

**Action Requested/Required:**

- ☒ Vote/Action Requested  
☐ Discussion or Presentation Only  
☐ Public Hearing  
Report Date: 2/12/25  
Hearing Date: 2/6/25  
Voting Date: 2/20/25

**Department:** Community Development **Presenter(s) & Title:** Steve Green, Zoning Administrator

**Agenda Item Title:**

CUP2411-004 and ZCA2411-003 - River Green, Pod J1 and J2 - Applicant seeks approval for Zoning Condition Amendment and a Conditional Use Permit - JWC Lakeside, LLC

**Summary:**

The applicant seeks approval for a Zoning Condition Amendment to amend the original approved 110 single family detached homes to 95 attached townhomes and 6 detached single family homes. The townhomes require the approval of a Conditional Use Permit.

**Budget Implications:**

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project:  Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other:

**Staff Recommendations:**

Staff recommends approval of these applications. Possible conditions can be found in the staff report.

**Reviews:**

Has this been reviewed by Management and Legal Counsel, if required? ☐ Yes ☐ No

**Attachments:**

Application, site plan, survey, staff report



**Land Use Petition: ZCA2411-003 and CUP2411-004**  
**Date of Staff Report Preparation: 01/29/2025**  
**Mayor and City Council Public Hearing Date: 02/06/2025**  
**Possible Action Date: 02/20/2025**

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**Project Name/Applicant: Michelle Horstmeyer for JWC Lakeside, LLC**

**Property Location: River Green, Pods J1 and J2**

**Parcel ID: Tax Map Book 14N12 017L**

**District/Land Lot: 14<sup>th</sup> District, LL 57**

**Acreage: 50.818**

**Existing Zoning District: PD-MU (Planned Development-Mixed Use)**

**Existing Land Use: Vacant/Undeveloped**

**Future Development Map Designation: SDA Suburban Development**

**Current Use: Vacant/Undeveloped**

**Proposed Development: Six detached single family homes and ninety-five townhome units**

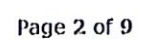
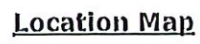
**Owner/Petitioner: JWC Lakeside, LLC**

**District Standards: Proposed**

| ___ Zoning District Standards (Primary Street) |          |                           |       |
|------------------------------------------------|----------|---------------------------|-------|
| Impervious Surface (max.)                      |          | Front Yard Setback (min.) | 20'   |
| Open Space (min.)                              | 25%      | Side Yard Setback (min.)  | 7.55' |
| Building Height (max.)                         | 4 or 60' | Rear Yard Setback (min.)  | 20'   |
| Building Height (min.)                         | N/A      | Buffer Planting (min.)    | 40'   |
| Zoning Buffer                                  | 40'      | Overlay Zone              | N/A   |

**Surrounding Land Uses and Zoning:**

North – Single family homes – PD-MU  
South – Single family homes – R-20  
East – Single family homes – PD-MU  
West – Vacant/Undeveloped – AG



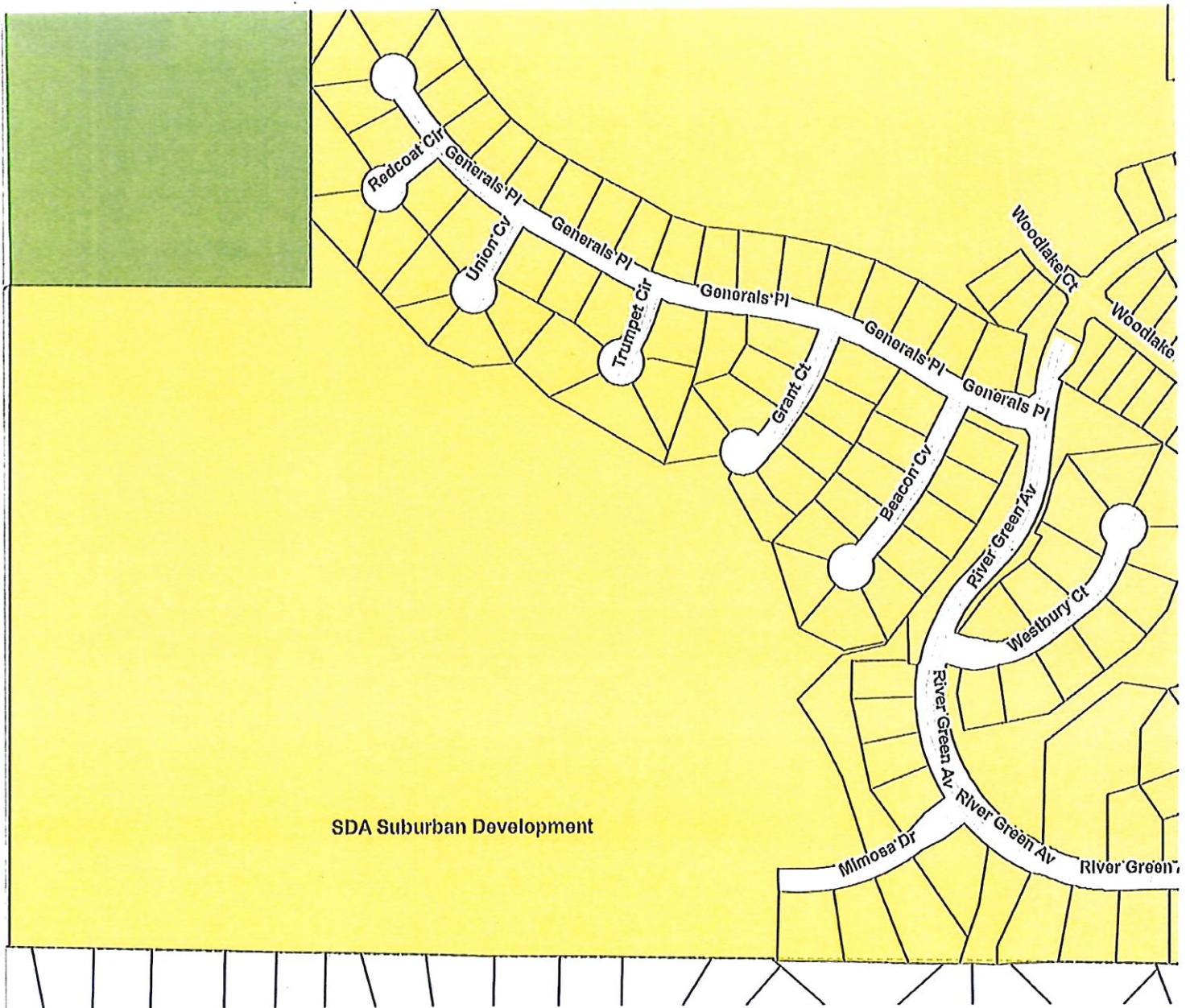


Existing Land Use Map



# CANTON

## Future Development Map





**Site Description:** The property is currently vacant and undeveloped. The parcel is heavily wooded with a mixture of hardwoods and pines.

