



# COUNCIL AGENDA REPORT

**FROM:** Community Development Department  
Prepared by: Ken Patton

**CC:** City Clerk  
Public Information

**SUBJECT:** Recommendation on Case MP1501-001 – Jason Garmon – Request to amend and/or delete certain conditions of the Laurel Canyon master plan – action requested

**DATE:** February 23, 2015

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## RECOMMENDATION

The Canton Planning Commission held a public hearing on February 23, 2015 and recommended the following actions : 1) Recommend approval of the applicants request to modify the approved conditions for MP0006-06 and the conditions as revised in 2005 with the exception of Condition #14; 2) Recommended approval of the applicants request to change the land use in Pod 9 from attached townhomes to detached single family homes; 3) Recommended approval of adjusting the number of lots in Pods 5 and 6 to reflect new ownership of these lots; 4) Recommended the allowance of the density transfer between Pods L-1 through L-11; 5) Recommended approval of the relocation of the guard house to the proposed location; 6) Recommended denial of the applicants request to designate the required second ingress/egress point as “emergency” only use; 7) Recommended that the applicant present a plan for the expansion of the amenity elements to Mayor and City Council for approval; 8) Recommended that building permits be withheld for Pods 6,7,8 and 9 until the second access point has been completed.

## REPORT-IN-BRIEF

Jason Garmon of Southeast Capital Investments (represented by Doug Dillard and Jill Arnold of Pursley, Friese and Torgrimson) has submitted an application to amend and/or delete certain conditions as they pertain to the Laurel Canyon development. The applicant also filed a variance request with the Board of Zoning Appeals seeking to have the required second entrance designated as “emergency” access only. The BZA heard this request on February 9, 2015. This matter was tabled until April 13, 2015 to afford the applicant time to gather answers for questions that the Board and members of the audience. The applicants request before the Planning Commission and Mayor and Council seeks the following; 1) Amend or delete certain conditions of zoning as they pertain to the 2000 and 2005 Master Plan approval and revision; 2) Change the house style in Pod 9 from townhomes to single family detached units; 3) Change the number of units in Pods 5 and 6 to reflect new ownership since 2005; 4) A density transfer between Pod L-1 through L-11 as allowed in Condition 46 of the approved conditions; 5) Relocate the existing guard house to proposed location as shown on the proposed new master plan; 6) Have the required second entrance be designated as “emergency” only access.

During the BZA hearing there were an estimated 30 people in attendance. The Planning Commission meeting had approximately 70 residents in attendance. The items that garnered the most discussion was the required second entrance and the impact on the amenity offerings due to the likely increased number of residents as a result of the purchase of the additional lots.

## DISCUSSION

## **CONCURRENCES**

## **FISCAL IMPACT**

## **ALTERNATIVES**

## **Attachments**









# City of Canton

151 Elizabeth Street  
Canton GA 30114  
Phone 770-704-1500  
Fax 770-704-1538  
[www.canton-georgia.com](http://www.canton-georgia.com)

E.H. "Hooky" Huffman, Ward I, *City Council*  
Sandy McGrew, Ward I, *City Council*  
Jack Goodwin, Ward II, *City Council*  
Bill Grant, Ward II, *City Council*  
John R. Rust, Ward III, *City Council*

February 24, 2015

Mr. G. Douglas Dillard  
Promenade, Suite 1200  
1230 Peachtree Street, NE  
Atlanta, Georgia 30309

Subject: MP1501-001 – Request to amend the approved Master Plan for a portion of the development commonly referred to as Laurel Canyon

Dear Mr. Dillard:

Please be advised the Planning Commission for the City of Canton made the following recommendations on the above referenced application during the public hearing held on February 23, 2015: 1) Recommended approval of the proposed amendments/deletions as they pertain to MP0006-06 and the conditions as amended in 2005 with the exception of Condition #14; 2) Recommended approval of the request to change the land use in Pod 9 from attached townhomes to detached single family dwellings; 3) Recommended approval of adjusting the number of lots in Pods 5 and 6 to reflect new ownership of these lots; 4) Recommended approval of the allowance of the density transfer between lots L-1 through L-11 5) Recommended approval of the relocation of the guard house from its current location to the proposed location as indicated on the submitted site plan; 6) Recommended denial of the request to have required second entrance be designated as "emergency" use only; 7) Recommended that the applicant present a plan for the expansion of the amenity elements to the Mayor and City Council for approval; 8) Recommended that building permits be withheld in Pods 6,7,8 and 9 until the second ingress/egress point is completed and operational.

Your request will go before the Mayor and City Council on March 5, 2015 for discussion and on March 19, 2015 for further action. Should you have any questions please contact my office at 770-704-1530.

Sincerely,

Steve Green, Zoning Administrator  
City of Canton

cc: File MP1501-002



## **ORDINANCE #MP1501-001**

### **AMENDMENT TO MP0006-06 and as amended**

#### **City of Canton**

Applicant: Jason Garmon for Lifestyle at Laurel Canyon, LLC

An Ordinance approving amendments to a previously approved Master Plan

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 83, 98, 118, 119, 133, 134 and 135 14<sup>th</sup> District, 2<sup>nd</sup> Section of Cherokee County, Georgia.

WHEREAS, it is hereby found and determined that a petition to approve amendments to certain conditions of zoning with regard to the Master Plan required by the City of Canton Zoning Ordinance for the zoning of PD/MU (Planned Development/Mixed Use) formerly PUD (Planned Unit Development) was filed with the City of Canton and a public hearing was held on February 23, 2015 in the City Hall at 151 Elizabeth Street, Canton, Georgia.

PROPOSED USE: Single family detached residential

WHEREAS, the City of Canton Mayor and City Council APPROVED the amended Master Plan request on March 19, 2015 to:

1. Amend the conditions of zoning as they apply to MP0006-06 as originally approved and amended in 2005 to read as depicted on the attached amended conditions dated February 6, 2015 and stamped "Received FEB 06 2015 City of Canton Building Department" (Exhibit A attached hereto) with the exception of Condition #14 which shall remain as originally approved. These amended conditions only affect the property known as L-1 through L-11 and Pods 6, 7, 8 and 9. All other conditions of MP0006-06 shall remain as originally approved.
2. The land use for Pod 9 is hereby amended to allow for the development of single family detached homes.
3. The total number of lots in Pod 5 shall be 115. The total number of lots in Pod 6 shall be 84.
4. Density transfer shall be allowed within Pods L-1 through L-11 as noted in Condition 46 of the 2005 Conditions of Approval and as amended by this application.
5. The guard house may be relocated to the area designated on the site plan stamped "Received FEB 09 2015 City of Canton Building Department".
6. The second entrance located at the intersection of Honeydew Drive and Laurel Overlook shall be a full access point for ingress/egress. This entrance shall be accessible at all times.
7. The applicant/developer shall present a plan for the expansion of the amenity elements to the Mayor and City Council for approval.
8. No building permits shall be issued in Pods 6, 7, 8 and 9 until the second entrance point to Laurel Canyon/Soleil has been completed and it is fully functional.

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the conditions of MP0006-06 as reflected above and all other conditions to remain as originally approved.

Adopted this 19th day of March, 2015.

\_\_\_\_\_  
Gene Hobgood, Mayor

Attest: \_\_\_\_\_  
Susan Stanton, City Clerk

Approved as to Form and Content:

\_\_\_\_\_  
Robert M. Dyer, City Attorney

First Reading: March 5, 2015

Adopted by Council: March 19, 2015

Approved by Mayor: \_\_\_\_\_

Veto by Mayor: \_\_\_\_\_

Second vote by Council: \_\_\_\_\_

Effective Date: \_\_\_\_\_



Exhibit A

RECEIVED

February 6, 2015

FEB 06 2015

Mr. Ken Patton  
Director, Community Development  
City of Canton  
151 Elizabeth Street, Canton, GA 30114

City of Canton  
Building Department

**RE: 2015 Master Plan Revision and Conditions of Approval for Soleil**

Dear Mr. Patton:

The following conditions reflect revisions pursuant to the previously approved conditions of the Laurel Canyon Master Plan which was approved by the Mayor and City Council on August 3, 2000, and again with revisions in 2005. Please note that the Applicant's proposed revisions to the Conditions of Approval apply only to those pods/parcels described in the Letter of Intent and 2015 Master Plan as Pods 6, 7, 8, and 9, and Pods L-1 through L-11, which constitute the Soleil community. Finally, the Applicant has included a note next to each revision or deletion explaining why such revision or deletion is requested.

