



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan Planning Commission

Agenda for September 12, 2023 Planning Commission Meeting 7:00 PM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. August 8, 2023 Minutes
3. Public Hearings
 - a. 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); Requested zoning of PDR (Planned Residential Development)
 - b. Rezoning Request - RZ2023-04 12.56 +/- acres located along Bullsboro Drive (Portion of Tax Parcel #N57-023)
4. Other Business
 - a. Certificate of Appropriateness - 157 LaGrange Street
 - b. Certificate of Appropriateness - 75 Greenville Street
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**

August 8, 2023
7:00 p.m.

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

Commissioners Absent:

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

CALL TO ORDER

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

READING OF MINUTES

Chairman Smith asked if everyone reviewed the July 11, 2023 meeting minutes. Commissioner Crain made a motion to approve the minutes. Commissioner West seconded the motion.

MOTION CARRIED (7-0)

Dunnivant informed the Commissioners that a request had been presented for a continuation for the Green Top Road annexation and she asked for the item to be moved to the top of the agenda.

A motion was made by Commissioner Coggin to move the Green Top Road item to the top of the agenda. Commissioner West seconded the motion.

MOTION CARRIED (7-0)

Dunnivant stated that the City received a letter from the applicant's attorney, George Rosenzweig, asking to continue this matter until the September meeting. She stated they had received a letter from the attorney representing Coweta County Water and Sewer that they had not been able to review and they also wanted to address some concerns with the staff report.

A motion was made by Commissioner McEntire to continue the matter to the September 12, 2023 meeting. Commissioner Coggin seconded the motion.

MOTION CARRIED (7-0)

Revised Certificate of Appropriateness – 21 Jackson Street

Cole presented the staff report. He stated this item involves a revision of a previously approved certificate of appropriateness application from Kip Oldham d/b/a K.A. Oldham Design, Inc. Cole reminded the Commission that they had 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.” He stated renovations are currently underway at the subject property and changes have occurred that deviate from the approved certificate of appropriateness application. Cole said that once notified of these changes, staff informed the applicant of the need to present updated information to the Planning Commission.

Cole discussed the issues for consideration for granting a Certificate of Appropriateness. He stated that staff reviewed the 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.

Kip Oldham came forward to address the changes. He provided renderings of the previous COA approval and photos of the work that had been completed to date.

Chairman Smith asked about the covered deck. Oldham stated that the owner wanted to move the stairs because it was easier for them to be located on the side.

Chairman Smith asked about the arbor. Oldham stated that the applicant does not intend to complete it during the 1st phase.

A motion was made by Commissioner McEntire to approve the revised Certificate of Appropriateness for 21 Jackson Street. Commissioner Crain seconded the motion.

MOTION CARRIED (7-0)

Public Hearing - Variance Request – 188 Highwoods Parkway – PD -2023-01

Chairman Smith opened a public hearing on the variance request.

Dean Smith gave the staff report for the variance request. He stated the contractor did the work without obtaining a permit from the City of Newnan. Dean Smith said the applicant is now requesting a variance to keep the driveway at the current width at the point where it intersects the public street. He added the request is to allow the driveway to be able to stay at the current width of 28 feet, 2 5/8 inches. Dean Smith mentioned that the applicant’s property is located on a busy residential street and there is some merit to considering the ingress/egress restraints along Highwoods Parkway.

Dean Smith added that 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. He said the Director of Engineering Services Michael Klahr provided a response neither expressing support for, nor disapproval of the request. Dean Smith added Klahr's concern was to ensure that what was built was ADA compliant within the public right-of-way.

Dean Smith concluded by stating that 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.

The applicant Jamal Joiner was sworn in by Brad Sears.

Chairman Smith asked the applicant to tell the Commission why he needed the extra parking. He also mentioned that Joiner's property does not have the additional yard area to create parking on the side of the house as it drops off and it is a steep incline.

Joiner stated that it was not just for additional parking, but for safety as well. He stated that his son's car was parked on the street and was hit and totaled. Joiner wanted the board to know that he had no other options due to the drop off on the side.

Janine Payne of Highwoods Parkway was sworn in by Brad Sears. Payne wanted to let the commission know that she is Joiner's next-door neighbor and the 3-way intersection next to their homes is dangerous. She stated she fully supports Joiner's need for the extra parking and does not have an issue with the variance being granted.

Chairman Smith closed the public hearing.

Commissioner Hunt wanted to know if the distance of the width from the right of way is the issue.

Dean Smith stated that the maximum width is there in order to slow drivers down when turning into the driveway and hopefully slow residential traffic.

Commissioner Hunt stated that he felt Joiner has done an excellent job.

Commissioner West wanted to know if the driveway can encroach in the set back.

Dean Smith stated that the driveway can go to the property line.

Chairman Smith mentioned that the driveway was not long enough.

Commissioner Hamlin asked who brought Joiner's driveway to the City's attention.

Dean Smith stated it was an employee from engineering.

Commissioner Hamlin stated that his concern is that everyone is going to want to do this and it will drastically change the neighborhood. He asked staff if the neighborhood could look at some sort of speed reduction devices.

Dean Smith stated that question would be for City Engineer Michael Klahr or Public Works Director Ray Norton.

Sears stated that Council has explored the use of speed bumps.

Dunnavant reminded the Commission that the variance does run with this property and others would have to show a hardship in order to do the same thing.

Commissioner Hamlin stated that if people just do it, it sets a precedence. He added that he feels for the applicant and understands his situation.

Dean Smith stated that if you deny the variance, he will have to have the new part of the driveway removed.

Commissioner Hunt asked if the homeowner or the company would be responsible.

Dean Smith stated that the citations would be issued to the homeowner by code enforcement.

Commissioner West asked what is the size of the community.

Dean Smith stated that it was huge.

Chairman Smith stated that the purpose is not to grant forgiveness and he believes that the homeowner was certainly not trying to do the wrong thing.

Commissioner West asked why this was before the Planning Commissioner and not the Board of Zoning Appeals.

Dean Smith stated that when it is located within a planned development, it comes before the Planning Commission.

Commissioner Crain stated that this is a valuable lesson. He added there are so many homes in that development and they all do not have enough room in their driveways. Commissioner Crain added they need to consider this moving forward.

Chairman Smith stated that some homeowners have taken the driveway past the house and the concrete needs to be flush with the house.

Dean Smith stated that in 2013, the driveway ordinance was passed requiring a 19' driveway. Dunnavant stated that provision helped address cars blocking sidewalks or hanging out in the street.

Commissioner Crain stated that he believes that the Commission needs to consider the driveway length.

Chairman Smith stated that staff needs to take another look at the driveway ordinance.

Commissioner Hamlin made a motion to approve the Variance Request at 188 Highwoods Parkway. Commissioner Coggin seconded the motion.

MOTION CARRIED (7-0)

Commissioner Hamlin stated that this type of driveway situation needs to be looked at in the Green Top situation.

Coggin asked if staff could review the 109-page document and give a summary at their next meeting. Dunnavant stated that staff would definitely be looking at it. She also wanted the Commission to know that she will be in Israel on the next meeting date, so Dean Smith would handle her report.

Commissioner Hunt stated that he would also be on the same trip.

PUBLIC COMMENTS

None

OTHER BUSINESS

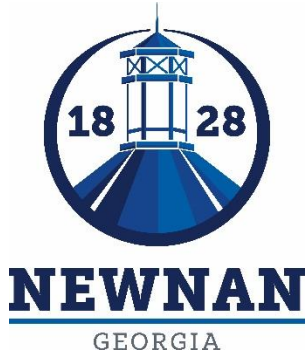
None

ADJOURN

With no further business, the meeting adjourned at 7:59 p.m. on a motion from Commissioner Coggin and seconded by Commissioner West.

MOTION CARRIED (7-0)

Chairman Proctor Smith



City of Newnan, Georgia – Planning Commission

Date: September 12, 2023 (Continued from 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

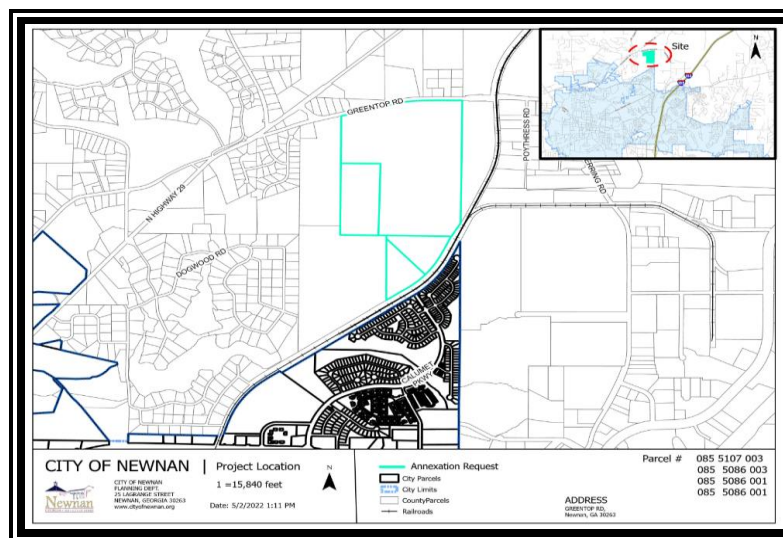
APPLICANT INFORMATION:

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

SITE INFORMATION:

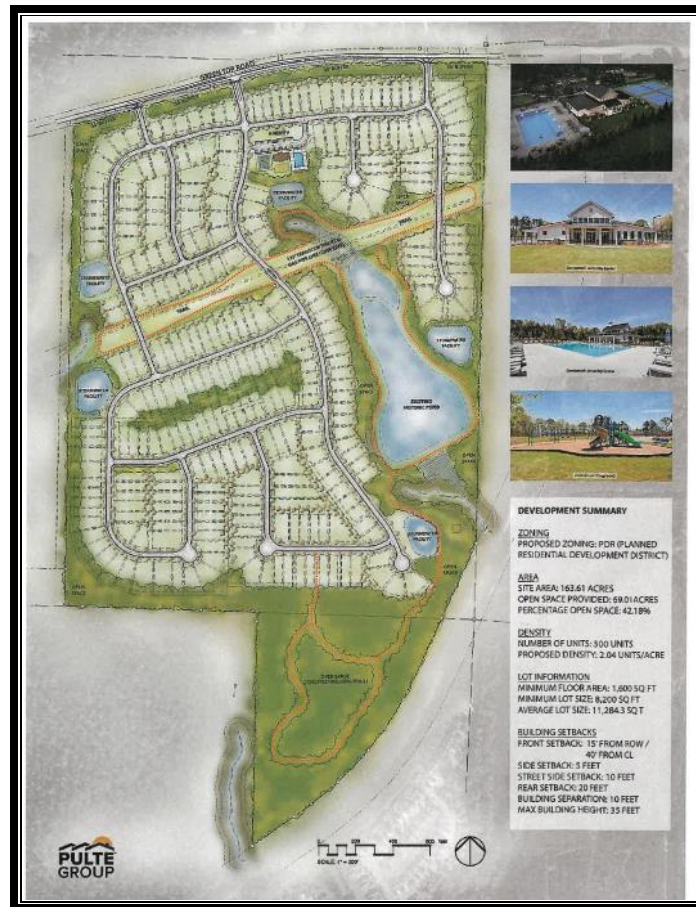
The applicant is requesting the annexation of four tracts totaling 163.61± acres located on Green Top Road. The property is contiguous to the city limits via the Calumet development to the south. The applicant is seeking a PDR (Planned Residential Development) zoning designation for the development of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

House Plans & related Average Sales Price Examples:

48 foot two story homes

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

40 foot two story homes

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

Ranches one story homes

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



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

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 as Coweta County has reviewed and approved the plans for the development to the extent Coweta County has jurisdiction, primarily relating to street connections to Green Top Road.
- 4.

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

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; $\$561.38 \times 300 = \mathbf{\$168,414}$
- Sales Tax Generated: $\$11,000,000$ budgeted / $(44,485 + 58,336) = \$106.98$ per person; $\$106.98 \times 780 = \mathbf{\$83,444.40}$
- Inspections and Permits: $\$505,750 / (44,485 + 58,336) = \4.91 per person; $\$4.91 \times 780 = \mathbf{\$3,837.60}$

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

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

In addition to the conditions suggested by Staff, the Planning Commission can also consider the following conditions:

CONDITIONS FROM THE ARBITRATION PROCESS:

- 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.

CONDITIONS PROFFERED BY THE APPLICANT:

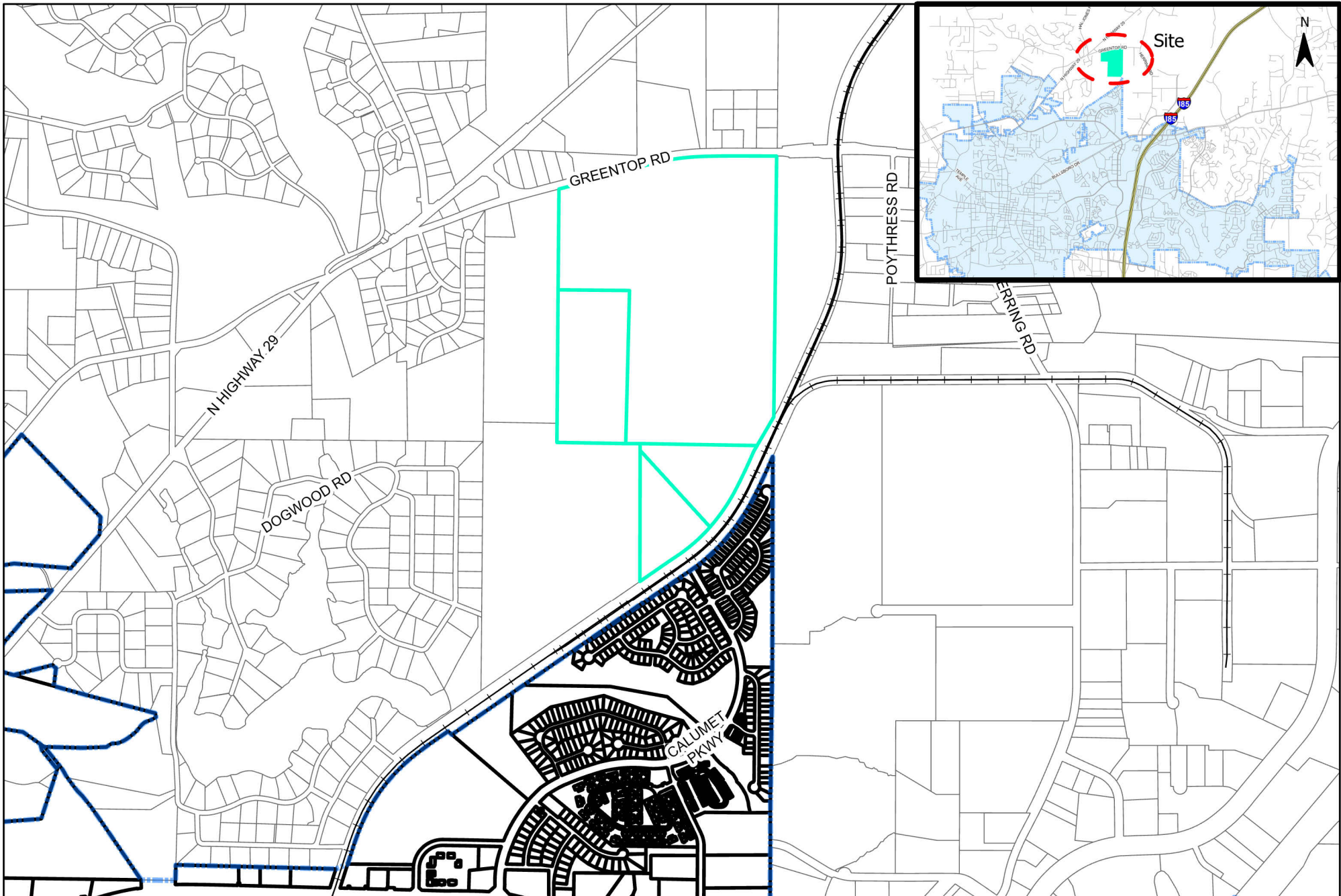
- 1) The Arbitration Conditions set forth in Exhibit "A", Deed Book 5624, Pages 363-365, shall apply for the entire term of development, except for condition 18 (provision of water and sewerage services addressed in the immediately following paragraph).
- 2) After February 9, 2025 (the date on which 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 annexation and rezoning request

ATTACHMENTS:

Application for Annexation
 Location Map
 Traffic Study Documentation
 Service Provision Comments
 Density Map
 Emails from Citizens
 Letter from Avery Jackson, Tisinger Vance, P.C.



CITY OF NEWNAN

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



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

**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.

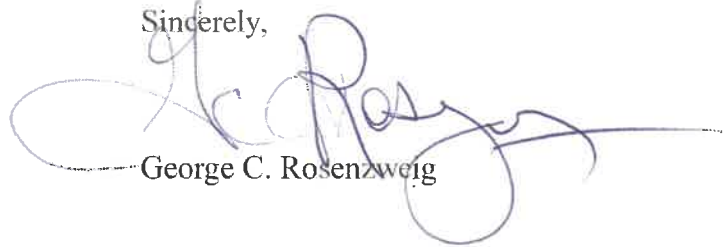
GEORGE C. ROSENZWEIG
75 Jackson Street, Suite 405, Newnan, Georgia 30263
Tel: 470-347-3651 Fax: 470-241-1251 Email: george@cowetalaw.com
www.rosenzweig.law

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.



Applicant's Signature

6-20-2023

Date

FOR OFFICIAL USE ONLY

*

DATE RECEIVED: 06/20/23

RECEIVED BY: [Signature]

*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.

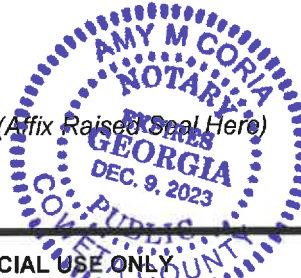
Sworn to and subscribed before me this

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): _____

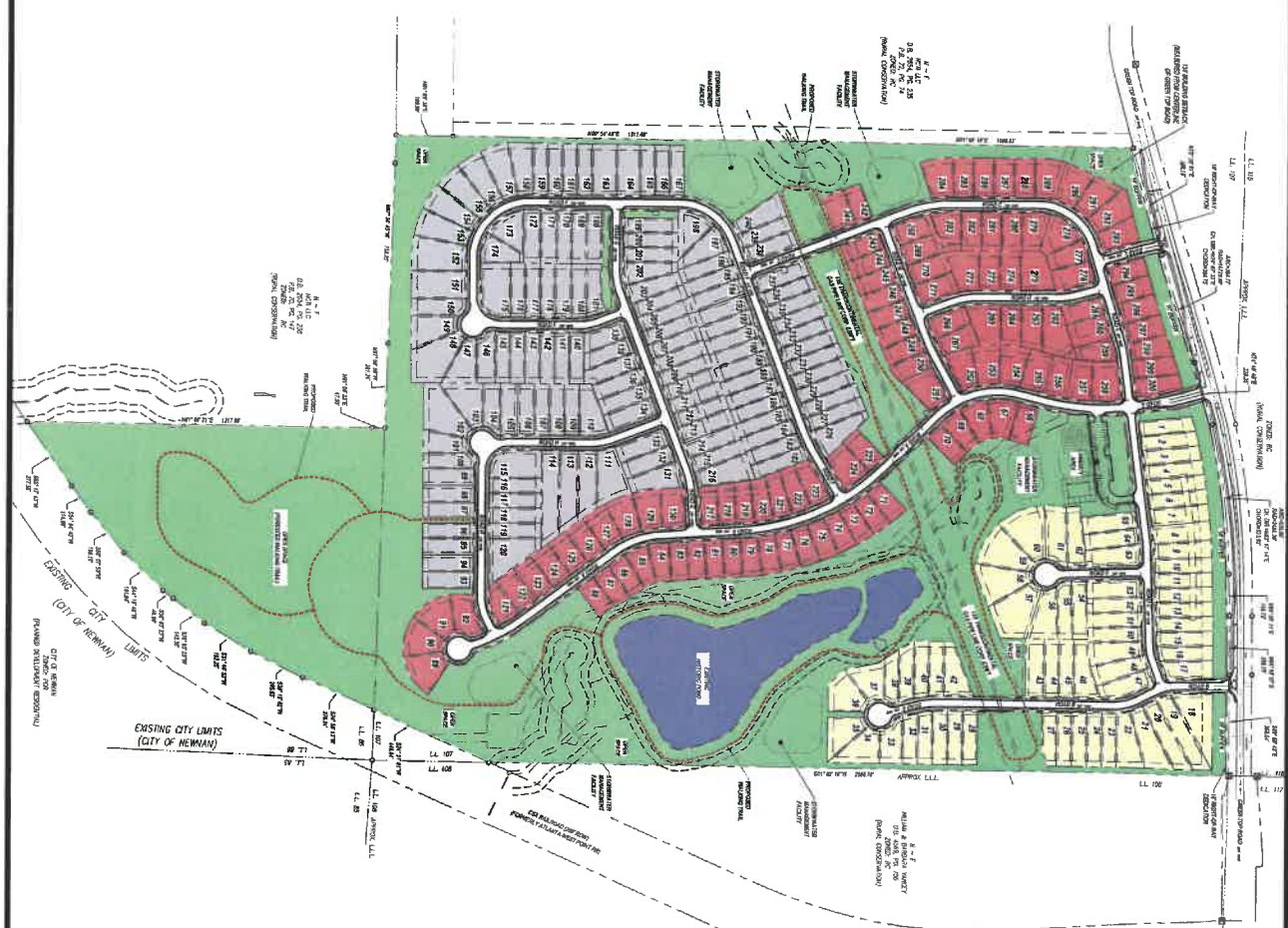
DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____

SECTION 4

REVISED CONCEPTUAL SITE PLANS

Parcel #	Area (Ac)	Area (Ac)	Area (Ac)
1	1.00	1.00	1.00
2	1.00	1.00	1.00
3	1.00	1.00	1.00
4	1.00	1.00	1.00
5	1.00	1.00	1.00
6	1.00	1.00	1.00
7	1.00	1.00	1.00
8	1.00	1.00	1.00
9	1.00	1.00	1.00
10	1.00	1.00	1.00
11	1.00	1.00	1.00
12	1.00	1.00	1.00
13	1.00	1.00	1.00
14	1.00	1.00	1.00
15	1.00	1.00	1.00
16	1.00	1.00	1.00
17	1.00	1.00	1.00
18	1.00	1.00	1.00
19	1.00	1.00	1.00
20	1.00	1.00	1.00
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25	1.00	1.00	1.00
26	1.00	1.00	1.00
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28	1.00	1.00	1.00
29	1.00	1.00	1.00
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41	1.00	1.00	1.00
42	1.00	1.00	1.00
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44	1.00	1.00	1.00
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67	1.00	1.00	1.00
68	1.00	1.00	1.00
69	1.00	1.00	1.00
70	1.00	1.00	1.00
71	1.00	1.00	1.00
72	1.00	1.00	1.00
73	1.00	1.00	1.00
74	1.00	1.00	1.00
75	1.00	1.00	1.00
76	1.00	1.00	1.00
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84	1.00	1.00	1.00
85	1.00	1.00	1.00
86	1.00	1.00	1.00
87	1.00	1.00	1.00
88	1.00	1.00	1.00
89	1.00	1.00	1.00
90	1.00	1.00	1.00
91	1.00	1.00	1.00
92	1.00	1.00	1.00
93	1.00	1.00	1.00
94	1.00	1.00	1.00
95	1.00	1.00	1.00
96	1.00	1.00	1.00
97	1.00	1.00	1.00
98	1.00	1.00	1.00
99	1.00	1.00	1.00
100	1.00	1.00	1.00



24 HOUR CONTACT:
GAREN SMITH
770.381.3450

GEORGIA 811
 Utilities Protection Center, Inc.
 Call before you dig.

1 inch = 200 feet

200 100 0 200 400

DEVELOPMENT SUMMARY

Zone: R-100 (Single-Family Residential)

Lot Area: 100.00 Acres

Common Open Space: 42.18%

Common Open Space: 89.11 Acres

Average Lot Size: 11,341.19 SF

Lot Area: 100.00 Acres

Common Open Space: 42.18%

Common Open Space: 89.11 Acres

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 D-250 - Woodstock, GA 30188
 Office 770.938.9650



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

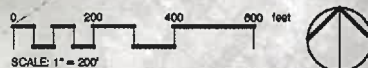
SIDE SETBACK: 5 FEET

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:

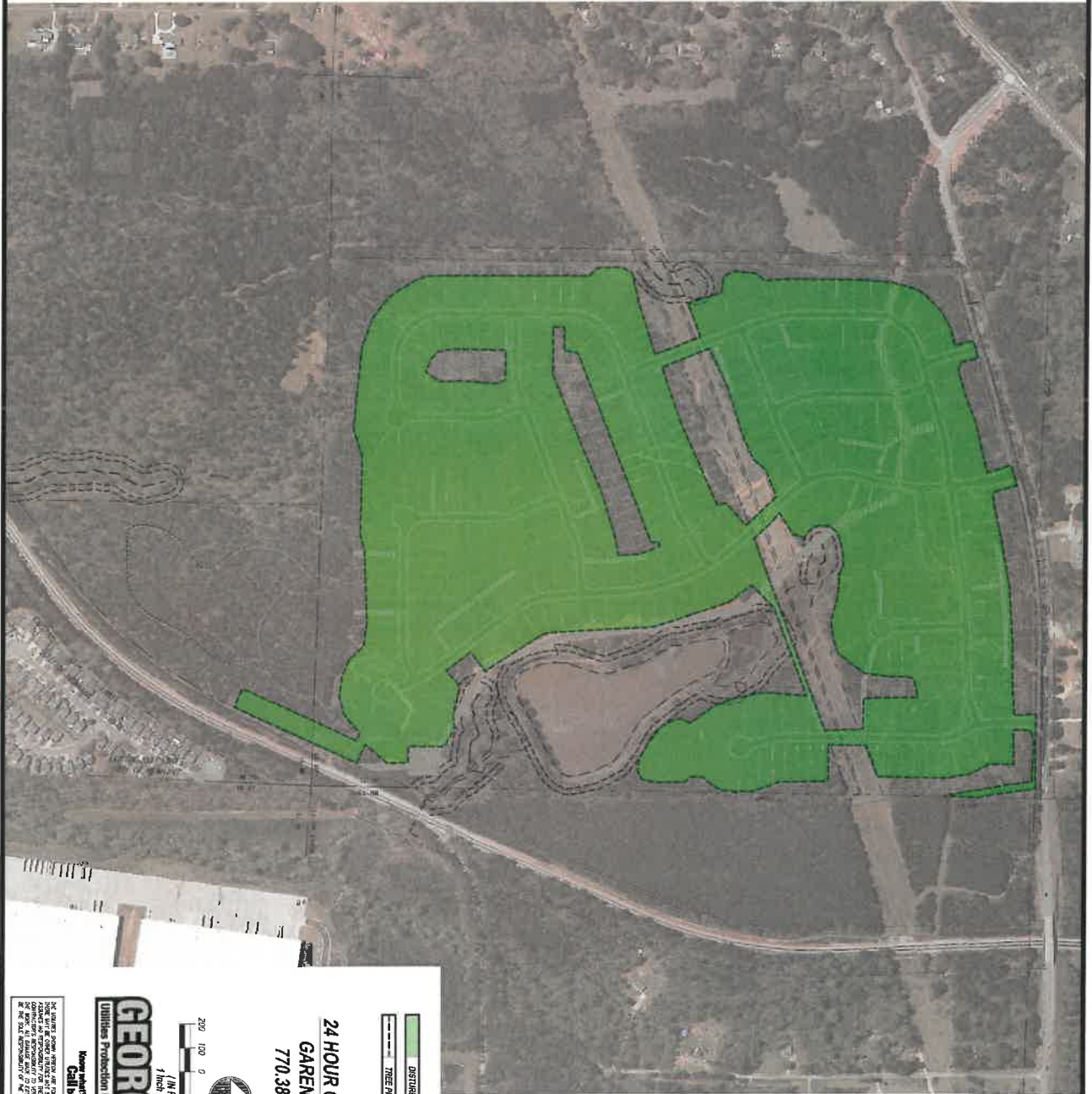
TPR

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	Intact	28		
2	21	White Oak	X	Intact			
3	22	White Oak	X	Intact			
4	23	White Oak	X	Intact			
5	24	White Oak	X	Intact			
6	25	White Oak	X	Intact			
7	26	White Oak	X	Intact			
8	27	White Oak	X	Intact			
9	28	White Oak	X	Intact			
10	29	White Oak	X	Intact			
11	30	White Oak	X	Intact			
12	31	White Oak	X	Intact			
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18	37	White Oak	X	Intact			
19	38	White Oak	X	Intact			
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26	45	White Oak	X	Intact			
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43	62	White Oak	X	Intact			
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97	116	White Oak	X	Intact			
98	117	White Oak	X	Intact			
99	118	White Oak	X	Intact			
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105	124	White Oak	X	Intact			
106	125	White Oak	X	Intact			
107	126	White Oak	X	Intact			
108	127	White Oak	X	Intact			
109	128	White Oak	X	Intact			
110	129	White Oak	X	Intact			
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141	160	White Oak	X	Intact			
142	161	White Oak	X	Intact			
143	162	White Oak	X	Intact			
144	163	White Oak	X	Intact			
145	164	White Oak	X	Intact			
146	165	White Oak	X	Intact			
147	166	White Oak	X	Intact			
148	167	White Oak	X	Intact			
149	168	White Oak	X	Intact			
150	169	White Oak	X	Intact			
151	170	White Oak	X	Intact			
152	171	White Oak	X	Intact			
153	172	White Oak	X	Intact			
154	173	White Oak	X	Intact			
155	174	White Oak	X	Intact			
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243	262	White Oak	X	Intact			
244	263	White Oak	X	Intact			
245	264	White Oak	X	Intact			



24 HOUR CONTACT:

GAREN SMITH
770.381.3450



Know what's below.
Call before you dig.

BE AWARE: ANYONE WHO DIGS FOR THE CONSTRUCTION OF ANYTHING, INCLUDING A SEWER, WATER, GAS, OR CABLE LINE, MUST CALL 811 AT LEAST 48 HOURS BEFORE THE START OF THE WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALL 811 TO GET THE LOCATION OF ALL UTILITIES IN THE AREA. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALL 811 TO GET THE LOCATION OF ALL UTILITIES IN THE AREA. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALL 811 TO GET THE LOCATION OF ALL UTILITIES IN THE AREA.

THIS PROJECT PLAN EX-01	REVISIONS	OWNER/DEVELOPER PULTE GROUP 2475 NORTHWINDS PKWY # 600 ALPHARETTA, GA 30009 PHONE: (770) 381-3450	CONTRACT NUMBER: 09-0-2037 EXPIRATION DATE: 09-0-2037	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
---	------------------	---	--	---	---

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.

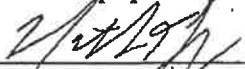
10. Access onto Green Top Road will require a permit from Coweta County.
11. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
12. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
13. Physical 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

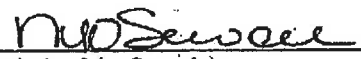
22. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
23. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
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

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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.

