



COUNCIL AGENDA REPORT

FROM: Community Development Department
Prepared by: Ken Patton

CC: City Clerk
Public Information

SUBJECT: Recommendation on Case MP17011-001 – Proposed revisions to specific areas of Towne Mill - action requested

DATE: February 23, 2015

RECOMMENDATION

The Canton Planning Commission held a public hearing on March 21, 2016 and recommended approval of the application with two additional conditions and one amended condition.

REPORT-IN-BRIEF

The public hearing was held on February 20, 2017. There was a large turnout of Towne Mill residents and the neighbor to the north (Ron Harris) was also in attendance. After hearing the concerns of the neighbors the applicant asked that the application be tabled to give them a chance to address the concerns and meet with the neighborhood. The matter was taken up on March 21, 2017 with a smaller crowd in attendance. There was one resident who spoke in opposition and asked that the issue be tabled again in order to have the builder present to answer questions.

A Master Plan amendment has been filed to amend specific conditions of the Towne Mill (TM) master plan (MP0405-001). Towne Mill was originally approved in August 2004 to be a detached single neighborhood with 2.35 acres approved for neighborhood uses at the corner of Towne Mill Ave. and Fate Conn Road. TM is currently approved for 766 homes. Of this number 354 are currently platted and have existing homes, homes under construction or are vacant lots. This leaves 412 houses still to be built. Of the 412 possible lots the proposed amended plan seeks to build 372. This is a reduction of 40 lots from the original approval.

The applicant is proposing the following amendments:

- 1.) Condition 2 to be revised by adding "Pods L, M, N, and P shall be developed in accordance with the submitted attached site plan (Exhibit "A") dated March 17, 2017 in lieu of the Towne Mill Pod Plan that was submitted on September 4, 2003.
- 2.) Condition 3 to be revised to state the following: There will be a fifty (50) foot undisturbed buffer along the western property lines and along Lower Bethany Road as depicted in the site plan instead of one (1) acre lots along these boundaries. There will be a one hundred twenty (120) foot buffer along the northern property line. The commercial component that was proposed at Fate Conn Road is eliminated.
- 3.) Condition 15 is removed because it provided for transit stops at the proposed commercial component which is now removed from the project proposal.
- 4.) Condition 29 is revised by adding the following: "Pod L and M will have a minimum house size of 1,500 square feet. Pod N will have a minimum house size of 1,750 square feet. Pod P will have a minimum house size of 2,000 square feet. All house sizes are climate controlled living space
- 5.) Paragraph 38 is eliminated due the elimination of the commercial area.
- 6.) An additional zoning condition shall be added as follows: Pod L and M shall have the following setbacks, Front yard, ten (10) feet, rear yard, ten (10) feet and side yard, five (5) feet with a minimum ten (10) foot building separation. Pod N shall have a fifteen (15) foot front yard, rear yard, ten (10), side yard, five (5) feet and Pod P, front yard, fifteen (15), rear yard ten (10) feet and side yard, seven (7) feet.

- 7.) Rosewood proposes an additional stipulation as follows: There will be a parking area provided for Towne Mill residents to access the open space at a location to be determined during plan review. The open space may be reduced and lots relocated to provide this additional parking provided total number of undeveloped lots does not exceed 372.
- 8.) There shall be a privacy fence along the south line of the 120 wide buffer beginning at the northwest corner of the group of lots identified on the Towne Mill Master plan March 10, 2017 as Pod "M" and extending eastward for a distance of 975 feet. The fence shall be 6 feet tall, constructed of pressure treated pine and meeting any applicable standards of the City of Canton and the Towne Mill HOA. The cost of fence repairs will be borne by the Homeowners Association.
- 9.) Developer agrees to enter into a private development agreement with Mr. Ronald Harris for buffer planting along the northerly side of the one hundred twenty (120) foot buffer area. This planting will be deemed to satisfy any City of Canton Code requirements that might otherwise apply to planting within this buffer. The fence and buffer is depicted in the attached Exhibit "B".

The applicant has been provided a copy of the proposed amendment ordinance. The wording of the ordinance differs slightly from the applicant's Letter of Intent. The applicant has agreed to the wording within the prepared ordinance.

