

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

AUGUST 25, 2020

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, August 25, 2020 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; George Alexander; Paul Guillaume and Dustin Koritko. Council members present by Zoom: Rhodes Shell. Council member absent: Cynthia E. Jenkins. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Della Hill; City Planner Chris Cole; City Attorney, Brad Sears and Police Chief, Douglas "Buster" Meadows.

MINUTES – REGULAR COUNCIL MEETING – AUGUST 11, 2020

Motion by Councilman Koritko, seconded by Councilman DuBose to dispense with the reading of the minutes of the Regular Council meeting on August 11, 2020 and adopt them as presented.

MOTION CARRIED. (6 – 0)

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION – 3 YEAR TERM

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

APPOINTMENT – CONVENTION CENTER AUTHORITY

Mayor Brady asked the City Manager to place Councilwoman Jenkin's appointment on the agenda for the next Council meeting to the Convention Center Authority.

APPOINTMENT – CULTURAL ARTS COMMISSION

Motion by Councilman Koritko, seconded by Mayor Pro Tem Alexander to reappoint Tracey Brooks to the Cultural Arts Commission for another three year term.

MOTION CARRIED. (6 – 0)

APPOINTMENTS – BOARD OF ZONING APPEALS

Mayor Brady asked the City Manager to place Mayor Pro Tem Alexander and Councilwoman Jenkins's appointments on the agenda for the next meeting for the Board of Zoning Appeals.

APPOINTMENTS – FARMER STREET CEMETERY COMMISSION

Motion by Councilman Guillaume, seconded by Councilman Koritko to appoint Dr. Pamela Johnson to the Farmer Street Cemetery Commission.

MOTION CARRIED. (6 - 0)

REPORT – CULTURAL ARTS COMMISSION

The Commission is working hard to prepare virtual and safe in person events for the remainder of the year as we feel the arts is such an important component in our community. Thank you for your continued support.

Mayor Brady thank the Commission for their dedication and hard work.

REPORT – CONVENTION CENTER AUTHORITY

The Newnan Center presented a report on their operations and goals. The Staff and Convention Center Authority thanked City Council, City Manger and Assistant City Manager for their support.

Mayor Brady thank the Authority and Staff for their dedication and hard work.

REQUEST – DDA – CLOSE NORTH AND SOUTH COURT SQUARE – HOST MARKET DAY EVENT

Motion by Mayor Pro Tem Alexander, seconded by Councilman Guillaume to approve the request from DDA to close North and South Court Square to host Market Day event on September 5, 2020.

MOTION CARRIED. (6 – 0)

REZONING REQUEST RZ2020-03, TURNSTONE GROUP, LLC AND KM HOMES FOR 10.120± ACRES LOCATED ON NEWNAN CROSSING BOULEVARD EAST (TAX PARCEL #S 086 5021 005, 086 5021 011, AND 086 5021 012) – INFORMATION ONLY

REZONING REQUEST RZ2020-04, TURNSTONE GROUP, LLC FOR 2.70± ACRES LOCATED ON DIPLOMAT PARKWAY (A PORTION OF TAX PARCEL # 098 5052 001) INFORMATION ONLY

RELEASE OF REQUEST FOR PROPOSAL (RFP) – CONSTRUCTION OF A PICKLEBALL FACILITY

Staff is seeking approval to release the proposal for the construction of a Pickleball Facility as presented by Comprehensive Program Services to be located at 4 Joseph Hanna Blvd.

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko to approve the release of RFP for the construction of a Pickleball Facility as presented by Comprehensive Program Services.

MOTION CARRIED. (6 – 0)

CONSIDERATION GUARANTEED MAXIMUM PRICE CONTRACT AMENDMENT, AMENDMENT TO PROGRAM SERVICES CONTRACT AND OVERALL PROJECT BUDGET FOR C. JAY SMITH PARK AND PICKETT FIELD AT LYNCH PARK RENOVATIONS

On August 5, 2019 City Council approved a contract with Comprehensive Program Services to assist in the construction procurement and management of the renovations of C Jay Smith Park and Pickett Field at Lynch Park. On October 25, 2019 City Council approved a design-build contract with New South Construction. Staff recommends the approval of the Guaranteed Maximum Price (GMP) Contract, overall budget as presented and recommended by Comprehensive Program Services (CPS) and the Amendment with Comprehensive Program Services for project construction oversight.