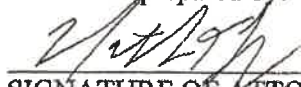
10. Access onto Green Top Road will require a permit from Coweta County.
11. All applicable requirements of the Fire, Environmental Management, and Building Department shall be met.
12. Left turn and right turn lanes shall be constructed at the proposed full-service access to Green Top Road.
13. Physical 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

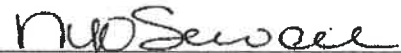
22. The subject property shall be limited to single-family, detached buildings; customary accessory buildings and uses; and home occupations.
23. There shall be a 135-foot building setback (Green Top centerline) and a 50-foot planted buffer along the entire frontage on Green Top Road, except entrances.
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

[illegible]

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

DATE: 10-10-80 11:4
CITY OF HOUSTON
OFFICE: 600
BY (NAME)
BY (PRINT)
(SIGNATURE)

AVERAGE LOT SIZE = 11,294.3 SQ-FT
COMMON OPEN SPACE = 42.1%
COMMON OPEN SPACE = 69.81 ACRES

LAND LOTS 107 & 96
5TH DISTRICT
CITY OF NEWNAN, GEORGIA

2475 NORTHWINDS PKWY # 600
ALPHARETTA, GA 30009
PHONE: (770) 381-3450

CSMC CERTIFICATION NUMBER: 3833
EXPIRATION DATE: 09.01.2023

Z100



RIDGE PLANNING AND ENGINEERING[®]
5234 OLD HIGHWAY 5
SUITE D9-250 • WOODSTOCK, GA 30188

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 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



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
Cell: (770) 883-0402
Direct: (678) 902-5835
www.Pulte.com



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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 A – Site Plan
Appendix B – Traffic Counts & Growth Rate Worksheet
Appendix C – ITE Trip Generation
Appendix D – Synchro Reports
Appendix E – Turn Lane Evaluations

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

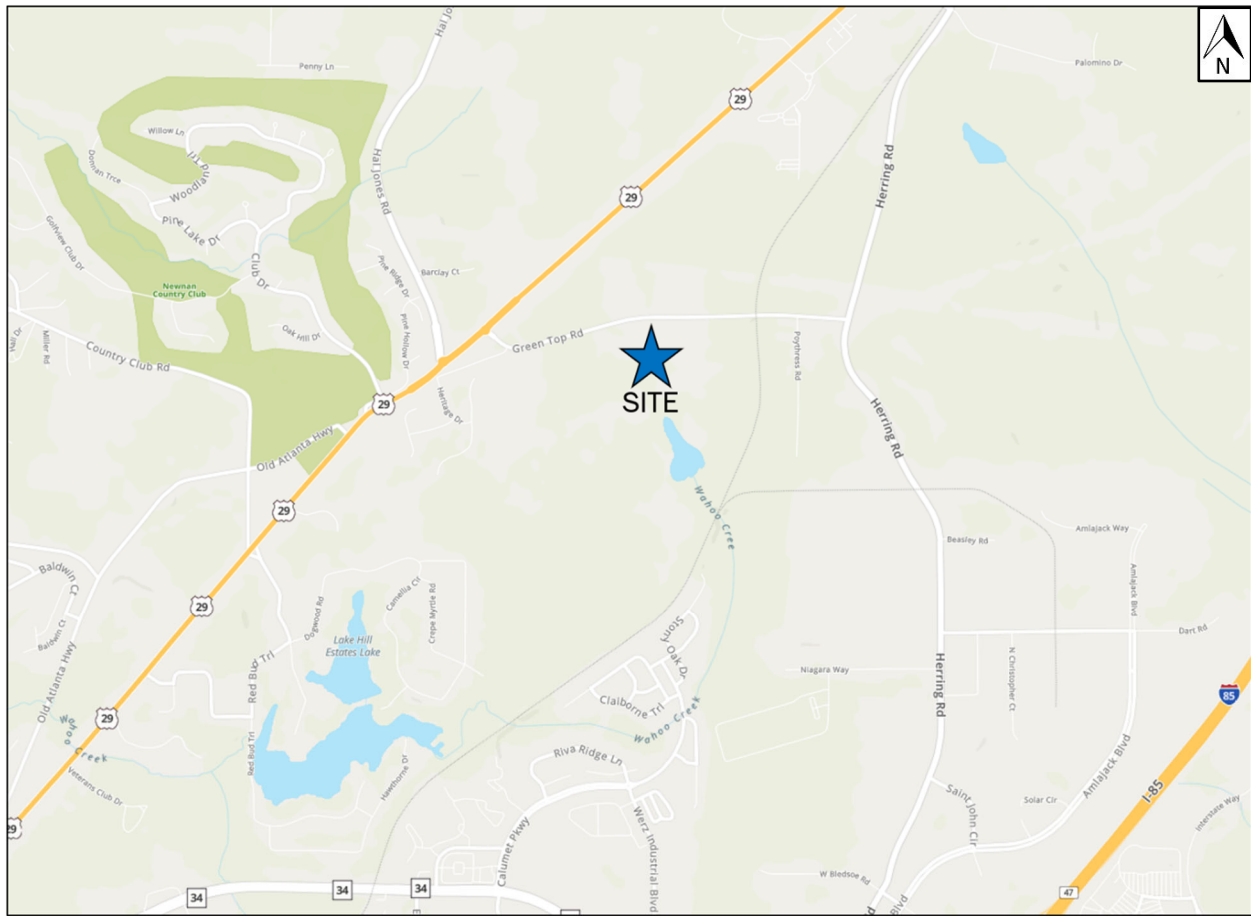
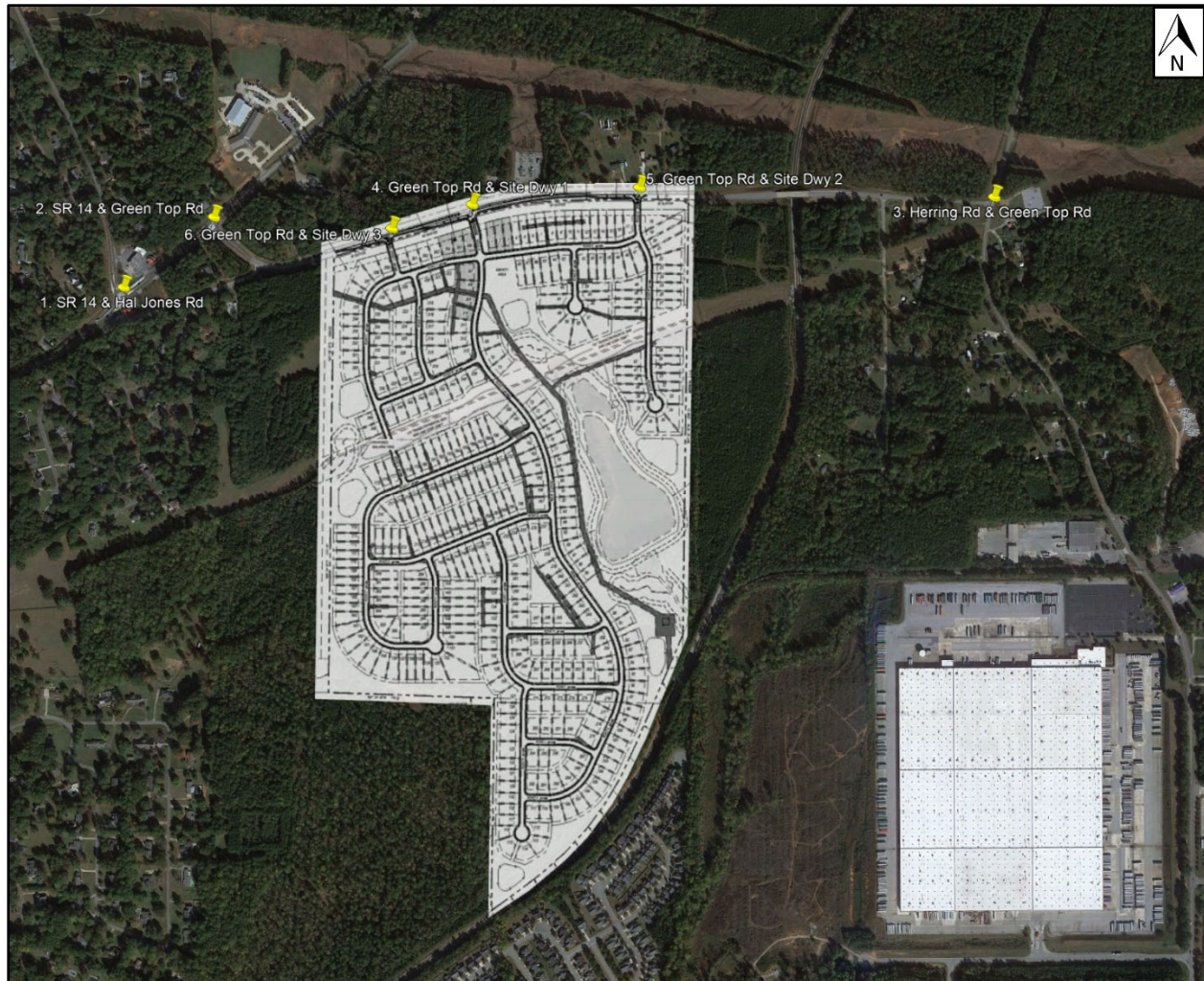


Figure 2: Site Location Aerial



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.

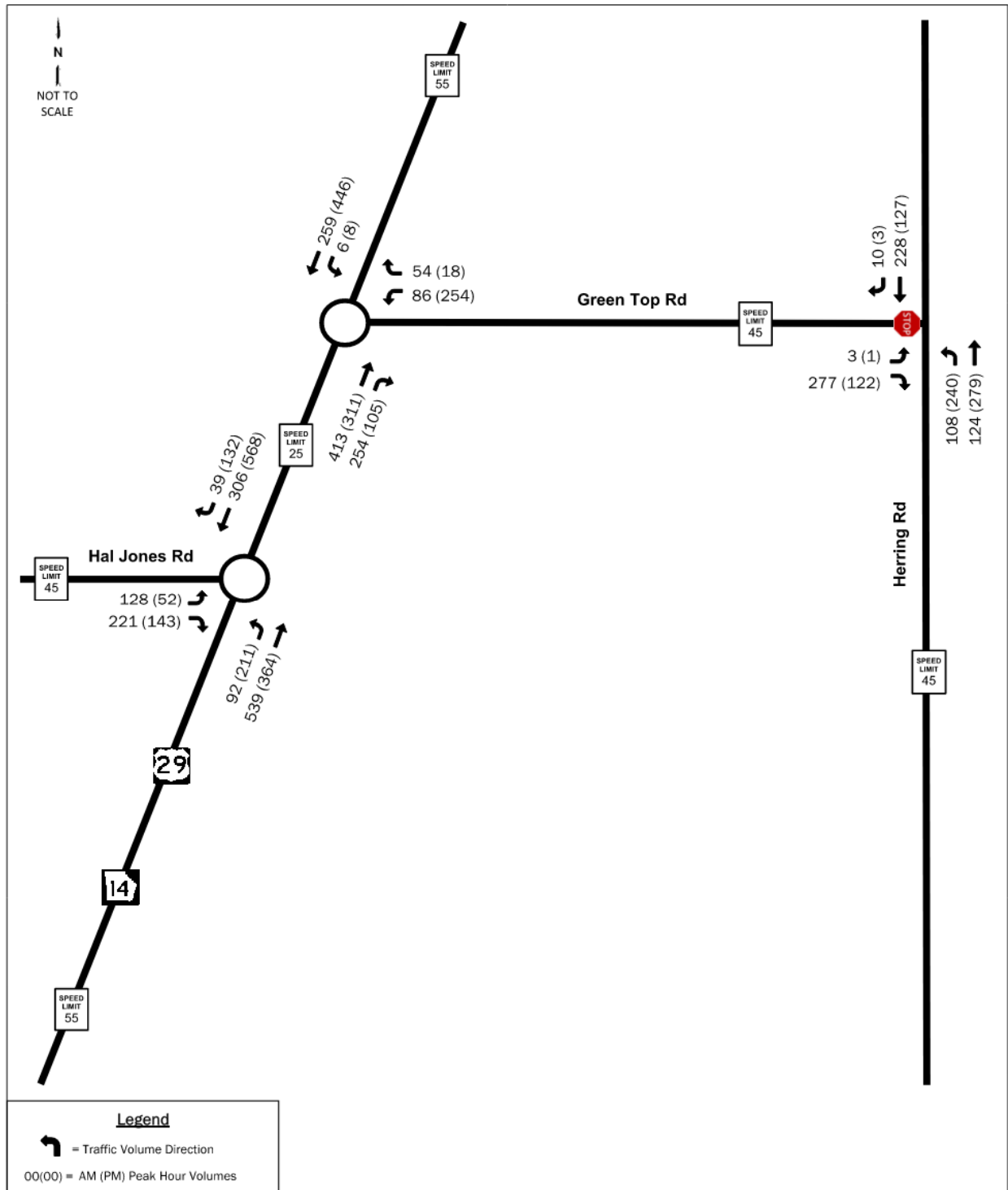
Hal Jones Road is a two-lane undivided roadway extending northwest from its intersection with US 29 west of the site and serves multiple residential developments. Hal Jones Road has a posted speed limit of 45 miles per hour and like Herring Road, is assumed to serve a small portion of the site's traffic.

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

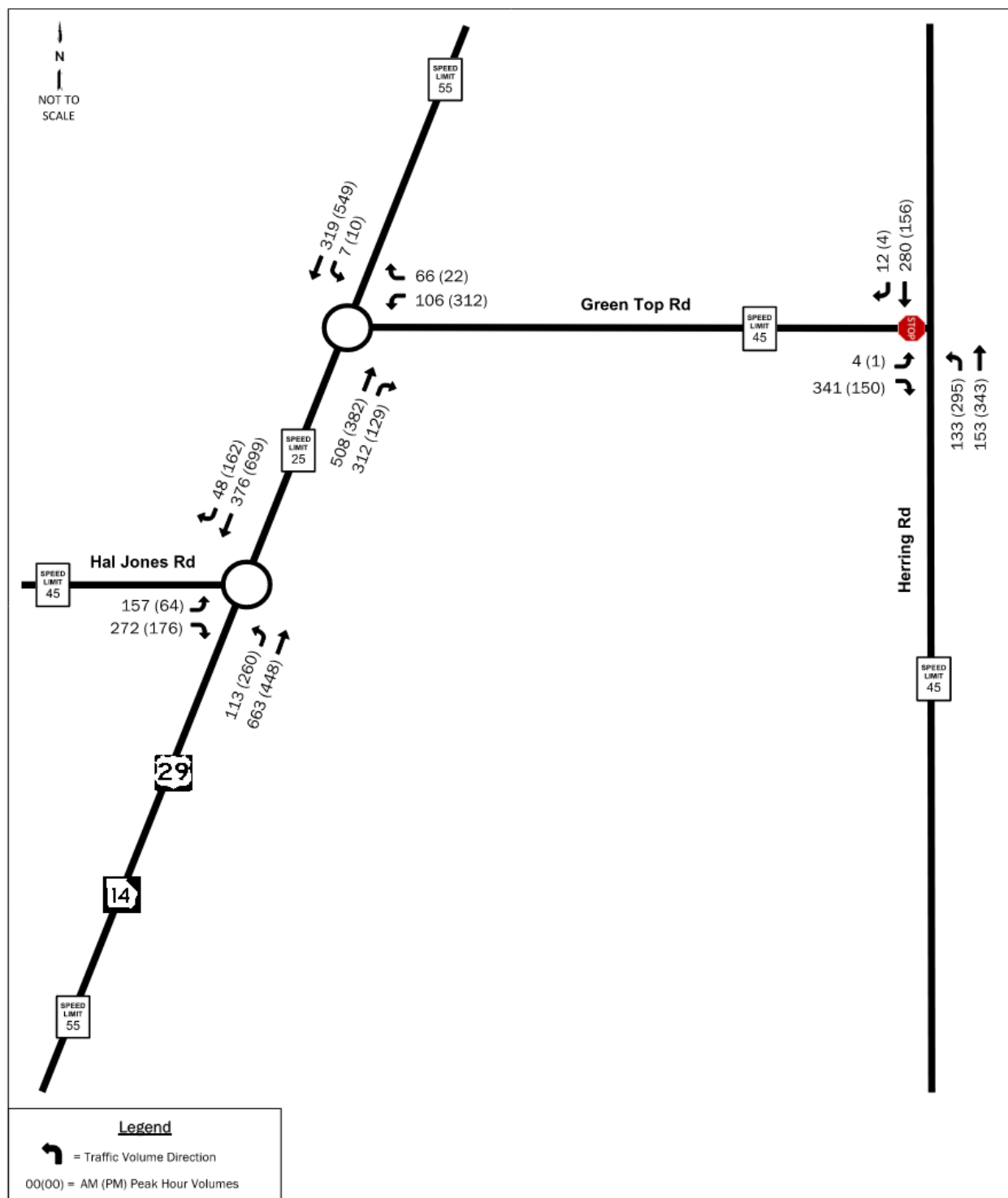


Figure 5: Trip Distribution

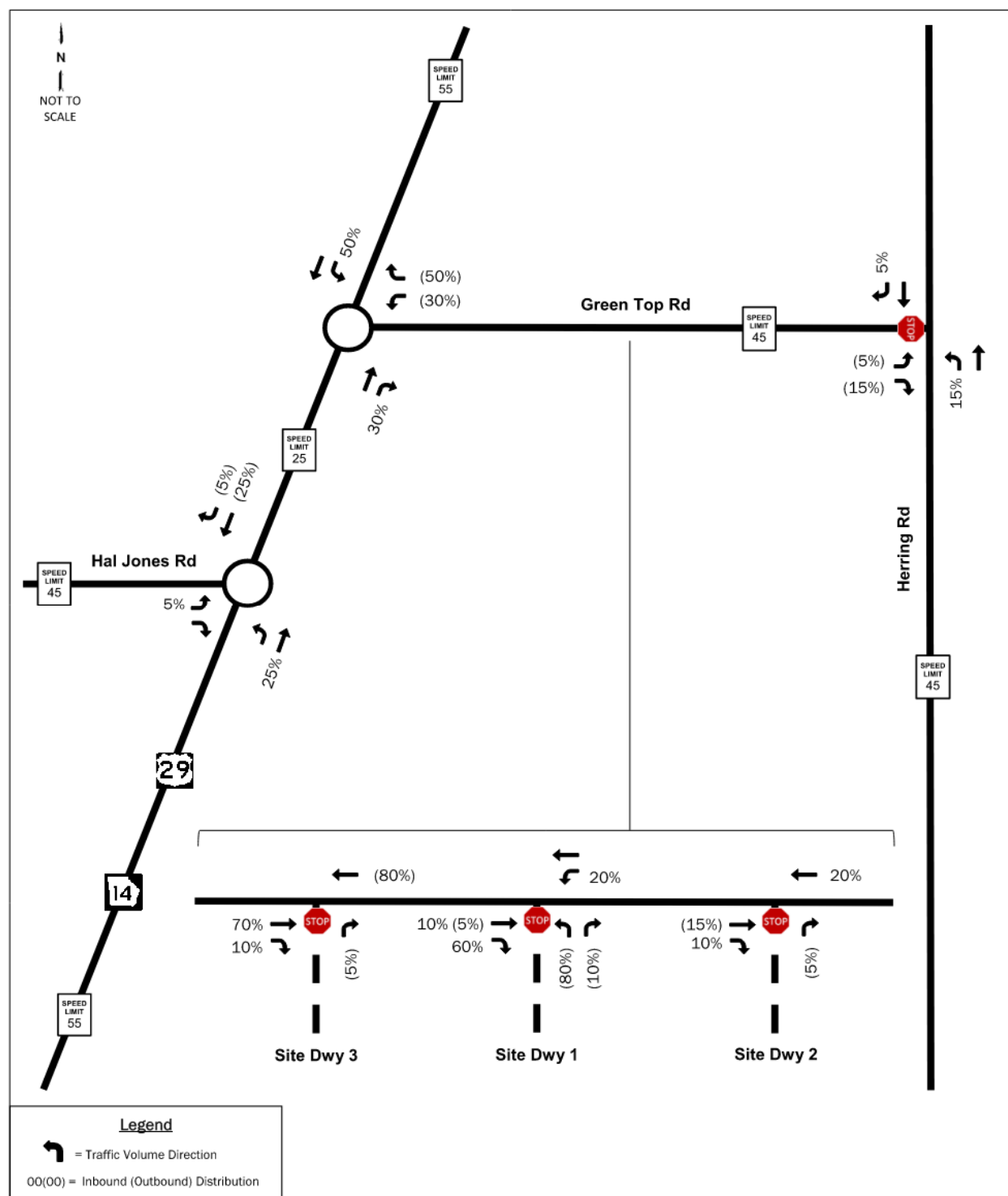


Figure 6: Project Development Trips

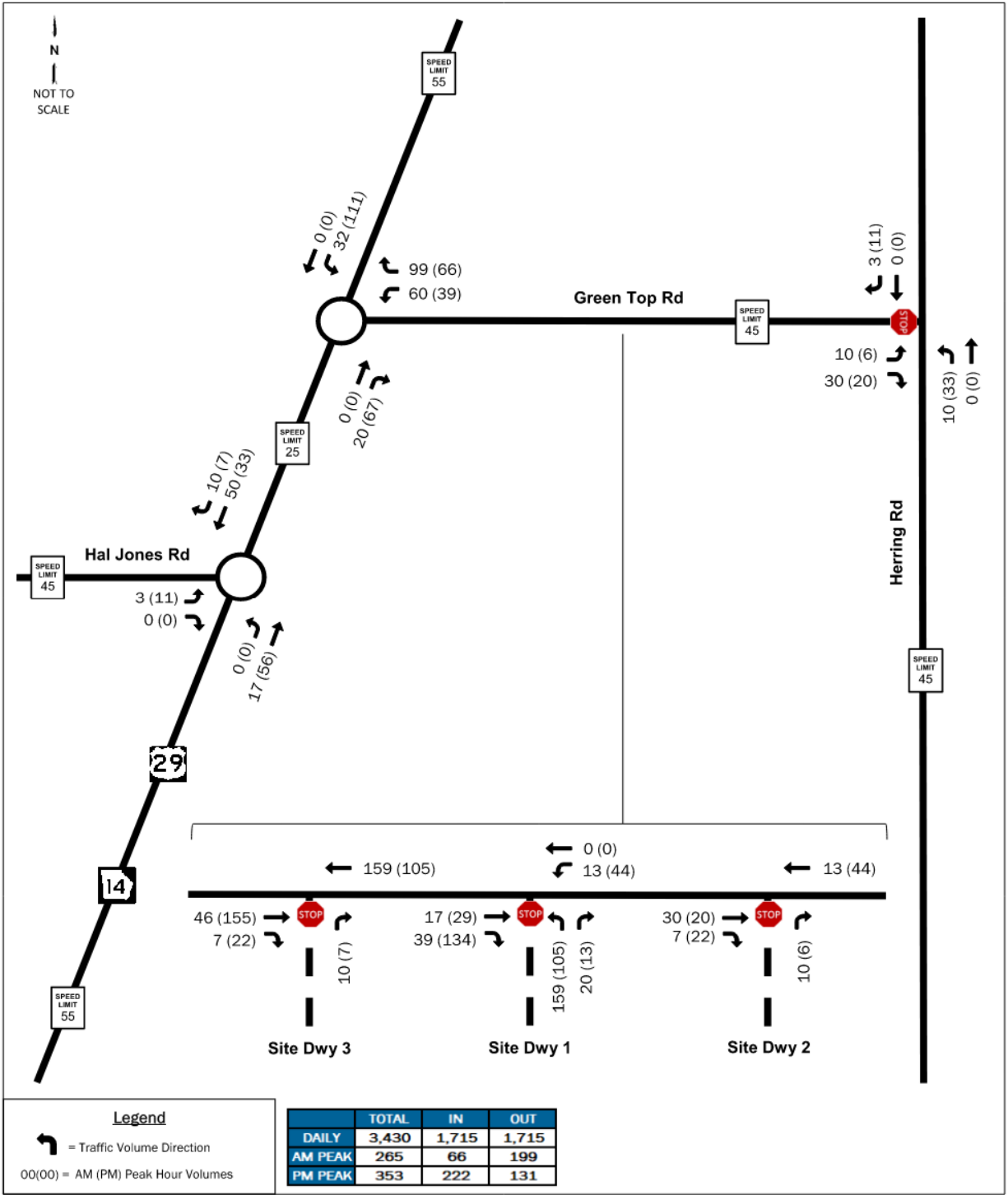
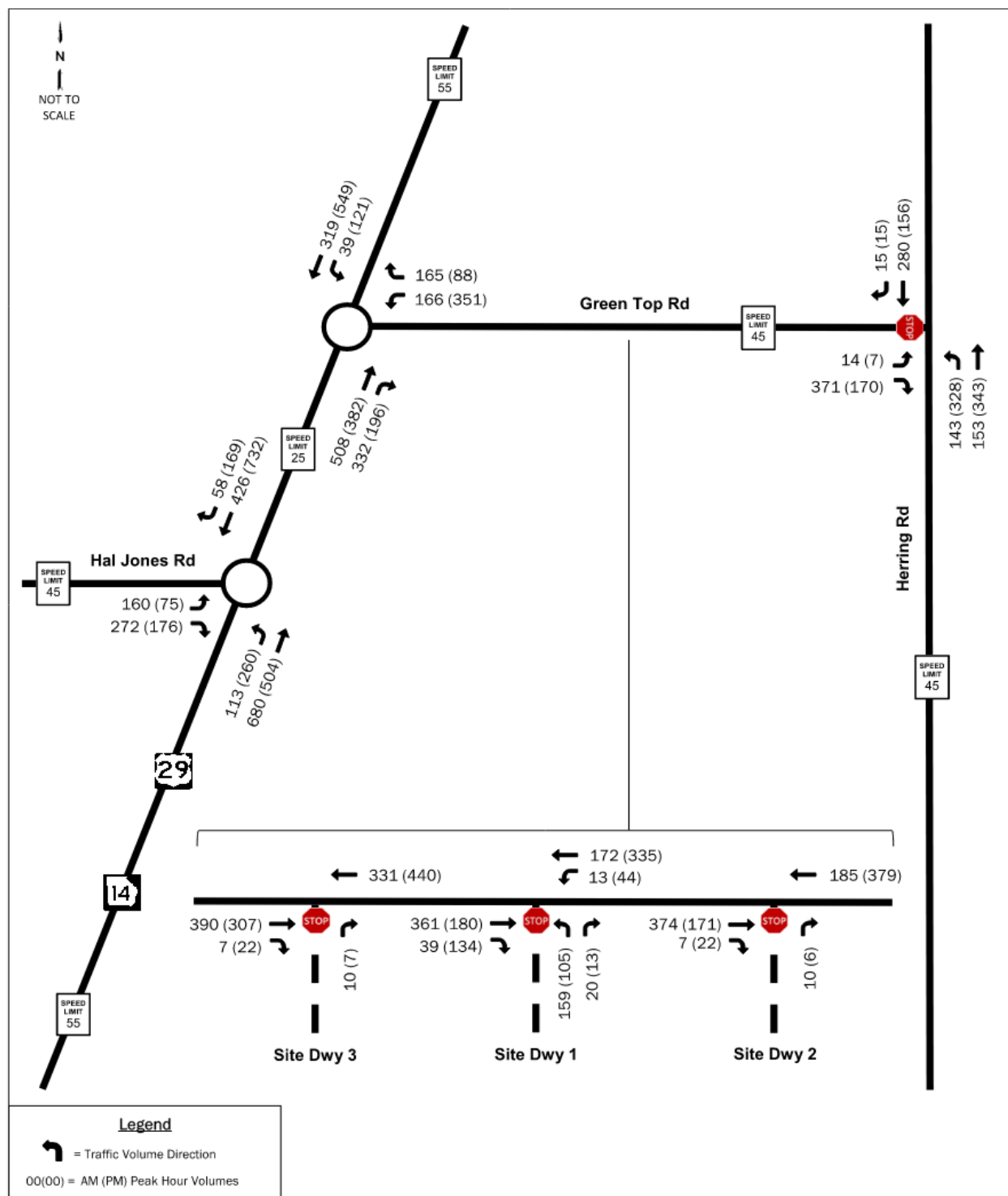


