City of Newnan Georgia

Planning Commission

Agenda Book

April 12, 2022

City of Newnan
PLANNING COMMISSION

Agenda for April 12, 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 March 8, 2022 meeting.
TAB # 2	RZ2022-02 Letter Requesting Continuance
TAB #3	Certificate of Appropriateness Request – 4 Tax Parcels on Spring Street and First Avenue – Parcel Nos. N03-0009-007; N030009-008; N03-0009-010 and N03-0009-011
TAB #4	Public Hearing – Annexation Request – 1.1994 +/- acres located on State Route 34 Bypass (Portion of Tax Parcel #073B033): Apex Land Company (Annex 2022-01)
TAB #5	Public Hearing – Rezoning Request – 20.0119 +/- acres located on Roscoe Road (Portion of Tax Parcel #073B010): Apex Land Company (RZ2022-01)
TAB #6	Annexation Request (Via the 60% Method) – Annex2022-02; 5.19 +/- acres located on State Route 29 (Tax Parcel #'s 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A) Requested zoning of CGN (General Commercial District)
	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

March 8, 2022
7:00 p.m.

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

Commissioners Absent: Proctor Smith

Others in Attendance: Chris Cole, Planner
Samantha Wood, Administrative Assistant Planning & Zoning
Brad Sears, City Attorney

CALL TO ORDER

The meeting was called to order by Vice Chairman Hunt at 7:00 p.m.

READING OF MINUTES

Vice Chairman Hunt asked if everyone reviewed the minutes from the January 11, 2022 meeting. Crain motioned to approve the minutes as drafted. Coggin seconded the motion.

MOTION CARRIED (4-0)

Special Exception – 200 Calumet Parkway to Construct a Convenience Store

Vice Chairman Hunt opened a Public Hearing on a special exception request to construct a convenience store at 200 Calument Parkway. He stated that the applicant believes the corner parcel will be a good location for a gas station, convenience store and car wash with only one existing 20-year-old gas station within a one-mile radius. Dean Smith stated Staff has reviewed the request and visited the site. Staff believes the location of the proposed gas station with convenience store and car wash is appropriate as it promotes a service that is needed by all Newnan and Coweta residents who drive automobiles. He added that Staff did not feel the proposed use would negatively impact other uses in the area.

Dean Smith added the City has not received any formal objections as of the date of this report. Staff does not feel that granting this request will cause any detriment to the surrounding neighborhood in terms of noise, traffic, compatibility of use, and other relevant factors. He concluded by stating that Staff recommends approving the request with a condition that any and all lighting be directed away from

Braemore subdivision. Coggin said he wanted to make sure no objections had been made by the surrounding property owners. Staff informed him that none had been received as of the date of this hearing.

Kenneth Hartel, Contineo Group, was sworn in by Brad Sears. He stated that they are proposing a convenience store, drive thru restaurant, 6 gas islands and a car wash. Hamlin asked if the vacuum area for the car wash would be covered or open. Hartel stated that the applicant would be fine with covering the vacuum area.

Vice Chairman Hunt asked if anyone else would like to speak on this issue. Seeing no one come forward, he closed the public hearing and asked if the Commissioners had any additional questions for either staff or the applicant. Hearing none, he asked for a motion.

A motion was made by McEntire to approve the Special Exception with the conditions that the vacuum area of the car wash be covered and that the lighting of the convenience store be directed away from the neighboring homes. West seconded.

MOTION CARRIED
(6-0)

Preliminary Plat Revision – The Point, f/k/a The Garden Residences at Bass-Manget

Dean Smith informed the Directors that on April 9, 2019, the Planning Commission approved a preliminary plat for The Garden Residences at Bass-Manget. He stated that construction has been initiated and several homes have been built. Dean Smith said the applicant is desiring to revise two elements from the previously approved preliminary plat: 1. To change the ingress/egress plan for Lot H and have access to this lot come off directly from Roscoe Road and 2. To change the green space lot layout, to incorporate the green space as part of individual lots as opposed to keeping it as separate lots. He added that although the City changed its ordinance to have preliminary plats approved by staff, since this preliminary plat was approved prior to that revision, the appropriate avenue for any changes would be to come back to the Planning Commission.

Dean Smith discussed the City Engineer's comments and the open space situation. He stated that although the City ordinance only requires open space for developments that are a minimum of 25 lots, the open space/green space, etc. was an influential component in the initial concept plan that was approved by the Planning Commission. Dean Smith stated that since City ordinance prohibits open space from being a part of a residential lot and also requires the ownership and maintenance to be handled by either the developer or Homeowners Association, this request is essentially, to eliminate the previously approved open space areas.

Vice Chairman Hunt asked if there were any questions for the staff. The Commissioners asked multiple questions regarding the driveway easements and the ability of emergency responders to access their homes in case of an emergency. The Commissioners also asked questions about the maintenance of the roads and the main driveway as to who would be responsible.

Hunt asked about the HOA that was supposed to be formed when the original plat was approved in 2019. Brad Fain stated that he wasn't sure if they would be creating an HOA or how the common elements would be governed.

Hamlin stated that he felt too much on the plat was still unclear.

Coggin asked the staff if they could approve the addition of a driveway to Lot H and continue the rest of the requested changes until a future meeting. Dean Smith told him that they could make a motion to approved the driveway and continue the rest of the plat changes until a later date.

Coggin made a motion to approve the driveway entrance off Roscoe Road to Lot H and to continue the discussion on the rest of the plat changes until a future date. McEntire seconded.

MOTION CARRIED
(6-0)

NEW BUSINESS

None

ADJOURN

With no further business, the meeting adjourned at 7:52 p.m. on a motion from Commissioner Hamlin and seconded by Commissioner Coggin.

MOTION CARRIED
(6-0)

_____
Chairman Proctor Smith

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

March 30, 2022

VIA EMAIL ONLY
Ms. Tracy Dunnavant, Planning Director
The City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Application of The NRP Group to Amend the Zoning Ordinance
Approximately 38.70± Acres located at Celebrate Life Parkway, Newnan, Georgia

Dear Ms. Dunnavant:

Per our Zoom meeting this morning, please allow this letter to serve as a request to postpone the Planning Commission public hearing from April 12, 2022 to the May 10, 2022 Planning Commission public hearing on the above-referenced project. The NRP Group plans to make changes to their plan, and needs additional time to work on that and any necessary documents.

If you should need any additional information from me to process this request, please just let me know.

Yours Truly,

Melissa D. Griffis
For The NRP Group

MDG/kr

cc: Mr. Chase Beasley

City of Newnan, Georgia – Planning Commission

Date: April 12, 2022

Agenda Item: Certificate of Appropriateness Request –4 Tax Parcels on Spring Street and First Avenue – Parcel Nos. N03-0009-007; N03-0009-008; N03-0009-010 and N03-0009-011

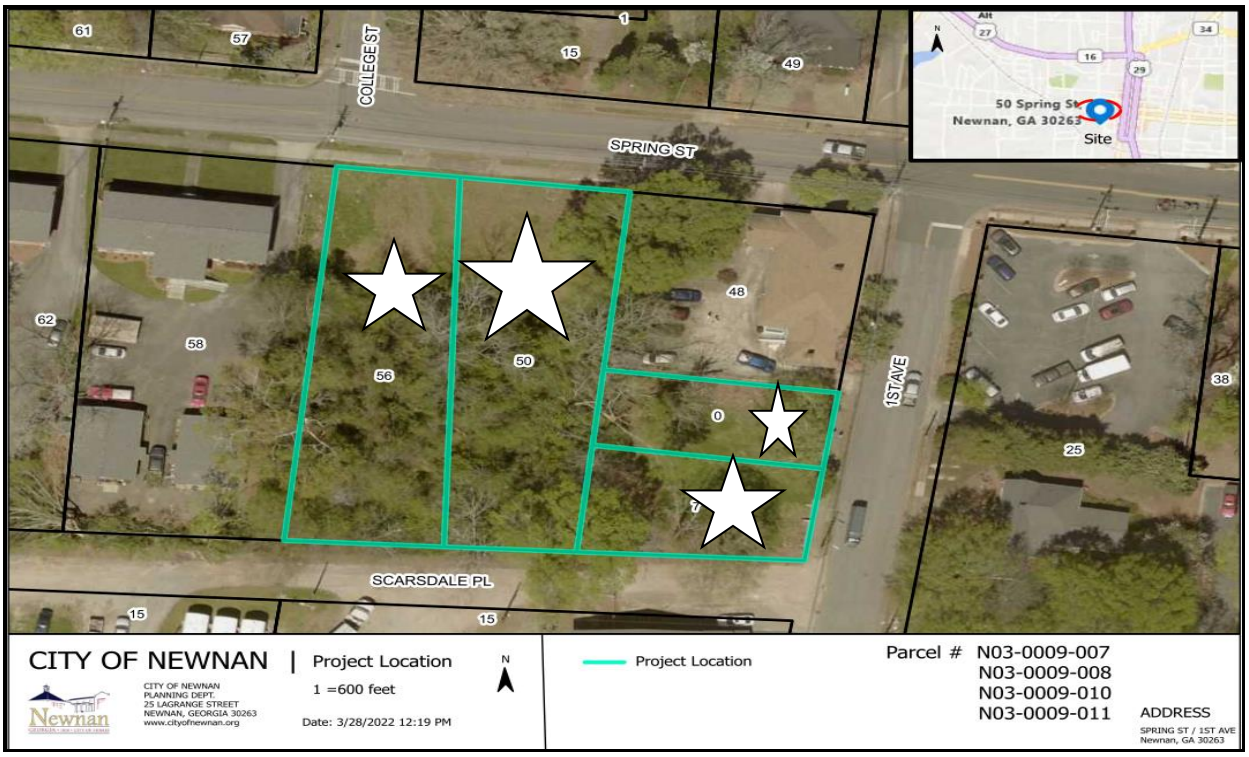
Prepared and Presented by: Dean Smith, Planner

Purpose:

This item involves a certificate of appropriateness application from Dustin Shaw with Dustin Shaw Homes. The applicant is seeking approval on designs to develop a residential townhouse development . The certificate of appropriateness application involves the design, material and appearance of the structures that are being proposed.

Background:

Zoning District	RML – Residential Multiple Family Dwelling District – Low Density
Proposed Land Use	Residential
Parcel Size	Total site size – 0.87 acres



Per the City's Zoning Ordinance, the Planning Commission must grant a certificate of appropriateness for new residential development within an area designated as a Historic Residential Overlay District (HRDO). The properties in question are located within a Historic Residential Overlay District

The properties surrounding the site include a mixture of residential, commercial and industrial uses. The lots that comprise the block the subject site is located on are zoned *Central Business District* (*CBD*); Heavy Industrial District (IHV); Urban Residential Dwelling District – Historical and Infill (RU-I) and Townhouse Residential Dwelling District (RU-2).

NEWNAN ZONING MAP AND AREA OF INFLUENCE

Spring
Street
Aspect
Spring St

First
Avenue
Aspect

Issues for Consideration for a Certificate of Appropriateness:

In reviewing the request in terms of the standards that were adopted for new residential development in the Historic Residential Overlay District (HRDO), staff addressed the following standards in terms of the work proposed at Spring Street and First Avenue:

a) **Building Orientation and Setback** – The orientation of the proposed townhouses are designed with the building façade to face towards the road. The applicant obtained an administrative variance on March 28, 2022, to reduce the front and side setbacks. The concept site plan shows that the project will be compliant with building setback regulations and the orientation and setbacks are consistent with orientation and setback patterns in the neighborhood.

b) **Directional Emphasis** – The directional emphasis will be vertical which is consistent with the dominant patterns within the area of influence.

c) **Shape** – The principal elements and shapes proposed on the structure will be compatible with the existing patterns in the area of influence.

d) **Proportion** – The proportions of the new building are consistent with dominant patterns of proportion within the area of influence.

e) **Rhythm** – The proposed development will not disrupt the existing rhythmic patterns in the area of influence.

f) **Massing -** The massing of the buildings is compatible with the overall mass of the structures within the area of influence.

g) **Scale and Height** – The proposal shows new construction to be consistent with the dominant patterns of scale and height within the area of influence.

h) **Architectural and Site Elements** – The construction should complement the surrounding architecture of Historic Downtown Newnan. The applicant states that brick will be the primary exterior material on all sides and will be painted for color changes between townhouse units.

Options:

A. Approve the Certificate of Appropriateness as presented.
B. Approve the Certificate of Appropriateness with conditions.
C. Deny the Certificate of Appropriateness request.

Conclusion:

Certificate of Appropriateness - Staff has reviewed the certificate of appropriateness request from a planning and zoning perspective and found it to be in conformance with the Zoning Ordinance. Staff recommends Option A.

Attachments:

Applications and Supporting Materials

Previous Discussions with the Commission: None

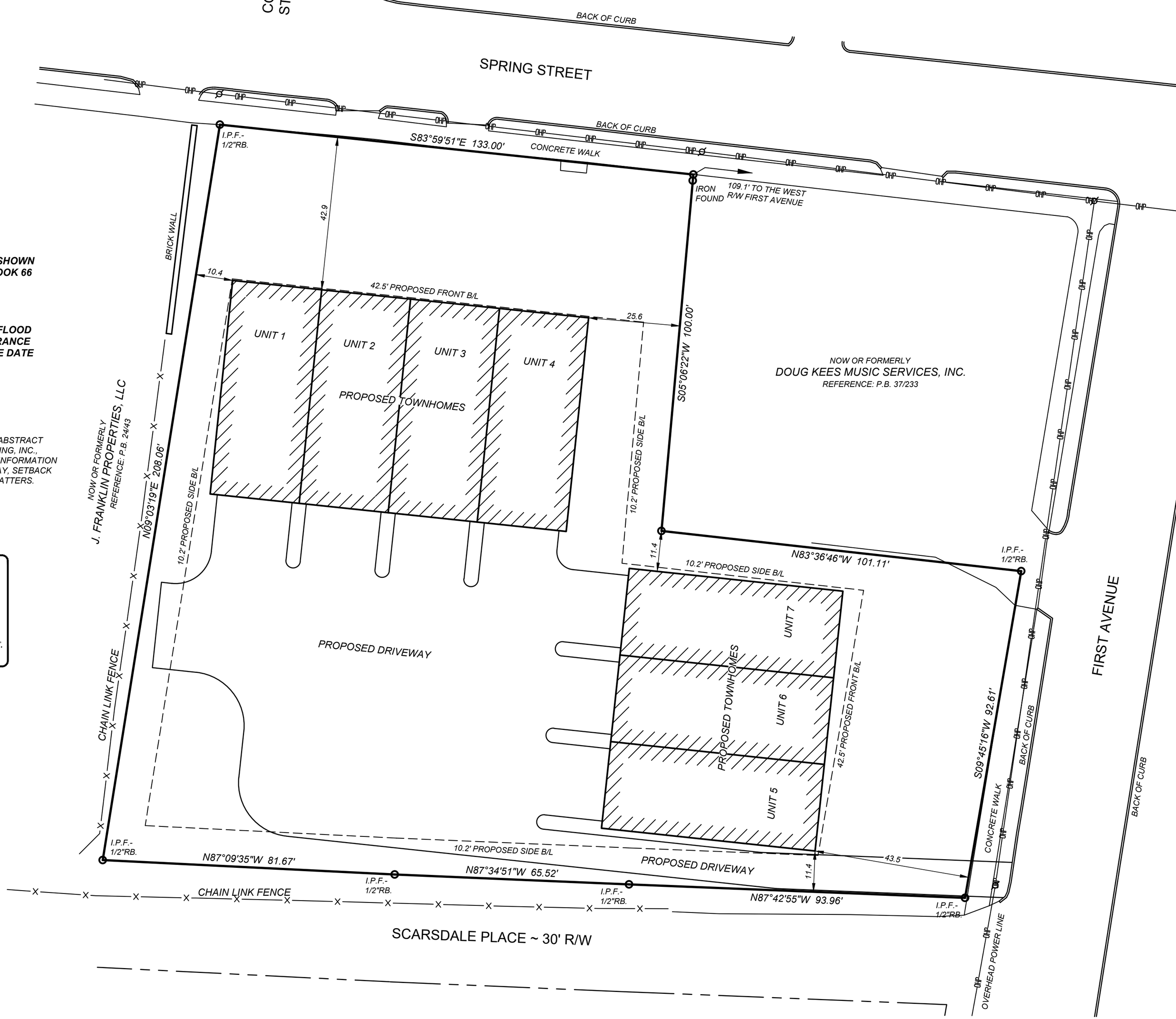
RMATION SHOWN
3, PLAT BOOK 66

SPECIAL FLOOD
OOD INSURANCE
EFFECTIVE DATE

EFIT OF AN ABSTRACT
AIN SURVEYING, INC.,
EGARDING INFORMATION
GHTS OF WAY, SETBACK
R SIMILAR MATTERS.

D HAS
ET AND
ND

AND
N 75,251 FEET.

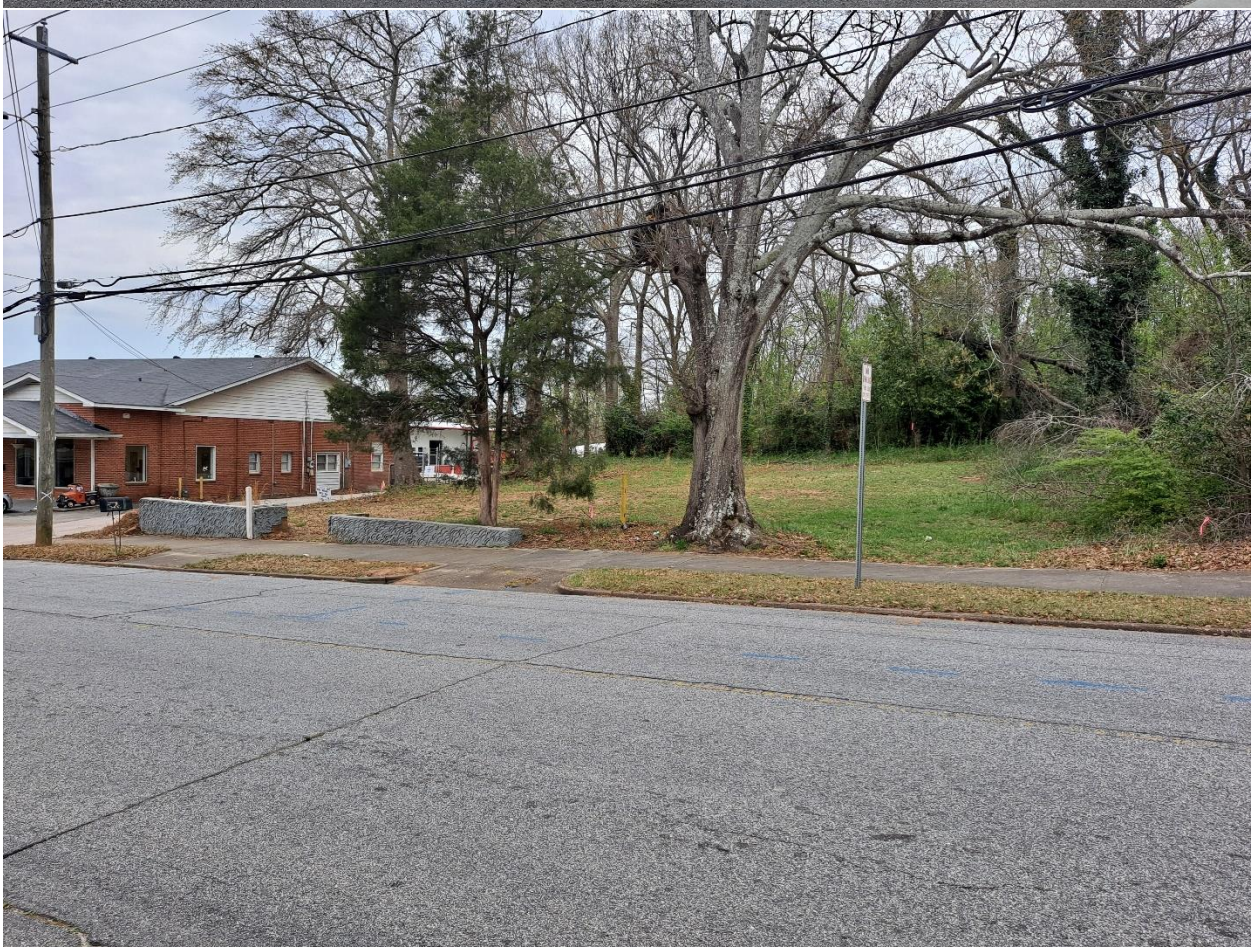


ISSUE

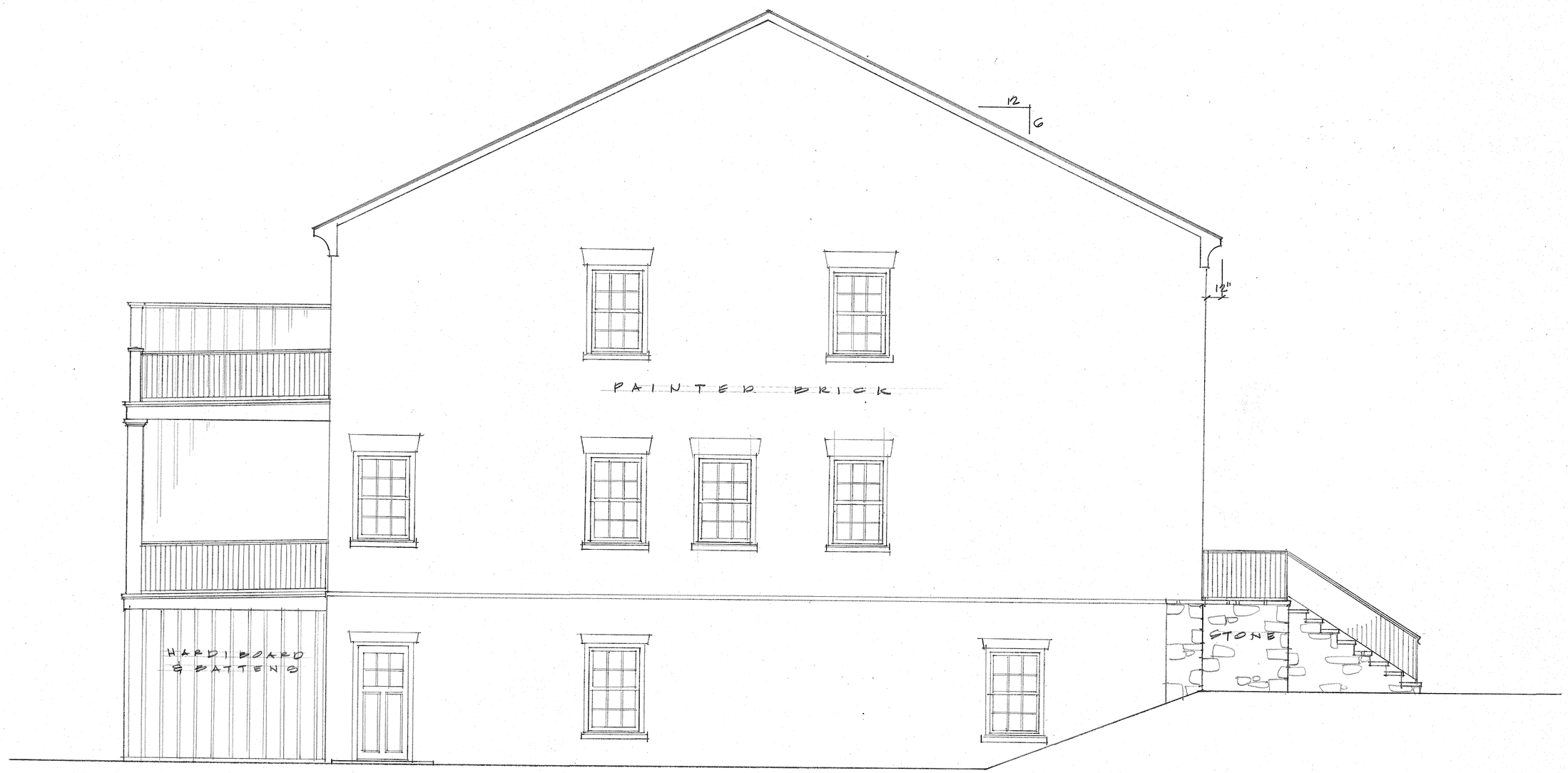
CONCEPTUAL PLAN FOR:

1

AREA OF INFLUENCE AND SURROUNDING PROPERTIES

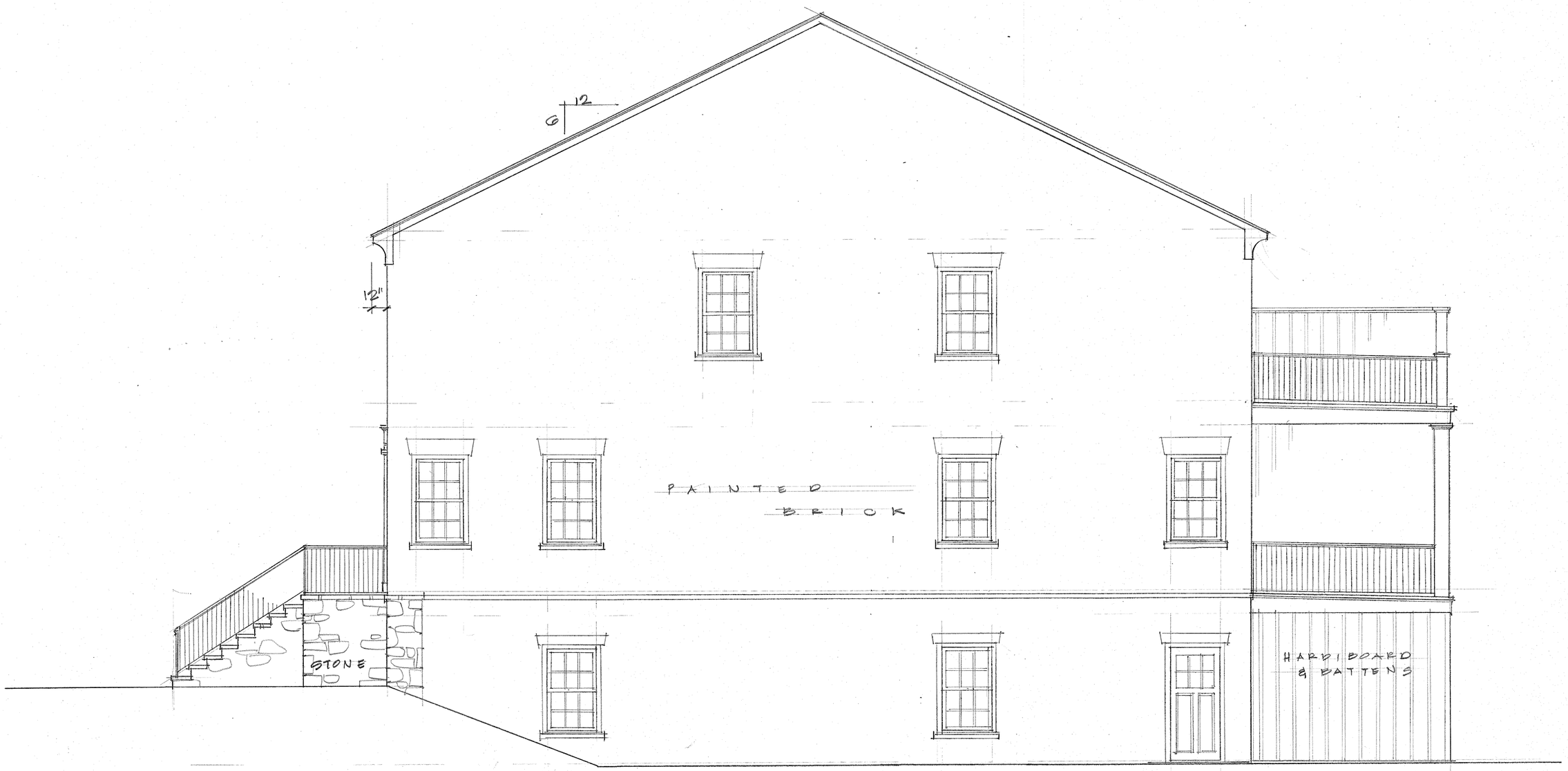


7 First Avenue – Previous structure on site. House was demolished in 2017.



LEFT ELEVATION

SC: 1/4" = 1'0"



RIGHT ELEVATION

SCALE: 1/4" = 1'0"

REAR ELEVATION

SCALE 1/4" = 1'-0"

CITY OF NEWNAN, GEORGIA

Application Form

For

Certificate of Appropriateness

CITY OF NEWNAN, GEORGIA

25 LaGrange Street
Newnan, Georgia 30263
770-254-2354

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Address of Property 50 & 56 Spring St & 7 First Avenue

Name of Applicant Dustin Shaw

Mailing Address 140 Village Cr Senoia GA 30276

Telephone 770 599 0706

Property Owner (Use back if multiple names) Carl Ware

Mailing Address 71 Alas B Ware Rd Newnan GA 30263

Telephone 678-428-7477

Map # N _____ Block # _____ Parcel # _____ Land Lot _____

District/Section _____ Present Zoning Classification _____

Present Land Use _____

No material change in the appearance of such historic property, or of a contributing or non-contributing building, structure, site or object within such historic district, shall be made or permitted to be made by the owner or occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted and approved by the Planning Commission.

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Planning Commission meets on the second Tuesday of each month. Applications must be submitted by 5:00 PM on the 15th day of the month prior to the month in which the application will be considered. Incomplete applications or applications submitted after the deadline *will not be accepted.*

NATURE OF PROPOSED WORK:

- ☑ New Construction
- ☐ Repairs or Alterations
- ☐ Demolition
- ☐ Relocation of Building
- ☐ Sign Erection or Placement
- ☐ Other

Please describe the proposed Work to be Done (Use Additional Sheets if Necessary): ~~Change subdivision~~
Change setbacks by 15% to allow for building placement on front and side.

Included with the application, the following information is required:

- ✓ A completed application for Certificate of Approval.
- ✓ A conceptual site plan showing all buildings, parking, buffers, driveways and other information pertinent to the development of the site.
- ✓ Elevation drawings which shall include dimensions of all sides of existing and proposed structures, all related accessory structures to be developed or placed on the site including but not limited to solid waste and recycling containment areas, electrical service transformers, air conditioning units, satellite dishes and other utility or mechanical equipment. Locations of screening materials shall be clearly noted. This shall apply to both structures and equipment at grade or placed on roof tops.
- ✓ The exterior finish material selection for each building shall be clearly noted for each elevation and may be illustrated using a detail inset.
- ✓ To aid in evaluating the exterior design, the applicant shall submit schematic floor plans showing window, door and loading dock locations and other exterior features that clearly define the intent of the completed exterior of the structure.
- ✓ Colored renderings clearly indicating color choices or exterior building and finish material samples may be submitted.
- ✓ Sign packages which meet the requirements of this ordinance. (if applicable for non-residential projects)
- ✓ Photos of neighboring properties to ensure compatibility with the proposed design.
- ✓ Plat of property, illustrating existing development and proposed development;
- ✓ Demolition or relocation projects must be accompanied by post-demolition or relocation plans for the site;
- ✓ Other information as may be deemed necessary by the Zoning Administrator to evaluate the appearance of the completed structure, and;
- ✓ Check for applicable fee of $150 per application.

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 any inaccuracies may be considered just cause for invalidation of this application, and any action taken on this application.

Signature of Applicant

Signature of Property Owner(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Dean Smith

DATE OF FILING 3/25/22

HRC MEETING DATE 4/12/22

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____

City of Newnan, Georgia
Attachment B

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 special exception of the property.

Name of Property Owner CARL WARE

Telephone Number 678-428-7477

Address of Subject Property SPRING ST 2 LOTS
1ST AVENUE 2 LOTS

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.

Carl Ware
Signature of Property Owner

Personally appeared before me

Carl Ware

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

Notary Public Expires 9-20-2024

2-17-22
Date

(Affix Raised Seal Here)

ROBIN DOUGLAS NOTARY PUBLIC COWETA COUNTY, GA

City of Newnan, Georgia – Planning Commission

Date: April 12, 2022

Agenda Item: Rezoning Request – RZ2022-01; 20.0119+/- acres on Roscoe Road (Portion of Tax Parcel #073B 010)

Annexation Request – Annex2022-01; 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033)

Prepared and Presented by: Chris Cole, Planner

Purpose:

Apex Land Company has applied for the rezoning of 20.0119± acres on Roscoe Road (Portion of Tax Parcel 073B 010). The request is to rezone the subject property from CGN (General Commercial District) to RML (Residential Multiple-Family Dwelling – Lower Density District) for the purpose of constructing 138 fee-simple townhomes. Note – The proposed fee-simple townhomes will be on individual lots as demonstrated on the concept plan.

Apex Land Company has also applied for annexation of 1.1994+/- acres on State Route 34 Bypass (Portion of Tax Parcel #073B 033). This tract will be combined with the existing 20.0119+/- acre tract that is seeking rezoning for the development of the 138 fee-simple townhomes. This property is adjacent to the aforementioned 20.0119+/- acre tract and is eligible to pursue annexation. The resulting total project size will be 22.00+/- acres as demonstrated on the concept plan.

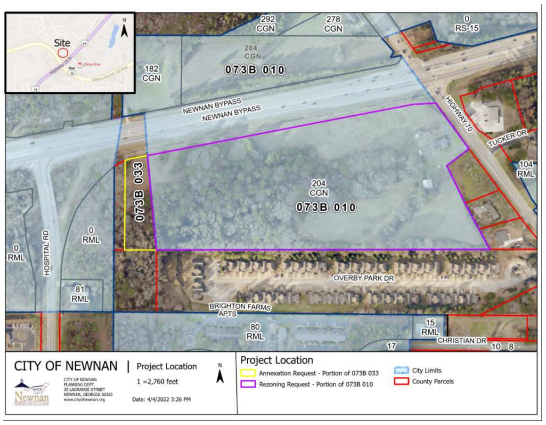
The applicant is seeking to build 138 fee-simple townhomes on the combined tracts under review (merging the rezoning-request and annexation-request properties). Since the tract seeking annexation is part of the proposed townhouse project, the applicant has asked that both items be heard by the Planning Commission at the same time. Due to the interrelated nature of these two applications, staff has decided to do a single staff report to better explain the requests.

REZONING and ANNEXATION ASSESSMENT

APPLICANT INFORMATION:

Melissa Griffis on behalf of Apex Land Company
4080 McGinnis Ferry Road
Suite 203
Alpharetta, GA 30005

SITE INFORMATION:



Portion of Tax Parcel 073B 010 (Rezoning Request) – As shown on the map above, Tax Parcel 073B 010 is located on both sides of the State Route 34 Bypass. However, only the 20.0119+/- acre tract portion south of the Bypass (on Roscoe Road) is being requested for rezoning. This parcel was rezoned to CGN (General Commercial) with conditions by the City in 2010. There is an abandoned home on this property, along with a small structure that is not being used. The remainder of this property is undeveloped.

The petitioner is requesting a zoning designation of RML (Residential Multiple-Family Dwelling – Lower Density District) to allow for the parcel's combination with the adjacent 1.1994± acre tract to develop 138 fee-simple townhomes. This property is shown as *Emerging Missing Middle Residential* on the City's Future Land Use Map. This category is for areas identified as medium-density residential (between 4 and 7 units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes, and small apartment buildings.

Portion of Tax Parcel 073B 033 (Annexation Request)

As shown on the map above, Tax Parcel 073B 033 is located along the State Route 34 Bypass. The tract is currently under the County's jurisdiction, is zoned RC (Rural Conservation), and is shown as *Growth Strategy – Growth Priority Residential Development* on the County's Future Land Use Map. Coweta County informed staff that this future land use category is a new development tool that they are utilizing for higher density near the city limits (based on a points system related to location, utilities, and transportation).

This vacant parcel abuts the 20.0119+/- tract. The petitioner is requesting a zoning designation of RML (Residential Multiple-Family Dwelling – Lower Density District) to allow for the parcel's combination with the adjacent tract for the development of 138 fee-simple townhomes. The reason only a portion of this parcel is being requested for annexation is that the applicant intends to let remain in the County a 50-foot strip on the western side of the property in order not to "landlock" the parcel directly to the south (Tax Parcel # 073B 007A – owned by RL Ward LLC).

OVERVIEW OF REZONING REQUEST:

Apex Land Company has applied for the rezoning of 20.0119± acres located on Roscoe Road (Portion of Tax Parcel 073B 010). The request is to rezone the subject property from CGN to RML for the purpose of constructing 138 fee-simple townhomes on public roads. RML allows 6 dwelling units per acre with a minimum lot size of 2,600 square feet.

According to the rezoning application, "The Townhome community will be fee simple ownership with a maximum of 20% allowed as rentals. There are many proffered conditions in the attached zoning application packet. The proposed amendment will facilitate smart growth and development that is expected in the City of Newnan." The application continued, "The Property is the best location for a residential townhome development in the City of Newnan. The rezoning will allow for development of this current property that has been undeveloped for many years. The RML-Townhomes zoning will be beneficial to the residents not only at The Property, but also residents and business owners in the surrounding area. For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance."

The applicant expects the price points to be in the mid- to upper-$200's. The minimum square footage of the townhomes will be 1,700 square feet. The anticipated average square footage of the units will be 1,800 to 1,900 square feet. The applicant included the following feature details:

- Homes will be constructed with a mixture of brick, stone, cementitious shake, and fiber cement siding.
- The individual units will be offset and the facades of each unit in a building will differ.
- The townhomes will have a maximum principal building height of 45 feet.
- Front stoops and porches will be included on each unit.
- The applicant included a Proffered Condition in the rezoning application that states, "The Subject Property is proposed with 138 total townhome units with 69 front facing and 69 rear facing entry. The amenities included on the plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the small tract seeking annexation and the small tract seeking rezoning, but remains in the county."

Regarding how conditions have changed that renders the zoning map designation invalid and no longer applicable, the applicant stated, "The subject property is a great location for RML-Townhomes as it is adjacent to a county townhome subdivision and other residential zoning districts." Regarding the explanation as to why this property should be placed in a different zoning district than all adjoining property, as well as answering how does this property differ from adjoining property and why should it be subject to different restrictions, the applicant stated, "The adjoining property is located in the County and has a different classification, but is a townhome development."

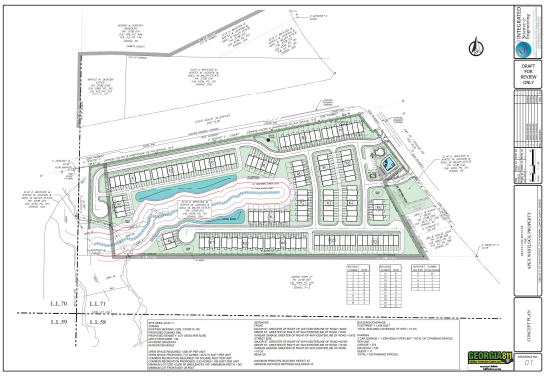
Per the concept plan, the development will be housed in 21 buildings (with each building housing between 3 and 8 townhomes). The minimum distance between buildings is proposed to be 10 feet. The minimum parking spaces per dwelling unit requirement is 2 spaces per unit (this would equate to a required 276 spaces). The applicant proposes 425 parking spaces (276 garage parking, 138 driveway parking, and 11 guest parking). The development will also be required to have two entrances per the City's Subdivision Regulations since there are more than 25 lots being proposed.

The minimum required open space per dwelling unit is 1,000 square feet. The applicant proposes 2,370.70 square feet per dwelling unit. The maximum permitted building coverage is 25% of the lot area. The applicant's proposed building coverage is 21.9% of the site. Although no specific unit square footages are listed, the applicant will be required to meet the City's Zoning Ordinance requirements of a one-bedroom unit - 700 square feet, two-bedroom unit - 950 square feet, and three-bedroom unit – 1,100 square feet. In addition, all the townhome lots will be sited on the parcel under consideration for rezoning (the 20.0119+/- acre parcel).

The concept plan shows a proposed site density of 6.27 units per acre. However, the Zoning Ordinance only allows 6 units per acre for townhomes. The requested zoning would allow up to 135 townhomes according to staff's calculations. It should be noted, however, that the applicant is seeking 138 townhomes. Staff shared this information with the applicant's Engineer on April 7, 2022 and the Engineer indicated her team will review the submitted plan again against the requirements. The applicant is also currently working with the City's Arborist on ways to meet the requirements found in the recently revised Tree Conservation and Landscape Ordinance. Any changes will be made before the item goes before City Council.

It should also be noted that one of the parcels shown on the concept plan is needed to provide the required second entrance to the site off of Roscoe Road. This is Tax Parcel # 073B 032 and is 0.79+/- acre. As shown on the concept plan, the second entrance can be seen as the entrance furthest to the south along Roscoe Road. The applicant is scheduled to appear before the Coweta County Board of Commissioners on April 19, 2022 to ask for rezoning from Rural Conservation (RC) to Multifamily Residential District (R-2) in order to include this parcel (and the needed access point) in the development plan. This tract cannot be annexed into the City as it would create an island which is not permitted under state law.

According to a recent analysis by staff, there are five townhome developments either existing or under construction in the city limits. Currently, there are 318 townhome units under construction with 101 existing townhome units. However, there are no townhome developments on the western side on Newnan (specifically west of Jackson Street). Note – Please see the attached Current Projects Type map.



<u>OVERVIEW OF ANNEXATION REQUEST</u>:

Apex Land Company has applied for the annexation of 1.1994± acres located on State Route 34 Bypass (Portion of Tax Parcel 073B 033). According to the Annexation application, "The Property provides a suitable environment for the extension of the RML-Townhomes zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property

be annexed into the City of Newnan. The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other uses. The City of Newnan already provides services in the area. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan. Further, there will be no homes placed on this annexation property."

The applicant concluded, "For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan's Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RML-Townhomes residential townhome development in a manner consistent with principles of smart development so highly valued by the City of Newnan."

Townhouse-Design Requirements

Regarding adherence to the townhouse-design requirements from the Zoning Ordinance, the applicant must meet the requirements prior to obtaining site plan approval or any permits. Below are the proposed elevations provided by the applicant:

STANDARDS:

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

Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

Rezoning - The rezoning site is primarily surrounded by properties in unincorporated Coweta County. All 138 fee-simple townhomes are proposed to be on this tract. The State Route 34 Bypass is directly north of the subject property. The property directly south is the Overby Park Townhome Community (that has a zoning classification of R-2 in Coweta County). Coweta County's R-2 (Multifamily Residential District) zoning is a multifamily residential district requiring water and sewerage service for development. To the east of the rezoning site are two single-family detached homes and a vacant tract (all located in unincorporated Coweta County). All three of these lots are zoned RC (Rural Conservation District) in Coweta County. Coweta County's RC zoning district permits agriculture, forestry, and low density single-family residential land uses. To the west of the subject property is the vacant tract that is included in the annexation request (described in the next paragraph). For the existing residents that are adjacent to the subject property, the proposed use would provide a residential neighbor instead of a potential new commercial use (that would be allowed by right with the existing CGN zoning on the rezoning site). The proposed rezoning would also provide a similar use as the adjacent Overby Park Townhome Community.

Annexation - The annexation site is vacant land primarily surrounded by undeveloped properties in the city limits and in unincorporated Coweta County. To the north is the State Route 34 Bypass. The parcel to the west is vacant land and the parcel to the east is the rezoning site (both within the city limits). Directly south is a vacant tract and to the southeast is the Overby Park Townhome Community (both in unincorporated Coweta County). Staff feels the use of this property (that is only proposed to provide road infrastructure to the overall townhome development) would be suitable given the adjacent Overby Park Townhome Community, as well as the fact that annexation will allow for a residential use instead of a new (possibly more intrusive) commercial use.

Staff Assessment – The proposed uses for each of the sites under review are suitable. ✓

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

Rezoning - As with most residential developments, the greatest impact on adjacent or nearby properties resulting from this rezoning would be additional traffic. According to the City's Engineering Department, Roscoe Road is considered an urban minor arterial and would be sufficient for the proposed dual entrances (per a conversation with the City's Director of Engineering Michael Klahr on April 7, 2022). The Engineering Department added in their report in part, "Two entrances to the development will be required. The two entrances as shown in the

concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County."

Annexation – Regarding the annexation site, staff would agree with the comments from the County's annexation staff review that indicated, "Due to no homes being built on the property and the nominal size of the lot, the change in zoning should not have adverse or substantial effects." In regards to no homes being constructed on this tract, the County's report added, "Thus, there will not be a substantial increase in density for the subject location." The adjacent and nearby properties will also be benefited by the natural buffers and required planted buffers between the rezoning site and the Overby Park Townhome Community (as well as the two single-family homes that are adjacent to the rezoning site along Roscoe Road).

Staff Assessment – The adverse effect is minimal due to the urban minor arterial access, the required buffers, and the fact that a commercial site (which would be allowed as currently zoned) will not be developing on the rezoning site if the rezoning is approved. ✓

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

Rezoning – There are no substantial reasons as to why the rezoning property cannot or should not be used as currently zoned. The rezoning site is zoned CGN (General Commercial) zoning.

Annexation - The annexation property is currently zoned RC (Rural Conservation) in the County. That particular zoning district permits agriculture, forestry, and low density single-family residential land uses. The annexation property could be used as currently zoned for low density single-family residential land use. Since the petitioner plans to build a total of 138 lots, they are seeking annexation and rezoning as the development would not be permitted under the County's current regulations.

Staff Assessment – The rezoning property and the annexation property could both be used as currently zoned. ✗

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

Rezoning and Annexation - The applicant was not required to submit a Community Impact Assessment (CIA) as only 138 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. A summary of the departmental reports are as follows:

Police: Police Chief Brent Blankenship stated, "After reviewing call history for multiple developments that could compare to this one development, it is estimated that there will be an increase of approximately 320 calls in a three-year period" (or roughly 106 additional calls per year) "for this development. In addition to an increase of people and vehicle traffic to the area, it would have an impact on motor vehicle accidents and calls of service to that area while also affecting call service and response times to other parts to the city. Due to the additional calls for service and the increased density to the area, it is believed that a strain would be placed on calls for service but can be managed at current staff level."

Fire: Fire Chief Stephen Brown stated, "…The Newnan Fire Department can provide fire protection upon annexation. The Columbia Woods and Chastain Park comparisons show approximately 40 extra calls per year."

Newnan Utilities: Newnan Utilities will be the water and sewer provider for the project. Scott Tolar reviewed the project and provided a letter, which is included in the agenda packet, indicating that there is ample capacity to serve the project. He added that the developer would responsible for all costs necessary to serve the project.

Engineering: Director of Engineering Michael Klahr stated the following:

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
   Note on-site, runoff reduction now required.

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

3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. A flood study may be required. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan.

   Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence must be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures, permits with the United States Army Corps of Engineers (404 Permit), or the Federal Emergency Management Agency.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

Transportation:

1. Two entrances to the development will be required. The two entrances as shown in the concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County. Note: Roscoe Road south of State Route 34 Bypass is not State Route 70 as shown in the concept. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has been satisfied with their requirements, and has so indicated to the City.

   Similarly, as the one driveway connection is in close proximity to State Route 34 Bypass, the City will require an indication of approval, if required, from the Georgia Department of Transportation.

2. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and extended to the Right-of-Way for Roscoe Road.

3. Please furnish a copy of any Traffic Impact Study, to the City that Coweta County or the Georgia Department of Transportation may require.

Coweta County Schools: Ronnie Cheek, Director of Facilities for the Coweta County School System indicated that his department has reviewed the application for rezoning and annexation and offers the following comments based on the information provided:

"This application requests annexation and rezoning from County: RC / City: CGN (General Commercial District) to RML (Residential Multi-Family), with 138 proposed units. This may present challenges when planning for school enrollment and meeting student needs. Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes":

What is the construction schedule for the project?
What is the proposed build-out timeline?
Will the project be built in phases?
Will there be a targeted market, e.g., senior citizens?

Fiscal Impact Analysis

In an effort to ascertain impact, staff conducted a fiscal impact analysis and sought comments from pertinent departments/agencies, which have been included in this report.

Methodology:

- Total # of proposed households – 138
- Average # of people per household based on 2016 – 2020 average for Newnan – 2.61
- Total new people added for the subdivision: 138 x 2.61 = 360 new persons
- Total 2021 Population based on census projections for Newnan – 42,549
- Total 2022 Daytime Population (*Total resident population* (+) *Total workers working in area* (-) *Total workers living in area*) – 58,336

Annual General Fund Expenditures per Operating Category based on 2022 Budget:

- General Government: $8,439,445 / (42,549 + 58,336) = $83.65 per person; $83.65 x 360 = **$30,114.00**
- Public Safety: $14,569,405 / (42,549 + 58,336) = $144.42 per person; $144.42 x 360 = **$51,991.20**
- Public Works: $3,155,886 / (42,549 + 58,336) = $31.28 per person; $31.28 x 360 = **$11,260.80**
- Community Development: $3,361,951 / (42,549 + 58,336) = $33.32; $33.32 x 360 = **$11,995.20**

- Other Services (Main Street, Business Development, Carnegie Building): $1,263,013 / (42,549 + 58,336) = $12.52 per person; $12.52 x 360 = **$4,507.20**

  Projected Annual Expenditures: **$109.868.40**

Annual Revenues based on 2022 Budget:

- Property Taxes: Based on $275,000 home with a 3.574 millage rate = $393.14; $393.14 x 138 = **$54,253.32**
- Sales Tax Generated: $9,500,000 budgeted / (42,549 + 58,336) = $94.17 per person; $94.17 x 360 = **$33,901.20**
- Inspections and Permits: $685,500 / (42,549 + 58,336) = $6.79 per person; $6.79 x 360 = **$2,444.40**

  Projected Annual Revenues for the Subdivision: **$90,598.92**

Note – The applicant's anticipated starting price point will be in the mid- to upper- 200's. Staff used $275,000 as a median amount utilizing this range.

Up Front Revenues during Construction:

- Impact Fees: 138 x $1,110.81 (residential fee not including Newnan Utilities) = **$153,291.78**
- Permits and Inspections**:** (1,850 square foot house at $275,000) $1,300 x 138 = **$179,400.00**

  Projected up front revenues for the subdivision: **$332,691.78**

Note – The applicant's anticipated average square footage of the units will be 1,800 square feet to 1,900 square feet. Staff used 1,850 square feet as a median measurement utilizing this range.

