



**CITY OF NEWNAN
Planning Commission
Meeting Minutes**

December 20, 2022
7:00 p.m.

Commissioners Present: Proctor Smith, Alton West, Joe Crain, Jr., Robert Coggin, Chris Hunt, Fred Hamlin, Clay McEntire

Commissioners Absent:

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

CALL TO ORDER

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

READING OF MINUTES

Chairman Smith asked if everyone reviewed the minutes from the November 8, 2022 meeting. Commissioner Crain motioned to approve the minutes. Commissioner Coggin seconded the motion.

MOTION CARRIED (7-0)

Annexation Request – Annex2022-05 – 31.79 ± acres located at 521 Lower Fayetteville Road (Tax Parcel #087 5011 001) – Requested Zoning of PDR (Planned Development Residential)

Request by Jeff Anthony on behalf of Lennar Georgia, LLC to annex and zone 31.79± acres located at 521 Lower Fayetteville Road for developing a 148 units subdivision designed to accommodate 90 Single-family detached homes and 58 single-family townhouse units. In addition, the tract on the Northside of Lower Fayetteville Road will be limited to six single-family detached residential units. The site was the location of the old Caldwell Tanks building. The petitioner is proposing a minimum lot size of 5,000 square feet for the detached product with the minimum floor area of 1,400 square feet. Average lot size is proposed at 1,800 for the townhome lots with 1,200 square feet of heated floor area. The average price will be in the low \$300,000s for the townhouse product and the mid to high \$300s for the detached units. Amenities will include pickle ball courts, a dog park, a playground, a grass lawn area for free play and a covered pavilion.

Staff has completed an assessment of each of the 8 required standards and I will give a quick summary of each:

The tracts are primarily surrounded by residential zoned properties and residential uses. The adjacent parcel to the east that fronts on Lower Fayetteville Road is currently undeveloped but has been zoned commercial. Across LFR are the Vining's at Newnan Lakes Apartment complex. All other tracts surrounding the site belong to various residential subdivisions.

- In terms of zoning designations, the adjacent tract to the west of the larger subject tract is located in the County (Hidden Lakes Subdivision) and is zoned RC (Rural Conservation) which has a density of .86 units per acre. Lakeshore, which abuts the tract to the south and southeast, is zoned RS-15 which allows 2.5 units per acre. The commercial tract to the east is vacant and zoned CCS.
- Across Lower Fayetteville Road, the smaller of the subject tracts, abuts two subdivisions, Madison Park and Madison Park at Newnan Lakes. Madison Park is zoned RU-7, which allows 4 units per acre. Madison Park at Newnan Lakes is a planned development with a variety of pods with varying densities. The pod that abuts the subject tract is the site of the Vining's at Newnan Lakes apartment complex, which has an overall density of roughly 10 units per acre. The proposed project would have an overall density of 4.8 units per acre based on the 154 units being requested. There are a variety of residential uses along LFR including apartments, townhomes, and single-family detached dwellings. The applicant is proposing a mixture of those uses, which staff feels **would be suitable** given the mixture of residential uses and densities for the area. In addition, the project would serve as a transition between lower density SF subdivisions and higher density apartments. Also, the townhomes will not be abutting the existing subdivisions, as they will be located next to the commercial zoned property.

Will the proposed uses have an adverse impact on adjacent or nearby property? The greatest impact from this development will be traffic. Per the trip generation report, the development at full build out will generate roughly 1,307 new trips per weekday. It is anticipated that there will be 92 additional trips at AM peak hour and 121 additional trips at PM peak hour. The applicant is currently working on a traffic impact statement to determine potential traffic impacts on the driveways and public streets between Greison Trail and the Newnan Crossing Bypass. Once the statement has been received, the City will determine what, if any, mitigation should take place given the timeline related to the Lower Fayetteville Road project.

- The applicant has proposed a 25-foot buffer between his development and the existing residences. In most cases the City does not require a buffer between SF residential uses; however, we do require a 10' densely planted buffer between PDR and single-family. So, the proposed buffer would actually be 15' more than required.
- **Could it be used as currently zoned** – The property is zoned RC in the County, which would allow up to 50 lots if the site received CSD approval. The property could be used as currently zoned; however, the development costs may keep the project from being feasible at those density levels.
- **Would the project cause an “excessive or burdensome” use of public facilities** – All of the service providers have reviewed the development and indicated that there would be some impact, but it would not be excessive. Staff did conduct a fiscal impact analysis of the impact to revenues and expenditures. Per our calculations based on the 2022 budget, the anticipated annual expenditure would be \$122,686 with the anticipated annual revenues being \$117,641. The project would also bring in up front revenues (impact fees, permits, inspections, etc.) of around \$355,864.
- **In terms of the Comprehensive Plan**, the properties are outside of the city limits and therefore were not considered in the City's Comprehensive Plan. However, the County's Comprehensive Plan shows these areas as Priority Development Character Area and Complete Community on

its current Character Area Map. Based on the descriptions for these areas, staff does feel it would be consistent with the County's Comprehensive Plan.