Figure 7: 2028 Build Traffic Volumes



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

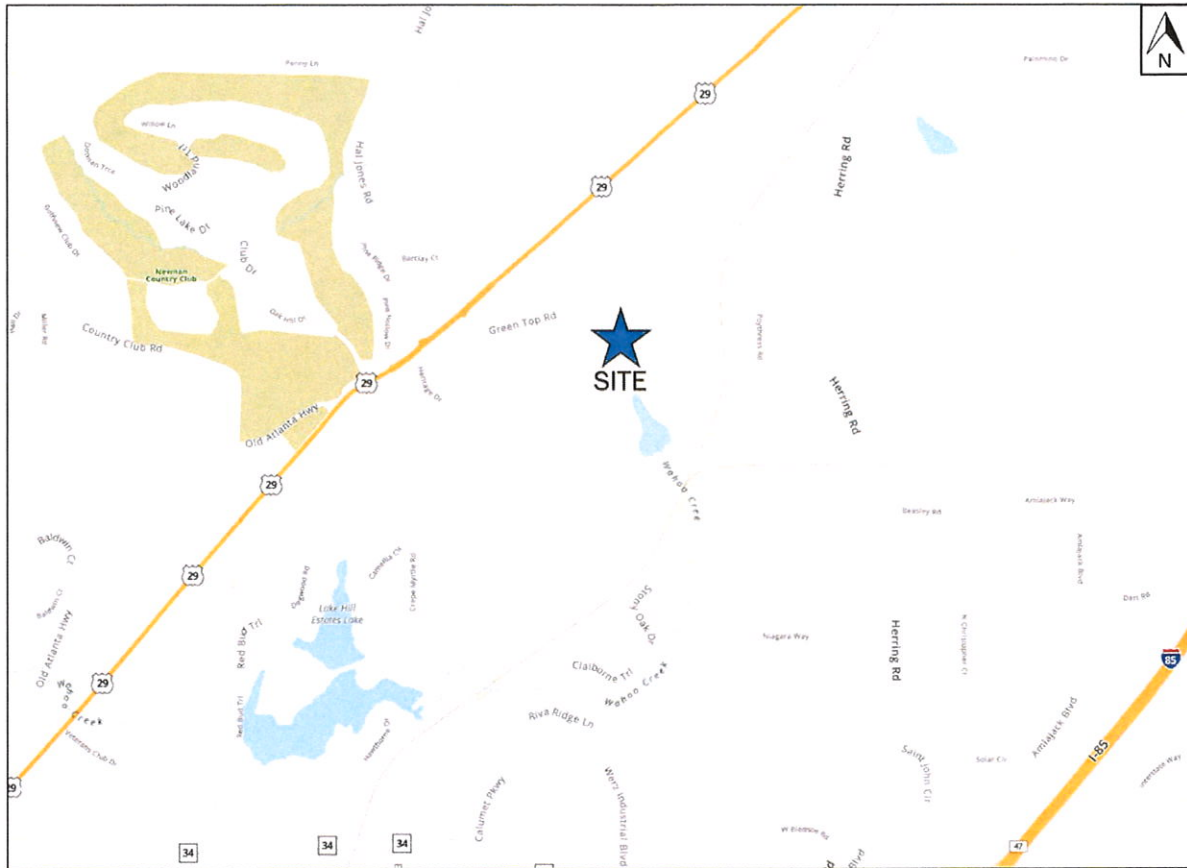


Figure 2. Site Location Aerial



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

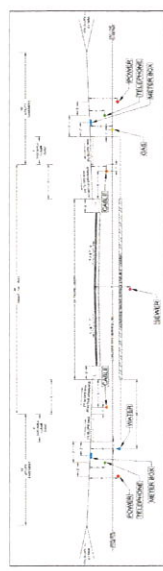
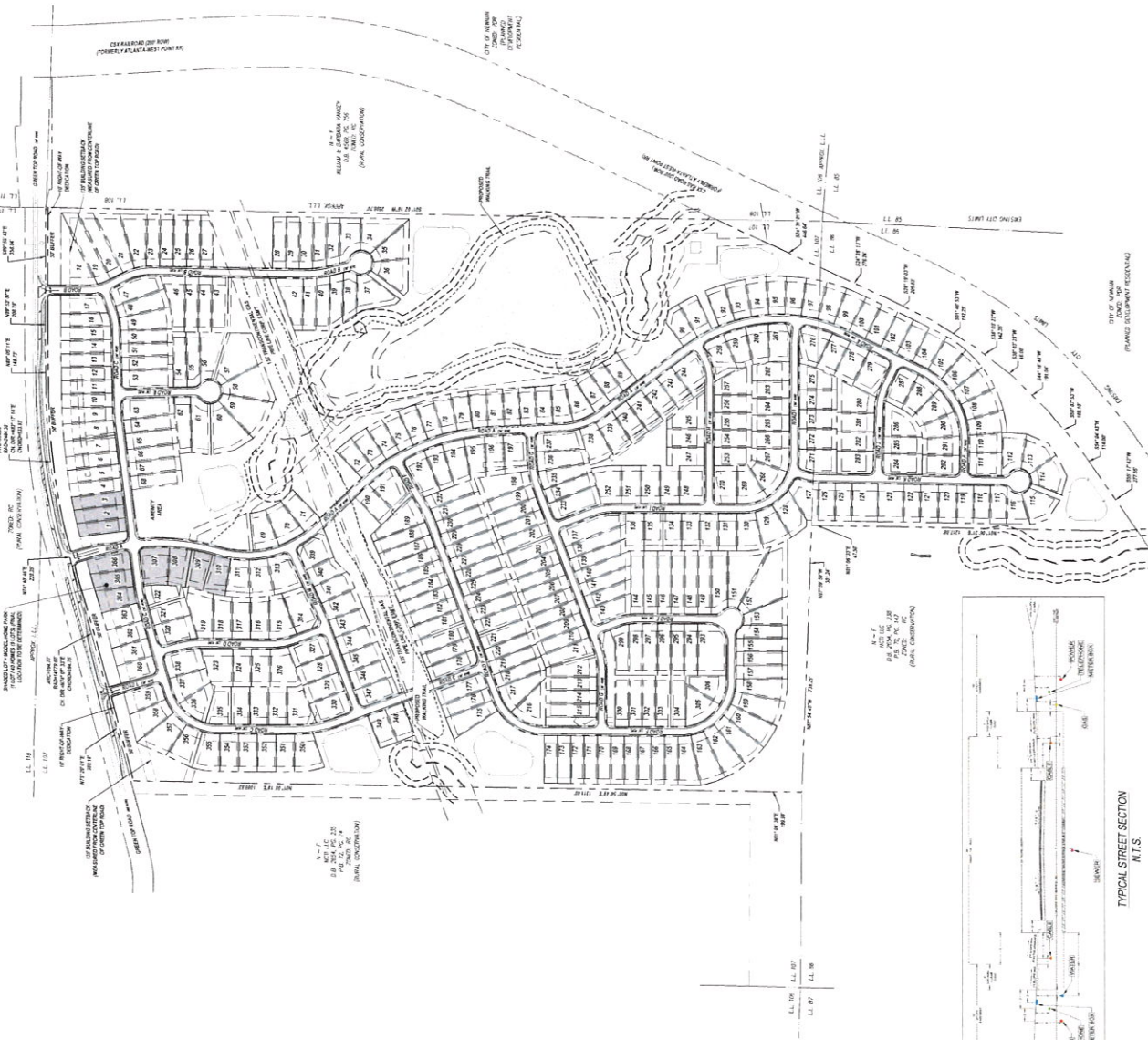
APPENDIX B — ROUNDABOUT CONCEPT DESIGN LAYOUT

APPENDIX A

SITE PLAN

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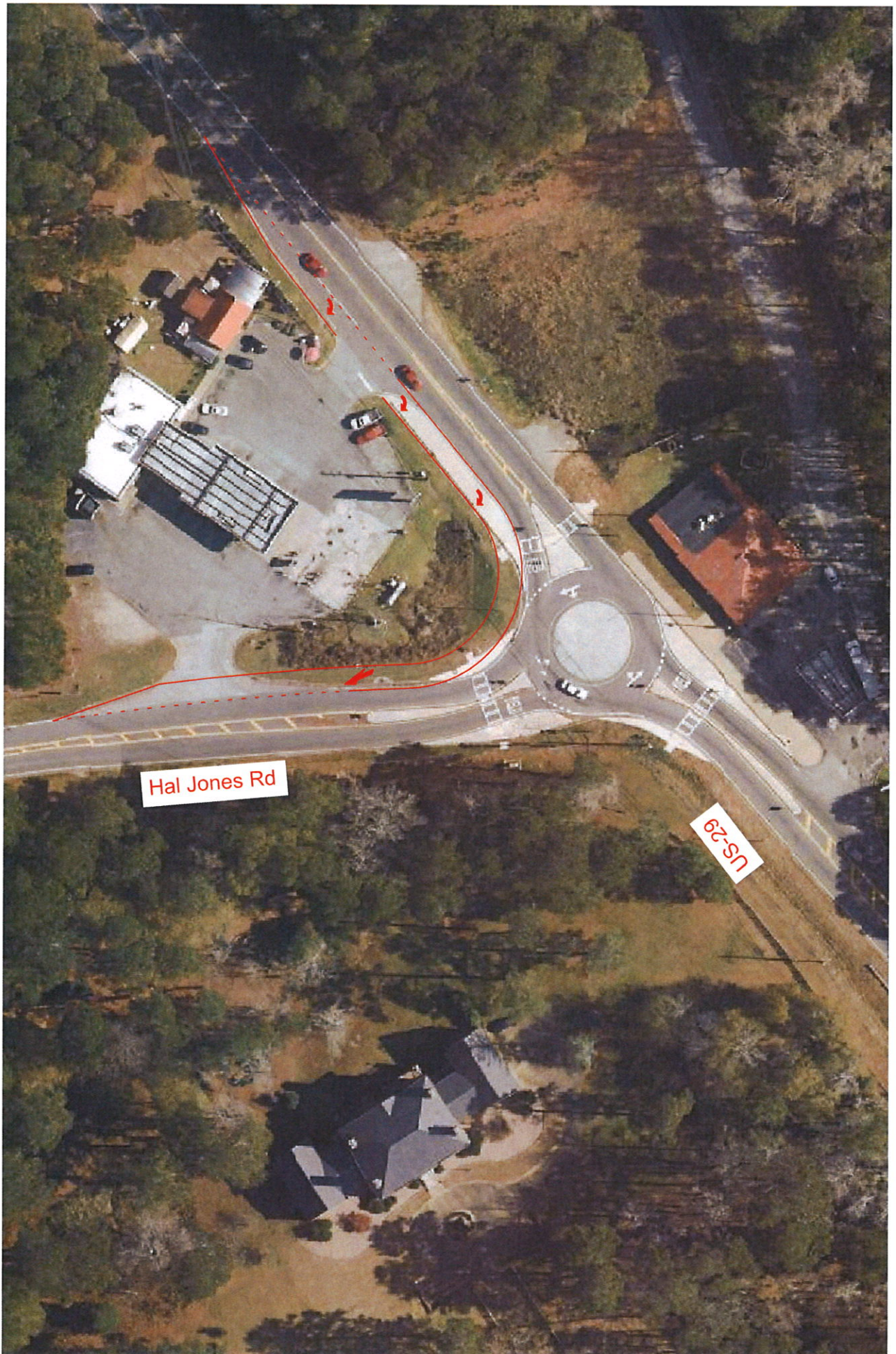
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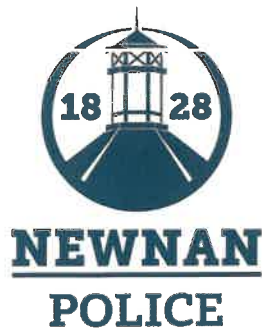


Percent Table		Percent Table		Percent Table	
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61	0.00	61	0.00	61	0.00
62	0.00	62	0.00	62	0.00
63	0.00	63	0.00	63	0.00
64	0.00	64	0.00	64	0.00
65	0.00	65	0.00	65	0.00
66	0.00	66	0.00	66	0.00
67	0.00	67	0.00	67	0.00
68	0.00	68	0.00	68	0.00
69	0.00	69	0.00	69	0.00
70	0.00	70	0.00	70	0.00
71	0.00	71	0.00	71	0.00
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77	0.00	77	0.00	77	0.00
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97	0.00	97	0.00	97	0.00
98	0.00	98	0.00	98	0.00
99	0.00	99	0.00	99	0.00
100	0.00	100	0.00	100	0.00

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

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:

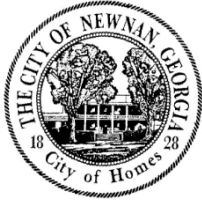
- a. Developer shall connect to Newnan Utilities Water System.
- b. Developer is responsible for all upgrade costs necessary to serve said property, but not limited to:
 - i. Construction of development of water system per Newnan Utilities Specifications.
 - ii. Design and construction of connection 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



The City of Newnan, Georgia

Office of the City Engineer

August 8, 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 as Coweta County has reviewed and approved the plans for the development to the extent Coweta County has jurisdiction, primarily relating to street connections to Green Top Road.

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:

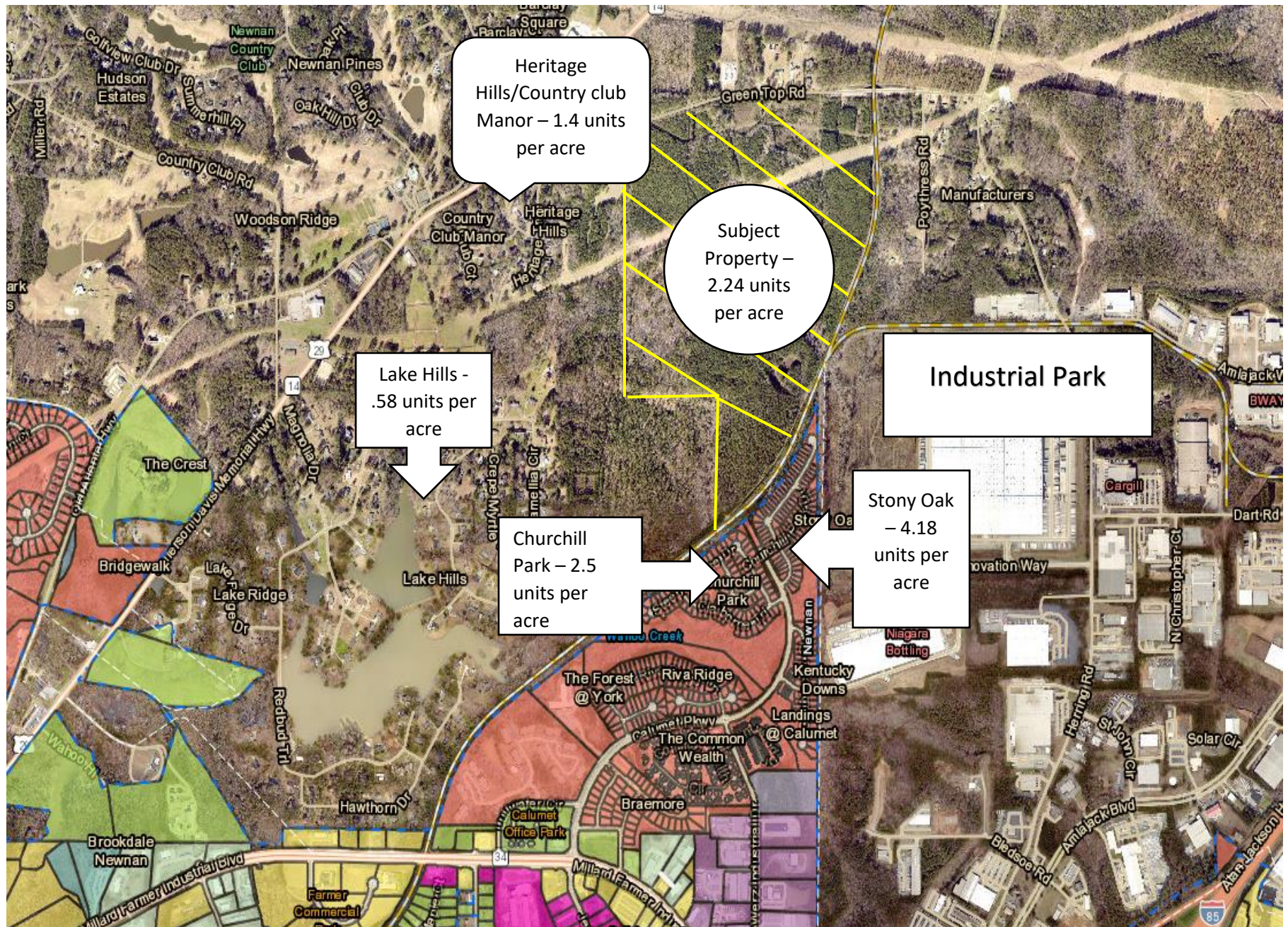
1. ADA compliant sidewalks, 5 feet in width, shall be provided throughout the proposed development along both sides of all streets, with connection provided to all amenities.
2. From the Traffic Study provided, the entrances as proposed along Greentop Road are acceptable to the City, as is the County's 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

Density Map – Green Top Annexation



LAW OFFICES
TISINGER VANCE, P.C.

100 WAGON YARD PLAZA
CARROLLTON, GEORGIA 30117

WWW.TISINGERVANCE.COM

TELEPHONE: (770) 834-4467
FAX: (770) 834-5426

ROBERT D. TISINGER
1909-1991

DIRECT DIAL AND E-MAIL ADDRESS:

(770) 214-5119
ATJACKSON@TISINGERVANCE.COM

August 8, 2023

The Honorable Mayor and Council
City of Newnan
25 LaGrange Street
Newnan, GA 30263
Via Email: msheu@newnanga.gov

Green Top Road, LLC
Pulte Group Home Company, LLC
c/o George Rosenzweig
75 Jackson Street, Suite
405 Newnan, GA 30263
Via Email: george@cowetalaw.com

Members of City of Newnan
Planning Commission
25 LaGrange Street
Newnan, GA 30263
Via Email: tdunnavant@newnanga.gov

RE: NOTICE OF OBJECTION TO ANNEXATION PROFFERED CONDITIONS AND
DEVELOPMENT AGREEMENT
Pulte Home Company, LLC & Green Top Road, LLC (the "Applicants");
Revised Rezoning and Annexation Applications (the "Revised Applications");
PC to Planned Development Project (PDP);
163.61 acres located on Green Top Road, Coweta County,
Parcel Tax ID Numbers 085-5107-003, 085-5107-002, 085-5086-003,
and 085-5086-001 (the "Property")

Dear Mayor & Council, Members of the Newnan Planning Commission, and Applicants:

This firm represents the Coweta County Water and Sewerage Authority (the "Water Authority") in its objections to the "Proffered Conditions" contained in the above referenced Revised Applications. The Water Authority respectfully requests your compliance with Georgia law concerning the annexation dispute resolution process outlined in O.C.G.A. § 36-36-118, et. seq., in either only approving the annexation with the conditions imposed by the arbitration panel or denying the annexation. In addition, any attempt to move forward with the current "Proffered Conditions" contained in the Revised Applications or the proposed Development Agreement between and among Green Top Road, LLC, Pulte Home Company, LLC, the City of Newnan, Georgia, and Newnan Utilities, would constitute tortious interference with contractual relations and/or tortious interference with business relations. Furthermore, the Water Authority has expended significant sums on valuable property rights and contractual interests in the Property and the approval of the annexation with the proposed "Proffered Conditions" and proposed Development Agreement would constitute a taking and inverse condemnation of the Water Authority's existing property rights and interest in the Property.

City of Newnan
Planning Commission
Green Top Road, LLC
Pulte Group Home Company, LLC
August 8, 2023
Page 2

I submit this statement for you to consider in conjunction with the Applicant's annexation request. Due to the time restraints created by the City of Newnan Zoning Ordinance, I ask that you consider these written comments along with the oral presentation made at the annexation hearing.

Facts

The Applicants, Green Top Road, LLC, and Pulte Homes, LLC, originally prepared and filed an annexation application on August 29, 2022. The Applicants used the forms provided by the City. On the application, one of the required items to be completed was a description of how water and sewerage would be provided. Green Top and Pulte completed the applications and clearly designated the Water Authority as providing water and sewerage services. Specifically, the proffer was "the property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewer Authority."

The Water Authority was listed as providing water and sewerage services because the Water Authority has an easement for a sewer line running across the Property, the Water Authority spent over \$3.5 million installing and connecting the sewer line across the subject property, and the Water Authority has a written agreement with Green Top Road, LLC, guarantying capacity for up to 340 residential sewer taps and residential service on the Water Authority's sewer line, which is already located on the Property.

In February 2019, Newnan Utilities entered into a Water Purchase Agreement with the Water Authority, which in part transferred title of the existing sewer line, commonly referred to as the "Highway 29 Line," from the City to the Water Authority. The "Highway 29 Line," which includes the sewer line and all infrastructure along said line, including all lift stations, runs north along Green Top Road. The Water Purchase Agreement further provided that "[a]ll customers connected to the transferred portion of said sewer line shall become customers of the Authority for sewer services. Should said property be annexed into the Newnan city limits, [Newnan Utilities] will have the right to serve water to developments in the annexed area, *except for customers already served by the Authority.*" (Water Purchase Agreement, attached hereto as Exhibit A.)

The Property is adjacent to and will be serviced by the "Highway 29 Line". (See property descriptions and maps within Exhibits A & B.) Thus, in October 2020, Green Top Road, LLC entered into an Agreement with the Water Authority, which is recorded in the Coweta County Public Records at Deed Book 5147, Page 151, and which provides in part that "CCWSA and Owner desire for CCWSA to proceed with installation and construction of the Sewer Line in return for CCWSA's agreement to construct and install the Sewer Line at its expense and to reserve capacity for up to 340 residential sewer taps and residential service and related equipment on the CCWSA sewer system" ("Easement Agreement", attached hereto as Exhibit B.)

In reliance on the written recorded Easement Agreement with Green Top Road, LLC and the Water Purchase Agreement with the City, over the past 2–3 years the Water Authority expended significant resources—approximately \$3.5 million—in construction and other preparations to provide water and sewer to the Property.

The current Service Delivery Strategy (“SDS”) filed with the Georgia Department of Community Affairs and approved by the local governments, authorities, and other organization that provide water and sewer services in the County states in part: “The Coweta County Water and Sewerage Authority provides service primarily to industrial and commercial properties within the unincorporated county and to some incorporated areas.” The SDS further states: “Also, both the City of Newnan and the City of Senoia have annexed properties over the years that included Coweta County Water and Sewerage Authority infrastructure.” (Service Delivery Strategy, attached hereto as Exhibit C.)

Here, again as has occurred in the past, the City is contemplating annexing the Property with the Water Authority’s sewer line already built on the Property. The Applicants first annexation application was accepted by the City of Newnan on September 13, 2022, and the City voted to initiate the annexation procedure with the preferred condition stating that “the property shall be served by public water and sewerage facilities provided by the Coweta County Water and Sewerage Authority.” Coweta County objected to the annexation application. An arbitration panel was appointed pursuant to O.C.G.A. § 36-36-114 and the panel held a lengthy trial receiving live witness testimony and admission of evidence in accordance with O.C.G.A. § 36-36-115. The parties, including Green Top Road, LLC, Pulte Homes, LLC, the City of Newnan, and Coweta County, all stipulated to adequate water and sewer infrastructure at the trial before the arbitration panel. None of the parties objected to, retracted, or even discussed the proffered condition that the Water Authority would serve the Property at the arbitration trial. The arbitration panel awarded Green Top Road, LLC and Pulte Homes, LLC exactly what they asked for by approving the conditions they proffered in the rezoning application, including the specific condition that “the property shall be served by public water and sewage facilities provided by the Coweta County Water and Sewerage Authority.” (See Arbitration Panel Decision, attached hereto as Exhibit D.)

The City and Applicants then appealed the arbitration award to the Superior Court of Coweta County. Despite no prior complaints, the sole condition that the City and Applicants complained about on appeal was the condition imposed by the arbitration panel that “the property shall be served by public water and sewerage facilities provided by the Coweta Water and Sewerage Authority.” The Superior Court of Coweta County expressly decided and ordered that “the City, Pulte and Green Top are estopped from now complaining about the very condition it proffered to the panel and which the panel adopted at their request.” The Court further stated “[t]o the extent the Applicants proffered the condition—and the City has worked in concert with the

Applicants from the beginning without taking issue to the proffered condition—the Appellants are estopped from now contending the same cannot be a condition of the annexation.” The Court expressly found that the arbitration award and the proffered condition concerning service of water and sewer to the Property by the Water Authority are not subject to being vacated. (Final Order of Superior Court, attached hereto as Exhibit E.)

Discussion

The annexation process is tightly controlled by Georgia law and the City and Applicants may only proceed with the annexation accepting the express binding conditions of the arbitration panel or abandon the annexation proceeding.

O.C.G.A. § 36-36-111 states:

The municipal corporation shall take no final action on such annexation except as otherwise provided in this article.

O.C.G.A. § 36-36-117 states:

Following the conclusion of the dispute resolution process outlined in this article, **the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding.** A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

O.C.G.A. § 36-36-118 provides:

After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, **the terms of such decision shall remain valid for the two-year period** and such annexation may proceed at any time during the two years without any further action or without any further right of objection by the county.

O.C.G.A. § 36-36-117 further provides that:

City of Newnan
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Pulte Group Home Company, LLC
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If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, **the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of two years** unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties.

Therefore, Georgia law expressly gives the City and the Applicants only two choices following the conclusion of the annexation dispute resolution process, either (1) accept the express binding conditions of the arbitration panel and proceed with the remaining annexation process or (2) abandon the annexation proceeding. The arbitration panel's award is binding for two years. The City is expressly prohibited from changing, modifying, or supplementing the conditions imposed by the arbitration award during the two years unless by agreement with the County. The Superior Court of Coweta County has already confirmed that the conditions in the arbitration award are not subject to being vacated and the City and Applicants are estopped from complaining about the conditions.

The City and the Applicants cannot now seek to modify and amend the annexation application and the conditions imposed by the arbitration panel award in an attempt to include additional conditions that were not originally raised, noticed, discussed, or objected to during the arbitration dispute resolution process. The goal of the entire annexation dispute resolution process including notice, arbitration hearing, appeal process, and recording the imposed conditions is to establish the binding conditions of the annexation that will remain in place and cannot be changed by the City or Applicant for at least two years.

If the City approves the annexation with the "Proffered Conditions" in the Revised Applications and enters into the proposed Development Agreement in violation of the arbitration dispute resolution law, the arbitration award, and the Superior Court's order, then the Water Authority will seek enforcement of the same and seek any and all damages, including the legal fees and costs, against the City for violation of Georgia's arbitration laws, tortious interference with contractual relations, tortious interference with business relations, taking, and inverse condemnation. Similarly, if the Applicants proceed to enter into the Development Agreement, they will be in breach of the Easement Agreement.

By law, I am required to notify you that the Water Authority contends that an annexation of the Property with the proposed "Proffered Conditions" and proposed Development Agreement would result in an unconstitutional taking of the Water Authority's rights without just compensation in violation of the provisions of the United States and Georgia Constitutions. Failure to either accept the recommendations of the arbitration panel and proceed with the remaining

City of Newnan
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Green Top Road, LLC
Pulte Group Home Company, LLC
August 8, 2023
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annexation process or abandon the annexation proceeding will be unlawful and will violate the Water Authority's constitutional due process rights, and constitutes the taking of their private property without just compensation in violation of the 5th Amendment and 14th Amendment of the Constitution of the United States, Article I, Section 1, Paragraph 1, and Article I, Section 3, Paragraph 1 of the Constitution of the State of Georgia and the due process clause and the protection clause of the 14th Amendment to the Constitution of the United States.

Further, failure to either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding will be an arbitrary, capricious and unreasonable use of the City's annexation and zoning power against the Water Authority, who will have its investment, potential use, and enjoyment of its infrastructure and property interest stripped from them in violation of Article I, Section 3, Paragraph 1 of the Constitution of the State of Georgia and the equal protection clause of the 14th Amendment of the Constitution to the United States.

Very truly yours,

TISINGER VANCE, P.C.



Avery S. Jackson

cc: Cleatus Phillips, City Manager: cphillips@newnanga.gov
Megan Shea, City Clerk: mshea@newnanga.gov
C. Bradford Sears, Jr., Esq., City Attorney: csears@sandershaugen.com
Tracy Dunnivant, Planning and Zoning Director: tdunnivant@newnanga.gov

Samantha Wood

From: McEntire, Clay (MMA) <Clay.McEntire@MarshMMA.com>
Sent: Tuesday, August 8, 2023 8:38 AM
To: Samantha Wood
Subject: FW: Greentop Road Annexation

Good Morning,

I wanted to pass this email along for tonight's meeting.

Thanks,

Clay McEntire, CLCS, AAI

Senior Vice President

T 770-683-1020 | M 470-215-5917 | F 770-683-1010

47 Postal Parkway | Newnan, GA | 30263

clay.mcentire@MarshMMA.com | MarshMMA.com



**Marsh McLennan
Agency**

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From: Jane Davis <jsdavis118@gmail.com>
Sent: Monday, August 7, 2023 8:32 PM
To: McEntire, Clay (MMA) <Clay.McEntire@MarshMMA.com>
Subject: FW: Greentop Road Annexation

CAUTION: This email originated outside the company. Do not click links or open attachments unless you are expecting them from the sender.

Dear Clay McEntire,

Thank you for serving on the Newnan Planning and Zoning Committee. I know you are invested in the well being of Coweta County and appreciate your serious consideration of the proposal to annex the property on Greentop Road from the county to the city.

As residents of Newnan Pines subdivision, Jerry and I are very concerned about how this will affect our daily lives. We have lived here for over 30 years and love the area and quality of life we have enjoyed. Although we know change is inevitable, we do not believe our current infrastructure is capable of supporting the influx of people and vehicles that 500 homes on 250 acres will bring.

Coweta County has been very good to us. We chose to live here because it was close enough to a major city to access the opportunities that a city affords, but far enough away to maintain a small town feel. We believe that rapid growth for the sake of "progress" without taking the time to prepare for that growth will make Coweta County a miserable place to live.

We ask you that you vote against recommending annexation to the Newnan City Council.

Thank you,
Jerry and Jane Davis
Sent from [Mail](#) for Windows

This e-mail transmission and any attachments that accompany it may contain information that is privileged, confidential or otherwise exempt from disclosure under applicable law and is intended solely for the use of the individual(s) to whom it was intended to be addressed. If you have received this e-mail by mistake, or you are not the intended recipient, any disclosure, dissemination, distribution, copying or other use or retention of this communication or its substance is prohibited. If you have received this communication in error, please immediately reply to the author via e-mail that you received this message by mistake and also permanently delete the original and all copies of this e-mail and any attachments from your computer.

Please note that coverage cannot be bound or altered by sending an email. You must speak with or receive written confirmation from a licensed representative of our firm to put coverage in force or make changes to your existing program. Thank you.

Samantha Wood

From: McEntire, Clay (MMA) <Clay.McEntire@MarshMMA.com>
Sent: Tuesday, August 8, 2023 4:20 PM
To: Samantha Wood
Subject: FW: Green Top

FYI...

Clay McEntire, CLCS, AAI
Senior Vice President
T 770-683-1020 | M 470-215-5917 | F 770-683-1010
47 Postal Parkway | Newnan, GA | 30263
clay.mcentire@MarshMMA.com | MarshMMA.com

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—Original Message—

From: car66stang@gmail.com <car66stang@gmail.com>
Sent: Tuesday, August 8, 2023 3:38 PM
To: McEntire, Clay (MMA) <Clay.McEntire@MarshMMA.com>
Subject: Green Top

CAUTION: This email originated outside the company. Do not click links or open attachments unless you are expecting them from the sender.

Dear Council Member

I'm writing you to express my concern for the development on Green Top. I have attended many of the previous meetings and seen the presentation given by the developers. They paint a very pretty picture but the numbers never add up. The reality is the roads, schools and first responders are not in place for such a development.

I know I don't stand alone in my concerns and will continue to advocate for better infrastructure before development. As our representative please vote no before so many citizens lives will be forever changed.

Thank you

C Welsh

Sent from my iPhone

This e-mail transmission and any attachments that accompany it may contain information that is privileged, confidential or otherwise exempt from disclosure under applicable law and is intended solely for the use of the individual(s) to whom it was intended to be addressed. If you have received this e-mail by mistake, or you are not the intended recipient, any disclosure, dissemination, distribution, copying or other use or retention of this communication or its substance is prohibited. If you have received this communication in error, please immediately reply to the author via e-mail that you received this message by mistake and also permanently delete the original and all copies of this e-mail and any attachments from your computer.

Please note that coverage cannot be bound or altered by sending an email. You must speak with or receive written confirmation from a licensed representative of our firm to put coverage in force or make changes to your existing program. Thank you.

Samantha Wood

From: psmith827@numail.org
Sent: Monday, July 31, 2023 3:21 PM
To: Samantha Wood
Subject: FW: Planning Commission Hearing on Greentop Road

Hi Samantha,

I'm sure you will start getting emails to forward to the commission. Please include this one with the rest. Thanks!

Proctor

From: Norma Haynes <norma30263@gmail.com>
Sent: Saturday, July 29, 2023 6:42 PM
To: psmith827@numail.org
Subject: Planning Commission Hearing on Greentop Road

Dear Proctor, yours is the only email address I have, and I would so appreciate if you would kindly pass this along to the other members of the Planning Commission. I understand that the Greentop property is once again coming before all of you. I now live at Wesley Woods, and I just can't get over how much traffic is on Highway 29 here that is at the intersection of Herring Road. As you can see, Wesley Woods drivers have to try to get out of our community right at that intersection, and it is terrifying. I have lived here for three years now, and I have been appalled at the increase in the traffic on these two roads, especially dump trucks and eighteen wheelers. Oh, my goodness, they fly up and down and I just don't see how on earth we can stand another big subdivision pouring out on these two roads. I watch the ambulances and fire trucks try to leave the station and when they try to drive on these roads, there is nowhere safely for anyone in front of them to even pull over because of the configuration of the highway and the bumper-to-bumper cars and trucks going both ways.

I know that progress is inevitable, and I accept that, but I just want all of you to know that I am terrified trying to get out of Wesley Woods or to get into Wesley Woods, and when I watch people trying to get out of the Heritage School, the Newnan Country Club, Lake Hills, I hold my breath. I thank you all so much for your past vote on this critical issue and realize that the City Council may very well deny you should you vote for our safety in this matter, but I pray that you will stand up for us because it is the right thing to do. I am grateful to each of you for serving on this important commission and realize that your job is not

easy. I felt I would just contact each of you by email and not take up someone else's time or yours at the upcoming meeting. God bless you. Norma Haynes 100 Lindsey Barron Drive, Newnan, Georgia 30263.

Pray for America Norma

Samantha Wood

From: Chris Hunt <chris.hunt@bhhsgeorgia.com>
Sent: Tuesday, August 8, 2023 8:47 AM
To: Samantha Wood
Subject: FW: Green Top Rd

Good morning ... I received this email ...

