



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan Planning Commission

Agenda for August 8, 2023 Planning Commission Meeting
7:00 PM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. July 11, 2023 Minutes
3. Public Hearings
 - a. 21 Jackson Street - Certificate of Appropriateness Revisions
 - b. 188 Highwoods Parkway - Variance Request
 - c. Annex2022-06 - Annexation Request – 163.61± acres located off Green Top Road
4. Other Business
5. Adjourn

Any questions prior to the meeting
should be directed to the Planning and Zoning Department.

Phone: 770-254-2354

E-mail: tdunnavant@newnanga.gov



**CITY OF NEWNAN
Planning Commission
Meeting Minutes**

July 11, 2023
7:00 p.m.

Commissioners Present: Proctor Smith, Joe Crain, Jr., Alton West, Fred Hamlin

Commissioners Absent: Robert Coggin, Clay McEntire, Chris Hunt

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

CALL TO ORDER

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

READING OF MINUTES

Chairman Smith asked if everyone reviewed the June 20, 2023 meeting minutes. Commissioner McEntire made a motion to approve the minutes. Commissioner Crain seconded the motion.

MOTION CARRIED (4-0)

Certificate of Appropriateness – 24 Burch Avenue

Dean Smith gave the staff report. He stated this item involves a certificate of appropriateness application from Hank Arnold and Coweta F.O.R.C.E.. Dean Smith stated the applicant is requesting to demolish the existing structure at 24 Burch Avenue and build a new duplex structure in its place. He explained that because the structure is over 50 years old, the applicant needed to obtain permission from the Newnan City Council for the demolition. Dean Smith said on June 13, 2023, the demolition request was heard by City Council. At the conclusion of the public hearing, City Council voted to approve the applicant's demolition request, conditioned upon the Planning Commission approving the plans for the new duplex structure via the Certificate of Appropriateness (COA) process.

Dean Smith reviewed the design characteristics to be considered when evaluating a COA request. He said Staff has found the request to be consistent with the standards governing renovations to structures in the Historic Residential Overlay Design District and Staff recommends approval of the COA as presented.

Dean Smith informed the Commissioners that these units will have long term leases and are not transitional housing.

Commissioner Hamlin asked if they built a similar house across from the Verona Rosser Center. Ron Fairly stated that was done by Square Foot Ministries. He added that this unit will be 3,500 square feet with 3 bedrooms on both sides.

Commissioner Crain asked if the unit will have siding. Fairly stated that it would be hardiplank.

Chairman Smith asked if it would have a parking pad in the rear. Fairly said yes.

Hamlin asked if it would be on a crawl space. Fairly stated that it would be on a slab and as they demo the building, they will do the grading as well.

A motion was made by Commissioner Crain to approve the Certificate of Appropriateness for 24 Burch Avenue. West seconded the motion.

MOTION CARRIED (4-0)

Rezoning Request – 2037 Newnan Crossing Bypass – RZ2023-02

Chairman Smith opened a public hearing on the rezoning of 35.49 ± acres located at 2037 Newnan Crossing Bypass.

Dean Smith gave the staff report and provided specifics on the project. He said the property is currently zoned RS-15 (Suburban Residential Single-Family Dwelling District-Medium Density) and the applicant is requesting RMH (Residential Multiple Family Dwelling-Higher Density) for the construction of 163 fee simple townhomes. He added that 50% of the townhomes will have vehicular access from a rear access garage and 50% of the townhomes will have vehicular access from a front garage. Dean Smith provided the requested dimensions for the two types of townhomes. He added that the development will limit rental units to a maximum of 10 percent of the total development, or no more than 16 units.

Upon conclusion of the report, Dean Smith stated that Staff would recommend the following conditions be considered if the Commission recommends approval:

- The project will be consistent with the density, project data, amenities, proffered conditions and architectural details as provided as part of the application.
- The project will be capped at 163 units maximum.
- Developer will maintain a 40-foot undisturbed landscape buffer on the east side between any residential unit and the Interstate 85 right-of-way.
- Developer will provide and install any required street lighting along Newnan Crossing Bypass, adjacent to the parcel and will install sidewalk along Newnan Crossing Bypass and internally throughout the proposed development in accordance with the City's standards.

Mike Furbush, City Landscape Architect and Arborist, was asked to come forward and summarize his view of the tree management plan. Furbush stated this plan was better than

others that have been submitted in the past, but added that the site is really tight and there is not much room to plant. He mentioned wanting to see a lot detail showing the specific plantings.

Richard Ferry, representing the applicant, stated this is the 3rd time the property has come before the Commission. He said the proposed plan is conceptual in nature and added they are restricted by the creek and other environmental issues on the site. Ferry discussed the project details and stated that they will have a proffered condition that only 10% of all units will be rentals. He mentioned the amenities, unit sizes, the requested variances, and the views from Newnan Crossing Bypass. Ferry said they were trying to design this project so that no rears of the homes are seen from the bypass.

Chairman Smith asked if anyone else wanted to speak in favor of or in opposition to the request.

Seeing no one come forward, Chairman Smith closed the public hearing.

Chairman Smith asked if there were any questions for the applicant's architect, Joseph Mosca.

Chairman Smith asked if the end walls will be brick. Mosca stated they would like to keep the hardiplank on the ones that are not high visibility.

Chairman Smith asked if the elevations will be consistent with what was submitted in this application. Mosca said yes.

Hamlin asked if the decks would be metal or wood. Mosca stated that they will be using a synthetic material to help keep the decks more maintenance free.

Hamlin asked if there would be a home owner's association (HOA). Mosca stated that there would be an HOA.

Hamlin asked what the price point would be per unit. Mosca stated that the units would be anywhere from 400K to 490K.

Chairman Smith asked about the landscaping. Ferry stated that he would like to meet with Furbush to better understand what else he would like to see submitted.

West asked about the variance requests for this property. Dean Smith stated that the variances would be part of the conditions of the rezoning so that the applicant does not have to go in front of the Board of Zoning Appeals if they get Council's approval.

Chairman Smith asked if the variances pertain to just the rear loaded units. Dean Smith stated they would apply to the whole project.

Hamlin asked if the Commission could mandate that there be no parking in front of garages. Dean Smith stated that would be a hard condition to enforce.

Chairman Smith stated that this is certainly a much better proposal and the quality is much higher. He added that it is lower density and fits with the current surroundings.

Hamlin stated that while he did not disagree that it is a much better project than what they have seen in the past for this site, he does not believe city services will be able to keep up with the

City's current growth. He asked if the residents in that area really want more development. Chairman Smith stated that growth in that area is not going to slow down. Hamlin acknowledged that there is a lack of affordable housing, but these are going to start at \$400K and that is not really affordable.

Chairman Smith stated the City is are trying to manage the growth as best as it can. Hamlin stated that the timing is just off in his opinion. He added that he could possibly change his mind in a few years, but certain things will need to be addressed.

West asked if the surrounding residents were notified. Dean Smith stated that yes everything was done to notify them including sending letters to the adjacent property owners within 250 feet of the property, posting a sign, and running an ad in the newspaper.

Eric Taylor came forward and stated that his company owns the 14 acres to the south of the development. He stated their property is in the county and will be a Mercedes dealership. Taylor informed the Commissioners that he welcomes this type of development over multi-family.

Crain asked if the developer would manage the HOA. Ferry stated they would be the ones managing it until the property is built out and then they would turn it over to the association that will be formed.

Ferry stated that the prices may seem high, but that is actually the average due to the price of building materials skyrocketing. He also stated that the residents would be a mixed demographic as they are not targeting one certain age group.

Hamlin asked what the price difference would be between the rear entry and front entry units. Mosca stated that the rear entry would cost more to build than the front entry.

Hamlin asked if they could build fewer units. Mosca said they have to be able to make a profit.

West made a motion to recommend approval of the rezoning with the following conditions:

- 1) All 4 conditions recommended by staff
- 2) A 20' lot width and a 1,750 square foot minimum of heated living space for rear loaded lots
- 3) A minimum 10' front and side setback for all units
- 4) All garages must be a minimum of 19' from the sidewalk
- 5) A rental cap of 10% for the development
- 6) End wall and rear wall elevations will receive the same treatment as the front elevations on those units with high visibility.

Crain seconded the motion.

MOTION CARRIED (3-1 [Hamlin])

PUBLIC COMMENTS

None

OTHER BUSINESS

Dunnavant stated that there would be an August meeting.

ADJOURN

With no further business, the meeting adjourned at 8:04 p.m. on a motion from Commissioner Walton and seconded by Commissioner Crain.

MOTION CARRIED (4-0)

Chairman Proctor Smith



City of Newnan, Georgia – Planning Commission

Date: August 8, 2023

Agenda Item: Revised Certificate of Appropriateness –21 Jackson Street

Prepared and Presented by: Chris Cole, Senior Planner

Purpose:

This item involves a revision of a previously approved certificate of appropriateness application from Kip Oldham d/b/a K.A. Oldham Design, Inc. The Planning Commission approved the original application on January 11, 2022 with the condition that “the finished structure look like the renderings that were presented to the Commission at this meeting.” Staff has included the previously approved renderings in this report.

Renovations are currently underway at the subject property and changes have occurred that deviate from the approved certificate of appropriateness application. Once notified of these changes, staff informed the applicant of the need to present updated information to the Planning Commission. The proposed renovations are intended to support commercial enterprises. *Staff Note – Please see the attached memo from the applicant for a status update of items related to the approved certificate of appropriateness application.*

Background:

Zoning District	CBD- Central Business District
Proposed Land Use	Commercial/Residential
Parcel Size	0.16 of an acre

Per the City’s Zoning Ordinance, the Planning Commission must grant a certificate of appropriateness for the proposed renovation work since the property lies within the *Downtown Design Overlay* district (DDO).

The properties surrounding the site include a mixture of primarily retail and office uses. The lots that comprise the block the subject site is located on are zoned *Central Business District* (CBD).

Issues for Consideration for a Certificate of Appropriateness:

In reviewing the request in terms of the rehabilitation standards that were adopted for development in the *Downtown Design Overlay* district (DDO), staff addressed the following standards in terms of the work proposed at 21 Jackson Street:

- a) **Building Orientation and Setback** – The orientation of the buildings will not be altered. The Central Business District does not have any building setback requirements. The proposed site plan includes adding a deck and patio in the rear which will, along with the proposed additional landscaping, eliminate the previous parking area.

- 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 building.
- d) **Proportion** – The proportions of the new building are consistent with dominant patterns of proportion within the area of influence.
- e) **Rhythm** – The renovation will not disrupt the existing rhythmic patterns in the area of influence.
- f) **Massing** - The massing of the building for the renovation is compatible with the overall mass of the adjoining structures.
- g) **Scale and Height** – The proposed work does propose a change to the height of the structure. There is a small increase to the footprint with the addition of a covered patio/deck area.
- h) **Architectural and Site Elements** – The renovations will complement the surrounding architecture of Historic Downtown Newnan.

Options:

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

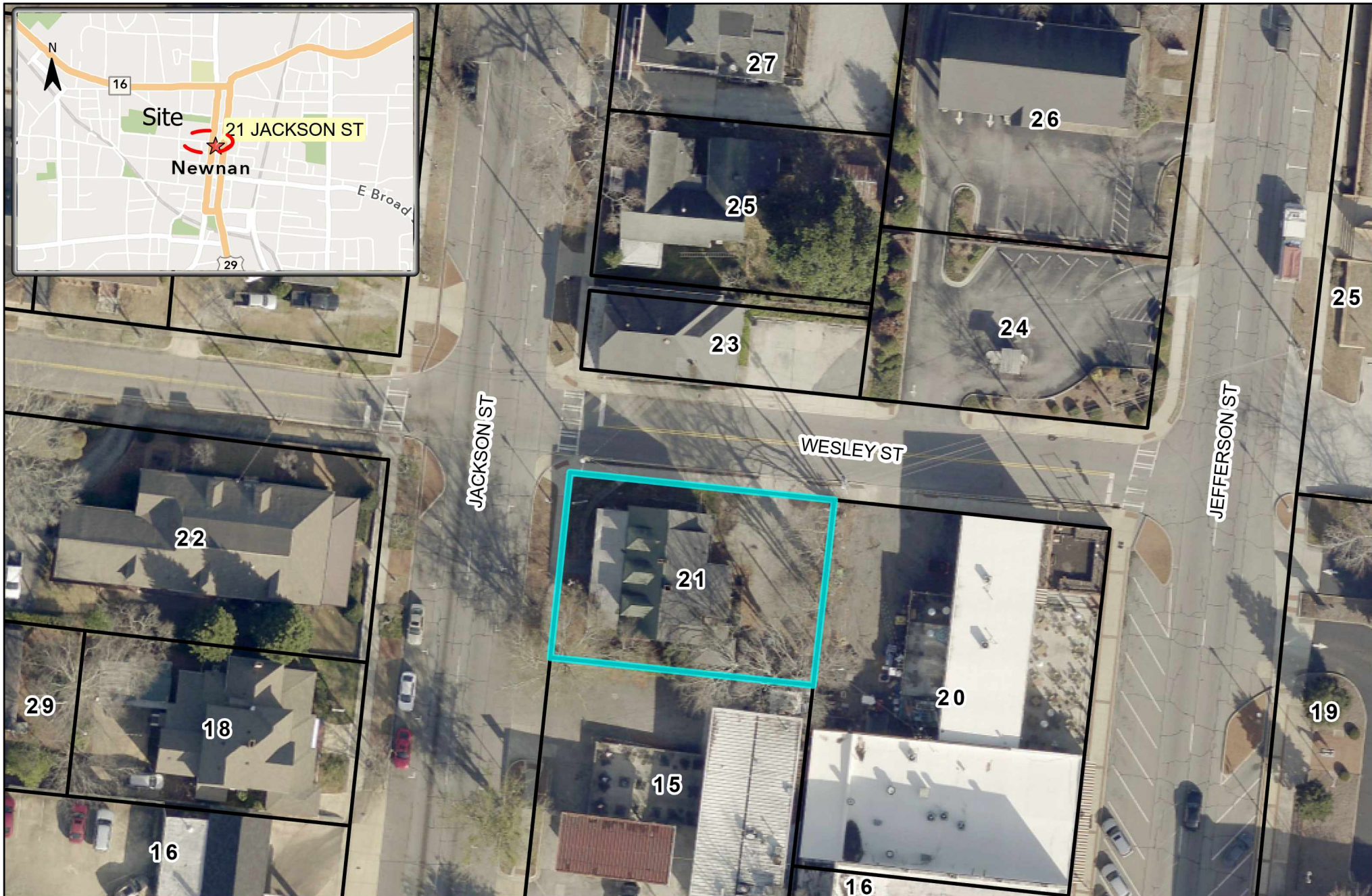
Conclusion:

Staff reviewed the revised certificate of appropriateness request and found it to be consistent with the standards governing renovations to structures in the *Downtown Design Overlay* district (DDO). **Therefore, staff would recommend Option A; approve the revised certificate of appropriateness request.**

Attachments:

Supporting Materials
Photographs

Previous Discussions with the Commission: November 9, 2021, January 11, 2022



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.NewnanGa.gov

Project Location

1 = 600 feet

Date: 7/27/2023 12:09 PM



Project Location

City Limits

Parcel # N04 0002 001

ADDRESS

21 JACKSON ST
Newnan, GA 30263

Revised Certificate of Appropriateness – 21 Jackson Street

Picture of Subject Property Before Renovations from Jackson Street



Picture of Subject Property Before Renovations from Wesley Street



Revised Certificate of Appropriateness – 21 Jackson Street Neighboring Properties Pictures

**24 Jackson Street (across Jackson Street from
subject property)**



27 Jackson Street – Christy's Cafe



Revised Certificate of Appropriateness – 21 Jackson Street Neighboring Properties Pictures

**23 Jackson Street Rear (across Wesley Street from
subject property)**



23 Jackson Street (alternate view)



Revised Certificate of Appropriateness – 21 Jackson Street Neighboring Properties Pictures

RPM Restaurant at 15 Jackson Street – adjacent to Subject Property



July 26, 2023

Tracy S Dunnavant
Planning and Zoning Director
25 LaGrange Street
Newnan, Georgia 30263

RE: 21 Jackson COA Resubmittal

Tracy and Dean,

We truly appreciate the City's cooperation and communication as this project moves toward its successful end. We want to participate cooperatively in the process as well. After talking to the owner and the current GC, here is the status of the items related to the COA that we understand to be of concern.

The skirting under the rear deck is now complete.

The arbor on the rear deck is being priced and planned and is expected to be completed as soon as the owner can fund the element's construction. We do not think this has any impact on a certificate of occupancy and would hope that the intention of future installation would be acceptable. It is not something that is expected to be omitted.

The stairs from the rear deck to the ground level were relocated due to unexpected site conditions, specifically their closeness to the rear property line after the full length of the necessary stringer run was understood.

The roof over the upper deck was a subsequent owner decision to allow the space to be used more often and more comfortably by the patrons. I do see how the element could be important to the commission. It is in the back corner of the parcel and covers only the intended deck area. It is constructed of materials that were approved in the COA and cohesive with the approved intent of the building.

The finish material around the exterior fireplace is not yet completed.

The railing on the deck above the front porch has been converted to wire cabling instead of the preferred glass panels. The owner would prefer to use the glass system as well, but it has a few drawbacks, too. One, it is excessively expensive, and we cannot find a suitable and similar solution that meets with the approved concepts and functions in a code compliant manner. Two, with the trees adjacent to it, keeping it clean and presentable would be a significant challenge.

As you can see, some of these items are simply not yet complete. There are a couple whose initial intent is undesirable to pursue and there is one that simply no longer makes sense to accomplish. As we bring this to the committee to review, we appreciate their understanding as we move this project towards a successful end.

Best regards,

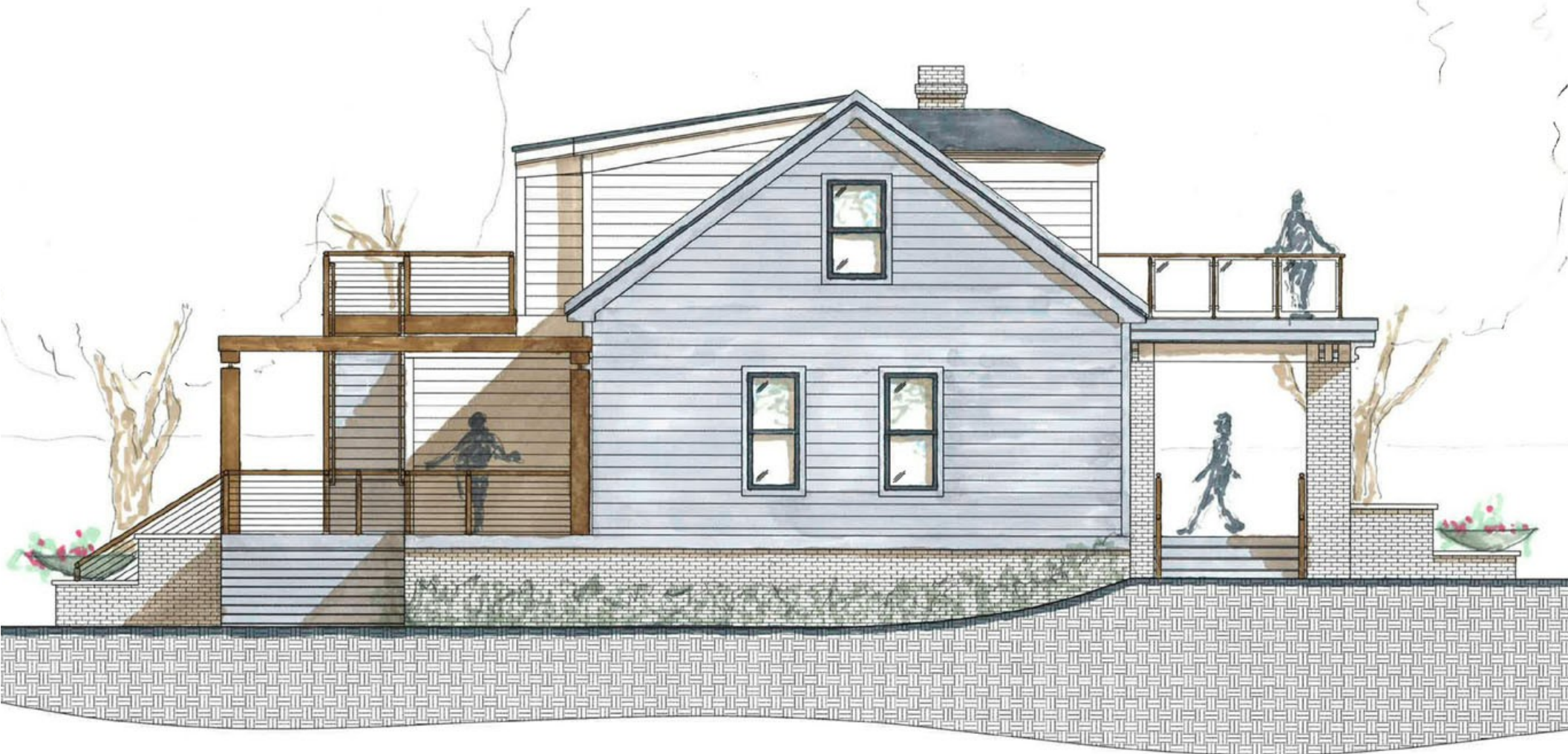


Kaitlyn Williamson

Original Rear Elevation - Approved by the
Planning Commission on January 11, 2022



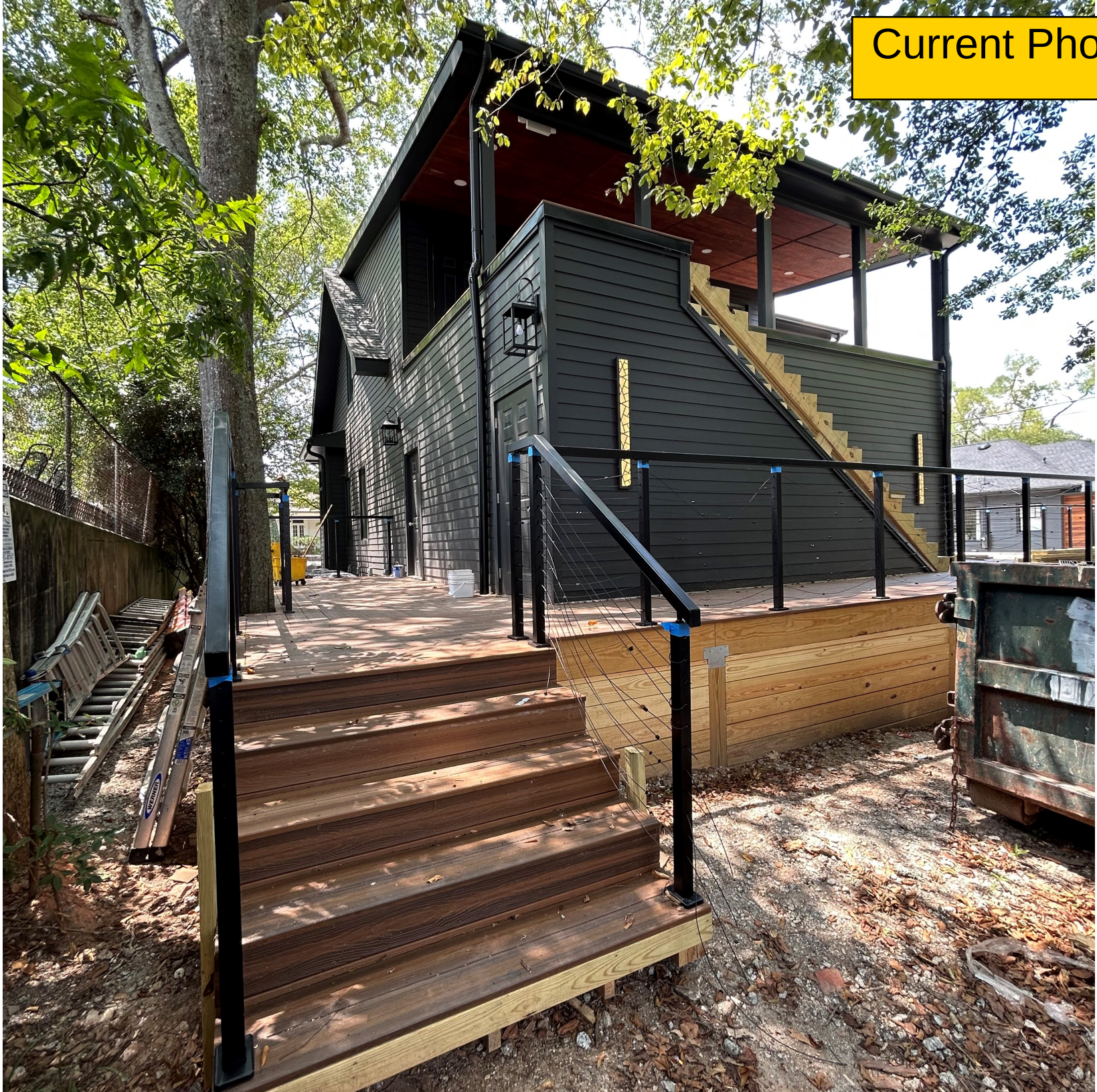
Original Left Elevation - Approved by the Planning
Commission on January 11, 2022



Current Photo



Current Photo



Current Photo



Current
Photo



Current Photo





City of Newnan, Georgia – Planning Commission

Date: August 8, 2023

Application Number: PD-2023-01

Agenda Item: Variance Request – 188 Highwoods Parkway

Prepared and presented by: Dean Smith, Senior Planner

Purpose: To hear a variance request to be able to keep a driveway wider than the regulatory limit of 24 feet, at the point where the driveway intersects a public street for a one dwelling residential use

Applicant: Jamal Joiner
188 Highwoods Parkway
Newnan, GA 30265

Property Owner: Jamal Joiner & Amanda Joiner
188 Highwoods Parkway
Newnan, GA 30265

Zoning: Planned Residential Development District (PDR)

Present Use: Single Family Residential Dwelling

Proposed Use: Single Family Residential Dwelling

Pertinent Regulations: Section 12, (2), (1) of the Subdivision Regulations

Applicant's Position: Applicant engaged a contractor to expand their existing driveway. Contractor did the work without obtaining a permit from the City of Newnan. The applicant is now requesting a variance to keep the driveway at the current width at the point where it intersects the public street. The request is to allow the driveway to be able to stay at the current width of 28 feet, 2 5/8 inches. In the application, the applicant states, "...Based off the way the house sits, on our lot and the lack of existing parking, we needed additional parking. The lot size is .357 acre which limits our options on parking...Also, the structure of the lot prohibits any other options because of the drastic grade of the land...parking under the existing ordinance would drastically restrict the amount of room needed for our vehicles....also damages to vehicles not being able to get in or out of our cars...."