- **Is the proposed use consistent with the purpose and intent of the proposed zoning district** – PDR allows residential development in a manner that advocates innovation in design and layout through a specific plan which is a condition of zoning. In this case, the applicant has provided a concept plan with a mixture of residential uses, open space, and development requirements as well as a variety of housing elevations and specific amenities. Therefore, it would be consistent.
- **Would the proposed use be supported by new or changing conditions not anticipated by the Comprehensive Plan?** The subject tract was not included in the Comprehensive Plan, but the majority of the adjacent tracts within the city limits are shown as future "built community" and "planned development". If brought into the city limits, the properties would most likely be shown as future "planned development" as well based on the City's proposed future land use definitions. In addition, the County updated their Comprehensive Plan including the Future Development Map and showed these properties as "Priority Development Character Area". They indicate that this character area "intends to channel growth pressure to suitable areas in terms of compact land-use patterns and infrastructure investment".

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 – Based on the residential uses in the area, the mixture of densities, the location of the townhome units next to the commercial property and the expanded buffer, staff does feel the project would reflect that balance. There will be additional traffic, but the City Engineer has asked for a traffic impact statement to be provided, which will determine any mitigation efforts that may be necessary. Also, all service providers have indicated that they will be able to serve the development with their existing resources.

In summary, Staff found that the development met **6 of the 8 standards**.

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 of their intent to file a Notice of Objection based on three criteria: substantial change in intensity of use; significant net cost of infrastructure; and the use differing substantially from the existing uses suggested for the property by the County's ordinances. The Department of Community Affairs (DCA) was asked to appoint an arbitration panel to hear the objection. The panel was appointed, but one of the panelists withdrew which resulted in the arbitration panel not having the requisite number of members to move forward. As such, the arbitration ended. The County did ask for 7 conditions to be placed on the subject property if the City decides to approve the annexation. Those are included in your packet as well as the applicant's responses to those suggested conditions.

In terms of the tree management plan, it is my understanding that the applicant has been working with Mike Furbush, City Landscape Architect, regarding buffers and ensuring ample room is provided for tree plantings on the townhome lots. He is present tonight if you have any questions regarding that plan.

Should the Planning Commission decide to recommend approval of the request, staff suggests the following conditions:

1. The project will be consistent with the concept plan, density, project data, amenities, square footages, and elevations provided as part of the application.
2. The development will utilize an HOA to ensure the amenity areas, common spaces, stormwater management pond, and buffers are properly maintained.
3. The developer will mitigate any traffic impacts the City Engineer determines are warranted based on the traffic impact statement and timeline for the LFR project.
4. Not more than 20% of the development will be used for rental properties with the restriction being included in the HOA covenants and restrictions.

I have received two responses on this project from the public. One email has been included in your agenda packet. The other was a question regarding the buffer between Madison Park and the northernmost tract.

That concluded the staff report.

Applicant Jeff Anthony with Lennar of Georgia stated that he feels like this plan is a good mixture of single family detached homes and town homes, and they are affordable.

Chairman Smith asked if there was anyone else to speak in favor of the annexation. With no one coming forward Chairman Smith asked if there was anyone wishing to speak in opposition of the annexation.

Jenny Runions with Coweta County thanked the City for including their objections. (Density, traffic, infrastructure), a trip generation/traffic study needs to be conducted. There needs to be a reduction in density of the project. She asked the commissioners to please consider denying this annexation request.

Steve Quesinberry of Hidden Lakes Drive, Newnan, GA – He stated that it seems like every developer wants to see how much they can cram in a piece of property. He stated that he is also concerned about the traffic and density of the project.

Joe Emmons of Hidden Lakes Drive, Newnan, GA – stated that 7 or 8 houses will border his back yard and he does not want that much development.

Frank Stripling of Hidden Lakes Drive, Newnan, GA – stated that we do not need anymore apartments. Wanted to know when the City/County were going to get together and get Lower Fayetteville Road 4-laned.

Chairman Smith closed the public hearing.