Staff Assessment – As with all development, the project will impact service provision. The question is whether or not it is excessive or burdensome. In this case, all of the service providers have indicated that they are able to address the needs of the development. The project will have impact, but the impact would not be excessive or burdensome. ✔

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

<u>Rezoning</u> – The Future Land Use Map shows the rezoning site under consideration as future Emerging Missing Middle Residential. The Comprehensive Plan describes this category as "areas identified as medium-density residential (between 4 and 7 units per acre) allowing for a variety of housing products, including single-family homes, duplexes, triplexes, quadplexes, cottage homes, and small apartment buildings." In this case, the proposed density falls between the range of 4 and 7 units. The townhome lots also encourage affordability by providing housing choices for those who are seeking to purchase or rent smaller-sized lots.

<u>Annexation</u> - The annexation site is outside of the city limits and therefore was not considered in the City's Comprehensive Plan. The County's Comprehensive Plan shows the lot as *Growth Strategy – Growth Priority Residential Development* on the County's Future Land Use Map. Coweta County informed staff that this category is a new development tool that they are utilizing for higher density near the city limits (based on a points system related to location, utilities, and transportation). This County category would be consistent with the RML zoning designation being requested.

Staff Assessment – The rezoning site and the annexation site both meet the intent of their respective Future Land Use categories. It should also be mentioned that the City's Comprehensive Plan does identify the lack of available land for development purposes as a Need and Opportunity. It also points out the need to balance more intense uses with usable greenspace and amenities in appropriate locations. The project's concept plan shows over seven acres of gross open space. ✔

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

<u>Rezoning</u> - The proposed zoning category of the rezoning site is RML. The RML district is intended to provide for medium density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, ranging from manufactured homes to low-rise multiple-family dwellings, and including two-family dwellings, garden apartments, apartment buildings, condominiums, and townhouses. RML functions as a buffer or transition between major streets, or commercial or higher-density residential areas. New RML districts are most appropriately located adjacent to existing RML districts, in areas in transition between denser residential neighborhoods and commercial development, or in areas where the Future Land Use Map indicates would be appropriate for high density residential uses.

In this case, fee-simple townhomes are the stated use of the land and are permitted in the RML zoning district. In terms of location, the request would meet the intended parameters as the concept plan shows a concentration of dwelling units with open spaces (that include common areas and recreational facilities).

<u>Annexation</u> - The annexation site currently has the Coweta County zoning designation of Rural Conservation (RC). If approved, the annexed site would be joined with the larger, adjacent rezoning site and share its proposed RML-zoning designation. Like the larger rezoning site, the proposed use of the annexation site would be consistent with the purpose and intent of the proposed zoning district.

Staff Assessment – The proposed uses of the rezoning site and the annexation site are consistent with the proposed zoning district. ✔

<u>Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?</u>

<u>Rezoning</u> - The City completed a full update of its Comprehensive Plan in 2021, which included the Future Land Use Map. The Future Land Use Map shows the rezoning site as Emerging

Missing Middle Residential. In September of 2017, the City adopted a new Zoning Ordinance and corresponding Zoning Map which showed the rezoning site zoned as CGN.

Annexation - The City completed a full update of its Comprehensive Plan in 2021, which included the Future Land Use Map. The annexation site was not included in the City's Comprehensive Plan, as the property is in unincorporated Coweta County and is listed as Growth Strategy – Growth Priority Residential Development on the County's Future Land Use Map.

Staff Assessment – There are no new or changing conditions that would impact the rezoning site's future land use designation as "Emerging Missing Middle Residential." There are also no new or changing conditions that would impact the annexation site's future land use designation (as shown in the County) or under a future City designation if approved and made part of the townhome development. ✓

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

Rezoning and Annexation - The general area where the subject properties are located primarily contain residential and commercial uses within the city limits and in unincorporated Coweta County. As mentioned earlier in this report, the rezoning site is currently zoned CGN and consists of 20.0119+/- acres. There are many intense uses that are permitted in the CGN zoning category, ranging from automobile dealerships to convenience stores that are often not ideal uses to be located next to residences. Staff believes the proposed use of a townhome development provides a use extremely similar to the adjacent property of the rezoning site (the Overby Park Townhome Community). Across the State Route 34 Bypass, there is also CGN zoning. The idea of a providing a noncommercial use for the rezoning site that is slated on the City's Future Land Use Map as Emerging Missing Middle Residential, and that is adjacent to many residences, is appropriate.

This area has also seen the development of nearby RML-zoned properties, including Brighton Farms Apartments (just south of the Overby Park Townhome Community), Rolling Hills Apartments (on Roscoe Road), Jefferson Grove, Preston Mill Apartment Homes, and Jefferson Point Apartment Homes. The zoning of these existing developments matches these current requests. In addition, one of the Land Use Goals and Policies in the City's Comprehensive Plan is "Encouraging higher densities in appropriate locations as a means for continued growth and development." These proposals would certainly help pursue this goal.

Staff Assessment – The proposed project would reflect a reasonable balance. ✓

SUMMARY OF STAFF FINDINGS:

After assessing the projects based on the standards to be considered for rezoning and annexation requests, staff found that each of the requests meets **7 of the 8 standards**.

COWETA COUNTY RESPONSE TO THE ANNEXATION:

In accordance with the annexation laws, the City notified the County of the annexation once the City Council decided to accept the application and move forward with the public hearing process. The County reviewed the application and advised the City that the Coweta County Board of Commissioners voted on March 22, 2022 to file not objection to the above referenced annexation petition and provided no conditions to be included in the final ordinance if approved.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

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

- The project will meet all City requirements and be consistent with the concept plan, density, project data, amenities, proffered conditions, and elevations provided as part of the application.
- The applicant shall provide a second entrance to the property if the County Board of Commissioners denies the rezoning request to be heard on April 19, 2022 for Tax Parcel # 073B 032 along Roscoe Road.
- The subdivision will be limited to 135 units.
- A final plat will be provided reflecting the combination of all tracts.
- The concept plan will be revised to reflect all City buffers and density will be updated.
- The 50-foot strip on the far western portion of the annexation site will remain undisturbed and supplemented with additional plantings if necessary.

OPTIONS:

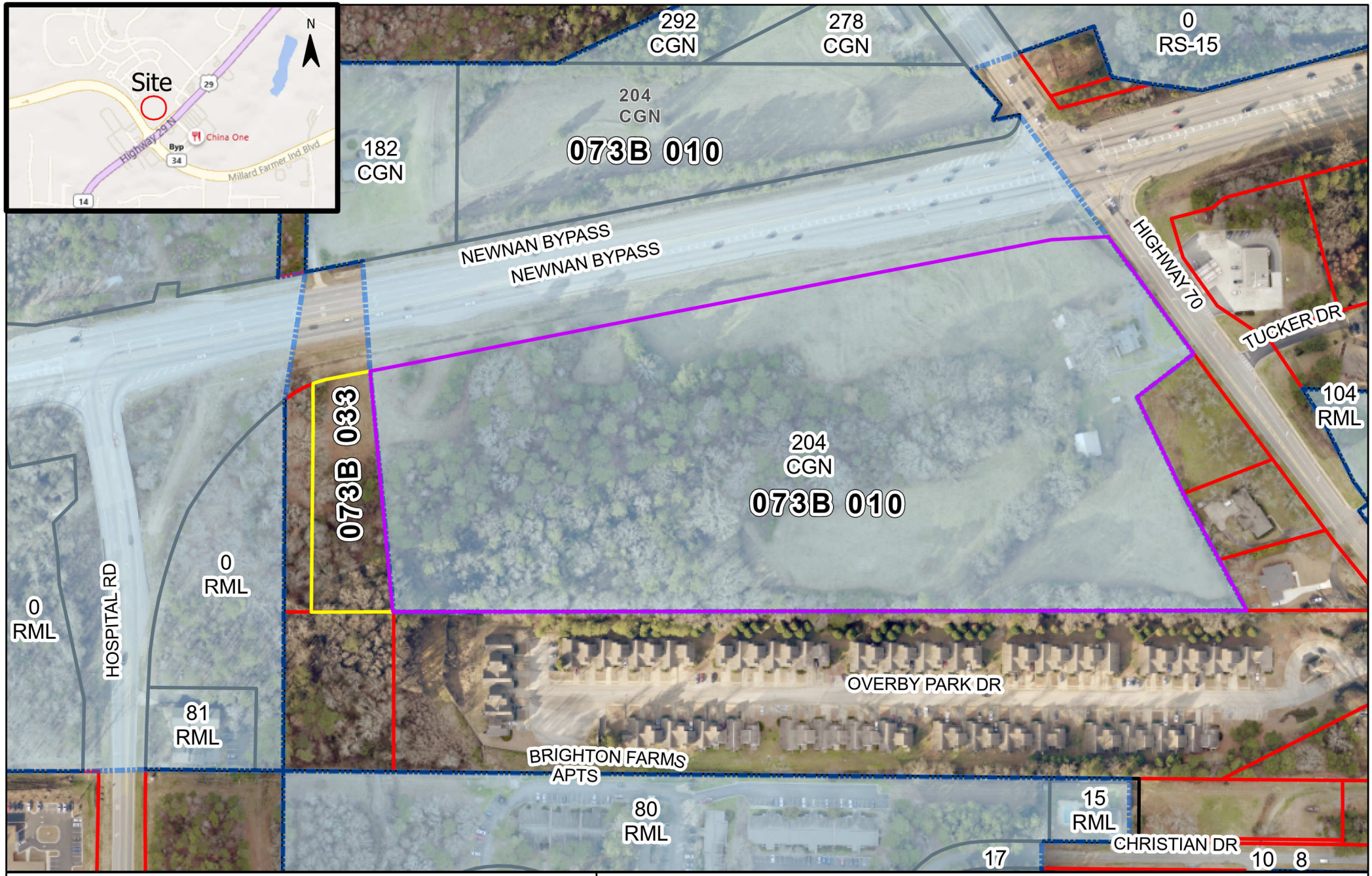
Annexation Request:

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

Rezoning Request:

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

ATTACHMENTS: Applications for Rezoning and Annexation
Location Maps
County Comments
Service Provision Comments



CITY OF NEWNAN

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

Project Location

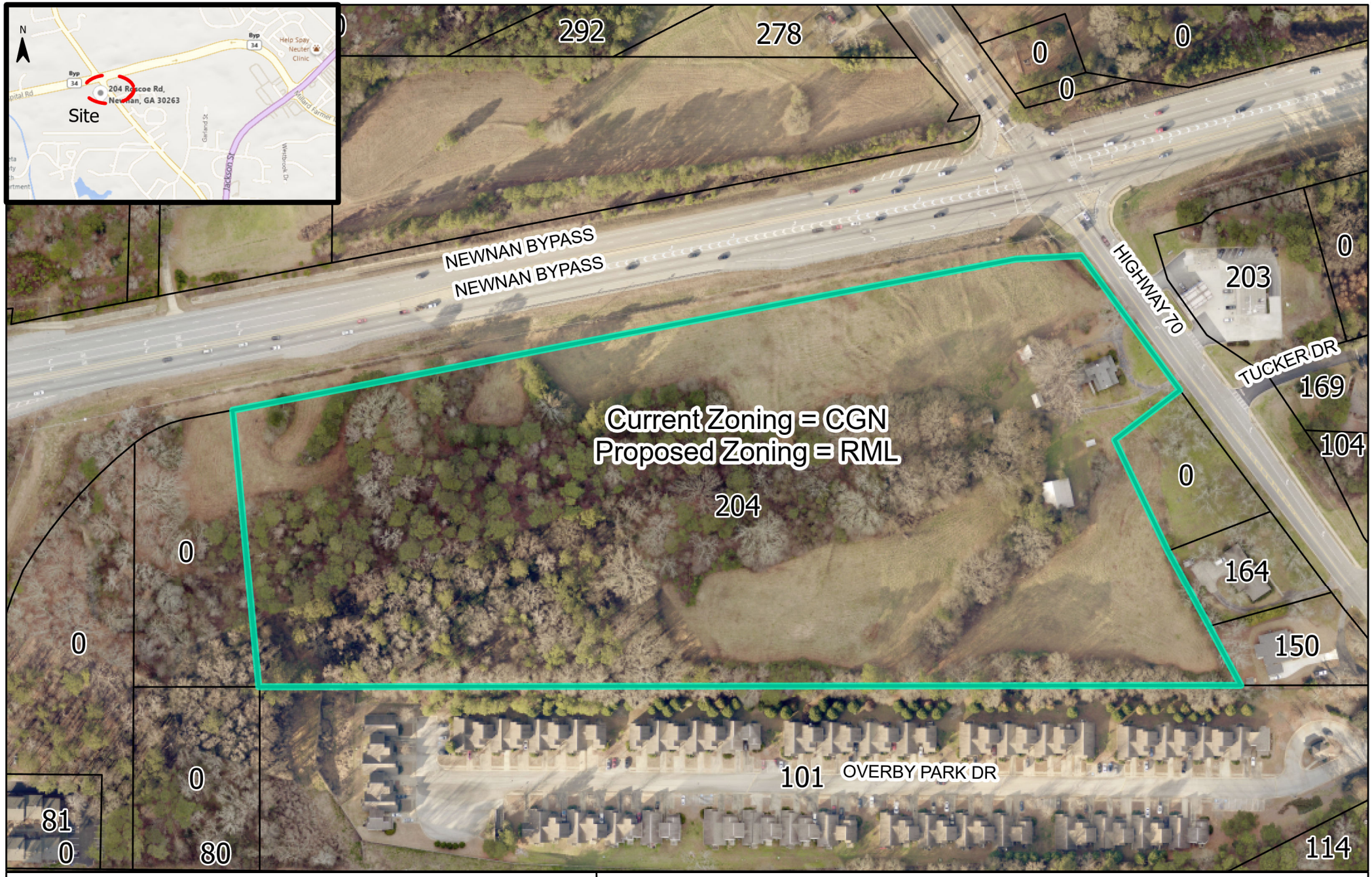
1 =2,760 feet

N

Date: 4/4/2022 3:26 PM

Project Location

- Annexation Request - Portion of 073B 033
- Rezoning Request - Portion of 073B 010
- City Limits
- County Parcels



CITY OF NEWNAN | Project Location

1 =2,400 feet

N

Date: 2/14/2022 12:52 PM

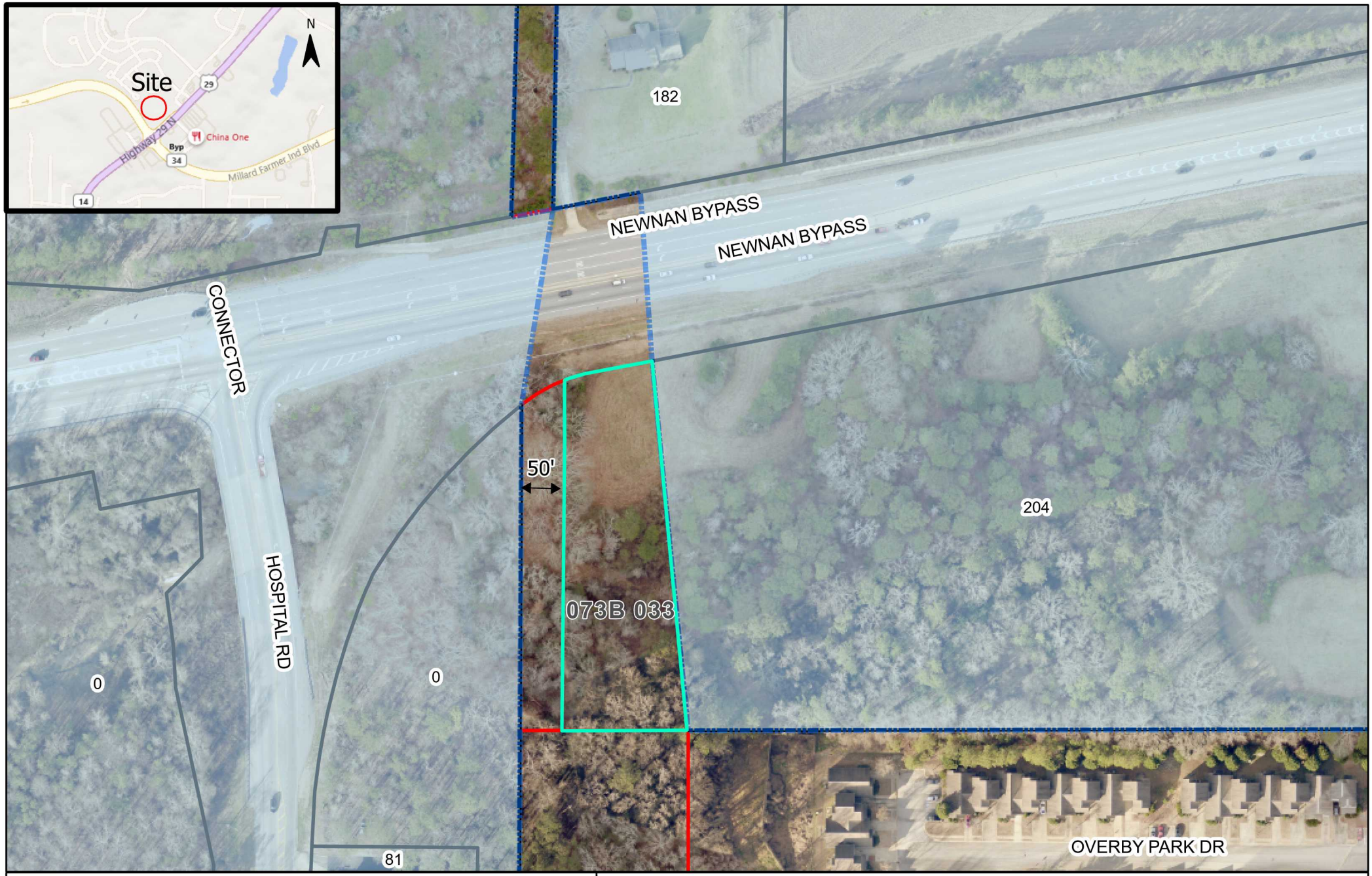
CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Rezoning CGN to RML

Parcel # 073B 010

Project Location

ADDRESS
204 Roscoe Rd,
Newnan, GA 30263



CITY OF NEWNAN | Project Location

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

1 =1,800 feet

N

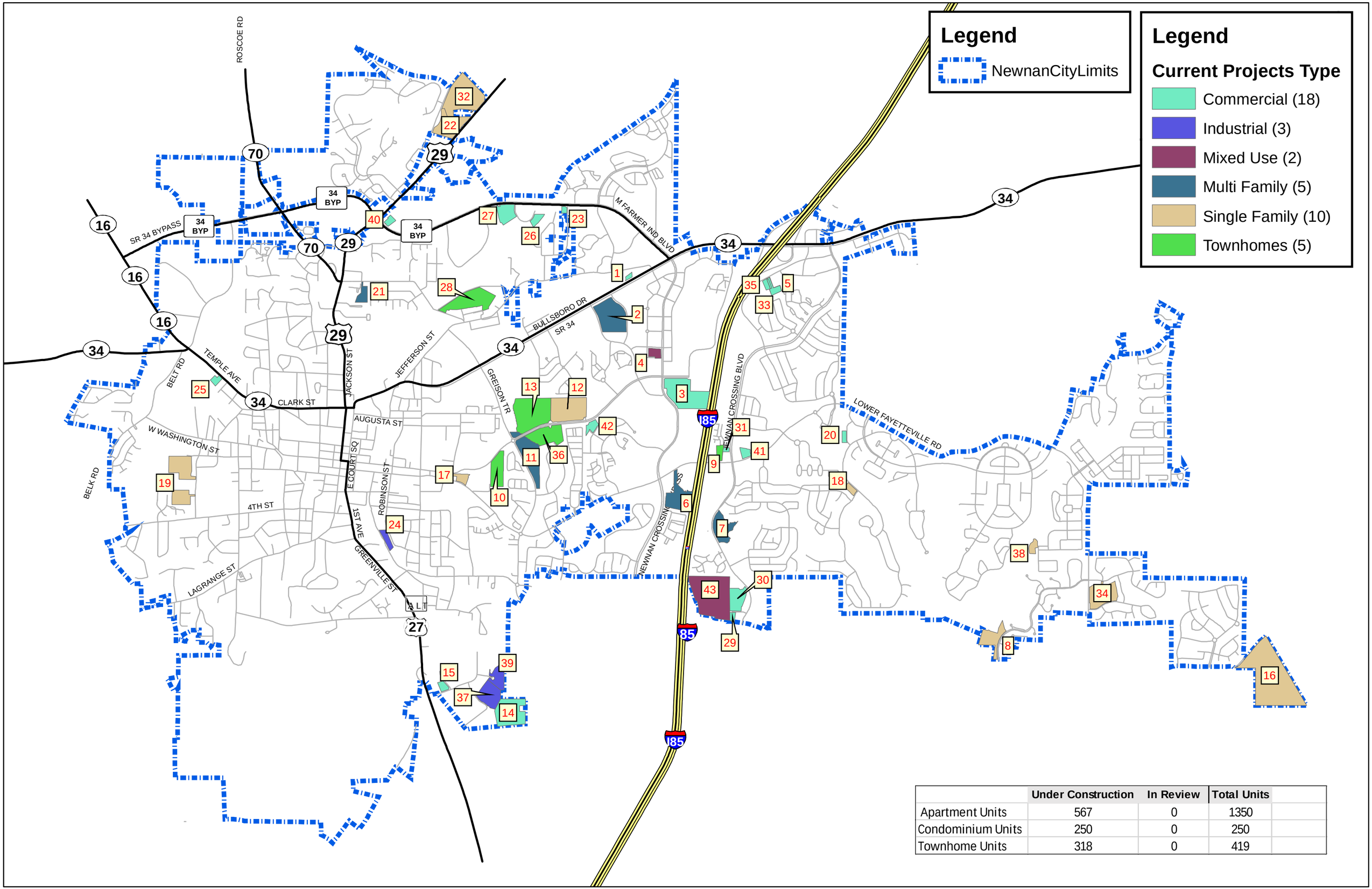
Date: 2/14/2022 2:00 PM

Annexation Request

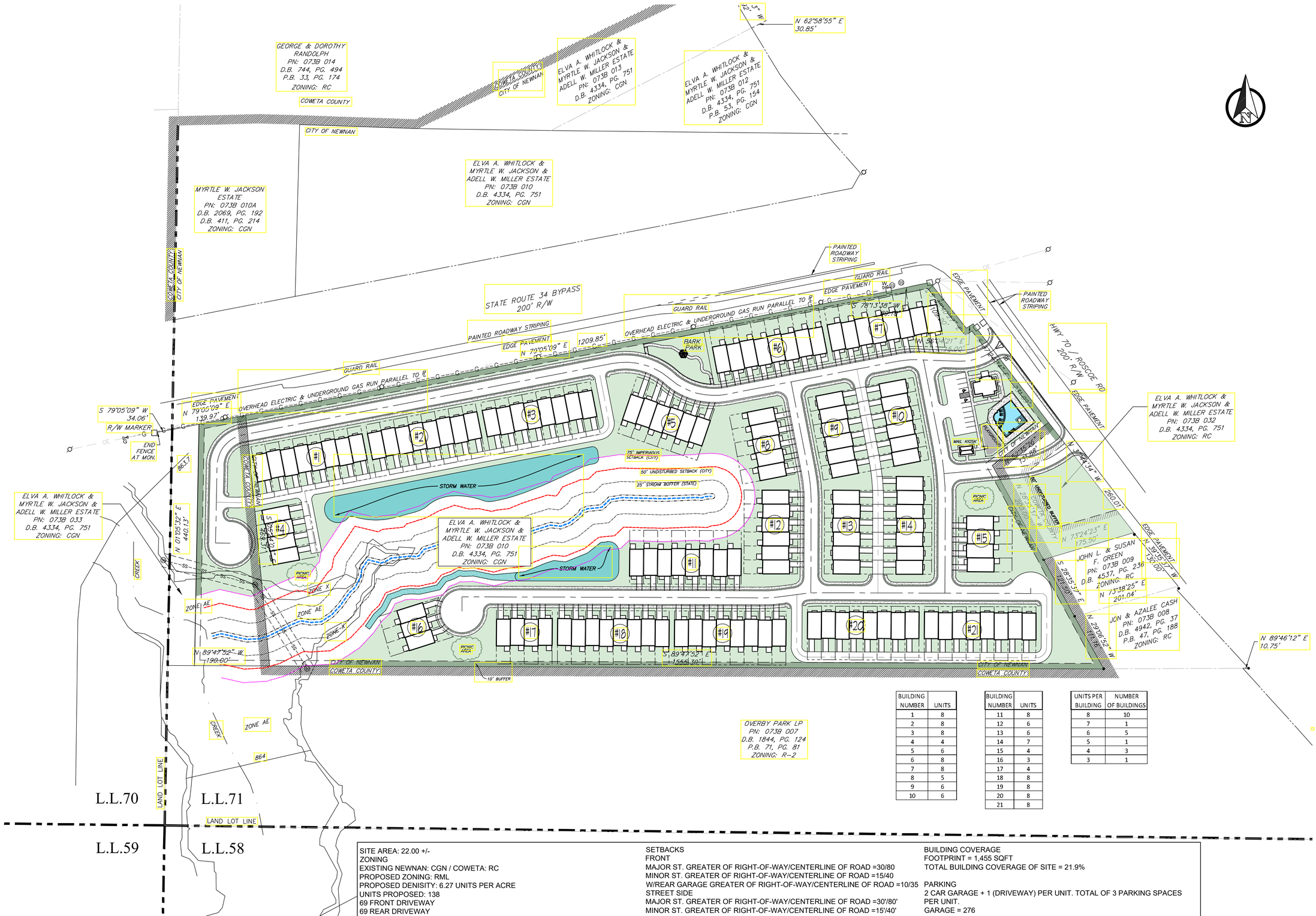
Project Location
City Limits
County Parcels

Parcel # 073B 033

ADDRESS
Newnan Bypass
Newnan, GA 30263



	Under Construction	In Review	Total Units
Apartment Units	567	0	1350
Condominium Units	250	0	250
Townhome Units	318	0	419



BUILDING NUMBER	UNITS
1	8
2	8
3	8
4	4
5	6
6	8
7	8
8	5
9	6
10	6

BUILDING NUMBER	UNITS
11	8
12	6
13	6
14	7
15	4
16	3
17	4
18	8
19	8
20	8
21	8

UNITS PER BUILDING	NUMBER OF BUILDINGS
8	10
7	1
6	5
5	1
4	3
3	1

SITE AREA: 22.00 +/-
ZONING
EXISTING NEWNAN: CGN / COWETA: RC
PROPOSED ZONING: RML
PROPOSED DENISITY: 6.27 UNITS PER ACRE
UNITS PROPOSED: 138
69 FRONT DRIVEWAY
69 REAR DRIVEWAY

OPEN SPACE REQUIRED 1,000 SF PER UNIT
OPEN SPACE PROPOSED: 7.51 ACRES / 2370.70 SQFT PER UNIT
COMMON RECREATION REQUIRED 100 SQUARE FEET PER UNIT
COMMON RECREATION PROPOSED: 0.53 ACRES / 166 SQFT PER UNIT
MINIMUM LOT SIZE =2,600 SF (MIN LENGTH =80', MINNIMUM WIDTH = 26')
MINIMUM LOT FRONTAGE= 26 FEET

SETBACKS
FRONT
MAJOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =30/80
MINOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =15/40
W/REAR GARAGE GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =10/35
STREET SIDE
MAJOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =30'/80'
MINOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =15'/40'
W/REAR GARAGE GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =10'/35'
REAR 20'

MAXIMUM PRINCIPAL BUILDING HEIGHT 45'
MINIMUM DISTANCE BETWEEN BUILDINGS 10'

BUILDING COVERAGE
FOOTPRINT = 1,455 SQFT
TOTAL BUILDING COVERAGE OF SITE = 21.9%

PARKING
2 CAR GARAGE + 1 (DRIVEWAY) PER UNIT. TOTAL OF 3 PARKING SPACES PER UNIT.
GARAGE = 276
DRIVEWAY =138
GUEST = 11
TOTAL = 425 PARKING SPACES.