Basis for Granting Variance

The Planning Commission shall base its required findings of fact upon particular evidence presented to it in each specific case where the property owner can show all of the following to be true:

- A. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of all of the following:
 - ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and,

- ✓ Such conditions are peculiar to the particular piece of such property involved; and,
- ✓ Such conditions were not imposed by the action or will of the owner of the property; and,
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied; and,
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.

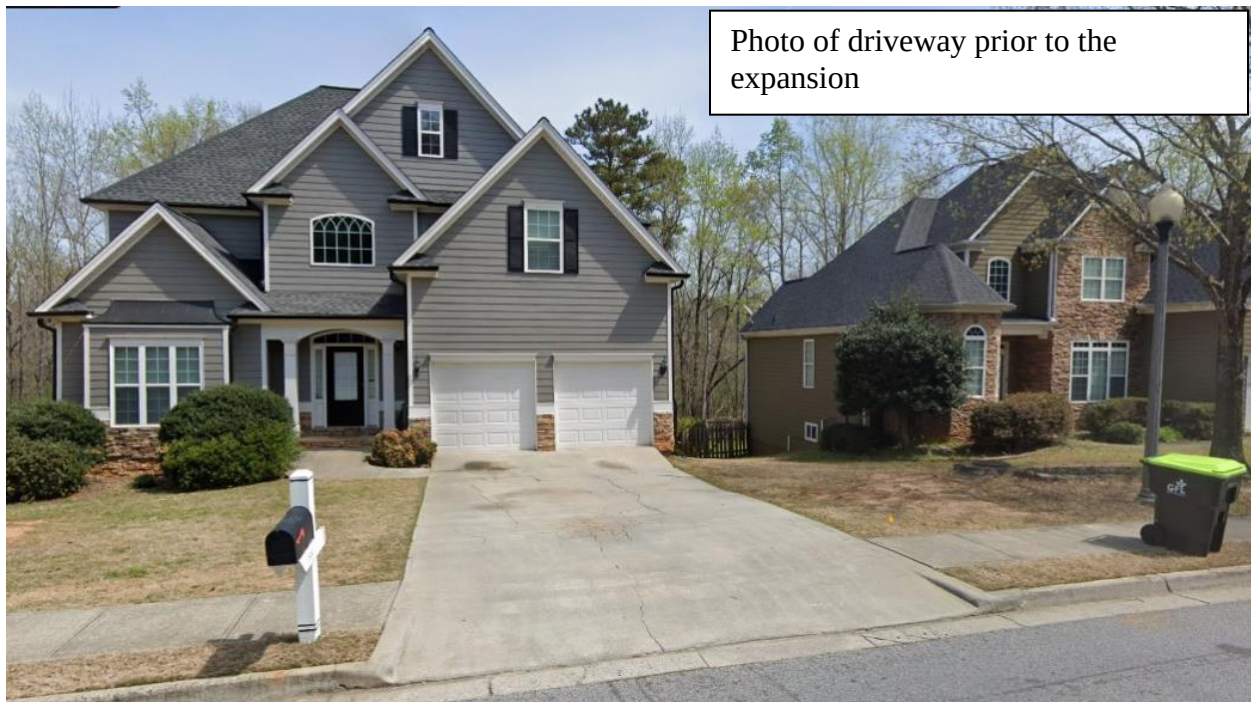
B. In addition, the Planning Commission shall affirmatively determine that:

- ✓ The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

Options:

- A. Approve the variance.
- B. Deny the variance.
- C. Other direction as determined by the Planning Commission.





Planning Department's Review and Findings:

The applicant's property is located on a busy residential street and there is some merit to consider the ingress/egress restraints along Highwoods Parkway. The variance, if granted, would not alter the essential character of the neighborhood, because the site already has been established in a residential neighborhood. The granting of the variance would not impair the appropriate use or development of the property because the driveway width would allow for more functional ingress and egress movements from the public street.

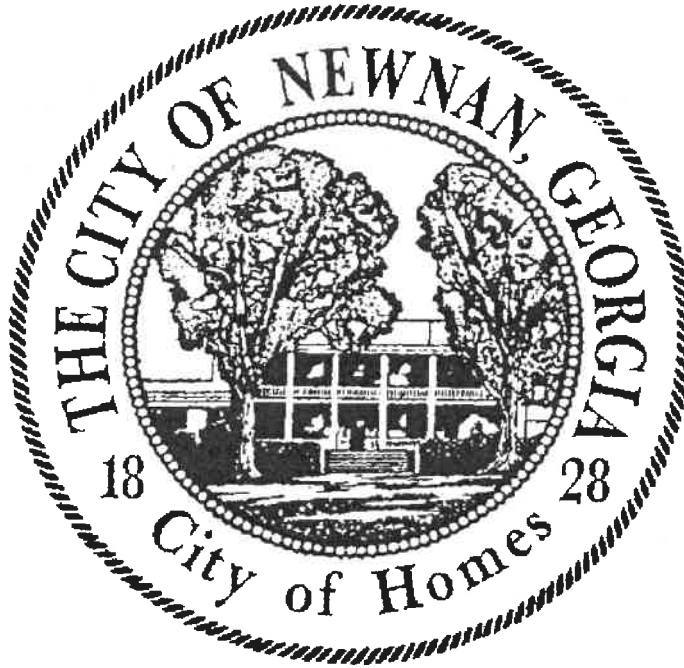
Staff did consult with the City of Newnan's Engineering Department on this request, as the enforcement of the Subdivision Regulations typically falls within their purview. The Director of Engineering Services Michael Klahr provided a response neither expressing support for, nor disapproval of the request. Mr. Klahr's concern was to ensure that what was built was ADA compliant within the public right-of-way. The Engineering Department has confirmed that the portion of the driveway expansion is ADA compliant within the public right-of-way.

After considering the facts of the case and the intent and purpose of the ordinance, Staff could support a decision to grant the variance request as relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance

Attachments:

Application

CITY OF NEWNAN, GEORGIA



Application Form

For

Variance Requests
within Planned Developments

Revised October, 2002
Application revised July, 2007



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR A PD VARIANCE

Date Received _____

Name of Applicant Jamar Joiner
Mailing Address 188 Highwoods PKwy
Telephone 404-578-6709 E-Mail: Samandneme@yahoo.com
Property Owner (Use back if multiple names) Jamar to ~~Amanda~~ Amanda Joiner
Mailing Address _____
Telephone _____
Address/Location of Property _____
Tax Parcel No.: SG2 263
Present Zoning Classification: PDC
Present Land Use Residential
Intended Use _____

Any person owning property, or having a possessory or contract interest in property and the consent of the owner, may file an application for variance in regard to such property with the Board.

If you have any questions concerning this process, you may call the Planning 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.

I (We) hereby request the following variance from the provisions of section(s) 12.2.A.1 of Subdiv^{Reg} of the Zoning Ordinance/Subdivision Regulations: _____

In order for the Commission to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
The subdivision regulations require a max of 24' in width of driveway. I am proposing a driveway width of 28' 2 3/4"
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
PDC

3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
Based off the way the house sits on our lot & the lack of existing parking, we needed additional parking. The lot size is .357 acre which limits our options on parking. Also, the structure of the lot prohibits any other options because of the drastic grade of the land.
4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?
Parking under the existing ordinance would drastically restrict the amount of room needed for our vehicles. Also, damages to vehicles or not being able to get in or out of our cars.
5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?
The minimum needed is "28' 2 3/4" "

The Planning Commission shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- ✓ Such conditions are peculiar to the particular piece of such property involved.
- ✓ Such conditions were not imposed by the action or will of the owner of the property.
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

Included with the application, the following information is required:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Check for applicable fees (**\$250.00 Per Each Request**).
- ✓ Legal description of property.
- ✓ ~~List of all the names and addresses of all property owners within 250 feet of subject property. This information can be found at the Gwinnett County Tax Assessors Office.~~

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. I (We) do hereby understand a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations.



Andrea Jones

Signature of Property Owner(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Chris Cole

DATE OF FILING 6-21-2023

PC MEETING DATE August 8, 2023

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



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 a variance for property.

Name of Property Owner Jamar & Amanda Joiner

Telephone Number 404-578-6709

Address of Subject Property 188 Highwoods Pkwy
Newnan, GA 30265

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

Amanda Joiner
Signature of Property Owner

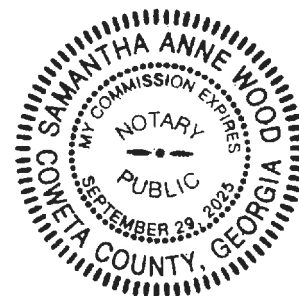
Personally appeared before me

Jamar Joiner

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

[Signature]
Notary Public

6/21/2023
Date



(Affix Raised Seal Here)



City of Newnan, Georgia
Attachment B
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 variance of property.

(Signature of Attorney)

Name of Attorney _____

Address _____

Telephone _____

Date _____





APPEARANCE STATEMENT

Public Hearing Attendance Requirements

To process an application for an item requiring a Public Hearing, the applicant or applicant's designated representative must be present and in attendance at said hearing. This includes any items to be presented to the Board of Zoning Appeals; Mayor and City Council; and the Planning Commission.

Failure to appear at a Public Hearing may result in denial of the request, or an extended waiting period before the next available meeting. Certain requests, i.e. variances or special exceptions, if denied cannot be re-submitted for consideration for a term not less than one (1) year from the date of denial by that particular governing body.

The Board of Zoning Appeals will hear your request on _____ at 10:00 AM

The Mayor and City Council will hear your request on _____ at _____ PM

The Planning Commission will hear your request on August 8, 2023 at 7:00 PM

IMPORTANT

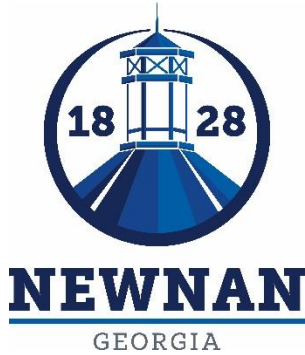
A zoning sign will be affixed and posted on the property in question. Owner/applicant shall notify the Planning & Zoning Department immediately if the sign is removed, defaced, incorrect, etc. After the Public Hearing date, City personnel will remove the zoning sign.

Applicant's Name: Jamar Joiner
(Please Print)

Applicant's Signature: [Signature]

Date: 6/21/23

All meetings are held in the Richard A. Bolin Council Chambers located at 25 Lagrange Street, Newnan, GA 30263, unless otherwise stated.



City of Newnan, Georgia – Planning Commission

Date: August 8, 2023

Agenda Item: Annexation Request – Annex2022-06
163.61± acres located off Green Top Road (Tax Parcel #s 085 5086 001, 085 5107 002, 085 5086 003 and the southern portion of 085 5107 003)

Prepared and Presented by: Tracy Dunnivant, Planning Director

ANNEXATION ASSESSMENT

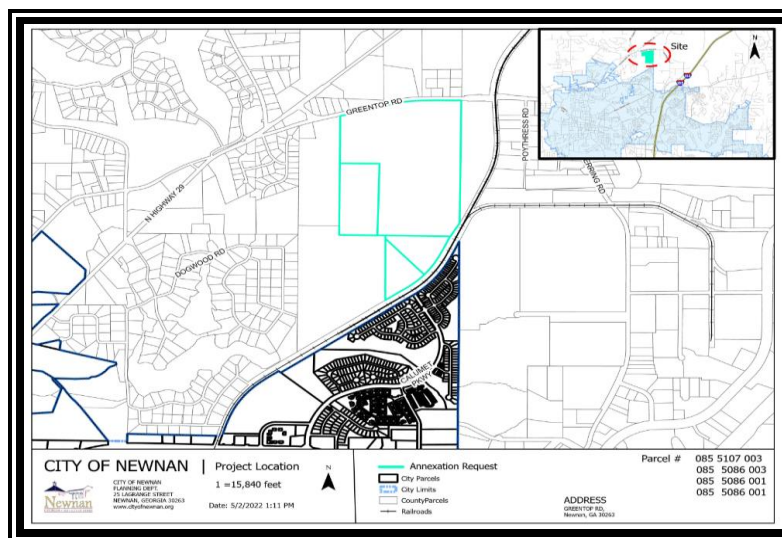
APPLICANT INFORMATION:

George Rosenzweig on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC
75 Jackson Street Newnan, GA 30263

SITE INFORMATION:

The applicant is requesting the annexation of four tracts totaling 163.61± acres located on Green Top Road. The property is contiguous to the city limits via the Calumet development to the south. The applicant is seeking a PDR (Planned Residential Development) zoning designation for the development of 300 single-family lots.

The tracts are heavily wooded and undeveloped with the exception of a small block building built in the 1950's. The tax parcel ID numbers are 085 5086 001, 085 5107 002, 085 5086 003 and the southern portion of 085 5107 003. The tracts are currently under Coweta County's jurisdiction and are zoned RC (Rural Conservation).



OVERVIEW OF REQUEST:

The original annexation/rezoning application was submitted back in August of 2022. The City Council voted in September of 2022 to consider the application and forward it to Coweta County in accordance with the annexation procedures laws. The County voted to object to the annexation and an arbitration panel was appointed by the Department of Community Affairs to conduct a hearing on the matter. At the end of the process, the panel placed a number of conditions on the property that were recorded on March 28, 2023. Since the initial application did not reflect the new conditions, the applicant has revised their application to meet the panel's requirements and is now ready to move forward with the public hearing process.



The applicant is seeking to develop a 300-lot subdivision to accommodate a variety of single-family, detached, fee-simple owned homes. The development will contain 300 lots, open space, a density of 2.04 units per acre, a minimum lot size of 8,200 square feet, and an average lot size of 11,284 square feet. The minimum floor area is being proposed at 1,600 square feet with average square footages as follows: Ranch Pod (65 homes)– 1,860 square feet; Traditional Pod (129 homes) – 2,640 square feet; Estate Pod (106 homes) – 3,004 square feet. Amenities will include a pool, clubhouse, pickleball complex, playgrounds, a dog park and walking trails throughout the development. In addition, there will be multiple floor plans per product with each plan having a variety of elevations and color combinations. Sales price will range from \$392,150 to \$527,190.

Ranch pods are shown in yellow, traditional pods in purple, and estate pods are in pink.

Furman:	\$507,490
Continental:	\$502,490
Wingate:	\$504,490
Woodward:	\$519,490
Riverton:	\$527,490

Hartwell	\$404,150
Hampton	\$409,150
Mitchell	\$392,150
Pennington	\$431,150

Abbeyville	\$479,008
Martin Ray	\$459,008
Summerville	\$464,308



The applicant has indicated that all homes have several options for finishes and add-ons like sunrooms, screened porches, etc. that will increase the sales pricing.





ARBITRATION CONDITIONS:

As a result of the arbitration process, the following conditions will be in effect for this property for a period of two years:

- 1) The maximum number of lots is restricted to three hundred (300) single-family, detached, fee-simple owned homes.
- 2) A landscape plan shall be submitted to the appropriate department for review and approval prior to any plantings.
- 3) The applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
- 4) Right-of-way shall be reserved for a paved and publicly dedicated roadway to connect this development with a possible adjoining future development to the west and the portion of the connection within this development shall be constructed in conjunction with construction of the streets in this development.
- 5) Left turn and right turn lanes shall be constructed (Acceleration and Deceleration lanes to County Standards) at the proposed full-service access to Green Top Road.

- 6) Physical medians shall be constructed (to County standards) at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
- 7) The applicant shall contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project on Hal Jones Road/Green Top Road at US 29; Bonded amounts will be paid to Coweta County upon proof of Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
- 8) The applicant shall contribute a five-year bond in the amount of \$250,000 to assist with implementation of intersectional improvement projects at Green Top Road and Herring Road and Herring Road and Bledsoe Road; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
- 9) The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District.
- 10) Access on Green Top Road will require a permit from Coweta County.
- 11) All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
- 12) Left turn and right turn lanes shall be constructed at the proposed full service access to Green Top Road.
- 13) Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
- 14) There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
- 15) The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.
- 16) The existing ponds and wetlands will be retained in order to create a natural environment.
- 17) Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
- 18) The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
- 19) All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City department for consideration.

- 20) All front, side and rear yards of all disturbed grass areas on lots shall be sodded.
- 21) All utilities that provide service to the proposed subdivision shall be placed underground.
- 22) The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
- 23) There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
- 24) All garage doors shall be architecturally treated similarly to the renderings submitted.
- 25) The lot information and setbacks shall be as follows:
 - Minimum street frontage 30-feet
 - Minimum lot width at front setback 40 feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet
 - Building separation 10-feet
 - Maximum building height 2 stories/40-feet
- 26) There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south and east property lines.

In addition, the applicant has proffered the following as conditions of annexation/rezoning:

- 1) The Arbitration Conditions set forth in Exhibit "A", Deed Book 5624, Pages 363-365, shall apply for the entire term of development, except for condition 18 (provision of water and sewerage services addressed in the immediately following paragraph).
- 2) After February 9, 2025 (the date on which the annexation conditions expire), the development shall be served by public water and sewerage facilities provided by Newnan Utilities.
- 3) The Owner and/or Developer of the Property shall be entitled to receive a land disturbance permit, building permits and city inspections for the installed infrastructure upon compliance with applicable ordinances and conditions, but shall not be entitled to receive any Certificates of Occupancy until the Property is served by public water and sewerage provided by Newnan Utilities.
- 4) The development shall be subject to the Development Agreement attached hereto and incorporated herein by reference as attached Exhibit "B" between and among Green Top Road, LLC, Pulte Home Company, LLC, the City of Newnan, Georgia, and Newnan Utilities.

A copy of the recorded arbitration conditions and the proposed development agreement are included in the packet as part of the revisions to the application submitted by the applicant.

The Council considered the annexation of this property back in 2015. At that time, the petitioner was requesting a 161-unit subdivision with zoning designations of RS-15 and RS-20. The target home price was estimated at \$350,000 with a minimum of 2,000 square feet of heated living space. That request was ultimately denied by the City Council.

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 annexation/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 tract is located off Green Top Road. It is primarily surrounded by vacant residential zoned property and residential uses. The parcels to the east and west are undeveloped and the tracts to the north are either vacant or contain residential homes. There is also a transmission and cell tower to the north that is owned by Georgia Power. To the south is the railroad and across the railroad is Stony Oak Subdivision which is a residential neighborhood that is part of the Calumet planned development.

In terms of zoning designations, all of the adjacent tracts in the County are zoned RC (Rural Conservation) with one nearby tract to the south zoned M (Industrial). Stony Oak Subdivision is within the city limits and is zoned PDR (Planned Residential Development). The County's RC zoning allows .625 units per acre. PDR, which is a City designation, calculates density for projects as a whole, allowing the units to be clustered on smaller lots in each phase as long as the total number of residential units does not exceed the approved overall project count. Stony Oak, which backs up to this development, is permitted to have a density of 4.18 units per acre. The proposed project would have an overall density of 2.04 units per acre.

If the development were to be built as currently zoned, County staff has indicated that the applicant could build a maximum of 101 units. However, unlike the County (except with their R-PDP designation which allows up to 4 units per acre), the City permits smaller lots since they will be served by sanitary sewer. Stony Oak has a density of 4.18 units per acre and has lots as small as 4,500 square feet. The subject development is proposing a density of 2.04 units per acre and a minimum lot size of 8,200 square feet and an average lot size of 11,284 square feet. Both adjacent tracts to the east and west are vacant, but the closest subdivision, aside from Stony Oak, to the subject tract appears to be Heritage Hills which has a density of roughly 1.4 units per acre (49 lots on 35 acres) and an average lot size of 27,000 square feet.

The use of the land for a residential subdivision would be in keeping with existing and proposed future uses of the adjacent and nearby properties. Although the RC zoning designation only allows .625 units per acre, Heritage Hills which lies to the west of the property, doesn't meet that requirement nor does the majority of residential lots across Green Top to the north. In addition, the proposed density is roughly half of what was approved for Stony Oak and the proposed minimum lot size is almost twice as large as that development as well.

Staff Assessment – PROPOSED USE IS SUITABLE ✓

Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? The greatest impact from this development will be traffic. Per the traffic study

produced by NV5 Engineers and Consultants, Inc., the development at full build out (2028) will generate roughly 3,430 new trips per day with an anticipated 265 additional trips at AM peak hour and 353 additional trips at PM peak hour. It should be noted that this traffic study was based on the original request of 366 homes instead of the 300 specified in the revised applications. This means that those numbers will be decreased by roughly 18 percent. The study did indicate that the roundabout intersection at US 29 and Hal Jones Road would see an “increase delay of eight seconds along the southbound approach during PM peak hour, changing the Level of Service (LOS) from D to E”. It also suggested installing a southbound right-turn bypass lane which the consultant believes would improve the LOS from E to C.

