FILED
CLERK'S OFFICE
2018 JUN 15 PM 3:23
ERICA WOODFORD, CLERK
SUPERIOR COURT
BIBB COUNTY GEORGIA

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

PAUL LADER, FOSHEE HOLDINGS LLC, MARION SECKINGER, KRUNAL PATEL, AND JOHN DOE	:	
Plaintiffs/Petitioners/Appellants,	:	Civil Action No. 18CV-68762
v.	:	
MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION AND SUMMIT CENTER, P.C.,	:	
Defendants/Respondents/Appellees.	:	

WRIT OF CERTIORARI

TO: Macon- Bibb County Planning and Zoning Commission

WHEREAS, the above-captioned matter having been sanctioned by Judge Howard Z. Simms of the Superior Court of Bibb County on June 13, 2018;

WHEREAS, Petitioners by and through counsel, filed a Petition for Writ of Certiorari to appeal the Macon-Bibb County Planning and Zoning Commission entered on May 14, 2018 for grant of conditional use permit to the Defendant for the property located at 833 Walnut Street Macon, Bibb- County Georgia;

WHEREAS, Petitioners have complied with the requirements of law in cases of application for Writ of Certiorari; and

NOW THEREFORE, you are notified and required to certify and send up to the Superior Court of Bibb County, with complete copies to the Petitioners, within thirty (30) days from date of service of this Writ, all facts, documents, recording, transcripts and proceedings regarding the referenced application for conditional use permit, the hearing held on same, and any other aspects of this case.

WITNESS, the Clerk of the Superior Court of Bibb County, this 15th day of June, 2018.

Erica L Woodford

Hon. Erica Woodford, Clerk
Superior Court of Bibb County

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

PAUL LADER, FOSHEE HOLDINGS, LLC,

MARION SECKINGER, KRUNAL PATEL,

AND JOHN DOE

Plaintiffs

Vs.

MACON-BIBB COUNTY PLANNING

AND ZONING COMMISSION AND

SUMMIT CENTER, P.C.,

Defendants

CIVIL ACTION NUMBER

18 CV 68762

SUMMONS

TO THE ABOVE NAMED DEFENDANTS: Macon-Bibb County Planning & Zoning, 200 Cherry Street, Suite 301, Macon, GA 31201.

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

John B. Nichols
James-Bates-Brannan-Groover-LLP
231 Riverside Drive, Suite 100
Macon, Georgia 31201

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 13th day of June, 2018.

Clerk of Superior Court

BY: Denise M. McKee
Deputy Clerk

Instructions: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

FILED
CLERK'S OFFICE
2018 JUN 13 PM 4:55
ERICA WOODFORD, CLERK
SUPERIOR COURT
BIBB COUNTY GEORGIA

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

PAUL LADER, FOSHEE HOLDINGS LLC, MARION SECKINGER, KRUNAL PATEL, AND JOHN DOE

Plaintiffs/Petitioners/Appellants,

v.

MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION AND SUMMIT CENTER, P.C.,

Defendants/Respondents/Appellees.

Civil Action No. 18CV 68762

ENNIS

PETITION FOR WRIT OF CERTIORARI, FOR DECLARATORY JUDGMENT, AND FOR INJUNCTIVE RELIEF

COME NOW the Plaintiffs/Petitioners/Appellants, Paul Lader, Foshee Holdings, LLC, Marion Seckinger, Krunal Patel and John Doe (hereinafter collectively referred to as the "Plaintiffs" or "Property Owners"), by and through counsel, and hereby make this their Petition For Writ of Certiorari, Complaint for Declaratory Judgment and Motion for Injunctive Relief, showing the Court as follows:

INTRODUCTION

1.

This civil action is at its core an appeal of the approval of a conditional use application by the Macon-Bibb County Planning and Zoning Commission (hereinafter

referred to as the "Commission") on May 14, 2018. Due to the grave and irreparable effect the permitted use will have on Plaintiffs' properties and business interests, Plaintiffs have set out a number of legal claims to protect their rights as citizens and property owners. *City of Cumming v. Flowers*, 300 Ga. 820, 797 S.E.2d 846 (2017). *See also* Newton M. Galloway and Steven L. Jones, *Zoning and Land Use Law*, 69 Mercer L. Rev. 371 (2017). This civil action also seeks the Court's injunctive relief staying the enforcement or applicability of the conditional use granted to Defendant Summit Center, P.C. pending the outcome of this matter.

GENERAL FACTUAL STATEMENT

2.

On April 12, 2018, Defendant Summit Center P.C. (hereinafter referred to as "Summit Center") incorporated under the laws of Georgia, listing its principal office as "1874 Piedmont Road, Suite 500 E, Atlanta, Georgia", its registered agent as one, "Elizabeth Hillston" and its incorporator as "Stephen J. Drahos." *See* Certificate and Articles of Incorporation attached as Exhibit A.

3.

On April 13, 2018, Attorney Stephen Drahos filed an APPLICATION FOR COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL USE with the Macon-Bibb County Planning and Zoning Commission on behalf of Summit Center, P.C. seeking approval of the use of 833 Walnut Street as a "professional medical office." *See* the Application and

Narrative within the complete Planning and Zoning Commission packet attached at Exhibit B.

4.

On May 9, 2018, the Commission published its Hearing Agenda for May 14th, showing the following, "833 Walnut Street: Conditional use to allow a medical office within an existing building, CBD-2 District. Summit Center, P.C., Applicant. *See* 05/14/2018 Hearing Agenda attached as Exhibit C.

5.

On May 14, 2018, the Macon-Bibb Planning and Zoning Commission approved Summit Center's application on the information provided by a Mr. Stephen Drakes [sic] alone (assumed to be Stephen Drahos, attorney for Summit Center P.C.). *See* the Minutes attached as Exhibit D.

6.

Plaintiff Paul Lader owns real property at 153 New Street, Bibb County, Macon, Georgia. *See* Tax Assessor map of 153 New Street, attached as Exhibit E.

7.

Plaintiff Lader owns and operates an insurance business called Lader Group, Inc. at 153 New Street which has a parking lot connected to the parking lot at 833 Walnut Street.

8.

Plaintiff Lader has 200-400 weekly customers and 6 employees entering and exiting his property at any time. His invitees park in the front and the back of his property.

9.

Plaintiff Foshee Holdings, LLC ("Foshee Holdings") is owned by Harold Foshee, III who owns and leases the property at 850 Walnut Street to Waites and Foshee Insurance (of which Harold Foshee, III is the majority stockholder).

10.

Plaintiff Foshee Holdings' offices are located directly across Walnut Street from 833 Walnut Street. *See* Tax Assessor map of 850 Walnut Street attached as Exhibit F.

11.

Waites and Foshee Insurance boasts over 30 employees and has approximately 50 business invitees to the business each week.

12.

Plaintiff Marion Seckinger owns the real property at 176 New Street, Bibb County, Macon, Georgia, and operates an insurance group called Seckinger Agency. *See* Tax Assessor map of 176 New Street attached as Exhibit G.

13.

Plaintiff Seckinger has one employee and welcomes approximately 15 business invitees, including walk-ins, each week.

14.

Plaintiff Krunal Patel owns the real property at 169 New Street, Bibb County, Macon, Georgia. *See* Tax Assessor map of 169 New Street attached as Exhibit H.

15.

Plaintiff Patel is an engineer and contracts with a number of local entities. At times he has business meetings at his place of business, but he primarily uses the property at 169 New Street as his place of focused work.

16.

Plaintiff Patel's property line runs along the driveway/property line of 833 Walnut Street. (hereinafter the "Land") and would have a visual of the vast majority of people protesting in the event Defendant Summit Center moves forward.

17.

Plaintiffs, collectively and individually, have standing to bring this action, because each Plaintiff owns real property immediately adjacent and/or in extremely close proximity to 833 Walnut Street and each is so situated with respect to said Land as to suffer damages far greater than and different from damages which might be caused to the general public as a result of the Commission's approval of the Application.

18.

Defendant Summit Center's Application sought the Commission's approval of the conditional use of the tract of land at 833 Walnut Street for a medical office which would be a "conditional use" under the Macon-Bibb Comprehensive Land Development Resolution (hereinafter MBCLDR).

19.

The public notice in The Telegraph, published April 23, 2018, showed it would be used for a "medical office." *See* Notice attached as Exhibit I.

20.

In the contents of Summit Center's application, it lists its services and number 8 of its 9 services is "first trimester only abortion care." *See* Exhibit B – on page identified as "Exhibit A – Narrative."

21.

While Defendant Summit Center took pains to represent itself as a general medical office, its principal physical address and name are the same as Summit Medical Associates in Atlanta. *See* printout of www.summitcenters.com attached as Exhibit J.

22.

Also, despite Defendant Summit Center's application and narrative for the Commission generalizing its services as "low cost women's gynecological health care services" its sister or parent company "Summit Medical Centers" boasts its company as an "abortion clinic in Atlanta, Georgia and Detroit, Michigan." *See* Exhibit J.

23.

Plaintiffs certainly had no notice that the business seeking a conditional use permit from the Commission was an "abortion clinic" as opposed to a small medical office.

24.

Plaintiff Property Owners collectively believe the P and Z Notice on the property was not placed timely as none of them observed the sign on the Land until on or around the actual date of the hearing (and maybe even after). *See* picture of sign, Exhibit K.

25.

In addition to the foregoing, it does not appear the Commission adequately evaluated or investigated the evidence or the entity making this application to the Commission. Without proper notice, the following facts were ignored:

- No actual physician name was provided as overseeing the "medical clinic";
- Medical information was apparently presented at the P and Z meeting, but there was no medical professional present to aver or explain the facts alleged;
- No information was provided about Summit Medical Centers in Atlanta or the alleged Dr. Reisman;
- That Summit Center's application stated it would only have one (1) "procedure room," but the architectural rendering included with the application shows two (2) "O.R." (operating rooms) that will be utilized in the building; and
- No discussion or information was presented as to the "business" of an abortion clinic, the number of patients, the protestors and vigils, and the caution/security issues raised by such clinics.

26.

Since the approval of the application, there have been numerous public demonstrations and media announcements. *See* Exhibit L attached.

27.

Based on the activities now occurring at the Land and adjacent to Plaintiffs properties, the area is changing quickly and private plans are being reevaluated.

28.

Plaintiffs collectively have seen and observed increased protesters, and Plaintiffs have some concern for the safety of their employees and customers.

29.

One neighbor and acquaintance to Plaintiffs has had his business loan renewal stalled and is seeing the value of his property diminish.

30.

Plaintiff Paul Lader was approached by a woman named "Elizabeth" who works for Summit Center, P.C. and asked if he would cut a tree down on his property line "for safety concerns."

31.

The Plaintiff Property Owners have legitimate and real fear for their safety, the use and enjoyment of their property for their various business interests, and the future effect this clinic and the type of activity it brings will have on their business success and property values.

32.

In addition, some Property Owners are also fearful of larger protests or violence against the business of Defendant Summit Center, P.C.

33.

All Plaintiffs have observed in person hundreds of people loitering to protest or support the business of Defendant Summit Center, P.C.

COUNT I – PETITION FOR WRIT OF CERTIORARI

34.

Plaintiffs hereby incorporate by reference those facts set out and alleged in paragraphs 1 though 33 above.

35.

Pursuant to O.C.G.A. § 5-4-3, Plaintiffs move this Court for a Writ of Certiorari.

36.

Each Plaintiff Property Owner has a substantial interest in the value and use of their properties as set out herein.

37.

The Plaintiffs/Property Owners have been aggrieved by the Commission's approval of the Application of Defendant Summit Center on May 14, 2018, which allows Defendant to open its doors as an abortion clinic outside the zoning of CBD-2.

38.

Plaintiff Property Owners hereby appeal to this Court for a redress of their grievances and a review of the decision of the Macon-Bibb Planning and Zoning Commission.

39.

The Defendant Commission has committed a gross and manifest abuse in approving the Application for all the reasons set out below, including:

a. Failing to identify the intentional misleading of Defendant Summit Center in representing itself as a "professional medical office";

b. Depending on the Staff Analysis and Staff Summary which primarily leans on unverified medical statistics presented in the Summit Center's Narrative and then concluding that the "services are vital to the health and well-being of women in Macon-Bibb." It appears the Commission depended on medical information without a medical professional (nurse or doctor) to communicate the information on which the Commission based its decision;

c. Failing to consider the effect the abortion business of Defendant Summit Center is having and will have on the existing harmony and development plan of the land adjacent to 833 Walnut Street;

d. Failing to properly and adequately notify the Plaintiff Property Owners regarding the use applied for by Defendant Summit Center;

e. Failing to inquire as to the business and history of the Applicant, Summit Center, and/or fully investigate its business model and effect upon the use of the land; and

f. Failing to evaluate or understand the very obvious public safety hazard, nuisance, and excessive increase in traffic and congestion that has and will continue to occur as related to this type of business.[1]

40.

The Commission erred by acting without evidence to support its conclusions as to the medical needs of women in Macon-Bibb County, without evidence of whether

---

[1] The Macon-Bibb Comprehensive Land Development Resolution Section 3:03[2] defines "conditional use" as follows:

Conditional use. A use which the commission, after review of the application and hearing thereon, determines to be consistent with the general plan and in the public interest. The commission, in reviewing application for conditional uses, may consider the proposed use in relation to the following standards where applicable:

(a) The existing land use pattern.

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan.

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection.

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan.

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and

(ii) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water.

(h) Whether the proposed change will adversely affect property values in adjacent areas.

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

Summit Center is a reputable entity or would not otherwise cause a nuisance or effect the enjoyment and use of adjacent property, and without evidence as to whether an actual medical professional will be the overseeing medical person or director at the "professional medical office."

41.

The Commission erred by acting contrary to law as follows (see reference to Resolution 3:03(2) footnoted above):.

a. Failing to make any determination that the conditional use was "consistent with the general plan and in the public interest";
b. Failing to ensure lawful and reasonable notice was given to Plaintiff Property Owners regarding the conditional use sought, specifically with regard to the placement of the physical signage and full disclosure in the published notice;
c. Failing to find the conditional use would be in conflict with the harmony and orderly development of the adjacent properties and area; and
d. Failing to see that the type of business would affect vehicular and foot traffic and pose a possible hazard and inconvenience to the local area.

42.

The Commission erred in granting the conditional use on the grounds of justice and equity in that the Applicant failed to make an appropriate and full disclosure of his business interests and failed to disclose the known immediate impact on the surrounding business, sidewalks, and peace and enjoyment of the adjacent properties.

43.

Finally, Plaintiffs show that if the approval of the Application by the Commission is allowed to stand, the beneficial use and enjoyment of the Plaintiffs' properties will be substantially, adversely and permanently affected.

Wherefore, Plaintiffs/Petitioners/Appellants pray:

a. That a writ of certiorari, directed to the Macon-Bibb Planning and Zoning Commission requiring it to certify and send up all the proceedings in said case to the Superior Court of Bibb County, Georgia, within 30 days of the service of said writ be issued; and

b. That this honorable Court consider and order the Commission to correct the errors set forth herein.

COUNT II - COMPLAINT FOR DECLARATORY JUDGMENT

44.

Defendant/Respondent/Appellee Macon-Bibb County Planning and Zoning Commission is a Georgia governmental entity having an office at 200 Cherry Street, Suite 301, Macon, Georgia 31201

45.

Defendant Summit Center, P.C. is a Georgia limited liability company with its principal office and registered agent's office located at 1874 Piedmont Road, Suite 500-E, Atlanta, Fulton County, Georgia.

46.

This court has jurisdiction of this civil action and venue is proper in Bibb County, Georgia.

47.

Pursuant to O.C.G.A. §§ 9-4-2 and 9-4-3, Plaintiffs bring this action, *inter alia,* for a judicial declaration that the Commissions' approval of the Application was, and is, unlawful, null and void and that Defendant Summit Center has no right to proceed with the conditional use that was approved.

48.

The Commission was created pursuant to a Special Amendment to the Constitution of the State of Georgia of 1945, ratified by voters of State of Georgia on November 2, 1948 (Ga. Laws 1947, p. 1240), amending Article VI, Section I, paragraph IV, the Constitution of the State of Georgia 1945 to provide for the establishment of a constitutionally authorized local zoning authority. The City of Macon and Bibb County were vested pursuant to this amendment, separately and jointly, with the general legislative authority to promulgate planning and zoning laws, rules and regulations. Pursuant to this amendment, the Commission was established by a Joint Ordinance and Resolution of the City of Macon and County of Bibb and vested in the Commission all power and authority to exercise planning and zoning for the City of Macon and Bibb County. The Commission is a constitutional governmental body, authorized and established by Joint Resolution of the City of Macon and County of Bibb dated November 4, 1952. The Commission subsequently adopted a "Comprehensive Land

Development Resolution for the City of Macon and Bibb County, Georgia, which is now known as the 'Comprehensive Land Development Resolution for Macon-Bibb County'" (the "Resolution").

49.

Subsequently, the City of Macon and Bibb County were consolidated into a new government entity, Macon-Bibb County, which succeeded to all the combined powers of the City of Macon and Bibb County. As authorized in the original constitutional amendment, Macon-Bibb County has continued the duties and processes of the Commission by ordinance.

50.

Under the provisions of the Resolution, all land lying within the boundaries of Macon-Bibb County, Georgia, is divided into zoning districts. (See § 2.02 of the Resolution). Within each zoning district, only those uses of land and structures are allowed as are provided for in the zoning district regulations. A use is either a permitted use or a conditional use. A permitted use is one which is allowed by right in the district in which the land is situated. (See § 3.03(1) of the Resolution). A conditional use is a use in which the Commission, after review of the application and a hearing thereon, determines to be consistent with the general plan and in the public interest. (See §3.03(2) of the Resolution). The determination of districts and permitted and conditional uses by the Commission is a part of the comprehensive planning process and is reduced to a plan which is more specifically referred to as the Comprehensive Land Development Resolution.

