Coweta County Board of Commissioners

Public Hearing/Regular Session

22 E Broad Street
Newnan, GA 30263
www.coweta.ga.us

Shannon Zerangue
770.254.2601

Tuesday, September 21, 2021 | **6:00 PM** | **Commission Chambers**

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

Attendee Name	Title	Status	Arrived
Bob Blackburn	District 3 - Chairman	Present	
Tim Lassetter	District 2 - Vice Chairman	Present	
Paul Poole	District 1	Present	
John Reidelbach	District 4	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Kelly Mickle	Assistant Administrator	Present	
Eddie Whitlock	Associate Administrator	Absent	
Nathan Lee	Assistant County Attorney	Present	
Fran Collins	Deputy County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on September 21, 2021.

Meeting Called to Order

Chairman Blackburn called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Chairman Blackburn led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

Chairman Blackburn indicated that the rules governing the meeting could be found on the County's website as well as on the table located just outside the door.

REGULAR SESSION

AWARDS AND PRESENTATIONS

1. 12516 Request Acceptance of Proposal to Renew 2021-2022 Liability and Property Insurance

Mr. Kenneth Grace with J. Smith Lanier presented renewal information on insurance coverage for the 2021-2022 term. He explained that the total insurance expended last year was just under $1.2 million and without any changes the total renewal cost for this year will be $1.5 million. The recommended renewal options include the following changes:

- An increase in the Auto Liability deductible from $25,000 to $50,000 and an increase in the Physical Damage deductible from $2,000 to $25,000. The cost reduction would be $207,000.

- An increase in the General Liability deductible from $25,000 to $50,000. The cost reduction for the higher deductible option is $33,000.
- Hanover Insurance Company is replacing Berkley Fire and Marine on the Inland Marine line of coverage. The cost reduction is $3,736.
- QBE Insurance Company is replacing Kinsale Insurance Company on the Law Enforcement Liability insurance with a cost savings of $84,118.

He further explained that the recommended renewal options for Fiscal Year 2022 total $1.2 million. The final cost of damages from the tornado has yet to be determined and currently totals more than $2 million. In closing, he explained that over the past 2-3 years the County has grown and continues to grow and should consider moving to a more self-insured insurance general liability program.

In response to questions from Commissioner Smith, Mr. Grace explained that there were nineteen (19) automobile claims so far in 2021. If an accident is the County's fault, the out-of-pocket deductible will increase from $25,000 to $50,000, and auto insurance is the biggest change in cost and has the greatest volatility.

In response to questions from Commissioner Smith, Administrator Fouts explained that staff conducts quarterly reviews with Mr. Grace, Risk and Safety Manager Tom Corker along with Assistant Attorney Lee. He also explained that a new employee Risk and Safety Committee has been established this year to assist in the oversight of risk, including training and development of policies.

The Board voted to follow the recommendation of staff and J. Smith Lanier to renew the liability and property insurance coverage for Fiscal Year 2022 as presented by J. Smith Lanier and Company Insurance.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	John Reidelbach, District 4
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

APPROVAL OF MINUTES

2. **Minutes of Thursday, September 09, 2021**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session meeting held on September 9, 2021.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

CONSENT AGENDA

3. 12528 Confirm Expansion of the COVID-19 Vaccine Incentive Program for Coweta County Citizens

The Board voted to confirm expansion of the COVID Vaccine Incentive Program implemented on September 9, 2021 for Coweta County citizens to fund an additional $200,000 through the American Recovery Plan Act (ARPA).

RESULT:	**CONFIRMED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

SUPPLEMENTAL AND NON-AGENDA ITEMS

Supplemental and/or Non-Agenda Items

There were no Supplemental or Non-Agenda items to be added to the agenda for discussion.

PUBLIC HEARING (The Chairman will Call for Any Comments Regarding the Following Items After Each Item is Presented)

4. Motion To: **Public Hearing Regarding a New Package Beer and Wine License filed by Akbar Sharif in Operation of CBS (Raz Services, Inc.) Located at 550 Smokey Road, Newnan**

Assistant Community Development Director Angela White presented an application for a new package beer and wine license filed by Akbar Sharif in operation of CBS (Raz Services, Inc.) located at 550 Smokey Road, Newnan. She explained that the application has been reviewed and found to be in order and that the Business Tax Department obtained the required background check/fingerprint report, which revealed that Mr. Sharif meets the requirements set forth in the *Alcohol Ordinance* to be license representative. She asked the Board to consider the application in accordance with *Chapter 6* of the *Coweta County Code of Ordinances.*

The applicant was present to field any questions from the Board but declined to speak.