As part of the arbitration process, the applicant is required to contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project on Hal Jones Road/Green Top Road at US29 and to contribute a five-year bond in the amount of \$250,000 to assist with implementation of intersectional improvement projects at Green Top Road and Herring Road and Herring Road and Bledsoe Road. It should be noted that these streets are not under the City’s jurisdiction, so the it will be up to the County to make these improvements.

Staff Assessment – ADVERSE AFFECT IN TERMS OF TRAFFIC, BUT APPLICANT WILL HAVE TO PROVIDE BONDS FOR INTERSECTIONAL IMPROVEMENTS ❌

Are their substantial reasons why the property cannot or should not be used as currently zoned? The 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. However, with the .625 units per acre lot requirement, only 101 lots would be allowed. With Heritage Hills and many of the lots to the north on Green Top Road not meeting the RC acreage requirement, staff feels there is room to increase density on this site given the amount of acreage and the fact that these lots will be served by sewer.

In addition, as part of the application materials, a letter from David Hovey, Hovey & Associates, was provided that discusses the development cost for these lots at the current density level. Hovey states that the cost would be so great that it would increase the selling price to the point of creating a very limited market, which he felt may not be viable due to the surrounding area. He estimated the selling price would be in the \$750,000 range.

Staff Assessment – AS CURRENTLY ZONED, DENSITY WOULD BE LIMITED TO .625 UNITS PER ACRE WHICH IS LESS THAN MANY OF THE NEIGHBORING PROPERTIES THAT ARE NOT SEWERED ✅

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?

Traffic: As previously mentioned, outside of the proposed internal streets, all roads impacted by the development will either be under the State or County’s jurisdiction. The applicant did have a traffic study conducted in November of 2021 by NV5 Engineers and Consultants, Inc. and a follow up traffic assessment in July of 2022 to specifically assess the impact to the Hal Jones Road roundabout. The study indicated that the southbound approach at the US29 and Hal Jones Road intersection will experience an eight second delay at PM peak hour based on the original request for 366 units; however, all other intersections in the study area are expected to operate satisfactorily and the proposed site driveways are expected to operate well along all

approaches in both peak hours. In addition, as part of the arbitration conditions, the applicant is required to provide bonds to assist with the implementation of the intersection improvements.

Police: Chief Blankenship has indicated that “due to the additional calls for service and the increased density to the area and the affected response time due to distance and traffic volume, it is believed that a minimum of two additional police officers will be needed to manage the impact of the development.

Fire: Chief Stephen Brown has indicated that NFD can service this development but did express concern about the increased traffic and increased call volumes. He also stated that the impact may require additional equipment and manpower in the future.

Newnan Utilities: Scott Tolar, Newnan Utilities, did review the project and indicated that Newnan Utilities does have ample capacity to serve the proposed subdivision with both water and sewer. He also provided a list of needs from the developer in terms of each service that has been provided as an attachment to the assessment.

Engineering:

Development:

1. Design shall follow City of Newnan standards for development, standard details for the Georgia Department of Transportation, and generally accepted Engineering standards, as appropriate.
2. The City of Newnan will be the Local Issuing Authority for the development, and Coweta County will be the Local Issuing Authority for land disturbing activity within the Right-of-Way for Greentop Road.
3. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has reviewed and approved the plans for the development.

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-phased erosion control plan in compliance with the **Soil Erosion, Sedimentation and Pollution Control Ordinance** for the City of Newnan.
3. All streams, wetlands and other environmentally sensitive areas 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 mitigation 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 streets, with connection provided to all amenities.
2. From the Traffic Study provided, the entrances as proposed along Greentop Road are acceptable to the City, as is the County recommended raised median restricting left turn movements at the Right-in/Right-out driveways. However, it should be noted that Greentop Road will remain within Coweta County's jurisdiction.
3. For internal streets, the development shall incorporate engineered traffic calming measures, such as the use of landscaped medians or islands, traffic circles, chicanes to serve as speed deterrence. Vertical deflection for speed deterrence is not permitted under the International Fire Code.

Coweta County Schools: Ronnie Cheek, Director of Facilities for the Coweta County School System, indicated "the request may present challenges when planning for school enrollment and meeting student needs. Due to the higher 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. He specified that the current enrollment figures show building utilization of the schools serving the area as follows:

- Northside Elementary School – 74%
- Madras Middle School – 96%
- Newnan High School – 91%
- Northgate High School – 93%

In terms of number of projected students, the average household in Coweta County based on census data from 2020 had .49 school aged children. This would mean an estimated 147 additional students for the Coweta County School System at build out.

Fiscal Impact Analysis

In an effort to ascertain fiscal impact, staff conducted an analysis of the impact to revenues and expenditures, which have been included in this report.

Methodology:

- Total # of proposed households – 300
- Average # of people per household based on 2017 – 2021 average for Newnan – 2.60
- Total new people added for the subdivision: $300 \times 2.60 = 780$ new persons
- Total 2022 Population based on census projections for Newnan – 44,485

- Total 2023 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 2023 Budget:

- General Government: \$8,601,567 / (44,485 + 58,336) = \$83.65 per person; \$83.65 x 780 = **\$65,247.00**
- Public Safety: \$16,221,105 / (44,485 + 58,336) = \$157.76 per person; \$157.76 x 780 = **\$123,052.80**
- Public Works: \$3,370,742 / (44,485 + 58,336) = \$32.78 per person; \$32.78 x 780 = **\$25,568.40**
- Community Development: \$3,740,214 / (44,485 + 58,336) = \$36.37; \$36.37 x 780 = **\$28,368.60**
- Other Services (Main Street, Business Development, Carnegie Building): \$997,622 / (44,485 + 58,336) = \$9.70 per person; \$9.70 x 783 = **\$7,566.00**

Projected Annual Expenditures: **\$249,802.80**

Annual Revenues based on 2023 Budget:

- Property Taxes: Based on \$460,000 home with a 3.051 millage rate = \$561.38; \$561.38 x 300 = **\$168,414**
- Sales Tax Generated: \$11,000,000 budgeted / (44,485 + 58,336) = \$106.98 per person; \$106.98 x 780 = **\$83,444.40**
- Inspections and Permits: \$505,750 / (44,485 + 58,336) = \$4.91 per person; \$4.91 x 780 = **\$3,837.60**

Projected Annual Revenues for the Subdivision: **\$255,696.00**

Note – Staff used \$460,000 as a median amount based on the applicant's sale prices ranging from \$392,150 to \$527,190.

Up Front Revenues during Construction:

- Impact Fees: 300 x \$1,110.81 (residential fee not including Newnan Utilities) = **\$333,243**
- Permits and Inspections: (2,640 square foot house at \$460,000) \$1,700 x 300 = **\$510,000**

Projected up front revenues for the subdivision: **\$843,243**

Staff Assessment – PROJECT WILL HAVE AN IMPACT ON SERVICE PROVISION BASED ON ANTICIPATED TRAFFIC, SCHOOLS, AND POLICE/FIRE RESPONSE TIMES ❌

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

The properties are outside of the city limits and therefore were not considered in the City's Comprehensive Plan. However, the County's Comprehensive Plan shows these areas as Priority Development Character Area on its current Future Land Use Map. In November of 2021, this same project was considered by the Coweta County Commission. In their rezoning

assessment, the County staff wrote that the rezoning would be consistent with both the Comprehensive Plan and with their Comprehensive Plan's growth strategy.

Staff Assessment – THE PROPOSED DEVELOPMENT WOULD BE COMPATIBLE ✓

Is the proposed use consistent with the purpose and intent of the proposed zoning district? The overall purpose of the Planned Residential Development district is to allow residential development in a manner open to and advocating innovation in design and layout. This is done through a specific plan for the development which is adopted as a condition of the zoning. In this case, the applicant has provided a concept plan showing a mixture of residential uses, open space, and development requirements as well as proposed house elevations and specific amenities. As such, it would be consistent with the purpose and intent of the proposed zoning designation.

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 subject tract was not included in the Comprehensive Plan, but the adjacent tracts within the city limits are shown as future “planned development”. If brought into the city limits, the properties would most likely be shown as future “planned development” as well based on the City’s proposed future land use definitions. In addition, the County updated their Comprehensive Plan including the Future Development Map and showed these properties as “Priority Development Character Area”. They indicate that this character area “intends to channel growth pressure to suitable areas in terms of compact land-use patterns and infrastructure investment”.

Staff Assessment – THERE ARE NO NEW OR CHANGING CONDITIONS AS BOTH THE CITY AND COUNTY UPDATED THEIR COMPREHENSIVE PLANS AND FUTURE LAND USE/DEVELOPMENT MAPS IN 2021 AND THE REQUEST IS CONSISTENT WITH THOSE DOCUMENTS ✓

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, the surrounding land uses are all either vacant property or single-family homes. Although the density will be greater than the majority of the subdivisions in the area, it is still less than the density previously approved for Stony Oak. Also, many of the neighboring residential tracts have smaller lots than the current RC zoning allows. In addition, the applicant is proffering a 25-foot buffer around the perimeter of the property, which will provide additional screening for future developments. They have also proffered a 50-foot planted buffer along the entire frontage on Green Top Road except at the entrances.

The greatest impact will be traffic; however, the applicant is required by the arbitration conditions to contribute bonds to help cover the cost for transportation improvements. Police and fire will also see impact in terms of response times and the possible need for additional personnel as the subdivision builds out.

The school system will see an increase in the number of students being added to the system, so the developer will need to work with the school system to ensure those students are accounted for in their future planning.

Although the project will impact traffic and some areas of service provision, it appears to be a quality single-family development. In addition, the developer is being required to help mitigate the traffic concerns and is willing to proffer conditions for elevations including limitations on materials and diversity of product. The developer will also be preserving the existing ponds on the site in an effort to maintain the natural environment.

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

SUMMARY OF STAFF FINDINGS:

After assessing the project based on the standards to be considered for rezoning requests, Staff found that the development meets **6 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 of their intent to file a Notice of Objection based on the following:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use.
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value of useful life of a capital outlay project, as such term is defined in Code Section 48-4-110, which is furnished by the county to the area to be annexed; and
3. Differ substantially from the existing uses suggested for the property or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

The Department of Community Affairs (DCA) was asked to appoint an arbitration panel to hear the objection. That resulted in the previously discussed arbitration conditions which are included in this report.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

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

- The project will be consistent with the concept plan, density, project data, amenities (including a pickle ball complex), and elevations provided as part of the application.
- The average square footages for each Pod will be as follows: Ranch Pod – 1,860 square feet; Traditional Pod – 2,640 square feet; Estate Pod – 3,004 square feet.

- The City of Newnan will not issue a permit for land disturbing activities until such time as Coweta County has reviewed and approved the plans.
- The project will be developed in accordance with the following arbitration and proffered conditions:

ARBITRATION CONDITIONS:

- 1) The maximum number of lots is restricted to three hundred (300) single-family, detached, fee-simple owned homes.
- 2) A landscape plan shall be submitted to the appropriate department for review and approval prior to any plantings.
- 3) The applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
- 4) Right-of-way shall be reserved for a paved and publicly dedicated roadway to connect this development with a possible adjoining future development to the west and the portion of the connection within this development shall be constructed in conjunction with construction of the streets in this development.
- 5) Left turn and right turn lanes shall be constructed (Acceleration and Deceleration lanes to County Standards) at the proposed full-service access to Green Top Road.
- 6) Physical medians shall be constructed (to County standards) at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
- 7) The applicant shall contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project on Hal Jones Road/Green Top Road at US 29; Bonded amounts will be paid to Coweta County upon proof of Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
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- 9) The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District.
- 10) Access on Green Top Road will require a permit from Coweta County.
- 11) All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.

- 12) Left turn and right turn lanes shall be constructed at the proposed full service access to Green Top Road.
- 13) Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
- 14) There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
- 15) The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.
- 16) The existing ponds and wetlands will be retained in order to create a natural environment.
- 17) Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
- 18) The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
- 19) All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City.
Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City department for consideration.
- 20) All front, side and rear yards of all disturbed grass areas on lots shall be sodded.
- 21) All utilities that provide service to the proposed subdivision shall be placed underground.
- 22) The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
- 23) There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
- 24) All garage doors shall be architecturally treated similarly to the renderings submitted.
- 25) The lot information and setbacks shall be as follows:
 - Minimum street frontage 30-feet
 - Minimum lot width at front setback 40 feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet
 - Building separation 10-feet
 - Maximum building height 2 stories/40-feet

- 26) There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south and east property lines.

PROFFERED CONDITIONS:

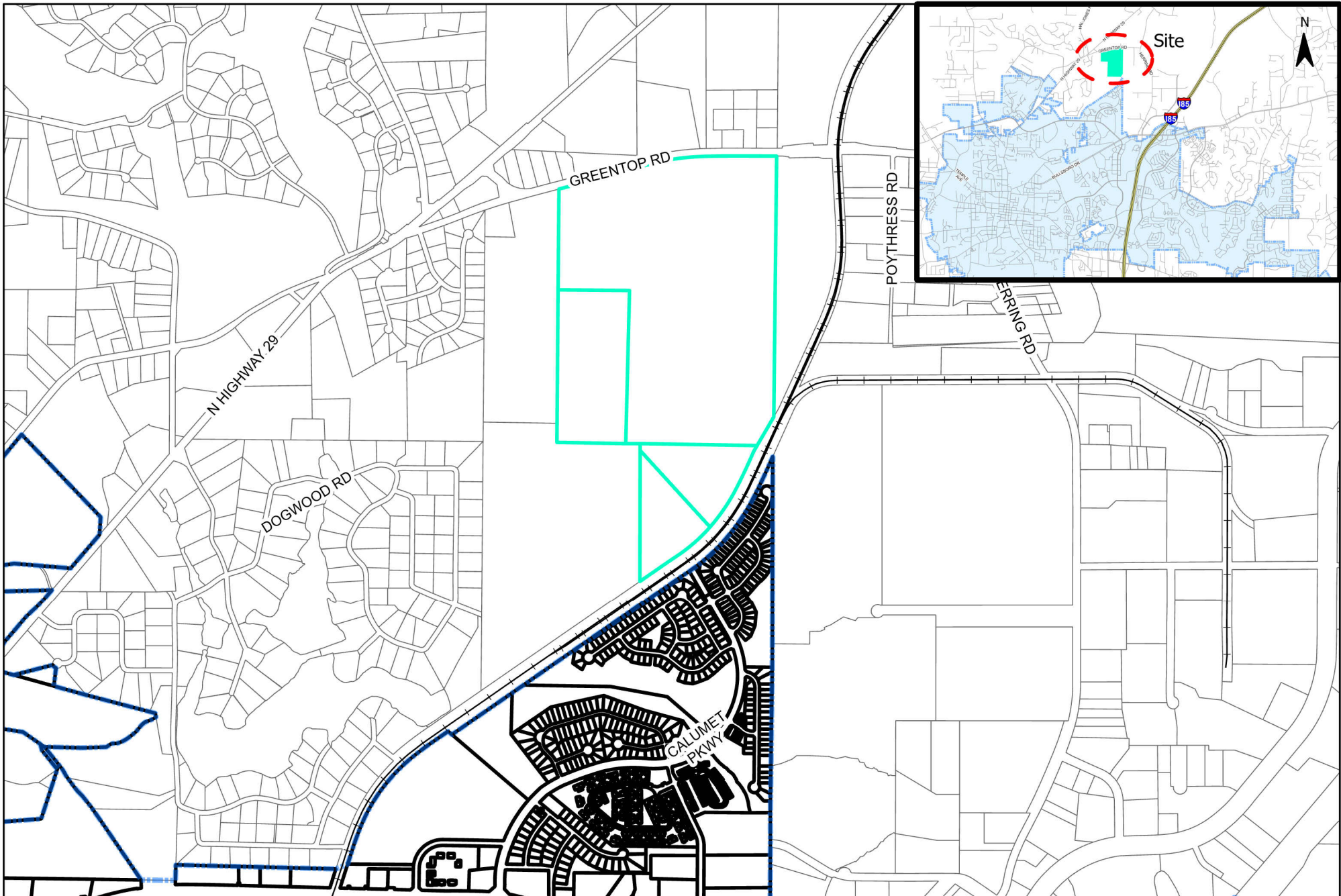
- 1) The Arbitration Conditions set forth in Exhibit "A", Deed Book 5624, Pages 363-365, shall apply for the entire term of development, except for condition 18 (provision of water and sewerage services addressed in the immediately following paragraph).
- 2) After February 9, 2025 (the date on which the annexation conditions expire), the development shall be served by public water and sewerage facilities provided by Newnan Utilities.
- 3) The Owner and/or Developer of the Property shall be entitled to receive a land disturbance permit, building permits and city inspections for the installed infrastructure upon compliance with applicable ordinances and conditions, but shall not be entitled to receive any Certificates of Occupancy until the Property is served by public water and sewerage provided by Newnan Utilities.
- 4) The development shall be subject to the Development Agreement attached hereto and incorporated herein by reference as attached Exhibit "B" between and among Green Top Road, LLC, Pulte Home Company, LLC, the City of Newnan, Georgia, and Newnan Utilities.

OPTIONS:

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

ATTACHMENTS:

Application for Annexation
Location Map
Traffic Study Documentation
Service Provision Comments
Recorded Arbitration Conditions
Density Map



CITY OF NEWNAN



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

Project Location

1 = 15,840 feet

Date: 5/2/2022 1:11 PM



- Annexation Request
- City Parcels
- City Limits
- County Parcels
- +— Railroads

Parcel # 085 5107 003
085 5086 003
085 5086 001
085 5086 001

ADDRESS
GREENTOP RD,
Newnan, GA 30263

**PULTE HOME COMPANY, LLC
GREEN TOP ROAD, LLC
REVISED REZONING AND
ANNEXATION APPLICATIONS**

**RC to Planned Development Project (PDP)
Overlay District
163.61 Acres on Green Top Road
Tax Reference # 085 5107 003, 085 5107 002,
085 5086 003, 085 5086 001**

Pulte Home Company, LLC
Green Top Road, LLC
Applicants' Representative:
George C. Rosenzweig
75 Jackson Street, Suite 405
Newnan, Georgia 30263
george@cowetalaw.com
(470) 347-3651
State Bar: 614925

SECTION 1

TRANSMITTAL LETTER TO TRACY DUNNAVANT REGARDING REVISED ANNEXATION AND REZONING APPLICATIONS



June 20, 2023

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

RE: Revised Annexation and Rezoning Applications – Green Top Road
Project Parcels: 085 5107 002, 085 5086 001, 085 5086 003, and 085 5107 003
(Portion south of Green Top Road)
Requested Rezoning: RC (Rural Conservative) to PDR (Planned Development Residential District)

Dear Ms. Dunnavant:

As you know, the above-referenced rezoning application is now subject to annexation conditions imposed by a DCA Arbitration Panel and Superior Court Order. Those conditions were recorded March 28, 2023, in Deed Book 5624, Pages 360-365 in the Office of the Clerk of Superior Court of Coweta County. I have attached a copy of the recorded conditions to this revised letter of intent as Exhibit A. Please note that the conditions expire February 9, 2025.

Because of the arbitration conditions, a few revisions are necessary to our previous filings. In order to avoid cluttering up your record with a lot of unnecessary documentation, I am setting forth the changes below and in the attachments. Please let me know if you would prefer submission in some other form.

Revised Annexation Application

On page 1 of the Letter of Intent for Annexation, the number of lots should be changed to 300 and the density should be changed to 2.04 units per acre.

Revised Rezoning Application

Requested revisions to the previous rezoning and annexation applications are as follows:

1. On page 2 of the application to amend zoning map in the second section, last line, the density of the proposed development has now been decreased from 2.23 to 2.04 units per acre.
2. As required by the Annexation Conditions, the number of lots has been reduced from 366 lots to 300 lots, with a density of 2.04 units per acre.

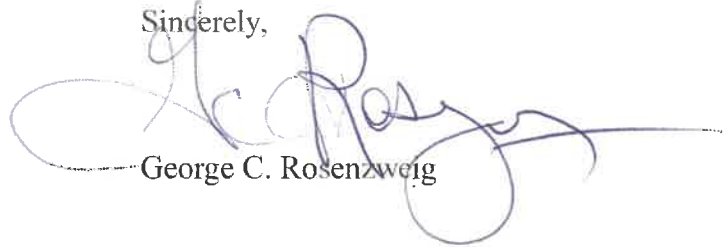
GEORGE C. ROSENZWEIG
75 Jackson Street, Suite 405, Newnan, Georgia 30263
Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com
www.rosenzweig.law

Tracy Dunnavant, Planning Director
June 20, 2023
Page Two

3. A new conceptual site plan (attached to this letter) is being provided with 300 lots and a substantial increase in open space from 50.01 acres to 70.13 acres.
4. A new tree management plan (attached) is being provided showing the 300 lots (as opposed to the previous 366 lots).
5. New proffered conditions are being submitted in lieu of the previous conditions.
Generally, the new conditions incorporate the annexation conditions, with the exception that, after the annexation conditions terminate on February 9, 2025, public water and sewerage will be provided by Newnan Utilities. Applicant will not be able to receive a Certificate of Occupancy until the property is served by public water and sewer provided by Newnan Utilities.
6. Requested responses to questions relating to public schools.

I do not believe that any other additions or corrections are needed to the pending rezoning and annexation applications. However, if you feel otherwise, or have any questions or comments, please let me know. In the meantime, thank you for your assistance and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "GCR", with a long horizontal flourish extending to the right.

George C. Rosenzweig

GCR/amc

EXHIBIT A

ARBITRATION CONDITIONS RECORDED MARCH 8, 2023

EXHIBIT A

BK:5624 PG:360-365

D2023004025

FILED IN OFFICE
CLERK OF COURT
03/28/2023 09:41 AM
NIKI SEWELL, CLERK
SUPERIOR COURT
COWETA COUNTY, GA

After Recording return to:
Nathan T. Lee
Glover & Davis, P.A.
10 Brown Street
Newnan, Georgia 30263

Niki Sewell

9281298029
PARTICIPANT ID

(Note: Above space to be used for filing in Superior Court Clerk's Office of Deeds and Records)

IN THE SUPERIOR COURT OF COWETA COUNTY
STATE OF GEORGIA

IN RE:

GREEN TOP ROAD, LLC and PULTE
HOMES, LLC,

Appellants/Petitioners/Annexation
Applicants

vs.

CITY OF NEWNAN, GEORGIA

Municipal Corporation/Appellant

and

COWETA COUNTY, GEORGIA,

Appellee/Respondent

ARBITRATION PANEL

Respondents.