51.

The Land at issue in this matter is zoned pursuant to the Resolution at CBD-2.

52.

The use applied for by Defendant Summit Center is a conditional use and requires public notice and hearing in order for said use to be lawful on the Land at issue.

53.

When considering an application for a conditional use the Commission is required to provide notice and hold a public hearing.

54.

An actual controversy exists as to whether the NOTICE was proper and whether the HEARING proceeded in accordance with the local rules, the law of Georgia, and the guarantees of Due Process.

55.

Plaintiff Property Owners are unified in that they did not have adequate notice through the physical signage placed on the property.

56.

Further, the application itself and the notice published by the Commission were woefully inadequate if not misleading.

WHEREFORE, for these reasons, Plaintiffs/Petitioners/Appellants seek the following additional relief:

(a) Declaratory Judgment declaring the Commission's approval of the Application to be unlawful and null and void;

(b) Declaratory Judgment declaring that Summit Center, P.C. has no lawful right to operate on the Land as applied for;

(c) An injunction preventing the Commission, its officers and employees from issuing any permits and approvals based upon the Commission's approval of the Application; and

(d) Such other and further relief as the Court deems just and proper.

Respectfully submitted, this 13th day of June, 2018.

Emily J. Matson WEP IN

Emily J. Matson
GA. Bar No. 639447

Matson & Matson, P.C.
1 West 4th Avenue Suite 300
Rome, Georgia 30161
706-622-2001
706-622-2537 (fax)
emilyjmatson@gmail.com

John F. Kennedy
Georgia Bar No. 414830
John B. Nichols
Georgia Bar No. 394143

Attorneys for Plaintiffs/Petitioners/Appellants

JAMES-BATES-BRANNAN-GROOVER-LLP
P.O. Box 4283
Macon, GA 31208-4283

CERTIFICATE OF PAYMENT OF COSTS FOR WRIT OF CERTIORARI

Macon- Bibb County Planning & Zoning during the May 14, 2018 meeting granted the conditional use permit to Summit Center P.C. for the use of property located at 833 Walnut Street, Macon GA 31202 as a medical office. Further, Paul Lader, et.al., are petitioning for a writ of certiorari in the Superior Court of Bibb County to appeal the said decision made by the Macon-Bibb County Planning and Zoning Commission.

WHEREAS, pursuant to O.C.G.A § 5-4-5 this is to certify that no costs are due with respect to the application for a Conditional Use Permit by Summit Center P.C. related to property located at 833 Walnut Street in Macon, Georgia.

ATTESTED AND APPROVED BY:

Macon-Bibb County Planning and Zoning Commission (SEAL)

BY: James P. Thomas

JAMES P. THOMAS, EXECUTIVE DIRECTOR

CERTIORARI BOND

Georgia, Bibb County

Know all men by these presents that John F. Kennedy, principal, and the undersigned security, are bound to pay the adverse party, Summit Center P.C., five hundred dollars ($500.00).

The condition of this obligation is such that:

Whereas, the clients of said principal, Paul Lader, et.al., are petitioning for a writ of certiorari in the Superior Court of Bibb County in appeal of a decision to grant of conditional use permit for property located at 833 Walnut Street, Macon GA 31202 (Bibb County), said decision having been made by the Macon-Bibb County Planning and Zoning Commission on May 14, 2018;

Now, therefore, should said principal promptly pay any sums sought as an award to be recovered, if any, and all future costs in said matter as may be required by law, then this bond shall be void; otherwise it shall be of full force and effect.

Witness the hand and seal of each party, this 13th day of June, 2018.

PRINICPAL:

(SEAL)

JOHN F. KENNEDY

SECURITY:

JAMES-BATES-BRANNAN-GROOVER, LLP

BY: (SEAL)

JOHN F. KENNEDY

ATTESTED AND APPROVED BY:

Macon-Bibb County Planning and Zoning Commission (SEAL)

BY:

JAMES P. THOMAS, EXECUTIVE DIRECTOR

478-742-4280 (telephone)
478-742-8720 (facsimile)
jkennedy@jamesbatesllp.com
jnichols@jamesbatesllp.com

EXHIBIT

number A

Control Number : 18044166

STATE OF GEORGIA

Secretary of State

Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF INCORPORATION

I, **Brian P. Kemp**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

Summit Center, PC
a **Domestic Professional Corporation**

has been duly incorporated under the laws of the State of Georgia on **04/12/2018** by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on **04/12/2018**.

STATE OF GEORGIA CONSTITUTION 1776

B. P. Kemp

Brian P. Kemp
Secretary of State

ARTICLES OF INCORPORATION

Electronically Filed
Secretary of State
Filing Date: 4/12/2018 11:01:46 AM

BUSINESS INFORMATION

CONTROL NUMBER	18044166
BUSINESS NAME	Summit Center, PC
BUSINESS TYPE	Domestic Professional Corporation
EFFECTIVE DATE	04/12/2018
SHARES	100000

The corporation elects to be governed by the Georgia Professional Corporation Act. The purpose is to practice the profession named in the articles.

PRINCIPAL OFFICE ADDRESS

ADDRESS	1874 Piedmont Road, Suite 500-E, Atlanta, GA, 30324, USA

REGISTERED AGENT'S NAME AND ADDRESS

NAME	**ADDRESS**
Elizabeth Hillston	1874 Piedmont Road, Suite 500-E, Fulton, Atlanta, GA, 30324, USA

INCORPORATOR(S)

NAME	**TITLE**	**ADDRESS**
Stephen J Drahos	INCORPORATOR	1874 Piedmont Road, Suite 500-E, Atlanta, GA, 30324, USA

PROFESSION STATEMENT

Medicine And Surgery

OPTIONAL PROVISIONS

N/A

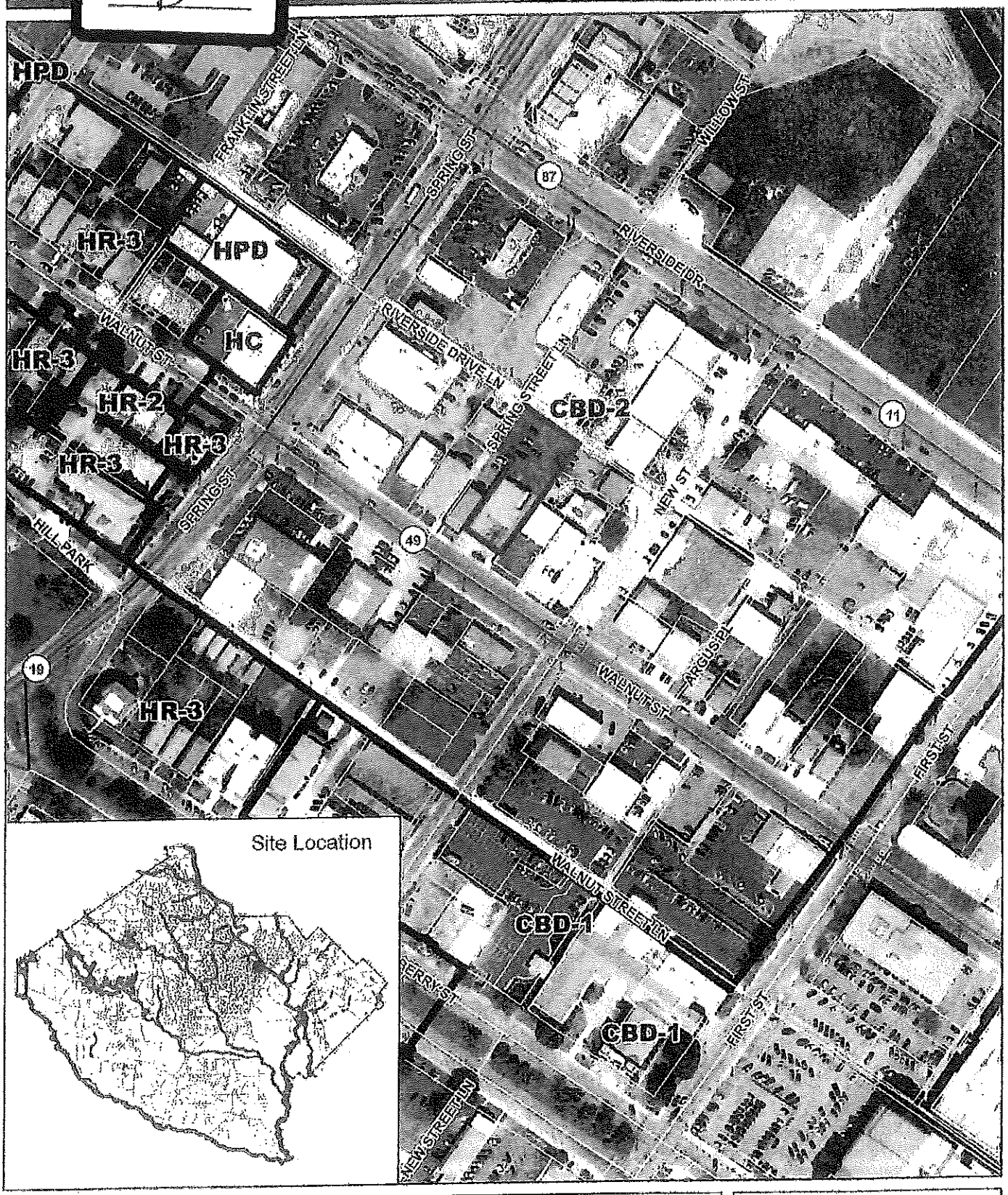
AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	Stephen J Drahos
AUTHORIZER TITLE	Attorney In Fact

EXHIBIT

Letter B

833 WALNUT ST



MACON-BIBB COUNTY
Planning & Zoning
682 Cherry Street, Suite 1000 Macon, Georgia 31201 | info@mbpz.org | MBPZ.org

0 50 100 200
Feet
1 inch = 200 feet

MACON-BIBB CO. PLANNING AND ZONING COMMISSION STAFF REPORT
HEARING DATE: MONDAY, MAY 14, 2018

4

ITEM NUMBER -4- CONDITIONAL USE

833 WALNUT STREET: Conditional Use to allow a medical office within an existing building, CBD-2 District. **Summit Center, P.C., Applicant.**

STAFF SUMMARY

- The subject property is a 0.39 acre parcel fronting the northeast right-of-way line of Walnut Street and northwest of the intersection of Walnut Street and New Street with a zoning classification of CBD-2, Central Business District. The property contains a 4,668 one story brick building with an attributed build date of 1957. The adjacent parcels surrounding the subject property have a zoning classification of CBD-2, Central Business District and are developed as professional office.

- The property has operated as professional office since 1957 (**57-0416**) and as a medical office since 1997 (**97-2109**). A permit was issued **(14-20118)** for a professional office for Vision Medical Center, a permit was issued **(13-1598)** for a Health Care Office- Macon Medical Center P.C., a permit was issued **(09-0235)** for a professional office- Radiology/ Medical. The last business license issued for the property was in 2015 for Vision Medical Center.

STAFF ANALYSIS

- The current application seeks approval to allow a medical clinic within an existing building in a CBD-2, Central Business District. As per Section 13B.04[1] of the Comprehensive Land Development Resolution, all conditional uses allowed in a CBD-1 Central Business District are conditional uses in CBD-2. As per Section 13A.04[20] of the Comprehensive Land Development Resolution, hospitals and other medical facilities limited to twenty thousand (20,000) square feet in ground floor area are considered **Conditional Use**. As per the applicant, the building has been vacant since March of 2017.

- The applicant is seeking approval to medical clinic providing low-cost women's gynecological health care services to include pap smears, vaginal infection treatment, HPV vaccines, flu vaccines, Hepatitis B vaccines, ultra sound, contraceptive implants and devices, contraceptive prescriptions, first trimester only abortion care and gynecological exams. In no event shall general anesthesia be administered; only local anesthesia for the insertion of IUD's and other medical procedures. In addition, patients shall be counseled on pregnancy options and provided adoption and parental care referrals. Laboratory services intended to be provided include HIV testing, Gonorrhea and Chlamydia testing, wet prep, HSV 1 and 2 testing, pregnancy testing, blood pressure, glucose, height, weight, and RH factor.

- The narrative states that the building has an open waiting area, three (3) separate offices, a procedure room, and recovery room to support the patients being served. The hours of operation will be 8 am to 5 pm Monday through Friday and 7 am to 4 pm on Saturday. Two (2) to three (3) days per week shall be devoted to providing medical services with the remaining days dedicated to administrative work and scheduling appointments over the phone. As a new business, it is anticipated to retain eleven (11) staff individuals from the local area to support the physicians with nursing care, administration, medical assistance and counseling.

- The applicant 's narrative states that the above mentioned services are vital to the health and well-being of women in Macon-Bibb County and the surrounding area. In STD/STI prevalence, for example, Macon-Bibb County ranks as one of the worst. In HIV prevalence, Macon-Bibb County ranks seventh (7) among 159 countries, with 956 HIV cases in 2015. Cervical cancer is also a concern, as Macon-Bibb County ranks the sixteenth (16) highest among 159 Georgia counties.

- As per Section 26.03(3)(c) of the Comprehensive Land Development Resolution, Parking lot requirements, medical, dental, and health facilities, including offices and clinics are required to provide one (1) space for each two hundred (200) square feet of floor area used for offices and similar purposes. The required number of spaces provided shall be twenty-four (24). Currently there are twenty-six (26) spaces provided at the rear of the property and two (2) handicapped spaces in the front. ***It should be noted that these spaces have been dedicated to the facility through an encroachment agreement and shall be platted as such.*** The parking requirements have been met.

- Section 3.03[2] list the items to be considered when reviewing a Conditional use.

  The commission, in reviewing application for conditional uses, may consider the proposed use in relation to the following standards where applicable:

  a) The existing land use pattern. **Currently the property is vacant and is surrounded by professional offices.**
  b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed use should not have any adverse effect with the comprehensive plan.**
  c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **Macon-Bibb Fire Department (Fire Prevention) approval is required prior to issuance of a zoning permit.**
  d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposed use should be in harmony with the surrounding development.**
  e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:
     i. The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The proposed site should not be hazardous or inconvenient to the adjacent properties.**

     ii. The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The proposed development is within an existing structure.**
  f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the

overtaxing of such public facilities. **As presented, the population density should not increase.**

g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **As presented, the proposed use shouldn't be a nuisance to the adjacent properties.**

h) Whether the proposed change will adversely affect property values in adjacent areas. **Staff cannot determine impacts on property values-either positive or negative.**

i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **There are a number of uses considered as permitted within the CBD-2 district, including professional offices other than medical although the last use was as a medical office. The property has not previously been operated as medical facility that performed procedures requiring a procedure room and recovery room.**

- Google Street View
- Macon-Bibb Tax Assessor

The 2040 Future Land Use Plan recommends mixed use for this property. Commission files and Sections 3.03[2], 13A.04[20], 13B.04[1], and 26.03(3)(c) of the Comprehensive Land Development Resolution and Commission database files were used as references in preparing this staff report.

RECOMMENDED ZONING CONDITIONS OF APPROVAL:

1. Proper Platting procedures to be followed showing the encroachment agreement as per the Engineering Department.
2. A certificate of appropriateness shall be submitted for any exterior modifications, including signage.
3. Signage shall require a separate permit.

ADDITIONAL DEPARTMENTAL APPROVALS THAT MAY BE REQUIRED:

1. Macon Water Authority approval shall be obtained.
2. Fire Prevention approval shall be obtained.
3. Health Department approval shall be obtained
4. Macon-Bibb Engineering Department approval shall be obtained.
5. Business Development Services/Inspections and Fees approval shall be obtained.
6. Other applicable local, State, or Federal approvals that may apply shall be obtained.

MACON-BIBB COUNTY
Planning & Zoning

Macon-Bibb Planning & Zoning Commission
682 Cherry Street, Suite 1000
Macon, Georgia 31201 | MBPZ.org

APPLICATION FOR
COMMERCIAL, INDUSTRIAL or INSTITUTIONAL USE

THIS SPACE FOR OFFICE USE ONLY

USE TYPE: *(check one)* CU ☒ PU ☐ CU w/SPR ☐ PU w/SPR ☐

PROPOSED USE: Medical office

MAP/ PARCEL NUMBER: Q074-0105 DISTRICT: CBD-2 PERMIT NUMBER: 18 - 20514

REFERENCE OTHER PERMITS: _____

SETBACKS: Front: _____ Side: _____ Side: _____ Rear: _____ VARIANCES: _____

AGENDA DATE: *(if applicable)*: 5-14-18

RECEIPT NUMBER: 18-13350 AMOUNT: $ 650 DATE: 4.13.18

APPROVED BY: _____ DATE: _____

CONDITIONS OF APPROVAL: _____

Check in cabinet

PLEASE PRINT LEGIBLY

DATE: 4/13/18

1. Address of Proposed Use: Street Address 833 Walnut St.
   City Macon State GA Zip 31201
2. Application is for this type of business or use: Professional Medical Office
3. Applicant's Name: Summit Center, P.C.
   Business Name: Summit Center, P.C.
4. E-mail address for primary contact (required) drahos@mindspring.com
   PLEASE NOTE: When possible, any correspondence for an agenda item will be by email.
5. Applicant's Mailing Address: P. O. Box _____
   Street Address 1874 Piedmont Ave. NE
   City Atlanta State GA Zip 30324
6. Applicant's Daytime Phone: 902-670-5966
7. Property Owner's Name: 3 Star Mart, LLC
8. Is this application for **NEW CONSTRUCTION** Yes ☐ No ☒ (Interior ☐ Exterior ☐)
   PLEASE NOTE: Departmental approvals are required for all new construction projects.
9. If yes, provide a drawing that shows the following information:
   (A) The shape of the entire lot(s), including the location of streets adjacent to the property.
   (B) The location of all buildings, existing and proposed, including the setbacks of each building from the property lines.
   (C) The location of any streams, creeks, or easements.
   (D) The location of all parking and any outside storage areas.