DISCUSSION

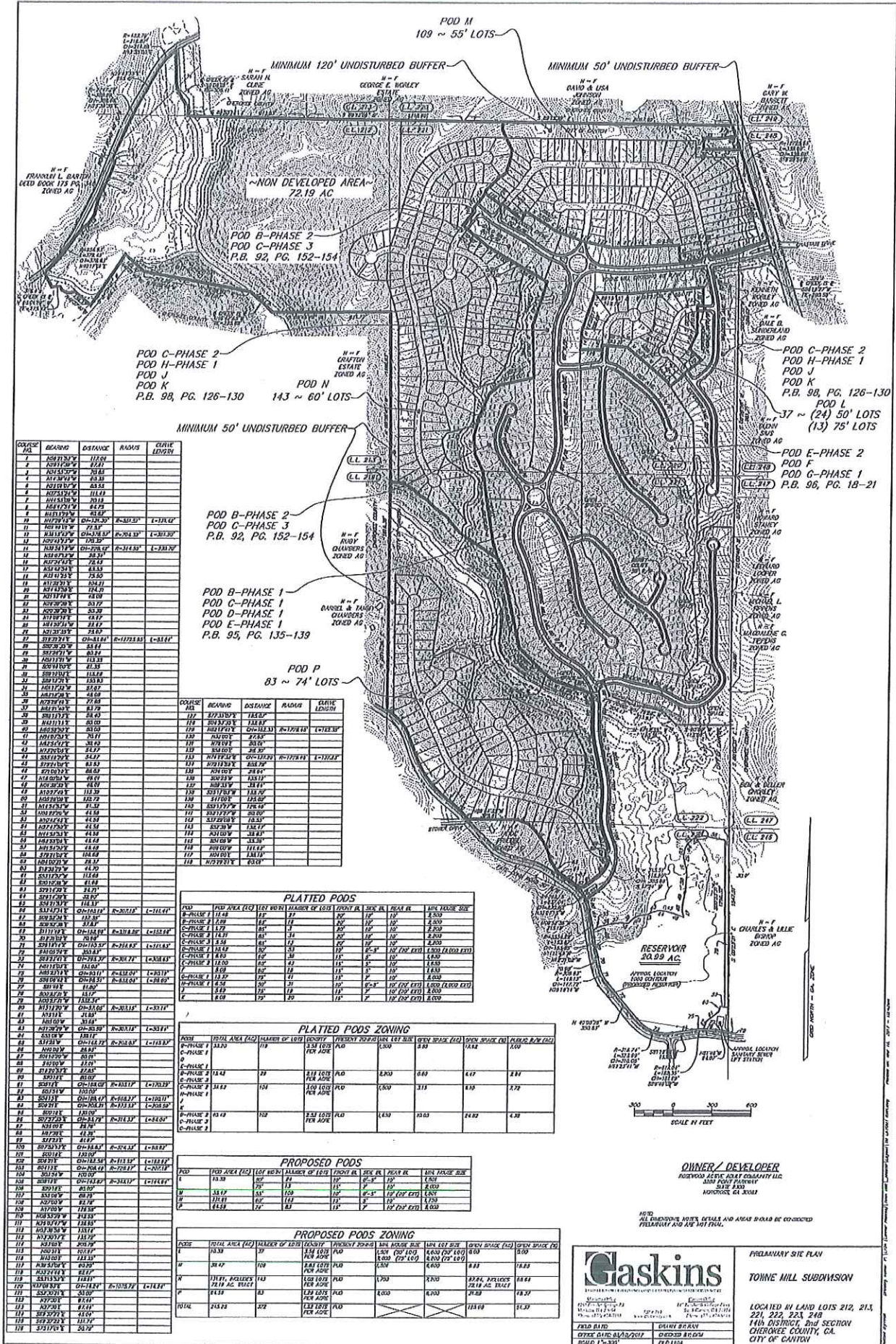
CONCURRENCES

FISCAL IMPACT

ALTERNATIVES

Attachments

Exhibit A



POD M

109 ~ 55' LOTS

EXHIBIT 'B'