**2005 Conditions of Approval**

1. ~~Within six (6) months of approval of the master plan, developer shall provide to the Office of the Mayor a park and playground plan for the entire development. Said plan shall, at a minimum, locate the parks that are designated active or passive. A summary of amenities shall be submitted in list form as to what can be included within an active park. Minimum acreage shall also be noted.~~ *(Note: Delete entire provision; time lapse)*
2. ~~Within six (6) months of approval of the master plan, the developer shall provide to the Department of Planning and Zoning an overall plan for the pathway/trail system and sidewalks along the parkway and connector roads into each of the villages and into the respective pods. The interconnectivity of these paths and sidewalks shall be located on the plan. Sidewalk width and materials of construction shall be noted on the plan.~~ *(Note: Delete entire provision; time lapse)*
3. ~~Prior to the issuance of the first Certificate of Occupancy permit, the developer shall have filed and recorded a Home Owners Association for purposes of maintenance of parks including both active and passive, landscaping in common areas, pathways and trails, and private streets. Developer shall also provide evidence that the association is funded for maintenance for a period of 10 years for the following pods/parcels:~~

Parcels 1 through 8, Village Green/townhome pod, and Pods L-1 through L-11 and Pod H. All other remaining pods shall provide the same information at the time of submission of land disturbance plans. *(Note: Delete entire provision; this Condition of Approval has already been satisfied as there are 2 HOA's: Soleil's HOA and Laurel Canyon's HOA)*

~~4. Within six (6) months of approval of the master plan, the developer shall provide a circulation plan for all pedestrian links between each of the following pods/parcels: Parcels 1 through 8, Village Green/townhome pod, and Pods L-1 through L-11 and Pod H. All other remaining pods shall provide the same information at the time of submission of land disturbance plans. (Note: Delete entire provision; time lapse and this Condition of Approval has for the most part been satisfied)~~

5. Sidewalks contained within the interior of all pods/parcels shall be a minimum of five (5) feet wide on both sides of each street and shall be constructed of concrete and setback from the back of curb a minimum of two (2) feet. *(Note: Condition remains as is)*

6. Sidewalks for the Parkway shall be 8 ft. wide, setback four (4) feet back of curb, and constructed of concrete with brick bands (two brick wide) every 500 ft. The Parkway shall run from S.R. 140 to a gate which will serve Pods L-1 through L-11. ~~and continue to Honey Dew Drive.~~ Sidewalks behind the above described gate shall be 6 ft. wide and setback two (2) feet back of curb (minimum). Where the topography is severe, these specifications may be altered upon the approval of the Director of Planning and Zoning. *(Note: Condition remains as is, with minor revision noted above since the road leading to Honey Dew Drive is not a parkway)*

~~7. Streetscape along the Parkway shall consist of park benches, scenic view stations, lighting, signage denoting each of the pods/parcels, and transit stops/shelters. Crosswalks shall be delineated and constructed of brick pavers. The developer shall submit such plans prior to any land disturbance permit plan submittal to the Mayor's office for approval. (Note: Delete entire provision; streetscape along Parkway in place; time lapse)~~

~~8. The developer shall share in the cost of a traffic signal at the intersection of the Parkway and State Highway 140. Cost share shall be fifty percent of the cost of the signal and installation and shall be paid at the time of the issuance of the land disturbance permit. (Note: Delete entire provision; the Condition of Approval has already satisfied)~~

9. Parking for the commercial pods as located along State Highway 140 shall have a setback of 40 ft. from the proposed Department of Transportation right-of-way. Upon submittal of development plans, the developer shall submit a landscape/streetscape plan for this area. No impervious service shall be located within this 40 ft. strip. No storm water detention or retention shall be located within this strip. The intent of this strip is to provide for open space, a buffer to State Highway 140, and to serve as a traffic-calming device. *(Note: Delete entire provision; does not apply to subject property/outside subject property boundaries; time lapse.)*



10. The developer shall provide transit stops with appropriate signage as approved by the Mayor's staff for each residential pod including the club house for the golf course and amenities packages for the larger residential pods (if an amenities package is to be included). For each nonresidential pod, the Mayor's staff of the City of Canton will coordinate with the developer on the location of transit stops. *(Note: Remove entire provision; Condition of Approval never enforced)*

11. Shelters for the city transit system shall be provided by the developer at — Laurel Canyon Club House/Amenities Center, the Club House serving — Pods L-1 through L-11, Pod H and the Golf Course Club House This is — to be approved by the Mayor's staff. As permitting is issued for — pod/parcel, the transit shelters shall be erected and completed prior to the — first certificate of occupancy for that respective pod/parcel. *(Note: Remove entire provision; Condition of Approval never enforced)*

12. Gated entrances shall be provided for all multifamily developments and — high density pods exceeding eight (8) units per acre within the master — plan in addition to those gated communities as described in the Letter of — Intent by the developer. *(Note: Remove condition; no multi-family or high-density residential is proposed for subject property; gated entrances will be in place for the subject property)*

13. The previously approved master plan of Laurel Canyon and its conditions dated August 2000 delineate the inclusion of the proposed right of way of the Outer Perimeter. This request for revision to the Laurel Canyon master plan shall preserve said proposed right of way until such time a request for a land disturbance permit is applied for by the respective developer and at such time, if the developer can demonstrate they have not been contacted by the Georgia State Department of Transportation to acquire said right of way, the proposed right of way of the Outer Perimeter shall be eliminated for failure to act by the Georgia State Department of Transportation. All density as shown on the master plan, as revised and hereby submitted, shall be preserved and intact for said pod. *(Note: Delete entire provision; time lapse)*

14. The following roads shall meet the following specifications:

Pod Internal Streets

24 ft. wide B/C to B/C;

50 ft. R.O.W. *(Note: Condition remains as is)*

Parkway

From State Hwy 140 to the gate serving Pods L-1 to L-11: Four lanes with a divided grass median 60 ft. to 120 R.O.W. (said right of way shall vary within this distance of 60ft. to 120ft. to accommodate a four

lanes, grass/landscaped medians). That portion of the parkway that continues to Honey Dew Drive shall be a minimum of 60ft. R.O.W. *(Note: Delete entire provision; the Parkway has already been constructed)*

~~Parkway that connects to Honey Dew Drive: Canyon Road~~

~~All houses shall be rear loaded. It is expected, due to topography that a certain number will not be rear loaded units but in this case, said units shall be served with an eyebrow drive so as to avoid and eliminate any backing out onto the parkway. These lots that are rear loaded and those to be served by the eyebrow driveways are so noted on the master plan and so indicated. (Note: Delete entire provision; Condition of Approval not previously enforced and eyebrow drives not requested by Applicant)~~

~~Private Roads shall not be permitted (this does not include a drive entrance serving any attached dwelling unit pod). Private roads shall be permitted. (Note: Revise condition with underlined provision; private roads have been permitted)~~

~~Common Private Driveway~~

~~Developer shall indicate what are the "certain conditions" (as referenced in the Letter of Intent) which would require construction of a common driveway. Developer shall state occurrence factor and physical condition for such standard. (Note: Delete entire provision)~~

~~Old Shoal Creek Road~~

~~Developer shall improve the existing lane along the entire frontage of Laurel Canyon to provide a 14 ft. lane and an additional accel/decel lane 14 ft. wide for approximately 300 ft. more or less with 50ft tapers. The developer shall dedicate to the city sufficient right-of-way to equal 30 ft. from center line of the existing road in or to provide a 60 ft. right of way. (This condition only pertains to property having immediate frontage for said road.) (Note: Delete entire provision; subject property does not have immediate frontage on said Old Shoal Creek Road)~~

~~State Highway 140~~

~~Developer shall provide sufficient right-of-way as required by the Ga. Dept. of Transportation. Developer shall improve the existing through lane along the frontage of Laurel Canyon to 14 ft. wide. Developer shall provide a left hand turn lane into the development with sufficient stacking and turning movements. Additionally, the developer shall provide an accel/decel lane along the said frontage and shall be a minimum of 14 ft. wide with required tapers as called for by the Ga. Dept. of Transportation. (Delete entire provision; understanding is that this Condition of Approval has already been satisfied)~~