10. Is this application for **USE IN AN EXISTING STRUCTURE**? Yes ☒ No ☐

11. Is your business already in operation at this location? Yes ☐ No ☒

12. Is this property on Public Sewer? ☒ **or Septic** Tank? ☐

13. What is the size of the property? Number of acres 0.409 **or** Number of square feet _____

14. How many square feet does the building have? 4,668
    First Floor? 4668 Second Floor? N/A

15. How many **off-street** parking spaces will be provided? 28

16. If this application is for a church or restaurant, how many seats will be provided? N/A

PLEASE NOTE: All restaurants and prepared food services, whether new or a change of ownership, must supply approvals from the Macon Water Authority and either the Health Department or the Department of Agriculture prior to a zoning compliance being issued.

17. If application is for a restaurant, please check approvals you have received:
    Department of Agriculture ☐ Health Department ☐ Water Authority ☐

18. Is there a creek, stream, or major drainage way on this property? Yes ☐ No ☒

19. Is this property or a portion of this property located in an established 100-year flood plain? Yes ☐ No ☒

20. **Will signage be added or changed on this property?** Yes ☒ No ☐

21. Has this change already occurred? Yes ☐ No ☒

22. Will there be a face change on any existing sign? Yes ☒ No ☐

23. Has this change already occurred? Yes ☐ No ☒

PLEASE NOTE: This application applies to the construction on and use of a commercial, industrial, or institutional property. If signage is required, please alert staff and they will assist with the separate signage application. Signage is NOT permitted under THIS application.

PLEASE READ, SIGN AND DATE

This application does not violate any restrictive covenants applicable to the property and all statements are true to the best of my knowledge and belief. I realize that distances should be exact and if errors result in a violation of zoning regulations, then the structure will have to be removed.

As applicant, I hereby grant permission for Planning and Zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Resolution for Macon-Bibb County, Georgia.

I hereby attest that I am the owner of the referenced property or have permission from the owner to make this application.

SIGNATURE Stephen J Drahos, as attorney for applicant DATE 4/13/18

Please make checks payable to Macon-Bibb County Planning and Zoning Commission
If you have any questions and or concerns please contact us at info@mbpz.org

Macon-Bibb County, GA
ENGINEERING DEPARTMENT

David P. Fortson, P.E.
Macon-Bibb County Engineer
F. Charles Brooks, P.E., R.L.S.
Engineer IV
B. Nigel Floyd
Traffic Engineer

Wm. Keith Braswell, R.L.S.
Engineer III
Jeffrey Smith, E.I.T., C.P.E.S.C
Engineer I
James L. Johnson E.I.T
Engineer III

March 29, 2018

3 Star Mart, LLC
115 Tobee Dr
Lizella, GA 31052

Re: Request for Encroachment 833 Walnut Street

Dear Sir or Madam:

You have requested an encroachment to allow two existing handicapped parking spaces and related walls, curbing, and drives on the Macon-Bibb right of way to continue to be used by your business. Based on the below section of the Code of Ordinances of Macon-Bibb County, these parking spaces are considered nonconforming encroachments.

- Sec. 24-134. - Nonconforming encroachments.

  (a) Structure or properties that encroach into public right-of-way and for which there is not an applicable agreement shall be considered "nonconforming uses." Macon-Bibb County may, at the discretion of the Director of Engineering, permit certain nonconforming encroachments. The county may at any time determine that continued encroachment is not in the public interest and may require the removal of said encroachment.

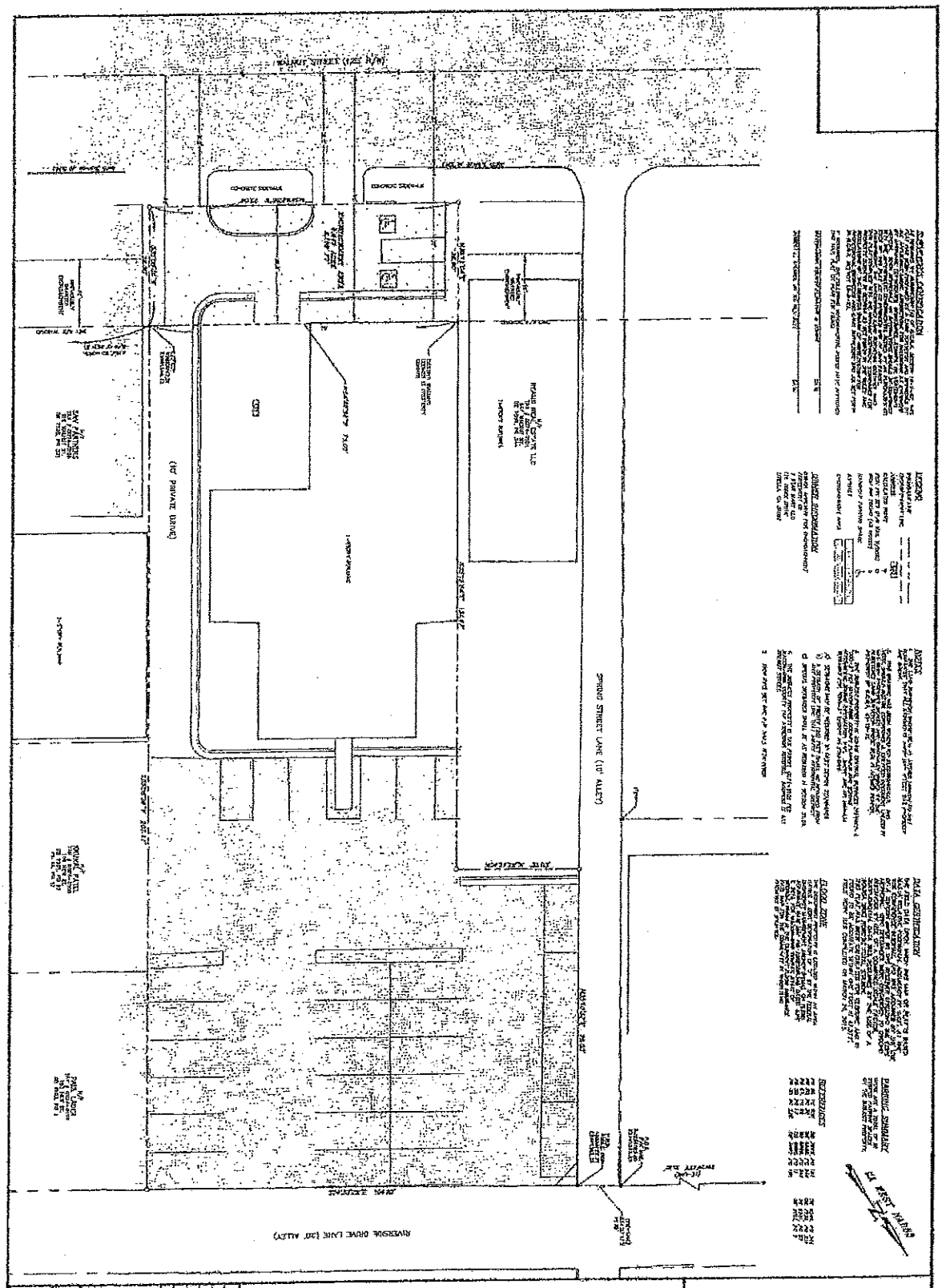
Because these parking spaces and drives have existed for a long period of time, and because we have no anticipated need for this area of the right of way, I have determined that Macon-Bibb County will continue to permit these spaces to encroach on our right of way until such time that they are not in the public interest, in accordance with the above provision.

Yours very truly,

David P. Fortson, P.E.
Macon-Bibb County Engineer

Attached:
1. Plat
2. Warranty Deed

C: Michael McNeill, Assistant County Attorney



ENCROACHMENT PLAT
FOR
3 STAR MART, LLC
OF
833 WALNUT STREET

PORTION OF LOT 2
MACON-BIBB COUNTY
DATE: 3/28/2018

BLOCK 67
GEORGIA
PROJ. I.D.: 18-0301-A

DRAWING SCALE: 1" = 10'

DATE
REVISIONS

STUBBS GEOMATICS, LLC
SURVEYORS PLANNERS CONSULTANTS
CONTACT INFO:
6843 LESLIE LANE
MACON, GA 31220
(478) 314-7979
(229) 942-2045
COA#: LSF001261
www.stubbsgeo.com

Doc ID: 005201720003 Type: GLR
Filed: 09/12/2007 at 09:44:00 AM
Fee Amt: $702.00 Page 1 of 3
Transfer Tax: $990.00
Bibb County Superior Court
Dianne Brannen Clerk
BK 7627 PG 184-186

Ret: Phillips & Phillips
843 Poplar Street
Macon GA 31201
File No. 13890

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF BIBB

THIS INDENTURE, made this 6th day of September, 2007, between **Robert Medical Properties LLC** operating in the State of Georgia, hereinafter referred to as the "GRANTOR", and **3 Star Mart LLC**, operating in the State of Georgia, hereinafter referred to as the "GRANTEE",

WITNESSETH:

That the Grantor, for and in consideration of the sum of One Hundred Dollars ($100.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantee, the Grantee's heirs and assigns, the following property:

EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

TO HAVE AND TO HOLD, the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the Grantee and the Grantee's heirs and assigns IN FEE SIMPLE.

Grantor, for himself and his successors, and except as limited above, will warrant and forever defend the right and title to the first above described property unto the Grantee, the Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and affixed his seal and delivered these presents, the date and year above written.

Signed, sealed and delivered
in the presence of

Unofficial Witness

Notary Public, State of Georgia
My Commission Expires: 03/01/08
(NOTARY SEAL)

DIANN FOSKEY
MY COMMISSION EXPIRES
NOTARY PUBLIC
MARCH 1, 2008
BIBB COUNTY, GA

Robert Medical Properties LLC

By: _____
Howard S. Rosing, M.D., CEO

EXHIBIT A

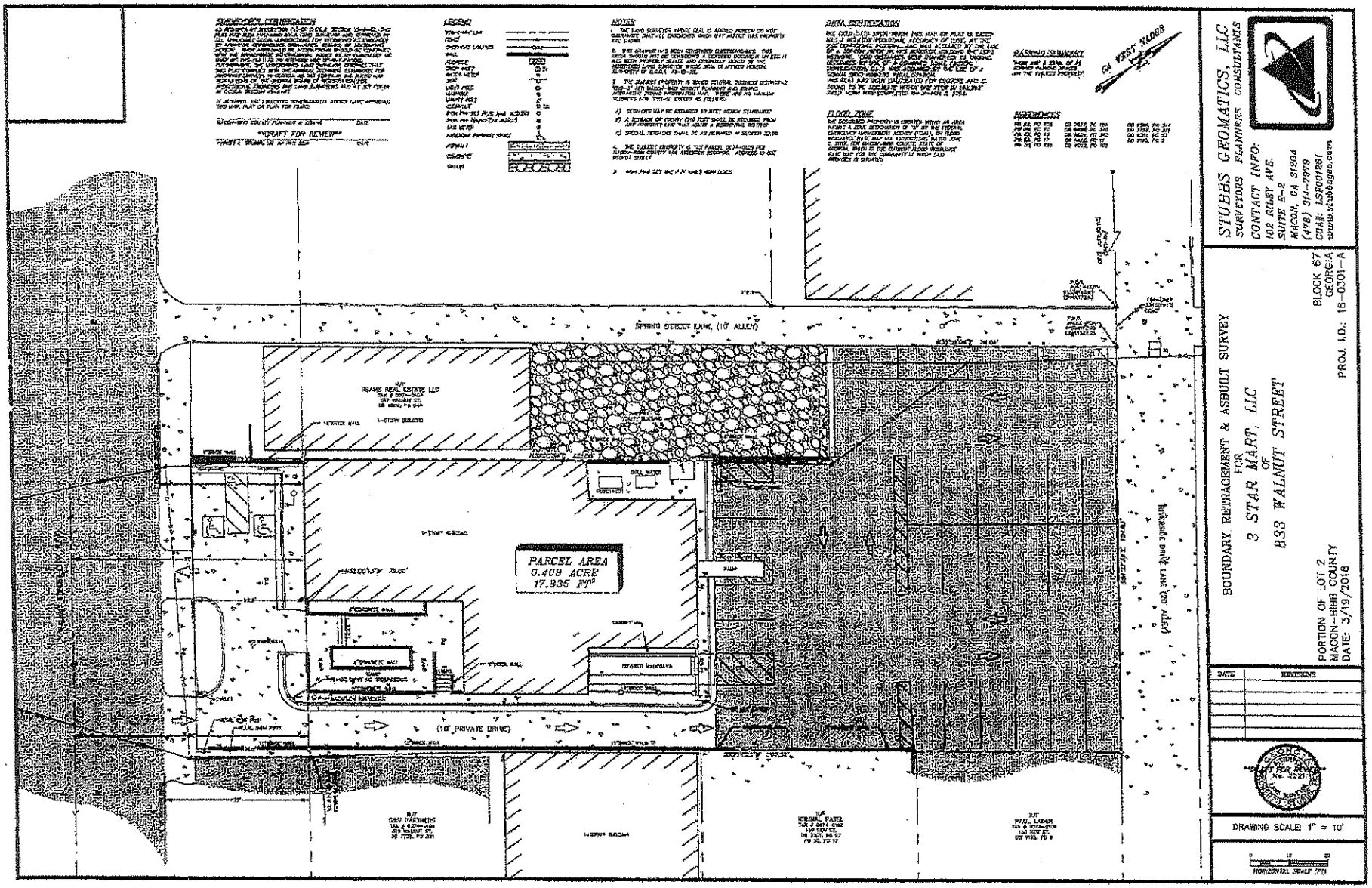
All that tract or parcel of land lying and being in the City of Macon, Bibb County, Georgia and being part of Lot 2, Square 67, according to a plan of the City of Macon and being more particularly described as follows: BEGINNING at a Point on the northeast line of Walnut Street 149.4 feet from the curb line on New Street as measured along the original property line of Lot 1 in said Square, and which Point of Beginning is 37 feet northeasterly of the curb line of Walnut Street and 60 feet from the center line of Walnut Street, and is on the line separating Lot 1 from said Lot 2 in said Square, and running thence in a northeasterly direction along the line dividing said Lot 1 from said Lot 2, a distance of 208.5 feet to the southwest line of the twenty-foot public alley extending from New Street to Spring Street; thence in a northwesterly direction along the southwesterly side of said twenty-foot alley a distance of 105 feet to the intersection of said twenty-foot alley with the ten-foot alley running from Walnut Street to Riverside Drive; thence in a southwesterly direction along the southeast line of said ten-foot alley a distance of 76.2 feet to the property of Leggett; thence in a southeasterly direction along the property of said Leggett a distance of 30 feet; thence in a southwesterly direction along the line of said Leggett a distance of 132 feet to Walnut Street; thence in a southeasterly direction along the northeast line of Walnut Street, which is the original property line of said Lot 2, a distance of 75 feet to Lot 1 and the Point of Beginning. Said property has situate thereon, a building known as 833 Walnut Street, Macon, Georgia, and is more particularly shown on a plat made by Joe Thomas, C.E., dated October 29, 1956, recorded in Plat Book 30, Page 225, Clerk's Office of Bibb Superior Court.

This is also the same property as shown on a survey for Shezad Malik made by James R. McDougald, Georgia Registered Land Surveyor, dated July 23, 1997, recorded in Plat Book 88, Page 906, Clerk's Office of Bibb Superior Court, to which reference is made for a more complete and accurate description; said tract being designated as Tract A, part of Lot 2, containing 0.41 acres.

Property Address: 833 Walnut Street, Macon, GA

Robert Medical Properties LLC

By: _____
Howard S. Rosing, M.D., CEO



STUBBS GEOMATICS, LLC
SURVEYORS PLANNERS CONSULTANTS

CONTACT INFO:
102 RILEY AVE.
SUITE 5-2
MACON, GA 31204
(478) 314-7979
COA#: LSF001261
www.stubbsgeo.com

BOUNDARY RETRACEMENT & ASBUILT SURVEY
FOR
3 STAR MART, LLC
OF
833 WALNUT STREET

PORTION OF LOT 2
BLOCK 67
MACON-BIBB COUNTY
GEORGIA
DATE: 3/19/2018
PROJ. I.D.: 18-0301-A

DATE	REVISIONS

Applicant: Summit Center, PC.
Property Address: 833 Walnut Street
Request: Conditional Use in CBN-2

Exhibit "A"

Narrative

Statement of Facts

The subject property is located at 833 Walnut Street and has a zoning classification of CBD-2, Central Business District . 813 Walnut Street is a 0.409 acre parcel containing a 4,668 SF. single-story structure (3,367 SF of which is publicly accessible) with an attributed build date of 1957. The subject property has predominantly been used as a professional medical office since the early 2000s (Map/Parcel # Q074-0105). The building has been vacate since March of 2017. The adjacent properties surrounding the subject property have a zoning classification of CBD-2, Central Business District and are developed commercial and professional office. The subject property has twenty-six (26) parking spaces in the rear of the property plus two (2) dedicated handicapped spaces in the front of the property. With an excess of twenty (20) spaces, applicant is willing to plant the required one (1) tree per six (6) parking spaces to be dispersed throughout the parking area to provide shade to the vehicles and prevent a heat island effect. The subject property may be accessible either (i) in the front of the property to Walnut Street by a set of dedicated ingress and egress lanes with a patient drop off area, or (ii) in the rear of the property accessible by Riverside Drive Lane.

