



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan **Planning Commission**

Agenda for July 9, 2024 Planning Commission Meeting
7:00 PM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. June 11, 2024 Meeting Minutes
3. Public Hearings
 - a. Proposed amendment to zoning ordinance - Article 11
4. Other Business
 - a. Certificate of Appropriateness - 6 Perry Street (continuation)
 - b. Discussion on post-Council retreat topics
5. Adjourn

Any questions prior to the meeting
should be directed to the Planning and Zoning Department.

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**CITY OF NEWNAN
Planning Commission
Meeting Minutes**

June 11, 2024
7:00 p.m.

Commissioners Present: Alton West, Joe Crain, Jr., Robert Coggin, Katie Frost, Fred Hamlin, John Pulicare

Commissioners Absent: Clay McEntire

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

CALL TO ORDER

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

READING OF MINUTES

Vice Chairman West asked if everyone reviewed the May 14, 2024 meeting minutes. Commissioner Coggin made a motion to approve the minutes as drafted. Commissioner Crain seconded the motion.

MOTION CARRIED (6-0)

Certificate of Appropriateness – 6 Perry Street

Dean Smith gave the staff report. He stated that Foundation Church was seeking a Certificate of Appropriateness (COA) for a 750-seat auditorium addition to the existing church at 6 Perry Street. Smith explained that the construction required a COA because it is located within the Downtown Design Overlay District. He showed past and current pictures of the building and other neighboring structures. Smith stated that he and Abigail Strickland, Main Street Manager, had reviewed the project in terms of the historic standards and found that it met 6 out of 8. He explained that the proposed metal siding was not consistent with the architectural and site elements for a historic district.

Clint Nolder, lead pastor for Foundation Church, informed the Commission that he had spoken with Strickland and she indicated it was up to the Commission to determine if the request was acceptable. He stated that the Church wants to be a good neighbor and discussed their mission.

Commissioner Coggin said he felt the rendering looked more like a warehouse and did not feel it was compatible with the other buildings in the area.

Vice Chairman West said he understood what the Church was trying to do, but added that the Council provided design guidelines and he was concerned that the metal would set a precedent. He asked if they had considered other materials. Nolder said yes and mentioned brick siding.

Commissioner Frost said she appreciates all the church has done for the community, but added that the renderings looked more like Trilith than Newnan. She suggested possibly adding more windows.

Nolder asked if they would be willing to consider other drawings and provided updated renderings. The Commission asked if staff had reviewed the updated plans. Dunnivant said they have not.

Commissioner Hamlin stated that he would like to see windows on the south side. Nolder reminded the Commission that that side faced the alley. Commissioner Hamlin said you can still see it from Greenville Street. Nolder asked how many windows would you like to see. Commissioner Hamlin said he felt staff could make that decision.

The Commissioners discussed where the addition would be located. Commissioner Pulicare said he felt the building was in a very prominent spot and needed more features. He added that he would like to see something a little more finished.

Vice-Chairman West stated that one of the issues the Commission likes to discuss with an expansion of this size is parking. He asked how the increase in parking would be handled. Nolder discussed the MOUs with the neighboring properties, parking on their site and the on-street parking availability. He added that the church allows other churches to use their parking when they are not having services.

Commissioner Crain said he was pleased that they were growing, but was fearful of the metal. He suggested looking at other materials that weren't as expensive as brick, but still maintained the character of downtown. Commissioner Crain said the building appeared very rigid and needed something to break it up.

Commissioner Pulicare made motion to continue the COA application until July to give the applicant time to revise their submittal to reflect the Commission's comments. Seconded by Commissioner Coggin.

MOTION CARRIED (6-0)

OTHER BUSINESS

Continuation of Post-Council Retreat Discussion Items

The Commission discussed possible amendments to the Zoning Ordinance. Dean Smith recapped the Commission's previous discussion on the use table (day cares, car dealerships and vape shops and extended stay hotels). He provided call logs for the hotels and stated that the Commission had indicated that they would like to see extended stays as a special exception with additional requirements to ensure quality. Commission Crain asked if the City could require them to come back before the Commission if the hotel is sold. Discussion ensued on the pros and cons of making the new owner go back through the approval process. Smith stated that they would still have an obligation to maintain the property.

