining rooms, with an adequate and sanitary kitchen and a seating capacity of at least 25 persons, where meals are regularly served to such guests. As used in this section, "seating" shall mean that no more than 25 percent of such seating shall be at a common table or counter area or shall be other than individual tables or booths designed for seating of at least two individuals. All sleeping accommodations and dining rooms must be conducted in the same building or in separate buildings or structures used in connection therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a restaurant in their premises, and the holder of such franchise shall be eligible for a license under the "hotel" classification. At least 55 percent of the receipts of the dining room or rooms shall come from the sale of food. To be included in the tabulation of receipts for the purpose of this calculation, are all receipts of all persons laboring in the dining room, including the services of all independent contractors, performers, servers, entertainers, or other non-employee personnel not to include, however, persons who are called in the dining room from other

licensed businesses to perform services, repairs or construction on equipment or building premises. For purposes of this section, the calculations of receipts for alcoholic beverages shall be made pursuant to the scheduling of pricing and the regulations contained therein as required by section 3-84. Receipts for room rentals shall not be included in the calculations.

Individual: A natural person not a corporation or a partnership.

Interest in license: An individual is deemed to have an interest in a license if:

- (1) He is the owner of the license.
- (2) He is the co-owner of the license.
- (3) He is a partner in any partnership that owns an interest in a license.
- (4) He is a stockholder holding more than five percent of the stock in any corporation and/or is a stockholder in any corporation which has fewer than 25 stockholders which owns an interest in a license.
- (5) He shares in any income or corpus of any trust fund having any interest in a license to sell at retail.

Licensee: The licensee for all businesses shall be:

- (1) The licensee shall be at least 21 years of age.
- (2) If the business is to be operated by an individual, the licensee shall be that individual.
- (3) If the business is to be operated by a partnership, the licensee shall be an individual who is a partner; or, if all partners are non-individuals, then the licensee shall be an individual who is an officer of any corporation which is a partner, or, an individual who is an officer, manager or agent of any unincorporated entity which is a partner.
- (4) If the business is to be operated by a corporation, the licensee shall be an officer of the corporation.
- (5) If the licensee is a resident of Coweta County and a manager of the business who is on the premises on a regular basis, the licensee may also be the license representative of the business. If not, a license representative shall be named in accordance with this chapter.

License representative: If a license representative is required, the license representative shall be a resident of Coweta County and a manager of the business who is on the premises on a regular basis.

Lounge/bar: A separate room connected with, a part of, and adjacent to, a restaurant or a room located in hotels as defined herein, and which serves no food. Lounges/bars shall not be permitted to sell or serve alcoholic beverages.

Malt beverage: Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination of such products in water, containing not more than six percent alcohol by volume, and including, but not limited to, ale, porter, brown, stout, lager beer, malt liquor, small beer and strong beer.

Meal, regular meal: A meal which is prepared on the premises according to the order of the patron or customer given to a waiter or waitress at the table, booth or counter area where the customer is seated and served by the waiter or waitress at said table, booth or counter area. The term meal or regular meal does not include food served in a specialty shop; nor food served over the counter; nor "short order meals" such as sandwiches, hot dogs or hamburgers; nor pre-packaged, individual meals.

Minor: Any person under the age of 21 years.

Package: A bottle, can, keg, barrel, or other original consumer container.

Person means any individual, company, corporation, association, partnership, or other legal entity.

Permitted location means a building, premises or location for which a permit is required pursuant to this chapter and shall include a premises and a licensed premises as defined herein.

Premises/outlet: A definite enclosed area or other outside area with controlled ingress and egress wherein spirituous liquors, alcoholic beverages, malt beverages, or wine be sold and consumed, or sold therein by the package to be consumed elsewhere.

Private club: A corporation or association organized and existing under the laws of the state, actively in operation within the city prior to the application for a license hereunder, having at least 50 members regularly paying dues, for at least six years prior to application for license, organized and operated exclusively for pleasure, recreation and other nonprofitable purpose, no part of the net earnings of which inures to the benefit of any shareholder or member, and owning, hiring or leasing a building or space therein for the reasonable use of its members with suitable sanitary kitchen and dining room seating of at least 25 persons and equipment and maintaining and using a sufficient number of servants and employees for cooking, preparing and serving meals for its members and guests; provided that no member or officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of distilled spirits, wines, champagnes or malt beverages beyond the amount of such salary as may be fixed by its members at an annual meeting, or by its governing body, out of the general revenue of the club. As used in this section, "seating" shall mean that no more than 25 percent of such seating shall be at a common table or counter area or shall be other than individual tables or booths designed for seating of at least two individuals. For the purpose of this subsection, tips which are added to the bills under club regulations shall not be considered as profits hereunder. In addition, at least 55 percent of the receipts from the operation of the kitchen and dining room and serving of meals shall come from the sale of food. To be included in the tabulation of receipts for the purpose of this calculation, are all receipts of all persons laboring on the premises, including the services of all independent contractors, performers, servers, entertainers, or other non-employee personnel not to include, however, persons who are called to the premises from other licensed businesses to perform services, repairs or construction on equipment or building premises. For purposes of this section, the calculations of receipts for alcoholic beverages shall be made pursuant to the scheduling of pricing and the regulations contained therein as required by section 3-84. A private club organized or operated primarily for the selling or serving of alcoholic beverages by the drink shall not be licensed under this chapter, nor permitted to sell or serve such beverages at all. All distance requirements as set forth in this chapter shall apply.

Private residence: A house, dwelling or structure wherein not less than one, nor more than two families reside and shall not include a mobile home court, an apartment house having facilities for housing more than two families, nor a boarding or rooming house where there are five or more boarders or roomers. Any building occupied as a residence located within an area zoned for business shall not be construed as a private residence.

Restaurant: Any public place kept, used, maintained, advertised and held out to the public as a place where meals are actually and regularly served, but not including short order or quick or fast food shops, such place being provided with adequate and sanitary kitchen and dining room seating of at least 25 persons, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. Meals shall be served at least six days a week, with the exception of weeks including holidays, vacations and periods of renovation, and the serving of such meals shall be the principal business conducted, with the serving of distilled spirits, malt beverages and wines to be consumed on the premises as only incidental thereto. As used in this section, "seating" shall mean that no more than 25 percent of such seating shall be at a common table or counter area or shall be other than individual tables or booths designed for seating of at least two individuals. As used in this section, "principal business" shall mean that at least 55 percent of the receipts of such business shall come from the sale of food. To be included in the tabulation of receipts for the purpose of this calculation, are all receipts of all persons laboring on the premises, including the services of all independent contractors, performers, servers, entertainers, or other non-employee personnel not to include, however, persons who are called to the premises from other licensed businesses to perform services, repairs or construction on equipment or building premises. For purposes of this section, the calculations of receipts for alcoholic beverages shall be made pursuant to the scheduling of pricing and the regulations contained therein as required by section 3-84.

Retail consumption dealer: Any person who sells alcoholic beverages for consumption on the premises at retail.

Retail package dealer: Any person who sell malt beverages or wines in unbroken packages for consumption off the premises at retail. Such sales must be in connection with sales of other products.

Sales by the drink: Any person who sells alcoholic beverages for consumption on the premises at retail only to consumers and not for resale.

Special event or private function shall mean any organized activity having as its purpose entertainment, recreation and/or education, such as a festival, party, reception, celebration or assembly which occurs or takes place on private or public property.

Wholesaler or wholesale dealer: Any person who sells alcoholic beverages to other wholesale dealers, to retail package dealers, or to retail consumption dealers.

Wine: Any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, grapes, or other natural products by natural fermentation. "Wine" includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, sake, natural wines, rectified wines, and like products. The term "wine" does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

(Ord. No. 96-8, § I, 4-9-96; Ord. No. 98-19, § 1, 6-9-98; Ord. No. 03-39, § VIII, 10-28-03; Ord. No. 11-8, § I, 5-24-11; Ord. No. 13-15, § I, 7-23-13; Ord. No. 13-18, § 1, 8-13-13)

Sec. 3-3. - Sale of packaged distilled spirits prohibited.

The wholesale and retail package sale of distilled spirits, except as provided herein, is hereby prohibited and made unlawful within the limits of this city.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-4. - Sale, possession, etc., of alcoholic beverages on which state tax or license fee not paid prohibited.

It shall be unlawful for any person to sell at retail or otherwise within the city, possess, conceal, store or convey any wine, malt beverage, distilled spirits or other alcoholic beverages on which any tax or license fee imposed by the laws of the state or this chapter have not been paid, and any such beverages as above described that are found without a state tax stamp shall be seized as contraband and immediately delivered to the state revenue commissioner as provided by law. Any violation of this section shall be punished as provided for in section 1-14.

(Ord. No. 96-8, § I, 4-9-96)

Sec. 3-5. - Purchase, possession, etc., by underage persons.

(a) Except as otherwise authorized by law:

- (1) No person knowingly, directly or through another person, shall furnish, cause to be furnished, or permit any person in such person's employ to furnish any alcoholic beverage to any person under 21 years of age.
- (2) No person under 21 years of age shall purchase or knowingly possess any alcoholic beverages.
- (3) No person under 21 years of age shall misrepresent such person's age in any manner whatever for the purpose of obtaining illegally any alcoholic beverage.
- (4) No person knowingly or intentionally shall act as an agent to purchase or acquire any alcoholic beverage for or on behalf of a person under 21 years of age.
- (5) No person under 21 years of age shall misrepresent his identity to use any false identification for the purpose of purchasing or obtaining any alcoholic beverage.

(b) The prohibitions contained in subsection (a)(1), (2) and (4) of this section shall not apply with respect to the sale, purchase or possession of alcoholic beverages for consumption:

- (1) For medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this state;
- (2) At a religious ceremony; or
- (3) In the home with parental consent provided that such person is over 18 years of age.



City of Newnan, Georgia - Mayor and Council

Date: November 24, 2020

Agenda Item: Consideration of An Ordinance to Extend a Temporary Ordinance to Encourage Business Within a Portion of the City's Central Business District and Other Businesses

Prepared and Presented By: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may consider an ordinance to extend a temporary ordinance for the taking of measures to encourage business within a portion of the City's central business district and other business locations related to COVID-19 that was adopted on May 26, 2020.

Background: Newnan City Council, utilizing unique authority and in an effort to grant temporary relief from certain regulations, considered and approved a temporary ordinance to encourage business at the May 26, 2020 meeting. The original ordinance is set to expire on January 31, 2021.

Businesses, residents and visitors alike have routinely shown overwhelming support of the relief efforts contemplated in the temporary ordinance.

Funding: N/A

Recommendation: In an effort to remain supportive of business activity and to allow for greater time for a more comprehensive review of longer term solutions, City staff is supportive of the ordinance as submitted.

Previous Discussion with Council: Newnan City Council, beginning in May 2020, initiated conversations related to providing unique assistance to the business community in response to COVID-19 Pandemic restrictions.

**AN ORDINANCE TO EXTEND
A TEMPORARY ORDINANCE FOR THE TAKING OF MEASURES
TO ENCOURAGE BUSINESS WITHIN A PORTION OF THE CITY'S CENTRAL
BUSINESS DISTRICT AND OTHER BUSINESS LOCATIONS RELATED TO COVID-19
ADOPTED MAY 26, 2020; AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and City Council on May 26, 2020 adopted a temporary ordinance for the taking of measures to encourage business within a portion of the City's Central Business District related to COVID-19; and

WHEREAS, certain emergency measures adopted and extended by the Governor of the State of Georgia in view of stopping the spread of the coronavirus continues to impact businesses within the City of Newnan; and

WHEREAS, the Charter of the City of Newnan provides the governing authority of the City with the authority to take actions deemed necessary to deal with such an emergency for the protection of the safety, health, and well-being of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the businesses in the City's Central Business District to extend the temporary ordinance adopted on May 26, 2020 granting temporary relief from certain City regulations as described in the Temporary Ordinance for the Central Business District and other business locations;

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NEWNAN AS FOLLOWS:

Section 1. During the term of this temporary business encouragement ordinance, the City Manager shall have the authority to temporarily waive certain regulations outlined in the City's ordinances to permit certain businesses within the City's Central Business District as depicted on Exhibit A to occupy and use the City's sidewalks, alleys, parking spaces, and other public spaces without prior council approval in such a manner, under such reasonable terms and conditions and for such periods of time as deemed appropriate by the City Manager. Such expanded use of the sidewalks, alleys, parking spaces and other public spaces shall include but not be limited to outside sales of retail items and placement of tables and chairs for outside seating by restaurants. The offices of Business Development and Main Street shall assist in receiving permit applications from businesses desiring to participate in the expanded use of such spaces. There shall be no permit fee for this application. In the event that the application seeks use of the sidewalk, alley, parking space, or other public space adjacent to, along or in front of another business establishment, the applicant must obtain written permission from the affected property owner or tenant before the application will be considered.

Section 2. During the term of this temporary business encouragement ordinance the following revisions or additions to Chapter 3 – Alcoholic Beverages of the Code of Ordinances are hereby adopted and shall apply:

Sec. 25 – Consumption and Sales on public Property; Sec. 25-Consumption and Sales on Public Property. Sec. 26-Sidewalk Sales; Sec. 27-City Sponsored Events:

(a) Notwithstanding the regulations of the consumption of alcoholic beverages on public property set out in the above referenced sections of Chapter 3 – Alcoholic Beverages; From the hours of 12:00 noon to 12:00 midnight on Monday through Saturday alcoholic beverages purchased from a licenses establishment for on premises consumption may permit a person and that person may exit the establishment and possess and consume an alcoholic beverage on the public sidewalks and alleys and streets where permitted with in the City's Central Business District as depicted on Exhibit A attached hereto, provided that the beverage is contained in a metal, paper or plastic container as set out in Sec. 3-27 (b) and said container has the sticker described in this Sec. 2(b) affixed thereto.

(b) Any open container described in Sec. 2 (a) must have a sticker affixed to the container. The sticker will be provided to the establishment by the City. If the establishment runs out of stickers, it shall notify the City Manager's Office immediately and a new supply of stickers will be furnished.

Section 3. During the term of this temporary business encouragement ordinance, the following revisions or additions to Chapter 3-Alcoholic Beverages, of the Code of Ordinances are hereby adopted and shall apply:

(a) Sec. 3-67 Growlers: An establishment licensed to serve malt beverages in a growler and licenses for package sales of malt beverages and wine is permitted to offer for sale to a single person up to 32 ounces of malt beverages for consumption on the premises and elsewhere as provided in this temporary ordinance in a single day and only in a metal, paper or plastic container with a sticker affixed as described in Section 2 (a) and (b) of this temporary business encouragement ordinance.

Section 4. During the term of this temporary business encouragement ordinance, the following revisions or additions to Chapter 3-Alcoholic Beverages, of the Code of Ordinances are hereby adopted and shall apply:

Sec. 3-20 – Permitted location for special events at which alcoholic beverages are served; Sec. 3-21. Special events permit.

Notwithstanding the regulations for special events of a permitted location, at a location, premises or building for which an on-premises consumption license which location, premise or building is located outside the City's Central Business District shown on Exhibit "A", such licensed establishment may submit an application for a special event permit to the City Manager for use of a portion of the licensed establishment's parking lot for tented outside seating for service of food and alcoholic beverages under such terms and conditions and for such periods of time as deemed appropriate by the City Manager. There shall be no permit fee for this application.

Section 5. Compliance with State and Federal Guidelines.

The City strongly urges all citizens to review and comply with:

13.1 CDC Guidelines for Coronavirus, as they may evolve during the course of the COVID-19 Pandemic, found at <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>; and;

13.2 The President's Coronavirus Guidelines for America, as they may evolve during the course of the COVID-19 Pandemic, found at https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf; and

13.3 State of Georgia Guidelines for Coronavirus through the Georgia Department of Public Health, as they may evolve during the course of the COVID-19 Pandemic, found at <https://dph.georgia.gov/novelcoronavirus>.

Section 6. Constitutionality.

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

Section 7.

Adoption of this ordinance does not create any additional right or benefit, substantive or procedural, enforceable in law or in equity by any party against the City of Newnan, its departments, agencies, officials, employees, agents or other person or entity.

Section 8. Effective Date/Termination Date.

This Ordinance shall be effective immediately upon adoption and shall terminate at 11:59 pm (midnight) Saturday, August 1, 2021 unless extended or terminated by the Mayor and City Council prior to that date.

DONE, RATIFIED, and PASSED by the City Council of the City of Newnan, Georgia this _____ day of _____, 2020.

ATTEST:

Della Hill, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Mayor Pro-Tem

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

From: I.Stewart Duggan <isduggan@brinson-askew.com>

Sent: Wednesday, November 4, 2020 12:14 PM

To: Cleatus Phillips <CPhillips@cityofnewnan.org>

Cc: Diaz, Lewis (<Lewis.Diaz@DINSMORE.COM> <Lewis.Diaz@DINSMORE.COM>; Della Hill <DHill@cityofnewnan.org>; <csears@sandershaugen.com>; <skin@georgialink.com>

Subject: City of Newnan / /City Council Meeting / Resolution re: Issuance of Bonds - Eastgate Apartments / November 10th at 2:30 p.m. [IWOV-imanage.FID463894]

Cleatus:

Thank you for speaking with me today about the attached Resolution that provides the City's consent for the issuance of housing revenue bonds to assist with the financing for the acquisition and substantial rehabilitation of Eastgate Apartments.

The developer is LEDIC, now known as Envolve Communities, which is a national multifamily housing developer. Envolve's affiliate company, LRC Eastgate, LLC, will be acquiring and completing a substantial rehabilitation of this Eastgate affordable-housing project, which consists of about 96 housing units. (See attached Eastgate Project Summary). Upon acquisition, approximately \$55,000 will be spent in construction/rehabilitation costs per apartment unit to revitalize the entire project for the benefit of the residents and the surrounding community. New management will also be taking over to ensure the proper maintenance and operation of this development. To the extent there are any temporary relocation costs, residents will incur no costs for any relocation-related expenses, although it is not anticipated that there will be substantial relocation needs.

The attached Resolution is required by federal law before bonds may be issued in Newnan to facilitate the financing for this housing development. Thomaston Housing Authority will be issuing the bonds for both the Eastgate Apartment project and also for another project located in Thomaston (Farview Apartments). For cost savings and efficiencies are the reasons Thomaston Housing Authority has been requested to and has agreed to issue bonds for both developments in one single bond validation. We believe the rehabilitation of Eastgate will be of value to the City of Newnan and to the surrounding neighborhood or community.

Please note that by approving the attached Resolution, the City of Newnan is not exposing itself to any liability of any kind. The City will not be responsible for the issuance of the bonds or for any other financial or guarantee requirements. The City has no liability or any other responsibility.

I understand that you recommend having a representative of the developer present at the City Council meeting on November 10th at 2:30 p.m., and we will work to ensure someone is present to answer all questions.

Thank you again, and please let me know if you need any additional information.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF NEWNAN, GEORGIA APPROVING THE
ISSUANCE OF MULTIFAMILY HOUSING REVENUE
BONDS BY THE THOMASTON HOUSING AUTHORITY,
GEORGIA FOR THE BENEFIT OF THE PROJECTS
(DEFINED BELOW)**

WHEREAS, the Thomaston Housing Authority, Georgia (the “Authority”) has considered the application of Eastgate Apartments and Farview Apartments, located at 11 Fairmont School Rd, Newnan, Georgia 30263 and 300 Ave F, Thomaston, Georgia 30286 (collectively, the “Projects”) and to be owned by LRC Eastgate, LLC and LRC Farview, LLC, respectively, each a Georgia limited liability company (each a “Borrower” and collectively, the “Borrowers”), requesting the Authority assist the Borrowers in financing the acquisition, rehabilitation, installation and equipping of the Projects, which consist of two multifamily housing facilities for individuals and families containing an aggregate one hundred and ninety-six (196) units, through the issuance of the Authority’s multifamily housing revenue bonds in an aggregate principal amount currently estimated at approximately \$20,000,000 (the “Bonds”), and a public hearing through teleconference was held on behalf of the Authority on September __, 2020 with respect to such proposed issuance of the Bonds and financing of the Projects; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the governmental unit having jurisdiction over the issue of multifamily housing revenue bonds and over the area in which any facility financed with the proceeds of the multifamily housing revenue bonds is located shall approve the issuance of such revenue bonds; and

WHEREAS, the Authority issues its revenue bonds on behalf of Thomaston, Georgia, the Projects - one of which is located in the City of Newnan (the “City”), and the Mayor and Council of the City (the “Council”) constitutes the elected legislative body of the City; and

WHEREAS, the Authority has delivered to the Council a certificate regarding the conduct of the public hearing, which certificate has been filed with the minutes of this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Council, and IT IS HEREBY RESOLVED by the authority of the same, as follows:

Section 1. The issuance of the Bonds by the Authority for the benefit of the Borrowers in an aggregate principal amount currently estimated at approximately \$20,000,000 to assist in the financing of the Project is hereby approved to the extent required by said Section 147(f) of the Code, as follows:

(a) the Projects consists of the acquisition, construction, rehabilitation and equipping of a 196-units of multifamily housing known as Eastgate Apartments and Farview Apartments, located at 11 Fairmont School Rd, Newnan, Georgia 30263 and 300 Ave F, Thomaston, Georgia 30286, the financing of which will benefit the residents of the City of Newnan, Georgia and the Newnan Housing Authority;

(b) the initial owner of the Projects are the Borrowers; and

(c) the location of the Eastgate Apartments Project is Newnan, Georgia.

Section 2. Such approval by the Council does not constitute an endorsement to a prospective purchaser of the bonds of the creditworthiness of the Borrowers or the Projects, and the Bonds shall not constitute an indebtedness or obligation of the State of Georgia or of any city, county, or political subdivision thereof but the Bonds shall be payable solely from the revenues derived from the Borrowers and pledged to the payment thereof, and no owner of any of the Bonds shall ever have the right to compel any exercise of the taxing power of said State or of any city, county, or political subdivision thereof, nor to enforce the payment thereof against any property of said State or of any such city, county, or political subdivision.

Section 3. All acts and doings of the officers and members of the Council which are in conformity with the purposes and intent of this Resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section 4. This resolution shall take effect immediately upon its adoption.

Adopted in open session this _____ day of _____, 2020

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

George M. Alexander, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Mayor and Council of the City of Newnan, Georgia (the "Governmental Unit"), DO HEREBY CERTIFY that the foregoing page of typewritten matter pertaining to the approval of the issuance of revenue bonds by the Thomaston Housing Authority, Georgia for the benefit of LRC Eastgate, LLC and LRC Farview, LLC, each a Georgia limited liability company, constitutes a true and correct copy of the Resolution adopted on November __, 2020, by a majority of the members of the governing body of the Governmental Unit in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, that the original of said Resolution appears of record in the Minute Book of the Governmental Unit which is in my custody and control.

Given under my hand and the seal of the City of Newnan, Georgia, this ____ day of November, 2020.

Clerk, Mayor and Council of the City of Newnan, Georgia

[SEAL]



City of Newnan, Georgia – Mayor and City Council

Date: November 24, 2020

Agenda Item: Annexation Request – Annex2020-01
65.77± acres located off Parks Road (Tax Parcel # 123 1050 005)

Prepared and Presented by: Tracy Dunnavant, Planning Director

ANNEXATION ASSESSMENT

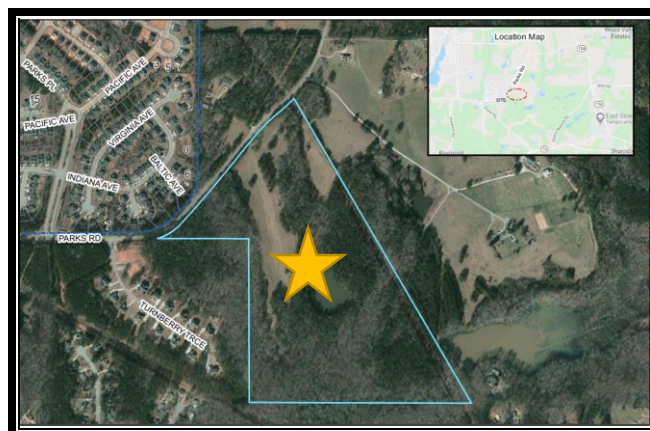
APPLICANT INFORMATION:

Melissa Griffis on behalf of Linchwood Coweta, LLC
26 Dorset Circle
Sharpsburg, GA 30277

Linchwood Coweta, LLC is proposing to develop a 106-unit single family subdivision on Parks Road. The subject property lies to the east of Parkside Village and is therefore, contiguous across Parks Drive. The applicant is seeking an RU-7 (Urban Residential Single-Family Dwelling District – High Density) zoning for the 65.77± acre tract.