INTEGRATED Science & Engineering
1039 SULLIVAN ROAD, SUITE 200, NEWNAN, GEORGIA 30265
(P) 678.552.2106 | (F) 678.552.2107
COA No. PEF002653 | EXP. 06/30/2023

DRAFT FOR REVIEW ONLY

Rev.	Description	Date	Apr.
4	ISSUED FOR REVIEW	04/06/22	---
3	ISSUED FOR REVIEW	04/06/22	---
2	ISSUED FOR REVIEW	01/14/22	---
1	ISSUED FOR REVIEW	01/06/22	---

Date: 04/06/22 | Drawn by: DCG | Check by: --- | Project #: 1627.2101 | Design by: --- | Review by: ---
SCALE: 1" = 80'

DRAFT CONCEPT PLAN FOR
APEX WHITLOCK PROPERTY
LAND LOT 71 OF THE 05 DISTRICT, CITY OF NEWNAN, COWETA COUNTY, GEORGIA

CONCEPT PLAN

GEORGIA811 Utilities Protection Center, Inc.
Know what's below. Call before you dig.

DRAWING NO. 01

HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email:melissa@newnanlaw.com

February 1, 2022

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

RE: Application of Apex Land Company to Amend the Zoning Ordinance from CGN with Conditions to RML-Townhomes
Approximately 20.0119 ± Acres located on Roscoe Road, Newnan, Georgia

Dear Ms. Dunnavant:

Apex Land Company, applicant in the above-described property ("The Property") in the City of Newnan, Georgia, hereby makes this application to amend the zoning ordinance, to allow rezoning of the approximate 20.0119 +/- acres to be rezoned from CGN with conditions to RML-Townhomes. The Townhome community will be fee simple ownership with a maximum of 20% allows as rentals.

There are many proffered conditions in the attached zoning application packet. Please also see all attached plans, profiles, elevations, pictures and other demonstrative materials submitted or also to be considered as proferred conditions. The proposed amendment will facilitate the smart growth and development that is expected in the City of Newnan.

As noted on the "Application to Amend Zoning Text" form enclosed herewith, the Property is the best location for an RML-Townhomes zoning as it is a prime location for a residential townhome development in the City of Newnan. The rezoning will allow for development of this current property that has been undeveloped for many years. The RML-Townhomes zoning will be beneficial to the residents not only at The Property, but also the residents and business owners in the surrounding area.

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

Apex Land Company has, at attached Tabs (1) through (12) included all materials required per the Application Form and applicable Ordinance provisions. As always, should you

have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Apex Land Company, as Applicant and myself as counsel for Apex Land Company, look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,

Melissa D. Griffis
For Apex Land Company

MDG/kr
Enclosure(s)

HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email:melissa@newnanlaw.com

February 7, 2022

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

RE: Annexation Application and Rezoning Application Filed on Behalf of Apex Land Company on Tuesday, February 1, 2022

Dear Ms. Dunnavant:

Please be advised that the Applicant, Apex Land Company, hereby requests that the City of Newnan run the annexation application and rezoning application requests simultaneously so that the rezoning does not come prior to the annexation request, but that both requests are heard at the same time.

If you should need any additional information to process this request, please do not hesitate to contact me.

Yours Truly,

Melissa D. Griffis
For Apex Land Company

MDG/kr

c: Mr. Aaron Rissler

TAB 1

Application to Amend the Zoning Map

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant Apex Land Company

Mailing Address 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005

Telephone (404) 732-4136 Email: aaronrissler@icloud.com

Property Owner (Use back if multiple names) see attached

Mailing Address

Telephone

Address/Location of Property

Tax Parcel No.: 073B 010 Land Lot 71

District/Section 5th Size of Property (Square Feet or Acres) 20.012 acres

Present Zoning Classification: CGN with conditions Proposed Zoning Classification: RML - Townhomes

Present Land Use: Undeveloped land

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

Explain how conditions have changed that renders the zoning map designation invalid and no longer applicable The Subject Property is a great location for RML-Townhomes as it is adjacent to a county townhome subdivision and other residential zoning districts. The Townhome community will be fee simple ownership with a maximum of 20% allowed as rentals.

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

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

Please attach all the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:

   - What the property is to be used for, if known.
   - The size of the parcel or tract.
   - The zoning classification requested and the existing classification at the filing of this application.
   - The number of units proposed.
   - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
   - Any proposed buffers and modification to existing buffers.
   - Availability of water and sewer facilities including existing distance to property.

2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.

3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.

4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:

   - ✓ Boundary survey showing property lines with lengths and bearings
   - ✓ 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

26 day of January, 20 22

Signature of Applicant _____
AARON RISSLER

Leah D. Carnes
Notary Public

(Affix Raised Seal)

LEAH D CARNES NOTARY EXPIRES GEORGIA FEB. 20, 2024 PUBLIC DAWSON COUNTY, GA

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE multiple held prior to submittal

RECEIVED BY Tracy S. Dunnavant

DATE OF FILING 02/01/2022

FILING FEE RECEIVED $1000.30

DATE OF NOTICE TO NEWSPAPER _____

DATE OF PUBLIC HEARING _____

PLANNING COMMISSION RECOMMENDATION (DATE) _____

DATE OF TRANSMITTAL TO CITY COUNCIL _____

CITY COUNCIL DECISION (DATE) _____

TAB 2

Names and Addresses of All Property Owners Within 250' Feet

Parcel 073B 033

Hospital Road Apartments LLC
PO Box 1832
Newnan GA 30264

R L Ward LLC
PO Box 71909
Newnan GA 30271

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill Ga 30266-0308

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Parcel 073B 010

Duke C. Blackburn Jr. Family LP
317 Roscoe Road
Newnan GA 30263

Azlee & Jon Cash
150 Roscoe Road
Newnan GA 30263

John & Susan Green
26 W Washington St
Newnan GA 30263

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

M&S Newnan Properties LLC
2710 Lovejoy Circle
Duluth GA 30097

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

R L Ward LLC
PO Box 71909
Newnan GA 30271

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

Rolling Hills Newnan LLC
3548 North Crossing Cir
Valdosta GA 31602

Sunbelt of Alabama LLC
Series 38
PO Box 127
Ranburne AL 36273

Valleybrook Cardinal LLC
590 W Kennedy Blvd
2nd Floor
Lakewood NJ 08701

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Parcel 073B 010A

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

R L Ward LLC
PO Box 71909
Newnan GA 30271

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

TAB 3

Legal Description of the Property

TRACT A

All that tract or parcel of land lying and being located in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

First, start at a rock found marking the corner common to land lots 58, 59 70 and 71;

thence N 01°28'05" E a distance of 298.26' along the west line of land lot 71 to a ½" aluminum pipe found at an old fence corner;

thence N 01°05'32" E a distance of 440.13' along the west line of land lot 71 to a 5/8" iron rebar found on the southerly 200' right-of-way of State Route 34 Bypass;

thence N 79°05'09" E a distance of 139.97' along said right-of-way of State Route 34 Bypass to a point and the TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED;

thence N 79°05'09" E a distance of 1209.85' 97' along said right-of-way of State Route 34 Bypass to a point;

thence N 78°13'38" E a distance of 89.10' along said right-of-way of State Route 34 Bypass to a point;

thence S 38°40'27" E a distance of 109.20' leaving said right-of-way of State Route 34 Bypass and along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence N 56°04'21" E a distance of 15.00' along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 37°24'34" E a distance of 231.09' along the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 52°35'26" W a distance of 131.88' leaving the westerly varying right-of-way of Hwy 70 / Roscoe Rd to a point;

thence S 28°35'37" E a distance of 321.50' to a 2 ½" iron pipe found;

thence S 29°06'52" E a distance of 111.16' to a ½" iron rebar found;

thence N 89°47'52" W a distance of 1555.30' to a point;

thence N 05°24'03" W a distance of 469.31' to a point on the southerly 200' right-of-way of State Route 34 Bypass which is the point of beginning,

having an area of 871719 square feet, 20.0119 acres

DOC# 003073
FILED IN OFFICE
2/26/2016 02:45 PM
BK:4334 PG:751-755
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $0.00

PT#16-889

STATE OF GEORGIA

COUNTY OF COWETA

After recording return to:
Leah F. Sumner, Esq.
Sumner/Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

DEED OF ASSENT AND DEVISE

WHEREAS, JAMES WENDELL WHITLOCK died a resident of Coweta County, Georgia; and

WHEREAS, ELVA A. WHITLOCK has been duly appointed by the Coweta County Probate Court as Executor of decedent's estate ("Executor"); and

WHEREAS, The Executor is now administering the decedent's estate; and

WHEREAS, pursuant to that certain Deed of Assent and Devise dated August 7, 2013 and recorded in Deed Book 3993, Pages 561-564, in the Office of the Clerk of Superior Court, Coweta County, Georgia, decedent died owning certain interest in real property in Coweta County, Georgia (the "Property"), which property is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

NOW THEREFORE, pursuant to the terms of decedent's Last Will and Testament dated March 23, 1982, the undersigned, as Executor of decedent's estate, does hereby transfer, grant, convey and confirm unto ELVA A. WHITLOCK all the right, title, interest, claim or demand which the said decedent has or may have had in and to the Property;

H:\ELVA\Client\Deed of Assent

5/18 JC

TO HAVE AND TO HOLD said Property, with all and singular rights, members and appurtenances thereof, to the same being, belonging or in any way pertaining to the use and benefit of said ELVA A. WHITLOCK forever in fee simple.

THE FIRM OF SUMMNER/MEEKER, LLC DOES NOT CERTIFY AS TO TITLE TO THE PROPERTY BEING CONVEYED HEREWITH.

WITNESS my hand and seal, this 18 day of February, 2016.

Elva A. Whitlock (SEAL)
ELVA A. WHITLOCK,
Executor of the Estate of James Wendell Whitlock, Deceased

Marcia Gray
Witness

Signed, sealed, and delivered this 18th day of Feb., 2016, in the presence of:

Leah F. Sumner
Notary Public

(SEAL) My Commission Expires June 20, 2017

EXHIBIT "A"

Parcel One:

An undivided one-third (1/3rd) interest in and to all those tracts or parcels of land lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

Tract "A"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to the Point of Beginning; from said Point of Beginning run thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 440.12 feet to the right of way of State Route 34 Bypass; thence run along the southerly right of way line of State Route 34 Bypass N 79 degrees, 05 minutes 09 seconds E a distance of 1349.85 feet to a point; thence continue along the southerly right of way of State Route 34 Bypass N 78degrees 13 minutes 38 seconds E a distance of 89.1 feet to the intersection of the southerly right of way of State Route 34 Bypass with the westerly right of way of Roscoe Road to a point; thence run S 38 degrees 40 minutes 27 seconds E a distance of 109.2 feet along the westerly right of way of Roscoe Road to a point; thence run N 56 degrees, 04 minutes 21 seconds E a distance of 15 feet along the westerly right of way of Roscoe Road; thence run S 37 degrees 24 minutes 34 seconds E a distance of 494.93 feet along the westerly right of way of Roscoe Road to a point; thence S 74 degrees 45 minutes 07 seconds W a distance of 175.5 feet to a point; thence S 28 degrees 35 minutes 37 seconds E a distance of 121.5 feet to a point; thence S 29 degrees 06 minutes 52 seconds E a distance of 111.16 feet to a point; thence N 89 degrees 47 minutes 52 seconds W a distance of 1745.3 feet to a point which said point is the point of beginning. Said tract is shown as Tract "A: on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Tracts "C" and "D"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to a point; thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 1006.75 feet to a point; thence run N 88 degrees 32 minutes 15 seconds E a distance of 151.16 to a point ; thence run S 88 degrees 26 minutes 15 seconds E a distance of 76 feet to a point which said point is the Point of Beginning; from the Point of Beginning run thence S 88 degrees 00 minutes 04 seconds E a distance of 220.27 feet to a point; thence run S 89 degrees 12 minutes 17 seconds E a distance of 248.3 feet to a point;

thence run S 89 degrees 21 minutes 11 seconds E a distance of 552.91 feet to a point on the westerly right of way of Roscoe Road; thence run S 33 degrees 36 minutes 13 seconds E a distance of 111.17 feet along the westerly right of way of Roscoe Road to the intersection of the westerly right of way of Roscoe Road with the northerly right of way of State Route 34 Bypass; thence run S 79 degrees 04 minutes 18 seconds W a distance of 33.72 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 13 seconds W a distance of 315.71 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 09 seconds W a distance of 762.1 feet along the northerly right of way of State Route 34 Bypass to a point; thence run N 01 degrees 32 minutes 22 seconds E a distance of 46.02 feet to a point; then run N 01 degrees 32 minutes 22 seconds E a distance of 274.52 feet to a point which said point is the Point of Beginning. Said tract is shown as Tract "C" and Tract "D" on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Two:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land containing 1.331 acres, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being Lots 15 and 16 of the W. O. Jones Subdivision, as shown on plat of said subdivision as recorded in Deed Book 35, Page 596, Coweta County Records and being more particularly identified and described according to plat of survey for Johnny L. Short dated June 18, 1992 made by John R. Christopher, Registered Land Surveyor, as recorded in Plat Book 53, Page 154, in the Office of the Clerk of the Superior Court of Coweta County, Georgia to which plat reference is hereby made for a more particular and accurate description of the property conveyed herein. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Three:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

Being Lot 14 of the W. O. Jones Subdivision, according to a plat of survey of W. O. Jones Property, made by Gordon Nally, on February 27, 1937, and recorded in Deed Book 35, Page 596, in the Office of the Clerk of the Superior Court of Coweta County, Georgia.

Said lot fronts 100 feet on the West side of the Newnan-Roscoe Road and runs back in a Westerly direction. The North line of said lot is 676 feet; the South line 470 feet; and the back line 250 feet. Reference is hereby made to said plat for a more complete and accurate description.

Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

TAB 4

Certified Plat

SURVEY DATA:

PLAT CLOSURE:
E.O.C. PLAT: 1' IN 1,000,000 FEET

FIELD CLOSURE:

E.O.C. FIELD: 1' IN 11,839 FEET
ANGULAR ERROR: 5" PER ANGLE POINT

ADJUSTED BY: COMPASS RULE

EQUIPMENT USED:
Geomax Zoom. 90 ROBOTIC TOTAL STATION

REFERENCE:
D.B. 4334, PG. 751

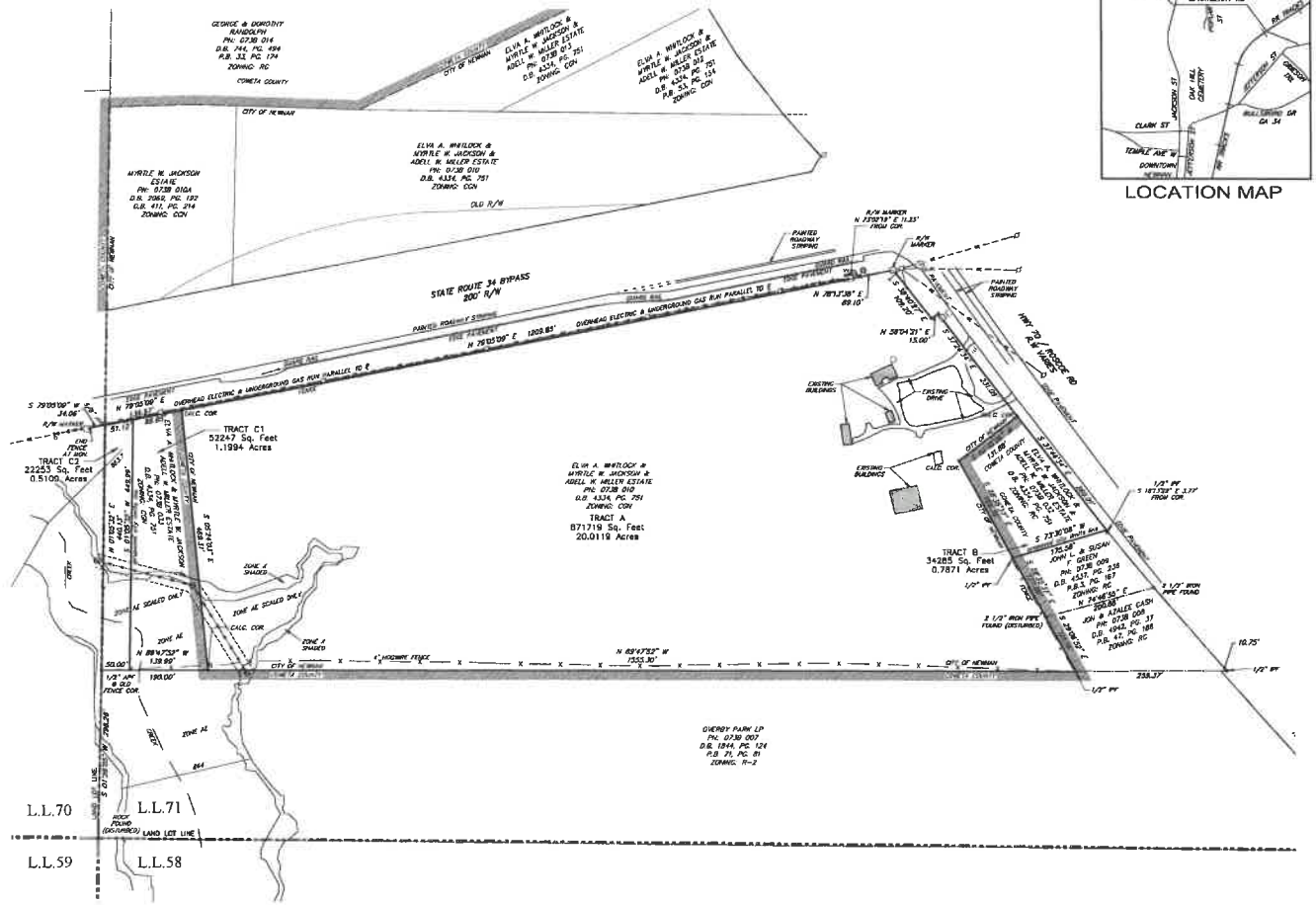
CURRENT OWNER:
ELVA A. WHITLOCK & MYRTLE W. JACKSON
& ADELL W. MILLER ESTATE
19 MAGNOLIA DRIVE
NEWNAN, GA 30263

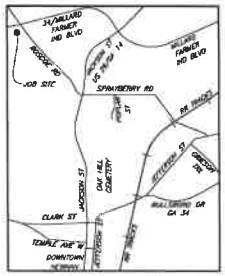
PROPERTY ADDRESS:
704 ROSCOE ROAD
NEWNAN, GA 30263

LEGEND

- #4 REBAR FOUND
- WATER METER
- VALVE: G-GAS, W-WATER
- UTILITY POLE
- SANITARY SEWER MANHOLE
- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- RIGHT OF WAY
- OVERHEAD ELECTRIC LINES
- UNDERGROUND GAS LINES
- FENCE
- LAND LOT LINE
- EDGE OF COUNTY JURISDICTION

PN	PARCEL NUMBER
P.B.	PLAT BOOK
D.B.	DEED BOOK
PG.	PAGE
S.F.	SQUARE FEET
AC.	ACRE(S)
E.O.C.	ERROR OF CLOSURE
NTS	NOT TO SCALE
R/W	RIGHT OF WAY





LOCATION MAP

GENERAL NOTES:

1. THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB 78 (2012), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
3. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES NAMED IN THE TITLE BLOCK AND OR THE CERTIFICATION. ANY USE BY OTHER PARTIES NOT NAMED IS AT THEIR OWN RISK.
4. THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL IN CONTRASTING INK.
5. IN MY OPINION, PORTIONS OF THIS PROPERTY LIE WITHIN SPECIAL FLOOD HAZARD AREA "AE" AS DEFINED BY F.E.M.A. FLOOD INSURANCE RATE MAPS (FIRM) #13077C0143G WITH EFFECTIVE DATE OF FEBRUARY 8, 2013.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT TITLE, THEREFORE, THE UNDERSIGNED AND CHRISTOPHER BROTHERS / GASKINS MAKE NO GUARANTEE OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.
7. BASE BEARING TAKEN FROM D.B. 4334, PAGE 751. ALL OTHER BEARINGS CALCULATED FROM ANGLES TURNED.
8. CURRENTLY ZONED CON
9. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF 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.

N
W E
S
RECORD NORTH

100 0 100 200
SCALE: 1" = 100'

811 Know what's below. Call before you dig.

UTILITY PROTECTION CENTER
CALL 811 FREE:
THREE WORKING DAYS BEFORE YOU DIG.

GEORGIA REGISTERED LAND SURVEYOR 3195 CHRIS W. ROBERTSON

SURVEYORS CERTIFICATION:

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.

CHRIS W. ROBERTSON GA RLS #3195 — DATE: 12/14/2021

DRAWN BY: VCB	
CHECKED BY: CWR	
FIELD DATE: 12/09/2021	
OFFICE DATE: 12/14/2021	
REVISIONS	

Gaskins
SURVEYING & PLANNING CONSULTING & CONSTRUCTION MGMT
Christopher BROTHERS
www.gaskinsinc.com LSF0789
34 Jackson Street, Newnan, GA 30263
Phone: (770) 253-3190

BOUNDARY SURVEY
FOR
APEX LAND COMPANY

LOCATED IN L.L. 71
5TH DISTRICT,
COWETA COUNTY, GEORGIA

TAB 5

Proferred Conditions

City of Newnan, Georgia
Attachment A

Proffered Conditions

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

Please list any written proffered conditions below:

The Subject Property is proposed with 138 total townhome units with 69 front facing and 69 rear facing entry. The amenities included on the plan are a pool and pool/clubhouse, playground, dog park, and three (3) picnic areas. There will be no buildings built on the small tract seeking annexation and the small tract seeking r4zoning, but remains in the county.

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

The Application has submitted separately demonstrative materials with plans, amenities, and profiles as proffered conditions.

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

Signature of Applicant

Aaron Rissler
Type or Print Name and Title

Signature of Applicant's Representative

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

Leah D. Carnes 8/26/22
Signature of Notary Public Date

Affix Raised Seal Here

LEAH D CARNES NOTARY PUBLIC EXPIRES GEORGIA FEB. 20, 2024 DAWSON COUNTY, GA

Karen Rebeor 2.1.2022

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

TAB 6

Disclosure of Campaign Contributions And Gifts

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

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

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

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

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

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

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

Signature of Applicant

Aaron Rissler
Type or Print Name and Title

Signature of Applicant's Representative

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

Leah D Carnes 1/26/22
Signature of Notary Public Date

(Affix Raised Seal Here)

LEAH D CARNES NOTARY EXPIRES GEORGIA FEB. 20, 2024 COWETA COUNTY

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 representation, trust, foundation, other charitable organization, or educational organization.

