



**CITY OF NEWNAN
Planning Commission
Meeting Minutes**

October 11, 2022
7:00 p.m.

Commissioners Present: Proctor Smith, Alton West, Joe Crain, Jr., Robert Coggin, Chris Hunt

Commissioners Absent: Fred Hamlin, Clay McEntire

Others in Attendance: Tracy Dunnavant, Planning & Zoning Director
Samantha Wood, Administrative Assistant Planning & Zoning
Dean Smith, Senior Planner
Chris Cole, Senior Planner
Brad Sears, City Attorney

CALL TO ORDER

The meeting was called to order by Chairman Smith at 7:00 p.m. in the Richard A. Bolin Council Chambers, City Hall, 25 LaGrange Street.

READING OF MINUTES

Chairman Smith asked if everyone reviewed the minutes from the September 13, 2022 meeting. Crain motioned to approve the minutes. Coggin seconded the motion.

MOTION CARRIED (5-0)

Rezoning Request – RZ2022-09 – 5.82 ± acres located at Old Atlanta Highway (Tax Parcel #073C 044 and Tax Parcel #073C 045)

Staff informed the Commission that the applicant is requesting a continuation of this matter until the November 8, 2022 Planning Commission meeting.

Coggin made a motion to continue the rezoning request of 5.82 acres located at Old Atlanta Highway until the November 8, 2022 meeting. West seconded the motion.

MOTION CARRIED (5-0)

Rezoning Request – RZ2022-10 0.790 ± acres located at 170 LaGrange Street (Tax Parcel #N28 004B) From RS – 15 (Suburban Residential Single-Family Dwelling –

Medium Density) to RU – 7 (Urban Residential Single-Family Dwelling District – High Density).

Chairman Smith opened a public hearing on the rezoning request.

Dunnavant gave the staff's report and informed the Commission that the applicant is seeking to construct three single-family homes on the former site of a six-unit apartment building that was destroyed by the tornado of 2021. She reviewed the standards for rezoning and closed by stating that the rezoning meets 7 of the 8 standards. Dunnavant did suggest that Certificates of Appropriateness should be required as a condition of zoning for all three homes since the lot abuts the HRDO overlay to the east. She added that the applicant is seeking a reduction in the lot width to 65 feet, which could be added as a condition as well.

Daniel Lichty, the applicant, came forward to discuss the proposed project. Lichty stated that he did not have anything to add beyond what Dunnavant said in her staff report.

Chairman Smith asked if there was anyone there to speak in favor of the rezoning.

With no one coming forward, Chairman Smith asked if there was anyone present to speak in opposition of the rezoning.

Chris Hobbs, LaGrange Street, came forward and read an email he sent to the staff objecting to the request based on density and aesthetics.

Suzanne Capahneli, Olmstead Trace, came forward and stated that she is opposed to the rezoning as well.

Jodi Hobbs, LaGrange Street, expressed opposition due to the shared driveway.

Lichty came forward again and stated that he has been in Newnan since 1991. He added that he builds quality homes and that the homes he would be building there would range from \$500,000 to \$700,000. Lichty stated that he would also be improving the shared driveway as part of the project.

With no one else coming forward, Chairman Smith closed the public hearing.

Commissioner Hunt asked about the driveway. Lichty stated that the driveway was there when the apartments were on the site.

Commissioner Coggin asked about the square footage of each home. Lichty stated between 2,500 – 3,500 square feet.

Commissioner West asked if the houses would be on a City street. Staff said yes.

Commissioner Crain asked what the property behind the subject tract was zoned. Staff stated RU-7, which is the same zoning as what the applicant was requesting.

Commissioner West asked if the Commission votes to approve the rezoning request, does the variance automatically get granted. Staff stated that it would have to made a condition of the zoning.

Commissioner Coggin asked if the homes would be rentals or for sale. Lichty stated that he is selling the homes.

Chairman Smith stated that being able to review what is being built is critical. He added that what makes a difference is that this was a 6-unit property. Chairman Smith added the net impact is decreasing and as it sits right now, it could be developed as cheaply as possible without any say on the look of the homes. Chairman Smith said they need to weigh everything and see if there are more pluses than minuses.

Commissioner Hunt stated that allowing the rezoning will provide a way to ensure quality houses are built.

Commissioner Crain asked about the driveway and whether an easement would be needed.

Elita Compton, 174 LaGrange, stated that she shares the driveway with this property. She added that she is all for improving what was there. Compton stated that Lichty has promised to fix the driveway, which is something the previous owner never did.

Commissioner West made a motion to recommend approval of the rezoning request for 170 LaGrange Street with the following conditions:

- 1) The homes will be consistent with the character shown in the architectural renderings provided as part of the rezoning application and a certificate of appropriateness (COA) from the Planning Commission will be required for each house.
- 2) The four existing crape myrtles will be incorporated into the overall design.
- 3) Driveway access will continue to be provided to the 174 LaGrange Street property.
- 4) The lot width for the three lots will be reduced to 65 feet.

Coggin seconded the motion.