**Site History:** Pods J1 and J2 are part of the original River Green development which was approved in 2001. The original approval was for 110 single family detached lots. Construction began in 2008 but was halted shortly thereafter. A sanitary sewer lift station was installed.

**CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING)**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties; N/A
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; N/A
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; N/A
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; N/A
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map; N/A
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. N/A
7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. N/A
8. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the Comprehensive Plan, the Character Areas, and any Overlay Districts. N/A



**CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT**

- a. Whether the proposed use is consistent with the comprehensive plan and other adopted policies of the City; **The compatible land use for the Suburban Developing Area is low density single family detached residential units (1-3 u/a). The density for this particular portion of River Green would be 2 units per acre**
- b. Whether the proposed use complies with the requirements of this zoning ordinance; **The proposed use will development standards outlined in the Letter of Intent. This LOI will be part of the zoning conditions if approved.**
- c. Whether public services, public facilities and utilities are adequate to serve the proposed use; **Public services, facilities and utilities are adequate to serve the proposed project.**
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of:
  - 1. Noise, smoke, order, dust or vibration generated by the proposed use;  
**None.**
  - 2. Hours or manner of operation of the proposed use; and  
**None**
  - 3. Traffic volumes generated by the proposed use;  
**If the target age (not age restricted) is for empty nesters the traffic volume may be less than a single family detached pod due to the lack of younger drivers.**
- e. Whether the proposed use would result in an over-concentration of the subject use type within the area of the proposed use; **Currently there is a townhome and condominium development under construction at the entrance of River Green. Two townhome projects in the immediate area have recently been denied. One was an annexation and one was for a CUP.**
- f. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the comprehensive plan, the character areas, and all applicable zoning ordinance regulations; **All multi-family buildings must be approved by the Canton Design Review Committee and**



- g. Whether the proposed use is compatible with adjacent properties and land uses, based on consideration of the size, scale and massing of proposed buildings and the overall site design. The majority of the proposed development is in contrast to the existing home types in the immediate area.**

## **DEPARTMENT COMMENTS**

### **BUILDING AND SAFETY SERVICES**

- BUILDING SERVICES:

No comment

- SAFETY SERVICES:
- International Building Code, 2018 Edition, with Georgia Amendments ([2020](#)), ([2022](#)), ([2024](#))
- International Residential Code, 2018 Edition, with Georgia Amendments ([2020](#)), ([2024](#))
- International Fire Code, 2018 Edition (Contact State Fire Marshal Below)
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- International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments ([2020](#)), ([2022](#)), ([2023](#))
- International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments ([2020](#))



The City of Canton has an automatic sprinkler system ordinance. All multi-family residential construction (three family dwellings or more) requires an NFPA 13R automatic sprinkler system. For commercial development, any structure over 3,500 square feet shall require an NFPA 13 automatic sprinkler system.

This project may require two or more entrances based on the number of dwelling units constructed. This requirement is in the City of Canton Unified Development Code (UDC), section 109.03.12 - Development access and the 2018 International Fire Code Appendix "D".

The minimum diameter fire main size is 8". Fire hydrant placement is based on both the City of Canton UDC, section 110.02.02 (f)- Design criteria and appendix B and C of the 2018 International Fire Code which has been adopted as law in the City of Canton.

Mail Kiosks shall meet the 2010 Federal ADA standard and USPS-STD-4C. A van accessible handicap parking space and access aisle is required to serve an accessible route to the mail kiosk.

Specific 2018 IFC requirements for civil plans:

1. The 2018 International Fire Code, appendix "D" requires fire apparatus access roads not exceeding 10% grade and for local Cherokee County fire apparatus requirements, access road cross grades may not exceed 5%.
2. Roads throughout the development must be at minimum made of asphalt or concrete capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
3. Turn radiuses for all streets shall be 35' minimum for development entrances and 25' for interior streets. Proof of turning radius compliance shall be demonstrated using software analysis such as "AutoTURN" or other clearance/swept path analysis software. For tire curb clearances, bumper swing clearances or inside crimp angles, contact Cherokee County Fire & Emergency Services.
4. Dead end fire apparatus access roads in excess of 150 feet in length shall be provided an approved area for turning around fire apparatus.
5. Aerial fire apparatus streets are required where the vertical distance between the grade plane and the highest roof surface exceeds 30'. The



required width of an aerial apparatus road shall be 26' minimum and constructed as noted in note #2 above. One or more of the aerial access routes meeting the building height condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. Overhead utilities and power lines shall not be located over the aerial apparatus road.

6. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

#### Conditions for Consideration

#### COMMUNITY DEVELOPMENT

The latest approved plan for River Green allows for 110 single family detached homes in Pods J1 and J2. The applicant is proposing 96 townhome units and 14 single family detached homes. Of the 55.673 acres in the subject pods the developer is proposing 23.5 acre green space area which will be placed in a conservation easement. The proposed townhomes will require less land disturbance and roadway construction. This will lead to the conservation area and less impervious surface.

- Below are comments that we received in regard to questions and concerns raised by the Mayor and City Council members:
- Timeframe of construction for SFD and TH's: JWC's build time for townhomes is slightly faster than that of SFD (by one month), but the fact that we are building groups of 3 to 5 make the overall construction cycle of the neighborhood much faster. I predict 3.5 years for SFD and 2.25 years for TH's – of course both are market dependent.
- Monetizing the unused density in River Green: With the pod structure, JWC does not believe there is any way to build more capacity into River Green nor can we sell that capacity to anyone else. Most pods are built-out and any increase in density or division of remaining lots would take a public process.
- Open space question: The proposed plan for Pods J1 and J2 provides 46.8% open space of these parcels only (23.81 acres). Contrary to rumors I've heard circulating, JWC has no plans to monetize the greenspace by selling the conservation easements.

Couple of items to note/clarify:

JWC plans to include a 10% rental cap in the townhome sub-association covenants. The SFD would not have a rental cap as they will only be part of the master association.



JWC will work with staff on traffic calming measures as deemed necessary. JWC does believe guest parking is a necessity (we have many complaint regarding the lack of guest parking in the Retreat). We would like to work with staff on how to accomplish this.

To reach the 110 density, JWC will keep the previously platted 8 SFD lots and add 6 for a total of 14 SFD and convert the rest to 96 Townhome lots.

The Department of Community Development recommends **APPROVAL** of these applications.

