City of Newnan Georgia

Planning Commission

Agenda Book

September 13, 2022

City of Newnan
PLANNING COMMISSION

Agenda for September 13, 2022 Regular Planning Commission Meeting
7:00 PM, Richard A. Bolin Council Chambers, City Hall

TAB NUMBER	AGENDA CATEGORY / ITEM
TAB # 1	Minutes from the August 9, 2022 meeting.
TAB # 2	Rezoning Request – RZ2022-06 35.49± acres located at 2037 Newnan Crossing Bypass (Portion of Tax Parcel #087-5011-003)
TAB #3	Rezoning Request – RZ2022-08 14.23 ± acres located at 110 Field Street (Tax Parcel N15 0001 001) Requested change in conditions by amending the development plan
TAB #4	Rezoning Request – RZ2022-09 - 5.82± acres located at Old Atlanta Highway (Tax Parcel #073C 044 and Tax Parcel #073C 045); Requested zoning from PDC (Planned Commercial Development District) and PDO (Planned Office and Institutional District), respectively, to PDR (Planned Residential Development District): Freedom Land Holdings, LLC
	Public Comments
	Adjourn

Unless otherwise posted, all Planning Commission Meetings
Are held in the:
Richard A. Bolin Council Chambers, City Hall
25 LaGrange Street, Newnan, Georgia 30263
Any questions prior to the meeting
should be directed to the Planning and Zoning Department.
Phone: 770-254-2354
E-mail: tdunnavant@cityofnewnan.org

CITY OF NEWNAN
Planning Commission
Meeting Minutes

August 9, 2022
7:00 p.m.

Commissioners Present:	Proctor Smith, Alton West, Joe Crain, Jr., Robert Coggin, Fred Hamlin, Chris Hunt, Clay McEntire
Commissioners Absent:	None
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

The meeting was called to order by Chairman Smith 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 July 19, 2022 meeting. Chairman Smith noted that a decimal point needed to be added on page 2 so that it would be $2.50 instead of $250. Coggin motioned to approve the minutes as amended. West seconded the motion.

MOTION CARRIED (7-0)

Continuation of Rezoning Request 2022-06 – 35.49 ± acres located at 2037 Newnan Crossing Bypass (Portion of Tax Parcel #087 5011 003)

Dean Smith informed the Commission that the applicant is requesting this rezoning be continued to the September 13, 2022 meeting.

Coggin made a motion to continue the public hearing for rezoning RZ2022-06 to September 13, 2022. Crain seconded the motion.

MOTION CARRIED (7-0)

Annexation Request – ANNEX2022-04 – 163.61 ± acres located off Green Top Road (Tax Parcel #s 085 5086 001, 085 5107 002, 085 5086 003 and the Southern portion of 085 5107 003)

Tracy Dunnavant presented the staff report. Dunnavant stated that the applicant is seeking to develop a 366-lot subdivision to accommodate a variety of single family, detached, fee-simple owned homes. She stated the development will contain 366 lots, open space, a density of 2.23 units per acre, a minimum lot size of 8,200 square feet, and an average lot size of 10,500 square feet. Dunnavant added the minimum floor area is being proposed at 1,600 square feet with average square footages as follows: Ranch Pod (65 homes) – 1,860 square feet; Traditional Pod (150 homes) – 2,640 square feet; Estate Pod (151 homes) – 3,004 square feet. She said amenities for the subdivision will include a pool, clubhouse, pickleball complex, playgrounds, a dog park and walking trails throughout the development. Dunnavant stated there will be three to four different floor plans; with each plan having three to four different elevations and color combinations. She mentioned the average sales price will range from $414,000 to $596,000.

Dunnavant provided an assessment of the project based on the standards to be considered for rezoning requests. She concluded by stating the development meets **6 of the 8 standards**.

Dunnavant also discussed Coweta County's response to the annexation. She stated they had objected to the request based on the following:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use.

2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value of useful life of a capital outlay project, as such term is defined in Code Section 48-4-110, which is furnished by the county to the area to be annexed; and

3. Differ substantially from the existing uses suggested for the property or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

Dunnavant explained that the Department of Community Affairs (DCA) was asked to appoint an arbitration panel to hear the objection. She added DCA refused to grant the hearing citing a lack of proof that the post office delivered the County notification package via certified mail, even though both the City and County agreed that the notice had been delivered. Dunnavant said this allowed the request to proceed to the public hearing process.

Dunnavant mentioned that should the Commission elect to recommend approval of the request, Staff would suggest the following conditions be considered:

1. The project will be consistent with the concept plan, density, project data, amenities (including a pickle ball complex as referenced in the letter of intent), and elevations provided as part of the application.

2. The developer will follow and adhere to all conditions proffered as part of the annexation application.

3. The average square footages for each Pod will be as follows: Ranch Pod – 1,860 square feet; Traditional Pod – 2,640 square feet; Estate Pod – 3,004 square feet.

4. The City of Newnan will not issue a permit for land disturbing activities until such time as

Coweta County has reviewed and approved the plans for the development to the extent Coweta County has jurisdiction, primarily relating to street connections to Green Top Road.

5. For internal streets, particularly “Street A” on the concept plan, the development shall incorporate engineered traffic calming measures, such as the use of landscaped medians or islands, traffic circles, chicanes, and/or raised crosswalks to serve as speed deterrence.

Chairman Smith asked for the applicant to come forward and state his case. George Rosenzweig, applicant’s representative, mentioned that the Pulte Group is a national home builder and Fortune 500 company. He gave specifics on the project and reviewed his PowerPoint presentation, which gave detailed information regarding the concept plan, amenities, house plans, target buyers, and traffic impacts. Rosenzweig explained that the applicant has conducted a traffic study which concluded that the traffic impact would be minimal and discussed the money that the applicant agreed to provide the County for any impact resulting from the development to their roads.

Chairman Smith asked if there was anyone to speak against this annexation/rezoning.

Pat Burn, Dogwood Road, asked that any development be within the current zoning classification of Rural Conservation (RC).

Richard Yancey, College Street, stated that this annexation has been going on for years and the neighbors of this property do not want this to happen. He added that the neighbors do not want added traffic because the traffic is already very bad.

John Moody, Oak Hill Drive, stated the City gets the benefits while the citizens pay the price.

Larry Nelms, Crepe Myrtle Drive, stated this project does not need to be approved. He mentioned there is no direct access to the city and service providers will have to go through the County to get to property.

Ruth Stark, Club Court, stated that she was opposed to this because of the traffic issue. She added our County/City needs to do something about the traffic we already have, not create more.

Charles Mann, Pine Lake Drive, wanted to know how this annexation/rezoning was even possible with the railroad track preventing the property from being contiguous.

Frankie Hardin, Pine Lake, asked why the City keeps annexing Coweta County.

Carlton Welsh, Donna Trace, stated that there have been 2 fatal crashes on HWY 29 and the additional traffic was going to make it less safe.

Tom Loper, Palomino Circle, stated that the traffic was only going to get worse because of all the development coming to the area.

John Wells, Lake Ridge Drive, stated that the City/County needed to slow down on building.

Bob Ziifle, Heritage Trace, stated that he felt there was special treatment for City officials and added that it was not fair.

George Rosenzweig provided rebuttal on the citizen comments. He stated that the traffic study did include what has already been approved in the area but not yet built.

Chairman Smith closed the Public Hearing.

Commissioner Coggin asked Rosenzweig why the development would not be using Newnan Utilities water and sewer lines. Rosenzweig stated that the county's sewer line is already on the property.

Commissioner Coggin asked Garren Smith, a representative of the developer, if they had already chosen a realty company to sell the homes in the development. Smith stated that they had not decided on a realty company.

Commissioner West asked why this project was rejected by the County and City in the past. Dunnavant stated that, for the City, it was a different project that was rejected.

Commissioner McEntire asked if it makes sense to recommend something where legal action has been filed. Sears stated that it was okay to make a recommendation on this matter.

Commissioner Coggin made a motion to recommend denial of the annexation of 163.61 ± acres located off Green Top Road. Commissioner Hamlin seconded the motion.

MOTION CARRIED (7-0)

Variance Request – 20 Market Square Way – Exemption on Architectural Finishing Material Requirements

Chairman Smith opened a public hearing on the variance request for 20 Market Square Way.

Dean Smith presented the staff report for the variance request. He stated that the applicant is requesting relief from the architectural finishing material requirements in a planned development commercial area. He stated that the applicant has an existing business at 23 East Broad Street and wants to place a similar structure at 20 Market Square Way. Dean Smith stated that the PDC requirements specify materials for non-residential structures. He stated that the applicant is seeking to use another special made cargo container to sell snow cones to individuals utilizing the LINC walking trail system. Dean Smith added that there have been no objections received from any of the surrounding home owners, the HOA, or any other businesses in the area. He concluded by stating that staff recommends approval of the variance request.

Scott Allen, Wow Sno, briefly addressed the Commission regarding his current business and future plans for the site. He added that he would be happy to answer any questions they may have.

Commissioner Hamlin asked about upkeep of the lot and the landscaping. Allen stated the landscaping is maintained by the property owners.

Chairman Smith closed the public hearing and asked if there were any other questions from the Commission.

Commissioner McEntire asked if there would be trash service for the business. Allen stated yes.

Commissioner Hamlin wanted to make sure this variance would be limited to WOW Sno and no other business.

Commissioner McEntire made a motion to approve the variance from the material requirements with the condition that it would only apply to the WOW Sno business. Hunt seconded the motion.

MOTION CARRIED (7-0)

Certificate of Appropriateness – 37, 41 and 45 LaGrange Street

Dean Smith presented the staff report stating that the property is zoned CBD and there will be a minor final plat submitted to combine all 3 lots. He added the applicant is seeking to build an office building and provide 76 parking spaces for the building. Dean Smith said the building would house the Bonnell Aluminum administrative offices and mentioned that elevations and building layouts had been included in the packets. Dean Smith added the project meets all 8 standards, and staff recommends approval of the Certificate of Appropriateness.

Kip Oldham spoke on behalf of the applicant and stated that there is a growing need for office space for his client. He offered to answer any questions that the Commission may have.

Commissioner Coggin asked if the applicant would mind churches using the parking spaces when their offices were closed. Oldham said the applicant has no problem with that request.

Commissioner Crain made a motion to grant the Certificate of Appropriateness for 37, 41 and 45 LaGrange Street. Commissioner Coggin seconded.

MOTION CARRIED
(7-0)

NEW BUSINESS

Dunnavant stated the Commission will have a meeting on September 13, 2022. She also reminded the Commissioners about the joint Design Guidelines meeting on September 14th with the Newnan Downtown Development Authority. Dunnavant said they needed to let her know if they would be attending so that she could advertise the meeting if a quorum would be present.

PUBLIC COMMENTS

Frankie Little-Hardin asked to address the Commission. She thanked them for their Green Top Road decision and asked them why there were no women on the Commission. Little Hardin also stated that she felt the City and County leaders needed to start learning to work together.

Chairman Smith thanked her for her comments.

ADJOURN

With no further business, the meeting adjourned at 8:41 p.m. on a motion from Commissioner Coggin and seconded by Commissioner West.

MOTION CARRIED (7-0)

_____
Chairman Proctor Smith

City of Newnan, Georgia – Planning Commission

Date: September 13, 2022

Agenda Item: Rezoning Request – RZ2022-06
35.49± acres located at 2037 Newnan Crossing Bypass
(Portion of Tax Parcel #087-5011-003)

Prepared and Presented by: Dean Smith, Senior Planner

REZONING ASSESSMENT

APPLICANT INFORMATION:

George Rosenzweig, Attorney at Law (representing)
Jim Chapman Communities and Cates Family Partnership
75 Jackson Street, Suite 405
Newnan GA

The applicant (Jim Chapman Communities) seeks to develop the subject property as a 196-unit multifamily development. In order to accomplish this, the applicant is seeking an RML (Residential Multiple Family Dwelling-Lower Density) zoning for 35.49 ± acres located on Newnan Crossing Bypass.

SITE INFORMATION:

The site consists of 35.49± acres located on Newnan Crossing Bypass. It is a portion of tax parcel id number 087-5011-003. The subject tract is located between Newnan Crossing Bypass and Interstate 85.

The site is currently undeveloped and zoned RS-15 (Suburban Residential Single-Family Dwelling District-Medium Density).

OVERVIEW OF REQUEST:

The applicant is requesting the rezoning of 35.49 ± acres located at 2037 Newnan Crossing Bypass. The property is currently zoned RS-15 (Suburban Residential Single-Family Dwelling District-Medium Density) and the applicant is requesting RML (Residential Multiple Family Dwelling-Lower Density) for the construction of 196 cottage-styled apartments.

CITY OF NEWNAN | Project Location

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

N

1 inch = 300 feet

Date: 6/3/2022

LEGEND

Project Location

PARCELS

CITY LIMITS

Parcel # 087 5011 003

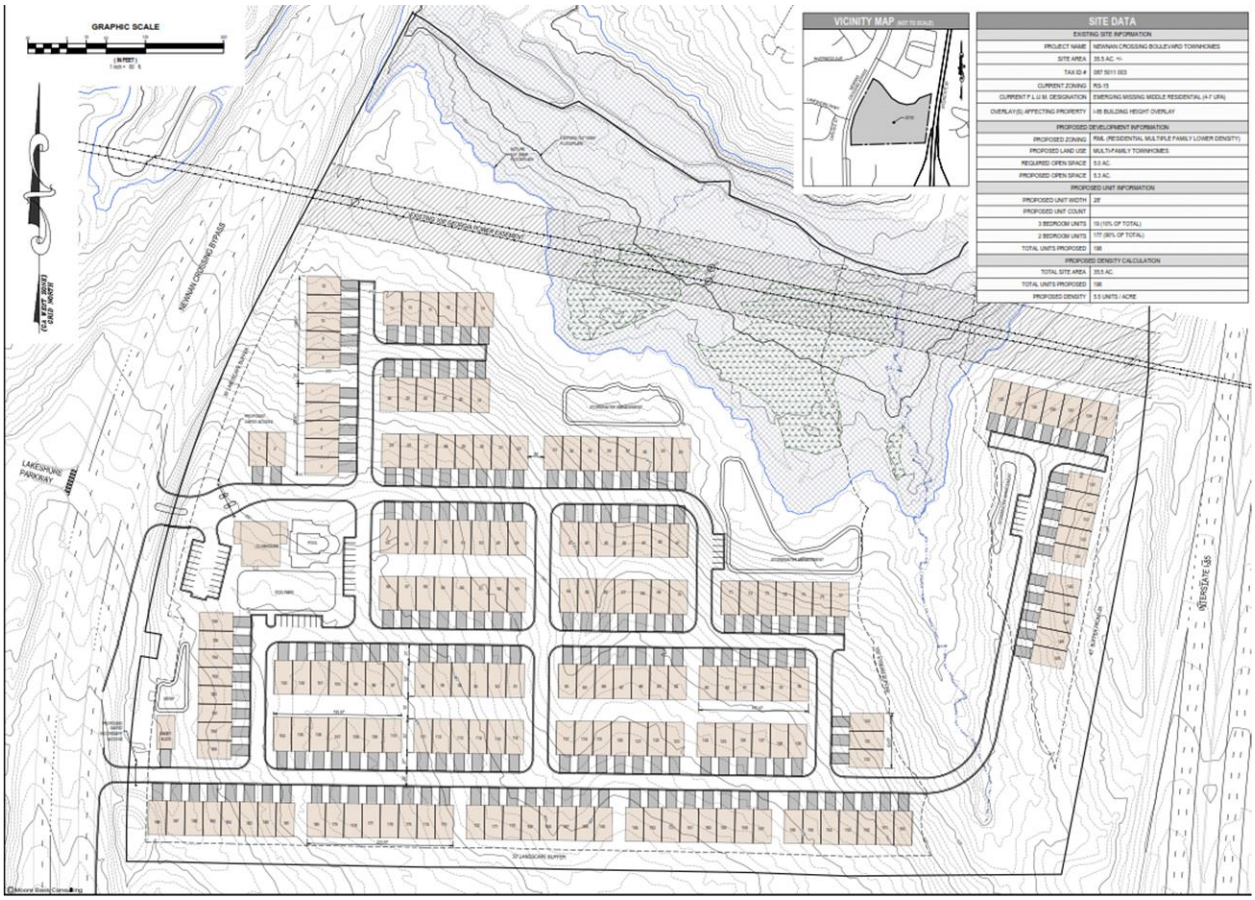
ADDRESS

2037 NEWNAN CROSSING BYP
Newnan, GA 30263

RML zoning allows 8 dwelling units per acre. The proposed development shows a gross site density of 5.5 units per acre; however, approximately 70% of the site is undevelopable as it consists of streams, stream buffers, floodplain and a Georgia Power easement. Deducting the critical areas from the overall site density, the developable area is conservatively 10.5 acres, and this equates to a net density of 18 units per acre.

The proposed development consists of 196 cottage style apartments. Proposed amenities include: swimming pool; clubhouse and dog park.

The targeted unit mix is 136 two bedrooms (70%) and 60 3 bedrooms (30%). The applicant has indicate that unit size for the two bedrooms will be 1,025 square feet and the unit size for the three bedrooms will range between 1,421 to 1,466 square feet. City ordinance requires two bedroom units to be a minimum of 950 square feet and three bedroom units to be a minimum of 1,100 square feet. The applicant's proposal exceeds the City's minimum requirements.



STANDARDS:

In formulating 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 bordered predominantly by residential zoning designations. The residential portion of the MXD zoned site abuts on the northern property line; a residential multifamily zoning across Interstate 85 to the East; residential single-family neighborhood to the west and to the south, a combination of RC and C-8c zoning in Coweta County. There are existing multifamily developments to the north and east of the subject tract. The property to the south, was recently rezoned from RC to C-8c in Coweta County for the purpose of constructing a self-storage facility.

   With the existing residential developments that are on the north, east and west side of the subject property, higher density residential development would be a suitable use. Higher density doesn't strictly refer to apartments. This site is classified on the City's future land use map as Emerging Missing Middle Residential, which is defined as areas of medium-density (between 4 and 7 units per acre) and allow for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes and small apartment buildings.

   Staff Assessment – PROPOSED USE IS SUITABLE ✓

2. **Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?** The most significant impact resulting from this rezoning would be an increase in traffic. The applicant has submitted a traffic impact study that estimates that the proposed development is expected to generate an additional 1,435 trips per day. The traffic study does suggest some traffic mitigation measures such as adding auxiliary turn lanes to both ingress/egress access points and limiting one of the access points to a Right-In/Right-Out only driveway.

   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 property is currently zoned for single-family residential development. However, the future land use map shows it has Emerging Missing Middle Residential and it has sat vacant with the current RS-15 zoning designation for over twenty years. There are environmental constraints on the property that limit the available area that can be developed, as illustrated on the survey and concept plans provided as an attachment to this report.

To date, the City has not been asked to review any proposed development for single-family houses, as allowed by the current zoning. That does not mean that RML and apartments are the only suitable options for this location.

Staff Assessment – PROPERTY CAN BE DEVELOPED AS CURRENTLY ZONED, HOWEVER, NO DEVELOPMENTS UNDER CURRENT ZONING HAVE BEEN PRESENTED TO THE CITY X

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?** As a requirement for multifamily developments exceeding 150 units, the applicant must submit a Community Impact Assessment (CIA) which looks at the services listed above and provides a financial analysis of the project. A copy of the full assessment has been provided with the accompanying documentation for this report. A summary of the assessment's findings and additional information that has been provided since the study was completed is as follows:

- *Police:* Police Chief Blankenship has indicated that his department can service the development, citing that a strain would be put on calls for service and would cause additional maintenance on equipment, but states that it can be managed at current staff level.

- *Fire*: Chief Stephen Brown has indicated that NFD anticipates an additional 63 calls in a 12 month period and further states that the anticipated demand would potentially decrease response times in other service areas, stating that NFD does currently have the resources to service the project. Chief Brown further added that the increase in call volume will impact the Fire Department with additional wear and tear on equipment and will influence the effectiveness and strength of manpower, citing that the impact of the proposed property may require additional equipment and manpower in the future.

- *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 the applicant's packet.

- *Engineering*:

The City of Newnan, Georgia

Office of the City Engineer

July 12, 2022

City Engineer Review

REZONING REQUEST

Portion of Tax Parcel 087 5011 003
35.4892 Acres
Newnan Crossing Bypass

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 a new requirement for on-site, runoff reduction, effective December 6, 2020.

2. The development plan shall include a three-phased erosion control plan in compliance with the **Soil Erosion, Sedimentation and Pollution Control Ordinance** for the City of Newnan.

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. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan. Any development within a floodplain or waters of the US shall be properly permitted with the Federal Emergence Management Agency (FEMA), or the United States Army Corp of Engineers (USACE), as applicable.

4. This site is located within a water supply watershed and thus increased stream buffers apply as follows: perennial streams shall carry an undisturbed stream buffer on 100 feet with an additional impervious surface setback of 50 feet; intermittent streams shall carry an undisturbed stream buffer of 50 feet with an additional 25 foot impervious surface setback. Buffers shall be measured from the point of wrested vegetation and shall be delineated in the field.

5. This site is located within the Stillwood Creek watershed drainage basin and stormwater management shall comply with the conditions set forth in the **Stillwood Creek Watershed Drainage Policy** as Section 10-169 of the **Post-Development Stormwater Management Ordinance** for the City of Newnan.

Transportation:

1. ADA compliant sidewalks, 6 feet in width, shall be provided along the public Right of Way for Newnan Crossing Bypass, the entire length of the parcel, to connect to existing sidewalk to the north. 5 foot sidewalks shall be provided throughout the proposed development, on both sides of all streets, and shall connect to the sidewalks in the Right of Way for Newnan Crossing Bypass.

2. Traffic impact study required. A traffic impact study shall include the intersections of Newnan Crossing Bypass with Lower Fayetteville Road, Lakeshore Parkway, and Poplar Road. Justification for trip distribution shall be included in the study. Mitigation shall be proposed for any negative impact to the level of service (LOS) at the intersections. The criteria for trip generation shall be derived from the latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE); Land Use 223, Mid-Rise Apartment.

3. The primary driveway for the development shall line up with existing road, Lakeshore Parkway, at an existing median break. Dedicated left and right turn lanes shall be provided and designed in accordance with design standards for the Georgia Department of Transportation (GDOT). Pavement markings shall be designed in accordance with the GDOT and the Manual on Uniform Traffic Control Devices (MUTCD).

4. A secondary driveway shall be Right In/ Right Out, designed in accordance with standards for the GDOT, and shall include a dedicated right turn lane with raised island.

5. A warrant study shall be provided to determent the need for a traffic signal at the location of the primary driveway serving the development. The study shall include the projected traffic generated for any under-construction projects in proximity along Newnan Crossing Bypass. The developer shall bear, at a minimum, the proportional share for the cost for a traffic signal, if warranted, and the signal shall incorporate video detection (Gridsmart). The signal installation shall comply with the MUTCD, GDOT standards and details, GDOT standard specifications, and the National Electric Code (NEC).

6. The developer shall provide and install street lighting along Newnan Crossing Bypass, adjacent to the parcel, in accordance with the lighting standards for a multi- lane urban corridor for the electric provider for the development.

Respectfully,

Michael Klahr

William M. Klahr, P.E., CFM
Director of Engineering

- *Traffic:* A traffic impact study was performed for the multi-family portion of the proposed development. Pertinent excerpts from the traffic analysis are as follows:

Proposed Development

The proposed development is a residential community with 196 townhomes. The site plan, included in Appendix B, shows two access points to Newnan Crossing Bypass. The main driveway is across from Lakeshore Parkway and will provide for full access. The other driveway is planned to be about 400 feet south of the main driveway and will allow for right-in, right-out (RIRO) movements only.

Per the completed traffic study:

5. Summary of Findings

The following summarizes the findings of the traffic study:

1. The proposed residential development with 196 living units will generate an estimated 90 trips during the AM Peak Hour (21 inbound / 69 outbound) and 110 trips during the PM Peak Hour (69 inbound / 41 outbound).

2. The projected traffic volumes at the site driveways are sufficient to warrant the addition of auxiliary turn lanes. These include a southbound left turn lane on Newnan Crossing Bypass at the proposed driveway and a northbound right turn into the development. A northbound right turn lane at the Right-In/Right-Out (RIRO) only driveway will also be needed.

3. After the additional traffic estimated to be generated by the development is added to the existing traffic and with the turn lanes in Item #2, the intersection of Newnan Crossing Bypass and Lakeshore Parkway/Proposed Main Driveway will operate at Level of Service (LOS) E or better.

- *Coweta County Schools:* Coweta County School System Director of Facilities, Ronnie Cheek responded to the request for the proposed development's impact on the school system. Mr. Cheek stated that the proposed apartment complex presents challenges when planning for school enrollment and meeting students' needs due to the transient nature of apartment residents as compared to single-family dwelling residents. Due the higher density housing in the area of the proposal, school capacity is an ongoing concern. Many schools serving the area in question are at or near capacity. Mr. Cheeks requested that if approved, the school system be provided with advance notice of the project's construction schedule, build-out timeline and the target market for the housing.

- *Tax Revenue:* Per the CIA, it is estimated that the fair market value of the property identified as a portion of Tax Parcel 087-5011-003 would increase by $43 million with the proposed improvements. The following table shows the estimated change in tax revenues for the County, City and School System:

The following table shows the estimated change in tax revenues for the County, City, and School System.

ESTIMATED CHANGE IN ANNUAL PROPERTY TAX REVENUE

ENTITY	MILLAGE RATE	EXISTING TAXES BASED ON FAIR MARKET VALUE OF $2,811,820 (57.8% of $4,639,967)	EXPECTED TAXES BASED ON IMPROVED FAIR MARKET VALUE ($43,000,000)	ADDITIONAL PROPERTY TAX
Assessed Value		$1,072,760	$17,200,000	
County	6.168	$6617	$106,090	$99,473
School	17.14	$18,387	$294,808	$276,421
City	7.335	$7869	$126,162	$118,293
TOTAL	30.643	$32,874	$527,060	$494,187

In addition to the estimated tax revenue, the CIA indicates that the property would require significant impact fees paid to the City of Newnan and Newnan Utilities totaling over $516,670; however, in the CIA, there is a miscalculation of the City of Newnan's Development Impact Fee. In the CIA, the cost was based upon a development impact fee unit cost of $1,136.07. On November 24, 2021, the City updated the development impact fee calculations and the current development impact fee unit cost is $1,110.81 per residential unit. This reduces the project development impact fee total from $222,670 to $217,718.76. This reduces the projected total from $516,670 to $511,718.76

As with all development, the project will impact service provision. The question is whether or not it is excessive or burdensome. In this case, most of the service providers that have responded have indicated that they can service the development, but it will create a strain on their departments in terms of equipment wear and tear and manpower. School system has expressed concern about their ability to meet the proposal's projected population.

Staff Assessment – PROJECT WILL HAVE AN IMPACT, ESPECIALLY FOR TRAFFIC AND SCHOOLS X

5. **Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?** The Future Land Use Map shows this property as Emerging Missing Middle Residential. Newnan defines Emerging Missing Middle Residential as an area of medium-density residential, between 4-7 units per acre, which allows for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes and small apartment buildings. The applicant points out that the proposed gross density of less than 6 units per acre falls within the City's definition of Emerging Missing Middle Residential.

   Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS EMERGING MISSING MIDDLE RESIDENTIAL ✓

6. **<u>Is the proposed use consistent with the purpose and intent of the proposed zoning district?</u>** The RML (Residential Multiple-Family Dwelling-Lower Density District) is intended to provide 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. There are a variety of housing products that are allowed in RML zoned districts: manufactured housing; low-rise multiple family dwellings; two-family dwellings; garden apartments; apartment buildings; condominiums; townhouses and single-family detached homes. New RML district 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 higher density residential uses. The mixed use zoned site to the north contains an apartment component (Springs at Newnan Apartments) with an effective unit count of 13 units per acre, representing a denser residential neighborhood than the proposed development. It should be noted that the applicant's concept plan relies heavily on the undevelopable portion of the total site for the large open space component of the RML zoning district.

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

7. **<u>Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?</u>** The Future Land Use map also shows the property as Emerging Missing Middle Residential, which was a new category created by the City during the most recent comprehensive plan update adopted by City Council in the Fall of 2021.

   Staff Assessment – **RECENTLY COMPLETED UPDATES TO BOTH THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN SHOW THE PROPOSED DEVELOPMENT AS A USE CONSISTENT WITH EMERGING MISSING MIDDLE RESIDENTIAL**✓

8. **<u>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?</u>**

   Within the past five years, the City has approved 2,019 new multifamily developments (including townhouse developments), the majority of which are market rate rentals. The proposed development would fall into the market rate category. The City routinely discusses high density multifamily developments, in various forms, on a regular basis with prospective developers.

   This site is limited by natural features, topography and floodplain that restrict development. As the need for more housing opportunities continues to be an ongoing issue and concern for the City of Newnan, this is an area that the City identified, through the Comprehensive Plan and Future Land Use Map, as an area suitable for residential development of a denser nature.

Staff Assessment – THE PROPOSED PROJECT DOES REFLECT A REASONABLE BALANCE, BUT THE QUESTION IS WHETHER THIS IS THE APPROPRIATE LOCATION FOR A MULTIFAMILY APARTMENT COMMUNITY✓

SUMMARY OF STANDARD ASSEMENT:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **6 of the 8 standards**.

REGULATORY CRITERIA TO CONSIDER:

In February 2022, Newnan City Council adopted a revised Tree Conservation and Landscape Ordinance. Section 10-84 of that ordinance requires that any application for annexation, rezoning or preliminary subdivision plats, must include a Preliminary Tree Management Plan. This plan shall show the existing location and general tree canopy and shall also specify which areas are proposed to be conserved and/or replanted. The City Landscape Architect conducts a preliminary review and recommends conditions to consider during the approval of any of the aforementioned processes. The applicant has submitted a Preliminary Tree Management Plan, which is contained in the attachments.

On August 16, 2022, City Landscape Architect & Arborist Mike Furbush provided the following comments on the proposed layout and site plan:

I have received and reviewed the revised site layout for the proposed Newnan Crossing Bypass project. I do not see any significant changes to the layout, except for tightening up the 17 units that cross over the stream. Without seeing some sort of proposed grading plan, I am not sure the proposed realignment will preserve the existing trees along the Interstate. Your previously referenced 40 foot buffer along the Interstate needs to be an undisturbed buffer, not a planted buffer that replants new trees for existing trees that were removed. Again, the previously submitted Tree Management Plan provides very little actual tree information, the plan does show the proposed site layout overlaid on an aerial photograph of the site. The proposed development is quite dense with 196 units shown with very little room remaining for required tree plantings. There is quite a bit of unbuildable property due to floodplain, stream buffers, and a Georgia Power Easement. It is difficult to determine, from the conceptual layout, how much of the overall site will be disturbed, but typically high density developments such as this one and the proposed site layout seem to indicate that almost all the property that can be disturbed will be graded to make the proposed layout work. One other concern relates to the existing Interstate 85 tree lined corridor which the City of Newnan has successfully managed to maintain throughout various developments up and down the City's Interstate Corridor. The proposed project shows a significant stream buffer road crossing to access a portion of the site next to the Interstate. This proposed crossing yields only 17 units and would certainly adversely affect the existing stream buffer and also the existing tree line and buffer along the Interstate. While the revised layout seems to tighten up the 17 units, the concerns are still the same. This is a wooded area that could be and should be used as tree save to produce additional and most likely needed tree density units and also provide the desired and current tree buffer along the Interstate.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

Should the Commission elect to recommend approval of the request, Staff would recommend the following condition be considered:

- The project will be consistent with the density, project data, amenities, proffered conditions and architectural details as provided as part of the application.
- The project will be capped at 196 units maximum.
- Developer will maintain 40 foot undisturbed landscape buffer on east side between any residential unit and Interstate 85 right-of-way.
- Developer will provide and install any required street lighting along Newnan Crossing Bypass, adjacent to the parcel and will install sidewalk along Newnan Crossing Bypass and internally throughout the proposed development in accordance with the City's standards.
- Developer will address the comments from the Director of Engineering on expanding the parameters of the traffic study to include an expanded study area and perform a warrant study to determine the need for a traffic signal at the location of the primary driveway serving the development.
- The detention/retention pond illustrated on the concept plan in the southwest corner of the site shall be adequately screened from street view with a combination of fencing and landscaping materials in accordance with City Standards.

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
Community Impact Assessment
Traffic Study

JIM CHAPMAN COMMUNITIES & CATES FAMILY PARTNERSHIP REZONING APPLICATION

35.4892 ACRES
TAX PARCEL: PORTION OF 087 5011 003
FROM RS-15 TO RML

Jim Chapman Communities
Cates Family Partnership
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

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

NEWNAN
GEORGIA

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 Jim Chapman Communities and Cates Family Partnership

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) Cates Family Partnership

Mailing Address 815 Sherlin Lane, Great Falls, Virginia 22066

Telephone 703-309-0909

Address/Location of Property The real property comprising approximately 36 acres located in a Federally created Opportunity Zone between Newnan Crossing Bypass and Interstate 85, in the City of Newnan, Coweta County, Georgia.

