



Newnan City Council Meeting

SEPTEMBER 13, 2022

Newnan City Hall
Richard A. Bolin Council Chambers
25 LaGrange Street
2:30 PM

CALL TO ORDER

INVOCATION

READING OF MINUTES

- [A.](#) Minutes from Regular Meeting on August 23, 2022
- [B.](#) Minutes from Special Called Meeting on August 30, 2022

REPORTS OF BOARDS AND COMMISSIONS

- C. 1 Appointment - Newnan Youth Activities, 3 year term
- D. 1 Appointment - Keep Newnan Beautiful, 3 year term
- E. 1 Appointment - Cultural Arts Commission, 3 year term
- F. 9 Appointments - Ethics Commission, 2 year term
- [G.](#) Annual Report - Downtown Development Authority

REPORTS ON OPERATIONS BY CITY MANAGER

- H. Presentation on Local Option Sales Tax (LOST)

REPORTS AND COMMUNICATIONS FROM MAYOR

- I. Proclamation for Constitution Week 2022

NEW BUSINESS

- J. Presentation of 2022 AGC Build Georgia Award
- [K.](#) Public Hearing- Application for Alcohol Beverage License - AA Newnan LLC dba Newnan Food Mart - Retail on Premise (Package) Sales of Malt Beverages and Wine - 2 Franklin Rd. - Reason: New Owner/New License
- [L.](#) Presentation of FY2023 Newnan Centre Budget
- [M.](#) Consideration of Intergovernmental Agreement with Coweta County to Purchase WestNet First-In Fire Station Alerting System
- [N.](#) Consideration of Request to Abandon Public Right of Way - Portion of Pope Street
- [O.](#) Information Only - Consideration of zoning ordinance amendments and to refer to Planning Commission
- [P.](#) Rezoning Request for RZ2022-11 by Sprayberry's Barbecue, Inc.; 1.25 acres +/- located at 30 Amlajack Boulevard (Tax Parcel 097-5077-016); requested change in CHV (Heavy Commercial District) conditions associated with recent annexation - asking to reduce a highway sign's setbacks from interstate property and side property lines.- For Information Only.
- [Q.](#) Rezoning Request for RZ2022-12 by Southern Development, LLC.; 3.3 acres +/- located at 420 Jefferson Street (Tax Parcel N57D-096); requested change from RS-15 (Suburban Residential Single-Family Dwelling District), to CGN (General Commercial District) - asking to develop a "food service container building".- For Information Only.

- R. Rezoning Request for RZ2022-10 by Daniel Lichty on behalf of Moranna Construction, Inc.; .970± acres located at 170 LaGrange Street (Tax Parcel #N28 004B); From RS-15 to RU-7 – For Information Only
- S. Annexation Request for Annex2022-06 by George Rosenzweig on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC; 163.61± acres located on Green Top Road (Tax Parcels # 085 5086 001, 085 5107 002, 085 5086 003 and the southern portion of 085 5107 003); Requested zoning of PDR (Planned Residential Development District) – Decision on Referral to Planning Commission
- T. Consideration of Adoption of City Council 2022 Retreat Report

UNFINISHED BUSINESS

- U. Consideration of Entering into an Agreement with a Qualified Firm to provide Residential Refuse and Recycling Services beginning January 1, 2023
- V. Consideration of Entering into an Agreement with a Qualified Firm to provide Solid Waste Business Management Software Services
- W. Consideration of Due Diligence Agreement and Letter of Intent for 57 East Project
- X. 21 Berry Ave - Owner update and request for extension.
- Y. Status Report - various storm damaged properties

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- Z. Request from Parks of Olmsted to put up banners for Neighborhood Garage Sale, beginning October 9th - October 15th at their main entrances
- AA. Continuation of Request from Caleb Duke on behalf of the Tim Stout Group to close South Court Sq (street and parking) to host movie screening on October 21st, 6pm-9pm

MOTION TO ENTER INTO EXECUTIVE SESSION

- BB. Motion to Enter into Executive Session

ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, August 23, 2022 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

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

PRESENT

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

MINUTES – REGULAR COUNCIL MEETING – AUGUST 9, 2022

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on August 9, 2022 and adopt them as presented.

MOTION CARRIED. (7-0)

SWEARING IN OF NEWNAN YOUTH COUNCIL STUDENTS

Councilwoman Jenkins called out the names of the new sophomore students joining the Newnan Youth Council, Mayor Brady presented them with certificates and they were sworn in by the City Attorney.

Alexandra Allen (Northgate), Emma Caylor (Northgate), Helena Gibson (Northgate), Mary Lois Griffis (Central), Laci Johnson (Heritage), Ashlynn Jones (Newnan), Sarah Park Lee (Newnan), Jenna Mollner (Northgate), Madison Pater (East Coweta), Nysha Reddy (Northgate), Isabella Scaranao (Newnan) and Anna Beth Shelnett (East Coweta).

Councilwoman Jenkins called out the names of the Youth Council students who were attending the meeting, as they are required to attend one meeting per year. Zach Zachary (Northgate, Rep), Will Koritko (Home School, At Large Rep), Riley Johnson (East Coweta, Vice Chair), Lacey Daniell (Newnan, Secretary) and Dabria Wells (East Coweta, 2022-2023 Chair).

APPOINTMENT- BOARD OF ZONING APPEALS, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Alexander to re-appoint Cliff Smith for another 3-year term.

MOTION CARRIED. (7-0)

APPOINTMENT- NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Mayor Brady asked the City Manager to place his appointment on the next agenda.

APPOINTMENT – KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

Mayor Brady asked the City Manager to place Councilman Alexander's appointment on the next agenda.

APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM

Mayor Brady asked the City Manager to place Councilman Shell's appointment on the next agenda.

Motion by Councilman Koritko, seconded by Councilman Alexander to appoint Nora Ann Wood to the Cultural Arts Commission.

MOTION CARRIED. (7-0)

ANNUAL REPORT- CULTURAL ARTS COMMISSION

Jaami Rutledge, Chair of the Cultural Arts Commission began by giving an overview of the commission, it's mission and members. The Commission has been very active in 2022 producing and sponsoring events such as Burns Concert Weekend, Wadsworth Concert which had its largest crowd in 5 years, Artz in the Park and 4 Jazz in the Park events. Jazz in the Park has been extremely successful with crowds of 700-800.

For the remainder of the year they have Shakespeare in the Park, Orchestra Noir with an all African American orchestra based out of Atlanta, Dracula and Nutcracker.

For 2023 there has been a lot of growth with proposals of events. Last year there were 7 proposals and this year there were 20. The Commission wants to produce 3-4 events themselves and then support others who are growing art and culture in the community. One idea is a Wadsworth Legacy Series which would include the Wadsworth Chamber Music Event and the Ayshire Fiddle Orchestra but also new things like an improv show. For sponsored events they are looking at Artz in the Park with Southern Arc Dance and a Jazz Festival.

Council thanked Ms. Rutledge and the entire commission for their hard work and all the wonderful events.

MAYOR

Mayor Brady stated there will be a Special Called City Council meeting on Tuesday, August 30th at 6:30pm. This is for the purpose of discussing the public/private partnership

on the 57 E. Broad project. Mayor Brady hereby called the special meeting and notified the media.

CONSIDERATION TO AUTHORIZE MULTIPLE FIRMS TO SERVE AS ON-CALL CONTRACTORS FOR ARPA PROJECT: CLEARING AND HAULING OF DOWNED VEGETATIVE DEBRIS

Andrew Moody, ARPA Special Projects explained that a request for qualifications went out in response to this project. Responses were received from Custom Tree Care of Topeka, Kansas, Monster Tree Service of Newnan, Georgia, A White Meadows of Sharpsburg, Georgia and Horner Services of Watkinsville, Georgia. The request is to pre-qualify all 4 contractors to carry out the program.

Motion by Mayor Pro Tem DuBose, seconded by Councilman Guillaume to pre-qualify the contractors as presented.

MOTION CARRIED. (7-0)

CONSIDERATION OF FACILITIES LEASE CONTRACT BETWEEN THE CITY AND CHILDRENCONNECT NEWNAN CHILDREN'S MUSEUM, INC.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to approve the lease as presented.

MOTION CARRIED. (7-0)

REZONING REQUEST RZ2022-09 BY FREEDOM LAND HOLDINGS, LLL FOR 5.82 +/- ACRES AT OLD ATLANTA HIGHWAY; REQUESTED ZONING PDR (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) FOR 39 TOWNHOUSE STYLE CONDOMINIUMS – FOR INFORMATION ONLY

No action needed.

REZONING REQUEST RZ2022-08 BY MELISSA GRIFFIS ON BEHALF OF TRIBRIDGE RESIDENTIAL FOR 14.23 +/- ACRES AT 110 FIELD ST; REQUESTED CHANGE IN MXD (MIXED USE DEVELOPMENT) PLAN CONDITIONS – FOR INFORMATION ONLY

No action needed.

REQUEST BY OWNER, KEN PARKER, TO DEMOLISH STRUCTURE AT 50 FARMER STREET

Mayor Brady opened the public hearing. No one spoke for or against. Mayor Brady closed the public hearing.

Owner Ken Parker was present.

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

MOTION CARRIED. (7-0)

25 PINSON ST. – OWNER UPDATE AND REQUEST EXTENSION

Matt Murray, Code Enforcement Officer, stated that this property was before Council in May and it is a storm damaged property. The new owner has done a lot of work, new roof, framed interior walls and have started with exterior siding. The owner is requesting a 90-day extension to complete the project.

Motion by Councilman Shell, seconded by Councilman Koritko to grant the request for 90-day extension.

MOTION CARRIED. (7-0)

21 BERRY AVE – OWNER UPDATE AND REQUEST EXTENSION

Matt Murray, Code Enforcement Officer, stated that has been granted 4 extensions already since they were originally before Council in February 2020. Not a lot of work has been done and some work to the back of the property was not permitted and had to be stopped. There had been no communicated from the owner and the City was going to move ahead with demolition and then the owner reached out.

Mr. Doug Calderon, owner, stated that he has had a hard time finding a contractor. A permit has been submitted and granted. The contractor could not be at the meeting but he does have a timeline for the project to be completed which could be up to 12 months depending on materials.

Mayor Brady suggested granting 180 days with status reports to Mr. Murray and then have Mr. Calderon come back to Council. Councilman Guillaume suggested 90 days and made a motion which was seconded by Councilwoman Jenkins.

Councilman Koritko asked if there was still debris in the yard and out back? Mr. Murray said there is still debris. Councilman Koritko expressed concern about this and asked that Mr. Calderon clean up the debris. Councilwoman Jenkins said neighbors have been talking about this property since 2019 and told Mr. Calderon that something needs to be done about the trash.

Councilman Guillaume withdrew his motion. Mayor Brady stated this item would be continued at the September 13th, 2022 Council Meeting and Mr. Calderon will need to show that the trash has been cleaned up and then an extension can be requested.

Motion by Councilman Guillaume, seconded by Councilman Alexander to continue this item to the September 13th meeting.

MOTION CARRIED. (7-0)

**PRESENTATION AND FINAL REPORT OF GROUND PENETRATING RADAR (GPR),
BOUNDARY SURVEY AND LITERATURE REVIEW OF FARMER STREET CEMETERY**

Assistant City Manager, Hasco Craver, stated that Paleo West had previously been engaged to perform the survey and review of the cemetery. He also wanted to recognize 3 members of the Farmer Street Cemetery Commission in attendance, Cynthia Finney, Loren Taylor and Jocelyn Palmer and thanked them for their work on this.

Mr. Jeffrey Moates with Paleo West presented the information. He gave a brief introduction about who Paleo West is and the purpose and goals for Newnan. They were tasked with determining the cemetery boundary, number and location of graves and to collect sufficient information to apply for National Register of Historic Places nomination.

The project was divided into 4 areas; defining the study area, collecting the data, conduct literature and archival research and put that all together into report and presentation. They surveyed about 7.3 acres and utilized a sub-consultant for the ground penetrating radar.

The results showed 455 grave-like anomalies, about 2ft across and 6ft long. A pedestrian survey was also conducted looking for depressions in the ground and there were 23 visible surface depressions. There were 3 anomalies outside of what is considered the cemetery boundary but they don't appear to be grave-like. The full site is about 4.47 acres and that is consistent with the work done in 1999 by Webb and Associates.

Councilwoman Jenkins asked if Mr. Moates suspects there are graves beyond the site boundary? Mr. Moates stated that it is possible. The issue with these cemetery's becomes land use and modern parcel boundaries.

Mr. Moates and his team recommend that the cemetery is eligible for the National Registry under criterion A and the full report details that further. Councilman Koritko asked questions about the GPR machine used and the depths into the ground. Mr. Moates stated that the machine was calibrated for the specific soil conditions. He does not recommend excavating any of the graves because there is enough evidence to show this area as a cemetery.

Councilwoman Jenkins stated that the report was very thorough but there were a few mistakes in the report regarding to certain neighborhood names in Newnan. She asked that this be corrected. She also asked about creating a buffer zone around the cemetery? Mr. Moates expressed that a buffer could help protect the graves that are there and there may be more graves to the west. He recommends a further study be conducted.

Mr. Reese Buchanan, a resident of Newnan and on the board of the African American Alliance thanked the Mayor for making this happen for the restoration and preservation of the property. He said he appreciates all efforts by City Council, City Manager and the Farmer Street Cemetery Commission.

Mayor Brady stated that this is a great base to continue the preservation of the site. Councilwoman Jenkins asked for an update on the African American Museum and the African American Alliance occupancy? Mr. Buchanan explained that there have been issues in the past but they have new board members and new energy. There are some requirements they need to meet in order for a new lease agreement. The building has some issues that need to be addressed.

PUBLIC HEARING – REZONING REQUEST RZ2022-01, MELISSA GRIFFIS ON BEHALF OF THE NRP GROUP, LLC FOR 30.02 +/- ACRES ON CELEBRATE LIFE PARKWAY (TAX PARCELS 086-5053-002 AND 086-5044-002); FROM CCS (COMMUNITY SHOPPING CENTER DISTRICT) AND RMH (RESIDENTIAL MULTI-FAMILY DWELLING DISTRICT-HIGH DENSITY) TO MXD (MIXED USE DEVELOPMENT DISTRICT) FOR 294 APARTMENT UNITS AND 33,000 SQ FT OF COMMERCIAL SPACE – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Dean Smith, Senior Planner, stated that the subject property is currently undeveloped and wooded. The applicant wishes to construct a mixed-use development with 294 units of multi-family apartments and 33,000 square feet of commercial space. He gave an overview of the 8 standards.

The proposed use is suitable in view of adjacent and nearby properties. The concern related to traffic was addressed by the City Engineer and Developers and the traffic study was accepted by the City Engineer. The property can be developed under existing zoning however there are constraints such as floodplain and streams. There will be an impact on service providers such as fire and police needing additional personnel and the school system has concerns. The project is compatible with the Comprehensive Plan and is compatible with the proposed zoning district. The city has approved other multifamily developments and this proposal would be a market rate development, in line with other approved developments. Overall it meets 6 of the 8 standards.

The Planning Commission voted 3-2 with a recommendation to deny the proposal. Staff suggests if Council votes in favor that the following conditions be set:

1. Project would be consistent with plan, density, project data, amenities, proffered conditions and architectural details provided
2. Residential units be limited to 294
3. Building height shall not exceed 4 stories

Councilman Guillaume asked for clarification regarding the units being above the commercial space, if there are additional units to the 294? Mr. Smith stated it is only the 294 units and that commercial and residential would be built in tandem.

Applicant:

Melissa Griffis on behalf of NRP Group stated who from the group was present and she wanted to ensure all applications materials were included. There were some changes made based on MXD ordinance intent. They do agree to the conditions that Mr. Smith put forth.

Chase Beasley with the NRP Group, the developer on the project, gave an overview of the NRP Group. They are looking to develop a class A multi-family development which they will own, operate and construct. He showed renderings of the proposed development, a walkable development that would also connect to the LINC trail. They want to pull people in with the retail and commercial and have the residential above, to create a dense urban fabric.

Due to site constraints it will not just be a flat development with surface parking. The 294 units would be 1,000 square feet and rents would average \$1,700-\$2,000 depending on bedrooms. They looked at Newnan for supply and demand with renters that work at Cancer Treatment Center.

Conrad Quinones with the civil engineering firm discussed the constraints with the site due to topography, water bodies and rock.

Mr. Beasley discussed the high-end premium finishes to be used. They really want open space to include open public park areas and mulch trails. They have worked with the traffic engineer and Cancer Treatment Center.

Council asked bedrooms offered, commercial space and parking. Mr. Beasley stated there will be a mix of 1, 2 and 3 bedrooms. The commercial space is designed for restaurant as that is best for flexibility. They have reached out to commercial brokers. Parking would be 441 for residential and 132 for commercial. Council also stated there seemed to be conflicting site plans in the packet.

Opposition:

Ray Williams with Cancer Treatment Center stated that they are opposed to the development and have concerns. Trae Westmoreland working with Cancer Treatment Center explained that they are opposed due to traffic on Celebrate Life. Planning Commission said it would be an additional 2700 trips on that road and CTCA is concerned with safety. Mr. Williams added that NRP Group referenced working with CTCA but he is not aware of that.

Debra Sampson, resident in Newnan, asked how many of the 294 apartments have been allocated to low income or veterans? Mr. Beasley stated that they have not allocated any yet but they would consider it.

Councilwoman Jenkins asked if this site is in an opportunity zone and if they have pursued credits yet? Assistant City Manager stated that it is in a federal opportunity zone but is unaware if they have pursued credits. Mr. Beasley said they have no pursued that. Councilwoman Jenkins also addressed the issue that there are different site plans? Mr. Beasley stated that the site plan in the packet is correct. He also explained that the originally planned amphitheater has been removed from the plan.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

Motion by Councilwoman Jenkins, seconded by Councilman Guillaume to deny the rezoning request.

MOTION CARRIED. (7-0)

PUBLIC HEARING – REZONING REQUEST RZ2022-07 BY ROBERT BERGMANN ON BEHALF OF FOURTH QUARTER PROPERTIES, LLC FOR 8.44 +/- ACRES AT 440 NEWNAN CROSSING BYPASS (TAX PARCEL 086-5043-004); REQUESTED CHANGE IN MXD (MIXED USE DEVELOPMENT) PLAN CONDITIONS TO ADD 72 MORE APARTMENT UNITS (FROM 278 TO 350) – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnavant, Planning Director, stated that this request is to change conditions of a previously approved mixed-use zoning. The current conditions limit the number of apartment units to 278 and the applicant would like to add 72 more units to offset the cost increase that has impacted the project. The applicant is also looking to increase the maximum height from 70 feet to 75 feet to accommodate a 6-story structure.

Ms. Dunnavant gave a brief background on the project and gave a summary of the 8 required standards. Staff felt the proposed use would be suitable in view of zoning and nearby developments and the greatest adverse impact will be increased traffic. The additional units would add about 400 more trips per day according to the Community Impact Assessment. The property could be used as currently zoned with a maximum of 278 units. There are concerns from fire and police regarding the strain and maintenance that these types of developments add. The project is compatible with the Comprehensive Plan and is consistent with the purpose and intent of the proposed zoning. This is different

than most multi-family projects that have been approved in the past as this would be a 6-story urban building wrapped around a parking deck and amenity center.

Overall the development met 7 of the 8 standards. The Planning Commission voted to recommend approval with the following conditions.

1. Project will be consistent with the plan, density, project data, amenities, proffered conditions and architectural details.
2. The developer shall conduct a traffic study to assess the appropriate traffic signal cycle lengths for the nearby intersections.
3. In accordance with the DRI #591, the existing median opening along Newnan Crossing Bypass at Driveway 3 shall be closed and the northern median modified.

Applicant:

Stan Thomas, developer of the project, gave a brief description of other projects in the County that he has worked on such as Ashley Park. He said there is no product like this until you get to Atlanta. He brought the project in 2020 and then COVID hit. Costs have gone up and he had to look at how to do the project with the same quality. He is working on the retail and has leases with 5 restaurants, medical office and possibly a gourmet grocer.

Councilman Guillaume asked if the project cannot be done without the additional units? Mr. Thomas stated yes and he does not want to change the product. Councilwoman Jenkins asked about the additional floor? Mr. Thomas explained that they are trying to reconfigure and had to get approval from Belk as well. With the elevations it will be the same number of floors. Mayor Brady asked for further clarification from Mr. Thomas. He stated the footprint won't change but there is a sewer line that needs to be relocated.

No one spoke in opposition. Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Shell to accept the report and recommendation of the Planning Commission.

MOTION CARRIED. (7-0)

Motion by Councilman Koritko, seconded by Councilman Guillaume to deny the request.

MOTION CARRIED. (7-0)

**CONTINUATION OF PUBLIC HEARING – ANNEXATION REQUEST ANNEX2022-01
BY APEX LAND COMPANY FOR 1.1994 +/- ACRES ON STATE ROUTE 34 BYPASS
(PORTION OF TAX PARCEL 073B-033); REQUESTED ZONING OF RML
(RESIDENTIAL MULTI-FAMILY DWELLING-LOWER DENSITY); AND REZONING
REQUEST RZ2022-01 FOR 20.0119 +/- ACRES ON ROSCOE RD (PORTION OF TAX
PARCEL 073B-010) FROM CGN (GENERAL COMMERCIAL) TO RML, TO BE**

COMBINED WITH ANNEXATION REQUESTS FOR CONSTRUCTION OF 135 FEE-SIMPLE TOWNHOMES – CONSIDERATION OF ORDINANCES

Chris Cole, Senior Planner, explained that the request is to rezone 20.0119 ± acres on Roscoe Road for 135 townhomes. The townhomes will be fee-simple ownership with a maximum of 20% allowed as rentals. The other request with this is to annex 1.1994 ± acres on State Route 34 Bypass to be combined with the 20.0119 ± acre tract. This site is currently zoned in Coweta County as Rural Conservation. The staff report conducted combined both requests as they are interrelated.

The townhouses will have to be built according to City standards. The concept plan shows a proposed site density of 6 units per acre. One of the parcels on the concept plan is needed to provide the required second entrance off Roscoe Road and this tract cannot be annexed into the City as it would create an island which is not permitted under state law.

The applicant appeared before the Coweta County Board of Commissioners to ask for rezoning from Rural Conservation to Multifamily Residential in order to include this parcel in the development plan. The Board of Commissioners approved the request to allow for the second entrance.

Mr. Cole gave a summary of the 8 required standards. The use is suitable in view of zoning and development of nearby properties and adverse effects on nearby properties would be minimal. The subject properties could be used as currently zoned. The project would not cause a burdensome use of public facilities and all service providers indicated they are able to handle the needs of the development.

The project is compatible with the Comprehensive Plan and would be consistent with the purpose and intent of the proposed zoning. There are no new or changing conditions that would impact the rezoning site's future land use. The project does show a reasonable balance between the promotion of public health, safety, morality and the right to unrestricted use of property. Overall staff found the development met 7 of the 8 standards.

The Planning Commission voted 3-2 to approve the annexation and rezoning with the following conditions.

1. Project will meet all City requirements and be consistent with the application that was amended by the Planning Commission on April 12, 2022 to include a reduction of lots from 138 to 135.
2. Applicant shall provide a second entrance to the property
3. The subdivision will be limited to 135 units.
4. A final plat will be provided reflecting the combination of all tracts.
5. The concept plan and final plat will be revised to reflect any and all required City buffers.
6. The 50-foot strip on the far western portion of the annexation site will remain undisturbed

7. Elevations on rear facades visible from public rights-of-way be consistent with front elevations
8. Enhancements to the architectural elevations shall be made to include more architectural difference between the townhomes.
9. A 35-foot densely planted buffer be established along property lines with Cash and Green.
10. A 6-foot privacy fence be installed along the property lines with Cash and Green.
11. The proffered condition states, "The Subject Property shall be limited to no more than 135 total townhome units with 67 front facing and 68 rear facing entry. The amenities included on the Concept Plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the 1.1994+/- acre tract annexed on this date and no building shall be built on the small adjoining tract on Roscoe Road that remains in the county and has been rezoned by the County."

Councilman Guillaume asked for clarification on the cost of the townhomes. Mr. Cole stated it was a typo in the report, they will be mid to upper 300's.

Applicant:

Melissa Griffis on behalf of Apex Land Company, stated who from the project was present. She stated that everything in the packets are the most updated after Planning Commission and working with City Attorney. She commented that there are no townhome developments on the western side of Newnan.

Aaron Rissler, owner of Apex Land Company gave an overview of Apex's history with developments. The development will include amenities such a pool, dog park, landscaped entrances, open space and HOA established. The homes will have brick façade and brick water table around the sides and rear. The price point would be mid to upper 300's.

Mr. Rissler explained that this had been continued a few times so that he could find a builder and he now has Walker Anderson Homes on board. Unfortunately, a representative from the builder was not able to be at the meeting. He showed renderings of the homes. There would be 13 units that back up to the Bypass.

Ms. Griffis clarified that the Planning Commission in condition 8, did not want all the homes on the bypass to be rear entry. Some are forward facing and have additional brick. Mayor Brady expressed concern and referenced another development that was built and not done well. Ms. Griffis said that is why Walker Anderson Homes was chosen as they are focused on quality and smaller developments. She also commented that the City and County have different ordinances and the City has more requirements for enhancements and for townhome developments.

Dana Johnson with Integrated Science & Engineering, explained that there would be a 15ft buffer, heavily and densely planted along the Bypass. This is to provide more privacy and make it feel like a park like setting.

Councilman Koritko asked if they would be willing to reduce rentals from 20% to 10% and will the HOA maintain the fencing and landscaping along the buffers with Cash and Green? Mr. Rissler stated yes on both. He also stated it will be 100% build out before it's turned over to the HOA.

Council stated concerns about the overall look from the by-pass and the renderings were not actually correct as they only showed individual townhomes and not rows of townhomes.

Opposition:

Jenny Jones who lives near Roscoe Road stated that she opposes this development. She moved to Coweta County to be in a more rural area. Newnan has become overgrown especially in the last 10 years. You can hear traffic from the Bypass all the time. She expressed concern for the schools being impacted as well.

Gene Murphy stated he is in favor of the project.

Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Mayor Pro Tem DuBose to accept the report and recommendation from the Planning Commission.

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Councilwoman Jenkins to deny to annexation as presented. Opposed: Alexander

MOTION CARRIED. (6-1)

Motion by Councilman Shell, seconded by Councilwoman Jenkins to deny the rezoning request. Opposed: Alexander

MOTION CARRIED. (6-1)

REQUEST FROM CALEB DUKE ON BEHALF OF THE TIM STOUT GROUP TO CLOSE SOUTH COURT SQ (STREET AND PARKING SPACES) TO HOST MOVIE SCREENING, OCTOBER 22ND FROM 6PM-9PM

Assistant City Manager explained that the request had been modified to October 21st as there was a conflict with a Main Street event. Mayor Brady asked if Vinylyte Records were contact as they are open?

Caleb Duke was unable to attend the meeting. Silvia McSherry spoke on his behalf. She explained they are a real estate group that does events throughout the year. She was unaware if Vinylyte had been contacted or not.

Mayor Brady requested that this item come back to Council at the next meeting, with clarification as to the businesses being notified. The other issue is the street closure and what time will the police need to start that?

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal and 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 9:00PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council was within the exceptions provided by O.C.G.A. Section 50-14-4(b). Mayor Brady and Mayor Pro Tem DuBose not present after Executive Session.

MOTION CARRIED. (5-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 9:38pm.

MOTION CARRIED. (5-0)

Megan Shea, City Clerk

Keith Brady, Mayor

The special called meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, August 30, 2022 at 6:30PM in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

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

PRESENT

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

DISCUSSION OF 57 EAST PROJECT

City Manager gave a quick update on the project. The demolition and environmental abatement are complete. The hope is to get development started soon but if it is going to take longer plans may be made to screen the site.

About a year ago the City engaged Nelson Worldwide to prepare a concept and master plan and there was a struggle with putting numbers together for the project. The City then decided it would be best to have a development team to help go through everything with the City and Community. Two firms, Sagestone and Mallory & Evans/Fides Development, each presented to City Council. The two firms decided to combine and approach the project as a joint team effort.

Mr. Phillips explained that the meeting is for the two firms to explain who will do what on the team and to authorize the Mayor to sign the Letter of Intent to get the process started. The discussion would not include uses for the site. He then introduced Dave Dlugolenski with Sagestone.

Mr. Dugolenski explained that the teams felt that working together gave a good mix of local and non-local participants and built upon each group's expertise. He showed the Executive Committee is comprised of himself as well as Johnny Dixon from Mallory & Evans, Doug Davidson from Fides Development and Millard Choate, representing Packard Capital. They have designated Josh Magaro as the direct point of contact to help answer all questions from the public and partners. They have also engaged Nelson Worldwide to help continue the community engagement work already started.

They really wanted a team experienced in listening to public concerns and public desires and then balancing that with a project that is economically feasible. The goal is to deliver the highest and best use, that balances public interest and private development interests.

Josh Magaro, Project Manager, explained what they are hoping to achieve during the due diligence phase of the project. There are two main buckets, first is community engagement and second is third party feasibility reports such as market analysis.

Mr. Magaro stated that the community engagement will help frame the final vision of the product. Other aspects that they will be looking at include field work, development of initial concept plan to better define uses and the development of a financial pro forma. Based on the concept plan and pro forma, selection of a final design team and ultimately an adoption of a development agreement with the city will take place.

Mayor Brady stated there had been discussion of 90 days for the due diligence. Mr. Magaro said they don't want to cut short the fact finding and not rush it. So, they have asked for an additional 30 days for due diligence. The Council was agreeable to a 30-day extension; 120 days total.

Lamar Wakefield with Nelson Worldwide explained that a social media questionnaire went out to the public and there was a lot of response. To do a true community engagement they need to do a series of meetings, all in person, in a neutral location. They want to solicit information on all components, uses, scale, connectivity.

Doug Davidson, Fides Development and Chairman of New South Construction spoke to his background and previous projects.

City Manager explained the LOI (Letter of Intent). He stated it's a noncommittal contract and either side can walk away during due diligence. There is a substantial amount of work to get to the decision, they asked for \$65,000 and that has been amended to \$75,000. The city will own all due diligence material produced.

Councilwoman Jenkins asked about the flexibility of the team and at what point will all team members be selected who will be involved? Mr. Dlugolenski explained that once the program is defined then architects and designers will be selected. They will make sure they are a dedicated resource. Councilwoman Jenkins asked if Council is allowed to weigh in on this and he said yes, they will propose the team as one of the deliverables.

Councilwoman Jenkins expressed concern over losing community engagement and looking at the architectural details. Mr. Dlugolenski stated their mission has not changed from the beginning they just have more resources now.

Mayor Brady stated that a motion would be needed to authorize him to sign the LOI and a motion was made by Mayor Pro Tem DuBose and seconded by Councilman Shell. City Attorney commented that the LOI has been revised so that needs to be noted. Mayor brady emphasized this is a non-binding agreement, it just allows things to move forward. Councilwoman Jenkins and Councilman Koritko said they were not aware that a vote would be taking place, that this was just a discussion and that is why the LOI was not included in the agenda packet.

Mayor Brady said that since this is an important project for the City, the vote can wait until all councilmembers are comfortable and have had time to review all documents. Mayor Pro Tem DuBose withdrew his motion. Mayor Brady asked for the item be placed on the agenda for the first meeting in September.

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, 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 legal issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. 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 7:00PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander 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)

ADJOURNMENT

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander to adjourn the meeting at 7:44PM.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor

Newnan Downtown Development Authority

City Council
September 13, 2022

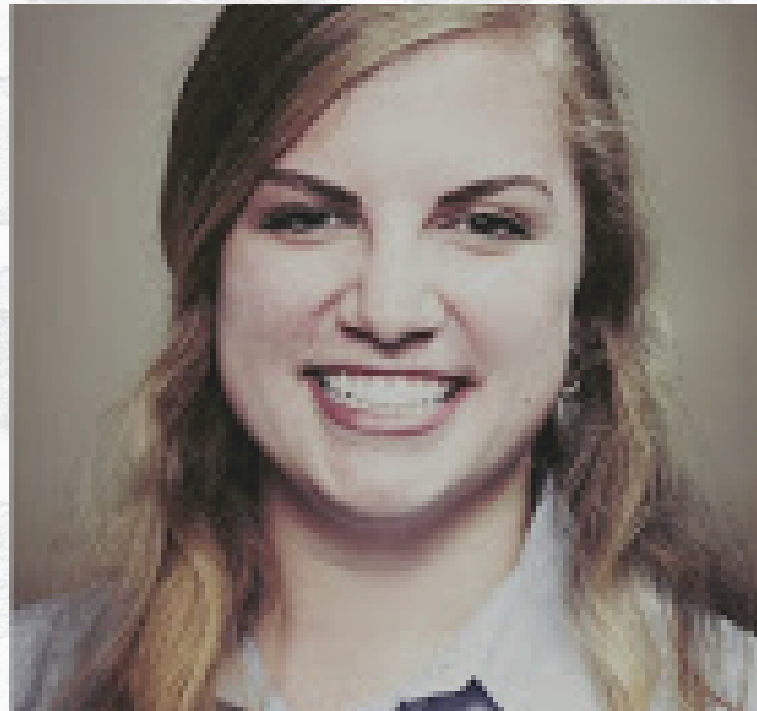


Who Are We?



ABIGAIL STRICKLAND

Main Street Manager



JESSE BRANCH

Special Event Coordinator



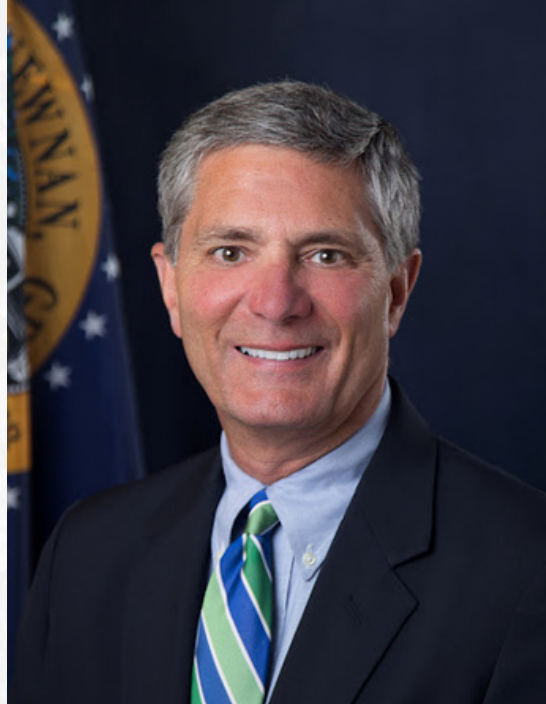
BOARD

Downtown Development
Authority



RAY DUBOSE

Chairman



KEITH BRADY

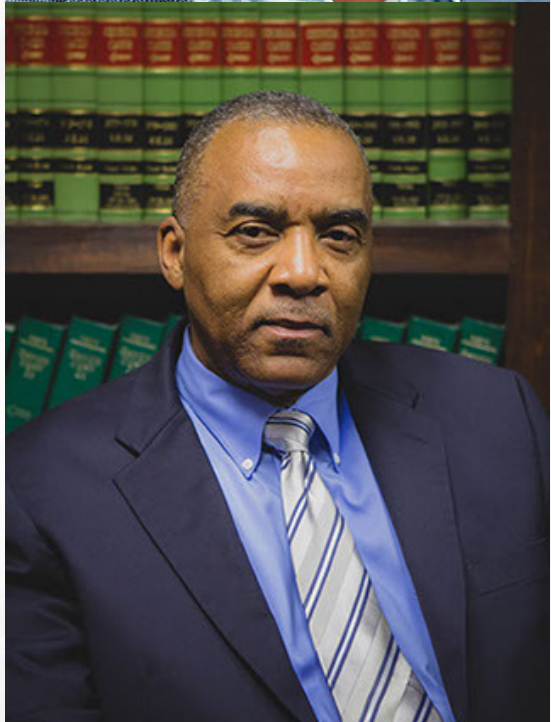


JIM THOMASSON

Vice Chairman



MARTHA ANN PARKS



GRAYLIN WARD

Secretary, Treasurer



CASEY SMITH



BRANT FROST

Let's take a look back...

What did we accomplish in 2021?



PARTNERED WITH THREE STORIES PRODUCTIONS

Created Heart of Community video

2021 EVENTS

over 40 Main Street Newnan events,
including creation of Spirits & Spice
Festival.

NUMEROUS SOCIAL MEDIA CAMPAIGNS

Historic Preservation Month, 12 Days
of Christmas, Available Real Estate



Promotion

GEMS DESIGNATION

Upheld designation from
Department of Community Affairs

GRANT PROGRAMS

Facade and Brick & Click grants
funded.

