



Newnan City Council Meeting

JULY 12, 2022

Newnan City Hall

Richard A. Bolin Council Chambers

25 LaGrange Street

6:30 PM

CALL TO ORDER

INVOCATION

READING OF MINUTES

- A. Minutes from Regular Meeting on June 14, 2022
- B. Minutes from Special Called Meeting on June 15, 2022 with Coweta County Board of Commissioners
- C. Minutes from Special Called Meeting on June 16, 2022

REPORTS OF BOARDS AND COMMISSIONS

- D. 1 Appointment- Newnan Youth Activities, 3 year term
- E. 4 Appointments- Cultural Arts Commission, 3 year term
- F. Resignation of Tracey Brooks - Cultural Arts Commission, effective 6/1/22
- G. 2 Appointments- Keep Newnan Beautiful, 3 year term

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- H. Public Hearing - 2022 Update to the Capital Improvements Element, Including 2022 Update to the Short-Term Work Program
- I. Presentation of an internal request for funding under the American Rescue Plan Act (ARPA)
- J. Consideration of a Resolution to Obligate Funds from the ARPA Standard Allowance for the Purpose of Providing a Program for the Clearing of Vegetative Debris as a result of the March 2021 tornado
- K. Rezoning Request for RZ2022-07 by Robert Bergmann on behalf of Fourth Quarter Properties, LLC; 8.44± acres located at 440 Newnan Crossing Bypass (Tax Parcel #086 5043 004); Requested change in MXD (Mixed Use Development) plan conditions to add 72 more apartment units (from 278 to 350) – For Information Only
- L. Annexation Request - Annex 2022-05 - By Jeff Anthony on behalf of Lennar Georgia, LLC; 31.79± acres located at 521 Lower Fayetteville Road (tax parcel # 087 5011 001); Requested Zoning of PDR (Planned Development Residential District) - for a combination of 90 single-family homes and 60 townhouse units - Decision on Referral to Planning Commission

UNFINISHED BUSINESS

- M. Public Hearing - Annexation Request 2022-03, Donald L. Sprayberry, Jr.; Sprayberry's Barbeque, Inc.-1.22 +/- acres at 30 Amlajack Boulevard, Tax Parcel: 097-5044-013; Requested zoning of CHV (Heavy Commercial District)
- N. Public Hearing - Rezoning Request - RZ2022-05 by George Rosenzweig on behalf of Southtree Commercial Development, LLC and STG Newnan, LLC; 0.741± acres located at 18 Savannah

Street (Tax Parcel #N12 0001 010); From ILT (Light Industrial District) to CBD (Central Business District) to operate a microbrewery - Consideration of Ordinance

O. 157 Lagrange St - Owner update and request for extension.

P. 2nd and Final Reading- Rezoning Request RZ2022-03 by Cher McWilliams for 0.22 ± acres at 14 Lee St. ; from OI-1 (Low Density Office and Institutional District) to RU-I (Urban Residential Dwelling District- Historical and Infill)

O. 2nd and Final Reading - Rezoning Request RZ2022-02 by Alice Cornejo for DUI School of Coweta, Inc. for 0.27 ± acres at 39 Main St. ; From RU-7 (Urban Residential Single-Family Dwelling District- High Density) to CGN (General Commercial District)

R. Applicant Request to Continue to August 23, 2022 City Council Meeting; Continuation of Public Hearing - Annexation Request - Annex2022-01 by Apex Land Company for 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel 073B 033); Requested zoning of RML (Residential Multiple Family Dwelling - Lower Density); and Rezoning Request - RZ2022-01 by Apex Land Company for 20.0119+/- acres on Roscoe Road (Portion of Tax Parcel 073B 010) from CGN (General Commercial) to RML to be combined with tract requested for annexation for construction of 135 fee-simple townhomes - Consideration of Ordinances

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

S. Request from Cody Kelly with the Alamo to continue reserving first 3 parking spaces for events, the first Friday of every Month thru December 2022.

MOTION TO ENTER INTO EXECUTIVE SESSION

T. Motion to Enter into Executive Session

ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, June 14, 2022 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Rhodes Shell, George Alexander; Dustin Koritko and Paul Guillaume. Absent: Cynthia Jenkins and Ray DuBose. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – SPECIAL CALLED MEETING – MAY 24, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Special Called Council meeting on May 24, 2022 and adopt them as presented.

MOTION CARRIED. (5-0)

MINUTES – REGULAR COUNCIL MEETING – MAY 24, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Regular Council meeting on May 24, 2022 and adopt them as presented.

MOTION CARRIED. (5-0)

APPOINTMENTS- NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Alexander to reappoint Lillie Smith for another term.

MOTION CARRIED. (5-0)

Mayor Brady asked the City Manager to place his other appointment on the next agenda.

RESIGNATION OF MADELINE BARROW, NEWNAN YOUTH ACTIVITIES

Motion by Councilman Alexander, seconded by Councilman Shell to accept the resignation of Madeline Barrow with regret.

MOTION CARRIED. (5-0)

APPOINTMENTS- CONVENTION CENTER AUTHORITY, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Koritko to reappoint John Goodrum for another term.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to reappoint Michael Colpoys for another term.

MOTION CARRIED. (5-0)

APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM

Mayor Brady stated that Craig Ruby does not want to continue with another term on the Cultural Arts Commission.

Motion by Mayor Brady, seconded by Councilman Shell to appoint Ashley Nelson to the Cultural Arts Commission to replace Craig Ruby.

MOTION CARRIED. (5-0)

Mayor Brady asked the City Manager to place all other appointments on the Cultural Arts Commission on the next agenda.

APPOINTMENTS- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

Councilman Alexander stated that Shalonda Vassar-West is moving and will no longer be able to serve on the commission. He asked that a letter be sent thanking her and for this appointment to be put on the next agenda.

Motion by Councilman Alexander, seconded by Councilman Koritko to reappoint Alicia Bohannon for another term.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to reappoint Emmie VanPatten for another term.

MOTION CARRIED. (5-0)

Mayor Brady asked the City Manager to place Mayor Pro Tem DuBose's appointment on the next agenda.

**CONSIDERATION OF ADOPTION OF AN UPDATED PAY CLASSIFICATION PLAN
AND MID-YEAR 2022 BUDGET AMENDMENT**

City Manager presented a mid-year budget amendment and the purpose of that is the pay plan adjustment. In today's market, there are recruiting and retainment issues. It is Council's intention to hire the best in order to provide the best resources to our citizens. Management team went through and revamped the whole pay system, reviewed job descriptions and compared to similar jobs outside the City.

There are two items in front of Council, one a resolution to adopt the new pay plan which includes general, police and fire. The second item is an ordinance to amend the 2022 budget, amending the general fund, sanitation fund and NSP program. This addresses wages, FICA and pension. Total impact to the general fund is \$778,000, sanitation is \$12,900 and ARPA is \$2,800. Impact to the budget next year would be \$1.6 million.

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the pay plan resolution as presented.

MOTION CARRIED. (5-0)

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the ordinance amendment. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

Mayor Brady stated that the rules are when there is not a full vote on an ordinance there needs to be second and final reading. He called a special meeting on Thursday, June 16th at 8am with the one item to be the second and final reading of this budget amendment ordinance.

Motion by Councilman Alexander, seconded by Councilman Shell to call the special meeting on June 16th.

MOTION CARRIED. (5-0)

**CONSIDERATION OF GEORGIA POWER UNDERGROUND EASEMENT ON LOWER
FAYETTEVILLE RD.**

Michael Klahr, City Engineer, explained that the red lines on the illustration show the work done at the roundabout and the underground utilities. This would just be above ground boxes. There are no conflicts.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the agreement as presented.

MOTION CARRIED. (5-0)

**CONSIDERATION OF GROUNDS LEASE AGREEMENT BETWEEN CITY OF NEWNAN
AND THE COMMUNITY ACTION FOR IMPROVEMENT (CAFI)**

Motion by Councilman Alexander, seconded by Councilman Shell to approve the agreement as presented.

MOTION CARRIED. (5-0)

**CONSIDERATION OF CONTRACT AWARD FOR PROJECT, MILL, RESURFACE AND
RECLAMATION OF VARIOUS STREETS**

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the contract award as presented.

MOTION CARRIED. (5-0)

**CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH A QUALIFIED FIRM
TO PROVIDE RESIDENTIAL REFUSE AND RECYCLING SERVICES**

Hasco Craver, Assistant City Manager, gave a recap of the process that staff has been going through. There were 3 proposals received and 2 were interviewed by a panel of City staff and the selection committee is recommending the City enter into an agreement with GFL with an initial term starting on January 2, 2023. Some changes being made include City handling customer service and billing, only residential not commercial or multi-family and glass items will be allowed in the recycling program. This does not include brush and bulk items; the City will continue to manage that.

Other changes include the contractor incurring penalties for missed pickups, \$25 each if not rectified in 24 hours.

Eric Bergin, Regional Vice President of GFL was present. Councilman Shell asked Mr. Bergin what happens currently if a pickup is missed and why no one answers the phone or email? Mr. Bergin stated that they are making changes, all their Fairburn customer service agents are being moved to the Newnan office. More agents have been hired. They handle all the calls for all of South Georgia which is a lot but they are hoping moving the agents will allow them to be more efficient and responsive. They also implemented a new phone system.

Councilman Guillaume asked about garbage bags outside of containers and how that is handled? Mr. Craver said that the new contract addresses that and states that all refuse must be in the container. If someone continually has excess bags then they will be required to purchase a second container. The new contract will also mandate new technologies that will allow these issues to be identified.

Mr. Craver went over the pricing, current and proposed. The current billing fee will disappear as the City will be handling that now. There will be a billing fee for brush and

bulk since the City handles that. He explained that GFL was the lowest pricing in comparison to the other proposals received.

Councilman Koritko asked about the billing being in house? Mr. Craver said that this was proposed due to the complaints that had been received from citizens and to help make improvements. If someone has an issue they will have the ability to come to the City office for assistance.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the agreement with GFL beginning in 2023 as presented.

MOTION CARRIED. (5-0)

INTERNAL REQUESTS FOR FUNDING UNDER AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager stated that the first request is from the police department for replacement computers in the vehicles, phased over 3 years with 15 computers each year.

Councilman Koritko asked if this is fixed pricing? Chief Blankenship stated yes, they have discussed that with the vendor.

Motion by Councilman Alexander, seconded by Councilman Guillaume to approve the request as presented.

MOTION CARRIED. (5-0)

Mr. Moody explained that the second request for the police department is for storage systems for the vehicles to store weapons and other evidence.

Motion by Councilman Alexander, seconded by Councilman Shell to approve this request as presented.

MOTION CARRIED. (5-0)

EXTERNAL REQUESTS FOR FUNDING AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager presented an external request from the Housing Authority, for an affordable housing project in the Chalk Level neighborhood. This will assist families effected by Covid and the tornado. This will build replacement homes and create a rent to lease option for the owner.

Mr. Moody did verify that these are uninsured as was stated in the application. There was also a correction that needed to be made to one of the addresses listed, not 2 Johnson but 4 Johnson.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the request with the noted correction.

MOTION CARRIED. (5-0)

**PUBLIC HEARING- REQUEST BY OWNER (CITY OF NEWNAN) TO DEMOLISH
STRUCTURE AT 100 E. WASHINGTON ST.**

Mayor Brady opened the public hearing.

Bill Stephenson, Chief Building Official, explained that this is a historic house by condition of age but not on any historic maps or surveys.

Ms. Sandra Comfort, owner of the residence at 102 E. Washington St. spoke. She stated she had been interested in buying this property a year ago but was told that the City was going to build a house valued at \$350,000. Now she is hearing it will be affordable housing. She is concerned and wants to know the value of the new house to determine if she should sell her house now given market values.

Tracy Dunnavant, Planning Director, stated that the program is through NURA (Newnan Urban Redevelopment Agency) and they are working on a design still and once that is finalized they will know a cost on the house. Mr. Phillips stated that the square footage will be very similar so there shouldn't be a huge difference in value.

Ms. Comfort asked what the time frame is on the project and knowing a value? Ms. Dunnavant explained they have been waiting on the demo decision to finalize the design. They should have something in 90 days or so. Mayor Brady stated that once the value is known the City Manager will contact her to let her know.

Mayor Brady closed the public hearing.

Councilman Alexander asked about how much money the City has put into this project? Mr. Phillips said there are costs that won't be recaptured. Councilman Alexander expressed concern with the costs and ensuring this property is affordable housing. There was a discussion around pricing and costs to re-build. Ms. Dunnavant said the goal of the program is to support homeownership.

Motion by Councilman Alexander, seconded by Councilman Guillaume to grant the request to demolish the structure at 100 E. Washington St.

MOTION CARRIED. (5-0)

REZONING REQUEST- RZ2022-05 BY GEORGE ROSENZWEIG ON BEHALF OF SOUTHTREE COMMERCIAL DEVELOPMENT LLC AND STG NEWNAN, LLC; 0.741 + ACRES AT 18 SAVANNAH ST. (TAX PARCEL #N12 0001 010); REQUESTED ZONING FROM ILT (LIGHT INDUSTRIAL DISTRICT) TO CBD (CENTRAL BUSINESS DISTRICT) FOR MICROBREWERY- INFORMATION ONLY

No action needed.

REZONING REQUEST- RZ2022-06 BY GEORGE ROSENZWEIG FOR 35.49 + ACRES AT 2037 NEWNAN CROSSING BYPASS (TAX PARCEL #087 5011 003); REQUESTED ZONING FROM RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT- MEDIUM DENSITY) TO RML (RESIDENTIAL MULTIPLE-FAMILY DWELLING- LOWER DENSITY) FOR 196 ATTACHED COTTAGE APARTMENTS- INFORMATION ONLY

No action needed.

STATUS REPORTS- VARIOUS STORM DAMAGED PROPERTIES

Matt Murray, Code Enforcement, explained that over the past couple months 12 storm damaged properties have come before Council and 11 of those had resolutions passed. 1 was dismissed as the property had made sufficient repairs. 3 properties have been demolished.

Update on 178 Lagrange St. – was sold and new owner started utility disconnect and should be demolished by June 30th.

July deadlines are approaching for some resolutions. 5 Mink Hollow Ct, the owner was located and is aware of the deadline, plans to demolish the property and rebuild.

CONSIDERATION OF RESOLUTION TO ABANDON UNIMPROVED RIGHT-OF-WAY KNOWN AS HIGHLAND AVENUE

Dean Smith, Planner, gave a recap of the property in question and showed pictures of a survey that has been done. The decision is to sub-divide half or give all to one owner.

Mayor Brady asked Mr. and Mrs. Woodruff if they want half of the right-of-way? Mrs. Woodruff stated yes, the lodge does want it. At the last meeting they had requested to have ample time to get their own survey conducted on the Lodge property and don't feel that time was given. They did hire a surveyor but it is not cut and dry. The surveyor is scheduled to begin staking on June 20th and told Mrs. Woodruff it could be July before a final plat is complete.

Brad Sears, City Attorney stated that a survey was done on the unabandoned right-of-way. Mayor Brady stated the discussion is not about the Lodge survey but the unabandoned right-of-way.

Mrs. Woodruff said they want to ensure the survey is correct. The Lodge members also want to know why can't the Lodge get all, why only half? Mr. Sears stated it is because Mr. Avery wants his half. Mayor Brady recommended splitting the right-of-way property.

Councilman Koritko commented that the Lodge can still conduct a survey on their property. Mrs. Woodruff stated the Lodge members believe something happened after 1965 with the property. Mr. Sears did not find anything about that. If a discrepancy is found with another survey then that would have to be resolved between surveyors.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the resolution to split the property.

MOTION CARRIED. (5-0)

PUBLIC HEARING- REZONING REQUEST- RZ2022-03 BY CHER MCWILLIAMS; 0.22+ ACRES AT 14 LEE ST. (TAX PARCEL #N05 0004 006); FROM OI-1 (LOW DENSITY OFFICE AND INSTITUTIONAL DISTRICT) TO RU-I (URBAN RESIDENTIAL DWELLING DISTRICT- HISTORICAL AND INFILL)- CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnivant, Planning Director, explained that this request is for the home, which is non-conforming in an OI-1 to be rezoned to RU-I to make it conforming and allow for construction of an addition. Staff completed an assessment of the 8 required standards and Ms. Dunnivant gave a summary.

The property is suitable in regards to zoning as it is not changing and most adjacent properties are residences, so there would also be no adverse impacts on nearby properties. There would be no impact on public facilities. The use would be compatible with the comprehensive plan. The rezoning will make the structure conforming. Staff found that the property met all 8 standards.

The Planning Commission voted unanimously to recommend the rezoning with no conditions.

Ms. Cher McWilliams, the owner, stated that this is necessary for her to add on to the house.

No one spoke in opposition. Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Councilman Guillaume to accept the report from the Planning Commission.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to adopt the ordinance to rezone the property as presented. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

PUBLIC HEARING- REZONING REQUEST- RZ2022-02 BY ALICE CORNEJO FOR DUI SCHOOL OF COWETA, INC. FOR 0.27+ ACRES AT 39 MAIN ST. (TAX PARCEL #N58 0004 007); FROM RU-7 (URBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT-HIGH DENSITY) TO CGN (GENERAL COMMERCIAL DISTRICT) – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnavant, Planning Director, explained that this request is for the purpose of housing a counseling office. The site is currently a single-family home and applicant is willing to make modifications to change it from residence to office. Staff completed an assessment of the 8 required standards and Ms. Dunnavant gave a summary.

Staff felt the proposed use would be suitable in view of zoning and development of adjacent properties and would serve as a good transition between the nearby commercial and residential properties. The applicant has stated there will be a couple of counselors on site meeting in person or via teleconference so traffic should not impact the neighborhood. Staff did receive an email from property owner at 42 Main St. who is opposed with concerns about the impact of a commercial business on existing residences.

The property can be used as currently zoned and the impact on services would be minor. Staff finds this to be consistent with the Comprehensive Plan and with the purpose and intent of the proposed zoning. Staff would be concerned with a blanket CGN zoning however, limiting the uses to office only and using the existing house will maintain the neighborhood character. Staff found that the development met 7 of 8 standards.

Planning Commission unanimously recommended approving the rezoning request with conditions to include; the property will be rezoned to OI-1 instead of CGN and use limited to office and counseling only, the business will be located in the existing house currently on the property, all parking shall be located in the side and rear yards and hours of operation limited between 8am and 6pm.

S. William Kelley, representing the applicant, Alice Cornejo spoke to Council. He stated that this business was established in 2013 as a DUI and counseling center. The need now for more counseling will help in that area, add more jobs, affordable counseling, mental health services.

No one spoke in opposition. Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Shell to accept the report from the Planning Commission.

MOTION CARRIED. (5-0)

Councilman Koritko asked about parking and Mr. Kelley stated there is parking available in the building next door and they are willing to add more if needed.

Alice Cornejo, the applicant, addressed Council and stated that she would do what is needed to make this place comfortable for clientele.

Councilman Shell asked the difference between CGN zoning and OI-1? Ms. Dunnavant explained that OI-1 is less intense with residential properties. Ms. Cornejo stated that a petition was circulated in the neighborhood and there was a lot of positive responses for the additional counseling.

Motion by Councilman Shell, seconded by Councilman Guillaume to approve the rezoning request and adopt the ordinance as presented. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

**APPLICANT REQUEST TO CONTINUE TO JULY 12, 2022 CITY COUNCIL MEETING;
CONTINUATION OF PUBLIC HEARING- ANNEXATION REQUEST- ANNEX2022-01 BY
APEX LAND COMPANY FOR 1.1994 + ACRES ON STATE ROUTE 34 BYPASS
(PORTION OF TAX PARCEL 073B 033); REQUESTED ZONING OF RML AND
REZONING REQUEST – RZ2022-01 BY APEX LAND COMPANY FOR 20.0119 +
ACRES ON ROSCOE RD (PORTION OF TAX PARCEL 073B 010) FROM CGN TO
RML, TO BE COMBINED WITH ANNEXATION REQUEST FOR CONSTRUCTION OF
135 FEE-SIMPLE TOWNHOMES**

Motion by Councilman Koritko, seconded by Councilman Shell to continue the public hearing to July 12, 2022.

MOTION CARRIED. (5-0)

VISITOR

Jeanie Melson explained that there is a tree she would like removed from in front of her home. She stated the tree fell the night of the storm and was moved from the street to the sidewalk then into the vacant lot in front of her house. The tree is an eye sore. What is the procedure to get the tree removed?

City Manager asked Public Works Director if he is aware of the tree? Mr. Norton said he asked Code Enforcement to reach out to the property owner of the vacant lot to address clean up but he was unaware of the tree. City Manager stated the radio station owns property there that has tree damage and that has been discussed. If this particular tree is a City right-of-way tree then the City will remove it. There is not a program in place yet for debris removal on private property.

Mayor Brady asked that it be determined who is responsible for the tree and then communicate with Ms. Melson.

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Councilman Alexander, seconded by Councilman Koritko that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal and real estate issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 3:30pmPM.

MOTION CARRIED. (5-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Councilman Alexander, seconded by Councilman Koritko to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council was within the exceptions provided by O.C.G.A. Section 50-14-4(b).

MOTION CARRIED. (5-0)

SHAW CLAIM

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Shaw claim.

MOTION CARRIED. (5-0)

WYNN CLAIM

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Wynn claim.

MOTION CARRIED. (5-0)

PERMANENT EASEMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the acquisition of a permanent easement from VR Holdings in the amount of \$70,000.

MOTION CARRIED. (5-0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman Guillaume to adjourn the Council meeting at 8:04pm.

MOTION CARRIED. (5-0)

Megan Shea, City Clerk

Keith Brady, Mayor

CITY OF NEWNAN, GEORGIA
SPECIAL CALLED WORK SESSION (LOST)

June 15, 2022

The special called meeting of the City Council of the City of Newnan, Georgia was held on Wednesday, June 15, 2022 at 6:00pm in the Coweta County Board of Commission Chambers with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order at 6:03pm.

PRESENT

Mayor Keith Brady: Council members present: Rhodes Shell, George Alexander; Paul Guillaume and Dustin Koritko. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver and City Attorney, Brad Sears

PRESENTATIONS FROM COWETA COUNTY REGARDING LOCAL OPTION SALES TAX (LOST)

County Administrator Michael Fouts presented information related to Local Option Sales Tax (LOST), including the history and purpose of the program in the State of Georgia as well as in Coweta County, how LOST distributions are determined and the (8) criteria that must be considered. A copy of the presentation is attached herein.

The municipalities present expressed a desire to maintain the current distribution. Representatives from Coweta County did not agree with the municipalities.

Mr. Fouts outlined steps going forward and that formal negotiations must conclude in 60 days (August 15, 2022). He further explained that the tax will terminate if a new distribution certificate is not filed with the Department of Revenue by December 30, 2022.

A committee to be comprised of representatives from six (6) municipalities as well as Coweta County will be formed to begin negotiations. Appointees from each community were named. Cleatus Phillips was selected to represent the City of Newnan.

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Shell to adjourn the meeting at 6:40pm.

MOTION CARRIED. (5-0)

Megan Shea, City Clerk

Keith Brady, Mayor

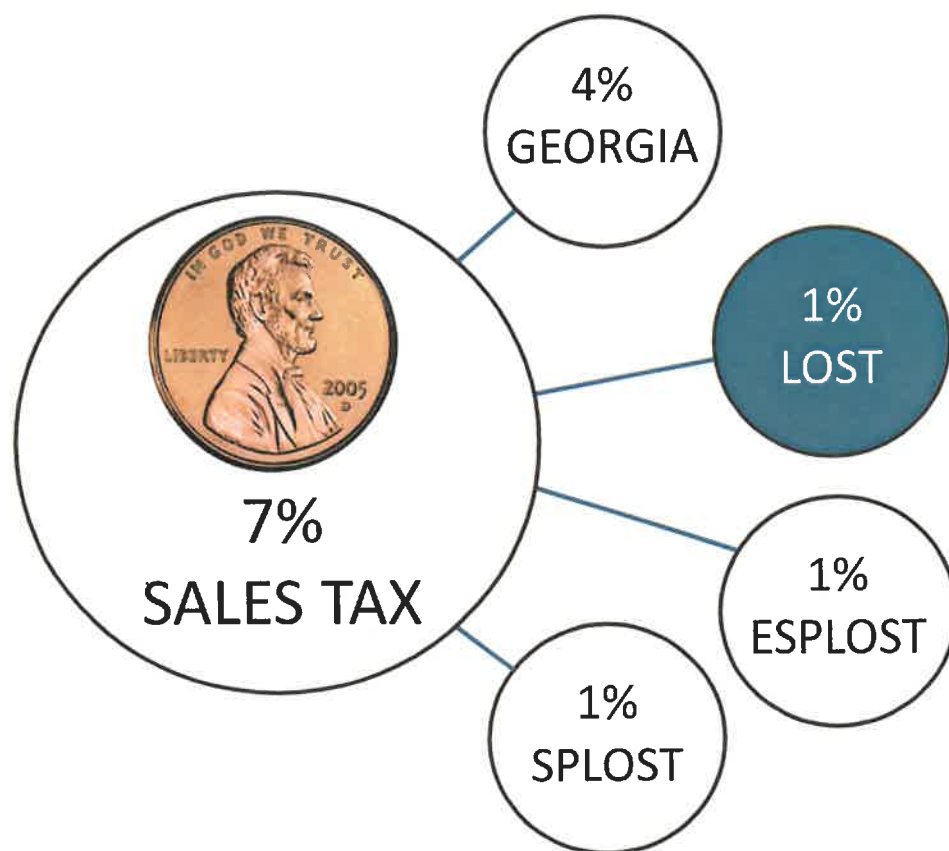
Local Option Sales Tax (LOST) Renegotiation



JUNE 15, 2022

Local Option Sales Tax (LOST)

The local option sales tax (LOST) is a 1 percent sales tax activated by a local referendum and imposed on the purchase, sale, rental, storage, use, or consumption of tangible personal property and related services. LOST is a special district tax where state law (O.C.G.A. §48-8-81) creates 159 special districts in Georgia for the purpose of levying a LOST. The boundaries of the special districts are the same as the boundaries of the 159 counties in Georgia. LOST is imposed on the sale of motor fuels, and in the majority of counties, the LOST also applies to the sale of food and alcoholic beverages.



History of LOST

- The original LOST law, passed in 1975 and amended in 1976, established the LOST as a 1 percent county sales tax shared with cities based upon population. The county portion of the revenue was dedicated to rolling back property taxes only in the unincorporated area of the county. City residents received a rollback from the city.
- In 1979, the LOST law was ruled unconstitutional. The Supreme Court held that nothing in the Georgia Constitution authorized counties to provide revenue to municipalities. After the Supreme Court's decision, the General Assembly immediately passed new legislation in 1979 that set up 159 special tax districts that corresponded with county boundaries. The law established LOST as a joint city-county tax and provided that revenues would be divided among the qualified local governments.
- In 1994, the General Assembly passed legislation that amended the 1979 law to require cities and counties to periodically renegotiate their revenue distribution arrangements. This bill also established guidelines for the renegotiation process and eight criteria to be considered by the parties involved in the renegotiation process.



History of LOST (continued)

- In 1997, the General Assembly passed legislation requiring each county and its cities to adopt a service delivery strategy (SDS). The legislation intended to require local governments to take a careful look at the services they provide to identify overlaps or gaps in service provisions and develop a more rational approach to allocating delivery and funding of these services among the various local governments and authorities in each county.
- In 2009, the General Assembly further modified the renegotiation process by implementing a “baseball arbitration” type contingency in the event a county and its municipalities could not agree upon a distribution agreement. The “baseball arbitration” process essentially put the renegotiation process before the superior court of the county as a third-party arbiter whose decision was binding. Under the new law, no one party could cause the lapse of the LOST. Not only did this initiate proceedings whereby the court would decide the distribution agreement, but it also preserved the existing agreement until a new one was created by the court.

History of LOST (continued)

- In 2013, the courts ruled in *Turner County v. City of Ashburn* that the “baseball arbitration” process was unconstitutional. In response, the General Assembly passed HB 719 during the 2014 Session to protect the local governments that had already initiated that process and filed a new certificate after the December 30, 2012 deadline. ACCG and GMA attempted to create a replacement for “baseball arbitration” in 2019, but a final consensus was put on hold until a package of recommendations could be made to include Service Delivery Strategy (SDS) reforms.
- **The 2022 negotiations will not have an alternative to “baseball arbitration,” so the tax will terminate if a new distribution certificate is not filed with DOR by December 30, 2022. If an agreement is not reached, LOST will cease to be collected in the special district until a new referendum authorizing LOST is approved.**

What is the purpose of LOST?

- The purpose of LOST revenues centers on the Official Code of Georgia (O.C.G.A) § 48-8-91 and § 48-8-89. O.C.G.A. § 48-8-91 requires that in the second year after the imposition of the local option sales tax and all subsequent years, property taxpayers must have illustrated on their tax bill the amount of property taxes they would have been paying without the local option sales tax, reduced by the amount of LOST receipts of the preceding year attributable to that property, with the resulting net property tax millage levy for the calendar year.
- By contrast, O.C.G.A. § 48-8-89 (a) states that the LOST is to be used “to assist such political subdivisions in funding all or any portion of those services which are to be provided by such governing authorities pursuant to and in accordance with Article IX, Section II, Paragraph III of the Constitution of this state.” The referenced provision of the Georgia Constitution lists several services which may be provided by local governments including police and fire protection, solid waste disposal, garbage collection, public health facilities and services, streets and roads, parks and recreational programs, libraries, water, and sewage treatment and collection. Additionally, O.C.G.A. § 48-8-89 (d) requires consideration of service delivery responsibilities and other factors in renegotiating the distribution of the LOST proceeds.
- LOST revenues are to be used to pay for local services that would otherwise be paid for out of property taxes. Thus, all distribution formulas should recognize that LOST revenues expand the total revenues available to local governments to pay for services.



The Rollback for LOST

Property Information

Parcel Number **SG5 456 ⑦**
 District **8 CITY OF NEWNAN (NEW)**
 Acres **0**
 Description **HSE/LT 184 GOLFVIEW @
 SUMMERGROVE PH 2**
 Property Address **310 HORIZON HL**
 Assessed Value **\$127,750**
 Appraised Value **\$319,375**

Bill Information

Record Type **Property**
 Tax Year **2021**
 Bill Number **357515**
 Account Number **216728**
 Due Date **12/01/2021**

Taxes

Base Taxes **\$3,337.51**
 Penalty **\$0.00**
 Interest **\$0.00**
 Total Due **\$0.00**

Tax Breakdown

Entity	Adjusted FMV	Net Assmt	Exemptions	Taxable Val	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	319,375	127,750	2,000	125,750	0	\$0.00	\$0.00	\$0.00
COUNTY M&O	319,375	127,750	10,000	117,750	8.927	\$1,051.15	\$0.00	\$725.57
SALES TAX CREDIT	0	0	0	117,750	-2.765	\$0.00	-\$325.58	\$0.00
SCHOOL M&O	319,375	127,750	2,000	125,750	17.14	\$2,155.36	\$0.00	\$2,155.36
CITY OF NEWNAN	319,375	127,750	0	127,750	3.574	\$456.58	\$0.00	\$456.58
Totals					26.876	\$3,663.09	-\$325.58	\$3,337.51

LOST Rollback

NET of LOST

Who is eligible to receive LOST funds?

- LOST distribution certificates must be executed between counties and one or more qualified municipalities in the county whose combined population represents 50% of the total qualified municipal population.
- To receive a portion of the LOST revenue, a municipality must meet the definition of a “qualified municipality.”
- The law defines “qualified municipalities” as those incorporated municipalities that impose a tax other than the tax authorized by this article and which provide at least three of the following services:
 - (1) Water;
 - (2) Sewage;
 - (3) Garbage collection;
 - (4) Police protection;
 - (5) Fire protection; or
 - (6) Library.

When are LOST Renegotiations necessary?

Local governments within the special district can agree to renegotiate the distribution certificate at any time. The law also contains several triggers whereby renegotiation of the distribution certificate is required, including:

- (1) The decennial census.
- (2) If a new qualified municipality is in the special district.
- (3) If a city increases its population by 15% or more through annexation, it is termed to be a “newly expanded qualified municipality” and the distribution certificate may be renegotiated.
- (4) If the DOR has determined that a city is no longer a qualified municipality, that municipality is no longer eligible to receive LOST revenues.
- (5) Any changes in service provision may trigger a new distribution.

The Renegotiation Process

- It is the responsibility of the county governing authority to initiate the renegotiation process on behalf of all eligible parties. If the county does not call for the renegotiations by July 1, 2022, any “qualified city” within the county may initiate the renegotiation process.
- The local governments have 60 days to renegotiate the distribution certificate once negotiations commence.
- It is a zero-sum game - one jurisdiction’s gain corresponds directly to a loss of revenue in another jurisdiction. Failure to secure a fair distribution split in a jurisdiction may translate to property tax increases and/or reduction in or elimination of services.
- State law does not include a process to ensure fairness of the distribution, and only provides a set of eight vague criteria for distributing revenues.
- Throughout the renegotiations, all parties need to consider each proposal from the taxpayers’ point of view. All citizens in the county should receive an equitable return on their sales tax dollars regardless of whether they live in an incorporated or unincorporated area of the county.

How are LOST distributions determined?

- The law does not provide a standard for how to distribute
- Population is simplest, most common basis, but not always the most appropriate
- Supporting data includes:
 - Population (census)
 - Property Tax Digest
 - Employment Data
 - General Fund Expenses
 - Service Delivery Strategy
 - Intergovernmental Agreements
 - Short-term and Long-term debt
- A 1.2021 “factor” of population has been previously agreed upon in Coweta County

In accordance with O.C.G.A. § 48-8-89, the distribution of proceeds of the tax as specified in the certificate shall be based upon, but not be limited to, the following criteria:

- (1) The service delivery responsibilities of each political subdivision to the population served by the political jurisdiction and served during normal business hours, conventions, trade shows, athletic events and the inherent value to a community of a central business district and the unincorporated areas of the county and the obligation of all residents of the county for the maintenance and prosperity of the central business district and the unincorporated areas of the county;
- (2) The service delivery responsibilities of each political subdivision to the resident population of the subdivision;
- (3) The existing service delivery responsibility of each political subdivision;
- (4) The effect of a change in sales tax distribution on the ability of each political subdivision to meet its short-term and long-term debt;
- (5) The point of sale and use which generates the tax to be apportioned;
- (6) The existence of intergovernmental agreements among and between the political subdivisions;
- (7) The use by any political subdivision of property taxes and other revenues from some taxpayers to subsidize the cost of services provided to other taxpayers of the levying subdivision; and
- (8) Any coordinated plan of county and municipal service delivery and financing.

The Eight Criteria

LOST Distribution History

Jurisdiction	1994	2002	2013 (Phased)	2014 (Phased)	2015 -2022 (Phased)
Chattahoochee Hills	-	-	-	-	-
County (Unincorporated)	66.61%	72.74%	68.20%	64.63%	61.41%
Grantville	2.64%	1.76%	2.39%	2.63%	2.87%
Haralson	-	0.19%	0.13%	0.15%	0.16%
Moreland	-	-	-	0.34%	0.37%
Newnan	27.90%	21.89%	25.95%	28.57%	31.19%
Palmetto	0.72%	0.44%	0.24%	0.27%	0.29%
Senoia	2.13%	2.34%	2.60%	2.87%	3.13%
Sharpsburg	-	0.42%	0.27%	0.30%	0.32%
Turin	-	0.22%	0.22%	0.24%	0.26%

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
January	998,864.58	937,749.56	987,610.61	936,257.47	966,687.41	1,066,040.13	1,125,345.10	1,219,220.56	1,436,264.97	1,659,318.28
February	1,128,656.22	969,844.09	971,227.98	964,092.29	974,509.18	996,549.04	1,110,086.07	1,180,176.77	1,392,094.00	1,683,721.97
March	1,328,817.00	1,116,930.03	1,014,609.38	1,090,529.14	1,104,799.27	1,282,974.32	1,330,347.70	1,451,766.69	1,723,509.24	1,928,341.75
April	1,051,136.13	1,027,174.41	1,047,924.61	1,020,133.62	1,060,815.74	1,115,822.95	1,299,883.25	1,249,813.21	1,679,248.44	
May	1,048,198.35	1,051,229.25	1,022,334.69	1,048,705.11	1,119,087.90	1,164,714.30	1,316,437.00	1,460,556.17	1,727,353.97	
June	1,050,481.76	1,077,064.87	1,168,546.94	1,138,244.99	1,120,935.96	1,268,965.40	1,284,438.29	1,502,679.39	1,796,516.99	
July	1,050,829.36	1,078,601.34	1,070,480.34	1,086,098.90	1,160,122.09	1,213,170.73	1,359,973.14	1,454,286.37	1,755,184.83	
August	1,109,805.67	1,079,146.01	1,041,374.40	1,045,997.65	1,098,150.03	1,201,934.24	1,316,464.48	2,118,359.32	1,771,643.21	
September	1,064,516.46	1,096,894.68	1,021,241.10	1,064,252.37	1,146,757.47	1,179,380.16	1,304,824.32	1,506,375.50	1,790,337.65	
October	1,026,587.47	1,057,346.10	985,618.91	1,073,392.82	1,060,166.24	1,267,216.11	1,272,881.08	1,629,045.87	1,778,532.53	
November	1,051,227.26	1,180,813.05	1,030,464.01	1,060,232.33	1,115,220.12	1,178,445.44	1,290,529.17	1,489,714.39	1,821,647.17	
December	1,349,262.95	1,367,379.67	1,262,093.41	1,321,733.98	1,376,303.60	1,463,997.20	1,627,417.58	1,717,776.25	2,098,452.22	
Annual Total	13,258,383.21	13,040,173.06	12,623,526.38	12,849,670.67	13,303,555.01	14,399,210.02	15,638,627.18	17,979,770.49	20,770,785.22	5,271,382.00
Annual Change		-1.65%	-3.20%	1.79%	3.53%	8.24%	8.61%	14.97%	15.52%	

2013-2022 Collections

Total: \$139,135,083.25



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2023-3032 LOST Projections

Base:	\$	19,500,000.00									
Year	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>3032</u>	TOTAL
Growth Rate	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	
Annual Total	\$20,182,500	\$20,888,888	\$21,619,999	\$22,376,699	\$23,159,883	\$23,970,479	\$24,809,446	\$25,677,776	\$26,576,498	\$27,506,676	\$236,768,842

- This is one of many models that projects the LOST revenues based on past trends and expected growth (development and population).

Renegotiation Considerations

- Are any cities/towns no longer qualified to receive LOST?
- Are there any newly qualified cities?
- What will be the scope of negotiations?
- Who will participate in the negotiations?
- What will be the timing of the negotiations?
- What will be the process or mechanism for resolving disputes that are not solved by a specified time limit?

Renegotiation - Next Steps



60-day period to Negotiate an Agreement – August 15th



Establish a Renegotiation Committee with Municipal Representatives & County Representatives



Establish a deadline for negotiations and agree upon a process if there is an impasse.



Approve Intergovernmental Agreement & Certificate of Distribution – Deadline December 31, 2022

CITY OF NEWNAN, GEORGIA
SPECIAL CALLED MEETING

JUNE 16, 2022

The special called meeting of the City Council of the City of Newnan, Georgia was held on Thursday, June 16, 2022 at 8:00AM in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Rhodes Shell, George Alexander and Paul Guillaume. Absent: Ray DuBose, Cynthia Jenkins and Dustin Koritko. Also present: City Manager, Cleatus Phillips; City Clerk, Megan Shea; Assistant City Manager, Hasco Craver and City Attorney, Brad Sears

2ND AND FINAL READING- CONSIDERATION OF MID-YEAR 2022 BUDGET AMENDMENT

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the ordinance as presented.

MOTION CARRIED. (4-0)

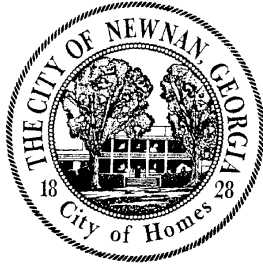
ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Shell to adjourn the meeting at 8:01AM.

MOTION CARRIED. (4-0)

Megan Shea, City Clerk

Keith Brady, Mayor



City of Newnan, Georgia - Mayor and Council

Date: July 12, 2022

Agenda Item: Public Hearing for the 2022 update to the Capital Improvements Element, which includes the 2022 update to the Short-Term Work Program

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: To inform the public of the City of Newnan's completion and intent to adopt its update to the Capital Improvements Element (CIE) of the 2021-2041 Comprehensive Plan, this includes the Short-Term Work Program; to receive suggestions and comments on the proposed updates.

Background: The Georgia Development Impact Fee Act (GDIFA) was enacted into law in 1990. It sets rules for local governments that wish to charge new development for a portion of the additional capital facilities needed to serve it. Under GDIFA, local governments may impose exactions on developers to help finance the expansion of their infrastructure systems only through an impact fee system and only for the specific types of facilities and infrastructure listed in the law.

All local governments that utilize an impact fee system under the GDIFA must include CIEs in their comprehensive plans and update the CIE portion of their plan annually. The STWP is included as a part of the CIE.

Per the minimum standards of the planning process, all local governments must hold one public hearing prior to the transmittal of their updates. Official transmittal to the Three Rivers Regional Commission (RC) and the Georgia Department of Community Affairs (DCA) is planned to be requested at the August 9 Council meeting. After review and approval of the CIE update by the RC and DCA, the Council will be asked to officially adopt the CIE update for 2022.

Options:

- A. Hold a public hearing to inform the public of the City's completion and intent to adopt the update to its CIE

Funding: N/A

Recommendation: N/A

Attachments: Draft version of 2022 CIE Update

Previous Discussions with Council: N/A

The seal of the City of Newnan, Georgia, is a large, circular emblem in the background. It features a central shield with a landscape scene, surrounded by a wreath. The words "THE CITY OF NEWNAN, GEORGIA" are inscribed around the top half of the seal, and "18 City of Homes 28" is inscribed around the bottom half. The seal is rendered in a light gray, semi-transparent style.

Comprehensive Plan

2021-2041

Capital Improvements Element
with Short-Term Work Program
2022 Update

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City of Newnan | Annual STWP-CIE

2022 Update

I. Introduction

The Georgia Development Impact Fee Act (GDIFA) requires all jurisdictions that levy impact fees to include a Capital Improvements Element (CIE) within the Community Agenda portion of their comprehensive plan. Furthermore, GDIFA requires those jurisdictions that prepare a CIE for their comprehensive plan to update it annually. An annual CIE update includes three components:

1. An annual update to the Short-Term Work Program (STWP) that covers a five-year period, which includes the current year plus the next four years.
2. An annual report on impact fee finances.
3. An updated list of all CIE projects that receive funding from impact fees, which covers the same five-year period as the STWP.

City of Newnan | Annual STWP-CIE

2022 Update

II. Short-Term Work Program (STWP) Updates and Long-Term and Ongoing Activities

Whether or not a jurisdiction is required to have a CIE in their comprehensive plan they must have a STWP, as required by the Georgia Planning Act. This is necessary to maintain Qualified Local Government (QLG) status. The STWP is a key implementation tool, which reflects those activities and strategies the local government has chosen to undertake in the current five-year period (2022-2026). The City of Newnan has chosen to also provide a long-term and ongoing activities table for reference.

PROJECTS AND ACTIVITIES STWP ADDENDUM						
Project or Activity	Project Start Date	Project Completion Date	Estimated Project Cost	Portion Chargeable to Impact Fees	Sources of Funds (& Share)	Responsible Party
Rehabilitate and/or Reconstruction of substandard and dilapidated housing units within Chalk Level area	2021	2023	\$500,000	None	CDBG, CHIP, NSP, local homeowner funds	Planning & Zoning
Develop LINC trail system (Phases 1-4)	2017	2022	\$10,035,800	\$6,000,000 (spent \$3,652,529.42 already)	SPLOST 13, Impact Fees, General Fund	City Manager
Improvements to Lower Fayetteville Road (PE Phase I Scoping)	2019	2022	\$929,790	\$0	Federal Share is \$743,832, Match Amount is \$185,958 (SPLOST 13)	Engineering
Wadsworth Auditorium Parking Lot	2021	2022	\$2,000,000	\$0	Tourism Fund, General Fund	Leisure Services
Construct and implement municipal complex redevelopment plan	2020	2024	\$1,902,025	\$0	General Fund, Hotel Motel Tourism	Leisure Services
Farmer Street Cemetery	2021	2022	TBD	\$0	General Fund	Farmer Street Cemetery Commission
Improvements to Fire Training Facility	2021	2023	\$3,500,000	\$0	SPLOST 19	Fire
Jackson Street (North) from Elm Street to Clark Street	2018	2022	\$355,350	\$0	TBD, City, Match Amount is \$71,070	Engineering
E. Washington Street from Farmer Street to Perry Street	2019	2022	\$1,234,170	\$0	LCI, City, Match Amount is \$246,834	City
Andrew Street Extension from Augusta Drive to East Washington Street	2021	2025	\$2,340,000	\$0	SPLOST	Engineering

City of Newnan | Annual STWP-CIE

2022 Update

Intelligent traffic operations	2016	2022	\$200,000	\$0	SPLOST 13	Engineering
Acquire a heavy-duty vehicle for fire department	2024	2024	\$560,000	\$560,000	Impact Fees	Fire
Develop a Disaster Recovery Plan	2021	2022	\$75,000	\$0	City	City Manager
Obtain National Register District designation for Chalk Level Neighborhood	2013	2023	\$2,000	\$0	NURA	NURA, Planning & Zoning
Implement Neighborhood Stabilization Program (NSP III)	2011	2022	\$100,000	\$0	Neighborhood Stabilization Program Grant	Planning & Zoning, Housing Authority
Implement Neighborhood Stabilization Program (NSP I)	2013	2022	\$100,000	\$0	NSP Revenue, NSP Grant	Planning & Zoning, Housing Authority, Habitat for Humanity
Sidewalks along Greison Trail	2014	2023	\$800,000	\$0	SPLOST 19	Engineering
Sidewalks along Sprayberry Road	2014	2023	\$278,000	\$0	SPLOST 19, Transportation Alternative Program (TAP)	Engineering
Sidewalks along Jackson Street	2020	2024	\$2,240,000	\$0	SPLOST 19, Transportation Alternative Program (TAP)	Engineering
Replacement of culvert systems	2022	2024	\$500,000	\$0	CDBG, SPLOST 19	Public Works
Greenville Street at Sewell Road Intersection Improvements	2021	2027	\$1,300,000	\$1,300,000	Impact Fees	Engineering
Newnan Crossing Boulevard Widening and Operational Improvements	2021	2027	\$11,890,000	\$0	SPLOST/TBD	Engineering
Jefferson Street at Sprayberry Road Roundabout	2021	2027	\$2,340,000	\$0	SPLOST	Engineering
Bullsboro Drive Widening and Operational Improvements	2021	2027	\$18,120,000	\$0	SPLOST/TBD	Engineering
Greenville Street at Spence Avenue Intersection Improvements	2021	2024	\$1,840,000	\$0	SPLOST	Engineering
Clark Street Operational and Pedestrian Improvements	2021	2023	\$1,290,000	\$0	SPLOST	Engineering

Source: City of Newnan

Note: Building, Planning & Zoning, Public Works, Beautification, Information Technology, Police, Fire, Engineering, Business Development refer to those respective departments of the City of Newnan. County refers to Coweta County. Acronyms used refer to: RC- Three Rivers Regional Commission, ARC- Atlanta Regional Commission, GRTA- Georgia Regional Transportation Authority, NURA- Newnan Urban Redevelopment Agency, NCAC – Newnan Cultural Arts Commission. Other groups referenced, like the Historical Society, represent those organizations servicing either Newnan or Coweta County as a whole.

City of Newnan | Annual STWP-CIE

2022 Update

IMPROVEMENTS | STWP ADDENDUM LONG-TERM, INDEFINITE, AND CONTINUOUS ACTIVITIES*

Project or Activity	Project Start Date	Project Completion Date	Estimated Project Cost	Portion Chargeable to Impact Fees	Sources of Funds (& Share)	Responsible Party
Develop LINC trail system (remaining phases)	2026	2030	\$27,847,026.90	\$6,000,000	Impact Fees, City, County	City Manager
Improvements to Lower Fayetteville Road	2017	2028	\$67,560,000	\$5,000,000	Impact Fees, City, FHWA	Engineering
Maintain/Resurface Streets	Annual	Continuous	\$2,000,000 annually	\$0	General Fund, SPLOST, LMIG	Engineering, Public Works
Acquire a heavy-duty vehicle for fire department	2026	2026	\$750,000	\$750,000	Impact Fees	Fire
Acquire a heavy-duty vehicle for fire department	2030	2030	\$750,000	\$750,000	Impact Fees	Fire
Acquire a heavy-duty vehicle for fire department	2035	2035	\$750,000	\$750,000	Impact Fees	Fire
Acquire a heavy-duty vehicle for fire department	2040	2040	\$750,000	\$750,000	Impact Fees	Fire
Network Servers, Storage, and Switches	2026	2026	\$250,000	\$0	TBD	Information Technology
City Fiber Ring	2030	2032	\$500,000	\$0	TBD	Information Technology

Source: City of Newnan

Note: Beautification, Fire, Engineering refer to those respective departments of the City of Newnan.

*Long-Term means any activity that is to begin in or more than five years (2027) from the current year (2022). All activities that have an indefinite or continuous end date, but a known start date prior to 2027, are included here to have the STWP represent only activities with known start end dates. Also, it is conceivable that many of the activities with unknown end dates are or may become permanently ongoing activities.

City of Newnan | Annual STWP-CIE

2022 Update

III. Impact Fee Financial Report Updates

The purpose of annually reporting on the financial state of impact fees is to provide an overview of impact fees collected and spent by category of public facility and service area. As seen below, there is a report for 2021, which is the last completed year.

ANNUAL FINANCIAL REPORT FOR 2021					
Public Facility Type	Parks and Recreation	Fire Services	Police Protection	Roads, Streets, and Bridges	Total
Service Area	City of Newnan	City of Newnan	City of Newnan	City of Newnan	
Beginning Impact Fee Fund Balance	\$770,871.08	\$510,789.32	\$1.92	\$327,545.33	\$1,609,207.65
Impact Fees Collected	\$560,374.44	\$259,662.98	\$0.00	\$179,923.28	\$999,960.70
Accrued Interest	\$104.68	\$69.09	\$0.00	\$44.72	\$218.49
Project Expenditures	(\$775,752.27)	(\$0.00)	(\$0.00)	(\$342.00)	(\$776,094.27)
*Impact Fee Refunds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Impact Fee Fund Balance	\$555,597.93	\$770,521.39	\$1.92	\$507,171.33	\$1,833,292.57
Impact Fees Encumbered	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Source: City of Newnan Finance Department – Fund 375 Impact Fees

Administrative Fees

Three percent of each impact fee is added to the final amount as an administrative fee. This portion of the impact fee pays for banking fees to maintain the impact fee account and helps fund the salaries of the administrator who collects the impact fees and other staff members of the Planning and Zoning Department who update the CIE, prepare financial reports, and other related activities. For 2021, the only costs associated with implementation were banking fees and the salaries of those various employees. The amount collected in administrative fees was \$29,999.27.

City of Newnan | Annual STWP-CIE

2022 Update

IV. Capital Improvements Element (CIE) Project Updates

A capital improvement is an improvement that increases the service capacity of a public facility and has a useful life of ten or more years due to new construction or some other action. The CIE projects tables below show all planned capital improvements with expected completion dates within the current five-year period.

Capital Improvements Projects: Parks and Recreation

Newnan	Capital Improvements Projects - 2022						
Public Facility	Parks and Recreation						
Service Area	City Limits						
Project Description	Project Start Date	Project End Date	Estimated Cost of Project	Portion Chargeable to Impact Fees	Funding Sources	Responsible Party	Status
Develop LINC trail system (Phases 1-4)	2017	2022	\$10,035,800	\$6,000,000 (spent \$3,652,529.42 already)	SPLOST 13, Impact Fees, General Fund	City Manager	Under Construction

Source: City of Newnan Planning and Zoning Department

Capital Improvements Projects: Fire Services

Newnan	Capital Improvements Projects - 2022						
Public Facility	Fire Services						
Service Area	City Limits						
Project Description	Project Start Date	Project End Date	Estimated Cost of Project	Portion Chargeable to Impact Fees	Funding Sources	Responsible Party	Status
Acquire a heavy-duty vehicle for fire department	2024	2024	\$560,000	\$560,000	Impact Fees	Fire	Planning

Source: City of Newnan Planning and Zoning Department

City of Newnan | Annual STWP-CIE

2022 Update

Capital Improvements Projects: Roads, Streets, and Bridges

Newnan	Capital Improvements Projects - 2022						
Public Facility	Roads, Streets, and Bridges						
Service Area	City Limits						
Project Description	Project Start Date	Project End Date	Estimated Cost of Project	Portion Chargeable to Impact Fees	Funding Sources	Responsible Party	Status
Andrew Street Extension from Augusta Drive to East Washington Street	2021	2025	\$2,340,000	\$0	SPLOST	Engineering	Concept Layout
Greenville Street at Sewell Road Intersection Improvements	2021	2027	\$1,300,000	\$1,300,000	Impact Fees	Engineering	Concept Layout
Newnan Crossing Boulevard Widening and Operational Improvements	2021	2027	\$11,890,000	\$0	SPLOST/TBD	Engineering	Concept Layout
Jefferson Street at Sprayberry Road Roundabout	2021	2027	\$2,340,000	\$0	SPLOST	Engineering	Concept Layout
Bullsboro Drive Widening and Operational Improvements	2021	2027	\$18,120,000	\$0	SPLOST/TBD	Engineering	Concept Layout
Greenville Street at Spence Avenue Intersection Improvements	2021	2024	\$1,840,000	\$0	SPLOST	Engineering	Concept Layout
Clark Street Operational and Pedestrian Improvements	2021	2023	\$1,290,000	\$0	SPLOST	Engineering	Design

Source: City of Newnan Planning and Zoning Department

City of Newnan | Annual STWP-CIE

2022 Update

V. Wastewater Collection and Treatment Updates

As with the Comprehensive Plan, wastewater collection and treatment is being reported separately from the other public facilities. This is due to the fact that Newnan Utilities, the City's appointed authority for administering public utilities, provides service for this specific category. The other public facilities included in this update are direct operations of the City. Newnan Utilities provides all the information for wastewater collection and treatment concerning the Comprehensive Plan and CIE updates. They also levy and collect the impact fees for wastewater collection and treatment.

Similar to previous public facilities, those items for wastewater collection and treatment that have completion dates beyond 2026 are not shown in the CIE and STWP.