#### Conditions for Consideration

- 1) The total number of residential units for Lakemont at River Green shall be 101.
- 2) The submitted Letter of Intent shall be the development guidelines for Lakemont at River Green with the exception of the rear setback of lots abutting Fieldstone shall remain at fifty (50) feet as originally approved.
- 3) The blocking of sidewalks by vehicles is strictly prohibited.
- 4) Additional parking provided along the public streets shall not encroach on the right-of-way. This design shall be approved by staff during the Land Disturbance Permit application process.

#### DEVELOPMENT SERVICES

The existing roadway that is currently topped with binder shall be inspected for repairs prior to topping.

Hydrology will be addressed at LDP stage.

#### Conditions for Consideration

#### POLICE DEPARTMENT

#### Conditions for Consideration

#### PUBLIC WORKS

#### Conditions for Consideration



UTILITY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

**CHEROKEE COUNTY (AS NEEDED)**

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

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**STAFF CONDITIONS FOR CONSIDERATION**



**Land Use Petition: ZCA2411-003 and CUP2411-004**  
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## **Location Map**



**Existing Land Use Map**



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#### Conditions for Consideration

#### POLICE DEPARTMENT

#### Conditions for Consideration

#### PUBLIC WORKS

#### Conditions for Consideration



UTILITY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

**CHEROKEE COUNTY (AS NEEDED)**

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY FIRE MARSHALL

Conditions for Consideration

**STAFF CONDITIONS FOR CONSIDERATION**



## Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

ZCA 2411-003

### Public Hearing Application

Project # \_\_\_\_\_

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, Michelle Horstemeier, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, Michelle Horstemeier, have received and thoroughly read the Public Hearing Procedures.

This 19th day of November, 2024  
Applicant: [Signature] Print Name: Michelle Horstemeier

#### Applicant Information:

Name: Michelle Horstemeier  
Address: 2355 Log Cabin Dr.  
City: Atlanta  
State: GA Zip Code: 30339  
Telephone: 770-809-5010  
Fax Number: \_\_\_\_\_  
Email Address: mhorstemeier@jwcathlanta.com

#### Owner Information:

Name: JWC Lakeside, LLC  
Address: 2355 Log Cabin Dr.  
City: Atlanta  
State: GA Zip Code: 30339  
Telephone: 770-809-5010  
Fax Number: \_\_\_\_\_  
Email Address: mhorstemeier@jwcathlanta.com

#### This Application For (Check Only One):

- ☐ A Annexation  
☐ B Rezoning  
☐ C Master Plans  
☐ D Master Plan Revisions  
☐ E Conditional Use Permit  
☐ F Land Use Modification  
☒ G Zoning Condition Amendment  
☐ H Density Transfer within Master Plan

- ☐ I Temporary Use Permit  
☐ J Zoning Ordinance Text Amendment  
☐ K Variance : Pre-Construction  
☐ K Variance : Post-Construction  
☐ Appeal  
☐ Adjustment  
☐ Special Exception

#### Fee Schedule:

Application Type \_\_\_\_\_  
Base Fee \_\_\_\_\_ + (#Acres \_\_\_\_\_ x \$25.00 = \_\_\_\_\_) = \_\_\_\_\_  
+ (#Acres \_\_\_\_\_ x \$50.00 = \_\_\_\_\_) = \_\_\_\_\_  
Advertising Fee \_\_\_\_\_ = \_\_\_\_\_

#### Staff Use Only

Amount Due: \_\_\_\_\_  
Amount Due: \_\_\_\_\_  
Total Fee: \_\_\_\_\_

Received By: \_\_\_\_\_

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

Amount Paid: \_\_\_\_\_



Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

## Authorization Of Property Owner

This form is to be executed under oath. I, Michelle Horstemeier do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 19th day of November, 2024.

Owner Signature:

[Signature]

Print Name:

Michelle Horstemeier

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton:

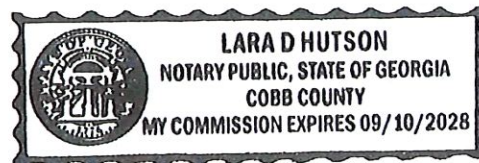
- |                                                   |                                                                  |
|---------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Annexation             | <input checked="" type="checkbox"/> G Zoning Condition Amendment |
| <input type="checkbox"/> B Rezoning               | <input type="checkbox"/> H Density Transfer within Master Plan   |
| <input type="checkbox"/> C Master Plans           | <input type="checkbox"/> I Temporary Use Permit                  |
| <input type="checkbox"/> D Master Plan Revisions  | <input type="checkbox"/> J Zoning Ordinance Text Amendment       |
| <input type="checkbox"/> E Conditional Use Permit | <input type="checkbox"/> K Variance                              |
| <input type="checkbox"/> F Land Use Modification  |                                                                  |

Sworn To and Subscribed Before Me This 19 Day Of November, 2024.

Notary Signature:

Lara D Hutson

(Seal)





## Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

# Authorization Of Applicant

This form is to be executed under oath. I, Michelle Horstemeier, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 19th day of November, 2024.

Owner Signature: [Signature]

Print Name: Michelle Horstemeier

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- |                                                   |                                                                  |
|---------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Annexation             | <input checked="" type="checkbox"/> G Zoning Condition Amendment |
| <input type="checkbox"/> B Rezoning               | <input type="checkbox"/> H Density Transfer within Master Plan   |
| <input type="checkbox"/> C Master Plans           | <input type="checkbox"/> I Temporary Use Permit                  |
| <input type="checkbox"/> D Master Plan Revisions  | <input type="checkbox"/> J Zoning Ordinance Text Amendment       |
| <input type="checkbox"/> E Conditional Use Permit | <input type="checkbox"/> K Variance                              |
| <input type="checkbox"/> F Land Use Modification  |                                                                  |

Name of Authorized Applicant: Michelle Horstemeier

Signature: [Signature]

Mailing Address: 7355 Log Cabin Rd.

City: Atlanta

State: GA

Zip Code: 30339

Telephone: 770-909-5010

Fax Number: \_\_\_\_\_

E-mail: mhorstemeier@jvcatlanta.com

Applicant Status:

- ☒ Owner  
☐ Option to Purchase  
☐ Leasee  
☐ Area Resident  
☐ Other (Explain): \_\_\_\_\_

This Authorization of Applicant Form has been completed and the property owner's signature is

Sworn To and Subscribed Before Me This 19 Day Of November, 2024.

Notary Signature: Jane O. Hutson





## Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

### Disclosure Form

*O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Community Development.*

1. Name of Applicant/Opponent: \_\_\_\_\_

*Michelle Horstemoeyer* Responses

#### Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?  
☐ YES ☒ NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?  
☐ YES ☒ NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?  
☐ YES ☒ NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?  
☐ YES ☒ NO

#### Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made *(Please use a separate form for each official to whom a contribution has been made in the past (2) years):*

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

#### Description

|    |       |
|----|-------|
| \$ | _____ |
| \$ | _____ |
| \$ | _____ |

Note: Complete a separate form for each authorized applicant.