Smith reviewed the staff's thoughts on townhouse developments. Vice Chairman West said he did feel there needed to be more restrictions. He added that LaGrange requires 40% greenspace for each townhouse project and roads had to be built to city standards. Vice Chairman West stated that lots had to be delineated and LaGrange charges a review fee as well. Smith mentioned some developers use of the condo designation as a way of getting around the lot requirements. Hamlin said he felt the city needed to up its game. The Commission discussed making townhouses a special exception request.

Smith discussed possibly changing some of the heavier commercial and general commercial zoned lots to urban neighborhood commercial. He showed a map of vacant lots that staff felt were possible candidates. Dunnivant informed the Commission that after speaking with Assistant City Manager Hasco Craver, the area in front of Bullsboro Crossing was probably not a good fit for CUN given the setbacks of the buildings and the other uses in the corridor. She also mentioned that Craver was in favor of adding the lots on Robinson Street that were shown on the map as well. The Commission agreed on the other areas identified by staff with the elimination of the Bullsboro tracts and the inclusion of the Robinson Street parcels.

Smith discussed the issues with "build to rent" communities. He mentioned how other jurisdictions had addressed them. The Commission liked the idea of restricting most of the residential zones to "for sale" development and asked staff to contact Alpharetta about any issues that have arisen from going this route.

Commissioner Hamlin mentioned possible further restricting oil change businesses and title pawns. Smith discussed which zoning districts currently allowed the uses and what restrictions were required.

Staff informed the Commission that they would get with Alpharetta's staff and bring back a summary and findings at the next meeting.

PUBLIC COMMENTS

None

ELECTION OF OFFICERS

Dunnavant mentioned that with the resignation of Chris Hunt, the Commission needed to elect a new Chairman.

Commissioner Crain nominated Commissioner Alton West for Chairman. Seconded by Commissioner Coggin. The nominations were closed.

MOTION CARRIED (6-0)

Dunnavant stated that with Commissioner West being elected Chairman, the Commission had to elect a new Vice Chairman. Commissioner Crain nominated Commissioner Hamlin for Vice Chairman. Seconded by Commissioner Coggin. The nominations were closed.

MOTION CARRIED (6-0)

ADJOURN

With no further business, the meeting adjourned at 8:22 p.m. on a motion from Commissioner Frost and seconded by Commissioner Coggin.

MOTION CARRIED (6-0)

Chairman



City of Newnan, Georgia – Planning Commission

Date: July 9, 2024

Agenda Item: Public Hearing– Zoning ordinance amendment

Prepared and Presented by: Dean Smith, Planner

Purpose: To consider an amendment to the Zoning Ordinance, Article 11 pertaining to variance standards

Background: In 2017, City Council adopted a comprehensive update to our zoning ordinance which was promulgated and directed by a consultant hired by the city. During the review process, Staff discovered some of the language governing standards for variances had been changed and advised the consultant that it was not in keeping with the language approved in the 2000 ordinance. Unfortunately, when the final draft was approved, the language did not get changed back and the more restrictive language was adopted. Staff discovered this issue after the joint training session where the standards were discussed.

Prior to 2017, the language read, in part, "...The Board of Zoning Appeals shall base its required findings upon the particular evidence presented to it in each the specific case where the property owner can show that:.", then it listed the following variance standards:

1. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
 - b. Such conditions are peculiar to the particular piece of such property involved.
 - c. Such conditions were not imposed by the action or will of the owner of the property.
 - d. The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and that without the variance, a lesser but still reasonable return could be realized.
 - e. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.
2. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.
3. The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

The current language specifies that: "The hearing authority considering the variance request shall base its required findings of fact upon the particular evidence presented to it in each specific case where the property owner can show all of the following to be true....".

Attached is the proposed change to Article 11. We have also added some additional language to this section and have modified some other language. Our goal is to have 7 standards and an applicant requesting a variance must be able to meet at least 4 out of the 7 standards. These standards would apply for anyone seeking a variance from the Board of Zoning Appeals, Planning Commission and City Council, in situations as the ordinance prescribes. These standards do not apply to special exception requests, appeals to a zoning administrator's decision, administrative variances, rezonings or annexation requests.

Options:

- A. Approve the proposed amendment with a favorable recommendation to City Council
- B. Deny the amendments with an unfavorable recommendation to City Council.
- C. Other direction as deemed appropriate from Planning Commission

Recommendation:

Staff hopes that the Planning Commission will approve the proposed changes and forward a favorable recommendation to City Council.