Chairman Blackburn called for any comments in support of or in opposition to the proposed alcohol license. There were none.

The Board voted to close the Public Hearing regarding a new package beer and wine license filed by Akbar Sharif, license representative, in operation of CBS (Raz Services, Inc.) located at 550 Smokey Road, Newnan.

RESULT:	**PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

12482 Public Hearing Regarding a New Package Beer and Wine License Filed by Akbar Sharif in Operation of CBS (Raz Services Inc.) Located at 550 Smokey Road, Newnan - 2nd District

The Board voted to grant a new package beer and wine license to Akbar Sharif, license representative, in operation of CBS (Raz Services Inc.) located at 550 Smokey Road, Newnan.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

5. **10422 Public Hearing Regarding Petition # 016-21 Filed by ForCAST Real Estate Development Requesting to Rezone Property Located at 4957 SR 34 East, Sharpsburg**

Assistant Community Development Director White presented Petition # 016-21 filed by ForCAST Real Estate Development requesting to rezone property located at 4957 SR 34 East, Sharpsburg (Parcel # 145-6133-016A) from *RC (Rural Conservation)* with a Conditional Use Permit for a church to *C-7 (Commercial Major Shopping District)* with a Conditional Use Permit for a church. She explained that the subject property consists of 4.12± acres, is the current location of Peachtree City Seventh-Day Adventist Church, and the applicant is requesting to rezone the property for expansion of Fischer Marketplace located to the west. The Church has executed an agreement for the applicant to request the rezoning with a caveat that the Conditional Use Permit (CUP) remain intact to enable the church to stay onsite if it is unable to acquire other property for relocation. She explained that the original conceptual site plan shows a proposed 80,000 square feet retail warehouse, retail shopping in a proposed 9,750 square feet building ("Shops B"), and parking. She reviewed the current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented twelve (12) conditions for consideration by the Board should they chose to approve the request. Lastly, she explained that a revised conceptual site plan was received from the applicant on September 21, 2021, highlighted changes to the plan, and explained that staff has not had the opportunity to fully review it.

In response to questions from the Board, Ms. White explained that the applicant is not requesting to withdraw the application just to change the conceptual site plan. Further, staff has not had the opportunity to fully review the revised conceptual site plan; therefore, development review comments have not been received to compare to the fourteen (14) factors reviewed during the rezoning process. If the Board would like to hear staff's comments/opinions regarding the new site plan, they may wish to continue the Public Hearing.

In response to a question from Chairman Blackburn, Administrator Fouts explained that tonight's Public Hearing was advertised. He recommended that the Board proceed with public comments, then vote to continue the Public Hearing to a later date if they choose.

In response to a statement from Commissioner Smith, Assistant Attorney Lee explained that should the Board choose to approve the rezoning request the application will not come back to the Board for discussion.

Ms. White explained that should the Board approve the rezoning request, the conditions of the rezoning will not change when the applicant submits the final site plan for development review; however, the Board can choose to make the conceptual site plan a condition of the rezoning.

Commissioner Poole explained that he is not opposed to the rezoning, but the applicant has not given staff adequate time to properly review the revised site plan.

Commissioner Lassetter explained that since the Public Hearing was advertised, the public and the applicant should be given the opportunity to comment, and then the Board can decide whether to close or continue the Public Hearing.

Mr. Matt Boone, applicant, explained that the project is fluid, that numerous prospective tenants have been involved, that this plan is still in the review stage by two (2) anchor tenants, and that nothing has changed regarding the intent of the application. He apologized for late submission but believes this is a better site plan regarding timing for the tenants, traffic flow, improvements, and the development timeline.

Chairman Blackburn called for comments in support of or in opposition to the proposed rezoning. There were none.

Attorney Lee explained that if the Board wishes to give staff an opportunity to review the revised conceptual site plan, the appropriate motion would be to continue the Public Hearing until the October 5, 2021 meeting.

The Board voted to continue the Public Hearing regarding Petition # 016-21 filed by ForCAST Real Estate Development requesting to rezone property located at 4957 SR 34 East, Sharpsburg (Parcel # 145-6133-016A) until October 5, 2021 at 6:00 p.m.