Commissioner Crain asked what the size of the park would be in the middle of the development. Jeff Anthony stated he does not have the exact square footage, but that it was going to be a couple of acres.

Commissioner Coggin asked if their company had spoken to anyone to ask what they would like to see. Mr. Anthony stated that no they have not done that.

Smith asked staff if an amenity plan would be required? Dunnavant answered that yes one would be required.

Smith asked the applicant if they had looked at the possibility of doing something like Calumet or Braemore or something close to those communities? Mr. Anthony stated that the site was industrial, and it cost a lot of money to get rid of the industrial remnants and that they would need the density for it to be a doable project.

Commissioner West asked staff were there recommendations on cost for clean up of the site and can it be used in the current zoning. Dunnavant answered that the property is outside of the city limits and in the county, so we can not answer that.

Smith stated that 8 units to 1 acre is not the normal.

Commissioner West asked Mr. Anthony about the gentleman that his back yard backs up to 7 units how will that be addressed. Mr. Anthony stated that there would be a 25' buffer and a planting agreement. Commissioner McEntire asked about the annexation of the property across the street wanted to know if that was a separate project. Dunnivant stated that it was part of the annexation but not part of the project.

Commissioner West asked if the developer had considered building in the county? Mr. Anthony said that no they have not.

Mike Furbush City Arborist was asked to come up to speak about the tree plan. Mr. Furbush stated that in these types of developments there is not a lot of room to plant trees. He also stated that if this get approved he wants to make sure that a 25' buffer get planted.

Smith stated asked the commissioners if they should be willing to bring projects into the city with just minimum standards.

Commissioner Crain said looking at high-density projects why so much density with so little give back.

Commissioner Hamlin stated that high density had a compounding effect on schools and traffic.

Commissioner McEntire agreed and stated that it seems like this is a monthly conversation. And that the negatives outweigh the positives in this situation.

Coggin stated that we need to establish higher standards.

Commissioner Hamlin said good point.

Commissioner Hamlin made a motion to deny the Annexation Request – Annex2022-05 – 31.79 ± acres located at 521 Lower Fayetteville Road (Tax Parcel #087 5011 001) – Requested Zoning of PDR (Planned Development Residential). Commissioner Coggin seconded the motion.

MOTION CARRIED (7-0)

Rezoning Request – RZ2022-13 – 34.497 ± acres located at 60 Hospital Road (Portion of Tax Parcel #N41A-001 & Tax Parcel #N41A-002) from OI-1 (Low Density Office and Institutional District) to PDR (Planned Development Residential)

Dean Smith presented the staff report. The applicant is requesting the rezoning of 34.497 ± acres located at 60 Hospital Road (Portion of Tax Parcel #N41A-001 & Tax Parcel #N41A-002) from OI-1 (Low Density Office and Institutional District) to PDR (Planned Development Residential) for the development of a residential community. According to the application, the residential community will consist of 220 residential units. Out of the 220 units, 88 units are proposed as detached homes, or 40% of the overall site and 133 units are proposed as attached townhouses, or 60% of the overall site. Out of the 133 townhouses, 86 are 25 foot wide front entry products; 16 are 22 foot wide rear entry products and 30 are 20 foot wide with rear entry products. The applicant is further proposing that all this residential development will be a “build to rent” project with private streets and gated entrances. The applicant has provided additional information, contained in the application packet, noting projected market rent rates, which are \$2,355 - \$2,455 for townhouse products and \$2,070 for the single-family detached products.

The applicant Melissa Griffis attorney and Jason Wadsworth with Mill Creek.

Jason Wadsworth of Mill Creek stated that they are a well-established and well-funded buy-develop-construct-own/manage high quality product. 24-7 on-site management

Chairman Smith asked if anyone was there to speak in opposition of the application.

Skin Edge of Pickens Drive, Newnan, GA wanted to let the commissioners know that this development would be a few 100 yards from his property. He stated that this development would be a glorified apartment complex. He is worried about the impact this development would have on schools that are already at capacity. The current zoning is in keeping with the neighborhood (animal shelter, public works fleet center, work release). Creating an island of residential in the middle of industrial. He stated that the units would be cookie cutter with no effort to save trees and no room to plant new trees. He stated that it seems to be more and more talk about multi-family and the impact it is having on our resources.

Stephen Sargent of Pine Grove Circle, Newnan GA stated that he is tired of seeing our city pack with rental property. He stated that he is also worried about impact on schools/traffic.

Cliff Cranford of Pickens Drive, Newnan, GA stated that people are sick of these high-density projects who will take care of it after 10 years and the developer sells it.