#### Honey Dew Drive

~~Improve the existing through lane along the frontage of the development to provide a 14 ft. wide lane. Provide an accel/decel lane 14 ft. wide with curb and gutter with sufficient distance and tapers in accordance with city standards. Developer will work with the City of Canton and Cherokee County to make certain improvements to Honey Dew Drive where such road intersects with the requested "emergency access only" gate.~~ *(Note: Delete entire provision and replace with underlined text; the Developer intends to work with the City and County to make sure the area immediately surrounding the proposed "emergency access only" gate is safe for vehicular access)*

15. ~~Developer shall improve and dedicate to the City of Canton necessary right-of-way along State Highway 140 prior to a land disturbance permit being issued by the city and shall improve in accordance to City of Canton and Georgia Department of Transportation standards.~~ *(Note: Delete entire provision; our understanding is that this Condition of Approval has already been satisfied and is outside the control of subject property)*
16. No additional ingress or egress shall be permitted from State Highway 140 into Pods A, B, C, D, E, or F except as shown on the Master Plan submitted with the original application (2). A right-in/right-out curb cut shall be approved in concept by the city but shall receive final approval from the State Department of Transportation. All other points of access shall be from the internal street as so noted on the master plan. *(Note: Condition remains as is)*
17. Developer shall file with the city a letter holding the city harmless for any trail or pathway, which is located within a public or private utility corridor. *(Note: Condition remains as is)*
18. ~~The development shall be served by the City of Canton sanitary sewer system and city water system. The developer shall enter into a development agreement with the City of Canton in accordance with O.C.G.A. 36-71-13 for the purpose of utility extension and capacity requirements.~~ *(Note: Delete entire provision; our understanding is this Condition of Approval has already been accomplished)*
19. ~~Within six (6) months of approval of the master plan, the developer shall submit to the Department of Planning and Zoning a master storm water detention plan for the entire acreage pertaining to Parcels 1 through 8, Village Green/Townhome Pod, Pods L-1 through L-11 and Pod H-development. Said plan shall be designed to meet the 100-year storm. All detention ponds shall be designed as to accommodate recreational opportunities.~~ *(Note: Delete entire provision; time lapse)*

20. Developer shall provide, by March 31, 2015, ~~March 31, 2005~~ to the Department of Planning and Zoning a traffic study indicating trip generation rates for each pod included in this revision as well as average daily trips and peak hour trips. Said traffic study shall use the Institute of Traffic Engineers Trip Generation Manual (latest edition) as its reference in calculating trip generation rates. ~~Said traffic study shall also include the transit routing plan and traffic pattern movements.~~ *(Note: Rewrite Condition of Approval as indicated above. Remove struck-through text and insert underlined text).*
21. ~~Developer shall provide a copy of the overall phasing of development.~~  
~~Said copy is to be presented to the Mayor's staff and the Department of Planning and Zoning as early as March 31, 2005 and not later than May 1, 2005~~ *(Note: Delete entire provision; time lapse)*
22. ~~Within six (6) months of approval of the master plan, the developer shall submit an Open Space Plan. This plan shall include, at a minimum, the location of passive and active parks. A written list indicating the types of facilities to be included within an active park shall be presented to the Department of Planning and Zoning.~~ *(Note: Delete entire provision; time lapse; also, the Applicant is not proposing to change open space acreage from the 2004 Master Plan)*
23. ~~Developer shall provide for the interconnectivity of all trails and sidewalks to each of the pods/parcels of the development. This is to include residential and nonresidential pods.~~ *(Note: Delete entire provision)*
24. Each residential pod shall have sidewalks within the respective neighborhood and shall be a minimum of 5 ft. in width on each side of each street/road. *(Note: Condition to remain as is)*
25. Each nonresidential pod shall have sidewalks within the respective pod and shall be a minimum of 6ft. in width on each side of each street/road. *(Note: Condition to remain as is; however, it should be noted that there are no non-residential pods proposed within the subject property)*
26. The following uses are to be permitted within each pod/parcel as described in the "Pod Land Use and Development Standards" in the attached Letter of Intent dated December 31, 2014, and the subsequent amended Letter of Intent dated February 6, 2015. These shall include: Parcels 1 through 8, Village Green/townhome pod, and Pods L-1 through L-11 and Pod H. Said attachment shall be entitled Exhibit A: Laurel Canyon Pod Land Use Plan dated July 25, 2004. The remaining pods as described as: Pods A, B, C, D, E, F, G, H, J, K, K1, K2, L, M, and N are conditioned as originally approved and remain as noted in Laurel Canyon Master Plan with conditions as approved and dated August 2000. *(Note: Replace the entire Condition of Approval with underlined text)*



27. The developer shall work with the city's consulting engineers regarding ~~water availability and pressure to determine additional measures to supply adequate water for the entire site. Said meeting of water needs shall occur prior to the issuance of the first land disturbance permit.~~ *(Note: Delete entire provision; our understanding is that water availability and pressure is not an issue within the subject property)*

28. The following landscape requirements shall be followed:

Parkway:

Hardwood Trees at a minimum of 3 to 3.5 inch caliper at the time of planting and measured one foot above the root ball.  
Minimum Height at the time of planting: 14 ft.  
Planted on 60 ft. center *(Note: Condition to remain as is)*

Village Streets:

Hardwood Trees at a minimum of 3-inch caliper at the time of planting and measured one foot above the root ball.  
Minimum Height at the time of planting: 14 ft.  
Planted on 50 ft. center *(Note: Condition to remain as is)*

Parkway to Honey Dew Drive:

Hardwood Trees at a minimum of 3 to 3.5 inch caliper at the time of planting and measured one foot above the root ball.  
Minimum Height at the time of planting: 14 ft.  
Planted on 50 ft. center *(Note, condition to remain as is)*

State Highway 140

Planting requirements shall meet the overlay zone/Corridors of Influence ordinance. *(Note, condition remains as is)*

~~Old Shoal Creek~~

~~Hardwood Trees at a minimum of 3 to 3.5 inch caliper at the time of planting and measured one foot above the root ball.~~

~~Minimum Height at the time of planting: 15 ft.  
Planted on 60 ft. center~~ *(Note: Delete entire provision; developer does not control property along Old Shoal Creek)*

~~Honey Dew Drive~~

~~Hardwood Trees at a minimum of 3 to 3.5 inch caliper at the time of planting and measured from one foot above the root ball.~~

~~Minimum Height at the time of planting: 15 ft.  
Planted on 60 ft. center~~

Similar landscaping to be installed that compares to Soleil and pod entrances in Soleil.

*(Note: Delete entire provision and replace with underlined text; appropriate landscaping will be provided where the Soleil subdivision intersects with Honey Dew Drive and the "emergency only access" gate)*



29. Developer shall prepare a tree protection plan, in conjunction with the required landscape plan, which provides a tree density of not less than twenty (20) units to the acre. Tree units are defined as a unit of measurement, quantifying a ratio relevant to the protected and/or installed tree's size for purposes of calculating what percentage of tree density is maintained and/or provided on any given site. Unit credits are based upon tree size, not individual tree counts. Unit credit shall be awarded for only those trees, retained and protected on site, greater than 5" in caliper. Density credits shall be verified by the Department of Planning and Zoning prior to land disturbance. Tree unit credits shall be awarded based on the following tables:

TABLE 1. CONVERTING EXISTING TREE DIAMETERS TO DENSITY UNITS

DBH	UNITS	DBH	UNITS	DBH	UNITS
2-4	2.0	22	4.6	37	10.5
5-7	2.3	23	4.9	38	10.9
8-9	2.5	24	5.1	39	11.3
10	2.6	25	5.4	40	11.7
11	2.7	26	5.7	41	12.2
12	2.8	27	6.0	42	12.6
13	2.9	28	6.3	43	13.1
14	3.1	29	6.6	44	13.6
15	3.2	30	6.9	45	14.0
16	3.4	31	8.2	46	14.5
17	3.6	32	8.6	47	15.0
18	3.8	33	8.9	48	15.6
19	4.0	34	9.3	49	16.1
20	4.2	35	9.7	50	16.6
21	4.4	36	10.1	51+	20

TABLE 2. CONVERTING REPLACEMENT TREES TO DENSITY UNITS

CALIPER	UNITS	CALIPER	UNITS
1"	.4	8"	2.3
2"	.8		2.5
3"	1.6	10"	2.7
4"	1.7	11"	2.9
5"	1.9	12"	3.1
6"	2.0	13"	3.3
7"	2.2	14"+	3.5

*(Note: Condition to remain as is)*

30. Developer shall plant a minimum of one (1) hardwood shade tree in each front yard. Said trees shall be planted to the following minimums:

- a. For lots measuring 50'-74' feet in width: one (1), 2-2 1/2" caliper shade tree
- b. For lots measuring 75'-94' feet in width: one (1), 2 1/2-3" caliper shade tree
- c. For lots measuring 95', and greater, feet in width: one (1), 3-4" caliper shade tree

Examples of approved shade trees include Oaks, Maples, Poplars, among others, as listed in the Canton Overlay Zone Community Standards Ordinance Plant Schedule. *(Note: Condition to remain as is)*

31. The following signage requirements shall be followed:

Overall Development Signage

- a. One (1) development sign indicating the name of the development at each major entrance into the overall development.