1' BUFFER

MINIMUM 50' UNDISTURBED BUFFER

RILEY

N ~ E

Ronald & Marilyn Harris

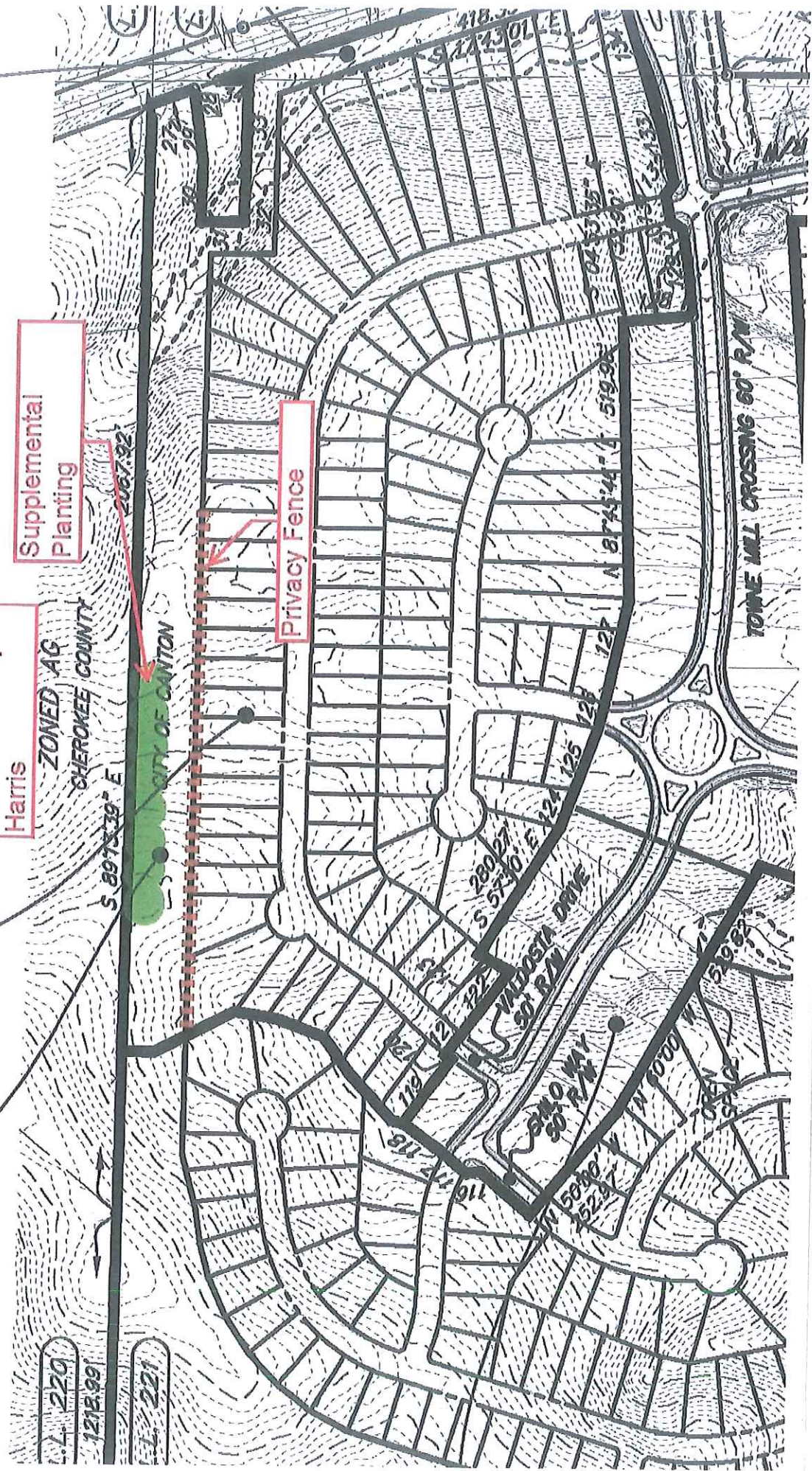
Supplemental Planting

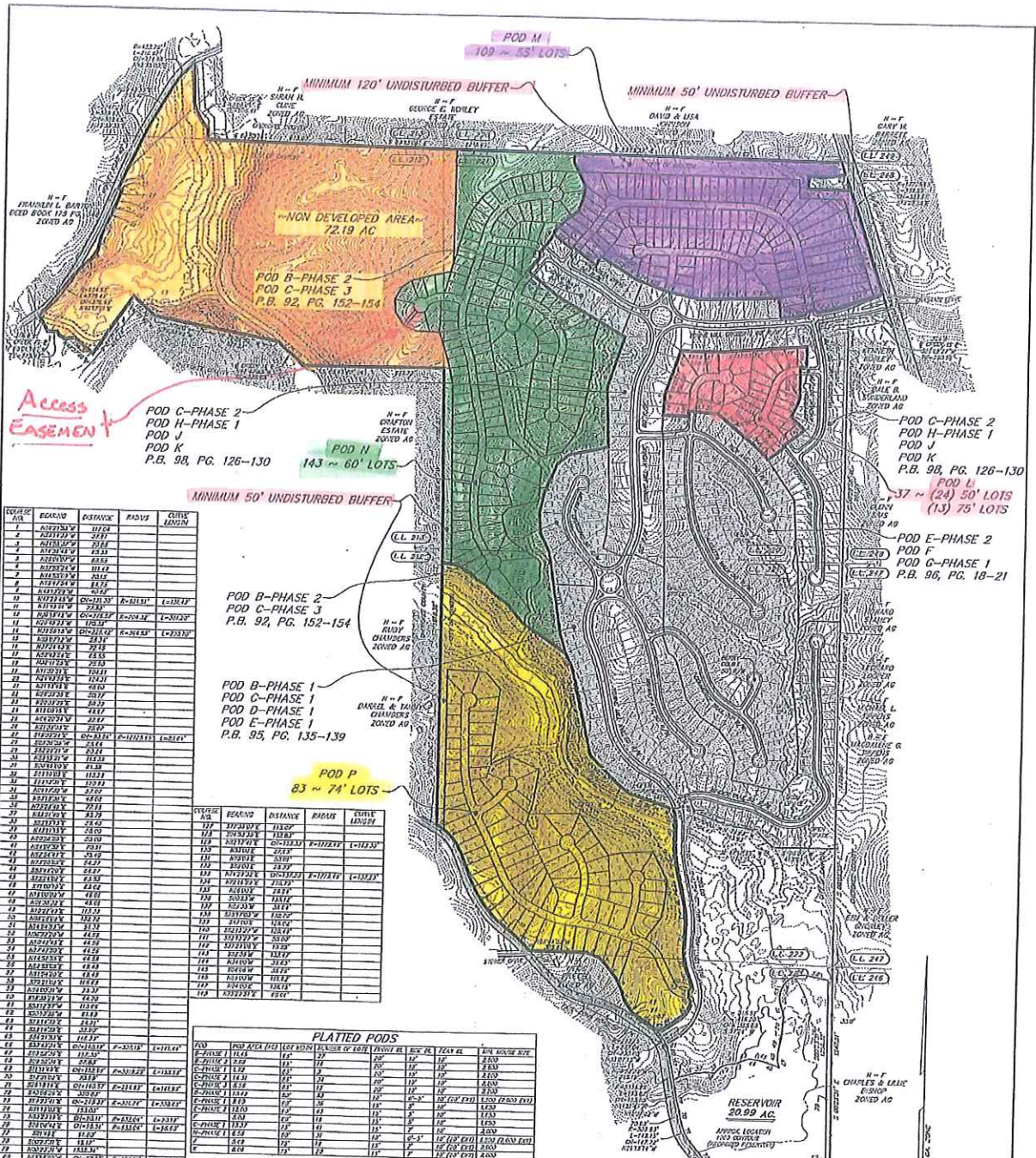
ZONED AG SHEROKEE COUNTY

CITY OF CANTON

Privacy Fence

TOWNE HILL CROSSING 60' R/W





Access
EASEMENT

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POD B-PHASE 2
POD C-PHASE 3
P.B. 92, PG. 152-154

POD B-PHASE 1
POD C-PHASE 1
POD D-PHASE 1
POD E-PHASE 1
P.B. 95, PG. 135-139

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CITY OF CANTON
ENGINEERING DEPARTMENT

OWNER/DEVELOPER
PROPOSED AFTER ACCT. ONLY
ALL POST FINANCING
TYP. AND
APPROVED BY THE
CITY OF CANTON

3.20.17

ALL DIMENSIONS, NOTES, ELEVATIONS AND AREA SHALL BE CONSIDERED
EXHAUSTIVE AND NOT TO SCALE

Gaskins

PRELIMINARY SITE PLAN
TOWNE HILL SUBDIVISION
LOCATED IN LAND LOTS 212, 213,
221, 222, 223, 248
14th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GA
CITY OF CANTON

DATE: 3/20/17
BY: [Signature]
CHECKED: [Signature]
SCALE: AS SHOWN
SHEET NO. 1 OF 1

Gene Hobgood, *Mayor*
William Peppers, *City Manager*
Susan C. Stanton, *City Clerk*