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

_____
Signature of Applicant

By:_____
Type or Print Name and Title

Melissa D. Griffis, Esq.
Signature of Applicant's Representative

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

Karen Rebecca 2.1.2022
Signature of Notary Public Date

KAREN REBECCA NOTARY PUBLIC EXPIRES GEORGIA DEC. 20, 2025 COWETA COUNTY

(Affix Raised Seal Here)

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

TAB 7

Property Owner's Authorization

City of Newnan, Georgia
Attachment C

Property Owner's Authorization

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

Name of Property Owner Estate of Myrtle W. Jackson

Telephone Number _____

Address of Subject Property _____

_____

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

ESTATE OF MYRTLE W. JACKSON
By:

Joe B. Jackson Jr.

Signature – JOE B. JACKSON, EXECUTOR OF THE ESTATE OF MYRTLE W. JACKSON

Personally appeared before me

Joe B. Jackson

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

ALAN W JACKSON NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES JULY 1, 2023

Notary Public

1/23/22
Date

(Affix Raised Seal Here)

City of Newnan, Georgia
Attachment C

Property Owner's Authorization

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

Name of Property Owner Estate of Adell W. Miller

Telephone Number _____

Address of Subject Property _____

_____

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

ESTATE OF ADELL W. MILLER
By:

Signature – JOE B. JACKSON, ADMINISTRATOR WITH WILL ANNEXED OF THE ESTATE OF ADELL W. MILLER

Personally appeared before me

_____

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

_____
Notary Public

1/25/22
Date

ALAN W JACKSON
NOTARY
EXPIRES
GEORGIA
JULY 1, 2023
PUBLIC
COWETA COUNTY

(Affix Raised Seal Here)

City of Newnan, Georgia
Attachment C

Property Owner's Authorization

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

Name of Property Owner Elva A. Whitlock

Telephone Number _____

Address of Subject Property _____

_____

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

Elva A. Whitlock
Signature – ELVA A. WHITLOCK

Personally appeared before me

Elva A Whitlock

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

Notary Public

ALAN W JACKSON NOTARY PUBLIC EXPIRES GEORGIA JULY 1, 2023 COWETA COUNTY

(Affix Raised Seal Here)

1/25/22
Date

TAB 8

Authorization of Attorney

City of Newnan, Georgia
Attachment D

Attorney's Authorization

NOTE: *If an attorney-at-law has prepared this application, please fill out the information below:*

I swear as an attorney-at-law, I have been authorized by the owner(s) to file the attached application for a rezoning of property.

(Signature of Attorney)

Name of Attorney Melissa D. Griffis, Esq.

Address 32 South Court Square

Newnan, GA 30263

Telephone (770) 253-3282

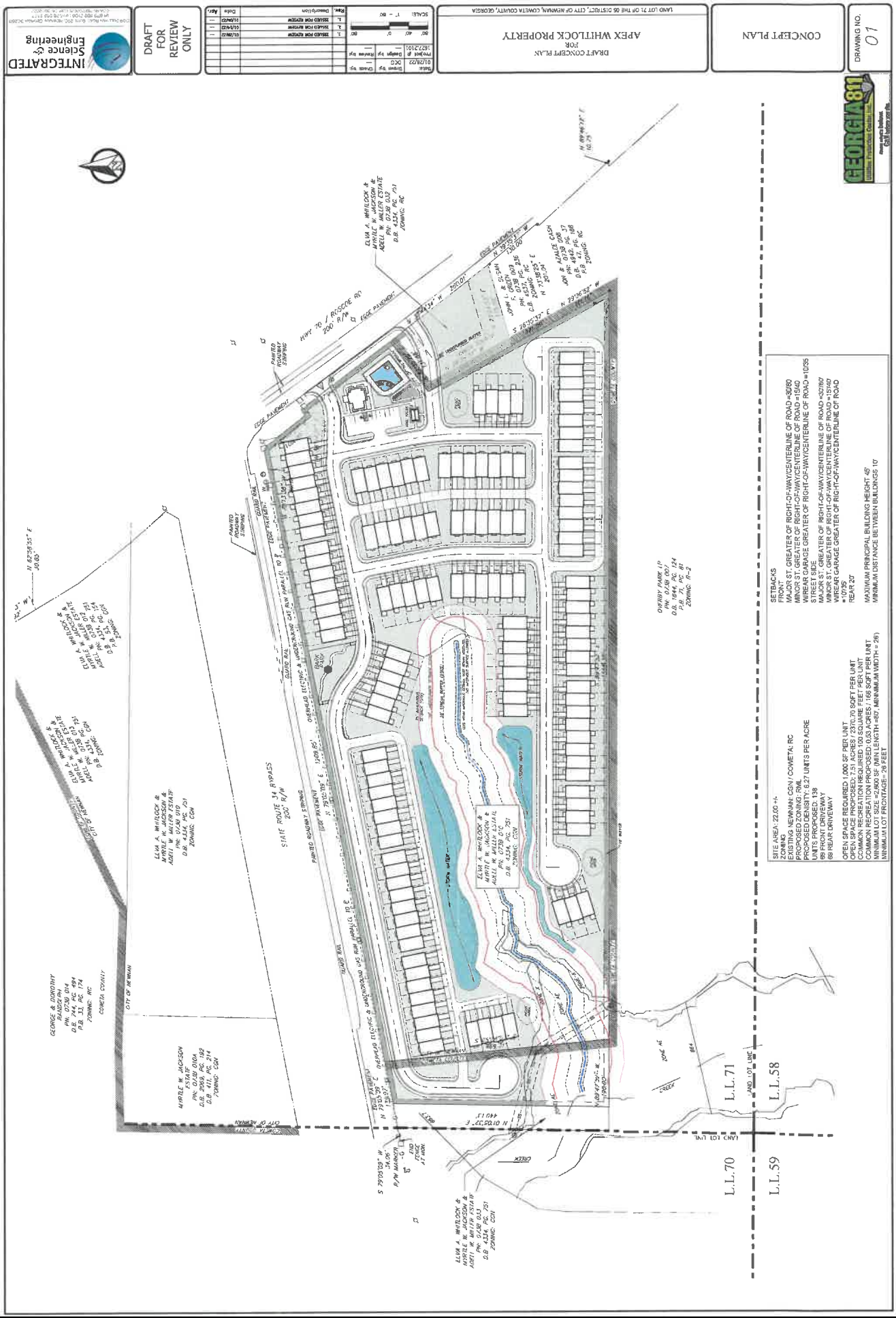
Date 1-31-2022

TAB 9

Community Impact Study
(Not Applicable)

Tab 10

Conceptual Plan and Renderings



Staff Note - This Concept Plan has been updated. Please see the Concept Plan that immediately follows the Location Map (that follows the staff report).

TAB 11

Filing Fee

($1,000.30 to the City of Newnan)

TAB 12

Rezoning Checklist

City of Newnan, Georgia
Attachment E

Rezoning Checklist

The following is a checklist of information required for the submittal of a rezoning application. The Planning & Zoning Department will not accept an incomplete application.

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	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.

HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email:melissa@newnanlaw.com

February 1, 2022

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

RE: Annexation Application of Apex Land Company
Approx. 1.1994 +/- Acres Located on State Route 34 Bypass, Newnan, Georgia

Dear Ms. Dunnavant:

Apex Land Company, the Applicant of the above-described property ("the Property") in Newnan, Georgia, hereby makes this application to annex the Property from RC in Coweta County, Georgia to RML-Townhomes in the City of Newnan. The Property provides a suitable environment for the extension of the RML-Townhomes zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan.

Apex Land Company has its mailing address at 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005 and telephone number at (770) 777-4704. The address for the Property is Roscoe Road, Newnan, Georgia 30263. The tax map number of the Property is: 073B 033.

The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other similar uses. The City of Newnan already provides services in the area. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan. Further, there will be no homes placed on this annexation property.

For the reasons stated above, Apex Land Company believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RML-Townhomes residential townhome development in a manner consistent with principles of smart development so highly valued by the City of Newnan.

Apex Land Company has, at attached Tabs (A) through (I), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** Apex Land Company, as Applicant, and myself, as counsel for Apex Land Company look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,

Melissa D. Griffis
For Apex Land Company

MDG/kr
Enclosures

TAB A

Application for Annexation

CITY OF NEWNAN, GEORGIA
Planning and Zoning Department

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

APPLICATION FOR ANNEXATION

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

Name of Applicant Apex Land Company

Mailing Address 4080 McGinnis Ferry Road, Suite 203, Alpharetta, GA 30005

Telephone (404) 732-4136 Email: aaronrissler@icloud.com

Property Owner (Use back if multiple names) see attached

Mailing Address _____

Telephone _____ Fax _____

Address/Location of Property State Route 34 Bypass

County Zoning Classification RC Requested Zoning Classification RML

Present Land Use undeveloped land

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Applicant's Signature _____ Date 1-26-2022

FOR OFFICIAL USE ONLY

DATE RECEIVED _____

RECEIVED BY _____

Property Owners

Mrs. Elva A. Whitlock
Estate of Myrtle W. Jackson
Estate of Adell W. Miller
19 Magnollia Drive
Newnan, GA 30263

TAB B

Property Owners Authorization Form

City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Estate of Adell W. Miller

Telephone Number

Address of Subject Property State Route 34 Bypass

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

ESTATE OF ADELL W. MILLER

By:

Signature, JOE B. JACKSON, JR., ADMINISTRATOR WITH THE WILL ANNEXED OF THE ESTATE OF ADELL W. MILLER

Personally appeared before me

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

Notary Public

Date 1/25/22

ALAN W JACKSON NOTARY PUBLIC EXPIRES GEORGIA JULY 1, 2023 COWETA COUNTY

(Affix Raised Seal Here)

City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Estate of Myrtle W. Jackson

Telephone Number

Address of Subject Property State Route 34 Bypass

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

ESTATE OF MYRTLE W. JACKSON

By:

Signature, JOE B. JACKSON, JR., EXECUTOR
OF THE ESTATE OF MYRTLE W. JACKSON

Personally appeared before me Joe B Jackson Jr

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

Notary Public

Date 1/25/22

ALAN W JACKSON NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES JULY 1, 2023

(Affix Raised Seal Here)

City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Elva A. Whitlock

Telephone Number

Address of Subject Property State Route 34 Bypass

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

Elva A. Whitlock
Signature of Property Owner

Personally appeared before me

Elva A. Whitlock

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

NATALIE W JACKSON NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES JULY 1, 2023

Notary Public

1/25/22

Date

(Affix Raised Seal Here)

TAB C

Warranty Deed

DOC# 003073
FILED IN OFFICE
2/26/2016 02:45 PM
BK:4334 PG:751-755
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $0.00

PT#16-889

STATE OF GEORGIA

COUNTY OF COWETA

After recording return to:
Leah F. Sumner, Esq.
Sumner/Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

DEED OF ASSENT AND DEVISE

WHEREAS, JAMES WENDELL WHITLOCK died a resident of Coweta County, Georgia; and

WHEREAS, ELVA A. WHITLOCK has been duly appointed by the Coweta County Probate Court as Executor of decedent's estate ("Executor"); and

WHEREAS, The Executor is now administering the decedent's estate; and

WHEREAS, pursuant to that certain Deed of Assent and Devise dated August 7, 2013 and recorded in Deed Book 3993, Pages 561-564, in the Office of the Clerk of Superior Court, Coweta County, Georgia, decedent died owning certain interest in real property in Coweta County, Georgia (the "Property"), which property is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

NOW THEREFORE, pursuant to the terms of decedent's Last Will and Testament dated March 23, 1982, the undersigned, as Executor of decedent's estate, does hereby transfer, grant, convey and confirm unto ELVA A. WHITLOCK all the right, title, interest, claim or demand which the said decedent has or may have had in and to the Property;

H:\LSW&P\Grafton-Deed of Assent

5/18/20

TO HAVE AND TO HOLD said Property, with all and singular rights, members and appurtenances thereof, to the same being, belonging or in any way pertaining to the use and benefit of said ELVA A. WHITLOCK forever in fee simple.

THE FIRM OF SUMMNER/MEEKER, LLC DOES NOT CERTIFY AS TO TITLE TO THE PROPERTY BEING CONVEYED HEREWITH.

WITNESS my hand and seal, this 18 day of February, 2016.

Elva A. Whitlock (SEAL)
ELVA A. WHITLOCK,
Executor of the Estate of James Wendell Whitlock, Deceased

Marcia Gray
Witness

Signed, sealed, and delivered this 18th day of Feb., 2016, in the presence of:

Leah J. Summer
Notary Public
(SEAL) My Commission Expires June 20, 2017

NOTARY PUBLIC

EXHIBIT "A"

Parcel One:

An undivided one-third (1/3rd) interest in and to all those tracts or parcels of land lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

Tract "A"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to the Point of Beginning; from said Point of Beginning run thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 440.12 feet to the right of way of State Route 34 Bypass; thence run along the southerly right of way line of State Route 34 Bypass N 79 degrees, 05 minutes 09 seconds E a distance of 1349.85 feet to a point; thence continue along the southerly right of way of State Route 34 Bypass N 78degrees 13 minutes 38 seconds E a distance of 89.1 feet to the intersection of the southerly right of way of State Route 34 Bypass with the westerly right of way of Roscoe Road to a point; thence run S 38 degrees 40 minutes 27 seconds E a distance of 109.2 feet along the westerly right of way of Roscoe Road to a point; thence run N 56 degrees, 04 minutes 21 seconds E a distance of 15 feet along the westerly right of way of Roscoe Road; thence run S 37 degrees 24 minutes 34 seconds E a distance of 494.93 feet along the westerly right of way of Roscoe Road to a point; thence S 74 degrees 45 minutes 07 seconds W a distance of 175.5 feet to a point; thence S 28 degrees 35 minutes 37 seconds E a distance of 121.5 feet to a point; thence S 29 degrees 06 minutes 52 seconds E a distance of 111.16 feet to a point; thence N 89 degrees 47 minutes 52 seconds W a distance of 1745.3 feet to a point which said point is the point of beginning. Said tract is shown as Tract "A: on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Tracts "C" and "D"

To find the Point of Beginning, find the common corner of Land Lots 70, 71, 59 and 58 and from said common corner run in a northerly direction along the west land lot line of Land Lot 71 a distance of 298.06 feet to a point; thence north along the west land lot line of Land Lot 71 N 01 degrees 05 minutes 22 seconds E a distance of 1006.75 feet to a point; thence run N 88 degrees 32 minutes 15 seconds E a distance of 151.16 to a point ; thence run S 88 degrees 26 minutes 15 seconds E a distance of 76 feet to a point which said point is the Point of Beginning; from the Point of Beginning run thence S 88 degrees 00 minutes 04 seconds E a distance of 220.27 feet to a point; thence run S 89 degrees 12 minutes 17 seconds E a distance of 248.3 feet to a point;

thence run S 89 degrees 21 minutes 11 seconds E a distance of 552.91 feet to a point on the westerly right of way of Roscoe Road; thence run S 33 degrees 36 minutes 13 seconds E a distance of 111.17 feet along the westerly right of way of Roscoe Road to the intersection of the westerly right of way of Roscoe Road with the northerly right of way of State Route 34 Bypass; thence run S 79 degrees 04 minutes 18 seconds W a distance of 33.72 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 13 seconds W a distance of 315.71 feet along the northerly right of way of State Route 34 Bypass to a point; thence run S 79 degrees 05 minutes 09 seconds W a distance of 762.1 feet along the northerly right of way of State Route 34 Bypass to a point; thence run N 01 degrees 32 minutes 22 seconds E a distance of 46.02 feet to a point; then run N 01 degrees 32 minutes 22 seconds E a distance of 274.52 feet to a point which said point is the Point of Beginning. Said tract is shown as Tract "C" and Tract "D" on Plat of Survey for Buford D. Whitlock dated October 28, 2002 and prepared by W. W. Flowers, Jr., GRLS No. 1975 which said survey is hereby incorporated herein by reference. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Two:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land containing 1.331 acres, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being Lots 15 and 16 of the W. O. Jones Subdivision, as shown on plat of said subdivision as recorded in Deed Book 35, Page 596, Coweta County Records and being more particularly identified and described according to plat of survey for Johnny L. Short dated June 18, 1992 made by John R. Christopher, Registered Land Surveyor, as recorded in Plat Book 53, Page 154, in the Office of the Clerk of the Superior Court of Coweta County, Georgia to which plat reference is hereby made for a more particular and accurate description of the property conveyed herein. Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

Parcel Three:

An undivided one-sixth (1/6th) interest in and to:

All that tract or parcel of land, situate, lying and being in Land Lot 71 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

Being Lot 14 of the W. O. Jones Subdivision, according to a plat of survey of W. O. Jones Property, made by Gordon Nally, on February 27, 1937, and recorded in Deed Book 35, Page 596, in the Office of the Clerk of the Superior Court of Coweta County, Georgia.

Said lot fronts 100 feet on the West side of the Newnan-Roscoe Road and runs back in a Westerly direction. The North line of said lot is 676 feet; the South line 470 feet; and the back line 250 feet. Reference is hereby made to said plat for a more complete and accurate description.

Less and Except any of the property in the above described tract conveyed by Buford D. Whitlock to the Department of Transportation in Right of Way Deeds dated January 7, 2008 and recorded January 14, 2008 in Deed Book 3298, Page 579 and Deed Book 3298, Page 584, Office of the Clerk of the Superior Court of Coweta County, Georgia and Right of Way Deed dated January 7, 2008 and recorded January 10, 2008 in Deed Book 3298, Page 43, Office of the Clerk of the Superior Court of Coweta County, Georgia.

TAB D

Legal Description of Property

TRACT C1

All that tract or parcel of land lying and being located in Land Lot 71 of the Fifth Land District of Coweta County, Georgia and being more particularly described as follows:

First, start at a rock found marking the corner common to land lots 58, 59 70 and 71;

thence N 01°28'05" E a distance of 298.26' along the west line of land lot 71 to a ½" aluminum pipe found at an old fence corner;

thence S 89°47'52" E a distance of 50.01' leaving said land lot line to a point and the TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED;

thence N 01°05'32" E a distance of 449.99' to a point on the southerly 200' right-of-way of State Route 34 Bypass;

thence N 79°05'09" E a distance of 88.85' along said right-of-way to a point;

thence S 05°24'03" E a distance of 469.31' leaving said right of way to a point;

thence N 89°47'52" W a distance of 139.99'to a to a point which is the true point of beginning,

having an area of 52247 square feet, 1.1994 acres

TAB E

Survey

SURVEY DATA:

PLAT CLOSURE:
E.O.C. PLAT: 1' IN 1,008,886 FEET

FIELD CLOSURE:

E.O.C. FIELD: 1' IN 11,899 FEET
ANGULAR ERROR: 5 " PER ANGLE POINT

ADJUSTED BY: COMPASS RULE

EQUIPMENT USED:
Geodimer 2000n, 9D ROBOTIC TOTAL STATION

REFERENCES:
D.B. 4334 PG. 751

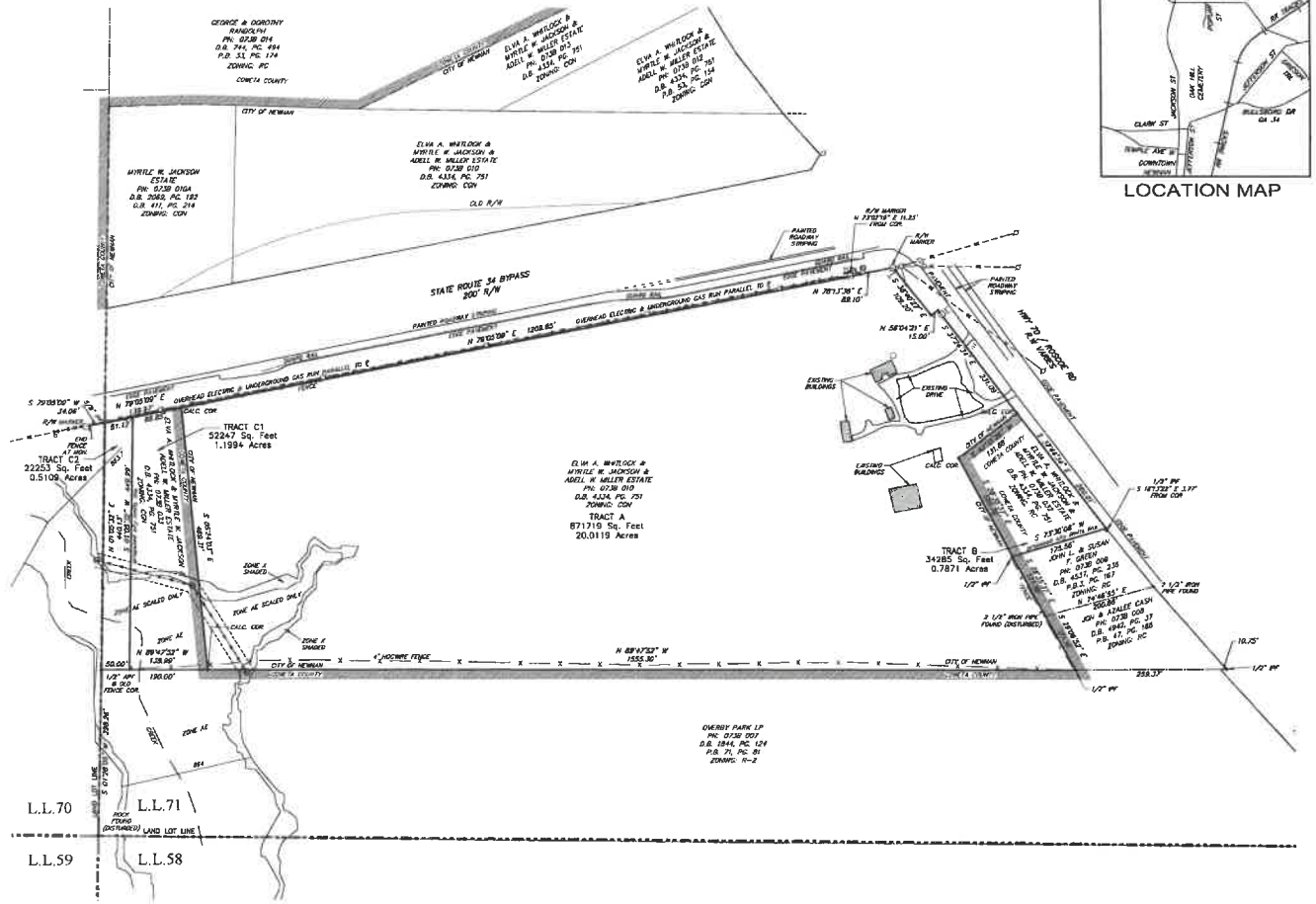
CURRENT OWNER:
ELVA A. WHITLOCK & MYRTLE W. JACKSON & ADELL W. MILLER ESTATE
19 MAGNOLIA DRIVE
NEWNAN, GA 30263

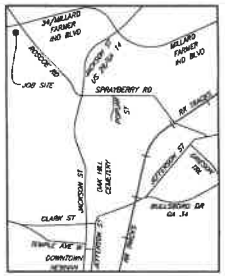
PROPERTY ADDRESS:
204 ROSCOE ROAD
NEWNAN, GA 30263

LEGEND

- ● #4 REBAR FOUND
- WATER WATER
- VALVE: G-GAS, W-WATER
- UTILITY POLE
- SANITARY SEWER MANHOLE
- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- RIGHT OF WAY
- OVERHEAD ELECTRIC LINES
- UNDERGROUND GAS LINES
- FENCE
- LAND LOT LINE
- EDGE OF COUNTY JURISDICTION

PN	PARCEL NUMBER
P.B.	PLAT BOOK
D.B.	DEED BOOK
PG.	PAGE
S.F.	SQUARE FEET
AC.	ACRE(S)
E.O.C.	ERROR OF CLOSURE
N.T.S.	NOT TO SCALE
R/W	RIGHT OF WAY





LOCATION MAP

GENERAL NOTES:

1. THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB 216 (2017), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
3. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES NAMED IN THE TITLE BLOCK AND OR THE CERTIFICATION. ANY USE BY OTHER PARTIES NOT NAMED IS AT THEIR OWN RISK.
4. THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL IN CONTRASTING INK.
5. IN MY OPINION, PORTIONS OF THIS PROPERTY LIE WITHIN SPECIAL FLOOD HAZARD AREA "AE" AS DEFINED BY F.I.R.M. FLOOD INSURANCE RATE MAPS (FIRM) #13077C0143D WITH EFFECTIVE DATE OF FEBRUARY 6, 2013.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT TITLE; THEREFORE, THE UNDERSIGNED AND CHRISTOPHER BROTHERS / GASKINS MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.
7. BASE BEARING TAKEN FROM D.B. 4334, PAGE 751. ALL OTHER BEARINGS CALCULATED FROM ANGLES TURNED.
8. CURRENTLY ZONED CON.
9. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO GUARANTY OF 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.

N
W E
S
RECORD NORTH

100 0 100 200
SCALE: 1" = 100'

811 Know what's below. Call before you dig.
UTILITY PROTECTION CENTER
CALL 811 FREE:
THREE WORKING DAYS BEFORE YOU DIG.

GEORGIA REGISTERED 3195 LAND SURVEYOR CHRIS W. ROBERTSON

SURVEYORS CERTIFICATION:

This plat is a resurvey 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.