Chris and Julie Hunt - The Hunt Team
BHHS Georgia Properties 2022 #1 Small Team
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[GL50e1ulwc1YVylq?u=http://www.thehuntteam.net/](https://link.edgепilot.com/s/0f9e7328/lKjiy-GL50e1ulwc1YVylq?u=http://www.thehuntteam.net/)



From: Jeane Yancey <jeaneyancey@outlook.com>
Sent: Sunday, August 6, 2023 5:55 PM
To: Chris Hunt <chris.hunt@bhhsgeorgia.com>
Subject: Fwd: Green Top Rd

You don't often get email from jeaneyancey@outlook.com. [Learn why this is important](#)

Thank you for your vote

Jeane

Begin forwarded message:

From: Jeane Yancey <jeaneyancey@outlook.com>
Date: August 4, 2023 at 2:25:18 PM EDT
To: Jeane Yancey <jeaneyancey@outlook.com>
Subject: Re: Green Top Rd

Jeane

On Aug 4, 2023, at 2:17 PM, Jeane Yancey <jeaneyancey@outlook.com> wrote:

Procter and zoning board committee,

Thank you and your team for your service to the community we all love.

As you well know, there are great number of citizens living on the north side of Coweta county that are very concerned with the GREENTOP road annexation. We have voiced our opinion for many we

.We are concerned about this annexation and then development slowly taking and ruining our quality of life. We all see this happening to our county but only if we let. Has the county heard of green space. ... trees etc,, They are a must to all communities. We believe in your service to our community . Please oppose this annexation.

I live at Newnan Pines. We have only one entrance and exit used by all residents.

On Aug 2 I was leaving Newnan Pines before 8am I sat in traffic for literally 10 plus minutes trying to exit.. This is already a problem and the development will make it much worse.

The bottom line is: This is NOT the right location to annex.

I have been around this world long enough to learn a few things!

One of the things I have learned in my 85 years is that people say just about anything

to get what they want. The traffic studies engineers said it will be fine.

Take what you know and keep our community from being destroyed by a publicly owned company Poulte Homes.

Please consider our citizens who live in Coweta County and not flood our roads with new developments and TRAFFIC when you vote. Can you imagine what it will be if the property is annexed into the city and developed as proposed ?

Thank you for your time serving on this committee.

Jeane Yancey

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Samantha Wood

From: Chris Hunt <Chris.Hunt@bhhsgeorgia.com>
Sent: Tuesday, August 8, 2023 8:50 AM
To: Samantha Wood
Subject: FW: Greentop Road Annexation

And this email as well ...

Chris and Julie Hunt - The Hunt Team
BHHS Georgia Properties 2022 #1 Small Team
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Visit our website @

<https://link.edgепilot.com/s/67c41fbc/rPJl5l25Q0aTse322l62kg?u=http://www.thehuntteam.net/>



From: Jane Davis <jsdavis118@gmail.com>
Sent: Monday, August 7, 2023 8:28 PM
To: Chris Hunt <Chris.Hunt@bhhsgeorgia.com>
Subject: FW: Greentop Road Annexation

You don't often get email from jsdavis118@gmail.com. [Learn why this is important](#)

Dear Chris Hunt,

Thank you for serving on the Newnan Planning and Zoning Committee. I know you are invested in the well being of Coweta County and appreciate your serious consideration of the proposal to annex the property on Greentop Road from the county to the city.

As residents of Newnan Pines subdivision, Jerry and I are very concerned about how this will affect our daily lives. We have lived here for over 30 years and love the area and quality of life we have enjoyed. Although we know change is inevitable, we do not believe our current infrastructure is capable of supporting the influx of people and vehicles that 500 homes on 250 acres will bring.

Coweta County has been very good to us. We chose to live here because it was close enough to a major city to access the opportunities that a city affords, but far enough away to maintain a small town feel. We believe that rapid growth for the sake of "progress" without taking the time to prepare for that growth will make Coweta County a miserable place to live.

We ask you that you vote against recommending annexation to the Newnan City Council.

Thank you,
Jerry and Jane Davis
Sent from [Mail](#) for Windows

Reminder: email is not secure or confidential. Except in the limited circumstance where you have requested instructions for sending earnest-money deposit (and you will verify the instructions by phone before authorizing any funds transfer), Berkshire Hathaway HomeServices Georgia Properties will never request that you send funds or nonpublic personal information, such as credit card or debit card numbers or bank account and/or routing numbers, by email. If you receive an email message concerning any transaction involving Berkshire Hathaway HomeServices Georgia Properties, and the email requests that you send funds or provide nonpublic personal information, do not respond to the email and immediately contact Berkshire Hathaway HomeServices Georgia Properties to notify of suspected email fraud at: fraud@bhhsgeorgia.com or 678-352-4490. Additionally, contact your sales agent to alert him/her of the suspect email.



City of Newnan, Georgia – Planning Commission

Date: September 12, 2023

Agenda Item: Rezoning Request – RZ2023-04
12.56± acres located along Bullsboro Drive (Portion of
Tax Parcel #N57-023)

Prepared and Presented by: Dean Smith, Senior Planner

REZONING ASSESSMENT

APPLICANT INFORMATION:

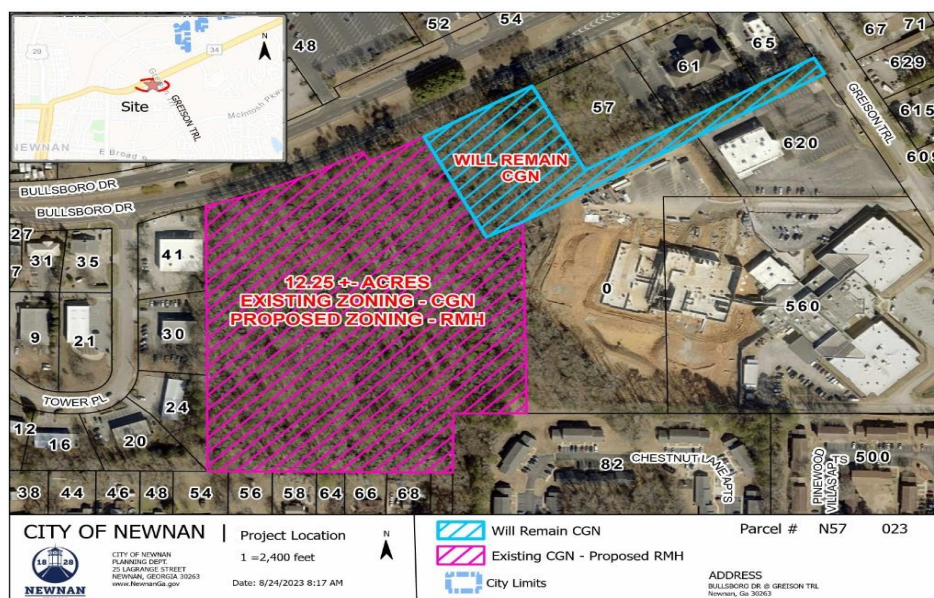
George Rosenzweig, Attorney
On behalf of Templar Development Group, LLC
160 Whitney Street
Fayetteville, GA 30214

Templar Development Group, LLC is seeking to rezone a 12.56 ±acre portion of a 15-acre tract identified as Tax Parcel N57-023, for the purpose of developing a 95-unit townhouse condominium residential community. In order to accomplish this, the applicant is seeking an RMH (Residential Multiple Family Dwelling-Higher Density) zoning category.

SITE INFORMATION:

The total site consists of 15± acres located along Bullsboro Drive, with a portion extending out to Greison Trail. The area that is the subject of this rezoning petition is 12.56± acres which is a portion of tax parcel id number N57-023.

The site is currently undeveloped and zoned CGN (General Commercial District).



OVERVIEW OF REQUEST:

The applicant is requesting to rezone 12.56 ± acres which is a portion of Tax Parcel N57-023 located along Bullsboro Drive. This property is currently zoned CGN (General Commercial District). The applicant is requesting a change to RMH (Residential Multiple Family Dwelling-Higher Density) zoning district for the development of 95 condominium townhomes.

RMH zoning allows 8 dwelling units per acre for a townhome development. The proposed development shows a gross site density of 8 units per acre. Part of the property is undevelopable due to a stream, floodplain and associated stream buffers.

Proposed amenities include: walking trails, pocket park and a dog park

Applicant's Proffered Conditions:

- The development will substantially comply with the site plan and elevations presented with this application
- No more than 10% of units will be rentals.
- Density will not exceed 8 units per acre
- Townhouse width will be no less than 24 feet
- Streets will be public
- The applicant will use a variety of techniques to avoid the monotonous appearance of identical row homes. Such techniques may employ, among others, the staggering of foundations and setbacks, the use of different front elevations (such as raising and lowering roof lines and using a mixture of gable and shed roof lines on roof dormers), architectural styles, building exteriors, and other similar techniques to provide a more pleasing appearance to the development. No vinyl or wood siding shall be allowed.



STANDARDS:

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

1. **Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?** The subject tract is bordered predominantly by non-residential zoning designations. On the southern border of the subject site, adjacent zoning is residential, a single-family, urban residential dwelling district (RU-I) and a multifamily residential lower density zoning district (RML). There are no other residential-zoned districts adjacent to Bullsboro Drive within the immediate vicinity of the subject site.

This site is classified on the City's future land use map as Business/Office, thus it was not anticipated to be developed for residential purposes; however, the future of development along Bullsboro Drive is open to residential possibilities. In 2019, 22.456 ± acres was rezoned by the City from CGN to RMH at the intersection of Bullsboro Drive and Ashley Park that now serves as the site for an apartment complex. The need for housing opportunities near this vicinity has been identified by the City. The rezoning petition provides housing to assist in fulfilling this need.

Staff Assessment – PROPOSED USE IS SUITABLE. ✓

2. **Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?** The most significant impact resulting from this rezoning would be an increase in traffic. At this time, the applicant has not provided the City with a peak hour trip estimation. The applicant's concept plan illustrates one ingress/egress point on Bullsboro Drive and an emergency egress point connecting on the southern portion of the property to Berry Avenue. The development should be confined to the limits of the property; however, potentially, the increase in traffic will impact the surrounding area.

Staff Assessment – ADVERSE AFFECT WILL BE MINIMAL ✓

3. **Are their substantial reasons why the property cannot or should not be used as currently zoned?** The property is currently zoned for non-residential development. The future land use map shows it has Business/Office. The property has sat vacant with the current CGN-zoning designation for over twenty years. There are environmental constraints on the property that limit the available area that can be developed, as illustrated on the survey and concept plans provided as an attachment to this report.

To date, the City has not been asked to review any proposed development for any commercial development, as allowed by the current zoning.

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

4. **Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?** The proposed rezoning petition does not require a community impact study, but staff have reached out to the community service providers to get their assessment on the potential impact of the proposed development.
- **Police:** Police Chief Blankenship has indicated that the proposed development does present an increase in traffic and people, resulting in an increase in service requests. Chief Blankenship anticipates a strain upon calls for service and would cause additional maintenance on equipment, with a monetary value of \$10,000 toward additional personnel.
 - **Fire:** Chief Stephen Brown has indicated that NFD anticipates an additional impact upon their department's resources and could possibly increase response time to all service areas within the City limits. Chief Brown anticipates that the impact of the proposed development will necessitate additional personnel and equipment in the future.
 - **Newnan Utilities:** Newnan Utilities will be the water and sewer provider for the project. Scott Tolar reviewed the project and indicated that there is ample capacity to serve the proposed facility. Needs from the developer in terms of each service have been included in the applicant's packet.
 - **Engineering:** The City of Newnan's Director of Engineering, Michael Klahr, has provided the following response below to the proposed rezoning concept plan. Of note is Mr. Klahr's request for the applicant to provide a peak hour trip generation, morning and evening, for the development. Depending upon the results of the peak hour trip generation, a traffic impact study may be required.

August 24, 2023

City Engineer Review

REZONING REQUEST

Portion of Tax Parcel N57023
15.00 Acres
Bullsboro Drive

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.
2. The development plan shall include a three-phased erosion control plan in compliance with the **Soil Erosion, Sedimentation and Pollution Control Ordinance** for the City of Newnan.
3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan. Any development within a floodplain or waters of the US shall be properly permitted with the Federal Emergency Management Agency (FEMA), or the United States Army Corp of Engineers (USACE), as applicable.
4. This parcel contains a perennial stream, therefore, the **City of Newnan, Georgia Stream Buffer Protection Ordinance** shall apply. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the point of rested vegetation. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Transportation:

1. ADA compliant sidewalks, 5 feet in width, shall be provided along the public Right of Way for Bullsboro Drive for the full length of the site, or to match existing. ADA compliant sidewalks, 5 foot in width, shall be provided throughout the proposed development, on both sides of all streets, and shall connect to the sidewalks in the Right of Way for Bullsboro Drive.
2. Traffic impact: applicant shall provide the peak hour trip generation, AM and PM, for the development, in accordance with the ITE (Institute of Transportation Engineers) Trip Generation Manual, latest edition, and shall be included with the DEVELOPMENT SUMMARY as shown in the Conceptual Master Plan. A peak hour trip generation of 100 or more shall require a Traffic Impact Study, in accordance with standards established by ITE.
3. Access: the development requires two separate entrances, applicant to provide assurance the proposed emergency access shown from Berry Avenue is viable.
4. Assurance, by permit, for driveway connection to Bullsboro Drive (State Route 34), by the Georgia Department of Transportation (GDOT), shall be provided prior to the issuance of any permit for land disturbing activities (LDP), by the City.
5. Traffic Control Devices: all traffic control devices shall be in compliance with the latest standards of the MUTCD (Manual on Uniform Traffic Control Devices).
6. The City of Newnan makes no assurance the proposed 12 foot wide concrete trail, as show in the Conceptual Master Plan, will directly connect to the City's existing or future multi-use pathway, the LINC.
7. No monuments or other objects that may be considered as traffic hazards shall be permitted within the Right of Way for any public street.

Respectfully,

Michael Klahr

- Coweta County Schools: Coweta County School System Director of Facilities, Ronnie Cheek, responded to the request for the proposed development's impact on the school system. Mr. Cheek stated that the proposed development presents challenges when planning for school enrollment and meeting students' needs. Due the higher-density housing in the area of the proposal, school capacity is an ongoing concern. Many schools serving the area in question are at or near capacity. Mr. Cheek requested that if approved, the school system be provided with advance notice of the project's construction schedule, buildout timeline and the target market for the housing. The link embedded herein refers to a Coweta County School System Enrollment Analysis and Projection, dated January 2023, for your information and reference:

<https://www.dropbox.com/s/v4m45555zbpma7n/Enrollment%20Update%20-%202023%20%281%29-15019003c3pcg2ferbu0gem33f5zxbi.pdf?dl=0>

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

Staff Assessment – PROJECT WILL HAVE AN IMPACT, ESPECIALLY FOR TRAFFIC AND SCHOOLS, BUT NOT A BURDENSOME IMPACT ✓

5. **Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?** The Future Land Use Map shows this property as Business/Office. The Comprehensive Plan describes this category as land dedicated to non-industrial employment generators, including retail sales, office, service and entertainment facilities. Uses are primarily located along major highways, thoroughfares or interstate corridors. However, residential development along Bullsboro Drive has already occurred, opening an opportunity for residential growth.

Staff Assessment – THE FUTURE LAND USE MAP SHOWS THIS PROPERTY AS BUSINESS/OFFICE; HOWEVER, WITH THE NEW RESIDENTIAL DEVELOPMENT THAT WAS APPROVED IN 2019 IN THE BULLSBORO DRIVE CORRIDOR, AN ARGUMENT CAN BE MADE THAT THE PROPOSED PROJECT WOULD FIT INTO THE FABRIC OF THE AREA. ✗

6. **Is the proposed use consistent with the purpose and intent of the proposed zoning district?** The RMH (Residential Multiple-Family Dwelling-Higher Density District) is intended to provide higher density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities. There are a variety of housing products that are allowed in RMH zoned districts: manufactured housing; low-rise multiple family dwellings; two-family dwellings; garden apartments; apartment buildings; condominiums;

townhouses and single-family detached homes. New RMH districts are most appropriately located adjacent to existing RMH districts in areas in transition between denser residential neighborhoods and commercial development, or in areas where the future land use map indicates would be appropriate for higher density residential uses. The only adjacent residential-zoned land is to the south of the subject site. There are two residential districts that abut the southern border, one is the RU-I (Urban Residential-Historical and Infill) and RML (Residential Multiple Family-Low Density). RU-I-zoned districts do not have standardized density requirements, as most RU-I-zoned districts are existing older established neighborhoods and the density varies based on lot sizes. RML zoning allows 8 units an acre for apartments and 6 units an acre for other types of developments. The proposed density for this project of 8 units an acre is a higher density than the RU-I zoning, but the same as the density for apartments in the RML zoning. However, as stated earlier, the Future Land Use Map forecasts this property being developed for business/office uses.

Staff Assessment – PROPOSED USE IS CONSISTENT WITH THE DENSITY ASPECT AS A TRANSITION OF THE PROPOSED ZONING DISTRICT. ✓

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

Staff Assessment – RECENTLY COMPLETED UPDATES TO BOTH THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN SHOW THE PROPOSED DEVELOPMENT AS A USE INCONSISTENT WITH BUSINESS/OFFICE; HOWEVER, AS STATED PREVIOUSLY, THE NEED FOR MORE HOUSING OPTIONS IS EVIDENT AND THIS PROPOSAL ACCOMMODATES THAT NEED. ✓

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

Within the past five years, the City has approved several new townhome developments the majority of which are market rate rentals. The proposed development would fall into the market rate category. The City routinely discusses high density multifamily developments, in various forms, with prospective developers.

This site is limited by natural features, i.e. streams and floodplain that restrict development. Although the Future Land Use Map didn't anticipate this property being developed for residential purposes, the questions are should the property's future use be reconsidered at this point to allow for more housing for residents and if this is an appropriate location for a multifamily townhouse development?

Staff Assessment – THE PROPOSED PROJECT PRESENTS TWO QUESTIONS: IS THIS AN AREA THAT SHOULD BE CONSIDERED FOR RESIDENTIAL DEVELOPMENT AND IS THIS AN APPROPRIATE LOCATION FOR A MULTIFAMILY TOWNHOME COMMUNITY? AN ARGUMENT CAN BE MADE THAT THIS STANDARD IS BEING MET WITH THE PROPOSED DEVELOPMENT. ✓

SUMMARY OF STANDARD ASSEMENT:

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

REGULATORY CRITERIA TO CONSIDER:

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

TEMPLAR – SKYE TOWNES PROJECT

TREE MANAGEMENT PLAN COMMENTS (First Submittal & Review):

On August 24, 2023, Mike Furbush, City of Newnan's Landscape Architect and Beautification Director, provided the following comments pertaining to the applicant's Preliminary Tree Management plan.

There is not really a submitted Tree Management Plan per se. As part of the submittal, I received two documents. The first document was labeled a Tree Management Plan; however, it does not include all of the minimum requirements for a typical Tree Management Plan. The second document is a Conceptual Master Plan that shows the overall layout and proposed tree plantings. Ideally, the Tree Management Plan should probably be a combination of both of the submitted documents.

The first document (Tree Management Plan) shows a skeleton sketch of the site layout without any of the proposed buildings. The plan lists 27 specimen trees and their locations, but gives no indication if the specimen trees will be saved or removed. If I compare both documents, it appears that none of the specimen trees will be saved, except those in undevelopable and Federal, state, and local protected stream buffers. There are several development notes which pertain to the minimum requirements of a typical Tree Management Plan, but several of the notes do not apply to the proposed project.

The second document (Conceptual Master Plan) shows a much more detailed site layout with streets, sidewalks, driveways, buildings, stormwater management, proposed tree plantings, and pertinent site information. The proposed development is extremely dense with 95 condominium units shown with very little room remaining for required tree plantings and/or additional specimen recompense tree plantings. We would love to see a typical building layout to show how much room is provided in the front and back of these units for required tree plantings. Projects, such as these, generally struggle to provide enough room for adequate tree plantings due to other site elements such as parking,

water lines, electrical transformers, and in this particular case, the proposed bio swales in between the rows of units.

Minimum Tree Management Plan Requirements...

1. Graphic representation and written description of the existing tree canopy.
2. Written description or labeling information about the existing tree canopy.
3. Total number of acres.
4. Total number of disturbed acres.
5. Total number of acres within any undevelopable areas, including utility easements, floodplain, wetlands, stream buffers, zoning buffers, lakes, ponds, etc...
6. Graphic display and label any required or proffered zoning buffers. Provide acreage.
7. Number of actual tree save acreage, not including any of the categories listed above.
8. Provide detailed and graphic representation of all tree save areas and how tree save areas will be safeguarded and protected.

STAFF SUGGESTED CONDITIONS TO CONSIDER:

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

- The project will be consistent with the density, project data, amenities, proffered conditions and architectural details as provided as part of the application.
- The project will be capped at 95 units maximum.

OPTIONS:

- A. Recommend approval of the rezoning request as submitted
- B. Recommend approval of the rezoning request with conditions
- C. Recommend denial of the rezoning request

ATTACHMENTS: Application for Rezoning
 Location Map
 Community Impact Assessment
 Traffic Study

Newnan Zoning Map

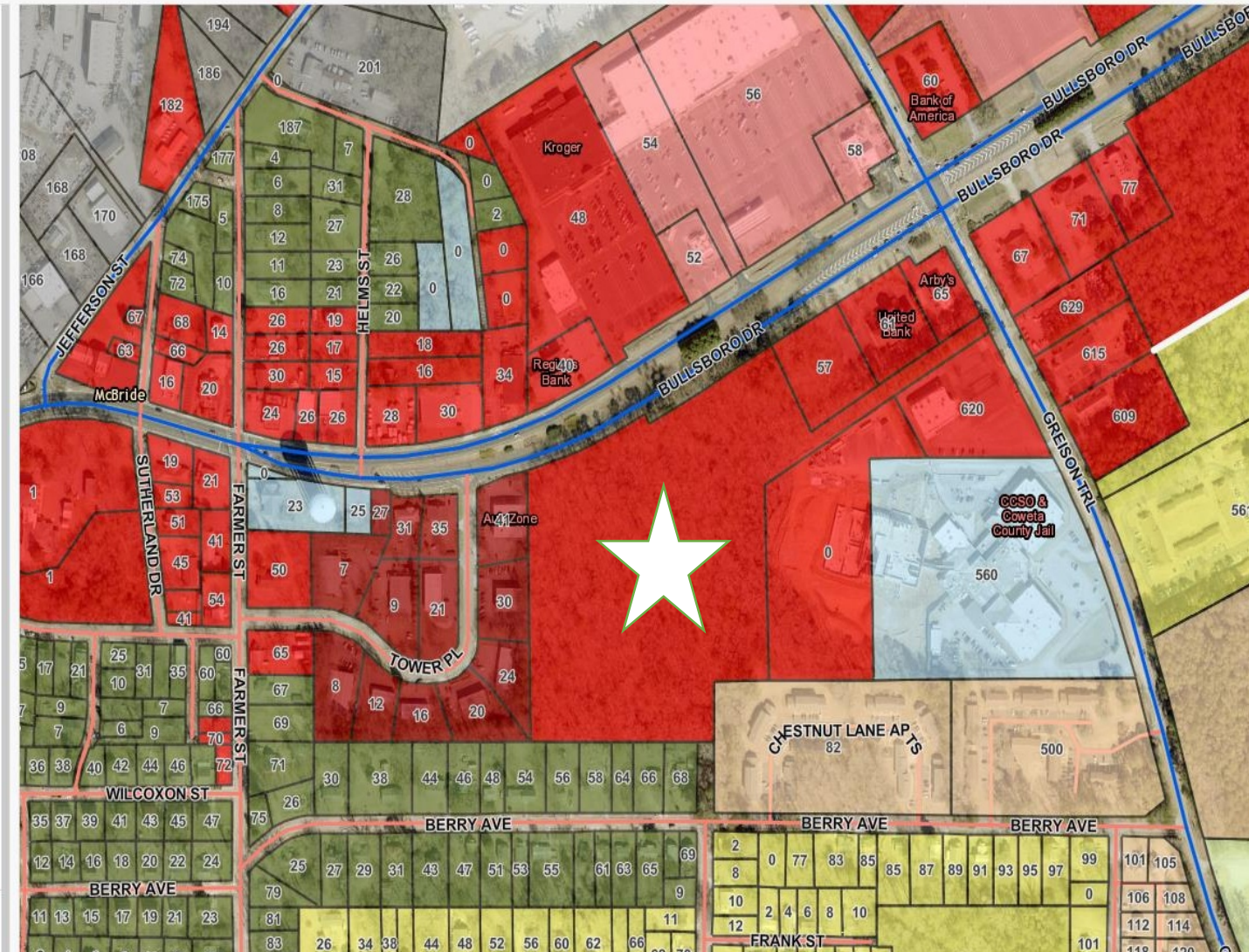
Click on Parcel to Display Information

Zoning

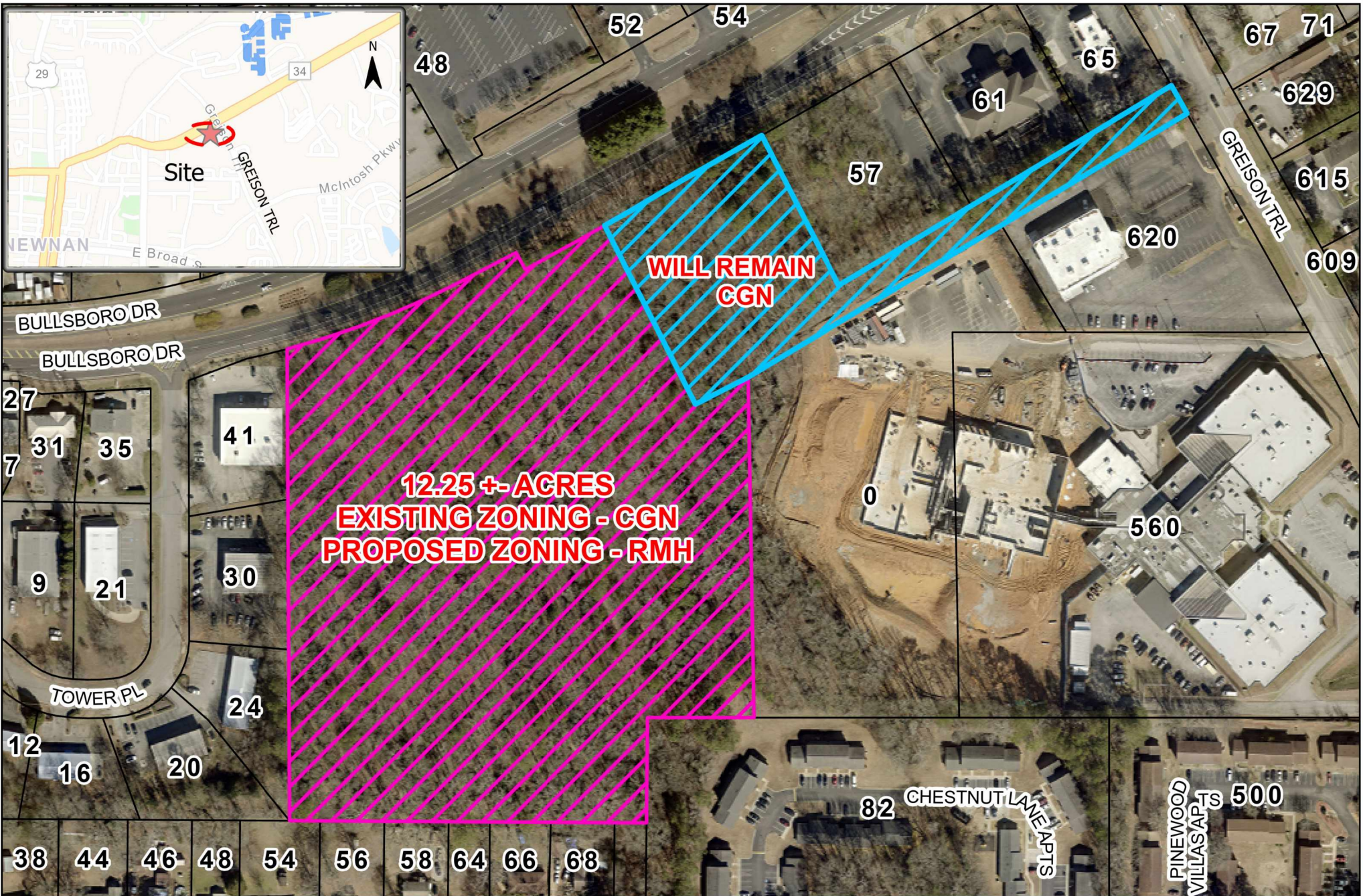
-  PDR
-  RU-7
-  RS-15
-  RU-1
-  RU-2
-  CGN
-  CBD
-  OSD-2
-  RML
-  IHV
-  CUN
-  CCS
-  CHV
-  OI-1
-  PDC
-  ILT
-  OCR
-  RMH
-  PDO
-  MXD
-  OI-2

Road Classification

 Minor







CITY OF NEWNAN



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

Project Location

1 = 2,400 feet

Date: 8/24/2023 8:17 AM



Will Remain CGN



Existing CGN - Proposed RMH



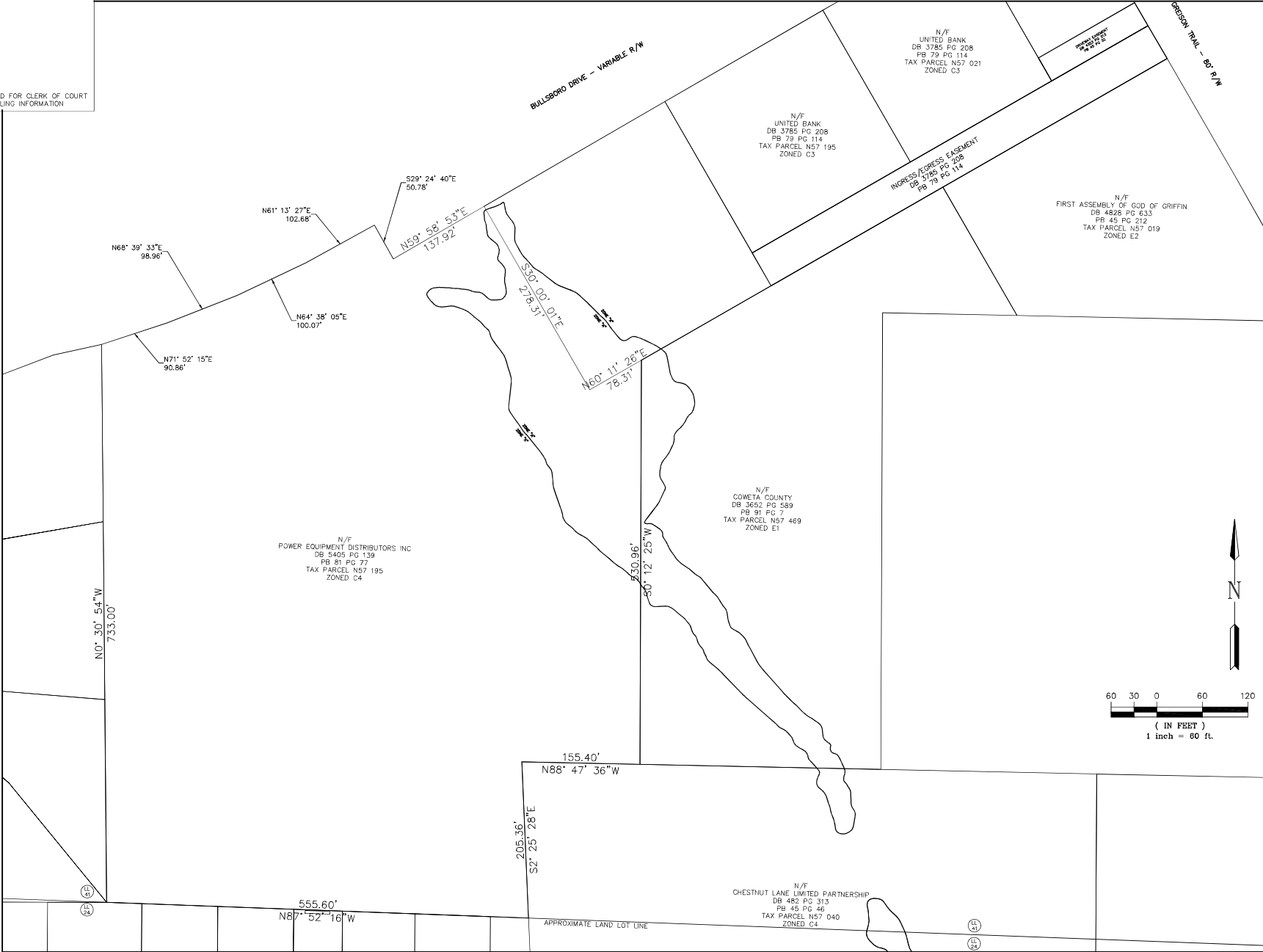
City Limits

Parcel # N57 023

ADDRESS

BULLSBORO DR @ GREISON TRL
Newnan, Ga 30263

RESERVED FOR CLERK OF COURT
FILING INFORMATION



LEGEND

- PROPERTY CORNER
- BOUNDARY MARK
- UTILITY POLE
- ELECTRIC BOX
- ELECTRIC MANSOLE
- PHASED METER PANE
- WATER VALVE
- WATER VALVE
- WIRE MANSOLE
- IRRIGATION CONTROL VALVE
- SPRINKLER HEAD
- WATER VALVE
- TELEPHONE BOX
- COMMUNICATION MANSOLE
- TRAFFIC SIGNAL MANSOLE
- CATCH BASIN DOUBLE WING
- CATCH BASIN SINGLE WING
- STORM DRAIN MANSOLE
- SEWER PILE
- SEWER MANSOLE
- BOLLARD
- MANSOLE
- IRON
- IRON (PILING)
- B.S.L. BUILDING SETBACK LINE
- C.A. COMMON AREA
- END OF INFORMATION
- FINISHED FLOOR ELEVATION
- FINISHED FLOOR ELEVATION
- TRC TRAFFIC SIGNAL POLE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.D. POINT NOT SET (UNDER CONSTRUCTION)
- C/P CRUISED TOP PIPE
- R/P RICH IN FOUND
- M/P MUD HILL FOUND
- M/S MUD HILL SET
- R/P REBAR FOUND
- R/S REBAR SET
- R.N. ROCK-UP-HEAT
- T.M. TEMPORARY BENCH MARK
- D. CAST IRON PIPE
- C.P. CORRUGATED METAL PIPE
- D.P. DUCTILE IRON PIPE
- H.P. HIGH DENSITY POLYETHYLENE PIPE
- R.P. REINFORCED CONCRETE PIPE
- V.P. VITRIFIED CLAY PIPE
- P.L. PROPOSED LINE
- A. FENCE
- S.L. SLOTTED DRAIN LINE
- S.D. STORM DRAIN LINE
- W. WATER LINE
- U.F. UNDERGROUND FIBER LINE
- U.G. UNDERGROUND GAS LINE
- U.C. UNDERGROUND COMMUNICATION LINE

Surveyor's Notes

- The bearing, distance and any information in this drawing is based on recorded deeds and previous surveys of the parcels shown herein. No field survey was performed. Any partitioning of the parcels was performed using US aerial imagery and should not be considered to be on a known/published coordinate system.
- Any distances specified herein are horizontal ground distances.
- The parcel lines in zones "A" & "B" per the Federal Emergency Management Agency Flood Insurance Rate Map, Flood Number 1307004400, revised February 6, 2013.