PARTNERSHIPS

Newnan Cultural Arts Commission,
Newnan Coweta Historical Society,
Coweta County, Keep Newnan
Beautiful, Explore Newnan-Coweta



Organization

FACADE GRANT UPDATES

Updated facade program to include back entrances

PET WASTE STATIONS

Added more pet waste stations to district.

SANITATION & BEAUTIFICATION PARTNERSHIPS

Support City departments



Design

PROMOTE FINANCIAL INCENTIVES

Creation of welcome package

PROMOTE AVAILABLE PROPERTIES

Social Media Campaign

SUPPORT NEW & EXISITING BUSINESSES



Economic Vitality

2021 Community Impact

624

Events

452

Volunteer Hours

22

Net New Businesses

54

Net New Jobs

\$12,104,844

Total Private/Public
Investment



So what's
next?

GOAL 1

Add/Expand business & commercial spaces to meet priority needs identified in community survey.

- Add new businesses
- Update design guidelines
- Create welcome/incentive package
- develop outdoor dining
- support Caldwell Tanks redevelopment

GOAL 2

Add outdoor activity spaces & features

- Improve alleyways
- identify collaborative projects with Linc & Bike Coweta



2021-2023 Strategic Plan

2022 Event Schedule

	
SPRING	
March 25 - Spring Art Walk, 5-9pm April 02 - Market Day, 10am-2pm	May 07 - Market Day, 10am-2pm
SUMMER	
June 04 - Market Day, 10am-2pm June 09 - Summer NewnaNights, 6-9pm June 17 - Summer Wined Up, 5-9pm July 02 - Market Day, 10am-2pm	July 04 - July 4th Parade, 9am July 14 - Summer NewnaNights, 6-9pm Aug 06 - Market Day, 10am-2pm Aug 11 - Summer NewnaNights, 6-9pm
AUTUMN	
Sept 02-05 - Labor Day Sidewalk Sale Sept 03 - Sunrise on the Square 5k, 8am Sept 03 - Market Day, 10am-2pm Sept 23 - Fall Art Walk, 5-9pm	Oct 01 - Market Day, 10am-2pm Oct 07 - Oktoberfest, 5-9pm Oct 22 - Spirits & Spice Festival, 2-7pm Oct 31 - Munchkin Masquerade, 10am-12pm
WINTER	
Nov 05 - Market Day, 10am-2pm Nov 18 - Holiday Sip & See, 5-9pm Nov 25 - Plaid Friday	Nov 25 - Santa on the Square, 6-8pm Nov 26 - Small Business Saturday Dec 03 - Market Day, 10am-2pm

03.25.22 – Spring Art Walk

06.17.22 – Summer Wined-Up

07.04.22 – 4th of July Parade

09.02.22-09.05.22 – Labor Day Sidewalk Sale

09.03.22 – Sunrise on the Square Road Race

09.23.22 – Fall Art Walk

10.07.22 – Oktoberfest

10.22.22 – Spirits & Spice Festival

10.31.22 – Munchkin Masquerade

11.18.22 – Holiday Sip & See

11.25.22 – Plaid Friday and Santa on the Square

11.26.22 – Small Business Saturday

Market Days

04.02.22 – 05.07.22 – 06.04.22 – 07.02.22 – 08.06.22

09.03.22 – 10.01.22 – 11.05.22 – 12.03.22

Summer NewnaNights

06.09.22 – 07.14.22 – 08.11.22



Thank you!

OUR OFFICE

6 1st Ave, Newnan, GA 30263

EMAIL ADDRESS

astrickland@cityofnewnan.org

mainstreetnewnan@cityofnewnan.org

PHONE NUMBER

770-253-8283 office

678-943-0334 cell

APPLICATION FOR ALCOHOL BEVERAGE LICENSE

Name: **AA Newnan LLC dba Newnan Food Mart**

Licensee: **Raju Surani**

License Representative: **N/A**

Type License: **Retail On Premise (Package) Sales of Malt Beverages and Wine**

Location: **2 Franklin Rd.**

TO THE CITY COUNCIL: REASON – NEW OWNER/NEW LICENSE

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

If incomplete, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

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

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

If not, reasons file prior to hearing

Respectfully submitted,

Megan Shea
City Clerk



MEMORANDUM TO: Honorable Keith Brady, Mayor
City Council Members

CC: City Manager Cleatus Phillips
Assistant City Manager Hasco Craver, IV

FROM: Carol L. Moore, CVE 
Executive Director

DATE: September 1, 2022

SUBJECT: FY2023 BUDGET

Attached please find the FY2023 budget approved by the Newnan Convention Center Authority for your review and approval.

The attached document shows the actual revenues and expenses through August 31, 2022 and how the budget is tracking to the FY2022 budget forecast. The FY2023 budget is shown in the far-right hand column.

There are several anomalies to this budget. In an effort to track the ARPA Grant Funds received, a line-item was created showing receipt of the funds under income and an expense line-item charging salaries and wages to the ARPA grant money. This gives us clear reporting capability for the funds. Secondly, the Newnan Centre will be 10 years young in 2023. We are planning a public and private celebration to commemorate this special anniversary. We have budgeted additional advertising and marketing funds to promote the public event, scheduled for April 21, 2023 in conjunction with the LINC event. Additionally, we have budgeted \$35,000 for a 10 Year Celebration scheduled for June 1, 2023. The private component will be a dinner whereby repeat clients, potential clients, partners and dignitaries will be invited to both celebrate and showcase the Centre.

I look forward to going into more detail during my budget presentation at the September 13th meeting.

As always, we could not do what we do without your support, and we owe you a tremendous thanks.

The Newnan Centre
Budget for 2023 and 2022 P&L to Date

	Jan 1 - Aug 31, 2022	2022 Budget	\$ Over Budget	2023 Budget
Ordinary Income/Expense				
Income				
10.0000 · Charges For Services				
10.1000 · Rental Fee	119,245.00	185,000.00	-65,755.00	240,000.00
10.1002 · Food & Beverage - Alcohol	31,138.37	35,000.00	-3,861.63	40,000.00
10.1003 · Food & Beverage - Catering	11,779.64	15,000.00	-3,220.36	20,000.00
10.1004 · Equipment Rent	13,306.00	12,000.00	1,306.00	15,000.00
10.1005 · Personnel Reimbursements	12,400.00	15,000.00	-2,600.00	17,000.00
10.1006 · Utility Reimbursements	645.00	3,000.00	-2,355.00	1,500.00
10.1007 · Miscellaneous Revenues	178.80	1,000.00	-821.20	1,000.00
10.0000 · Charges For Services - Other	0.00	0.00	0.00	0.00
Total 10.0000 · Charges For Services	188,692.81	266,000.00	-77,307.19	334,500.00
20.0000 · Investment Income				
20.2000 · Interest on Investments	37.04	70.00	-32.96	70.00
Total 20.0000 · Investment Income	37.04	70.00	-32.96	70.00
30.0000 · Transfers In				
30.2000 · Transfer from H/M & Motor Taxes	94,125.60	360,000.00	-265,874.40	396,500.00
30.2001 · Capital Reserve Transfer	0.00	0.00	0.00	0.00
30.2002 · ARPA ALFRF Grant Funds - COVID	257,766.00	0.00	257,766.00	257,766.00
30.0000 · Transfers In - Other	0.00	0.00	0.00	0.00
Total 30.0000 · Transfers In	351,891.60	360,000.00	-8,108.40	396,500.00
49910 · Returned Check Charges	35.00	0.00	35.00	0.00
Total Income	540,656.45	626,070.00	-85,413.55	731,070.00
Cost of Goods Sold				
50000 · Cost of Goods Sold				
Alcohol and Mixer Purchases	6,801.16	12,000.00	-5,198.84	10,000.00
Barback	0.00	500.00	-500.00	0.00
Bartenders	4,625.00	4,000.00	625.00	7,000.00
Beverage Manager	3,600.00	5,500.00	-1,900.00	5,000.00
Catering Costs	0.00	0.00	0.00	0.00
Payroll Taxes for Beverage Mgr	0.00	0.00	0.00	0.00
50000 · Cost of Goods Sold - Other	0.00	0.00	0.00	0.00
Total 50000 · Cost of Goods Sold	15,026.16	22,000.00	-6,973.84	22,000.00
Total COGS	15,026.16	22,000.00	-6,973.84	22,000.00
Gross Profit	525,630.29	604,070.00	-78,439.71	709,070.00
Expense				
50.0000 · Personnel Svc & Emp Benefit				
50.1100 · Salaries and Wages	54,588.94	254,253.00	-199,664.06	260,480.00
50.1101 · Overtime Earnings	0.00	0.00	0.00	0.00
50.1102 · Other Employee Benefits	0.00	0.00	0.00	0.00
50.1103 · Part-time Salaries and Wages	2,003.00	6,000.00	-3,997.00	6,750.00
50.1104 · Health Insurance Premiums	27,283.55	52,644.00	-25,360.45	55,000.00
50.1106 · Social Security & Medicare Expe	4,284.48	19,500.00	-15,215.52	12,000.00
50.1107 · Unemployment	136.19	500.00	-363.81	500.00
50.1108 · Uniforms	697.23	1,000.00	-302.77	1,000.00
50.1109 · Retirement Contributions	19,087.08	8,000.00	11,087.08	12,000.00
50.1110 · Contract Labor	3,731.00	9,000.00	-5,269.00	9,000.00
50.1111 · Salaries and Wages - ARPA Grant	118,785.45	0.00	118,785.45	0.00
50.0000 · Personnel Svc & Emp Benefit - Other	0.00	0.00	0.00	0.00
Total 50.0000 · Personnel Svc & Emp Benefit	230,596.92	350,897.00	-120,300.08	356,730.00
51.0000 · Professional & Other Services				
51.2101 · Board Administrative Expenses	1,936.95	2,500.00	-563.05	2,500.00
51.2102 · Training and Professional Devel	6,532.82	14,000.00	-7,467.18	14,000.00
51.2103 · Advertising and Marketing	22,673.23	35,000.00	-12,326.77	30,000.00
51.2105 · Insurance	8,045.32	21,500.00	-13,454.68	15,000.00
51.2106 · Maintenance Contracts	50,863.61	72,000.00	-21,136.39	79,000.00
51.2107 · Dues	2,680.00	3,000.00	-320.00	3,000.00
51.2108 · Rent - Equipment	1,248.96	500.00	748.96	500.00
51.2109 · Contractual Services	16,461.25	21,000.00	-4,538.75	26,000.00
51.2110 · Event Personnel	7,395.00	5,000.00	2,395.00	7,000.00
51.2111 · Professional Fees - Accounting	1,500.00	5,500.00	-4,000.00	7,000.00
51.2113 · Licensing Expenses	0.00	250.00	-250.00	250.00
51.2114 · 10 Year Celebration	0.00	0.00	0.00	35,000.00
Total 51.0000 · Professional & Other Services	119,337.14	180,250.00	-60,912.86	219,250.00
52.0000 · Supplies & Operating Charges				
52.3101 · Printing	1,108.27	1,000.00	108.27	1,000.00
52.3102 · Subscriptions and Publications	0.00	900.00	-900.00	900.00
52.3103 · Postage and Freight	116.00	300.00	-184.00	500.00
52.3104 · Office Supplies	547.46	1,000.00	-452.54	1,000.00

	Jan 1 - Aug 31, 2022	2022 Budget	\$ Over Budget	2023 Budget
52.3105 · Supplies, Tools & Small Equip	3,595.33	3,000.00	595.33	5,400.00
52.3107 · Janitorial & Operational Suppli	3,839.22	3,500.00	339.22	4,000.00
52.3108 · Utilities - Gas	2,896.14	3,300.00	-403.86	4,300.00
52.3110 · Utilities - Electric	19,440.75	20,000.00	-559.25	25,000.00
52.3112 · Other Operational Costs	1,155.67	1,000.00	155.67	1,000.00
52.3113 · Bank Service Charges	179.14	350.00	-170.86	350.00
52.3115 · Credit Card Fees	2,729.18	2,500.00	229.18	3,000.00
Total 52.0000 · Supplies & Operating Charges	35,607.16	36,850.00	-1,242.84	46,450.00
53.0000 · Repairs & Maintenance				
53.4101 · Repairs and Maintenance	8,595.01	8,000.00	595.01	10,000.00
53.4102 · Equipment Repairs & Maintenance	3,968.04	4,000.00	-31.96	6,000.00
53.4103 · Vehicle Repairs & Maintenance	574.13	500.00	74.13	700.00
53.4104 · Fuel and Lubricants	241.79	100.00	141.79	300.00
Total 53.0000 · Repairs & Maintenance	13,378.97	12,600.00	778.97	17,000.00
56.8000 · Depreciation & Amortization	0.00	13,200.00	-13,200.00	13,200.00
57.9000 Capital Outlay		6,500.00		
Total Expense	404,739.65	600,297.00	-195,557.35	652,630.00
Net Income	120,890.64	3,773.00	117,117.64	56,440.00



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Consideration of Purchasing WestNet First-In Fire station Alerting System

Prepared By: Stephen Brown, Fire Chief

Purpose: Allow the Newnan Fire Department per the request of Coweta 911 to have WestNet First-In Fire Station Alerting System

Background: The WestNet First-In feature of the First-In Fire Station Alerting System provides the fire/rescue Department and the 911 dispatch center a quick, consistent means of providing automated, complete dispatch information to the responding emergency personnel. Management of First-In feature is performed by dispatch center personnel utilizing the First-In Voice Editor software.

Use of the WestNet First-In toning system streamlines the dispatch process. It significantly lessens the amount of time needed for the tones to reach the designated station since all tones are pre-loaded no delay due to human error in setting up for the tones to go to the correct station or unit. Each set of tones begin with a "Pre-alert" that notifies the station/personnel that they are about to receive tones and dispatch. Individual units/apparatus can be dispatched, instead of the entire station, because Response Plans can be set up designating which units are to response for different call types.

Currently for calls with EMS and NFD, the times may not match exactly due to the human involvement but WestNet corrects that. This automation allows 911 to continue with other tasks when needed (call taking, other radio traffic, etc.) without having to hand off responsibilities to another dispatcher. In cases where there are multiple calls waiting for dispatch, WestNet can 'stack' tones - meaning that a single dispatcher can still send out all the calls with little-to-no delay. Having the NFD on the WestNet First-In system will also allow for 911 to have uniform fire dispatch within Coweta County. This uniform dispatch will also eliminate the need for separate training on dispatching emergency calls between fire services.

Funding: The City of Newnan will provide the funding for the First-In Alerting Core Systems for each of the City of Newnan's Fire Stations in the amount of \$80,999.36 which Coweta County will reimburse within 30 days.

Recommendation: The Newnan Fire Department recommends moving forward with this project.

Previous Discussion with Council: None.

**STATE OF GEORGIA
COUNTY OF COWETA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN COWETA COUNTY, GEORGIA
AND THE CITY OF NEWNAN
REGARDING THE WESTNET ALERTING SYSTEM**

THIS AGREEMENT (hereinafter “Agreement”), made and entered into this ____ day of _____, 2022, by and between Coweta County, Georgia, a political subdivision of the State of Georgia (hereinafter “County”) and the City of Newnan, a political subdivision of the State of Georgia (hereinafter “City”).

WHEREAS, through its 911/EMA department, the County maintains and operates a multijurisdictional Public Safety Answering Point (hereinafter “PSAP”) for the purposes of 911 and emergency communications throughout Coweta County; and

WHEREAS, in accordance with the Service Delivery Strategy, the City provides Fire Rescue services within its municipal boundaries while the County provides 911 dispatch services to the City; and

WHEREAS, in 2016, the County implemented the WestNet Alerting System (hereinafter “WestNet” or “WestNet System”) for the County Fire Rescue Department; and

WHEREAS, the County and the City have determined that it is in furtherance of the health, safety, and welfare of the public for the City to utilize the WestNet System.

NOW THEREFORE, in consideration of the mutual covenants and promises herein made, the receipt, adequacy and sufficiency of which are mutually acknowledged, the parties agree to be bound, each to the other as follows:

ARTICLE 1 – LEGAL AUTHORITY

The County and the City are authorized to enter into an intergovernmental agreement in accordance with the authority granted by Article IX, Section III, Paragraph I of the 1983 Constitution of the State of Georgia. Each of the parties herein covenants that it has the requisite legal authority to provide the services, perform the functions, and otherwise do all things necessary, convenient, and expedient to carry out the obligations and responsibilities herein set forth, either expressly or by implication.

ARTICLE 2 – DUTIES OF THE COUNTY

- 2.1 The County's 911/EMA Director shall coordinate with the City and WestNet regarding installation and operation of the WestNet System.
- 2.2 The County shall contract with WestNet and pay for the necessary upgrades at the 911 Center necessary to integrate with the City's WestNet System.
- 2.3 The County shall reimburse the City for one-time WestNet installation expenses from Level Two SPLOST proceeds within thirty (30) days from receiving an invoice from the City.

ARTICLE 3 – DUTIES OF THE CITY

- 3.1 The City shall contract with WestNet and provide adequate access to WestNet for the purposes of installation and maintenance of the WestNet System at City Fire Stations.
- 3.2 The City shall provide or procure adequate electrical service necessary to operate WestNet at City Fire Stations at the City's expense.
- 3.3 The City shall be responsible for all annual maintenance costs associated with the WestNet System at City Fire Stations.
- 3.4 The City shall invoice the County for one-time WestNet installation expenses.

ARTICLE 4 – TERMINATION

Either party may terminate this Agreement with sixty (60) days written notice. Should this Agreement be terminated, the County shall be responsible for one-time WestNet installation expenses and the City shall be responsible for any maintenance costs due to WestNet related to the City's Fire Stations.

ARTICLE 5 – TERM

This Agreement shall be effective upon execution and shall remain in effect until December 31, 2027, unless terminated earlier by either party in accordance with Article 4. This Agreement shall be automatically renewed for up to four (4) successive five (5) year terms

beginning on January 1st following the then current term. In no event shall this Agreement exceed a period of twenty-five (25) years.

ARTICLE 6 – MISCELLANEOUS

6.1. Severability. If any provision of this Agreement is invalid or unenforceable with respect to any party, then the remainder of this Agreement, or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this Agreement shall remain valid and enforceable to the fullest extent permitted by law; if fulfillment of any provision of this Agreement, or performance of any transaction related hereto, at the time such fulfillment or performance shall be due, shall involve transcending the limit of validity prescribed by law, then the obligation to be fulfilled or performed shall be reduced to the limit of such validity.

6.2. Binding Effect. This Agreement shall be binding on and inure to the benefit of the respective parties' successors and permitted assignees.

6.3. Governing Law. This Agreement shall be construed by the laws of the State of Georgia. The parties consent to the venue and jurisdiction of the Superior Court of Coweta County, Georgia.

6.4. Captions and Recitals. The captions and recitals of this Agreement are to be construed as part of this Agreement.

6.5. No Waiver. No provision of this Agreement shall be deemed to have been waived by either party unless the waiver is in writing and signed by the party against whom enforcement is attempted, nor shall a waiver by a party of any right hereunder at any given time be deemed a waiver thereof for any other time.

6.6. Notice. Any notice required to be given in this Agreement will be made to the address of other parties set forth below:

County:

Coweta County Board of Commissioners
Attn: County Administrator
22 East Broad Street
Newnan, Georgia 30263

City:

City of Newnan
Attn: City Manager
25 LaGrange Street
Newnan, Georgia 30263

IN WITNESS WHEREOF, the County and City have executed this Agreement as of the date first above written.

Coweta County, Georgia

City of Newnan

By: _____
Chairman

By: _____
Mayor

Attest: _____
Clerk

Attest: _____

(SEAL)



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Request to Abandon Public Right of Way – Portion of Pope Street

Prepared By: Dean Smith, Planning and Zoning Department

Purpose: The Council may consider a request to abandon a portion of certain unimproved public Right of Way, referred to as Pope Street, running north to south between McIntosh Parkway and to a point on an existing improved public street also known as Pope Street

Background: Property owners Jeffery Shumake, etal and Jeff Lindsey Communities, Inc, via an attorney, Harry Camp, have approached the City with a request to abandon the unimproved right of way portion with one property owner, the Shumakes, acquiring the property subject to an emergency access easement with Jeff Lindsey Communities, Inc.

Funding: None

Recommendation: Initiate the process for right of way abandonment in accordance with City Ordinance Part 1, Article VI, Section 6-23 – “Sale of City Property”.

Attachments:

Letter of Request
Property Survey/Site Plan

Previous Discussion with Council: None

THE CAMP FIRM LLC
THOMAS H. "HARRY" CAMP
34 SOUTH COURT SQUARE ♦ P.O. BOX 2349
NEWNAN, GEORGIA 30264
(770) 683-4466
HARRY@THECAMPFIRM.COM

August 17, 2022

via electronic mail
(DSmith@cityofnewnan.org)

Dean Smith
Senior Planner
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

Re: Pope Street Partial Abandonment

Dear Mr. Smith:

I write on behalf of my clients, the Shumake family, as well as Jeff Lindsey Communities, Inc. Both parties own property abutting an unimproved 50-foot strip of property indicated on some old plats as right-of-way for Pope Street. To the extent the City maintains an interest in this right-of-way, my clients are seeking the abandonment thereof.

As indicated on the attached plat, the proposed abandonment area runs from the southeastern right-of-way of the McIntosh Parkway where it crosses Pope Street extended to a point near the end of the existing paved portion of Pope Street that is 75 feet North from the southeastern corner of the Shumake property. The abandonment area would be subject to an emergency access easement in favor of Jeff Lindsey Communities, Inc. to serve its McIntosh Commons development. The Shumake family would otherwise become the sole fee owners of the abandonment area.

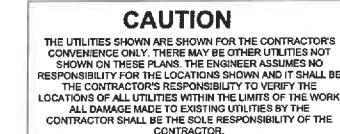
Jeff Lindsey Communities, Inc. supports the proposed abandonment on the terms proposed herein, and no other property owners are affected. As indicated above, the abandonment area has never been improved as a public street and serves no apparent public purpose. Construction of McIntosh Parkway severed the area in such a manner that any future use as a public thruway is also infeasible. Absent abandonment the area is likely to continue to attract undesirable activities that are contrary to the public interest, including trespassing and illegal dumping.

Thank you for your consideration. Please do not hesitate to call me with any questions.

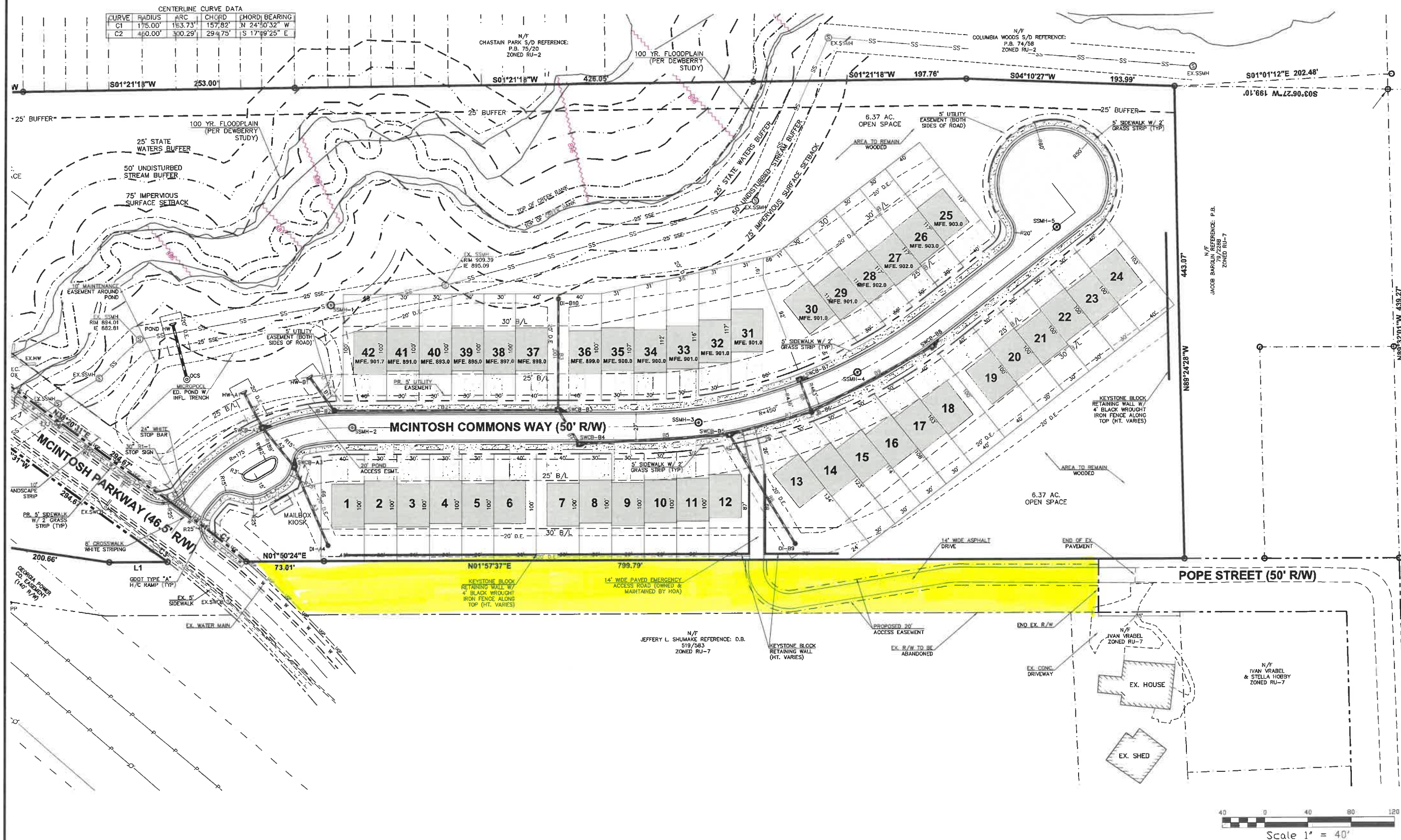
Sincerely yours,


Thomas H. Camp





CENTERLINE CURVE DATA					
CURVE	RADIUS	ARC	CHORD	CHORD BEARING	
C1	175.00'	163.73'	157.82'	N 24°50'32" W	
C2	460.00'	300.29'	294.75'	S 17°09'25" E	



paramount

PH: (770)-473-9576
george@paramountengineering.com

[illegible]

PROJECT:	MCINTOSH COMMONS		
SHEET:	ACCESS ESMT. PLAN		
LL 24	5TH DISTRICT		CITY OF NEWMAN
DATE: 11-12-21	DRAWN BY: GPH	SCALE: 1" = 40'	

SHEET

C3

46



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Information Only – Zoning ordinance amendments for referral to Planning Commission

Prepared and Presented by: Dean Smith, Planner

Purpose: The purpose of this item is to apprise Newnan City Council with information on potential zoning ordinance changes and to begin the process of amending the zoning ordinance starting with the Planning Commission.

Background: Earlier this year, HB 1405 was signed into law by Governor Kemp. This law changes the timeline on when local municipalities must notify the public about quasi-judicial actions, i.e., variance and special exception public hearings. In the past, we were required to send out notifications, including legal advertisements, to the public at least 15 days in advance of a scheduled hearing. The new law now requires us to notify the public, i.e. legal advertisements, letter to property owners, etc. at least 30 days in advance of a scheduled hearing. This new, extended notification timeline does not apply to actions involving rezoning or annexation petitions; however, it will necessitate that we amend our zoning ordinance.

Funding: N/A

Previous Discussions with Council: None



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Rezoning Request 2022-11, Sprayberry's Barbecue, Inc. on 1.22 acres described as 30 Amlajack Boulevard (Tax Parcel 097-5077-013); Requested change in two conditions on setback for a proposed highway sign **-For Information Only**

Prepared By: Dean Smith, Senior Planner

Purpose: To inform the City Council that RZ2202-11 is before the Planning Commission for consideration and a recommendation on requested changes in conditions for a piece of property that was annexed into the City limits on July 12, 2022.

Land Owners	Tax Id Number	Acreage	Location
Sprayberry's Barbecue, Inc.	097-5077-013	1.22 ± acres	30 Amlajack Boulevard

Background: The petitioner is requesting a change in zoning conditions for a CHV (Heavy Commercial District) zoned parcel that was zoned by City Council on July 12, 2022, in conjunction with an annexation petition for the property located at 30 Amlajack Boulevard. The applicant would like to reduce a highway sign's setbacks from 65 feet from the interstate to 25 feet and to reduce the highway's sign setback from an adjoining property owner from 40 feet to 25 feet.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: None



CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

NEWNAN
GEORGIA

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant Sprayberry's Barbecue Inc.

Mailing Address 127 Pickens Drive, Newnan, GA 30263

Telephone 770-328-6082 Email: sbbqinc@gmail.com

Property Owner (Use back if multiple names) Sprayberry's Barbecue, Inc.

Mailing Address 127 Pickens Drive, Newnan, GA 30265

Telephone 770-328-6082

Address/Location of Property 30 Amlajack Blvd., Newnan, GA 30265

Tax Parcel No.: 097 5077 013 Land Lot 77

District/Section 5 Size of Property (Square Feet or Acres) 1.22 Ac.

Present Zoning Classification: CHV Proposed Zoning Classification: CHV

Present Land Use: Wooden hwy sign to be redeveloped special exception permit approved 7-12-22

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

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

Applicant request amendment to reduce the sign front setback to 25' and side setback to 25'

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made Not applicable

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

Please attach all the following items to the completed application:

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

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

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

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

Sworn to and subscribed before me this
1st day of September, 20

Signature of Applicant

Donald L. Jungling Jr.



(Affix Raised Seal Here)

Angie R. Francis
 Notary Public

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: _____

RECEIVED BY: Dean Smith

DATE OF FILING: 9-1-22

FILING FEE RECEIVED: \$ 525.00

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

Sprayberry's Barbecue, Inc.

127 Pickens Drive

Newnan, GA 30263

August 15, 2022

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

RE: Parcel No. 097 5077 013- 30 Amlajack Blvd., Newnan, GA

Dear Ms. Dunnavant,

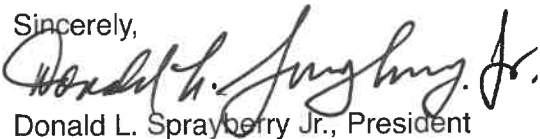
Please accept this as our request to modify the conditions of the special exception permit approved by Planning & Zoning in its 6-21-22 meeting and granted by City Council in its 7-12-22 meeting. More specifically, we are requesting a modification to Sec 8-21(b) to reduce the front setback from 60' to 25' and the side setback from 40' to 25' for the sign that has been approved under the special exception permit. During the initial approval process the setback needs were inadvertently not specified in our applications.

Given the significant right of way vegetation and short line of site visibility for Southbound traffic exiting onto off-ramp the reduced front setback is need in order to achieve adequate visibility so as not to make readability of the messages difficult for motorists. The side setback reduction is needed due to the uniquely angled Southern border to allow any visibility for Northbound traffic (see attached plats).

We have assembled some field measurements for the majority of similar Highway signs as they are situated from the I-85 and our findings determined that the average setback is approximately 20' for these signs (see attached exhibit). Given this data we consider our setback requests to be reasonable and consistent when compared to existing signs.

Please review our application package and should you require additional information to keep us on the agenda for the next available meeting please let us know.

Sincerely,



Donald L. Sprayberry Jr., President

Attachments

Adjacent property owners situated within 250' of Parcel 097 5077 013

**Kason Industries, Inc.
Attn: Debbie Gazaway
57 Amlajack Blvd.
Newnan, GA 30265
Parcel No. 097 5077 012
Property address is 31 Amlajack Blvd.**

**Coweta Wholesale Inc.
33 Amlajack Blvd.
Newnan, GA 30265
Parcel No. 097 5077 014**

9281298029
PARTICIPANT ID

RETURN TO:
GLOVER & DAVIS, P.A.
P.O. DRAWER 1838
MARIETTA, GA. 30064

LIMITED
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

PT-61 038-2021-008174

BK:5456 PG:359-359

D2021031944

FILED IN OFFICE

CLERK OF COURT

11/11/2021 02:25 PM

CINDY BROWN, CLERK

SUPERIOR COURT

COWETA COUNTY, GA

Cindy B. Brown

THIS INSTRUMENT made this 11th day of November, 2021, between Donald L. Sprayberry, Jr., and Stephen P. Sprayberry, of the County of Coweta and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Sprayberry's Barbecue, Inc., a Georgia corporation, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

REAL ESTATE
TRANSFER TAX
PAID: \$0.00

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

All that tract or parcel of land situate, lying and being in Land Lot 77 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the northwesterly right of way of Interstate Highway 85 with the center line of old Highway 34 (abandoned 60 foot right of way); thence northwesterly along the center line of old Highway 34, and following the curvature thereof, 265 feet more or less to property now owned by Coweta County Development Authority; thence in a southerly direction along the easterly property line of property now owned by Coweta County Development Authority 460 feet more or less to the northwesterly right of way of Interstate Highway 85; thence northeasterly along the northwesterly right of way of Interstate Highway 85 to the POINT OF BEGINNING.

Also conveyed herewith is Grantor's easement for purposes of ingress and egress across property now owned by Coweta County Development Authority from Ahlajahk Boulevard to the above described property.

This Deed is given subject to all easements and restrictions of record.

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

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

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

Signed, sealed and delivered in presence of:

Witness

Notary Public

My Commission Expires:

Signed, sealed and delivered to

Witness

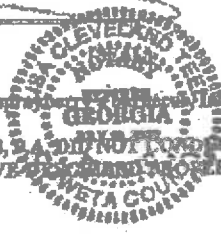
Notary Public

Witness

GLOVER AND DAVIS, P.A. DID NOT CONDUCT A TITLE EXAMINATION AND IS NOT CERTIFYING TITLE TO THE ABOVE DESCRIBED PROPERTY.