ANNUAL FINANCIAL REPORT FOR 2021	
Public Facility Type	Wastewater Collection and Treatment
Service Area	City of Newnan
Beginning Impact Fee Fund Balance	\$4,067,984.79
Impact Fees Collected	\$1,818,005.00
Accrued Interest	\$0.00
Project Expenditures	(\$126,227.00)
Administrative Costs	(\$54,540.15)
Impact Fee Refunds	\$0.00
Ending Impact Fee Fund Balance	\$5,705,222.64
Impact Fees Encumbered	\$0.00

Source: Newnan Utilities

City of Newnan | Annual STWP-CIE

2022 Update

PROJECTS AND ACTIVITIES STWP ADDENDUM						
Project or Activity	Project Start Date	Project Completion Date	Estimated Project Cost	Portion Chargeable to Impact Fees	Sources of Funds (& Share)	Responsible Party
Expansion of Mineral Springs WPCP, White Oak Creek WPCP, Wahoo Creek; WRF	2020	2026	\$14,050,000	\$14,050,000	Impact Fees (100%)	Newnan Utilities
Collection System Improvements	2020	2026	\$1,500,000	\$1,500,000	Impact Fees (100%)	Newnan Utilities

IMPROVEMENTS-STWP ADDENDUM LONG-TERM, INDEFINITE, AND CONTINUOUS ACTIVITIES*						
Project or Activity	Project Start Date	Project Completion Date	Estimated Project Cost	Portion Chargeable to Impact Fees	Sources of Funds (& Share)	Responsible Party
Phase I – Expansion of Mineral Springs WPCP & Wahoo Creek; White Oak Creek WPCP; Conversion to WRF	Indefinite	Indefinite	\$40,513,200	\$40,513,200	Impact Fees (100%), Other Sources	Newnan Utilities
Phase II – Construction of Land Application System	Indefinite	Indefinite	\$14,130,300	\$14,130,300	Impact Fees (100%), Other Sources	Newnan Utilities
Collection System Construction	Indefinite	Indefinite	\$21,532,400	\$21,532,400	Impact Fees (100%), Other Sources	Newnan Utilities

Source: Newnan Utilities and Wiedeman and Singleton, Inc.

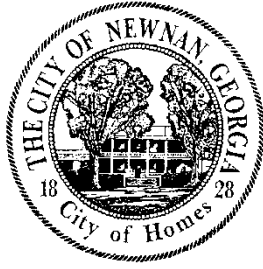
*Long-Term means any activity that is to end more than five years (2027) from the current year (2022). It is conceivable that many of the activities with unknown end dates are or may become permanently ongoing activities. In addition, the figures are not exact totals for the projects they represent. They are estimates as used in the "Calculation of Impact Fee in 2005" table.

City of Newnan | Annual STWP-CIE

2022 Update

Wastewater Collection and Treatment CIE

Newnan	Capital Improvements Projects - 2022				
Public Facility	Wastewater Collection and Treatment				
Service Area	City Limits				
Project Description	Project Start Date	Project End Date	Estimated Cost of Project*	Funding Sources	Status
Belt Press Upgrade at Wahoo Creek	2019	2023	\$1,800,000	Impact Fees (100%)	Construction
Mineral Springs Expansion to 1.5 MGD	2021	2023	\$250,000	Impact Fees (100%)	Construction
Collection System Improvements	2020	2026	\$1,500,000	Impact Fees (100%)	Construction
Wastewater Plant Upgrade	2022	2026	\$12,000,000	Impact Fees (100%)	Planning



City of Newnan, Georgia - Mayor and Council

Date: July 12th, 2022

Agenda Item: Presentation of internal request for funds under the American Rescue Plan Act (ARPA)

Prepared and presented by: Andrew Moody, ARPA Special Project Manager

Purpose:

To present an internal request for funding under the American Rescue Plan Act (ARPA)

Background:

On October 26th, 2021 the Council adopted the first resolution to accept and establish guidelines and requirements for the obligation and expenditure of ARPA funds. On February 8th, 2022 Council adopted a resolution to amend the first ARPA resolution in regard to updated guidance from the United States Treasury on the Revenue Replacement category. Under the Treasury guidance and amended resolution the City may obligate and expend up to ten million dollars (\$10,000,000.00) for government services. Internal applicants may also seek to apply for categories outside of the government services realm so long as the applications meet the guidelines associated to the category. The decision to obligate the funds requested in applications lies with the City Council. Council may decide to fund the request entirely, amend the request, obligate partially, or not at all.

ARPA Internal Funding Requests:

1. City Manager's Office, Emergency Alert System Siren Replacement, 6.1 Provision of Government Services, **\$386,423.00**

COMBINED TOTAL: \$386,423.00

Recommendation:

Council may decide to fund the requests entirely, amend the request, obligate partially, or not at all.

Attachments: Application summaries for;

1. City Manager's Office, Emergency Alert System Siren Replacement

Previous Discussions with Council:

On June 14th, 2022, the Council awarded two internal applications with a combined total of \$156,275.76



Internal Application for ARPA

City of Newnan

Submitted On:

June 17, 2022 1:04pm

America/New_York

Applicant Name

Cleatus

Phillips

Position Title

City Manager

Department

City Manager's Office

**Additional Applying Department(s),
or Applying on Behalf Of:**

**Project Title (5 words or less, may
include acronyms)**

Emergency Alert System Siren Replacement

Project Description

Replace existing emergency alert sirens with 8 Whelen 4000 Watt Voice Sirens with VHF Siren Radio that will sit atop concrete poles and 32 Whelen approved batteries.

Proposed Funding Amount

\$ 386,432.00

Proposed Timeline

Immediate.

**How will the proposal project
impact the community?**

The Battery Operated WPS4000 Series rotating siren system consists of a speaker assembly, a pole top mounting bracket and electronics cabinet. The rotating WPS4000 Series voice product delivers clear, powerful voice communication. The replacement siren will provide 360 degree alert rather than fixed mount directional siren.

**How urgent is the proposal?
Explain?**

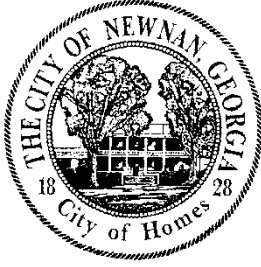
Urgent, this program will provide improvements and modernization to the City's emergency alert system.

**Who would administer and report
on key indicators for this project,
who within the department will be
the primary contact?**

Cleatus Phillips, City Manager.

**Will the project require
contracting with external
providers? If so, who will be
involved in the project
implementation?**

Yes, the in coordination with Coweta County EMA and Mobile Communications America (MCA).



City of Newnan, Georgia - Mayor and Council

Date: July 12th, 2022

Agenda Item: Consideration of a Resolution to Obligate Funds from the ARPA Standard Allowance for the Purpose of Providing a Program for the Clearing of Vegetative Debris as a Result of the March 2021 Tornado

Prepared by: Andrew Moody, ARPA Special Project Manager

Purpose:

The Newnan City Council may consider a Resolution to obligate funds from the ARPA Standard Allowance for the purpose of providing a program for the clearing of vegetative debris as a result of the tornado.

Background:

On March 26th, 2021, the City of Newnan, its residents, and neighbors experienced a devastating EF-4 tornado event. This event has left lasting damage to the community's landscape in which many property owners find themselves struggling address on their own. At the same time in March of 2021, the U.S. Congress approved the American Rescue Plan Act (ARPA), which in part provides funding to support local governments in responding to the impact of COVID-19 in their communities, this included the provision of a standard allowance of \$10,000,000 for local governments to use for government services. This standard allowance gives the City of Newnan the opportunity to support funding for a broad array of projects and programs.

The resolution being presented seeks the approval of the City Council to obligate \$1,000,000 of the Standard Allowance of ARPA funds for the purpose of providing a program for the clearing of vegetative debris as a result of the tornado.

Funding:

ARPA Standard Allowance for Government Services

Recommendation:

In an effort to provide lawful and efficient services, the Newnan City Council may consider the Resolution as presented

Attachments:

1. A Resolution to Approve the Use of ARPA Funds Under the Revenue Replacement Standard Allowance for Government Services for the Establishment of a Program for the Purpose of Clearing Vegetative Debris on Private Properties as a Result of the March 2021 EF-4 Tornado.

Previous Discussions with Council:

N/A

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE THE USE OF ARPA FUNDS UNDER THE
REVENUE REPLACEMENT STANDARD ALLOWANCE FOR
GOVERNMENT SERVICES FOR THE ESTABLISHMENT OF A
PROGRAM FOR THE PURPOSE OF CLEARING VEGETATIVE DEBRIS
ON PRIVATE PROPERTIES AS A RESULT OF THE MARCH 2021 EF-4
TORNADO.**

WHEREAS, on March 26, 2021 the City of Newnan experienced a catastrophic EF-4 tornado event that resulted in a trail of devastation on properties throughout the community and leaving a lasting impact on vegetation; and,

WHEREAS, many property owners have been unable to clear downed vegetation and vegetative debris as a result of the tornado for varying reasons; and,

WHEREAS, the tornado path is located inside qualified census tracts, as defined by the United States Census Bureau and the lasting damage to vegetation may create a public health concern; and,

WHEREAS, on March 11, 2021, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which provides State and Local Fiscal Relief Funds (SLFRF) to State and Local Governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic and making long-term investments communities that experienced disproportionate impacts; and,

WHEREAS, the US Treasury on January 6th 2022, under the ARPA Final Rule had established a standard allowance of up to Ten Million 00/100 Dollars (\$10,000,000.00) for the Revenue Replacement category that may be spent on a broad array of government services during the period of performance; and,

WHEREAS, on February 8, 2022, the City Council amended the existing ARPA resolution to select the standard allowance of up to Ten Million 00/100 Dollars (\$10,000,000.00) in accordance with Federal Law and guidance, for the current critical needs and priorities; and,

WHEREAS, under the ARPA Final Rule, the CITY may award funds to private entities for the purposes of carrying out an SLFRF program, under which the City of Newnan may aid property owners in the clearing of vegetative debris by collecting applications and procuring contractors for the purpose of the program; and,

WHEREAS, the vegetative debris cleanup program will be awarded a grand total of One Million and 00/100 Dollars (\$1,000,000); and,

WHEREAS, the maximum award for each eligible property will be Twenty-Five Thousand and 00/100 Dollars; and,

WHEREAS, eligible work will be limited to storm path exclusive zone, properties must lie within the boundaries of the FEMA approved storm path including properties where there is no

structure on site (No Improvement Lots); however, services must provide a public benefit by eliminating a nuisance; and,

WHEREAS, applications will be accepted for a period of one hundred twenty (120) days; and,

WHEREAS, applications will be accepted from all property types (Residential, Commercial, etc.) and all types of property owners/lessees (residents, businesses, nonprofits, etc.) may be served; and,

WHEREAS, adoption of this resolution will call for the release of a request for qualifications from eligible tree removal contractors for the purpose of March 2021 tornado related vegetative debris removal from lots that may create a public health concern; and,

WHEREAS, adoption of the resolution will establish a City of Newnan ARPA program for the pursuit of contractors for the removal vegetative debris resulting from the March 2021 tornado on private property by using the revenue replacement standard allowance for government services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEWNAN, GEORGIA supports the authorization for City of Newnan administration to obligate funds from the ARPA SLFRF government services standard allowances for the pursuit of a program with the purpose of clearing vegetative debris from the March 2021 tornado on private properties.



July 12th, 2022

Re: Consideration of a Resolution to Obligate Funds from the ARPA Standard Allowance for the Purpose of Providing a Program for the Clearing of Vegetative Debris as a Result of the March 2021 Tornado

Mayor Brady and Councilmembers,

As you know well, the City of Newnan and its residents find themselves sitting in a peculiar situation. The COVID-19 pandemic and its lasting effects on families and the American economy compounded with the strains placed by the devastating March 2021 tornado have placed the City of Newnan in a unique position not felt by many communities across the country.

The American Rescue Plan Act (ARPA), has provided the City with resources necessary to advance the community in this post-COVID and post-tornado environment. ARPA contains a category specifically designed to allow local governments to provide services to residents in a broad array through the revenue replacement government services standard allowance of ten million dollars.

Property owners within the path of the tornado continue to experience an increased impact from the pandemic as goods and services remain scarcer than pre-pandemic. In addition, the areas primarily impacted are included in the Census Bureau Qualified Census Tracts (QCT's). QCT's are areas in which at least 50% of households have an income less than 60% of the Area Median Gross Income (AMGI); ARPA has determined that households in these areas are presumed eligible for services and programs.

The Newnan City Council may consider obligating funds for the development of a program with the purpose of clearing downed vegetation on properties in the City and in the FEMA approved path of the tornado. Ideally, the program will contain the following requirements and characteristics:

Grand Total of Funding: \$1,000,000

Maximum Award per Property: \$25,000

Scope: Clear vegetative debris from the March 2021 tornado that is downed and, on the ground. Interested parties will file an application with the City. The program will require Right of Entry consent

Application period: 120 days

Eligible Applicants: Property owners, lessees (with owner consent); open to all zoning types

****** It is important to note that this program will be specifically limited to downed vegetative debris, and will not include vegetation left standing. For example, a tree that was sheared at the top but remains standing will not be removed under the program. ******



Sincerely,
Andrew Moody
ARPA Special Project Manager



City of Newnan, Georgia - Mayor and Council

Date: July 12, 2022

Agenda Item: Rezoning Request for RZ2022-07 by Robert Bergmann on behalf of Fourth Quarter Properties, LLC; 8.44± acres located in Ashley Park at 440 Newnan Crossing Bypass (Tax Parcel #086 5043 004); Requested change in conditions to add 72 more apartment units (from 278 to 350) – **For Information Only**

Prepared By: Tracy S. Dunnivant, Planning Director

Purpose: To inform the City Council that RZ2022-07 is before the Planning Commission for consideration and a recommendation on the requested change in conditions for the mixed-use plan.

Land Owners	Tax ID Numbers	Acreage	Location
Fourth Quarter Properties, LLC	086 5043 004	8.44± acres	440 Newnan Crossing Bypass

Background: The petitioner is requesting a change in zoning conditions for the MXD approved plan located at 440 Newnan Crossing Bypass. The applicant would like to increase the number of units from 278 to 350. This would also mean an increase in height to accommodate the additional units.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: None



CITY OF NEWNAN | Project Location



CITY OF NEWNAN
 PLANNING DEPT.
 25 LAGRANGE STREET
 NEWNAN, GEORGIA 30263
www.cityofnewnan.com

1 inch = 150 feet

LEGEND

Date: 6/24/2022

Project Location

PARCELS

CITY LIMITS

Parcel # 086 5043 004

ADDRESS

440 Newnan Cros
NEWNAN GA. 30263

55

THOMAS LAND & DEVELOPMENT, LLC

47 East Aviation Way
Newnan, GA 30263
678.423.5445

June 16, 2022

Tracy Dunnivant
Planning & Zoning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Ashley Park Phase 3 – MXD Zoning Letter of Intent
Increase of Multifamily Residential to 350 Total Units

Dear Tracy,

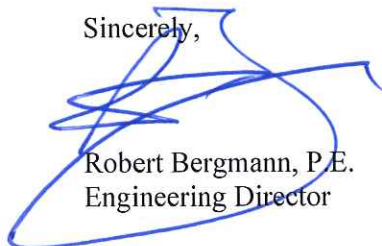
The City of Newnan approved the rezoning of 8.44 acres in Ashley Park to MXD on May 26, 2020 with 278 multifamily residential units. The components and conditions of the approved zoning ordinance were adequate to continue the project development with one exception. The construction costs for the intense apartment wrap concept have so dramatically increased in the last two years for the higher-end quality product, that the apartment developer needs more units to make the project economically viable.

Therefore, Thomas Land & Development requests that the total units be increased from 278 to 350 units. The additional units would be added with one additional apartment floor and one more parking level below grade, therefore we also request modifying the maximum height from 70' to 75'. The 2-level townhomes would be unchanged, but the complex would become a 6-level apartment wrap with a 4-level parking deck. The MXD zoning designation would be unchanged. All components and conditions of the 2020 zoning ordinance would be valid and unchanged except for the total units.

In support of this modification according to governing covenants, Belk has approved the increase in units and height, and welcomes the higher-end quality product to Ashley Park. The zoning package accompanying this Letter of Intent includes:

1. Zoning Application,
2. Names and addresses of owners within 250 feet,
3. Legal Description,
4. Certified Plat and Concept Plan,
5. Completed Proffered Conditions,
6. Disclosure of Campaign Contributions and Gifts,
7. Property Owner's Authorization,
8. Community Impact Study including a revised Traffic Study, and
9. \$711 check for the 8.44 acre commercial and residential zoning tract.

Sincerely,



Robert Bergmann, P.E.
Engineering Director



CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION TO AMEND ZONING MAP

Note to Applicant: Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant Fourth Quarter Properties 93, LLC - Robert Bergmann, Engineering Director

Mailing Address 47 East Aviation Way, Newnan GA 30263

Telephone 678-423-5445 Email: rbergmann@thomasent.com

Property Owner (Use back if multiple names) Fourth Quarter Properties 93, LLC

Mailing Address (same as above)

Telephone (same as above)

Address/Location of Property Ashley Park Blvd; NW section of Tract F-3A, Rev Final Plat of Phase 2 Ashley Park

Tax Parcel No.: 086 5043 004 Land Lot 43

District/Section 5th / Coweta Co. Size of Property (Square Feet or Acres) 8.44 Ac

Present Zoning Classification: MXD Proposed Zoning Classification: MXD

Present Land Use: Commercial / Undeveloped

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable _____
The total residential units are insufficient, and are requested to be increased. _____

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made N/A

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? _____

The proposed apartment building will continue as planned with a slightly higher density. _____

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The zoning classification requested and the existing classification at the filing of this application.
 - The number of units proposed.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - ✓ Boundary survey showing property lines with lengths and bearings
 - ✓ Adjoining streets, existing and proposed, showing right-of-way
 - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
 - ✓ North arrow and scale
 - ✓ Adjacent land ownership, zoning and current land use
 - ✓ Total and net acreage of property
 - ✓ Proposed building locations
 - ✓ Existing and proposed driveway(s)
 - ✓ Lakes, ponds, streams, and other watercourses
 - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
 - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
 - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.
12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:
- Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
 - Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
 - Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
 - Commercial Application.....\$500.00/Plus \$25.00 Per Acre
 - Industrial Application.....\$500.00/Plus \$15.00 Per Acre
 - Mixed Use Application.....\$500.00/Plus Per Acre fee
based upon proposed land use.
 - Planned Development Application.....\$500.00/Plus per Acre fee
based upon proposed land use.
 - Overlay Zoning Application.....\$350.00

PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Sworn to and subscribed before me this

16th day of June, 2022 Signature of Applicant [Signature]

Julie E. Banks
Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE : _____

RECEIVED BY: _____

DATE OF FILING: _____

FILING FEE RECEIVED: _____

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____



City of Newnan, Georgia
Attachment A
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.
(Please refer to Article 10 of the Zoning Ordinance for complete details.)

Please list any written proffered conditions below:

1. Multifamily residential density - increase to 88 units/acre,
2. Setbacks - No Change - 30' along Ashley Park Blvd, and zero setback along the south property line.
3. Building Height - 50' (unchanged) for a commercial tower, and 75' for the multi-level residential building,
4. Signs - no change to maintain an additional monument sign along Newnan Bypass, and one along Ashley Park Blvd,

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

1. Master Concept Plan displaying conditions listed above,
2. Residential Wrap 6-Level Revised Floor Plan
3. Residential Wrap - Revised Building Section
4. Community Impact Study - including an updated Traffic Study
5. Architectural Rendered Elevations

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.



Signature of Applicant

Robert Bergmann, Engineering Director

Type or Print Name and Title

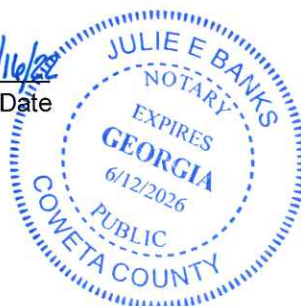
Signature of Applicant's Representative

Type or Print Name and Title



Signature of Notary Public
(Robert's Signature only)

Date



(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on June 16, 2022, 20__ for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

8.44 acres of Tract F-3A on the Revised Final Plat of Ashley Park, Phase 2: located in LL 43 of the 5th District of Coweta County.

The property fronts on Ashley Park Boulevard and also has an address of 440 Newnan Crossing Bypass.

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

N/A

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? ☐ Yes ☐ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

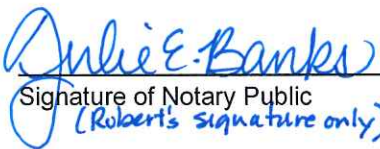

Signature of Applicant

Robert Bergmann, Engineering Director

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title


Signature of Notary Public

Date

(Affix Raised Seal Here)



¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia
Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner FOURTH QUARTER PROPERTIES 93, LLC

Telephone Number 678-423-5445

Address of Subject Property 440 Newnan Crossing Bypass, Newnan, GA

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.



Signature of Property Owner

Personally appeared before me

Stanley E. Thomas

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

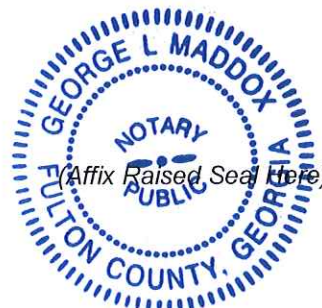


Notary Public

My Commission
expires 9/25/23

6/17/22

Date



ASHLEY PARK PHASE 3A & 3B
DEVELOPMENT SUMMARY REPORT
FOR MXD ZONING
June 17, 2022

1. Proposed Development Description

Thomas Land & Development and Fourth Quarter Properties 93 continues the existing MXD designation for 8.44 acres, being the northern tax parcel in Tract F-3A of the Revised Final Plat of Ashley Park Phase 2. The eastern component fronting Newnan Bypass known as Phase 3A, consists of 4.46 acres for commercial use consistent with CCS zoning. The western component fronting Ashley Park Blvd called Phase 3B, consists of 3.98 acres for a multifamily “Apartment Wrap”. The residential complex proposes to increase the 5-level, 278-unit apartment building around a 3-level parking deck to a total 6-level apartments with a 4-level parking deck with recreational amenity facilities on a surface level above the deck. The 15 two-level townhomes facing Ashley Park Blvd with two car garages will continue as planned.

2. Individual Land Use Category

A. Commercial (AP Phase 3A) - The eastern component of 4.46 acres for commercial is comprised of all uses consistent with and proposed for the original CCS zoning designation, and is unchanged with this request. All of the commercial summaries below are maintained UNCHANGED from the 2020 MXD rezoning.

- (1) Open Space – 0.23 acres of the Ashley Park Mainstreet walk and 0.36 acres of perimeter landscape strips surrounding the east parking lot comprise dedicated open space areas within Phase 3A, for a total of 0.59 acres.
- (2) Density – The proposed Floor Area Ratio is 0.30.
- (3) Setbacks – The front right-of-way setback is maintained at 40’, while most side and internal setbacks are 10’. The exception is a zero setback along the south line adjacent to the Belk drive and parking.
- (4) Building Height – Primary building heights are maintained at 40’, while isolated specific tower features are a maximum of 50’.
- (5) Signs – Internal monument sign spacing along Newnan Bypass is requested at 175’, to allow one additional sign between the existing Ashley Park monument signs at the two driveways.
- (6) Streets and Utilities – All internal streets shall remain private for shared access, and maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions. Some utilities have and will have public easements; all remaining private utilities shall be maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions.
- (7) Building Architecture – Buildings within Phase 3A shall conform to the QDC Overlay District

- B. Residential (AP Phase 3B)** - The western component of 3.98 acres for residential use shall allow for intense, multi-level apartments and townhomes, with attached parking deck and drive under garages. Provision should also be made for commercial and service businesses to operate and support residences within the complex along the Mainstreet frontage. The density proposed is for a total of 350 units.
- (1) Open Space – UNCHANGED - *0.41* acres is dedicated to the recreational amenity area on top of the parking deck, comprised of a potential pool, deck and landscaped areas. The Ashley Park Blvd perimeter landscape strip is *0.47* acres of dedicated open space within Phase 3B. Lastly, *0.20* acres of the front walk is part of the Ashley Park Mainstreet pedestrian way, which is also immediately adjacent but not part of this tract. Total open space is *1.08* acres within the 3.98 acre tract.
 - (2) Density – The proposed unit density is 88 units/acre, comprised of 60% 2-bedroom units, 30% 1-bedroom units, and 10% 3-bedroom units. Dwelling unit sizes will conform to the minimum multifamily unit requirements.
 - (3) Setbacks – UNCHANGED - The front right-of-way setback is proposed at 30' due to the existing sewer on site and minimum depth of the townhomes. Most other side and internal setbacks are 10', with the one exception being a zero setback along the southeast line adjacent to the Belk drive and parking to the south.
 - (4) Building Height – The 6-level (plus 4-level garage and half-basement) residential wrap requires a maximum building height of 75' from the rear ground level.
 - (5) Signs – UNCHANGED - One monument sign is requested at the southwest corner of the 3.98 acre parcel along the Belk driveway to Ashley Park Blvd.
 - (6) Streets and Utilities – UNCHANGED - All internal streets shall remain private for shared access, and maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions. Some utilities have and will have public easements; all remaining private utilities shall be maintained according to the Ashley Park Phase 3 Declaration of Covenants and Easement Restrictions.
 - (7) Building Architecture – UNCHANGED - The residential building within Phase 3B shall conform to the Newnan Zoning Ordinance Article 3-7 for Standards for Residential Uses. Waste disposal shall be incorporated with trash chutes and a collector room adjacent to the internal service drive.



**LANDIS EVANS
+ PARTNERS**
www.landisevans.com

3810 NORTHDAL BLVD.
SUITE 200
TAMPA, FLORIDA 33624
OFFICE: 813-949-7449
FBI CERT. OF AUTH. #4548

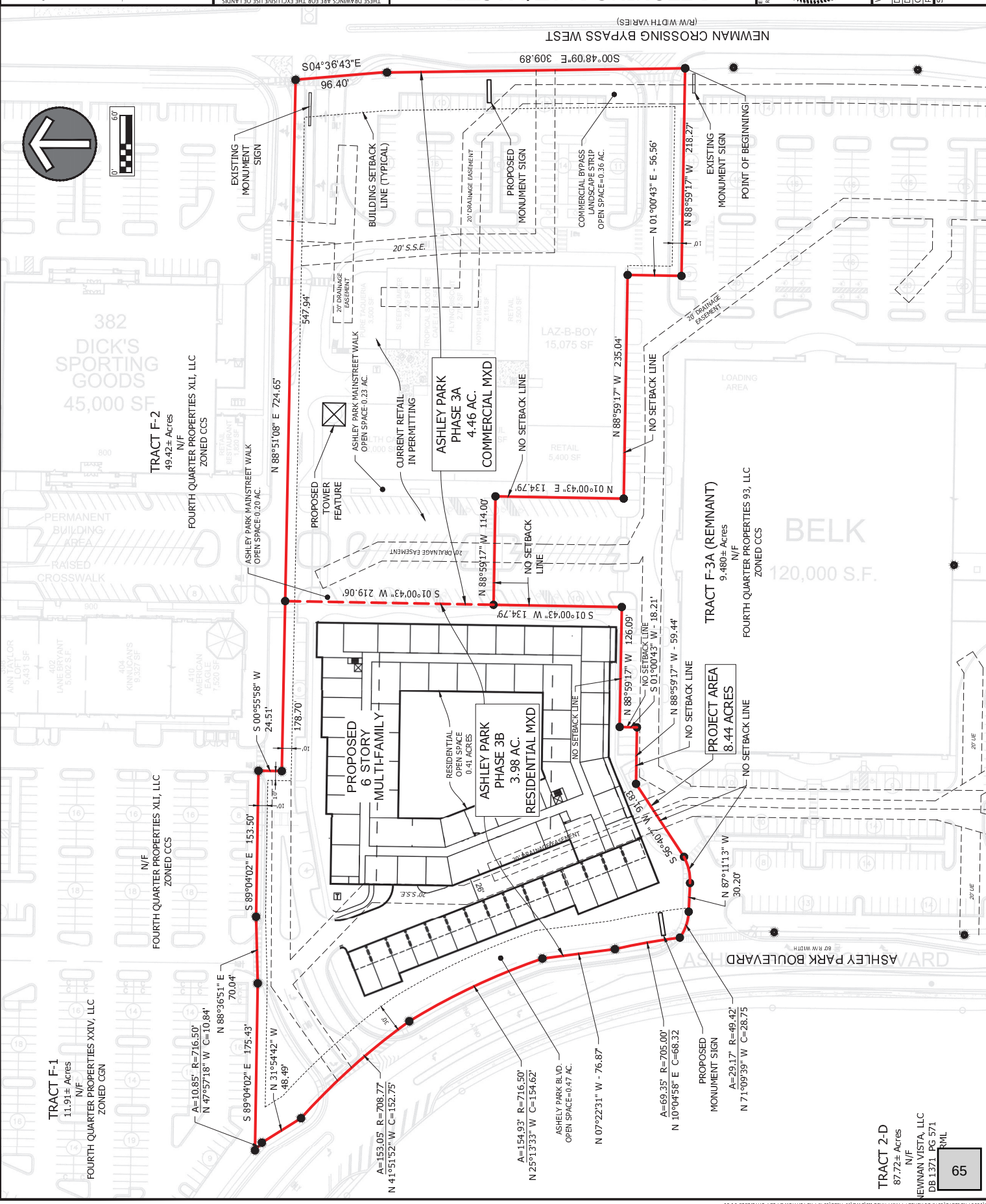
THESE DRAWINGS ARE FOR THE EXCLUSIVE USE OF LANDIS EVANS AND PARTNERS, INC. AND MAY NOT BE REPRODUCED, COPIED, OR USED IN ANY MANNER WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDIS EVANS AND PARTNERS, INC. ALL RIGHTS RESERVED.

REZONING PLAT/MASTER CONCEPT PLAN ASHLEY PARK - PHASE 3A & 3B January 30, 2020 CITY OF NEWMAN, COWETA COUNTY, GEORGIA

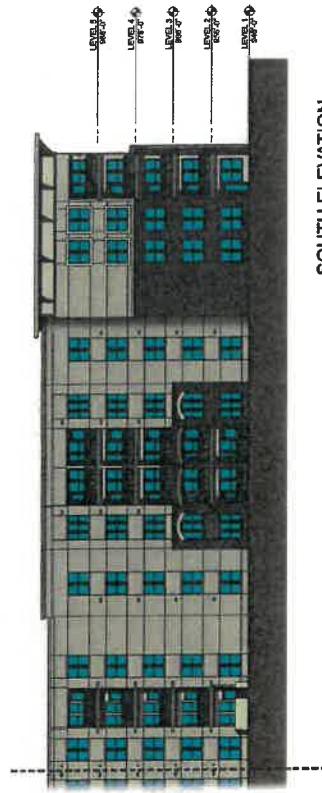
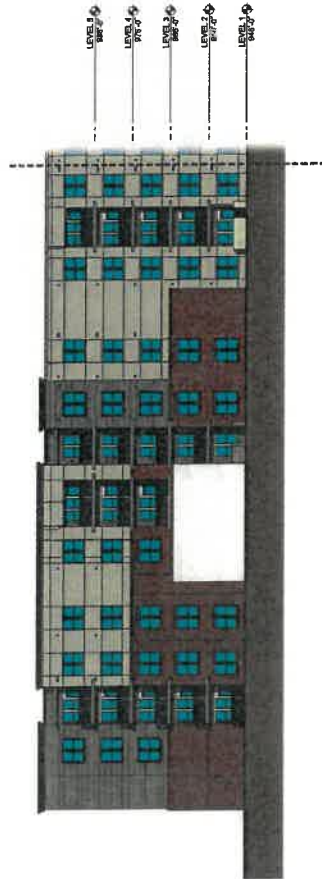
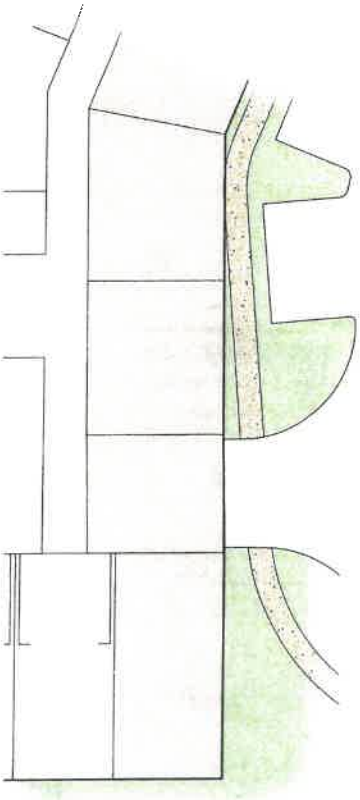
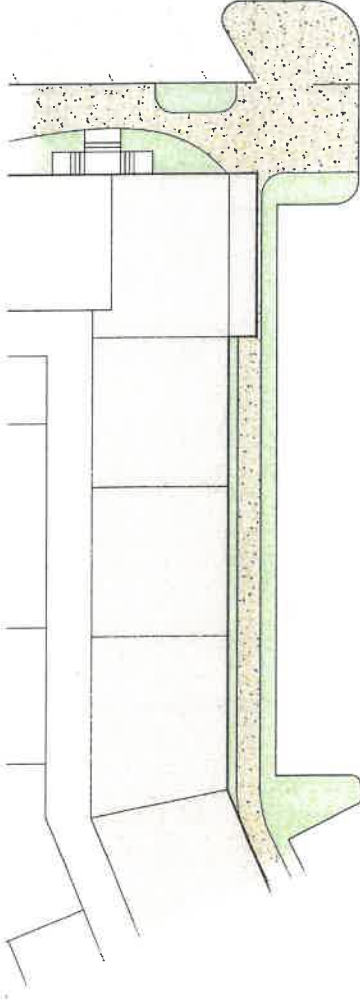


VERT. DATUM:
DESIGNED BY:
DRAWN BY: N.S.
CHECKED BY: J.D.E.
PROJECT NO.: 1648-20
SHEET NUMBER:

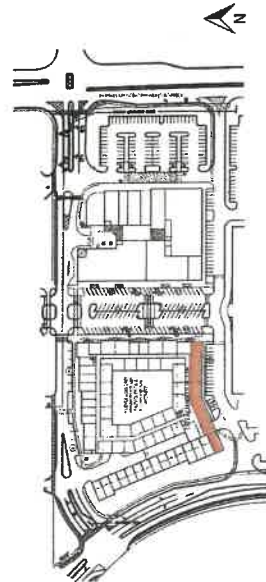
1 of 1



TRACT 2-D
87.72± Acres
N/F
NEWMAN VISTA, LLC
DB 1371 PG 571
RML



SOUTH ELEVATION

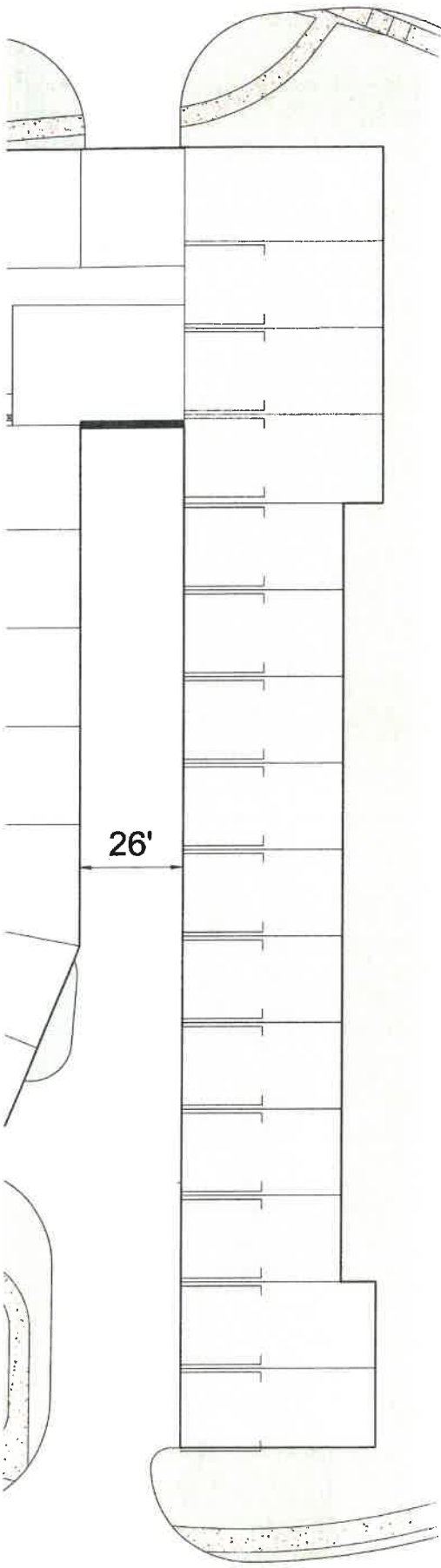


PSP.001 - ASHLEY PARK PHASE 3A & B
RESIDENTIAL WRAP - ELEVATIONS
NEWNAN, GEORGIA
FEBRUARY 17, 2020

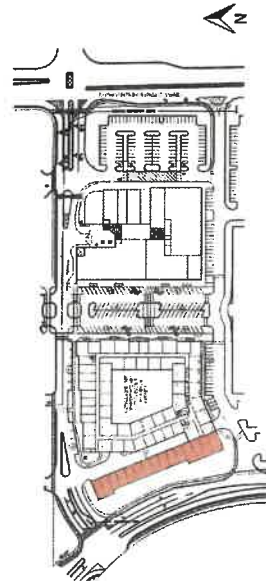
NELSON

TID

Thomas Land & Development
WS.1603000.000



WEST ELEVATION



PSP.001 - ASHLEY PARK PHASE 3A & B
RESIDENTIAL WRAP - ELEVATIONS

NEWNAN, GEORGIA
FEBRUARY 17, 2020

NELSON

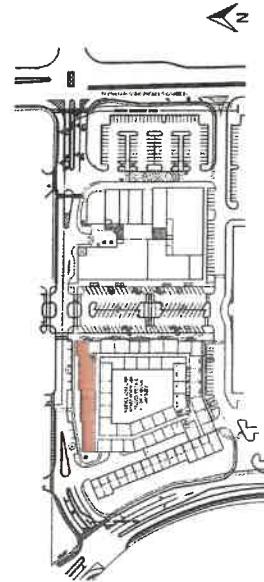
TUD

Thomas Land & Development

WS.1803000.000



NORTH ELEVATION



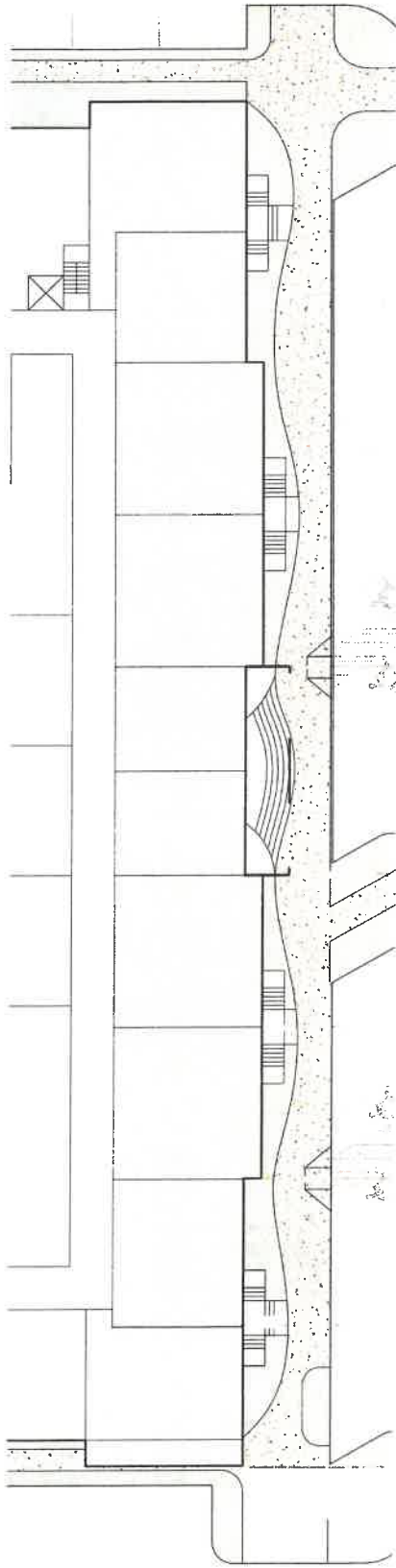
PSP.001 - ASHLEY PARK PHASE 3A & B
RESIDENTIAL WRAP - ELEVATIONS
NEWNAN, GEORGIA
FEBRUARY 17, 2020

NELSON

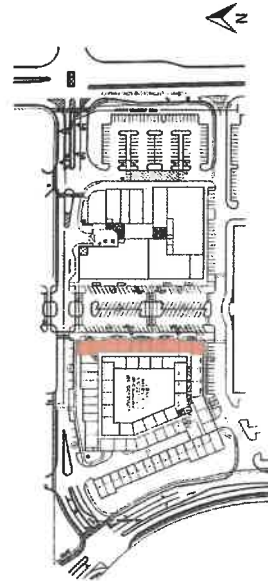
TID

Thomas Land & Development

WS-1803000.000



EAST ELEVATION



PSP.001 - ASHLEY PARK PHASE 3A & B
RESIDENTIAL WRAP - ELEVATIONS

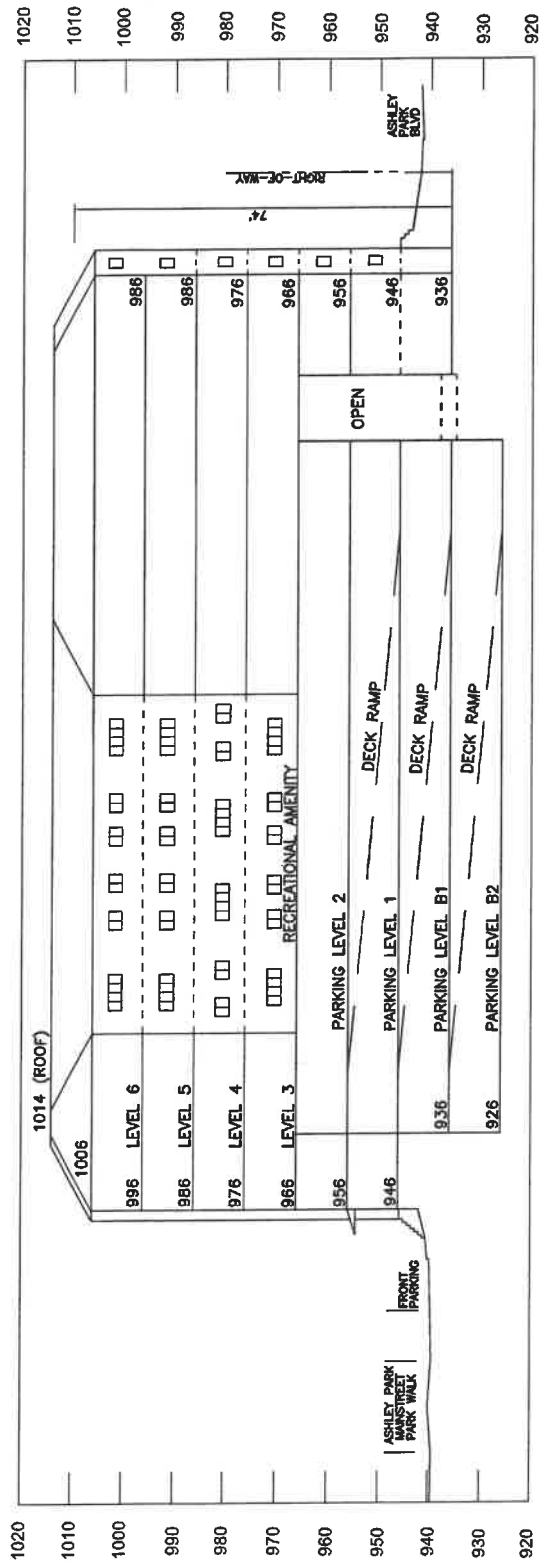
NEWNAN, GEORGIA
FEBRUARY 17, 2020

NELSON

TUD

Thomas Land & Development

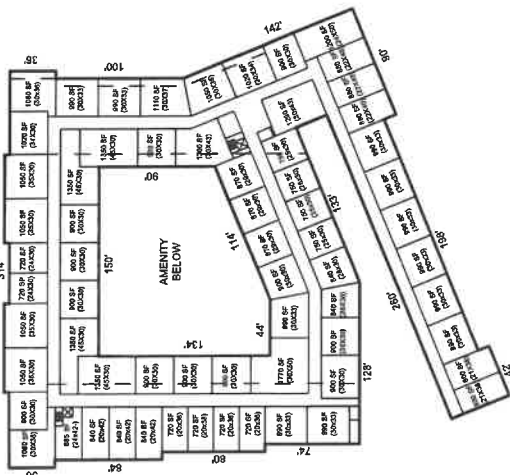
WB. 1603000.000



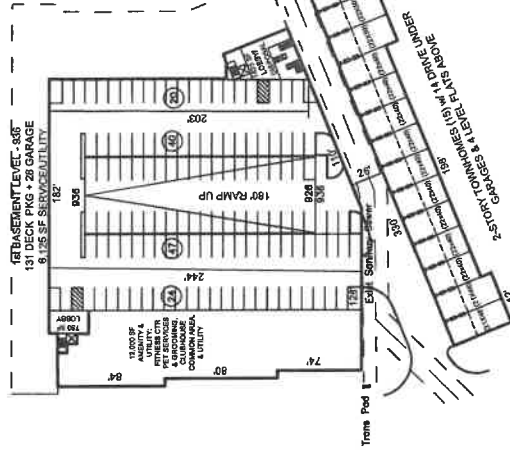
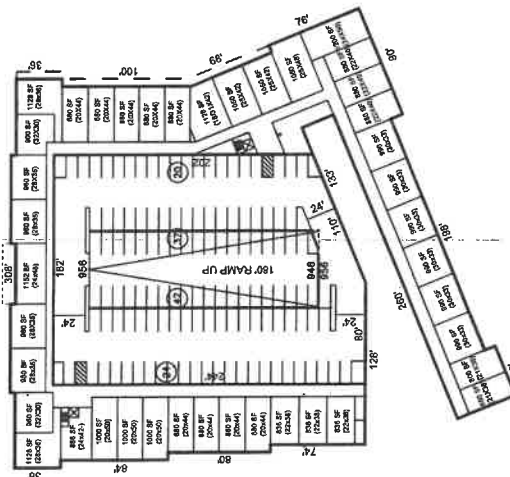
RESIDENTIAL WRAP
NORTH ELEVATION -
BUILDING SECTION



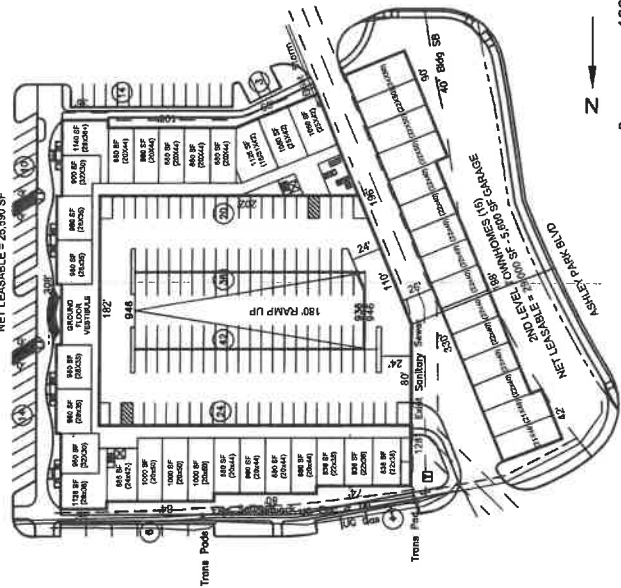
LEVELS 4-6 (978-986) - 47 UNITS
NET LEASABLE = 62,485 SF
AMENITY BELOW



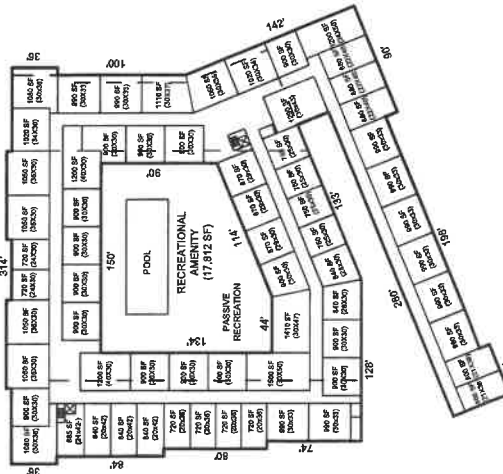
2ND LEVEL (859) - 41 UNITS
123 DECK PKG
NET LEASABLE = 39,180 SF



GROUND LEVEL (946) - 27 UNITS
123 DECK PKG
NET LEASABLE = 25,590 SF



3RD LEVEL (989) - 46 UNITS
NET LEASABLE = 61,015 SF
RECREATION AMENITY LEVEL



BUILDING DATA:

COMPONENT	ELEV	UNITS	PARKING	GROSS SF	NET LS SF
PKG DECK/BST	925-96	488	14,575	-	-
TOWNH (2 LV)	936	15	28	29,000	23,400
1ST LEVEL	946	27	51	34,425	25,590
2ND LEVEL	956	41	50,755	39,160	60,015
3RD LEVEL	966	66	76,395	62,485	62,485
4.586TH LVL	976/986/96	67	434,335	335,560	335,560
TOTAL		350	547	434,335	335,560

ASHLEY PARK PHASE 3B
6-LEVEL RESIDENTIAL WRAP
MULTI-LEVEL FLOOR PLAN

THOMAS LAND & DEVELOPMENT

JUNE 15, 2022

COMMUNITY IMPACT STUDY

for:

Residential Apartment Wrap

Ashley Park Phase 3B

Newnan, GA

June 16, 2022

Prepared by:

Thomas Land & Development

47 East Aviation Way

Newnan, GA 30263

INTRODUCTION

This study investigates and reports on the increase of residential units for the proposed multifamily apartment project in Ashley Park Phase 3B, that was previously studied and reported on January 31, 2020 for 272 units. The corrected 278-unit project was approved by the City of Newnan on May 26, 2020. The current project plans 350 units, or an increase of 28.6% over the 272-unit study.

The project is located at the southeast corner of Ashley Park Boulevard and the privately owned Newnan Place Parkway, on tax parcel number 086 5043 004, reported as 7.98 acres. The residential sub-parcel component of the MXD zoned tract is 3.98 acres. The conceptual site plan for the 350-unit project is attached in Appendix A, which is the same as the 272-unit project with the additional units added by an additional floor.

The Community Impact Assessment consists of responses from the following community departments and review of the influences for:

1. Traffic,
2. Tax Revenue,
3. Impact Fees,
4. City of Newnan Police Department,
5. City of Newnan Fire Department
6. Newnan Utilities, and
7. Coweta County School Board.

1. TRAFFIC

The 2020 Traffic Study analyzing 272 units generated 1481 Average Daily Trips. The 350-unit project anticipates a total of 1906 Average Daily Trips. The 2020 study analyzed ten (10) intersections, identifying peak AM and PM traffic patterns with background traffic counts and newly generated trips distributed across the selected intersections.

The current study uses the same intersections and 2020 traffic counts that are escalated for the new timeframe of development. The 2020 study projected a two-year buildout, or a 2022 completed traffic impact. The project still anticipates the same two-year buildout, therefore producing a 2024 completed traffic impact. The current study identifies the increased traffic generated by the 350-unit project and summarizes the total future impact in 2024. For convenience, the study presents the 2020, 2022, and 2024 traffic impacts displaying the incremental increase due to the 350-unit project continues to not result in an adverse impact to the community traffic. The study is presented in Appendix B.

2. TAX REVENUE

The 7.98 acre undeveloped tax parcel 086 5043 004 posted a fully appraised value of \$2,459,663 in 2021 per the tax record in Appendix C. The pro-rated land value for the 3.98 acre residential parcel is \$1,226,749. An average unit appraised value for the apartment wrap (around the internal parking deck) is estimated at \$150,000, therefore the new appraised improvement for 350 units is \$52,500,000. The table below summarizes the existing and estimated increase in value and property tax revenue.

ANNUAL PROPERTY TAX ESTIMATION				
EXISTING 100% APPRAISED VALUE				\$1,226,749
INCREASED 100% APPRAISED VALUE				\$52,500,000
TOTAL IMPROVED 100% APP. VALUE				\$53,726,749
TOTAL IMPROVED 40% ASSESSED VALUE				\$21,490,700
TAXING AUTHORITY	MILLAGE RATE	EXISTING ASSESSMENT	IMPROVED ASSESSMENT	INCREASED TAX REVENUE
COWETA CO	0.00654	\$3,209	\$140,549	\$137,340
COWETA SHOOLS	0.0173	\$8,489	\$371,789	\$363,300
CITY OF NEWNAN	0.003643	\$1,788	\$78,291	\$76,503
TOTAL		\$13,486	\$590,629	\$577,143

3. IMPACT FEES

The City of Newnan Development Impact and the Newnan Utilities Sewer Impact Fees for the 350-unit multifamily development are:

Development.....	\$1,110.81/unit x 350 units.....	\$388,783.50
Sewer.....	\$1,500/ unit x 350 units.....	\$525,000.00
TOTAL IMPACT FEES.....		\$913,783.50

4. COMMUNITY DEPARTMENT IMPACTS

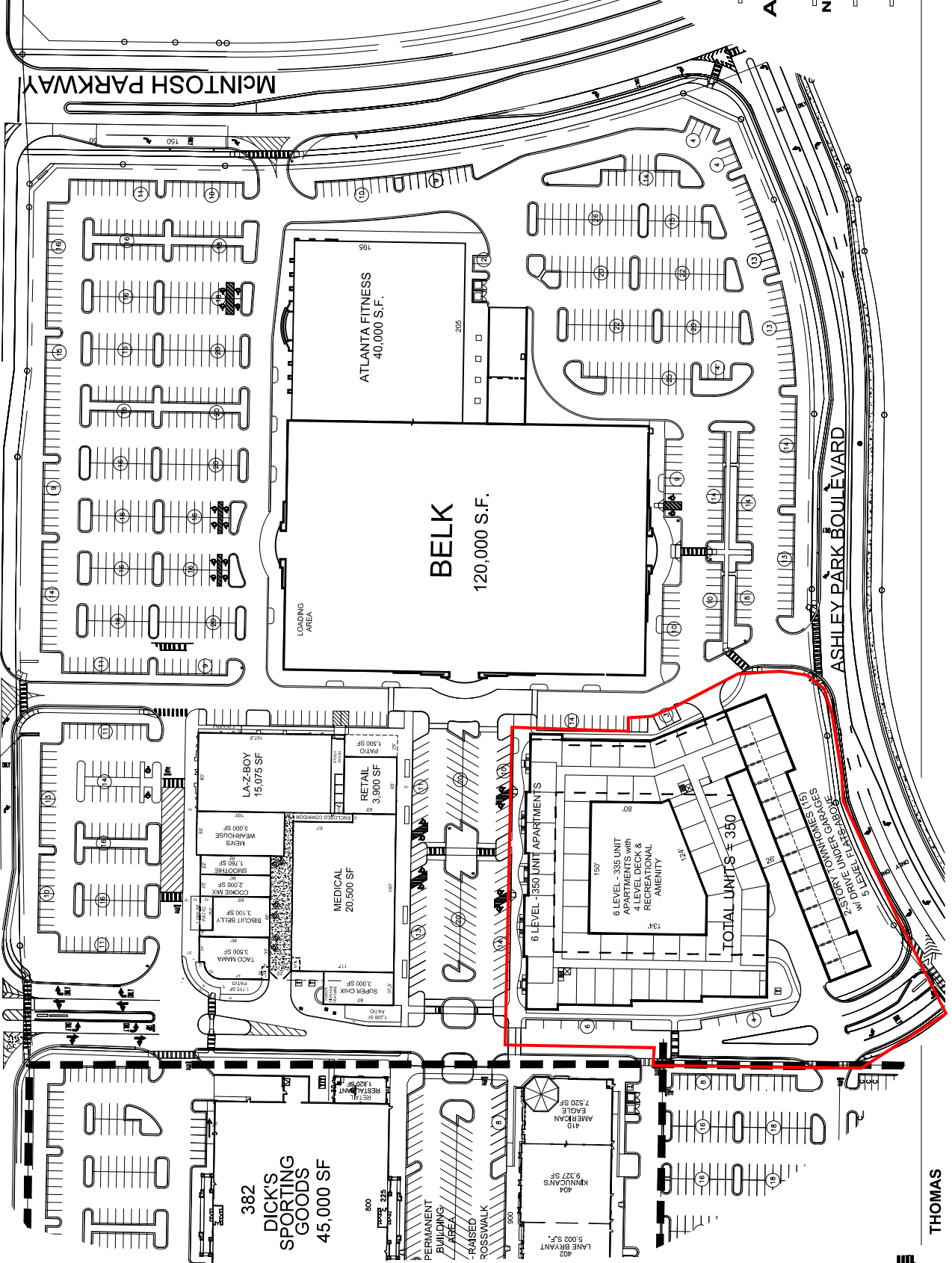
Requests were made to the City of Newnan Police Department, City of Newnan Fire Department, Newnan Utilities, and the Coweta County School Board on June 7, 2022 for a report of the anticipated impact to or requirements to serve the project from their respective departments. At the time of this report, responses have not yet been received. The request letters to each agency are included in Appendix D. An addendum will be issued when all four departments return their responses.