Rev.	Date	Description	By	Chk'd	App'd
Drawing Status					
Subst. By					

FOR INFORMATION

ATKINS

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Client

1600 RiverEdge Pkwy, NW
Suite 700
Atlanta, GA 30338
Tel: +1 (770) 933-6280
www.atkinsglobal.com

TEMPLAR DEVELOPMENT

BOUNDARY SURVEY

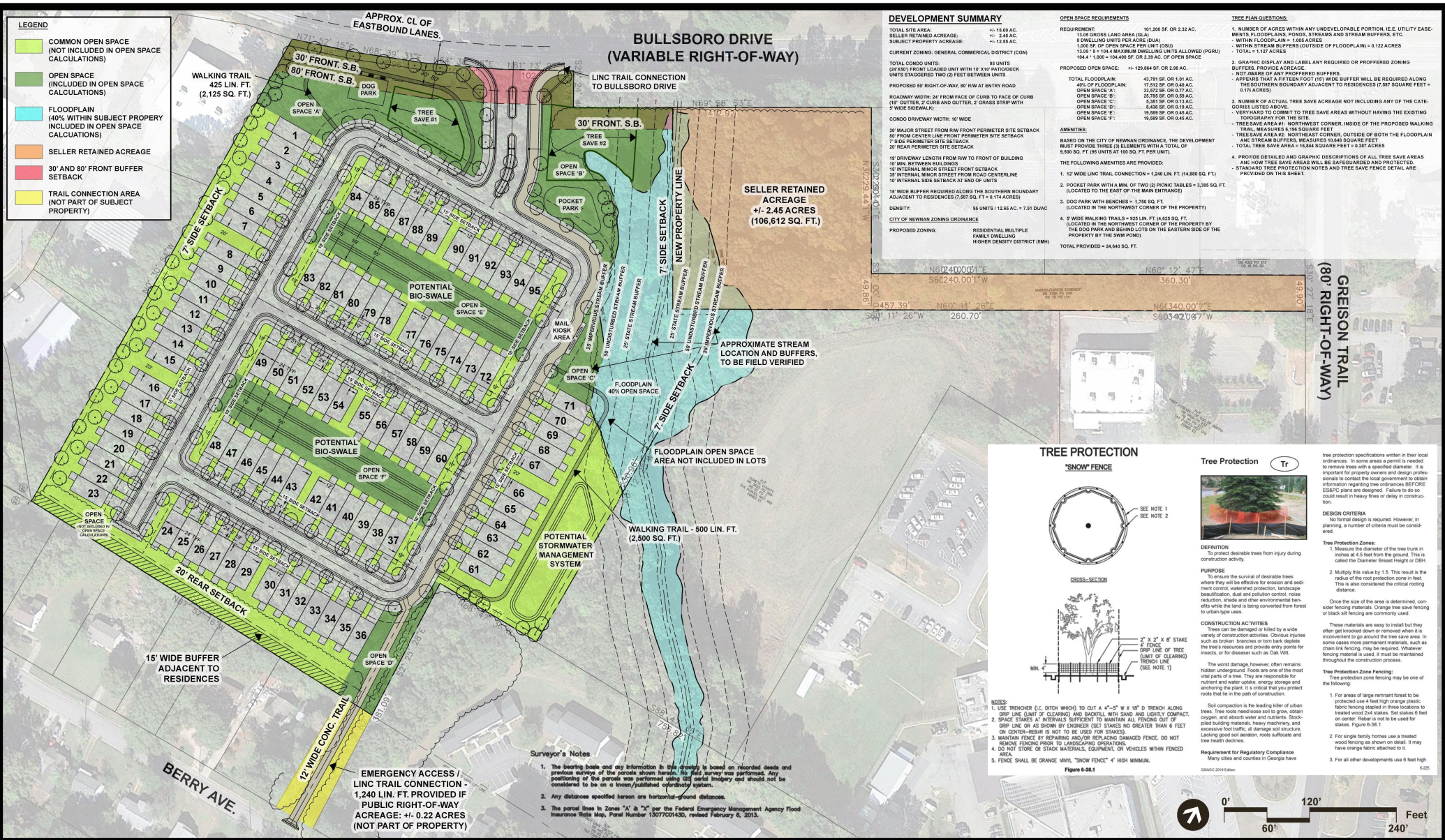
**LAND LOTS 44
XX DISTRICT
COWETA COUNTY, GEORGIA**

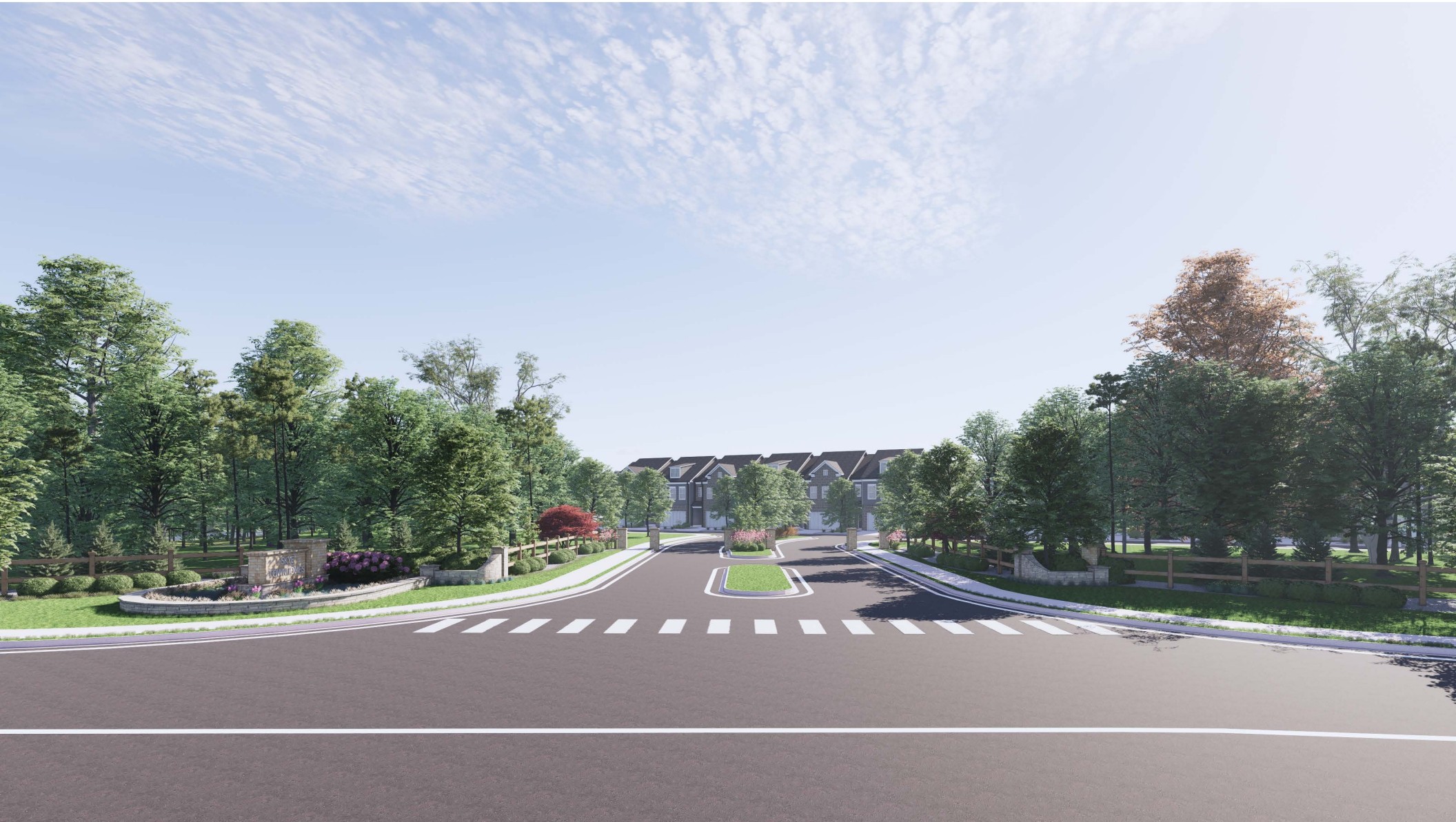
Scale	Designed	Drawn	Checked	Authorized
AS SHOWN	—	CH	—	—
Original Date	Date	Date	Date	Date
ANSI D	06/09/23	—	—	—

Drawing Number

Sheet

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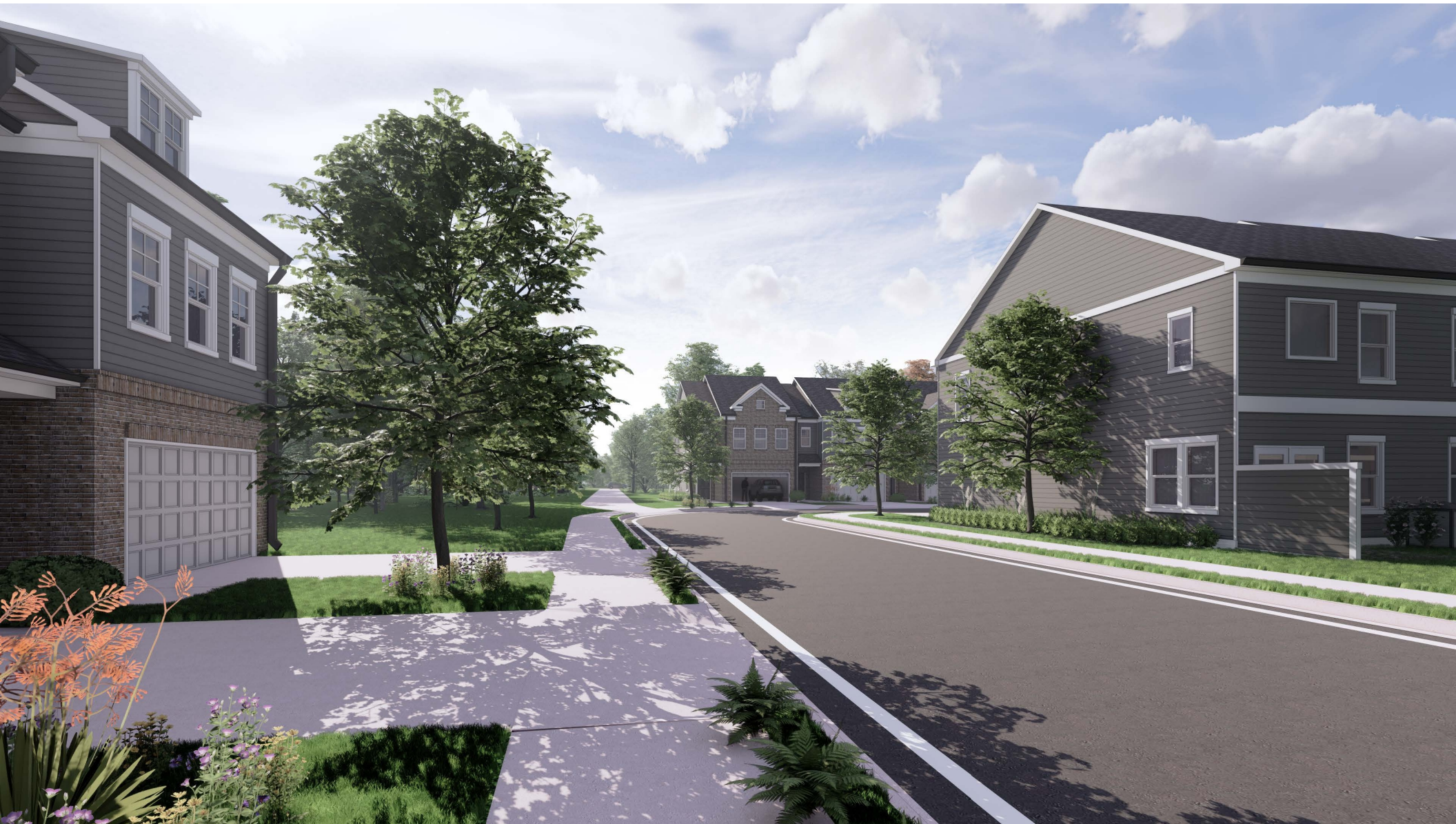














**TEMPLAR DEVELOPMENT
GROUP, LLC
SKYE TOWNHOMES
REZONING APPLICATION**

**CGN to RMH
(Residential Multiple-Family Dwelling)
12.56 acres south of Bullsboro Drive between
Greison Trail and Tower Place
Tax Reference # N57 023**

Applicant's Representative:
George C. Rosenzweig
75 Jackson Street, Suite 405
Newnan, Georgia 30263
george@cowetalaw.com
(470) 347-3651
State Bar: 614925



NEWNAN
GEORGIA

CITY OF NEWNAN, GEORGIA
Planning & Zoning Department

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

APPLICATION TO AMEND ZONING MAP

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

Name of Applicant Templar Development Group, LLC

Mailing Address 160 Whitney Street, Fayetteville, Georgia 30214

Telephone George C. Rosenzweig: 470-347-3651 Email: jay@templar-dev.com and george@cowetalaw.com

Property Owner (Use back if multiple names) Power Equipment Distributors Inc.

Mailing Address 46061 Van Dyke Avenue, Utica, Michigan 48317

Telephone _____

Address/Location of Property 12.56 acres south of Bullsboro Drive between Greison Trail and Tower Place

Tax Parcel No.: N57 023 Land Lot _____

District/Section _____ Size of Property (Square Feet or Acres) 12.56 acres

Present Zoning Classification: CGN Proposed Zoning Classification: RMH

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 _____

This property has been undeveloped as Commercial for many years. Newnan has a substantial need for housing. The proposed rezoning will create an infill, readily accessible district with strong walkability characteristics.

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

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

subject property. The subject property would make an excellent infill residential district walkable to commercial areas

presently located across Bullsboro Drive.

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

8th day of August, 2023

Signature of Applicant

Nancy K. Williams
Notary Public

(Affix Raised Seal Here)

FOR OFFICIAL USE ONLY

DATE OF PRE-APPLICATION CONFERENCE : _____

RECEIVED BY: Dean Smith

DATE OF FILING: 8/9/23

FILING FEE RECEIVED: _____

DATE OF NOTICE TO NEWSPAPER: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION (DATE): _____

DATE OF TRANSMITTAL TO CITY COUNCIL: _____

CITY COUNCIL DECISION (DATE): _____



August 9, 2023

BY HAND DELIVERY

Mr. Dean Smith, Senior Planner
Planning and Zoning Department
City of Newnan, Georgia
25 LaGrange Street
Newnan, Georgia 30263

RE: REVISED LETTER OF INTENT FOR REZONING – MAP AMENDMENT
From CGN to RMH for 12.56 Acres, Tax Parcel N57 023 for
Condominium Style Cottages, Density not to exceed 8 Units per Acre

Dear Mr. Smith:

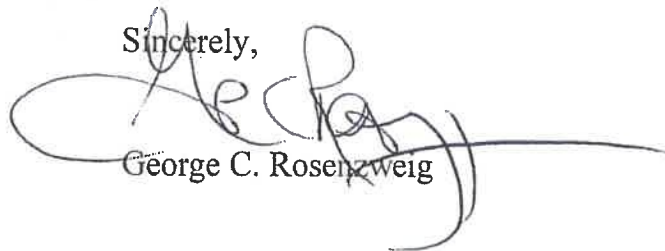
I represent Templar Development Group, LLC and Power Equipment Distributors, Inc.

On my clients' behalf, I am submitting this letter of intent for a rezoning map amendment, as part of a rezoning application to RMH, in order to develop an approximately 12.56-acre tract of land located on Bullsboro Drive in the City of Newnan for high-quality, attached, two-story, condominium-style cottages not to exceed 8 units per acre.

The Templar Development Group, LLC team and I welcome the opportunity to answer any questions relating to this application and to a successful presentation to the City of Newnan Planning Commission and Newnan City Council.

Thank you for your consideration.

Sincerely,



George C. Rosenzweig

GCR/nkw

GEORGE C. ROSENZWEIG
75 Jackson Street, Suite 405, Newnan, Georgia 30263
Tel: 470-347-3651 Fax: 470-347-3656 Email: george@cowetalaw.com
www.rosenzweig.law

SKYE – TOWNHOME TRACT

PROPERTY DESCRIPTION

All that tract or parcel of land lying in Land Lot 41, 5th District, Coweta County, Georgia and being more particularly described as follows:

COMMENCE at point located at the intersection of the easterly right-of-way line of Greison Trail (having a width of 80 feet) and the southerly right-of-way line of Bullsboro Drive (having a variable width);

Thence run along said southerly right-of-way line of Bullsboro Drive the following courses and distances:

Thence, South 59 degrees 51 minutes 01 seconds West a distance of 112.23 feet to a point;

Thence, North 29 degrees 21 minutes 36 seconds West a distance of 20.26 feet to a point;

Thence, South 60 degrees 24 minutes 06 seconds West a distance of 34.00 feet to a point;

Thence, South 60 degrees 19 minutes 32 seconds West a distance of 64.00 feet to a point;

Thence, South 60 degrees 25 minutes 55 seconds West a distance of 150.30 feet to a

point;

Thence, South 59 degrees 58 minutes 53 seconds West for a distance of 239.91 feet to a point;

Thence, South 59 degrees 58 minutes 53 seconds West for a distance of 275.00 feet to a point, said point being the POINT OF BEGINNING;

Thence, leaving said southerly right-of-way line, South 30 degrees 00 minutes 01 seconds East for a distance of 278.31 feet to a point;

Thence, North 60 degrees 11 minutes 26 seconds East for a distance of 78.31 feet to a point;

Thence, South 00 degrees 12 minutes 25 seconds West for a distance of 530.96 feet to a point;

Thence, North 88 degrees 47 minutes 36 seconds West for a distance of 155.40 feet to a point;

Thence, South 02 degrees 25 minutes 28 seconds East for a distance of 205.36 feet to a point on the southerly line of Land Lot 41;

Thence, run along said southerly Land Lot Line, North 87 degrees 52 minutes 16 seconds West for a distance of 555.60 feet to a point;

Thence, leaving said southerly Land Lot Line, North 00 degrees 30 minutes 54 seconds West for a distance of 733.00 feet to a point on the southerly right-of-way line of Bullsboro Drive;

Thence run along said southerly right-of-way line of Bullsboro Drive the following courses and distances:

Thence, North 71 degrees 52 minutes 15 seconds East for a distance of 90.86 feet to a point;

Thence, North 68 degrees 39 minutes 33 seconds East for a distance of 98.96 feet to a point;

Thence, North 64 degrees 38 minutes 05 seconds East for a distance of 100.07 feet to a point;

Thence, North 61 degrees 13 minutes 27 seconds East for a distance of 102.68 feet to a point;

Thence South 29 degrees 24 minutes 40 seconds East a distance of 50.78 feet to a point;

Thence, North 59 degrees 58 minutes 53 seconds East for a distance of 137.92 feet to the POINT OF BEGINNING.

Said tract or parcel of land contains 547,183 square feet or 12.562 acres.



NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment A
Proffered Conditions

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

Please list any written proffered conditions below:

1. The development will substantially comply with the site plan and elevations presented with this application.
2. No more than 10% of units will be rentals.
3. Density will not exceed 8 units per acre.
4. Townhouse width will be no less than 24 feet.
5. Streets will be public.
6. The Applicant will use a variety of techniques to avoid the monotonous appearance of identical row homes. Such techniques may employ, among others, the staggering of foundations and setbacks, the use of differing front elevations (such as raising and lowering roof lines and using a mixture of gable and shed roof lines on roof dormers), architectural styles, building exteriors, and other similar techniques to provide a more pleasing appearance to the development. No vinyl or wood siding shall be allowed.

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

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

Signature of Applicant

Type or Print Name and Title

Signature of Applicant's Representative

George C. Rosenzweig, Attorney

Type or Print Name and Title

Signature of Notary Public

Date

(Affix Raised Seal Here)





NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on _____, 20__ for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:
12.56 acres south of Bullsboro Drive between Greison Trail and Tower Place

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

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

Templar Development Group, LLC

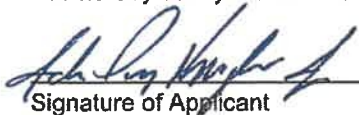
Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? ☐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

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

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

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

Templar Development Group, LLC:


Signature of Applicant


Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title


Signature of Notary Public Date

(Affix Raised Seal Here)

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



City of Newnan, Georgia
Attachment B

Disclosure of Campaign Contributions & Gifts

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

12.56 acres south of Bullsboro Drive between Greison Trail and Tower Place

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

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

George C. Rosenzweig

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

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

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

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

Signature of Applicant



Signature of Applicant's Representative

Type or Print Name and Title

George C. Rosenzweig, Attorney

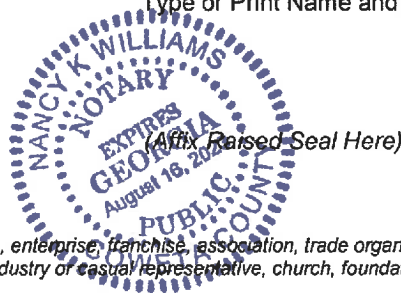
Type or Print Name and Title

Signature of Notary Public

Date



7-27-2023



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

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

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

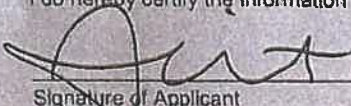
Power Equipment Distributors Inc.

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

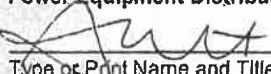
If YES, please complete the following section (attach additional sheets if necessary):

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

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


Signature of Applicant

Power Equipment Distributors Inc.:


Type or Print Name and Title

Signature of Applicant's Representative

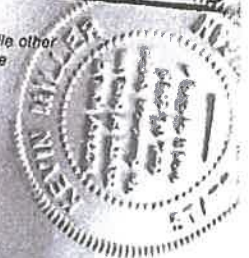
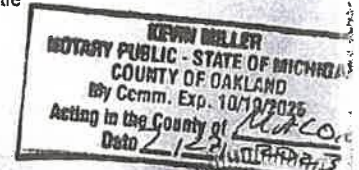
Beverly DeVriendt, President
Type or Print Name and Title

Signature of Notary Public

Date

(Affix Raised Seal Here)

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





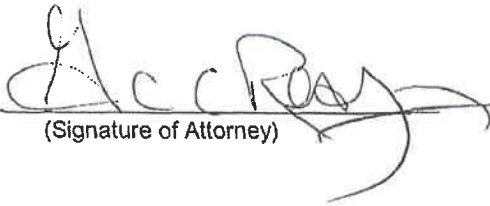
NEWNAN
GEORGIA

City of Newnan, Georgia
Attachment D

Attorney's Authorization

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

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



(Signature of Attorney)

Name of Attorney George C. Rosenzweig

Address 75 Jackson Street, Suite 405

Newnan, Georgia 30263

Telephone 470-347-3651

Date

7.31.2023



August 9, 2023

BY HAND DELIVERY

Mr. Dean Smith
Senior Planner
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Rezoning Application Revisions – 12.56 acres south of Bullsboro Drive
between Greison Trail and Tower Place (Parcel # N57 023) requested by
Templar Development Group, LLC

Dear Mr. Smith:

As we discussed, enclosed are amended and revised rezoning application materials,
together with a title opinion from Charles Witcher regarding the strip of property between the
subject tract and Berry Avenue. Should you have further questions or suggestions, please contact
me at your convenience.

Sincerely,

George C. Rosenzweig

GCR/nkw
Enclosures

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



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

CHARLES C. WITCHER

TELEPHONE (770) 253-3282
FAX (770) 251-7262
EMAIL chuck@newnanlaw.com

August 8, 2023

Mr. George Rosenzweig, Esq.
75 Jackson Street
Building 400, Suite 405
Newnan, GA 30263

Dear George,

As you requested, I have examined the deed records relating to that strip of property which is located on the north side of Berry Avenue, between Coweta County Tax Assessor Parcels N34 0001 019 (David Moreno) and N57 040 (Chestnut Lane Limited Partnership), and adjacent to the south side of Parcel N57 023 (Power Equipment Distributors, Inc.). It is my conclusion from this title examination that this strip is the northernmost part of the road designated "Robert Road" on that plat of survey of the R. B. Robinson East Washington Subdivision dated April 1945, prepared by T. Y. Mattox, and recorded in Coweta County Deed Book 45, Page 465. This plat shows a designation of "50'" on the south side of this strip, on the north side of Berry Avenue Ext. It would appear that it was the developer's intention to leave this 50 foot strip open as a street, since Mr. Robinson did not make it a part of the two lots adjoining it.

Although I did not find a road deed from R. B. Robinson to the City of Newnan for the streets shown on this plat, I have found in numerous title examinations that there are no deeds for many city streets. I have no doubt that the streets shown on this plat are city-maintained street, despite not having found a deed to the city for them.

The street designated "Robert Road" on this plat is now known as Roberts Road. I note on the attached 2006 Tax Map that this strip of land is designated "Prop. St. Ext", having a width of 50 feet.

I trust that the above information will be beneficial to the resolution of this matter. Please let me know whenever I can be of further service in connection with this or any other matter.

Very Truly Yours,

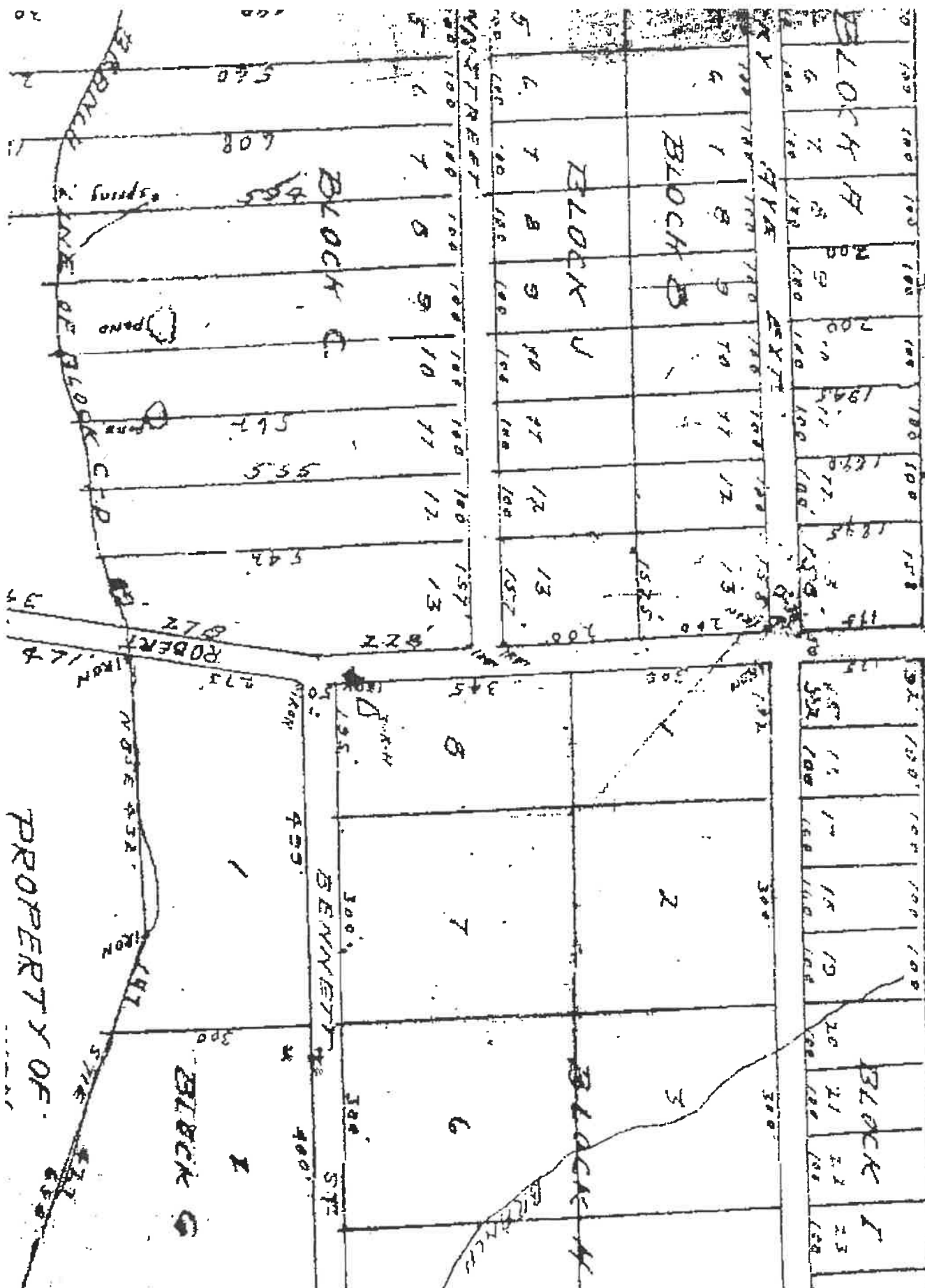
Charles C. Witcher

ODB 45 pg 465



REITH

Page 174 of 224



HSN



TOWER PI



NOTED IN THE CERTIFICATION HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY
 OTHER NAMING SAID ENTITY.