CIVIL ACTION FILE NO. 2023SUV0066

CERTIFICATE OF ZONING, LAND USE OR DENSITY RESTRICTIONS
(Pursuant to O.C.G.A. § 36-36-115)

DATE ORDER GRANTED: February 9, 2023

GRANTEE: Green Top Road, LLC

EXHIBIT A

BK:5624 PG:361

STATE OF GEORGIA

COUNTY OF COWETA

THIS INSTRUMENT, made this the 28th day of March, 2023, placing zoning, land use or density conditions on real property owned by Green Top Road, LLC as shown by the following deeds recorded in the Coweta County, Georgia real property records:

Tax Parcel I.D.: 85 5086 001: Deed Book 5376, Pages 750-751; Deed Book 5376, Pages 752-753; Deed Book 5376, Pages 754-755;

Tax Parcel I.D.: 85 5086 003: Deed Book 5143, Pages 731-732; Deed Book 5143, Pages 733-734;

Tax Parcel I.D.: 85 5107 002: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728; Deed Book 5376, Pages 745-747; Deed Book 5376, Pages 748-750;

Tax Parcel I.D.: 85 5107 003: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728;

and being described as:

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract B, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract A, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

A certain tract or parcel of land, containing 26.14 acres, situate, lying and being in Land Lot 107, 5th Land District, Coweta County, Georgia, more particularly described as follows:

BEGINNING at an iron pin on the South line of Land Lot 107, said pin being 750 feet, more or less, East of the intersection of said South line with the East line of Land Lot 106 and from said beginning point run thence South 89 degrees 0 minutes East 740 Feet to an iron pin; thence North 0 degrees 8 minutes West

EXHIBIT A

BK:5624 PG:362

1533 feet to a corner post; thence South 90 degrees 0 minutes West 750 feet; thence South 0 degrees 30 minutes East 1520 feet to the point of beginning.

Said property is bound on the North and East by property of T.K. Barron; on the West and South by property of N.T. Brewster.

Said property is more particularly identified according to a plat of survey made by T.Y. Maddox of record in Plat Book 9, Page 23, Office of the Clerk, Coweta County Superior Court.

And

A certain tract or parcel of land lying and being in the Fifth District, said State and County and being a part of lot of land No. 107 in said District and containing 23.18 acres more or less and more particularly described as follows: BEGIN at a point on the North line of said lot of land No. 107 which said point is 1485 feet from the original Northeast corner of said lot; thence run South 1447 feet to the lands hereinbefore conveyed to Mrs. May Herrin Powell; thence run West 737 feet to the lands of McMakin; thence run North along the line between the property herein conveyed and the McMakin lands 1087 feet more or less to where said line crosses or intersect a certain public road known as the Old Atlanta Public Road; thence run Northeast along said Old Atlanta Public Road 137 feet; thence run North 9 degrees West 250 feet; thence run North 41 degrees West 93 feet to the original North line of said lot on land No. 107 thence run East along the original North line of said lot of land No. 107, 685 feet to the beginning point.

This being the same property as that conveyed by Mrs. Willie Herring King to T.K. Barron by Warranty Deed of record in Deed Book 36, Page 299, Office of the Clerk of Coweta Superior Court.

ALSO:

All that certain piece, parcel or tract of land containing One Hundred One and 75/100 (101.75) acres, more or less, lying and being situate on the Atlanta Road about Four (4) miles North of the town of Newnan, in the 5th Land District, Coweta County, State of Georgia, and more particularly described as Tracts Number Four (4) and Five (5) of the W.A. Herring Place, according to a plat prepare by T. Y. Maddox, Surveyor, on June 20 and 21, 1935, a copy of which is now on file with the Federal Land Bank of Columbia. Said property being bounded, now or formerly, as follows, to wit: North by lands of Mrs. H. W. Sieb and Atlanta Road; East by lands of Mrs. H.W. Seib; South by lands of Mrs. J.F. Lee and Eleanor McMakin; West by lands of Mrs. May H. Powell and Mrs. King. This being the same property as that conveyed by Federal Land Bank to T.K. Barron by Warranty Deed of record in Deed Book 33, Page 513, Office of the Clerk, Coweta Superior Court.

WITNESSETH: That pursuant to Georgia Code section 36-36-115(b), the Arbitration Panel designated by the Department of Community Affairs placed the following restrictions or conditions on the use of the property above-described which remains in effect by operation of law for two (2) years as set out in Georgia Code section 36-36-117

EXHIBIT A

BK:5624 PG:363

from the date of the Order affirming said decision, February 9, 2023, and applying to all heirs, successors, and assigns of right, title or interest in the property with such restrictions or conditions automatically expiring on February 9, 2025:

1. The maximum number of lots is restricted to three hundred (300) single-family, detached, fee-simple owned homes.
2. A landscape plan shall be submitted to the appropriate department for review and approval prior to any plantings.
3. The applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
4. Right-of-way shall be reserved for a paved and publicly dedicated roadway to connect this development with a possible adjoining future development to the west and the portion of the connection within this development shall be constructed in conjunction with construction of the streets in this development.
5. Left turn and right turn lanes shall be constructed (Acceleration and Deceleration lanes to County Standards) at the proposed full service access to Green Top Road.
6. Physical medians shall be constructed (to County Standards) at the proposed right-in-right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
7. The applicant shall contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project at Hal Jones Road/Green Top Road at US 29; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
8. The applicant shall contribute a five-year bond in the amount of \$250,000 to assist with the implementation of intersectional improvement projects at Green Top Road and Herring Road and Herring Road and Bledsoe Road; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
9. The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection

EXHIBIT A

BK:5624 PG:364

Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District.

10. Access onto Green Top Road will require a permit from Coweta County.
11. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
12. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
13. Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
14. There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
15. The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.
16. The existing ponds and wetlands will be retained in order to create a natural environment.
17. Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
18. The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
19. All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City Department for consideration.
20. All front, side, and rear yards of all disturbed grass areas on lots shall be sodded.
21. All utilities that provide service to the proposed subdivision shall be placed underground.

EXHIBIT A

BK:5624 PG:365

22. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
23. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
24. All garage doors shall be architecturally treated similarly to the renderings submitted.
25. The Lot information and setbacks shall be as follows:
- Minimum street Frontage 30-feet
 - Minimum lot width at front setback 40-feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet
 - Building separation 10-feet
 - Maximum building height 2 stories/40-feet
26. There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south, and east property lines.

Certificate prepared by:


SIGNATURE OF ATTORNEY

State Bar # 443770

I do hereby certify that the above information is based on the Order of the Superior Court of Coweta County by affirmation of the Arbitration Panel on February 9, 2023, as set forth above.

By: 
Clerk of the Superior

72 Greenville Street
Newnan, Georgia 30263
Superior Court Return Mailing Address

SECTION 2

REVISED ANNEXATION APPLICATION



CITY OF NEWNAN, GEORGIA Planning and Zoning Department

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

REVISED 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 George C. Rosenzweig representing Pulte Group Home Company, LLC and Green Top Road, LLC

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

Telephone 470-347-3651

Fax 470-241-1251

Property Owner (Use back if multiple names) Green Top Road, LLC

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

Telephone 470-347-3651

Fax 470-241-1251

Address/Location of Property Green Top Road, Coweta County, Georgia- 163.61 acres in land lots 86 and 107 of the 5th Land District, Coweta County, Georgia and being tax reference numbers 085 5086 001, 085 5107 002, 085 5086 003, and the portion south of Green Top Road 085 5107 003.

County Zoning Classification RC

Requested Zoning Classification PDR

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:

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

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

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

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

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

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

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

X A preliminary concept plan illustrating the proposed use and/or development for this site which will also include a Preliminary Tree Management Plan illustrating existing location and general tree canopy along with areas proposed for tree conservation and/or replanting.

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

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

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

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

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

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

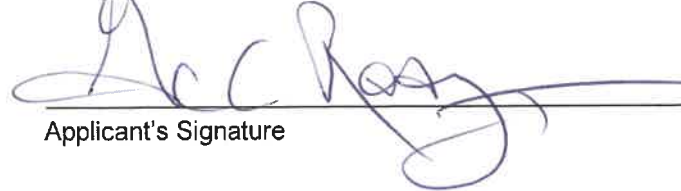
- The date the zoning is approved by the Council, and
- The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

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

Application for Annexation Zoning

City of Newnan, Georgia

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

 6-20-2023
Applicant's Signature Date

FOR OFFICIAL USE ONLY	
*	DATE RECEIVED: <u>06/20/23</u>
	RECEIVED BY: <u></u>

*Revised application for original submittal accepted by Council on 09/13/22.

SECTION 3

REVISED REZONING APPLICATION



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

REVISED APPLICATION TO AMEND
ZONING MAP

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

Name of Applicant George C. Rosenzweig representing Pulte Group Company, LLC and Green Top Road, LLC

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

Telephone 470-347-3651

Email: george@cowetalaw.com

Property Owner (Use back if multiple names) Green Top Road, LLC

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

Telephone 470-307-3651

Address/Location of Property Green Top Road, Coweta County

Tax Parcel No.: 085 5086 001, 085 5107 002, 085 5086 003, & 085 5107 003 (Portion south of Green Top Road) Land Lot 86 and 107

District/Section 5

Size of Property (Square Feet or Acres) 163.61 acres

Present Zoning Classification: RC

Proposed Zoning Classification: PDR

Present Land Use: Undeveloped

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

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

Please see attached

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 _____

Please see attached

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? _____

Please see attached

**GEORGE C. ROSENZWEIG REPRESENTING PULTE GROUP COMPANY, LLC AND
GREEN TOP ROAD, LLC REVISED REZONING APPLICATION**

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

The Property is currently zoned RC (Rural Conservation) in Coweta County. As more specifically set forth on the attached letter from David Hovey, the Property has no viable economic use, as zoned, for a residential development. In the past, the Property has been a cotton farm, a peach farm, a source for timber for sale, and, most recently, a family recreation facility. Farming is no longer a viable use nor is recreation- the Property has been vandalized by arson, burglary, and other acts of extreme vandalism, making it unsafe and undesirable for family recreation.

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

The proposed zoning map change will be an extension of the existing PDR (Planned Development Residential District) adjoining the property to the south. Adjoining properties to the south, in the city of Newnan, are narrower and about half the size of the lots in the proposed development. Thus, the proposed development represents a step down in intensity from the adjoining property to the south. Also noteworthy, the recent Comprehensive Land Use Plan and Land Use Plan Map update by Coweta County have identified property as Growth Priority, authorizing a density up to four units per acre, whereas the proposed development will be limited to 2.04 units per acre.

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?

Although this section is not applicable, Applicant does note that the property to the west has long been earmarked for more intense residential development and to the west of that property is a subdivision largely populated by half-acre lots on septic tanks. To the south is located industrial development. To the north is undeveloped property and a Georgia Power substation. To the east is undeveloped property and a railroad which also borders the property to the south. Thus, the proposed use is compatible with or less intense than adjoining uses.

Please attach all the following items to the completed application:

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

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

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

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

Sworn to and subscribed before me this

20 day of June, 2023

Signature of Applicant

Amy M Coria
Notary Public

(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE: Held for previous submittal

RECEIVED BY: Tracy S. Dunnivant

DATE OF FILING: 08/29/22 - Revised filed 06/20/23 after arbitration

FILING FEE RECEIVED: N/A part of original submittal

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

SECTION 4

REVISED CONCEPTUAL SITE PLANS



DEVELOPMENT SUMMARY

ZONING

PROPOSED ZONING: PDR (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT)

AREA

SITE AREA: 163.61 ACRES
OPEN SPACE PROVIDED: 69.01 ACRES
PERCENTAGE OPEN SPACE: 42.18%

DENSITY

NUMBER OF UNITS: 300 UNITS
PROPOSED DENSITY: 2.04 UNITS/ACRE

LOT INFORMATION

MINIMUM FLOOR AREA: 1,600 SQ FT
MINIMUM LOT SIZE: 8,200 SQ FT
AVERAGE LOT SIZE: 11,284.3 SQ FT

BUILDING SETBACKS

FRONT SETBACK: 15' FROM ROW /
40' FROM CL

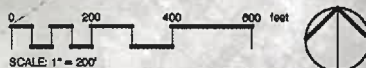
SIDE SETBACK: 5 FEET

STREET SIDE SETBACK: 10 FEET

REAR SETBACK: 20 FEET

BUILDING SEPARATION: 10 FEET

MAX BUILDING HEIGHT: 35 FEET



SECTION 5

REVISED TREE MANAGEMENT PLAN

Owner:



Pulte Homes
Pulte Group
1100 K. England Ave. SW
Atlanta, GA 30329

Drawn by:

MOONEY
design studio
1100 K. England Ave. SW
Atlanta, GA 30329
(404) 524-1000

GREEN TOP
ROAD

LAND LOT 107 & 86,
5TH DISTRICT,
COWETA COUNTY, GA



REVISIONS

EXISTING TREES
EXHIBIT

SCALE:

SHEET:

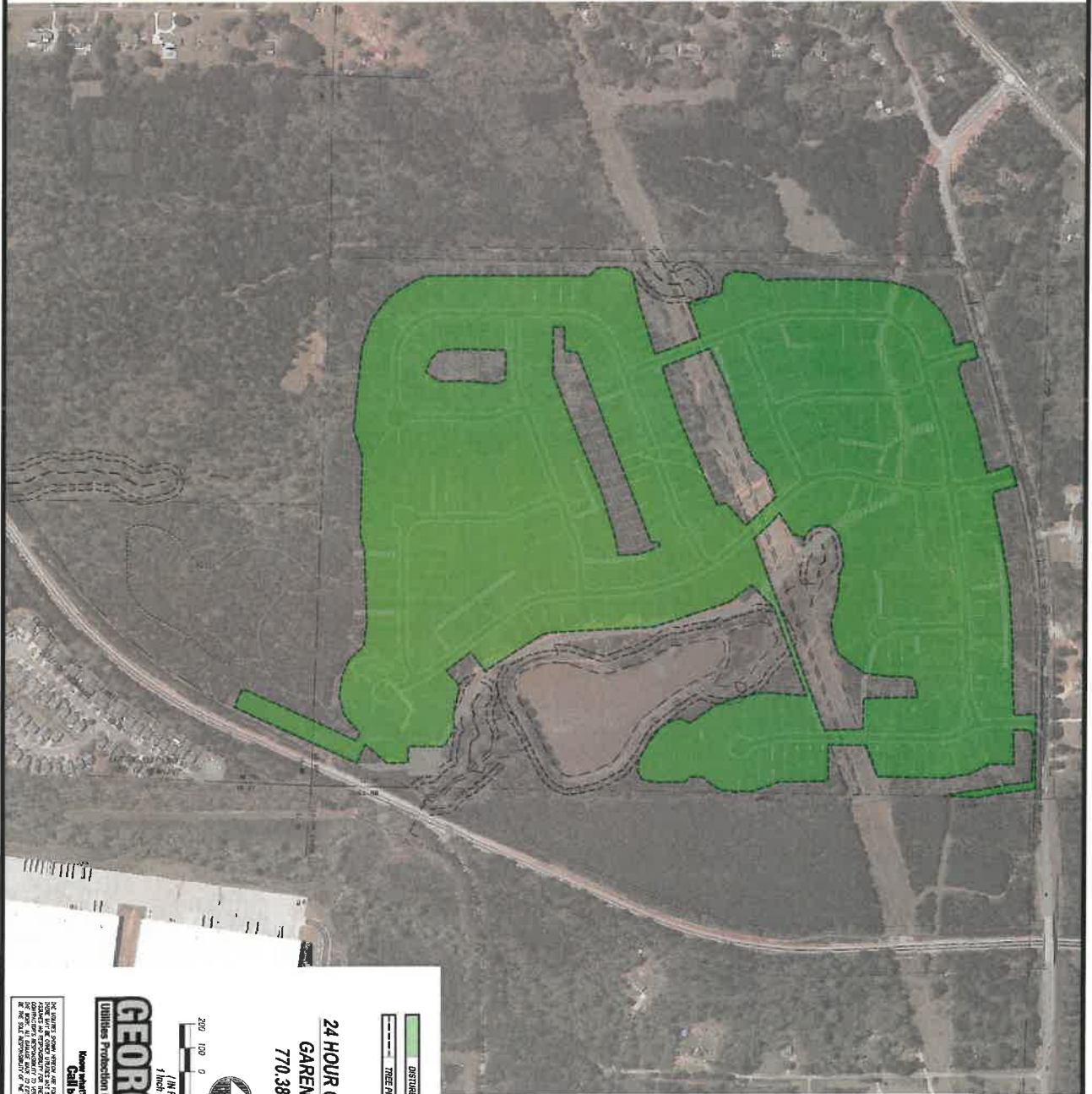
TPR

DATE: 06/06/23

ZONING: -
MUNICIPALITY: COWETA COUNTY

Specimen Tree Table

Specimen Tree Table							
Tree#	ID#	Species	Reg. Specimen	Condition	Preserved Notes	Shared Location	Boundary Type
1	20	White Oak	X	Excellent	28		
2	21	White Oak	X	Excellent			
3	22	White Oak	X	Excellent	29		
4	23	White Oak	X	Excellent			
5	24	White Oak	X	Excellent	30		
6	25	White Oak	X	Excellent			
7	26	White Oak	X	Excellent	31		
8	27	White Oak	X	Excellent			
9	28	White Oak	X	Excellent	32		
10	29	White Oak	X	Excellent			
11	30	White Oak	X	Excellent	33		
12	31	White Oak	X	Excellent			
13	32	White Oak	X	Excellent	34		
14	33	White Oak	X	Excellent			
15	34	White Oak	X	Excellent	35		
16	35	White Oak	X	Excellent			
17	36	White Oak	X	Excellent	36		
18	37	White Oak	X	Excellent			
19	38	White Oak	X	Excellent	37		
20	39	White Oak	X	Excellent			
21	40	White Oak	X	Excellent	38		
22	41	White Oak	X	Excellent			
23	42	White Oak	X	Excellent	39		
24	43	White Oak	X	Excellent			
25	44	White Oak	X	Excellent	40		
26	45	White Oak	X	Excellent			
27	46	White Oak	X	Excellent	41		
28	47	White Oak	X	Excellent			
29	48	White Oak	X	Excellent	42		
30	49	White Oak	X	Excellent			
31	50	White Oak	X	Excellent	43		
32	51	White Oak	X	Excellent			
33	52	White Oak	X	Excellent	44		
34	53	White Oak	X	Excellent			
35	54	White Oak	X	Excellent	45		
36	55	White Oak	X	Excellent			
37	56	White Oak	X	Excellent	46		
38	57	White Oak	X	Excellent			
39	58	White Oak	X	Excellent	47		
40	59	White Oak	X	Excellent			
41	60	White Oak	X	Excellent	48		
42	61	White Oak	X	Excellent			
43	62	White Oak	X	Excellent	49		
44	63	White Oak	X	Excellent			
45	64	White Oak	X	Excellent	50		
46	65	White Oak	X	Excellent			
47	66	White Oak	X	Excellent	51		
48	67	White Oak	X	Excellent			
49	68	White Oak	X	Excellent	52		
50	69	White Oak	X	Excellent			
51	70	White Oak	X	Excellent	53		
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53	72	White Oak	X	Excellent	54		
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61	80	White Oak	X	Excellent	58		
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63	82	White Oak	X	Excellent	59		
64	83	White Oak	X	Excellent			
65	84	White Oak	X	Excellent	60		
66	85	White Oak	X	Excellent			
67	86	White Oak	X	Excellent	61		
68	87	White Oak	X	Excellent			
69	88	White Oak	X	Excellent	62		
70	89	White Oak	X	Excellent			
71	90	White Oak	X	Excellent	63		
72	91	White Oak	X	Excellent			
73	92	White Oak	X	Excellent	64		
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75	94	White Oak	X	Excellent	65		
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77	96	White Oak	X	Excellent	66		
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81	100	White Oak	X	Excellent	68		
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84	103	White Oak	X	Excellent			
85	104	White Oak	X	Excellent	70		
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87	106	White Oak	X	Excellent	71		
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89	108	White Oak	X	Excellent	72		
90	109	White Oak	X	Excellent			
91	110	White Oak	X	Excellent	73		
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93	112	White Oak	X	Excellent	74		
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96	115	White Oak	X	Excellent			
97	116	White Oak	X	Excellent	76		
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99	118	White Oak	X	Excellent	77		
100	119	White Oak	X	Excellent			
101	120	White Oak	X	Excellent	78		
102	121	White Oak	X	Excellent			
103	122	White Oak	X	Excellent	79		
104	123	White Oak	X	Excellent			
105	124	White Oak	X	Excellent	80		
106	125	White Oak	X	Excellent			
107	126	White Oak	X	Excellent	81		
108	127	White Oak	X	Excellent			
109	128	White Oak	X	Excellent	82		
110	129	White Oak	X	Excellent			
111	130	White Oak	X	Excellent	83		
112	131	White Oak	X	Excellent			
113	132	White Oak	X	Excellent	84		
114	133	White Oak	X	Excellent			
115	134	White Oak	X	Excellent	85		
116	135	White Oak	X	Excellent			
117	136	White Oak	X	Excellent	86		
118	137	White Oak	X	Excellent			
119	138	White Oak	X	Excellent	87		
120	139	White Oak	X	Excellent			
121	140	White Oak	X	Excellent	88		
122	141	White Oak	X	Excellent			
123	142	White Oak	X	Excellent	89		
124	143	White Oak	X	Excellent			
125	144	White Oak	X	Excellent	90		
126	145	White Oak	X	Excellent			
127	146	White Oak	X	Excellent	91		
128	147	White Oak	X	Excellent			
129	148	White Oak	X	Excellent	92		
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131	150	White Oak	X	Excellent	93		
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135	154	White Oak	X	Excellent	95		
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187	206	White Oak	X	Excellent	121		
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244	263	White Oak	X	Excellent			
245	264	White Oak	X	Excellent	150		
246	265	White Oak	X	Excellent			
247	266	White Oak	X	Excellent	151		
248	267	White Oak	X	Excellent			
249	268	White Oak	X	Excellent			



 DISTURBED AREA
 TREE PROTECTION FENCE

24 HOUR CONTACT:
GAREN SMITH
770.381.3450



Before you dig,
 Call before you dig.
 To ensure proper utility location and depth, call 811 to request a professional utility location service. This service is required by law for all excavation projects. The 811 service is provided by the Georgia 811 Service Center, Inc. (GSC) and is available to all residents and businesses in the state of Georgia. The 811 service is provided by the Georgia 811 Service Center, Inc. (GSC) and is available to all residents and businesses in the state of Georgia.

TREE PROTECTION PLAN EX-01	REVISIONS	OWNER/DEVELOPER PULTE GROUP 2475 NORTHWINDS PKWY # 600 ALPHARETTA, GA 30009 PHONE: (770) 381-3450	ZONING PLAN GREEN TOP ROAD LAND LOTS 107 & 86 5TH DISTRICT CITY OF NEWNAN, GEORGIA	RIDGE PLANNING AND ENGINEERING® 6234 OLD HIGHWAY 5 SUITE D9-250 WOODSTOCK, GA 30188 Office 770.938.9000	GSCC CERTIFICATION NUMBER: 2531 EXPIRATION DATE: 09/30/2023
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SECTION 6

REVISED PROFFERED CONDITIONS



City of Newnan, Georgia
Attachment A



Proffered Conditions

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

Please list any written proffered conditions below:

See attached proffered conditions.

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

See attached revised site plan dated May 31, 2023.

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


Signature of Applicant

George C. Rosenzweig, Attorney

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title


Signature of Notary Public

Date

6/20/23



REVISED PROFFERED CONDITIONS – JUNE 9, 2023

Applicants hereby substitute the following revised Proffered Conditions for the Proffered Conditions contained in their applications for annexation and rezoning dated August 26, 2022.

1. The Arbitration Conditions set forth in Exhibit “A”, Deed Book 5624, Pages 363-365, shall apply for the entire term of development, except for condition 18 (provision of water and sewerage services addressed in the immediately following paragraph).
2. After February 9, 2025 (the date on which the annexation conditions expire), the development shall be served by public water and sewerage facilities provided by Newnan Utilities.
3. The Owner and/or Developer of the Property shall be entitled to receive a land disturbance permit, building permits, and city inspections for the installed infrastructure upon compliance with applicable ordinances and conditions, but shall not be entitled to receive any Certificates of Occupancy until the Property is served by public water and sewerage provided by Newnan Utilities.
4. The development shall be subject to the Development Agreement attached hereto and incorporated herein by reference as attached Exhibit "B" between and among Green Top Road, LLC, Pulte Home Company, LLC, the City of Newnan, Georgia, and Newnan Utilities.