Donald L. Sprayberry, Jr.
Donald L. Sprayberry, Jr. (SEAL)

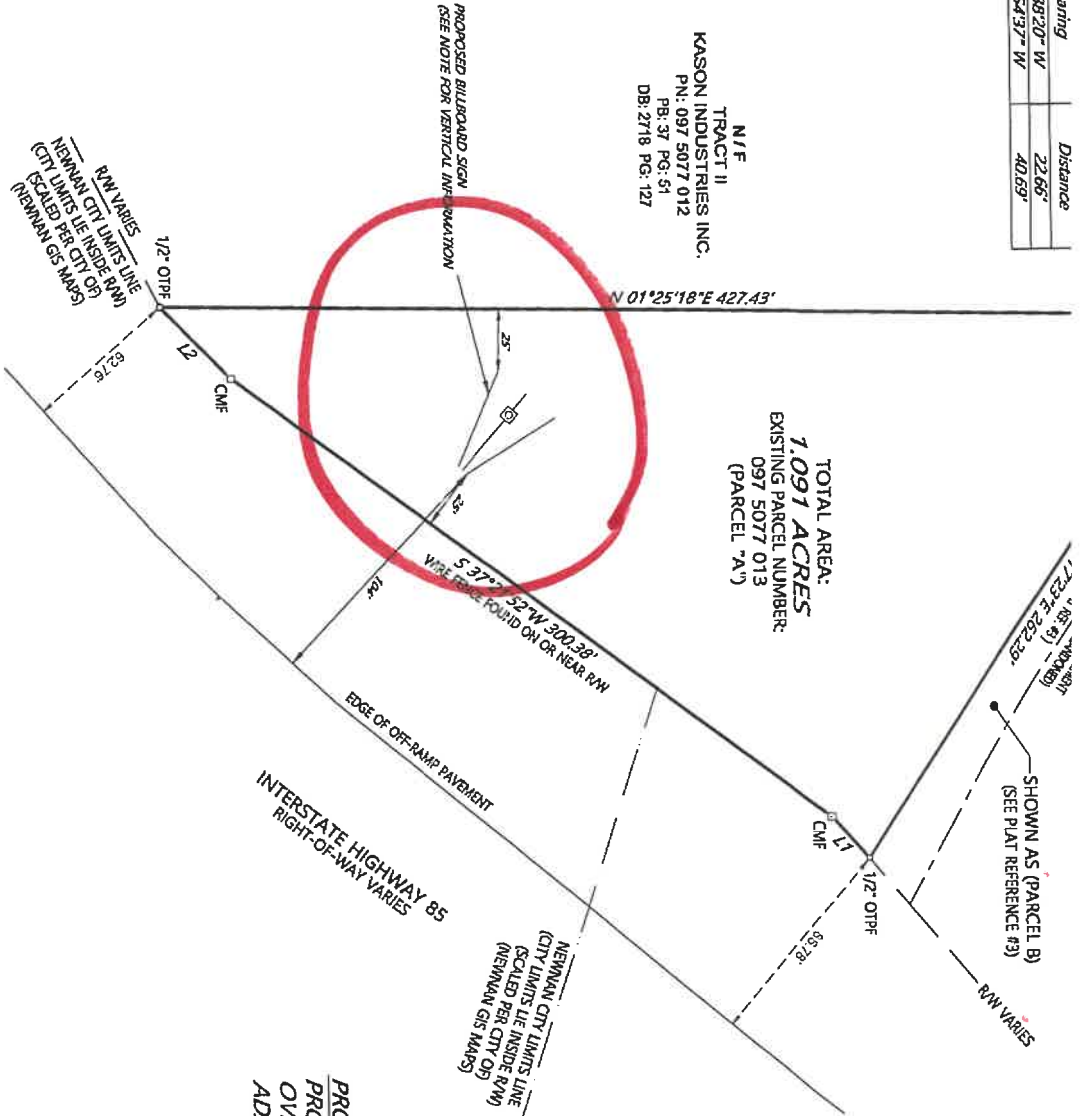
Stephen P. Sprayberry
Stephen P. Sprayberry (SEAL)



Course	Bearing	Distance
L1	S 49°38'20" W	22.66'
L2	S 45°54'37" W	40.69'

N/F
TRACT II
KASON INDUSTRIES INC.
PN: 097 5077 012
PB: 37 PG: 51
DB: 2718 PG: 127

TOTAL AREA:
1.091 ACRES
EXISTING PARCEL NUMBER:
097 5077 013
(PARCEL "A")



PROPOSED SIGN VERTICAL NOTE
PROPOSED SIGN TO BE 45' TALL
OVERALL WITH AN OPTION TO BE
ADJUSTED TO 65'

**Requested
Setbacks
25' front
25' side**



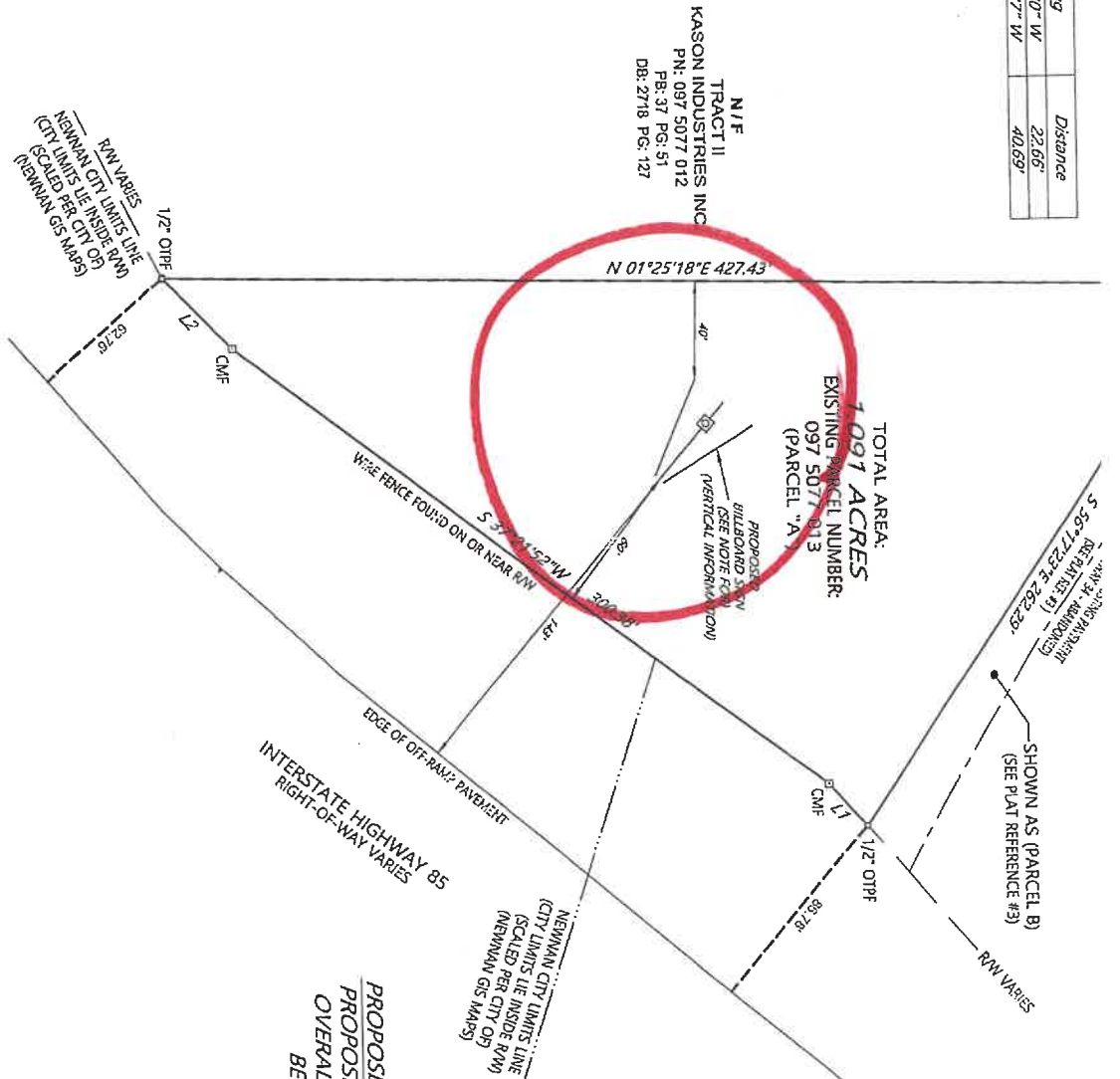
PLAT REVISION DESCRIPTION:
1. TO SHOW CITY LIMITS LINE OF NEWMAN GEORGIA
REVISION DATE: JUNE 24, 2022
2. TO SHOW PROPOSED SIGN LOCATION WITH DIMEN.
REVISION DATE: AUG. 04, 2022



Gaskins
ENGINEERS, ARCHITECTS, LAND SURVEYORS, AND CONSULTING ENGINEERS
Christopher BROTHERS
www.gscsurvey.com LSF# 789
24 Jackson Street, Newnan, GA 30263 Phone: (770) 253-5195

RETRACEMENT BOUNDARY SURVEY I
GEORGIA OUTDOOR ADVERTISING,
& DONALD SPRAYBERRY ETA
PARCEL NUMBER: 097 5077 013 (ABANDONED OLD
LOCATED IN LAND LOT 77 OF THE 5TH LAND DISTRICT
COWETA COUNTY, GA

Bearing	Distance
S 49°38'20" W	22.66'
S 45°54'37" W	40.69'



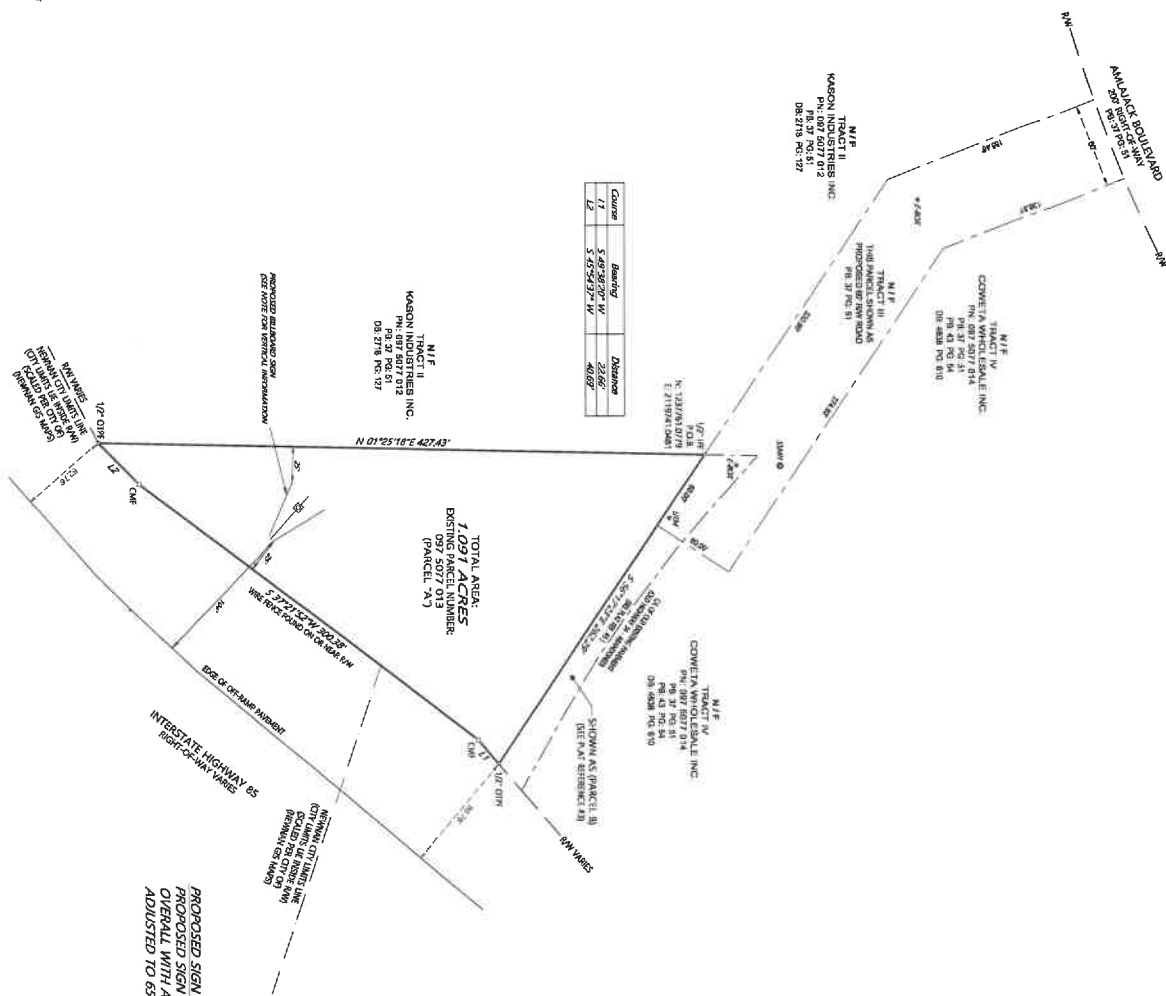
- PLAT REVISION DESCRIPTION:**
1. TO SHOW CITY LIMITS LINE OF NEWMAN GEORGIA
 REVISION DATE: JUNE 24, 2022
 2. TO SHOW PROPOSED SIGN LOCATION WITH DIMEN.
 REVISION DATE: AUG. 04, 2022
 3. TO SHOW PROPOSED SIGN LOCATION WITH DIMEN.
 NOISE OF PROPOSED SIGN 80' NORTH AND 40' EAST.
 REVISION DATE: AUG. 15, 2022



Gaskins Brothers
 24 Jackson Street, Newnan, GA 30263
 www.gascosurvey.com LSF# 789
 Phone: (770) 253-5195

RETRACEMENT BOUNDARY SURVEY FOR:
**GEORGIA OUTDOOR ADVERTISING
 & DONALD SPRAYBERRY ETAL**
 PARCEL NUMBER: 097 5077 013 (ABANDONED OLD HWY 34)
 LOCATED IN LAND LOT 77 OF THE 5TH LAND DISTRICT
 COWETA COUNTY, GA.



[illegible]

DATED APRIL 23, 1987



06-01-2022
LAST FIELDWORK DATE:
05-27-2022
FILE LOCATION:
ASAP/0604/04/2017/060404
DINO FILE: SPURTHILL PLOT A - 060
CND FILE: SPURTHILL PLOT A - 060
SCALE: 1" = 40'
DRAWN BY: CAR
CHECKED BY: CAR



City of Newnan, Georgia
Attachment A
Proffered Conditions

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

Please list any written proffered conditions below:

Upon submission of the original annexation and special exception applications inadvertently did not include details of setbacks for the sign. Sec. 8-21(b) requires a 60' front setback and 40' side setback for highway signs. Give significant right of way vegetation and short line of sight visibility applicant seeks a reduction in front setback to 25' and 25' to side setback for the Sign approved 7-12-22. Furthermore, approval of this request will be consistent with majority of similar approved highway signs situated at the same I-85 Exit.

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

Please refer to attached survey plats showing requested setback reductions vs. existing setbacks.
Also refer to attached supporting materials referencing similar signs as situated to I-85 frontage.

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

Signature of Applicant

Donald Sprayberry Jr.
Type or Print Name and Title

Signature of Applicant's Representative

Donald Sprayberry Jr.
Type or Print Name and Title

Signature of Notary Public

Date



(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on _____, 2022 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

Parcel No. 037 5077 013- Land Lot 77, District 5.-1.22 ac parcel at 30 Amlajack Blvd., Newnan GA

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

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Donald Sprayberry Jr & Stephen Sprayberry

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.

Donald Sprayberry Jr.
Signature of Applicant

Donald Sprayberry Jr.
Type or Print Name and Title

Signature of Applicant's Representative

Donald Sprayberry Jr.
Type or Print Name and Title

Angie R. Francis 9/1/2022
Signature of Notary Public Date



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



City of Newnan, Georgia
Attachment C

Property Owner's Authorization

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

Name of Property Owner Sprayberry's Barbecue, Inc.

Telephone Number 770-328-6082

Address of Subject Property 30 Amlajack Blvd., Newnan GA 30265

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


Signature of Property Owner

Personally appeared before me

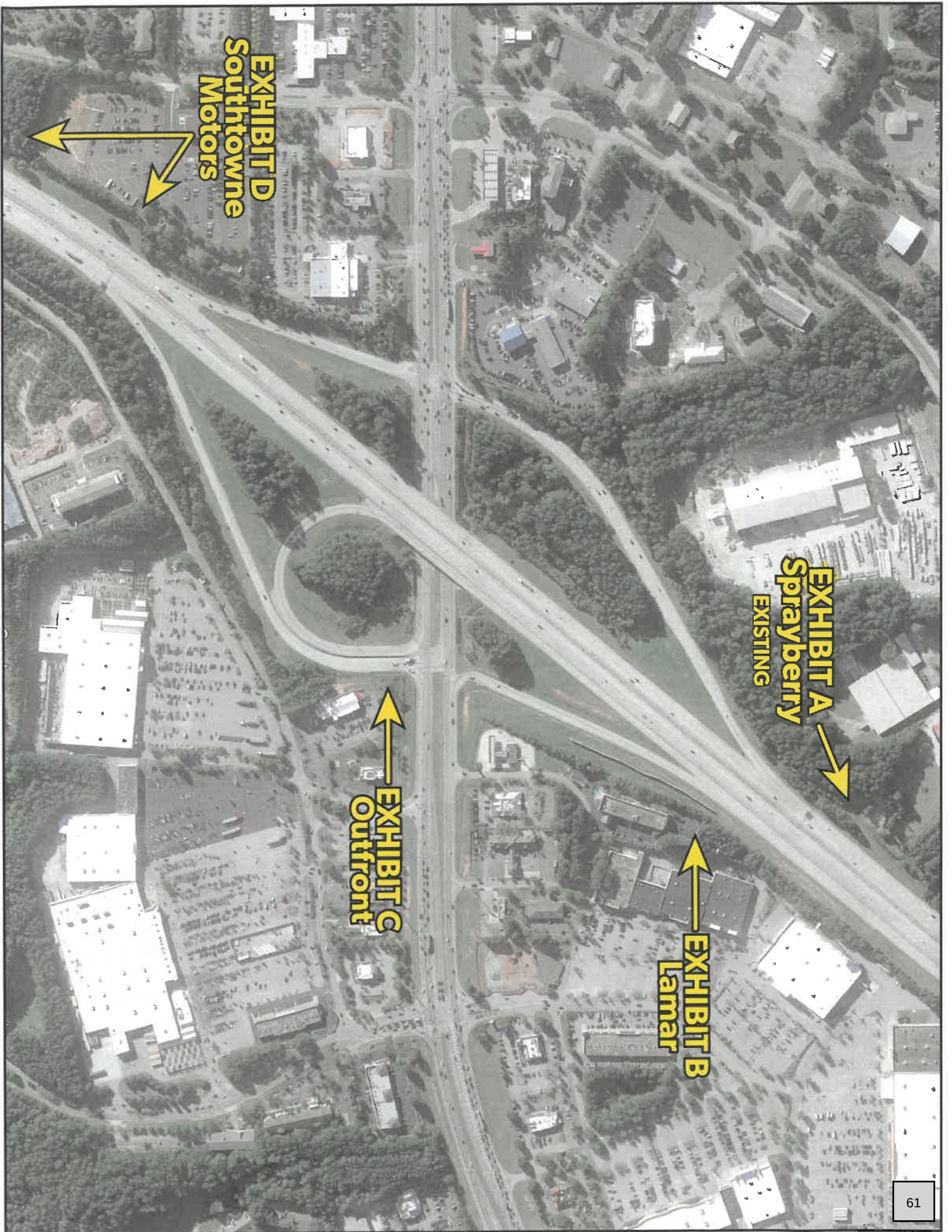
Donald Sprayberry Jr.

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


Notary Public

9/1/2022
Date





HARDSHIP STATEMENT

The Highway Sign as approved at 60' front setback is situated very deep into the parcel frontage and a very significant distance from the actual I-85 traffic lanes therefore creating a hardship.

Visibility along I-85 Southbound is very short, less than 500-600 feet given the right of way vegetation, furthermore the adjacent parcels vegetation, as well as the large cellular tower impedes visibility where sign would be situated at 60' from right of way (refer to exhibits).

Visibility along I-85 Northbound is governed by the irregular shaped boundary shared with neighboring parcel to South. This parcel has significant trees that will block entire visibility if sign were to be situated at 60' from right of way (refer to exhibits).

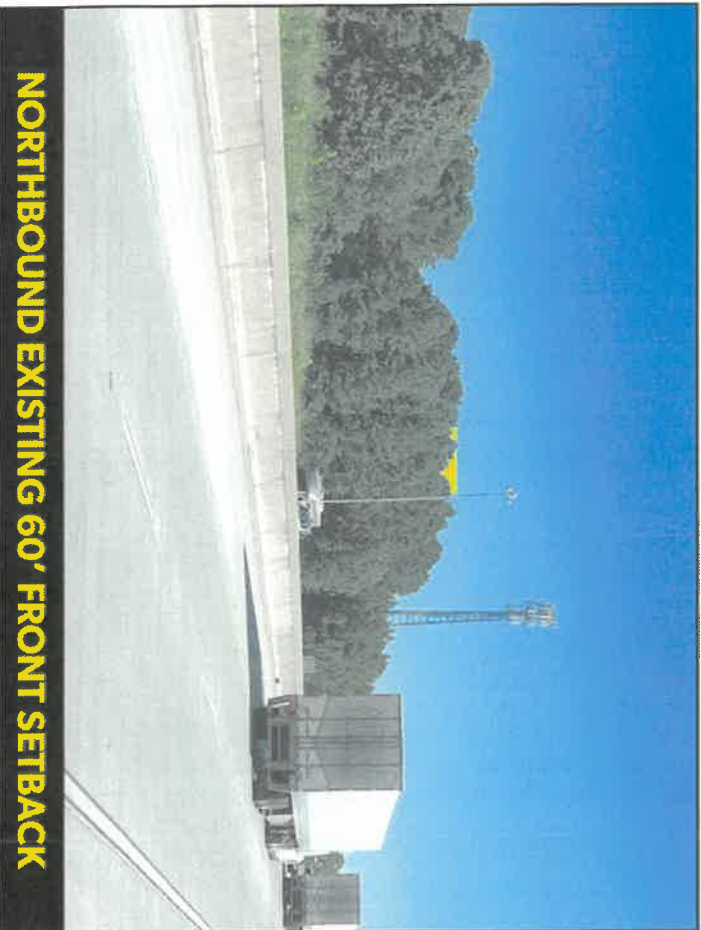
Applicant requests modification from the 60' front and 40' side setback for its approved Highway Sign to 25' front and 25' side setback to allow adequate visibility for both North and Southbound traffic.



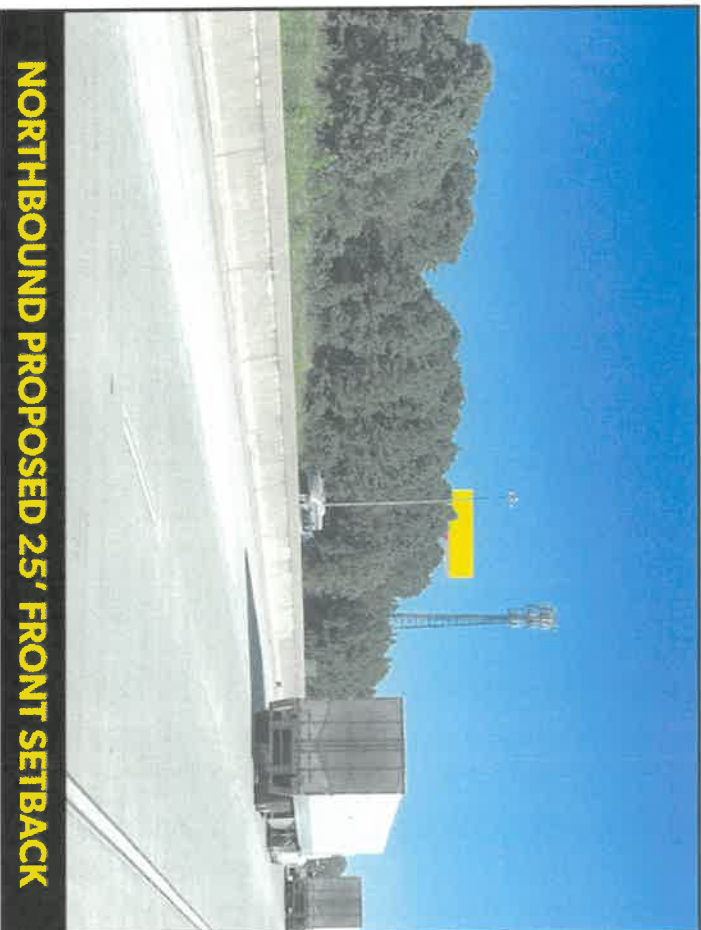
SOUTHBOUND EXISTING 60' FRONT SETBACK



SOUTHBOUND PROPOSED 25' FRONT SETBACK



NORTHBOUND EXISTING 60' FRONT SETBACK



NORTHBOUND PROPOSED 25' FRONT SETBACK



PROPOSED
BILLBOARD SIGN

(I-85 SOUTH BOUND VIEW)

(PROPOSED)
25FT FRONT
AND 25FT SIDE
SETBACK

(EXISTING)
60FT FRONT
AND 40FT SIDE
SETBACK

PROPOSED
BILLBOARD SIGN

V

(I-85 SOUTH BOUND VIEW)

(PROPOSED)
25FT FRONT
AND 25FT SIDE
SETBACK

PROPOSED
BILLBOARD SIGN

(I-85 NORTH BOUND VIEW)



(EXISTING)
60FT FRONT
AND 40FT SIDE
SETBACK

PROPOSED
BILLBOARD SIGN

(I-85 NORTH BOUND VIEW)



EXISTING PARCEL
#097 5077 013
CITY OF NEWNAN
GEORGIA

City of Newnan, Georgia - Mayor and Council



Date: September 13, 2022

Agenda Item: Rezoning Request 2022-12, Southern Development, LLC on 3.3 ± acres described Tax Parcel N57D-096, 420 Jefferson Street; Requested zoning from RS-15 (Suburban Residential Single-Family Dwelling District-Medium Density, to CGN (General Commercial District)-purpose of establishing a “food service container building” -**For Information Only**

Prepared By: Dean Smith, Senior Planner

Purpose: To inform the City Council that RZ2202-12 is before the Planning Commission for consideration and a recommendation on the requested zoning classification.

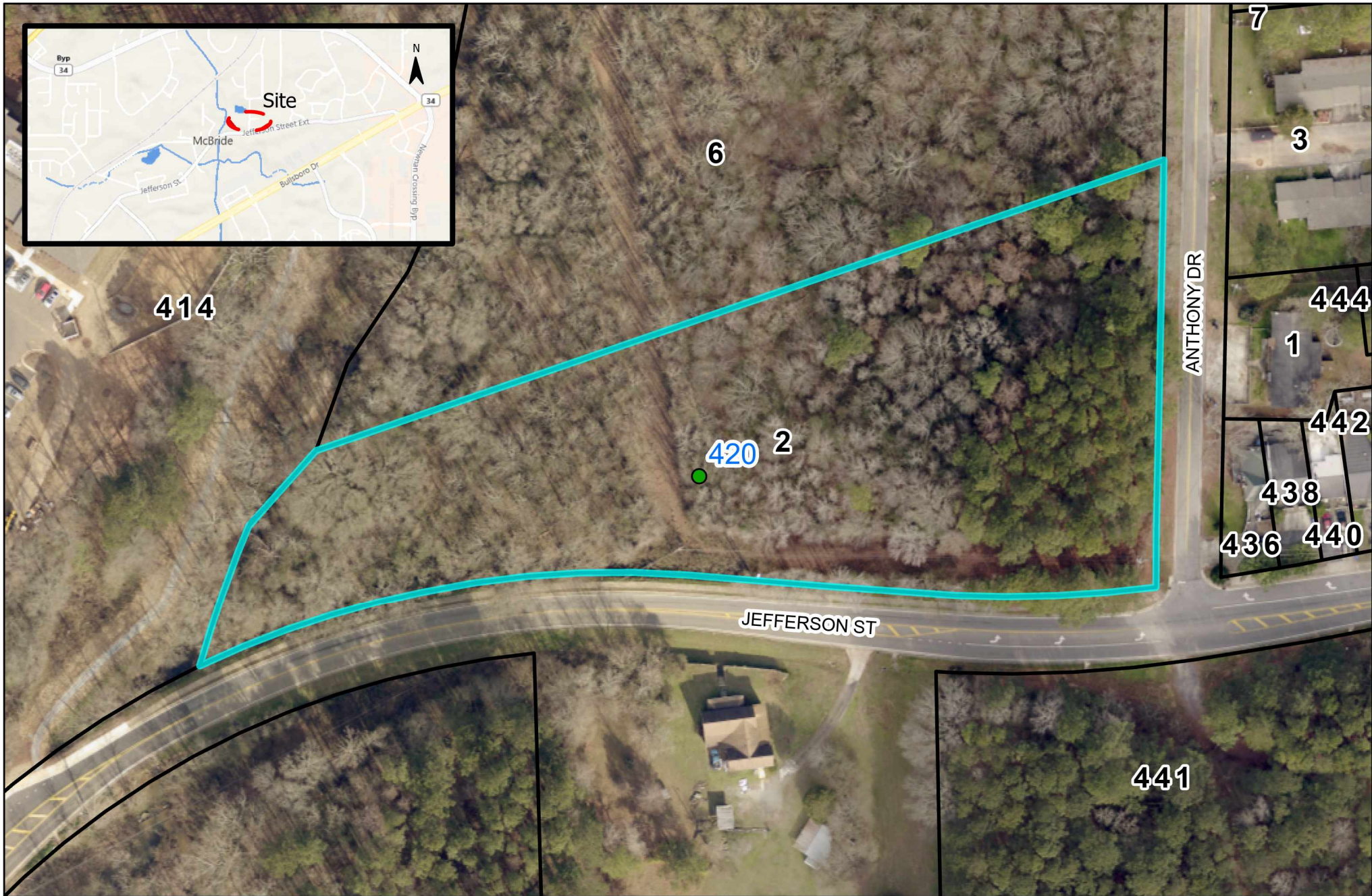
Land Owners	Tax Id Number	Acreage	Location
Southern Development, LLC	N57D-096	3.3 ± acres	Corner of Anthony Drive and Jefferson Street

Background: The petitioner is requesting a zoning designation of CGN (General Commercial District) for the property identified as Tax Parcel N57D-096, located at 420 Jefferson Street. The property is currently vacant, and the applicant proposes to develop a portion of the property for a “food service container building and related parking.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: None



CITY OF NEWNAN



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

Project Location

1 = 1,200 feet

Date: 9/6/2022 10:22 AM



Project Location

City Limits

Parcel # N57D 096

ADDRESS
420 JEFFERSON ST
Newnan, GA 30263

Southern Development LLC
Josh Harris, Member
803-605-8396
jharris@jbharris.com

August 17, 2022

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

RE: Southern Development LLC Application to Amend Zoning Map
Approximately 3.3 acres located at 420 Jefferson Street – corner of Jefferson St Ext & Anthony Dr

Dear Ms. Dunnavant:

Southern Development LLC is the owner and applicant for the rezoning application of 420 Jefferson Street, Newnan, GA 30263, parcel N57D 096. The property is approximately 3.3 acres with Wahoo Creek as the Western property line. A large portion of the property is in flood plain and the corner would be the area most suitable for development. The site is served by city water and sewer and has sidewalk access all the way to downtown Newnan and to many commercial businesses on and off Jefferson Street and shopping centers on Bullsboro Drive. The current zoning is RS-15 and the requested new zoning is CGN. The property is currently surrounded by Residential, Multi-Family, Commercial & Industrial properties. The City of Newnan Comprehensive Plan designates the Future Land Use of this property as "Built Community" which is defined as "Areas that have been developed with a variety of residential dwellings and nonresidential uses that provide goods and services to the surrounding neighborhoods." This is in keeping with the proposed use of the property as described below.

We are proposing a small food service container building of no more than 2000 square feet with lots of green space and tables and benches to enjoy the natural beauty of the wooded area and Wahoo Creek. The use would serve the local community and all the nearby residents who could walk, bike, etc. to the site and enjoy a cup of coffee or other beverages and/or light bites of food.

Attached are several examples of structures similar in style and size to the type that we are proposing. One of the examples is actually located at 23 E. Broad Street across from the Coweta County Administration Building in downtown Newnan.

Thank you in advance for your consideration. We look forward to working with the City of Newnan on this proposal. If there are any questions about the application and materials submitted, or should you require any additional information, please contact me.

Respectfully,

Josh Harris, Member
Southern Development LLC



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant Southern Development LLC

Mailing Address P.O. Box 73829, Newnan, Ga 30271

Telephone 803-605-8396 Email: jharris@jbharris.com

Property Owner (Use back if multiple names) same as applicant

Mailing Address _____

Telephone _____

Address/Location of Property 420 Jefferson Street - corner of Jefferson St Ext & Anthony Dr

Tax Parcel No.: N57D 096 Land Lot 55

District/Section 5th Size of Property (Square Feet or Acres) 3.3 acres

Present Zoning Classification: RS-15 Proposed Zoning Classification: CGN

Present Land Use: Vacant land

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

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable
The growth of Bullsboro Dr/Hwy 34 has extended to and beyond this parcel and this parcel would not be desirable for single family residential use.

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

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? It is a large corner lot with sidewalks that run from downtown to Hwy 34 and is surrounded on 3 sides by Commercial & Multi-family. The residential parcel that is adjacent is separated by a large wooded buffer and is accessed via a different street. With so many Commercial businesses, apartment complexes, medical offices, school & day care and other consumer destinations close by, this parcel is ideal for something that will serve the local community and is line with the Built Community area that is designated on the Future land use map.

Please attach all the following items to the completed application and must also be furnished in digital, pdf format:

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

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

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

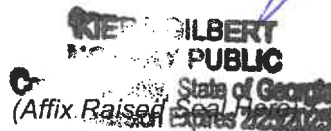
I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just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

Sworn to and subscribed before me this

19 day of August, 2022

Signature of Applicant

Kiera Gilbert
Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE : _____

RECEIVED BY: _____

DATE OF FILING: _____

FILING FEE RECEIVED: _____

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____



NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment A
Proffered Conditions

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

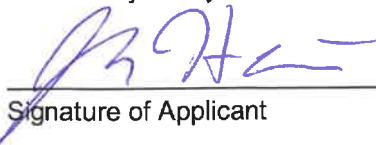
Please list any written proffered conditions below:

See letter of intent and attached p concept plans.

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

Examples of the proposed structure type & design are attached.

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



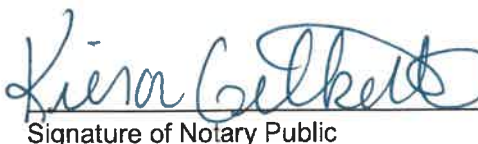
Signature of Applicant

Josh Harris Member

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

 8/19/22

Signature of Notary Public Date

KIERA GILBERT
NOTARY PUBLIC
Covington County, State of Georgia
My Commission Expires 2/25/2025

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

THIS INDENTURE, Made this 15th day of April, 2021 between **JOSEPH WAINSCOTT**, of the first part, and **SOUTHERN DEVELOPMENT, LLC, a Georgia Limited Liability Company**, of the State of Georgia and of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10,00) Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, the following property to-wit:

ALL THAT TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN LAND LOT 55 OF THE 5TH LAND DISTRICT OF COWETA COUNTY, GEORGIA BEING SHOWN AS AREA CONTAINING 11.82 ACRES ON SURVEY PREPARED FOR ELIZABETH JOHNSON, RECORDED IN PLAT BOOK 99, PAGE 171, COWETA COUNTY, GEORGIA RECORDS. REFERENCE TO WHICH PLAT IS HEREBY MADE FOR A MORE ACCURATE DESCRIPTION OF THE PROPERTY HEREIN CONVEYED.

SUBJECT TO ALL RESTRICTIONS AND EASEMENTS OF RECORD.

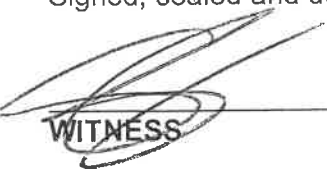
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, in Fee Simple.

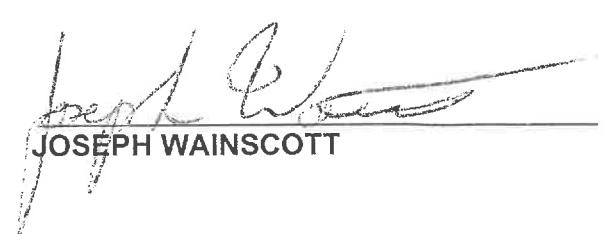
AND THE SAID party of the first part warrants the title to same against the lawful claims of all persons claiming by, through or under grantor, but not otherwise,

Whenever there is a reference to said party of first part and said party of the second part, the singular includes plural and the masculine include the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

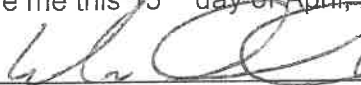
IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year above written.

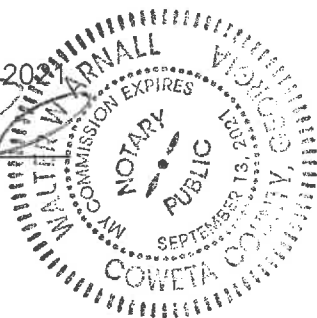
Signed, sealed and delivered in presence of:


WITNESS


JOSEPH WAINSCOTT

Sworn to and subscribed
before me this 15TH day of April, 2021


Notary Public





City of Newnan, Georgia

Attachment C

Property Owner's Authorization

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

Name of Property Owner Southern Development LLC by Josh Harris, Member

Telephone Number 803-605-8396

Address of Subject Property 420 Jefferson Street - corner of Jefferson St Ext & Anthony Dr

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


Signature of Property Owner

Personally appeared before me

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


Notary Public

8/19/2022
Date

KIERA GILBERT
NOTARY PUBLIC
Coweta County, State of Georgia
(Affix Seal Here) Commission Expires 2/25/2025

SURVEYOR NOTES

1. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

2. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

3. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.

4. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

5. OWNERSHIP OF IMPROVEMENTS MADE TO THE PROPERTY WHICH CREATE AN ENCROACHMENT CAN NOT BE DETERMINED SOLELY BY ON SITE INSPECTION. ENCROACHMENTS DEPICTED ON THIS PLAT MAY NOT REPRESENT THE CORRECT OWNERSHIP.