Chris W. Robertson 12/14/2021
DATE:

DRAWN BY: VGB	
CHECKED BY: CWR	
FIELD DATE: 12/09/2021	
OFFICE DATE: 12/14/2021	
REVISIONS	

Gaskins
SURVEYING AND MAPPING SOLUTIONS FOR CONSTRUCTION MGMT
Christopher BROTHERS
www.gaskinsinc.com LSF0789
24 Jedburgh Street, Newnan, GA 30263
Phone: (770) 253-5310

BOUNDARY SURVEY
FOR
APEX LAND COMPANY

LOCATED IN L.L. 71
5TH DISTRICT,
COWETA COUNTY, GEORGIA

TAB F

Check payable to The City of Newnan ($629.98)

TAB G

Names and Addresses of All Property Owners Within 250' Feet

Parcel 073B 033

Hospital Road Apartments LLC
PO Box 1832
Newnan GA 30264

R L Ward LLC
PO Box 71909
Newnan GA 30271

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill Ga 30266-0308

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Parcel 073B 010

Duke C. Blackburn Jr. Family LP
317 Roscoe Road
Newnan GA 30263

Azlee & Jon Cash
150 Roscoe Road
Newnan GA 30263

John & Susan Green
26 W Washington St
Newnan GA 30263

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

M&S Newnan Properties LLC
2710 Lovejoy Circle
Duluth GA 30097

Overby Park LP
4279 Roswell Rd NE
Suite 208-252
Atlanta GA 30342

R L Ward LLC
PO Box 71909
Newnan GA 30271

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

Rolling Hills Newnan LLC
3548 North Crossing Cir
Valdosta GA 31602

Sunbelt of Alabama LLC
Series 38
PO Box 127
Ranburne AL 36273

Valleybrook Cardinal LLC
590 W Kennedy Blvd
2nd Floor
Lakewood NJ 08701

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Parcel 073B 010A

John G & Amy F Hall
34 Whitlock Rd
Newnan GA 30263

Estate of Myrtle W Jackson
c/o Joe Jackson Jr
23 Hawthorn Drive
Newnan GA 30263

George & Dorothy Randolph
0310 Roscoe Rd
Newnan, GA 30263

R L Ward LLC
PO Box 71909
Newnan GA 30271

Elva Whitlock & Myrtle Jackson
19 Magnolia Dr
Newnan, GA 30263

Andrew Whitlock & Paul Austin
c/o Rebecca Lou Jones
PO Box 308
Orchard Hill GA 30266-0308

Tab H

Disclosure of Campaign Contributions & Gifts

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

Signature of Applicant

By: Aaron Rissler - Managing Member
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Leah D. Carres 01/27/22
Signature of Notary Public Date

(Affix Notary Seal date)

LEAH D CARRES NOTARY PUBLIC GEORGIA EXPIRES FEB. 20, 2024 DAWSON COUNTY, GA

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 1, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

_____
Signature of Applicant

By:_____
Type or Print Name and Title

Melissa D. Griffis

Signature of Applicant's Representative

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

Karen Rebar 2.1.2022

Signature of Notary Public Date

KAREN REBAR NOTARY EXPIRES GEORGIA DEC. 20, 2023 COWETA COUNTY

(Affix Raised Seal Here)

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

COWETA COUNTY
COMMUNITY DEVELOPMENT

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

March 25, 2022

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

RE: Annexation– City of Newnan

Applicant: Apex Land Company
1.1944± acres located off SR 34 Bypass
Tax ID# 073B-033
Petition # AN 001-22

Dear Ms. Dunnavant,

The Coweta County Board of Commissioners voted on March 22, 2022 to file no objection to the above referenced annexation petition.

A copy of the report that was submitted to the BOC for their review is attached for your files. A copy of the official minutes will be forwarded to you when finalized and approved at the April 5, 2022 meeting.

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

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

Sincerely,

Angela B. White
Assistant Director,
Community Development

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

Jon Amason, Director
22 East Broad St.
Newnan, GA 30263
Email: jamason@coweta.ga.us
770-254-2635

To	Board of Commissioners
From:	Lisa J Eschman, Zoning Coordinator
Date:	March 16, 2022
Re:	Proposed Annexation, City of Newnan **HB 2 Annexation Procedures** Applicant: Apex Land Company Applicant Representative: Melissa Griffis 1.1944-acres off SR Bypass Tax ID# 073B-033 Petition # AN 001-22 3rd Commission District

---

The City of Newnan is proposing the annexation of 1.1994-acres located on SR 34 Bypass.

The applicant, Apex Land Company is requesting the City of Newnan zoning of RML (Residential Multiple-Family Dwelling – Lower Density District).

According to the City of Newnan Zoning Ordinance - RML, Residential Multiple-Family Dwelling – Lower Density "Sec 2-12 (e)" which allows: ***The RML, Residential Multiple Family Dwelling-Lower Density District, is intended to provide for medium density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, ranging from manufactured homes to low-rise multiple-family dwellings, and including two-family dwellings, garden apartments, apartment buildings, condominiums, and townhouses. Recreational, religious, and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical, and attractive residential area. Allowed uses are required to utilize public water and sewer infrastructure. RML, Residential Multiple Family Dwelling District – Lower Density District, functions as a buffer or transition between major streets, or commercial or higher density residential areas.***

The subject 1.1994-acre tract will be combined with an adjacent 20.0119± acre tract currently located within the city limits of Newnan, in which the applicant will seek rezoning to accommodate 138 townhomes. According to the applicant, there will be no residential units placed on the 1.1994-acre tract.

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

Building Department/Emergency Management/Fire/Environmental Health/Water and Sewerage Authority
After review by these respective offices, there are no objections to the Annexation Request.

Public Works-Engineering/Transportation Department
No objection to the proposed annexation.

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

1. **A substantial change in zoning or land use**

   The property is currently zoned Rural Conservation (RC). The rural conservation district is intended to provide low-density single-family residential and agricultural land use. The proposed annexation is for residential use through a city zoning of RML- Townhomes. Due to no homes being built on the property and the nominal size of the lot, the change in zoning should not have adverse or substantial effects.

2. **Substantial increase in density.**

   The proposed annexation with a city zoning district of RML-Townhome will increase the permitted density of the location. However, the annexation notification states that no homes will be located on the subject parcel. Thus, there will not be a substantial increase in density for the subject location.

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

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

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

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

Findings:

As reviewed by staff**,** there is **NOT** substantial infrastructure demands related to the proposed change in zoning or land use.

As noted, the subject property will not involve any structural development other than an extended cul-de-sac street to serve the proposed adjoining 138 townhome development, which is located within the city limits of Newnan.

Therefore, based upon the above staff comments and the O.C.G.A. §36.36 Annexation Procedures for Objection, the Coweta County Community Development Department recommends that **no objection** be filed to the annexation due to the constraints of the law.

cc: Michael Fouts, County Administrator
Jerry Ann Conner, County Attorney
Tracy Dunnavant – Planning Director, City of Newnan
Cleatus Phillips – City Manager

NEWNAN FIRE DEPARTMENT

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

Stephen R. Brown, Fire Chief

3-29-22

Ref: Rezoning Annexation Request Roscoe Rd and Newnan Bypass

Dear Tracy,

I have reviewed the annexation/rezoning request that you sent. The Newnan Fire Department can provide fire protection upon annexation. The Columbia Woods and Chastain Park comparisons show approximately 40 extra calls per year.

Stephen Brown

Fire Chief

City of Newnan

NEWNAN UTILITIES
Committed To Excellence

March 29, 2022

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

REF: Proposed Annexation, Parcel 073B 033 and 073 010, 138 Townhomes near Intersection of Roscoe Road and Bypass

Dear Ms. Dunnavant,

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

1. The City of Newnan approves the annexation of the proposed property as shown in Exhibit "A".
2. Parcel Number 073B 033 and 073B 010
3. Electric:
    a. Developer shall provide Newnan Utilities Engineering with AutoCAD dwg. files for electrical design.
    b. Developer or Electrical Engineer shall complete Newnan Utilities load data sheet
    c. Electrical shall be built out per Newnan Utilities contractor manual
4. Sanitary Sewer:
    a. Developer shall connect to Newnan Utilities Sanitary Sewer System.
    b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
        i. Design and Construction of development sanitary sewer system per Newnan Utilities Specifications.
        ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.
        iii. Cost for analyzing existing sanitary sewer system by an engineer firm approved by Newnan Utilities.
        iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades,

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

NEWNAN UTILITIES
Committed To Excellence

sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.

v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.

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

vii.

5. Water:

   a. Developer shall connect to Newnan Utilities Water System.
   b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
      i. Construction of development water system per Newnan Utilities Specifications.
      ii. Design and construction of connection to Newnan Utilities Water System.
      iii. Cost for analyzing existing water sewer system by an engineer firm approved by Newnan Utilities.
      iv. Existing water upgrades to handle proposed development. This is to include water system upgrades, fire protection upgrades, and any other upgrades deemed necessary by Newnan Utilities.
      v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.

6. Other Items to be addressed: at developers/owners expense

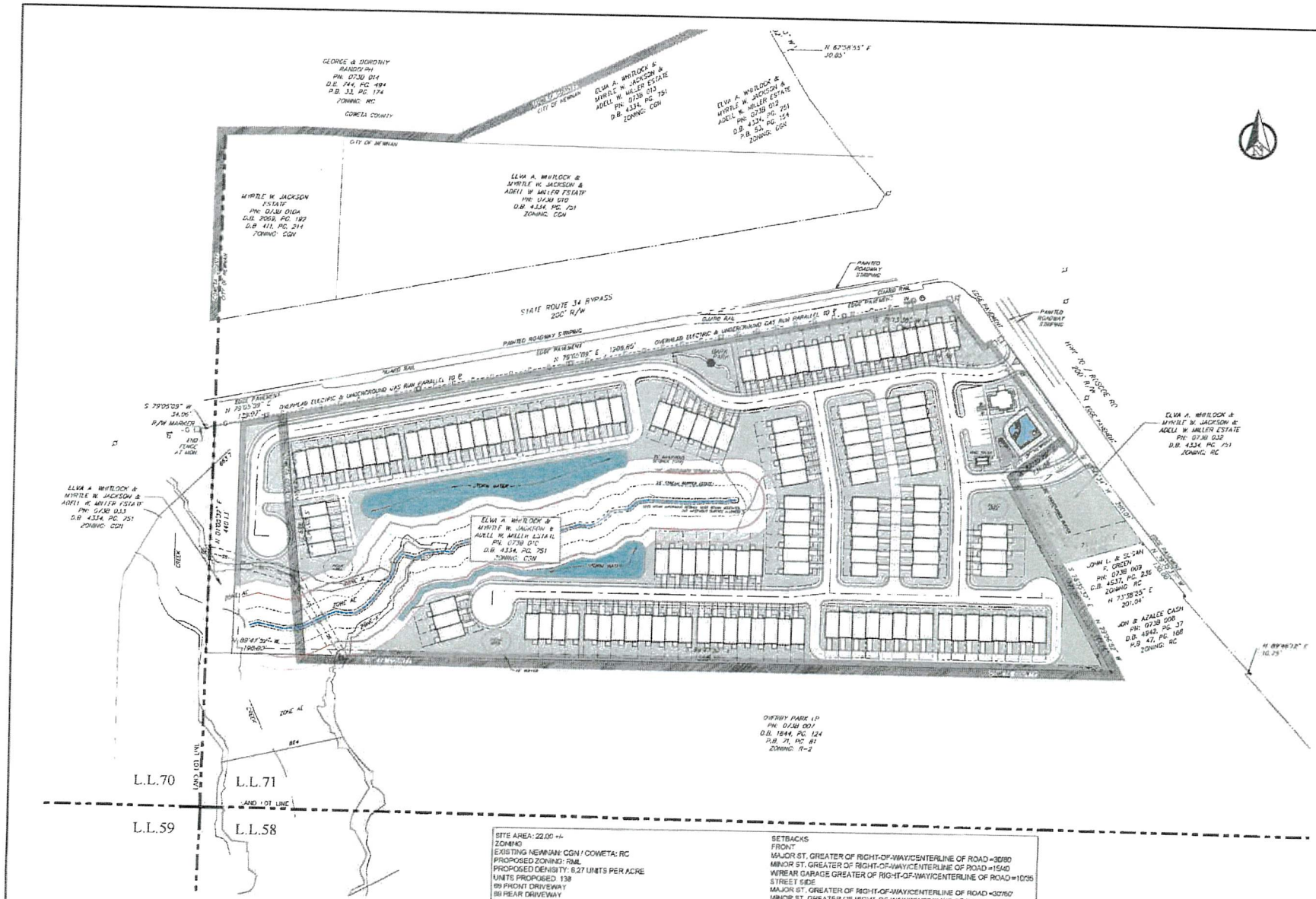
   a. Develop/Owner shall design the gravity sewer to allow future gravity flow from liftstation located behind the gas station at the corner of Roscoe Road and Bypass.

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

Sincerely,

Scott Tolar, P.E.
Newnan Utilities

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



SITE AREA: 22.00 +/-
ZONING
EXISTING NEWNAN: CGN / COWETA: RC
PROPOSED ZONING: RML
PROPOSED DENSITY: 6.27 UNITS PER ACRE
UNITS PROPOSED: 138
69 FRONT DRIVEWAY
69 REAR DRIVEWAY

OPEN SPACE REQUIRED 1,000 SF PER UNIT
OPEN SPACE PROPOSED: 7.51 ACHES / 2370.70 SQFT PER UNIT
COMMON RECREATION REQUIRED 100 SQUARE FEET PER UNIT
COMMON RECREATION PROPOSED: 0.53 ACRES / 168 SQFT PER UNIT
MINIMUM LOT SIZE =2,600 SF (MIN LENGTH =60', MINIMUM WIDTH = 26)
MINIMUM LOT FRONTAGE= 26 FEET

SETBACKS
FRONT
MAJOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =30/80
MINOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =15/40
W/REAR GARAGE GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =10/35
STREET SIDE
MAJOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =30/80
MINOR ST. GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =15/40
W/REAR GARAGE GREATER OF RIGHT-OF-WAY/CENTERLINE OF ROAD =10/35
REAR 20'

MAXIMUM PRINCIPAL BUILDING HEIGHT 48'
MINIMUM DISTANCE BETWEEN BUILDINGS 10'

GEORGIA811 Utility Protection Center, Inc.
Know what's below. Call before you dig.

INTEGRATED Science & Engineering

DRAFT FOR REVIEW ONLY

Date	Description	Rev.
	ISSUED FOR REVIEW	1
	ISSUED FOR REVIEW	2
	ISSUED FOR REVIEW	3

Date: 01/28/02 Drawn by: SCC Check by: —
Project #: 2001-0110 Design by: Review by:
SCALE: 1" = 80'

DRAFT CONCEPT PLAN FOR
APEX WHITLOCK PROPERTY
LAND LOT 71 OF THE 5B DISTRICT, CITY OF NEWNAN, CLINTON COUNTY, GEORGIA

CONCEPT PLAN

DRAWING NO. 01

EXHIBIT "A"

NEWNAN
POLICE

BRENT BLANKENSHIP
CHIEF OF POLICE

03/25/22

Reference: Newnan Bypass and Hwy. 70 – 138 unit townhouse development

Dear Tracy,

After reviewing call history for multiple developments that could compare to this one development, it is estimated that there will be an increase of approximately 320 calls in a three year period for this development.

In addition to an increase of people and vehicle traffic to the area, it would have an impact on motor vehicle accidents and calls of service to that area while also effecting call service and response times to other parts to the city.

Due to the additional calls for service and the increased density to the area it is believed that a strain would be placed on calls for service but can be manage at current staff level..

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department

The City of Newnan, Georgia

Office of the City Engineer

March 29, 2022

City Engineer Review

REZONING REQUEST: Parcel # 073B 010, 204 Roscoe Road, Newnan, GA 30263

ANNEXATION REQUEST: Parcel # 073B 033

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
   Note on-site, runoff reduction now required.

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

3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. A flood study may be required. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan.

   Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence must be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures, permits with the United States Army Corps of Engineers (404 Permit), or the Federal Emergency Management Agency.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

Transportation:

1. Two entrances to the development will be required. The two entrances as shown in the concept are proposed to connect to Roscoe Road which is under the jurisdiction of Coweta County. Note: Roscoe Road south of State Route 34 Bypass is not State Route 70 as shown in the concept. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has been satisfied with their requirements, and has so indicated to the City.

Similarly, as the one driveway connection is in close proximity to State Route 34 Bypass, the City will require an indication of approval, if required, from the Georgia Department of Transportation.

2. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and extended to the Right-of-Way for Roscoe Road.

3. Please furnish a copy of any Traffic Impact Study, to the City that Coweta County or the Georgia Department of Transportation may require.

Respectively,

Michael Klahr

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

City of Newnan, Georgia –

Date: April 6, 2022

Prepared By: Mike Furbush, City Landscape Architect/Arborist

Rezoning/Annexation Plan Review Comments...

1. Provide and label 15 foot landscape strip along State Route 34 By-pass.
2. Provide and label10 foot landscape strip along Roscoe Road.
3. Provide and label, at least, a 25 foot densely planted property between the subject property and the two existing (Green and Cash) residential lots currently zoned RC. Under the current zoning (CGN) , there is a 35 densely planted buffer required. It seems to me that if the current zoning requirement for a buffer is 35 feet that it should not be reduced to 25 feet because the subject property is being rezoned.
4. Provide and label 25 foot densely planted property between the subject property and Overby Park subdivision.
5. The adjacent property to be annexed to the west of the subject property shalll remain as a 50 foot undisturbed buffer with supplemental buffer plantings required if necessary.

Coweta County School System

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

March 28, 2022

Tracy Dunnavant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Rezoning Request 204 Roscoe Rd.

We have reviewed the application for rezoning for the above-referenced development and offer the following comments based on the information provided:

This application requests annexation and rezoning from County: RC / City: CGN (General Commercial District) to RML (Residential Multi-Family), with 138 proposed units. This may present challenges when planning for school enrollment and meeting student needs. Due to the high-density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are at or near capacity. If approved, we would request that the developer provide us advanced notice of the following information for our planning purposes:

What is the construction schedule for the project?
What is the proposed build-out timeline?
Will the project be built in phases?
Will there be a targeted market, e.g., senior citizens?

Thank you for the opportunity to provide feedback.

Sincerely,

Ronnie Cheek

Ronald C. Cheek
Director of Facilities
Coweta County Schools
(770)254-2750 x203
ronnie.cheek@cowetaschools.net

cc: Vince Bass

Left Elevation

Right Elevation

Rear Elevation

apex

City of Newnan, Georgia – Planning Commission

Date: April 12, 2022
Agenda Item: Annexation Request (Via the 60% Method) – Annex2022-02; 5.19± acres located on North Highway 29 (Tax Parcel #s 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A) Requested zoning of CGN (General Commercial District)

Prepared and Presented by: Tracy Dunnavant, Planning Director

ANNEXATION ASSESSMENT

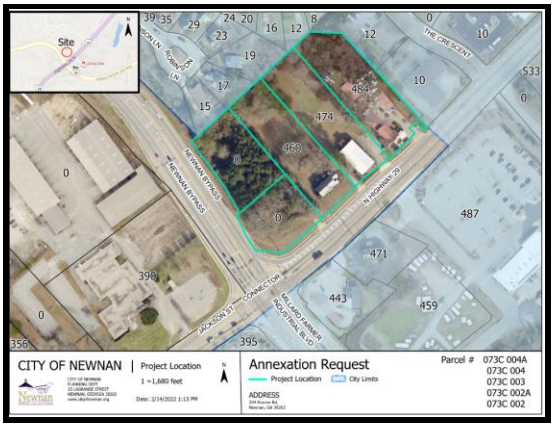
APPLICANT INFORMATION:

Melissa Griffis on behalf of North 390, LLC
147 Jackson Street
Newnan, GA 30263

** North 390, LLC owns 4 of the 5 tracts that are part of this request. The other tract is owned by Newnan Auto Body and Glass Repairs, Inc, which is not petitioning for the annexation but has been included in the application under the 60% method of annexation.

SITE INFORMATION:

The tracts consists of 5.29± total acres located on North Highway 29 and further identified as tax parcel #073C 004 (0.71 acre vacant lot), and tax parcel #073C 004A (0.88 acre vacant lot) both described in Deed Book 5327, Page 459, Coweta County records; and tax parcel #073C 003 (1.23 acres, 460 N. Highway 29) and tax parcel #073C 002A (1.23 acres, 474 N. Highway 29) both parcels described in Deed Book 5274, Page 631 Coweta County records; and tax parcel #073C 002 (1.24 acres, 484 N Highway 29) described in Deed Book 4288 Page 566, Coweta County records. The tracts are currently under the County's jurisdiction, are zoned RC (Rural Conservation) and C (Commercial), and are located in the County's "Employment Center" Character Area on the County's Future Land Use Map.



OVERVIEW OF REQUEST:

The petitioner is requesting the annexation, by the 60% method, of five parcels located on North Highway 29. Annexation via the 60% method requires not less than 60% of the resident electors as well as the owners of not less than 60% of the real property within the proposed annexation boundary to agree to the annexation in order for the City to consider the request. Staff has reviewed the application and determined that it meets these requirements as there are no resident electors on the properties and the owners of roughly 77% of the land area are making the request. The 60% method is being used because leaving the Newnan Auto Body and Glass Repairs, Inc. tract in the County would create an island which is not permitted under state law.

The requested zoning of the property is CGN (General Commercial District). The applicant is seeking to develop a commercial subdivision on the site which would consist of three tracts. Newnan Auto Body and Glass Repairs, Inc.'s property is not included in the proposed subdivision. Annexation of the property would allow the tracts to take advantage of city services.

The tracts will be subdivided as follows: Tract "A" 1.03± acres, Tract "B" 1.00± acres and Tract "C" 2.00± acres. The tracts will be accessed via a proposed interior road. The applicant has not provided specific commercial uses for the three tracts.

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 tracts are located at the intersection of Millard Farmer Industrial Boulevard and North Highway 29. They are primarily surrounded by commercial uses with the property lines to the north bordering the rear yards of several single-family homes that are a part of Avery Park subdivision. To the south is North Highway 29 and various commercial properties including a Citgo gas station, Pelican's Snoballs, and the Little Giant Shopping Center. Millard Farmer Industrial Boulevard and the old Coweta Fayette EMC complex are located to the west. Another gas station, a detailing shop and a veterinary clinic abut the body shop tract to the east.

Staff feels commercial uses would be suitable given the existing commercial properties in the area and the tracts' location at the intersection of two arterial roads. In addition, three of the five tracts already have a commercial zoning designation in the County, so there would be no change in terms of land use. Also, while they do abut residential properties to the north, the applicant will be required to have a 35-foot densely planted buffer to protect those homes.

Staff Assessment – PROPOSED USE IS SUITABLE ✔

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? The tracts' frontages are zoned commercial in the County, so commercial uses can already be built on the majority of the tracts. In addition, two of the tracts have already been used for commercial purposes. A 35' densely planted buffer will be required between the commercial properties and the residential homes to ensure a separation between the uses. The City Landscape Architect will review all landscaping plans to determine compliance with the city's landscaping requirements.

The greatest impact from this development will be traffic; however, since the applicant has not provided specific uses, the number of trips generated is yet to be determined. It should be noted that the tracts are located at the corner of two arterial roads. The applicant is planning for an interior drive to provide access for the commercial subdivision, but the Georgia Department of Transportation (GDOT) will determine where and what type of access they will be granted since both roads fall under their jurisdiction.

In terms of the Auto Body Shop property, heavy automobile repair and maintenance is permitted as a special exception in the CGN district. Therefore, if annexation is approved, staff would recommend granting a special exception to keep from creating a non-conforming use. Staff would also recommend that a variance be granted from the location requirements which currently specifies that "no automobile repair use may be located where noise would have an adverse impact on commercial uses within 200 feet or located within 500 feet of a residential, office, planned development, or open space district". It should also be mentioned that the Tax Assessors office indicated that the taxes would increase by $39.53 per year if the property is annexed into the city limits. That figure is based on the current millage rate.

Staff Assessment – ADDITIONAL TRAFFIC, BUT IT WILL NOT AFFECT THE USABILITY OF THE ADJACENT OR NEARBY PROPERTIES AND THE 35' DENSLEY PLANTED BUFFER WILL SEPARATE THE RESIDENTIAL AND COMMERCIAL TRACTS ✔

Are their substantial reasons why the property cannot or should not be used as currently zoned? Per the County staff report, the properties are currently zoned RC (Rural Conservation) and C (Commercial) in the County. The RC zoning district permits agriculture, forestry, and low density single-family residential land uses. The C district permits commercial development.

With the property being located at the intersection of two arterial roads and with commercial development on three sides of the tracts, staff doubts that the properties zoned RC will be developed as currently zoned. Even the County shows this area as an employment center on its Future Land Use Map. The tracts that are zoned for commercial uses could be used as currently zoned, but staff believes the RC zoned tracts will ultimately be developed with commercial uses.

Staff Assessment – TRACTS ZONED FOR COMMERCIAL COULD BE USED AS CURRENTLY ZONED, BUT RC ZONED TRACTS WILL MORE THAN LIKELY BE DEVELOPED AS COMMERCIAL ✕ AND ✓

<u>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?</u>

Since the tracts are part of a 60% annexation, state law requires that a service extension plan be developed to address water and sewer provision, sanitation services, fire, police and transportation. A copy of the plan has been included as part of the agenda packet.