APPENDIX A – CONCEPTUAL SITE PLAN



NEWMAN CROSSING BYPASS WEST

PROP. 5' PANEL MONUMENT
38' x 14' PRO. 5' PANEL



SCALE: 1" = 50'

ASHLEY PARK PHASE III

NEWMAN, GEORGIA

JUNE 7, 2022

A DEVELOPMENT BY:
THOMAS

THOMAS



APPENDIX B – TRAFFIC STUDY

TRAFFIC IMPACT STUDY

for:

Residential Apartment Wrap

Ashley Park Phase 3B

Newnan, GA

June 16, 2022

Prepared by:

Thomas Land & Development

47 East Aviation Way

Newnan, GA 30263

SUMMARY

This study assesses the traffic impacts for the increase of residential units for the proposed multifamily apartment project in Ashley Park Phase 3B, that was previously studied and reported on January 31, 2020 for 272 units. The final, corrected 278-unit project was approved by the City of Newnan on May 26, 2020. The current project plans 350 units, or an increase of 28.6% over the 272-unit study.

The project is located at the southeast corner of Ashley Park Boulevard and the privately owned Newnan Place Parkway on the 3.98-acre MXD zoned residential sub-parcel component. The site location plan for the 350-unit project is presented in Figure 1, which is the same as the 272-unit project with the additional units added by an additional floor.

This report reviews the incremental impact of the additional traffic generated by the 78 additional apartment units at the future completion date of 2024 when compared to the 272-unit study and 2022 completion date. Where many of the studied intersections operated at a minimum level of service (LOS) of 'D', the addition of the 350-unit project traffic continues to not significantly impact any of the study intersections.

STUDY BASIS

The 2020 Traffic Study analyzing 272 units generated 1481 Average Daily Trips. The 350-unit project anticipates a total of 1906 Average Daily Trips. The 2020 study analyzed ten (10) intersections, identifying peak AM and PM traffic patterns with background traffic counts and newly generated trips distributed across the selected intersections. Figure 2 identifies the ten intersections used in the 2020 study and repeated identically in this current study.

The current study uses the same 2020 traffic counts that are escalated at 2% per year for the new timeframe of development. The 2020 study projected a two-year buildout, or a 2022 completed traffic impact. The project still anticipates the same two-year buildout, therefore producing a 2024 completed traffic impact. The current study identifies the increased traffic generated by the 350-unit project and summarizes the total future impact in 2024. For convenience, the Traffic Summary spreadsheets in Appendix A present the 2020, 2022, and 2024 traffic impacts displaying the incremental increase due to the 272-unit and ultimately the 350-unit projects.

FIGURE 1 CONCEPT PLAN



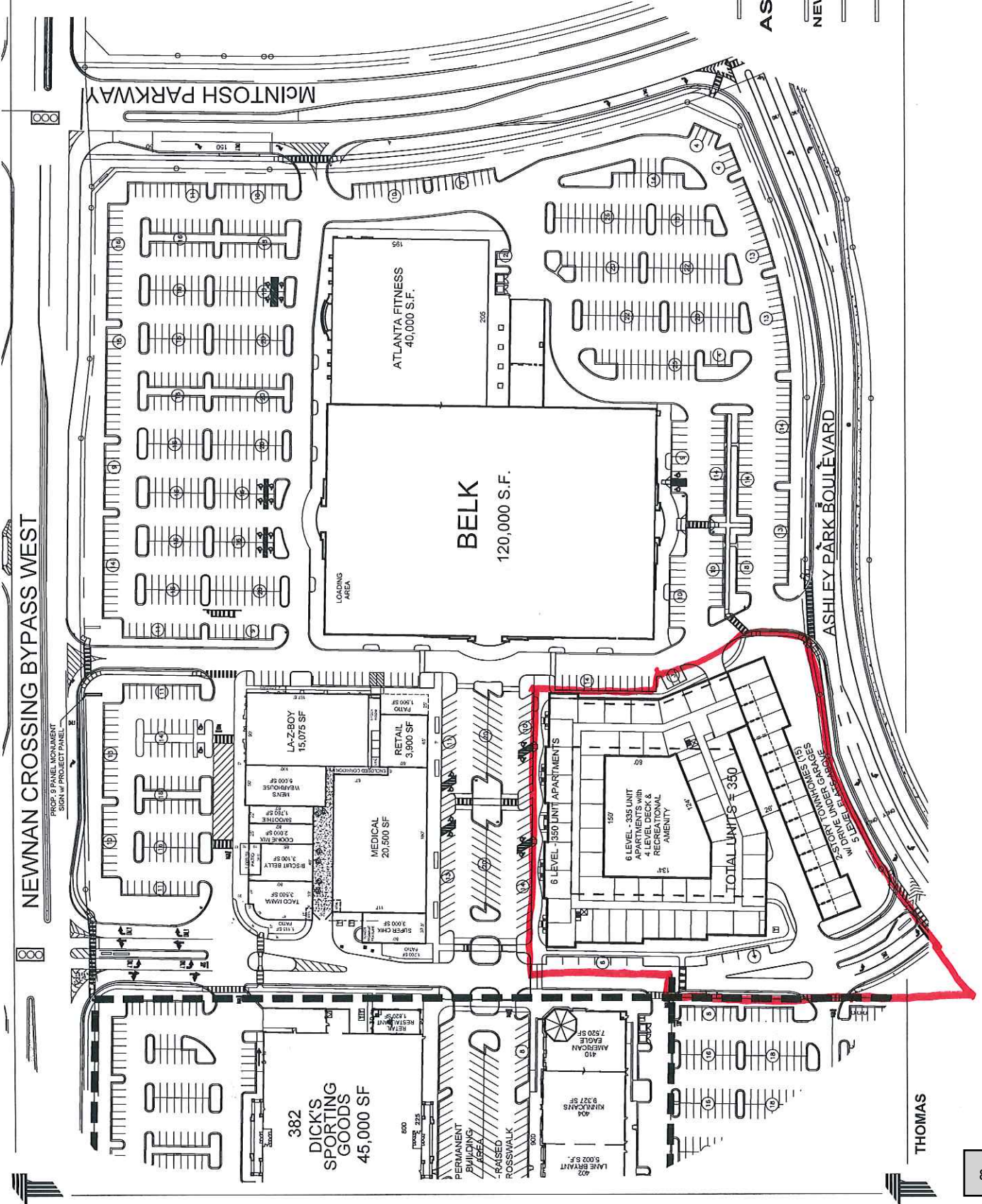
SCALE: 1" = 50'

ASHLEY PARK PHASE III

NEWNAN, GEORGIA

JUNE 7, 2022

A DEVELOPMENT BY:
THOMAS



THOMAS

STUDY INTERSECTIONS, TRIP GENERATION, & DISTRIBUTION

Peak hour traffic trip generation for the proposed 350-unit development was estimated using the ITE *Trip Generation Manual 10th Edition* as used in the 2020 study. The same AM & PM Peak Hour Trip-End distributions for entering and exiting the project were applied to the primary site access intersections #5 & #6, and summarized in Table 1. Similarly, the same traffic pattern distribution applied to the ten intersections in the 2020 study is repeated for the 2024 study.

TABLE 1 - TRIP GENERATION & INTERNAL CAPTURE SUMMARY							
DEVELOPMENT TYPE	SIZE (Units)	Land Use Code	Average Daily Traffic	AM PEAK HOUR TRIP ENDS		PM PEAK HOUR TRIP ENDS	
				Enter(%)	Exit(%)	Enter(%)	Exit(%)
Multifamily (Mid-Rise)	272	221	1481	23(25%)	68(75%)	71(61%)	45(39%)
		Internal Capture		0/(0%)	2(100%)	34(62%)	21(38%)
		Net Total		23(26%)	66(74%)	37(61%)	24(39%)
Multifamily (Mid-Rise)	350	221	1906	29(25%)	88(75%)	91(61%)	58(39%)
		Internal Capture		0/(0%)	3(100%)	44(62%)	27(38%)
		Net Total		29(26%)	85(74%)	47(61%)	31(39%)

The graphic summary of the project and background traffic volumes are depicted on:

Figure 2.1 – 2022 AM Peak Hour

Figure 2.2 – 2022 PM Peak Hour

Figure 2.3 – 2024 AM Peak Hour

Figure 2.4 – 2024 PM Peak Hour

INTERSECTION & LEVEL OF SERVICE ANALYSES

The 2020 study revealed several background intersections operated at a LOS 'D' with some turning movement LOS at 'E' and 'F', but that they remained unchanged with the introduction of project traffic. In fact, some delay times actually decreased with project traffic. Only one intersection reduced the LOS from 'A' to 'B' for a right turn with no significant impact.

A closer examination of the ten intersections reveals that five are most affected; four on Ashley Park Blvd at Bullsboro Road (#2), McIntosh Pkwy (#9), Newnan Crossing Bypass (#10), and the primary entrance at Newnan Place Pkwy (#6), and the other primary entrance of Newnan Place Pkwy at Newnan Crossing Bypass (#5). Of the five, the two primary site access intersections produced the most significant increase in traffic, as would be expected, and a specific discussion of each is presented below. For convenience, the change in traffic volumes due to the project have been highlighted in bold blue text on the Traffic Summary spreadsheets in Appendix A.

Primary Site Access Intersection #5: The peak AM-EB-L turning movement produced the most significant increase in traffic volumes (114% in 2022, and 146% in 2024) and in potential delays. Comparing the background to the proposed impact in the 2022 study, the Control Delay (d) actually decreased in time as the LOS 'D' remained the same. The Adjusted traffic Flow Rate (AFR) for 2024 only increased by 15% over the 2022 AFR, thereby maintaining minimal effect to traffic. The peak PM-NB-L turn is the only other increase in traffic volume to mention (18% in 2022, and 22% in 2024), but the Control Delay remains essentially unchanged with LOS 'D'. The corresponding 2024 AFR increase was only 9%.

Primary Site Access Intersection #6: The peak AM-WB-L turning movement produced the most significant increase in traffic volumes (383% in 2022, and 456% in 2024). The 2022 proposed impact resulted in a LOS reduction from 'A' to 'B' only due to increasing the Control Delay from 10.0 seconds to 10.3 seconds, being insignificant. The increase in the 2024 AFR was 24%, thereby also maintaining minimal effect on traffic. The less significant peak PM-SB-L turn resulted in traffic volume increases of 29% (2022) and 36% (2024), while maintaining a LOS 'A' with a consistent Control Delay of 7.7 seconds and a 2024 AFR increase of 11%.

Honorable Mention – Intersection #2: The peak AM-NB-L turning movement produced a moderate increase in traffic volumes (43% in 2022, and 54% in 2024). The extreme delays in 2022 background traffic (84.2 seconds) and 2022 proposed traffic (85.3 seconds) yielded a LOS 'F'. The statistically insignificant impact of the increased 2024 AFR is 11%.

The aforementioned movements for the three intersections are highlighted in red on the respective Traffic Summary spreadsheets in Appendix A. The remaining most affected intersections #9 and #10 could only muster a maximum of 16% increase in 2024 traffic volumes (#10-AM-NB-L) for critical through or left turning movements.

CONCLUSION AND RECOMMENDATIONS

Similar to the 2022 traffic study conclusion, the introduction of project traffic does not significantly impact the levels of service or the intersection delays for the proposed 350-unit multifamily development to be completed by 2024. The 2022 study suggested that halving the traffic signal cycle length for Intersections #2 & #3 on Bullsboro Road from 180 seconds to 90 seconds could improve all but one of the LOS 'E' & 'F' to LOS 'D'. Of course, the remaining movements would also be affected.

APPENDIX C – PROPERTY TAX RECORD

Summary

Parcel Number	086 5043 004
Location Address	440 NEWNAN CROSSING BYPS
Legal Description	7.98 AC LL 43 LD 5 (Note: Not to be used on legal documents)
Class	C4-Commercial (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	NEWNAN 08 ANNEX (District 08)
Millage Rate	26.876
Acres	7.98
Neighborhood	Comm/Ind Newnan (G10000)
Homestead Exemption	No (S0)
Landlot/District	43 / 5

[View Map](#)

Owner

[FOURTH QUARTER PROPERTIES 93 LLC](#)
 % THOMAS ENTERPRISES
 45 ANSLEY DR
 NEWNAN, GA 30263

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Ashley Park	Square Feet	347,609	0	0	7.98	1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Comm-Paving-Asphalt	2008	1x20000 / 0	0	\$26,400

Permits

Permit Date	Permit Number	Type	Description
03/11/2020	ZSP-0063		SITE PREP
03/11/2020	ZLD-0064		LAND DISTURBANCE

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
3/28/2008	3352 446		\$0	UNQUALIFIED VACANT	CITY OF NEWNAN	FOURTH QUARTER PROPERTIES 93, LLC
3/21/2008	3333 849		\$14,560	UNQUALIFIED VACANT	NEWNAN VISTA LLC	FOURTH QUARTER PROPERTIES 93 LLC
2/15/2008	3335 232		\$0	UNQUALIFIED VACANT	CITY OF NEWNAN	FOURTH QUARTER PROPERTIES 93, LLC
4/8/2005	2720 169		\$8,188,500	QUALIFIED MULTIPLE	NEWNAN CROSSING PARTNERSHIP	FOURTH QUARTER PROPERTIES 93 LLC
4/17/1989	514 001		\$0	UNKNOWN STATUS	SIGNA DEVELOPMENT CORP	NEWNAN CROSSING PARTNERSHIP

Valuation

	2021	2020	2019	2018	2017
Previous Value	\$2,459,663	\$2,472,463	\$2,472,463	\$2,472,463	\$2,472,463
Land Value	\$2,433,263	\$2,433,263	\$2,433,263	\$2,433,263	\$2,433,263
+ Improvement Value	\$0	\$0	\$0	\$0	\$0
+ Accessory Value	\$26,400	\$26,400	\$39,200	\$39,200	\$39,200
= Current Value	\$2,459,663	\$2,459,663	\$2,472,463	\$2,472,463	\$2,472,463

Assessment Notices 2019

Assessment Notices

No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Septic Drawings, Photos, Sketches.

COWETA COUNTY BOARD OF ASSESSORS
37 PERRY STREET
NEWNAN GA 30263

PT-306 (revised Jan 2016)

RETURN SERVICE REQUESTED

10417673-14376-1 2 2 14376 1 AV 0.398 34



FOURTH QUARTER PROPERTIES 93 LLC
% THOMAS ENTERPRISES
45 E AVIATION WAY
NEWNAN GA 30263-7107

Official Tax Matter - 2021 Tax Year

This correspondence constitutes an official notice of ad valorem assessment for the tax year shown above.

Annual Assessment Notice Date: 6/25/2021

Last date to file a written appeal: 8/9/2021

***** This is not a tax bill - Do not send payment *****

County property records are available online at: www.cowetatax.com

9799PRNA 4/18/19 K

The amount of your ad valorem tax bill for the year shown above will be based on the **Appraised** (100%) and **Assessed** (40%) values specified in **BOX 'B'** of this notice. **You have the right to submit an appeal regarding this assessment to the County Board of Tax Assessors.** If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at <https://dor.georgia.gov/documents/property-tax-appeal-assessment-form>.

At the time of filing your appeal you must select one of the following appeal methods:

A

- (1) County Board of Equalization (value, uniformity, denial of exemption, or taxability)
- (2) Arbitration (value)
- (3) County Hearing Officer (value or uniformity, on non-homestead real property or wireless personal property valued, in excess of \$500,000)

All documents and records used to determine the current value are available upon request. For further information regarding this assessment and filing an appeal, you may contact the county Board of Tax Assessors which is located at 37 Perry Street Newnan, GA 30263 and which may be contacted by telephone at: (770) 254-2680. Your staff contacts are Joe M (extension 8960) and Jeff K(extension 8966).

Additional information on the appeal process may be obtained at <https://dor.georgia.gov/property-tax-real-and-personal-property>

B

Account Number	Property ID Number	Acreage	Tax Dist	Covenant Year	Homestead
268942839	086 5043 004	7.98	08		NO-S0
Property Description	7.98 AC LL 43 LD 5				
Property Address	440 NEWNAN CROSSING BYPS				
	Taxpayer Returned Value	Previous Year Fair Market Value	Current Year Fair Market Value	Current Year Other Value	
100% Appraised Value	0	2,459,663	2,459,663	0	
40% Assessed Value	0	983,865	983,865	0	

REASONS FOR ASSESSMENT NOTICE

C2 -Annual Notice: No change in return/previous value

C

The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

Taxing Authority	Other Exempt	Homestead Exempt	Net Taxable Value	Millage	Estimated Tax
STATE	0	0	983,865	0.000000	0.00
COUNTY M & O	0	0	983,865	0.006540	6,434.48
SCHOOL M & O	0	0	983,865	0.017300	17,020.86
FIRE	0	0	983,865	0.000000	0.00
NEWNAN CITY TAX	0	0	983,865	0.003643	3,584.22

Total Estimated Tax 27,039.56

APPENDIX D – AGENCY REQUEST LETTERS

THOMAS LAND & DEVELOPMENT, LLC

47 East Aviation Way
Newnan, GA 30263
678.423.5445

June 7, 2022

Chief Brent Blankenship
Newnan Police Department
1 Joseph Hannah Blvd
Newnan, Georgia 30264
Chiefs@cityofnewnan.org

RE: Community Impact Assessment UPDATE - Ashley Park Phase 3B

Chief Blankenship:

I am requesting an update to the previous Community Impact Assessment that was requested in 2020 for the rezoning of 8.44 acres from CGN to MXD, which was approved by the Newnan City Council on May 26, 2020. Thomas Land & Development is submitting another zoning application to increase the approved 278-unit apartment project to 350 units on the 3.98 acre portion.

I have attached a copy of the 2020 assessment letter and the site plan for the revised project, to be developed on Parcel Number 086 5043 0004 at Ashley Park Boulevard and Newnan Place Parkway. Please provide a letter indicating the estimated impact for your service area. You may contact me at 770-560-6789 (cell) or by email at rbergmann@thomasent.com with any issues. Please email your letter when complete.

Thank you for your assistance, and let me know if you have any questions.

Sincerely,



Robert Bergmann, P.E.
Engineering Director

Attachments – Conceptual Site Plan
2020 Police Assessment



NEWMAN POLICE DEPARTMENT
CITY OF NEWMAN
1 Joseph Hannah Blvd
P.O. Box 1193
Newnan, GA 30264
770-254-2355
FAX: 678-423-4130

01/29/2020

Impact Assessment for Ashley Park Phase 3B

Mr. Mueller,

In comparing the calls for service to other area complexes, the following information was found:

LOCATION	CALLS FOR SERVICE
The Preserve at Greisen Trail	305
Lullwater at Calumet	129
The Vinings at Newnan Lakes	211
Stillwood Farm Apartments	339
Newnan Crossing Apartments	534

This information will be shared with our Planning and Zoning Department as well.

If you need any further, please let us know.

Sincerely,

D. L. Meadows
Chief of Police
Newnan Police Department

THOMAS LAND & DEVELOPMENT, LLC

47 East Aviation Way
Newnan, GA 30263
678.423.5445

June 7, 2022

Scott Tolar, P.E.
Newnan Utilities
70 Sewell Road
Newnan, Georgia 30263
stolar@newnanutilities.org

RE: Community Impact Assessment UPDATE - Ashley Park Phase 3B

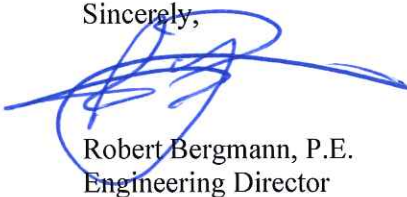
Mr. Tolar:

I am requesting an update to the previous Community Impact Assessment that was requested in 2020 for the rezoning of 8.44 acres from CGN to MXD, which was approved by the Newnan City Council on May 26, 2020. Thomas Land & Development is submitting another zoning application to increase the approved 278-unit apartment project to 350 units on the 3.98 acre portion.

I have attached the site plan for the revised project, to be developed on Parcel Number 086 5043 0004 at Ashley Park Boulevard and Newnan Place Parkway. Please provide a letter indicating the estimated impact for your service area. You may contact me at 770-560-6789 (cell) or by email at rbergmann@thomasent.com with any issues. Please email your letter when complete.

Thank you for your assistance, and let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Bergmann', is written over the typed name and title.

Robert Bergmann, P.E.
Engineering Director

Attachment – Conceptual Site Plan

THOMAS LAND & DEVELOPMENT, LLC

47 East Aviation Way
Newnan, GA 30263
678.423.5445

June 7, 2022

Chief Stephen Brown
City of Newnan Fire Department
23 Jefferson Street
Newnan, Georgia 30263
sbrown@cityofnewnan.org

RE: Community Impact Assessment UPDATE - Ashley Park Phase 3B

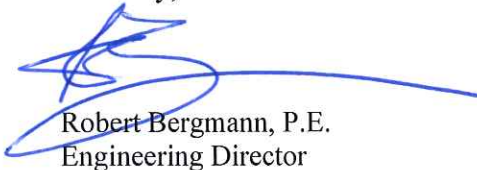
Chief Brown:

I am requesting an update to the previous Community Impact Assessment that was requested in 2020 for the rezoning of 8.44 acres from CGN to MXD, which was approved by the Newnan City Council on May 26, 2020. Thomas Land & Development is submitting another zoning application to increase the approved 278-unit apartment project to 350 units on the 3.98 acre portion.

I have attached the site plan for the revised project, to be developed on Parcel Number 086 5043 0004 at Ashley Park Boulevard and Newnan Place Parkway. Please provide a letter indicating the estimated impact for your service area. You may contact me at 770-560-6789 (cell) or by email at rbergmann@thomasent.com with any issues. Please email your letter when complete.

Thank you for your assistance, and let me know if you have any questions.

Sincerely,



Robert Bergmann, P.E.
Engineering Director

Attachment – Conceptual Site Plan

THOMAS LAND & DEVELOPMENT, LLC

47 East Aviation Way
Newnan, GA 30263
678.423.5445

June 7, 2022

Mr. Dean Jackson
Coweta County School System
237 Jackson Street
Newnan, Georgia 30263
Dean.Jackson@cowetaschools.net

RE: Community Impact Assessment UPDATE - Ashley Park Phase 3B

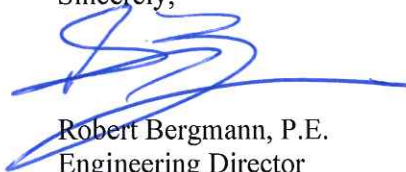
Mr. Jackson:

I am requesting an update to the previous Community Impact Assessment that was requested in 2020 for the rezoning of 8.44 acres from CGN to MXD, which was approved by the Newnan City Council on May 26, 2020. Thomas Land & Development is submitting another zoning application to increase the approved 278-unit apartment project to 350 units on the 3.98 acre portion.

I have attached the site plan for the revised project, to be developed on Parcel Number 086 5043 0004 at Ashley Park Boulevard and Newnan Place Parkway. Please provide a letter indicating the estimated impact for your service area. You may contact me at 770-560-6789 (cell) or by email at rbergmann@thomasent.com with any issues. Please email your letter when complete.

Thank you for your assistance, and let me know if you have any questions.

Sincerely,



Robert Bergmann, P.E.
Engineering Director

Attachment – Conceptual Site Plan



City of Newnan, Georgia - Mayor and Council

Date: July 12, 2022

Agenda Item: Annexation Request for Annex2022-05 by Jeff Anthony, Representing Lennar Georgia, LLC; 31.79± acres at 521 Lower Fayetteville Road (Tax Parcel # 087 5011 001); Requested zoning of PDR (Planned Development Residential) for a combination of 90 single-family homes and 60 townhouse units – Decision on Referral to Planning Commission

Prepared By: Tracy S. Dunnivant, Planning Director

Purpose: Jeff Anthony, on behalf of Lennar Georgia, LLC, is requesting the annexation of tax parcel # 087 5011 001 into the city limits. The parcel contains 31.79± acres and is located at 521 Lower Fayetteville Road.

Land Owner	Tax ID Numbers	Acreage	Location
Caldwell Real Estate Holdings	087 5011 001	31.79± acres	Lower Fayetteville Road

Background: Jeff Anthony, on behalf of Lennar Homes, is asking the Council to annex a total of 31.79± acres located on Lower Fayetteville Road into the city limits. The parcels were previously used by Caldwell Tanks. The petitioner is requesting a zoning designation of PDR (Planned Development Residential District). The applicant is seeking to construct a combination of 90 single-family homes and 60 townhouse units.

OPTIONS:

- A. Act to pursue Annexation/Rezoning
- B. Deny the Annexation/Rezoning Petition

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: None



June 27, 2022

Ms. Tracy Dunnavant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

Re: Petition for Annexation and Rezoning of 31.79 +/- acres, Tax Parcel ID #087 5011 001
521 Lower Fayetteville Road, Newnan, Coweta County, Georgia

Dear Ms. Dunnavant,

Please accept this petition letter as a request by the property owner/agent for annexation and rezoning of the above referenced property located at 521 Lower Fayetteville Road in Coweta County, Georgia. The property is currently zoned RC (Rural Conservation), current use is Commercial (vacant). The proposed requested zoning is PDR (Planned Development Residential), proposed use is a mixture of single-family and townhomes. Our concept design proposes 90- 42' x 130' single-family lots and 60- 20' x 90' townhome lots. The parks and open spaces will be maintained by the HOA. The water and sewer service to be provided by City of Newnan.

We appreciate your consideration of this request.

Respectfully,

Jeff Anthony

Jeff Anthony
Vice President Land Acquisitions
Lennar Georgia LLC
1000 Holcomb Woods Parkway
Building 400, Suite 450
Roswell, GA 30075
Phone: 678-414-5186
E-mail: jeff.anthony@lennar.com



CITY OF NEWNAN, GEORGIA
Planning and Zoning Department
25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of Newnan, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant Lennar Georgia, LLC

Mailing Address 1000 Holcomb Bridge Pkwy, Bldg 400, Suite 450, Roswell, GA 30076

Telephone 678-414-5186 Email: jeff.anthony@lennar.com

Property Owner (Use back if multiple names) Caldwell Real Estate Holdings

Mailing Address P.O. Box 608, Newnan, GA 30264

Telephone _____ Fax _____

Address/Location of Property 521 Lower Fayetteville Road, Newnan, GA 30263

County Zoning Classification RC Requested Zoning Classification PDR

Present Land Use Commercial (vacant)

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application. The City Council shall evaluate the application, and if it is decided that the City will pursue annexation, the zoning request for the property is forwarded to the Planning Commission for a zoning recommendation.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

☒ A petition for annexation into the City of Newnan, Georgia, which shall be in the form of a letter and include:

- ✓ Petitioner's Name
- ✓ Mailing Address
- ✓ Contact Telephone Number
- ✓ Address or Tax Map Number of the property(s) proposed for annexation
- ✓ County Zoning Classification(s)
- ✓ Requested Zoning Classification(s)
- ✓ Present Land Use of the property(s)
- ✓ Proposed Land Use of the property(s)

- ☒ A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.
- ☒ A legal description of the property(s) and a legal description for each zoning classification being requested.
- ☒ A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One paper plat 18" x 24" minimum size and a digital copy in pdf format.
- ☒ A preliminary concept plan illustrating the proposed use and/or development for this site which will also include a Preliminary Tree Management Plan illustrating existing location and general tree canopy along with areas proposed for tree conservation and/or replanting.
- ☒ A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.
- Single-Family Zoning Classification.....\$15.00 Per Acre
 - Multi-Family Zoning Classification.....\$25.00 Per Acre
 - Office/Institutional Zoning Classification.....\$15.00 Per Acre
 - Commercial Zoning Classification.....\$25.00 Per Acre
 - Industrial Zoning Classification.....\$15.00 Per Acre
- ☒ A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

The zoning classification approved by the City following the hearing shall become effective on the later of:

- The date the zoning is approved by the Council, and
- The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

Application for Annexation Zoning

City of Newnan, Georgia

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature

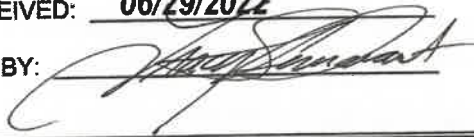
Date

6/28/22

FOR OFFICIAL USE ONLY

DATE RECEIVED: 06/29/2022

RECEIVED BY:





City of Newnan, Georgia
Attachment B

NEWNAN GEORGIA

Disclosure of Campaign Contributions & Gifts

Application filed on _____, 20__ for action by the Planning Commission on annexation / rezoning requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided. All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission?

☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within Last 2 Years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

JEFF ANTHONY
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public

Date

(Affix Raised Seal Here)



¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia
Attachment A



Proffered Conditions

As part of an application for an annexation/rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials. *(Please refer to Article 10 of the Zoning Ordinance for complete details.)*

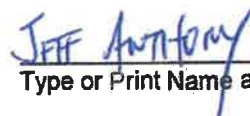
Please list any written proffered conditions below:

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.



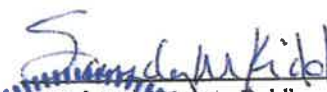
Signature of Applicant



Type or Print Name and Title

Signature of Applicant's Representative

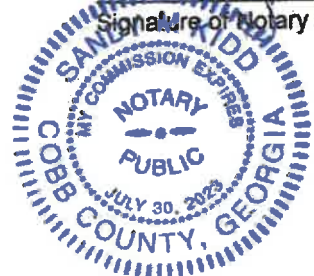
Type or Print Name and Title



Signature of Notary Public



Date



(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner

LOWERY REAL ESTATE HOLDINGS, LLC

Telephone Number

502-964-3361

Address of Subject Property 521 Lower Fayetteville Road, Newnan, GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Paul J. Finner, m.p.s.

Signature of Property Owner

Personally appeared before me

BERNARD S. FINEMAN

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

David F. Hanks

Notary Public

(Affix Raised Seal Here)

11/01/2021

Date

Survey Legal Description
Lower Fayetteville Road
Portion of Tax Parcel 087 5011 0001

All that tract or parcel of land lying and being in land lots 10 and 11 of the 5th district, Coweta County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the north eastern corner of lot 1-8 Hidden Lakes, Phase 1 (PB 57, PG 29), said point also being on the southern right of way line of Lower Fayetteville Road (80' R/W); thence leaving said point and along said southern right of way of Lower Fayetteville Road North 61°10'39" East, a distance of 517.28 feet to a point; Thence North 61°16'55" East, a distance of 333.17 feet to a point; Thence North 64°44'51" East, a distance of 207.03 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484") said point also being located on the northwestern corner of lands now or formerly Ted Justiss, said point also being at the intersection of the southern right of way of Lower Fayetteville Road and the City Limits of the City of Newnan; Thence leaving said right of way and along the property line of said Justiss property and along the City Limit Line of the City of Newnan, South 34°37'13" East, a distance of 362.74 feet to an iron pin found (6" wide iron bar); Thence North 88°14'07" East, a distance of 500.74 feet to an iron pin found (6" wide iron bar) located on the western line of Lakeshore Subdivision Phase 2 (PB 86, PG 321); Thence along said Lakeshore Subdivision, South 00°14'56" West, a distance of 504.15 feet to an iron pin found (1/2" rebar with cap "H&J-LOT CORNER"); Thence South 61°08'59" West, a distance of 1159.18 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484"); Thence North 38°37'16" West, a distance of 469.91 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "ROCHESTER - LSF000484"); Thence North 75°53'26" West, a distance of 79.88 feet to a point located on the southwest corner of lot 1-9 of Hidden Lakes Phase 1; Thence North 28°30'04" West, a distance of 525.91 feet to an iron pin found (1/2" rebar) located on the southern right of way of Lower Fayetteville Road and the POINT OF BEGINNING.

Said tract of land containing 29.401 acres more or less.

Survey Legal Description
Lower Fayetteville Road
Portion of Tax Parcel 087 5011 0001

All that tract or parcel of land lying and being in land lots 10 and 11 of the 5th district, Coweta County, Georgia and being more particularly described as follows:

Parcel "B" as shown on plat of survey for Caldwell Tanks, Inc. dated 5/31/99 by W.W. Flowers, Jr., registered land surveyor recorded in Plat Book 71, Page 134, in the office of the Clerk of Superior Court, which plat is incorporated herein by reference to more fully describe the property.

Said tract of land containing 2.354 acres more or less.

- NORTH

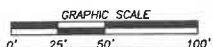


Plat information taken from boundary survey for Caldwell Tanks Inc. dated May 31, 1999 and recorded at Plat Book 71, Page 134 in the Coweta County records.

NO FIELD WORK WAS PERFORMED FOR THE PURPOSE OF THIS EXHIBIT.
THIS IS NOT A BOUNDARY SURVEY AND NOT INTENDED TO TRANSFER PROPERTY.

SHEET	OF
1	1

DATE:
SCALE:
FILE # *EXHIBIT
OBJ G213115.LNR
DRAWN BY WDC



NO.	DATE	DESCRIPTION
REVISIONS		

Zoning Exhibit
FOR :
LOWER FAYETTEVILLE ROAD TRACT

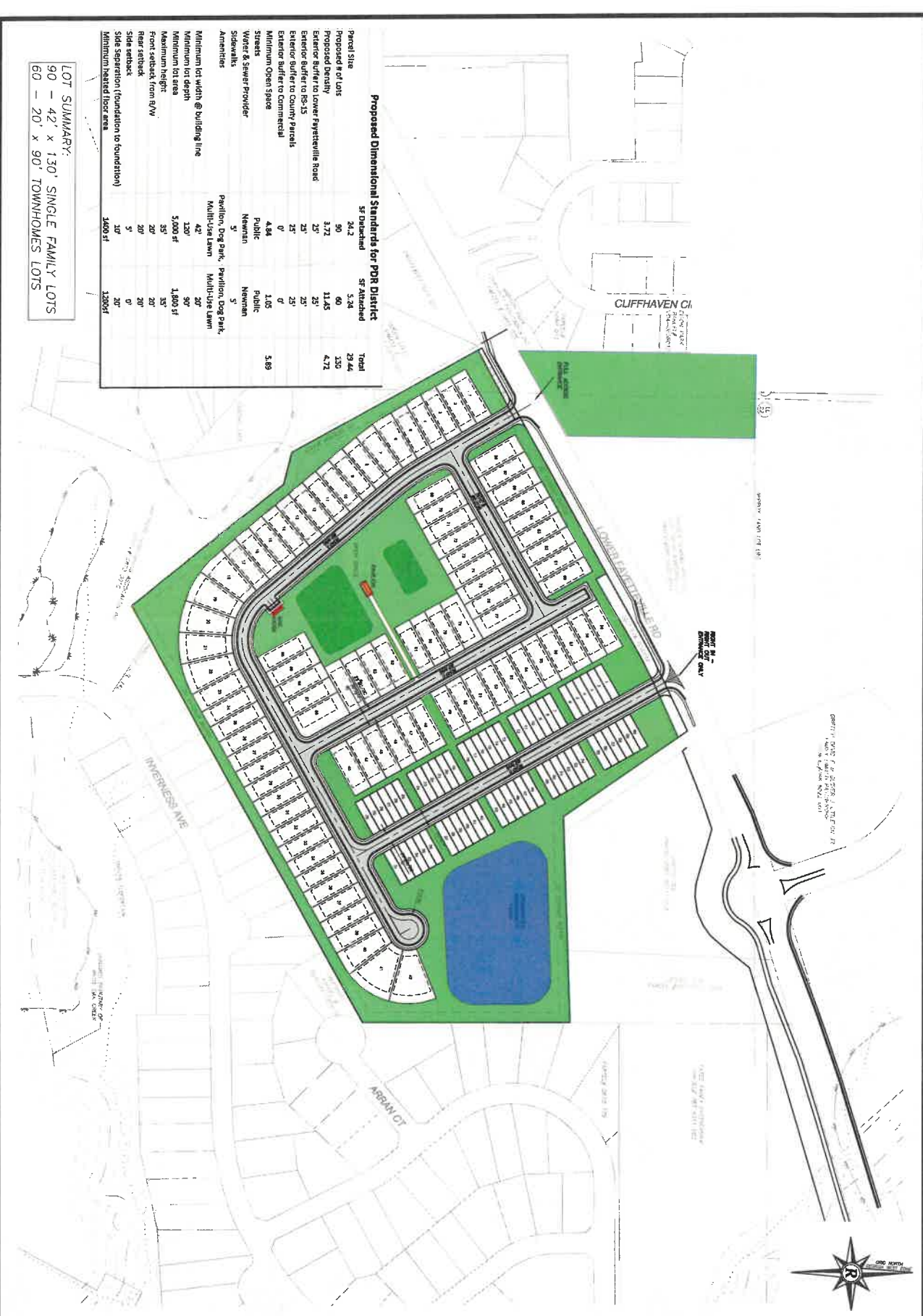
LOCATED IN
LAND LOT 10 & 11
5th District
Coweta COUNTY, GEORGIA



LOT SUMMARY:
 90 - 42' x 130' SINGLE FAMILY LOTS
 60 - 20' x 90' TOWNHOMES LOTS

Proposed Dimensional Standards for PDR District

	SF Detached	SF Attached	Total
Parcel Size	24.2	5.24	29.44
Proposed # of lots	90	60	150
Proposed Density	3.72	11.45	15.17
Exterior buffer to Lower Fayetteville Road	25'	25'	25'
Exterior buffer to BS-15	25'	25'	25'
Exterior buffer to County Parcels	25'	25'	25'
Exterior buffer to Commercial	25'	25'	25'
Minimum Open Space	4.84	1.05	5.89
Streets	Public	Public	
Water & Sewer Provider	Newman	Newman	
Sidewalks	5'	5'	
Amenities	Pavilion, Dog Park, Multi-Use Lawn	Pavilion, Dog Park, Multi-Use Lawn	
Minimum lot width @ building line	42'	30'	
Minimum lot depth	120'	90'	
Minimum lot area	5,000 sf	1,800 sf	
Maximum height	35'	20'	
Front setback from R/W	20'	20'	
Rear setback	20'	20'	
Side setback	5'	5'	
Side separation (Foundation to Foundation)	10'	10'	
Minimum heated floor area	1400 sf	1200 sf	



REVISIONS

NO.	DATE	DESCRIPTION

GRAPHIC SCALE

1" = 100'

0' 100' 200'

LAND CONCEPT PLAN

LOWER FAYETTEVILLE ROAD TRACT

LENNAR

LOCATED IN:
 LAND LOTS 10 & 11, 5th DISTRICT
 CONETA COUNTY, GEORGIA

Rochester & Associates, Inc.

425 Oak Street N.W. • Gainesville, Georgia 30501
 (770) 718.0600 (770) 718.9090 Fax • www.rochester-assoc.com

SHEET

1

DATE: 6/6/22

SCALE: 1"=100'

JOB NO. 0221116.LNP

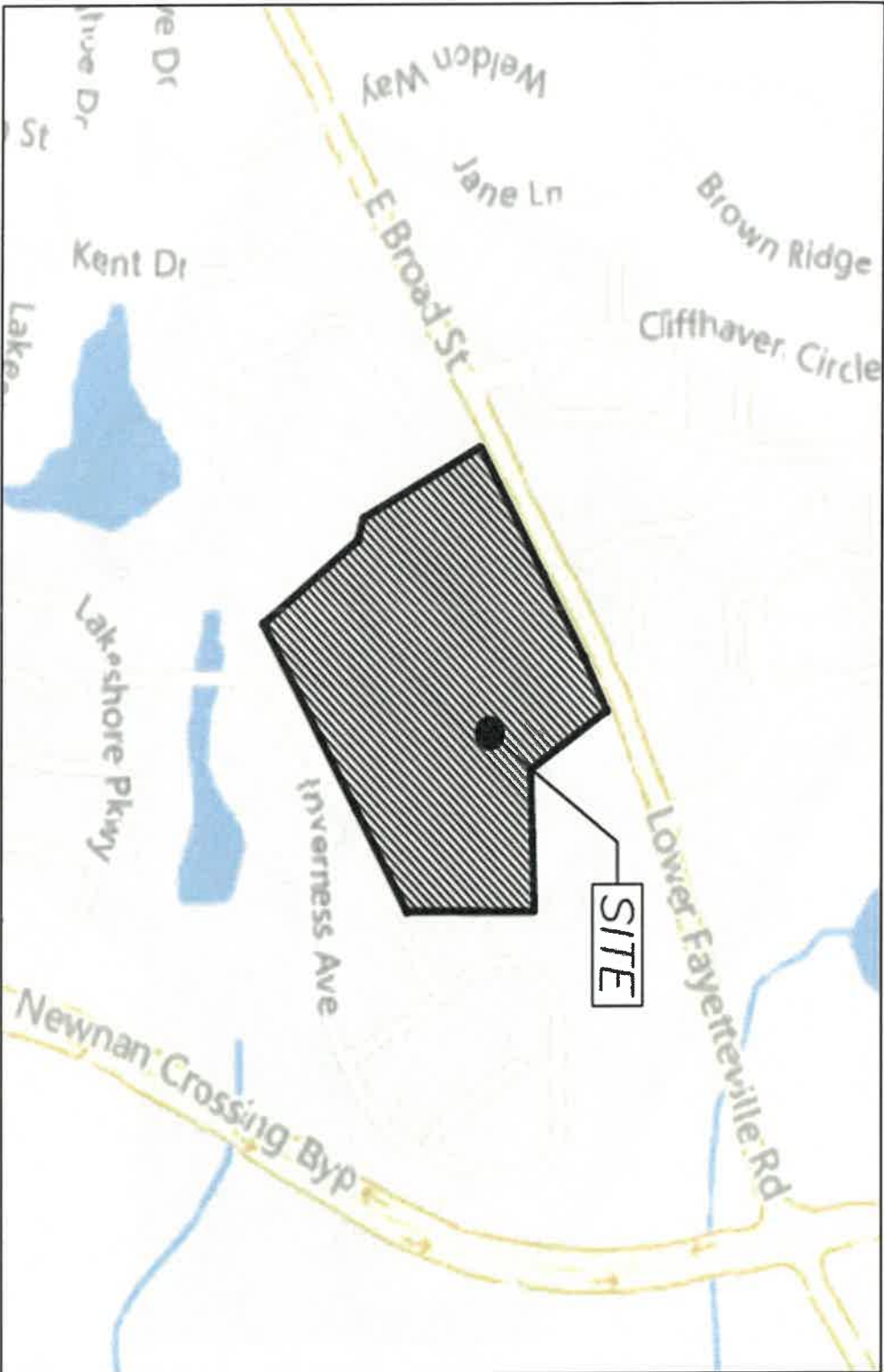
DWG. NO. - CONCEPT

DESIGNED BY: JDP

ANY CHANGES OR ALTERATIONS WILL BE THE RESPONSIBILITY OF THE CLIENT. THE ARCHITECT OR ENGINEER ASSOCIATES AND VENDOR SHALL NOT BE RESPONSIBLE FOR ANY CHANGES OR ALTERATIONS TO THE PROJECT. ORIGINAL DRAWINGS AND NOTED FOR REVISIONS OF ANY CHANGES.



PARK AT NEWNAN



111





ELEVATION EXAMPLES

- SINGLE-FAMILY DETACHED



ELEVATION EXAMPLES - TOWNHOMES





AMH 2014-3 BORROWER LLC ATTN: PROPERTY TAX DEPARTMENT 20 CALABASAS, CA 91302	ANGUS KERRESHA & SHELDON AUTHUR 10 ABINGTON LN NEWNAN, GA 30263	ARROWOOD DANIEL R & ADRIANA S, AF 22 CLIFFHAVEN CIR NEWNAN, GA 30265
AUSTIN AARON C & SHAYLA J CUNNINGHAM 49 INVERNESS AVE NEWNAN, GA 30263	BALL MORRIS LEE P O BOX 926 NEWNAN, GA 30264	BLAKE ERIN & STEPHEN BLAKE 44 HIDDEN LAKES DR NEWNAN, GA 30263
BRYAN AARON C & KRISTI BRYAN 175 INVERNESS AVE NEWNAN, GA 30263	BUSSEY CAROLYN & JASON BUSSEY 62 INVERNESS AVE NEWNAN, GA 30263	CALDWELL REAL ESTATE HOLDINGS LLC PO BOX 608 NEWNAN, GA 30264
CARLYLE MICHAEL JEROME & SHERRY 15 INVERNESS AVE NEWNAN, GA 30263	CARVER PATRICK 6 ARRAN CT NEWNAN, GA 30263	CASTRO DANIEL D & AURA RODRIGUEZ APT 103 8981 S HOLLYBROOK BLVD PEMBROKE PINES, FL 33025
CATES FAMILY PARTNERSHIP 815 SHERLIN LN GREAT FALLS, VA 22066	COLLINS JUSTIN & SHARANDA D COLLINS 27 INVERNESS AVE NEWNAN, GA 30263	COPE ZACHARY MICHAEL 31 CLIFFHAVEN CIR NEWNAN, GA 30263
CROLY JOSHUA & KRISTEN GENOVESE 55 INVERNESS AVE NEWNAN, GA 30263	CROWLEY JEFFERY BRENCHE & 28 HIDDEN LAKES DR NEWNAN, GA 30263	DENTON RACHEL E & DYLAN K DENTON 3 CLIFFHAVEN CIR NEWNAN, GA 30263
EHRlich MICHAEL I & CHARLENE F EHRlich 187 INVERNESS AVE NEWNAN, GA 30263	EMMONS JOSEPH W & JULIA A EMMONS 94 HIDDEN LAKES CT NEWNAN, GA 30263	FKH SFR PROPCO B-HLD LP, C/O FIRST SUITE 900 1850 PARKWAY PL MARIETTA, GA 30067
FOUGHTY WILLIAM TYLER & MEGAN, EL 11 ABINGTON LN NEWNAN, GA 30263	FRANCOIS SHELENA 176 INVERNESS AVE NEWNAN, GA 30263	GABLE ROSS E & COURTNEY J GABLE 39 CLIFFHAVEN CIR NEWNAN, GA 30263
GARCIA EDGAR L AYALA & FATEMA A A 6 WORCHESTER DR NEWNAN, GA 30263	GONZALEZ VICTOR & LORENA LLANOS 2 WORCHESTER DR NEWNAN, GA 30263	GRAHAM JOHN C & EARNESTINE GRAHAM 31 INVERNESS AVE NEWNAN, GA 30263
GRELL TISHA M 22 INVERNESS AVE NEWNAN, GA 30263	GRIFFITH DAVID F & GLOVER J LITTLE ET 10 BROWN ST NEWNAN, GA 30263	GUT NANCY JO & TERRENCE LEE GUT 26 INVERNESS AVE NEWNAN, GA 30263

HAMILTON HAMBERT H
50 INVERNESS AVE
NEWNAN, GA 30263

HUNT CHARLES N III & SARA HUNT
30 INVERNESS AVE
NEWNAN, GA 30263

HY SUN HENG & SINATH LY &, TOUSH H
79 HIDDEN LAKES CT
NEWNAN, GA 30263

IH3 PROPERTY GEORGIA LP, C/O INVITA
SUITE 2000 | 1717 MAIN RD
DALLAS, TX 75201

JAMES SAPORA NICOLE & WAYLAND B
27 CLIFFHAVEN CIR
NEWNAN, GA 30263

JUSTISS TED
2220 LAKE SHORE LNDG
ALPHARETTA, GA 30005

KIM RAMAIPHORN KEAWOPAS
85 HIDDEN LAKES CT
NEWNAN, GA 30263

KULCZAK CHASE
23 INVERNESS AVE
NEWNAN, GA 30263

KWOLKOSKI THOMAS J
18 CLIFFHAVEN CIR
NEWNAN, GA 30263

LAKESHORE HOMEOWNERS ASSOCIAT
SUITE 200B | 500 SUGAR MILL RD
ATLANTA, GA 30350

LINCOLN NEWNAN APTS LLC, C/O SACH
155 EAST 55TH ST SUITE 5F
NEW YORK, NY 10022

MADISON PARK COMMUNITY ASSOCIAT
168 SCENIC HILLS DR
NEWNAN, GA 30265

MAY JENNIFER LYN
6 ABINGTON LN
NEWNAN, GA 30263

MC CLURE ERIC D & MICHELLE M MC CL
46 INVERNESS AVE
NEWNAN, GA 30263

MC KAY TIFFANY L
11 CLIFFHAVEN CIR
NEWNAN, GA 30263

MEADOWS CHARLES DANIEL & RAYNA
43 INVERNESS AVE
NEWNAN, GA 30263

MOOR STEVEN K
54 INVERNESS AVE
NEWNAN, GA 30263

MORRIS PHYLLIS
9 ARRAN CT
NEWNAN, GA 30263

NICHOLS AUSTIN
34 INVERNESS AVE
NEWNAN, GA 30263

P4 SFR PROPERTY OWNER 1 LLC
P O BOX 4090
SCOTTSDALE, AZ 85261

PARK HYUN KYUN & SUNG KYUNG CHO
19 CLIFFHAVEN CIR
NEWNAN, GA 30263

PARKER ROY J
170 INVERNESS AVE
NEWNAN, GA 30263

PATEL ASHISH
37 INVERNESS AVE
NEWNAN, GA 30263

PATEL HARESHCHANDRA C
23 CLIFFHAVEN CIR
NEWNAN, GA 30263

PATEL NARESHKUMAR V & ILABEN N P
43 CLIFFHAVEN CIR
NEWNAN, GA 30263

PHU THANH MINH
68 INVERNESS AVE
NEWNAN, GA 30263

PRATT TERRY TORADA JR & AMBER LAS
183 INVERNESS AVE
NEWNAN, GA 30263

PRICE ANITRA
18 INVERNESS AVE
NEWNAN, GA 30263

PROGRESS RESIDENTIAL BORROWER 2
P O BOX 4090
SCOTTSDALE, AZ 85261

PROGRESS RESIDENTIAL BORROWER 5
P O BOX 4090
SCOTTSDALE, AZ 85261

PROGRESS RESIDENTIAL BORROWER E
P O BOX 4090
SCOTTSDALE, AZ 85261

RAVAL NEHA & AKSHAYKUMAR PATEL
APT 410 | 3000 HIXON RD NW
FORT PAYNE, AL 35967

REAM JOHN & DONNA REAM
191 INVERNESS AVE
NEWNAN, GA 30263

ROBERTS ERICA JOY & ROCHELLE ANN
84 HIDDEN LAKES CT
NEWNAN, GA 30263

ROBINSON ANTHONY L & APRIL ROBINS
22 ARRAN CT
NEWNAN, GA 30263

ROHRER DAWN K
47 CLIFFHAVEN CIR
NEWNAN, GA 30263

SEOANE MIGUEL ANGEL & JESSICA NIC
42 INVERNESS AVE
NEWNAN, GA 30263

SHELTON BRENDA BOWLES
14 CLIFFHAVEN CIR
NEWNAN, GA 30263

STEWART JUSTINE A
14 INVERNESS AVE
NEWNAN, GA 30263

TOWNSEND BRODERICK & TIET THI TOM
14 ARRAN CT
NEWNAN, GA 30263

TUCKER MARVIN R & CATHERINE M TUC
188 INVERNESS AVE
NEWNAN, GA 30263

UNDERHILL GARY A
26 CLIFFHAVEN CIR
NEWNAN, GA 30263

VELEZ DANIA D
182 INVERNESS AVE
NEWNAN, GA 30263

VILLANUEVA GRETTA A & MARCO SANC
10 MOSSY HOLW
NEWNAN, GA 30265

WOODS KENNETH R & HOLLY M
75 HIDDEN LAKES CT
NEWNAN, GA 30263

WORKINGER AMANDA L
7 CLIFFHAVEN CIR
NEWNAN, GA 30263

YOUNG TOYA RENEE
38 INVERNESS AVE
NEWNAN, GA 30263

YOUNGBLOOD DONALD R
30 CLIFFHAVEN CIR
NEWNAN, GA 30263

YOUST PAUL
19 INVERNESS AVE
NEWNAN, GA 30263



City of Newnan, Georgia – Mayor and City Council

Date: July 12, 2022

Agenda Item: Annexation Request – 2022-03
1.22± acres located at 30 Amlajack Boulevard (Tax
Parcel # 097-5044-013); Requested zoning of CHV
(Heavy Commercial District)

Prepared and Presented by: Dean Smith, Planner

ANNEXATION ASSESSMENT

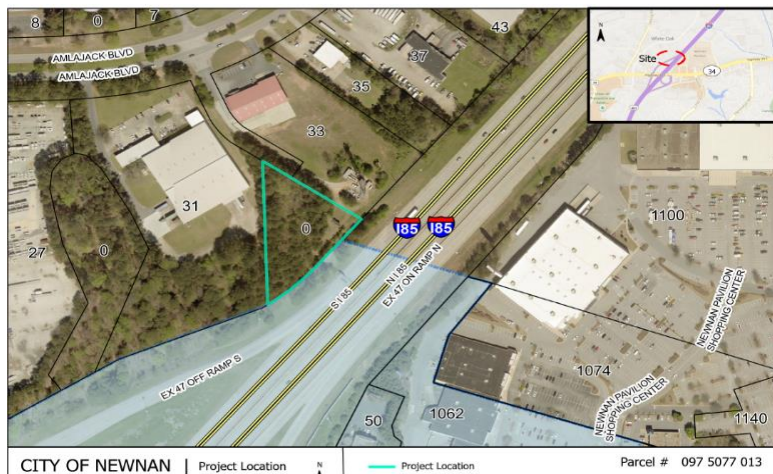
APPLICANT / PETITIONER INFORMATION:

Donald L. Sprayberry, Jr.
Sprayberry's Barbeque, Inc.
127 Pickens Drive
Newnan, GA 30263

The petitioner owns the subject property and seeks annexation for the stated purpose of upgrading and improving an existing highway sign (billboard). In order to accomplish this, the applicant is seeking an CHV (Heavy Commercial District) zoning for the subject property

SITE INFORMATION:

The site consists of 1.22± acres located off Amlajack Boulevard, further identified as Tax Parcel #097-50414-013. The tract is currently under the jurisdiction of Coweta County. The tract has a present Coweta County zoning classification of M - Industrial District. Tracts to the east and west of the subject site are also zoned M – Industrial District. The subject property is also located within an area designated by Coweta County as Employment Center-industrial and Complete Community on the Coweta County Character Area Map on the County's Future Land Use Map.