RESULT:	**CONTINUED [UNANIMOUS]**	**Next: 10/5/2021 6:00 PM**
MOVER:	Paul Poole, District 1	
SECONDER:	Al Smith, District 5	
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith	

6. Motion To: **Public Hearing Regarding Petition # 017-21 Filed by JHP Family Investments, LLLP Requesting to Rezone Property Located Between SR 34E and Garden Walk, Newnan**

Assistant Community Development Director White presented Petition # 017-21 filed by JHP Family Investments, LLLP requesting to rezone property located between SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) from *C-6 (Minor Commercial Shopping District)* to *RRCC (Residential Retirement Community & Care District).* She explained that the subject property is undeveloped and consists of 11.71± acres. The developer, Lawson Senior Housing, is proposing a 138-unit senior living community called “Newnan Senior Living”. In addition to the rezoning, the applicant is requesting a Conditional Use Permit (CUP) under Petition # ZA 035-21, and a height variance under Petition # ZA 034-21. If approved, a 1-story memory care unit will contain thirty-two (32) unit/beds, along with a 3-story building consisting of twenty-seven (27) units for independent care, and seventy-nine (79) units with eighty-eight (88) beds for assisted living. Amenities associated with the development include a community center, walking trails and gardens. The developer has contacted surrounding facilities that offer tennis and golf with transportation provided by the community to those off-site amenities as well. In closing, she reviewed the current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented ten (10) conditions for consideration by the Board should they choose to approve the request.

In response to a question from Commissioner Poole, Ms. White explained that a transmission line is located to the west of the site.

Mr. Joseph Powell, applicant representative, explained that the developer, Lawson Group, is based out of Sarasota, Florida and has 10-12 similar types of developments across the Southeast. He further explained that approximately six (6) years ago his family sold 10± acres for a car lot and 16± acres for a senior living community (Wysteria Gardens). Currently, another 56± acres are under contract for a residential development consisting of 350-400 units. He is requesting to rezone the 11.71± acres for an active senior living development.

Mr. Fernando Ramirez, architect, explained that the maximum allowable height for the *RRCC* zoning district is 34-feet, 11-inches inches and the associated request to increase the building height (Petition # ZA 034-21) is for a gable roofline not a fourth floor. In closing, he explained that wood trusses with fire protection in concealed spaces will be utilized for roof construction.

Administrator Fouts confirmed that the County's current ordinances associated with the *Residential Retirement Community & Care District* require non-combustible building materials.

Chairman Blackburn called for any comments in support of or in opposition to the proposed rezoning. There were none.

The Board voted to close the Public Hearing regarding Petition # 017-21 filed by JHP Family Investments, LLLP requesting to rezone property located between SR 34 E and Garden Walk, Newnan (Parcel # 109-5081-005A).

RESULT:	**PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

10411 Public Hearing Regarding Petition # 017-21 Filed by JHP Family Investments, LLLP Requesting to Rezone Property Located Between SR 34E and Garden Walk, Newnan

The Board voted to rezone 11.71± acres located between SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) from *C-6 (Minor Commercial Shopping District)* to *RRCC (Residential Retirement Community & Care District)* as requested in Petition # 017-21 filed by JHP Family Investments, LLLP, subject to the following conditions:

1. The applicant shall meet all requirements of *Article 9A RRCC* (*Residential Retirement Community & Care District*) unless a variance is granted through the normal variance procedure.
2. The Deed Restriction and Homeowner's Association Requirements as stated in *Sections 96A* and *97A* must be submitted and approved by the County Attorney.
3. The applicant shall comply with all requirements of Coweta County's *Stormwater Management*, *Soil Erosion and Sedimentation Control*, and *Wetlands Protection Ordinances*.
4. All applicable requirements of the Fire, Environmental Management, and Building Departments shall be met.
5. The applicant shall install a 6-feet opaque, decorative privacy fence along the eastern property line within the 50-feet buffer. The decorative fence shall be constructed with either composite wood or vinyl and the final material and design must be approved by the Development Review Committee.
6. The applicant shall obtain all necessary permits from the Georgia Department of Transportation (GDOT) for all required improvements within the GDOT right-of-way.
7. The applicant should design the proposed access to have a decel lane off SR 34.
8. All internal streets and drives shall be privately owned and maintained.
9. The existing secondary emergency ingress/egress drive shall be maintained from the Wisteria Gardens development.
10. The development shall meet the Quality Development Corridor District requirements unless a variance is granted through the normal procedures.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

Chairman Blackburn called for comments regarding any items on the agenda.