Previous Discussions with Planning Commission: February 13, 2024

Present Ordinance

. - Standards for Variances.

The hearing authority considering the variance request shall base its required findings of fact upon the particular evidence presented to it in each specific case where the property owner can show **all of the following** to be true:

- (a) The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of all of the following:
 - (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and,
 - (2) Such conditions are peculiar to the particular piece of such property involved; and,
 - (3) Such conditions were not imposed by the action or will of the owner of the property; and,
 - (4) The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied; and,
 - (5) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.
- (b) In addition, the hearing authority considering the variance request shall affirmatively determine that:
 - (1) The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

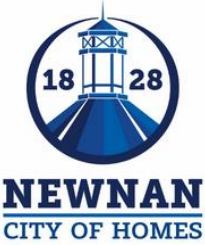
The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

Proposed amendment

The hearing authority considering the variance request shall base its required findings of fact upon the particular evidence, such as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. No variance shall be considered to allow a use of land or structures which are not permitted by the ordinance in the zoning district involved. The hearing authority will base its findings on facts and information presented to it in each specific case where the applicant and/or property owner can demonstrate that it meets the majority of the following variance/hardship conditions or standards:

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
- (2) Such conditions are peculiar to the particular piece of such property involved;
- (3) Such conditions were not imposed by the action or will of the owner of the property;
- (4) The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship. ~~in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied;~~
- (5) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance, and furthermore, will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance that will make possible the reasonable use of the land, building or structures;
- (6) ~~The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant;~~ There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally. and,
- ~~(7) The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.~~

The circumstances affecting the property necessitating the variance are sufficiently unique or infrequent that it is not feasible to create a broad regulation to amend this Ordinance. – alternate language for #7



City of Newnan, Georgia – Planning Commission

Date: July 9, 2024

Agenda Item: Certificate of Appropriateness – 6 Perry Street

Prepared by: Dean Smith, Senior Planner

Purpose: This item involves a certificate of appropriateness request from Foundation Christian Church for a 10,020 square foot proposed addition.

Background:

Zoning District	Central Business District (CBD)
Proposed Land Use	House of Worship/Religious Institution
Parcel #	N04-0009-004
Parcel Size	0.65 +/- of an acre

At the June 11th Planning Commission, Foundation Church presented its request for a Certificate of Appropriateness for their planned building expansion and renovations. During the meeting, there was discussion about the choices in exterior building material and the materials' compatibility with the City of Newnan's design guidelines and zoning ordinance requirements. The process was continued to July 9, 2024, to afford the applicant the opportunity to amend their proposal and have the Planning Commission take another look at the project.

The properties in the vicinity of this site include a mixture of retail, office and institutional, general commercial, and residential uses. In reviewing the request in terms of the rehabilitation standards that were adopted for development in the *Downtown Design Overlay* district (DDO), staff addressed the following standards in terms of the work proposed at 6 Perry Street:

- a) **Building Orientation and Setback** – The expansion work will be in the rear of the building and will be extended to the property lines on the east side and to a 10 feet alley easement on the south side.
- b) **Directional Emphasis** – The scope of proposed work proposes horizontal directional emphasis. While the main directional emphasis in the area of influence is vertical, there are some instances where on the Perry Street side, there are existing structures with more of a horizontal emphasis.
- c) **Shape** – The principal elements and shapes proposed on the addition are compatible with the existing building and those within the area of influence.
- d) **Proportion** – The proposed addition will change the overall proportion of the structure, resulting in a very horizontal expression which is compatible with the existing structure.

- e) **Rhythm** – The proposed work is not anticipated to disrupt the existing rhythmic patterns in the area of influence.
- f) **Massing** - The massing of the building for the renovation is compatible with the overall mass in the area of influence.
- g) **Scale and Height** – The proposed addition’s height is compatible with the height of the existing structure. The scale of the project will increase the overall footprint of the building to cover the subject property, which is a pattern consistent within the area of influence, with the exception of a few properties.
- h) **Architectural and Site Elements** – The revised renderings show the predominant exterior building material as brick, with elements added to soften the wall and add distinguishing character to the wall surface area. This is consistent with the surrounding buildings within the area of influence.

Options:

- A. Approve the certificate of appropriateness for the renovations associated with 6 Perry Street.
- B. Approve the certificate of appropriateness with conditions.
- C. Deny the certificate of appropriateness request.