Height: 12 ft.

Type: Monument base of brick, stone, or rock

Sign Area 50 sq. ft.

Illumination: Ground lighting

Location: A minimum of 10 ft. setback from the proposed right-of-way for State Highway 140.

A minimum of 10 ft. setback from proposed right-of-way of Old Shoal Creek Road and Honey Dew Drive.

#### Commercial/ Office Pods

- a. For centers 50,000 sq. ft. and over
  1. Height: 12 ft. Width: 10 ft.
  2. Type: Monument Base Sign
  3. Sign Area: 50 sq. ft.
  4. Illumination: Internally illuminated or ground illumination
  5. Setback: 20 ft. from proposed right-of-way
- b. For buildings or centers less than 50,000 sq. ft.
  1. Height: 10 ft. Width: 10 ft.
  2. Type: Monument Base Sign
  3. Sign Area: 25 ft.
  4. Illumination: Internally illuminated or ground illumination
  5. Setback: 20 ft. from proposed right-of-way

*(Note: Condition to remain as is)*

#### 32 Architectural Standards

For Nonresidential Uses:

Acceptable Building Materials:

Brick

Stacked Stone

Combination of Brick, Stacked Stone, or Stucco

Horizontal siding of material consisting of wood or concrete plank

No exposed block

No decorative or split-faced block

Roofs shall be pitched either hip or gambrel

Any loading dock, truck court shall not be visible from a

public road or street. (Screening of evergreen plant

material of sufficient height at the time of planting shall

satisfy this condition.) *(Note: Condition to remain as is)*

33. Prior to any nonresidential building permit being issued, the developer shall submit a conceptual architectural design for approval by the Mayor's Oversight Committee. Where nonresidential buildings include multi-tenant occupancy, the facades of said buildings shall be varied in depth or parapet height. *(Note, condition to remain as is, though no non-residential uses are currently proposed for the subject property)*
34. All utility lines shall be located underground throughout the development. *(Note: Condition to remain as is)*
35. Within 90 days of 2015 Master Plan approval, the developer shall submit a revised copy of the Laurel Canyon master plan reflecting the conditions as approved. Said documents shall note the date of Mayor and City Council action. *(Note: Condition to remain as is, with clarification as to date of Master Plan approval)*
36. ~~In accordance with O.C.G.A. 36-71-13, the developer shall enter into an agreement with the City of Canton in order to provide two fully-equipped police vehicles for the purpose of minimizing the impact to the system improvements necessary to meet the demands of this development. At the time of the issuance of the land disturbance permit, the developer shall contribute \$60,000 (\$30,000) for each police vehicle which shall be ordered off of the Georgia State approved contract for public safety vehicles. Should the vehicles cost less, the developer will be refunded the amount of over the cost. However, the contribution shall not exceed \$60,000.~~ *(Note: Remove entire condition; it is our understanding that this has already been accomplished)*
37. ~~Within ten (10) working days from the date of these conditions, the developer shall convey to the City of Canton property for the use of a fire station. Size of said property is to be approved by the Canton Fire Chief. The city agrees to coordinate the architectural and site design work with the developer to offer compatibility to the overall development of Laurel Canyon. The City of Canton will provide impact fee credits as so provided in the Georgia Development Fee Act of 1990 and as so described in the Canton Fire Safety Impact Fee Ordinance.~~ *(Note: Remove entire condition; this Condition of Approval has already been satisfied and the fire station is currently being built)*
38. ~~Developer shall enter into a development agreement with the City of Canton to provide for and address the impact said development will have on the Cherokee County School system. Such agreement shall be in place prior to any permits being issued on this development.~~ *(Note: Remove entire condition; the subject property is an age-restricted community-55+-so there will be no impact on schools from the generation of new students)*
39. ~~Insufficient right of way exists along Old Shoal Creek Road. Provide necessary right of way to serve the development. This condition pertains to Peds II, JJ, KK1, KK2, LL, MM, and NN.~~ *(Note: Remove entire condition; this is County road out of the control of the developer)*



40. The proposed water tank at Amos Road has a capacity of 1M gallons of storage. This storage capacity is not sufficient to serve the development as submitted. The developer is directed to meet with the city's consulting engineers to review the necessary requirements to serve Laurel Canyon. Developer shall enter into a development agreement with the City of Canton regarding at a minimum the construction of a water tank on site, its location, and size. Development agreement shall be in place prior to any permit being issued on site. *(Note: Remove entire condition)*

41. The existing sewer system is not sufficient to serve the development and will have to be extended to do so. The developer shall enter into a development agreement with the City of Canton regarding the location and routing of the sewer extension and sizing of the pipe as well as capacity to meet the needs of the development. Development agreement shall be in place prior to any permit being issued on site. *(Note: Remove entire condition; this condition has already been accomplished)*

42. The developer shall enter into a development agreement for purposes of designing a water reuse irrigation system to serve the irrigation needs of the golf course and all open space areas within the development. Development agreement shall be in place prior to any permit being issued on site. *(Note: Remove entire condition; this Condition of Approval has already been satisfied and the golf course has its own irrigation system in place)*

43. The development as proposed cannot be served by existing rights-of-way located along and Honey Dew Drive. The developer shall meet the required rights of way and lane improvements as required by the City of Canton Street Department. Developer will work with the City of Canton and Cherokee County to make certain improvements to Honey Dew Drive where such road intersects with the requested "emergency access only" gate. *(Note: Delete entire provision and replace with underlined text)*

44. The developer shall adhere to the open space acreage as shown on the — Laurel Canyon revised Master Plan (revised master plan pertains only — to the following pods: Parcels 1 through 8, > Village Green/Townhome — Pod, Pods L 1 through L 11 and Pod H). A minimum of 412.03 acres — shall be required. Said open space acreage includes 200.03 acres of the — total 412.03 acres with the remaining acreage of 212 acres dedicated for the golf course which shall be developed by Laurel Canyon Golf LLC. *(Note: Delete entire provision; the Applicant is not proposing to change open space acreage from the 2004 Master Plan)*

45. In accordance with O.C.G.A. 36-71-13, the developer shall enter into a development agreement with the City of Canton for the dedication of 212 acres of land to be used and developed for a public golf course to be conveyed to and owned by the city. Said agreement shall be in place prior to any permit being issued for the development. *(Note: Delete entire provision; Condition satisfied)*

46. The total unit count shall be as follows: for Pods/Parcels 1 through 8 a — total unit count of 505 units; Village Green/Townhome pod a total unit count of 60 units; and Pods L 1 through L 11 a total unit count of 840 —

~~units. Pod H shall not exceed 350 attached (multi family) units. Should detached units be developed instead of attached for Pod H, the density shall apply as stated within the revised conditions. Should attached townhomes be developed instead of the aforementioned uses for Pod H, the density as assigned in the revised conditions shall apply. The total unit count for Pods 6, 7, 8, 9 and Pods L-1 through L-11 shall be as indicated in the revised Letter of Intent dated February 6, 2015.~~

The developer shall have the flexibility to transfer up to a maximum of 20 percent of the units from one residential pod to another residential pod. At the time of transfer, the developer shall notify the Department of Planning and Zoning in order for the transfer to be included in the public record file and to allow the necessary time to notify other city departments. The developer shall commit this information to writing and at a minimum state the number of units to be transferred, the pod in which the transfer is to be taken, state the pod which is to receive the additional units, and state the percent increase being transferred. Transferring and receiving pods are limited to those within the same residential land use classification. At no time shall the total units for all pods/parcels described in these revised conditions exceed 1,405 units or exceed the maximum density assigned to each respective pod excluding the maximum of 350 attached units for Pod H. The 1,405 units represents a reduction to the previously approved units which permitted 1,422 units (excluding Pod H units). As a result, the reduction of the aforementioned units from the above described pods/parcels, including Pod H, the developer (Laurel Canyon, LLC) hereby relinquishes the previously approved units as these are no longer available for use or transfer within the development. Should the developer wish to recapture these reduced units, the developer shall submit a formal request and be heard before the Mayor and City Council in a city council meeting. (Note: Delete entire provision and replace with underlined text above).