UTILIZED IN PERFORMING THE FIELD WORK WAS A LEICA TS12 P 3".

EFFECT OF ANY ABSTRACT OF TITLE AND LONG-ENGINEERING MAKES NO GUARANTEES OR
 WARRANTIES PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS,
 OR OTHER MATTERS.

THE HORIZONTAL DATUM 1983 (NAD83), 2011 ADJUSTMENT, PROJECTED TO THE GEORGIA STATE
 PLANE IS RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) USING THE
 1988 MEAN SEA LEVEL.

IN U.S. SURVEY FEET (0.307 INCHES = 1 METER) UNLESS NOTED OTHERWISE.

Tree #	DBH	Species	Scenic Value	Quality	Quality Comments
1	27.4	Water Oak	Quercus nigra	4	
2	30	Red Oak	Quercus rubra	3	28.3
3	30	Red Oak	Quercus rubra	3	28.3
4	34.3	Water Oak	Quercus nigra	3	28.3
5	30	Water Oak	Quercus nigra	4	
6	30.4	Red Oaks	Quercus rubra	5	
7	30.3	Red Oaks	Quercus rubra	4	2
8	30	Emerald Green	Leucodermis sapindus	4	
9	30	Poster	Leucodermis sapindus	4	
10	30.7	Water Oak	Quercus nigra	3	28.3
11	29	Water Oak	Quercus nigra	4	2
12	30	Water Oak	Quercus nigra	4	2
13	38.6	Water Oak	Quercus nigra	4	2
14	30	Water Oak	Quercus nigra	4	2
15	30.6	Red Oaks	Quercus rubra	4	2
16	38	Water Oak	Quercus nigra	4	2
17	41.5	Water Oaks	Quercus nigra	4	2
18	30	Water Oak	Quercus nigra	4	2
19	41.4	Water Oak	Quercus nigra	4	2
20	30.4	Water Oak	Quercus nigra	4	2
21	30	Water Oak	Quercus nigra	4	28.3
22	28.3	Water Oaks	Quercus nigra	4	2
23	30	Water Oak	Quercus nigra	4	2
24	31.9	Water Oaks	Quercus nigra	3	28.3
25	30	Water Oak	Quercus nigra	4	2
26	28.2	Water Oaks	Quercus nigra	4	2
27	30	Water Oak	Quercus nigra	4	2

[illegible]* Quality

1. Tree has all 4 condition criteria
2. Tree has 3 condition criteria
3. Tree has 2 condition criteria
4. Tree has 1 condition criteria
5. Tree has no condition criteria

* Comment on Condition Criteria

1. Life expectancy of less than fifteen (15) years
2. Not a relatively sound and solid trunk
3. More than one major and several minor dead limbs (hardwoods only)
4. Major insect or pathological problem



PROPOSED SKYE TOWNES DEVELOPMENT PREPARED FOR TEMPLAR DEVELOPMENT

PRELIMINARY 7/31/23

DATE	7/31/20
SURVEY QC:	D. RIKEMAN
CADD QC:	D. HUDSON
SURVEYED BY:	R. COLEMAN
DRAWN BY:	D. HUDSON

TEMPLAR – SKYE TOWNES PROJECT
TREE MANAGEMENT PLAN COMMENTS (First Submittal & Review):

Dean,

May this email serve as my plan review comments on the recently submitted Tree Management Plan for the proposed Templar – Skye Townes project. There is not really a submitted Tree Management Plan per se. As part of the submittal, I received two documents. The first document was labeled a Tree Management Plan; however, it does not include all of the minimum requirements for a typical Tree Management Plan. The second document is a Conceptual Master Plan that shows the overall layout and proposed tree plantings. Ideally, the Tree Management Plan should probably be a combination of both of the submitted documents.

The first document (Tree Management Plan) shows a skeleton sketch of the site layout without any of the proposed buildings. The plan lists 27 specimen trees and their locations, but gives no indication if the specimen trees will be saved or removed. If I compare both documents, it appears that none of the specimen trees will be saved, except those in undevelopable and Federal, state, and local protected stream buffers. There are several development notes which pertain to the minimum requirements of a typical Tree Management Plan, but several of the notes do not apply to the proposed project.

The second document (Conceptual Master Plan) shows a much more detailed site layout with streets, sidewalks, driveways, buildings, stormwater management, proposed tree plantings, and pertinent site information. The proposed development is extremely dense with 95 condominium units shown with very little room remaining for required tree plantings and/or additional specimen recompense tree plantings. We would love to see a typical building layout to show how much room is provided in the front and back of these units for required tree plantings. Projects, such as these, generally struggle to provide enough room for adequate tree plantings due to other site elements such as parking, water lines, electrical transformers, and in this particular case, the proposed bio swales in between the rows of units.

Minimum Tree Management Plan Requirements...

1. Graphic representation and written description of the existing tree canopy.
2. Written description or labeling information about the existing tree canopy.
3. Total number of acres.
4. Total number of disturbed acres.
5. Total number of acres within any undevelopable areas, including utility easements, floodplain, wetlands, stream buffers, zoning buffers, lakes, ponds, etc...
6. Graphic display and label any required or proffered zoning buffers. Provide acreage.
7. Number of actual tree save acreage, not including any of the categories listed above.
8. Provide detailed and graphic representation of all tree save areas and how tree save areas will be safeguarded and protected.



The City of Newnan, Georgia

Office of the City Engineer

August 24, 2023

City Engineer Review

REZONING REQUEST

Portion of Tax Parcel N57023

15.00 Acres

Bullsboro Drive

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.
2. The development plan shall include a three-phased erosion control plan in compliance with the **Soil Erosion, Sedimentation and Pollution Control Ordinance** for the City of Newnan.
3. All streams, wetlands and other environmentally sensitive areas such as floodplain and floodway shall be delineated and located within open space to the extent practically possible. The development plan shall be in compliance with the **Floodplain Management and Flood Damage Prevention Ordinance** for the City of Newnan. Any development within a floodplain or waters of the US shall be properly permitted with the Federal Emergency Management Agency (FEMA), or the United States Army Corp of Engineers (USACE), as applicable.
4. This parcel contains a perennial stream, therefore, the **City of Newnan, Georgia Stream Buffer Protection Ordinance** shall apply. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the point of rested vegetation. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Transportation:

1. ADA compliant sidewalks, 5 feet in width, shall be provided along the public Right of Way for Bullsboro Drive for the full length of the site, or to match existing. ADA compliant sidewalks, 5 foot in width, shall be provided throughout the proposed development, on both sides of all streets, and shall connect to the sidewalks in the Right of Way for Bullsboro Drive.
2. Traffic impact: applicant shall provide the peak hour trip generation, AM and PM, for the development, in accordance with the ITE (Institute of Transportation Engineers) Trip Generation Manual, latest edition, and shall be included with the DEVELOPMENT SUMMARY as shown in the Conceptual Master Plan. A peak hour trip generation of 100

or more shall require a Traffic Impact Study, in accordance with standards established by ITE.

3. Access: the development requires two separate entrances, applicant to provide assurance the proposed emergency access shown from Berry Avenue is viable.
4. Assurance, by permit, for driveway connection to Bullsboro Drive (State Route 34), by the Georgia Department of Transportation (GDOT), shall be provided prior to the issuance of any permit for land disturbing activities (LDP), by the City.
5. Traffic Control Devices: all traffic control devices shall be in compliance with the latest standards of the MUTCD (Manual on Uniform Traffic Control Devices).
6. The City of Newnan makes no assurance the proposed 12 foot wide concrete trail, as show in the Conceptual Master Plan, will directly connect to the City's existing or future multi-use pathway, the LINC.
7. No monuments or other objects that may be considered as traffic hazards shall be permitted within the Right of Way for any public street.

Respectfully,

Michael Klahr

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



NEWNAN FIRE DEPARTMENT

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



Stephen R. Brown, Fire Chief

August 16, 2023

Dear Dean,

The following information is regarding the upcoming rezoning for the revised Sky Townes Conceptual Plan.

Similar developments for comparisons that you previously sent were Chastain Park, Madison Park at Newnan Lakes and The Highlands at Newnan Crossing. Over the last two years our department responded to 139 emergencies to the aforementioned three developments.

The potential impact will be increased population, increased traffic, and increased houses to service. Along with our current service areas, it could possibly increase response times to all service areas.

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



June 20, 2023

Dean Smith
Senior Planner
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Skye Townes – 95 Units – Parcel # N57 023

Mr. Smith,

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

- Parcel Number N57 023
 - 15.00 Acres
 - Attached concept plan
1. Electric:
 - a. Developer shall provide Newnan Utilities Engineering with AutoCAD drawing files for electrical design.
 - b. Developer or Electrical Engineer shall complete Newnan Utilities load data sheet.
 - c. Electrical shall be built out per Newnan Utilities contractor manual.
 2. 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 sanitary sewer system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Sanitary Sewer System.

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

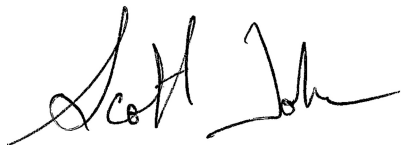
- iii. Cost for analyzing existing sanitary sewer system by an engineering firm approved by Newnan Utilities.
- iv. Existing sanitary sewer upgrades to handle proposed development. This is to include any lift station upgrades, gravity sanitary sewer upgrades, Sanitary sewer force main upgrades, and any other upgrades deemed necessary by Newnan Utilities.
- v. Line extension fees associated with connection to Newnan Utilities Sanitary Sewer System.
- vi. Sanitary Sewer Impact fees associated with connection to Newnan Utilities Sanitary Sewer System.

3. Water:

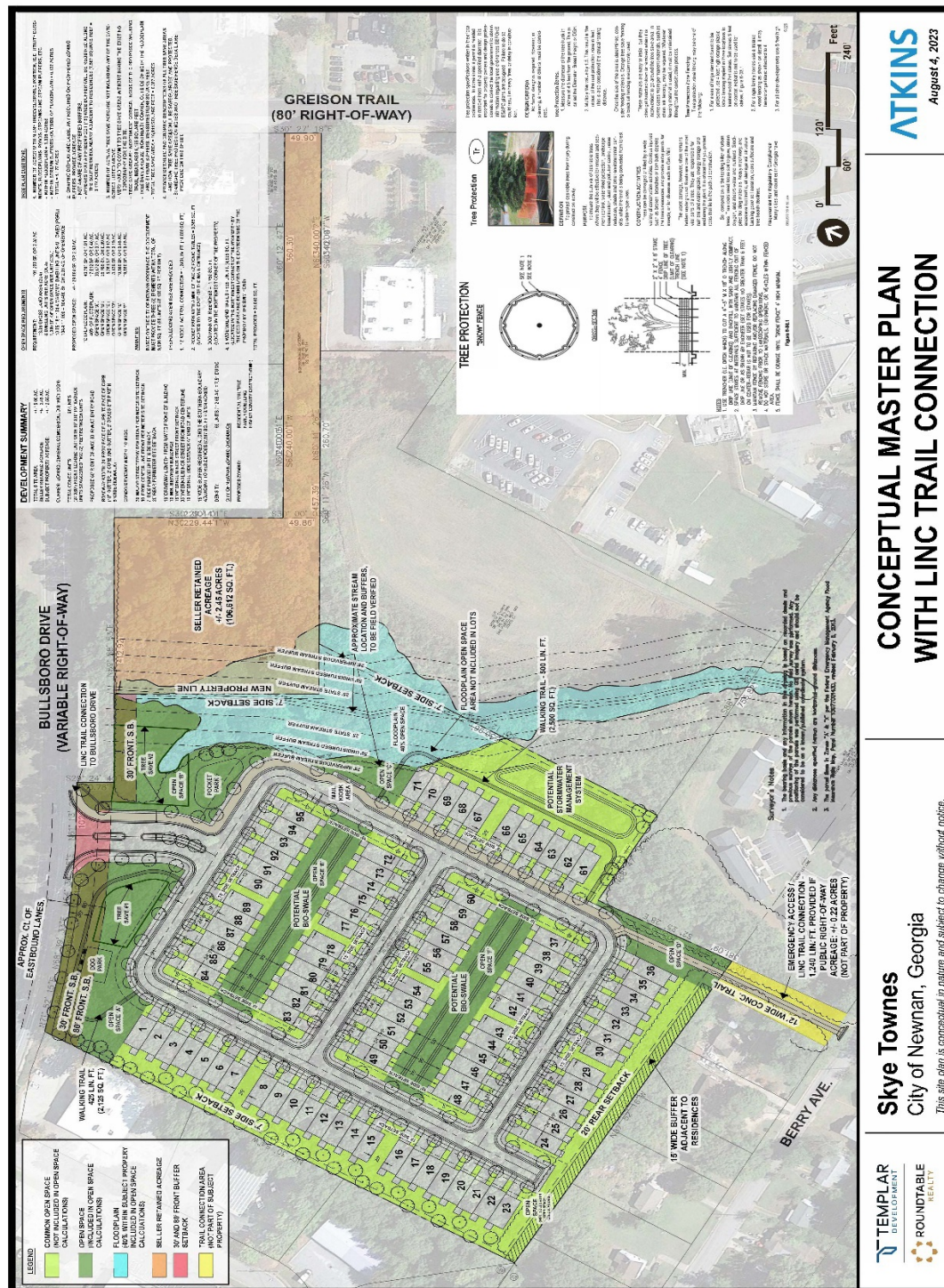
- a. Developer shall connect to Newnan Utilities Water System.
- b. Developer is responsible for all upgrade cost necessary to serve said property, but not limited to:
 - i. Construction of development water system per Newnan Utilities Specifications.
 - ii. Design and construction of connection to Newnan Utilities Water System.
 - iii. Cost for analyzing existing water sewer system by an engineering 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





08/17/23

Reference: Skye Townes Development

Dear Tracy,

After reviewing call history for multiple developments that could compare to this one development, it is estimated that there will be an increase of approximately 565 calls, 8 motor vehicle accidents and 32 traffic stops in a three-year period for this development.

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

It is believed that a strain would be placed on calls for service and would cause additional maintenance on equipment, with a monetary value of \$10,000.00 toward additional personnel.

Thanks,

Brent Blankenship

Chief of Police

Newnan Police Department

Coweta County School System

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

August 15, 2023

Dean Smith
Senior Planner
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Rezoning - RZ2023-04-Templar Development

Dean,

In response to your request for impact on the school system for the referenced project, we offer the following comments based on the information provided:

The proposed request for rezoning from a Commercial District (CGN) to the higher density R(MH) (95 Condo Units) may present challenges when planning for school enrollment and meeting student needs. Due to the high density housing in the area of the proposal, school capacity is an ongoing concern. Current enrollment figures show the building utilization of the schools serving this area as follows:

- Jefferson Parkway Elementary School - 72%
- Arnall Middle School - 81%
- East Coweta High School - 119%

If the request is approved, we would request that the developer provide us advanced notice of the following information for our planning purposes:

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

Thank you for the opportunity to provide feedback.

Sincerely,

Ronnie Cheek

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

Coweta Committed to Student Success



City of Newnan, Georgia – Planning Commission

Date: September 12, 2023

Agenda Item: Certificate of Appropriateness – 157 LaGrange Street

Prepared by: Chris Cole, Senior Planner

Purpose: To consider a certificate of appropriateness application pursuant to the requirements of Section 5-7 of the Zoning Ordinance, entitled Historic Residential Design Overlay District (HRDO), for a new residence at 157 LaGrange Street. The property is now a vacant lot.

Background: Mallard Residential, LLC has applied for approval of a new residential single-family home on the vacant lot located at 157 LaGrange Street (zoned RS-15). This location was previously a site for a residence. This location, under previous ownership, was condemned by the City in March of 2022 after the property owners failed to take any corrective action to repair or demolish the former existing structure that sustained extensive damage from the 2021 Tornado. A demolition permit was issued by the City of Newnan in July of 2022. The former structure has subsequently been demolished and the lot is presently vacant. Staff Note – Please see pictures of the previous residence (before demolition) in this report.

The building plans that have been submitted indicate that the new house will have a total heated area of 2,293 square feet. The minimum heated square footage required in the RS-15 zoning is 1,800 square feet, so the new home will comply with that requirement. For comparison purposes, the adjacent house at 155 LaGrange Street is 3,164 heated square feet and the adjacent house at 159 LaGrange Street is 1,830 heated square feet.

The applicant also received a front setback variance from the Board of Zoning Appeals on September 5, 2023 to allow the front of the house to be “in line” with the adjacent homes. At that Board of Zoning Appeals meeting, the applicant indicated that the price point of the proposed home will be between \$500,000 and \$550,000. The applicant is planning the following façade features: The brick/stone façade is to only be included on the front elevation of the house. The Left and Right elevations will continue with horizontal siding and/or board and batten. Other than the brick/stone façade areas, the applicant will utilize Hardie Plank materials. Staff Note – Please see the attached elevations sheet for a full description of materials.

All new residential construction with the HRDO district is required to obtain a Certificate of Appropriateness. In reviewing the request in terms of the development requirements set forth for the HRDO district, staff addressed the following standards in terms of the work proposed at 157 LaGrange Street:

1. **Define Area of Influence.** The first step in considering the appropriateness of a design for a new building in a historic district is to determine the area of influence which will be affected by the new development. New construction should enhance the overall character of the historic district and contribute to the district’s ongoing evolution. New construction should be compatible with the dominant design characteristics of other residential buildings within the district. Design characteristics to be considered include building orientation and setback, scale, directional emphasis, shape, proportion, rhythm, massing, and architectural and site elements.

- (a) **Building Orientation and Setback** – As mentioned earlier, a variance was obtained on September 5, 2023 to reduce the front setback for the proposed house (see attached site plan). This variance allows the front of the house to be “in line” with the adjacent homes. The previous structure on the subject property that was demolished did not meet the current zoning building setbacks. The houses located adjacent to the subject property, 155 LaGrange Street and 159 LaGrange Street, also do not meet the current front setbacks. 155 LaGrange Street is approximately 32 feet from the right-of-way of LaGrange Street and 159 LaGrange Street is approximately 39 feet from the right-of-way of LaGrange Street. The former house at 157 LaGrange Street was considered nonconforming (or “grandfathered”) regarding the setback issue, just like the adjacent properties. In terms of rear and side building setbacks, the proposed house location plan illustrates that the new house will be compliant with the 12-foot side setback and 35-foot rear setback, respectively.
- (b) **Directional Emphasis** – The applicant’s intent is to build a house that will have a vertical emphasis rather than the predominant horizontal emphasis of the adjacent homes. It should be noted, however, that there are homes in the area of influence that contain vertical directional emphasis.
- (c) **Shape** – The principal elements and shapes proposed for the structure will be compatible with the structures within the area of influence.
- (d) **Proportion** – Though the adjacent properties all appear to contain one-story homes, there are other two-story homes in the neighborhood. Overall, the proportions of the new building are consistent with dominant patterns of proportion within the area of influence.
- (e) **Rhythm** – The new construction is not expected to disrupt the existing rhythmic patterns in the area of influence (with the primary exception being a lack of a door on the front façade). It should be noted, however, that due to the lot constraints the house presents unique design challenges.
- (f) **Massing** - The proposed massing of the building is compatible with the overall mass of the structures within the area of influence.
- (g) **Scale and Height** – There are a variety of residential heights in the area of influence. The proposal conforms to the dominant pattern of scale and height of existing structures within the area of influence.
- (h) **Architectural and Site Elements** – The renderings and drawings submitted in this application illustrate that the proposed building will meet the predominant architectural and site elements within the area of influence.

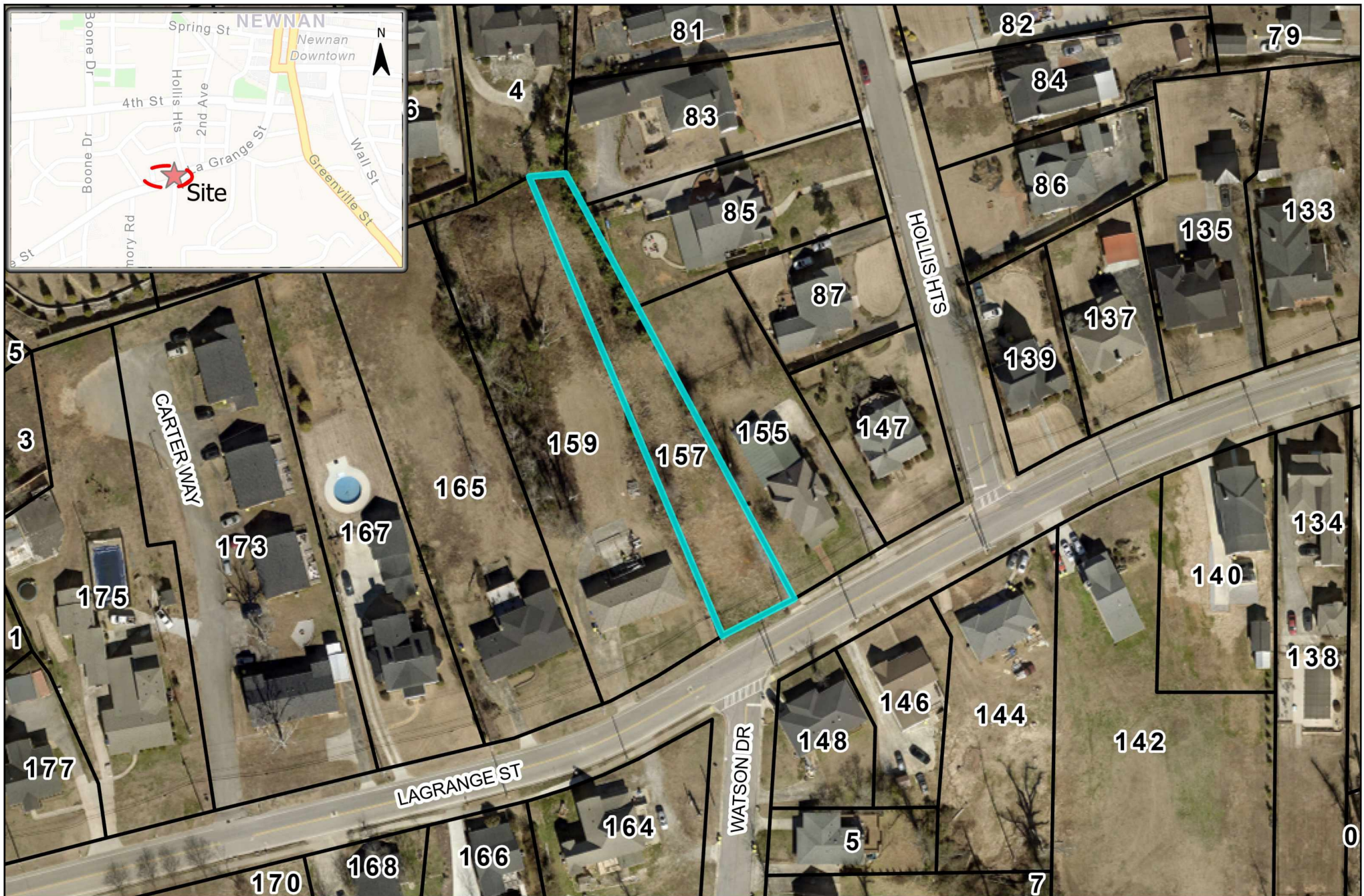
Options:

- A. Approve the certificate of appropriateness for new construction at 157 LaGrange Street.
- B. Approve the certificate of appropriateness with conditions.
- C. Deny the certificate of appropriateness request.

Recommendation: Staff reviewed the certificate of appropriateness request and found it to be consistent with the standards governing all new residential construction in the Historic Residential Overlay Design District.

Attachments: Certificate of Appropriateness Application and attachments

Previous Discussions with Commission: None



CITY OF NEWNAN



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

Project Location

1 = 1,200 feet

Date: 8/17/2023 8:56 AM



Project Location



Parcel # N27 0002 013

ADDRESS
157 Lagrange Street
NEWNAN, GA 30265

Pictures of previous home at 157 LaGrange Street before demolition



Suggested color finishes/patterns for 157 LaGrange Street (Staff Note – Building shown is for color finishes/patterns only)

Exterior: Sherwin Williams – SW7064 Passive
Trim: Sherwin Williams – SW7005 Pure White



Suggested color finishes/patterns for 157 LaGrange Street (Staff Note –
Building shown is for color finishes/patterns only)

Exterior: Sherwin Williams – SW7005 Pure White

Trim: Sherwin Williams – SW7072 Online



Suggested color finishes/patterns for 157 LaGrange Street (Staff Note –
Building shown is for color finishes/patterns only)

Exterior: Sherwin Williams – SW2857 Peace Yellow

Trim: Sherwin Williams – SW7005 Pure White



Nearby Homes

159 LaGrange Street (adjacent to subject property)



155 LaGrange Street (adjacent to subject property)



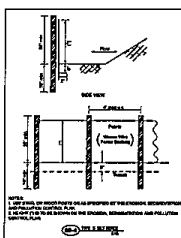
Nearby Homes

164 LaGrange Street (across the street from subject property)

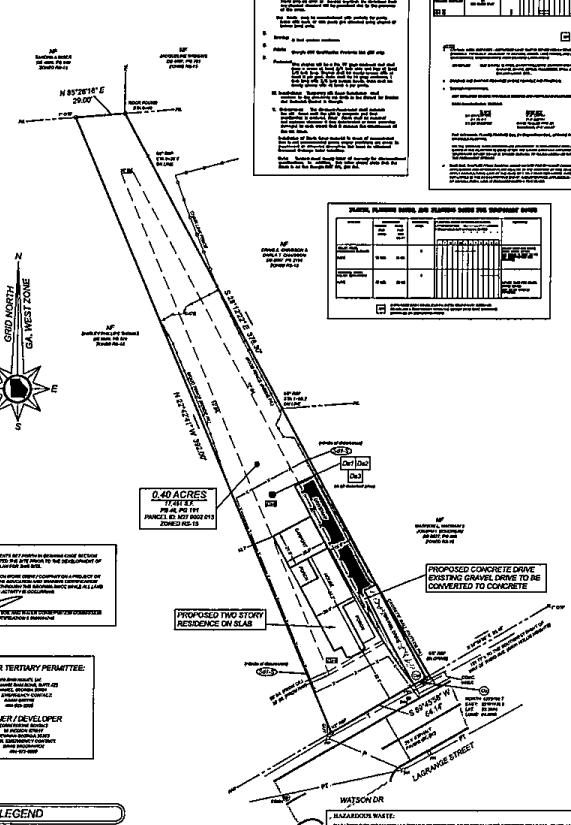


148 LaGrange Street (across the street from subject property)



[illegible][illegible][illegible]

Site Plan

[illegible][illegible]

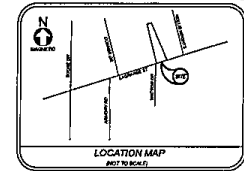
NOTES:

1. REFERENCE FOR THE BOUNDARY INFORMATION SHOWN WAS MADE TO RULE BOOK # 188117 OF GARFIELD COUNTY RECORDS.
2. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD HAZARD MAP NO. 1180770-1, DATED FEBRUARY 8, 2013.
3. THE LOCATIONS OF UNDERGROUND UTILITIES ARE BASED ON ABOVE GROUND RECORDS AND INFORMATION SUPPLIED BY THE PROPERTY LOCATIONS OF UNDERGROUND UTILITIES ARE BASED ON ABOVE GROUND RECORDS AND INFORMATION SUPPLIED BY THE PROPERTY. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THE INFORMATION.
4. NO ABSTRACT OF TITLE, TITLE COMMITMENT OR RESULTS OF TITLE SEARCHES WERE SUPPLIED TO THE SURVEYOR. THERE ARE NO EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.
5. BUILDING SETBACK REQUIREMENTS FOR AREAS IN THE CITY OF GARFIELD ZONING ORDINANCE FOR AREAS IN ZONING DISTRICTS.
6. THE LAST DAY OF THE FIELD SURVEY WAS PERFORMED ON JANUARY 8, 2022.

[illegible][illegible][illegible]

	Da1	Da2
	Da3	Da4
ON ALL DISTURBED AREAS EROSION CONTROL, SEDIMENT PRACTICES:		
Da1	IMMEDIATE AREA STABILIZATION WITH MULCH/VEGETATION ESTABLISHMENT TEMPORARY EROSION CONTROL OF DISTURBED AREAS. AREAS BEHIND DITCHES MUST HAVE A STABLE BERM/SHOULDER STRONG TO PREVENT DRAINAGE OF DISTURBED AREAS.	
Da2	OUTFALLS AND AREAS BEHIND DITCHES TO REMAIN UNDISTURBED UNLESS A TEMPORARY PROTECTIVE COVER IS INSTALLED, SECURING KEYS OF DISTURBED AREAS.	
Da3	STABILIZATION OF DISTURBED AREAS WITH MULCH/VEGETATION AND/OR STABILIZATION PRACTICES. RETRACTIVE COVER (NUCLEAR PAGES) MAY BE USED TO PROTECT AREAS BEHIND DITCHES.	
Da4	PERMANENT AREA STABILIZATION WITH MULCH/VEGETATION PERMANENT PROTECTIVE COVER WITH NO DITCHES OR DISTURBED AREAS MAY BE USED TO PROTECT AREAS BEHIND DITCHES. MULCH TO BE PLANTED ACCORDING TO COUNTY REGULATIONS.	

