

CITY OF LAGRANGE, GEORGIA
REGULAR MEETING OF THE MAYOR AND COUNCIL

February 26, 2019

Present: Mayor Jim Thornton; Council Members Willie Edmondson, Nathan Gaskin, Tom Gore, LeGree McCamey, Jim Arrington and Mark Mitchell

Also Present: City Manager Meg Kelsey; City Clerk Sue Olson; City Attorney Jeff Todd; Communications Manager Katie Van Schoor; Senior Planner Leigh Threadgill; Assistant City Manager Teresa Taylor; Community Development Director Alton West

The meeting was called to order by Mayor Thornton, the invocation was given by Reverend L. W. Booker of St. James Baptist Church and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Gaskin, Council unanimously approved the minutes of the regular Council meeting held on February 12, 2019.

Debra Berger, State Director, The Humane Society of the United States, appeared before the Council to present the 2018 Humane Law Enforcement Award to Chris Bussey, Animal Services Supervisor. This award was presented to Mr. Bussey based on his dedication to animal protection, his enthusiasm for pursuing professional development for himself and others, and his willingness to assist other animal protection organizations. Mayor Thornton congratulated Mr. Bussey and thanked him for his service to the City and the community.

John Radcliffe, Assistant Superintendent, Maintenance and Operations for the Troup County Board of Education, presented to the Council a second request to permanently close Highland Avenue between North Greenwood Street and Marshall Street, to build an athletic facility at LaGrange High School. Mr. Radcliffe also presented another option that would leave Highland Avenue open for thru traffic. On a motion by Mr. Arrington seconded by Mr. Edmondson, Council voted unanimously to table the request to permanently close Highland Avenue but approved the temporary closure during the construction phase. The Board of Education can come back to the Council with their request to permanently close the road after this phase is completed.

On a motion by Mr. Gore seconded by Mr. McCamey, Council voted unanimously to deny a Notice of Claim for Damages filed on behalf of Alicia Rudd and referred it to the City's insurance company for handling.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted to approve a request from Dr. Anil Modi and other property owners to annex certain properties located on Whitesville Road into the city. Mark Mitchell abstained from voting and the vote passed 5 – 0.

On a motion by Mr. Mitchell seconded by Mr. McCamey, Council voted unanimously to approve a Memorandum of Understanding between the LaGrange Police Department/Hogansville Police Department/West Point Police Department/Troup County Marshal's Office/Troup County Sheriff's Office and the Georgia State Patrol pursuant to the Georgia Mutual Aid Act. A copy of the MOU is on file in the City Manager's Office.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve a Resolution Opposing HB 302 – Preemption of Local Building Standards. A copy of the Resolution is on file in the City Manager's Office.

On a motion by Mr. McCamey seconded by Mr. Gore, Council voted unanimously to authorize the Mayor and Clerk to donate property located at 603 Union Street for the Hamilton Road/U. S. 27 widening project.

On a motion by Mr. McCamey seconded by Mr. Edmondson, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED ADJACENT TO HAMILTON ROAD AND BRYANT LAKE BOULEVARD AND OWNED BY GREG ROGERS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY
ORDAIN AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of LaGrange be amended so as to re-classify as C-3 (general commercial district) the following described real estate, to wit:

All that tract or parcel of land lying and being in Land Lots 182 and 183 and 202 of the 6th Land District of Troup County, Georgia, containing 21.3 acres, more or less, and more particularly shown as Parcels A, B, C, D, E, F, G, H, I and J on the drawing entitled "Zoning Exhibit Long Cane Creek" prepared by INTEGRATED Science & Engineering, dated April 18, 2018, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein for the purpose of a more complete description.

SECTION 2:

Pursuant to the police power of the City of LaGrange, the Mayor and Council hereby impose and establish certain conditions as a requirement for the rezoning of the property referenced above in Section 1. The following conditions are imposed for the protection or benefit of neighboring landowners in order to ameliorate the effects of rezoning this property to C-3 and shall apply to any development to occur on said property, to wit:

- a) Freestanding signage shall be restricted to monument style. Materials for sign support and frame shall be masonry. The maximum height shall be 15 feet and the maximum area shall be 100 square feet for single-tenant parcels and 150 square feet for multi-tenant parcels;
- b) Box lighting shall be required for all parking lots;
- c) Wall cladding materials shall be brick, stone, stucco or siding. Vinyl or metal siding is prohibited;
- d) The rear of buildings not facing public areas may be stucco or lap siding;
- e) Roofing materials shall consist of architectural shingles, standing metal seam or awnings. Flat roofs are permitted;
- f) The following uses are specifically prohibited within the development:
 - i) Adult entertainment establishments;
 - ii) Sexually oriented businesses;
 - iii) Manufacturer;
 - iv) Compounding or processing of goods and articles;
 - v) Drive-in theater;
 - vi) Automobile paint and body repair shops;
 - vii) Any use identified in a G-I or H-I zone; and