OVERVIEW OF REQUEST:

The petitioner is requesting annexation of 1.22± acres located of Amlajack Boulevard. The requested zoning is CHV (Heavy Commercial District). The petitioner seeks annexation and the requested CHV zoning for the purpose of demolishing the existing highway sign and construct a new highway sign. The petitioner also seeks the special exception approval for a highway sign and a variance to reduce the length of interstate frontage required for a highway sign from 400 feet (current City requirement) to approximately 364 feet. According to the petitioner, the existing sign is a legal, non-conforming sign by the County's standards and cannot be changed, upgraded, modified or improved upon as it exists today.

Current Billboard Sign





STANDARDS:

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to consider the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and those with a red "X" ✗ as standards not being met.

1. **Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?** The subject tract is located along Interstate 85 and both properties adjacent to the subject tract are currently zoned for industrial uses in the County. One of the adjacent lots serves a location for a telecommunication tower which is taller than the existing sign and the proposed highway sign. Staff feels the upgrade to a newer styled taller highway sign would be suitable given the interstate frontage and will improve the sign's visibility considering the Georgia DOT landscape buffers that limit visibility in this vicinity.

Staff Assessment – PROPOSED USE IS SUITABLE ✓

2. **Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?** There is no evidence presented to the City that the existing billboard sign has created any adverse impact to any of the surrounding properties. Staff does not feel a highway sign upgrade will pose any significant adverse impact to neighboring properties as the existing telecommunication tower will be taller than a new highway sign.

Staff Assessment – ADVERSE AFFECT WILL BE MINIMAL ✓

3. **Are their substantial reasons why the property cannot or should not be used as currently zoned?** The current sign is "grandfathered" by Coweta County. The sign can only be maintained as is under the Coweta County's rules and regulations. Furthermore, the property is not included in Coweta County's "Interstate Gateway" area rendering the sign ineligible for any upgrades, relocation or improvement under Coweta County's jurisdiction.

Staff Assessment – PROPERTY CANNOT BE USED AS CURRENTLY ZONED FOR A HIGHWAY SIGN ✓

4. **Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?** Since the annexation petition is limited in scope to a specific use, Staff would also add a condition that the annexation be specific to the use of the property for an interstate highway sign exclusively. This use should pose no additional burden upon use of public facilities as interstate highway signs are an inert use and do not demand, nor need, public facilities or services.

Staff Assessment – PROJECT HAS MINIMAL, IF ANY, IMPACT ON SERVICE

PROVIDERS ✓

5. **Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?** The property is outside of the city limits and was not considered in the City's Comprehensive Plan. The County's Comprehensive Plan shows the area as an "Employment Center" character area which allows commercial uses. The City does show tracts adjoined to the subject tract across Interstate 85 (public right-of-way) to the east that is zoned General Commercial District (CGN). This category allows highway signs as special exception uses, subject to prescribed criteria

Staff Assessment – THE PROPOSED USE WOULD BE COMPATIBLE ✓

6. **Is the proposed use consistent with the purpose and intent of the proposed zoning district?** The CHV (Heavy Commercial District) zoning designation provides for highway signs as a use allowed by special exception. Properties eligible for consideration for a highway sign must have federal interstate frontage, which is already of a component of this site.

Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE PROPOSED ZONING DISTRICT ✓

7. **Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?** The subject tract was not included in the last Comprehensive Plan update from 2016. The tracts to the east of the subject tract are shown as future designations in which highway signs are potentially eligible uses. In fact, there are existing highway signs on the eastern tracts.

Staff Assessment – RECENTLY COMPLETED UPDATES TO BOTH THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN SHOW THE PROPERTY AS A USE CONSISTENT WITH HEAVY COMMERCIAL DEVELOPMENT ✓

8. **Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?** The subject property is located in a remote area, not within a high traffic area and away from any residentially zoned properties. Industrial and commercial uses are already established on the adjacent tracts and will remain so as shown on future zoning maps by the respective jurisdictions. Staff does not feel there will be a significant impact on adjacent properties or to the community in general.

Staff Assessment – THE PROPOSED PROJECT DOES REFLECT A REASONABLE BALANCE ✓

SUMMARY OF STAFF FINDINGS:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **8 of the 8 standards**.

PROFFERED CONDITIONS:

The petitioner has proffered the application with a condition that the City of Newnan would be allowed to utilize the electronic sign feature for its annual festivals and city events.

PLANNING COMMISSION SUMMARY:

On June 21, 2022, a Public Hearing was held by the City of Newnan's Planning Commission. At the conclusion of the Public Hearing, the Planning Commission voted 6-0 to forward a recommendation for approval of the annexation petition to City Council, subject to the following conditions:

- A special exception use be granted for the construction of a highway sign, albeit static, multiple message or variable message, subject to the following limitations and in accordance with the City of Newnan's Sign Regulations: Highway signs shall be limited to one freestanding sign on the property with a maximum area of 400 square feet. The height of the highway sign shall not exceed 65 feet. The minimum setback from the Federal Interstate Highway is 60 feet. The minimum setback from any property line or public right-of-way (non-federal interstate highway) is 40 feet.
- A variance be granted to allow the highway sign to be located on property with less than 400 feet of frontage on a Federal Interstate Highway. The subject property has approximately 364 feet of frontage along Interstate 85.
- A one year limitation on the use of the property upon adoption of the ordinances that the property could only be used for a highway/billboard sign. After one year, the property could be used for uses allowed in the Heavy Commercial District (CHV), subject to a list of prohibited uses included in the proposed rezoning ordinance attached as part of this report.

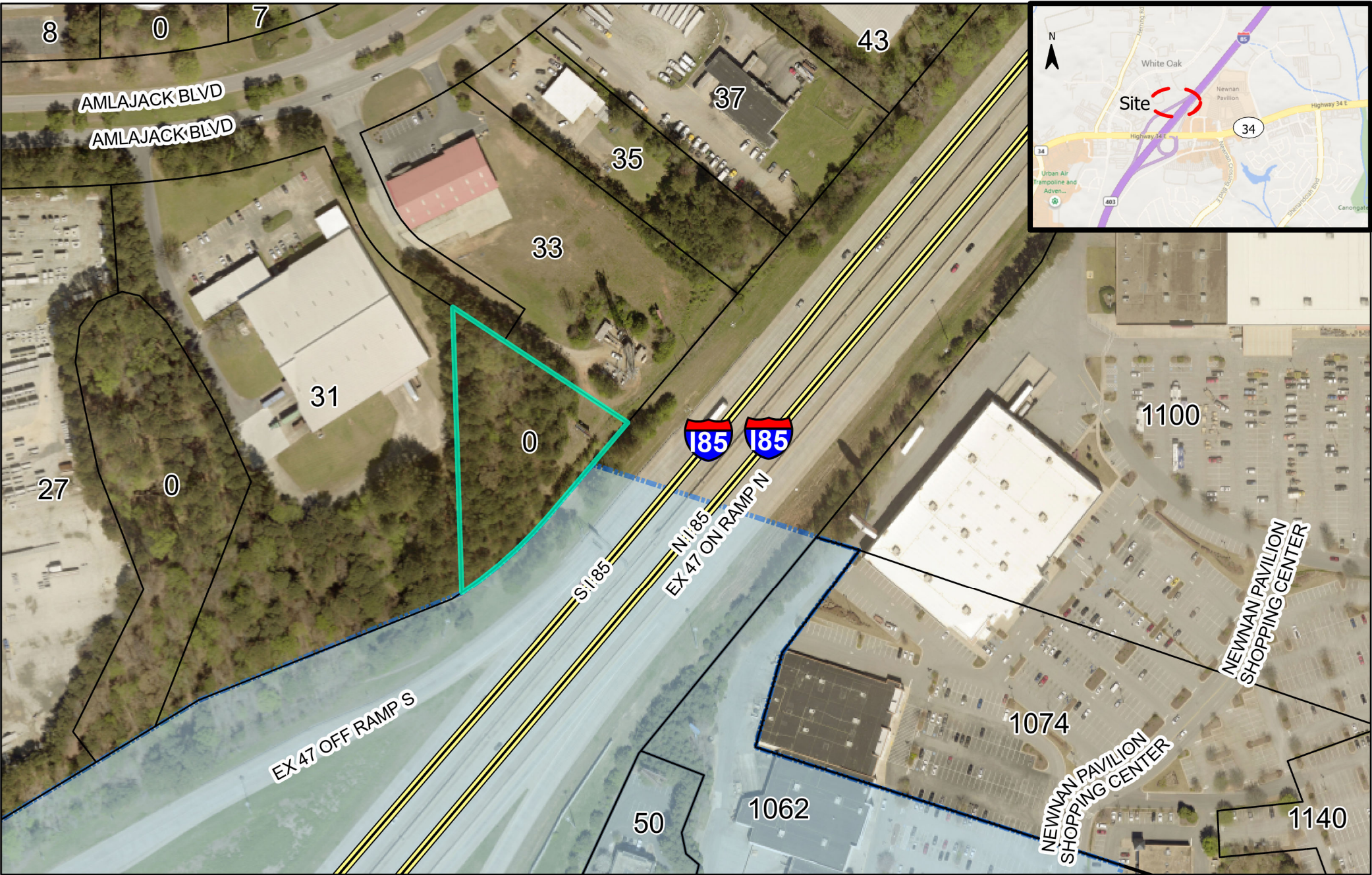
COWETA COUNTY RESPONSE TO THE ANNEXATION:

In accordance with the annexation laws, the City notified the County of the request once the City Council decided to accept the application and move forward with the public hearing process. The County reviewed the application and advised the City of their intent **NOT** to file a Notice of Objection. They also did not request any conditions be added to the adopting ordinance if the annexation were to be approved.

OPTIONS:

- A. Approve the annexation request as submitted
- B. Approve the annexation request with conditions
- C. Deny the annexation request

ATTACHMENTS: Application for Annexation
 Location Map
 County Notice of No Objection



CITY OF NEWNAN

Project Location

1" = 2,400 feet



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Date: 4/18/2022 12:17 PM



Project Location

City Limits

Parcel # 097 5077 013

AD 126

57 AMLAJACK BLVD
NEWNAN, GA 30265

Donald L. Sprayberry, Jr.
1.22± acres, located at
30 Amlajack Boulevard
Land Lot 77, 5th Land District,
Coweta County, Georgia
Tax Parcel #097-5044-013

**ORDINANCE TO ANNEX TO THE EXISTING CORPORATE LIMITS OF THE CITY OF
NEWNAN, GEORGIA CERTAIN UNINCORPORATED LAND ADJOINING THE
EXISTING CORPORATE LIMITS OF SAID CITY IN ACCORDANCE WITH SECTION
36-36-21 OF THE OFFICIAL CODE OF GEORGIA, AND FOR OTHER PURPOSES**

BE IT ORDAINED, by the Mayor and City Council of the City of Newnan, and it is hereby ordained by authority of the same and by the authority granted to the governing authority of the City of Newnan by Section 36-36-21, Official Code of Georgia, annotated, that the following described property is hereby annexed and shall hereinafter be treated and considered as a part of the corporate limits of the City of Newnan, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lot 77 of the 5th Land District of Coweta County, Georgia, containing 1.22± acres and being more particularly described on Exhibit "A" attached hereto and by reference made a part hereof and identified on Plat of Survey for Donald L. Sprayberry Sr, Stephen P. Sprayberry, Donald L. Sprayberry, Jr. dated 04/23/1987 by John R. Christopher Brothers attached hereto as Exhibit "B" and by reference made a part hereof.

BE IT FURTHER ORDAINED, that said property is annexed into the corporate limits of the City of Newnan.

BE IT FURTHER ORDAINED that said property annexed be zoned CHV (Heavy Commercial District) subject to the conditions set out and as provided in the separate rezoning ordinance adopted in connection herewith.

BE IT FURTHER ORDAINED that said property is hereby incorporated into the City of Newnan's Election District 2.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon adoption and as provided in O.C.G.A. §36-36-2.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this ____ day of _____, 2022 in regular session assembled.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Raymond F. DuBose, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

EXHIBIT "A"

All that tract or parcel of land situate, lying and being in Land Lot 77 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the northwesterly right of way of Interstate Highway 85 with the center line of old Highway 34 (abandoned 60 foot right of way); thence northwesterly along the center line of old Highway 34, and following the curvature thereof, 265 feet more or less to property now owned by Coweta County Development Authority; thence in a southerly direction along the easterly property line of property now owned by Coweta County Development Authority 460 feet more or less to the northwesterly right of way of Interstate Highway 85; thence northeasterly along the northwesterly right of way of Interstate Highway 85 to the POINT OF BEGINNING.

Also conveyed herewith is Grantor's easement for purposes of ingress and egress property now owned by Coweta County Development Authority from Amlajack Boulevard to the above described property.

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**Re: REZONING ORDINANCE
Sprayberry's Barbeque, Inc.
1.22 ± Acres, Land Lot 77, 5th Land
District, 30 Amlajack Boulevard,
Newnan, Coweta County, Georgia
TAX PARCEL NO. 097-5044-013**

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOT 77 OF THE 5th LAND DISTRICT
IDENTIFIED AS 1.22± ACRES ON 30 AMLAJACK BOULEVARD IN THE CITY
OF NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to annex and rezone the property described on Exhibit "A" attached hereto identified as 1.22± acres located at 30 Amlajack Boulevard in Land Lot 77, 5th Land District, Coweta County, Georgia, and shown on a survey or map attached hereto as Exhibit "B", from the County Zoning Classification M (Industrial) to the City of Newnan Zoning Classification CHV (Heavy Commercial District) ; and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 12th day of July, 2022; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

WHEREAS, the City Council of the City of Newnan has voted to annex the property into the corporate limits of the City of Newnan.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit "A" attached hereto and shown on the survey or map attached, hereto as Exhibit "B", containing

1.22± acres attached hereto and by reference made a part hereof be rezoned to City of Newnan Zoning Classification CHV (Heavy Commercial District) subject to the following conditions:

a. A special exception use be granted for the construction of a highway sign, albeit static, multiple message or variable message, subject to the following limitations and in accordance with the City of Newnan's Sign Regulations; Highway signs shall be limited to one freestanding sign on the property with a maximum area of 400 square feet. The height of the highway sign shall not exceed 65 feet. The minimum setback from the Federal Interstate Highway is 60 feet. The minimum setback from any property line or public right-of-way (non-federal interstate highway) is 40 feet.

b. A variance be granted to allow the highway sign to be located on property with less than 400 feet of frontage on a Federal Interstate Highway. The subject property has approximately 364 feet of frontage along Interstate 85.

c. A one year limitation on the use of the property upon adoption of the ordinances that the property could only be used for a highway/billboard sign. After one year, the property could be used for uses allowed in the Heavy Commercial District (CHV), subject to a list of prohibited uses that City staff and the petitioner/applicant will be developing to be included in this ordinance as Exhibit "C" attached hereto and by reference made a part hereof.

Section II. Severability. In the event any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section III. All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section IV. This ordinance shall be effective _____, 2022.

DONE, RATIFIED, and PASSED, by the City Council of the City of Newnan, Georgia, this the ____ day of _____, 2022 in regular session assembled.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Raymond F. DuBose, Mayor Pro-Tem

Cleatus Phillips, City Manager

George M. Alexander, Councilmember

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Rhodes H. Shell, Councilmember

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Also conveyed herewith is Grantor's easement for purposes of ingress and egress property now owned by Coweta County Development Authority from Amlajack Boulevard to the above described property.

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EXHIBIT “C”

Annexation Application 2022-03 – Sprayberry’s Barbeque, Inc., 1.22 ± Acres,
Land Lot 77, 5th Land District, 30 Amlajack Boulevard, Newnan, Coweta
County, Georgia - TAX PARCEL NO. 097-5044-013

Prohibited Uses

ATV Sales and Service

Automobile Rental and Leasing

Automobile Repair, Light and Heavy

Automobile Sales – Used Cars

Boat Dealers

Campground and RV Parks

Equipment Rental and Leasing

Motorcycle Sales

Pawn Shops

RV Dealers

Sales, storage and service of heavy equipment, trucks and machinery

Self-storage facilities

Tattoo Parlor

Truck Rental and Leasing



22 East Broad St.
Newnan, GA 30263
Email: awhite@coweta.ga.us
770-254-2635

May 18, 2022

Tracy S. Dunnavant
Planning Director
City of Newnan
P.O. Box 1193
Newnan, GA 30264

RE: Annexation— City of Newnan

Applicant: Sprayberry's Barbecue, Inc
1.224± acres located between 31 & 33 Amlajack (Adjacent to I-85)
Tax ID# 097 5077 013
Petition # AN 004-22

Dear Ms. Dunnavant,

The Coweta County Board of Commissioners voted on May 17, 2022 to file **No Objection** to the above referenced annexation petition.

A copy of the report that was submitted to the BOC for their review is attached for your files. A copy of the official minutes will be forwarded to you when finalized and approved at the June 7, 2022 meeting.

Please forward a copy of your official minutes in which you formalize the annexation so that we may have that for our records.

If we can be of further assistance, please feel free to contact our office.

Sincerely,

Angela B. White
Assistant Director,
Community Development

C: Michael Fouts, County Administrator
Jon Amason, Director
Lisa Eschman, Zoning Coordinator
Clint Richmond, GIS
Ashley Gay, Director of Elections and Voter Registration
Dean Henson, Chief Appraiser/Director

To: Board of Commissioners

From: Angela B. White, Asst. Dir, Comm Dev

Date: May 13, 2022

Re: Proposed Annexation, City of Newnan
O.C.G.A. 36-36 Annexation Procedures
Applicant: Sprayberry Barbecue, Inc
1.24 acres located between 31 & 33 Amlajack
Blvd/Adjacent to I-85, Newnan
Tax ID# 097 5077 013
Petition # AN 004-22
3rd Commission District

The City of Newnan is proposing the annexation of 1.224± acres located between 31 & 33 Amlajack Blvd, adjacent to I-85. GIS Records indicate the address to be 33D Amlajack Blvd.

The applicant, Sprayberry's Barbecue, Inc is requesting the City of Newnan's zoning of CHV (Heavy Commercial District) to move, replace and raise the existing non-conforming sign into a billboard. (Design included)

Various county departments have reviewed the annexation proposal and specifically identified their comments as follows:

Building Department

The Building Department does not have any concerns regarding this proposed annexation.

Emergency Management/ E-911

The Office of Emergency Management / 911 does not have any concerns with this request.

Water and Sewage Authority

Coweta County Water & Sewerage Authority (CCW&SA) objects to the annexation of parcel 097 5077 013 by the City of Newnan.

CCW&SA objects for the following reasons:

1. The parcel is located in the Shenandoah Industrial Park and annexation establishes a gateway for additional parcels to be annexed by extending the city limits into the Industrial Park

2. CCW&SA estimates that the annual revenue lost for this parcel, if annexed, is \$25,000 per year and sewer capacity lost would be \$42,000, depending on potential industrial use of the parcel.
3. CCW&SA has a significant investment in water and sewer infrastructure in the Shenandoah Industrial Park. Annexation of this parcel, and any future annexations that result from this gateway into the Industrial Park, will decrease the value of that infrastructure.

Fire Department

We have no objection to this request.

Environmental Health

We have no objection to this request.

Public Works-Engineering/Transportation Departments

No concerns from Public Works

Planning

After reviewing the Annexation Petition from the City of Newnan for AN 001-22, I provide the following information:

The request to rezone the subject property to a Newnan zoning district, CHV (Heavy Commercial District) does not create a substantial change in zoning or land use; nor does it have the potential to substantially increase the density.

Community Development/Sign Division:

Dependent upon signage placement, the northbound sign on I-85

PLANNING

The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to **any one or more of the following:**

1. Substantial change in zoning or land use
2. Substantial increase in density
3. Substantial infrastructure demands related to the proposed change in zoning or land use

In order for an objection to be valid, the proposed change in zoning or land use must result in:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; **OR**
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project; **AND**
3. Differ substantially from the existing uses suggested for the property pursuant to the county's zoning ordinance or its land use ordinances.

Findings:

Based upon staff review, the following information is provided:

1. There is not a substantial change in zoning or land use.
2. **Nor** is there a substantial increase in density.
3. **And** the proposed City's CHV Zoning does not differ substantially from the existing potential uses suggested in the Comprehensive Plan, Future Development Map and Zoning & Development Ordinance

Therefore, based upon the above staff comments and the O.C.G.A Annexation Procedures for Objection, the Coweta County Community Development Department submits these Findings for the Board to consider. With such, the criteria for no objection has been provided to the Board for consideration.

Cc: Michael Fouts, County Administrator
Jon Amason, Community Development Director
Tracy Dunnavant, City of Newnan Planning & Zoning Director

Sprayberry's Barbecue, Inc.

127 Pickens Drive

Newnan, GA 30263

770-328-6082

April 8, 2022

City of Newnan, Georgia

Planning and Zoning Department

25 LaGrange Street

Newnan, GA 30263

RE: Parcel No. 097 5077 013- 30 Amlajack Blvd., Newnan, GA

Dear Ms. Dunnivant:

Please accept this as our petition for annexation into the City of Newnan, Georgia. For decades a grandfathered GDOT approved Highway sign has been operated on this property. The existing sign is only approximately 15' tall and in recent years GDOT has erected a much taller wildlife resistant fencing resulting in loss of clear visibility that has impacted the value of the sign. We are seeking special exception approval to upgrade and relocate on the same parcel a conforming modern GDOT approved engineered multiple message highway sign.

The subject property is contiguous with the City of Newnan city limit boundaries along I-85. We are also requesting a variance for the 400 foot frontage requirement as the parcel has approximately 389 feet of frontage.

The current zoning of the parcel is "M" and we are requesting "CHV" zoning upon annexation.

I spoke with Coweta County officials and they confirmed that we cannot raise or relocate the existing sign or construct a new sign under county zoning. However, they indicated that they would not oppose annexation into the City of Newnan.

As a condition of this annexation, the City of Newnan would be allowed to utilize the electronic sign feature for its annual festivals and city events, in addition to Georgia Outdoor Advertising's participation in Amber alerts, Mattie's Call, FEMA, etc. Furthermore, contractually Georgia Outdoor Advertising will not display any advertising copy that is adult oriented, sexually suggestive or otherwise morally offensive in nature.

Sincerely,



Donald L. Sprayberry, Jr. , President

Attachments



CITY OF NEWNAN, GEORGIA
Planning and Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of Newnan, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant Sprayberry's Barbecue, Inc.

Mailing Address 127 Pickens Dr., Newnan, GA 30263

Telephone 770-328-6082 Email: sbbqinc@gmail.com

Property Owner (Use back if multiple names) same as above

Mailing Address 127 Pickens Dr., Newnan, GA 30263

Telephone 770-328-6082 Fax _____

Address/Location of Property 30 Amlajack Blvd. fronting I-85 contiguous to City Limit boundary

County Zoning Classification M Requested Zoning Classification CHV

Present Land Use Vacant wooded parcel with existing highway sign for 30+ years

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application. The City Council shall evaluate the application, and if it is decided that the City will pursue annexation, the zoning request for the property is forwarded to the Planning Commission for a zoning recommendation.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

X A petition for annexation into the City of Newnan, Georgia, which shall be in the form of a letter and include:

- ✓ Petitioner's Name
- ✓ Mailing Address
- ✓ Contact Telephone Number
- ✓ Address or Tax Map Number of the property(s) proposed for annexation
- ✓ County Zoning Classification(s)
- ✓ Requested Zoning Classification(s)
- ✓ Present Land Use of the property(s)
- ✓ Proposed Land Use of the property(s)

X A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

X A legal description of the property(s) and a legal description for each zoning classification being requested.

X A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One paper plat 18" x 24" minimum size and a digital copy in pdf format.

X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- Single-Family Zoning Classification.....\$15.00 Per Acre
- Multi-Family Zoning Classification.....\$25.00 Per Acre
- Office/Institutional Zoning Classification.....\$15.00 Per Acre
- Commercial Zoning Classification.....\$25.00 Per Acre
- Industrial Zoning Classification.....\$15.00 Per Acre

X A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

The zoning classification approved by the City following the hearing shall become effective on the later of:

- The date the zoning is approved by the Council, and
- The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Donald H. Jorgensen Jr.
Applicant's Signature *President*

4/8/2022
Date

FOR OFFICIAL USE ONLY

DATE RECEIVED

April 11, 2022

RECEIVED BY

[Signature]



Current Billboard



Proposed Billboard





City of Newnan, Georgia

Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Sprayberry's Barbecue, Inc.

Telephone Number 770-328-6082

Address of Subject Property 30 Amlajack Blvd.

Newnan, GA 30265

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Donald L. Sprayberry Jr. President
Signature of Property Owner

Personally appeared before me

Donald L. Sprayberry Jr.

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Angie R. Francis

Notary Public



(Affix Rubber Seal Here)

4/8/2022

Date

Disclosure of Campaign Contributions & Gifts

Application filed on April 8th, 2022, for action by the Board of Zoning Appeals on a special exception requiring a public hearing on property described as follows:
 30 Amlajack Blvd., Newnan, GA 30265

The undersigned below, making application for the BZA action, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Donald L. Sprayberry, Jr. and Stephen P. Sprayberry

sbbqinc@gmail.com

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Board of Zoning Appeals? ☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Donald L. Sprayberry, Jr.

Type or Print Name and Title

Donald L. Sprayberry, Jr., President

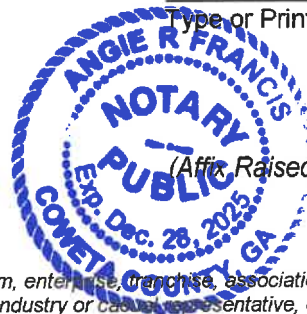
Type or Print Name and Title

Signature of Applicant's Representative

Angie R. Francis 4/8/2022

Signature of Notary Public

Date



(Affix Raised Seal Here)

¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or causal representative, church, foundation, club, charitable organization, or educational organization.



9281298029
PARTICIPANT ID

RETURN TO:
GLOVER & DAVIS, P.A.
P.O. DRAWER 1838
NEWNAN, GA. 30254

LIMITED
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

PT-61 038-2021-008174

BK:5456 PG:359-359

D2021031944

FILED IN OFFICE
CLERK OF COURT
11/11/2021 02:25 PM
CINDY BROWN, CLERK
SUPERIOR COURT
COWETA COUNTY, GA

Cindy H. Brown

REAL ESTATE
TRANSFER TAX
PAID: \$0.00

THIS INDENTURE made this 11th day of November, 2021, between Donald L. Sprayberry, Jr., and Stephen P. Sprayberry, of the County of Coweta and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Sprayberry's Barbecue, Inc., a Georgia corporation, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that tract or parcel of land situate, lying and being in Land Lot 77 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

BEGINNING at the point of intersection of the northwesterly right of way of Interstate Highway 85 with the center line of old Highway 34 (abandoned 60 feet right of way); thence northwesterly along the center line of old Highway 34, and following the curvature thereof, 263 feet more or less to property now owned by Coweta County Development Authority; thence in a southerly direction along the easterly property line of property now owned by Coweta County Development Authority 468 feet more or less to the northwesterly right of way of Interstate Highway 85; thence northwesterly along the northwesterly right of way of Interstate Highway 85 to the POINT OF BEGINNING.

Also conveyed herewith is Grantor's easement for purposes of ingress and egress across property now owned by Coweta County Development Authority from Ahmajaek Boulevard to the above described property.

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 said Grantee, forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

[Signature]
Witness

[Signature]
Notary Public

My Commission Expires:

Signed, sealed and delivered to

[Signature]
Witness

[Signature]
Notary Public

In General Acknowledgment

GLOVER AND DAVIS, P.A. DID NOT CONDUCT A TITLE EXAMINATION AND IS NOT CERTIFYING TITLE TO THE ABOVE DESCRIBED PROPERTY.

[Signature] (SEAL)
Donald L. Sprayberry, Jr.

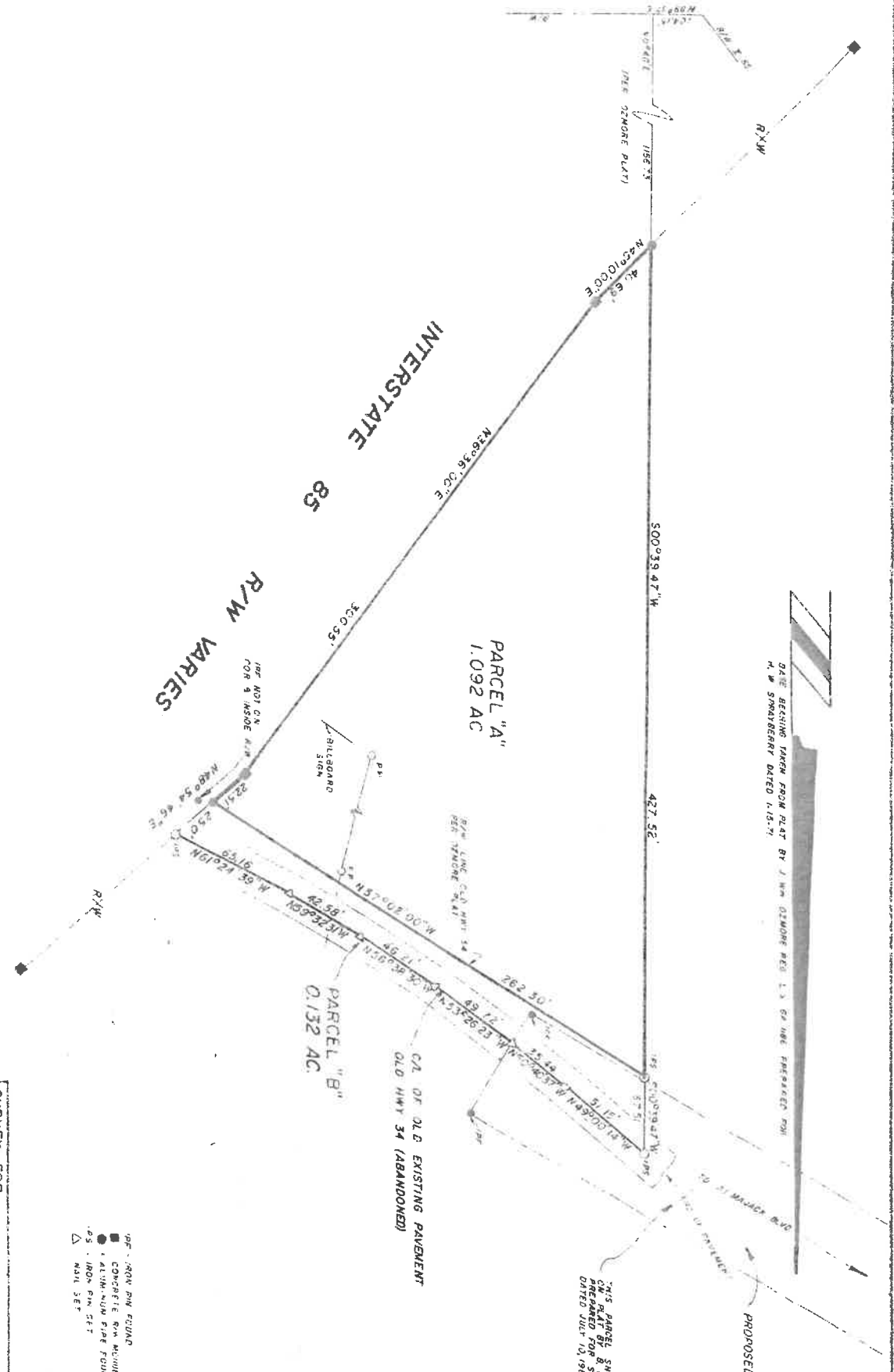
[Signature] (SEAL)
Stephen P. Sprayberry



DATE BEARING TAPED FROM PLAT BY J. W. OLMORE REG. L.S. GA. 1986 PREPARED FOR
M. W. SPRABERRY DATED 1-15-77

PROPOSED ST. (NOT OPEN)

"THIS PARCEL SHOWN AS PROPOSED B.T. R/W. B.T. R/W. PLAT BY B. KEITH ROCHETER GA. REG. L.S. 1984 PREPARED FOR SHERMADON DEVELOPMENT GROUP INC. DATED JULY 10, 1985.



IN MY OPINION, THIS IS A TRUE
AND CORRECT REPRESENTATION
OF THE PLATTED PROPERTY AND



SURVEY FOR DONALD L. SPRABERRY SR.
STEPHEN P. SPRABERRY DONALD L. SPRABERRY JR.
4/23/87
LAND LOT 77 LAND DISTRICT 5
COWETA COUNTY GEORGIA

Adjacent property owners situated within 250' of Parcel 097 5077 013

**Kason Industries, Inc.
Attn: Debbie Gazaway
57 Amlajack Blvd.
Newnan, GA 30265
Parcel No. 097 5077 012
Property address is 31 Amlajack Blvd.**

**Coweta Wholesale Inc.
33 Amlajack Blvd.
Newnan, GA 30265
Parcel No. 097 5077 014**



City of Newnan
25 LaGrange Street
Newnan, GA 30263

Phone: 770-254-2362
Fax: 770-254-2353

Paid Invoice Summary

Page 1 of 1

DATE

4/11/2022

ACCOUNT : import account

SPRAYBERRY'S INC.

Phone:

PERMIT NUMBER

ANX-22-0055

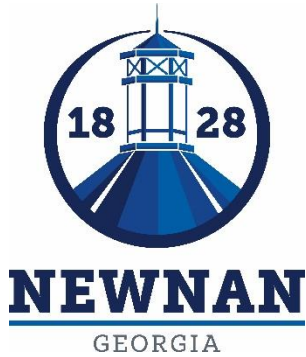
30 Amlajack Blvd
Newnan, GA 30263

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
4/11/2022	ANX-22-0055	22-00750	100.00.32.2215	Planning & Zoning Regulatory Fees	Paid	(-) 630.00

Date	InvoiceNum	Status	Payment	Amount
4/11/2022	22-00750	Original Due		630.00
4/11/2022	22-00750	Paid	Check#007480-SPRAYBERRY'S BARBECUE, INC	(-) 630.00

Total Paid

630.00



City of Newnan, Georgia – City Council

Date: July 12, 2022

Agenda Item: Rezoning Request – RZ2022-05
0.741± acres located at 18 Savannah Street (Tax Parcel
N12 0001 010) from ILT (Light Industrial District) to
CBD (Central Business District)

Prepared and Presented by: Tracy Dunnavant, Planning Director

REZONING ASSESSMENT

APPLICANT INFORMATION:

George Rosenzweig
Rosenzweig Law PC
75 Jackson Street, Suite 405
Newnan, GA 30263

On behalf of Southtree Commercial Development, LLC and STG Newnan, LLC

SITE INFORMATION:

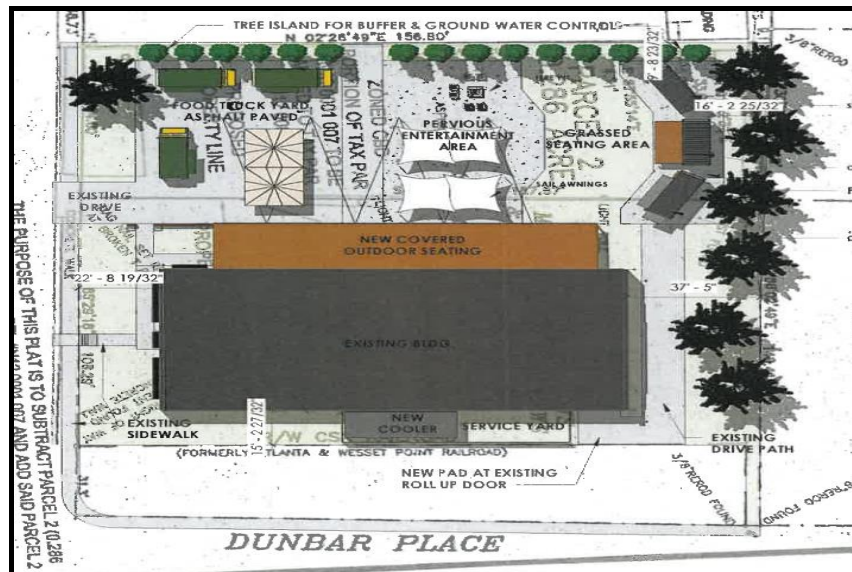
The site consists of 0.741± acres located at 18 Savannah Street. The tax parcel ID number is N12 0001 010. The tract is located on the corner of Savannah Street and Dunbar Place.

The site is zoned ILT (Light Industrial District). There is an existing commercial building on the property that is currently being used by Knox Furniture.



OVERVIEW OF REQUEST:

The applicant is requesting the rezoning of 0.741± acres located at 18 Savannah Street. The property is currently zoned ILT (Light Industrial District) and the applicant is requesting a CBD (Central Business District) zoning designation for the purpose of operating a microbrewery out of the existing building. The petitioner has also expressed an interest in expanding the building to the west and using the existing parking lot for an entertainment area which will include a food truck yard, seating areas, an outside bar, and a stage. Parking will be provided on the adjacent lot to the west of the property.



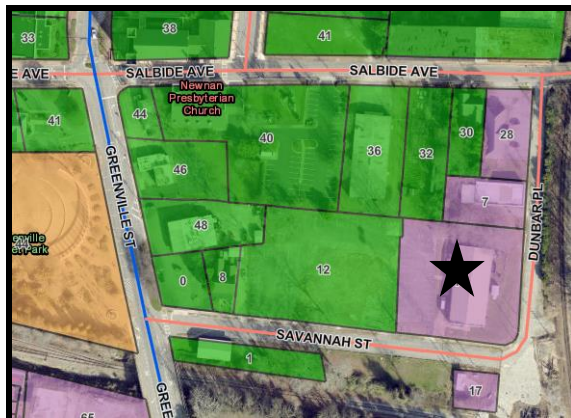
STANDARDS:

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to give reasonable consideration to the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and those with a red "X" ✗ as standards not being met.

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? The tract lies at the corner of Savannah Street and Dunbar Place. In terms of uses, there is a warehouse building and a community garden to the north, a utility station with a tower, a railroad right-of-way, and the Coweta County Justice Center to the south, a vacant lot where a commercial building has been demolished to the west, and some residential homes fronting on Thompson Street to the east that are buffered by two streets and a railroad right-of-way. The majority of the properties within the block are zoned CBD except for a few properties to the north and the utility station across Savannah Street which are zoned ILT.

Staff feels a microbrewery would be a suitable use for the tract since a microbrewery is already a permitted use under its current zoning designation. This building has a grandfathered non-conforming structure status under the ILT requirements. As such, a special exception is required in order for the building to be expanded and only 50% of the required parking spaces could be located on the adjacent property. By rezoning the project to CBD, the applicant will be

able to make the improvements he desires and remove the non-conforming structure status as the CBD zoning has no setback or parking requirements.



Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? As previously stated, a microbrewery is already a permitted use for the property. In addition, the site is pretty much surrounded by commercial and industrial uses, with the exception of the residential properties located on the east side of Thompson Street.

Staff sees the biggest impact being noise and possibly on-street overflow parking during events. However, the residential homes will be over 300 feet from the entertainment area and the business will have to adhere to the City's noise ordinance. In terms of the parking, most of the outdoor entertainment will more than likely be occurring during hours when the surrounding businesses would not be operating and parking will be available on the adjacent lot. Therefore, Staff feels the impact will be limited and there are ordinances in place to address noise and any issues that may arise from on-street parking.

Staff Assessment – LIMITED ADVERSE AFFECT ✓

Are their substantial reasons why the property cannot or should not be used as currently zoned? The property is currently zoned ILT, which would allow a microbrewery; however, the applicant could not provide the outdoor entertainment area he desires due to setbacks and parking requirements.

Staff Assessment – PROPERTY COULD BE USED AS CURRENTLY ZONED ✗

Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Police: Police Chief Blankenship indicated that the proposed microbrewery will result in a slight increase in calls for service, but it could be managed at the current staff level.

Fire: Chief Stephen Brown indicated that the department currently has adequate resources to serve the proposed microbrewery.

Newnan Utilities: Newnan Utilities will be the water, and sewer provider for the project. Scott Tolar reviewed the project and indicated that there is ample capacity to serve the proposed facility. Needs from the developer in terms of each service has been included in a letter that has been provided as an attachment to this report.

Engineering:

Michael Klahr, City Engineer, provided the following comments:

- If existing driveways are to be utilized, the sidewalks through the apron will need to be made ADA compliant. Any other areas of sidewalk abutting the site will also need to be made ADA compliant if not now so.
- If the redevelopment encompasses 5,000 sq ft or more, then the Post-Construction Stormwater Management for New Development and Redevelopment Ordinance will apply. Any net increase in impervious surface area may result in a requirement for retention/ water quality, or detention. The net change in area should be clearly stated at some point.
- The R/W for Dunbar Pl/ RR will need to be determined.
- An LDP (Land Disturbance Permit) will not be required (total site= 0.74 acres). However, any grading, demolition of parking areas, etc...; will require a Site Prep Permit, to include minimum BMPs.

Landscape Architect: Mike Furbush, City Landscape Architect & Arborist, reviewed the concept plan and stated that no landscape improvements would be required unless the applicant makes improvements to the adjacent parking lot.

Coweta County Schools: Since this will be a commercial business, there will be no impact on the Coweta County School System.

As with all development, the project will impact service provision. The question is whether or not it is excessive or burdensome. In this case, all of the service providers have indicated that they are able to address the needs of the development with current staff levels.

Staff Assessment – THERE WILL BE A SLIGHT IMPACT ON SERVICE PROVISION ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The Future Land Use Map shows this property as future “Historic Downtown”. Newnan defines this category as “areas with a mixture of uses typical of a traditional downtown including, but not limited to, offices, shops, residences and civic uses. New construction in this area should reflect the character of the existing downtown.”

In this case, the applicant will be utilizing the existing building while maintaining the character of the area in constructing the covered seating area. In addition, the applicant is proposing to use railroad shipping containers for the outdoor stage, bar and storage areas, which pays homage

to the two rail lines which border the property and the industrial feel of the area. Therefore, Staff feels the use is compatible with the purpose and intent of the Comprehensive Plan.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE HISTORIC DOWNTOWN ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The applicant is requesting a CBD zoning. A microbrewery is a permitted use within the CBD zoning designation and the majority of uses within the block are already zoned CBD.

Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE PROPOSED ZONING DISTRICT ✓

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan? The City completed a full update of its Comprehensive Plan in 2021 which included the future land use map. The subject property was given a “historic downtown” designation by the City Council. There are no new or changing conditions that have been discussed or considered since the update.

Staff Assessment –THE COMPREHENSIVE PLAN ALREADY SHOWS THE PROPERTY AS FUTURE HISTORIC NEIGHBORHOOD ✓

Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

As previously stated, the current ILT zoning designation already allows microbreweries. The applicant is seeking the CBD zoning designation to be able to develop the outdoor space without having the setbacks and on-site parking requirements of the ILT zoning. There will be very little impact on services and any noise and parking issues can be mitigated by existing ordinances. In addition, the use of the existing building along with the character of the proposed improvements will be consistent with the Comprehensive Plan’s future “historic downtown” designation. Therefore, staff does feel the request reflects a reasonable balance.

Staff Assessment – THE PROPOSED PROJECT WOULD REFLECT A REASONABLE BALANCE ✓

SUMMARY OF STAFF FINDINGS:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **7 of the 8 standards**.

Planning Commission Recommendation:

The Planning Commission at their June 21, 2022 meeting, held a public hearing and voted unanimously to recommend approval of the rezoning request with the following conditions.

- The project will be consistent with the concept plan and renderings provided as part of the rezoning application.

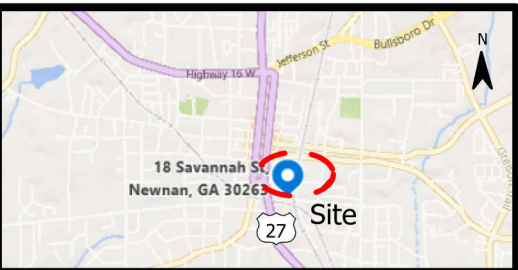
- The applicant will provide 18 parking spaces either on the subject tract or on the adjacent tract to the west further identified as parcel number # N12 0001 007.

OPTIONS:

- A. Approve the rezoning request as submitted
- B. Approve the rezoning request with conditions
- C. Deny the rezoning request

ATTACHMENTS:

Application for Rezoning
Location Map
Service Provider Comments



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Proposed Rezoning

1" = 600 feet

Date: 5/26/2022 12:41 PM



Current Zoning - ILT
Proposed Zoning - CBD

-  Proposed Rezoning Location
-  City Limits

Parcel # N12 0001 010

AD 159
18 SAV
Newnan Ga. 30263

**SOUTHTREE COMMERCIAL
DEVELOPMENT LLC & STG
NEWNAN LLC
REZONING APPLICATION**

**18 SAVANNAH STREET
0.455 ACRES ± TO CBD**

Southtree Commercial Development LLC
STG Newnan LLC
Applicants' Representative:
George C. Rosenzweig
Rosenzweig Law PC
75 Jackson Street, Suite 405
Newnan, Georgia 30263
(470) 347-3651
george@cowetalaw.com
State Bar: 614925



May 20, 2022

Tracy Dunnivant, Planning Director
The City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

**RE: Rezoning Application- 18 Savannah Street, Newnan, Georgia- 0.741 Acres ±
Tax Parcel No. N12 0001 010
From ILT to CBD**

Dear Ms. Dunnivant:

On behalf of the Applicants, I am submitting the following letter of intent, proposing the rezoning of the above-referenced property from ILT to CBD for the purpose of brewing fresh, unique, and flavorful hand-crafted beers appealing to everyone- from the most avid craft beer fan to the casual consumer— melding traditional time proven brewing processes with cutting edge techniques. Southtree intends to model the proposed use after Line Creek Brewing Company in Peachtree City and Fayetteville which Southtree developed and which Southtree's principals currently own and operate. The proposed development will also include a tap room (for tasting and the sale of package beer), and facilities for private events, and entertainment.

Additional information regarding the proposed use of the Property is as follows:

- Size of the parcel or tract- 0.741 acres ±
- Zoning Classification- ILT to CBD
- Number of units proposed- 1
- Density of development- 7,500 square feet
- Name and mailing address of all property owners within 250 of the subject property- See attached in Section 3
- Legal description of property- See attached in Section 4
- Certified plat- See attached in Section 5
- Concept plan and conceptual renderings- See attached in Section 6
- Preliminary Tree Management Plan- See attached in Section 7
- Proffered Conditions- See Attachment A in Section 8
- Completed Disclosure of Campaign Contribution and Gifts Form- See Attachments B in Section 9
- Property Owner's Authorization and/or Authorization of Attorney Form- See Attachments C and D in Section 10

GEORGE C. ROSENZWEIG

75 Jackson Street, Suite 405, Newnan, Georgia 30263

Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com

www.rosenzweig.law

Tracy Dunnavant, Planning Director
May 20, 2022
Page Two

The proposed rezoning is a logical extension of the CBD District and the proposed use will be an invigorating addition to the community. The Southtree team and I look forward to working with you and your team in the processing and approving this application.

Sincerely,

A handwritten signature in purple ink, appearing to read "George C. Rosenzweig", with a long, sweeping horizontal line extending to the right.

GCR/amc



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION TO AMEND ZONING MAP

Note to Applicant: Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant George C. Rosenzweig representing Southtree Commercial Development LLC and STG Newnan LLC

Mailing Address 75 Jackson Street, Suite 405, Newnan, Georgia 30263

Telephone 470-347-3651

Email: george@cowetalaw.com

Property Owner (Use back if multiple names) STG Newnan LLC

Mailing Address 133 Luckie Street, 8th Floor, Atlanta, Georgia 30303

Telephone 770-631-049999

Address/Location of Property 18 Savannah Street, Newnan, Georgia 30263

Tax Parcel No.: N12 0001 010

Land Lot N/A

District/Section 02

Size of Property (Square Feet or Acres) 0.741 Acres ±

Present Zoning Classification: ILT

Proposed Zoning Classification: CBD

Present Land Use: Warehouse building

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable _____

The area around the Property is revitalizing, making the Property a logical area for expansion of the Central Business District.

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made The revitalizing area south and east of the Court Square makes the Property a

logical area for expanding the Central Business District.

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? _____

N/A

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The zoning classification requested and the existing classification at the filing of this application.
 - The number of units proposed.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - ✓ Boundary survey showing property lines with lengths and bearings
 - ✓ Adjoining streets, existing and proposed, showing right-of-way
 - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
 - ✓ North arrow and scale
 - ✓ Adjacent land ownership, zoning and current land use
 - ✓ Total and net acreage of property
 - ✓ Proposed building locations
 - ✓ Existing and proposed driveway(s)
 - ✓ Lakes, ponds, streams, and other watercourses
 - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
 - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
 - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.

12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:

- Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
- Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
- Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
- Commercial Application.....\$500.00/Plus \$25.00 Per Acre
- Industrial Application.....\$500.00/Plus \$15.00 Per Acre
- Mixed Use Application.....\$500.00/Plus Per Acre fee based upon proposed land use.
- Planned Development Application.....\$500.00/Plus per Acre fee based upon proposed land use.
- Overlay Zoning Application.....\$350.00

PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.

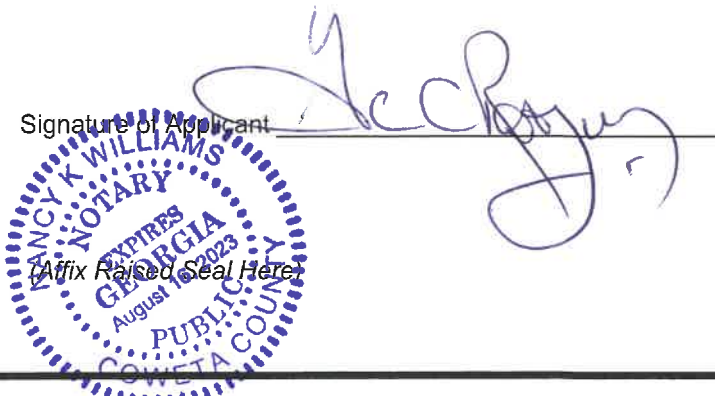
I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Sworn to and subscribed before me this

20th day of May, 2022

Signature of Applicant

Nancy K. Williams
Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: _____

RECEIVED BY: Dean Smith

DATE OF FILING: 5/20/22

FILING FEE RECEIVED: \$525.00

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

Y SUPERIOR COURT
BROWN

IE O. JOHNSON
D. S. JOHNSON
2619 PAGE 453
ED CBD

A. MICHAEL & JULIA
BARBER
DEED BOOK 995 PAGE 293
PLAT BOOK 43 PAGE 7
ZONED CBD

ANGULAR AND LINEAR MEASUREMENTS WERE
OBTAINED BY USING A SOKKIA SCT6
TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR
PLAT IS BASED HAS A CLOSURE PRECISION
OF ONE FOOT IN 20,000+ FEET, AND
AN ANGULAR ERROR OF 7" PER ANGLE
POINT, AND HAS BEEN ADJUSTED USING
THE COMPASS RULE;
THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE
TO WITHIN ONE FOOT IN PAR. 1=313.945 FEET;
PAR. 2=513.083



MAGNETIC
BEARINGS ARE RELATED TO THE SYSTEM, USED
BY THIS OFFICE, ON VARIOUS PLATS WHICH ARE
REFERENCED HEREON.

BRENT A. HARMON
DEED BOOK 661 PAGE 106
PLAT BOOK 24 PAGE 245
ZONED CUN

31°E 101.60'

LIGHT Poles

CEL 1
ACRES

RTION OF
007

TREE ISLAND FOR BUFFER & GROUND WATER CONTROL
N 07°28'49"E 156.80'

PARCEL 2
286 ACRES

PREVIOUS
ENTERTAINMENT
AREA

ZONED CBD

PORTION OF TAX PAR

0001 007 TO BE

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248.73'

ET (R/W VARIES)

IN MY OPINION, THIS IS A TRUE
AND CORRECT REPRESENTATION
OF THE PLATTED PROPERTY AND
HAS BEEN PREPARED IN CON-
FORMITY WITH THE STANDARDS
AND REQUIREMENTS OF LAW.

JOHN R. CHRISTOPHER
GEORGIA R.L.S. #1768
CHRIS W. ROBERTSON
GEORGIA R.L.S. #3195

ers
LLC



THE PURPOSE OF THIS PLAT IS TO SUBTRACT PARCEL 2 (0.286
AC.) FROM TAX PARCEL #N12 0001 007 AND ADD SAID PARCEL 2
TO TAX PARCEL #N12 0001 010.

THIS IS A DIVISION OF THE SAME PROPERTY SHOWN ON A PLAT
BY THIS OFFICE RECORDED IN PLAT BOOK 89 PAGE 213.

1. REVISED 12/17/2012 TO RECONFIGURE TAX PARCELS AND CHANGE NAME
IN TITLE BLOCK
2. REVISED 12/19/2012 PER CITY OF NEWNAN COMMENTS.