EXHIBIT A

**ARBITRATION CONDITIONS
RECORDED MARCH 28, 2023**

EXHIBIT A

BK:5624 PG:360-365

D2023004025

FILED IN OFFICE
CLERK OF COURT
03/28/2023 09:41 AM
NIKI SEWELL, CLERK
SUPERIOR COURT
COWETA COUNTY, GA

After Recording return to:
Nathan T. Lee
Glover & Davis, P.A.
10 Brown Street
Newnan, Georgia 30263

Niki Sewell

9281298029
PARTICIPANT ID

(Note: Above space to be used for filing in Superior Court Clerk's Office of Deeds and Records)

IN THE SUPERIOR COURT OF COWETA COUNTY
STATE OF GEORGIA

IN RE:

GREEN TOP ROAD, LLC and PULTE
HOMES, LLC,

Appellants/Petitioners/Annexation
Applicants

vs.

CITY OF NEWNAN, GEORGIA

Municipal Corporation/Appellant

and

COWETA COUNTY, GEORGIA,

Appellee/Respondent

ARBITRATION PANEL

Respondents.

CIVIL ACTION FILE NO. 2023SUV0066

CERTIFICATE OF ZONING, LAND USE OR DENSITY RESTRICTIONS
(Pursuant to O.C.G.A. § 36-36-115)

DATE ORDER GRANTED: February 9, 2023

GRANTEE: Green Top Road, LLC

EXHIBIT A

BK:5624 PG:361

STATE OF GEORGIA

COUNTY OF COWETA

THIS INSTRUMENT, made this the 28th day of March, 2023, placing zoning, land use or density conditions on real property owned by Green Top Road, LLC as shown by the following deeds recorded in the Coweta County, Georgia real property records:

Tax Parcel I.D.: 85 5086 001: Deed Book 5376, Pages 750-751; Deed Book 5376, Pages 752-753; Deed Book 5376, Pages 754-755;

Tax Parcel I.D.: 85 5086 003: Deed Book 5143, Pages 731-732; Deed Book 5143, Pages 733-734;

Tax Parcel I.D.: 85 5107 002: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728; Deed Book 5376, Pages 745-747; Deed Book 5376, Pages 748-750;

Tax Parcel I.D.: 85 5107 003: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728;

and being described as:

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract B, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract A, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

A certain tract or parcel of land, containing 26.14 acres, situate, lying and being in Land Lot 107, 5th Land District, Coweta County, Georgia, more particularly described as follows:

BEGINNING at an iron pin on the South line of Land Lot 107, said pin being 750 feet, more or less, East of the intersection of said South line with the East line of Land Lot 106 and from said beginning point run thence South 89 degrees 0 minutes East 740 Feet to an iron pin; thence North 0 degrees 8 minutes West

EXHIBIT A

BK:5624 PG:362

1533 feet to a corner post; thence South 90 degrees 0 minutes West 750 feet; thence South 0 degrees 30 minutes East 1520 feet to the point of beginning.

Said property is bound on the North and East by property of T.K. Barron; on the West and South by property of N.T. Brewster.

Said property is more particularly identified according to a plat of survey made by T.Y. Maddox of record in Plat Book 9, Page 23, Office of the Clerk, Coweta County Superior Court.

And

A certain tract or parcel of land lying and being in the Fifth District, said State and County and being a part of lot of land No. 107 in said District and containing 23.18 acres more or less and more particularly described as follows: BEGIN at a point on the North line of said lot of land No. 107 which said point is 1485 feet from the original Northeast corner of said lot; thence run South 1447 feet to the lands hereinbefore conveyed to Mrs. May Herrin Powell; thence run West 737 feet to the lands of McMakin; thence run North along the line between the property herein conveyed and the McMakin lands 1087 feet more or less to where said line crosses or intersect a certain public road known as the Old Atlanta Public Road; thence run Northeast along said Old Atlanta Public Road 137 feet; thence run North 9 degrees West 250 feet; thence run North 41 degrees West 93 feet to the original North line of said lot on land No. 107 thence run East along the original North line of said lot of land No. 107, 685 feet to the beginning point.

This being the same property as that conveyed by Mrs. Willie Herring King to T.K. Barron by Warranty Deed of record in Deed Book 36, Page 299, Office of the Clerk of Coweta Superior Court.

ALSO:

All that certain piece, parcel or tract of land containing One Hundred One and 75/100 (101.75) acres, more or less, lying and being situate on the Atlanta Road about Four (4) miles North of the town of Newnan, in the 5th Land District, Coweta County, State of Georgia, and more particularly described as Tracts Number Four (4) and Five (5) of the W.A. Herring Place, according to a plat prepare by T. Y. Maddox, Surveyor, on June 20 and 21, 1935, a copy of which is now on file with the Federal Land Bank of Columbia. Said property being bounded, now or formerly, as follows, to wit: North by lands of Mrs. H. W. Sieb and Atlanta Road; East by lands of Mrs. H.W. Seib; South by lands of Mrs. J.F. Lee and Eleanor McMakin; West by lands of Mrs. May H. Powell and Mrs. King. This being the same property as that conveyed by Federal Land Bank to T.K. Barron by Warranty Deed of record in Deed Book 33, Page 513, Office of the Clerk, Coweta Superior Court.

WITNESSETH: That pursuant to Georgia Code section 36-36-115(b), the Arbitration Panel designated by the Department of Community Affairs placed the following restrictions or conditions on the use of the property above-described which remains in effect by operation of law for two (2) years as set out in Georgia Code section 36-36-117

EXHIBIT A

BK:5624 PG:363

from the date of the Order affirming said decision, February 9, 2023, and applying to all heirs, successors, and assigns of right, title or interest in the property with such restrictions or conditions automatically expiring on February 9, 2025:

1. The maximum number of lots is restricted to three hundred (300) single-family, detached, fee-simple owned homes.
2. A landscape plan shall be submitted to the appropriate department for review and approval prior to any plantings.
3. The applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
4. Right-of-way shall be reserved for a paved and publicly dedicated roadway to connect this development with a possible adjoining future development to the west and the portion of the connection within this development shall be constructed in conjunction with construction of the streets in this development.
5. Left turn and right turn lanes shall be constructed (Acceleration and Deceleration lanes to County Standards) at the proposed full service access to Green Top Road.
6. Physical medians shall be constructed (to County Standards) at the proposed right-in-right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
7. The applicant shall contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project at Hal Jones Road/Green Top Road at US 29; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
8. The applicant shall contribute a five-year bond in the amount of \$250,000 to assist with the implementation of intersectional improvement projects at Green Top Road and Herring Road and Herring Road and Bledsoe Road; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
9. The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection

EXHIBIT A

BK:5624 PG:364

Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District.

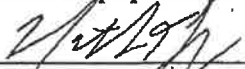
10. Access onto Green Top Road will require a permit from Coweta County.
11. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
12. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
13. Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
14. There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
15. The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.
16. The existing ponds and wetlands will be retained in order to create a natural environment.
17. Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
18. The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
19. All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City Department for consideration.
20. All front, side, and rear yards of all disturbed grass areas on lots shall be sodded.
21. All utilities that provide service to the proposed subdivision shall be placed underground.

EXHIBIT A

BK:5624 PG:365

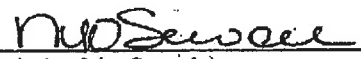
22. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
23. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
24. All garage doors shall be architecturally treated similarly to the renderings submitted.
25. The Lot information and setbacks shall be as follows:
 - Minimum street Frontage 30-feet
 - Minimum lot width at front setback 40-feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet
 - Building separation 10-feet
 - Maximum building height 2 stories/40-feet
26. There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south, and east property lines.

Certificate prepared by:


SIGNATURE OF ATTORNEY

State Bar # 443770

I do hereby certify that the above information is based on the Order of the Superior Court of Coweta County by affirmation of the Arbitration Panel on February 9, 2023, as set forth above.

By: 
Clerk of the Superior

72 Greenville Street
Newnan, Georgia 30263
Superior Court Return Mailing Address

EXHIBIT B

DEVELOPMENT AGREEMENT BETWEEN AND AMONG GREEN TOP ROAD, LLC, PULTE HOME COMPANY, LLC, THE CITY OF NEWNAN, GEORGIA, AND NEWNAN UTILITIES

STATE OF GEORGIA
COUNTY OF COWETA

RE: 163.61 Acres on Green Top Road
Tax Reference ## 085 5107 002,
085 5086 001, 085 5086 003, and
085 5107 003 (portion south of
Green Top Road)
Land Lots 86 and 107 of the 5th Land
District of Coweta County, Georgia Records

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Development Agreement"), made and entered into this ____ day of _____, 2023, by, between, and among the CITY OF NEWNAN, GEORGIA, a political subdivision of the State of Georgia (hereinafter the "City"), PULTE HOME COMPANY, LLC, a Michigan limited liability company (hereinafter "Developer"), GREEN TOP ROAD, LLC, a Georgia limited liability company (hereinafter "Owner"), and NEWNAN UTILITIES, a Georgia municipal corporation (hereinafter "Newnan Utilities") (hereinafter sometimes collectively referred to as the "Parties").

PREAMBLE:

WHEREAS, Developer currently has a contract to acquire certain property depicted on Exhibit "A" attached hereto and made a part hereof, which consists of approximately 163.61 acres on Green Top Road in Land Lots 86 and 107 of the 5th Land District, Coweta County, Georgia, and being Tax Parcels ## 085 5107 002, 085 5086, 001, 085 5086 003, and 085 5107 003 (portion south of Green Top Road) (hereinafter the "Property"); and

WHEREAS, Developer and Owner have applied for annexation and rezoning into the City; and

WHEREAS, City, Developer, Owner, and Coweta County participated in an annexation arbitration proceeding as required by Georgia law regarding the "Property"; and

WHEREAS, as a result of the arbitration proceeding, there was an Arbitration Panel Decision, which was affirmed by Superior Court Order, as evidenced by the Certificate of Zoning, Land Use or Density Restrictions (pursuant to O.C.G.A. § 36-36-115) recorded March 28, 2023 in Deed Book 5624, Pages 360-365 in the Office of the Clerk of Superior Court of Coweta County, Georgia setting forth at Deed Book 5624, Pages 363-365, twenty-six (26) zoning and development

conditions applicable to the Property until February 9, 2025 (“Arbitration Conditions”, attached hereto as Exhibit “B”, Deed Book 5624, Pages 363-365 and incorporated herein by reference); and

WHEREAS, it is the desire of the Parties to set forth in this Development Agreement the terms and conditions upon which the Property will be developed in the event the Property is annexed into the City and rezoned as requested by the Developer and Owner.

NOW, THEREFORE, for and in consideration of the covenants and agreements hereinafter stated and for the sum of One and 00/100 Dollar (\$1.00) in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

I. Incorporation

The Provisions contained in the Preamble and Recitals are incorporated herein. The Exhibits attached to this Development Agreement are listed below and incorporated herein:

Exhibit A	Legal Description of Property
Exhibit B	Arbitration Conditions
Exhibit C	Site Plan for Property
Exhibit D	Newnan Utilities Will Serve Letter

II. Development Consistent with City of Newnan Goals and Arbitration Conditions

The Parties agree that they are entering into this Development Agreement for the purposes of making the development, application submittals, review, approval process, and administrative process efficient for Developer, Owner, City, and Newnan Utilities, while taking into account the Arbitration Conditions and other provisions of City ordinances.

III. Development Standards for the Property

The Property shall be developed according to the City’s Zoning and Development Ordinance in effect on the date of this Agreement, and the Arbitration Conditions, together with the provisions of this Development Agreement. It is the intention of the Parties that all Arbitration Conditions except Condition 18 (provision of water and sewerage services addressed in the immediately following paragraph) apply throughout the development of the project.

A. Utilities.

After February 9, 2025, public water and sewerage shall be provided by Newnan Utilities. The Developer/Owner shall comply with all conditions contained in the Will Serve letter from Newnan Utilities dated May 10, 2023 (attached hereto as Exhibit “D” and incorporated herein by reference).

B. Permits.

Upon compliance with applicable ordinances and conditions, the Owner and/or Developer of the Property shall be entitled to receive a land disturbance permit, building permits, and city inspections for the installed infrastructure but shall not be entitled to any certificates of occupancy for any residence or clubhouse on the Property unless the residence or clubhouse for which the certificate of occupancy is requested is served by public water and sewerage provided by Newnan Utilities.

C. Site Plan.

The development of the Property shall be generally consistent with the site plan attached as Exhibit "C".

IV. Property Owner's Association Restrictive Covenants

The Parties anticipate that the Developer will voluntarily form an Owner's Association and record a declaration of easements and restrictive covenants applicable to the Property. The covenants and restrictions for the Property shall provide that no more than 10% of the residential units shall be made available for rental at any one point in time.

V. Date of Effectiveness and Term of this Development Agreement

The Development Agreement shall be effective among the Parties, their successors and assignees, immediately upon execution of this Development Agreement by all Parties hereto. The term of this Development Agreement is twenty (20) years, from the effective date or until the obligations of the Parties are complete, whichever occurs first.

VI. Covenants Running with the Land

The terms and conditions of this Agreement shall be recorded in the public records of the office of the Clerk of Superior Court of Coweta County and shall be binding upon the Parties, and their successors in title, and shall run with the title to the Property and shall be a covenant running with the Property.

VII. Miscellaneous

The Parties acknowledge that during the annexation and rezoning process additional conditions may be adopted which will require the modification of this Development Agreement. In the event annexation and/or rezoning are not granted, this Development Agreement shall be voidable by any Party upon written notice to the other Parties.

EXECUTED and made effective as of the last date executed by duly authorized officers of each of the respective Parties in multiple counterparts, each of which shall have the force and effect of an original.

CITY:
CITY OF NEWNAN, GEORGIA
a political subdivision of the
State of Georgia

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

NEWNAN UTILITIES:
NEWNAN UTILITIES
a Georgia municipal corporation

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

DEVELOPER:
PULTE HOME COMPANY, LLC

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

(Signatures Continued on Following Page)

OWNER:
GREEN TOP ROAD, LLC
a Georgia Limited Liability
Company

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

OWNER:
GREEN TOP ROAD, LLC
a Georgia Limited Liability
Company

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

OWNER:
GREEN TOP ROAD, LLC
a Georgia Limited Liability
Company

By: _____
Name: _____
Title: _____

Sworn and subscribed to before me this
_____ day of _____, 2023.

Witness

Notary Public
My Commission Expires: _____

EXHIBIT "A"

SUBJECT PROPERTY

Surveyed Property Line Description for Overall Parcel

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING in Land Lots 86 & 107 of the 5th District, Coweta County, Georgia, and being more particularly described as follows:

Beginning at a concrete monument found at the intersection of the of the southerly right-of-way of Greentop Road (80' right-of-way) and the easterly line of Land Lot 107, said point being the POINT OF BEGINNING;

Thence leaving said right-of-way running along said Land Lot Line South 01 degrees 02 minutes 16 seconds West 2598.70 feet to a nail set on the westerly right-of-way of CSX Railroad (200' right-of-way);

Thence along said right-of-way South 24 degrees 31 minutes 01 seconds West 446.64 feet to a 3/4" open top pipe found;

Thence along said right-of-way South 24 degrees 38 minutes 13 seconds West 276.24 feet to a point;

Thence along said right-of-way South 26 degrees 19 minutes 03 seconds West 205.83 feet to a point;

Thence along said right-of-way South 31 degrees 46 minutes 53 seconds West 192.25 feet to a point;

Thence along said right-of-way South 38 degrees 03 minutes 23 seconds West 142.35 feet to a 3/4" open top pipe found;

Thence along said right-of-way South 38 degrees 03 minutes 23 seconds West 46.00 feet to a point;

Thence along said right-of-way South 44 degrees 18 minutes 48 seconds West 191.04 feet to a point;

Thence along said right-of-way South 50 degrees 07 minutes 53 seconds West 188.10 feet to a point;

Thence along said right-of-way South 54 degrees 04 minutes 43 seconds West 114.00 feet to a point;

Thence along said right-of-way South 55 degrees 17 minutes 43 seconds West 277.55 feet to a nail set;

Thence leaving said right-of-way North 01 degrees 06 minutes 31 seconds East 1217.08 feet to a 3/4" open top pipe found;

Thence North 01 degrees 06 minutes 33 seconds East 47.50 feet to a 3/4" open top pipe found on the southerly line of Land Lot 107;

Thence along said Land Lot Line North 87 degrees 59 minutes 59 seconds West 301.24 feet to a 1.25" open top pipe found;

Thence along said property line North 87 degrees 54 minutes 45 seconds West 738.25 feet to a 1" open top pipe found;

Thence leaving said Land Lot Line North 01 degrees 09 minutes 38 seconds East 199.99 feet to a 1" square iron found;

Thence North 00 degrees 54 minutes 49 seconds East 1311.40 feet to a #4 rebar found;

Thence North 01 degrees 08 minutes 19 seconds East 1089.83 feet to a 2" open top pipe found on the southerly right-of-way of Greentop Road (80' right-of-way);

Thence along said right-of-way North 75 degrees 20 minutes 01 seconds East 389.18 feet to a point;

Thence along said right-of-way a curve to the left an arc length of 394.77 feet, said curve having a radius of 14779.60 feet, and being subtended by a chord of 394.75 feet, at North 74 degrees 07 minutes 33 seconds East to a point;

Thence along said right-of-way North 74 degrees 40 minutes 46 seconds East 228.35 feet to a point;

Thence along said right-of-way a curve to the right an arc length of 534.96 feet, said curve having a radius of 2484.30 feet, and being subtended by a chord of 533.93 feet, at North 83 degrees 17 minutes 14 seconds East to a point;

Thence along said right-of-way North 89 degrees 05 minutes 11 seconds East 148.73 feet to a point;

Thence along said right-of-way North 89 degrees 53 minutes 07 seconds East 208.79 feet to a point;

Thence along said right-of-way South 89 degrees 55 minutes 43 seconds East 358.04 feet to a concrete monument found, said point being the POINT OF BEGINNING;

Said tract or parcel contains 163.61 Acres (7126809 Square Feet), more or less.

EXHIBIT "B"

BK:5624 PG:360-365

D2023004025

FILED IN OFFICE
CLERK OF COURT
03/28/2023 09:41 AM
NIKI SEWELL, CLERK
SUPERIOR COURT
COWETA COUNTY, GA

After Recording return to:
Nathan T. Lee
Glover & Davis, P.A.
10 Brown Street
Newnan, Georgia 30263

Niki Sewell

9281298029
PARTICIPANT ID

(Note: Above space to be used for filing in Superior Court Clerk's Office of Deeds and Records)

IN THE SUPERIOR COURT OF COWETA COUNTY
STATE OF GEORGIA

IN RE:

GREEN TOP ROAD, LLC and PULTE
HOMES, LLC,

Appellants/Petitioners/Annexation
Applicants

vs.

CITY OF NEWNAN, GEORGIA

Municipal Corporation/Appellant

and

COWETA COUNTY, GEORGIA,

Appellee/Respondent

ARBITRATION PANEL

Respondents.

CIVIL ACTION FILE NO. 2023SUV0066

CERTIFICATE OF ZONING, LAND USE OR DENSITY RESTRICTIONS
(Pursuant to O.C.G.A. § 36-36-115)

DATE ORDER GRANTED: February 9, 2023

GRANTEE: Green Top Road, LLC

EXHIBIT "B"

BK:5624 PG:361

STATE OF GEORGIA

COUNTY OF COWETA

THIS INSTRUMENT, made this the 28th day of March, 2023, placing zoning, land use or density conditions on real property owned by Green Top Road, LLC as shown by the following deeds recorded in the Coweta County, Georgia real property records:

Tax Parcel I.D.: 85 5086 001: Deed Book 5376, Pages 750-751; Deed Book 5376, Pages 752-753; Deed Book 5376, Pages 754-755;

Tax Parcel I.D.: 85 5086 003: Deed Book 5143, Pages 731-732; Deed Book 5143, Pages 733-734;

Tax Parcel I.D.: 85 5107 002: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728; Deed Book 5376, Pages 745-747; Deed Book 5376, Pages 748-750;

Tax Parcel I.D.: 85 5107 003: Deed Book 5143, Pages 719-720; Deed Book 5143, Pages 721-722; Deed Book 5143, Pages 723-724; Deed Book 5143, Pages 725-726; Deed Book 5143, Pages 727-728;

and being described as:

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract B, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

All that tract or parcel of land, containing 8.92 acres situate, lying and being in Land Lot 86 of the Fifth Land District of Coweta County, Georgia and being Tract A, as shown by plat of property for William F. Lee and Ida Lee Ellis, dated May 29, 1981, made by John R. Christopher, R.L.S., as recorded in Plat Book 29, Page 35, 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.

And

A certain tract or parcel of land, containing 26.14 acres, situate, lying and being in Land Lot 107, 5th Land District, Coweta County, Georgia, more particularly described as follows:

BEGINNING at an iron pin on the South line of Land Lot 107, said pin being 750 feet, more or less, East of the intersection of said South line with the East line of Land Lot 106 and from said beginning point run thence South 89 degrees 0 minutes East 740 Feet to an iron pin; thence North 0 degrees 8 minutes West

EXHIBIT "B"

BK:5624 PG:362

1533 feet to a corner post; thence South 90 degrees 0 minutes West 750 feet; thence South 0 degrees 30 minutes East 1520 feet to the point of beginning.

Said property is bound on the North and East by property of T.K. Barron; on the West and South by property of N.T. Brewster.

Said property is more particularly identified according to a plat of survey made by T.Y. Maddox of record in Plat Book 9, Page 23, Office of the Clerk, Coweta County Superior Court.

And

A certain tract or parcel of land lying and being in the Fifth District, said State and County and being a part of lot of land No. 107 in said District and containing 23.18 acres more or less and more particularly described as follows: BEGIN at a point on the North line of said lot of land No. 107 which said point is 1485 feet from the original Northeast corner of said lot; thence run South 1447 feet to the lands hereinbefore conveyed to Mrs. May Herrin Powell; thence run West 737 feet to the lands of McMakin; thence run North along the line between the property herein conveyed and the McMakin lands 1087 feet more or less to where said line crosses or intersect a certain public road known as the Old Atlanta Public Road; thence run Northeast along said Old Atlanta Public Road 137 feet; thence run North 9 degrees West 250 feet; thence run North 41 degrees West 93 feet to the original North line of said lot on land No. 107 thence run East along the original North line of said lot of land No. 107, 685 feet to the beginning point.

This being the same property as that conveyed by Mrs. Willie Herring King to T.K. Barron by Warranty Deed of record in Deed Book 36, Page 299, Office of the Clerk of Coweta Superior Court.

ALSO:

All that certain piece, parcel or tract of land containing One Hundred One and 75/100 (101.75) acres, more or less, lying and being situate on the Atlanta Road about Four (4) miles North of the town of Newnan, in the 5th Land District, Coweta County, State of Georgia, and more particularly described as Tracts Number Four (4) and Five (5) of the W.A. Herring Place, according to a plat prepare by T. Y. Maddox, Surveyor, on June 20 and 21, 1935, a copy of which is now on file with the Federal Land Bank of Columbia. Said property being bounded, now or formerly, as follows, to wit: North by lands of Mrs. H. W. Sieb and Atlanta Road; East by lands of Mrs. H.W. Seib; South by lands of Mrs. J.F. Lee and Eleanor McMakin; West by lands of Mrs. May H. Powell and Mrs. King. This being the same property as that conveyed by Federal Land Bank to T.K. Barron by Warranty Deed of record in Deed Book 33, Page 513, Office of the Clerk, Coweta Superior Court.