Tax Parcel No.: Portion of 087 5011 003 Land Lot 11 & 12

District/Section 5 Size of Property (Square Feet or Acres) 35.4892 acres

Present Zoning Classification: RS-15 - Suburban Single-Family Dwelling District - Medium Density

Proposed Zoning Classification: RML- Residential Multi-Family Dwelling - Lower Density District

Present Land Use: Vacant

Proposed Unit Count: 196
Accessory Building: 1

Proposed Density: 5.5 units/acre

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 property has been on the market for 10 years, with no offers as zoned. During that time, the surrounding area has changed substantially. The new zoning will align with the neighboring zoning.

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 property to the north, although zoned MXD, is effectively being used for RMH with the Springs Apartments.

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 use is bounded on the north by Springs at Newnan, a 320-unit luxury apartment development and Ashlynn Ridge, a 202-unit affordable senior development. Three of the lots in unincorporated Coweta County, to the south of the development, have been rezoned by Coweta County to C-8 for an indoor self-storage facility. The remainder of the lots for sale are for more intense uses than the current RC zoning.

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
   - ✓ Adjourning 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

31 day of May, 2022

Signature of Applicant _____

Amy M. Coria
Notary Public

AMY M CORIA NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES DEC. 9, 2023

(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: 04/18/2022

RECEIVED BY: Tracy S Dunnavant

DATE OF FILING: 05/31/2022

FILING FEE RECEIVED: $1,400.00

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

_____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

ROSENZWEIG LAW

May 31, 2022

BY HAND DELIVERY
City of Newnan, Georgia
Planning and Zoning Department
25 LaGrange Street
Newnan, Georgia 30263

RE: **LETTER OF INTENT FOR REZONING- MAP AMENDMENT From RS-15 to RML for the 35.4892 Acre Portion of Tax Parcel 087 5011 003 for 196 Cottage Apartments, Density 5.5 Units/Acre. Bounded on West by Newnan Crossing Bypass, North by Springs at Newnan Apartments, East by Interstate 85, and South by transitional lots in unincorporated Coweta County.**

Dear City of Newnan:

I represent Jim Chapman Communities and Cates Family Partnership.

On my clients' behalf, I am submitting this letter of intent for a rezoning map amendment, as part of a rezoning application, in order to develop an approximately 35.4892-acre tract of land located between Newnan Crossing Bypass and Interstate 85 in the City of Newnan for a high-quality, attached, one-story, gated-accessed cottage apartment community with private streets containing no more than 196 units with a density of 5.5 units per acre and one accessory building.

The Property, currently zoned RS-15 ("Suburban Single-Family Dwelling District Medium Density") is located in the Emerging Missing Middle Residential District on the recently adopted City of Newnan Future Land Use Map as well as a Federally created Opportunity Zone. The Property is adjoined on the north by Springs at Newnan, a 320-unit luxury apartment development and, further to the north, Ashlynn Ridge, a 202-unit affordable senior apartment development. The Property is bounded on the south by lots unincorporated Coweta County. Then have been rezoned by the County to C-8. Three of the lots to the south have been rezoned to C-8 for an indoor self-storage facility. The remainder of the lots to the south are on the market for more intense uses than RC. The Property is also adjoined to the west by Newnan Crossing Bypass and to the east by Interstate 85. It is anticipated that buffers will meet or exceed all code requirements. No buffer modifications are anticipated. Public water and sewer facilities, from Newnan Utilities, are available to the site.

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

The Application is Consistent with the City of Newnan Comprehensive Plan

The proposed cottage apartment development is consistent with the recently completed City of Newnan Comprehensive Plan. It is shown as Emerging Missing Middle Residential on the Future Land Use Map. "**Emerging Missing Middle**" is defined in the new Comprehensive Plan as "**Medium-Density Residential (between four and seven units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadraplexes, cottage homes, and small apartment buildings**." Thus, the Land Use Plan Map has identified the Property as an appropriate location for a Missing Middle Residential development and the accompanying conceptual site plan meets all objective criteria under the recently completed Comprehensive Land Use Plan.

The Application Meets All Objective Zoning Criteria

The Jim Chapman Communities, high-quality, attached cottage apartment community meets all of the objective requirements which the Newnan Zoning Ordinance requires be given reasonable consideration in granting a rezoning application.

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? The proposed community is bounded on the north by the Springs and Ashlynn Ridge multi-family developments. To the east and west, respectively, the Property is bounded by the Newnan Bypass and Interstate 85. The single-family residences and vacant land in unincorporated Coweta County, bounding the proposed Jim Chapman Community south, have currently either been rezoned by Coweta County to C-8 for an indoor self-storage facility or earmarked for more intense development. The proposed community is therefore suitable in view of the zoning, development, and future of adjacent and nearby property.

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? As with most multi-family developments, the greatest impact on adjacent or nearby properties resulting from the rezoning would be additional traffic. However, Newnan Crossing Bypass is a major, four-lane road designed to handle increased volumes of traffic. As part of this application, Jim Chapman Communities is presenting significant traffic mitigation features in order to minimize the impact of traffic on the surrounding area.

Are there substantial reasons why the property cannot or should not be used as currently zoned? The Property has been on the market for 10 years, zoned for a suburban subdivision, with no offers in a time of high demand for building lots. During that time, the surrounding area has changed, substantially. To the north, the property was rezoned MXD, with the Springs multi-family development already in place and a presently undeveloped commercial segment remaining on the Newnan Bypass. To the south, the property is either the subject of a Coweta County rezoning application to C-8 for an indoor self-storage facility, or earmarked for future non-residential development. Furthermore, the challenging topography of the Property (particularly

to the north), the adjoining utilities easement, combined with the location sandwiched between Interstate 85, a major highway, an apartment development, and future mixed-use development, make the Property undesirable for a detached single-family residential subdivision. Therefore, the Property cannot be efficiently used as currently zoned for an isolated suburban subdivision bordered by busy highways, apartments, and future mixed-use developments.

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? The development will have a very low impact on schools. Police, fire, utilities, and engineering should be able to handle the impact of the new Jim Chapman Communities development. Based on the attached CIA, the development will generate a significant estimated tax revenue including $ 294,808 in additional annual school taxes, $ 276,421 in additional total property taxes, and development impact and sanitary sewer impact fees totaling $ 516,670. Therefore, although the development will have an impact, the impact will not be excessive or burdensome.

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan? The proposed cottage apartment development is consistent with the recently completed City of Newnan Comprehensive Plan. It is shown as Emerging Missing Middle Residential on the Future Land Use Map. "Emerging Missing Middle" is defined in the new Comprehensive Plan as "**Medium-Density Residential (between four and seven units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadraplexes, cottage homes, and small apartment buildings.**" Thus, the Land Use Plan Map has identified the Property as an appropriate location for a Missing Middle Residential development and the accompanying plan meets all objective criteria under the recently completed Comprehensive Land Use Plan.

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The RML (Residential Multiple-Family Dwelling – Lower Density District) zoning designation 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. The proposed Jim Chapman Community, thus fits squarely within the definition of the RML Zoning District.

Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan? There are no new or changing conditions in the vicinity of the property, since the recent adoption of the Comprehensive Plan and Map, identifying the Property as a location for the type of development proposed by applicants. In 2019, the Bleakly Advisory Group completed a Residential Market Analysis and provided strategic recommendations to the

City of Newnan. The study indicated that Newnan, like many other cities, has a lack of housing stock that falls between apartments and single-family homes. Known as the "Missing Middle" the housing study advocated regulations facilitating such housing. This policy was adopted by Newnan, in its recent Comprehensive Land Use Plan and Comprehensive Land Use Plan Map.

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 the property? The proposed development, is not only consistent with the Land Use Plan and Map, it also meets all eight of the objective criteria contained in the Newnan Ordinance for evaluating a rezoning application. The development is therefore consistent that therefore reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right of property owners to the unrestricted use of their property.

In summary, Jim Chapman Communities is a highly accomplished builder and developer. The application is consistent 1) with the recently adopted Comprehensive Land Use Plan, recently adopted Comprehensive Land Use Plan Map, 2) the Bleakly Advisory Group 2019 Study of Newnan housing, 3) adjoining uses, and 4) all objective standards set forth in the Newnan Zoning Ordinance.

The Jim Chapman Communities team and I welcome the opportunity to answer any questions relating to this application and to a successful presentation to the City of Newnan Planning Commission and Newnan City Council.

Thank you for your consideration.

Sincerely,

George C. Rosenzweig

GCR/amc

PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lots 11 & 12, 5th District, City of Newnan, Coweta County, Georgia and being more particularly described as follows:

Beginning for the same at a concrete right of way monument found at the intersection of the South Line of aforesaid Land Lot 11 and the Easterly Right-of-Way Line of Newnan Crossing Bypass, (a variable width right of way), as described in a deed recorded among the Land Records of Coweta County in Deed Book 1267, Page 158; thence, leaving the said Point of Beginning and running with the said line of Newnan Crossing Bypass

1. North 00° 02' 01" East, 18.88 feet; thence,
2. 296.78 feet along the arc of a curve deflecting to the right, having a radius of 1,809.86 feet and a chord bearing and distance of North 04° 15' 48" East, 296.45 feet; thence,
3. South 81° 02' 20" East, 25.00 feet; thence,
4. 37.38 feet along the arc of a curve deflecting to the right, having a radius of 1,784.86 feet and a chord bearing and distance of North 09° 33' 40" East, 37.38 feet; thence,
5. North 79° 50' 20" West, 25.00 feet; thence,
6. 579.02 feet along the arc of a curve deflecting to the right, having a radius of 1,809.86 feet and a chord bearing and distance of North 19° 19' 35" East, 576.56 feet; thence,
7. North 28° 29' 29" East, 459.07 feet; thence, leaving the aforesaid line of Newnan Crossing Bypass and running
8. South 61° 32' 28" East, 19.45 feet; thence, running adjacent to the property now or formerly owned by Continental, 449 Fund LLC, as described in a deed recorded among the aforesaid Land Records in Deed Book 4818, Page 179
9. South 54° 47' 38" East, 49.60 feet; thence,
10. South 47° 40' 50" East, 55.07 feet; thence,
11. South 56° 53' 40" East, 89.01 feet; thence,
12. South 68° 18' 39" East, 60.40 feet; thence,
13. North 66° 34' 33" East, 27.86 feet to a point in the centerline of a creek; thence, running with the centerline of said creek and continuing to run adjacent to the aforesaid Continental, 449 Fund LLC property
14. South 57° 04' 51" East, 40.44 feet; thence,
15. South 54° 52' 18" East, 86.87 feet; thence,
16. South 56° 44' 45" East, 95.07 feet; thence,
17. North 87° 51' 48" East, 47.03 feet; thence,
18. South 01° 25' 26" West, 22.18 feet; thence,
19. South 67° 48' 20" East, 108.92 feet; thence,
20. South 47° 54' 30" East, 50.58 feet; thence,
21. South 64° 35' 48" East, 62.13 feet; thence,
22. South 74° 31' 32" East, 70.29 feet; thence,
23. North 89° 21' 50" East, 38.61 feet; thence,
24. North 61° 50' 05" East, 56.69 feet; thence,
25. North 26° 02' 33" East, 17.77 feet; thence,
26. North 48° 10' 17" East, 69.00 feet; thence,
27. North 42° 28' 18" East, 62.16 feet; thence,
28. North 43° 22' 34" East, 82.62 feet; thence,
29. North 74° 13' 26" East, 64.34 feet; thence,
30. South 40° 33' 53" East, 36.18 feet; thence,
31. South 77° 49' 00" East, 56.05 feet to a point on the Westerly Right-of-Way Line of Interstate 85, (a variable width right of way); thence, running with the said line of Interstate 85
32. South 16° 05' 54" West, 13.59 feet to a concrete right of way monument found; thence,
33. South 00° 35' 22" West, 309.10 feet to a concrete right of way monument found; thence,
34. South 06° 16' 03" West, 167.45 feet to a concrete right of way monument found; thence,
35. South 10° 46' 58" West, 615.08 feet to a point of intersection with the South Line of aforesaid Land Lot 12; thence, leaving the aforesaid line of Interstate 85 and running with the said line of Land Lot 12
36. South 89° 34' 53" West, 177.58 feet to a 1 ¼ inch open top pipe found at the common corner of Land Lots 5 & 6, 2nd District of Coweta County; thence, continuing with the common line of aforesaid Land Lots 6, 11 & 12
37. South 89° 26' 39" West, 148.81 feet to a ¾ inch open top pipe found; thence,
38. North 87° 54' 51" West, 149.59 feet to a 1 ¼ inch open top pipe found; thence,
39. North 89° 00' 01" West, 298.97 feet to an axle found; thence,
40. North 88° 19' 10" West, 101.28 feet to an angle iron found; thence,
41. North 89° 52' 25" West, 98.96 feet to a 1 ¼ inch open top pipe found; thence,
42. North 88° 48' 32" West, 100.58 feet; thence,

43. North 88° 59' 55" West, 197.00 feet; thence,
44. North 88° 29' 32" West, 99.59 feet to a 3/8 inch rebar found at the intersection with the aforesaid line of Newnan Crossing Bypass; thence, running with the said line of Newnan Crossing Bypass
45. North 89° 24' 05" West, 60.31 feet to the Point of Beginning, containing 1,545,908 square feet or 35.4892 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

BOUNDARY SURVEY
FOR
DOMINIUM INC.
(NEWNAN FAMILY PROPERTY)
LOCATED IN
LAND LOTS 11 & 12, 5TH DISTRICT
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

LOCATION MAP

NOT TO SCALE
LAT: 33° 21' 25.48" N
LONG: -82° 50' 55.01" W

SURVEY NOTES

EQUIPMENT USED:
A TRIMBLE 3" ROBOTIC TOTAL STATION WAS USED TO OBTAIN ANGULAR MEASUREMENTS AND DISTANCE MEASUREMENTS.

A TRIMBLE R-8 DUAL FREQUENCY GPS UNIT WAS USED FOR BEGINNING CONTROL. A METHOD (ROVER) RTK SURVEY WAS PERFORMED AND ADJUSTED BY ROUTE POSITIONAL ACCURACY.

CLOSURE STATEMENT:
THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE AND IS ACCURATE WITHIN ONE FOOT IN 64,554,391 FEET.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE OF ONE FOOT IN 37,207 FEET AND AN ANGULAR ERROR OF 6" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THE BEARINGS SHOWN ON THIS SURVEY ARE COMPUTED AND IS BASED ON A GRID BEARING BASIS (GA WEST ZONE) NAD83.

ALL HORIZONTAL DISTANCES SHOWN ARE GROUND DISTANCES, MEASURING UNITS OF THIS SURVEY ARE IN U.S. SURVEY FEET.

FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON DECEMBER 17, 2020.

DUE TO VARIANCES IN GPS EQUIPMENT, TECHNIQUES, FORCES, ACCELERATIONS TO STATE PLANE MODELS AND DAILY CONDITIONS AFFECTING OR REDIRECTING GPS SIGNALS MAY VARY FROM THOSE PROVIDED ON THIS SURVEY FROM HORIZONTALLY AND VERTICALLY. ANY AND ALL CONTRACTORS, CONSULTANTS, INDIVIDUALS OR ENTITIES RELYING ON STATE PLANE COORDINATES TO ISSUE TO DATA PROVIDED ON THE SURVEY MUST CONFORM TO THE SURVEY CONTROL, BENCHMARKS OR PROPERTY MONUMENTATION ESTABLISHED BY THIS SURVEY IN ORDER TO ENSURE ACCURACY OF DATA. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND AND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR ISSUES SUBCONTRACTED DUE TO FAILURE TO CONFORM DIRECTLY TO THIS SURVEY DATUM.

THIS SURVEY MAY NOT REPRESENT DIFFERENT RIGHTS STRIPED TO THE ACCURACY REQUIRED FOR LAND DESIGN. TERRAMARK LOCATES THE EDGE OF PAVING AND CRITICAL POINTS TO REFLECT ACCURATE TOPOGRAPHIC DATA ONLY. ACCURACY OF PAVE LOCATIONS SHOULD BE VERIFIED WITH SURVEYOR PRIOR TO USING THIS SURVEY FOR DESIGN.

INFORMATION REGARDING THE REPORTED FREQUENCIES, SIZE, CHARACTER, AND LOCATION OF ROBERTS UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY TO THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN STRICT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES MAY SHOW HEREON MAY BE APPROXIMATE, AND UTILITIES AND STRUCTURES MAY SHOW MAY BE UNDERMINED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR ACCURACY OF THE INFORMATION SHOWN HEREON AS TO ANY UNDERGROUND INFORMATION.

INFORMATION REGARDING STORM SEWER AND SANITARY SEWER AS SHOWN HEREON IS BASED ON OBSERVATIONS MADE BY TERRAMARK SURVEYORS AT THE GROUND OR DRAWN OF THE EXISTING STRUCTURE. TERRAMARK REQUIRES ARE NOT AUTHORIZED TO ENTER A CONFINED SPACE SUCH AS A STRUCTURE. THEREFORE, THERE IS NO CERTAINTY OF THE PIPE SIZES AND PIPE MATERIAL THAT ARE SHOWN ON THE SURVEY. ACCURACY BY A CERTIFIED CONTRACTOR IS THE ONLY WAY TO VERIFY PIPE SIZE AND MATERIAL. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR ACCURACY OF THE PIPE INFORMATION SHOWN HEREON.

TERRAMARK LAND SURVEYING, INC. WAS UNABLE TO DETERMINE THE DEPTH OF PIPES MARKED AS APPROXIMATE DEPTH ONLY. APPROXIMATE PIPES SHOWN ON THE SURVEY TO REFLECT THE OPERATION DEPTH BASED UPON A VISUAL INSPECTION OF THE STRUCTURES ONLY AND IS SHOWN FOR INFORMATIONAL PURPOSES.

STATE WATERS AND BUFFERS AS SHOWN OR NOT SHOWN HEREON AND SUBJECT TO REVIEW BY LOCAL JURISDICTION APPROVALS. IT IS THE RESPONSIBILITY OF THE LOCAL AUTHORITY TO DETERMINE SPECIFIC WATER CLASSIFICATION. TERRAMARK LAND SURVEYING ACCEPTS NO RESPONSIBILITY IN THE IDENTIFICATION OF BODIES OF WATERS OR BUFFERS IDENTIFIED OR NOT IDENTIFIED HEREON.

PROPERTY IS SUBJECT TO RIGHTS OF UPPER AND LOWER RIPARIAN OWNERS IN AND TO THE WATER OF CREEKS AND BRANCHES CROSSING OR ADJOINING SUBJECT PROPERTY AND THEIR NATURAL FLOW THEREOF, FREE FROM DIMINUTION OR POLLUTION.

THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THE TRANSFER OF SURVEY OR ELEVATION TO ANY OTHER PERSON PERSONS OR ENTITY WITHOUT THE EXPRESS CERTIFICATION BY THE SURVEYOR NAMED AND SEALED THEREON IS INVALID.

TERRAMARK LAND SURVEYING, INC. DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY VOLUMES OF HAZARDOUS WASTE IN THE SURVEY AREA.

REFERENCE MATERIAL

1. PLAT OF PROPERTY FOR JOHN R. GATES ESTATE
   PREPARED BY JOHNSON, CHRISTOPHER, GEORGIA RLS #1706
   SURVEY DATED AUGUST 1, 1972 AND LAST REVISED MAY 1974
   RECORDED IN PB. 13 PG. 221
   AVOCADO LAND RECORDS OF COWETA COUNTY, GEORGIA
2. SURVEY FOR DAVID R. BROWN
   PREPARED BY JOHNSON, CHRISTOPHER, GEORGIA RLS #1706
   SURVEY DATED JANUARY 12, 1993
   RECORDED IN PB. 31 PG. 51
   AVOCADO LAND RECORDS
3. SURVEY FOR JERRY AND JAN TOLBERT
   PREPARED BY JOHNSON, CHRISTOPHER, GEORGIA RLS #1706
   SURVEY DATED AUGUST 11, 1993
   RECORDED IN PB. 33 PG. 229
   AVOCADO LAND RECORDS
4. SURVEY FOR CLIFF SMITH
   PREPARED BY MCLAIN SURVEYING, INC.
   SURVEY DATED JUNE 21, 1995
   RECORDED IN PB. 38 PG. 198
   AVOCADO LAND RECORDS
5. FINAL PLAT FOR LAKESHORE SUBDIVISION
   PREPARED BY WATER, JAMES, A. ASSOCIATES
   SURVEY DATED JULY 3, 1998 AND LAST REVISED JULY 28, 2006
   RECORDED IN PB. 68 PG. 32-35
   AVOCADO LAND RECORDS
6. SURVEY FOR OATES FAMILY PARTNERSHIP
   PREPARED BY MCLAIN SURVEYING, INC.
   SURVEY DATED JULY 12, 2002
   RECORDED IN PB. 48 PG. 209
   AVOCADO LAND RECORDS
7. ALTA/NSPS LAND TITLE SURVEY FOR DOMINIUM MOVEMENTS, LLC & FIRST AMERICAN TITLE INSURANCE COMPANY
   SURVEY DATED DECEMBER 11, 2013
   PREPARED BY TERRAMARK LAND SURVEYING, INC.

TITLE NOTES

ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP OF COWETA COUNTY, GEORGIA (PANEL NUMBER 13077C0125D, DATED FEBRUARY 2, 2013) A PORTION OF THE PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AND IS SHOWN GRAPHICALLY HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH COULD REVEAL EASEMENTS NOT REFLECTED ON THIS SURVEY.

SUBJECT PROPERTY HAS ACCESS TO THE PUBLIC RIGHT-OF-WAY OF NEWNAN CROSSING BYPASS.

SITE MAP

AERIAL IMAGERY PROVIDED BY GEORGIA EARTH
IMAGE DATED NOVEMBER 2, 2019

SITE AREA

1,545,988 SQ.FT.
OR
35.4892 AC.

SPECIAL NOTES

1. CERTIFICATION AND DECLARATIONS MADE TO THE ENTITIES AS LISTED IN THE TITLE BLOCK AND OR CERTIFICATIONS. THE CERTIFICATIONS AND DECLARATIONS ON THIS PLAT ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
2. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY, NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
3. PURSUANT TO RULE 180-6-.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

SITE INFORMATION

CURRENT OWNER: OATES FAMILY PARTNERSHIP
DB. 704 PG. 55

TAX PARCEL ID # 007 0011 003

ADDRESS: UNASSIGNED

ZONING: RS-15 (SUBURBAN RESIDENTIAL, SINGLE-FAMILY - LOW DENSITY)
ZONING INFORMATION OBTAINED FROM CITY OF NEWNAN, GEORGIA ONLINE GIS MAPPING, UPDATED AS OF SEPTEMBER 2, 2020.
JURISDICTION: CITY OF NEWNAN, GEORGIA

SETBACKS: BUILDING SETBACKS ARE NOT PROVIDED HEREON. LOCAL GOVERNING AUTHORITIES SHOULD BE CONSULTED TO DETERMINE THE BUILDING SETBACKS FOR THIS PROPERTY.

SURVEYOR'S CERTIFICATE

THIS PLAT IS A RESTRAEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR No. 3171

WILLIAM C. WALLFORD, JR., R.L.S.
REGISTERED NUMBER: 3171

TerraMark Land Surveying, Inc.
1555 Bankhead Hwy. Suite
Monroe, Georgia 30655
Ph. 770-267-1282
Fax: 770-267-1283
Cert. No. LSF000812
Professional Land Surveying Firm

Project No.	2020-250	No.	
Survey Crew:	JH		
Drawn By:	RFS		
Approved By:	WCW		
Date:	12-18-20		
Scale:	1"=100'		
Revised:			

BOUNDARY SURVEY
FOR
DOMINIUM INC.
(NEWNAN FAMILY PROPERTY)
LOCATED IN
LAND LOTS 11 & 12, 5TH DISTRICT
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SHEET NO.
1/2
DRAWING SHEET 1 OF 2

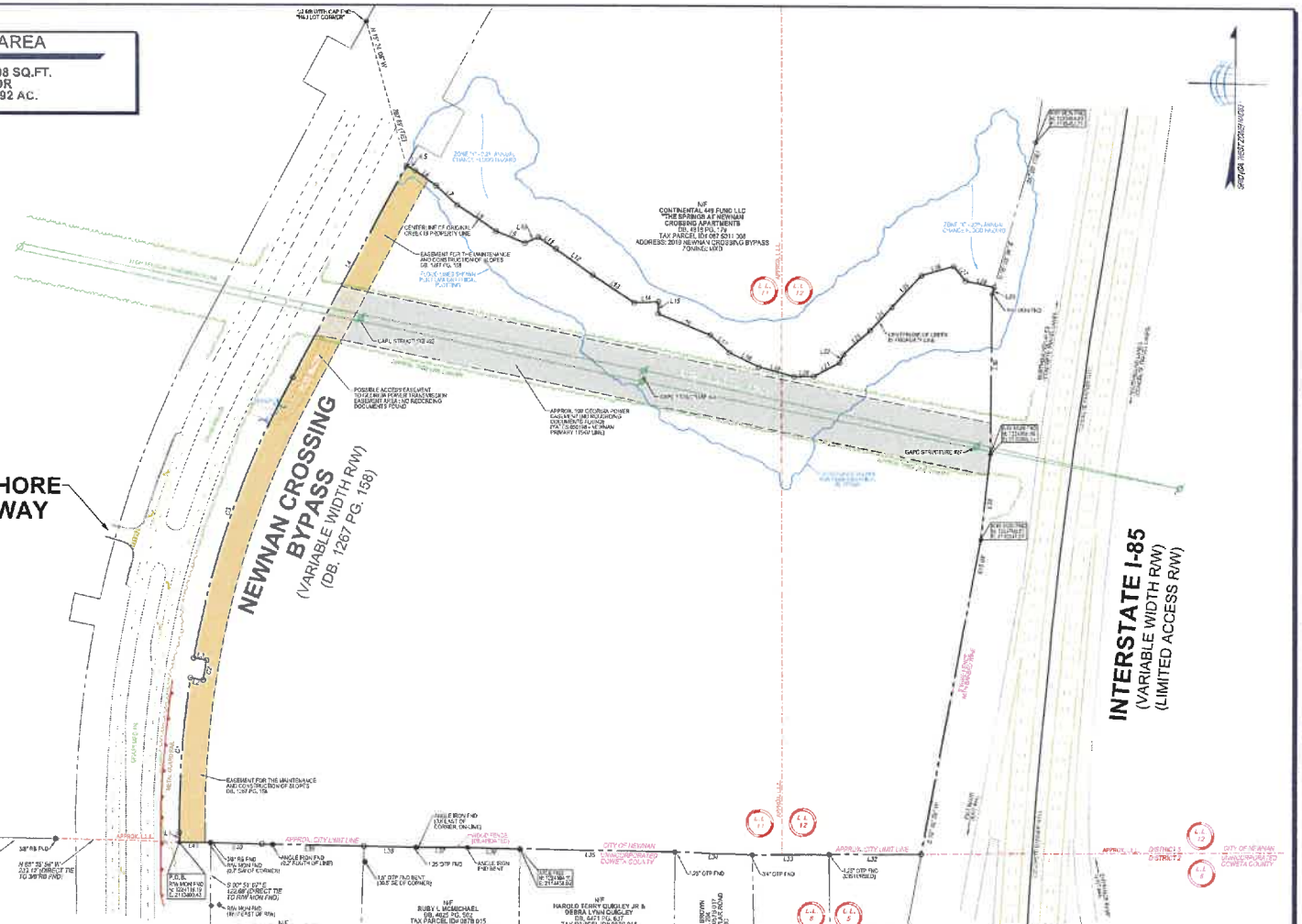
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

SITE AREA

1,545,908 SQ.FT.
OR
35.4892 AC.

LEGEND

- CURB AND GUTTER (C&G)
- FENCE
- HANDRAIL
- STORM DRAIN LINE
- SANITARY SEWER
- WATER LINE
- GAS LINE
- UNDERGROUND POWER LINE
- OVERHEAD POWER LINE
- COMMUNICATION
- TOPOGRAPHIC CONTOUR
- PROPERTY LINE
- CATCH BASIN (DWCB)
- CATCH BASIN (SWCB)
- DROP INLET (DI)
- JUNCTION BOX (JB)
- HEAD WALL (HW)
- CURB INLET (CI)
- FLARED END SECTION (FES)
- OUTLET CONTROL STRUCTURE
- YARD DRAIN INLET
- BS MANHOLE (MH)
- CLEAN OUT (CO)
- GREASE TRAP (GT)
- PERMANENT CONTROL VALVE
- FIRE HYDRANT (FH)
- WATER VALVE (WV)
- WATER METER (WM)
- FIRE DEPT. CONNECTION (FDC)
- WATER VALVE MARKER
- TRANSFORMER BOX (TX)
- AIR CONDITIONER (AC)
- ELECTRIC METER (EM)
- ELECTRIC UTILITY
- LIGHT POLE (LP)
- POWER POLE (WITH LIGHT)
- POWER POLE (PP)
- UTILITY MANHOLE (UM)
- SPOTLIGHT
- GAS METER (GM)
- GAS VALVE (GV)
- TELEPHONE PEDESTAL
- COMMUNICATION BOX
- TRAFFIC SIGNAL
- BOLLARD (BOL)
- MAIL BOX
- SIGN
- CROSSWALK SIGNAL
- SPOT ELEVATION
- DRIVEWAY AREA
- OVERHANG AREA
- RIP-RAP AREA
- BRICK AREA
- TREELINE



CALL TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 09° 40' 01" E	18.88'	L32	N 20° 02' 31" E	17.77'
L2	N 61° 07' 26" E	35.00'	L33	N 48° 58' 17" E	69.00'
L3	N 76° 09' 39" W	20.00'	L34	N 40° 28' 10" E	60.15'
L4	S 89° 32' 28" E	459.00'	L35	N 49° 23' 10" E	62.63'
L5	S 89° 32' 28" E	40.00'	L36	N 49° 23' 10" E	62.63'
L6	S 64° 47' 30" E	40.00'	L37	S 49° 11' 23" E	36.18'
L7	S 40° 19' 59" E	35.00'	L38	S 77° 39' 00" E	56.00'
L8	S 34° 13' 48" E	35.01'	L39	S 18° 00' 24" W	13.00'
L9	S 65° 17' 39" E	39.68'	L40	S 88° 30' 29" W	369.10'
L10	N 68° 34' 39" W	37.48'	L41	S 88° 16' 13" W	187.45'
L11	S 87° 04' 51" E	45.44'	L42	S 89° 34' 33" W	177.13'
L12	S 84° 14' 16" E	56.51'	L43	S 89° 59' 30" W	142.41'
L13	S 58° 49' 48" E	55.01'	L44	N 87° 54' 31" W	148.38'
L14	N 63° 31' 46" E	47.62'	L45	N 89° 00' 01" W	280.70'
L15	S 61° 33' 26" W	53.16'	L46	N 88° 12' 10" W	131.28'
L16	S 61° 42' 30" E	108.63'	L47	N 87° 32' 23" W	56.60'
L17	S 41° 58' 30" E	56.58'	L48	N 86° 12' 33" W	180.26'
L18	S 84° 33' 00" E	63.17'	L49	N 88° 09' 07" W	187.00'
L19	S 76° 11' 33" E	18.28'	L50	N 88° 20' 32" W	20.79'
L20	N 52° 21' 58" E	38.61'	L51	N 60° 24' 05" W	10.21'
L21	N 61° 37' 50" E	59.94'			

CURVE	ARC	RADIUS	BEARING	CHORD
C1	276.73'	1,190.00'	N 04° 18' 46" E	275.93'
C2	57.26'	1,194.80'	N 00° 20' 39" E	57.26'
C3	579.82'	1,800.00'	N 10° 19' 35" E	576.81'

ABBREVIATIONS

A	ARC LENGTH	IPS	IRON PIN SET (CAPPED)
ADD.	ADDRESS	N/F	NOW OR FORMERLY
AE	ACCESS EASEMENT	OTP	OPEN TOP PIPE
BSL	BUILDING SETBACK LINE	PBL	PLAT BOOK
BW	BARWIRE	PGL	PAGE
CH	CHORD LENGTH	POB	POINT OF BEGINNING
CLR	CENTER LINE RIVER	POC	POINT OF COMMENCEMENT
CMP	CONCRETE MONUMENT FOUND	R	RADIUS LENGTH
CMP	CORRUGATED METAL PIPE	R/W	RIGHT OF WAY
CONC.	CONCRETE	R/W MON.	RIGHT OF WAY MONUMENT
CTP	CLOSED TOP PIPE	RB	REBAR
DB.	DEED BOOK	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	SDE	STORM DRAINAGE EASEMENT
FDC	FIRE DEPARTMENT CONNECTION	SQ. FT.	SQUARE FEET
FND	FOUND	SSE	SANITARY SEWER EASEMENT
HDPE	HIGH DENSITY POLYETHYLENE PIPE	WPF	WOOD PRIVACY FENCE
IPF	IRON PIN FOUND		

FLOOD ZONE LEGEND

- ZONE "X" 0.2% ANNUAL CHANCE FLOOD HAZARD
- ZONE "AE" 1% ANNUAL CHANCE FLOOD HAZARD
- FLOODWAY AREA WITHIN ZONE "AE"

BOUNDARY SURVEY FOR DOMINIUM INC. (NEWNAN FAMILY PROPERTY)