Mr. Scott Gulledge, Hwy. 54, Sharpsburg, expressed his support for Petition # ZA 032-21 (agenda item #12) filed by Autosmith (Nextcar) requesting to eliminate a landscape island on property located at 8867 Hwy 54, Sharpsburg. He explained that the required landscape island at the northwest corner impedes safety within the site for pedestrian, vehicle traffic and commercial deliveries and requests to eliminate it.

Mr. Justin Gibson, Meadow Way, Sharpsburg, expressed his support for Petition # ZA 032-21 (agenda item # 12) filed by Autosmith (Nexcar) requesting to eliminate a landscape island on property located at 8867 Hwy 54, Sharpsburg. He explained that he owns the property and buildings located at 8861 Hwy 54 (Heirloom Market Company) and 8867 Hwy 54 (Autosmith) which share an ingress/egress driveway. At certain times of the day, there is heavy traffic at the location because of business and a nearby school day. He also explained that there are alternatives to the required concrete barrier such as eliminating six (6) parking spaces at the front or moving them 5-feet into the GDOT right-of-way.

Recommendations from Community Development and/or the Board of Zoning Appeals

7. **10410 Recommend Approval of Petition # ZA 035-21 Filed by JHP Family Investments, LLLP Requesting a Conditional Use Permit for Property Located at SR 34 East/Garden Walk, Newnan**

Assistant Community Development Director White presented Petition # ZA 035-21 filed by JHP Family Investments, LLLP requesting a Conditional Use Permit (CUP) for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is requesting a CUP for a proposed seventy-nine (79) unit assisted living facility located within a 3-story structure, and a thirty-two (32) unit memory care facility located within a 1-story structure. In closing, she highlighted the factors considered by staff during the application process and presented eleven (11) conditions for consideration by the Board should they choose to grant the Conditional Use Permit.

The Board voted to grant a Conditional Use Permit for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) as requested in Petition # ZA 035-21 filed by JHP Family Investments, LLLP, subject to the following conditions:

1. This facility will fall under the jurisdiction of the Georgia State Fire Marshal’s Office. Reference O.C.G.A. § 25-2-13.
2. There shall be a staff person on site 24 hours a day, 7 days a week at the facility to coordinate with emergency response personnel as to the number of people in the facility and the number of people assigned to each individual room. This person shall be responsible for the accountability of the occupants.
3. The development shall not exceed the seventy-nine (79) units in Assisted

Living and thirty-two (32) units in Memory Care as proffered in the application.

4. All applicable Environmental Health regulations shall be met.
5. Pedestrian circulation shall meet all applicable requirements set forth in *Section 94A*.
6. All applicable requirements of *Article 26 Quality Development Corridor District* shall be met.
7. A detailed architectural package shall be submitted based upon the proffered renderings. However, it shall meet all requirements of the Quality Development Corridor Ordinance, including landscaping, unless a variance is granted through the normal review process.
8. All applicable requirements of *Article 9A RRCC* shall be met including pedestrian circulation and deed restrictions.
9. All applicable requirements of the Georgia Department of Transportation (GDOT) shall be met.
10. All applicable parking requirements shall be met unless a variance is granted.
11. The owner/developer shall agree to work with the County, in good faith, to address any concerns such as noise, odor, glare, or other objectionable features.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

8. **10408 Recommend Approval of Petition # ZA 034-21 filed by JHP Family Investments, LLLP Requesting a Building Height Variance for Property Located at SR 34 East/Garden Walk, Newnan**

Assistant Community Development Director White presented Petition # ZA 034-21 filed by JHP Family Investments, LLLP requesting a building height variance for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant wishes to construct a 55-feet high independent and assisted living residential structure consisting of three (3) stories on property zoned *RRCC* (*Residential Retirement Community & Care District)*. The proposed site is located east of the Newnan Chrysler Car Dealership, north of SR 34, west of the Chatsworth Place subdivision and south of Wisteria Gardens, another *RRCC* (*Residential Retirement Community & Care District)* development. Although there is a provision for an administrative height variance, staff decided to present the 20-feet, 1-inch building height increase variance (from 34-feet, 11-inches to 55-feet) to the Board because the applicant also filed a rezoning application for a Conditional Use Permit. In closing, she highlighted the factors considered by staff during the application process and presented two (2) conditions for consideration by the Board should they choose to grant the variance request.