Ca	COMPLETELY DRY
MgO	HEAVY DRYER - TYPE 6
Ca(OH) ₂	HEAVY DRYER - HOT PLATE
Ba	HEAVY DRYER
Mb	STRENGTH
NaCl	HEAVY DRYER - ALUMINUM
Na ₂ S	HEAVY DRYER - DRYING
Na ₂ SO ₄	HEAVY DRYER - DRYING
DA	HEAVY DRYER - DRYING

[illegible][illegible][illegible]

DATE: JANUARY 14, 1972			REUSE	
SCALE: 1" = 40'	MO.		DESCRIPTION	DATE
ACREAGE: 6.48 ACRES (17,489 S.F.)	1		PERMITS HOUSE PLAN	5/6/73
LAND LOT/28				
DISTRICT: 2nd				
CITY: MAE				
COUNTY: CORNELL				
STATE: GEORGIA				
SURVEYED: AN				
DRAWN: MCH				
APPROVED: CAM				
CHECKED:				

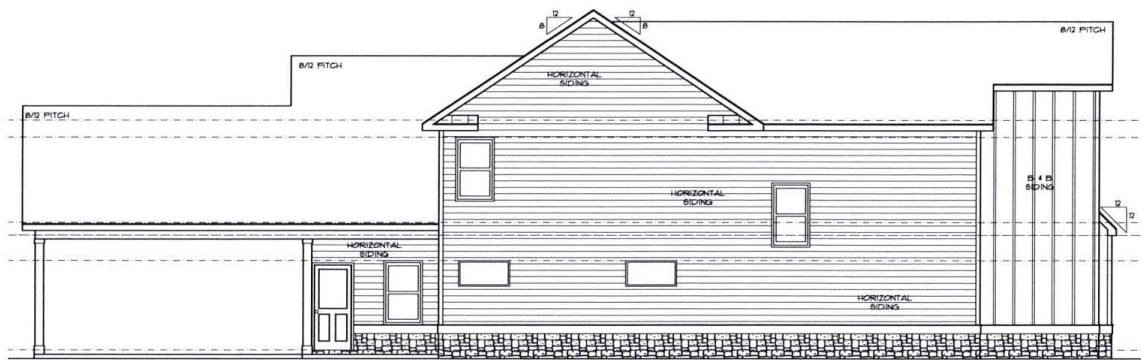
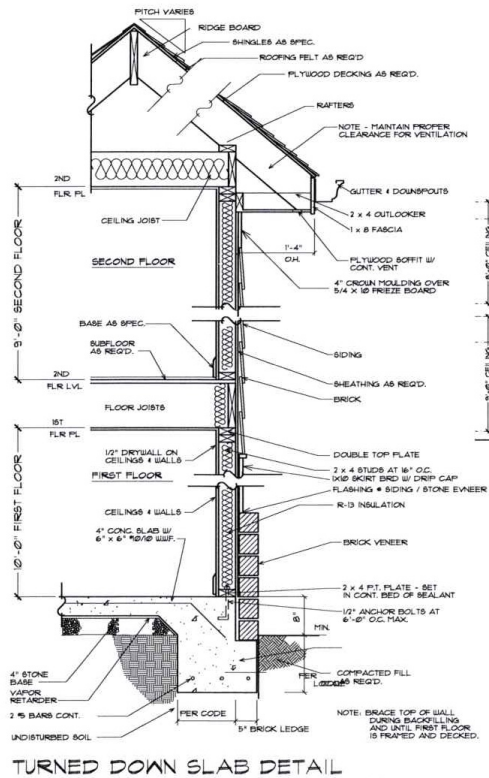
 **GA**
LAND SURVEYOR
404-384-9577
GA LAND SURVEYOR, LLC
2008 ANNUNZALE LANE STE 1
ROSWELL, GA 30059



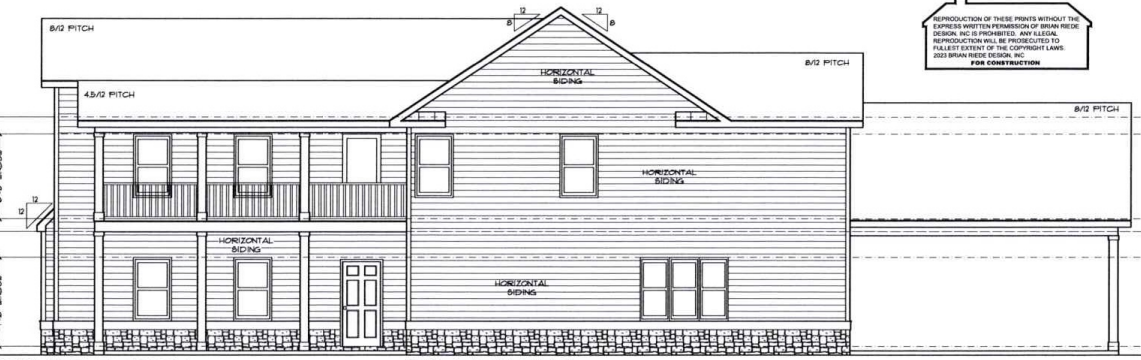
SITE PLAN FOR
157 LAGRANGE STREET
LAND LOT 7, 5th DISTRICT, COWETA COUNTY, GEORGIA
PARCEL No: N27 0002 013
BEING IN THE CITY OF NEWNAN

JOB NO.
23-105
DRAWING NO.
23-105 sp.dwg

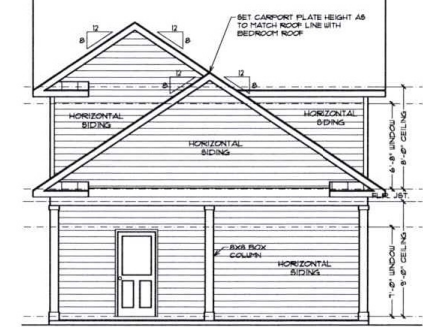
SHEET NO. 1	OF 1
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LEFT ELEVATION

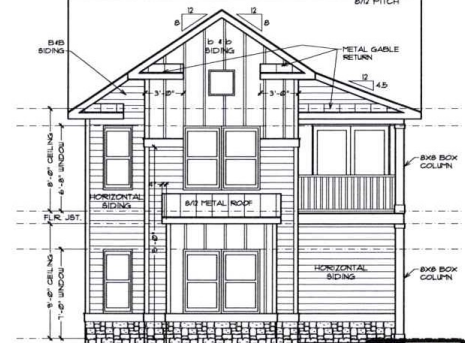


RIGHT ELEVATION



REAR ELEVATION

SQUARE FOOTAGES:	
FIRST FLOOR:	1151
SECOND FLOOR:	1142
TOTAL HEATED:	2293



FRONT ELEVATION

Brick/Stone facade to only be included on the front elevation of the house. Left and Right elevations will continue with horizontal siding and/or board and batten.

REPRODUCTION OF THESE PRINTS WITHOUT THE EXPRESS WRITTEN PERMISSION OF BRIAN RIEDE DESIGN, INC. IS PROHIBITED. ANY ILLEGAL REPRODUCTION WILL BE PROSECUTED TO THE FULL EXTENT OF THE COPYRIGHT LAWS.

Brian Riede Design, Inc.
678-581-2256 briede@briede.com

PROJECT: VICKERS LOTS
DRAWN BY: RIEDE
DATE: 2/2/23
SCALE: 1/4" = 1'-0"
PLAN NO: RD230210
DRAWN NO: A-1

7/6/2023

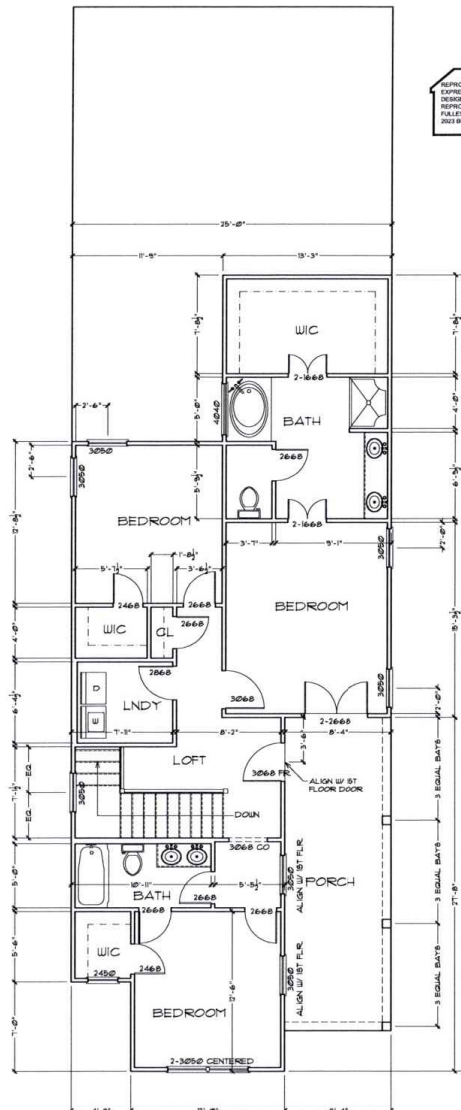
FLOOR JOISTS WITH L/360 DEFLECTION LIMITS										
DESIGN CRITERIA										
Deflection: For 40 PSF live load										
Limited to span in inches divided by 360										
Strength: Live load of 40 psf plus dead load of 10 psf determines the required bending design value.										
Joist Size (in.)	Spacing (in.)	Maximum Clearity, E, in 1,000,000 psi								
		0.8	0.9	1.0	1.1	1.2	1.3	1.4	1.5	1.6
2x6	12.0	5.6	5.10	4.7	4.3	3.9	3.5	3.1	2.7	2.3
	16.0	7.9	7.0	6.4	5.7	5.10	4.5	3.9	3.4	2.9
	19.2	9.3	8.3	7.6	6.8	6.1	5.4	4.7	4.0	3.4
	24.0	11.6	10.4	9.5	8.5	7.6	6.7	5.8	5.0	4.2
2x8	12.0	11.3	10.4	9.5	8.5	7.6	6.7	5.8	5.0	4.2
	16.0	16.2	14.8	13.6	12.4	11.3	10.1	9.0	8.0	7.0
	19.2	19.7	18.0	16.6	15.1	13.7	12.4	11.1	9.8	8.5
	24.0	24.1	21.9	20.2	18.4	16.6	14.8	13.0	11.2	9.4
2x10	12.0	14.4	13.1	11.9	10.7	9.5	8.3	7.1	6.0	5.0
	16.0	19.0	17.4	15.9	14.4	12.9	11.4	9.9	8.4	7.0
	19.2	22.3	20.4	18.7	16.9	15.1	13.3	11.5	9.7	8.0
	24.0	27.0	24.6	22.5	20.2	17.9	15.6	13.3	11.0	9.0
2x12	12.0	17.5	15.9	14.4	12.9	11.3	9.7	8.1	6.5	5.0
	16.0	22.3	20.4	18.7	16.9	15.1	13.3	11.5	9.7	8.0
	19.2	25.6	23.4	21.2	18.9	16.6	14.3	12.0	9.7	7.4
	24.0	31.2	28.5	25.7	22.9	20.1	17.3	14.5	11.7	9.0
Note: The required bending design value, F_b , in pounds per square inch as shown at the bottom of each table is applicable to all lumber sizes shown. Spacing is shown in feet - inches and is limited to 20' and less. Check sources of supply for availability of lumber in lengths greater than 20'.										
EXCERPTS FROM TABLES FOR JOISTS AND RAFTERS, Copyright 1991 AMERICAN FOREST & PAPER ASSN., WASHINGTON, D.C.										

CONSTRUCTION CODES:
 International Building Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 International Residential Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 International Fire Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 International Plumbing Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 International Mechanical Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 International Fuel Gas Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 National Electrical Code
 2020 Edition, with no Georgia Amendments (Effective January 1, 2020)
 International Energy Conservation Code
 2015 Edition, with Georgia Supplements and Amendments (2020) - (Effective January 1, 2020)
 International Swimming Pool and Spa Code
 2018 Edition, with Georgia Amendments (2020) - (Effective January 1, 2020)
 NFPA 921
 Life Safety Code 2018 Edition with State Amendments (2020) - (Effective January 1, 2020)

WINDOW & DOOR NOTES:
 1. WINDOW EASELS TO BE 20" W X 24" H MINIMUM (21" SQ. IN.) CLEAR OPENING.
 2. ALL WINDOW WITHIN 24" RADIUS OF A DOOR OR LESS THAN 18" FROM THE FLOOR MUST HAVE TEMPERED GLASS.
 3. ALL EASELS, FRENCH DOORS AND PATIO DOORS MUST HAVE TEMPERED GLASS.

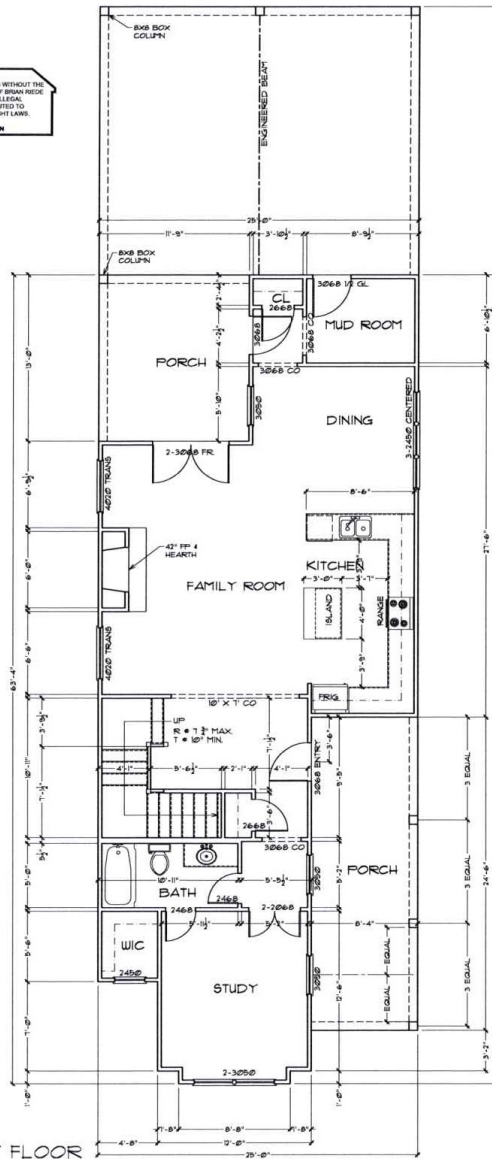
GENERAL NOTES:
 ALL DETAILS AND CONDITIONS ARE THE RESPONSIBILITY OF THE ARCHITECT TO VERIFY PRIOR TO CONSTRUCTION.
 ALL SLAB AND FLOOR PLAN DIMENSIONS TO BE VERIFIED BY THE ARCHITECT PRIOR TO CONSTRUCTION.

FRAMING NOTES:
 STRUCTURAL SPECIFICATIONS PROVIDED ON THESE PRINTS ARE A SUGGESTION FROM THE DESIGN AND ARE SUGGESTED MINIMUM REQUIREMENTS ONLY.
 DUE TO A VARIANCE OF CODES PER REGION, PLEASE REFER AND COMPLY WITH ALL YOUR LOCAL CODES.
 CONFORM WITH LOCAL ENGINEER REQUIREMENTS FOR ALL STRUCTURAL REQUIREMENTS.
 ALL FRAMED WALL DIMENSIONS ARE BASED ON 2x4 STUDS UNLESS OTHERWISE NOTED. WHERE PRE-ENGINEERED FLOOR AND ROOF TRUSSES ARE USED, TRUSS MANUFACTURER MUST PROVIDE SHOP DRAWINGS WHICH BEAR SEAL OF REGISTERED ENGINEER IN STATE IN WHICH WORK IS TO BE PERFORMED.
 ALL FRAMED WALL DIMENSIONS ARE BASED ON 2x4 STUDS UNLESS OTHERWISE NOTED.
 ALL BASEMENT WALLS, BEAMS, AND COLUMNS TO BE DESIGNED BY LOCAL STRUCTURAL ENGINEER AND MEET ALL LOCAL CODES.
 ALL SOLID FRAMING, COLUMNS, BEAMS, ETC. TO BE DESIGNED BY LOCAL STRUCTURAL ENGINEER AND MEET ALL LOCAL CODES.
 ALL JOISTS AND RAFTERS SHALL BE ALIGNED WITH STUDS.
 FRAMING TO PROVIDE DOUBLE FLOOR JOISTS UNDER PARTITION WALLS.
 ALL EXTERIOR CORNERS SHALL BE BRACED WITH 2x4 OR 2x6 KICK BRACE. BRACING SCHEDULE SHALL BE 40 COMMON @ 6' O.C. AT ALL EDGES AND 40 COMMON @ 12' O.C. AT ALL INTERMEDIATE STUDS (OPTIONAL - APPROVED CORNER BRACING BOTH DIRECTIONS AT ALL CORNERS).
 ALL COLUMNS AND ROOF FRAMING TO EXTEND DOWN THROUGH ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB OR GRADE BEAM OR FOOTING DESIGN TO CARRY THE LOAD.
 PROVIDE COLLAR TIES AT UPPER JOINT OF VERTICAL DIRECTION BETWEEN ROOF BEAMS AND CEILING JOISTS @ 4'-0" O.C. MAX.
 ALL VALLEY ROADS AND ROOF ROADS SHALL BE 2" O.C. SIZE LARGER THAN RAFTERS.
 ALL CEILING JOISTS AND ROOF RAFTERS TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOADS THROUGH ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB OR GRADE BEAM OR FOOTING DESIGN TO CARRY THE LOAD.



2ND FLOOR

REPRODUCTION OF THESE PRINTS WITHOUT THE EXPRESS WRITTEN PERMISSION OF BRIAN RIEDE DESIGN, INC. IS PROHIBITED. ANY ILLEGAL REPRODUCTION WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE COPYRIGHT LAWS.
 BRIAN RIEDE DESIGN, INC.
 FOR CONSTRUCTION



1ST FLOOR

7/6/2023

Brian Riede Design, Inc.
 1311 S. 28th Ave., Suite 100
 Marietta, GA 30066
 770-381-2355 briede@briede.com

PROJECT:
 1311 S. 28th Ave.
 1311 S. 28th Ave.
 1311 S. 28th Ave.

DATE:
 7/6/2023

SCALE:
 1/4" = 1'-0"

PLAN NO.:
 RPD23020710

REVISED:
 A-2



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Address of Property 157 LaGrange St, Newnan, GA 30263
Name of Applicant Mallard Residential, LLC
Mailing Address PO Box 218, Brooks, GA 30205
Telephone (678) 822-1383
Property Owner (Use back if multiple names) Cornerstone Rentals, LLC
Mailing Address 10 JACKSON ST., Newnan, GA 30263
Telephone (478) 671-3721
Map # N _____ Block # _____ Parcel # 427002013 Land Lot 00210
District/Section 02 Present Zoning Classification R3 Residential
Present Land Use Residential

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

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

NATURE OF PROPOSED WORK:

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

Please describe the proposed Work to be Done (Use Additional Sheets if Necessary): Construct
new single family home

Included with the application, the following information is required:

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

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



Signature of Applicant

Signature of Property Owner(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Chris Cole

DATE OF FILING 7-12-2023

^{pc}
HRC MEETING DATE 9-12-2023

DATE OF NOTICE PUBLICATION N/A

ACTION TAKEN (DATE) _____



City of Newnan, Georgia – Planning Commission

Date: September 12 2023

Agenda Item: Certificate of Appropriateness – 75 Greenville Street

Prepared by: Dean Smith, Planner

Purpose: This item involves a certificate of appropriateness request from K.A. Oldham Design, Inc. regarding design changes for a renovation/remodeling project on the existing building at 75 Greenville Street.

Background:

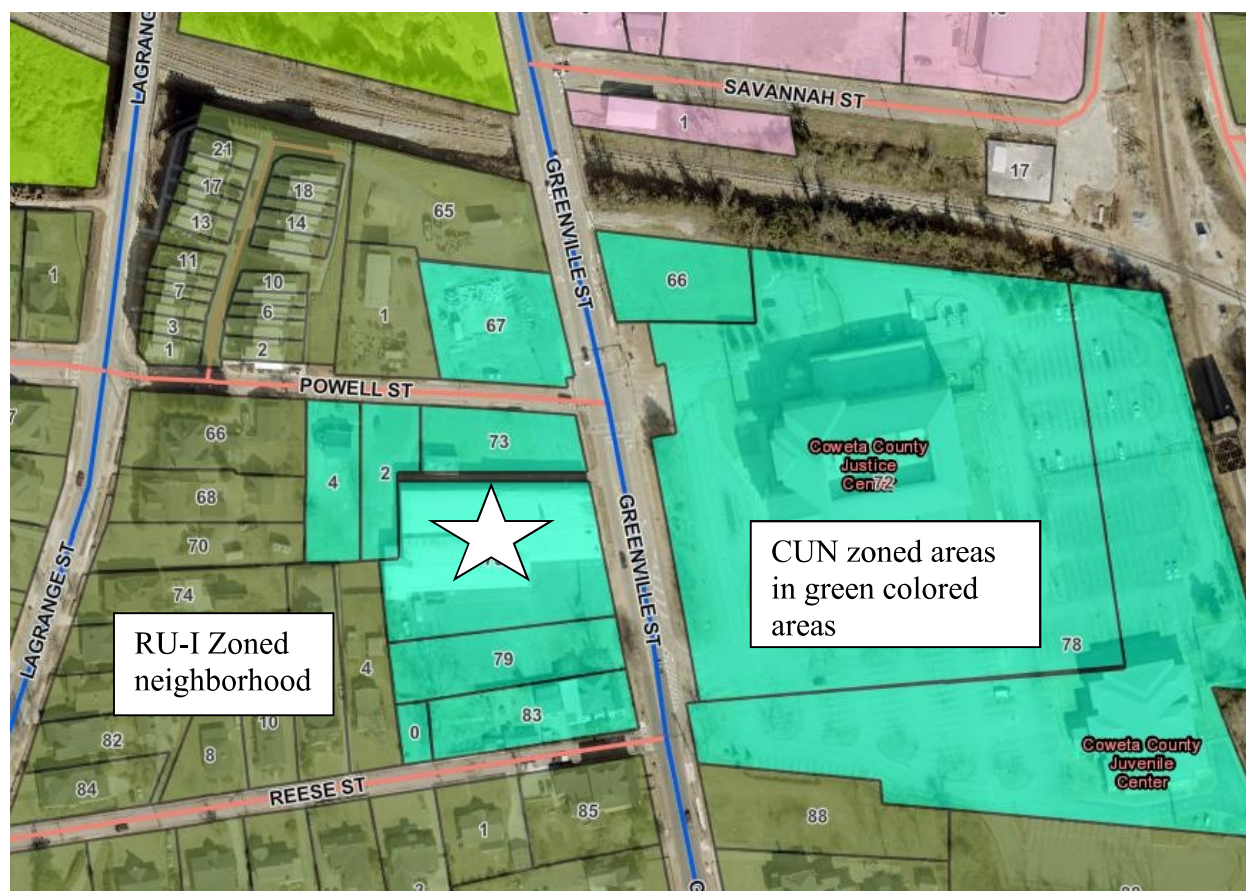
Zoning District	<i>Urban Neighborhood Commercial District Regulations (CUN)</i>
Proposed Land Use	<i>Retail/Office</i>
Current Project Size	<i>1.53 +/- acres -4 parcels are included</i>

K.A. Oldham Design, Inc. has submitted an application for renovations and improvements to the building at 75 Greenville Street. Per the City's Zoning Ordinance, the Planning Commission must grant a certificate of appropriateness since the property lies within the Downtown Design Overlay District (DDO) and the proposal is for improvements covering more than 25% of the total wall area and partial demolition of the existing structure.



The proposal includes upgrades to the exterior of the building and parking areas. There are also planned interior improvements (that are not subject to this review). According

to the application, the project is, “... focused on enhancing the building exterior appearance.....” Please see the attached summary from the applicant, as well as the plans and visual depictions, for a complete overview of the proposal. The properties surrounding the site include a mixture of commercial and residential uses.



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 75 Greenville Street:

- a) **Building Orientation and Setback** – The elevations of the existing structure and building orientation will remain as they have been in the past. The front will face Greenville Street on the east side of the property, with an additional parking lot being added in the northwest corner of the total project site.
- b) **Directional Emphasis** – The directional emphasis will be vertical which is consistent with the dominant patterns within the area of influence.
- c) **Shape** – The proposed flat roof is consistent with those of existing commercial buildings within the area of influence.

- d) **Proportion** – The proportions of the new building are consistent with dominant patterns of proportion within the area of influence.
- e) **Rhythm** – The new building’s design provides a transition between the residential structures outside of the Downtown Development Overlay District and the commercial structures that comprise the Central Business District located towards the north of the project site as you move towards the downtown area.

Options:

- A. Approve the certificate of appropriateness for the renovations associated with 75 Greenville Street.
- B. Approve the certificate of appropriateness with conditions.
- C. Deny the certificate of appropriateness request.

Staff findings: In addition to evaluating the proposal based upon the City’s standards for non-residential construction, we also forwarded the applicant’s proposal to the City of Newnan’s Main Street Department for their review. In conjunction with the approved Newnan Design Guidelines from 2022, we received the following comments from Jesse Branch, Special Events Coordinator/Acting Main Street Director regarding the project:

“...According to our Downtown Design Guidelines for Mixed-Use Buildings, I think this design could be appropriate. I do not feel like I can class it in a historic architectural style, however there are other elements to the design that I feel make it “work,” including:

- *A symmetrical front façade*
- *A flat roof*
- *Simple, repetitive windows*
- *A change in material vertically on the structure, with the foundation being brick*
- *A high percentage of glass on the front façade in order to provide a high level of visibility into and out of the commercial establishment*
- *Not all sides of the building are treated the same, with the highest level of detail and quality of materials being used on the front façade*
- *Several corner returns....”*

Recommendation: Staff recommends Option A; approve the certificate of appropriateness request.

Attachments: Certificate of Appropriateness Application and renderings.

Previous Discussions with Commission: None



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Address of Property 75 GREENVILLE ST. NEWNAN, GA 30263
Name of Applicant V.A. ADHAM DESIGN, INC.
Mailing Address 57 PERRY ST. NEWNAN, GA 30263
Telephone 770-683-9170 / 678-570-4934
Property Owner (Use back if multiple names) MARK KNOX / KNOX FURNITURE
Mailing Address 75 GREENVILLE ST. NEWNAN, GA 30263
Telephone 770-843-2684
Map # N 02,75,79 Block # _____ Parcel # N11 0003014
N11 0003015
N11 0003016
N11 0003018 Land Lot _____
District/Section _____ Present Zoning Classification CUN
Present Land Use COMMERCIAL

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

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

NATURE OF PROPOSED WORK:

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

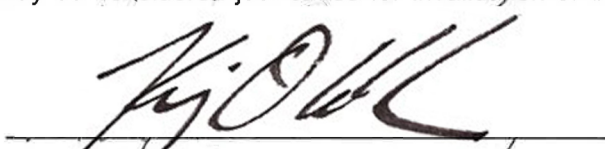
Please describe the proposed Work to be Done (Use Additional Sheets if Necessary):

The project proposal pertains to phase II of
KNOX FURNITURE, focused on enhancing the building
Exterior appearance. It necessitates minor
demolition process to remove the current brick
from the East facade.

Included with the application, the following information is required:

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

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



Signature of Applicant

Signature of Property Owner(s)



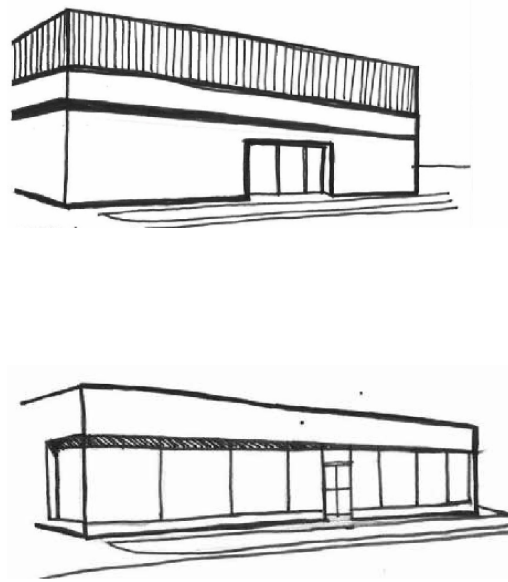
KNOX FURNITURE PHASE II

The proposed work on 75 Greenville St aims to reintegrate the current building into the city of Newnan, GA. Drawing inspiration from the original facade of 1955, we plan to re-activate the building's front by creating leasable spaces on the first floor and more private leasable office spaces on the second floor. To enhance the building's appearance, we will salvage the removed brick and add 3 courses of brick to the existing parapet, creating an illusion that the second-floor windows are encased in brick.

Regarding parking arrangements, the current parking will remain in its current location on the south side of the site. However, we propose removing the grass on the SE side of the site to accommodate additional parking spaces. Furthermore, we intend to add parking spaces on the NW side of the site designated for staff members only.

Additionally, the proposed work includes a remodeled entrance for Knox Furniture on the south side of the site. By pushing the entrance back by 15', we will create a welcoming porch for visitors, utilizing the existing roof to enhance the aesthetic and functionality of the entrance. On the west side of the building, we are proposing a fenced-in outdoor showroom that utilizes the existing installed roof.

For safety measures, a second egress stair has been added on the north side of the building. This will ensure proper access in case of emergencies and compliance with safety regulations.



EXISTING



1955

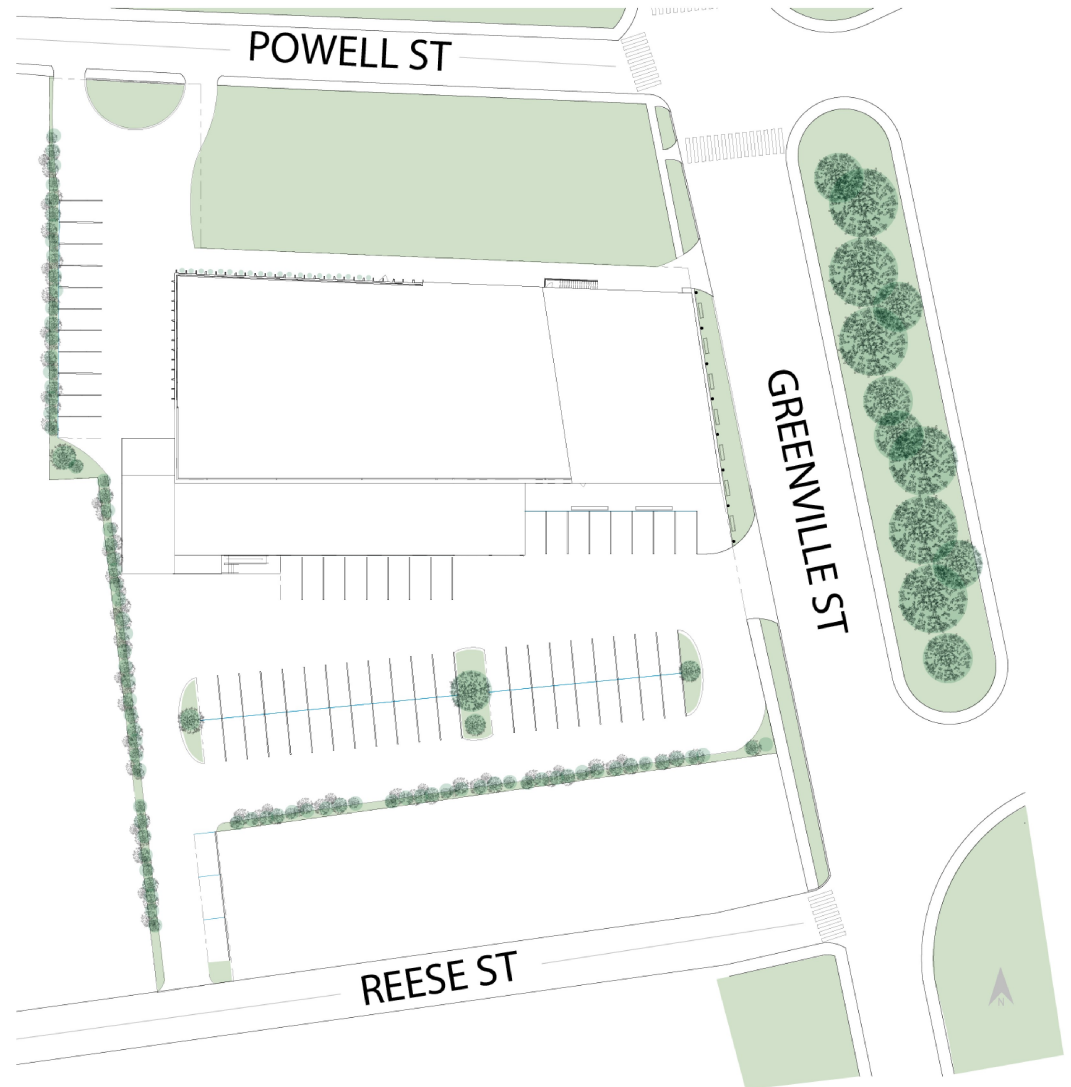


PROPOSAL



SITE PLAN
SCALE: 1" = 20'-0"

Site plan proposes the installation of light bollards and planters on the east facade to provide a clear separation between the street and the pedestrians, enhancing safety. As for parking arrangement, the existing parking on the south side of the site will remain unchanged. However, to accomodate more parking spaces, we peopose removing the grass on the SE side of the site. Additionally, we plan to add parking spaces on the NW side, specifically designated for Knox staff members.