RESERVED FOR CLERK OF SUPERIOR COURT

REFERENCE:
DEED BOOK 307 PAGE 328
DEED BOOK 100 PAGE 132
PLAT BOOK 100 PAGE 132
PLAT BOOK 18 PAGE 179
DEED BOOK 287 PAGES 314-321 (ROW)
PLAT BOOK 72 PAGE 240

ADDRESS:
2 ANTHONY DRIVE
NEWMAN, GEORGIA 30263

OR
420 JEFFERSON STREET
NEWMAN, GEORGIA 30263

OWNER:
SOUTHERN DEVELOPMENT LLC
P O BOX 73829
NEWMAN, GA 30271

DEVELOPER:
SOUTHERN DEVELOPMENT LLC
P O BOX 73829
NEWMAN, GA 30271

**BOUNDARY SURVEY FOR:
SOUTHERN DEVELOPMENT, LLC**

LAND LOT 55
5TH DISTRICT
COWETA COUNTY, GEORGIA
CITY OF NEWMAN

HARBUCK LAND SURVEYORS, INC

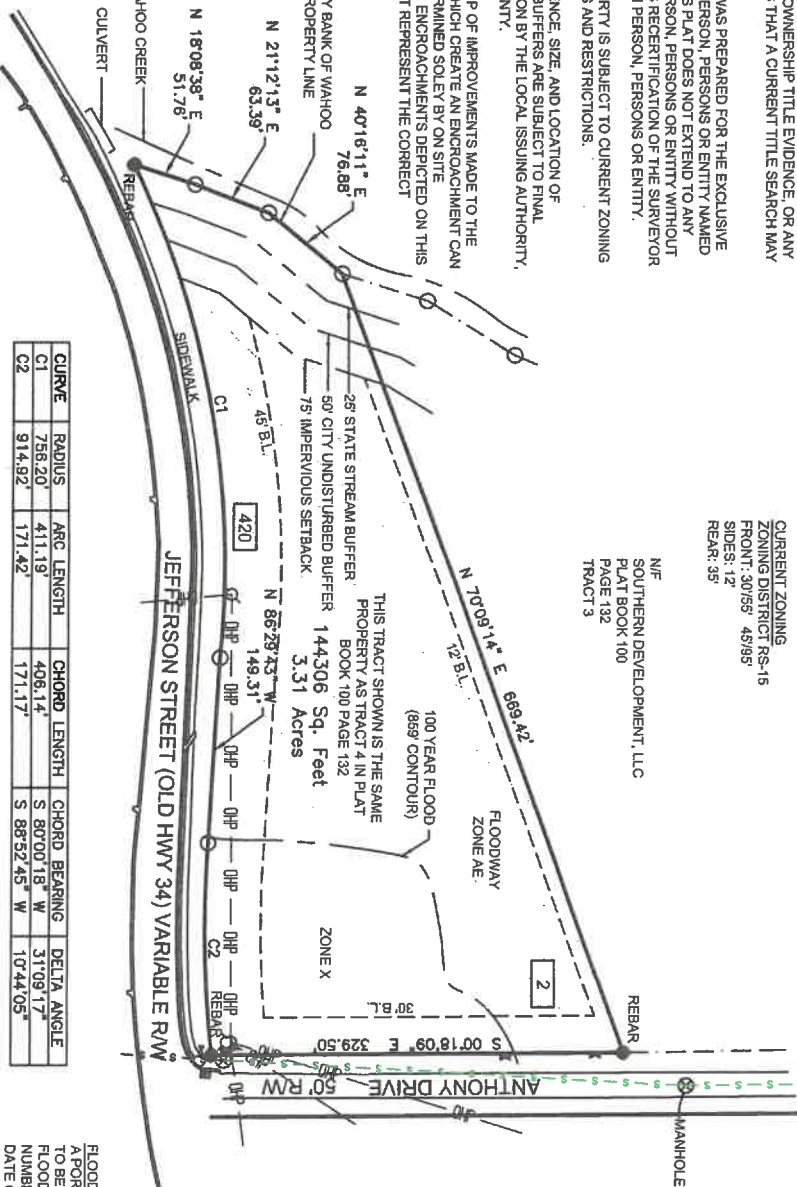
LAND SURVEYOR FIRM NO. 959
WILLIAM G. HARBUCK
GEORGIA REGISTERED LAND SURVEYOR NO. 3006
53C JEFFERSON STREET
NEWMAN, GA 30263
770-253-5585
HARBUCKLANDSURVEYORS@GMAIL.COM
SCALE: 1" = 100'
01/19/2022
FIELD WORK: 01/02/2022

NOTE

THE PURPOSE OF THIS PLAT IS FOR REZONING.

CURRENT ZONING
ZONING DISTRICT RS-15
FRONT: 307/55' 45/195'
SIDES: 12'
REAR: 35'

N/F
SOUTHERN DEVELOPMENT, LLC
PLAT BOOK 100
PAGE 132
TRACT 3



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	756.20'	411.18'	406.14'	S 80°00'18" W	31°09'17"
C2	914.92'	171.42'	171.17'	S 88°52'45" W	10°44'05"

GRAPHIC SCALE IN FEET



LEGEND

- IRON PIN FOUND
- IRON PIN SET
- PROPERTY CORNER
- POWER POLE
- FIRE HYDRANT
- TELEPHONE PEDESTAL
- WATER METER
- DROP INLET
- MANHOLE
- HARDWOOD TREE
- PINE TREE
- WATER VALVE
- SANITARY SEWER

BEARINGS ARE BASED ON GRID
NORTH GEORGIA WEST ZONE

FLOOD NOTE
A PORTION OF THIS PROPERTY WAS FOUND TO BE LOCATED WITHIN FLOOD ZONE AE AND X OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 130770144D WHICH BEARS AN EFFECTIVE DATE OF 02/06/2013. THE 859' CONTOUR ELEVATION WAS USED PER THE FIRM MAP LISTED ABOVE AND THE 859' CONTOUR WAS LOCATED IN THE FIELD ONLY IN THE AREA SHOWN. ZONE AE HAS BEEN SHOWN WITH HATCHING WHILE ALL OTHER AREAS ARE ZONE X.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL, OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLETES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



WILLIAM G. HARBUCK, GA, R.L.S. #3006

NOTE
THE PURPOSE OF THIS PLAT IS FOR
REZONING.

SITE PLAN

SURVEYOR NOTES
1. SURVEYOR HAS MADE NO INVESTIGATION OR
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SOUTHERN DEVELOPMENT, LLC
PLAT BOOK 100
PAGE 132
TRACT 3

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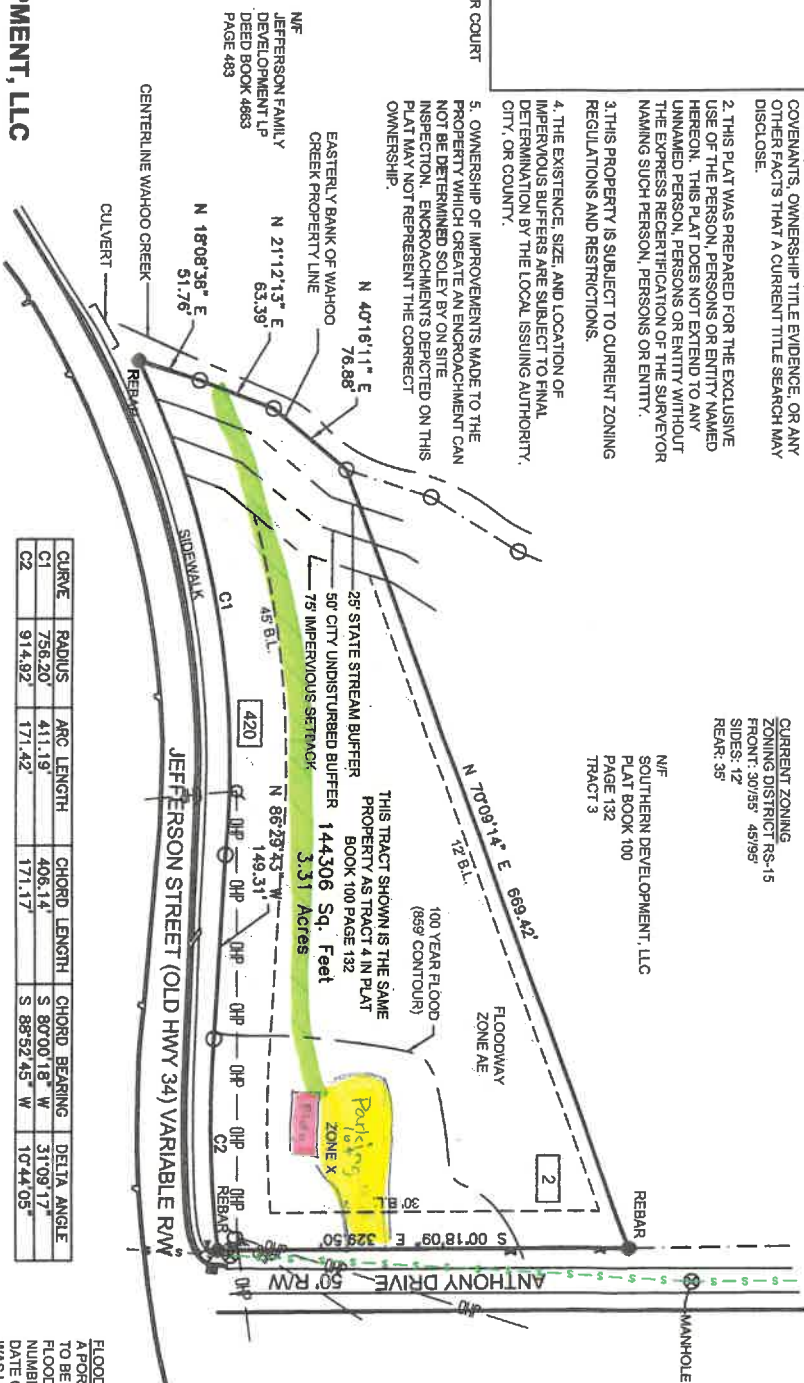
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William G. Harbuck

BEARINGS ARE BASED ON GRID
NORTH GEORGIA WEST ZONE

LEGEND

- IRON PIN FOUND
- IRON PIN SET
- PROPERTY CORNER
- POWER POLE
- FIRE HYDRANT
- TELEPHONE PEDSTAL
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THE AREA SHOWN. ZONE AE HAS BEEN SHOWN WITH
HATCHING WHILE ALL OTHER AREAS ARE ZONE X

Overview



Legend

- ☐ Parcels
-  Roads



Parcel ID N57D 096 Owner SOUTHERN DEVELOPMENT LLC Last 2 Sales

Class Code Residential PO BOX 73829 Date 4/15/2021 Price Reason Qual

Taxing District NFWNAN OR ANNEX NFWNAN, GA 30271 0 04 U



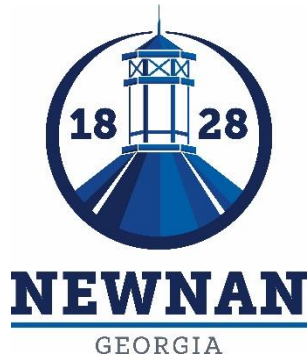
LOCATED IN NEWMAN
23 East Broad Street











City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Rezoning Request for RZ2022-10 by Daniel Lichty on behalf of Moranna Construction, Inc.; .970± acres located at 170 LaGrange Street (Tax Parcel #N28 004B); From RS-15 to RU-7 – **For Information Only**

Prepared By: Tracy S. Dunnivant, Planning Director

Purpose: To inform the City Council that RZ2022-10 is before the Planning Commission for consideration and a recommendation on the requested change from RS-15 to RU-7. The applicant would like to subdivide the property into three lots and build three single-family homes.

Land Owners	Tax ID Numbers	Acreage	Location
Moranna Construction, Inc.	N28 004B	.970± acres	170 LaGrange Street

Background: The petitioner is requesting a zoning designation of RU-7 (Urban Residential Single-Family Dwelling District- High Density) for the property located at 170 LaGrange Street. The property is currently zoned RS-15 (Suburban Residential Single-Family Dwelling - Medium Density and was most recently used as a multi-family apartment building that was destroyed during the tornado of March 2021.



The RU-7 zoning would allow the applicant to subdivide the property and build three single-family homes on the site.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: None



CITY OF NEWNAN



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

Project Location

1 = 720 feet

Date: 9/6/2022 2:24 PM



Project Location

City Limits

Rezoning
RS-15 to RU-7

Parcel # N28 004B

ADDRESS
170 LAGRANGE STREET
Newnan, GA 30263



LETTER OF INTENT

Moranna Construction, Inc. (MCI) proposes to build three single-family detached homes on the property located at 170 Lagrange Street, Newnan, Georgia, 30263. The lot is .970 acres and is currently zoned RS-15. MCI requests the property be rezoned to RU-7 classification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel M. Lichty', is written over a light blue horizontal line.

Daniel M. Lichty, Owner

DML:rm



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant Moranna Construction, Inc.

Mailing Address 770 Greison Trail Suite B, Newnan, 30263

Telephone 770-254-1313

Email: becky@lichtybrothers.com

Property Owner (Use back if multiple names) Moranna Construction, Inc.

Mailing Address 770 Greison Trail Suite B, Newnan, 30263

Telephone 770-254-1313

Address/Location of Property 170 LaGrange Street, Newnan, GA, 30263

Tax Parcel No.: N28 004B

Land Lot 7

District/Section 5th

Size of Property (Square Feet or Acres) .970ac

Present Zoning Classification: RS15

Proposed Zoning Classification: RU7

Present Land Use: Currently vacant, formerly multi-family apartments

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

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

Current zoning in the area doesn't allow for multi-family construction. Adjoining property is RU7.

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made All other existing structures in the immediate area of 170 LaGrange St. are single-family homes.

Changing to RU7 would be more in keeping with the current look and feel of the neighborhood. See enclosed examples of the style of home we want to build.

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

Please attach all the following items to the completed application and must also be furnished in digital, pdf format:

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

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

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

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

Sworn to and subscribed before me this

15th day of Sept., 2022

Signature of Applicant

[Handwritten Signature]

[Handwritten Signature: Rebecca M. Moore]
Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: _____

RECEIVED BY: Don Smith

DATE OF FILING: 9-1-22

FILING FEE RECEIVED: \$515.00

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____



City of Newnan, Georgia
Attachment A
Proffered Conditions

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

Please list any written proffered conditions below:

We would like to pour a shared driveway along the right property line that would run behind the
houses and connect to the individual driveways of the three homes. Each home would have its own
driveway at the rear of the home that would connect to the shared drive. See the attached conceptual lot
layout attached.

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

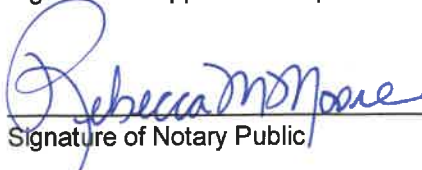
Conceptual Lot Layout Drawing

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


Signature of Applicant

Daniel M. Lichty
Type or Print Name and Title

Signature of Applicant's Representative

 9/1/22
Signature of Notary Public Date

Type or Print Name and Title





City of Newnan, Georgia
Attachment B

N/A

Disclosure of Campaign Contributions & Gifts

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

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

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

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

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

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

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

Signature of Applicant

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public

Date

(Affix Raised Seal Here)

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



City of Newnan, Georgia
Attachment C

Property Owner's Authorization

N/A

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

Name of Property Owner

Moranna Construction, Inc

Telephone Number

770-254-1313

Address of Subject Property

170 La Grange St

Newnan, GA, 30263

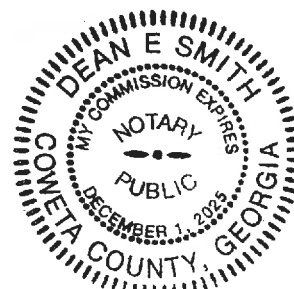
I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.


Signature of Property Owner

Personally appeared before me

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


Notary Public



(Affix Raised Seal Here)

Date

7-1-22



City of Newnan, Georgia
Attachment D
Attorney's Authorization

N/A

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

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

(Signature of Attorney)

Name of Attorney _____

Address _____

Telephone _____

Date _____



City of Newnan, Georgia
Attachment E
Rezoning Checklist

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

- ☒ Completed application form
- ☒ Letter of intent
- ☒ Names and addresses of all owners of all property within 250 feet of the subject property
- ☒ Legal description of property
- ☒ Certified plat
- ☒ Concept Plan
- ☒ Preliminary Tree Management Plan (see attachment F for minimum plan elements)
- ☒ Completed Attachment A – Proffered Conditions (if applicable)
- ☒ Completed Attachment B – Disclosure of Campaign Contributions & Gifts (if applicable)
- ☒ Completed Attachment C – Property Owner's Authorization (if applicable)
- ☒ Completed Attachment D – Attorney's Authorization (if applicable)
- ☒ Community Impact Study (if applicable)
- ☒ Filing Fee in the form of a check payable to the **City of Newnan**

Note: Please attach this form to the filing application.

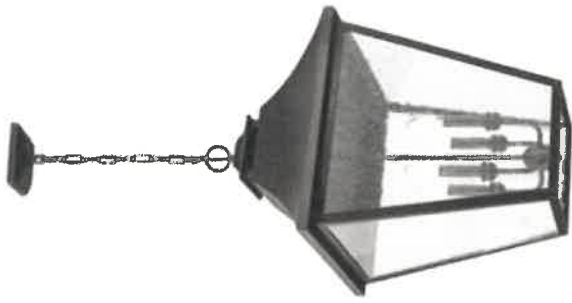
170 LaGrange St.



MORANNA
CONSTRUCTION









NAMES & ADDRESSES OF PROPERTY OWNER'S WITHIN 250'

- Dwight Parks - 16 Watson Drive
- Armory – 12 Armory Road
- Rosemarie Beachboard Estate – 178 LaGrange Street
- Walter H. Drake – 14 Watson Drive
- Richard F. Smith – 8 Armory Road
- Jean Wyant – 10 Watson Drive
- Board of Education of Coweta County – 30 Armory Road
- Clayton W. Epling – 8 Watson Drive
- Elitta K. Compton – 174 LaGrange Street
- Robert A. Ambery – 170 LaGrange Street
- Scarlet Catherine Inman – 168 LaGrange Street
- Beverly Bauer – 166 LaGrange Street
- Jia, LLC – 183 LaGrange Street
- Rebecca Jones – 164 LaGrange Street
- Ronald K. & Patricia Bryson – 181 LaGrange Street
- Susan Elaine West – 177 LaGrange Street
- Ratnesh R. Sharma – 1 Conner Drive
- Robert Vinson and Melissa Diane West – 175 LaGrange Street
- Martin A Gentry and Maureena W. Walker – 173 LaGrange Street
- William C. and Jodie A. Hobbs – 167 LaGrange Street
- Clyde H. Oliver Estate – 165 LaGrange Street
- Myrtle Sherri Lord – 176 LaGrange Street

EXHIBIT "A"

170 LaGrange Street, Newnan, Georgia 30263

All that certain tract or parcel of land lying and being in Land Lot 7 of the Fifth Land District of Coweta County, Georgia, and more particularly described as follows:

BEGIN at a point on the south side of LaGrange Street, which point is 310.9 feet west from an iron pin 10 feet south of the curb on the south side of LaGrange Street at the northwest corner of property now or formerly belonging to Mrs. Daisy Watson and which point is 531 feet, more or less, west of where the south side of LaGrange Street is intersected by the west side of Watson Drive, and run south 7 degrees east 110.7 feet; thence south 18 degrees west 99.3 feet; thence easterly parallel to south side of LaGrange Street 308 feet, more or less, to east line of Share #4 of F. M. Lee Estates as shown by plat of record in Deed Book 29, Page 388, Coweta County, Georgia, Records; thence north 3 degrees east 210 feet to south side of LaGrange Street; thence westerly along the south side of LaGrange Street 308 feet, more or less, to beginning point. There is located on said property a house and store building known as 168 and 170 LaGrange Street, Newnan, Georgia. A strip in northwest corner of said property facing LaGrange Street 20 feet and running back south 66 feet is subject to easement for egress and ingress to lot adjoining on the west and is reserved by deed of record in Deed Book 39, Page 408, Coweta County Records.

EXCEPT that property which was released from the lien of a deed to secure debt by quit-claim deed dated December 8, 1978, of record in Deed Book 298, Page 572, Coweta County records. Reference to said quit-claim deed is hereby had for a more particular description of the property released from the lien of said deed to secure debt and which said property is not included in this conveyance. A plat of lot conveyed is recorded Plat Book 24, Pg. 225; said plat shows rough draft of lot herein conveyed.

N/E
SUBJECT PROPERTY
ROBERT A. AMBER
PN: N28 004B
AREA:
0.970 ACRES
42,248 SQ. FEET

LAGRANGE STREET
PAVEMENT PUBLIC
---EXISTING C/L ROAD---

RECORD NORTH
(SEE REF. #8)

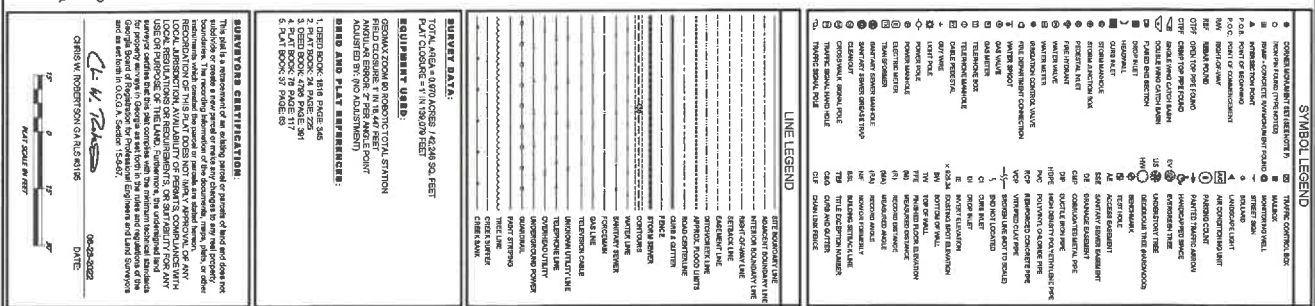
[illegible]

RETRACEMENT BOUNDARY SURVEY FOR:
LICHTY BROTHERS
170 LAGRANGE STREET - CITY OF NEWNAN
EXISTING PARCEL NUMBER: N28 004B
LOCATED IN LAND LOT 7, 5TH LAND DISTRICT
COWETA COUNTY, GA.

DRAWING DATE:	06-23-2022
LAST FIELD WORK DATE:	06-22-2022
FILE LOCATION:	N:\BID\CONCRETE\05\05_0007\170 LAGRANGE
DWG FILE:	170 LAGRANGE ST (LIGHT)
ORD FILE:	170 LAGRANGE ST (LIGHT)
SCALE:	1" = 16'
DRAWN BY:	CAF
CHECKED BY:	CW

Gaskins  **Christopher**
BROTHERS
A LIAISON & COMMUNICATIONS AND PUBLIC RELATIONS FIRM
www.gscsurvey.com LSP# 789
24 Jackson Street, Newnan, GA 30263 Phone: (770) 253-5195

105



Becky Moore

From: Mike Furbush <MFurbush@cityofnewnan.org>
Sent: Thursday, September 1, 2022 1:45 PM
To: Becky Moore
Cc: Tracy Dunnavant
Subject: RE: 170 LaGrange Street - Rezoning Application

Becky,

The only item on this property that needs to be discussed are the four existing Crape Myrtles along the LaGrange Street road frontage. It would be nice if the four existing Crape Myrtles could be incorporated into the overall design of the three proposed residential houses. You have indicated that this should not be a problem. A Tree Management Plan, per se, is not required for this particular rezoning application.



Mike Furbush

City Landscape Architect & Arborist

Main: (770) 254-2354
Desk: (678) 673-5564
Cell: (404) 819-2420
mfurbush@cityofnewnan.org
www.cityofnewnan.org

City of Newnan
25 LaGrange Street
Newnan, Georgia 30263



From: Becky Moore <becky@lichtybrothers.com>
Sent: Thursday, September 1, 2022 9:05 AM
To: Mike Furbush <MFurbush@cityofnewnan.org>
Subject: 170 LaGrange Street - Rezoning Application

Good morning, Mike,

We recently purchased the above property. When we bought it, it have an apartment building on it. We've demoed the apartment building and would like to build three single-family homes on the lot. I noticed that the rezoning application requests a preliminary tree management plan. What do you need me to do on that?

Thank you,

Becky Moore, Office Manager

Lichty Brothers Homes, Inc.

Moranna Construction, Inc.

(770) 254-1313 – Office

(770) 502-9415 – Fax

becky@lichtybrothers.com

<https://link.edgepilot.com/s/004d1106/HQhtUpCXWkmWfLfrQnamdQ?u=http://www.lichtybrothers.com/>





City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Annexation Request for Annex2022-06 by George Rosenzweig on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC; 163.61± acres located on Green Top Road (Tax Parcels # 085 5086 001, 085 5107 002, 085 5086 003 and the southern portion of 085 5107 003); Requested zoning of PDR (Planned Residential Development District) – Decision on Referral to Planning Commission

Prepared By: Tracy S. Dunnivant, Planning Director

Purpose: George Rosenzweig on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC., is requesting the annexation of tax parcel #085 5086 001, 085 5107 002 and 085 5086 003 and the southern portion of 085 5107 003 into the city limits. The parcels contain approximately 163.61± acres and is located on Green Top Road. This request is the same as the one that was previously submitted for these properties and withdrawn by the applicant on August 25, 2022.

Land Owners	Tax ID Numbers	Acreage	Location
Green Top Road, LLC	085 5086 001, 085 5107 002 and 085 5086 003 and the southern portion of 085 5107 003	163.61± acres	Green Top Road

Background: The petitioner is requesting the annexation of 163.61± acres located on Green Top Road with a PDR zoning designation for the construction of 366 single-family homes. Per the applicant, the proposed development “will contain 366 lots, open space, a density of 2.23 units per acre, a minimum lot size of 8,200 square feet, and an average lot size of 10,500 square feet”. Amenities will include a pool, clubhouse, pickleball complex, and walking trails throughout the development. In addition, there will be three to four different floor plans with each plan having three to four different elevations and color combinations. The average sales price will range from \$414,000 to \$596,000.

It should be noted that this property was considered for annexation back in 2015; however, even though the current request is also for a single-family development, both the concept plan and requested zoning have changed. The property was also brought to Council earlier this year for consideration; however, the applicant chose to withdraw the application.

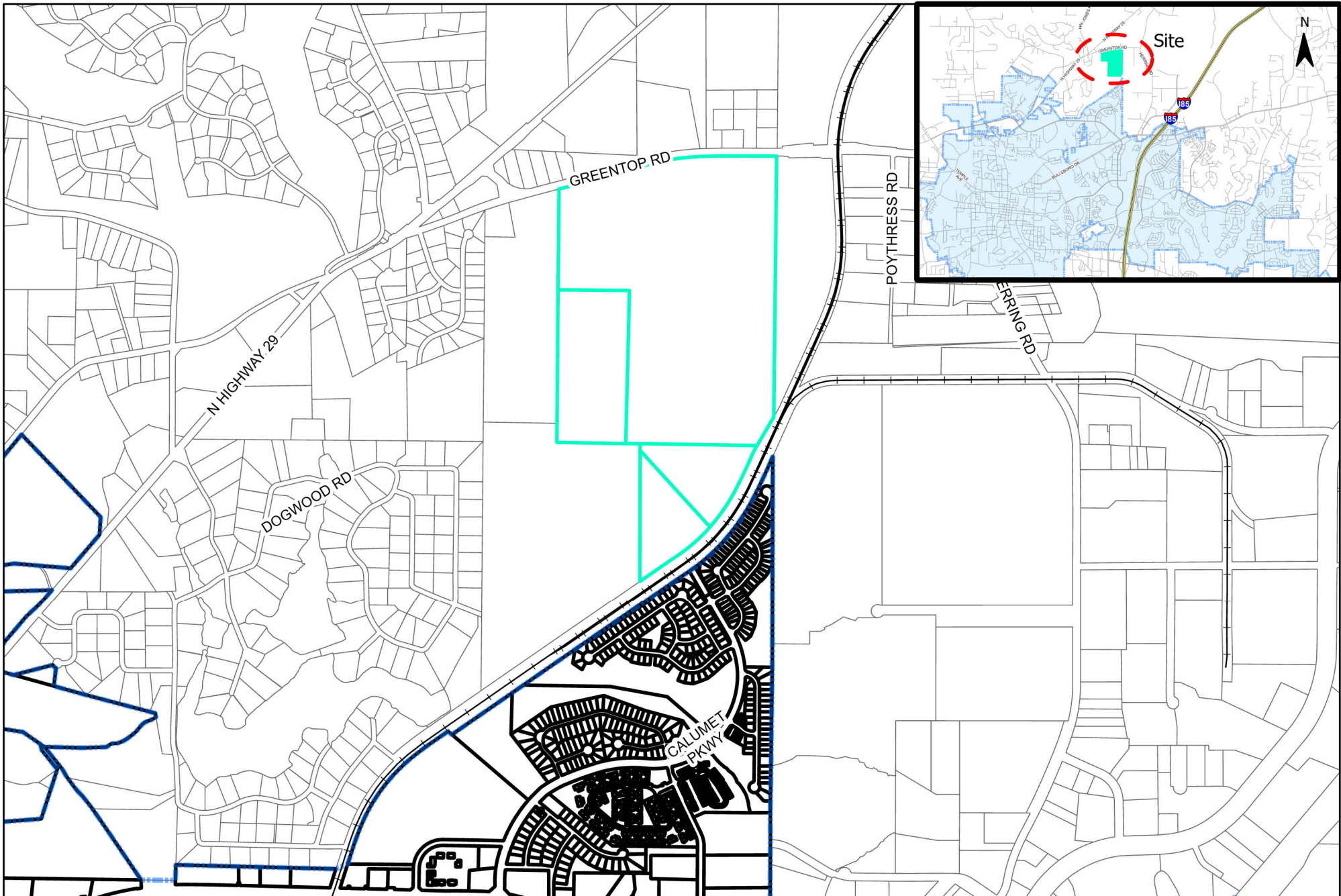
Funding: N/A

Recommendation: N/A

Options:

- A. Act to pursue Annexation/Rezoning
- B. Deny the Annexation/Rezoning Petition

Previous Discussion with Council: Annexation Request (Annex2015-01) – application was denied;
Annexation Request (Annex2022-04) – application was withdrawn



CITY OF NEWNAN

Project Location



1 = 15,840 feet

Date: 5/2/2022 1:11 PM

- Annexation Request
- City Parcels
- City Limits
- County Parcels
- +— Railroads

Parcel # 085 5107 003
085 5086 003
085 5086 001
085 5086 001

ADDRESS
GREENTOP RD,
Newnan, GA 30263



August 29, 2022

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

RE: **Annexation and Rezoning Applications – Green Top Road**
Project Parcels: 085 5107 002, 085 5086 003, 085 5086 001, and 085 5107 003
(portion south of Green Top Road)
Requested Rezoning: RC (Rural Conservation) to PDR (Planned Development
Residential District)

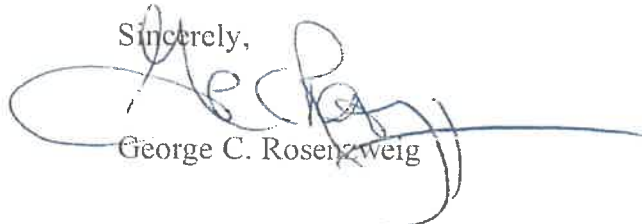
Dear Ms. Dunnivant:

I represent Pulte Home Company, LLC and Green Top Road, LLC. On my clients' behalf, I am making applications to annex and rezone 163.61 acres on Green Top Road. I request that the City of Newnan run the annexation application and rezoning application requests simultaneously so that the rezoning does not come prior to the annexation request but both requests are heard at the same time.

We acknowledge that, pursuant to O.C.G.A. § 36-36-111 (see attached highlighted copy of O.C.G.A. § 36-36-111), if the City Council decides to accept the petition for annexation, the City can take "no final action" until the statutory annexation procedures have been concluded. However, the statute does not prohibit processing our application. Because of the already proactive nature of our attempts to annex and rezone the Property, we therefor request that you proceed with preliminaries to final action such as staff reports and Planning Commission Hearing so that, upon resolution of the statutory annexation process, our annexation and rezoning petitions will be ready for final hearing.

As always, thank you for your assistance.

Sincerely,



George C. Rosenzweig

GCR/amc

c: C. Bradford Sears, Jr.

GEORGE C. ROSENZWEIG

75 Jackson Street, Suite 405, Newnan, Georgia 30263

Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com

www.rosenzweig.law



KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Code of Georgia Annotated
Title 36. Local Government (Refs & Annos)
Provisions Applicable to Municipal Corporations Only
Chapter 36. Annexation of Territory (Refs & Annos)
Article 7. Procedure for Resolving Annexation Disputes (Refs & Annos)

Ga. Code Ann., § 36-36-111

§ 36-36-111. Notice of annexation

Effective: July 1, 2022
Currentness

Within 30 days of a municipal corporation's acceptance of a petition of annexation, the municipal corporation shall notify the governing authority of the county and any impacted school system in which the territory to be annexed is located by verifiable delivery. Such notice shall include a copy of the annexation petition which shall include the proposed zoning and land use for such area. The municipal corporation shall take no final action on such annexation except as otherwise provided in this article.

Credits

Laws 2007, Act 205, § 2, eff. July 1, 2007; Laws 2022, Act 785, § 1, eff. July 1, 2022.

Ga. Code Ann., § 36-36-111, GA ST § 36-36-111

The statutes and Constitution are current through legislation passed at the 2022 Regular Session of the Georgia General Assembly. Some sections may be more current, see credits for details. The statutes are subject to changes by the Georgia Code Commission.

End of Document

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**PULTE HOME COMPANY, LLC
GREEN TOP ROAD, LLC
REZONING APPLICATION**

**RC to Planned Development
Residential District (PDR)
163.61 Acres on Green Top Road
Tax Reference # 085 5107 002, 085 5086 001,
085 5086 003, and 085 5107 003**

Pulte Home Company, LLC
Green Top Road, LLC
Applicants' Representative:
George C. Rosenzweig
75 Jackson Street, Suite 405
Newnan, Georgia 30263
george@cowetalaw.com
(470) 347-3651
State Bar: 614925



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant George C. Rosenzweig representing Pulte Group Company, LLC and Green Top Road, LLC

Mailing Address 75 Jackson Street, Suite 405, Newnan Georgia 30263

Telephone 470-347-3651 Email: george@cowetalaw.com

Property Owner (Use back if multiple names) Green Top Road, LLC

Mailing Address 75 Jackson Street, Suite 405, Newnan, Georgia 30263

Telephone 470-307-3651

Address/Location of Property Green Top Road, Coweta County

Tax Parcel No.: 085 5086 001, 085 5107 002, 085 5086 003, & 085 5107 003 (Portion south of Green Top Road) Land Lot 86 and 107

District/Section 5 Size of Property (Square Feet or Acres) 163.61 acres

Present Zoning Classification: RC Proposed Zoning Classification: PDR

Present Land Use: Undeveloped

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

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

Please see attached

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

Please see attached

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

Please see attached

**GEORGE C. ROSENZWEIG REPRESENTING PULTE GROUP COMPANY, LLC AND
GREEN TOP ROAD, LLC REZONING APPLICATION**

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

The Property is currently zoned RC (Rural Conservation) in Coweta County. As more specifically set forth on the attached letter from David Hovey, the Property has no viable economic use, as zoned, for a residential development. In the past, the Property has been a cotton farm, a peach farm, a source for timber for sale, and, most recently, a family recreation facility. Farming is no longer a viable use nor is recreation- the Property has been vandalized by arson, burglary, and other acts of extreme vandalism, making it unsafe and undesirable for family recreation.

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

The proposed zoning map change will be an extension of the existing PDR (Planned Development Residential District) adjoining the property to the south. Adjoining properties to the south, in the city of Newnan, are narrower and about half the size of the lots in the proposed development. Thus, the proposed development represents a step down in intensity from the adjoining property to the south. Also noteworthy, the recent Comprehensive Land Use Plan and Land Use Plan Map update by Coweta County have identified property as Growth Priority, authorizing a density up to four units per acre, whereas the proposed development will be limited to 2.23 units per acre.

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

Although this section is not applicable, Applicant does note that the property to the west has long been earmarked for more intense residential development and to the west of that property is a subdivision largely populated by half-acre lots on septic tanks. To the south is located industrial development. To the north is undeveloped property and a Georgia Power substation. To the east is undeveloped property and a railroad which also borders the property to the south. Thus, the proposed use is compatible with or less intense than adjoining uses.

Please attach all the following items to the completed application:

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

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

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

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

Sworn to and subscribed before me this

26 day of August, 2022

Amy McCoria
Notary Public

Signature of Applicant [Signature]


FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE : HELD FOR PREVIOUS SUBMITTAL

RECEIVED BY: Tracy S. Dunnavant

DATE OF FILING: 08/29/2022

FILING FEE RECEIVED: _____

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

Hovey & Associates, Inc.