The Board voted to grant a 20-feet, 1-inch building height increase (from 34-feet, 11 inches to 55-feet) for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005) as requested in Petition # ZA 034-21 filed by JHP Family Investments, LLLP, subject to the following conditions:

1. The facility shall meet all applicable requirements of the State and County Fire Marshals.
2. The overall height of the building shall not exceed the 55-feet.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

9. **10405 Recommend Approval of Petition # ZA 030-21 Filed by Edward and Valerie Higginbotham Requesting a Conditional Use Permit for Lot 3 at McKoy Farms Lane, Newnan**

Zoning Coordinator Lisa Eschman presented Petition # ZA 030-21 filed by Edward and Valerie Higginbotham requesting a Conditional Use Permit (CUP) for Lot 3 located in McKoy Farms Subdivision, Newnan (Parcel # 025-4058-004) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 5.18± acres zoned *RC (Rural Conservation)*. The applicants are requesting to utilize a temporary camper (RV) as a residence for a period of twelve (12) months because they wish to remain on the site during construction of their new home. In closing, she highlighted the factors considered by staff during the application process and presented six (6) conditions for consideration by the Board should they chose to grant the Conditional Use Permit.

The Board voted to grant a Conditional Use Permit for Lot 3 located in McKoy Farms Subdivision, Newnan (Parcel # 025-4058-004) as requested in Petition # ZA 030-21 filed by Higginbotham, subject to the following conditions:

1. The use of the recreational vehicle (RV) as a temporary basis shall be permitted for a maximum period of twelve (12) months, beginning September 10, 2021 and ending September 11, 2022 or thirty (30) days after the Certificate of Occupancy is granted, whichever is less; at which time the recreational vehicle (RV) shall no longer be used as the residence.
2. No more than one (1) recreational vehicle (RV) shall be parked on the site.
3. The recreational vehicle (RV) shall be parked at least 10-feet away from the primary residential structure.
4. The recreational vehicle (RV) shall have a working smoke and carbon monoxide detector.
5. The recreational vehicle (RV) shall have a working multipurpose dry chemical fire extinguisher.
6. The applicant shall meet all applicable requirements of the Environmental Health Department.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

10. **10406 Recommend Approval of Petition # ZA 031-21 Filed by Ben and Lori Ragan Requesting a Buffer Variance for Property Located at Pine Road/Future Bypass/Railroad, Newnan**

Zoning Coordinator Eschman presented Petition # ZA 031-21 filed by Ben and Lori Ragan requesting a buffer variance for property located along Pine Road and Hwy. 29 South, Newnan (Parcel # 076-2072-002) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property is a vacant tract consisting of 18.22± acres zoned *M* (*Industrial*) adjoining the Seaboard Coastline Railroad property which is zoned *RC* (*Rural Conservation*). A 100-feet buffer is required between the *RC (Rural Conservation)* and *M (Industrial)* zoning districts. The applicant currently has the property for sale and is requesting to eliminate the required 100-feet buffer along the boundary adjoining the railroad property (western/rear) to provide more buildable area for a potential buyer. The conceptual site plan indicates two (2) warehouse buildings with access frontage along Pine Road and the proposed Newnan Bypass Extension, a retail office building with access off the proposed Newnan Bypass Extension, and eight (8) mini-warehouse storage buildings with an access drive along Hwy 29. In closing, she reviewed the current zoning of properties in the surrounding area, highlighted the factors considered by staff during the application process and presented three (3) conditions for consideration by the Board should they chose to grant the variance request.

The Board voted to grant a 100-feet buffer reduction (from 100-feet to 0-feet) along the western property line of property located on the Bypass/Pine Road, Newnan (Parcel # 076-2072-002) as requested in Petition # ZA 031-21 filed by Ben and Lori Ragan, subject to the following conditions:

1. The proposed access point along the south side of the Newnan Bypass Extension should be shifted to the west to align with Pine Road.
2. The applicant shall obtain a permit from the Georgia Department of Transportation (GDOT) for the proposed access point to/from US 29 and shall construct any improvements deemed necessary by GDOT to serve this access point.
3. The applicant shall negotiate in good faith regarding right-of-way with Coweta County for the Bypass extension.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