WITNESSETH: That pursuant to Georgia Code section 36-36-115(b), the Arbitration Panel designated by the Department of Community Affairs placed the following restrictions or conditions on the use of the property above-described which remains in effect by operation of law for two (2) years as set out in Georgia Code section 36-36-117

EXHIBIT "B"

BK:5624 PG:363

from the date of the Order affirming said decision, February 9, 2023, and applying to all heirs, successors, and assigns of right, title or interest in the property with such restrictions or conditions automatically expiring on February 9, 2025:

1. The maximum number of lots is restricted to three hundred (300) single-family, detached, fee-simple owned homes.
2. A landscape plan shall be submitted to the appropriate department for review and approval prior to any plantings.
3. The applicant shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks, and other similar techniques to provide a more pleasing appearance to the subdivision. No vinyl or wood siding shall be allowed.
4. Right-of-way shall be reserved for a paved and publicly dedicated roadway to connect this development with a possible adjoining future development to the west and the portion of the connection within this development shall be constructed in conjunction with construction of the streets in this development.
5. Left turn and right turn lanes shall be constructed (Acceleration and Deceleration lanes to County Standards) at the proposed full service access to Green Top Road.
6. Physical medians shall be constructed (to County Standards) at the proposed right-in-right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
7. The applicant shall contribute a five-year bond in the amount of \$500,000 to assist with the implementation of the intersection improvement project at Hal Jones Road/Green Top Road at US 29; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
8. The applicant shall contribute a five-year bond in the amount of \$250,000 to assist with the implementation of intersectional improvement projects at Green Top Road and Herring Road and Herring Road and Bledsoe Road; Bonded amounts will be paid to Coweta County upon proof of a Notice to Proceed with construction being issued for upgrade of intersections located at Green Top Road and Highway 29, Hal Jones Road and Highway 29 and Green Top Road and Herring Road.
9. The applicant shall comply with all requirements of City of Newnan's Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection

EXHIBIT "B"

BK:5624 PG:364

Ordinances. Stormwater management shall also meet the requirements of the Metropolitan North Georgia Water Planning District.

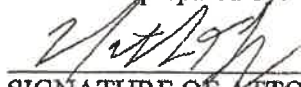
10. Access onto Green Top Road will require a permit from Coweta County.
11. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
12. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
13. Physical medians shall be constructed at the proposed right-in/right-out access points on Green Top Road as well as any roadway widening to allow for the median construction.
14. There shall be one main entrance with two secondary entrances on each side of the main entrance that are right-in/right-out only.
15. The amenities shall be specifically designed to meet the recreational and social needs of families shall include a 2,800 square feet minimum pool, playgrounds, dog park, mailbox kiosk, and walking trails. The clubhouse shall be 1,800 heated square feet minimum of heated floor space.
16. The existing ponds and wetlands will be retained in order to create a natural environment.
17. Natural vegetation shall remain on the property prior to issuance of a Land Development Permit.
18. The property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority.
19. All drainage features shall be in accordance with standards and specifications of the City of Newnan and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the City. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the City stormwater system, prior to doing so, a plan shall be submitted to the appropriate City Department for consideration.
20. All front, side, and rear yards of all disturbed grass areas on lots shall be sodded.
21. All utilities that provide service to the proposed subdivision shall be placed underground.

EXHIBIT "B"

BK:5624 PG:365

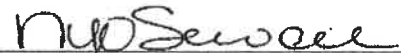
22. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
23. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
24. All garage doors shall be architecturally treated similarly to the renderings submitted.
25. The Lot information and setbacks shall be as follows:
 - Minimum street Frontage 30-feet
 - Minimum lot width at front setback 40-feet
 - Minimum floor area 1,600 square feet
 - Maximum impervious area 60%
 - Minimum lot size 8,200 square feet
 - Front setback 30-feet
 - Side setback 5-feet
 - Major side (double frontage) 10-feet
 - Rear setback 20-feet
 - Building separation 10-feet
 - Maximum building height 2 stories/40-feet
26. There shall be a 25-foot natural, vegetated buffer around the perimeter of the site along the west, south, and east property lines.

Certificate prepared by:


SIGNATURE OF ATTORNEY

State Bar # 443770

I do hereby certify that the above information is based on the Order of the Superior Court of Coweta County by affirmation of the Arbitration Panel on February 9, 2023, as set forth above.

By: 
Clerk of the Superior

72 Greenville Street
Newnan, Georgia 30263
Superior Court Return Mailing Address

NOTE: INFORMATION OBTAINED FROM COMETA COUNTY GEOLOGICAL

AVERAGE LOT SIZE = 11,898.6 SQFT
COMMON OPEN SPACE = 41.88% COMMON OPEN SPACE = 69.52 ACRES

TCG 10 NG	52" WIDE LOT
TCG 4	52" WIDE LOT
TCG 5	62" WIDE LOT

24 HOUR CONTACT:
GAREN SMITH
770.381.3450



GEORGIA811
Utilities Protection Center, Inc.

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

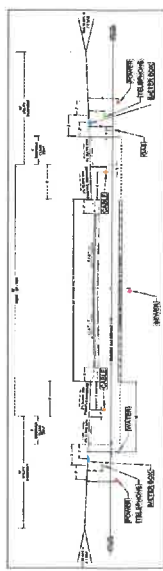
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EXHIBIT "C"



DEVELOPMENT SUMMARY

ZONING

PROPOSED ZONING: PDR (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT)

AREA

SITE AREA: 163.61 ACRES
OPEN SPACE PROVIDED: 69.01 ACRES
PERCENTAGE OPEN SPACE: 42.18%

DENSITY

NUMBER OF UNITS: 300 UNITS
PROPOSED DENSITY: 2.04 UNITS/ACRE

LOT INFORMATION

MINIMUM FLOOR AREA: 1,600 SQ FT
MINIMUM LOT SIZE: 8,200 SQ FT
AVERAGE LOT SIZE: 11,284.3 SQ T

BUILDING SETBACKS

FRONT SETBACK: 15' FROM ROW /
40' FROM CL
SIDE SETBACK: 5 FEET
STREET SIDE SETBACK: 10 FEET
REAR SETBACK: 20 FEET
BUILDING SEPARATION: 10 FEET
MAX BUILDING HEIGHT: 35 FEET



EXHIBIT "D"



May 10, 2023

Jason Garrett
Pulte Group
2475 Northwinds Pkwy #600
Alpharetta, GA 30009

RE: 300 Lot Residential Subdivision on Green Top Road in Newnan, GA

Mr. Garrett,

I am writing per your request to confirm Newnan Utilities will service the proposed project on Green Top Road. Newnan Utilities will be the water and sewer service provider contingent on the properties being annexed into the city limits of Newnan. At this time Newnan Utilities has ample capacity to serve this proposed facility based on the following information:

- Parcel Numbers 085 5086 001, 085 5107 002, 085 5086 003, and the southern portion of 085 5107 003
- 163.61 Acres

1. Sanitary Sewer:

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

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

EXHIBIT "D"

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

2. Water:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Tolar", with a stylized flourish at the end.

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

SECTION 7

REQUESTED RESPONSES TO QUESTIONS RELATING TO PUBLIC SCHOOLS

From: [Rick Martin](#)
To: [George Rosenzweig](#)
Cc: [Andrew Moroz](#)
Subject: Let's discuss when free!
Date: Monday, June 12, 2023 2:22:17 PM
Attachments: [image001.png](#)

What is the construction schedule for the project? Phase I of home construction will commence 24 months following final zoning approval. The Phase II and Phase III construction shall both take place 12 months following the previous Phase.

What is the proposed build-out timeline? Final home construction shall occur 4 years from the first house being started.

Will the project be built in phases? Constructed in two phases, may have three to four plats.

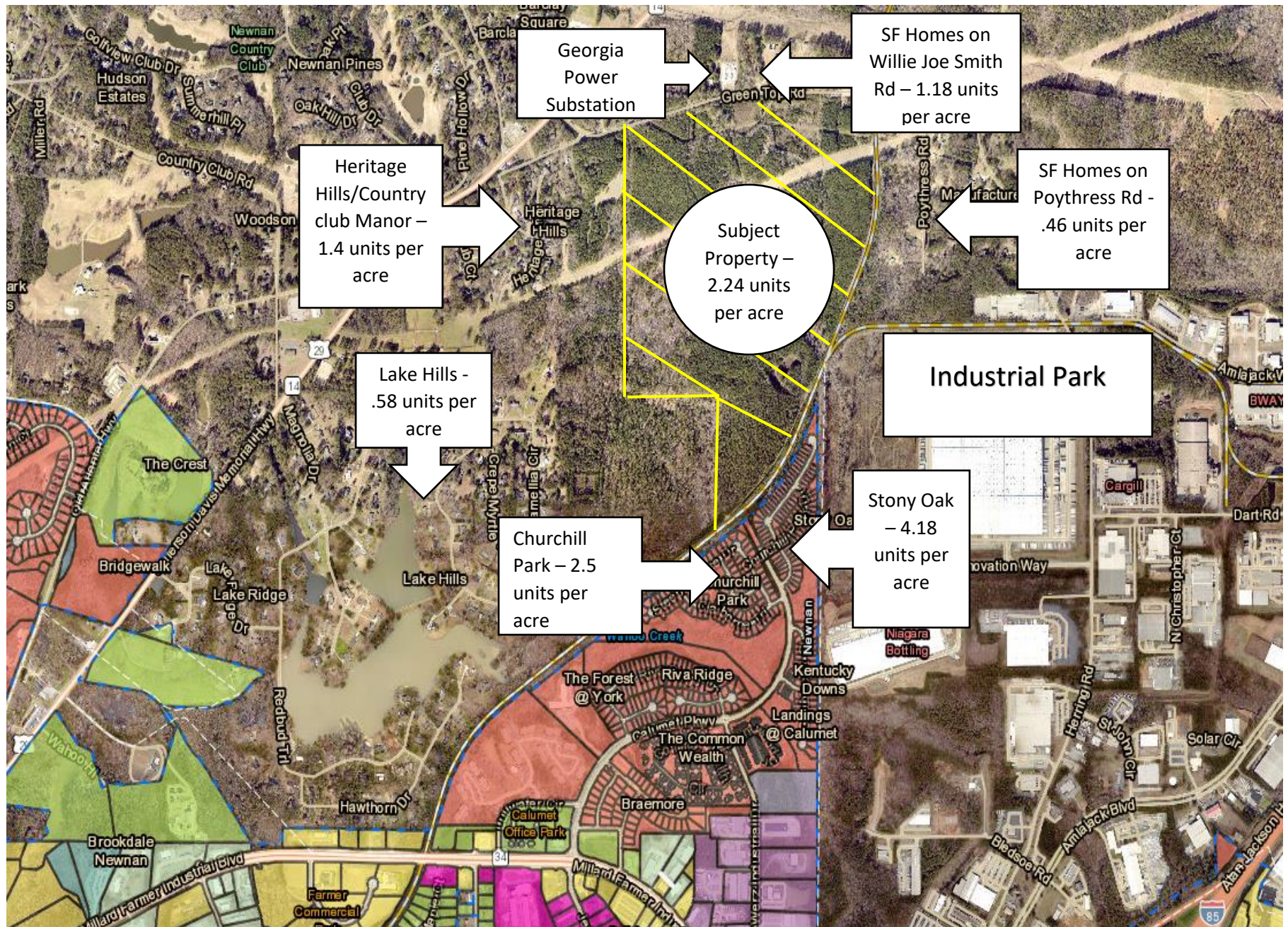
Will there be a targeted market, e.g., senior citizens? One section of the development will be "Age-Targeted" and the other two sections targeting home buyers in two different segments of more traditional fashion in two separate price points. The overall development strategy will allow families to "age-in-place" over the life of their occupancy.

Rick E. Martin CPM, CCIM
Director Land Acquisition
Rick.Martin@Pulte.com
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Density Map – Green Top Annexation



GREEN TOP ROAD RESIDENTIAL DEVELOPMENT

DATE:

November 30, 2021

LOCATION:

Coweta County, Georgia

PREPARED FOR:

Pulte Group

PREPARED BY:

NV5 Engineers and Consultants, Inc.
1255 Canton Street, Suite G
Roswell, GA 30075
678.795.3600

Executive Summary

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia. The proposed development will consist of 366 single-family detached homes. The development will have three (3) new driveways along Green Top Road, one driveway will be full access and the other two driveways will be right-in/right-out. The development has a projected build out date of 2028.

When complete, the development is expected to generate a total of 3,430 new daily trips, with 265 trips during the AM peak hour (66 entering and 199 exiting), and 353 during the PM peak hour (222 entering and 131 exiting).

The following intersections were evaluated in this study:

1. US 29 & Hal Jones Road
2. US 29 & Green Top Road
3. Herring Road & Green Top Road
4. Green Top Road & Driveway 1 (center)
5. Green Top Road & Driveway 2 (eastern)
6. Green Top Road & Driveway 3 (western)

Traffic operations at the study intersections are satisfactory in Existing Conditions. Operations are expected to degrade along the southbound approach at the US 29 & Hal Jones Road intersection in the No-Build scenario as background growth is added and in the Build scenario with the addition of site traffic, however, overall operations are expected to remain acceptable. All other intersections in the study area are expected to operate satisfactorily. The proposed site driveways are expected to operate well along all approaches in both peak hours.

Eastbound right-turn deceleration lanes are warranted at all three driveways. A westbound left-turn lane is warranted at Driveway 1 (center).

Based on this study's analysis, additional improvements at the study intersections are not required to mitigate the impact of the proposed development.

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Appendix B – Traffic Counts & Growth Rate Worksheet
Appendix C – ITE Trip Generation
Appendix D – Synchro Reports
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A. Introduction

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia, north of Newnan. The proposed development will consist of 366 single-family detached homes. The development will have three (3) new driveways along Green Top Road. The center driveway (Driveway 1) will provide full access to the development. The eastern driveway (Driveway 2) and the western driveway (Driveway 3) will be right-in/right-out.

This report identifies the traffic expected to be generated by new vehicular trips when the development is completed. The traffic analyses in this report account for a single phase of construction. This study includes analysis of the Existing, No-Build, and Build conditions at the following intersections for the year 2028:

1. US 29 & Hal Jones Road
2. US 29 & Green Top Road
3. Herring Road & Green Top Road
4. Green Top Road & Driveway 1 (center)
5. Green Top Road & Driveway 2 (eastern)
6. Green Top Road & Driveway 3 (western)

Summaries of the analysis of existing and projected traffic at the study locations, analysis of traffic impacts including Levels of Service (LOS) and conclusions and recommendations from the analysis are included in the report.

Figure 1 depicts the study area (vicinity map) in Coweta County. The study intersections listed above are depicted in Figure 2. A copy of the development site plan is included in Appendix A.

Figure 1: Vicinity Map

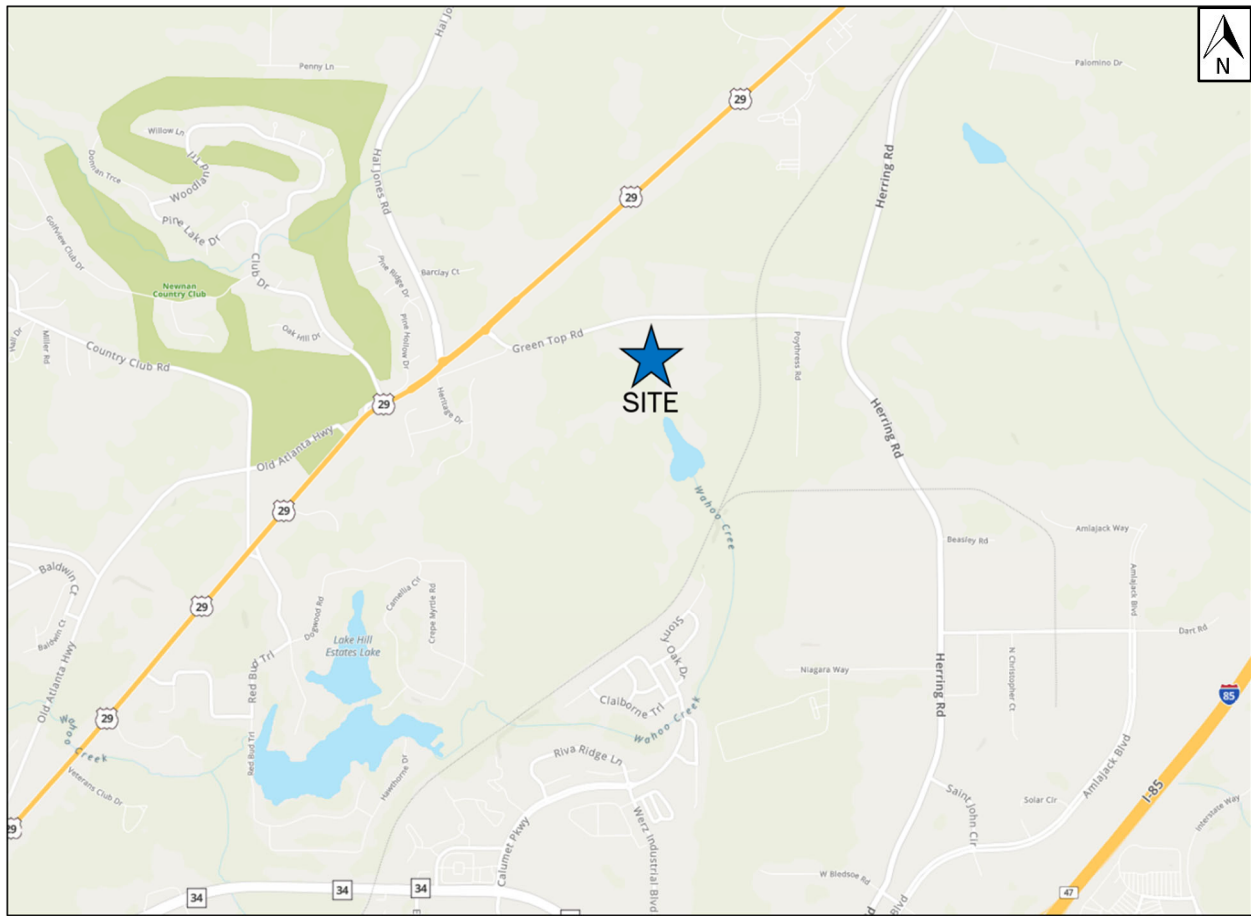
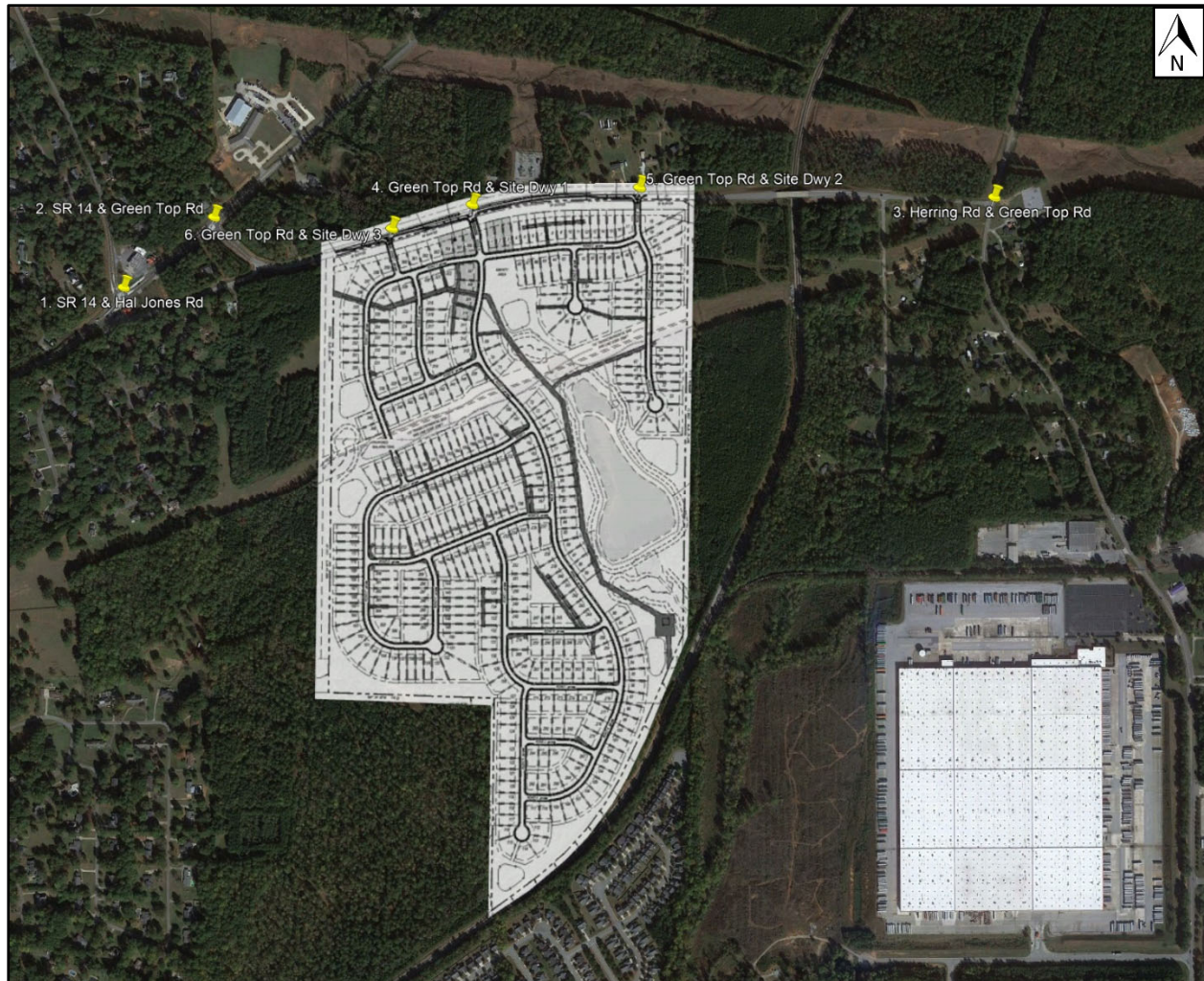


Figure 2: Site Location Aerial



B. Existing Conditions

B.1. Transportation Facilities

Green Top Road is a two-lane undivided roadway with east/west orientation that provides access to Herring Road and US 29 within a mile of the site to the east and west, respectively. Green Top Road has a posted speed limit of 45 miles per hour with residential uses along its length.

Herring Road is a two-lane undivided roadway with north/south orientation that extends south into Newnan, where it intersects with SR 34. The road meets Green Top Road east of the site and is expected to serve as a minor approach for site traffic. Herring Road has a posted speed limit of 45 miles per hour and provides access to various industrial developments to the south.