Summation: Staff reviewed the certificate of appropriateness request and, upon further study, found it to be consistent with all of the 8 standards governing renovations to structures in the *Downtown Design Overlay* district (DDO).

Additionally, Abigail Strickland, the City of Newnan’s Main Street Director, reviewed the revised renderings and had no objection to the proposal as presented.

Attachments: Certificate of Appropriateness Application, Aerial, and Building Depictions

Previous Discussions with Commission: None





The following are examples of structures within the area of influence





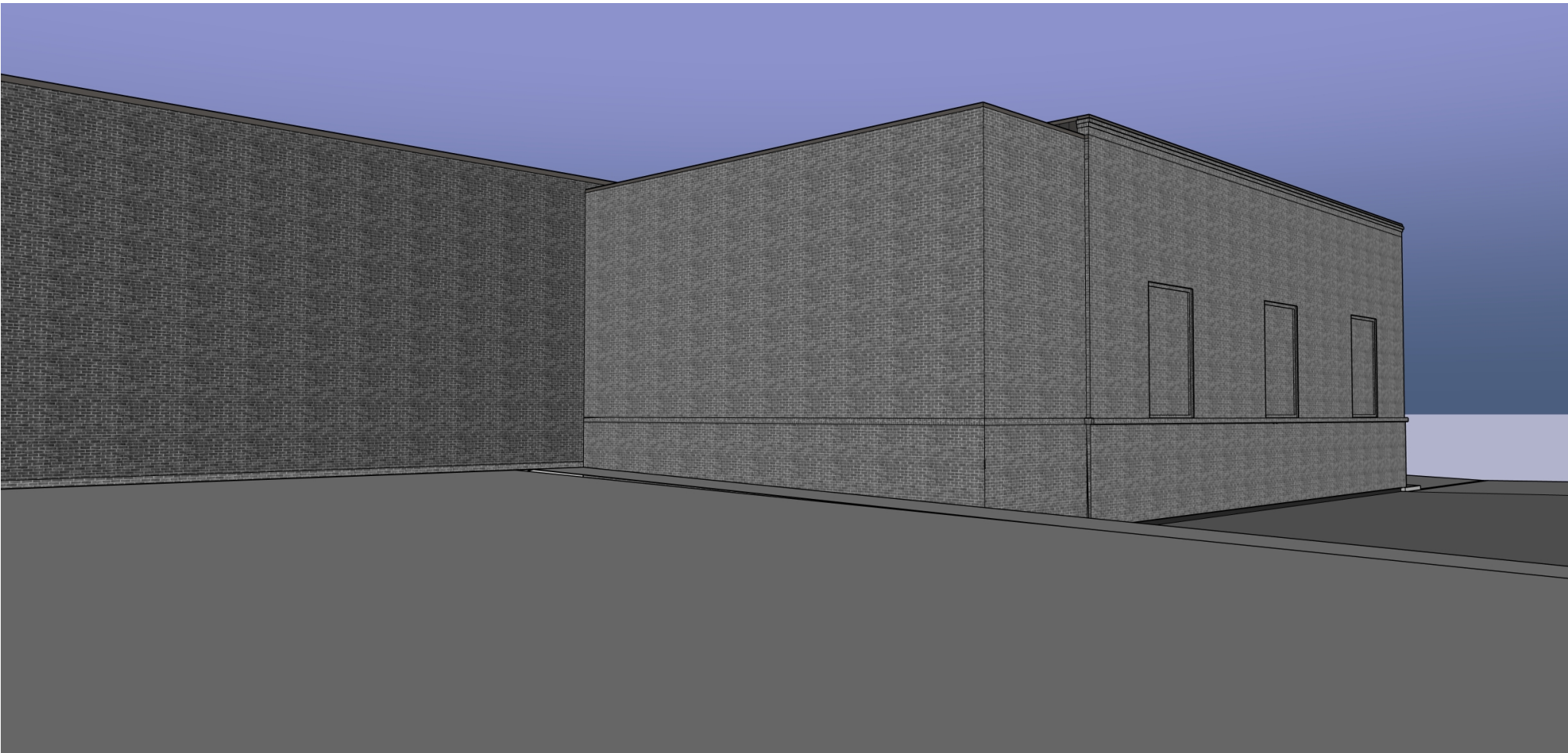


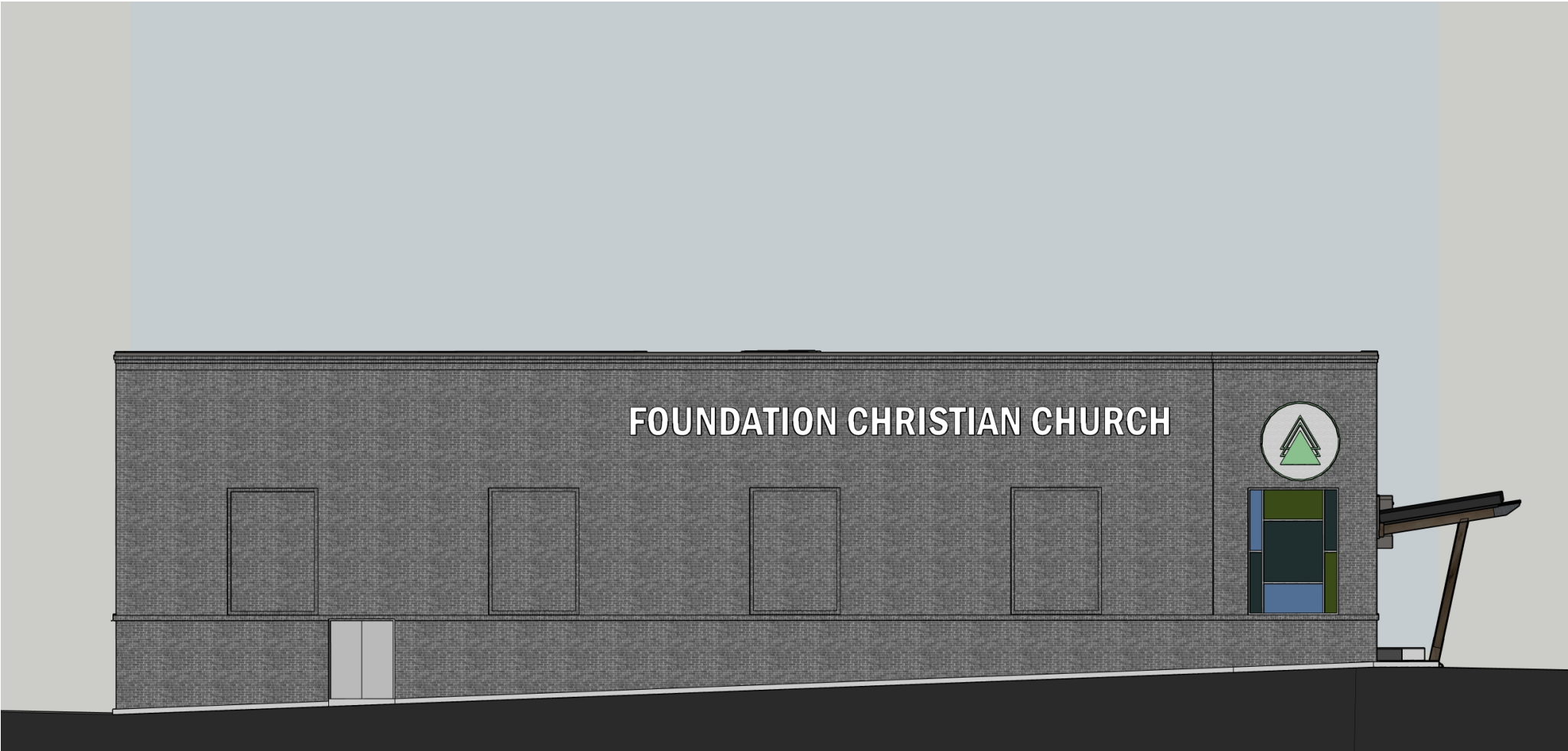




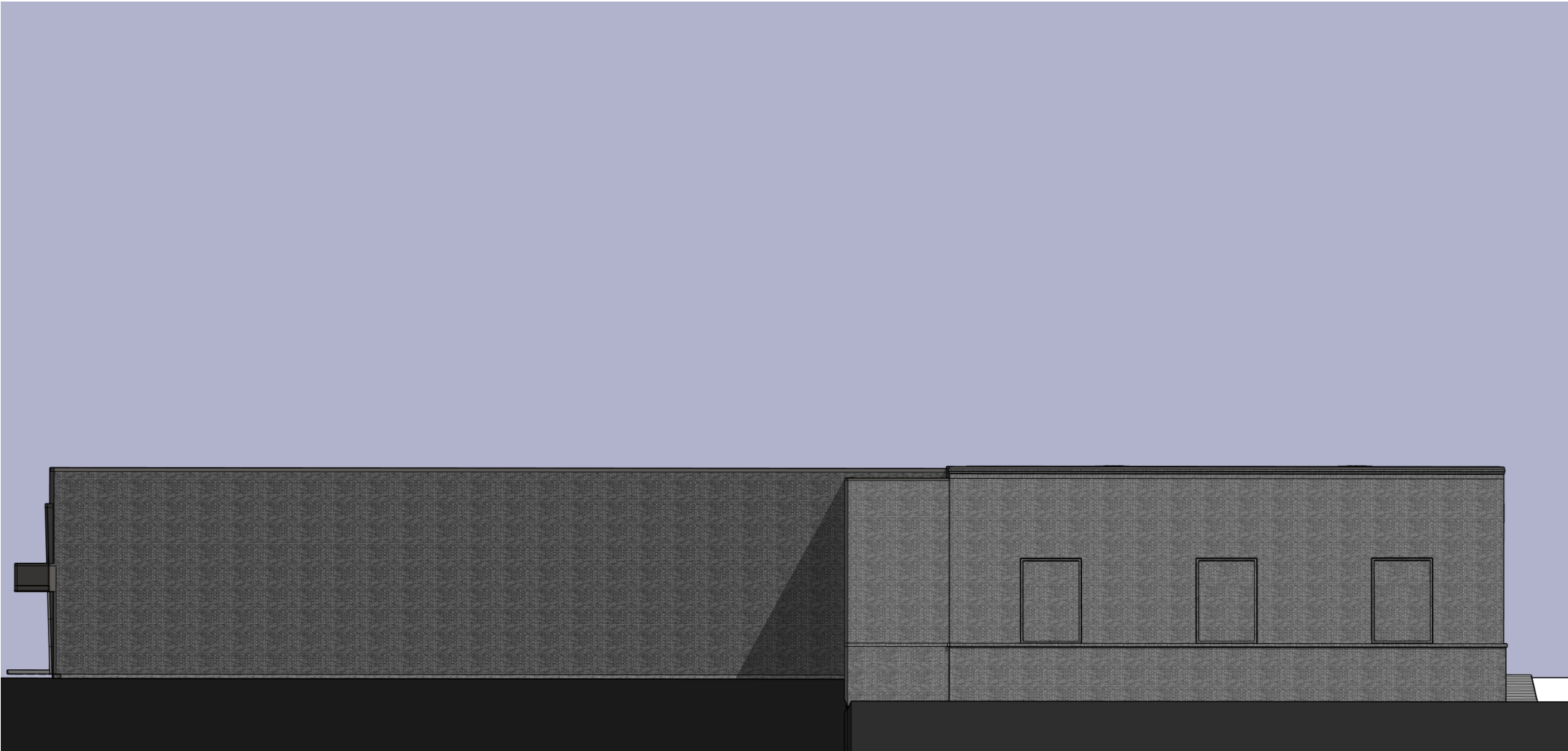


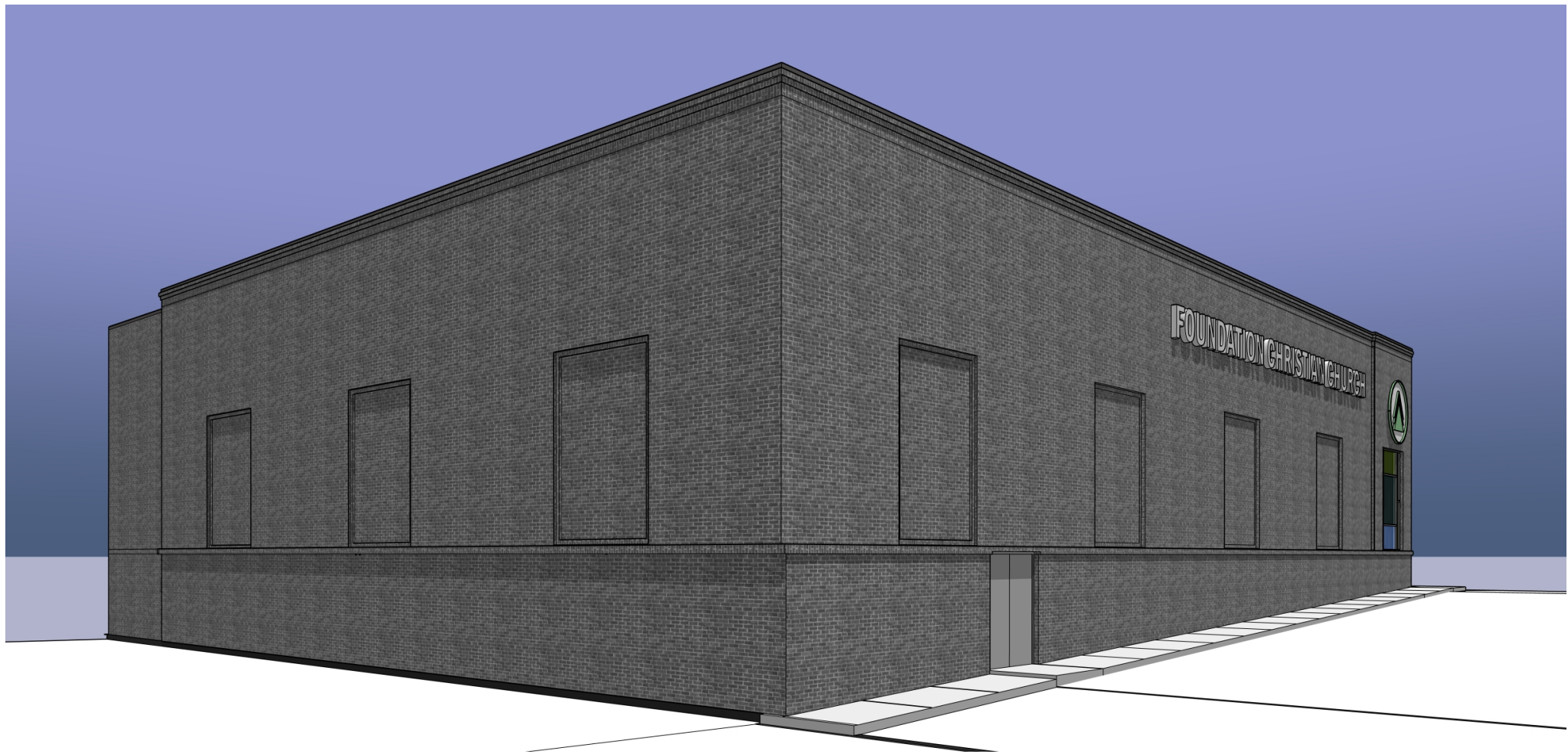