11. **10409 Recommend Approval of Petition # ZA 033-21 Filed by NYCO America Requesting Building Height, Distance Between Structures, and Front Yard Setback Variances for Property Located at 87 Amlajack Way, Newnan**

Assistant Community Development Director White presented Petition # ZA 033-21 filed by NYCO America requesting building height, distance between structures, and front yard setback variances for property located at 87 Amlajack Way, Newnan (Parcels # 097-5109-038 and # 097-5109-039) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property is in the Shenandoah Industrial Park, contains the company's headquarters and operations platform, and consists of a 16,000 square feet warehouse and an additional 3,600 square feet office area. The applicant wishes to expand the footprint southward on the property for a chemical plant to produce aviation lubricants for jet engines. To accommodate two (2) new buildings and twenty-six (26) tanks, the applicant is requesting to increase the building height from 34-feet, 11-inches to 75-feet, to reduce the distance between structures from 10-feet to 6-feet, and to reduce the front yard setback from 75-feet to 30-feet. In closing, she highlighted the factors considered by staff during the application process and presented three (3) conditions for consideration by the Board.

The Board voted to grant a 40-feet, 1-inch building height increase (from 34-feet, 11-inches to 75-feet), to grant a 4-feet distance between structures reduction (from 10-feet to 6-feet), and to grant a 45-feet front yard setback reduction (from 75-feet to 30-feet) for property located at 87 Amlajack Way, Newnan (Parcels # 097-5109-038 and # 097-5109-039) as requested in Petition # ZA 033-21 filed by NYCO America, subject to the following conditions:

1. All applicable requirements of the International Building Code shall be implemented in design and construction.
2. All applicable requirements of the International Fire Code shall be implemented in design and construction.
3. The parcels shall be combined into one parcel with the existing parcel.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3 - Chairman
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

12. **10407 Recommend Approval of Petition # ZA 032-21 Filed by Autosmith (Nextcar) Requesting a Landscape Island Variance for Property Located at 8867 Hwy 54, Sharpsburg**

Administrator Fouts suggested that some discussion be held regarding the variance requested in Petition # ZA 032-21 because the Board of Zoning Appeals (BOZA) did not recommend that the landscape island in question be eliminated/removed. Instead, they recommended that it be reconfigured. Therefore, elimination of the landscape island in the northwest corner of the site is not congruent with the recommendation from BOZA or the conditions that they proffered.

Zoning Coordinator Eschman presented Petition # ZA 032-21 filed by Autosmith (Nextcar) requesting a landscape island variance for property located at 8867 Hwy 54, Sharpsburg (Parcel # 146-6154-001) along with a recommendation from the Board of Zoning Appeals that the island be reconfigured (not eliminated) to incorporate roll back curb with a paved nose and landscaping. She explained that the conditions associated with the rezoning (previous Petition # 010-19) and variances (previous Petition # ZA 026-19) for the property required the applicant to maintain two (2) existing landscape islands along the roadway and in front of the building and to install an additional landscape island at the northwest corner of the site. According to the applicant, the additional landscape island at the northwest corner impedes the safety within the site for pedestrians, vehicles, and commercial deliveries; therefore, a request is being made to eliminate this required landscape island.

Commissioner Smith requested that Public Works Director Tod Handley visit the site to determine whether anything can be done with the landscape islands to improve safety on the property.

Public Works Director Handley explained that he does not have any objections to elimination of the landscape island but does not believe that this will address obstructed vehicular flow. He suggested that removal of one (1) parking space at the northwest corner of the subject building may mitigate the issue with traffic being "pinched" in that area.

Mr. Justin Gibson, Hwy. 54, Sharpsburg, explained that the parking spot in question is not located on the subject property. Further, when there is no vehicle parked in the space in question, multiple cars have hit an existing retaining wall that is difficult to see. This does not happen when a vehicle is parked in the spot, therefore, he objects to removal of the parking space.

In response to the request from Commissioner Smith, Mr. Handley explained that he will be happy to go out to the subject property to look at the issue.

Mr. Gibson fielded questions from Commissioner Smith regarding the site, the existing landscape island, and vehicular flow. He also requested issuance of a Certificate of Occupancy while Mr. Handley reviews the site.

Commissioner Reidelbach asked if the applicant can be allowed to open his business without any further delay while the review is being conducted.