Community Development Department  
110 Academy Street, Canton, Georgia 30114  
770-704-1500

### Property Information:

Address: (No Street Number) Mimosa Drive

Land Lot(s): 57 District: 14 Section: 2 Map #: Parcel #:

Existing Zoning Of Property: PD-MU ☒ City ☐ County Total Acreage Of Property: 51.0

Proposed Zoning Of Property: PUD with CUP & ZCA Existing Use(s) Of Property: Vacant land

Directions to property from Main Street in downtown Canton:

Waleska St north to SR 140, west on SR 140 to SR 20, west on SR 20 to the intersection of SR 20 and River Green Ave. The parcel is on the northeast corner of River Green Ave & Mimosa Drive

**Adjacent Property/Owner Information:** Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

|       | <u>OWNER NAME/ADDRESS</u>                                  | <u>CURRENT ZONING</u> | <u>CURRENT LAND USE</u> |
|-------|------------------------------------------------------------|-----------------------|-------------------------|
| NORTH | Multiple Parcels North - See "Additional Pages 1" for list |                       |                         |
| SOUTH | Multiple Parcels South - See "Additional Pages 1" for list |                       |                         |
| EAST  | Multiple Parcels East - See "Additional Pages 1" for list  |                       |                         |
| WEST  | Multiple Parcels West - See "Additional Pages 1" for list  |                       |                         |
| OTHER |                                                            |                       |                         |

### UTILITY INFORMATION

How is sewage from this development to be managed? By Public Sewer Available To Property

Proposed managing jurisdiction: City of Canton

How will water be provided to the site? By Public Water Available To Property

Proposed managing jurisdiction: City of Canton Size Limit:



## Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

### PUBLIC SCHOOL POLICY STATEMENT

The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School Board and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the applicant and the appropriate school board representative. Therefore, developers whose projects consist of 25 or more residential units shall contact the Cherokee County School Board and communicate with a school board representative to discuss their intent. This communication between the applicant and the school board shall take place, at a minimum, prior to the Planning Commission meeting in which the application is scheduled to be heard. The applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken. (Section 8-8-B-37) (Amended: 12/07/00)

County Schools serving this development:

HIGH Cherokee

MIDDLE Teasley

ELEMENTARY Joseph Knox

### TRAFFIC INFORMATION

Road/Street providing access: Knox Bridge Hwy (SR 20) to River Green Ave.

Width at property: (Road) Varies (Right-of-way) Varies

Distance to nearest major thoroughfare: 0' (Intersection) Thoroughfare Name: Knox Bridge Hwy (SR 20)

Description of Road accessing property (Classification): SR 20 = Arterial / River Green = Minor Collector

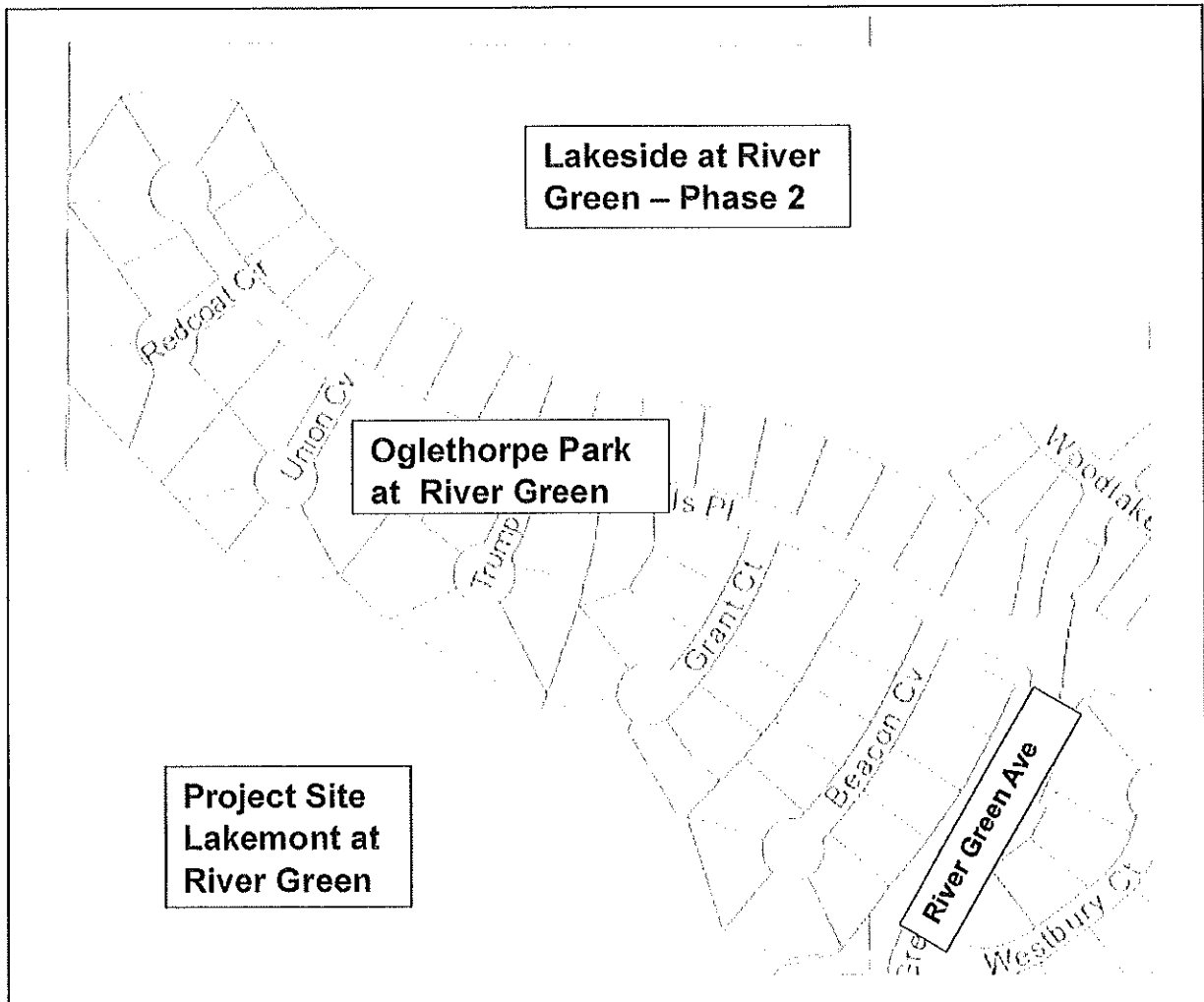
**In support of this request, I submit the following items, which are attached and made a part of this application:**