SURVEY FOR: **ROBERT A. & LUCILLE MATTHEWS**

SCALE: 1" = 30' DISK: 2012-DECEMBER DRAWN BY:

DRAWING DATE: 02/18/2008 LAST FIELD WORK DATE: 12/06/2012 LAST REVISED: 12/19/2012

LOCATED IN LAND LOT 8, LAND DISTRICT 6
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SURVEY BY: *Li W. Pano* DRAWING NUMBER: 43107

18 Savannah Street
Conceptual Site Plan
May 2022



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



18 Savannah Street
Conceptual Images



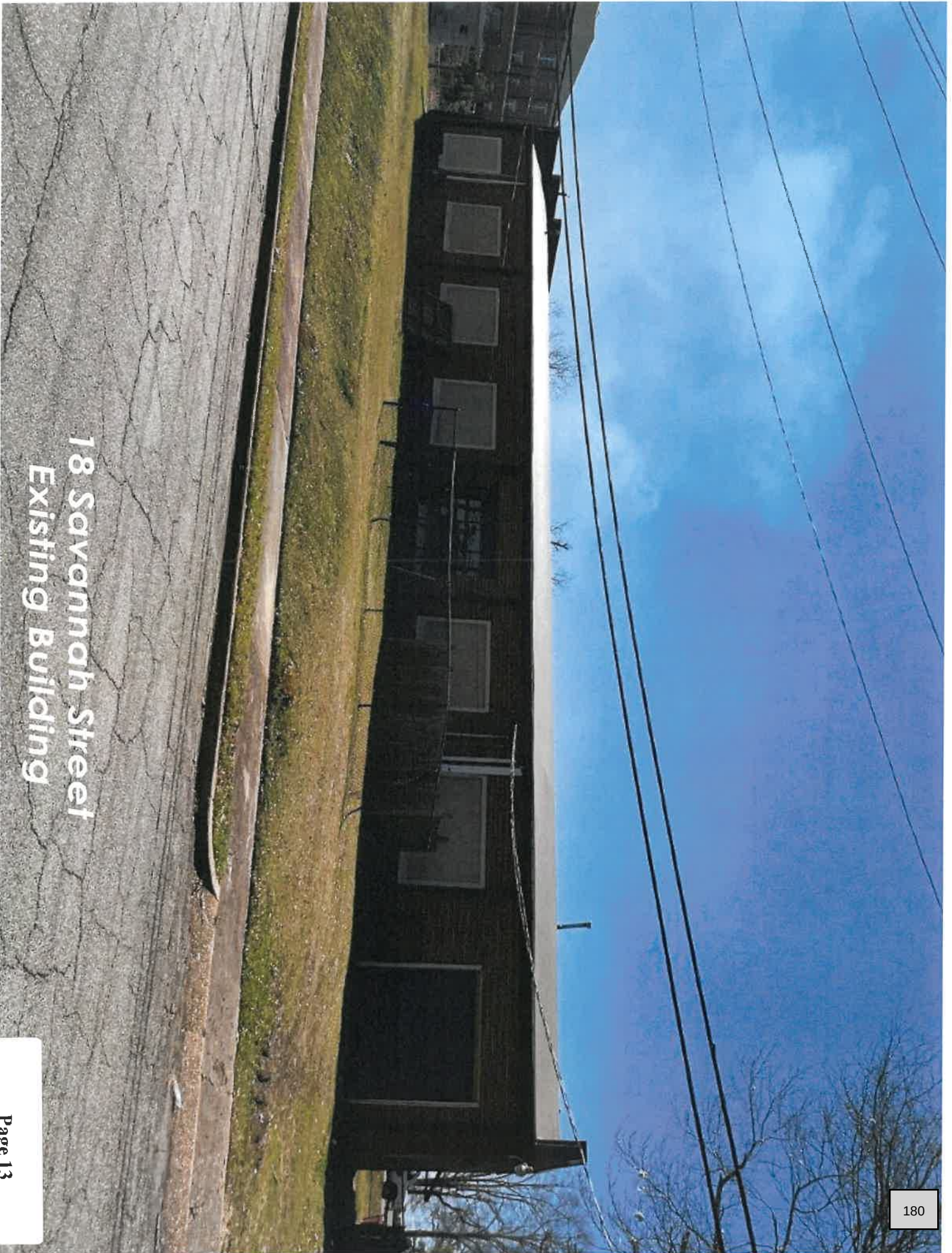
18 Savannah Street
Conceptual Images



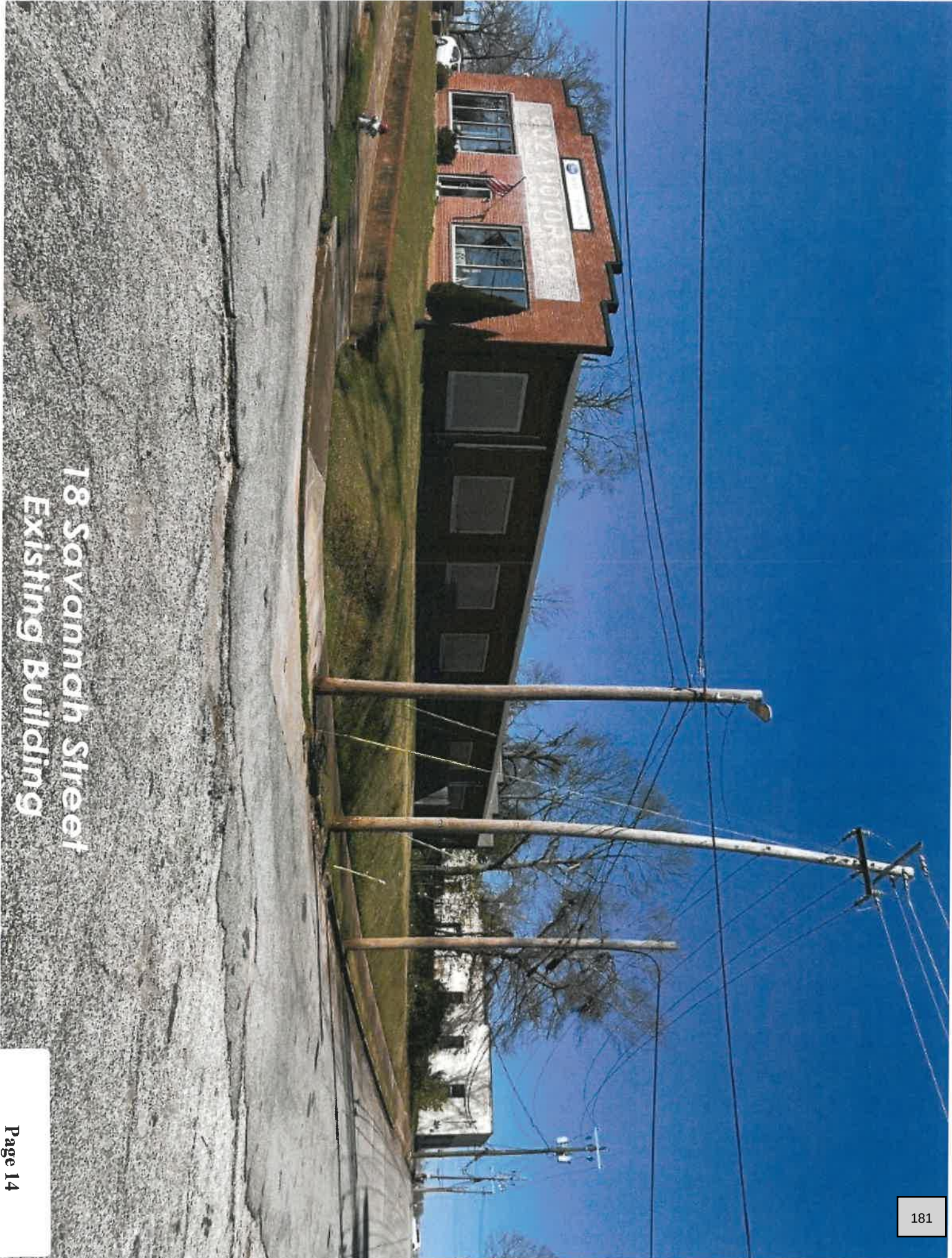
18 Savannah Street
Conceptual Images



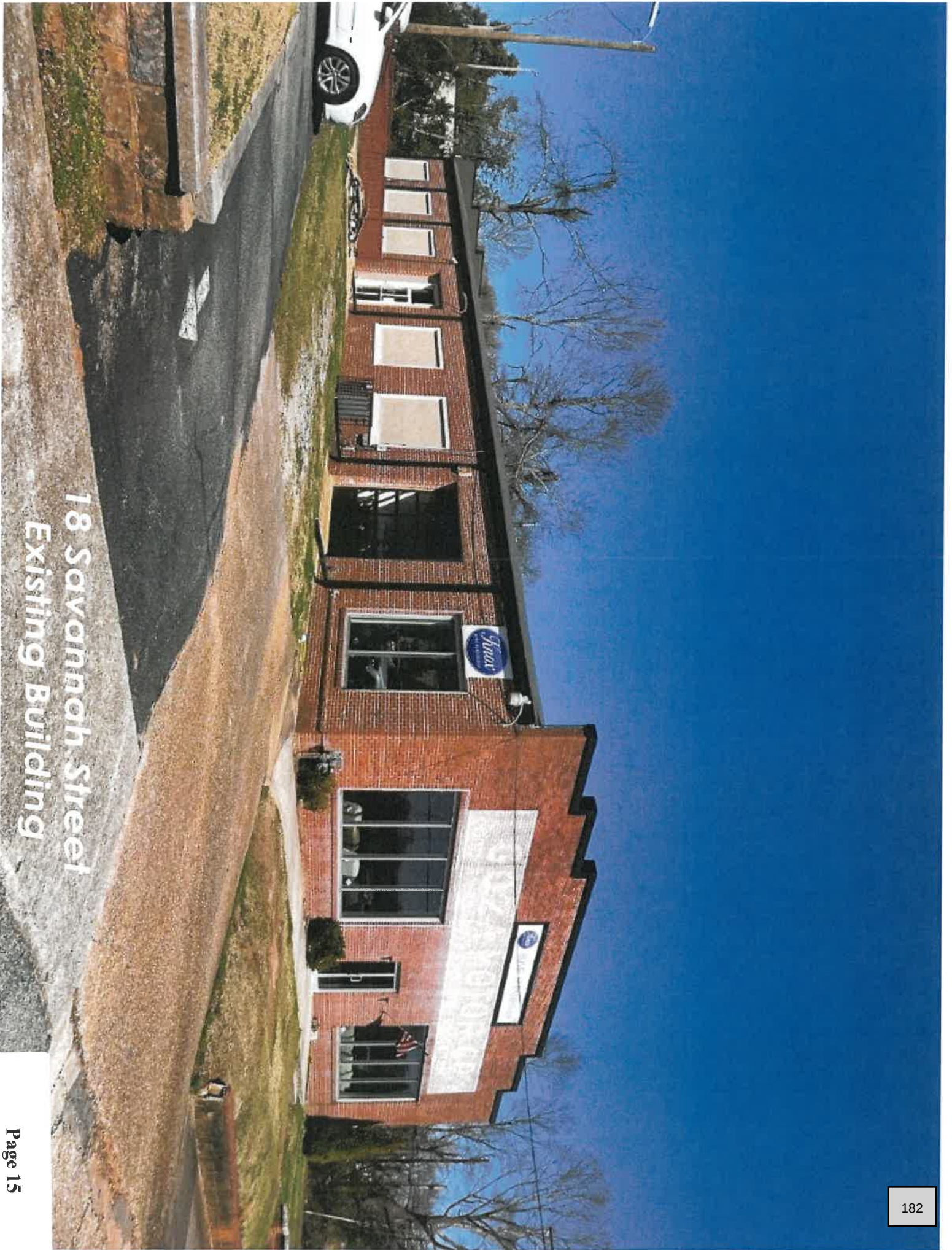
18 Savannah Street
Conceptual Images



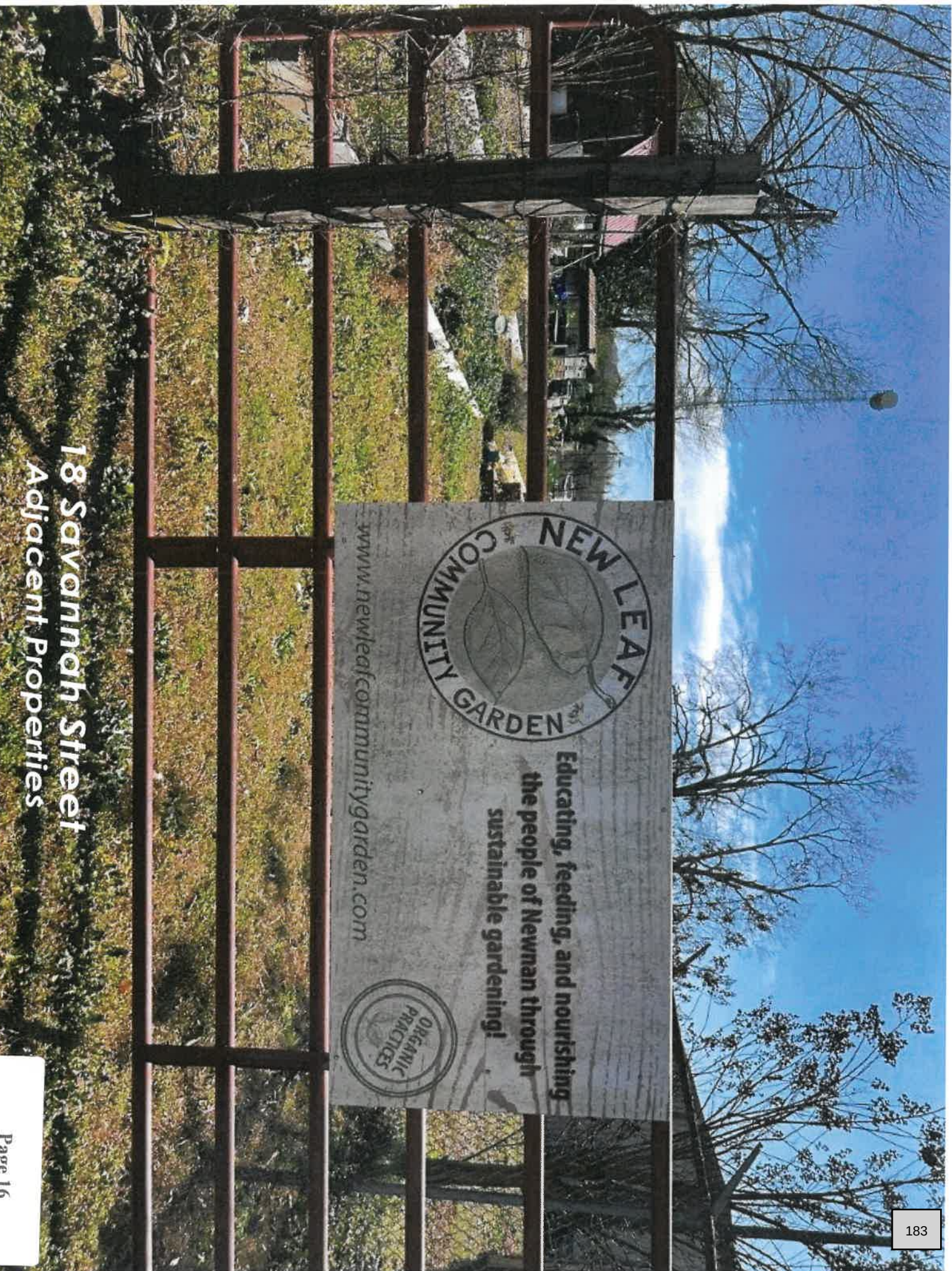
18 Savannah Street
Existing Building



18 Savannah Street
Existing Building

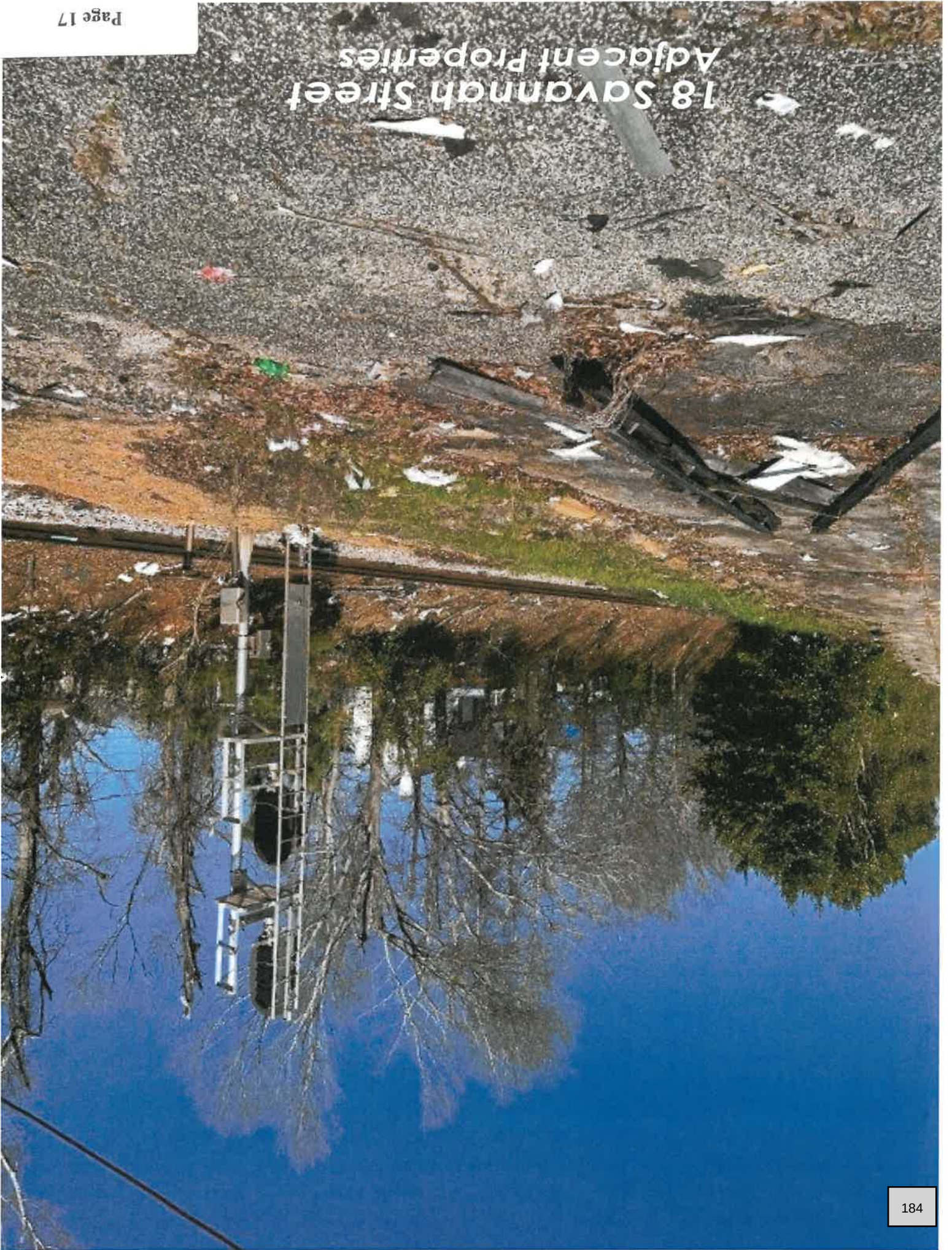


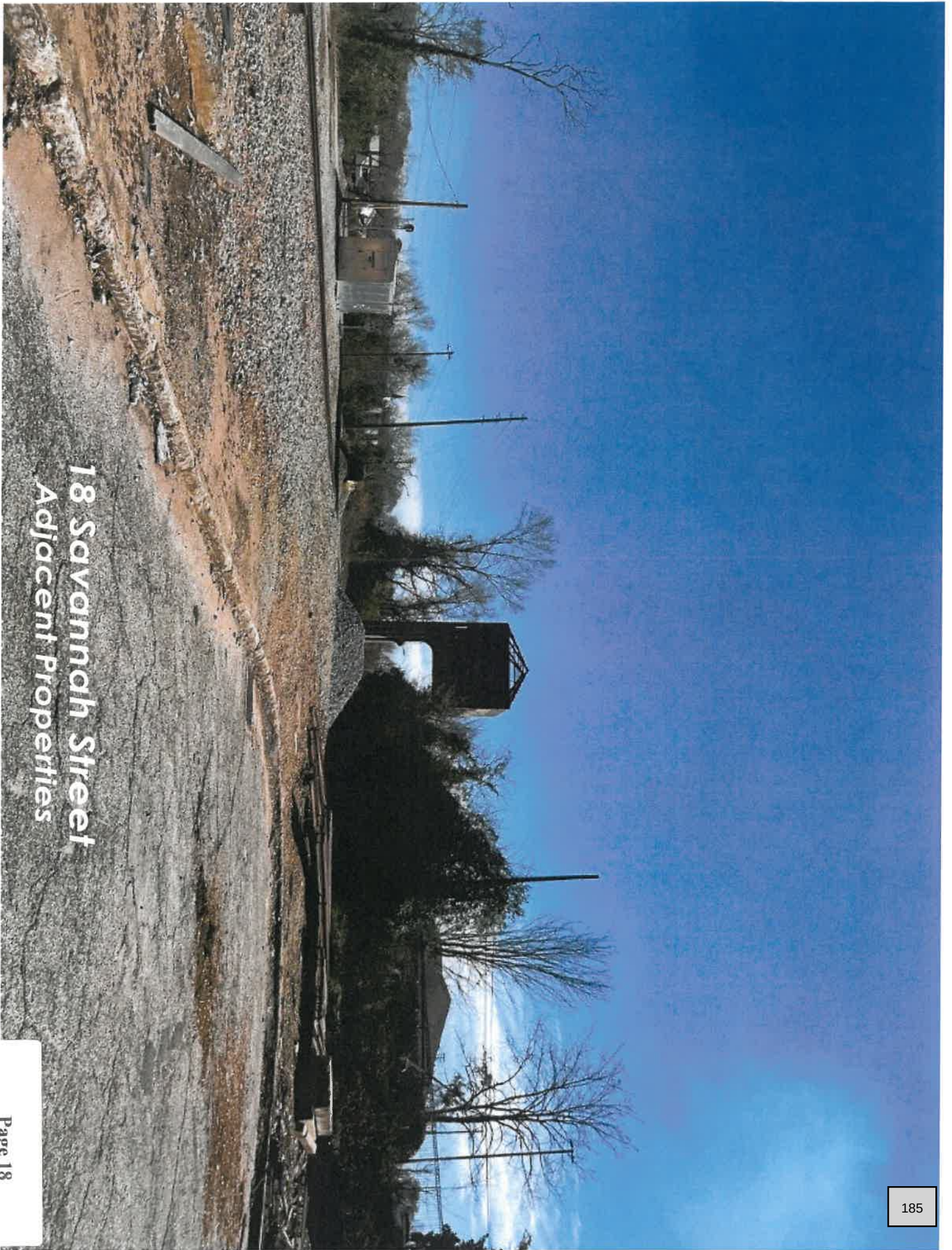
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Existing Building



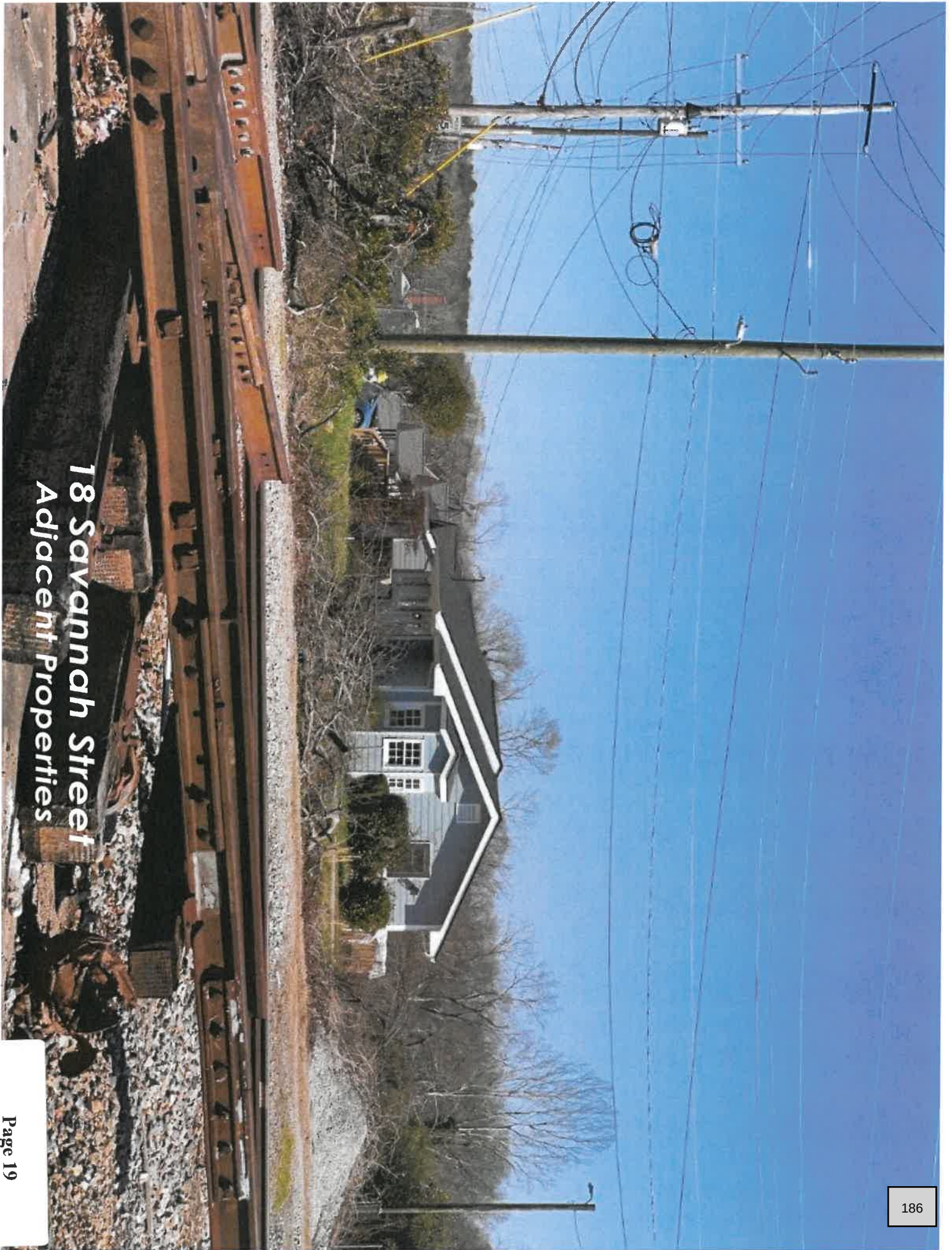
18 Savannah Street
Adjacent Properties

18 Savannah Street
Adjacent Properties

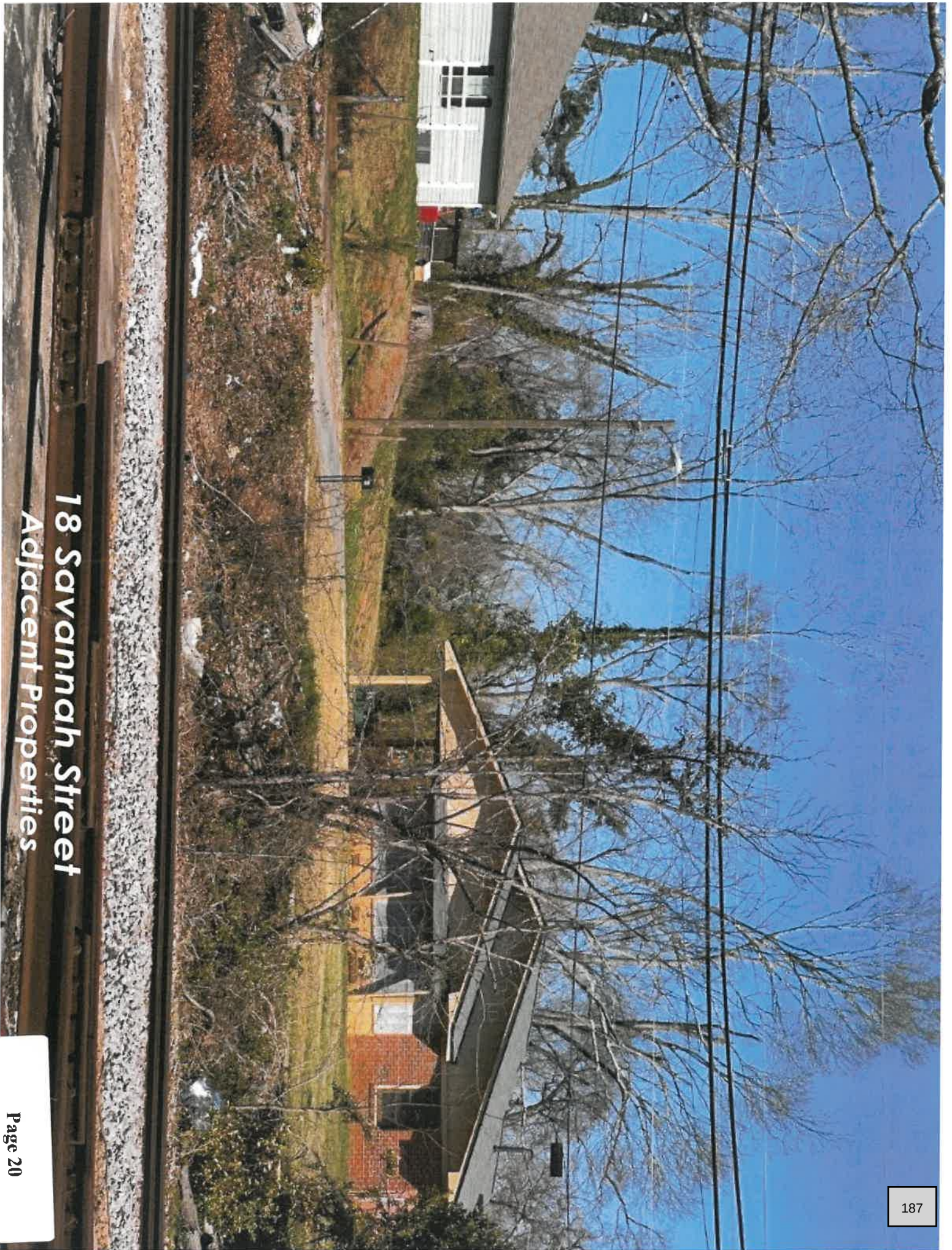




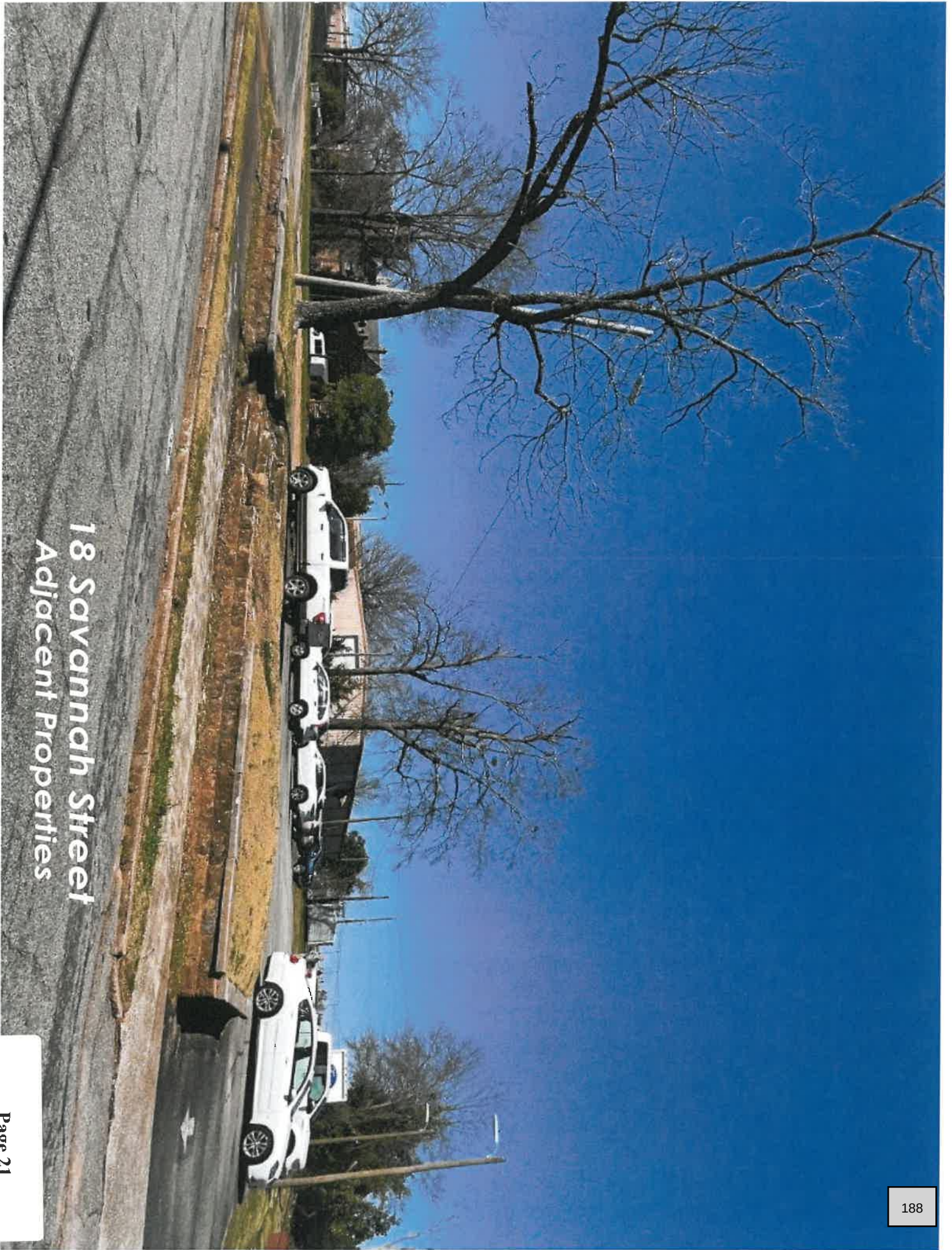
18 Savannah Street
Adjacent Properties



18 Savannah Street
Adjacent Properties



18 Savannah Street Adjacent Properties





NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment A
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.
(Please refer to Article 10 of the Zoning Ordinance for complete details.)

Please list any written proffered conditions below:

The development will be consistent with the conceptual renderings being submitted with this application.

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

SOUTHTREE COMMERCIAL DEVELOPMENT LLC

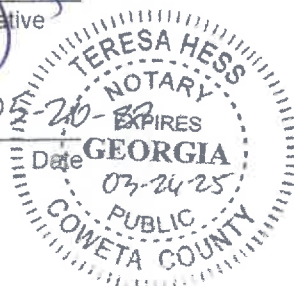
Signature of Applicant

Chuck Odetree Managing member
Type or Print Name and Title

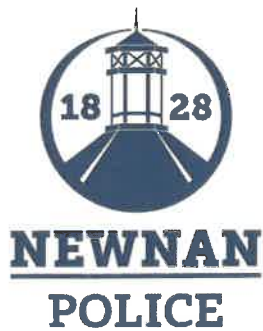
Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public



(Affix Raised Seal Here)



BRENT BLANKENSHIP
CHIEF OF POLICE

06/02/22

Reference: 18 Savannah Street – Microbrewery

Dear Tracy,

After reviewing call history that could compare to this one development, there would be a slight increase of people and vehicle traffic to the area, it would have a slight impact on motor vehicle accidents and calls of service to that area while also slightly effecting call service and response times to other parts to the city.

It is believed that a slight strain would be placed on calls for service but can be manage at current staff level.

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department



NEWNAN FIRE DEPARTMENT

23 JEFFERSON STREET • NEWNAN, GA 30263
770-253-1851 (P) • 770-638-8678 (F)



Stephen R. Brown, Fire Chief

June 1, 2022

Ref: 18 Savannah Street

Dear Tracy,

I have reviewed the request for 18 Savannah Street. I also compared it to 130 Werz Industrial which is a similar development and we have had zero incidents over the last 12 months at that location.

At this time, we have adequate resources to supply services to the referenced address with no provisions.

Kind Regards,


Stephen Brown

Fire Chief

City of Newnan

June 2, 2022

Attn: Tracy S. Dunnavant
Planning & Zoning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

REF: 18 Savannah Street - Rezoning

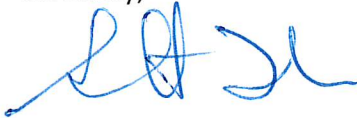
Dear Ms. Dunnavant,

I am writing per your request to confirm that Newnan Utilities will be the water and sewer service provider for the above referenced project. At this time, Newnan Utilities also has ample capacity to serve this proposed facility, based on the following information:

1. The City of Newnan approves the annexation of the proposed property as shown in Exhibit "A".
2. 18 Savannah Street, Newnan GA - Parcel Number N12 0001 010
3. Electric:
 - a. Developer shall provide Newnan Utilities Engineering with AutoCAD dwg. files for electrical design.
 - b. Developer or Electrical Engineer shall complete Newnan Utilities load data sheet
 - c. Electrical shall be built out per Newnan Utilities contractor manual
 - d. Developer/Owner shall provide electrical load data, as soon as possible, to determine transformer size.
 - e. Attached Load Data Sheet, as required by Newnan Utilities, to be completed.
4. Sanitary Sewer:
 - a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
 - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Design and Construction of development sanitary sewer system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.
 - iii. Cost for analyzing existing sanitary sewer system by an engineer firm approved by Newnan Utilities.

- iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades, sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
 - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
 - vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.
 - vii.
5. Water:
- a. Developer shall connect to Newnan Utilities Water System.
 - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Construction of development water system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Water System.
 - iii. Cost for analyzing existing water sewer system by an engineer firm approved by Newnan Utilities.
 - iv. Existing water upgrades to handle proposed development. This is to include water system upgrades, fire protection upgrades, and any other upgrades deemed necessary by Newnan Utilities.
 - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
6. Other Items to be addressed: at developers/owners expense
- a. Develop/Owner shall supply water demand to Newnan Utilities.

Sincerely,



Scott Tolar, P.E.
Newnan Utilities

Y SUPERIOR COURT
BROWN

IE O. JOHNSON
D S. JOHNSON
2819 PAGE 453
ED CBD

A. MICHAEL & JULIA
BARBER
DEED BOOK 995 PAGE 293
PLAT BOOK 43 PAGE 7
ZONED CBD

BRENT A. HARMON
DEED BOOK 661 PAGE 106
PLAT BOOK 24 PAGE 245
ZONED CUN

MAGNETIC
BEARINGS ARE RELATED TO THE SYSTEM, USED
BY THIS OFFICE, ON VARIOUS PLATS WHICH ARE
REFERENCED HEREON.

THE FIELD DATA UPON WHICH THIS MAP OR
PLAT IS BASED HAS A CLOSURE PRECISION
OF ONE FOOT IN 20,000+ FEET, AND
AN ANGULAR ERROR OF 2" PER ANGLE
POINT, AND HAS BEEN ADJUSTED USING
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THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE
TO WITHIN ONE FOOT IN PAR. 1=313.945 FEET;
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ANGULAR AND LINEAR MEASUREMENTS WERE
OBTAINED BY USING A SOKKIA SCT6
TOTAL STATION.



31°E 101.60'

CEL 1
ACRES

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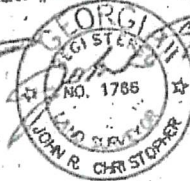
ASPHALT

ET (R/W VARIES)

IN MY OPINION, THIS IS A TRUE
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HAS BEEN PREPARED IN CON-
FORMITY WITH THE STANDARDS
AND REQUIREMENTS OF LAW.

JOHN R. CHRISTOPHER
GEORGIA R.L.S. #1768
CHRIS W. ROBERTSON
GEORGIA R.L.S. #3195

hers
LLC



THE PURPOSE OF THIS PLAT IS TO SUBTRACT PARCEL 2 (0.286
AC.) FROM TAX PARCEL #N12 0001 007 AND ADD SAID PARCEL 2
TO TAX PARCEL #N12 0001 010.

THIS IS A DIVISION OF THE SAME PROPERTY SHOWN ON A PLAT
BY THIS OFFICE RECORDED IN PLAT BOOK 89 PAGE 213.

1. REVISED 12/17/2012 TO RECONFIGURE TAX PARCELS AND CHANGE NAME
IN TITLE BLOCK
2. REVISED 12/19/2012 PER CITY OF NEWNAN COMMENTS.

SURVEY FOR:

ROBERT A. & LUCILLE MATTHEWS

SCALE: 1" = 30' DISK: 2012-DECEMBER DRAWN BY:
DRAWING DATE: 02/18/2008 LAST FIELD WORK DATE: 12/05/2012 LAST REVISED: 12/19/2012

LOCATED IN LAND LOT 8, LAND DISTRICT 5
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SURVEY BY: C.W. Robertson

DRAWING NUMBER
A3107

18 Savannah Street
Conceptual Site Plan
May 2022

11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 11J, 11K, 11L, 11M, 11N, 11O, 11P, 11Q, 11R, 11S, 11T, 11U, 11V, 11W, 11X, 11Y, 11Z



The City of Newnan, Georgia

Office of City Engineer

June 2, 2022

City Engineer Review

REZONING REQUEST RZN-22-0085

STG Newnan LLC
18 Savannah Street
Newnan, Georgia 30263

If existing driveways are to be utilized, the sidewalks through the apron will need to be made ADA compliant. Any other areas of sidewalk abutting the site will also need to be made ADA compliant if not now so.

If the redevelopment encompasses 5000 sq ft or more, then the Post-Construction Stormwater Management for New Development and Redevelopment Ordinance will apply. Any net increase in impervious surface area may result in a requirement for retention/ water quality, or detention. The net change in area should be clearly stated at some point.

The R/W for Dunbar Pl/ RR will need to be determined.

An LDP (Land Disturbance Permit) will not be required (total site= 0.74 acres). However, any grading, demolition of parking areas, etc...; will require a Site Prep Permit, to include minimum BMPs.

**Southtree Commercial Development, LLC
And STG Newnan, LLC
Tract 1: 0.455± acres located at 18 Savannah Street,
Tract 2: 0.286± acres located at 18 Savannah Street,
Land Lot 8, 5th Land District
City of Newnan, Coweta County, GA
Tract 1: Parcel #N12 0001 010
Tract 2: Parcel #N12 0001 007**

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOT 8 OF THE 5th LAND DISTRICT
IDENTIFIED AS 18 SAVANNAH STREET IN THE CITY OF NEWNAN,
GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone the property described on Exhibit "A" attached hereto containing 0.455± acres located at 18 Savannah Street in Land Lot 8, 5th Land District, Coweta County, Georgia, and shown as Tract One on Plat of Survey for Charles H. Adams, and as Tract Two containing 0.286± acres on Plat of Survey for Robert A. Lucille Matthews, attached hereto as Exhibit "B", from the Zoning Classification ILT (Light Industrial District) to the City of Newnan Zoning Classification CBD (Central Business District) ; and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 12th day of July, 2022; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit "A" attached hereto and shown as Tract One containing 0.455± acres on Plat of Survey for Charles H. Adams, dated 3/9/1976, and as Tract Two containing 0.286± acres on Plat of Survey for Robert A. and Lucille Matthews, dated 2/18/2008, attached hereto as Exhibit "B", attached hereto and by reference made a part hereof be rezoned City of Newnan Zoning Classification CBD (Central Business District) subject to the following conditions:

- (1) The project will be consistent with the concept plan and renderings provided as part of the rezoning application;
- (2) The applicant will provide 18 parking spaces either on the subject tract or on the adjacent tract to the west further identified as parcel number N12 0001 007.

Section II. Severability. In the event any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section III. All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section IV. This ordinance shall be effective upon adoption.

DONE, RATIFIED, and PASSED, by the City Council of the City of Newnan, Georgia, this the ____ day of _____, 2022 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Raymond F. DuBose, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

EXHIBIT "A"

Southtree Commercial Development LLC and STG Newnan LLC City of Newnan - Rezoning Legal Description – Savannah Street

TRACT ONE:

All that certain tract or parcel of land situate, lying and being in the City of Newnan on Savannah Street, being more particularly described according to a certain plat of survey entitled "Survey of property for Charles H. Adams," by John R. Christopher, Registered Georgia Land Surveyor, dated March 9, 1976, and of record in Plat Book 20, Page 215, Coweta County, Georgia Records.

Said property is described according to said plat as follows: BEGIN at a concrete Atlanta and West Point Railroad right of way marker, which said marker is located North 87 degrees 42 minutes 00 seconds West 31.3 feet from the point of intersection of the westerly side of a five foot concrete sidewalk located along the westerly side of Dunbar Place and the northerly side of a five foot concrete sidewalk located along the northerly side of Savannah Street and run thence North 0 degrees 18 minutes 00 seconds East 185.5 feet to an iron pin; thence run South 87 degrees 14 minutes East 37.23 feet to a point located on the westerly side of a five foot concrete sidewalk located on the westerly side of Dunbar Place; thence run along said westerly side of said sidewalk North 2 degrees 08 minutes 00 seconds East 4 feet to an iron pin; thence run North 88 degrees 22 minutes 20 seconds West 140.41 feet to an iron pin; thence run South 1 degree 16 minutes 30 seconds West 187.67 feet to an iron pin located on the northerly side of the five foot concrete sidewalk located on the northerly side of Savannah Street; thence run along the northerly said of said five foot concrete sidewalk South 87 degrees 42 minutes 00 seconds East 106.29 feet to the concrete Atlanta and West Point Railroad marker, which said marker is the place and point of beginning.

TRACT TWO:

ALL THAT TRACT or parcel of land situate, lying and being in Land Lot 8 of the Fifth Land District, City of Newnan, Coweta County, Georgia, containing 0.286 acres and being more particularly identified as Parcel 2 on plat of property prepared for Robert A. and Lucille Matthews by John R. Christopher, Georgia Registered Land Surveyor, dated 2/18/08, last revised 12/19/12, said plat of record in Plat Book 91, Page 304, Office of the Clerk, Coweta County Superior Court, reference to which plat is hereby made for a more particular description of said 0.286 acre tract herein conveyed.

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES NAMED IN THE TITLE BLOCK AND OR THE CERTIFICATION. ANY USE BY OTHER PARTIES NOT NAMED IS AT THEIR OWN RISK. THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRAR ACROSS THE REGISTRAR'S SEAL.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT TITLE. THEREFORE, THE UNDERSIGNED AND SURVEYOR ASSUME NO LIABILITY FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE SURVEY.

LEGEND:

- L.L. = LAND LOT
- L.S. = LOT SECTION
- B/L = BUILDING LINE
- R/W = RIGHT-OF-WAY
- N/E = NOW OR FORMERLY
- P-P = POWER LINE
- X-X-X = FENCE
- S-S-S = SEWER LINE
- LAD = LOWEST ADJACENT GRADE
- F.F. = FINISHED FLOOR
- M.F.F. = MINIMUM FINISHED FLOOR
- C.A. = CENTERLINE
- ADDRESS
- P.B. = PLAT BOOK
- P.F. = PLAT FOOT
- P.S. = PLAT SECTION
- C.R. = CENTERLINE
- NS = NORTHERN NAL SET

FILED
AS PER OFFICIAL, F.L.M. 120702315, DATED MAY 16, 2006
12/20/2012
COWETA COUNTY SUPERIOR COURT
CLERK CINDY G. BROWN
BK 91 PG 304

NEWMAN PRESBYTERIAN CHURCH
DEED BOOK 655 PAGE 185
ZONED CBD
NOTE: ROOM BUILT FOLLOWS BY THIS OFFICE AT THIS LOCATION IN 1985 WAS BEEN DESTROYED.

JACQUELINE O. JOHNSON
& EDWARD S. JOHNSON
DEED BOOK 7519 PAGE 433
ZONED CBD

A. MICHAEL & JULIA
BARBER
DEED BOOK 995 PAGE 293
PLAT BOOK 13 PAGE 7
ZONED CBD

BRENT A. HARRON
DEED BOOK 651 PAGE 195
PLAT BOOK 24 PAGE 215
ZONED CUN

PARCEL 1
1.067 ACRES

PARCEL 2
0.286 ACRES

Tract 2

Tract 1

NOTE: THE LINES SHOWN HEREON, JOINING PROPERTY SURVEYED BY THIS SURVEYOR, ARE THE SAME LINES, THE BEYONDERS DUTIES DUE TO THE USE OF DIFFERENT BASE BEARING SYSTEMS.

Surveyor's Certificate

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all required information has been furnished to the City of Coweta, Georgia, and that the survey was completed on 12/19/2012.

By: *C. H. Davis*
3/19/2012
Reg. Georgia Land Surveyor No. 3195

Owner's Certification:

I, the owner of the land shown on this plat, hereby certify that it is a true and correct copy of the original survey, that the survey was completed on 12/19/2012, and that the survey was completed on 12/19/2012.

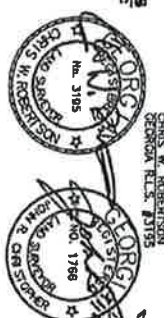
Director of the Planning Department's Certificate

Plat to be on land subdivision regulations of the City of Newnan, Georgia, at the request of the Planning Department, this plat was given final approval on 12/19/2012.

Drawings' Estimated Work:

The owner of record, on behalf of himself (family) and all successors in interest, hereby certifies that the City of Newnan has any and all liability for the survey. The survey was completed on 12/19/2012, and that the survey was completed on 12/19/2012.

Christopher Brothers
LAND SURVEYING, LLC
24 JACKSON STREET
NEWNAN, GEORGIA 30253
Phone: (770) 253-5195
Fax: (770) 253-7661
chris@brothersland.com



THE PURPOSE OF THIS PLAT IS TO SUBTRACT PARCEL 2 (0.286 AC.) FROM TAX PARCEL #N12 0001 007 AND ADD SAID PARCEL 2 TO TAX PARCEL #N12 0001 010.

THIS IS A DIVISION OF THE SAME PROPERTY SHOWN ON A PLAT BY THIS OFFICE RECORDED IN PLAT BOOK 89 PAGE 213.

1. REVISED 12/17/2012 TO RECONSTRUCT TAX PARCELS AND CHANGE NAME IN TITLE BLOCK
2. REVISED 12/19/2012 PER CITY OF NEWNAN COMMENTS.

SURVEY FOR: ROBERT A. & LUCILLE MATTHEWS

SCALE: 1" = 30'

DATE: 02/16/2008

LAST FIELD: 12/06/2012

LAST REVISED: 12/19/2012

LOCATED IN LAND LOT 8, LAND DISTRICT 6
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

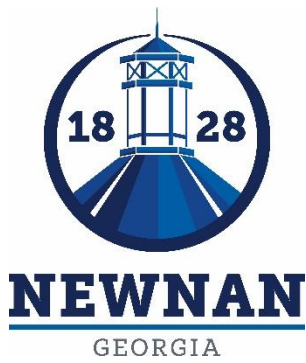
DRAWING NUMBER: 83107



MAGNETIC
BEARINGS ARE RELATED TO THE STATION USED
FOR THE SURVEY. BEARINGS PLANS WHICH ARE
REFERRED HEREON.

SAVANNAH STREET (R/W VARIES)

DUNBAR PLACE



City of Newnan, Georgia - Mayor and Council

Date: July 12, 2022

Agenda Item: 157 Lagrange St

Prepared and
Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: Owner to update council on status and request an extension to repair the dilapidated structure at 157 Lagrange St.

Background: Owner: Cornerstone Rentals LLC

Date Sub-Standard housing file was opened: November 3, 2021

Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On November 3, 2021 the Building Department conducted an inspection of the premises and found the structure to be unsafe, uninhabitable. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 5, 6, 7, 8, 9, 10).

Options:

1. Accept the extension request from owner in order to complete the demolition of the property.
2. Other direction from council.

Funding: Not Applicable

Recommendation: Staff is requesting Council's approval to proceed with Option1.

Previous Discussions
With Council:

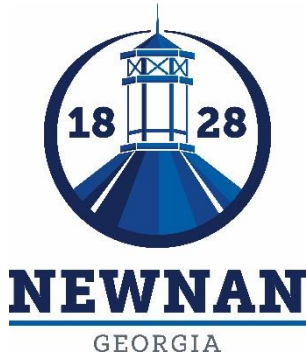
March 31, 2022 – Council informed of conditions.

April 12, 2022 – Public hearing was requested.

May 24, 2022 – Public Hearing was held with 60-day resolution deadline adopted by council.







City of Newnan, Georgia – City Council

Date: June 14, 2022

Agenda Item: Rezoning Request – RZ2022-03
0.22± acres located at 14 Lee Street (Tax Parcel # N05
0004 006) from OI-1 (Low Density Office and Institutional
District) to RU-I (Urban Residential Dwelling District –
Historical and Infill)

Prepared and Presented by: Tracy Dunnavant, Planning Director

REZONING ASSESSMENT

APPLICANT INFORMATION:

Cher McWilliams
14 Lee Street
Newnan, GA 30263

SITE INFORMATION:

The site consists of 0.22 ± acres located at 14 Lee Street. The tax parcel ID number is N05 0004 006. The tract is located just to the northeast of the intersection of Lee Street and Perry Street.

The site is zoned OI-1 (Low Density Office and Institutional District). There is an existing single-family home on the property that is non-conforming and the applicant is seeking an RU-I (Urban Residential Dwelling District – Historical and Infill) zoning designation to make the property conforming and to construct an addition onto the rear of the house.



OVERVIEW OF REQUEST:

The applicant is requesting the rezoning of 0.22± acres located at 14 Lee Street. The property is currently zoned OI-1 (Low Density Office and Institutional District) and the applicant is requesting an RU-I (Urban Residential Dwelling District – Historical and Infill) zoning designation to make the house a conforming use and to enable her to construct an addition on the rear of the home.

STANDARDS:

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to give reasonable consideration to the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and those with a red “X” ✗ as standards not being met.

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? The proposed use is not changing. The structure is currently being used as a single-family residence and the applicant would like to continue to use it that way. In terms of the adjacent and nearby properties, there are a mixture of uses and zoning designations; however, all adjacent properties are currently being used as residences. The house to the south does have a barber shop that operates out of the home, but the primary use is still residential. Further down Lee Street there are several offices, the City's Wadsworth property, and several industrial uses, but these properties are separated from the subject tract by several homes and would not be impacted by the zoning change. The tract to the east is zoned OI-1 as well, but it also is being used as a single-family home. Therefore, Staff feels a single-family residence would be a suitable use for the tract.



Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? Since the use of the property as a single-family residence would not be changing, there would be no adverse impact on the adjacent and nearby properties.

Staff Assessment – NO ADVERSE AFFECT ✓

Are their substantial reasons why the property cannot or should not be used as currently zoned? The property is currently zoned OI-1, but is being used as a single-family residence which is not permitted in that zoning designation. As such, the residence is a non-conforming use. The applicant plans to build an addition on the rear of her home, but is not permitted to do so under our current ordinance as it would be expanding a non-conformity.