Assistant Community Development Director White explained that a Temporary Certificate of Occupancy (TCO) can be issued with the understanding that Mr. Handley will visit the site, evaluate it for safety, and make final recommendations to the applicant. Mr. Handley will then notify staff that a final Certificate of Occupancy can be issued, and the variance would not need to come back to the Board for further action.

Following a lengthy discussion regarding the applicant's request versus the recommendation from the Board of Zoning Appeals, the Board voted to grant a variance eliminating the required landscape island on the northwest corner of property located at 8867 Hwy 54, Sharpsburg (Parcel # 146-6154-001) as requested in Petition # ZA 032-21 filed by Autosmith (Nextcar), subject to the following conditions:

1. Issuance of a Temporary Certificate of Occupancy (TCO).
2. All requirements of the County Engineer regarding interior access on the subject property shall be satisfied before a Certificate of Occupancy is issued.

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

13. 11481 Request Approval/Execution of Resolution to Adopt the Comprehensive Plan 2021-2041

***Commissioner Smith exited the meeting.*

County Planner Jenny Runions explained that the Board conducted Public Hearings regarding the update to the *Coweta County Comprehensive Plan* on February 9, 2021 and August 10, 2021. At the August 10, 2021 meeting, the Board voted to continue the Public Hearing until August 24, 2021. Following the close of the final

Public Hearing on August 24, 2021, the Board voted to transmit the revised *Coweta County Comprehensive Plan 2021-2041* to the Three Rivers Regional Commission (TRRC) for regional review. On September 16, 2021, the Coweta County Community Development Department received notice from Three Rivers and the Georgia Department of Community Affairs (DCA) that the *Coweta County Comprehensive Plan 2021-2041* adequately addresses the *Minimum Standards and Procedures for Local Comprehensive Planning* and can be adopted by the Board of Commissioners.

The Board voted to execute a resolution to adopt the revised *Coweta County Comprehensive Plan 2021-2041.*

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

14. **12494 Request to Set a Public Hearing on October 19, 2021 Regarding Petition # 019-21 Filed by Angler Investments, LLC Requesting to Rezone Property Located at 3174 Hwy 16 E, Sharpsburg**

The Board voted to set a Public Hearing on October 19, 2021 at 6:00 p.m. regarding Petition # 019-21 filed by Angler Investments, LLC requesting to rezone property located at 3174 Hwy 16 East, Sharpsburg (Parcel # 124-1049-008).

RESULT:	**PUBLIC HEARING SET [UNANIMOUS] Next: 10/19/2021 6:00 PM**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

15. **12501 Request to Set a Public Hearing on October 19, 2021 Regarding Petition # 020-21 Filed by Clayton Appliances Requesting to Rezone Property Located at the Northeast Corner of SR 154 and Willis Road, Sharpsburg**

The Board voted to set a Public Hearing on October 19, 2021 at 6:00 p.m. regarding Petition # 020-21 filed by Clayton Appliances requesting to rezone property located at the northeast corner of SR 154 and Willis Road, Sharpsburg (Parcel # 135-1086-039).

RESULT:	**PUBLIC HEARING SET [UNANIMOUS] Next: 10/19/2021 6:00 PM**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

UNFINISHED BUSINESS

16. 12523 Request Appointments to Various Boards/Authorities

No action was taken regarding appointments to various boards/authorities.

RESULT:	**NO ACTION TAKEN**

NEW BUSINESS

Bids and Contracts

17. 12533 Request Approval/Execution of Supplemental Agreement # 3 with Tri Scapes, Inc Associated with the Chattahoochee Hill Country Regional Greenway Trail Project (GEN15.13) - 2nd District

The Board voted to execute Supplemental Agreement # 3 with Tri Scapes, Inc associated with a twenty (20) day time extension for the Chattahoochee Regional Greenway Trail project (GEN15.13).

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

18. 12534 Request Approval/Execution of Supplemental Amendment # 2 with Piedmont Paving Associated with the Shaw and Pete Road Roundabout Project (RB19.20) - 4th District

The Board voted to execute Supplemental Amendment # 2 with Piedmont Paving in the amount of $20,584.63 for additional work and a twenty-one (21) day time extension for the Shaw and Pete Road Roundabout project (RB19.20).