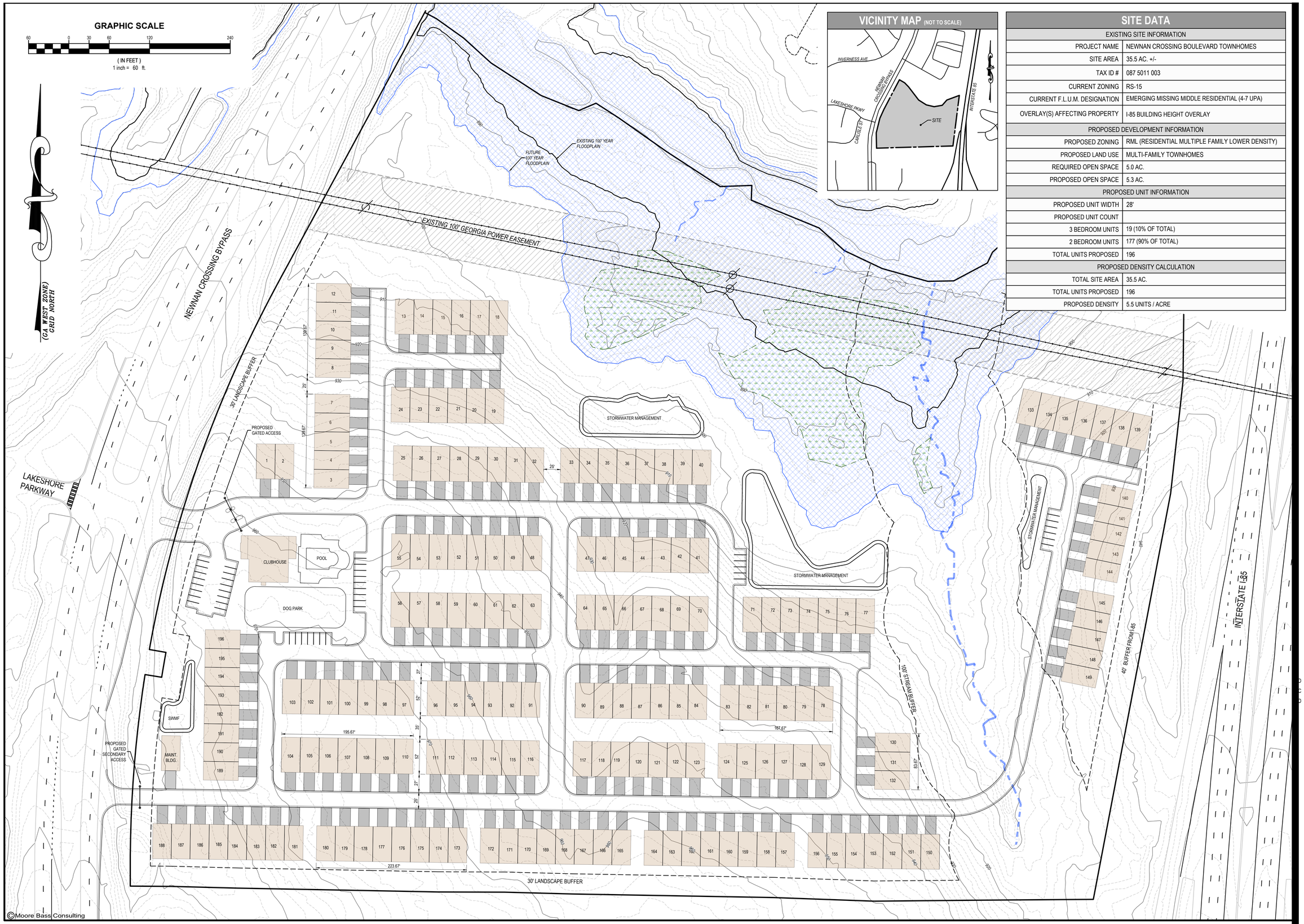
LAND LOTS 11 & 12, 5TH DISTRICT
LOCATED IN
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SHEET NO. 2/2

TerraMark
Professional Land Surveyors, Inc.
Pro Rata Street & Land Surveying C.O.A. # LSF000818

Date	Description

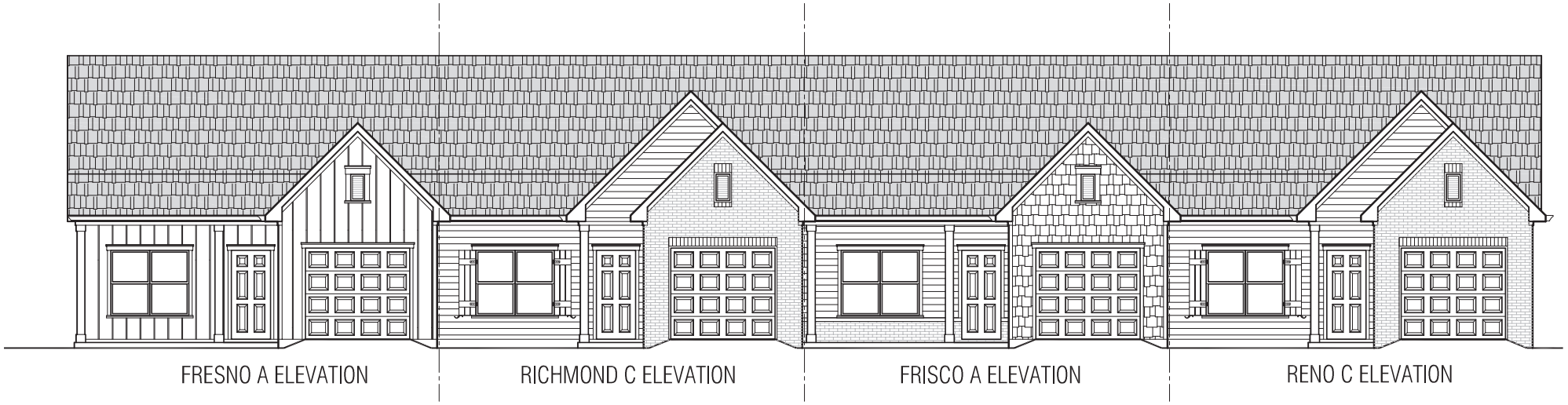
Project No: 2020-079 | Rev:
Survey Date: JJT
Drawn By: RPS
Approved By: WTS
Latest: 12-18-20
Scale: 1"=100'



SITE DATA

EXISTING SITE INFORMATION	
PROJECT NAME	NEWNAN CROSSING BOULEVARD TOWNHOMES
SITE AREA	35.5 AC. +/-
TAX ID #	087 5011 003
CURRENT ZONING	RS-15
CURRENT F.L.U.M. DESIGNATION	EMERGING MISSING MIDDLE RESIDENTIAL (4-7 UPA)
OVERLAY(S) AFFECTING PROPERTY	I-85 BUILDING HEIGHT OVERLAY
PROPOSED DEVELOPMENT INFORMATION	
PROPOSED ZONING	RML (RESIDENTIAL MULTIPLE FAMILY LOWER DENSITY)
PROPOSED LAND USE	MULTI-FAMILY TOWNHOMES
REQUIRED OPEN SPACE	5.0 AC.
PROPOSED OPEN SPACE	5.3 AC.
PROPOSED UNIT INFORMATION	
PROPOSED UNIT WIDTH	28'
PROPOSED UNIT COUNT	
3 BEDROOM UNITS	19 (10% OF TOTAL)
2 BEDROOM UNITS	177 (90% OF TOTAL)
TOTAL UNITS PROPOSED	196
PROPOSED DENSITY CALCULATION	
TOTAL SITE AREA	35.5 AC.
TOTAL UNITS PROPOSED	196
PROPOSED DENSITY	5.5 UNITS / ACRE

©Moore Bass Consulting

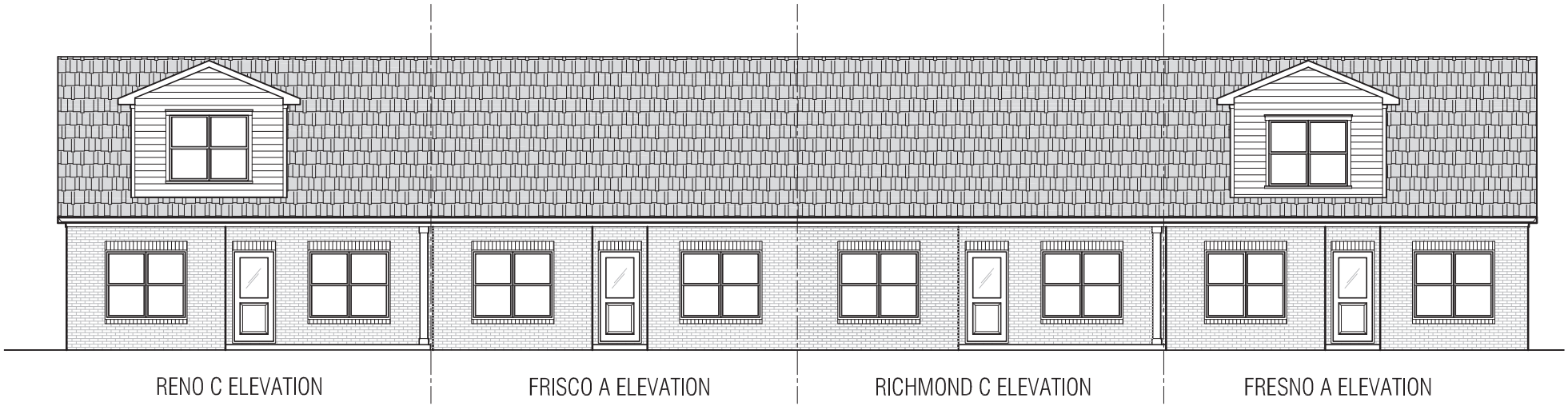


NEWNAN CROSSING BYPASS

VISIBILITY ELEVATIONS

FRONT ELEVATION		
MATERIAL	AREA/S.F.	PERCENT
BRICK	210 SF	26%
SIDING	306 SF	39%
BD.&BTN.	180 SF	23%
SHAKE	91 SF	12%
	TOTAL	100%

OVERALL BUILDING		
MATERIAL	AREA/S.F.	PERCENT
BRICK	1848 SF	56%
SIDING	1130 SF	34%
BD.&BTN.	234 SF	7%
SHAKE	91 SF	3%
	TOTAL	100%

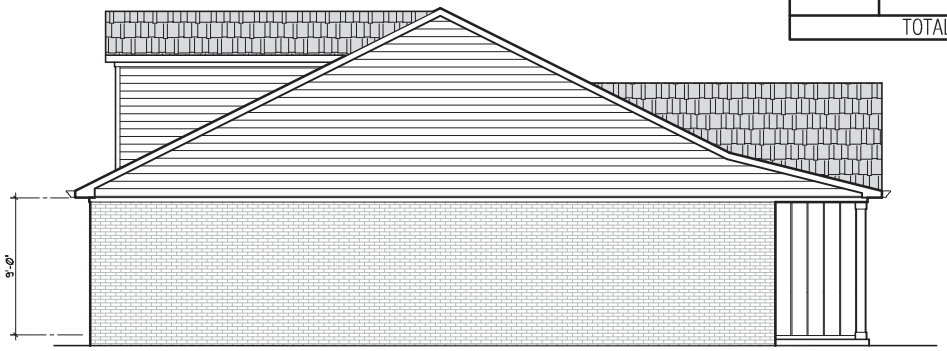


NEWNAN CROSSING BYPASS

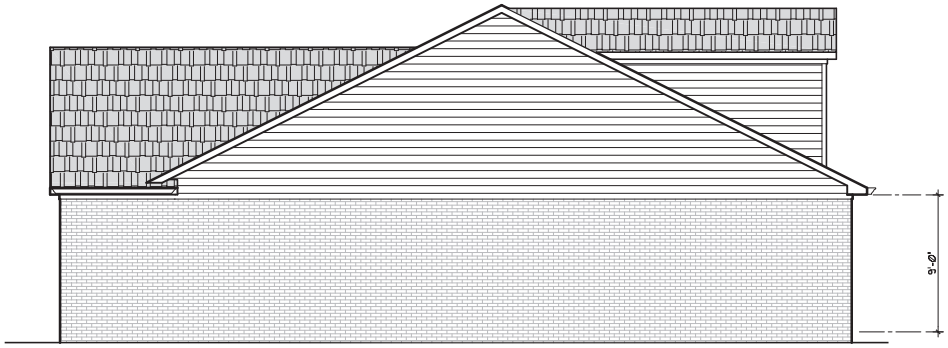
VISIBILITY ELEVATIONS

REAR ELEVATION		
MATERIAL	AREA/S.F.	PERCENT
BRICK	724 SF	83%
SIDING	144 SF	17%
	TOTAL	100%

SIDE ELEVATIONS		
MATERIAL	AREA/S.F.	PERCENT
BRICK	914 SF	55%
SIDING	680 SF	41%
BD.&BTN.	54 SF	3%
	TOTAL	100%



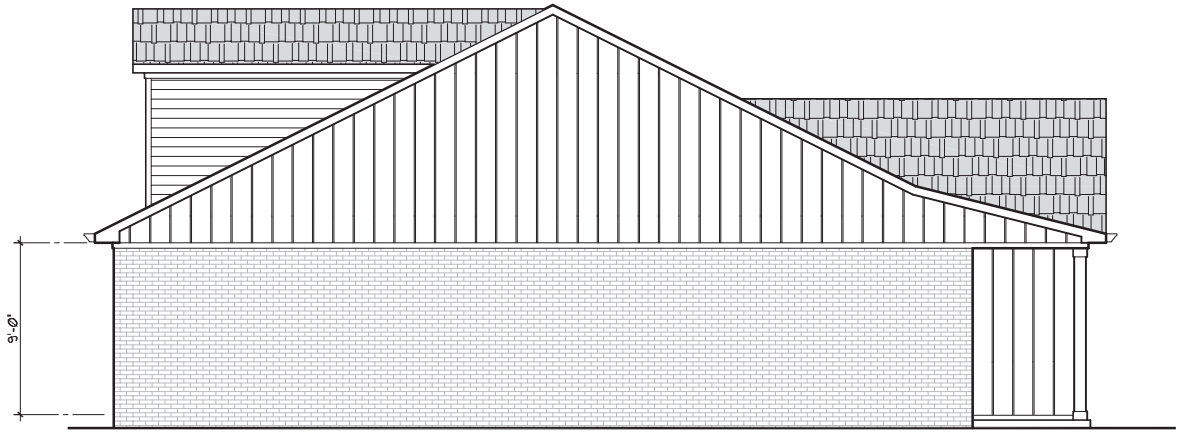
FRESNO A ELEVATION



RENO C ELEVATION

NEWNAN CROSSING BYPASS

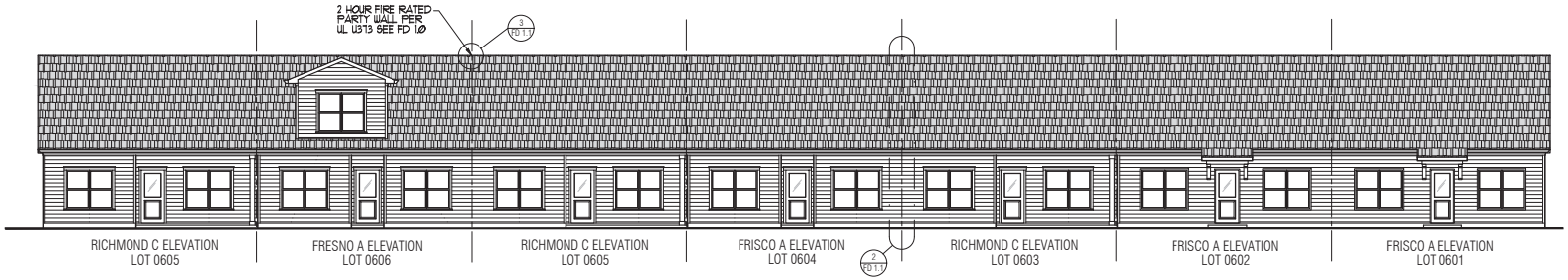
VISIBILITY ELEVATIONS



NEWNAN CROSSING BYPASS

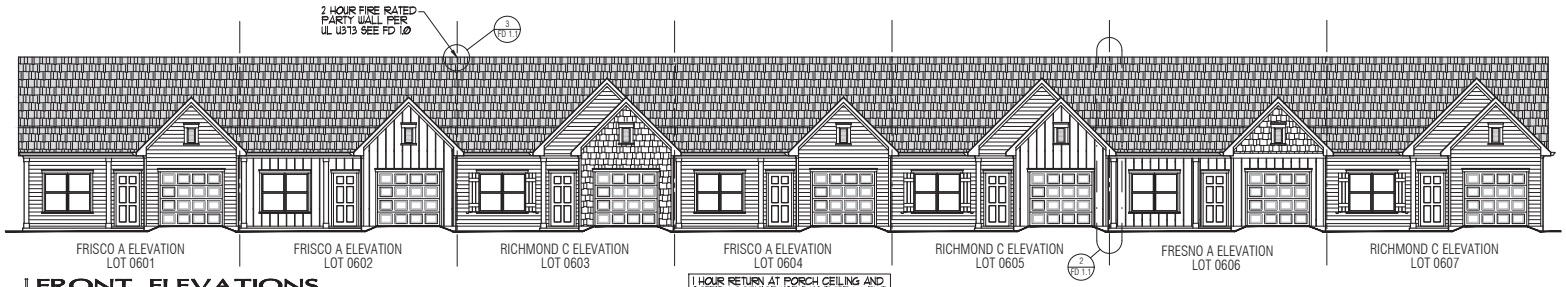
VISIBILITY ELEVATIONS

FRESNO A ELEVATION
(ALTERNATIVE ELEVATION)



REAR ELEVATIONS

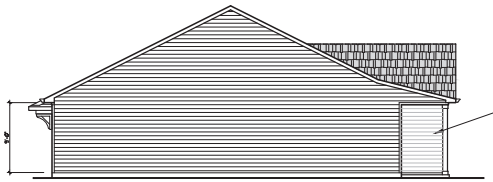
BUILDING 2 SCALE 1/16" = 1'-0"



FRONT ELEVATIONS

BUILDING 2 SCALE 1/16" = 1'-0"

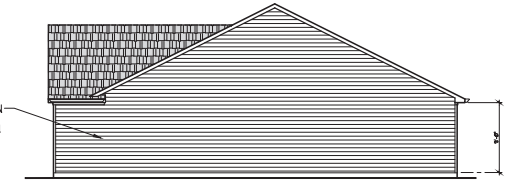
1 HOUR RETURN AT PORCH CEILING AND SOFFIT / CORNICE USE 5/8" TYPE X EXT. SHEATHING (APPLIED UNDER EXTERIOR FINISH PER IRC) RETURN 4'-0" MIN. FROM FACE OF 2 HOUR WALL TYP.



LEFT ELEVATION

SCALE 1/16" = 1'-0"

IF BUILDING IS WITHIN 5'-0" OF PROPERTY LINE THE ELEVATION SHALL BE 1 HR. PER IRC AND UL 309



RIGHT ELEVATION

SCALE 1/16" = 1'-0"

Conceptual Gated Entrances

JIM CHAPMAN
COMMUNITIES

Conceptual Clubhouse, Pool & Dog Park

JIM CHAPMAN
COMMUNITIES

Conceptual Interior Clubhouse

JIM CHAPMAN
COMMUNITIES

Conceptual Elevations

JIM CHAPMAN
COMMUNITIES

Conceptual Elevations

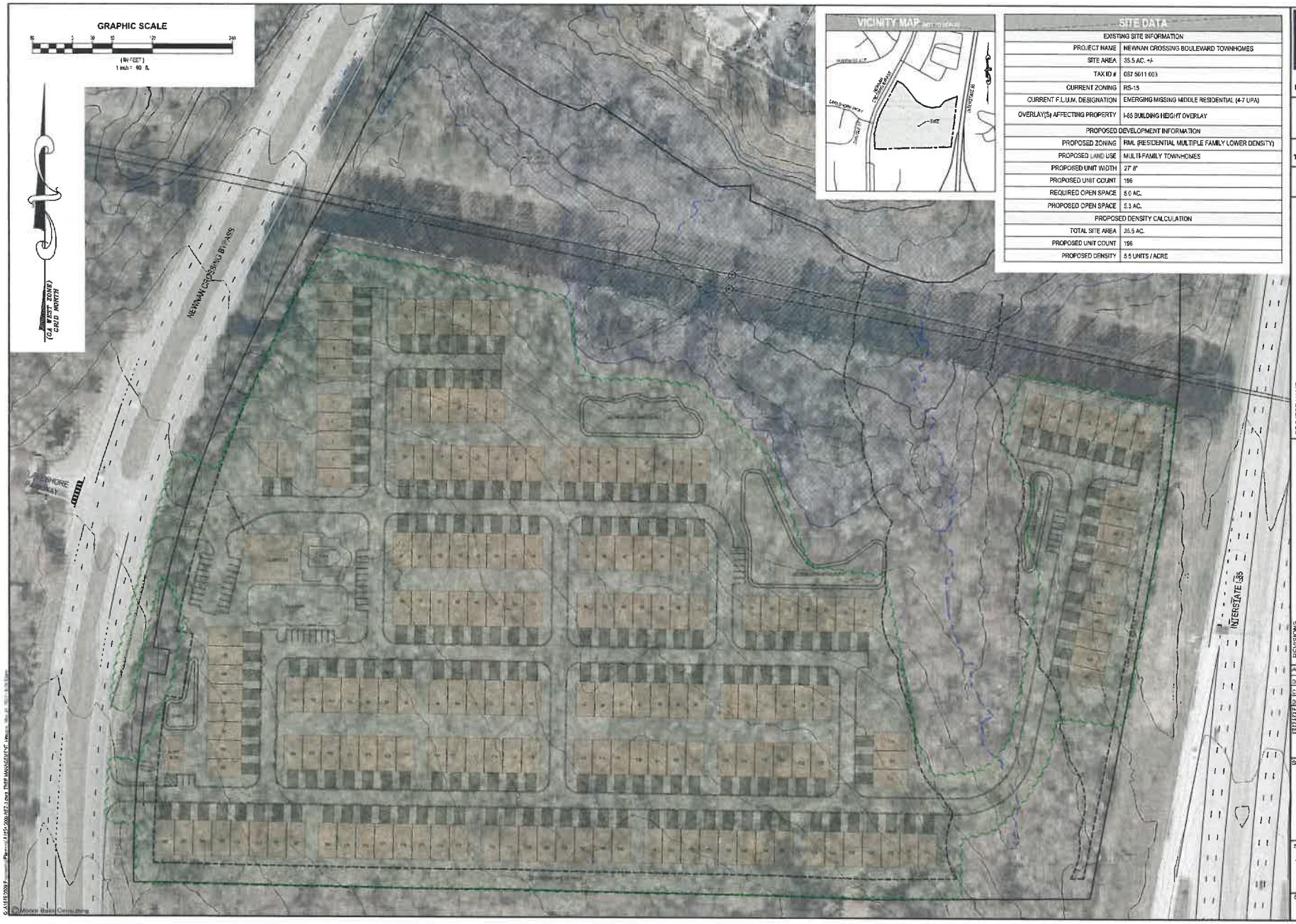
JIM CHAPMAN
COMMUNITIES

Conceptual Interiors

JIM CHAPMAN
COMMUNITIES

Conceptual Interiors

JIM CHAPMAN
COMMUNITIES



SITE DATA	
EXISTING SITE INFORMATION	
PROJECT NAME	NEWNAN CROSSING BOULEVARD TOWNHOMES
SITE AREA	35.5 AC. +/-
TAX ID #	087 5011 003
CURRENT ZONING	RS-15
CURRENT F.L.U.M. DESIGNATION	EMERGING MISSING MIDDLE RESIDENTIAL (4-7 UPA)
OVERLAY(S) AFFECTING PROPERTY	I-85 BUILDING HEIGHT OVERLAY
PROPOSED DEVELOPMENT INFORMATION	
PROPOSED ZONING	RML (RESIDENTIAL MULTIPLE FAMILY LOWER DENSITY)
PROPOSED LAND USE	MULTI-FAMILY TOWNHOMES
PROPOSED UNIT WIDTH	27' 8"
PROPOSED UNIT COUNT	196
REQUIRED OPEN SPACE	5.0 AC.
PROPOSED OPEN SPACE	5.3 AC.
PROPOSED DENSITY CALCULATION	
TOTAL SITE AREA	35.5 AC.
PROPOSED UNIT COUNT	196
PROPOSED DENSITY	5.5 UNITS / ACRE

Moore Bass Consulting, Inc.

- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

www.moorebass.com
TALLAHASSEE • ATLANTA

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME: NEWNAN CROSSING BLVD TOWNHOMES

CLIENT NAME: JIM CHAPMAN COMMUNITIES

REVISIONS

A1854.0009-REZ-3

DATE: 05-25-2022

CONTRACT #

DRAWN BY: KUH

This Drawing, Specifications or other work product and the ideas and designs incorporated herein, as an instrument of service, is the property of Moore Bass Consulting, Inc. (MBC) whether the project for which they are made has been executed or not. MBC shall retain all common law, statutory and other reserved rights, including the copyright.

"GRAPHIC FENCE - COLOR" UNDERGROUND TOP SOIL BY: [illegible]

SEAL

SHEET TITLE: TREE MANAGEMENT PLAN

SHEET: 1.0

© Moore Bass Consulting

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PROPOSED UNIT COUNT	196
PROPOSED DENSITY	5.5 UNITS / ACRE

MB
Moore Bass Consulting, Inc.
• Civil Engineering
• Land Surveying
• Development Consulting
• Landscape Architecture
• Environmental Permitting
www.moorebass.com
TALLAHASSEE • ATLANTA
1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME: NEWNAN CROSSING BLVD TOWNHOMES

CLIENT NAME: JIM CHAPMAN COMMUNITIES

REVISIONS

A1654.0009-REZ-3

DATE: 05-26-2022

CONTRACT #

DRAWN BY: RWH

SEAL

SHEET TITLE: TREE MANAGEMENT PLAN

SHEET: 2.0

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:

A. Applicant proffers, as conditions:

- The density of the development will be less than 6 units per acre.
- Significant facilities and services specifically designed to serve residents.
- Residences will be provided with full kitchens including a dishwasher, stove refrigerator, and microwave.

B. Natural vegetation shall remain on the property prior to issuance of a Development Permit.

C. All disturbed grassed areas shall be sodded.

D. All utilities shall be placed underground.

E. Ground signage shall be limited to monument-type sign(s).

F. The development shall be limited to a maximum of 196 units and one accessory building.

G. Height of the buildings shall be limited to 55 feet.

H. One main entrance and exit and one secondary entrance and exit will be constructed on Newnan Crossing Bypass.

I. Gated access with private streets.

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

George C. Rosenzweig, Attorney
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Amy M. Coria 5/31/22
Signature of Notary Public Date

(Affix Raised Seal Here)

AMY M CORIA
NOTARY
EXPIRES
GEORGIA
DEC. 9, 2023
PUBLIC
COWETA COUNTY

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: Eve Loudenback on behalf of Cates Family Partnership

Telephone Number: 703-309-0909

Address of Subject Property: The real property comprising approximately 35.4892 acres located between Newnan Crossing Bypass and Interstate 85 in the City of Newnan, Coweta County, Georgia.

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.

Eva A Loudenback, May 6, 2022
Signature of Property Owner

Personally appeared before me

Helena Carino Satina

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

HELENA CARINO SATINA
NOTARY PUBLIC 7685670
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPTEMBER 30, 2024

Notary Public

(Affix Raised Seal Here)

May 6, 2022
Date

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 George C. Rosenzweig

Address 75 Jackson Street, Suite 405

Newnan, Georgia 30263

Telephone 470-347-3651

Date 5/31/2022

Maldino & Wilburn
Traffic Engineering Consultants
A Woman-Owned Business

Community Assessment Memo

To: **Tracy Dunnavant, Planning Director**

From: **Vern Wilburn, P.E., PTOE**

Date: **May 31, 2021**

Re: **The Cottages By Jim Chapman, Proposed Residential Community, Newnan Crossing Bypass**

This memo outlines the expected community impacts from the proposed rezoning and development of a 35.4892-acre site located adjacent to Newnan Crossing Bypass south of the recently completed Springs at Newnan Apartment Complex. The development, known as The Cottages, is being proposed by Jim Chapman Communities and Cates Family Partnership.

The proposed development is a townhome community consisting of 196 residential units. A site plan is included as Attachment A.

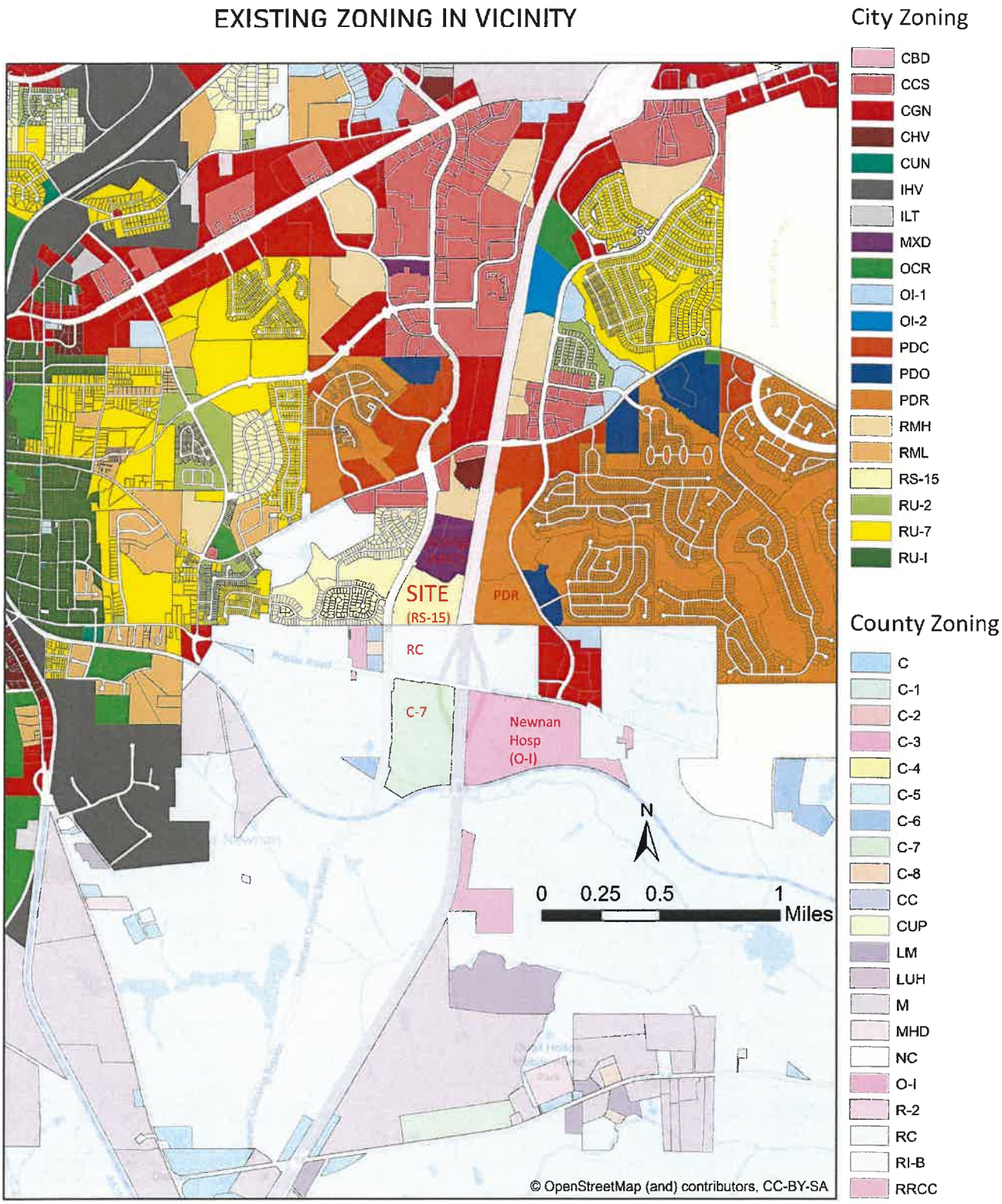
Primary access for the development is a full access driveway connecting to Newnan Crossing Bypass across from Lakeshore Parkway. This proposed driveway will become the fourth leg of the intersection of Lakeshore Parkway and Newnan Crossing Bypass.

Input was requested from various agencies and utility providers including: the Coweta County School Board, Newnan Utilities, the Newnan Police Department, and the Newnan Fire Department. At this time, no responses have been received.

EXISTING ZONING

The illustration on the following page is the currently available zoning map for the vicinity. The site is located on the southern edge of the city of Newnan. The site is currently zoned RS-15. The property to the north is zoned MXD and has been partially developed for the Springs apartments. A section of the property to the north, along the Newnan Bypass, has been reserved and is currently being marketed for commercial use. To the north of the Springs (although not reflected on the currently available zoning map) is a parcel which Dominium rezoned in 2020 to the RMH category for an affordable, age-restricted, apartment complex. The adjoining parcel to the south, located in Coweta County, is zoned RC. The eastern portion of the county site (adjoining the Interstate-85 off ramp) is the subject of a current county rezoning application to C-8 for an indoor self-storage facility.