Legal Argument

The applicant intends to renovate the building and seek approval to allow a professional medical office as a conditional use in CBD-2, Central Business District. The applicant is a Georgia professional corporation owned and operated by licensed Georgia medical physicians. The physicians intend to provide low-cost women's gynecological health care services to include pap smears, vaginal infection treatment, HPV vaccines flu vaccines, Hepatitis B vaccines, ultrasound, contraceptive implants and devices, contraception prescriptions, first trimester only abortion care and gynecological exams. In no event shall general anesthesia be administered; only local anesthesia for the insertion of IUDs and other medical procedures. In addition, patients shall be counseled on pregnancy options and provided adoption and prenatal care referrals. Laboratory services intended to be provided include HIV testing, Gonorrhea and Chlamydia testing, wet prep, HSV 1 and 2 testing, pregnancy testing, blood pressure, glucose, height, weight and RH factor.

The building has an open waiting area, three (3) separate offices, a procedure room and recovery room to support the patients being served. The hours of operation will be 8am to 5pm Monday through Friday and 7am to 4pm on Saturday. Two (2) to three (3) days each week shall be devoted to providing medical services with the remaining days dedicated to administrative work and scheduling appointments over the phone. As a new business, it is anticipated to retain eleven (11) staff individuals from the local area to support the physicians with nursing care, administration, medical assistance, laboratory, and counseling.

The applicant believes the above services are vital to the health and well-being of women in Bibb County and the surrounding area. In STD/STI prevalence, for example, Bibb County ranks as one of the worst. In HIV prevalence, Bibb County ranks seventh among 159 counties, with 956 HIV cases in 2015.Cervical cancer is also a concern, as Bibb County ranks the 16th highest among 159 Georgia counties.

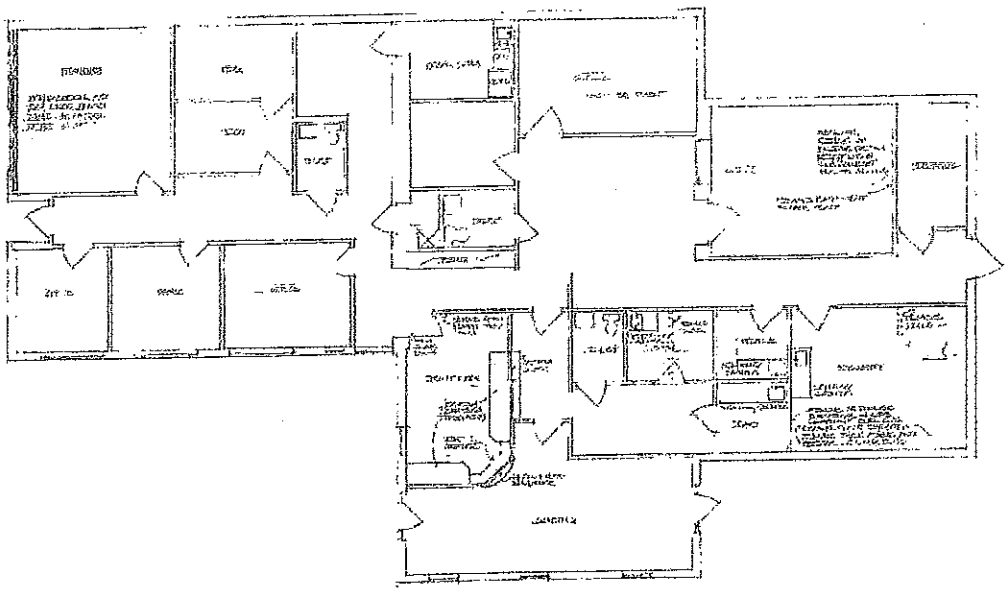


EXHIBIT
tabbies
C

05/14/2018 Hearing Agenda

mbpz.org 05-14-20 Meeting Agenda

May 9, 2018

The Monday, May 14, 2018 meeting of the Macon-Bibb County Planning & Zoning Commission will be held in the MBPZ Conference Room, Terminal Station 200 Cherry Street, Suite 300 beginning at 1:30 p.m.
Administrative pre-meeting begins at noon.

Approval of April 23, 2018 meeting minutes

Deferred from Prior Meetings:

A. **324 Cowan Street: Conditional** use to allow multi-message billboard, C-4 District. George Greer/Church Street Developers, LLC., Applicant

B. **324 Cowan Street: Variance** in distance requirements to other billboards and National Register districts to allow a multi-message billboard, C-4 District. George Greer/Church Street Developers, LLC., Applicant

Rezonings:

1. **4153, 4173, 4179, 4104, 4192, 4194 Cavalier Drive** Proposal to rezone from C-2, General Commercial and PDI, Planned Development Industrial to R-3 Multi-family Residential District. The purpose of this rezoning is to allow for multi-family apartments. Houston Brown, Applicant

Conditional Uses:

2. **4153, 4173, 4179, 4104, 4192, 4194 Cavalier Drive** Conditional use to allow multi-family complex, C-2/PDI District [R-3 Pending]. Houston Brown, Applicant

3. **4641 Fulton Mill Road**: Conditional use to allow a solar farm, A-agricultural District. Pete Corbett/SolAmerica Energy, Applicant

4. **833 Walnut Street**: Conditional use to allow a medical office within an existing building, CBD-2 District. Summit Center, P.C., Applicant

5. **408/420 Martin Luther King Blvd**: Conditional use to allow a nightclub/bar, CBD-1 District. 420 MLK LLC dba Late Nite Macon/Wesley Nobles, Applicant

6. **Moved to Ratification – 4295 Interstate Drive**: Conditional use to allow revisions to a previously approved site plan, PDI District. Harmon Enterprises/Hattaway Investments, Applicant

Certificate of Appropriateness

7. **Moved to Ratification – 110 Desoto Place**: Certificate of Appropriateness to allow

design approval of tree removal, HR-1 District. Richard D Miles, Applicant

8. **Moved to Ratification – 377 Buford Place**: Certificate of Appropriateness to allow design approval of fence/gate, storage building, and carport, HR-1 District. Frederick Moody, Applicant

9. **Moved to Ratification – 1060 Calhoun Street**: Certificate of Appropriateness to allow design approval of building an addition, tree removal exterior modifications, HPD-BH District. Ray Richard, Applicant

10. **Moved to Ratification – 316 Orange Street**: Certificate of Appropriateness to allow design approval of a wood fence, HR-3 District. Andy Moore, Applicant

11. **Deferred by DRB – 633 Arlington Place**: Certificate of Appropriateness to allow design approval of a new single-family dwelling, HR-3 District. John Losey, Applicant

12. **Deferred by DRB – 740 Mulberry Street**: Certificate of Appropriateness to allow design approval of façade modification, CBD-1 District. RC Poss Construction, Applicant

Signs:

13. **Moved to Ratification – 6291/6293 Rogers Road**: Conditional use to allow a changeable copy sign, A-Agricultural District. Rev. Peter Paul, Applicant

14. **Moved to Ratification – 6220 Thomaston Road**: Conditional use to allow a changeable copy sign, The Sign Store/Mike Lewis, Applicant

Variances:

15. **Moved to Ratification – 377 Buford Place**: Variance in setback requirements to allow a carport, HR-1 District. Frederick Moody, Applicant

16. **6336 Peake Road**: Variance in distance requirements for a changeable copy sign, PDE District. The Sign Store/Mike Lewis, Applicant

MACON-BIBB COUNTY
Planning & Zoning

EXHIBIT
Exhibit D

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 : MBPZ.org

COMMISSION HEARING and AGENDA PREVIEW MEETING
Monday, May 14, 2018

The regular hearing convened at approximately 1:33p.m., and adjourned at approximately 3:24 p.m.

THE COMMISSION	Commission Hearing Regular called Session (1:33 p.m.)	
	PRESENT	ABSENT
Kamal Azar *Chair*	√	
Jeane H. Easom *Vice Chair*		√
Bryan Scott *Commissioner*	√	
Ashok Patel *Commissioner*	√	
Tim Jones *Commissioner*	√	

STAFF AND ADVISORY PERSONNEL	Commission Hearing Regular called Session (1:33 p.m.)	
James P. (Jim) Thomas *Executive Director*	√	
JaRanda (Randi) Doveton *Zoning Director*	√	
Pope Langstaff *Planning and Zoning Commissions' attorney*	√	
Sheila Burns *Commission Secretary*	√	
Ethan Tonn *Assistant Zoning Director*	√	

MEDIA STAFF AND AFFILIATION	Commission Hearing Regular called Session (1:33 p.m.)	
	PRESENT	**ABSENT**
Linda Morris *The Macon Telegraph*	√	
	APPROVED	**DISAPPROVED**
Pre-meeting agenda review minutes/ Regular hearing minutes were duly signed by the presiding officer and approved by the Commission.	April 23, 2018 Regular & Pre-Meeting Minutes were approve.	

Agenda results sheets posted at the front desk in the Zoning Office May 15, 2018.

These are the official summary minutes of the Macon-Bibb County Planning and Zoning Commission in a public hearing on the date shown below and contain the official results of the hearing. The contents of this document have been checked for completeness and accuracy and meet the minimum requirements of Georgia State Law. They are not intended to be and should not be construed as a verbatim transcript.

MACON-BIBB COUNTY
Planning & Zoning

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 : MBPZ.org

COMMISSION HEARING SUMMARY OF MINUTES

MAY 14, 2018

The following are minutes for the May 14, 2018 meeting of the Macon-Bibb County Planning and Zoning Commission held in the conference room of 200 Cherry Street (Terminal Station) Suite 300, Macon, GA 31201 at 1:33 p.m.

For the record: *The presiding officer always advises the public of the narrative below whether in verbatim form as written below or summary Sheila Burns, Commission Secretary.*

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 MBPZ.org

OPENING STATEMENTS

*By now, staff has informed you that you must sign in if you wish to address the Commission. Everyone including the applicant must sign in first. You must enter your name in the logbook with your item of interest. If you have not signed in, please do so now. If several people are interested in an item, it is suggested that you confer and select a spokesperson to avoid duplication of information. Please be advised that once testimony has begun on an item, you cannot sign in. Once an item is called, please state your name and address for the record, and please speak directly into the microphone. Provide as much detail as you can about your item. We will then ask for comments from others, both pro and con. The applicant will then be allowed an opportunity for rebuttal. For each time that you return to address the Commission you must restate your name for the record, Please be advised that a maximum time limit of 10 minutes per side be allowed, 10 minutes per side not per person. After hearing both sides, the Commission will go into deliberations and make a decision. No further testimony from either side is allowed during deliberations. The electronic equipment on the podium (known as the box) monitors your time for presentation. The **green light** indicates, **"Start"** your presentation, the **yellow light** is a **"warning."** It indicates that you have one minute remaining in your presentation and lastly, the **red light** indicates, **"stop, your time is up"**. We ask that the audience remain quiet during the presentation, after the presentation the Commission will ask questions.*

ITEM #A

324 COWAN STREET: Conditional use to allow a multi-message billboard, C-4 District. **George Greer/Church Street Developers, LLC., Applicant.**

DISCUSSION

George Greer made the presentation to the Commission on behalf of the referenced item. He stated that this would be a V shape multi-message board and will be digital on both sides.

The Commission and Staff sought further clarification, and posed questions regarding the proposal.

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item A
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 · MBPZ.org

ITEM #B

324 COWAN STREET: Variance in distance requirements to other billboards and National Register district to allow a multi-message billboard, C-4 District. **George Greer/Church Street Developers, LLC., Applicant.**

THIS ITEM WAS HEARD WITH ITEM A

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item B
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

ITEM #1

4153, 4173, 4179, 4104, 4192, 4194, CAVALIER DRIVE: Proposal to rezone from C-2 District, General Commercial District and PDI, Planned Development Industrial District to R-3, Multi-Family Residential District. The purpose of this rezoning is to allow for multi-family apartments. **Houston Brown, Applicant.**

DISCUSSION

Houston Brown made the presentation to the Commission on behalf of the referenced item. He stated that this project would be Phase II of Phase I which is already under construction. He also mentioned that this would include four apartment buildings, community area and playground. Also, this is for 55 and older.

The Commission and Staff sought further clarification, and posed questions regarding the proposal, such has how many bedrooms and what would be done to the current hotel and the noise factor from I-475.

The applicant stated that there the buildings would be demolished and there would be noise barriers in place to help with the noise.

The Commission observed that there were several people here to speak in opposition of the project.

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OPPOSITION

There were several people to speak in opposition of the rezoning and conditional use, and they are:

- Donna Dawson
- Anne Nettles
- Thomas Wilson
- Wanda Flanders
- Dean Dummitt
- Fernado Hernandez:

Their main concerns were:

- Phase I of this project has been altered from the original plan
- Phase II would be difficult to navigate due to traffic
- Who would pay for road improvements, fire hydrants, road signals, curbing, etc.
- Traffic would be a concern with it came to Mount Desales Academy fields at the end of Cavalier Drive
- Value of their property going down
- Section 8 apartments
- Certain P&Z malfunctions have made the area difficult to live in and sale property
- P&Z Commission needs to plan for the future because blight would be a concern
- This project is being built with the same factor as AL Miller project and it looks half full
- Building specifically for poor people
- Does not want the project to go thru, and feels this would provide lucrative tax credits for the property owner and developer

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REBUTTAL

Houston Brown said that the property owner does not receive any tax credits. State and Federal credits will fund the project. These apartments will not be Section 8, but will be based on certain income level. He mentioned that Phase I of the project is about 50 percent finished.

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item 1
Comm. Jones seconded the motion.
This motion was approved by a vote of 3:0
Comm. Easom absent
Comm. Patel recused himself

APPROVED

ITEM #2

4153, 4173, 4179, 4104, 4194 CAVALIER DRIVE: Conditional use to allow multi-family complex, C-2/PDI District [R-3 Pending]. **Houston Brown, Applicant.**

THIS ITEM WAS HEARD WITH ITEM #1

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item 2
Comm. Jones seconded the motion.
This motion was approved by a vote of 3.0
Comm. Easom absent
Comm. Azar recused himself

APPROVED

ITEM #3

4641 FULTON MILL ROAD: Conditional use to allow a solar farm, A-Agricultural District. **Pete Corbett/SolAmerica Energy, Applicant.**

DISCUSSION

Jay Bayer and Gary Harrell made the presentation to the Commission on behalf of the reference item.

The Commission and staff sought further clarification, and posed questions regarding the buffer. After listening to the applicant the Commission decided it would be best to defer this item until May 29, 2018 to give the applicant time to talk with some residents and to come back with where the maximum buffer and a landscape plan.

There was one person to speak in favor of this project.

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to defer item 3 until May 29, 2018
Comm. Patel seconded the motion.
This motion was approved by a vote of 4.0
Comm. Easom absent

APPROVED

ITEM #4

833 WALNUT STREET: Conditional use to allow a medical office within an existing building, CBD-2 District. **Summit Center, P.C. Applicant.**

DISCUSSION

Stephen Drakes made the presentation to the board on behalf of the reference item. He stated that he felt that this area would be great for a medical office, and since this building has been closed for 2 years that is the only reason that they are here today to get approval.

The Commission and Staff sought further clarification, and posed questions regarding the proposal, such as how soon will they be ready to open.

Stephen Drakes response was ASAP.

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item 4
Comm. Patel seconded the motion.
This motion was approved by a vote of 4.0
Comm. Easom absent

APPROVED

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ITEM #5

408/420 MARTIN LUTHER KING BLVD: Conditional use to allow a nightclub/bar, CBD-1 District. **420 MLK LLC dba Late Nite Macon/Wesley Nobles, Applicant.**

DISCUSSION

Wesley Nobles made the presentation to the Commission on behalf of the referenced item.

The Commission and Staff sought further clarification, and posed questions regarding the proposal, such as hours of operation, and will there be a DJ or live music.

Mr. Nobles stated that there would be no live band and just a DJ. He stated that he used to be a DJ at this location when it was a former club. The club will be open until 2 p.m. There will be sound partions so that the noise will not bother the residents in the surroundings loft apartments.

NO ONE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item 5
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent
APPROVED

ITEM #6

4295 INTERSTATE DRIVE: Conditional use to allow revisions to previously approved site plan, PDI District. **Harmon Enterprises/Hattaway Investments. Applicant.**

NO DISCUSSION ON THIS ITEM - RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 6.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

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APPROVED

ITEM #7

110 DESOTO PLACE: Certificate of Appropriateness to allow design approval of tree removal, HR-1 District. **Richard D. Miles, Applicant.**

NO DISCUSSION ON THIS ITEM – RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 7.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

ITEM #8

377 BUFORD PLACE: Certificate of Appropriateness to allow design approval of fence/gate. Storage building and carport, HR-1 District. Applicant.

NO DISCUSSION ON THIS ITEM – RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 8.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

ITEM #9

1060 CALHOUN STREET: Certificate of Appropriateness to allow design approval of building addition, tree removal exterior modifications, HPD-BH Disrict. **Ray Richard, Applicant.**

NO DISCUSSION ON THIS ITEM – RATIFIED

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
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DELIBERATION

Comm. Scott made the motion to approve ratified item 9.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

ITEM #10

316 ORANGE STREET: Certificate of Appropriateness to allow design approval of a wood fence, HR-3 District. **Andy Moore, Applicant.**

NO DISCUSSION ON THIS ITEM - RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 9.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

ITEM #11

633 ARLINGTON PLACE: Certificate of Appropriateness to allow design approval of a new single-family dwelling, HR-3 District. **John Losey, Applicant.**

NO DISCUSSION ON THIS ITEM – DEFERRED BY STAFF

ITEM #12

740 MULBERRY STREET: Certificate of Appropriateness to allow design approval of façade modifications, CBD-1 District. **RC Poss Construction, Applicant.**

NO DISCUSSION ON THIS ITEM – DEFERRED BY DRB

ITEM #13

6291/6293 ROGERS ROAD: Conditional use to allow a changeable copy sign, A-Agricultural District. **Rev. Peter Paul, Applicant.**

NO DISCUSSION ON THIS ITEM – RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 13.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

ITEM #14

6220 THOMASTON ROAD: Conditional use to allow a changeable copy sign, A-Agricultural District. **The Sign Store/Mike Lewis, Applicant**

NO DISCUSSION ON THIS ITEM - RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item 14.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0.
Comm. Easom absent

APPROVED

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 : MBPZ.org

ITEM #15

377 BUFORD PLACE: Variance in setback requirements to allow a carport, HR-1 District. **Frederick Moody, Applicant.**

NO DISCUSSION ON THIS ITEM – RATIFIED

DELIBERATION

Comm. Scott made the motion to approve ratified item #15.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

ITEM #16

6336 PEAKE ROAD: Variance in distance requirements for a changeable copy sign, PDE District. **The Sign Store/Mike Lewis, Applicant.**

DISCUSSION

Mike Lewis made the presentation to the board on behalf of the reference item. He stated that his client would like to put a changeable V shape sign at this location and the sign would not be location within 200ft of a residential neighborhood

The Commission and Staff sought further clarifications, and posed question regarding the proposal.