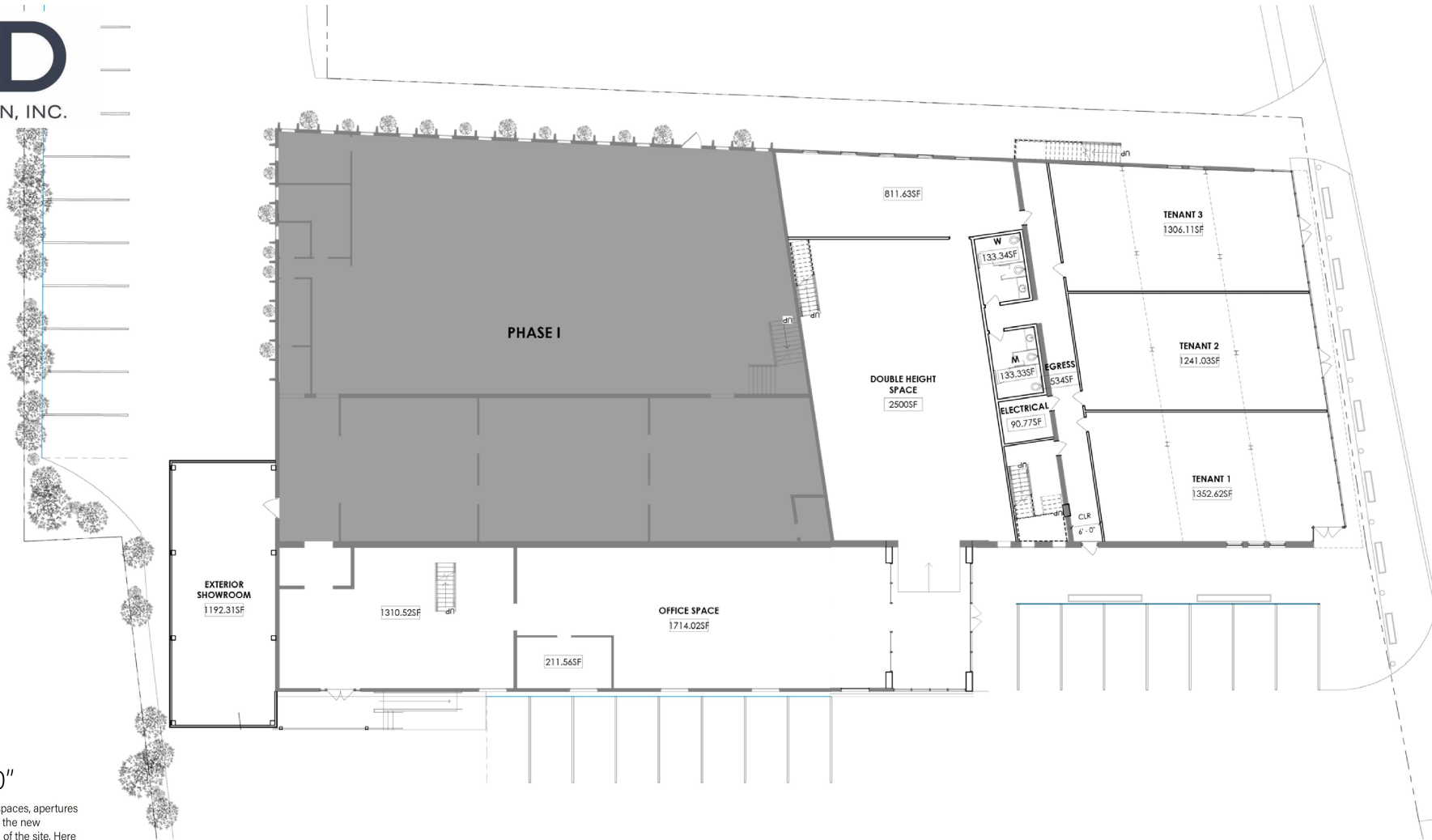




COMPOSITE PLAT

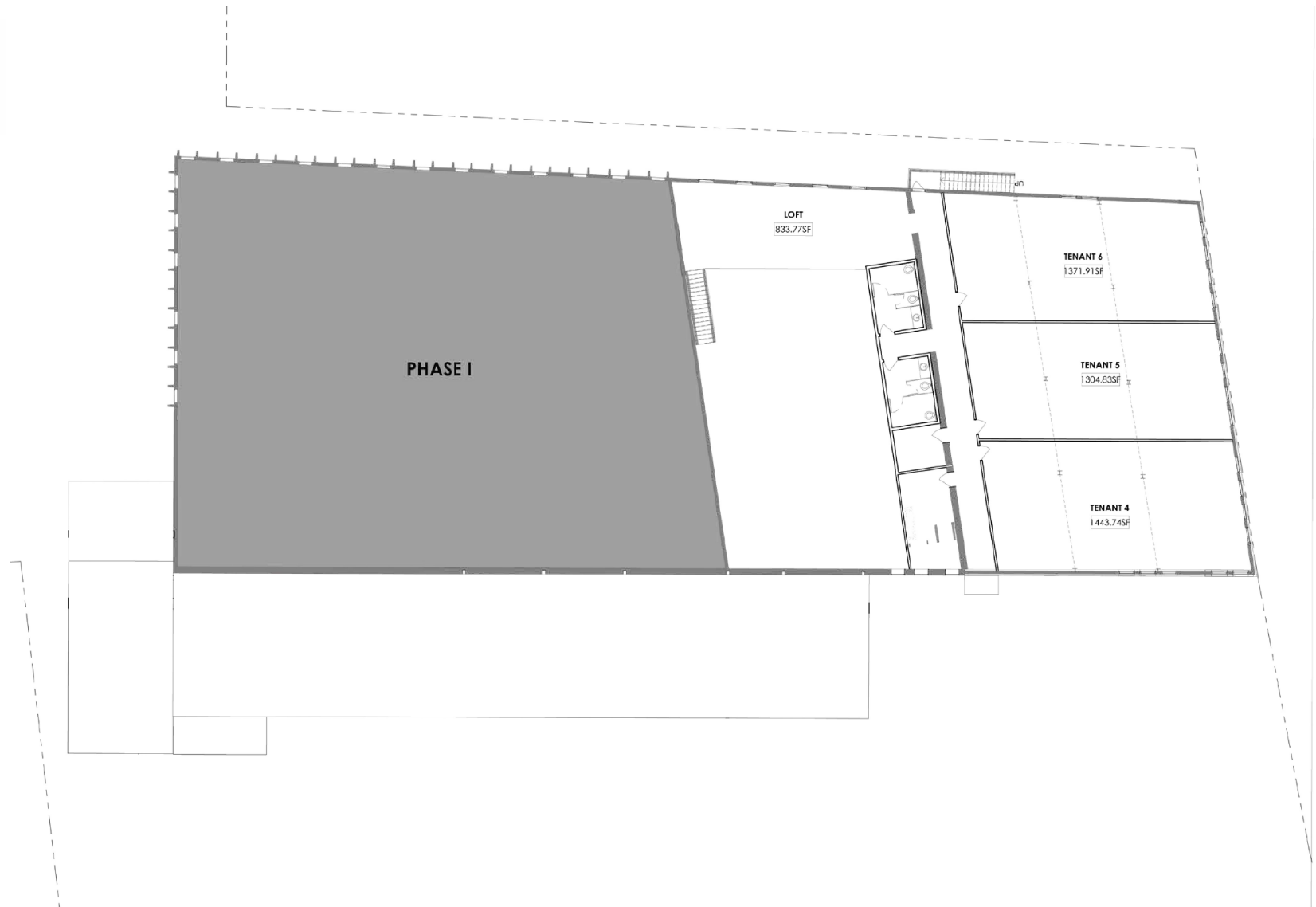
SCALE: 1" = 20'-0"

The plat on the right is a composite created from multiple official documents. For reference to the original documents, please see the attached PDF.



LEVEL 1
SCALE: 3/32" = 1'-0"

Floor plan shows the proposed three tenant spaces, apertures on each facade, and a clear representation of the new entrance for Knox Furniture on the south side of the site. Here the plan utilizes the existing roof to enhance the aesthetic and functionality of the welcome porch. On the West side of the building, we are proposing a fenced-in outdoor showroom that utilizes the existing installed roof.



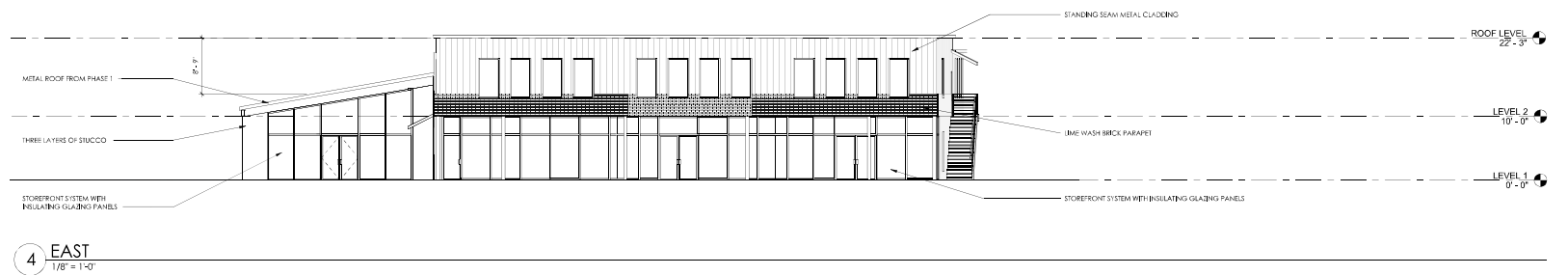
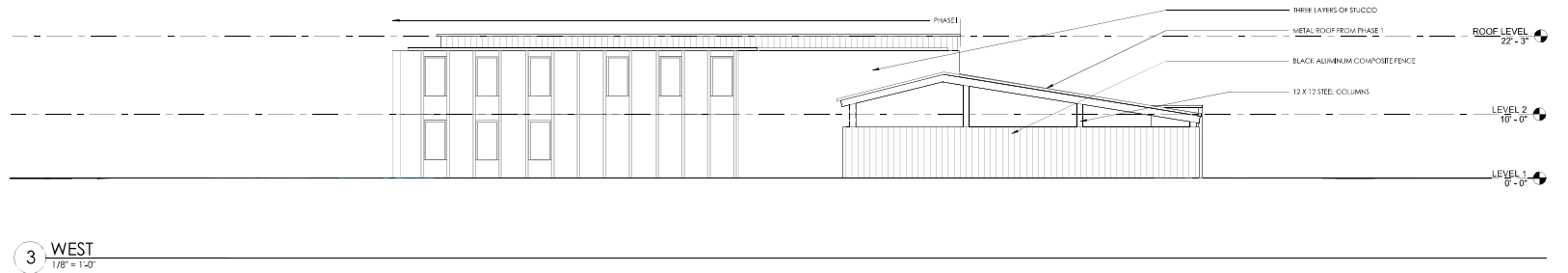
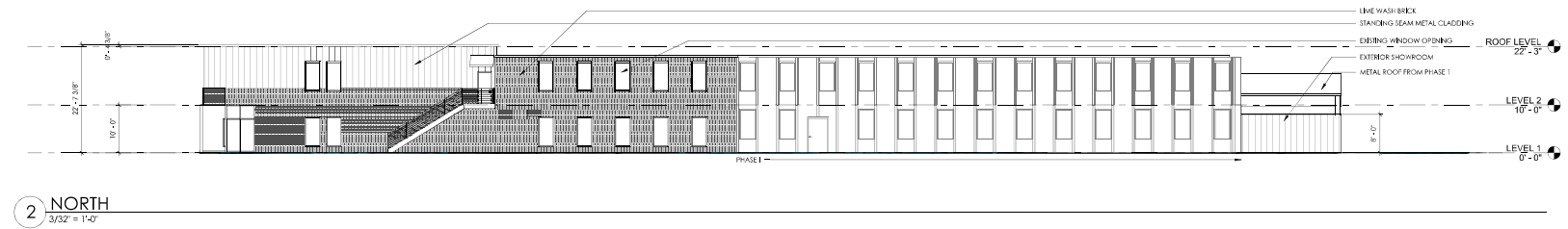
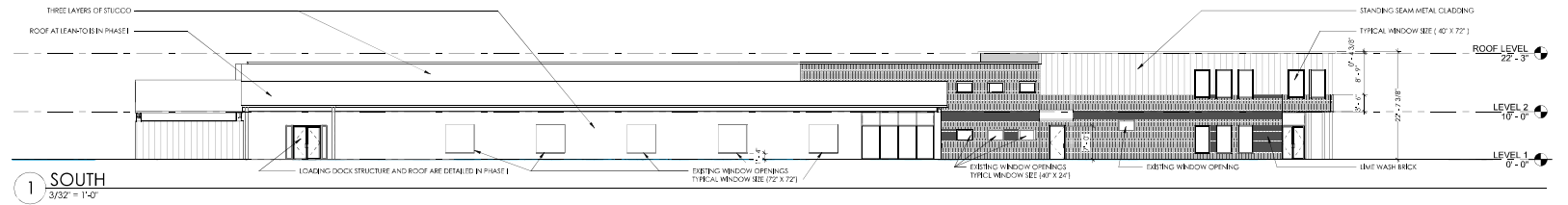
LEVEL 2
SCALE: 3/32" = 1'-0"

Floor plan shows the proposed three tenant spaces, apertures on each facade, and a clear representation of placement of egress stair on the north side of the site.



RENDERED ELEVATIONS:

Rendered elevations showcase proposed material finishes and color for all sides of the building in both Phase I and Phase II of the project.



ELEVATIONS:

Detail elevations showcase detailed dimensions and scale, presenting the proposed material for all sides of the building in both Phase I and Phase II of the project.



**TOP:
SE PRESPECTIVE**

The perspective includes the addition of light bollards and planters to enhance safety from traffic. The lime/ white washed treatment continues to wrap the corner on the second floor, complemented by charcoal vertical metal cladding for a modern touch.

**BOTTOM:
NE PRESPECTIVE**

The proposed work aims to continue the perspective on the East facade. This will involve exposing the existing brick and applying a lime/white wash finish to achieve the desired appearance. In addition a second egress stair has been added on the North facade. This will ensure proper access in case of emergencies and compliance with safety regulations.



PROPERTY RECORD

IP	N11	BL	3	LOT	16	CARD NO.	1	OF	1	RECORD OF OWNERSHIP				DEED	DATE	SALE PRICE																									
ADDRESS PROPERTY 75 Greenville Street										Knox, Roy				127/8	10/19/65	5.50																									
DESCRIPTION—																																									
Store Building Warehouse & Lot																																									
T5 N11-3-15416 Combined - NOTES - 6/39 - Review & Bldg - Discovered Bldg's NOT PRICED IN PAST - Redrew & 4 REPRICES AT THIS TIME.																																									
PROPERTY FACTORS										FRAMING																															
TOPOGRAPHY		IMPROVEMENTS		STREET OR ROAD		DISTRICT		WOOD																																	
LEVEL	WATER	PAVED	IMPROVING	STEEL																																					
HIGH	SEWER	SEMI-IMPROVED	STATIC	REIN. CONCRETE																																					
LOW	GAS	DIRT	DECLINING																																						
ROLLING	ELECTRICITY	SIDEWALK																																							
SWAMPY	ALL UTILITIES																																								
SOIL TYPE		LAND CLASS		DRAINAGE		FENCES		HEATING																																	
LOAM	GOOD	GOOD	GOOD	FORCED AIR																																					
SAND	FAIR	FAIR	FAIR	PANEL HEAT																																					
CLAY	POOR	POOR	POOR	RADIANT HEAT																																					
								HOT WATER																																	
								FLOOR FURNACE																																	
								UNIT HEATERS																																	
LAND VALUE COMPUTATIONS AND SUMMARY										AIR CONDITIONING																															
FRONTAGE	DEPTH	UNIT VALUE	DEPTH FACTOR	ACTUAL VALUE	UNIT VALUE	ACTUAL VALUE	TOTAL		TOTAL	NO HEATING																															
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10 FAMILY PARTMENTS STORES OFFICES COMMERCIAL GARAGE FOUNDATION CONCRETE CONCRETE BLOCK BRICK / STONE ERS BASEMENT ONE PART HALF FULL ZE										HOTEL		THEATER		GAS STATION		WAREHOUSE		INDUSTRIAL		FARM		INTERIOR FINISH		WALLS		ROOF		PLUMBING		OTHER FEATURES											
										SIDING - BEVEL / WIDE		SIDING - DROP / COMP.		SHINGLE - ASBESTOS / WOOD		STUCCO ON FRAME		STUCCO ON MASONRY		SHINGLE - ASPHALT / ASBESTOS		SLATE / TILE		COMP. ON WD / STL FRAMING		METAL		ROLL ROOFING		BATH ROOM		TOILET ROOM		SINK / LAVATORY		WATER CLOSET		WATER HEATER		FINISHED BASEMENT	
BRICK VENEER		BRICK / STONE ON MASONRY		HOLLOW TILE		CONCRETE / CINDER BLOCK		PLATE GLASS FRONT		CONCRETE		EARTH		PINE		CARPETS		TILE		NO PLUMBING		TILING		BATH FLOOR & WAINSCOT		TOILET FLOOR & WAINSCOT		ATTIC		NONE UNFIN. HALF FULL											

COWETA COUNTY, GEORGIA

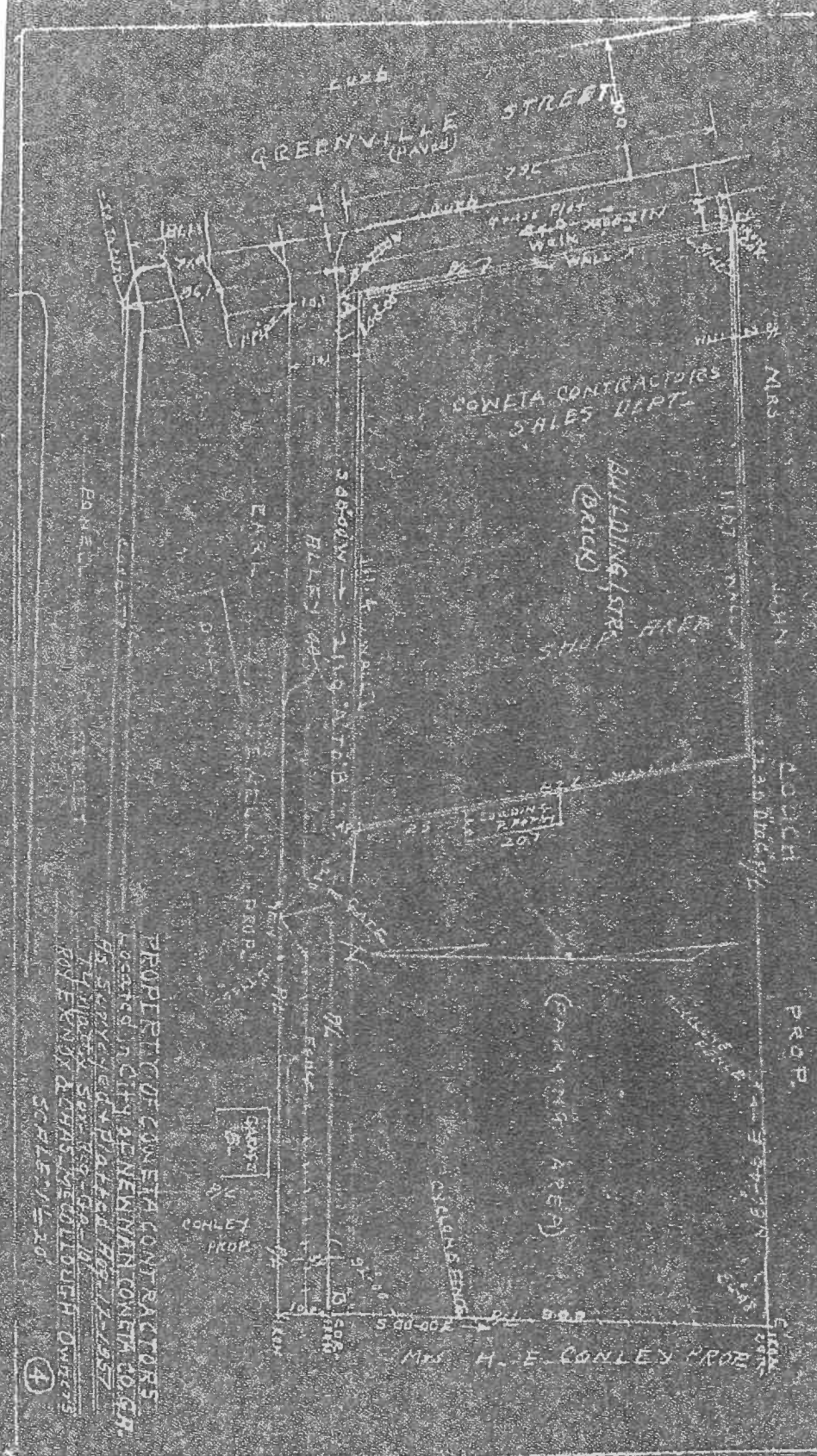
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TAJ
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DATE: AUGUST 1960



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MRS CONLEY

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SLO N 00 W

STREET

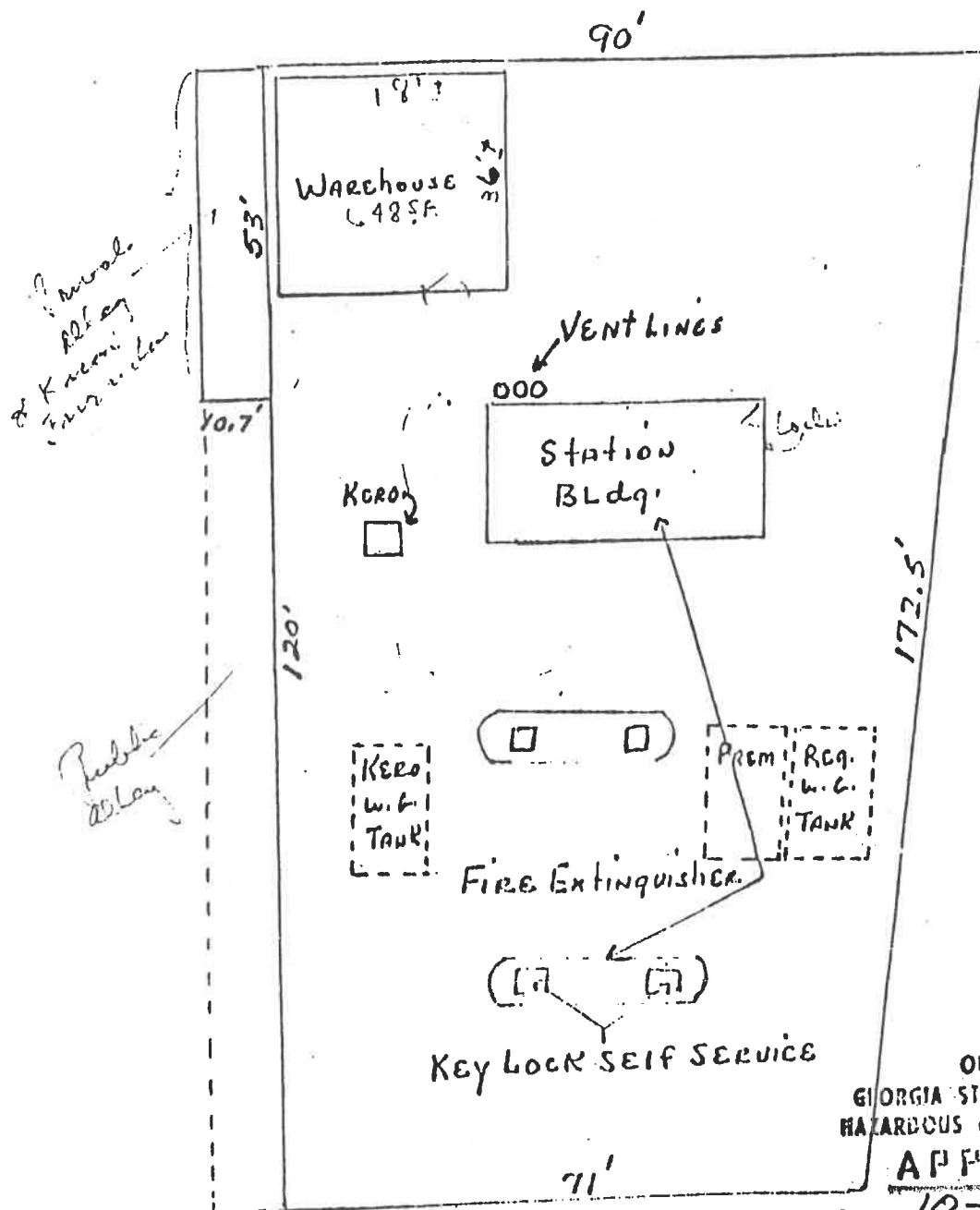
SEWELL
DWL
271

1" pipe - 7
6" TREE - 5

-B
 34445
 100

2007

IRON
IRON
IRON



GREENVILLE STREET

OFFICE OF
GEORGIA STATE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION

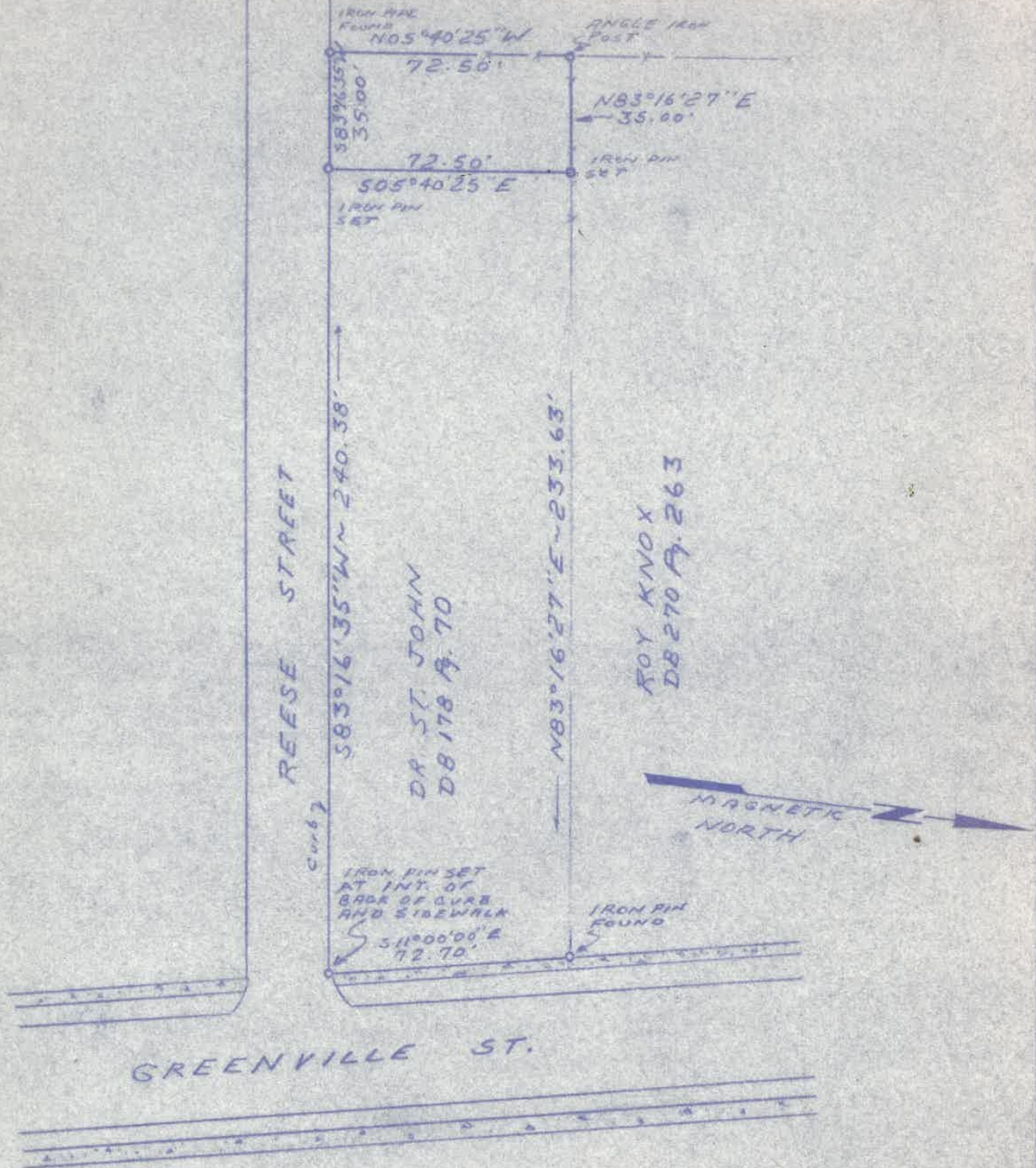
APPROVED

Date: 10-6-75
By: [Signature]
Emergency Power
Cut-off required

Newport, Georgia



CALDWELL D.B. 291 A. 166



SURVEY FOR

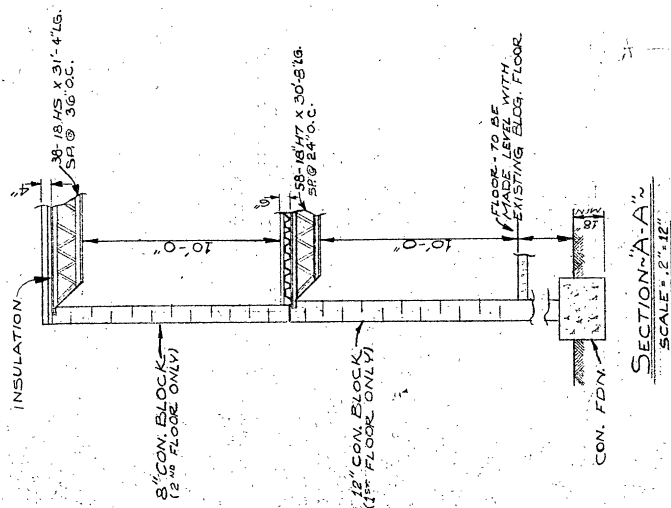
ROY KNOX

SCALE: 1" = 40'

DATE: NOV. 21, 1981

LOCATION
REESE ST IN CITY OF NEWNAN
COWETA COUNTY, GEORGIA

W.W. FLOWERS, JR.
REGISTERED LAND SURVEYOR
NEWNAN, GEORGIA



~ FLOOR PLAN ~

SECTION "A-A"
SCALE = 2" = 12"

WILLIAMS & MCELWANEY

BUILDING ADDITION FOR

THE KNOX COMPANY
DATE 7-3-69 DR BY: MCHRY:

SCALE
1" = 12"