130 Howard Lane; Suite B
Fayetteville, Ga. 30214
Dghovey@bellsouth.net

April 8, 2022

To: Mr. George Rosenzweig
75 Jackson Street
Suite 405
Newnan, Ga. 30263

Re: **Green Top Road Property (Green Top Road, LLC)**

Dear Mr. Rosenzweig,

As requested, I have evaluated the approximately 163 acre parcel of land currently owned by Green Top Road, LLC. The purpose of my evaluation was to determine the suitability of the parcel for development under the current applicable RC zoning classification in Coweta County which allows for 1 acre lots with open space (Rural Conservation S/D - with Open Space).

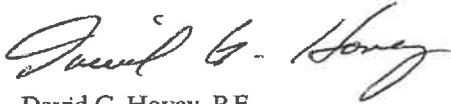
If developed under the current RC- open Space zoning, here are the rules. First, the developable area has to be determined. In this case take entire land parcel land area (+/- 163 acres) and subtract any ponds/state waters and associated buffers, also subtract the gas line easement area and any land area that has slopes greater than 25% - probably will not apply to this parcel - and subtract any flood plain area - again, probably will not apply to this parcel. So, upon my initial analysis I would estimate approximately 23 acres would need to be subtracted from the total land area to establish the "Net Developable Area". The calculations would be as follows: 163 acres - 23 acres = 140 acres of Net Developable Area. Under the current RC zoning with open space, the Net Developable Area is then multiplied by 0.5 to determine allowable density units so. $140 \text{ acres} \times 0.5 \text{ units} = 70 \text{ units}$ allowed. Now the developer has the option to choose density bonus credits - the most favorable is $1.5 \times$ the minimum floor area (1,725 sq. ft.), and 4 sides of the dwelling being a certain material (not wood or vinyl/aluminum siding). For each density bonus used, the developer is awarded an additional 0.042 units. If the developer chooses 2 density bonus credits - which is typical - then that equates to 0.084 added to 0.5 units which equals to 0.584 density units number. Now, $140 \text{ acres} \times 0.584 = 81.8 \text{ units}$ or 82 units/dwellings the developer is allowed. So, the maximum number of lots the developer can get under this current zoning classification is only 82. By having 82 lots, the developer will be required to have a minimum of 2 entrances. Coweta County will require a left-turn scenario on one of the entrances in addition to the normal deceleration lane requirements for both.

I have reached out to several developers, one being Brent Scarborough & Company, to find out what their average lot development cost are and was told between \$55,000 - \$60,000. This would not include the construction of a left-turn which would possibly add another \$1,000 per lot. The development cost would include all surveying, soils mapping (if not on public sewer) and state waters determination, engineering, review fees, street construction, all storm drainage installation, water line installation, storm water management facilities construction, Erosion and Sediment control measures, Landscaping, lighting, etc. The elevated developed lot cost price is also based on the increase material cost. When the developer then adds in the raw land cost to the developed lot cost, the price that he/she would have to sell the lot to a potential builder would be extremely high. For instance, if the raw land cost is \$25,000.00/Acre for the full 163 acres, then the additional cost per developed lot would be an additional \$49,700. So the total developed lot cost is then $\$60,000 + \$49,700 = \$109,700$ per lot. Now, this number does not include the installation of individual septic tank and drain field systems that the builder would have to incur on each lot - which easily adds another \$5,000 per lot. If the raw land cost is closer to \$40,000-\$50,000 per acre, then you can see that the developable lot cost is really high at somewhere around. \$124,700 - \$134,000 per lot (not including sewer cost). The developer would then have to sell the lot to a potential builder for somewhere around \$150,000 - \$160,00 per lot in order to make a decent profit. Not many

builders would be willing to pay that much for a single lot and in the event they did build on a lot at that price they would have to build and sell a home at over \$750,000 or more which would create a very limited market would not be a viable price based on the surrounding areas.

The site is a prime candidate for the newly created Residential - Planned Development Community zoning which has no age restrictions and is more suitable. The overall site density could be slightly higher but it allows for more flexibility with lot sizes and building setbacks. By allowing this type zoning for increased density, the overall lot and dwelling cost passed on to the consumer is considerably lower.

Sincerely,

A handwritten signature in cursive script, reading "David G. Hovey".

David G. Hovey, P.E.
Hovey & Associates, Inc.



August 29, 2022

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

RE: **Rezoning Application – Green Top Road**
Project Parcels: 085 5107 002, 085 5086 001, 085 5086 003, and 085 5107 003
(portion south of Green Top Road)
Requested Rezoning: RC (Rural Conservation) to PDR (Planned Development
Residential District)

Dear Ms. Dunnivant:

I represent Pulte Home Company, LLC and Green Top Road, LLC. On my clients' behalf, I am making this application to rezone 163.61 acres on Green Top Road for a Planned Residential Development District.

The Property is an appropriate location for a Planned Residential Development District and will facilitate the smart growth of the city of Newnan.

The developer, Pulte Home Company, LLC, is a member of PulteGroup, a public company traded on the New York Stock Exchange (PHM) and is a member of the S&P 500 Index. Pulte is the third largest U.S home building company and is ranked 284th on the Fortune 500.

The proposed development will contain 366 lots, open space, a density of 2.23 units per acre, a minimum lot size of 8,200 square feet, and an average lot size of 10,500 square feet (222 of the lots are over 10,000 square feet). The focal points for the development will be an elaborate pool, clubhouse, pickleball complex, as well as walking trails throughout the development and encircling the historic pond on the Property.

This outstanding development will have three to four different floor plans, each of which will have three to four different elevations, and three or four different color combinations along with structural options increasing square footage. Average square footage will be 1,860 square feet for ranch homes, 2,640 square feet for traditional homes, and 3,004 square feet for estate homes. Average sales prices, based upon July 2022 numbers, will range from \$479,990 to \$579,990.

GEORGE C. ROSENZWEIG

75 Jackson Street, Suite 405, Newnan, Georgia 30263

Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com

www.rosenzweig.law

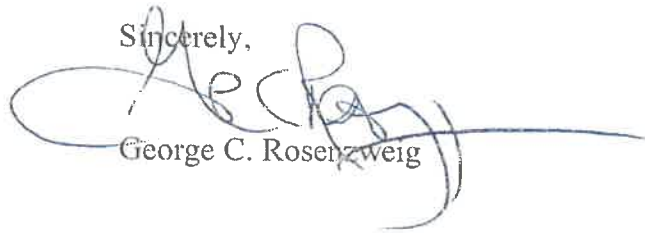
Tracy Dunnavant, Planning Director
August 29, 2022
Page Two

Not only does the Pulte development provide for the smart growth of Newnan, it also fills an important and urgent need for new, fee simple, detached, single-family housing. The Pulte development will thus fill an important need for detached, single-family, fee simple owned housing from a high-quality, nationally known developer and builder.

The proposed development is consistent with the recently adopted Coweta County Comprehensive Land Use Plan and is consistent with the principles of smart development in Newnan.

Pulte Home Company, LLC, Green Top Road, LLC, and I look forward to working with you and your team on the approval of this important on the north side of Newnan.

Sincerely,



George C. Rosenzweig

GCR/amc

C: C. Bradford Sears, Jr.



Owner:



2020 PULTE GROUP
10000 PULTE DRIVE
BIRMINGHAM, AL 35243-1000
PULTE GROUP
10000 PULTE DRIVE
BIRMINGHAM, AL 35243-1000

Drawn by:

MOONEY
design studio
Landscape Architecture / Planning
1100 N. Highland Ave. SE
Atlanta, GA 30316-0802
(404) 461-1361

GREEN TOP
ROAD

LAND LOT 107 & 86,
5TH DISTRICT,
COWETA COUNTY, GA



REVISIONS

EXISTING TREES
EXHIBIT

SCALE:

SHEET:

TPR

DATE: 08/05/22

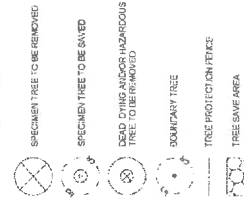
ZONING: —
MUNICIPALITY: COWETA COUNTY

Specimen Tree Table				
Threat	DBH	Species	Ac Specimen	Condition
1	12	Water Elm	X	Healthy
2	12	Water Elm	X	Healthy
3	12	Water Elm	X	Healthy
4	12	Water Elm	X	Healthy
5	12	Water Elm	X	Healthy
6	12	Water Elm	X	Healthy
7	12	Water Elm	X	Healthy
8	12	Water Elm	X	Healthy
9	12	Water Elm	X	Healthy
10	12	Water Elm	X	Healthy
11	12	Water Elm	X	Healthy
12	12	Water Elm	X	Healthy
13	12	Water Elm	X	Healthy
14	12	Water Elm	X	Healthy
15	12	Water Elm	X	Healthy
16	12	Water Elm	X	Healthy
17	12	Water Elm	X	Healthy
18	12	Water Elm	X	Healthy
19	12	Water Elm	X	Healthy
20	12	Water Elm	X	Healthy
21	12	Water Elm	X	Healthy
22	12	Water Elm	X	Healthy
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24	12	Water Elm	X	Healthy
25	12	Water Elm	X	Healthy
26	12	Water Elm	X	Healthy
27	12	Water Elm	X	Healthy
28	12	Water Elm	X	Healthy
29	12	Water Elm	X	Healthy
30	12	Water Elm	X	Healthy
31	12	Water Elm	X	Healthy
32	12	Water Elm	X	Healthy
33	12	Water Elm	X	Healthy
34	12	Water Elm	X	Healthy
35	12	Water Elm	X	Healthy
36	12	Water Elm	X	Healthy
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39	12	Water Elm	X	Healthy
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42	12	Water Elm	X	Healthy
43	12	Water Elm	X	Healthy
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45	12	Water Elm	X	Healthy
46	12	Water Elm	X	Healthy
47	12	Water Elm	X	Healthy
48	12	Water Elm	X	Healthy
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60	12	Water Elm	X	Healthy
61	12	Water Elm	X	Healthy
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64	12	Water Elm	X	Healthy
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67	12	Water Elm	X	Healthy
68	12	Water Elm	X	Healthy
69	12	Water Elm	X	Healthy
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71	12	Water Elm	X	Healthy
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91	12	Water Elm	X	Healthy
92	12	Water Elm	X	Healthy
93	12	Water Elm	X	Healthy
94	12	Water Elm	X	Healthy
95	12	Water Elm	X	Healthy
96	12	Water Elm	X	Healthy
97	12	Water Elm	X	Healthy
98	12	Water Elm	X	Healthy
99	12	Water Elm	X	Healthy
100	12	Water Elm	X	Healthy

NOTE:

THE INFORMATION PROVIDED MAY ADJUST DUE TO FIELD CONDITIONS AND WILL BE
FINALIZED WITH THE APPROVAL AT THE TIME OF JOB.
THE LOT OF DISBURSEMENT LIES ON THIS PLAN IS TEMPORARY AND WILL BE
REMOVED EXISTING TREES ARE SUBJECT TO CHANGE BASED ON THE
FINAL LAYOUT

TREE PROTECTION PLAN KEY



TOTAL NUMBER OF ACRES = 118.88 ACRES
NUMBER OF EXISTING TREES = 118 ACRES
NUMBER OF ACRES WITHIN THE EXISTING UTILITY (GAS) EASEMENT = 7.39 ACRES
SANITARY SEWER EASEMENTS, PROVIDE AVERAGE = 4.23 ACRES
NUMBER OF ACRES OF THE EXISTING POND AND ASSOCIATED BUFFERS = 11.88 ACRES
NUMBER OF ACRES OF THE EXISTING POND AND ASSOCIATED BUFFERS = 11.88 ACRES
ZONING BUFFERS AVERAGE = 4.81 ACRES
NUMBER OF ACTUAL TREE SAVE ACREAGE NOT INCLUDING IN ALL THE CATEGORIES LISTED
ABOVE = 19.30 ACRES



EXISTING TREES EXHIBIT
SCALE 1"=220'-0"



NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment A
Proffered Conditions

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

Please list any written proffered conditions below:

Please see attached

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

Please see attached

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

Signature of Applicant

GREEN TOP ROAD, LLC

George C. Rosenzweig, Manager

Type or Print Name and Title

Signature of Applicant's Representative

George C. Rosenzweig, Attorney

Type or Print Name and Title

Signature of Notary Public

8/29/2022

Date



**PULTE HOME COMPANY, LLC AND GREEN TOP ROAD, LLC
CITY OF NEWNAN
REZONING APPLICATION**

PROFFERED CONDITIONS

1. The maximum number of lots is restricted to three hundred sixty-six (366) for single-family, detached, fee-simple owned homes.
2. The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District. Access onto Green Top Road will require a permit from Coweta County.
3. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
4. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
5. Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
6. There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
7. The Applicant shall contribute a five-year bond in the amount of \$340,000 towards Coweta County's transportation improvement projects related to the proposed development which include the alignment of Hal Jones Road and Green Top Road and construction of a single full-sized roundabout. In the event such improvements are not made within five years from the effective date of the rezoning, the bond shall be canceled and the obligation shall be null and void.
8. The Applicant shall contribute a five-year bond in the amount of \$200,000 towards Coweta County's transportation improvement projects related to the proposed development which include traffic improvements at the intersection of Herring Road and Green Top Road. In the event such improvements are not made within five years from the effective date of the rezoning, the bond shall be canceled and the obligation shall be null and void.
9. The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.

10. The existing ponds and wetlands will be retained in order to create a natural environment.
11. Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
12. The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
13. All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City Department for consideration.
14. All front, side, and rear yards of all disturbed grass areas on lots shall be sodded.
15. All utilities that provide service to the proposed subdivision shall be placed underground.
16. The Applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
17. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
18. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
19. All garage doors shall be architecturally treated similarly to the renderings submitted.
20. A landscape plan shall be submitted to the appropriate Department for review and approval prior to any plantings.
21. The Lot information and setbacks shall be as follows:
 - Minimum street frontage 30-feet
 - Minimum lot width at front setback 40-feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet

- Building separation 10-feet
- Maximum building height 2 stories/40-feet

22. There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south, and east property lines.



City of Newnan, Georgia

Attachment C

Property Owner's Authorization

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

Name of Property Owner Green Top Road, LLC

Telephone Number 470-347-3651

Address of Subject Property Green Top Road, Coweta County, Georgia- Tax Parcels 085 5086 001, 085 5107 002,
085 5086 003, and 085 5107 003 (Portion south of Green Top 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.

GREEN TOP ROAD, LLC

Sara K. Barron, Manager
Sara K. Barron, Manager

Personally appeared before me

Sara K. Barron

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

George C. Rosen
Notary Public

Date

4/25/2022





City of Newnan, Georgia

Attachment C

Property Owner's Authorization

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

Name of Property Owner Green Top Road, LLC

Telephone Number 470-347-3651

Address of Subject Property Green Top Road, Coweta County, Georgia- Tax Parcels 085 5086 001, 085 5107 002,
085 5086 003, and 085 5107 003 (Portion south of Green Top 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.

GREEN TOP ROAD, LLC

Katie Barron Brady

Katie Barron Brady,
Executrix of the J. Harold Barron Estate

Personally appeared before me

Blakeley Smith

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

Blakeley Smith
Notary Public

4/26/2022
Date





City of Newnan, Georgia

Attachment C

Property Owner's Authorization

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

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085 5086 003, and 085 5107 003 (Portion south of Green Top 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.

GREEN TOP ROAD, LLC


Signature of Property Owner

Personally appeared before me

George C. Rosenzweig

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


Notary Public

4/27/2022
Date



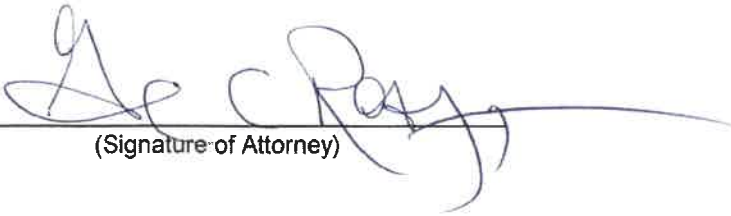
(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment D
Attorney's Authorization

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

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



(Signature of Attorney)

Name of Attorney George C. Rosenzweig

Address 75 Jackson Street, Suite 405
Newnan, Georgia 30263

Telephone 470-347-3651

Date 4/27/2022

TRAFFIC IMPACT STUDY FOR

GREEN TOP ROAD RESIDENTIAL DEVELOPMENT

DATE:

November 30, 2021

LOCATION:

Coweta County, Georgia

PREPARED FOR:

Pulte Group

PREPARED BY:

NV5 Engineers and Consultants, Inc.
1255 Canton Street, Suite G
Roswell, GA 30075
678.795.3600

Executive Summary

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia. The proposed development will consist of 366 single-family detached homes. The development will have three (3) new driveways along Green Top Road, one driveway will be full access and the other two driveways will be right-in/right-out. The development has a projected build out date of 2028.

When complete, the development is expected to generate a total of 3,430 new daily trips, with 265 trips during the AM peak hour (66 entering and 199 exiting), and 353 during the PM peak hour (222 entering and 131 exiting).

The following intersections were evaluated in this study:

1. US 29 & Hal Jones Road
2. US 29 & Green Top Road
3. Herring Road & Green Top Road
4. Green Top Road & Driveway 1 (center)
5. Green Top Road & Driveway 2 (eastern)
6. Green Top Road & Driveway 3 (western)

Traffic operations at the study intersections are satisfactory in Existing Conditions. Operations are expected to degrade along the southbound approach at the US 29 & Hal Jones Road intersection in the No-Build scenario as background growth is added and in the Build scenario with the addition of site traffic, however, overall operations are expected to remain acceptable. All other intersections in the study area are expected to operate satisfactorily. The proposed site driveways are expected to operate well along all approaches in both peak hours.

Eastbound right-turn deceleration lanes are warranted at all three driveways. A westbound left-turn lane is warranted at Driveway 1 (center).

Based on this study's analysis, additional improvements at the study intersections are not required to mitigate the impact of the proposed development.

F. Conclusions

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia. The proposed development will consist of 366 single-family detached homes and will have three (3) new driveways along Green Top Road: one driveway will provide full access while the other two driveways will allow right-in/right-out access. The development has a projected build out date of 2028.

When complete, the development is expected to generate a total of 3,430 new daily trips, with 265 trips during the AM peak hour (66 entering and 199 exiting), and 353 during the PM peak hour (222 entering and 131 exiting).

Overall traffic operations at the study intersections are satisfactory in Existing, No-Build and Build Conditions. The introduction of site traffic increases overall delay by a maximum of six (6) seconds, while overall Levels of Service (LOS) remains at 'D' or better at every study intersection, including driveways.

Eastbound right-turn deceleration lanes are warranted at all three driveways, while a westbound left-turn lane is warranted at Driveway 1 (center).

Based on the analysis prepared for the proposed development, additional improvements at the study intersections are not required to mitigate the impact of the proposed development.

SECTION 12.1

TRAFFIC ASSESSMENT- US 29 AT HAL JONES ROAD ROUNDABOUT INTERSECTION



August 29, 2022

Ms. Tracy S. Dunnavant
Planning Director
Planning and Zoning Department
City of Newnan
25 LaGrange Street
Newnan, GA 30263

RE: Annexation and Rezoning Applications– 163.61 ± acres located on Green Top Road (Parcel #s 085 5086 001, 085 5107 002, 085 5086 003 and the portion of 085 5107 003 south of Green Top Road) requested by George Rosenzweig on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC

Traffic Assessment of U.S. 29 at Hal Jones Road Roundabout

Dear Ms. Dunnavant:

An issue has been raised about the traffic impact of the proposed Pulte Home development on the level of service at the U.S. 29 - Hal Jones Road Roundabout. The property is currently zoned for 100 units and is proposed for a total of 366 units. Final buildout is anticipated to be in 2028. The enclosed Traffic Assessment establishes the following:

1. The only significant reduction in level of service is at the southbound Hal Jones Roundabout during the PM peak hour, during which time, after final buildout of the development, the reduction in level of service will be 8 seconds (Traffic Assessment at p. 5).
2. During the PM peak hour, increasing the development from the entitled 100 units to 366 units will result in 29 more vehicles (1 additional vehicle every 2 minutes) entering the roundabout, with 5 vehicles turning right and 24 vehicles proceeding straight through the roundabout. As a percentage, vehicles turning right would increase 3 percent and vehicles going straight through the roundabout would increase 3.4 percent (Traffic Assessment at p. 7).
3. The PM peak hour Level of Service at the Hal Jones Roundabout can be mitigated with a new roundabout design configuration including a southbound right-turn bypass lane (Traffic Assessment at p. 6 and Appendix B Design Layout). This modification would increase the Level of Service during PM peak hour to LOS C, which is the current Level of Service at the Hal Jones Road Roundabout (Traffic Assessment at p. 5).

GEORGE C. ROSENZWEIG

75 Jackson Street, Suite 405, Newnan, Georgia 30263

Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com

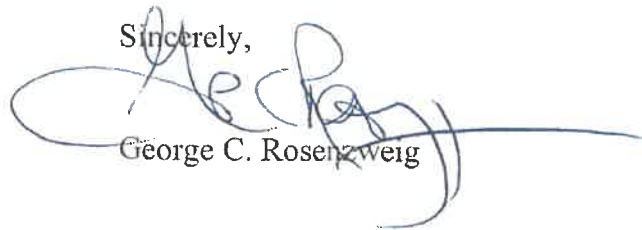
www.rosenzweig.law

Ms. Tracy S. Dunnavant
August 29, 2022
Page Two

The \$340,000.00 proffer by the Applicant (Proffered Condition #7) will be more than adequate to cover the cost of the proposed mitigation measure.

As always, thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "George C. Rosenzweig", with a long horizontal flourish extending to the right.

GCR/nkw
Enclosure

GREEN TOP ROAD RESIDENTIAL DEVELOPMENT – US 29 AT HAL JONES ROAD ROUNDAABOUT INTERSECTION

DATE:
July 1, 2022

LOCATION:
Coweta County, Georgia

PREPARED FOR:
Pulte Group

PREPARED BY:
NV5 Engineers and Consultants, Inc.
10745 Westside Way, Suite 300
Alpharetta, GA 30009
(678) 795-3600



A. Introduction

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia, north of Newnan. The proposed development will consist of 366 single-family detached homes. The development will have three (3) new driveways along Green Top Road. The development has a projected build out date of 2028.

Traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021, for the 366 single-family detached home development includes analysis of the Existing, No-Build, and Build Conditions for the year 2028 at the following intersections:

1. US 29 at Hal Jones Road
2. US 29 at Green Top Road
3. Herring Road at Green Top Road
4. Green Top Road at Driveway 1 (center)
5. Green Top Road at Driveway 2 (eastern)
6. Green Top Road at Driveway 3 (western)

This traffic assessment summarizes the impact of the proposed residential development at US 29/SR 14 at Hal Jones Road roundabout intersection and utilizes the traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021.

Figure 1 depicts the study area (vicinity map) in Coweta County. The study intersections analyzed in the traffic study including the US 29 at Hal Jones Road intersection are depicted in Figure 2. A copy of the development site plan is included in Appendix A.

Further, it is noted that the site is currently zoned for 100 single-family detached homes, the "As Zoned" condition. The proposed residential development consisting of 366 single-family homes is considered the "Rezoned" condition.

Figure 1. Vicinity Map

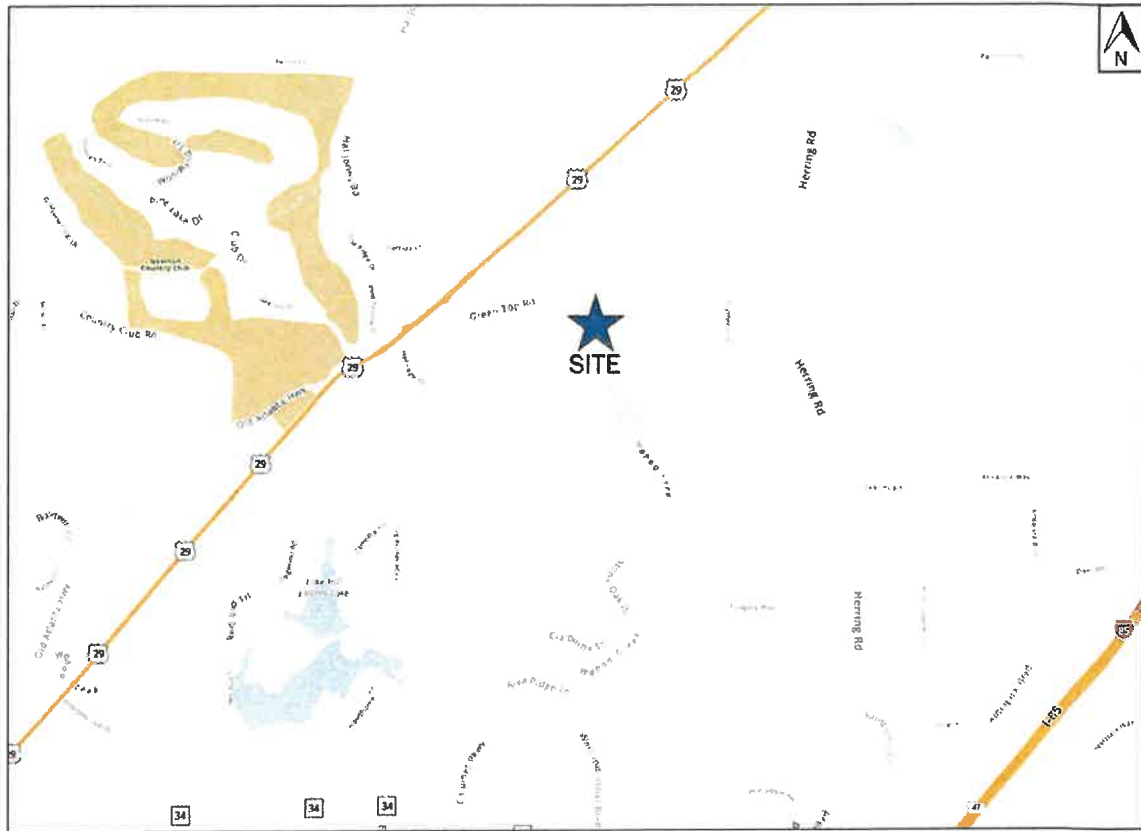


Figure 2. Site Location Aerial



B. Review of 15-year Transportation Plan

The Coweta County Comprehensive Transportation Plan (CTP), last updated in October 2021, was reviewed to identify any infrastructure investments planned for the area adjacent to the proposed development. Table 1 below shows the following roadway, intersection, and safety improvement projects identified near the proposed site and its study intersections.

Table 1: Coweta County Comprehensive Transportation Plan – Projects Near Site

CTP ID	Project Name	Project Type	Project Detail Cost Estimate (Planned Start-Up Year)	Relation to Site/Study Intersections
II-42	Hal Jones Road at Happy Valley Road	Safety Improvement – Roundabout Design	\$888,000 (2022-2026)	One (1) mile north of Green Top Road at Hal Jones Road
NR-07	Madras Connector Phase 1	New Roadway Extension – US 29/SR 14 to Herring Road	\$12,889,844 (2022-2026)	One (1) mile northeast of Green Top Road at Herring Road
NR-11	Herring Road Connector	New Roadway Extension – Amlajack Blvd to Herring Road	\$2,702,000 (2040-2050)	Connection to Madras Connector Phase 1
NR-04	Madras Connector Phase 2	New Interchange – Amlajack Blvd to US 29	\$11,000,000 (2040-2050)	Connection to Madras Connector Phase 1
RI-01	Madras Connector Phase 3 Interchange	Interchange Capacity Project – New I-85 Interchange (Mile Marker 49)	\$33,258,618 (2040-2050)	Connection to Madras Connector Phase 1&2

As shown in Table 1, the Coweta County CTP identifies five (5) planned transportation projects near the study area. However, the CTP does not identify any planned improvements at the study intersections evaluated in the Traffic Impact Study. Further, the CTP does not identify trips associated with the land use on the site.

C. Traffic Impact Analysis Summary

Traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021, for the 366 single-family detached home development includes analysis of the Existing, No-Build, and Build Conditions for the year 2028 at the following intersections:

1. US 29 at Hal Jones Road
2. US 29 at Green Top Road
3. Herring Road at Green Top Road
4. Green Top Road at Driveway 1 (center)
5. Green Top Road at Driveway 2 (eastern)
6. Green Top Road at Driveway 3 (western)

In Existing Conditions, overall operations at all study intersections are satisfactory during the AM and PM peak hours.

In No-Build Conditions, Levels of Service (LOS) changes from C to D at the southbound approach of the US 29 at Hal Jones Road roundabout intersection. Delays at this southbound approach increase by nearly 20 seconds due to the applied growth rate. However, overall operations at each study intersection are expected to remain satisfactory during both AM and PM peak hours.

In Build Conditions, all study intersections continue to operate at acceptable overall LOS during both peak hours. The addition of project traffic is expected to increase delays along the southbound approach at the US 29 at Hal Jones Road roundabout intersection by eight (8) seconds during the PM peak hour, changing the LOS from D to E, while the overall roundabout intersection LOS changes from C to D.

Improvements were evaluated for the US 29 at Hal Jones Road roundabout intersection in order to mitigate the southbound approach LOS from E to D or better.

D. Build Condition Mitigation Evaluation

The addition of project traffic at the US 29 at Hal Jones Road roundabout intersection is expected to increase delays by eight (8) seconds along the southbound approach during the PM peak hour, changing the Levels of Service (LOS) from D to E. Improvements were developed to mitigate this change in LOS. The improvements consist of adding a southbound right-turn bypass lane along US 29. The concept layout is shown in Appendix B.

As noted, the site is currently zoned for 100 single family detached homes. Trip generation for the “As Zoned” 100-units was developed using the ITE Trip Generation Manual, 10th Edition, 2017, in order to remain consistent with the submitted Traffic Impact Study. Alternate trip generation densities and roadway geometry mitigations were considered at this intersection approach to mitigate the impacts observed. Different trip generations were evaluated for both 100-unit and 366-unit development densities using existing roundabout configurations, trip rates from the ITE Trip Generation Manual, 10th Edition, 2017, and new roundabout design configurations that include a southbound right turn bypass lane.

Table 2 summarizes the results of the southbound approach at the US 29 at Hal Jones Road roundabout intersection during the PM peak hour with and without the southbound approach mitigation, and “As Zoned” with 100 units and “Rezoned” with 366 units.

Table 2: PM Peak Hour Build Mitigations (SB Approach) – US 29 at Hal Jones Road

Roundabout Design		Original Trip Counts Used		Alternate Trip Counts Used			
		From Nov '21 TIS Report		As Zoned (100 units)		Rezoned (366 units)	
		SBR	SBT	SBR	SBT	SBR	SBT
2028 No-Build Volumes		162	699	162	699	162	699
Peak Hour Trips (Per ITE 10 th Edition) to impact roundabout capacity		7	33	2	9	7	33
2028 Build Volumes		169	732	164	708	169	732
Percent Change (Build vs No-Build)		4.3%	4.7%	1.2%	1.3%	4.3%	4.7%
Percent Change (As Zoned vs Rezoned)		-	-	-	-	3.0%	3.4%
Roundabout SB Approach Satisfactory Capacity (Maximum Delay before LOS 'E')	LOS	D		-		-	
	Delay (sec)	34.9		-		-	
Roundabout SB Approach 2028 No-Build LOS (without added trips)	LOS	D		-		-	
	Delay (sec)	34.0		-		-	
Roundabout SB Approach 2028 Build LOS (with added trips, no Mitigations)	LOS	E		E		E	
	Delay (sec)	42.2		36.6		42.2	
Roundabout SB Approach 2028 Build Mitigated LOS (with SB Right-Turn Bypass Lane)	LOS	-		C		C	
	Delay (sec)	-		15.5		16.8	

As shown in Table 2, installing a southbound right-turn bypass lane from US 29 to Hal Jones Road is expected to improve the southbound approach Levels of Service (LOS) from E to C during the PM peak hour. Therefore, the installation of a southbound right-turn bypass lane at the US 29 at Hal Jones Road roundabout intersection is recommended.

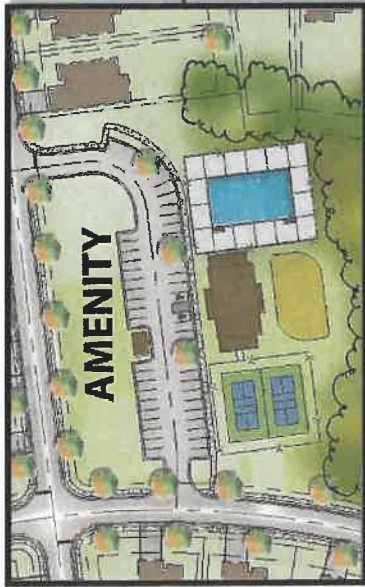




GREEN TOP ROAD
163.61 ACRES
ANNEXATION- PDR ZONING



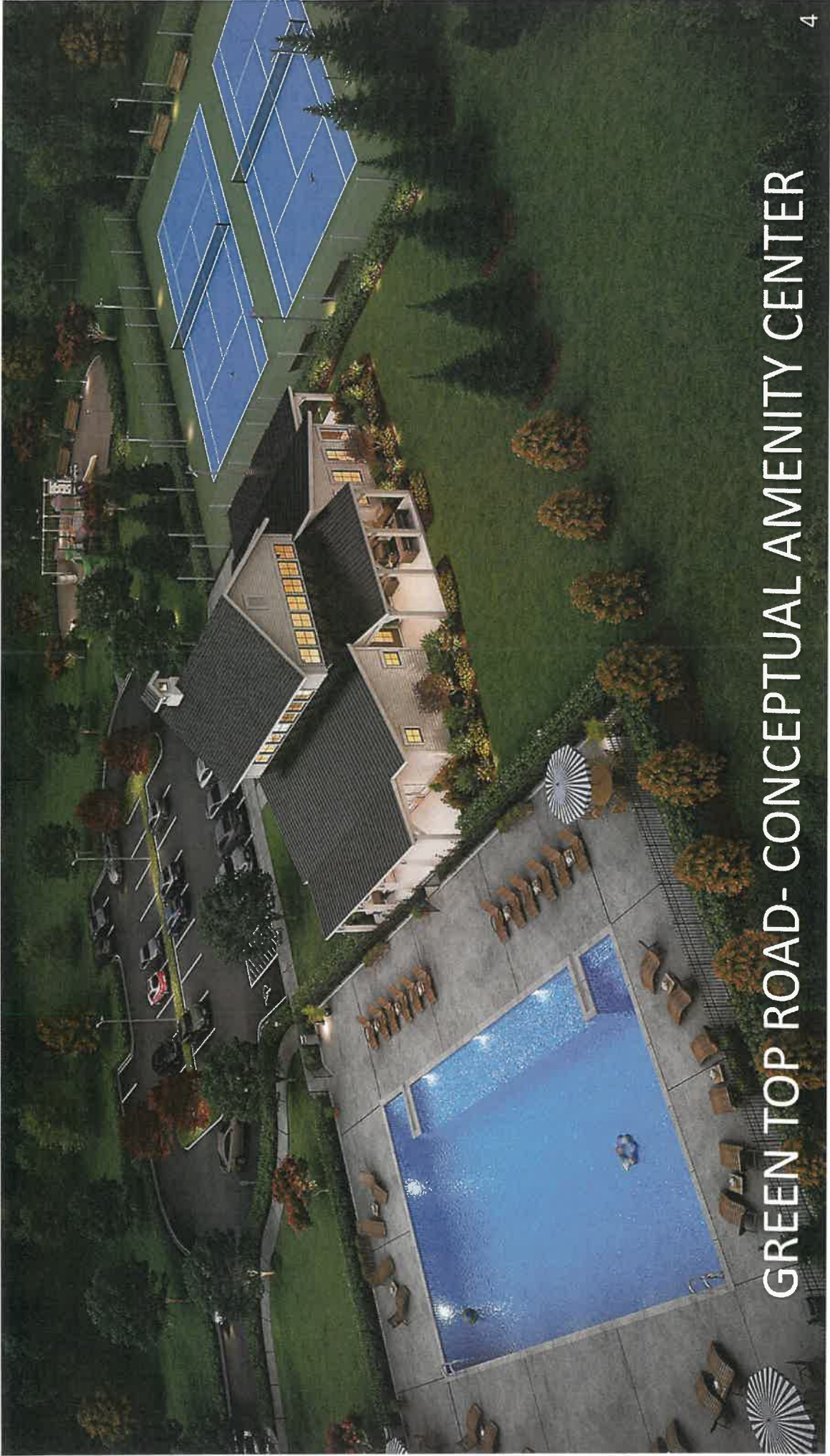
- Public Company
 - NYSE: PHM
 - S&P 500 Index
- Founded 70 Years Ago
- Third largest US Home Building Company
- 23 States - 42 Major Markets
- 284th on Fortune 500 (2020 Revenue)



AREA
 SITE AREA: 163.61 ACRES
 OPEN SPACE PROVIDED: 50.01 ACRES
 PERCENTAGE OPEN SPACE: 31%

DENSITY
 NUMBER OF UNITS: 366 UNITS
PROPOSED DENSITY: 2.23 UNITS/ACRE

LOT INFORMATION
 MINIMUM LOT SIZE: 8,200 SQ FT
 AVERAGE LOT SIZE: 10,500 SQ FT
 MINIMUM FLOOR AREA: 1,600 SQ FT
 BUILDING SETBACKS
 FRONT SETBACK: 15' FROM ROW /
 40' FROM CL
 SIDE SETBACK: 5 FEET
 STREET SIDE SETBACK: 10 FEET
 REAR SETBACK: 20 FEET
 BUILDING SEPARATION: 10 FEET
 MAX BUILDING HEIGHT: 35 FEET



GREEN TOP ROAD- CONCEPTUAL AMENITY CENTER

NOTE: Average square footage. Each variety of home will have 3-4 different floor plans with 3-4 different elevations and 3 or 4 different color combinations along with structural options increasing the square footage.