NO ONE ELSE WISHED TO BE HEARD ON THIS ITEM

DELIBERATION

Comm. Scott made a motion to approve item #16
Comm. Patel seconded the motion
The motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

MACON-BIBB COUNTY
Planning & Zoning

Macon-Bibb Planning & Zoning Commission
Terminal Station | 200 Cherry Street, Suite 301
Macon, Georgia 31201 MBPZ.org

REGULAR AND PRE-MEETING MINUTES FOR APRIL 23, 2018

Comm. Jones made a motion to approve the April 23, 2018 minutes.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

RATIFIED ITEMS

Comm. Scott made a motion to approve the Ratified Items
Comm. Jones seconded the motion
This motion was approved by a vote of 4.0
Comm. Easom absent

MOTION TO ADJOURN THE APRIL 23, 2018 MEETING @ 3:24 p.m.

Comm. Scott made a motion to adjourn the hearing.
Comm. Patel seconded the motion.
This motion was approved by a vote of 4:0
Comm. Easom absent

APPROVED

NEW BUSINESS

Non Applicable

OLD BUSINESS

Non Applicable

- **For the record:** *At the beginning of the hearing, the Executive Director, or an appointed staff member announces all known changes to the agenda such as withdrawn, deferred, or ratified items. Applicants who are scheduled to be heard but who wish to withdraw or defer their application are provided an opportunity to make that request to the Commission. On occasion items are heard out of order as the Commission deems necessary to provide for a more orderly hearing.*

- **For the record:** *No one wished to speak on behalf or against ratification items.*

- **For the record:** *On occasions, an asterisk etc.is placed in the absent column along with indicating the attendance of the Commissioner. This signifies that the Commissioner attended the meeting, but was not available for the vote on some or all of the issues addressed at the pre-meeting (Administrative Business Report) or regular hearing Meeting.*

- **For the record:** *The Commission approves all **RATIFIED** items after hearing all other items. The items are voted on as group and not as individual items. The votes listed under each item in the Minutes reflects the motion and vote to approve all **RATIFIED** items. No testimony is heard by the Commission on these items.*

Special Note:** **Macon-Bibb County Planning & Zoning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.

- *To the best of my knowledge, these minutes are true and correct. The meeting was convened and adjourned with a motion, second and vote by Macon-Bibb County Planning and Zoning Commission board members. There being no further business to discuss, the meeting adjourned at approximately 3:24P.M.* ***Sheila Burns, Commission Secretary.***

Legend
(Phonetically): Sounds like.
(Inaudible) impossible to hear muffled, low and indistinct.

EXHIBIT
E

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Overview

Legend
- Parcels
- Roads

Parcel ID	Q0740109OC67 1C
Class Code	Commercial
Taxing District	OCMULGEE TAD/DOWNTOWN BID
	OCMULGEE TAD/DOWNTOWN BID
Acres	0.13

(Note: Not to be used on legal documents)

Owner	LADER PAUL
	153 NEW STREET
	MACON GA 312010000
Physical Address	153 NEW ST
Assessed Value	Value $171094

Last 2 Sales

Date	Price	Reason	Qual
2/13/2014	0	QD	U
8/18/2004	$1	UQ	U

Date created: 6/12/2018
Last Data Uploaded: 6/12/2018 2:55:44 AM

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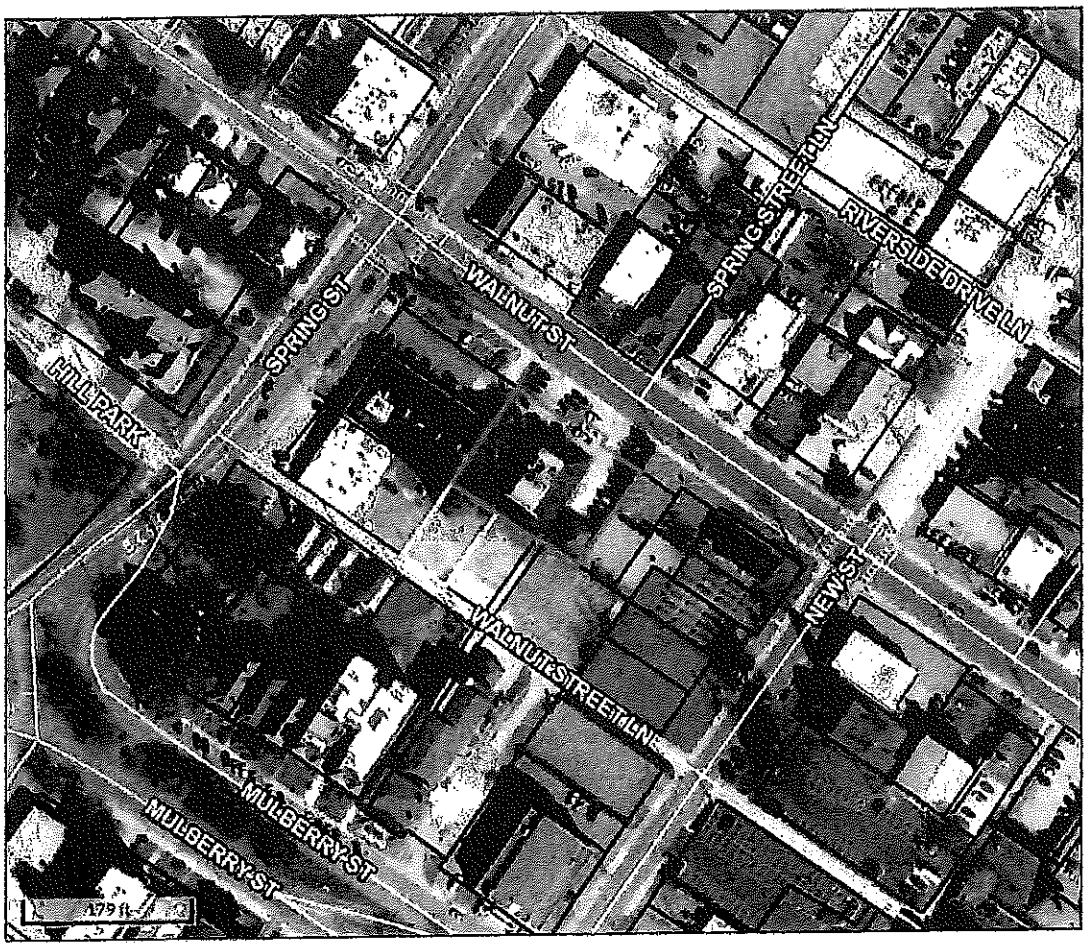
EXHIBIT



Overview

Legend

Parcels

Roads

Parcel ID	Q0740168OC68 6C
Class Code	Commercial
Taxing District	MACON-BIBB
	MACON-BIBB
Acres	0.46

(Note: Not to be used on legal documents)

Owner	FOSHEE HOLDINGS LLC
	850 WALNUT STREET
	MACON GA 31201
Physical Address	850 WALNUT ST
Assessed Value	Value $524144

Last 2 Sales

Date	Price	Reason	Qual
9/1/2008	$10	QD	U
9/1/2008	$10	QD	U

Date created: 6/12/2018
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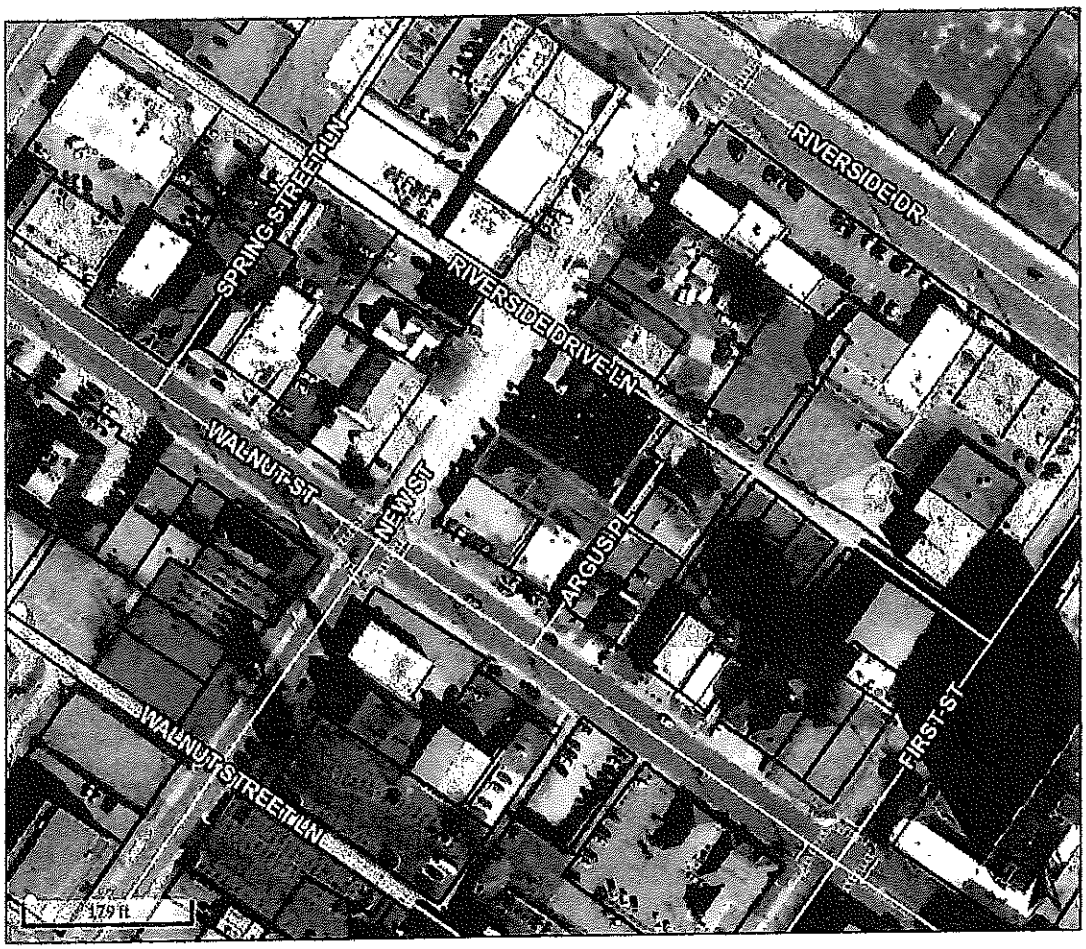

Overview

Legend

☐ Parcels

Roads

Parcel ID	Q0740654OC66 4D	**Owner**	SECKINGER MARION L	**Last 2 Sales**			
Class Code	Commercial		176 NEW ST	**Date**	**Price**	**Reason**	**Qual**
Taxing District	OCMULGEE TAD/DOWNTOWN BID		MACON GA 31201	6/10/2008	$115000	FM	Q
	OCMULGEE TAD/DOWNTOWN BID	**Physical Address**	174 176 NEW ST	n/a	0	n/a	n/a
Acres	0.13	**Assessed Value**	Value $113936				

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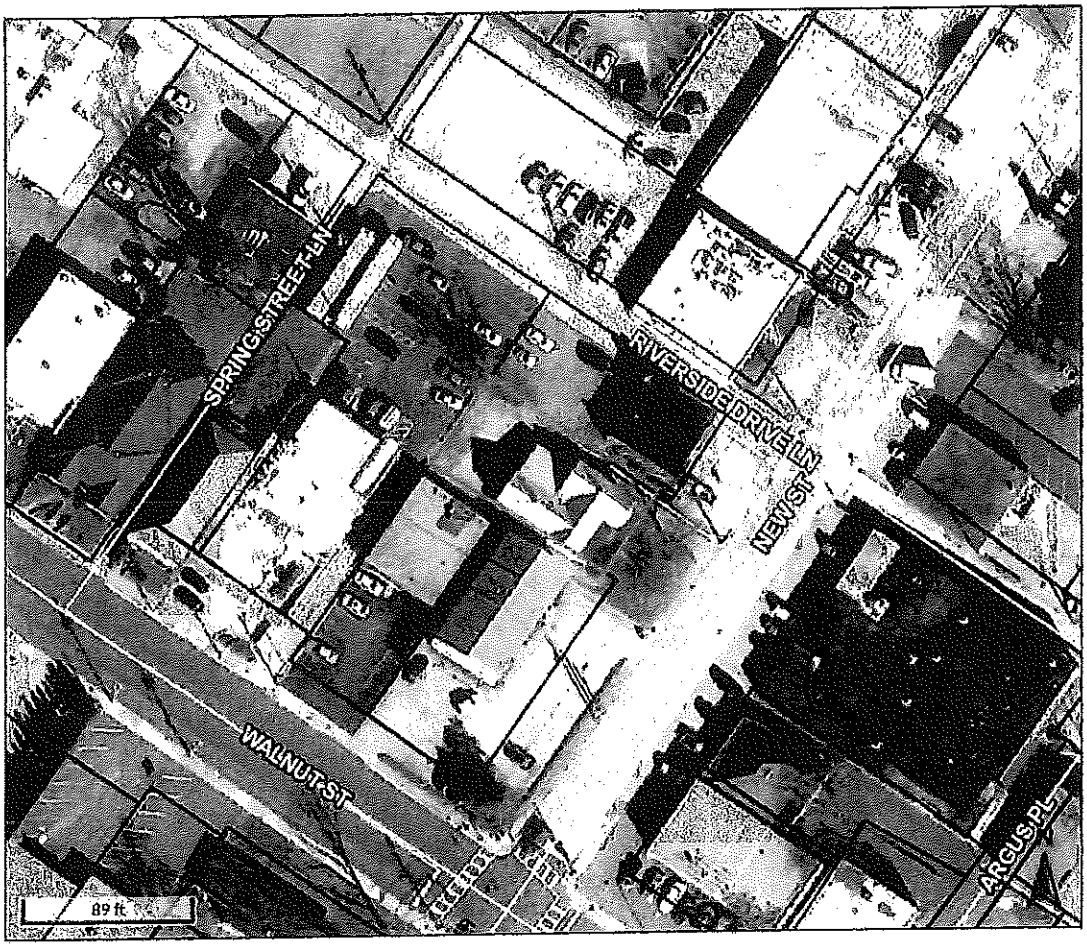

Overview

Legend

☐ Parcels

Roads

Parcel ID	Q0740108OC67 1D	Owner	PATEL KRUNAL	Last 2 Sales			
Class Code	Commercial		504 SANDGABLES CT	Date	Price	Reason	Qual
Taxing District	OCMULGEE TAD/DOWNTOWN BID		MACON GA 312208711	7/3/2014	$49500	AM	U
	OCMULGEE TAD/DOWNTOWN BID	Physical Address	169 NEW ST	9/1/1981	$25518	CP	U
Acres	0.13	Assessed Value	Value $82761				

(Note: Not to be used on legal documents)

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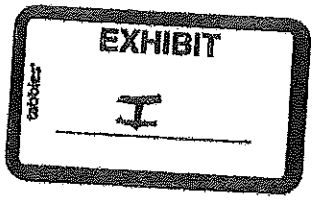

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Publication County:
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Notice Keywords:
summit center

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Notice Publish Date:
Monday, April 23, 2018