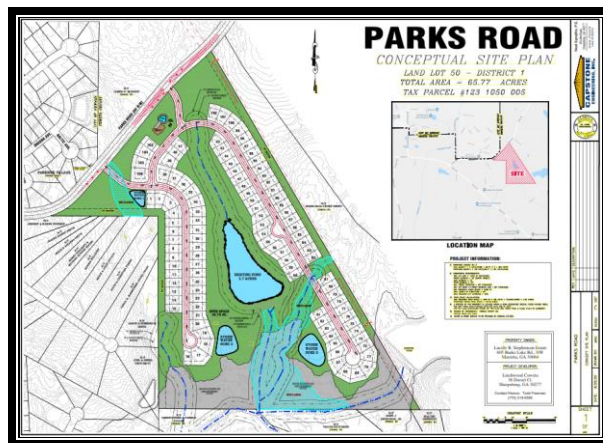
SITE INFORMATION:

The site consists of 65.77± acres of undeveloped land on Parks Road. The tax parcel ID number is 123 1050 005. The tract is currently under the County's jurisdiction, is zoned RC (Rural Conservation), and is located in the County's Infill Neighborhood Low Density Character Area on the County's Future Land Use Map. In addition, the tract received a "6 points and above" designation on the County's Land Development Guidance System Map. This means that the maximum density would be .625 units per acre and the County staff has indicated that 38 new residences could be built on the site (assuming 61 acres is the net development acreage).



OVERVIEW OF REQUEST:

The applicant is seeking to build 106 single-family homes on a 65.77± acre tract currently located in the county off Parks Road. The original concept drawing showed 118 units, but that has since been modified to 106. The requested zoning is RU-7, which allows 4 units per acre with a minimum lot size of 7,500 square feet. The requested zoning would allow up to 263 units, however, the applicant is seeking 106 units due to environmental constraints, an existing gas easement, and existing zoning/subdivision requirements.



The applicant has indicated that the neighborhood will have a “custom-built home atmosphere”, with homes selling between \$300,000 and \$500,000. The houses are anticipated to be between 2,000 and 3,000 square feet and the homeowners will have the option of selecting upgrades throughout the homes. There will be an amenity center with a pool as well as walking trails on the property. The concept plan shows 42.78 acres of gross open space. The ordinance requires 1,000 square feet per unit, or 2.43 acres for 106 units; so, they will well exceed the open space requirement.

The applicant will also be seeking variances for minimum street frontage and minimum lot width at the front setback line. The ordinance currently requires 75' for both and the applicant is requesting 60'.

STANDARDS:

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

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? The subject tract is primarily surrounded by residential uses and undeveloped land. To the north is a single-family home on an 18-acre tract and Parkside Village with lots in Phase 3 being a minimum of 12,000 square feet and the rest of the subdivision having lots as small as 7,260 square feet. To the south is Winchester subdivision with lots averaging 1.4 acres. To the west is Turnberry Park with an average lot size of 1.8 acres and to the east is a 35-acre tract with a single-family home.

There are three different subdivisions that abut the subject tract, so a residential subdivision would be consistent with current uses in the area. In addition, they are proposing homes with square footages consistent with many existing homes in the neighborhood. Using tax collector data, staff determined that the average heated square footage for the three abutting subdivisions is 3,108 square feet for Parkside Village, 1,568 square feet for Winchester, and 3,708 square feet for Turnberry Park. The applicant is proposing to build homes between 2,000 and 3,000 square feet.

In terms of density, aside from Parkside Village, all of the other subdivisions in the area have larger lots. This is due to the density limits in the County. If the development were to be built without annexation, the County staff has indicated that the applicant could build a maximum of 38 units through their Conservation Subdivision designation that allows .625 units per acre using a net development acreage of 61. As shown in the concept plan, the applicant is proposing 106 lots which equates to 1.61 units per acre for the 65-acre tract. This is a difference of 68 additional homes.

Staff feels the use would be suitable given the existing subdivisions and residential homes abutting the property. In terms of density, the development will allow 68 more homes than what could be built in the County; however, the lots are permitted to be smaller in the City since they will be served with sanitary sewer. In addition, Parkside Village has a density of 2.3 units per acre and a smaller lot size in three out of four of its phases than what is being requested by the applicant.

Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? The greatest impact from this development will be traffic. Per the Engineering Department's Report, the subdivision will generate roughly 647 additional weekday trips per day. The County already has plans for improvements at both the intersection of Parks Road with Poplar Road and the intersection of Parks Road and Lower Fayetteville Road due to existing traffic flow issues. The Poplar Road intersection improvements are currently in the design phase and the County staff has indicated that construction should be completed in the fall of 2022. In terms of the project itself, the City will require the applicant to construct right turn lanes into the development at both entrances to help with traffic flow.

It should also be noted that the applicant's proposed concept plan shows a 50-foot buffer between the subject tract and the properties to the east and west. The City's current zoning ordinance does not require any buffer between single-family uses, so the proposed buffer will give additional protection to those neighboring properties.

Staff Assessment – ADVERSE AFFECT IN TERMS OF ADDITIONAL TRAFFIC, BUT IT WILL NOT AFFECT THE USABILITY OF THE ADJACENT OR NEARBY PROPERTIES AND THE COUNTY'S IMPROVEMENT PROJECT WILL SIGNIFICANTLY LESSEN THE IMPACT ONCE COMPLETED ✓

Are their substantial reasons why the property cannot or should not be used as currently zoned? The property is currently zoned RC (Rural Conservation) in the County. That particular zoning district permits agriculture, forestry, and low density single-family residential land uses. As the petitioner is requesting a residential zoning designation, the property could be used as

currently zoned; however only 38 lots would be allowed. Since the petitioner plans to build a total of 106 lots, they are seeking annexation and rezoning as the development would not be permitted under the County's current regulations.

Staff Assessment – PROPERTY COULD BE USED AS CURRENTLY ZONED ✗

Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection? In an effort to ascertain impact, Staff conducted a fiscal impact analysis and sought comments from pertinent departments/agencies, which have been included in this report.

Fiscal Impact Analysis

Methodology:

- Total # of proposed households – 106
- Average # of people per household based on 2014 – 2018 average for Newnan – 2.53
- Total new people added for the subdivision: $106 \times 2.54 = 268$ new persons
- Total 2019 Population based on census projections for Newnan – 41,581
- Total 2020 Daytime Population (*Total resident population (+) Total workers working in area (-) Total workers living in area*) – 60,018

Annual General Fund Expenditures per Operating Category based on 2020 Budget:

- General Government: $\$3,937,646 / (41,581 + 60,018) = \38.76 per person;
 $\$38.76 \times 268 = \mathbf{\$10,387.68}$
- Public Safety: $\$15,613,604 / (41,581 + 60,018) = \153.68 per person; $\$153.68 \times 268 = \mathbf{\$41,186.24}$
- Public Works: $\$3,429,036 / (41,581 + 60,018) = \33.75 per person;
 $\$33.75 \times 268 = \mathbf{\$9,045.00}$
- Community Development: $\$2,940,565 / (41,581 + 60,018) = \28.94 ;
 $\$28.94 \times 268 = \mathbf{\$7,755.92}$
- Other Services (Main Street, Business Development, Carnegie Building): $\$834,825 / (41,581 + 60,018) = \8.22 per person; $\$8.22 \times 268 = \mathbf{\$2,202.96}$

Projected Annual Expenditures: **\$70,577.80**

Annual Revenues based on 2020 Budget

- Property Taxes: Based on \$400,000 home with a 3.643 millage rate = \$582.88;
 $\$582.88 \times 106 = \mathbf{\$61,785.28}$
- Sales Tax Generated: $\$7,500,000$ budgeted / $(41,581 + 60,018) = \$73.82$ per person;
 $\$73.82 \times 268 = \mathbf{\$19,783.76}$
- Inspections and Permits: $\$740,000 / (41,518 + 60,018) = \7.28 per person;
 $\$7.32 \times 268 = \mathbf{\$1,951.04}$

Projected Annual Revenues for the Subdivision: **\$83,520.08**

Up Front Revenues during Construction

- Impact Fees: 106 x \$1,136.07 (residential fee not including Newnan Utilities) = **\$120,423.42**
- Permits and Inspections: (2,500 square foot house at \$400,000) \$1,200 x 106 = **\$127,200.00**

Projected up front revenues for the subdivision: **\$247,623.42**

Traffic:

Since Parks Road is within Coweta County's jurisdiction, all improvements to that road will be approved and permitted through the County's Engineering Department. The applicant has conducted a traffic study of the area to determine the subdivision's impact on Parks Road. The study is based on the initial 118 units, which has since been reduced to 106. The findings determined that level of service would remain unchanged for both major intersections on Parks Road. In terms of delays, the report states that the northbound Parks Road approach to the Lower Fayetteville Road intersection will increase by about 16 seconds per vehicle during the AM Peak Hour without mitigation. The southbound Parks Road approach at the intersection of Poplar Road will increase by about 86 seconds per vehicle during the PM Peak hour without mitigation. A copy of the complete study including a summary of the findings and recommendations from said report has been included as an attachment to this assessment.

The County staff has indicated in their annexation assessment that the increase in traffic will accelerate the need for improvements to the intersections. In speaking with Tod Handley, Director of Transportation and Engineering, the Poplar Road intersection improvements are currently being designed and he anticipates construction being completed in the fall of 2022. If the annexation is approved, the applicant has indicated that construction on the subdivision will begin in the fall of 2021 with build out being fall of 2023.

Police: Police Chief Meadows has indicated that his department can service the development and is estimating an additional 286 calls annually based on call numbers for The Preserve, The Highlands, and Harper's Farm subdivisions over the past year. The Preserve has 145 units, The Highlands has 136, and Harper's Farm has 63. It should be noted that this figure does include alarm calls which have been increasing as more residents have systems installed in their homes.

Fire: Chief Stephen Brown has indicated that NFD can service this development and has also looked at the number of service calls for the subdivisions listed above in the Police response. Based on the figures, it is anticipated that the subdivision will add roughly 15 calls per year. In addition, there is a mutual aid agreement with the County in place if needed.

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

Engineering:

Environmental Concerns:

1. The development plan shall follow and comply fully with the Metro North Georgia Water Planning District Development Standards.
2. All streams, wetlands and other environmentally sensitive areas such as floodplain, floodway, and cemeteries shall be field delineated and located within open space.
3. State waters buffers shall be 50 feet as measured from the point of wretched vegetation and shall be delineated in the field, with an additional 25-foot impervious surface setback.
4. A portion of this tract is affected by the 100-year floodplain and future floodplain. Development plans will need to show the location of the floodplain and future floodplain and establish base flood elevations as per the floodplain management ordinance.
5. Any existing wells or septic tanks that may be on the site will need to be identified and properly closed or removed.

Access, Layout, and Road Concerns:

1. Coweta County will have review and permit authority for the entrances and any required improvements to Parks Road. The City will require right turn lanes at each entrance at a minimum.
2. ADA compliant five (5) foot sidewalks shall be provided on both sides of the roads throughout the community and along Parks Road where this development fronts Parks Road.
3. All open spaces shall be ADA compliant and shall include connectivity to the public right of way including the mail kiosk.

Trip Generation Existing Zoning:

This **existing site** is zoned RC with 6 points which would allow a conservation subdivision design (CSD) development with up to 38 possible lots under the Coweta County Regulations. Trip generation for this site with 38 lots calculated using ITE Trip Generation Manual, 9th edition would be as follows:

Single-Family Detached Housing: 38 homes

- a. Weekday : $9.52/\text{unit} = 362 \text{ vpd}$
- b. Weekday peak AM hour: $.77/\text{unit} = 29 \text{ vph}$
- c. Weekday peak PM hour: $1.02 / \text{unit} = 39 \text{ vph}$
- d. Sunday: $8.62/\text{unit} = 328 \text{ vpd}$
- e. Saturday $9.91/ \text{unit} = 377 \text{ vpd}$

Trip Generation Proposed Zoning:

This proposed zoning of RU-7 would allow up to 106 detached residential homes, on 65.77 acres. Anticipated trips generated from the proposed project using ITE Trip Generation Manual, 9th edition are as follows:

Single-Family Detached Housing: 106 homes

- a. Weekday : 9.52/unit = 1,009 vpd
- b. Weekday peak AM hour: .77/unit = 82 vph
- c. Weekday peak PM hour: 1.02 /unit = 108 vph
- d. Sunday: 8.62/unit = 914 vpd
- e. Saturday 9.91/ unit = 1,050 vpd

TRAFFIC GENERATION SUMMARY

DAY	Existing Zoning Trips Estimate	Proposed Zoning Trips Estimate	Difference
WEEKDAY (vpd)	362	1,009	+647
WEEKDAY AM PEAK (vph)	29	82	+53
WEEKDAY PM PEAK (vph)	39	108	+69
SUNDAY	328	914	+586
SATURDAY	377	1050	+673

Coweta County Schools: Ronnie Cheek, Director of Facilities for the Coweta County School System, indicated, "We have reviewed the application for annexation for the above-referenced development and offer the following comments based on the information provided: This application request for annexation to the City of Newnan under RU-7 zoning (118 units) may present challenges when planning for school enrollment and meeting student needs. Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes:

- What is the construction schedule for the project?
- What is the proposed build-out timeline?
- Will the project be built in phases?
- Will there be a targeted market, e.g., senior citizens?

In terms of number of projected number of students, the average household in Coweta County based on census data from 2018 had 1.45 children under the age of 18. This would mean an estimated 153 additional students for the Coweta County School System at build out.

Staff Assessment – PROJECT WILL HAVE AN IMPACT; HOWEVER, ALL SERVICE PROVIDERS HAVE INDICATED THAT THEY CAN SERVE THE DEVELOPMENT AND COWETA COUNTY HAS INDICATED THAT THE INTERSECTION IMPROVEMENTS AT POPLAR ROAD SHOULD BE COMPLETED BY THE FALL OF 2020 WHICH SHOULD SIGNIFICANTLY LESSEN IMPACT ON TRAFFIC ✓

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

The property is outside of the city limits and therefore was not considered in the City's Comprehensive Plan. The County's Comprehensive Plan shows the area as an Infill Neighborhood Character area which would allow for residential subdivisions, but at lower densities. The City does show Parkside Village as "Low Density Residential" which the Comprehensive Plan defines as "areas where four or fewer homes are allowed per acre". This category would be consistent with the zoning designation being requested.

It should also be mentioned that the Comprehensive Plan in general does identify the lack of available land for future development as a potential issue. It also points out the need to emphasize greenspace within developments. The project's concept plan shows over 42 acres of gross open space.

Staff Assessment – THE PROPOSED DEVELOPMENT WOULD BE COMPATIBLE AS "FUTURE LOW DENSITY RESIDENTIAL" WITHIN THE CITY AND THE COMPREHENSIVE PLAN IDENTIFIES A LACK OF AVAILABLE LAND FOR FUTURE DEVELOPMENT AS AN ISSUE ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The Urban Residential Single-Family Dwelling District – High Density (RU-7) zoning designation provides for "higher density residential development designed to allow more walkable neighborhoods." The zoning ordinance specifies that new RU-7 districts are "most appropriately located adjacent to existing RU-7 districts, in areas in transition between denser residential neighborhoods and less dense neighborhoods, or in areas where the future land use map indicates would be appropriate for medium density residential uses".

In this case, the proposed subdivision would be located across from an existing subdivision with three phases zoned RU-7. As specified above, it would serve as a transition between the denser residential neighborhood (Parkside Village) and the existing residential homes and subdivisions within the county.

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

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan? The City completed a full update of its Comprehensive Plan in 2016 which included the future land use map. The subject tract was not included in the Comprehensive Plan, but Parkside Village was shown as future low density residential. If brought into the city limits, the proposed subdivision would be shown as future low density residential based on our existing future land use definitions.

Staff Assessment – THERE ARE NO NEW OR CHANGING CONDITIONS THAT WOULD IMPACT THE SUBJECT PROPERTY’S FUTURE DESIGNATION AS “LOW DENSITY RESIDENTIAL” ✓

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

As stated above, the surrounding land uses are all single-family homes. Although the density will be greater than the majority of the subdivisions abutting the tract, it is still less than the density previously approved for Parkside Village. Also, the applicant is showing 50-foot buffers on the eastern and western sides of the property, which will provide additional screening.

The greatest impact will be traffic and additional students. The developer will need to work with the school system to ensure that they can plan for the additional students. In terms of traffic, there is already traffic flow issues on Parks Road which is why the County has planned intersection improvements. The project will add 68 more homes than what is currently permitted on the site, but 1.61 units per acre is not considered a high-density development within the City and the road should easily handle the additional traffic once the improvements are done. It is our understanding that the Poplar Road intersection improvements are currently being designed and are scheduled to be completed in the fall of 2022. The applicant has indicated that the subdivision construction would begin in the fall of 2021 with 35 homes being constructed per year. This suggests that the greatest traffic impact would be addressed well before the subdivision is built out in 2023.

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

SUMMARY OF STAFF FINDINGS:

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

COWETA COUNTY RESPONSE TO THE ANNEXATION:

In accordance with the annexation laws, the City notified the County of the annexation once the City Council decided to accept the application and move forward with the public hearing process. The County reviewed the application and advised the City of their intent to file a Notice of Objection based on the difference in density and a 22% increase to the current traffic volume from the proposed subdivision on Parks Road. The County asked for “a contribution totaling \$352,897” or 22% of the required traffic improvements at the intersections of Parks Road and Poplar Road and Parks Road and Lower Fayetteville Road. A Copy of their Notice of Objection has been included as an attachment to this assessment.

The parties attempted to resolve the dispute and even passed an extension resolution to give additional time to work through the issue; however, in the end they could not reach an agreement and the Department of Community Affairs (DCA) was asked to appoint an arbitration panel to hear the objection. DCA refused to grant the hearing citing the expiration of the state mandated timeframe, which allowed the request to proceed to the public hearing process.

During the discussions, the applicant indicated that they were receptive to making a \$60,000 contribution to transportation improvements.

Prior to the hearing before the Planning Commission, staff received a letter from the County requesting the Commission either deny the annexation application or require the applicant to pay \$300,000 towards the construction improvements for the two intersections on Parks Road. A copy of their letter has been included in the agenda packet.

RECOMMENDATION:

The Planning Commission at their October 13, 2020 meeting held a public hearing regarding the request and voted 3 - 3 on the matter. Therefore, there is no recommendation either “for” or “against” this request.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

Should the Council elect to approve the request, Staff would suggest the following conditions be considered:

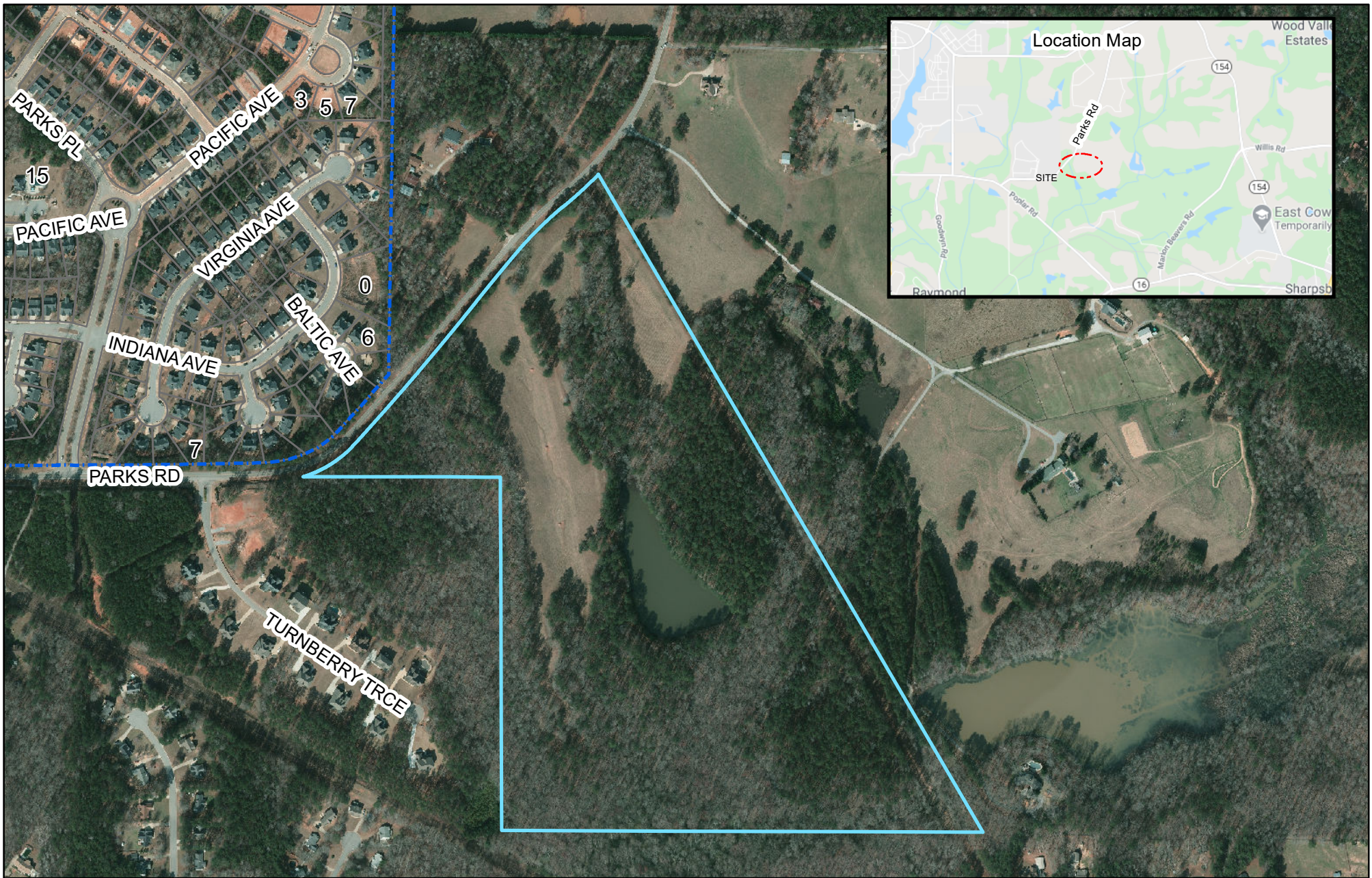
- The project will be consistent with the revised concept plan, density, project data, amenities, proffered conditions and elevations provided as part of the application.
- The City will require right turn lanes at each entrance from Parks Road into the subdivision.
- The subdivision will be limited to 106 units.

OPTIONS:

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

ATTACHMENTS:

Location Map
Application for Annexation
County Notice of Objection
Traffic Study
Service Provision Comments
County Letter to the Planning Commission



CITY OF NEWNAN | Project Location



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



1 inch = 500 feet

LEGEND

Project Location

PARCELS

CITY LIMITS

ADDRESS

Parks Rd
SHARPSBURG C

73



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

April 1, 2020

VIA HAND DELIVERY

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

RE: Annexation Application of Linchwood Coweta, LLC
Approx. 65.77+/- Acres Located on Parks Road, Newnan,
Georgia

Dear Ms. Dunnivant:

Linchwood Coweta, LLC, the Applicant of the above-described property ("the Property") in Newnan, Georgia, hereby makes this application to annex the Property from RC in Coweta County, Georgia to RU-7 in the City of Newnan. The Property provides a suitable environment for the extension of the RU-7 zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan.

Linchwood Coweta, LLC has its mailing address at 26 Dorset Court, Sharpsburg, GA 30277 and telephone number at (770) 318-8585. The address for the Property is Parks Road, Newnan, Georgia 30263. The tax map number of the Property is: 123 1050 005.

The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other similar uses. The City of Newnan already provides services in the area with Parkside Village neighborhood being adjacent to The Property. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan.

For the reasons stated above, Linchwood Coweta, LLC believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RU-7 single-family residential development property in a manner consistent with principles of smart development so highly valued by the City of Newnan.

Ms. Tracy Dunnavant
April 1, 2020
Page 2

Linchwood Coweta, LLC has, at attached Tabs (A) through (I), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** Linchwood Coweta, LLC, as Applicant, and myself, as counsel for Linchwood Coweta, LLC 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 Linchwood Coweta, LLC

MDG/kr
Enclosures

TAB A

Application for Annexation



CITY OF NEWNAN, GEORGIA Planning and Zoning Department

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

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of Newnan, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant Linchwood Coweta, LLC

Mailing Address 26 Dorset Circle, Sharpsburg, GA 30277

Telephone (770) 318-8585 Email: toddfreemanbuilder@gmail.com

Property Owner (Use back if multiple names) Lucille B. Stephenson Estate c/o Martha Jo Byrd, Trustee

Mailing Address 605 Burke Lake Road, NW, Marietta, GA 30064-1105

Telephone _____ Fax _____

Address/Location of Property Parks Road

County Zoning Classification RC Requested Zoning Classification RU-7

Present Land Use undeveloped land

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application. The City Council shall evaluate the application, and if it is decided that the City will pursue annexation, the zoning request for the property is forwarded to the Planning Commission for a zoning recommendation.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

 X A petition for annexation into the City of Newnan, Georgia, which shall be in the form of a letter and include:

- ✓ Petitioner 's Name
- ✓ Mailing Address
- ✓ Contact Telephone Number
- ✓ Address or Tax Map Number of the property(s) proposed for annexation
- ✓ County Zoning Classification(s)
- ✓ Requested Zoning Classification(s)
- ✓ Present Land Use of the property(s)
- ✓ Proposed Land Use of the property(s)

 X A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

 X A legal description of the property(s) and a legal description for each zoning classification being requested.

X A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One paper plat 18" x 24" minimum size and a digital copy in pdf format.