Matthew Pass of Pickens Drive, Newnan, GA said that everyone before him pointed out really good reasons to deny this request. He asked the room who all was in opposition and a lot of hands went up. He said he understands that it is a challenging piece of property. He stated he just does not see any benefit to the citizens if this is approved.

Billy Arnall of Lakeview Drive, Newnan, GA said he lives in the area and has talked to business owners because he is concerned about the traffic impact. He stated that the citizens of Newnan do not want to be another Atlanta. We are the City of Homes not apartments.

Melissa Griffis for the applicant came back up to speak. She stated that the applicant would address concerns of future land use map, traffic study and all cost to the developer and that the school will be given notice and a time line of when units would be completed.

Chairman Smith closed the public hearing.
Questions for Staff:

Coggin wanted to know what the percentage of single family homes are rentals in Newnan.

Commissioner Coggin asked staff if there were any tree plans or landscape plans that will need to be followed. Smith assured him that there would definitely be landscape plans.

Commissioner Hamlin asked what the build-out schedule would be. Mr. Anthony stated that it would be 2 ½ to 3 years.

Commissioner McEntire asked if Hospital Road frontage would be the backs of the houses. Mr. Anthony stated that was correct.

Commissioner Crain asked why there was no buffer setback on the concept plan.

Commissioner West asked the applicant if they currently own the property. The applicant replied that they do not own the property yet.

Mike Furbush City Arborist came forward and stated that the tree plan contained very little information. There looked to be no effort whatsoever to save trees and he does not see how they will meet the ordinance with how tight it will be with the project.

Smith stated that the commissioners needed to think about if what is being proposed is in keeping with the area, office/industrial. There will be traffic issues either way. The proposal does not strike a balance of a true Mixed Use Development with a residential component.

Commissioner Crain agreed and stated that we all know growth is coming and we have to be prudent with the projects that get approved.

Commissioner McEntire agreed as well and added that with this proposal being all rentals and no ownership is a big concern for our community.

Commissioner Hamlin stated that when you own your home you have a completely different mindset you have a vested interest in the property and community.

A motion was made by Commissioner Coggin to deny the Rezoning Request – RZ2022-13 – 34.497 ± acres located at 60 Hospital Road (Portion of Tax Parcel #N41A-001 & Tax Parcel #N41A-002) from OI-1 (Low Density Office and Institutional District) to PDR (Planned Development Residential). Commissioner McEntire seconded the motion.

MOTION CARRIED (7-0)

Public Hearing Zoning Regulation Text Amendments

Chairman Smith opened the public hearing.

The purpose of this item is to hold a public hearing on proposed text amendments to the City of Newnan's Zoning Regulations. Over the course of the past year, several issues have surfaced directing staff to examine the City's current regulations.

The two items that we want to discuss are Article 2 child/Adult day care centers special exception for residential. Also, cargo containers prohibited in residential areas.

Chairman Smith Close public hearing.

Smith stated that cargo containers have been permitted in some instances like the micro brewery and WOW Sno with special exceptions.

Commissioner Hamlin stated that the Chick-Fil-A even used one when they were rebuilding their restaurant.

Commissioner West asked why the accessory use of a cargo container was not really addressed.

Dunnavant stated that we are able to keep them out of residential areas.

More discussion was made about different uses of cargo containers.

Commissioner West made a motion to table the Public Hearing Zoning Regulation Text Amendments to the January meeting. Commissioner Coggin seconded the motion.

MOTION CARRIED (7-0)

Master Sign Plan – McDaniel Acura 8000 McIntosh Parkway

The applicant supplied a video of exactly how the new signage would look on the building and showed the adjacent Honda dealership with their signs that were already approved.

Commissioner Crain made a motion to approve the Master Sign Plan – McDaniel Acura 8000 McIntosh Parkway. Commissioner West seconded the motion.

MOTION CARRIED (7-0)

NEW BUSINESS

Tracy Dunnavant let the board know that there would be a January meeting. She also let them know that the July meeting that was originally scheduled for the 3rd Tuesday of the month can actually take place on the correct day of the 2nd Tuesday of the month due to Council not taking that night for their meeting.

Commissioner West made a motion to change the July Meeting from the 18th to the 11th. Commissioner McEntire seconded the motion.

MOTION CARRIED (7-0)

PUBLIC COMMENTS

None

ADJOURN

With no further business, the meeting adjourned at 8:42 p.m. on a motion from Commissioner Hamlin and seconded by Commissioner Coggin.



Chairman Proctor Smith

MOTION CARRIED (7-0)