- ☒ Boundary Survey
- ☒ Legal Description
- ☒ Letter of Intent
- ☒ Planning Commission Review Criteria Response
- ☐ Board of Zoning Appeals Review Criteria Response
- ☐ Petition Requesting Annexation
- ☐ Other (please explain) \_\_\_\_\_

- ☒ Master Plan / Site Plan
- ☒ Location Map
- ☐ Hydrology Study
- ☐ Traffic Analysis Report  
(Guidelines available from Planning & Zoning Dept.)
- ☒ Elevation Plans

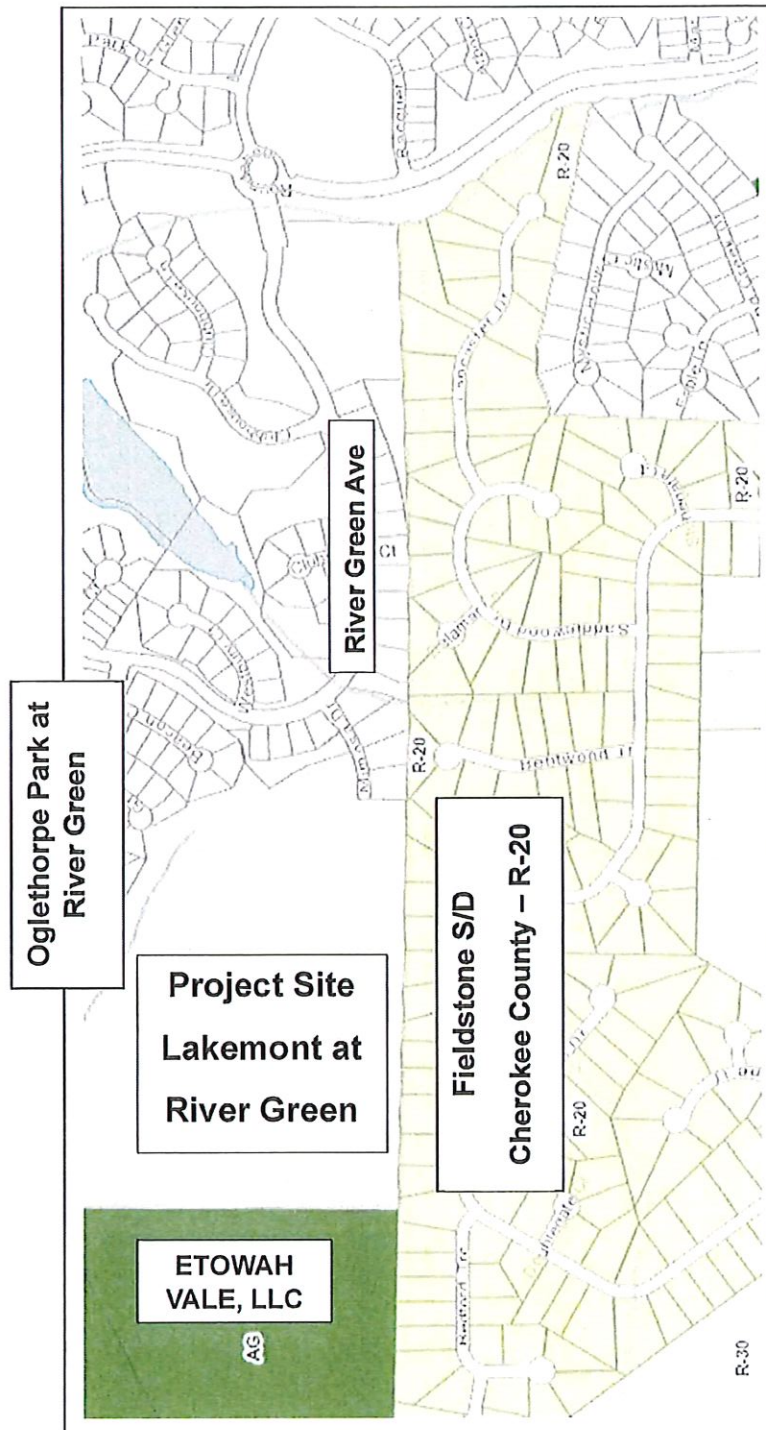
## Additional Pages #1: Adjacent Parcel Zoning & Use – City of Canton

The adjacent parcels within the City limits are zoned Planned Unit Development (PUD). The uses are Residential Single Family Detached.