X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- | | |
|--|------------------|
| ☒ Single-Family Zoning Classification..... | \$15.00 Per Acre |
| ☐ Multi-Family Zoning Classification..... | \$25.00 Per Acre |
| ☐ Office/Institutional Zoning Classification..... | \$15.00 Per Acre |
| ☐ Commercial Zoning Classification..... | \$25.00 Per Acre |
| ☐ Industrial Zoning Classification..... | \$15.00 Per Acre |

X A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

The zoning classification approved by the City following the hearing shall become effective on the later of:

- > The date the zoning is approved by the Council, and
- > The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.


Applicant's Signature

4-1-2020
Date

FOR OFFICIAL USE ONLY

DATE RECEIVED

4-1-2020

RECEIVED BY

Don Smith

X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- | | |
|--|------------------|
| ☒ Single-Family Zoning Classification..... | \$15.00 Per Acre |
| ☐ Multi-Family Zoning Classification..... | \$25.00 Per Acre |
| ☐ Office/Institutional Zoning Classification..... | \$15.00 Per Acre |
| ☐ Commercial Zoning Classification | \$25.00 Per Acre |
| ☐ Industrial Zoning Classification..... | \$15.00 Per Acre |

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- > The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

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I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature

Date _____

FOR OFFICIAL USE ONLY	
DATE RECEIVED	_____
RECEIVED BY	_____

TAB B

Property Owners Authorization Form



City of Newnan, Georgia
Attachment A

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 an annexation of the property.

Name of Property Owner Lucille B. Stephenson Estate c/o Martha Jo Byrd, Trustee

Telephone Number _____

Address of Subject Property Parks Road

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.

Martha Jo Byrd, Trustee

Signature of Property Owner
Martha Jo Byrd, Trustee of the
Lucille B. Stephenson Estate

Personally appeared before me

Martha Jo Byrd

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

Lu Ann Lee Hume
Notary Public Comm. Expires 11/18/21

(Affix Raised Seal Here)

March 18, 2020
Date

TAB C

Warranty Deed

BK02440PG352

FILED IN OFFICE
CLERK OF
SUPERIOR/JUVENILE
COURT

2004 MAR -3 PM 12:08

CINDY G. BROWN, CLERK
COWETA COUNTY, GA

Return to: TWB
Moore, Ingram, Johnson & Steele
192 Anderson Street/SSS
Marietta, GA 30060

STATE OF GEORGIA

COUNTY OF COBB

DEED OF ASSENT

THIS INDENTURE, made this 2 day of March, 2004, between
✓ MARTHA JO BYRD, as Executor Under the Last Will and Testament of
Lucille B. Stephenson, (hereinafter referred to as the "Decedent"),
late of Cobb County, Georgia, deceased, party of the First Part,
and Martha Jo Byrd, as Trustee of the Residuary Trust Under the
Last Will and Testament of Lucille B. Stephenson, party of the
Second Part:

WITNESSETH:

That the said Party of the First Part, acting as Executor
under and by virtue of the power and authority contained in the
Last Will and Testament of Lucille B. Stephenson, deceased, said
Will having been probated in Solemn Form by Order of the Probate
Court of Cobb County, Georgia, on October 15, 2003, in Estate
Number: 03-1636, as evidence of the devise contained in Item VI of
the Last Will and Testament of Lucille B. Stephenson, has assented,
transferred, granted and conveyed, and by these presents, does
assent, transfer and convey unto the said party of the Second
Party, her heirs and assigns, the following described property, to-
wit:

A certain tract or parcel of land, situate, lying and being in
Land Lots 18, 50 and 51 of the First Land District, ✓ Coweta
County, Georgia, containing 65.774 acres and more particularly
described as follows:

BEGIN at an iron pin marking the Southeast corner of Land Lot
18 and from said iron run thence South 88 degrees 59 minutes
West 773.38 feet to the Right of Way of Parks Road; thence
North 43 degrees 39 minutes 40 seconds East 494.40 feet along
the Southeasterly Right of Way of Parks Road to a point;

BK02440PG353

thence continuing North 43 degrees 50 minutes East 1126.37 feet along the Southeasterly Right of Way of Parks Road to an iron pin; thence South 29 degrees 02 minutes 20 seconds East 2874.24 feet to an iron pin; thence North 89 degrees 39 minutes 40 seconds West 1147.40 feet to an iron pin; thence North 88 degrees 15 minutes West 605.88 feet to an iron pin located on the West line of Land Lot 50; thence North 0 degrees 24 minutes 40 seconds East 1331.25 feet along the West line of Land Lot 50 to an iron pin and the point of beginning.

Said tract is more particularly identified according to plat of survey made by T. Y. Mattox, dated 3-30-72 and revised May 18, 1972, and of record in Plat Book 16, Page 113, Office of the Clerk, Coweta Superior Court.

This deed is executed and delivered by the said Martha Jo Byrd, as Executor of the Estate of Lucille B. Stephenson, deceased, to the Grantee herein, for the purpose of evidencing her assent to the devise contained in said Last Will and Testament and to transfer and convey all of the right, title and interest of Lucille B. Stephenson, deceased, or her estate in and to said above-described property.

All debts, claims, taxes and expenses due by the said Lucille B. Stephenson, deceased, and her estate, have been paid in full.

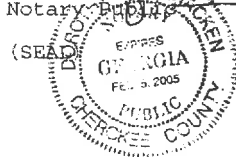
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the Second Part, her heirs and assigns, forever, in FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed by the said Lucille B. Stephenson, deceased, in her lifetime.

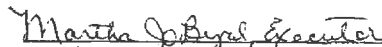
IN WITNESS WHEREOF, the said party of the First Part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:


Unofficial Witness


Notary Public




Martha Jo Byrd, as Executor
Under the Last Will and
Testament of Lucille B.
Stephenson

TAB D

Legal Description of Property

LEGAL DESCRIPTION

A certain tract or parcel of land, situate, lying and being in Land Lots 18, 50 and 51 of the First Land District, Coweta County, Georgia, containing 65.774 acres and more particularly described as follows:

BEGIN at an iron pin marking the Southeast corner of Land Lot 18 and from said iron run thence South 88 degrees 59 minutes West 773.38 feet to the Right of Way of Parks Road; thence North 43 degrees 39 minutes 40 seconds East 494.40 feet along the Southeasterly Right of Way of Parks Road to a point; thence continuing North 43 degrees 50 minutes East 1126.37 feet along the Southeasterly Right of Way of Parks Road to an iron pin; thence South 29 degrees 02 minutes 20 seconds East 2874.24 feet to an iron pin; thence North 89 degrees 39 minutes 40 seconds West 1147.40 feet to an iron pin; thence North 88 degrees 15 minutes West 605.88 feet to an iron pin located on the West line of Land Lot 50; thence North 0 degrees 24 minutes 40 seconds East 1331.25 feet along the West line of Land Lot 50 to an iron pin and the point of beginning.

Said tract is more particularly identified according to plat of survey made by T. Y. Mattox, dated 3-30-72 and revised May 18, 1972, and of record in Plat Book 16, Page 113, Office of the Clerk, Coweta Superior Court.

TAB E

Survey

(To Be Submitted Separately)

CONCEPTUAL SITE PLAN

LAND LOT 50 - DISTRICT 1

TOTAL AREA = 65.77 ACRES

TAX PARCEL #123 1050 005



LOCATION MAP

PROJECT INFORMATION:

- [illegible]

PROPERTY DINNER:

Lucille B. Stephenson Estate
605 Burke Lake Rd., NW
Marietta, GA 30064

PROJECT DEVELOPER.

Linchwood Coweta
36 Dorset Ct.

Contact Person: **Todd Freeman**
(770) 318-8585

GRAPHIC SCALE

(IN PART)
1 inch = 100 ft.

TAB G

Names and Addresses of All Property Owners Within 250' Feet

Aycock, Kevin & Julie
88 Turnberry Trace
Sharpsburg, GA 30277

Dietz, Jason Randall &
Kimberlie
124 Turnberry Trace
Sharpsburg, GA 30277

Garcia, Armando S. &
Mirna R.
6 New York Ave.
Sharpsburg, GA 30277

Hutchens, Travis W.
83 Winthrop Drive
Sharpsburg, GA 30277

Madden, James D.
400 Parks Road
Sharpsburg, GA 30277

Overton, Darryl H. &
Denise
91 Winthrop Drive
Sharpsburg, GA 30277

Pritchett, Joel & Emma F.
126 Turnberry Trace
Sharpsburg, GA 30277

Reuss, Charles Michael Jr.
45 Jesse Lane
Sharpsburg, GA 30277

Smith, Brian & Arianna
46 Turnberry Trace
Sharpsburg, GA 30277

Boone, Michael Eugene &
Kerry
72 Turnberry Trace
Sharpsburg, GA 30277

Duck, Aaron D. & Lauren
F. Duck
10 New York Ave.
Sharpsburg, GA 30277

Fausett, Ryan
14 New York Ave.
Sharpsburg, GA 3027

Gould, Mark & Kimberly
7 Baltic Ave.
Sharpsburg, GA 30277

Jernigan, Walter
55 Winthrop Drive
Sharpsburg, GA 30277

Mills, Rebecca & Jeffrey T
125 Turnberry Trace
Sharpsburg, GA 30277

Parks Road Investment
LLC
155 Creekwood Lane
Fayetteville, GA 30214

Ramey-Smith, Jeanee
28 Turnberry Trace
Sharpsburg, GA 30277

Ruck, Mark & Tina
69 Andover Court
Sharpsburg, GA 30277

De George, Gary J. Jr.
PO Box 71697
Newnan, GA 30271

Edgar Hughston Builder
Inc.
8219 North Crossing Court
Fortson, GA 31808

Foulks, Christopher M. &
Pamela A.
27 Andover Court
Sharpsburg, GA 30277

Knoll, Ronal J. Estate &
Michelle
35 Jesse Lane
Sharpsburg, GA 30277

Norman, Jeremy R. &
Karen A.
20 Turnberry Trace
Sharpsburg, GA 30277

Perry, Cheryl A.
15 New York Ave.
Sharpsburg, GA 30277

Rasmussen, Carol R.
Living Trust
108 Turnberry Trace
Sharpsburg, GA 30277

Schafter, Carl J. &
Elizabeth N.
108 Turnberry Trace
Sharpsburg, GA 30277

Wall, Doris
PO Box 1302
Cashiers, NC 28717

Walton, John Patrick &
Melinda
6 Baltic Ave.
Sharpsburg, GA 30277

Williams, Kerri S.
76 Turnberry Trace
Sharpsburg, GA 30277

Tab H

Renderings of Potential Homes for Linchwood Coweta, Inc.











Linchwood Coweta

- Residential single-family homes of 2000-3000 square feet
- Upgrades throughout the homes as selected by the homeowners
- Custom-built home atmosphere in the neighborhood
- Amenity center with pool
- Walking trails

Tab I

Disclosure of Campaign Contributions & Gifts



City of Newnan, Georgia

Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on April 1, 2020, for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

Approximately 65.774 +/- acres located on Parks Road

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

Type or Print Name and Title

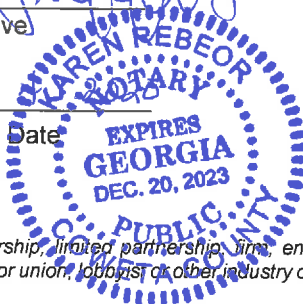
Melissa D. Griffis, Attorney

Type or Print Name and Title

Signature of Applicant's Representative

Signature of Notary Public

Date



(Affix Raised Seal Here)

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 Newman, Georgia
 1100 Newman Road

Disclosure of Campaign Contributions & Gifts

Application Form No. 100-1

2020 Application for Planning Commission Action

Returning required at public hearing on property described as follows:

Approximately 50,000 acres located at Tama Road

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia, Section 36-6-14, as amended, 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 Newman City Council or a member of the Newman 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.

Martha Jo Byrd
 Signature of Applicant

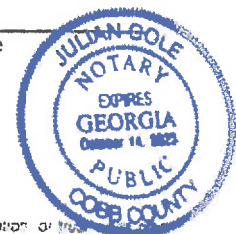
Martha Jo Byrd, Juror
 Type or Print Name and Title

Signature of Applicant's Representative

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

Julian Cole 4/27/2020
 Signature of Notary Public Date

(Affix Raised Seal Here)

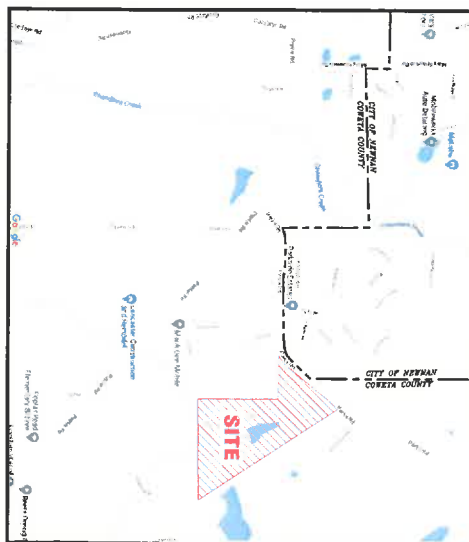


Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trade organization means non-profit organization, labor union, lobbyist, or other industry or casual representative, church, foundation, club, charitable organization,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

PARKS ROAD

CONCEPTUAL SITE PLAN

LAND LOT 50 - DISTRICT 1
TOTAL AREA = 65.77 ACRES
TAX PARCEL #123 1050 005

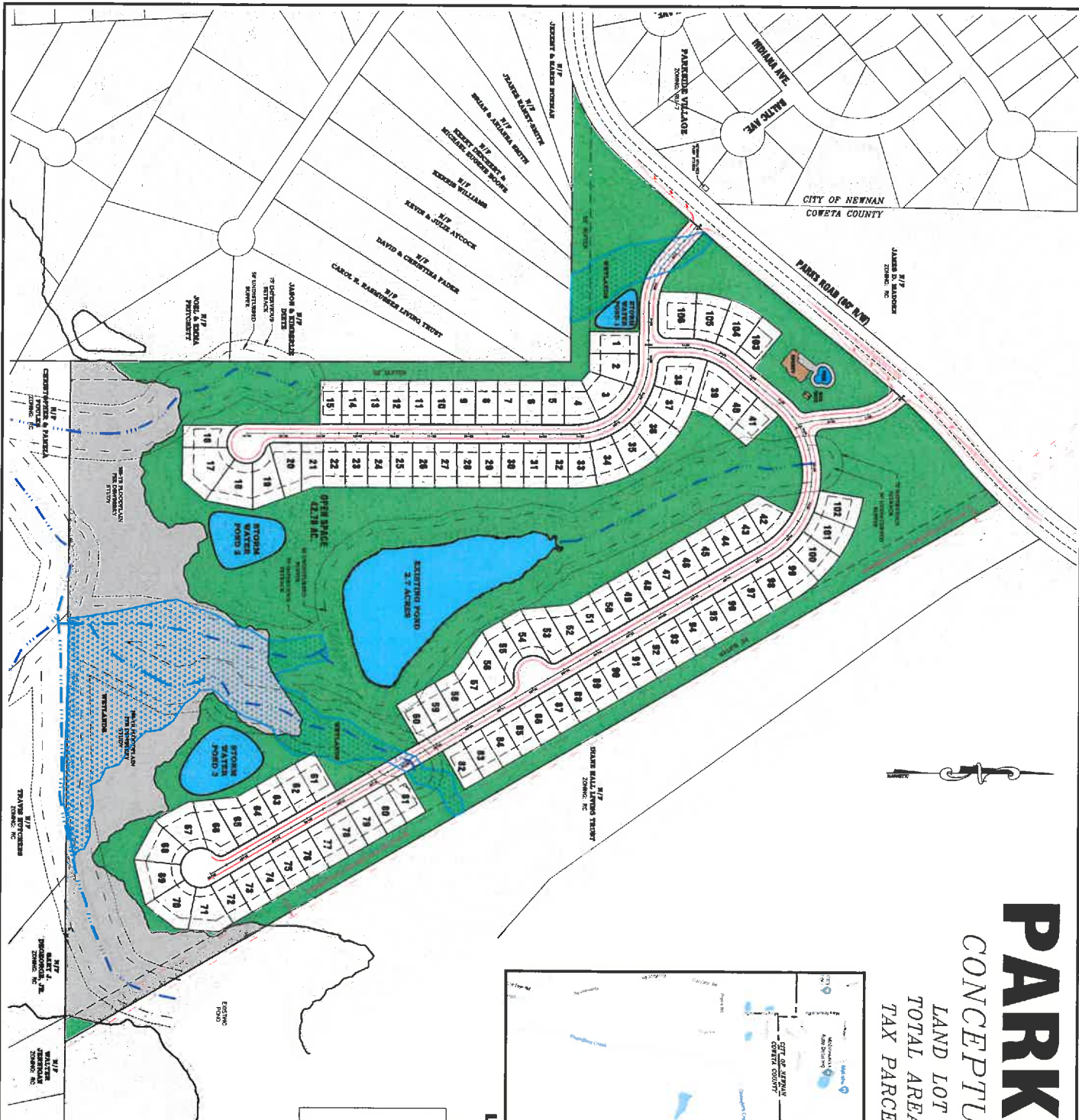


LOCATION MAP

PROJECT INFORMATION:

1. PROJECT NAME: PARKS ROAD
2. PROJECT LOCATION: LAND LOT 50 - DISTRICT 1, TAX PARCEL #123 1050 005, CITY OF NEWNAN, COWETA COUNTY, GA
3. PROJECT AREA: 65.77 ACRES
4. PROJECT TYPE: RESIDENTIAL DEVELOPMENT
5. PROJECT PHASE: CONCEPTUAL SITE PLAN
6. PROJECT OWNER: LUTILLIE B. STEPHENSON ESTATE
7. PROJECT DEVELOPER: LINDWOOD COWETA
8. PROJECT ADDRESS: 36 DORSET CT, SHARPSBURG, GA 30277
9. PROJECT CONTACT: TODD FREEMAN (770) 318-8585
10. PROJECT DATE: 9/25/20
11. PROJECT SCALE: 1" = 100'
12. PROJECT DRAWN BY: MNS
13. PROJECT CHECKED BY: [Signature]
14. PROJECT APPROVED BY: [Signature]
15. PROJECT REVISIONS: [Table with 3 columns: REV, DATE, DESCRIPTION]

PROPERTY OWNER: Lutillie B. Stephenson Estate 605 Bruce Lake Rd., NW Marietta, GA 30064	PROJECT DEVELOPER: Lindwood Coweta 36 Dorset Ct. Sharpsburg, GA 30277 Contact Person: Todd Freeman (770) 318-8585
--	--



Neal Spradlin, P.E.
45 Little Road
Sharpsburg, GA 30277
phone: 770.552.3744
mobile: 678.859.0514

PARKS ROAD		REV.	DATE	DESCRIPTION
CONCEPT SITE PLAN				
DATE: 9/25/20	DRAWN BY: MNS	SCALE: 1" = 100'		



SHEET
1
OF



Chairman, Paul Poole, District 1
Tim Lassetter, District 2
Bob Blackburn, District 3
Rodney Brooks, District 4
Al Smith, District 5
Michael D. Fouts, County Administrator

HARD COPY VIA U.S. Postal Service Certified Mail

June 9, 2020

The Honorable Mayor and City Council
of the City of Newnan, Georgia
25 LaGrange Street
Newnan, Georgia 30263

RE: NOTICE OF OBJECTION
Proposed Annexation of Linchwood Coweta, LLC
65.77 acres located on Parks Road, Newnan
Tax ID # 123 1050 005
Petition # AN 002-20

Dear Mayor and Council of the City of Newnan:

The Board of Commissioners of Coweta County, Georgia ("Board"), pursuant to O.C.G.A. §36-36-113, respectfully objects to the above-referenced annexation petition. A motion to object was passed unanimously by the Board at its meeting held on June 2, 2020.

The Board finds that the proposed high-density residential zoning creates a substantial change in the intensity of the allowable uses under the property's current zoning classification of Rural Conservation ("RC"), significantly increases infrastructure costs by accelerating traffic improvements, and differs substantially in the existing uses of low density residential and agricultural uses permitted by the county's zoning and comprehensive land use plan. The current RC zoning classification is intended to preserve woodland and open land along roadways and protect river and stream corridor areas. The allowable residential development types under the County's RC are Estate Lot 2 acre ("EL-2"), which permits 0.5 units per 2 acres minimum or Conservation Subdivision ("CSD"), which allows 0.625 units an acre for a maximum total for the property of 38 units.

The City's proposed RU-7 zoning would provide for significantly greater density by permitting up to 263-units (4 units per acre), which would differ substantially from the existing allowable uses in the County. While both may be residential in nature, the City's zoning allows a minimum lot size of 7,500 square feet for detached homes, or a minimum of 3,000 square feet minimum for Townhouses, and a minimum of 4,500 square feet for an Urban Neighborhood. These high-density urban uses differ significantly from the larger lot, detached single-family homes, agricultural uses, and open spaces allowable under the County's RC zoning.

If the annexation proceeds, the County projects that the proposed 118-unit RU-7 residential development would generate 755 additional trips, resulting in a 22% increase to the current traffic volume on Parks Road. The transportation improvements needed to handle the increased traffic would

require improvements at the intersections of Parks Road with Poplar Road and Lower Fayetteville Road. The financial impact of each intersection improvement is estimated at \$1.6 million, for a total of \$3.2 million. Supporting documentation regarding the trip generation data and preliminary cost estimate is attached for your reference.

Consequently, the County is objecting to the proposed annexation due to this significant increase in traffic volume that will result in unfunded infrastructure costs to improve the Parks Road intersections to serve this proposed development. The Board respectfully requests a contribution totaling \$352,897 (11% for each intersection) for the cost of design, right of way acquisition, utility relocation, and construction for the required traffic improvements at these two intersections.

Please advise of the City's willingness to contribute to these intersection improvements to protect the health, public safety and general welfare of the citizens of Coweta County. If you have any questions, please contact County Administrator Michael Fouts at 770.254.2601.