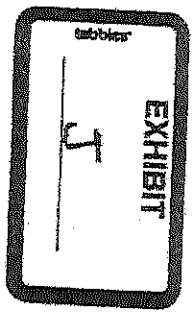
Notice Content

GEORGIA, BIBB COUNTY The Macon-Bibb County Planning and Zoning Commission at a public hearing to be held on MONDAY, May 14, 2018 in the Macon-Bibb Count Planning & Zoning Commission Conference Room, 200 Cherry Street (Terminal Station) Suite 300 (Third Floor), beginning at 1:30 Persons with questions or who are interested in reviewing the files should contact the Zoning Office at 751-7450 prior to the hearing date. The office is located in Suite 301, Terminal Station, 200 Cherry Street, Macon, GA 31201. The Pre-meeting of the Macon-Bibb County Planning and Zoning Commission and staff will be held in the Macon-Bibb County Planning & Zoning Commission Conference Room, 200 Cherry Street (Terminal Station), Suite 300, beginning at 12:00 p.m. _____ Approval of April 23, 2018 meeting minutes Rezonings: 1. 4153, 4173, 4179, 4104, 4192, 4194 Cavalier Drive: Proposal to rezone from C-2, General Commercial and PDI, Planned Development Industrial to R-3 Multi-family Residential District. The purpose of this rezoning is to allow for multi-family apartments. Houston Brown, Applicant. Conditional Uses: 2. 4153, 4173, 4179, 4104, 4192, 4194 Cavalier Drive: Conditional use to allow multi-family complex, C-2/PDI District [R-3 Pending]. Houston Brown, Applicant. 3. 4641 Fulton Mill Road: Conditional use to allow a solar farm, A-agricultural District. Pete Corbett/SolAmerica Energy, Applicant. 4. 833 Walnut Street: Conditional use to allow a medical office within an existing building, CBD-2 District. Summit Center, P.C., Applicant. 5. 408/420 Martin Luther King Blvd: Conditional use to allow a nightclub/bar, CBD-1 District. 420 MLK LLC dba Late Nite Macon/Wesley Nobles, Applicant. 6. 4295 Interstate Drive: Conditional use to allow revisions to previously approved site plan, PDI District. Harmon Enterprises/Hattaway Investments, Applicant Certificate of Appropriateness: 7. 110 Desoto Place: Certificate of Appropriateness to allow design approval of tree removal, HR-1 District. Richard D Miles, Applicant. 8. 377 Buford Place: Certificate of Appropriateness to allow design approval of fence/gate, storage building and carport, HR-1 District. Frederick Moody, Applicant. 9. 1060 Calhoun Street: Certificate of Appropriateness to allow design approval of building addition, tree removal exterior modifications, HPD-BH District. Ray Richard, Applicant. 10. 316 Orange Street: Certificate of Appropriateness to allow design approval of a wood fence, HR-3 District. Andy Moore, Applicant. 11. 633 Arlington Place: Certificate of Appropriateness to allow design approval of a new single-family dwelling, HR-3 District. John Losey, Applicant. 12. 740 Mulberry Street: Certificate of Appropriateness to allow design approval of façade modification, CBD-1 District. RC Poss Construction, Applicant. Signs: 13. 6291/6293 Rogers Road: Conditional use to allow a changeable copy sign, A-Agricultural District. Rev. Peter Paul, Applicant. 14. 6220 Thomaston Road: Conditional use to allow a changeable copy sign, The Sign Store/Mike Lewis, Applicant. 15. 377 Buford Place: Variance in setback requirements to allow a carport, HR-1 District. Frederick Moody, Applicant. 16. 6336 Peake Road: Variance in distance requirements for an changeable copy sign, PDE District. The Sign Store/Mike Lewis, Applicant. NOTICE: The Macon-Bibb County Planning and Zoning Commission has a program to comply with requirements of the American with Disabilities Act of 1990. Any person who wishes to attend the above meeting who has special need or requirements should call James P. Thomas in the office of the Commission at 751-7450 at least seven (7) days prior to the meeting to make arrangements to accommodate

their needs. Macon-Bibb County Planning and Zoning Commission James P. Thomas, Executive Director NOTICE OF REZONING Please be advised that the Macon-Bibb County Planning and Zoning Commission, at a meeting to be held on MONDAY, May 14, 2018 at the Terminal Station, 200 Cherry Street, Suite 301 beginning at 1:30 p.m. will hear comments, if any, to a proposal from Houston Brown, to rezone from C-2, General Commercial District to R-3, Multi-Family Residential District/PDI, Planned Development Industrial District located 4153, 4173, 4179, 4104, 4192, 4194 Cavalier Drive. The purpose of this rezoning is to allow for a Phase II of a proposed apartment community. ALL THAT TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN LAND LOT 74 OF THE 4TH LAND DISTRICT, BIBB COUNTY, GEORGIA, CONTAINING 0.55 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT MARKING THE SOUTHERLY TERMINUS OF THE MITERED INTERSECTION OF THE NORTHEASTERLY RIGH-OF-WAY (R/W) MARGIN OF CAVALIER DRIVE (SAID ROAD HAVING A VARIABLE WIDTH R/W) WITH THE SOUTHEASTERLY R/W/ MARGIN OF CAVALIER COURT (SAID ROAD HAVING A VARIABLE WIDTH R/W) AND THENCE PROCEED ALONG SAID MITERED INTERSECTION NORTH 01 DESGREES 03 MINUTES 01 SECOND EAST FOR A DISTANCE OF 50.76 FEET TO A POINT LOCATED AT ITS NORTHERLY TERMINUS; THENCE PROCEED ALONG SAID SOUTHEASTERLY R/W MARGIN NORTH 43 DEGREES 46 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 25.05 FEET TO A POINT; THENCE CONTINUE ALONG SAID SOUTHEASTERLY R/W MARGIN ALONG THE COUNTERCLOCKWISE ARC OF A CURVE (SAID CURVE HAVING A RADIUS OF 351.71 FEET AND BEING SUBTENDED BY A CHORD OF 215.52 FEET HAVING A BEARING OF NORTH 25 DEGREES 55 MINUTES 48 SECONDS EAST) FOR A DISTANCE OF 219.04 FEET TO A POINT MARKING THE INTERSECTION OF SAID SOUTHEASTERLY R/W MARGIN WITH THE WESTERLY R/W MARGIN OF INTERSTATE PARKWAY (SAID ROAD HAVING A VARIABLE WIDTH R/W); THENCE CONTINUE ALONG SAID WESTERLY R/W MARGIN ALONG THE CLOCKWISE ARC OF A CURVE (SAID CURVE HAVING A RADIUS OF 532.96 FEET AND BEING SUBTENDED BY A CHORD OF 146.48 FEET HAVING A BEARING OF SOUTH 07 DEGREES 05 MINUTES 57 SECONDS EAST) FOR A DISTANCE OF 146.94 FEET TO A POINT; THENCE CONTINUE ALONG SAID WESTERLY R/W MARGIN SOUTH 00 DEGREES 31 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 172.16 FEET TO A POINT; THENCE LEAVING SAID WESTERLY R/W MARGIN PROCEED NORTH 89 DEGREES 42 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 85.04 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY (R/W) MARGIN OF CAVALIER DRIVE; THENCE PROCEED ALONG SAID NORTHEASTERLY R/W MARGIN ALONG THE COUNTERCLOCKWISE ARC OF A CURVE (SAID CURVE HAVING A RADIUS OF 729.00 FEET AND BEING SUBTENDED BY A CHORD OF 69.96 FEET HAVING A BEARING OF NORTH 38 DEGREES 56 MINUTES 27 SECONDS WEST) FOR A DISTANCE OF 69.99 FEET TO THE POINT OF BEGINNING. The public is invited to inspect the files on any and all applications maintained at the Macon-Bibb County Planning and Zoning Commission Office. This office is located in Suite 301, Macon Bibb Planning and Zoning Conference Room, 200 Cherry Street. These files contain any and all information submitted on an application, including reports prepared by the Macon-Bibb County Planning and Zoning Commission Staff. Should you desire any information concerning these files or have any information to add to these files, please contact the Zoning Office by letter, or feel free to call 751-7450. Macon-Bibb County Planning and Zoning Commission James P. Thomas

Back

It's so nice knowing that someone cares and respects my choice to do to what's best for me. Thank you!"



ATLANTA

DETROIT

Summit Medical Centers abortion clinics in Atlanta, Georgia and Detroit, Michigan offer SAFE and PRIVATE abortion care.

Thank you for visiting Summit Medical Centers — your trusted source for reliable information on abortion care services, gynecological and well woman exams, and pregnancy counseling and referral options.

OUR GOAL is to provide safe and compassionate abortion care in an environment that respects the dignity, needs, and privacy of all of our patients in Atlanta, Georgia and Detroit, Michigan.

We are *one of the nation's leading abortion clinic providers* and an originator of outpatient second trimester procedures. Most of our physicians are board-certified obstetrician/gynecologists. Members of National Abortion Federation and Abortion Care Network.

Summit Medical Centers offer:

- RU486 / Abortion Pill (Medical Abortion) up to 10 Weeks
- Surgical Abortion up to 24 Weeks
- Emergency Contraception ("*Morning After Pill*")
- Pre/Post Abortion & Pregnancy Options Counseling
- Annual GYN Visits
- DNA, Pregnancy & STD Testing
- Birth Control Options Counseling

Low-income women may be eligible for STATE & PRIVATE FUNDING, and women with health insurance may be covered for abortion services. Please contact the facility nearest you for details.

All staff members at Summit Medical Centers are qualified, compassionate, and dedicated to providing patients with a comfortable, positive, and supported experience.

Both locations offer abortion care in a setting that supports women in taking an active role in their well being. We focus our attention on the unique needs of each patient, recognizing that each woman comes to us with her own concerns and set of

circumstances. Our centers in Atlanta, Georgia, and Detroit, Michigan should be contacted directly to answer specific questions about services, fees, hours of operation, and so forth.

We encourage you to visit the Patient Comments page to see for yourself what our patients have said about their own experience at our centers.

Proud Members of National Abortion Federation and Abortion Care Network.

Abortion Care Network

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Atlanta Abortion Clinic

Summit Medical Associates an Atlanta abortion clinic

1874 Piedmont Ave NE
Suite 500-E
Atlanta, GA 30324
(404) 607-0042 | (800) 537-2985

State Licensed Surgical Center (060-141) | Patient Forms

What Sets Us Apart?

- Summit Medical Associates, P.C. our Atlanta abortion clinic offers CHOICE for women seeking an abortion.
- HIGHEST QUALITY ABORTION CARE and reproductive healthcare in the southeast since 1975.
- CERTIFIED and LICENSED as an Ambulatory Surgical Treatmerit Center by the state of Georgia.
- REGULARLY INSPECTED to ensure that we maintain the highest standards in all areas of patient care – including our laboratory, surgical suite, and treatment rooms.
- Offer our patients the MOST modern medical technology in the caring and supportive atmosphere of a physician's office.

Committed to excellence

Our physicians are all board certified or board eligible obstetrician/gynecologists who have private practices in the area and maintain privileges at Atlanta's premier hospitals. They each have many years of experience performing abortions, and have extensive backgrounds in reproductive health services. We have a female physician on staff. Our counseling staff is dedicated to providing superior patient care. They have education, training, and experience in the helping fields, and provide compassionate, confidential pre/post abortion counseling in a supportive environment.

Summit Medical Associates, P.C. is affiliated with Summit Medical Centers, one of the nation's leading abortion providers and an originator of our outpatient second trimester procedures. Our high standard of patient care is sustained by our staff's dedication to surpassing patient expectations, and by keeping

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abreast of innovations in our field through continuing education and training. Patient feedback and concerns are vitally important to us; consequently, we ask each patient to complete a brief Patient Satisfaction Questionnaire at the conclusion of their visit. The responses to these questionnaires are used to evaluate and measure how well we are meeting their expectations. It is our "report card" and we strive to receive an A++!

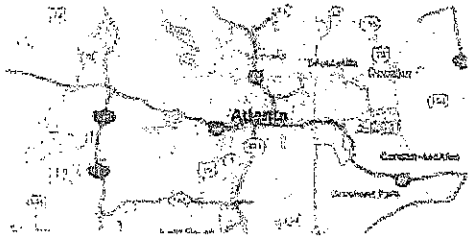
Caring & Compassionate

Our entire organization is dedicated to patient care. We recognize that this period can be an especially difficult one for our patients, their families and friends. We provide assistance in specialized circumstances, including rape, incest, DNA identifications, genetic defects, fetal anomalies and minor age patients with care and compassion. Our counselors are available before and after surgery.

Individualized Patient Attention

We focus our attention on the unique needs of each patient. At Summit, our counselors and professional staff are always available to provide emotional support. Our follow-up program includes a patient coordinator who is responsible for addressing any concerns or issues the patient or her family/friends may have after her procedure. Our staff is dedicated to providing our patients with a comfortable, supportive and positive experience.

Summit Medical Associates



ATLANTA

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Summit Women's Center

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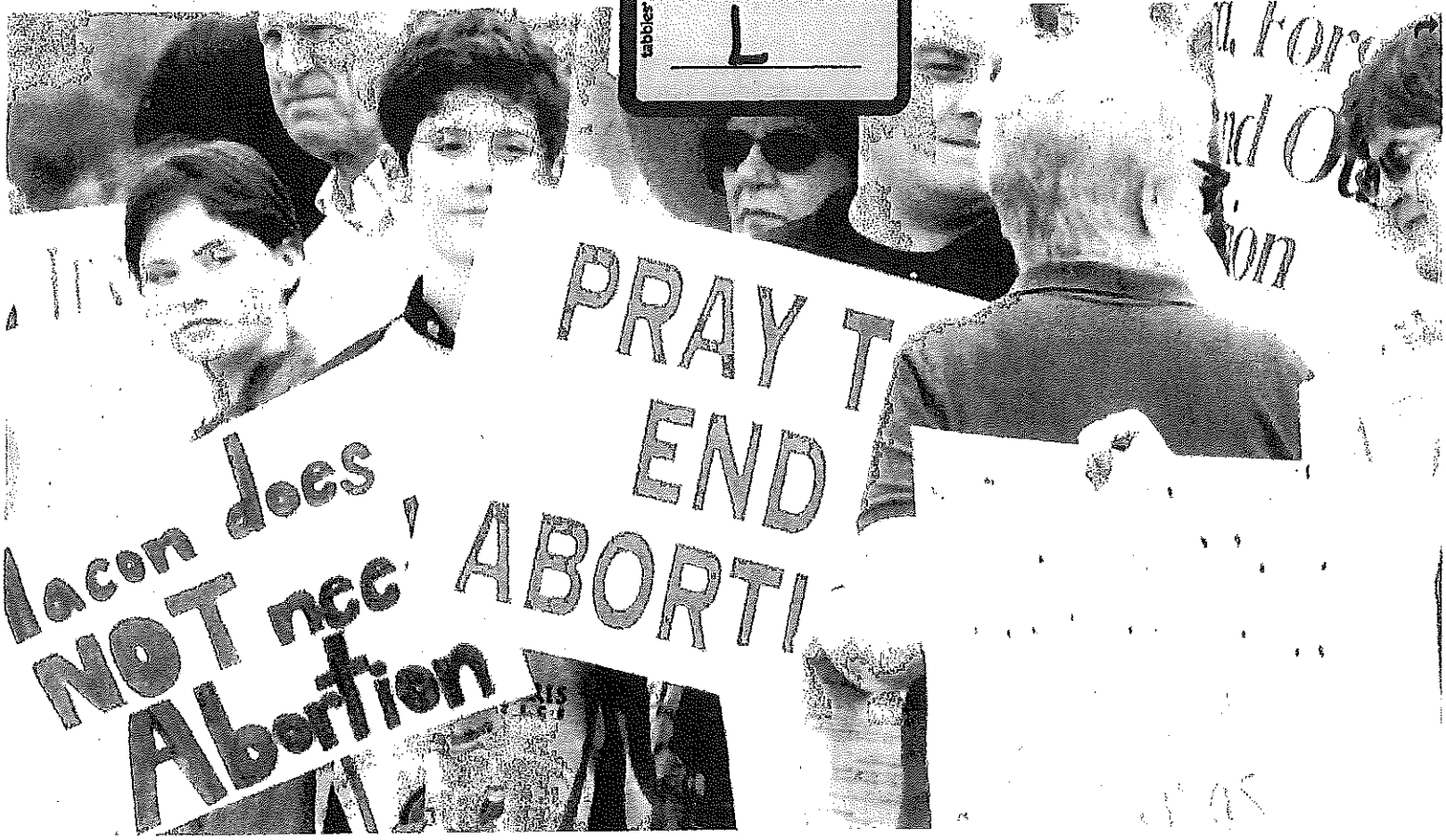

LOCAL

New office offering abortions thinks Macon is right choice. 100 protesters disagree

BY LINDA S. MORRIS AND WILLIAM DOUGLAS
lmorris@macon.com
wdouglas@mcclatchydc.com

May 21, 2018 03:15 PM
Updated May 21, 2018 04:47 PM

MACON, GA — About 100 people demonstrated Monday outside the future site of a medical office on Walnut Street that would offer abortions. They prayed silently and held anti-abortion signs or posters advocating adoption.

"We're here today to pray and silently protest the fact that this space has been authorized as an abortion clinic," said Ann Beall, director of the The Saint Maximilian Kolbe Center for Life, which she described as a pregnancy resource center supported by the Catholic Church. "Our goal is to hopefully ever prevent them from opening."

Beall said opponents have reached out to local government officials but added, "we have not had a specific conversation about this clinic, but that is coming."

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Last week, the Macon-Bibb County Planning & Zoning Commission approved a conditional-use permit for the Summit Center PC, to allow a medical office at 833 Walnut St. No one attended the meeting to oppose the application. The parent company, Summit Medical Centers, has offices in Atlanta and Detroit. It would provide low-cost women's gynecological health services including pap smears, vaginal infection treatment, flu vaccines, contraceptive prescriptions and "first trimester only abortion care and gynecological exams," according to its application.

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Beall said the company was "very quiet" before it went before planning and zoning.

"There was no mention in the planning and zoning agenda that they were an abortion clinic — it was just a women's health clinic," she said.

Supplemental information, which is posted on the planning and zoning website, provides more information about the application and states the various services the Summit Center would offer, including abortion.

One reason the company chose Macon is because "the next closest facilities that provide abortion care are Atlanta and Savannah," said Tanya Little, executive director of the Georgia and Michigan offices. "So Middle Georgia is really without a provider for abortion care."

Also, the company is aware there "are a lot of folks" who don't have the means to travel long distances to get the services they want, Little said.

"It's an absolute hardship," she said. "We're committed to providing quality abortion care, and that includes providing care in the communities where it's inaccessible because there are no providers. ... We want to make sure that folks who need care can access it."

The U.S. Supreme Court legalized abortion in 1973 in its Roe v. Wade decision.

Beall acknowledged that abortions are legal, but "the question becomes: Are they going to make this clinic a place that's clean and healthy and safe for women to have surgery? Looking at it today, I'd say it's not there."

Little said renovation at the building would begin in about 30 days, and she hopes it would open in about six months. Also, the company will do what it can to keep patients and employees safe.

"We take security very seriously," she said. "We are well-versed in the needs of our security. ... We are going to put all the pieces in place to be sure that everyone remains as safe as possible. We will employ security guards."

Sheriff's deputies were present outside the building Monday urging demonstrators and reporters to remain on the sidewalk and not walk onto the future clinic's property. But that didn't stop Debra McMahon, a retired teacher who coaches cross country and conditioning at Mount de Sales Academy, from placing what she called "Miraculous Medals" in the hedges outside the building.

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"It's abortion that we're keying on here," McMahon said. "What the other services might be, I don't know, it could be mammograms. I'm a breast cancer survivor. Those services are OK, but it's the abortion part that we think might be stealth going on here. We are doing our due diligence in being here and being proactive and trying to see that this doesn't happen in our community."