47. ~~The developer wishes to contribute funds to mitigate the impact of Laurel Canyon on the Cherokee County school system, therefore Laurel Canyon, LLC has agreed to contribute \$506 per residential unit on those units which are not age restricted at the following scheduled formula:-~~

~~\$500 x 479 single family detached units (non age restricted)  
\$239,500.-~~

~~At the time of the first building permit for any non age restricted single family detached residential unit, Laurel Canyon, LLC shall pay in lump sum 50 percent of the 479 permitted non age restricted single family detached units at the following formula:-~~

~~240 units x \$500 = \$120,000-~~



~~After one year from the date of issuance of the first non age restricted single family detached unit building permit, the developer shall pay, in full, the balance of the remaining 50 percent of units, or 239 units at the same formula and so prescribed as follows:-~~

$$\text{239 units} \times \$500 = \$119,500$$

~~This contribution represents a total contribution of \$239,500. These residential units in Pods L-1 through L-11 represent age restricted units and the developer has informed the city that children will not reside in these homes and further has agreed to deed restrict all final plats with this condition. Should this ever change, the developer's agreement to contribute funds to the school system, at a rate of \$500 per unit, shall extend to these units as well and shall be paid in full at the time of age restriction on the units discontinues.~~

~~Additionally, 350 multi-family attached units have been approved for Pod H. At the time of issuance of building permits for this pod, the developer shall remit to the city as their agreed upon school contribution the full amount of \$175,000 as shown in the following formula:-~~

$$350 \text{ units} \times \$500 = \$175,000. \text{ (Note: Delete entire provision; the Soleil community is an age-restricted community-55+-so there will be no impact on schools from the generation of new students)}$$

## August 22, 2000 Conditions of Approval

1. The Petitioner's agreement that within six (6) months of approval of the master plan, developer shall provide to the Planning and Zoning Department a park and playground plan for the entire development. Said plan shall, at a minimum, locate the parks that are designated active or passive. A summary of amenities shall be submitted in list form as to what can be included within an active park. Minimum acreage shall also be noted. *(Note, delete entire provision; time lapse)*
2. The Petitioner's agreement that within six (6) months of approval of the master plan, the developer shall provide an overall plan for the pathway/trail system and sidewalks along the parkway and connector roads into each of the villages and into the respective pods. The interconnectivity of these paths and sidewalks shall be located on the plan. Sidewalk width and materials of construction shall be noted on the plan. *(Note, delete entire provision; time lapse)*
3. The Petitioner's agreement that prior to the issuance of the first Certificate of Occupancy permit, the developer shall have filed and recorded a Home Owners Association for purposes of maintenance of parks including both active and passive, landscaping in common areas, pathways and trails, and private streets. Developer shall also provide evidence that the association is funded for maintenance for a period of 10 years. *(Note: Delete entire provision; Condition of Approval has already been satisfied as there are 2 HOA's: Soleil's HOA and Laurel Canyon HOA)*
4. The Petitioner's agreement that within six (6) months of approval of the master plan, the developer shall provide a circulation plan for all pedestrian links between each of the five noted villages and the various park sites. *(Note: Delete entire provision; time lapse and this Condition of Approval has for the most part been satisfied)*
5. The Petitioner's agreement that prior to the City Council hearing where action is to be taken of the master plan, the developer shall furnish to the Department of Planning and Zoning a thorough description/definition of "walking alternatives" as so referenced by the developer in the Laurel Canyon Letter of Intent. *(Note, delete entire provision; time lapse)*
6. The Petitioner's agreement that Village sidewalks shall be a minimum of five (5) feet wide and shall be constructed of concrete and setback from the back of curb a minimum of two (2) feet. *(Note: Condition to remain as is)*
7. The Petitioner's agreement that sidewalks for the Parkway shall be 8 ft. wide, setback four (4) feet from the back of the curb, and constructed of concrete with brick bands (two brick wide) every 500 feet. Where the topography is severe, these specifications may be altered upon the approval of the Director of Planning and Zoning. *(Note, condition to remain as is)*



8. The Petitioner's agreement that streetscape along the Parkway shall consist of park benches, scenic view stations, lighting, signage denoting each of the five (5) villages, and shuttle bus shelters. Crosswalks shall be delineated and constructed of brick pavers. *(Note: Delete entire provision; streetscape along Parkway is already in place)*

9. The Petitioner's agreement that the developer shall share in the cost of a traffic signal at the intersection of the Parkway and State Highway 140. Cost share shall be fifty percent of the cost of the signal and installation and shall be paid at the time of the issuance of the first building permit. *(Note, delete entire provision; Condition has already been satisfied)*

10. The Petitioner's agreement that parking for the commercial pods as located along State Highway 140 shall have a setback of 40 feet from the proposed Department of Transportation right-of-way. Upon submittal of development plans, the developer shall submit a landscape/streetscape plan for this area. No impervious service shall be located within this 40-foot strip. No storm water detention or retention shall be located within this strip. The intent of this strip is to provide for open space, a buffer to State Highway 140, and to serve as a traffic calming device. *(Note: Delete Condition of Approval; does not apply to subject property)*

11. The Petitioner's agreement that the developer shall provide Shuttle Bus stops with appropriate signage as approved by the Transportation Department of the City of Canton for each residential pod. For each nonresidential pod, the Transportation Department of the City of Canton will coordinate with the developer on the location of shuttle stops. *(Note, delete entire provision; Condition of Approval never enforced)*

12. The Petitioner's agreement that shelters for the city shuttle bus shall be provided by the developer at each of the five (one for each) villages principally located along the Parkway. This is to be coordinated by the Transportation Department of the City of Canton. As permitting is issued for each village, the transit shelters shall be erected and completed prior to the first certificate of occupancy for that respective village. *(Note, delete entire provision; Condition never enforced)*

13. The Petitioner's agreement that gated entrances shall be provided for all multifamily developments and high density pods exceeding eight (8) units per acre within the master plan in addition to those gated communities as described in the Letter of Intent by the developer. *(Note, delete entire provision; no multi-family included in subject property)*

14. The Petitioner's agreement that pods delineating the inclusion of the proposed right-of-way of the Outer Perimeter shall indicate that portion of land area within the respective pod as Open Space. For purposes of density calculation, the gross acreage can be used in calculating density for the pod. *(Note: leave as is but note the referenced property outside the control of the Applicant/developer)*

15. The Petitioner's agreement that the following roads shall meet the following specifications:

~~Village Streets-~~

~~24 ft. wide Back of Curb to Back of Curb-~~

~~50 ft. R.O.W. (Note: delete entire provision; regulation for internal Pod streets included in the 2005 Conditions of Approval)~~

~~Parkway-~~

~~\* From State Hwy 140 to Green space Pod 5~~

~~Four lanes with a divided grass median 80 ft. R.O.W.-~~

~~(Said right of way shall vary to a~~

~~minimum of 60 ft. to accommodate the terrain but~~

~~shall be 80 ft. at the State Highway 140 entrance and~~

~~again at the approach to the Pod indicated as Central~~

~~Park.) (Note, delete entire provision; Parkway is~~

~~already in place)~~

~~\* From Green Space Pod 5 following the parkway  
to Pods FF and MM-~~

~~29 ft. wide Back of Curb to Back of Curb-~~

~~60 ft. R.O.W. (Note, delete entire provision; Parkway  
Is already in place)~~

~~Canyon Road-~~

~~All such roads shall be single loaded-~~

~~(Only houses located on one side of the road having direct access to said road-~~

~~Opposite side of same road shall be the back property lines with no access onto~~

~~this road.) This type of road shall only be permitted when the topography is so  
severe it is warranted-~~

~~Approval to be made by the Department of Planning and Zoning. Sidewalks-~~

~~shall be a minimum of 4 ft. wide and concrete. Where sidewalks of such material~~