THE BOARD OF COMMISSIONERS
OF COWETA COUNTY, GEORGIA

By: _____

Chairman

Cc: Cleatus Phillips, City Manager, City of Newnan (via cphillips@cityofnewnan.org)

Enclosures

Supporting Documentation regarding Linchwood Coweta, LLC Annexation

- Tax ID: 123 1050 005
- Petition # AN 002-20

Traffic Impact - ITE Trip Generation, 10th Edition

Land Use Description (ITE Code)	Daily Rate	Unit of Measure	Total Trips	Total Change
Single-Family, Newnan	9.44	118 units	1114	
Single-Family, Coweta County	9.44	38 units	359	
Difference		80 units	755	211%

Existing Volumes

Road Name	Daily Rate*	Additional Trips	Total	Total %
Parks Road	3,424	755	4,179	22%

* Average daily volume prepared by National Data & Surveying Services (see attached counts)

Preliminary Cost Estimate - Intersection Improvement

- Parks Road/Poplar Road & Parks Road/Lower Fayetteville Road

Project Phase	Estimated Cost
Design	\$90,000
Right of Way Acquisition	\$250,000
Utility Relocation	\$60,000
Construction	\$1,200,000

Subtotal \$1,600,000 Per Intersection
Total \$3,200,000 Both Intersections

Parks Road at Poplar, 50% (11% of intersection)	\$	176,449
Parks Road at Lower Fayetteville, 50% (11% of intersection)	\$	176,449
22%	\$	352,897

VOLUME

Parks Dr N/O Poplar Rd

Day: Tuesday
Date: 10/15/19City: Newnan
Project #: GA19_9661_004

DAILY TOTALS					NB	SB	EB		WB		Total
					1,713	1,648	0		0		3,361
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	4	1			5	12:00	25	22			47
00:15	1	1			2	12:15	21	24			45
00:30	2	0			2	12:30	18	18			36
00:45	0	7	2	4	2	12:45	10	74	25	89	35
01:00	3	2			5	13:00	33	19			52
01:15	0	1			1	13:15	19	14			33
01:30	0	0			0	13:30	21	20			41
01:45	2	5	1	4	3	13:45	15	88	25	78	40
02:00	1	0			1	14:00	29	30			59
02:15	1	1			2	14:15	22	25			47
02:30	0	2			2	14:30	25	38			63
02:45	0	2	1	4	1	14:45	39	115	19	112	58
03:00	1	2			3	15:00	22	14			36
03:15	0	2			2	15:15	27	22			49
03:30	0	0			0	15:30	27	33			60
03:45	0	1	1	5	1	15:45	42	118	45	114	87
04:00	1	0			1	16:00	35	23			58
04:15	1	2			3	16:15	33	32			65
04:30	6	0			6	16:30	48	29			77
04:45	2	10	4	6	6	16:45	51	167	39	123	90
05:00	2	2			4	17:00	56	41			97
05:15	6	4			10	17:15	59	42			101
05:30	4	6			10	17:30	50	46			96
05:45	3	15	9	21	12	17:45	45	210	39	168	84
06:00	6	16			22	18:00	44	33			77
06:15	8	17			25	18:15	42	28			70
06:30	8	26			34	18:30	24	14			38
06:45	18	40	24	83	42	18:45	28	138	26	101	54
07:00	23	44			67	19:00	20	18			38
07:15	35	43			78	19:15	29	12			41
07:30	42	71			113	19:30	15	19			34
07:45	65	165	52	210	117	19:45	25	89	12	61	37
08:00	38	42			80	20:00	19	12			31
08:15	15	45			60	20:15	20	11			31
08:30	22	23			45	20:30	19	6			25
08:45	21	96	16	126	37	20:45	14	72	10	39	24
09:00	14	19			33	21:00	11	2			13
09:15	13	20			33	21:15	8	3			11
09:30	24	42			66	21:30	13	5			18
09:45	23	74	18	99	41	21:45	10	42	4	14	14
10:00	21	19			40	22:00	12	7			19
10:15	15	16			31	22:15	7	2			9
10:30	10	20			30	22:30	2	3			5
10:45	21	67	17	72	38	22:45	4	25	7	19	11
11:00	24	19			43	23:00	3	3			6
11:15	17	21			38	23:15	4	2			6
11:30	19	29			48	23:30	2	0			2
11:45	23	83	20	89	43	23:45	1	10	2	7	3
TOTALS	565	723			1288	TOTALS	1148	925			2073
SPLIT %	43.9%	56.1%			38.3%	SPLIT %	55.4%	44.6%			61.7%

DAILY TOTALS					NB	SB	EB	WB	Total
					1,713	1,648	0	0	3,361
AM Peak Hour	07:15	07:00		07:15	PM Peak Hour	16:45	16:45		16:45
AM Pk Volume	180	210		388	PM Pk Volume	216	168		384
Pk Hr Factor	0.692	0.739		0.829	Pk Hr Factor	0.915	0.913		0.950
7 - 9 Volume	261	336		597	4 - 6 Volume	377	291		668
7 - 9 Peak Hour	07:15	07:00		07:15	4 - 6 Peak Hour	16:45	16:45		16:45
7 - 9 Pk Volume	180	210		388	4 - 6 Pk Volume	216	168		384
Pk Hr Factor	0.692	0.739		0.829	Pk Hr Factor	0.915	0.913		0.950

VOLUME

Parks Dr N/O Poplar Rd

Day: Wednesday
Date: 10/16/19City: Newnan
Project #: GA19_9661_004

DAILY TOTALS					NB	SB	EB		WB		Total
					1,788	1,698	0		0		3,486
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	1	3			4	12:00	22	23			45
00:15	2	0			2	12:15	26	17			43
00:30	2	0			2	12:30	20	22			42
00:45	0	5	2	5	2	12:45	16	84	22	84	38
01:00	2	2			4	13:00	20	25			45
01:15	1	0			1	13:15	14	11			25
01:30	2	0			2	13:30	20	32			52
01:45	1	6	1	3	2	13:45	23	77	20	88	43
02:00	0	0			0	14:00	24	21			45
02:15	1	0			1	14:15	22	30			52
02:30	0	0			0	14:30	22	31			53
02:45	0	1	2	2	2	14:45	45	113	24	106	69
03:00	0	1			1	15:00	44	30			74
03:15	2	2			4	15:15	20	24			44
03:30	0	0			0	15:30	40	36			76
03:45	0	2	1	4	1	15:45	42	146	33	123	75
04:00	1	0			1	16:00	31	29			60
04:15	2	3			5	16:15	28	33			61
04:30	6	2			8	16:30	47	30			77
04:45	1	10	5	10	6	16:45	57	163	28	120	85
05:00	3	1			4	17:00	42	37			79
05:15	4	4			8	17:15	56	37			93
05:30	7	3			10	17:30	59	45			104
05:45	4	18	15	23	19	17:45	50	207	24	143	74
06:00	11	11			22	18:00	46	33			79
06:15	7	21			28	18:15	35	27			62
06:30	9	31			40	18:30	42	30			72
06:45	12	39	24	87	36	18:45	40	163	21	111	61
07:00	22	45			67	19:00	27	27			54
07:15	37	45			82	19:15	25	11			36
07:30	38	75			113	19:30	20	21			41
07:45	75	172	54	219	129	19:45	29	101	13	72	42
08:00	38	46			84	20:00	18	16			34
08:15	20	46			66	20:15	19	13			32
08:30	27	22			49	20:30	13	10			23
08:45	19	104	29	143	48	20:45	18	68	17	56	35
09:00	24	21			45	21:00	18	10			28
09:15	15	24			39	21:15	11	12			23
09:30	17	21			38	21:30	11	3			14
09:45	17	73	25	91	42	21:45	10	50	3	28	13
10:00	14	13			27	22:00	7	5			12
10:15	13	21			34	22:15	8	5			13
10:30	11	27			38	22:30	2	2			4
10:45	12	50	21	82	33	22:45	5	22	3	15	8
11:00	18	19			37	23:00	8	0			8
11:15	24	23			47	23:15	3	2			5
11:30	23	16			39	23:30	3	1			4
11:45	32	97	20	78	52	23:45	3	17	2	5	5
TOTALS	577	747			1324	TOTALS	1211	951			2162
SPLIT %	43.6%	56.4%			38.0%	SPLIT %	56.0%	44.0%			62.0%

DAILY TOTALS					NB	SB	EB	WB	Total
					1,788	1,698	0	0	3,486
AM Peak Hour	07:15	07:30		07:15			PM Peak Hour	16:45	16:45
AM Pk Volume	188	221		408			PM Pk Volume	214	147
Pk Hr Factor	0.627	0.737		0.791			Pk Hr Factor	0.907	0.817
7 - 9 Volume	276	362		638			4 - 6 Volume	370	263
7 - 9 Peak Hour	07:15	07:30		07:15			4 - 6 Peak Hour	16:45	16:45
7 - 9 Pk Volume	188	221		408			4 - 6 Pk Volume	214	147
Pk Hr Factor	0.627	0.737		0.791			Pk Hr Factor	0.907	0.817

Traffic Impact Study

Parks Road Subdivision

Coweta County, GA

July 24, 2020

Submitted by

Maldino & Wilburn, LLC

July 24, 2020

Traffic Impact Study

Prepared For:
Linchwood Coweta
Mr. Tod Freeman
770.318.8585

Prepared By:
Vern Wilburn, PE, PTOE
Maldino & Wilburn
1864 Lower Fayetteville Rd
Newnan, GA 30265
770.362.6184
vern@mwtraffic.com

Additional investigation by:
Mallory Maldino, EIT

Maldino & Wilburn Project No.: 20-16

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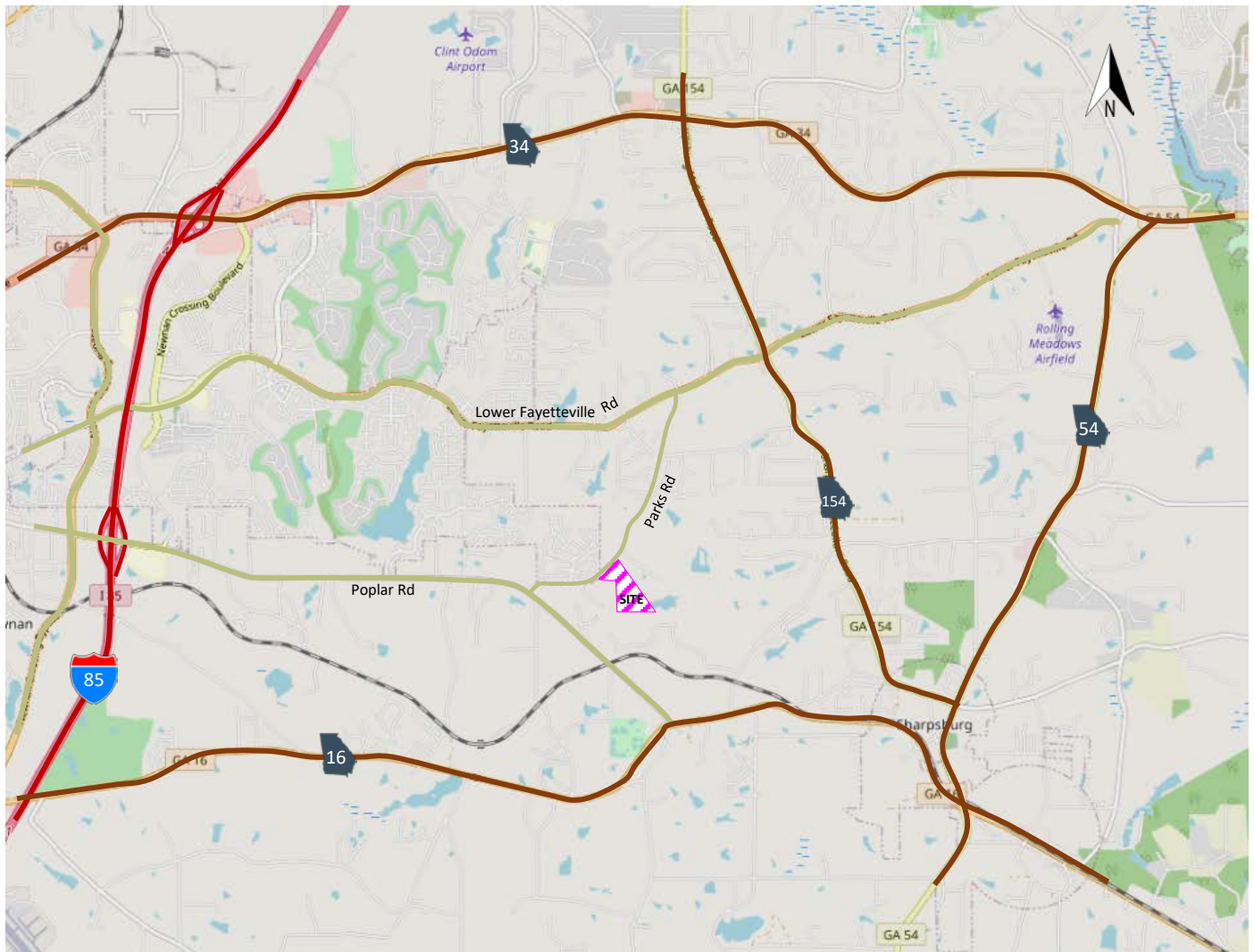
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1. Introduction

The purpose of this study is to evaluate the traffic-related impacts of the proposed 118-unit subdivision. The location of the site, as shown in Figure 1, is on the southeast side of Parks Road just north of Poplar Road.

Figure 1: Project Location Map



Proposed Development

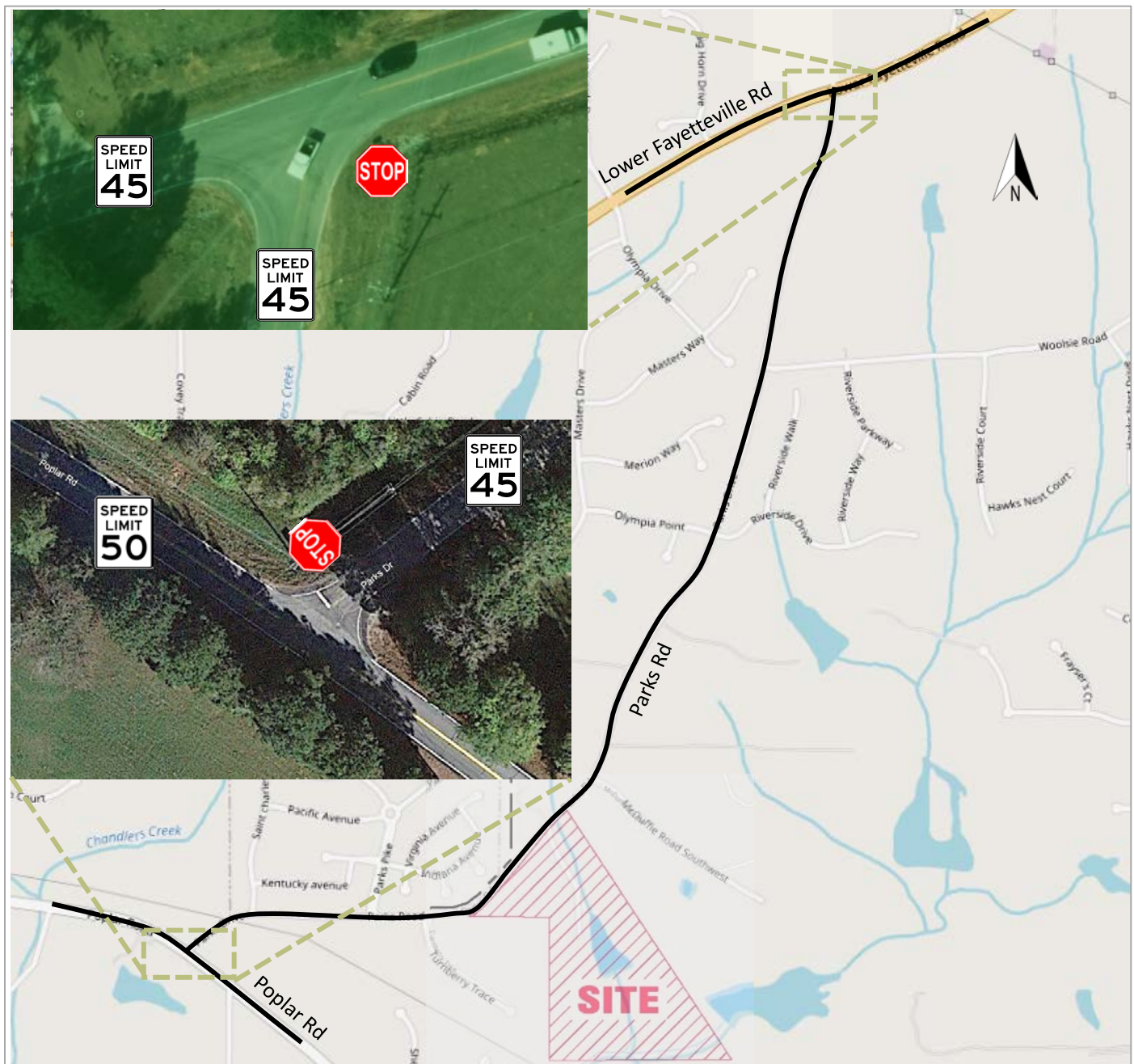
The proposed subdivision has 118 single family detached lots with a minimum 7,500 square feet lot size. The subdivision has a total of 65.77 acres, of which 40.79 acres will be open space.

A conceptual site plan prepared by Capstone Engineering is included in Appendix A. The plan shows two access connections to Parks Road.

2. Existing Conditions

The study area includes the termini intersections of Parks Road on each end at Lower Fayetteville Road and Poplar Road. These three roads are all 2 lane roads with rural sections. Figure 2 illustrates the existing geometrics and traffic control currently in place. There are no turn lanes at either intersection.

Figure 2: Existing Conditions

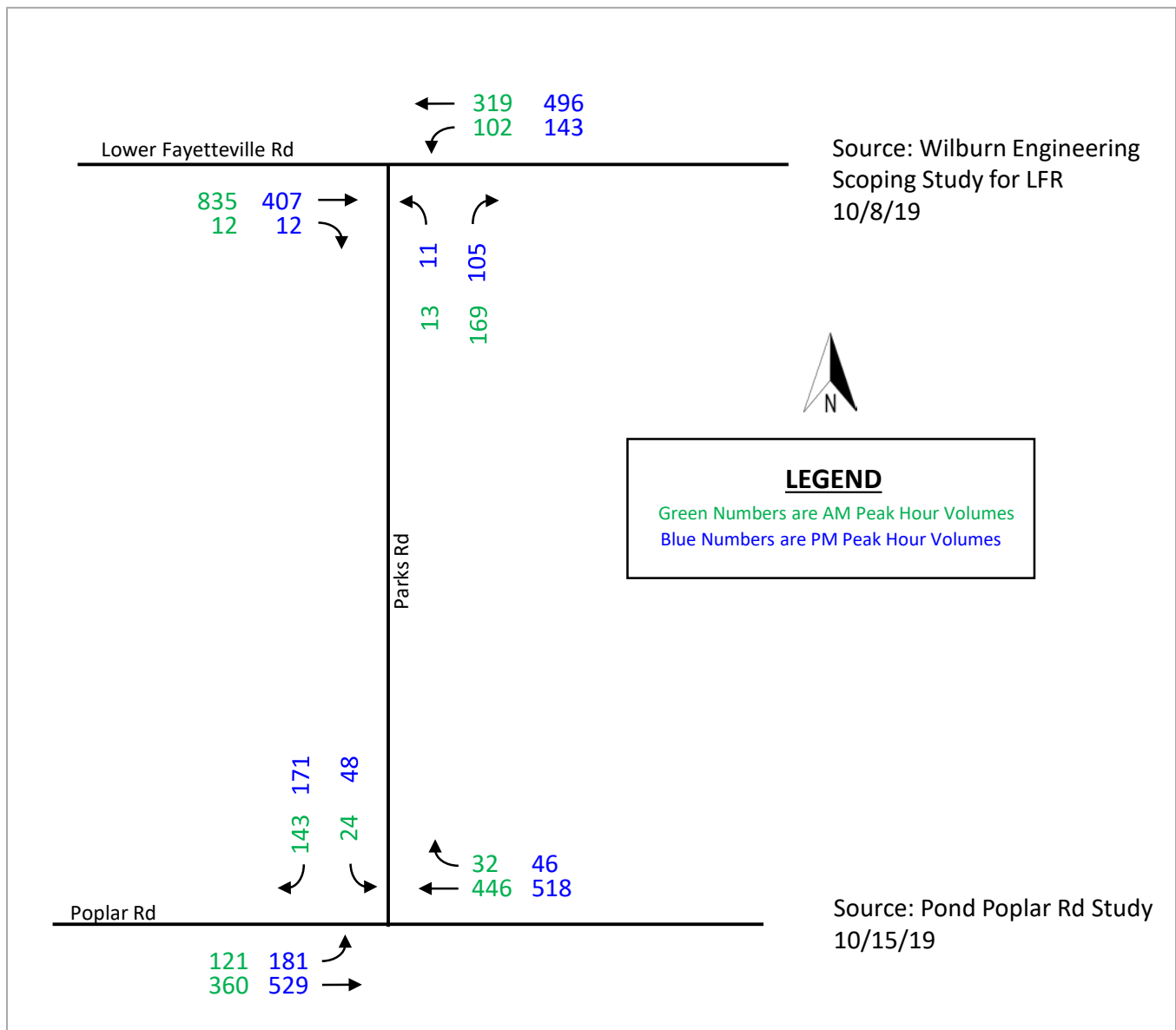


Traffic Volumes

Existing traffic data was taken from recent studies performed for Lower Fayetteville Road (City of Newnan Project) and Poplar Road (Coweta County Project). The traffic counts were conducted in October 2019 prior to the Covid-19 outbreak.

Figure 3 summarizes the existing peak hour traffic volumes at the study intersections. Data reports from the traffic counts are provided in Appendix B.

Figure 3: Existing Peak Hour Traffic Volumes



3. Projected Conditions

The methodology for estimating traffic volumes to be generated by the development included the traditional three step planning process of trip generation, trip distribution, and traffic assignment.

Trip Generation

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

Table 1: Trip Generation

LAND USE CODE	LAND USE	SIZE	DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
210	Single Family Detached Housing	118 Dwelling Units	1114 (557 entering, 557 Exiting)	22	65	87	74	43	117

Trip Distribution

A distribution pattern was developed to define the origin and destination of new trips. Since the proposed development is a subdivision that is consistent with the existing land use along Parks Road, the distribution of new trips is likely to be very similar to the existing traffic patterns.

The distribution was developed by examination of the traffic volumes leaving Parks Road during the AM Peak Hour. It was found that 45% of existing traffic uses Lower Fayetteville Road with 55% going to Poplar Road. Of the 45% of exiting traffic going to Lower Fayetteville Road, only 13 of 182 trips (7%) turned left. Therefore, the distribution percentage of trips going to and from Newnan on Lower Fayetteville Road was found to be 3% (7% of 45%). This process was repeated for the three other directions.

The above process was similarly performed for the entering traffic in the PM Peak Hour. The results were very similar to the calculations for AM Peak Hour. When different, the two results were averaged to derive the final distribution percentages.

Figure 4 shows the trip distribution pattern that was derived by examination of the existing traffic flow patterns.

Figure 4: Trip Distribution

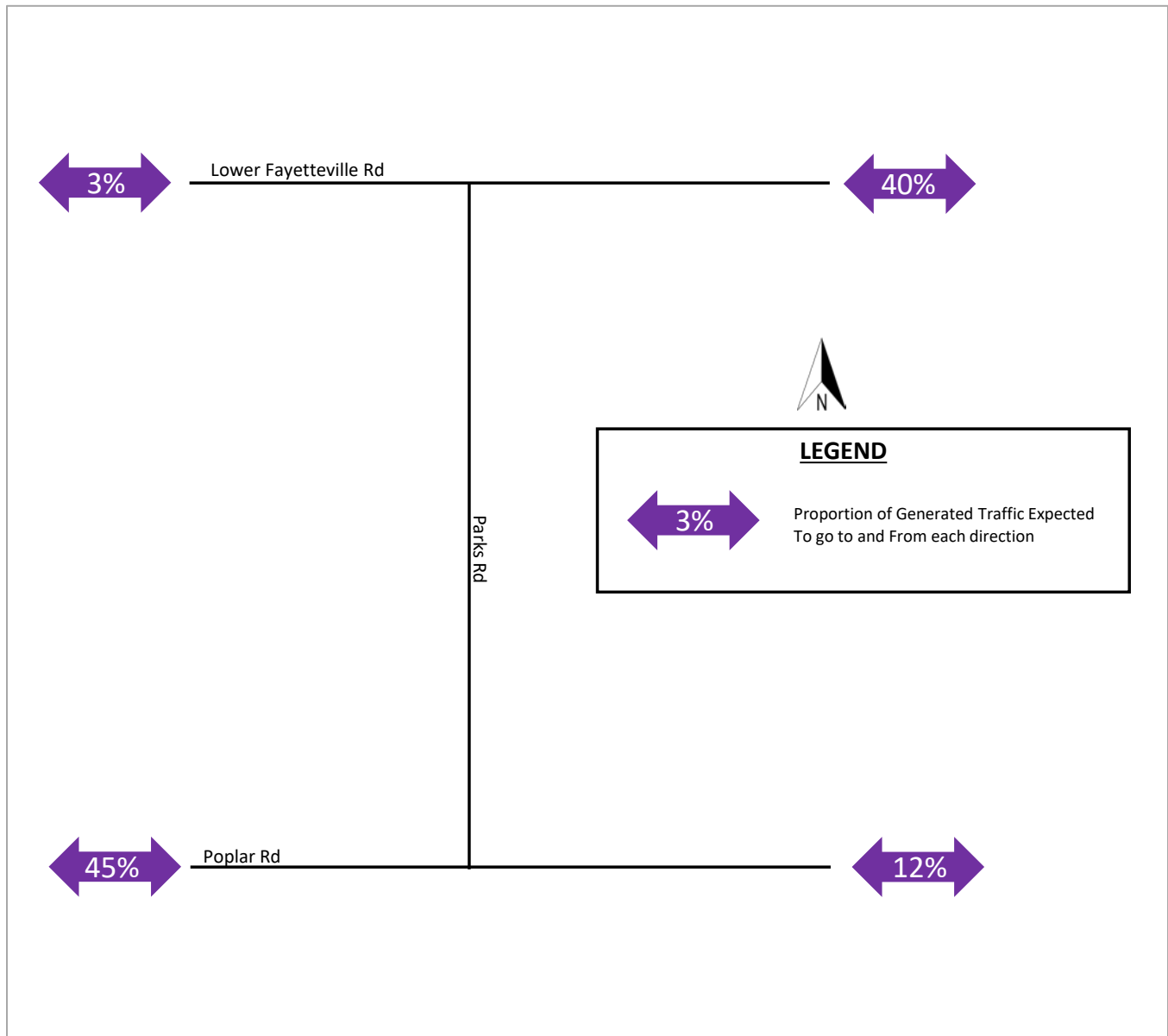


Table 2 shows how the generated trips are expected to be distributed to the various directions in accordance with the percentages shown in Figure 4.