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

19. 12504 Request Approval/Execution of an Amendment to the FY 2022 Superior Court Public Defender's Indigent Defense Contract

The Board voted to execute an amendment to the Public Defender's Fiscal Year 2022 Indigent Defense Services Agreement in the amount of $50,000 associated with salary adjustments for the Superior Court Public Defender's office.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

20. 12525 Request Approval/Execution of an Agreement with MED ED Associated with EMT Clinical Experience

The Board voted to execute an agreement with MED ED associated with EMT clinical experience.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

21. 12520 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 50 Warner Road, Newnan - 3rd District

The Board voted to retain R & S Landscaping to perform cleanup of property located at 50 Warner Road, Newnan (Parcel # 073-5104-040) at a total cost of $200.00 and to place a lien on the property, should it become necessary, to recoup associated costs for said services.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3 - Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

Additional Action Items

22. 10393 Decision Regarding the Proposed FY 2022 Budget

Administrator Fouts explained that the Board conducted a Public Hearing regarding the proposed Fiscal Year 2022 budget on September 9, 2021. Since the Public Hearing, approximately $400,000 in adjustments (increase) have been made. He expressed appreciation to the budget team led by Assistant Finance Director Amy Henson and to staff for their hard work. In conclusion, he explained that staff is proposing a final budget of $131.8 million countywide for Fiscal Year 2022.

The Board voted to execute a resolution to adopt the proposed Fiscal Year 2022 budget as presented by staff.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

23. 12521 Request Approval/Execution of a Local Maintenance Improvement Grant Application for 2022 - 1st, 2nd, 3rd, 4th and 5th Districts

The Board voted to execute the 2022 Local Maintenance and Improvement Grant (LMIG) application for submission to the Georgia Department of Transportation (GDOT) for funding that will be utilized toward maintenance and resurfacing of various County roadways.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

24. 12527 Request Approval/Execution of a Traffic Signal Application for the Intersection of SR 34 with Fischer Crossing Driveways - 1st and 4th Districts

The Board voted to execute a Traffic Signal Application for submission to the Georgia Department of Transportation for the southwest quadrant of the Fischer Crossings development on SR 34.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

25. 12517 Request Approval to Utilize County Rights-of-Way and Property for the Annual "Lewis Grizzard Memorial Bike Ride"

The Board voted to approve a request from the Coweta Ferst Foundation to utilize various County rights-of-way and property for the annual “Lewis Grizzard Memorial Bike Ride” on Sunday, October 3, 2021.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

26. 12524 Request to Schedule a Work Session on September 28, 2021

Administrator Fouts explained that a Work Session is needed to discuss the American Rescue Plan Act (ARPA) funds the County is receiving and to obtain feedback from the Board and the public regarding proposed uses. He invited the public to attend, but explained that if they are not able to do so, a survey will be provided online for input.

The Board voted to schedule a Work Session on September 28, 2021 at 6:00 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1
SECONDER:	Tim Lassetter, District 2 - Vice Chairman
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

SUPPLEMENTAL/NON-AGENDA ITEMS

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

Chairman Blackburn called for comments regarding any items not on the agenda.

Assistant Community Development Director White provided a brief update on the Accela software project. She expressed appreciation for the support received by staff and the Board. She explained that the goal of the project is to provide a better way to serve citizens. Staff has worked in conjunction with Red Mark Technologies and E Permit Hub with the Accela based software and civic platform. The program went live on September 13th and allows citizens to do business with the Community Development office 24-hours a day, 7-days a week. After setting up an initial account, the program can be used to renew a business license, obtain a building permit, submit a rezoning application, submit plans, and file code enforcement complaints. In closing, she explained that each County department associated with the process can utilize the program.

EXECUTIVE SESSION - In accordance with O.C.G.A. 50-14-4

Motion To: **Enter Into Executive Session**

The Board voted to enter into Executive Session for the purposes of discussing real estate issues.

Members in attendance included Chairman Blackburn, Commissioner Poole, Commissioner Lassetter, and Commissioner Reidelbach. Staff members in attendance included Administrator Fouts, Assistant Administrator Mickle, Assistant Attorney Lee, and Deputy County Clerk Collins.

Public Works Director Tod Handley was also in attendance.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

REGULAR SESSION

Motion To: **Return to Regular Session**

The Board discussed real estate issues during Executive Session and voted to return to Regular Session.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

AFFIDAVIT

Motion To: **Execute Affidavit and Resolution for Executive**

The Board voted to execute an Affidavit and Resolution for Executive Session.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Bob Blackburn, Tim Lassetter, Paul Poole, John Reidelbach
ABSENT:	Al Smith