~~cannot be provided due to severe-~~

~~topography, a trail shall be provided and so indicated on the-~~

~~preliminary plat and as built provided at the time of final plat-~~

~~submittal. (Note, delete entire provision)~~

~~Private Roads~~

~~Minimum 22 ft. wide~~

~~Preliminary and Final plat shall be included in the general notes that~~

~~said street(s) are private and are to be maintained by the~~

~~Homeowners Associations. (Note: Condition to remain as is)~~

~~Common Private Driveway-~~

~~Developer shall indicate what are the "certain conditions" (as-~~

~~referenced in the Letter of Intent) which would require-~~

~~construction of a common driveway. Developer shall state-~~

~~occurrence factor and physical condition for such standard-~~

~~(Note, delete entire provision)~~



#### ~~Old Shoal Creek Road~~

~~Developer shall improve the existing lane along the entire frontage of Laurel Canyon to provide a 14 ft. lane and an additional accel/decel lane 14 ft. wide for approximately 300 ft. more or less with 50 ft. tapers. The developer shall dedicate to the city sufficient right-of-way to equal 30 ft. from centerline of the existing road in or to provide a 60 ft. right-of-way. *Note, delete entire provision; subject property does not have immediate frontage on said Old Shoal Creek Road*~~

#### State Highway 140

~~Developer shall provide sufficient right-of-way as required by the Georgia Department of Transportation. Developer shall improve the existing through lane along the frontage of Laurel Canyon to 14 ft. wide. Developer shall provide a left hand turn lane into the development with sufficient stacking and turning movements. Additionally, the developer shall provide an accel/decel lane along the said frontage and shall be a minimum of 14 ft. wide with required tapers as called for by the Georgia Department of Transportation. *(Delete entire provision; understanding is that this Condition has already been satisfied)*~~

#### Honey Dew Drive

~~Improve the existing through lane along the frontage of the development to provide a 14 ft. wide lane. Provide an accel/decel lane 14 ft. wide with curb and gutter with sufficient distance and tapers in accordance with city standards. *Note: Delete entire provision and replace with underlined text; the Developer intends to work with the City and County to make sure the area immediately surrounding the proposed "emergency access only" gate is safe for vehicular access*~~

~~16. The Petitioner's agreement that the developer shall improve and dedicate to the City of Canton necessary right-of-way along State Highway 140 prior to a land-disturbance permit being issued by the city. *(Note: Delete entire provision; our understanding is that this Condition has already been satisfied)*.~~

17. The Petitioner's agreement that no additional ingress or egress shall be permitted from State Highway 140 into Pods A, B, C, D, E, or F except as shown on the Master Plan submitted with the original application (2). A right-in/right-out curb cut shall be approved in concept by the city but shall receive final approval from the State Department of Transportation. All other points of access shall be from the internal street as so noted on the master plan. *(Note, condition remains as is)*

18. The Petitioner's agreement that the developer shall file with the city a letter holding the city harmless for any trail or pathway, which is located within a public or private utility corridor. *(Note, condition remains as is)*

~~19. The Petitioner's agreement that the development shall be served by the City of Canton sanitary sewer system and city water system. The developer shall enter into a development agreement with the City of Canton in accordance with O.C.G.A. 36-71-13 for the purpose of utility extension and capacity requirements. *(Note: Delete entire provision)*~~

20. The Petitioner's agreement that within six (6) months of approval of the master plan, the developer shall submit to the Department of Planning and Zoning a master storm water detention plan for the entire 1225-acre development. Said plan shall be designed to meet the 100-year storm. All detention ponds shall be designed as to accommodate recreational opportunities. *(Note, delete entire provision; time lapse)*
21. The Petitioner's agreement that the developer shall provide, by July 31, 2000, to the Department of Planning and Zoning a traffic study indicating trip generation rates for each pod and the overall development. Said traffic study shall use the Institute of Traffic Engineers Trip Generation Manual (latest edition) as its reference in calculating trip generation rates. Said traffic study shall also include the shuttle bus routing plan and traffic pattern movements. *(Note, delete entire provision; already addressed in above revisions to 2005 Conditions of Approval)*
22. The Petitioner's agreement that the developer shall provide a copy of the overall phasing of development as described in the Letter of Intent. Said copy is to be presented to the Department of Planning and Zoning by July 31, 2000. *(Note, delete entire provision; time lapse)*
23. The Petitioner's agreement that within six (6) months of approval of the master plan, the developer shall submit an Open Space Plan. This plan shall include, at a minimum, the location of passive and active parks. A written list indicating the types of facilities to be included within an active park and shall be presented to the Department of Planning and Zoning. *(Note: Delete entire provision; time lapse)*
24. The Petitioner's agreement that the developer shall provide for the interconnectivity of all trails and sidewalks to each of the Villages and the individual pods of development. This is to include residential and nonresidential pods. *(Note, delete entire provision)*
25. The Petitioner's agreement that each residential pod shall have sidewalks within the respective neighborhood and shall be a minimum of 5 ft. in width. *(Note, condition remains as is)*
26. The Petitioner's agreement that each nonresidential pod shall have sidewalks within the respective pod and shall be a minimum of 6ft. in width. *(Note, condition remains as is)*
27. The Petitioner's agreement that the following uses are to be permitted within each pod as described.
- Pod A
- Intent: ——— Neighborhood Commercial  
Financial Institution  
Day Care Facility (child and/or adult)  
Public Buildings  
Restaurant (no drive-thru window)  
Professional Offices  
Church/Synagogue  
Real Estate Office/Sales/Marketing Office



Pods B, C, D, E, F, and G

Intent: ~~Neighborhood Commercial~~  
~~Artisan Studio~~  
~~Associations (clubs, lodges, or special events facilities)~~  
~~Financial Institutions~~  
~~Day Care Facility (child and/or adult)~~  
~~Public Buildings~~  
~~Restaurant (no drive-thru window)~~  
~~Retail~~  
~~Professional Offices~~  
~~Church/Synagogue~~  
~~Parks/Playgrounds~~  
~~Real Estate Office/Sales/Marketing Office~~

Density: ~~12,500 sq.ft./acre~~

Minimum Lot Size: ~~30,000 sq. ft.~~

Building Height: ~~Commercial: Maximum Height two (2) stories~~  
~~Office: Maximum Height four (4) stories~~

~~All other area regulations as included in the Letter of Intent shall apply.~~

Buffer: ~~Pod D and G shall have a 50 ft. undisturbed buffer along the property boundary line where it is contiguous to unincorporated Cherokee County. Pod G shall also provide an additional 50 ft. undisturbed buffer along the property line common to Pod H. (Said buffer can be shared with Pod H whereas 25 ft. may be provided by Pod H and 25 ft. provided by Pod G.)~~

Pod H

Intent: ~~Multi Family~~  
~~Single Family Detached Dwellings~~  
~~Single Family Attached Dwellings~~  
~~Multi Family Attached Dwellings~~  
~~Parks and Playgrounds~~  
~~Golf Course and Golf Related Facilities~~

~~Accessory Uses:~~

~~Garage Apartments (detached garage structures to be located to the rear of the principal building.)~~  
~~Residential Amenities~~  
~~Utility Structures~~

~~Density:~~

~~Multi-family 12 units/acre~~  
~~Single Family Detached 5 units/acre~~  
~~Single Family Attached 6 units/acre~~

~~Minimum Lot Size:~~

~~Multi-family 1 acre~~  
~~Single Family Detached 8,000 square feet~~  
~~Single Family Attached 4,000 square feet~~

~~Yard Setbacks:~~

	Front	Side	Rear	Corner/Side
<del>Multi-family</del>	<del>20 feet</del>	<del>10ft.</del>	<del>35 ft.</del>	<del>20 ft.</del>
<del>Single Family Detached</del>	<del>20 feet</del>	<del>10ft.</del>	<del>25 ft.</del>	<del>20 ft.</del>
<del>Single Family Attached</del>	<del>20 feet</del>	<del>10ft.</del>	<del>35 ft.</del>	<del>20 ft.</del>

Building Height:

Multi-family \_\_\_\_\_ 3 stories

Detached/Attached \_\_\_\_\_ 40 ft.

The following Pods are included and described on the attached

Exhibit entitled *Lot Size Analysis* and shall govern the minimum lot size, maximum lot size, and lot size on average for each respective pod.

Jason, you may also want to consider removing the highlighted sections above since these pods are outside your control.