Table 2: Distribution of New Trips

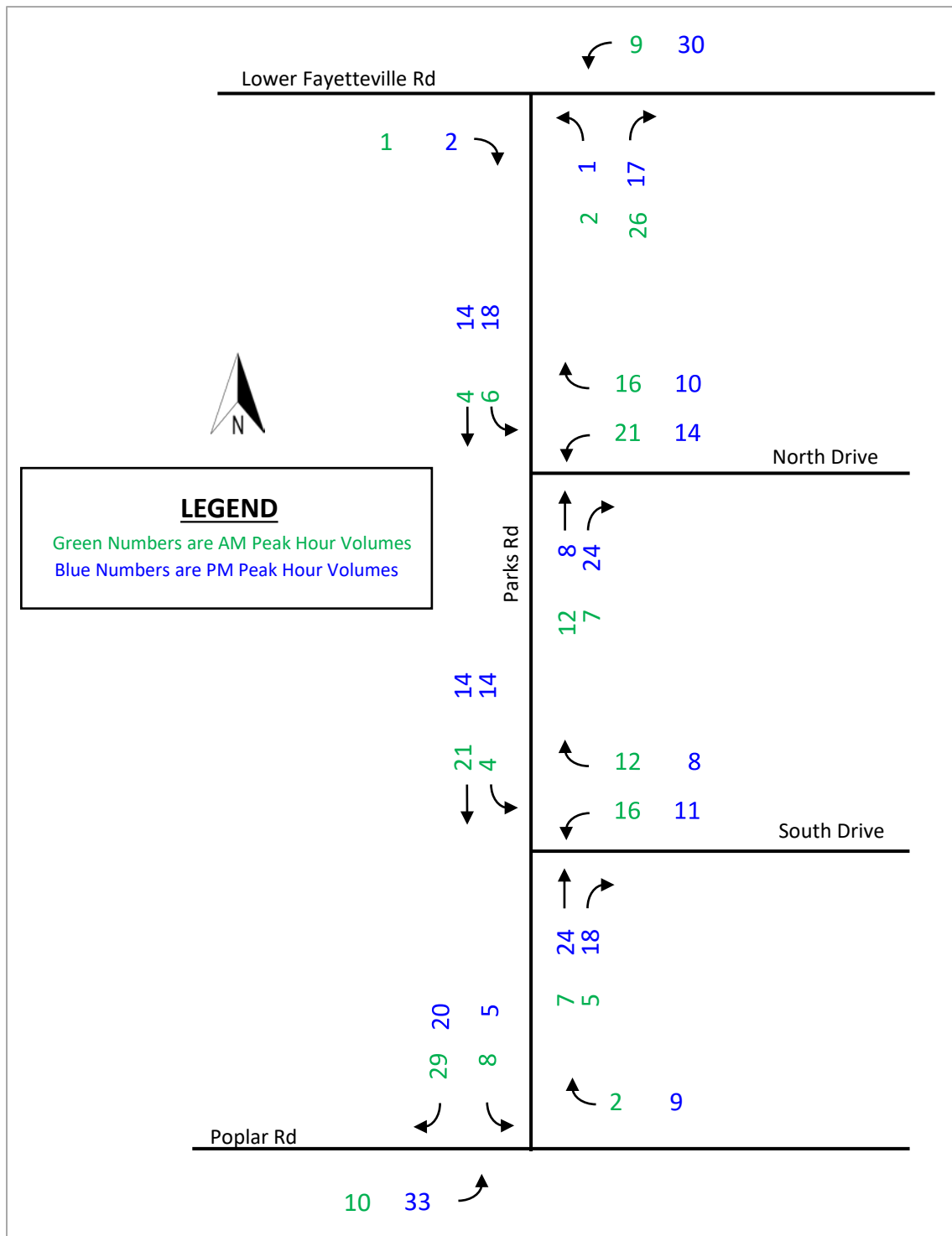
DIRECTION	ROUTE	%	AM PEAK HOUR		PM PEAK HOUR	
			ENTER	EXIT	ENTER	EXIT
East	L Fayetteville Rd	40	9	26	30	17
West	L Fayetteville Rd	3	1	2	2	1
East	Poplar Rd	12	2	8	9	5
West	Poplar Rd	45	10	29	33	20
Total		100	22	65	74	43

Traffic Assignment

The new trips expected to be generated by the complex were assigned to the road network in accordance with the trip distribution presented in the previous section. The generated traffic was assigned to each driveway in accordance with the proportion of lots along each road. The northern driveway has 57% of the lots and the southern driveway has 43%.

The resulting assignment of the expected generated new trips is shown in Figure 5 on the following page.

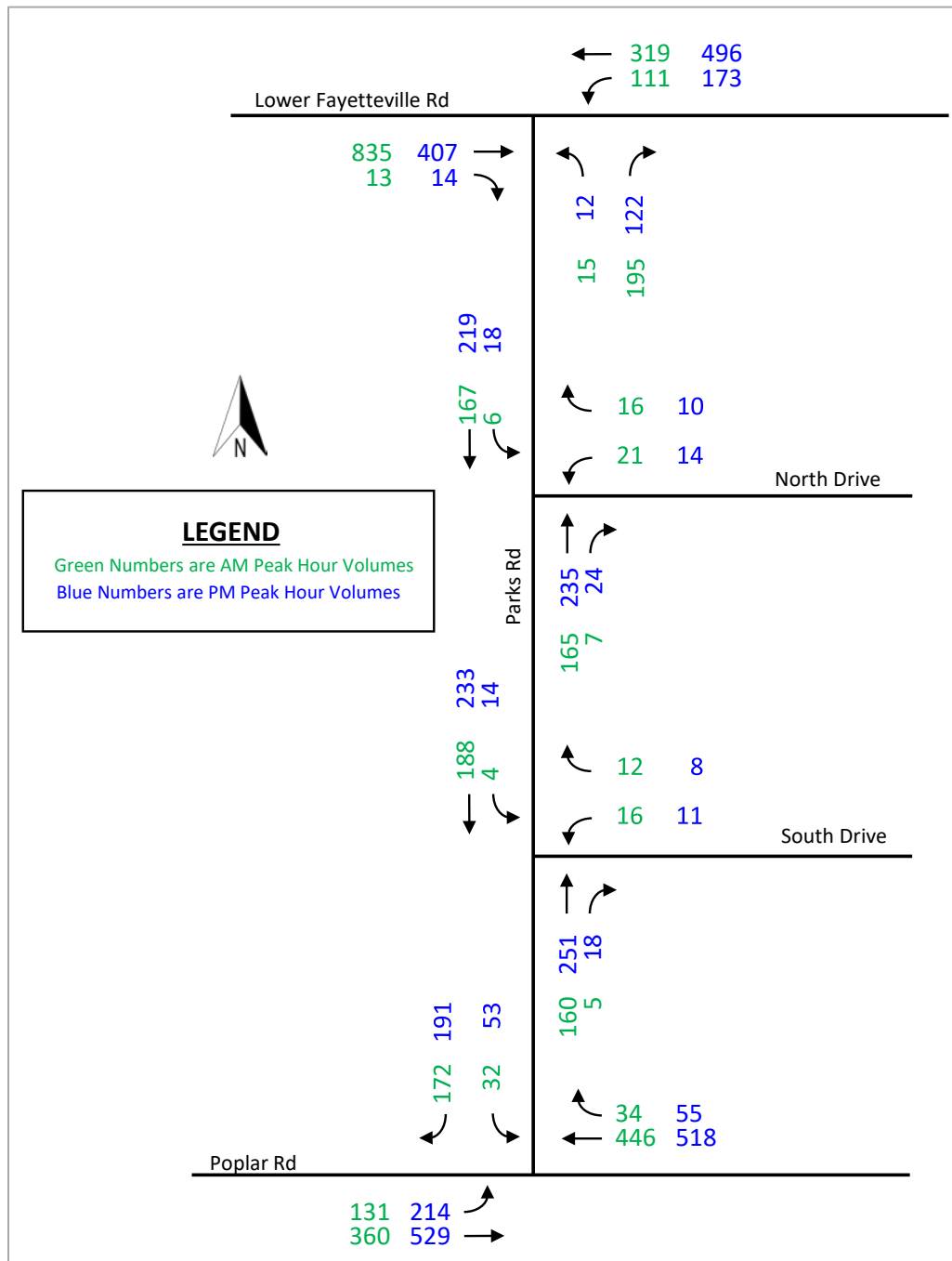
Figure 5: Generated New Trips



Projected Peak Hour Traffic Volumes

The assigned generated traffic volumes were superimposed with the existing traffic volumes, with the result being the total projected traffic volumes. Figure 6 shows the traffic volumes projected after the subdivision is complete and all homes are occupied.

Figure 6: Projected Peak Hour Traffic Volumes



4. Traffic Analysis

Need for Auxiliary Lanes

The projected volumes for the access driveways to Parks Road were evaluated using the guidelines contained in the GDOT Driveway Manual. The threshold daily volumes requiring auxiliary turn lanes on Parks Road are shown in Table 3.

Table 3: GDOT Guidelines for Auxiliary Left and Right Turn Lanes

Left Turn Lane Threshold

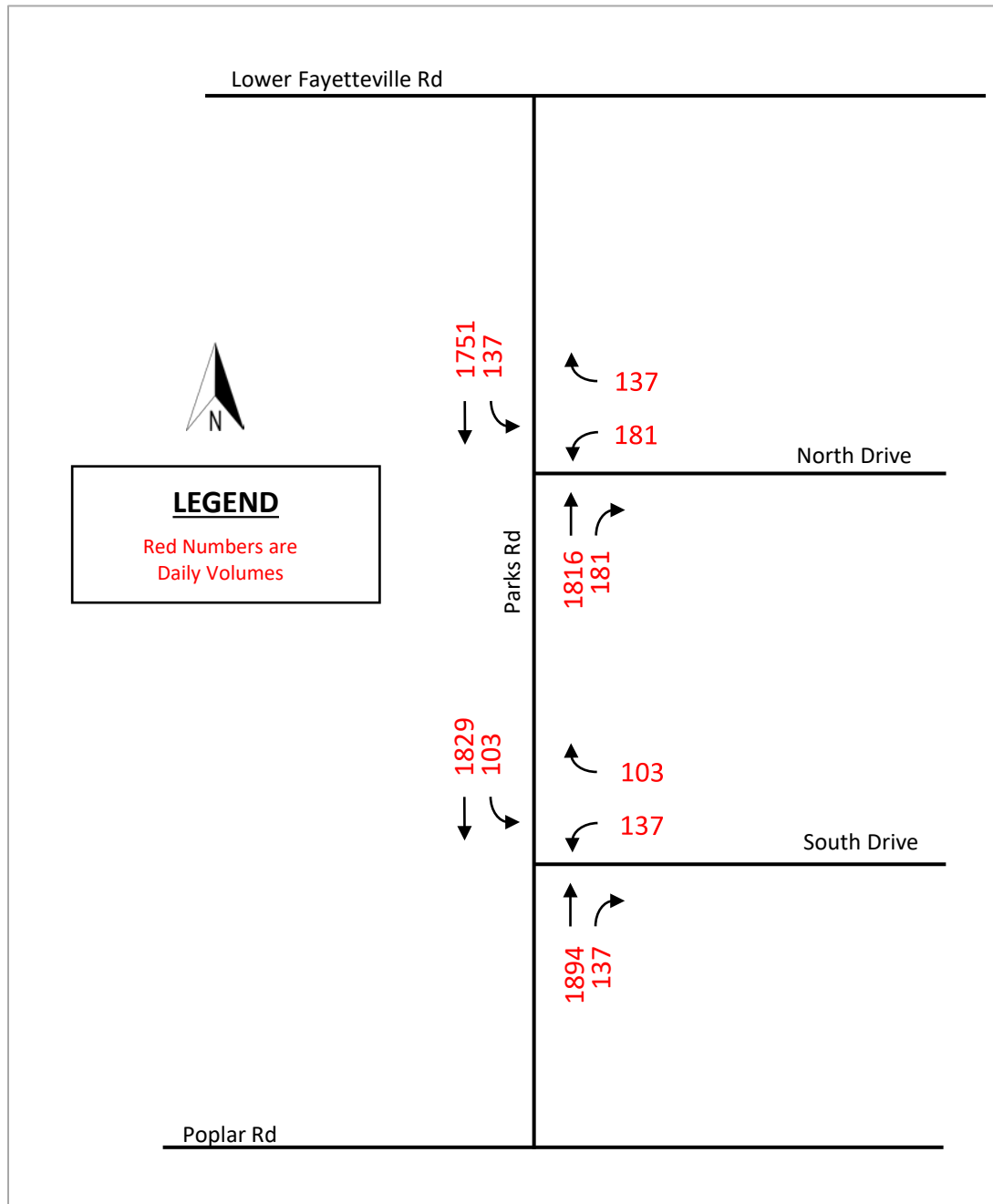
LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Right Turn Lane Threshold

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	< 6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

The projected daily traffic volume for each movement at the site driveways are shown in Figure 7. The left turn volumes are lower than the GDOT thresholds requiring separate turn lanes. However, the right turn volumes at both driveways exceed the thresholds requiring separate turn lanes.

Figure 7: Projected Daily Traffic Volumes



Capacity Analysis

Capacity analysis was performed for existing and projected conditions using *Synchro 10* software by Trafficware. The results of intersection capacity analyses are reported in terms of Level of Service, which is a function of average delay per vehicle, in seconds. The level of service scale according to the Highway Capacity Manual (HCM) is shown in Table 4.

Table 4: HCM Level of Service Scale

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

Capacity analysis results for the study intersections are summarized in Table 5. This table compares the level of service (LOS) for the existing and projected conditions. The first value in each entry is the level of service followed parenthetically by the average delay per vehicle in seconds.

Table 5: Capacity Analysis Results

INTERSECTION	APPROACH	AM PEAK HOUR		PM PEAK HOUR	
		EXISTING	PROJECTED	EXISTING	PROJECTED
L Fayetteville Rd & Parks Rd	WB - L Fayetteville Rd	A (2.6)	A (2.8)	A (1.9)	A (2.3)
	NB - Parks Rd	E (42.9)	F (58.8)	B (14.3)	C (15.2)
Poplar Rd & Parks Rd	EB - Poplar Rd	A (2.2)	A (2.4)	A (2.6)	A (2.9)
	SB - Parks Rd	C (18.7)	C (22.2)	F (93.7)	F (179.4)
Parks Rd & North Dr	SB – Parks Rd	N/A	A (0.3)	N/A	A (0.6)
	WB – North Drive	N/A	B (10.7)	N/A	B (11.6)
Parks Rd & South Dr	SB – Parks Rd	N/A	A (0.2)	N/A	A (0.4)
	WB – South Drive	N/A	B (10.7)	N/A	B (11.7)

Capacity analysis reports from the *Synchro Program* are provided in Appendix D.

The results shown in Table 5 indicate that additional traffic generated by the subdivision will not appreciably degrade existing conditions, except for the Parks Road northbound approach to Lower Fayetteville Road and the southbound approach to Poplar Road.

The Parks Road approach to Lower Fayetteville Road will increase by about 16 seconds per vehicle during the AM Peak Hour. The delay will increase by less than 1 second per vehicle at this approach during the PM Peak Hour.

The Parks Road approach to Poplar Road will increase by about 86 seconds per vehicle during the PM Peak Hour. The AM Peak Hour delay will increase by about 4 seconds per vehicle.

The results presented above are for the projected volumes without mitigations. The following section presents improvements that will mitigate the impacts of the development.

Mitigations

Capacity analysis was used to identify road improvements that would mitigate the traffic impacts for the Parks Road approaches to Lower Fayetteville Road and to Poplar Road. It was concluded that by adding a separate right turn lane, the projected level of service for the side street approaches at both intersections would improve from existing conditions with the added traffic volume. The delay for the main street approaches would improve by less than 0.5 seconds per vehicle but would operate without degradation in the level of service. The results of the capacity analysis for mitigated conditions are shown in Table 6. This table compares the expected level of service with generated traffic and mitigations to the existing conditions. Capacity analysis reports for the mitigated conditions are provided in Appendix E.

Table 6: Capacity Analysis Results, Mitigated Conditions

INTERSECTION	APPROACH	AM PEAK HOUR		PM PEAK HOUR	
		EXISTING	PROJECTED W/MITIGATIONS	EXISTING	PROJECTED W/MITIGATIONS
L Fayetteville Rd & Parks Rd	WB - L Fayetteville Rd	A (2.6)	A (2.8)	A (1.9)	A (2.3)
	NB - Parks Rd	E (42.9)	E (38)	B (14.3)	B (13.7)
Poplar Rd & Parks Rd	EB - Poplar Rd	A (2.2)	A (2.4)	A (2.6)	A (2.9)
	SB - Parks Rd	C (18.7)	C (16.7)	F (93.7)	E (47.1)

5. Summary of Findings

The proposed development is a residential subdivision with 118 single-family detached lots. The following summarizes the findings of the traffic impact study.

1. The access plan as included in Appendix A is adequate as shown with the following addition:
 - The evaluation of the need for auxiliary turn lanes using GDOT Guidelines indicated that right turn lanes should be provided on Parks Road at both access points.
2. The impacts of the proposed development at the intersection of Lower Fayetteville Road and Parks Road are summarized as follows:
 - The level of service for the main street approaches will remain unchanged with no more than 0.5 seconds added delay for each vehicle.
 - The northbound Parks Road approach will increase by about 16 seconds per vehicle during the AM Peak Hour without mitigation. With the addition of a NB right turn lane, the Parks Road approach will improve from existing conditions during both peak periods.
3. The impacts of the proposed development at the intersection of Poplar Road and Parks Road are summarized as follows:
 - The level of service for the main street approaches will remain unchanged with no more than 0.5 added delay for each vehicle.
 - The southbound Parks Road approach will increase by about 86 seconds per vehicle during the PM Peak Hour without mitigation. With the addition of a SB right turn lane, the Parks Road approach will improve from existing conditions during both peak periods. The PM Peak Period will improve from an LOS F (93.7) to an LOS E (47.1)

6. Recommendations

The following recommendations are made based on the analysis and findings of this study:

1. The following geometric configurations are recommended at the site driveway connections to Parks Road.
 - Add a separate right turn lane on Parks Road with 175' full width and 50' taper.
 - No left turn lane is needed on Parks Road.
 - A single lane approach out of the subdivision is adequate.
2. The following geometric improvements are recommended at the intersection of Lower Fayetteville Road and Parks Road.
 - Add a separate right turn lane on Parks Road with 150' full width and 50' taper.
 - No left turn lane is needed on Lower Fayetteville Road.
3. The following geometric improvements are recommended at the intersection of Poplar Road and Parks Road.
 - Add a separate right turn lane on Parks Road with 100' full width and 50' taper.
 - No left turn lane is needed on Poplar Road.

Appendices

- A. Preliminary Site Plan
- B. TMC Traffic Data
- C. Trip Generation Reports
- D. Capacity Analysis
- E. ICE Analysis

Appendix A

Conceptual Site Plan



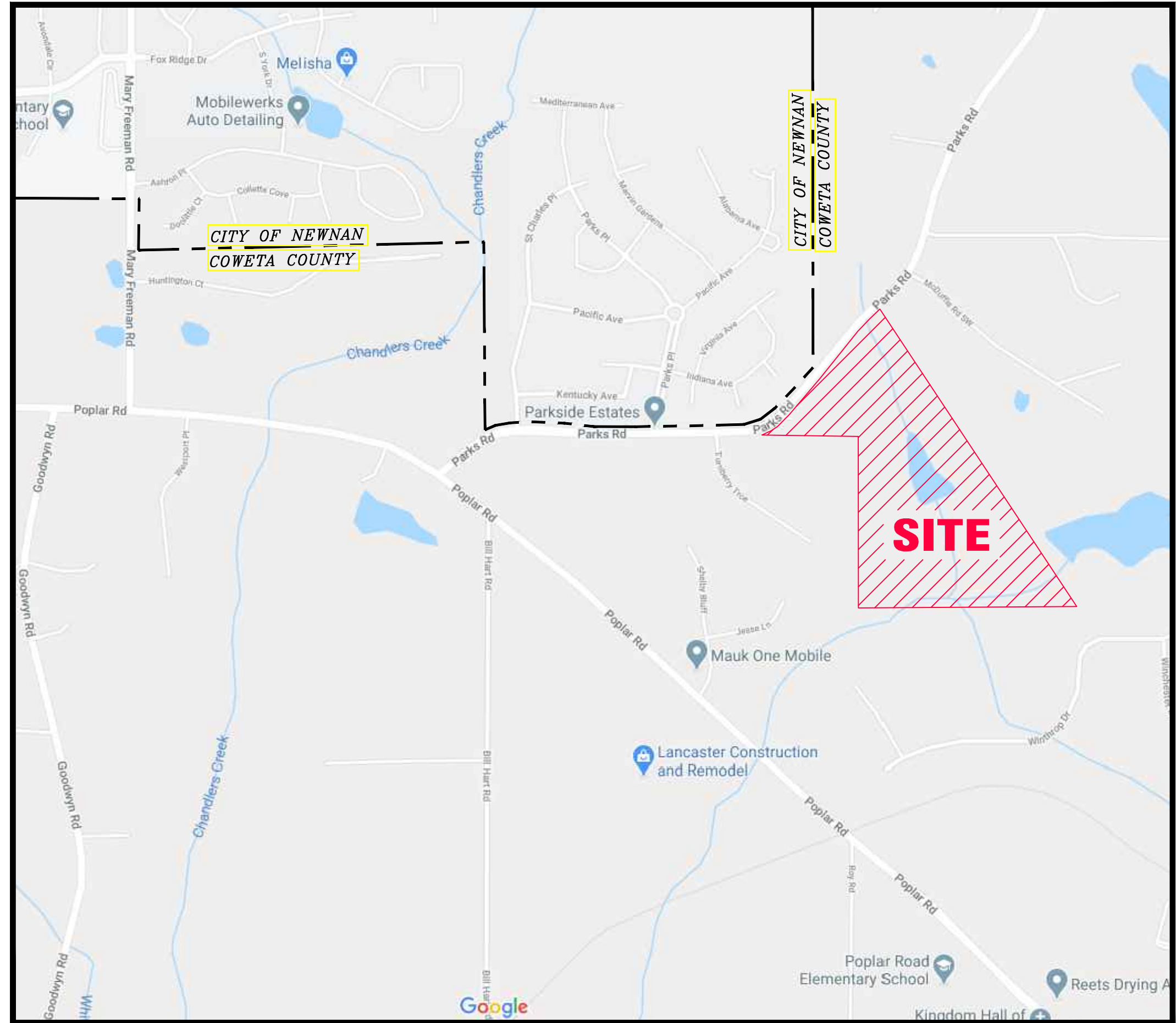
PARKS ROAD

CONCEPTUAL SITE PLAN

LAND LOT 50 – DISTRICT 1

TOTAL AREA = 65.77 ACRES

TAX PARCEL #123 1050 005



LOCATION MAP

PROJECT INFORMATION

- 1) PROPOSED ZONING: RU-7
MAX. DENSITY = 4 UNITS/ACRE = 65.77 X 4 = 263 UNITS
PROPOSED DENSITY = 123 UNITS/65.77 = 1.87 UNITS/ACRE
- 2) DIMENSIONAL REQUIREMENTS:
MIN. LOT SIZE = 7,500 SF (DETACHED)
FRONT SETBACK = 25' (MINOR STREET)
SIDE SETBACK = 10'
REAR SETBACK = 30'
MIN. STREET FRONTAGE = 60' (VARIANCE)
MIN. LOT WIDTH AT FRONT SETBACK LINE = 60' (VARIANCE)
MIN. PRINCIPAL LIVING SPACE = 1,600 SF
MAX. HEIGHT OF STRUCTURE = 40'
MAX. BUILDING LOT COVERAGE = 50%
- 3) OPEN SPACE CALCULATIONS:
MIN. REQUIRED OPEN SPACE = 1000 SF X 123 UNITS = 123,000/43560 = 2.82 ACRES
PROPOSED GROSS OPEN SPACE = 40.79 ACRES
- 4) A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FEMA DESIGNATED SPECIAL FLOOD HAZARD AREA PER MAP PANEL #102071025020 EFFECTIVE DATE FEB. 6, 2013
USF-7 FLOOD ELEVATION SHOWN ON THIS PLAN ARE TAKEN FROM A FLOOD STUDY BY DEWBERRY.
- 5) SOURCE OF TOPOGRAPHY: COMETA COUNTY GIS
DATUM: MEAN SEA LEVEL
- 6) WATER & SEWER SERVICE TO BE PROVIDED BY NEWMAN UTILITIES.