City of Canton

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Canton GA 30114
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Fax 770-704-1538
www.canton-georgia.com

JoEllen Willson, 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*
Ferris Yawn, Ward III,

March 23, 2017

Mr. Parks Huff, Esq.
376 Powder Springs Street, Ste. 100
Marietta, GA 30064

Subject: MP1701-001 – Request to amend the approved Master Plan for a portion of the development commonly referred to as Towne Mill

Dear Mr. Huff:

Please be advised the Planning Commission for the City of Canton recommended approval of your application during the meeting held on March 20, 2017. The recommendation was for approval as submitted with the following added conditions: 1.) The agreed upon screen fence between your client and the property owner to the north of the property (Ron Harris) will be maintained by the Towne Mill Home Owners Association; 2.) Off street parking shall be provided for residents/visitors who utilize the access easement to the 72.9 acre non-developed area and 3.) The side yard setback for Pods L and M shall be five (5) feet.

Your request will go before the Mayor and City Council on April 6, 2017 for discussion and on April 20, 2017 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 MP1701-001

ORDINANCE #MP1701-001

AMENDMENT TO MP0405-001 and as amended

City of Canton

Applicant: Rosewood Active Adult Communities, LLC

An Ordinance approving amendments to a previously approved and amended Master Plan

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 212, 213, 221, 222, 223 and 248, 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 MP0405-001 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 20, 2017 in the City Hall at 151 Elizabeth Street, Canton, Georgia.

WHEREAS, the requested amended conditions only pertain to specific areas of the development commonly known as Towne Mill. These areas are depicted on the applicants site submitted site plan prepared March 10, 2017 stamped "REVISED 3-10-17."

PROPOSED USE: The applicant intends to construct single family detached homes of varying sizes on lots also of varying sizes.

WHEREAS, the City of Canton Mayor and City Council **APPROVED** the amended Master Plan request on April 20, 2017 as follows:

- 1.) The site plan dated March 10, 2017, stamped "Revised 3-10-17" shall apply only to Pods L, M, N and P. All other portions of Towne Mill are subject to the Towne Mill Pod Plan received on September 4, 2003.**
- 2.) There will be a fifty (50) foot undisturbed buffer along the western property lines and along Lower Bethany Road. The one acre lots previously approved for these areas have been deleted. There will be a one hundred and twenty (120) foot buffer along the northern property line.**
- 3.) The approved commercial area at the northwest corner of Fate-Conn Road and Towne Mill Avenue is eliminated.**
- 4.) Condition 15 is hereby deleted.**
- 5.) Condition 29 is amended by adding the following language: Pods L and M will have a minimum house size of 1,500 square feet. Pod N will have a minimum house**

size of 1,750 square feet. Pod P will have a minimum house size of 2,000 square feet. All house sizes are climate controlled living space.

6.) Condition 38 is eliminated as it pertains to the northwest corner of Fate-Conn Road and Towne Mill Avenue.

7.) Condition 40 is added and shall read as follows: Pods L and M shall have the following setbacks, ten (10) foot front yard, ten (10) foot rear yard, and five (5) foot side yard setback. Pod N shall have the following setbacks, fifteen (15) foot front yard, ten (10) foot rear yard and five (5) foot side yard. Pod P shall have the following setbacks, fifteen (15) foot front yard, ten (10) foot rear and seven (7) foot side yard.

8.) Off street parking shall be provided near the access easement for the 72.9 acre non-developed area. The total amount of non-developed area may be reduced due to providing off street parking. Minor adjustments to lot location may be administratively approved if the design of the off street parking area necessitates such redesign.

9.) There shall be a six (6) foot tall privacy fence installed along the southern line of the one hundred twenty (120) foot wide buffer along the northern property line. The fence will begin at the northwest corner of Pod M and extend a distance of nine hundred seventy five (975) feet. This fence shall be maintained by the Towne Mill Homeowners Association. Additional plant material shall be installed/planted within the buffer in areas of sparse vegetation.

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the conditions of MP0405-001 as reflected above and all other conditions to remain as originally approved.

Adopted this 20th day of April, 2017

Gene Hobgood, Mayor

Attest: _____
Susan Stanton, City Clerk

Approved as to Form and Content:

Robert M. Dyer, City Attorney

First Reading: April 6, 2017

Adopted by Council: April 20, 2017

Approved by Mayor: _____

Veto by Mayor: _____

Second vote by Council: _____

Effective Date: _____