- viii) Any agricultural use that includes the keeping or selling of animals except domestic animals such as dogs, cats and birds.
- g) All commercial or unlicensed vehicles shall be parked within a garage. Except in connection with construction activities, no boats, trailers, campers, buses, recreational vehicles, rigs, including grounds maintenance equipment may be parked or stored permanently or semi-permanently on any portion of the common open areas, any public or private street right-of-way or on any lot; and
- h) An eight-foot wide sidewalk shall be provided along one side of Bryant Lake Boulevard adjacent to the property rezoned herein.

SECTION 3:

Pursuant to the police power of the City of LaGrange, and as required by City Code Section 25-35-65(9) and (10), the Mayor and Council hereby impose and establish further conditions as a requirement for the rezoning as referenced above in Section 1, said conditions being more fully set forth on the site plan attached hereto as **Exhibit "B."** More specifically, the following information as set forth within the site plan are conditions as a requirement for the rezoning as referenced herein, to wit:

Boundaries of the subject property, all existing and proposed streets, including right-of-way and street pavement widths, buildings, water courses, parking and loading areas, building setbacks, buffers, landscape strips, green space areas to be retained, and other physical characteristics of the property and proposed development as shown on said exhibit. Also, private access roads constructed to serve the commercial component of the development, as shown on the site plan, shall be made available for public use.

SECTION 4:

That the zoning map and ordinances of the City of LaGrange be amended so as to re-classify as R-3 (residential district) the following described real estate, to wit:

All that tract or parcel of land lying and being in Land Lot 183 of the 6th Land District of Troup County, Georgia, containing 38.96 acres, more or less, and more particularly shown as Parcels L and M on the drawing entitled "Zoning Exhibit Long Cane Creek" prepared by INTEGRATED Science & Engineering, dated April 18, 2018, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein for the purpose of a more complete description.

SECTION 5:

Pursuant to the police power of the City of LaGrange, the Mayor and Council hereby impose and establish certain conditions as a requirement for the rezoning of the property referenced above in Section 4. The following conditions are imposed for the protection or benefit of neighboring landowners in order to ameliorate the effects of rezoning this property to R-3 and shall apply to any development to occur on said property, to wit:

- a) The maximum density of the property rezoned to R-3 and referenced above in Section 4 shall be in accordance with the submitted concept plan (attached hereto and incorporated herewith as Exhibit "B") and limited to no more than 250 apartment units and 120 villas.
- b) At least 5% of the development shall be reserved and developed as active recreation area;

- c) Within the multi-family apartment development of the property rezoned to R-3 and described in Section 3 above, the minimum apartment area shall be 600 square feet per dwelling unit;
- d) Maximum construction of three stories;
- e) All exterior facades shall consist of siding, stone, brick, wood or stucco as the predominant material, with the use of vinyl or aluminum prohibited;
- f) Roof pitch shall be a minimum 6/12 pitch;
- g) All utilities shall be underground;
- h) Street lights shall be provided;
- i) All fencing shall consist of wood, stone, brick, stucco or metal. Chain link fencing is prohibited, although black chain link may be used for detention facilities;
- j) Within the villa development of the property rezoned herein to R-3 and described in Section 3 above, the minimum dwelling unit areas shall be 1,000 square feet;
- k) On-street parking shall be prohibited;
- l) All commercial or unlicensed vehicles shall be parked within a garage. Except in connection with construction activities, no boats, trailers, campers, buses, recreational vehicles, rigs, including grounds maintenance equipment may be parked or stored permanently or semi-permanently on any portion of the common open areas, any public or private street right-of-way or on any lot;
- m) An eight-foot wide sidewalk shall be provided along one side of Bryant Lake Boulevard adjacent to the property rezoned herein.