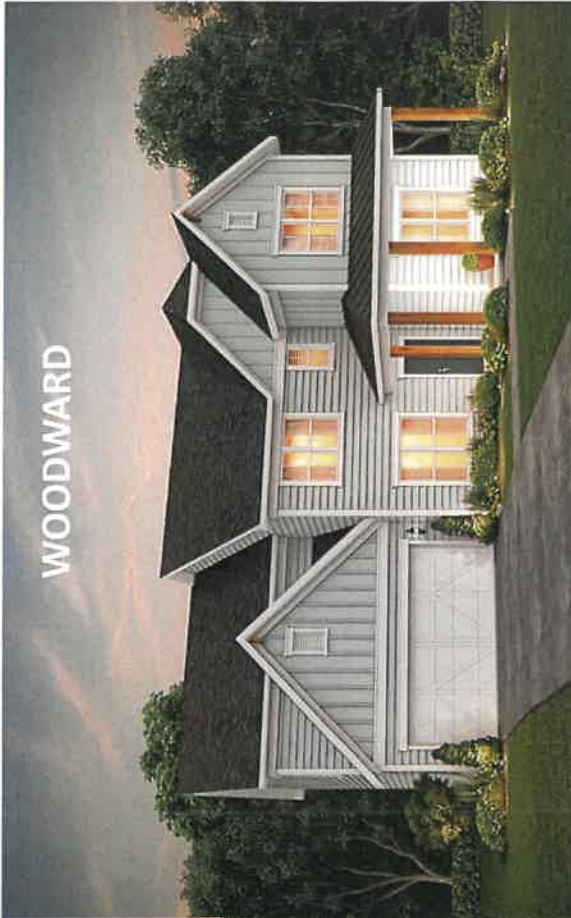
PRICES OF HOMES

	ASP	
RIVERTON	\$	579,990
WOODWARD	\$	574,990
WINGATE	\$	564,990
FURMAN	\$	559,990
MARTIN RAY	\$	479,990
SUMMERWOOD	\$	469,990
ABBEEVILLE	\$	459,990
MITCHELL	\$	485,990
HAMPTON	\$	470,990
HARTWELL	\$	469,990
ASPIRE	\$	479,990

*Prices as of July 2022



RIVERTON



WOODWARD



WINGATE



FURMAN





MITCHELL



HAMPTON



HARTWELL

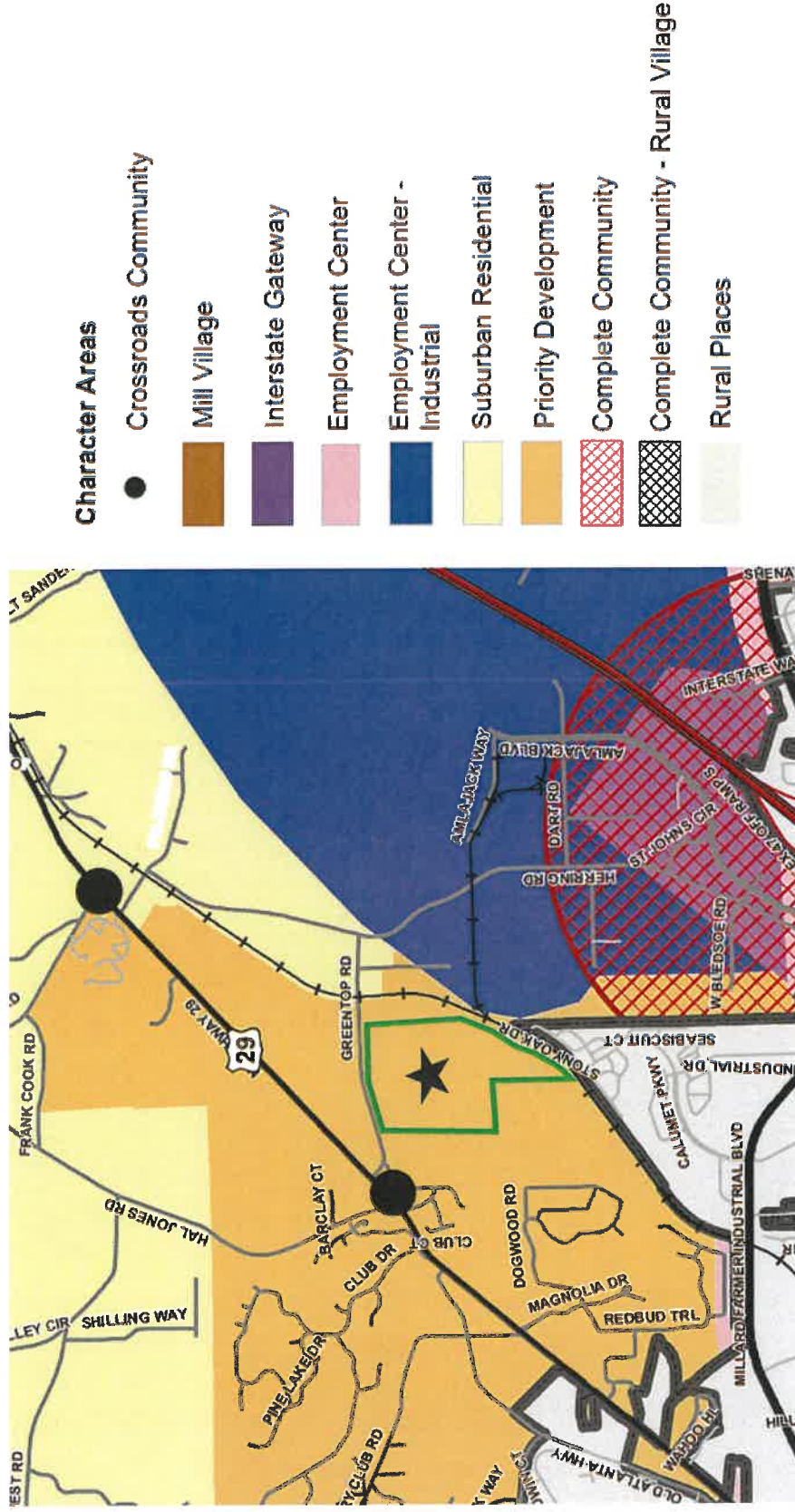


ASPIRE

C.S.X. RAILROAD 200'R/W

[illegible]

Coweta County Land Use Plan



“3. This property is in a Priority Development zone on our Character Area Map. This character area does support densities up to 4 units per acre.”

Coweta County Community Report- November 21, 2021

B. Review of 15-year Transportation Plan

The Coweta County Comprehensive Transportation Plan (CTP), last updated in October 2021, was reviewed to identify any infrastructure investments planned for the area adjacent to the proposed development. Table 1 below shows the following roadway, intersection, and safety improvement projects identified near the proposed site and its study intersections.

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As shown in Table 1, the Coweta County CTP identifies five (5) planned transportation projects near the study area. However, the CTP does not identify any planned improvements at the study intersections evaluated in the Traffic Impact Study. Further, the CTP does not identify trips associated with the land use on the site.

*Page 7 from the Traffic Assessment for GTR Residential Development – US 29 at Hal Jones Road Roundabout Intersection

NO BUILD

Table 3: 2028 No-Build Capacity Analysis

ID	Intersection	Control	Movement	AM		PM	
				LOS	Delay	LOS	Delay
1	US 29 & Hal Jones Rd	Round-about	Overall	B	12.8	C	21.9
			EB	B	11.9	B	12.3
			NB	C	16.1	B	10.5
			SB	A	7.5	D	34.0
2	US 29 & Green Top Rd	Round-about	Overall	A	9.8	A	9.1
			WB	A	7.9	A	6.7
			NB	B	11.5	B	13.9
			SB	A	6.3	B	10.9
3	Herring Rd & Green Top Rd	Stop-Control	EB	C	15.7	B	10.4
			NB	A	3.9	A	3.9

Table 4: 2028 Build Capacity Analysis

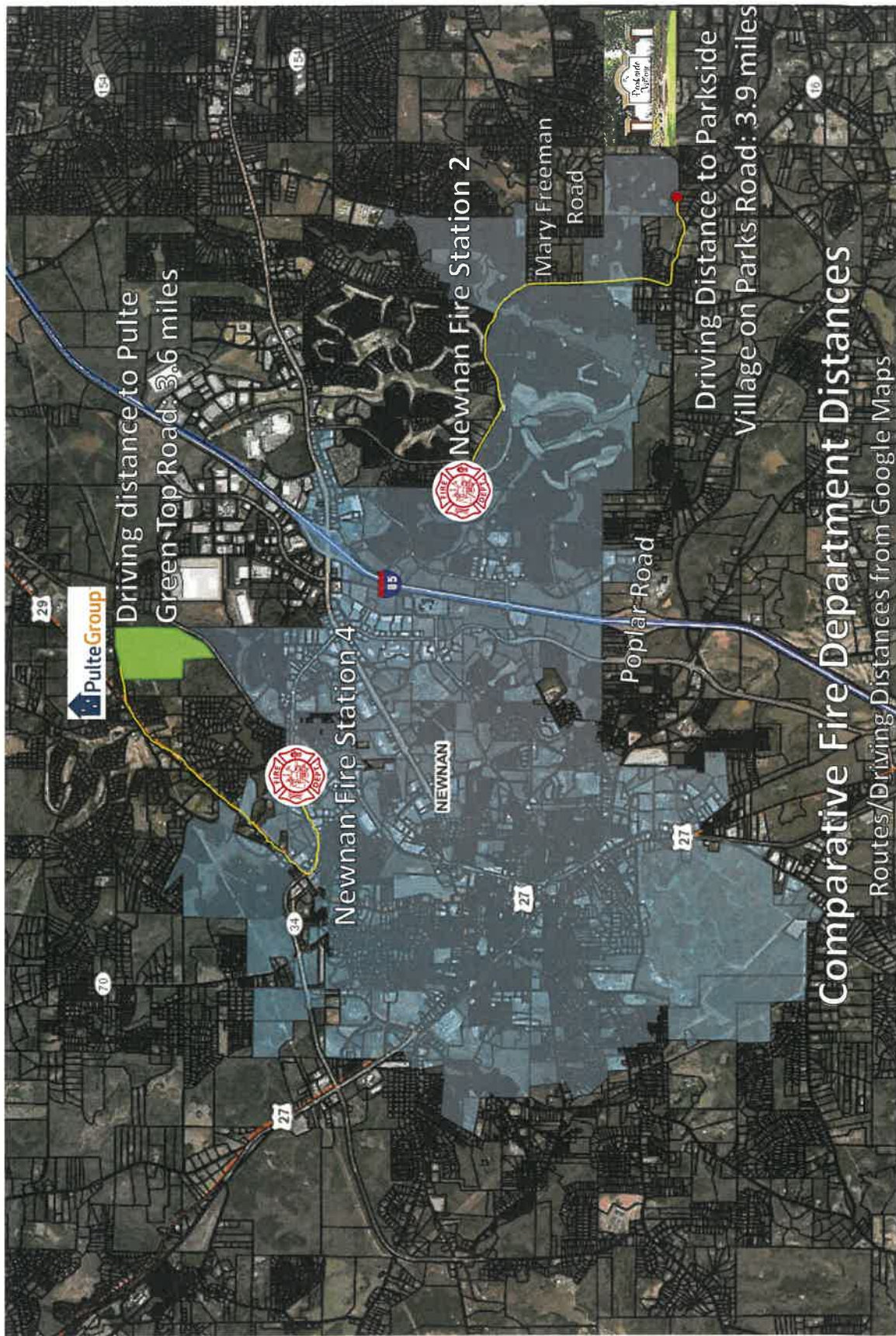
ID	Intersection	Control	Movement	AM		PM	
				LOS	Delay	LOS	Delay
1	US 29 & Hal Jones Rd	Round-about	Overall	B	13.7	D	26.4
			EB	B	13.4	B	13.5
			NB	C	17.2	B	12.1
			SB	A	8.2	E	42.2
2	US 29 & Green Top Rd	Round-about	Overall	B	11.5	C	15.3
			WB	B	11.8	B	11.7
			NB	B	13.2	A	9.3
			SB	A	7.3	C	22.8
3	Herring Rd & Green Top Rd	Stop-Control	EB	C	18.4	B	12.3
			NB	A	4.0	A	4.2
4	Green Top Rd & Site Dwy 1	Stop-Control	NBL	C	18.1	C	17.3
			NBR	B	10.7	A	9.3
			WBL	A	8.2	A	8.1
			NBR	B	10.7	A	9.2
6	Green Top Rd & Green Top Rd &	Stop-	NBR	B	10.8	B	10.2

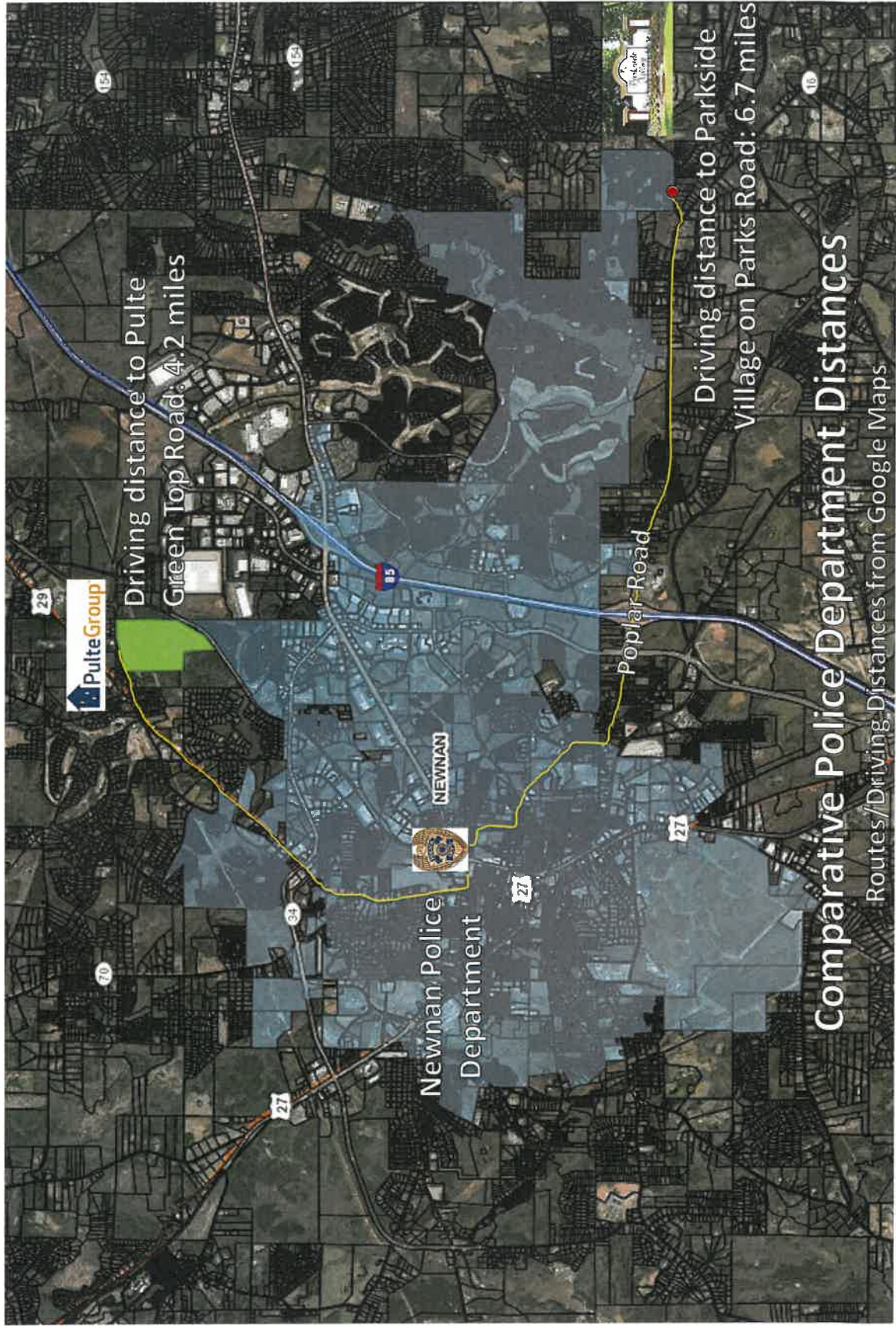
BUILD

Table 2: PM Peak Hour Build Mitigations (SB Approach) – US 29 at Hal Jones Road

Roundabout Design	Original Trip Counts Used		Alternate Trip Counts Used			
	From Nov '21 TIS Report		As Zoned (100 units)		Rezoned (366 units)	
	SBR	SBT	SBR	SBT	SBR	SBT
2028 No-Build Volumes	162	699	162	699	162	699
Peak Hour Trips (Per ITE 10 th Edition) to impact roundabout capacity	7	33	2	9	7	33
2028 Build Volumes	169	732	164	708	169	732
Percent Change (Build vs No-Build)	4.3%	4.7%	1.2%	1.3%	4.3%	4.7%
Percent Change (As Zoned vs Rezoned)	-	-	-	-	3.0%	3.4%
Trips Change (As Zoned vs Rezoned)	-	-	-	-	5	24
Roundabout SB Approach	LOS		-		-	
Satisfactory Capacity (Maximum Delay before LOS 'E')	Delay (sec)		-		-	
	34.9					
Roundabout SB Approach	LOS		-		-	
2028 No-Build LOS (without added trips)	Delay (sec)		-		-	
	34.0					
Roundabout SB Approach	LOS		E		E	
2028 Build LOS (with added trips, no Mitigations)	Delay (sec)		42.2		42.2	
Roundabout SB Approach	LOS		C		C	
2028 Build Mitigated LOS (with SB Right-Turn Bypass Lane)	Delay (sec)		15.5		16.8	

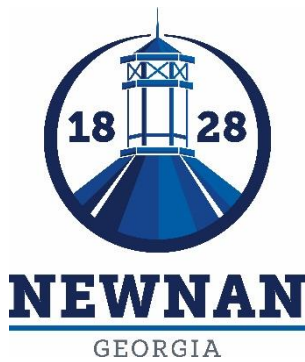








**GREEN TOP ROAD
163.61 ACRES
ANNEXATION- PDR ZONING**



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: City Council 2022 Retreat Report

Prepared by: Hasco Craver, Assistance City Manager

Presented by: Cleatus Phillips, City Manager

Purpose:

Newnan City Council may consider and adopt the City Council 2022 Retreat Report

Background:

The City of Newnan held a City Council Retreat on August 11-12, 2022 in Columbus, Georgia, in order to develop a strategic vision for the future of the city. The retreat was facilitated by Cleatus Phillips, City Manager and Hasco Craver, Assistant City Manager. Newnan City Council members were presented with several topics that were derived from a survey instrument developed and employed by Cleatus Phillips.

Funding:

N/A

Recommendation:

City staff is prepared to respond to the Newnan City Council's direction.

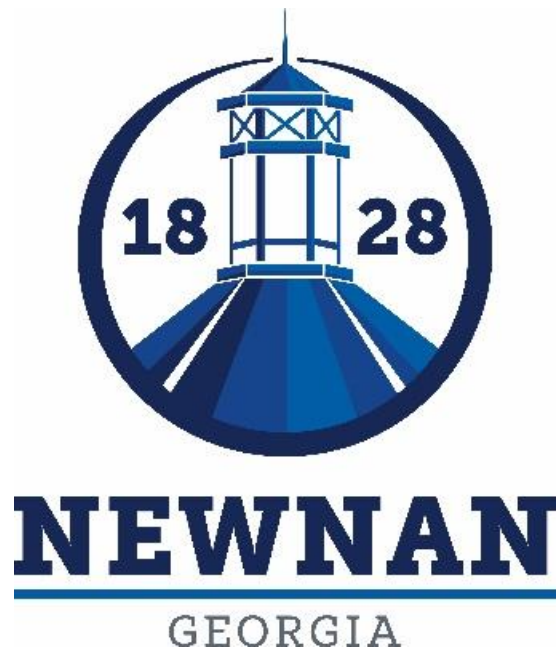
Attachments:

1. City Council 2022 Retreat Report

Previous Discussions with Council:

The Newnan City Council annually hosts a retreat whereby members are encouraged to present future-oriented issues and opportunities for discussion.

City of Newnan City Council 2022 Retreat Report



**City of Newnan
25 LaGrange Street
Newnan, Georgia 30263**

Introduction

The City of Newnan held a City Council Retreat on August 11-12, 2022 in Columbus, Georgia, in order to develop a strategic vision for the future of the city. The retreat was facilitated by Cleatus Phillips, City Manager and Hasco Craver, Assistant City Manager. Newnan City Council members were presented with several topics that were derived from a survey instrument developed and employed by Cleatus Phillips.

Cleatus Phillips sought the input of all Newnan City Council members through the use of a topic-driven survey.

Cleatus Phillips asked for discussion items related to the following categories:

- Land Use
- Infrastructure
- Economic Development
- Community Engagement
- Organizational Development

The topic categories were defined according to the following:

- Land Use
 - (ie, Annexation Plan, Density, Uses, Types of Homes, Architectural Styles, Meeting or Changing Market Demand, Regulation, and more)
- Infrastructure
 - (ie, Streets, Sidewalks, Stormwater, Water, Sewer, Electricity, Parks, Technology, and more)
- Economic Development
 - (ie, Downtown Investment, 57 East, Business Friendly, Business Development, Alcohol Permitting, Future of Retail, Job Recruiting, Incentives, and more)
- Community Engagement
 - (ie, Communication Methods, Public Input Processes, Satisfaction Surveys, Social Media, Town Halls, and more)
- Organizational Development
 - (Staffing, Benefits, Facility Needs, Training, Service Delivery Changes, Changes to Normal Way of Doing Business, and more)

Beginning in late July and in advance of the retreat, members of the Newnan City Council were asked to provide two to five issues and/or opportunities in each category. The following is illustrative of the identified issues and/or opportunities under each category:

Land Use:

- Reconcile existing plans to real world demands, market demands.
- Annexation Plan
- Establish goal of single-family homes vs apartments
- Housing density
- Restrict apartments/rentals

- Increase building quality (bigger garages, materials, etc)
- Regulation
- Type of Homes/Housing and balance of homes

Infrastructure

- How to pay for projects? Next SPLOST?
- Plan to resurface streets, repair bridges/culverts, and how to pay?
- Embed conduit beneath the LINC
- Finish sidewalks city wide
- Maintain all city cemeteries to great city standards
- Paint RR tunnel to cover graffiti
- Stormwater/sewer plans
- Water-electricity plans
- Traffic Improvement Strategy
- Pedestrian, biking safety due to speeding and signal operation
- Sidewalks, electric Segways and similar vehicles
- Future LINC sections

Economic Development

- 57 East (aka Caldwell Tanks)
- Treat all areas of city as a whole-equitable (rules/policy for business/residents)
- Streamline alcohol ordinance
- Focus attention to complete current items before starting new ones
- Overall business friendly
- Future of retail
- Incentives
- Future of conference center
- Special event venue (similar to the NEST)

Community Engagement

- a) Police department outreach programs
- b) Put 'City of Homes' back on the logo
- c) Better transparency for events, single source info for all events and council
- d) Hold City Council annually at Newnan Centre
- e) HAN – Actually maintain properties/landscaping
- f) Communication methods
- g) Use of social media
- h) Town halls, public input
- i) Education of public, how our local government runs and functions
- j) Volunteer efforts, commissions and appointments
- k) Development of East Broad to East Washington (Bicentennial Park)
- l) Community needs not being met (ie, meeting space, teen gathering space)
- m) Helping other communities in need

Organizational Development

- Millage Rate 101
 - 3-5 Year Budget Projection
 - Training
 - Pension plan – revise to make more sustainable
 - Backup operations/data warehouse at Newnan Centre
 - Changes to City Services
 - Long term facility needs
 - Long term staffing needs
 - Future service delivery strategy in light of worker shortage and supply chain
 - Garbage, how do we delivery quality service at affordable price?
-

After receiving input from all councilmembers, City staff collated the results and asked for each councilperson to rank their preferred or “top 3” issues and/or opportunities. The following is illustrative of the identified “top 3” issues and/or opportunities under each category:

Land Use

- Establish goal of single-family homes vs apartments
- Annexation Plan
- Type of Homes/Housing and balance of homes

Infrastructure

- How to pay for projects? Next SPLOST?
- Plan to resurface streets, repair bridges/culverts, and how to pay?
- Traffic Improvement Strategy

Economic Development

- 57 East (aka Caldwell Tanks)
- Special event venue (similar to the NEST)
- Overall business friendly

Community Engagement

- n) Police department outreach programs
- o) Volunteer efforts, commissions and appointments
- p) Better transparency for events, single source info for all events and council

Organizational Development

- Garbage, how do we delivery quality service at affordable price?
 - 3-5 Year Budget Projection
 - Long term facility needs
-

City staff, after compiling the ranked results of issues/opportunities under each category, narrowed the list even further to those “top ten” topics that would receive certain conversation at the retreat. The following list is illustrative of the “top ten” issues/opportunities (listed in order of ranking):

1. 57 East (aka Caldwell Tanks)
2. Establish goal of single-family homes vs apartments
3. How to pay for projects? Next SPLOST?
4. Garbage, how do we delivery quality service at affordable price?
5. Annexation Plan
6. Police department outreach programs
7. Type of Homes/Housing and balance of homes
8. 3-5 Year Budget Projection
9. Plan to resurface streets, repair bridges/culverts, and how to pay?
10. Special event venue (similar to the NEST)

City staff, in wanting to invite an opportunity for councilmembers to discuss additional issues/opportunities that did not gain enough votes to be included in the “top ten” created a “parking lot” where the next five ranked items would remain and be eligible for discussion if approved by a majority of the Newnan City Council. The “parking lot” issues/opportunities were as follows:

- Long term facility needs
- Volunteer efforts, commissions and appointments
- Traffic Improvement Strategy
- Overall business friendly
- Better transparency for events, single source info for all events and council

Beginning on the morning of Friday, August 12, 2022, Newnan City Council gathered at the Hotel Indigo (Board Room) for the 2022 City Council Retreat. City staff shared a meeting agenda that included a precise, intentional and logical method for discussing the “top ten” issues/opportunities. In advance of the meeting taking place, Cleats Phillips shared the “Keys to a Successful Retreat”

- Participation be ALL
 - Please share your thoughts and opinions
 - Be willing to change your mind
 - Council led conversations (staff facilitates)
 - Respectfully agree to disagree
 - Majority rules
 - Minimize phone usage
 - Think BIG
-

The following is the meeting agenda employed by the Newnan City Council:

1. Land Use
 - a) Establish goal of single-family homes vs apartments
 - b) Annexation Plan
 - c) Type of Homes/Housing and balance of homes
2. Economic Development
 - a) 57 East (aka Caldwell Tanks)
 - b) Special event venue (similar to the NEST)
3. Organizational Development
 - a) Garbage, how do we delivery quality service at affordable price?
 - b) 3-5 Year Budget Projection
4. Community Engagement
 - a) Police department outreach programs
5. Infrastructure
 - a) How to pay for projects? Next SPLOST?
 - b) Plan to resurface streets, repair bridges/culverts, and how to pay?
6. Parking Lot
 1. To be determined by City Council

Newnan City Council
Council Retreat Meeting Minutes
August 12, 2022
Columbus, Georgia

Members Present: Keith Brady, Cynthia Jenkins, Rhodes Shell, Dustin Koritko, Ray DuBose, Paul Guillaume, George Alexander

Staff Present: Cleatus Phillips, Brad Sears, Hasco Craver

Guests Present: Joe Adgie (Newnan Times Herald)

Mayor Keith Brady called the meeting to order at 8:15am.

Cleatus Phillips led the councilmembers through a presentation that described the process by which the agenda was developed. Mr. Phillips discussed the prioritization of discussion topics. Mr. Phillips mentioned that he and Hasco Craver would be facilitating the discussion of certain issues/opportunities under certain categories. Mr. Phillips mentioned that he will facilitate the discussion of Land Use, Organization Development and Infrastructure category items. Mr. Phillips mentioned that Hasco Craver will facilitate the discussion of Economic Development and Community Engagement category items. Please find a copy of the presentation attached herein.

Below is a summary list of focused discussion themes and agreed-upon action items and/or areas of focus:

Land Use

Cleatus Phillips initiated a conversation with Councilmembers related to their intended desire to incent and/or regulate certain aspects of the City's current zoning ordinance and code of ordinances to manage residential development. Cleatus Phillips managed a discussion related to the Council's desire to employ an "annexation plan". The following list of action items were supported by the Councilmembers:

1. Research and collect land use data to develop policies/planning tools to maintain and attract single family homes; and
2. Research and collect "annexation plans" from other jurisdictions; and
3. Host future work session dedicated to discussing a "growth strategy"; and
4. Allow flexibility for smaller square footage requirements for infill residential development; and
5. Continue discussing larger single-family structures to develop a strategy to attract higher quality development

Economic Development

Hasco Craver initiated a conversation related to the redevelopment of real property at 57 East Broad Street (former site of Caldwell Tanks). Hasco Craver asked Councilmembers to label certain uses shown on a concept plan developed by Nelson Worldwide. The following image represents the comments of the Councilmembers:



The following list of action items were supported by the Councilmembers:

1. There is no support among a majority of City Councilmembers to include large-scale multifamily/apartment development within the 57 East project; and
2. There is support for townhomes and residential over retail within the 57 East project; and
3. There is support to invest in a “bicentennial park” at/near the location of the 1 acre parcel adjacent to the railroad/57 East that has been considered for the location of a LINC trailhead; and
4. There is support to invest in a “public component” that is programmable within the 57 East project; and
5. There exists support to better understand what the future plans are for the Coweta County Administration Building, which is located adjacent to the 57 East project along Broad Street; and
6. Councilmembers were understanding that the project pro forma may not support all of the uses they desire, which may result in the employment of an incentive program; and
7. Councilmembers are desirous to host a work session with the Sagestone/FIDES team before the end of August 2022 for the purposes of endorsing a predevelopment project agreement
 - a. Councilmembers would like the work session and agreement to consider:
 - i. Team/organization structure
 - ii. Project approach
 - iii. Project schedule
 - iv. Project delivery
 - v. Contract/Letter of Intent
8. There does not exist support to develop a publicly-funded special event project similar to the NEST project; and
9. There does exist support to create a “special event” space within the 57 East project

Organizational Development

Cleatus Phillips initiated a conversation regarding the future of the City’s Solid Waste Program. Cleatus Phillips posed several questions to Councilmembers in hopes of deriving a consensus aimed at confirming and/or modifying the Solid Waste Program that is scheduled to begin in 2023. The following list of action items were supported by the Councilmembers:

1. Solid Waste Management
 - a. City shall not provide residential refuse and recycling services; and
 - b. City shall not permit a subscription service model for residential refuse and recycling services; and
 - c. City shall retain brush and bulk services; and
 - d. Councilmembers are amenable to seeking proposals from firms that consider changes in the frequency of residential service as well as potential discounts for senior citizens and/or property owners; and

- e. Councilmembers are interested in learning more about “single container” residential refuse and recycling services; and
- f. Councilmembers are amenable to quarterly billing to property owners for residential refuse and recycling services as well as potential discounts for those paying in advance for a full year

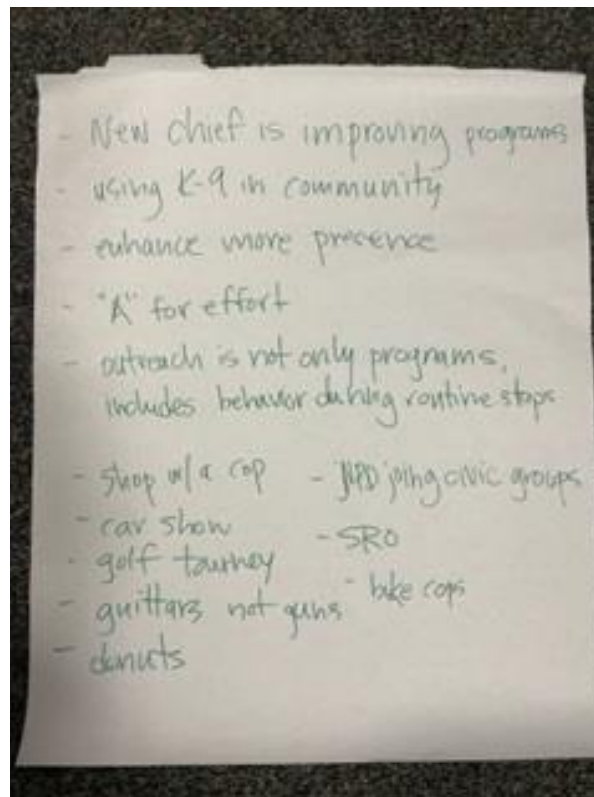
Cleatus Phillips initiated a conversation with Councilmembers related to their desire to have a three-to-five-year revenue and expense projection, which will allow them the better manage the growing and ongoing needs of the community. The following list of action items were supported by the Councilmembers:

2. 3-5 Year Budget Projection

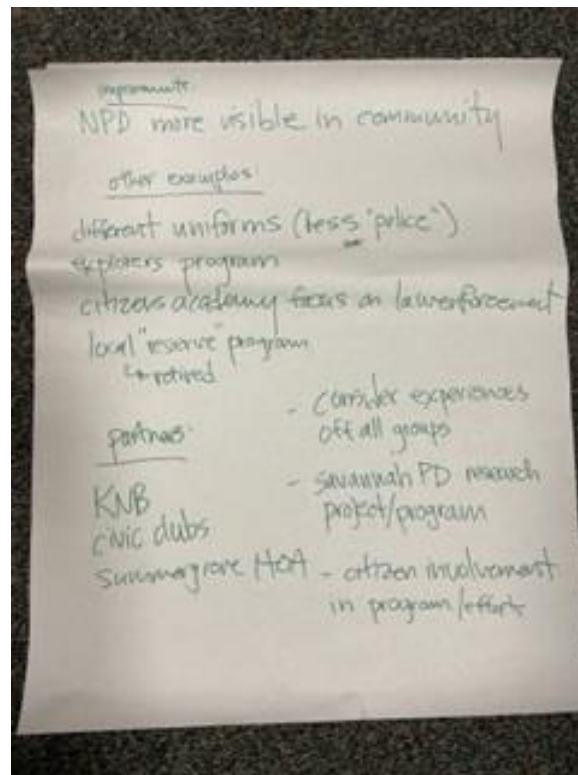
- a. Projection shall include capital and operation expenditures/expenses; and
- b. Project could include discussion of future millage rate; and
- c. The document shall be separate from the Annual Budget; and
- d. The document shall be updated annually; and
- e. The document shall be a broad overview

Community Engagement

Hasco Craver initiated a conversation related to the current/known outreach programs being administered by the Newnan Police Department and their respective successes, challenges and opportunities. The following image represents the comments of the Councilmembers:



Hasco Craver asked Councilmembers to provide ideas for future/new programs and a list of potential program partners. The following image represents the comments of the Councilmembers



In addition to the above listed discussion and comments, Newnan City Councilmembers discussed their desire to have all members of the citizenry treated with dignity and respect.