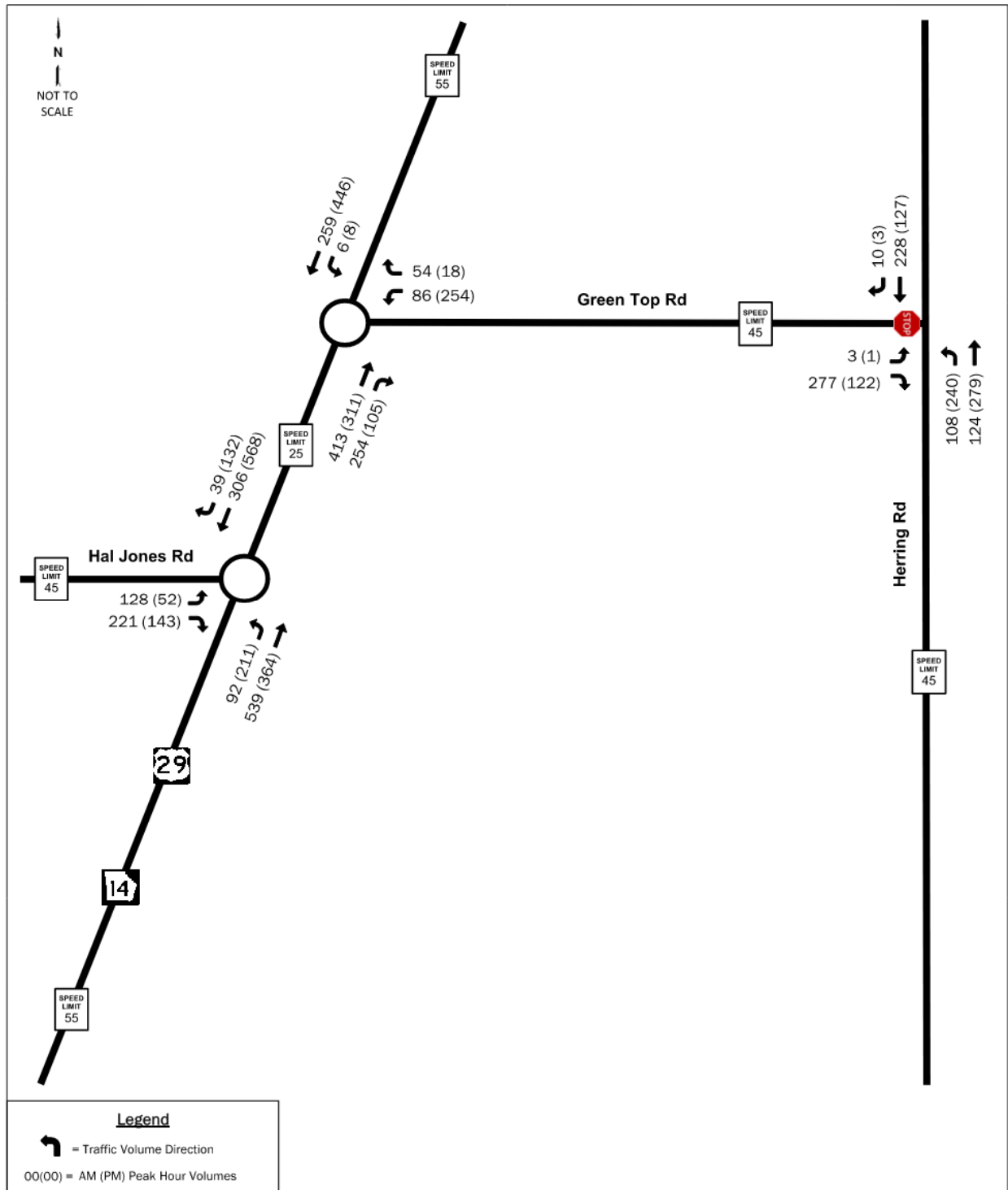
Hal Jones Road is a two-lane undivided roadway extending northwest from its intersection with US 29 west of the site and serves multiple residential developments. Hal Jones Road has a posted speed limit of 45 miles per hour and like Herring Road, is assumed to serve a small portion of the site's traffic.

US 29 (SR 14) is a two-lane undivided road running northeast/southwest to the west of the site that is expected to serve as site users' primary route of travel. Uses along it vary, with institutional, residential, and commercial developments present. Its posted speed limit is 55 miles per hour, though it drops to 25 miles per hour between the two roundabouts found at its intersections with Green Top Road and Hal Jones Road.

B.2. Traffic Counts

Weekday AM and PM peak period turning movement counts were collected at the intersections of US 29 & Hal Jones Road, US 29 & Green Top Road and Herring Road & Green Top Road on Tuesday, November 16, 2021 while schools were in session. A 24-hour tube count was also collected on Green Top Road near the site driveways. Detailed count worksheets are included in Appendix B, with existing traffic counts shown in Figure 3.

Figure 3: Existing Volumes (2021)



C. Future Conditions

C.1. Background Growth

The growth rate in the study area is based upon an analysis of historical traffic counts collected by the Georgia Department of Transportation (GDOT). The project is expected to be built-out in 2028. To account for ambient growth in the area, the existing traffic counts for this study were grown by 3% per year for seven years. The growth rate considers historical GDOT traffic data collected along US 29 near the site. Expected future volumes are depicted in Figure 4. The growth rate development worksheet is included in Appendix B.

C.2. Project Trip Generation

Table 1 summarizes the project trip generation calculated using the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition, 2017. The development consists of 366 single-family detached homes. The development will generate a total of 265 trips (66 entering and 199 exiting) during the AM peak hour, and a total of 353 trips (222 entering and 131 exiting) during the PM peak hour. ITE Trip Generation data can be found in Appendix C.

Table 1: Trip Generation

LAND USE	PERIOD	TOTAL	IN	OUT
Single-Family Detached Housing, LUC 210 (366 Units)	Daily	3,430	1,715	1,715
	AM Peak Hour	265	66	199
	PM Peak Hour	353	222	131

C.3. Trip Distribution and Assignment

The assignment and directional distribution of new project trips was based on existing traffic patterns and nearby development in the overall study area. It is expected that approximately 80% of site traffic will approach the site from the west along Green Top Road. Upon reaching US 29, 50% will travel to/from the north via US 29, with 30% traveling south along US 29 until reaching Hal Jones Road, where 5% will travel to/from the northwest. The remaining 25% will continue to/from the south along US 29. Approximately 20% of site traffic is expected to approach from the east along Green Top Road, with 5% traveling to/from the north and 15% traveling to/from the south along Herring Road. All site traffic is expected to approach the site and exit along the same route, except at the site driveways where access is restricted. Figure 5 depicts the site's expected Trip Distribution. The project trips generated from the development utilizing the trip distribution and are depicted in Figure 6. Build Volumes (No-Build Volumes plus project trips) are depicted in Figure 7.

Figure 4: 2028 No-Build Traffic Volumes

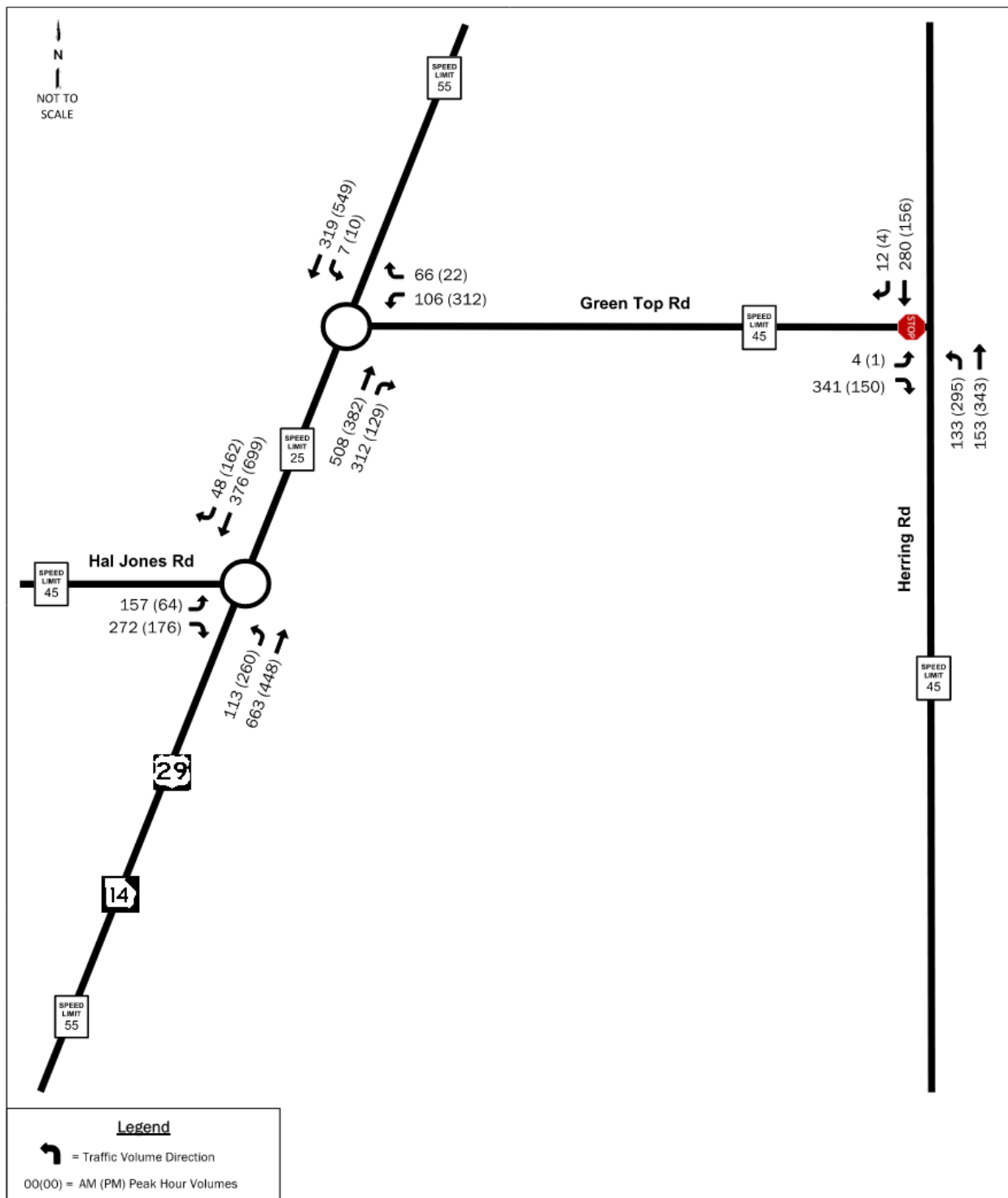


Figure 5: Trip Distribution

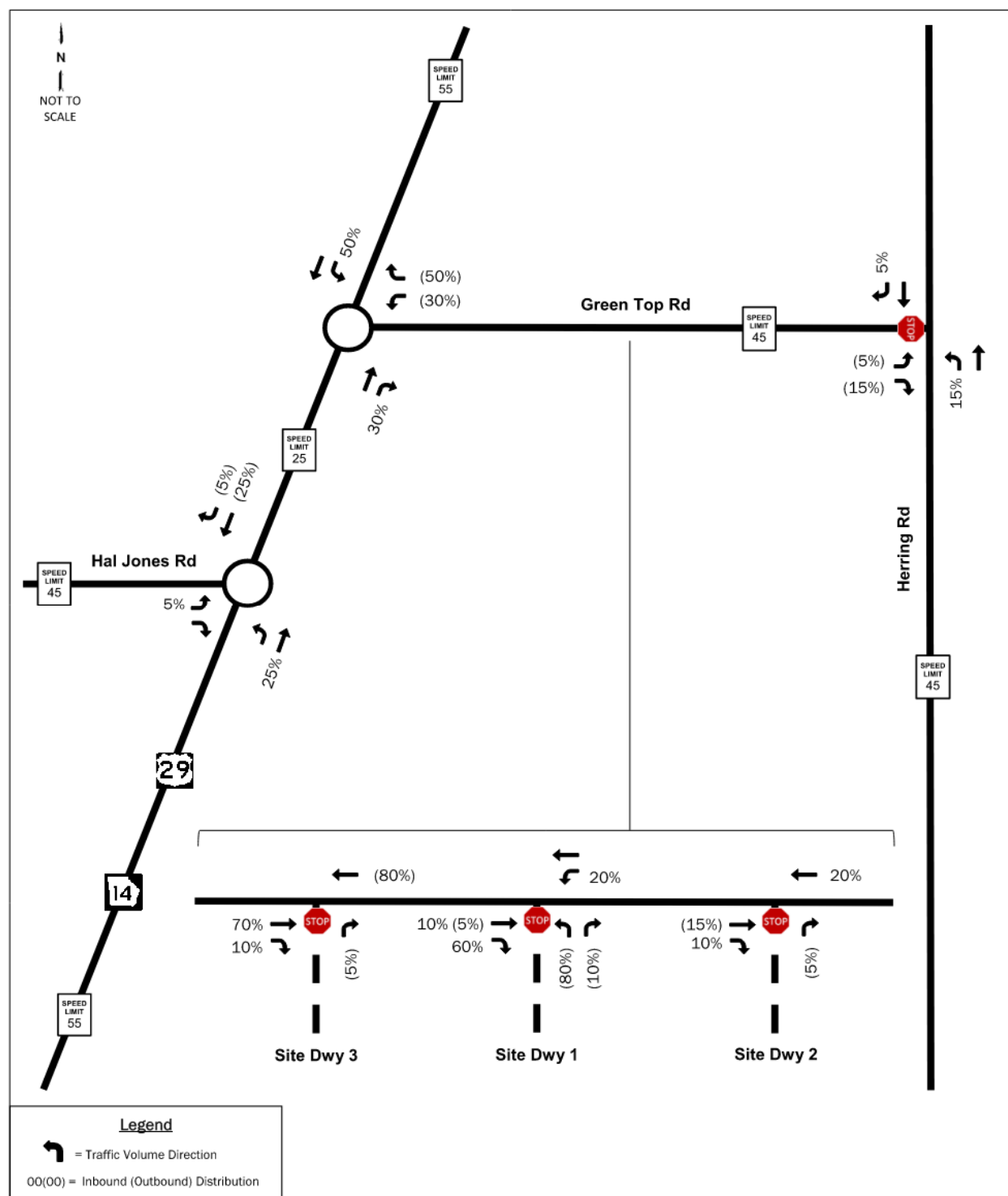


Figure 6: Project Development Trips

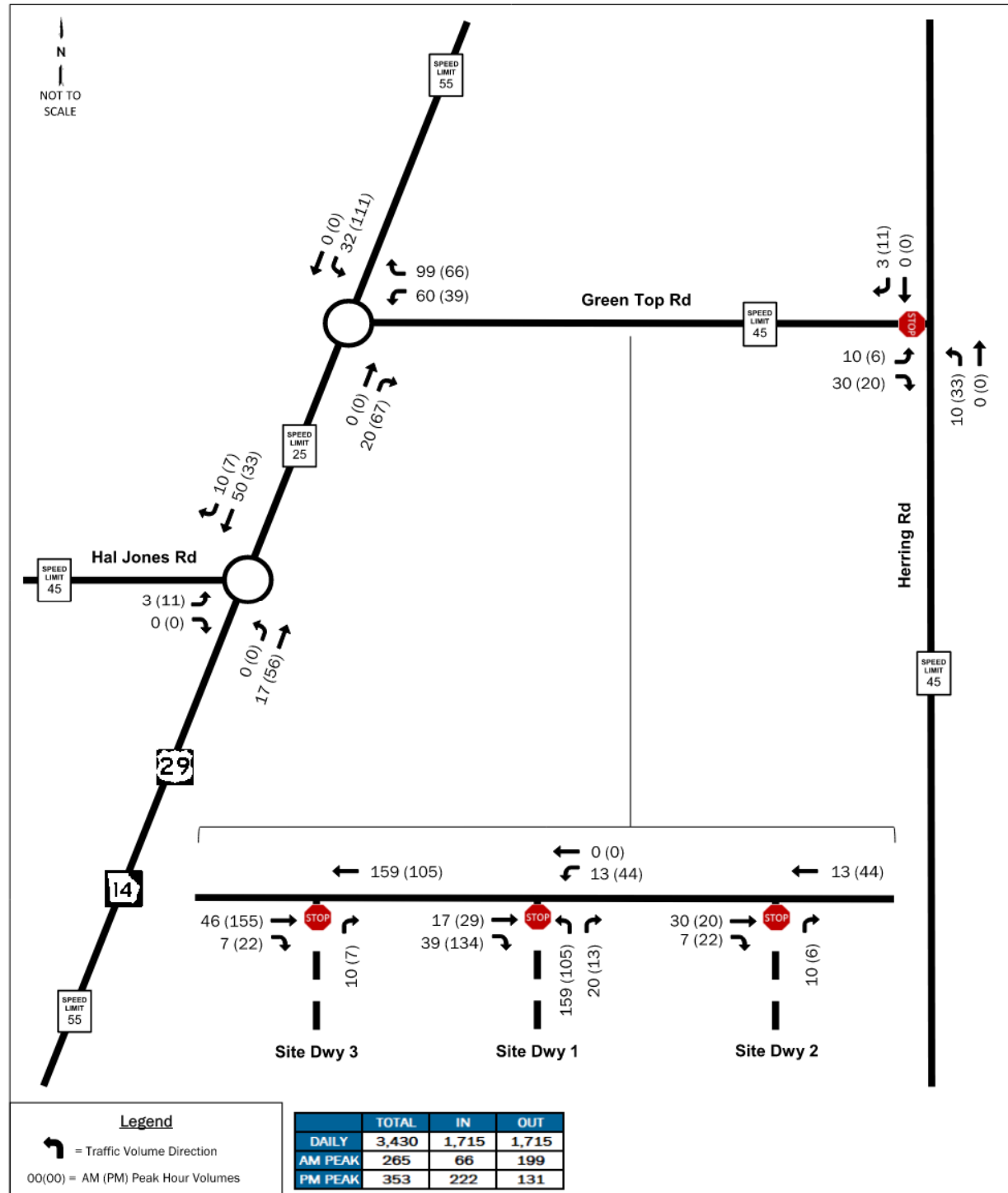
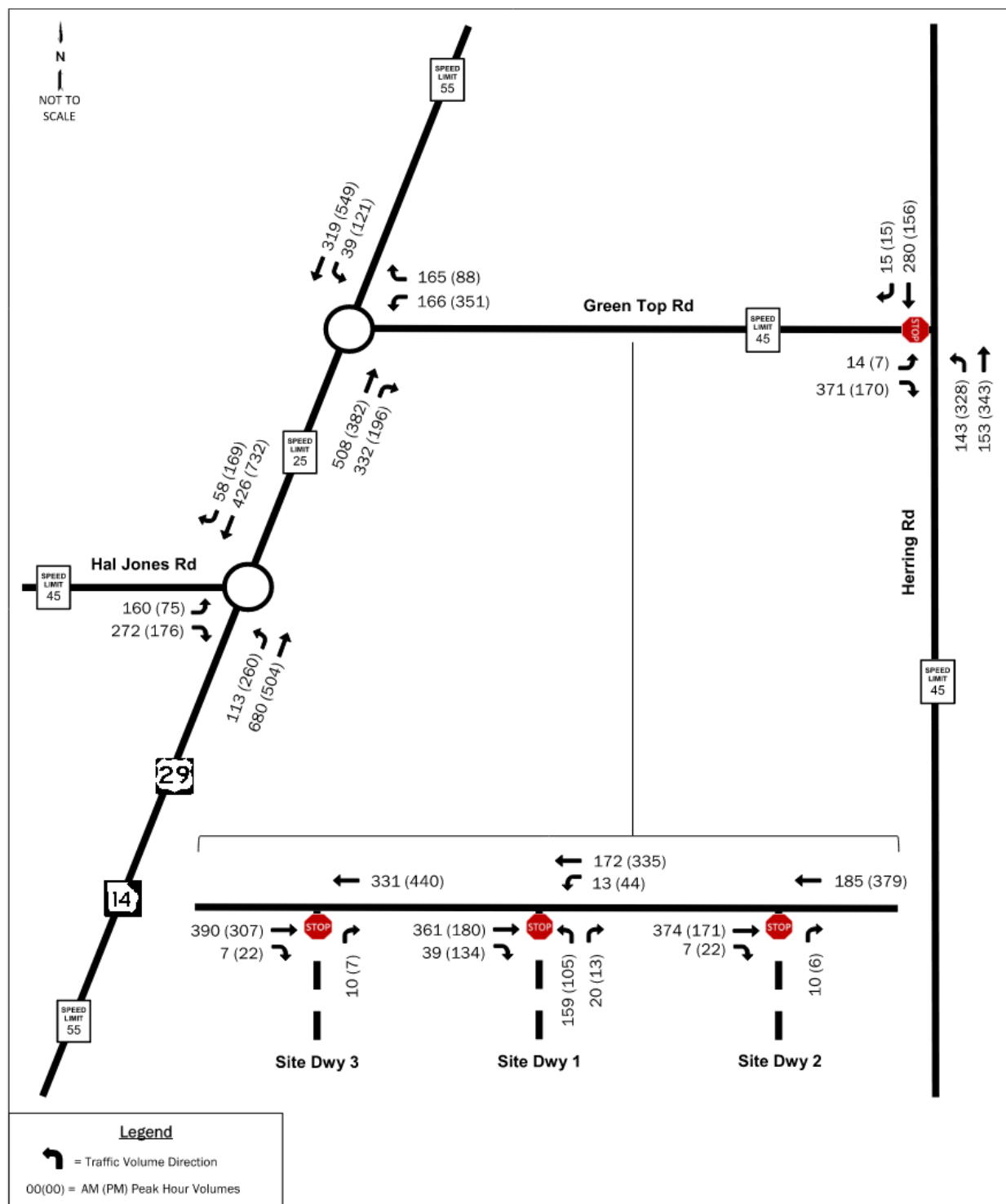


Figure 7: 2028 Build Traffic Volumes



D. Traffic Impact Analyses

The analysis in each of the scenarios for the study was performed using the traffic analysis software Synchro® 11. Average vehicular delays are calculated and reported as Levels of Service (LOS) as defined by the Highway Capacity Manual (HCM 6th Edition). HCM uses a grading system spanning 'A' through 'F', where 'A' is the best (little to no delay) and 'F' is the worst (very heavy delay). HCM LOS standards and Synchro® 11 output reports are included in Appendix D.

D.1. Existing Conditions Analysis

The results of the 2021 Existing Conditions capacity analysis are shown in Table 2 and include analysis of the volumes presented in Figure 3.

Table 2: 2021 Existing Conditions Capacity Analysis

ID	Intersection	Control	Movement	AM		PM	
				LOS	Delay	LOS	Delay
1	US 29 & Hal Jones Rd	Round-about	Overall	A	8.9	B	11.3
			EB	A	8.6	A	8.7
			NB	B	10.5	A	8.0
			SB	A	6.2	B	14.8
2	US 29 & Green Top Rd	Round-about	Overall	A	7.6	A	7.6
			WB	A	6.4	A	7.0
			NB	B	8.7	A	5.8
			SB	A	5.5	A	9.5
3	Herring Rd & Green Top Rd	Stop-Control	EB	B	12.7	A	9.9
			NB	A	3.8	A	3.7

As shown in Table 2, overall operations at all study intersections are satisfactory in Existing Conditions during the AM and PM peak hours.

D.2. 2028 No-Build Conditions Capacity Analysis

The results of the 2028 No-Build Conditions capacity analysis are shown below and reflect the operation of the study intersections with the volumes presented in Figure 4.

Table 3: 2028 No-Build Capacity Analysis

ID	Intersection	Control	Movement	AM		PM	
				LOS	Delay	LOS	Delay
1	US 29 & Hal Jones Rd	Round-about	Overall	B	12.8	C	21.9
			EB	B	11.9	B	12.3
			NB	C	16.1	B	10.5
			SB	A	7.5	D	34.0
2	US 29 & Green Top Rd	Round-about	Overall	A	9.8	A	9.1
			WB	A	7.9	A	6.7
			NB	B	11.5	B	13.9
			SB	A	6.3	B	10.9
3	Herring Rd & Green Top Rd	Stop-Control	EB	C	15.7	B	10.4
			NB	A	3.9	A	3.9

Table 3 above summarizes traffic operations in the No-Build Scenario. Southbound Levels of Service (LOS) changes from 'C' to 'D' at US 29 & Hal Jones Road as delays increase by nearly 20 seconds. However, overall operations at each study intersection are expected to remain satisfactory during both AM and PM peak hours.