Little said abortions would probably be the service used the most.

"The bulk of our services is abortion because it is not available elsewhere, and women do have more access to their OB-GYN care in most communities than they do to abortion care," she said.

Minton Williams, 66, of Macon, stood across the street from the building. He and other members of a men's prayer group prayed outside the site about 7 a.m.

"We prayed some things concerning this place, the fact that we didn't want it, we didn't think it was scriptural," Williams said. "We asked for the Lord to be just in his view toward this. We just believe that it's killing. It's just sad that we're more concerned about saving baby whales than children. ... I know this is not doing the community any good, and it doesn't need to be here. It's harming people, including the mothers, and I think it's just sad that we have to be here on a day like this."

Father Scott Winchel, pastor of St. Joseph Catholic Church, led the demonstrators in prayer, standing on a grassy lawn on property adjacent to the proposed office.

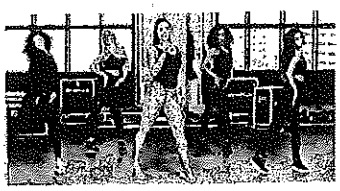
"We also pray for those that own this business," he said. "We pray that you'll be in their hearts, that you'll open their eyes, and walk with them and bring them closer to you."

Little was aware of Monday's demonstration shortly after it took place.

"We do understand that abortion brings up strong emotions for people, but we feel strongly that however anybody feels about abortion, no one should be shamed when they are trying to navigate health care in their community.

"I would like to reiterate that we strongly believe and we strongly support and trust women to make the right decisions that are best for themselves and their families. And we are looking forward to providing safe, dignified care to the Macon community."

COMMENTS



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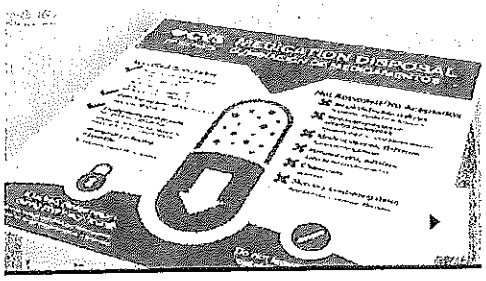

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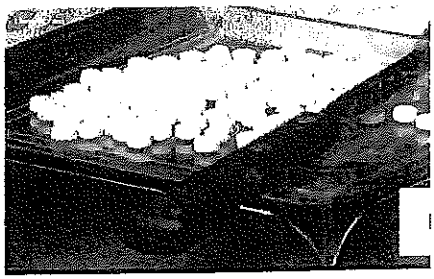

One year since wave of fake Perco pill overdoses in Central Ga.

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May 21, 2018
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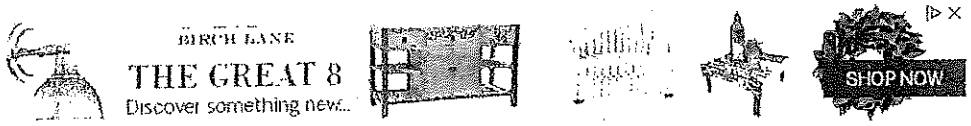

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1258pm 5/21/2018

WGXA

Dozens protest future abortion clinic in Macon

by Eric Mock
Monday, May 21st 2018

MACON, Ga. -- Protesters gathered Monday afternoon on Walnut Street in Macon to protest the future opening of an abortion clinic. The Kolbe Center and St. Joseph Church Respect Life Committee hosted the rally.

The building is located at 833 Walnut Street.

Recently, the Macon-Bibb Planning and Zoning Commission granted Summit Center, PC authorization to open a medical office at the location.

The Summit Medical Center Group owns abortion clinics in Atlanta and Detroit. In Atlanta, abortions are done through 24 weeks. They also provide contraception, STD testing and other services.

Around noon Monday, dozens of anti-abortion protesters lined up at the site -- on both sides of the street -- with many holding signs reading things like "Abortion kills children" and "Pray to end abortion."

Administration with Summit Medical told WGXA Monday that they plan to provide women's medical services in the building -- including abortions.

Tanya Little, the executive director of the clinics, confirmed Monday they will provide abortions, along with other reproductive health services for women.

"We've always been committed to providing quality abortion care," Little said. "We trust women to make healthcare decisions that are best for them and their families."

Little says despite the protests, they believe this is an essential service for women's health.

"However we feel about abortion, we feel like no one should be ashamed," Little says. "No one should be shamed for trying to access or navigate healthcare."

There's no word yet on when the clinic will open.

Protest organizers say they are planning future protests on Walnut Street.

Macon churches plan to protest proposed abortion clinic

The building is currently vacant, but the site has been used as a medical office since 1957

Author: WMAZ
Published: 11:39 AM EDT May 21, 2018
Updated: 2:45 PM EDT May 23, 2018

CORRECTION: This story originally incorrectly described state licensing for abortion clinics. Those clinics are licensed by the state Department of Community Health.

Macon-Bibb's Planning and Zoning board approved plans for a medical clinic that would perform abortions last week.

It would apparently be the only abortion provider in Central Georgia and the first in the region in decades.

A group of Macon churches plan a silent protest at noon Monday at the clinic, located at 833 Walnut Street.

"We knew we needed to mobilize and mobilize quickly," says organizer Ann Beall. "We were just horrified that this could happen so quietly and so quickly."

According to an agenda item from the Macon-Bibb County Planning and Zoning Commission, an Atlanta company named Summit Center PC planned to provide first trimester abortions only along with other women's health services.

"Macon has a lack of providers and women are having to travel quite far distances to access that care," says Summit Center executive director, Tanya Little. "We are committed to providing safe, dignified care. We trust women to make healthcare decisions that are best from themselves and their families."

But the protesters don't agree with Little.

"If a mother decides to kill her own child, she's not only killing her own child, she's killing her grandchildren and her great-grandchildren and her great-great-grandchildren," says protester Suzan Rivers.

"It is the invisible Holocaust. There are no groups that are more defenseless and pre-born babies," says protester Rinda Wilson.

According to the Centers for Disease Control, there were just over 30,000 abortions statewide in 2014 or about 82 a day, which gives Georgia the nation's 8th highest abortion rate.

Although the building is currently vacant, the site has been used as a medical office since 1957, according to their application.

Abortion clinics need licenses from the Georgia Department of Community Health, according to Michael Hokanson of the North Central Health District.

That board is part of the Georgia Department of Community Health.

The agency did not respond to WMAZ's questions Monday morning about whether the Summit Center has received a license for the Macon site.

Macon.com video

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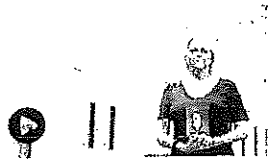
"It's just killing. It's murder," anti-abortion advocate says

May 21, 2018

Ann Beall, director of The Kolbe Center, helped arrange an anti-abortion prayer demonstration Monday, May 21, 2018, outside a medical office on Walnut Street in Macon. The Summit Center PC is expected to offer abortions.

Jason Vorhees

Veterans visit museum to help planes restoration process



'I couldn't stop crying,' slain victim's mother says of convicted murderer's death

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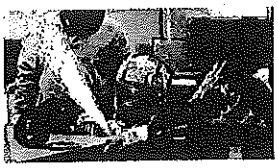

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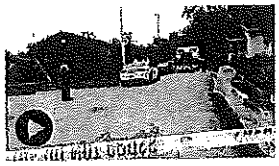
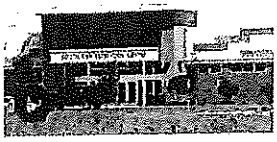
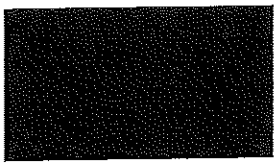


Baby found dead on Cochran Avenue in east Macon



Long-awaited recreation center finally opening in South Bibb



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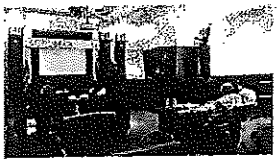

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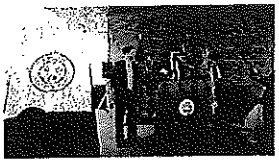

Warner Robins reveals Independence Day Concert headliner

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FUTURE ABORTION CLINIC SPARKS PROTEST DOWNTOWN

Macon-Bibb Planning and Zoning agreed to allowing Summit Medical Associates have an office downtown.

By **Tanya Modersitzki** - May 21, 2018

MACON, Georgia (41NBC/ WMGT) – The possibility of an abortion clinic opening downtown Macon, brought out dozens of protesters. Currently, the nearest clinic is in Atlanta.

The Macon Medical Center, was once a place where you can go for urgent care, is now at the center of controversy. Dozens gathered to express their anger to try and stop it from becoming an abortion clinic.

"It's just an evil we don't want in our city," St. Maximilian Kolbe Center for Life Director Ann Beall said.

Macon-Bibb Planning and Zoning Commissioners gave the 'green light' to bring Summit Medical Associates in to the old Macon Medical Center.

Beall, who helped organize the protest, says she hopes protesting will appeal the city's decision.

"Found out on Tuesday [that] Planning and Zoning had agreed to let an abortion company open a facility here," she said.

Summit owns clinics in Atlanta and Detroit. Their website indicates they offer family planning services, including abortion. Women up to six months pregnant can get an abortion at Summit.

"Babies are viable at 24 weeks, so that's killing a human being," Beall said.

Judy Pallas and Dee Votary agree, and say life is too precious.

"There are so many women that want to be able to adopt, but so many lives are just tossed away," Pallas said.

"Who knows, if we haven't killed the person with the cure for cancer or Alzheimer's. You just don't know," Votary said.

41NBC reached out to Macon-Bibb Planning and Zoning for comment, but they haven't gotten back to us. We also tried getting a statement from Summit Medical Associates, but they have not replied either.

There is no word yet, on when the clinic will open.

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Proposed Abortion Clinic Draws Protest In Macon

By GRANT BLANKENSHIP (/PEOPLE/GRANT-BLANKENSHIP) • MAY 21, 2018

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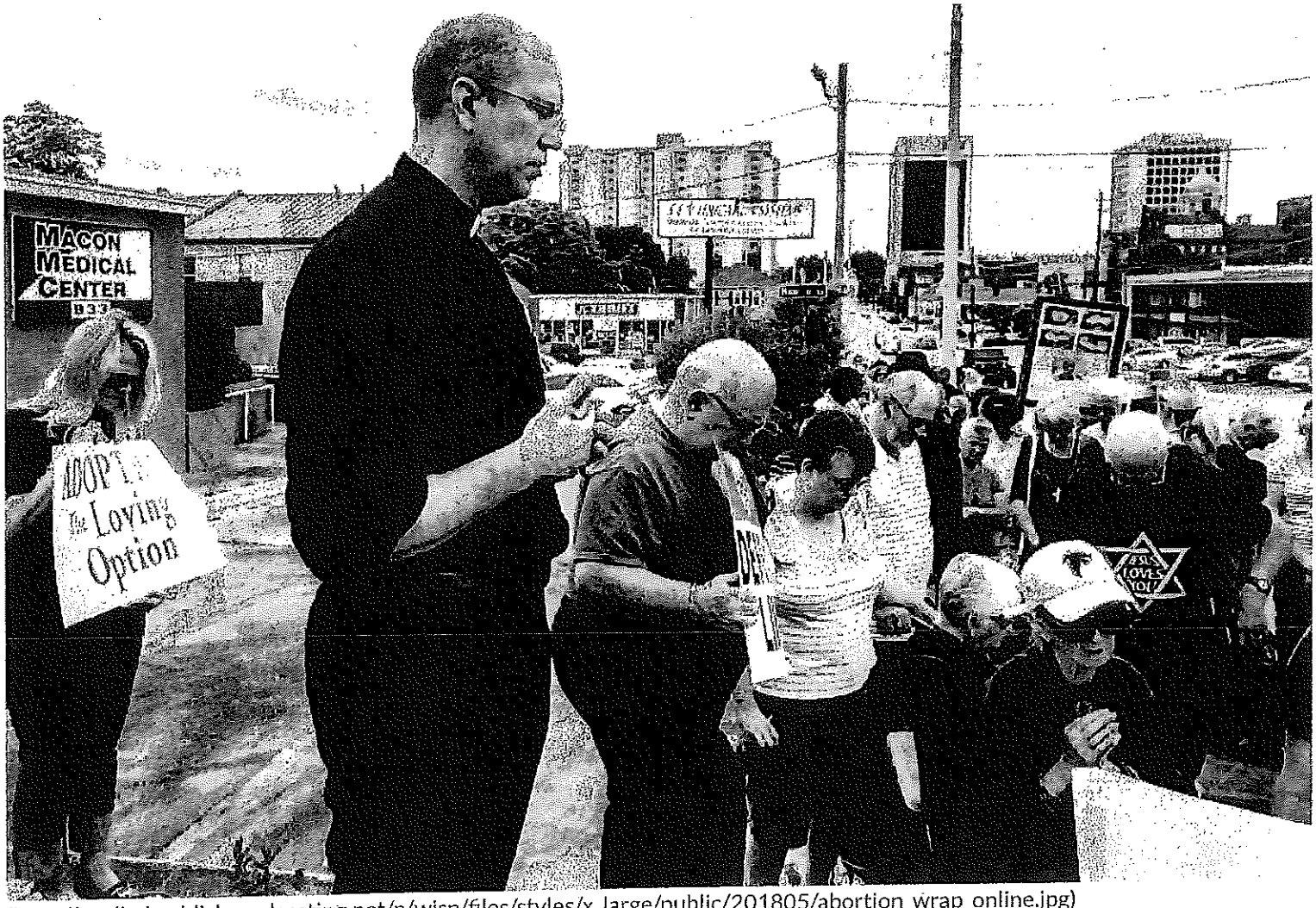
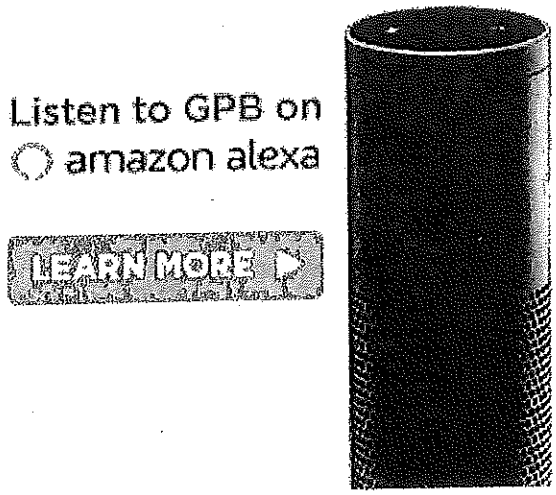


(http://mediad.publicbroadcasting.net/p/wjsp/files/styles/x_large/public/201805/abortion_wrap_online.jpg)

Father Scott Winchel of Macon's St. Joseph's Catholic Church leads protesters in prayer outside the proposed location of the Summit Medical Center in Macon. The clinic would be the first abortion provider in Macon in decades.



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First Abortion Clinic In Macon In Decades Draws Protest

Plans for a clinic that would provide abortion access drew protest in Macon.

About 150 anti-abortion protesters sang, prayed and held sometimes medically graphic posters outside the proposed location of a Summit Medical Center clinic in downtown Macon. Summit Medical Center operates a clinic in Atlanta and another in Detroit.

Macon has been without an abortion provider for decades and there are no providers in the Middle Georgia region in general. Tanya Little, communications director with Summit Medical Centers says that leaves women in the region with few options for abortion access.

"You're closest clinic would likely be Florida, Savannah or Atlanta. Or Columbus. You could go to Columbus," Little said in a phone interview.

That leaves women in Middle Georgia an hour's drive away or more from an abortion provider.

Little says the clinic is expected to open in about six months.

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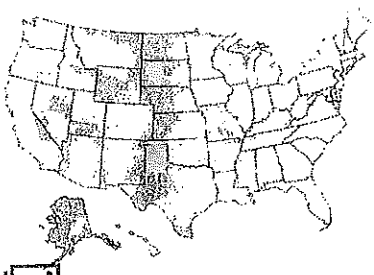

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HOMEPAGE

Macon's the new flashpoint in America's abortion debate

BY BILL FERGUSON
Special to The Telegraph

May 31, 2018 06:09 PM
Updated June 03, 2018 05:00 AM

The abortion debate has come to Macon.

Suddenly, we here in Middle Georgia are on the verge of becoming a flashpoint on the issue that has divided this nation for decades. As reported in the Telegraph and other local news sources last week, a proposed women's health clinic that would be located on Walnut Street would provide abortion services, and local pro-life activists are not about to let that happen without a fight.

Soon after the proposal for the clinic was delivered to the local Planning and Zoning Commission, more than 100 sign-waving protesters lined Walnut to voice their displeasure at the prospect of abortions being performed in their community. And then last Sunday, a full-page ad appeared in this publication, urging citizens to contact their local government officials to let them know they don't want this clinic to be permitted to open.

ADVERTISING

If you do call up your local public servants to ask them to fight the opening of this clinic, you might also want to mention that they'd best tighten up their spending habits as well, because there's a good chance that the already cash-strapped Macon-Bibb government would have to defend its actions in court. No doubt we will be hearing a lot more about this as local politicians consult their moral compasses and public opinion polls to decide how to respond to the issue.

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Frankly, I was surprised when I learned that there are currently no providers of abortion services in our area. Apparently a woman would have to travel to Atlanta or Columbus to have an abortion right now.

I realize that a lot of people are vehemently opposed to the practice, especially here in the buckle of the Bible Belt. But the fact is, it is legal in this country and I'm sure the demand for it exists here. I expect that the anticipated negative reaction from fierce abortion opponents is what has kept such a clinic from opening here already.