PROPERTY OWNER: _____

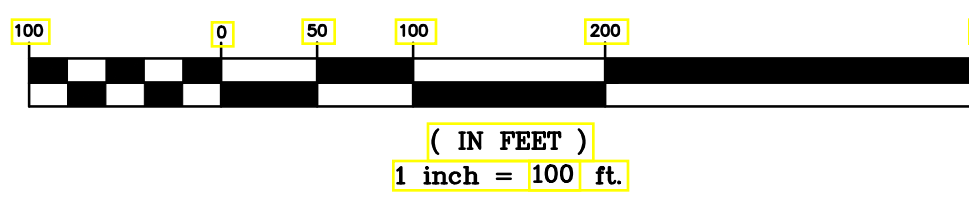
Lucille B. Stephenson Estate
605 Burke Lake Rd., NW
Marietta, GA 30064

PROJECT DEVELOPER

Linchwood Coweta
36 Dorset Ct.
Sharpsburg, GA 30277

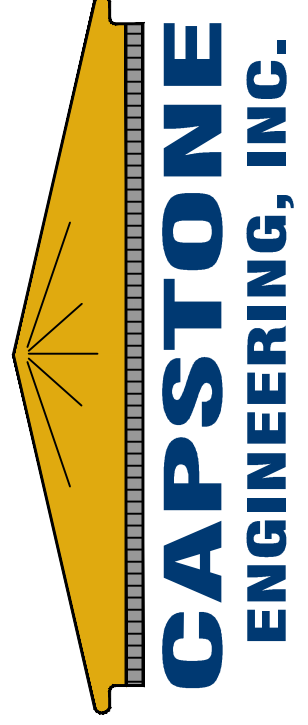
Contact Person: Todd Freeman
(770) 318-8585

GRAPHIC SCALE



Neal Spradlin, P.E.
45 Little Road
Sharpsburg, GA. 30277

phone/fax: 770.502.9748
mobile: 678.859.0514

[illegible]

DATE: 3/20/20

DRAWN BY: MMS

SCALE: 1"= 100'

CONCEPT SITE PLAN

PARKS ROAD

SHEET

1

F
NE

Appendix B

Traffic Count Data





(303) 216-2439
www.alltrafficdata.net

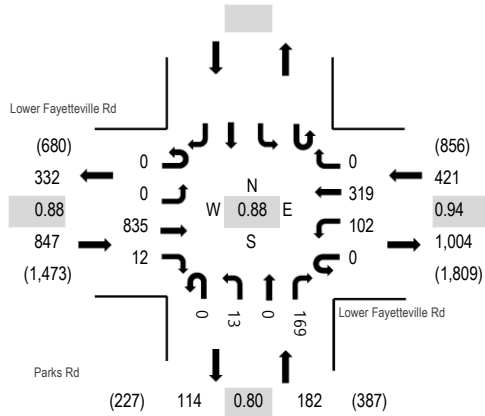
Location: #35 Parks Rd & Lower Fayetteville Rd AM

Date and Start Time: Tuesday, October 8, 2019

Peak Hour: 07:15 AM - 08:15 AM

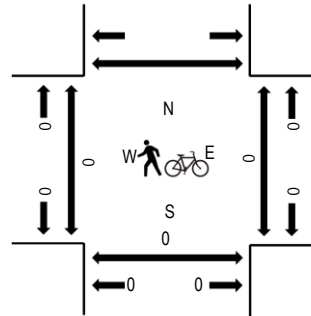
Peak 15-Minutes: 07:30 AM - 07:45 AM

Peak Hour - All Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts

Interval Start Time	Lower Fayetteville Rd Eastbound				Lower Fayetteville Rd Westbound				Parks Rd Northbound				Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
6:00 AM	0	0	34	0	0	0	7	11	0	0	0	0	15				67	429	0	0	0	0
6:15 AM	0	0	35	0	0	0	10	10	0	0	0	0	14				69	544	0	0	0	0
6:30 AM	0	0	66	0	0	0	16	20	0	0	5	0	24				131	763	0	0	0	0
6:45 AM	0	0	89	3	0	0	11	29	0	0	1	0	29				162	1,043	0	0	0	0
7:00 AM	0	0	107	2	0	0	12	28	0	0	3	0	30				182	1,254	0	0	0	0
7:15 AM	0	0	190	1	0	0	21	40	0	0	1	0	35				288	1,450	0	0	0	0
7:30 AM	0	0	237	4	0	0	33	80	0	0	4	0	53				411	1,419	0	0	0	0
7:45 AM	0	0	203	6	0	0	27	91	0	0	2	0	44				373	1,204	0	0	0	0
8:00 AM	0	0	205	1	0	0	21	108	0	0	6	0	37				378	1,033	0	0	0	0
8:15 AM	0	0	109	3	0	0	17	106	0	0	2	0	20				257		0	0	0	0
8:30 AM	0	0	88	1	0	0	14	72	0	0	0	0	21				196		0	0	0	0
8:45 AM	0	0	86	3	0	0	14	58	0	0	3	0	38				202		0	0	0	0

Peak Rolling Hour Flow Rates

Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0					0
Lights	0	0	813	8	0	100	302	0	0	13	0	166					1,402
Mediums	0	0	22	4	0	2	17	0	0	0	0	3					48
Total	0	0	835	12	0	102	319	0	0	13	0	169					1,450



(303) 216-2439
www.alltrafficdata.net

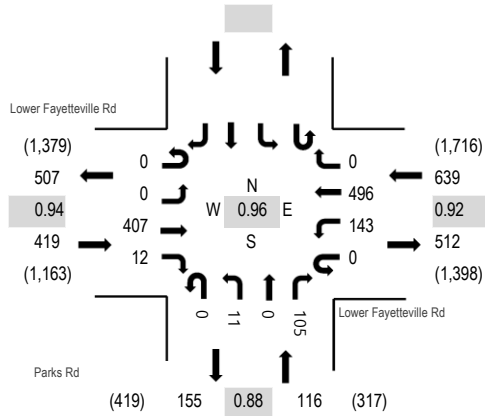
Location: #35 Parks Rd & Lower Fayetteville Rd PM

Date and Start Time: Tuesday, October 8, 2019

Peak Hour: 05:00 PM - 06:00 PM

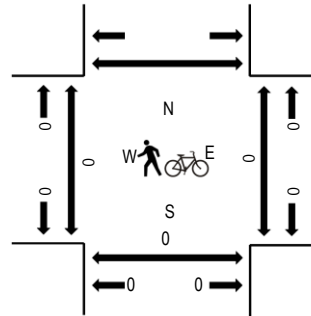
Peak 15-Minutes: 05:00 PM - 05:15 PM

Peak Hour - All Vehicles



Note: Total study counts contained in parentheses.

Peak Hour - Pedestrians/Bicycles in Crosswalk



Traffic Counts

Interval Start Time	Lower Fayetteville Rd Eastbound				Lower Fayetteville Rd Westbound				Parks Rd Northbound				Southbound				Total	Rolling Hour	Pedestrian Crossings			
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			West	East	South	North
4:00 PM	0	0	90	5	0	30	142	0	0	2	0	25					294	1,115	0	0	0	0
4:15 PM	0	0	95	6	0	24	114	0	0	0	0	27					266	1,127	0	0	0	0
4:30 PM	0	0	106	5	0	37	110	0	0	3	0	21					282	1,144	0	0	0	0
4:45 PM	0	0	91	6	0	31	115	0	0	4	0	26					273	1,157	0	0	0	0
5:00 PM	0	0	107	3	0	35	139	0	0	2	0	20					306	1,174	0	0	0	0
5:15 PM	0	0	93	3	0	41	116	0	0	1	0	29					283	1,137	0	0	0	0
5:30 PM	0	0	106	5	0	33	124	0	0	1	0	26					295	1,082	0	0	0	0
5:45 PM	0	0	101	1	0	34	117	0	0	7	0	30					290	1,001	0	0	0	0
6:00 PM	0	0	84	1	0	27	121	0	0	6	0	30					269	907	0	0	0	0
6:15 PM	0	0	94	8	0	21	77	0	0	1	0	27					228		0	0	0	0
6:30 PM	0	0	70	5	0	30	93	0	0	0	0	16					214		0	0	0	0
6:45 PM	0	0	73	5	0	23	82	0	0	2	0	11					196		0	0	1	0

Peak Rolling Hour Flow Rates

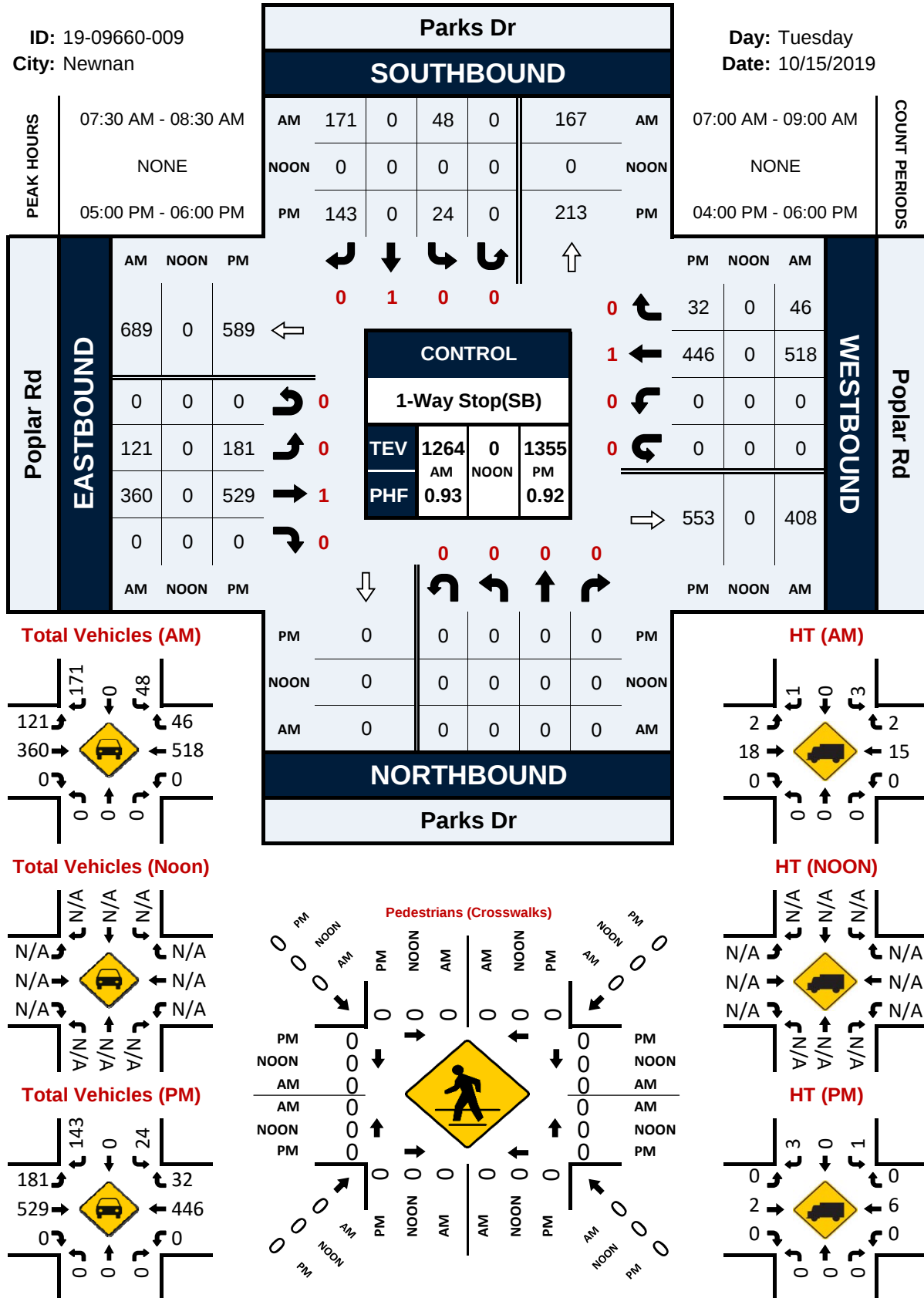
Vehicle Type	Eastbound				Westbound				Northbound				Southbound				Total
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	
Articulated Trucks	0	0	1	0	0	0	0	0	0	0	0	0					1
Lights	0	0	402	12	0	143	493	0	0	11	0	105					1,166
Mediums	0	0	4	0	0	0	3	0	0	0	0	0					7
Total	0	0	407	12	0	143	496	0	0	11	0	105					1,174

Parks Dr & Poplar Rd

Peak Hour Turning Movement Count

ID: 19-09660-009
City: Newnan

Day: Tuesday
Date: 10/15/2019



VOLUME

Parks Dr N/O Poplar Rd

Day: Tuesday
Date: 10/15/2019City: Newnan
Project #: GA19_9661_004

DAILY TOTALS					NB	SB	EB					WB	Total
					1,713	1,648						0	0
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL		
00:00	4	1			5	12:00	25	22			47		
00:15	1	1			2	12:15	21	24			45		
00:30	2	0			2	12:30	18	18			36		
00:45	0	7	2	4	2	12:45	10	74	25	89	35		
01:00	3	2			5	13:00	33	19			52		
01:15	0	1			1	13:15	19	14			33		
01:30	0	0			0	13:30	21	20			41		
01:45	2	5	1	4	3	13:45	15	88	25	78	40		
02:00	1	0			1	14:00	29	30			59		
02:15	1	1			2	14:15	22	25			47		
02:30	0	2			2	14:30	25	38			63		
02:45	0	2	1	4	1	14:45	39	115	19	112	58		
03:00	1	2			3	15:00	22	14			36		
03:15	0	2			2	15:15	27	22			49		
03:30	0	0			0	15:30	27	33			60		
03:45	0	1	1	5	1	15:45	42	118	45	114	87		
04:00	1	0			1	16:00	35	23			58		
04:15	1	2			3	16:15	33	32			65		
04:30	6	0			6	16:30	48	29			77		
04:45	2	10	4	6	6	16:45	51	167	39	123	90		
05:00	2	2			4	17:00	56	41			97		
05:15	6	4			10	17:15	59	42			101		
05:30	4	6			10	17:30	50	46			96		
05:45	3	15	9	21	12	17:45	45	210	39	168	84		
06:00	6	16			22	18:00	44	33			77		
06:15	8	17			25	18:15	42	28			70		
06:30	8	26			34	18:30	24	14			38		
06:45	18	40	24	83	42	18:45	28	138	26	101	54		
07:00	23	44			67	19:00	20	18			38		
07:15	35	43			78	19:15	29	12			41		
07:30	42	71			113	19:30	15	19			34		
07:45	65	165	52	210	117	19:45	25	89	12	61	37		
08:00	38	42			80	20:00	19	12			31		
08:15	15	45			60	20:15	20	11			31		
08:30	22	23			45	20:30	19	6			25		
08:45	21	96	16	126	37	20:45	14	72	10	39	24		
09:00	14	19			33	21:00	11	2			13		
09:15	13	20			33	21:15	8	3			11		
09:30	24	42			66	21:30	13	5			18		
09:45	23	74	18	99	41	21:45	10	42	4	14	14		
10:00	21	19			40	22:00	12	7			19		
10:15	15	16			31	22:15	7	2			9		
10:30	10	20			30	22:30	2	3			5		
10:45	21	67	17	72	38	22:45	4	25	7	19	11		
11:00	24	19			43	23:00	3	3			6		
11:15	17	21			38	23:15	4	2			6		
11:30	19	29			48	23:30	2	0			2		
11:45	23	83	20	89	43	23:45	1	10	2	7	3		
TOTALS	565	723			1288	TOTALS	1148	925			2073		
SPLIT %	43.9%	56.1%			38.3%	SPLIT %	55.4%	44.6%			61.7%		

DAILY TOTALS				NB	SB	EB				WB	Total			
				1,713	1,648					0				
AM Peak Hour	07:15	07:00			07:15	PM Peak Hour	16:45	16:45			16:45			
AM Pk Volume	180	210			388	PM Pk Volume	216	168			384			
Pk Hr Factor	0.692	0.739			0.829	Pk Hr Factor	0.915	0.913			0.950			
7 - 9 Volume	261	336	0	0	597	4 - 6 Volume	377	291	0	0	668			
7 - 9 Peak Hour	07:15	07:00			07:15	4 - 6 Peak Hour	16:45	16:45			16:45			
7 - 9 Pk Volume	180	210	0	0	388	4 - 6 Pk Volume	216	168	0	0	384			
Pk Hr Factor	0.692	0.739	0.000	0.000	0.829	Pk Hr Factor	0.915	0.913	0.000	0.000	0.950			

Appendix C

Trip Generation Report



Trip Generation Summary

Alternative: Alternative 1

Phase:

Project: Parks Rd Subdivision

Open Date: 7/15/2020

Analysis Date: 7/15/2020

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		★	Enter	Exit	Total	★	Enter	Exit	Total	★	Enter	Exit	Total
210	SFHOUSE 1		557	557	1114		22	65	87		74	43	117
	118 Dwelling Units												
Unadjusted Volume			557	557	1114		22	65	87		74	43	117
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			557	557	1114		22	65	87		74	43	117

Total Weekday Average Daily Trips Internal Capture = 0 Percent

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

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

★ - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

Appendix D

Capacity Analysis Reports



Intersection						
Int Delay, s/veh	6.7					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	835	12	102	319	13	169
Future Vol, veh/h	835	12	102	319	13	169
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	88	88	94	94	80	80
Heavy Vehicles, %	3	33	2	5	0	0
Mvmt Flow	949	14	109	339	16	211
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	963	0	1513	956
Stage 1	-	-	-	-	956	-
Stage 2	-	-	-	-	557	-
Critical Hdwy	-	-	4.12	-	5.8	5.9
Critical Hdwy Stg 1	-	-	-	-	4.8	-
Critical Hdwy Stg 2	-	-	-	-	4.8	-
Follow-up Hdwy	-	-	2.218	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	715	-	172	342
Stage 1	-	-	-	-	442	-
Stage 2	-	-	-	-	634	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	715	-	140	342
Mov Cap-2 Maneuver	-	-	-	-	140	-
Stage 1	-	-	-	-	442	-
Stage 2	-	-	-	-	515	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		2.6		42.9	
HCM LOS					E	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	310	-	-	715	-	
HCM Lane V/C Ratio	0.734	-	-	0.152	-	
HCM Control Delay (s)	42.9	-	-	10.9	0	
HCM Lane LOS	E	-	-	B	A	
HCM 95th %tile Q(veh)	5.4	-	-	0.5	-	

Intersection						
Int Delay, s/veh	3.7					
Movement	EBL	EBT	WBT	WBR	SWL	SWR
Lane Configurations						
Traffic Vol, veh/h	121	360	446	32	24	143
Future Vol, veh/h	121	360	446	32	24	143
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	18	15	2	3	1
Mvmt Flow	130	387	480	34	26	154
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	514	0	-	0	1144	497
Stage 1	-	-	-	-	497	-
Stage 2	-	-	-	-	647	-
Critical Hdwy	4.12	-	-	-	6.43	6.21
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.218	-	-	-	3.527	3.309
Pot Cap-1 Maneuver	1052	-	-	-	220	575
Stage 1	-	-	-	-	609	-
Stage 2	-	-	-	-	519	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1052	-	-	-	185	575
Mov Cap-2 Maneuver	-	-	-	-	185	-
Stage 1	-	-	-	-	513	-
Stage 2	-	-	-	-	519	-
Approach	EB	WB		SW		
HCM Control Delay, s	2.2	0		18.7		
HCM LOS				C		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBRSWLn1		
Capacity (veh/h)	1052	-	-	-	-	441
HCM Lane V/C Ratio	0.124	-	-	-	-	0.407
HCM Control Delay (s)	8.9	0	-	-	-	18.7
HCM Lane LOS	A	A	-	-	-	C
HCM 95th %tile O(veh)	0.4	-	-	-	-	1.9

Intersection						
Int Delay, s/veh	2.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	407	12	143	496	11	105
Future Vol, veh/h	407	12	143	496	11	105
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	94	94	92	92	88	88
Heavy Vehicles, %	1	0	0	1	0	0
Mvmt Flow	433	13	155	539	13	119
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	446	0	1289	440
Stage 1	-	-	-	-	440	-
Stage 2	-	-	-	-	849	-
Critical Hdwy	-	-	4.1	-	5.8	5.9
Critical Hdwy Stg 1	-	-	-	-	4.8	-
Critical Hdwy Stg 2	-	-	-	-	4.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1125	-	226	645
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	487	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1125	-	181	645
Mov Cap-2 Maneuver	-	-	-	-	181	-
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	391	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		1.9		14.3	
HCM LOS					B	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	519	-	-	1125	-	
HCM Lane V/C Ratio	0.254	-	-	0.138	-	
HCM Control Delay (s)	14.3	-	-	8.7	0	
HCM Lane LOS	B	-	-	A	A	
HCM 95th %tile Q(veh)	1	-	-	0.5	-	

Intersection						
Int Delay, s/veh	14.9					
Movement	EBL	EBT	WBT	WBR	SWL	SWR
Lane Configurations						
Traffic Vol, veh/h	181	529	518	46	48	171
Future Vol, veh/h	181	529	518	46	48	171
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	18	15	2	3	1
Mvmt Flow	197	575	563	50	52	186
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	613	0	-	0	1557	588
Stage 1	-	-	-	-	588	-
Stage 2	-	-	-	-	969	-
Critical Hdwy	4.12	-	-	-	6.43	6.21
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.218	-	-	-	3.527	3.309
Pot Cap-1 Maneuver	966	-	-	-	123	511
Stage 1	-	-	-	-	553	-
Stage 2	-	-	-	-	367	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	966	-	-	-	86	511
Mov Cap-2 Maneuver	-	-	-	-	86	-
Stage 1	-	-	-	-	387	-
Stage 2	-	-	-	-	367	-
Approach	EB	WB		SW		
HCM Control Delay, s	2.5	0		93.7		
HCM LOS				F		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBRSWLn1		
Capacity (veh/h)	966	-	-	- 245		
HCM Lane V/C Ratio	0.204	-	-	- 0.972		
HCM Control Delay (s)	9.7	0	-	- 93.7		
HCM Lane LOS	A	A	-	- F		
HCM 95th %tile Q(veh)	0.8	-	-	- 9		

Intersection						
Int Delay, s/veh	9.9					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	835	13	111	319	15	195
Future Vol, veh/h	835	13	111	319	15	195
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	88	88	94	94	80	80
Heavy Vehicles, %	3	33	2	5	0	0
Mvmt Flow	949	15	118	339	19	244

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	964
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	714
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	714
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2.8	58.8
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	307	-	-	714	-
HCM Lane V/C Ratio	0.855	-	-	0.165	-
HCM Control Delay (s)	58.8	-	-	11	0
HCM Lane LOS	F	-	-	B	A
HCM 95th %tile Q(veh)	7.5	-	-	0.6	-

Intersection

Int Delay, s/veh 4.9

Movement	EBL	EBT	WBT	WBR	SWL	SWR
Lane Configurations						
Traffic Vol, veh/h	131	360	446	34	32	172
Future Vol, veh/h	131	360	446	34	32	172
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	18	15	2	3	1
Mvmt Flow	141	387	480	37	34	185

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	517	0	0 1168 499
Stage 1	-	-	- 499 -
Stage 2	-	-	- 669 -
Critical Hdwy	4.12	-	- 6.43 6.21
Critical Hdwy Stg 1	-	-	- 5.43 -
Critical Hdwy Stg 2	-	-	- 5.43 -
Follow-up Hdwy	2.218	-	- 3.527 3.309
Pot Cap-1 Maneuver	1049	-	- 213 574
Stage 1	-	-	- 608 -
Stage 2	-	-	- 507 -
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	1049	-	- 177 574
Mov Cap-2 Maneuver	-	-	- 177 -
Stage 1	-	-	- 504 -
Stage 2	-	-	- 507 -

Approach	EB	WB	SW
HCM Control Delay, s	2.4	0	22.2
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBRSWLn1
Capacity (veh/h)	1049	-	-	- 425
HCM Lane V/C Ratio	0.134	-	-	- 0.516
HCM Control Delay (s)	9	0	-	- 22.2
HCM Lane LOS	A	A	-	- C
HCM 95th %tile Q(veh)	0.5	-	-	- 2.9

Intersection						
Int Delay, s/veh	0.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W	W	N	N	S	S
Traffic Vol, veh/h	16	12	160	5	4	188
Future Vol, veh/h	16	12	160	5	4	188
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	175	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	82	82	82	82	82	82
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	20	15	195	6	5	229
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	434	195	0	0	201	0
Stage 1	195	-	-	-	-	-
Stage 2	239	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	579	846	-	-	1371	-
Stage 1	838	-	-	-	-	-
Stage 2	801	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	577	846	-	-	1371	-
Mov Cap-2 Maneuver	577	-	-	-	-	-
Stage 1	838	-	-	-	-	-
Stage 2	798	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	10.7	0	0.2			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	668	1371	-	
HCM Lane V/C Ratio	-	-	0.051	0.004	-	
HCM Control Delay (s)	-	-	10.7	7.6	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0.2	0	-	

Intersection						
Int Delay, s/veh	1.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		↑	↑		↑
Traffic Vol, veh/h	21	16	165	7	6	167
Future Vol, veh/h	21	16	165	7	6	167
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	175	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	82	82	82	82	82	82
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	26	20	201	9	7	204
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	419	201	0	0	210	0
Stage 1	201	-	-	-	-	-
Stage 2	218	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	591	840	-	-	1361	-
Stage 1	833	-	-	-	-	-
Stage 2	818	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	587	840	-	-	1361	-
Mov Cap-2 Maneuver	587	-	-	-	-	-
Stage 1	833	-	-	-	-	-
Stage 2	813	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	10.7	0	0.3			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	675	1361	-	
HCM Lane V/C Ratio	-	-	0.067	0.005	-	
HCM Control Delay (s)	-	-	10.7	7.7	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0.2	0	-	

Intersection						
Int Delay, s/veh	3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	407	14	173	496	12	122
Future Vol, veh/h	407	14	173	496	12	122
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	94	94	92	92	88	88
Heavy Vehicles, %	1	0	0	1	0	0
Mvmt Flow	433	15	188	539	14	139
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	448	0	1356	441
Stage 1	-	-	-	-	441	-
Stage 2	-	-	-	-	915	-
Critical Hdwy	-	-	4.1	-	5.8	5.9
Critical Hdwy Stg 1	-	-	-	-	4.8	-
Critical Hdwy Stg 2	-	-	-	-	4.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1123	-	208	644
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	458	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1123	-	158	644
Mov Cap-2 Maneuver	-	-	-	-	158	-
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	349	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		2.3		15.2	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	505	-	-	1123	-	
HCM Lane V/C Ratio	0.302	-	-	0.167	-	
HCM Control Delay (s)	15.2	-	-	8.8	0	
HCM Lane LOS	C	-	-	A	A	
HCM 95th %tile Q(veh)	1.3	-	-	0.6	-	