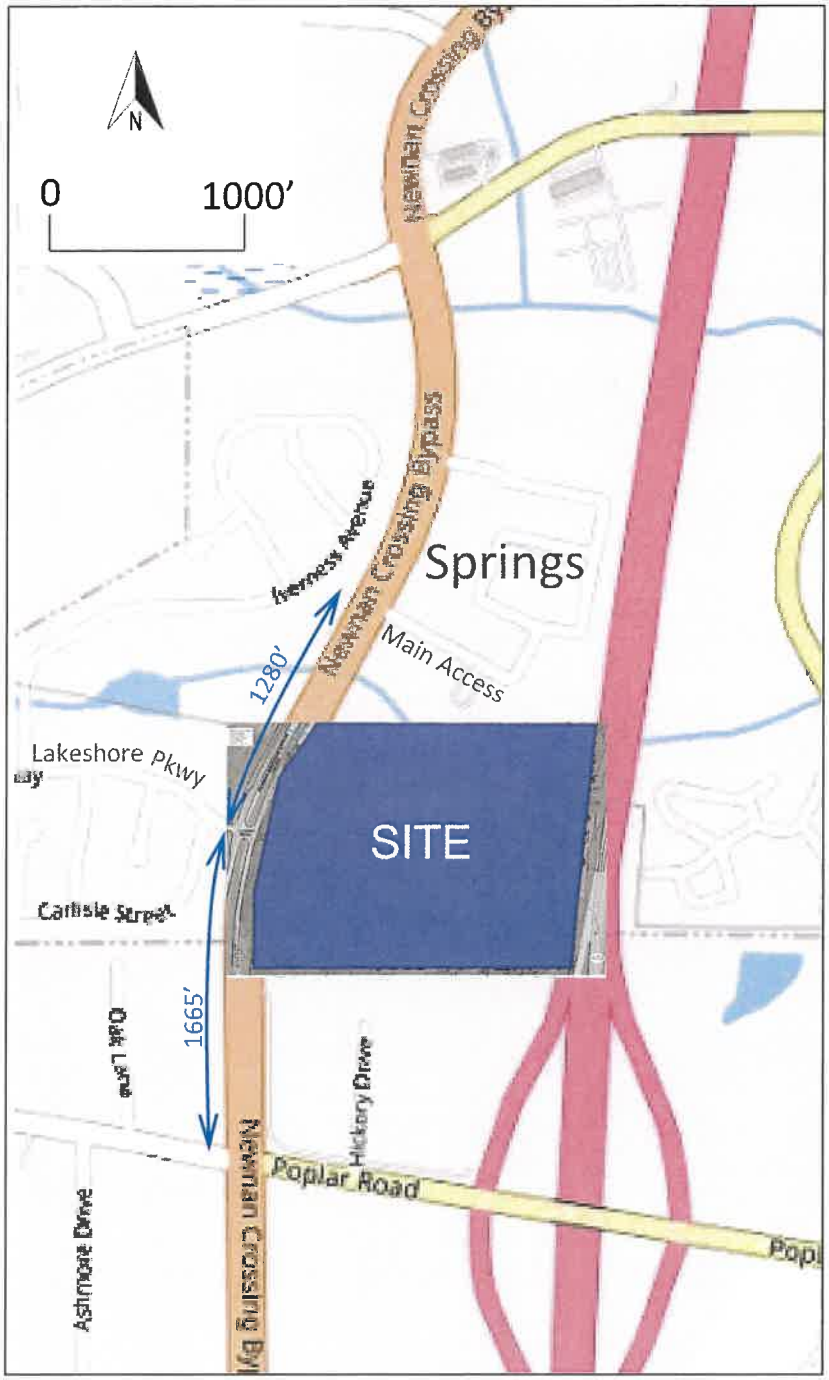
EXISTING ZONING IN VICINITY



ROADS AND STREETS

As shown in the illustration below the proposed main driveway will be located about 1280 feet south of the main access for the Springs Apartment Community. The proposed driveway will be about 1665 feet north of Poplar Road.

SITE LOCATION



The traffic expected to be generated by the proposed development is shown in the following table.

Trip Generation Summary

Alternative: Alternative 1
Phase:
Project: The Cottages

Open Date: 5/31/2022
Analysis Date: 5/31/2022

ITE	Land Use	Weekday Average Daily Trips *	Enter	Exit	Total	Weekday AM Peak Hour of Adjacent Street Traffic *	Enter	Exit	Total	Weekday PM Peak Hour of Adjacent Street Traffic *	Enter	Exit	Total
220	LOW-RISE 1		718	717	1435		21	69	90		69	41	110
	196 Dwelling Units												
Unadjusted Volume			718	717	1435		21	69	90		69	41	110
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			718	717	1435		21	69	90		69	41	110

Total Weekday Average Daily Trips Internal Capture = 0 Percent
Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent
Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition
TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

The proposed development is expected to generate approximately 1435 trips (718 in and 717 out) per day.

A traffic impact study was conducted for the development and a copy is attached. The findings of the impact study indicate that turn lanes will be needed at both driveways.

TAX REVENUE

The proposed development is part of a larger parcel (Parcel 087 5011 003), which currently has an assessed value of $4,639,967. Tax parcel information from the qPublic website is included as Attachment B.

Parcel 087 5011 003 is comprised of three separate areas totaling 61.45 acres. The site proposed for this development will contain 35.4892-acres. Since this site represents 57.8% of the total of the three parcels, the existing value and existing tax revenues are estimated as 57.8% of the values found on qPublic.

It is estimated that the fair market value of the property would increase to $43 million because of the proposed improvements. The assessed valuation would be 40% of the fair market value or $17.2 million. The following table shows the estimated change in tax revenues for the County, City, and School System.

ESTIMATED CHANGE IN ANNUAL PROPERTY TAX REVENUE

ENTITY	MILLAGE RATE	EXISTING TAXES BASED ON FAIR MARKET VALUE OF $2,811,820 (57.8% of $4,639,967)	EXPECTED TAXES BASED ON IMPROVED FAIR MARKET VALUE ($43,000,000)	ADDITIONAL PROPERTY TAX
Assessed Value		$1,072,760	$17,200,000	
County	6.168	$6617	$106,090	$99,473
School	17.14	$18,387	$294,808	$276,421
City	7.335	$7869	$126,162	$118,293
TOTAL	30.643	$32,874	$527,060	$494,187

OTHER BENEFITS TO THE CITY OF NEWNAN

The development of this property as proposed would require significant impact fees to be paid estimated as follows:

TYPE OF FEE	UNIT COST (Per Unit)	No. UNITS	TOTAL
Development Impact Fee	$1,136.07	196	$222,670
Sanitary Sewer Impact Fee	$1,500	196	$294,000
	TOTAL IMPACT FEES		$516,670

Attachment B

Tax Parcel Data

qPublic.net™ Coweta County, GA

Summary

Parcel Number	087 5011 003
Location Address	
Legal Description	61.451 AC LL 11 12 21 LOWER FAYETTEVILLE (Note: Not to be used on legal documents)
Class	C5-Commercial (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	NEWNAN 08 ANNEX (District 08)
Millage Rate	27.483
Acres	61.45
Neighborhood	Comm/Ind Newnan (G10000)
Homestead Exemption	No (S0)
Landlot/District	11 / 5

View Map

Owner

CATES FAMILY PARTNERSHIP
815 SHERLIN LN
GREAT FALLS, VA 22066

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Newnan Crossing Bypass	Square Feet	2,676,762	0	0	61.45	0

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/1/1992	701 55		$0	UNQUALIFIED IMPROVED		CATES FAMILY PARTNER
7/12/1989	526 485		$0	UNKNOWN STATUS		INZER LAURA C & EVA

Valuation

		2020	2019	2018	2017	2016
	Previous Value	$4,639,967	$4,639,967	$4,639,967	$4,639,967	$5,242,636
	Land Value	$4,639,967	$4,639,967	$4,639,967	$4,639,967	$4,639,967
+	Improvement Value	$0	$0	$0	$0	$0
+	Accessory Value	$0	$0	$0	$0	$0
=	Current Value	**$4,639,967**	**$4,639,967**	**$4,639,967**	**$4,639,967**	**$4,639,967**

Assessment Notices 2019

12452 (PDF)

Assessment Notices 2020

2020 (PDF)

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

The Coweta County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.
User Privacy Policy
GDPR Privacy Notice

Developed by Schneider GEOSPATIAL

SECTION 12

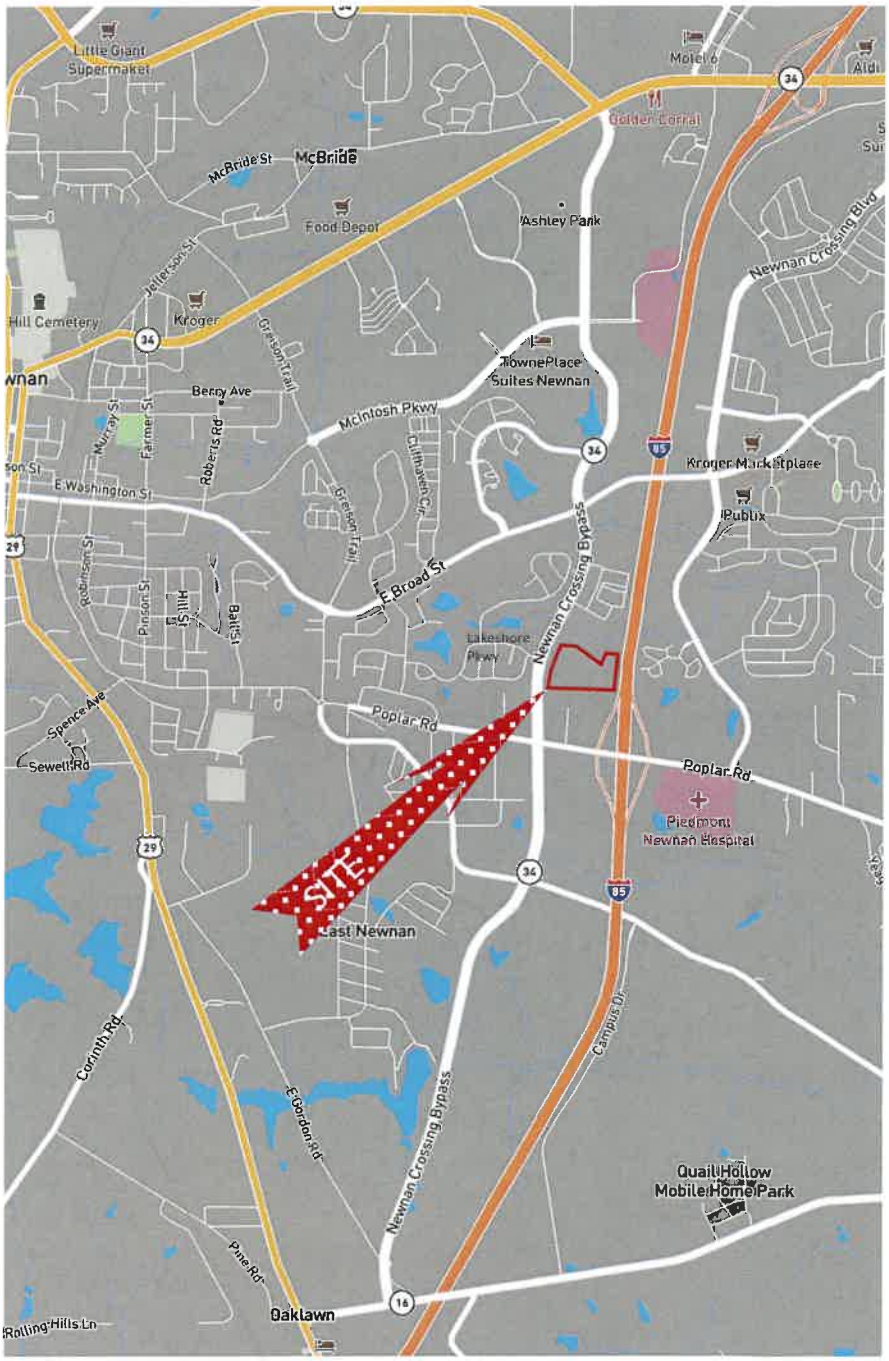
TRAFFIC STUDY

Traffic Impact Study

THE COTTAGES

By Jim Chapman Communities

Newnan, GA



31 May 2022

Maldino and Wilburn, LLC

Traffic Engineering Consultants

5. Summary of Findings

The following summarizes the findings of the traffic study:

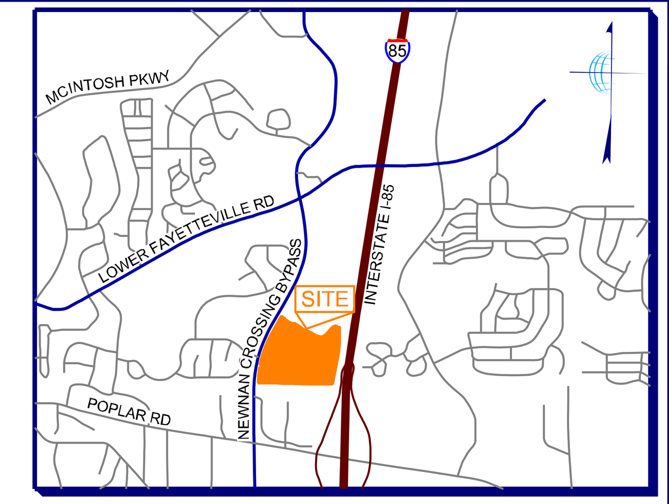
1. The proposed residential development with 196 living units will generate an estimated 90 trips during the AM Peak Hour (21 inbound / 69 outbound) and 110 trips during the PM Peak Hour (69 inbound / 41 outbound).

2. The projected traffic volumes at the site driveways are sufficient to warrant the addition of auxiliary turn lanes. These include a southbound left turn lane on Newnan Crossing Bypass at the proposed driveway and a northbound right turn into the development. A northbound right turn lane at the Right-In/Right-Out (RIRO) only driveway will also be needed.

3. After the additional traffic estimated to be generated by the development is added to the existing traffic and with the turn lanes in Item #2, the intersection of Newnan Crossing Bypass and Lakeshore Parkway/Proposed Main Driveway will operate at Level of Service (LOS) E or better.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

BOUNDARY SURVEY
FOR
DOMINIUM INC.
(NEWNAN FAMILY PROPERTY)
LOCATED IN
LAND LOTS 11 & 12, 5TH DISTRICT
CITY OF NEWNAN, COWETA COUNTY, GEORGIA



LOCATION MAP

NOT TO SCALE
LAT - 33° 21' 55.44" N
LONG - 84° 45' 55.02" W

SURVEY NOTES

EQUIPMENT USED:
A TRIMBLE "S" SERIES TOTAL STATION WAS USED TO OBTAIN ANGULAR MEASUREMENTS AND DISTANCE MEASUREMENTS.

A TRIMBLE R-10 DUAL FREQUENCY GPS UNIT WAS USED FOR ESTABLISHING CONTROL. A NETWORK ADJUSTED RTK SURVEY WAS PERFORMED AND ADJUSTED BY RELATIVE POSITIONAL ACCURACY.

CLOSURE STATEMENT:
THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE AND IS ACCURATE WITHIN ONE FOOT IN 454,587 FEET.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAD A CLOSURE OF ONE FOOT IN 177,287 FEET AND AN ANGULAR ERROR OF 0" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THE BEARINGS SHOWN ON THIS SURVEY ARE COMPUTED ANGLES BASED ON A GRID BEARING BASE (GA WEST ZONE) NAD83.

ALL HORIZONTAL DISTANCES SHOWN ARE GROUND DISTANCES. MEASURING UNITS OF THIS SURVEY ARE IN U.S. SURVEY FEET.

FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON DECEMBER 17, 2020.

DUE TO VARIANCES IN GPS EQUIPMENT, TECHNIQUES, FEDERAL ADJUSTMENTS TO STATE PLANE MODELS AND DAILY CONDITIONS IMPACTING GPS RECEPTIVITY, GPS SOLUTIONS MAY VARY FROM THOSE PROVIDED ON THIS SURVEY BOTH HORIZONTALLY AND VERTICALLY. ANY AND ALL CONTRACTORS, CONSULTANTS, INDIVIDUALS OR ENTITIES RELYING ON STATE PLANE COORDINATES TO RELATE TO DATA PROVIDED ON THIS SURVEY MUST LOCALIZE TO THE SURVEY CONTROL, BENCHMARKS OR PROPERTY MONUMENTATION, ESTABLISHED BY THIS SURVEY IN ORDER TO ENSURE ACCURACY OF DATA. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR ISSUES ENCOUNTERED DUE TO FAILURE TO LOCALIZE DIRECTLY TO THIS SURVEY DATUM.

THIS SURVEY MAY NOT REPRESENT OFFSITE PAINT STRIPING TO THE ACCURACY REQUIRED FOR LANE DESIGN. TERRAMARK LOCATES THE EDGE OF PAVING AND CRITICAL POINTS TO REFLECT ACCURATE TOPOGRAPHIC DATA ONLY. ACCURACY OF PAINT LOCATIONS SHOULD BE VERIFIED WITH SURVEYOR PRIOR TO USING THIS SURVEY FOR DESIGN.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY TO THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.

INFORMATION REGARDING STORM SEWER AND SANITARY SEWER AS SHOWN HEREON, IS BASED ON OBSERVATIONS TAKEN BY TERRAMARK EMPLOYEES AT THE GROUND ELEVATION OF THE EXISTING STRUCTURE. TERRAMARK EMPLOYEES ARE NOT AUTHORIZED TO ENTER A CONFINED SPACE SUCH AS A STRUCTURE. THEREFORE, THERE IS NO CERTAINTY OF THE PIPE SIZES AND PIPE MATERIAL THAT ARE SHOWN ON THIS SURVEY. EXCAVATION BY A CERTIFIED CONTRACTOR IS THE ONLY WAY TO VERIFY PIPE SIZE AND MATERIAL. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE PIPE INFORMATION SHOWN HEREON.

TERRAMARK LAND SURVEYING, INC. WAS UNABLE TO DETERMINE THE EXTENT OF PIPES MARKED AS APPROXIMATE DIRECTION ONLY. AFORESAID PIPE IS DRAWN ON THE SURVEY TO REFLECT THE OBSERVED DIRECTION BASED UPON A VISUAL INSPECTION OF THE STRUCTURE ONLY AND IS SHOWN FOR INFORMATIONAL PURPOSES.

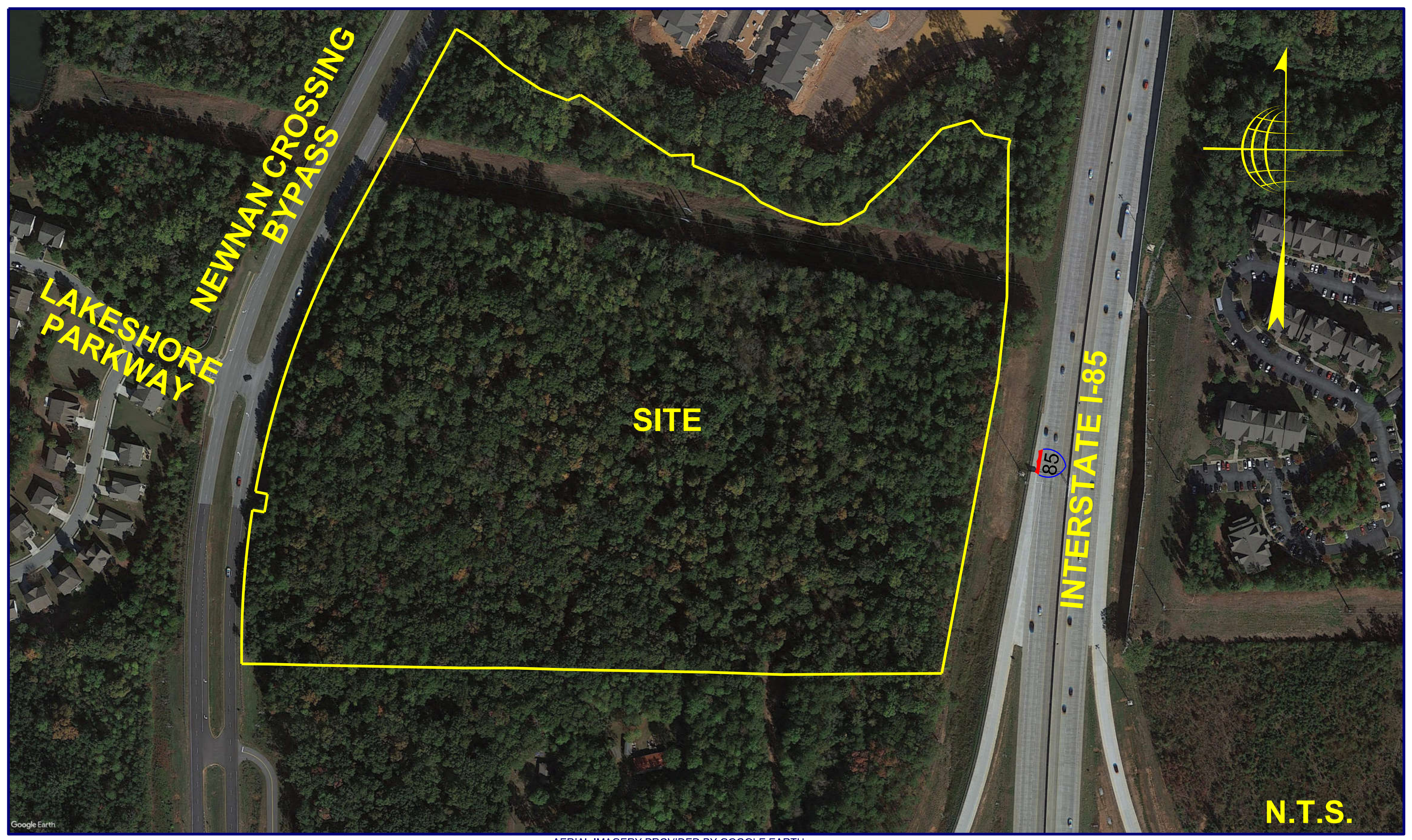
STATE WATERS AND BUFFERS AS SHOWN OR NOT SHOWN HEREON ARE SUBJECT TO REVIEW BY LOCAL JURISDICTION OFFICIALS. IT IS THE RESPONSIBILITY OF THE LOCAL AUTHORITY TO DETERMINE SPECIFIC WATER CLASSIFICATION. THEREFORE TERRAMARK LAND SURVEYING ACCEPTS NO RESPONSIBILITY IN THE IDENTIFICATION OF SAID WATERS OR BUFFERS IDENTIFIED OR NOT IDENTIFIED HEREON.

PROPERTY IS SUBJECT TO RIGHTS OF UPPER AND LOWER RIPARIAN OWNERS IN AND TO THE WATER OF CREEKS AND BRANCHES CROSSING OR ADJOINING SUBJECT PROPERTY AND THE NATURAL FLOW THEREOF, FREE FROM DIMINUTION OR POLLUTION.

THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS SURVEY DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT THE EXPRESS CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

TERRAMARK LAND SURVEYING, INC. DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTE IN THE SURVEY AREA.

SITE MAP



AERIAL IMAGERY PROVIDED BY GOOGLE EARTH
IMAGE DATED NOVEMBER 2, 2019

REFERENCE MATERIAL

1. PLAT OF PROPERTY FOR JOHN R. CATES ESTATE
   PREPARED BY JOHN R. CHRISTOPHER, GEORGIA RLS #1766
   SURVEY DATED AUGUST 1973, AND LAST REVISED MAY 1974
   RECORDED IN PB. 19 PG. 221
   AMONG THE LAND RECORDS OF COWETA COUNTY, GEORGIA
2. SURVEY FOR DAVID R. BROWN
   PREPARED BY JOHN R. CHRISTOPHER, GEORGIA RLS #1766
   SURVEY DATED JANUARY 12, 1983
   RECORDED IN PB. 31 PG. 61
   AFORESAID LAND RECORDS
3. SURVEY FOR JERRY AND JAN TOLBERT
   PREPARED BY JOHN R. CHRISTOPHER, GEORGIA RLS #1766
   SURVEY DATED AUGUST 11, 1992
   RECORDED IN PB. 53 PG. 250
   AFORESAID LAND RECORDS
4. SURVEY FOR CLIFF SMITH
   PREPARED BY MCLAIN SURVEYING, INC.
   SURVEY DATED JUNE 19, 2006
   RECORDED IN PB. 86 PG. 288
   AFORESAID LAND RECORDS
5. FINAL PLAT FOR LAKESHORE SUBDIVISION
   PREPARED BY HAYES, JAMES, & ASSOCIATES
   SURVEY DATED JULY 6, 2006 AND LAST REVISED JULY 26, 2006
   RECORDED IN PB. 86 PG. 321-325
   AFORESAID LAND RECORDS
6. SURVEY FOR CATES FAMILY PARTNERSHIP
   PREPARED BY MCLAIN SURVEYING, INC.
   SURVEY DATED JULY 12, 2006
   RECORDED IN PB. 88 PG. 292
   AFORESAID LAND RECORDS
7. ALTA/NSPS LAND TITLE SURVEY FOR DOMINIUM ACQUISITIONS, LLC & FIRST AMERICAN TITLE INSURANCE COMPANY.
   SURVEY DATED OCTOBER 11, 2019
   PREPARED BY TERRAMARK LAND SURVEYING, INC.

JOB NUMBER 2020-239 PLOT SIZE 24 X 36

TITLE NOTES

ACCORDING TO THE "FIRM" (FLOOD INSURANCE RATE MAP) OF COWETA COUNTY, GEORGIA (PANEL NUMBER 13077C0232D), DATED FEBRUARY 5, 2013; APORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AND IS SHOWN GRAPHICALLY HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN ON THIS SURVEY.

SUBJECT PROPERTY HAS ACCESS TO THE PUBLIC RIGHT OF WAY OF NEWNAN CROSSING BYPASS.

SITE INFORMATION

CURRENT OWNER: CATES FAMILY PARTNERSHIP
DB. 701 PG. 55

TAX PARCEL ID # 087 5011 003

ADDRESS: UNASSIGNED

ZONING: RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY - LOW DENSITY)
ZONING INFORMATION OBTAINED FROM CITY OF NEWNAN, GEORGIA ONLINE GIS MAPPING, UPDATED AS OF SEPTEMBER 2, 2020.
JURISDICTION: CITY OF NEWNAN, GEORGIA

SETBACKS: BUILDING SETBACKS ARE NOT PROVIDED HEREON. LOCAL GOVERNING AUTHORITIES SHOULD BE CONSULTED TO DETERMINE THE BUILDING SETBACKS FOR THIS PROPERTY

SITE AREA

1,545,908 SQ.FT.
OR
35.4892 AC.

SPECIAL NOTES

1. CERTIFICATION AND DECLARATION IS MADE TO THE ENTITIES AS LISTED IN THE TITLE BLOCK AND/OR CERTIFICATIONS. THE CERTIFICATIONS AND DECLARATIONS ON THIS PLAT ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
2. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
3. PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

SURVEYOR'S CERTIFICATE

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED No. 2577 LAND SURVEYOR WILLIAM C. WOHLFORD, JR.

WILLIAM C. WOHLFORD, JR., RLS
REGISTERED NUMBER: 2577

TerraMark Land Surveying, Inc.
1396 Bells Ferry Road
Marietta, Georgia 30066
Phone No. (770) 421-1927
Fax. No. (770) 421-0552
www.TerraMark.com
C. O. A.# LSF000810

TerraMark
Professional Land Surveying

Project No.	2020-239	No	Revision	Date
Survey Crew:	JH	#1		
Drawn By:	RFS	#2		
		#3		
Approved By:	WCW	#4		
		#5		
Date:	12-18-20	#6		
		#7		
Scale:	1"=100'	#8		
		PATH:	S: SURVEY\ 2020\ 2020-239\ DGN\ BNDRY.DGN	

BOUNDARY SURVEY
FOR
DOMINIUM INC.
(NEWNAN FAMILY PROPERTY)
LOCATED IN
LAND LOTS 11 & 12, 5TH DISTRICT
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SHEET NO.
1/2
DRAWING# TM 20-239

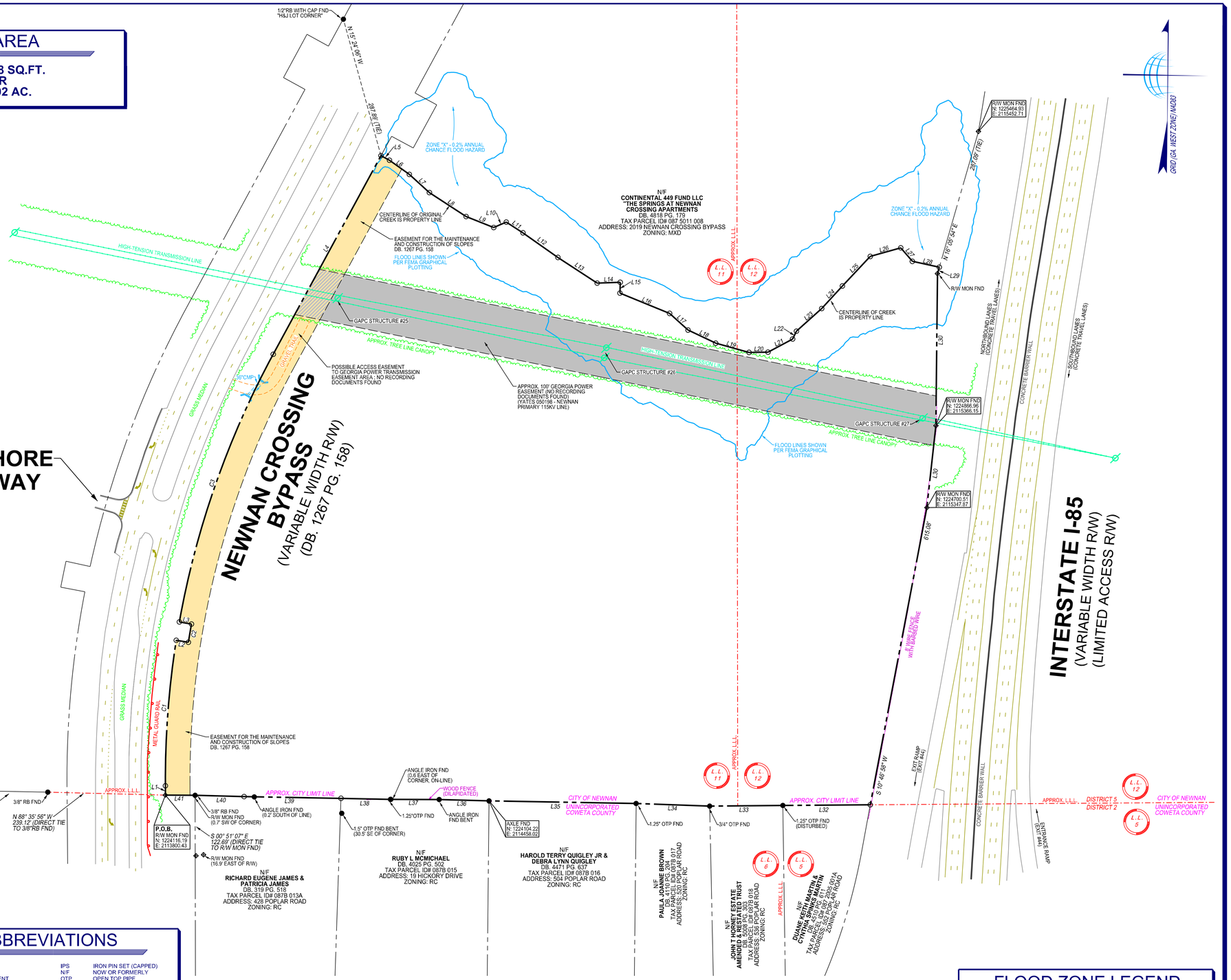
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

SITE AREA

1,545,908 SQ.FT.
OR
35.4892 AC.