Motion by Councilman Koritko, seconded by Mayor Pro Tem Alexander to approve the Guaranteed Maximum Price (GMP) Contract, overall budget as presented and recommended by Comprehensive Program Services (CPS) and the Amendment with Comprehensive Program Services for project construction oversight for C. Jay Smith Park and Pickett Field at Lynch Park renovations.

MOTION CARRIED. (6 – 0)

APPROVAL FOR CONSULTANT SELECTION FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR SIDEWALKS ON JACKSON STREET AND SPRAYBERRY ROAD

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the consultant selection of Integrated Science & Engineering and authorize the negotiation of scope of services and fees for the Jackson Street and Sprayberry Road Sidewalks.

MOTION CARRIED. (6 - 0)

PUBLIC HEARING/ORDINANCE – REZONING RZ2020-02, INLINE COMMUNITIES, LLC - 22.007± ACRES – MCBRIDE STREET (TAX PARCEL N58 0001 002), 90 SPRAYBERRY ROAD (TAX PARCEL N36 015) PORTION OF 92 SPRAYBERRY ROAD (TAX PARCEL N36 014) AND TAX PARCEL N58 0006 011

Mayor Brady open a public hearing on the rezoning request.

The City Planner stated InLine Communities, LLC has applied for the rezoning of 22.007± acres located on McBride Street (Tax Parcel N58 0001 002) of which 13.064 acres are

zoned Heavy Industrial and 8.386 acres are zoned RU-7, 90 Sprayberry Road (Tax Parcel N36 015), which is zoned RU-7, a portion of 92 Sprayberry Road (Tax Parcel N36 014) which is zoned RU-7, and Tax Parcel N58 0006 011 which is zoned RU-7. They are requesting to rezone the subject property from IHV (Heavy Industrial District) and RU-7 (Urban Residential Single-Family Dwelling District – High Density District) to RML (Residential Multiple-Family Dwelling – Lower Density District) for the purpose of constructing 103 townhouse-style condominium units on private roads. RML allows 6 dwelling units per acre. The rezoning site plan shows a proposed site density of 4.68 units per acre. The applicant expects the price point to be in the mid-\$200's.

Regarding proposed features, exterior facades will be substantially clad in a variety of high-quality materials that could include “siding” examples such as board and batten, brick and stone. Townhome units will have varied facades that could include different architectural accents, design elements, and color schemes to create visual diversity within the residential development. All townhomes will be a maximum of three stories. All driveways will be long enough to accommodate the length of a vehicle to be parked. The amenities will include at minimum of a pool, cabana with restrooms, a dog park and mulched walking trails.

The development will be housed in 17 buildings (with each building housing between 4 and 8 condominium units). These actual numbers could alter somewhat after the required engineering is completed. The applicant has indicated that the residential attached homes will be a minimum of 1,300 heated square feet.

The subject property is located approximately 0.138 miles from an RML-zoned development, Jefferson Grove (constructed in 2018), and approximately 0.59 miles from two other RML-zoned developments that are adjacent to each other, Preston Mill Apartment Homes (constructed in the late 1990s) and Jefferson Point Apartment Homes (constructed in the early 1990s). All three of these nearby properties are on Jefferson Street and are zoned RML.

Staff has completed an assessment of each of the 8 required standards and he presented a summary of each.

The proposed use is suitable in view of the zoning and development of adjacent and nearby property.

The adverse effect to the existing use or usability of adjacent or nearby property is minimal due to the collector road access, the engineering study that will be required of the applicant, and the implementation of needed onsite traffic improvements.

The subject property could be used as currently zoned.

As with all development the project will impact service provision. The question is whether or not it is excessive or burdensome. In this case, all of the service providers have

indicated that they are able to address the needs of the development. The project will have impact, but the impact is not excessive or burdensome.