Staff Assessment – PROPERTY COULD NOT BE USED AS CURRENTLY ZONED – A SINGLE-FAMILY RESIDENCE IS NON-CONFORMING ✓

Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Since the house would continue to be used as a single-family residence, there would be no additional impact on service provision.

Staff Assessment – THERE WILL BE NO IMPACT ON SERVICE PROVISION SINCE THE USE IS NOT CHANGING ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The Future Land Use Map shows this property as future historic neighborhood. Newnan defines this category as “areas that primarily consist of historic residential homes on smaller lots with unique architectural character.” Therefore, the use is compatible with the purpose and intent of the Comprehensive Plan.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE HISTORIC NEIGHBORHOOD ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? Currently, the existing residence is not consistent with the purpose and intent of the OI-1 zoning designation. The change would alleviate this situation and make the existing home a conforming use under an RU-I zoning.

Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE PROPOSED ZONING DISTRICT ✓

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan? The City completed a full update of its Comprehensive Plan in 2021 which included the future land use map. The subject property was given a “historic neighborhood” designation by the City Council. There are no new or changing conditions that have been discussed or considered since the update.

Staff Assessment –THE COMPREHENSIVE PLAN ALREADY SHOWS THE PROPERTY AS FUTURE HISTORIC NEIGHBORHOOD ✓

Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

As previously stated, the structure is currently being used as a single-family residence, so there will be no change in use or impact to the adjacent properties. There will also be no additional impact on services and the change in zoning will allow the use to become conforming. In addition, the Comprehensive Plan shows this area as future historic neighborhood which would be consistent with the use of the property as a single-family home. Therefore, staff does feel the request reflects a reasonable balance.

Staff Assessment – THE PROPOSED PROJECT WOULD REFLECT A REASONABLE BALANCE ✓

SUMMARY OF STAFF FINDINGS:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **8 of the 8 standards**.

Planning Commission Recommendation:

The Planning Commission at their May 10, 2022 meeting, held a public hearing and voted unanimously to approve the rezoning request with no conditions.

OPTIONS:

- A. Approve the rezoning request as submitted
- B. Approve the rezoning request with conditions
- C. Deny the rezoning request

ATTACHMENTS: Application for Rezoning
 Location Map



CITY OF NEWNAN

Project Location



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

1" = 600 feet

Date: 4/4/2022 9:49 AM



OI-1 to RU-I

Project Location

Parcel # N05 0004 006

AD 208

14 LEE ST
NEWNAN, GA 30263

Cher McWilliams

14 Lee Street

Newnan, GA 30263

To whom it may concern:

I am requesting rezoning of my property located at 14 Lee street Newnan, GA 30263. The property is currently a residence and I believe it has been since being built in 1949. I purchased the property in April 2021 and I was not aware that the property was not zoned residential. The people I purchased the home from, had been using the dwelling as a residence. I am requesting that the property be rezoned so that I can build on to the existing structure, expanding the house slightly.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read 'Cher McWilliams', followed by a long, sweeping horizontal line that extends across the page.

Cher McWilliams



CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION TO AMEND ZONING MAP

Note to Applicant: Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant

Cher McWilliams

Mailing Address

14 Lee Street Newnan GA 30263

Telephone

770-639-7623

Email:

cher.mcwilliams@gmail.com

Property Owner (Use back if multiple names)

Cher McWilliams

Mailing Address

14 Lee Street Newnan GA 30263

Telephone

770-639-7623

Address/Location of Property

14 Lee Street Newnan, GA 30263

Tax Parcel No.:

N050004006

Land Lot

District/Section

Size of Property (Square Feet or Acres)

.22 (RV-1)

Present Zoning Classification:

OI-1

Proposed Zoning Classification:

Residential (R-1)

Present Land Use:

Residential house

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable.

The house has always been a residence. I'm not sure why it's not zoned that way. It's grandfathered in but I wouldn't be able to build back it destroys

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made.

RV-1 is to the rear and west of the property.

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions?

N/A

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The zoning classification requested and the existing classification at the filing of this application.
 - The number of units proposed.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - ✓ Boundary survey showing property lines with lengths and bearings
 - ✓ Adjoining streets, existing and proposed, showing right-of-way
 - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
 - ✓ North arrow and scale
 - ✓ Adjacent land ownership, zoning and current land use
 - ✓ Total and net acreage of property
 - ✓ Proposed building locations
 - ✓ Existing and proposed driveway(s)
 - ✓ Lakes, ponds, streams, and other watercourses
 - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
 - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
 - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.
12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:
- Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
 - Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
 - Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
 - Commercial Application.....\$500.00/Plus \$25.00 Per Acre
 - Industrial Application.....\$500.00/Plus \$15.00 Per Acre
 - Mixed Use Application.....\$500.00/Plus Per Acre fee based upon proposed land use.
 - Planned Development Application.....\$500.00/Plus per Acre fee based upon proposed land use.
 - Overlay Zoning Application.....\$350.00

PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Sworn to and subscribed before me this

30 day of March, 2022

Signature of Applicant

Notary Public



FOR OFFICIAL USE ONLY

Multiple Meetings with the applicant

DATE OF PRE-APPLICATION CONFERENCE : _____
 RECEIVED BY: Tracy S Dunnavant
 DATE OF FILING: April 22, 2022
 FILING FEE RECEIVED: \$500
 DATE OF NOTICE TO NEWSPAPER: _____
 DATE OF PUBLIC HEARING: _____
 PLANNING COMMISSION RECOMMENDATION (DATE): _____
 DATE OF TRANSMITTAL TO CITY COUNCIL: _____
 CITY COUNCIL DECISION (DATE): _____



City of Newnan, Georgia
Attachment A
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.
(Please refer to Article 10 of the Zoning Ordinance for complete details.)

Please list any written proffered conditions below:

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public Date

(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on April, 2024 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

14 Lee Street
NEWNAN, GA 30263

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? ☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Stephanie Cherry
Signature of Applicant

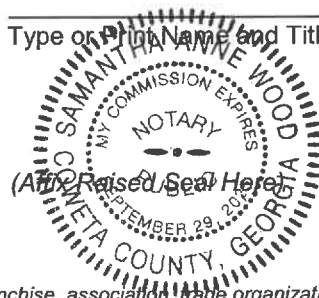
Stephanie Cherry McWilliams
Type or Print Name and Title — owner —

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public

Date



¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia
Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner

Cher McWilliams

Telephone Number

770-639-7603

Address of Subject Property

14 Lee Street

Newnan GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Stephanie McWilliams
Signature of Property Owner

Personally appeared before me

Stephanie McWilliams

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Notary Public

Date

3/30/2022





City of Newnan, Georgia
Attachment D
Attorney's Authorization

NOTE: *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.

(Signature of Attorney)

Name of Attorney _____

Address _____

Telephone _____

Date _____



City of Newnan, Georgia
Attachment E
Rezoning Checklist

The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- | | |
|-----------------|---|
| <u>✓</u>
X | Completed application form |
| | Letter of intent |
| <u>✓</u>
X | Names and addresses of all owners of all property within 250 feet of the subject property |
| X | Legal description of property |
| | Certified plat |
| <u>N/A</u> | Completed Attachment A – Proffered Conditions (if applicable) |
| <u>✓</u> | Completed Attachment B – Disclosure of Campaign Contributions & Gifts (if applicable) |
| <u>✓</u> | Completed Attachment C – Property Owner’s Authorization (if applicable) |
| <u>N/A</u> | Completed Attachment D – Attorney’s Authorization (if applicable) |
| <u>N/A</u>
X | Community Impact Study (if applicable) |
| X | Filing Fee in the form of a check payable to the City of Newnan |

Note: Please attach this form to the filing application.

DOCH# 011696
FILED IN OFFICE
04/20/2021 02:28 PM
BK:5304 PG:677-678
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER
TAX PAID: \$235.00 /
PT-61 038-2021-002732 /

LIMITED WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF COWETA

After Recording, Return To:

Carson B. Sears, Esq.
Sanders, Haugen & Sears, P.C.
Post Office Box 1177
Newnan, Georgia 30264
(File #22328-A)

THIS INDENTURE is made as of the 15th day of April, 2021, between DENISE WILKIN A/K/A DENISE WILKINS and MELISSA SCOTT (hereinafter referred to as "Grantor") and STEPHANIE C. MCWILLIAMS (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee:

All that tract or parcel of land situate, lying and being in the City of Newnan, Fifth Land District, Coweta County, Georgia,, and being more particularly described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the Land, 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 Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the said Grantor have hereunto set their hands, affixed their seals, and delivered these presents this day and year first above written.

Signed, sealed and delivered
in the presence of:

Chris Bass

Unofficial Witness

[Signature]
Notary Public



Denise Wilkin (SEAL)
Denise Wilkin
Melissa Scott (SEAL)
Melissa Scott

EXHIBIT "A"

LEGAL DESCRIPTION

**To Warranty Deed From Denise Wilkin a/k/a Denise Wilkins and Melissa Scott
to Stephanie C. McWilliams**

All that tract or parcel of land situate, lying and being in the City of Newnan, Fifth Land District, Coweta County, Georgia, and being Lots 6 and 7 of Block B, fronting on the Northside of Lee Street, according to Plat of the Berry Lee Subdivision of property of estate of said Gordon Lee and which plat is recorded in Deed Book 27, Pages 220-221, Clerk's Office, Coweta Superior Court, Coweta County, Georgia, Lot 6 fronts said Lee Street fifty (50) feet and runs back North to a depth of ninety-five (95) feet; Lot 7 fronts said Lee Street fifty (50) feet and runs back North to a depth of ninety-eight (98) feet.

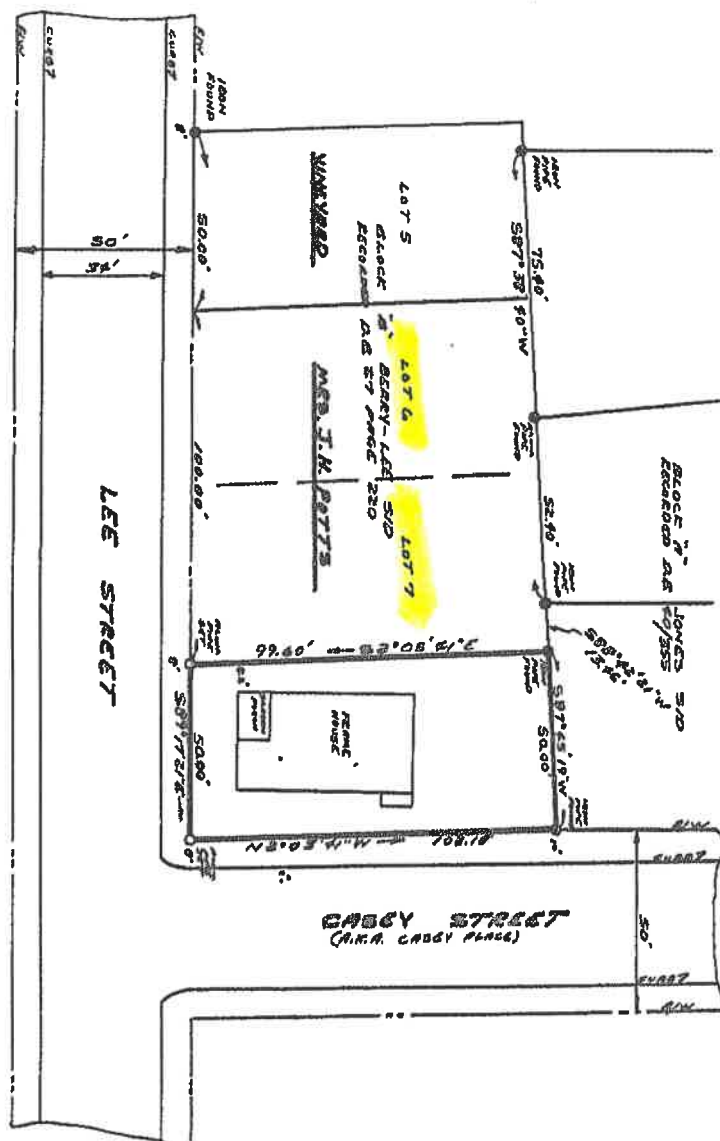
Said property being depicted as Lots 6 and 7 of Block B on that certain plat of survey for Thomas H. Carson, dated June 10, 1980, drawn by John R. Christopher, GA RLS No. 1766, recorded in Plat Book 27, Page 139, Coweta County, Georgia Records.

DANIEL GESS
P.A. 20 PAGE 251

W. JENSEN

LANDERS

ELMER MANNING



GEORGIA, CONWY COUNTY, CLERK SUPERIOR COURT
FILED IN OFFICE THIS 23 DAY OF June
19 30 AT 1:00 P.M. RECORDED IN BOOK 27
PAGE 139 THIS 23 DAY OF June 19 30

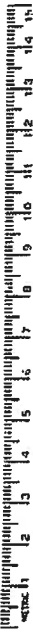
Virginia Bellard
CLERK 2-06

I HAVE THIS DAY EXAMINED THE
F. OFFICIAL FLOOD HAZARD MAP
AND FOUND THAT THIS PROPERTY
IS LOCATED IN AN AREA
DESIGNATED AS A SPECIAL FLOOD
HAZARD AREA.

IN MY OPINION, THIS IS A TRUE
AND CORRECT REPRESENTATION
OF THE PLATTED PROPERTY AND
HAS BEEN PREPARED IN CON-
FORMITY WITH THE STANDARDS
AND REQUIREMENTS OF LAW



SURVEY FOR:		THOMAS H. CRISON	
SCALE: 1"=30'	APPROVED BY:		
DATE: 6-10-80	REVIEWED BY:		
LOT 8 BECK-LEE S/D			
CITY OF NEWNAN - CONWY COUNTY GEORGIA			
SURVEY BY: <i>J. R. Christopher</i>		DRAWING NUMBER: 79137	



53 PERRY STREET LLC
53 PERRY ST
NEWNAN, GA 30263

BELL CHRISTINE MARIE
208 BOONE RD
NEWNAN, GA 30263

BRONSON MARK W & THERESA A BRO
401 WESTPARK CT | SUITE 200-3
PEACHTREE CITY, GA 30269

BRYANT JULIE ANN
2935 ROLLING RD
MACON, GA 31204

BUDD WARREN C JR
55 PERRY ST
NEWNAN, GA 30263

BUGBEE WILLIAM F & BEGONA BUGBEE
15 COCHRAN DR
NEWNAN, GA 30263

BUZZNDOOLEY LLC
1365 WINTERCREEK RD
DUNWOODY, GA 30356

CARSON THOMAS H
P O BOX 400
NEWNAN, GA 30264

CROUCH DELIA T
8 LEE ST
NEWNAN, GA 30263

DOLLAR ROBERT
49 MILLARD FARMER IND BLVD
NEWNAN, GA 30263

FIVE CHICKENS LLC
147 GREENRIDGE WAY
NEWNAN, GA 30265

HEBBE CHRISTENE M
12 COCHRAN DR
NEWNAN, GA 30263

HOPPER ROSE JEANETTE OLDHAM
8 COCHRAN DR
NEWNAN, GA 30263

HYDE JOEL G
4 COCHRAN DR
NEWNAN, GA 30263

KIDD JAMES C & NINA HANDLEY KIDD
15 LEE ST
NEWNAN, GA 30263

KNIGHT TIMOTHY R
P O BOX 521
NEWNAN, GA 30264

MC WILLIAMS STEPHANIE C
14 LEE ST
NEWNAN, GA 30263

MPKP08 LLC
2 AUGUSTA CT
NEWNAN, GA 30265

MR HOUSE LLC
P O BOX 95
NEWNAN, GA 30264

PARADISE MGMT CO
P O BOX 521
NEWNAN, GA 30264

SAMS FLETCHER JR & FLETCHER SAMS
5 CASEY ST
NEWNAN, GA 30263

SCOTT COMMERCIAL SERVICES INC
26 ANDREW ST
NEWNAN, GA 30263

SIDE EYE REAL ESTATE LLC
106 OAKDALE AVE
PEACHTREE CITY, GA 30269

STEPHENS NEVELLE OWENS & E KELL
15 CREPE MYRTLE
NEWNAN, GA 30263

STG NEWNAN LLC, C/O RUTH BOLVIG, T
8TH FLOOR | 133 LUCKIE ST
ATLANTA, GA 30303

STG NEWNAN LLC, C/O RUTH BOLVIG
TURNER ENTERPRISES | 133 LUCKIE ST
ATLANTA, GA 30303

STG NEWNAN LLC
8TH FLOOR | 133 LUCKIE ST
ATLANTA, GA 30303

STORY ROXIE R & JAMES D REEVES
514 HWY 29 S
NEWNAN, GA 30263

TKM VENTURES LLC
22 LEE ST
NEWNAN, GA 30263

VEAL LINDA C & RONALD W VEAL
1 CASEY ST
NEWNAN, GA 30263

WICKMAN AARON
7 COCHRAN DR
NEWNAN, GA 30263



City of Newnan
25 LaGrange Street
Newnan, GA 30263

Phone: 770-254-2362
Fax: 770-254-2353

Paid Invoice Summary

Page 1 of 1

DATE	3/30/2022
------	-----------

ACCOUNT : import account
 Cher McWilliams Phone: 7706397603

PERMIT NUMBER	RZN-22-0042
14 Lee St NEWNAN 0600 0788 Newnan, GA 30265	

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
3/30/2022	RZN-22-0042	22-00660	100.00.32.2215	Base Fee	Paid	(-) 500.00

Date	InvoiceNum	Status	Payment	Amount
3/30/2022	22-00660	Original Due		500.00
3/30/2022	22-00660	Paid	CreditCard VISA - CHERMCWILLIAMS	(-) 500.00

Total Paid	500.00
-------------------	--------

Cher McWilliams
0.22± acres located at 14 Lee Street
Lots 6 and 7, Block B, Northside of Lee Street
City of Newnan; 5th Land
District. Coweta County, Georgia
Parcel #N05 0004 006

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOTS 6 AND 7 OF THE 5th LAND DISTRICT
IDENTIFIED AS 14 LEE STREET IN THE CITY OF NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone the property described on Exhibit “A” attached hereto identified as 0.22± acres located at 14 Lee Street in Land Lots 6 and 7, 5th Land District, Coweta County, Georgia, and shown on Plat of Survey for Thomas H. Carson attached hereto as Exhibit “B”, from OI-1 (Low Density Office and Institutional District) to the City of Newnan Zoning Classification RU-I (Urban Residential Dwelling District-Historical and Infill) District ; and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 14th day of June, 2022; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit “A” attached hereto and shown on Plat of Survey for Thomas H. Carson dated June 10, 1980, attached hereto as Exhibit “B”, containing 0.22± acres attached hereto and by reference made a part hereof be rezoned City of Newnan Zoning Classification RU-I (Urban Residential Dwelling District-Historical and In-Fill) subject to the following conditions:

- (1) None

Section II. All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section III. Severability. In the event any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section IV. This ordinance shall be effective upon adoption.

DONE, RATIFIED, and PASSED, by the City Council of the City of Newnan, Georgia, this the ____ day of _____, 2022 in regular session assembled.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Raymond F. DuBose, Mayor Pro-Tem

Cleatus Phillips, City Manager

George M. Alexander, Councilmember

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2022.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Raymond F. DuBose, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

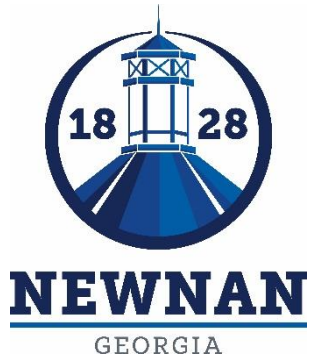
Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia – City Council

Date: June 14, 2022

Agenda Item: Rezoning Request – RZ2022-02
0.27± acres located at 39 Main Street (Tax Parcel # N58
0004 007) from RU-7 (Urban Residential Single-Family
Dwelling District – High Density) to CGN (General
Commercial District)

Prepared and Presented by: Tracy Dunnavant, Planning Director

REZONING ASSESSMENT

APPLICANT INFORMATION:

Alice Cornejo (on behalf of DUI School of Coweta, Inc.)
4 Arbor Way
Newnan, GA 30265

SITE INFORMATION:

The site consists of 0.27 ± acres located at 39 Main Street. The tax parcel ID number is N58 0004 007. The tract is located just to the northeast of the intersection of Main Street and Sprayberry Road.

The site is zoned RU-7 (Urban Residential Single-Family Dwelling District – High Density). There is an existing single-family home on the property.



OVERVIEW OF REQUEST:

The applicant is requesting the rezoning of 0.27± acres located at 39 Main Street. The property is currently zoned RU-7 and the applicant is requesting CGN zoning designation to use the existing house as a counseling office.

STANDARDS:

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to give reasonable consideration to the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and those with a red "X" ✗ as standards not being met.

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? The property is located between RU-7 zoned property to the east and CGN zoned property to the west. There are a mixture of uses in the area including numerous residences, two churches, a DUI school, and a multiple tenant commercial building. The majority of the neighboring residences on Main Street are rental properties and appear to be historic homes built in the early 1900s (per the tax assessor's website).



Staff does feel that the CGN zoning designation would be suitable if the applicant continues to use the current house and if the rezoning was limited to office uses. An office would serve as a suitable transition between the commercial uses to the west and the residential homes to the east. Since there are already two parcels zoned CGN, the requested zoning designation is appropriate, but staff feels a limitation on the uses is necessary to protect the neighborhood in the future. In addition, by utilizing the existing home, the historic character of the neighborhood would be maintained.

Staff Assessment – PROPOSED USE IS SUITABLE WITH CONDITIONS ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? The applicant has indicated that there will be two counselors on site who will meet with individuals both in person and via teleconference. Some additional traffic may be generated, but it will not be enough to impact usability of the adjacent or nearby properties. In addition, the proposed office hours are 10:30 a.m. to 5:30 p.m. on Monday through Friday, which limits the impact on the adjacent residential properties.

Staff did receive an email from the property owner of 42 Main Street who indicated that she is in opposition to the rezoning and has concerns about the impact of having a commercial business that close to residential homes. A copy of her email has been included in the rezoning packet.

Staff Assessment – LIMITED ADVERSE AFFECT ✓

Are there substantial reasons why the property cannot or should not be used as currently zoned? The property is currently zoned RU-7, and could continue to be used as a single-family

residence. The existing house has been on that site since it was originally built in the early 1900's.

Staff Assessment – PROPERTY COULD BE USED AS CURRENTLY ZONED ✗

Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Staff feels impact on service provision will be minor. With the applicant using the existing house, the office space will be limited. There will be less of an impact on schools since it will no longer be a residence and very little increase in water/sewer usage and police/fire calls. In addition, Jefferson/Main Street is an urban collector, so it should easily be able to handle any additional traffic created by the change in use.

Staff Assessment – THERE WILL BE VERY LITTLE IMPACT ON SERVICE PROVISION ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The Future Land Use Map shows this property as future "Built Community". Newnan defines this category as "areas that have been developed with a variety of residential dwellings and nonresidential uses that provide goods and service to the surrounding neighborhoods. Future land uses within this area should closely mirror the built community as already established." Therefore, since this would be a use that serves the community and the applicant plans to use the existing house, the use is compatible with the purpose and intent of the Comprehensive Plan.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE BUILT COMMUNITY ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The applicant is seeking a CGN, general commercial, zoning designation. Since offices are permitted in CGN, the use would be consistent.

Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE PROPOSED ZONING DISTRICT ✓

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan? The City completed a full update of its Comprehensive Plan in 2021 which included the future land use map. The subject property was given a "Built Community" designation by the City Council. There are no new or changing conditions that have been discussed or considered since the update.

Staff Assessment –THE COMPREHENSIVE PLAN ALREADY SHOWS THE PROPERTY AS FUTURE BUILT COMMUNITY ✓

Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

In reviewing the request, Staff would be concerned if a blanket CGN zoning was applied to the property. While the applicant plans to use the existing house as an office today, a CGN designation without conditions would open it up to numerous potential uses in the future. Staff feels that by limiting the CGN to office uses only and requiring the use of the existing house, there is a balance between maintaining the character of the neighborhood, providing a transition between the existing commercial uses, and allowing the petitioner to use the property as requested. If there was a desire to change to a different use in the future or to demolish and build a new structure on the site, the applicant would have to request another rezoning, allowing for public input.

Staff Assessment – THE PROPOSED PROJECT WOULD REFLECT A REASONABLE BALANCE IF THE REZONING IS APPROVED WITH CONDITIONS ✓

SUMMARY OF STAFF FINDINGS:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **7 of the 8 standards**.

Planning Commission Recommendation:

The Planning Commission at their May 10, 2022 meeting, held a public hearing and voted unanimously to approve the rezoning request with the following conditions:

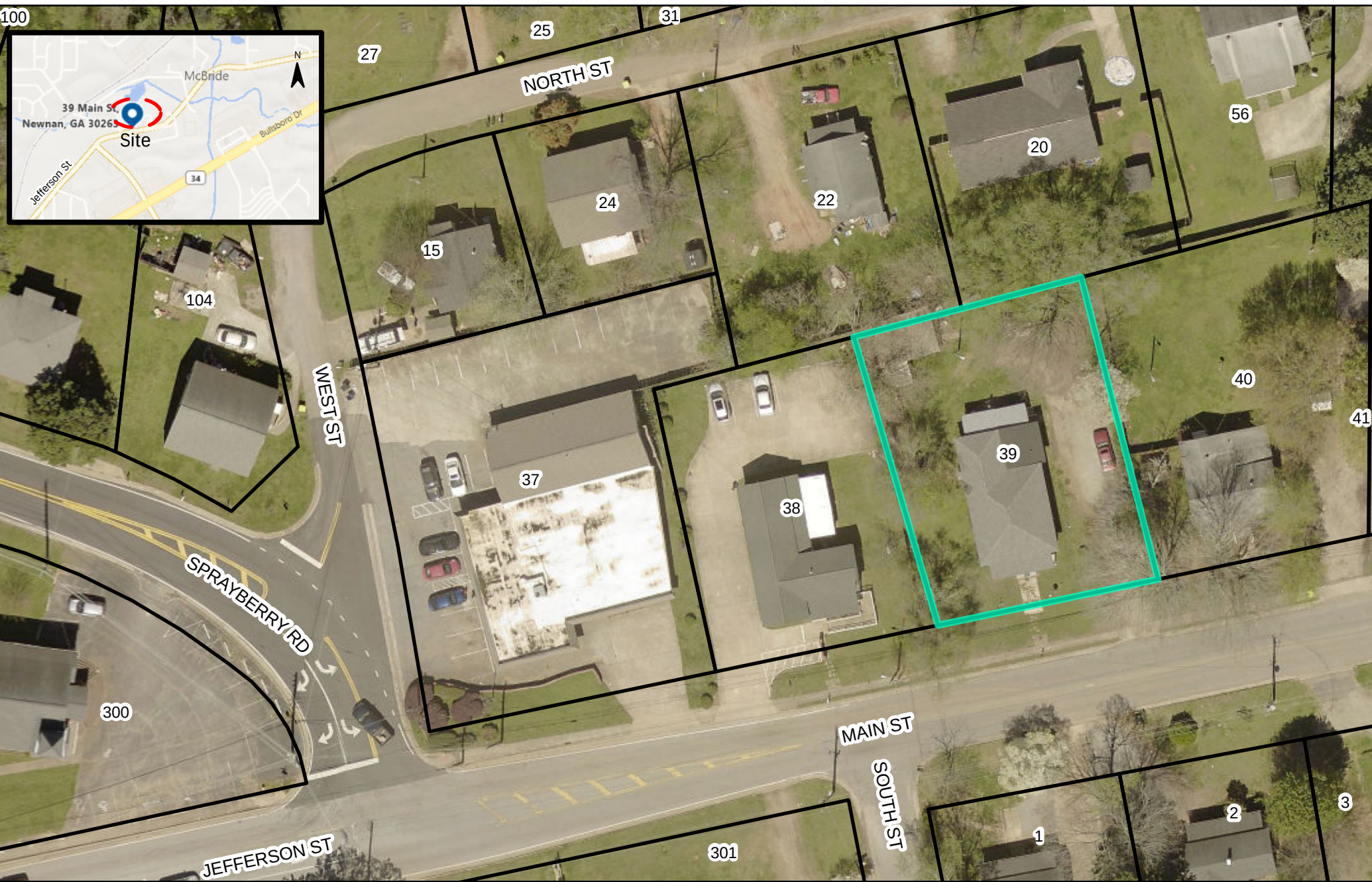
- 1) The property will be rezoned to OI-1 and will be used for office and counseling uses only.
- 2) The business will be located in the existing house currently on the property.
- 3) All parking will be located in the side and rear yards.
- 4) Hours of operation will be between 8:00 a.m. and 6:00 p.m.

OPTIONS:

- A. Approve the rezoning request as submitted
- B. Approve the rezoning request with conditions
- C. Deny the rezoning request

ATTACHMENTS:

Application for Rezoning
Location Map
Letters of Support/Petition
Opposition Email from Neighboring Property Owner



CITY OF NEWNAN

Project Location

1 = 600 feet

Date: 4/4/2022 9:34 AM



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org



RU-7 to CGN

Project Location

Parcel # N58 0004 007

AD 231

39 MAIN STREET
NEWNAN, GA 30263

March 25, 2022

Tracy S. Dunnavant
Planning Director
City of Newnan
25 LaGrange St.
Newnan, GA 30263

Re: 39 Main St., Newnan, GA

Dear Ms. Dunnavant:

I am respectfully requesting a change in the current zoning for the property referenced above from residential to commercial. I purchased this property at the end of 2021 for the purpose of utilizing it to extend the services provided by my business, DUI Scholl of Coweta, Inc. I plan to use the facility as a counseling center. Currently, I operate my business at 38 Main St., Newnan, GA which is next door to this property. Also, the property next door to me at the corner of Jefferson St. and Sprayberry Rd. is also commercial.

Please contact me at 404-916-5112 or at asusan76@hotmail.com should you have any questions or need me to provide any further information. I greatly appreciate the help and assistance you have provided me in making this request, and I greatly appreciate any help, advice, and assistance you can give me going forward in the pursuit of this matter.

Sincerely,



Alice Cornejo
Owner
DUI School of Coweta, Inc.



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION TO AMEND ZONING MAP

Note to Applicant: Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant Alisa S. Cornejo

Mailing Address 4 ARBOR WAY Newnan, GA 30265.

Telephone 404-916-5112 Email: asusan76@hotmail.com

Property Owner (Use back if multiple names) _____

Mailing Address Same

Telephone Same

Address/Location of Property 39 Main St Newnan, GA 30263.

Tax Parcel No.: N58-0004-007 Land Lot _____

District/Section - Size of Property (Square Feet or Acres) 0.27

Present Zoning Classification: RU-7 Proposed Zoning Classification: CGN

Present Land Use: residential

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable C

It is next to commercial zone uses. I have an existing bus school and I need additional space for counseling services/alcohol treatment.
If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made There are already two existing commercial properties and this one will just continue that zoning designation.

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? N/A

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The zoning classification requested and the existing classification at the filing of this application.
 - The number of units proposed.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - ✓ Boundary survey showing property lines with lengths and bearings
 - ✓ Adjoining streets, existing and proposed, showing right-of-way
 - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
 - ✓ North arrow and scale
 - ✓ Adjacent land ownership, zoning and current land use
 - ✓ Total and net acreage of property
 - ✓ Proposed building locations
 - ✓ Existing and proposed driveway(s)
 - ✓ Lakes, ponds, streams, and other watercourses
 - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
 - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
 - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.
12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:
- Single-Family Application.....\$500.00/Plus \$15.00 Per Acre
 - Multi-Family Application.....\$500.00/Plus \$25.00 Per Acre
 - Office/Institutional Application.....\$500.00/Plus \$15.00 Per Acre
 - Commercial Application.....\$500.00/Plus \$25.00 Per Acre
 - Industrial Application.....\$500.00/Plus \$15.00 Per Acre
 - Mixed Use Application.....\$500.00/Plus Per Acre fee based upon proposed land use.
 - Planned Development Application.....\$500.00/Plus per Acre fee based upon proposed land use.
 - Overlay Zoning Application.....\$350.00

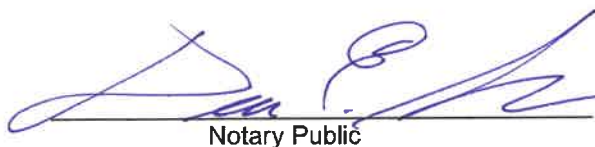
PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

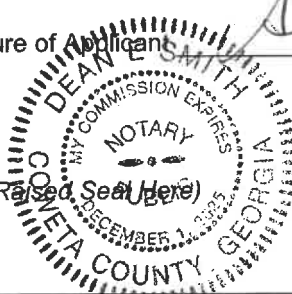
Sworn to and subscribed before me this

28th day of March, 2022

Signature of Applicant


Notary Public

(Affix Raised Seal Here)



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: _____

RECEIVED BY: Tracy S. Donnavant

DATE OF FILING: 03/28/2022

FILING FEE RECEIVED: \$525.00

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____



City of Newnan, Georgia
Attachment A
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.
(Please refer to Article 10 of the Zoning Ordinance for complete details.)

Please list any written proffered conditions below:

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public Date

(Affix Raised Seal Here)



NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on March 28TH, 2022 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

39 Main St. Newnan, GA 30263.

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? ☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

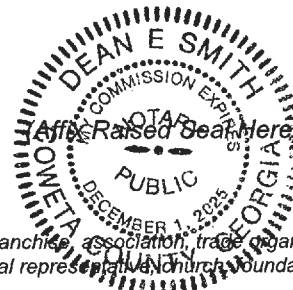
[Signature]
Signature of Applicant

Alice S. Corney
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

[Signature] 3/28/22
Signature of Notary Public Date



¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative and church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia
Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner

Alice Susan Gargio / DUF School of Coweta, Inc.

Telephone Number

404.916.5112

Address of Subject Property

39 Main Street

Newnan, GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Signature of Property Owner

Personally appeared before me

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.


Notary Public

Date

3/28/22





City of Newnan, Georgia
Attachment D

Attorney's Authorization

NOTE: *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.

(Signature of Attorney)

Name of Attorney _____

Address _____

Telephone _____

Date _____



City of Newnan, Georgia
Attachment E
Rezoning Checklist

The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- X Completed application form
- X Letter of intent
- X Names and addresses of all owners of all property within 250 feet of the subject property
- X Legal description of property
- X Certified plat
- N/A Completed Attachment A – Proffered Conditions (if applicable)
- X Completed Attachment B – Disclosure of Campaign Contributions & Gifts (if applicable)
- X Completed Attachment C – Property Owner’s Authorization (if applicable)
- N/A Completed Attachment D – Attorney’s Authorization (if applicable)
- N/A Community Impact Study (if applicable)
- Filing Fee in the form of a check payable to the **City of Newnan**

Note: Please attach this form to the filing application.

MAH T.
4044980040
PARTICIPANT ID
CHARLES E. DICKENSON JR., P.C.
P.O. BOX 4488
CANTON, GA 30114

OK-5463 PG:476-476
D2021032802
FILED ON FILE
CLERK OF COURT
11/27/2021 11:11 PM
LINDY BROWN, CLERK
SUPERIOR COURT
COWETA COUNTY, GA

ADMINISTRATOR'S DEED

CD21926
STATE OF GEORGIA
COUNTY OF FULTON

REAL ESTATE
TRANSFER TAX
PAID: \$170.00

PT-81038-2021-068455

This Indenture made this 12 day of NOVEMBER in the year TWO THOUSAND TWENTY ONE, between

CARLA DENISE JOINER, AS ADMINISTRATOR OF THE ESTATE OF LORRINDA THOMPSON, DECEASED RESIDENT OF COWETA COUNTY, GEORGIA, (PROBATE COURT OF COWETA COUNTY, GEORGIA, ESTATE NO. 2021-979)

as party or parties of the first part, hereinafter called Grantor, and

DUI SCHOOL OF COWETA, INC., a Georgia corporation

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits)

WITNESSETH that: Grantor, acting under and by virtue of the power and authority as Administrator and for and in consideration of the sum of ONE DOLLAR 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, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that certain tract or parcel of land situate, lying and being in 5th Land District of Coweta County, Georgia, same as being Lot No. 39 according to a survey and plat of property of McIntosh Corporation made January 27, 1951, by T. Y. Mathox, County Surveyor, and recorded in Plat Book 1, Page 213, Office of the Clerk of Superior Court, Coweta County, Georgia, reference to which said plat is hereby made for a more complete and accurate description of the meter, courses, and distance of land herein conveyed.

Subject Property Address: 39 Main St, Newnan, GA 30263
Parcel ID: N38 9004 007

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances therof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered 11/22/2021 in the presence of:

Witness Jason Holley

Notary Public

Carla Joiner (Seal)
CARLA DENISE JOINER, AS
ADMINISTRATOR AFORESAID



BK 02226 PG 430

FILED IN OFFICE
CLERK OF
SUPERIOR/JUVENILE
COURT

2003 JUN 13 PM 12:27

Real Estate Transfer Tax
Paid \$ 77.40
Date 6-13-03

JUDITH S. BROWN, CLERK
COWETA COUNTY, GA

RETURN TO:
GLOVER & DAVIS, P.A.
P.O. DRAWER 1038
NEWNAN, GA 30264

Cindy L. Brown
Clerk of Superior Court, Coweta Co. Ga.

Return Recorded Document to:
GLOVER & DAVIS, P.A.
10 Brown Street
Newnan, GA 30264

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

IN CONSIDERATION OF OTHER GOOD AND VALUABLE CONSIDERATION AND TEN (\$10.00) Dollars, the receipt whereof is hereby acknowledged, **William A. Killmeier**, (hereinafter called Grantor(s)) of Coweta County, Georgia does hereby give, grant, sell, alien, and convey unto **Collis M. Thompson, Jr. and Lorrinda D. Thompson**, (hereinafter called Grantee(s)) of Coweta County, Georgia, heirs and assigns, the following property, to-wit:

All that certain tract or parcel of land situate, lying and being in 5th Land District of Coweta County, Georgia, same as being Lot No. 39 according to a survey and plat of property of McIntosh Corporation made January 27, 1951, by T. Y. Mattox, County Surveyor, and recorded in Plat Book 1, Page 213, Office of the Clerk of Superior Court, Coweta County, Georgia, reference to which said plat is hereby made for a more complete and accurate description of the metes, courses, and distance of land herein conveyed.

together with all privileges and appurtenances thereto in anywise belonging in fee simple.

And the said Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

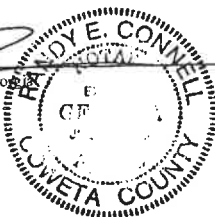
IN WITNESS WHEREOF, the said **William A. Killmeier** has hereunto set his/her hand(s), affixed his/her seal(s) and delivered these presents this **10th day of June, 2003**.

Signed, sealed and delivered in the presence of:

Beth Ann Laid
Witness

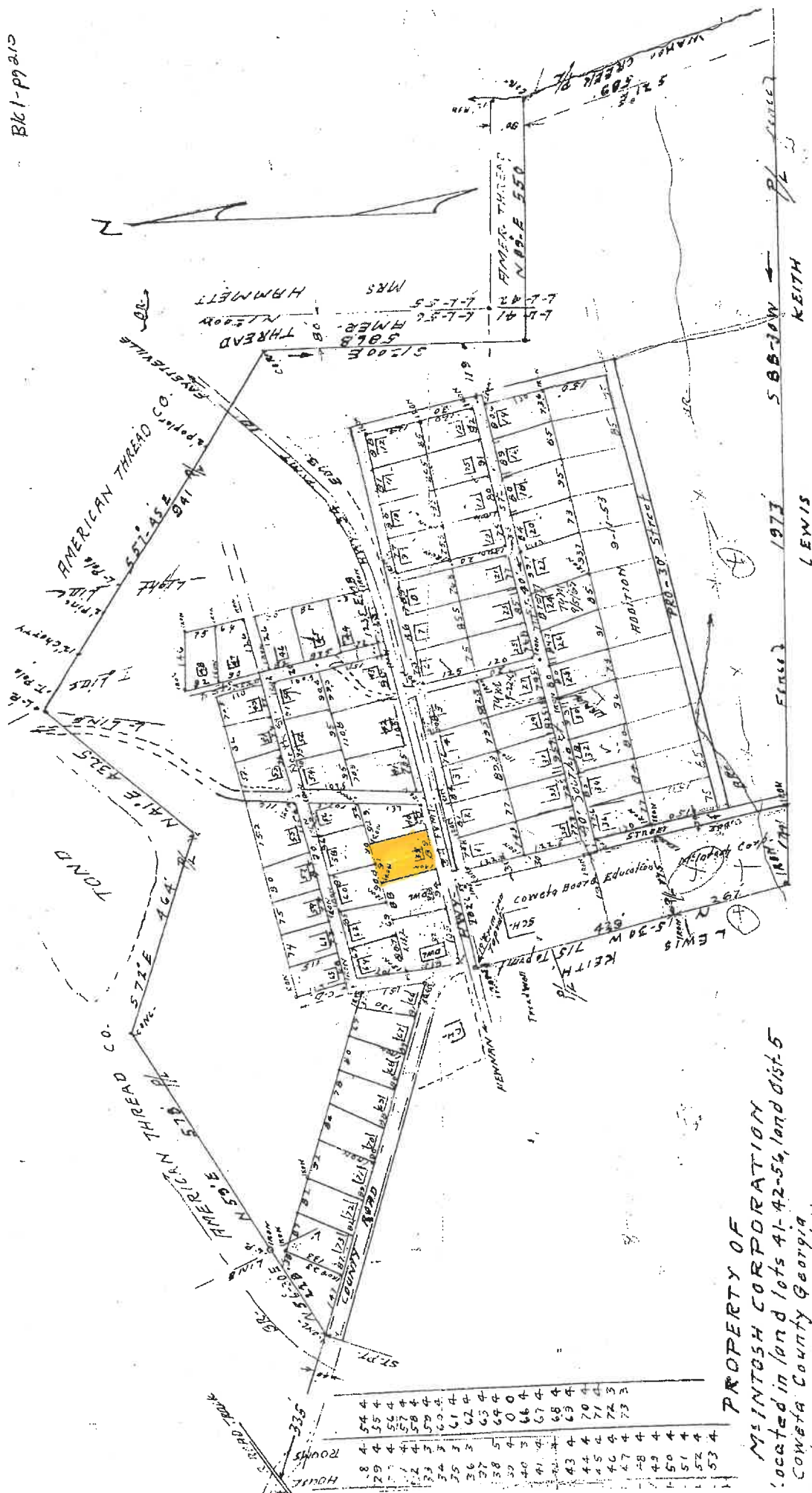
William A. Killmeier [SEAL]
William A. Killmeier

[Signature]
Notary Public, State of Georgia
My Commission Expires: _____
[Seal]



_____ [SEAL]

BK1-pg 210



PROPERTY OF
MINTOSH CORPORATION
located in land lots 41-42-54, land dist-5
Coweta County Georgia
JAN 27-1951. T.Y. Mottos sur. neg. 60-10
Scale: 1"=200'

31 NORTH STREET LLC
#404 | 90F GLENDA TRCE
NEWNAN, GA 30265

AJA INVESTMENT PROPERTIES LLC
145 TEMPLE AVE
NEWNAN, GA 30263

AYERS JEFF
8547 FORREST RD
GRANTVILLE, GA 30220

BEARD CHAD
24 NORTH ST
NEWNAN, GA 30263

BOOTH JOSHUA ALAN & JENNIFER NICC
35 FIRST MANASSES WAY W
SHARPSBURG, GA 30277

BUSSEY JOHN A & CHRISTINE, BUSSEY
0033 SOUTH ST
NEWNAN, GA 30263

CAMERON WILLIE BERNARD III
P O BOX 72961
NEWNAN, GA 30271

CORNEJO ALICE SUSAN
75 OAK PARK SQ
NEWNAN, GA 30265

CORNEJO PEDRO H
75 OAK PARK SQ
NEWNAN, GA 30265

DRAKE GREGORY K & ANN DRAKE
45 GLISTENING GLENN CV
NEWNAN, GA 30265

DUI SCHOOL OF COWETA INC
38 MAIN STREET
NEWNAN, GA 30263

HORNE KENNETH WAYNE JR
P O BOX 73794
NEWNAN, GA 30271

IGLESIA DE DIOS PUERTA AL CIELO (NE'
ENTITY | P O BOX 72477
NEWNAN, GA 30271

JAIMES RAUL & ORALIA FLORES
843 MINIX RD
SHARPSBURG, GA 30277

JOHNSON MICHAEL & LELA JOHNSON
62 NORTH ST
NEWNAN, GA 30263

KEITH SHARON, C/O NEWNAN-COWETA
P O BOX 73619
NEWNAN, GA 30271

MARTINEZ DONACEANO
108 TWELVE SPRINGS ST
NEWNAN, GA 30263

MC KOON BRENDA S
P O BOX 2123
CARROLLTON, GA 30112

MULLINS LIVING TRUST, PETER H & SHA
70 WOODSTREAM DR
NEWNAN, GA 30265

POPE FAMILY HOLDINGS LLC
20 FONTAINE DR
NEWNAN, GA 30263

REYNOLDS SANFORD GERALD ESTATE
ESTATE | 3 MAIN ST
NEWNAN, GA 30263

ROBERTS SARAH ROBERTSON
41 W WASHINGTON
NEWNAN, GA 30263

ROBERTSON CARL A JR
41 W WASHINGTON ST
NEWNAN, GA 30263

SELLS JAMES O
213 COLLIERSTOWN WAY
PEACHTREE CITY, GA 30269

SHULL AMY A
595 GRAY GIRLS RD
SENOIA, GA 30276

TEAGLE EDDIE & ANNETTE TEAGLE
68 NORTH ST
NEWNAN, GA 30263

ZIMMERMAN SCOTT JOHN
145 SUMNER RD
FAYETTEVILLE, GA 30214

Alice Cornejo on behalf of
DUI School of Coweta, Inc.
0.27 ± acres located at 39 Main Street
Lot 39, City of Newnan
5th Land District, Coweta County
Georgia, Parcel #N58 0004 007

**ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY
LOCATED IN LAND LOT 39 OF THE 5th LAND DISTRICT
IDENTIFIED AS 39 MAIN STREET IN THE CITY OF NEWNAN, GEORGIA**

WHEREAS, the owner of the property described herein has filed an application to rezone the property described on Exhibit “A” attached hereto identified as 0.27± acres located at 39 Main Street in Land Lot 39, 5th Land District, Coweta County, Georgia, and shown on Plat of Survey for McIntosh Corporation, attached hereto as Exhibit “B”, from the Zoning Classification RU-7 (Urban Residential Single-Family Dwelling District Low-High Density) to the City of Newnan Zoning Classification CGN (General Commercial District) ; and

WHEREAS, in accordance with the requirements of the City Zoning Ordinance, the Planning Commission of the City of Newnan has forwarded its recommendation to the City Council; and

WHEREAS, pursuant to said requirements of the City Zoning Ordinance, the City Council has conducted a properly advertised public hearing on the rezoning application not less than 15 nor more than 45 days from the date of publication of notice, which public hearing was held on the 14th day of June, 2022; and

WHEREAS, after the above-referenced public hearing, the City Council has determined the re-zoning of the property would be in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia; and

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, that the Zoning Map of the City of Newnan be revised as follows:

Section I. That the property described on Exhibit “A” attached hereto and shown on Plat of Survey for McIntosh Corporation, dated January 17, 1951, attached hereto as Exhibit “B”, containing 0.27± acres attached hereto and by reference made a part hereof be rezoned City of Newnan Zoning Classification CGN (General Commercial District) subject to the following conditions:

- (1) The property will be rezoned to OI-1 and its use shall be limited to office and counseling uses only.
- (2) The business will be located in the existing house currently on the property.
- (3) All parking will be located in the side and rear yards.

- (4) Hours of operation will be limited between 8:00 a.m. and 6:00 p.m.

Section II. Severability. In the event any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section III. All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance hereby are repealed.

Section IV. This ordinance shall be effective upon adoption.

DONE, RATIFIED, and PASSED, by the City Council of the City of Newnan, Georgia, this the ____ day of _____, 2022 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Raymond F. DuBose, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

EXHIBIT "A"

All that certain tract or parcel of land situate, lying and being in 5th Land District of Coweta County, Georgia, same as being Lot No. 39 according to a survey and plat of property of McIntosh Corporation made January 27, 1951 by T. Y. Mattox, County Surveyor, and recorded in Plat Book 1, Page 213, Office of the Clerk of Superior Court, Coweta County, Georgia, reference to which said plat is hereby made for a more complete and accurate description of the metes, courses, and distance of land herein conveyed.

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2022.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Raymond F. DuBose, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
Fax (770) 251-7262
Email: melissa@newnanlaw.com

July 6, 2022

VIA EMAIL ONLY

Ms. Tracy Dunnavant, Planning Director
The City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Application of Apex Land Company to Amend the Zoning Ordinance
Approximately 20.01190± Acres located on Roscoe Road, Newnan,
Georgia

Dear Ms. Dunnavant:

Please allow this letter to serve as a request to continue the City Council public hearing from July 12, 2022 to the August 23, 2022 City Council public hearing on the above-referenced project. Apex Land Company plans to solidify the builder(s) for the project and needs additional time to work on that.

If you should need any additional information from me to process this request, please just let me know.

Yours Truly,

Melissa D. Griffis/kr

Melissa D. Griffis
For Apex Land Company

MDG/kr

cc: Mr. Aaron Rissler



City of Newnan, Georgia – Mayor and City Council

Date: July 12, 2022

Agenda Item: Continuation of Public Hearing - Rezoning Request – RZ2022-01; 20.0119+/- acres on Roscoe Road (Portion of Tax Parcel #073B 010); Annexation Request – Annex2022-01; 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033)

Prepared by: Chris Cole, Planner

Purpose: To continue the public hearing and consider ordinances for Apex Land Company. Apex Land Company has applied for the rezoning of 20.0119± acres on Roscoe Road (Portion of Tax Parcel 073B 010). The request is to rezone the subject property from CGN (General Commercial District) to RML (Residential Multiple-Family Dwelling – Lower Density District) for the purpose of constructing 135 fee-simple townhomes. In addition, the proposed fee-simple townhomes will be on individual lots as demonstrated on the concept plan. Note – The rezoning application lists the request to be for 138 fee-simple townhomes. Since the submission of this application, the applicant has changed the request to 135 fee-simple townhomes.

Apex Land Company has also applied for annexation of 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033). This tract will be combined with the existing 20.0119+/- acre tract that is seeking rezoning for the development of the 135 fee-simple townhomes (merging the rezoning-request and annexation-request properties). This property is adjacent to the aforementioned 20.0119+/- acre tract and is eligible to pursue annexation. The resulting total project size will be 22.00+/- acres as demonstrated on the concept plan.

Background: On June 14, 2022, the Council continued for the second time (at the request of the applicant) the public hearing and ordinance considerations on the above-mentioned annexation request and rezoning request until July 12, 2022. The applicant indicated he had been talking with builders and that more time was needed to bring forth a suitable builder.

On July 6, 2022, staff received a request from the applicant seeking a postponement of the July 12, 2022 hearing date. The applicant plans to solidify the builder(s) for the project and needs additional time to work on that. The applicant is seeking a continuance until the August 23, 2022 meeting.

Funding: N/A

Recommendation: N/A

Previous Discussion with Council: February 22, 2022; May 24, 2022; June 14, 2022



City of Newnan, Georgia – Mayor and City Council

Date: July 12, 2022

Agenda Item: Rezoning Request – RZ2022-01; 20.0119+/- acres on Roscoe Road (Portion of Tax Parcel #073B 010)

Annexation Request – Annex2022-01; 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033)

Prepared by: Chris Cole, Senior Planner

PURPOSE:

Apex Land Company has applied for the rezoning of 20.0119± acres on Roscoe Road (Portion of Tax Parcel 073B 010). The request is to rezone the subject property from CGN (General Commercial District) to RML (Residential Multiple-Family Dwelling – Lower Density District) for the purpose of constructing 135 fee-simple townhomes. In addition, the proposed fee-simple townhomes will be on individual lots as demonstrated on the concept plan. Note – The rezoning application lists the request to be for 138 fee-simple townhomes. Since the submission of this application, the applicant has changed the request to 135 fee-simple townhomes.

Apex Land Company has also applied for annexation of 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033). This tract will be combined with the existing 20.0119+/- acre tract that is seeking rezoning for the development of the 135 fee-simple townhomes (merging the rezoning-request and annexation-request properties). This property is adjacent to the aforementioned 20.0119+/- acre tract and is eligible to pursue annexation. The resulting total project size will be 22.00+/- acres as demonstrated on the concept plan.

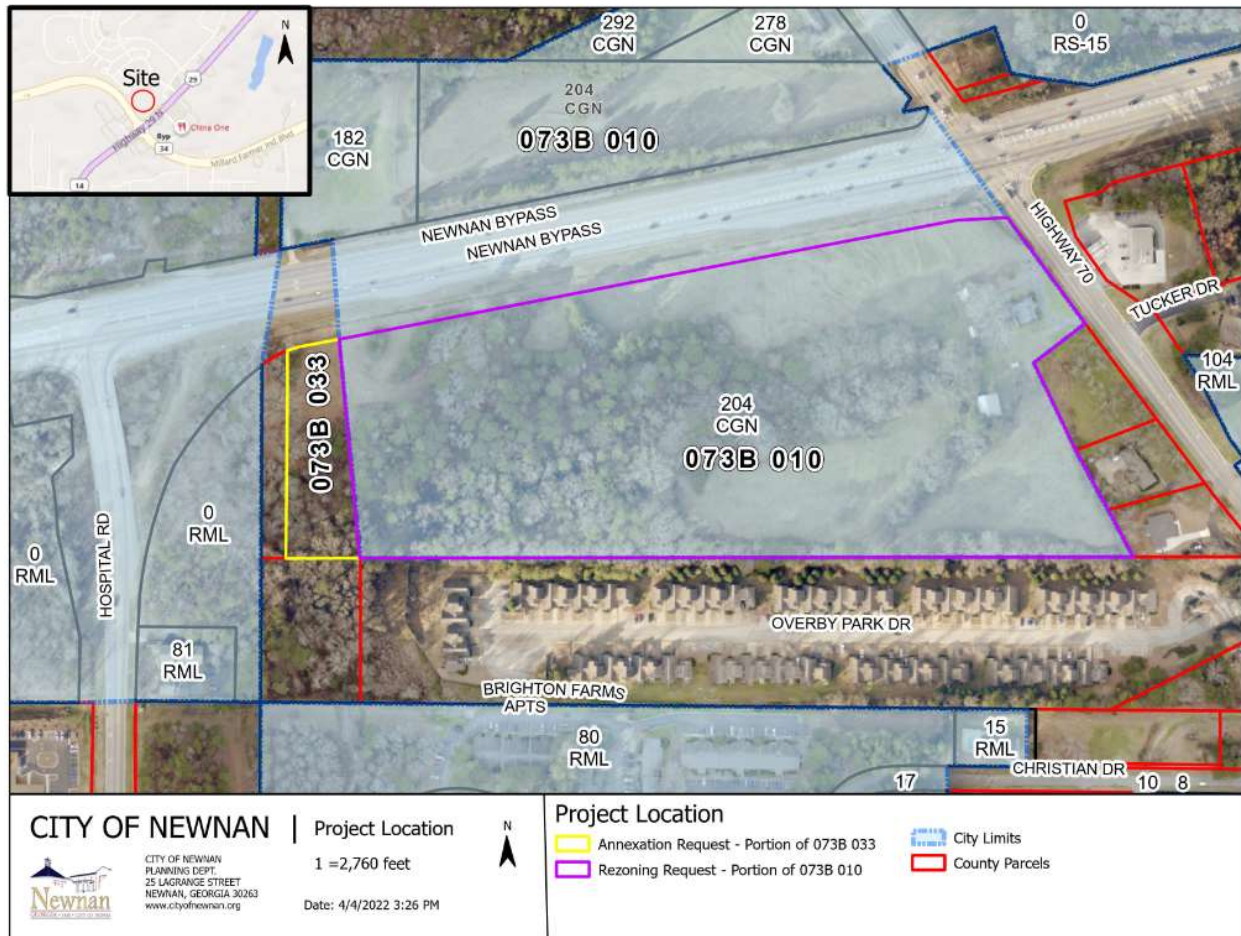
Since the tract seeking annexation is part of the proposed townhouse project, the applicant has asked that both items be processed at the same time. Due to the interrelated nature of these two applications, staff has decided to do a single staff report to better explain the requests.