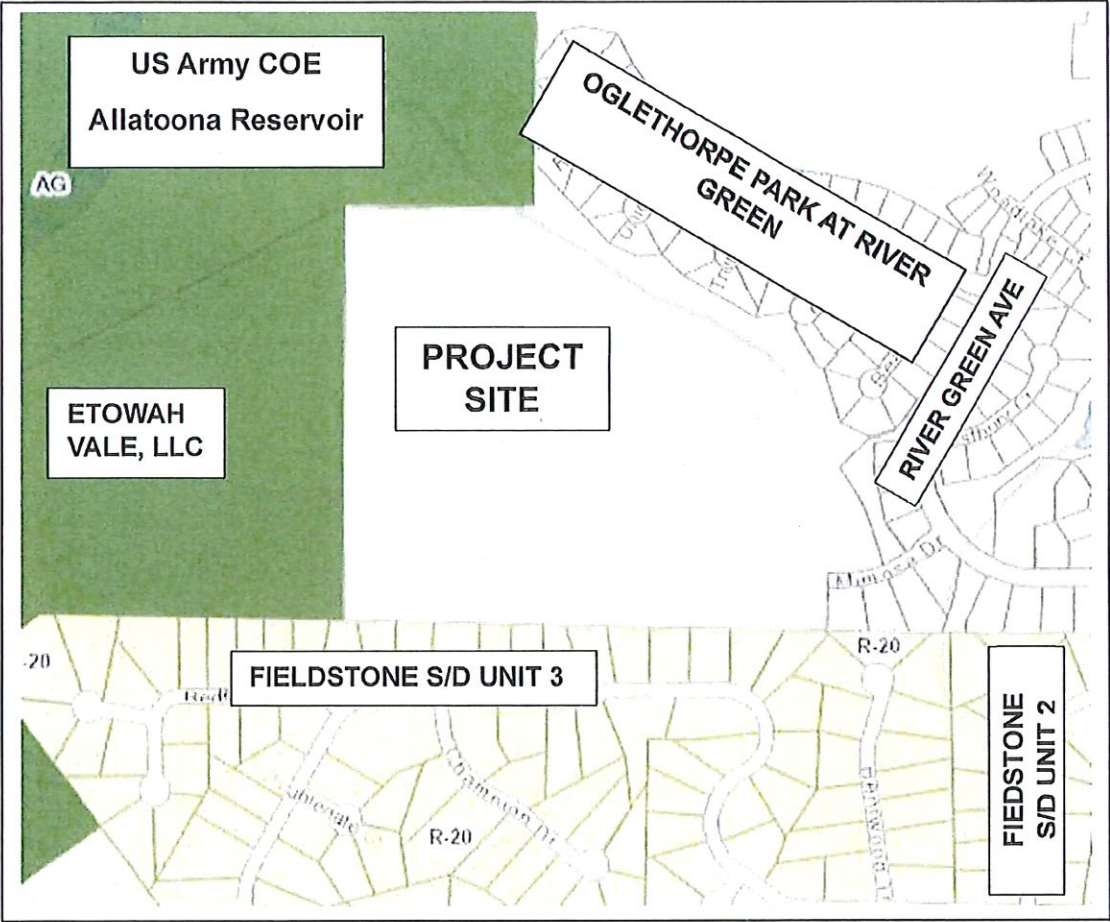


The adjacent parcels within the City limits are zoned Planned Unit Development (PUD). The uses are Residential Single Family Detached.

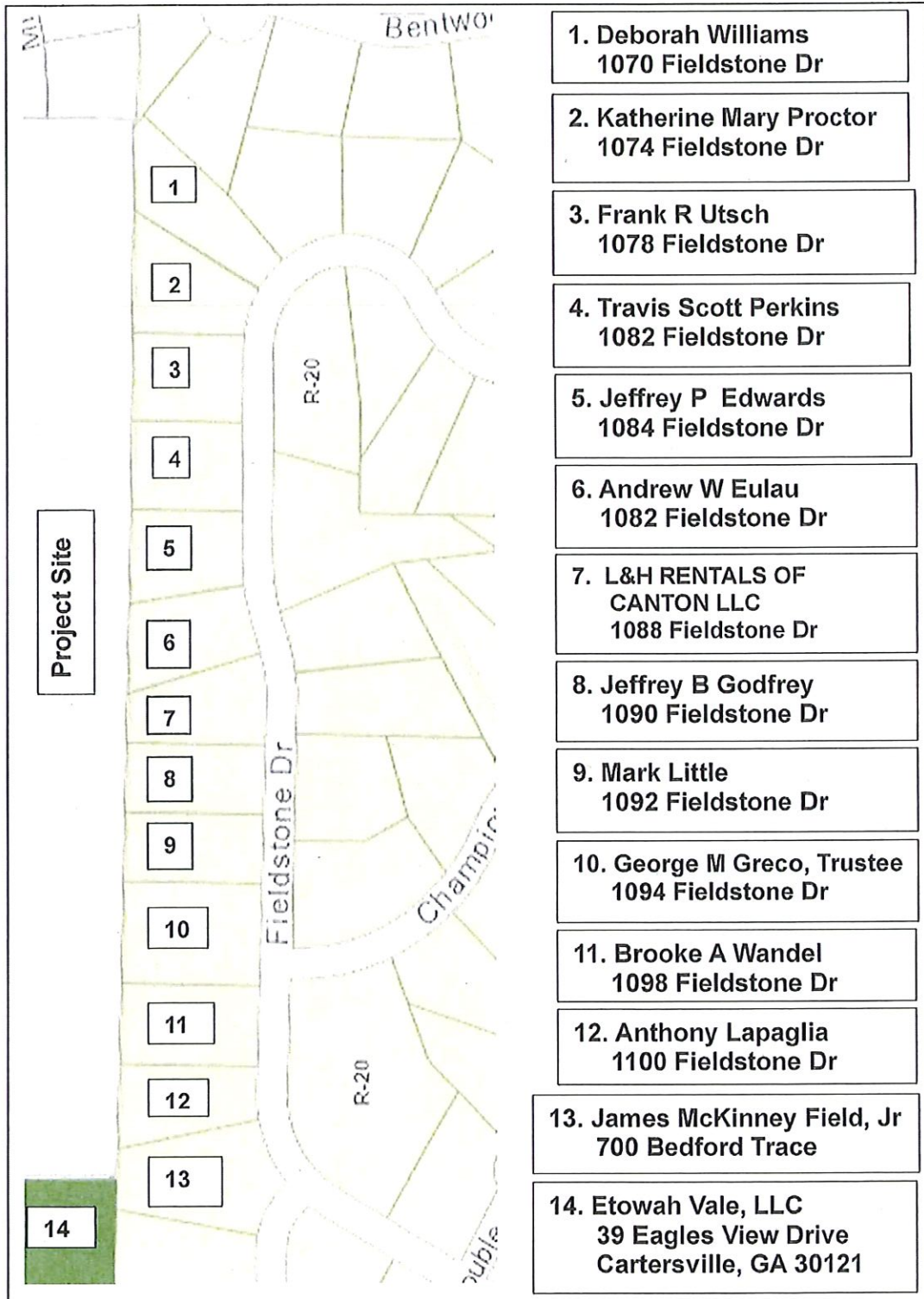
The adjacent parcels within the City limits are zoned Planned Unit Development (PUD). The uses are Residential Single Family Detached.



Additional Pages #1: Adjacent Parcel Zoning & Use



## Additional Pages #1: Adjacent Parcel Zoning & Use



## **LAKEMONT AT RIVER GREEN**

### **LETTER OF INTENT**

This Letter of Intent is intended to address all of the City of Canton's exhaustive list of information necessary to review the rezoning and conditional use permit.

#### **General History and Overall Description of the Proposed Development:**

Lakemont at River Green is a proposed development of 101 single family units, 6 are lots for detached homes, and 95 are attached townhome units, currently owned by River Green Land, LLC. This site, known as Pods J1 and J2 was a part of the originally rezoned River Green Neighborhood planned and constructed by John Wieland and David Chatham back in the year 2000. This site was previously permitted in 2018 as Pods J1-J2 with construction started on the roadway grading, sanitary sewer lines and the lift station to serve this site and existing pods within River Green. An asphalt entrance was originally constructed to access the site connecting to River Green Avenue. It will be completed as a part of this project with curbing, sidewalks, etc. added to it to serve these 110 residential units of this development. The site, other than the areas previously graded for roadway construction and the lift station access, has mature hardwood and pine trees throughout it. The developer plans to preserve 23.5 acres of the mature trees and place them into a conservation easement to protect them. Walking trail low impact construction will be allowed within the conservation area to allow the residents to be able to walk through the mature treed area.