The Future Land Use Map shows the subject property as Industrial and Medium Density Residential. Even though 90 Sprayberry Road, the portion of 92 Sprayberry Road under consideration, and Tax Parcel N58 0006 011 are classified as Medium Density Residential, 21.293± acres of the proposed 22.007± acres are shown as Industrial on the Future Land Use Map (the 21.293± acre-tract represents Tax Parcel N58 0001 002 – the largest tract under consideration).

The proposed use is consistent with the proposed zoning district.

There have been recent updates to both the Zoning Ordinance and Comprehensive Plan. The Comprehensive Plan shows 21.293± acres of proposed 22.007± acres as Industrial on the Future Land Use Map (the 21.293± acres-tract represents Tax Parcel N58 0001 002- the largest tract under consideration). The Industrial category does not support residential condominium units.

The proposed project would reflect a reasonable balance.

In summary, staff found that the development met 5 of the 8 standards.

At the July 14, 2020 meeting the Planning Commission held a public hearing regarding the request and voted unanimously to recommend denial (5 - 0). Should Council elect to recommend approval of the request, staff would recommend the following conditions to be considered.

1. The project will be consistent with the conceptual site plan, density, project data, amenities, proffered conditions, and architectural details as provided as part of the amended application. This application is attached hereto by reference and specifically made a part hereof as if included herein.
2. The applicant shall also not create any nonconformities in regards to the residential dimensional requirements when splitting the tract at 92 Sprayberry Road (concerning items such as minimum lot size, setback requirements, and the other dimensional elements found in the Zoning Ordinance).
3. Variances resulting from the proposal will only be granted upon consideration and final approval by the Board of Zoning Appeals, including the variance for the stream buffer and setback encroachments with mitigation above and beyond the minimum detention and water quality requirements for development.
4. A minimum of 2 points of entrance/exit to the community shall be provided generally as shown on the conceptual site plan attached hereto as Exhibit "C" however, a traffic study or analysis will be required to determine that the

connections for the internal streets to Jefferson Street and Sprayberry Road, as shown in the concept, meet generally accepted engineering design standards (GDOT or AASHTO) for sight distance and will accommodate the volumes of left and right turn movements.

5. The project shall consist of a maximum of 103 units, being a townhouse design condominium project in accordance with the requirements of Article III, Section 3-7 (c) of the Zoning Ordinance. Residential attached homes shall be a minimum of 1,300 heated square feet.
6. An amenity center inclusive of pool, cabana with restrooms, green space, mulched walking trails and a dog park shall be provided.
7. Landscaping and a fence shall be provided along American Avenue as shown on the attached exhibit "D".
8. A Homeowner's Condominium Association shall be incorporated to maintain the common areas and the amenity center areas.
9. Buildings and structures constructed in the project shall be consistent with the proffered Representative Architecture and Exterior Example attached hereto as Exhibit "E" attached hereto and by reference made a part hereof.

Applicant

Melissa Griffs, 32 South Court Square, indicated on conditions #3 from Staff she has confirmed with Planning Director the wording is not correct. They have completed an administrative variance with all of the documentation and met all requirements where they would not have to go before the Board of Appeals for final approval. She stated Kenneth Wood, Bryan Musolf and Abdul Amer are in attendance and can answer any questions that Council might have.

Kenneth Wood, InLine Communities, indicated we always look at the location regarding how close to downtown, what the sight looks like, access and a place where people really want to live. The property consists of 22 acres and we are proposing 103 townhomes. The entrance on Sprayberry and Jefferson both have good sight distance. There is an existing lake that is very large on the property that needs to be repaired. Looking at the Land Use half of site is zoned RU-7 and half is zoned Industrial which is not suitable for development as is. The access to Sprayberry sight distance has improved with adding an existing lot. There are trees that will be used for a buffer from the Industrial side. There will be trails around the lake. Storm water will come down and run into lake. Also, on the property are a lot of abandon roads running through the property. There are three (3) different driveways that have access to enter into the back side of these homes. We are proposing a 16-foot access strip that will allow those drive ways to remain. We will provide 56 spaces on the side for guest parking. We are planning fencing and landscaping as a buffer for existing house off Jefferson on left side.

Bryan Musolf, Developer, InLine Townhome, indicated in this Townhome development there is ability for more green space. The project is sitting above the lake with beautiful views from the units. There will be front and rear entrance townhomes.

Mayor Brady asked about his commitment to finishing the project.