LEGEND

- CURB AND GUTTER (C&G)
- FENCE
- HANDRAIL
- STORM DRAIN LINE
- SANITARY SEWER
- WATER LINE
- GAS LINE
- UNDERGROUND POWER LINE
- OVERHEAD POWER LINE
- COMMUNICATION
- TOPOGRAPHIC CONTOUR
- PROPERTY LINE
- CATCH BASIN (DWCB)
- CATCH BASIN (SWCB)
- DROP INLET (DI)
- JUNCTION BOX (JB)
- HEAD WALL (HW)
- CURB INLET (CI)
- FLARED END SECTION (FES)
- OUTLET CONTROL STRUCTURE
- YARD DRAIN INLET
- SS MANHOLE (MH)
- CLEAN OUT (CO)
- GREASE TRAP (GT)
- IRRIGATION CONTROL VALVE
- FIRE HYDRANT (FH)
- WATER VALVE (WV)
- WATER METER (WM)
- FIRE DEPT. CONNECTION (FDC)
- WATER VALVE MARKER
- TRANSFORMER BOX (TX)
- AIR CONDITIONER (AC)
- ELECTRIC METER (EM)
- ELECTRIC UTILITY
- LIGHT POLE (LP)
- POWER POLE WITH LIGHT
- POWER POLE (PP)
- UTILITY MANHOLE (UM)
- SPOTLIGHT
- GAS METER (GM)
- GAS VALVE (GV)
- TELEPHONE PEDESTAL
- COMMUNICATION BOX
- TRAFFIC SIGNAL
- BOLLARD (BO)
- MAIL BOX
- SIGN
- CROSSWALK SIGNAL
- SPOT ELEVATION
- CONCRETE AREA
- OVERHANG AREA
- RIP-RAP AREA
- BRICK AREA
- TREELINE



CALL TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 00° 02' 01" E	18.88'	L22	N 26° 02' 33" E	17.77'
L2	S 81° 02' 20" E	25.00'	L23	N 48° 10' 17" E	89.00'
L3	N 79° 50' 20" W	25.00'	L24	N 42° 28' 18" E	62.16'
L4	N 28° 29' 29" E	459.07'	L25	N 43° 22' 34" E	82.62'
L5	S 61° 32' 28" E	19.45'	L26	N 74° 13' 26" E	64.34'
L6	S 54° 47' 38" E	49.60'	L27	S 40° 33' 53" E	36.18'
L7	S 47° 40' 50" E	55.07'	L28	S 77° 49' 00" E	56.05'
L8	S 56° 53' 40" E	89.01'	L29	S 16° 05' 54" W	13.59'
L9	S 68° 16' 39" E	60.40'	L30	S 00° 35' 22" W	309.10'
L10	N 66° 34' 33" E	27.86'	L31	S 06° 16' 03" W	167.45'
L11	S 57° 04' 51" E	40.44'	L32	S 89° 34' 53" W	177.58'
L12	S 54° 52' 18" E	86.87'	L33	S 89° 26' 39" W	148.81'
L13	S 56° 44' 45" E	95.07'	L34	N 87° 54' 51" W	149.59'
L14	N 87° 51' 48" E	47.03'	L35	N 89° 00' 01" W	298.97'
L15	S 01° 25' 26" W	22.18'	L36	N 88° 19' 10" W	101.28'
L16	S 67° 48' 20" E	108.92'	L37	N 89° 52' 25" W	98.96'
L17	S 47° 54' 30" E	50.58'	L38	N 88° 46' 32" W	100.58'
L18	S 64° 35' 48" E	62.13'	L39	N 88° 59' 55" W	197.00'
L19	S 74° 31' 32" E	70.29'	L40	N 88° 25' 32" W	99.59'
L20	N 89° 21' 50" E	38.61'	L41	N 89° 24' 05" W	60.31'
L21	N 61° 50' 05" E	56.69'			

CURVE	ARC	RADIUS	BEARING	CHORD
C1	296.78'	1,809.86'	N 04° 15' 48" E	296.45'
C2	37.38'	1,784.86'	N 09° 33' 40" E	37.38'
C3	579.02'	1,809.86'	N 19° 19' 35" E	576.56'

ABBREVIATIONS

A	ARC LENGTH	IPS	IRON PIN SET (CAPPED)
AC.	ACRE	N/F	NOW OR FORMERLY
AE	ACCESS EASEMENT	OTP	OPEN TOP PIPE
BSL	BUILDING SETBACK LINE	PB.	PLAT BOOK
BW	BARBWIRE	PG.	PAGE
CH	CHORD LENGTH	POB	POINT OF BEGINNING
CLF	CHAIN LINK FENCE	POC	POINT OF COMMENCEMENT
CMF	CONCRETE MONUMENT FOUND	R	RADIUS LENGTH
CMP	CORRUGATED METAL PIPE	R/W	RIGHT OF WAY
CONC.	CONCRETE	R/W MON	RIGHT OF WAY MONUMENT
CTP	CRIMP TOP PIPE	RB	REBAR
DB.	DEED BOOK	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	SDE	STORM DRAINAGE EASEMENT
FDC	FIRE DEPARTMENT CONNECTION	SQ. FT.	SQUARE FEET
FND	FOUND	SSE	SANITARY SEWER EASEMENT
HDPE	HIGH DENSITY POLYETHYLENE PIPE	WPF	WOOD PRIVACY FENCE
IPF	IRON PIN FOUND		

SCALE: 1" = 100'

FLOOD ZONE LEGEND

- ZONE "X" 0.2% ANNUAL CHANCE FLOOD HAZARD
- ZONE "AE" 1% ANNUAL CHANCE FLOOD HAZARD
- FLOODWAY AREA WITHIN ZONE "AE"

JOB NUMBER 2020-239 PLOT SIZE 24 X 36

TerraMark Land Surveying, Inc.
1396 Bells Ferry Road
Marietta, Georgia 30066
Phone No. (770) 421-1037
Fax No. (770) 421-0552
www.TerraMark.com
C. O. A.# LSF000810
TerraMark
Professional Land Surveying

No	Revision	Date
#1		
#2		
#3		
#4		
#5		
#6		
#7		
#8		

Project No.	2020-239
Survey Crew:	JH
Drawn By:	RFS
Approved By:	WCW
Date:	12-16-20
Scale:	1"=100'
PATH:	S:\SURVEY\2020\2020-239\DGN\BNDRY.DGN

BOUNDARY SURVEY
FOR
DOMINIUM INC.
(NEWNAN FAMILY PROPERTY)
LOCATED IN
LAND LOTS 11 & 12, 5TH DISTRICT
CITY OF NEWNAN, COWETA COUNTY, GEORGIA

SHEET NO.
2/2
DRAWING# TM 20-239

June 30, 2022

Vern Wilburn, PE
Maldino & Wilburn
Traffic Engineeering Consultants
1864 Lower Fayetteville Road
Newnan, GA 30265

RE: 204 Townhomes – Parcel 087 5011 003 – 44.6 Acres

Mr. Wilburn,

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 has ample capacity to serve this proposed facility based on the following information:

- Parcel Number 087 5011 003
- 44.60 Acres
- Attached concept plan

1. Sanitary Sewer:
    a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
    b. Developer is responsible for all upgrade costs necessary to serve said property, but not limited to:
        i. Design and Construction of development of 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.

70 Sewell Road
Newnan, GA 30263
770-683-5516
770-683-0292 fax
www.NewnanUtilities.org

vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

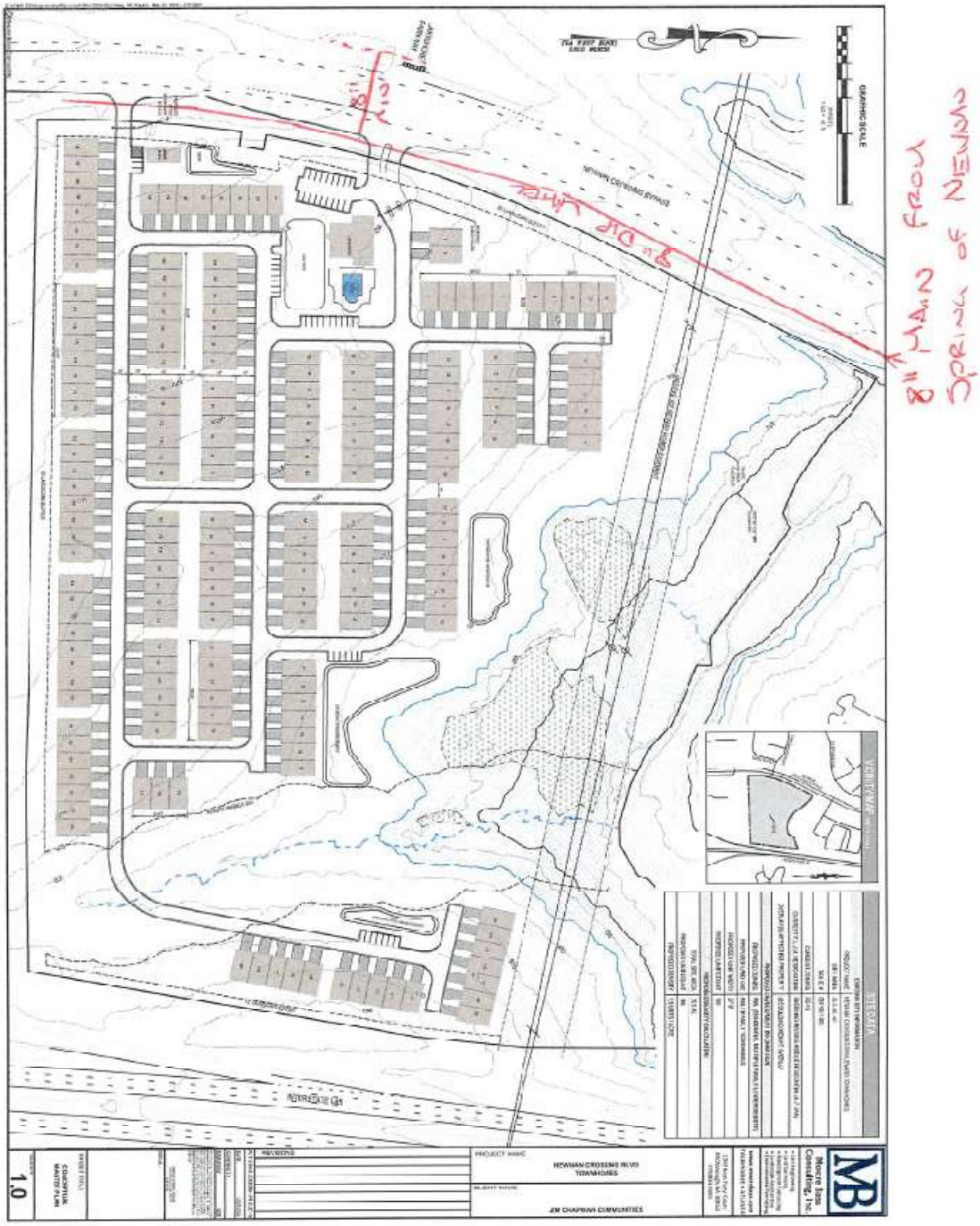
2. Water:
    a. Developer shall connect to Newnan Utilities Water System.
    b. Developer is responsible for all upgrade costs necessary to serve said property, but not limited to:
        i. Construction of development of water system per Newnan Utilities Specifications.
        ii. Design and construction 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. Cost of all water meters, and any additional costs pertaining to the monitoring of water meters.
        vi. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
3. Additional
    a. The site may require a sewer lift station, which will be the responsibility of the owner developer, to install it per Newnan Utilities Specifications.
    b. The existing 8" main located at the Springs of Newnan Entrance shall be extend to the southern property line of the parcel.
    c. The owner/developer shall bore an additional 8" main under Newnan Crossing Bypass to serve this parcel.

Please let me know if you have any questions or need additional information.

Sincerely,

Scott Tolar, P.E.
Newnan Utilities
(770) 301-0245
stolar@newnanutilities.org

NEWNAN UTILITIES
Committed To Excellence



70 Sewell Road
Newnan, GA 30263
770-683-5516
770-683-0292 fax
www.NewnanUtilities.org

COWETA COUNTY SCHOOL SYSTEM

170 Werz Industrial Blvd.
Newnan, GA 30263
Ph: 770-254-2750

June 30, 2022

Mr. Vern Wilburn, P.E.
Maldino & Wilburn
1864 Lower Fayetteville Road
Newnan GA 30265

Re: Proposed Development: The Cottages/Jim Chapman Communities
Newnan Crossing Blvd, Newnan

Mr. Wilburn,

In response to your request for input on the community impact study for the proposed development referenced above, we offer the following based on the information available:

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,

Ronald C. Cheek

Ronald C. Cheek
Director of Facilities
Coweta County School System

NEWNAN
POLICE

BRENT BLANKENSHIP
CHIEF OF POLICE

07/06/22

Reference: Jim Chapman Communities

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 strain would be placed on calls for service and would cause additional maintenance on equipment, 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

July 12, 2022

City Engineer Review

REZONING REQUEST

Portion of Tax Parcel 087 5011 003
35.4892 Acres
Newnan Crossing Bypass

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 a new requirement for on-site, runoff reduction, effective December 6, 2020.

2. The development plan shall include a three-phased erosion control plan in compliance with the **Soil Erosion, Sedimentation and Pollution Control Ordinance** for the City of Newnan.

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. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan. Any development within a floodplain or waters of the US shall be properly permitted with the Federal Emergence Management Agency (FEMA), or the United States Army Corp of Engineers (USACE), as applicable.

4. This site is located within a water supply watershed and thus increased stream buffers apply as follows: perennial streams shall carry an undisturbed stream buffer on 100 feet with an additional impervious surface setback of 50 feet; intermittent streams shall carry an undisturbed stream buffer of 50 feet with an additional 25 foot impervious surface setback. Buffers shall be measured from the point of wrested vegetation and shall be delineated in the field.

5. This site is located within the Stillwood Creek watershed drainage basin and stormwater management shall comply with the conditions set forth in the **Stillwood Creek Watershed Drainage Policy** as Section 10-169 of the **Post-Development Stormwater Management Ordinance** for the City of Newnan.

Transportation:

1. ADA compliant sidewalks, 6 feet in width, shall be provided along the public Right of Way for Newnan Crossing Bypass, the entire length of the parcel, to connect to existing sidewalk to the north. 5 foot sidewalks shall be provided throughout the proposed development, on both sides of all streets, and shall connect to the sidewalks in the Right of Way for Newnan Crossing Bypass.

2. Traffic impact study required. A traffic impact study shall include the intersections of Newnan Crossing Bypass with Lower Fayetteville Road, Lakeshore Parkway, and Poplar Road. Justification for trip distribution shall be included in the study. Mitigation shall be proposed for any negative impact to the level of service (LOS) at the intersections. The criteria for trip generation shall be derived from the latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE); Land Use 223, Mid-Rise Apartment.

3. The primary driveway for the development shall line up with existing road, Lakeshore Parkway, at an existing median break. Dedicated left and right turn lanes shall be provided and designed in accordance with design standards for the Georgia Department of Transportation (GDOT). Pavement markings shall be designed in accordance with the GDOT and the Manual on Uniform Traffic Control Devices (MUTCD).

4. A secondary driveway shall be Right In/ Right Out, designed in accordance with standards for the GDOT, and shall include a dedicated right turn lane with raised island.

5. A warrant study shall be provided to determent the need for a traffic signal at the location of the primary driveway serving the development. The study shall include the projected traffic generated for any under-construction projects in proximity along Newnan Crossing Bypass. The developer shall bear, at a minimum, the proportional share for the cost for a traffic signal, if warranted, and the signal shall incorporate video detection (Gridsmart). The signal installation shall comply with the MUTCD, GDOT standards and details, GDOT standard specifications, and the National Electric Code (NEC).

6. The developer shall provide and install street lighting along Newnan Crossing Bypass, adjacent to the parcel, in accordance with the lighting standards for a multi- lane urban corridor for the electric provider for the development.

Respectfully,

Michael Klahr

William M. Klahr, P.E., CFM
Director of Engineering

City of Newnan, Georgia – Planning Commission

Date: September 13, 2022

Agenda Item: Rezoning Request – RZ2022-08
14.23± acres located at 110 Field Street (Tax Parcel # N15 0001 001) Requested change in conditions by amending the development plan

Prepared and Presented by: Tracy Dunnavant, Planning Director

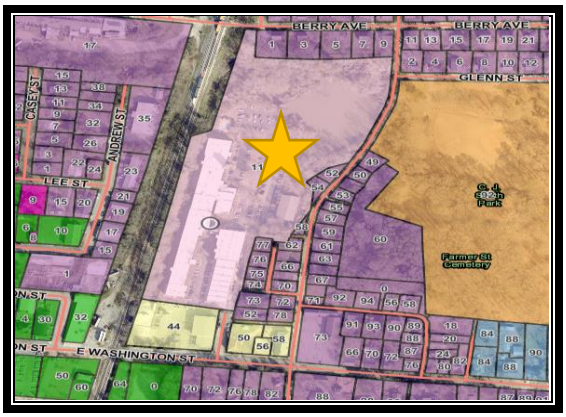
REZONING ASSESSMENT

APPLICANT INFORMATION:

Tribridge Residential (Melissa Griffis Representative)
790 Marietta Street, NW
Atlanta, GA 30303

SITE INFORMATION:

The site consists of 14.23± acres located at 110 Field Street. The tax parcel ID number is N15 0001 001 and the tract is occupied by Newnan Lofts which has a mix of residential and commercial uses. The property is currently zoned MXD (Mixed Use Development District) and there is a master plan which guides development on the site.



OVERVIEW OF REQUEST:

Back in 1998, a mixed-use development was approved for the subject property with an MXD-1 overlay. As a requirement of the zoning, the development was based on a master plan that reflected uses, square footages, green space, parking, etc. for the site. In 2000, the master plan was amended to show slight increases in both the commercial and residential components. That version of the master plan changed again with the adoption of the updated zoning ordinance and map in 2017, which removed the adjacent Headley property from the mixed-use designation. Since the zoning change was done as part of the City's Zoning Ordinance

amendment process, the master plan no longer reflects what is currently zoned MXD. Therefore, the petitioner is requesting a change in zoning conditions for the master plan located at 110 Field Street. The request is to amend the plan to reflect the current conditions and to convert 18,950 square feet of commercial space into nine residential units.

In addition, the applicant has proffered that "in conjunction with the support of the City's recent investment to the LINC trail located along the property's eastern boundary and existing pond, the Landlord will work within the environmental constraints defined for the area to improve the condition, aesthetics, and access to the pond for residents and the public.

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 site is currently being used as a mixed-use development. The only changes being sought are the removal of the Headley property from the plan and the conversion of 18,950 square feet of commercial space, primarily fronting on Field Street, to nine residential apartment units. Staff feels the proposed use would be suitable given that the property is already used for apartments and it would be a less intense use for the residential homes that are located across from the proposed units on Field Street.

Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? In terms of use, the only physical change to the plan is an increase in the number of apartment units where there is existing commercial. This should actually decrease traffic for the residences in the area and for those individuals using the City's LINC trail. The neighbors may see more activity during the nights and weekends; however, these units do not have yards so the majority of activity will be limited to the coming and going of the residents. With the majority of the site already being used as an apartment complex, trips from nine more units should be negligible.

Staff Assessment – NO ADVERSE AFFECT ANTICIPATED ✓

Are their substantial reasons why the property cannot or should not be used as currently zoned? The property could be used as currently conditioned, with the exception of the Headley property being included as a commercial component since it has been already rezoned. That having been said, the applicant has suggested that the "parking, visibility, access and layout hinders the viability of units along Field Street from being vibrant commercial spaces."

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 reached out to each provider to assess what impact the nine additional units would have on service provision. A summary of the provider's responses are as follows:

Police: Police Chief Blankenship indicated that there would be minimum change for calls for service and stated that any additional calls could be absorbed by current staff and resources.

Fire: Chief Stephen Brown has indicated that NFD can service this development with minimal impact to the department.

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 nine additional units.

Engineering: Michael Klahr, City Engineer, reviewed the request and provided the following:

1) The conversion of commercial space to residential units will be contained within the existing footprint of the building. There are no environmental concerns to be addressed.

2) The impact on transportation will be nominal. There are no transportation concerns to be addressed.

3) Any modifications to parking spaces will require a parking lot permit.

Coweta County Schools: Ronnie Cheek, Coweta County School System, indicated that the School System "has no concerns with this change."

All of the service providers have responded that they are able to address the needs of the development with the current equipment, manpower and capacity.

Staff Assessment – IMPACT OF AN ADDITIONAL 9 MULTI-FAMILY UNITS IS NOT EXCESSIVE OR BURDENSOME ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan? The Future Land Use Map shows this property as future Mixed-Use development. The project will still maintain a mixture of commercial and residential uses, which is consistent with the Comprehensive Plan.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS FUTURE MIXED USE DEVELOPMENT ✔

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The Mixed-Use development designation consists of "areas that blend residential, commercial, cultural, institutional, or entertainment uses that are physically and functionally integrated. Mixed-use developments require a specific development plan with emphasis being placed on creating a walkable community."

Staff feels that the project does meet the intent and purpose of the Mixed-Use development designation. It is plan based and the proposed types of uses have not changed from the original submittal. All changes are related to the square footage totals for the commercial and residential uses.

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 "mixed use" designation by the City Council. There are no new or changing conditions that have been discussed or considered since the update.

Staff Assessment – COMPREHENSIVE PLAN SHOWS THE PROPERTY AS A MIXED-USE 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? As specified, this mixed-use development was approved in 1998. The only use changes being sought is the conversion of commercial space to nine additional apartment units. The footprint will remain the same as the units will be located in existing buildings. In addition, all of the service providers indicated that they had no issues with the request and would be able to address the conversion with current manpower, equipment and capacity.

In terms of the Headley property, it was rezoned during the re-adoption of the Zoning Ordinance in 2017 and is no longer a part of the project. Therefore, this rezoning will amend the current master plan to reflect the actual conditions that exist today.

Staff Assessment – THE PROPOSED PROJECT WOULD CONTINUE TO REFLECT A REASONABLE BALANCE WITH THE CHANGE IN 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**.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

Should the Commission elect to recommend approval of the request, Staff would recommend the following conditions be considered:

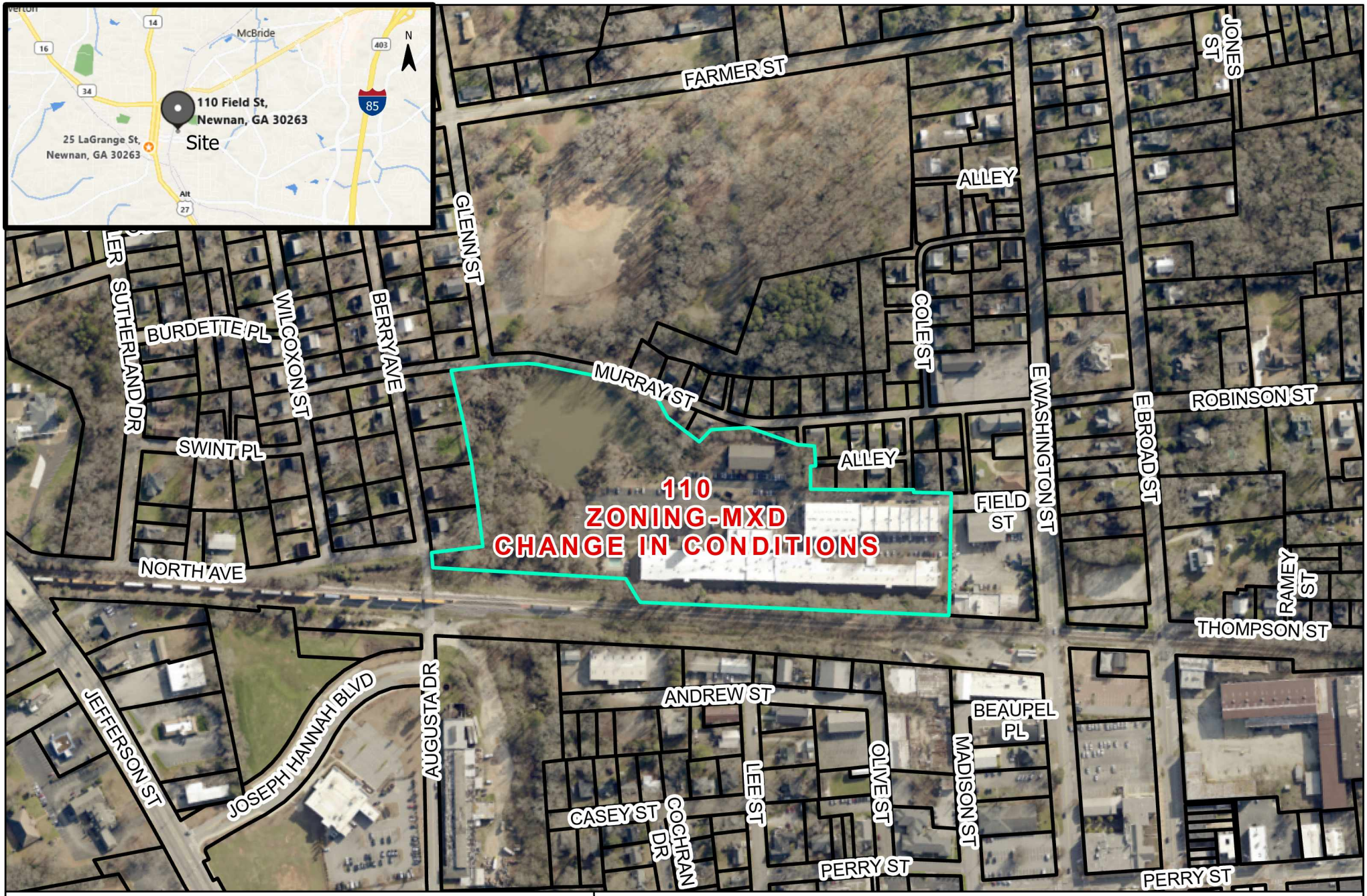
- The project will be consistent with the plan and square footage allocations as specified in the post rezoning calculations: 21,077 square feet of commercial space and 153,073 square feet of multi-family residential space (154 units).

- The proffered condition of the applicant – "In conjunction with the support of the City's recent investment to the LINC trail located along the property's eastern boundary and existing pond, the Landlord will work within the environmental constraints defined for the area to improve the condition, aesthetics and access to the pond for residents and the public."

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/Emails from Service Providers



CITY OF NEWNAN

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

Project Location

1 =4,200 feet

Date: 8/10/2022 10:41 AM

N

Project Location

City Limits

Parcel # N15 0001 001

ADDRESS
110 Field St,
Newnan, GA 30263

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

August 1, 2022

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

RE: Application of Tribridge Residential to Amend the Zoning Ordinance
Approximately 14.23± Acres located at 110 Field Street, Newnan, Georgia

Dear Ms. Dunnavant:

Tribridge Residential, the Applicant and owner in the above-referenced property ("the Property"), hereby makes this application to amend the zoning ordinance, to allow rezoning of the approximately 14.23 +/- acre tract known as Newnan Lofts from MXD-1 to MXD.

Newnan Lofts is a mixed-use community located in the heart of the Central Business District. In 2015, the Property was zoned MXD-1 and included the Headley Tract located adjacent to the Property as part of the overall approved development plan. Since that time the MXD-1 zoning designation has been eliminated and the Headley Tract has been rezoned to Urban Neighborhood Commercial (CUN), thus removing it from the existing development plan associated with the Property. The Applicant would like to take this opportunity to rezone the Property to allow for an amended development plan that reflects both the current conditions and desired improvements to the Property.

The requested rezoning would amend the development plan to eliminate approximately 32,380 square feet of commercial space associated with the Headley property and convert approximately 18,950 square feet of commercial space to nine residential units; the bulk of which are located along Field Street where parking, visibility, access and layout hinders its viability to be vibrant commercial space. It has consistently been a struggle to keep these spaces along Field Street occupied with commercial tenants. The intent is to concentrate on the commercial space as much as possible within the Property to provide the synergy necessary to create vibrant, active commercial nodes. These

nodes will support the residents within the community and drive traffic to and from the LINC trail and the CJ Smith Park.

For the reasons stated above, Tribridge Residential believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance.

The Applicant has, at attached Tabs (1) through (12) included all materials required per the Application Form and applicable Ordinance provision. As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. The Applicant and myself as counsel for the Applicant 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 Tribridge Residential

MDG/kr
Enclosure(s)

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

NEWNAN
GEORGIA

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 Tribridge Residential

Mailing Address 790 Marietta Street, NW, Atlanta, GA 30303

Telephone (404) 242-8864 Email: kristi@thoughtwell.co

Property Owner (Use back if multiple names) see attached

Mailing Address 790 Marietta Street NW, Atlanta, GA 30303

Telephone (404) 242-8864

Address/Location of Property 110 Field Street, Newnan, GA 30263

Tax Parcel No.: N15 0001 001 Land Lot 25

District/Section 5th Size of Property (Square Feet or Acres) 14.23+/- acres

Present Zoning Classification: MXD-1 Proposed Zoning Classification: MXD

Present Land Use: A mixed use development with ground level commercial space and a multi-family community

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 MXD-1 no longer exists and the adjoining Headley Tract is no longer connected to the Project.

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 Subject Property exists as a mixed use, but the category no longer exists. The Applicant desires to maintain a MXD zoning and to redesignate some of the categories within the development to more accurately reflect the Property.

Property Ownership:

TBR Newnan Lofts Co-Tenant, LLC

Newnan Lofts MT, LLC

Newnan Lofts, CL, LLC

790 Marietta Street NW
Atlanta, GA 30318

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
   - ✓ Adjourning 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

26th day of July, 2022

Signature of Applicant A Asdal

SVanenburg

Notary Public

(Affix Raised Seal Here)

SHEILA VANENBURG
NOTARY PUBLIC
CLAYTON COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 14, 2024

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: 03/30/2022

RECEIVED BY: Tracy S Dunnavant

DATE OF FILING: 08/01/2022

FILING FEE RECEIVED: $855.75

DATE OF NOTICE TO NEWSPAPER: 08/17/2022

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

NEWNAN LOFTS
Square Footage Allocation

MILL PARCEL BUILDINGS	CURRENT CONDITIONS	CURRENT DESIGNATION	POST REZONE CONDITIONS	POST REZONE DESIGNATION
Current Multifamily	**133,667**	Multifamily (145)	**133,667**	Multifamily (145)
A Building				
Unit Number	**Gross sq. ft.**			
A178	1,846	Commercial	1,846	Multifamily
A179	1,846	Commercial	1,846	Multifamily
A180	1,740	Commercial	1,740	Multifamily
A181	1,740	Commercial	1,740	Multifamily
A182	2,068	Commercial	2,068	Multifamily
A183	2,917	Commercial	2,917	Multifamily
A184	2,917	Commercial	2,917	Multifamily
A170	2,917	Commercial	2,917	Multifamily
Total Commercial SF	**17,991**		**0**	
Total Multi SF	**133,667**	**145 total units**	**151,658**	**153 Total units (8 new units)**
COMMERCIAL SPACE "Lofts"				
Boiler Room/Mill Around				
Boiler Room	3,160	Commercial	3,160	Commercial
Mill Around	1,415	Commercial	1,415	Multifmaily (1 new unit)
Misc. Space	2,540	Commercial	2,540	Commercial
Boiler Room/Mill Around Total	7,115		5,700	
Pool house (Former Fitness Center)	523	Commercial	519	Commercial
	7,638		6,219	
Dye House AKA "Progressive Building"				
Dye House 1st Floor	7,200	Commercial	7,429	Commercial
Dye House 2nd Floor	7,200	Commercial	7,429	Commercial
Dye House/Progressive Total Commercial	14,400		14,858	
Total Commercial SF	**22,038**		**21,077**	
Total Multi SF			**1,415**	**1 new unit**

CORNER PARCEL BUILDINGS "Headley Property"				
Corner Parcel Buildings				
Building 1	10,083	Commercial	0	Commercial
Building 2	1,762	Commercial	0	Commercial
Building 3	20,536	Commercial	0	Commercial
Corner Parcel Buildings Commercial Total	**32,381**		**0**	
TOTAL COMMERCIAL SF	**72,410**		**21,077**	
TOTAL MULTI SF	**133,667**	**145 UNITS**	**153,073**	**154 UNITS**

SUMMARY OF CURRENT CONDITIONS VS. POST DEVELOPMENT CONDITIONS				
Designation	**Current Net SF**	**Current %**	**Post Net SF**	**Post Dev. %**
Total Multifamily	133,667	0.65	153,073	0.88
Total Commercial	72,410	0.35	21,077	0.12
Total Square Footage	206,077	1.00	174,150	1.00

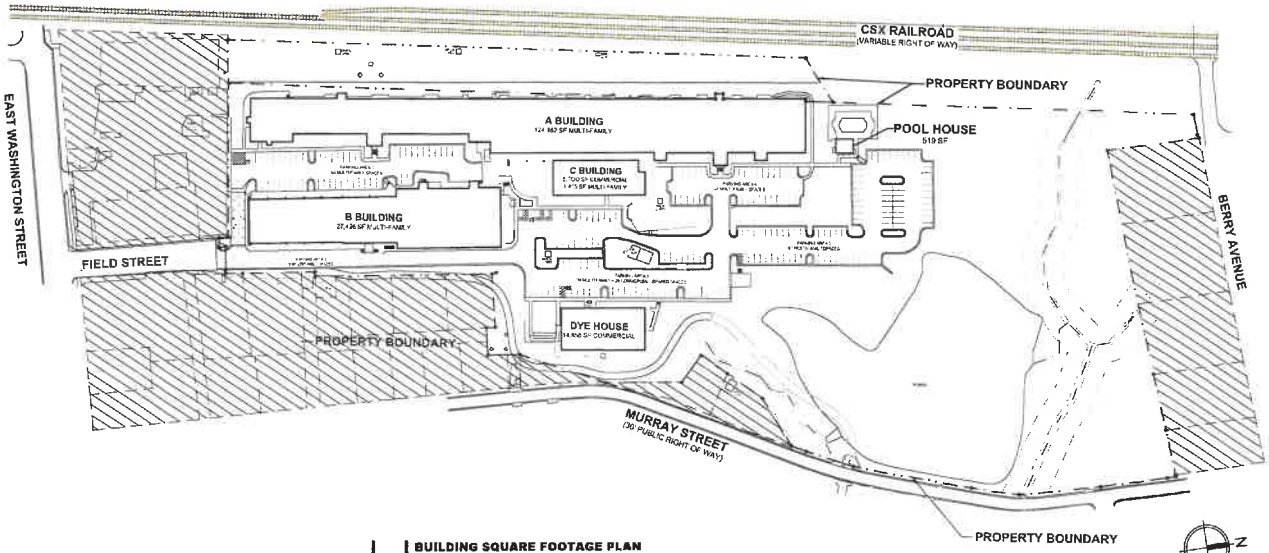
PARKING OVERVIEW			
Current Parking Summary		**Post Parking Summary**	
MF (145 Units)	218	MF (154 Units)	231
Commercial	290	Commercial / Shared	29
20% parking requirement waived per section 27.090	(101)		
Existing Parking Spaces	320	Existing Parking Spaces	260