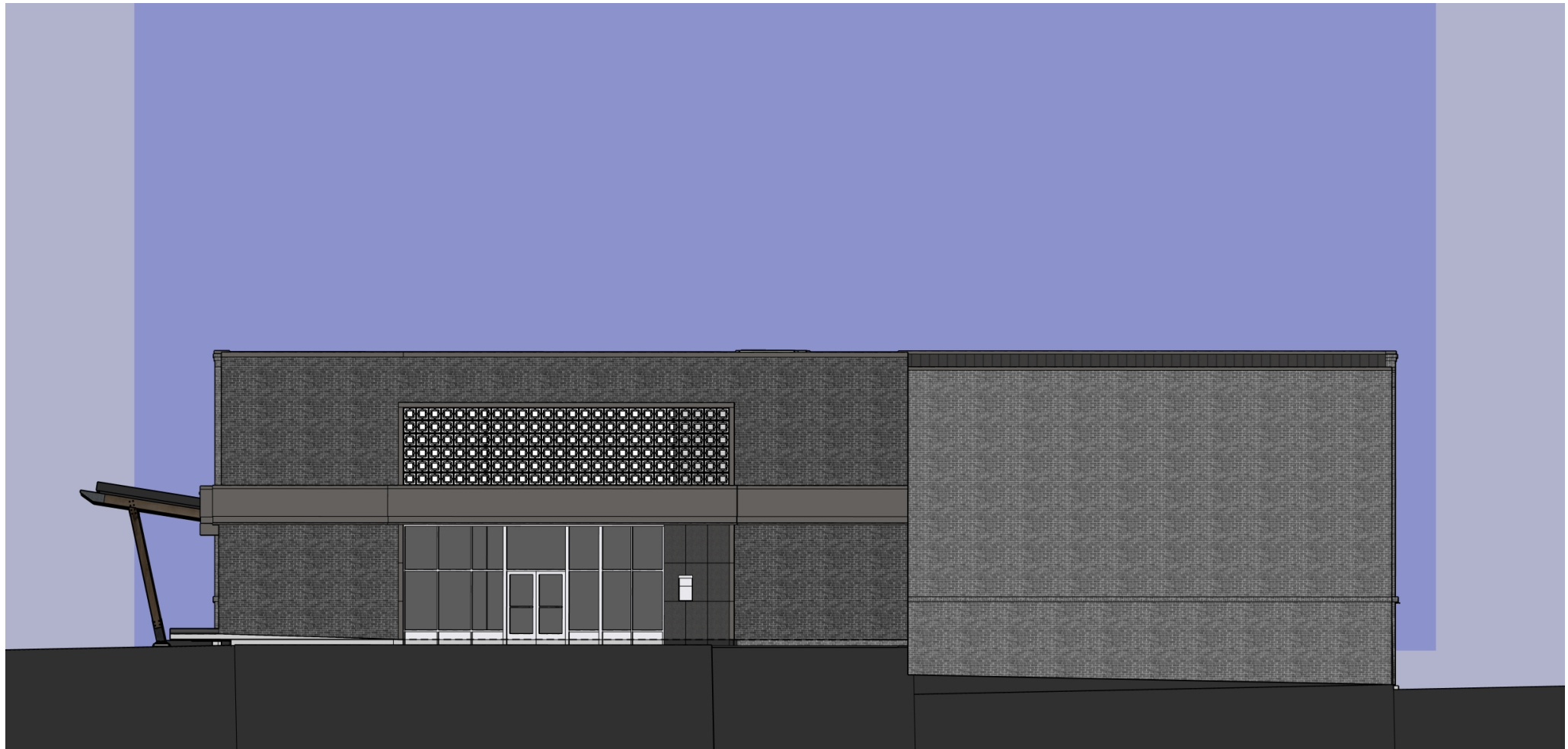














City of Newnan, Georgia - Memorandum

To: Planning Commission

From: Dean Smith, Senior Planner

Date: July 9, 2024

RE: Continuation of post-council retreat discussion items

Recap from the 6.11.24 meeting

Townhouse Developments: General consensus that townhome developments need more restrictions. One suggestion was to require that for a townhouse development, a minimum of 40% of the proposed site would need to be set aside as green space (Lagrange implements this policy), public streets, fee-simple development only (land plus townhome). General consensus to require townhome developments to be processed under the special exception public hearing format.