Abortion is one of those signature left-versus-right issues that people like to frame in simplistic terms when they "discuss" (i.e. scream at each other over) it. The extreme pro-life argument is that abortion is premeditated murder, in all cases and under all circumstances, and should be treated as such by the law. The radical pro-choice view is that abortion is a medical procedure that should be solely the business of the woman making the decision to have one, and society should stay out of that decision.

The reality is more complicated. Abortion is indeed a medical procedure, a very personal and invasive one. It is also a procedure that ends a developing human life, a life that has no voice in the matter unless society intervenes to consider the rights of that person-to-be.

If we were a more rational species, maybe we could face the reality that women are sometimes going to choose to end their pregnancies regardless of abortion's legal status. But that theoretical rational species also would conclude that they'd want to do everything possible to make abortion a last resort and they would look for constructive actions they could take to make that happen.

For example, communities that have provided free, long-term birth control to any woman who wants it have experienced well-documented reductions in the number of abortions being performed. As a bonus, they also have seen a decrease in the amount of money spent on public assistance programs for children living in poverty. That would be a really welcome bonus for a city such as Macon that has serious budget issues.

Of course, some people won't approve of spending their tax money on making birth control more accessible to poor women because they'll see it as just "encouraging people to sin." And if that's your point-of-view, nothing I or anyone else might say is going to change your mind.

So get your sign ready and put your local representatives on speed dial, because it's time to go to war.

Bill Ferguson is a resident of Warner Robins.

COMMENTS

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By Dreams Media Fusion — Just two days after it was reported that GMA co-anchor Lara Spencer would be cutting back on her airtime, rumors are starting to swirl.

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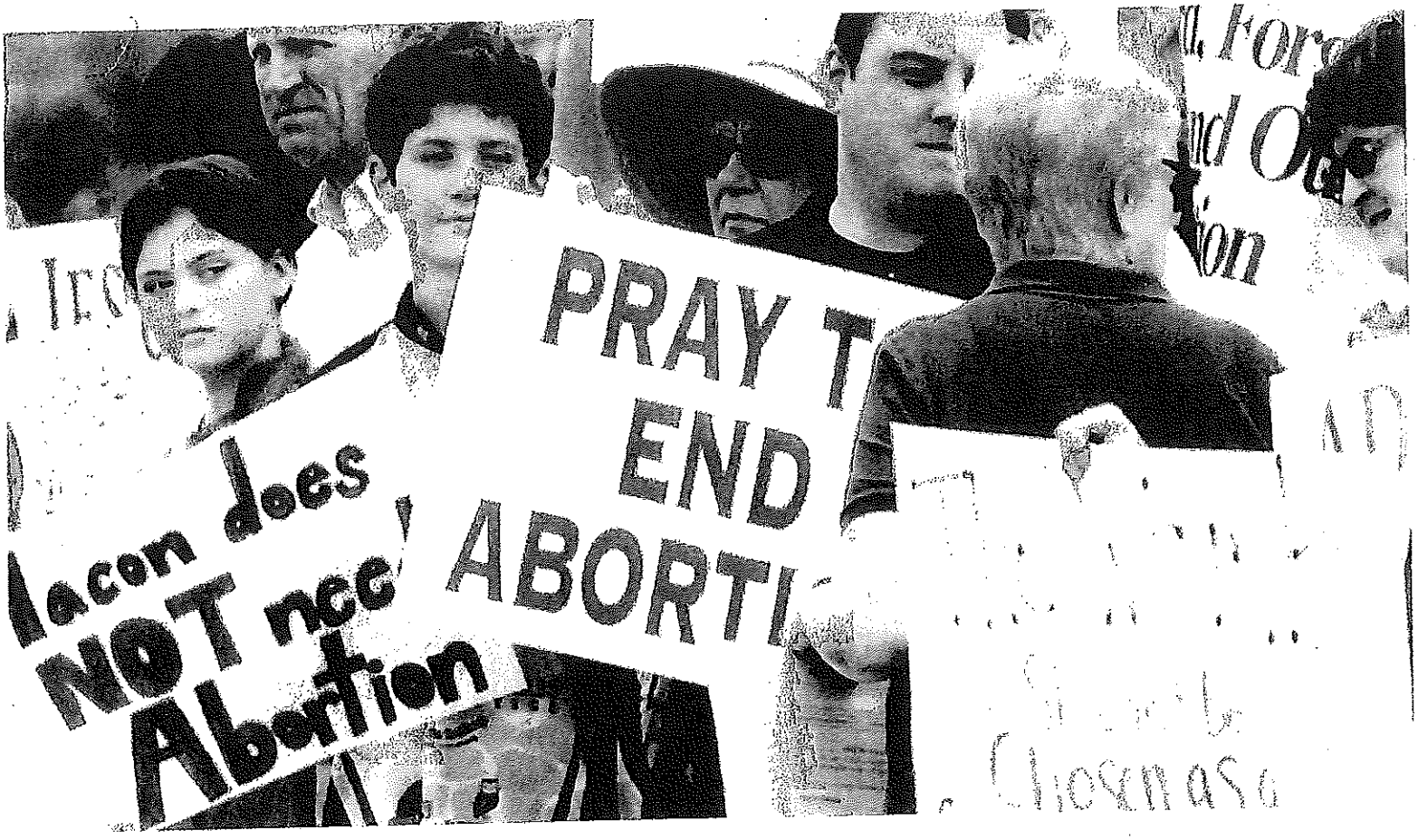

LOCAL

Where do women in Middle Georgia go for abortions? It's hard to say

BY LINDA S. MORRIS
lmorris@macon.com

June 01, 2018 04:01 PM
Updated June 01, 2018 04:13 PM

MACON, GA — If a woman in Middle Georgia wants a legal abortion, she faces a nearly impossible time having the procedure in Bibb County.

Or having it anywhere that doesn't involve at least a two-hour drive and a host of logistical nightmares.

Overcoming this is a big reason Summit Medical Centers plans to open a low-cost women's health facility offering abortions at 833 Walnut St. in Macon this fall. But even once it opens, women face controversy, as protesters vow to be watching closely and objecting loudly.

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Depending on where you live, the closest could be in Columbus or south of Atlanta. That means traveling at least two hours, if there's no traffic. And then arriving and finding a parking space. And dodging protesters.

If the woman already has a child, it means finding a babysitter or day care, said Tanya Little, executive director of Summit's Georgia and Michigan offices. "It's an absolute hardship," she said.

Six of the legal abortion facilities are in the Atlanta area, and one each in Augusta, Columbus and Savannah, according to the National Abortion Federation.

More than 7,000 abortions from women in Bibb and its surrounding counties took place 2012-2016, the latest statistics available, according to a Georgia Department of Public Health website. The largest number of abortions, 3,566, were from women in Houston County, followed by 2,670 from Bibb County.

In addition to offering first trimester-only abortion care, the Summit facility would offer other gynecological services including pap smears, vaccines, contraceptive implants and devices and other medical procedures, according the application.

Patients would be counseled on pregnancy options and provided adoption and parental care referrals.

Summit's Atlanta facility sees "quite a bit of folks from the Macon, Warner Robins area," Little said.

Statewide, more than 30,000 abortions were performed in Georgia in 2014, the latest year available, and of those nearly 3,500 were for women who lived out of state, according to the Centers for Disease Control and Prevention.

An abortion in Georgia can only be performed after "voluntary and informed consent of the female" at least 24 hours before the abortion except in a medical emergency, according to the state public health site. A parent or guardian must be notified if the woman seeking an abortion is under 18.

As of 2014, 96 percent of Georgia counties had no facilities that provided abortions, said Barbara Ann Luttrell, Planned Parenthood Southeast Inc. of Atlanta's director of communication and marketing.

"So, obviously, there is a real need for additional comprehensive reproductive health access — particularly in rural places in Georgia, and in other rural parts of the South, there are access issues and transportation issues," she said.

Protests planned

Once Summit opens, though, just getting to the facility won't be easy.

Last week, the Saint Maximilian Kolbe Center for Life led a protest of about 100 people in front of the proposed center. The Kolbe Center plans to have someone protesting there from 8 a.m. to 5 p.m. beginning this week.

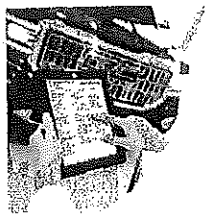
"My biggest issue (with the facility) is abortion," said Ann Beall, The Kolbe Center director. "We are a Catholic organization, so we do not advocate any kind of contraception. ... Any abortion is murdering a child."

The group plans to have a march beginning at noon June 15 from Rosa Parks Square to the facility "with even larger numbers."

If the center opens, Beall said she plans to work with the national Sidewalk Advocates for Life organization to have "trained advocates on the sidewalk and in the public right of way."

"No one is condemning the woman going in," she said. "We are just trying to offer them, in a respectful way as possible, an alternative. ... Our goal is to get to them, and not as they walk out of their cars attack them kind of thing. ... We just give them the opportunity to have a conversation before they go in."

COMMENTS



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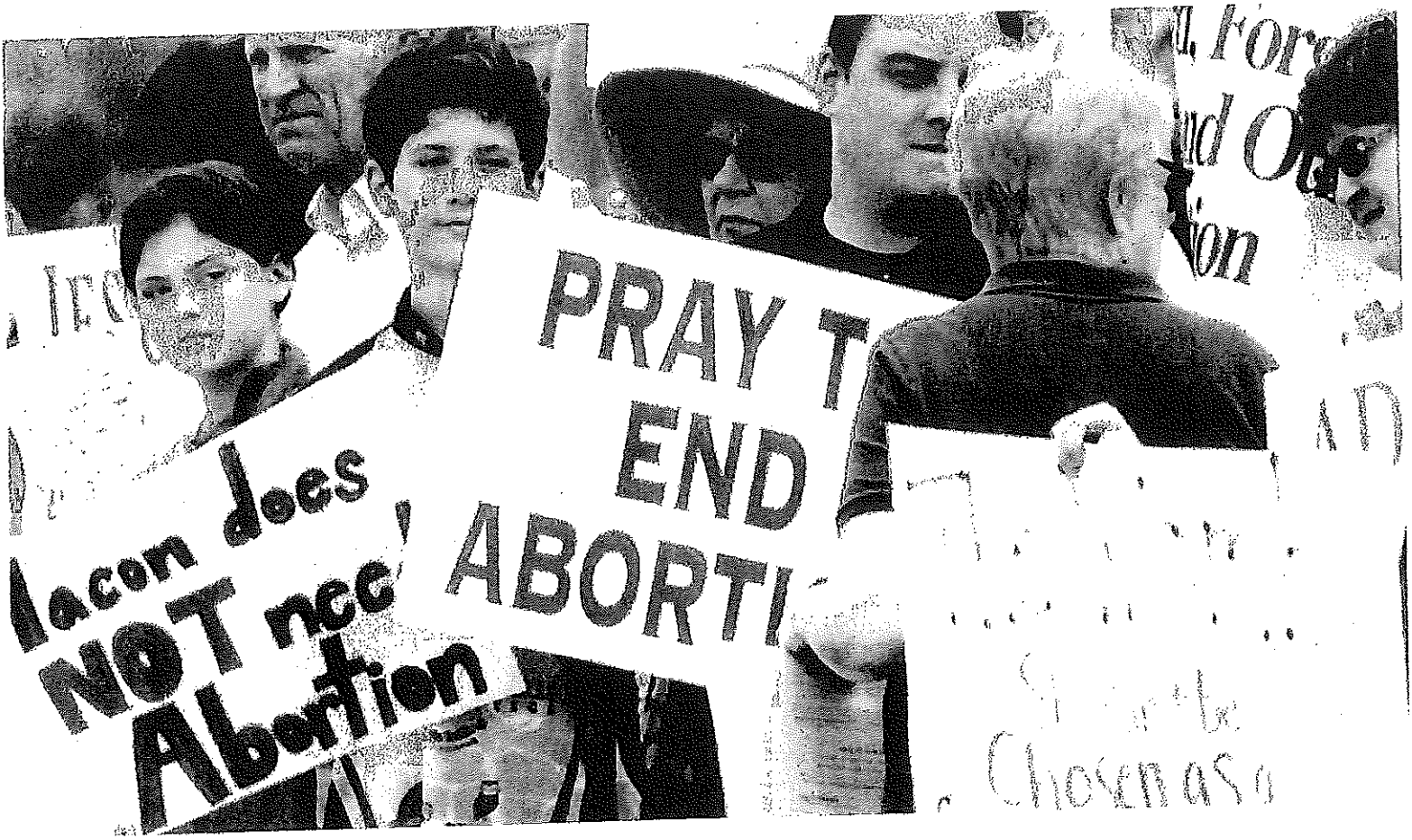

YOUR SAY

Abortion ends the life of real people. Adoption provides a better way

BY STEPHEN STORY
Special to The Telegraph

June 03, 2018 12:00 AM
Updated June 03, 2018 12:00 AM

The Macon-Bibb County Planning & Zoning Commission recently approved a conditional use permit for an abortion provider based in Atlanta to open an office in Macon.

For decades Macon has been spared from the scourge of abortion within its boundaries. It appears this is about to change, and abortion is a reality that the Middle Georgia community must confront.

The pro-abortion Guttmacher Institute studied the motivations of women who chose abortion. The reasons most frequently cited were that having a child would interfere with a woman's education, work or ability to care for dependents (74 percent) and the inability to afford raising a child (73 percent). These motivations are real and understandable, but abortion is not the only solution.

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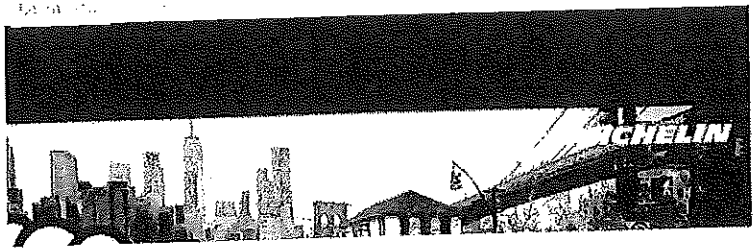

Try as we may, there's one central issue we can't avoid: Abortion is a violence that ends the life of real people. They might be tiny, helpless and hidden from view, but they are people, just like us.

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Adoption provides a better way. Adoption makes the well-being of the child central, rather than forcing it aside. Adoption builds families, rather than destroying them. Adoption protects life, rather than ending it. Adoption is a real and viable alternative to abortion.

Postmodern dogma notwithstanding, most people know intuitively that one path is better than the other. The objections are predictable, ill-informed and easily answered.

"Adoption is too expensive!" It's actually free for a woman to place her child for adoption, making it more affordable than abortion. Tax credits and grants abound to assist adoptive families with their fees.

"What about kids in foster care?" That's a real problem but a separate issue. We're talking about infants voluntarily placed for adoption, not those removed from their families by the state.

"No one will adopt these children if we let them be born!" The truth is, for years adoption agencies have been unable to serve the scores of families willing to adopt infants. Our agency has had the joy of watching families gladly adopt children who were conceived in rape, survived abortion, were born addicted or are suffering severe disabilities.

Nevertheless, abortion vastly outnumbers adoption by any reckoning.

In 2014 there were 30,013 abortions compared to 381 infant adoptions in Georgia. This means that for every one couple voluntarily placing their newborn child for adoption, there are 82 opting for abortion. Even without a local abortion provider, a stunning 19.7 percent of pregnancies in Bibb County end in abortion.

The reasons for the imbalance are many, but adoption never will overtake abortion unless we experience a radical cultural shift in how we think and talk about those who choose adoption.

A recent study by the University of Texas at Arlington found that many birth mothers experience isolation, stigmatization and a lack of social and emotional support, both during pregnancy and after adoption.

We see this daily at Covenant Care: Women are pressured and even coerced toward abortion, and shunned or outright mocked for choosing adoption. We recently served a woman who was kicked out of her family's house for choosing adoption over abortion.

Adoption isn't easy. If we want to see its numbers grow, we must celebrate and support those who choose this option.

While abortion is a one-time decision often made early in pregnancy, adoption is a choice that must be pursued day after day during months of pregnancy, through labor and delivery, while choosing an adoptive family and signing legal paperwork, and during the state-mandated revocation period.

One of our clients, Grace, explains her decision simply: "Adoption is something that you do out of love because you want something better."

What if we take her perspective at face value? What if there really are women and men who love their children enough to give them life, even amid difficult circumstances? What if these couples sacrificially surrender their rights as parents for the good of their child? How should we treat and talk about those who have made this decision?

Abortion flies in the face of everything good and beautiful we want our city to be. Don't we instead want Macon to be a community that embraces and encourages those who courageously choose adoption?

My wife and I are forever indebted to the birth parents of our three children. They are people to be respected and honored, as is every person God has created — even those who are hidden from our sight.

Stephen Story is executive director of Covenant Care Adoptions in Macon.

COMMENTS

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WRIT OF CERTIORARI

TO: Macon- Bibb County Planning and Zoning Commission

WHEREAS, Paul Lader, Foshee Holdings, LLC, Marion Seckinger, Krunal Patel and John Doe (hereinafter collectively referred to as "Petitioners") by and through counsel, have filed a Petition for Writ of Certiorari with regard to grant of a conditional use permit to the Defendant for the property located at 833 Walnut Street Macon, Bibb-County Gerogia, having been heard and decided by the Macon-Bibb County Planning and Zoning Commission on May 14, 2018; and

WHEREAS, Petitioners have complied with the requirements of law in cases of application for Writ of Certiorari;

NOW THEREFORE, you are notified and required to certify and send up to the Superior Court of Bibb County, with complete copies to the Petitioners, within thirty (30) days from date of service of this Writ, all facts, documents, recording, transcripts and proceedings regarding the referenced application for conditional use permit, the hearing held on same, and any other aspects of this case.

WITNESS, the Honorable Judge, Superior Court of Bibb County. this 13th day of June, 2018.

~~Hon. Erica Woodford, Clerk~~
Superior Court of Bibb County
JSCMJC