NEWNAN LOFTS			
Site Acreage	14.23 Acres	619,762 Square Feet	
FAR	0.28		

	POST REZONE CONDITIONS	POST REZONE DESIGNATION
A Building		
	124,162	Multifamily
B Building		
	27,496	Multifamily
C Building		
	5,700	Commercial
	1,415	Multifamily
Pool house		
	519	Commercial
Dye House		
	14,858	Commercial
TOTAL COMMERCIAL SF	**21,077**	
TOTAL MULTI SF	**153,073**	**(154 UNITS)**

SUMMARY OF CONDITIONS		
Designation	**Post Net SF**	**Post Dev. %**
Total Multifamily	153,073	0.88
Total Commercial	21,077	0.12
Total Square Footage	174,150	1.00

PARKING SUMMARY	
Multifamily	231
Commercial / Shared	29
Existing Parking Spaces	260



BUILDING SQUARE FOOTAGE PLAN

NEWNAN LOFTS

NEWNAN LOFTS		
Site Acreage	14.23 Acres	619,763 Square Feet
FAR	0.28	
	POST REZONE CONDITIONS	POST REZONE DESIGNATION
A Building	124,182	Multifamily
B Building	27,496	Multifamily
C Building	5,700 3,430	Commercial Multifamily
Pool house	519	Commercial
Dye House	14,858	Commercial
TOTAL COMMERCIAL SF	21,077	
TOTAL MULTI SF	155,073 (134 UNITS)	

SUMMARY OF CONDITIONS		
Designation	Post Rez SF	Post Rez %
Total Multifamily	155,073	0.88
Total Commercial	21,077	0.12
Total Square Footage	176,150	1.00

LOCATION MAP

NOT RELEASED FOR CONSTRUCTION

DATE | REVISION

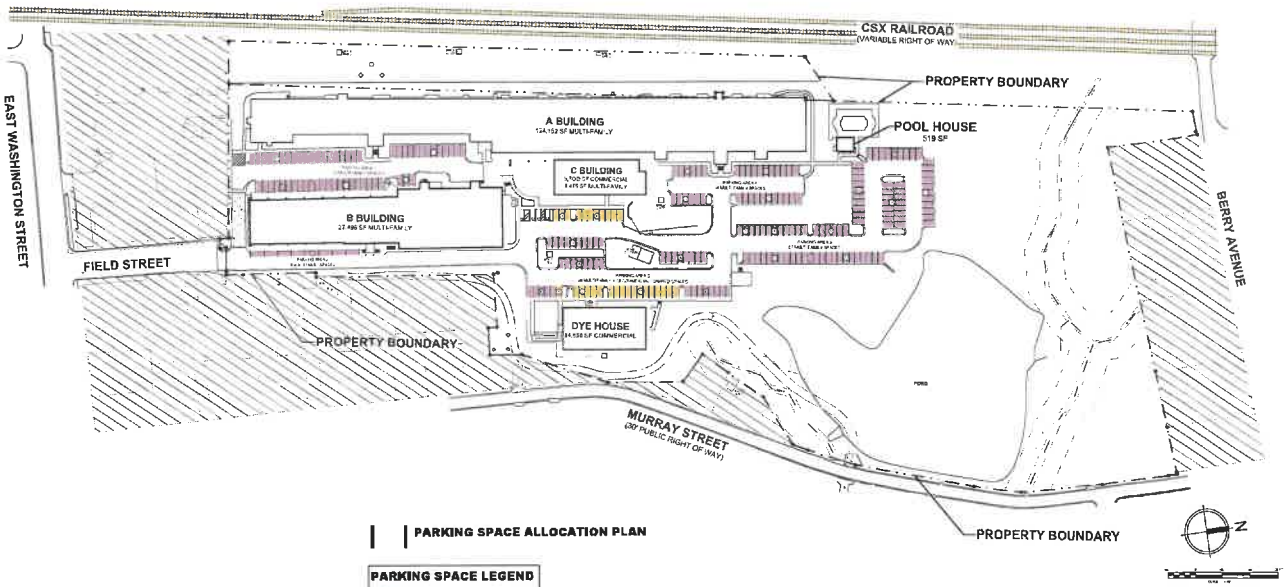
NEWNAN LOFTS
REZONING
110 FIELD ST.
NEWNAN, GA. 30263

TAP DESIGN GROUP

TAP DESIGN GROUP, LLC

BUILDING SF PLAN

A1.0



PARKING SPACE ALLOCATION PLAN

PARKING SPACE LEGEND

- MULTI FAMILY 231 PARKING SPACES
- COMMERCIAL / SHARED 29 PARKING SPACES

TOTAL PARKING SPACES 260

NEWNAN LOFTS

PARKING SUMMARY	
Multifamily	231
Commercial / Shared	29
Overall Parking Spaces	260

NOT RELEASED FOR CONSTRUCTION

DATE

REVISIONS

NEWNAN LOFTS
REZONING
110 FIELD ST.
NEWNAN, GA. 30263

TAP DESIGN GROUP

TAP DESIGN GROUP, LLC

PARKING SPACE ALLOCATION PLAN

A2.0

ALTA/NSPS LAND TITLE SURVEY
FOR
TBR NEWNAN LOFTS CO-TENANT, LLC,
NEWNAN LOFTS MT, LLC, NEWNAN LOFTS CL, LLC,
BERKADIA COMMERCIAL MORTGAGE LLC AND/OR
FEDERAL HOME LOAN MORTGAGE CORPORATION, ITS
SUCCESSORS AND/OR ASSIGNS &
CHICAGO TITLE INSURANCE COMPANY

(NEWNAN LOFTS SITE)

LOCATED IN
LAND LOT 25, 5TH DISTRICT
COWETA COUNTY, GEORGIA

RECORD PROPERTY DESCRIPTION TRACT ONE

RECORD PROPERTY DESCRIPTION TRACT TWO

AS SURVEYED PROPERTY DESCRIPTION - TRACT TWO

AS SURVEYED PROPERTY DESCRIPTION - TRACT ONE

SURVEY NOTES

ABBREVIATIONS

AREA TABLE

TRACT ONE	3[illegible] SQ. FT. OR 1.[illegible] AC.
TRACT TWO	5[illegible] SQ. FT. OR 1.[illegible] AC.
TOTAL AREA	[illegible] SQ. FT. OR [illegible] AC.

SITE INFORMATION

REFERENCE MATERIAL

SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATE

AERIAL PHOTOGRAPH

PHOTO #1

PHOTO #2

PHOTO #3

PHOTO #4

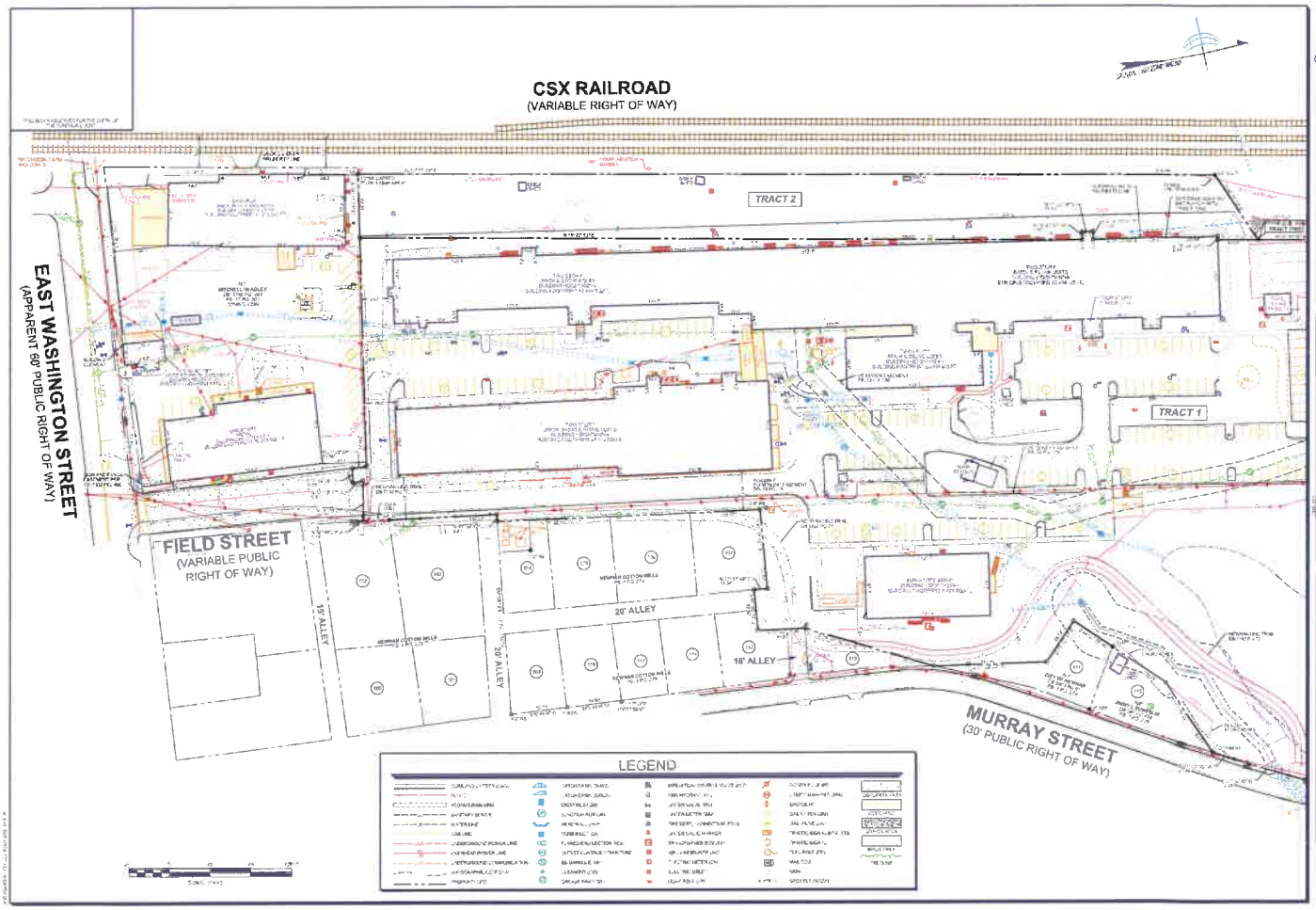
LOCATION MAP

TITLE NOTES

TerraMark

ALTA/NSPS LAND TITLE SURVEY
FOR
TBR NEWNAN LOFTS CO-TENANT, LLC,
NEWNAN LOFTS MT, LLC, NEWNAN LOFTS CL, LLC,
BERKADIA COMMERCIAL MORTGAGE LLC
AND/OR FEDERAL HOME LOAN MORTGAGE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS & CHICAGO TITLE INSURANCE COMPANY
(NEWNAN LOFTS SITE)
LOCATED IN LAND LOT 25, 5TH DISTRICT
COWETA COUNTY, GEORGIA

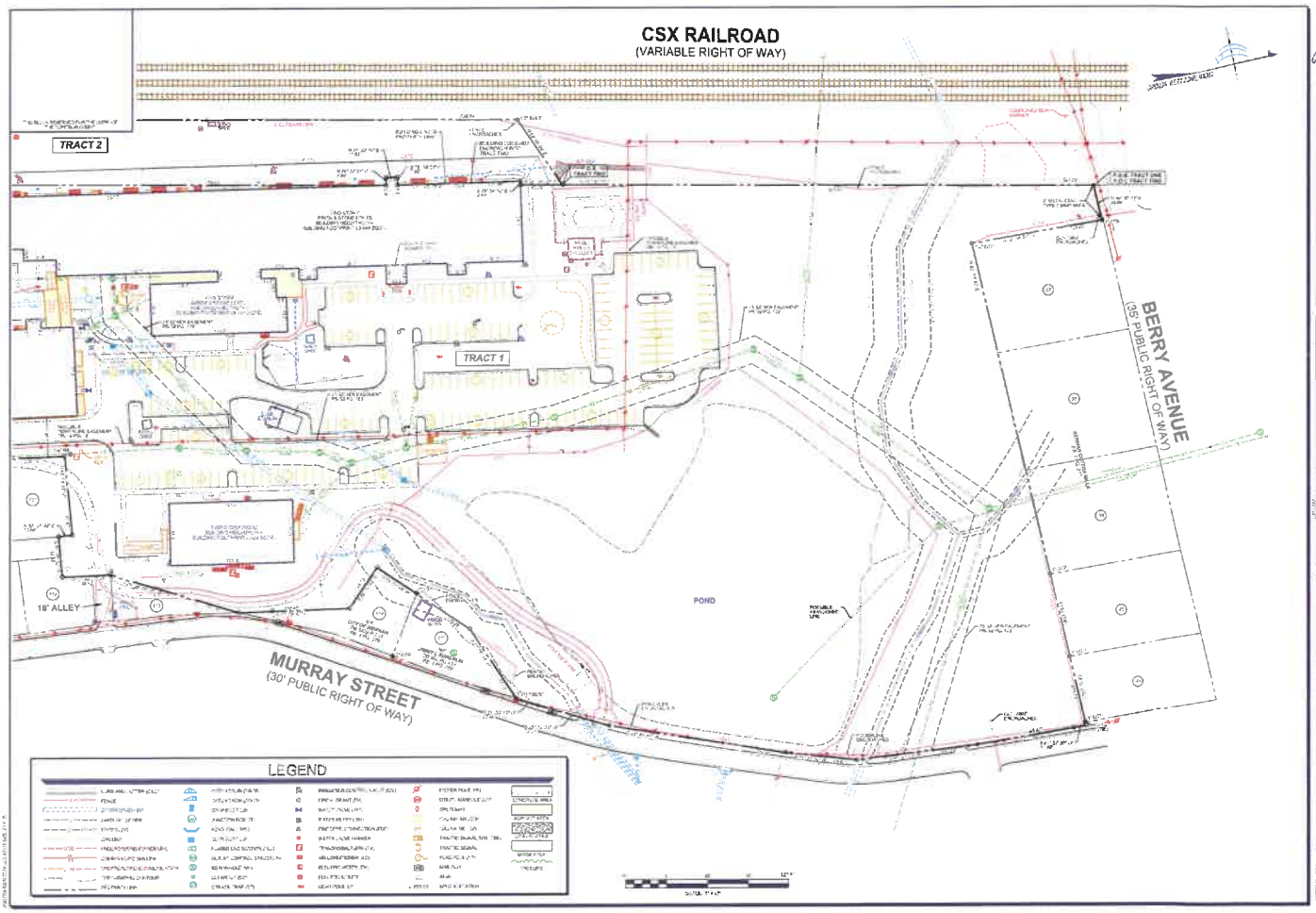
SHEET NO.
1
OF
3



TerraMark

ALTA/NSPS LAND TITLE SURVEY
FOR
FBA NEWNAN LOFTS CO-BENANT LLC, NEWNAN LOFTS MT LLC, NEWNAN LOFTS MEZ LLC, NEWNAN LOFTS LLC, ANDOR FEDERAL HOME LOAN MORTGAGE CORPORATION (FKA FEDERAL HOME LOAN MORTGAGE CORPORATION), SUCCESSOR IN INTEREST TO CITIZENS BANK, NATIONAL ASSOCIATION
(NEWNAN LOFTS SITE)
LOCATED IN LAND LOT 75, 5TH DISTRICT
COWETA COUNTY, GEORGIA

SHEET NO.
2/3



TerraMark

ALTA/NSPS LAND TITLE SURVEY
FOR
TRB NEWNAN LOFTS OCTENNIAL, LLC, NEWNAN LOFTS MT, LLC,
NEWNAN LOFTS GL, LLC, BERKADIA COMMERCIAL MORTGAGE LLC,
BERKADIA COMMERCIAL MORTGAGE HOLDING LLC, AND THEIR
SUCCESSORS AND/OR ASSIGNS & CHICAGO TITLE INSURANCE COMPANY
(NEWNAN LOFTS SITE)
LOCATED IN LAND LOT 75, 5TH DISTRICT
COWETA COUNTY, GEORGIA

SHEET NO.
3/3

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:

In conjunction with and support of the City's recent investment to the LINC trail located along the property's eastern boundary and existing pond, the Landlord will work within the environmental constraints defined for the area to improve the condition, aesthetics, and access to the pond for residents and the public.

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

The chart attached to the applications shows the categories for the mixed use development.

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

Signature of Applicant

Annie Asdal / VP
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

1/26/2022
Date

SHEILA VANENBURG
NOTARY PUBLIC
CLAYTON COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 14, 2024

(Affix Raised Seal Here)

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.
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The chart attached to the applications shows the categories for the mixed use development.

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

MELISSA D. GRIFFIS, ATTORNEY
Type or Print Name and Title

8/1/2022
Signature of Notary Public Date

GABRIELLE WHITE NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES JUNE 12, 2023

(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 TBR Newnan Lofts Co-Tenant, LLC

Telephone Number (404) 242-8864

Address of Subject Property 110 Field 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.

TBR NEWNAN LOFTS CO-TENANT, LLC

Signature of Property Owner

Personally appeared before me

26th July 2022 Arne Asdal

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

Notary Public

26th July 2022

Date

SHEILA VANENBURG
MY COMMISSION EXPIRES
NOTARY
PUBLIC
NOVEMBER 14, 2024
CLAYTON COUNTY, GEORGIA

(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 Newnan Lofts MT, LLC

Telephone Number (404) 242-8864

Address of Subject Property 110 Field 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.

NEWNAN LOFTS MT, LLC

Signature of Property Owner

Personally appeared before me

Annie Asdal

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

Notary Public

26th July 2022

Date

SHEILA VANENBURG
MY COMMISSION EXPIRES
NOTARY
PUBLIC
NOVEMBER 14, 2024
CLAYTON COUNTY, GEORGIA

(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 Newnan Lofts CL, LLC

Telephone Number (404) 242-8864

Address of Subject Property 110 Field 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.

NEWNAN LOFTS CL, LLC

Signature of Property Owner

Personally appeared before me

Annie Asdal

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

Notary Public

26th July, 2022

Date

SHEILA VANENBURG
MY COMMISSION EXPIRES
NOTARY
PUBLIC
NOVEMBER 14, 2024
CLAYTON COUNTY, GEORGIA

(Affix Raised Seal Here)

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 8-1-2022

From: Mike Furbush <MFurbush@cityofnewnan.org>
Date: Thursday, July 14, 2022 at 3:29 PM
To: Kristi Rooks <kristi@thoughtwell.co>
Cc: Tracy Dunnavant <TDunnavant@cityofnewnan.org>
Subject: RE: Tree Management Plan

No tree management plan would be required on this particular project rezoning.

Mike Furbush
City Landscape Architect & Arborist

Main: (770) 254-2354
Desk: (678) 673-5564
Cell: (404) 819-2420
mfurbush@cityofnewnan.org
www.cityofnewnan.org

City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

From: Kristi Rooks <kristi@thoughtwell.co>
Sent: Thursday, July 14, 2022 10:35 AM
To: Mike Furbush <MFurbush@cityofnewnan.org>
Subject: Tree Management Plan

Good Morning Mr. Furbush,
I am working with a client that is in the process of submitting an application for rezoning, intended only to change the conditions of approval related to the original zoning. The application seeks to convert some commercial space to residential space at the Lofts at Newnan located at 110 Field Street. I have been working with Tracy Dunnavant on the application for some time and was prepared to submit this week. I was just informed that a Tree Management Plan is now required as part of the rezoning application. In speaking with Tracy this morning, she thought that requirement could be waived given that there is no construction related to the rezoning. Again, this is just to change the conditions of approval related to the zoning. If you are amenable to the request, Tracy indicated just an email from you would be sufficient to move forward with the submittal. I am happy to answer any questions you may have related to the matter and appreciate your time in advance.

Thanks,

KRISTI ROOKS
Founder / Principal

404.242.8864
kristi@thoughtwell.co

thoughtwell.co | **@thoughtwell.co**

NEWNAN
POLICE

BRENT BLANKENSHIP
CHIEF OF POLICE

08/31/22

Reference: Newnan Lofts Rezoning Plans

Dear Tracy,

After reviewing call history for developments that could compare to this one development, it is estimated that there will be a minimum change for calls for service.

It is believed any additional calls for service can be absorbed by current staff and resources.

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

9-2-2022

Ref: Rezoning Request

Tracy,

I have reviewed the rezoning request that you sent concerning 18,950 square feet of existing commercial space to be nine residential units. We can provide service to this area with minimal impact to our Department.

Kind regards,

Stephen Brown

Fire Chief

City of Newnan

Tracy Dunnavant

From: Scott Tolar <stolar@newnanutilities.org>
Sent: Tuesday, September 6, 2022 3:58 PM
To: Tracy Dunnavant
Cc: Ronnie Cheek
Subject: Re: [EXTERNAL]Newnan Lofts Rezoning

Newnan Utilities is fine with the change

Thank You

Scott Tolar, P.E.
Engineer
770-301-0245
770-683-6210
70 Sewell Road, Newnan, GA 30263
https://link.edgepilot.com/s/3c8ecd41/wx6nzOHTc0Sklrbc9doftg?u=http://www.newnanutilities.org/

On Sep 6, 2022, at 3:20 PM, Tracy Dunnavant <TDunnavant@newnanga.gov> wrote:

Good Afternoon,

I just wanted to check and see if you all had comments on the Newnan Lofts rezoning. All they are doing is changing over 18,950 sq ft of office space into nine residential units. Just let me know.

Thanks,

Tracy

Tracy Dunnavant

From: Cheek, Ronnie <ronnie.cheek@cowetaschools.net>
Sent: Tuesday, September 6, 2022 4:19 PM
To: Tracy Dunnavant
Subject: Re: Newnan Lofts Rezoning

Tracy,
The school system has no concerns with this change.
Thanks

On Tue, Sep 6, 2022 at 3:20 PM Tracy Dunnavant <TDunnavant@newnanga.gov> wrote:

> Good Afternoon,
>
> I just wanted to check and see if you all had comments on the Newnan Lofts rezoning. All they are doing is changing over 18,950 sq ft of office space into nine residential units. Just let me know.
>
> Thanks,
>
> Tracy

The City of Newnan, Georgia

Office of City Engineer

08.30.2022

REZONING REQUEST
Newnan Lofts– Conversion of Existing Commercial to Residential

---

Comments:

The conversion of commercial space to residential units will be contained within the existing footprint of the building. There are no environmental concerns to be addressed.

The impact on transportation will be nominal. There are no transportation concerns to be addressed.

Any modifications to parking spaces will require a parking lot permit.

City of Newnan, Georgia – Planning Commission

Date: September 13, 2022

Agenda Item: Rezoning Request – RZ2022-09 - 5.82+/- acres located at Old Atlanta Highway (Tax Parcel #073C 044 and Tax Parcel #073C 045)

Prepared and Presented by: Chris Cole, Senior Planner

REZONING ASSESSMENT

APPLICANT INFORMATION:

Freedom Land Holdings, LLC
140 Village Circle
Senoia, GA 30276

SITE INFORMATION:

The subject properties consist of 5.82± acres (comprised of two parcels) located at Old Atlanta Highway. The tax parcel ID numbers are #073C 044 and #073C 045. The tracts are currently vacant and are zoned PDC (Planned Commercial Development District) and PDO (Planned Office and Institutional District), respectively. The properties are part of the Avery Park Planned Development and are bisected by The Boulevard near its intersection with Highway 29.

OVERVIEW OF REQUEST:

The request is to rezone the subject properties from PDC (Planned Commercial Development District) and PDO (Planned Office and Institutional District), respectively, to PDR (Planned Residential Development) for the purpose of constructing 39 townhouse-style condominium units (as shown by the pictures below and in the attachments). The Concept Plan shows a proposed site density of 7.01 units per acre (which meets the PDR requirements). The applicant expects the price points to be in the $400's. The applicant included the following feature details:

- The exterior facades shall consist of brick fronts and hardy plank sides and rears.
- The carpet will be Level 1 with 6lb pad in bedrooms.
- LVP Level 1 (Luxury Vinyl Plank) will be used in the kitchen and family room.
- Granite countertops in Kitchen, Master Bath (Cultural Marble countertops in others)
- Stainless Steel Appliances
- The applicant indicated that a maximum of 20% will be allowed as rentals.

The subject properties are currently vacant and are located in the Avery Park Planned Development. The Avery Park Project Plan (see attached) shows the two subject properties as part of its Village Center with Tax Parcel 073C 044 indicated as PDC and Tax Parcel 073C 045 indicated as PDO (the same zoning categories that remain in place today for the subject properties). As stated earlier, the applicant is seeking PDR zoning to allow for 39 townhouse-style condominium units. Approximately 616 total residential units have been built (or are currently vacant platted lots) within Avery Park to date.

Accordingly, construction of an additional 39 townhouse-style condominium units would not exceed the allowed residential unit total of 684 (which is 10% over the actual approved amount of 622 units) approved as a special exception by City Council on July 13, 2004. That special exception request was for the update and expansion of the Avery Park Development of Regional Impact (DRI). One condition of that special exception approval was that any amendment of the original project plan must be approved by City Council. As the current request is amending the original project plan, this application also serves for this purpose.

In accordance with the Zoning Procedures Law, staff has completed a rezoning assessment that provides background information, an overview of the request, and an evaluation of the application in terms of the standards for rezoning. The Assessment is as follows:

Regarding how conditions have changed that renders the zoning map designation invalid and no longer applicable, the applicant stated, "The current zoning has been in place for numerous years without success of development. By amending the zoning to PDR, it will allow for consistent development of a residential option within Avery Park."

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 was developed, but this property has remained undeveloped as initially proposed for numerous years. The property is a suitable location for a residential option."

Per the Concept Plan, the development will be housed in 6 buildings (with each building housing between 3 and 8 condominium units). The maximum building height is proposed to be 35 feet. The minimum parking spaces per dwelling unit requirement is 2 spaces per unit (this would equate to a required 78 spaces). The minimum landscaped area requirement is 10 % and the applicant is proposing 50%. The applicant also proposes 1,300 square feet per dwelling unit (26 feet by 50 feet).

As of the writing of this report, staff has received one email in opposition to the request (see attached) and one phone call seeking information about the request.

Regarding adherence to the townhouse-design requirements from the Zoning Ordinance, the applicant must meet the requirements shown below prior to obtaining site plan approval or any permits.

(c) Townhouses.

(1) A row of townhouses shall not contain more than 8 dwelling units.

(2) Townhouses shall not be designed to give the appearance of row houses. Facades of each unit shall be offset a minimum of 18 inches to create the appearance of separate buildings and shall be articulated within the building façade-meaning variation in the look and structure often achieved through the inclusion of architectural features (porches, porticos, balconies, bay windows and roof lines) and can also be accomplished with using various building material types materials). No two facades shall be alike in a single row of townhouse buildings.

(3) Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or any other natural stone approved by the Planning and Zoning Director; manufactured stone including imitation field stone, marble terrazzo, and any other manufactured finish stone approved by the Planning and Zoning Director; wood, traditional three coat stucco, or fiber-cement planks and panels either lap siding, shingle siding or vertical siding patterns painted or stained. The use of architectural details such as hip returns, operable window shutters, transoms, wrought iron railings, gas lights, brick molding, and multiple exterior finish materials are strongly encouraged. Structures utilizing a single exterior finish material shall not be permitted without written authorization from the Planning and Zoning Director. End elevations must be consistent with front facades.

(4) Townhouses shall either incorporate a flat roof design utilizing a decorative parapet wall or have a minimum 6:12 roof pitch. Architecturally dimensioned roof covering shall be required. Vents and similar objects shall not be visible from the front of the structure.

(5) For pitched roofs, the use of gables, dormers, cornices, chimneys and other design features shall be used to enhance the overall appearance of the homes.

(6) HVAC units shall not be visible from the right-of-way.

(7) All townhouses shall incorporate front covered porches or front covered stoops in their designs. Porches shall be a minimum of 6 feet in depth. Stoops shall be a minimum of 3 feet in depth.

(8) Each townhouse shall front on a dedicated public street. Townhouses may only front on a private street in accordance with the City of Newnan Subdivision Regulations.

(9) Townhouse developments shall establish a homeowners or tenants association to manage and maintain all common areas and structural elements as well as ensure that the requirements governing such associations and their developments as provided by this Ordinance are met in full.

(10) Driveway standards for townhouses shall conform to the following:

a. All driveways shall be separated a minimum of 8 feet from adjacent driveways. The 8-foot area between the driveways shall be sodded. One exception can be made per every eight units to allow a minimum of 4 feet of sodded area between driveways.

b. Townhouses are encouraged to utilize rear garages. Front entry garages must employ carriage style doors and shall be designed to be setback equal to or greater than the front door of the primary structure. For developments consisting of 20 acres or greater, no more than 50% of the units shall have front entry garages.

The applicant will also have to meet the following requirements shown below that are found in Article 3 of the Zoning Ordinance in order to develop the condominium units.

(11) Condominiums.

a. Condominium developments shall conform to all applicable rules and requirements as established by Georgia Condominium Act. Prior to approval of any condominium development, the applicant shall provide the City with a copy of the Condominium Homeowner Declaration prepared per the Georgia Condominium Act and filed with the Office of the Clerk of Superior Court of Coweta County.

b. Condominiums may be newly developed or may be established with the conversion of an existing building or buildings. Conversion of existing multifamily developments to condominium or townhouse developments shall be exempt from the density requirements of the underlying zoning district that allows for condominium or townhouse developments provided that there is no new construction of additional units.

c. Condominium developments shall establish a homeowners or tenants association to manage and maintain all common areas and structural elements as well as ensure that the requirements governing such associations and their developments as provided by this Ordinance are met in full.

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 subject properties (as part of the original Avery Park Project Plan) are surrounded by properties in the Avery Park Planned Development. Adjacent properties include office and commercial uses along Highway 29 and across The Crescent, as well as residential uses in Avery Park. The subject properties are surrounded by either PDC zoning (that includes a service station, a mixed-use complex, a veterinarian's office, and an office complex) or PDR zoning (that includes the neighboring Avery Park residential uses).

It is important to note that the proposed zoning of PDR would also match the zoning of the adjacent Avery Park residential neighbors. For the existing residents in Avery Park, the proposed use would provide a residential neighbor instead of a potential office or commercial use (that would be allowed by right with the existing classifications). Nearby properties include a mixture of commercial and office uses in the city limits and unincorporated Coweta County, including some residential uses north of the subject properties on Highway 29 in unincorporated Coweta County.

Staff Assessment – The proposed use is suitable. ✔

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The proposed residential condominium units would be a less intense use than many of the potential uses that could be developed (particularly in the PDC zoning classification including outdoor retail and automobile repair shops). Staff received no indication from the departmental reviews that the proposed use will adversely affect the existing use or usability of adjacent or nearby property.

Staff Assessment – The proposed use will not adversely affect the existing use or usability of adjacent or nearby property. ✔

Are their substantial reasons why the property cannot or should not be used as currently zoned?

There are no substantial reasons as to why the subject properties cannot or should not be used as currently zoned. It should be noted, however, that the application states, "The current zoning has been in place for numerous years without success of development. By amending the zoning to PDR, it will allow for consistent development of a residential option within Avery Park."

Staff Assessment – The subject properties 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?

The applicant was not required to submit a Community Impact Assessment (CIA) as only 39 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. Below is a summary of the departmental reports:

Police: Police Chief Brent Blankenship stated, "After reviewing call history for developments that could compare to this one development, it is estimated that there will be a minimum change for calls for service. It is believed any additional calls for service can be absorbed by current staff and resources."

Fire: Fire Chief Stephen Brown stated, "I have reviewed the rezoning request that you sent concerning 39 residential condominium units. While we can provide service, the potential impact to FD would be added traffic, slight increase in calls and increased response times to other service within the City."

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 upgrade costs necessary to serve the project.

Engineering: Director of Engineering Michael Klahr stated the following:

Environmental and Stormwater Management

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition. All storm water management facilities shall be located in open space.

2. All streams, wetlands and other environmentally sensitive areas shall be determined and located within open space to the extent practically possible.

3. Stream buffers are as follows: 50 foot undisturbed stream buffer with an additional 25 foot impervious surface setback.

Transportation

1. ADA compliant 5 foot sidewalks shall be provided along Old Atlanta Highway and The Crescent, and internally within the community to connect to existing sidewalks within the public Right-of-Way.

2. Traffic study not required.

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 offers the following comments based on the information provided:

"This application requests rezoning from PDC to PDR, with 39 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?

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, 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. ✔

<u>Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?</u>

The Future Land Use Map shows the subject properties under consideration as future Planned Development. The Comprehensive Plan describes this category as "Areas developed through master planning processes with specific densities and uses tied to an approved project plan."

Staff Assessment – The proposal meets the intent of its Future Land Use category as the applicant is pursuing the proper steps through this application to amend the original Avery Park Project Plan to allow residential units on these lots. 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. ✔

<u>Is the proposed use consistent with the purpose and intent of the proposed zoning district?</u>

The proposed zoning category of the subject properties is PDR. The PDR zoning district allows residential development in a manner open to and advocating innovation in design and layout. The principal uses of land in this district are residential with related recreational, cultural, community, and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Internal stability, harmony, attractiveness, order and adequate light, air and open space for dwellings and related facilities and by consideration of arrangement of the different uses permitted in this district.