The following list of action items were supported by the Councilmembers:

1. Police Department Outreach Programs
 - a. Consensus among councilmembers that the Newnan Police Department is administering outreach programs that are successful; and
 - b. Desire to see increased "visibility" of Newnan Police Department personnel in the community; and
 - c. Councilmembers are supportive of continuing and enhancing partnerships with community-based service organizations

Infrastructure

Cleatus Phillips initiated a conversation with Councilmembers about their desire to continue participating in the Special Purpose Local Option Sales Tax (SPLOST) Program. In addition, Cleatus Phillips led a conversation about the current state of the City's roadway and stormwater infrastructure, including routine inspections, current condition technologies, funding sources and Councilmembers' goals. Cleatus Phillips discussed the opportunities to continue maintaining the excellent condition of public infrastructure in Newnan, Georgia. The following list of action items were supported by the Councilmembers:

1. Councilmembers are supportive of continuing SPLOST; and
2. There exists a desire for staff to develop a plan for roadway improvements; and
3. There is support to increase the frequency of inspections of culverts from 5 years to 2.5 years; and
4. Councilmembers are desirous of setting an overall Pavement Assessment goal of 60 PCI; and
5. Consider depreciation type schedule for roadway condition assessment and maintenance; and
6. Consider utilizing the General Fund to perform roadway improvement projects; and
7. Councilmembers were supportive and beginning to developing the future SPLOST project list

Parking Lot

Councilmembers were uninterested in discussing the few items listed in the "parking lot."

Dustin Koritko made a motion to adjourn. Paul Guillaume seconded the motion. The motion carried. The meeting was adjourned at 3:00pm.

Council Retreat

August 12, 2022



NEWNAN
GEORGIA

Developing a Council Led Strategic Plan

Categories

1. Land Use
2. Infrastructure
3. Economic Development
4. Community Engagement
5. Organizational

Developing a Council Led Strategic Plan

Land Use – First Round of Input from Council

- Reconcile existing plans to real world demands, market demands.
- Annexation Plan
- Establish goal of single-family homes vs apartments
- Housing density
- Restrict apartments/rentals
- Increase building quality (bigger garages, materials, etc)
- Regulation
- Type of Homes/Housing and balance of homes

Developing a Council Led Strategic Plan

Land Use – Prioritization by Council

1.	Establish goal of single-family homes vs apartments	20 Points
2.	Annexation Plan	22 Points
3.	Type of Homes/Housing and balance of homes	26 Points
4.	Increase building quality (bigger garages, materials, etc)	33 Points
5.	Housing density	34 Points
6.	Restrict Apartments/Rental	36 Points
7.	Regulation	43 Points
8.	Reconcile existing plans to real world market demands	44 Points

Developing a Council Led Strategic Plan

Infrastructure – First Round of Input from Council

- How to pay for projects? Next SPLOST?
- Plan to resurface streets, repair bridges/culverts, and how to pay?
- Embed conduit beneath the LINC
- Finish sidewalks city wide
- Maintain all city cemeteries to great city standards
- Paint RR tunnel to cover graffiti
- Stormwater/sewer plans
- Water-electricity plans
- Traffic Improvement Strategy
- Pedestrian, biking safety due to speeding and signal operation
- Sidewalks, electric segways and similar vehicles
- Future LINC sections

Developing a Council Led Strategic Plan

Infrastructure – Prioritization by Council

1.	How to pay for projects? Next SPLOST?	20 Points
2.	Plan to resurface streets, repair bridges/culverts, how to pay?	33 Points
3.	Traffic Improvement Strategy	37 Points
4.	Stormwater/sewer plans	43 Points
5.	Finish sidewalks city wide	50 Points
6.	Water-electricity plans	52 Points
7.	Maintain all city cemeteries to great city standards	56 Points
8.	Sidewalks, electric segways and similar vehicles	59 Points
9.	Future LINC sections	60 Points
10.	Pedestrian, biking safety due to speeding and signal operation	61 Points
11.	Embed conduit beneath the LINC	63 Points
12.	Paint RR tunnel to cover graffiti	73 Points

Developing a Council Led Strategic Plan

Economic Development – First Round of Input from Council

- 57 East (aka Caldwell Tanks)
- Treat all areas of city as a whole-equitable (rules/policy for business/residents)
- Streamline alcohol ordinance
- Focus attention to complete current items before starting new ones
- Overall business friendly
- Future of retail
- Incentives
- Future of conference center
- Special event venue (similar to the NEST that was entertained pre-COVID)

Developing a Council Led Strategic Plan

Economic Development – Prioritization by Council

1.	57 East (aka Caldwell Tanks)	11 Points
2.	Special event venue (similar to the NEST)	34 Points
3.	Overall business friendly	38 Points
4.	Focus attention to complete current items before starting others	40 Points
5.	Future of conference center	42 Points
6.	Future of retail	44 Points
7.	Streamline alcohol ordinance	45 Points
8.	Treat all areas of city as a whole-equitable	46 Points
9.	Incentives	47 Points

Developing a Council Led Strategic Plan

Community Engagement – First Round of Input from Council

- Police department outreach programs
- Put 'City of Homes' back on the logo
- Better transparency for events, single source info for all events and council
- Hold City Council annually at Newnan Centre
- HAN – Actually maintain properties/landscaping
- Communication methods
- Use of social media
- Town halls, public input
- Education of public, how our local government runs and functions
- Volunteer efforts, commissions and appointments
- Development of East Broad to East Washington (Bicentennial Park)
- Community needs not being met (ie, meeting space, teen gathering space)
- Helping other communities in need

Developing a Council Led Strategic Plan

Community Engagement – Prioritization by Council

1.	Police department outreach programs	23 Points
2.	Volunteer efforts, commissions and appointments	36 Points
3.	Better transparency for events, single source info	39 Points
4.	Communication methods	41 Points
5.	Town halls, public input	46 Points
6.	Development of East Broad to East Washington	52 Points
7.	Use of social media	54 Points
8.	Education of public, how our local government runs	60 Points
9.	Put 'City of Homes' back on the logo	61 Points
10.	HAN – Actually maintain properties/landscaping	66 Points
11.	Hold City Council annually at Newnan Centre	68 Points
12.	Community needs not being met	84 Points
13.	Helping other communities in need	85 Points

Developing a Council Led Strategic Plan

Organizational Development – First Round of Input from Council

- Millage Rate 101
- 3-5 Year Budget Projection
- Training
- Pension plan – revise to make more sustainable
- Backup operations/data warehouse at Newnan Centre
- Changes to City Services
- Long term facility needs
- Long term staffing needs
- Future service delivery strategy in light of worker shortage and supply chain
- Garbage, how do we deliver quality service at affordable price?

Developing a Council Led Strategic Plan

Organizational Development – Prioritization by Council

1. Garbage, how do we deliver quality service at affordable price	21 Points
2. 3-5 Year Budget Projection	31 Points
3. Long term facility needs	35 Points
4. Pension plan	37 Points
5. Long term staffing needs	38 Points
6. Future service delivery strategy	46 Points
7. Training	47 Points
8. Millage Rate 101	47 Points
9. Backup operations/data warehouse at Newnan Centre	50 Points
10. Changes to City Services	54 Points

Developing a Council Led Strategic Plan

Overall Top 10

- | | |
|--|------------------|
| 1. 57 East (aka Caldwell Tanks) | 11 Points |
| 2. Establish goal of single-family homes vs apartments | 20 Points |
| 3. How to pay for projects? Next SPLOST? | 20 Points |
| 4. Garbage, how do we deliver quality service at affordable price | 21 Points |
| 5. Annexation Plan | 22 Points |
| 6. Police department outreach programs | 23 Points |
| 7. Type of Homes/Housing and balance of homes | 26 Points |
| 8. 3-5 Year Budget Projection | 31 Points |
| 9. Plan to resurface streets, repair bridges/culverts, how to pay? | 33 Points |
| 10. Special event venue (similar to the NEST) | 34 Points |

Developing a Council Led Strategic Plan

'Parking Lot' – Top 5

- | | |
|---|------------------|
| 1. Long term facility needs | 35 Points |
| 2. Volunteer efforts, commissions and appointments | 36 Points |
| 3. Traffic Improvement Strategy | 37 Points |
| 4. Overall business friendly | 38 Points |
| 5. Better transparency for events, single source info | 39 Points |

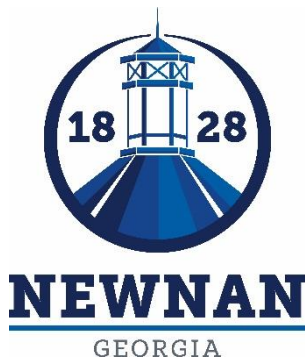
Developing a Council Led Strategic Plan

Agenda

1. Land Use Priority Items
 - a. Establish goal of single-family homes vs apartments
 - b. Annexation Plan
 - c. Type of Homes/Housing and balance of homes
2. Economic Development Priority Items
 - a. 57 East (aka Caldwell Tanks)
 - b. Special event venue (similar to the NEST)
3. Organizational Development Priority Items
 - a. Garbage, how do we deliver quality service at affordable price
 - b. 3-5 Year Budget Projection
4. Community Outreach Priority Items
 - a. Police department outreach programs
5. Infrastructure Priority Items
 - a. How to pay for projects? Next SPLOST?
 - b. Plan to resurface streets, repair bridges/culverts, how to pay?
6. 'Parking Lot' Items
 - a. To Be Determined by Council

Keys to a Successful Retreat

- Participation by ALL
- Please share your thoughts and opinions
- Be willing to change you your mind
- Council led conversations (Staff facilitates)
- Respectfully agree to dis-agree
- Majority rules
- Minimize phone usage
- Think BIG



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Consideration of Entering into an Agreement with a Qualified Firm to provide Residential Refuse and Recycling Services

Prepared by: Hasco Craver, Assistance City Manager

Presented by: Cleatus Phillips, City Manager and Ray Norton, Public Works Director

Purpose:

Newnan City Council may consider entering into an agreement with Amwaste to provide residential refuse and recycling services within the City of Newnan, Georgia, as required by the Code of Ordinances of the City of Newnan, Chapter 17 Solid Waste.

Background:

The Newnan City Council, at their February 22, 2022 Special Called Meeting to discuss the future of the City of Newnan's Solid Waste program, agreed unanimously to continue providing residential refuse and recycling services to all residential units, not including multi-family units, commercial uses nor downtown customers managed by a sperate program, via a qualified contractor. Newnan City Council instructed City staff to issue a Request for Proposals to secure a residential refuse and recycling contractor.

On March 24, 2022, City staff issued a Request for Proposals (RFP) for qualified firms to provide residential refuse and recycling services within the City of Newnan.

City staff hosted a pre-proposal conference on April 22, 2022 to answers questions related to the RFP and the proposed residential refuse and recycling program. There were nine individuals representing eight refuse and recycling outfits present at the meeting. In addition to the questions considered at the pre-proposal conference, several questions were submitted and answered, in accordance with the RFP.

On June 14, 2022 Newnan City Council voted to award a contract for residential refuse and recycling services within the City of Newnan, Georgia, as required by the Code of Ordinances of the City of Newnan, Chapter 17 Solid Waste to Waste Industries of Atlanta, LLC dba Green for Life Environmental (GFL).

On August 9, 2022 Newnan City Council voted to rescind the June 14, 2022 bid award and authorize staff to have conversations with all three bidders regarding their interest and ability to provide residential refuse and recycling services to single-family residential properties inside the City of Newnan with a start date of January 2, 2023.

On August 12, 2022, Newnan City Council held a Retreat to consider numerous items of particular interest. More specifically, the Newnan City Council discussed the City's current a future solid waste program. The Newnan City Council confirmed the following while at the retreat:

- City shall not provide residential refuse and recycling services; and
- City shall not permit a subscription service model for residential refuse and recycling services; and
- City shall retain brush and bulk services; and

- Councilmembers are amenable to seeking proposals from firms that consider changes in the frequency of residential service as well as potential discounts for senior citizens and/or property owners; and
- Councilmembers are interested in learning more about “single container” residential refuse and recycling services; and
- Councilmembers are amenable to quarterly billing to property owners for residential refuse and recycling services as well as potential discounts for those paying in advance for a full year

On August 15, 2022 City staff sent notices to Amwaste, Costal Waste and Recycling and Green for Life (GFL) to secure proposals for the provision of residential refuse and recycling services. The City of Newnan received updated proposals from all firms.

The Bid Affirmation Forms were due on August 24, 2022.

On September 1, 2022 and September 2, 2022 City Staff held interviews with Amwaste, Costal Waste and Recycling and Green for Life (GFL) to confirm pricing and the firms’ understanding of all contractual obligations and requirements set fourth in the Request for Proposals.

Three (3) firms submitted proposals for consideration.

Amwaste, LLC
420 West 7th Street
West Point, Georgia 31833

Coastal Waste & Recycling
2481 NW Second Avenue, Unit 200
Boca Raton, Florida 33762

Waste Industries of Atlanta, LLC dba GFL Environmental
6905 Roosevelt Highway
Fairburn, Georgia 30213

Upon evaluating the interviewed firms’ pricing, service history and understanding of the contractual obligations listed in the Request for Proposals, City staff recommends that the Newnan City Council enter into an agreement with Amwaste, LLC to provide residential refuse and recycling services in the City of Newnan.

Please note that there still remains a per month per account cost that will be in addition to the monthly costs for services presented by the qualified contractors.

More specifically, the City of Newnan Sanitation Department, which operates within an enterprise fund, will likely require an estimated additional \$10.00 per month charge per account to provide brush and bulk services as well as to manage the billing and administrative functions of the department.

Please recall that the Newnan City Council, at the February 22, 2022 Special Called Meeting, agreed unanimously to allow the City of Newnan Sanitation Department to manage the administration and billing functions of the sanitation program (i.e. account set up, invoicing/payment processing and receipt, customer service, etc.).

Funding:

Sanitation Fund (Enterprise Fund)

Recommendation:

City staff recommends that the Newnan City Council enter into an agreement with Amwaste, LLC to provide residential refuse and recycling services within the City of Newnan, Georgia.

Attachments:

1. August 24, 2022 Bid Affirmation Forms

Previous Discussions with Council:

Beginning in February 2022, the Newnan City Council has hosted several public meetings related to the continued management of a solid waste program within the City of Newnan.



Cleatus Phillips | City Manager | 678-73-5484 | cphillips@cityofnewnan.org

August 15, 2022

Brendon Pantano
Coastal Waste and Recycling
2481 Second Ave, Unit 200
Boca Raton, FL 33431

RE: City of Newnan Residential Refuse and Recycling Bid Award

Dear Mr. Pantano,

You are hereby notified that on August 9, 2022 the Newnan City Council voted to rescind the residential refuse and recycling bid award that was initially awarded on June 14, 2002. The Newnan City Council also authorized our staff to have conversation and enter into negotiations with all three (3) bidders that submitted proposals in response to the City's Request for Proposals – Residential Refuse and Recycling Services, issued on March 24, 2022.

In response to this action, we are asking that you complete the attached document and return it to my attention on or before August 26, 2022. We look forward to conversations regarding your services.

Sincerely,

Cleatus Phillips
City Manager

Attachments:
Bid Affirmation Form

Bid Affirmation Form - Residential Refuse and Recycling Services

CITY OF NEWNAN, GA

Please note that ALL requirements as stated in the City's Request for Proposals - Residential Refuse and Recycling Services, issued on March 24, 2022, remain as stated EXCEPT for the following:

1. All references and requirements to utilize RFID technology has been deleted. All other technology requirements remain as stated.
2. Requirement to provide and maintain a \$1,000,000 performance bond during the life of the contract has been added. The performance bond shall be written by a surety company with an A.M. Best rating of A- (Excellent) or better, and is listed on the U.S. Treasury Circular 570, and also which is licensed to do business in the State of Georgia. Said bond shall contractually require the surety and guarantor to submit to jurisdiction and venue in Coweta County, Georgia for resolution of any disputes.
3. Alternates and Other Services have been added below for pricing and consideration.

With consideration of the above stated changes, please re-state and confirm your pricing options as listed below (Any service not offered, simply state 'not offered' in your response):

I. Base Services	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Weekly Residential Refuse Service	\$21.75
Weekly Residential Recycling Service	\$13.83
II. Additional Services	
Additional Residential Refuse Cart	\$13.92
Additional Recycling Cart	\$9.28
Weekly Back Yard Residential Refuse Service	\$22.81
Weekly Back Yard Residential Recycling Service	\$17.01
One-Time Fee per Replacement Cart	\$95.00
III. Alternative 1	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Bi-Weekly Residential Recycling Service	\$10.99
Bi-Weekly Back Yard Residential Recycling Service	\$13.56
IV. Alternative 2	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Weekly One-Bin Comingled Trash/Recycling Service	\$26.85
Weekly One-Bin Comingled Back Yard Trash/Recycling Service	\$22.81
Additional One-Bin Cart	\$13.92
V. Other Services, Programs, Incentives, Etc	
<i>Description - Leave Blank if None or Add Additional</i>	<i>Fee or Credit</i>

1. Discount for Owner Occupied and 65 Years or Older	\$5.00 off per month
2. Coastal will join and support the Newnan KAB program	\$7,500.00 per year
3. _____	

By signing below you hereby acknowledge that you fully understand and commit the Company as listed below to all terms, conditions, and requirements as stated in the March 24, 2022 Request for Proposals and as amended by this Bid Affirmation Form.

Name: John Casagrande

Company: Coastal Waste & Recycling of Georgia, LLC

Address: 2481 Nw Second Ave, Unit 200, Boca Raton, FL 33431

Phone Number: (954) 947-4000

Email Address: jcasagrande@coastalwasteinc.com

Signature:

John Casagrande



Cleatus Phillips | City Manager | 678-73-5484 | cphillips@cityofnewnan.org

August 15, 2022

Randy Lee
Amwaste of Georgia
420 West 7th Street
West Point, GA 31833

RE: City of Newnan Residential Refuse and Recycling Bid Award

Dear Mr. Lee,

You are hereby notified that on August 9, 2022 the Newnan City Council voted to rescind the residential refuse and recycling bid award that was initially awarded on June 14, 2002. The Newnan City Council also authorized our staff to have conversation and enter into negotiations with all three (3) bidders that submitted proposals in response to the City's Request for Proposals – Residential Refuse and Recycling Services, issued on March 24, 2022.

In response to this action, we are asking that you complete the attached document and return it to my attention on or before August 26, 2022. We look forward to conversations regarding your services.

Sincerely,

Cleatus Phillips
City Manager

Attachments:
Bid Affirmation Form

Bid Affirmation Form - Residential Refuse and Recycling Services

CITY OF NEWNAN, GA

Please note that ALL requirements as stated in the City's Request for Proposals – Residential Refuse and Recycling Services, issued on March 24, 2022, remain as stated EXCEPT for the following:

1. All references and requirements to utilize RFID technology has been deleted. All other technology requirements remain as stated.
2. Requirement to provide and maintain a \$1,000,000 performance bond during the life of the contract has been added. The performance bond shall be written by a surety company with an A.M. Best rating of A- (Excellent) or better, and is listed on the U.S. Treasury Circular 570, and also which is licensed to do business in the State of Georgia. Said bond shall contractually require the surety and guarantor to submit to jurisdiction and venue in Coweta County, Georgia for resolution of any disputes.
3. Alternates and Other Services have been added below for pricing and consideration.

With consideration of the above stated changes, please re-state and confirm your pricing options as listed below (Any service not offered, simply state 'not offered' in your response):

I. Base Services	
Service	Monthly Rate Per Residential Unit
Weekly Residential Refuse Service	\$ 18.19
Weekly Residential Recycling Service	\$ 6.52
II. Additional Services – ADD TO BASE RATE	
Additional Residential Refuse Cart	\$ 5.00
Additional Recycling Cart	\$ 5.00
Weekly Back Yard Residential Refuse Service	\$ 5.00
Weekly Back Yard Residential Recycling Service	\$ 5.00
One-Time Fee per Replacement Cart	\$ 75.00
III. Alternative 1	
Service	Monthly Rate Per Residential Unit
Bi-Weekly Residential Recycling Service	NO BID
Bi-Weekly Back Yard Residential Recycling Service	NO BID
IV. Alternative 2	
Service	Monthly Rate Per Residential Unit
Weekly One-Bin Comingled Trash/Recycling Service	\$ 21.26
Weekly One-Bin Comingled Back Yard Trash/Recycling Service	\$ 5.00
Additional One-Bin Cart	\$ 5.00
V. Other Services, Programs, Incentives, Etc	
Description – Leave Blank if None or Add Additional	Fee or Credit

– Fuel DISCUSSION based on \$6.00/gallon
 = Service Rates are from year 1, with original RFP Escalators

→ Lower Atlantic (PA D D IC) to be measure for Fuel

→ For U.S Highway Diesel Both parties agree additional price adjustment MAY be negotiated.

1. Discount for Owner Occupied and 65 Years or Older	
2.	
3.	

By signing below you hereby acknowledge that you fully understand and commit the Company as listed below to all terms, conditions, and requirements as stated in the March 24, 2022 Request for Proposals and as amended by this Bid Affirmation Form.

Name: JASON Zepp

Company: AMWASTE

Address: 420 W. 7th St. West Point, GA 38133

Phone Number: 770-328-3989

Email Address: JZepp@AMWASTEUSA.COM

Signature: 



Cleatus Phillips | City Manager | 678-73-5484 | cphillips@cityofnewnan.org

August 15, 2022

Eric McAden
GFL Environmental
6905 Roosevelt Highway
Fairburn, GA 30213

RE: City of Newnan Residential Refuse and Recycling Bid Award

Dear Mr. McAden,

You are hereby notified that on August 9, 2022 the Newnan City Council voted to rescind the residential refuse and recycling bid award that was initially awarded on June 14, 2002. The Newnan City Council also authorized our staff to have conversation and enter into negotiations with all three (3) bidders that submitted proposals in response to the City's Request for Proposals – Residential Refuse and Recycling Services, issued on March 24, 2022.

In response to this action, we are asking that you complete the attached document and return it to my attention on or before August 26, 2022. We look forward to conversations regarding your services.

Sincerely,

Cleatus Phillips
City Manager

Attachments:
Bid Affirmation Form

Bid Affirmation Form - Residential Refuse and Recycling Services

CITY OF NEWNAN, GA

Please note that ALL requirements as stated in the City's Request for Proposals – Residential Refuse and Recycling Services, issued on March 24, 2022, remain as stated EXCEPT for the following:

1. All references and requirements to utilize RFID technology has been deleted. All other technology requirements remain as stated.
2. Requirement to provide and maintain a \$1,000,000 performance bond during the life of the contract has been added. The performance bond shall be written by a surety company with an A.M. Best rating of A- (Excellent) or better, and is listed on the U.S. Treasury Circular 570, and also which is licensed to do business in the State of Georgia. Said bond shall contractually require the surety and guarantor to submit to jurisdiction and venue in Coweta County, Georgia for resolution of any disputes.
3. Alternates and Other Services have been added below for pricing and consideration.

With consideration of the above stated changes, please re-state and confirm your pricing options as listed below (Any service not offered, simply state 'not offered' in your response):

I. Base Services	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Weekly Residential Refuse Service	10.45
Weekly Residential Recycling Service	6.50
II. Additional Services	
Additional Residential Refuse Cart	8.77
Additional Recycling Cart	5.46
Weekly Back Yard Residential Refuse Service	25.25
Weekly Back Yard Residential Recycling Service	25.25
One-Time Fee per Replacement Cart	57.82
III. Alternative 1	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Bi-Weekly Residential Recycling Service	4.75
Bi-Weekly Back Yard Residential Recycling Service	25.25
IV. Alternative 2	
<i>Service</i>	<i>Monthly Rate Per Residential Unit</i>
Weekly One-Bin Comingled Trash/Recycling Service	Not Offered
Weekly One-Bin Comingled Back Yard Trash/Recycling Service	Not Offered
Additional One-Bin Cart	Not Offered
V. Other Services, Programs, Incentives, Etc	
<i>Description – Leave Blank if None or Add Additional</i>	<i>Fee or Credit</i>

1. Discount for Owner Occupied and 65 Years or Older	Not Offered
2.	
3.	

By signing below you hereby acknowledge that you fully understand and commit the Company as listed below to all terms, conditions, and requirements as stated in the March 24, 2022 Request for Proposals and as amended by this Bid Affirmation Form.

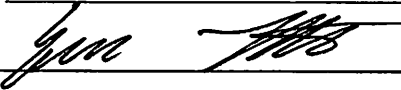
Name: Eric McAden

Company: Waste Industries of Atlanta, LLC dba GFL Environmental

Address: 6905 Roosevelt Highway, Fairburn GA 30213

Phone Number: (470)484-8779

Email Address: emcaden@gflenv.com

Signature: 

Bid Affirmation Form

City of Newnan Georgia - RFP for Residential Refuse and Recycling Services Bid Award

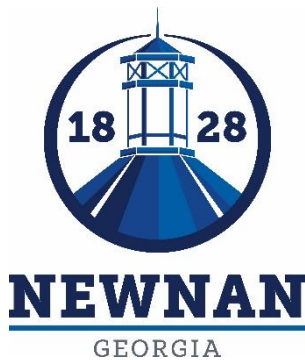
Due Date: 8/26/22 Attention Cleatus Phillips

Submittal: Waste Industries of Atlanta, LLC dba GFL Environmental, 6905 Roosevelt Hwy, Fairburn, GA 30213

Name: Eric McAden, emcaden@gflenv.com, 470-484-8779



Green Today. Green For Life. gflenv.com



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Consideration of Entering into an Agreement with a Qualified Firm to provide Solid Waste Business Management Software Services

Prepared by: Hasco Craver, Assistance City Manager

Presented by: Ray Norton, Public Works Director

Purpose:

Newnan City Council may consider and award a professional contract to a qualified firm to perform services related to the design, development and maintenance of a business management software system to serve as the accounting, payment and billing platform for the City of Newnan's solid waste program.

Background:

The Newnan City Council, at their February 22, 2022 Special Called Meeting to discuss the future of the City of Newnan's Solid Waste program, agreed unanimously to continue providing residential refuse and recycling services to all residential units, not including multi-family units, commercial uses nor downtown customers managed by a sperate program, via a qualified contractor. In addition, Newnan City Council unanimously agreed that the City shall provide accounting, billing and payment software to better manage customer relations.

In response to the February 22, 2022 meeting, City staff issued a Request for Proposals to secure a software platform that can successfully perform the accounting duties required of a professional municipal solid waste program.

City staff, in response to the Newnan City Council's directive, prepared and released a Request for Proposals (RFP) for Solid Waste Business Management Software on August 16, 2022. Proposals were due on August 31, 2022. The City of Newnan received one (1) proposal.

The following firm submitted a proposal:

AMCS Group, Inc.
179 Lincoln Street
Boston, Massachusetts 02111

The recommendation herein is primarily based upon the following elements:

- Firm's understanding of the project; and
- Firm's availability and project approach; and
- Firm's experience performing similar services; and
- Firm's fee proposal

Please note that the firm's fee proposal, while an important factor, is not the sole determining selection element.

The following items may be of particular interest:

- Contract term is five (5) years; and
- Initial one-time software platform development fee is estimated at \$46,360; and
- Year 1 annual software subscription fee is \$30,044

- Costs associated with software will be considered an administrative/billing cost and will be paid, in part, by solid waste customers

Funding:

Sanitation Fund (Enterprise Fund)

Recommendation:

In an effort to accomplish the objective presented to City Staff at the February 22, 2022 City Council Meeting, City staff recommends awarding the professional contract to AMCS Group, Inc.

Attachments:

1. AMCS Group, Inc.'s Solid Waste Business Management Software Bid Proposal

Previous Discussions with Council:

Newnan City Council, beginning in early 2022, has considered and discussed the management of a municipal solid waste program within the City of Newnan.

207 REC
8/3/2022
PG

**Solid Waste Business Management Software
Bid Proposal Form**

Exhibit A

We/I have thoroughly examined the requirements and terms of this RFP.

Prices good through: 9/30/2022

ADDENDA: The bidder acknowledges the receipt of Addendas No. N/A through N/A inclusively.

Date: 8/29/2022

Company: AMCS Group, INC.

Address: 179 Lincoln Street, Boston, MA 02111

Phone: _____ Fax: _____

Printed name of person completing proposal: MICHAEL WINTON

Signature: [Signature]

Title: PRESIDENT, NORTH AMERICA

City of Newnan
25 LaGrange Street
Newnan, Georgia 30263
Phone: 770-254-2351
Fax: 770-254-2353
www.ci.newnan.ga.us

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of AMCS of Group, INC. services on behalf of AMCS has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

1874865 Federal Work Authorization User Identification Number 8/26/22 Date of Authorization
AMCS Group, INC. Name of Contractor AMCS Proposal for City of Newnan Name of Project

Name of Public Employer: City of Newnan

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on August 29, 2022 in Boston MA.

Signature of Authorized Officer or Agent

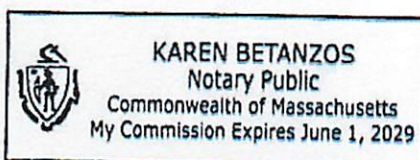
MICHAEL WINTON, PRESIDENT NORTA AMERICA

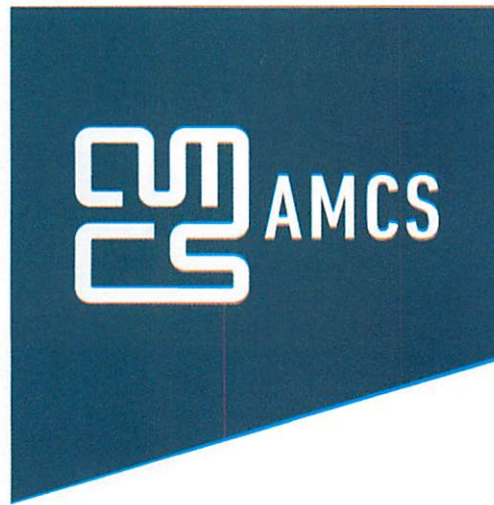
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 29 DAY OF August, 2022.

NOTARY PUBLIC

My Commission Expires: 6/1/29





AMCS Proposal for City of Newnan

Prepared for:

The City of Newnan ("Customer")

25 LaGrange Street Newnan, GA 30263
Ray Norton, Public Works Director
rnorton@cityofnewnan.org

Prepared by:

Brian Ciaccio
brian.ciaccio@amcsgroup.com

Proposal Ref: cityofnewnan-08292022-1.0-amcs



29th of August 2022

City of Newnan
Ray Norton
Public Works Director
City Manager's Office
25 LaGrange Street
Newnan, GA 30263

Proposal Reference: 08292022-001BC

City of Newnan,

On behalf of your AMCS team, it is a pleasure to present our AMCS Proposal in support of your transition to the AMCS Platform. We are excited for the opportunity to roll out our solution for your city, demonstrate our value, and to be a part of your operational transformation.

We have prepared a proposal that showcases our desire to grow our partnership for the long-term. By partnering with AMCS and using Platform, we are confident that City of Newnan will select a strategic solution and partner that is aligned to achieve greater quality, efficiency, and customer satisfaction across your operation.

AMCS Platform capability offering alignment with City of Newnan RFP:

- ✓ Web-based SaaS Technology
- ✓ Digital route and customer information in real time
- ✓ Service verifications at each location
- ✓ Dashboard insights on trucks routes and driver performance (real-time)
- ✓ Turn by turn audible directions for drivers to specific points and disposal facilities
- ✓ Reporting dashboard to view of data collected by varying levels of management
- ✓ Dedicated Professional Services Team and Customer Success Manager

We are truly appreciative of your business and look forward to partnering with you. If you have any questions, please feel free to contact me as needed.

Sincerely,

Brian Ciaccio

Brian Ciaccio
AMCS Group
Inside Sales Representative
302.438.4169: Cell
brian.ciaccio@amcsgroup.com

1. Introduction

AMCS Group met with City of Newnan, Public Works Director, Ray Norton, to discuss the benefits that would be derived from moving to AMCS Platform. One of the outputs from the discussion was that AMCS would provide City of Newnan with a valuable proposal highlighting how we are able to meet requirements and provide further value beyond.

We believe the information below establishes and proves our leadership and dedication to being the best-in-class, industry specific, SaaS vendor and partner. Below we have listed your RFP requirements and check marked each request and requirement that we full fill.

1.1. AMCS Platform Fulfilment

General Solution Provider Attributes:

- ✓ Global presence and support for sustaining modern development of solutions and industry trends / best practices
- ✓ 100+ Engineers and support personnel working to update and continually develop cloud solutions
- ✓ Scalable pricing and support model for continued growth
- ✓ Long term contracts (5 Years) for sustained partnership and price lock
- ✓ Capability of providing full end to end solution under one bill
- ✓ Supports potential future demands (growth potential and flexibility): Fleet planning, fleet maintenance, telematics, truck, and floor scale, MRF (Material Recovery Facility), landfill and transfer Station intake, utility billing, scrap recycling and more)

Technology/Security

- ✓ Role based access and security
- ✓ Enterprise grade cloud-based system (Platform is built on MS Azure)
- ✓ 99.9%+ up time
- ✓ Data / Disaster Recovery / Disaster proof cloud infrastructure and data housing
- ✓ End to End (Customer self-service, Embedded Payment Technology, Customer Management, Routing / Dispatch, Driver Tablet Logistics, Built in and custom reporting, GL (General Ledger) data exporting / API)

Customer Management

- ✓ Geography/zone-based pricing
- ✓ Tracking of conversations, issues, inquiries, and other records for residents
- ✓ Easy change order management
- ✓ Customer activity tracking (missed pickups, pick up confirmation, payments)
- ✓ Online portal for customer sign ups, collections management, invoices, transaction history, payments integrated with back-office system

Accounting / Payment / Billing

- ✓ Complete Payment Solution
- ✓ Omnichannel Payments
- ✓ Self-Service
- ✓ Request to pay
- ✓ Customer Portal
- ✓ Call Center
- ✓ CSR (Customer Service Representatives) Payment
- ✓ Automatic
- ✓ Recurring Payment
- ✓ On-Site

- ✓ Scale House POS payments (future potential / if needed)
- ✓ Secure processing through tokenization
- ✓ PCI compliant processing of customer (resident) card information
- ✓ Embedded payment technology for built in efficiency and processing
- ✓ ACH and Credit card payments
- ✓ Secure storing of customer payment information and autopay processing
- ✓ Batch invoicing/billing
- ✓ Process optimization
- ✓ Refunding
- ✓ Pre-payment Authorization
- ✓ Reporting
- ✓ Full general ledger and configurable accounting codes
- ✓ Access to AMCS API

Dispatch and Routing

- ✓ Driver and vehicle resource management
- ✓ Route sequence optimization
- ✓ Call-out order management
- ✓ Integration with mobile-based app
- ✓ Real-time, digital service confirmation
- ✓ Real time communication with drivers

Driver Software

- ✓ Mandatory safety checks
- ✓ Easy-to-use, simple activity tracking
- ✓ Tracking of exceptions (not outs, etc.) with picture evidence
- ✓ High density dispatching and routing (e.g., densely populated municipal pick-ups)
- ✓ Real time updates between dispatch and driver
- ✓ Real time GPS tracking of trucks

Reporting

- ✓ Pre-built industry reports
- ✓ Self-serve and customizable reports and dashboards
- ✓ Dedicated Customer-Success Manager to help strategize KPIs (Key Performance Indicators)

Professional Services and Support:

- ✓ Dedicated implementation team with industry experience
- ✓ Guided training and UAT (User Acceptance Testing)
- ✓ Continual online training academy and learning
- ✓ Access to dedicated customer success manager
- ✓ SaaS blueprinting and architecting for customer processes in mind
- ✓ Provide PM (Project Manager), Solution Consultant, Solution Architect, and Services Engineering
- ✓ 24/7 Support
- ✓ Continuous development roadmap / ongoing enhancements

2. Professional Services

2.1. Project Scope

AMCS will work with the City of Newnan to deliver the agreed scope of work based on the following supplied information:

	Function	Definition
	Companies, Lines of Business & Business Size Estimates	(1) Entity (1) depots - Roll Off Dumpster: ~Under 100 Customers, ~1 Vehicles - Commercial Collections: ~Under 100 Customers, ~1 Vehicles - Municipal Curb-side Collections: ~12.5k+ Customers, ~10 Vehicles, ~1 Contracts For clarification on the activities supported for each of these lines of business, please go to the following link for a full definition: https://www.amcsgroup.com/media/tugpxwlf/220811_line-of-business-definition.pdf
Data	Data Migration	(i) Manual Data Entry (Hand Keying) - Customer is responsible for hand-keying of data based on training & guidance provided by AMCS For full details of the assumptions and responsibilities of this data approach, please view the Professional Services Terms linked below
Project Summary	Customer Relationship Management	- Customer Lifecycle Management - Advanced Customer Search - Communication Management - Detailed Customer Activity Views
	Contract & Price Management	- End-to-End Contract Management - Customer Service Agreements - Multi-level pricing - Price change management & indexing
	Platform API	Access made available to Platform API library
	Transport Management	- Master Route Management - Driver debrief & Job Confirmation workflows - Full collection history by vehicle & route
	Accounts Control	- End of Month invoicing, statement runs, reminder letters & delivery - Recurring charge generation - Batch processing of Direct Debit/ ACH - Batch processing of Credit Card/Debit Card Payments - Credit Note Approval & Write-off Management - General Ledger Export Configuration
	Container Management	- Container Stock - Scheduling & completion of container jobs - Customer container auditing
	Reporting & Analytics	- Embedded self-serve BI & Reporting tool - Self-Serve management of printed document layouts - Base reports included
	System Administration	- User Access & Role Management - Outlet Management - System Configuration - Tax & Surcharge Configuration
	Digital In-App Training	- On-demand, embedded and dynamic help - The In-App Guide reinforces the training and promotes full user proficiency and rapid user adoption. - Available for multiple Work Centers & in multiple languages

Table 1: Project Scope

2.2. Project Effort Estimates

Please note that the effort estimates are based on Table 1 above & the Professional Services Terms linked below.

