

ORDINANCE #MP1602-001

AMENDMENT TO MP0606-001 and as amended

City of Canton

Applicant: The Grand Reserve at Canton, LLC

An Ordinance approving amendments to a previously approved Master Plan

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 191 and 192, 14th District, 2nd 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 Master Plan MP0606-001 required by the City of Canton Zoning Ordinance for the zoning of PD/MU (Planned Development/Mixed Use) formerly PSC (Planned Shopping Center) was filed with the City of Canton and a public hearing was held on March 21, 2016 in the City Hall at 151 Elizabeth Street, Canton, Georgia.

WHEREAS, the requested amended conditions only pertain to Pod H of the development commonly known as Riverstone

PROPOSED USE: Change in locations for the approved multi-family units and the single family units plus the addition of residential units in conjunction with the office/commercial mixed use area.

WHEREAS, the City of Canton Mayor and City Council **APPROVED** the amended Master Plan request on July 21, 2016 to:

Tract 1 – 24.832 acres, 149,793 sq. ft. commercial, 149,783 sq. ft. office and 141,890 sq. ft. residential above the commercial and office. This will be developed in a style similar to Avalon (Alpharetta, Ga.). The additional mixed use square footage is substituted for the 134 single family residential units.

Tract 2 – 20.55 acres, 308 multiple family units (15.0 du/acre). A 1.504-acre increase with density decrease of 1.17 du/acre. The multiple family is proposed to move from the central portion of Pod H to the northern portion of Pod H.

- 1) Incorporate the applicant's attorney (Mr. Benson Chambers) letter of April 18, 2016 by reference. This will assure the city that the proposed apartments will be market rate, Class A type units and provide for the \$75,000 escrow money;**
- 2) All parking for Pod H shall be interior to the pod with the following exceptions:**
 - A. Tract 1 (Mixed Use) – a maximum of two (2) rows of parking along Reservoir Drive designed so that one (1) driveway aisle shall be nearest to Reinhardt Parkway**
 - B. Tract 2 (Apartments) – a maximum of one (1) row of parallel parking along Reservoir Drive and maintenance of circular flow for fire protection**

- 3) All buildings in the mixed use Tract 1 along Reservoir Drive and Reinhardt College Parkway shall have "store front" finishes along the road frontages. The apartment buildings in Tract 2 shall comply with the City standard of minimum of 51% brick or stone exterior facades.
- 4) Provide a copy of the ingress/egress easement between the apartment developer and the landowner of the adjacent tract. One (1) of two (2) points of the ingress/egress areas shall be a shared entrance and is to be directly across from Hickory Log Drive (the entrance road to Teasley Middle School).
- 5) There shall be a maximum of 308 apartments.
- 6) The submitted site plan is conceptual in nature only with the exception of the location of the proposed uses.
- 7) Require a 15' landscape buffer along the entire west and north property lines of Pod H. This buffer should consist of Leyland Cypress and/or arborvitae planted in two staggered rows on 15' centers. These plants must be a minimum of 6'-8' tall at time of planting. Other ground cover such as shrubs and bushes shall also be planted within this buffer.
- 8) All living space within the mixed use area shall be located on the second floor or higher above any retail or office use.
- 9) All mechanical units shall be screened and not visible from Reservoir Drive and Reinhardt College Parkway.
- 10) All trash collection dumpsters, compactors, and receptacles shall be screened and not visible from Reservoir Drive or Reinhardt College Parkway.
- 11) There will be 4 street access points with a minimum of two (2) installed prior to the issuance of any C.O.s.

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the conditions of MP0606-001 as reflected above and all other conditions to remain as originally approved.

Adopted this 21st day of July, 2016

Gene Hobgood, Mayor

Attest: _____

Susan Stanton, City Clerk

Approved as to Form and Content:

Robert M. Dyer, City Attorney

First Reading: April 7, 2016

Adopted by Council: July 21, 2016

Approved by Mayor: _____

Veto by Mayor: _____

Second vote by Council: _____

Effective Date: _____