In this case, townhouse-style condominium units are the proposed use of the land and these units are permitted in the PDR zoning district. It should also be noted that per the Zoning Ordinance, the applicant will not have to provide amenities because the proposal contains less than 50 units.

Staff Assessment – The proposed use of the subject properties is consistent with the purpose and intent of 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 Future Land Use Map shows the subject properties as Planned Development. The entirety of Avery Park also carries a Future Land Use designation of Planned Development. Regarding the subject properties, there are no new or changing conditions that have been discussed or considered since the update.

Staff Assessment – The Comprehensive Plan already shows the properties as Planned 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?

The general area where the subject properties are located primarily contains residential, commercial, and office uses within the city limits and in unincorporated Coweta County. As mentioned earlier, the subject properties are currently zoned PDC and PDO (separately) and consist of 5.82+/- acres. There are many intense uses that are permitted in the PDC zoning category, ranging from outdoor retail (including storage buildings and vehicles) to automobile repair shops, that are often not ideal uses to be located next to residences. The PDO zoning category also allows for a variety of office-type uses. Staff believes the proposed use of a residential condominium development provides a complementary and transitional use for the nearby residential properties in Avery Park.

The idea of a providing a noncommercial use for the subject properties that are slated on the Future Land Use Map as Planned Development, and that are close to many residences in Avery Park, is appropriate. The proposed condominium units will also serve as a type of transitional "buffer" between the office and commercial uses along Highway 29 and the residential uses of Avery Park. 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." This proposal would certainly help pursue this goal.

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**.

PROFFERED CONDITIONS FROM THE APPLICANT:

- All plans, profiles, elevations and other demonstrative materials included in the application packet are proffered herein.

STAFF-SUGGESTED CONDITIONS TO CONSIDER:

Should the Commission elect to recommend approval of the request, staff would recommend the following conditions to be considered:

- The project will be consistent with the plan, density, project data, amenities, proffered conditions, and architectural details as provided as part of the application.
- The project shall consist of a maximum of 39 units, being a townhouse-design condominium project in accordance with the requirements of the City's Zoning Ordinance. Residential attached homes shall be a minimum of 1,300 heated square feet.

LANDSCAPE ARCHITECT COMMENTS:

In addition to staff's proposed conditions, the City's Landscape Architect Mike Furbush has included the following comments regarding the Tree Management Plan that should be addressed if the Commission recommends approval:

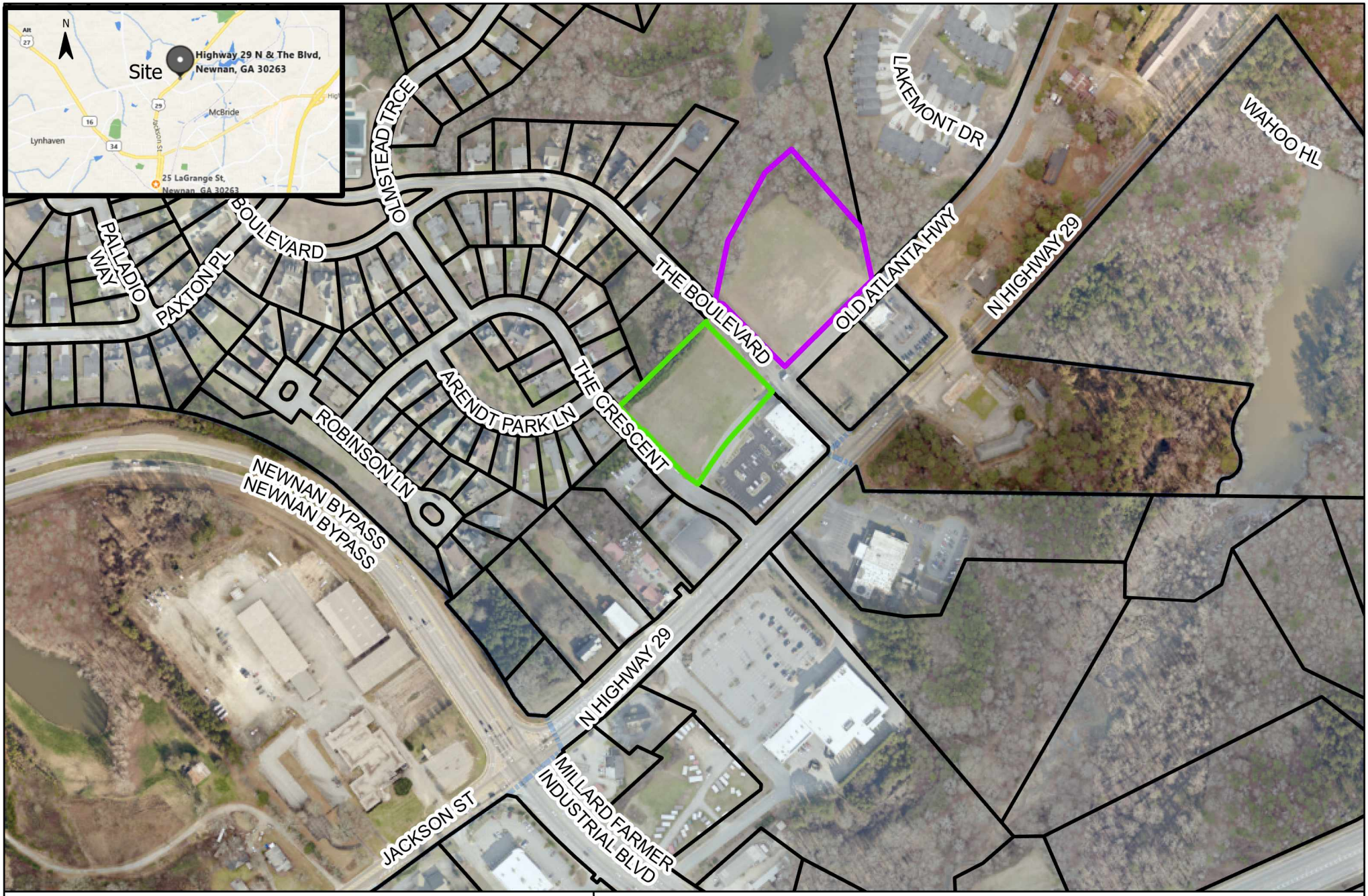
1. Concerning the proposed layout for Lot #6, I need to have the large, existing, evergreen screen shown on the plan. It is difficult to determine whether the proposed layout would adversely affect the evergreen screen.
2. There is no information provided for all of the existing trees (both shade trees and flowering trees) along both sides of The Boulevard. It is not possible, with the information provided, to determine if the proposed layout for either Lot #6 or Lot #7, would adversely affect the existing streetscape tree plantings along The Boulevard. Some of these trees may be located within the right of way.
3. Concerning the proposed layout for Lot #7, while the plan shows the location of numerous specimen trees, it is difficult to determine how many of the trees would be adversely affected. It is quite possible that at least 18 specimen trees would need to be removed to allow the construction activity required to build this plan as shown. To definitively determine the adverse effect of the existing specimen trees, a careful review of the grading, drainage, and possibly the stormwater management plan would be required.
4. There are 12 tree density units that are required to be planted on the site, based on overall acreage. Often times those tree density units can be reduced by saving existing trees. However, based on a review of the proposed layout, there appears to be very little tree save on this project. As noted in note #3, there could be as many as 18 specimen trees removed under the proposed layout. In addition to the required tree density units, there will also be recompense for any specimen trees that are removed or adversely affected. Again, based on the review of the proposed layout, the recompense requirements could be substantial and might even be prohibitive.

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

Project Location

1 =4,200 feet

Date: 8/11/2022 4:09 PM

N

City Limits

Parcel #	Current Zoning
073C 045	PDO
073C 044	PDC

ADDRESS
OLD ATLANTA HWY
Newnan, GA 30263

SITE DATA:

- SITE AREA: LOT 6- 1.99 AC., LOT 7- 3.83 AC.
- EXISTING ZONING: LOT 6- PDC, LOT 7- PDO
- PROPOSED ZONING: PDR (PLANNED RESIDENTIAL)
- PROPOSED NO. OF UNITS: 39 (CONDOMINIUM)
- PROPOSED UNITS: 26'X50'
- MAX. 35' BUILDING HEIGHT OF PRINCIPLE STRUCTURE
- MIN. DISTANCE BETWEEN BUILDINGS: 10'
- MIN. LANDSCAPED AREA: 10% (ACTUAL: 50%)
- DENSITY: 7.01 UNITS/AC.
- NO. OF FRONT DRIVEWAY UNITS: 10
  NO. OF REAR DRIVEWAY UNITS: 29
- PARKING: 2 PER DWELLING UNIT (78 SPACES)
- WATER & SEWER WILL BE PROVIDED BY NEWNAN UTILITIES.

paramount ENGINEERING, LLC
11 E. BROAD ST.
NEWNAN, GA. 30263
PH: (770)-473-9576
george@paramountengineering.com

GEORGIA REGISTERED No. 29411 PROFESSIONAL ENGINEER GEORGE P. HARPER III

GSWCC NO. 09374

REV.	DATE:	DESCRIPTION:

DRAWING NO: AVERY PARK

PROJECT: MANOR AT AVERY PARK

SHEET: CONCEPTUAL SITE PLAN

CITY OF NEWNAN

DATE: 03-02-22 | DRAWN BY: GPH | SCALE: 1" = 30'

SHEET

C3

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF HUD THROUGH THE FEMA IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS NOT INSIDE OF ANY FLOOD PLAIN (**ZONE X**).

COMMUNITY PANEL **13077C0143D** DATED: **FEBUARY 6, 2013**

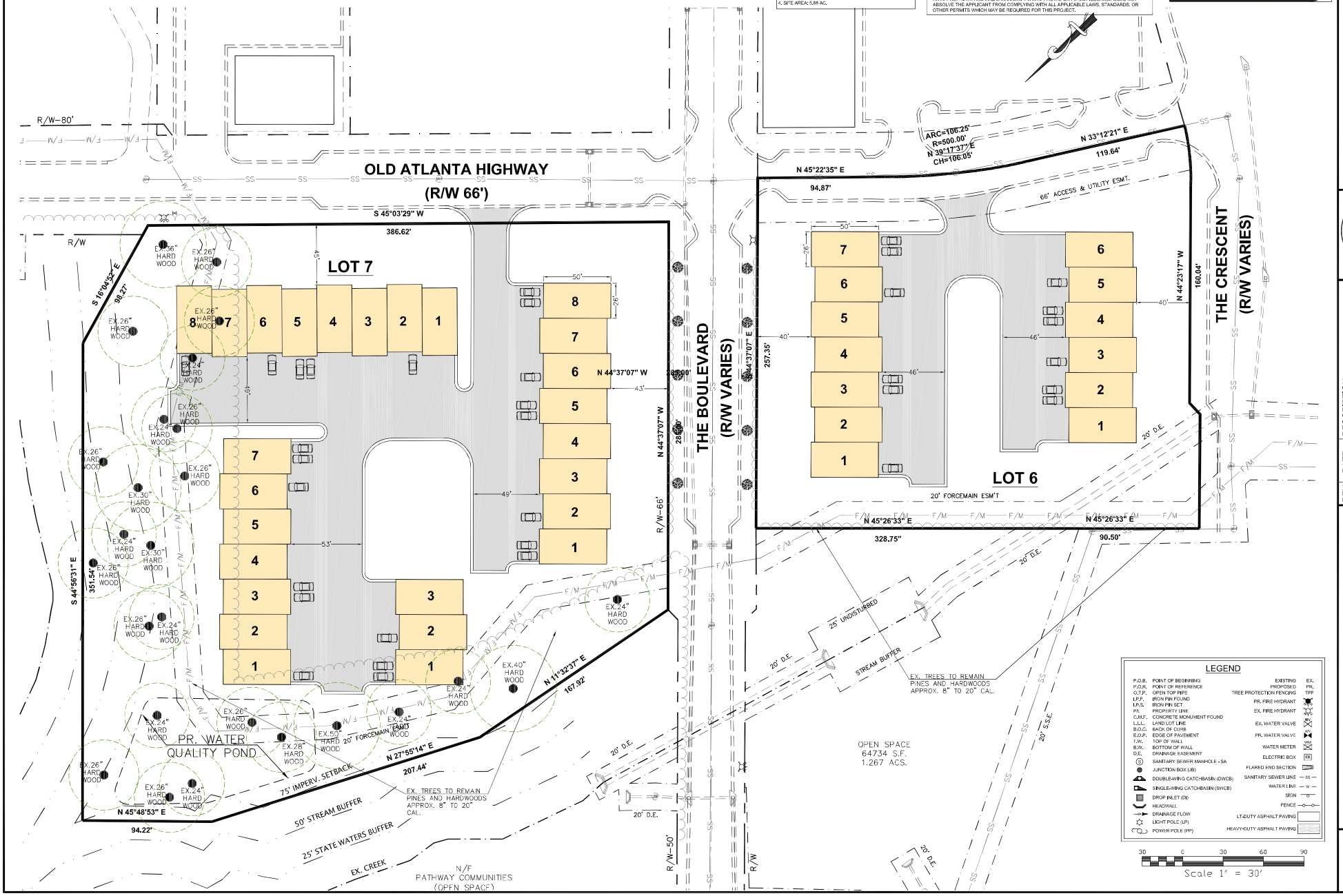
GENERAL NOTES:

1. THE SITE ADDRESS IS: 23 THE CRESCENT, NEWNAN GA 30263.
2. EXISTING ZONING: PD (PLANNED DEVELOPEMENT).
3. PROPOSED USE: TOWNHOMES.
4. SITE AREA: 5.88 AC.

NOTE:

-THE APPROVAL OF THESE PLANS AND THE ISSUANCE OF THIS LAND DISTURBANCE PERMIT DOES NOT IN ANY WAY SUGGEST THAT ALL OTHER REQUIREMENTS FOR THE LEGAL OR APPROPRIATE OPERATIONS FOR THIS ACTIVITY, WHICH MAY REQUIRE ADDITIONAL PERMITTING, HAVE BEEN MET. THE ONUS IS ON THE OWNER/DEVELOPER/BUILDER TO DISCOVER WHAT ADDITIONAL PERMITTING OR APPROVALS MAY BE NECESSARY TO OPERATE FROM THIS POINT IN AN APPROPRIATE AND LEGAL MANNER. PLAN APPROVAL OR PERMIT ISSUANCE DOES NOT ABSOLVE THE APPLICANT FROM COMPLYING WITH ALL APPLICABLE LAWS, STANDARDS, OR OTHER PERMITS WHICH MAY BE REQUIRED FOR THIS PROJECT.

GEORGIA811 Utilities Protection Center, Inc.



Paramount ENGINEERING, LLC
PH: (770)-473-9576
11 E. BROAD ST.
NEWNAN, GA. 30263
george@paramountengineering.com

GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 29477 GEORGE P. HARPER III
09/21/22
GSWCC NO. 09374

REV.	DATE:	DESCRIPTION:

DRAWING NO: AVERY PARK

PROJECT: MANOR AT AVERY PARK

SHEET: TREE MANAGEMENT PLAN

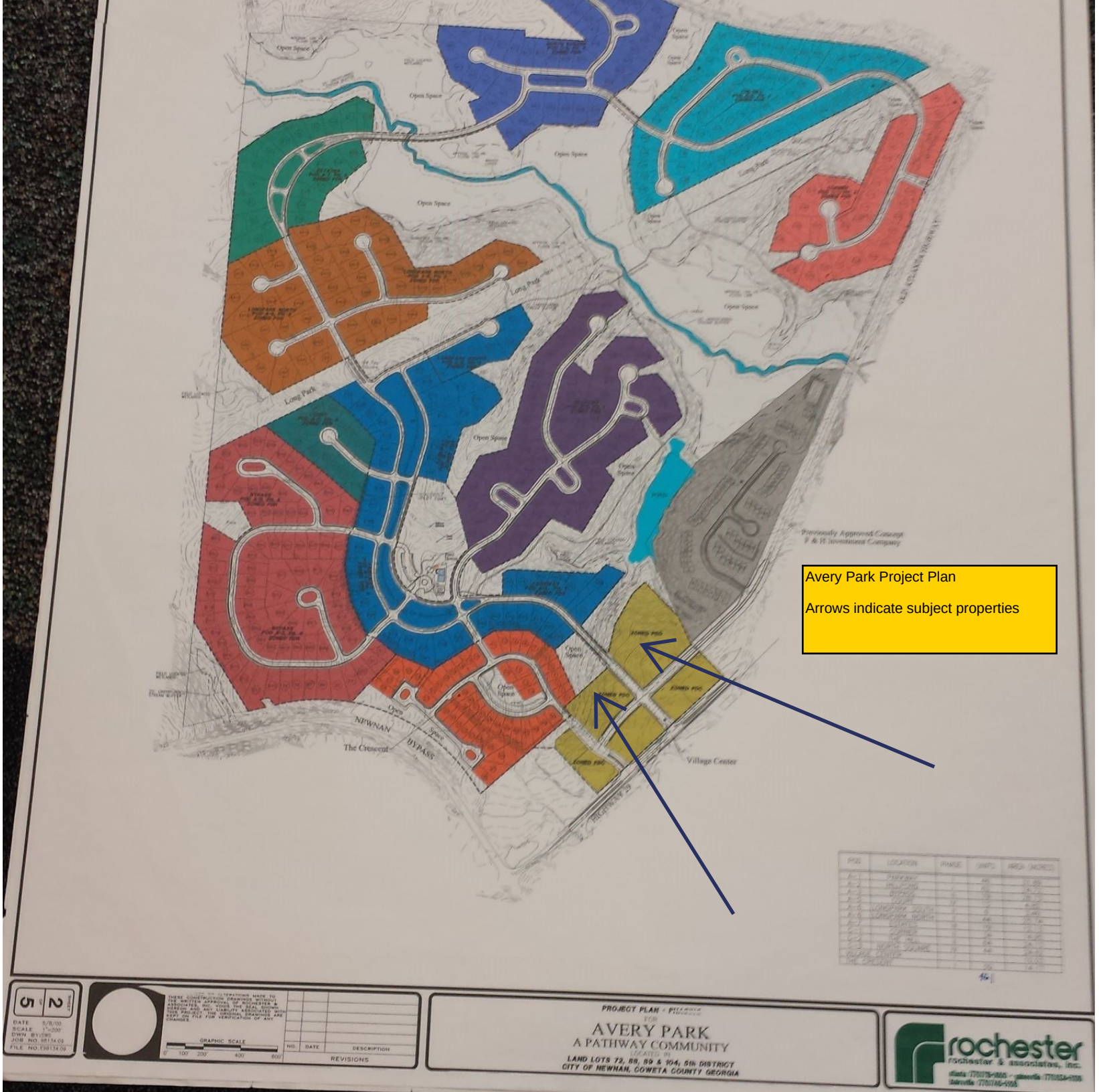
CITY OF NEWNAN

SCALE: 1" = 30'

DATE: 07-21-22

DRAWN BY: GPH

SHEET 1


Avery Park Project Plan
Arrows indicate subject properties
Open Space
Long Park
Previously Approved Concept
P & H Investment Company
NEWNAN
BYPASS
The Crescent
Village Center
HIGHWAY 34
NEW GRAVEL ROADWAY
PROJECT PLAN
FOR
AVERY PARK
A PATHWAY COMMUNITY
LOCATED IN
LAND LOTS 72, 88, 89 & 104, 5th DISTRICT
CITY OF NEWNAN, COWETA COUNTY GEORGIA
GRAPHIC SCALE
REVISIONS
NO. DATE DESCRIPTION
rochester
rochester & associates, inc.

Front of Rear Entry Townhomes

Front of Rear Entry Townhomes

Rear Entry Townhomes

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

August 9, 2022

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

RE: Application of Freedom Land Holdings, LLC to Amend the Zoning Ordinance
Approximately 5.82± Acres located at Old Hwy. 85, Lots 6 and 7, The Village at Avery Park, Newnan, Georgia

Dear Ms. Dunnavant:

Freedom Land Holdings, LLC, ("Freedom"), the 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 5.82 +/- acres to be rezoned from PDC and PDO to PDR.

As noted on the "Application to Amend Zoning Text" form enclosed herewith, the Property is the best location for a PDR zoning as it is a prime location for a good transition between the offices and residential that already exist at Avery Park. The rezoning will allow for development of this property that has been undeveloped and will help in connecting the area by offering different residential options. The PDR zoning will be beneficial to the business owners and residents not only at The Property, but also the surrounding area.

As you will see on the attached conceptual plan, this zoning request allows the opportunity for residential in an area that has been undeveloped for many years. This will be a wonderful addition of opportunities for the community to enjoy as well.

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 proferred conditions. The proposed amendment will facilitate the smart growth and development that is expected in the City of Newnan.

For the reasons stated above, Freedom believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance.

Freedom has, at attached Tabs (1) through (14) included all materials required per the Application Form and applicable Ordinance provision. As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Freedom, as Applicant and myself as counsel for Freedom, 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 Freedom Land Holdings, LLC

MDG/kr
Enclosure(s)

cc: Mr. James Nicholson

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

NEWNAN
GEORGIA

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: Freedom Land Holdings, LLC

Mailing Address: 140 Village Circle, Senoia, GA 30276

Telephone: (404) 725-2237 Email: james.nicholson@jefflindseycommunities.com

Property Owner (Use back if multiple names): 10 The Boulevard, LLC

Mailing Address: c/o Selmar Property Management, 101 Swanson Ridge, Peachtree City, GA 30269

Telephone: _____

Address/Location of Property: Lots 6 and 7 The Village at Avery Park

Tax Parcel No.: 073C 044 and 073C 045 Land Lot: 72

District/Section: 5th Size of Property (Square Feet or Acres): 5.82 acres

Present Zoning Classification: PDC and PDO Proposed Zoning Classification: PDR

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 current zoning has been in place for numerous years without success of development. By amending the zoning to PDR, it will allow for consistent development of a residential option within Avery Park.

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 was developed, but this property has remained undeveloped as initially proposed for numerous years. The property is a suitable location for a residential option.

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
   - ✓ Adjourning 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

27 day of June, 2022

Michelle Shiel

Notary Public

FREEDOM LAND HOLDINGS, LLC

Signature of Applicant

MICHELLE HILL NOTARY PUBLIC STATE OF GEORGIA MY COMM. EXP. 10/11/2025 COWETA COUNTY, GEORGIA

(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE _____

RECEIVED BY Chris Cole

DATE OF FILING 8-9-2022

FILING FEE RECEIVED $645.75

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 073C 044

10 THE BOULEVARD LLC
C/O SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

12 THE CRESCENT JHJ LLC
c/o TANNEF
SUITE 6-3081 1000 PEACHTREE IND.
SUWANEE, GA 30024

AVERY PARK COMMUNITY ASSOC.
1465 NORTHSIDE DR I STE 1281
ATLANTA, GA 30318

EVANS DAMN L
23 THE CRCS
NEWNAN, GA 30263

FECKOURY MICHELE
38 THE CRESCENT
NEWNAN, GA 30263

HELTON RAYMOND E & KRISTI L
69THE BLVD
NEWNAN GA 30263

HERNANDEZ INDHIRA & WILKING REYEE
65 THE BLVD
NEWNAN, GA 30263

IH3 PROPERTY GEORGIA LP
C/O INVITATION HOMES & TAX
SUITE 2000/171 MAIN ST
DALLAS, TX 75201

JACKSON STREET STREET STATION
SUITE 201/1775 GRAHAM AVE
HENDERSON NC 27536

JENSEN BRIAN
29 THE CRES
NEWNAN, GA 30263

KHWAISH RAINA LLC
10 THE CRESCENT
NEWNAN, GA 30263

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN GA 30263

NELMS BRIAN K & BRANDY A
43 THE CRES
NEWNAN, GA 30265

NEWNAN AUTO BODY & GLASS REPAIR
484 US HIGHWAY 29 NORTH
NEWNAN, GA 30263

NEWNAN-COWETA HUMANE SOC.II
608 N HWY 29
NEWNAN, GA 30263

PEACE JEFFREY S & LISA W PEACE
32 THE CRES
NEWNAN, GA 30263

PINKY INC
29 OVERBROOK CT
NEWNAN, GA 30263

PROGRESS RESIDENTIAL BORROWER 1
PO BOX 4090
SCOTTSDALE, AZ 85261

SALVANERA NOEL & REBECCA ANN
39 THE CRESCENT
NEWNAN, GA 30263

THETFORD ROBERT T JR
4 ARENDT PARK LN
NEWNAN, GA 30263

TORTORELLA MICHAEL L & KRISTINE K
16 ARENDT PARK LN
NEWNAN, GA 30264

TRANS VAUGHN DEVELOPMENT
P O BOX 719
NEWNAN, GA 30264

TROUTMAN GROUP INC
185 GOLFVIEW CLUB DR
NEWNAN, GA 30263

VISE JASON DANIEL & ERIN F VISE
33 THE CRESCENT
NEWNAN, GA 30263

Parcel 073C 045

10 THE BOULEVARD LLC
C/O SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

AVERY PARK COMMUNITY ASSOC.
1465 NORTHSIDE DR I STE 128
ATLANTA, GA 30318

AVERY PARK COMMUNITY ASSOC.
#1281 1465 NORTHSIDE DR
ATLANTA, GA 30318

HELTON RAYMOND E & KRISTI L
69 THE BLVD
NEWNAN, GA 30263

HERNANDEZ INDHIRA & WILKING REYEE
65 THE BLVD
NEWNAN, GA 30263

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN, GA 30265

NEWNAN-COWETA HUMANE SOC.
608 N HWY 29
NEWNAN, GA 30263

TROUTMAN GROUP INC
185 GOLFVIEW CLUB DR
NEWNAN, GA 30263

Parcel 073C 041

10 THE BOULEVARD LLC
SELLMER PROPERTY MGMT
PEACHTREE CITY, GA 30269

12 THE CRESCENT JHJ LLC
c/o TANNEF
SUITE 6-308/ 1000 PEACHTREE IND.
SUWANEE, GA 30024

JACKSON STREET STATION LLC
SUITE 201/1775 GRAHAM AVE
HENDERSON, NC 27536

KHWAISH RAINA LLC
10 THE CRESCENT
NEWNAN, GA 30263

MARIN PROPERTIES LLC
116 VININGS TRCE
NEWNAN, GA 30265

NEWNAN AUTO BODY & GLASS REPAI
484 US HIGHWAY 29 NORTH
NEWNAN, GA 30263

PINKY INC
29 OVERBROOK CT
NEWNAN, GA 30263

THETFORD ROBERT T JR
4 ARENDT PARK LN
NEWNAN, GA 30263

TRANS VAUGHN DEVELOPMENT
P O BOX 719
NEWNAN, GA 30264

TAB 3

Legal Description of the Property

DOC# 019083
FILED IN OFFICE
10/13/2017 11:50 AM
BK:4611 PG:662-662
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $120.00

PT-61 038-2017-005996

RETURN TO:
GLOVER & DAVIS, P.A.
P.O. DRAWER 1038
NEWNAN, GA 30264

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

FILE #: 2017-0598

THIS INDENTURE made this 11th day of October, 2017, between Cygnus GA, LLC, a Georgia Limited Liability Company, as party or parties of the first part, hereinunder called Grantor, and 10 The Boulevard, LLC, a Georgia Limited Liability Company, 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 certain tract or parcel of land situate lying and being in Land Lot 72 of the 5th Land District of the City of Newnan, Coweta County, Georgia, being Lots 6 and 7 of The Village Center at Avery Park Subdivision, as per plat of record at Plat Book 70, Pages 200-203, Coweta County, Georgia Records. Reference to said plat is hereby made for a more complete and accurate description of said Lots 6 and 7.

TOGETHER WITH the easements contained in that certain General Warranty Deed from F&H Investment Company, L.L.C., a Georgia limited liability company, to Peachtree City Holdings, L.L.C., a Georgia limited liability company, dated as of August 24, 1998, recorded in Deed Book 1287, Page 362, Coweta County, Georgia Records; and

ALSO TOGETHER WITH those easement rights arising under that certain Declaration of Covenants, Conditions and Restrictions for The Village Center at Avery Park by Peachtree City Holdings, L.L.C., a Georgia limited liability company, dated January 31, 2000, recorded in Deed Book 1485, Page 695, Coweta County, Georgia Records.

The above-described property is conveyed subject to the following:

(1) Declaration of Covenants, Conditions and Restrictions for The Village Center at Avery Park, recorded at Deed Book 1485, Page 695, Coweta County, Georgia Records, and any amendments thereto.
(2) All matters as shown on plat of record at Plat Book 70, Pages 200-203; and Plat Book 67, Page 123, Coweta County, Georgia Records.
(3) Right of Way Easement to Transcontinental Gas Pipe Line Corporation recorded at Deed Book 55, Page 416, Coweta County, Georgia Records; and Amendment to Right of Way Agreement recorded at Deed Book 219, Page 233, aforesaid records.
(4) Right of Way Easement Agreement in favor of Vyvx, Inc., recorded at Deed Book 1190, Page 507, Coweta County, Georgia Records.
(5) Water/Sewer Easement in favor of The City of Newnan and Newnan Water & Light Commission, recorded at Deed Book 1143, Page 127, Coweta County, Georgia Records.
(6) Right of Way Deed to the City of Newnan, Georgia, recorded at Deed Book 1485, Page 690, Coweta County, Georgia Records.
(7) Rights of tenants or parties in possession.

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:

Witness

Notary Public

(SEAL)

My Commission Expires:

Cygnus GA, LLC
A Georgia Limited Liability Company

By: _____ (SEAL)
Andy Cummings, Manager

E. PATTERSON
MY COMMISSION EXPIRES
NOTARY
PUBLIC
08/13/2018
GWINNETT COUNTY, GEORGIA

1/10

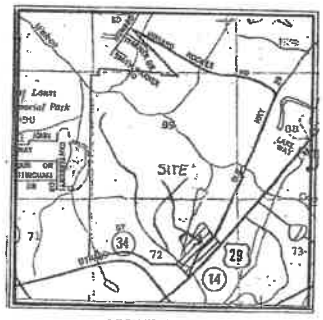
TAB 4

Certified Plat

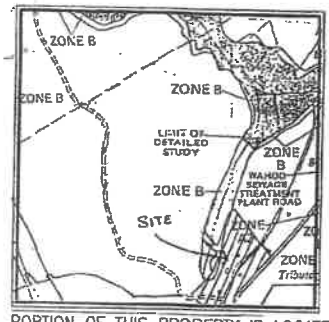
FILED IN OFFICE
CLERK OF
SUPERIOR/STATE/JUVENILE
COURT

2000 JAN 31 AM 9:08

COWETA COUNTY, GA
JOAN GRIFFITH, CLERK



VICINITY MAP



A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA AS PER F.I.R.M. FLOOD INSURANCE RATE MAP FOR THE CITY OF NEWNAN, COWETA COUNTY, GEORGIA. COMMUNITY PANEL No. 130298 0120A EFFECTIVE AUGUST 2, 1982. ZONE B

FINAL SUBDIVISION PLAT FOR

THE VILLAGE CENTER AT AVERY PARK

*LAND LOT 72 * 5th DISTRICT*
*CITY OF NEWNAN * COWETA COUNTY, GEORGIA*

OWNER/DEVELOPER

PATHWAY COMMUNITIES
P.O. BOX 2007
200 WESTPARK DRIVE, SUITE 300
PEACHTREE CITY, GEORGIA 30260

24 HOUR CONTACT

MS. LEANN WADDELL
770-487-8585

ENGINEER/SURVEYOR

ROCHESTER & ASSOCIATES, INC.
425 OAK STREET, N.W., GAINESVILLE, GEORGIA 30501
*ATLANTA: 770-718-0600 * FAYETTEVILLE: 770-716-8123 **
GAINESVILLE: 770-534-5106
SURVEYOR: MARK A. BUCKNER
ENGINEER: JOHN A. BONANNO

OWNER'S CERTIFICATION:

STATE OF GEORGIA, COUNTY OF COWETA
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY; THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, DRAINAGE WAYS AND EASEMENTS SHOWN HEREON AND EITHER DEDICATES TO THE PUBLIC FOREVER OR RESERVES FOR PURCHASE BY THE CITY ALL PUBLIC GROUNDS AS INDICATED ON THE PLAT, FOR THE PURPOSES AND CONSIDERATION HEREINEXPRESSED.

AGENT _____ *DATE* _____

OWNER [signature] *DATE* 1/19/00

ENGINEER OR SURVEYOR 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 MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEERING REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF THE CITY OF NEWNAN, GEORGIA HAVE BEEN FULLY COMPLIED WITH.