<u>Traffic:</u>

Since no uses or square footages are being proposed for the tracts except for the existing auto body repair shop, staff is unable to determine what the traffic generation from the development will be. However, both roads are arterials and are designed to handle greater volumes of traffic. Since both roads are state routes, the GDOT has jurisdiction and any permitting for connecting to the roads would be by application through their agency.

<u>Police:</u> Police Chief Brent Blankenship has indicated that his department can service the development if it is annexed into the city limits. Since no specific uses have been provided, full impact of the development in terms of calls is yet to be determined.

<u>Fire</u>: Chief Stephen Brown has indicated that NFD can service this development. Again, since no specific uses have been provided, full impact in terms of calls is yet to be determined.

<u>Newnan Utilities</u>: Scott Tolar reviewed the project and indicated that there is ample capacity to serve the proposed facility. He stated that "water will require the developer to jack and bore North Highway 29 to serve lots with domestic water and fire protection. Sewer, depending on design, may require an approved sewer lift station". Tolar added that all utility construction expenses will be at the developer's cost.

<u>Engineering</u>:

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
   Note on-site, runoff reduction now required.

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

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

Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence shall be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures or permits by other agencies.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

5. Any existing wells or septic tanks that may be on the site will need to be identified and properly closed or removed.

Transportation:

1. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and 6 feet in width along SR 34 Bypass, subject to review by the Georgia Department of Transportation.

2. Traffic Impact Study may be required.

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

Staff Assessment –ALL SERVICE PROVIDERS HAVE INDICATED THAT THEY CAN SERVE THE DEVELOPMENT, WHICH IS EVIDENCED BY THE SERVICE PROVISION PLAN. FULL IMPACT ON TRAFFIC CAN NOT BE DETERMINED UNTIL THE USES ARE FINALIZED; HOWEVER, THE TRACTS ARE LOCATED AT THE INTERSECTION OF TWO ARTERIAL ROADS AND GDOT WILL REQUIRE THE DEVELOPER TO PROVIDE ANY MITIGATION MEASURES NEEDED TO ADDRESS THE INCREASED VOLUME. ✓

Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?
The property is outside of the city limits and therefore was not considered in the City's Comprehensive Plan. The County's Comprehensive Plan shows the area as an "Employment Center" character area which would allow for commercial uses. The City does show the adjacent tracts to the east as "Planned Development" and the tracts across North Highway 29 as "Business/Office". Both of these categories would be consistent with the zoning designation being requested as both would allow commercial uses.

Staff Assessment – THE PROPOSED DEVELOPMENT WOULD BE COMPATIBLE ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The CGN (General Commercial District) zoning designation provides for "the conduct of community-wide personal and business services, specialty shops, and general highway development". The zoning ordinance specifies that the district is "located ideally at the intersection of two or more streets or along selected major streets designated for strip commercial development". In this case, the proposed commercial subdivision would be located at an intersection and along two major streets.

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

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 2016 which included the future land use map. The subject tracts were not included in the Comprehensive Plan, but the adjacent tracts to the east and across Highway 29 North are shown as future designations which would permit commercial uses. If brought into the city limits, Staff would suggest designating the tracts as "Business/Office" based on our future land use definitions.

Staff Assessment – THERE ARE NO NEW OR CHANGING CONDITIONS THAT WOULD IMPACT THE SUBJECT PROPERTY'S FUTURE DESIGNATION ✔

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 stated above, these properties are located at the intersection of two arterial streets. Three of the tracts are already zoned commercial in the County and the County's future land use map shows the tracts as future "employment center". Commercial uses are already established on the two adjacent tracts to the east of the properties as well as the tracts across both Highway 29 North and Millard Farmer Industrial Boulevard. These tracts are also shown as future commercial designations by their respective jurisdictions. While the tracts do back up to homes in Avery Park, three of them are already zoned commercial in the County and a 35 foot densely planted buffer would be required between the subject properties to separate the uses.

The greatest impact will be traffic; however, these properties are at the intersection of two arterial roads, which are designed to handle higher traffic volumes and the City Engineer has indicated that a traffic impact study may be required, dependent upon the uses that ultimately are proposed for the properties and GDOT's requirements for development along state highways.

It should also be mentioned that annexation of these parcels would open up the possibility of annexing and redeveloping the old Coweta Fayette EMC site. Staff has received numerous requests from potential developers in the past, but the creation of an island has always prevented them from moving forward.

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/annexation requests, Staff found that the development meets **7 1/2 of the 8 standards**.

COWETA COUNTY RESPONSE TO THE ANNEXATION:

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

STAFF SUGGESTED CONDITIONS TO CONSIDER:

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

- The Newnan Auto Body and Glass Repair tract should be granted a special exception to allow their business to be a conforming use and a variance from the distance requirements from planned developments and residential properties.

- The tracts will be included in the Quality Development Corridor Overlay District.

OPTIONS:

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

ATTACHMENTS: Application for Annexation
Location Map
County Notice of Objection
Service Extension Plan
Engineering Department Comments

HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email:melissa@newnanlaw.com

February 7, 2022

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

RE: 60% Method of Annexation Application of North 390, LLC Approx. 5.19 +/- Acres Located on State Route 29, Newnan, Georgia

Dear Ms. Dunnavant:

North 390, LLC, the Applicant of the above-described property ("the Property") in Newnan, Georgia, hereby makes this application to annex the Property from Old C in Coweta County, Georgia to CGN in the City of Newnan. The Property provides a suitable environment for CGN zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan via the 60% Method.

North 390, LLC has its mailing address at 147 Jackson Street, Newnan, GA 30263 and telephone number at (770) 328-9535. The address for the Property is State Route 29, Newnan, Georgia 30263. The tax map numbers of the Property is: 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A.

The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other similar uses. The City of Newnan already provides services in the area. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan. Further, there will be no homes placed on this annexation property.

For the reasons stated above, North 390, LLC believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional CGN development in a manner consistent with principles of smart development so highly valued by the City of Newnan.

North 390, LLC has, at attached Tabs (1) through (10), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** North 390, LLC, as Applicant, and myself, as counsel for North 390, LLC 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 North 390, LLC

MDG/kr
Enclosures

TAB 1

Petition Requesting 60 Percent Method for Annexation

CITY OF NEWNAN, GEORGIA
Planning and Zoning Department

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

PETITION REQUESTING 60 PERCENT METHOD FOR ANNEXATION

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

Name of Applicant North 390, LLC

Mailing Address 147 Jackson Street, Newnan, GA 30263

Telephone (770) 328-9535 Email: jss521@att.net

Property Owner (Use back if multiple names) see attached

Mailing Address

Telephone Fax

Address/Location of Property Hwy. 29, Newnan, GA 30263

County Zoning Classification Old "C" Requested Zoning Classification CGN

60% Present Land Use undeveloped land and abandoned homes; Other: Auto Body and Class Repair Shop

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Melissa R. Chubbs — 2-7-2022

Applicant's Signature — Date

Attorney for Applicant

FOR OFFICIAL USE ONLY

DATE RECEIVED 02/07/2022

RECEIVED BY

TAB 2

60 Percent Property Owners

Amended 60 Percent Property Owners

(1) North 390, LLC
147 Jackson Street
Newnan, GA 30263
Parcel Number 073C 004

(2) North 390, LLC
147 Jackson Street
Newnan, GA 30263
Parcel Number 073C 004A

(3) North 390, LLC
147 Jackson Street
Newnan, GA 30263
Parcel Number 073C 003

(4) North 390, LLC
147 Jackson Street
Newnan, GA 30263
Parcel Number 073C 002A

Other Property Owner

Newnan Auto Body and Glass Repairs, Inc.
484 US Highway 29 North
Newnan, GA 30263
Parcel Number: 073C 002

TAB 3

Letter from Coweta County Elections Office re: No Electors at Properties

COWETA COUNTY
VOTER REGISTRATION

22 East Broad St.
Newnan, GA 30263
770-254-2615

February 3, 2022

Horne and Griffis, P.C.
32 S. Court Square
P.O. Box 220
Newnan, Georgia 30264

Mrs. Griffis,

On February 2, 2022, my office examined the electors list for Coweta County, Georgia. Our records indicate that as of February 2, 2022, there are no voters registered at the addresses listed below:

460 N Highway 29 Newnan, GA 30263
474 N Highway 29 Newnan, GA 30263
484 N Highway 29 Newnan, GA 30263

If you have any questions, please let me know.

Sincerely,

Ashley L. Gay
Director
Elections and Voter Registration
Coweta County Government

TAB 4

Property Owner's Authorization

undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner: Scott Stokes

Telephone Number: (678) 423-7769

Address of Subject Property: 073C 002, 073C 002A, 073C 003, 073C 004 and 073C 004A

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

Signature of Property Owner

Personally appeared before me

Scott Stokes

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

Notary Public Blakeley Smith

Date 1/27/2022

(Affix Raised Seal Here)

BLAKELEY SMITH NOTARY PUBLIC EXPIRES GEORGIA 9-22-24 COWETA COUNTY

undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner: Danny Beck

Telephone Number: (770) 317-6032

Address of Subject Property: 073C 002, 073C002A, 073C 003, 073 004 and 073 004A

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

Signature of Property Owner

Personally appeared before me

Danny Beck

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

BLAKELEY SMITH NOTARY PUBLIC COWETA COUNTY GEORGIA EXPIRES 9-22-24

(Affix Raised Seal Here)

Notary Public BlakeleySmith

Date 2/2/22

undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner John Strickland

Telephone Number (770) 328-9535

Address of Subject Property 073C 002, 073C 002A, 073C 003, 073C 004 and 073C 004A

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

Signature of Property Owner

Personally appeared before me

John Strickland

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

Notary Public

Date 1/27/2022

(Affix Raised Seal Here)

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

undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name of Property Owner Ryan Brooks

Telephone Number (678) 438-6902

Address of Subject Property 073C 002, 073C 002A, 073C 003, 073C 004 and 073C 004A

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

Signature of Property Owner

Personally appeared before me

Ryan. Brooks

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

Notary Public Blakeley Smith

Date 1/27/2022

(Affix Raised Seal Here)

BLAKELEY SMITH NOTARY PUBLIC EXPIRES GEORGIA 9-22-24 COWETA COUNTY

TAB 5

Legal Description of the Property

Legal Description

All that tract or parcel of land designated Tax Parcels 073C 002, 073C 002A, 073C 003, 073C 004 and 073C 004A by the Coweta County Tax Assessor and being more particularly described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 72 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

Begin at a concrete monument located on the north side of a sidewalk which is located on north side of the right-of-way of State Route 14 at its mitered intersection with the east side of the right-of-way of State Route 34 Bypass, as shown on plat of survey for North 390, LLC in Plat Book 100, Page 41, Office of the Clerk of Superior Court of Coweta County, Georgia, and run thence northeasterly along the north side of said sidewalk a chord distance of 52.72 feet as shown on said plat of survey; thence continue northeasterly along the north side of said sidewalk the following courses and distances: a chord distance of 58.38 feet (having a radius of 1947.54 feet, an arc distance of 58.38 feet, subtended by a chord bearing N 43 degrees 11 minutes 29 seconds east), North 42 degrees 19 minutes 58 seconds E 66.48 feet, N 42 degrees 29 minutes 18 seconds E 35.84 feet, and N 49 degrees 03 minutes 05 seconds 89.76 feet to a #4 rebar set (all as shown on plat of survey for Devinco LLC in Plat Book 99, Page 301, aforesaid records; thence continue northeasterly along the north side of said sidewalk 125.00 feet, more or less, but specifically to the southwest corner of Lot 4 of The Village Center At Avery Park, as shown on plat of survey for The Village Center At Avery Park in Plat Book 70, Page 203; thence run along the west sides of Lot 4 and Lot 5 of The Village Center At Avery Park the following courses and distances: N 44 degrees 33 minutes 27 seconds W 6.79 feet, N 44 degrees 23 minutes 17 seconds W 203.98 feet, N44 degrees 23 minutes 17 seconds W 130.00 feet, and S 89 degrees 13 minutes 55 seconds W 119.96 feet to an iron pin found; thence run S 44 degrees 34 minutes 08 seconds W 30.00 feet to a #4 rebar set; thence run S 44 degrees 34 minutes 08 seconds W 125.54 feet; thence run S 44 degrees 00 minutes 00 seconds W 124.44 feet to an axle found (all as shown on plat of survey for Devinco LLC in said Plat Book 99, Page 301); thence run S 41 degrees 42 minutes 10 seconds W 1.91 feet to a #4 rebar found; thence run S 43 degrees 39 minutes 00 seconds W 110.09 feet to a concrete monument fund; thence run South 43 degrees 32 minutes 50 seconds W 23.10 feet to a concrete monument found on the east right-of-way of State Route 34 Bypass (all as shown on said plat of survey for North 390, LLC in Plat Book 100, Page 41); thence run along said right-of-way the following courses and distances: S 41 degrees 24 minutes 28 seconds E 76.38 feet; S 38 degrees 55 minutes 29 seconds E 86.74 feet; S 32 degrees 12 minutes 55 seconds E 99.46 feet; S 29 degrees 27 minutes 07 seconds E 50.17 feet; S 38 degrees 30 minutes 23 seconds E 61.49 feet; and S 85 degrees 34 minutes 40 seconds E 70.06 feet to a concrete monument and the point of beginning of the tract herein described.

DOC# 001055
FILED IN OFFICE
1/26/2015 04:16 PM
BK:4175 PG:165-172
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $0.00

This instrument prepared by and after recordation is to be returned to:

PT#2015-185

John D. Reeves
Smith, Hawkins, Hollingsworth & Reeves, LLP
PO Box 6495
Macon, Georgia 31208-6495

(This Space for Official Use Only)

STATE OF GEORGIA
COUNTY OF BIBB

QUIT CLAIM DEED

THIS INDENTURE, made this 9th day of January, 2015 by and between PATRICIA H. WALL, as Trustee of the Trust under Item Five under the Will of Robert Maurice Hammock FBO Katie Gray Hammock (now Katie H. Norris) and PATRICIA H. WALL, as Trustee of the Trust under Item Five under the Will of Robert Maurice Hammock FBO Claire Byrd Hammock, Party of the First Part, hereinafter referred to as "Grantor", and HIGHWAY 29 VENTURES, LLC, a Georgia limited liability company, Party of the Second Part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

WITNESSETH:

FOR AND IN CONSIDERATION of One Dollar ($1.00) and other good and valuable consideration, Grantor has remised, released, conveyed and forever quitclaimed, and by these presents does remise, release, convey and forever quitclaim unto Grantee, a 50% undivided interest in the following described property:

SEE EXHIBIT "A" ATTACHED HERETO FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY.

TO HAVE AND TO HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the right, members and appurtenances thereof.

8/24 BE

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and affixed its seal the day and year first above written.

Sworn to and subscribed before
me this 9 day of January 2015.

Witness

Patricia H. Wall (L.S.)
PATRICIA H. WALL, as Trustee of the Trust under Item Five under the Will of Robert Maurice Hammock FBO Katie Gray Hammock (now Katie H. Norris)

NOTARY PUBLIC, State of Georgia
My Commission Expires 2/10/17

STEPHANIE L. HUNT NOTARY PUBLIC EXP. 2/10/17 JONES CO., GA.

Sworn to and subscribed before
me this 9th day of January,

Witness

Patricia H. Wall (L.S.)
PATRICIA H. WALL, as Trustee of the Trust under Item Five under the Will of Robert Maurice Hammock FBO Claire Byrd Hammock

NOTARY PUBLIC, State of Georgia
My Commission Expires 2/10/17

STEPHANIE L. HUNT NOTARY PUBLIC EXP. 2/10/17 JONES CO., GA.

DOC# 016875
FILED IN OFFICE
06/15/2006 03:59 PM
BK:2985 PG:711-714
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $0.00 ✓

06-4508

STATE OF GEORGIA
COUNTY OF COWETA

Willis G. Haugen
Sanders, Haugen & Sears, P.C.
11 Perry Street
P. O. Box 1177
Newnan, Georgia 30264

06-4508

DEED OF ASSENT

THIS INDENTURE made this 15 day of JUNE, 2006, by and between BOBBIE D. HAMMOCK, Executrix of the Last Will and Testament of PHILLIP A. HAMMOCK, deceased, late of Coweta County, Georgia, party of the first part and BOBBIE D. HAMMOCK of Coweta County, Georgia party of the second part:

WITNESSETH:

That the said Party of the First Part, acting as Executrix under and by virtue of the power and authority contained in the Last Will and Testament of Phillip A. Hammock, deceased, said Will having been probated in Solemn Form by Order of the Probate Court of Coweta County, Georgia, on July 29, 1996, as evidence of the devise contained in Item Three of the Last Will and Testament of Phillip A. Hammock, has assented, transferred, granted and conveyed, and by these presents, does assent, transfer and convey unto the said party of the Second Part, her heirs and assigns, the following described property, to-wit:

All of the property owned by Phillip A. Hammock lying in Land Lots 178 and 179 of the Fifth Land District of Coweta County, Georgia and the rental property located at 474 N. Highway 29, Newnan, Georgia 30263, all as more particularly described as Exhibit "A" attached hereto and incorporated herein.

This deed is executed and delivered by the said BOBBIE D. HAMMOCK, as Executrix of the Last Will and Testament of Phillip A. Hammock, deceased, to the Grantee herein, for the purpose of evidencing her assent to the devise contained in said Last Will and Testament and to transfer and convey all of the right, title and interest of Phillip A. Hammock, deceased, or his estate in and to said above-described property. All debts, claims, taxes and expenses due by the said Phillip A. Hammock, deceased, and his estate, have been paid in full.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 party of the Second Part, her

4/16 BDH

heirs and assigns, forever, in FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed by the said Phillip A. Hammock, deceased, in his lifetime.

IN WITNESS WHEREOF, the said party of the First Part has hereunto set her hand and seal the day and year first above written.

Bobbie D. Hammock
BOBBIE D. HAMMOCK, Executrix
Estate of Phillip A. Hammock, Deceased.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public, State of Georgia

(SEAL)

DEBBIE L. HEIN
NOTARY
EXPIRES
GEORGIA
JAN. 8, 2010
PUBLIC
COWETA COUNTY

PREPARED BY:
WOOD, ODOM & EDGE P.A.
45 SPRING STREET
NEWNAN, GA 30263

DOC# 018811
FILED IN OFFICE
10/23/2015 02:41 PM
BK:4288 PG:566-566
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: $260.00

PT#2015-5323

WARRANTY DEED T-14556

GEORGIA, COWETA COUNTY

For and in consideration of the sum of Other Valuable Consideration & Ten ($10.00) ---------- Dollars, in hand paid, the receipt of which is hereby acknowledged, SUSAN HEAD COGGIN, State of Georgia, does hereby give, grant, sell, alien and convey unto NEWNAN AUTO BODY & GLASS REPAIRS, INC., of County of Coweta, State of Georgia, ITS heirs and assigns, the following property, to wit:

All that tract or parcel of land situate, lying and being in Land Lot 72 of the Fifth Land District of Coweta County, Georgia, being Lot Seven (7) Block A of the T. O. Stallings Estate Subdivision, as surveyed and platted by T. Y. Mattox, CS., a copy of which plat is recorded in Deed Book 63, page 383, Coweta County Records, and more particularly described as the metes and bounds by said plat, reference to which is had.

Less and except:
All that portion of land in Land Lot 72 of the Fifth Land District conveyed by J.K. Coggin to Georgia Department of Transportation by Right of Way Deed recorded at Deed Book 3321, Pages 581- 587, Coweta County Records.

The property is conveyed subject to the easement to use a well as set forth in said agreement recorded at Deed Book 173, page 192, Coweta County Records.

together with all privileges and appurtenances thereto in anywise belonging in fee simple.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 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 whomsoever.

IN WITNESS WHEREOF, The said SUSAN HEAD COGGIN HAS hereunto set her hand, affixed her seal, and delivered these presents this 14th day of October, 2015.

Susan Head Coggin
SUSAN HEAD COGGIN

Signed, sealed and delivered
in our presence:

This 14th day of October, 2015

Pamela Odom
WITNESS

Melissa Quick (SEAL)
NOTARY PUBLIC, STATE OF GEORGIA
County of COWETA
My Commission Expires on: 10/30/17

STATE OF GEORGIA NOTARY PUBLIC
MELISSA QUICK
Notary Public, State of Georgia
Coweta County
My Commission Expires
October 30, 2017

(T-14556.PFD/T-14556/2)

4/10mm

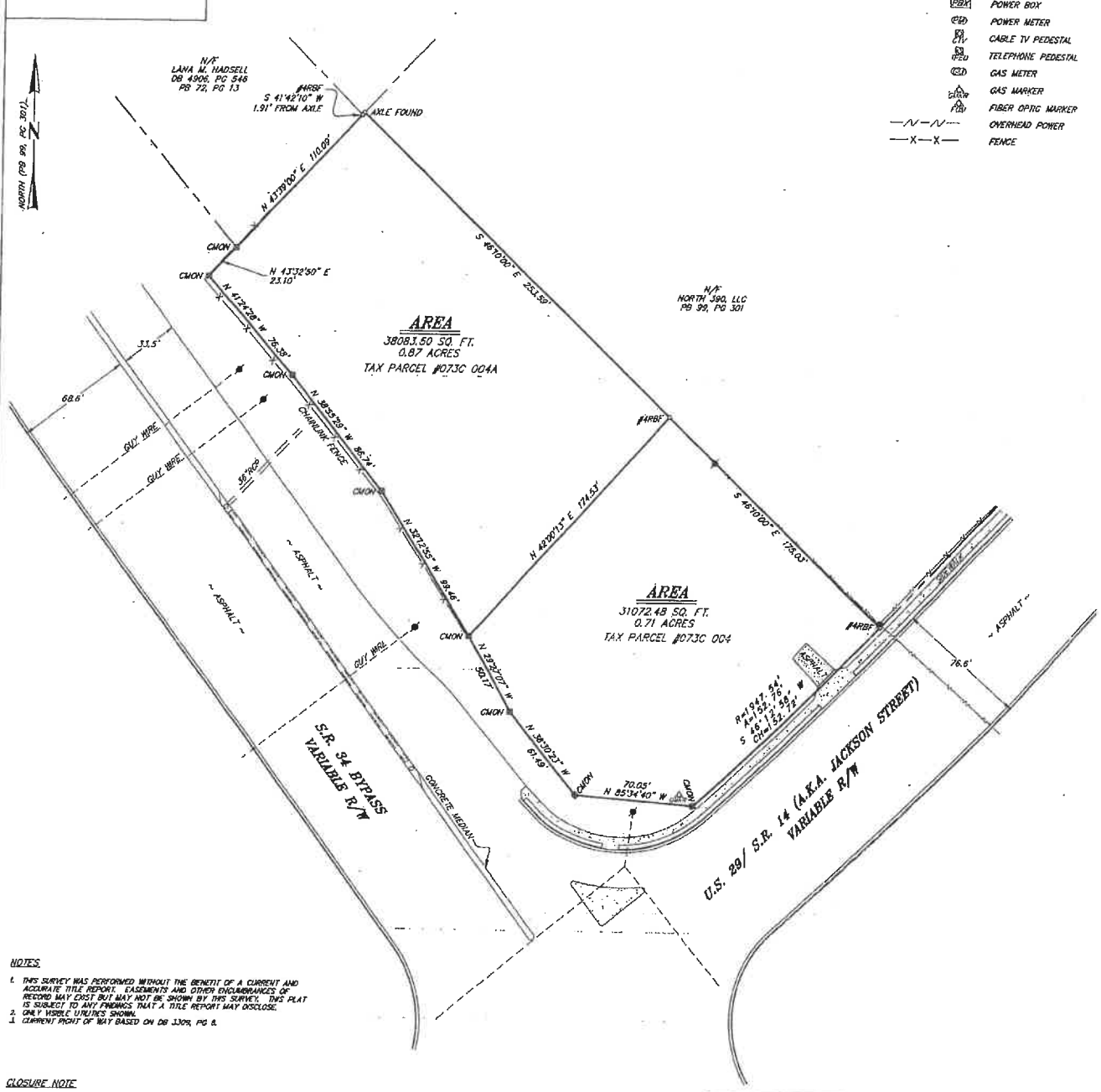
TAB 6

Surveys

RECORDING INFORMATION

LEGEND

#4RBF	1/2" REBAR FOUND
#4RBS	1/2" REBAR SET
CMON	RIGHT OF WAY MONUMENT
1/2" OTF	1/2" OPEN TOP PIPE FOUND
	FIRE HYDRANT
	POWER POLE
SS	SANITARY SEWER MANHOLE
	LIGHT POLE
WM	WATER METER
PBX	POWER BOX
PM	POWER METER
CATV	CABLE TV PEDESTAL
TPED	TELEPHONE PEDESTAL
GM	GAS METER
GAS MKR	GAS MARKER
FOM	FIBER OPTIC MARKER
—/\/—/\/—	OVERHEAD POWER
—X—X—	FENCE



NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
2. ONLY VISIBLE UTILITIES SHOWN.
3. CURRENT RIGHT OF WAY BASED ON DB 3309, PG 8.

CLOSURE NOTE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 81,482 FEET. AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 302,441 FEET. A TRIMBLE TOTAL STATION AND RECON DATA COLLECTOR WERE USED TO GATHER THE INFORMATION USED TO PREPARE THIS PLAT.