REZONING and ANNEXATION ASSESSMENT

APPLICANT INFORMATION:

Melissa Griffis on behalf of Apex Land Company
4080 McGinnis Ferry Road
Suite 203
Alpharetta, GA 30005

SITE INFORMATION:



Portion of Tax Parcel 073B 010 (Rezoning Request)

As shown on the map above, Tax Parcel 073B 010 is located on both sides of the State Route 34 Bypass and consists of 25.63+/- acres. However, only the 20.0119+/- acre tract portion south of the Bypass (on Roscoe Road) is being requested for rezoning. This parcel was rezoned to CGN (General Commercial) with conditions by the City in 2010. There is an abandoned home on this property, along with a small structure that is not being used. The remainder of this property is undeveloped.

The petitioner is requesting a zoning designation of RML (Residential Multiple-Family Dwelling – Lower Density District) to allow for the parcel's combination with the adjacent 1.1994± acre tract to develop 135 fee-simple townhomes. This property is shown as *Emerging Missing Middle Residential* on the City's Future Land Use Map. This category is for areas identified as medium-density residential (between 4 and 7 units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes, and small apartment buildings.

Portion of Tax Parcel 073B 033 (Annexation Request)

As shown on the map above, Tax Parcel 073B 033 is located along the State Route 34 Bypass and consists of 1.71+/- acres. The tract is currently under the County's jurisdiction and is zoned RC (Rural Conservation). The tract is also shown as *Growth Strategy – Growth Priority Residential Development* on the County's Future Land Use Map. Coweta County informed staff that this future land use category is a new development tool that they are utilizing for higher density near the city limits (based on a points system related to location, utilities, and transportation).

This vacant parcel abuts the 20.0119+/- tract. The petitioner is requesting a zoning designation of RML (Residential Multiple-Family Dwelling – Lower Density District) to allow for a portion of the vacant parcel to be combined with the adjacent tract for the development of 135 fee-simple townhomes. The reason only a portion of this parcel is being requested for annexation is that the applicant intends to let remain in the County a 50-foot strip on the western side of the property in order not to “landlock” the parcel directly to the south (Tax Parcel # 073B 007A – owned by RL Ward LLC).

OVERVIEW OF REZONING REQUEST:

Apex Land Company has applied for the rezoning of 20.0119± acres located on Roscoe Road (Portion of Tax Parcel 073B 010). The request is to rezone the subject property from CGN to RML for the purpose of constructing 135 fee-simple townhomes on public roads. RML allows 6 dwelling units per acre with a minimum lot size of 2,600 square feet.

According to the rezoning application, “The Townhome community will be fee simple ownership with a maximum of 20% allowed as rentals. There are many proffered conditions in the attached zoning application packet. The proposed amendment will facilitate smart growth and development that is expected in the City of Newnan.” The application continued, “The Property is the best location for a residential townhome development in the City of Newnan. The rezoning will allow for development of this current property that has been undeveloped for many years. The RML-Townhomes zoning will be beneficial to the residents not only at The Property, but also residents and business owners in the surrounding area. For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance.”

The applicant expects the price points to be in the mid- to upper-\$200's. The minimum square footage of the townhomes will be 1,700 square feet. The anticipated average square footage of the units will be 1,800 to 1,900 square feet. The applicant included the following feature details:

- Homes will be constructed with a mixture of brick, stone, cementitious shake, and fiber cement siding.
- The individual units will be offset and the facades of each unit in a building will differ.
- The townhomes will have a maximum principal building height of 45 feet.
- Front stoops and porches will be included on each unit.
- The applicant included a Proffered Condition (that was updated on May 9, 2022 by the applicant) that states, “The Subject Property is proposed with 135 total townhome units with 67 front facing and 68 rear facing entry. The amenities included on the plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the small tract seeking annexation and the small tract seeking rezoning, but remains in the county.”

Regarding how conditions have changed that renders the zoning map designation invalid and no longer applicable, the applicant stated, "The subject property is a great location for RML-Townhomes as it is adjacent to a county townhome subdivision and other residential zoning districts." Regarding the explanation as to why this property should be placed in a different zoning district than all adjoining property, as well as answering how does this property differ from adjoining property and why should it be subject to different restrictions, the applicant stated, "The adjoining property is located in the County and has a different classification, but is a townhome development."

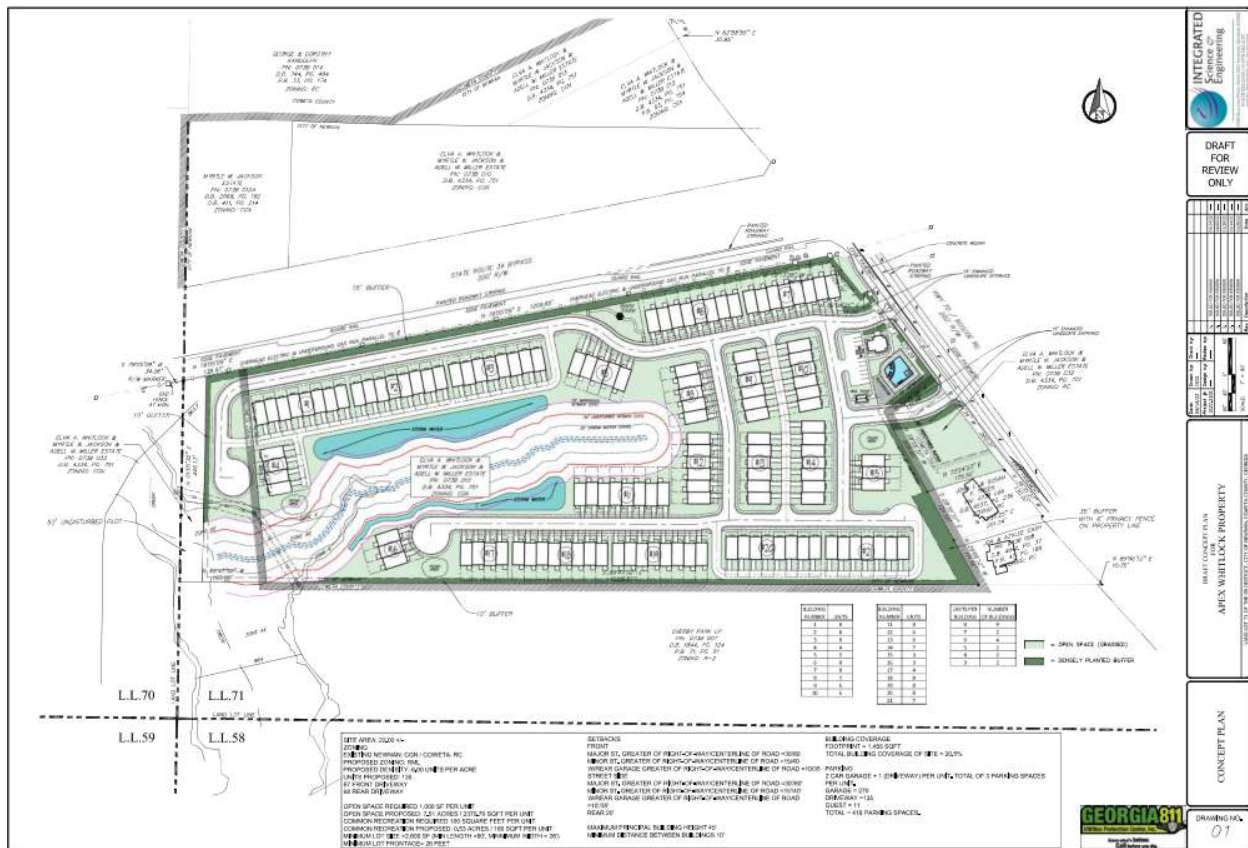
Per the concept plan, the development will be housed in 21 buildings (with each building housing between 3 and 8 townhomes). The minimum distance between buildings is proposed to be 10 feet. The minimum parking spaces per dwelling unit requirement is 2 spaces per unit (this would equate to a required 270 spaces). The applicant proposes 416 parking spaces (270 garage parking, 135 driveway parking, and 11 guest parking). The development will also be required to have two entrances per the City's Subdivision Regulations since there are more than 25 lots being proposed.

The minimum required open space per dwelling unit is 1,000 square feet. The applicant proposes 2,370.70 square feet per dwelling unit. The maximum permitted building coverage is 25% of the lot area. The applicant's proposed building coverage is 20.5% of the site. Although no specific unit square footages are listed, the applicant will be required to meet the City's Zoning Ordinance requirements of a one-bedroom unit - 700 square feet, two-bedroom unit - 950 square feet, and three-bedroom unit - 1,100 square feet. In addition, all the townhome lots will be sited on the parcel under consideration for rezoning (the 20.0119+/- acre parcel).

The concept plan shows a proposed site density of 6 units per acre. The Zoning Ordinance allows 6 units per acre for townhomes. The requested zoning would allow up to 135 townhomes according to staff's calculations. It should be noted that the applicant initially sought 138 townhomes in the submitted rezoning application. On April 28, 2022, the applicant submitted a revised plan showing 135 lots.

It should also be noted that one of the parcels shown on the concept plan is needed to provide the required second entrance to the site off of Roscoe Road. This is Tax Parcel # 073B 032 and is 0.79+/- acre. This tract cannot be annexed into the City as it would create an island which is not permitted under state law. As shown on the concept plan, the second entrance can be seen as the entrance furthest to the south along Roscoe Road. The applicant appeared before the Coweta County Board of Commissioners on April 19, 2022 to ask for rezoning from Rural Conservation (RC) to Multifamily Residential District (R-2) in order to include this parcel (and the needed access point) in the development plan. The Board of Commissioners approved the request at this meeting allowing for the second entrance.

According to a recent analysis by staff, there are five townhome developments either existing or under construction in the city limits. Currently, there are 318 townhome units under construction with 101 existing townhome units. However, there are no townhome developments on the western side on Newnan (specifically west of Jackson Street). Note – Please see the attached Current Projects Type map.



OVERVIEW OF ANNEXATION REQUEST:

Apex Land Company has applied for the annexation of 1.1994± acres located on State Route 34 Bypass (Portion of Tax Parcel 073B 033). According to the annexation application, "The Property provides a suitable environment for the extension of the RML-Townhomes zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan. The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other uses. The City of Newnan already provides services in the area. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan. Further, there will be no homes placed on this annexation property."

The applicant concluded, "For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan's Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RML-Townhomes residential townhome development in a manner consistent with principles of smart development so highly valued by the City of Newnan."

Townhouse-Design Requirements

Regarding adherence to the townhouse-design requirements from the Zoning Ordinance, the applicant must meet the requirements prior to obtaining site plan approval or any permits. Below are two of the proposed elevations provided by the applicant. Please see the attached Application to Amend Zoning Map to see all the proposed elevations.



STANDARDS:

In making a decision, the Zoning Ordinance requires the Planning Commission and the City Council to give reasonable consideration to the following standards. Staff has assessed each standard and identified those with a green check mark ✓ as standards being met by the proposed rezoning and annexation and those with a red "X" ✗ as standards not being met.

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

Rezoning - The rezoning site is primarily surrounded by properties in unincorporated Coweta County. All 135 fee-simple townhomes are proposed to be on this tract. The State Route 34 Bypass is directly north of the subject property. The property directly south is the Overby Park Townhome Community (that has a zoning classification of R-2 in Coweta County). Coweta County's R-2 (Multifamily Residential District) zoning is a multifamily residential district requiring water and sewerage service for development. To the east of the rezoning site are two single-family detached homes and a vacant tract (all located in unincorporated Coweta County). All three of these lots are zoned RC (Rural Conservation District) in Coweta County. Coweta County's RC zoning district permits agriculture, forestry, and low density single-family residential land uses. To the west of the subject property is the vacant tract that is included in the annexation request (described in the next paragraph). For the existing residents that are adjacent to the subject property, the proposed use would provide a residential neighbor instead of a potential new commercial use (that would be allowed by right with the existing CGN zoning on the rezoning site). The proposed rezoning would also provide a similar use as the adjacent Overby Park Townhome Community.

Annexation - The annexation site is vacant land primarily surrounded by undeveloped properties in the city limits and in unincorporated Coweta County. To the north is the State Route 34 Bypass. The parcel to the west is vacant land and the parcel to the east is the rezoning site (both within the city limits). Directly south is a vacant tract and to the southeast is the Overby Park Townhome Community (both in unincorporated Coweta County). Staff feels the use of this property (that is only proposed to provide road infrastructure to the overall townhome development) would be suitable given the adjacent Overby Park Townhome Community, as well as the fact that annexation will allow for a residential use instead of a new (possibly more intrusive) commercial use.

Staff Assessment – The proposed uses for each of the sites under review are suitable.



Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

Rezoning - As with most residential developments, the greatest impact on adjacent or nearby properties resulting from this rezoning would be additional traffic. According to the City's Engineering Department, Roscoe Road is considered an urban minor arterial and would be sufficient for the proposed dual entrances (per a conversation with the City's Director of Engineering Michael Klahr on April 7, 2022). The Engineering Department added in their report in part, "Two entrances to the development will be required. The two entrances as shown in the

concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County.”

Annexation – Regarding the annexation site, staff would agree with the comments from the County’s annexation staff review that indicated, “Due to no homes being built on the property and the nominal size of the lot, the change in zoning should not have adverse or substantial effects.” In regards to no homes being constructed on this tract, the County’s report added, “Thus, there will not be a substantial increase in density for the subject location.” The adjacent and nearby properties will also be benefited by the natural buffers and required planted buffers between the rezoning site and the Overby Park Townhome Community (as well as the two single-family homes that are adjacent to the rezoning site along Roscoe Road).

Staff Assessment – The adverse effect is minimal due to the urban minor arterial access, the required buffers, and the fact that a commercial site (which would be allowed as currently zoned) will not be developing on the rezoning site if the rezoning is approved.



Are there substantial reasons why the property cannot or should not be used as currently zoned?

Rezoning – There are no substantial reasons as to why the rezoning property cannot or should not be used as currently zoned. The rezoning site is zoned CGN (General Commercial) zoning.

Annexation - The annexation property is currently zoned RC (Rural Conservation) in the County. That particular zoning district permits agriculture, forestry, and low density single-family residential land uses. The annexation property could be used as currently zoned for low density single-family residential land use. Since the petitioner plans to build a total of 135 lots, they are seeking annexation and rezoning as the development would not be permitted under the County’s current regulations.

Staff Assessment – The rezoning property and the annexation property could both be used as currently zoned. ✗

Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Rezoning and Annexation - The applicant was not required to submit a Community Impact Assessment (CIA) as only 135 units are being proposed (under the 150-unit threshold for a CIA). Copies of the departmental reports have been provided with the accompanying documentation for this report. It should be noted that the reviewing departments based their comments on the original 138-lot configuration. A summary of the departmental reports are as follows:

Police: Police Chief Brent Blankenship stated, “After reviewing call history for multiple developments that could compare to this one development, it is estimated that there will be an increase of approximately 320 calls in a three-year period” (or roughly 106 additional calls per year) “for this development. In addition to an increase of people and vehicle traffic to the area, it would have an impact on motor vehicle accidents and calls of service to that area while also affecting call service and response times to other parts to the city. Due to the additional calls for

service and the increased density to the area, it is believed that a strain would be placed on calls for service but can be managed at current staff level.”

Fire: Fire Chief Stephen Brown stated, “...The Newnan Fire Department can provide fire protection upon annexation. The Columbia Woods and Chastain Park comparisons show approximately 40 extra calls per year.”

Newnan Utilities: Newnan Utilities will be the water and sewer provider for the project. Scott Tolar reviewed the project and provided a letter, which is included in the agenda packet, indicating that there is ample capacity to serve the project. He added that the developer would be responsible for all costs necessary to serve the project.

Engineering: Director of Engineering Michael Klahr stated the following:

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
Note on-site, runoff reduction now required.
2. The development plan shall include a three-phase erosion plan in compliance with the **City of Newnan Soil Erosion, Sedimentation and Pollution Control Ordinance**.
3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. A flood study may be required. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan.

Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence must be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures, permits with the United States Army Corps of Engineers (404 Permit), or the Federal Emergency Management Agency.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

Transportation:

1. Two entrances to the development will be required. The two entrances as shown in the concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County. Note: Roscoe Road south of State Route 34 Bypass is not State Route 70 as shown in the concept. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has been satisfied with their requirements, and has so indicated to the City.

Similarly, as the one driveway connection is in close proximity to State Route 34 Bypass, the City will require an indication of approval, if required, from the Georgia Department of Transportation.

2. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and extended to the Right-of-Way for Roscoe Road.
3. Please furnish a copy of any Traffic Impact Study, to the City that Coweta County or the Georgia Department of Transportation may require.

Coweta County Schools: Ronnie Cheek, Director of Facilities for the Coweta County School System indicated that his department has reviewed the application for rezoning and annexation and offers the following comments based on the information provided:

“This application requests annexation and rezoning from County: RC / City: CGN (General Commercial District) to RML (Residential Multi-Family), with 138 proposed units. This may present challenges when planning for school enrollment and meeting student needs. Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes”:

What is the construction schedule for the project?

What is the proposed build-out timeline?

Will the project be built in phases?

Will there be a targeted market, e.g., senior citizens?

Fiscal Impact Analysis

In an effort to ascertain impact, staff conducted a fiscal impact analysis and sought comments from pertinent departments/agencies, which have been included in this report. Note – These calculations were analyzed with the original requested amount of 138 fee-simple townhomes. As the request has been updated to be 135 fee-simple townhomes, the financial impact will be lessened.

Methodology:

- Total # of proposed households – 138
- Average # of people per household based on 2016 – 2020 average for Newnan – 2.61
- Total new people added for the subdivision: $138 \times 2.61 = 360$ new persons
- Total 2021 Population based on census projections for Newnan – 42,549
- Total 2022 Daytime Population (*Total resident population (+) Total workers working in area (-) Total workers living in area*) – 58,336

Annual General Fund Expenditures per Operating Category based on 2022 Budget:

- General Government: $\$8,439,445 / (42,549 + 58,336) = \83.65 per person;
 $\$83.65 \times 360 = \mathbf{\$30,114.00}$
- Public Safety: $\$14,569,405 / (42,549 + 58,336) = \144.42 per person; $\$144.42 \times 360 = \mathbf{\$51,991.20}$
- Public Works: $\$3,155,886 / (42,549 + 58,336) = \31.28 per person;
 $\$31.28 \times 360 = \mathbf{\$11,260.80}$

- Community Development: $\$3,361,951 / (42,549 + 58,336) = \33.32 ;
 $\$33.32 \times 360 = \mathbf{\$11,995.20}$
- Other Services (Main Street, Business Development, Carnegie Building): $\$1,263,013 / (42,549 + 58,336) = \12.52 per person; $\$12.52 \times 360 = \mathbf{\$4,507.20}$

Projected Annual Expenditures: **\$109,868.40**

Annual Revenues based on 2022 Budget:

- Property Taxes: Based on \$275,000 home with a 3.574 millage rate = \$393.14;
 $\$393.14 \times 138 = \mathbf{\$54,253.32}$
- Sales Tax Generated: $\$9,500,000$ budgeted / $(42,549 + 58,336) = \$94.17$ per person;
 $\$94.17 \times 360 = \mathbf{\$33,901.20}$
- Inspections and Permits: $\$685,500 / (42,549 + 58,336) = \6.79 per person;
 $\$6.79 \times 360 = \mathbf{\$2,444.40}$

Projected Annual Revenues for the Subdivision: **\$90,598.92**

Note – The applicant’s anticipated starting price point will be in the mid- to upper- 200’s. Staff used \$275,000 as a median amount utilizing this range.

Up Front Revenues during Construction:

- Impact Fees: $138 \times \$1,110.81$ (residential fee not including Newnan Utilities) =
\$153,291.78
- Permits and Inspections: (1,850 square foot house at \$275,000) $\$1,300 \times 138 =$
\$179,400.00

Projected up front revenues for the subdivision: **\$332,691.78**

Note – The applicant’s anticipated average square footage of the units will be 1,800 square feet to 1,900 square feet. Staff used 1,850 square feet as a median measurement utilizing this range.

Staff Assessment – As with all development, the project will impact service provision. The question is whether or not it is excessive or burdensome. In this case, all of the service providers have indicated that they are able to address the needs of the development. The project will have impact, but the impact would not be excessive or burdensome. ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

Rezoning – The Future Land Use Map shows the rezoning site under consideration as future Emerging Missing Middle Residential. The Comprehensive Plan describes this category as “areas identified as medium-density residential (between 4 and 7 units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes, and small apartment buildings.” In this case, the proposed density falls between

the range of 4 and 7 units. The townhome lots also encourage affordability by providing housing choices for those who are seeking to purchase or rent smaller-sized lots.

Annexation - The annexation site is outside of the city limits and therefore was not considered in the City's Comprehensive Plan. The County's Comprehensive Plan shows the lot as *Growth Strategy – Growth Priority Residential Development* on the County's Future Land Use Map. Coweta County informed staff that this category is a new development tool that they are utilizing for higher density near the city limits (based on a points system related to location, utilities, and transportation). This County category would be consistent with the RML zoning designation being requested.

Staff Assessment – The rezoning site and the annexation site both meet the intent of their respective Future Land Use categories. It should also be mentioned that the City's Comprehensive Plan does identify the lack of available land for development purposes as a Need and Opportunity. It also points out the need to balance more intense uses with usable greenspace and amenities in appropriate locations. The project's concept plan shows over seven acres of gross open space. ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district?

Rezoning - The proposed zoning category of the rezoning site is RML. The RML district is intended to provide for medium density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one of several dwelling types, ranging from manufactured homes to low-rise multiple-family dwellings, and including two-family dwellings, garden apartments, apartment buildings, condominiums, and townhouses. RML functions as a buffer or transition between major streets, or commercial or higher-density residential areas. New RML districts are most appropriately located adjacent to existing RML districts, in areas in transition between denser residential neighborhoods and commercial development, or in areas where the Future Land Use Map indicates would be appropriate for high density residential uses.

In this case, fee-simple townhomes are the stated use of the land and are permitted in the RML zoning district. In terms of location, the request would meet the intended parameters as the concept plan shows a concentration of dwelling units with open spaces (that include common areas and recreational facilities).

Annexation - The annexation site currently has the Coweta County zoning designation of Rural Conservation (RC). If approved, the annexed site would be joined with the larger, adjacent rezoning site and share its proposed RML-zoning designation. Like the larger rezoning site, the proposed use of the annexation site would be consistent with the purpose and intent of the proposed zoning district.

Staff Assessment – The proposed uses of the rezoning site and the annexation site are consistent with the proposed zoning district. ✓

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?

Rezoning - The City completed a full update of its Comprehensive Plan in 2021, which included the Future Land Use Map. The Future Land Use Map shows the rezoning site as Emerging Missing Middle Residential. In September of 2017, the City adopted a new Zoning Ordinance and corresponding Zoning Map which showed the rezoning site zoned as CGN.

Annexation - The City completed a full update of its Comprehensive Plan in 2021, which included the Future Land Use Map. The annexation site was not included in the City's Comprehensive Plan, as the property is in unincorporated Coweta County and is listed as Growth Strategy – Growth Priority Residential Development on the County's Future Land Use Map.

Staff Assessment – There are no new or changing conditions that would impact the rezoning site's future land use designation as "Emerging Missing Middle Residential." There are also no new or changing conditions that would impact the annexation site's future land use designation (as shown in the County) or under a future City designation if approved and made part of the townhome development. ✓

Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Rezoning and Annexation - The general area where the subject properties are located primarily contain residential and commercial uses within the city limits and in unincorporated Coweta County. As mentioned earlier in this report, the rezoning site is currently zoned CGN and consists of 20.0119+/- acres. There are many intense uses that are permitted in the CGN zoning category, ranging from automobile dealerships to convenience stores that are often not ideal uses to be located next to residences. Staff believes the proposed use of a townhome development provides a use extremely similar to the adjacent property of the rezoning site (the Overby Park Townhome Community). Across the State Route 34 Bypass, there is also CGN zoning. The idea of a providing a noncommercial use for the rezoning site that is slated on the City's Future Land Use Map as Emerging Missing Middle Residential, and that is adjacent to many residences, is appropriate.

This area has also seen the development of nearby RML-zoned properties, including Brighton Farms Apartments (just south of the Overby Park Townhome Community), Rolling Hills Apartments (on Roscoe Road), Jefferson Grove, Preston Mill Apartment Homes, and Jefferson Point Apartment Homes. The zoning of these existing developments matches these current requests. In addition, one of the Land Use Goals and Policies in the City's Comprehensive Plan is "Encouraging higher densities in appropriate locations as a means for continued growth and development." These proposals would certainly help pursue this goal.

Staff Assessment – The proposed project would reflect a reasonable balance. ✓

SUMMARY OF STAFF FINDINGS:

After assessing the projects based on the standards to be considered for rezoning and annexation requests, staff found that each of the requests meets **7 of the 8 standards**.

COWETA COUNTY RESPONSE TO THE ANNEXATION:

In accordance with the annexation laws, the City notified the County of the annexation once the City Council decided to accept the application and move forward with the public hearing process. The County reviewed the application and advised the City that the Coweta County Board of Commissioners voted on March 22, 2022 to file not objection to the above referenced annexation petition and provided no conditions to be included in the final ordinance if approved.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission at their April 12, 2022 meeting held a public hearing regarding the requests and voted 3-2 to approve the annexation of the small parcel and the rezoning of both parcels to RML with the following conditions: (Note - Condition #11 is the proffered condition.)

1. The Project will meet all City requirements and be consistent with the concept plan, density, project data, amenities, proffered conditions and elevations provided as part of the application that was amended by the Planning Commission on April 12, 2022 to include a reduction of lots from 138 to 135 and shown on the revised Concept Plan attached hereto as Exhibit "C" and by reference made a part hereof, and revised façade and amenity depictions attached hereto as Exhibit "D" and by reference made a part hereof.
2. The applicant shall provide a second entrance to the property if the County Board of Commissioners denies the rezoning request to be heard on April 19, 2022 for Tax Parcel #073B 032 along Roscoe Road.
3. The subdivision will be limited to 135 units.
4. A final plat will be provided reflecting the combination of all tracts.
5. The Concept Plan and final plat will be revised to reflect any and all required City buffers.
6. The 50-foot strip on the far western portion of the annexation site will remain undisturbed and supplemented with additional plantings if necessary.
7. Elevations on rear facades visible from public rights-of-way be consistent with the front elevations depicted on Exhibit "D".
8. Enhancements to the architectural elevations shall be made to include more architectural difference between the townhomes (example – placement of dormers/different types of materials to "break-up" the roof lines.)
9. A 35-foot densely planted buffer be established in accordance with the City's Landscaping Ordinance along the property lines with Cash and Green.
10. A 6-foot privacy fence be installed along the property lines with Cash and Green.
11. The Subject Property shall be limited to no more than 135 total townhome units with 67 front facing and 68 rear facing entry. The amenities included on the Concept Plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the 1.1994+/- acre tract annexed on this date and no building shall be built on the small adjoining tract on Roscoe Road that remains in the county and has been rezoned by the County.

OPTIONS:

Annexation Request:

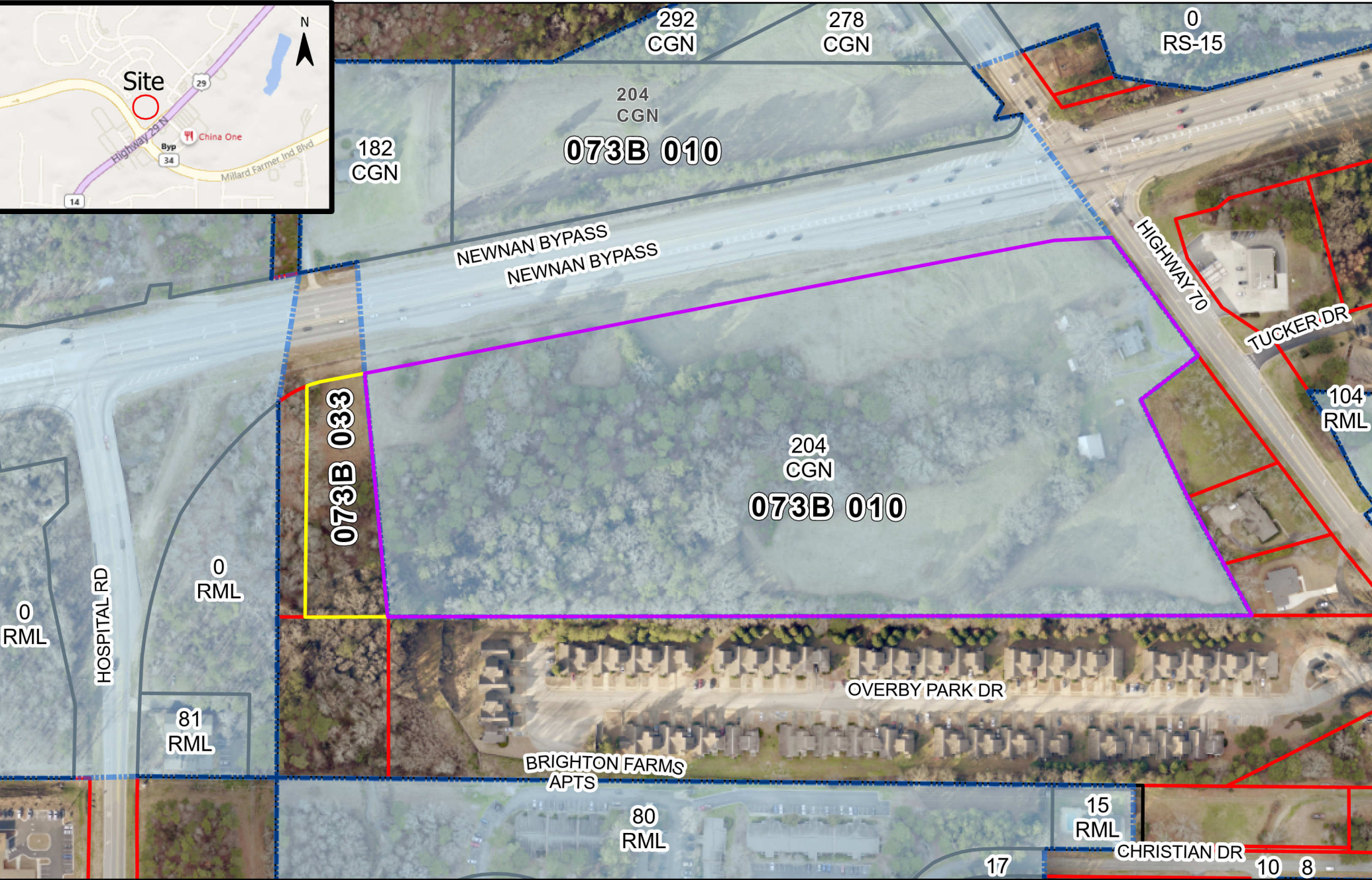
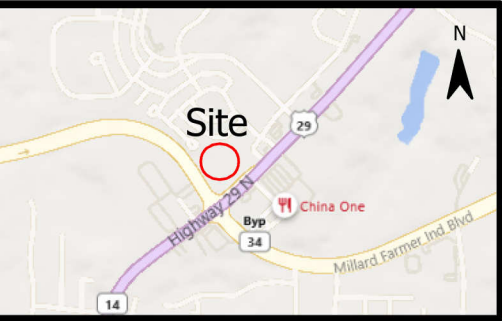
- A. Approve the annexation request as submitted
- B. Approve the annexation request with conditions
- C. Deny the annexation request

Rezoning Request:

- A. Approve the rezoning request as submitted
- B. Approve the rezoning request with conditions
- C. Deny the rezoning request

ATTACHMENTS: Applications for Rezoning and Annexation
 Location Maps
 County Comments
 Service Provision Comments

PREVIOUS DISCUSSION WITH COUNCIL: February 22, 2022; May 24, 2022; June 14, 2022



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Project Location

1" = 2,760 feet

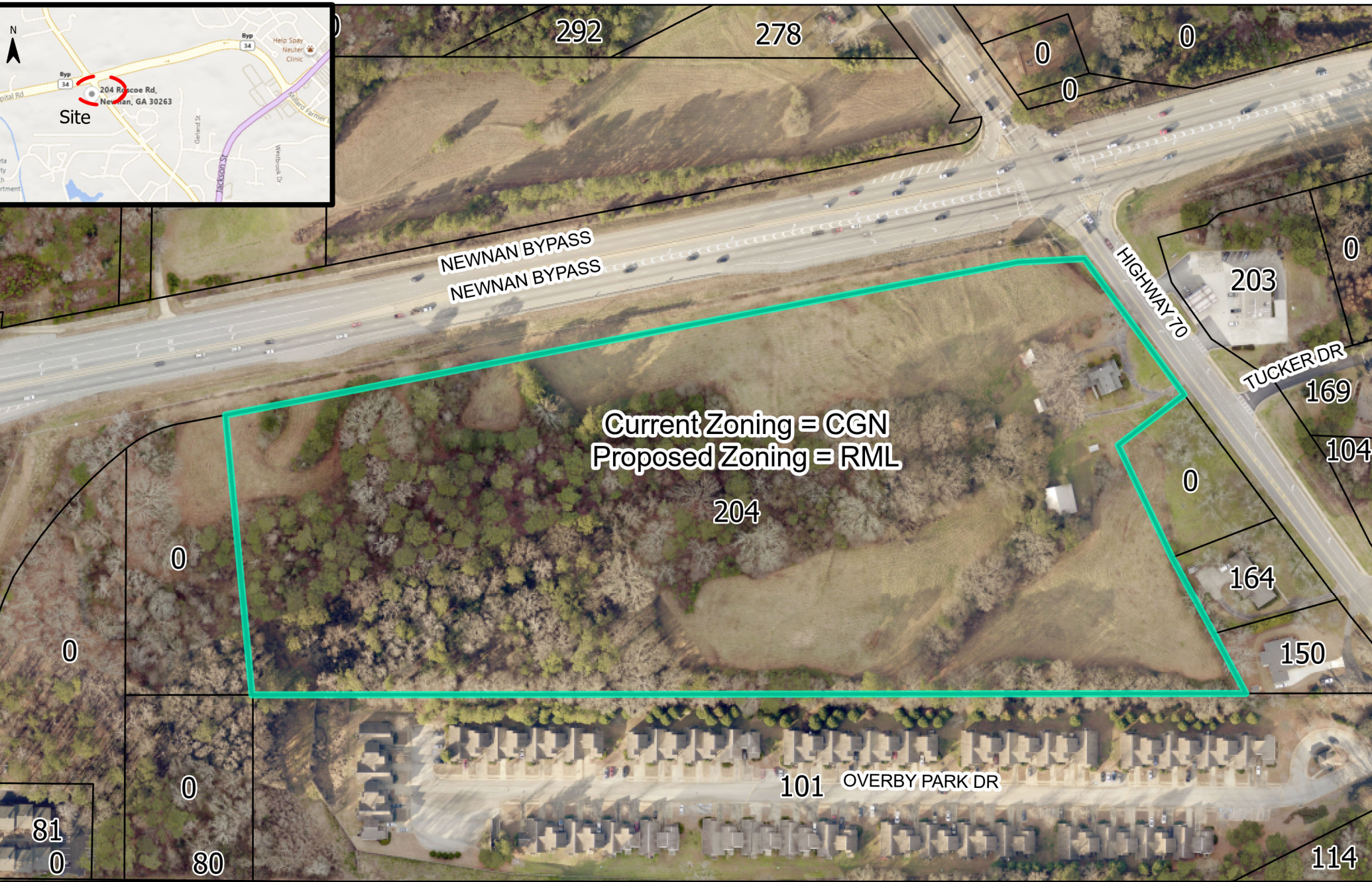
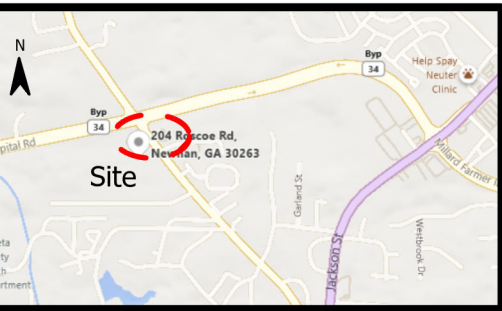
Date: 4/4/2022 3:26 PM



Project Location

- Annexation Request - Portion of 073B 033
- Rezoning Request - Portion of 073B 010

- City Limits
- County Parcels



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Project Location

1" = 2,400 feet

Date: 2/14/2022 12:52 PM

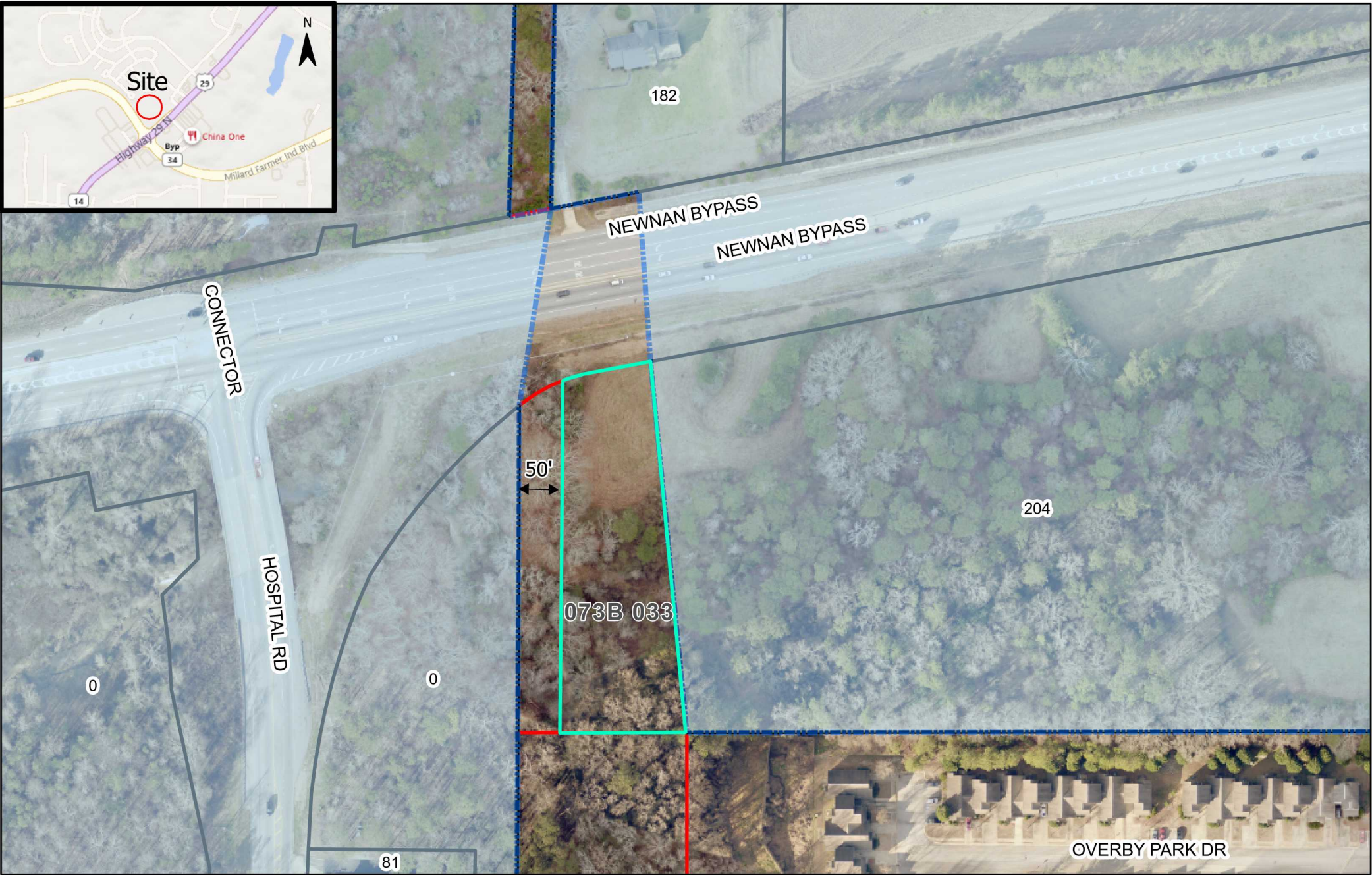
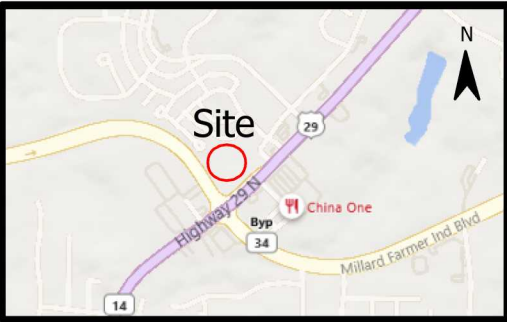


Rezoning CGN to RML

Project Location

Parcel # 073B 010

ADD 267
204 Roscoe Rd,
Newnan, GA 30263



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Project Location

1 = 1,800 feet

Date: 2/14/2022 2:00 PM



Annexation Request

Project Location

City Limits

County Parcels

Parcel # 073B 033

AD 268
Newnan, GA 30263

Legend


NewnanCityLimits

Legend

Current Projects Type

Commercial (18)

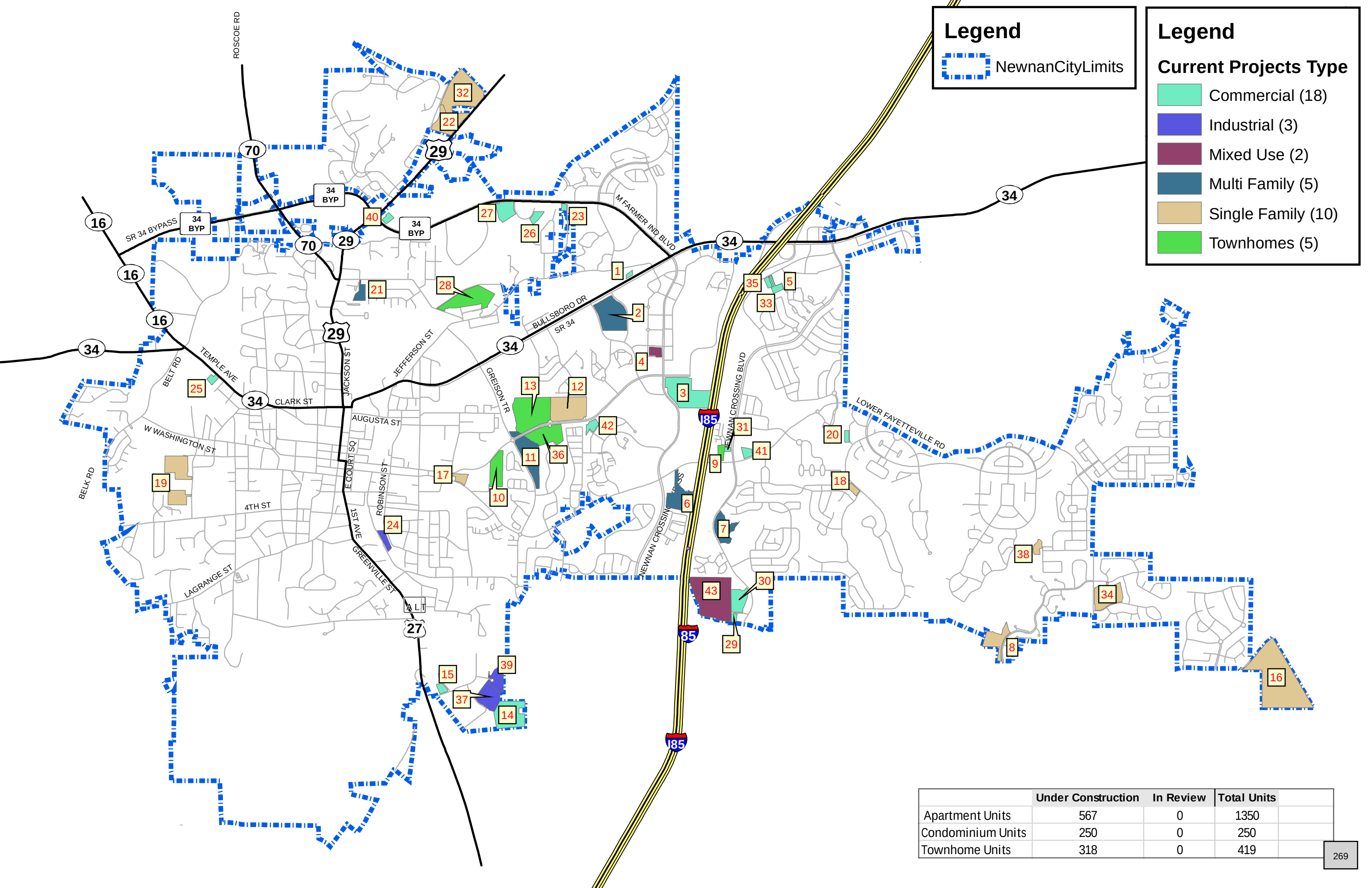
Industrial (3)

Mixed Use (2)

Multi Family (5)

Single Family (10)

Townhomes (5)



	Under Construction	In Review	Total Units	
Apartment Units	567	0	1350	
Condominium Units	250	0	250	
Townhome Units	318	0	419	



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email: melissa@newnaw.com

February 1, 2022

VIA HAND DELIVERY

Ms. Tracy Dunnavant, Planning Director
The City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Application of Apex Land Company to Amend the Zoning Ordinance from
CGN with Conditions to RML-Townhomes
Approximately 20.0119 ± Acres located on Roscoe Road, Newnan, Georgia

Dear Ms. Dunnavant:

Apex Land Company, applicant in the above-described property ("The Property") in the City of Newnan, Georgia, hereby makes this application to amend the zoning ordinance, to allow rezoning of the approximate 20.0119 +/- acres to be rezoned from CGN with conditions to RML-Townhomes. The Townhome community will be fee simple ownership with a maximum of 20% allows as rentals.

There are many proffered conditions in the attached zoning application packet. Please also see all attached plans, profiles, elevations, pictures and other demonstrative materials submitted or also to be considered as proffered conditions. The proposed amendment will facilitate the smart growth and development that is expected in the City of Newnan.

As noted on the "Application to Amend Zoning Text" form enclosed herewith, the Property is the best location for an RML-Townhomes zoning as it is a prime location for a residential townhome development in the City of Newnan. The rezoning will allow for development of this current property that has been undeveloped for many years. The RML-Townhomes zoning will be beneficial to the residents not only at The Property, but also the residents and business owners in the surrounding area.

For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance.

Apex Land Company has, at attached Tabs (1) through (12) included all materials required per the Application Form and applicable Ordinance provisions. As always, should you

Ms. Tracy Dunnavant, Planning Director
February 1, 2022
Page 2

have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Apex Land Company, as Applicant and myself as counsel for Apex Land Company, look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,



Melissa D. Griffis
For Apex Land Company

MDG/kr
Enclosure(s)



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email: melissa@newnanlaw.com

February 7, 2022

VIA HAND DELIVERY

Ms. Tracy Dunnavant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

**RE: Annexation Application and Rezoning Application Filed on
Behalf of Apex Land Company on Tuesday, February 1, 2022**

Dear Ms. Dunnavant:

Please be advised that the Applicant, Apex Land Company, hereby requests that the City of Newnan run the annexation application and rezoning application requests simultaneously so that the rezoning does not come prior to the annexation request, but that both requests are heard at the same time.

If you should need any additional information to process this request, please do not hesitate to contact me.

Yours Truly,

Melissa D. Griffis
For Apex Land Company

MDG/kr

c: Mr. Aaron Rissler

TAB 1

Application to Amend the Zoning Map



CITY OF NEWNAN, GEORGIA
Planning & Zoning Department
25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION TO AMEND ZONING MAP

Note to Applicant: Please be sure to complete all entries on the application form. If you are uncertain to the applicability of an item, contact The Planning & Zoning Department at 770-254-2354. Incomplete applications or applications submitted after the deadline will not be accepted.

Name of Applicant Apex Land Company

Mailing Address 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005

Telephone (404) 732-4136 Email: aaronrissler@icloud.com

Property Owner (Use back if multiple names) see attached

Mailing Address _____

Telephone _____

Address/Location of Property _____

Tax Parcel No.: 073B 010 Land Lot 71

District/Section 5th Size of Property (Square Feet or Acres) 20.012 acres

Present Zoning Classification: CGN with conditions Proposed Zoning Classification: RML - Townhomes

Present Land Use: Undeveloped land

To the best of your ability, please answer the following questions regarding the application:

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable The Subject Property is a great location for RML-Townhomes as it is adjacent to a county townhome subdivision and other residential zoning districts. The Townhome community will be fee simple ownership with a maximum of 20% allowed as rentals.

If the proposed zoning map change is an extension of an existing adjacent zoning district, provide an explanation why the proposed extension should be made _____

If the requested change is not designed to extend an adjacent zoning district, explain why this property should be placed in a different zoning district than all adjoining property. In other words, how does this property differ from adjoining property and why should it be subject to different restrictions? The adjoining property is located in the County and has a different classification, but is a townhome development.

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The zoning classification requested and the existing classification at the filing of this application.
 - The number of units proposed.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - ✓ Boundary survey showing property lines with lengths and bearings
 - ✓ Adjoining streets, existing and proposed, showing right-of-way
 - ✓ Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements
 - ✓ North arrow and scale
 - ✓ Adjacent land ownership, zoning and current land use
 - ✓ Total and net acreage of property
 - ✓ Proposed building locations
 - ✓ Existing and proposed driveway(s)
 - ✓ Lakes, ponds, streams, and other watercourses
 - ✓ Floodplain, wetlands, and slopes equal to or greater than 20 percent
 - ✓ Cemeteries, burial grounds, and other historic or culturally significant features
 - ✓ Required and/or proposed setbacks and buffers
5. Submit one (1) copy in an 18" x 24" format and one copy in a pdf digital file format.
6. Completed Proffered Conditions form.
7. Completed Disclosure of Campaign Contributions and Gifts form.
8. If the applicant and the property owner are not the same, complete the Property Owner's Authorization form and/or the Authorization of Attorney form.
9. For multiple owners, a Property Owner's Authorization form shall be submitted for each owner.
10. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-Family proposals in excess of 150 units

11. A Development of Regional Impact form shall be completed and submitted to the City if the request meets any of the criteria in §10-10 (b)(2)(h) on page 10-7 of the Newnan Zoning Ordinance.

12. Fees for Amending the Zoning Map shall be made payable to the **City of Newnan** and are listed below:

☐	Single-Family Application.....	\$500.00/Plus \$15.00 Per Acre
☒	Multi-Family Application.....	\$500.00/Plus \$25.00 Per Acre
☐	Office/Institutional Application.....	\$500.00/Plus \$15.00 Per Acre
☐	Commercial Application.....	\$500.00/Plus \$25.00 Per Acre
☐	Industrial Application.....	\$500.00/Plus \$15.00 Per Acre
☐	MXD.....	\$500.00/Plus \$25.00 Per Acre
		For multi-family and \$15.00 Per Acre for CBD

PLEASE NOTE: THIS APPLICATION MUST BE FILED BY THE 1st OF THE MONTH TO BE CONSIDERED FOR THE PLANNING COMMISSION MEETING OF THE FOLLOWING MONTH.