MOTION CARRIED (5-0)

Rezoning Request – RZ2022-11 1.22 ± acres located at 30 Amlajack Boulevard (Tax Parcel #097 5044 013); Requested Change in Conditions of Annexation/Rezoning Ordinance

Chairman Smith opened the public hearing.

Dean Smith presented the staff's report. He stated the property was annexed into the City on July 12, 2022, with a CHV (Heavy Commercial District) zoning and 3 conditions. He said the applicant is requesting a modification on the setback condition due to significant right-of-way vegetation and a short line of site visibility for southbound traffic. Dean Smith added that the applicant has provided some field measurements for nearby highway signs along I-85 and it shows the average setback is approximately 20 feet. He informed the Commission that the staff provided an assessment of the 8 standards in the original rezoning/annexation request and this modification does not change that initial assessment.

Chairman Smith asked if anyone was present to speak in favor of the request.

Donald Sprayberry, applicant, said he did not have anything to add to the staff's report, but was present to answer any questions.

Chairman Smith asked if anyone was present to speak in opposition to the request.

Seeing no one come forward, Chairman Smith closed the public hearing and asked for a motion.

A motion was made by Commissioner Hunt to recommend approval of the rezoning request for 30 Amlajack Boulevard to amend the rezoning conditions to reduce the minimum setback from 65 feet from the Federal Interstate Highway to 25 feet and to reduce the setback from any property line from 40 feet to 25 feet. Coggin seconded the motion.

MOTION CARRIED (5-0)

Rezoning Request – RZ2022-12 3.3 ± acres located at 420 Jefferson Street (Tax Parcel #N57D-096) from RS-15 (Suburban Residential Single-Family Dwelling District Medium Density) to CGN (General Commercial District).

Chairman Smith opened the public hearing.

Dean Smith presented the staff's report stating that the applicant wishes to develop the subject property and place a "food service container building" on the tract. He added in order to accomplish this, the applicant is seeking a CGN (General Commercial District) zoning which would allow his proposed business to be a permitted use. Dean Smith stated that staff has reviewed the request in terms of the standards for rezoning and determined that the project meets 6 of the 8 standards.

Josh Harris, Southern Development LLC, stated that he purchased the property and would like to place a coffee shop there to serve the community. He stated it would be a place where people can come and hang out and visit with one another.

Chairman Smith asked if there was anyone else who wanted to speak in favor of the rezoning request. Hearing none, Chairman Smith asked if there was anyone who wanted to speak in opposition to the rezoning request.

Maddie Dalton, Lynn Circle, came forward and stated her concerns with safety, impact on the ecosystem and overall change in the neighborhood if the rezoning were approved.

Annette Dalton, Lynn Circle, asked the Commission if they would be okay with this business being located in their neighborhood. She also expressed concern about putting a commercial space at that location and begged the Commission to deny the request.

Harris came back up and let the Commissioners know that he would be open to other suggestions if they didn't want a shipping container.

Chairman Smith closed the public hearing.

Commissioner Coggin asked Harris to describe his facility. Harris stated that he is wanting to locate a coffee shop within a revamped cargo container on the property with green space for people to gather. He added that it could be a taco stand with outdoor seating as well. Harris stated he would like for the site to have a park feel. He added that only .4 of the 3 acres is buildable.

Chairman Smith expressed concern about rezoning this property and allowing a cargo container. He stated that he just doesn't see this area as commercial.

Commissioner Hunt made motion to recommend denial of the rezoning request for 420 Jefferson Street. Commissioner Coggin seconded the motion.

MOTION CARRIED (5-0)

Public Hearing Zoning Ordinance Revision Quasi-Judicial Processes

Chairman Smith opened a public hearing on amendments to the Zoning Ordinance to address state law changes for quasi-judicial actions.

Dean Smith informed the Commission that these were amendments to the Zoning Ordinance, Articles 10 and 11, as they pertain to legal notification timeline changes for quasi-judicial actions, such as variances and special exceptions. He summarized the changes in each of the Articles.

Chairman Smith asked if there was anyone there to speak in favor of the proposed changes.

With no one coming forward, Chairman Smith asked if there was anyone there to speak in opposition to the proposed changes.

With no one coming forward Chairman Smith closed the public hearing and asked if anyone had questions for staff.

Chairman Smith made the statement that we needed to keep current with state law.

Commissioner Coggin made a motion to recommend approval of the amendments to the Zoning Ordinance, Articles 10 and 11. Commissioner Hunt seconded the motion.

MOTION CARRIED (5-0)

NEW BUSINESS

Dunnavant informed the Commission that they would have a November meeting.

Chairman Smith stated that if the applicants don't have all the information on their application or had not provided enough information to support their application then it should not come to the Commission until it was complete.

Tracy Dunnavant reminded the Commission of the volunteer dinner on Thursday , October 13th.

PUBLIC COMMENTS

None

ADJOURN

With no further business, the meeting adjourned at 8:09 p.m. on a motion from Commissioner Hunt and seconded by Commissioner Coggin.



MOTION CARRIED (7-0)

Chairman Proctor Smith