BY _____

REGISTERED C.E. No. 22929

BY [signature]

REGISTERED
GEORGIA LAND SURVEYOR No. 2422

GEORGIA REGISTERED No. 22929 PROFESSIONAL ENGINEER JOHN A. BONANNO

GEORGIA REGISTERED No. 2422 PROFESSIONAL LAND SURVEYOR MARK A. BUCKNER

PLANNING DEVELOPMENT CERTIFICATE:

PURSUANT TO THE LAND SUBDIVISION REGULATIONS OF THE CITY OF NEWNAN, GEORGIA, ALL REQUIREMENTS OF APPROVAL HAVING BEEN FULFILLED, THIS FINAL PLAT WAS GIVEN FINAL APPROVAL BY THE NEWNAN PLANNING COMMISSION AT ITS MEETING ON Dec 11 *19*2000

DATE 01-11-00 *BY* [signature]
for SECRETARY, PLANNING COMMISSION

CITY COUNCIL CERTIFICATE:

ALL STREET RIGHTS-OF-WAY AND THE IMPROVEMENTS THEREIN AND ANY CATCH BASINS, JUNCTION BOXES, STORM DRAINAGE PIPE, EASEMENTS, OTHER STRUCTURES OR AREAS OUTSIDE OF SAID STREET RIGHTS-OF-WAY (EXCLUDING DITCHES AND OTHER OPEN DRAINAGEWAYS), WHICH STRUCTURES OR AREAS ARE SPECIFICALLY INDICATED ON THIS PLAT AS BEING DEDICATED TO THE PUBLIC, ARE HEREBY ACCEPTED.

DATE 01-25-00 *BY* [signature]
CITY MANAGER

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 45,287 *FEET AND AN ANGULAR ERROR OF* 04 *SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.*
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 418,823 *FEET.*
TOPCON GTS-313 USED FOR ANGULAR AND LINEAR MEASUREMENTS.

THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY COMMUNITIES, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB NO. G198134.011-2514

SHEET 1 OF 4
DATE 12/7/99
SCALE NA
JOB NO. 98134.11
DRAWN BY SRS
FILE NO. AP-WORLDG

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

NO.	DATE	DESCRIPTION
		REVISIONS

FINAL SUBDIVISION PLAT FOR
THE VILLAGE CENTER AT AVERY PARK
LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
atlanta 770/718-0600 • fayetteville 770/716-8123
hallsville 770/535-5106 • gainesville 770/534-5106
425 oak st., n.w. gainesville, ga. 30501

LEGEND
AE – ACCESS EASEMENT
AIF – ANGLE IRON FOUND
AKA – ALSO KNOWN AS
BC – BACK OF CURB
BL – BUILDING SETBACK LINE
BWF – BARBED WIRE FENCE
C&G – CURB & GUTTER
CT – CRIMP TOP PIPE
CI – CURB INLET
℄ – CENTER LINE
CLF – CHAIN LINK FENCE
CMF – CONCRETE MONUMENT FOUND
CMP – CORRUGATED METAL PIPE
CNS – CONCRETE NAIL SET
CONC – CONCRETE
CORPS – US ARMY CORPS OF ENGINEERS
DB,PG – DEED BOOK, PAGE
DE – DRAINAGE EASEMENT
DI – DROP INLET
DIP – DUCTILE IRON PIPE
DWCB – DOUBLE-WING CATCH BASIN
EASE – EASEMENT
EP – EDGE OF PAVEMENT
FFE – FINISHED FLOOR ELEVATION
FH – FIRE HYDRANT
FM – FORCEMAIN
–G– – GAS LINE
GM – GAS METER
GP – GUY POLE
GV – GAS VALVE
GW – GUY WIRE
HC – HANDICAP PARKING SPACE
HW – HEADWALL
HWF – HOG WIRE FENCE
IPF – IRON PIN FOUND
IPS – IRON PIN SET (1/2" R/B)
JB – JUNCTION BOX
LL – LAND LOT
LLL – LAND LOT LINE
LP – LIGHT POLE
MH – MANHOLE
MON – MONUMENT
N/F – NOW OR FORMERLY
OCS – OUTLET CONTROL STRUCTURE
OT – OPEN TOP PIPE
–P– – POWER LINE
–P/T– – POWER & TELEPHONE LINE
PAVT – PAVEMENT
PBX – POWER BOX
P.E – PEDESTRIAN ACCESS INGRESS\ EGRESS EASEMENT
℘ – PROPERTY LINE
PM – POWER METER
POB – POINT OF BEGINNING
PP – POWER POLE
PTP – POWER & TELEPHONE POLE
PVC – POLYVINYLCHLORIDE PIPE
RB – REINFORCING IRON BAR
RCP – REINFORCED CONCRETE PIPE
R/W – RIGHT OF WAY
–SS– – SANITARY SEWER LINE
SE – SANITARY SEWER EASEMENT
SF – SQUARE FEET
SW – SIDEWALK
SWCB – SINGLE-WING CATCH BASIN
TBM – TEMPORARY BENCHMARK
TBX – TELEPHONE BOX
TF – TRANSFORMER
TMH – TELEPHONE MANHOLE
TP – TELEPHONE POLE
TPOB – TRUE POINT OF BEGINNING
–T– – TELEPHONE LINE
UE – UTILITY EASEMENT
UGP – UNDERGROUND POWER
UGT – UNDERGROUND TELEPHONE
VCP – VITRIFIED CLAY PIPE
WE – WATER EASEMENT
WI – WEIR INLET
–W– – WATER LINE
WM – WATER METER
WMH – WATER MANHOLE
WV – WATER VALVE
(P) – NUMBER OF PARKING SPACES (INCLUDES HC SPACES SHOWN)

FILED IN OFFICE
CLERK OF
SUPERIOR/STATE/JUVENILE
COURT

2000 JAN 31 AM 9:08

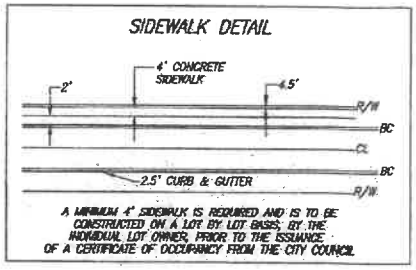
COWETA COUNTY, GA
JOAN G. GRIFFIES, CLERK

LOT DATA TABLE

LINE/CURVE	BEARING	CHORD	ARC	RADIUS
1	N89°45'00"W	32.60'	36.23'	23.00'
2	S00°24'43"W	32.54'	36.15'	23.00'
3	N89°35'17"W	32.51'	36.10'	23.00'
4	N44°37'07"W	15.57'		
5	N52°43'48"W	65.75'	65.97'	233.00'
6	N60°50'30"W	73.47'		
7	N58°49'04"W	14.13'	14.13'	200.00'
8	N50°35'28"W	43.22'	43.31'	200.00'
9	N89°23'17"W	11.31'		
10	N44°23'17"W	24.53'		
11	N44°23'17"W	83.12'		
12	S45°36'43"W	50.00'		
13	S44°23'17"E	39.82'		
14	S00°36'43"W	11.31'		
15	S45°55'21"E	14.25'	14.25'	266.00'
16	S54°08'58"E	62.00'	62.14'	266.00'
17	S60°50'30"E	73.47'		
18	S52°43'48"E	47.13'	47.29'	167.00'
19	S44°37'07"E	15.45'		
20	S00°24'43"W	32.54'	36.15'	23.00'
21	S00°22'53"W	11.31'		
22	S44°37'07"E	60.85'		
23	S38°54'00"E	66.37'		
24	S45°10'22"W	68.37'		
25	S45°26'33"W	43.76'		
26	S45°26'33"W	112.00'		

CENTERLINE CURVE DATA

CURVE	ARC	RADIUS	DELTA	TANGENT	DEGREE OF CURVE	BEARING	CHORD
C1	58.63'	200.00'	16°13'23"	28.51'	28°38'52"	N52°43'48"W	58.44'
C2	68.91'	233.00'	16°27'13"	33.69'	24°35'26"	N52°36'53"W	68.68'



AREA SUMMARY

LOT AREA = 10.469 ACRES
ROAD AREA = 1.221 ACRES
OPEN SPACE AREA = 1.257 ACRES

TOTAL AREA = 12.947 ACRES

PLAT BOOK 70 PG. 201

NOTES:
1. TOTAL NUMBER OF LOTS = 7
2. ZONING: PDC & PDO
3. MINIMUM LOT SIZE: 7,250 SQ.FT.
4. MAXIMUM LOT COVERAGE: 35%
5. FLOOR AREA RATIO: 70%
6. MINIMUM DISTANCE BETWEEN BUILDINGS: 20 FEET
7. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AVERY PARK RECORDED IN DEED BOOK _____, PAGE _____
8. DISTANCES SHOWN HEREON ARE HORIZONTAL.
9. IRON PIN SET (1/2" REBAR) AT ALL LOT CORNERS, UNLESS NOTED OTHERWISE.
10. ISLANDS AND MEDIANS WITHIN PUBLIC RIGHT-OF-WAYS ARE DEDICATED TO THE CITY OF NEWNAN, BUT WILL BE MAINTAINED BY AVERY PARK COMMUNITY ASSOCIATION, INC.
11. THE WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS. THE OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.

GEORGIA REGISTERED No. 2422 PROFESSIONAL LAND SURVEYOR MARK A. BUCKNER

THIS PLAT IS FOR THE EXCLUSIVE USE OF PATHWAY COMMUNITIES, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB NO. G198134.011-2514

SHEET 2 OF 4
DATE 12/7/99
SCALE NA
JOB NO. 98134.11
DRAWN BY SKS
FILE NO. AP-WCR.DWG

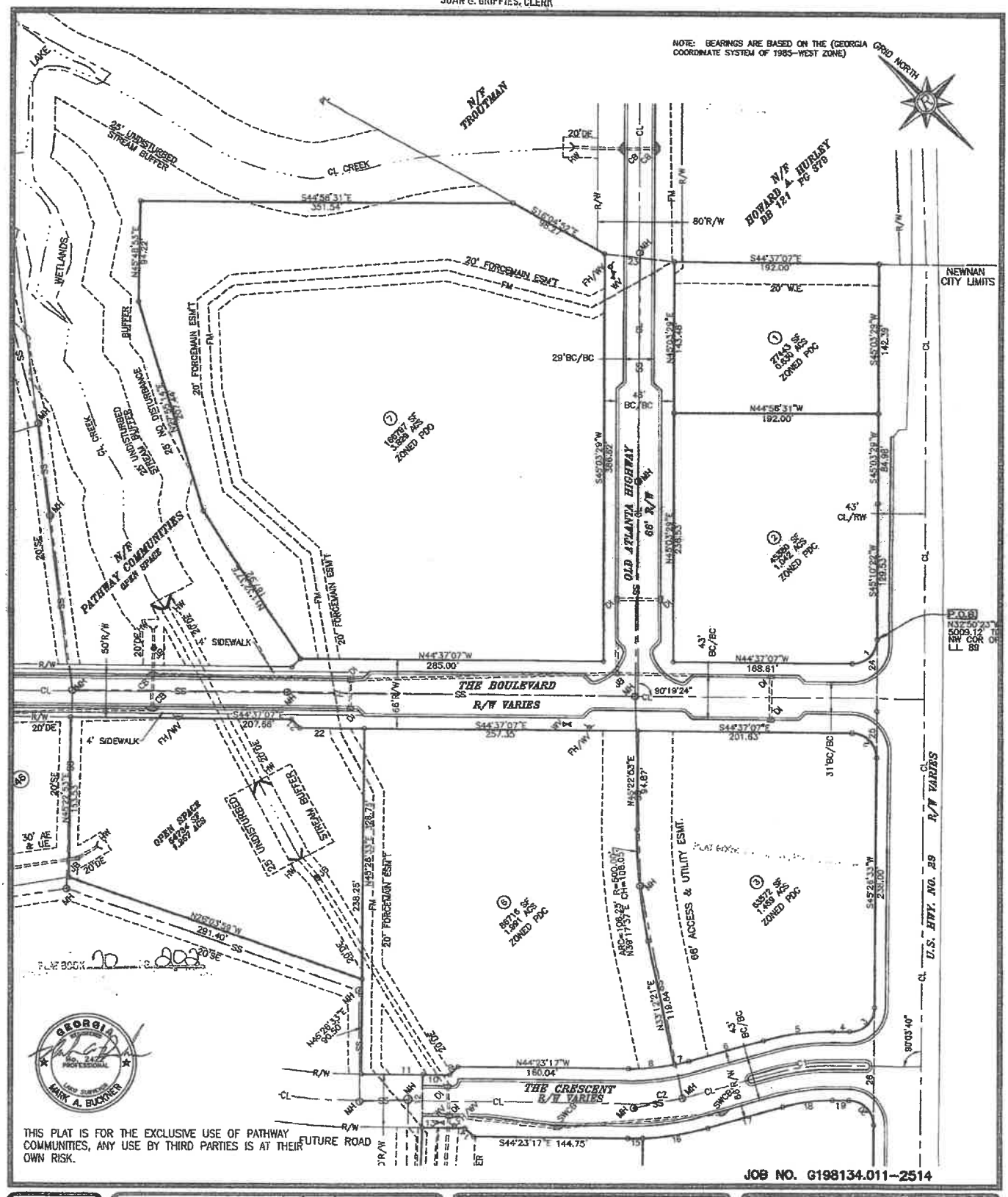
THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

NO.	DATE	DESCRIPTION
		REVISIONS

FINAL SUBDIVISION PLAT FOR
THE VILLAGE CENTER AT AVERY PARK
LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
atlanta (770)718-0000 • fayetteville (770)719-0123
lithonia (706)746-6100 • gainesville (770)534-5100
425 oak st., n.w. gainesville, ga. 30501

FILED IN OFFICE
CLERK OF
SUPERIOR/STATE/JUVENIL
COURT
2000 JAN 31 AM 9:09
COWETA COUNTY, GA
JOAN G. GRIFFIES, CLERK



SHEET	OF
3	4

DATE 12/7/99
SCALE 1"=60'
JOB NO. 98134.11
DRAWN BY SKS
FILE NO. AP-WORLDWG

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0' 30' 60' 120'

NO.	DATE	DESCRIPTION
		REVISIONS

FINAL SUBDIVISION PLAT FOR

THE VILLAGE CENTER AT AVERY PARK

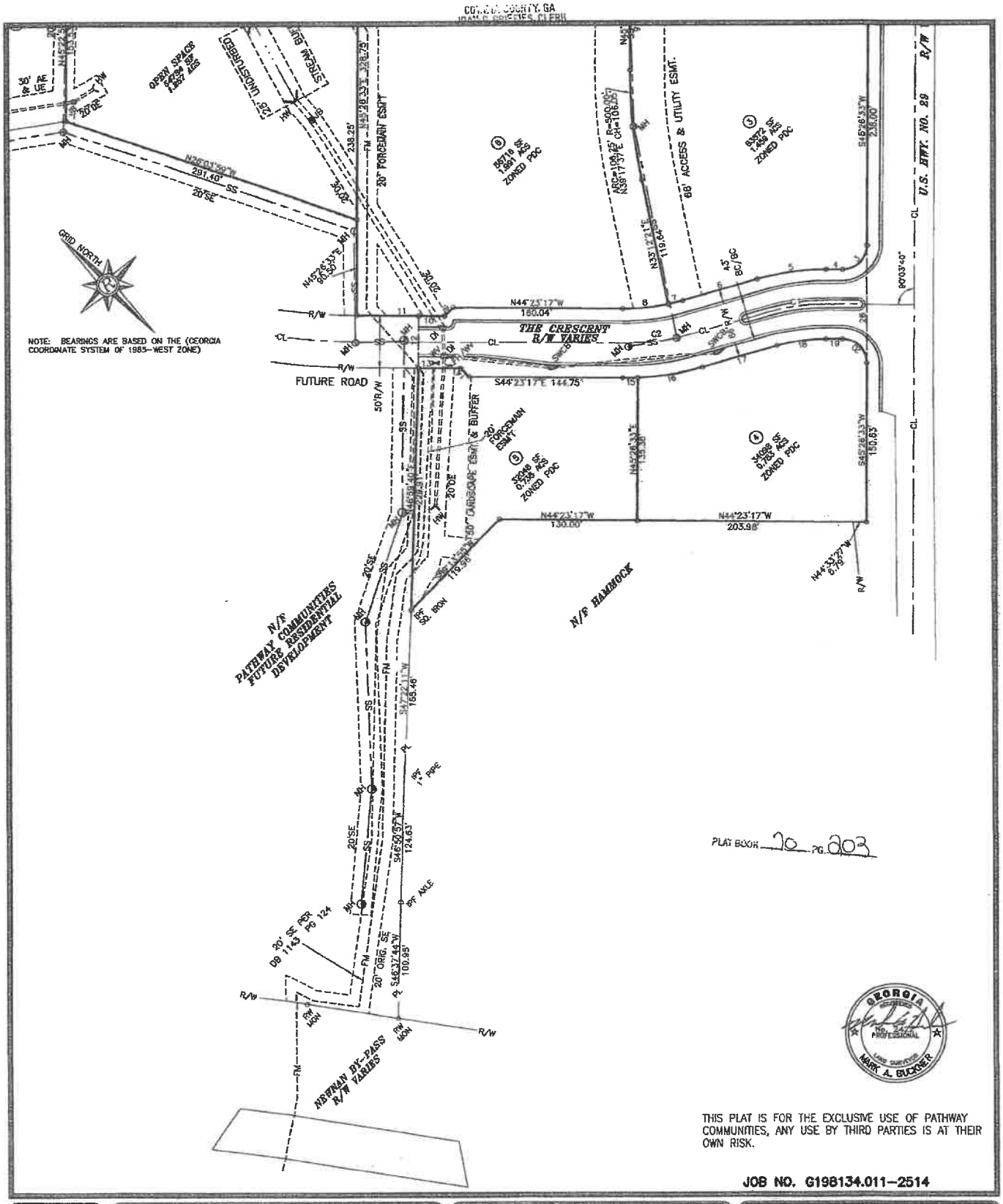
LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
426 oak st., n.w. gainesville, ga. 30501

FILED IN OFFICE
CLERK OF
SUPERIOR/STATE/JUVENILE
COURT

2000 JAN 31 AM 9:10

COWETA COUNTY, GA
JOAN C. PORTERS, CLERK



JOB NO. G198134.011-2514

SHEET	OF
4	4

DATE 12/7/99
SCALE 1"=60'
JOB NO. 98134.11
DRAWN BY SWS
FILE NO. AP-VCR.DWG

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

GRAPHIC SCALE
0' 30' 60' 120'

NO.	DATE	DESCRIPTION
		REVISIONS

FINAL SUBDIVISION PLAT FOR

THE VILLAGE CENTER AT AVERY PARK

LOCATED IN
LAND LOT 72 * 5th DISTRICT * CITY OF NEWNAN
COWETA COUNTY, GEORGIA

rochester
rochester & associates, inc.
atlanta (770)476-1800 • loganville (770)979-1123
lawrenceville (770)745-9126 • gainesville (770)534-6109
425 oak st., n.w. gainesville, ga. 30501

Tab 5

Conceptual Plan

SITE DATA:

- SITE AREA: LOT 6- 1.99 AC., LOT 7- 3.83 AC.
- EXISTING ZONING: LOT 6- PDC, LOT 7- PDO
- PROPOSED ZONING: PDR (PLANNED RESIDENTIAL)
- PROPOSED NO. OF UNITS: 39 (CONDOMINIUM)
- PROPOSED UNITS: 26'X50'
- MAX. 35' BUILDING HEIGHT OF PRINCIPLE STRUCTURE
- MIN. DISTANCE BETWEEN BUILDINGS: 10'
- MIN. LANDSCAPED AREA: 10% (ACTUAL: 50%)
- DENSITY: 7.01 UNITS/AC.
- NO. OF FRONT DRIVEWAY UNITS: 10
  NO. OF REAR DRIVEWAY UNITS: 29
- PARKING: 2 PER DWELLING UNIT (78 SPACES)
- WATER & SEWER WILL BE PROVIDED BY NEWNAN UTILITIES.

paramount ENGINEERING, LLC
11 E. BROAD ST.
NEWNAN, GA. 30263
PH: (770)-473-9576
george@paramountengineering.com

GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 29411 GEORGE P. HARPER III
GSWCC NO. 09374

REV	DATE:	DESCRIPTION:

DRAWING NO: AVERY PARK

PROJECT: MANOR AT AVERY PARK

SHEET: CONCEPTUAL SITE PLAN

CITY OF NEWNAN

SCALE: 1" = 30'

DATE: 03-02-22

DRAWN BY: GPH

SHEET

C3

TAB 6

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:

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

All plans, profiles, elevations and other demonstrative materials included in the application packet are proffered herein

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

MELISSA D. GRIFFIS, ATTORNEY
Type or Print Name and Title

Karen Rebeor 8.16.2022
Signature of Notary Public Date

KAREN REBEOR NOTARY EXPIRES GEORGIA DEC. 20, 2023 PUBLIC COWETA COUNTY

(Affix Raised Seal Here)

TAB 7

Disclosure of Campaign Contributions And Gifts

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on August 9, 2022, 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

Jeffrey Lindsey
Type or Print Name and Title

Signature of Applicant's Representative

Melissa D. Griffis, Attorney
Type or Print Name and Title

Michelle Thill 6/27/22
Signature of Notary Public Date

(Affix Raised Seal Here)

MICHELLE THILL NOTARY PUBLIC STATE OF GEORGIA MY COMM. EXP. 01/11/2025 COWETA COUNTY, GEORGIA

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 August 9, 2022, 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

Mark A. Lord, Managing Member
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

6/28/22
Date

C L BURNS NOTARY PUBLIC GEORGIA COWETA COUNTY EXPIRES 11/01/23

(Affix Raised Seal Here)

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on August 9, 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[1] 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

Type or Print Name and Title

Signature of Applicant's Representative

MELISSA D. GRIFFIS, ATTORNEY
Type or Print Name and Title

Karen Rebcar 8.8.2022
Signature of Notary Public Date

KAREN REBCAR NOTARY PUBLIC GEORGIA EXPIRES DEC. 20, 2022 COWETA COUNTY

(Affix Raised Seal Here)

[1]*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 8

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 10 The Boulevard, LLC.

Telephone Number _____

Address of Subject Property Lots 6 & 7 The Village @ Avery Park

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.

Mark A Lord managing member
Signature of Property Owner

Personally appeared before me

Mark A. Lord

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

Notary Public

6/28/22
Date

C L BURNS NOTARY EXPIRES GEORGIA 1/10/23 PUBLIC COWETA COUNTY

(Affix Raised Seal Here)

TAB 9

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 8/9/2022

TAB 10

Community Impact Study
(Not Applicable)

TAB 11

Renderings

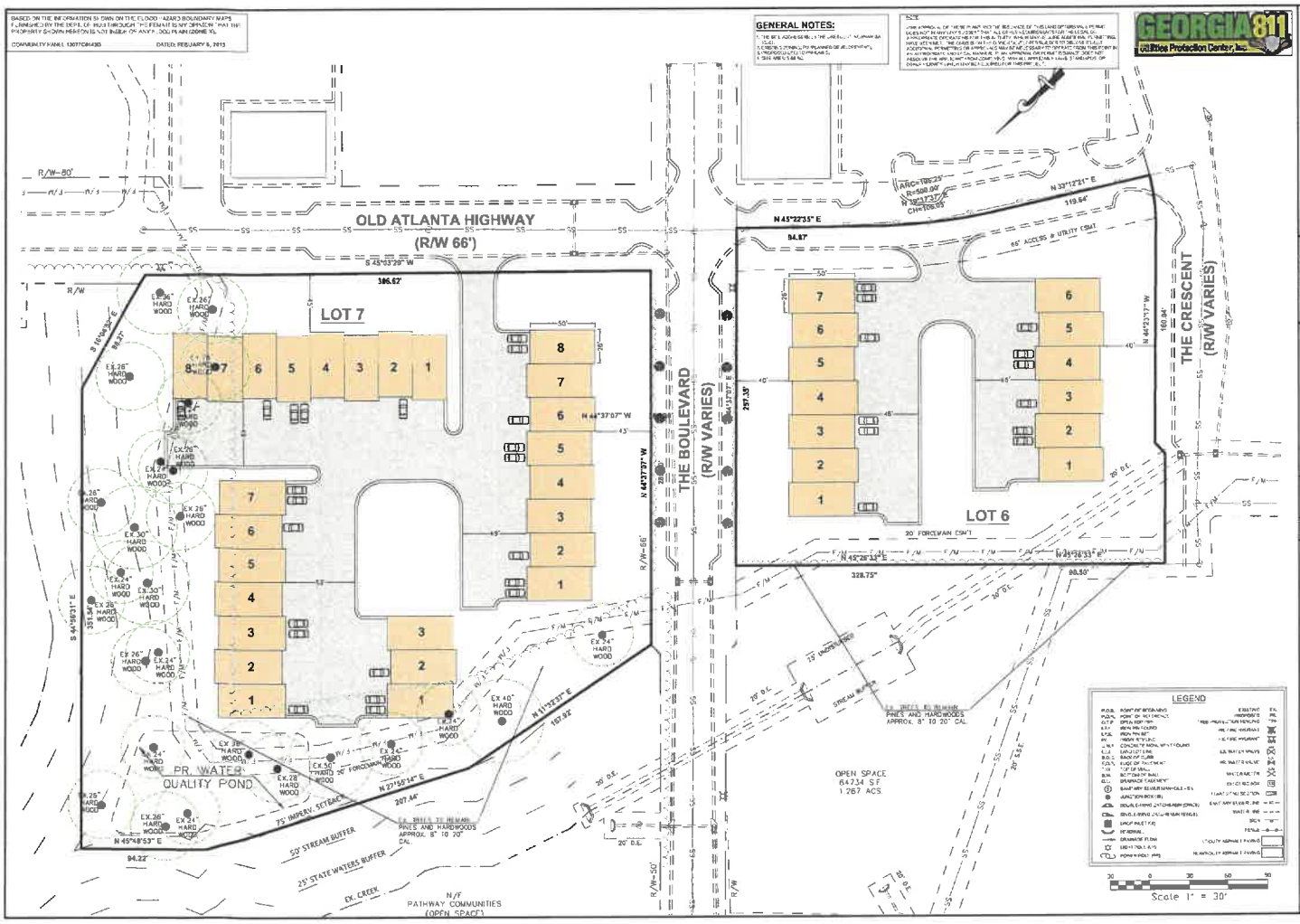
Front of Rear Entry Townhomes

Rear Entry Townhomes

Front of Rear Entry Townhomes

TAB 12

Tree Management Plan


GENERAL NOTES:
GEORGIA 811
Utilities Protection Center, Inc.
OLD ATLANTA HIGHWAY
(R/W 66')
LOT 7
LOT 6
THE BOULEVARD
(R/W VARIES)
THE CRESCENT
(R/W VARIES)
PR. WATER QUALITY POND
OPEN SPACE
64,734 SF
1.267 ACS.
N/F
PATHWAY COMMUNITIES
(OPEN SPACE)
LEGEND
Scale 1" = 30'
Paramount
ENGINEERING, LLC.
11 E. BROAD ST.
NEWNAN, GA. 30263
PH: (770) 473-6578
GEWCC NO. 0001714
REV
DATE:
DESCRIPTION:
DRAWING NO: AVERY PARK
PROJECT: MANOR AT AVERY PARK
SHEET: TREE MANAGEMENT PLAN
CITY OF NEWNAN
DATE: 07-21-22
DRAWN BY: GPH
SCALE: 1" = 30'
SHEET
1

TAB 13

($645.75 to the City of Newnan)

TAB 14

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.

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
X	Concept Plan
X	Preliminary Tree Management Plan
X	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)
X	Completed Attachment D – Attorney's Authorization (if applicable)
N/A	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.

Chris Cole

From: GS L <gina.l.snider@gmail.com>
Sent: Monday, August 22, 2022 11:00 AM
To: Chris Cole
Cc: Tracy Dunnavant
Subject: against townhomes/condos building in front of Avery Park

To Mr. Chris Cole and City of Newnan Planning Commission members and chair,

My husband Pete and I have lived in Avery Park since 2006 as homeowners in 2 different homes we built here. My husband was born and raised here in Coweta for generations. I moved here in 2002. We do not support any kind of townhomes/condos in front of the subdivision. We know this will bring property values down overall for the community. We also know this will increase traffic and burden our schools even further. The local elementary school bus takes 2 hours to get the children home on some days because of staffing issues and too many students riding the bus to this subdivision. We do not want our amenities affected either. We have seen the growth in this city, and it has been negative overall with the increasing crime rates for a city our size. This trend of building more transient housing, not single-family homes, will add to the problem. It will bring problems to our front door if we let the developers have their way. We already have a problem with our community with many rental companies owning properties in this subdivision! They let homes become in a disrepair state, which will further their and our acceptance of what this community could look like in the future if this negative trend continues.

We would like to say we are **against** having the development built on those two lots in front of Avery Park. Please do not recommend this development to pass to the Mayor and City Council. As homeowners and taxpayers of this city, we wanted to make our voice heard on this specific subject. We appreciate your time and attention to this matter.

Regards,

Gina and Pete Snider
Homeowners
18 Nash Lane

The City of Newnan, Georgia

Office of City Engineer

9/02/2022

Engineering Review: Manor at Avery Park

Parcel Number: 073C 044
Parcel Number: 073C 045

Environmental and Stormwater Management

1. The development plan shall follow and comply fully with the Georgia Storm Water Management Manual, latest edition. All storm water management facilities shall be located in open space.

2. All streams, wetlands and other environmentally sensitive areas shall be determined and located within open space to the extent practically possible.

3. Stream buffers are as follows: 50 foot undisturbed stream buffer with an additional 25 foot impervious surface setback.

Transportation

1. ADA compliant 5 foot sidewalks shall be provided along Old Atlanta Highway and The Crescent, and internally within the community to connect to existing sidewalks within the public Right-of-Way.

2. Traffic study not required.

25 La Grange Street • Newnan, Georgia 30263 • (770) 254-2354

NEWNAN FIRE DEPARTMENT

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

Stephen R. Brown, Fire Chief

8-17-2022

Ref: Rezoning Request

Chris,

I have reviewed the rezoning request that you sent concerning 39 residential condominium units. While we can provide service, the potential impact to FD would be added traffic, slight increase in calls and increased response times to other service within the City.

Kind regards,

Stephen Brown

Fire Chief

City of Newnan

September 2, 2022

Chris Cole
Senior Planner
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Manor at Avery Park , 39 Townhomes Newnan, GA, Parcel 073C 044 and 073C 045

Mr. Cole

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 has ample capacity to serve this proposed facility based on the following information:

- Parcel Number 073 044 and 073C 045
- 5.82 Acres
- Attached concept plan

1. Sanitary Sewer:
    a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
    b. Developer is responsible for all upgrade costs necessary to serve said property, but not limited to:
        i. Design and Construction of development of 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.

70 Sewell Road
Newnan, GA 30263
770-683-5516
770-683-0292 fax
www.NewnanUtilities.org

vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

2. Water:
    a. Developer shall connect to Newnan Utilities Water System.
    b. Developer is responsible for all upgrade costs necessary to serve said property, but not limited to:
        i. Construction of development of 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. Cost of all water meters, and any additional costs pertaining to the monitoring of water meters.
        vi. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
3. Other Considerations:
    a. Developer shall locate entire forcemain through property and submit plans as necessary to relocate entire forcemain through property.

b.

70 Sewell Road
Newnan, GA 30263
770-683-5516
770-683-0292 fax
www.NewnanUtilities.org

Please let me know if you have any questions or need additional information.

Sincerely,

Scott Tolar, P.E.
Newnan Utilities
(770) 301-0245
stolar@newnanutilities.org

NEWNAN
POLICE

BRENT BLANKENSHIP
CHIEF OF POLICE

09/06/22

Reference: Brownstone Townhomes Avery Park

Dear Tracy,

After reviewing call history for developments that could compare to this one development, it is estimated that there will be a minimum change for calls for service.

It is believed any additional calls for service can be absorbed by current staff and resources.

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department

Coweta County School System
Operations Center

August 9, 2022

Chris Cole
Planning & Zoning Director
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Rezoning Request The Village at Avery Park

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 rezoning from PDC to PDR, with 39 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,

Ronald C. Cheek

Ronald C. Cheek
Director of Facilities
Coweta County School System

Chris Cole

From: Mike Furbush
Sent: Thursday, August 11, 2022 12:10 PM
To: Chris Cole
Cc: Tracy Dunnavant
Subject: RE: City of Newnan Planning and Zoning - Service Provision Request

Chris,
I have received and reviewed the Tree Management Plan for the proposed development of 39 residential condominium units, to be known as Manor at Avery Park. The following list contains my review comments...

1. Concerning the proposed layout for Lot #6, I need to have the large, existing, evergreen screen shown on the plan. It is difficult to determine whether the proposed layout would adversely affect the evergreen screen.
2. There is no information provided for all of the existing trees (both shade trees and flowering trees) along both sides of The Boulevard. It is not possible, with the information provided, to determine if the proposed layout for either Lot #6 or Lot #7, would adversely affect the existing streetscape tree plantings along The Boulevard. Some of these trees may be located within the right of way.
3. Concerning the proposed layout for Lot #7, while the plan shows the location of numerous specimen trees, it is difficult to determine how many of the trees would be adversely affected. It is quite possible that at least 18 specimen trees would need to be removed to allow the construction activity required to build this plan as shown. To definitively determine the adverse effect of the existing specimen trees, a careful review of the grading, drainage, and possibly the stormwater management plan would be required.
4. There are 12 tree density units that are required to be planted on the site, based on overall acreage. Often times those tree density units can be reduced by saving existing trees. However, based on a review of the proposed layout, there appears to be very little tree save on this project. As noted in note #3, there could be as many as 18 specimen trees removed under the proposed layout. In addition to the required tree density units, there will also be recompense for any specimen trees that are removed or adversely affected. Again, based on the review of the proposed layout, the recompense requirements could be substantial and might even be prohibitive.