Mr. Musolf stated he was not a construction person. He has several builders that are interested in this project but has not named anyone.

Councilman DuBose is confused he has heard townhomes and condominium, are they the same.

Mr. Musolf indicated this will be a townhome development with individual owning the inside of the unit not the land underneath. It will be HOA managed which will be remote.

Mayor Brady indicated letters are sent out as part of the package to Public Safety, Newnan Utilities, Engineering, and School Board. At this particular time, we received a letter back from the School Board which was a little different. We usually get a letter stating if you do this we are going to do our best to make this happen. He quoted from the letter the following:

Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved we would request that the developer provide us advanced notice of the following information for our planning purposes:

What is the construction schedule for the project?

What is the proposed build-out timeline?

Will the project be built in phases?

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

Mr. Musolf stated the construction schedule will begin 18 to 20 months. The proposed build-out timeline will be 3 a month, less than 3 years. The project will be built all at one time not in phases. The market will not be aged restricted.

Ms. Griffis stated additional proffered conditions have been added with landscaping and fencing. We were not able to meet in person due to home owner (Mrs. Arnold) work schedule. We have submitted a letter with the additional proffered condition adding landscaping as a buffer with a fence. If a written agreement is needed we will be happy to do so.

Abdul Amer, Traffic Engineer, is working on a more detail traffic study as called for in the conditions which will evaluate the access point in greater detail along with traffic numbers in order to make a proper design in a safe manner for standard. Looking at the site on the ground Jefferson Street has adequate access. This will be a good location for entrance and exiting. We are working on designing the driveways in safe manner and will follow all the standards to make everything safe.

All inside roads are going to be private and are to be built to standards of public roads.

After discussion on the project being condominiums or townhomes the City's ordinance does not allow the lots to be sold as individual units on a private road. Mayor Brady suggested continuing the public hearing until the September 21, 2020 meeting.

OPPOSITION

Loretta Stinson, home owner on Jefferson Street for 23 years, traffic in front of her house is a very busy road. On Sprayberry Road when the train comes the traffic backs up all the way back to Jefferson Street. She is asking the traffic engineer to look at that location.

Michael Johnson, North Street, stated traffic is backed all around when trying to turn left. There is no way of getting out because you are blocked in on Sprayberry Road and Jefferson Street. He noted North Street is a one way street.

Annette Teagle, North Street, has a concern when the busses start picking up children for school. There is a bus stop at North Street and people drive too fast around the busses when that are stopped during the time children are getting on the busses.

Shannon Arnold, is concerned about the traffic on Jefferson Street on the curve at the bus stop.

Motion by Mayor Pro Tem Alexander, seconded by Councilman Du Bose to continue the Public Hearing until September 21, 2020 regarding traffic studies and clarification on the type of homes proposed on the rezoning request by InLine Communities LLC from IHV and RU-7 to RML.

MOTION CARRIED. (6 - 0)

**REQUEST – HERITAGE RIDGE NEIGHBORHOOD – PLACE SIGNS AT ENTRANCE
ON LOWER FAYETTEVILLE ROAD FOR GARAGE SALE**

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the request by Heritage Ridge Neighborhood to place signs at entrance on Lower Fayetteville road for garage sale October 10th, signs to be posted week prior.

MOTION CARRIED. (6 – 0)

**REQUEST – MT. SINAI BAPTIST CHURCH – CLOSE LOVELACE STREET BETWEEN
BOONE DRIVE AND MELSON STREET FOR MOVIE NIGHT**

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko to approve the request by Mt. Sinai Baptist Church to close Lovelace Street between Boone Drive

and Melson Street for Movie Night on September 4th from 8 pm – 11 pm.

MOTION CARRIED. (6 – 0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Alexander, seconded by Councilman Koritko that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing real estate issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 7:28 pm.

MOTION CARRIED. (6 – 0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

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

MOTION CARRIED. (6 – 0)

NO ACTION TAKEN

ADJOURNMENT

Motion by Councilman Koritko, seconded by Mayor Pro Tem Alexander to adjourn the Council meeting.

MOTION CARRIED. (6 – 0)

Della Hill, City Clerk

Keith Brady, Mayor