FLOOD NOTE

I HAVE EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATE, SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SAID OPINION.
MAP NUMBER: 13077C0143D REVISED DATE: 02/06/13

40 0 40 80

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. 3155 PROFESSIONAL LAND SURVEYOR JEREMY D. SHIREY

JEREMY SHIREY, GA RLS #3155 — DIGITALLY SIGNED ON 3/23/21 — DATE

BOUNDARY SURVEY FOR:
S.R. 34 BYPASS (TAX PARCEL 073C 004 & 073C 004A)

NORTH 390, LLC

PARCEL A & B ON SURVEY FOR VIVIAN B. HAMMOCK BY W. W. FLOWERS JR.
DB 4175, PG 165; DB 70, PG 40

WIDE OPEN LAND SURVEYING LLC

52 CURETON LANE
MORELAND, GA 30259
678-633-5685

WWW.WIDEOPENLANDSURVEYING.COM

JOB #2386

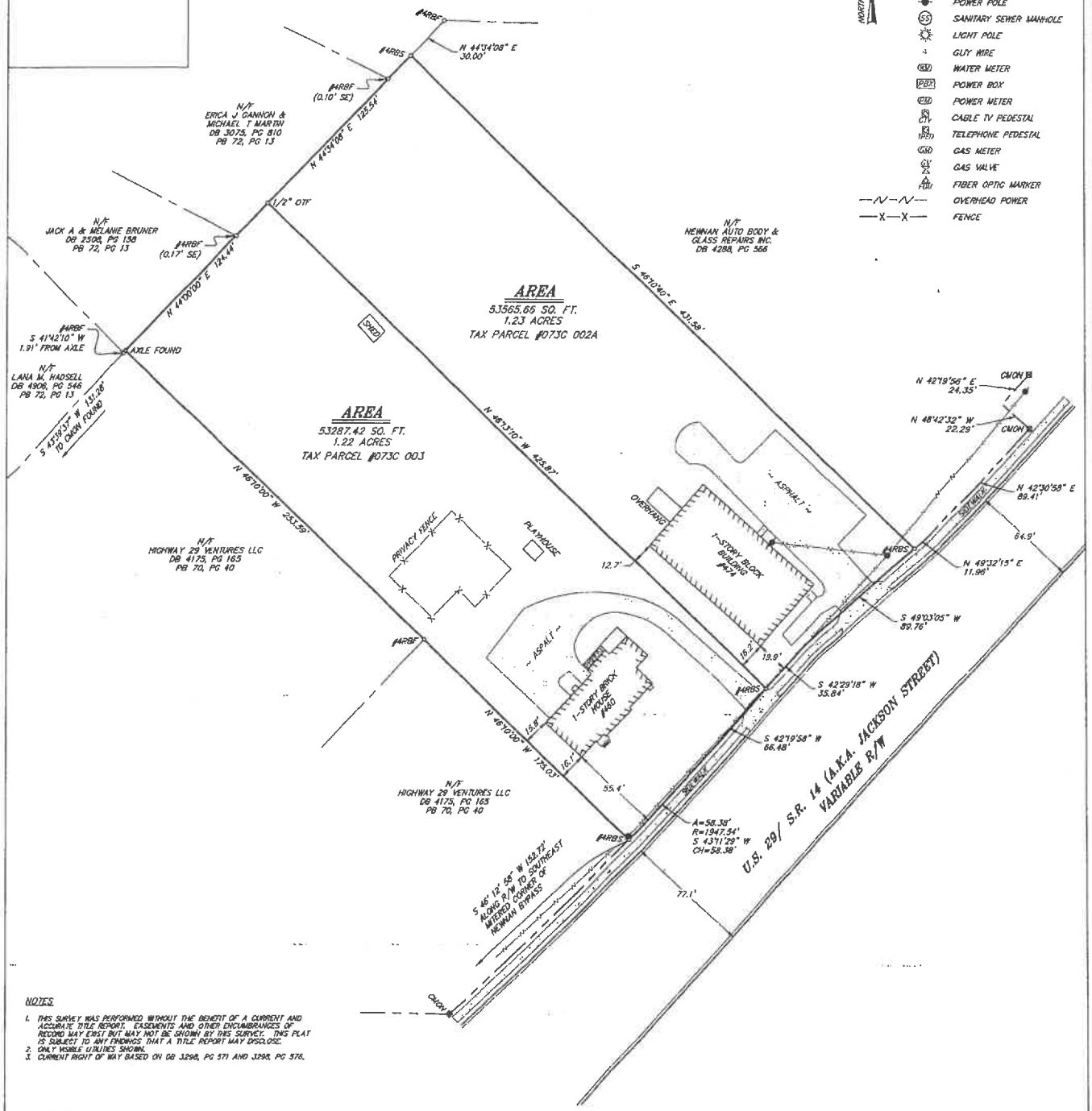
FIELD DATE:	3/19/21
PLAT DATE:	3/22/21
SCALE:	1"=40'
COUNTY:	COWETA
DISTRICT:	5TH
LAND LOT:	72

RECORDING INFORMATION

LEGEND

#4RBF	1/2" REBAR FOUND
#4RBS	1/2" REBAR SET
CMON	RIGHT OF WAY MONUMENT
1/2" OTF	1/2" OPEN TOP PIPE FOUND
	FIRE HYDRANT
	POWER POLE
SS	SANITARY SEWER MANHOLE
	LIGHT POLE
	GUY WIRE
WM	WATER METER
PBX	POWER BOX
PM	POWER METER
CTV	CABLE TV PEDESTAL
TPED	TELEPHONE PEDESTAL
GM	GAS METER
GV	GAS VALVE
FOM	FIBER OPTIC MARKER
—N—N—	OVERHEAD POWER
—X—X—	FENCE

NORTH (DB 63, PG 383)



NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
2. ONLY VISIBLE UTILITIES SHOWN.
3. CURRENT RIGHT OF WAY BASED ON DB 3298, PG 571 AND 3298, PG 576.

CLOSURE NOTE

THE FIELD DATA, UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 80,600 FEET, AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 202,452 FEET. A TRIMBLE TOTAL STATION AND RECON DATA COLLECTOR WERE USED TO GATHER THE INFORMATION USED TO PREPARE THIS PLAT.

FLOOD NOTE

I HAVE EXAMINED THE FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS; WITHOUT AN ELEVATION CERTIFICATE, SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SAID OPINION.
MAP NUMBER: 13077C0143D REVISED DATE: 02/06/13

40 0 40 80

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. 3156 PROFESSIONAL LAND SURVEYOR JEREMY D. SWIREY

DIGITALLY SIGNED ON 2/26/21

JEREMY SWIREY, GA RLS #3156 DATE

BOUNDARY SURVEY FOR:
460 & 474 U.S. 29/S.R. 14

DEVINCO LLC

LOT 5 & 6 OF THE T.O. STALLINGS ESTATE SUBDIVISION
DB 2985, PG 713; DB 63, PG 383 (PLAT)

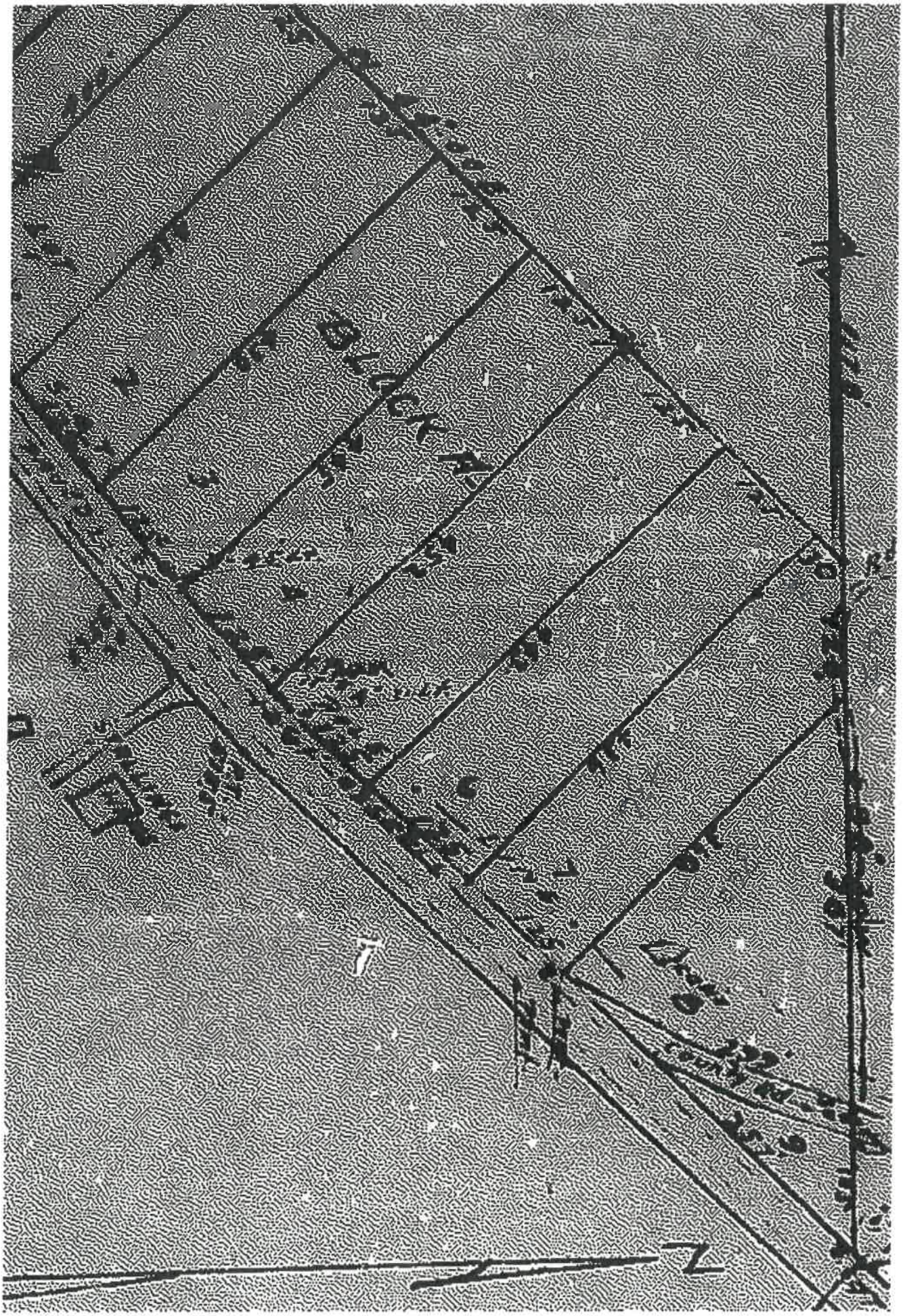
WIDE OPEN LAND SURVEYING LLC

52 CURETON LANE
MORELAND, GA 30259
678-633-5685

WWW.WIDEOPENLANDSURVEYING.COM

JOB #2369

FIELD DATE:	2/22/21
PLAT DATE:	2/26/21
SCALE:	1"=40'
COUNTY:	COWETA
DISTRICT:	5TH
LAND LOT:	72



DB 63
P. 383

T.O.
Spalding
Estate
8-9-52
TV
Mattox

125'
along N
side 29

dh
gh

TAB 7

Conceptual Plan

Paramount
ENGINEERING, LLC
11 E. BROAD ST.
NEWNAN, GA. 30263
PH: (770)-472-9576
george@paramountengineering.com

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

GSWCC NO. 09374

REV.	DATE:	DESCRIPTION:

DRAWING NO:

PROJECT: HWY. 29 VENTURES, LLC.

SHEET: CONCEPTUAL SITE PLAN

DATE: 12-09-21 | DRAWN BY: GPH | SCALE: 1" = 30'

SHEET

1

Tab 8

60% Method of Annexation Notice

ATTACHMENT 8

60 PERCENT METHOD OF ANNEXATION NOTICE

To the Mayor and City Council of the City of Newnan, Georgia

1. We, the undersigned, representing not less that 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the Mayor and City Council of Newnan, Georgia, annex the territory described below to the City of Newnan, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O. C.G.A. § 36-36-31) to the existing corporate limits of the City of Newnan, Georgia, and the description of such territory is as follows:

   All that tract or parcel of land designated Tax Parcels 073C 002, 073C 002A, 073C 003, 073C 004 and 073C 004A by the Coweta County Tax Assessor and being more particularly described as follows:

   All that tract or parcel of land situate, lying and being in Land Lot 72 of the Fifth Land District of Coweta County, Georgia, and being more particularly described as follows:

   Begin at a concrete monument located on the north side of a sidewalk which is located on north side of the right-of-way of State Route 14 at its mitered intersection with the east side of the right-of-way of State Route 34 Bypass, as shown on plat of survey for North 390, LLC in Plat Book 100, Page 41, Office of the Clerk of Superior Court of Coweta County, Georgia, and run thence northeasterly along the north side of said sidewalk a chord distance of 52.72 feet as shown on said plat of survey; thence continue northeasterly along the north side of said sidewalk the following courses and distances: a chord distance of 58. 38 feet (having a radius of 1947.54 feet, an arc distance of 58.38 feet, subtended by a chord bearing N 43 degrees 11 minutes 29 seconds east), North 42 degrees 19 minutes 58 seconds E 66.48 feet, N 42 degrees 29 minutes 18 seconds E 35.84 feet, and N 49 degrees 03 minutes 05 seconds 89.76 feet to a #4 rebar set (all as shown on plat of survey for Devinco LLC in Plat Book 99, Page 301, aforesaid records; thence continue northeasterly along the north side of said sidewalk 125. 00 feet, more or less, but specifically to the southwest corner of Lot 4 of The Village Center At Avery Park, as shown on plat of survey for The Village Center At Avery Park in Plat Book 70, Page 203; thence run along the west sides of Lot 4 and Lot 5 of The Village Center At Avery Park the following courses and distances: N 44 degrees 33 minutes 27 seconds W 6.79 feet, N 44 degrees 23 minutes 17 seconds W 203.98 feet, N44 degrees 23 minutes 17 seconds W 130.00 feet, and S 89 degrees 13 minutes 55 seconds W 119.96 feet to an iron pin found; thence run S 44 degrees 34 minutes 08 seconds W 30.00 feet to a #4 rebar set; thence run S 44 degrees 34 minutes 08 seconds W 125.54 feet; thence run S 44

degrees 00 minutes 00 seconds W 124.44 feet to an axle found (all as shown on plat of survey for Devinco LLC in said Plat Book 99, Page 301); thence run S 41 degrees 42 minutes 10 seconds W 1.91 feet to a #4 rebar found; thence run S 43 degrees 39 minutes 00 seconds W 110.09 feet to a concrete monument fund; thence run South 43 degrees 32 minutes 50 seconds W 23.10 feet to a concrete monument found on the east right-of-way of State Route 34 Bypass (all as shown on said plat of survey for North 390, LLC in Plat Book 100, Page 41); thence run along said right-of-way the following courses and distances: S 41 degrees 24 minutes 28 seconds E 76.38 feet; S 38 degrees 55 minutes 29 seconds E 86.74 feet; S 32 degrees 12 minutes 55 seconds E 99.46 feet; S 29 degrees 27 minutes 07 seconds E 50.17 feet; S 38 degrees 30 minutes 23 seconds E 61.49 feet; and S 85 degrees 34 minutes 40 seconds E 70.06 feet to a concrete monument and the point of beginning of the tract herein described.

[*Insert complete description of land to be annexed.*]

LAND OWNERS AND ELECTORS

Name	Address	Signature	Date[1]
1.			
2.			

LAND OWNERS ONLY

Name	Address	Signature	Date
1. JOHN STRICKLAND	P.O. Box 731 Newnan, GA. 30264		1-27-22
2. RYAN BROOKS	335 GOLFVIEW CLUB DR. NEWNAN, GA 30263		1-27-22
3.	14 E. Garden Dr NEWNAN GA 30265		1-22-22
4.	11 NEWNAN VIEWS CR 30263		1-22-22

RESIDENT ELECTORS ONLY (NON-LAND OWNERS)

Name	Address	Signature	Date
1.			
2.			

1 All signatures must be collected within one year of the date on which the first signature was obtained. O.C.G.A. § 36-36-32(g).

TAB 9

Disclosure of Campaign Contributions and Gifts

(a) Applicants
(b) Attorney

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

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

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

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

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

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

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

Signature of Applicant

By: JOHN STRICKLAND
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public

1/27/2022
Date

(Affix Raised Seal Here)

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

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

Signature of Applicant

By: DANNY BECK
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Blakeley Smith 2/2/22
Signature of Notary Public Date

(Affix Raised Seal Here)

BLAKELEY SMITH NOTARY EXPIRES GEORGIA 9-22-24 PUBLIC COWETA COUNTY

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

Ryan Brooks
Signature of Applicant

By: Ryan Brooks
Type or Print Name and Title

_____
Signature of Applicant's Representative

_____
Type or Print Name and Title

Blakeley Smith 1/27/2022
Signature of Notary Public Date

(Affix Raised Seal Here)

BLAKELEY SMITH NOTARY EXPIRES GEORGIA 9-22-24 COUPON COUNTY COWETA COUNTY

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 2022 for action by the Planning Commission on annexation requiring a public hearing on property described as follows:

_____

_____

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

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

_____

_____

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

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

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

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

Signature of Applicant

By: Scott Stokes
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Blakeley Smith 9/27/2022
Signature of Notary Public Date

(Affix Raised Seal Here)

BLAKELEY SMITH NOTARY EXPIRES GEORGIA 9-22-24 COWETA COUNTY

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

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on February 7, 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

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

2.7.2022
Date

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

(Affix Raised Seal Here)

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

TAB 10

Filing Fee

($729.75)

CITY OF NEWNAN | Project Location

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

1 =1,680 feet

N

Date: 2/14/2022 1:13 PM

Annexation Request

Project Location
City Limits

ADDRESS
204 Roscoe Rd,
Newnan, GA 30263

Parcel # 073C 004A
073C 004
073C 003
073C 002A
073C 002

COWETA COUNTY
COMMUNITY DEVELOPMENT

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

March 25, 2022

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

RE: Annexation– City of Newnan

Applicant: North 390, LLC
5.19± acres located at US Hwy 29 North and SR 34 Bypass
Tax ID# 073C 002, 073C 002A, 073C 003, 073C 004, 073C 004A
Petition # AN 002-22

Dear Ms. Dunnavant,

The Coweta County Board of Commissioners voted on March 22, 2022 to file no objection to the above referenced annexation petition.

A copy of the report that was submitted to the BOC for their review is attached for your files. A copy of the official minutes will be forwarded to you when finalized and approved at the April 5, 2022 meeting.

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

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

Sincerely,

Angela B. White
Assistant Director,
Community Development

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

COWETA COUNTY
COMMUNITY DEVELOPMENT

22 East Broad St.
Newnan, GA 30263
www.coweta.ga.us
770-254-2635

To: Board of Commissioners

From: Angela B. White

Date: March 16, 2022

Re: Proposed Annexation, City of Newnan
HB 2 Annexation Procedures
Applicant: North 390, LLC
5.19± acres located at SR 34 Bypass & US Hwy 29 N
Newnan
Tax ID# 073C 002, 073C 002A, 073C 003;
073C 004 & 073C 004A
Petition # AN 002-22
3rd Commission District

The City of Newnan is proposing the annexation of 5.19± acres located on US Hwy 29N & SR 34 E Bypass. The applicant is submitting under the 60% method which allows for petitioners representing owners of at least 60% of the property in the area to be annexed plus at least 60% of the resident electors in the area to be annexed to sign a petition to have their property annexed into an adjacent city. In this event, 4 of the 5 parcels are under the ownership of North 390, LLC.

Attorney Griffis has filed the annexation application requesting the City of Newnan's zoning of CGN (Commercial General) to allow for a commercial subdivision with the exception of 073C 002, which will retain its current use, the Newnan AutoBody & Glass Shop.

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

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

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

Water and Sewage Authority
No concerns

Fire Department
We have no objections to this request.

Environmental Health
The CCEHD has no objection to the above referenced annexation request. The proposed development will be required to connect to municipal water and sewer. If you have any questions, please contact our office.

Public Works-Engineering/Transportation Departments
Both highways are under the jurisdiction of the Georgia Department of Transportation. All permitting will be through their authority.

Planner
After reviewing the Annexation Petition from the City of Newnan for AN 002-22, I provide the following information:

1. **A substantial change in zoning or land use**

   The property is currently zoned Rural Conservation (RC) and Commercial (C).
   The proposed annexation is for commercial use through a city zoning of a General Commercial District, CGN.

   The annexation is not anticipated to have a substantial impact on the county's zoning or land use due to the following:
   - The subject's non-residential property is currently encompassed by non-residential land use towards the east, south, and west.
   - The property is located at the intersection of a principal arterial and a minor arterial.

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

1. Substantial change in zoning or land use

2. Substantial increase in density

3. Substantial infrastructure demands related to the proposed change in zoning or land use

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

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; **OR**
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project; **AND**

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

Findings:

Based upon staff review, the following information is provided:

1. There is not a substantial change or increate in density nor does it differ substantially from the land use ordinance.

Therefore, based upon the above staff comments and the HB 2 Annexation Procedures for Objection, the Coweta County Community Development Department submits these Findings for the Board to consider. With such, the criteria for no objection has been provided to the Board for consideration.

Cc: Michael Fouts, County Administrator
Jerry Ann Conner, County Attorney
Jon Amason, Community Development Director
Brad Sears, City of Newnan Attorney
Tracy Dunnavant, City of Newnan Planning & Zoning Director
Melissa Griffis, Esq. – Applicant Attorney

Service Extension Plan

For

Annex2022-02, North 390 LLC

Newnan Utilities Service Map

Notes:
Water will require the developer to jack and bore Hwy 29 North to serve lots domestic water and fire protection.
Sewer, depending on design may require an approved sewer lift station by Newnqn Utilities.
All utility construction expense is at the developers cost.

NEWNAN
GEORGIA
Public Works

March 9, 2022

Re: Extension of Services

To Whom It May Concern:

It has been brought to my attention that North 390, LLC is requesting the annexation of tax parcel #s 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A into the city limits. As such, O.C.G.A. §36-36-35 requires the City to produce a plan to extend services to the area proposed to be annexed.

As the provider of sanitation services throughout the city limits, I can confirm that service would be available to the parcels seeking to be annexed at the time of annexation. It should be noted that the City only serves residential properties; therefore, if the property is developed for commercial purposes, those businesses will need to contract with private providers.

If you have questions regarding this letter or the City's sanitation program, please feel free to contact me at 770-253-0327.

Sincerely,

Ray Norton

Ray Norton

Public Works Director

NEWNAN FIRE DEPARTMENT

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

Stephen R. Brown, Fire Chief

3-09-22

Ref: Hwy 29 Annexation Request

Dear Tracy,

I have reviewed the annexation request on Highway 29. The Newnan Fire Department can provide fire protection upon annexation.

Stephen Brown
Fire Chief

City of Newnan

NEWNAN
POLICE

March 08, 2022

Re: Extension of Services

To Whom It May Concern:

It has been brought to my attention that North 390, LLC is requesting the annexation of tax parcel #s 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A into the city limits. As such, O.C.G.A. §36-36-35 requires the City to produce a plan to extend services to the area proposed to be annexed.

As the provider of public safety services throughout the city limits, I can confirm that service would be available to the parcels seeking to be annexed at the time of annexation.

If you have questions regarding this letter or the City's public safety services, please feel free to contact me at 770-254-2355 ext 102.

Sincerely,

Brent Blankenship
Chief of Police
Main: (770) 254-2355
www.newnanpolice. com
Newnan Police Department
1 Joseph Hannah Blvd.
Newnan, Georgia 30263

The City of Newnan, Georgia

Office of the City Engineer

Re: Extension of Services

To Whom It May Concern:

It has been brought to my attention that North 390, LLC is requesting the annexation of tax parcel #s 073C 002; 073C 002A; 073C 003; 073C 004 and 073C 004A into the city limits. As such, O.C.G.A. §36-36-35 requires the City to produce a plan to extend services to the area proposed to be annexed.

It should be noted that access to the area proposed for annexation into the City will be from the adjacent State Routes; State Route 34 Bypass and SR 14/ 16. The Georgia Department of Transportation has jurisdiction over these highways, and any permitting for connecting to them would be by application to GDOT.

Sincerely,

Michael Klahr

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

25 La Grange Street • Newnan, Georgia 30263 • (678) 673-5560

The City of Newnan, Georgia

Office of the City Engineer

April 6, 2022

City Engineer Review

ANNEXATION REQUEST/ REZONING REQUEST:
5 Parcels, SR 34 Bypass at SR 14

Environmental:

1. The development plan shall follow the design standards and guidance per the Georgia Storm Water Management Manual, in compliance with the **Post-Development Stormwater Management Ordinance** for the City of Newnan.
   Note on-site, runoff reduction now required.

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

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

   Prior to issuance of a permit for conducting land disturbing activities, documentation and or/ sufficient evidence shall be provided to the City of Newnan, as the Local Issuing Authority, regarding any required mitigations measures or permits by other agencies.

4. Standard stream buffers apply. Reference is made to the **City of Newnan, Georgia Stream Buffer Protection Ordinance**.

5. Any existing wells or septic tanks that may be on the site will need to be identified and properly closed or removed.

Transportation:

1. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all public streets, and 6 feet in width along SR 34 Bypass, subject to review by the Georgia Department of Transportation.

2. Traffic Impact Study may be required.

Respectively,

Michael Klahr

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

25 La Grange Street • Newnan, Georgia 30263 • (678) 673-5560