I (We) hereby authorize the staff of the City of Newnan to inspect the premises of the above-described property. I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

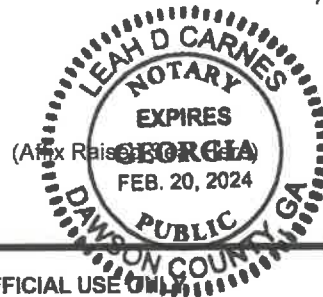
Sworn to and subscribed before me this

26 day of January, 2022

Signature of Applicant

AARON RISSLER

Leah D. Carnes
Notary Public



FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE multiple held prior to submitted

RECEIVED BY Tracy S. Dunnavant

DATE OF FILING 02/01/2022

FILING FEE RECEIVED \$1000.30

DATE OF NOTICE TO NEWSPAPER _____

DATE OF PUBLIC HEARING _____

PLANNING COMMISSION RECOMMENDATION (DATE) _____

DATE OF TRANSMITTAL TO CITY COUNCIL _____

CITY COUNCIL DECISION (DATE) _____

TAB 2

Names and Addresses of All Property Owners Within 250' Feet

Parcel 073B 033

Hospital Road Apartments LLC
PO Box 1832
Newnan GA 30264

R L Ward LLC
PO Box 71909
Newnan GA 30271

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill Ga 30266-0308

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Parcel 073B 010

Duke C. Blackburn Jr. Family LP
317 Roscoe Road
Newnan GA 30263

Azlee & Jon Cash
150 Roscoe Road
Newnan GA 30263

John & Susan Green
26 W Washington St
Newnan GA 30263

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

M&S Newnan Properties LLC
2710 Lovejoy Circle
Duluth GA 30097

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

R L Ward LLC
PO Box 71909
Newnan GA 30271

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

Rolling Hills Newnan LLC
3548 North Crossing Cir
Valdosta GA 31602

Sunbelt of Alabama LLC
Series 38
PO Box 127
Ranburne AL 36273

Valleybrook Cardinal LLC
590 W Kennedy Blvd
2nd Floor
Lakewood NJ 08701

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Parcel 073B 010A

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

R L Ward LLC
PO Box 71909
Newnan GA 30271

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

TAB 3

Legal Description of the Property

TRACT A

All that tract or parcel of land lying and being located in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

First, start at a rock found marking the corner common to land lots 58, 59 70 and 71;

thence N 01°28'05" E a distance of 298.26' along the west line of land lot 71 to a ½" aluminum pipe found at an old fence corner;

thence N 01°05'32" E a distance of 440.13' along the west line of land lot 71 to a 5/8" iron rebar found on the southerly 200' right-of-way of State Route 34 Bypass;

thence N 79°05'09" E a distance of 139.97' along said right-of-way of State Route 34 Bypass to a point and the TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED;

thence N 79°05'09" E a distance of 1209.85' 97' along said right-of-way of State Route 34 Bypass to a point;

thence N 78°13'38" E a distance of 89.10' along said right-of-way of State Route 34 Bypass to a point;

thence S 38°40'27" E a distance of 109.20' leaving said right-of-way of State Route 34 Bypass and along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence N 56°04'21" E a distance of 15.00' along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 37°24'34" E a distance of 231.09' along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 52°35'26" W a distance of 131.88' leaving the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 28°35'37" E a distance of 321.50' to a 2 ½" iron pipe found;

thence S 29°06'52" E a distance of 111.16' to a ½" iron rebar found;

thence N 89°47'52" W a distance of 1555.30' to a point;

thence N 05°24'03" W a distance of 469.31' to a point on the southerly 200' right-of-way of State Route 34 Bypass which is the point of beginning,

having an area of 871719 square feet, 20.0119 acres

DOC# 003073
FILED IN OFFICE
2/26/2016 02:45 PM
BK:4334 PG:751-755
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: \$0.00 ✓

PT# 16-889

STATE OF GEORGIA

COUNTY OF COWETA

After recording return to:
✓ Leah F. Sumner, Esq.
Sumner/Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

DEED OF ASSENT AND DEVISE

WHEREAS, ✓ JAMES WENDELL WHITLOCK died a resident of Coweta County, Georgia; and

WHEREAS, ✓ ELVA A. WHITLOCK has been duly appointed by the Coweta County Probate Court as Executor of decedent's estate ("Executor"); and

WHEREAS, The Executor is now administering the decedent's estate; and

WHEREAS, pursuant to that certain Deed of Assent and Devise dated August 7, 2013 and recorded in Deed Book 3993, Pages 561-564, in the Office of the Clerk of Superior Court, Coweta County, Georgia, decedent died owning certain interest in real property in Coweta County, Georgia (the "Property"), which property is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

NOW THEREFORE, pursuant to the terms of decedent's Last Will and Testament dated March 23, 1982, the undersigned, as Executor of decedent's estate, does hereby transfer, grant, convey and confirm unto ELVA A. WHITLOCK all the right, title, interest, claim or demand which the said decedent has or may have had in and to the Property;

5/18/16

TO HAVE AND TO HOLD said Property, with all and singular rights, members and appurtenances thereof, to the same being, belonging or in any way pertaining to the use and benefit of said ELVA A. WHITLOCK forever in fee simple.

THE FIRM OF SUMMNER/MEEKER, LLC DOES NOT CERTIFY AS TO TITLE TO THE PROPERTY BEING CONVEYED HEREWITH.

WITNESS my hand and seal, this 18 day of February, 2016.

Marcia Gray
Witness

Elva A. Whitlock (SEAL)
ELVA A. WHITLOCK,
Executor of the Estate of James Wendell
Whitlock, Deceased

Signed, sealed, and delivered this
18th day of Feb., 2016,
in the presence of:

Sumner
Notary Public

(SEAL) My Commission Expires June 20, 2017

EXHIBIT "A"**Parcel One:**

An undivided one-third (1/3rd) interest in and to all those tracts or parcels of land lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

Tract "A"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to the Point of Beginning; from said Point of Beginning run thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 440.12 feet to the right of way of State Route 34 Bypass; thence run along the southerly right of way line of State Route 34 Bypass N 79 degrees, 05 minutes 09 seconds E a distance of 1349.85 feet to a point; thence continue along the southerly right of way of State Route 34 Bypass N 78 degrees 13 minutes 38 seconds E a distance of 89.1 feet to the intersection of the southerly right of way of State Route 34 Bypass with the westerly right of way of Roscoe Road to a point; thence run S 38 degrees 40 minutes 27 seconds E a distance of 109.2 feet along the westerly right of way of Roscoe Road to a point; thence run N 56 degrees, 04 minutes 21 seconds E a distance of 15 feet along the westerly right of way of Roscoe Road; thence run S 37 degrees 24 minutes 34 seconds E a distance of 494.93 feet along the westerly right of way of Roscoe Road to a point; thence S 74 degrees 45 minutes 07 seconds W a distance of 175.5 feet to a point; thence S 28 degrees 35 minutes 37 seconds E a distance of 121.5 feet to a point; thence S 29 degrees 06 minutes 52 seconds E a distance of 111.16 feet to a point; thence N 89 degrees 47 minutes 52 seconds W a distance of 1745.3 feet to a point which said point is the point of beginning. Said tract is shown as Tract "A: on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Tracts "C" and "D"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to a point; thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 1006.75 feet to a point; thence run N 88 degrees 32 minutes 15 seconds E a distance of 151.16 feet to a point; thence run S 88 degrees 26 minutes 15 seconds E a distance of 76 feet to a point which said point is the Point of Beginning; from the Point of Beginning run thence S 88 degrees 00 minutes 04 seconds E a distance of 220.27 feet to a point; thence run S 89 degrees 12 minutes 17 seconds E a distance of 248.3 feet to a point;

thence run S 89 degrees 21 minutes 11 seconds E a distance of 552.91 feet to a point on the westerly right of way of Roscoe Road; thence run S 33 degrees 36 minutes 13 seconds E a distance of 111.17 feet along the westerly right of way of Roscoe Road to the intersection of the westerly right of way of Roscoe Road with the northerly right of way of State Route 34 Bypass; thence run S 79 degrees 04 minutes 18 seconds W a distance of 33.72 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 13 seconds W a distance of 315.71 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 09 seconds W a distance of 762.1 feet along the northerly right of way of State Route 34 Bypass to a point; thence run N 01 degrees 32 minutes 22 seconds E a distance of 46.02 feet to a point; then run N 01 degrees 32 minutes 22 seconds E a distance of 274.52 feet to a point which said point is the Point of Beginning. Said tract is shown as Tract "C" and Tract "D" on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Two:

An undivided one-sixth ($1/6^{\text{th}}$) interest in and to:

All that tract or parcel of land containing 1.331 acres, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being Lots 15 and 16 of the W. O. Jones Subdivision, as shown on plat of said subdivision as recorded in Deed Book 35, Page 596, Coweta County Records and being more particularly identified and described according to plat of survey for Johnny L. Short dated June 18, 1992 made by John R. Christopher, Registered Land Surveyor, as recorded in Plat Book 53, Page 154, in the Office of the Clerk of the Superior Court of Coweta County, Georgia to which plat reference is hereby made for a more particular and accurate description of the property conveyed herein. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Three:

An undivided one-sixth ($1/6^{\text{th}}$) interest in and to:

All that tract or parcel of land, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

Being Lot 14 of the W. O. Jones Subdivision, according to a plat of survey of W. O. Jones Property, made by Gordon Nally, on February 27, 1937, and recorded in Deed Book 35, Page 596, in the Office of the Clerk of the Superior Court of Coweta County, Georgia.

Said lot fronts 100 feet on the West side of the Newnan-Roscoe Road and runs back in a Westerly direction. The North line of said lot is 676 feet; the South line 470 feet; and the back line 250 feet. Reference is hereby made to said plat for a more complete and accurate description.

Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

TAB 4

Certified Plat

TAB 5

Proferred Conditions



City of Newnan, Georgia
Attachment A
Proffered Conditions

As part of an application for a rezoning, a property owner **MAY** proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.
(Please refer to Article 10 of the Zoning Ordinance for complete details.)

Please list any written proffered conditions below:

The Subject Property is proposed with 138 total townhome units with 69 front facing and 69 rear facing entry. The amenities included on the plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the small tract seeking annexation and the small tract seeking r4zoning, but remains in the county.

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

The Application has submitted separately demonstrative materials with plans, amenities, and profiles as proffered conditions.

On May 9, 2022, applicant requested the Proffered Conditions above to be changed to 135 townhome units (to include 67 front driveway and 68 rear driveway). Chris Cole 5-9-2022

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

[Handwritten Signature]

Signature of Applicant's Representative

Aaron Rissler

Type or Print Name and Title

Melissa D. Griffis, Attorney

Type or Print Name and Title

Geeth D. Cornes *8/26/22*
Signature of Notary Public Date

Karen Rebeor *2.1.2022*



TAB 6

Disclosure of Campaign Contributions And Gifts



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

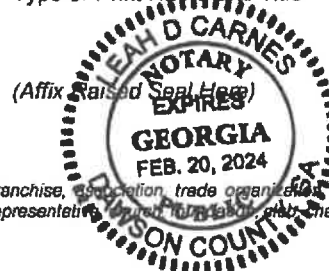
Signature of Applicant

Aaron Rissler
Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Attorney
Type or Print Name and Title

Sheah D. Carnes 1/26/22
Signature of Notary Public Date



Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, fraternal, or charitable organization, or educational organization.



City of Newnan, Georgia

Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

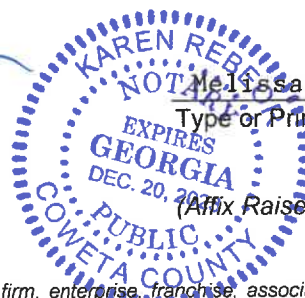
By: _____
Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Esq.
Type or Print Name and Title

Signature of Notary Public

Date



(Affix Raised Seal Here)

Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.

TAB 7

Property Owner's Authorization



City of Newnan, Georgia

Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner Estate of Myrtle W. Jackson

Telephone Number _____

Address of Subject Property _____

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

ESTATE OF MYRTLE W. JACKSON

By:

Joe B. Jackson
Signature – JOE B. JACKSON, EXECUTOR OF THE
ESTATE OF MYRTLE W. JACKSON

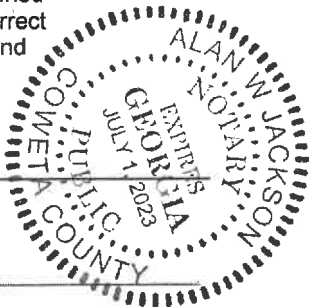
Personally appeared before me

Joe B. Jackson

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Alan W. Jackson
Notary Public

1/25/22
Date



(Affix Raised Seal Here)



City of Newnan, Georgia

Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner Estate of Adell W. Miller

Telephone Number _____

Address of Subject Property _____

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

ESTATE OF ADELL W. MILLER

By:

Joe B. Jackson

Signature – JOE B. JACKSON, ADMINISTRATOR WITH
WILL ANNEXED OF THE ESTATE OF ADELL W. MILLER

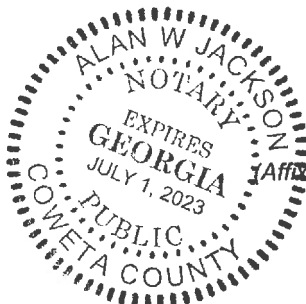
Personally appeared before me

Joe B. Jackson

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Alan W. Jackson
Notary Public

1/25/22
Date



(Affix Raised Seal Here)



City of Newnan, Georgia

Attachment C

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name of Property Owner Elva A. Whitlock

Telephone Number _____

Address of Subject Property _____

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Elva A. Whitlock
Signature – ELVA A. WHITLOCK

Personally appeared before me

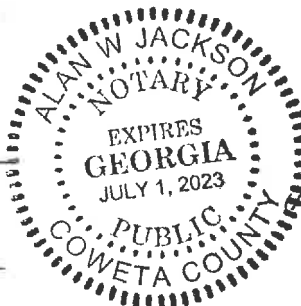
Elva A. Whitlock

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Alan W. Jackson
Notary Public

Date

1/25/22



(Affix Raised Seal Here)

TAB 8

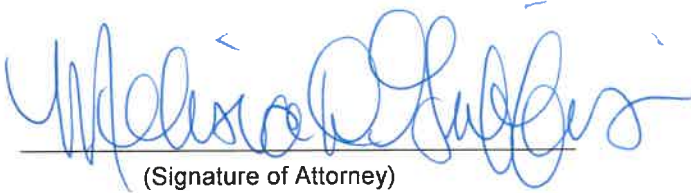
Authorization of Attorney



City of Newnan, Georgia
Attachment D
Attorney's Authorization

NOTE: *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.


(Signature of Attorney)

Name of Attorney Melissa D. Griffis, Esq.

Address 32 South Court Square

Newnan, GA 30263

Telephone (770) 253-3282

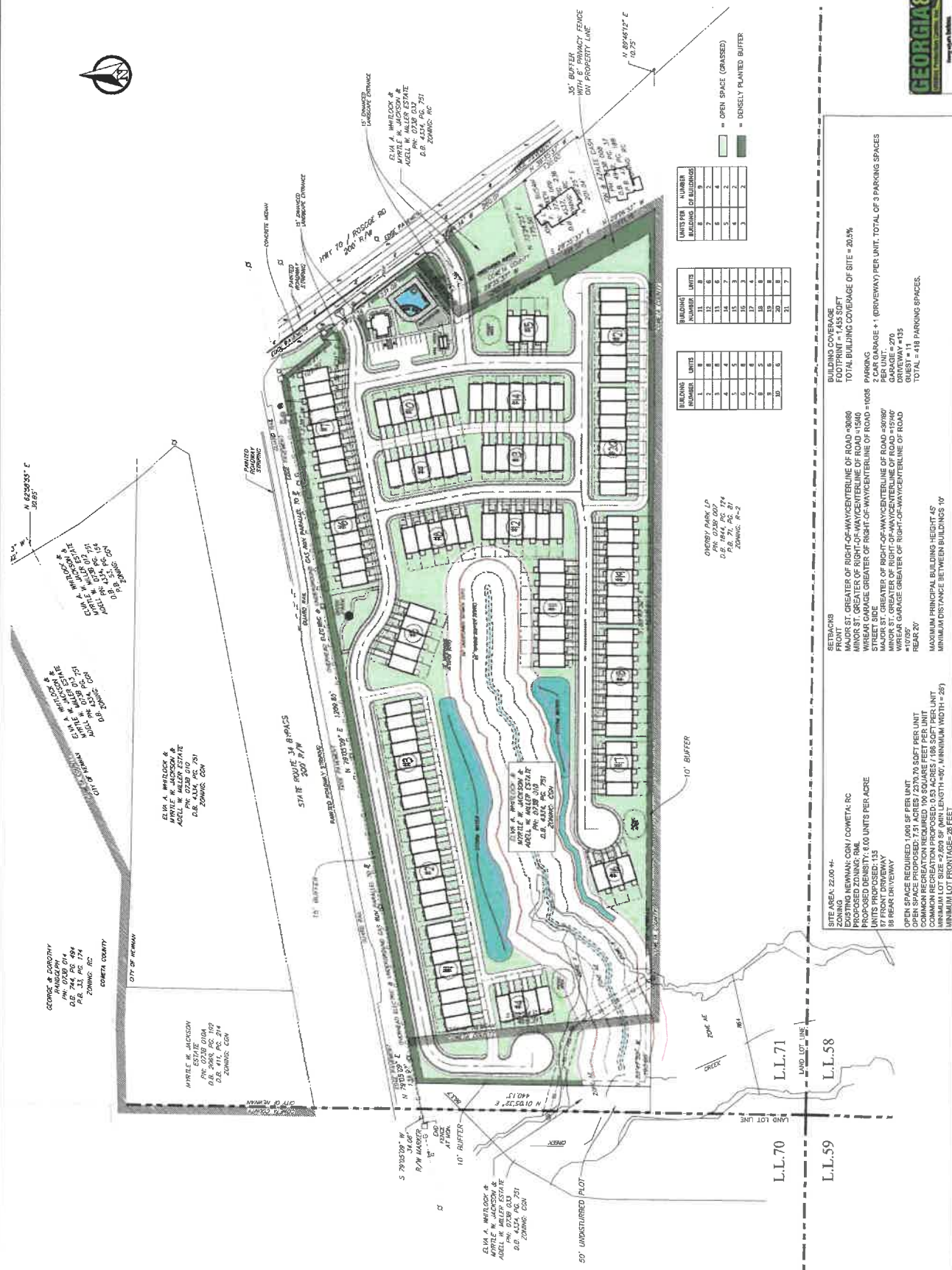
Date 1-31-2022

TAB 9

Community Impact Study (Not Applicable)

Tab 10

Conceptual Plan and Renderings



[illegible]

Code	Description	Quantity	Unit
1	15' ENHANCED LANDSCAPE ENTRANCE	1	LINEAL FOOT
2	PAINTED ROADWAY STRIPING	1	LINEAL FOOT
3	EDGE PAVEMENT	1	LINEAL FOOT
4	UNDISTURBED BUFFER	1	SQ. FT.
5	CONCRETE MEDIAN	1	SQ. FT.
6	GUARD RAIL	1	LINEAL FOOT
7	UNDERGROUND GAS RUN PARALLEL TO GUARD RAIL	1	LINEAL FOOT
8	BARK PARK	1	SQ. FT.
9	MAIL KIOSK	1	UNIT
10	PLAYGROUND	1	UNIT
11	PICNIC AREA	1	UNIT
12	UNDISTURBED BUFFER	1	SQ. FT.
13	UNDISTURBED BUFFER	1	SQ. FT.
14	UNDISTURBED BUFFER	1	SQ. FT.
15	UNDISTURBED BUFFER	1	SQ. FT.
16	UNDISTURBED BUFFER	1	SQ. FT.
17	UNDISTURBED BUFFER	1	SQ. FT.
18	UNDISTURBED BUFFER	1	SQ. FT.
19	UNDISTURBED BUFFER	1	SQ. FT.
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32	UNDISTURBED BUFFER	1	SQ. FT.
33	UNDISTURBED BUFFER	1	SQ. FT.
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36	UNDISTURBED BUFFER	1	SQ. FT.
37	UNDISTURBED BUFFER	1	SQ. FT.
38	UNDISTURBED BUFFER	1	SQ. FT.
39	UNDISTURBED BUFFER	1	SQ. FT.
40	UNDISTURBED BUFFER	1	SQ. FT.
41	UNDISTURBED BUFFER	1	SQ. FT.
42	UNDISTURBED BUFFER	1	SQ. FT.
43	UNDISTURBED BUFFER	1	SQ. FT.
44	UNDISTURBED BUFFER	1	SQ. FT.
45	UNDISTURBED BUFFER	1	SQ. FT.
46	UNDISTURBED BUFFER	1	SQ. FT.
47	UNDISTURBED BUFFER	1	SQ. FT.
48	UNDISTURBED BUFFER	1	SQ. FT.
49	UNDISTURBED BUFFER	1	SQ. FT.
50	UNDISTURBED BUFFER	1	SQ. FT.
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94	UNDISTURBED BUFFER	1	SQ. FT.
95	UNDISTURBED BUFFER	1	SQ. FT.
96	UNDISTURBED BUFFER	1	SQ. FT.
97	UNDISTURBED BUFFER	1	SQ. FT.
98	UNDISTURBED BUFFER	1	SQ. FT.
99	UNDISTURBED BUFFER	1	SQ. FT.
100	UNDISTURBED BUFFER	1	SQ. FT.

DRAFT CONCEPT PLAN
FOR
APEX WHITLOCK PROPERTY
LAND LOT 71 OF THE 95 DISTRICT, CITY OF NEWNAN, COWETA COUNTY, GEORGIA

ENTRANCE / BUFFER
BLOWN UP

DRAWING NO.
03



• OPEN SPACE (GRASSED)
• DENSELY PLANTED BUFFER

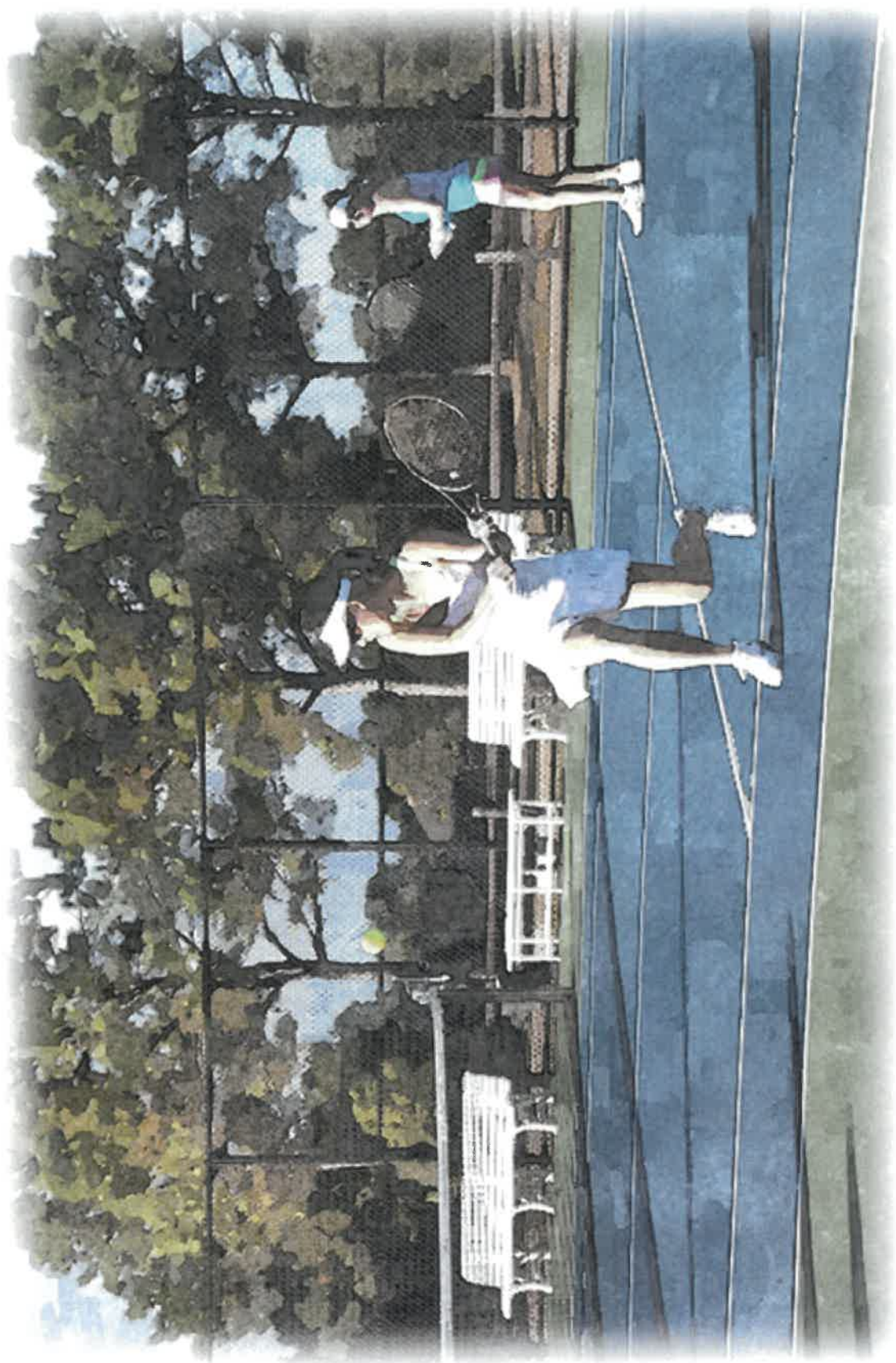


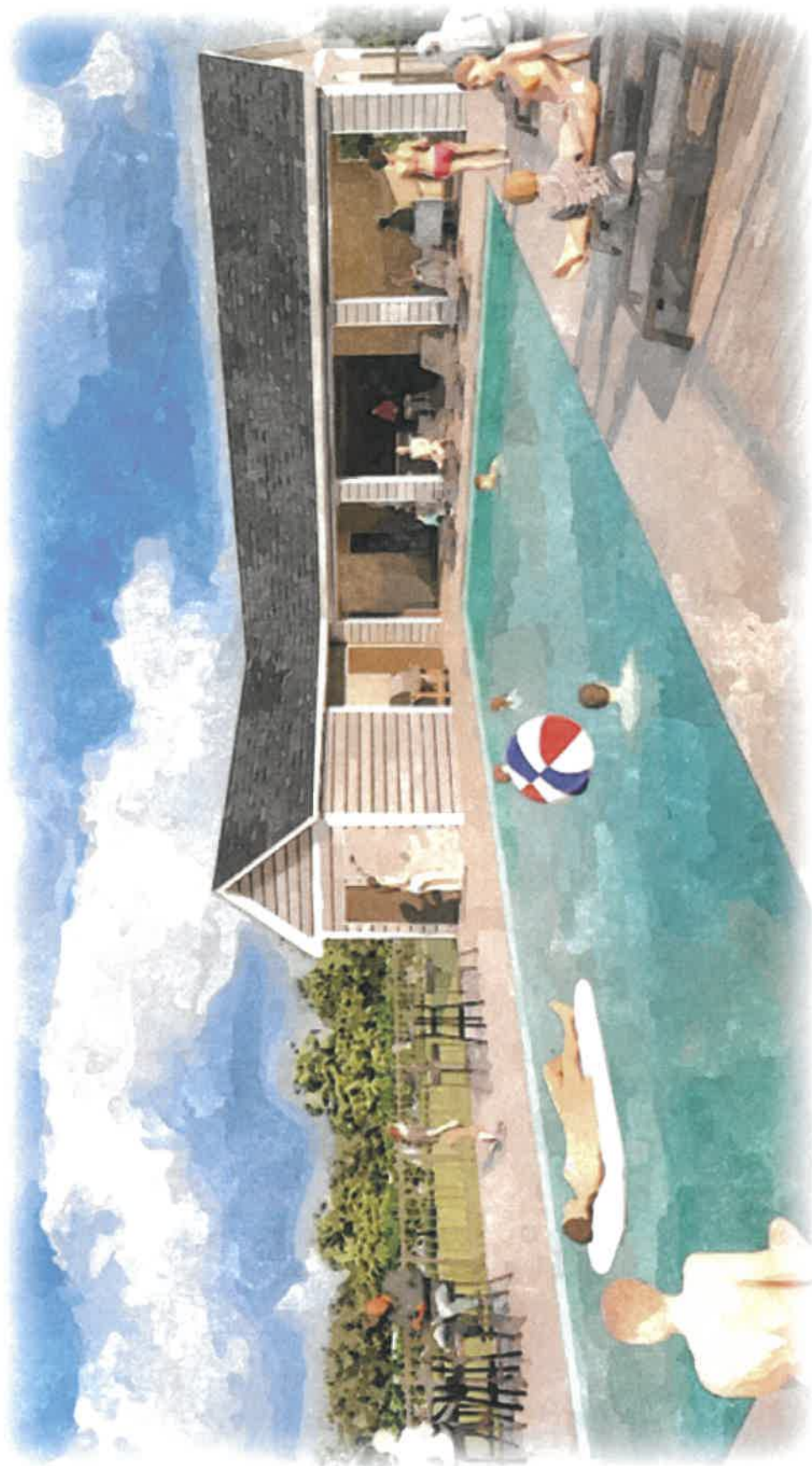












TAB 11

Filing Fee

(\$1,000.30 to the City of Newnan)

TAB 12

Rezoning Checklist



City of Newnan, Georgia
Attachment E
Rezoning Checklist

The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- ☒ Completed application form
- ☒ Letter of intent
- ☒ Names and addresses of all owners of all property within 250 feet of the subject property
- ☒ Legal description of property
- ☒ Certified plat
- ☒ Completed Attachment A — Proffered Conditions (if applicable)
- ☒ Completed Attachment B — Disclosure of Campaign Contributions & Gifts (if applicable)
- ☒ Completed Attachment C — Property Owner's Authorization (if applicable)
- ☒ Completed Attachment D — Attorney's Authorization (if applicable)
- ☐ N/A Community Impact Study (if applicable)
- ☒ Filing Fee in the form of a check payable to the *City of Newnan*

Note: Please attach this form to the filing application.



City of Newnan, Georgia
Attachment E
Rezoning Checklist

The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

- ☒ Completed application form
- ☒ Letter of intent
- ☒ Names and addresses of all owners of all property within 250 feet of the subject property
- ☒ Legal description of property
- ☒ Certified plat
- ☒ Completed Attachment A — Proffered Conditions (if applicable)
- ☒ Completed Attachment B — Disclosure of Campaign Contributions & Gifts (if applicable)
- ☒ Completed Attachment C — Property Owner's Authorization (if applicable)
- ☒ Completed Attachment D — Attorney's Authorization (if applicable)
- ☐ N/A Community Impact Study (if applicable)
- ☒ Filing Fee in the form of a check payable to the *City of Newnan*

Note: Please attach this form to the filing application.



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email: melissa@newnanlaw.com

February 1, 2022

VIA HAND DELIVERY

Ms. Tracy Dunnivant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

**RE: Annexation Application of Apex Land Company
Approx. 1.1994 +/- Acres Located on State Route 34 Bypass,
Newnan, Georgia**

Dear Ms. Dunnivant:

Apex Land Company, the Applicant of the above-described property ("the Property") in Newnan, Georgia, hereby makes this application to annex the Property from RC in Coweta County, Georgia to RML-Townhomes in the City of Newnan. The Property provides a suitable environment for the extension of the RML-Townhomes zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan.

Apex Land Company has its mailing address at 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005 and telephone number at (770) 777-4704. The address for the Property is Roscoe Road, Newnan, Georgia 30263. The tax map number of the Property is: 073B 033.

The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other similar uses. The City of Newnan already provides services in the area. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan. Further, there will be no homes placed on this annexation property.

For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RML-Townhomes residential townhome development in a manner consistent with principles of smart development so highly valued by the City of Newnan.

Ms. Tracy Dunnavant
February 1, 2022
Page 2

Apex Land Company has, at attached Tabs (A) through (I), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** Apex Land Company, as Applicant, and myself, as counsel for Apex Land Company look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,



Melissa D. Griffis
For Apex Land Company

MDG/kr
Enclosures

TAB A

Application for Annexation



CITY OF NEWNAN, GEORGIA Planning and Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of Newnan, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant Apex Land Company

Mailing Address 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005

Telephone (404) 732-4136 Email: aaronrissler@icloud.com

Property Owner (Use back if multiple names) see attached

Mailing Address _____

Telephone _____ Fax _____

Address/Location of Property State Route 34 Bypass

County Zoning Classification RC Requested Zoning Classification RML

Present Land Use undeveloped land

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application. The City Council shall evaluate the application, and if it is decided that the City will pursue annexation, the zoning request for the property is forwarded to the Planning Commission for a zoning recommendation.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

X A petition for annexation into the City of Newnan, Georgia, which shall be in the form of a letter and include:

- ✓ Petitioner 's Name
- ✓ Mailing Address
- ✓ Contact Telephone Number
- ✓ Address or Tax Map Number of the property(s) proposed for annexation
- ✓ County Zoning Classification(s)
- ✓ Requested Zoning Classification(s)
- ✓ Present Land Use of the property(s)
- ✓ Proposed Land Use of the property(s)

X A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

X A legal description of the property(s) and a legal description for each zoning classification being requested.

X A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One paper plat 18" x 24" minimum size and a digital copy in pdf format.

X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- | | |
|---|------------------|
| ☐ Single-Family Zoning Classification..... | \$15.00 Per Acre |
| ☒ Multi-Family Zoning Classification..... | \$25.00 Per Acre |
| ☐ Office/Institutional Zoning Classification..... | \$15.00 Per Acre |
| ☐ Commercial Zoning Classification..... | \$25.00 Per Acre |
| ☐ Industrial Zoning Classification..... | \$15.00 Per Acre |

X A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

The zoning classification approved by the City following the hearing shall become effective on the later of:

- > The date the zoning is approved by the Council, and
- > The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature

Date

FOR OFFICIAL USE ONLY

DATE RECEIVED _____

RECEIVED BY _____

Property Owners

Mrs. Elva A. Whitlock
Estate of Myrtle W. Jackson
Estate of Adell W. Miller
19 Magnolia Drive
Newnan, GA 30263

TAB B

Property Owners Authorization Form



City of Newnan, Georgia

Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Estate of Adell W. Miller

Telephone Number _____

Address of Subject Property State Route 34 Bypass

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

ESTATE OF ADELL W. MILLER

By:

Joe B. Jackson Jr.

Signature, JOE B. JACKSON, JR., ADMINISTRATOR WITH
THE WILL ANNEXED OF THE ESTATE OF ADELL W.
MILLER

Personally appeared before me

Joe B. Jackson Jr.

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Notary Public

Alan W. Jackson

Date

1/25/22



(Affix Raised Seal Here)



City of Newnan, Georgia

Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Estate of Myrtle W. Jackson

Telephone Number _____

Address of Subject Property State Route 34 Bypass

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

ESTATE OF MYRTLE W. JACKSON

By:

Joe B. Jackson, Jr.

Signature, JOE B. JACKSON, JR., EXECUTOR
OF THE ESTATE OF MYRTLE W. JACKSON

Personally appeared before me

Joe B. Jackson, Jr.

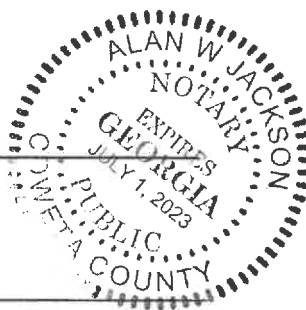
who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Notary Public

Alan W. Jackson

Date

1/25/22



(Affix Raised Seal Here)



City of Newnan, Georgia

Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Elva A. Whitlock

Telephone Number _____

Address of Subject Property State Route 34 Bypass

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Signature of Property Owner

Personally appeared before me

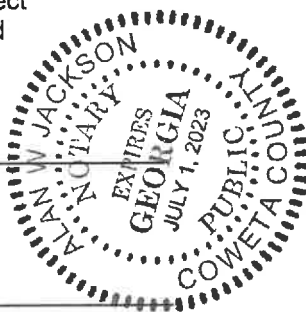
Elva A. Whitlock

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

1/25/22

Date



(Affix Raised Seal Here)

TAB C

Warranty Deed

DOC# 003073
FILED IN OFFICE
2/26/2016 02:45 PM
BK:4334 PG:751-755
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: \$0.00 ✓

PT# 16-889

STATE OF GEORGIA

COUNTY OF COWETA

After recording return to:
✓ Leah F. Sumner, Esq.
Sumner/Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

DEED OF ASSENT AND DEVISE

WHEREAS, ✓ JAMES WENDELL WHITLOCK died a resident of Coweta County, Georgia; and

WHEREAS, ✓ ELVA A. WHITLOCK has been duly appointed by the Coweta County Probate Court as Executor of decedent's estate ("Executor"); and

WHEREAS, The Executor is now administering the decedent's estate; and

WHEREAS, pursuant to that certain Deed of Assent and Devise dated August 7, 2013 and recorded in Deed Book 3993, Pages 561-564, in the Office of the Clerk of Superior Court, Coweta County, Georgia, decedent died owning certain interest in real property in Coweta County, Georgia (the "Property"), which property is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

NOW THEREFORE, pursuant to the terms of decedent's Last Will and Testament dated March 23, 1982, the undersigned, as Executor of decedent's estate, does hereby transfer, grant, convey and confirm unto ELVA A. WHITLOCK all the right, title, interest, claim or demand which the said decedent has or may have had in and to the Property;

MULNIV&Gutts-Deed of Assent

5/18/20

TO HAVE AND TO HOLD said Property, with all and singular rights, members and appurtenances thereof, to the same being, belonging or in any way pertaining to the use and benefit of said ELVA A. WHITLOCK forever in fee simple.

THE FIRM OF SUMMNER/MEEKER, LLC DOES NOT CERTIFY AS TO
TITLE TO THE PROPERTY BEING CONVEYED HEREWITH.

WITNESS my hand and seal, this 18 day of February, 2016.

Marcia Gray
Witness

Elva A. Whitlock (SEAL)
ELVA A. WHITLOCK,
Executor of the Estate of James Wendell
Whitlock, Deceased

Signed, sealed, and delivered this
18th day of Feb., 2016,
in the presence of:

Leah J. Sumner
NOTARY PUBLIC
(SEAL) My Commission Expires June 20, 2017
SUMNER
PUBLIC
COM

EXHIBIT "A"**Parcel One:**

An undivided one-third (1/3rd) interest in and to all those tracts or parcels of land lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

Tract "A"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to the Point of Beginning; from said Point of Beginning run thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 440.12 feet to the right of way of State Route 34 Bypass; thence run along the southerly right of way line of State Route 34 Bypass N 79 degrees, 05 minutes 09 seconds E a distance of 1349.85 feet to a point; thence continue along the southerly right of way of State Route 34 Bypass N 78 degrees 13 minutes 38 seconds E a distance of 89.1 feet to the intersection of the southerly right of way of State Route 34 Bypass with the westerly right of way of Roscoe Road to a point; thence run S 38 degrees 40 minutes 27 seconds E a distance of 109.2 feet along the westerly right of way of Roscoe Road to a point; thence run N 56 degrees, 04 minutes 21 seconds E a distance of 15 feet along the westerly right of way of Roscoe Road; thence run S 37 degrees 24 minutes 34 seconds E a distance of 494.93 feet along the westerly right of way of Roscoe Road to a point; thence S 74 degrees 45 minutes 07 seconds W a distance of 175.5 feet to a point; thence S 28 degrees 35 minutes 37 seconds E a distance of 121.5 feet to a point; thence S 29 degrees 06 minutes 52 seconds E a distance of 111.16 feet to a point; thence N 89 degrees 47 minutes 52 seconds W a distance of 1745.3 feet to a point which said point is the point of beginning. Said tract is shown as Tract "A: on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Tracts "C" and "D"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to a point; thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 1006.75 feet to a point; thence run N 88 degrees 32 minutes 15 seconds E a distance of 151.16 feet to a point; thence run S 88 degrees 26 minutes 15 seconds E a distance of 76 feet to a point which said point is the Point of Beginning; from the Point of Beginning run thence S 88 degrees 00 minutes 04 seconds E a distance of 220.27 feet to a point; thence run S 89 degrees 12 minutes 17 seconds E a distance of 248.3 feet to a point;

thence run S 89 degrees 21 minutes 11 seconds E a distance of 552.91 feet to a point on the westerly right of way of Roscoe Road; thence run S 33 degrees 36 minutes 13 seconds E a distance of 111.17 feet along the westerly right of way of Roscoe Road to the intersection of the westerly right of way of Roscoe Road with the northerly right of way of State Route 34 Bypass; thence run S 79 degrees 04 minutes 18 seconds W a distance of 33.72 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 13 seconds W a distance of 315.71 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 09 seconds W a distance of 762.1 feet along the northerly right of way of State Route 34 Bypass to a point; thence run N 01 degrees 32 minutes 22 seconds E a distance of 46.02 feet to a point; then run N 01 degrees 32 minutes 22 seconds E a distance of 274.52 feet to a point which said point is the Point of Beginning. Said tract is shown as Tract "C" and Tract "D" on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Two:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land containing 1.331 acres, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being Lots 15 and 16 of the W. O. Jones Subdivision, as shown on plat of said subdivision as recorded in Deed Book 35, Page 596, Coweta County Records and being more particularly identified and described according to plat of survey for Johnny L. Short dated June 18, 1992 made by John R. Christopher, Registered Land Surveyor, as recorded in Plat Book 53, Page 154, in the Office of the Clerk of the Superior Court of Coweta County, Georgia to which plat reference is hereby made for a more particular and accurate description of the property conveyed herein. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Three:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

Being Lot 14 of the W. O. Jones Subdivision, according to a plat of survey of W. O. Jones Property, made by Gordon Nally, on February 27, 1937, and recorded in Deed Book 35, Page 596, in the Office of the Clerk of the Superior Court of Coweta County, Georgia.

Said lot fronts 100 feet on the West side of the Newnan-Roscoe Road and runs back in a Westerly direction. The North line of said lot is 676 feet; the South line 470 feet; and the back line 250 feet. Reference is hereby made to said plat for a more complete and accurate description.

Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

TAB D

Legal Description of Property

TRACT C1

All that tract or parcel of land lying and being located in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

First, start at a rock found marking the corner common to land lots 58, 59 70 and 71;

thence N 01°28'05" E a distance of 298.26' along the west line of land lot 71 to a ½" aluminum pipe found at an old fence corner;

thence S 89°47'52" E a distance of 50.01' leaving said land lot line to a point and the TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED;

thence N 01°05'32" E a distance of 449.99' to a point on the southerly 200' right-of-way of State Route 34 Bypass;

thence N 79°05'09" E a distance of 88.85' along said right-of-way to a point;

thence S 05°24'03" E a distance of 469.31' leaving said right of way to a point;

thence N 89°47'52" W a distance of 139.99' to a to a point which is the true point of beginning,

having an area of 52247 square feet, 1.1994 acres

TAB E

Survey

TAB F

**Check payable to The City of Newnan
(\$629.98)**

TAB G

Names and Addresses of All Property Owners Within 250' Feet

Parcel 073B 033

Hospital Road Apartments LLC
PO Box 1832
Newnan GA 30264

R L Ward LLC
PO Box 71909
Newnan GA 30271

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill Ga 30266-0308

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Parcel 073B 010

Duke C. Blackburn Jr. Family LP
317 Roscoe Road
Newnan GA 30263

Azlee & Jon Cash
150 Roscoe Road
Newnan GA 30263

John & Susan Green
26 W Washington St
Newnan GA 30263

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

M&S Newnan Properties LLC
2710 Lovejoy Circle
Duluth GA 30097

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

R L Ward LLC
PO Box 71909
Newnan GA 30271

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

Rolling Hills Newnan LLC
3548 North Crossing Cir
Valdosta GA 31602

Sunbelt of Alabama LLC
Series 38
PO Box 127
Ranburne AL 36273

Valleybrook Cardinal LLC
590 W Kennedy Blvd
2nd Floor
Lakewood NJ 08701

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Parcel 073B 010A

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

R L Ward LLC
PO Box 71909
Newnan GA 30271

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Tab H

Disclosure of Campaign Contributions & Gifts



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.


Signature of Applicant

By: Aaron Rissler -
Type or Print Name and Title Managing Member

Signature of Applicant's Representative
Josh D. Coates 01/27/22
Signature of Notary Public Date

Type or Print Name and Title

Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.





City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

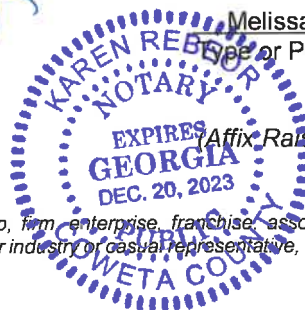
By: _____
Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Attorney
Type or Print Name and Title

Signature of Notary Public

Date



(Affix Raised Seal Here)

Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



22 East Broad St.
Newnan, GA 30263
Email: awhite@coweta.ga.us
770-254-2635

March 25, 2022

Tracy S. Dunnavant
Planning Director
City of Newnan
P.O. Box 1193
Newnan, GA 30264

RE: Annexation– City of Newnan

Applicant: Apex Land Company
1.1944± acres located off SR 34 Bypass
Tax ID# 073B-033
Petition # AN 001-22

Dear Ms. Dunnavant,

The Coweta County Board of Commissioners voted on March 22, 2022 to file no objection to the above referenced annexation petition.

A copy of the report that was submitted to the BOC for their review is attached for your files. A copy of the official minutes will be forwarded to you when finalized and approved at the April 5, 2022 meeting.

Please forward a copy of your official minutes in which you formalize the annexation so that we may have that for our records.

If we can be of further assistance, please feel free to contact our office.

Sincerely,

Angela B. White
Assistant Director,
Community Development

C: Michael Fouts, County Administrator
Jerry Ann Conner, County Attorney
Jon Amason, Director
Lisa Eschman, Zoning Coordinator
Clint Richmond, GIS
Ashley Gay, Director of Elections and Voter Registration
Dean Henson, Chief Appraiser/Director

To: Board of Commissioners

From: Lisa J Eschman, Zoning Coordinator

Date: March 16, 2022

Re: Proposed Annexation, City of Newnan
HB 2 Annexation Procedures
Applicant: Apex Land Company
Applicant Representative: Melissa Griffis
1.1944-acres off SR Bypass
Tax ID# 073B-033
Petition # AN 001-22
3rd Commission District

The City of Newnan is proposing the annexation of 1.1994-acres located on SR 34 Bypass.

The applicant, Apex Land Company is requesting the City of Newnan zoning of RML (Residential Multiple-Family Dwelling – Lower Density District).

According to the City of Newnan Zoning Ordinance - RML, Residential Multiple-Family Dwelling – Lower Density “Sec 2-12 (e)” which allows: ***The RML, Residential Multiple Family Dwelling-Lower Density District, is intended to provide for medium density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, ranging from manufactured homes to low-rise multiple-family dwellings, and including two-family dwellings, garden apartments, apartment buildings, condominiums, and townhouses. Recreational, religious, and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical, and attractive residential area. Allowed uses are required to utilize public water and sewer infrastructure. RML, Residential Multiple Family Dwelling District – Lower Density District, functions as a buffer or transition between major streets, or commercial or higher density residential areas.***

The subject 1.1994-acre tract will be combined with an adjacent 20.0119± acre tract currently located within the city limits of Newnan, in which the applicant will seek rezoning to accommodate 138 townhomes. According to the applicant, there will be no residential units placed on the 1.1994-acre tract.

Various county departments have reviewed the annexation proposal and specifically identified their comments as follows:

Building Department/Emergency Management/Fire/Environmental Health/Water and Sewerage Authority

After review by these respective offices, there are no objections to the Annexation Request.

Public Works-Engineering/Transportation Department

No objection to the proposed annexation.

Planner

After reviewing the Annexation Petition from the City of Newnan for AN 001-22, I provide the following information:

1. A substantial change in zoning or land use

The property is currently zoned Rural Conservation (RC). The rural conservation district is intended to provide low-density single-family residential and agricultural land use. The proposed annexation is for residential use through a city zoning of RML- Townhomes. Due to no homes being built on the property and the nominal size of the lot, the change in zoning should not have adverse or substantial effects.

2. Substantial increase in density.

The proposed annexation with a city zoning district of RML-Townhome will increase the permitted density of the location. However, the annexation notification states that no homes will be located on the subject parcel. Thus, there will not be a substantial increase in density for the subject location.

Community Development

The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to **any one or more of the following:**

- 3.** Substantial change in zoning or land use
- 4.** Substantial increase in density
- 5.** Substantial infrastructure demands related to the proposed change in zoning or land use

In order for an objection to be valid, the proposed change in zoning or land use must result in:

- 1.** A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; **OR**
- 2.** A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project; **AND**
- 3.** Differ substantially from the existing uses suggested for the property pursuant to the county's zoning ordinance or its land use ordinances.

Findings:

As reviewed by staff, there is **NOT** substantial infrastructure demands related to the proposed change in zoning or land use.

As noted, the subject property will not involve any structural development other than an extended cul-de-sac street to serve the proposed adjoining 138 townhome development, which is located within the city limits of Newnan.

Therefore, based upon the above staff comments and the O.C.G.A. §36.36 Annexation Procedures for Objection, the Coweta County Community Development Department recommends that **no objection** be filed to the annexation due to the constraints of the law.

cc: Michael Fouts, County Administrator
Jerry Ann Conner, County Attorney
Tracy Dunnavant – Planning Director, City of Newnan
Cleatus Phillips – City Manager



NEWNAN FIRE DEPARTMENT

23 JEFFERSON STREET • NEWNAN, GA 30263
770-253-1851 (P) • 770-638-8678 (F)



Stephen R. Brown, Fire Chief

3-29-22

Ref: Rezoning Annexation Request Roscoe Rd and Newnan Bypass

Dear Tracy,

I have reviewed the annexation/rezoning request that you sent. The Newnan Fire Department can provide fire protection upon annexation. The Columbia Woods and Chastain Park comparisons show approximately 40 extra calls per year.

Stephen Brown

Fire Chief

City of Newnan

March 29, 2022

Attn: Tracy S. Dunnavant
Planning & Zoning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

REF: Proposed Annexation, Parcel 073B 033 and 073 010, 138 Townhomes near Intersection of Roscoe Road and Bypass

Dear Ms. Dunnavant,

I am writing per your request to confirm that Newnan Utilities will be the water and sewer service provider for the above referenced project. At this time, Newnan Utilities also has ample capacity to serve this proposed facility, based on the following information:

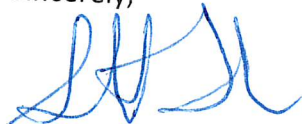
1. The City of Newnan approves the annexation of the proposed property as shown in Exhibit "A".
2. Parcel Number 073B 033 and 073B 010
3. Electric:
 - a. Developer shall provide Newnan Utilities Engineering with AutoCAD dwg. files for electrical design.
 - b. Developer or Electrical Engineer shall complete Newnan Utilities load data sheet
 - c. Electrical shall be built out per Newnan Utilities contractor manual
4. Sanitary Sewer:
 - a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
 - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Design and Construction of development sanitary sewer system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.
 - iii. Cost for analyzing existing sanitary sewer system by an engineer firm approved by Newnan Utilities.
 - iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades,

70 Sewell Road
Newnan, GA 30263
770-683-5516
770-683-0292 fax
www.NewnanUtilities.org

- sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
- v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
 - vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.
 - vii.
5. Water:
- a. Developer shall connect to Newnan Utilities Water System.
 - b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Construction of development water system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Water System.
 - iii. Cost for analyzing existing water sewer system by an engineer firm approved by Newnan Utilities.
 - iv. Existing water upgrades to handle proposed development. This is to include water system upgrades, fire protection upgrades, and any other upgrades deemed necessary by Newnan Utilities.
 - v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
6. Other Items to be addressed: at developers/owners expense
- a. Develop/Owner shall design the gravity sewer to allow future gravity flow from liftstation located behind the gas station at the corner of Roscoe Road and Bypass.

Please let me know if you have any questions or need additional information.

Sincerely,



Scott Tolar, P.E.
Newnan Utilities



BRENT BLANKENSHIP
CHIEF OF POLICE

03/25/22

Reference: Newnan Bypass and Hwy. 70 – 138 unit townhouse development

Dear Tracy,

After reviewing call history for multiple developments that could compare to this one development, it is estimated that there will be an increase of approximately 320 calls in a three year period for this development.

In addition to an increase of people and vehicle traffic to the area, it would have an impact on motor vehicle accidents and calls of service to that area while also effecting call service and response times to other parts to the city.

Due to the additional calls for service and the increased density to the area it is believed that a strain would be placed on calls for service but can be manage at current staff level..

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department



The City of Newnan, Georgia

Office of the City Engineer

March 29, 2022

City Engineer Review

REZONING REQUEST: Parcel # 073B 010, 204 Roscoe Road, Newnan, GA 30263

ANNEXATION REQUEST: Parcel # 073B 033

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
Note on-site, runoff reduction now required.
2. The development plan shall include a three-phase erosion plan in compliance with the **City of Newnan Soil Erosion, Sedimentation and Pollution Control Ordinance**.
3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. A flood study may be required. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan.

Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence must be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures, permits with the United States Army Corps of Engineers (404 Permit), or the Federal Emergency Management Agency.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

Transportation:

1. Two entrances to the development will be required. The two entrances as shown in the concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County. Note: Roscoe Road south of State Route 34 Bypass is not State Route 70 as shown in the concept. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has been satisfied with their requirements, and has so indicated to the City.

Similarly, as the one driveway connection is in close proximity to State Route 34 Bypass, the City will require an indication of approval, if required, from the Georgia Department of Transportation.

2. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and extended to the Right-of-Way for Roscoe Road.
3. Please furnish a copy of any Traffic Impact Study, to the City that Coweta County or the Georgia Department of Transportation may require.

Respectively,

Michael Klahr

William M. Klahr, P.E., CFM
Director of Engineering



NEWNAN
GEORGIA

City of Newnan, Georgia –

Date: April 6, 2022

Prepared By: Mike Furbush, City Landscape Architect/Arborist

Rezoning/Annexation Plan Review Comments...

1. Provide and label 15 foot landscape strip along State Route 34 By-pass.
2. Provide and label 10 foot landscape strip along Roscoe Road.
3. Provide and label, at least, a 25 foot densely planted property between the subject property and the two existing (Green and Cash) residential lots currently zoned RC. Under the current zoning (CGN) , there is a 35 foot densely planted buffer required. It seems to me that if the current zoning requirement for a buffer is 35 feet that it should not be reduced to 25 feet because the subject property is being rezoned.
4. Provide and label 25 foot densely planted property between the subject property and Overby Park subdivision.
5. The adjacent property to be annexed to the west of the subject property shall remain as a 50 foot undisturbed buffer with supplemental buffer plantings required if necessary.

Coweta County School System

170 Werz Industrial Blvd.
Newnan, GA 30263
Phone: 770-254-2750

March 28, 2022

Tracy Dunnavant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Rezoning Request 204 Roscoe Rd.

We have reviewed the application for rezoning for the above-referenced development and offer the following comments based on the information provided:

This application requests annexation and rezoning from County: RC / City: CGN (General Commercial District) to RML (Residential Multi-Family), with 138 proposed units. This may present challenges when planning for school enrollment and meeting student needs. Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes:

What is the construction schedule for the project?
What is the proposed build-out timeline?
Will the project be built in phases?
Will there be a targeted market, e.g., senior citizens?

Thank you for the opportunity to provide feedback.

Sincerely,

Ronnie Cheek

Ronald C. Cheek
Director of Facilities
Coweta County Schools
(770)254-2750 x203
ronnie.cheek@cowetaschools.net

cc: Vince Bass

Coweta Committed to Student Success



Visitor Request for Newnan City Council Meetings

City of Newnan

Submitted On:
June 28, 2022 1:50am
America/New_York

Full Name	Cody Kelly
Address Autocomplete	19 W Court Square Newnan GA
Phone Number	4046102224
Email	kelly.cody95@gmail.com
Preferred Method of Contact	Phone
Date of City Council Meeting	7 12 2022
Please provide a brief summary of the topic that you wish to bring before City Council:	In May I asked if the first 3 spaces in front of The Alamo and Fabiano's could be reserved for a repeating event from 9pm-2am on the first friday of every month for a 6 month period. I was granted temporary approval for 2 months and was asked to come back to approve the continued usage of spaces for the remainder of the initially requested 6 month period. As per my last submission, this usage of spaces is purely for display and NOT for outdoor food/beverage/alcohol sales. Looking forward to seeing you all again. Please feel free to email or call me if you have any questions prior to the meeting on Tuesday July 12th at 2:30pm. Cheers, Cody Kelly
Please attach any supporting documentation such as maps, flyers, signage etc. along with this submissions.	https://seam.ly/spvZ9mIZ Alamo Parking Spot Reservation.map.jpg

Motion to Enter into Executive Session

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).