Potential CUN zoning designations: Included is a map of undeveloped commercial properties. Examined a map of potential areas where the CUN zoning designation may be more appropriate. Commission decided to remove the area in front of Bullsboro Crossing from consideration and add an area identified as 51 and 61 Robinson Street, currently zoned Heavy Industrial, but is adjacent to existing CUN zoning and residential (RU-I) zoning districts.

Build To Rent Communities: The Commission asked about the Alpharetta ordinance

Alpharetta has restricted most of its residential zones to "For Sale" development since 2014. The Commission was interested in learning how this has worked for them and if they have encountered any challenges to their ordinance. The director for community development in Alpharetta informed us on June 14, 2024, that they have not encountered any challenges or issues to their For-rent/For-sale residential designations since they adopted them.

At this point, staff would like to ask the Commission for direction on how they would like to proceed with the discussions we've been having on various topics. Specifically, the following:

1. Use Table – remove the 1,000-foot restriction for child day care uses
2. Vape Shops – no immediate need for action by the city at this time. Consensus to wait to see how pending state legislation will impact this industry.
3. New Car Dealerships – Consensus is to change ordinance for car dealerships and to require car dealerships, rv dealerships, boat dealerships and motorcycle dealerships to be allowed to come in under the special exception public hearing format.
4. Extended Stay Hotels – Consensus to amend the ordinance, distinguish between extended stay hotels and other hotels, develop restrictions, limit extended stay hotels to certain zoning districts and allowed via the special exception public hearing format.

5. CUN zoning designations – move forward with looking into making changes as reflected on the attached map (updated June 12, 2024)
6. Build To Rent Communities – Consensus to changing ordinance to create “For Sale” residential districts, i.e., Alpharetta ordinance as an example-?

If this is in keeping with the Commissioners’ directives, we will need a motion from the Commission to move forward and present to City Council.