D.3. 2028 Build Conditions Capacity Analysis

Results of the 2028 Build Conditions intersection capacity analysis are shown below and reflect No-Build plus project volumes as presented in Figure 7.

Table 4: 2028 Build Capacity Analysis

ID	Intersection	Control	Movement	AM		PM	
				LOS	Delay	LOS	Delay
1	US 29 & Hal Jones Rd	Round-about	Overall	B	13.7	D	26.4
			EB	B	13.4	B	13.5
			NB	C	17.2	B	12.1
			SB	A	8.2	E	42.2
2	US 29 & Green Top Rd	Round-about	Overall	B	11.5	C	15.3
			WB	B	11.8	B	11.7
			NB	B	13.2	A	9.3
			SB	A	7.3	C	22.8
3	Herring Rd & Green Top Rd	Stop-Control	EB	C	18.4	B	12.3
			NB	A	4.0	A	4.2
4	Green Top Rd & Site Dwy 1	Stop-Control	NBL	C	18.1	C	17.3
			NBR	B	10.7	A	9.3
			WBL	A	8.2	A	8.1
5	Green Top Rd &	Stop-	NBR	B	10.7	A	9.2
6	Green Top Rd &	Stop-	NBR	B	10.8	B	10.2

As shown in Table 4, all study intersections continue to operate at an acceptable overall Levels of Service (LOS) during both peak hours. The addition of project traffic is expected to increase delays along the southbound approach at US 29 & Hal Jones Road by eight (8) seconds during the PM peak hour, causing the LOS to change from 'D' to 'E', while the overall LOS changes from 'C' to 'D'. In addition to each study intersection, all site driveways operate acceptably, with LOS 'C' for northbound left turning traffic from Site Driveway 1.

E. GDOT Turn Lane Evaluations

The need for turn lanes was evaluated for the three proposed driveways along Green Top Road using methodologies from the Georgia Department of Transportation (GDOT) Access Manual. ADT data collected on Tuesday, November 16, 2021, along Green Top Road shows the average weekday traffic to be approximately 4,079 vehicles per day. The results of the evaluation are summarized in Appendix E and Table 5 below:

Table 5: GDOT Turn Lane Evaluations

ID	Intersection	Movement/ Turn Lane	Turn Volume	GDOT Volume Criteria	GDOT Criteria met?
4	Green Top Rd & Driveway 1	WBL	343	250 LT/Day	YES
		EBR	1,029	150 RT/Day	YES
5	Green Top Rd & Driveway 2	EBR	172	150 RT/Day	YES
6	Green Top Rd & Driveway 3	EBR	172	150 RT/Day	YES

Based on this analysis, eastbound right-turn movements at all three driveways are expected to exceed the 150 vehicle per day threshold to warrant right-turn deceleration lanes for a two-lane roadway with less than 6,000 daily vehicles and a speed limit of 45 miles per hour. Westbound left-turn movements are expected to meet the 250 vehicle per day threshold to warrant a left-turn lane at Driveway 1 (center).

F. Conclusions

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia. The proposed development will consist of 366 single-family detached homes and will have three (3) new driveways along Green Top Road: one driveway will provide full access while the other two driveways will allow right-in/right-out access. The development has a projected build out date of 2028.

When complete, the development is expected to generate a total of 3,430 new daily trips, with 265 trips during the AM peak hour (66 entering and 199 exiting), and 353 during the PM peak hour (222 entering and 131 exiting).

Overall traffic operations at the study intersections are satisfactory in Existing, No-Build and Build Conditions. The introduction of site traffic increases overall delay by a maximum of six (6) seconds, while overall Levels of Service (LOS) remains at 'D' or better at every study intersection, including driveways.

Eastbound right-turn deceleration lanes are warranted at all three driveways, while a westbound left-turn lane is warranted at Driveway 1 (center).

Based on the analysis prepared for the proposed development, additional improvements at the study intersections are not required to mitigate the impact of the proposed development.

TRAFFIC ASSESSMENT FOR

GREEN TOP ROAD RESIDENTIAL DEVELOPMENT – US 29 AT HAL JONES ROAD ROUNDBOUT INTERSECTION

DATE:

July 1, 2022

LOCATION:

Coweta County, Georgia

PREPARED FOR:

Pulte Group

PREPARED BY:

NV5 Engineers and Consultants, Inc.
10745 Westside Way, Suite 300
Alpharetta, GA 30009
(678) 795-3600



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A. Introduction

A new residential development is proposed for construction along Green Top Road in Coweta County, Georgia, north of Newnan. The proposed development will consist of 366 single-family detached homes. The development will have three (3) new driveways along Green Top Road. The development has a projected build out date of 2028.

Traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021, for the 366 single-family detached home development includes analysis of the Existing, No-Build, and Build Conditions for the year 2028 at the following intersections:

1. US 29 at Hal Jones Road
2. US 29 at Green Top Road
3. Herring Road at Green Top Road
4. Green Top Road at Driveway 1 (center)
5. Green Top Road at Driveway 2 (eastern)
6. Green Top Road at Driveway 3 (western)

This traffic assessment summarizes the impact of the proposed residential development at US 29/SR 14 at Hal Jones Road roundabout intersection and utilizes the traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021.

Figure 1 depicts the study area (vicinity map) in Coweta County. The study intersections analyzed in the traffic study including the US 29 at Hal Jones Road intersection are depicted in Figure 2. A copy of the development site plan is included in Appendix A.

Further, it is noted that the site is currently zoned for 100 single-family detached homes, the “As Zoned” condition. The proposed residential development consisting of 366 single-family homes is considered the “Rezoned” condition.

Figure 1. Vicinity Map

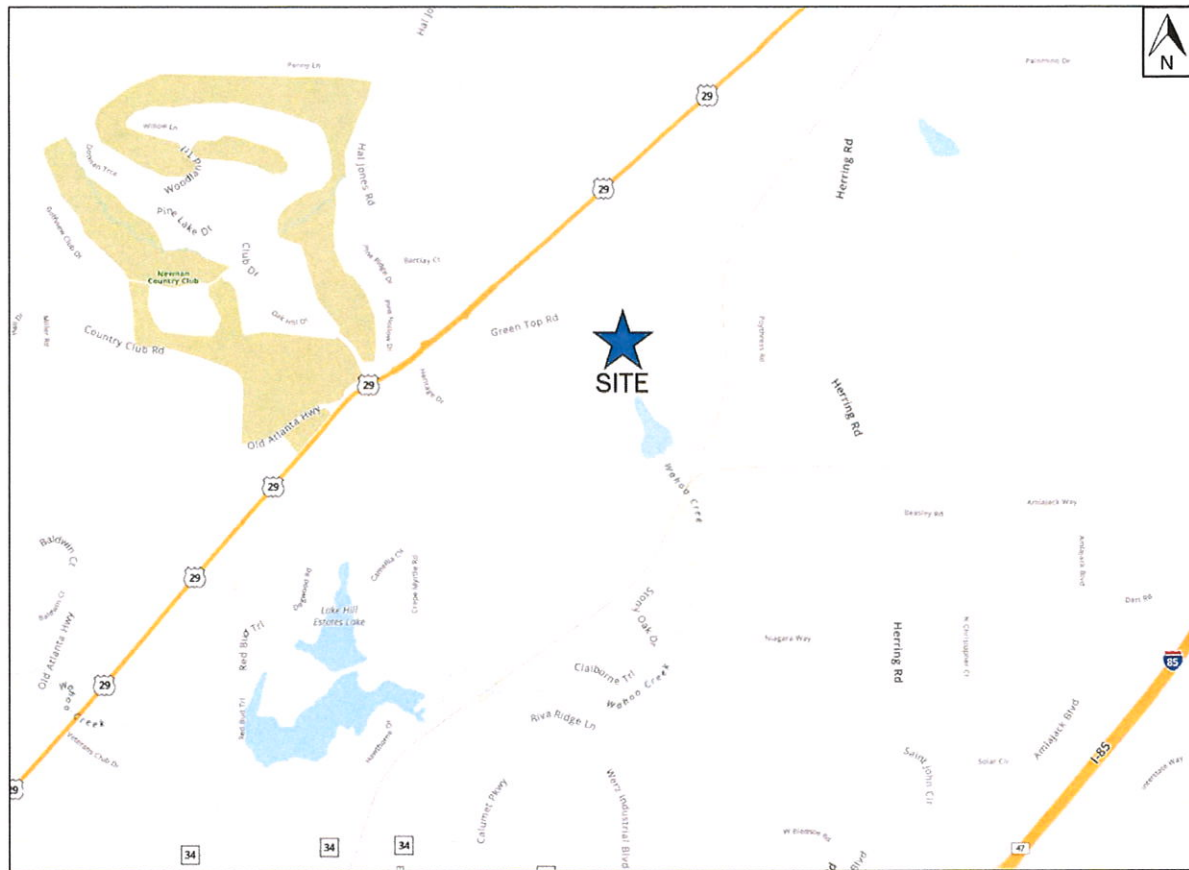


Figure 2. Site Location Aerial



B. Review of 15-year Transportation Plan

The Coweta County Comprehensive Transportation Plan (CTP), last updated in October 2021, was reviewed to identify any infrastructure investments planned for the area adjacent to the proposed development. Table 1 below shows the following roadway, intersection, and safety improvement projects identified near the proposed site and its study intersections.

Table 1: Coweta County Comprehensive Transportation Plan – Projects Near Site

CTP ID	Project Name	Project Type	Project Detail Cost Estimate (Planned Start-Up Year)	Relation to Site/Study Intersections
II-42	Hal Jones Road at Happy Valley Road	Safety Improvement – Roundabout Design	\$888,000 (2022-2026)	One (1) mile north of Green Top Road at Hal Jones Road
NR-07	Madras Connector Phase 1	New Roadway Extension – US 29/SR 14 to Herring Road	\$12,889,844 (2022-2026)	One (1) mile northeast of Green Top Road at Herring Road
NR-11	Herring Road Connector	New Roadway Extension – Amlajack Blvd to Herring Road	\$2,702,000 (2040-2050)	Connection to Madras Connector Phase 1
NR-04	Madras Connector Phase 2	New Interchange – Amlajack Blvd to US 29	\$11,000,000 (2040-2050)	Connection to Madras Connector Phase 1
RI-01	Madras Connector Phase 3 Interchange	Interchange Capacity Project – New I-85 Interchange (Mile Marker 49)	\$33,258,618 (2040-2050)	Connection to Madras Connector Phase 1&2

As shown in Table 1, the Coweta County CTP identifies five (5) planned transportation projects near the study area. However, the CTP does not identify any planned improvements at the study intersections evaluated in the Traffic Impact Study. Further, the CTP does not identify trips associated with the land use on the site.

C. Traffic Impact Analysis Summary

Traffic volumes and analyses contained in the Traffic Impact Study (TIS) dated November 30, 2021, for the 366 single-family detached home development includes analysis of the Existing, No-Build, and Build Conditions for the year 2028 at the following intersections:

1. US 29 at Hal Jones Road
2. US 29 at Green Top Road
3. Herring Road at Green Top Road
4. Green Top Road at Driveway 1 (center)
5. Green Top Road at Driveway 2 (eastern)
6. Green Top Road at Driveway 3 (western)

In Existing Conditions, overall operations at all study intersections are satisfactory during the AM and PM peak hours.

In No-Build Conditions, Levels of Service (LOS) changes from C to D at the southbound approach of the US 29 at Hal Jones Road roundabout intersection. Delays at this southbound approach increase by nearly 20 seconds due to the applied growth rate. However, overall operations at each study intersection are expected to remain satisfactory during both AM and PM peak hours.

In Build Conditions, all study intersections continue to operate at acceptable overall LOS during both peak hours. The addition of project traffic is expected to increase delays along the southbound approach at the US 29 at Hal Jones Road roundabout intersection by eight (8) seconds during the PM peak hour, changing the LOS from D to E, while the overall roundabout intersection LOS changes from C to D.

Improvements were evaluated for the US 29 at Hal Jones Road roundabout intersection in order to mitigate the southbound approach LOS from E to D or better.

D. Build Condition Mitigation Evaluation

The addition of project traffic at the US 29 at Hal Jones Road roundabout intersection is expected to increase delays by eight (8) seconds along the southbound approach during the PM peak hour, changing the Levels of Service (LOS) from D to E. Improvements were developed to mitigate this change in LOS. The improvements consist of adding a southbound right-turn bypass lane along US 29. The concept layout is shown in Appendix B.

As noted, the site is currently zoned for 100 single family detached homes. Trip generation for the “As Zoned” 100-units was developed using the ITE Trip Generation Manual, 10th Edition, 2017, in order to remain consistent with the submitted Traffic Impact Study. Alternate trip generation densities and roadway geometry mitigations were considered at this intersection approach to mitigate the impacts observed. Different trip generations were evaluated for both 100-unit and 366-unit development densities using existing roundabout configurations, trip rates from the ITE Trip Generation Manual, 10th Edition, 2017, and new roundabout design configurations that include a southbound right turn bypass lane.

Table 2 summarizes the results of the southbound approach at the US 29 at Hal Jones Road roundabout intersection during the PM peak hour with and without the southbound approach mitigation, and “As Zoned” with 100 units and “Rezoned” with 366 units.

Table 2: PM Peak Hour Build Mitigations (SB Approach) – US 29 at Hal Jones Road

Roundabout Design		Original Trip Counts Used		Alternate Trip Counts Used			
		From Nov '21 TIS Report		As Zoned (100 units)		Rezoned (366 units)	
		SBR	SBT	SBR	SBT	SBR	SBT
2028 No-Build Volumes		162	699	162	699	162	699
Peak Hour Trips (Per ITE 10 th Edition) to impact roundabout capacity		7	33	2	9	7	33
2028 Build Volumes		169	732	164	708	169	732
Percent Change (Build vs No-Build)		4.3%	4.7%	1.2%	1.3%	4.3%	4.7%
Percent Change (As Zoned vs Rezoned)		-	-	-	-	3.0%	3.4%
Roundabout SB Approach Satisfactory Capacity (Maximum Delay before LOS 'E')	LOS	D		-		-	
	Delay (sec)	34.9		-		-	
Roundabout SB Approach 2028 No-Build LOS (without added trips)	LOS	D		-		-	
	Delay (sec)	34.0		-		-	
Roundabout SB Approach 2028 Build LOS (with added trips, no Mitigations)	LOS	E		E		E	
	Delay (sec)	42.2		36.6		42.2	
Roundabout SB Approach 2028 Build Mitigated LOS (with SB Right-Turn Bypass Lane)	LOS	-		C		C	
	Delay (sec)	-		15.5		16.8	

As shown in Table 2, installing a southbound right-turn bypass lane from US 29 to Hal Jones Road is expected to improve the southbound approach Levels of Service (LOS) from E to C during the PM peak hour. Therefore, the installation of a southbound right-turn bypass lane at the US 29 at Hal Jones Road roundabout intersection is recommended.

APPENDIX

APPENDIX A — SITE PLAN

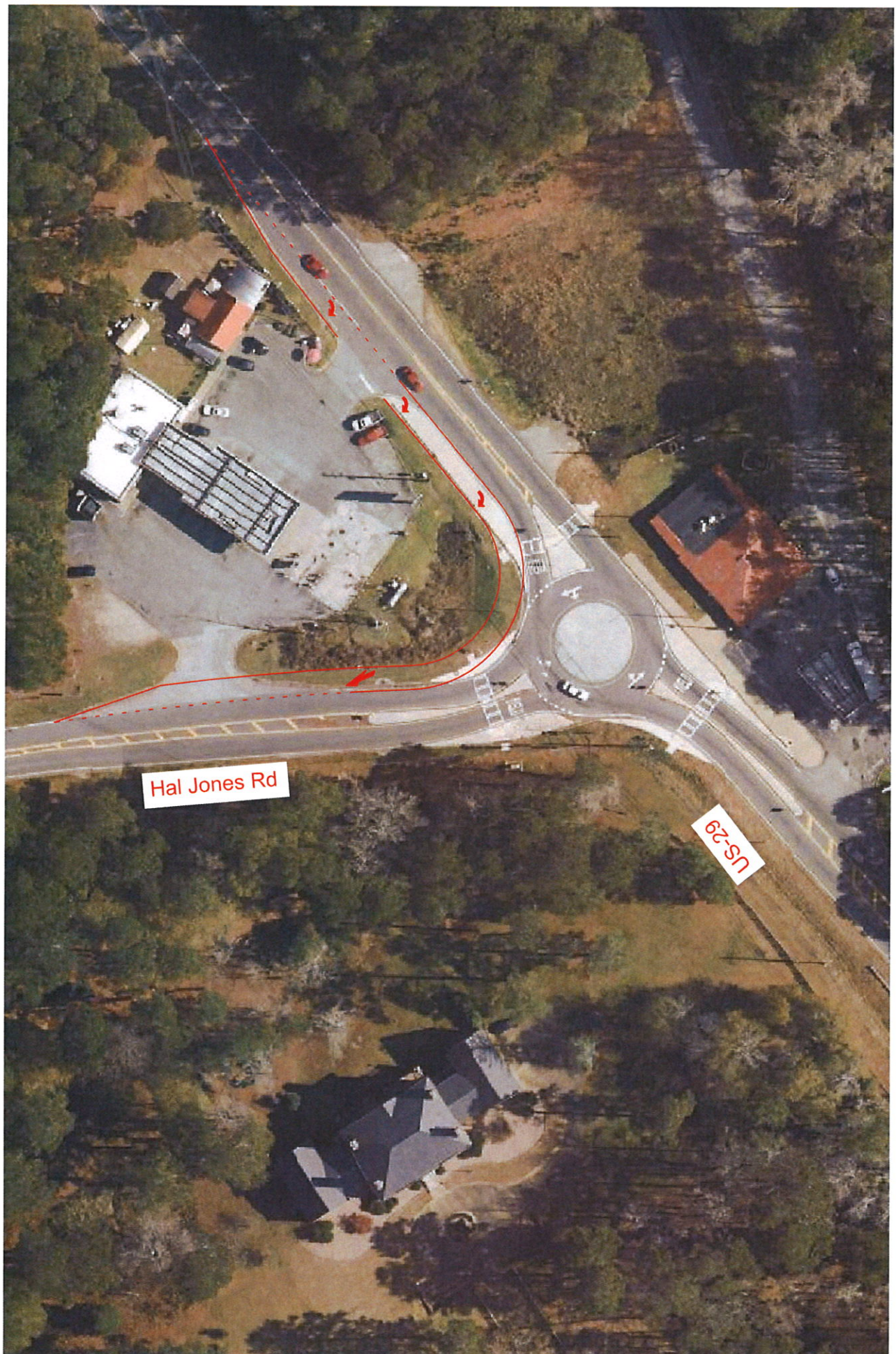
APPENDIX B — ROUNDABOUT CONCEPT DESIGN LAYOUT

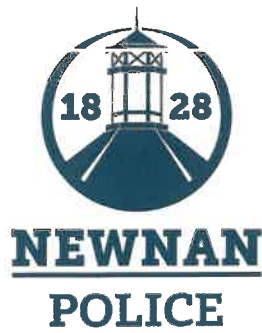
APPENDIX A

SITE PLAN

APPENDIX B

ROUNDAABOUT CONCEPT DESIGN LAYOUT





BRENT BLANKENSHIP
CHIEF OF POLICE

07/12/23

Reference: Green Top Annexation

Dear Tracy,

After taken into consideration of the size of the development, increase in population and distance from the current city limits along with traffic volume on Hwy 29, 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 and the affected response time due to distance and traffic volume it is believed that a minimum of two additional police officer will be needed to manage the impact of this development.

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department



NEWNAN FIRE DEPARTMENT

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



Stephen R. Brown, Fire Chief

July 13, 2023

Dear Tracy,

The following information is regarding the proposal for 163.61 acres located on Green Top Road and a PDR (Planned Residential Development) zoning to accommodate a 300-lot residential subdivision.

At this time, the Newnan Fire Department has the resources to provide services to the proposed 163.61 proposed annexation. However, upon full completion of a 360 residential subdivision, it will impact the area with a significant increase in population and traffic. The growth in population and traffic could potentially result in increased call volumes and response times to the proposed subdivision and the current established areas served. The increase in call volume will impact our department with additional wear and tear on equipment and will influence the effectiveness and strength of our manpower.

We strive for excellence and to continue serving our citizens as we do currently. Therefore, the impact of the proposed property may require additional equipment and manpower in the future.

Best Regards,

Stephen Brown

Coweta County School System

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

July 12, 2023

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

Re: Annexation Request Green Top Road

Ms. Dunnavant,

We have reviewed the annexation request referenced above and offer the following comments based on the information provided:

This application requests annexation of 163.61 acres, containing 300 lots, from Coweta County into the City of Newnan. If approved, this request would create a higher density zoning designation than the current zoning for this parcel. This may present challenges when planning for school enrollment and meeting student needs. Due to the higher density housing in the area of the proposal, school capacity is an ongoing concern. Many of the schools serving that area are near capacity.

The current high school district lines for this area shows both Newnan and Northgate. This may need to be adjusted if this development is approved. Current enrollment figures show the building utilization of the schools serving this area as follows:

- Northside Elementary - 74%
- Madras Middle School - 96%
- Newnan High School - 91%
- Northgate High School - 93%

Thank you for the opportunity to provide feedback.

Sincerely,

Ronnie Cheek

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

Coweta Committed to Student Success



The City of Newnan, Georgia

Office of the City Engineer

July 12, 2023

City Engineer Review

ANNEXATION REQUEST/ REZONING REQUEST:

Parcel ID: 085 5107 002/ 085 5107 003 (partial) / 085 5086 001/ 085 5086 003
Greentop Road

Development:

1. Design shall follow City of Newnan standards for development, standard details for the Georgia Department of Transportation, and generally accepted Engineering standards, as appropriate.
2. The City of Newnan will be the Local Issuing Authority for the development, and Coweta County will be the Local Issuing Authority for land disturbing activity within the Right-of-Way for Greentop Road.
3. The City of Newnan will not issue a permit for land disturbing activities until such time Coweta County has reviewed and approved the Plans for the development.

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 streets, with connection provided to all amenities.
2. From the Traffic Study provided, the entrances as proposed along Greentop Road are acceptable to the City, as is the County's recommended raised median restricting left turn movements at the Right In/ Right Out driveways. However, it should be noted that Greentop Road will remain within Coweta County's jurisdiction.
3. For internal streets, the development shall incorporate engineered traffic calming measures, such as the use of landscaped medians or islands, traffic circles, chicanes to serve as speed deterrence. Vertical deflection for speed deterrence is not permitted under the International Fire Code.

Respectfully,



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

EXHIBIT "D"



May 10, 2023

Jason Garrett
Pulte Group
2475 Northwinds Pkwy #600
Alpharetta, GA 30009

RE: 300 Lot Residential Subdivision on Green Top Road in Newnan, GA

Mr. Garrett,

I am writing per your request to confirm Newnan Utilities will service the proposed project on Green Top Road. Newnan Utilities will be the water and sewer service provider contingent on the properties being annexed into the city limits of Newnan. At this time Newnan Utilities has ample capacity to serve this proposed facility based on the following information:

- Parcel Numbers 085 5086 001, 085 5107 002, 085 5086 003, and the southern portion of 085 5107 003
- 163.61 Acres

1. Sanitary Sewer:

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

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

EXHIBIT "D"

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

2. Water:

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

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

Sincerely,



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