Pod I, L, LL, MM, and NN

Intent: \_\_\_\_\_ Residential Estate Lots  
Single Family Detached Dwellings  
Parks and Playgrounds  
Golf Course

Accessory Uses:

Detached Garages with Garage Apartments (garage to rear of principal structure)

Golf Related Facilities

Recreational Amenities associated with development

Yard Setbacks: \_\_\_\_\_ Front \_\_\_\_\_ 35 Ft.  
Side \_\_\_\_\_ 15 Ft.  
Rear \_\_\_\_\_ 30 Ft.  
Corner Side \_\_\_\_\_ 20 Ft.

Maximum Height: \_\_\_\_\_ 40 Ft.

Pods J\* K\*, M, R, and S\*\*

Intent: \_\_\_\_\_ Medium Density Residential  
Single Family Detached Dwellings  
Parks and Playgrounds  
Golf Course

Accessory Uses:

Golf Related Facilities

Recreational Amenities (associated with development)

Setbacks: \_\_\_\_\_ Front \_\_\_\_\_ 20 ft.  
Side \_\_\_\_\_ 10 ft. between units  
Rear \_\_\_\_\_ 25 ft.  
Corner Side \_\_\_\_\_ 20 ft.



~~\* Pods J and K (additional expressed use)-~~

Intent: ~~Retirement Village~~

Maximum Density: ~~12 units/acre~~

Minimum Lot Size: ~~1 acre~~

Setbacks: ~~Front 50 ft. from local street~~  
~~65 ft. from Parkway~~  
~~Side 15 ft~~  
~~Rear 35 ft~~  
~~Corner Side 20 ft.~~

~~S\*\*:~~ ~~Lots which are contiguous to Rock Creek Estate Subdivision have a rear yard setback of 75 ft. Subdivided lots shall not have direct access onto Honey Dew Drive.~~

~~Pod III~~

Intent: ~~Neighborhood Commercial or Office Professional~~  
~~Golf Clubhouse~~  
~~Artisan Studio~~  
~~Associations (clubs, lodges, or special events facilities)~~  
~~Day Care Center (child or adult)~~  
~~Church, Synagogue~~

~~Accessory Uses:~~

~~Utility Structures~~  
~~Golf Maintenance Facility (must be screened with decorative fencing and landscaped with evergreens)~~

Yard Setbacks: ~~Front 65 ft. from the parkway~~  
~~50 ft. from local internal streets~~  
~~Side 10 ft.~~  
~~Rear 20 ft.~~  
~~Corner Side 20 ft.~~

Maximum Height: ~~3 stories~~

~~Pod O~~

Intent: ~~Attached Residential~~  
~~Single Family Attached Dwellings~~

~~Accessory Uses:~~

~~Recreational Amenities (associated with the development)~~  
~~Golf Course~~

Maximum Density: ~~8 units/acre~~

Minimum Lot Size: ~~sq. ft.~~

Setbacks: ~~Front 20 ft.~~  
~~Side 10 ft. (between dwellings)~~  
~~Rear 25 ft.~~  
~~Corner Side 20 ft.~~

Maximum Height: ~~40 ft.~~

Pods P, Q, and U

Intent: ~~Residential, Attached/Detached~~  
~~Single Family, Detached~~  
~~Single Family, Attached~~  
~~Golf Course~~  
~~Open Space~~

~~Accessory Uses:~~

~~Garage Apartments~~  
~~Recreation Amenities (associated with the development)~~  
~~Utility Structures~~

~~Maximum Density:~~

~~Detached 6 units/acre~~  
~~Attached 8 units/acre~~

Setbacks: ~~Detached As submitted in Letter of Intent~~

~~Attached Front 65 ft. from the Parkway~~  
~~35 ft. from Internal streets~~

~~Side 10 ft.~~

~~Rear 35 ft.~~

~~Corner Side 20 ft.~~

Maximum Height: ~~Detached 40 ft.~~

~~Attached 3 Stories~~

Pods T, V, W, X, Y, HH, II, and JJ

Intent: ~~Medium Density Residential~~  
~~Single Family Detached~~  
~~Golf Course~~  
~~Accessory Uses~~  
~~Recreational Amenities~~  
~~Utility Structures~~

~~Maximum Density: 3.5 units/acre~~

Setbacks: ~~Front 20 ft.~~

~~Side 10 ft. between buildings~~

~~Rear 25 ft.~~

~~Corner Side 20 ft.~~

~~Maximum Height: 40 ft.~~

Pods Z, AA, BB, CC, DD, EE, FF, GG, and KK

Intent: ~~Medium Density Residential~~  
~~Single Family Detached~~  
~~Golf Course~~  
~~Parks and Playgrounds~~

~~Accessory Uses:~~

~~Recreational Amenities (associate with development)~~

~~Utility Structures~~

~~Maximum Density: 3.5 units/acre~~

Setbacks: ~~Front 25 ft.~~

~~Side 10 ft. (a 10 ft. separation shall be required between units)~~

~~Rear 20 ft.~~

~~Corner Side 20 ft.~~

Maximum Height: ~~40 ft.~~ *(Note: Delete entire provision; all pods referenced above are outside subject property)*



28. ~~The Petitioner's agreement that the developer shall work with the city's consulting engineers regarding water availability and pressure to determine additional measures to supply adequate water for the entire site. Said meeting shall occur prior to the City Council meeting for which action of the master plan is scheduled.~~ *(Note: Remove entire condition; it is our understanding that water availability is adequate for the site)*

29. The Petitioner's agreement that the following landscape requirements shall be followed:

- |                             |   |
|-----------------------------|---|
| Parkway:                    | Hardwood Trees at a minimum of 7-inch caliper at the time of planting and measured one-foot above the root ball.<br>Minimum Height at the time of planting: 25 ft.<br>Planted on 60 ft. center*   |
| Village Streets:            | Hardwood Trees at a minimum of 3-inch caliper at the time of planting and measured one-foot above the root ball.<br>Minimum Height at the time of planting: 14 ft.<br>Planted on 50 ft. center*   |
| Canyon Road:                | Hardwood Trees at a minimum of 3-inch caliper at the time of planting and measured one-foot above the root ball.<br>Minimum Height at the time of planting: 14 ft.<br>Planted on 50 ft. center*   |
| Private Streets:            | Hardwood Trees at a minimum of 3-inch caliper at the time of planting and measured one foot above the root ball.<br>Minimum Height at the time of planting: 14 ft.<br>Planted on 50 ft. center*   |
| State Highway 140:          | Hardwood Trees at a minimum of 7-inch caliper at the time of planting and measured one-foot above the root ball.<br>Minimum Height at the time of planting: 25 ft.<br>Planted on 60 ft. center  |
| <del>Old Shoal Creek:</del> | <del>Hardwood Trees at a minimum of 7 inch caliper at the time of planting and measured one foot above the root ball.<br/>Minimum Height at the time of planting: 25 ft.<br/>Planted on 60 ft. center.</del> <i>(Note: Delete entire provision; the developer does not have control of this street)</i> |
| <del>Honey Dew Drive:</del> | <del>Hardwood Trees at a minimum of 7 inch caliper at the time of planting and measured one foot above the root ball.<br/>Minimum Height at the time of planting: 25 ft.<br/>Planted on 60 ft. center*</del> <i>(Note: Delete entire provision)</i>   |

\*The Department of Planning and Zoning will work with the developer in determining the spacing of the trees to be planted when a tree survey is submitted as part of the engineering design plans. It is accepted by the City of Canton that the area is currently a heavily wooded site and accepts the expressed statements of the developer that it is his desire to minimize clear cutting of the site in order to take advantage of the heavily wooded property which is agreed to be an amenity for the tract. Therefore, spacing of the trees to be planted are to be adhered to if any clear cutting occurs otherwise planting of additional trees within an already heavily wooded site may be superfluous and may result in the ability of the trees to survive. The placement of trees will be at the approval of the Department of Planning and Zoning in coordination with the city's landscape supervisor. *(Note: Condition remains as is with exception of revisions to struck-through language)*

30. The Petitioner's agreement that the following signage requirements shall be followed:

Overall Development Signage

- a. One (1) development sign indicating the name of the development at each major entrance into the overall development.

Height: 10 ft.  
Type: Monument Base of Brick  
Sign Area: 50 sq. ft.  
Illumination: Ground Lighting  
Location: A minimum of 10 ft. setback from the proposed right-of-way for State Highway 140.

A minimum of 10 ft. setback from proposed right-of-way of Old Shoal Creek Road and Honey Dew Drive (*Note: Condition remains as is*)

Commercial/Office Pods

- a. For centers 50,000 sq. ft. and over

Height: 20 ft. Width: 10 ft.  
Type: Monument Base Sign  
Sign Area: 50 sq. ft.  
Illumination: Internally illuminated or Ground illumination  
Setback: 20 ft. from proposed right-of-way

- b. For buildings or centers less than 50,000 sq. ft.