#### **Traffic Analysis:**

The originally planned and permitted 110 lot single family development was started in 2018 and stopped due to economic reasons. The proposed development has 110 residential units, a combination of 15 single family detached lots and 95 attached townhome units. The proposed development has the same number of residential units as the previously developed site had, therefore we can state that the development of this 50.818 acre tract will not have an adverse effect on the neighborhood from a traffic standpoint. The roadways within the development will dedicate 3.5 acres of right-of-way to the City of Canton. The roadways will be constructed in accordance with the City of Canton's Type 1 residential street section, having 20-ft of pavement with 24-inch curb and gutter on each side along with five (5') foot sidewalks on each side of the roadway within 50-ft of right-of-way width. The cul-de-sacs will be designed to meet the City's Std Detail 205 for residential cul-de-sacs.

#### **Impact of development of adjacent land uses:**

The Master Plan for River Green had indicated this site area would have 110 residential units and the proposed plan is for 101 units, a reduction in the number of units. The greatly increased tree preservation and open space areas decrease any impact the development of this site would have on the adjoining residents.

Existing Land Use: PLANNED UNIT DEVELOPMENT (PUD)

PROPOSED ZONING: PLANNED UNIT DEVELOPMENT (PUD) PODS J1 AND J2

SITE AREA: 55.676 ACRES

Note: 8 Lots were platted along River Green Ave and Mimosa Drive on 03/12/2008 (PB 101, Pg 59) by Barton Land Surveying for Chatham-Wieland, LLC

DENSITY:  $110/55.676 = 2.0$  UNITS/ACRE

Pods J1 and J2 were planned as a single-family development/pod and permitted through the City of Canton. Economic issues prevented the development of the community to proceed beyond the grading of the roadways and installation of the Lift Station with force main

connecting to a gravity flow manhole that flows to a larger lift station that eventually discharges directly into the City of Canton's treatment plant. The lift station is located off of (proposed) Wisteria Place and is located on the US Army COE property.

**Proposed Land Use:**

RESIDENTIAL SINGLE FAMILY     6 Detached Lots

RESIDENTIAL TOWNHOMES     95 Attached Units

TOTAL RESIDENCES     101 LOTS/UNITS

DENSITY: 110 UNITS / 50.818 ACRES = 2.0 UNITS/ACRE

PROJECTED BUILDING COVERAGE: 6 S.F. DET. AT 4,450 SF/EA PLUS (+) 95 S.F. ATT. AT 2,350 SF/EA = 249,950 SF OR 5.74 ACRES. DENSITY= 5.74/50.818 = 11.3% of the Site's Area.

**PROJECTED IMPERVIOUS AREA COVERAGE:**

With the building area of 5.74 acres projected, the rest of the impervious area would be new roadways and 2.78 acres of sidewalks added = 8.52/50.818 = 16.8%

The developer reserves the right to phase the 101 unit development into 3-4 phases stopping at roadway intersections to decrease the impact of phasing on the residents that would be within the initial phase(s) of the development.

- A. Purpose: It is the intent for J1-J2 is a stand-alone independent tract to promote "Lakemont at River Green", a mixed-use residential development with appropriate density to support both Single-Family detached residences and Single-Family attached residences (Townhomes), with a walkable community in a vibrant setting of mature forested conservation areas and access to the many amenities within the River Green Community. City water and sewer service will serve Lakemont at River Green.
- B. Permitted Land Uses: Single Family Residence, both detached and attached (Townhomes). The roadways within the community will be public roadways with 5-ft wide sidewalks on both sides of the roadways designed to meet the City's roadway requirements. An activity field will be provided near the mail kiosk area, the two will share public parking near the kiosk.
- C. Accessory Uses: A temporary sales office-trailer will be allowed on one of the single-family lots near the intersection of River Green Ave and Mimosa Drive. A pocket park (multi-use activity field) will be provided near the mail kiosk and parking area. No clubhouse, swimming pool, playgrounds or athletic facilities will be included within this development. Walking Trails are permitted to be constructed within the conservation easements.
- D. Density: A maximum of 101 Lots/Units will be constructed on 50.818 acres, making the density 2.0 Units-Lots per Acre.
- E. Height, Area and bulk Regulations:
  - 1. Single Family Residences Detached:
    - Minimum SF Detached Lot Area: 10,000 sq. ft., 20,000 sq. ft. when abutting the existing Fieldstone S/D.
    - Minimum Lot Width: 60-ft width at R/W
    - Minimum Lot Depth: 125-ft
    - Minimum Front Yard: 20-ft
    - Minimum Side Yard: 7.55-ft
    - Minimum Rear Yard: 20-ft
    - Maximum Building Height: three (3) stories plus optional basement, 50-ft above the basement(s).
  - 2. Multi-Family Residences Attached:

Minimum Lot Area: N/A  
Maximum attached units per Building: 10-units  
Minimum Residence/Unit Living Area: 1,200 sq. ft.  
Minimum Yard Setbacks: Front=10-ft min., 20-ft max.  
Minimum Distance Between (Unit) Buildings: 20-ft  
Maximum Height: 4-stories or 60-ft

3. Landscape Buffers/Buffers to Adjacent Properties:  
Buffers for Residences abutting Fieldstone S/D = 40-ft undisturbed and/or planted  
No planted and/or screening buffers are required within the development. Note, there are multiple conservation easements (24.3 acres) within the development that will be preserved in perpetuity.
4. Minimum Open Space: 25% of the overall property area,  $50.818 \times 0.25 = 12.74$  acres  
This requirement is met with the conservation easements that have an overall area of 24.78 acres. Walking trails are permitted to be constructed within the common areas and conservation easements.
5. Parking Spaces / Loading Areas:  
Standard pedestrian vehicle spaces: 10-ft x 18-ft  
Compact pedestrian vehicle spaces: 8 ft x 16-ft (limited to 20% of the parking spaces)  
Single Family Residence Detached and Attached: 2 parking spaces within garage, with an additional 2 on the driveway outside of the right-of-way.  
Residential Guest Parking: 5 parking spaces at Mail Kiosk including 1 ADA space.  
Loading Area: None
6. Architectural:  
Lakemont at River Green intends to continue the community character of the River Green Neighborhood through thoughtful architectural consistent with traditional neighborhood design capturing the beauty of the mature forested tract. Primary building materials will be cementitious siding enhanced with distinctive details which may include porches, balconies, masonry water tables, covered entries, dormers, etc.
7. Site Plan Modifications: The overall Site Plan for residential units may be modified administratively and may be phased for development based on the owner's needs at that time.