Intersection

Int Delay, s/veh 29.4

Movement EBL EBT WBT WBR SWL SWR

Lane Configurations 

Traffic Vol, veh/h 214 529 518 55 53 191

Future Vol, veh/h 214 529 518 55 53 191

Conflicting Peds, #/hr 0 0 0 0 0 0

Sign Control Free Free Free Free Stop Stop

RT Channelized - None - None - None

Storage Length - - - - 0 -

Veh in Median Storage, # - 0 0 - 0 -

Grade, % - 0 0 - 0 -

Peak Hour Factor 92 92 92 92 92 92

Heavy Vehicles, % 2 18 15 2 3 1

Mvmt Flow 233 575 563 60 58 208

Major/Minor Major1 Major2 Minor2

Conflicting Flow All 623 0 - 0 1634 593

Stage 1 - - - - 593 -

Stage 2 - - - - 1041 -

Critical Hdwy 4.12 - - - 6.43 6.21

Critical Hdwy Stg 1 - - - - 5.43 -

Critical Hdwy Stg 2 - - - - 5.43 -

Follow-up Hdwy 2.218 - - - 3.527 3.309

Pot Cap-1 Maneuver 958 - - - 111 507

Stage 1 - - - - 550 -

Stage 2 - - - - 339 -

Platoon blocked, % - - - -

Mov Cap-1 Maneuver 958 - - - 71 507

Mov Cap-2 Maneuver - - - - 71 -

Stage 1 - - - - 354 -

Stage 2 - - - - 339 -

Approach EB WB SW

HCM Control Delay, s 2.9 0 179.4

HCM LOS F

Minor Lane/Major Mvmt EBL EBT WBT WBR SWLn1

Capacity (veh/h) 958 - - - 217

HCM Lane V/C Ratio 0.243 - - - 1.222

HCM Control Delay (s) 10 0 - - 179.4

HCM Lane LOS A A - - F

HCM 95th %tile Q(veh) 1 - - - 13.4

Intersection						
Int Delay, s/veh	0.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W	R	T	T	S	S
Traffic Vol, veh/h	11	8	251	18	14	233
Future Vol, veh/h	11	8	251	18	14	233
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	175	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	9	285	20	16	265
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	582	285	0	0	305	0
Stage 1	285	-	-	-	-	-
Stage 2	297	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	475	754	-	-	1256	-
Stage 1	763	-	-	-	-	-
Stage 2	754	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	468	754	-	-	1256	-
Mov Cap-2 Maneuver	468	-	-	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	743	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	11.7	0	0.4			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	557	1256	-	
HCM Lane V/C Ratio	-	-	0.039	0.013	-	
HCM Control Delay (s)	-	-	11.7	7.9	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	

Intersection						
Int Delay, s/veh	0.8					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	14	10	235	24	18	219
Future Vol, veh/h	14	10	235	24	18	219
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	175	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	11	267	27	20	249
Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	556	267	0	0	294	0
Stage 1	267	-	-	-	-	-
Stage 2	289	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	492	772	-	-	1268	-
Stage 1	778	-	-	-	-	-
Stage 2	760	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	483	772	-	-	1268	-
Mov Cap-2 Maneuver	483	-	-	-	-	-
Stage 1	778	-	-	-	-	-
Stage 2	746	-	-	-	-	-
Approach	WB		NB		SB	
HCM Control Delay, s	11.6		0		0.6	
HCM LOS	B					
Minor Lane/Major Mvmt		NBT	NBRWBLn1	SBL	SBT	
Capacity (veh/h)		-	-	572	1268	-
HCM Lane V/C Ratio		-	-	0.048	0.016	-
HCM Control Delay (s)		-	-	11.6	7.9	0
HCM Lane LOS		-	-	B	A	A
HCM 95th %tile Q(veh)		-	-	0.1	0	-

Appendix E

Capacity Analysis Reports, Mitigated Conditions



Intersection						
Int Delay, s/veh	6.7					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	835	13	111	319	15	195
Future Vol, veh/h	835	13	111	319	15	195
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	150
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	88	88	94	94	80	80
Heavy Vehicles, %	3	33	2	5	0	0
Mvmt Flow	949	15	118	339	19	244
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	964	0	1532	957
Stage 1	-	-	-	-	957	-
Stage 2	-	-	-	-	575	-
Critical Hdwy	-	-	4.12	-	5.8	5.9
Critical Hdwy Stg 1	-	-	-	-	4.8	-
Critical Hdwy Stg 2	-	-	-	-	4.8	-
Follow-up Hdwy	-	-	2.218	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	714	-	168	341
Stage 1	-	-	-	-	441	-
Stage 2	-	-	-	-	624	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	714	-	134	341
Mov Cap-2 Maneuver	-	-	-	-	134	-
Stage 1	-	-	-	-	441	-
Stage 2	-	-	-	-	497	-
Approach	EB	WB		NB		
HCM Control Delay, s	0	2.8		38		
HCM LOS	E					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	134	341	-	-	714	-
HCM Lane V/C Ratio	0.14	0.715	-	-	0.165	-
HCM Control Delay (s)	36.2	38.1	-	-	11	0
HCM Lane LOS	E	E	-	-	B	A
HCM 95th %tile Q(veh)	0.5	5.3	-	-	0.6	-

Intersection						
Int Delay, s/veh	3.9					
Movement	EBL	EBT	WBT	WBR	SWL	SWR
Lane Configurations						
Traffic Vol, veh/h	131	360	446	34	32	172
Future Vol, veh/h	131	360	446	34	32	172
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	100
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	18	15	2	3	1
Mvmt Flow	141	387	480	37	34	185
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	517	0	-	0	1168	499
Stage 1	-	-	-	-	499	-
Stage 2	-	-	-	-	669	-
Critical Hdwy	4.12	-	-	-	6.43	6.21
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.218	-	-	-	3.527	3.309
Pot Cap-1 Maneuver	1049	-	-	-	213	574
Stage 1	-	-	-	-	608	-
Stage 2	-	-	-	-	507	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1049	-	-	-	177	574
Mov Cap-2 Maneuver	-	-	-	-	177	-
Stage 1	-	-	-	-	504	-
Stage 2	-	-	-	-	507	-
Approach	EB	WB		SW		
HCM Control Delay, s	2.4	0		16.7		
HCM LOS	C					
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SWLn1	SWLn2
Capacity (veh/h)	1049	-	-	-	177	574
HCM Lane V/C Ratio	0.134	-	-	-	0.194	0.322
HCM Control Delay (s)	9	0	-	-	30.2	14.2
HCM Lane LOS	A	A	-	-	D	B
HCM 95th %tile O(veh)	0.5	-	-	-	0.7	1.4

Intersection						
Int Delay, s/veh	2.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	407	14	173	496	12	122
Future Vol, veh/h	407	14	173	496	12	122
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	4	-	-	-3	-3	-
Peak Hour Factor	94	94	92	92	88	88
Heavy Vehicles, %	1	0	0	1	0	0
Mvmt Flow	433	15	188	539	14	139
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	448	0	1356	441
Stage 1	-	-	-	-	441	-
Stage 2	-	-	-	-	915	-
Critical Hdwy	-	-	4.1	-	5.8	5.9
Critical Hdwy Stg 1	-	-	-	-	4.8	-
Critical Hdwy Stg 2	-	-	-	-	4.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1123	-	208	644
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	458	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1123	-	158	644
Mov Cap-2 Maneuver	-	-	-	-	158	-
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	349	-
Approach	EB	WB		NB		
HCM Control Delay, s	0	2.3		13.7		
HCM LOS	B					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	158	644	-	-	1123	-
HCM Lane V/C Ratio	0.086	0.215	-	-	0.167	-
HCM Control Delay (s)	29.9	12.1	-	-	8.8	0
HCM Lane LOS	D	B	-	-	A	A
HCM 95th %tile Q(veh)	0.3	0.8	-	-	0.6	-

Intersection						
Int Delay, s/veh	8.7					
Movement	EBL	EBT	WBT	WBR	SWL	SWR
Lane Configurations						
Traffic Vol, veh/h	214	529	518	55	53	191
Future Vol, veh/h	214	529	518	55	53	191
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	100
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	18	15	2	3	1
Mvmt Flow	233	575	563	60	58	208
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	623	0	-	0	1634	593
Stage 1	-	-	-	-	593	-
Stage 2	-	-	-	-	1041	-
Critical Hdwy	4.12	-	-	-	6.43	6.21
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.218	-	-	-	3.527	3.309
Pot Cap-1 Maneuver	958	-	-	-	111	507
Stage 1	-	-	-	-	550	-
Stage 2	-	-	-	-	339	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	958	-	-	-	71	507
Mov Cap-2 Maneuver	-	-	-	-	71	-
Stage 1	-	-	-	-	354	-
Stage 2	-	-	-	-	339	-
Approach	EB	WB		SW		
HCM Control Delay, s	2.9	0		47.1		
HCM LOS				E		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBRSWLn1SWLn2		
Capacity (veh/h)	958	-	-	-	71	507
HCM Lane V/C Ratio	0.243	-	-	-	0.811	0.409
HCM Control Delay (s)	10	0	-	-	155.8	16.9
HCM Lane LOS	A	A	-	-	F	C
HCM 95th %tile Q(veh)	1	-	-	-	3.9	2



**NEWNAN POLICE DEPARTMENT
CITY OF NEWNAN**

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

09/24/2020

Reference: Annexation Parks Road (Linchwood Coweta, LLC

Dear Tracy,

After reviewing call history for similar subdivisions, it is estimated that there will be an increase of approximately 286 calls for this development.

After reviewing the request, we do not see an impact on providing service to this area.

Thanks.

**Douglas L. Meadows
Chief of Police
Newnan Police Department**



NEWNAN FIRE DEPARTMENT

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



Stephen R. Brown, Fire Chief

September 24, 2020

To: Tracy Dunnavant

I have reviewed your request concerning the annexation of: 65.77 + acres off Parks Road

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

We pulled the statistics for the last 2 years of the following similar complexes:

138 Greison Trail (The Preserves) – 41 calls

The Highlands – 31 calls

Harper Farmers – 17 calls

Thank you,


Stephen Brown
Newnan Fire Chief

September 25, 2020

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

REF: Proposed Annexation, 65.77 +/- Acres located off of Parks Road – Parcel 123 1050 005

Dear Ms. Dunnavant,

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

1. The City of Newnan approves the annexation of the proposed property as shown in Exhibit "A".
2. Parcel Number 123 1050 005
3. 65.77 +/- Acres
4. Sanitary Sewer:
 - a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
 - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Design and Construction of development sanitary sewer system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.
 - iii. Cost for analyzing existing sanitary sewer system by an engineer firm approved by Newnan Utilities.
 - iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades, sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
 - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
 - vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.
5. Water:

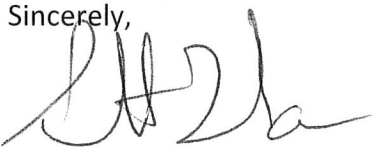
- a. Developer shall connect to Newnan Utilities Water System.
- b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Construction of development water system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan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

6. Other Considerations: at developers/owners expense

- a. Develop/Owner may need to consider connecting to Newnan Utilities Water inside of the Parkside Village Subdivision
- b. Developer/Owner may need to consider installing a meter pit off Coweta County Water, to supply water to the proposed subdivision, along with creating a loop feed with the Parkside Village water system.
- c. Developer/Owner may need to consider design and construct a sewer lift station and forcemain to handle the flow requirements of the existing Parkside Village Lift Station, along with the proposed development.
- d. Developer/Owner may need to consider design and construct a gravity system to handle the flow from the Parkside Village Lift Station.
- e. The developer may need to consider to check the capacity of Newnan Utilities Foxridge Lift Station.

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

Sincerely,



Scott Tolar, P.E.
Newnan Utilities

Coweta County School System

170 Werz Industrial Blvd.
Newnan, GA 30263
Phone: 770-254-2750

October 6, 2020

Tracy Dunnavant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Annexation Request Annex_Parks Road, Linchwood Coweta, LLC

Ms. Dunnavant:

We have reviewed the application for annexation for the above-referenced development and offer the following comments based on the information provided:

This application request annexation to the City of Newnan under RU-7 zoning (118 units). This may present challenges when planning for school enrollment and meeting student needs. Due to the high density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes:

What is the construction schedule for the project?

What is the proposed build-out timeline?

Will the project be built in phases?

Will there be a targeted market, e.g., senior citizens?

Thank you for the opportunity to provide feedback.

Sincerely,

Ronnie Cheek

Ronald C. Cheek
Director of Facilities
Coweta County Schools
(770)254-2750 x203
ronnie.cheek@cowetaschools.net

cc: Vince Bass



The City of Newnan, Georgia

Public Works Department

Engineering Department Review

ANNEXATION REQUEST:
Linchwood Coweta, LLC

Parks Road
(Tax ID: 123-1050-005)
65.77 total acres

Environmental Concerns:

1. The development plan shall follow and comply fully with the Metro North Georgia Water Planning District Development Standards.
2. All streams, wetlands and other environmentally sensitive areas such as floodplain, floodway, and cemeteries shall be field delineated and located within open space.
3. State waters buffers shall be 50 feet as measured from the point of wrested vegetation and shall be delineated in the field, with an additional 25 foot impervious surface setback.
4. A portion of this tract is affected by the 100 year floodplain and future floodplain. Development plans will need to show the location of the floodplain and future floodplain and establish base flood elevations as per the floodplain management ordinance.
5. Any existing wells or septic tanks that may be on the site will need to be identified and properly closed or removed.

Access, Layout, and Road Concerns:

1. Coweta County will have review and permit authority for the entrances and any required improvements to Parks Road. The City will require right turn lanes at each entrance at a minimum.
2. ADA compliant five (5) foot sidewalks shall be provided on both sides of the roads throughout the community and along Parks Road where this development fronts Parks Road.

3. All open spaces shall be ADA compliant and shall include connectivity to the public right of way including the mail kiosk.

Trip Generation Existing Zoning:

This **existing site** is zoned RC with 6 points which would allow a conservation subdivision design (CSD) development with up to 38 possible lots under the Coweta County Regulations. Trip generation for this site with 38 lots calculated using ITE Trip Generation Manual, 9th edition would be as follows:

Single-Family Detached Housing: 38 homes

- a. Weekday : 9.52/unit = 362 vpd
- b. Weekday peak AM hour: .77/unit = 29 vph
- c. Weekday peak PM hour: 1.02 /unit = 39 vph
- d. Sunday: 8.62/unit = 328 vpd
- e. Saturday 9.91/ unit = 377 vpd

Trip Generation Proposed Zoning:

This proposed zoning of Ru-7 would allow up to 106 detached residential homes, on 65.77 acres. Anticipated trips generated from the proposed project using ITE Trip Generation Manual, 9th edition are as follows:

Single-Family Detached Housing: 106 homes

- a. Weekday : 9.52/unit = 1,009 vpd
- b. Weekday peak AM hour: .77/unit = 82 vph
- c. Weekday peak PM hour: 1.02 /unit = 108 vph
- d. Sunday: 8.62/unit = 914 vpd
- e. Saturday 9.91/ unit = 1,050 vpd

TRAFFIC GENERATION SUMMARY

DAY	Existing Zoning Trips Estimate	Proposed Zoning Trips Estimate	Difference
WEEKDAY (vpd)	362	1,009	+647
WEEKDAY AM PEAK (vph)	29	82	+53
WEEKDAY PM PEAK (vph)	39	108	+69
SUNDAY	328	914	+586
SATURDAY	377	1050	+673



Chairman, Paul Poole, District 1
Tim Lassetter, District 2
Bob Blackburn, District 3
Rodney Brooks, District 4
Al Smith, District 5
Michael D. Fouts, County Administrator

VIA EMAIL to tdunnavant@cityofnewnan.org

October 13, 2020

City of Newnan
Attn: Planning Commission
25 LaGrange Street
Newnan, Georgia 30263

RE: Linchwood Coweta, LLC Annexation Objection

Dear Chairman Smith and Planning Commissioners:

On behalf of the Coweta County Board of Commissioners, please consider this letter as part of the public record seeking your consideration to deny the annexation petition filed by Linchwood Coweta, LLC. In addition to the Notice of Objection dated June 9, 2020 enclosed on page 48 of your October 13, 2020 Agenda Book, the County would submit the following timeline of actions for your consideration.

- On May 14th, the City of Newnan notified Coweta County of its intent to annex approximately 65+/- acres on Parks Road into the city limits based on an application from a residential developer, Linchwood Coweta, LLC.
- On June 2nd, the Board of Commissioners unanimously voted to object to the proposed annexation based on the significant increase in infrastructure costs related to the proposed density. The Notice of Objection was provided to the City on June 9th.
- On June 11th, the City, County, and the applicant's representative, Melissa Griffis, (the "parties") met to discuss the objection, including the County's request for the applicant to contribute \$352,897 towards the unfunded infrastructure costs. The applicant's representative requested additional time to perform a traffic study prior to deciding if the applicant would contribute to the infrastructure costs. In an effort to preserve the annexation procedures which require empaneling the arbitration panel within 15 calendar days in accordance with O.C.G.A. 36-36-114, the parties settled on executing a Consent Agreement (Enclosure).
- On August 4th, the parties met to review and discuss the traffic study completed by the applicant's consultant engineer. As evidenced in the traffic study report enclosed on pages 36-82 in your Agenda Book, the engineer's findings warrant transportation improvements as a result of the proposed development at the intersections of Poplar Road and Parks Road and Parks Road and Lower Fayetteville Road. The value of constructing the right turn lanes recommended in the traffic study is estimated to cost

between \$280,000 and \$350,000. Therefore, instead of the applicant constructing the recommended right turn lanes, the County revised its initial request from \$352,897 to equal the value of these right turn lanes. The requested contribution would help offset unfunded transportation improvements at Poplar Road and Parks Road and Parks Road and Lower Fayetteville Road totaling an estimated \$3.2 million. The applicant's representative indicated that the applicant is only willing to contribute \$60,000 towards the infrastructure costs.

- On August 7th, the applicant's representative notified the City and County of their desire to terminate the Consent Agreement and proceed with appointing the arbitration panel.
- On August 10th, the County submitted a request to the Georgia Department of Community Affairs ("DCA") to initiate the arbitration panel (Enclosure).
- On August 13th, DCA notified the City and County that the request for arbitration was void due to the request being submitted beyond the 15th calendar day in accordance with O.C.G.A 36-36-112 (Enclosure).
- Following DCA's response, the County made multiple attempts to seek further review and consideration of DCA's decision based on the Consent Agreement to defer the arbitration request in order for the applicant to complete the traffic study.

In summary, notwithstanding the decision by the Georgia Department of Community Affairs, the Coweta County Board of Commissioners believes that the agreed upon procedures by all parties and the intent of the annexation procedures in State law, including O.C.G.A. 36-36-119 to negotiate in good faith throughout the annexation proceedings have not been satisfied in the best interests of the citizens of Coweta County. The Board of Commissioners respectfully requests that you deny the requested annexation petition by Linchwood Coweta, LLC unless the approval of the annexation and zoning application is conditioned on the applicant contributing \$300,000 towards the construction of transportation improvements necessary to serve applicant's development at the intersections of Poplar Road and Parks Road and Parks Road and Lower Fayetteville Road. To approve this annexation petition without requiring the applicant to contribute towards transportation improvements directly impacted (reduced levels of service) by its development, the City places the financial burden of these improvements on all Coweta citizens. The Board of Commissioners strongly objects to a developer benefiting at the expense of the citizens and asks the City to require the applicant to pay its fair share as outlined above or deny the petition.

Thank you for your consideration and for your public service provided to our community as a member of the Planning Commission.

Best regards,



Michael Fouts
County Administrator

Enclosures

**CONSENT AGREEMENT FOR TIME EXTENSION BETWEEN COWETA
COUNTY, GEORGIA, THE CITY OF NEWNAN, GEORGIA, AND
LINCHWOOD COWETA, LLC
REGARDING AN ANNEXATION DISPUTE**

THIS CONSENT AGREEMENT, entered into as of this 16th day of JUNE, 2020 between and among **COWETA COUNTY**, a political subdivision of the State of Georgia, hereinafter called “the County”, the **CITY OF NEWNAN**, Georgia, a municipal corporation of the State of Georgia, hereinafter called “the City”, and **LINCHWOOD COWETA, LLC**, hereinafter called “the Applicant”.

W I T N E S S E T H

WHEREAS, the Applicant has contracted to purchase and develop 65.77 acres located on Parks Road, Newnan, Georgia, identified as Tax Map Parcel Number 123 1050 005 (the “Property”); and

WHEREAS, Applicant has filed an annexation petition with the City to annex the Property into the City limits; and

WHEREAS, the City provided the County notice of its intent to annex on May 14, 2020; and

WHEREAS, the County timely filed its notice of objection dated June 10, 2020; and

WHEREAS, in accordance with O.C.G.A. §36-36-114 requires an Arbitration Panel be appointed no later than the fifteenth day following the City's receipt of the objection; and

WHEREAS, representatives of the City, County, and Applicant met to discuss the objection on June 11, 2020, which relates to increased infrastructure costs for improvements to the intersection of Parks Road, with Poplar Road and Lower Fayetteville Road, and have determined that additional time is needed to determine the traffic impact generated by the Property and to give the City and Applicant time to review and respond; and

WHEREAS, the City, County, and the Applicant have determined that is in the best interests of the parties to consent to an extension of appointment of the Arbitration Panel for a period of forty-five (45) business days from receipt of the notice of objection.

NOW THEREFORE, for and in consideration of the mutual undertakings hereinafter contained, the County, the City and the Applicant hereby agree to extend the time to appoint an Arbitration Panel in accordance to O.C.G.A. §36-36-114 to August 12, 2020. If at any time during the forty-five (45) day period, any party determines that the annexation dispute is not being resolved, this Consent Agreement can be terminated by written notice and the Arbitration Panel shall be appointed fifteen (15) days after the date of the termination notice.

IN WITNESS WHEREOF, the parties have, by and through their duly authorized officer, hereunto set their hands and affixed their seals the day and year first above written.

ATTEST:

Della Hill
City Clerk

CITY OF NEWNAN, GEORGIA

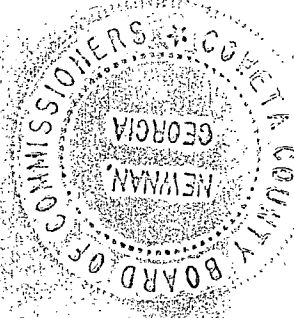
[Signature] (seal)
Mayor

Acknowledged

Clinton Phung
City Manager

ATTEST: Paul Pool
Chairman
Board of Commissioners of
Coweta County, Georgia

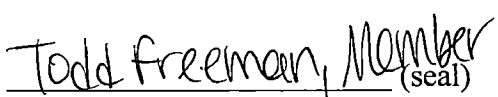
COWETA COUNTY, GEORGIA
M. J. [Signature] (seal)
County Administrator
Coweta County, Georgia



ATTEST:

LINCHWOOD COWETA, LLC


_____ (seal)


_____ (seal)

Subject: Request for Arbitration Panel
Date: Monday, August 10, 2020 at 6:02:56 PM Eastern Daylight Time
From: Fouts, Michael
To: pemd.opqga@dca.ga.gov
CC: cphillips@cityofnewnan.org, melissa@newnanlaw.com, Jerry Ann Conner, Brad Sears
BCC: Mickle, Kelly, Zerangue, Shannon, Amason, Jonathan, White, Angela
Attachments: HB2A Linchwood Coweta LLC Annexation.pdf

Dear Department of Community Affairs:

Please accept the attached DCA form (HB2A) and supporting documentation regarding a Request for Arbitration Panel.

In addition to the representatives for the City and the Owner/Applicant, the City and County Attorneys are copied on this correspondence for knowledge of the request.

Please contact my office if you have any questions. Thank you for consideration and processing our request in accordance with DCA guidelines.

Best regards,
Michael

Michael Fouts
County Administrator
Coweta County Board of Commissioners
22 East Broad Street
Newnan, GA 30263
mfouts@coweta.ga.us
<http://www.coweta.ga.us>
(770) 254-2601

Subject: Coweta v. Newnan: Annexation Arbitration Request (Parks Road)
Date: Thursday, August 13, 2020 at 4:23:02 PM Eastern Daylight Time
From: Juli M Yoder
To: Poole, Paul K, kbrady@cityofnewnan.org
CC: PEMD OPQG Administration, Kyle Hood, Rusty Haygood, cphillips@cityofnewnan.org, melissa@newnanlaw.com, Jerry Ann Conner, Brad Sears, Fouts, Michael, Tracy Dunnavant
Attachments: image001.png, image002.jpg, image003.jpg, image004.jpg, image005.jpg, image006.jpg, HB2A Linchwood Coweta LLC Annexation.pdf

Chairman Poole and Mayor Brady,

The Department of Community Affairs has reviewed the materials provided by Coweta County related to its objection to the annexation of the parcel on Parks Road.

USPS tracking information indicates that the City's initial notification of annexation was delivered to the County on May 18th, 2020. [USPS](#) tracking information indicates that the County's notice of objection was received by the City on June 12th, 2020.

O.C.G.A. § 36-36-114(a) requires that an arbitration panel be appointed, no later than the 15th calendar day following the date the municipal corporation receives notice of the county's objection. The 15th calendar day from June 12th, 2020, was June 27th, 2020. DCA was first notified of the arbitration request August 10th, 2020, and received all of the necessary documentation required for an arbitration request on August 12th, 2020 (the 60th day after June 12).