No.	Action	Estimated AMCS Hours	Blended Rate (USD)	Total (USD)
1	Process Validation / Architecting	244	190	46,360
2	Implementation / Customer Validation			
3	Training / Final Validation			
4	Go Live			

2.2.1. Standard Professional Services Day Rates

Additional Professional Services can be purchased at the following rates:

Roles	Hourly Rate (Excluding Taxes)
Project Manager	\$200
Solution Consultant	\$200
Business Analyst	\$200
Solution Architect	\$225
Services Engineering	\$105

2.3. Project Team

The Professional Services team will be mobilized within 4-6 weeks of contract execution. For projects similar to City of Newnan, the project team consists of:

- **Project Manager:** AMCS employs project managers with experience in SaaS implementation, specifically within the waste and recycling industry. Led by North American Director of Service and Senior Project Managers, the AMCS Project Management group had combined decades of experience in similar implementations.
- **Solution Consultant:** City of Newnan will have a lead technical consultant assigned to the project. The AMCS Solution Consultants, similar to the Project Management group, have extensive experience with similar projects. In addition to the lead consultant, the project will be supported by relevant Subject Matter Experts in specific components of the implementation, such as Customer Portal, Mobile Workforce, Financial and GL practices.
- **Services Engineering:** The AMCS Services Engineering Teams (SET) provides reporting, data migration, and integration support to the Solutions Consultants on the project. This group is part of AMCS's Global Services Team, leveraging expertise in AMCS and the waste and recycling industry.

3. Software as a Service

3.1. Software Subscription

No.	Product Modules	Unit	Unit Cost (USD)	Quantity	Annual Cost (USD)
1	Enterprise Management	Households	-	15K	19,750
2	API	Households	-	15k	2,700
3	Customer Portal	Households	-	15k	6,000
4	Mobile Workforce	Per Unit	800	10	8,000
5	E-learning Academy	Per User	150	10	1,500

Annual Subscription 37,950

Further information on each of the Modules can be found here: https://www.amcsgroup.com/media/zugk0vyp/220628_amcs-platform-module-overview.pdf

Subscription Fees:

1. For each twelve (12) months of the Term will be first invoiced from the Effective Date of this Agreement (as defined in section 5 below) and annually thereafter prior to each anniversary of the Effective Date.
2. Include access to software upgrades (feature and maintenance releases for the modules purchased hereunder). However, if assistance is required for training, enhanced support of UAT, project management or other assistance, this will be billed as professional services.
3. Are based on and limited to a customer revenue cap of 15k / households (being revenue processed within the AMCS Platform), additional Subscriptions Fees will be due and owing if this cap is exceeded.
4. The AMCS Pay solution will be required to implement embedded card payments (if purchased, this will be subject to the terms of a separate schedule).

Year 1 Payment Schedule

No.	Month	Activation	Amount (USD)	Pro-rated Payment (USD)
1	September 2022	50%	18,975	18,975
2	February 2022	50%	18,975	11,068
Year 1		100%	37,950	30,044

*First Year Savings of 21%

Estimated Annual Payments

Year	Subscription (USD)	Pro-rated (USD)
Year 1	37,950	30,044
Year 2	39,089	39,089
Year 3	40,261	40,261
Year 4	41,469	41,469
Year 5	42,713	42,713
Total	201,482	193,576

*Total Contract Savings of 4%

3.2. Incremental Pricing

Incremental Services can be purchased at the following rates:

No	Item	Unit	Quantity	Price per Unit
1	Enterprise Management, API, Customer Portal	Household	5k	8,010
2	Mobile Workforce	Per Unit	1	800
3	E-Learning Academy	Per User	1	150

4. General Terms

The Agreement (as defined below) and following terms apply to this proposal.

1. The Initial Term shall be five (5) years, subject the Agreement.
2. This Proposal is valid for thirty (30) days from the date hereof, after which it shall automatically and without notice, be rescinded.
3. If Customer is based in the USA, all amounts will be invoiced in US Dollars. If Customer is based in Canada, all amounts will be invoiced in Canadian Dollars.
4. Fees quoted are net of any other applicable taxes, which taxes will be charged at the appropriate rate at date of invoice.
5. Payment terms, net 30 days from date of invoice.
6. All Fees will be index linked, in accordance with the Agreement. The increase will be the higher of 3% or the then current Index rate.
7. The AMCS Pay solution will be required to implement embedded card payments. If purchased, this will be subject to the terms of a separate schedule.
8. AMCS Enterprise Management configurations and project assumptions based on scope defined in Fig 1: Project Scope (Section 2)
9. Implementation fees will be invoiced on an 'as incurred basis', monthly in arrears.
10. AMCS and the Customer expect the Services to commence within four to six (4 to 6) weeks. AMCS will advise the Customer if the commencement date is expected to be later than this.

5. Project Terms

- Professional Services
 - These professional services fees to cover the project implementation. These are estimated on the scope assumed in this proposal. The scope will be finalized during the definition phase of the project and the estimates will be revalidated.
 - Professional Services are provided to implement the pre-existing features and functions of AMCS software and, unless agreed otherwise in writing, do not include any customization or development activity that impacts any of the features, benefits, or source code of the AMCS software. Professional Services are unrelated to the obligation to remit subscription fees (which is for Customer's use of the AMCS Platform and receipt of support) and so your payment of such fees are unrelated to, and shall not be contingent upon, delivery of Professional Services.
 - Implementation fees will be invoiced on an 'as incurred basis', monthly in arrears.
 - Travel and accommodation expenses are not included will be charged to the customer at cost on an 'as incurred' basis.
- Training
 - A combination of digital training curriculum and webinar will be utilized
 - Training will be based on a 'Train the Trainer' model, where Customer will be responsible for training the End Users
- Data Conversion – Hand Keying
 - Customer is responsible for hand-keying of data based on training & guidance provided by AMCS
 - Customer to hand key final balances onto customer records in preparation for Go-Live using the Platform Adjustment option
- Go Live
 - AMCS implementation cost estimates are based on a single go live event. If multiple go lives are required during the project, additional project time will be quoted.

- Customer will provide a Project Manager to lead the project from the customer side. An AMCS Project Manager will lead the delivery of all AMCS project deliverables and would server as the key point of contact for all communications to/from AMCS.
- Travel labor and expenses are not included in this total and would be billed based on actuals.
- The fees have been calculated based on a Monday to Friday working week and are based on a thirty-seven point five (37.5) hours week, excluding any public holidays. Where required by the Customer, AMCS reserve the right to charge at 200% of the specified rate for services provided outside of the normal working week (that is, at weekends and on public holidays) and, for services provided within the normal working week but outside of the period 08:00 - 18:00, at 150% of the specified rate. This includes provision of on-call assistance.
- Professional Services are provided to implement the existing features and functions of AMCS software and, unless agreed otherwise in writing, do not include any customization or development activity that impacts any of the features, benefits or source code of the AMCS software. Professional Services are unrelated to the obligation to remit subscription fees (which is for Customer's use of the AMCS Platform and receipt of support) and so your payment of such fees are unrelated to, and shall not be contingent upon, delivery of Professional Services.
- AMCS may distribute the estimated hours/days among different roles as business requirements dictate, provided the total estimated fee for the engagement, including fees for any executed change requests, are not exceeded. The hours/days above are only available at the specified and agreed upon rates for the scope of Services set forth herein.
- AMCS and the Customer expect the Services to commence within four to six (4 to 6) weeks. AMCS will advise the Customer if the commencement date is expected to be later than this.
- User Acceptance Testing is the responsibility of Customer and is a critical component of the implementation which ensures that users are confident in using the system and minimizes issues at go-live.
 - Customer agrees to adapt existing processes as needed to align with best practices and process flows in AMCS Solution
- The installation estimates are primarily for software installation and considers Customer already having mounting stations/brackets in all vehicles. If Customer needs AMCS to install these brackets, additional installation time will need to be quoted.



6. Acceptance

Should you choose the AMCS solution for your business, and accept the terms of this proposal, please take the following steps to initiate your order and schedule your project:

- review this document in its entirety, the Agreement and all Schedules.
- complete the Effective Date below, which should be the date of Customer’s signature.
- sign this proposal in the signature block below and print the signatory’s name underneath.

Where used herein “Agreement” means either: (i) your existing and signed agreement with AMCS that is applicable to the products and services in this Proposal; or if you do not have an applicable pre-existing signed agreement, (ii) this Proposal and the following terms and conditions (which are expressly included herein by this reference):

- **SaaS:** Software as a Service, support and professional services shall be provided on the terms of AMCS General Terms of Service which can be found at https://www.amcsgroup.com/media/hk4mfq3f/220511_amcs_general-terms-of-service_usa-canada.pdf

ACCEPTED THIS _____ or, if not dated, the date signed by Customer below (“Effective Date”)

By signing this Proposal Customer is deemed to have fully reviewed and accepted this Proposal and the Agreement, which terms shall be binding on Customer.

Read and agreed:

AMCS (as defined on the cover page hereof)

CUSTOMER (as defined on the cover page hereof)

By:

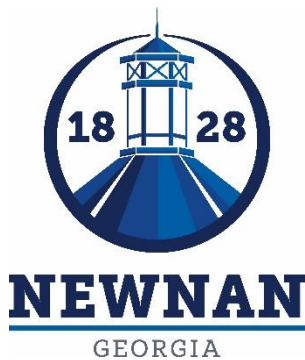
Date:

By:

Date:

Signature:
Email: brian.ciaccio@amcsgroup.com

Signature:
Email: brian.ciaccio@outlook.com



City of Newnan, Georgia - Mayor and Council

Date: September 13, 2022

Agenda Item: Consideration of Due Diligence Agreement and Letter of Intent between Sagestone Partners, LLC and the City of Newnan, Georgia

Prepared and Presented by: Hasco Craver, Assistant City Manager

Purpose:

Newnan City Council may consider and authorize the execution of a Due Diligence Agreement and Letter of Intent between Sagestone Partners, LLC and the City of Newnan, Georgia in order to successfully redevelop real property located at 57 East Broad Street.

Background:

On February 23, 2021, Newnan City Council approved an overall project budget for the redevelopment of real property located at 57 East Broad Street at \$6.4 million.

In March 2021, the City of Newnan acquired real property at 57 East Broad Street.

On November 9, 2021, Newnan City Council awarded a demolition and abatement contract to Sabre Demolition. Related activities began in December 2021.

Beginning in spring 2021, Newnan City Council identified and began a master planning process, guided by Nelson Worldwide that resulted in a conceptual design, which has been used to guide redevelopment discussions. The conceptual design was developed after hosting numerous interviews with stakeholder groups as well as a community-wide questionnaire. The conceptual site plan was meant to serve as a guiding document. Please note that the conceptual design is not a finalized program that will singularly dictate the successful redevelopment of real property at 57 East Broad Street.

The conceptual design will allow qualified development partners to better understand the types of uses desired by the City of Newnan.

On December 14, 2021, City staff secured authorization from the Newnan City Council to develop an RFQ that sought to engage a successful development team demonstrating experience with mid- to large-sized municipal, mixed-use redevelopment projects (office, retail, hotel, residential, entertainment, etc.), that promote community and which have been catalysts for stimulating economic growth and revitalization.

In April 2022, Newnan City Council received presentations from two (2) qualified firms interested in serving as a master development partner. Mallory & Evans/FIDES and Sagestone Partners presented information related to their companies' respective wherewithal, project approach and experience.

During summer 2022, City staff was contacted by principals at Mallory & Evans/FIDES and Sagestone Partners and made aware that the groups were considering joining

members of their respective teams to present a master development team that accurately reflected the stated desires of the Newnan City Council and community.

Over several weeks, City staff met with members of the proposed team to better understand the mechanics of the organization, including but not limited to project phasing, decision-making responsibility and due diligence management.

The Newnan City Council, at their 2022 Retreat, which was held on August 12, 2022, expressed a heightened interest in their collective desire to receive an updated presentation from the recently-joined development team. In particular, the Newnan City Council desired to receive the following information:

- Team/organization structure
- Project approach
- Project schedule
- Project delivery
- Contract/Letter of Intent

As a result of the conversation at the 2022 Newnan City Council Retreat, the potential master development team was invited to participate in a Special Called Meeting, which would take place on Tuesday, August 30, 2022 at 6:30pm.

At the Special Called Meeting on August 30, 2022, Newnan City Council received a presentation from the newly formed team, which consists of members of the original Mallory & Evans/FIDES team as well as the Sagestone Partners team. Newnan City Council expressed a desire to more formally engage the new team.

City staff was instructed to present an agreement for consideration at the September 13, 2022 meeting.

The following items, which are included in the Due Diligence Agreement and Letter of Intent between Sagestone Partners, LLC and the City of Newnan, Georgia, are of particular interest:

- The Parties agree to an initial budget for Due Diligence items for an amount not to exceed \$75,000.00; and
- Due diligence items will remain the property of the City of Newnan; and
- The Parties agree to a Development Agreement Milestone Date of January 31, 2022; and
- The Agreement allows for three (3) forty-five (45) day extensions, upon request from Sagestone Partners, LLC and approval from the City of Newnan

Funding:

General Fund

Recommendation:

City staff encourages the Newnan City Council to authorize the execution of the Due Diligence Agreement and Letter of Intent between Sagestone Partners, LLC and the City of Newnan, Georgia.

Attachments:

1. Due Diligence Agreement and Letter of Intent between Sagestone Partners, LLC and the City of Newnan, Georgia

Previous Discussions with Council:

Newnan City Council, beginning in 2019, has had numerous conversations related to the potential acquisition and redevelopment of the property located at 57 East Broad Street.

DUE DILIGENCE AGREEMENT
AND
LETTER OF INTENT

SAGESTONE PARTNERS, LLC
8200 Roberts Drive, Choate Building
Atlanta, GA 30350
July 21, 2022

City Council of the City of Newnan, Georgia
25 Lagrange Street
Newnan, Georgia 30263
Attention: Cleatus Phillips, City Manager

Re: Caldwell Tanks Redevelopment

Ladies and Gentlemen:

SAGESTONE PARTNERS, LLC (the “**Developer**”) and the City of Newnan, Georgia (the “**City**,” and together with the Developer, the “**Parties**,” and each individually, a “**Party**”) are entering into this non-binding (other than as expressly provided herein) due diligence agreement and letter of intent (this “**Agreement**”) to set forth certain terms and conditions relating to a Development Agreement (as described herein) which will define the specific terms under which the redevelopment of the former Caldwell Tanks site (the “**Site**”, as further described in **Exhibit A**) will occur. The overall redevelopment of the Site (the “**Project**”) will occur in phases, each requiring specific duties to be performed and terms to be met by each respective Party. Due diligence activities (the “**Due Diligence Phase**”), which shall commence pursuant to this Agreement (and if approved by City continue under the Development Agreement), are expected to lead to the planning and design phase (the “**Design Phase**”), and be immediately followed by the acquisition, construction and equipping phase (the “**Implementation Phase**”), all as to be further described in the Development Agreement. As such, this Agreement contemplates that the Parties entering into a singular Development Agreement for both the Design Phase and the Implementation Phase, on an accelerated basis.

In order to expedite the progression to the Design Phase, the City acknowledges and agrees that the Developer will devote significant time, attention and financial resources as part of the customary due diligence activities leading to the conceptual design of the Project pursuant to this Agreement. In this connection, the Parties agree to work in good faith and with all reasonable dispatch toward the preparation, execution and delivery of the hereinafter referenced Development Agreement setting forth the final terms and conditions relating to the Parties’ respective rights, obligations and responsibilities concerning the Design Phase and the Implementation Phase, including but not limited to the mutual agreement of the Parties (which shall be integrated into the Development Agreement) concerning the milestones for:

In consideration of the foregoing, the mutual covenants and agreements set forth in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, and intending to be bound hereby, the Parties hereto do hereby covenant and agree as follows:

1. **Due Diligence Phase.**

- a. Upon execution of this Agreement, the Parties shall immediately proceed, working in good faith, with the following due diligence activities as part of the Due Diligence Phase to determine the feasibility of the Project leading to the development of a Development Agreement and if approved by City leading to the Design Phase:
 - i. Conductance of preliminary civic and community engagement and market research to help frame the final vision of and for the Project [led by Developer] and the agreement as to the number, and types of civic and community engagement meetings, and the surveys and deliverables to be developed in connection therewith (collectively, the “**Community Engagement Framework**”);
 - ii. Conductance of preliminary site inspections and other field work;
 - iii. Review and identification of parcels necessary for full realization of the Project vision [led by Developer];
 - iv. Development of an initial concept plan to define the general uses, layout, and scale of the Project [led by Developer];
 - v. Development of an initial financial pro-forma, including a preliminary construction budget, which will be used to determine the feasibility of the Project [led by Developer];
 - vi. Identification of and consultation with leadership of the various departments, agencies and authorities, [inclusive of the community improvement district] (the “**Stakeholder Group**”), expected to participate in the design, planning, acquisition and/or implementation of the private sector and public sector elements of the Project [led by the City with input from the Developer];
 - vii. Creation of a “major project” review and implementation team comprised of senior representatives of the foregoing Stakeholder Group and development of a regular meeting, issue resolution and reporting framework for the Project [led by the City];
 - viii. The selection process for the design team; and
 - ix. The date and time of the bi-weekly meetings to discuss the Development Agreement open issues and drafting points during the

first thirty (30) days after the Effective Date, and the date and time of the weekly meetings to advance the Development Agreement drafting and finalization during the proceeding sixty (60) days (in each case subject to extension based on extensions of the proposed Development Agreement Milestone Date).

x. The mutual agreement of the Parties (which shall be integrated into the proposed Development Agreement) concerning the milestones for:

1. Preliminary concurrence about the Project's feasibility, as part of the Due Diligence Phase, which will result in a conceptual design, budget, and pro-forma for the Project;
2. Preliminary concurrence about the Project's feasibility, as a part of the Design Phase, which will result in a schematic design, budget, and pro-forma for the Project and conclude with the execution of a City approved Development Agreement with the City [as the Site's owner] initiating the rezoning process for the intended uses identified for the Project in accordance with mutually agreed-upon plans between the Parties; and
3. Final concurrence by the Parties about the Project's feasibility, and adoption of the Development Agreement by the City

b. In connection with the foregoing, the Parties agree that the initial budget for the preliminary Due Diligence Phase activities referenced above shall not exceed **\$75,000**. The City covenants and agrees that it has budgeted and appropriated and shall be responsible for not to exceed **\$75,000** of such expenditures (the "**Capped Preliminary Due Diligence Costs**") in the event the Parties fail to execute and deliver the development or similar agreement between and among the Developer, the City and any other applicable Stakeholder Group identified in the preliminary Due Diligence Phase (the "**Development Agreement**"). The Developer shall retain responsibility for all other due diligence and pursuit costs (over and above the Capped Preliminary Due Diligence Costs) incurred pre-execution of the Development Agreement and shall advance the Capped Preliminary Due Diligence Costs (subject to reimbursement by the City has hereinafter provided). The Parties will use their reasonable, best efforts to agree upon, approve, execute and deliver the Development Agreement on or before January 31, 2023 (the "**Development Agreement Milestone Date**"). Notwithstanding the foregoing, the Development Agreement Milestone Date shall be subject to extension, at the option of the Developer and approval by the City, for up to three (3), 45 day extension periods. Failure to execute and deliver the Development Agreement by the Development

Agreement Milestone Date (subject to any extensions) shall result in the City's obligation to promptly reimburse the Developer for the Capped Preliminary Due Diligence Costs upon the Developer's submission of an invoice with supporting documentation concerning same. ***Notwithstanding the non-binding nature of this Agreement, the obligation of the City to reimburse the Developer for the Capped Preliminary Due Diligence Costs shall be binding and enforceable (e.g., by specific performance or other applicable legal or equitable remedies) and shall survive the termination of this Agreement.***

- c. Notwithstanding, the City may terminate the due diligence phase and therefore any remaining obligation under this Agreement for City's convenience, or for any reason, at any time after execution of this Agreement, subject to payment of approved amounts expended by Developer for due diligence items up to the date of termination. All design plans, project surveys, testing results, engineering and consultant reports and opinions, architects and engineering renderings and designs and other works for hire shall be the property of the City.

2. **Exclusivity Period; Development Agreement Framework.**

- a. The Due Diligence phase shall remain in effect and be co-terminus with the Development Agreement Milestone Date, unless terminate pursuant to Section 1 (c). Until the Development Agreement Milestone Date, the City shall be required to exclusively negotiate, in good faith, with the Developer toward the consummation of the Development Agreement and the undertaking of the Project. ***Notwithstanding the non-binding nature of this Agreement, the obligation of the City to exclusively negotiate with the Developer until the Development Agreement Milestone Date (as may be extended) is reached shall be binding and enforceable (e.g., by specific performance or other applicable legal or equitable remedies) and shall survive the termination of this Agreement.***
- b. In this connection, the Parties further agree to immediately commence the drafting and negotiation of the Development Agreement relating to the Project, which will address, among others, the following material terms and conditions:
 - i. the timing, approach to, and responsibility for the various components of the master plan and vision statement for the Project;
 - ii. the design guidelines (e.g., the minimum standards and process for requesting any variances) associated with each element of the Project;
 - iii. the responsibility for and timing of all real estate and right of way acquisitions;

- iv. the memorialization of the Community Engagement Framework (as described above);
- v. the private sector financing, design, acquisition and construction and other related services to be provided (or procured) by Developer (or third-parties identified by the Developer) of the Project;
- vi. the Developer's and City's exit rights from the Development Agreement and the reimbursement, buyout or other applicable requirements in order for either Party to avail themselves of an exit or other applicable termination right (it being the expectation of the Developer that the City's sole basis to terminate the Development Agreement will be limited to events which result in a material failure of the Developer to comply with a major Project milestone for financing or development (which event is not the result of a Force Majeure Event (as hereinafter defined) or a default by the City for which an extension of the time of performance or other remedy is applicable), or in the event both Parties reasonably determine that the Project (or a particular phase of the Project for which the termination is applicable) is not feasible due to Market Conditions;
- vii. the Developer's unilateral extension and termination rights on or before all applicable milestones in consideration for the Developer's investment (both financial and non-financial) in the pursuit of the Project, which are expected to be material and continue through each phase of the Project.
- viii. the contribution of land to the Project by the City or the other parties represented by the Stakeholder Group at financial close for each applicable phase (to be memorialized in option agreement(s) to be affixed to the Development Agreement);
- ix. the grant of construction, utilities, ingress and egress and other easements by the Developer, the City and the other parties represented by the Stakeholder Group as necessary or appropriate to effect the design, construction and use of the various Project elements;
- x. the expected provisions of, and approval protocols for, any declaration of covenants, conditions and restrictions or similar regulatory document relating to common areas, restricted uses and shared responsibilities associated with the various Project components;
- xi. all commercial and financial closing requirements associated with the contribution and/or acquisition of land required to fully implement the Project, in phases (e.g., completion of all related or

applicable zoning, public infrastructure, public financing, right of way and easement acquisition, and execution and delivery of intergovernmental agreements, etc.) associated with the City's land contributions;

- xii. the public infrastructure improvements to be contributed by the City or other representatives of the Stakeholder Group (e.g., the community improvement district or other special taxing district (if any));
- xiii. the milestones/construction schedule for the implementation of the public infrastructure improvements;
- xiv. the agreed upon phasing of such Project's various vertical development elements;
- xv. the timing of any feasibility, market, traffic, parking and other impact studies (the "**Project Studies**");
- xvi. the timing requirements for the City's completion of all zoning, land use and similar work in time sufficient to complete the various Project Studies;
- xvii. the Project budget, by phase, associated with the foregoing public infrastructure improvements and vertical development elements;
- xviii. the City and other Stakeholder Group's commitment to use diligent, good faith efforts to assist in identifying, and applying for, federal, state and other sources of grant or incentivized funding (including the consideration of special taxing districts and customary tax credits and tax incentives), together with the agreed upon date and time, and the number of, major project team meeting relating to the Project (which shall be no less than **monthly** until each phase of the Project has been completed;
- xix. the comprehensive plan of finance factoring in the private sector and public sector commitments;
- xx. the manner by which contractors, subcontractors, architects, engineers, consultants, and other professional service providers will be procured[;]
- xxi. the ownership of all design plans and other works for hire, the Project Studies, and any and all other intellectual property rights acquired or developed in connection with the activities under this Agreement or the Development Agreement shall inure to the benefit of the Site owner or that portion of the Site not owned by the City or its successor in title

xxii. The City reserved the right to transfer title to the Site to the City of Newnan Downtown Development Authority or the Development Authority of the City of Newnan, or other similar governmental authority, which entity shall be bound by the terms of this Agreement

c. In the event of any conflict or inconsistency between the terms and provisions of this Agreement and the terms and provisions of the Development Agreement as to any matter addressed therein and herein, the terms and provisions of the Development Agreement shall control.

3. **Collaboration.**

Until the execution of the Development Agreement and in order to give effect to the purposes and intent of this Agreement, the Parties shall use good faith, commercially reasonable efforts to:

(a) make the appropriate subject matter experts available to carry out the activities of each respective party necessary to advance the Preliminary Due Diligence and Development Agreement for the Project.

(b) engage with the Stakeholder Group in a manner conducive to identifying resources and structuring approaches which provide the Project with the best opportunity to achieve full realization of the Project vision, as well as the financial, economic development, community and other public policy objectives of the Parties.

(c) the Parties shall keep each other reasonably informed as to the status of their respective Preliminary Due Diligence and other obligations under this Agreement.

4. **Force Majeure.** The obligations of the parties hereunder shall be subject to extensions or relief upon the occurrence of a Force Majeure Event. For purposes of this Agreement, a “**Force Majeure Event**” shall mean any event which is : (i) beyond the reasonable control of the Party whose performance is required, or (ii) caused by fire, earthquake, flood, explosion, COVID-19 or other pandemic, or epidemic (including elevated or worsening conditions or disruptions attributable to a new or exacerbated SARS-CoV-2 variant or outbreak, self-imposed or governmentally required isolations, travel restrictions, or office closures resulting from such pandemic or epidemic), war, act of terrorism, invasion, insurrection, mob violence, sabotage, lockouts, litigation, condemnation, riot or other civil disorder national or local emergency, act of God, unusual and unanticipated delays in transportation, unusual or unanticipated delays in obtaining lawful permits or consents (including zoning approvals) to which the applicant is legally entitled, strikes or labor disputes, severe unanticipated weather conditions (beyond normal occurrences), and unanticipated unavailability of manufactured materials.

5. **Limitation of City Liability.** The financial obligations of the City hereunder shall be limited to funds which are legally available, and budgeted for the Project.

6. **Interpretation of City.** The use of the term City for purposes of this Agreement shall be deemed to include any agency, development authority or other governmental body which

has the legal authority to perform and agrees to so perform the particular portion of the rights or obligations assigned to the City under this Agreement (e.g., the appropriate member of the Stakeholder Group). The Parties hereto acknowledge and agree that all of such agencies, development authorities of other governmental bodies are expected to join in the execution and delivery of the Development Agreement or any one or more intergovernmental or other collaboration/cooperation agreements in respect of the particular right, role or responsibility such party has agreed to assume or undertake in connection with the undertaking of this Project (or any portion thereof).

7. **Counterparts.** To facilitate execution of this Agreement, this Agreement may be executed in multiple counterparts, each of which, when assembled to include an original, faxed or electronic mail (in .PDF or similar file) signature for each party contemplated to sign this Agreement, will constitute a complete and fully executed agreement. All such fully executed original, faxed or electronic mail (in .PDF or similar file) counterparts will collectively constitute a single agreement, and such signatures shall be legally binding upon the party sending the signature by such electronic means immediately upon being sent by such party. Further, the parties agree that signatures by DocuSign, Sign-n-Send or other similar electronic signing software will be deemed to be originals.

8. **Survival.** Upon the execution of the Development Agreement, the obligations of Developer and the City hereunder, to the extent not included in or inconsistent with the Development Agreement, shall survive the execution and delivery of the Development Agreement. In the event of any conflict or inconsistency between the terms and provisions of this Agreement and the Development Agreement, the terms and provisions of the Development Agreement shall control.

9. **Assignment.** No party may assign its rights or obligations under this Agreement, except that Developer may assign its rights under this Agreement to any person or entity which is a member of the Developer. In addition, the Developer may transfer interests in the Developer provided that the existing members thereof continue to represent at least [50.1%] of the membership interests in the Developer; provided, further, that the interests in this Agreement may be assigned by the Developer as collateral for financing purposes. Subject to the foregoing, the terms and provisions of this Agreement are to apply to the permitted successors and assigns of the Parties hereto.

10. **Notices.** Any notice, request or other communication required or permitted to be given hereunder shall be given by electronic mail (EMAIL)(with confirmation of transmittal and receipt maintained by the sending Party), personal delivery or overnight delivery via Federal Express, United States Postal Service, United Parcel Service or other nationally recognized delivery service to the applicable Party at the EMAIL or physical address set forth below. Notices, requests and communications sent to the proper EMAIL address shall be deemed delivered on the date of such transmittal, and notices, requests and communications sent via personal or overnight delivery shall be deemed delivered on the date of the attempted delivery at the correct physical address.

City of Newnan
Attn: Cleatus Phillips, City Manager
25 LaGrange Street
Newnan, Georgia 30263
Telephone: 770-253-2682
Email: cphillips@newnanga.gov

w/Copy to: C. Bradford Sears, Jr., City Attorney
Sanders, Haugen & Sears, P.C.
P.O.Box 1177
Newnan, Georgia 30264-1177
Telephone: (770) 253-3880
Email: bsears@sandershaugen.com

Developer:

11. **Modifications.** This Agreement cannot be changed orally, and no agreement shall be effective to waive, change, modify or discharge it in whole or in part unless such agreement is in writing and is signed by the Parties against whom enforcement of any waiver, change, modification or discharge is sought.

12. **Calculation of Time Periods.** Unless otherwise specified, in computing any period of time described in this Agreement, the day of the act or event after which the designated period of time begins to run is not to be included and the last day of the period so computed is to be included, unless such last day is a Saturday, Sunday or legal holiday under the laws of the State of Georgia, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. The final day of any such period shall be deemed to end at 5:00 p.m., Eastern time.

13. **Entire Agreement.** This Agreement, including the Exhibits, contains the entire agreement between the parties pertaining to the subject matter hereof and fully supersedes all prior written or oral agreements and understandings between the parties pertaining to such subject matter.

14. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

15. **Applicable Law.** This Agreement is performable in the State of Georgia and shall in all respects be governed by, and construed in accordance with, the substantive federal laws of the United States and the laws of such state.

16. **No Third Party Beneficiary.** The provisions of this Agreement are and will be for the benefit of the Parties only and are not for the benefit of any third party, and accordingly, no third party shall have the right to enforce the provisions of this Agreement.

17. **Construction.** The Parties acknowledge that the Parties and their counsel have reviewed and revised this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any exhibits, schedules or amendments hereto.

18. **Time of Essence.** Time is of the essence with respect to this Agreement and each and all of the terms and provisions hereof, including, without limitation, the dates set forth in Section 1, above.

19. **Remedies Cumulative.** Except as otherwise specifically provided, all remedies of the parties provided for herein are cumulative and will be in addition to any and all other rights and remedies provided for or available hereunder, at law or in equity, but specifically, for all purposes hereof, excluding punitive, special or incidental damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

[Signatures commence on following page]

SAGESTONE PARTNERS, LLC

By: _____
Name:
Title:

[Signatures continued on next page]

CITY OF NEWNAN, GEORGIA

By: _____
Name: _____
Title: _____

Attest: _____
Name:
Title:

[Signatures continued on next page]

EXHIBIT “A”

PROJECT DESCRIPTION/OVERVIEW/VISUAL

ty of Newnan, Georgia - Mayor and Council

Date: September 13, 2022



Agenda Item: 21 Berry Ave

Prepared and Presented by:
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

NEWNAN
GEORGIA

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

Background: Owner: Doug and Teresa Calderon

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

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

Options:

1. Accept the extension request from owner in order to complete the renovations to the property.
2. Other direction from council.

Funding: Not Applicable

Recommendation: Staff is requesting Council's approval to proceed with Option 2.

Previous Discussions with Council:

December 12, 2019 – Council informed of conditions.

January 14, 2020 – Public Hearing was requested.

February 25, 2020 – Public hearing was held and resolution was adopted to repair or demolish within 90 days.

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

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

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

August 23, 2022 – Extension request extended to 9/13/22, owner to clean up lot prior to consideration of extension.









City of Newnan, Georgia – Mayor and Council



Date: September 13, 2022

Agenda Item: 18 Berry Ave, 21 Berry Ave, 176 Lagrange St, 178 Lagrange St, 29 Pinson St, 21 Johnson Ave, 5 Smith St, 5 Mink Hollow Ct, 157 Lagrange St, 25 Pinson St

Prepared and Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: To inform Council of the status of 18 Berry Ave, 21 Berry Ave, 176 Lagrange St, 178 Lagrange St, 29 Pinson St, 21 Johnson Ave, 5 Smith St, 5 Mink Hollow Ct, 157 Lagrange St, 25 Pinson St having been before Council in Public Hearings.

Background: Date of Status Check: September 13, 2022

<u>Property Address</u>	<u>Owner</u>
18 Berry Ave	SKA Realty Services
21 Berry Ave	Teresa Calderon
176 Lagrange St	Myrtle Sherri Lord
178 Lagrange St	Cornerstone Rentals
29 Pinson St	Roy & Matan Invest's
21 Johnson Ave	Sallie Reese Estate
5 Smith St	Arcola Morgan
157 Lagrange St	Cornerstone Rentals
5 Mink Hollow Ct	Michael Williams
25 Pinson St	SKA Realty Services

<u>Original Hearing</u>	<u>Original # Of Days Allowed</u>	<u>Most Recent Resolution Deadline</u>
June 18, 2019	30 days	February 25, 2020
Feb 25, 2020	180 days	Sept 30, 2020
March 22, 2022	45 days	May 10, 2022
April 12, 2022	45 days	May 30, 2022
March 22, 2022	45 days	August 9, 2022
May 24, 2022	60 days	July 24, 2022
May 24, 2022	60 days	July 24, 2022
May 24, 2022	45 days	July 12, 2022
May 24, 2022	45 days	July 12, 2022
May 24, 2022	90 days	August 23, 2022

<u>Extensions</u>	<u>Updated Resolution Deadline</u>	<u>Status</u>
180 days	Aug 9, 2022	Demolished 8/08/22
21 days	Sept 13, 2022	No progress.
180 days	Nov 8, 2022	Exterior and interior progress
30 days	June 30, 2022	Demolished 6/30/22
90 days	November 8, 2022	Interior/exterior progress
		CCF will demo
		Execute resolution
30 days	Aug 15, 2022	Demolished 7/20/22
		Demolished 6/15/22
90 days	Nov 22, 2022	Exterior and interior progress

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

Funding: Not Applicable

Recommendation: Staff is requesting Council's approval for Option 1.

Previous Discussions
With Council: All have previous history with Council.

Hello Ms. Shea,

The Parks of Olmsted is planning their next neighborhood garage sale and would like to request approval for our garage sale banners again. Can you please add to the agenda for the next possible City Council meeting? Thank you!

Parks of Olmsted Community Yard Sale

Sale Date: Saturday October 15th from 8am-2pm

We would like to put the banners up Sunday, October 9th and take them down on Saturday October 15th after 2pm. There would be two banners at the Mary Freeman/Vanderbilt Parkway entrance of our neighborhood and two at the Poplar Road/Vanderbilt Parkway entrance of our neighborhood. The banners are green, 2 feet by 4 feet and say "Neighborhood Garage Sale Saturday". We usually have between 10-20 homes participating in the sale.

Thank you!

Jennifer Petrino

678-857-9150

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).