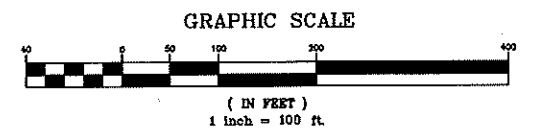
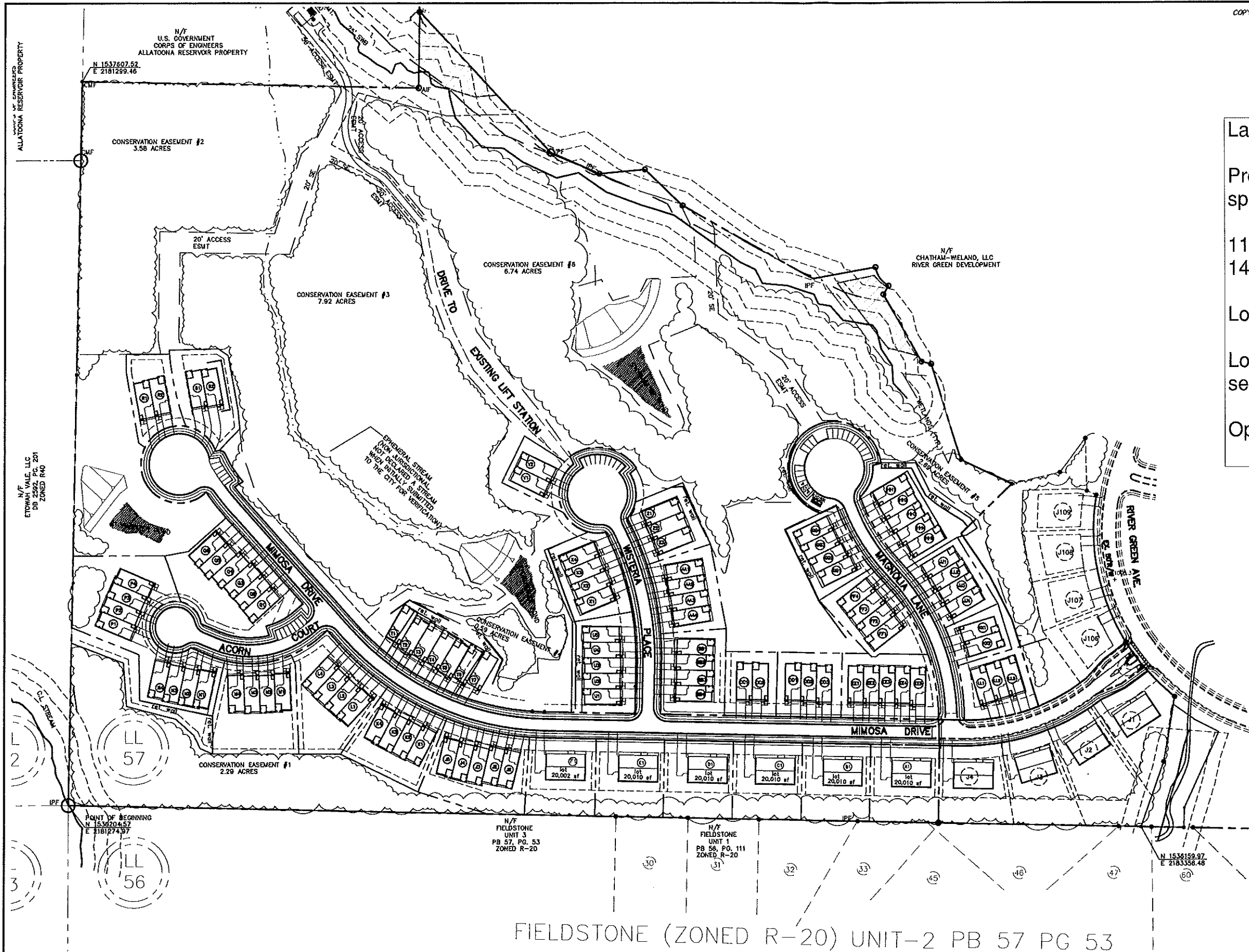
F. General Landscaping and Signage:

1. Landscaping shall be provided at the tract's entrance off River Green Avenue in conformance with or exceeding the standards for entrance landscaping within the River Green Neighborhood. Lighting may be added to enhance the landscape areas within the proposed development.
2. A stone-masonry monument sign will be added to the entrance area visible from River Green Avenue with the development and developer's name on it. Landscaping will be added around the sign with lighting to enhance the entrance's appeal. The sign will conform to the City of Canton's regulations for signage.



SCALE: 1" = 0.3 miles

Open Space = 23.81 acres or 46.8%



**COLOR CODES**  
FOR  
**UTILITY LOCATING**

|               |                |
|---------------|----------------|
| <b>RED</b>    | AIRLINE        |
| <b>YELLOW</b> | GAS-OIL        |
| <b>ORANGE</b> | TELEPHONE/CATV |
| <b>BLUE</b>   | WATER          |
| <b>GREEN</b>  | SEWER          |

**IF YOU ARE OUTSIDE  
CALL US FIRST**  
1-800-222-7001  
It's the last  
**UNIVERSITY PROFESSIONAL Center,**

THREE WORKING DAYS  
BEFORE  
YOU DO GEORGIA  
CALL  
**Unilink Protection  
Center, Inc.**



**1-800-222-7411**  
**It's The Law!**

**OWNER:**  
VILLAGE AT RIVER GREEN, LLC  
JW COLLECTION  
CHATTAHOOCHEE ENTERPRISES, LLC  
ATTN: MR. CHRIS OLSON  
V.P. LAND DEVELOPMENT & ACQUISITION  
2335 LOG CABIN DR.  
ATLANTA, GA 30339  
PHONE: (404) 392-5264  
EMAIL: colson@prolanta.com

**24 HR. CONTACT PERSON**  
CHRIS OLSON  
CELL (404) 392-5264

| NO. | REVISIONS | MADE | DKD. | DATE | DRAWING NO. | REFERENCE DRAWINGS |  |
|-----|-----------|------|------|------|-------------|--------------------|--|

|                                |         |       |
|--------------------------------|---------|-------|
| SCALE:                         | 1"=100' | DATE  |
| DESIGN BY:                     | JH/EC   | 11/23 |
| DRAWN BY:                      | JH/EC   | 11/23 |
| CHECKED BY:                    | JR      | 11/23 |
| COA: PEF000707 EXP: 06/30/2024 |         |       |
| JASON RAPPLEAN, EOR, VP, PE    |         |       |
| LEVEL 2 CERTIFICATION # 3031   |         |       |
| EXPIRATION DATE: 12/07/23      |         |       |
| rappleanj@walsdenashworth.com  |         |       |

**RIVER GREEN, LLC**



**WALDEN, ASHWORTH & ASSOCIATES, INC.**  
CONSULTING ENGINEERS  
P.O. BOX 8482  
MARETTA, GEORGIA 30085  
(770) 958 - 7879

JOB NO.  
4302300

OPAWING NUMBER

**42023- C-101**

Y. HQ.