Unfortunately, in accordance with applicable statute, the untimely request for annexation arbitration sent to DCA makes the request for arbitration void. The Georgia Department of Community Affairs must respectfully decline to appoint a panel in this matter.

Regards,

--Juli Yoder



Learn more about our commitment to [fair housing](#).



Juli Yoder, AICP

Planner | Local & Intergovernmental Programs
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, Georgia 30329

Direct 404-327-6860
Cell 404-273-1959
juli.yoder@dca.ga.gov

WARNING: This email originated outside of the Coweta County Email System. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

MARY JO BYRD, AS TRUSTEE OF THE RESIDUARY
TRUST UNDER THE LAST WILL & TESTAMENT OF
LUCILLE B. STEPHENS
65.77 acres, located off Parks Road
Land Lots 18, 50 and 51, 1st Land District, Coweta
County, Georgia
Tax Parcel #123 1050 005

**ORDINANCE TO ANNEX TO THE EXISTING CORPORATE LIMITS OF THE CITY OF
NEWNAN, 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 18, 50 and 51 of the 1st Land District of Coweta County, Georgia, containing 65.77 acres and being more particularly described on Exhibit "A" attached hereto 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 revised concept plan, density, project data, amenities, proffered conditions and elevation provided as part of the application, portions of which are attached hereto as Exhibit "C".
2. The City will require right turn lanes at each entrance from Parks road into the subdivision.
3. The subdivision will be limited to 106 units.

BE IT FURTHER ORDAINED that said property annexed be zoned RU-7 (Urban Residential Single-Family Dwelling-High Density 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 1.

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 _____, 2020 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

George M. Alexander, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

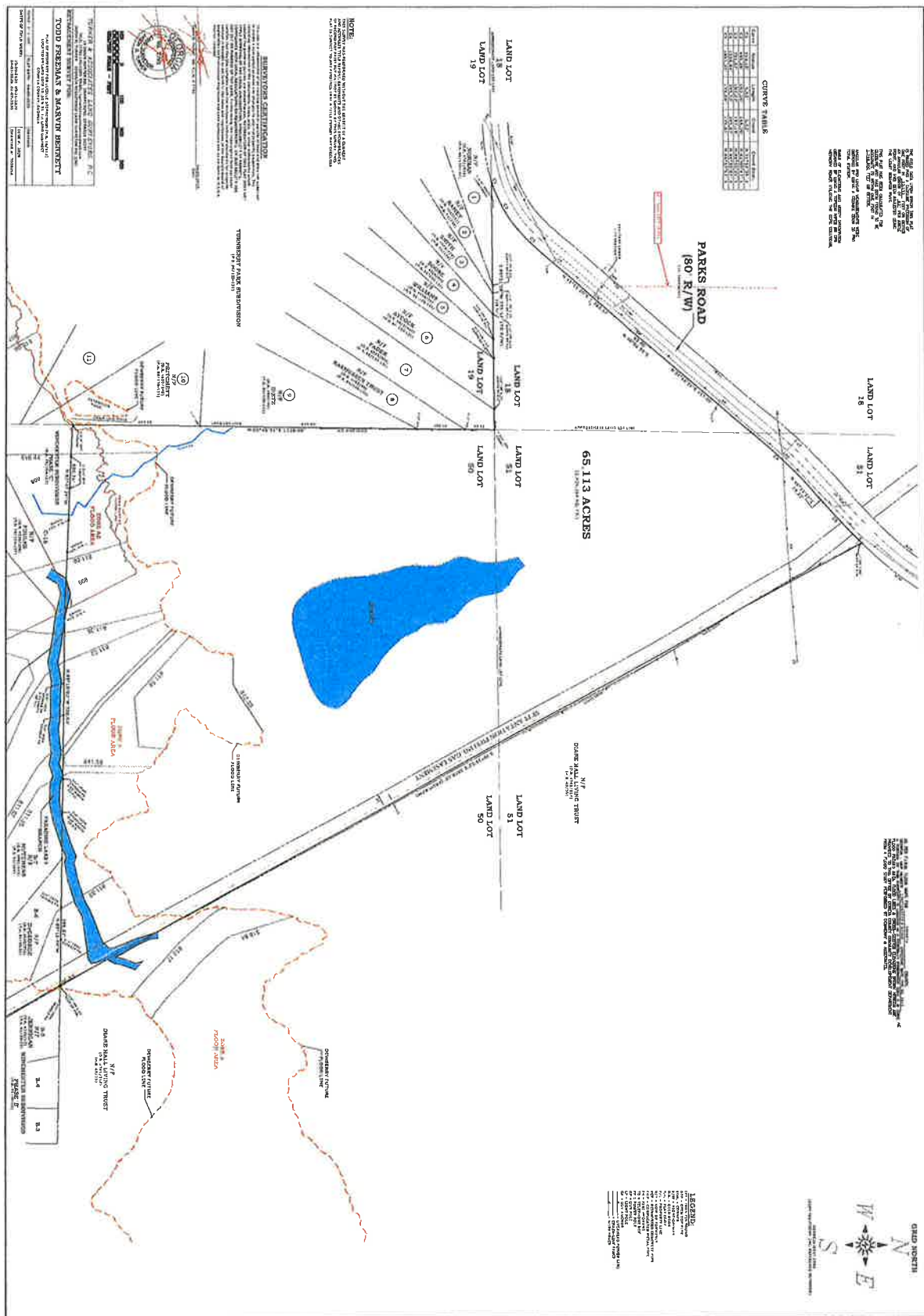
EXHIBIT	<u>A</u>
PAGE	<u>1</u> OF <u>1</u>

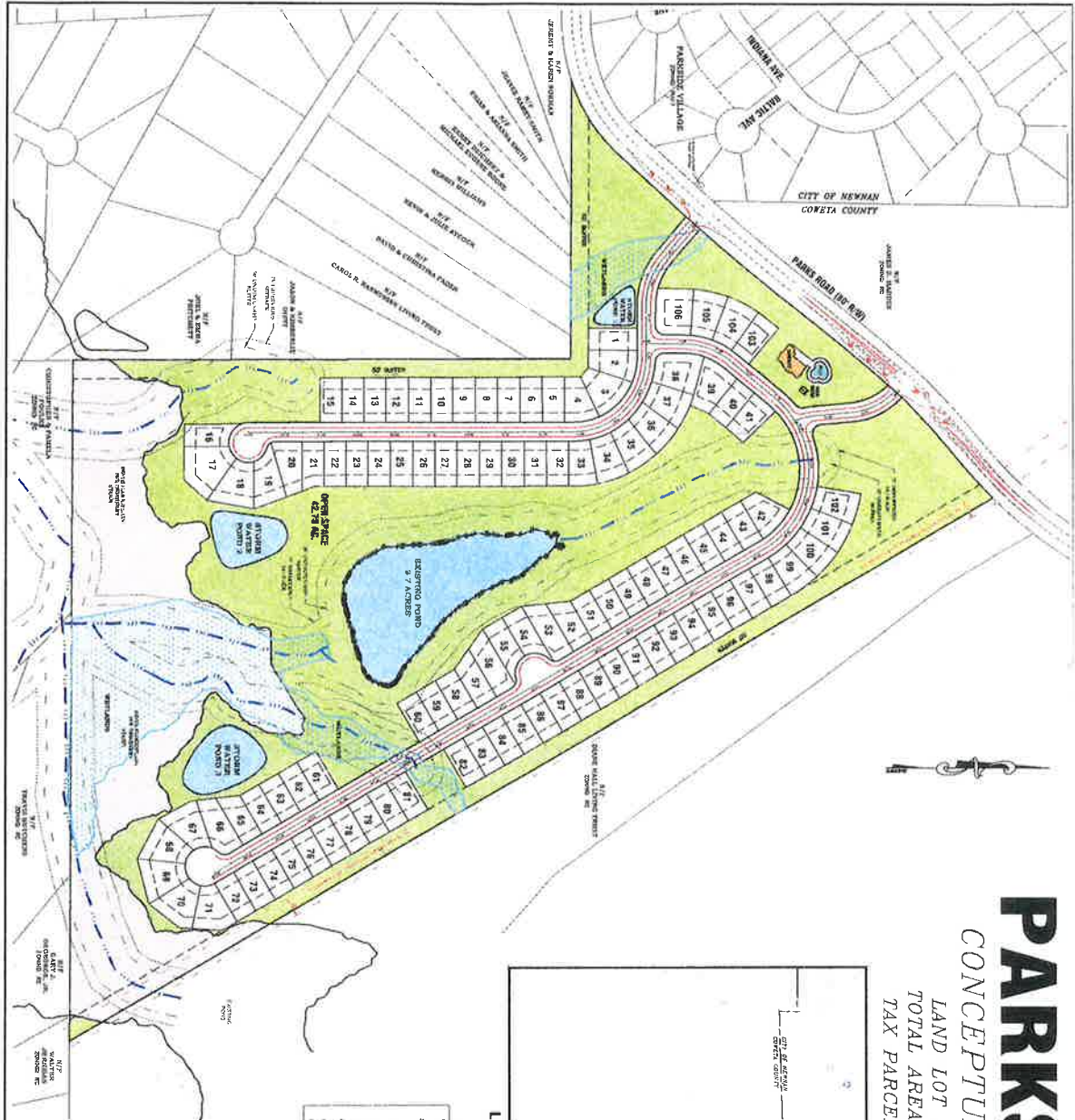
LEGAL DESCRIPTION

A certain tract or parcel of land, situate, lying and being in Land Lots 18, 50 and 51 of the First Land District, Coweta County, Georgia, containing 65.774 acres and more particularly described as follows:

BEGIN at an iron pin marking the Southeast corner of Land Lot 18 and from said iron run thence South 88 degrees 59 minutes West 773.38 feet to the Right of Way of Parks Road; thence North 43 degrees 39 minutes 40 seconds East 494.40 feet along the Southeasterly Right of Way of Parks Road to a point; thence continuing North 43 degrees 50 minutes East 1126.37 feet along the Southeasterly Right of Way of Parks Road to an iron pin; thence South 29 degrees 02 minutes 20 seconds East 2874.24 feet to an iron pin; thence North 89 degrees 39 minutes 40 seconds West 1147.40 feet to an iron pin; thence North 88 degrees 15 minutes West 605.88 feet to an iron pin located on the West line of Land Lot 50; thence North 0 degrees 24 minutes 40 seconds East 1331.25 feet along the West line of Land Lot 50 to an iron pin and the point of beginning.

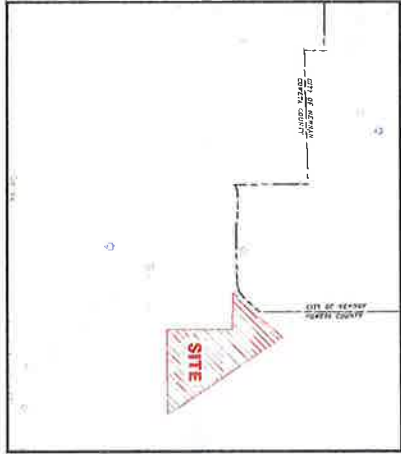
Said tract is more particularly identified according to plat of survey made by T. Y. Mattox, dated 3-30-72 and revised May 18, 1972, and of record in Plat Book 16, Page 113, Office of the Clerk, Coweta Superior Court.





PARKS ROAD

CONCEPTUAL SITE PLAN
LAND LOT 50 - DISTRICT 1
TOTAL AREA = 65.77 ACRES
TAX PARCEL #123 1050 005



LOCATION MAP

PROJECT INFORMATION:

1. **STRENGTH II** *Nov.*
1940-41. *Nov. 1941* *Nov. 1942* *Nov. 1943*
1944-45. *Nov. 1946* *Nov. 1947* *Nov. 1948*
1949-50. *Nov. 1951* *Nov. 1952* *Nov. 1953*
1954-55. *Nov. 1956* *Nov. 1957* *Nov. 1958*
1959-60. *Nov. 1961* *Nov. 1962* *Nov. 1963*
1964-65. *Nov. 1966* *Nov. 1967* *Nov. 1968*
1969-70. *Nov. 1971* *Nov. 1972* *Nov. 1973*
1974-75. *Nov. 1976* *Nov. 1977* *Nov. 1978*
1979-80. *Nov. 1981* *Nov. 1982* *Nov. 1983*
1984-85. *Nov. 1986* *Nov. 1987* *Nov. 1988*
1989-90. *Nov. 1991* *Nov. 1992* *Nov. 1993*
1994-95. *Nov. 1996* *Nov. 1997* *Nov. 1998*
1999-00. *Nov. 2001* *Nov. 2002* *Nov. 2003*
2004-05. *Nov. 2006* *Nov. 2007* *Nov. 2008*
2009-10. *Nov. 2011* *Nov. 2012* *Nov. 2013*
2014-15. *Nov. 2016* *Nov. 2017* *Nov. 2018*
2019-20. *Nov. 2021* *Nov. 2022* *Nov. 2023*
2024-25. *Nov. 2026* *Nov. 2027* *Nov. 2028*
2029-30. *Nov. 2031* *Nov. 2032* *Nov. 2033*
2034-35. *Nov. 2036* *Nov. 2037* *Nov. 2038*
2039-40. *Nov. 2041* *Nov. 2042* *Nov. 2043*
2044-45. *Nov. 2046* *Nov. 2047* *Nov. 2048*
2049-50. *Nov. 2051* *Nov. 2052* *Nov. 2053*
2054-55. *Nov. 2056* *Nov. 2057* *Nov. 2058*
2059-60. *Nov. 2061* *Nov. 2062* *Nov. 2063*
2064-65. *Nov. 2066* *Nov. 2067* *Nov. 2068*
2069-70. *Nov. 2071* *Nov. 2072* *Nov. 2073*
2074-75. *Nov. 2076* *Nov. 2077* *Nov. 2078*
2079-80. *Nov. 2081* *Nov. 2082* *Nov. 2083*
2084-85. *Nov. 2086* *Nov. 2087* *Nov. 2088*
2089-90. *Nov. 2091* *Nov. 2092* *Nov. 2093*
2094-95. *Nov. 2096* *Nov. 2097* *Nov. 2098*
2099-00. *Nov. 2101* *Nov. 2102* *Nov. 2103*
2104-05. *Nov. 2106* *Nov. 2107* *Nov. 2108*
2109-10. *Nov. 2111* *Nov. 2112* *Nov. 2113*
2114-15. *Nov. 2116* *Nov. 2117* *Nov. 2118*
2119-20. *Nov. 2121* *Nov. 2122* *Nov. 2123*
2124-25. *Nov. 2126* *Nov. 2127* *Nov. 2128*
2129-30. *Nov. 2131* *Nov. 2132* *Nov. 2133*
2134-35. *Nov. 2136* *Nov. 2137* *Nov. 2138*
2139-40. *Nov. 2141* *Nov. 2142* *Nov. 2143*
2144-45. *Nov. 2146* *Nov. 2147* *Nov. 2148*
2149-50. *Nov. 2151* *Nov. 2152* *Nov. 2153*
2154-55. *Nov. 2156* *Nov. 2157* *Nov. 2158*
2159-60. *Nov. 2161* *Nov. 2162* *Nov. 2163*
2164-65. *Nov. 2166* *Nov. 2167* *Nov. 2168*
2169-70. *Nov. 2171* *Nov. 2172* *Nov. 2173*
2174-75. *Nov. 2176* *Nov. 2177* *Nov. 2178*
2179-80. *Nov. 2181* *Nov. 2182* *Nov. 2183*
2184-85. *Nov. 2186* *Nov. 2187* *Nov. 2188*
2189-90. *Nov. 2191* *Nov. 2192* *Nov. 2193*
2194-95. *Nov. 2196* *Nov. 2197* *Nov. 2198*
2199-00. *Nov. 2201* *Nov. 2202* *Nov. 2203*
2204-05. *Nov. 2206* *Nov. 2207* *Nov. 2208*
2209-10. *Nov. 2211* *Nov. 2212* *Nov. 2213*
2214-15. *Nov. 2216* *Nov. 2217* *Nov. 2218*
2219-20. *Nov. 2221* *Nov. 2222* *Nov. 2223*
2224-25. *Nov. 2226* *Nov. 2227* *Nov. 2228*
2229-30. *Nov. 2231* *Nov. 2232* *Nov. 2233*
2234-35. *Nov. 2236* *Nov. 2237* *Nov. 2238*
2239-40. *Nov. 2241* *Nov. 2242* *Nov. 2243*
2244-45. *Nov. 2246* *Nov. 2247* *Nov. 2248*
2249-50. *Nov. 2251* *Nov. 2252* *Nov. 2253*
2254-55. *Nov. 2256* *Nov. 2257* *Nov. 2258*
2259-60. *Nov. 2261* *Nov. 2262* *Nov. 2263*
2264-65. *Nov. 2266* *Nov. 2267* *Nov. 2268*
2269-70. *Nov. 2271* *Nov. 2272* *Nov. 2273*
2274-75. *Nov. 2276* *Nov. 2277* *Nov. 2278*
2279-80. *Nov. 2281* *Nov. 2282* *Nov. 2283*
2284-85. *Nov. 2286* *Nov. 2287* *Nov. 2288*
2289-90. *Nov. 2291* *Nov. 2292* *Nov. 2293*
2294-95. *Nov. 2296* *Nov. 2297* *Nov. 2298*
2299-00. *Nov. 2301* *Nov. 2302* *Nov. 2303*
2304-05. *Nov. 2306* *Nov. 2307* *Nov. 2308*
2309-10. *Nov. 2311* *Nov. 2312* *Nov. 2313*
2314-15. *Nov. 2316* *Nov. 2317* *Nov. 2318*
2319-20. *Nov. 2321* *Nov. 2322* *Nov. 2323*
2324-25. *Nov. 2326* *Nov. 2327* *Nov. 2328*
2329-30. *Nov. 2331* *Nov. 2332* *Nov. 2333*
2334-35. *Nov. 2336* *Nov. 2337* *Nov. 2338*
2339-40. *Nov. 2341* *Nov. 2342* *Nov. 2343*
2344-45. *Nov. 2346* *Nov. 2347* *Nov. 2348*
2349-50. *Nov. 2351* *Nov. 2352* *Nov. 2353</*

<u>PROPERTY OWNER:</u> Lucille B. Stephenson Estate 605 Bayle Lake Rd., NW Marietta, GA 30064	<u>PROJECT DEVELOPER:</u> Lynchwood Concord 36 Dorset Ct. Stamphur, GA 30277
Contact Person: Todd Freeman (770) 318-8585	



SHEET 1 OF	PARKS ROAD			REV.	DATE	DESCRIPTION			Neal Spradlin, P.E. 45 Latta Road Sharpsburg, GA 30211 Phone: 770-285-0800 Mobile: 770-285-0111
	CONCEPT SITE PLAN								
	DATE: 9/25/20	DRAWN BY: MWS	SCALE: 1" = 100'						



EXHIBIT C
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EXHIBIT C
PAGE 6 OF 7



Linchwood Coweta

- Residential single-family homes of 2000-3000 square feet
- Upgrades throughout the homes as selected by the homeowners
- Custom-built home atmosphere in the neighborhood
- Amenity center with pool
- Walking trails

MARY JO BYRD, AS TRUSTEE OF THE
RESIDUARY TRUST UNDER THE LAST WILL &
TESTAMENT OF LUCILLE B. STEPHENS
65.77 acres, located off Parks Road
Land Lots 18, 50 and 51, 1st Land District,
Coweta County, Georgia
Tax Parcel #123 1050 005

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOTS 18, 50 AND 51 OF THE 1st LAND DISTRICT
IDENTIFIED AS 65.77 ACRES OFF PARKS ROAD IN THE CITY OF NEWNAN,
GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone the property described on Exhibit "A" attached hereto identified as 65.77 acres located off Parks Road in Land Lots 18, 50 and 51, 1st Land District, Coweta County, Georgia, and shown on Plat of Survey for Todd Freeman and Marvin Bennett attached hereto as Exhibit "B", from the County Zoning Classification RC (Rural Conservation) to the City of Newnan Zoning Classification RU-7 (Urban Residential Single-Family Dwelling District-High Density) ; 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 24th day of November, 2020; and

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

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

Section I. That the property described on Exhibit "A" attached hereto and shown on Plat of Survey for Todd Freeman and Marvin Bennett, attached hereto as Exhibit "B", containing 65.77 acres attached hereto and by reference made a part hereof be rezoned City of Newnan Zoning Classification RU-7 (Urban Residential Single-Family Dwelling District-High Density) subject to the following conditions:

1. The Project will be consistent with the revised concept plan, density, project data, amenities, proffered conditions and elevation provided as part of the application, portions of which are attached hereto as Exhibit "C".
2. The City will require right turn lanes at each entrance from Parks Road into the subdivision.
3. The subdivision will be limited to 106 units.

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

Section III. This ordinance shall be effective upon adoption.

DONE, RATIFIED, and PASSED, by the City Council of the City of Newnan, Georgia, this the ____ day of _____, 2020 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

George M. Alexander, Mayor Pro-Tem

Reviewed:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Rhodes Shell, Councilmember

Ray DuBose, Councilmember

Clayton Hicks, Councilmember

Dustin Koritko, Councilmember

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

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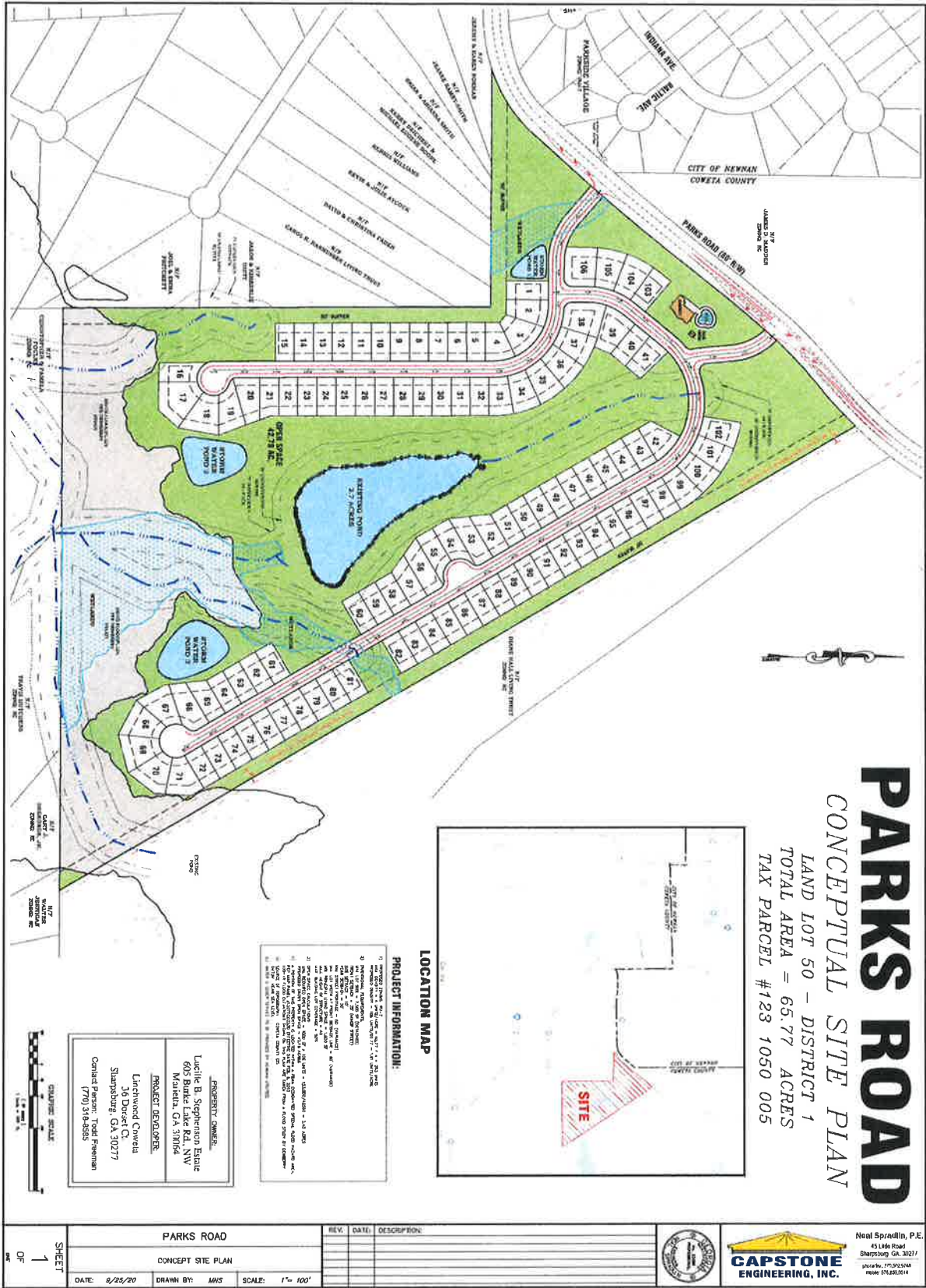




EXHIBIT C
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EXHIBIT 2
PAGE 4 OF 7





EXHIBIT C
PAGE 6 OF 7



Linchwood Coweta

- Residential single-family homes of 2000-3000 square feet
- Upgrades throughout the homes as selected by the homeowners
- Custom-built home atmosphere in the neighborhood
- Amenity center with pool
- Walking trails

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).