SECTION 6:

Pursuant to the police power of the City of LaGrange, and as required by City Code Section 25-35-62(9) and (10), the Mayor and Council hereby impose and establish further conditions as a requirement for the rezoning as referenced above in Section 4, said conditions being more fully set forth on the site plan attached hereto as **Exhibit “B.”** More specifically, the following information as set forth in the site plan are conditions as a requirement for the rezoning as referenced herein, to wit:

Boundaries of the subject property, all existing and proposed streets, including right-of-way and street pavement widths, buildings, water courses, parking and loading areas, building setbacks, buffers, landscape strips, green space areas to be retained, and other physical characteristics of the property and proposed development as shown on said exhibit.

SECTION 7:

That the zoning map and ordinances of the City of LaGrange be amended so as to re-classify as HDR-LU (high density residential – limited use) the following described real estate, to wit:

All that tract or parcel of land lying and being in Land Lots 182 and 183 and 202 of the 6th Land District of Troup County, Georgia, containing 73.8 acres, more or less, and more particularly shown as Parcels K on the drawing entitled “Zoning Exhibit Long Cane Creek” prepared by INTEGRATED Science & Engineering, dated April 18, 2018, a true and correct copy of which is attached hereto as Exhibit “A” and incorporated herein for the purpose of a more complete description.

SECTION 8:

Pursuant to the police power of the City of LaGrange, the Mayor and Council hereby impose and establish certain conditions as a requirement for the rezoning of the property referenced above in Section 7. The following conditions are imposed for the protection or benefit of neighboring landowners in order to ameliorate the effects of rezoning this property to HDR-LU and shall apply to any development to occur on said property, to wit:

- a) Maximum density shall be in accordance with the submitted concept plan and limited to no more than 148 lots;
- b) Minimum living area square footage shall be 1,500 square feet per dwelling unit;
- c) All dwelling units shall have a minimum two-car garage;
- d) All exterior facades shall consist of siding, stone, brick, wood or stucco as the predominant material, with the use of vinyl or aluminum prohibited;
- e) Roofing materials shall be asphalt or fiberglass shingles, cedar, slate or standing seam metal roofing;
- f) All utilities shall be underground;
- g) Street lights shall be provided;
- h) All fencing shall consist of wood, stone, brick, stucco or metal. Chain link fencing is prohibited on all residential lots, although black chain may be used for detention facilities;
- i) All commercial or unlicensed vehicles shall be parked within a garage. Except in connection with construction activities, no boats, trailers, campers, buses, recreational vehicles, rigs, including grounds maintenance equipment may be parked or stored permanently or semi-permanently on any portion of the common open areas, any public or private street right-of-way or on any lot; and
- (j) An eight-foot wide sidewalk shall be provided along one side of Bryant Lake Boulevard adjacent to the property rezoned herein.

SECTION 9:

Nothing contained in this ordinance shall be construed to modify the total number of residential units which may be developed under the Development Agreement between Bryant Lake Partners, LLC, PEC/Bryant Lake Associates, LLC and the City of LaGrange, Georgia, dated November 26, 2007, as amended (hereafter "Agreement"). The real property subject to the Agreement at its inception, minus the real property rezoned in this ordinance, shall remain entitled for development of 974 residential dwelling units as per the terms of the Agreement. Pursuant to Paragraph 7 of said Agreement, this rezoning ordinance operates to modify the terms and conditions of the Agreement but only as to the property herein rezoned.

SECTION 10:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 11:

All parts, portions, sections, paragraphs, sentences, clauses, and phrases of this Ordinance are each hereby declared to be severable from each other and if any such part, portion, section, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect any remaining parts, portions, sections, paragraphs, sentences, clauses or phrases thereof and the

Mayor and Council of the City of LaGrange hereby declare that had they known that any such provision was or would be invalid, they would not have adopted that portion or part of the Ordinance but would have nevertheless adopted the remaining portions thereof.

SECTION 12:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____ February 12, 2019 _____

SUBSTITUTE ORDINANCE ACCEPTED/REJECTED _____

SECOND READING AND ADOPTED _____ February 26, 2019 _____

SUBMITTED TO MAYOR AND APPROVED _____ February 26, 2019 _____

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Sue Olson, City Clerk _____

In good news closing comments, Ms. Van Schoor announced that the City of LaGrange had a very successful ribbon cutting at Southbend Park and a Skate Plaza sneak peek. She also announced that our Youth Council had a successful event at Sweetland on Valentine's Day and they took a trip to the State Capitol where they met with Mayor Thornton, Governor Brian Kemp, Senator Matt Brass, Representatives Bob Trammell, Vance Smith and Randy Nix. Ms. Van Schoor expressed her gratitude to Representative Nix for hosting an extremely successful trip.

There was no other business and the meeting was adjourned by Mayor Thornton.

Mayor

City Clerk