Height: 10 ft. Width: 10 ft.  
Type: Monument Base Sign  
Sign Area: 25 ft.  
Illumination: Internally illuminated or Ground illumination  
Setback: 20 ft. from proposed right-of-way (*Note, condition remains as is*)

31. The Petitioner's agreement to adhere to the Architectural Standards as listed below:

For Nonresidential Uses:

Building Material:

Brick

Stacked Stone

Combination of Brick, Stacked Stone, or Stucco

Horizontal siding of material consisting of wood or concrete plank No exposed block

No decorative or split-faced block

Roofs shall be pitched either hip or gambrel

Any loading dock, truck court shall not be visible from a public road or street. (Screening of evergreen plant material of sufficient height at the time of planting shall satisfy this condition.) (*Note, condition remains as is*)

32. The Petitioner's agreement that prior to any nonresidential building permit being issued, the developer shall submit a conceptual architectural design for approval by the Department of Planning and Zoning. Where nonresidential buildings include multi-tenant occupancy, the facades of said buildings shall be varied in depth or parapet height. (*Note, condition remains as is*)



33. The Petitioner's agreement that all utility lines shall be located underground throughout the development. *(Note, condition remains as is)*
34. The Petitioner's agreement that within 90 days of 2015 master plan approval, the developer shall submit a revised copy of the Laurel Canyon master plan and Letter of Intent reflecting the conditions as approved. Said documents shall note the date of Mayor and City Council action. *(Note, condition remains as is with addition of revised text.)*

POLICE DEPARTMENT COMMENTS

35. ~~The Petitioner's agreement that, in accordance with O.C.G.A. 36-71-13, the developer shall enter into an agreement with the City of Canton in order to provide two fully equipped police vehicles for the purpose of minimizing the impact to the system improvements necessary to meet the demands of this development. At the time of the issuance of the last certificate of occupancy permit and the completion of Phase I of the development (in accordance with the phase plan submitted by the developer) the developer shall provide one police vehicle for purposes of servicing the development. A second police vehicle shall be provided by the developer at the end of Phase III and at the time of the issuance of the last certificate of occupancy permit for said phase. The developer shall meet with the Police Chief and determine the vehicle and equipment necessary to serve the development and what is consistent with the level of service established by the Police Department. Said agreement will be prepared by the City of Canton and will be presented to the Developer/Applicant within 30 days from the date of approval by the Mayor and Council for signature. Failure to execute said agreement would result in the applicant being heard by the Mayor and City Council.~~ *(Note: Delete entire condition; it is our understanding that this Condition has already been satisfied)*

FIRE DEPARTMENT COMMENTS

36. ~~The Petitioner's agreement that, prior to the City Council meeting, the developer shall supply the water flow requirements of the entire development to the Fire Chief for his review and comment.~~ *(Note, delete entire condition)*

CHEROKEE COUNTY SCHOOL BOARD

37. ~~The Petitioner's agreement that prior to the City Council meeting at which action on the master plan is scheduled, the developer shall meet with the Cherokee County School Board to discuss the development's impact on the Cherokee County School System. The developer shall provide in writing a briefing of the meeting and any agreements reached as a result of the meeting.~~ *(Note, delete entire condition; the Soleil community is an age-restricted community-55+-so there will be no impact on schools from the generation of new students)*

ENGINEER

38. ~~Insufficient right-of-way exists along Old Shoal Creek Road. The Petitioner's agreement to provide necessary right-of-way to serve the development.~~ *(Note, delete entire condition; Applicant does not have control of Old Shoal Creek Road)*

39. ~~The proposed water tank at Amos Road has a capacity of 1M gallons of storage. This storage capacity is not sufficient to serve the development as submitted. The Petitioner's agreement that the developer will meet with the city's consulting engineers to review the necessary requirements to serve Laurel Canyon. Said meeting is to occur prior to the City Council meeting (where action is scheduled on said master plan) in order to determine future requirements. Results of this meeting shall be reported in writing and presented to the Department of Planning and Zoning for routing to the Mayor and City Council.~~ *(Note, delete entire condition)*
40. ~~The existing sewer system is not sufficient to serve the development and will have to be extended to do so. The Petitioner's agreement that the developer will meet with the city's consulting engineers prior to the city council meeting (where action is schedule on the master plan) to determine what is necessary to serve the development. Results of this meeting shall be reported in writing and presented to the Department of Planning and Zoning for routing to the Mayor and City Council.~~ *(Note, delete entire condition; see note above regarding sewer)*

#### STREET DEPARTMENT

41. ~~The development as proposed cannot be served by existing rights of way located along Old Shoal Creek Road and Honey Dew Drive. The Petitioner's agreement that the developer shall meet the required rights of way and lane improvements as required by the department.~~ *(Note, delete entire condition)*

#### ECONOMIC DEVELOPMENT

42. ~~The Petitioner's agreement that the developer shall meet with the Director of Economic Development to discuss marketing strategy and approaches to phasing of the development so that it can be incorporated into the overall recruiting efforts of the department. Said meeting to take place prior to the city council meeting where action is scheduled.~~ *(Note, delete entire condition; this has already been addressed in 2005 Conditions above)*

#### ADDITIONAL CONDITIONS

43. ~~The Petitioner's agreement that the developer shall increase the overall open space percentage from 39% to 42%, or an additional 36.75 acres. This increase shall be reflected on the master plan, which is to be submitted to the Department of Planning and Zoning within 30 days of approval, by the Mayor and City Council.~~ *(Note, delete entire condition)*
44. ~~The Petitioner's agreement that, in accordance with O.C.G.A. 36-71-13, the developer shall enter into an agreement with the City of Canton for the dedication of five acres of land to be used for public use in minimizing the impact to system improvements. Said land shall be identified to the Department of Planning and Zoning within 90 days from the date of approval by the Mayor and City Council after which a developer agreement shall be prepared for execution. Said five acres shall be deeded to the City of Canton within nine months from the 90 day identification period. The City of Canton shall have five (5) years from the date of acceptance of said land to initiate development. Failure to produce plans for development by the city will release the developer's obligation to provide said land and shall therefore be returned. The city will work with the developer to coordinate the architectural designs of any structure so as to compliment the overall architectural designs of the surrounding development and/or area.~~ *(Note: Delete all)*



45. The Petitioner's agreement that the total residential unit count shall not exceed 2,200 units as reflected on the submitted master plan dated June 22, 2000 and shown as including 1,225 acres and known as Laurel Canyon. The developer shall have the flexibility to transfer up to a maximum of 20 percent of the units from one residential pod to another residential pod. At the time of transfer, the developer shall notify the Department of Planning and Zoning in order for it to be included in the public record file and to allow the necessary time to notify other city departments. The developer shall commit this information to writing and at a minimum state the number of units to be transferred, the pod in which the transfer is to be taken, state the pod which is to receive the additional units, and state the percent increase being transferred. Transferring and receiving pods are limited to those within a residential land use classification. The Department of Planning and Zoning shall have a minimum of five (5) days and a maximum of ten (10) days to affirm the transfer. Should any transfer of units result in the need for additional city services, the developer shall provide said service in the form of prepayment or equipment. *(Note: Delete entire Condition; this is already addressed in 2005 Conditions above)*
46. The Petitioner's agreement that those lots in Pod LL which are contiguous and share the common property line of those properties located within Rock Creek Estates shall provide and plant at a minimum six (6) ft. high Leyland cypress trees on six (6) ft. center. Said planting to occur prior to issuance of a Certificate of Occupancy permit. Should the time of the Certificate of Occupancy not be conducive to planting, the developer shall post a bond with the city at one hundred and fifty (150) percent of the cost of the trees and installment of the same. *(Note: Delete entire provision; Applicant/Developer does not own or control the property referenced in Condition #46)*
47. The Petitioner's agreement that the main construction traffic entrance will be located off of Highway 140 for the Laurel Canyon Development and the Petitioner's agreement that construction traffic off of Shoal Creek Road will be limited to the south and southwest pods (Pod LL, Pod MM, and Pod NN) and the construction traffic shall be held to a minimum and construction traffic off of Honeydew Drive shall be limited to the twenty houses in Pod S as represented by the developer. *(Note: Delete entire provision)*